

1. Agenda Only 06-06-16

Documents: [AGENDA ONLY 06-06-16.PDF](#)

2. Agenda And Packet 06-06-2016

Documents: [AGENDA AND PACKET 06-06-2016.PDF](#)

3. Addendum To The Council Backup Material For Order 265B

Documents: [ORDER 265B ATTACH 2 WASH AVE SLM OPTION JUNE 20 16.PDF](#),
[ORDER 265B ATTACH 1 WASH AVE LAYOUTS BNE CITYCOUNCILJUNE 20 16.PDF](#)

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK(A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

AGENDA
REGULAR CITY COUNCIL MEETING
JUNE 6, 2016

The Portland City Council will hold a regular City Council Meeting at 5:00 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

(Tab 1) May 2, 2016 Regular City Council Meeting Minutes

PROCLAMATIONS:

Proc 32-15/16 **Proclamation Re: Friends of the Eastern Promenade – Sponsored**
(Tab 2) **by Mayor Ethan K. Strimling, Mayor.**

Proc 33-15/16 **Proclamation Honoring Janice Gardner, City Clerk’s Office, as**
(Tab 3) **Employee of the Month for May 2016 – Sponsored by Mayor Ethan K.**
Strimling.

APPOINTMENTS:

Order 267-15/16 **Order Approving Appointments to Various Boards and Commissions –**
(Tab 4) **Sponsored by the Legislative/Nominating Committee, Councilor Justin**
Costa, Chair.

Name	Board & Commissions	Expiration
Mariar Barlow	Portland Housing Authority	06/30/2021
Joseph Dwyer	Civil Service Commission	06/30/2019
Meri Lowry	Land Bank Commission	06/30/2019
Shima Kabirigi	CDBG	09/30/2019
D. Kelly Young	CDBG	09/30/2019
Lucinda Pyne	CDBG	09/30/2019
Amy Gallant	CDBG	09/30/2019
Julia Kirby	Portland Public Arts	06/30/2019
Alison Hildreth	Portland Public Arts	06/30/2019
Jenna Crowder	Portland Public Arts	06/30/2019

Five affirmative votes are required for public comment after public comment.

**Order 268-15/16
(Tab 5)**

Order Appointing Constables for 2016 RE: Department of Public Safety – Sponsored by Jon P. Jennings, City Manager.

This order appoints Police Cadets Morgan Copp, Brian Rollins, Raven Riendeau, Dakota Farris, Guylain Azanga as constables for the Police Department.

This order shall be effective from the effective date of this order and until midnight on October 31, 2016.

These appointments are made pursuant to Portland City Code, Sections 20-19 and 20-19.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or make arrests or issue parking tickets.

Since the Cadets finished training on May 27th, staff is requesting emergency passage of this order.

Seven affirmative votes are required for passage after public comment.

**Order 269-15/16
(Tab 6)**

Order Appointing and Setting Salary of Christopher C. Branch as Public Works Director – Sponsored by Jon P. Jennings, City Manager.

Christopher C. Branch has been offered the position of Public Works Director, and he has accepted, subject to confirmation by the City Council as required by the City Charter. His resume is included in the agenda backup.

He will start on June 7, 2016, at a base salary of \$112,554 per year.

This item must be read two separate days. This is its first reading. Staff is requesting that the second reading be waived and this item be passed as an emergency so Mr. Branch can begin work on June 7, 2016. Seven affirmative votes are required for passage as an emergency if the second reading is waived and after public comment has been given.

CONSENT ITEMS:

**Order 270-15/16
(Tab 7)**

Order Declaring Monday, July 4, 2016, as July 4th Stars and Stripes Spectacular Festival – Sponsored by Jon P. Jennings, City Manager.

This order declares Monday, July 4, 2016, as the July 4th Stars and Stripes Spectacular. Rain date will be Tuesday, July 5, 2016.

This year's festival, which is being funded by private donations and fundraising activities by July 4th Portland, will include 25 minutes of

fireworks display, a Portland Symphony Orchestra concert, and food and entertainment vendors.

The festival runs from 7:00 p.m. to 10:00 p.m.

Fundraising activities on the day of the event will include the sale of alcoholic beverages by Dave's BBQ (in designated area near the stage) and the sale of the reserved seating in front of the stage.

Street closings are included in the agenda backup.

Five affirmative votes are required for passage of the Consent Calendar.

**Order 271-15/16
(Tab 8)**

Order Declaring Saturday, July 30, 2016, as The 14th Annual Greater Portland Festival of Nations – Sponsored by Jon P. Jennings, City Manager.

This order declares Saturday, July 30, 2016 as the 14th Annual Greater Portland Festival of Nations, a festival of music, crafts and cuisine from around the world to be held at Deering Oaks Park, 11:00 a.m. - 7:00 p.m.

This year will be the 14th annual Festival of Nations held at Deering Oaks Park. The festival, organized by Women In Need Industries and Mugadi Foundation, showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities, and folk art from America and many nations around the world. More than 2,500 people are expected to attend the day's events.

Admission is FREE. Refreshments, crafts, artwork, and other items will be for sale. The Festival is held rain or shine.

This year, the festival will again be held on Saturday. The Farmers Market (for just the date of the festival) is held in Deering Oaks Park then, and will be moving their setup to Bowling Green Lane so that setup for the Festival of Nations can take place at the Bandstand and along Farmers Market Rd. The Friends of Deering Oaks Park has reviewed and endorsed the festival (and the Farmers' Market have voted to move that day to Bowling Green).

In order to safely hold the festival and to assist in setup, the main road into Deering Oaks Park needs to be closed to traffic at approximately 10am, July 30, 2016 (opens back up again at 10pm).

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

Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

**Order 272-15/16
(Tab 9)** **Order Granting Municipal Officers' Approval of BRGR Bar, LLC d/b/a BRGR Bar. Application for a Class I FSE License with Outdoor Dining on Private Property at 11 Brown St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 4/12/16. This is the former location of Tio Juan's Margarita's Mexican Restaurant.

Five affirmative votes are required for passage after public comment.

**Order 273-15/16
(Tab 10)** **Order Granting Municipal Officers' Approval of Maine Craft Distilling d/b/a Maine Craft Distilling. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 4/22/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 274-15/16
(Tab 11)** **Order Granting Municipal Officers' Approval of Lone Pine Brewing Co. d/b/a Lone Pine Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 219 Anderson St., #4. – Sponsored by Katherine J. Jones, City Clerk.**

Application submitted on 4/26/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 275-15/16
(Tab 12)** **Order Granting Municipal Officers' Approval of Bunker Brewery LLC d/b/a Bunker Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 4/26/16. Applicant is currently moving operations from 122 Anderson St. to 17 Westfield St.

Five affirmative votes are required for passage after public comment.

**Order 276-15/16
(Tab 13)** **Order Granting Municipal Officers' Approval of RB Portland Master Subtenant LLC d/b/a Westin Portland Harborview. Application to Change Outdoor Dining on Public Property at 157 High St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 4/29/16. Applicant was previously approved for outdoor dining on High St. and wishes to move it to Congress Square Park.

Five affirmative votes are required for passage after public comment.

**Order 277-15/16
(Tab 14)** **Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 86 Newbury St. - Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/2/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 278-15/16
(Tab 15)** **Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application to expand Alcohol Service area on June 23rd for Spurwink Services fundraiser – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/2/16. Applicant has applied for a brewery alcohol service license.

Five affirmative votes are required for passage after public comment.

**Order 279-15/16
(Tab 16)** **Order Granting Municipal Officers' Approval of Tangible Alchemy d/b/a Urban Farm Fermentory. Application for a Brewery and Winery Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 200 Anderson St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/2/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 280-15/16
(Tab 17)** **Order Granting Municipal Officers' Approval of Milne Spirit Works LLC d/b/a Hardshore Distilling Company. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property and Food Service Establishment with Preparation at 59 Washington Ave., Suite 1-E – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/3/16. New City License for a new operation.

Five affirmative votes are required for passage after public comment.

Order 281-15/16 (Tab 18) **Order Granting Municipal Officers' Approval of Poplar & Company LLC d/b/a Roustabout. Application to add Outdoor Dining on Public Property at 59 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/3/16. Applicant holds a current Class XI Restaurant/Lounge License with Entertainment with Dance.

Five affirmative votes are required for passage after public comment.

Order 282-15/16 (Tab 19) **Order Granting Municipal Officers' Approval of D and D Hospitality, LLC d/b/a Salty Sally's. Application for a Class I FSE License at 953 Congress Street – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/4/16. New City and State applications. This Is the former location of "953 Congress St."

Five affirmative votes are required for passage after public comment.

Order 283-15/16 (Tab 20) **Order Granting Municipal Officers' Approval of New England Distilling, LLC d/b/a New England Distilling. Application for a Distillery Alcohol Service License at 26 Evergreen Dr., Unit B – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/5/16. Business is currently in operation.

Five affirmative votes are required for passage after public comment.

Order 284-15/16 (Tab 21) **Order Granting Municipal Officers' Approval of New England Distilling. Application for a Distillery Alcohol Service License at 1 Industrial Way, Unit 13 – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/5/16. New City application for a new operation.

Five affirmative votes are required for passage after public comment.

Order 285-15/16 (Tab 22) **Order Granting Municipal Officers' Approval of AMJ Corp d/b/a Styxx. Application to add Outdoor Dining on Private Property at 3 Spring St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/6/16. Applicant holds a current Class A Lounge License with Entertainment with Dance at 3 Spring St.

Five affirmative votes are required for passage after public comment.

Order 286-15/16 (Tab 23) **Order Granting Municipal Officers' Approval of DL Geary Brewing Co., Inc. d/b/a DL Geary Brewing Co. Inc. Application for a Brewery**

Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparing at 38 Evergreen Dr. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 287-15/16
(Tab 24)**

Order Granting Municipal Officers' Approval of Foundation Brewing Company d/b/a Foundation Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property and Food Service Establishment without Preparation at 1 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant is currently operating and expanding at this location.

Five affirmative votes are required for passage after public comment.

**Order 288-15/16
(Tab 25)**

Order Granting Municipal Officers' Approval of Ricker Hill Farms Inc. d/b/a Tasting Cellar. Application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. New City License for a new operation. Former location of Evolution Fitness.

Five affirmative votes are required for passage after public comment.

**Order 289-15/16
(Tab 26)**

Order Granting Municipal Officers' Approval of Wassal, LLC d/b/a Maine Mead Works. Application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

**Order 290-15/16
(Tab 27)**

Order Granting Municipal Officers' Approval of Ginza Town Inc. d/b/a Ginza Town. Application to add Outdoor Dining on Private Property at 1053 Forest Ave. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted 5/12/16. Applicant currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

**Order 291-15/16
(Tab 28)**

Order Granting Municipal Officers' Approval of Austin Street Brewery, LLC d/b/a Austin Street Brewery, LLC. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8 – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/16/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 292-15/16
(Tab 29)**

Order Granting Municipal Officers' Approval of G. Robert Tod d/b/a Allagash Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/16/16. Business is currently in operation.

Five affirmative votes are required for passage after public comment.

**Order 293-15/16
(Tab 30)**

Order Granting Municipal Officers' Approval of Foxville Group LLC d/b/a Emilitsa Restaurant. Application to add Outdoor Dining On Public Property at 547 Congress St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted 5/17/16. Applicant currently holds a Class I FSE License.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 201-15/16
(Tab 31)**

Order Approving the Purchase of a Street Lamp Sculpture by Aaron Stephan for Installation at Woodfords Corner and Adding This Work to the City's Public Art Collection – Sponsored by Lin Lisberger, Chair of the Portland Public Art Committee.

The Portland Public Art Ordinance requires the Portland Public Art Committee (PPAC) to seek Council approval for any artwork or artist selected and approve the committee budget. The Woodfords Corner Project was not included in the 2016 Budget Plan presented to Council in February.

The project would allocate \$25,000 towards the project from the PPAC budget - \$20,000 artist fee and \$5,000 installation/construction budget. This represents a reduction in cost to the City for the Woodfords Corner project budget because the light feature is now being covered by the public art budget. The project would use funds already within the PPAC budget, which are generated through the ½ % for Public Art in the CIP.

Accepting this proposal represents the approval of an allocation of funds already secured by the Public Art Committee.

There is no additional money requested. The PPAC is able to fund this project with money left over from the Langlais installation project.

At the April 25, 2016, City Council meeting this item was postponed to this meeting.

Five affirmative votes are required for passage after public comment.

**Order 265-15/16
(Tab 32)**

Traffic Schedule Amendments Re: Forest Avenue and Washington Avenue Traffic – Sponsored by Jon P. Jennings, City Manager.

This order amends the Traffic Schedule in certain locations on Forest Avenue and Washington Avenue to mitigate documented safety issues and facilitate transportation improvements to both corridors as part of annual striping and repaving projects during the 2016 construction season.

Staff is recommending that this Order be passed as an Emergency. This will enable the changes to parking to take place concurrently with the annual striping of Forest Avenue, anticipated to be prior to the 30 days the change would normally take effect following Council action .

This order had a first reading on 5/16/16. Seven affirmative votes are required for passage after public comment has been given.

ORDERS:

**Order 294-15/16
(Tab 33)**

Order Accepting and Approving a Bus Shelter Easement for Public Access From Hardypond Development Company, LLC – Sponsored by the Planning Board, Elizabeth Boepple, Chair.

On November 10, 2015, the Planning Board approved a Level III Site Plan application for the redevelopment of the Pleasant Avenue Church at 3 Pleasant Avenue into 25 market rate apartment units. As required by the city's site plan ordinance, the approved plans include a transit shelter to

serve Greater Portland METRO's M2 line, which runs on Forest Avenue. Because of the limited sidewalk width on the project frontage, however, this shelter is proposed on private property. As a result, when the Planning Board approved the project (5-0, Morrissette absent), they did so on the condition that the applicant provide an easement for purposes of public access to the transit shelter.

Five affirmative votes are required for passage after public comment.

**Order 295-15/16
(Tab 34)**

Order Granting an Anode Bed Gas Facility Easement to Unitil on Douglass Street – Sponsored by Danielle West Chuhta, Corporation Counsel.

Unitil has requested that the City grant it an easement on Douglass Street to allow the relocation of an anode bed. The relocation follows an expansion of the Maine Department of Transportation (MDOT) intermodal transportation project, including the construction of a cold storage facility, on MDOT property on Commercial Street, where Unitil's anode bed is located now.

Work must be completed before the heating season, which begins October 1, 2016. The anode bed consists of ten (10) underground anodes in an underground cable inside a PVC pipe and is about 100 feet long. A rectifier on a utility pole will also be installed.

Unitil will pay the City a fee of \$0.85 per square foot, or \$1,216.35 for the 1,431 square feet of the Douglass Street Unitil Easement area.

Five affirmative votes are required for passage after public comment.

**Order 296-15/16
(Tab 35)**

Order Approving the Deaccession of the Common Ground Gazebo from the Portland Public Art Collection – Sponsored by the Portland Public Art Committee, Lin Lisberger, Chair.

The Portland Public Art Committee recommends that the Common Ground Gazebo located within Payson Park be deaccessioned from the Portland Public Art Collection and that it be taken down per the Public Art Guidelines.

Five affirmative votes are required for passage after public comment.

**Order 297-15/16
(Tab 36)**

Order Accepting the Donation of Land on Riverview Street from Diversified Properties, Inc. - Sponsored by Jon P. Jennings, City Manager.

Jim Wolf, whose company Diversified Properties, Inc. owns a large parcel of land on Riverview Street is proposing to donate a portion of it to the City. The Department of Public Works (DPW) has determined that this proposed parcel is not appropriate for inclusion in the Land Bank due to the presence

of multiple utility easements on the property. However, DPW has determined that the property may be helpful to the City in order to facilitate maintenance of City infrastructure and, therefore, recommends acceptance of the donation.

Five affirmative votes are required for passage after public comment.

**Order 298-15/16
(Tab 37)**

Order Adopting Development Program for Portland Downtown – for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.

City Council authorization of documents are needed for the continued operation of Portland Downtown (PD). These documents include (1) Adopting Development Program for PD for FY2017; (2) Assessing Maintenance and Implementation Assessments in PD for FY2017; (3) authorizing the Master Agreement for work to be done by PD; and (4) authorizing the Supplemental Services Agreement for work to be done by the City.

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

**Order 299-15/16
(Tab 38)**

Order Assessing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.

This order and the following order are companion orders to Order 298 above. Five affirmative votes are required for passage after public comment.

This year's assessment of \$749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017. The mill rate to raise this assessment is .92 cents per \$1,000 of property value, which has been the same rate for the past seven years.

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

**Order 300-15/16
(Tab 39)**

Order Approving and Authorizing the City Manager to Enter Into Master Agreement and Supplemental Services Agreement with Portland Downtown - Sponsored by Jon P. Jennings, City Manager.

This order approves and authorizes the City Manager to enter into a Master Agreement, with the Baseline Services provided in Exhibit B, with the Downtown Improvement District Inc., doing business as Portland Downtown, to carry out the development plan for the Downtown Improvement District, Inc. for the period and also a Supplemental Services Agreement to implement Supplemental Public Works Services as approved in the Fiscal year 2017 Appropriation Resolve, from and after July 1, 2016 and ending June 30, 2017.

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

**Order 301-15/16
(Tab 40)**

Order Amending the Designation of India Street as a Historic District and the Map of Historic Districts by Expanding Its Boundary – Sponsored by the Planning Board, Elizabeth Boepple, Chair, and the Historic Preservation Board, Scott Benson, Chair.

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street.

The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three-story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a “contributing” building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well. As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing. Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance’s Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance’s new construction standards.

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

AMENDMENTS:

**Order 302-15/16
(Tab 41)**

Amendment to Traffic Schedule RE: Carleton Street – Sponsored by Councilor Spencer Thibodeau.

Carleton Street is a one-way street running between Pine and Congress Streets. The street is wide enough to accommodate parking on both sides, but at the current time parking on the west side is prohibited. Councilor Thibodeau has asked that parking be placed on the west side with a seasonal restriction from November 15 to April 15.

This item must be read on two separate days. The Council will be asked to waive the second reading and enact this order as an emergency. This

enactment requires seven affirmative votes for passage after public comment has been given.

**Order 303-15/16
(Tab 42)**

Amendment to Portland City Code Chapter 17 (Offences, Miscellaneous Provisions) RE: Sale of Tobacco Products to Persons under 21 Years of Age Prohibited - Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.

This item would change legal age to purchase tobacco to 21 in the Portland City tobacco ordinance.

Research shows that the majority of smokers begin smoking their teens or earlier. The Committee recommendation seeks to increase the age at which individuals can purchase tobacco products thus preventing tobacco addiction.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

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

**Order 304-15/16
(Tab 43)**

Amendment to Portland City Code Chapter 11 Food and Food Handlers RE: Food Trucks and Community Kitchens – Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.

This item will bring consistency and simplify definitions and eliminate fees.

Purveyors of food for sale are regulated by the state and city. The definitions for: Base Station; Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There are also two fees the committee recommends be eliminated because of redundancy.

The base station fee is redundant to the mobile license fee. License fees are being collected twice from the same business. The annual amount collected from the base station fee is less than \$2,000 and is supported by the City Clerk's office.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

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

LICENSE RENEWALS:

BREAK FOR DINNER:

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

AGENDA
REGULAR CITY COUNCIL MEETING
JUNE 6, 2016

The Portland City Council will hold a regular City Council Meeting at 5:00 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

(Tab 1) May 2, 2016 Regular City Council Meeting Minutes

PROCLAMATIONS:

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(Tab 2) by Mayor Ethan K. Strimling, Mayor.

Proc 33-15/16 Proclamation Honoring Janice Gardner, City Clerk's Office, as
(Tab 3) Employee of the Month for May 2016 – Sponsored by Mayor Ethan K. Strimling.

APPOINTMENTS:

Order 267-15/16 Order Approving Appointments to Various Boards and Commissions –
(Tab 4) Sponsored by the Legislative/Nominating Committee, Councilor Justin Costa, Chair.

Name	Board & Commissions	Expiration
Mariar Barlow	Portland Housing Authority	06/30/2021
Joseph Dwyer	Civil Service Commission	06/30/2019
Meri Lowry	Land Bank Commission	06/30/2019
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Julia Kirby	Portland Public Arts	06/30/2019
Alison Hildreth	Portland Public Arts	06/30/2019
Jenna Crowder	Portland Public Arts	06/30/2019

Five affirmative votes are required for public comment after public comment.

**Order 268-15/16
(Tab 5)**

Order Appointing Constables for 2016 RE: Department of Public Safety – Sponsored by Jon P. Jennings, City Manager.

This order appoints Police Cadets Morgan Copp, Brian Rollins, Raven Riendeau, Dakota Farris, Guylain Azanga as constables for the Police Department.

This order shall be effective from the effective date of this order and until midnight on October 31, 2016.

These appointments are made pursuant to Portland City Code, Sections 20-19 and 20-19.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or make arrests or issue parking tickets.

Since the Cadets finished training on May 27th, staff is requesting emergency passage of this order.

Seven affirmative votes are required for passage after public comment.

**Order 269-15/16
(Tab 6)**

Order Appointing and Setting Salary of Christopher C. Branch as Public Works Director – Sponsored by Jon P. Jennings, City Manager.

Christopher C. Branch has been offered the position of Public Works Director, and he has accepted, subject to confirmation by the City Council as required by the City Charter. His resume is included in the agenda backup.

He will start on June 7, 2016, at a base salary of \$112,554 per year.

This item must be read two separate days. This is its first reading. Staff is requesting that the second reading be waived and this item be passed as an emergency so Mr. Branch can begin work on June 7, 2016. Seven affirmative votes are required for passage as an emergency if the second reading is waived and after public comment has been given.

CONSENT ITEMS:

**Order 270-15/16
(Tab 7)**

Order Declaring Monday, July 4, 2016, as July 4th Stars and Stripes Spectacular Festival – Sponsored by Jon P. Jennings, City Manager.

This order declares Monday, July 4, 2016, as the July 4th Stars and Stripes Spectacular. Rain date will be Tuesday, July 5, 2016.

This year's festival, which is being funded by private donations and fundraising activities by July 4th Portland, will include 25 minutes of

fireworks display, a Portland Symphony Orchestra concert, and food and entertainment vendors.

The festival runs from 7:00 p.m. to 10:00 p.m.

Fundraising activities on the day of the event will include the sale of alcoholic beverages by Dave's BBQ (in designated area near the stage) and the sale of the reserved seating in front of the stage.

Street closings are included in the agenda backup.

Five affirmative votes are required for passage of the Consent Calendar.

**Order 271-15/16
(Tab 8)**

Order Declaring Saturday, July 30, 2016, as The 14th Annual Greater Portland Festival of Nations – Sponsored by Jon P. Jennings, City Manager.

This order declares Saturday, July 30, 2016 as the 14th Annual Greater Portland Festival of Nations, a festival of music, crafts and cuisine from around the world to be held at Deering Oaks Park, 11:00 a.m. - 7:00 p.m.

This year will be the 14th annual Festival of Nations held at Deering Oaks Park. The festival, organized by Women In Need Industries and Mugadi Foundation, showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities, and folk art from America and many nations around the world. More than 2,500 people are expected to attend the day's events.

Admission is FREE. Refreshments, crafts, artwork, and other items will be for sale. The Festival is held rain or shine.

This year, the festival will again be held on Saturday. The Farmers Market (for just the date of the festival) is held in Deering Oaks Park then, and will be moving their setup to Bowling Green Lane so that setup for the Festival of Nations can take place at the Bandstand and along Farmers Market Rd. The Friends of Deering Oaks Park has reviewed and endorsed the festival (and the Farmers' Market have voted to move that day to Bowling Green).

In order to safely hold the festival and to assist in setup, the main road into Deering Oaks Park needs to be closed to traffic at approximately 10am, July 30, 2016 (opens back up again at 10pm).

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

Five affirmative votes are required for passage of the Consent Calendar.

LICENSES:

**Order 272-15/16
(Tab 9)**

Order Granting Municipal Officers' Approval of BRGR Bar, LLC d/b/a BRGR Bar. Application for a Class I FSE License with Outdoor Dining on Private Property at 11 Brown St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 4/12/16. This is the former location of Tio Juan's Margarita's Mexican Restaurant.

Five affirmative votes are required for passage after public comment.

**Order 273-15/16
(Tab 10)**

Order Granting Municipal Officers' Approval of Maine Craft Distilling d/b/a Maine Craft Distilling. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 4/22/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 274-15/16
(Tab 11)**

Order Granting Municipal Officers' Approval of Lone Pine Brewing Co. d/b/a Lone Pine Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 219 Anderson St., #4. – Sponsored by Katherine J. Jones, City Clerk.

Application submitted on 4/26/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 275-15/16
(Tab 12)**

Order Granting Municipal Officers' Approval of Bunker Brewery LLC d/b/a Bunker Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 4/26/16. Applicant is currently moving operations from 122 Anderson St. to 17 Westfield St.

Five affirmative votes are required for passage after public comment.

**Order 276-15/16
(Tab 13)**

Order Granting Municipal Officers' Approval of RB Portland Master Subtenant LLC d/b/a Westin Portland Harborview. Application to Change Outdoor Dining on Public Property at 157 High St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 4/29/16. Applicant was previously approved for outdoor dining on High St. and wishes to move it to Congress Square Park.

Five affirmative votes are required for passage after public comment.

**Order 277-15/16
(Tab 14)**

Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 86 Newbury St. - Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/2/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 278-15/16
(Tab 15)**

Order Granting Municipal Officers' Approval of Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application to expand Alcohol Service area on June 23rd for Spurwink Services fundraiser – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/2/16. Applicant has applied for a brewery alcohol service license.

Five affirmative votes are required for passage after public comment.

**Order 279-15/16
(Tab 16)**

Order Granting Municipal Officers' Approval of Tangible Alchemy d/b/a Urban Farm Fermentory. Application for a Brewery and Winery Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 200 Anderson St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/2/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 280-15/16
(Tab 17)**

Order Granting Municipal Officers' Approval of Milne Spirit Works LLC d/b/a Hardshore Distilling Company. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property and Food Service Establishment with Preparation at 59 Washington Ave., Suite 1-E – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/3/16. New City License for a new operation.

Five affirmative votes are required for passage after public comment.

**Order 281-15/16
(Tab 18)** **Order Granting Municipal Officers' Approval of Poplar & Company LLC d/b/a Roustabout. Application to add Outdoor Dining on Public Property at 59 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/3/16. Applicant holds a current Class XI Restaurant/Lounge License with Entertainment with Dance.

Five affirmative votes are required for passage after public comment.

**Order 282-15/16
(Tab 19)** **Order Granting Municipal Officers' Approval of D and D Hospitality, LLC d/b/a Salty Sally's. Application for a Class I FSE License at 953 Congress Street – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/4/16. New City and State applications. This Is the former location of "953 Congress St."

Five affirmative votes are required for passage after public comment.

**Order 283-15/16
(Tab 20)** **Order Granting Municipal Officers' Approval of New England Distilling, LLC d/b/a New England Distilling. Application for a Distillery Alcohol Service License at 26 Evergreen Dr., Unit B – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/5/16. Business is currently in operation.

Five affirmative votes are required for passage after public comment.

**Order 284-15/16
(Tab 21)** **Order Granting Municipal Officers' Approval of New England Distilling. Application for a Distillery Alcohol Service License at 1 Industrial Way, Unit 13 – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/5/16. New City application for a new operation.

Five affirmative votes are required for passage after public comment.

**Order 285-15/16
(Tab 22)** **Order Granting Municipal Officers' Approval of AMJ Corp d/b/a Styxx. Application to add Outdoor Dining on Private Property at 3 Spring St. – Sponsored by Katherine L. Jones, City Clerk.**

Application submitted on 5/6/16. Applicant holds a current Class A Lounge License with Entertainment with Dance at 3 Spring St.

Five affirmative votes are required for passage after public comment.

**Order 286-15/16
(Tab 23)** **Order Granting Municipal Officers' Approval of DL Geary Brewing Co., Inc. d/b/a DL Geary Brewing Co. Inc. Application for a Brewery**

Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparing at 38 Evergreen Dr. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 287-15/16
(Tab 24)**

Order Granting Municipal Officers' Approval of Foundation Brewing Company d/b/a Foundation Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property and Food Service Establishment without Preparation at 1 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant is currently operating and expanding at this location.

Five affirmative votes are required for passage after public comment.

**Order 288-15/16
(Tab 25)**

Order Granting Municipal Officers' Approval of Ricker Hill Farms Inc. d/b/a Tasting Cellar. Application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. New City License for a new operation. Former location of Evolution Fitness.

Five affirmative votes are required for passage after public comment.

**Order 289-15/16
(Tab 26)**

Order Granting Municipal Officers' Approval of Wassal, LLC d/b/a Maine Mead Works. Application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/6/16. Applicant currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

**Order 290-15/16
(Tab 27)**

Order Granting Municipal Officers' Approval of Ginza Town Inc. d/b/a Ginza Town. Application to add Outdoor Dining on Private Property at 1053 Forest Ave. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted 5/12/16. Applicant currently holds a Class I FSE.

Five affirmative votes are required for passage after public comment.

**Order 291-15/16
(Tab 28)**

Order Granting Municipal Officers' Approval of Austin Street Brewery, LLC d/b/a Austin Street Brewery, LLC. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8 – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/16/16. Applicant is currently operating at this location.

Five affirmative votes are required for passage after public comment.

**Order 292-15/16
(Tab 29)**

Order Granting Municipal Officers' Approval of G. Robert Tod d/b/a Allagash Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way – Sponsored by Katherine L. Jones, City Clerk.

Application submitted on 5/16/16. Business is currently in operation.

Five affirmative votes are required for passage after public comment.

**Order 293-15/16
(Tab 30)**

Order Granting Municipal Officers' Approval of Foxville Group LLC d/b/a Emilitsa Restaurant. Application to add Outdoor Dining On Public Property at 547 Congress St. – Sponsored by Katherine L. Jones, City Clerk.

Application submitted 5/17/16. Applicant currently holds a Class I FSE License.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 201-15/16
(Tab 31)**

Order Approving the Purchase of a Street Lamp Sculpture by Aaron Stephan for Installation at Woodfords Corner and Adding This Work to the City's Public Art Collection – Sponsored by Lin Lisberger, Chair of the Portland Public Art Committee.

The Portland Public Art Ordinance requires the Portland Public Art Committee (PPAC) to seek Council approval for any artwork or artist selected and approve the committee budget. The Woodfords Corner Project was not included in the 2016 Budget Plan presented to Council in February.

The project would allocate \$25,000 towards the project from the PPAC budget - \$20,000 artist fee and \$5,000 installation/construction budget. This represents a reduction in cost to the City for the Woodfords Corner project budget because the light feature is now being covered by the public art budget. The project would use funds already within the PPAC budget, which are generated through the ½ % for Public Art in the CIP.

Accepting this proposal represents the approval of an allocation of funds already secured by the Public Art Committee.

There is no additional money requested. The PPAC is able to fund this project with money left over from the Langlais installation project.

At the April 25, 2016, City Council meeting this item was postponed to this meeting.

Five affirmative votes are required for passage after public comment.

**Order 265-15/16
(Tab 32)**

Traffic Schedule Amendments Re: Forest Avenue and Washington Avenue Traffic – Sponsored by Jon P. Jennings, City Manager.

This order amends the Traffic Schedule in certain locations on Forest Avenue and Washington Avenue to mitigate documented safety issues and facilitate transportation improvements to both corridors as part of annual striping and repaving projects during the 2016 construction season.

Staff is recommending that this Order be passed as an Emergency. This will enable the changes to parking to take place concurrently with the annual striping of Forest Avenue, anticipated to be prior to the 30 days the change would normally take effect following Council action.

This order had a first reading on 5/16/16. Seven affirmative votes are required for passage after public comment has been given.

ORDERS:

**Order 294-15/16
(Tab 33)**

Order Accepting and Approving a Bus Shelter Easement for Public Access From Hardypond Development Company, LLC – Sponsored by the Planning Board, Elizabeth Boepple, Chair.

On November 10, 2015, the Planning Board approved a Level III Site Plan application for the redevelopment of the Pleasant Avenue Church at 3 Pleasant Avenue into 25 market rate apartment units. As required by the city's site plan ordinance, the approved plans include a transit shelter to

serve Greater Portland METRO's M2 line, which runs on Forest Avenue. Because of the limited sidewalk width on the project frontage, however, this shelter is proposed on private property. As a result, when the Planning Board approved the project (5-0, Morrisette absent), they did so on the condition that the applicant provide an easement for purposes of public access to the transit shelter.

Five affirmative votes are required for passage after public comment.

**Order 295-15/16
(Tab 34)**

Order Granting an Anode Bed Gas Facility Easement to Unitil on Douglass Street – Sponsored by Danielle West Chuhta, Corporation Counsel.

Unitil has requested that the City grant it an easement on Douglass Street to allow the relocation of an anode bed. The relocation follows an expansion of the Maine Department of Transportation (MDOT) intermodal transportation project, including the construction of a cold storage facility, on MDOT property on Commercial Street, where Unitil's anode bed is located now.

Work must be completed before the heating season, which begins October 1, 2016. The anode bed consists of ten (10) underground anodes in an underground cable inside a PVC pipe and is about 100 feet long. A rectifier on a utility pole will also be installed.

Unitil will pay the City a fee of \$0.85 per square foot, or \$1,216.35 for the 1,431 square feet of the Douglass Street Unitil Easement area.

Five affirmative votes are required for passage after public comment.

**Order 296-15/16
(Tab 35)**

Order Approving the Deaccession of the Common Ground Gazebo from the Portland Public Art Collection – Sponsored by the Portland Public Art Committee, Lin Lisberger, Chair.

The Portland Public Art Committee recommends that the Common Ground Gazebo located within Payson Park be deaccessioned from the Portland Public Art Collection and that it be taken down per the Public Art Guidelines.

Five affirmative votes are required for passage after public comment.

**Order 297-15/16
(Tab 36)**

Order Accepting the Donation of Land on Riverview Street from Diversified Properties, Inc. - Sponsored by Jon P. Jennings, City Manager.

Jim Wolf, whose company Diversified Properties, Inc. owns a large parcel of land on Riverview Street is proposing to donate a portion of it to the City. The Department of Public Works (DPW) has determined that this proposed parcel is not appropriate for inclusion in the Land Bank due to the presence

of multiple utility easements on the property. However, DPW has determined that the property may be helpful to the City in order to facilitate maintenance of City infrastructure and, therefore, recommends acceptance of the donation.

Five affirmative votes are required for passage after public comment.

**Order 298-15/16
(Tab 37)**

Order Adopting Development Program for Portland Downtown – for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.

City Council authorization of documents are needed for the continued operation of Portland Downtown (PD). These documents include (1) Adopting Development Program for PD for FY2017; (2) Assessing Maintenance and Implementation Assessments in PD for FY2017; (3) authorizing the Master Agreement for work to be done by PD; and (4) authorizing the Supplemental Services Agreement for work to be done by the City.

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

**Order 299-15/16
(Tab 38)**

Order Assessing Maintenance and Implementation Assessments for Portland Downtown for Fiscal Year 2016-2017 - Sponsored by Jon P. Jennings, City Manager.

This order and the following order are companion orders to Order 298 above. Five affirmative votes are required for passage after public comment.

This year's assessment of \$749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017. The mill rate to raise this assessment is .92 cents per \$1,000 of property value, which has been the same rate for the past seven years.

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

**Order 300-15/16
(Tab 39)**

Order Approving and Authorizing the City Manager to Enter Into Master Agreement and Supplemental Services Agreement with Portland Downtown - Sponsored by Jon P. Jennings, City Manager.

This order approves and authorizes the City Manager to enter into a Master Agreement, with the Baseline Services provided in Exhibit B, with the Downtown Improvement District Inc., doing business as Portland Downtown, to carry out the development plan for the Downtown Improvement District, Inc.* for the period and also a Supplemental Services Agreement to implement Supplemental Public Works Services as approved in the Fiscal year 2017 Appropriation Resolve, from and after July 1, 2016 and ending June 30, 2017.

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

**Order 301-15/16
(Tab 40)**

Order Amending the Designation of India Street as a Historic District and the Map of Historic Districts by Expanding Its Boundary – Sponsored by the Planning Board, Elizabeth Boepple, Chair, and the Historic Preservation Board, Scott Benson, Chair.

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street.

The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three-story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a “contributing” building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well. As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing. Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance’s Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance’s new construction standards.

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

AMENDMENTS:

**Order 302-15/16
(Tab 41)**

Amendment to Traffic Schedule RE: Carleton Street – Sponsored by Councilor Spencer Thibodeau.

Carleton Street is a one-way street running between Pine and Congress Streets. The street is wide enough to accommodate parking on both sides, but at the current time parking on the west side is prohibited. Councilor Thibodeau has asked that parking be placed on the west side with a seasonal restriction from November 15 to April 15.

This item must be read on two separate days. The Council will be asked to waive the second reading and enact this order as an emergency. This

enactment requires seven affirmative votes for passage after public comment has been given.

**Order 303-15/16
(Tab 42)**

Amendment to Portland City Code Chapter 17 (Offences, Miscellaneous Provisions) RE: Sale of Tobacco Products to Persons under 21 Years of Age Prohibited - Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.

This item would change legal age to purchase tobacco to 21 in the Portland City tobacco ordinance.

Research shows that the majority of smokers begin smoking their teens or earlier. The Committee recommendation seeks to increase the age at which individuals can purchase tobacco products thus preventing tobacco addiction.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

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

**Order 304-15/16
(Tab 43)**

Amendment to Portland City Code Chapter 11 Food and Food Handlers RE: Food Trucks and Community Kitchens – Sponsored by the Health & Human Services Committee, Edward J. Suslovic, Chair.

This item will bring consistency and simplify definitions and eliminate fees.

Purveyors of food for sale are regulated by the state and city. The definitions for: Base Station; Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There are also two fees the committee recommends be eliminated because of redundancy.

The base station fee is redundant to the mobile license fee. License fees are being collected twice from the same business. The annual amount collected from the base station fee is less than \$2,000 and is supported by the City Clerk's office.

The Health & Human Services Committee voted unanimously to recommend passage, 3-0.

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

LICENSE RENEWALS:

BREAK FOR DINNER:

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Feb 1 - 15/16
6-6-16

ROLL CALL: Mayor Strimling called the meeting to order at 5:00 P.M. (Councilor Duson arrived after proclamation 28.)

ANNOUNCEMENTS: Councilor Thibodeau spoke of his recent trip to Chicago.

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to approve the minutes of May 2, 2016, Regular City Council Meeting Minutes. Passage 8-0.

PROCLAMATIONS:

- Proc 28-15/16 Proclamation Honoring Culture Club-Portland and Portland Public Schools – Sponsored by Mayor Ethan K. Strimling.
- Proc 29-15/16 Proclamation Honoring Officer Christopher Dyer as Police Officer of Month for April 2016 – Sponsored by Mayor Ethan K. Strimling.
- Proc 30-15/16 Proclamation Honoring Eli Chase, Police Department, as Employee of the Month for April 2016 – Sponsored by Mayor Ethan K. Strimling.
- Proc 31-15/16 Proclamation Proclaiming May 15-21, 2016 as Emergency Medical Services Week – Sponsored by Mayor Ethan K. Strimling.

APPOINTMENTS:

- Order 255-15/16 Order Appointing Constables for 2016 Re: Department of Public Works and Parks, Recreation and Facilities – Sponsored by Jon P. Jennings, City Manager.

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

CONSENT ITEMS:

- Order 256-15/16 Order Setting the Time for Opening Polls on June 14, 2016 Re: June Primary – Sponsored by Katherine L. Jones, City Clerk.
- Order 257-15/16 Order Declaring Saturday, June 25, 2016 as Rock Lobster Relay Festival – Sponsored by Jon P. Jennings, City Manager.
- Order 258-15/16 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: State of Maine v. Thell Brown – Sponsored by Jon P. Jennings, City Manager.

Order 259-15/16 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: State of Maine v. Matthew Bradley – Sponsored by Jon P. Jennings, City Manager.

Order 260-15/16 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: State of Maine v. Donald Alfreds – Sponsored by Jon P. Jennings, City Manager.

Order 261-15/16 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: State of Maine v. Ziq Danquah – Sponsored by Jon P. Jennings, City Manager.

Order 262-15/16 Order Re: Residential Parking Permit Extension – Sponsored by Jon P. Jennings, City Manager.

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

LICENSES:

Order 219-15/16 Order Granting Municipal Officers' Approval of Local Food 1, LLC d/b/a B. Good Restaurant at 15 Exchange St. Application to Expand Existing Alcohol Service Area on August 14, 2016 for B Good Block Party Festival – Sponsored by Katherine L. Jones, City Clerk.

Motion was made by Councilor Dusen and seconded by Councilor Costa to postpone indefinitely. Passage 9-0.

Order 262A-15/16 Order Granting Municipal Officers' Approval of Seamusfinn, LLC d/b/a Petite Jacqueline. Application for a Class I FSE License with Outside Dining on Public Property at 46 Market Street – Sponsored by Katherine L. Jones, City Clerk.

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

ORDERS:

Order 263-15/16 Order Establishing the Pesticide and Fertilizer Task Force – Sponsored by the Energy and Sustainability Committee, Councilor Jon Hinck, Chair.

Motion was made by Councilor Ray and seconded by Councilor Suslovic for passage as an emergency. Passage 9-0.

Order 264-15/16 Order Appointing Members of the Pesticide and Fertilizer Task Force - Sponsored by the Energy and Sustainability Committee, Councilor Jon Hinck, Chair. This is a companion order to Order 263-15/16.

Motion was made by Councilor Suslovic and seconded by Councilor Hinck for passage as an emergency. Passage 9-0

Order 265-15/16 Traffic Schedule Amendments Re: Forest Avenue and Washington Avenue Traffic – Sponsored by Jon P. Jennings, City Manager.

This is its first reading.

BUDGET ITEMS: PUBLIC COMMENT TAKEN ON ALL MUNICIPAL BUDGET ORDERS.

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

BREAK: Mayor Strimling called for recess at 7:16 P.M. Reconvened at 7:40 P.M.

Order 243-15/16 Order Approving Fiscal Year 2017 Administrative Fees in Various Departments – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was postponed on May 2, 2016.

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

Order 244-15/16 Order Authorizing City Manager to Enter into Certain Agreements to Implement the Fiscal Year 2017 Human Resources and Certain Fringe Benefits Budgets – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

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

Order 245-15/16 Order Re: Self-Insured Liability Program – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was postponed on May 2, 2016.

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

Order 246-15/16 Order Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities – Sponsored by Jon P. Jennings, City Manager. This order was postponed at the May 2, 2016 City Council Meeting.

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

Order 247-15/16 Order Authorizing City Manager to Enter into Certain Agreements to Implement Fiscal Year 2017 Health and Human Services Budget - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

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

Order 248-15/16 Order Authorizing City Manager to Accept Scholarship Trust Donations and Enter into Trust Agreements - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was postponed on May 2, 2016.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 9-0

Order 249-15/16 Order Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was postponed at the May 2, 2016 City Council meeting.

Motion was made by Councilor Mavodones and seconded by Councilor Hinck for passage. Passage 9-0

Order 250-15/16 Order Authorizing Non-Union Wage Adjustment - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

Motion was made by Councilor Mavodones and seconded by Councilor Brennerman for passage. Passage 9-0

Order 251-15/16 Order Designating Fiscal Year 2017 Funds for Specific Island Services - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

Councilor Mavodones indicated that he works for Casco Bay Lines. Casco Bay line is a recipient of Funds from the Peaks Island Council for Transit. He does not benefit from this.

Motion was made by Councilor Ray and seconded by Councilor Duson for passage.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to amend Order 251 by adding "Item O: Police Cadet Funding".
Passage 9-0.

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

Order 252-15/16 Order for Fiscal Year 2017 Appropriating \$280,000 from Excess Fund - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

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

RELATED ORDINANCE AMENDMENT:

Order 253-15/16 Amendment to Portland City Code Re: Various Fee Increases for Fiscal Year 2017 - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair. This order was given first reading on May 2, 2106.

Motion was made by Councilor Mavodones and seconded by Councilor Hinck for passage. Passage 9-0

Order 253A Order Requiring India Street Health Center and Portland Community Health Center Patients Involvement in Transition Planning – Sponsored by Councilor Justin Costa.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage.

Motion was made by Councilor Costa and seconded by Councilor Suslovic to amend Order 253 A by adding "that two (2) patients from the India Street Health Center who have received services funded by the federal Ryan White grant, and two (2) patients from the Portland Community Health Center, as chosen and appointed by the respective Centers, and one (1) community representative chosen by the City Manager or his/her designee shall be involved in the planning of the transition of services from the India Street Health Center to the Portland Community Health Center." Passage 9-0.

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

Order 253B Order Requiring Quarterly Briefings on the Transition of Services from the India Street Health Center to the Portland Community Health Center – Sponsored by Councilor Jill C. Duson.

Motion was made by Councilor Duson and seconded by Councilor Costa for passage.

Motion was made by Councilor Duson and seconded by Councilor Mavodones to amend Order 253 B by changing "quarterly briefings to every two months". Passage 9-0

Motion was made by Councilor Duson and seconded by Councilor Costa for passage as amended. Passage 9-0.

APPROPRIATION RESOLVE:

Order 254-15/16 Fiscal Year 2016-2017 Appropriation Resolve - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This order was given first reading on May 2, 2016.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 254 by adding "that the City commit to paying the lease on the the India Street Clinic totaling \$19,000, for Fiscal Year 2017 and would continue to keep the space until the lease is up and they would re-evaluate the lease on a yearly basis. Passage 9-0.

Motion was made by Councilor Duson and seconded by Councilor Brennerman to amend Order 254 by "removing the funding for the Resource Officer from Casco Bay High School. Passage 6-3 (Thibodeau, Suslovic, Strimling)

IN COUNCIL REGULAR MEETING MAY 16, 2016 VOL. 132 PAGE 116

Motion was made by Councilor Duson and seconded by Councilor Brennerman to amend Order 254 by removing the Bike Ped Coordinator position from the Budget. Passage 5-4 (Ray, Thibodeau, Suslovic, Strimling)

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage as amended. Passage 8-1 (Hinck).

ORDERS:

Order 266-15/16 Order Approving and Authorizing the City Manager to Sign Amendments of the Purchase and Sale Agreement, the Corporate Guaranty and the Parking Garage Contribution Agreement Re: The Federated Companies LLC Midtown Project – Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for passage. Passage 8-1 (Strimling)

Motion was made by Councilor Costa and seconded by Councilor Mavodones to adjourn. Passage 9-0, 10:00 P.M.

A TRUE COPY.

Carolyn M. Dorr, Deputy City Clerk

Proc 32- 15/16
Tab 2 6-6-16

PROCLAMATION

RECOGNIZING

Major Contributors to the Successful Completion of the Fort Allen Rehabilitation Project

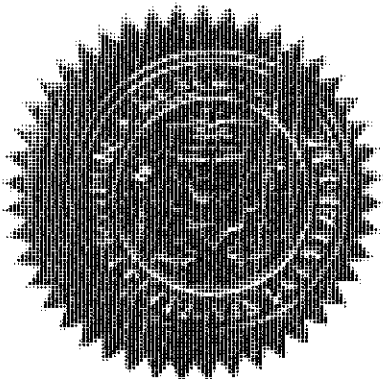
- WHEREAS,** The Eastern Promenade earned its place on the National Register of Historic Landscapes in 1989; and
- WHEREAS,** **Fort Allen Park** has been restored to its period of historic significance; the time when the park held its highest integrity; 1890 to 1930; and
- WHEREAS,** Joseph & Gregory Boulos; Martin's Point Health Care; Crandall Toothaker; Edmund Gardner III; the Davis Family Foundation and an anonymous donor provided support totaling \$155,000; and
- WHEREAS,** Norway Savings Bank, an anonymous donor and Montgomery Designs contributed funding and in-kind support totaling \$70,000 and offering finishing touches for this effort.

NOW, THEREFORE, BE IT RESOLVED, THAT I Ethan K. Strimling, Mayor of the City of Portland and members of the City Council do hereby recognize these substantial contributions; the significance of this historic restoration; and Friends of the Eastern Promenade's contribution to Portland's rich history.

Signed and sealed this 6th day of June, 2016



**Ethan K. Strimling, Mayor
City of Portland, Maine**



Proc 33-15/16
Tab 3 6-6-16

PROCLAMATION

Honoring

Janice Gardner

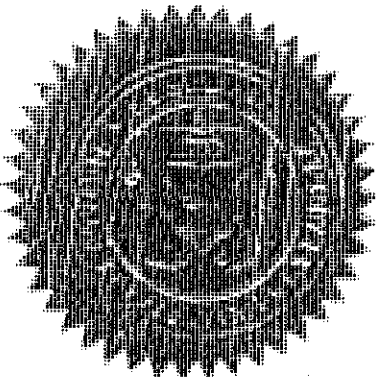
Employee of the Month

May 2016

- WHEREAS:** **Janice Gardner** of the City's Clerk's Office has been named the City of Portland Employee of the Month by a committee of her peers and selected for this distinct honor from a workforce of 1,300; and
- WHEREAS:** This award is presented in recognition of **Janice's** work as a Business License Administrator with over 4 years of service. **Janice** is recognized for providing excellent customer service assisting people applying for business licenses; and
- WHEREAS:** Many times customers are confused by the business license application process, or in a rush to get the license or there can be a language barrier that requires her further assistance. **Janice** is always patient, professional and courteous. **Janice** will also contact individuals multiple times to make sure they submit their paperwork in time for renewals; and
- WHEREAS:** **Janice** is a fun, positive co-worker who goes out of her way to do thoughtful things for the rest of the department. During election season **Janice** created games for the staff to play during lunch breaks so they would enjoy the process as much as possible. **Janice** truly is an asset to the City Clerk's Office and to the City.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Janice Gardner as City Employee of the Month, May, 2016.**

Signed and Sealed this 6th day of June, 2016



A handwritten signature in black ink, appearing to read "Ethan K. Strimling", is written over a horizontal line.

**Ethan K. Strimling, Mayor
City of Portland, Maine**

Order 267-15/16
Tab 4 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS

ORDERED, that the following are hereby appointed to the Boards and Committees indicated for the stated term:

Name	Board and Committee	Expiration
Mariar Barlow	Portland Housing Authority Commission	06/30/2021
Joseph Dwyer	Police Citizen Review Subcommittee,	
	Civil Service Commission	06/30/2019
Meri Lowry	Land Bank Commission	06/30/2019
Shima Kabirigi	Community Development	
	Block Grant Annual Allocation	
	Committee (CDBG)	09/30/2019
D. Kelly Young	CDBG	09/30/2019
Lucinda Pyne	CDBG	09/30/2019
Amy Gallant	CDBG	09/30/2019
Julia Kirby	Portland Public Art Committee	06/30/2019
Alison Hildreth	Portland Public Art Committee	06/30/2019
Jenna Crowder	Portland Public Art Committee	06/30/2019



Office of the City Clerk
Katherine L. Jones, CMC

MEMORANDUM

TO: Mayor Ethan Strimling, and Members of City Council
FROM: Katherine L. Jones
DATE: May 4, 2016
RE: Appointments

The Nominating Committee is making the following recommendations to the Various Boards and Committees.

Name	Board and Committee	Expiration
Mariar Barlow	Portland Housing Authority	06/30/2021
Joseph Dwyer	Civil Service Commission	06/30/2019
Meri Lowry	Land Bank Commission	06/30/2019
Shima Kabirigi	CDBG	09/30/2019
D. Kelly Young	CDBG	09/30/2019
Lucinda Pyne	CDBG	09/30/2019
Amy Gallant	CDBG	09/30/2019
Julia Kirby	Portland Public Arts	06/30/2019
Alison Hildreth	Portland Public Arts	06/30/2019
Jenna Crowder	Portland Public Arts	06/30/2019

Mariar Balow
21 Alton Street
Portland, ME 04103
(207) 210-1832
mariarbalow@yahoo.com

March 28, 2016

Appointments Committee Chairman
c/o City Clerk
389 Congress Street
Portland, ME 04101

Attached please find my resume for consideration of reappointment to the Portland Housing Authority Board.

I would welcome the opportunity to meet with you and discuss how my continued involvement with ongoing projects would benefit the organization.

Please contact me via email (mariarbalow@yahoo.com) or telephone (207-210-1832).

Sincerely,

Mari Balow

Enclosures

Mariar E. Balow
21 Alton Street
Portland, ME 04103
(207) 210-1832

Qualifications

Motivated, detail oriented, team player seeking to utilize organizational and technical skills to assist the mission of the Portland Housing Authority

Work Experience

Preti, Flaherty, Beliveau & Pachios LLP, Portland, ME

Accounting Manager, September 2014 to Present:

- Oversight of all aspects of multi-state law firm accounting department
- Extensive communication with clients, attorneys and staff
- Prepare monthly management reports
- Work closely with managing partner and administrative staff to develop and enforce firm accounting policies and procedures
- Hire and train accounting staff
- Provide various financial analyses to clients and attorneys as requested
- Ongoing attention to departmental and firm strategic planning, assist with development of strategic plan

Billing/Accounts Receivable Coordinator, May 2001 to August 2014:

- Coordination of all aspects of monthly client billing, collections and daily cash receipts for multi-state law firm
- Extensive communication, both written and oral, with clients and attorneys to resolve billing and accounts receivable inquiries
- Monthly reconciliation of various bank accounts
- Work closely with managing partner and administrative staff to develop and enforce firm policies and procedures related to client billing, receivables, attorney time record keeping, and time entry.
- Train new staff in billing procedures, time entry, and conflicts.
- Provide various financial analyses to clients and attorneys as requested.
- Assist in conversion to new conflicts software and development and implementation of related policies and procedures. Oversee New Business intake process.

ShawPittman, Washington, DC

New Business/Conflicts Manager, December 1998 to May 2001:

- Supervise four person department, including performance reviews and disciplinary action.
- Identify and facilitate the resolution of potential business conflicts of interest through extensive daily interaction with partners and associates. Perform thorough conflict of interest searches on new business utilizing LegalKEY 3.0 and various online resources for all offices of an international multi-practice law firm.
- Review and update existing Firm New Business intake policies and procedures
- Develop and implement standard operating procedures for conflicts department to ensure accuracy, consistency, and efficacy of information retrieval. Spearhead initiative to effectively track receipt of critical new business communication and image information for general firm use. Work extensively with Executive Director to develop and implement procedures for orientation of all new partners, including reviewing and updating partnership documentation. Form and lead professional work group of new business managers from other law firms to cooperatively share ideas and develop initiatives. Train firm personnel in use of various databases and forms associated with Conflicts. Oversee the input of new business and conflict information in relevant databases. Compile and distribute weekly new business report to firm.

Wiley, Rein & Fielding, Washington, DC

Billing Coordinator, January 1995 to December 1998:

- Coordination of \$800,000 monthly insurance defense practice billing
- Supervision and training of billing staff

Education

Bard College, B.A. in Religion/Literature, December 1991

Computer Skills

Microsoft Office Suite, IBM AS/400 Accounting System

Curriculum Vitae

Joseph M. Dwyer
58 Neal Street
Portland, Maine
(207) 541-9052

Senior executive with over thirty years of experience including managing a professional education association, directing labor negotiations and a human resources department, public marketing, city council policy maker, public schools advocate, and liaison for County Government with business and industry. Developed and managed budgets up to \$110 million and supervised over 400 employees.

WORK EXPERIENCE

REGIONAL DIRECTOR, NEA-NH

- o Represents local affiliates in the Seacoast Region in all aspects of labor relations.

LABOR RELATIONS REPRESENTATIVE, NEW YORK STATE NURSES ASSOCIATION

- o Responsible for all aspects of labor relations and labor negotiations for Registered Nurses in private sector hospitals in the Metro NYC area including several of the largest and most high profile hospitals.

DEPUTY EXECUTIVE DIRECTOR, MAINE EDUCATION ASSOCIATION

- o Manage the Affiliate Services Program for a State Education Association. Assist the Executive Director in all other aspects of administration and program development in the organization including oversight of the day-to-day operations. Successfully manage financials, NEA grants, internal communications, member service, and staff. Grew membership and led organizing in various membership groups including Higher Education and ESP. Manage membership benefit development, event planning and vendor negotiation with various industries.

UNI-SERV REPRESENTATIVE, NEA/NY

- o Represented local affiliates in the Hudson Valley in all aspects of labor relations.

CITY COUNCIL, MIDDLETOWN, NEW YORK

- o Elected Policy maker for a small city of 25,000 with a budget of \$16 million. Member of Finance, Economic Development, Public Relations, and Legislation Committees.

COMMISSIONER OF HUMAN RESOURCES, ORANGE COUNTY GOVERNMENT

- o Chief administrator for the Human Resource function.
- o Chief negotiator of labor contracts for four large collective bargaining units.
- o Affirmative Action Officer and BEO Compliance Officer for a large public sector and Community College employer
- o Responsible for all grievance and arbitration hearings
- o Supervised staff of human resource professionals. Responsible for all personnel functions for government employees.
- o Successfully negotiated five labor contracts in five years.
- o Participated in strategic planning for Orange County.
- o Participated in the development of annual operating budget of \$300 million
- o Member of County Executive Cabinet
- o Supervised the development and implementation of work force training programs to upgrade labor force skills.
- o Responsible for developing the utilization plans, and related Capital budget for business and county use of the Middletown Community Campus.

CHIEF BUSINESS LIAISON FOR ORANGE COUNTY EXECUTIVE

- o Voting member of the Stewart Airport Commission which is the advisory board for the New York State Department of Transportation for the operation of this international airport.
- o Voting member of the Orange County Partnership, a unique public/private economic development organization with the responsibility of attracting private sector business into Orange County.

- o Representative for the Orange County Executive to the Orange County Water Authority.
- o County Executive appointee to the Orange Commission, a nine member blue ribbon public/private panel charged with making recommendations to the County Executive and Orange County Legislature for redesigning government services.
- o Lead agent for the County Executive in the planning and development of the Middletown Community Campus, a statewide model program which redeveloped a failing 226 acre psychiatric center campus into a vibrant center for human services, education, economic development and college sports.
- o Appointee to an Ad Hoc Industrial Development committee for the three urban centers of Orange County.
- o Garnered ten National Association of County Awards for innovative programs within Orange County Government. Awards are given to administrators who have designed and implemented successful programs for the betterment of services within the realm of government.

ACTING COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

- o Appointed Acting Commissioner, while serving in the positions as described above.
- o Administered 110 million dollar budget which is one third of the entire operating budget of Orange County Government
- o Supervised over 400 employees including senior level managers, caseworkers and other professional staff.

DIRECTOR, ORANGE COUNTY OFFICE FOR THE AGING

- o Administered, planned and developed a countywide network of services for senior citizens.
- o Developed and administered budget for entire department which included fifteen separate grants
- o Supervised professional, technical and clerical personnel.
- o Represented Orange County at numerous public functions requiring public speaking engagements, television and radio appearances and frequent contact with community leaders.
- o Established satellite offices in the three urban areas of Orange County, including the establishment of bi-lingual services.

EDUCATION

ST. JOHN FISHER COLLEGE
ROCHESTER, NEW YORK
BACHELOR OF ARTS 1973

LONG ISLAND UNIVERSITY
GREEN VALE, NEW YORK
MPA CANDIDATE

UNIVERSITY OF ALBANY
ALBANY, NEW YORK
ADMINISTRATION CERTIFICATES

AMERICAN MANAGEMENT ASSOCIATION
NEW YORK, NEW YORK
BUSINESS EDUCATION

ORANGE COUNTY COMMUNITY COLLEGE
MIDDLETOWN, NEW YORK
IBIG COURSES

CORNELL SCHOOL OF LABOR RELATIONS
NEW YORK, NEW YORK
LABOR

Katherine L. Jones, City Clerk
Members of the City Council
City of Portland
389 Congress Street
Portland, ME 04101

Re: Land Bank Commission

Dear Katherine and City Council Members:

April 4, 2016

I am interested in continuing to serve on Portland's Land Bank Commission and am pleased to submit my resume for your consideration.

I love living in Portland and I visit and appreciate Portland's green spaces in all seasons.

Portland has been a wonderful city in which to raise our children, in no small part because of its green spaces. Our children grew up exploring the outdoors and hiking in and around Portland. I know that the experience has informed our children of the value of such places as they have grown - they each chose, as young adults, to through-hike the Appalachian Trail. I am sure they developed their love of the outdoors in large part because they grew up in a city that preserves and celebrates its green spaces in a thoughtful manner so I am grateful.

I have enjoyed serving on the City of Portland's Land Bank Commission and would like to do so for an additional term. Thank you for considering me for continued service in this manner.

Sincerely,

Meri Lowry
60 Highland Street
Portland, ME 04103
772-8714 - home

MERI LOWRY
60 Highland Street
Portland, ME 04103
Phone: (207) 772-8714
Email: mnlowry@hotmail.com

WORK HISTORY

- 1983-2010 **UNUM Life Insurance Company of America**
Assistant Vice President and Senior Counsel, Investment Division.
- Supported the Facilities Management Department and was a member of a three-person attorney team performing legal work supporting Unum's commercial mortgage loan portfolio and equity real estate portfolios
- 1981-1983 **Pierce, Atwood, Scribner**
Associate
- Represented clients in a variety of legal matters including corporate, real estate, tax, probate, and litigation cases.

EDUCATION

Graduate, Institute for Civic Leadership, Sigma Class (2011)
BA, Dartmouth College, 1976, *magna cum laude*, psychology major, Honors Program
JD, Cornell Law School, 1981

BOARDS AND COMMUNITY SERVICE

Current

- Commission Member, City of Portland Land Bank Commission, 2010 – present
- Commission Member, City of Portland Parks Commission, 2015 – present
- Commission Member, Maine Commission of Governmental Ethics and Election Practices, 2016 - present
- Member of Board, WMPG, 2015 – present
- Member and Secretary, No Small Potatoes Investment Club, making low interest loans to agricultural producers in Maine, 2010 – present

Past

- Secretary, Treasurer and Member of Board, Maine Initiatives, a public foundation, 2008 – 2013
- Treasurer and Member of Board, WMPG, 2012 – 2014
- Volunteer Driver, Independent Transportation Network, 2012 – 2014
- Volunteer, Maine Jewish Film Festival, (Volunteer of the Year 2013), 2009 - 2014
- Member of Building, Garden and Grounds Committee of Congregation Bet Ha'am's Strategic Planning Study Circle, 2012
- Assisted Friends of Soldiers' Memorial Library apply to IRS for 501(c)(3) status
- Board of Directors and Volunteer service to other Maine and New Hampshire based schools and organizations
- Campaign Committee, Brennan for Mayor
- Campaign Committee, Brennan for Congress

Admitted to practice in the State of Maine

Shima Kabirigi
131 North St
Portland, ME, 04102
207-749-9044
shima.kabirigi@gmail.com

To whom it may concern:

I am very interested in this position in your committee and feel confident that my experience in various fields and my knowledge in foreign languages would enable me to be of service to you.

I speak three African languages as well as French and English, which can be useful to communicate and understand people of various culture differences. I have many years' experience working with clients of different economic, social and culture background, which has taught me patience, understanding, and teamwork.

I demonstrated my ability to work well as part of a team, enthusiasm to learn and work hard, as well as developing a proactive approach to problem solving. These attributes were essential to my contributions and success in my line of work.

I am empathetic and I like to help people. I have the ability to truly listen and understand the needs of those I am serving.

Enclosed is a copy of my resume, which more fully details my qualifications.

I look forward to talking to you and to answer any questions you may have.

Thank you for your consideration.

Sincerely,

Shima Kabirigi

131 North Street
Portland, Maine 04101
(207)-749-9044
shima.kabirigi@gmail.com

Shima Kabirigi

Objective

Seeking for the opportunity to acquire a challenging and striving career in your organization, where I can use my skills and experiences to further my professional growth, and efficiently meet the organization's objective.

Experience

2015-2016 The Telling Room Portland, Maine

Alumni Relation Intern

The Telling Room is a nonprofit writing center in Portland, Maine. As an Alumni Intern I am responsible for doing some extensive outreach to our Alumni cohorts through phone, email, and social media and document those interaction in a database. I analyze trends in what students are doing after the program, Young Writers and Leaders. I coordinate semi-annual alumni reunions and events, create and distribute a newsletter that keeps alumni connected to The Telling Room and to each other.

2014-2015 General Assistance Program Portland, Maine

Financial Eligibility Specialist

Provided financial relief for eligible clients through a rigorous screening process. Assessed client's needs and provided financial assistance such as food and non-food vouchers, medication vouchers, rent and utilities assistance. Referred clients to numerous organizations for all other unmet needs and provided general information for all other social assistance programs in the Portland area.

2012-2013 Avis Budget Group Portland, Maine

Car Rental Sales Associate

Avis Budget Group my responsibilities varied. My main objective was to ascertain a customer's need and inquiries, I was required to create the optimal rental car experience for our customers. In addition to creating a positive experience with the company, I offered and promoted optional services and products; Insurance packages, navigation systems, fuel service options, roadside assistance, and chauffer service. I accorded each customer a quick yet efficient service by providing individual attention to each customer, and recognizing that each customer's needs and desires differed.

Nightly tasks: I was required to thoroughly check our inventory before closing the Rental office. I accounted for any missing, overdue, and stolen vehicles as per company's mandated regulation. I revised the fuel level for each vehicle returned in the evening, and made sure appropriate charges and credits were rendered to our customers. Lastly, I reviewed and printed all the necessary reports for the morning staff.

2010-2011 **Auto Europe** Portland, Maine

Bilingual Sales Representative

Auto Europe is a car broker company that has multitude of contracts with various car suppliers globally. As a bilingual sales representative, I assisted European, Canadian, and American clients in obtaining car rental contracts. The company required each sale representative, especially bilingual representatives, to have some cultural and geographical knowledge of the regions we had serviced and had on going contracts. I aided travel Agents and direct customers in obtaining the best car rental rates in the industry through our company. My responsibilities were not only to promote sales, I was required to create a positive, and efficient customer service. I mediated and translated concerns and inquiries between customers and suppliers, when language was a barrier. In addition, I translated French contracts and customer service disputed between clients and suppliers. I was also required to know suppliers policies and rental regulations to better assist customers and as per Auto Europe's policy.

Education

2005-2009 **The Pennsylvania State University** State College, Pa
Major: Business Economics

2014-2016 **Southern Maine University** Portland, Maine
Major: Business Administration, General Management

Volunteer Experience

India Street Clinic, *Receptionist*

March 2014- Present

The free clinic on India Street provides referrals and primary care service to low income or uninsured patients. My duties as a volunteer receptionist are registration of patients, calling patients for follow up or upcoming appointments, and organizing patient charts for morning staff.

Learning Works, *Literacy Volunteer*

January 2012- September 2012

The literacy volunteer program serves adult students who have low-level English skills. As a literacy volunteer, I underwent a rigorous tutoring training for three weeks, and eventually provided one on one tutoring sessions to one specific student. I met up with the student on a weekly basis and gave a monthly report of the educational progress to the program director.

Portland Housing Authority, *Volunteer Tutor*

February 2012- May 2012

Portland Housing Authority is an after-school program that serves low income students in Public Housing in and around the Greater Portland, Maine. I assisted students with homework, encouraged independent writing and reading sessions. I was required to help students in terms of pursuing long and short term goals. I engaged students in educational interactions and games.

D. KELLEY YOUNG
79 Stonecrest Drive
Portland, ME 04103
207-780-6789
kyoung@troubhheisler.com
March 31, 2016

Appointments Committee Chair
c/o City Clerk
389 Congress Street
Portland, ME 04101

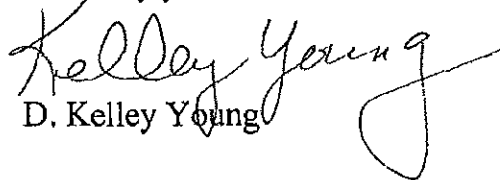
Re: *Board Vacancies*

I am writing to volunteer to be considered for a vacancy on the CDBG Annual Allocation Committee. My resume is enclosed.

Having been a continuous Portland resident since 1990 and additionally from 1981 to 1985, I know the city and am now able to volunteer my time. My law practice focuses on estate planning, small business matters and income tax matters, so, while I do not have community development experience, I do understand community finance issues and have the skills and temperament to evaluate grant applications effectively and impartially as a committee member.

I hope to be able to serve the city I have grown to love and call home.

Sincerely yours,


D. Kelley Young

D. KELLEY YOUNG
Troubh Heisler, PA
511 Congress Street
P.O. Box 9711
Portland, Maine 04104-5011
(207) 780-6789
kyoung@troubhheisler.com

2008 – now: **TROUBH HEISLER, PA** (attorneys), Portland, Maine.

Estate Planning, wills, revocable trusts, powers of attorney
Business organizations, corporations, LLC's and partnerships
Probate Practice, including estates, guardianships and conservatorships
Family Business succession planning
Purchases and sales of businesses
Irrevocable Trusts, life insurance trusts, charitable remainder trusts
Estate Tax Returns and Audits
Income Tax Matters
Income Tax controversies, reported case Lamb v. Comr., T.C. Memo 1996-166
Private Foundations and other charitable organizations

1990 – 2008: **VAN MEER & BELANGER, P.A.** (attorneys), Portland, Maine. Probate, estate planning, tax and business matters.

1988 – 1990: **PAUL, FRANK & COLLINS, INC.** (attorneys), Burlington, Vermont. Corporate, tax and estate planning matters.

1985 – 1988: **PRICE WATERHOUSE INTERNATIONAL TAX SERVICES GROUP** (CPAs), New York, New York. Tax Consultant (Senior Accountant).

1982 – 1985: **UNIVERSITY OF MAINE SCHOOL OF LAW**, Portland, Maine. Juris Doctor Degree.

1980 – 1982: **PEAT, MARWICK, MITCHELL & CO.** (CPAs), Portland, Maine. Staff Accountant.

1976 – 1980: **STANFORD UNIVERSITY**, Stanford, California. Bachelor of Arts in American Studies, self-designed accounting minor.

Bar Admissions: Maine, 1985 – the present
United States Tax Court, 1994 – the present
Federal District Court for the District of Maine, 2005 – the present
New York, 1987 – 2005 (resigned, to avoid non-resident licensing fees)
Vermont, 1988 – 2005 (resigned, to avoid non-resident licensing fees)

Certified Public Accountant, Maine, 1982 – 1990

Seminars and Publications on the following topics: Irrevocable Life Insurance Trusts, Private Operating Foundations, Limited Liability Companies, Estate Planning for Family Real Estate, Estate Planning and Probate Practice, Protecting Estate Assets from Creditors and the IRS, Charitable Remainder Trusts and Pooled Income Funds and U.S. Income Taxation of Foreign Investors

- American Jurisprudence Award in Estate Planning
- Moot Court Board Member
- BNA Law Student Award for Most Scholastic Progress of a Third-Year Student in 1985

Lucinda J. Pyne
123 Highland Street
Portland, Maine 04103
Phone: 207-415-6742
Email: lucpyne@gmail.com

City of Portland
Appointments Committee Chairman
c/o City Clerk
389 Congress Street
Portland, ME 04101

March 15, 2016

RE: CDBG Allocation Committee

Dear Sir or Madame:

In response to your advertisement in the Portland Press Herald and the posting on your website, I am writing to express my interest in participating as a volunteer for the City's CDBG Allocation Committee. I have enclosed my resume for your consideration.

I have been a resident of Portland since 1989, and a homeowner since 2000. I value the livability of the City and the many varied opportunities and experiences it offers residents. But I am also acutely aware that there are strains and unmet needs in our community, in particular in the realm of affordable housing, addiction treatment and mental health services. I understand that the Community Development Block Grant program is an important source of funds to address some of these needs through grants to community organizations.

In addition to the work experience in real estate and financial analysis you will see on my resume, I have also served as a mentor with the Portland High School Mentor Alliance program since 2009. I have found that experience to be uniquely rewarding, and it has given me a deep respect for the courage and tenacity of immigrants to Maine and Portland. With my participation on the CDBG Allocation Committee, I would hope to promote organizations focused on easing the transition of our newest Portland residents into our society, and on organizations that seek to involve them in the many cultural and social activities that make our city so vibrant.

I am aware that the CDBG program is limited in funds, and that there are many good and worthy organizations that cannot all be funded. Also, I think it is critically important that organizations that are delivering key services should have some continuity of funding; it is not spending wisely to change course frequently and leave effective organizations vulnerable from year to year. I would strive to maintain and adjust the CDBG scoring regime with the goal of reflecting the community's priorities in the context of prudence and some measure of continuity.

I hope that you will consider my application; I look forward to hearing from you.

Sincerely,

Lucinda Pyne

Lucinda J. Pyne
123 Highland Street
Portland, Maine 04103
Phone: 207-415-6742
Email: lucpyne@gmail.com

EXPERIENCE:

July 2007 – HUDSON REALTY CAPITAL

Present New York, NY
Vice President

Investor Relations: Responsible for all aspects of communications with investors and prospective investors

- Collaborate with senior management, third party advisors and counsel to formulate and produce all written communications
 - Pitch books
 - Quarterly and annual investor reporting
 - Ad hoc materials in response to investor inquiries
 - Letters and e-mail communications
- Produce, maintain, and refresh materials for Due Diligence Questionnaires and responses to Requests for Proposal from prospective investors
- Maintain loan origination pipeline in order to keep current on market information and trends
- Create and maintain detailed investment profiles
- Organize, produce materials for, and prepare senior staff for annual investor conference
- Coordinate, prepare materials for, and record minutes of fund Advisory Board meetings

Asset Management: Managed over \$250mm debt and equity positions

Highlights:

- Successfully negotiated restructure/DIL of \$25mm B-Note within \$438mm capital stack
- Negotiated loan modifications and extensions to increase or maintain debt yield and prevent default in a distressed market

Nov 1998 – QUESTOR (Questor was acquired by Hudson Realty Capital in July 2007)

July 2007 Portland, Maine

Vice President 2001-2007; Senior Associate 1998-2001

Program Specialist – US Department of Housing and Urban Development Office of Affordable Housing Preservation Financial Advisory Team

- Provide technical training to HUD staff, national participating administrative entities, and groups of owner's representatives
- Perform reviews and documentation of complex restructuring plans, and oversee all contracted restructuring plan reviews
- Advisory member of OAHF Headquarters Loan Committee.

Due Diligence Specialist - Due diligence and underwriting of equity and debt investments

- Conduct market studies using published materials, interviews with market professionals, and on-site research
- Identify competitive properties and prepare adjustment grids to estimate rental rates, sales price/timing, and value
- Develop property and market assumptions for pro forma and financial analysis
- Research regulatory and municipal authorities affecting property, including development approvals process
- Analyze third party reports (ESA, Property Condition Assessment, engineering/soils reports, etc)
- Work with closing attorneys to identify and limit transaction risks through transaction documents

June 1994 – AEW Capital Management

Nov 1998 Boston, MA

Assistant Vice President – Various Assignments

- AEW International – Assisted in the establishment of international real estate advisory service firm serving government, asset management, and institutional investment clients.
- Capital Markets Group – Managed the disposition of over \$250M in office, retail, and commercial development properties, including a western US portfolio for Metropolitan Life Insurance.
- Government Services Division – Oversaw the FDIC's residual interest in complex structured debt and equity transactions with over \$1.5 billion in assets. Oversaw the servicing of \$325M in RTC seller-financed notes on resort development properties, and provided due diligence and transaction support for the disposition of the loan portfolio

- Capital Management Resources – Performed work-outs on \$60M in commercial loans from defunct American Savings Bank of Riverhead, NY under FDIC contract

June 1989- Boulos Property Management

June 1993 Portland, ME

Senior Property Manager – Managed retail and office properties in Southern Maine through receivership, foreclosure and disposition

EDUCATION:

Skidmore College, Saratoga Springs, NY

Bachelor of Arts – English and American Studies; Recipient of American Studies Prize

Institute of Real Estate Management – Various courses in the analysis, management and underwriting of commercial real estate

SPECIAL SKILLS:

Excellent writing and oral presentation skills

Effective and energetic technical trainer

Proficient in Microsoft Office Word, Excel, and PowerPoint

REFERENCES:

Renee J. Lewis, Managing Director

VAR Capital Advisors

100 Commercial Street, Suite 410

Portland, ME 04101

207-772-7219

rlewis@varcapadvisors.com

Sanford Herrick, Managing Principal

Case Real Estate Capital

340 West Passaic Street

Rochelle Park, NJ 07662

201-845-4244

sherrick@caserealestatecapital.com

Andrew Bloom, Managing Director, Corporate Counsel

Hudson Realty Capital

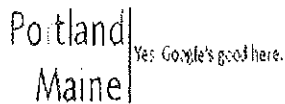
250 Park Avenue South, Third Floor

New York, NY 10003

212-336-5267

abloom@hudsoncap.com

Additional References Available Upon Request



Katherine Jones <klj@portlandmaine.gov>

CDBG Application

1 message

Amy Regan <amy.l.regan@gmail.com>

Tue, Mar 22, 2016 at 9:53 AM

To: klj@portlandmaine.gov

Amy Regan Gallant
42 Cushman Street Apt 1F
Portland, ME 04102

March 22, 2016

Appointments Committee Chairman
c/o City Clerk
389 Congress Street
Portland, ME 04101
klj@portlandmaine.gov

To the Appointments Committee Chairman,

Please accept my application to serve on the City of Portland CDBG Allocation Committee. I live in Portland, am familiar with the Department of Housing and Urban Development Community Development Block Grant program, and would be honored to review and score applications for this program. I am comfortable making recommendations to the City Council in writing and in person. I am fair minded and analytical. I do not receive financial gain from CDBG applications.

I am currently the advocacy director for AARP Maine, with previous experience as the advocacy coordinator for Preble Street and community organizer for Homeless Voices for Justice. I am a graduate of Catherine McAuley High School, have a bachelor degree in politics and a masters degree in global affairs.

Although I live and work in Portland, much of my time is spent in Augusta during the legislative session. If given the opportunity to interview, I would seek to understand the expectations of this appointment especially during the months of the legislative session, to ensure my full and undivided commitment.

I have attached my resume for your review, and am happy to provide references upon request. Please contact me at your convenience at Amy.L.Regan@gmail.com or at 207-294-2405. I look forward to hearing from you, and I thank you for your consideration of my application.

Best,
Amy

Amy Gallant
Amy.L.Regan@gmail.com
207-294-2405

Attached: Resume

**Amy Regan Gallant Resume.pdf**

121K

Amy Regan Gallant
207-294-2405

PROFESSIONAL EXPERIENCE

AARP Maine Portland, Maine

- **Associate State Director of Advocacy and Outreach** (March 2015-present)
 - Lead lobbyist for AARP Maine on policy and regulatory issues, state legislative relationship with legislators and committee staff, state lobby reporting and registration.
 - Key contact with state agencies on our issues including DHHS, AG, OPA, DOT, Governor's Office.
 - Responsible for registering staff as state lobbyists and submitting monthly reports to Maine Ethics Commission.
 - Responsible for relationship building with current and new potential partners statewide, with a focus in Congressional District 1. Identify opportunities to collaborate on outreach efforts to broaden AARP's reach in Maine.
 - Implements state and federal advocacy and voter engagement campaigns in Congressional District 1.
 - Manages a volunteer team in Congressional District 1 including recruitment, engagement, and recognition.
 - Stays up to date on Chapter policies & procedures. Communicates on a regular basis with Chapter leadership. Looks for opportunities to engage Chapters in our work, presents information to Chapters.

Preble Street Portland, Maine

- **Advocacy Coordinator** (July 2013-February 2015)
 - Coordinate the Maine Hunger Initiative.
 - Coordinate Homeless Voices for Justice.
 - Coordinate Affordable Care Act Healthcare Outreach to Veterans.
 - Organized the 100,000 Homes Portland Campaign, engaging 60 community stakeholders from the business, faith, government, and non-profit sectors in a survey outreach event to 150 people experiencing homelessness.
 - Draft, review and edit grants, oversee program budgets, and coordinate staff supervision and training.
 - Strategically crafts messages on hunger, homelessness and chronic poverty with local and national media, political leaders, governmental agencies and partner organizations.
 - Research and advocate for systemic solutions to hunger, homelessness and chronic poverty.
- **Consultant** (September 2011-June 2013)
 - Assisted with Homeless Voices for Justice and other agency advocacy needs while a full-time graduate student.
- **Homeless Voices for Justice Community Organizer** (September 2007-July 2011)
 - Organized and coordinated the social change efforts of Homeless Voices for Justice, a grassroots organization of formerly homeless individuals who advocate for systemic social change in Maine.
 - Coordinated chapters at shelters and soup kitchens in Augusta, Brunswick, Lewiston, and York County.
 - Identified and cultivated consumer leaders and participants.
 - Developed, strengthened and maintained relationships with coalition partners, community leaders, and elected officials, as well as men, women and youth experiencing hunger and homelessness.
 - Planned and executed over 100 public events, rallies, forums, testimony, trainings and presentations.
 - Extensive knowledge of homelessness, poverty, the legislative process and public policy.
 - Assisted in grant writing, supervision, and hiring processes, and strengthened the professionalism and sustainability of the program.

Permanent Commission on the Status of Women in Maine

- **Governor Appointed Commissioner** (July 2013-present)
 - Appointed by Governor LePage to serve on Maine's Permanent Commission on the Status of Women, a government-appointed group dedicated to improving opportunities for women and girls. As such, PCSW advises the Governor and members of the Legislature about policy and social issues affecting women and girls in the state.
 - Assisted in planning the first New England Women's Policy Conference with Commissions across the region.

- Contributed to the 2015 Report on the Status of Girls and Women in Maine by improving clarity of survey questions and expanding survey outreach to increase sample size, particularly among younger women and women with low incomes.

The Prouty Hanover, New Hampshire

- **Prouty Ultimate Volunteer** (July 2013-present)
 - Primary volunteer for the Prouty Ultimate, a multi-million dollar fundraiser for the Norris Cotton Cancer Center at Dartmouth Hitchcock Medical Center.
 - Family representative to the Prouty, named for my great aunt Audrey Prouty.
 - Responsible for delegating and overseeing other volunteer tasks during the two-day 200-mile Prouty Ultimate, including settling high level donors into dormitories for the nights before each ride, distributing cycling jerseys and other important race information, and supporting riders throughout the course.
 - Prouty Ultimate Finish Line Coordinator .
 - Cultivate and build relationships with high level donors.

Catherine McAuley High School Portland, Maine

- **Varsity Swim Coach** (November 2010-March 2011)
- **Assistant Swim Coach** (November 2007-March 2008, Nov. 2008-March 2009, Nov. 2009-March 2010)
 - Achieved State of Maine Class B Championship in 2008, Sportsmanship Award in 2008, 2009, and 2011.
 - Developed and implemented rigorous swimming and “dry land” workouts, and successfully ran practices for all-women’s swim team of 25 high school athletes in Portland, Maine.

Campaign Experience

- Extensive campaign experience including managing a successful At-Large City Council campaign, initiating and organizing Rowe Runners for a Gubernatorial Campaign, volunteering on a successful Mayoral Campaign, and for President Obama’s first New Hampshire Primary Campaign.

INTERNSHIPS, FELLOWSHIPS, APPOINTMENTS

Maine Permanent Commission on the Status of Women Maine

- **Commissioner** (November 2013-present))
 - Appointed by the Governor to the Maine Permanent Commission on the Status of Women, dedicated to improving opportunities for women and girls by advising the Governor and the Legislature about policy and social issues affecting women and girls in the state.
 - Initiated and conducted unprecedented outreach to expand biennial survey sample to include girls under 18.
 - Actively contributed to the planning committee of the first New England Women’s Policy Conference in collaboration with Commissions across New England, hosted by University of Massachusetts.
 - Planned breakout session highlighting Women and Poverty for the New England Women’s Policy Conference, featuring a diverse panel of experts on poverty.

Blue Kitabu, Kenya Research Team Loita Hills, Kenya

- **Research Fellow** (July 2012-August 2012)
 - Selected through a competitive application process to conduct independent research within the Maasai community in rural Kenya.
 - Designed research methodology for graduate capstone with the goal of creating an original documentary.
 - Interviewed 25 Maasai leaders, teachers, parents and students, facilitated 3 focus groups and a survey.
 - Successfully fostered relationships within the community to gain a better understanding of the practice and repercussions of female circumcision, which is empirically and anecdotally the primary contributing factors to girls’ dropout of primary school.

International Rescue Committee, Women’s Refugee Commission New York, New York

- **Development Intern** (February 2012-April 2012)
 - Interned with the Development Department at the Women’s Refugee Commission.
 - Assisted in grant writing, philanthropic research, and general tasks for the development department such as mailings, drafting and editing documents, copying and filing financial contributions.

Amy Regan Gallant

207-294-2405

EDUCATION

New York University New York, New York

- **Masters of Science in Global Affairs** (Graduated May 2013)
 - Magna Cum Laude
 - Concentration: Gendered Specialization of International Development and Humanitarian Assistance
 - Awarded Best Capstone for *Warriors for Knowledge, Maasai Girls Empowered by Education to Forge a Path Between Tradition and Modernity*

Saint Anselm College Manchester, New Hampshire

- **Bachelor of Arts in Politics** (Graduated May 2007)
 - Student Body President 2006-2007, First female to be elected to this position.
 - Achieved high honors on senior thesis *Judicial Policies Implemented in Response to the Genocides in Bosnia and Rwanda, and Judicial Recommendations for Post-Genocide Darfur*

Julia Kirby

20 Emerson Street #2 Portland, ME 04101

Julia.kirby@stlawrencearts.org • 207.450.6897

March 21, 2016

Portland Planning Department
389 Congress Street
Portland Maine 04101

Dear Appointments Committee Chairperson,

I have had the pleasure of serving on the City of Portland's Public Art Committee (PPAC) since June, 2013, and as its Vice-Chair since 2014. I am delighted to be submitting an application stating my interest to renew my committee appointment upon the expiration of my term this summer.

My three years as a member of PPAC have been an exciting opportunity to acquaint myself much more intimately with the amazing collection of public art in our City. I joined the committee as it was launching an innovative new website to raise public awareness and give residents and tourists a tool to engage and interact with Portland's public art collection. To date the website features images of almost all works in the collection from the new objects and sculptures installed at the Portland Jetport in 2014 to the incredible gift of Bernard Langlais sculptures PPAC restored and then installed at several public buildings throughout Portland over the past three years. PPAC has a lively program of *Art in our Front Yard* (AOFY), informative public talks in front of the works themselves featuring local "celebrities." Historian and Politian Herb Adams and Author/Playwright Monica Kelly have both done *AOFY* talks this past year, which are available to view at www.publicartportland.org, part of a new collaboration between PPAC and Community Television Network (CTN).

At present PPAC is deeply engaged with the process to revitalize Congress Square with an enhanced landscape architectural design and stunning, new acquisition of public art. We are overseeing the upcoming collections assessment plan, finalizing the installation of the Portland Brick project in the India Street neighborhood, and creating an exhibit for Room 24 at City Hall. I would very much miss the opportunity to continue giving my time and thought to these and many other ongoing projects.

Thank you for taking the time to consider renewing my term to serve the City of Portland as a member of its public art committee.

Sincerely,



Julia Kirby

Julia Kirby

20 Emerson Street #2 Portland, ME 04101

Julia.kirby@stlawrencearts.org • 207.450.6897

PROFESSIONAL PROFILE

Demonstrated fundraising, management, and leadership ability in a unique setting. Planned, developed, and coordinated wide range of events. Hired, supervised, and evaluated paid and volunteer staff. Managed customer service problems. Possess strong computer skills (Excel, Adobe InDesign CS4, Microsoft Word and Fundraising software). Excellent presentation and public speaking skills.

EXPERIENCE

St. Lawrence Arts, Portland, ME

2010 to Present

Development Director, Full-time

Develop a fundraising strategy to support the rebuilding of the Sanctuary of St. Lawrence Arts, a Romanesque, Queen Anne church built in 1897, into a 407-seat performing arts venue.

Portland Public Library, ME

2010

Programming and External Relations Manager, Part-time, temporary

Coordinate Brown Bag Lecture Series, programs with all Community Partners, and functioned as staff liaison with Friends of Portland Public Library, as well as developed and maintained a media plan for Portland Public Library System.

Victoria Mansion, Portland, ME

2005 to 2010

Deputy Director of Administration

Managed annual fundraising campaign, including corporate sponsorships, foundation support, and membership. Developed marketing strategies and advertising for events. Represented the Mansion in all television, radio, and print advertisements. Gave interviews, wrote press releases and worked with print vendors. Coordinated and developed the *Victoria Mansion Newsletter*.

Acting Director

May - October 2005

Assistant Director

2003 - 2005

Assistant to the Director

1999-2003

Site Manager

1997-1998

Portland Museum of Art, ME

1997 to 1998

Biennial Intern

Involved in all aspects of the 1998 *Portland Museum of Art Biennial Exhibition* including communication with artists, cataloguing over 900 submissions, and planning jury selection. Research and developed an artist's database totaling over 3,000 entries.

EDUCATION

University of Massachusetts, Amherst, MA

1997

Masters, Art History

Texas Christian University, Fort Worth, TX

1995

Bachelors of Art, Art History and English, Cum Laude

COMMITTEE APPOINTMENTS

Portland Public Art Committee

June, 2013

Member, Vice-Chair

College of Arts, Humanities, and Social Sciences, University of Southern Maine

January, 2016

Advisory Board Member

Alison Hildreth

61 Pleasant Street Studio #207
Portland, Maine 04101
alisonderbyhildreth@gmail.com
207.761.1902

March 29, 2016

Katherine Jones
Office of the City Clerk
389 Congress Street
Portland, Maine 04101

Dear Katherine,

Thank you for considering re-appointing my position on the Portland Public Arts Commission board.

My interest in the arts has been both as a creator and as a supporter over many years. I am very interested in the care and conservation of the City's public art as well as additions to the collection and its placement in the community. My time on the Portland Public Art Committee has been instructive and stimulating.

Very best,

Alison

ALISON HILDRETH

EDUCATION

1976 B.F.A., Portland School of Art, Portland, ME
1956-57 National Academy of Art, New York City, NY
1955-56 Art Students League, New York City, NY
1955 B.A., Vassar College, Poughkeepsie, NY

SELECTED PERMANENT INSTALLATIONS

2013 "The Feathered Hand" Portland Public Library, Portland, ME
2007 "Longlines" Diversified Communications, Portland, ME

SELECTED SOLO EXHIBITIONS

2015 "Disappearance," New Era Gallery, Vinalhaven, ME
2011 "The Feathered Hand," The Art Gallery at the University of New England, Westbrook, ME
2008 "Alison Hildreth: Forthrights and Meanders," June Fitzpatrick Gallery, Portland ME
2005 June Fitzpatrick Gallery, Portland, ME
Center For Maine Contemporary Art, Rockport, ME
2003 University of Maine, Farmington, ME
June Fitzpatrick Gallery, Portland, ME
2002 Farnsworth Museum, Rockland, ME
2000 June Fitzpatrick Gallery, Portland, ME
1999 Arden Gallery, Boston, MA
1998 Kouros Gallery, New York, NY
1997 Maine Coast Artists, Rockport, ME
1996 Clark University Gallery, Worcester, MA
Arden Gallery, Boston, MA
Rothenfeld-McDermott Gallery, Cleveland, OH
1994 Kouros Gallery, New York, NY
1993 The Painting Center, New York, NY
1992 Condeso-Lawler Gallery, New York, NY
1990 Joan Whitney Payson Gallery of Art, Portland, ME
Barridoff Galleries, Portland, ME
1987 Barridoff Galleries, Portland, ME
1985 Barridoff Galleries, Portland, ME
1982 Chroma Gallery, Portland, ME
1980 Open Book and Art Forum, Portland, ME
University of Maine, Forum A, Augusta, ME
1977 North Yarmouth Academy, Yarmouth, ME
1976 St. Joseph's College, Windham, ME

SELECTED GROUP EXHIBITIONS

2014 "Cartographies: Mapping Intersections and Counterpoints" Zayed University, United Arab Emirates
"Peace through Friendship" Tetra Projects, June Fitzpatrick Gallery, Portland, ME
"Sea Smoke" The Lewis Gallery, Portland Public Library, Portland, ME
"Maine Northern Skies: Clear Light" L.C. Bates Museum, Hinckley, ME
2013 "Piece Work" Portland Museum of Art, Biennial, Portland, ME
"Maine Women Pioneers III," Payson Gallery, University of New England, ME

- "The Gift of the Glacier" L.C. Bates Museum, Hinckley, ME
- 2012 "th//K," Sawyer Center for Fine and Performing Arts, Colby-Sawyer College, New London, NH
 "Pressing On 2," June Fitzpatrick Gallery, Portland, ME
 "Vertical Repose," Panepinto Gallery, Jersey City, NJ
 "Portes: An International Exhibition of Maine Artists in Greece," SPACE Gallery, Portland, ME and the Public Theater in Mytilene, Greece
- 2012 "Visual Poetry," The Lewis Gallery, Portland Public Library, Portland, ME
 "An Artful Life: A Waynflete Alumni Exhibit," Waynflete School, Portland, ME
- 2011 "Drawing the Line #11," June Fitzpatrick Gallery, Portland, ME
 "Cartographies: Mapping Intersections and Counterpoints," Melbourne, Australia
 "Emerging Dis/order," Olin Arts Center, Bates College, Lewiston, ME and University of Maine, Farmington
 "Summer Show," New Era Gallery, Vinalhaven, ME
 "Art Encounters Preservation," Site Specific Show at the Wentworth Coolidge Mansion, Portsmouth, NH
 "Printmakers Art," Courthouse Gallery, Ellsworth, ME
 "Summer Exhibition," New Era Gallery, Vinalhaven, ME
 "Gallery Artists," Jonathan Frost Gallery, Rockland, ME
 "Contemporaries: The Artists of La Napoule Foundation," Ogunquit Museum of American Art, Ogunquit, ME
- 2010 "Renovating Walden," Tisch Gallery, Tufts University, Medford, MA
 "Sacred and Profane: Eye of the Beholder," Portsmouth Museum of Fine Art, Portsmouth, NH
 "th//NK," Boston Printmakers Exhibition, Zullo Gallery Center for the Arts, Medfield, MA
 "Boston Printmakers Exhibition," Smith College, North Hampton, MA, Moss-Thons Gallery of Art, Hayes, KS, Kellogg University Art Gallery, Pomona, CA
- 2009 "Spineless Wonders," Atrium Gallery, Lewiston, ME
 "Animal Houses," LC Bates Museum, Hinckley, ME
 "Black and White," June Fitzpatrick Gallery, Portland, ME
- 2008 "Drawings from Maine" Nancy Margolis Gallery, New York NY
 "Boston Printmakers, 60 Years", Wiggon Gallery, Boston MA
- 2007 "Graphite," Portland Museum of Art, Portland, ME
 "North American Print Exhibition," Boston University, Boston, MA
- 2006 "Year of the Print," L.C. Bates Museum, Hinckley, ME
- 2004 "Naked," June Fitzpatrick Gallery, Portland, ME
 "Exquisite Corpse," Walker Art Gallery, Bowdoin College, ME
- 2003 "North American Print Exhibition," Boston University, Boston, MA
 ICA Gallery, Maine College Of Art, Portland, ME
 "Four Vinalhaven Artists," University of Maine, Orono, ME
- 2002 "50 Year Anniversary Exhibition," Center For Maine Contemporary Art, Rockport, ME
 Site Specific Installations, Vinalhaven, ME
- 2001 "Ingredients For Peace Exhibition," United Nations, New York, NY
 "North American Print Exhibition," Boston University, Boston, MA
- 2000 "Bruce Brown Collection," Portland Museum of Art, Portland, ME
 "Artists Books," Boston Public Library, Boston, MA
 "Three Artists," Blum Gallery, Bar Harbor, ME
- 1999 "Island Artists," Farnsworth Museum of Art, Rockland, ME
 "Print Exhibition," Treat Gallery, Bates College, Lewiston, ME
- 1998 "New Acquisitions," Portland Museum of Art, Portland, ME
 Joan Whitney Payson Gallery of Art, Portland, ME
 Maine Coast Artists, Rockport, ME
- 1997 Kourous Gallery, New York, NY
 Rosemarie Frick Curates, Robert Clements Gallery, Portland, ME
 Portland Museum of Art, Portland, ME

- 1996 "Triennial Exhibition," Fuller Museum of Art, Brockton, MA
Kouros Gallery, New York, NY
- 1995 "Two Artists," Vassar Center Gallery, Vassar College, Poughkeepsie, NY
North American Print Exhibition, Duxbury Museum, Duxbury, MA
Kouros Gallery, New York, NY
- 1994 Kouros Gallery, New York, NY
Print Fair, New York, NY
Portland Museum of Art, Portland, ME
Farnsworth Museum, Rockland, ME
- 1993 Metropolitan Museum of Art Mezzanine Gallery, New York, NY
Condeso-Lawler Gallery, New York, NY
Foreman Gallery, Hartwick College, Oneonta, NY
The Painting Center, New York, NY
- 1992 Michael Walls Gallery, New York, NY
Monmouth Museum, Lincroft, NJ
- 1991 "Drawing Show," Boston Center For The Arts, Boston, MA
University Place Gallery, Cambridge, MA
- 1990 "Perspectives," Portland Museum of Art, Portland, ME
"Island Portfolio," Dean Velentgas Gallery, Portland, ME
- 1989 Chicago Biennial Exposition, Chicago, IL
Condeso-Lawler Gallery, New York, NY
- 1988 Barn Gallery, Ogunquit, ME
- 1986 Baxter Gallery, Portland, ME
- 1984 Portland Museum of Art, Portland, ME
"Maine Painting," Farnsworth Museum, Rockland, ME
Baxter Gallery, Portland, ME
- 1983 Jurors Award, Hope Sound Gallery North, Portland, ME
"Painting and Sculpture," Maine Coast Artists, Rockport, ME
- 1980 "Maine Festival," Bowdoin College, Brunswick, ME

SELECTED COLLECTIONS

Metropolitan Museum of Art, New York, NY
 New York Public Library, New York, NY
 Portland Public Library, Portland, Maine
 Brooklyn Museum of Art, Brooklyn, NY
 Portland Museum of Art, Portland, ME
 Colby College Museum of Art, Waterville, ME
 Union Mutual Life Insurance Company, Portland, ME
 Bates College Museum, Lewiston, ME
 Farnsworth Museum, Rockland, ME
 Elizabeth Noyce Collection, Portland Museum of Art, Portland, ME
 Walker Museum, Bowdoin College, Brunswick, ME
 Wellesley College, Wellesley, MA
 Smith College, North Hampton, MA
 Boston Public Library, Boston, MA
 Offenhach Foundation for Graphics, San Francisco, CA

Jenna Crowder

63 Emerson Street #4, Portland, ME 04101

207-317-2052 · crowder.jenna@gmail.com · jennacrowder.com

Education

2007 BFA with Honors with a major in Sculpture, minor in Art History. Maine College of Art, Portland, ME

Exhibitions + Performances

- 2016 *Persephone in the Late Anthropocene (Full Opera)* · SPACE Gallery, Portland, Maine (*forthcoming May 2016*)
- 2015 *Persephone in the Late Anthropocene, Movement 1* · The Apohadion Theater, Portland, Maine
- 2014 *Prophecies · Sacred + Profane* at Battery Steele, Peak's Island, Maine
Wall Drawing ∞ · citydrift/Portland at SPACE Gallery, Portland, Maine
A Rebus of Identical Selves · Maine College of Art, Portland, Maine
- 2013 *Greetings From Michigan* · citydrift/Detroit at Kunsthalle Detroit, Detroit, Michigan
- 2012 *Reverb + Echo: A Haitian Landscape* · Studio Gallery, Washington, DC
a pair of scopes · Studio Gallery, Washington, DC
- 2011 *Off The Wall: Posters & 'Zines* · Studio Couture Detroit, Detroit, Michigan
- 2010 *i need you, i love you* · Rabelais, Portland, Maine
- 2009 *Portland Paper Project* · Whitney Art Works, Portland, Maine
- 2008 *Meditations on Community* · Rabelais, Portland, Maine
- 2007 *33rd Annual Art Auction at MECA* · Institute for Contemporary Art, Portland, Maine
Index: BFA Thesis Exhibition · Institute for Contemporary Art, Portland, Maine
- 2006 *Next Generation V* · Center for Maine Contemporary Art, Rockport, Maine
- 2005 *Holiday Show* · Sanctuary, Portland, Maine
Long Overdue: Book Renewal · Lewis Gallery, Portland Public Library, Portland, Maine
- 2004 *Reverberations* · Friedman Gallery, Maine College of Art, Portland, Maine

Collaborative Projects

- 2015-16 *Persephone in the Late Anthropocene* · Lead Visual Artist for collaborative immersive opera project, Portland, Maine
The Chart · Co-Founder + Managing Editor for Maine-based online arts journal, Portland, Maine
- 2014 *citydrift/Portland* · Executive Curator, SPACE Gallery, Zero Station, & Open Bench Project, Portland, Maine
- 2012 *Public Space: Cairo* · Lead Artist, Townhouse Gallery, Cairo, Egypt
- 2011 *Who We Were, Vol II* · Pre-Production Manager; Double Nickels Theatre Company, Washington, DC
- 2010 *Who We Were, Vol I* · Design Director; Double Nickels Theatre Company, Washington, DC
- 2009-11 *what if we...* · collaborative interventionist project, Portland, Maine, Detroit, Michigan, & Washington, DC
- 2008 *Focus the Nation Teach-In* · Lead Organizer, Maine College of Art, Portland, Maine
- 2007 *The Storyhouse Project* · The Telling Room & Maine College of Art, Portland, Lewiston, & Scarborough, Maine
- 2006 *From the Ground Down* · Lead Artist, The West School, Portland, Maine

Residencies

- 2014 Hewnoaks Artist Colony, Center Lovell, Maine
- 2013 Hewnoaks Artist Colony, Center Lovell, Maine
Salt & Cedar, Detroit, Michigan
North Branch Projects, Chicago, Illinois
Studio Khalat at Artellewa Art Space, Cairo, Egypt
- 2012 Arts Residency Cairo, Cairo, Egypt
- 2008 Ragdale Foundation, Friends Fellowship, Lake Forest, Illinois
Haystack Mountain School of Crafts, Full Scholarship, Deer Isle, Maine

Honors + Awards

- 2015 Individual Project Grant for Artists for *The Chart* · Maine Arts Commission, Augusta, Maine
Individual Project Grant for Artists for *Persephone in the Late Anthropocene* · Maine Arts Commission, Augusta, Maine (lead applicant: Megan Grumbling)
Environmental Issues Grant for *Persephone in the Late Anthropocene* · Puffin Foundation, Teaneck, New Jersey
Kindling Fund Grant for *The Chart* · SPACE Gallery via The Warhol Foundation, Portland, Maine
- 2012 Kickstarter Fully-Funded Project for *Public Space: Cairo* · Cairo, Egypt
- 2010 Best North American Prize · ActarD Food For Thought International Display Contest
- 2007 Heart & Soul Student Award Nominee · Maine Campus Compact, Lewiston, Maine
- 2006 Christine Woelfle Endowed Sculpture Scholarship · Maine College of Art, Portland, Maine
- 2005 DesignInquiry Full Scholarship · TypeCulture, Portland, Maine
Carole J. & Edward Friedman Artistic Merit Scholarship · Maine College of Art, Portland, Maine

Artist Talks + Lectures

- 2014 "A Rebus of Identical Selves" · Artist Talk, Maine College of Art, Portland, Maine
- 2012 "Public Space: Cairo" · Artist Talk & Panel, Rawabet Theatre, Cairo, Egypt
"Reverb + Echo" · Artist Talk, Studio Gallery, Washington, DC
- 2011 "Designing for an Interactive Public" · Visiting Artist & Lecturer, Maine College of Art, Portland, Maine
"Why Storytelling Still Matters" · Artist Talk, Salt Institute for Documentary Studies, Portland, Maine
- 2010 "what if we..." · Visiting Artist, FOSAJ-Fanal Otantik Sant D'A Jakmel Arts Center, Jakmel, Haiti

Organizations

- 2014-present Pickwick Independent Press, studio member, Portland, Maine
PortFringe Theater Festival, committee member, Portland, Maine
- 2013-present Portland Public Art Committee, committee member, Portland, Maine
MENSK, Board Member + Secretary, Portland, Maine
- 2013-14 First Friday Art Walk Steering Committee, Co-Chair, Portland, Maine

Jenna Crowder

63 Emerson Street #4, Portland, ME 04101

207-317-2052 · crowder,jenna@gmail.com · jennacrowder.com

Dear Ms. Lisberger and Committee,

I'm writing to express my interest in renewing my position as a member of the Public Art Committee. I've learned so much being on the committee thus far and am excited to continue the work being done currently on Congress Square Park among other projects. I've been most interested in the way the committee is using art to foster meaningful relationships between artists and the public and empower the public to engage and interact with art on a significant and worthwhile level. I feel strongly that one of the roles of public art can serve is to develop creative dialogue among the public and increase the importance of art and artists, and it's been a great experience to understand this more through the mission of the Public Art Committee and its work in Portland.

I am an artist living and working in Portland, and my work is informed by interaction with the public and public space. My background lies in public engagement, collaborative projects, and installation-based sculpture. I've traveled to and worked in many places around the country and internationally researching how artists connect with the communities in which they work, and I feel that this has been a good match and complement to the backgrounds of other members of the committee and its mission.

I would love to continue working with this committee toward its goals and would be grateful to be considered for a renewed position.

Sincerely,
Jenna Crowder

*Order 268-15/16
Tab 5 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPOINTING CONSTABLES FOR 2016
RE: DEPARTMENT OF PUBLIC SAFETY**

ORDERED, that Morgan Copp, Brian Rollins, Raven Riendeau, Dakota Farris and Guylain Azanga, Police Cadets for the Department of Public Safety, are hereby appointed as constables for the remaining calendar year 2016; and

BE IT FURTHER ORDERED, that these appointments shall be effective from the effective date of this order until 12:00 midnight, December 31, 2016; and

BE IT FURTHER ORDERED, that these appointments are made pursuant to Sections 20-19 and 20-19.5, Portland City Code, and Morgan Copp, Brian Rollins, Raven Riendeau, Dakota Farris and Guylain Azanga, are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets; and

BE IT FURTHER ORDERED, that these appointments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to allow Morgan Copp, Brian Rollins, Raven Riendeau, Dakota Farris and Guylain Azanga, to begin work immediately.

MEMORANDUM
City Council Agenda Item

TO: City Council

FROM: Michael J. Sauschuck, Police Chief

DATE: May 17, 2016

DISTRIBUTION: City Manager, Mayor, Anita LaChance, Danielle West-Chuhta, Sonia Bean, Nancy English, Julianne Sullivan

SUBJECT: Appointment of Five (5) Police Cadets as Constables

SPONSOR: Police Department

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading _____ next available (June 6, 2016) _____ Final Action _____

Can action be taken at a later date: ____ Yes ____X_ No (If no, why not?) Cadets begin their active service on Tuesday, June 7th.

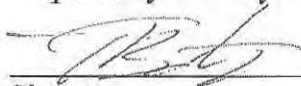
PRESENTATION:

- I. SUMMARY OF ISSUE** Each summer the Portland Police Department partners with Portland Downtown to contract Police Cadets for the purpose of additional foot beat coverage in Portland's Downtown districts. This year will also be the second year the police department has facilitated cadet coverage on Peaks Island.
- II. REASON FOR SUBMISSION** The Police Department affords this opportunity to entry level applicants who wish to seek further employment in law enforcement in the future. Their participation in this program adds to the City's public safety workforce and affords the cadets hands on experience in the field of law enforcement. The training for Cadets shall be completed on May 27, 2016 and foot beat assignments shall begin as soon as possible.
- III. INTENDED RESULT** Increased public safety presence in Portland's Downtown District and Peaks Island during busy summer months.
- IV. COUNCIL GOAL ADDRESSED** Customer Service.
- V. FINANCIAL IMPACT**
- VI. STAFF ANALYSIS**

RECOMMENDATION Appoint the following Police Cadets as Constables: Morgan Coop, Brian Rollins, Raven Riendeau, Dakota Farris, and Guylain Azanga effective immediately and expiring October 31, 2016.

VII. LIST ATTACHMENTS

Prepared by: Tiffany Bates



Signature

5.17.16

Date

*Order 269-15/16
Tab 6 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
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**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPOINTING AND SETTING SALARY OF
CHRISTOPHER C. BRANCH AS
DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS**

ORDERED, that Christopher C. Branch is hereby appointed as Director of the Department of Public Works at a salary of \$112,554; and

BE IT FURTHER ORDERED, that this appointment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately and allow Christopher C. Branch to begin work on June 7, 2016.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Gina Tapp, Director of Human Resources

DATE: May 20, 2016

DISTRIBUTION: City Manager, Mayor, Sonia Bean, Danielle West-Chuhta,
Nancy English, Julie Sullivan

SUBJECT: Appointment of Director of Public Works

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading_____ June 6, 2016* _____ Final Action__ June 6, 2016 _____

We request emergency action on this item as it is a critical position to fill as soon as possible.

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

PRESENTATION:

I. SUMMARY OF ISSUE

Approval is requested to appoint Christopher C. Branch, P.E. to the position of Director of Public Works for the City of Portland's Public Works Department at the annual salary rate of \$112,554.00.

II. REASON FOR SUBMISSION

Christopher will be filling the position of Director of Public Works following an extensive recruitment and hiring process. He brings with him over 26 years of experience in the field of municipal public works, which includes over 18 years as the Director of Public Works/Services for the City of Lewiston, Maine. He holds a P.E. degree from Tufts University. Mr. Branch has a thorough working knowledge of all areas of Public Works operations and management. We believe he will be able to successfully lead this Department forward in a positive way for the City of Portland.

III. INTENDED RESULT

IV. COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

Current resume is attached.

Prepared by: Gina Tapp, Director of Human Resources

Date: May 20, 2016

Christopher C. Branch, P.E.

WORK HISTORY

Sebago Technics, Inc. Regional Manager – October 2010 to Present

Oversees the operation of the Lewiston, Maine Office and serves as the company's representative throughout the area of operation. Tasks include directing, guiding and supervising professional and technical staff, planning and implementing the office's project workload by coordinating activities of the staff, developing and overseeing the office's budget, client relations, negotiates contracts on behalf of the company, oversees the status and budget of projects managed by the office and other tasks as described in the Senior Project Manager position.

Sebago Technics, Inc. & Technical Services, Inc. (Technical Services acquired by Sebago Technics in January 2007) Senior Project Manager – August 2004 to October 2010

Responsible for the management of civil/site development, municipal and other governmental projects, including oversight of survey, CADD & design, preparation and submission of applications to local, State and Federal reviewing agencies, attending meetings with reviewing agencies to obtain permit approvals, client relationships, preparation of proposals and oversight of project budgets. Projects included 100 and 150 acre industrial parks, survey, CADD and design for combined sewer overflow, utility and road projects and oversight of road and utility construction for municipal clients; development of a hotel, warehouses, restaurants, offices, housing, residential and commercial subdivisions, and retail facilities for private clients.

City of Lewiston, Maine Public Works and Services Director—June 1986 to August 2004

Responsible for the activities of the 130 plus person Department of Public Works. The work includes planning, directing, organizing and coordinating the activities of the Administration, Building Maintenance, Electrical, Engineering, Municipal Garage, Sewer, Solid Waste Management and Water Divisions. This includes direct responsibility for an annual operations and capital budget of over \$20 million, dealing with two employee unions and with local and state elected officials, coordinating projects through the public participation process, developing the Department's capital improvement plan and coordinating activities with local, regional, State and Federal agencies.

City of Lewiston, Maine City Engineer—February 1985 to June 1986

Responsible for supervising the activities of the eight person Engineering Division, providing advice on engineering and public works problems to the City and taking final responsibility for all projects, plans, specifications and studies completed by affixing Professional Engineer's seal.

City of Lewiston, Maine Assistant City Engineer—April 1982 to February 1985

Responsible for designing and overseeing City construction projects and supervising non-professional personnel.

City of Lewiston, Maine Civil Engineer—June 1979 to April 1982

Responsible for designing and overseeing City construction projects.

City of Lewiston, Maine Water & Sewer Operations Manager—September 1978 to June 1979

Responsible for operation of the maintenance crews, measuring of quality control personnel, pumping stations and recordkeeping programs.

City of Lewiston, Maine Construction Inspector—January 1978 to September 1978

Responsible for the on-site inspection, field layout, measuring of quality and quantities, and recordkeeping on City construction projects

Central Maine Community College Adjunct Instructor – September 2014 to May 2015

Prepared curriculum and instructed ACET 235: Introduction to Highway Design and ACET 260: Construction and the Environment

EDUCATION

Tufts University, BS Civil Engineering, 1978
Maine Certified Water Lab Operator, 1979
Maine Certified Class IV Water Supply Operator No. 392 1981 (current status inactive)
Maine Certified Professional Engineer No. 4804, 1983
Integrated Management, 8.0 CEU's, University of Southern Maine, Department of Continuing Education for Business, 1992

PUBLICATIONS & PAPERS

M. Adams, C. Branch & R. Mulready "Testimony on the Federal Water Pollution Control Act", for the United States Senate, Committee on the Environment and Public Works, Subcommittee on Environmental Protection, June 1991
M. Adams, C. Branch, S. Johnson, R. Mulready "Testimony on the Review of Existing Regulations, the Regulatory Flexibility Act", for the United States Environmental Protection Agency, May 1992
C. Branch "A Large City View of the Safe Drinking Water Act and the Clean Water Act", Maine Policy Review, Margaret Chase Smith Center for Public Policy Vol.1/No. 2, June 1992
M. Hartford, J. Pearson, C. Branch & S. Johnson "Lewiston-Auburn: A CSO Tale of Two Cities", Water Environment Federation Annual Conference & Exposition, October 1994
Technical Contributor to the USEPA Handbook on "Urban Runoff Pollution Prevention and Control Planning", September 1993
C. Branch & A. Masterson "Improving Municipal Infrastructure Systems with the Comprehensive Plant Evaluation Model" Woodard & Curran Directions, Fall 1995

PROFESSIONAL

American Society of Civil Engineers
American Public Works Association

BOARDS & COMMITTEES

Central Maine Community College, Architectural & Civil Engineering Technology Advisory Committee, 2010 to Present
Director of the Lewiston, Maine Development Corporation, 2007 to Present, Vice President 2010 to 2014, Secretary 2014 to 2015, President 2015 to Present
Director Lewiston Auburn Economic Growth Council 2015 to Present
Commissioner of the Lake Auburn Watershed Protection Commission from its inception in 1995 to 2004
Director of the Lewiston-Auburn, Maine Water Pollution Control Authority, 1986 to 2004, Chairperson 1993 to 2004
Director of the South Park Development Corporation, 1987 to 2004
Androscoggin Transportation Resource Center, Technical and/or Policy Committee, 1986 to 2004
Maine Turnpike Authority's Northern Corridor Committee, 1987 to 1989
Maine Municipal Association's Advisory Committee on Municipal Solid Waste, 1993
Maine Governor's Task Force on Solid Waste, 1994

COMMUNITY SERVICE

Member, Turner, Maine Planning Board, July 1998 to 2003, Vice Chairperson 2002 to 2003
Member, Turner, Maine Zoning Board of Appeals, January 1998 to July 1998
Swimming Coach 1979 to 1987 & 1994 to 2002
Swimming Official Age Group (USA-S), High School (MSOA) & College (NCAA) 1977 to Present
Administration/Finance Stewardship Committee, High St. Congregational Church, Auburn, Maine 1992-1996

AWARDS

APWA, first IME Chairman Award 1990-1991
United Way Special Recognition, Department Team Leader, Lewiston Public Work
2000 Administrator Award for Meritorious Service Department Head, City of Lewiston
2009 Recipient of the Maine Principals Association Swimming and Diving Service Award

Order 270-15/16
Tab 7 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING MONDAY, JULY 4, 2016, AS JULY 4TH
STARS AND STRIPES SPECTACULAR FESTIVAL**

ORDERED, that the July 4th Stars and Stripes Spectacular Festival be and hereby is declared for Monday, July 4, 2016 from 7:00 p.m. to 10:00 p.m., with a rain date of Tuesday, July 5, 2016, in the City of Portland, sponsored by July 4th Portland; and

BE IT FURTHER ORDERED, that the July 4th Stars and Stripes Spectacular Festival area shall include:

Fore Street at Mountfort Street to Eastern Promenade, Eastern Promenade to Washington Avenue, Washington Avenue to Congress Street, and Congress Street at Mountfort Street to Fore Street and the Fort Allen Park area; the Eastern Promenade (including sidewalk areas on both sides of the street) from Morning Street to Loring Memorial near East End Community School, and all of Eastern Prom Park, as well as Payson Park area and Baxter Boulevard, in the City of Portland; and

BE IT FURTHER ORDERED, that the following streets will be closed to vehicular traffic from approximately 10:00 a.m. to 10:00 p.m. on Monday, July 4th (or if necessary on the July 5th rain date):

Eastern Promenade at Morning Street, Wilson Street, Moody Street, and Congress Street, Morning Street at Eastern Promenade, Wilson Street, Moody Street, and Congress Street; and

BE IT FURTHER ORDERED, that the following streets will be closed to vehicular traffic from approximately 3:00 p.m. to 10:00 p.m. on Monday, July 4th (or if necessary on the July 5th rain date):

Eastern Promenade at Turner Street and Walnut Street; Morning Street at Turner Street; Emerson Street at Quebec Street and Melbourne Street; Willis Street at Montreal Street; and Walnut Street; and

BE IT FURTHER ORDERED, that all of Munjoy Hill and the Eastern Prom will be closed to traffic (from Washington Avenue up) starting at 4:00 p.m. on Monday, July 4, 2016 (or if necessary on the July 5th Rain date):. Streets

will open again after the fireworks display (at approximately 10:00 p.m.); and

BE IT FURTHER ORDERED, that Cutter Street will be closed to public traffic, including boat launching, on July 4th (or if necessary on the July 5th rain date) beginning at 10 p.m. on Sunday, July 3rd; and

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

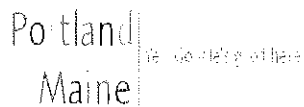
BE IT FURTHER ORDERED, that the July 4th Stars and Stripes Spectacular Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to July 4th Portland under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager or the Acting City Manager and to the following specific conditions:

1. July 4th Portland shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. July 4th Portland shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;
2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival area, except in an enclosed Beer and Wine Garden for people 21-years-old and older close to the stage, to be run and staffed by July 4th Portland;
3. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in an operating agreement issued from the Public Assembly Facilities Office shall be adhered to;
4. July 4th Portland shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the July 4th Stars and Stripes Spectacular Festival; AND
5. In addition, the City Clerk’s Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for

the Festival to those vendors the July 4th Portland has agreed shall participate; and

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



Sonia Bean <stb@portlandmaine.gov>

Re: Ft Gorges

1 message

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, May 23, 2016 at 11:52 AM

To: Jon Jennings <jpj@portlandmaine.gov>, Sonia Bean <stb@portlandmaine.gov>

Cc: Deb Andrews <dga@portlandmaine.gov>, Sally Deluca <sld@portlandmaine.gov>

Great. Sonia, can you please set something up with the folks on this email?

Thanks,

Ethan

On Monday, May 23, 2016, Jon Jennings <jpj@portlandmaine.gov> wrote:

I am happy to meet to discuss.

On Thu, May 19, 2016 at 5:59 PM, Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Hi Jon, Deb, and Sally,

Had a good visit to Ft Gorges today with my crew to tour the facility and install the new flag. Amazing property, with huge potential.

Also had a meeting with Roger Berle and Paul Drinan to discuss their progress to date.

They have a couple requests for information:

- When is RFP for "Preservation Plan" being sent out? Who is doing it?
- When is Task Force being created? Who is on it? What is their scope?

Jon, can we sit down to discuss how you see this proceeding? Just want to be clear what you would like each of us to be doing so we can keep things moving.

Thanks,

Ethan

Ethan Hipple, CPRP

Parks Director

City of Portland

134 Congress Street, Suite 2

Portland, Maine 04101

o: 207.756.8275

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

Jon P. Jennings

City Manager

City of Portland

389 Congress Street

Portland, ME 04101

(207) 874-8689 Office



Sally L. DeLuca
Director

Department of Recreation & Facilities Management

Andrew J. Downs
Director

Public Assembly Facilities Division

TO: Jon Jennings, City Manager
FROM: Andrew Downs, Director of Public Assembly Facilities Division
DATE: May 18, 2016
RE: July 4th "Stars and Stripes Spectacular"

I am requesting that the following order be placed on the June 6th City Council agenda:

**Order declaring Monday July 4, 2016, as July 4th "Stars and Stripes Spectacular."
(Rain Date: Tuesday, July 5, 2016)**

The City has sponsored the July 4th Fireworks and activities on the Eastern Promenade for a number of years, attracting 60,000+ individuals, a large percentage of which are families.

This year's Festival, which is being funded by private donations and fundraising activities by July 4th Portland, will include:

- 25 Minute Fireworks Display
- Portland Symphony Orchestra Concert
- Food & Entertainment Vendors

The Festival runs from 7:00pm – 10:00pm Monday July 4, 2016
(Rain date is Tuesday July 5th 2016).

Fundraising activities on the day of the event will include the sale of alcoholic beverages by Famous Dave's BBQ (in designated area near stage) and the sale of reserved seating in front of the stage.

In order for the Festival to be held, a portion of the Eastern Promenade needs to be barricaded and closed to traffic. The Festival area will extend:

Fore Street at Mountfort Street to Eastern Promenade, Eastern Promenade to Washington Avenue, Washington Avenue to Congress Street, and Congress Street at Mountfort Street to Fore Street. Festival Area will include the Fort Allen Park area, the Eastern Promenade (including sidewalk areas on both sides of the street) from Morning Street to Loring Memorial near East End Community School, the Payson Park area, as well as Baxter Boulevard area, as many families take in the fireworks display from those areas.

The following streets will be closed to vehicular traffic from approximately 10:00am to 10:00pm, on Monday, July 4th (July 5th Rain date): Eastern Promenade at Morning Street, Wilson Street, Moody Street, and Congress Street. Also, Morning Street at Eastern Promenade, Wilson Street, Moody Street, and Congress Street.

The following streets will be closed to vehicular traffic from approximately 3:00pm to 10:00pm, on Monday, July 4th (July 5th Rain date): Eastern Promenade at Turner Street and Walnut Street; Morning Street at Turner Street; Emerson Street at Quebec Street and Melbourne Street; and Willis Street at Montreal Street and Walnut Street.



Sally L. DeLuca
Director

Department of Recreation & Facilities Management

Andrew J. Downs
Director

Public Assembly Facilities Division

All of Munjoy Hill and the Eastern Prom will be closed to traffic (from Washington Ave. up), starting at 4pm. Street closures include Mountfort Street at Fore Street and Congress Street; Washington Avenue at Marion Street, Cumberland Avenue, Walnut Street, and Eastern Promenade. Streets will be opened up again after the fireworks display (at approximately 10pm).

With the addition of the PSO concert, **Cutter Street will be closed to public traffic, including boat launching, on July 4th.** This will begin at 10 p.m. on Sunday, July 3rd. In the event of rain, these street closings would be in effect for Tuesday, July 5th.

The Festival area will also be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of the Festival organizers and July 4th Portland Foundation for the purpose of administering the Festival. Festival organizers will charge a fee to the vendors to participate in the festival.

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

Order 271-15/16
Tab 8 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING SATURDAY, JULY 30, 2016 AS
THE 14th ANNUAL GREATER PORTLAND
FESTIVAL OF NATIONS**

ORDERED, that Saturday, July 30, 2016 is hereby declared to be the 14th Annual Greater Portland Festival of Nations, sponsored by the Mugadi Foundation; and

BE IT FURTHER ORDERED, that the 14th Annual Greater Portland Festival of Nations area shall include the Bandstand and Farmers Market Road inside Deering Oaks Park, the Ravine Water Play Area and park roadways including Tennis Court Road and Jenny Lane; and

BE IT FURTHER ORDERED, that main road into Deering Oaks Park will be closed to traffic from 10:00 a.m. to 10:00 p.m. on July 30, 2016; and

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

BE IT FURTHER ORDERED, that the 14th Annual Greater Portland Festival of Nations area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

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

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

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

Public Works: permit fees for use of grounds, banner fees, electricity fee, barricades, trash barrels and removal of trash; and

4. No Police, Parking Control, or EMS assistance should be necessary unless the Police Department deems coverage is necessary due to attendance, traffic concerns, etc., in which case, those fees would need to be paid by the Mugadi Foundation;
5. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Works Event Office shall be adhered to;
6. The Mugadi Foundation shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the 14th Annual Greater Portland Festival of Nations; and
7. In addition, the City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Mugadi Foundation has agreed shall participate; and

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



TO: Jon Jennings, City Manager
FROM: Sally DeLuca, Director of Parks, Recreation & Facilities Management
DATE: May 18, 2016
RE: Council Agenda Item – The 14th Annual Greater Portland Festival of Nations

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

Order declaring Saturday, July 30, 2016, as "The 14th Annual Greater Portland Festival of Nations," a festival of music, crafts, and cuisine from around the world to be held at Deering Oaks Park, 11am – 7pm.

This year will be the 14th annual Festival of Nations held at Deering Oaks Park. The festival, organized by Women In Need Industries and Mugadi Foundation, showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities, and folk art from America and many nations around the world. 2,500+ people are expected to attend the day's events. Admission is FREE. Refreshments, crafts, artwork, and other items will be for sale. The Festival is held rain or shine.

This the festival will again be held on Saturday. Farmers Market (for just the date of the festival) is held in Deering Oaks Park then, and will be moving their setup to Bowling Green Lane, so that setup for the Festival of Nations can take place at the Bandstand and along Farmers Market Rd. The Friends of Deering Oaks Park has reviewed and endorsed the festival (and Farmers Market have voted to move that day to Bowling Green).

In order to safely hold the festival and to assist in setup, the main road into Deering Oaks Park needs to be closed to traffic at approximately 10am, July 30, 2016 (opens back up again at 10pm).

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

The Order should include the following items:

The 14th Annual Greater Portland Festival of Nations be authorized for July 30, 2016, to be held at Deering Oaks Park.

Festival grounds include Deering Oaks Park (to include the Bandstand, the Ravine Water Play area and park roadways: Tennis Court Rd., Jenny Lane, and Farmers Market Rd.).

This area (north side of the pond) will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of festival organizers, for the purpose of conducting the **14th Annual Greater Portland Festival of Nations**, subject to the direction and control of the City Manager.



The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to organizers of The Festival of Nations for the use of the above-described area for said festival, subject to the following conditions:

- In-kind services/waiver of fees from the City of Portland include:
Public Works: permit fees for use of grounds, banner fees, electricity fee, barricades, trash barrels and removal of trash. The organizer will need to cover the cost of City Clerk's License fees.

No Police, Parking Control, or EMS assistance should be necessary unless the Police Department deems coverage is necessary due to attendance, traffic concerns, etc. In that case, those fees would need to be paid;
- Conditions for use of grounds, specified in a permit issued from Public Works Event Office, shall be adhered to and organizers shall leave on file with Public Works, security deposits for use of the park;
- Festival of Nations/Women In Need Industries/Mugadi Foundation shall indemnify the City and hold it harmless from and against all claims arising out of activities during said Festival, and shall take out and maintain public liability insurance coverage in the amount of at least **\$400,000** per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the **"Festival of Nations"** activities, and the City will be endorsed on the festival organizer's insurance policy;
- Festival of Nations/Women In Need Industries/Mugadi Foundation shall have sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at the Festival of Nations; and
- Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival.

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

Document prepared by Ted Musgrave, PW Event Office

Date: May 18, 2016

*Order 272-15/16
Tab 9 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

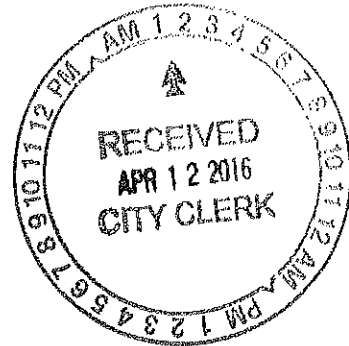
DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**BRGR Bar, LLC d/b/a BRGR Bar. Application for a Class I FSE License with Outdoor Dining
on Private Property at 11 Brown St.**

March 10th, 2016

Ethan K. Strimling, Mayor
City Council
City of Portland
Portland City Hall
389 Congress Street
Portland Maine, 04101



Honorable Mayor Strimling and City Council,

Please allow this letter to serve as a formal request for favorable consideration of a Food Service Establishment License with Alcoholic Beverages. You will find attached the city application for food and alcohol, state application for alcohol, copy of outdoor dining request, menu and diagram showing the layout of the premises.

We look forward to reviewing this request with you at an upcoming regularly scheduled meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Phelps Dieck Craig'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Phelps Dieck Craig
BRGR Bar

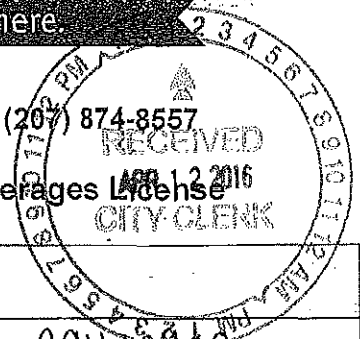
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

Application for Food Service Establishment with Alcoholic Beverages License



Business Information.	
Business Name (d/b/a):	BRGR BAR Phone: 603-294-0902
Location Address:	11 BROWN ST., PORTLAND, ME Zip: 04101
If new, what was formerly at this location:	MARGARITAS MEXICAN RESTAURANT
Mailing Address:	11 BROWN ST., PORTLAND, ME Zip: 04101
Contact Person:	CAROLYN GREGORY Phone: 603-294-0902
Contact Person Email:	CAROLYN@BRGR-BAR.COM
Manager of Establishment:	CAROLYN GREGORY Phone: 603-294-0902
Owner of Premises (Landlord):	PHELPS DIECK CRAIG
Address of Premises Owner:	150 GARLAND RD. RYE, NH Zip: 03870

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

Name of Owner(s)	Date of Birth	Residence Address
PHELPS DIECK CRAIG	11/23/1973	150 GARLAND RD. RYE, NH 03870

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

Corporate Name		Corporate Mailing Address	
BRGR BAR, LLC		150 GARLAND RD. RYE, NH Zip: 03870	
Contact Person:	CAROLYN GREGORY	Phone:	603-294-0902
Principal Officers	Title	Date of Birth	Residence Address
PHELPS CRAIG	OWNER	11/23/1973	150 GARLAND RD. RYE, NH 03870

About Your Establishment

Class of Liquor License:	CLASS 1, RESTAURANT/LOUNGE	
Type of food served:	BURGERS, MIXED APPETIZERS, SALADS	
Please circle all that will be served:	Beer ☒ Wine ☒ Liquor ☒	
Projected percentage of sales:	Generated from Food: 70%	Generated from Alcohol: 30%
Hours & days of operation:	MONDAY-THURSDAY 11:30-9:30; FRI-SAT 11:30-10:30; SUN 11-9	

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 Dancing & Entertainment is required.)	☒ Y ☐ N
Will you permit dancing on the premises?	☒ 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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? SEPTEMBER AUGUST 15, 2016	
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, CAROLYN GREGORY 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 3/11/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☒ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☒ Liquor License required?		
City Clerk signature for liquor license approval: _____ City Clerk signature for liquor license approval: <u>6/6 or 6/20</u>		
Location Name & Address: <u>BRGR BAR, 11 BROWN ST, PORTLAND</u>	Chart	Block Lot
Owner Name: <u>PHILIPS DIECK CRAIG</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>576 SQ FT.</u>	
Owner Phone #: <u>(603) 294-0902</u>		
Applicant *must* be owner or lessee		
Name: <u>PHILIPS DIECK & CRAIG</u>	Fee: \$80 (Public-Annual) \$125 (Private 1X)	
Address: <u>150 GARLAND RD.</u>	Total Sq. Ft.: <u>576 SQ FT</u>	
City, State & Zip: <u>RYE NH 03870</u>	Sq. Ft. Fee: (sq ft x \$2) \$ _____	
E-Mail: <u>INFO@BRGR-BAR.COM</u>	(sq ft x \$6 for public parks)	
	Total Fees: <u>\$ 125.00</u>	
	(Permit not issued until all fees are paid)	
Current use: _____		
Business name: _____		
Seating area dimensions: _____		
How many chairs? <u>33</u> How many tables? <u>15</u>		
☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>CAROLYN GREGORY</u> Phone: <u>(603) 294-0902</u>		
Address: <u>34 PORTWALK PLACE, PORTSMOUTH NH</u> Mail: <u>CAROLYN@BRGR-BAR.COM</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: [Signature]

Date: 3/11/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

Department of Public Safety
Division



Liquor Licensing & Inspection

BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☐ MALT ☐ SPIRITUOUS ☐ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ HOTEL (Class I,II,III,IV)

☐ CLASS A LOUNGE (Class X)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ CLUB (Class V)

☐ GOLF CLUB (Class I,II,III,IV)

☐ TAVERN (Class IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>BRGR BAR, LLC</u>		2. Business Name (D/B/A) <u>BRGR BAR</u>	
DOB: _____		DOB: _____	
DOB: _____		DOB: _____	
Address <u>150 GARLAND RD.</u>		Location (Street Address) <u>11 BROWN ST.</u>	
City/Town <u>RYE</u>	State <u>NH</u>	City/Town <u>PORTLAND</u>	State <u>MAINE</u>
Zip Code <u>03810</u>		Zip Code <u>04101</u>	
Mailing Address <u>11 BROWN ST.</u>		Mailing Address <u>11 BROWN ST.</u>	
City/Town <u>RYE</u>	State <u>NH</u>	City/Town <u>PORTLAND</u>	State <u>MAINE</u>
Zip Code <u>03810</u>		Zip Code <u>04101</u>	
Telephone Number <u>603-294-0902</u>	Fax Number _____	Business Telephone Number <u>603-294-0902</u>	Fax Number _____
Federal I.D. # <u>81-1752418</u>		Seller Certificate # _____	

3. If premises are a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____

5. Is applicant a corporation, limited liability company or limited partnership? ☒ YES ☐ NO

complete Supplementary Questionnaire, If ☒ YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: CAROLYN GREGORY

8. If business is NEW or under new ownership, indicate starting date: 8/01/2016

Requested inspection date: 07/15/16

Business hours: M-TH 11:30-9:30, F/S 11:30-10, SUN 11-9

9. Business records are located at: 150 GARLAND RD, RYE, NH 03810

10. Is/are applicants(s) citizens of the United States? ☒ YES ☐ NO

11. Is/are applicant(s) residents of the State of Maine?

YES ☐ NO ☒

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
PHELPS DIECK	11/23/1973	GREELY, COLORADO
CAROLYN GREGORY	10/01/1985	BETHESDA, MARYLAND

Residence address on all of the above for previous 5 years (Limit answer to city & state)

RYE, NH; PORTSMOUTH, NH; STRATHAM, NH

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) SINGLE FLOOR RESTAURANT
105 seat restaurant. 15 INDOORS, 30 OUTDOOR. FULL SERVICE BURGER RESTAURANT

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☐ NO ☒ Applied for: _____

19. 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? .25 miles Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: BANK/SBA LOAN

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: PORTSMOUTH, NH

Town/City, State

on

MARCH 11th

Date

20 16

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

Supplemental Information Required for
Business Entities Who Are Licensees

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

BRGR BAR, LLC

2. Other business name for your entity (DBA), if any:

BRGR BAR

3. Date of filing with the Secretary of State: 03/01/2016

4. State in which you are formed: NEW HAMPSHIRE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 03/01/2016

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
PHILIPS DIECK CRAIG	150 GARLAND RD. RYE, NH	11/23/73	100%

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

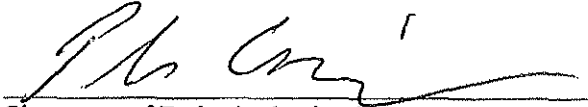
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

3/11/16
Date

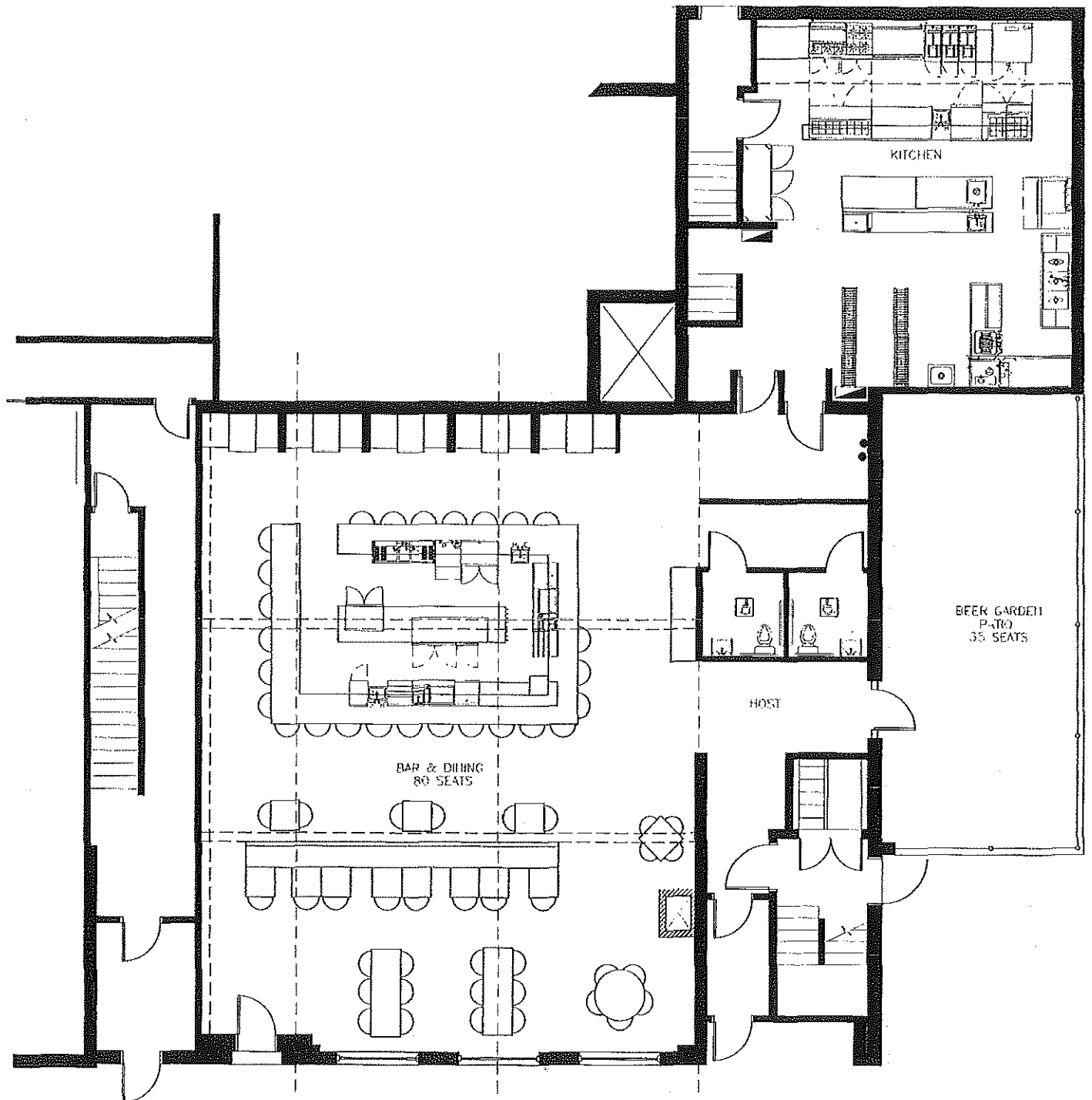
PHEAR'S DIECK CRAIG

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov



NOT FOR CONSTRUCTION

SIDES / APPS

LUCY'S HOUSE MADE FRIED PICKLES + PEPPERS w/ ancho aioli...8
BUFFALO BRUSSEL SPROUTS + gorgonzola dip...8
POUTINE house fries, short rib, cheese curds + gravy...9
RICOTTA STUFFED SWEET POTATO TOTS + cilantro aioli...7
MAC TRIO buffalo chicken, parmesan truffle + bbq short rib...9
DIRTY FRIES served w/ cheese sauce, gravy + bacon...6
CHICKEN WINGS buffalo, thai chili, bourbon bbq or stout honey mustard style...9
CURRY CAULIFLOWER POPCORN lightly breaded and fried served w/ housemade thai peanut sauce...8
FISH TACOS mahi mahi, red cabbage slaw, avocado + lemon garlic aioli...13

GREENS

HOUSE SALAD mixed greens with balsamic vinaigrette dressing...8
COBB SALAD avocado, hard boiled egg, bacon bits, gorgonzola, tomatoes + house made roasted red pepper vinaigrette served on grilled romaine...12
PORK BELLY WEDGE fried pork belly, bleu cheese, red onion, tomato + gorgonzola dressing served on an iceberg wedge...12
BEET + GOAT CHEESE SALAD served on mixed greens with a house made pomegranate vinaigrette...11
Add grilled chicken, chicken tenders or a patty to your salad for an additional charge

BURGERS

Our beef is proudly sourced from Maine Family Farms and our bison proudly sourced from Hacmatack Farm in Berwick, Maine.
Both are Grass fed, No hormones. No antibiotics.

All of our burgers are cooked to medium, unless otherwise specified, and are served with fries or house salad.

THE BRGR.....12
two thin mff double patty, bacon, american cheese, L.T.O, pickles & secret sauce, served medium

OO-MOMMY.....13.5
mff beef patty topped with gorgonzola, beer battered onion rings, bacon & onion jam, lettuce + tomato

THE BRAZEN.....13.5
mff beef patty topped with braised short rib, cheddar, fried egg, spicy ketchup, lettuce + tomato

EARTH BURGER.....12
quinoa lentil patty, sauteed portobellos, gruyere cheese, tomato relish, walnut pesto, lettuce + tomato

THE WALL.....15
1/2 beef 1/2 chorizo burger, crispy pork belly, cherry pepper relish, ancho aioli, fried goat cheese, lettuce + tomato

THE CUBANO.....15
pork patty, braised pork shoulder, grilled ham, house made pickles, stout honey mustard served on a gruyere crusted brioche bun

THE MAC DADDY.....13.5
mff beef topped with housemade mac + cheese, bbq short rib, L.T.O

Sub Parmesan Truffle Fries...2 / Sub Ricotta Stuffed Tots...2.5 / Sub Sweet Potato Fries...2 / Sub Gluten Free Bun...1.5

MAHI MAHI.....15
blackened mahi mahi filet served with cilantro aioli, lettuce, tomato + citrus pickled red onion

WHAT THE DUCK?.....14
duck patty topped with thai peanut sauce, red cabbage slaw, lettuce + tomato

THE HAWAIIAN PUNCH.....14
turkey patty topped with pineapple chipotle salsa, smoked gouda, grilled red onions, jalapeno lime aioli, lettuce, tomato + bacon

UP IN SMOKE.....17
bison burger, smoked gouda, applewood smoked bacon, grilled red onion, avocado, pomegranate bbq, lettuce + tomato

SOUTHERN COMFORT.....11
bourbon bbq fried chicken tenders, cheddar cheese, house made pickles + coleslaw

CHICKEN OF THE SEA.....12
seared tuna cake, dill aioli, lettuce, tomato + onion

BUILD YOUR OWN

COCKTAILS

PEAR PERFECTION ...9

gin, domaine de canton, cinnamon, pear puree + soda water

THE TOWNIE ...10

house infused jalapeno + fig bourbon with housemade sour mix

FIVE ROSES MANHATTAN...15

four roses small batch bourbon, rose water + sweet vermouth

BARREL AGED MANHATTAN...12

barrel aged lexington bourbon, sweet vermouth + bitters

ORANGE VELVET PISCO...9

rum, simple syrup, muddled orange and lemon, egg white, grand marnier + bubbly

THE VIXEN...12

bulliet rye, campari, dry vermouth + a lemon twist

SMOKEY QUARTZ...9

silver tequila, house made ancho chili simple syrup + lime juice

THE BEEKEEPER...11

barrel aged mead, hard cider + a float of knob creek smoked maple bourbon with an ancho, cardamom sugar rim

THE MOLLY RINGWALD...10

house infused pink peppercorn vodka, orange liquor, domaine de canton + lemon juice

KENTUCKY MULE...9

buffalo trace bourbon, fresh lime + ginger beer

BLOOD MOON MARGARITA...9

silver tequila, muddled orange and lime, orange liquor, blood orange puree + housemade sour mix

ADULT MILKSHAKES

Apple Pie A la Mode...10

house infused apple cinnamon bourbon

Ginger Snap...10

spiced rum, cinnamon + ginger puree

The Original...10

bourbon + nh maple syrup

Rootbeer Float...10

sailor jerry spiced rum + rootbeer liquor

The Thin Mint...10

brownie bits, chocolate syrup, rum + mint schnapps

Espresso...10

vanilla vodka + espresso vodka

ON DRAFT

Rotating Local IPA... MP

Rotating West Coast IPA ... MP

Switchback...6.25

Allagash White... 6

Smuttynose Big Beer Series (12oz)... 6.25

Rising Tide Ishmael Copper Ale...6.5

Stella Artois...5.75

Staff's Choice Rotating draft...MP

BOTTLES/CANS

Pabst Blue Ribbon... 4

Moat Rotating can...5

Glutenberg Pale Ale (GF)...5

Peak Seasonal bottle...5.5

Great North RVP...5

Henniker Hop Slinger IPA...5

Ballast Point Grapefruit Sculpin...5.5

Bantam Hard Cider...6

Budweiser...3.5

Bud Light... 3.5

RED WINE

J Lohr Falcon's Perch Pinot Noir...12/42

Trapiche Malbec, Argentina...7.5/28

Edameades Zinfandel, California... 10.5/40

Josh Cellars Cabernet Sauv, Healdsburg...10/36

Housemade Red Sangria 8.5 glass only

WHITE WINE

Casalini Pinot Grigio, Italy...7/24

Matua Sauvignon Blanc, New Zealand...10/36

Kunde Chardonnay, Sonoma... 12/44

Pavao Vinho Verde, Portugal...8/30

Marchia Pinot Grigio, Italy... 10



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839948

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) CAROLYN GREGORY (1985-10-01)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839940

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) PHELPS DIECK (1973-11-23)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839941

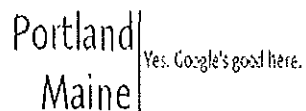
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) PHELPS CRAIG (1973-11-23)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

BRGR Bar - 11 Brown St.

Gary Rogers <garyr@portlandmaine.gov>

Thu, May 5, 2016 at 2:16 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, Apr 26, 2016 at 9:49 AM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

BRGR Bar, LLC
Attn: Carolyn Gregory
34 Portwalk Place
Portsmouth, NH 03801

Re: BRGR Bar, LLC d/b/a BRGR Bar. Application for a Class I FSE License with Outdoor Dining on Private Property at 11 Brown St.

Dear Ms. Gregory,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Class I FSE License with Outdoor Dining on Private Property at 11 Brown St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Order 293-15/16
Tab 10 6/6/16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Maine Craft Distilling d/b/a Maine Craft Distilling. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St.

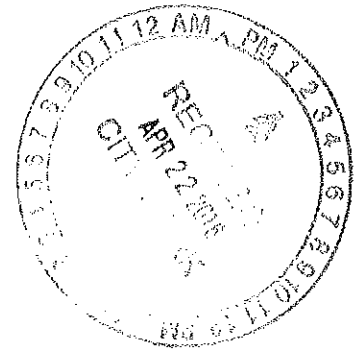
Letter of Intent

Maine Craft Distilling

101 Fox Street

Portland, Me 04101

Luke Davidson-Principal



4/21/2016

Office of the Mayor/Members of the City Council

389 Congress Street

Portland Maine, 04101

To all interested Parties,

Please find the attached application for the licensure of a tasting room in the city of Portland from our existing spirits manufacturing facility on 101 Fox Street in Portland Maine. We intend to operate our business as we have to date but under the new regulations and advisement of the authority of the corresponding departments. We look forward to your review and working with the City of Portland to help grow our economy together.

All the best

N. Luke Davidson

Portland, Maine

Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8556
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information	
Business Name (d/b/a):	Maine Craft Distilling Phone: 207 798 2528
Location Address:	101 Fox Street Zip: 04101
If new, what was formerly at this location:	
Mailing Address:	Zip:
Contact Person:	Luke Davidson Phone: 207 798-2528
Contact Person Email:	Luke@mainecraftdistilling.com
Manager of Establishment:	Luke Davidson Date of Birth: 03-02-71 Phone: 207 798-2528
Owner of Premises (Landlord):	Doug Carden
Address of Premises Owner:	Fox Street Portland 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	
Maine Craft Distilling		101 Fox Street Zip: 04101	
Contact Person:	Luke Davidson	Phone:	207 798-2528
Principal Officers	Title	Date of Birth	Residence Address
Luke Davidson	CEO	03-02-71	24 Marquis Rd Freeport Me

About Your Establishment

Type of Establishment:	Brewery Winery <u>Distillery</u>
Hours & days of operation:	<u>8am - 7 pm</u>

QUESTIONS

Will food be made, served, and/or sold on the premise by this establishment?	Y/ <u>N</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/ <u>N</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/ <u>N</u>
Will you permit dancing on the premises?	Y/ <u>N</u>
Will you permit dancing after 1:00 a.m.?	Y/ <u>N</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/ <u>N</u>
If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y/ <u>N</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>open now</u>	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y/ <u>N</u>
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/ <u>N</u>
If Yes, please list business name(s) and location(s): <u>existing Biz</u>	
Is any principal officer under the age of 21?	Y/ <u>N</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/ <u>N</u>
If Yes, please explain:	

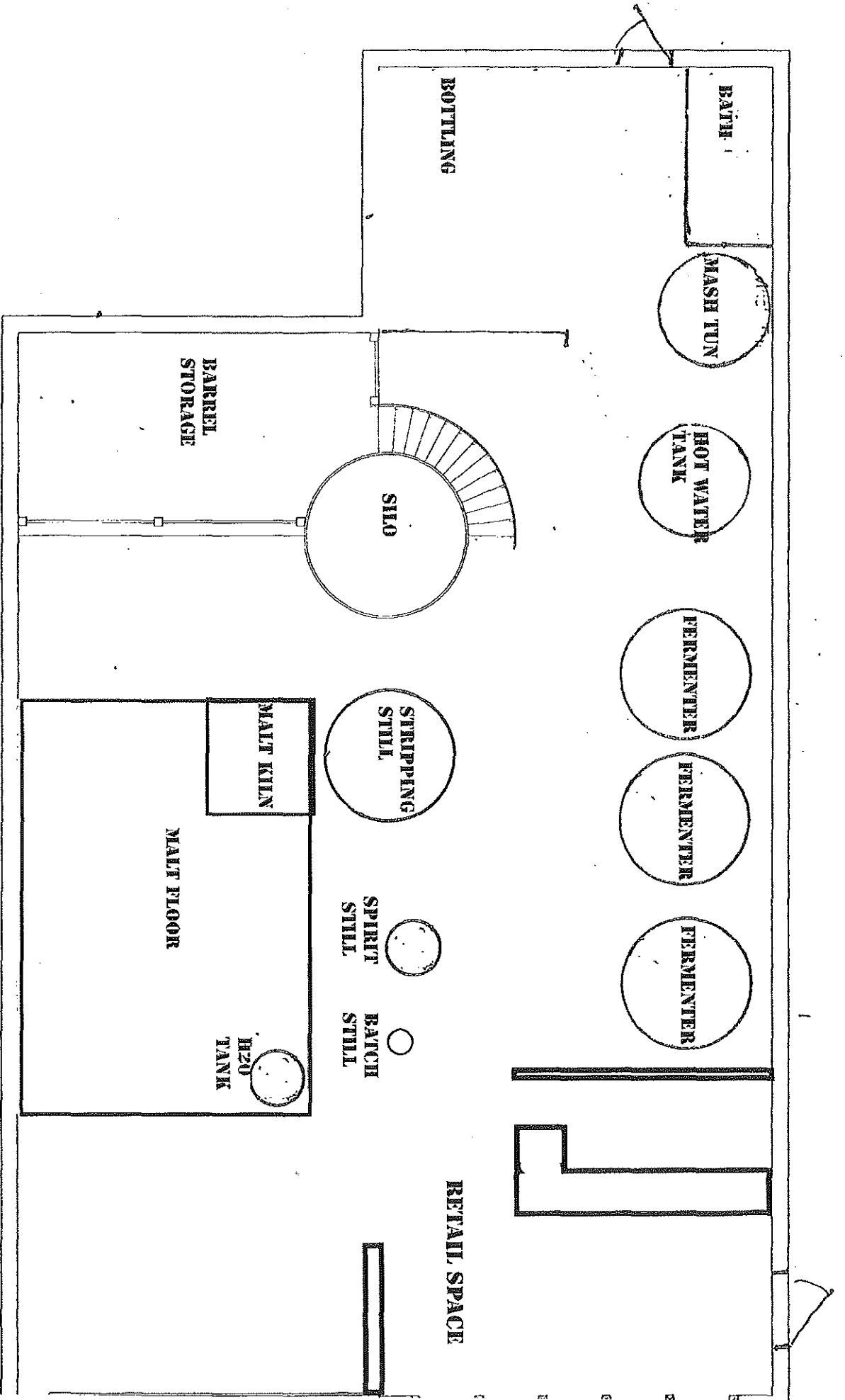
I N. Luke Davidson do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require 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. § 863 (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 CEO Date 04-21-16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.



MAINE CRAFT DISTILLING FLOOR PLAN
101 FOX STREET, PORTLAND MAINE



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property ☐ Outdoor Dining in a Public Park ☐ If Renewal , are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☒ No ☐ Petition for Exception for Special Circumstances ☐ Liquor License required? City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____		
Location Name & Address: Maine Craft Distilling 101 fox street	Chart	Block Lot
Owner Name: Luke Davidson Owner Phone #: 207-798-2528	Total Square Footage of Proposed Outdoor Dining Area: ¹ 400 sf	
Applicant *must* be owner or lessee Name: Luke Davidson Address: 101 fox street City, State & Zip: portland me E-Mail:		
Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: 400 Sq. Ft. Fee: (sq ft x \$2) \$ _____ (sq ft x \$6 for public parks) Total Fees: \$ 125 (Permit not issued until all fees are paid)		
Current use: none Business name: Maine Carft Distilling Seating area dimensions: 16x25 How many chairs? 2 Picnic How many tables? _____ ☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: Luke Davidson Phone: 207-798-2528 Address: 101 fox street E Mail: luke@mainecraftdistilling.co		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

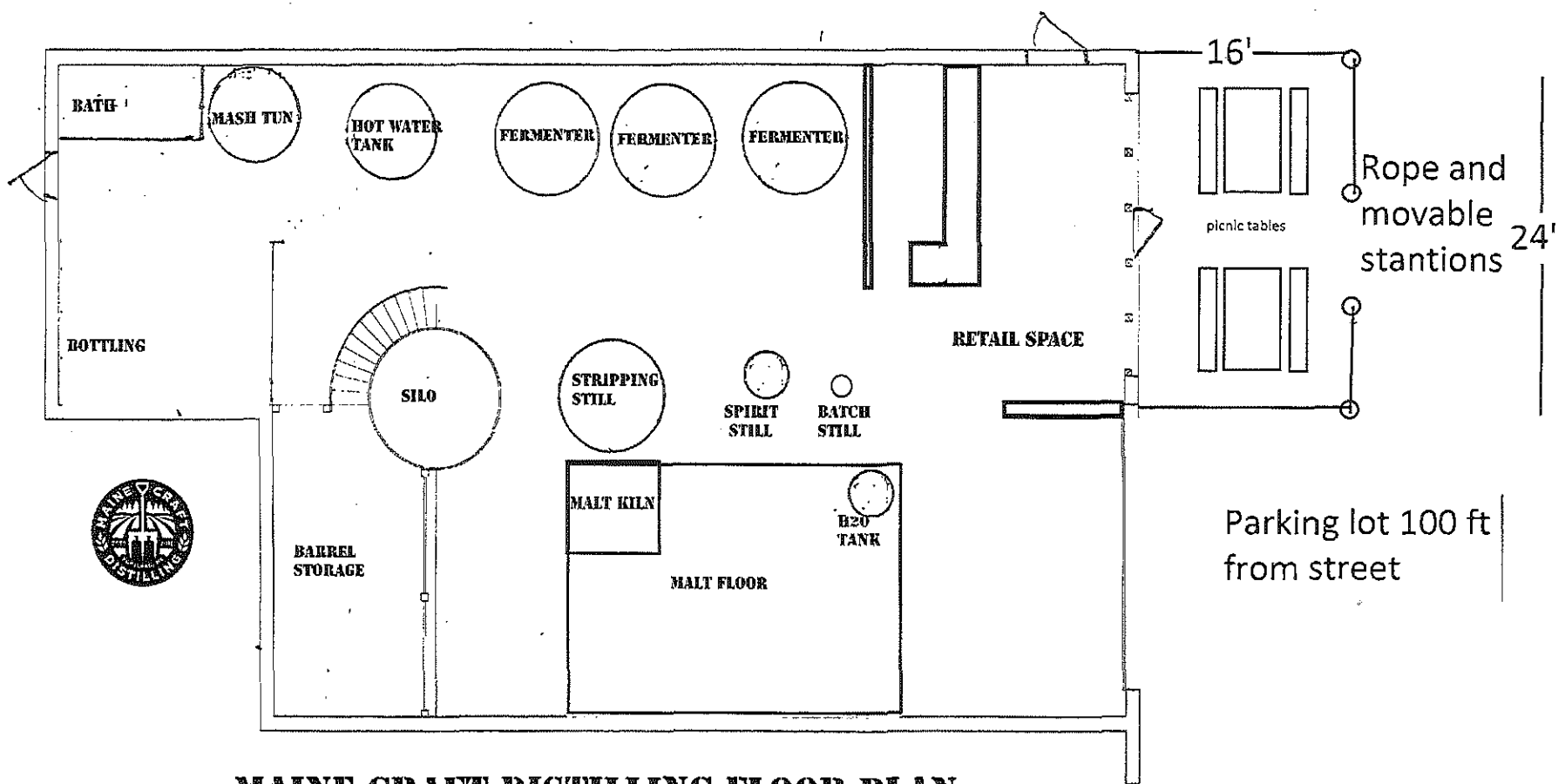
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 4/21/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



MAINE CRAFT DISTILLING FLOOR PLAN
101 FOX STREET, PORTLAND MAINE



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839952

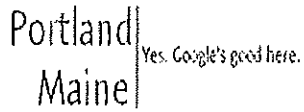
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) LUKE DAVIDSON (1971-03-02)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Maine Craft Distilling - 101 Fox St.

Gary Rogers <garyr@portlandmaine.gov>

Mon, May 2, 2016 at 12:03 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve.

Thank you

On Tue, Apr 26, 2016 at 10:35 AM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Maine Craft Distilling
Attn: Luke Davidson
101 Fox St.
Portland, ME 04101

Re: Maine Craft Distilling d/b/a Maine Craft Distilling. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St.

Dear Mr. Davidson,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Distillery Alcohol Service License with Outdoor Dining on Private Property at 101 Fox St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Order 274- 15/16
Tab 11 6-6-16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

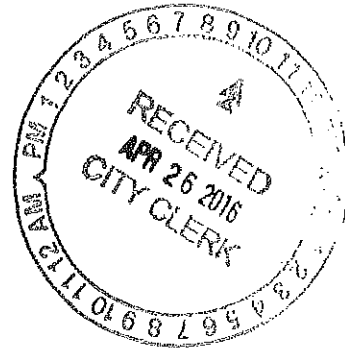
DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Lone Pine Brewing Co. d/b/a Lone Pine Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 219 Anderson St., #4.

From:

John Paul and Thomas Madden
Lone Pine Brewing Company
219 Anderson St., #4
Portland, ME 04101
info@lonepinebrewery.com
207-468-4554



To:

City of Portland

Dear City of Portland,

Lone Pine Brewing Company is seeking approval for a Brewery License with outdoor seating, as well as light entertainment. Our brewery and tasting room has been granted a certificate of occupancy from the city and we have enjoyed operating as the newest addition to Portland's craft brewing scene.

Our objective as a brewery is to not only add to the thriving beer scene in Maine with our product offerings, but to add jobs to the area and help better East Bayside. We have invested tens of thousands of dollars into cleaning and upfitting both the inside and outside of our Anderson street location, and plan to continue to work towards creating an environment Portland can be proud of. We respect our neighbors and community and will continue to offer a safe and comfortable environment for patrons. Our primary goal is to offer a safe and comfortable place in which we can manufacture product, as well as let the public sample and have the ability to understand our brand further.

Kindly let us know of any questions you have and please feel free to call us directly at 207.468.4554.

We appreciate your time and look forward to being a valuable asset to Portland.

Sincerely,

John Paul and Thomas Madden

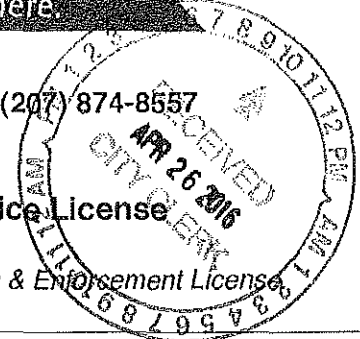
A handwritten signature in black ink, appearing to be "JP & TM", written over the printed names of John Paul and Thomas Madden.

Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License

Business Information	
Business Name (d/b/a):	Lone Pine Brewing Company Phone: 207-468-4554
Location Address:	219 Anderson St #4 Portland, ME Zip: 04101
If new, what was formerly at this location:	N/A
Mailing Address:	219 Anderson St #4 Portland, ME Zip: 04101
Contact Person:	John Paul Phone: 207-468-4554
Contact Person Email:	john@lonepinebrewery.com
Manager of Establishment:	John Paul Date of Birth: 04/13/86 Phone: 207-468-4554
Owner of Premises (Landlord):	Allan Jagger
Address of Premises Owner:	5 Amerescoggin Rd Falmouth, ME Zip: 04105

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	
Lone Pine Brewing Co.		219 Anderson St #4 Portland, ME Zip: 04101	
Contact Person:	John Paul	Phone:	207-468-4554
Principal Officers	Title	Date of Birth	Residence Address
Thomas Madden	owner	5/14/86	705 Portland Rd, Saco, ME 04072
John Paul	owner	04/13/86	289 Ferry Rd, Saco, ME 04072

About Your Establishment

Type of Establishment:	<u>Brewery</u> Winery Distillery
Hours & days of operation:	<u>Monday through Sunday, 12 P-8P (at Maximum)</u>

QUESTIONS

Will food be made, served, and/or sold on the premise by this establishment?	Y/N <u>(N)</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N <u>(N)</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N <u>(N)</u>
Will you permit dancing on the premises?	Y/N <u>(N)</u>
Will you permit dancing after 1:00 a.m.?	Y/N <u>(N)</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N <u>(N)</u>
If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y/N <u>(N)</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>Existing</u>	
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y/N <u>(N)</u>
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	Y/N <u>(N)</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law? <u>NO</u>	Y/N <u>(N)</u>
If Yes, please explain: <u>John Paul - DUI - Los Angeles, CA - Misdemeanor - May 2010.</u> <u>All obligations cleared in 2010.</u>	

I John R. Paul 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 John R. Paul Title Owner Date 04/20/16

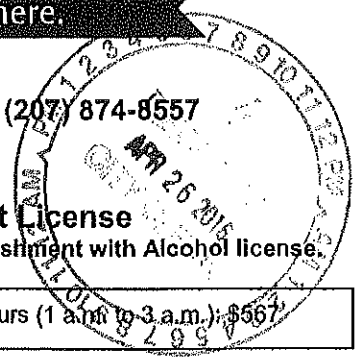
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281	☐ Entertainment with Dancing: \$504	☐ After-Hours (1 a.m. to 3 a.m.): \$567
--	--	--

Business Information	
Business Name (d/b/a):	Lone Pine Brewing Co.
Phone:	207 468-4554
Location Address:	219 Anderson St #4 Portland, ME 04101

About Your Establishment

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

Brewery with tasting room that will periodically have live acoustic guitar/vocals in a small, dedicated corner of brewery tasting room.

Will music be electric, acoustical or both? (Circle)

Will amplification be used?

If yes, where and at what level?

No louder than 92 decibels

Will music be played (Circle all that apply): Inside Outside

Will you permit dancing on the premises?

Will you permit dancing after 1:00 a.m.?

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? Approx 70 Yards

What is your targeted opening date? Existing

Does the issuance of this license directly or indirectly benefit any City employee(s)?

If Yes, list name(s) of employee(s) and department(s):

JRP
Y/N
Y/N
Y/N

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.

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 JM R Title Owner Date 04/7/16

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



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☐ Liquor License required?		
City Clerk signature for liquor license approval: <u>[Signature]</u> OR Pending Council Date: <u>6/6/16</u> <u>Portland, ME</u>		
Location Name & Address: <u>Lone Pine Brewing Company / 219 Anderson St. #4 Portland, ME</u>	Chart	Block Lot
Owner Name: <u>Allen Jagger</u> Owner Phone #: <u>207-939-1730</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>360</u>	
Applicant *must* be owner or lessee Name: <u>John Paul / Lone Pine Brewing / Lessee</u> Address: <u>219 Anderson St. #4</u> City, State & Zip: <u>Portland, ME 04101</u> E-Mail: <u>john@lonepinebrewery.com</u>		
Fee: \$80 (Public-Annual) / \$125 (Private 1X) Total Sq. Ft.: <u>360</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>720</u> (sq ft x \$6 for public parks) Total Fees: \$ _____ (Permit not issued until all fees are paid)		
Current use: <u>Brewing + Tasting Room</u> Business name: <u>Lone Pine Brewing Co.</u>		
Seating area dimensions: How many chairs? <u>2 benches</u> How many tables? <u>2 benches</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>John Paul</u> Phone: <u>207-468-7554</u> Address: <u>219 Anderson St. #4 Portland, ME 04101</u> E-Mail: <u>john@lonepinebrewery.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: [Signature]

Date: 04/25/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839949

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) JOHN PAUL (1986-04-13)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839944

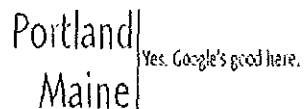
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) THOMAS MADDEN (1986-05-14)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Lone Pine Brewing Company - 219 Anderson St. #4

Gary Rogers <garyr@portlandmaine.gov>

Thu, May 5, 2016 at 1:49 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, Apr 26, 2016 at 11:00 AM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Lone Pine Brewing Co.
Attn: John Paul & Thomas Madden
219 Anderson #4
Portland, ME 04101

Re: Lone Pine Brewing Co. d/b/a Lone Pine Brewing Company. Application for a
Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining
on Private Property at 219 Anderson St., #4.

Dear Mr. Madden & Mr. Paul,

This letter shall serve as a reminder of the Public Hearing before the Portland City
Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a
Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining
on Private Property at 219 Anderson St., #4. The meeting will take place in Council
Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our
office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Order 275- 15/16
Tab 12 6-6-16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

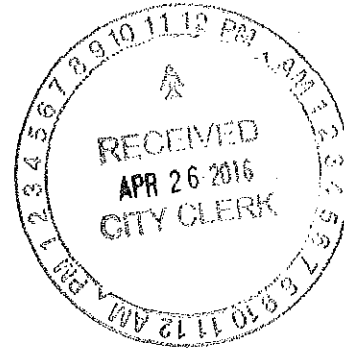
Bunker Brewery LLC d/b/a Bunker Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St.

Letter of Intent

From: Jay Villani

Managing Member

Bunker Brewing Company

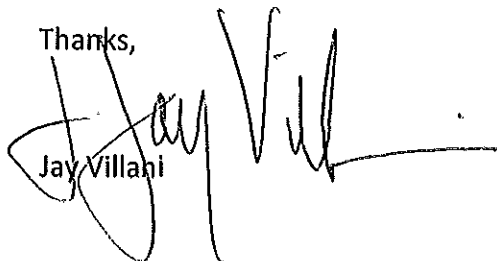


Mayor and City Council members,

Bunker Brewing Company, est. 2012, has been operating at 122 Anderson Street in Portland's East Bayside community. We are currently undergoing an expansion/transition to 17 Westfield Street, Portland. Our hopeful completion date for production at new site is June/July 2016.

Prior to the city passing the new "brewery, winery and distillery alcohol service license", we've received all local applicable permits and have submitted an amended brewers notice with the TTB. Please regard this as notification of our move and consideration for the new brewery service license.

Thanks,


Jay Villani

4/6/2016

Portland, Maine

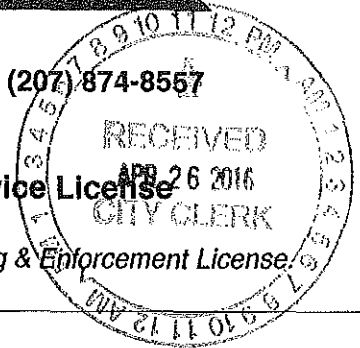


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



Business Information	
Business Name (d/b/a):	BUNKER BREWING COMPANY
Location Address:	17 WESTFIELD STREET
If new, what was formerly at this location:	122 ANDERSON STREET
Mailing Address:	122 ANDERSON STREET
Contact Person:	JAY VILLANI
Contact Person Email:	JVILLANIC@MAINE.FM.COM
Manager of Establishment:	JAY VILLANI
Owner of Premises (Landlord):	ANDERSON STREET REALTY
Address of Premises Owner:	322 Fore St. 3rd floor

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

Name of Owner(s)	Date of Birth	Residence Address
JAY VILLANI	4/30/1966	20 SALEM ST. PORTLAND, ME
CHRESTEN SORENSEN		

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

Corporate Name		Corporate Mailing Address	
BUNKER BREWERY LLC		122 ANDERSON ST. PORTLAND, ME 04102	
Contact Person:	JAY VILLANI	Phone:	207.272.3004
Principal Officers	Title	Date of Birth	Residence Address
JAY VILLANI	MANAGING MEMBER	4/30/66	20 SALEM ST. PORTLAND 04102
CHRESTEN SORENSEN	HEAD BREWER	2/10/78	86 BECKETT ST. #1 PORTLAND 04101

About Your Establishment

Type of Establishment:	<u>Brewery</u> Winery Distillery
Hours & days of operation:	<u>7-DAYS 12pm-8pm</u>

QUESTIONS

Will food be made, served, and/or sold on the premise by this establishment? Y/N (N)

If yes, please submit a City of Portland Food Service Establishment license application.

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 Dancing & Entertainment is required.) Y/N (N)

Will you permit dancing on the premises? Y/N (N)

Will you permit dancing after 1:00 a.m.?

Will you have outside dining? (If yes, an Outdoor Dining Application is required) Y/N (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 (N)

If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____

What is your targeted opening date?

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): LOCAL 188
SONNY'S SALVAGE BBQ

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:

CYRSTEN Sorensen D.U.I

I, JAY VILLANI 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 J. Jay Villani Title MANAGING MEMBER Date 4/6/2016

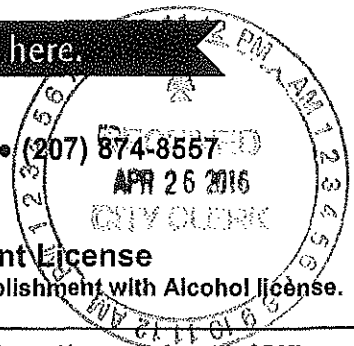
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281 ☐ Entertainment with Dancing: \$504 ☐ After-Hours (1 a.m. to 3 a.m.): \$567

Business Information	
Business Name (d/b/a):	BUNKER BREWING CO. Phone: 207. 272. 3004
Location Address:	17 WESTFIELD ST. PORTLAND, ME 04101 Zip: 04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:	
Process Brewery w/ Tap Room, OCCASIONAL MUSICAL ENTERTAINMENT	
Will music be electric, acoustical, or both? (Circle)	
Will amplification be used?	Y(N)
If yes, where and at what level?	
IN TAP ROOM, AFTER NORMAL BUSINESS HOURS, NOT TO EXCEED STANDARD LEVELS	
Will music be played (Circle all that apply): Inside Outside	
Will you permit dancing on the premises?	Y(N)
Will you permit dancing after 1:00 a.m.?	Y(N)
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	200 / 300 FT.
What is your targeted opening date?	JULY 2016
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):	

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.

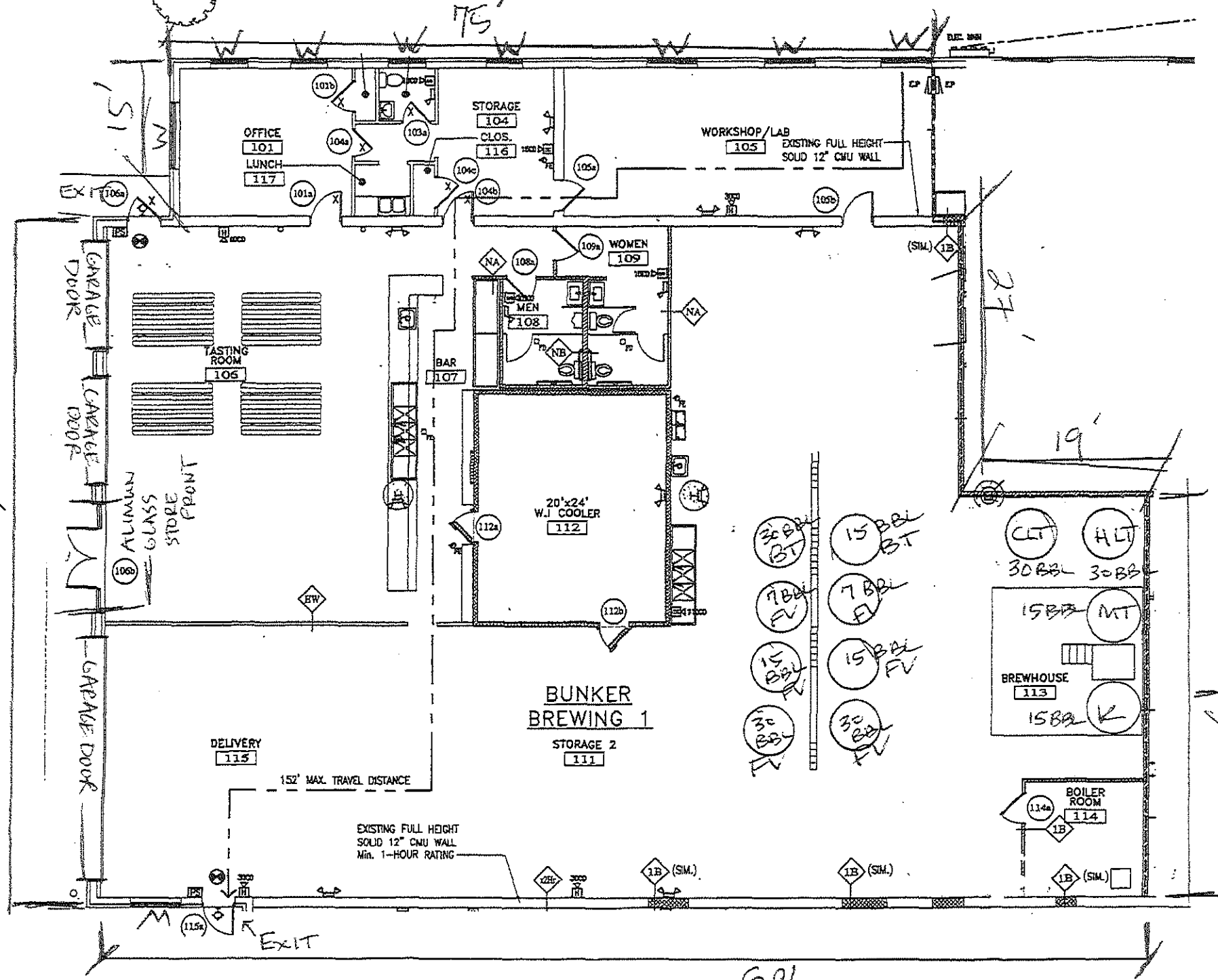
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

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 J. Jay Vill Title MANAGING MEMBER Date 4/24/2016

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

TW = WINDOWS



501



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☐ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☐ Liquor License required?		
City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____		
Location Name & Address: Bunker Brewing Co. LLC 17 Westfield St. Portland	Chart 076 A03100	Block Lot
Owner Name: 17 Westfield Street LLC Owner Phone #: 1 949 606 6080	Total Square Footage of Proposed Outdoor Dining Area: ¹ 900'ft	
Applicant *must* be owner or lessee Name: Bunker Brewing Co. Address: 17 Westfield Street City, State & Zip: Portland, ME 04101 E-Mail: Jvillani@maine.rr.com	Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: <u>900</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>1800</u> (sq ft x \$6 for public parks) Total Fees: \$ <u>1925</u> (Permit not issued until all fees are paid)	
Current use: N/A <u>BEER GARDEN</u>		
Business name: <u>BUNKER BREWING</u>		
Seating area dimensions: <u>900'</u>		
How many chairs? <u>30</u> How many tables? <u>10</u>		
☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>Jay Villani</u> Phone: <u>207 272 3004</u>		
Address: <u>20 Salem Street Portland ME 04102</u> E Mail: <u>Jvillani@maine.rr.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 4/25/2016

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

ALPHA architects
17 CHESTNUT STREET
PORTLAND, ME 04101
PHONE: 207.761.9500
FAX: 207.761.9595
design@alpharchitects.com

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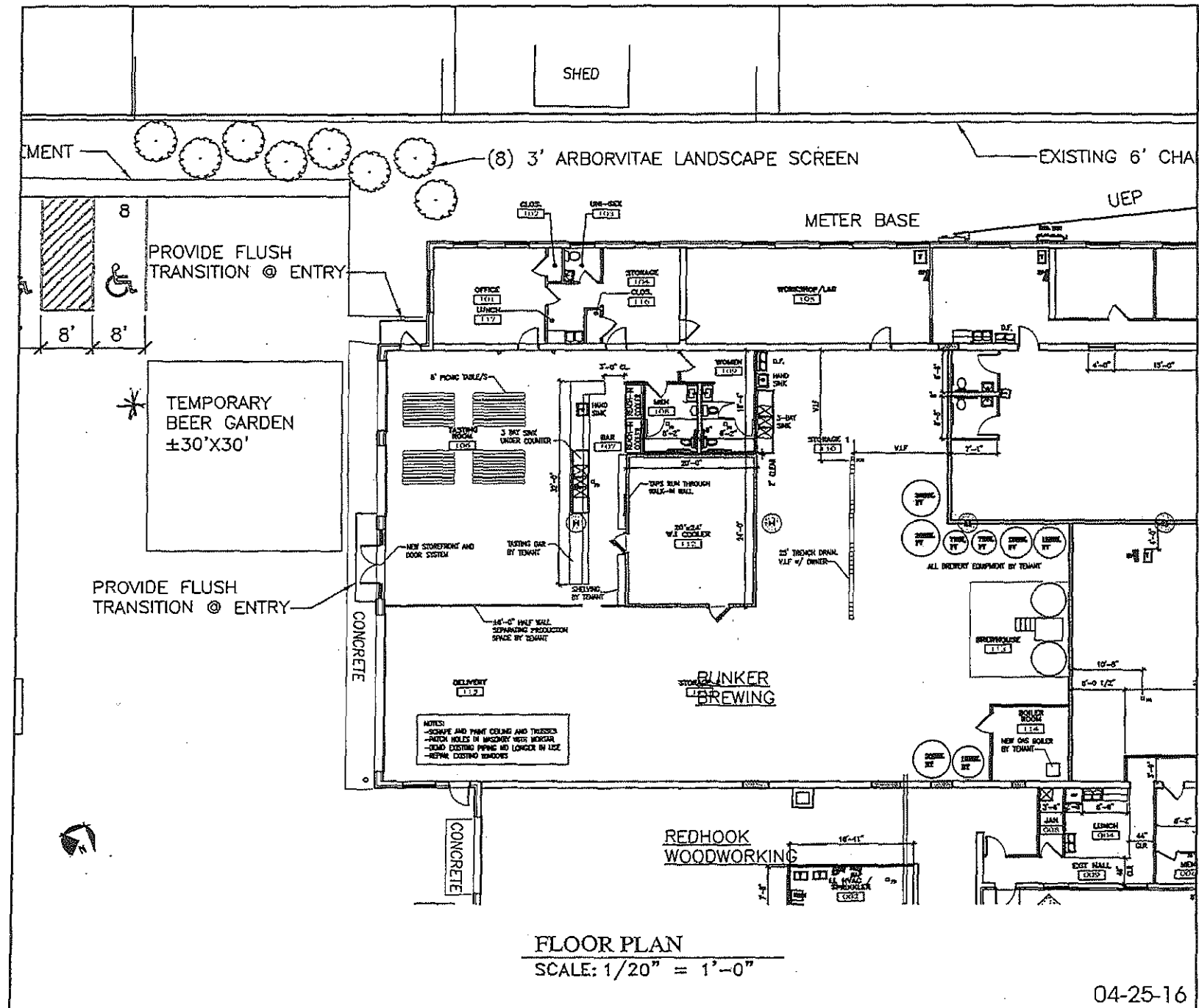
Bunker Brewing
17 Westfield St.
Portland, ME 04102

Job: 15162.1

ISSUE DATE	
P. BOARD	-
REV 1	-
CD's	-
PRINT	04-25-16

FLOOR PLAN

R-2



* Eder STATISTICAL DEMANDING RARE STATISTICS



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839938

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) JAY VILLANI (1966-04-30)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C839946

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-04-26) :

Inquiries Name(s) CHRESTEN SORENSEN (1978-02-10)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2016-04-26**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in

Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

Identification

Subject Name/or potential Alias Name(s)

SORENSEN, CHRESTEN
SORENSEN, CHRESTEN JOHN

Subject Description (date information provided listed in parentheses)

State ID Number
ME0255555

DOC Number
Unknown/NA

Sex
Female
Male

Race
White

Skin Tone
Unknown/NA

Height
601 (2013-04-24)
601

Weight
175 (2013-04-24)
175

Date of Birth
1978-02-10

Hair Color
Blonde Or Strawberry (2013-04-24)
Blonde Or Strawberry

Eye Color
Hazel (2013-04-24)
Hazel

Scars, Marks, and Tattoos
Unknown/NA

Place of Birth
NY

Citizenship
US (2013-04-24)

Residence

Residence as of
Address

2013-10-11
40 QUEBEC ST.
PORTLAND, ME 04101

Caution Information

Firearms Disqualified

C - Cleared

Criminal History

Cycle 001

ATN/Tracking Number 023988B
Earliest Event Date 2013-04-24

Arrest/Charge (Cycle 001)
Arrest/Charge Date 2013-04-24
Arresting/Charging Agency WISCASSET PD; ME0080400
Subject Name(s) SORENSEN, CHRESTEN
Arrest Type Adult
Charge 1

Charge Number 023988B 001
Charge Tracking Number 023988B
Charge Case Number 13525-63-AR
Agency WISCASSET PD; ME0080400
Offense Date 2013-04-24
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor

Prosecutor Disposition (Cycle 001)
Prosecutor Agency DISTRICT ATTORNEY'S OFFICE ROCKLAND;
ME007013A

Charge 1

Charge Number 023988B 001
Charge Tracking Number 023988B
Offense Date 2013-04-24
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor
Prosecutor Record ADDED
Modified/Updated

Court Disposition (Cycle 001)
Court Case Number WISSCCR201300219
Court Agency SUPERIOR COURT WISCASSET; ME008015J

Charge 1

Charge Number 023988B 001
Charge Tracking Number 023988B
Agency SUPERIOR COURT WISCASSET; ME008015J
Offense Date 2013-04-24
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor
Disposition 2013-07-18; TRANSFER FOR JURY TRIAL
2013-10-07; GUILTY

Court Disposition (Cycle 001)
Court Case Number WISDCCR201300247
Court Agency 6TH DISTRICT COURT WISCASSET; ME008025J
Charge 1

Charge Number 023988B 001
Charge Tracking Number 023988B
Agency 6TH DISTRICT COURT WISCASSET; ME008025J
Offense Date 2013-04-24
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1-A)(A)
State Sequence Code 11493
Severity Misdemeanor
Disposition 2013-07-18; TRANSFER FOR JURY TRIAL
2013-10-07; GUILTY

Sentencing (Cycle 001)
Sentencing Agency SUPERIOR COURT WISCASSET; ME008015J
Court Case Number WISSCCR201300219
Charge Number 023988B 001
Charge Sequence Number 1
Charge Tracking Number 023988B
Sentence 2013-10-07: FINED \$500.00
2013-10-07: LICENSE SUSPENSION 90 days 72 hours ALL
BUT 0 years 0 months 0 days 0 hours suspended

Corrections No data supplied

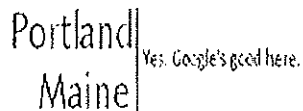
Index of Agencies

Agency SUPERIOR COURT WISCASSET; ME008015J
Agency Telephone 207-882-7517
Address PO BOX 249
WISCASSET, ME 04578

Agency 6TH DISTRICT COURT WISCASSET; ME008025J
Agency Telephone 207-882-6363
Address PO BOX 249
WISCASSET, ME 04578

Agency DISTRICT ATTORNEY'S OFFICE ROCKLAND;
ME007013A
Agency Telephone 207-594-0424
Address 62 UNION STREET
ROCKLAND, ME 04841

Agency WISCASSET PD; ME0080400
Agency Telephone 207-882-8202
Address 51 BATH ROAD
WISCASSET, ME 04578



Janice Gardner <jgardner@portlandmaine.gov>

Bunker Brewing Company - 17 Westfield St.

Gary Rogers <garyr@portlandmaine.gov>

Thu, May 5, 2016 at 1:10 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Tue, Apr 26, 2016 at 3:32 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

May 17, 2016

Bunker Brewing Company

Attn: Jay Villani

20 Salem St.

Portland, ME 04102

Re: Bunker Brewery LLC d/b/a Bunker Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St.

Dear Mr. Villani,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 17 Westfield St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 276-15/16
Tab 13 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

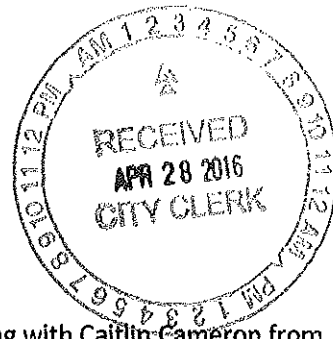
CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**RB Portland Master Subtenant LLC d/b/a Westin Portland Harborview. Application to change
Outdoor Dining on Public Property at 157 High St.**

THE WESTIN
PORTLAND
HARBORVIEW



Project Background:

The Friends of Congress Square Park (FoCSP) and the Westin Hotel along with Caitlin Cameron from Portland Planning Department and Troy Moon, the Open Space Manager met in January to discuss the possibility of a Westin outdoor café in the Congress Square Park. At that time, all parties agreed to the café area and it was thought that a low deck would be a good solution for a solid surface for the café area. The Westin looked at this option and found it too expensive for a temporary use. At a meeting in February, the Westin proposed removing the sod in the café area and installing rolled stone dust with pea stone on top as the café surface. The FoCSP is in total agreement with this approach and feel this would be a good simple enhancement to the park and a perfect surface for the café.

Project Description:

1. Remove the existing sod from the proposed café area.
2. Remove the shrub by the Westin door.
3. Ring the Linden tree and Japanese Maple with cobblestone.
4. Install stone dust and 3/8" pea gravel as the surface area. This surface will be rolled to produce a solid and flat area.
5. Flowerpots will surround the areas with a simple chain between them.

Project Benefits:

1. One of the cornerstones of a successful park is to have different reasons for many different groups to use the park at different times of day. Having a café open for breakfast, lunch and dinner will certainly facilitate this goal of making Congress Square Park attractive to many different groups throughout the day.
2. Having a café in the back of the park will bring people through the park to get to the café and will help to activate an underused area of the park.
3. Having the Westin as an active participant in the park will be an asset to the park. This is community involvement at its best.
4. The idea of using stone dust and pea stone will be a simple enhancement to the park and will complement the FoCSP's "Lighter, Quicker, Cheaper" approach to improvements to the park.
5. The FoCSP highly recommend that the Parks Commission, Land Banks and City Council approve this project.

Jeffery Burrell
General Manager, Westin Portland Harborview Hotel



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☒ Renewal Application for Outdoor Dining <i>with change</i> ☐ Application for dining on Private Property		
☒ Outdoor Dining in a Public Park ☒ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☒ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☐ Liquor License required?		
City Clerk signature for liquor license approval: _____		
OR Pending Council Date: _____		
Location Name & Address: <u>Westin Portland 157 High St. Portland Me</u>	Chart	Block Lot
Owner Name: <u>RB Portland Master Subtenant LLC</u>	Total Square Footage of Proposed Outdoor Dining Area: <u>680</u>	
Owner Phone #: <u>207-775-5411</u>	Fee: \$80 (Public-Annual) \$125 (Private 1X)	
Applicant *must* be owner or lessee	Total Sq. Ft.: <u>680</u>	
Name: <u>Jeffery Burrell, GM.</u>	Sq. Ft. Fee: (sq ft x \$2) \$ <u>4080</u>	
Address: <u>157 HIGH ST</u>	(sq ft x \$6 for public parks)	
City, State & Zip: <u>Portland, Me 04101</u>	Total Fees: \$ <u>4160</u>	
E-Mail: <u>jeffery.burrell@westinportland.com</u>	(Permit not issued until all fees are paid)	
Current use: <u>Congress Square Park</u>		
Business name: <u>Congress Square Park</u>		
Seating area dimensions: <u>30' x 22' x 19' x 23' x 7'</u>		
How many chairs? <u>40</u> How many tables? <u>10</u>		
☒ Yes Alcohol is served.		
☐ No Alcohol being served.		
Who should we contact: <u>Jeff Burrell</u> Phone: _____		
Address: <u>157 High St, Portland ME 04101</u> E Mail: <u>jeff.burrell@westinportland.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 4/22/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

Revised 04-02-15

This is not a permit; you may not commence ANY work until the permit is issued.

[illegible]

CONGRESS STREET

HIGH STREET

CHILDREN'S PLAY AREA

PLAY AREA

CLUB

TABLE

SEATING

10'-0"

12'-0"

12'-0"

12'-0"

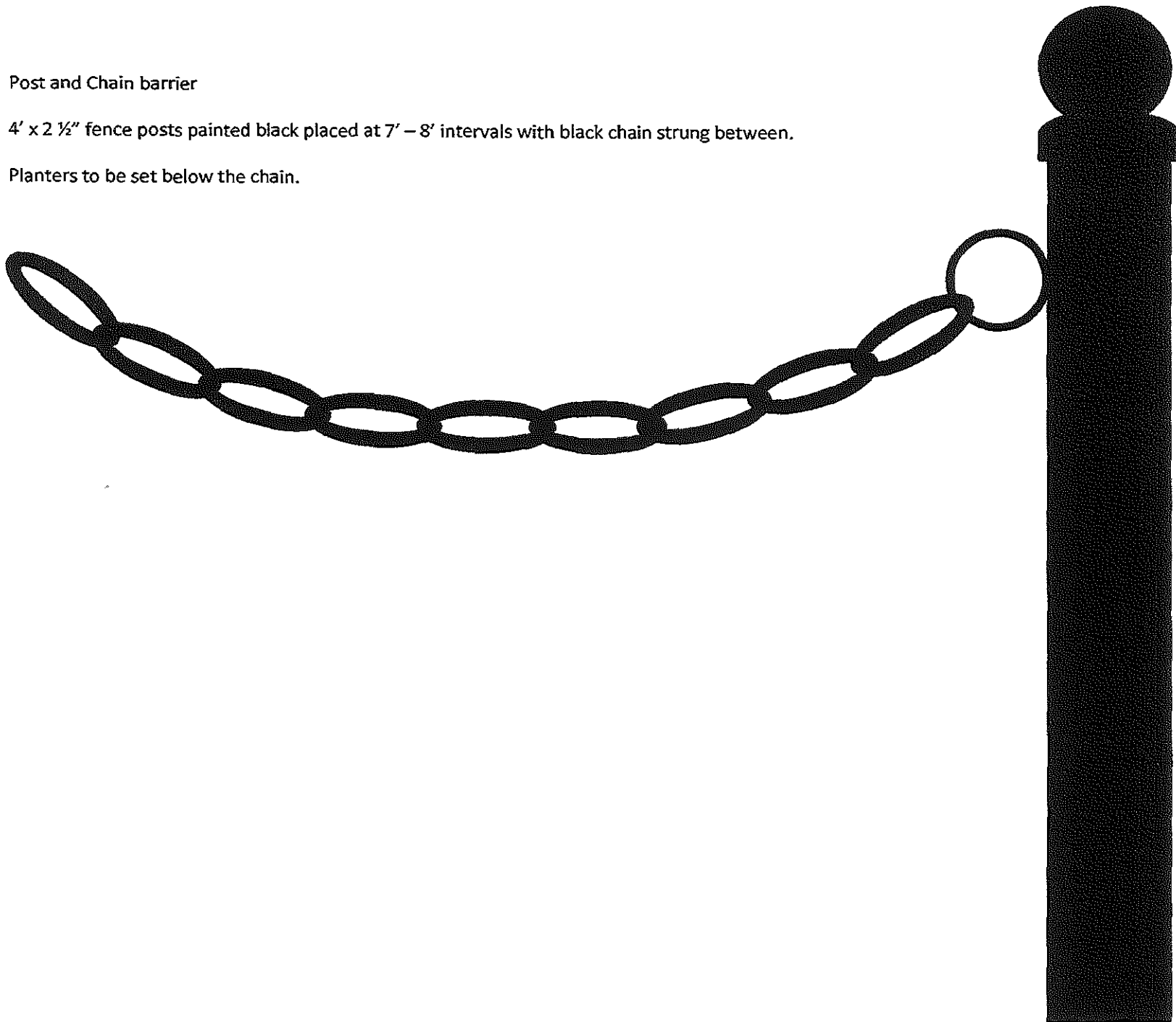
1/8" = 1'-0"

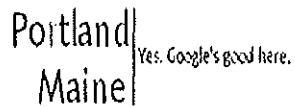
CONGRESS SQUARE PARK
WITH CAFE SEATING
PLANTER OPTION 2
SCALE 1/8" = 1'-0"

Post and Chain barrier

4' x 2 1/2" fence posts painted black placed at 7' – 8' intervals with black chain strung between.

Planters to be set below the chain.





Janice Gardner <jgardner@portlandmaine.gov>

Westin Portland Harborview - Change of Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 11:08 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve
[Quoted text hidden]

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Westin Portland Harborview
Attn: Jeffery Burrell, General Manager
157 High St.
Portland, ME 04101

Re: RB Portland Master Subtenant LLC d/b/a Westin Portland Harborview. Application to change Outdoor Dining on Public Property at 157 High St.

Dear Mr. Burrell,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application to change Outdoor Dining on Public Property at 157 High St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 277-15/16
Tab 14 6-6-16*

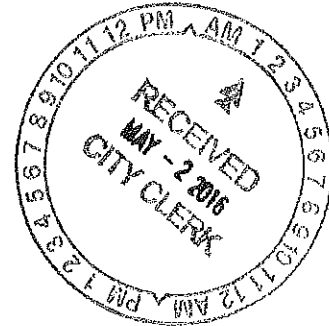
ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application for a Brewery
Alcohol Service License with Entertainment without Dance and Food Service Establishment
without Preparation at 86 Newbury St.**



May 2, 2016

Mayor Ethan Strimling and the Portland City Council
City of Portland
389 Congress St.
Portland, Maine 04101

RE: Shipyard Brewing Company's Brewery Alcohol Service License

Dear Mayor Strimling and City Councilor Members,

Please find enclosed the application for Shipyard Brewing Company's Brewery Alcohol Service License for the ability to continue to operate its tasting room at the brewery on Newbury Street.

Shipyard's roots run deep in Portland, having been located at the 86 Newbury Street location since 1994. Today, we are Maine's largest brewery and are proud to call Portland our home. We look forward to many more years of success and growth in the city.

In addition, we would like to request approval for a special event and fundraiser to support Spurwink Services. This event will take place on June 23, 2016 outside in our parking lot (along Newbury Street). We have included a diagram of the space we intend to use with this packet. We expect this event to draw roughly 200 people and will have two food trucks along with our beer being served. Tony Austin with the State Liquor Authority has also been made aware of this event.

Thank you for your attention to this matter.

Kind Regards,

Brandon J. Mazer, Esq.
General Counsel

THE SHIPYARD BREWING CO., LLC
86 Newbury Street, Portland, ME 04101
Tel: 207-761-0807 Fax: 207-775-5567
www.shipyard.com

Portland, Maine

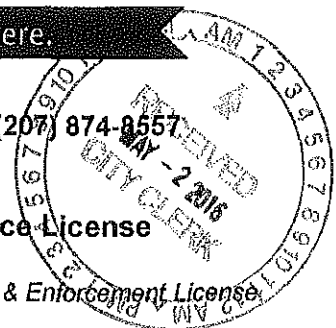


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License



Business Information	
Business Name (d/b/a):	Shipyard Brewing Company
Location Address:	86 Newbury Street
If new, what was formerly at this location:	
Mailing Address:	86 Newbury Street Portland
Contact Person:	Brandon Mazer
Contact Person Email:	bmazer@shipyard.com
Manager of Establishment:	Irena Black
Date of Birth:	11-3-60
Owner of Premises (Landlord):	Shipyard Brewing Company
Address of Premises Owner:	86 Newbury Street

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	
Shipyard Brewing Co. LLC		86 Newbury St.	
Contact Person:	Brandon Mazer	Phone:	207-321-3552
Principal Officers	Title	Date of Birth	Residence Address
Fred Forsley	President	7-9-60	1246 Arlington Pl. Winter Park, FL

About Your Establishment

Type of Establishment:	<u>Brewery</u> Winery Distillery
Hours & days of operation:	<u>9 AM - 7 PM Sunday - Saturday</u>

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	<u>Y</u> N
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	<u>Y</u> N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	<u>Y</u> N
Will you permit dancing on the premises?	<u>Y</u> N
Will you permit dancing after 1:00 a.m.?	<u>Y</u> N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	<u>Y</u> 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)?	<u>Y</u> N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	<u>Y</u> 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?	
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	<u>Y</u> N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	<u>Y</u> N
If Yes, please explain: <u>Fred Forsley was charged with a Class E misdemeanor in 1986</u>	

I Brandon Mazer 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 Brandon Mazer Title General Counsel Date 4/28/16

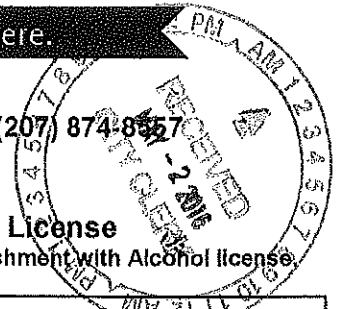
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8457
www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281	☐ Entertainment with Dancing: \$504	☐ After-Hours (1 a.m. to 3 a.m.): \$567
--	--	--

Business Information			
Business Name (d/b/a):	Shipyard Brewing Co.	Phone:	207-761-0807
Location Address:	86 Newbury St.	Zip:	04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: Brewery tasting room. Live bands occasionally	
Will music be electric, acoustical, or <u>both</u> (Circle)	
Will amplification be used?	☒ Y ☐ N <i>5m</i>
If yes, where and at what level?	Lower than 92 decibels
Will music be played (Circle all that apply): <u>Inside</u> Outside	
Will you permit dancing on the premises?	Y ☒ N
Will you permit dancing after 1:00 a.m.?	Y/N
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? <u>300 Feet</u>	
What is your targeted opening date?	
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):	

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.

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 Brandon Meyer Title General Counsel Date 4/28/16

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

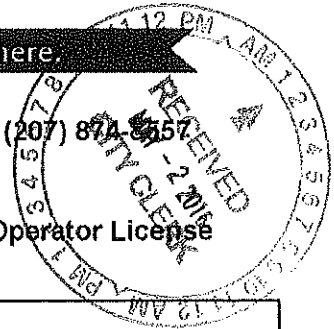
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-5577
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st



☒ Application Fee: \$35	☐ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25	☒ FSE without Preparation License: \$172
☐ Beer & Wine Take-Out: \$395	

Business Information	
Business Name (d/b/a):	Shipyard Brewing Co. Phone: 207-761-0807
Location Address:	86 Newbury St. Zip: 04101
If new, what was formerly at this location:	
Mailing Address:	86 Newbury St. Zip: 04101
Contact Person:	Brandon Mazer Phone: 207-321-3552
Contact Person Email:	bmazer@shipyard.com
Manager of Establishment:	Irena Black Phone: 207-761-9665
Owner of Premises (Landlord):	Shipyard Brewing Co.
Address of Premises Owner:	86 Newbury St. 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	
Shipyard Brewing Co.		86 Newbury St.	
Contact Person:	Brandon Mazer	Phone:	207-321-3552
Principal Officers	Title	Date of Birth	Residence Address
Fred Forsley	President	7-9-60	1248 Arlington Pl. Winter Park, FL

About Your Establishment

Type of Food Served (include a menu):	Prepackaged foods including chips, nuts, trail mix
Hours & Days of Operation:	9 AM - 7 PM Sunday - Saturday

Certified Food Protection Manager Certificate number & expiration date: _____ If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	☒ Y ☐ N
Will you permit dancing on the premises?	☒ 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).	Y ☒ N
Will you have any amusement devices (pinball, video games, jukebox)?	☒ Y ☐ N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date?	
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 18?	☒ Y ☐ N

For Community Kitchen Operators ONLY: It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.
--

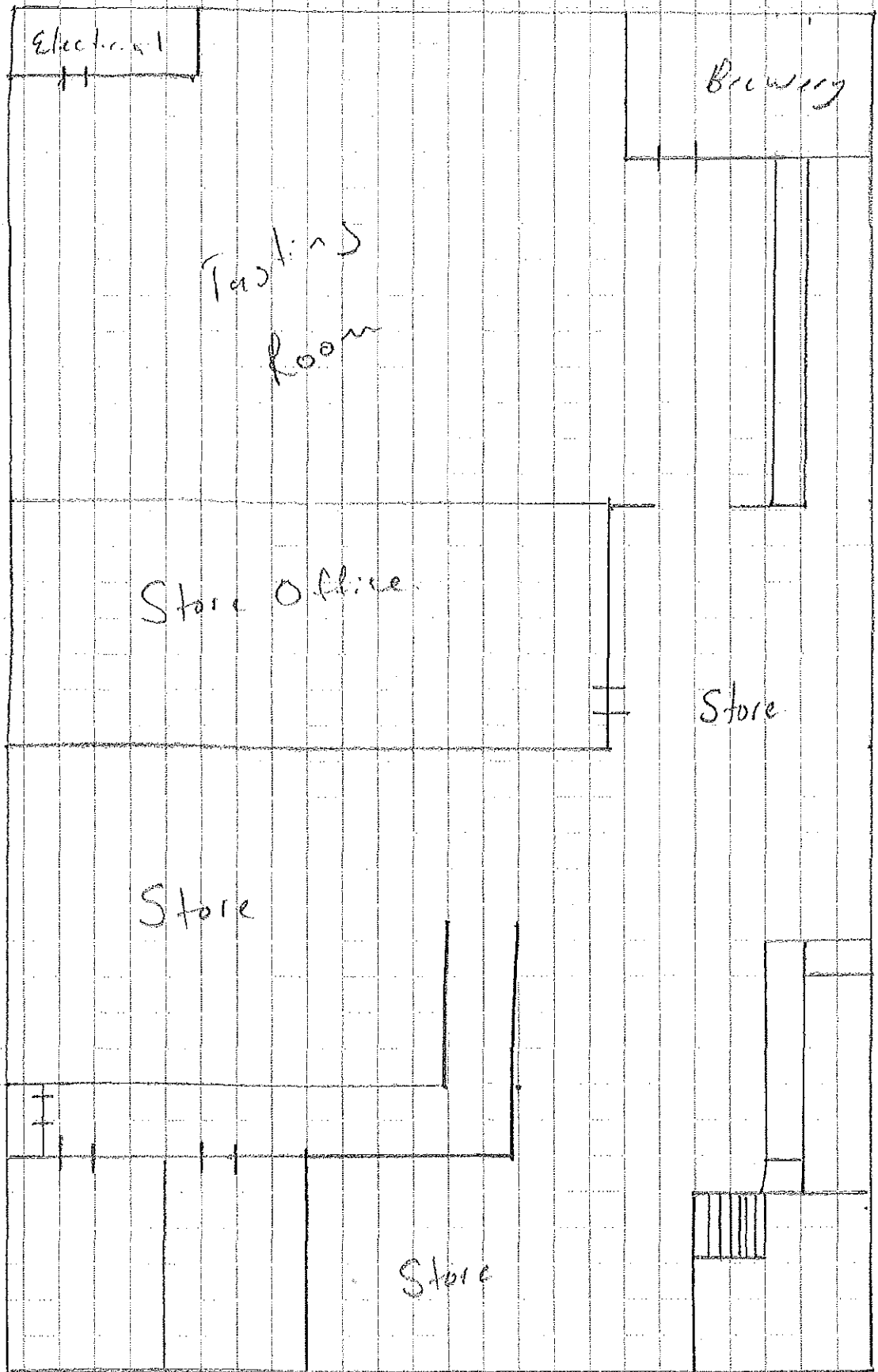
Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts 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 Brandon Meyer Title General Counsel Date 4/28/16

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only			
Amount: _____	Request Date /	Approval	Notes: _____
Date Paid: _____	FD: _____	/	_____
CC _____ CA _____ CK _____	Health: _____	/	_____
	PD: _____	/	_____
Amount: _____	PS: _____	/	_____
Date Paid: _____	Treasury: _____	/	_____
CC _____ CA _____ CK _____	Zoning: _____	/	_____





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854322

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) IRENA BLACK (1960-11-03)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854330

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) FRED FORSLEY (1960-07-09)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2016-05-09**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in

Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

Identification

Subject Name/or potential Alias Name(s)

FORSLEY, FRED MATTHEW

Subject Description (date information provided listed in parentheses)

State ID Number

MEM008865

DOC Number

Unknown/NA

Sex

Male

Race

White

Skin Tone

Medium

Height

508 (1986-01-05)

Weight

155 (1986-01-05)

Date of Birth

1960-07-09

Hair Color

Brown (1986-01-05)

Eye Color

Brown (1986-01-05)

Scars, Marks, and Tattoos

Unknown/NA

Place of Birth

ME

Citizenship

US (1986-01-05)

Residence

Residence as of
Address

1986-01-05

36 GRAY PARK
GRAY, ME US

Caution Information

Firearms Disqualified

C - Cleared

Criminal History

Cycle 001

ATN/Tracking Number 281524A
Earliest Event Date 1986-01-05

Arrest/Charge (Cycle 001)
Arrest/Charge Date 1986-01-05
Arresting/Charging Agency PORTLAND PD; ME0030500
Subject Name(s) FORSLEY, FRED M
Arrest Type Adult
Charge 1

Charge Number 281524A 001
Charge Tracking Number 281524A
Charge Case Number 86-248
Agency PORTLAND PD; ME0030500
Offense Date 1986-01-05
Charge Description ENGAGING A PROSTITUTE (Charge Class E)
Statute 17-A MRSA SUBSECTION 853-B
State Sequence Code 4968
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 001)
Court Case Number 86-362
Court Agency SUPERIOR COURT PORTLAND; ME003015J
Charge 1

Charge Number 281524A 001
Charge Tracking Number 281524A
Agency SUPERIOR COURT PORTLAND; ME003015J
Offense Date 1986-01-05
Charge Description ENGAGING A PROSTITUTE (Charge Class E)
Statute 17-A MRSA SUBSECTION 853-B
State Sequence Code 4968
Severity Misdemeanor
Disposition 1986-05-29; GUILTY

Sentencing (Cycle 001)
Sentencing Agency SUPERIOR COURT PORTLAND; ME003015J

Court Case Number 86-362
Charge Number 281524A 001

Charge Sequence Number 1

Charge Tracking Number 281524A

Sentence 1986-05-29: FINED \$250.00

Corrections

No data supplied

Index of Agencies

Agency	SUPERIOR COURT PORTLAND; ME003015J
Agency Telephone	207-822-4105
Address	142 FEDERAL PORTLAND, ME 04101

Agency	PORTLAND PD; ME0030500
Agency Telephone	207-874-8479
Address	109 MIDDLE ST PORTLAND, ME 04111



Janice Gardner <jgardner@portlandmaine.gov>

Shipyard Brewing Company - 86 Newbury St./127 Fore St.

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 1:27 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve
[Quoted text hidden]

—
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Shipyard Brewing Co.
Attn: Brandon Mazer
86 Newbury St.
Portland, ME 04101

Re: Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 86 Newbury St. and Application to Expand Alcohol Service Area on June 23rd for Spurwink Services Fundraiser.

Dear Mr. Mazer,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 86 Newbury St. and to expand alcohol service area on June 23rd for Spurwink Services fundraiser. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557

*Order 278-15/16
Tab 15 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Shipyard Brewing Co. LLC d/b/a Shipyard Brewing Company. Application to expand alcohol service area on June 23rd for Spurwink Services fundraiser.



May 2, 2016

Mayor Ethan Strimling and the Portland City Council
City of Portland
389 Congress St.
Portland, Maine 04101

RE: Shipyard Brewing Company's Brewery Alcohol Service License

Dear Mayor Strimling and City Councilor Members,

Please find enclosed the application for Shipyard Brewing Company's Brewery Alcohol Service License for the ability to continue to operate its tasting room at the brewery on Newbury Street.

Shipyard's roots run deep in Portland, having been located at the 86 Newbury Street location since 1994. Today, we are Maine's largest brewery and are proud to call Portland our home. We look forward to many more years of success and growth in the city.

In addition, we would like to request approval for a special event and fundraiser to support Spurwink Services. This event will take place on June 23, 2016 outside in our parking lot (along Newbury Street). We have included a diagram of the space we intend to use with this packet. We expect this event to draw roughly 200 people and will have two food trucks along with our beer being served. Tony Austin with the State Liquor Authority has also been made aware of this event.

Thank you for your attention to this matter.

Kind Regards,

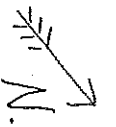
Brandon J. Mazer, Esq.
General Counsel

THE SHIPYARD BREWING Co., LLC

86 Newbury Street, Portland, ME 04101

Tel: 207-761-0807 Fax: 207-775-5567

www.shipyard.com



Newbury Street.

Walkway

86 Newbury St.

Spurwink Event Location

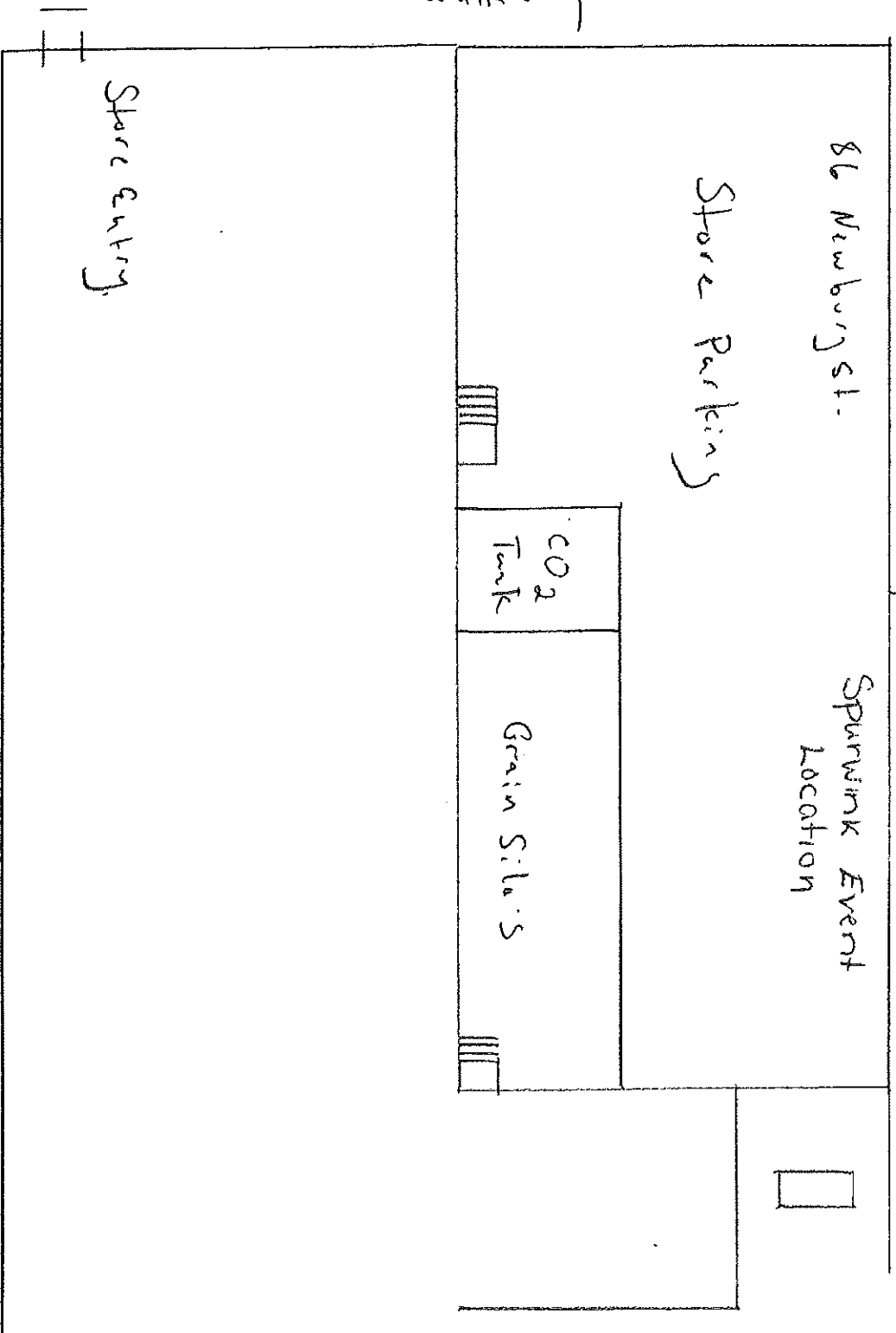
Store Parking

CO₂ Tank

Grain Silos

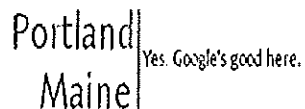
Store Entry

Hancock Street
Walkway



5/10/2016

City of Portland Mail - Shipyard Brewing Company - 86 Newbury St./127 Fore St.



Janice Gardner <jgardner@portlandmaine.gov>

Shipyard Brewing Company - 86 Newbury St./127 Fore St.

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 1:27 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

*Order 279-15/16
Tab 16 6-6-16*

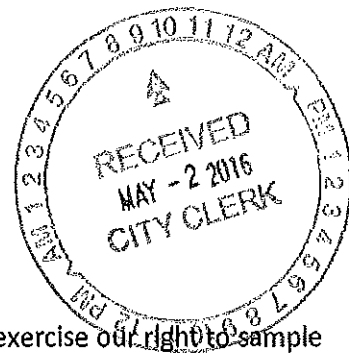
ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Tangible Alchemy d/b/a Urban Farm Fermentory. Application for a Brewery & Winery
Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property,
and Food Service Establishment without Preparation at 200 Anderson St.**



To the Mayor, City Council and whom ever else is concerned,

the intent of this letter is to make it known that we intend to continue to exercise our right to sample and sell in our tasting room based on the federal and state permits we obtained 6 years ago to serve the great people of and visitors to portland some of the finest liquids available. We are happy to contribute to some of the reasons people visit our fair city.

we have paid the fees associate with this new license from the city of portland and provided the floor plan info as requested.

Thanks

A handwritten signature in cursive script that reads 'Eli Cayer'.

Eli Cayer

Urban Farm Fermentory

Portland, Maine

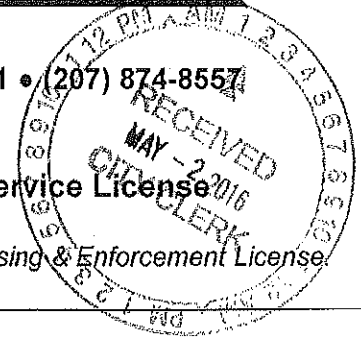


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



Business Information	
Business Name (d/b/a):	Urban Farm Fermentory
Location Address:	200 Anderson St.
If new, what was formerly at this location:	
Mailing Address:	200 Anderson St.
Contact Person:	Eli Cayer
Contact Person Email:	eli @ fermentory . com
Manager of Establishment:	Dawn York
Owner of Premises (Landlord):	Income Properties
Address of Premises Owner:	200 Anderson St.

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	
Tangible Alchemy		200 Anderson St.	
Contact Person:		Phone:	
Principal Officers		Title	Date of Birth
Eli Cayer		President	7/5/73

About Your Establishment

Type of Establishment:	Brewery <u>Winery</u> Distillery
Hours & days of operation:	Tues - Sunday 12-7pm

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	☒ Y ☐ N
If yes, please submit a City of Portland Food Service Establishment license application.	
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 Dancing & Entertainment is required.)	☒ Y ☐ N
Will you permit dancing on the premises?	☒ 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 <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	☒ Y ☐ N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>we are open</u>	
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):	
<u>Chickadee</u>	
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:	

IN 1992 I was arrested of Graffiti. IN 1993 I was arrested for shoplifting a shirt.

I, Eli Cayer 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 Eli Cayer Title President Date 5/2/16

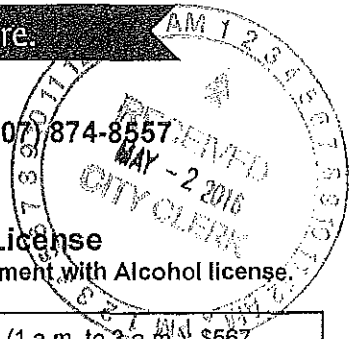
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☐ Entertainment without Dancing: \$281 ☒ Entertainment with Dancing: \$504 ☐ After-Hours (1 a.m. to 3 a.m.): \$567

Business Information	
Business Name (d/b/a):	Urbanfarm fermentary
Location Address:	200 Anderson St.
Phone:	207 773 8331
Zip:	04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:	
Brewery / winery. DJ's or musicians for special events.	
Will music be electric, acoustical, or both? (Circle)	
Will amplification be used?	minimally
If yes, where and at what level?	Below 79 decibels at the front door.
Will music be played (Circle all that apply):	Inside Outside
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	1000 FT.
What is your targeted opening date?	we are open.
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):	

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.

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.

// We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. // We hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title President Date 5/2/16

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

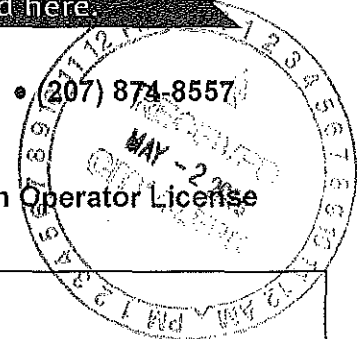
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st



- ☐ Application Fee: \$35 ☐ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25 ☒ FSE without Preparation License: \$172 ☐ Beer & Wine Take-Out: \$395

Business Information	
Business Name (d/b/a):	Urban Farm Fermentary Phone: 207 773 8331
Location Address:	200 Anderson St. Zip: 04101
If new, what was formerly at this location:	
Mailing Address:	Same Zip:
Contact Person:	Eli Cayu Phone: 207 773 8331
Contact Person Email:	eli@fermentary.com
Manager of Establishment:	Dawn York Phone: 207 332 6480
Owner of Premises (Landlord):	Income Properties
Address of Premises Owner:	200 Anderson St Zip:

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	
TangibleAlchemy LLC		200 Anderson St	
Contact Person:		Phone:	
Principal Officers			
	Title	Date of Birth	Residence Address
Eli Cayu	President	7/5/73	436 St. John

About Your Establishment

Type of Food Served (include a menu):	Pre Packaged Popcorn + Granola
Hours & Days of Operation:	Tues - Sat 12-7pm

Certified Food Protection Manager Certificate number & expiration date: _____

If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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).	Y/N
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date? <u>We are open</u>	
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 18?	Y/N

For Community Kitchen Operators ONLY:

It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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 President Date 5/2/18

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only

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



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☐ Liquor License required?		
City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____		
Location Name & Address: <u>200 Anderson</u> <u>Urban Farm Fermentary</u>	Chart	Block Lot
Owner Name: <u>Eli Cayer</u> Owner Phone #: <u>207 6537406</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>1000 sq ft</u>	
Applicant *must* be owner or lessee Name: <u>Urban Farm Fermentary</u> Address: <u>200 Anderson St</u> City, State & Zip: <u>Portland ME 04101</u> E-Mail: <u>info@fermentary.com</u>		
Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: _____ Sq. Ft. Fee: (sq ft x \$2) \$ _____ (sq ft x \$6 for public parks) Total Fees: <u>\$ 125.00</u> (Permit not issued until all fees are paid)		
Current use: <u>Green Space</u> Business name: <u>Urban Farm Fermentary</u>		
Seating area dimensions: <u>10 X 100 ft</u> How many chairs? <u>30</u> How many tables? <u>5 picnic tables</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>Eli Cayer</u> Phone: <u>207 6537406</u> Address: <u>200 Anderson St</u> E Mail: <u>info@fermentary.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 5/2/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

KARLAN THOMPSON
426 4th St. - Portland, Ore. 97201
408-463-3868 (4-4-67)



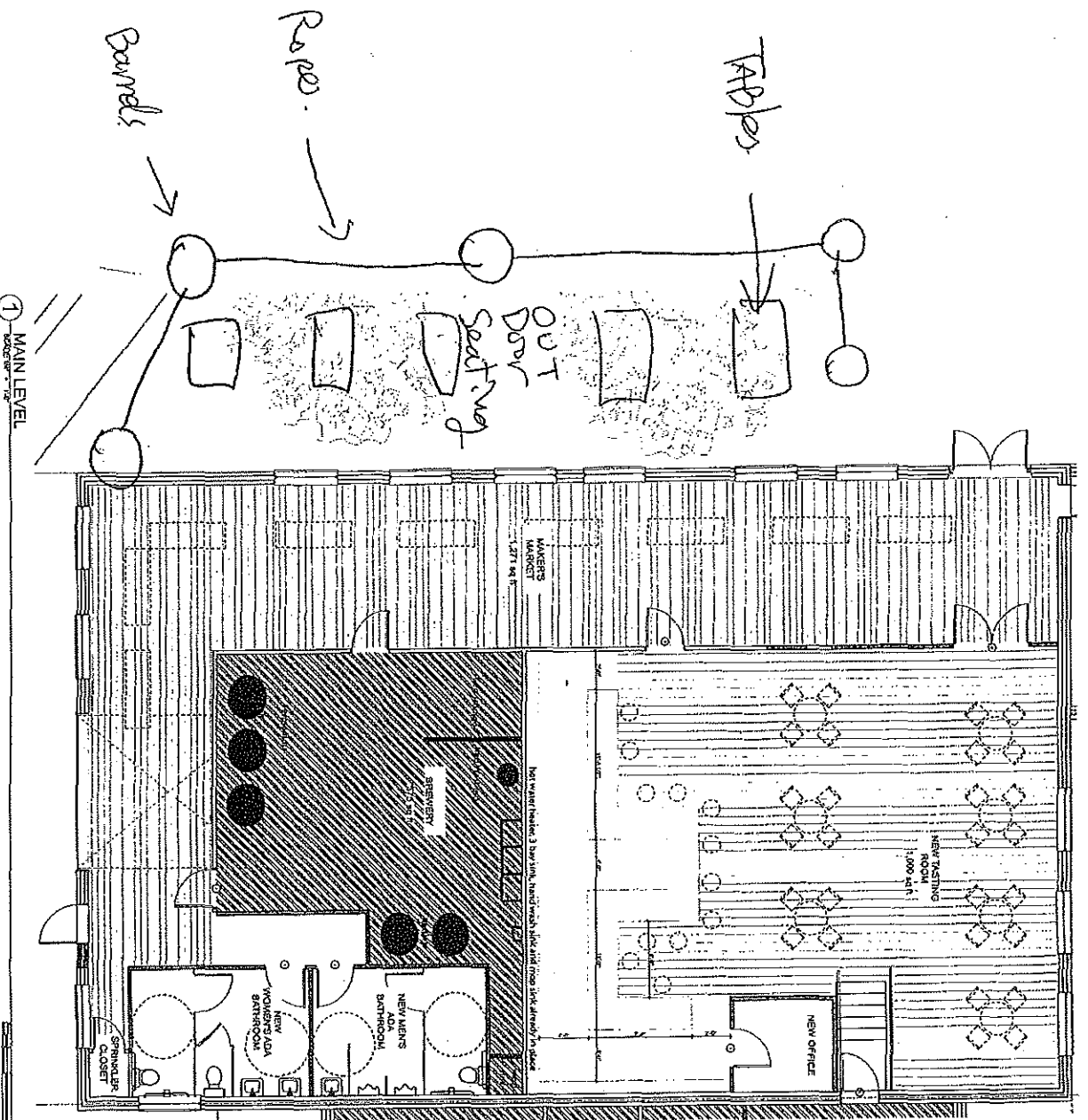
CODE REVIEW: NEW TASTING ROOM

Reproduction
URBAN FARM FERTILIZANT
2000 ANDERSON ST
PORTLAND, ME

Drumming	SEATING PLAN
Boating	NOT TO SCALE
Date:	MAY 13, 2016

Travelodge

A-1.3





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854335

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) DAWN YORK (1984-08-07)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854334

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) ELI CAYER (1973-07-05)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2016-05-09**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in

Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

THE FOLLOWING ATN(S) ARE UNSUPPORTED BY FINGERPRINTS IN STATE BUREAU OF IDENTIFICATION FILES: (348505A, 348511A, 348512A, 348514A).

Identification

Subject Name/or potential Alias Name(s)

CAYER, ELI
CAYER, ELI M

Subject Description (date information provided listed in parentheses)

State ID Number
ME0083561

DOC Number
Unknown/NA

Sex
Unknown/NA

Race
Unknown/NA

Skin Tone
Unknown/NA

Height
Unknown/NA

Weight
Unknown/NA

Date of Birth
1973-07-05

Hair Color
Unknown/NA

Eye Color
Unknown/NA

Scars, Marks, and Tattoos
Unknown/NA

Place of Birth
Unknown/NA

Citizenship
Unknown/NA

Residence

Residence as of
Address

2005-02-14
31 RIVERVIEW
MADAWASKA, ME

Residence as of
Address

2005-02-14
333 GERDENS LE.
ROCKPORT, MA

Residence as of

2005-02-14

Address 133 PETERBOROUGH ST
BOSTON, MA

Residence as of 2005-02-14
Address 31 RIVERVIEW STREET
MADAWASKA, ME

Caution Information

Firearms Disqualified C - Cleared

Criminal History**Cycle 001**

ATN/Tracking Number 348505A
Earliest Event Date 1992-06-04

Arrest/Charge (Cycle 001)
Arrest/Charge Date 1992-06-04
Arresting/Charging Agency MADAWASKA PD; ME0020500
Subject Name(s) CAYER, ELI
Arrest Type Adult
Charge 1

Charge Number 348505A 001
Charge Tracking Number 348505A
Charge Case Number 509254
Agency MADAWASKA PD; ME0020500
Offense Date 1992-06-04
Charge Description CRIMINAL MISCHIEF (Charge Class D)
Statute 17-A MRSA SUBSECTION 806
State Sequence Code 4958
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 001)
Court Case Number 94-1451
Court Agency SUPERIOR COURT PORTLAND; ME003015J
Charge 1

Charge Number 348505A 001
Charge Tracking Number 348505A

Agency SUPERIOR COURT PORTLAND; ME003015J

Offense Date 1992-06-04

Charge Description CRIMINAL MISCHIEF (Charge Class D)

Statute 17-A MRSA SUBSECTION 806

State Sequence Code 4958

Severity Misdemeanor

Disposition 1994-12-16; GUILTY

Sentencing (Cycle 001)**Sentencing Agency** SUPERIOR COURT PORTLAND; ME003015J

Court Case Number 94-1451

Charge Number 348505A 001

Charge Sequence Number 1

Charge Tracking Number 348505A

Sentence 1994-12-16: INCARCERATED 364 days CUMBERLAND

COUNTY JAIL - ALL SUSPENDED

1994-12-16: PROBATION 1 years

Corrections No data supplied

Cycle 002

ATN/Tracking Number 348511A**Earliest Event Date** 1993-04-17

Arrest/Charge (Cycle 002)**Arrest/Charge Date** 1993-04-17**Arresting/Charging Agency** SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600**Subject Name(s)** CAYER, ELI M**Arrest Type** Adult**Charge 1**

Charge Number 348511A 001

Charge Tracking Number 348511A

Charge Case Number 93-1029

Agency SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600

Offense Date 1993-04-17

Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
(Charge Class E)

Statute 17-A MRSA SUBSECTION 353

State Sequence Code 5089

Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 002)
Court Case Number 93-04803
Court Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Charge 1

Charge Number 348511A 001
Charge Tracking Number 348511A
Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Offense Date 1993-04-17
Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
(Charge Class E)
Statute 17-A MRSA SUBSECTION 353
State Sequence Code 5089
Severity Misdemeanor
Disposition 1993-05-20; GUILTY

Sentencing (Cycle 002)
Sentencing Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Court Case Number 93-04803
Charge Number 348511A 001
Charge Sequence Number 1
Charge Tracking Number 348511A
Sentence 1993-05-20: FINED \$100.00

Corrections No data supplied

Cycle 003

ATN/Tracking Number 348512A
Earliest Event Date 1993-07-01

Arrest No data supplied

Prosecutor Disposition No data supplied

Court Disposition (Cycle 003)
Court Case Number 94-33
Court Agency SUPERIOR COURT PORTLAND; ME003015J
Charge 1

Charge Number 348512A 001

Charge Tracking Number 348512A

Agency SUPERIOR COURT PORTLAND; ME003015J

Charge Description CRIMINAL MISCHIEF (Charge Class D)

Statute 17-A MRSA SUBSECTION 806

State Sequence Code 4958

Severity Misdemeanor

Disposition 1994-12-16; GUILTY

Sentencing (Cycle 003)

Sentencing Agency SUPERIOR COURT PORTLAND; ME003015J

Court Case Number 94-33

Charge Number 348512A 001

Charge Sequence Number 1

Charge Tracking Number 348512A

Sentence 1994-12-16: INCARCERATED 364 days CUMBERLAND
COUNTY JAIL - ALL BUT 7 DAYS SUSPENDED

1994-12-16: PROBATION 1 years

Corrections No data supplied

Cycle 004

ATN/Tracking Number 348514A

Earliest Event Date 1993-08-27

Arrest/Charge (Cycle 004)

Arrest/Charge Date 1993-08-27

Arresting/Charging Agency PORTLAND PD; ME0030500

Subject Name(s) CAYER, ELI M

Arrest Type Adult

Charge 1

Charge Number 348514A 001

Charge Tracking Number 348514A

Charge Case Number 93-43559

Agency PORTLAND PD; ME0030500

Offense Date 1993-08-27

Charge Description CRIMINAL MISCHIEF (Charge Class D)

Statute 17-A MRSA SUBSECTION 806(1)(A)

State Sequence Code 4959

Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 004)
Court Case Number 94-135
Court Agency SUPERIOR COURT PORTLAND; ME003015J
Charge 1

Charge Number 348514A 001
Charge Tracking Number 348514A
Agency SUPERIOR COURT PORTLAND; ME003015J
Offense Date 1993-08-27
Charge Description CRIMINAL MISCHIEF (Charge Class D)
Statute 17-A MRSA SUBSECTION 806(1)(A)
State Sequence Code 4959
Severity Misdemeanor
Disposition 1994-12-16; GUILTY

Sentencing (Cycle 004)
Sentencing Agency SUPERIOR COURT PORTLAND; ME003015J
Court Case Number 94-135
Charge Number 348514A 001
Charge Sequence Number 1
Charge Tracking Number 348514A
Sentence 1994-12-16: INCARCERATED 364 days CUMBERLAND
COUNTY JAIL - ALL BUT 7 DAYS SUSPENDED
1994-12-16: PROBATION 1 years

Corrections No data supplied

Index of Agencies

Agency SUPERIOR COURT PORTLAND; ME003015J
Agency Telephone 207-822-4105
Address 142 FEDERAL
PORTLAND, ME 04101

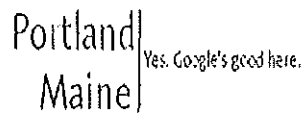
Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Agency Telephone 207-822-4205
Address 205 NEWBURY ST
PORTLAND, ME 04101

Agency MADAWASKA PD; ME0020500

Agency Telephone 207-728-6356
Address 428 MAIN ST
MADAWASKA, ME 04756

Agency PORTLAND PD; ME0030500
Agency Telephone 207-874-8479
Address 109 MIDDLE ST
PORTLAND, ME 04111

Agency SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600
Agency Telephone 207-799-5511
Address 30 ANTHOINE STREET
SOUTH PORTLAND, ME 04106



Janice Gardner <jgardner@portlandmaine.gov>

Urban Farm Fermentory - 200 Anderson St. -

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 17, 2016 at 3:29 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve
[Quoted text hidden]



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Urban Farm Fermentory
Attn: Eli Cayer
200 Anderson St.
Portland, ME 04101

Re: Tangible Alchemy d/b/a Urban Farm Fermentory. Application for a Brewery & Winery Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 200 Anderson St.

Dear Mr. Cayer,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery & Winery Alcohol Service License with Entertainment with Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 200 Anderson St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 280-15/16
Tab 17 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Milne Spirit Works LLC d/b/a Hardshore Distilling Company. Application for a Distillery
Alcohol Service License with Outdoor Dining on Private Property and Food Service
Establishment with Preparation at 59 Washington Ave, Suite 1-E.**

April 30, 2016



Dear Mayor Strimling and Honorable Members of the Portland City Council,

I intend to establish a distillery and tasting room in the old Nissen Building on Washington Avenue. On the site, I will conduct all operations necessary to convert raw ingredients of grain, water and yeast into high quality, hand-crafted spirits. As part of the plan, I also intend to build a small tasting room and to conduct tours of our facility to allow consumers to learn more about my process and how my products can be enjoyed responsibly, either on their own or as part of a cocktail.

The beverage industry has served both the City of Portland and the State of Maine well in the past and I am eager to be a part of its future. I am looking to source as many of my inputs such as labor, professional services, raw materials and equipment from local sources as possible and I am committed to becoming a contributing corporate citizen of this wonderful city.

If you have any questions or concerns about my intentions please do not hesitate to reach out by phone at (315) 750-8278 or via email at jmilne@hardshoredistilling.com.

Sincerely,

Jordan R. Milne

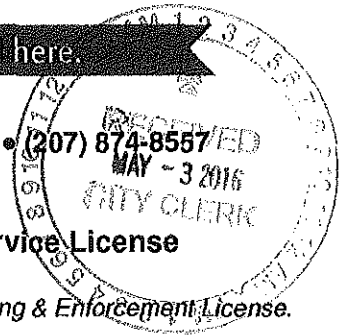
Founder of Hardshore Distilling Company

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov



Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information			
Business Name (d/b/a):	Hardshore Distilling Company	Phone:	(315) 750-8278
Location Address:	59 Washington Avenue, Suite 1-E Portland, ME	Zip:	04101
If new, what was formerly at this location:	Warehouse		
Mailing Address:	215 Pope Road, Windham, ME	Zip:	04062
Contact Person:	Jordan Milne	Phone:	(315) 750-8278
Contact Person Email:	jmilne@hardshoredistilling.com		
Manager of Establishment:	Jordan Milne	Date of Birth:	03/30/1985
		Phone:	(315) 750-8278
Owner of Premises (Landlord):	Cotton Street Holdings LLC		
Address of Premises Owner:	75 Washington Avenue, Suite 2H, 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	
Milne Spirit Works LLC		215 Pope Road, Windham, ME	Zip: 04062
Contact Person:	Jordan Milne	Phone:	(315) 750-8278
Principal Officers	Title	Date of Birth	Residence Address
Jordan Milne	CEO	03/30/1985	215 Pope Road, Windham, ME 04062

About Your Establishment

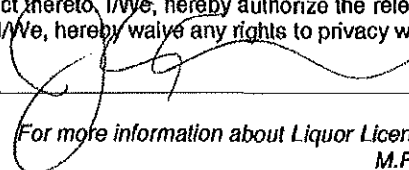
Type of Establishment:	Brewery Winery Distillery ☒
Hours & days of operation:	M - F: 12 PM - 8 PM, Sat: 11 AM - 10 PM, Sun: 12 PM - 8 PM

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	Y/N ☒
If yes, please submit a City of Portland Food Service Establishment license application.	
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 Dancing & Entertainment is required.)	Y/N ☐
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	Private
Will you have any amusement devices (pinball, video games, juke box)?	Y/N ☐
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	June 6
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, Jordan R. Milne 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 CEO Date 04/19/2016

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and
M.R.S.A. Title 28-A at www.maine.gov.

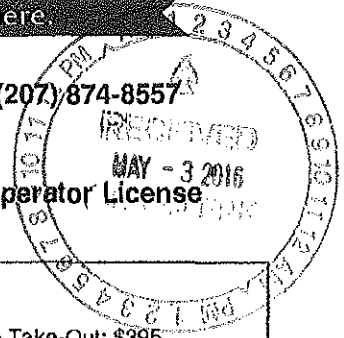
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st



- ☒ Application Fee: \$35 ☒ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25 ☐ FSE without Preparation License: \$172 ☐ Beer & Wine Take-Out: \$395

Business Information	
Business Name (d/b/a):	Hardshore Distilling Company Phone: (315) 750-8278
Location Address:	59 Washington Avenue, Suite 1-E, Portland, ME Zip: 04101
If new, what was formerly at this location:	Warehouse
Mailing Address:	215 Pope Road, Windham, ME Zip: 04062
Contact Person:	Jordan Milne Phone: (315) 750-8278
Contact Person Email:	jmilne@hardshoredistilling.com
Manager of Establishment:	Jordan Milne Phone: (315) 750-8278
Owner of Premises (Landlord):	Cotton Street Holdings LLC
Address of Premises Owner:	75 Washington Avenue, Suite 2H, 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	
Milne Spirit Works LLC		215 Pope Road, Windham, ME 04062	
Contact Person:	Jordan Milne	Phone:	(315) 750-8278
Principal Officers	Title	Date of Birth	Residence Address
Jordan Milne	CEO	03/30/1985	215 Pope Road, Windham, ME 04062

About Your Establishment

Type of Food Served (include a menu):	Charcuterie, sliced cheese, pickles, popcorn, assorted nuts, etc.
Hours & Days of Operation:	M-F: 12 PM - 8 PM, Sat: 11 AM - 10 PM, Sun: 12 PM - 8 PM

Certified Food Protection Manager Certificate number & expiration date: Pending	
If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.	

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	Y/N PVT
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date?	June 6th
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):	
Is any principal officer under the age of 18?	Y/N N

For Community Kitchen Operators ONLY:	
It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.	

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.

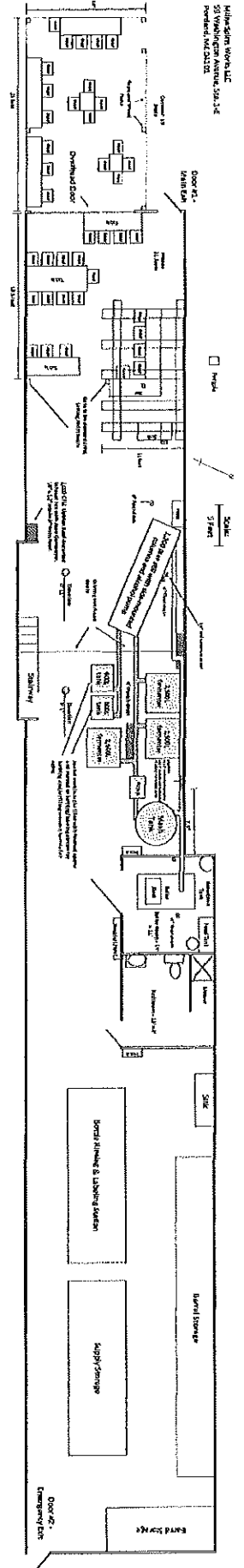
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature [Signature] Title CEO Date 4/19/2016

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only			
Amount: _____	Request Date / Approval	Notes: _____	
Date Paid: _____	FD: _____		
CC _____ CA _____ CK _____	Health: _____		
	PD: _____		
Amount: _____	PS: _____		
Date Paid: _____	Treasury: _____		
CC _____ CA _____ CK _____	Zoning: _____		

ULS-COIN, INC. LLC
555 WASHINGTON AVENUE, 3RD FLOOR
POTOMAC, MD 20854





Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☐ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☐ Liquor License required?		
City Clerk signature for liquor license approval: _____		
Location Name & Address: Nissen Bldg, 59 Washington Ave, Ste. 1-E, Portland, ME		Chart Block Lot 013 1043
Owner Name: <u>Cotton Street Holdings LLC</u>		Total Square Footage of Proposed Outdoor Dining Area: ¹ 400
Owner Phone #: (207) 653-8262		Fee: \$80 (Public-Annual) <u>\$125 (Private 1X)</u>
Applicant *must* be owner or lessee		Total Sq. Ft.: _____
Name: <u>Hardshore Distilling Company</u>		Sq. Ft. Fee: (sq ft x \$2) \$ _____
Address: <u>59 Washington Avenue, Ste. 1-E, Portland, ME</u>		(sq ft x \$6 for public parks)
City, State & Zip: <u>Portland, ME 04101</u>		Total Fees: <u>\$125</u>
E-Mail: <u>jmilne@hardshoredistilling.com</u>		(Permit not issued until all fees are paid)
Current use: <u>Parking</u>		
Business name: <u>Hardshore Distilling Company</u>		
Seating area dimensions: <u>25' x 16'</u>		
How many chairs? <u>19</u> How many tables? <u>4</u>		
☒ Yes Alcohol is served.		
☐ No Alcohol being served.		
Who should we contact: <u>Jason Milne</u> Phone: <u>(315) 750-8278</u>		
Address: <u>215 Pope Rd, Windham, ME 04092</u> E-Mail: <u>jmilne@hardshoredistilling.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

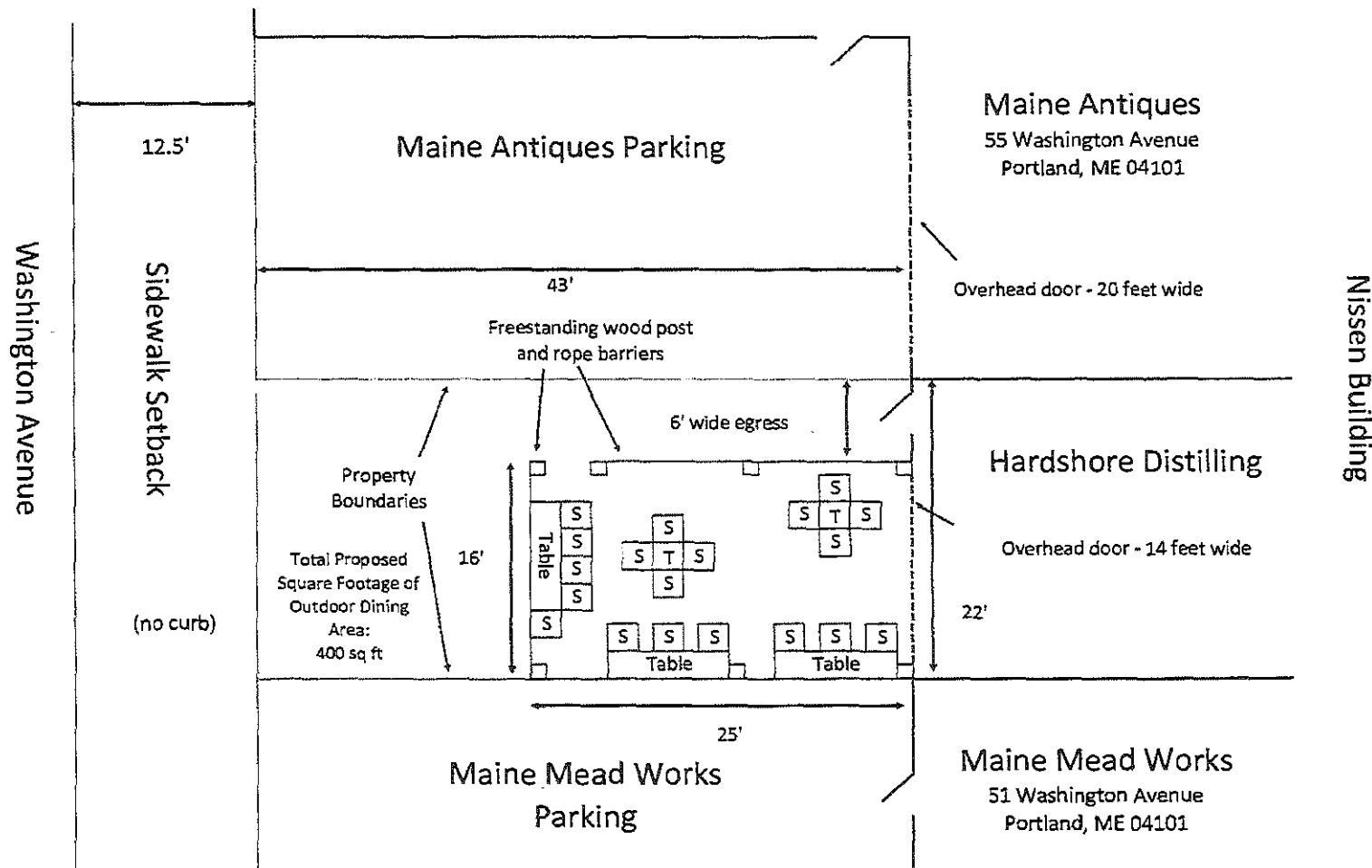
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

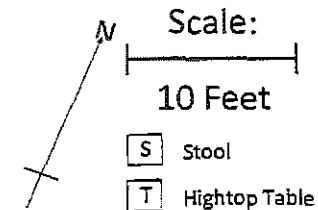
Date: 4/29/2016

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



Milne Spirit Works LLC
dba Hardshore Distilling Company
59 Washington Avenue, Suite 1-E
Portland, ME 04101

Proposed Outdoor
Dining Area with 19
Seats





Property Lines

Rooftop Aerial of Proposed Outdoor Dining Area

Mine Spirit Works LLC
Dba Hardshore Distilling Company
59 Washington Avenue, Ste. 1-E
Portland, ME 04101



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854527

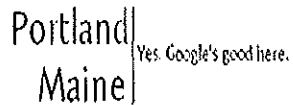
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) **JORDAN MILNE (1985-03-30)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Hardshore Distilling Company - 59 Washington Ave, Suite 1-E

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 11:12 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Fri, May 6, 2016 at 1:12 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Hardshore Distilling Company
Attn: Jordan Milne
215 Pope Rd.
Windham, ME 04062

Re: Milne Spirit Works LLC d/b/a Hardshore Distilling Company. Application for a Distillery Alcohol Service License with Outdoor Dining on Private Property and Food Service Establishment with Preparation at 59 Washington Ave, Suite 1-E.

Dear Mr. Milne,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Distillery Alcohol Service License with Outdoor Dining on Private Property and Food Service Establishment with Preparation at 59 Washington Ave, Suite 1-E. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 281-15/16
Tab 18 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

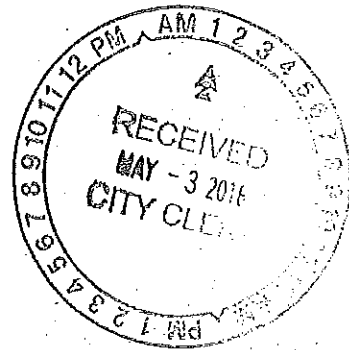
CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Poplar & Company LLC d/b/a Roustabout. Application to add Outdoor Dining on Public
Property at 59 Washington Ave.**

To: Mayor & City Council
From: Roustabout
Date: 5/3/16
Subject: Outdoor Seating



Dear Mayor & City Council,

As owners of Roustabout an Italian American restaurant on Washington Ave in Portland's East Bayside neighborhood we are applying for outdoor seating. We would like to add 4 tables seating 12 people total for al fresco dining on the public side walk in front of the restaurant. We hope to increase the foot traffic in our budding neighborhood and offer an amenity that is available in many other parts of the city.

Thank you for your consideration of our requests.

Best
Kit Paschal

A handwritten signature in black ink, appearing to read "Kit Paschal".

Anders Tallberg

A handwritten signature in black ink, appearing to read "Anders Tallberg".

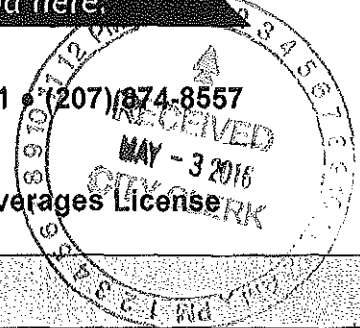
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License



Business Information	
Business Name (d/b/a):	Roostabout Phone: 536 4008
Location Address:	59 Washington Ave Portland Zip: 04101
If new, what was formerly at this location:	
Mailing Address:	Same Zip:
Contact Person:	Kit Paschal Phone: 508 364 8371
Contact Person Email:	Kit@Roostabout.me
Manager of Establishment:	Kit Paschal Date of Birth: 11/10/78 Phone: Same
Owner of Premises (Landlord):	Cotton Street Holdings
Address of Premises Owner:	80 Exchange Street Portland Me 04101 Zip:

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	
Poplar & Company LLC		59 Washington Ave Portland 04101 Zip:	
Contact Person:	Kit Paschal	Phone:	
Principal Officers	Title	Date of Birth	Residence Address
Kit Paschal	member	11/10/78	59 Cumberland Ave
Anders Tellberg	member	6/13/80	62 Cumberland Ave

About Your Establishment

Class of Liquor License:	XI		
Type of food served:	Italian		
Please circle all that will be served:	Beer	Wine	Liquor
Projected percentage of sales:	Generated from Food: 60%	Generated from Alcohol: 40%	
Hours & days of operation:	m-f 4-12 Sat & Sun 10-12		

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 Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? 11/1/15	
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): Roustabout 541 Washington Ave Portland ME.	
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 Kit Paschall 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 Member Date 5/3/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☐ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☒ Liquor License required?		
City Clerk signature for liquor license approval: _____ OR Pending Council Date: <u>6/6/16</u>		
Location Name & Address:	Chart	Block Lot
<u>Roustabout 59 Washington Ave</u>		
Owner Name: <u>Colton St. Holdings</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>97.2 sq ft</u>	
Owner Phone #: <u>(207) 653 8262</u>		
Applicant *must* be owner or lessee	Fee: \$80 (Public-Annual) \$125 (Private 1X)	
Name: <u>Poplar & company DBA Roustabout</u>	Total Sq. Ft.: <u>97.2 sq ft</u>	
Address: <u>59 Washington Ave</u>	Sq. Ft. Fee: (sq ft x \$2) \$ _____	
City, State & Zip: <u>Portland ME 04101</u>	(sq ft x \$6 for public parks)	
E-Mail: <u>Kit@Roustabout.me</u>	Total Fees: \$ _____	
Current use: <u>Restaurant</u>	(Permit not issued until all fees are paid)	
Business name: <u>Roustabout</u>		
Seating area dimensions: <u>18ft X 5.4ft</u>		
How many chairs? <u>16</u> How many tables? <u>4</u>		
☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>Kit Paschal</u>	Phone: <u>508 364 8371</u>	
Address: <u>519 Cumberland Ave # 3</u>	E Mail: <u>KitPaschal@gmail.com</u>	

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 5/2/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

59 Washington Ave

Restaurant

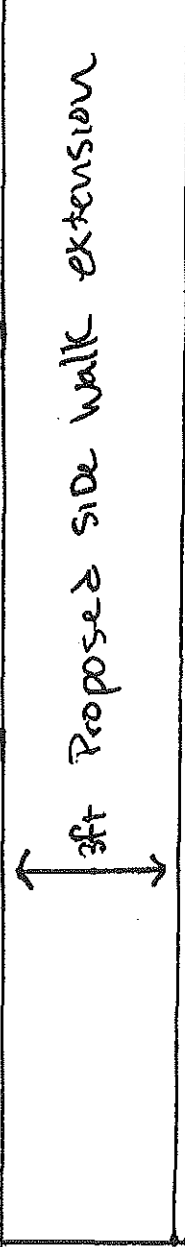
24 ft



6 ft

Existing side walk

5.4 ft

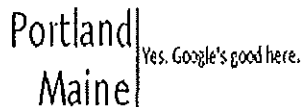


6 ft

18 ft

Esplanade

Washington Ave



Janice Gardner <jgardner@portlandmaine.gov>

Roustabout - 59 Washington Ave. - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 11:47 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Roustabout
Attn: Kit Paschal
59 Washington Ave.
Portland, ME 04101

Re: Poplar & Company LLC d/b/a Roustabout. Application to add Outdoor Dining on Public Property at 59 Washington Ave.

Dear Kit,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application to add Outdoor Dining on Public Property at 59 Washington Ave. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 282- 15/16
Tab 19 6-6-16*

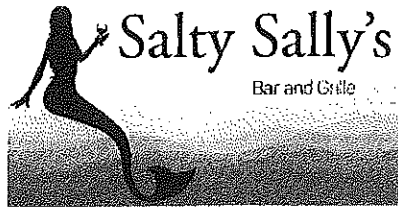
ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**D and D Hospitality, LLC d/b/a Salty Sally's. Application for a Class I FSE License at 953
Congress St.**



May 4th, 2016

Mayor Strimling and members of the City Council,

I am writing today requesting a Class I liquor license for a restaurant at 953 Congress St. Portland, ME

Presently the location is operating as a full service restaurant with a Class I license under the name 953 Congress. All is in good standing, with no issues regarding the license there.

Our plan is to rebrand the location under the name Salty Sally's and ask for your votes in helping to make this happen.

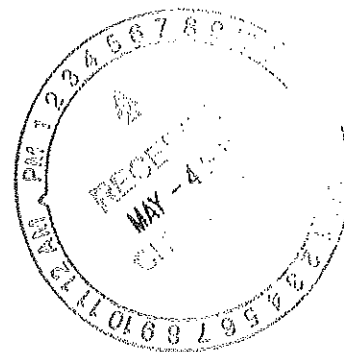
I am currently the owner of The Sinful Kitchen at 906 Brighton Ave Portland, ME and former owner of the Blue House Café at 1081 Brighton Ave. Both locations have/had a class I license and have been compliant and responsible with this license.

I welcome any questions you all may have before our meeting and can be reached at 207-229-6453 or at Dave@thesinfulkitchen.com

Thank you so much for your consideration!

A handwritten signature in black ink, appearing to read "David Mallari".

David Mallari
President, D and D Hospitality, LLC



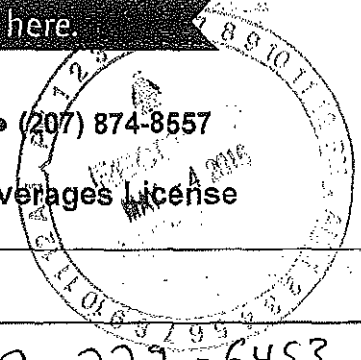
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

Application for Food Service Establishment with Alcoholic Beverages License



Business Information:	
Business Name (d/b/a):	Salty Sally's Phone: 207-229-6453
Location Address:	953 Congress St. Portland, ME Zip: 04102
If new, what was formerly at this location:	
Mailing Address:	33 Overset Rd Zip: 04103
Contact Person:	David Mallari Phone: 207-229-6453
Contact Person Email:	dave@thesinfulkitchen.com
Manager of Establishment:	David Mallari Phone: 207-229-6453
Owner of Premises (Landlord):	Ted Arcand
Address of Premises Owner:	128 Free St. 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	
David D Hospitality LLC		33 Overset Rd Zip: 04103	
Contact Person:	David Mallari	Phone:	207-229-6453
Principal Officers	Title	Date of Birth	Residence Address
David Mallari	Pres./owner	6/26/68	33 Overset Rd Portland, ME 04103

About Your Establishment

Class of Liquor License:	Class 1 Restaurant / Lounge	
Type of food served:	Upscale Pub Food	
Please circle all that will be served:	Beer (Wine) (Liquor)	
Projected percentage of sales:	Generated from Food: 75	Generated from Alcohol: 25
Hours & days of operation:	Tues → Friday 4-12, Sat & Sunday 11:30a → 12a	

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 Dancing & Entertainment is required.)	(Y/N)
Will you permit dancing on the premises?	(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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	6/17/16
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):	
The Sinful Kitchen 906 Brighton Ave. Portland, ME	
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, David Muller 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 5/1/16

**Department of Public Safety
Division**

Liquor Licensing & Inspection



BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☐ MALT ☐ SPIRITUOUS ☐ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTIONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Dan & D Hospitality LLC</u>			2. Business Name (D/B/A) <u>Sally's Sally's</u>		
DOB: _____			DOB: _____		
DOB: _____			Location (Street Address) <u>953 Congress St.</u>		
Address <u>33 Overset Rd.</u>			City/Town <u>Portland</u>	State <u>ME</u>	Zip Code <u>04102</u>
City/Town <u>Portland</u>			Mailing Address <u>33 Overset Rd.</u>		
State <u>ME</u>			City/Town <u>Portland</u>	State <u>ME</u>	Zip Code <u>04103</u>
Zip Code <u>04103</u>			City/Town <u>Portland</u>		
Telephone Number <u>207-229-6453</u>			Business Telephone Number <u>207-229-6453</u>		
Fax Number _____			Fax Number _____		
Federal I.D. # _____			Seller Certificate # _____		

3. If premises are a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire, If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: Denise Gerson

8. If business is NEW or under new ownership, indicate starting date: 6/17/16

Requested inspection date: 6/7/16 Business hours: anytime

9. Business records are located at: 953 Congress St. Portland, ME 04102

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
David Mallari	6/26/68	Woonsocket, RI
Denise Gendron	9/13/74	Concord, NH

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Portland, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Ted Arcand
128 Free St. Portland, ME 04101

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) See attached

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☐ Applied for: _____

19. 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? 1/2 mile Which of the above is nearest? School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland, ME on April 30, 2016
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

Supplemental Information Required for
Business Entities Who Are Licensees

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

D and D Hospitality, LLC

2. Other business name for your entity (DBA), if any:

Salty Sally's

3. Date of filing with the Secretary of State: 4/27/16

4. State in which you are formed: ME

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
David Mallari	33 Overset Rd. Portland	6/26/68	100

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes

☐

No

☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

4/30/16

Date

David Mullar

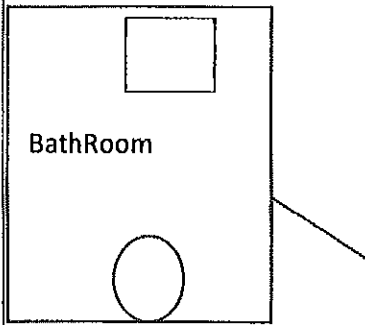
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

PREMISE DIAGRAM



Couch
/Wait
area

DINING AREA

Table

Table

Table

Table

Table

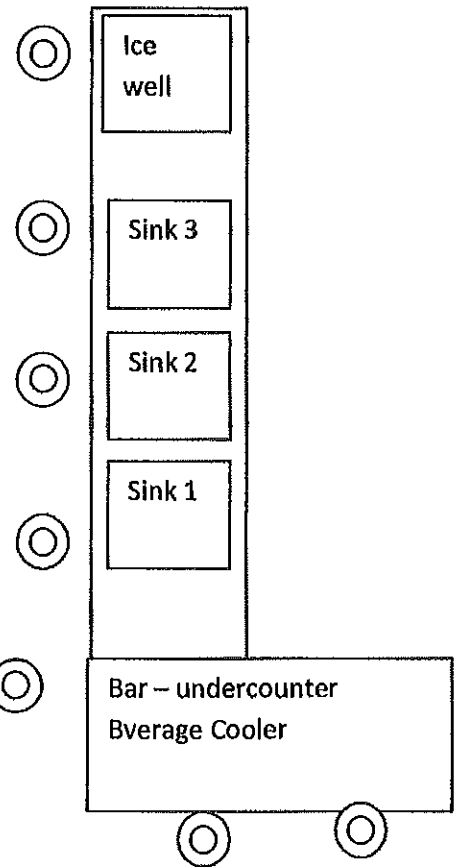
Back Door

Stairs to
2nd
Bathroom
&
downstair
kitchen
See insert
for layout

Kitchen Area – upstairs

See insert for layout

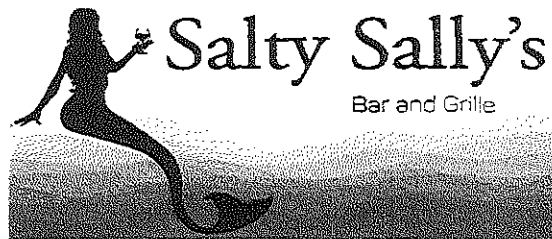
BAR AREA



Table

Table

Front Door



Appetizers

All Apps are available Gluten Free,
fried items are in a dedicated GF fryer

Chili - All natural ground beef, roasted corn and 3 bean chili Cup or Bowl

Colossal Shrimp Cocktail - 6 or 12

Wings - Buffalo, BBQ, Philippine Adobo, Thai Sesame

Regular Hand Cut or Sweet Potato Fries - Add Cheese, Chili, Jalapenos

Mac and Cheese - topped with chopped house smoked Bacon.

Coconut Curry Mussels - Coconut milk, green curry, garlic, onions and cilantro

Tequila~Lime Pork Belly Skewers (3) - Served with a Garlic~Vinegar sauce.

Nacho Platter - Fried corn tortillas topped with Cheese, Tomatoes, Lettuce, Jalapenos and Sour Cream.
Add Pulled Pork, Steak, Chicken or Ghost Pepper Sausage.

Chips and House Made Clam Dip - Vintage Maine Chips with a fresh local clam sour cream dip

Tuna Poke - diced Ahi tuna loin combined with an onion, ginger, scallion, soy and sesame sauce. Served with lettuce cups and Shrimp Chips

House Salad - Mixed greens and seasonal vegetables
Add Lobster, grilled chicken, grilled tuna, shrimp

Classic Caesar Salad - Fresh Romaine, Parmesan Cheese and Croutons with Caesar Cardini's original dressing
Add any of the available proteins

Sandwiches and Entrees

Build a burger - Single, double or triple patties

1) Beef, Veggie, Portobello

2) Cheese- American, Cheddar, Swiss, Pepperjack

3) Toppings - Lettuce, Tomato, Onions, Pickles, Chili, Jalapenos, Bacon, Sauerkraut, Sautéed Mushrooms, Sautéed Onions

Reuben- House made Corned Beef, Morse's Sauerkraut, Swiss, 1,000 Island Dressing on Rye

Lobster BLT- Fresh Maine Lobster, House Smoked Bacon, Lettuce and Tomato

Chili Dog - Beef Chili, Cheese and Chopped Onions

El Diablo - Ghost Pepper Pork Sausage, Jalapenos, Garlic Chili Mayonnaise and Pepper Jack Cheese on a sub roll

The Wrecker - 1/2 Pound All Beef Hot Dog with bacon, pulled pork, chili and cheese

Steak and Cheese Bomb - Shaved Rib Eye, Pepperoni, Peppers, Onions, Mushrooms topped with Cheddar

Crispy Fish Tacos - Rice flour battered fish in corn tortillas with shaved lettuce, avocado, tomato and black bean salsa.

Hawaiian Garlic Shrimp Scampi - Served on Garlic Rice

Coconut~Lime Vegetarian Bowl - Mixed veggies stir fried with tofu and served on a bed of riced cauliflower.

Vegetarian Tofu Dogs, Veggie patties and Gluten Free buns available

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Criminal History Record

Introduction

Inquiries Name(s) DAVID MALLARI (1968-06-26)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE) (207) 624-4478 (TDD)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

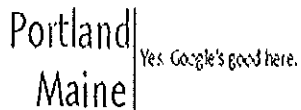
Transaction Response #: MIQ99C402750

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2015-02-09) :
Inquiries Name(s) DENAE GENDRON (1974-09-13)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Salty Sally's - 953 Congress St.

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 11:51 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Fri, May 6, 2016 at 1:44 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

May 17, 2016

David Mallari
33 Overset Rd.
Portland, ME 04103

Re: Dan D Hospitality, LLC d/b/a Salty Sally's. Application for a Class I FSE License at 953 Congress St.

Dear Mr. Mallari,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Class I FSE license at 953 Congress St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 283-15/16
Tab 20 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

New England Distilling, LLC d/b/a New England Distilling. Application for a Distillery Alcohol Service License at 26 Evergreen Dr., Unit B.

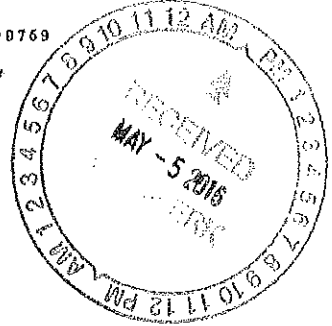
WIGHT INSPIRED
EST. 2011



PORTLAND MAINE
U.S.A.

26 EVERGREEN DRIVE, Unit B PORTLAND, ME 04103 Tel: (207) 878-0769

Web: newenglanddistilling.com Email: info@newenglanddistilling.com



May 5, 2016

Mayor Strimling and Members of the City Council
City of Portland
389 Congress St.
Portland, ME 04101

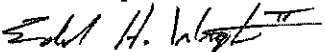
Dear Mr. Strimling and Members of the City Council,

Please accept this letter as notification of our intent to continue to operate a tasting room at our distillery located at 26 Evergreen Drive, unit B in Portland.

We have been conducting tastings in association with tours of the distillery at 26 Evergreen Drive since the spring of 2012 and are seeking a license to continue to do so.

Additional information is provided in the application packet.

Sincerely,


Edward Wight, President

Portland, Maine

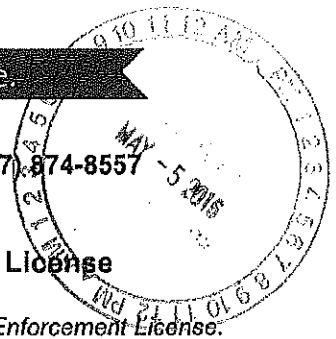


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



Business Information			
Business Name (d/b/a):	New England Distilling	Phone:	207 878-9759
Location Address:	26 Evergreen Dr. Unit B	Zip:	04103
If new, what was formerly at this location:			
Mailing Address:	26 Evergreen Dr. Unit B Portland, ME	Zip:	04103
Contact Person:	Ned Wight	Phone:	207 878-9759
Contact Person Email:	ned@newenglanddistilling.com		
Manager of Establishment:	Ned Wight	Date of Birth:	3/15/72
Owner of Premises (Landlord):	Don St. Jean	Phone:	207 878-9759
Address of Premises Owner:	AIM Evergreen LLC c/o Bibeau & Co. 340 Forest St. 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	
New England Distilling, LLC		26 Evergreen Dr. Unit B Portland, ME 04103	
Contact Person:	Ned Wight	Phone:	207 878-9759
Principal Officers	Title	Date of Birth	Residence Address
Ned Wight	President	3/15/72	48 Richards Lane, Freeport ME 04032
TIM Fisher	Distiller	5/24/69	535 Stevens Ave Portland, ME 04103

About Your Establishment

Type of Establishment:	Brewery Winery <u>Distillery</u>
Hours & days of operation:	<u>M-F 8-5pm Sat. 10-6pm</u>

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	<u>Y</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	<u>Y</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	<u>Y</u>
Will you permit dancing on the premises?	<u>Y</u>
Will you permit dancing after 1:00 a.m.?	<u>Y</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	<u>Y</u>
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)?	<u>Y</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	<u>existing location already open</u>
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	<u>Y</u>
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	<u>Y</u>
If Yes, please explain:	

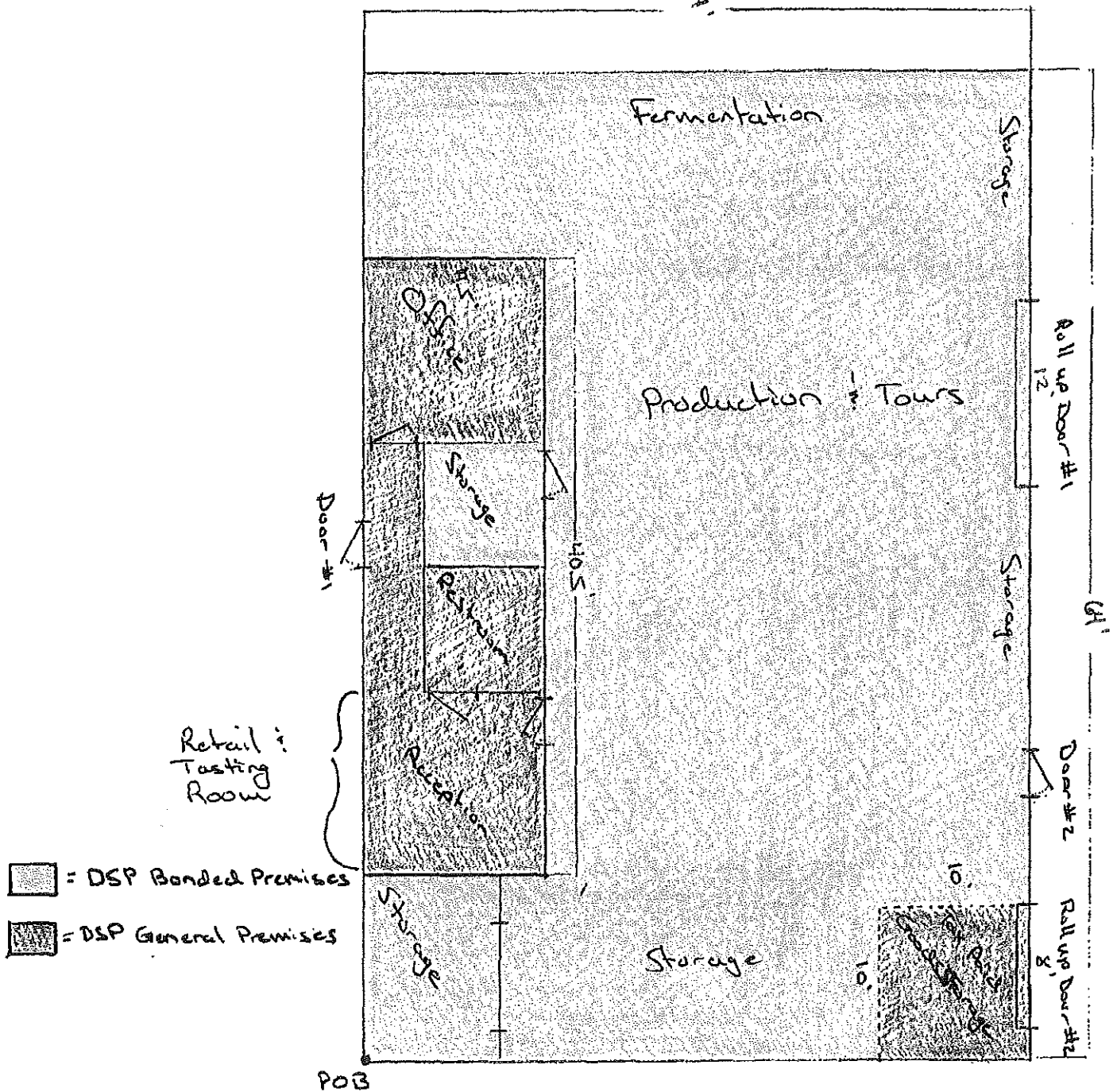
I Neal Wright do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me 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.

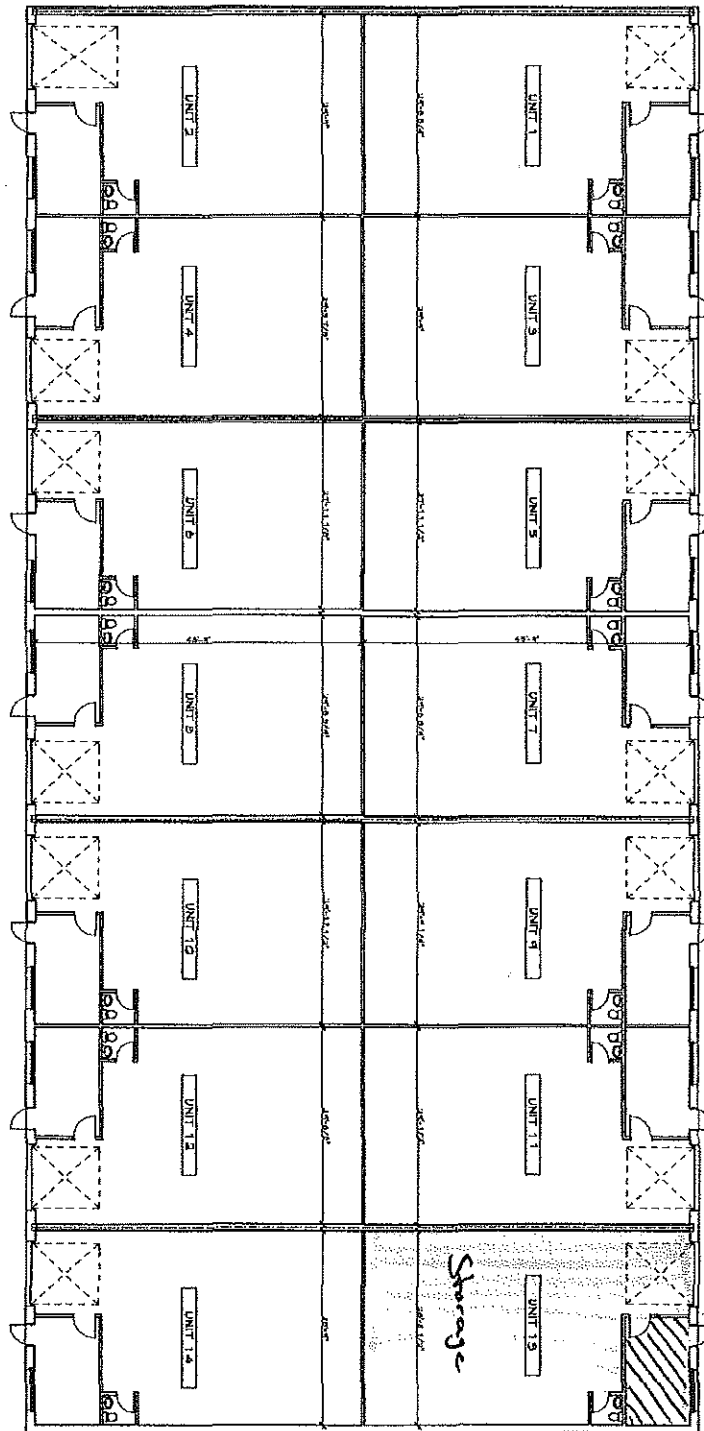
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature Neal Wright Title President Date 5.4.16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and
M.R.S.A. Title 28-A at www.maine.gov.



RIVERSIDE STREET



Butter

1
FIRST FLOOR
SCALE 1/8" = 1'-0"

PROGRESS PLAN FOR REVIEW
11-28-2012

[illegible]



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854326

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) NED WIGHT (1972-03-15)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854329

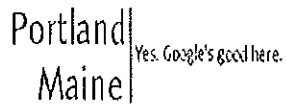
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (
Produced on 2016-05-09) :

Inquiries Name(s) **TIM FISHER (1969-05-24)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

New England Distillery, LLC - 26 Evergreen Dr., Unit B

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 1:10 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Mon, May 9, 2016 at 11:08 AM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

New England Distilling, LLC
Attn: Ned Wight & Tim Fisher
26 Evergreen Dr., Unit B
Portland, ME 04103

Re: New England Distilling, LLC d/b/a New England Distilling, LLC. Application for a Distillery Alcohol Service License at 26 Evergreen Dr., Unit B. and Application for a Distillery Alcohol Service License at 1 Industrial Way, Unit 13.

Dear Mr. Wight & Mr. Fisher,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for Distillery Alcohol Service Licenses at 26 Evergreen Dr., Unit B and 1 Industrial Way, Unit 13. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

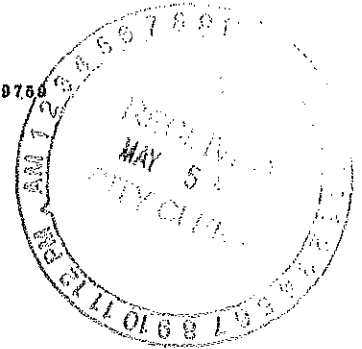
WIGHT INSPIRED
EST. 2011



PORTLAND MAINE
U.S.A.

20 EVERGREEN DRIVE, Unit B PORTLAND, ME 04103 Tel: (207) 878-9759

Web: newenglanddistilling.com Email: info@newenglanddistilling.com



May 5, 2016.

Mayor Strimling and Members of the City Council
City of Portland
389 Congress St.
Portland, ME 04101

Dear Mr. Strimling and Members of the City Council,

Please accept this letter as notification of our intent to open and operate a tasting room at our distillery warehouse located at 1 Industrial Way, unit 13 in Portland.

We are expanding our operations in Portland and plan to take advantage of the larger tourist volume on Industrial Way, around the corner from our main distillery located at 26 Evergreen Drive. This new location will serve the dual purpose of additional warehouse space and a tasting/retail space.

Additional information is provided in the application packet.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edward Wight".
Edward Wight, President

Portland, Maine

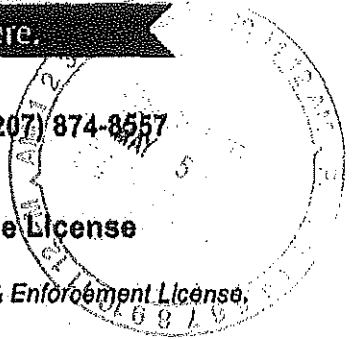


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



Business Information			
Business Name (d/b/a):	New England Distilling	Phone:	207 878-9759
Location Address:	1 Industrial Way Portland Unit 13	Zip:	04103
If new, what was formerly at this location:	Bissell Bros. Brewing		
Mailing Address:	26 Evergreen Dr. Portland	Zip:	04103
Contact Person:	Ned Wight	Phone:	207 878-9759
Contact Person Email:	ned@newenglanddistilling.com		
Manager of Establishment:	ned wight	Date of Birth:	3/15/72
Owner of Premises (Landlord):	AIM Industrial		
Address of Premises Owner:	c/o Bibau & Co. 340 Fore St. Portland	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	
New England Distilling LLC		26 Evergreen Dr. Portland, ME	
		Zip:	04103
Contact Person:	Ned Wight	Phone:	207 878-9759
Principal Officers	Title	Date of Birth	Residence Address
Ned Wight	President	3/15/72	48A Richards Lane Freeport ME 04032
Tim Fuher	Distiller	5/24/69	535 Stevens Ave Portland, ME 04103

About Your Establishment

Type of Establishment:	Brewery Winery <u>Distillery</u>
Hours & days of operation:	<u>Mon-Sat 10-6 pm</u>

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	<u>(N)</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	<u>(N)</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	<u>(N)</u>
Will you permit dancing on the premises?	<u>(N)</u>
Will you permit dancing after 1:00 a.m.?	<u>(N)</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	<u>(N)</u>
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)?	<u>(N)</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	<u>(N)</u>
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?	<u>(N)</u>
If Yes, please list business name(s) and location(s):	
<u>New England Distilling 26 Evergreen Dr. Unit B Portland</u>	
Is any principal officer under the age of 21?	<u>(N)</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	<u>(N)</u>
If Yes, please explain:	

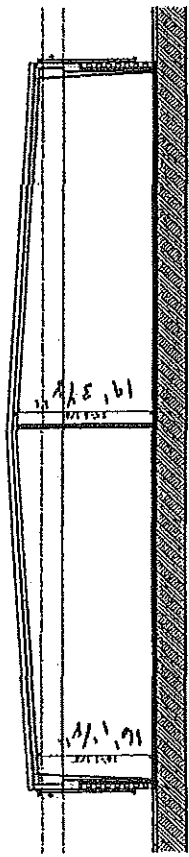
I, Edward Wright do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require 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.

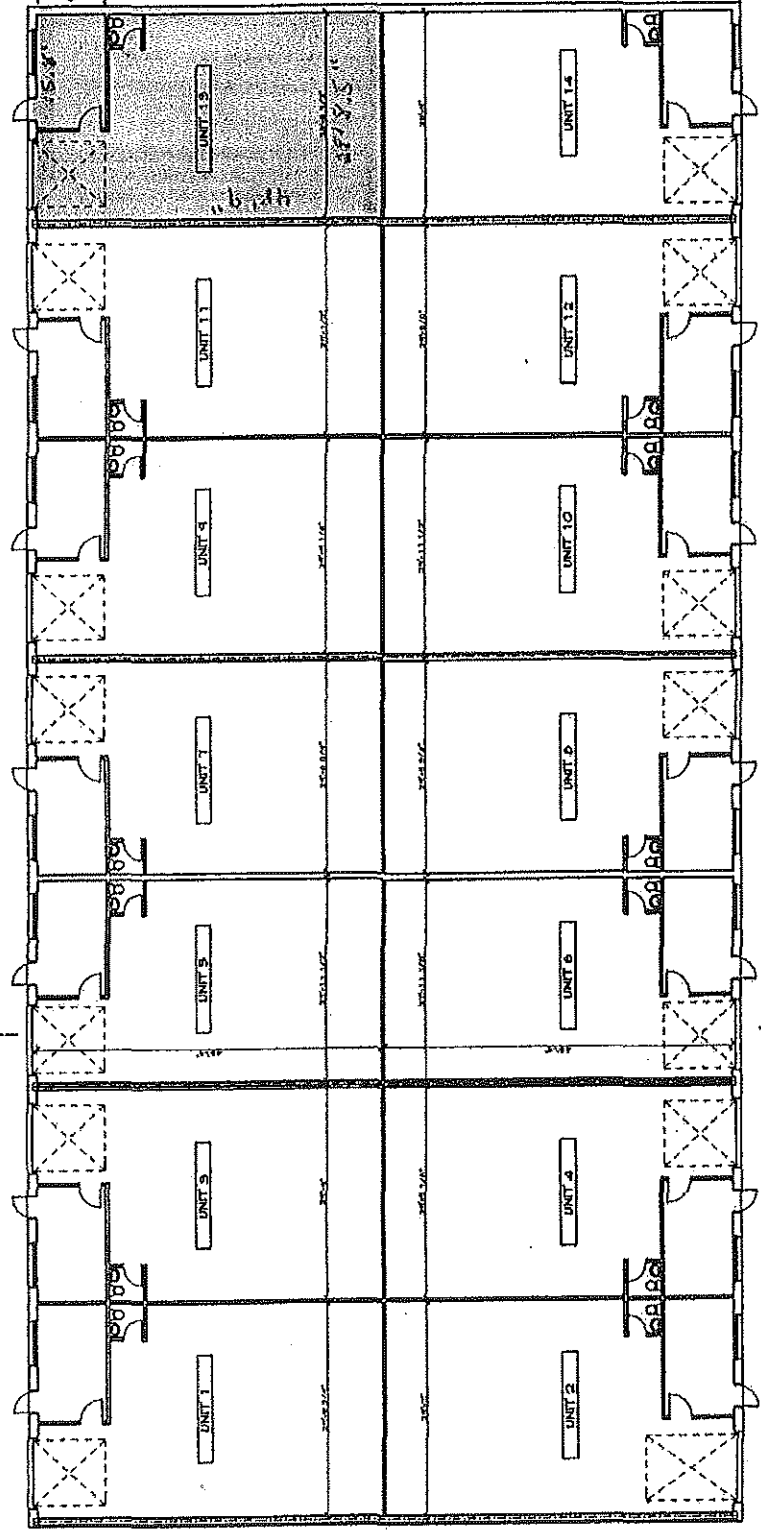
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature Edward H. Wright Title President Date 5-16-16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and
M.R.S.A. Title 28-A at www.maine.gov.



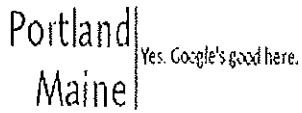
SECTION
SCALE: 1/8" = 1'-0"



FIRST FLOOR
SCALE: 1/8" = 1'-0"

PROGRESS PLAN FOR REVIEW
11-28-2012

RIVERSIDE STREET



Janice Gardner <jgardner@portlandmaine.gov>

New England Distilling - 1 Industrial Way, Unit 13

Gary Rogers <garyr@portlandmaine.gov>

Wed, May 18, 2016 at 9:12 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

*Order 284-15/16
Tab 21 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

New England Distilling LLC d/b/a New England Distilling. Application for a Distillery Alcohol Service License at 1 Industrial Way, Unit 13.

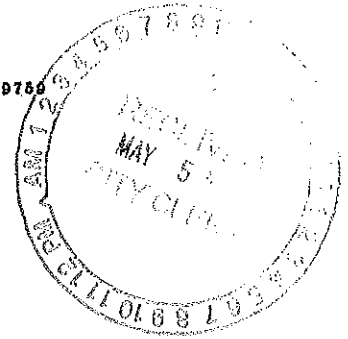
WIGHT INSPIRED
EST. 2011



PORTLAND MAINE
U.S.A.

26 EVERGREEN DRIVE, Unit B PORTLAND, ME 04103 Tel: (207) 878-9759

Web: newenglanddistilling.com Email: info@newenglanddistilling.com



May 5, 2016.

Mayor Strimling and Members of the City Council
City of Portland
389 Congress St.
Portland, ME 04101

Dear Mr. Strimling and Members of the City Council,

Please accept this letter as notification of our intent to open and operate a tasting room at our distillery warehouse located at 1 Industrial Way, unit 13 in Portland.

We are expanding our operations in Portland and plan to take advantage of the larger tourist volume on Industrial Way, around the corner from our main distillery located at 26 Evergreen Drive. This new location will serve the dual purpose of additional warehouse space and a tasting/retail space.

Additional information is provided in the application packet.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edward Wight".
Edward Wight, President.

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information			
Business Name (d/b/a):	New England Distilling	Phone:	207 878-9759
Location Address:	1 Industrial Way Portland Unit 13	Zip:	04103
If new, what was formerly at this location:	Bissell Bros. Brewing		
Mailing Address:	26 Evergreen Dr. Portland	Zip:	04103
Contact Person:	Ned Wight	Phone:	207 878-9759
Contact Person Email:	ned@newenglanddistilling.com		
Manager of Establishment:	ned wight	Date of Birth:	3/15/72
Owner of Premises (Landlord):	AIM Industrial	Phone:	207 878-9759
Address of Premises Owner:	c/o Bibau & Co. 340 Fore St. Portland		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	
New England Distilling LLC		26 Evergreen Dr. Portland, ME	
		Zip:	04103
Contact Person:	Ned Wight	Phone:	207 878-9759
Principal Officers	Title	Date of Birth	Residence Address
Ned Wight	President	3/15/72	48A Richards Lane, Freeport ME 04032
Tim Fisher	Distiller	5/24/69	535 Stevens Ave Portland, ME 04103

About Your Establishment

Type of Establishment:	Brewery Winery <u>Distillery</u>
Hours & days of operation:	<u>Mon - Sat 10-6 pm</u>

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	<u>Y/N</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	<u>Y/N</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	<u>Y/N</u>
Will you permit dancing on the premises?	<u>Y/N</u>
Will you permit dancing after 1:00 a.m.?	<u>Y/N</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	<u>Y/N</u>
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)?	<u>Y/N</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the issuance of this license directly or indirectly benefit any City employee(s)?	<u>Y/N</u>
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	
If Yes, please list business name(s) and location(s):	
<u>New England Distilling 26 Evergreen Dr. Unit B. Portland</u>	
Is any principal officer under the age of 21?	<u>Y/N</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	<u>Y/N</u>
If Yes, please explain:	

I, Edward Wright 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. § 663 (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.

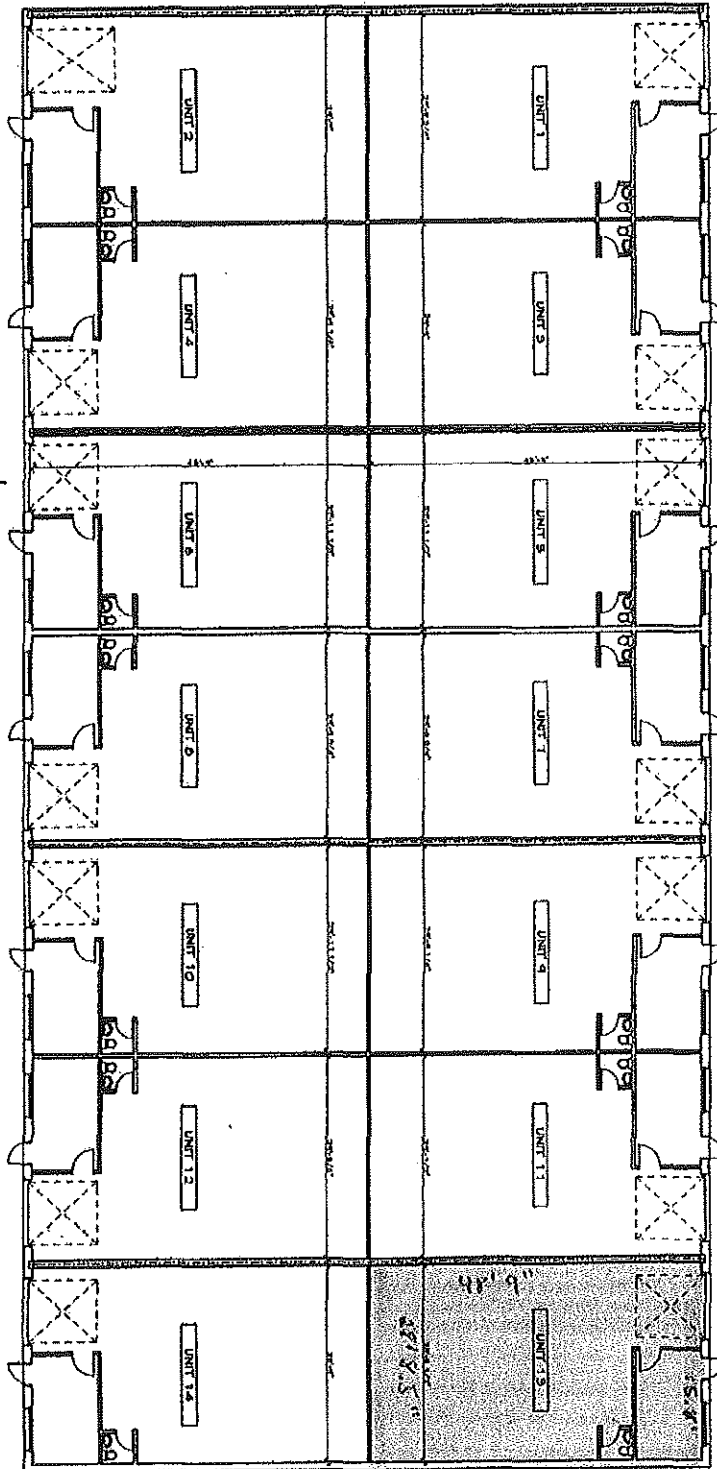
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Signature Edward Wright Title President Date 5-16-16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and
M.R.S.A. Title 28-A at www.maine.gov.

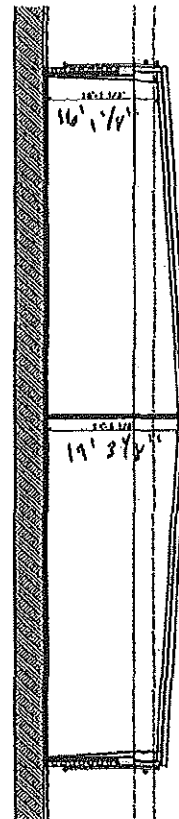
RIVERSIDE STREET

1 FIRST FLOOR
SCALE 1/8" = 1'-0"

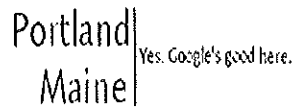


PROGRESS PLAN FOR REVIEW
11-28-2012

2 SECTION
SCALE 1/8" = 1'-0"



ONE INDUSTRIAL WAY CANOPY DESIGN PORTLAND, MAINE		MAINTENANCE CALLENDER AND ARCHITECTS	DATE: 11-28-2012 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]
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Janice Gardner <jgardner@portlandmaine.gov>

New England Distilling - 1 Industrial Way, Unit 13

Gary Rogers <garyr@portlandmaine.gov>

Wed, May 18, 2016 at 9:12 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 285-15/16
Tab 22 6-6-16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

AMJ Corp d/b/a Styxx. Application to add Outdoor Dining on Private Property at 3 Spring St.

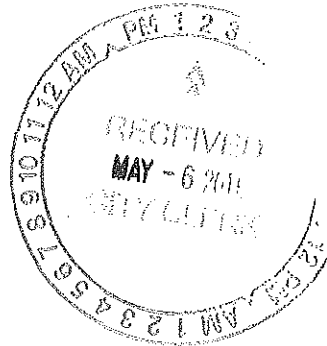
May 5th, 2016

Dear Mayor Strimling and City Council Members,

My name is Josh Moody and I am the owner of Styxx Nightclub located on 3 Spring St. It is my intention to remove the cement steps leading in to my bar and replace it with a deck/patio for my patrons to enjoy. This will add to the footprint of the bar by approximately 200 sq ft. I think that this addition will improve both my business and the appearance of the front of the bar in the downtown historical district. I look forward to answering any questions you may have at the meeting on June 6th. I thank you for your time and consideration on this issue.

Sincerely,

Josh Moody
Styxx Nightclub
3 Spring St Portland



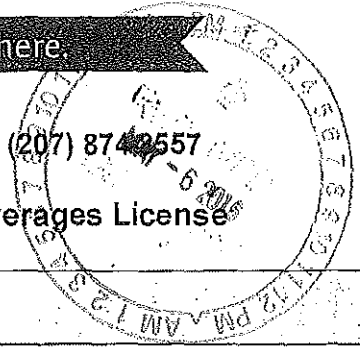
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-2557

Application for Food Service Establishment with Alcoholic Beverages License



Business Information:	AMS CORP		
Business Name (d/b/a):	STYXX	Phone:	(207) 828-0822
Location Address:	2 SPRING ST		Zip: 04101
If new, what was formerly at this location:			
Mailing Address:	PO BOX 502		Zip: 04112
Contact Person:	JOSH MOODY	Phone:	(207) 691-0070
Contact Person Email:	STYXXPORTLAND@GMAIL.COM		
Manager of Establishment:	JOSH MOODY	Phone:	
Owner of Premises (Landlord):	DREW SWENSON		
Address of Premises Owner:	PO BOX 17536		Zip: 04112

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

Name of Owner(s)	Date of Birth	Residence Address
JOSH MOODY	4/17/80	85 ELMWOOD AVE WESTBROOK ME
AARON LATTY	10/17/84	17 HUDSON RD POWNALL ME

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

Corporate Name		Corporate Mailing Address	
AMS CORP		PO BOX 502 PORTLAND Zip: 04112	
Contact Person:	JOSH MOODY	Phone:	828-0822
Principal Officers	Title	Date of Birth	Residence Address
AARON LATTY	PRESIDENT	10/17/84	17 HUDSON RD POWNALL
JOSH MOODY	TREASURER	4/17/80	85 ELMWOOD AVE WESTBROOK

About Your Establishment

Class of Liquor License:	A	
Type of food served:	FROZEN PREPARED	
Please circle all that will be served:	Beer Wine Liquor	
Projected percentage of sales:	Generated from Food: 10-15	Generated from Alcohol: 85-90
Hours & days of operation:	7 days 3pm 1am	

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? PERSONAL	Y/N
If No, please explain: PIZZA + CORN DOGS MOSTLY	
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 Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
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 JOSH MORSE 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 TREASURER Date 5/5/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☒ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☐ Liquor License required?		
City Clerk signature for liquor license approval: _____ OR Pending Council Date: <u>6/6/16</u>		
Location Name & Address: <u>STYXX 3 SPRING ST</u>	Chart	Block Lot
Owner Name: <u>JOSH MOODY</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>200</u>	
Owner Phone #: <u>207-691-0070</u>		
Applicant *must* be owner or lessee	Fee: \$80 (Public-Annual) \$125 (Private 1X)	
Name: <u>JOSH MOODY</u>	Total Sq. Ft.: _____	
Address: <u>85 ELMWOOD AVE</u>	Sq. Ft. Fee: (sq ft x \$2) \$ _____	
City, State & Zip: <u>WESTBROOK ME</u>	(sq ft x \$6 for public parks)	
E-Mail: <u>STYXX PORTLAND@GMAIL.COM</u>	Total Fees: \$ <u>125</u>	
(Permit not issued until all fees are paid)		
Current use: <u>STEPS</u>		
Business name: <u>STYXX</u>		
Seating area dimensions: _____		
How many chairs? _____ How many tables? _____		
☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>JOSH MOODY</u>		Phone: <u>207-691-0070</u>
Address: _____		E Mail: <u>STYXX PORTLAND@GMAIL.COM</u>

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

Date: 5/5/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

SPRING ST. SIDEWALK

32'-11 1/2"

NEW GRASS

DOWN

FIRE

CLUB
STAIRCASE

NEW
LANDING

REWORK
GRATE

52" CARVED
BLACK
POST

52" CARVED
BLACK
POST

NEW

WOOD DECK

OVER BOIST.

CONC. STAIRS

NEW STAIRS

52" CARVED
BLACK
POST

52" CARVED
BLACK
POST

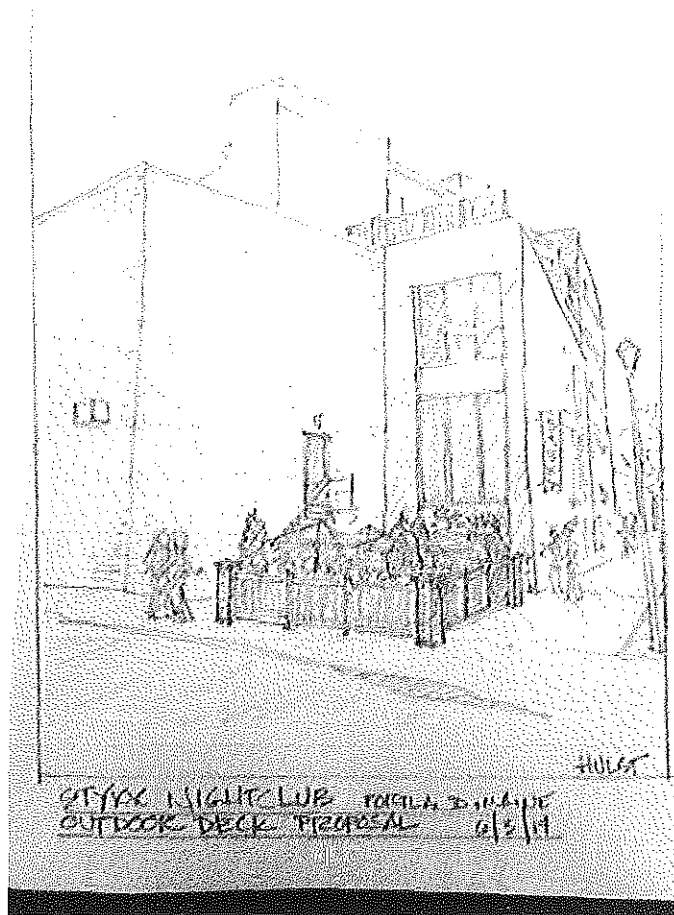
INTERIOR
ACCESS
TO DECK

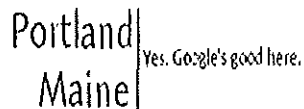
EXIT
TO
UPPER FLOOR

CROSS ST SIDEWALK

26'-6"

NIGHTCLUBS





Janice Gardner <jgardner@portlandmaine.gov>

Styxx - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 1:03 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

police approve

[Quoted text hidden]

—

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

AMJ Corp
Attn: Josh Moody
PO Box 502
Portland, ME 04112

Re: AMJ Corp d/b/a Styxx. Application to add Outdoor Dining on Private Property at 3 Spring St.

Dear Mr. Moody,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application to add Outdoor Dining on Private Property at 3 Spring St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

A handwritten signature in cursive script, appearing to read "Janice Gardner".

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 286-15/16
Tab 23 6-6-16*

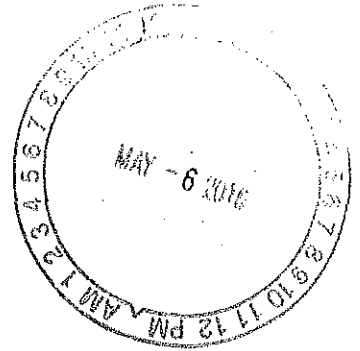
ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

DL Geary Brewing Co., Inc. d/b/a DL Geary Brewing Co., Inc. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 38 Evergreen Dr.



May 2, 2016

Ethan K. Strimling, Mayor
Esteemed Members of the City Council
City of Portland
389 Congress Street
Portland, ME 04101

Dear Mr. Mayor and Esteemed Members of the City Council,

Please let this letter serve as D.L. Geary Brewing Company's letter of intent to respectfully request that you consider our application for a tasting room license, along with the associated licenses.

Geary's is a family owned business, operating in the City of Portland since 1986. We've been producing high quality ales that are distributed across the state and throughout New England. I'm sure that many of you are aware of the extreme growth of the craft brewing industry over the past few years, in our city as well as in the state. It has become a very competitive marketplace, and we've had to get creative and come up with new styles of brewing and new ways to attract our consumers. A tasting room allows us to try out these new styles as well as remind people of our heritage and history.

I appreciate your consideration of our application.

Respectfully,

Kelly Geary Lucas
Director of Operations

Portland, Maine

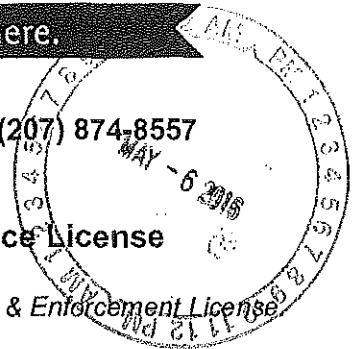


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License



Business Information			
Business Name (d/b/a):	DL GEARY BREWING CO., INC.	Phone: 207	878-2337
Location Address:	38 EVERGREEN DRIVE, PORTLAND, ME	Zip: 04103	
If new, what was formerly at this location:			
Mailing Address:	SAME	Zip:	
Contact Person:	KELLY LUCAS	Phone: 207	878-2337
Contact Person Email:	KELLY@GEARYBREWING.COM		
Manager of Establishment:	JESSE GALKOWSKI	Date of Birth: 12/2/1990	Phone: 207 878-2337
Owner of Premises (Landlord):	EVERGREEN PROPERTIES		
Address of Premises Owner:	5 MOULTON STREET PORTLAND ME 04101	Zip:	

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	
DL GEARY BREWING CO., INC.		SAME Zip:	
Contact Person:	KELLY LUCAS	Phone: 207	878-2337
Principal Officers	Title	Date of Birth	Residence Address
DAVID GEARY	PRESIDENT	4/19/45	7 MAPLE LANE CAPE ELIZABETH ME 04107
KELLY LUCAS	OPERATIONS	9/5/67	188 MAST ROAD, WESTBROOK ME 04092

About Your Establishment

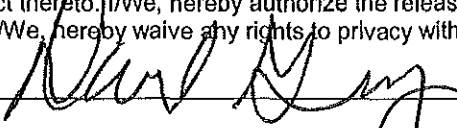
Type of Establishment:	<u>Brewery</u> Winery Distillery
Hours & days of operation:	VARIES BY SEASON, PEAK MON - SAT 12 TO 7

QUESTIONS	☒ Y ☐ N
Will food be made, served, and/or sold on the premise by this establishment?	☒ Y ☐ N
If yes, please submit a City of Portland Food Service Establishment license application.	
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 Dancing & Entertainment is required.)	☒ Y ☐ N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y ☒ N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	<u>open</u>
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: <u>OUT 14 YEARS AGO</u>	

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

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

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

Signature  Title PRESIDENT Date 5/5/16

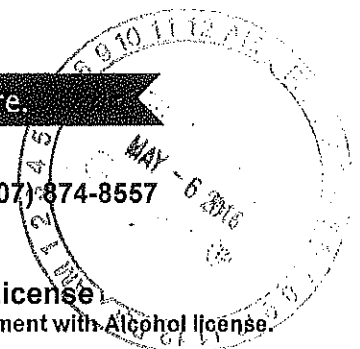
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281	☐ Entertainment with Dancing: \$504	☐ After-Hours (1 a.m. to 3 a.m.): \$567
--	--	--

Business Information			
Business Name (d/b/a):	D.L. Geary Brewing	Phone:	207-838-2337
Location Address:	38 Evergreen Drive, Portland ME		Zip: 04103

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: to play background music for events. solo and duet singers	
Will music be electric <u>acoustic</u> , or both? (Circle)	Both
Will amplification be used?	Y ☒ N
If yes, where and at what level?	indoor and possibly outdoor at a very low level.
Will music be played (Circle all that apply): <u>Inside</u> <u>Outside</u>	Both
Will you permit dancing on the premises?	Y ☒ N
Will you permit dancing after 1:00 a.m.?	Y ☒ N
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	1/2 mile - 1 mile away
What is your targeted opening date?	5/28/16
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):	

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.

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 Bethany Neal Title Event Planner Date 5/2/16

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

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st

- ☒ Application Fee: \$35 ☐ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25 ☒ FSE without Preparation License: \$172 ☐ Beer & Wine Take-Out: \$395

Business Information			
Business Name (d/b/a):	DL GEARY BREWING CO., INC.	Phone: 207	878-2337
Location Address:	38 EVERGREEN DRIVE, PORTLAND, ME 04103		Zip:
If new, what was formerly at this location:			
Mailing Address:	SAME		Zip:
Contact Person:	KELLY LUCAS	Phone:	SAME
Contact Person Email:	KELLY@GEARYBREWING.COM		
Manager of Establishment:	JESSE GALKOWSKI	Phone:	SAME
Owner of Premises (Landlord):	EVERGREEN PROPERTIES		
Address of Premises Owner:	5 MOULTON STREET PORTLAND, ME 04101		Zip:

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	
DL GEARY BREWING CO, INC.		38 EVERGREEN DRIVE PORTLAND ME 04103	
Contact Person:	KELLY LUCAS	Phone:	207 878-2337
Principal Officers	Title	Date of Birth	Residence Address
DAVID L GEARY	PRESIDENT	4/19/45	7 MAPLE LANE, CAPE ELIZABETH ME 04107
KELLY LUCAS	OPERATIONS	9/5/67	188 MAST ROAD WESTBROOK ME 04092

About Your Establishment

Type of Food Served (include a menu):	PREPACKAGED SNACKS
Hours & Days of Operation:	VARIES SEASONALLY, M - SAT 12 - 7

Certified Food Protection Manager Certificate number & expiration date: _____
 If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	Y/N
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date? Open	
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 18?	Y/N

For Community Kitchen Operators ONLY:
 It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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.

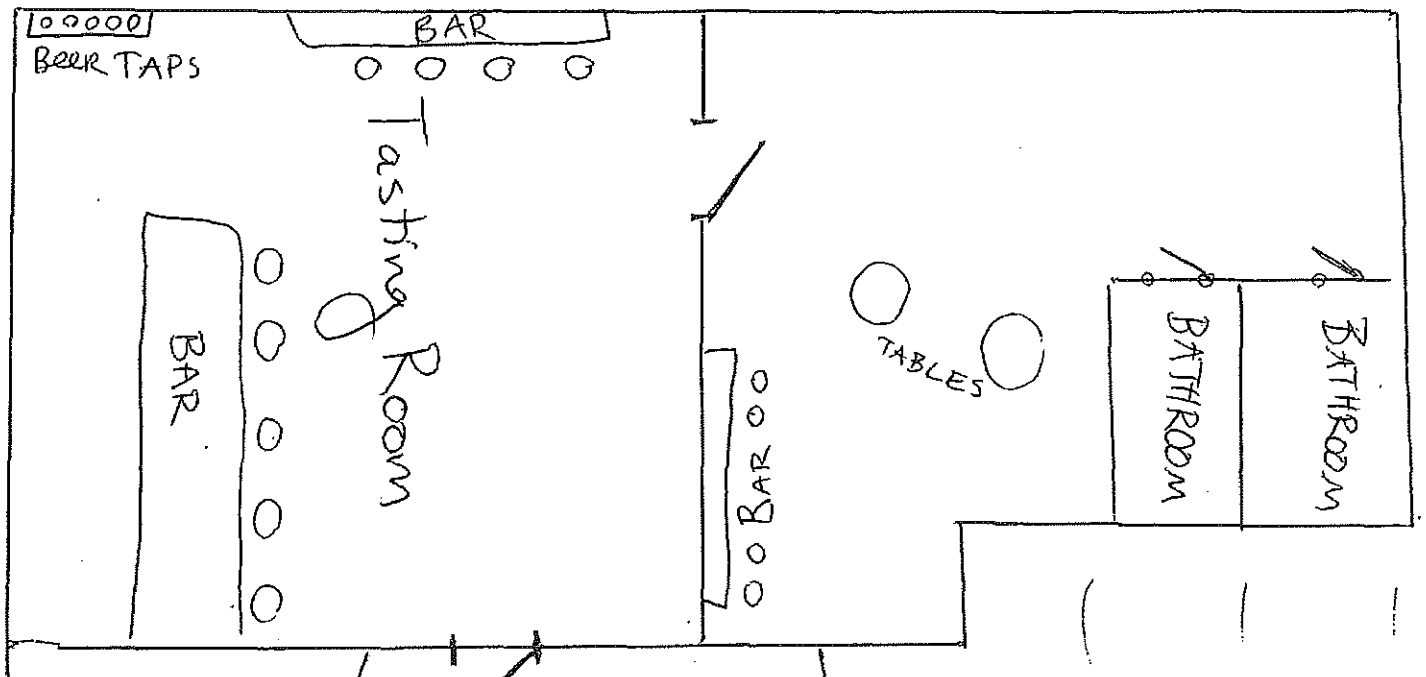
Signature [Signature] Title President Date 5/5/14

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only

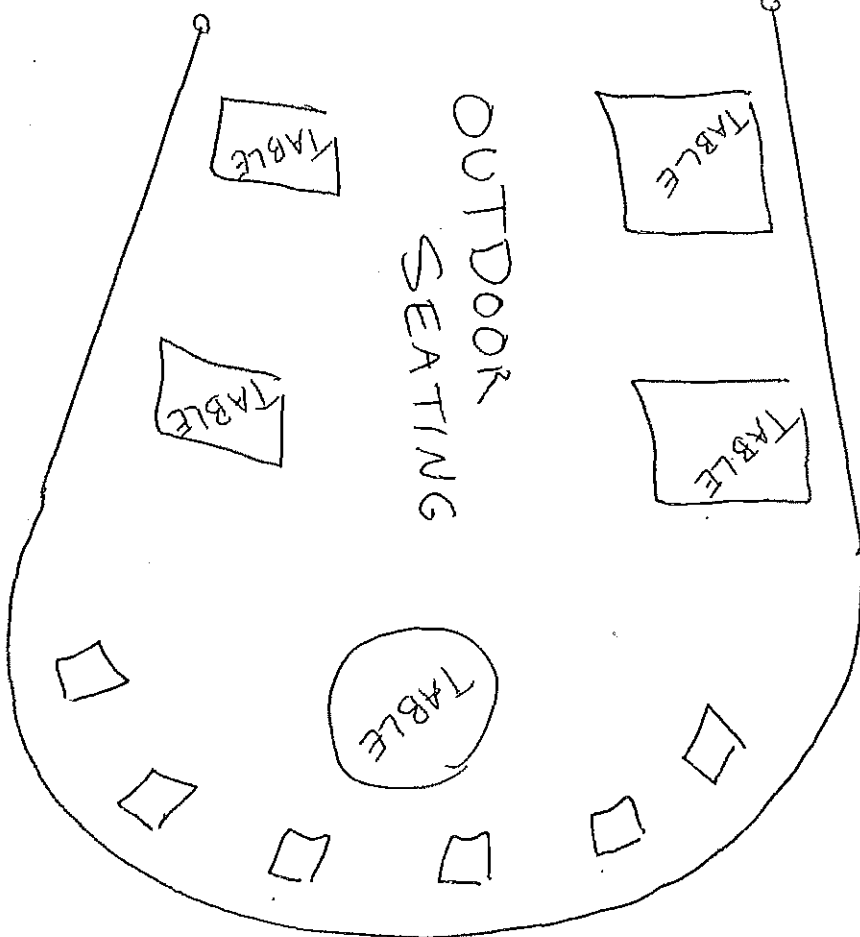
Amount: _____	Request Date / Approval	Notes: _____
Date Paid: _____	FD: _____	
CC _____ CA _____ CK _____	Health: _____	
	PD: _____	
Amount: _____	PS: _____	
Date Paid: _____	Treasury: _____	
CC _____ CA _____ CK _____	Zoning: _____	

BREWERY



PARKING

PARKING



↓ EVERGREEN DR. !



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☒ No ☐ Petition for Exception for Special Circumstances ☐ Liquor License required? City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____		
Location Name & Address: <u>D.L. Geary Brewing</u> <u>38 Evergreen Drive Portland ME 04103</u>	Chart	Block Lot
Owner Name: <u>David Geary</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹	
Owner Phone #: <u>207-838-2337</u>		
Applicant *must* be owner or lessee Name: <u>David Geary and Kelly Geary Lucas</u> Address: <u>38 Evergreen Drive.</u> City, State & Zip: <u>Portland, ME 04103.</u> E-Mail: <u>Kelly@gearybrewing.com</u>	Fee: \$80 (Public-Annual) \$125 (Private IX) Total Sq. Ft.: <u>1728^{sq}</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>3456⁰⁰</u> (sq ft x \$6 for public parks) Total Fees: \$ <u>125⁰⁰</u> (Permit not issued until all fees are paid)	
Current use: <u>Brewery and tasting room</u> Business name: <u>D.L. Geary Brewing</u> Seating area dimensions: <u>24ft by 72ft</u> How many chairs? <u>32</u> How many tables? <u>6</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>Bethany O'Neil - Event Planner</u> Phone: <u>207-838-2337</u> Address: <u>38 Evergreen Dr. Portland ME</u> E Mail: <u>bethany@gearybrewing.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

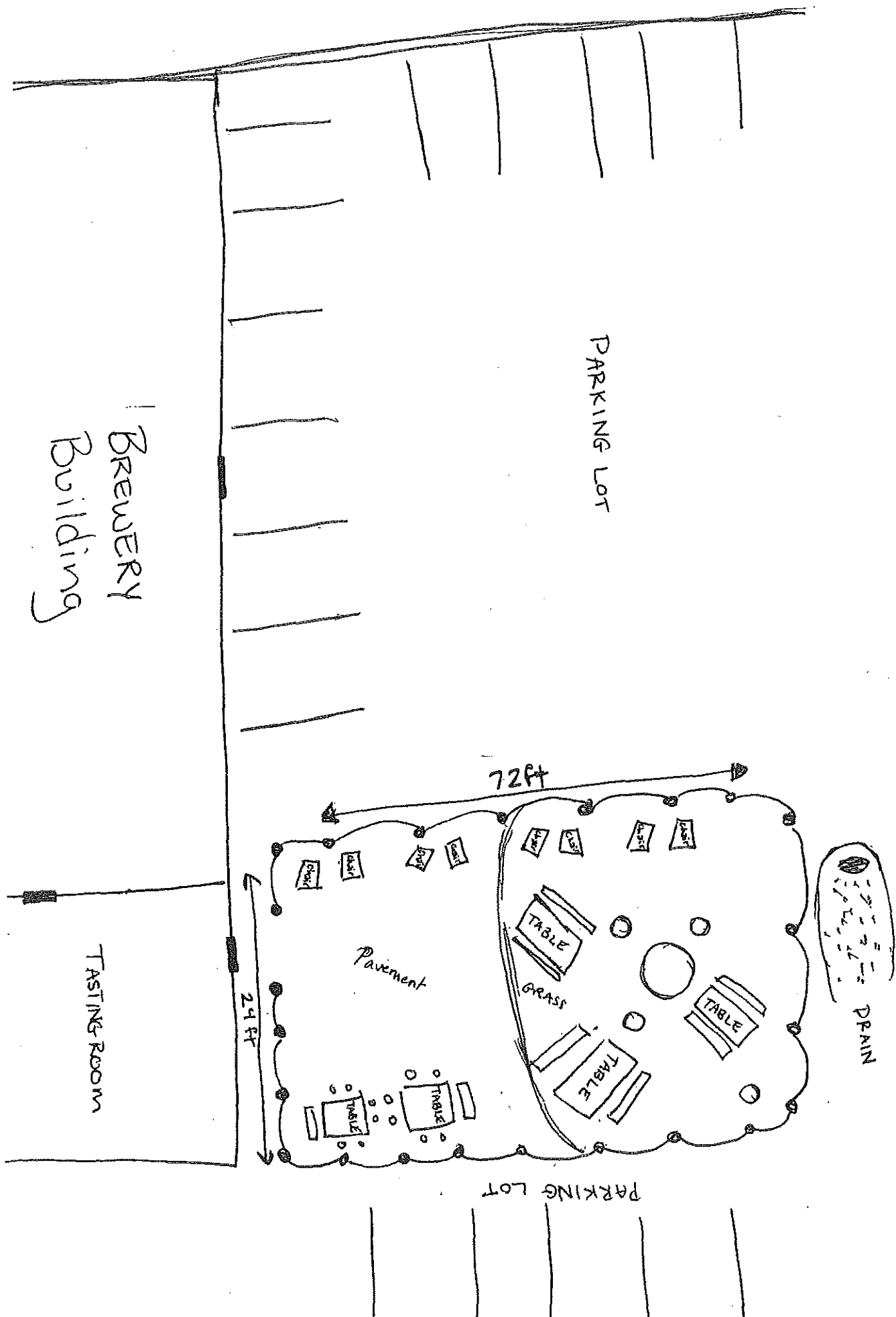
Signature of Applicant: David Geary

Date: 5/2/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

D.L. Geary Brewing

EVERGREEN ROAD





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854519

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) JESSE GALKOWSKI (1990-12-02)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854525

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) KELLY LUCAS (1967-09-05)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854518

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) DAVID GEARY (1945-04-19)

The information in this criminal history record is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Confirmation that convictions relate to person whose record has been requested requires fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing, credit, or other benefits or programs, the person making the eligibility determination using this record should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S. section 709.

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2016-05-10**

This record, effective September 1, 2000, contains information relating to persons arrested as fugitives from justice, 15 M.R.S section 201.4 or arrested or charged with Maine crimes. It does not include former crimes no longer classified as criminal, or Class D and E crimes in

Title 12 or Title 29-A, former Title 29, unless the crime is alcohol-related or drug-related 25 M.R.S. section 1541.4-A.A. For information regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. For information relating to excluded crimes in Title 29-A former Title 29, contact the Secretary of State, Motor Vehicle Division. A list of former crimes is available from this Bureau.

Identification

Subject Name/or potential Alias Name(s)

GEARY, DAVID LESLIE

Subject Description (date information provided listed in parentheses)

State ID Number

MEI003691

DOC Number

Unknown/NA

Sex

Male

Race

White

Skin Tone

Unknown/NA

Height

600 (2002-03-01)

Weight

180 (2002-03-01)

Date of Birth

1945-04-19

Hair Color

Brown (2002-03-01)

Eye Color

Green (2002-03-01)

Scars, Marks, and Tattoos

Unknown/NA

Place of Birth

MA

Citizenship

US (2002-03-01)

Residence

Residence as of
Address

2002-03-01

7 MAPLE STREET
CAPE ELIZABETH, ME US

Caution Information

Firearms Disqualified

C - Cleared

Criminal History

Cycle 001

ATN/Tracking Number 651109A
Earliest Event Date 2002-03-01

Arrest/Charge (Cycle 001)
Arrest/Charge Date 2002-03-01
Arresting/Charging Agency SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600
Subject Name(s) GEARY, DAVID L
Arrest Type Adult
Charge 1

Charge Number 651109A 001
Charge Tracking Number 651109A
Charge Case Number 2002P0000786
Agency SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600
Offense Date 2002-03-01
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1)
State Sequence Code 1197
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 001)
Court Case Number PORSCCR200200811
Court Agency SUPERIOR COURT PORTLAND; ME003015J
Charge 1

Charge Number 651109A 001
Charge Tracking Number 651109A
Agency SUPERIOR COURT PORTLAND; ME003015J
Offense Date 2002-03-01
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1)
State Sequence Code 1197
Severity Misdemeanor
Disposition 2002-10-04; GUILTY

Court Disposition (Cycle 001)
Court Case Number PORDCCR200201707
Court Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Charge 1

Charge Number 651109A 001
Charge Tracking Number 651109A
Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Offense Date 2002-03-01
Charge Description OPERATING UNDER THE INFLUENCE (Charge Class D)
Statute 29-A MRSA SUBSECTION 2411(1)
State Sequence Code 1197
Severity Misdemeanor
Disposition 2002-05-07; TRANSFER FOR JURY TRIAL

Sentencing (Cycle 001)
Sentencing Agency SUPERIOR COURT PORTLAND; ME003015J
Court Case Number PORSCCR200200811
Charge Number 651109A 001
Charge Sequence Number 1
Charge Tracking Number 651109A
Sentence 2002-10-04: FINED \$400.00
2002-10-04: LICENSE SUSPENSION 90 days

Corrections No data supplied

Index of Agencies

Agency SUPERIOR COURT PORTLAND; ME003015J
Agency Telephone 207-822-4105
Address 142 FEDERAL
PORTLAND, ME 04101

Agency 9TH DISTRICT COURT PORTLAND; ME003035J
Agency Telephone 207-822-4205
Address 205 NEWBURY ST
PORTLAND, ME 04101

Agency SOUTH PORTLAND PD SOUTH PORTLAND; ME0030600
Agency Telephone 207-799-5511
Address 30 ANTHOINE STREET
SOUTH PORTLAND, ME 04106



Janice Gardner <jgardner@portlandmaine.gov>

DL Geary Brewing Co, Inc. - 38 Evergreen Dr.

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 17, 2016 at 3:29 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve
[Quoted text hidden]



Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

May 17, 2016

DL Geary Brewing Co., Inc.
Attn: David Geary & Kelly Lucas
38 Evergreen Dr.
Portland, ME 04103

Re: DL Geary Brewing Co., Inc. d/b/a DL Geary Brewing Co., Inc. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 38 Evergreen Dr.

Dear Mr. Geary & Ms. Lucas,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property, and Food Service Establishment without Preparation at 38 Evergreen Dr. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 287-15/16
Tab 24 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

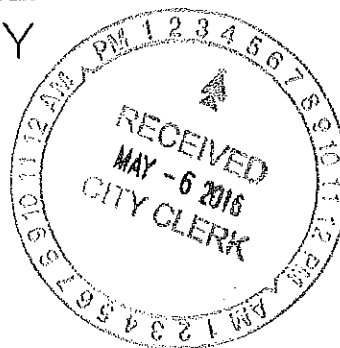
ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Foundation Brewing Company d/b/a Foundation Brewing Company. Application for a
Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on
Private Property and Food Service Establishment without Preparation at 1 Industrial Way.**



foundation

BREWING COMPANY



May 5, 2016

City Council of Portland, Maine

Dear Council Members,

Foundation Brewing Company, located at One Industrial Way, submits this Letter of Intent to apply for a Brewery Alcohol Service License in accordance with the new licensing requirements put in place in 2016. In conjunction, we are also applying for a Dancing and Entertainment License, a Food Service without Preparation License, and a revision to our Outdoor Dining Permit.

We opened in our current location in Portland in February 2014. We have enjoyed brewing beer and welcoming visitors to our brewery since that time, and are proud to live and operate our business in our city. Thank you for your consideration.

Sincerely,

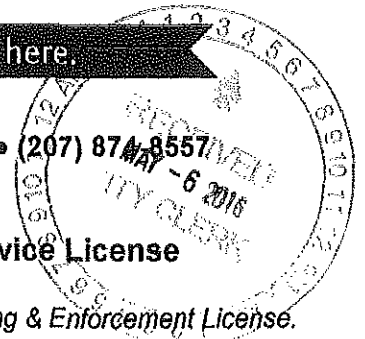
John K. Bonney
Co-Founder and Director of Business Operations

Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • www.portlandmaine.gov



Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information	
Business Name (d/b/a):	FOUNDATION BREWING COMPANY Phone: 207 370-8187
Location Address:	1 INDUSTRIAL WAY, PORTLAND, ME 04103 Zip:
If new, what was formerly at this location:	
Mailing Address:	1 INDUSTRIAL WAY, STE 5, PORTLAND 04103 Zip:
Contact Person:	TINA BONNEY Phone: 207 877-4764
Contact Person Email:	tina@foundationbrew.com
Manager of Establishment:	ADAM STEIN Date of Birth: 11-10-1985 Phone: 646-538-3824
Owner of Premises (Landlord):	AIM ONE Industrial Way, LLC
Address of Premises Owner:	c/o Bibean + Company 340 Fore Street Portland, ME 04101 Zip:

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	
Foundation Brewing Company		1 Industrial Way, Ste 5 Portland, ME 04103 Zip:	
Contact Person:	Tina Bonney Business Manager	Phone:	207 877-4764
Principal Officers	Title	Date of Birth	Residence Address
Joel Mahaffey	President	1-12-1977	230 Caprice St Portland ME 04102
John Bonney	Treasurer	8-16-1974	62 Shepherd Ln, Portland ME 04103
Christie Mahaffey	Dir. Sales	2-14-1978	230 Caprice St Portland ME 04102
Christina Bonney	Bus. Mgr.	6-7-1974	62 Shepherd Ln Portland ME 04103

About Your Establishment

Type of Establishment:	<u>Brewery</u> Winery Distillery
Hours & days of operation:	SUN 12-5p, MON 12-7p, WED-SAT 12-7pm

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	Y/N
If yes, please submit a City of Portland Food Service Establishment license application.	
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 Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	Y/N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>Current Operation</u>	
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, JOHN K. BONNEY 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 Gh. Y... Title Dir. Bus. Operations Date 5-5-2016

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine

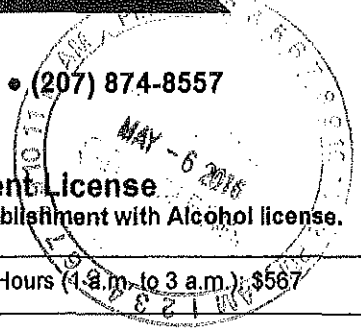


Yes. Life's good here.

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www.portlandmaine.gov

Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.



☒ Entertainment without Dancing: \$281	☐ Entertainment with Dancing: \$504	☐ After-Hours (1 a.m. to 3 a.m.): \$567
--	--	--

Business Information	
Business Name (d/b/a):	FOUNDATION BREWING COMPANY
Location Address:	1 INDUSTRIALWAY, PORTLAND ME 04103
Phone:	207 370-8187
Zip:	

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: CRAFT BREWERY - PRODUCTION + TASTING ROOM. Entertainment will be periodic music (DJ's, small bands) in the tasting room or patio area.	
Will music be electric, acoustical, or both? (Circle)	
Will amplification be used?	Y/N
If yes, where and at what level?	Below 92 decibels
Will music be played (Circle all that apply):	Inside Outside
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	300 ft.
What is your targeted opening date?	Current Operations
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):	

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.

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 DIR BUS OPERATIONS Date 5-5-2016

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

Portland, Maine

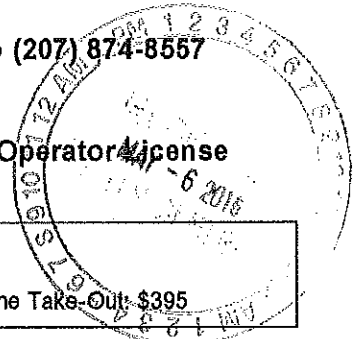


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st

☒ Application Fee: \$35 ☐ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25 ☒ FSE without Preparation License: \$172 ☐ Beer & Wine Take-Out: \$395



Business Information	
Business Name (d/b/a):	FOUNDATION BREWING COMPANY Phone: 207 370-8187
Location Address:	1 INDUSTRIAL WAY, PORTLAND ME Zip: 04103
If new, what was formerly at this location:	
Mailing Address:	1 INDUSTRIAL WAY, STE 5, PORTLAND, ME Zip: 04103
Contact Person:	TINA BONNEY Phone: 207 877-4764
Contact Person Email:	tina@foundationbrew.com
Manager of Establishment:	ADAM STEIN Phone: 646-538-3824
Owner of Premises (Landlord):	AIM One Industrial Way LLC
Address of Premises Owner:	10 Bibeau Company Zip: 340 Fore Street, Portland, ME 04103

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	
Foundation Brewing Company		1 Industrial Way, Ste 5 Portland, ME 04103	
Contact Person:	Tina Bonney Business Manager	Phone:	207 877-4764
Principal Officers	Title	Date of Birth	Residence Address
Joel Mahaffey	President	1-12-1977	230 Capisic, Portland ME 04102
John Bonney	Treasurer	8-16-1974	62 Shepherd Ln, Portland ME 04103
Christie Mahaffey	Dir Sales	2-14-1978	230 Capisic, Portland, ME 04102
Christina Bonney	Bus. Mgr.	6-7-1974	62 Shepherd Ln, Portland ME 04103

About Your Establishment

Type of Food Served (include a menu):	Pre-packaged snacks (e.g. peanuts, chips, etc.)
Hours & Days of Operation:	SUN 12-5p, MON, 12-7p, WED-SAT 12-7pm

Certified Food Protection Manager Certificate number & expiration date: _____

If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

Exempt → only selling non-potentially hazardous pre-packaged foods

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	Y/N
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date? <u>Current Operation</u>	
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 18?	Y/N

For Community Kitchen Operators ONLY:

It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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 _____ Date _____

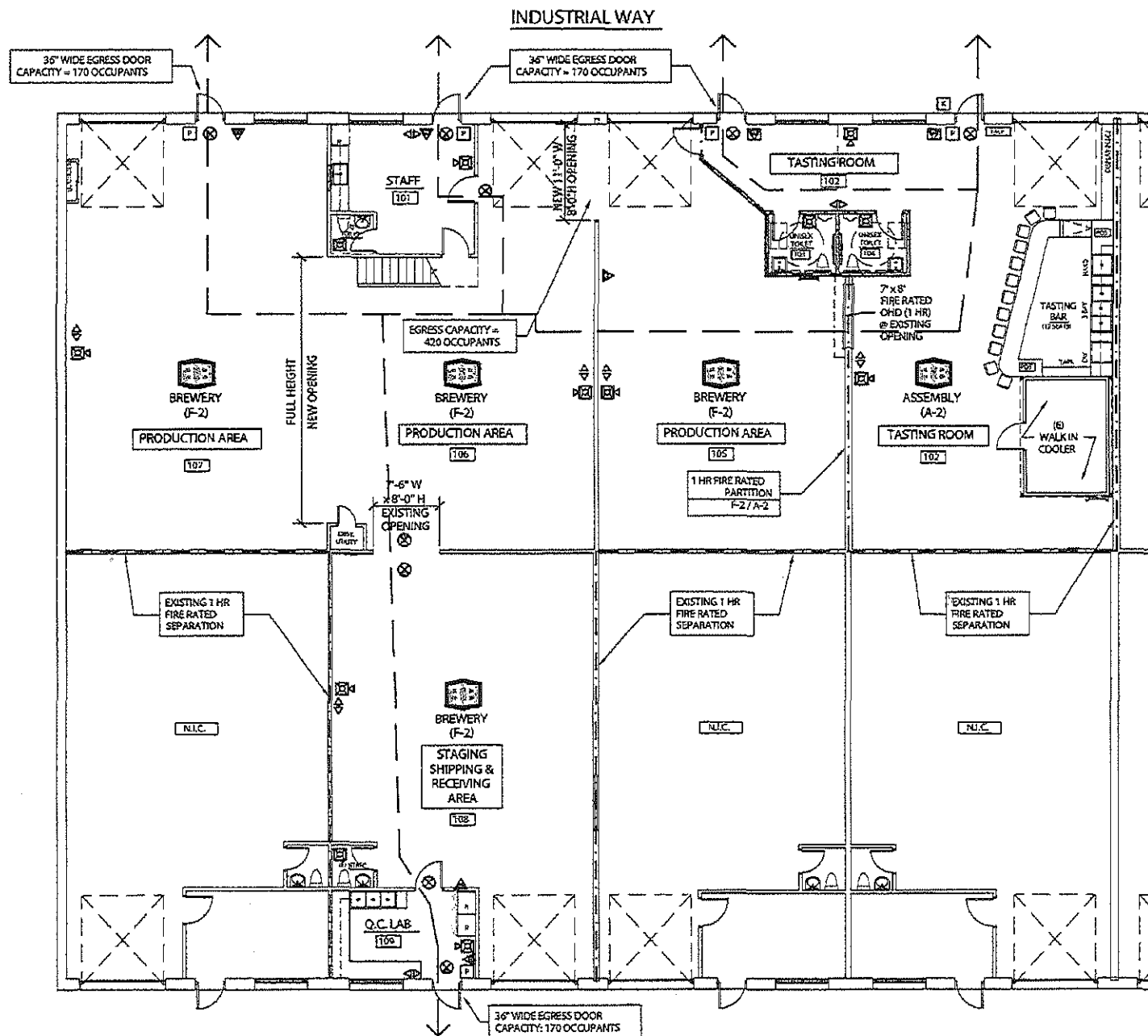
For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only

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

FOUNDATION
BREWING
COMPANY

RIVERSIDE



CODE COMPLIANCE PLAN

SCALE: 1/8" = 1'-0"





Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property <i>Revision to 2015 Plan</i>			
☐ Outdoor Dining in a Public Park		☐ If Renewal, are there changes to previous permit?	
☐ Outdoor Dining in a Historic District		☐ Yes ☒ No	
☐ Petition for Exception for Special Circumstances			
☐ Liquor License required?			
City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____			
Location Name & Address: <u>2 Industrial Way</u> <u>FOUNDATION BREWING CO.</u>		Chart <u>327A</u>	Block <u>A001</u>
Owner Name: <u>John Bonney</u>		Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>1448</u>	
Owner Phone #: <u>877-4926</u>			
Applicant *must* be owner or lessee		Fee: \$80 (Public-Annual) \$125 (Private 1X)	
Name: <u>John Bonney</u>		Total Sq. Ft.: <u>1448</u>	
Address: <u>1 Industrial Way, Portland 04103</u>		Sq. Ft. Fee: (sq ft x \$2) \$ _____ (sq ft x \$6 for public parks)	
City, State & Zip: _____		Total Fees: \$ <u>125</u>	
E-Mail: <u>john@foundatmbrew.com</u>		(Permit not issued until all fees are paid)	
Current use: <u>Brewery with tasting room</u>			
Business name: <u>Foundation Brewing Company</u>			
Seating area dimensions: <u>See map.</u>			
How many chairs? <u>20</u> How many tables? <u>6</u>			
☒ Yes Alcohol is served.			
☐ No Alcohol being served.			
Who should we contact: <u>Tina Bonney</u>		Phone: <u>877-4764</u>	
Address: <u>1 Industrial Way, Portland</u>		E Mail: <u>tina@foundatmbrew.com</u>	

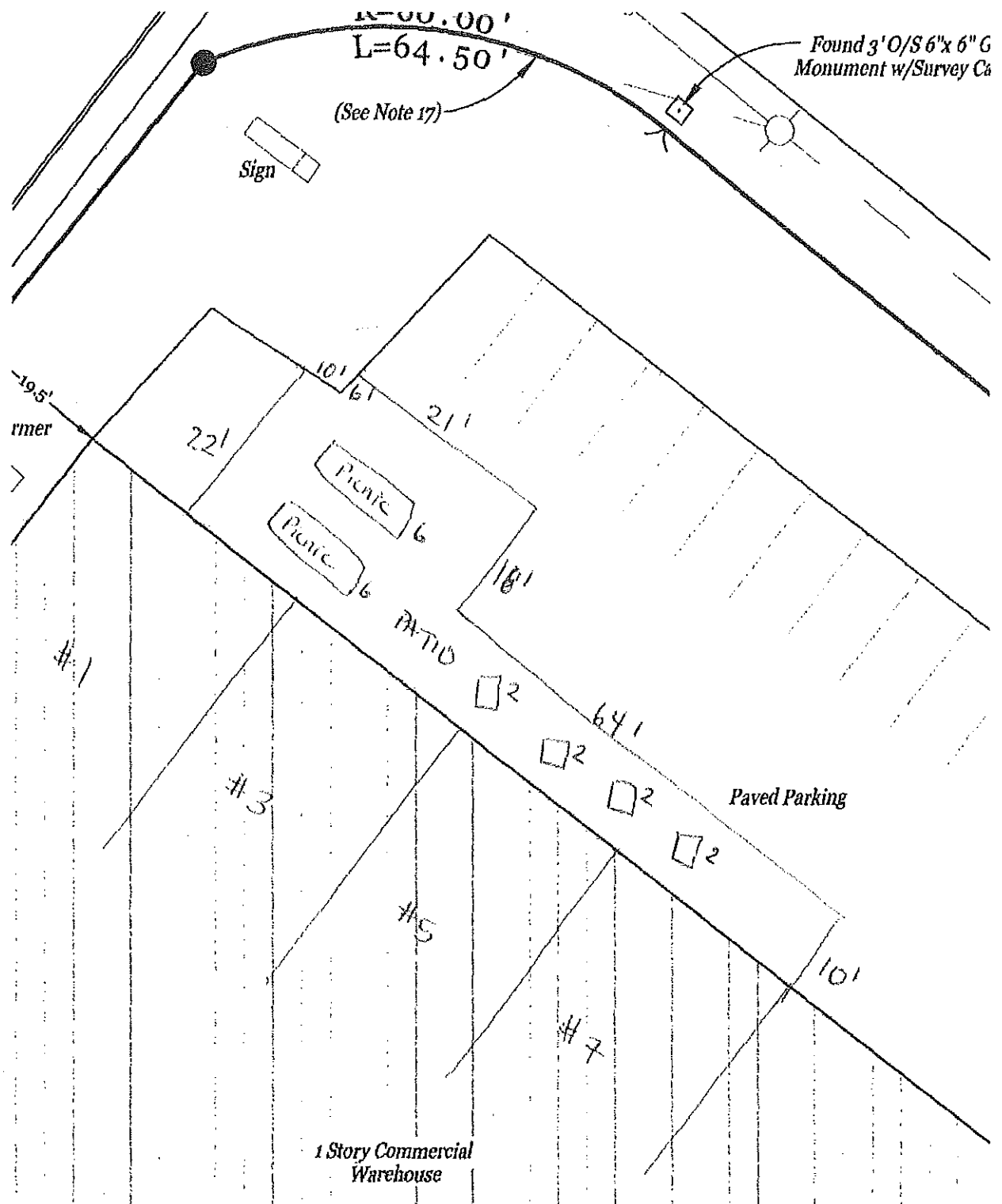
Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: [Signature] Date: 5-5-2016

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



Foundation Brewing - Units 1, 3, 4, 5, 7
 Patio - Outdoor Dining Plan for Tasting Room

- Barrels with Ropes to Rope off Patio Area
- Total SF = 1448' Total Tables = 6 Total Seats = 20



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854522

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) CHRISTIE MAHAFFEY (1978-02-14)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854516

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) JOEL MAHAFFEY (1977-01-12)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854521

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) **ADAM STEIN (1985-11-10)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854517

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) JOHN BONNEY (1974-08-16)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854524

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) CHRISTINA BONNEY (1974-06-07)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Foundation Brewing Company - 1 Industrial Way

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 12:51 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Mon, May 9, 2016 at 2:24 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

May 17, 2016

Foundation Brewing Company

Attn: Joel Mahaffey

1 Industrial Way

Portland, ME 04103

Re: Foundation Brewing Company d/b/a Foundation Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property and Food Service Establishment without Preparation at 1 Industrial Way.

Dear Mr. Mahaffey,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery Alcohol Service License with Entertainment without Dance, Outdoor Dining on Private Property and Food Service Establishment without Preparation at 1 Industrial Way. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner

Business License Administrator

207-874-8557

bl@portlandmaine.gov

*Order 288-15/16
Tab 25 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Ricker Hill Farms Inc. d/b/a Tasting Cellar. Application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way.

Letter of intent to do business in Portland Maine

Honorable Mayor Ethan K. Strimling, and members of the City Council;

We the Ricker family through Ricker Hill Farms Inc. would like to do business in Portland at the one Monument Way Building. This business would include tasting room activities, and some food sales ranging from apples, produce, vinegars, to pre-packaged foods. These activities would also be conducted in our "sidewalk café" set up on the sidewalk which may partially include some square footage on the city park adjacent to the one Monument Way building.

Respectfully submitted,

Harry Ricker

GM

Ricker Hill Farms Inc.

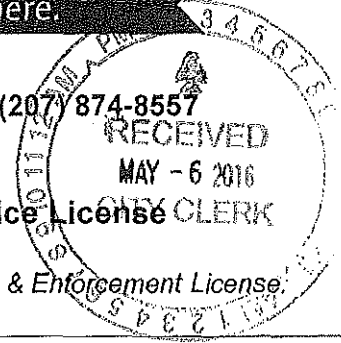


Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information	§		
Business Name (d/b/a):	Tasting Cellar	Phone:	207 754-3455
Location Address:	One Monument Way, Portland	Zip:	04101
If new, what was formerly at this location:	Evolution Fitness		
Mailing Address:	PO. Box 202, Turner ME	Zip:	04282
Contact Person:	Harry Ricker	Phone:	207 754-3455
Contact Person Email:	harry.ricker@gmail.com		
Manager of Establishment:	Joshua Cooley	Date of Birth:	7/18/90
Owner of Premises (Landlord):	Steve Whittier, East End Corp.		
Address of Premises Owner:	PO. Box #10291, Portland	Zip:	04104

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	
Ricker Hill Farms LLC		PO. Box 202, Turner ME, 04282	
Contact Person:	Harry Ricker	Phone:	207 754-3455
Principal Officers	Title	Date of Birth	Residence Address
Andrew Ricker	President	6/25/85	50 Cranapple Lane, Turner ME
Jenny Mahue	VP	4/8/81	309 Ricker Hill Road, Turner ME
Harry Ricker	GM	5/17/61	35 Macintosh Drive, Turner ME

About Your Establishment

Type of Establishment:	Brewery <u>Winery</u> <u>Distillery Pending</u>
Hours & days of operation:	11-8 pm, 7 days

QUESTIONS

Will food be made, served, and/or sold on the premise by this establishment?

Y/N
Y

If yes, please submit a City of Portland Food Service Establishment license application.

Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?

Y/N
Y

If yes, give the distance:

Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)

Y/N
Y

Will you permit dancing on the premises?

Y/N
Y

Will you permit dancing after 1:00 a.m.?

Y/N
Y

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).

mostly public 95%

Will you have any amusement devices (pinball, video games, juke box)?

Y/N
Y

If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____

What is your targeted opening date?

6/16/16

Does the Issuance of this license directly or indirectly benefit any City employee(s)?

Y/N
Y

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
Y

If Yes, please list business name(s) and location(s):

Ricker Hill, Portland Public Mkt., Cumberland St.

Is any principal officer under the age of 21?

Y/N
Y

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?

Y/N
Y

If Yes, please explain:

Harry Ricker, illegal transportation by minor 1979, + traffic infractions

I, Harry Ricker 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 GM Date 5/5/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

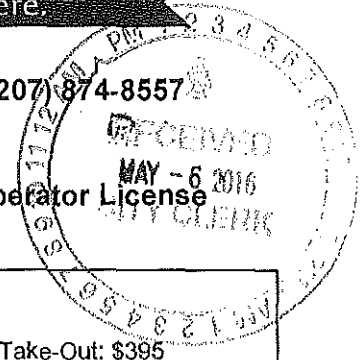
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st



- ☐ Application Fee: \$35 ☐ FSE with Preparation or Community Kitchen License: \$437
☐ Renewal Fee: \$25 ☒ FSE without Preparation License: \$172 ☐ Beer & Wine Take-Out: \$395

Business Information	
Business Name (d/b/a): pending	Tasting Cellar
Location Address:	One Monument Way, Portland
If new, what was formerly at this location:	Evolution Fitness
Mailing Address:	P.O. Box 202, Turner ME
Contact Person:	Harry Ricker
Contact Person Email:	harry.ricker@gmail.com
Manager of Establishment:	Joshua Cooley
Owner of Premises (Landlord):	Steve Whittier, East End Corp
Address of Premises Owner:	P.O. Box 10291, Portland

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	
Ricker Hill Farms Inc.		P.O. Box 202, Turner ME 04282	
Contact Person:	Harry Ricker	Phone:	207 754-3455
Principal Officers	Title	Date of Birth	Residence Address
Andrew Ricker	Pres.	6/25/85	50 Cranapple Lane, Turner ME
Jenny Mahue	VP	4/8/81	309 Ricker Hill Rd, Turner ME
Harry Ricker	GM	5/17/61	50 Macintosh Drive, Turner ME

About Your Establishment

Type of Food Served (include a menu):	Please see attached menu
Hours & Days of Operation:	7am-8pm M-F, 8am-8pm Sat, 11am-8pm Sunday

Certified Food Protection Manager Certificate number & expiration date: Pending	
If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.	

QUESTION- For Food Service Establishments ONLY:	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N ☒
Will you permit dancing on the premises?	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 <u>PUBLIC</u> or <u>PRIVATE</u> property (circle one). ≤ 5% private	Y/N ☒
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N ☒
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date?	
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): Ricker Hill at Portland Public Mkt, Cumberland St.	
Is any principal officer under the age of 18?	Y/N ☒

For Community Kitchen Operators ONLY:

It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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 GM Date 5/5/16

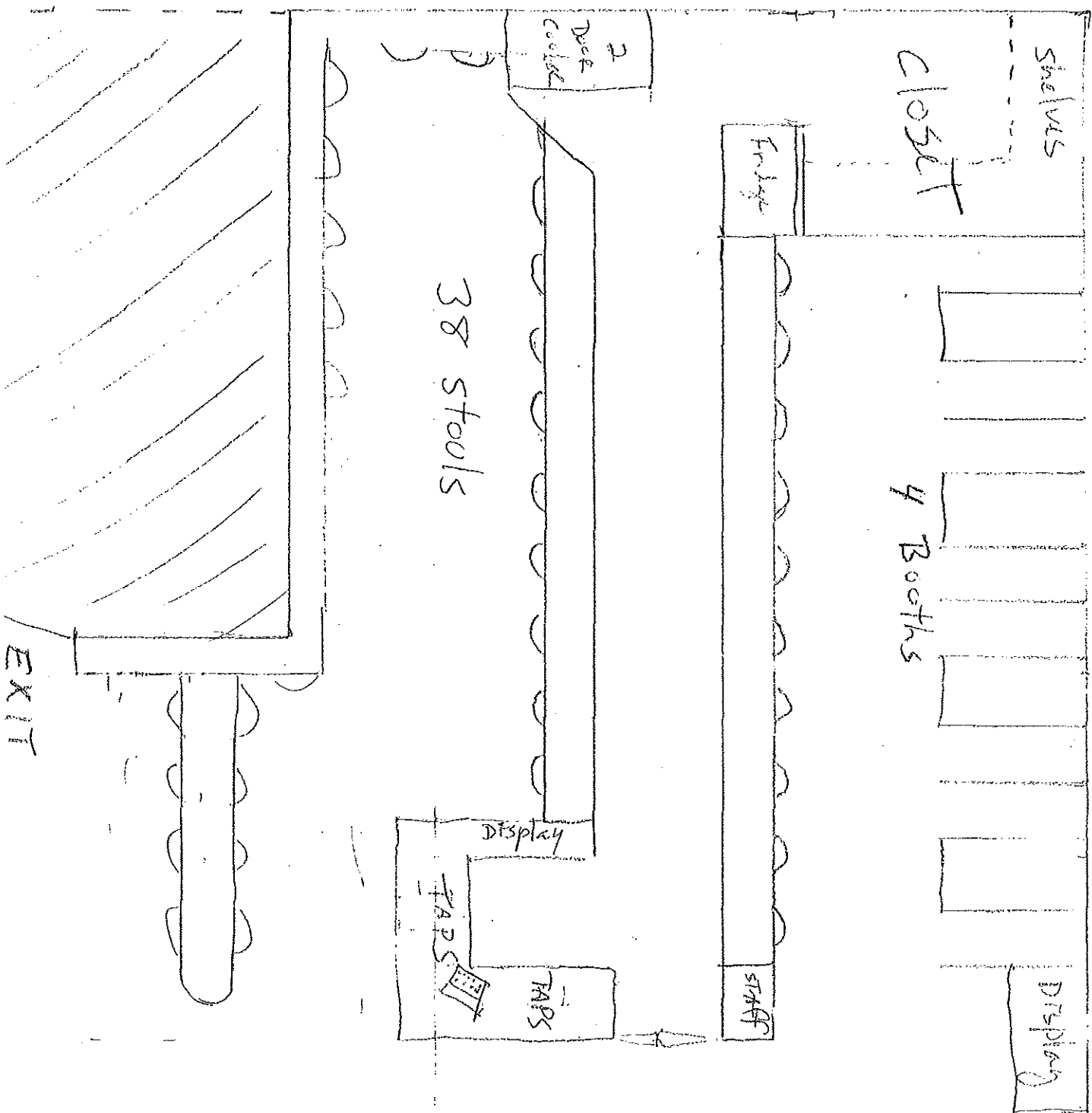
For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

For Administrative Use Only

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

1" = 4'

"Close up of Rick's Testing Cabin Set up (B)



EXIT

3 Bay
Sink
Glass
Lasher

Protein
Cooler

Food
Display
Area

TASTING KIT A

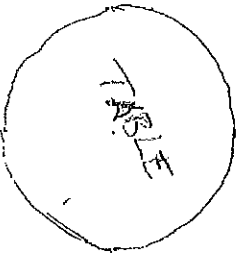
Diagram



Rick's Tasting Cellar

Food Sales Area

Close up of set up

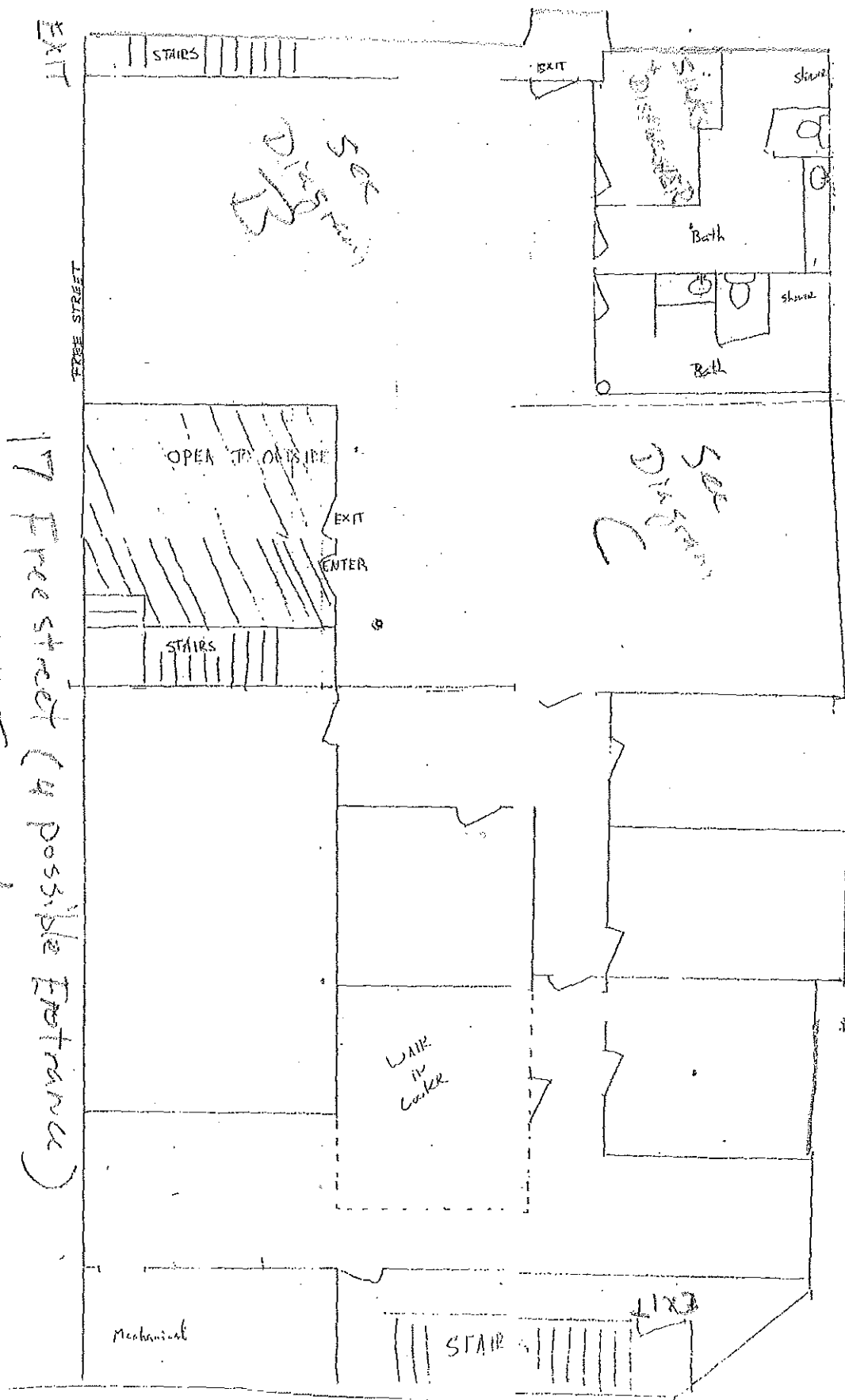


EXIT

ENTER

1" = 4'

17 Free Street (4 possible Entrances)
Ricker Hill Farms Inc.





Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property		
☒ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☒ Outdoor Dining in a Historic District ☐ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☒ Liquor License required? City Clerk signature for liquor license approval: _____ OR Pending Council Date: 6/6/16		
Location Name & Address: ONE MONUMENT WAY	Chart 027	Block F011001
Owner Name: East End Corp. Owner Phone #: 207-773-0225	Total Square Footage of Proposed Outdoor Dining Area: ¹ 260	
Applicant *must* be owner or lessee Name: Harry Rickler Address: P.O. Box 202, 11 Rickler Hill Rd. City, State & Zip: Turner Me. 04282 E-Mail: harry.rickler@gmail.com		
Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: 260 Sq. Ft. Fee: (sq ft x \$2) \$ 416 (sq ft x \$6 for public parks) 1560 Total Fees: \$ 916 (Permit not issued until all fees are paid)		
Current use: MONUMENT Way Pedestrian Area Business name: Rickler Hill Farm		
Seating area dimensions: 13' x 20' How many chairs? 24 How many tables? 5? (69' linear of cup railing) ☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: Harry Rickler Phone: 207 754 3455 Address: P.O. Box 202, Turner ME E Mail: harryrickler@gmail.com		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

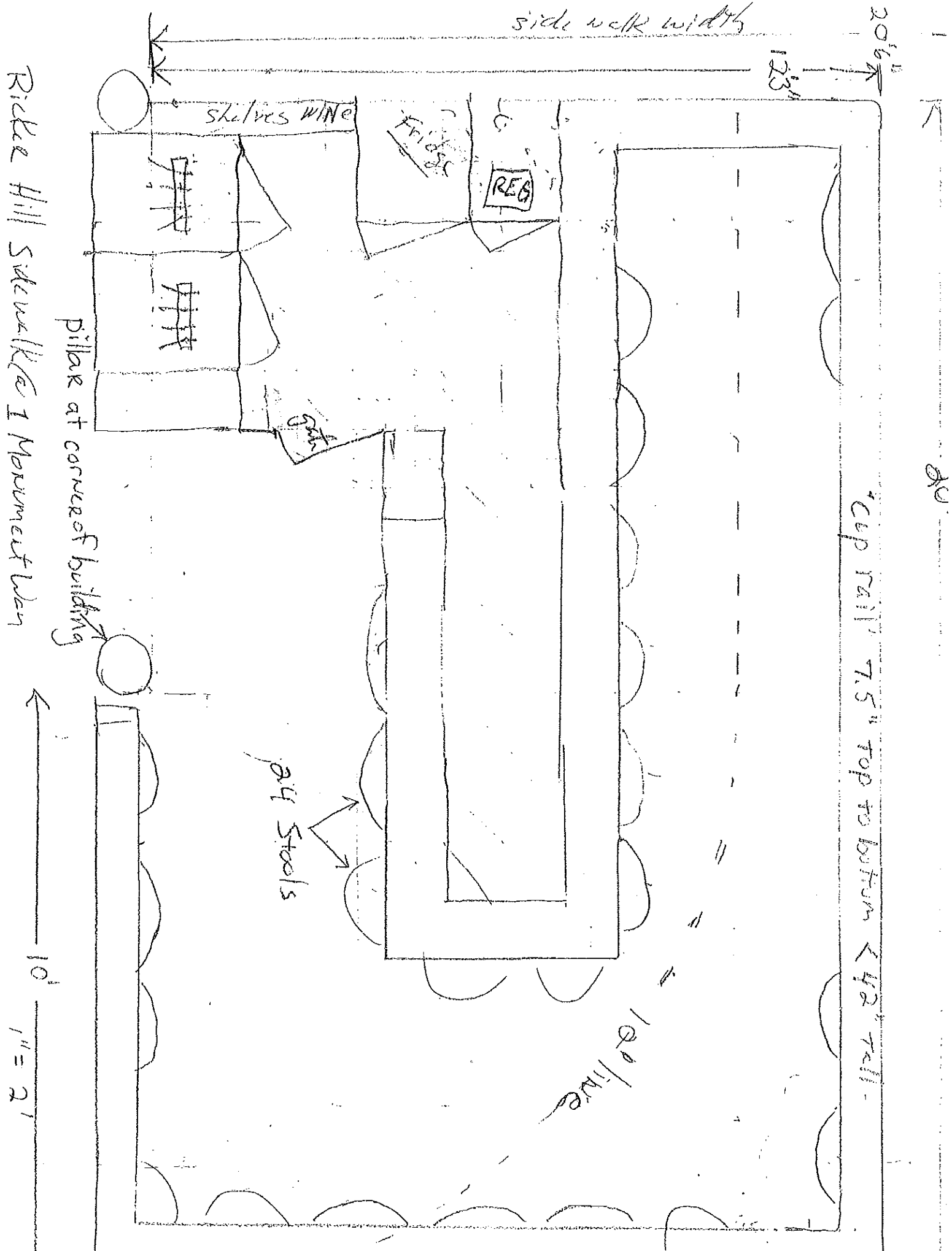
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____

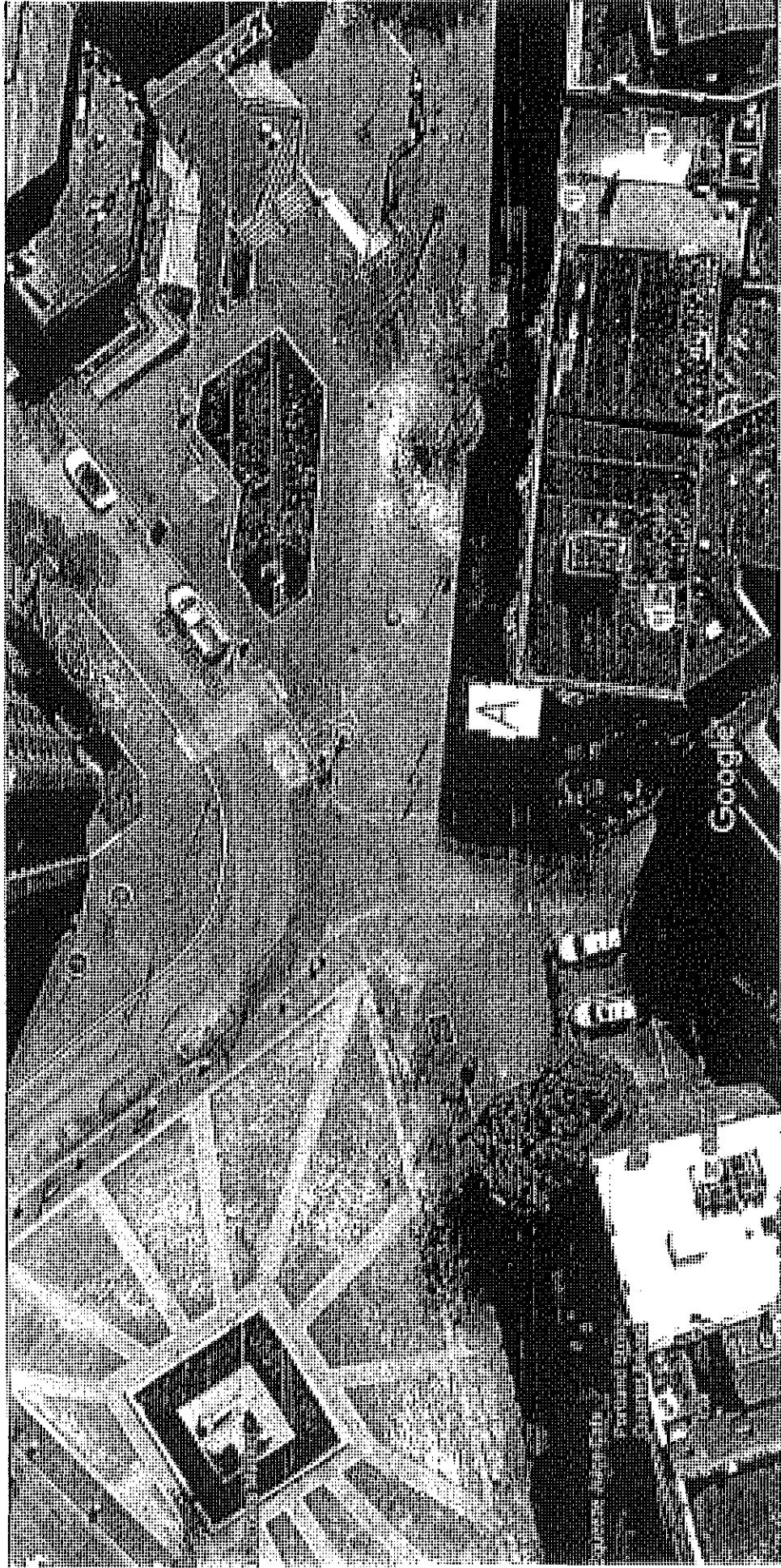
Date: 4/30/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



Google Maps

1 Monument Way
Ricker's Tasting Room



Imagery ©2016 Google, Map data ©2016 Google 20 ft

- Lot lines at edge of building, adjacent to proposed tasting area "A"
- Federal St. and Monument Way
- 20'6" west side 10'++ Monument Way (side walk width same as Monument Square?)
- Sidewalk Set Back?

Ricker Hill Farms Inc "Tasting Cellar"

Menu of foods (not prepared in this facility)

We grow many of these items, we will also source locally, then other as needed.

Fresh fruits and vegetables (many from our farm)

Dried Fruit

Apple chips, Potato chips, and similar

Granolas

Fruit cups

Juices, teas, and other drinks

Yogurt, cheese, milk, frozen yogurt, and ice cream

Dried and/or smoked fish, chicken, beef, lamb, and similar

Farm baked breads, and packaged items from Foley's Bakery

Packaged sandwiches, roll ups, and similar

Fine vinegars, (we have a new line of them for this summer)



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854324

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) JOSHUA COOLEY (1990-07-18)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854328

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) ANDREW RICKER (1985-06-25)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854325

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) JENNY MAHUE (1981-04-08)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854332

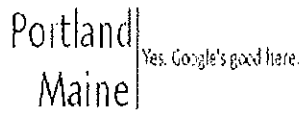
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-09) :

Inquiries Name(s) **HARRY RICKER (1961-05-17)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Tasting Cellar-1 Monument Way

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 2:14 PM

To: Janice Gardner <jgardner@portlandmaine.gov>

Police approve

On Mon, May 9, 2016 at 3:22 PM, Janice Gardner <jgardner@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Ricker Hill Farms Inc.
Attn: Harry Ricker
PO Box 202
Turner, ME 04282

Re: Ricker Hill Farms Inc. d/b/a Tasting Cellar. Application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way.

Dear Mr. Ricker,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Winery and Distillery Alcohol Service License with Outdoor Dining on Public and Private Property and Food Service Establishment without Preparation at 1 Monument Way. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 289-15/16
Tab 26 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Wassal, LLC d/b/a Maine Mead Works. Application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave.



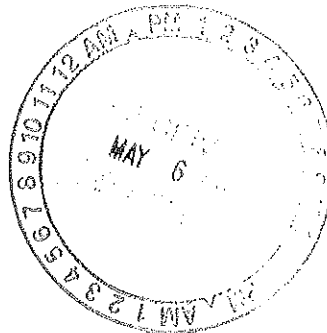
HONEYMAKER.

MAINE MEAD WORKS | PORTLAND, ME

Maine Mead Works
51 Washington Avenue
Portland, Maine 04101

voice 207.773.MEAD (6323)
fax 207 773. 6324

www.MaineMeadWorks.com



May 6, 2016

City of Portland
389 Congress St.
Portland, Maine 04101

RE: Letter of Intent

To Mayor Strimling and Members of the City Council

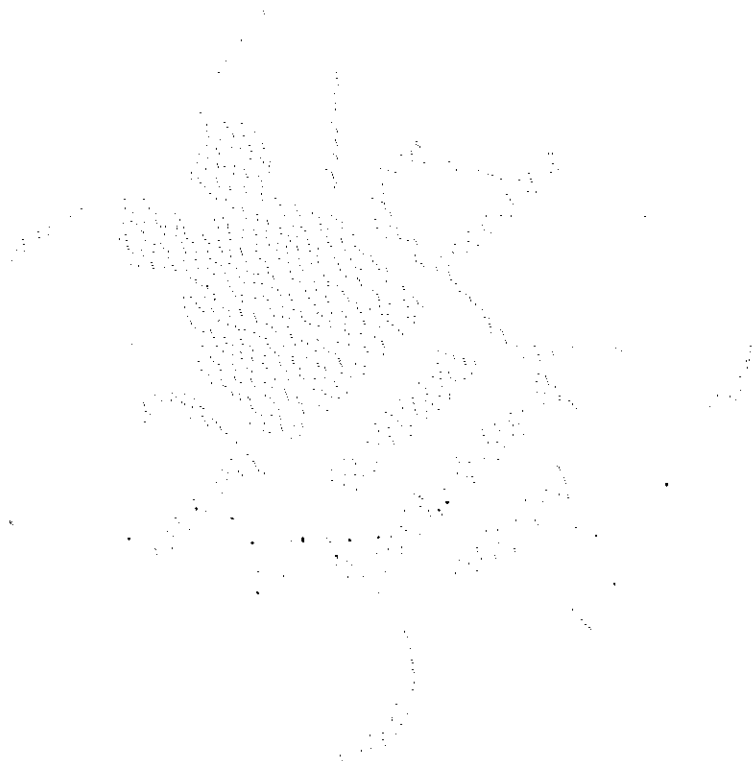
Please find the attached the Application for Brewery, Winery and Distillery Alcohol Service License for Wassail, LLC dba Maine Mead Works. Maine Mead Works currently operates a tasting room at 51 Washington Avenue in Portland and is requesting this license to continue operating this tasting room. Additionally, we are applying for a Food Service Establishment to serve pre-packaged food and snacks.

If you have any questions or concerns, please do not hesitate to contact me at 207-773-6323 or ben@mainemeadworks.com.

Thank you for your time and consideration.

Kind Regards,

Ben Alexander
President, Maine Mead Works



Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8867
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.

Business Information	
Business Name (d/b/a):	Maine Mead Works Phone: 207-773-6323
Location Address:	51 Washington Ave. Portland, ME 04101 Zip:
If new, what was formerly at this location:	N/A
Mailing Address:	Same as Above Zip:
Contact Person:	Ben Alexander Phone: 207 773-6323
Contact Person Email:	ben@mainemeadworks.com
Manager of Establishment:	Ben Alexander Date of Birth: 5/5/75 Phone: 207 773-6323
Owner of Premises (Landlord):	Cotton St. Holdings
Address of Premises Owner:	75 Washington Ave #2H Portland, ME 04101 Zip:

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	
Wassal, LLC		51 Washington Ave. Portland, ME 04101 Zip:	
Contact Person:	Ben Alexander	Phone:	207-773-6323
Principal Officers	Title	Date of Birth	Residence Address
Ben Alexander	President	5/5/75	296 Spring St. #3 Portland, ME 04102

About Your Establishment

Type of Establishment:	Brewery <u>Winery</u> Distillery
Hours & days of operation:	<u>M-Sat 11am - 6pm Sunday 12pm - 4pm</u>

QUESTIONS

Will food be made, served, and/or sold on the premise by this establishment?	Y/N <u>Y</u>
If yes, please submit a City of Portland Food Service Establishment license application.	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N <u>Y</u>
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N <u>Y</u>
Will you permit dancing on the premises?	Y/N <u>Y</u>
Will you permit dancing after 1:00 a.m.?	Y/N <u>Y</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N <u>Y</u>
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 <u>Y</u>
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	Y/N <u>Y</u>
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	
If Yes, please explain:	

I, Ben Alexander 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 President Date 5/5/25

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



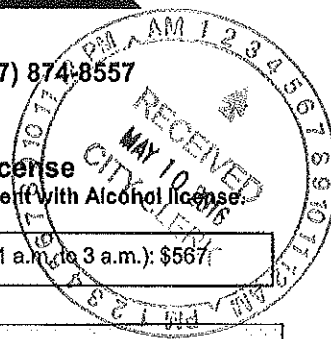
Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281 ☐ Entertainment with Dancing: \$504 ☐ After-Hours (1 a.m. to 3 a.m.): \$567



Business Information	
Business Name (d/b/a):	Maine Mead Works
Phone:	207-773-6323
Location Address:	51 Washington Ave. Portland ME 04101

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:	
Will music be electric, acoustical, or both? (Circle)	
Will amplification be used?	Yes
If yes, where and at what level?	< 75dB
Will music be played (Circle all that apply):	Inside Outside
Will you permit dancing on the premises?	No
Will you permit dancing after 1:00 a.m.?	No
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	150 ft.
What is your targeted opening date?	June 15, 2016
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):	

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.

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 President Date 5/6/16

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

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment or Community Kitchen Operator License
License expires annually on January 31st

☐ Application Fee: \$35
 ☐ FSE with Preparation or Community Kitchen License: \$437

☐ Renewal Fee: \$25
 ☒ FSE without Preparation License: \$172
 ☐ Beer & Wine Take-Out: \$395

Business Information	
Business Name (d/b/a):	Maine Mead Works Phone: 207-773-6323
Location Address:	51 Washington Ave. Portland, ME 04101 Zip: 04101
If new, what was formerly at this location:	N/A
Mailing Address:	Same as above Zip:
Contact Person:	Ben Alexander Phone: 207-773-6323
Contact Person Email:	ben@mainemeadworks.com
Manager of Establishment:	Ben Alexander Phone: 207-773-6323
Owner of Premises (Landlord):	Cotton Street Holdings.
Address of Premises Owner:	75 Washington Ave. #2H Portland, ME 04101 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	
Wassail, LLC		51 Washington Ave. Portland, ME 04101	
Contact Person:	Ben Alexander	Phone:	207-773-6323
Principal Officers	Title	Date of Birth	Residence Address
Ben Alexander	President	5/5/75	296 Spring St. #3 Portland ME 04101

About Your Establishment

Type of Food Served (include a menu):	Prepackaged Snacks.
Hours & Days of Operation:	11-6 Mon-Sat 12-4 Sun

Certified Food Protection Manager Certificate number & expiration date: Pending
 If this has not yet been obtained, indicate that it is pending. Please have it ready for your health inspection.

QUESTION- For Food Service Establishments ONLY:

	Yes/No
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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 <u>PRIVATE</u> property (circle one).	Y/N
Will you have any amusement devices (pinball, video games, jukebox)?	Y/N
If yes, please list the number of pinball machines: _____ amusements: _____ pool tables: _____	
What is your targeted opening date? <u>June 15, 2016</u>	
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 18?	Y/N

For Community Kitchen Operators ONLY:

It is your responsibility to maintain a schedule of users and assure sufficient time for cleaning and sanitizing between uses.

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 President Date 5/6/16

For more information about Food Service Establishments and Community Kitchens, see Portland City Code Chapter 11 at:
www.portlandmaine.gov

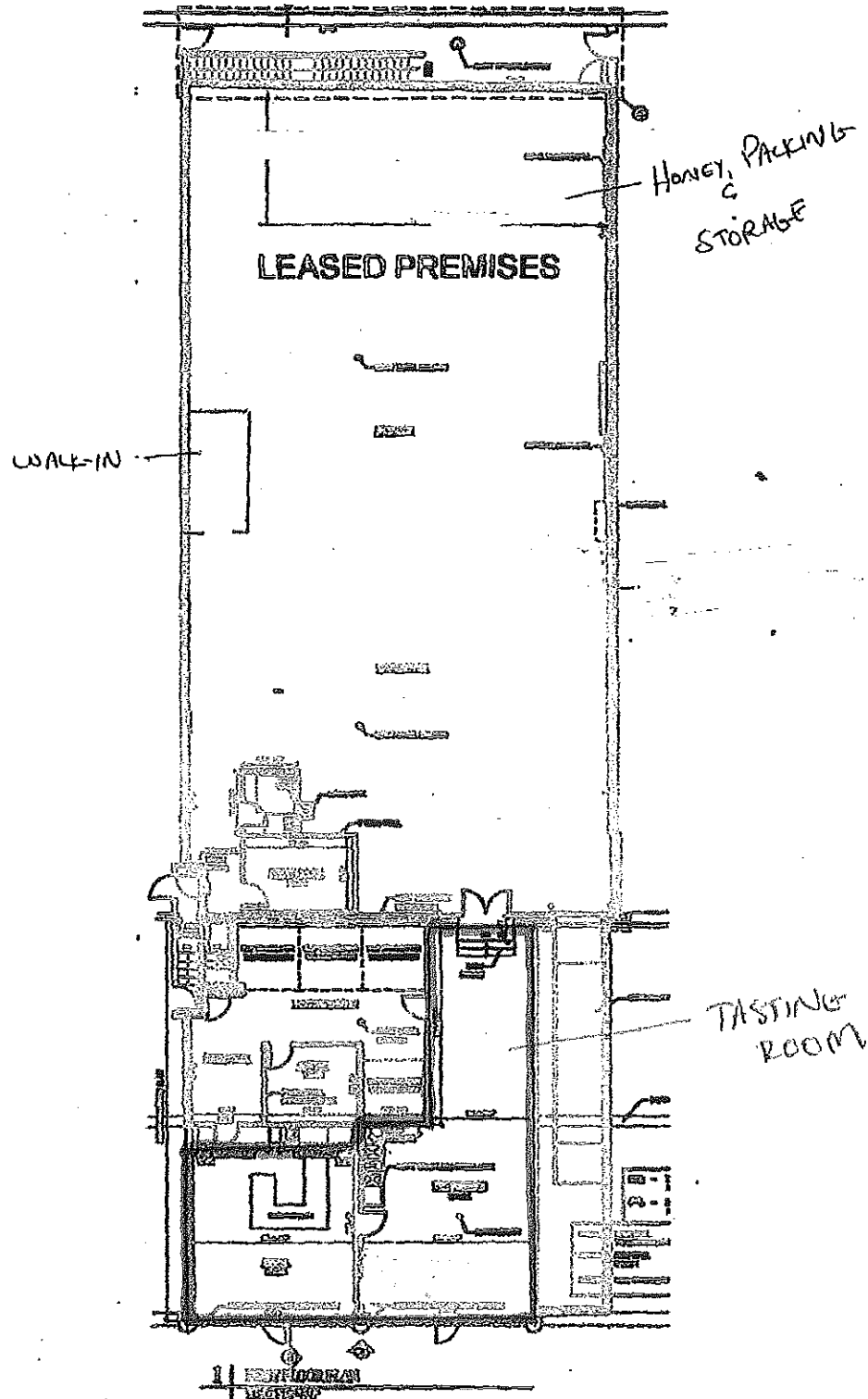
For Administrative Use Only

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

51 WASHINGTON AVE.

WASSAIL, LLC DBA MAINE MEAD WORKS

EXHIBIT B



Bathrooms location to be moved to side wall and the break room and single office deleted.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C854531

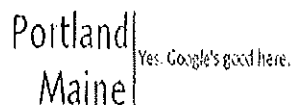
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-10) :

Inquiries Name(s) BEN ALEXANDER (1975-05-05)

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Maine Mead Works-51 Washington Ave

Gary Rogers <garyr@portlandmaine.gov>

Tue, May 10, 2016 at 12:53 PM

To: Janice Gardner <jgardner@portlandmaine.gov>

Police approve

On Mon, May 9, 2016 at 2:59 PM, Janice Gardner <jgardner@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Maine Mead Works
Attn: Ben Alexander
51 Washington Ave.
Portland, ME 04101

Re: Wassal, LLC d/b/a Maine Mead Works. Application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave.

Dear Mr. Alexander,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Winery Alcohol Service License with Entertainment without Dance and Food Service Establishment without Preparation at 51 Washington Ave. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

A handwritten signature in cursive script, appearing to read "Janice Gardner".

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 290-15/16
Tab 27 6-6-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Ginza Town Inc d/b/a Ginza Town. Application to add Outdoor Dining on Private Property at
1053 Forest Ave.**

Letter of Intent

May 11, 2016

Dear Mayor Strimling and members of City Council,

We, Glnza Town, would like to add a small outdoor seating area on private property that is currently used for employee parking. We would like to add 8 picnic tables in a 27ft x 20ft space that will be roped off. We will be serving Japanese and Vietnamese food along with beer, wine, and liquor.

Thank you so much for your consideration,

Duc Bui



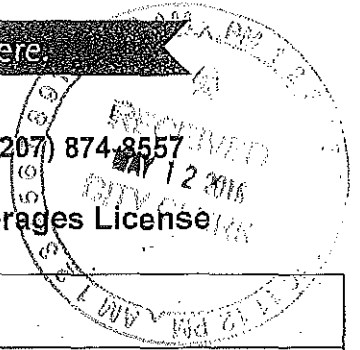
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557

Application for Food Service Establishment with Alcoholic Beverages License



Business Information.	
Business Name (d/b/a):	Ginza Town
Location Address:	1053 Forest Ave, Portland ME 04103
If new, what was formerly at this location:	
Mailing Address:	1053 Forest Ave Portland ME 04103
Contact Person:	Kevin Ouellette
Contact Person Email:	amazingdjmusic@gmail.com
Manager of Establishment:	Duc Bui
Owner of Premises (Landlord):	Christopher Leferre
Address of Premises Owner:	200 Riverside Parkway Portland ME 04103

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

Name of Owner(s)	Date of Birth	Residence Address
Coleman Bui	2/10/50	999 Highland Ave South Portland ME 04106
Duc Bui	3/6/71	326 Auburn St #3 Portland 04103

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

Corporate Name		Corporate Mailing Address	
Ginza Town Inc		999 Highland Ave South Portland ME	
Contact Person:	Duc Bui	Phone:	207 878-9993
Principal Officers	Title	Date of Birth	Residence Address

About Your Establishment

Class of Liquor License:	1	
Type of food served:	Asian	
Please circle all that will be served:	Beer Wine Liquor	
Projected percentage of sales:	Generated from Food: 95%	Generated from Alcohol: 4%
Hours & days of operation:	11am-9 ³⁰ pm M-T 11am-10pm F-Sa 11a-9p Sun	

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 Dancing & Entertainment is required.)	Y/N
Will you permit dancing on the premises?	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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	6/1/16
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, Duc Bui 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 Duc Bui Title OWNER Date 3-22-16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property ☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☒ No ☐ Petition for Exception for Special Circumstances ☒ Liquor License required? City Clerk signature for liquor license approval: _____ OR Pending Council Date: 6/6/16			
Location Name & Address: <u>Ginza Town 1053 Forest Ave</u>	Chart	Block	Lot
Owner Name:	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>540 sq ft.</u>		
Owner Phone #: <u>207-878-9993</u>	Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: _____ Sq. Ft. Fee: (sq ft x \$2) \$ _____ (sq ft x \$6 for public parks) \$ _____ Total Fees: \$ _____ (Permit not issued until all fees are paid)		
Applicant *must* be owner or lessee Name: <u>Duc Bui</u> Address: <u>1053 Forest Ave</u> City, State & Zip: <u>Portland ME 04103</u> E-Mail: <u>amazingdjmusic@gmail.com</u>			
Current use: <u>Employee Parking</u> Business name: <u>Ginza Town</u> Seating area dimensions: <u>20 feet x 27 feet</u> How many chairs? <u>32</u> How many tables? <u>8</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.			
Who should we contact: <u>Kevin Ouellette</u> Phone: <u>603-425-3552</u> Address: <u>1053 Forest Ave</u> E Mail: <u>amazingdjmusic@gmail.com</u>			

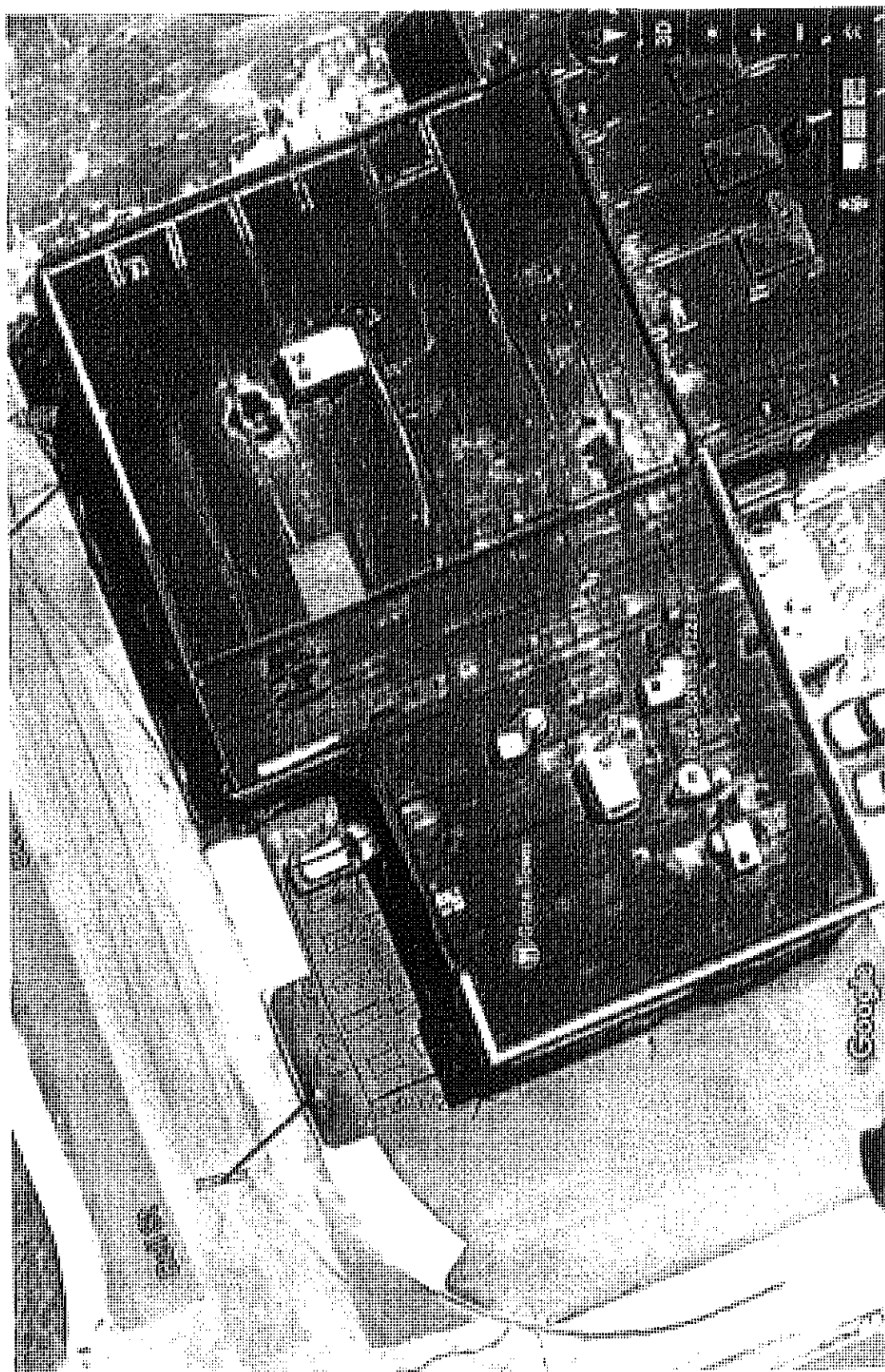
Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

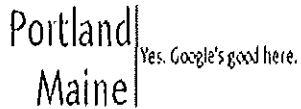
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: Duc Bui Date: 3-22-16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.





Janice Gardner <jgardner@portlandmaine.gov>

Ginza Town - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov>

Mon, May 16, 2016 at 1:14 PM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Ginza Town
Attn: Coleman & Duc Bui
1053 Forest Ave.
Portland, ME 04103

Re: Ginza Town Inc d/b/a Ginza Town. Application to add Outdoor Dining on Private Property at 1053 Forest Ave.

Dear Coleman and Duc,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application to add Outdoor Dining on Private Property at 1053 Forest Ave. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Order 291- 15/16
Tab 28 6-6-16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Austin Street Brewery, LLC d/b/a Austin Street Brewery, LLC. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8.



Will Fisher
Austin Street Brewery
1 Industrial Way, Unit 8
Portland, ME 04103

Mayor & Members of the City Council
Office of the City Clerk
389 Congress Street
Portland, ME 04101

May 15, 2016

To Whom It May Concern:

By this letter, I, as the co-owner of Austin Street Brewery, request a Brewery Alcohol Service License through the City of Portland.

Per the application checklist provided by Janice Gardner, I have attached the required documentation with this letter.

Thank you in advance for your cooperation. Should you have any questions, please do not hesitate to call me.

Sincerely,

Will Fisher
Co-Owner, Austin Street Brewery
207-837-4376

Jake Austin
Co-Owner, Austin Street Brewery

Portland, Maine



Yes, Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



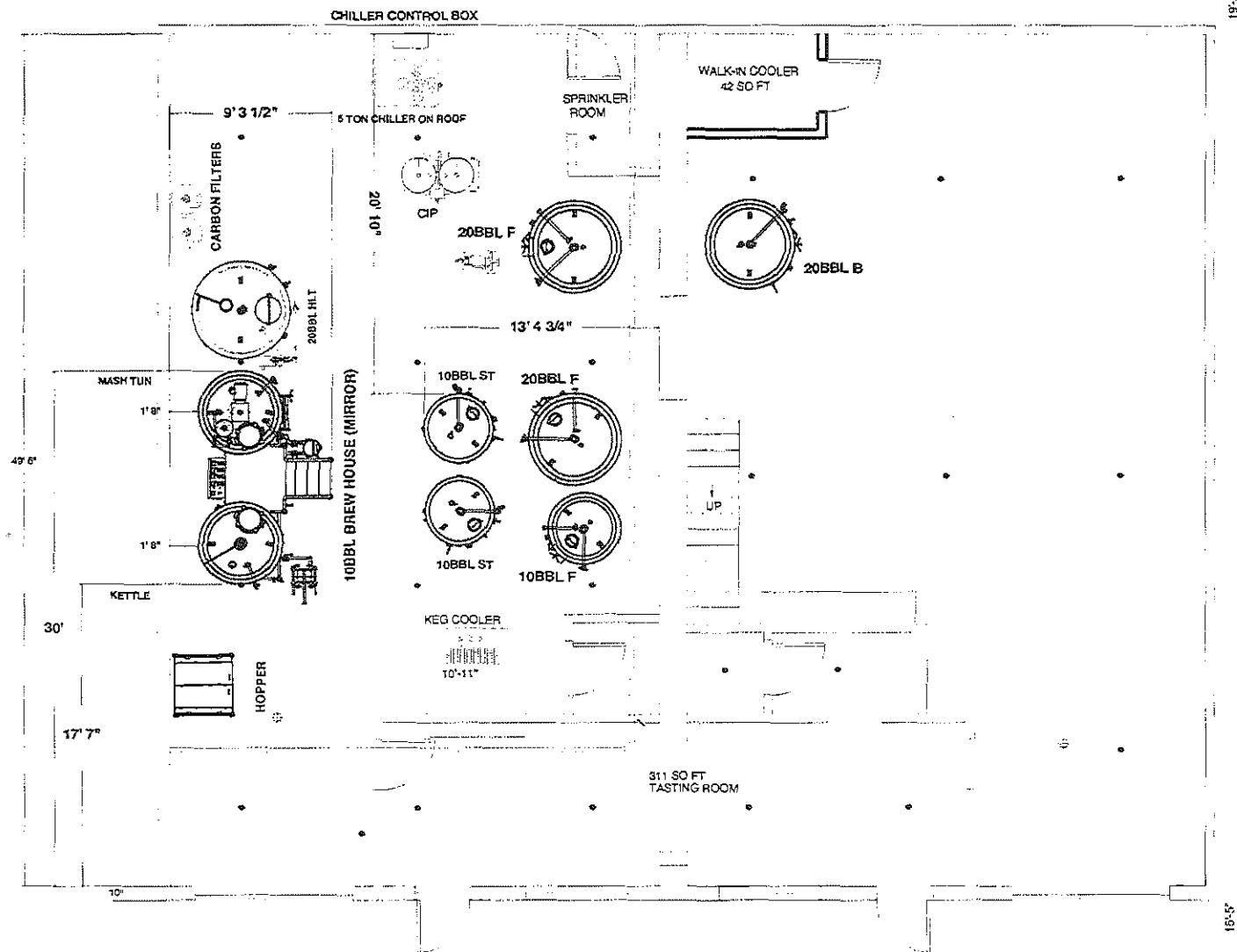
Business Information	
Business Name (d/b/a):	Austin Street Brewery, LLC Phone: 207-837-4376
Location Address:	1 Industrial Way, Unit 8+6 Portland, ME Zip: 04103
If new, what was formerly at this location:	
Mailing Address:	1 Industrial Way, Unit 8, Portland, ME Zip: 04103
Contact Person:	Will Fisher Phone: 207-837-4376
Contact Person Email:	will@austinstreetbrewery.com
Manager of Establishment:	Will Fisher Date of Birth: 1/6/83 Phone: 207-837-4376
Owner of Premises (Landlord):	Bibeau and Company, Inc.
Address of Premises Owner:	340 Fore St, 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	
Austin Street Brewery, LLC		1 Industrial Way, Unit 8, Portland, ME Zip: 04103	
Contact Person:	Will Fisher	Phone:	207-837-4376
Principal Officers	Title	Date of Birth	Residence Address
Will Fisher	Co-owner	1/6/83	1380 Westbrook St, Portland, ME 04102
Jake Austin	Co-owner	1/15/80	79 Bramhall St, Apt 2E, Portland, ME 04102



ABE

PROPRIETARY INFORMATION
DO NOT DUPLICATE

DRAWING BY
JOHN SWANCARA

COPYRIGHT American Beer Equipment
All rights reserved

THIS DRAWING IS FOR RECOMMENDED LAYOUT OF EQUIPMENT AND CONNECTIONS ONLY. ALL FINAL POSITIONS AND CONNECTIONS ARE THE RESPONSIBILITY OF THE PURCHASER AND SHOULD BE APPROVED BY PURCHASER'S CONTRACTOR TO MEET ALL RELEVANT CODES. ANY CHANGES IN EQUIPMENT POSITION AFTER DRAWING IS ADOPTED MAY RESULT IN INCREASED INSTALLATION COSTS TO OWNER.

Drawing Final Approval: Please review the drawings carefully as this is considered the final approval once signed and returned. Any changes to the drawings henceforth will require significant work and changes will be charged at a rate of \$125.00 per Hour.

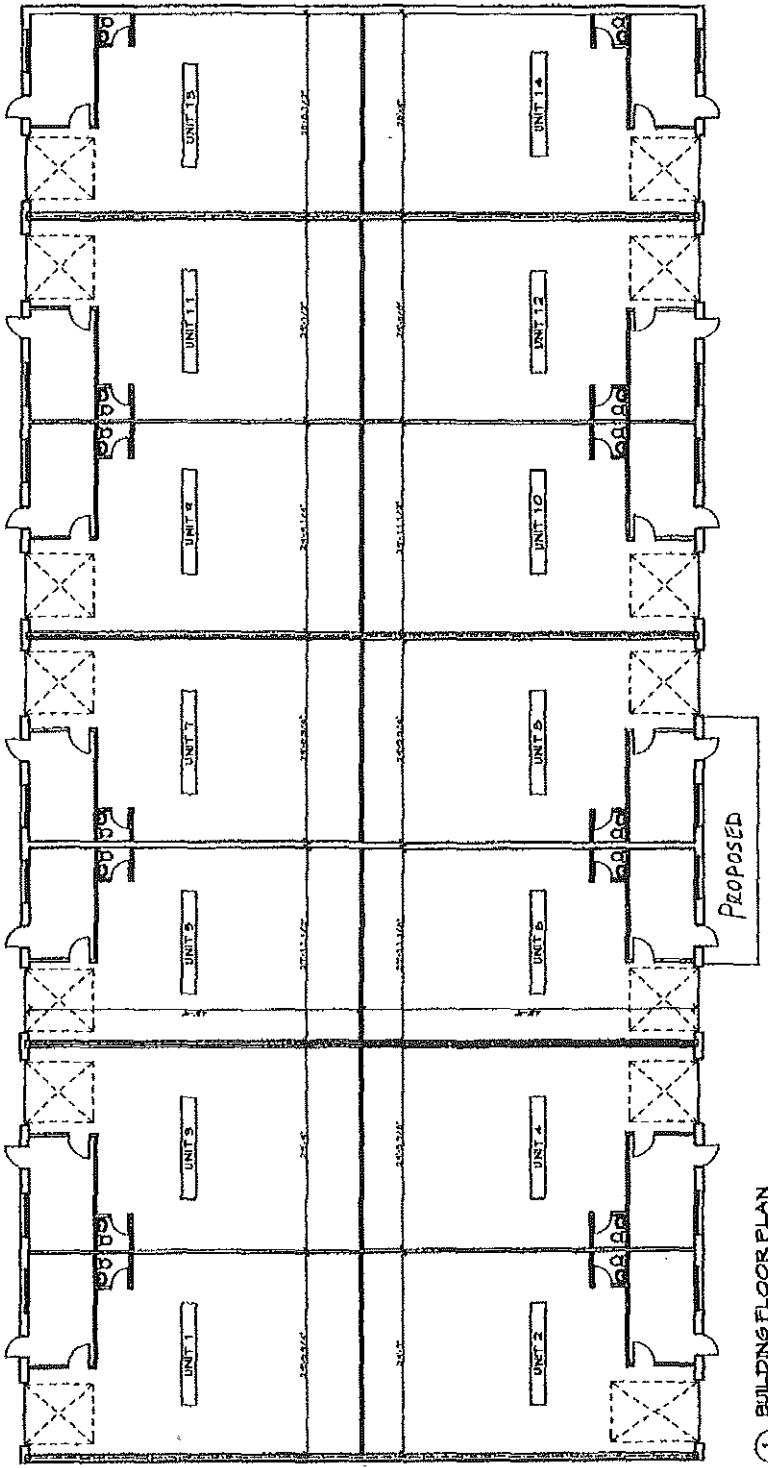
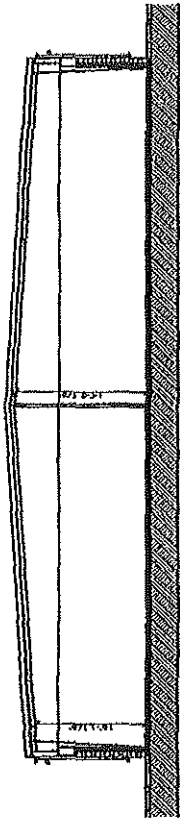
DESCRIPTION

AUSTIN STREET BREWING LAYOUT

REV **4**

DATE

09/09/15



RIVERSIDE STREET

1 BUILDING FLOOR PLAN
SCALE 1/8" = 1'-0"



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☒ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property		
☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit?		
☐ Outdoor Dining in a Historic District ☐ Yes ☐ No		
☐ Petition for Exception for Special Circumstances		
☐ Liquor License required?		
City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____		
Location Name & Address: <u>1 Industrial Way, Suite 8, Portland, ME 04103</u>	Chart <u>327A</u>	Block <u>A</u>
Owner Name: <u>Don St. Jean</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>525</u>	
Owner Phone #: <u>714-633-2344</u>	Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: _____ Sq. Ft. Fee: (sq ft x \$2) \$ _____ (sq ft x \$6 for public parks)	
Applicant *must* be owner or lessee Name: <u>William Fisher</u> Address: <u>1380 Westbrook St.</u> City, State & Zip: <u>Portland, ME 04102</u> E-Mail: <u>will@austinstreetbrewery.com</u>	Total Fees: \$ <u>125.00</u> (Permit not issued until all fees are paid)	
Current use: <u>Brewery</u>		
Business name: <u>Austin Street Brewery</u>		
Seating area dimensions: <u>15' x 35'</u>		
How many chairs? <u>0</u> How many tables? <u>3 (picnic tables)</u>		
☒ Yes Alcohol is served. ☐ No Alcohol being served.		
Who should we contact: <u>William Fisher</u> Phone: <u>207-837-4376</u>		
Address: <u>1380 Westbrook St. Portland, ME 04102</u> E Mail: <u>will@austinstreetbrewery.com</u>		

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

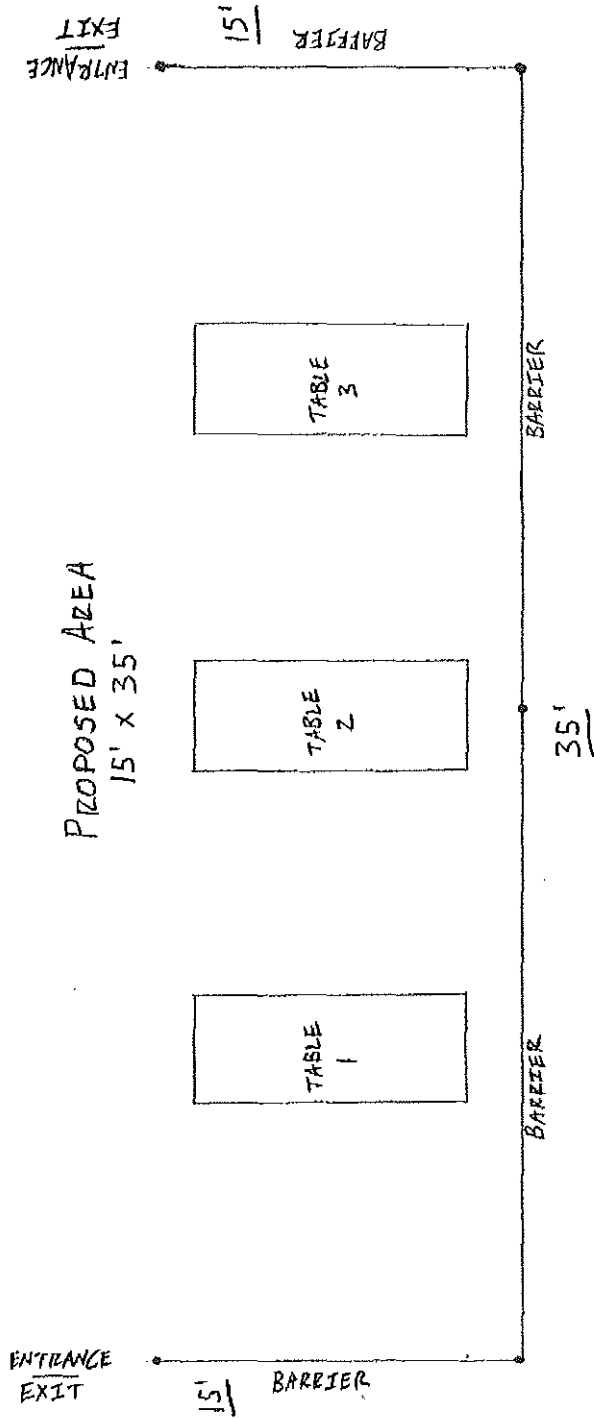
I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: [Signature] Date: 3.16.16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

EXISTING BUILDING
1 INDUSTRIAL WAY
PORTLAND, ME 04103

SCALE
1" = 5'





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C861870

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-16) :

Inquiries Name(s) **JAKE AUSTIN (1980-01-15)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C861866

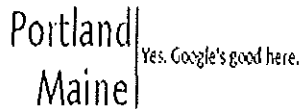
Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-16) :

Inquiries Name(s) **WILL FISHER (1983-01-06)**

NO MATCH WAS FOUND FOR YOUR REQUEST.



Janice Gardner <jgardner@portlandmaine.gov>

Austin Street Brewery, LLC at 1 Industrial Way, Units 6 & 8

Gary Rogers <garyr@portlandmaine.gov>

Wed, May 18, 2016 at 10:22 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Mon, May 16, 2016 at 3:31 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

--
Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546



Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2016

Austin Street Brewery, LLC
Attn: Will Fisher & Jake Austin
1 Industrial Way, Units 6 & 8
Portland, ME 04103

Re: Austin Street Brewery, LLC d/b/a Austin Street Brewery, LLC. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8.

Dear Mr. Fisher & Mr. Austin,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Units 6 & 8. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

*Order 292-15/16
Tab 29 66-16*

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

G. Robert Tod d/b/a Allagash Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way.

Jill Perry
Allagash Brewing Company
50 Industrial Way
Portland, ME 04103

April 25, 2016

Office of the City Clerk
389 Congress St
Portland, ME 04101



To Whom It May Concern,

Allagash Brewing Company is a 100 person brewing company that has been in business in Portland for 20 years. We produce Belgian-inspired beers that are distributed in 17 states of the US. Allagash produced 80,000 barrels of beer in 2015, placing us in the top 50 largest craft brewers in the country.

Here at the brewery we offer free tours and free tastings 7 days per week. We sell beer for off-premise consumption, as well as merchandise. We do not sell beer to be consumed on premise. We also offer a small selection of pre-packaged snacks. A few times per month we host events of varying sizes: beer releases parties, fund-raisers, movies, and on occasion a festival.

We have one large tasting room and retail store with an attached patio. We also have a bar in our barrel room, where guests who are taking the tour do their tasting. Guests are allowed one tasting per visit. We monitor this by way of a system using tokens, lanyards, and hand stamps.

It is our intent to continue with these activities.

Please let me know what other information I can provide.

Thank you,

Jill Perry

Portland, Maine

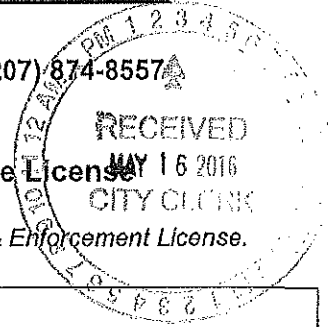


Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Brewery, Winery and Distillery Alcohol Service License

License expiration date concurrent with that of State of Maine Dept. of Liquor Licensing & Enforcement License.



Business Information	
Business Name (d/b/a):	Allagash Brewing Company
Location Address:	50 Industrial way
If new, what was formerly at this location:	n/a
Mailing Address:	Same
Contact Person:	Jill Perry
Contact Person Email:	jerry@allagash.com
Manager of Establishment:	Jill Perry
Date of Birth:	7.1.1974
Owner of Premises (Landlord):	Rob Tod
Address of Premises Owner:	156 woodville Rd, Falmouth, ME

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

Name of Owner(s)	Date of Birth	Residence Address
G. Robertod	7.8.68	156 woodville Rd. Falmouth, ME 04105

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

Corporate Name		Corporate Mailing Address	
		Zip:	
Contact Person:		Phone:	
Principal Officers	Title	Date of Birth	Residence Address

About Your Establishment

Type of Establishment:	Brewery Winery Distillery
Hours & days of operation:	S, M, T, W, Th, F, S : 11 ^{AM} - 6pm

QUESTIONS	Y/N
Will food be made, served, and/or sold on the premise by this establishment?	☒ Y ☐ N
If yes, please submit a City of Portland Food Service Establishment license application.	
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 Dancing & Entertainment is required.)	☐ Y ☒ N
Will you permit dancing on the premises?	☐ 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 <u>PRIVATE</u> property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	☐ Y ☒ N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>Already open</u>	
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?	
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, Jill Peary 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 Retail Operations Date 3.18.2016

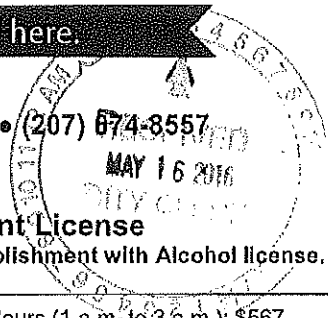
For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.

Portland, Maine



Yes. Life's good here.

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www.portlandmaine.gov



Supplemental Application for Dancing and Entertainment License

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Alcohol license.

☒ Entertainment without Dancing: \$281 ☐ Entertainment with Dancing: \$504 ☐ After-Hours (1 a.m. to 3 a.m.): \$567

Business Information			
Business Name (d/b/a):	Allagash Brewing Company	Phone:	207. 878-4385
Location Address:	50 Industriale way	Zip:	04103

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:	brewery, that occasionally features live music at events.
Will music be electric, acoustical, or both? (Circle)	
Will amplification be used?	Y/N
If yes, where and at what level?	outdoors @ festivals, in brewhouse and tasting room.
Will music be played (Circle all that apply):	Inside () Outside ()
Will you permit dancing on the premises?	Y/N
Will you permit dancing after 1:00 a.m.?	Y/N
What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place?	200 yds.
What is your targeted opening date?	already open
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):	

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.

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.

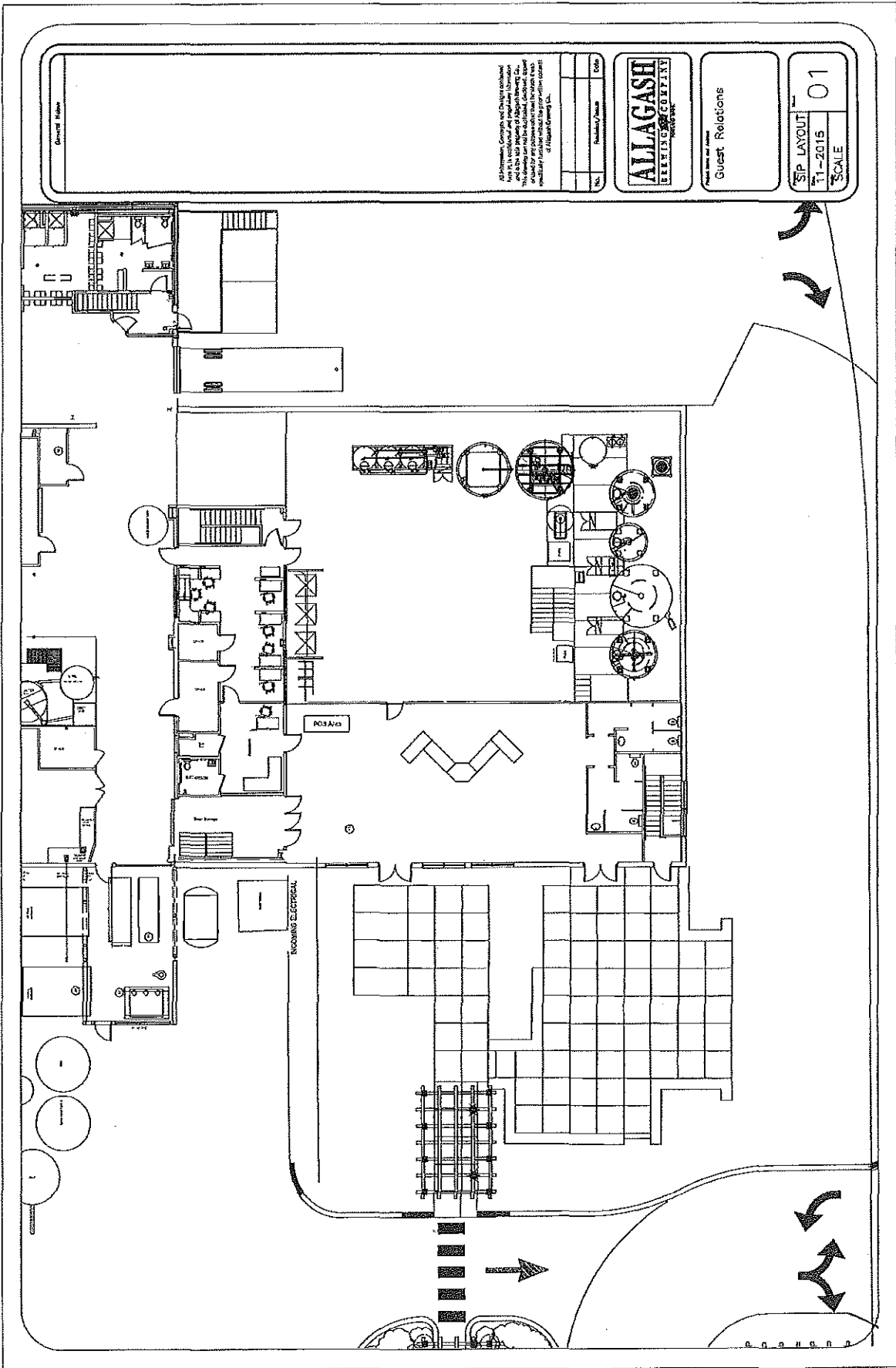
Signature

[Signature] Title Retail Operations

Date

3/28/2016

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



General Notes

All dimensions, materials and finishes indicated herein are to be used as a guide only. The contractor shall be responsible for verifying all dimensions, materials and finishes before construction begins. This drawing is not to be used for construction without the approval of Allagash Brewing Co.

No.	Revisions/Notes	Date

ALLAGASH
BREWING COMPANY
Portland, ME

Guest Relations

SIP LAYOUT
T1-2015
SCALE 01



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☐ Renewal Application for Outdoor Dining ☒ Application for dining on Private Property ☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☒ Liquor License required? City Clerk signature for liquor license approval: _____ City Planning Council: <u>6/16/16</u>	
Location Name & Address: <u>Allagash Brewing Company</u> Owner Name: <u>Rob Tod</u> Owner Phone #: <u>207-878-5385</u> Applicant *must* be owner or lessee Name: <u>Rob Tod</u> Address: <u>50 industrial way</u> City, State & Zip: <u>portland, me 04103</u> E-Mail: <u>jperrey@allagash.com</u>	Chart Block Lot <u>(indicated on drawings)</u> Total Square Footage of Proposed Outdoor Dining Area: ¹ Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: <u>1522</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>3044</u> (sq ft x \$6 for public parks) Total Fees: \$ <u>125</u> (Permit not issued until all fees are paid)
Current use: <u>brewing</u> Business name: <u>Allagash brewing company</u> Seating area dimensions: <u>1522 sq ft</u> How many chairs? <u>40</u> How many tables? <u>5</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.	
Who should we contact: <u>jill perrey</u> Phone: <u>207-878-5385</u> Address: <u>50 industrial way</u> E Mail: <u>jperrey@allagash.com</u>	

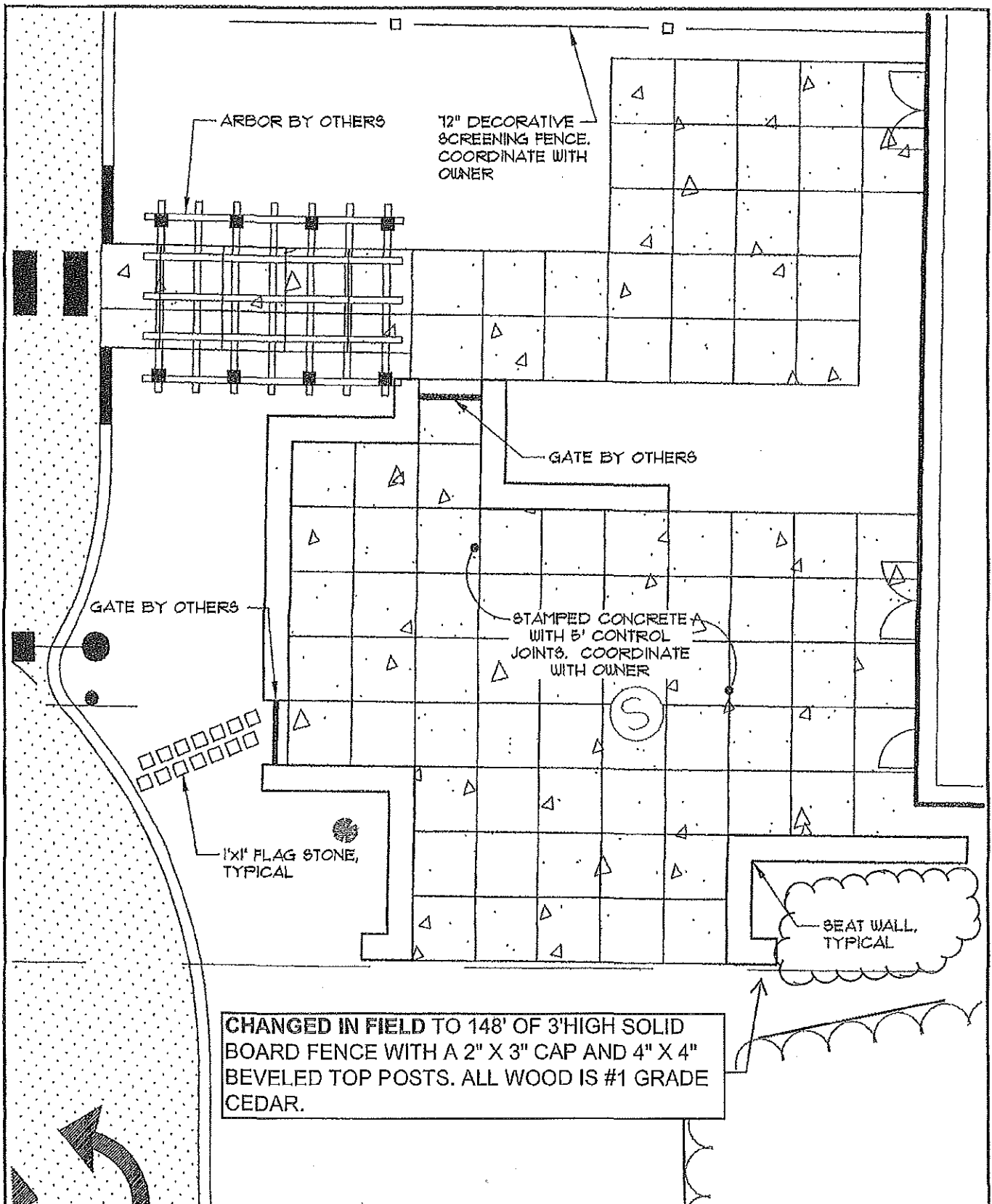
Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: _____ Date: 6/17/2016

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.



SEBAGO
TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 1A South Portland, ME 04106 Tel. 207-200-2100
280 Goddard Rd. - Suite B Lewiston, ME 04240 Tel. 207-783-6656

PATIO REVISION

LOCATION:
50 INDUSTRIAL WAY
PORTLAND, MAINE

FOR:
ALLAGASH BREWING
COMPANY

SCALE: 1" = 10'

DATE: 04-8-13

SHEET:
CSK-5

This architectural floor plan depicts a rectangular room with a total width of 45' and a total depth of 25'. The room is furnished with several tables and chairs. On the left side, there are two rectangular tables, each 14'-10 1/2" wide and 3'-0" deep, with chairs arranged around them. In the center of the room, there is a large rectangular table 11'-0" wide and 5'-1" deep, surrounded by chairs. To the right of this central table is another rectangular table 11'-0" wide and 3'-0" deep, also with chairs. The right wall features a long window or opening measuring 25'-0" in length. The bottom wall has a series of three arched openings, each 5'-0" wide, with a total width of 15'-0". A title block is located in the bottom right corner, containing the following information:

DATE	10-1-58
BY	J. H. HARRIS
CHECKED BY	J. H. HARRIS
APPROVED BY	J. H. HARRIS
PROJECT	RENOVATION OF JAIL
NO.	10-1-58

[illegible]

LANDSCAPE AND LIGHTING PLAN
 81 LLAGASH BREWING COMPANY
 60 INDUSTRIAL WAY, LLC
 PORTLAND, OREGON 97208
 PROJECT NO. 04-00000000
 DATE: 12/11/04
 DRAWN BY: J. L. LAGASH
 CHECKED BY: J. L. LAGASH

SEBAGO
 11111 15TH AVE. N.E.
 BELLEVUE, WA 98005
 (206) 453-1111
 FAX: (206) 453-1112
 WWW.SEBAGO.COM

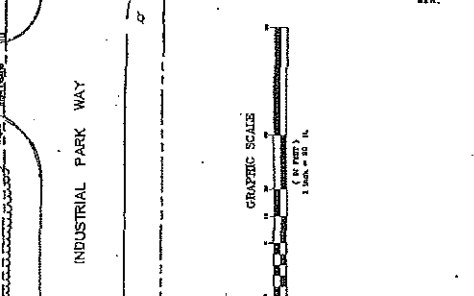
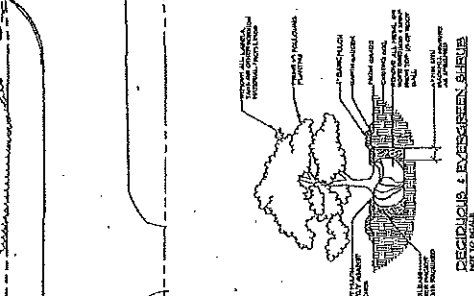
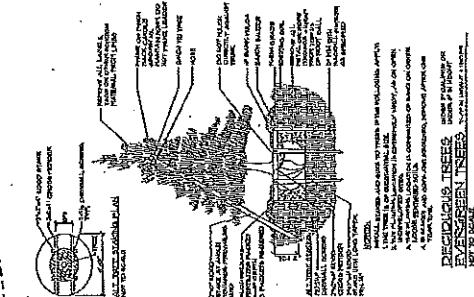
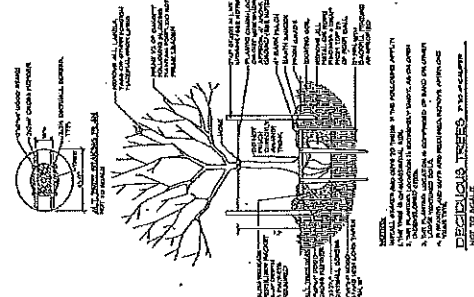
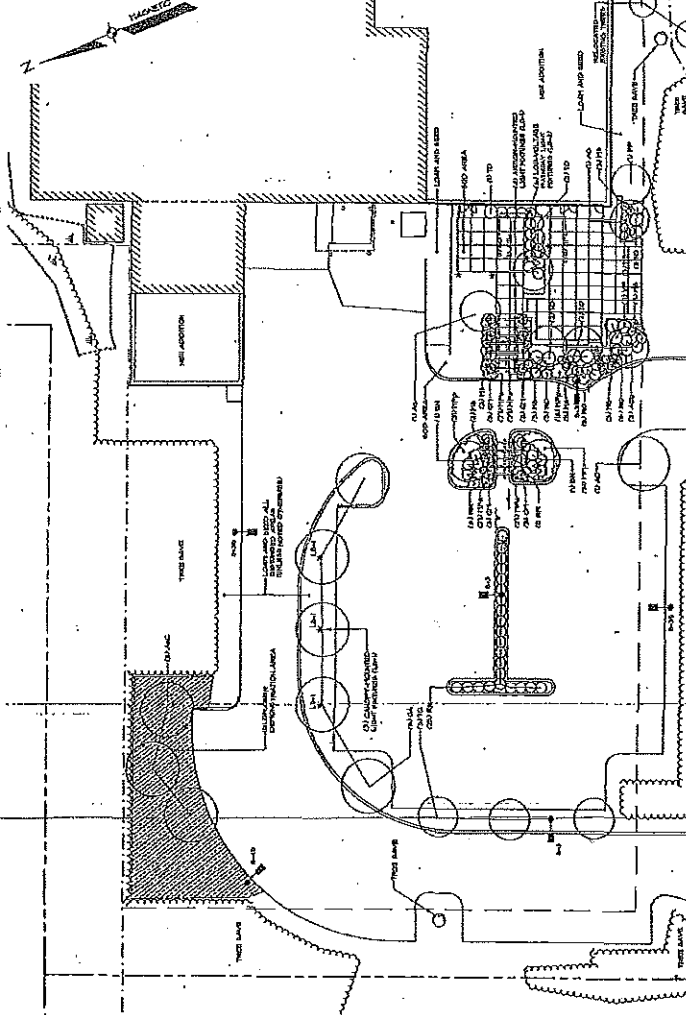
NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/11/04	PRELIMINARY LAYOUT	J. L. LAGASH	J. L. LAGASH
2	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
3	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
4	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
5	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
6	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
7	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
8	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
9	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
10	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH

PLANT SCHEDULE

NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/11/04	PRELIMINARY LAYOUT	J. L. LAGASH	J. L. LAGASH
2	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
3	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
4	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
5	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
6	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
7	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
8	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
9	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH
10	12/11/04	REVISIONS	J. L. LAGASH	J. L. LAGASH

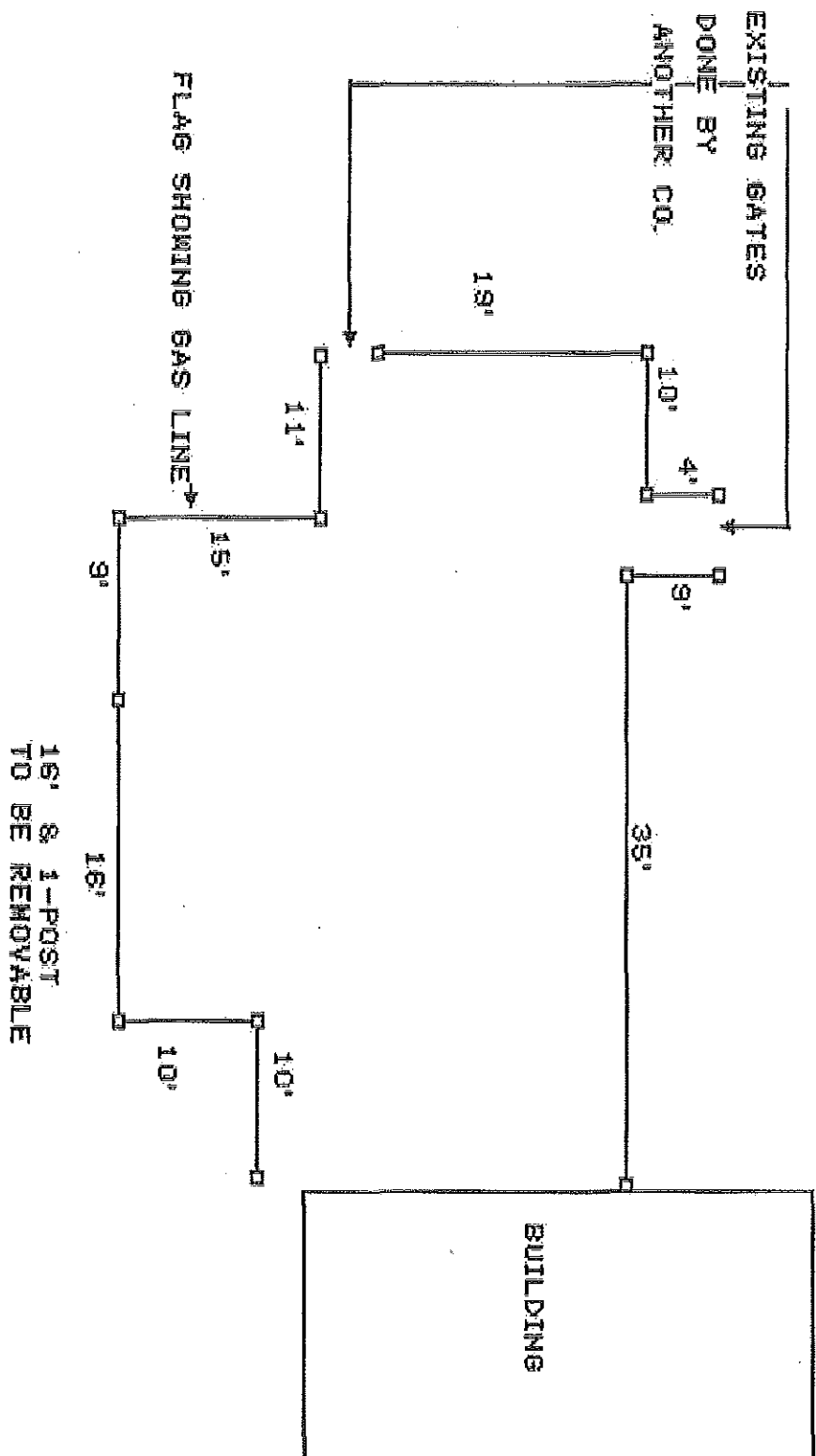
LEGEND

SYMBOL	DESCRIPTION
○	DECIDUOUS TREE
●	EVERGREEN TREE
○	SHRUB
○	CLIMBER
○	GROUND COVER
○	PAVING
○	WATER
○	WALL
○	DOOR
○	WINDOW
○	POLE
○	POST
○	ANCHOR
○	VALVE
○	TELEPHONE
○	STREET LIGHT
○	TRAILER
○	TRUCK
○	BUS
○	CAR
○	BIKE
○	WALKER
○	WHEELCHAIR
○	STROLLER
○	WHEELBARROW
○	TRUCK
○	BUS
○	CAR
○	BIKE
○	WALKER
○	WHEELCHAIR
○	STROLLER
○	WHEELBARROW



NOTES:

1. ALL TREE PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
2. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
3. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
4. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
5. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
6. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
7. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
8. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
9. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.
10. PLANTINGS SHALL BE IDENTIFIED IN THE FIELD WITHIN 10 DAYS OF PLANTING.





MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C861871

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-16) :

Inquiries Name(s) JILL PERRY (1974-07-01)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

JANICE GARDNER
389 CONGRESS STREET
ROOM 203
PORTLAND, ME 04101

Transaction Response #: MIQ99C861865

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-05-16) :

Inquiries Name(s) GEORGE R TOD (1968-07-08)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland, Maine



Yes. Life's good here.

Office of the City Clerk
Katherine L. Jones, CCM, City Clerk

May 17, 2017

Allagash Brewing Company
Attn: G. Robert Tod & Jill Perry
50 Industrial Way
Portland, ME 04103

Re: G. Robert Tod d/b/a Allagash Brewing Company. Application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way.

Dear Mr. Tod and Ms. Perry,

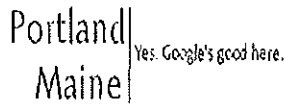
This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application for a Brewery Alcohol Service License with Entertainment without Dance and Outdoor Dining on Private Property at 50 Industrial Way. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov



Janice Gardner <jgardner@portlandmaine.gov>

Allagash Brewing Company - 50 Industrial Way

Gary Rogers <garyr@portlandmaine.gov>

Wed, May 18, 2016 at 9:22 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

On Mon, May 16, 2016 at 4:22 PM, Janice Gardner (Business Licensing) <bl@portlandmaine.gov> wrote:
[Quoted text hidden]

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Order 293- 15/16
Tab 30 6-6-16

ETHAN STRIMLING (MAYOR)
BELINDA RAY (1)
SPENCER THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Foxville Group LLC d/b/a Emilitsa Restaurant. Application to add Outdoor Dining on Public Property at 547 Congress St.

Mayor & City Council.

My name is John Regan, I operate & own
Emilia's Greek Restaurant & I am petitioning
Council to approve an outdoor dining license
on public property. I currently do have a
Class I liquor license.

Much appreciated

John Regan

5/17/16



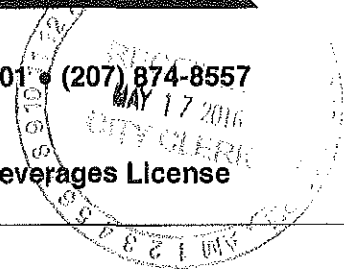
Portland, Maine



Yes. Life's good here.

Office of the City Clerk • 389 Congress St. • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License



Business Information			
Business Name (d/b/a):	Emilitsa Restaurant		Phone: 207 221 0245
Location Address:	547 Congress St.		Zip: 04101
If new, what was formerly at this location:			
Mailing Address:	547 Congress, Portland,		Zip: 04101
Contact Person:	John Regas	Phone: 207	221-0245
Contact Person Email:	YIADAKI@MSU.COM		
Manager of Establishment:	SAME	Date of Birth:	Phone:
Owner of Premises (Landlord):	Neil Reiter		
Address of Premises Owner:	POB 275 Brooklyn ME		Zip: 04616

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	
Foxville Group LLC		POB 852 Portland Zip: 04104	
Contact Person:	John Regas	Phone: 207	221 0245
Principal Officers	Title	Date of Birth	Residence Address
John Regas	Owner	4/25/53	46 SARGENTS LANE, YORK ME.

About Your Establishment

Class of Liquor License:	<u>I</u>
Type of food served:	<u>Ethnic Greek</u>
Please circle all that will be served:	Beer ☐ Wine ☒ Liquor ☒
Projected percentage of sales:	Generated from Food: <u>80%</u> Generated from Alcohol: <u>20%</u>
Hours & days of operation:	<u>5-10pm Tues-Sat.</u>

QUESTIONS

Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/N ☒ Y ☐ N
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☒ Y ☐ N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	☐ Y ☒ N
Will you permit dancing on the premises?	☐ 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 <u>PUBLIC</u> 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: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date? <u>currently open</u>	
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): <u>SAME</u>	
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, John Regan, 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 John Regan Title owner Date 5/17/16

For more information about Liquor Licenses, see Portland City Code Chapter 15 at www.portlandmaine.gov and M.R.S.A. Title 28-A at www.maine.gov.



Outdoor Dining Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Check all that apply: ☐ New Application for Outdoor Dining or ☒ Renewal Application for Outdoor Dining ☐ Application for dining on Private Property ☐ Outdoor Dining in a Public Park ☐ If Renewal, are there changes to previous permit? ☐ Outdoor Dining in a Historic District ☐ Yes ☐ No ☐ Petition for Exception for Special Circumstances ☒ Liquor License required? City Clerk signature for liquor license approval: _____ OR Pending Council Date: _____			
Location Name & Address: <u>Emilisa</u>	Chart <u>037</u>	Block <u>C-017</u>	Lot <u>01B</u>
Owner Name: <u>John Regas</u> Owner Phone #: <u>207-221-0245</u>	Total Square Footage of Proposed Outdoor Dining Area: ¹ <u>60 sq. ft.</u>		
Applicant *must* be owner or lessee Name: <u>John Regas</u> Address: <u>547 Congress St.</u> City, State & Zip: <u>Portland, ME</u> E-Mail: <u>yianaki@msu.com</u>		Fee: \$80 (Public-Annual) \$125 (Private 1X) Total Sq. Ft.: <u>60</u> Sq. Ft. Fee: (sq ft x \$2) \$ <u>120</u> (sq ft x \$6 for public parks) Total Fees: \$ <u>200.-</u> (Permit not issued until all fees are paid)	
Current use: <u>Restaurant</u> Business name: <u>Emilisa</u>			
Seating area dimensions: <u>5' x 6' x 2</u> How many chairs? <u>4-6</u> How many tables? <u>2</u> ☒ Yes Alcohol is served. ☐ No Alcohol being served.			
Who should we contact: <u>John Regas</u> Phone: <u>221-0245</u> Address: <u>547 Congress St.</u> E Mail: <u>yianaki@msu.com</u>			

Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted no later than June 1st.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

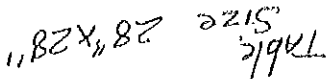
Signature of Applicant: John Regas

Date: 5/11/16

¹ In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee.

503

W. J. + SC

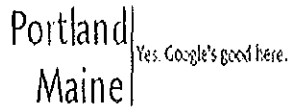


Side Walk

19

June

U R A N I U M S I L V E R N O 3



Janice Gardner <jgardner@portlandmaine.gov>

Emilitsa - Adding Outdoor Dining

Gary Rogers <garyr@portlandmaine.gov>

Wed, May 18, 2016 at 10:44 AM

To: "Janice Gardner (Business Licensing)" <bl@portlandmaine.gov>

Police approve

[Quoted text hidden]

--

Commander Gary Rogers
Portland Police Department
109 Middle Street
Portland, Maine 04101
(207) 874-8546

Portland, Maine



Yes. Life's good here.

Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

May 18, 2016

Emilitsa

Attn: John Regas

547 Congress St.

Portland, ME 04101

Re: Foxville Group LLC d/b/a Emilitsa Restaurant. Application to add Outdoor Dining on Public Property at 547 Congress St.

Dear Mr. Regas,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, June 6th, at 5:00 p.m.**, for the review of your application to add Outdoor Dining on Public Property at 547 Congress St. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

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 issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

A handwritten signature in cursive script, appearing to read "Janice Gardner".

Janice Gardner

Business License Administrator

207-874-8557

bl@portlandmaine.gov

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

Order 201-15/16
~~Feb 10 4-4-16~~
~~Feb 17 4-25-16~~
Feb 31 6-6-16

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING THE PURCHASE OF A STREET LAMP SCULPTURE BY
AARON STEPHEN FOR INSTALLATION AT WOODFORDS CORNER
AND ADDING THIS WORK TO THE CITY'S PUBLIC ART COLLECTION**

ORDERED, that the City hereby approves the addition of a street lamp sculpture from the artist Aaron Stephen, to be displayed at Woodford's Corner, to the City's Public Art Collection; and

BE IT FURTHER ORDERED, that \$20,000 is hereby approved for the purchase of this work of art and an additional \$5,000, to be used for its installation, is also hereby approved, and both amounts shall be allocated from the budget of the Public Art Committee; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to execute any related documents necessary or convenient to carry out the intent of this order.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Caitlin Cameron, Urban Designer, Planning and Urban Development

DATE: March 21, 2016

DISTRIBUTION: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julie Sullivan

SUBJECT: **Order Approving** the Portland Public Art Committee artist selection and budget for Woodfords Corner Public Art

SPONSOR: Lin Lisberger, Chair, Portland Public Art Committee

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading N/A Final Action April 4, 2016

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

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

Brief presentation by Lin Lisberger, Chair of the Portland Public Art Committee and Planning Staff (if necessary).

I. SUMMARY OF ISSUE (Agenda Description)

Order approving the Portland Public Art Committee artist selection and budget for Woodfords Corner public art commission. Sponsored by Lin Lisberger, Chair of the Portland Public Art Committee.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

The Portland Public Art Ordinance requires the Portland Public Art Committee to seek Council approval for any artwork or artist selected and approve the committee budget. The Woodfords Corner Project was not included in the 2016 Budget Plan presented to Council in February.

III. INTENDED RESULT

Hire an artist to create the light sculpture at Woodfords Corner as part of the overall Woodfords Corner transportation and streetscape project. Acceptance of this proposed project, budget, and artist will result in the creation of a new public artwork off-peninsula as part of the overall Woodfords Corner project. The intended result is improved placemaking at the busy intersection, building an identity for the retail corridor and neighborhood node.

IV. COUNCIL GOAL ADDRESSED

The Public Art Committee efforts seek to improve and enhance the quality of life of all Portland residents and visitors.

V. FINANCIAL IMPACT

The project would allocate \$25,000 towards the project from the PPAC budget - \$20,000 artist fee and \$5,000 installation/construction budget. This represents a reduction in cost to the City for the Woodfords Corner project budget because the light feature is now being covered by the public art budget. The project would use funds already within the PPAC budget, which are generated through the ½ % for Public Art in the CIP. Accepting this proposal represents the approval of an allocation of funds already secured by the Public Art Committee – there is no additional money requested. The PPAC is able to fund this project with money left over from the Langlais installation project.

VI. STAFF ANALYSIS

On March 16, 2016, the Portland Public Art Committee unanimously recommended proceeding with the Woodfords Corner public art commission and the selection of Aaron Stephan as the artist and a budget of \$25,000 to the Portland City Council. Staff met with the City Manager and Finance Director to approve the sole source of an artist for this project. Aaron's work is uniquely suited for this project which uses off-the-shelf street lights to create sculpture.

VII. RECOMMENDATION

Staff recommends that the City Council accept the recommendations of the Portland Public Art Committee to proceed with the Public Art Commission in Woodfords Corner with Aaron Stephan as the artist and \$25,000 as the budget.

VIII. LIST ATTACHMENTS

1. 2014 Woodfords Corner Streetscape Proposal (excerpts)
2. Examples of artist's work

Prepared by: Caitlin Cameron, Urban Designer

Date: March 21, 2016

Introduction

Transforming Forest Avenue was adopted by the Portland City Council as an element of the City's Comprehensive Plan on June 4, 2012. The plan includes a wide range of land use, streetscape and transportation related recommendations, all designed to encourage transit-supported development and the evolution of Forest Avenue as a complete street. Key elements of the streetscape section of the plan include the following:

- Install **high-quality** and **consistent streetscape** features such as street furniture, lighting, and landscaping to brand Forest Avenue as a place.
- **Upgrade** sidewalks, ramps and crosswalks to provide universal access and using techniques to create a more **pedestrian-oriented** environment.
- Streetscape and design improvements would primarily be targeted at making the corridor a more **pleasant place to be**, rather than a pass through. These improvements should be made wherever possible, with attention to maintenance requirements.
- Install consistent **landscaping** along the corridor. The goal would be to re-embrace the name of Forest Avenue by **increasing vegetation** on the corridor.
- Install street furniture for both functionality and comfort where space is available. Consistently branded street furniture would give Forest Avenue a **cohesive identity**, and in certain locations, can be used to indicate a **special character**.

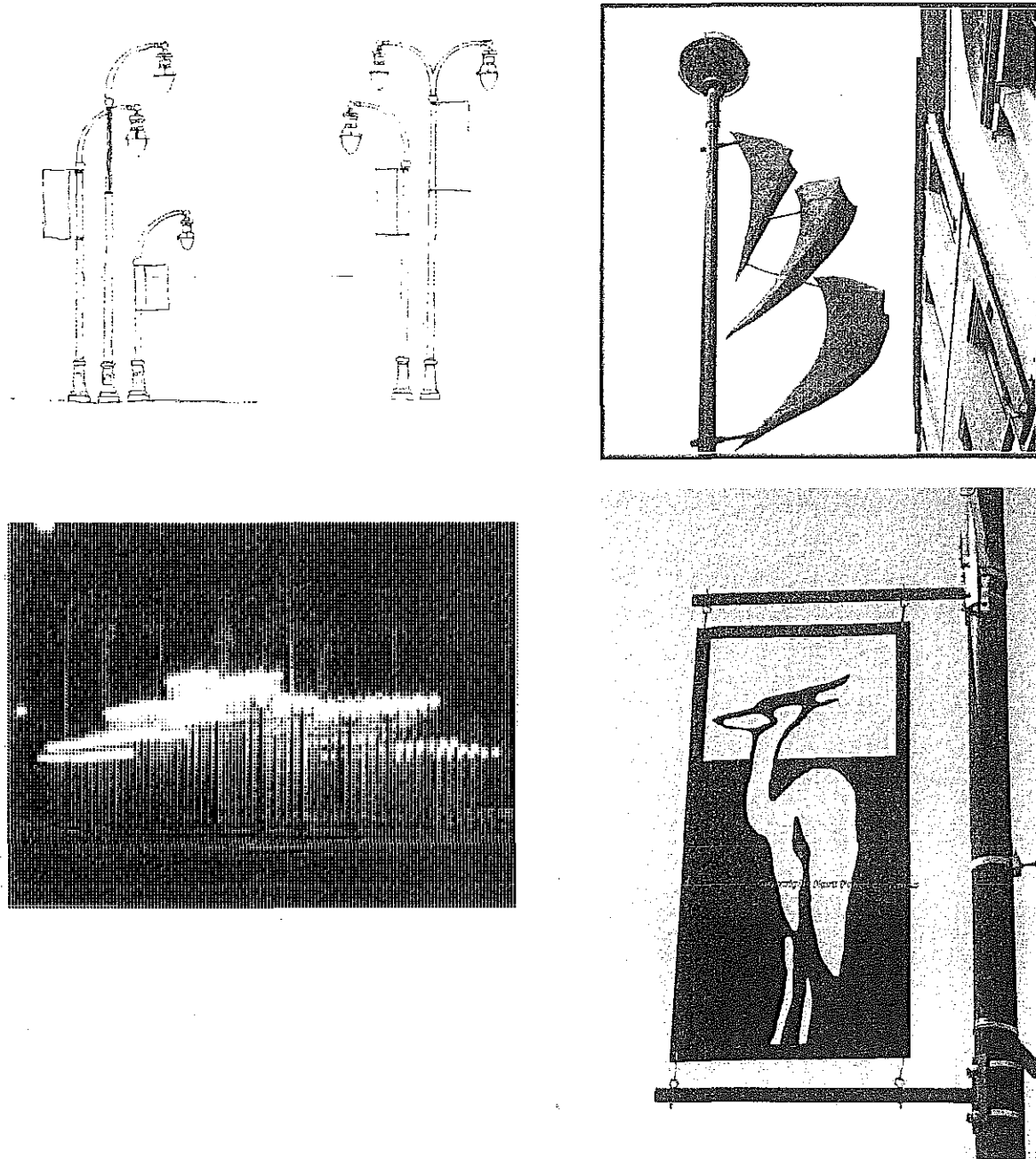
With the Maine Department of Transportation projects at Woodfords Corner and Exit 6, there is an opportunity to implement the strategies and recommendations of the Transforming Forest Avenue as part of the City's Comprehensive Plan. In September, 2014, City staff met with former members of the Transforming Forest Avenue Advisory Committee to present and discuss material and streetscape palette for Forest Avenue. This report includes the City's specifications for the following streetscape items:

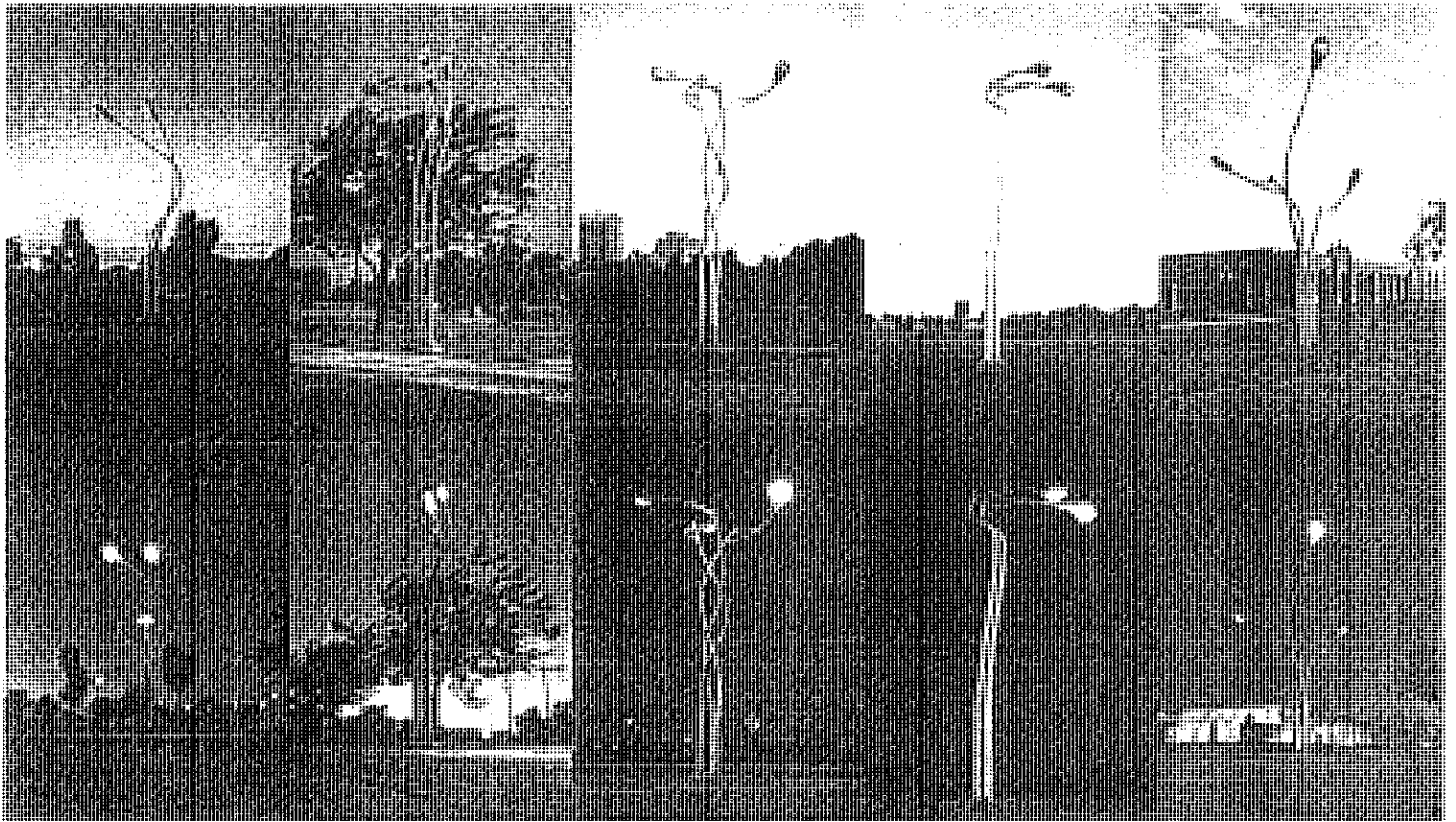
- Place Branding/Identity
- Street Light
- Bollard
- Bench
- Trash Receptacle
- Bicycle Hitch
- Street Trees
- Sidewalk Materials
 - Pedestrian Zone
 - Furnishing Zone

This report also includes concepts for how the streetscape and plaza spaces should be configured to accomplish the goals of Transforming Forest Avenue. On the next page is the Transportation and Streetscape Concept Plan: Corridor Segment C – Woodfords Corner, which staff referenced when developing concepts and recommendations for the design details of the corridor.

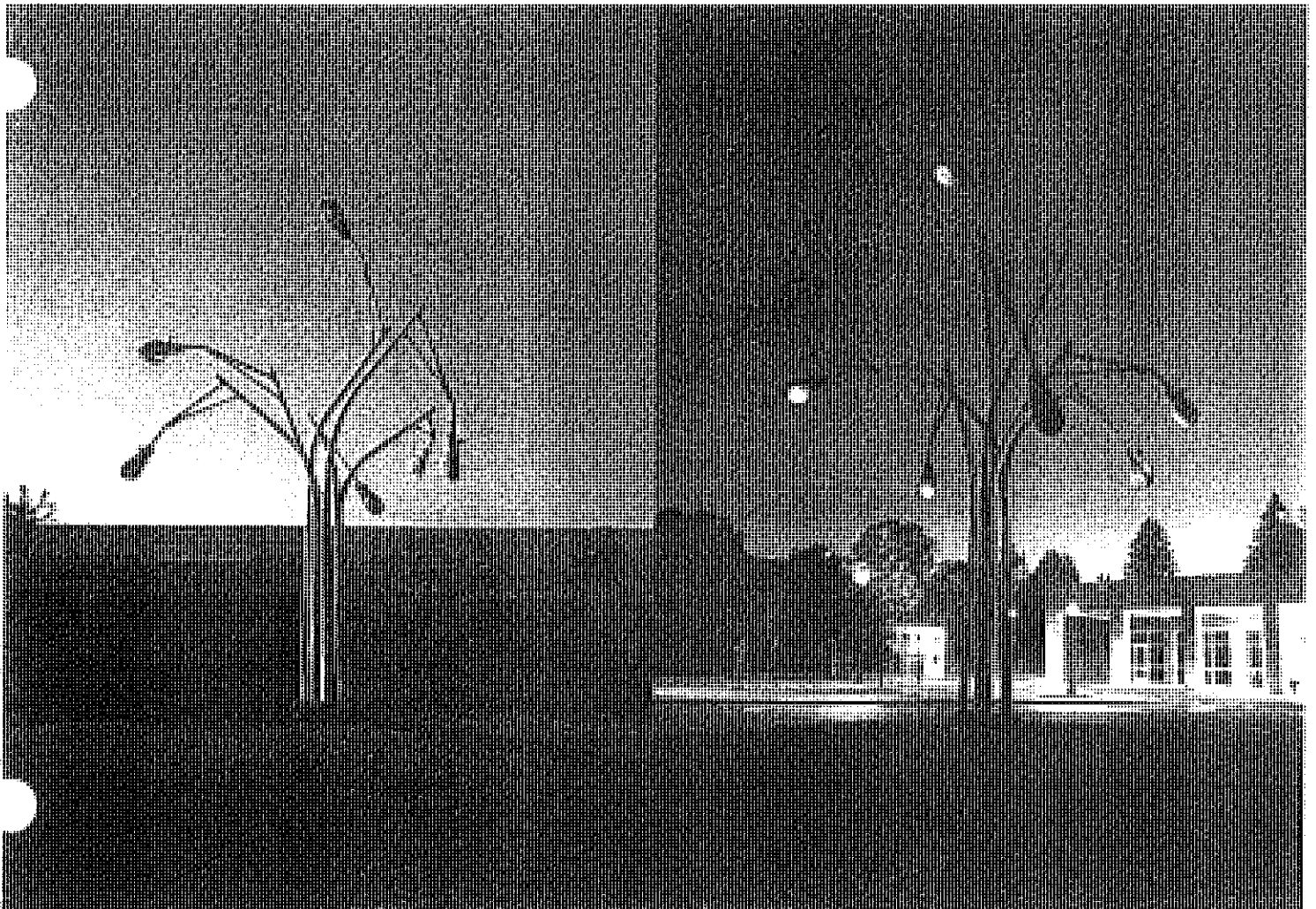
Place Branding/Identity

Using the standard manufactured light poles and banner arms, the concept is to create a sense of place and identity at Woodfords Corner with clustering of lights at various heights and configurations at the intersection. The banner arms serve as a site for art that could be rotating and afford the opportunity to engage neighborhood schools, MECA students, or local artists for installations managed through the Portland Public Art Committee's Temporary Art program. This strategy is intended to provide a low-cost, flexible solution to fulfilling the Transforming Forest Avenue goal of identity.





Variations (2014), Lubbock, TX - aluminum and roadway fixtures, permanent installation
 Aaron Stephan, artist



Illuminations (2012), Farmington, ME - aluminum and LED roadway fixtures, permanent installation
 Aaron Stephan, artist

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council
FROM: Caitlin Cameron, Urban Designer, Planning & Urban Development
DATE: April 12, 2016
SUBJECT: Woodfords Corner Public Art – Work Plan + Public Engagement Process

The public art proposal for Woodfords Corner will take advantage of available Public Art funds to create the street light elements that are a part of the Forest Avenue streetscape concept. On March 16, 2016, the Portland Public Art Committee unanimously recommended proceeding with the selection of Aaron Stephan as the artist and a budget of \$25,000 to design, fabricate, and install the street light elements to be placed in the new plaza. Staff met with the City Manager to approve the sole source of an artist for this project. Aaron's work is uniquely suited for this project which uses off-the-shelf street lights to create sculpture.

The Public Art Committee, as well as staff, is dedicated to creating a successful installation as part of the overall Woodfords transportation project that will add to the identity of this community center.

Project Work Plan

April/May 2016 – Council approval of project, artist selection, and budget; City Manager procurement approval

May 2016 – Contract negotiation with artist

June 2016 – Concept development by artist with design brief from PPAC

July 2016 – 1-2 Stakeholder public meeting(s) to review concepts and hear feedback; PPAC monthly meeting will also review concepts; concepts posted on City's project website for comment

August 2016 – Design development by artist

September 2016 – Final design presented for feedback and approval; Location and electrical info confirmed with landscape architect for construction drawings

Fall 2016 – RFP released for Woodfords Corner transportation and public realm project

Summer 2017 – Construction begins

Project Scope

- Project includes the design, fabrication, and installation of one streetlight cluster sculpture in the plaza space to be created at Forest and Woodfords as part of the Woodfords Corner transportation and public realm project. Coordination with project architects is required.
- The artist will be given a design brief as guidance for how to approach this project – this brief would incorporate public and council comment received to date regarding this project.
- The artist will be asked to present a series of concept ideas.
- After receiving feedback from public and PPAC, artist will develop design into final proposal.
- Once final proposal is approved, artist will move into fabrication phase.
- Fabrication and installation will be coordinated with the MDOT construction schedule.

Review and Public Process

The public and stakeholders will have the opportunity to engage with the creation of artwork in Woodfords Corner in the following ways:

Internal review

- PPAC and staff will draft a design brief as guidance to the artist
- PPAC and staff will act as a resource to the artist for questions, background material
- PPAC will review the concepts in their monthly meeting (also open to the public) to provide feedback to the artist
- PPAC will vote to approve the final design

Public Review

- Public Meetings:
 - At least one public meeting will be held in the neighborhood where the artist would be able to get feedback and discuss design development. This meeting will be most productive if the artist presents 2 or 3 concepts for feedback. The details would be confirmed in the artist contract negotiation.
 - At least one PPAC monthly meeting will include review of the concepts. PPAC meetings are open to the public. *PPAC will take public comment on the review at their meeting.*
- Project information will be posted for viewing in the following locations:
 - City of Portland Woodfords Corner project webpage
 - City of Portland Public Art Committee webpage
- Stakeholder groups to be invited to participate/comment will include:
 - Woodfords-Oakdale Neighborhood Association
 - Friends of Woodfords Corner
 - Deering Center Neighborhood Association
 - Back Cove Neighborhood Association
 - Veterans of Foreign Wars
 - Abutting property owners
- Outreach/Notification methods include (to announce public meetings, comment opportunities):
 - Comment/Question Form on City Woodfords Corner project page
 - City of Portland calendar page (for public meeting info)
 - PPAC Facebook page posts
 - Newsflash on the City's website
 - Press release (for public meeting announcement)
 - City of Portland and Portland Planning twitter accounts
 - Direct email to leaders of neighborhood groups
 - NotifyMe recipients for public art announcements

Approval

- City Council is being asked to approve the project, artist selection, and budget
- City Manager approved the artist as a sole source for the project
- PPAC will vote to approve the final design
- The final design could also be brought back to the City Council as a communication

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

*Order 265-15/16
~~Tab 17 5-16-16~~
Tab 32 6-6-16*

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**TRAFFIC SCHEDULE AMENDMENTS
RE: FOREST AND WASHINGTON AVENUE TRAFFIC**

ORDERED, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

- Deleted:** **Washington Avenue** - From a point 110 feet easterly of Ocean Avenue to Presumpscot Street Parking is prohibited between the hours of 7:00 A.M. and 9:00 A.M. **Schedule III – Restricted Parking**
- Added:** **Washington Avenue – Southside** - From a point 110 feet easterly of Ocean Avenue to a point 82 feet easterly of West Kidder Street. – **Schedule I – No Parking**
- Added:** **Washington Avenue– Southside-** From Johansen Street to Presumpscot Street - **Schedule I –No Parking**
- Deleted:** **Washington Avenue** - Northside - From a point 80 feet westerly of Presumpscot Street to a point 145 feet easterly of Ray Street. Parking prohibited between the hours of 4:00 P.M. to 6:00 P.M.
Schedule VII - Restricted Parking
- Added:** **Washington Avenue– Northside** - From Presumpscot Street to a point 170 feet westerly of Presumpscot Street – **Schedule 1 – No Parking**
- Added:** **Washington Avenue – Northside** - From Ocean Avenue to a point 145 feet easterly of Ray Street. Parking prohibited between the hours of 4:00 P.M. to 6:00 P.M.
Schedule VII – Restricted Parking
- Deleted:** **Washington Avenue** - Northside - From a point 28 feet easterly of Oakley Street to a point 25 feet westerly of Oakley Street. **Schedule I – No Parking**

Added: Washington Avenue—Northside - From a point 177 feet easterly of Oakley Street to Ocean Avenue — **Schedule 1 – No Parking**

Added: Forest Avenue —Westside — From a point 305 feet southerly of Stevens Avenue to a point 10 feet southerly of Holly Street. **Schedule I – No Parking**

Added: Forest Avenue —Westside — From a point 21 feet southerly of Hartley Street to a point 10 feet northerly of Pleasant Ave. **Schedule I – No Parking**

Added: Forest Avenue- Eastside — From a point 10 feet northerly of Pleasant Avenue to a point 85 feet northerly of Hartley Street— **Schedule I – No Parking**

Added: Forest Avenue —Eastside — From a point 781 feet northerly of Hartley Street to a point 57 feet northerly of Adelaide Street— **Schedule I - No Parking**

BE IT FURTHER ORDERED, that this appointment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately and resolve ongoing safety issues for vehicles pulling into Forest Avenue traffic as well as to coincide with street striping and paving.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Kristine Keeney, Bicycle and Pedestrian Program Coordinator

DATE: 5/2/2016

SUBJECT: Endorse Amendment to Traffic Schedule- Forest Avenue and Washington Avenue

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading 5/16/2016 Final Action 6/6/2016

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

There is an immediate need to prohibit parking on key portions of Forest Avenue due to safety issues caused by on-street parking blocking the view of oncoming traffic for vehicles pulling out of driveways and side streets. Staff is seeking Council endorsement of amendments to the Traffic Schedule ahead of annual striping activities set to begin June 1st on Forest Avenue.

Staff is also seeking amendments to the traffic schedule on Washington Avenue in order to finalize the design plans for a paving project scheduled for construction in mid-July.

This is a two-read item, and this is its first reading. Staff is recommending that the amendment be passed as an Emergency as part of action at the second reading. This will enable the changes to parking to take place concurrently with the annual striping of Forest Avenue, anticipated to be prior to the 30 days the change would normally take effect following Council action. Seven votes are required to pass as an Emergency.

The changes to parking are also being taken to enable an expansion and upgrade of the bicycle lane network on both streets.

PRESENTATION: Kristine Keeney, 10 minutes verbal presentation

I. ONE SENTENCE SUMMARY

The Department of Urban Planning & Development, supported by the Department of Public Works, Back Cove Neighborhood Association and businesses wish to convert

parking on Forest Avenue (southbound on both sides of the street between Morrill Street and the beginning of Baxter Woods and northbound from Pleasant Ave to Hartley Street) and Washington Avenue (southbound from Ocean Avenue and Presumpscot Street) to No Parking Anytime to mitigate documented safety issues and facilitate transportation improvements to both corridors as part of annual striping and repaving projects during the 2016 construction season.

II. AGENDA DESCRIPTION

Staff is seeking Council endorsement to amend the Traffic Schedule in certain locations on Forest Avenue and Washington Avenue to mitigate documented safety issues and facilitate transportation improvements to both corridors in conjunction with planned annual striping and paving projects to reduce the financial impact and accomplish the changes in a timely manner.

II. BACKGROUND

The Portland Area Comprehensive Transportation System (PACTS), the regional Metropolitan Planning Organization (MPO), funded a planning study entitled the Bike Network Expansion for the feasibility and implementation of the 2009 Regional Bicycle & Pedestrian Plan Update and the Pedestrian and Bicycle Chapter of the 2012 Portland Comprehensive Plan. Significant data collection was performed including 14 parking counts and analysis of crash data on both roadways.

Staff determined that there are several safety issues on Forest Avenue including impaired sight distance of oncoming traffic for vehicles exiting driveways and side streets by on-street parking and a high frequency of rear-end vehicle crashes due to vehicles stopping in the travel lane to make left turning movements.

There are also several blocks of Forest Avenue and Washington Avenue that have low-parking utilization based on parking counts that can be allocated to other uses to increase the transportation efficiency on these key travel corridors.

City staff coordinated a working group session with the public and stakeholders to develop the proposed street cross sections and produced concept layouts for Forest Avenue and Washington Avenue. City staff then held public meetings on April 12, 2016 and May 5th, 2016 to gather public input on the proposed pavement marking and parking changes. Staff determined there was a sufficient amount of public support to move forward and took the public's comments into account to finalize the proposed designs and have determined that changes to the Traffic Schedule are essential to the implementation of the proposed roadway reconfigurations.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Amendments to the Traffic Schedule will allow new roadway reconfigurations to be implemented as part of annual restriping on Forest Avenue and a paving project on Washington Avenue to mitigate existing safety issues for all road users and increase transportation options and efficiency on major travel corridors in Portland.

V. FINANCIAL IMPACT

Changes to Forest Avenue would be implemented during annual striping activities by the Department of Public Works. In order to install the two-way center turn lane, the existing centerline would need to be ground out for an additional cost to the annual striping program of approximately \$8,200. An additional one-time cost of approximately \$7,000 would also be required for signage, paint, and labor for DPW crews to layout the new configuration. The total financial impact of reconfiguring Forest Avenue is approximately \$15,200.

There will be minimal costs associated with additional striping and signage on Washington Avenue which will be covered by an upcoming paving project.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

There are several documented safety issues on Forest Avenue for all modes of transportation including the frequency of rear-end crashes related to left-turning vehicles, as well as sight distance issues at driveways and side streets. In a three year period within the project area, there were 307 crashes on Forest Avenue with 201 or almost 66% of those crashes being rear-end collisions with left turning vehicles. There were also 31 bicycle crashes from 2005-2015 within the project area on Forest Avenue.

Staff has also received several complaints from businesses owners and residents on Forest Avenue that drivers cannot adequately see oncoming traffic on Forest Avenue when pulling out of driveways and side streets due to on-street parking in certain locations particularly in the vicinity of Waverly Street and Elmwood Street. Staff believes that removing the parking in strategic locations on Forest Avenue and installing a two-way center turn lane for vehicles will significantly improve safety for all road users on Forest Avenue.

Staff is also recommending that parking is removed in locations on Forest Avenue of low utilization. Average parking utilization is approximately 8% in the morning and 11.5% in the evening based on seven parking counts. By replacing the underutilized parking with higher quality bicycle facilities, the street space will be used more efficiently and actively so that bicycling will be a safer and more realistic option for transportation on Forest Avenue.

Based on seven parking counts on Washington Avenue, average parking utilization is approximately 1.5% in the morning and less than 2% in the evening due to the availability of off-street parking at residential homes. Replacing the underutilized parking in key locations with high quality bicycle facilities on Washington Avenue will allow for the street space to be used more efficiently and actively providing a new transportation option along a major travel corridor in Portland.

There were also 35 bicycle crashes from 2005-2015 on the Washington Avenue corridor as a whole from Allen Avenue to Veranda Street. Cyclists are currently using the existing parking lanes as bike lanes because there is such low parking demand and utilization. When cyclists encounter a parked car they have to go out into the travel lane to go around the vehicle. Striping buffered bike lanes on Washington Avenue would allow for more predictability and thus a safer environment for cyclists and vehicles on this roadway.

VII. RECOMMENDATION

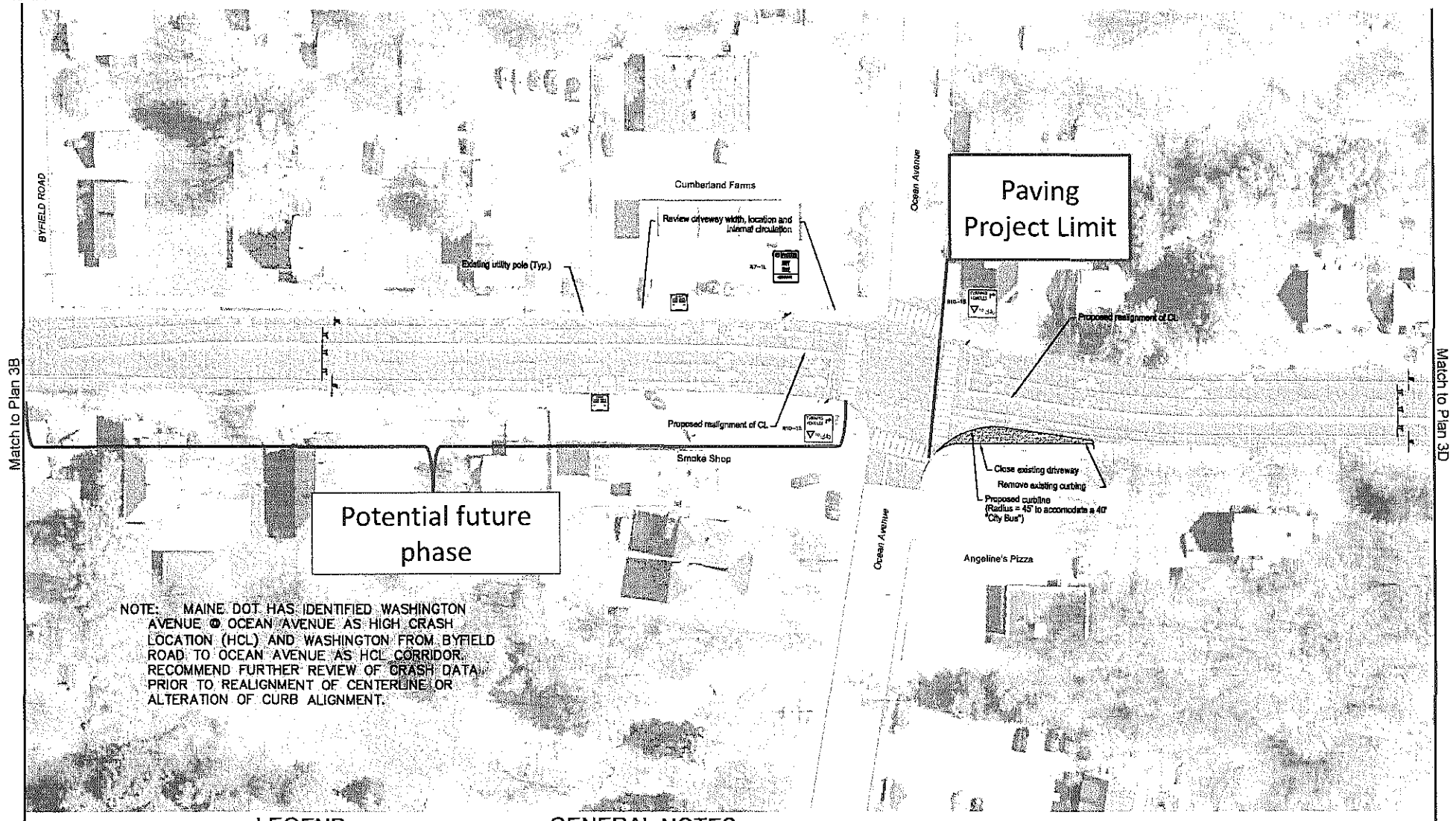
Staff is recommending the Council endorse amendments to the Traffic Schedule to allow for the reconfiguration of Forest Avenue by removing parking in strategic locations (southbound on both sides of the street between Morrill Street and the beginning of Baxter Woods and northbound on both sides of the street from Pleasant Ave to Hartley Street) in order to mitigate existing safety issues and increase transportation options on this major transportation corridor. Parking would be retained in areas of high demand including abutting Samuel's Bar & Grill and in the area of Baxter Woods on both sides of Forest Avenue.

Staff is recommending the Council endorse amendments to the Traffic Schedule to allow for the reconfiguration of Washington Avenue by removing parking in strategic locations (from Ocean Avenue to Presumpscot Street) in order to mitigate existing safety issues and increase transportation options on this major corridor. Parking would be retained in areas with demand including the frontage of St. Peter's Church and between Oakley Street and Presumpscot Street.

VIII. LIST ATTACHMENTS (Forthcoming)

- 1) Washington Avenue layouts**
- 2) Forest Avenue layouts**
- 3) Parking Counts for Forest Ave & Washington Ave**
- 4) Kyocera Document Solutions Maine, LLC Letter of Support**
- 5) Back Cove Neighborhood Association Letter of Support**

Prepared by: Kristine Keeney
Date: 5/2/16

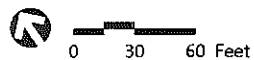


LEGEND:

 EXISTING TRANSIT STOPS

GENERAL NOTES:

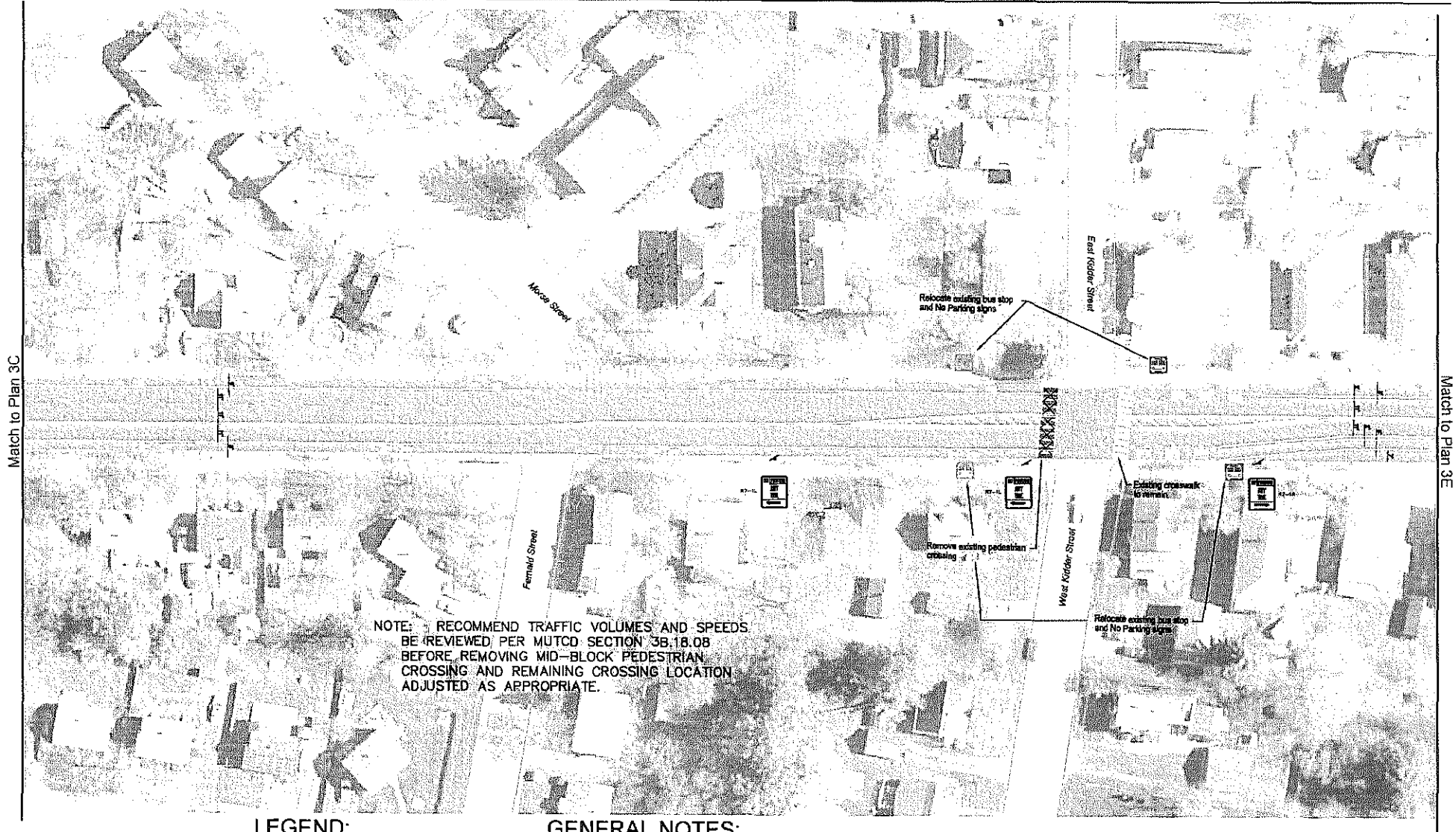
1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)



Project Plan
Washington Avenue @ Ocean Avenue
Portland, Maine
1/26/16

Plan 3C

NOT FOR CONSTRUCTION



LEGEND:



EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)



0 30 60 Feet



Project Plan
Washington Avenue @ Ocean Avenue
Portland, Maine
1/26/16

Plan 3D

NOT FOR CONSTRUCTION

GENERAL NOTES:



EXISTING TRANSIT STOPS

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)



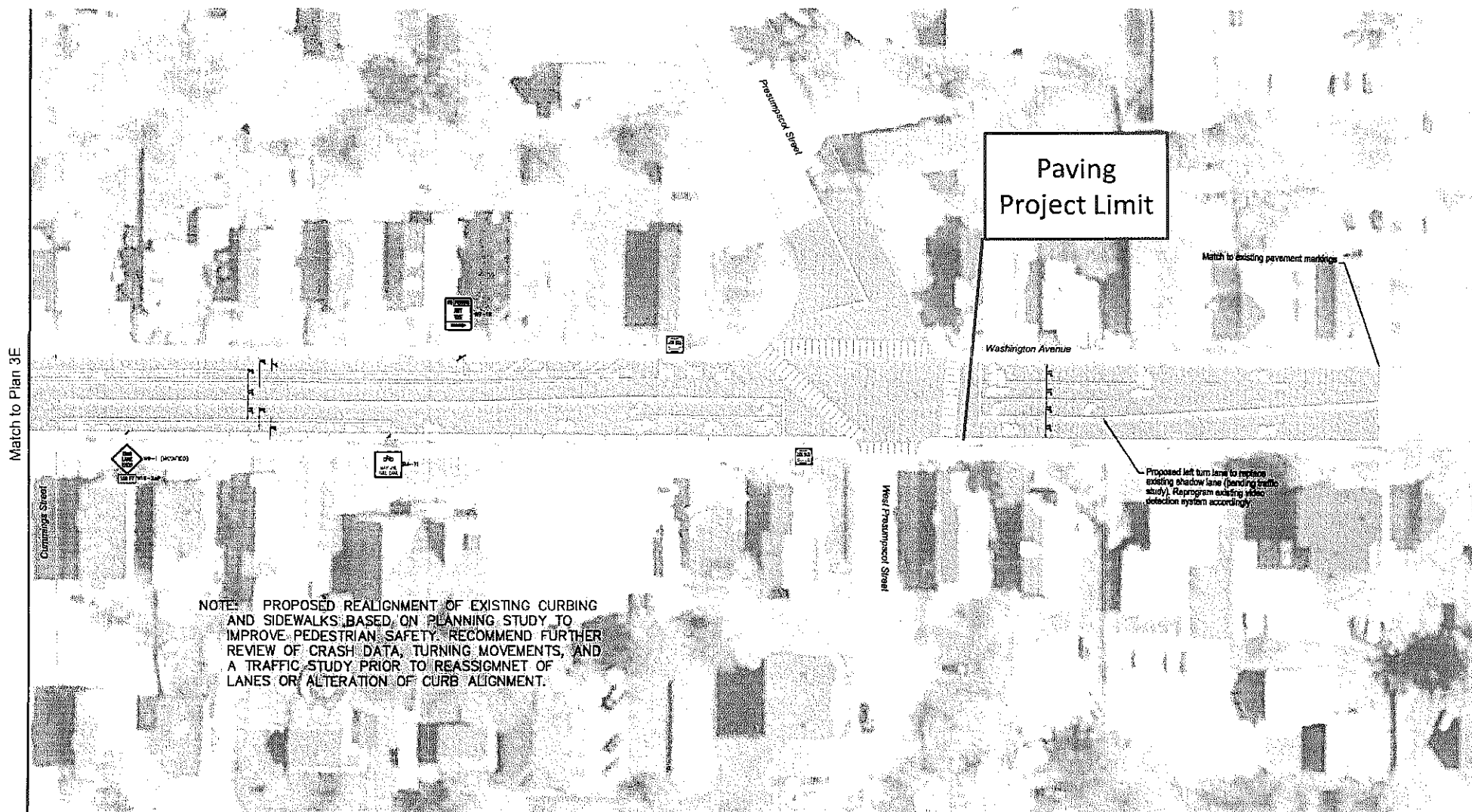
Project Plan
Washington Avenue@ Ocean Avenue
Portland, Maine
1/26/16

PLAN 3E

NOT FOR CONSTRUCTION



0 30 60 Feet



LEGEND:

 EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)



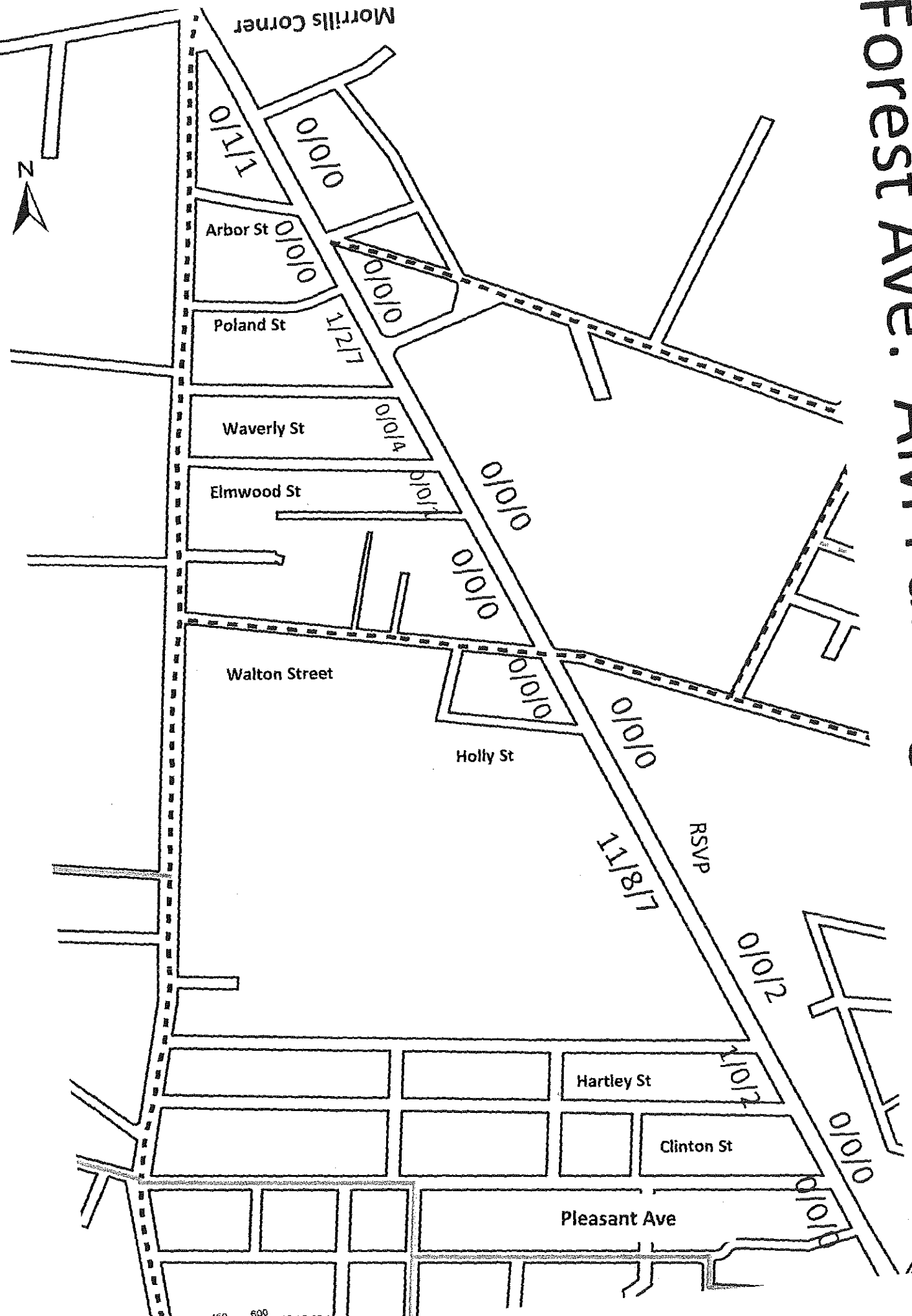
Project Plan
Washington Avenue@ Presumpscot Street
Portland, Maine
1/26/16

PLAN 4

NOT FOR CONSTRUCTION

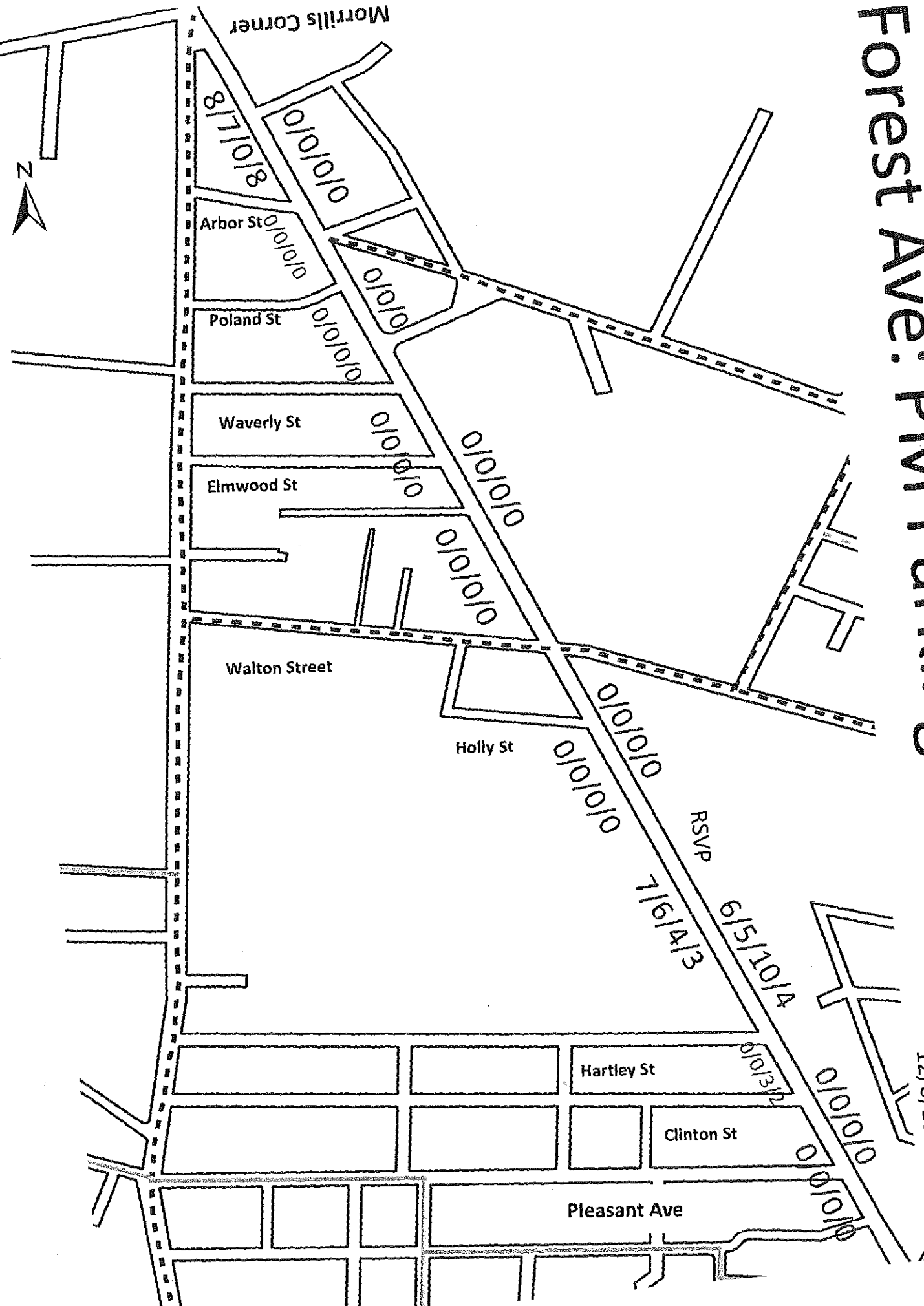
Forest Ave: AM Parking Counts

6/5/15 8-9am
6/8/15 8-9am
4/6/16 10-11am



Forest Ave: PM Parking Counts

6/4/15	4-5pm
6/9/15	3-4pm
11/30/15	7:00pm
12/6/15	4:30pm



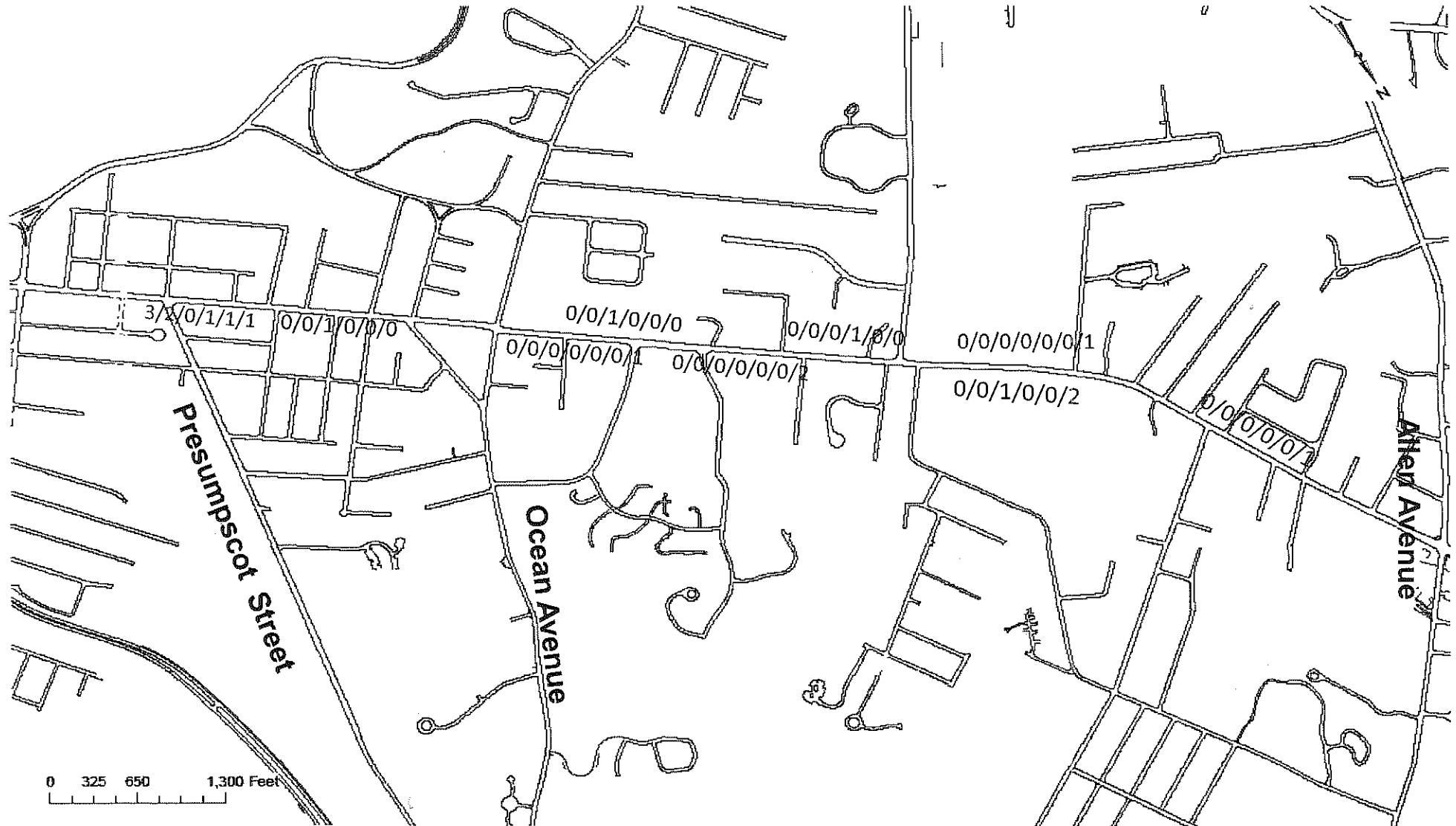
Washington Ave: AM Parking Counts

9/29/15	8:00am
10/22/15	7:30am
5/4/16	11:50am
5/5/16	10:45am

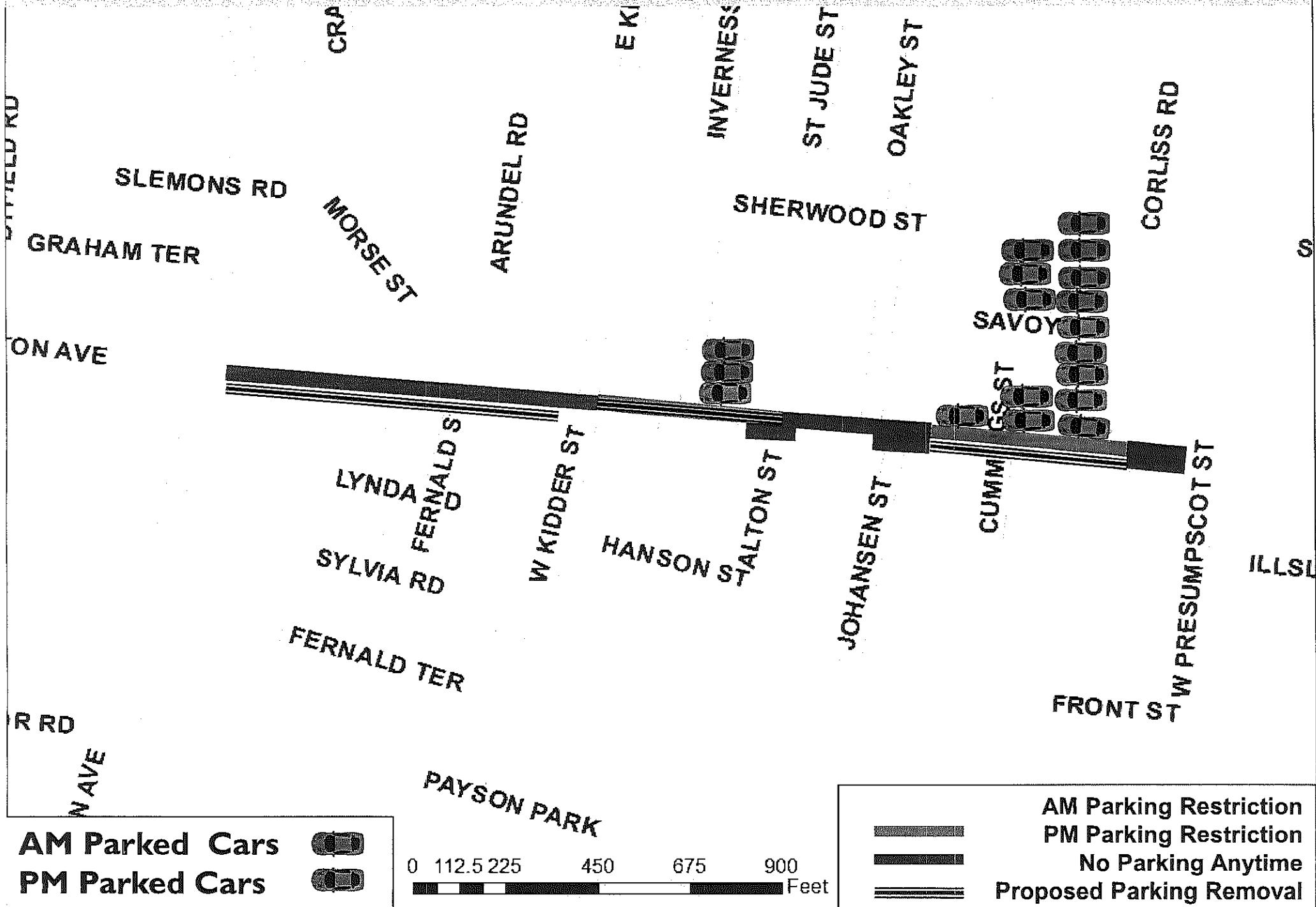


Washington Ave: PM Parking Counts

10/20/15	5:30 pm
11/17/15	6:15 pm
11/30/15	7:00 pm
1/6/16	6:20 pm
1/7/16	6:30 pm
5/3/16	7:20 pm



Parking Counts- Ocean Avenue to Presumpscot Street





KYOCERA Document Solutions Maine, LLC

Portland City Council
389 Congress Street
Portland, Maine 04101

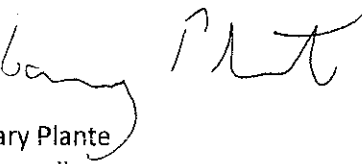
Members of the City Council:

I am writing to you on behalf of Portland Computer Copy and Cyber Copy located at 1024 and 1006 Forest Avenue, respectively. As you know, Forest Avenue is one of the most heavily travelled streets in the City of Portland if not the State of Maine. Recently, we have witnessed an increasing number of vehicles parking alongside the east bound lane of Forest Avenue from the vicinity of Starbucks at 1080 Forest Avenue through our places of business. We have been located here for over 30 years, and we have never seen anyone parking in this area until the Fall of 2015.

Based on previous conversations with both the Parking Division and the Department of Public Works, there are no enforceable parking restrictions. However, we have grown increasingly concerned with the safety issues that this creates for our nearly 60 employees, many daily customers, various delivery vehicles servicing our business, and fleet of 27 service and delivery vehicles of our own which must exit and enter our parking lot throughout the day. Vehicles parked near our entrance make the turn into our lot much sharper, and vehicles waiting to pull out onto Forest Avenue simply cannot see through these parked cars. Moreover, the METRO bus is unable to pull over at the stop between Waverly Street and our parking lot to allow passengers to board/deboard safely. This became an increasingly more dangerous situation during the winter months.

We support the proposed road configuration and pavement marking changes discussed at the neighborhood meeting on April 12 and consider this situation to be very urgent and ask that you act on it quickly. Thank you for your consideration.

Regards,



Gary Plante
Controller



Portland City Council
City Council Chambers
City Hall, 2nd Floor
389 Congress Street
Portland, ME 04101

May 9, 2016

Dear Members of the Portland City Council:

My name is Alyssa Lodewick, and I currently serve as the President of the Back Cove Neighborhood Association (BCNA). On behalf of the BCNA's executive committee, I am writing to express support for the pavement marking and parking changes that the City of Portland is considering for Forest Avenue (from Morrill Street to Pleasant Avenue).

In reviewing the materials presented at the April 12th public meeting regarding the proposed pavement striping project, BCNA board members have been alarmed by the crash statistics for Forest Avenue. We are concerned about the 307 crashes that took place between 2012 to 2014 and the 31 bicycle accidents that have occurred in the last decade.

Because we fear that the number of similar car and bike crashes will only rise in future years if no action is taken, we encourage the City to proceed with the proposed pavement marking changes, which scientific studies and data analyses have indicated will increase safety levels for automobile and bike operators.

We understand that some parking spaces will be lost in the course of completing the proposed project. While we realize that the loss of these spaces may prove inconvenient, we believe that safeguarding the lives of Portland residents and visitors is a matter of utmost concern.

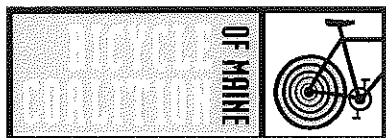
We therefore urge the City Council to approve the proposed plans for modifications to Forest Avenue's pavement markings.

Thank you for your time and consideration.

All best wishes,

Alyssa Lodewick

On behalf of the Back Cove Neighborhood Association Executive Committee



May 17, 2016

Dear Members of the Portland City Council,

Thank you for the opportunity to comment on the proposed striping changes along Forest Avenue from Morrill Street to Pleasant Avenue and along Washington Avenue from Ocean Avenue to Presumpscot Street.

The Bicycle Coalition of Maine is a statewide organization that works to make Maine better for bicycling and walking. We support projects and policies that create safe and welcoming places for those traveling on foot or bike.

We are writing to support the proposed changes to the road configuration, parking, signage, and pavement markings. These changes will improve safety for all road users on two important travel corridors. Washington Avenue and Forest Avenue are critical missing sections of Portland's bicycle network. The changes proposed will increase transportation options on a major travel corridor at minimal to no cost, since they are being done in conjunction with city paving and striping projects this summer.

Our members and supporters want streets in their neighborhood that are friendly and welcoming to bicyclists, pedestrians, wheelchair users, car drivers, children on their way to school, older adults who need more time to cross the street, and families that want the streets near their homes to balance the needs of all users – not just prioritize motor vehicle traffic speed and capacity.

Again, thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Abby King".

Abby King
Advocacy Manager
Bicycle Coalition of Maine

A handwritten signature in black ink, appearing to read "James Tasse".

Jim Tasse
Assistant Director
Bicycle Coalition of Maine

*Order 294-15/16
Tab 33 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING AND APPROVING A BUS SHELTER EASEMENT
FOR PUBLIC ACCESS FROM HARDYPOND DEVELOPMENT COMPANY, LLC**

ORDERED, that the attached bus shelter easement from Hardypond Development Company, LLC for public access and a bus shelter at 5 Pleasant Avenue is hereby accepted in substantially 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 documents and any other related documents necessary or convenient to carry out the intent of said documents.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Jeff Levine, Director, Planning and Urban Development Department

DATE: May 2, 2016

DISTRIBUTION: Jon Jennings, City Manager; Mayor Ethan Strimling; Anita Lachance, Assistant City Manager; Danielle West-Chuhta, Corporation Counsel; Jennifer Thompson, Associate Corporation Counsel; Sonia Bean, Nancy English and Julie Sullivan

SUBJECT: Transit Shelter Easement Agreement between Hardypond Development Company and the City of Portland

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading_____ **Final Action:** June 6, 2016

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

I. SUMMARY OF ISSUE (Agenda Description)

On November 10, 2015, the Planning Board approved a Level III Site Plan application for the redevelopment of the Pleasant Avenue Church at 3 Pleasant Avenue into 25 market rate apartment units. As required by the city's site plan ordinance, the approved plans include a transit shelter to serve Greater Portland METRO's M2 line, which runs on Forest Avenue. Because of the limited sidewalk width on the project frontage, however, this shelter is proposed on private property. As a result, when the Planning Board approved the project (5-0, Morrisette absent), they did so on the condition that the applicant provide an easement for purposes of public access to the transit shelter.

II. REASON FOR SUBMISSION

The easement agreement requires City Council approval and, per Corporation Counsel, qualifies as a one-reading item. The City Manager's signature is required on the easement agreement.

III. INTENDED RESULT

The easement agreement grants the public rights to wait for, board, and disembark buses on the portion of the property at 3 Pleasant Avenue where a transit shelter will be located. It should be noted that the agreement also places responsibility for maintenance and repairs on the city or its designee. Under current arrangements, METRO maintains transit shelters in the city.

IV. COUNCIL GOAL ADDRESSED

Transportation Initiatives: Develop a transportation system that advances healthy living, minimizes environmental impacts, and promotes the local economy by advancing opportunities for mass transit, bicycle use, and walking.

V. FINANCIAL IMPACT

The 3 Pleasant Avenue redevelopment project will ultimately result in tax revenue to the City. Per the site plan ordinance and per the agreement, Hardypond Development Company will erect the shelter. As noted above, METRO will ultimately be responsible for maintaining it.

VI. STAFF ANALYSIS AND RECOMMENDATION

Both Corporation Counsel's office and the city's Transportation Program Manager have reviewed the easement agreement and approved the draft as presented here. As previously stated, the Planning Board approved the proposed development on November 10, 2015 with the condition that the applicant grant public access to the transit shelter.

VII. LIST ATTACHMENTS

1. Draft Sidewalk easement between the City of Portland and 3 Pleasant Avenue.
2. Subdivision Plat

Prepared by: Nell Donaldson, Planner

Date: June 6, 2016

Bean/agendarequestmemo/rev 11/2015

Record and Return to:
David L. Galgay, Jr., Esq.
Verrill Dana, LLP
One Portland Square, P.O. Box 586
Portland, ME 04112-0586

TRANSIT SHELTER EASEMENT AGREEMENT

THIS TRANSIT SHELTER EASEMENT AGREEMENT (this "Agreement") is made this _____ day of April 2016, by and between Hardypond Development Company, LLC, a Maine limited liability company (the "Grantor") and the City of Portland, a Maine municipal corporation with a place of business in Portland, Maine and a mailing address of 389 Congress Street, Portland, Maine 04101 (the "City").

WITNESSETH:

WHEREAS, pursuant to that Trustee's Deed dated May 15, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32274, Page 49, Grantor is the owner of that certain real property situated in Portland, Cumberland County, Maine, and located at or near the intersection of Forest Avenue and Pleasant Avenue (the "Property"), said real property being more particularly designated as Lot A on the "Subdivision Plat Plan 3 Pleasant Avenue Church Re-Development" dated 6-09-15 by Fay, Spofford & Thorndike, as revised through 03-10-2016 and to be recorded in the Cumberland County Registry of Deeds in (the "Subdivision Plat"); and

WHEREAS, the City's site plan ordinance requires a Greater Portland Transit District METRO Bus shelter to be constructed on a portion of the Property for the benefit of the public; and,

WHEREAS, Hardypond Development Company, LLC will construct said METRO bus shelter on a certain lot or parcel of land more particularly described below;

NOW THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, and in further consideration of the mutual covenants and terms, conditions and restrictions hereinafter set forth, the Grantor hereby gives, grants, bargains and conveys unto the City, its successors and assigns, in perpetuity, an easement for the purposes of maintaining a Transit District METRO Bus Shelter, including related facilities as hereinafter described, and an easement for members of the public to wait, board and disembark METRO buses at the Transit District shelter in and over that portion of the Property described as follows (the "Transit Shelter Area"):

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

Beginning at a point on the southwesterly sideline of Forest Avenue, said point being 10.00 feet from its intersection with the northerly sideline of Pleasant Avenue on a course of N 21°07'05" W;

Thence, S 68°52'55" W across land of the Grantor 9.00 feet;

Thence, N 21°07'05" W across land of the Grantor 18.00 feet;

Thence, N 68°52'55" E across land of the Grantor 9.00 feet to the southwesterly sideline of said Forest Avenue;

Thence, S 21°07'05" E along the southwesterly sideline of said Forest Avenue 18.00 feet to the point of beginning containing 162 square feet.

The terms, conditions, and restrictions of this Agreement are as follows:

1. That the City or its designee shall have the right but not the obligation to erect and maintain a Transit District METRO Bus Shelter and related facilities within the Transit Shelter Area. Members of the public may wait, board and disembark buses at the said transit shelter.
2. That the City or its designee shall be and remain responsible for any and all expenditures of labor and materials or other costs or expense in the repair and maintenance of said Transit District METRO Bus Shelter within the Transit Shelter Area and related facilities.
3. That the City or its designee shall be responsible for any and all labor or other costs or expense which results from any and all future repair, relocation, or dismantling of the Transit District METRO Bus Shelter within the Transit Shelter Area and related facilities;
4. That the City agrees, to the extent allowed by Maine law, to hold Grantor harmless from any and all liability arising out of the installation and maintenance of said Transit Shelter Area and not caused by the negligence of Grantor. The parties agree that this is an indemnity agreement and nothing herein shall be construed to be a contract of insurance waiving the defense of governmental immunity;
5. The Grantor shall not be responsible for the cutting or trimming of any vegetation and cleanliness of the grounds at or around the Transit Shelter Area and the removal of trash from trash receptacles and litter from the Transit Shelter Area;
6. This Agreement shall not divest the Grantor of any rights or interests in its Property not herein mentioned;
7. All notices given under this Agreement must be in writing and must be given by U.S. certified mail (written receipt) addressed as follows:

To Grantor: Hardypond Development Company
c/o Robert J. Gaudreau

55 Hardy Road
Falmouth, Maine 04105

To City: City of Portland
c/o Jon Jennings, City Manager
389 Congress Street, Room 208
Portland, Maine 04101

Notices shall be deemed delivered three (3) days from the date sent if addressed as set forth herein. Either party may notify the other of a change of address, which will only be effective by written notice. As necessary, day to day communication may occur between the Grantor's management company (Bibeau & Company, Inc.) for the Grantor and Transit District METRO Bus for the City, concerning the administration of this Agreement. All issues of concern discussed by either party must be resolved within ten (10) business days or in a mutually agreed timeframe in writing;

8. Within forty-five (45) days following termination of this Agreement, the City agrees to remove the said Transit District Bus shelter and related facilities from the Transit Shelter Area and to return the said Transit Shelter Area to the same condition it was in on the date hereof;
9. The City and Grantor expressly agree that the City, its employees, agents, successors and assigns shall not place any advertising on, in, or around the Transit Easement Area, excepting the posting of METRO's bus schedule and bus route map **only**, which shall not be considered advertising for the purpose of this Agreement. Any advertising so placed by the City, its employees, agents, successors and assigns on, in, or around the Transit Easement Area shall be a default under the terms of this Agreement resulting in a payment by the City to the Grantor of the amount equal to the funds received by the City for said advertising. In the event that no funds or payment was made to the City for said advertising, the City shall pay to the Grantor an advertising fee in the amount of Two Hundred and Fifty Dollars (\$250.00) per month for each such occurrence.
10. This Agreement shall be binding upon Grantor and City and their respective successors and assigns.

TO HAVE AND HOLD the rights, privileges and easement herein granted to the City of Portland, its successors and assigns forever. The covenants agreed to and the terms, conditions, and restrictions imposed herein shall be binding upon the Grantor, its agents, tenants, successors and assigns and shall continue as a servitude running with the land.

AND the Grantor covenants that it is vested of the premises in fee, has the right to convey the same in fee simple, and that the same are free from encumbrances except as hereinafter stated.

IN WITNESS WHEREOF, the parties have set their hands and seals, the last party to sign being authorized to complete the day and year first written above, and which day and year shall be the effective date of this Agreement.

WITNESS:

**HARDYPOND DEVELOPMENT
COMPANY, LLC**

By: _____
Robert J. Gaudreau
Its Managing Member

WITNESS:

CITY OF PORTLAND

By : _____
Jon P. Jennings
Its City Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

April __, 2016

Then personally appeared the above-named Jon P. Jennings, City Manager of the City of Portland and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said City of Portland.

Notary Public/Attorney-at-Law
Print Name: _____
My Commission Expires: _____

STATE OF MAINE
COUNTY OF CUMBERLAND

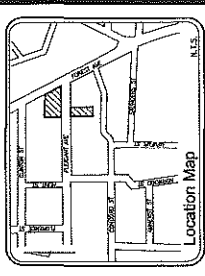
April __, 2016

Then personally appeared the above-named Robert J. Gaudreau, the Managing Member of Hardypond Development Company, LLC and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Hardypond Development Company, LLC.

Notary Public/Attorney-at-Law

Print Name: _____

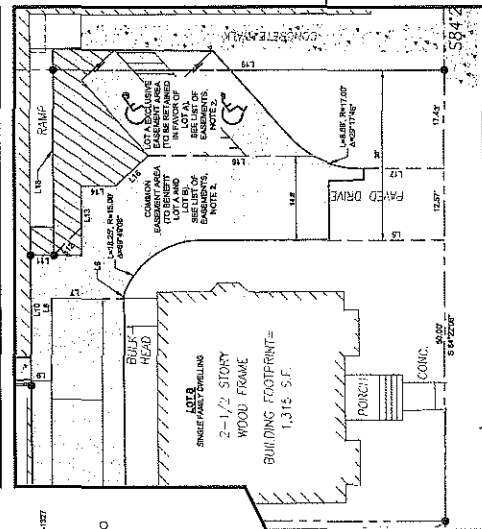
My Commission Expires: _____



- LIST OF EASEMENTS**
1. PARKING AND ACCESS EASEMENT ON LOTS 14-15 AND 16-17 TO LOT 18.
 2. ACCESS AND PARKING EASEMENTS BETWEEN LOT 18 AND LOT 19 - CROSS BOOK.
 3. TRANSIT SHELTER EASEMENT IN FAVOR OF THE CITY OF PORTLAND - TO BE RECORDED.

EASEMENT LINE TABLE

LINE TABLE	LINE TABLE	LINE TABLE
ID	LENGTH	DIRECTION
1.1	2.00 FEET	S89°29'40"W
1.2	1.00 FEET	S71°00'00"W
1.3	2.00 FEET	N40°00'00"E
1.4	1.00 FEET	S89°29'40"W
1.5	1.00 FEET	S71°00'00"W
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1.24	1.00 FEET	N40°00'00"E
1.25	1.00 FEET	S89°29'40"W
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LOTS A & B EASEMENT EXHIBIT

OWEN HASKELL, INC.
 PROFESSIONAL LAND SURVEYORS
 380 U.S. ROUTE ONE UNIT 10
 FALMOUTH, MAINE 04105
 Tel: (207) 774-0424 www.owenhaskell.com

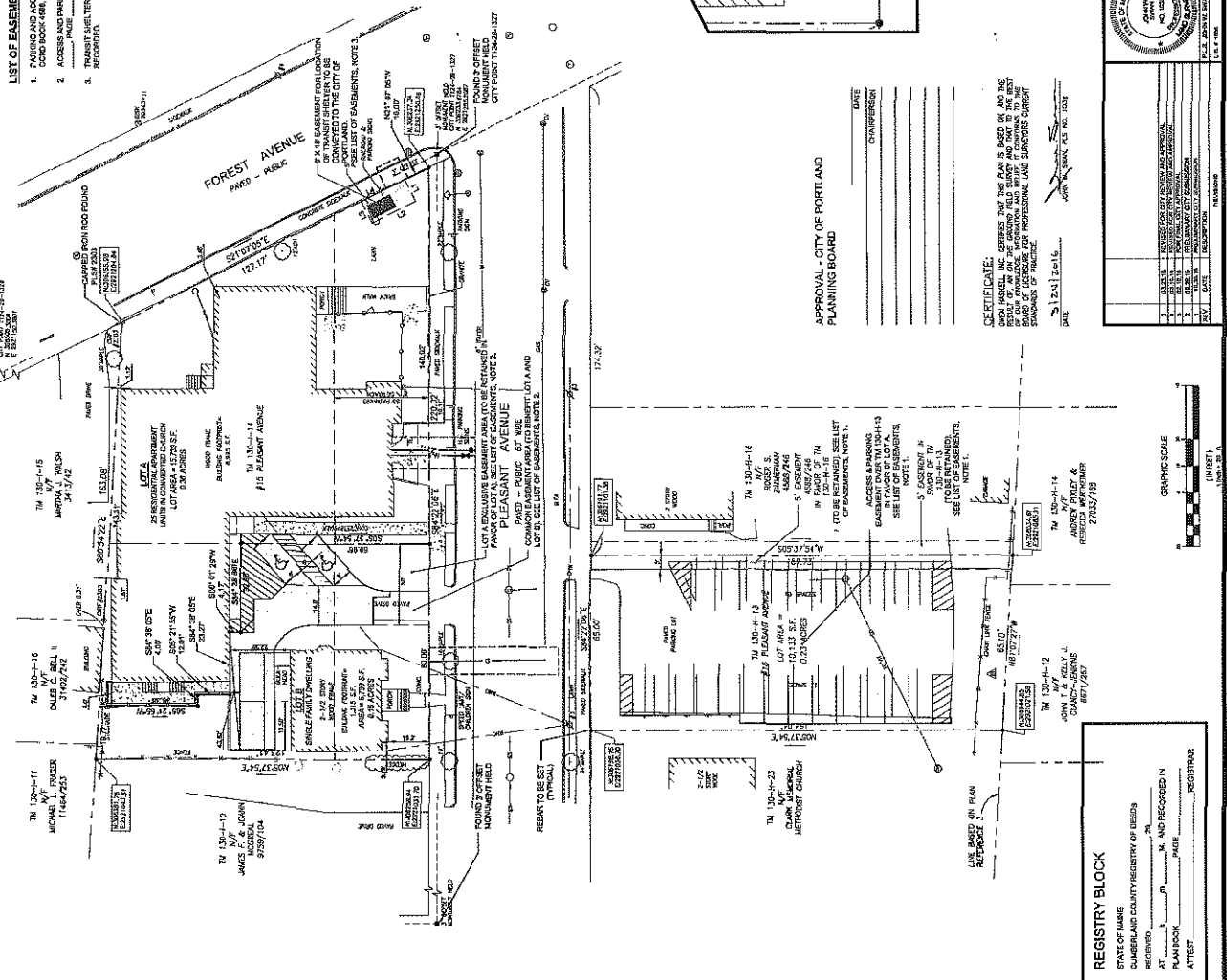
3 PLEASANT AVENUE CHURCH RE-DEVELOPMENT SUBDIVISION PLAT PLAN

REGISTERED

DATE 08/02/2015
FILE NAME 3P-15-001
FILE NO. 3P-15-001
FILE TYPE 3P-15-001

OWNER 3 PLEASANT AVENUE CHURCH
ADDRESS 3 PLEASANT AVENUE
CITY PORTLAND, ME 04105
STATE ME
COUNTY CUMBERLAND

DATE 08/02/2015
FILE NAME 3P-15-001
FILE NO. 3P-15-001
FILE TYPE 3P-15-001



PORTLAND ZONING

ZONE RS

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76. MINIMUM LOT AREA - 10,000 S.F.
77. MINIMUM LOT AREA - 10,000 S.F.
78. MINIMUM LOT AREA - 10,000 S.F.
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80. MINIMUM LOT AREA - 10,000 S.F.
81. MINIMUM LOT AREA - 10,000 S.F.
82. MINIMUM LOT AREA - 10,000 S.F.
83. MINIMUM LOT AREA - 10,000 S.F.
84. MINIMUM LOT AREA - 10,000 S.F.
85. MINIMUM LOT AREA - 10,000 S.F.
86. MINIMUM LOT AREA - 10,000 S.F.
87. MINIMUM LOT AREA - 10,000 S.F.
88. MINIMUM LOT AREA - 10,000 S.F.
89. MINIMUM LOT AREA - 10,000 S.F.
90. MINIMUM LOT AREA - 10,000 S.F.
91. MINIMUM LOT AREA - 10,000 S.F.
92. MINIMUM LOT AREA - 10,000 S.F.
93. MINIMUM LOT AREA - 10,000 S.F.
94. MINIMUM LOT AREA - 10,000 S.F.
95. MINIMUM LOT AREA - 10,000 S.F.
96. MINIMUM LOT AREA - 10,000 S.F.
97. MINIMUM LOT AREA - 10,000 S.F.
98. MINIMUM LOT AREA - 10,000 S.F.
99. MINIMUM LOT AREA - 10,000 S.F.
100. MINIMUM LOT AREA - 10,000 S.F.

REGISTERED

DATE 08/02/2015
FILE NAME 3P-15-001
FILE NO. 3P-15-001
FILE TYPE 3P-15-001

OWNER 3 PLEASANT AVENUE CHURCH
ADDRESS 3 PLEASANT AVENUE
CITY PORTLAND, ME 04105
STATE ME
COUNTY CUMBERLAND

DATE 08/02/2015
FILE NAME 3P-15-001
FILE NO. 3P-15-001
FILE TYPE 3P-15-001

*Order 295-15/16
Tab 34 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER GRANTING AN ANODE BED GAS FACILITY EASEMENT
TO UNITIL ON DOUGLASS STREET**

ORDERED, that an anode bed gas facility easement to Northern Utilities, Inc., doing business as
UNITIL, is hereby granted in substantially 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 documents and any other related documents
necessary or convenient to carry out the intent of said documents and this Order.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Michael Goldman, Associate Corporation Counsel

DATE: 4/28/2016

SUBJECT: Order Granting an Anode Bed Gas Facility Easement to Unitil on Douglass Street

SPONSOR: Danielle West Chuhta, Corporation Counsel

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading n/a Final Action 6/6/2016

Can action be taken at a later date: Yes X **No (If no why not?)** Unitil needs to relocate an anode bed due to changes on property slated for an intermodal transportation project on Commercial Street owned by MDOT, where the anode bed is now located.

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

I. ONE SENTENCE SUMMARY

Unitil has requested an Easement on public land at Douglass Street to assist in its relocation of an anode bed from Commercial Street MDOT land and will be paying the City for this Easement \$0.85 per square foot, or \$1,216.35 for the 1,431 square feet of the Easement area.

II. AGENDA DESCRIPTION

Unitil has requested that the City grant it an easement on Douglass Street to allow the relocation of an anode bed. The relocation follows an expansion of the Maine Department of Transportation (MDOT) intermodal transportation project, including the construction of a cold storage facility, on MDOT property on Commercial Street, where Unitil's anode bed is located now.

Work must be completed before the heating season, which begins October 1, 2016. The anode bed consists of 10 underground anodes in an underground cable inside a PVC pipe and is about 100 feet long. A rectifier on a utility pole will also be installed.

Unitil will pay the City a fee of \$0.85 per square foot, or \$1,216.35 for the 1,431 square feet of the Douglass Street Unitil Easement area.

III. BACKGROUND

See attached letter from Matt Doughty, Project Manager, Unitil, dated April 19, 2016.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Economic opportunities created by the intermodal transportation facility expansion will be assisted by this relocation.

V. FINANCIAL IMPACT

Granting the Easement will bring \$1,216.35 in additional revenue.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

See attached.

VII. RECOMMENDATION

Corporation Counsel has approved this Easement as to Form, and the Public Works Department, the Planning and Urban Development Department, the City Manager and the Department of Parks, Recreation and Facilities Management have approved its location.

VIII. LIST ATTACHMENTS

Letter from Matt Doughty, Project Manager, Unitil, describing need for Unitil's Easement on Douglass Street.

Easement and Exhibits

Order Granting an Easement to Unitil on Douglass Street

Prepared by: Michael Goldman and Nancy English

Date: 4/28/2016



April 19, 2016

Mayor Ethan K. Strimling and
Members of the Portland City Council
389 Congress Street
Portland, ME 04101

Re: Unitil request for a gas facilities easement on the City's land on Douglass Street

Dear Mayor Strimling and Members of the City Council:

This letter is submitted on behalf of Northern Utilities, Inc., d/b/a Unitil, to request the City grant it a gas pipeline anti-cathodic rectifier and anode-bed easement on the City's Douglass Street property.

The easement terms are stated in the enclosed proposed Easement Agreement, which has been reviewed by the City's attorney, Michael Goldman. The Agreement's attached Plans are also as specified by Bill Clark of the City's Public Works Department. The easement will enable Unitil to move its rectifier and anode bed from its current location on West Commercial Street property that is owned by the Maine Department of Transportation (MDOT).

The anti-cathodic rectifier and anode bed is one of various Unitil gas facilities currently located on the MDOT Site, including pipelines and gas regulators. Unitil's gas facilities must be relocated in order for MDOT to complete its intermodal transportation Project next to the International Marine Terminal, approved by the City Planning Board in 2014. Most of the gas facilities can be relocated elsewhere on the MDOT Site (and Unitil/MDOT's permit applications for the relocation work are pending before the City's Planning Board), but there is no room for the anode bed on the Site. To move the anode bed off-site, a suitable location is required near a gas main. The City's Douglass Street property is particularly suitable, and is also where Unitil has an existing regulator pit.

The proposed rectifier and anode bed will consist of 10 underground anodes attached to an underground cable (which is within a PVC pipe) approximately 100 feet in length. The cable will loop back to a rectifier installed on a utility pole, and from the rectifier will extend to a 10" gas main. Once the anode and rectifier are installed, there will be virtually no disturbance of the Douglas Street site until the anode bed reaches the end of its useful life, typically in 15 to 25 years. The anodes can be then be replaced through small suctioned holes without further

trenching. The rectifier, mounted on a pole, will be accessed 7 times a year, with no ground disturbance.

The City Council's grant of the easement will benefit the City as it will enable MDOT to complete its IMT expansion project, including a cold storage facility, which will be an employment and economic boon for the City. Unitil will also pay the assessed charge for the easement in the amount of \$1216.35, based on a rate of \$0.85 per sq. ft. for 1431 sq. ft. of easement area.

It is vital to MDOT that the gas facilities, including the anode bed, be relocated before October 1, 2016 to enable MDOT to commence the next phase of its project as planned. Unitil must relocate the gas facilities, in any case, before October 1 because it cannot interrupt gas services to complete the relocation after that date, when the winter heating season officially begins. Unitil therefore appreciates the Council's timely consideration of this request.

Sincerely,



Matt Doughty
Project Manager



376 Riverside Industrial Parkway
Portland, Maine 04103
207.541.2579 M 207.310.8172

cc. Rick Paraschak, MDOT

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS that the **CITY OF PORTLAND**, a body corporate and politic with a principal office in Portland, Maine ("Grantor"), does hereby GRANT to **NORTHERN UTILITIES, INC.**, d/b/a Unitil, a New Hampshire corporation with a mailing address of 6 Liberty Lane West, Hampton, New Hampshire, 03842-1704, its successors and assigns, without covenant, an easement in gross to construct, install, maintain, operate, alter, repair, rebuild, inspect, patrol, replace, and remove, a natural gas facility anti-cathodic anode bed, together with all necessary pipes, meters, fittings, fixtures, equipment and appurtenances (collectively, the "Anode Bed Gas Facility"), as installed over, under and within a portion of the land conveyed to the Grantor by a deed from Langdon P. Marvin, Executor of the Estate of St. John Smith dated March 21, 1946 and recorded in the Cumberland County Registry of Deeds in Deed Book 1813, Page 154, and a deed from J. Hopkins Smith dated March 27, 1946 and recorded in said Registry in Deed Book 1815, Page 84 (the "Premises"). Said portion of the Premises is more particularly described in **Exhibit A** attached hereto and generally depicted on **Exhibit B** attached hereto and is referred to herein as the "Easement Area."

The rights granted herein include the right to use land adjacent to the Easement Area at times of and for the purposes appurtenant to said construction, installation, maintenance, alteration, repair, rebuilding, inspection, replacement, and/or removal, together with the right to cut and remove trees, obstructions, bushes, shrubs, roots, and earth, and to do any other work necessary for the purposes of constructing, maintaining, operating, repairing and replacing said Anode Bed Gas Facility.

All work for and on said Anode Bed Gas Facility shall be in accord with all applicable laws and regulations. The Grantee, its successors and assigns shall not perform any work within the Easement Area without the written consent of the Grantor, its successors and assigns, which consent shall not be unreasonably withheld, except for inspection and maintenance that does not involve substantive disturbance of the surface, and except under circumstances where such work is required on an immediate basis due to emergency conditions. In such emergency instances Grantee will notify Grantor as soon as practical.

In the event that Grantee disturbs the surface of the Easement Area or the land adjacent to it in connection with the exercise of its rights under this Easement, Grantee, at its sole expense, will restore the surface of the Easement Area so-disturbed to substantially the same or better condition as existed prior to such disturbance. Grantor agrees that no building or other structure shall be erected or installed within the Easement Area contrary to any statute, law, ordinance or safety regulation or policy. Rights reserved to the Grantor shall not be used or exercised in any manner which will interfere with the rights, privileges and authority herein granted to Grantee.

Grantee by acceptance of and/or exercise of the rights created by this easement, forever releases, holds harmless and indemnifies Grantor, its agents, representatives, heirs, successors and assigns, from and against any and all claims, injury or death to any person and damage or loss of any property, that in any way relate, arise from or are connected to the exercise of the easement rights set forth herein.

The rights herein granted are subject to any leases, easements, rights, restrictions, and/or mortgages of record, insofar as same are now in force and applicable.

This instrument shall be binding on and inure to the benefit of the successors and assigns of the parties, the burdens of the easements created hereby shall burden and run with the Premises, and Grantee shall have the right to assign the easements created hereby.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized undersigned representative on this ____ day of _____, 2016.

CITY OF PORTLAND

Witness

By: _____
Name: _____
Title: _____

STATE OF MAINE

County of Cumberland, SS.

_____, 2016

Then personally appeared the above named _____,
in his/her capacity as _____ of said **CITY OF PORTLAND**, and
acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity
and the free act and deed of said **CITY OF PORTLAND**.

Before me,

Maine Attorney-at-law/Notary Public
Printed Name: _____
My Commission Expires: _____

EXHIBIT A
(Description of the Easement Area)

A certain lot or parcel of land, located easterly of Douglass Street and along the westerly and northerly line of Interstate I-295 in the City of Portland, County of Cumberland, and State of Maine, more particularly bounded and described as follows:

COMMENCING at a point along the easterly line of Douglass Street at the intersection with the southerly line of a proposed street which has been used as the entrance to the former West School;

THENCE S 72° 29' 22" E 265.69 feet along the southerly line of said proposed street to the **POINT OF BEGINNING**;

THENCE S 59° 23' 19" W 15.12 feet to a point;

THENCE N 75° 45' 03" W 91.70 feet to a point;

THENCE S 14° 14' 57" W 10.00 feet to a point;

THENCE S 75° 45' 03" E 110.00 feet to a point along the northwesterly line of I-295 as shown on a plan titled "Maine State Highway Commission Right of Way Map – State Highway 295 – Portland Cumberland County – Federal Aid Project No. I-295-3(24) & (25) – S.H.C. File No. 3-185 sheet no 46 of 73" dated May 1967 as revised and recorded at the Cumberland County Registry of Deeds on January 28, 1976 in Plan Book 112, Page 48;

THENCE N 59° 23' 19" E 27.13 feet along said northwesterly line of I-295 to a point along the southerly line of said proposed street;

THENCE N 72° 29' 22" W 26.86 feet along the southerly line of said proposed street to the **POINT OF BEGINNING**.

Said lot or parcel of land contains 1431 square feet, more or less, is part of a lot or parcel of land conveyed by Langdon P. Marvin, Executor of the Estate of St. John Smith to the City of Portland on March 21, 1946 and recorded in said Registry in Deed Book 1813, Page 154, and is part of a lot or parcel of land conveyed by J. Hopkins Smith to the City of Portland on March 27, 1946 and recorded in said Registry in Deed Book 1815, Page 84.

Reference is made to a plan entitled "Boundary Worksheet of Doughty Field - Douglass Street - St. James St. - Interstate 295" dated March 2006 by William G. Scott, P.L.S. 2239 and on file at the City of Portland, Public Works Department, Engineering Archives plan file 991/006.

FORMER
WEST SCHOOL
ENTRANCE FROM
DOUGLASS STREET

FORMER
WEST SCHOOL
PARKING LOT

BURIED CABLES
TO GAS MAIN

MDOT SURVEY
MONUMENT

TIE LINE S72°29'22"E 265.69' FROM DOUGLASS STREET

S14°14'57"W
10.00'
UNITIL WITNESS
POST (x4)

N75°45'03"W 91.70'
PROPOSED UNITIL ANODE BED
(10) ANODES 10 FT O/C

S75°45'03"E 110.00'
UTILITY POLE

S59°23'19"W N72°29'22"W
POB 26.86'
POLE 147/21

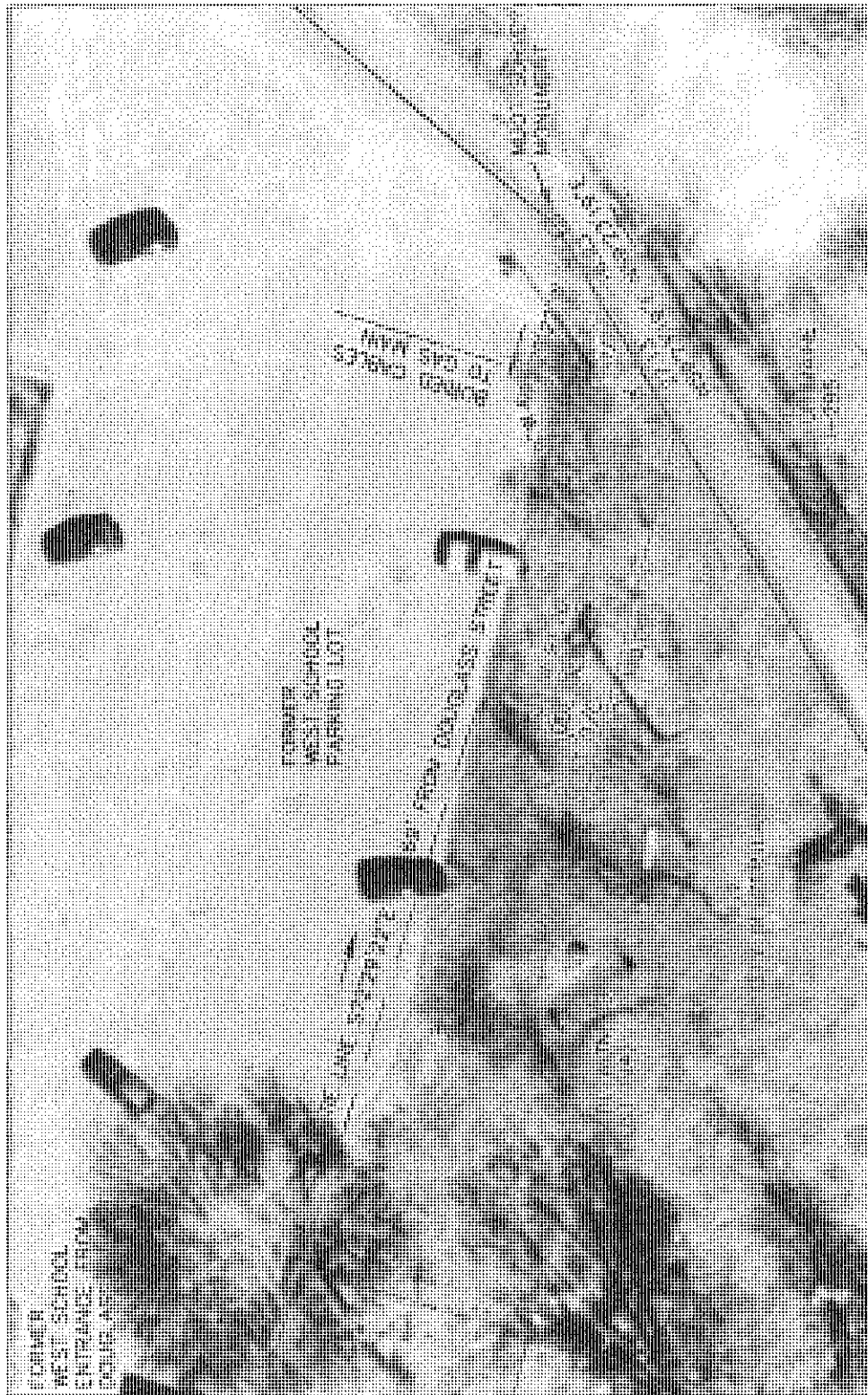
14.18'
27.13'
N59°23'19"E
TIE LINE

N/F
CITY OF PORTLAND

N/F
STATE OF MAINE
I-295

EXHIBIT B

B-1



*Order 296- 15/16
Tab 35 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AUTHORIZING THE DEACCESSION OF
THE COMMON GROUND GAZEBO FROM THE
PORTLAND PUBLIC ART COLLECTION**

ORDERED, that the City of Portland, through the Portland Public Art Committee, is hereby authorized to proceed with deaccession from the Portland Public Art Collection of the Common Ground Gazebo in Payson Park.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Caitlin Cameron, Urban Designer, Department of Planning & Urban Design

DATE: May 12, 2016

DISTRIBUTION: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julie Sullivan

SUBJECT: **Order** to approve deaccession of the *Common Ground Gazebo* from the Portland Public Art Collection

SPONSOR: Lin Lisberger, Chair of the Portland Public Art Committee

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading _____ **Final Action** _____ June 6, 2016 _____

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

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

Staff and Public Art Committee Chair, 2 minutes to present plan for deaccession of artwork

I. SUMMARY OF ISSUE (Agenda Description)

The Portland Public Art Committee recommends that the *Common Ground Gazebo* located within Payson Park be deaccessioned from the Portland Public Art Collection and that it be taken down per the Public Art Guidelines.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

In accordance with the Public Art Committee Guidelines, City Council must approve the deaccession of artwork within the City's Public Art collection. The *Common Ground Gazebo* is part of the Portland Public Art collection – a community artwork created in 2001 by Alan Holt with the participation of USM students, Seaside residents, and neighborhood children. The gazebo is deteriorating and under-used; the expense to relocate and repair the gazebo is higher than expected and there are on-going maintenance concerns. If deaccession is approved, the gazebo would be destroyed as per the Public Art Guidelines (VIII Deaccessioning Policy C2d3).

III. INTENDED RESULT

The intended result of deaccessioning the gazebo is to remove the artwork from the public art collection and therefore remove the responsibility of the Public Art Committee to conserve and maintain it. The deteriorated gazebo will be taken down with the assistance of Department of Parks, Recreation & Facilities or a hired contractor.

IV. COUNCIL GOAL ADDRESSED

n/a

V. FINANCIAL IMPACT

The process is staffed by the Planning Division. The work to take down the gazebo will be coordinated between the Public Art Committee and the Department of Parks, Recreation & Facilities. If the Department of Parks, Recreation & Facilities is not able to accommodate this work in their queue, an independent contractor will be hired – in either case, the PPAC expects to pay for the labor and disposal of the gazebo but this cost is unknown at this time. The PPAC has funds in its approved 2016 budget for maintenance and conservation. No additional financial impact is anticipated.

VI. STAFF ANALYSIS

PPAC followed the sequence of action for deaccession from the Public Art Guidelines: VIII. Deaccession of Public Art:

c1. The PPAC has determined the artwork meets one of the deaccession criteria - The artwork has been damaged or has deteriorated to the point where restoration is impractical or unfeasible, or the cost of restoration is excessive in relation to the appraised value of the artwork.

c2. The PPAC informed the artist (Alan Holt) that the artwork is being considered for deaccession.

c3. The PPAC held a public meeting on 4.20.16 to consider the recommendation to deaccession the *Common Ground Gazebo*. No members of the public were in attendance for that topic. The PPAC voted on a recommendation to City Council for deaccession of the artwork. Friends of Payson Park were also approached on the subject of acquiring the gazebo and they were not interested in the acquisition. Therefore, the committee has determined that destruction of the artwork is the appropriate course of action.

Staff supports the recommendation from the PPAC for deaccession of this artwork.

VII. RECOMMENDATION

At a public meeting on April 20, 2016, the PPAC made the following recommendation:

The Portland Public Art Committee recommends that the *Common Ground Gazebo* located in Payson Park be deaccessioned from the Portland Public Art Collection and that it be destroyed. [9-0 in favor, Kirby moved, Cradock seconded]

VIII. LIST ATTACHMENTS

- Photograph of gazebo

Prepared by: Caitlin Cameron

Date: 5/12/16

PROJECT: **COMMON GROUND GAZEBO**, COMMUNITY BASED PUBLIC ART PROJECT
SPRING 2001 – PORTLAND, ME



Holt, as Artist-in-Residence with the University of Southern Maine, led a class of art students through a community-based, design/build art project. Working at the site of a community garden, Holt and the students met with children from adjacent public housing and elders of a neighboring nursing home to identify common needs and aspirations.



The resulting gazebo, funded by the USM Art Department and built by the Holt and his students, incorporates over 120 ceramic tiles, painted by the children and elders. The gazebo also features a six-sided faceted skylight with etched text based on a Samoli blessing. The text is translated into six languages that represent the heritages of the participating children.



*Order 291-15/16
Tab 36 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING THE DONATION OF LAND
ON RIVERVIEW STREET FROM DIVERSIFIED PROPERTIES, INC.**

ORDERED, that the City hereby accepts the donation of real property on Riverview Street as described in the attached Exhibit A; and

BE IT FURTHER ORDERED, that the Quitclaim Deed with Covenant regarding such donation is hereby approved substantially in the form attached.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Department of Public Works

DATE: May 12, 2016

SUBJECT: Proposed Land Donation on Riverview Street

SPONSOR: Bob Leeman, Acting Director
(If sponsored by a Council committee, include the date the committee met, the results of the vote, and the meeting minutes.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading N/A Final Action June 6th, 2016

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

This donation is a precursor to the City's review of a site plan for the development of two lots with one existing home and a proposed single-family home on the land adjacent to the donated parcel. In order for review of that application to take place, this donation must first be accepted.

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

I. ONE SENTENCE SUMMARY

DPW recommends that the Council accept a donation of a parcel of land on Riverview Street.

II. AGENDA DESCRIPTION

Order authorizing the City Manager to accept a donation of a parcel of land on Riverview Street.

III. BACKGROUND

Jim Wolf, whose company Diversified Properties, Inc. owns a large parcel of land on Riverview Street is proposing to donate a portion of it to the City. DPW has determined that this proposed parcel is not appropriate for inclusion in the Land Bank due to the presence of multiple utility easements on the property. However, DPW has determined that the property may be helpful in order to facilitate maintenance of certain City infrastructure and therefore recommends

the acceptance. In addition, this steeply-sloping land within the Shoreland Zone of the Fore River is well-vegetated, helping to stabilize the hillside and protect water quality.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

That the Council authorize the Manager to accept the donation in order to facilitate the maintenance of City infrastructure on and around the site.

V. FINANCIAL IMPACT

Given the use restrictions of multiple utility easements, the property would be valued at about \$7,000 +/-, contributing about \$140 in annual property taxes (at current rates).

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

Jim Wolf, whose company owns a large parcel of land on Riverview Street is proposing to donate a portion of it to the City. DPW has determined that this proposed parcel is not appropriate for inclusion in the Land Bank due to the presence of multiple utility easements on the property. However, DPW has determined that the property may be helpful in order to facilitate maintenance of certain City infrastructure and therefore recommends the acceptance. In addition, this steeply-sloping land within the Shoreland Zone of the Fore River is well-vegetated, helping to stabilize the hillside and protect water quality.

VII. RECOMMENDATION

To accept the donation.

VIII. LIST ATTACHMENTS

Proposed Deed to the City
Survey
Metes and Bounds description of donated parcel

Prepared by: Douglas Roncarati & William Clark
Date: May 12, 2016

Bean/agendarequestmemo/rev 11/2015

EXHIBIT A

A certain lot or parcel of land, located along Riverview Street in the City of Portland, Cumberland County, State of Maine, more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of Lot 33 as shown on a plan titled "Plan of Capisic Heights Portland, ME Surveyed Jan, 1913" by A.E. Skillin, Surveyor and recorded at the Cumberland County Registry of Deeds in Plan Book 12, Page 75, said point located along a one foot strip of land as shown on said plan and described in a deed from Cora M. Edwards to the City of Portland dated February 28, 1945 and recorded at said Registry in Deed Book 1826, Page 435;

THENCE N 21° 57' 14" E 87.50 feet along said one foot strip, the westerly line of Lots 33, 31, and 29 as shown on said plan to a point at the most southwesterly corner of Lot 27 as shown on said plan,

THENCE N 26° 26' 50" E 3.27 feet along said one foot strip and the westerly line of Lot 27 to a point;

THENCE S 73° 45' 24" E 114.42 feet through said Lot 27 and running parallel with the southerly line of Lot 27 to a point along the westerly line of Riverview Street;

THENCE S 16° 14' 36" W 133.45 feet along the westerly line of Riverview Street to a point along said one foot strip, said point located at the southerly corner of Lot 33;

THENCE N 54° 31' 15" W 131.02 feet along said one foot strip and the southwesterly line of Lot 33 to the **POINT OF BEGINNING**.

Said lot or parcel of land contains 13,430 square feet, more or less.

Bearings herein described are referenced to Grid North, Maine State Plane Coordinate System, NAD 83, West Zone as shown on a plan titled "Plan of Donation of Property 51 Riverview Street Portland, Maine made for Diversified Properties P.O. Box 10127 Portland, Maine" by Rex J. Croteau, PLS #2273 of Titcomb Associates 133 Gray Road, Falmouth, Maine 04105 dated April 12, 2016, to be recorded at said Registry of Deeds.

Order 298 - 15/16
Tab 37 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ADOPTING DEVELOPMENT PROGRAM FOR
PORTLAND DOWNTOWN
FOR FISCAL YEAR 2016-2017**

ORDERED, pursuant to 30-A M.R.S. Section 5224, after public hearing, the City Council of the City of Portland hereby adopts the Development Program submitted by the City Manager, a copy of which is attached hereto, for the Downtown Improvement District, Inc. doing business as Portland Downtown for fiscal year 2016-2017.



Economic Development Department
Gregory A. Mitchell, Director

MEMORANDUM

TO: Mayor and Members of the City Council

FROM: Greg Mitchell, Economic Development Director

DATE: May 18, 2016

SUBJECT: Portland Downtown/Annual Assessment Documents

1. Order Adopting Development Program for PD;
2. Order Establishing Yearly Assessments; and,
3. Order Authorizing Master Agreement and Supplemental Services Agreement

SPONSOR: Jon P. Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

June 6, 2016, for a first reading; June 20, 2016 for a second reading, public hearing, and vote.

Can action be taken at a later date? No

If no, why not? This item needs to be acted upon prior to the start of the City's FY2017.

PRESENTATION: Casey Gilbert, Portland Downtown Executive Director/5 Minutes

I. ONE SENTENCE SUMMARY

Annually each June, the City Council authorizes the City Manager to execute documents necessary for the continued operation of Portland Downtown (formerly known as Portland's Downtown District).

II. AGENDA DESCRIPTION

City Council authorization of documents are needed for the continued operation of Portland Downtown (PD). These documents include (1) Adopting Development Program for the PD for FY2017; (2) Assessing Maintenance and Implementation Assessments in the PD District for FY2017; (3) authorizing the Master Agreement for work to be done by PD; and (4) authorizing the Supplemental Services Agreement for work to be done by the City.

III. BACKGROUND

The PD District was originally established by the City Council on March 16, 1992. Since then, in June annually for the following fiscal year starting July 1, City Council authorization of these documents is needed.

IV. INTENDED RESULT OR COUNCIL GOAL ADDRESSED

The intended result is for the PD to have a yearly development program adopted by the City Council, have assessment fees levied to property owners in the District in order for the PD to continue its program of services to support downtown cleanliness, safety, and events, and to formalize agreements between the PD and the City for services. The City departments, which are involved in the provision of services to the PD, have reviewed and approved this year's Master Agreement and Supplemental Services Agreement.

V. FINANCIAL IMPACT

This year's assessment of \$749,143 will come from special assessments on all real estate in the PD to fund PD Development Program expenses for the period July 1, 2016 to June 30, 2017. *The mill rate to raise this assessment is .92 cents per \$1,000 of property value, which has been the same rate for the past seven years.*

VI. STAFF ANALYSIS AND RECOMMENDATION THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

City staff have reviewed the documents and recommend City Council approval.

VII. RECOMMENDATION

City Staff recommends the City Council approve the three Orders as presented.

VIII. LIST OF ATTACHMENTS

1. PD Development Program for FY17;
2. Listing of Property Owners and Assessment in PD District;
3. Master Agreement; and,
4. Supplemental Services Agreement



**Mayor Strimling and City Councilors
May 2016**

Portland Downtown, formerly Portland's Downtown District (PDD), has had a very productive year and continues to work to on our core mission of "...maintaining a clean and safe downtown while building and promoting a vibrant business, residential and tourism destination." We rolled out our new name and new logo with a brand launch in October, as well as the launch of our updated website, portlandmaine.com. With our new branding has come increased visibility for the organization and the opportunity to increase our engagement with the community.

The City of Portland has faced an unprecedented level of growth activity over the past year, and along with growth comes a lot of changes, including higher density, diversity, and economic expansion. Portland Downtown has continued to engage all the constituents to address the changing needs of Portland. Our focus for 2016-2017 is to continue executing our mission by ensuring that Portland Downtown can not only weather, but thrive, in the changing landscape before us.

With new Executive Director Casey Gilbert at Portland Downtown, the organization has continued its outreach, with more boots on the ground Downtown. This year we added a new Marketing and Communications Coordinator to the team, who has been using his extensive skill set to promote Portland Downtown. We also created a new position, Downtown Experience Liaison (DEL), which will enable the organization to better connect with business owners and stakeholders. The DEL will gather feedback and help to ensure that our stakeholders concerns are being heard and turning that feedback into action.

The Board committees have grown with increased attendance and interconnectivity with the greater Downtown community. We continue to work with property owners, city departments and community organizations to address ongoing issues such as parking, transportation, graffiti removal, recycling, homelessness, open space, nuisance crime, and safety. We are working together to achieve our strategic goals as outlined in our 5-year Strategic Plan.

Collaboration with other local organizations like Creative Portland, the Chamber of Commerce, METRO, and the Convention and Visitors Bureau continues, enabling us to reach out for input from all constituents in the Downtown Area. More recently, we have been collaborating with newer active organizations such as the Bicycle Coalition of Maine and Portland Buy Local, as well as educational institutions (USM and MECA). These are the organizations that are helping Portland Downtown to get in touch with the



trends that are driving the changing economic development and popularity of Portland, Maine as both a tourist destination as well as a great place to live.

This past year, Portland Downtown's expanded Police Cadet Program during the summer season was a great success, and we intend to continue with the expanded program for summer 2016. We received very positive feedback regarding the expanded program, with reports of increased visibility adding to the sense of security in the Downtown Area.

Our committees, with extensive public meetings and collaborations with Portland Downtown constituents, have presented two recommendation letters to the City Manager regarding "hot button" issues we hear about constantly - downtown Parking and Transportation Needs and Sound Ordinance Issues. Our recommendations not only provide feedback from balanced representation downtown, but they also offer back end support for the City from Portland Downtown to implement recommendations and execute changes proposed.

All of these Portland Downtown efforts help to improve and support the Portland brand – Yes, Life's Good Here. We look forward to continuing for 2016-2017.

We are very proud of the strengthened working relationship we have with the City of Portland, both staff and elected officials, and look forward to continuing that relationship to accomplish our mission which we could not do without such support.

Sincerely,

Denine Leeman
Board Chair, Portland Downtown

Order 299-15/16
Tab 38 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ASSESSING MAINTENANCE AND IMPLEMENTATION
ASSESSMENTS FOR PORTLAND DOWNTOWN
FOR FISCAL YEAR 2016-2017**

ORDERED, pursuant to 30-A M.R.S. § 5228, after public hearing thereon, that the sum of \$749,143 be raised and appropriated from the special assessments on all real estate situated within the boundaries of the Downtown Improvement District, Inc. doing business as Portland Downtown ("Portland Downtown") to fund maintenance and implementation costs for such district for the period beginning July 1, 2016 and ending on June 30, 2017; and

BE IT FURTHER ORDERED, that the said sum be assessed on all real estate within the Portland Downtown district in the amounts set forth on the "List of Maintenance and Implementation assessments" which is attached hereto; and

BE IT FURTHER ORDERED, that the said assessments shall be due July 1, 2016 and payable to the City of Portland at the same time that taxes on other real estate are due; and

BE IT FURTHER ORDERED, that the interest on unpaid assessments shall be at the same rate as interest on other unpaid real estate taxes; and

BE IT FURTHER ORDERED, that the said assessments are hereby committed to the tax collector of the City of Portland for collection, pursuant to 30-A M.R.S.A. § 5228(5); and

BE IT FURTHER ORDERED, that the tax collector is hereby authorized and directed to take all necessary action for the collection of said assessment.

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 F012001	41	BROWN ST	MHS INC		\$171,290	\$158
037 I002404	15	BROWN ST	PARKER MARK		\$351,500	\$323
037 I007001	11	BROWN ST	OUBLECK LLC		\$840,300	\$773
037 D004001	48	BROWN ST	OCEAN GATE LLC		\$874,090	\$804
037 F002001	45	BROWN ST	477 TIME & TEMPERATURE LLC		\$2,547,200	\$2,343
037 I002206	15	BROWN ST	MCILVAIN JOHN &	ELIZABETH S MCILVAIN TRUSTEES	\$153,600	\$141
037 I002207	15	BROWN ST	CONWAY NANCY ANN TRUSTEE		\$160,400	\$148
037 I002204	15	BROWN ST	SINGER ROBERT B TRUSTEE		\$185,100	\$170
037 I002301	15	BROWN ST	BARBERA SUSAN		\$189,800	\$175
037 I002202	15	BROWN ST	MACEACHERN ALLISON SCOTT		\$199,100	\$183
037 I002201	15	BROWN ST	HUNTER BEVERLY C &	HAROLD G HUNTER	\$201,800	\$186
037 I002305	15	BROWN ST	COFFIN KATHLEEN M		\$205,900	\$189
037 I002302	15	BROWN ST	ANDREOLI HELEN L		\$209,300	\$193
037 I002105	15	BROWN ST	ADLER JANICE B		\$220,200	\$203
037 I002304	15	BROWN ST	MOORE BRIAN D		\$224,100	\$206
037 I002205	15	BROWN ST	207 INVESTS I LLC		\$229,300	\$211
037 I002104	15	BROWN ST	O'SULLIVAN MICHAEL &	ALAN J LEWIS JTS	\$242,400	\$223
037 I002306	15	BROWN ST	HUNT RYAN ETAL		\$246,400	\$227
037 I002203	15	BROWN ST	ESCH TREVOR S &	JESSICA P ESCH JTS	\$252,000	\$232
037 I002303	15	BROWN ST	BAUMAN PATRICIA J TRUSTEE		\$270,300	\$249
037 I002307	15	BROWN ST	DOCTOROFF MARK G		\$283,100	\$260
037 I002208	15	BROWN ST	DOCTOROFF MARK G		\$311,800	\$287
037 I002401	15	BROWN ST	EWING DANIELLE M		\$336,900	\$310
037 I002402	15	BROWN ST	TIEMAN JAMES S		\$347,900	\$320
037 I002405	15	BROWN ST	GREENEWALT CHARLOTTE		\$384,500	\$354
037 I002403	15	BROWN ST	AVERBACH GRETA H &	JAMES M POPKIN JTS	\$400,100	\$368
037 I002406	15	BROWN ST	MCGORRILL DONNA T		\$454,300	\$418
032 I007001	0	CANAL PLAZA	COW PLAZA 1 LLC		\$70,700	\$65
032 I033001	2	CANAL PLAZA	COW PLAZA 2 LLC		\$4,650,300	\$4,278
032 I023001	3	CANAL PLAZA	COW PLAZA 3 LLC		\$7,027,400	\$6,465
032 I036001	1	CANAL PLAZA	COW PLAZA 1 LLC		\$15,976,800	\$14,699
037 D001001	45	CASCO ST	FORTY FIVE CASCO STREET LLC		\$730,100	\$672
037 C010001	16	CASCO ST	SOMALUZO LLC		\$740,700	\$681
037 D023001	15	CASCO ST	15 CASCO STREET LLC		\$973,000	\$895
037 C006001	18	CASCO ST	SHEPLEY LLC		\$2,629,600	\$2,419
037 D007001	37	CASCO ST	QUIRK SHIRLEY F ETALS		\$3,203,200	\$2,947
038 E009106	70	CENTER ST	APPLE REAL ESTATE	HOLDING LLC	\$179,300	\$165
038 E009G08	70	CENTER ST	MAINE BUSINESS SERVICES INC		\$181,700	\$167
038 E009G07	70	CENTER ST	TCG PROPERTIES LLC		\$184,900	\$170
038 E009204	70	CENTER ST	F & H REALTY PARTNERSHIP		\$194,600	\$179
038 E009105	70	CENTER ST	MITCHELL JOHN D	THE STAPLES SCHOOL	\$196,000	\$180
038 E009205	70	CENTER ST	F & H REALTY PARTNERSHIP		\$202,300	\$186
038 E009305	70	CENTER ST	MCKERSIE FAMILY LLC		\$202,900	\$187
038 E009304	70	CENTER ST	EAST COAST CONSTRUCTION AND	CONSULTING LLC	\$203,900	\$188
038 C030001	59	CENTER ST	B & B REAL ESTATE LLC		\$333,600	\$307
038 E009401	70	CENTER ST	ALDER RUN DEVELOPMENT	COMPANY LLC	\$352,300	\$324
037 I012001	104	CENTER ST	482 CONGRESS LP		\$372,360	\$343
038 E012001	52	CENTER ST	PICTURE ISLAND INC		\$413,000	\$380
038 E030001	58	CENTER ST	STEELE DANIEL L		\$500,630	\$461
027 F009001	121	CENTER ST	TEDLUM ASSOCIATES LLC		\$1,489,300	\$1,370
027 C011001	15	CHESTNUT ST	BOODILLY LLC		\$1,809,800	\$1,665
027 C01002E	21	CHESTNUT ST	JORDAN CARA A		\$146,100	\$134
027 C01003S	21	CHESTNUT ST	OGDEN JOANNE &	BONNIE B MACINNIS JTS	\$149,400	\$137
027 C0102SE	21	CHESTNUT ST	COSTELLO JAMES J		\$156,800	\$144
027 C01002S	21	CHESTNUT ST	MORREL VICTOR &	MARY ELIZABETH MORREL JTS	\$161,100	\$148
027 C010001	21	CHESTNUT ST	PROPERTYONE LLC		\$163,800	\$151
027 C0102NW	21	CHESTNUT ST	DUNDAR ERGUN		\$164,300	\$151
027 C01003E	21	CHESTNUT ST	CASTANEA PRIME LLC		\$164,400	\$151
027 C01003W	21	CHESTNUT ST	VANHOEWYK JOHN VN VET &	DEBORAH VANHOEWYK JTS	\$164,500	\$151
027 C0103SE	21	CHESTNUT ST	CASTANEA PRIME LLC		\$164,500	\$151
027 C0104SE	21	CHESTNUT ST	PATEL TANAY M		\$169,300	\$156
027 C01002N	21	CHESTNUT ST	FLETCHER JEFFREY A &	MELANIE C FLETCHER JTS	\$169,500	\$156
027 C01002W	21	CHESTNUT ST	TISZENKEL KEITH		\$169,500	\$156
027 C01003N	21	CHESTNUT ST	TILTON GARRETT K &	VICTORIA POWERS JTS	\$170,500	\$157
027 C01005E	21	CHESTNUT ST	NAQUI ALI &	MUNIRA Z NAQUI JTS	\$178,400	\$164
027 C01004E	21	CHESTNUT ST	HOEFER HEIDI		\$180,500	\$166
027 C01004S	21	CHESTNUT ST	KAUFMANN CHARLES L		\$180,500	\$166
027 C0103NW	21	CHESTNUT ST	MCCALLY MICHAEL &	CHRISTINE CASSEL TRUSTEES	\$181,400	\$167
027 C0105SE	21	CHESTNUT ST	NAQUI ALI &	MUNIRA NAQUI JTS	\$181,800	\$167
027 C01004N	21	CHESTNUT ST	MCDEVITT MARION JEAN		\$186,600	\$172
027 C0106SE	21	CHESTNUT ST	EISENBERG AVNER &	JULIE GOELL JTS	\$189,600	\$174
027 C01006S	21	CHESTNUT ST	SCHWELLENBACH JAMES C &	LORRAINE D SCHWELLENBACH JTS	\$191,300	\$176
027 C01005S	21	CHESTNUT ST	NAQUI MUNIRA Z		\$193,400	\$178
027 C002001	17	CHESTNUT ST	17 CHESTNUT STREET LLC		\$195,200	\$180
027 C0104NW	21	CHESTNUT ST	FRAZER LORINDA JANE TRUSTEE		\$196,800	\$181
027 C010002	21	CHESTNUT ST	CHESTNUT STREET LOFTS LLC		\$199,000	\$183
027 C01006N	21	CHESTNUT ST	KRUG ROBERT E WWII VET BLIND &	AURELIA C SCOTT JTS	\$201,600	\$185
027 C01004W	21	CHESTNUT ST	NYGAARD DANTON D &	LESLIE J ANDERSON JTS	\$201,600	\$185
027 C01006E	21	CHESTNUT ST	HAMM LARRY F &	DOROTHY J HAMM JTS	\$206,300	\$190
027 C0106NW	21	CHESTNUT ST	MCCULLEY CLYDE &	SUSAN MCCULLEY JTS	\$207,400	\$191
027 C01005N	21	CHESTNUT ST	YINDRA SARA R		\$208,000	\$191
027 C01007N	21	CHESTNUT ST	GREENLEAF NANCY P		\$211,500	\$195
027 C01006W	21	CHESTNUT ST	BARRY PRUDENCE B		\$211,600	\$195
027 C0105NW	21	CHESTNUT ST	FULLAM CHARLOTTE		\$219,000	\$201
027 C01005W	21	CHESTNUT ST	CURTIN TERESA ANN &	CHARLES JOHN SHAW JTS	\$223,000	\$205

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
027 C01007S	21	CHESTNUT ST	MCFAUL RICHARD C &	SUZANNE K VERMILYA JTS	\$246,300	\$227
027 C01007E	21	CHESTNUT ST	HARDING ALICIA &	MARTIN MARGULIS JTS	\$251,400	\$231
027 C01007W	21	CHESTNUT ST	PORTA NEIL		\$251,600	\$231
027 C01008W	21	CHESTNUT ST	BUSQUE PETER J		\$312,900	\$288
027 C01008N	21	CHESTNUT ST	COTSIRILOS STEPHANIE G		\$320,100	\$294
027 C01008S	21	CHESTNUT ST	WILLIAMS JAN &	SALLY WILLIAMS JTS	\$325,000	\$299
027 F024001	28	CITY CTR	BROWN J B & SONS		\$323,600	\$298
027 F023001	30	CITY CTR	RODWAY PETER E &	MAURA H RODWAY JTS	\$329,900	\$304
032 P004002	6	CITY CTR	H & A PROPERTY GROUP LLC		\$368,000	\$339
027 F026001	26	CITY CTR	BROWN J B & SONS		\$627,700	\$577
027 F027001	24	CITY CTR	BROWN J B & SONS		\$906,800	\$834
032 P017001	10	CITY CTR	MINA BUILDING LLC		\$977,400	\$899
032 P003001	4	CITY CTR	FOUR CITY CENTER	PROPERTIES LLC	\$1,010,400	\$930
032 P004001	6	CITY CTR	SIX CITY CENTER LLC		\$1,934,600	\$1,780
032 P001001	2	CITY CTR	MDA LLC		\$3,327,900	\$3,062
032 L002001	1	CITY CTR	ONE CITY CENTER ASSOCIATES LLC		\$29,070,000	\$26,744
031 L038001	230	COMMERCIAL ST	PROPRIETORS OF UNION WHARF		\$45,130	\$42
038 G00204A	269	COMMERCIAL ST	SERNOFFSKY SUSAN		\$109,000	\$100
038 G00202E	269	COMMERCIAL ST	DEVILLIER JACQUES K		\$124,900	\$115
038 G00204D	269	COMMERCIAL ST	KIMBLE ELLEN SUE		\$127,200	\$117
038 G00203B	269	COMMERCIAL ST	RICE LEE P		\$133,900	\$123
038 G00202A	269	COMMERCIAL ST	GOSSELIN EUGENE D &	DIANE H GOSSELIN JTS	\$135,200	\$124
038 G00202B	269	COMMERCIAL ST	MARR JEAN		\$137,600	\$127
038 G00203D	269	COMMERCIAL ST	HUDON WILFRED R		\$140,400	\$129
038 G00203A	269	COMMERCIAL ST	ALBEE PETER J		\$140,900	\$130
038 G00204E	269	COMMERCIAL ST	LOWRY KATE		\$141,900	\$131
038 G00202D	269	COMMERCIAL ST	CUMMING JEAN S &	VIRGIL CUMMING JTS	\$143,600	\$132
038 G00203F	269	COMMERCIAL ST	TUCKER HAROLD W III		\$143,900	\$132
038 G00202F	269	COMMERCIAL ST	SERAICHICK SUSAN ETAL		\$147,600	\$136
038 G00204F	269	COMMERCIAL ST	WONG ROCKET &	LILLIANA M ACUNA JTS	\$149,000	\$137
038 G00204B	269	COMMERCIAL ST	KIRKHAM JOHN C &	JENNIFER L MROWKA JTS	\$150,000	\$138
038 G00202C	269	COMMERCIAL ST	GREEN DESIGN LLC		\$150,500	\$138
038 G00205F	269	COMMERCIAL ST	MANN CHRISTIANA E		\$150,500	\$138
038 G00203C	269	COMMERCIAL ST	NORCHI CHARLES H		\$151,400	\$139
038 G00205C	269	COMMERCIAL ST	CALDWELL ROBERT A		\$155,000	\$143
038 G00205A	269	COMMERCIAL ST	BERG ERIC O JR TRUSTEE	OF ERIC O BERG REVOCABLE TRUST	\$160,100	\$147
038 G00204C	269	COMMERCIAL ST	MCDEVITT JOHN J IV		\$168,100	\$155
038 G00203E	269	COMMERCIAL ST	CONKLIN HENRY C		\$170,000	\$156
038 G00205E	269	COMMERCIAL ST	FLAHERTY CHRISTOPHER F		\$173,800	\$160
038 G00205B	269	COMMERCIAL ST	TARBOX JEFFERY H		\$174,500	\$161
038 G00205D	269	COMMERCIAL ST	MINKIN BARRY &	CHRISTINA VERRASTRO JTS	\$198,800	\$183
032 U003001	185	COMMERCIAL ST	COMPARK LLC		\$217,280	\$200
031 K103001	218	COMMERCIAL ST	PROPRIETORS OF UNION WHARF		\$239,080	\$220
038 G002271	269	COMMERCIAL ST	JKC LLC		\$257,100	\$237
030 A101001	90	COMMERCIAL ST	PROPRIETORS OF CUSTOM HOUSE	WHARF ATTN GE MACGOWAN JR	\$269,400	\$248
040 E003007	311	COMMERCIAL ST	KRUTHOFF CATHERINE H &	WAYNE A KRUTHOFF TRUSTEE	\$274,600	\$253
038 G002267	269	COMMERCIAL ST	MCNULTY BEVIN A		\$280,300	\$258
040 E003003	311	COMMERCIAL ST	SMITH JANEW W TRUSTEE		\$283,600	\$261
040 E003002	311	COMMERCIAL ST	BANKS MICHAEL D		\$286,800	\$264
040 E003013	311	COMMERCIAL ST	PARDI KATHLEEN A		\$335,100	\$308
040 E003008	311	COMMERCIAL ST	JR SEELY COMPANY LLC		\$343,100	\$316
040 E003011	311	COMMERCIAL ST	CLANCY PAUL		\$358,500	\$330
040 E003009	311	COMMERCIAL ST	KROON THOMAS J &	MARIANNE M KROON TRUSTEES	\$377,500	\$347
040 E003012	311	COMMERCIAL ST	PIPER JOHN M &	REBECCA A WEI JTS	\$395,000	\$363
040 E003014	311	COMMERCIAL ST	SIMARK ACQUISITIONS LLC		\$397,900	\$366
029 D002001	121	COMMERCIAL ST	MAD COW LLC		\$401,200	\$369
040 E003004	311	COMMERCIAL ST	LEVIN-MARTIN MINDY F &	ROGER L MARTIN JTS	\$412,900	\$380
040 E003006	311	COMMERCIAL ST	JR SEELY COMPANY LLC		\$420,100	\$386
040 E003001	311	COMMERCIAL ST	JR SEELY COMPANY LLC		\$428,500	\$394
040 E003005	311	COMMERCIAL ST	ATLANTIC PROPERTIES LLC		\$495,600	\$456
040 E003010	311	COMMERCIAL ST	BROWN DOUGLAS W		\$511,800	\$471
030 D005001	84	COMMERCIAL ST	FINLEY JAMES R &	DALE W WEEKS	\$537,500	\$495
032 V002001	205	COMMERCIAL ST	LANDFALL LLC		\$695,800	\$640
029 D001001	129	COMMERCIAL ST	RSB LIMITED LIABILITY COMPANY		\$781,200	\$719
030 A005001	94	COMMERCIAL ST	BMC INC		\$1,127,400	\$1,037
041 A015001	260	COMMERCIAL ST	WATERFRONT MAINE BT LLC		\$1,194,800	\$1,099
032 S004001	161	COMMERCIAL ST	ROB DOG REALTY LLC		\$1,265,900	\$1,165
040 E00300R	311	COMMERCIAL ST	TIQA LEGACY LLC		\$1,314,100	\$1,209
038 F004001	241	COMMERCIAL ST	SLM PROPERTIES INC		\$1,586,800	\$1,460
029 D003001	111	COMMERCIAL ST	BLANCHARD BLOCK LLC		\$1,773,500	\$1,632
032 V008001	225	COMMERCIAL ST	225 COMMERCIAL ST ASSOC INC		\$2,043,400	\$1,880
031 L034001	250	COMMERCIAL ST	CM WATERFRONT PROPERTIES LLC		\$2,111,800	\$1,943
032 V004001	211	COMMERCIAL ST	GRANITE FACE LLC		\$2,205,900	\$2,029
030 H004001	136	COMMERCIAL ST	CARROLL BLOCK LLC		\$2,249,700	\$2,070
032 V005001	217	COMMERCIAL ST	217 COMMERCIAL STREET	ASSOCIATES INC	\$2,637,500	\$2,427
038 F006001	245	COMMERCIAL ST	CASCO VIEW HOLDINGS LLC		\$4,007,900	\$3,687
030 H001001	144	COMMERCIAL ST	DIMILLO ARLENE ETALS TRUSTEES		\$4,339,000	\$3,992
030 C001001	100	COMMERCIAL ST	SOLEY WHARF LLC		\$5,557,100	\$5,113
040 F009001	305	COMMERCIAL ST	BAXTER PLACE LLC		\$6,327,600	\$5,821
029 S001001	145	COMMERCIAL ST	FLEMING CREEK LLC ETALS		\$6,509,400	\$5,989
029 K003001	57	COMMERCIAL ST	OLYMPIA EQUITY INVESTORS V LLC		\$10,717,000	\$9,860
040 E00300H	311	COMMERCIAL ST	JBB HOSPITALITY I LLC		\$12,301,600	\$11,317
037 E003001	10	CONGRESS SQ	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	\$10,029,900	\$9,228
037 E002001	585	CONGRESS ST	HAMMOND HEIRS LLC		\$60,900	\$56
037 F018001	481	CONGRESS ST	477 TIME & TEMPERATURE LLC		\$77,500	\$71

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 E002002	585	CONGRESS ST	HAMMOND HEIRS LLC		\$132,100	\$122
037 G012001	584	CONGRESS ST	CORNER FREAK LLC		\$137,000	\$126
046 C012001	673	CONGRESS ST	DOUKAS ANDREW J		\$142,700	\$131
046 D027001	629	CONGRESS ST	BURNHAM ARMS ANNEX LLC		\$160,400	\$148
046 C013001	671	CONGRESS ST	DOUKAS ANDREW J &	WILLIAM B DOUKAS JTS	\$169,900	\$156
037 H011001	500	CONGRESS ST	MATERIAL OBJECTS		\$177,800	\$164
037 G007001	576	CONGRESS ST	574 ASSOCIATES LLC		\$185,800	\$171
037 H011002	500	CONGRESS ST	BARBA NANCY L		\$188,600	\$174
037 G008001	574	CONGRESS ST	574 ASSOCIATES LLC		\$191,800	\$176
037 C01702D	547	CONGRESS ST	WHEELER-BERTA FRANCES H TRUSTEE		\$204,700	\$188
037 G006001	578	CONGRESS ST	578 CONGRESS LLC		\$219,400	\$202
046 D028001	625	CONGRESS ST	BURNHAM ARMS ANNEX LLC		\$227,500	\$209
046 D018001	653	CONGRESS ST	RICE GEOFFREY TRUSTEE		\$235,600	\$217
039 A010001	606	CONGRESS ST	RICE GEOFFREY I		\$248,200	\$228
039 A038001	612	CONGRESS ST	BLUE BAY LLC		\$282,400	\$260
037 A042001	559	CONGRESS ST	HER LLC		\$287,700	\$265
039 A009001	608	CONGRESS ST	19 SOUTH STREET LLC		\$289,700	\$267
037 G004001	582	CONGRESS ST	CORNER FREAK LLC		\$298,500	\$275
037 I005001	486	CONGRESS ST	BARTHE DONNA		\$316,000	\$291
037 A044001	553	CONGRESS ST	ROCCO HOLDINGS LLC		\$325,100	\$299
039 A008001	610	CONGRESS ST	19 SOUTH STREET LLC		\$328,800	\$302
037 A043001	555	CONGRESS ST	CORRYMORE ZELLERTON LLC		\$355,600	\$327
046 C011001	675	CONGRESS ST	DOUKAS WILLIAM B		\$367,700	\$338
037 A045001	575	CONGRESS ST	571 ENTERPRISES LLC		\$402,200	\$370
037 H005003	536	CONGRESS ST	SPACE GALLERY		\$422,600	\$389
045 A001001	660	CONGRESS ST	A K LONGFELLOW LLC		\$458,500	\$422
037 D024001	519	CONGRESS ST	MAINE CHARITABLE MECHANIC	ASSOC	\$459,000	\$422
045 A034001	664	CONGRESS ST	RANS LLC		\$464,900	\$428
037 H001001	550	CONGRESS ST	NEVERMORE LLC		\$480,400	\$442
037 G005001	580	CONGRESS ST	BBB INC		\$536,300	\$493
037 G009001	570	CONGRESS ST	PRIDE RALPH H TRUSTEE		\$542,700	\$499
045 A035001	670	CONGRESS ST	LONGFELLOW SQUARE	PARTNERS LLC	\$611,700	\$563
037 E002003	585	CONGRESS ST	PAUL'S BOUTIQUE LLC		\$627,200	\$577
037 I001001	498	CONGRESS ST	BEAVER BLOCK LLC		\$648,500	\$597
037 E002004	585	CONGRESS ST	HAMMOND HEIRS LLC		\$768,100	\$707
037 G001001	594	CONGRESS ST	FITZGIBBONS VIRGINIA S &	LEE F STREET TRUSTEE	\$802,600	\$738
039 A001001	626	CONGRESS ST	PARK WONBAE &	IP BOON PARK JTS	\$810,700	\$746
037 H009001	516	CONGRESS ST	PACHIOS BROTHERS II LLC		\$834,200	\$767
045 A002001	656	CONGRESS ST	RICE GEOFFREY I		\$843,000	\$776
037 C016001	551	CONGRESS ST	551 CONGRESS STREET LLC		\$848,900	\$781
037 F018002	481	CONGRESS ST	477 TIME & TEMPERATURE LLC		\$850,300	\$782
039 A013001	600	CONGRESS ST	RICE GEOFFREY I		\$878,100	\$808
039 A002001	622	CONGRESS ST	WAYNE ENTERPRISES LLC		\$913,300	\$840
037 I004001	480	CONGRESS ST	SCIOTO DARBY INVESTMENTS INC		\$983,700	\$905
039 A005001	616	CONGRESS ST	614 CONGRESS STREET LLC		\$1,029,200	\$947
037 H013001	504	CONGRESS ST	KAPLAN 504 LLC		\$1,176,200	\$1,082
037 F017001	489	CONGRESS ST	MHS INC		\$1,226,800	\$1,129
027 B007001	415	CONGRESS ST	ASHBY TEAM LLC		\$1,769,100	\$1,628
037 A038001	565	CONGRESS ST	PACHIOS BROTHERS I LLC &	LACONIA LLC	\$1,821,300	\$1,676
046 C019001	667	CONGRESS ST	REDFERN LONGFELLOW LLC		\$1,870,000	\$1,720
046 D026001	633	CONGRESS ST	BURNHAM ARMS LLC		\$2,218,100	\$2,041
027 D001001	385	CONGRESS ST	METRO MEDIA PROPERTIES LLC		\$2,349,540	\$2,162
046 D029001	619	CONGRESS ST	BAXTER LIBRARY LP		\$2,502,600	\$2,302
027 B002001	443	CONGRESS ST	JJR 443 CONGRESS LLC		\$2,973,400	\$2,736
037 I003001	482	CONGRESS ST	482 CONGRESS LP		\$3,125,600	\$2,876
027 B004001	439	CONGRESS ST	METROPOLITAN APARTMENTS LLC		\$3,734,300	\$3,436
037 H010001	510	CONGRESS ST	CENTER CITY PLAZA ASSOC		\$3,762,600	\$3,462
046 D022001	645	CONGRESS ST	BAYSIDE MAINE LLC		\$3,783,700	\$3,481
027 A015001	465	CONGRESS ST	5 MONUMENT SQUARE LLC		\$4,928,900	\$4,535
037 G014001	562	CONGRESS ST	TERBAX REALTY INC		\$5,095,800	\$4,688
045 A003001	638	CONGRESS ST	638 CONGRESS STREET	PARTNERS LLC	\$5,101,800	\$4,694
046 D021001	655	CONGRESS ST	TRELA WNY 657 LLC		\$5,222,500	\$4,805
037 F022001	477	CONGRESS ST	477 TIME & TEMPERATURE LLC		\$5,280,500	\$4,858
032 G001001	396	CONGRESS ST	A & M PARTNERS INC		\$9,329,900	\$8,584
037 D002001	511	CONGRESS ST	OCEAN GATE LLC		\$9,511,500	\$8,751
032 C001001	390	CONGRESS ST	PRESS HOTEL LLC		\$10,929,700	\$10,055
037 C01702B	547	CONGRESS ST	LIPPMANN AMY TRUSTEE		\$123,900	\$114
037 C01702E	547	CONGRESS ST	MONTMINY SHANE A		\$128,500	\$118
037 C01702A	547	CONGRESS ST	MARTIN ROGER		\$132,100	\$122
037 C01701A	545	CONGRESS ST	R & J 545 PARTNERS LLC		\$142,800	\$131
037 H002003	540	CONGRESS ST	540 CONGRESS STREET LLC		\$142,900	\$131
037 H002005	540	CONGRESS ST	540 CONGRESS STREET LLC		\$142,900	\$131
037 H002004	540	CONGRESS ST	540 CONGRESS STREET LLC		\$145,400	\$134
037 C01701B	545	CONGRESS ST	R & J 545 PARTNERS LLC		\$150,900	\$139
037 C01702C	547	CONGRESS ST	SARASON JULIE		\$155,500	\$143
037 C01704B	547	CONGRESS ST	GRANO ROBERT C TRUSTEE		\$160,200	\$147
037 H002006	540	CONGRESS ST	540 CONGRESS STREET LLC		\$160,700	\$148
037 C01701C	545	CONGRESS ST	R & J 545 PARTNERS LLC		\$161,700	\$149
037 C01704A	547	CONGRESS ST	FITZPATRICK SUSAN E		\$192,900	\$177
037 C01703B	547	CONGRESS ST	FOREMAN BROCK &	LESLIE E FOREMAN JTS	\$194,400	\$179
037 C01703A	547	CONGRESS ST	BOURKE PATRICK J IV		\$201,700	\$186
037 I002101	490	CONGRESS ST	GRACE LLC		\$232,600	\$214
037 C01703C	547	CONGRESS ST	PACKARD JEFFREY G &	RICHARD H PACKARD JTS	\$251,800	\$232
037 C01705B	547	CONGRESS ST	BLISSFUL BOUND LLC		\$254,100	\$234
037 I002102	492	CONGRESS ST	ZILKHA MICHAEL S		\$260,600	\$240

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
037 C01704C	547	CONGRESS ST	TYSON BRUCE &	ANDREA TYSON JTS	\$270,800	\$249
037 C014509	531	CONGRESS ST	HEGA REALTY LLC		\$310,900	\$286
037 C014502	531	CONGRESS ST	HEGA REALTY LLC		\$336,500	\$310
037 C014506	531	CONGRESS ST	HEGA REALTY LLC		\$396,800	\$365
037 C014507	531	CONGRESS ST	HEGA REALTY LLC		\$397,600	\$366
037 C014501	531	CONGRESS ST	WILLIAMS DEBORAH J &	IGOR PROKOPIW JTS	\$433,300	\$399
037 C014510	531	CONGRESS ST	SEASIDE PARTNERS LLC		\$439,600	\$404
037 C014503	531	CONGRESS ST	SHOREY LINDA J &	JOHN DECKER JTS	\$491,400	\$452
037 C014508	531	CONGRESS ST	HEGA REALTY LLC		\$539,500	\$496
037 C01705A	547	CONGRESS ST	HENRY MICHAEL T &	JAIME COHEN JTS	\$592,400	\$545
037 C014505	531	CONGRESS ST	WALBRIDGE HOYT &	STEPHANIE BACON JTS	\$601,500	\$553
037 C017006	547	CONGRESS ST	MOULTON THOMAS W		\$638,000	\$587
037 C014504	531	CONGRESS ST	HEGA REALTY LLC		\$806,600	\$742
037 C014100	531	CONGRESS ST	HEGA REALTY LLC		\$1,388,800	\$1,278
037 C014300	531	CONGRESS ST	HEGA REALTY LLC		\$1,639,100	\$1,508
037 C014400	531	CONGRESS ST	HEGA REALTY LLC		\$1,753,700	\$1,613
037 C014200	531	CONGRESS ST	HEGA REALTY LLC		\$2,068,100	\$1,903
037 H002002	540	CONGRESS ST	540 CONGRESS STREET LLC		\$2,152,700	\$1,980
038 C009001	24	COTTON ST	CASCO VIEW HOLDINGS III LLC		\$729,500	\$671
038 C012001	8	COTTON ST	CASCO VIEW HOLDINGS III LLC		\$1,862,500	\$1,714
038 F019001	19	CROSS ST	CASCO VIEW HOLDINGS II LLC		\$7,127,700	\$6,557
037 D003001	360	CUMBERLAND AVE	53-57 ALLEN AVE	LIMITED LIABILITY COMPANY	\$465,800	\$429
037 B001001	380	CUMBERLAND AVE	THREE EIGHTY CUMBERLAND	ASSOCIATES LLC	\$1,807,000	\$1,662
037 F009001	338	CUMBERLAND AVE	THREE FORTY ASSOCIATES LLC		\$1,811,700	\$1,667
027 A001001	320	CUMBERLAND AVE	25 PREBLE STREET LLC		\$6,259,500	\$5,759
029 K001001	7	CUSTOM HOUSE ST	OLYMPIA EQUITY	INVESTORS IV LLC	\$5,902,300	\$5,430
032 U005001	7	DANA ST	TRANSMANE		\$665,700	\$612
032 U004001	1	DANA ST	ONE DANA LLC		\$902,700	\$830
032 V001001	10	DANA ST	10 DANA STREET LLC		\$1,254,500	\$1,154
040 B028001	1	DANFORTH ST	GIOBBI ARCHIE S &	MATILDA M JTS	\$394,000	\$362
040 D002001	10	DANFORTH ST	WRIGHT-RYAN REAL ESTATE LLC		\$1,003,100	\$923
040 D001001	20	DANFORTH ST	BROWN J B & SONS		\$2,818,400	\$2,593
032 I040001	44	EXCHANGE ST	COW PLAZA I LLC		\$247,500	\$228
032 F014001	1	EXCHANGE ST	ELEVEN EXCHANGE LLC		\$517,600	\$476
032 E004001	49	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		\$567,400	\$522
032 H006001	92	EXCHANGE ST	MAINESCAPE PROPERTIES LLC		\$568,300	\$523
032 I006001	50	EXCHANGE ST	FITZGIBBONS VIRGINIA S &	LEE F STREET TRUSTEES	\$593,000	\$546
032 F012001	5	EXCHANGE ST	ELEVEN EXCHANGE LLC		\$619,500	\$570
032 I011001	30	EXCHANGE ST	MAINELAND REAL ESTATE	CONSULTANTS LLC	\$683,100	\$628
032 H007001	88	EXCHANGE ST	RIVENDELL REAL ESTATE LLC		\$718,200	\$661
032 H002001	106	EXCHANGE ST	RICH BUILDING LLC		\$721,500	\$664
032 H003001	102	EXCHANGE ST	PALACCI JOSEPH		\$848,700	\$781
032 D001001	107	EXCHANGE ST	TOP OF EXCHANGE LLC		\$918,700	\$845
032 I010001	34	EXCHANGE ST	PALACCI SION &	JOSEPH PALACCI	\$932,000	\$857
032 E008001	39	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		\$949,600	\$874
032 E009001	31	EXCHANGE ST	B & C LIMITED		\$1,027,000	\$945
032 H001001	110	EXCHANGE ST	ONETEN EXCHANGE LLC		\$1,176,600	\$1,082
032 E002001	53	EXCHANGE ST	PALACCI JOSEPH A TRUSTEE		\$1,176,800	\$1,083
032 F010001	9	EXCHANGE ST	ELEVEN EXCHANGE LLC		\$1,421,700	\$1,308
032 D003001	93	EXCHANGE ST	TOP OF EXCHANGE LLC		\$1,430,600	\$1,316
032 I002001	52	EXCHANGE ST	OLD PORT ARMS		\$1,557,200	\$1,433
032 I008001	44	EXCHANGE ST	44 EXCHANGE STREET LLC		\$1,679,900	\$1,546
032 H008001	80	EXCHANGE ST	MURAL ASSOCIATES		\$1,795,300	\$1,652
032 D002001	97	EXCHANGE ST	TOP OF EXCHANGE LLC		\$1,959,500	\$1,803
032 E005001	45	EXCHANGE ST	45 EXCHANGE STREET LLC		\$2,130,900	\$1,960
032 I012001	10	EXCHANGE ST	10 EXCHANGE PROPERTIES LLC		\$2,133,700	\$1,963
032 D004001	85	EXCHANGE ST	TOP OF EXCHANGE LLC		\$2,548,400	\$2,345
032 E001001	57	EXCHANGE ST	57 EXCHANGE STREET LLC		\$2,906,700	\$2,674
029 K0060B3	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	\$70,000	\$64
032 I041002	401	FORE ST	BANGOR SAVINGS BANK		\$85,000	\$78
029 K0060B2	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	\$98,000	\$90
032 J00400B	396	FORE ST	BEER GUYS LLC		\$151,600	\$139
032 J004001	396	FORE ST	BEER GUYS LLC		\$166,400	\$153
032 J004002	396	FORE ST	BEER GUYS LLC		\$180,300	\$166
032 J004003	396	FORE ST	BEER GUYS LLC		\$228,300	\$210
032 J005003	398	FORE ST	INGALLS ROGER E		\$271,600	\$250
032 J005004	398	FORE ST	INGALLS ROGER E		\$271,600	\$250
032 J005002	398	FORE ST	FORE STREET PROPERTIES	LIMITED PARTNERSHIP	\$300,000	\$276
029 E012001	277	FORE ST	287 FORE STREET LLC		\$321,580	\$296
029 C002001	336	FORE ST	DOCK FORE INC		\$348,000	\$320
032 J005001	398	FORE ST	FORE STREET PARTNERSHIP	LIMITED PARTNERSHIP	\$375,100	\$345
029 C003001	334	FORE ST	PORT CITY APARTMENTS		\$401,100	\$369
032 R003001	432	FORE ST	DREAM PORT 3 LLC		\$423,200	\$389
029 C005001	330	FORE ST	J & R VENTURES LLC		\$445,700	\$410
032 N011001	422	FORE ST	HARDING RICHARD B ETAL		\$450,100	\$414
032 F008001	375	FORE ST	ELEVEN EXCHANGE LLC		\$451,000	\$415
032 F007001	375	FORE ST	ELEVEN EXCHANGE LLC		\$467,200	\$430
032 R004001	434	FORE ST	DREAM PORT 3 LLC		\$493,300	\$454
032 N009001	414	FORE ST	GOULD COMPANY LLC		\$601,300	\$553
032 F013001	379	FORE ST	ELEVEN EXCHANGE LLC		\$648,800	\$597
038 G007001	508	FORE ST	NORTH RIVER IV LLC		\$701,800	\$646
032 R001001	428	FORE ST	428 FORE STREET LLC		\$756,200	\$696
029 E007001	291	FORE ST	291 FORE STREET LLC		\$812,000	\$747
032 N012001	424	FORE ST	SOLETSKY LIMITED LIABILITY CO		\$828,700	\$762
032 N010001	416	FORE ST	416 FORE STREET LLC		\$845,300	\$778

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
032 J002001	392	FORE ST	PFEFFER RICHARD A &	J EDWARD STEBBINS	\$864,600	\$795
032 F005001	363	FORE ST	ELEVEN EXCHANGE LLC		\$883,400	\$813
032 I018001	395	FORE ST	395 FORE STREET LLC		\$912,300	\$839
032 R008001	446	FORE ST	DREAM PORT 3 LLC		\$1,000,500	\$920
029 K002001	288	FORE ST	EAST BROWN COW LIMITED	LIABILITY COMPANY	\$1,103,000	\$1,015
032 J001001	386	FORE ST	386 FORE STREET LLC		\$1,197,900	\$1,102
032 R007001	436	FORE ST	DREAM PORT 3 LLC		\$1,275,000	\$1,173
038 F008001	470	FORE ST	DICTAR ASSOCIATES II		\$2,148,000	\$1,976
032 S001001	366	FORE ST	MCGEE CHARLES T &	RICHARD P HERRERA TR	\$2,321,400	\$2,136
038 F009002	468	FORE ST	DICTAR ASSOCIATES II		\$2,360,900	\$2,172
038 G001001	486	FORE ST	NORTH RIVER IV LLC		\$3,257,600	\$2,997
038 B003001	481	FORE ST	NORTH RIVER IV LLC		\$3,634,900	\$3,344
032 I041001	425	FORE ST	COW PLAZA GARAGE LLC		\$5,931,300	\$5,457
038 F009001	468	FORE ST	HARBOR PLAZA ASSOCIATES II		\$7,658,200	\$7,046
032 I042001	433	FORE ST	COW PLAZA HOTEL LLC		\$12,367,300	\$11,378
029 C001005	340	FORE ST	ADB REALTY LLC		\$65,900	\$61
029 B004011	341	FORE ST	BOOTHBY SQUARE PROPERTIES LLC		\$118,100	\$109
029 C001001	340	FORE ST	ADB REALTY LLC		\$120,000	\$110
029 C006005	320	FORE ST	FORE STREET INVESTMENTS LLC		\$122,100	\$112
029 B004007	341	FORE ST	ALAGIC SUAD		\$125,700	\$116
029 B004002	341	FORE ST	O'CONNOR DENNIS R III &	BARBARA M O'CONNOR JTS	\$127,400	\$117
029 C001002	340	FORE ST	HAYEK LEE-ANN C TRUSTEE		\$128,000	\$118
029 B004005	341	FORE ST	PENDERS JOHN F IV		\$128,600	\$118
029 B004008	341	FORE ST	DALTON JENNIFER L		\$129,900	\$120
029 B004006	341	FORE ST	KELLER BENJAMIN R		\$134,100	\$123
029 C006006	320	FORE ST	FORE STREET INVESTMENTS LLC		\$138,200	\$127
029 B004001	341	FORE ST	JACKSON MICHAEL		\$140,700	\$129
029 B004004	341	FORE ST	CHILDS DONNA W		\$140,700	\$129
029 C001004	340	FORE ST	ABD REALTY LLC		\$141,500	\$130
029 B004003	341	FORE ST	ROSE JOHN &	HEATHER ROSE JTS	\$146,800	\$135
029 C006003	320	FORE ST	FORE STREET INVESTMENTS LLC		\$162,100	\$149
029 C006004	320	FORE ST	FORE STREET INVESTMENTS LLC		\$167,700	\$154
029 B004010	341	FORE ST	BOOTHBY SQUARE PROPERTIES LLC		\$180,000	\$166
029 C001003	340	FORE ST	207 INVESTS LLC		\$220,000	\$202
029 C006007	320	FORE ST	FORE STREET INVESTMENTS LLC		\$392,100	\$361
029 B004009	341	FORE ST	KNECHT GERALD C		\$397,500	\$366
029 K006001	300	FORE ST	OLYMPIA EQUITY	INVESTORS IV LLC	\$497,800	\$458
029 K005001	280	FORE ST	OLYMPIA EQUITY	INVESTORS V-P LLC	\$12,880,800	\$11,850
037 E005001	32	FOREST AVE	RB PORTLAND LLC		\$162,900	\$150
037 E005002	32	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	\$175,560	\$162
037 E004001	28	FOREST AVE	PLAZA ASSOCIATES AT CONGRESS	SQUARE LP	\$197,750	\$182
037 A046001	7	FOREST AVE	D & D PARTNERS LLC		\$372,500	\$343
037 A033001	11	FOREST AVE	PACHIOS BROTHERS I LLC &	LACONIA LLC	\$499,480	\$460
037 A022001	25	FOREST AVE	PORTLAND STAGE COMPANY		\$822,900	\$757
037 A012001	39	FOREST AVE	39 LLC		\$2,957,100	\$2,721
037 A001001	45	FOREST AVE	NORTHERN NEW ENGLAND	TELEPHONE OPERATIONS LLC	\$10,420,800	\$9,587
039 C0010GB	110	FREE ST	MAINEHEALTH		\$43,300	\$40
027 F028001	41	FREE ST	TEDLUM ASSOCIATES LLC		\$117,920	\$108
039 C001302	110	FREE ST	MAINEHEALTH		\$239,500	\$220
039 B007001	128	FREE ST	ARCAND PROPERTIES LLC		\$305,000	\$281
037 I009001	59	FREE ST	JBG & H ASSOCIATES		\$448,260	\$412
037 G010001	133	FREE ST	HUBBARD'S APTS INC		\$532,700	\$490
039 B008001	120	FREE ST	MAINEHEALTH		\$586,840	\$540
039 B004001	130	FREE ST	MAINEHEALTH		\$723,380	\$666
039 C00101B	110	FREE ST	MAINEHEALTH		\$730,800	\$672
038 A001002	10	FREE ST	JB BROWN & SONS		\$833,100	\$766
039 C00101C	110	FREE ST	MAINEHEALTH		\$1,032,900	\$950
038 I018001	46	FREE ST	JB BROWN & SONS		\$2,359,200	\$2,170
038 A005001	22	FREE ST	JB BROWN & SONS		\$2,585,200	\$2,378
038 A001001	10	FREE ST	JBG&H ASSOCIATES		\$2,933,800	\$2,699
027 F029001	23	FREE ST	ONE CITY CENTER ASSOCIATES LLC		\$6,584,700	\$6,058
029 C006002	1	GOLD ST	ADNERB PROPERTIES LLC		\$154,800	\$142
029 C006001	3	GOLD ST	MAINE BODYWORKS LLC		\$157,000	\$144
039 A016001	122	HIGH ST	PACIFIC & SOUTHERN COMPANY INC		\$79,500	\$73
039 A035001	110	HIGH ST	ONE HUNDRED AND TEN HIGH ST	LIMITED LIABILITY COMPANY	\$382,800	\$352
039 A037001	106	HIGH ST	THIDWICK LLC		\$416,200	\$383
039 E008001	93	HIGH ST	GREATER PORTLAND	LANDMARKS INC	\$730,600	\$672
039 A016002	122	HIGH ST	PACIFIC AND SOUTHERN LLC		\$813,050	\$748
039 A027001	116	HIGH ST	CUMBERLAND CLUB		\$1,317,200	\$1,212
039 A017001	128	HIGH ST	PACIFIC & SOUTHERN COMPANY INC		\$2,817,500	\$2,592
046 D031001	142	HIGH ST	CROSTONE PORTLAND LLC		\$4,127,000	\$3,797
037 E006009	173	HIGH ST	181 HIGH STREET LLC		\$8,309,400	\$7,645
037 E007001	157	HIGH ST	RB PORTLAND LLC		\$30,607,400	\$28,159
029 O003001	43	MARKET ST	PORTLAND REGENCY INC		\$285,520	\$263
032 F003001	30	MARKET ST	E L C INC		\$511,600	\$471
032 F002001	36	MARKET ST	36 MARKET ST		\$661,600	\$609
032 F001001	42	MARKET ST	OCEAN BLOCK ASSOCIATES		\$809,900	\$745
032 E010001	46	MARKET ST	MARKET MILK PARTNERS LLC		\$888,400	\$817
028 K001001	77	MARKET ST	85 MARKET STREET LLC		\$1,647,500	\$1,516
028 K003001	75	MARKET ST	WHOLLY COW LLC		\$3,643,900	\$3,352
029 A001P02	150	MIDDLE ST	GIUSTRA BETSY M TRUSTEE		\$5,100	\$5
029 A001P01	150	MIDDLE ST	DUNKERLY MARY V		\$10,100	\$9
029 A001P04	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P05	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P06	150	MIDDLE ST	IN FIRM GROUP THE		\$10,100	\$9

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 A001P07	150	MIDDLE ST	IN FIRM GROUP THE		\$10,100	\$9
029 A001P08	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	JOHN P FARRELL JTS	\$10,100	\$9
029 A001P09	150	MIDDLE ST	MCGOLDRICK RICHARD J		\$10,100	\$9
029 A001P10	150	MIDDLE ST	FRANK JANE C		\$10,100	\$9
029 A001P11	150	MIDDLE ST	FRANK PATRICK J JR		\$10,100	\$9
029 A001P12	150	MIDDLE ST	INFIRM GROUP		\$10,100	\$9
029 A001P13	150	MIDDLE ST	MILLS S PETER		\$10,100	\$9
029 A001P14	150	MIDDLE ST	ERNEST PAUL W &	CARMELIA G ERNEST JTS	\$10,100	\$9
029 A001P15	150	MIDDLE ST	BIXBY DOUGLAS B &	KATHLEEN F WHITE JTS	\$10,100	\$9
029 A001P16	150	MIDDLE ST	MACBRIDE JENNIFER L		\$10,100	\$9
029 A001P17	150	MIDDLE ST	CAMP PETER S		\$10,100	\$9
029 A001P18	150	MIDDLE ST	CEDRONE RONALD M		\$10,100	\$9
029 A001P19	150	MIDDLE ST	CEDRONE RONALD M		\$10,100	\$9
029 A001P20	150	MIDDLE ST	THORNTON JAMES M		\$10,100	\$9
029 A001P21	150	MIDDLE ST	DUNKERLY ALLAN S &	MARY V DUNKERLY JTS	\$10,100	\$9
029 A001P22	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P23	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P24	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P25	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P26	150	MIDDLE ST	MIRS PROPERTIES LLC		\$10,100	\$9
029 A001P27	150	MIDDLE ST	HARDING WILLIAM TRUSTEE		\$10,100	\$9
029 A001P28	150	MIDDLE ST	SHIPYARD INC		\$10,100	\$9
029 A001P29	150	MIDDLE ST	SHIPYARD INC		\$10,100	\$9
029 A001P03	150	MIDDLE ST	LINDQUIST PETER R &	SARAH RUEF-LINDQUIST JTS	\$10,400	\$10
032 I038001	182	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		\$53,700	\$49
029 A00102I	150	MIDDLE ST	BOEPPLE ELIZABETH A		\$134,600	\$124
029 A00102J	150	MIDDLE ST	MILLS S PETER		\$137,100	\$126
029 A00103J	150	MIDDLE ST	WALTER MARIA L TRUSTEE		\$137,100	\$126
029 A00104J	150	MIDDLE ST	GREENZWEIG NEIL TRUSTEE		\$137,100	\$126
029 A00103H	150	MIDDLE ST	HENDERSON HAROLD L &	RACHEL C HENDERSON JTS	\$140,800	\$130
029 A00102G	150	MIDDLE ST	COHEN ARTHUR C & THELMA JTS		\$143,300	\$132
029 A00103G	150	MIDDLE ST	M & B 101 INC		\$143,300	\$132
029 A00104G	150	MIDDLE ST	GIARRAPUTO CYNTHIA R &	JOHN P FARRELL JTS	\$143,300	\$132
029 A00103I	150	MIDDLE ST	HARDING WILLIAM TRUSTEE		\$149,600	\$138
029 A00104I	150	MIDDLE ST	KOSTA KATHERINE C		\$149,600	\$138
029 A00102B	150	MIDDLE ST	COTSIRILOS BORLAND LLC		\$150,800	\$139
029 A00103B	150	MIDDLE ST	LINDQUIST PETER R &	SARAH RUEF-LINDQUIST JTS	\$150,800	\$139
029 A00104B	150	MIDDLE ST	FISHER LAURIE		\$150,800	\$139
029 A00102D	150	MIDDLE ST	WILK BRIAN &	LINDA WILK JTS	\$153,400	\$141
029 A00103D	150	MIDDLE ST	THORNTON JAMES M		\$153,400	\$141
029 A00104D	150	MIDDLE ST	GUTWIN JOHN D &	LENORA GUTWIN JTS	\$153,400	\$141
029 A00104H	150	MIDDLE ST	ASM PROPERTIES LLC		\$155,800	\$143
029 A00102C	150	MIDDLE ST	MEIL JOAN F &	HENRY MEIL JTS	\$158,900	\$146
029 A00103C	150	MIDDLE ST	BELL KEVIN P &	SUSAN F BELL JTS	\$158,900	\$146
029 A00104C	150	MIDDLE ST	CAMP PETER S		\$158,900	\$146
029 A00102K	150	MIDDLE ST	MILLS S PETER		\$160,900	\$148
029 A00103K	150	MIDDLE ST	MACBRIDE JENNIFER L		\$160,900	\$148
029 A00104K	150	MIDDLE ST	GIOVINE DONATO &	MARIAGRAZIA ZANARDI JTS	\$160,900	\$148
029 A00102A	150	MIDDLE ST	FRANK PATRICK J JR		\$163,400	\$150
029 A00102H	150	MIDDLE ST	JOHNS F ARTHUR T		\$163,400	\$150
029 A00102F	150	MIDDLE ST	FRANK JANE C		\$166,800	\$153
029 A00103F	150	MIDDLE ST	M & B 101 INC		\$166,800	\$153
029 A00104F	150	MIDDLE ST	GUILLAUME RAYMOND		\$166,800	\$153
029 A00102E	150	MIDDLE ST	ERNEST PAUL W &	CARMELIA G ERNEST JTS	\$167,400	\$154
029 A00103E	150	MIDDLE ST	MANGIARACINE KEVIN &	KATHLEEN A MANGIARACINE JTS	\$167,400	\$154
029 A00104E	150	MIDDLE ST	GIUSTRA BETSY M TRUSTEE		\$167,400	\$154
029 A00103A	150	MIDDLE ST	MOUMENE MISSOUM &	ELIZABETH MOUMENE JTS	\$178,400	\$164
029 A00104A	150	MIDDLE ST	BIXBY DOUGLAS B &	KATHLEEN F WHITE JTS	\$178,400	\$164
029 A0010BA	150	MIDDLE ST	242 NEWRY PARTNERS	LIMITED PARTNERSHIP	\$188,500	\$173
029 A0010BB	150	MIDDLE ST	242 NEWRY PARTNERS	LIMITED PARTNERSHIP	\$188,500	\$173
028 N010001	111	MIDDLE ST	VENTURE III HOLDINGS LLC		\$200,100	\$184
032 H016004	183	MIDDLE ST	SLEEPY HOLLOW DEVELOPMENT INC		\$258,360	\$238
029 A00101C	150	MIDDLE ST	IN FIRM GROUP THE		\$290,700	\$267
032 H01604B	183	MIDDLE ST	ITM REALTY II LLC		\$291,340	\$268
029 A00101A	150	MIDDLE ST	CEDRONE RONALD M		\$328,300	\$302
029 A00101B	150	MIDDLE ST	GOLDEN PEGGY		\$329,700	\$303
032 H016002	183	MIDDLE ST	LEWIS SAUL & ASSOCIATES PC		\$549,700	\$506
032 H016003	183	MIDDLE ST	MORRISWITZER-BUILDING	FOR HEALTH LLC	\$549,700	\$506
028 N009001	115	MIDDLE ST	BROTHERS THREE LLC		\$648,300	\$596
032 H016001	183	MIDDLE ST	SHOEMAKER LLC		\$683,900	\$629
029 A00105A	150	MIDDLE ST	MIRS PROPERTIES LLC		\$799,300	\$735
029 O002001	164	MIDDLE ST	164 REALTY LLC		\$1,232,900	\$1,134
032 I001001	178	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		\$1,963,200	\$1,806
032 H022001	193	MIDDLE ST	SAVI REALTY LLC		\$2,004,200	\$1,844
028 L007001	131	MIDDLE ST	RACLEFF BLOCK LLC		\$2,168,800	\$1,995
028 M005001	121	MIDDLE ST	123 LLC		\$2,738,300	\$2,519
032 I021001	182	MIDDLE ST	MIDDLE STREET HOLDINGS LLC		\$3,508,600	\$3,228
029 E001001	130	MIDDLE ST	ELC LIMITED LIABILITY COMPANY		\$5,763,200	\$5,302
029 E026001	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC		\$16,178,000	\$14,884
029 E006001	100	MIDDLE ST	ALBANY ROAD-PORTLAND LLC		\$17,130,000	\$15,760
029 A00101D	150	MIDDLE ST	IN FIRM GROUP THE		\$290,700	\$267
029 A00105B	150	MIDDLE ST	DUNKERLY ALLAN S TRUSTEE		\$402,900	\$371
029 O004001	11	MILK ST	PORTLAND REGENCY INC		\$112,080	\$103
032 F009001	30	MILK ST	OCEAN BLOCK ASSOCIATES		\$1,313,700	\$1,209
029 B002001	4	MILK ST	4 MILK MHR LLC		\$1,502,300	\$1,382

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 A003001	5	MILK ST	MILK STREET ASSOCIATES LLC		\$2,561,900	\$2,357
029 R001001	20	MILK ST	PORTLAND REGENCY INC		\$7,901,900	\$7,270
027 F014001	0	MONUMENT SQ	TWO MONUMENT WAY ASSOCIATES		\$31,700	\$29
027 F004001	6	MONUMENT SQ	PARCHEGGIO LLC		\$187,000	\$172
027 F005001	18	MONUMENT SQ	18 MONUMENT SQUARE LLC		\$574,700	\$529
027 F006001	16	MONUMENT SQ	MCCURTAIN BRADLEY C		\$706,700	\$650
027 F003001	22	MONUMENT SQ	22 MONUMENT SQUARE LLC		\$1,679,700	\$1,545
027 F001001	50	MONUMENT SQ	50 MONUMENT LLC		\$3,166,400	\$2,913
032 K012001	1	MONUMENT SQ	FINARD MURRAY W TR		\$13,058,800	\$12,014
032 K001001	2	MONUMENT SQ	800 NORTHERN CORP		\$15,107,800	\$13,899
027 F002005	28	MONUMENT SQ	28 MSQ LLC		\$116,300	\$107
027 F002003	28	MONUMENT SQ	28 MSQ LLC		\$232,300	\$214
027 F002004	28	MONUMENT SQ	28 MSQ LLC		\$246,300	\$227
027 F002002	28	MONUMENT SQ	STODDARD ROBERT B &	ELIZABETH W SODDARD JTS	\$551,600	\$507
027 F002001	28	MONUMENT SQ	BUDDE SCOTT &	CHARLOTTE F COLE JTS	\$755,900	\$695
027 F011001	1	MONUMENT WAY	EAST END CORP		\$3,465,500	\$3,188
032 S003001	7	MOULTON ST	7-9 MOULTON LLC		\$283,300	\$261
032 S005001	5	MOULTON ST	MOULTON STREET REALTY LLC		\$1,924,200	\$1,770
032 T004001	4	MOULTON ST	ADRIENNE-JANE INCORPORATED		\$3,521,700	\$3,240
037 H025001	57	OAK ST	NEKOIE BAHMAN &	CATHERINE E JTS	\$77,300	\$71
037 H014005	51	OAK ST	MAINE COLLEGE OF ART		\$116,560	\$107
037 H014001	51	OAK ST	MAINE COLLEGE OF ART		\$155,430	\$143
037 H014003	51	OAK ST	MAINE COLLEGE OF ART		\$159,130	\$146
039 B011002	44	OAK ST	44 OAK STREET LLC		\$191,100	\$176
039 B011003	44	OAK ST	44 OAK STREET LLC		\$195,500	\$180
037 B013001	95	OAK ST	NORTHERN NEW ENGLAND	TELEPHONE OPERATIONS LLC	\$209,880	\$193
039 B011001	44	OAK ST	44 OAK STREET LLC		\$335,900	\$309
037 C008001	81	OAK ST	HEGA REALTY LLC		\$338,940	\$312
037 A023001	84	OAK ST	NORTHEAST REALTY INC		\$341,500	\$314
039 B011004	44	OAK ST	KEON MICHAEL P		\$702,900	\$647
037 A035001	72	OAK ST	AVESTA OAK STREET LP		\$2,196,400	\$2,021
028 L00503A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$352,000	\$324
028 L00504A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$352,000	\$324
028 L00502B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$449,000	\$413
028 L00503B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$461,900	\$425
028 L00502A	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$571,300	\$526
028 L00504B	75	PEARL ST	WOODMAN BUILDING	ASSOCIATES LLC	\$571,300	\$526
028 L005001	75	PEARL ST	WBFM LLC		\$1,020,700	\$939
028 K002001	66	PEARL ST	LEADER PROPERTIES LLC		\$4,244,800	\$3,905
029 E016001	31	PEARL ST	130 LIMITED LIABILITY COMPAMY		\$4,790,700	\$4,407
029 E009001	25	PEARL ST	25 PEARL MHR LLC		\$14,588,600	\$13,422
021 A001001	119	PEARL ST	PEARL CUMBERLAND LLC		\$4,265,900	\$3,925
038 X001001	9	PLEASANT ST	7-19 PLEASANT STREET LLC		\$11,760	\$11
040 B015001	10	PLEASANT ST	GIOBBI CARLO JR		\$15,100	\$14
040 B017001	4	PLEASANT ST	GIOBBI ARCHIE S &	MATILDA M JTS	\$46,020	\$42
038 E021001	9	PLEASANT ST	7-19 PLEASANT STREET LLC		\$79,990	\$74
040 B013001	14	PLEASANT ST	GIOBBI CARLO JR		\$250,700	\$231
038 E020001	7	PLEASANT ST	7-19 PLEASANT STREET LLC		\$392,200	\$361
038 E019001	1	PLEASANT ST	MH & RB LLC		\$696,700	\$641
038 E023001	15	PLEASANT ST	7-19 PLEASANT STREET LLC		\$811,000	\$746
038 B001007	1	PORTLAND SQ	PS ONE REALTY LLC		\$12,323,400	\$11,338
038 B001001	1	PORTLAND SQ	NORTH RIVER IV LLC		\$15,876,300	\$14,606
038 B002001	2	PORTLAND SQ	NORTH RIVER IV LLC		\$26,105,600	\$24,017
027 A014001	7	PREBLE ST	5 MONUMENT SQUARE LLC		\$57,050	\$52
037 F007001	24	PREBLE ST	24 PREBLE STREET LLC		\$1,221,800	\$1,124
037 F023001	22	PREBLE ST	477 TIME & TEMPERATURE LLC		\$2,153,900	\$1,982
037 F005001	28	PREBLE ST	EARL APARTMENTS LLC		\$2,442,400	\$2,247
037 C004001	0	SHEPLEY ST	OCEAN GATE LLC		\$204,630	\$188
037 C001001	0	SHEPLEY ST	OCEAN GATE LLC		\$322,700	\$297
037 B015001	11	SHEPLEY ST	11 SHEPLEY STREET	ASSOCIATES LLC	\$1,669,800	\$1,536
029 O001047	99	SILVER ST	MANCHESTER CATHLEEN A &	KATIE J MANCHESTER JTS	\$91,900	\$85
029 O001037	99	SILVER ST	KINSMAN JESSICA A		\$94,900	\$87
029 O001212	99	SILVER ST	SILVER VICTORIA J		\$96,100	\$88
029 O001049	99	SILVER ST	DEVINE DEREK		\$97,500	\$90
029 O001B01	99	SILVER ST	BUCK TRACY J		\$100,000	\$92
029 O001B02	99	SILVER ST	JOHNSON BEN A		\$100,000	\$92
029 O001211	99	SILVER ST	GINTER DAVID R		\$101,600	\$93
029 O001048	99	SILVER ST	PEEL BRUCE H		\$102,700	\$94
029 O001036	99	SILVER ST	HAAG DARYA I		\$102,900	\$95
029 O001038	99	SILVER ST	ZURKAN WILLIAM K		\$104,100	\$96
029 O001210	99	SILVER ST	LINCOLN STREET PROPERTIES LLC		\$105,500	\$97
029 O001213	99	SILVER ST	PROSSER JAMES G		\$105,600	\$97
029 O001025	99	SILVER ST	LINCOLN STREET PROERTIES LLC		\$106,800	\$98
029 O001410	99	SILVER ST	CHANDLER PETER H JR		\$109,000	\$100
029 O001026	99	SILVER ST	FISCHER CHRISTOPHER E		\$110,000	\$101
029 O001039	99	SILVER ST	LEDUC SANDRA J & SOREL &	KENNETH J JTS	\$112,600	\$104
029 O001021	99	SILVER ST	THOMS DEBORAH L		\$113,100	\$104
029 O001024	99	SILVER ST	LEDDY JENNIFER M		\$114,700	\$106
029 O001310	99	SILVER ST	HEALY ROBERT E &	CATHERINE B HEALY JTS	\$115,100	\$106
029 O001012	99	SILVER ST	TOZESKI DAVID P		\$115,600	\$106
029 O001011	99	SILVER ST	ARENSBERG LEE C TRUSTEE		\$120,400	\$111
029 O001013	99	SILVER ST	HOLSTEIN ERIC B &	CLAIRE S WASSERMAN JTS	\$121,100	\$111
029 O001031	99	SILVER ST	BRAGDON BENJAMIN		\$123,800	\$114
029 O001032	99	SILVER ST	BOROWSKI ROBERT B		\$125,500	\$115
029 O001033	99	SILVER ST	MURPHY KAREN &	JOHN MAKEY JTS	\$125,500	\$115

PARCEL ID	ST. NO.	STREET	OWNER	OWNER CONT.	TAXABLE VALUE	ASSESSMENT
029 0001034	99	SILVER ST	BERG HENRY T TRUSTEE		\$125,500	\$115
029 0001035	99	SILVER ST	DODERER WILLIAM K		\$125,500	\$115
029 0001045	99	SILVER ST	DG CONDO 4 LLC		\$125,500	\$115
029 0001046	99	SILVER ST	VAN PEURSEM CORINNE M		\$125,500	\$115
029 0001044	99	SILVER ST	LITTLEJOHN CLIFTON T		\$126,900	\$117
029 0001029	99	SILVER ST	COUSINS DAVID A		\$127,900	\$118
029 0001041	99	SILVER ST	LINCOLN STREET PROPERTIES LLC		\$129,100	\$119
029 0001042	99	SILVER ST	KINGRA MICHAEL R &	KATHERINE D SZUM JTS	\$129,100	\$119
029 0001028	99	SILVER ST	FLOECKHER PETER W &	SARAH B MAXNER JTS	\$130,500	\$120
029 0001043	99	SILVER ST	BHANDARI AMEESH M &	PHYLIS BHANDARI JTS	\$138,400	\$127
029 0001023	99	SILVER ST	JENKINS COLBY LAWRENCE		\$140,200	\$129
029 0001501	99	SILVER ST	KATZ JAMES &	CHARLOTTE KASSAB JTS	\$389,600	\$358
029 0001502	99	SILVER ST	PEAK 5 EQUITIES LLC		\$406,200	\$374
029 B001001	37	SILVER ST	WITT-T LLC		\$520,400	\$479
029 B003001	25	SILVER ST	PORTLAND REGENCY INC		\$600,550	\$553
039 E010001	88	SPRING ST	LAFAYETTE PORTLAND LLC		\$17,438,200	\$16,043
055 E037001	190	STATE ST	HUCKSTER'S ROW PROPERTIES LLC		\$676,800	\$623
055 E039001	188	STATE ST	LONGFELLOW SQUARE	PARTNERS LLC	\$1,165,700	\$1,072
032 H005002	0	TEMPLE ST	11 TEMPLE MHR LLC		\$2,590,200	\$2,383
032 I039001	40	UNION ST	CENTRAL MAINE POWER CO	LOCAL TAX	\$1,289,200	\$1,186
032 V012001	1	UNION ST	237 COMMERCIAL STREET LLC		\$1,717,000	\$1,580
031 L135001	1	UNION WHARF	PROPRIETORS OF UNION WHARF		\$1,351,100	\$1,243
032 V015001	42	WHARF ST	DREAM PORT 3 LLC		\$381,200	\$351
032 V014001	50	WHARF ST	DREAM PORT 3 LLC		\$802,600	\$738
032 V016001	34	WHARF ST	GVF PROPERTIES LLC		\$369,600	\$340
040 E001001	40	YORK ST	BROWN J B & SONS		\$667,900	\$614
040 F011001	14	YORK ST	BROWN J B & SONS		\$2,264,000	\$2,083
Totals:					\$814,286,460	\$749,144

Order 300-15/16
Tab 39 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING AND AUTHORIZING
THE CITY MANAGER TO ENTER INTO
MASTER AGREEMENT AND SUPPLEMENTAL
SERVICES AGREEMENT WITH PORTLAND DOWNTOWN**

ORDERED, that the City Manager is hereby authorized to enter into a Master Agreement, with the Baseline Services provided in Exhibit B, with the Downtown Improvement District, Inc., doing business as Portland Downtown, to carry out the Development Plan for the Downtown Improvement District, Inc. for the period from and after July 1, 2016 and ending June 30, 2017, said agreement to be substantially in the form attached;

BE IT FURTHER ORDERED, that the City Manager is authorized to enter into a Supplemental Services Agreement, substantially in the form attached, with the Downtown Improvement District, Inc. doing business as Portland Downtown to implement Supplemental Public Works Services as approved in the Fiscal Year 2017 Appropriation Resolve.

MASTER AGREEMENT
BETWEEN THE CITY OF
PORTLAND AND
DOWNTOWN IMPROVEMENT DISTRICT,
INC.
D/b/a PORTLAND DOWNTOWN DISTRICT

AGREEMENT made by and between the **CITY OF PORTLAND**,
a municipal corporation of the State of Maine,
hereinafter referred to as the "**CITY**" and the **DOWNTOWN**
IMPROVEMENT DISTRICT, INC., d/b/a PORTLAND DOWNTOWN, a
Maine non-profit corporation, having its office and place
of business at Portland, Maine, and doing business as
"Portland Downtown", hereinafter referred to as the
"**CORPORATION**".

WHEREAS, the **CITY** has established a Downtown Improvement
District; and

WHEREAS, the **CITY** desires to have certain services
performed by the **CORPORATION**, as described in this
Agreement, within the **CITY's** Downtown Improvement District
(hereinafter referred to as the "**District**"; and

WHEREAS, the **CITY** desires to contract with the
CORPORATION for the provision of certain services to be
provided in the District;

NOW, THEREFORE, in consideration of the covenants herein
contained, the parties hereto mutually agree as follows:

ARTICLE I. FINANCIAL CONSIDERATIONS

1. The **CITY** will levy development district assessments on property in the District, as authorized by the City Council and permitted by law. **CITY**-owned property, as well as property which is tax exempt under Maine law, shall not be assessed by the **CITY**.
2. For the period commencing July 1, 2016 and ending June 30, 2017 the City will pay the **CORPORATION** in two (2) installments, to reflect the assessments collected by the City, less the **CITY**'s direct and indirect costs, such as, but not limited to, postage, publication, lien costs and costs of delinquent collection. Installment payments will be made on September 30, 2016 and March 31, 2017.
3. The **CITY** may adjust such payments, after an advisory consultation with representatives of the **CORPORATION** either: (i) in order to equal the net assessments collected; or (ii) in the event of any challenge to the assessments which includes a request for a refund, to withhold such amounts as the Director of Finance may deem necessary to protect the City from any order or judgment requiring it to make a refund.

In addition to the foregoing, the **CITY** will pay in a lump sum, within thirty (30) days from the close of the fiscal year, any amount assessed in a prior year, but collected in a subsequent year. Said payment by **CITY** shall be in the amount of the net assessment collected as provided herein, less any amounts remaining to be reimbursed under a prior year Master Agreement or Supplemental Services Agreement with the **CITY**. **CITY** will provide the **CORPORATION** with written detail as to any deductions taken from payments under this paragraph.

4. Advancements made hereunder shall be reimbursed to the **CITY** from receipts from development district assessments, net of any of the costs referred to in Paragraph 2.

5. Notwithstanding the foregoing, **CORPORATION** agrees that it will neither encumber funds which it anticipates receiving from development district assessments nor incur expenditures in anticipation of receipt of such funds except in accord with the line items in the budget attached hereto as Exhibit A, or any subsequent amendments thereto approved by the **CITY**.
6. The **CITY** and the **CORPORATION** have accepted the **CORPORATION's** budget in Exhibit A, covering the period beginning on July 1, 2016, and ending on June 30, 2017, with estimated District revenues from the assessments in the amount of \$749,143.
7. The parties agree that the acceptance of the budget by the **CITY** is for planning purposes only and does not obligate the **CITY** to pay the **CORPORATION** said amounts. **CORPORATION** specifically acknowledges the **CITY's** right to either terminate or reduce its payments as provided in Paragraph 2.
8. The **CORPORATION** will provide the Director of Finance with an annual certified financial statement in a form acceptable to him, including, but not limited to, a statement of its cash position. At a minimum, the statement shall list all income and expenses, and shall be provided to the Finance Director within six (6) months after the fiscal year ends.
9. The Director of Finance of the City of Portland will advise the **CORPORATION**, from month to month, of the amounts the **CITY** has collected from the assessments referred to herein, so that the **CORPORATION** can amend its budget to conform with the amount of money which may be available to it from the net proceeds of the development district assessments.
10. The **CITY** will maintain the level of "Basic Services" described in the memorandum which is attached hereto as Exhibit B.
11. The **CORPORATION** shall have reasonable access to the **CITY's** assessment collection records, and the **CITY** shall have reasonable access to the **CORPORATION's** books and records.
12. The Director of Finance shall determine the net amount

collected by the City from development district assessments. In determining such amount, he shall deduct from the amounts so collected all costs (whether direct or indirect) incurred by the **CITY** both in establishing and also in administering the development district; all costs of assessments and collections; and, if the **CITY** should collect interest on delinquent assessments, such interest shall not be included in the "net amount collected".

13. The Director of Finance shall determine the "net amount collected from development district assessments" as well as the amount to be withheld by the **CITY** in the event of a challenge which includes a request for a refund. The **CORPORATION** may appeal his determination within fourteen (14) days to the **CITY** Manager whose decision will be final.

ARTICLE II. SERVICES

A. ORGANIZATION OF CORPORATION.

The **CORPORATION** will:

1. Provide staff and administrative services for supervision of the daily activities and public space management of the District.
2. Establish positions for administration and management of the program; recruit, hire, and pay and otherwise supervise the work force necessary to implement this charge.
3. Establish a corporate Board of Directors whose members fairly represent a cross section of taxpayers in the District.
4. Establish a mechanism for resolving any dispute to the kind and level of services which may arise between the **CORPORATION** and persons subject to development district assessments regarding the kind and level of services provided by the **CORPORATION**.
5. Provide liaison between the **CITY**, the District, property owners, civic groups, interested persons, and other groups and individuals, as directed by the

CITY Manager and necessary to insure the successful implementation of District services.

6. Maintain all minutes and records of proceedings as may be required.

B. SERVICES AUTHORIZED TO BE PROVIDED BY CORPORATION.

The **CORPORATION** is authorized to provide the following services to supplement the **CITY's** "Basic Services" as described in Exhibit B.

1. Decorate and beautify public places in the District.
2. Sponsor and promote public events to take place on or in public places in the District.
3. Advertise and promote non-profit, cultural, educational and commercial business activities in the District.
4. Maintain information and directional signing for the District in accordance with applicable City codes and ordinances.
5. Improve public relations, generating favorable publicity for, and enhancing economic growth in, the District.
6. Manage vending activities, kiosks and information booths.
7. Sweep and clean sidewalks in the District.
8. Clean and erase graffiti.
9. Maintain vegetation and greenery in the public areas.
10. Remove trash and litter.
11. Wash, maintain and relocate street furniture, trash cans, drinking fountains, street lanterns, telephones and undertake minor repairs to street furniture.

12. Remove snow.
13. Provide for security of public areas.
14. Carry out the downtown improvement program authorized and approved by the **CITY** Council as set forth in this Agreement.

C. AUTHORITY OF CORPORATION.

Nothing in this Agreement shall be construed to limit the **CORPORATION's** general powers, as set forth in the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes Annotated.

ARTICLE III. TERM OF AGREEMENT

This Agreement shall commence on July 1, 2016, and continue through, June 30, 2017.

ARTICLE IV. TERMINATION

This Agreement may be terminated by either party for good cause. Good cause shall be deemed to be found by the **CITY** at such time as the **CORPORATION's** performance under this Agreement has been determined in the exclusive judgment of the **CITY** Manager to be unsatisfactory which determination shall not be unreasonable.

If the **CORPORATION** should fail to perform any material covenant, obligation or agreement hereunder for a period of thirty (30) days after written notice from the **CITY** Manager specifying such failure, then, upon expiration of the thirty (30) day period, the **CITY** Manager may provide the **CORPORATION** with notice of his intention to terminate the Agreement as provided herein.

The **CORPORATION** shall have a ninety (90) day period, computed from the date of receipt of the notice of intent to terminate, within which to provide satisfactory service. In the event the **CITY** Manager should determine, at the expiration of the ninety (90) day period, that the **CORPORATION's** performance is still unsatisfactory and declare that the Agreement is terminated, the **CORPORATION** shall have the right to appeal his decision to the City Council.

The appeal to the **CITY** Council shall be filed with the **CITY** Manager within seven (7) business days from the date the **CORPORATION** receives the notice of termination.

The terms and conditions of this Agreement shall remain in full force and effect and binding on both parties until the **CITY** Council has acted on the appeal.

The **CORPORATION** shall be deemed to have good cause to terminate this Agreement if (i) the **CITY**, pursuant to the provisions of Article I, should reduce its anticipated payments by more than 20% of the amount it would otherwise have paid during the periods from July 1, 2016 to December 31, 2016, and January 1, 2017 to June 30, 2017; (ii) if the **CITY** should be more than 30 days in arrears in any payment due hereunder; or (iii) the **CITY** should fail to maintain "Basic Services", as that phrase is defined herein, in a material and substantial way.

In the event the **CORPORATION** should have "good cause" to terminate this Agreement, its relief shall be limited solely to termination of this Agreement, and it shall not be entitled to damages of any kind nor to equitable relief.

Nothing herein shall be construed as giving the **CORPORATION** the right to perform the work contemplated under this Agreement beyond the time when the **CORPORATION's** services become unsatisfactory as determined by the **CITY** Manager, following the ninety (90) day notice period, or, in the event of an appeal, beyond the time the **CITY** Council has affirmed the **CITY** Manager's decision. In case the **CORPORATION** should be discharged before all the services contemplated hereunder have been completed, or the services for any reason should be stopped, either because of the expiration of the term hereof or because of the inability of the **CORPORATION** to fulfill its obligations under this Agreement, the **CORPORATION** shall be reimbursed for all services satisfactorily performed to the date of termination in accordance with Article II hereof. After notice of termination and completion of the appeal process, the **CORPORATION** shall:

- A. With respect to existing activities, take only such actions as the **CITY** Manager shall direct;
- B. Assign to the **CITY** in the manner, at the times and only to the extent the **CITY**, acting by and through its

CITY Manager, may direct it to do so, all the rights, title and interest of the **CORPORATION** in and to all existing orders and agreements.

C. To the extent rights, title and interests of the **CORPORATION** in and to existing orders and agreements may be assigned to the **CITY** and accepted by it; obligations incurred on or after such assignment will be assumed by the **CITY**. Otherwise, the **CORPORATION** shall settle all outstanding liabilities and all claims arising out of any terminated orders or agreements.

D. Deliver to the **CITY**, in the manner, at the times and to the extent directed by the **CITY** Manager, all documents and data produced by the **CORPORATION** as part of or in connection with the work.

ARTICLE V. ASSIGNMENT

The **CORPORATION** covenants and agrees that it will neither assign nor transfer any rights hereunder, either in whole or in part, without first obtaining the prior written consent of the **CITY**.

ARTICLE VI. AREA COVERED

The services will be provided by the **CORPORATION** in the area designated by the **CITY** Council as the Downtown Improvement District of the **CITY** (hereinafter the "District"). A description and map thereof are attached as Exhibits C and D respectively and incorporated herein.

ARTICLE VII. STANDARD OF PERFORMANCE

All services performed under this Agreement either by or on behalf of the **CORPORATION** shall be performed in a good, workmanlike fashion to the reasonable satisfaction of the **CITY** Manager. All Basic Services performed by or on behalf of the City pursuant to Exhibit B shall be performed in a good, workmanlike fashion to the reasonable satisfaction of the Portland Downtown Board of Directors.

ARTICLE VIII. MANAGEMENT OF PERFORMANCE

The **CITY**'s Director of Public Works and/or designee and

the **CORPORATION'S** Executive Director and/or designee agree to meet and communicate on a monthly basis using a standard meeting agenda format to address regular topic reviews, including but not limited to quality control in service delivery, updated information on service activities, programs and projects. These services are detailed in this Agreement, its Exhibits, and also in the Supplemental Services Agreement executed contemporaneously with this Master Agreement - and its Exhibit(s).

ARTICLE IX. COMPLIANCE WITH LAW

The **CORPORATION** will comply with all applicable provisions of Federal, State, and local law, including, but not limited to, the Civil Rights Act of 1964, in its performance under this Agreement. The **CORPORATION** shall include a similar provision in each of its subcontracts.

ARTICLE X. INDEMNIFICATION

The **CORPORATION** shall, at its own cost and expense, defend, indemnify, and hold harmless the **CITY**, its officers, agents, and employees, from and against the following:

(a) to the fullest extent permitted by law, the **CORPORATION** shall indemnify and hold harmless the **CITY**, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including but not limited to costs of defense, including attorney's fees, arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense is: (1) attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss or use thereof; and (2) is caused in whole or in part by any negligent act or omission of the **CORPORATION**, anyone directly or indirectly employed by it, or anyone for whose act it may be liable;

(b) all claims and liens of the **CORPORATION's** consultants, subcontractors, and their laborers, mechanics, materialmen, and/or suppliers. Such obligation shall not be construed either to negate or abridge any other obligation of indemnification, and shall not be limited by any provision for insurance contained in this Agreement.

ARTICLE XI. INSURANCE

Neither the **CORPORATION** nor any of its subcontractors shall commence work under this Agreement until they have provided the insurance coverage required by this Agreement and such coverage has been approved by the **CITY**.

(a) Workers' Compensation Insurance. The **CORPORATION** and its subcontractors shall procure and maintain, at their own expense, and show evidence to the **CITY** of Workers' Compensation Coverage, as well as Employer's Liability Coverage, for their employees. All such policies which are in any way related to the services to be provided hereunder and which are secured and maintained by the **CORPORATION** or any subcontractors shall include clauses requiring that each underwriter shall waive all of its rights of recovery under subrogation or otherwise against the **CITY**. The City shall be named as an additional insured in all such policies.

(b) Prior to the execution of this Agreement, **CORPORATION** will procure and maintain Public Liability Insurance coverage and Automobile Insurance coverage in amounts of not less than Four Hundred Thousand Dollars (\$400,000) combined single limit for bodily injury, death, and property damage, naming the **CITY** as an additional insured on the certificate, in this way: certificate must say either: A) "the policy actually been endorsed to name the City of Portland as an Additional Insured" and a copy of the endorsement must come to the City of Portland with the certificate, or B) "the policy already includes an endorsement, such as the General Liability Expansion Endorsement, by which the City of Portland is, in fact, automatically made an additional insured." A Certificate which merely has a box checked under "Addl Insr", or the like, or which merely states The City of Portland is named as an Additional Insured, will not be acceptable.

(c) Deductible Amount. The **CORPORATION** and its subcontractors, as applicable, will reimburse the **CITY** for any amounts the **CITY** may be required to pay and hold **CITY** harmless from the cost of any losses for which the **CORPORATION** or its subcontractors are responsible and to which a deductible amount may apply. The deductible amount in any such policy may not exceed Two Thousand

Five Hundred Dollars (\$2,500.00) without the written consent of the **CITY**.

(d) Certificate of Insurance. The **CORPORATION** and its subcontractors will provide the **CITY** with either certificates of insurance or certified copies of the applicable policies, showing that they have complied with these provisions, and such certificates shall provide that thirty (30) days' written notice of non-renewal, material modification, or cancellation must be given to the **CITY**, prior to the effective date of such non-renewal, material modification, or cancellation.

(e) Claims-made Policies. Claims-made policies will not be accepted.

ARTICLE XII. INDEPENDENT CONTRACTOR

The **CORPORATION** either has or will secure, at its own expense, all personnel, materials, and equipment required to perform its obligation under this Agreement. Its personnel shall neither include any employee of the **CITY** nor shall such personnel be deemed to have any contractual relationship with the **CITY** by virtue of this Agreement. This Agreement does not prohibit either the **CORPORATION** or the **CITY** from entering into any contractual relationship. The **CORPORATION**, agreeing expressly that its status is that of an independent contractor, further, agrees that no such personnel shall represent or hold himself or herself out to be an officer or employee of the **CITY** either by reason of this Agreement or by reason of his/her employment by the **CORPORATION** or its subcontractors.

ARTICLE XIII. SUBCONTRACTS

The **CORPORATION** may, after thirty (30) days' notice in advance to the **CITY** Manager of its intention to do so, and with his approval, which shall not be unreasonably withheld, subcontract with third parties for the provision of part or all of the public services, including, but not limited to, security services, trash and litter removal, and snow removal, under this Agreement. The **CORPORATION** shall provide the **CITY** with copies of any third party contracts and with any insurance certificates required under this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this _____ day of June, 2016.

WITNESS

CITY OF PORTLAND

_____ By: _____
Jon P. Jennings
Its City Manager

WITNESS

DOWNTOWN IMPROVEMENT DISTRICT, INC.
d/b/a PORTLAND DOWNTOWN

_____ By: _____
Denine Leeman
Its Board Chairman

Approved as to Form: _____ (Corporation Counsel)

Approved as to Funds: _____ (Finance Department)

EXHIBIT A

PORTLAND DOWNTOWN DRAFT BUDGET FY16-17

Income

ASSESSMENT INCOME	\$	749,143
EVENT INCOME		
LIGHT UP YOUR HOLIDAYS		
LUYH SPONSORSHIPS	\$	10,000
SHOP FOR A CAUSE	\$	5,000
MERRY MADNESS		
MERRY MADNESS TICKET SALES	\$	10,000
MERRY MADNESS SPONSORSHIP	\$	5,000
Total LIGHT UP YOUR HOLIDAYS	\$	30,000
SUMMER KICK OFF WEEKEND		
SPONSORSHIPS	\$	5,000
OPF INCOME	\$	50,000
SUMMER SHOP FOR A CAUSE	\$	2,500
Total EVENT INCOME	\$	102,500
MARKETING/ADVERTISING INCOME	\$	2,500
DOWNTOWN WORKER APPRECIATION DAY	\$	1,200
GRANT INCOME	\$	5,000
P&W INCOME	\$	1,000
POLICE AWARDS BANQUET	\$	5,000
Total Income	\$	866,343

Expense

BANK SERVICE CHARGES	\$	100
BOARD/COMMITTEE MEETINGS	\$	2,000
CLEANING	\$	3,000
CONFERENCES/PROF DEV	\$	6,000
CONTRACT LABOR	\$	3,000
COMPUTER/COPIER MAINTENANCE	\$	2,000
DUES AND SUBS	\$	2,400
EMPLOYEE COSTS		
HEALTH/DENTAL INSURANCE	\$	30,000
LIFE & DISABILITY INSURANCE	\$	3,500
PAYROLL PROCESSING FEE	\$	1,000
PAYROLL TAX EXPENSE	\$	18,500
Total EMPLOYEE COSTS	\$	53,000
EMPLOYEE PARKING & BUS	\$	4,800
EQUIPMENT EXPENSE	\$	1,000
INSURANCE		
DIRECTORS & OFFICERS	\$	600
GENERAL LIABILITY	\$	400
LIQUOR LIABILITY	\$	1,000
SPECIAL EVENTS INSURANCE	\$	6,500

WORKERS COMPENSATION	\$	1,200
Total INSURANCE	\$	9,700
POSTAGE	\$	3,000
PROFESSIONAL FEES		
ACCOUNTING	\$	7,000
COMPUTERS	\$	500
LEGAL	\$	1,000
Total PROFESSIONAL FEES	\$	8,500
RENT		
CAM CHARGES	\$	8,000
RENT	\$	17,000
Total RENT	\$	25,000
SALARIES AND WAGES	\$	189,000
BONUS & INCENTIVES	\$	15,000
Total SALARIES AND WAGES	\$	204,000
SUPPLIES	\$	4,000
TAXES-PROPERTY	\$	900
UTILITIES		
TELEPHONE & INTERNET	\$	3,000
ELECTRIC	\$	1,600
GAS	\$	1,500
Total UTILITIES	\$	6,100
Total Expense	\$	338,500

Other Expense		
ANNUAL STAKEHOLDER + VOLUNTEER APPRECIATION	\$	1,500
DOWNTOWN WORKER APPRECIATION DAY	\$	1,200
GENERAL MARKETING	\$	15,000
GRAFFITI REMOVAL	\$	12,000
GUIDES		
WAGES	\$	10,000
PAYROLL TAX	\$	1,000
GENERAL	\$	400
TELEPHONE	\$	200
UNIFORMS	\$	350
Total GUIDES	\$	11,950
HOLIDAY LIGHTS	\$	41,000
HOMETEAM	\$	5,000
LIGHT UP YOUR HOLIDAYS		
TREE LIGHTING: MARKETING	\$	3,500
TREE LIGHTING: PERFORMERS	\$	3,500
TREE LIGHTING: SECURITY	\$	1,200
TREE LIGHTING: STAGE	\$	3,000
SHOP FOR CAUSE DONATION	\$	5,000
RETAIL EVENTS	\$	1,000

WAGON RIDES	\$	6,500
MERRY MADNESS		
MARKETING	\$	2,000
EVENT	\$	6,000
Total LIGHT UP YOUR HOLIDAYS	\$	31,700
SUMMER KICK OFF WEEKEND		
OPF MARKETING	\$	5,000
OPF PERMITS	\$	10,000
OPF SECURITY	\$	4,000
OPF ELECTRICIAN	\$	7,000
OPF EVENTS MANAGER	\$	5,000
OPF MISC (golf carts, etc)	\$	2,000
SUMMER SHOP FOR A CAUSE DONATION	\$	2,500
Total OLD PORT FESTIVAL	\$	35,500
PARK AND WORK	\$	1,000
POLICE CADET PROGRAM EXPENSE	\$	18,000
SPONSORSHIPS/PARTNERSHIPS	\$	2,000
SUPPLEMENTAL SERVICES CONTRACT	\$	352,000
WEBSITE DEVELOPMENT	\$	1,500
Total Other Expense	\$	527,850
TOTAL EXPENSE	\$	866,350

EXHIBIT B TO MASTER AGREEMENT
(BASELINE SERVICES)

**MEMORANDUM RELATED TO THE
PROVISION OF CERTAIN SERVICES
BY THE CITY OF PORTLAND**

(July 1, 2016 - June 30, 2017)

This Memorandum relating to the provision of certain services attempts to define the baseline of City services agreed to be provided by the City to the area defined and designated as the Downtown Improvement District as passed by the City Council on March 16, 1992 (Council Order #306, as amended on February 22, 1995, by Council Order #185). This Memorandum is not binding upon the current City Council or any future City Council, but rather is a definition of the City's intent and good faith to provide services to the Downtown Improvement District zone.

It is generally understood that the City shall not reduce any of these usual and normal baseline services, thus requiring the same services to be provided by the Downtown Improvement District, Inc. (d/b/a Portland Downtown (PD) or its successors, unless these reductions are part of an overall reduction of City services provided by various departments to the City as a whole.

MAINTENANCE SERVICES.

Whereas it is the intention of any downtown improvement district maintenance program to complement existing City services currently provided with a supplementary program of cleaning and/or maintenance, the following information shall comprise the baseline of City services to be provided at City expense. Unless otherwise noted, services to be provided by the City shall apply only to the area(s) considered part of the public way.

1) **Horticultural Program.**

In all public areas within the downtown improvement district zone, the City's Parks and Recreation Department will maintain and improve the condition of all flower urns and other flowerbeds, trees, tree wells, bushes, plantings and other like horticultural amenities. Such activity shall include the initial planting, timely and appropriate maintenance,

preventative and otherwise, and expeditious replacement of any damaged, destroyed or diseased horticultural products, including grass, flowers, and trees. Specific areas of attention will include Longfellow Square, Congress Square, Monument Square, Tommy's Park, Post Office Park, Boothby Square, and any other public park, square or space which may be developed in the future.

2) Green Space Maintenance.

The City shall execute a green space maintenance program including mowing of all public grassed areas within the District.

3) Downtown Blitz.

Each year the City shall undertake a dedicated effort to repair, repaint, replace and correct any defects, deficiencies or problems in the district. Items of focus shall include light and utility poles, sidewalks, curbstones, trashcans, benches, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that is now or at some point in the future may be installed. This program will be undertaken as early as possible each spring and conclude as rapidly as possible. Performance of some activities, i.e. painting, will take place annually as conditions permit. Major capital activity or the reconstruction and/or repair of significant infrastructure (street paving, sewer work, etc.) would not be considered part of this blitz program.

4) Sidewalk Repair.

To the extent it is funded, the City will undertake an on-going sidewalk repair program to re-grout existing sidewalks and replace bituminous sidewalk repairs with permanent repairs.

5) Street Sweeping.

All streets or parts thereof included in the downtown improvement district zone will be swept from curb line to curb line once per week.

6) Trash Removal.

Daily and when necessary emptying of all public trash receptacles in the downtown improvement district zone and disposal of resulting waste.

7) Holiday Decorations.

Installation and removal of downtown Holiday decorations throughout the District to include Christmas trees at Monument Square and City Hall Plaza, string lights on light poles and common area trees such as Tommy's Park, and banners as agreed by the City and PDD, and provide for electrical energy related costs.

8) Snow Plowing.

The City will plow and remove snow as necessary from all streets and parts thereof in the downtown improvement district zone.

9) Streetscape Amenity Maintenance.

The City will repair and correct any defects, deficiencies or problems in the district as necessary. Items of focus include light and utility poles, sidewalks, curbstones, trashcans, signs, crosswalk markings, traffic signals, tree wells, planters, benches, trees, kiosks, shelters, bollards, and any other amenity that are now or at some point in the future may be installed. All repairs, etc. will take place within a reasonable time after notice of need.

10) Lighting.

Maintenance and replacement of all street lights and traffic signals and payment for necessary electrical energy.

11) Graffiti removal on public property.

12) Prioritization

PD shall have the opportunity to participate with City staff from the Department of Public Works in the prioritization of all proposed capital improvement projects within the District including, but not limited to, tree well reconstruction and sidewalk repairs. PD officials recognize that City staff also work closely with the City Manager's office and the City Council for project priorities.

POLICE SERVICES.

- 1) A minimum of four uniformed patrol officers will intersect all or part of the downtown improvement district area. The actual number of officers will vary depending upon time of day and day of week. During periods when calls for service are typically at their peak, the number of officers assigned will increase significantly, for example during weekend evenings and the summer months. This increase will include foot and bicycle patrols. Officers will be supported with additional personnel (supervisors, detectives, evidence technicians) as necessary.
- 2) As long as the Senior Lead Officer Program is in effect, at least one Senior Lead Officer will be assigned to the Downtown Improvement District area.
- 3) From the Friday following Thanksgiving to New Year's Day, patrol efforts will be supplemented by use of a foot patrol. The number of officers and hours of the assignment is dependent upon staffing levels. Every effort will be made to assign two officers during those hours that retail shops are open.

OTHER MUNICIPAL SERVICES.

Whereas it is the intention of any downtown improvement district program to complement existing City services currently provided by departments or divisions, other than those described above, with supplemental services, the following information shall comprise the baseline of other City services to be provided at City expense.

- 1) Coordination of the use of downtown's public spaces within the District.
- 2) Coordination and staffing City services required for events occurring in downtown Portland.
- 3) As previously existing events, the City will provide necessary services to support the annual Tree Lighting Ceremony and the annual one-day Old Port Festival within the boundaries established by City Council order #168-21/13; to wit: the area bordered by Congress, Pearl, Commercial, Center, Union and Temple Streets and including both sidewalks of Commercial Street with no costs charged to the PDD for these events.

Description of Portland's Downtown District

Beginning at Longfellow Square, at the southwesterly corner of Congress Street and State Street, easterly along Congress Street to High Street;

Thence northwesterly along High Street to Deering Street;

Thence along the easterly side of High Street to Cumberland Avenue;

Thence along the southerly side of Cumberland Avenue, beginning at High Street, to the Franklin Street Arterial;

Thence along the westerly side of the Franklin Street Arterial to Congress Street;
and

Thence along the westerly side of Congress Street to Myrtle Street;

Thence along the westerly side of Market Street to the southerly side of Newbury Street;

Thence easterly along Newbury Street to the westerly side of the Franklin Street Arterial;

Thence along the westerly side of the Franklin Street Arterial to the southerly side of Commercial Street; thence along Commercial Street to the easterly side of Cross Street;

Thence along the northerly side of Commercial Street to Maple Street;

Thence along the easterly side of Maple Street from Commercial Street to the southerly side of Danforth Street;

Thence along the southerly side of Danforth Street in an easterly direction to York Street;

Thence northeasterly to the intersection of Center Street, York Street, and Pleasant Street;

Thence westerly along Pleasant Street from its intersection with Center Street to a passage way, situated at number 15 Pleasant Street according to the street numbering plan as shown on Chart 38, Block E, Lot 23 of the Assessor's Maps on file at Portland City Hall; and

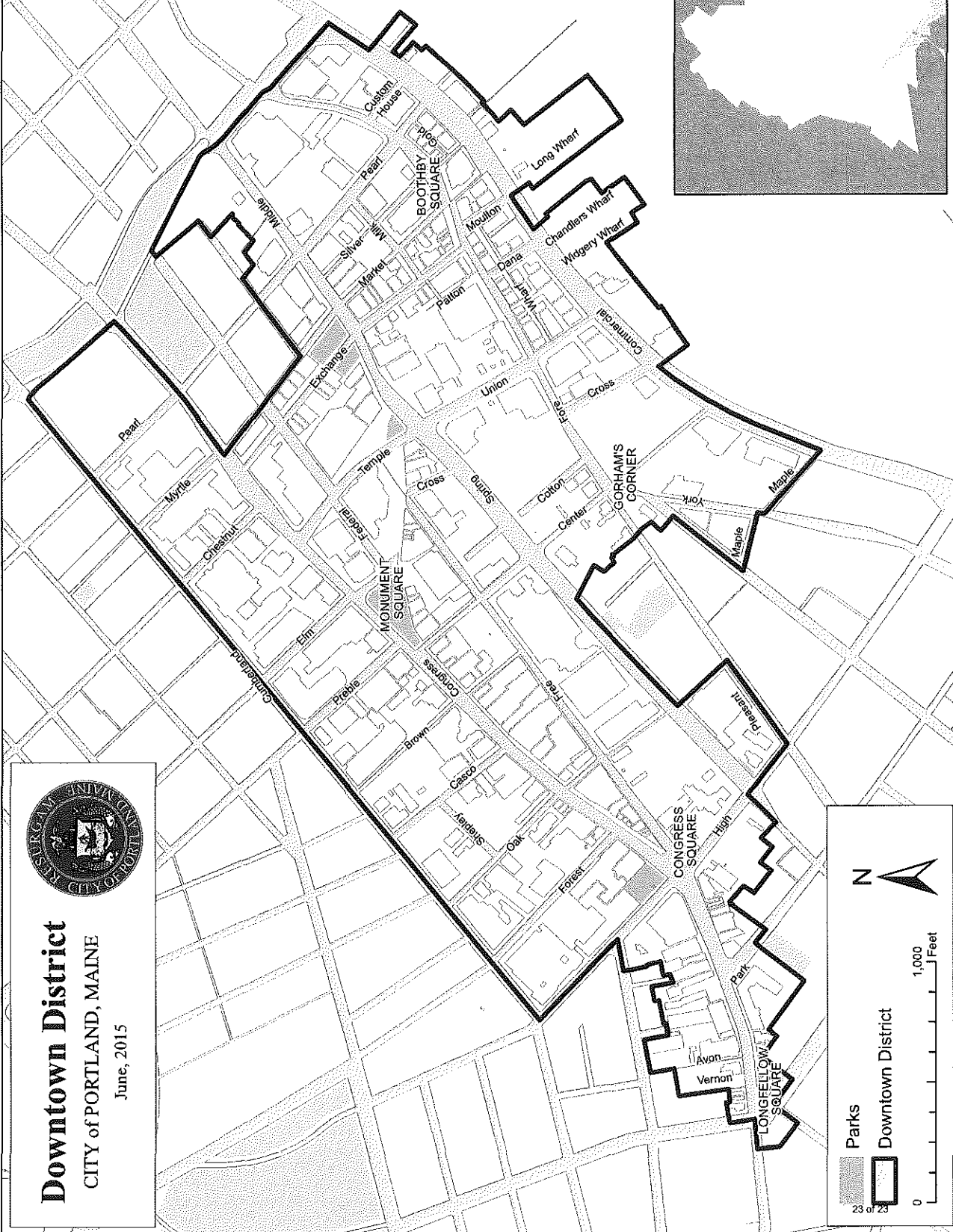
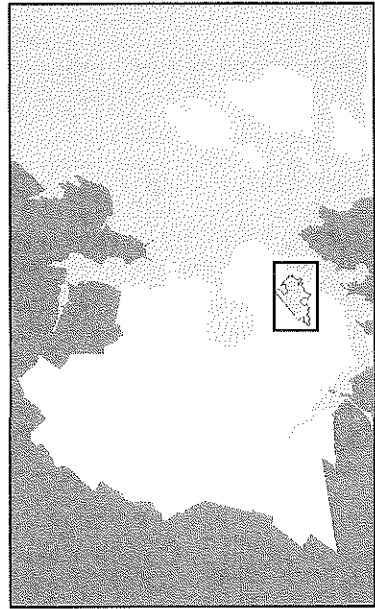
Thence along the easterly side of South Street from number 13 South Street according to the street numbering plan as shown on Chart 38, Block E, Lot 10 of the Assessor's Maps on file at Portland City Hall, to the northerly side of Spring Street;

Thence along the northerly side of Spring Street in a westerly direction to Oak Street;

Thence along the westerly side of Oak Street to its intersection with Pleasant Street;

Thence along Pleasant Street in a westerly direction to the easterly side of High Street; and

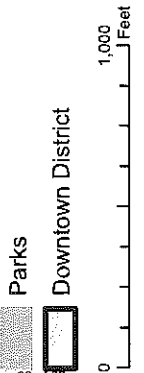
Thence along the northerly side of High Street to its intersection with Congress Street.



Downtown District

CITY of PORTLAND, MAINE

June, 2015



Parks

Downtown District

SUPPLEMENTAL SERVICES AGREEMENT BETWEEN

**DOWNTOWN IMPROVEMENT DISTRICT d/b/a
PORTLAND DOWNTOWN**

AND

CITY OF PORTLAND

AGREEMENT made this ____ day of June, 2016, by and between the City of Portland, a municipal corporation duly organized under the laws of the State of Maine, Cumberland County (hereinafter the "**City**") and the Downtown Improvement District Corporation, d/b/a Portland Downtown, a Maine non-profit corporation, having its office and place of business at 549 Congress Street, Portland, Maine (hereinafter the "**PD**").

W.I.T.N.E.S.S.E.T.H.

WHEREAS, the **City** and **PD** entered into a Master Agreement of even date establishing mutual rights and responsibilities for the provision of services in the Downtown Improvement District (hereinafter the "**District**"); and

WHEREAS, said Master Agreement established the Baseline Services to be provided by **City** in the District; and

WHEREAS, **PD** wishes to contract with the **City** to have the **City** provide, on a flexible basis depending upon funds available, Supplemental Maintenance Services in addition to those in the Master Agreement;

NOW THEREFORE, the parties do hereby agree as follows:

1. Supplemental Services: The **City** shall provide the following Personnel and Services (hereinafter the "Supplemental Services") in the District in addition to the Baseline Services provided in the Master Agreement:

1.1. Personnel:

One PD Steward		
One Public Works		
Supervisor	Days	52 Weeks
Three Maintenance Workers	Days	52 Weeks
Two Laborers	Days	Seasonal

- 1.2. Persons providing Supplemental Services hereunder shall be assigned by the **City** after providing reasonable opportunity to **PD** for requests for service. Such persons are not required to be employees of the **City**. Such persons shall not, however, be considered to be employees of **PD** and **PD** is not intended, nor shall it be deemed to be, a joint employer with **City**. As between the **City** and **PD**, **City** shall be responsible for all aspects of employment for all persons supplied by **City** pursuant to this Agreement, including compensation, liability and workers compensation coverage, employment taxes and any applicable fees.

1.3 Services to be provided are:

- *Transportation and set-up of materials and equipment for planned special events activities of **PD** (with proper notification to coordinator) for a minimum of five events per fiscal year.
- *Litter patrol, collection and disposal on streets, sidewalks, and public areas within the District.
- *Graffiti removal from City property within 5 days of notification.
- *Removal of posters (at a minimum of monthly).
- *Cleaning and painting of all furniture and fixtures twice a year minimum.
- *Sidewalk will be swept on a daily basis, weather and season permitting.
- *Cleaning of tree wells at a minimum of once per month.

*Weed control in support of other City departments performing 'basic services'

*Snow clearance at crosswalks and from sidewalks during curb to curb snow removal

*Installation of Holiday decoration in the District as agreed with PD, in addition to those described in the Baseline Services provided in the Master Agreement, including electrical energy costs

* Maintenance and cleaning of Visitor's Booth and (In) Tommy's Park at least once per month during season (May-October)

*Clean and maintain the bathrooms, located in the Fore Street Garage and Spring Street Garage buildings, when the bathrooms are open to the public, cleaning to occur no later than 9am on days the bathrooms are open to the public.

1.3.1. PD Sidewalk Snow Plowing Program. All property owners in the District assessment area are responsible for maintaining their sidewalks in the winter pursuant to Portland City Code §§25-173(C) and 25-174(C), including snow removal from their property line to the street gutter and ice control.

1.3.2. Following a snow storm, the **City** will provide a clear walkway no less than the width of a Holder's capability. To the extent reasonable, the **City** will clear the sidewalk area but it is not the intent of the parties that the **City** will clear the snow from the full width of the sidewalk area. The City will provide ice control to the extent possible. If weather conditions are so severe that the area cannot be plowed due to equipment capability, the **City**, in its discretion, may choose to Delay, clearing of the sidewalks, but must complete the work within 24 hours of the storm being complete.

1.3.3. Management of Supplemental Services. The City's Public Works Director and/or Designee and PD's Executive Director and/or Designee (Downtown Experience Liaison) agree to meet

and communicate on a monthly basis with meeting agendas to ensure quality control in service delivery is meeting expectations; providing updated information on service activities, programs and projects. The Public Works Department will provide a staff contact to PD for direct communications, which is identified as the Districting Supervisor and PD Supervisor. A point of contact for PD officials is the PD Supervisor and District Coordinator. Conversely, the City of Portland Department of Public Works looks to the PD Executive Director or designee as the City's point of contact on all issues involving PD matters. A complete work plan and list of Services provided under this FY2017 agreement is provided in Exhibit A hereto.

2. Term: The term of this Agreement is from July 1, 2016 through June 30, 2017.
3. Budget and Payment: In consideration for these Supplemental Services, **PD** agrees to pay the **City**, in equal quarterly installments, for all Supplemental Services provided hereunder the total sum of \$351,210 for FY2016. The **City** shall bill and **PD** shall pay the **City** beginning July 1, 2016, a quarterly payment of \$87,803.
 - 3.1. In the event **PD** requests services from **City** in addition to those included herein, **City** shall have the option, in its sole discretion to provide such services, with payment to be made by **PD** for any such services on a Time and Materials basis, or such other basis as the parties may agree in writing. "Time" as used herein shall mean all of the **City's** employee costs, i.e. hourly wages or salary. "Materials" as used herein shall mean the actual cost to the **City** of equipment, materials and/or supplies provided or used, with no additional markup.
4. Modifications: It is understood and agreed by the parties that **City** has adopted an expenditure budget which includes the cost of these Supplemental Services and has adopted a revenue budget which provides for

the reimbursement of such costs by **PD** as provided hereunder. In the event that either **PD** or the **City** anticipates that there will be insufficient revenues to pay for such Supplemental Services, said party will notify the other party of the anticipated shortfall, and the parties agree to meet promptly and confer to modify the level of Supplemental Services which the **City** is able to provide. It shall be the responsibility of **PD** to notify **City** as soon as reasonably possible if such Supplemental Services need to be modified or adjusted for anticipated revenue shortfalls or modifications. In the event of a revenue shortfall, the **City** will have no obligation to provide Services in excess of **PD** funds available to reimburse **City**; however, **City** will have the right, but not the obligation, to continue to provide Supplemental Services to the extent provided in the **City** budget even in the event of a revenue shortfall. The parties agree to memorialize in writing any changes in the monthly payments due under Section 3 above.

- 4.1. Either party may terminate or modify this Agreement in the event of a budget shortfall upon no less than Sixty (60) days prior written notice to the other party.
- 4.2. In the event Supplemental Services are terminated for any reason by either party, it shall be in **City's** discretion as to whether it will continue or resume providing such Supplemental Services.
- 4.3. **PD** agrees to give the City Manager or the Manager's designee advance written notice of any formal meeting of its Directors or Officers at which modification of the current year Supplemental Services budget is to be discussed or considered, and to permit the attendance of **City** representative at such meeting. **City** and **PD** agree to provide copies of draft budgets for the upcoming fiscal year reasonably in advance of any final decision by **PD** or the **City** as to said budget, and the parties agree to meet and confer in regard to such budgets.

5. **City's** representative in regard to provision of Supplemental Services hereunder is the City Manager or the Manager's designee.

IN WITNESS WHEREOF, the **City** and **PD** have signed this Agreement through their authorized representatives as of the day and date above written.

Witness: **City of Portland**

By: _____
Jon P. Jennings
Its City Manager

Witness: **Downtown Improvement District
d/b/a Portland Downtown**

By: _____
Denine Leeman
Its Board Chair

Approved as to Form: _____
(Corporation Counsel)

Approved as to Funds: _____
(Finance Department)

*Order 301-15/16
Tab 40 6-6-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

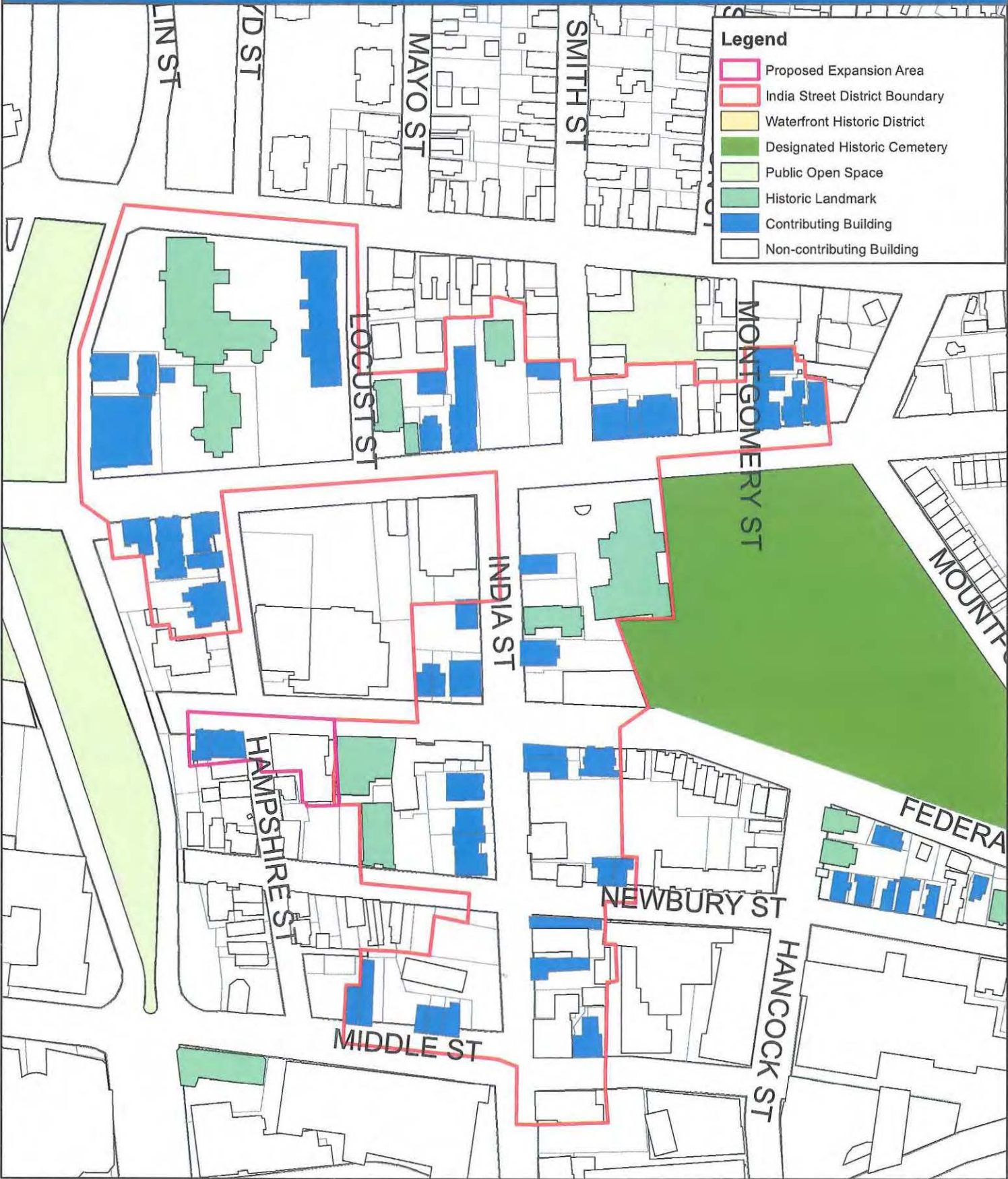
DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER AMENDING THE DESIGNATION OF INDIA STREET AS A
HISTORIC DISTRICT AND THE MAP OF HISTORIC DISTRICTS BY
EXPANDING ITS BOUNDARY**

ORDERED that, pursuant to Chapter 14, Section 622, the Portland City Council by Order 79-15/16 designated India Street, as the India Street Historic District, and now amends that designation to include 88, 96 and 100 Federal Street; and

BE IT FURTHER ORDERED, that the map of Historic Districts with Landmarks and Historic Landscape Districts is hereby amended with the western boundary as set forth on the attached map.

INDIA STREET HISTORIC DISTRICT



MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Jeff Levine, Director of Planning & Urban Development

DATE: May 17, 2016

SUBJECT: India Street Historic District Map Amendment

SPONSOR: Planning Board and Historic Preservation Board
(If sponsored by a Council committee, include the date the committee met, the results of the vote, and the meeting minutes.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading June 6 Final Action June 20
Can action be taken at a later date: X Yes No (If no why not?)

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

Jeff Levine, Director of Planning & Urban Development
Brief presentation (5 minutes)

I. ONE SENTENCE SUMMARY

Pursuant to a request by M & D Federal LLC, owner of 96 and 100 Federal Street, the Historic Preservation Board and Planning Board are recommending that the western boundary of the recently-designated India Street Historic District be extended to include three additional properties on the south side of Federal Street: 88, 96 and 100 Federal. The request was prompted by the M & D Federal LLC's desire to take advantage of historic tax credits, which requires that the property be located within a certified local historic district.



Area proposed to be added to India Street Historic district shown in pink. Current district boundary shown in orange.

II. AGENDA DESCRIPTION

The Historic Preservation Board and Planning Board are recommending that the western boundary of the India Street Historic District be extended to include 88, 96 and 100 Federal Street. The recommendation is pursuant to a request by the new owners of 96 and 100 Federal who wish to take advantage of state and federal historic tax credits to rehabilitate the three story historic brick apartment building at 96 Federal. In order to be eligible for historic tax credits, the building must be located within a certified local historic district and be found to be a “contributing” building within the district. (Individual listing in the National Register also qualifies a property owner for tax credits, but in this case the building is not individually eligible for the National Register.) To avoid a noncontiguous district and meet applicable National Park Service requirements for district boundary delineation, the Planning Board and Historic Preservation are recommending that 88 and 100 Federal be added to the district as well. As with all other buildings within the current India Street Historic District, the three buildings have been classified according to their preservation status: 88 Federal (1965), noncontributing; 96 Federal (1867), contributing; 100 Federal (1867), contributing. Exterior alterations and/or additions to contributing buildings are subject to review under the historic preservation ordinance’s Standards for Review of Alterations. Noncontributing structures may be demolished as-of-right, however any replacement development would be subject to the historic preservation ordinance’s new construction standards.

III. BACKGROUND

The three buildings proposed for inclusion in the India Street Historic District are located immediately west of the existing district boundary. (Currently, the district ends at St. Peter’s Church on the south side of Federal Street.) All three buildings are well-documented, as they were surveyed as part of a comprehensive architectural survey of the neighborhood at the start of the India Street neighborhood planning process. The buildings were also classified (contributing/noncontributing) at that time. The buildings were originally proposed for inclusion in the India Street Historic District boundary, but were removed along with other historic residential properties when the decision was made to recommend a smaller district focused on commercial and institutional properties.

Note that one of the arguments made during the designation process for limiting the size of the district was that property owners interested in taking advantage of tax credits could get their buildings individually listed in the National Register of Historic Places, thus qualifying their rehab for the credit. As the 96 Federal Street property owner’s experience has pointed out, this assumption is not always correct. Individual listing in the National Register requires that a building exhibit a higher level of significance. Inclusion in a historic district as a contributing structure is the more expeditious avenue to qualifying for historic tax credits.

Note that the Catholic Diocese of Maine, which owns the noncontributing building at 88 Federal, has not objected to including their building within the proposed expanded district.

IV. INTENDED RESULT AND/ OR COUNCIL GOAL ADDRESSED

Expansion of the district will make it possible for the owner of 96 Federal, M & D Federal LLC, to access state and federal historic tax credits for the building's rehabilitation. Long term, the two identified contributing structures added to the district will be protected and enhanced under the provisions of Portland's historic preservation ordinance. If the existing noncontributing structure at 88 Federal is replaced at some point in the future, the historic preservation ordinance's new construction standards will ensure a design solution that is compatible with surrounding historic structures.

IV. FINANCIAL IMPACT

Not applicable.

V. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

Although M & D Federal LLC's initial interest was in finding a designation solution for 96 Federal only, adding it to the India Street Historic District required consideration of the buildings in its immediate vicinity, especially since 96 Federal does not immediately abut the district boundary. Separating the current boundary and 96 Federal is a one-story structure at 88 Federal owned by the Catholic Diocese of Maine. 88 Federal, built circa 1965, was identified as a "noncontributing" structure in the architectural survey of the neighborhood. Although 88 Federal would be classified as a noncontributing structure in a reconfigured India Street district, it needs to be included in the expansion nonetheless in order to avoid a non-contiguous historic district. (The National Park Service does not allow for non-contiguous historic districts except under very specific circumstances.)

Maine Historic Preservation Commission staff also indicated that based on their evaluation, the residential structure on the west side of 96 Federal would also need to be included in any district expansion. Although 100 Federal Street, a triple decker, has lost some of its architectural character due to previous renovations, it is representative of the vernacular housing that characterized much of the India Street neighborhood and retains its essential form and key architectural features. Its alterations are readily reversible (see 1924 photo) and it is the westernmost extant historic structure on the south side of its Federal Street block. In consideration of all these factors, MHPC expressed the view that the building would also need to be included in order for the expanded district to be certified by the National Park Service. The developer has indicated that they may pursue historic tax credits for 100 Federal in the future.

VI. RECOMMENDATION

Planning and Historic Preservation staff recommend expansion of the district.

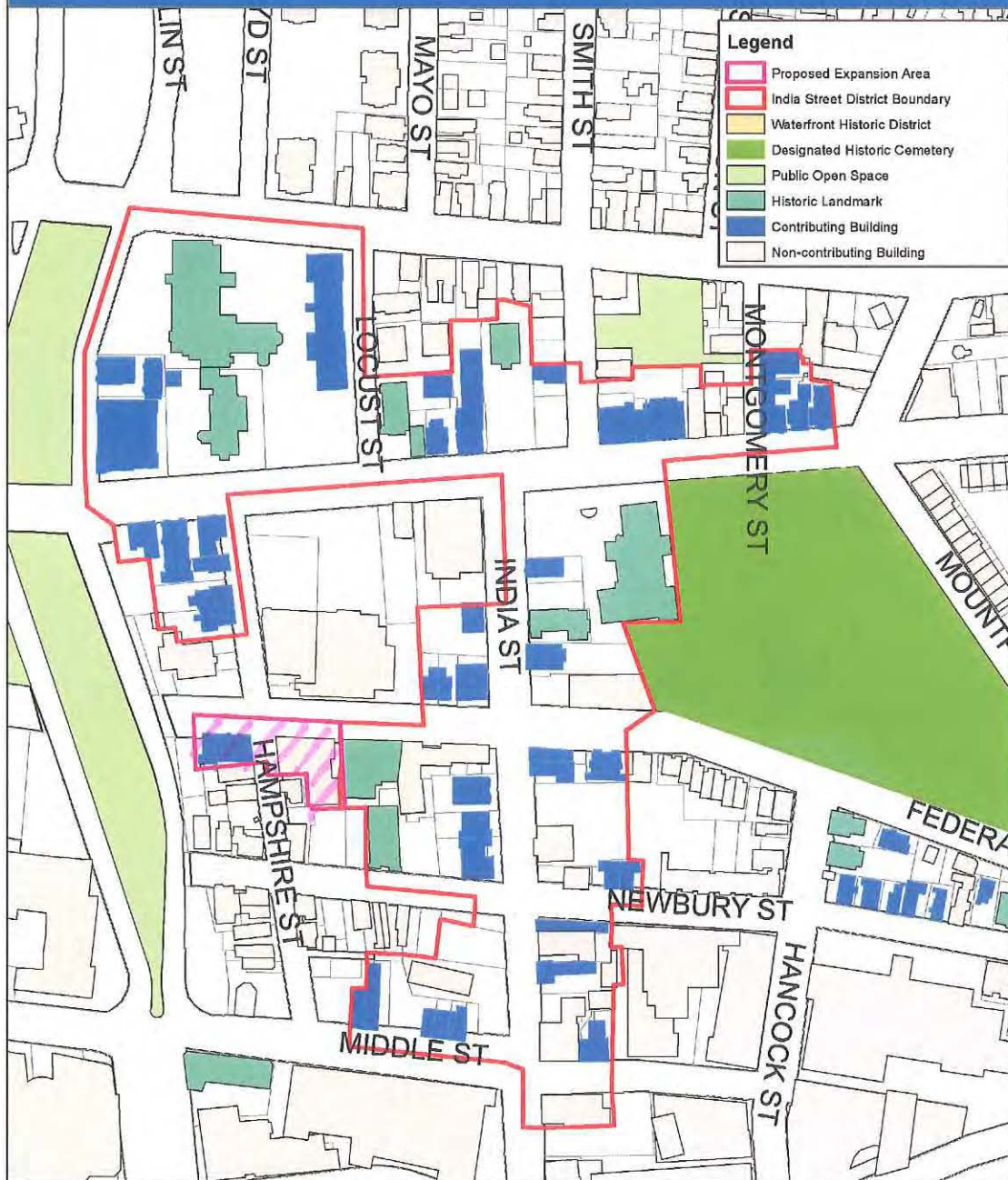
VIII. LIST ATTACHMENTS

1. Map of proposed historic district expansion
2. Architectural survey forms with current and 1924 photos of subject properties.
3. Letter of request from Dan Black, representing owner of 96 and 100 Federal Street

Prepared by: Deb Andrews, Historic Preservation Program Manager
Date: May 17, 2016

Bean/agendarequestmemo/rev 11/2015

INDIA STREET HISTORIC DISTRICT



Proposed Expansion of India Street Historic District

Classifications of Added Properties:

88 Federal – Noncontributing

96 Federal – Contributing

100 Federal - Contributing

Daniel Black
M&D Federal LLC
11 Cleeve Street, Apt. 1
Portland, Maine 04101

March 31, 2016

Elizabeth Boepple
Chairwoman
Planning Board
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Chairwoman Boepple & the Planning Board,

We are writing to request an expansion in the India Street Historic District along Federal Street on the south side of the street, in an easterly direction, to encompass properties up to and including 100 Federal Street.

We, M&D Federal LLC, are the new owners of 96 and 100 Federal and have spent the last four months, hiring consultants, working on research and negotiations with MHPC, trying to get 96 Federal individually listed to no avail. We are eager to begin the restoration of these properties and are interested in pursuing Federal and State Historic Tax Credits for 96 Federal to make the project feasible. There is also a possibility that we would pursue credits for 100 Federal Street at a future time as well.

Please consider our request and be in touch with any questions.

Sincerely,


Daniel Black
Managing Partner
M&D Federal LLC

88 Federal Street
Noncontributing

Taliento's Federal Street Supermarket, ca. 1965



Architectural Description

The building at 88 Federal Street is a simple utilitarian one story box. The foundation is irregular in plan and abuts the sidewalk along both Federal and Hampshire Streets. A three foot tall length of concrete foundation appears along the length of the Federal Street facade while no foundation material is visible along Hampshire Street. The building appears to be clad in painted stucco, perhaps over concrete block walls. The Federal Street facade is six bays with a deeply recessed flush metal door at the first bay; a separated pair of one-over-one metal double hung windows at the second, third and fourth bays; an oversized, garage-door-like punched opening which has been infilled at the fifth bay and a narrow, vertically proportioned single pane fixed metal window at the sixth bay. The secondary Hampshire Street elevation has four one-over-one double hung metal windows positioned near the rear. The facades are capped with a wide band of painted metal roof flashing.

Historical Narrative

The City of Portland assessment records indicate this commercial building was built 1951. In the 1950s, Dominic Taliento owned several three-story buildings on the site that he altered to accommodate his grocery store. After 1964, the existing masonry building was constructed. It is occupied in 2013 by Pine Tree Legal Assistance.

96 Federal Street
Contributing

Josiah Duran Block, 1867 (3rd story added 1909 – 1924)



Architectural Description

The three story, seven bay apartment building at 96 Federal Street rests on a rectangular brick foundation that abuts the sidewalk along Federal and Hampshire. The building is separated from its neighbor at 100 Federal by one foot. The entry appears at the central bay and is accessed by two brick stairs. The original, Italianate hood remains with its elaborately carved brackets. The entry door is slightly recessed in an alcove that has brick returns and a shallow arched ceiling. A modern wood replacement door with two small lights at the top and four panels below sits within a flat stock surround with an infilled transom panel above. To either side of the entry at bays two, three, five and six, a pair of original two-over-one wood double hung windows appears on center with a two story bay window above. Each of these four, separate windows sits within its own narrow masonry opening with a three course corbelled shallow arched lintel and projecting wooden sill. The windows retain their painted wood casings and brick mouldings. The upper two levels are five bays wide with a two story bay window appearing at the second and fourth bays. These bays retain all of their original fabric including large central two-over-one wood double hung windows, narrow one-over-one wood double hungs at the flanking walls, wood panels beneath all the windows and large, built-up frieze at the top. All remaining bays at each level contain a single two-over-one wood double hung set within the same masonry opening with decorative lintel. The original projecting cornice remains and is capped with the metal flashing that terminates the roofing system. The flat roof is likely clad in a membrane.

Historical Narrative

Josiah Duran was a grocer who, at the time of the 1880 census, suffered from paralysis. This is what would eventually kill him in 1887, at the ripe old age of 75.

In 1895, Frederick A. Lord, a furniture painter, lived in the house with his wife Lucy. They moved out sometime between 1905 and 1910, relocating to Neal Street. Frederick died in 1914.

Third story added between 1909 and 1924. By 1912, the building housed six families. In 1920, one of those families was that of Abram Schwartz, the building's owner and a shoemaker with "U.S. Fortification" (1920 Census). The Schwartzes lived in the building until the late 1920s.

Another family living there in 1920 was that of George Cady, a fireman with the Fire Department. Living with him and his wife were a son, a sailor on a steamboat, a daughter, and her husband, also a

fireman. Young Samuel Rubinoff, age 25, and his wife Rose, also lived in one of the apartments with their two babies. Samuel owned a picture framing shop. The couple immigrated from Lithuania in 1914. Frederick Ledou also lived in the building. He had immigrated from France in about 1890 and worked as a laborer in a shoe factory to support his family of five. Daughter Irene, 21, clerked in a department store to help out.

In 1930, tenants included Eli Lerman, a truckman for a furniture store, and his family. Hyman Lerman, an iron collector, and Benny Brenerman, a laborer in an iron shop. All three men hailed from Russia and had immigrated in the early 20th century.

Hyman Lerman was still living in the apartment in 1940. Another family was that of Mary Marotto, widow, and her six children. Mary worked as a stitcher in a pants factory (Kadish Brothers on Middle Street) along with one of her daughters, Virginia DePalmer.

1950, residents included Wilma Libby (who married Sam Ricci in 1953; the couple moved to Hancock Street), Antonio Morotto, and Hyman Lerman, who lived here and had a junk business on the premises.



96/96

100 Federal Street

William H. Swett House, 1867 (Altered 1909 – 1924)



Architectural Description

The three bay, side entry, triple-decker residential building at 100 Federal Street rests on a rectangular brick foundation that abuts the sidewalk. The building is separated from its neighbor at 96 Federal by one foot. The entry appears at the first bay and is accessed by two wooden stairs. The original, diminutive hood remains with its carved brackets. The door is a modern embossed metal replacement with six embossed panels and the door surround is painted flat stock wood with the original single pane transom. The second and third bay are one-over-one vinyl replacement double hung windows with vinyl casings and sills. The second and third level of the building are two bays with a two story, elevated bay appearing to the right. The two story bay features a large one-over-one vinyl double hung at the center with two flanking, smaller vinyl double hung window at each of its two levels. The corner bay boards of the bay windows are clad in metal. The first bay at the second and third floor levels are slightly out of alignment with the entry and each contain a single one-over-one vinyl double hung. The side elevation facing west is six bays deep with five equally spaced windows and a door at the sixth bay. These secondary doors access the three story attached wooden deck. Walls are clad with vinyl siding. The original cornice profile appears to be retained under metal cap flashing. The flat roof is likely clad in a membrane.

Historical Narrative

William H. Swett was a hack driver who died in 1883. His widow, Mary, lived in the house until 1904 when she died at the age of 89.

Altered between 1909 and 1924. In 1920, there were three apartments in the house. The heads of each household were John. J. Golding, Rev. Myer Levinson, and Hyman Finkelman. Myer Levinson was a clergyman in the synagogue and worked in a slaughterhouse. He and his wife Rachel lived in their apartment here until 1923. Hyman Finkelman was a junk dealer. He owned the building in 1920, along with several others in the city, including the building on Pearl Street that the Hebrew School purchased from him in 1919 for the sum of \$11,500.¹ He had immigrated from Russia in 1907, bringing his family (wife Bessie, and

¹ Benjamin Band, *Portland Jewry: Its Growth and Development* (Portland, ME: Jewish Historical Society, 1955), 28.

their two children at the time, Samuel and Esther) over in 1913. Golding owned a tailor shop. All three families were Yiddish speakers.

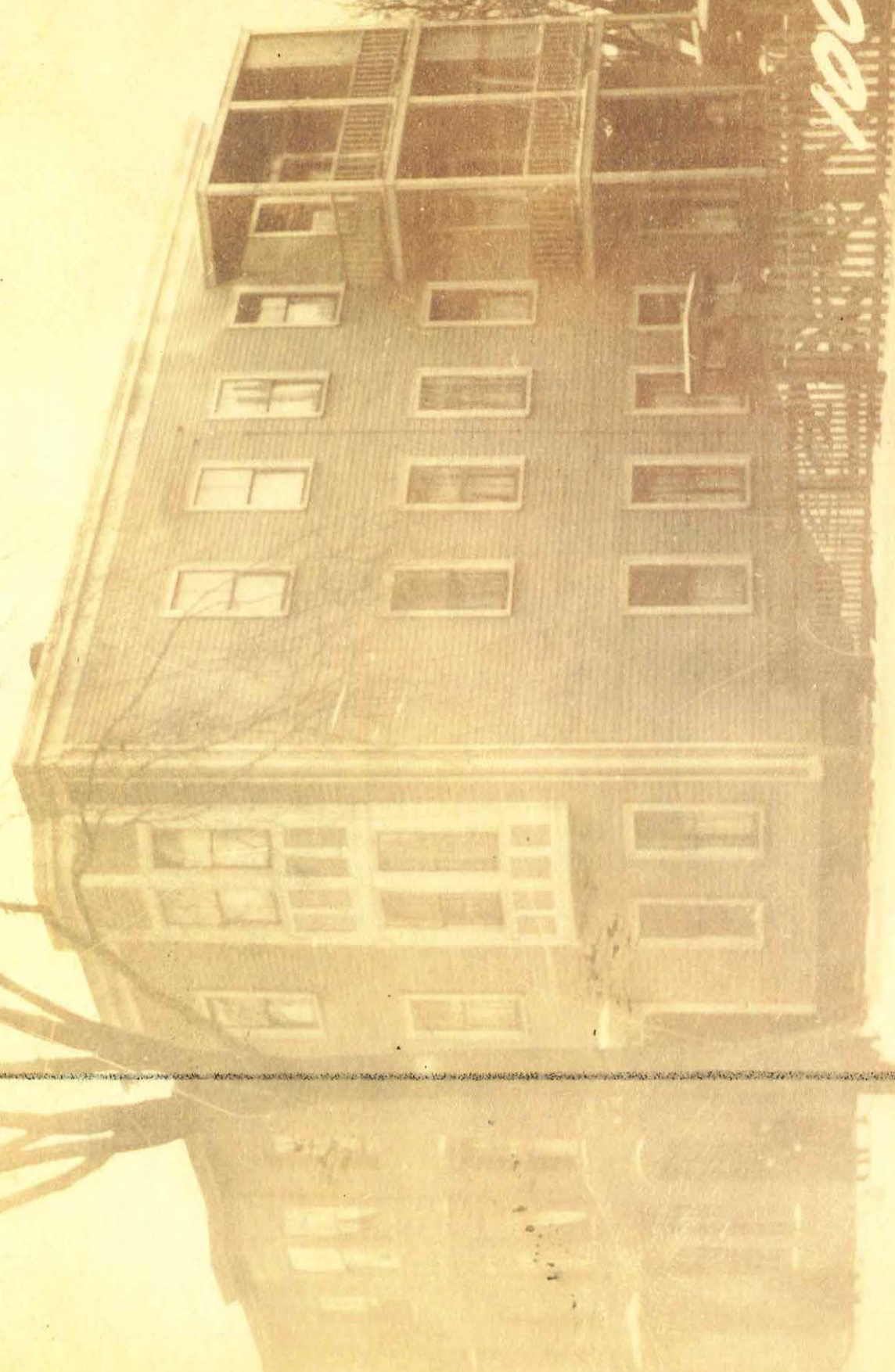
In 1930, residents included Lewis Litowsky, his Yiddish-speaking, Scottish wife Rita (or Rina), and their three children. Lewis owned a bakery and his son David worked there as a clerk. Hyman Norken and his family lived in another of the apartments. He taught at the Hebrew School.

Hyman and Celia Norken still lived in their apartment in 1940 and Hyman still taught Hebrew. Frank Quinto of Spain, a janitor at a dress factory, lived in another apartment with his wife Victoria of Italy, a stitcher in a dress factory. They had two young daughters.

In 1950, Antonette Piscopo lived here and worked out of her home as a dressmaker.

V-7300

100 Feet.



Order 302- 15/16
Tab 41 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**TRAFFIC SCHEDULE AMENDMENT
RE: CARLETON STREET 2-HOUR PARKING**

ORDERED, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

By deleting under Carleton Street

West Side – From Pine Street to Brackett Street
Schedule I – No parking anytime

By adding under Carleton Street:

West Side – From Pine Street to Brackett Street –
Schedule XVIII – 2 Hour parking; and

BE IT FURTHER ORDERED, that parking on Carleton Street shall be seasonal only, with no parking allowed between the dates of November 15 and April 15; and

BE IT FURTHER ORDERED, that this amendment is enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make it effective immediately, to allow parking in the busy summer season.

MEMORANDUM
City Council Agenda Item

TO: Mayor Strimling and City Council

FROM: Jeremiah Bartlett, PE, PTOE, Transportation Systems Engineer

DATE: May 18, 2016

DISTRIBUTION: Jon Jennings, City Manager
Anita LaChance, Assistant City Manager
Bob Leeman, Acting Director of Public Services
Sonia Bean, Executive Assistant
Danielle West-Chuta, Corporation Counsel
Nancy English, Paralegal
Julie Sullivan, Chief of Staff
John Peverada, Parking Manager
Katherine Earley, PE, Engineering Services Manager
Bruce Hyman, Transportation Program Manager

SUBJECT: **Endorse Amendment to City's Traffic Schedule:** Carleton Street Parking Modifications

SPONSOR: Councilor Thibodeau

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading June 6th Final Action___

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

I. SUMMARY OF ISSUE (Agenda Description)

Carleton Street is a one-way street running between Pine and Congress. The street is wide enough to accommodate parking on both sides but at the current time, parking on the west side is prohibited. The District Councilor has asked that parking be placed on the west side with a seasonal restriction, from November 15th to April 15th.

Although the seasonal parking does not fall within the City's Traffic Schedule, the changing of one side of the street from No Parking to two-hour parking does require Council action.

I. REASON FOR SUBMISSION

Additional parking has been requested in this area and the change will add significant parking in this part of the City.

II. INTENDED RESULT

Additional parking will be added to a densely populated area of the City.

III. COUNCIL GOAL ADDRESSED

The Council goals of economic development will be addressed, as well as reducing the strain on other parking areas in the West End.

IV. FINANCIAL IMPACT

The costs associated with this work are anticipated to be approximately \$650 in signage and a total of 20 hours in staff time, or approximately \$1,000.

V. STAFF ANALYSIS

The staff field review confirms that this request is feasible, and concurs with the need for additional on-street parking.

VI. RECOMMENDATION

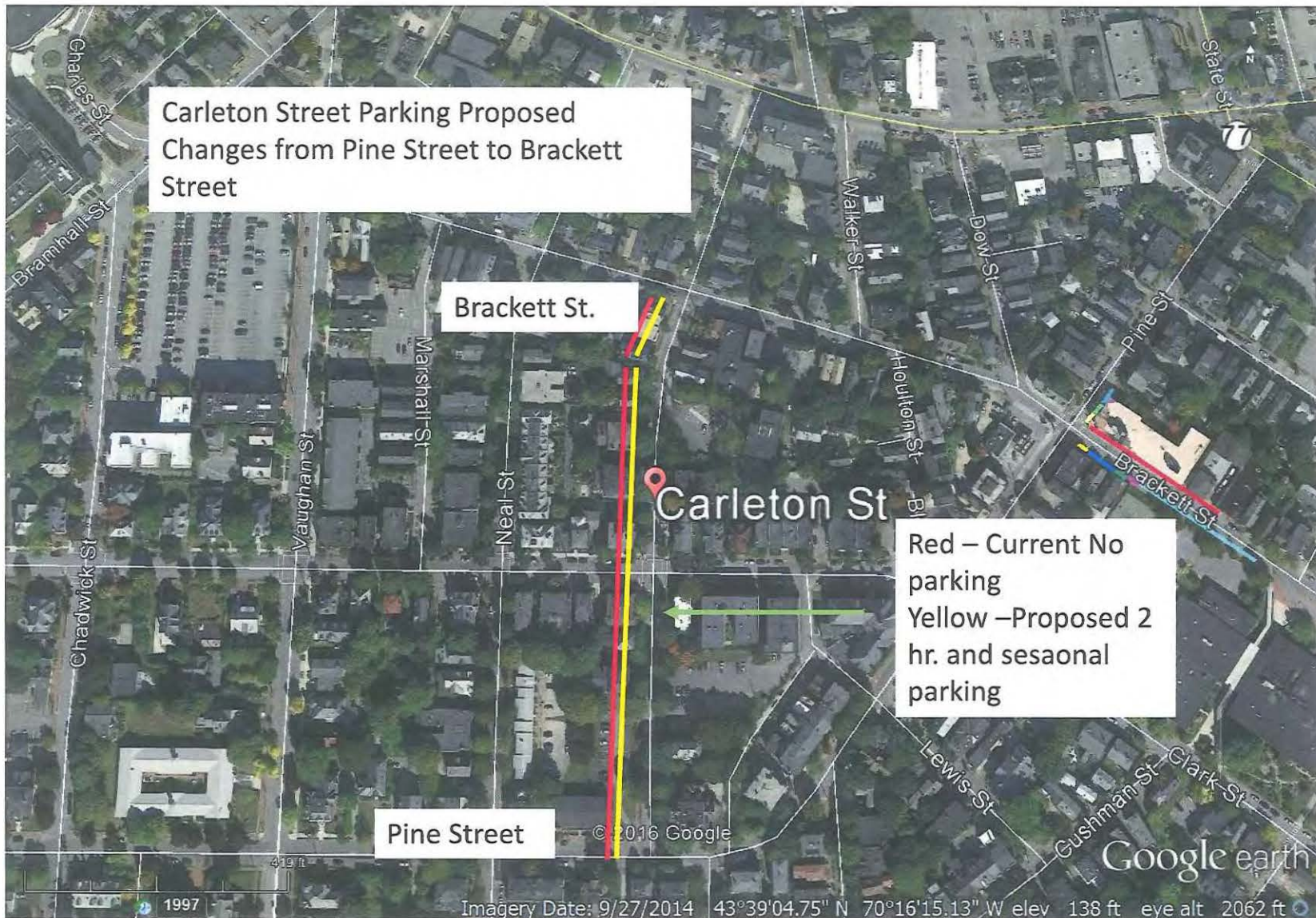
DPW recommends that this change take place, preferably before the peak summer season, which tends to increase parking demands throughout the downtown peninsula.

VII. LIST ATTACHMENTS

- 1.) Council Order
- 2.) Graphic

Prepared by:

Date:



Order 303-15/16
Tab 42 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 17 (OFFENSES, MISCELLANEOUS PROVISIONS)
RE: SALE OF TOBACCO PRODUCTS TO
PERSONS UNDER 21 YEARS OF AGE PROHIBITED**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Chapter 17, Section 17-84 of the Portland City Code is hereby amended to read as follows:*

Sec. 17-84. Sale of tobacco products to people under 21 prohibited.

Reserved.—(a) Notwithstanding the provisions of 22 M.R.S. §1555-B(2) and in accordance with 22 M.R.S. 1556, in the City of Portland, no individual, corporation, partnership, unincorporated association or other entity may sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any individual under 21 years of age.

(b) No individual, corporation, partnership, unincorporated association or other entity may sell or permit the sale of tobacco products in the City of Portland unless a clearly visible notice is posted at the location where tobacco products are available for purchase. The City of Portland shall provide this notice, which shall state "No person under the age of 21 may purchase tobacco products," legibly printed in letters at least one-half inch high.

(c) The City of Portland's Public Health Division Director or his or her designee(s) shall have the primary responsibility for enforcement of this section and may conduct random, unannounced inspections at locations where tobacco products are sold to test and ensure compliance with this ordinance.

(d) A violation of this section shall be a civil violation
subject to the general penalty provisions of section
1-15 of this Code.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Dawn Stiles

DATE: May 18, 2016

SUBJECT: Increase in legal age to purchase tobacco

SPONSOR: HHS Committee – May 10, 2016, Unanimous Vote to Send to Council
(If sponsored by a Council committee, include the date the committee met, the results of the vote, and the meeting minutes.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading ___ June 6, 2016 ___ Final Action ___ June 20 ___

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

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

I. ONE SENTENCE SUMMARY – This item would change legal age to purchase tobacco to 21 in the Portland City tobacco ordinance.

II. AGENDA DESCRIPTION

III. BACKGROUND Research shows that the majority of smokers begin smoking in their teens or earlier. This request seeks to increase the age at which individuals can purchase tobacco products thus preventing tobacco addiction.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED
Reduction in those addicted to tobacco

V. FINANCIAL IMPACT
None anticipated

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

Prepared by: Dawn Stiles

Date: 5/18/2016

Bean/agendarequestmemo/rev 11/2015

MEMORANDUM

TO: Public Safety, Health and Human Services Committee

FROM: Jennifer L. Thompson, Associate Corporation Counsel

DATE: March 29, 2016

RE: Increasing the minimum legal sale age for tobacco products to 21

I understand that the Public Safety, Health and Human Services Committee will be considering a proposal to increase the minimum legal sale age for tobacco products in the City of Portland from 18 to 21 years of age. I have been asked to outline the legal authority for this departure from State law. I do so briefly, below.

Generally speaking, Maine State statute regulates the sale of tobacco within the State. Under 22 M.R.S. § 1555-B, “[a] person may not sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any person under 18 years of age.” *Id.* However, a subsequent section of the statute, section 1556, expressly recognizes the authority of municipalities such as Portland to enact regulations that are more restrictive than those enacted by the State.¹ This expressed authority, together with the usual Home Rule authority conferred on municipalities by the Maine State Constitution, therefore seems to allow the City of Portland to further restrict the sale of tobacco products.

I do note the statutory requirement that 30 days’ notice be provided by mail to “each retail tobacco licensee doing business within the municipal corporate limits. This notice must state the time, place and date of a hearing or proposed enactment and the subject matter of the proposed ordinance, regulation or amendment.” Therefore, if this Committee ultimately recommends the proposed amendment (or another ordinance that is more restrictive than state law) it will be important to provide the appropriate notice prior to consideration by the full Council.

¹ Section 1556 provides, in pertinent part: “Except as otherwise provided in this section, nothing in this chapter affects the authority of municipalities to enact ordinances or regulations that are more restrictive than this chapter.” The full text of section 1556 can be found here:
<http://www.mainelegislature.org/legis/statutes/22/title22sec1556.html>

DIVISION 2. MISCELLANEOUS PROVISIONS

Sec. 17-81. Free distribution; sampling. The free distribution or sampling of tobacco is prohibited in the City of Portland. A violation of this section shall be a civil violation subject to the general penalty provisions of section 1-15 of this Code.

Sec. 17-82. Self-service displays.

(a) Self-service displays of tobacco products, from which individual packages, cartons, or items may be selected by the customer, are prohibited in the City of Portland.

(b) The foregoing shall not apply in a retail tobacco store which specializes in the sale of tobacco and tobacco products only.

(c) A violation of this section shall be a civil violation subject to the general penalty provisions of section 1-15 of this Code.

Sec. 17-83. Nonretaliation. No person or employer shall discharge, refuse to hire or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any right to smoke-free environment afforded by this article. A violation of this section shall be a civil violation subject to the general penalty provisions of section 1-15 of this code.

Sec. 17-84. Sale of tobacco products to people under 21 prohibited.

~~Reserved.~~ (a) Notwithstanding the provisions of 22 M.R.S. §1555-B(2) and in accordance with 22 M.R.S. 1556, in the City of Portland, no individual, corporation, partnership, unincorporated association or other entity may sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any individual under 21 years of age.

(b) No individual, corporation, partnership, unincorporated association or other entity may sell or permit the sale of tobacco products in the City of Portland unless a clearly visible notice is posted at the location where tobacco products are available for purchase. The City of Portland shall provide this notice, which shall state "No person under the age of 21 may purchase tobacco products," legibly printed in letters at least one-half inch high.

(c) The City of Portland's Public Health Division Director or his/her designee(s) shall have the primary responsibility for enforcement of this section and may conduct random, unannounced inspections at locations where tobacco products are sold to test and ensure compliance with this ordinance.

(d) A violation of this section shall be a civil violation subject to the general penalty provisions of section 1-15 of this Code.

Sec. 17-85. Reserved.

Order 304- 15/16
Tab 43 6-6-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 11 FOOD AND FOOD HANDLERS
RE: FOOD TRUCKS AND COMMUNITY KITCHENS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Article II, Sections 11-4 and 11-13 of the Portland
City Code are hereby amended to read as follows:*

Sec. 11-4. Amendments.

The Maine State Food Code 2013: Food Code adopted by
section 11-1 is amended and modified in the following respects.

(a) Section 1.201.10.B shall be amended as follows:

...

(b) Section 1.201.10.B shall be amended to add the
following:

Base station shall mean a location used by a mobile
food service establishment for the disposal of
liquid/solid waste, re-filling of water tanks and the
storage of food, supplies, and equipment. A base
station is permissible for one or more of these
purposes. However, the preparation of food or ware
washing is not permissible unless it is a licensed
commercial kitchen. which shall be considered part of
the food service establishment for the purpose of
determining compliance with this article. The mobile
unit and base station shall comply with all of the
requirements of this article except those relating to
toilet facilities, and the additional requirements
herein set forth except as herein prescribed.

Food pantries shall mean an organization or entity that acquires, stores and distributes food to the needy in their community. Food pantries are typically supported by community food drives, umbrella organizations, as well as grocery stores, local agriculture, food manufacturers and other distributors. All items are pre-packaged, properly labeled, and no food preparation occurs. If bulk food packages are divided, they shall be in properly labeled, food safe containers.

Food processing establishment shall mean a commercial establishment in which food is processed or otherwise prepared and packaged only for sale to food service establishments and other retail outlets.

Ice cream truck shall mean a motorized vehicle utilized for the sale of prewrapped or prepackaged ice cream or frozen yogurt or ice cream or frozen yogurt products or novelties.

Innholder shall mean and include any person offering to the public, generally, lodgings and food as the occasion requires where the person rents out four (4) or more rooms or cottages.

Mobile food service establishment shall mean and include only a food service establishment on wheels ~~that transports and sells food; capable of movement over public or private ways which has all utilities and facilities contained within the unit regardless of whether it needs an outside power source or not which has no fixed location for the operation or transaction of business; and which is moved from one (1) location to a different location not less frequently than once every twelve (12) hours, in any twenty-four (24) hour period in order to serve persons otherwise present at such locations at such times.~~ For purposes of this ordinance, mobile food service establishments include but are not limited to, pushcarts, food vending trucks/trailers and ice cream trucks. These

establishments shall meet the rules and regulations specific to their type.

...

Sec. 11-13. CommissaryCommunity kitchens.

(a) A commissary community kitchen shall mean a kitchen, licensed pursuant to this chapter, which~~that~~ is utilized by one~~two~~ or more entities to receive, store and prepare food for service off-site or delivery and does not qualify for any other City food service license. Examples include, but are not limited to, kitchens preparing food for catering, mobile units, meal delivery services, vending machines and central production for multiple establishments, such as chain restaurants. ~~at differing times for preparation of food to serve to the public off-site.~~

(b) Not more than one entity may utilize the commissarycommunity kitchen at one time. ~~Any time more than one entity is utilizing a kitchen licensed pursuant to this chapter, There must be a sufficient reasonable amount of time built in to the schedule for to ensure the kitchen is cleaning and sanitizing,~~ed prior to the next use.

(c) Schedule and records: If the commissary is used by more than one entity, then a~~The~~ schedule of the use of the community kitchen shall be prominently displayed in a conspicuous location at all times and all associated records shall be available for review by the health inspector at all times.

~~(d) License required: Each entity utilizing a community kitchen shall procure a community kitchen license from the Department of Permitting and Inspections.~~

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Dawn Stiles

DATE: May 18, 2016

SUBJECT: Chapter 11 Food and Food Handlers

SPONSOR: HHS Committee – May 10, 2016 – Unanimous vote to send to Council
(If sponsored by a Council committee, include the date the committee met, the results of the vote, and the meeting minutes.

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading__June 6, 2016__ Final Action__June 20, 2016__

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

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

I. ONE SENTENCE SUMMARY - Brings consistency and simplifies definitions and eliminates fees.

II. AGENDA DESCRIPTION

III. BACKGROUND

Purveyors of food for sale are regulated by the state and city. The definitions for: Base Station; Mobile Food Service Establishment and Community Kitchen have been simplified and brought in line with the Maine Food Code. There were also two fees that are being eliminated because of redundancy.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Ease regulatory burden and simplify licensing.

V. FINANCIAL IMPACT

\$ 2,000.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

The base station fee is redundant to the mobile license fee. We are collecting the license fees twice from the same business. The annual amount collected from the base station fee is less than \$ 2,000. and is supported by the Clerk's Office.

The community kitchen user fee is redundant and has never been collected.

VII. RECOMMENDATION – Passage by Council

VIII. LIST ATTACHMENTS

Prepared by: Dawn Stiles Date: 5/18/2016

Bean/agendarequestmemo/rev 11/2015

**Health & Human Services Department**

Dawn Stiles, Director

Public Health Division

Toho Soma, MPH, Director

To: City Council
From: Michael Russell, Environmental Health & Safety, Program Manager
Cc: Toho Soma, Public Health Division, Director
Dawn Stiles, Health and Human Services Department, Director
Subject: Revisions to Chapter 11 – Food and Food Handlers
Date: May 12, 2016

I would like to clarify the following issues:

- Base Station Definition and Fee – Simplifies the definition and eliminates an unnecessary fee without compromising public health. Food preparation is required to take place in a licensed kitchen and is inspected for the food with preparation license. This fee is unnecessary.
- Mobile Food Service Establishment – Simplifies the definition of what qualifies as a mobile food service establishment.
- Community Kitchen and Community Kitchen User Fee – Changes the term and definition of Community Kitchen to Commissary for consistency with the Maine Food Code and eliminates an unnecessary fee. This change alleviates confusion about inconsistent local and state terms and definitions. The Community Kitchen User fee is redundant because a mobile food service establishment or catering license fee is already paid.

Update

A few programmatic highlights:

- 98% of all food service establishments have been inspected at least once in the past year.
- 96% of restaurant owners found the Health Inspectors to be fair, respectful and informative in a recent survey.
- The first Baseline Risk Factor Study was recently completed. This allows us to monitor foodborne illness and injury trends, and in collaboration with the industry, intervene to lower their occurrence.
- There continues to be significant interest in starting food industry businesses in Portland.

Chapter 11 FOOD AND FOOD HANDLERS*

*Cross reference(s)--Reinspection fees, Ch. 15; Farmers markets, Ch. 21.
State law reference(s)--Foods and drugs, 22 M.R.S.A. § 2151 et seq.

Art. I. In General, §§ 11-1--11-15

Art. II. Food Service Establishments, §§ 11-16--11-49

Div. 1. Generally, §§ 11-16--11-45

*Editor's Note: Pursuant to Council Order 94-12/13 passed on 11/19/12 Chapter 11 was repealed in its entirety and replaced with the following language, as amended by Order 208-14/15, passed on 4/27/2015.

ARTICLE I. IN GENERAL

Sec. 11-1. Adoption of Maine State Food Code 2013: Food Code.

There is hereby adopted for the purpose of prescribing regulations to safeguard public health and provide to consumers food that is safe, unadulterated, and honestly presented, a code known as the Maine State Food Code 2013 (hereinafter "Food Code") recommended by the health authority, being particularly the 2013 edition thereof and the whole thereof except for such portions, as are deleted, modified or amended by section 11-4 and which code shall be controlling within the limits of the City.
(Ord. No. 94-12/13, 11-19-12; Ord. 208-14/15, 4-27-2015)

Sec. 11-2. Copies on file with the Department of Permitting and Inspections.

Pursuant to Title 30-A M.R.S.A. §3003, at least three (3) copies of the Maine State Food Code as adopted by reference by Section 11-1 above, have been and shall be on file in the office of the Department of Permitting and Inspections for for public inspection and use.
(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-3. Definitions.

Wherever the words "regulatory authority" are used in the Food Code, they should be held to mean the health inspector of the City of Portland or his or her duly authorized representative.

Wherever the word "municipality" is used in the Food Code, it

shall mean the City of Portland.
(Ord. No. 94-12/13, 11-19-12)

ARTICLE II. FOOD SERVICE ESTABLISHMENTS

DIVISION 1. GENERALLY

Sec. 11-4. Amendments.

The Maine State Food Code 2013: Food Code adopted by section 11-1 is amended and modified in the following respects.

- (a) Section 1.201.10.B shall be amended as follows:

Approved shall mean acceptable to the city health inspector as meeting the requirements of this article and conforming to good public health practices.

Food service establishment shall include any permanent, temporary or mobile establishment including any restaurant; caterer; innholder; buffet; lunchroom; grill room; lunch counter; tavern; dining room of a hotel; coffee shop; cafeteria; sandwich shop; soda fountain; in plant feeding establishment; private club; church feeding facility; school feeding facility; institutional feeding establishment; tea room; theater refreshment stand; grocery store; meat market; retail bakery store; delicatessen; bottle club; community kitchen; shelter; food pantry; or any other establishment where food or drink is prepared, served, kept, or stored for retail sale on-site. This definition shall not include as food service establishments private homes with permanent guests.

Imminent health hazard means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on: (a) The number of potential injuries, and (b) The nature, severity, and duration of the anticipated injury. Imminent Health Hazard includes, but is not limited to, the following: (1) an extended loss of water supply, (2) an extended power outage, (3) flood water or sewer back-up into the establishment, (4) fire, (5) a lack of hot water

(minimum temperature of 100F for handwashing and 110F for warewashing) or (6) any other violation(s) that has/have the potential to pose an imminent threat to public health. Maine Food Code October 2013 Page 11 Failure to include other violations in this definition shall not be construed as a determination that other violations may not, in light of the circumstances, be found to pose an imminent health hazard.

Temporary food service establishment shall mean any food service establishment which operates for a temporary period of time in connection with a fair, carnival, circus, public exhibition or similar transitory gathering. There shall be two (2) types of temporary food service establishment licenses: one (1) shall be for those establishments that sell unopened prepackaged food, with a license period not to exceed three (3) months, and the other license shall be for establishments that sell or serve either food that is not prepackaged or prepackaged food that is opened prior to its sale, including the opening of one (1) or more prepackaged items for the purpose of providing free samples, with a license period not to exceed two (2) weeks.

- (b) Section 1.201.10.B shall be amended to add the following:

Base station shall mean a location used by a mobile food service establishment for the disposal of liquid/solid waste, re-filling of water tanks and the storage of food, supplies, and equipment. A base station is permissible for one or more of these purposes. However, the preparation of food or ware washing is not permissible unless it is a licensed commercial kitchen. which shall be considered part of the food service establishment for the purpose of determining compliance with this article. The mobile unit and base station shall comply with all of the requirements of this article except those relating to toilet facilities, and the additional requirements herein set forth except as herein prescribed.

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Food pantries shall mean an organization or entity that acquires, stores and distributes food to the needy in their community. Food pantries are typically supported by community food drives, umbrella organizations, as well as grocery stores, local agriculture, food manufacturers and other distributors. All items are pre-packaged, properly labeled, and no food preparation occurs. If bulk food

packages are divided, they shall be in properly labeled, food safe containers.

Food processing establishment shall mean a commercial establishment in which food is processed or otherwise prepared and packaged only for sale to food service establishments and other retail outlets.

Ice cream truck shall mean a motorized vehicle utilized for the sale of prewrapped or prepackaged ice cream or frozen yogurt or ice cream or frozen yogurt products or novelties.

Innholder shall mean and include any person offering to the public, generally, lodgings and food as the occasion requires where the person rents out four (4) or more rooms or cottages.

Mobile food service establishment shall mean and include only a food service establishment on wheels that transports and sells food; capable of movement over public or private ways which has all utilities and facilities contained within the unit regardless of whether it needs an outside power source or not which has no fixed location for the operation or transaction of business; and which is moved from one (1) location to a different location not less frequently than once every twelve (12) hours. in any twenty-four (24) hour period in order to serve persons otherwise present at such locations at such times. For purposes of this ordinance, mobile food service establishments include, but are not limited to, pushcarts, food vending trucks/trailers and ice cream trucks. These establishments shall meet the rules and regulations specific to their type.

Shelters shall mean an establishment providing temporary housing and meals for those in difficult domestic situations, as well as for homeless families and individuals. In addition many shelters provide referrals to other social service agencies. Shelters are often considered agencies of larger food banks or food share operations.

Stationary food vending unit shall mean any vending unit from which food products are sold and which is licensed for one (1) location on private property and conducts all of its sales from that one (1) location.

- (c) Section 1.201.10.B shall be amended to delete the following definitions:

Adulterated, Easily cleanable, Employee, Equipment, Food, Food-contact surface, Kitchenware, Poisonous or toxic materials, Potentially hazardous food, Sealed, Molluscan shellfish, Single-service articles, Tableware, and Utensil.

- (d) Section 3-603.11.B shall be amended as follows:

(B) Disclosure shall include:

(1) A description of the animal-derived Foods, such as "oysters on the halfshell (raw oysters)," "raw-Egg Caesar salad," and "hamburgers (can be cooked to order)" with an asterisk to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients; or

(2) Identification of the animal-derived Foods by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

(C) A reminder shall include asterisking the animal-derived Foods requiring Disclosure to a footnote that states:

(2) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness.

(Ord. No. 94-12/13, 11-19-12, Ord. 208-14/15, 4-27-2015)

Sec. 11-5. Contaminated items of food or drink.

No person shall knowingly sell, offer for sale, or hold for sale in the city any unwholesome, stale, putrid, diseased, or otherwise contaminated items of food or drink, and shall make such immediate disposition of all items found in such condition as shall be ordered by the health authority.

(Ord. No. 94-12/13, 11-19-12)

State law reference(s)--Sale or possession of unwholesome food or drink, 17 M.R.S.A. § 3451 et seq.

Sec. 11-6. Application to food prepared outside city.

No person shall sell or bring into the city food prepared outside the city for sale by a food service establishment unless such food is prepared and handled in accordance with the requirements of this article. In determining whether such food is prepared or handled in accordance with the requirements of this article, the health inspector, shall accept reports from responsible authorities in such jurisdiction that such location complies with the provisions of this article.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-7. Right to enter.

The health inspector shall be permitted to enter any food service establishment during business hours for the purpose of making inspections and of copying any and all records of food purchases and payrolls. It shall be the duty of every person responsible for the management or control of such establishment to afford free access to every part of such establishment and to render all aid and assistance necessary to enable the health authority to make a full, thorough and complete examination thereof to determine compliance with this article. Records of purchases of food shall be held for a period of three (3) months following the date of purchase either at the food service establishment or at another place where they are customarily kept and shall be made available to the health authority at the food service establishment within a reasonable time upon request.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-8. Handwashing facilities.

Handwashing sinks with hot and cold running water shall be provided in or convenient to toilet rooms and in no instance more than twenty five (25) feet from and easily accessible to the toilet room. Soap and sanitary towels or other approved drying facilities in suitable holders or dispensers shall be provided. Common towels are prohibited. No person shall resume work after using the toilet room without first washing his or her hands. If such handwashing sink is not located within ten (10) feet of the entrance to all food preparation rooms or areas, additional handwashing sinks with hot and cold running water, soap, and sanitary towels shall be provided in or within twenty five (25) feet and easily accessible to such food preparation rooms or areas. Durable, legible signs shall be posted conspicuously at each handwashing facility used by employees directing them to wash their hands before returning to work. Dishwashing vats, vegetable sinks and pot sinks shall not be approved as handwashing facilities for employees. Any self-closing, or metered faucet used shall be designed to provide a flow of water for at least fifteen (15) seconds without the need to reactivate

the faucet. Steam mixing valves are prohibited. Spring type faucets which require two (2) hands to operate are prohibited.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-9. Three-bay sink.

A three-bay sink shall be provided for such manual cleaning; each compartment shall be equipped with hot and cold running water and large enough to permit complete immersion of the largest utensil, and must be within twenty five (25) feet of and easily accessible to the food preparation area.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-10. Certified Food Protection Managers.

- (a) A food service establishment must have at least one employee granted supervisory and management responsibility designated a Certified Food Protection Manager (CFPM) as defined in Section 1.201.10.B of Maine State Food Code 2013: Food Code adopted in Section 11-1, above. Proof of CFPM certification is required as follows:
1. Prior to the issuance of any new license required by Chapter 15;
 2. Prior to the renewal of any license required by Chapter 15.
 3. Within 60 days of the date when a CFPM leaves employment;
 4. At the time of any inspection by the City's Health Inspector.
- (b) Proof of compliance with the requirements of this section shall be provided to the City Food Inspector. Prior to the issuance of any license required by Chapter 15, the City Food Inspector must certify to the Department of Permitting and Inspections that the requirements of this Section have been met. Failure to provide proof of compliance with the requirements of this Section will be subject to a denial, suspension or revocation of a license in accordance with the provisions of Chapter 15. In addition to license suspension or revocation, violations of subsection 11-10(a)(3)& (4), above, shall result in a penalty to the violator of \$150.00.

Sec. 11-11. Ice cream trucks.

All ice cream trucks shall comply with the following:

- (a) *General regulations.* All ice cream trucks shall comply with all requirements of section 11-35, including the requirements for a base station, and all other requirements of this article except those relating to toilet facilities, in addition to the requirements set forth in this section.
- (b) *Permitted sales locations.* Ice cream trucks shall be limited to sales on or from public rights-of-way in city parks where vending is allowed or in residential zones only, where such public rights-of-way have a posted speed limit of twenty-five (25) miles per hour or less.
- (c) *Sales prohibited.* No ice cream truck shall stop at any time for the purpose of making sales if such stop is located within five hundred (500) feet of a licensed food service establishment.
- (d) *Length of stop.* No ice cream truck shall stop on a public right-of-way in a residential zone for more than fifteen (15) minutes. An ice cream truck shall operate its four-way flashers whenever stopped.
- (e) *Manner of stops.* Ice cream trucks shall pull over to the side of the public right-of-way as far as practicable when stopping for the purpose of selling. In no event shall an ice cream truck stop for the purpose of selling if such a stop prevents the passage of other motor vehicles on the public right-of-way.
- (f) *Hours of operation.* Ice cream trucks shall only operate from 11:00 a.m. until 8:00 p.m.
- (g) *License, insurance required.* Each ice cream truck shall be required to be separately licensed under this article and to provide to the Department of Permitting and Inspections evidence of public liability insurance in an amount of not less than four hundred thousand dollars (\$400,000.00) as amended, with the city named as an

additional insured on the policy.

- (h) *Cost of licenses and expiration date.* The cost of a license for an ice cream truck and base station and the expiration date for such licenses shall be the same as those established in section 15-13 for a mobile food service establishment license and a base station license. Each base station shall be required to have one (1) base station license, even if more than one (1) truck utilizes the same base station.

- (i) *Passengers prohibited.* No ice cream truck shall carry any passenger not employed by or related to the license holder or driver.

(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-12. Stationary food vending unit.

A stationary food vending unit shall be subject to the following regulations:

- (a) Only nonalcoholic beverages and prepackaged foods shall be sold from a stationary food vending unit, and there shall be no cooking in or near the unit.
- (b) An applicant for a stationary food vending unit license shall provide the Department of Permitting and Inspections, in addition to any other information required by chapter 15, with acceptable proof of ownership or control of the property upon which the unit will be located. Such proof shall consist of a deed, lease or other written agreement.
- (c) An applicant for a stationary food vending unit license shall submit the following information for review by the health authority:
 - 1. A plan for waste disposal;
 - 2. A plan for disposal of liquid waste, which shall not be allowed to run into the ground; and
 - 3. A plan for provision of restrooms for employees;
 - 4. The precise location and manner of proposed or

existing electrical hookups, which must be done by a licensed master electrician, or the type and location of other proposed or existing power sources.

- (d) No stationary food vending unit shall be located within sixty-five (65) feet of any other licensed food establishment, including street vending units and mobile food service units.
- (e) The fees and the expiration date for a stationary food vending unit license shall be the same as those established in chapter 15 of this Code for mobile food service establishments, except that no base station or fee for a base station shall be required.
- (f) The location of any stationary food vending unit shall be subject to the applicable requirements of articles III and V of chapter 14 of this Code.

(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-13. CommissaryCommunity kitchens.

(a) A commissary community kitchen shall mean a kitchen, licensed pursuant to this chapter, which that is utilized by onetwo or more entities to receive, store and prepare food for service off-site or delivery and does not qualify for any other City food service license. Examples include, but are not limited to, kitchens preparing food for catering, mobile units, meal delivery services, vending machines and central production for multiple establishments, such as chain restaurants. at differing times for preparation of food to serve to the public off-site.

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(b) Not more than one entity may utilize the commissarycommunity kitchen at one time. Any time more than one entity is utilizing a kitchen licensed pursuant to this chapter, there must be a sufficient reasonable amount of time built in-to the schedule for to ensure the kitchen is cleaning and sanitizing,ed prior to the next use.

(c) Schedule and records: If the commissary is used by more than one entity, then aThe schedule of the use of the community kitchen shall be prominently displayed in a conspicuous location at all times and all associated records shall be available for review by the health inspector at all times.

~~(d) License required: Each entity utilizing a community kitchen shall procure a community kitchen license from the Department of Permitting and Inspections.
(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)~~

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Sec. 11-14. Penalties.

Following the issuance of a failed inspection notice and an order to correct violations, the health inspector will reinspect the premises at a fee of seventy five dollars (\$75.00); if the follow-up inspection results in another failed inspection, the violator will be charged a second re-inspection fee of one hundred fifty dollars (\$150.00). If the third reinspection results in a failed inspection, the third and each subsequent follow-up reinspection will result in a three hundred dollar (\$300.00) per reinspection charge. In addition, upon the third failed reinspection, the health inspector may order the establishment closed until the establishment yields a passing inspection.

The requirements set forth in this section shall apply to the entire chapter.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-15. Reserved.
Sec. 11-16. Reserved.
Sec. 11-17. Reserved.
Sec. 11-18. Reserved.
Sec. 11-19. Reserved.
Sec. 11-20. Reserved.
Sec. 11-21. Reserved.

DIVISION 2. LICENSE*

*Cross reference(s)--Licenses and permits generally, Ch. 15.

Sec. 11-22. License Required.

No person shall operate any food service establishment within the city unless licensed to do so by the city.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-23. Pre-Operational Inspection.

All applications for food service establishment licenses must be accompanied by a certification, issued by the Health Inspector, certifying that the food service establishment has undergone a Pre-Operational Inspection and successfully demonstrated compliance with the provisions of this Chapter. The fee for the Pre-Operational Inspection required by this section shall be \$150.00.

(Ord. 208-14/15, 4-27-2015)

Sec. 11-24. Hearing.

A hearing shall be held upon any original and any renewal application for a license required by this division.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-25. Suspensions and revocations.

Licenses shall be suspended or revoked pursuant to chapter 15, except that a license which has been suspended may be reinstated by the Department of Permitting and Inspections upon application, in writing, from the holder if the health inspector certifies to the Department of Permitting and Inspections that he or she has reinspected the premises and the condition for which the suspension was imposed has been corrected.
(Ord. No. 94-12/13, 11-19-12; Ord. No. 165-15/16, 3-7-2016)

Sec. 11-26. General provisions to apply.

Except to the extent that this division contains a contrary provision, all provisions of chapter 15 shall be additional to the provisions of this division.
(Ord. No. 94-12/13, 11-19-12)

Sec. 11-27 thru 11-45 Reserved

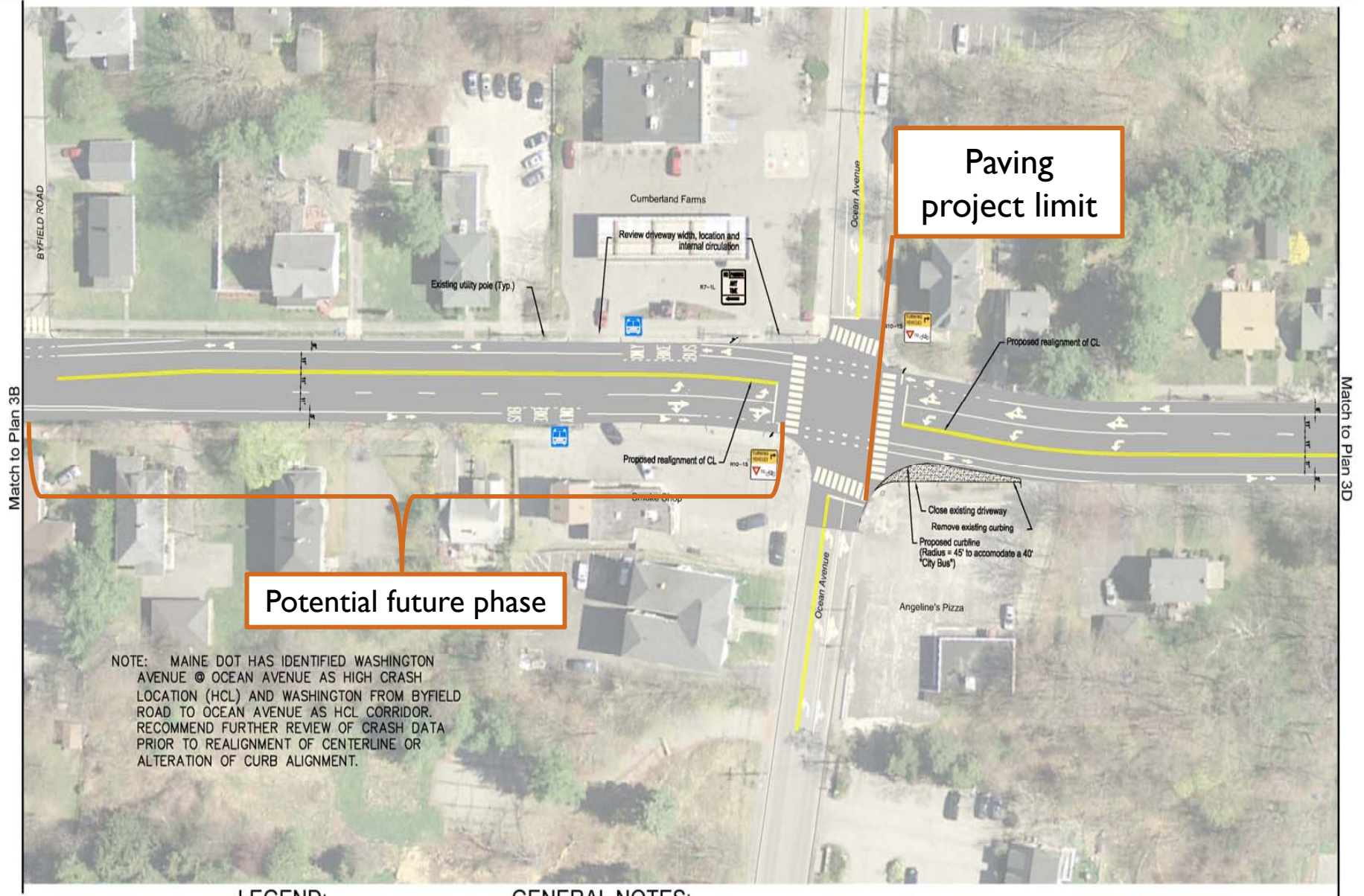




Transportation Division

PROPOSED STRIPING CHANGES TO WASHINGTON AVENUE

From Ocean Avenue to Presumpscot Street



LEGEND:

 EXISTING TRANSIT STOPS

GENERAL NOTES:

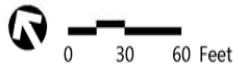
1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

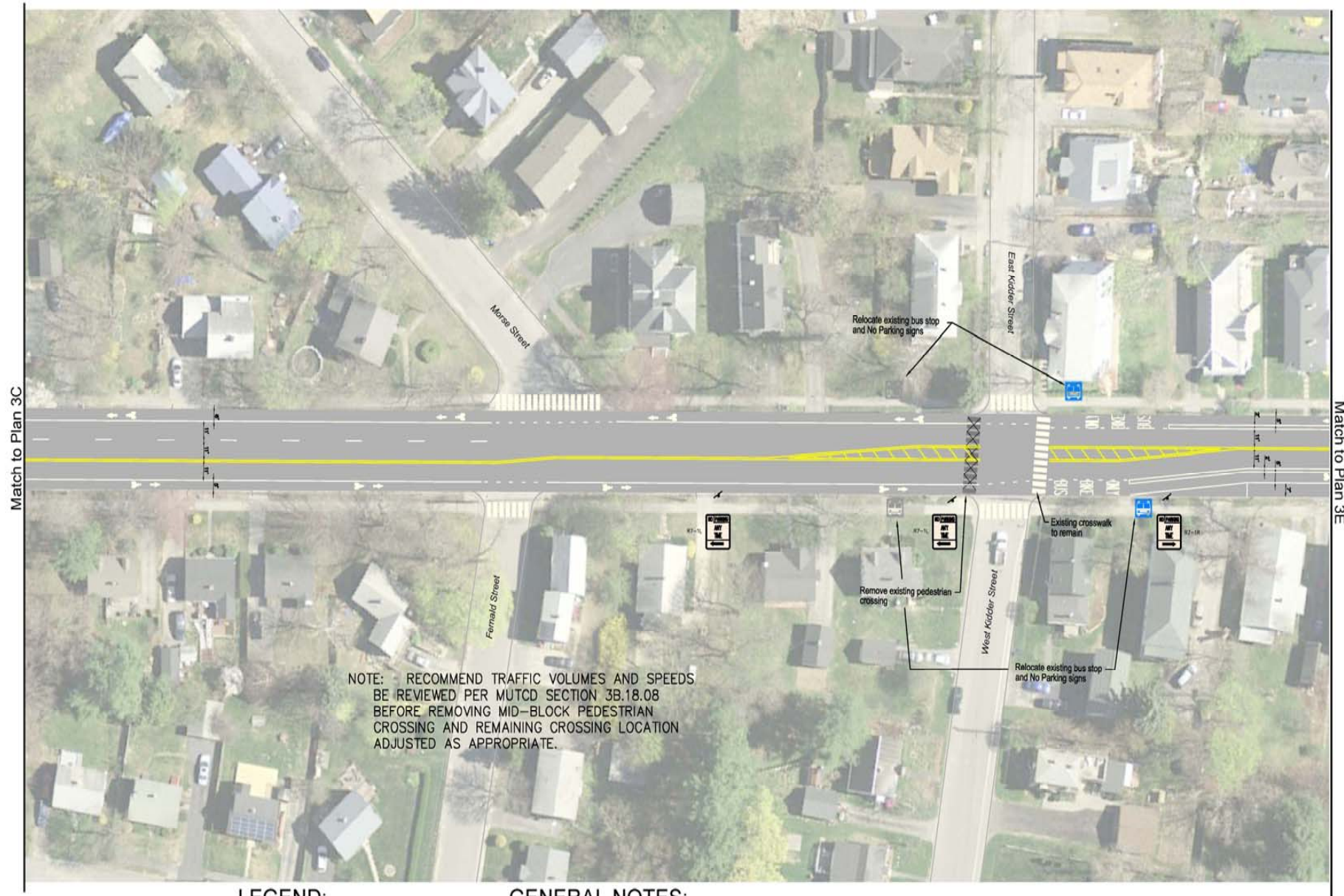


Project Plan
Washington Avenue @ Ocean Avenue
Portland, Maine
1/26/16

Plan 3C

NOT FOR CONSTRUCTION





LEGEND:



EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

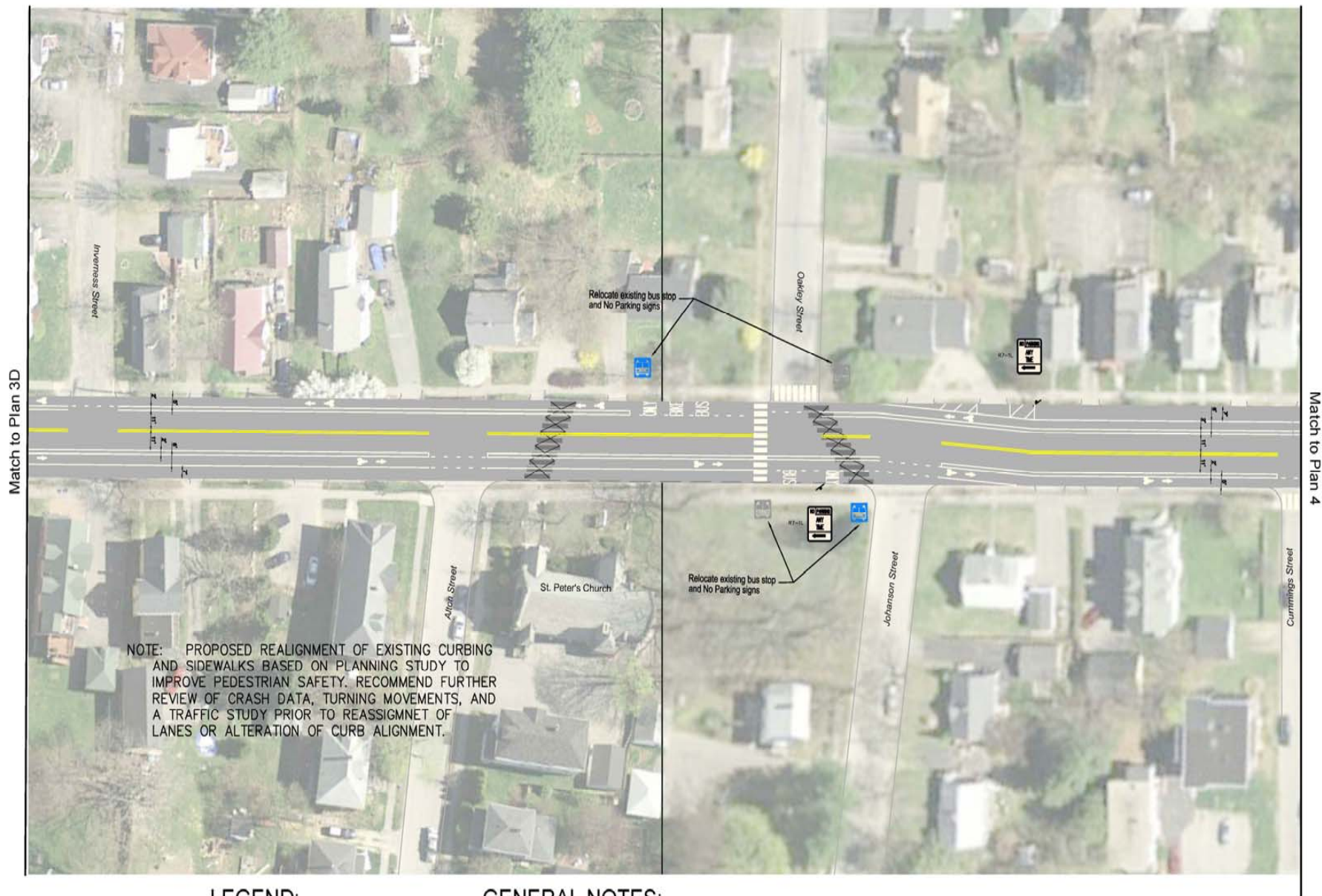


Project Plan
Washington Avenue @ Ocean Avenue
Portland, Maine
1/26/16

Plan 3D

NOT FOR CONSTRUCTION





LEGEND:

 EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)

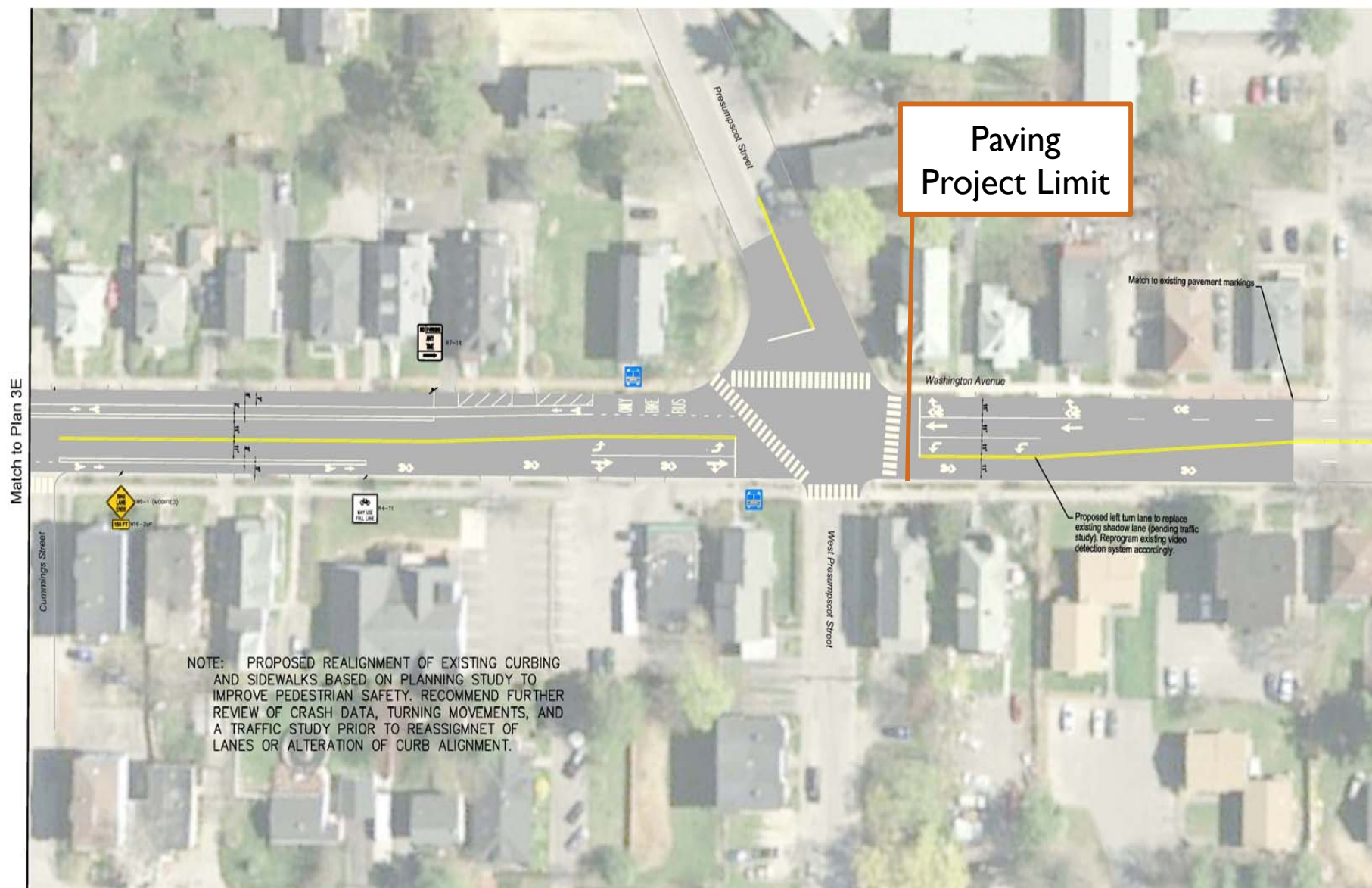


Project Plan
Washington Avenue @ Ocean Avenue
Portland, Maine
1/26/16

PLAN 3E

NOT FOR CONSTRUCTION





LEGEND:



EXISTING TRANSIT STOPS

GENERAL NOTES:

1. BUS/BIKE TURN LANE LENGTH NOMINAL 50'
2. BIKE LANE BUFFER DISCONTINUED ON APPROACH TO RIGHT TURNS TO SIDE STREETS TO COMPLY WITH MAINE STATUTE TITLE 29-A, CHAPTER 19 / 2060 "TURNING AT INTERSECTIONS".
3. PHOTO BASE MAP: WORLD IMAGERY (ESRI)



Project Plan
Washington Avenue@ Presumpscot Street
Portland, Maine
1/26/16

PLAN 4

NOT FOR CONSTRUCTION

