

Special City Council Meeting
December 5, 2016

1. Agenda Only

Documents:

[AGENDA ONLY 12-05-16.PDF](#)

2. Agenda And Packet

Documents:

[AGENDA AND PACKET 12-05-16.PDF](#)

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

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

AGENDA
SPECIAL CITY COUNCIL MEETING
DECEMBER 5, 2016

The Portland City Council will hold a Special City Council Meeting immediately following the Regular Organizational City Council Meeting at 12:00 Noon 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) November 21, 2016, Regular City Council Meeting Minutes

PROCLAMATIONS:

APPOINTMENTS:

Order 97-16/17 (Tab 2) Order Appointing Constables for 2017 – Sponsored by Jon P. Jennings, City Manager.

Constables are appointed annually to provide a variety of enforcement actions for the City of Portland, the Portland Public Library and Portland Housing Authority. Some city constables issue citations for such ordinance violations as “dog at large,” and others, from the Portland Fire Department, issue citations for Fire Code violations. In the Department of Public Works, employees appointed as constables can issue citations for the misuse of trash receptacles for domestic waste, and for failure to clear the sidewalk of snow. The Department of Parks, Recreation and Facilities uses constabulary powers for enforcement action by Park Rangers. Constables for the Portland Housing Authority have the authority to serve eviction notices; Portland Public Library constables may issue a warning for criminal trespass. The order appointing constables is for the 2017 calendar year.

The authority provided by this order is limited. Unless the constable is directly working for the City Parking Division, no constable may issue parking tickets. No constable is authorized to make arrests or carry a gun.

The order appoints the following individuals as constables for the 2017 calendar year:

DEPARTMENT OF PERMITTING AND INSPECTIONS

Michael Russell
Jonathan Rioux
Jeanie Bourke
Douglas Morin
Paul Fagone
Laurie Leader
Duane Hanson
Jessica Hanscombe

PORTLAND HOUSING AUTHORITY

Karin Lavigne
Trevor Nugent
Clayton Williams
Shannon Rafferty-Roy
Marcia Yeaton

JETPORT

Kate Oliver
Franklin L. Noiles

PORTLAND PUBLIC LIBRARY

Joaquim Almeida
Miroslav M. Petrovic
Paul Tetzlaff

PARKS, RECREATION, AND FACILITIES

Jill Mulkern

PARKING CONTROL

Kevin Ready
Paul Willey
John Peverada

POLICE DEPARTMENT

Kelly Watters, Process Server
Dylan Matthews, Ordinance Enforcement

ANIMAL CONTROL
POLICE DEPARTMENT

Ruthann Weist

FIRE DEPARTMENT

Keith Gautreau
David Petrucci

DEPARTMENT OF PUBLIC WORKS

Rhonda Zazzara
Kevin Thomas
Mark Pinette
Dawn Davidson

CLIFF ISLAND

Charles Green

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

LICENSES:

**Order 98-16/17
(Tab 3)**

Order Approving License for a Scrap Metal Recycling Facility for Prolerized New England Company, LLC – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 9/7/2016. Renewal of a Scrap Metal Recycling Facility.

Five affirmative votes are required for passage after public comment.

**Order 99-16/17
(Tab 4)**

Order Granting Municipal Officers' Approval of The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 11/3/16. New City and State applications. This is the current location of Ollo Hair Salon.

Five affirmative votes are required for passage after public comment.

**Order 100-16/17
(Tab 5)**

Order Granting Municipal Officers' Approval of B&SS Corporation d/b/a Hi Bombay. Application for a Class III & IV (Beer & Wine) License at 1 Pleasant Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 11/14/6. New City and State applications. This is the current location of Hi Bombay. It is a change of ownership.

Five affirmative votes are required for passage.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 92-16/17 (Tab 6) **Order Approving the Collective Bargaining Agreement with the City Employees Benefit Association (CEBA) of the American Federation of State, County and Municipal Employees (AFSCME) Local 1373 - Sponsored by Jon P. Jennings City Manager.**

City staff has reached a tentative three (3) year agreement with CEBA AFSCME Local 1373 representing approximately 500 city employees.

The CEBA contract expired on July 2, 2016. Terms of the three year agreement include a 2.0% general wage increase for Fiscal Year (FY) 2017 retroactive to July 3, 2016; a 2.0% general wage increase effective July 2, 2017 and a 2.0% general wage increase effective July 1, 2018.

The general wage increases are consistent with guidance received by Council on August 1, 2016 and they are consistent with other negotiated contracts for the same period. The contract term is July 3, 2016 through June 30, 2019. The total direct cost of the general wage increase is \$1,105,000.00.

The union membership has ratified the tentative agreement.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

Order 93-16/17 (Tab 7) **Amendment to Zoning Map Re: 10 Washington Avenue to India Street Form-Based Code Zone – Sponsored by the Planning Board, Elizabeth Boepple, Chair.**

On October 25, 2106, the Planning Board met and unanimously voted 6-0 (Boepple absent) to forward this item to the City Council with a recommendation for passage.

The proposed map amendment relates to the IS-FBC zone boundary on-peninsula on Washington Avenue. The proposal would make the three adjacent parcels owned by the applicant Hay Runner, LLC one consistent zone (IS-FBC) with an Urban Active sub district designation (UA). This requires a zoning map amendment for the third parcel at 10 Washington Avenue from B-2b to IS-FBC.

The proposed zoning map amendment would increase the boundary of the India Street Form-based Code zone to include one additional parcel. That parcel is one of three parcels held by the applicant whose combined development site straddles B-2b and IS-FBC zones.

Currently, two of those parcels – 221 Congress Street and 6 Washington Avenue – are in the IS-FBC UA zone. The parcel under consideration here – 10 Washington Avenue – is adjacent to these parcels but is in the B-2b zone. The map amendment will allow consistent zoning standards to apply across the applicant’s development lot.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

**Order 94-16/17
(Tab 8)**

Amendment to Portland City Code Chapter 2 Administration Re: Authorization for Finance Director to Accept and Execute Certain Licenses and Easements – Sponsored by Jon P. Jennings, City Manager.

As part of an effort to streamline the development process, staff is proposing a change to Chapter 2 of the Portland City Code to permit the City Manager and Finance Director to execute certain licenses and easements.

It is common in an urban environment for developments to require licenses for foundations (below ground) and/or for steps, ADA-compliant ramps, overhangs, or similar appurtenances on public sidewalks or rights of way. These licenses and easements are often requirements of site plan approval by the Planning Board and have been publicly vetted through that process to protect the public interest.

This change would eliminate the requirement that these licenses and easements go to the City Council for approval and instead authorize City staff to administratively approve them.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

ORDERS:

**Order 101-16/17
(Tab 9)**

Order Authorizing the Adoption of the Cumberland County Hazard Mitigation Plan - Sponsored by Jon P. Jennings, City Manager.

The Cumberland County Hazard Mitigation Plan needs to be adopted by the City Council in order to allow the City of Portland to receive grants through the Federal Emergency Management Agency (FEMA).

Adopting the plan will alleviate the burden on municipalities to provide consistency in reporting for all jurisdictions and allow them to continue to receive grants through FEMA, under specifically, the Stafford Act, which requires state, tribal, and local governments to develop and adopt FEMA-approved hazard mitigation plans as condition for receiving certain types of non-emergency disaster assistance. Without City approval of the plan, these funds are not available to the county or towns.

Five affirmative votes are required for passage after public comment.

**Order 102-16/17
(Tab 10)**

**Traffic Schedule Amendment Re: Junior Street to No Parking -
– Sponsored by Councilor David Brenerman and Jon P. Jennings, City Manager.**

Junior Street is a 150-foot-long street connecting Lyseth Moore Drive to Bartley Avenue, just east of Auburn Street. The neighborhood and District 5 Councilor desire to see Junior Street adjusted not to allow parking along its length. When schools are in session, it is common to have vehicles parking along Junior Street, which impacts visibility and access for its residents. The Council action would change the traffic schedule to make Junior Street, currently an unrestricted street, “No Parking” on both sides of the street.

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

**Order 103-16/17
(Tab 11)**

Order Approving Agreements between Portland, Maine Department of Transportation and Portland Area Comprehensive Transport System Re: Veranda Street Paving – Sponsored by Jon P. Jennings, City Manager.

Authorizing this three-party agreement only commits City funding of preliminary engineering, not to exceed \$15,300, and provides Maine Department of Transportation (MaineDOT) with authorization to proceed with engineering and estimating work.

An update to the overall project cost is expected early in 2017 as part of a two-party agreement between MaineDOT and the City, which will be brought before the City Council for endorsement.

The surface paving of Veranda Street (from I-295 to Martin's Point Bridge) is anticipated in mid to late 2017.

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

AMENDMENTS:

**Order 104-16/17
(Tab 12)** **Amendment to Portland City Code Chapter 13 General Assistance Re: Lawfully Present and Lawful Process – Sponsored by Corporation Counsel, Danielle West-Chuhta.**

Amendments to Portland City Code Chapter 13, General Assistance (GA), are proposed to mirror recent changes in Maine Department of Health and Human Services (MDHHS) Rules and Regulations regarding those persons who are lawfully present in the United States or are pursuing a lawful process to apply for immigration relief.

By enacting these changes, the City shall insure that it does not run the risk of the State of Maine withholding some of the reimbursement provided for payments from the General Assistance program, for those persons receiving GA who are seeking asylum. A failure to amend the City Code could be construed as a refusal to abide by the MDHHS rules.

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

**Order 105-16/17
(Tab 13)** **Amendment to Portland City Code Chapter 33 Re: Tipped Wage - Sponsored by Danielle West-Chuhta, Corporation Counsel.**

Starting on January 1, 2017, workers who receive tips as part of their wages must be paid a minimum of \$5.00 an hour by their employers. On November 8, 2016, Maine voters approved a minimum wage increase starting at \$9.00 an hour on January 1, 2017. Before the increase was approved, employers could pay their tipped employees a direct cash wage of half of the minimum wage of \$7.50, or \$3.25 an hour, and take a tip credit of \$3.25, as long as tips added to that wage totaled the minimum wage.

The City's adopted a minimum wage ordinance also has the same tip credit as state law, as long as tips added to that wage totaled the amount of the City's minimum wage, which was \$10.10 in 2016.

On January 1, 2017, the City of Portland Minimum Wage will be \$10.68. The tipped direct cash wage will be at least \$5.00 an hour, in compliance with the new state law. Therefore, the total of a tipped employee's minimum direct cash wage of \$5.00 an hour plus tips must equal at least \$10.68 per hour under the City's ordinance.

If it does not, the employer must pay the employee more in a direct cash wage to make up the difference. The proposed amendment to the Portland City Code will put the City in compliance with the new statutory language.

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

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

AGENDA
SPECIAL CITY COUNCIL MEETING
DECEMBER 5, 2016

The Portland City Council will hold a Special City Council Meeting immediately following the Regular Organizational City Council Meeting at 12:00 Noon 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) November 21, 2016, Regular City Council Meeting Minutes

PROCLAMATIONS:

APPOINTMENTS:

**Order 97-16/17 Order Appointing Constables for 2017 – Sponsored by Jon P.
(Tab 2) Jennings, City Manager.**

Constables are appointed annually to provide a variety of enforcement actions for the City of Portland, the Portland Public Library and Portland Housing Authority. Some city constables issue citations for such ordinance violations as “dog at large,” and others, from the Portland Fire Department, issue citations for Fire Code violations. In the Department of Public Works, employees appointed as constables can issue citations for the misuse of trash receptacles for domestic waste, and for failure to clear the sidewalk of snow. The Department of Parks, Recreation and Facilities uses constabulary powers for enforcement action by Park Rangers. Constables for the Portland Housing Authority have the authority to serve eviction notices; Portland Public Library constables may issue a warning for criminal trespass. The order appointing constables is for the 2017 calendar year.

The authority provided by this order is limited. Unless the constable is directly working for the City Parking Division, no constable may issue parking tickets. No constable is authorized to make arrests or carry a gun.

The order appoints the following individuals as constables for the 2017 calendar year:

DEPARTMENT OF PERMITTING AND INSPECTIONS

Michael Russell
Jonathan Rioux
Jeanie Bourke
Douglas Morin
Paul Fagone
Laurie Leader
Duane Hanson
Jessica Hanscombe

PORTLAND HOUSING AUTHORITY

Karin Lavigne
Trevor Nugent
Clayton Williams
Shannon Rafferty-Roy
Marcia Yeaton

JETPORT

Kate Oliver
Franklin L. Noiles

PORTLAND PUBLIC LIBRARY

Joaquim Almeida
Miroslav M. Petrovic
Paul Tetzlaff

PARKS, RECREATION, AND FACILITIES

Jill Mulkern

PARKING CONTROL

Kevin Ready
Paul Willey
John Peverada

POLICE DEPARTMENT

Kelly Watters, Process Server
Dylan Matthews, Ordinance Enforcement

ANIMAL CONTROL
POLICE DEPARTMENT

Ruthann Weist

FIRE DEPARTMENT

Keith Gautreau

David Petruccelli

DEPARTMENT OF PUBLIC WORKS

Rhonda Zazzara

Kevin Thomas

Mark Pinette

Dawn Davidson

CLIFF ISLAND

Charles Green

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

LICENSES:

**Order 98-16/17
(Tab 3)**

Order Approving License for a Scrap Metal Recycling Facility for Prolerized New England Company, LLC – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 9/7/2016. Renewal of a Scrap Metal Recycling Facility.

Five affirmative votes are required for passage after public comment.

**Order 99-16/17
(Tab 4)**

Order Granting Municipal Officers' Approval of The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 11/3/16. New City and State applications. This is the current location of Ollo Hair Salon.

Five affirmative votes are required for passage after public comment.

**Order 100-16/17
(Tab 5)**

Order Granting Municipal Officers' Approval of B&SS Corporation d/b/a Hi Bombay. Application for a Class III & IV (Beer & Wine) License at 1 Pleasant Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Application filed on 11/14/6. New City and State applications. This is the current location of Hi Bombay. It is a change of ownership.

Five affirmative votes are required for passage.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 92-16/17
(Tab 6)**

Order Approving the Collective Bargaining Agreement with the City Employees Benefit Association (CEBA) of the American Federation of State, County and Municipal Employees (AFSCME) Local 1373 - Sponsored by Jon P. Jennings City Manager.

City staff has reached a tentative three (3) year agreement with CEBA AFSCME Local 1373 representing approximately 500 city employees.

The CEBA contract expired on July 2, 2016. Terms of the three year agreement include a 2.0% general wage increase for Fiscal Year (FY) 2017 retroactive to July 3, 2016; a 2.0% general wage increase effective July 2, 2017 and a 2.0% general wage increase effective July 1, 2018.

The general wage increases are consistent with guidance received by Council on August 1, 2016 and they are consistent with other negotiated contracts for the same period. The contract term is July 3, 2016 through June 30, 2019. The total direct cost of the general wage increase is \$1,105,000.00.

The union membership has ratified the tentative agreement.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

**Order 93-16/17
(Tab 7)**

Amendment to Zoning Map Re: 10 Washington Avenue to India Street Form-Based Code Zone – Sponsored by the Planning Board, Elizabeth Boepple, Chair.

On October 25, 2106, the Planning Board met and unanimously voted 6-0 (Boepple absent) to forward this item to the City Council with a recommendation for passage.

The proposed map amendment relates to the IS-FBC zone boundary on-peninsula on Washington Avenue. The proposal would make the three adjacent parcels owned by the applicant Hay Runner, LLC one consistent zone (IS-FBC) with an Urban Active sub district designation (UA). This requires a zoning map amendment for the third parcel at 10 Washington Avenue from B-2b to IS-FBC.

The proposed zoning map amendment would increase the boundary of the India Street Form-based Code zone to include one additional parcel. That parcel is one of three parcels held by the applicant whose combined development site straddles B-2b and IS-FBC zones.

Currently, two of those parcels – 221 Congress Street and 6 Washington Avenue – are in the IS-FBC UA zone. The parcel under consideration here – 10 Washington Avenue – is adjacent to these parcels but is in the B-2b zone. The map amendment will allow consistent zoning standards to apply across the applicant's development lot.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

**Order 94-16/17
(Tab 8)**

Amendment to Portland City Code Chapter 2 Administration Re: Authorization for Finance Director to Accept and Execute Certain Licenses and Easements – Sponsored by Jon P. Jennings, City Manager.

As part of an effort to streamline the development process, staff is proposing a change to Chapter 2 of the Portland City Code to permit the City Manager and Finance Director to execute certain licenses and easements.

It is common in an urban environment for developments to require licenses for foundations (below ground) and/or for steps, ADA-compliant ramps, overhangs, or similar appurtenances on public sidewalks or rights of way. These licenses and easements are often requirements of site plan approval by the Planning Board and have been publicly vetted through that process to protect the public interest.

This change would eliminate the requirement that these licenses and easements go to the City Council for approval and instead authorize City staff to administratively approve them.

This item must be read on two separate days. It was given a first reading on November 21, 2016. Five affirmative votes are required for passage after public comment.

ORDERS:

**Order 101-16/17
(Tab 9)**

Order Authorizing the Adoption of the Cumberland County Hazard Mitigation Plan - Sponsored by Jon P. Jennings, City Manager.

The Cumberland County Hazard Mitigation Plan needs to be adopted by the City Council in order to allow the City of Portland to receive grants through the Federal Emergency Management Agency (FEMA).

Adopting the plan will alleviate the burden on municipalities to provide consistency in reporting for all jurisdictions and allow them to continue to receive grants through FEMA, under specifically, the Stafford Act, which requires state, tribal, and local governments to develop and adopt FEMA-approved hazard mitigation plans as condition for receiving certain types of non-emergency disaster assistance. Without City approval of the plan, these funds are not available to the county or towns.

Five affirmative votes are required for passage after public comment.

**Order 102-16/17
(Tab 10)**

**Traffic Schedule Amendment Re: Junior Street to No Parking -
– Sponsored by Councilor David Brenerman and Jon P. Jennings, City Manager.**

Junior Street is a 150-foot-long street connecting Lyseth Moore Drive to Bartley Avenue, just east of Auburn Street. The neighborhood and District 5 Councilor desire to see Junior Street adjusted not to allow parking along its length. When schools are in session, it is common to have vehicles parking along Junior Street, which impacts visibility and access for its residents. The Council action would change the traffic schedule to make Junior Street, currently an unrestricted street, “No Parking” on both sides of the street.

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

**Order 103-16/17
(Tab 11)**

Order Approving Agreements between Portland, Maine Department of Transportation and Portland Area Comprehensive Transport System Re: Veranda Street Paving – Sponsored by Jon P. Jennings, City Manager.

Authorizing this three-party agreement only commits City funding of preliminary engineering, not to exceed \$15,300, and provides Maine Department of Transportation (MaineDOT) with authorization to proceed with engineering and estimating work.

An update to the overall project cost is expected early in 2017 as part of a two-party agreement between MaineDOT and the City, which will be brought before the City Council for endorsement.

The surface paving of Veranda Street (from I-295 to Martin's Point Bridge) is anticipated in mid to late 2017.

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

AMENDMENTS:

Order 104-16/17 (Tab 12)

Amendment to Portland City Code Chapter 13 General Assistance Re: Lawfully Present and Lawful Process – Sponsored by Corporation Counsel, Danielle West-Chuhta.

Amendments to Portland City Code Chapter 13, General Assistance (GA), are proposed to mirror recent changes in Maine Department of Health and Human Services (MDHHS) Rules and Regulations regarding those persons who are lawfully present in the United States or are pursuing a lawful process to apply for immigration relief.

By enacting these changes, the City shall insure that it does not run the risk of the State of Maine withholding some of the reimbursement provided for payments from the General Assistance program, for those persons receiving GA who are seeking asylum. A failure to amend the City Code could be construed as a refusal to abide by the MDHHS rules.

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

Order 105-16/17 (Tab 13)

Amendment to Portland City Code Chapter 33 Re: Tipped Wage - Sponsored by Danielle West-Chuhta, Corporation Counsel.

Starting on January 1, 2017, workers who receive tips as part of their wages must be paid a minimum of \$5.00 an hour by their employers. On November 8, 2016, Maine voters approved a minimum wage increase starting at \$9.00 an hour on January 1, 2017. Before the increase was approved, employers could pay their tipped employees a direct cash wage of half of the minimum wage of \$7.50, or \$3.25 an hour, and take a tip credit of \$3.25, as long as tips added to that wage totaled the minimum wage.

The City's adopted a minimum wage ordinance also has the same tip credit as state law, as long as tips added to that wage totaled the amount of the City's minimum wage, which was \$10.10 in 2016.

On January 1, 2017, the City of Portland Minimum Wage will be \$10.68. The tipped direct cash wage will be at least \$5.00 an hour, in compliance with the new state law. Therefore, the total of a tipped employee's minimum direct cash wage of \$5.00 an hour plus tips must equal at least \$10.68 per hour under the City's ordinance.

If it does not, the employer must pay the employee more in a direct cash wage to make up the difference. The proposed amendment to the Portland City Code will put the City in compliance with the new statutory language.

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Tab 1 12/5/16

IN COUNCIL REGULAR MEETING NOVEMBER 21, 2016 VOL. 133 PAGE 35

ROLL CALL: Mayor Strimling called the meeting to order at 5:00 P.M. (All Councilors present).

PRESENTATIONS:

Mayor Strimling Will Present a New Bicycle to Elijah Wentzell, Age 6, Passport to Play Winner.

RECOGNITIONS:

“Arts in the Chamber”, Genevieve Curtis Singer/Song Writer and Student at Maine Academy of Modern Music.

Motion was made by Councilor Ray and seconded by Councilor Duson to take Proclamation 15 and Approval of the minutes out of order. Passage 9-0.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Hinck and seconded by Councilor Suslovic for approval of the November 7, 2016, Regular City Council Meeting minutes. Passage 9-0.

PROCLAMATIONS:

Proc 15-16/17 Proclamation Honoring Detective Andjelko Napijalo as Police Officer of the Month – Sponsored by Mayor Ethan K. Strimling.

ANNUAL MEETING

Motion was made by Councilor Ray and seconded by Councilor Duson to recess the meeting of the City Council and convene the Annual Meeting of the Corporator of the Creative Portland Corporation. Passage 9-0.

1. Accepting CP FYE 2016 Activity and Financial Report.

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

Motion was made by Councilor Hinck and seconded by Councilor Ray to adjourn the meeting of the Corporator of the Creative Portland Corporation and convene the Annual Meeting of the Portland Development Corporation. Passage 9-0, 5:20 P.M.

- 1. Accepting PDC FYE 2016 Activity and Financial Reports;**
- 2. Transaction of other business as may be deemed necessary.**

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

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to adjourn the meeting of the Corporation of the Portland Development Corporation and reconvene the regular City Council meeting. Passage 9-0, 5:25 P.M.

APPOINTMENTS:

CONSENT ITEMS:

LICENSES:

Order 85-16/17 Order Granting Municipal Officers' Approval of Battery Steele Brewing, LLC d/b/a Battery Steele Brewing. Application for a Brewery Alcohol Service License with Outdoor Dining on Private Property at 1 Industrial Way, Suite 12 – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 86-16/17 Order Granting Municipal Officers' Approval of Baharat, LLC d/b/a Baharat. Application for a Class I FSE at 91 Anderson Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

BUDGET ITEMS:

COMMUNICATIONS:

Com 4-16/17 Communication Re: Fiscal Year (FY) 2016 Tax Increment Financing Annual Report – Sponsored by the Economic Development Committee, Councilor David Brenerman, Chair.

Com 5-16/17 Communication Re: City Council Rules – Sponsored by Mayor Ethan K. Strimling.

ORDERS:

IN COUNCIL REGULAR MEETING NOVEMBER 21, 2016 VOL. 133 PAGE 37

Order 87-16/17 Order Authorizing Assignment of Tax Increment Financing District Credit Enhancement Agreement Held by McAuley Place at Baxter Woods Retirement Community, Inc. – Sponsored by the Economic Development Committee, Councilor David Brenerman, Chair.

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

Order 88-16/17 Order Accepting the Portland International Jetport Sustainable Airport Master Plan – Sponsored by the Energy & Sustainability Committee, Councilor Jon Hineck, Chair.

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

Order 89-16/17 Order Approving Extension of Lease with General Services Administration Re: Transportation Security Administration Office Space at Jetport – Sponsored by Jon P. Jennings, City Manager.

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

Order 90-16/17 Order Authorizing Salary Increase for Corporation Counsel and the City Clerk- Sponsored by the Legislative/Nominating Committee, Councilor Justin Costa, Chair.

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

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 73-16/17 Moratorium Re: City Parks and Public Grounds in the R-6 Zone on the Portland Peninsula – Sponsored by Councilor Belinda Ray.
It was given a first reading on October 17, 2016. At the November 7, 2016, City Council meeting it was postponed to this meeting.**

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

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to amend Order 73 by extending the Moratorium to February 6, 2017. Passage 9-0.

IN COUNCIL REGULAR MEETING NOVEMBER 21, 2016 VOL. 133 PAGE 38

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

Order 81-16/17 Order Approving Collective Bargaining Agreement with Professional and Technical City Employee Association (Pro-Tech) - Sponsored by Jon P. Jennings, City Manager. It was given a first reading on November 7, 2016

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

Order 82-16/17 Order Approving the Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 481-07 Supervisors – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on November 7, 2016.

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

Order 83-16/17 Order Accepting a Housing and Urban Development Lead Hazard Control Grant and Appropriating \$1,814,867 for Lead Abatement in Cumberland County Residential Housing – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on November 7, 2016.

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

Order 84-16/17 Moratorium Re: Retail Marijuana Establishments and Social Clubs – Sponsored by Danielle West-Chuhta, Corporation Counsel. This was given first reading on November 7, 2016. item was given first reading on November 7, 2016.

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

BREAK FOR DINNER:

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

UNFINISHED BUSINESS:

Order 76-16/17 Amendment to Portland City Code Chapter 6, Building & Building Regulations Re: Tenant Housing Rights - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair and Councilor David Brenerman, Vice Chair. This item was given first reading on October 17, 2016 and postponed to this meeting.

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

Motion was made by Councilor Thibodeau and seconded by Councilor Costa to amend Order 76 by adding Leeway in Terminations. Motion failed 3-6, (Duson, Mavodones, Brenerman, Costa, Ray, Suslovic)

Motion was made by Councilor Strimling and seconded by Councilor Hinck to amend Order 76 by adding Tenant Housing Rights regarding Discrimination. Motion failed 4-5 (Duson, Mavodones, Brenerman, Ray, Suslovic).

Motion was made by Councilor Duson and seconded by Councilor Brenerman for passage. 8-0 (Hinck out).

Motion was made by Councilor Mavodones and seconded by Councilor Brenerman to reconsider Order 76 to allow Councilor Hinck to vote on this order as he was out of the room on the vote. Passage 9-0.

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

ORDERS:

Order 91-16/17 Order Approving Purchase and Sale Agreement with CPB2 LLC for for Sale of City Property – Sponsored by the Economic Development Committee, Councilor David Brenerman, Chair.

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

IN COUNCIL REGULAR MEETING NOVEMBER 21, 2016 VOL. 133 PAGE 40

Motion was made by Councilor Hinck and seconded by Councilor Costa to amend Order 91 by adding a new section. "New Section 11. Conditions of Sale. The sale is conditioned upon the agreement that the developer , and his/her successors and assigns will allow public access over the proposed private Access Road as a condition of site plan approval should the Planning Board require it". Passage 9-0.

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

Order 92-16/17 Order Approving the Collective Bargaining Agreement with the City Employees Benefit Association (CEBA) of the American Federation of State, County and Municipal Employees (AFSCME) Local 1373 - Sponsored by Jon P. Jennings City Manager.

This is its first reading.

AMENDMENTS:

Order 93-16/17 Amendment to Zoning Map Re: 10 Washington Avenue to India Street Form-Based Code Zone – Sponsored by the Planning Board, Elizabeth Boepple, Chair.

This is its first reading.

Order 94-16/17 Amendment to Portland City Code Chapter 2 Administration Re: Authorization for Finance Director to Accept and Execute Certain Licenses and Easements – Sponsored by Jon P. Jennings, City Manager.

This is its first reading.

Motion was made by Councilor Suslovic and seconded by Councilor Hinck to adjourn. Passage 9-0, 11:40, P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk

Order 97-16/17
Tab 2 125-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

ORDER APPOINTING CONSTABLES FOR 2017

ORDERED, that the individuals listed below are hereby appointed as constables for calendar year 2017;

BE IT FURTHER ORDERED, that these appointments shall be effective from 12:01 a.m. January 1, 2017, until 12:00 midnight, December 31, 2017;

BE IT FURTHER ORDERED, that these appointments are pursuant to Sections 20-19 and 20-19.5, Portland City Code, and none are allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrest.

**DEPARTMENT OF PERMITTING AND
INSPECTIONS**

Michael Russell
Jonathan Rioux
Jeanie Bourke
Douglas Morin
Paul Fagone
Laurie Leader
Duane Hanson
Jessica Hanscombe

PORTLAND HOUSING AUTHORITY

Karin Lavigne
Trevor Nugent
Clayton Williams
Shannon Rafferty-Roy
Marcia Yeaton

JETPORT

Kate Oliver
Franklin L. Noiles

PORTLAND PUBLIC LIBRARY

Joaquim Almeida
Miroslav M. Petrovic
Paul Tetzlaff

**PARKS, RECREATION, AND
FACILITIES**

Jill Mulkern

PARKING CONTROL

Kevin Ready
Paul Willey
John Peverada

POLICE DEPARTMENT

Kelly Watters, Process Server
Dylan Matthews, Ordinance Enforcement

ANIMAL CONTROL

POLICE DEPARTMENT

Ruthann Weist

FIRE DEPARTMENT

Keith Gautreau
David Petrucci

DEPARTMENT OF PUBLIC WORKS

Rhonda Zazzara
Kevin Thomas
Mark Pinette
Dawn Davidson

CLIFF ISLAND

Charles Green

MEMORANDUM
City Council Agenda Item

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

FROM: Corporation Counsel

DATE: 11/21/2016

SUBJECT: Order Appointing Constables for 2017

SPONSOR: City Manager Jon Jennings's sponsorship is requested

(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 _____ Final Action 12/5/2015

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

The order needs to be effective before January 1, 2017, and it would be effective with two days to spare if approved at the meeting on December 19, 2016.

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

I. ONE SENTENCE SUMMARY

Appointment as a Constable authorizes a person to issue a citation for a violation of City Code or serve notices, but it does not allow a person to make an arrest or carry a gun.

II. AGENDA DESCRIPTION

Constables are appointed annually to provide a variety of enforcement actions for the City of Portland, the Portland Public Library and Portland Housing Authority. Some city constables issue citations for such ordinance violations as "dog at large," and others, from the Portland Fire Department, issue citations for Fire Code violations. In the Department of Public Works, employees appointed as constables can issue citations for the misuse of trash receptacles for domestic waste, for failure to clear the sidewalk of snow. The Department of Parks, Recreation and Facilities uses constabulary powers for enforcement action as a Park Ranger. Constables for the Portland Housing Authority have the authority to serve eviction notices; Portland Public Library constables may issue a warning for criminal trespass. The order appointing constables is for the 2017 calendar year.

The authority provided by this order is limited. Unless the constable is directly working for the City Parking Division, no constable may issue parking tickets. No constable is authorized to make arrests or carry a gun.

III. BACKGROUND

See below.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

This is an annual order made before the start of every calendar year. Constable authority expires at the end of each year and must be renewed, pursuant to Portland City Code Sections 20-19 and 20-19.5.

V. FINANCIAL IMPACT

There is no financial impact to these appointments, except in savings to the Portland Police Department, which is not required to serve citations on behalf of the City, or issue notices of criminal trespass at the Library while these constables are available to do that in their stead.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

None.

VII. RECOMMENDATION

This order is approved by Corporation Counsel as to form.

VIII. LIST ATTACHMENTS

Order Appointing Constables for 2017

Prepared by: Nancy English
Date: November 21, 2016

Bean/agendarequestmemo/rev 11/2015

*Order 98-16/17
Tab 3 12-5-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROVING LICENSE
FOR A SCRAP METAL RECYCLING FACILITY
FOR PROLERIZED NEW ENGLAND COMPANY, LLC**

ORDERED, that a scrap metal recycling facilities license for Prolerized New England Company, LLC doing business as Schnitzer Northeast is hereby approved.

MEMORANDUM
City Council Agenda Item

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

FROM: Tuck O'Brien, City Planning Director

DATE: November 10, 2016

SUBJECT: Renewal of Prolerized New England Company, LLC/Schnitzer Northeast, Scrap Metal Recycling Facilities License

SPONSOR: Michael Russell, Director of Permitting and Inspections

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading: December 5, 2016 **Final Action:** December 5, 2016

Can action be taken at a later date: ____ Yes X No (If no why not?) The license expired on September 30, 2016.

I. ONE SENTENCE SUMMARY

Prolerized New England Company, LLC. (Schnitzer Northeast) has submitted an application to renew a scrap metal recycling facility license to operate an existing facility at 568 Riverside Street. Under Chapter 31, the City Council issues licenses for scrap metal facilities.

II. AGENDA DESCRIPTION

Prolerized moved scrap metal operations to a newly constructed facility at 568 Riverside Street in 2010. A scrap metal recycling facility license was issued by the City Council prior to the facility opening. The Riverside facility replaced the scrap metal site on Somerset Street (known as the Finkleman or NEMR site) which was purchased by the City.

Based on the submitted application and related information, the Prolerized application addresses the standards for renewal of a license under Sec. 31-9 of the ordinance including environmental considerations.

III. BACKGROUND

Prolerized New England Company, LLC is required to renew their scrap metal recycling facilities license in accordance with Chapter 31. Prolerized has submitted an application and updated environmental testing in compliance with ordinance requirements.

Prior to the opening of their state of the art recycling facility on Riverside Street, Prolerized was located at an outdated facility (Finkleman site) in Bayside. The new facility was designed from

the ground up with appropriate infrastructure site improvements and procedures to process scrap metal in an environmentally responsible manner including appropriate buffers and screening to nearby properties. The facility received Maine DEP and Portland Planning Board site approvals.

Updated groundwater testing submitted by the applicant's consultant indicates that they are within acceptable limits and meets the requirements of the ordinance.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Prolerized has submitted an application to renew a scrap metal recycling facility license for their facility at 568 Riverside Street. Staff finds the applicant has met standards for renewal of a license as provided for in Sec. 31-9 of the ordinance. The license renewal standards require the applicant to identify any modifications from the original application and provide updated environmental testing as required by the ordinance.

This license renewal request is consistent with the City Council goal of regulating the environmental impacts of scrap metal recycling facilities.

V. FINANCIAL IMPACT

There are no known negative municipal financial impacts associated with this use.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

Prolerized has submitted an application that meets the standards to renew a scrap metal recycling facility license.

VII. RECOMMENDATION

Staff is recommending the City Council renew the Prolerized New England Company scrap metal recycling facilities license. The application meets all of the applicable requirements of Chapter 31.

VIII. LIST ATTACHMENTS

Council Order

Scrap Metal Recycling Facilities Permit Application

Prepared by:

Date:

PPD: _____
ZONING: _____
FIRE: _____
TAXES: _____

CITY OF PORTLAND
Permitting and Inspections Department
389 Congress Street ~ Portland Maine 04101
207-874-8557 FAX 874-8612

EXP DATE: 09/30/2016
LICENSE FEES: \$515.00
APP FEE: \$25.00
TOTAL DUE: \$540.00
License ID: 7757

CORPORATION/NON-PROFIT ORGANIZATION

SCRAP METAL RECYCLING FACILITY

Owner PROLERIZED NEW ENGLAND CO. LLC Bus. Tel: (617)389-8300 DOB: _____

Address: PO BOX 0048

EVERETT MA 02149

Business Name: SCHNITZER NORTHEAST

Business Address: 568 RIVERSIDE ST Bus Tel: (617)389-8300

Mailing Address: 568 RIVERSIDE ST

PORTLAND ME 04103

Business Manager: Joseph Murphy Home Tel: (207) 310-4070

E-mail address (optional): jmurphy@schn.com

Is any principal officer a law enforcement official? Yes _____ No X

DOES THE AWARD OF THIS LICENSE BENEFIT ANY CITY EMPLOYEE? YES _____ or NO X

Please list items or general type of items for sale (example, antiques, used books, used metal, etc.):

Scrap metal for commercial sale or intercompany transfers only

Landlord of Premises: Prolerized New England Co LLC

Landlord's Address: 69 Rover Street, Everett, MA 02149

Is any principal officer under the age of 18? Yes _____ No X

Does the owner or business manager have any convictions? Yes _____ No X

I/WE HEREBY CERTIFY THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE. I/WE AGREE AND UNDERSTAND THAT ANY MISTATEMENTS OR OMISSIONS OF MATERIAL FACT HEREIN WILL RESULT IN REFUSAL OF LICENSE OR REVOCATION OF LICENSE IF ONE HAS ALREADY BEEN ISSUED. IN ADDITION, I/WE HEREBY AUTHORIZE THE RELEASE OF ANY CRIMINAL HISTORY RECORD INFORMATION TO THE CITY CLERK'S OFFICE OR LICENSING AUTHORITY. IT'S UNDERSTOOD THAT THIS INFORMATION SHALL BECOME PUBLIC RECORD, AND I/WE HEREBY WAIVE ANY RIGHTS OF PRIVACY WITH RESPECT THERETO.

SIGNATURE [Signature] DATE 9/1/16

PPD: _____
ZONING: _____
FIRE: _____
TAXES: _____

CITY OF PORTLAND
Permitting and Inspections Department
389 Congress Street ~ Portland Maine 04101
207-874-8557 FAX 874-8612
CORPORATION/NON-PROFIT ORGANIZATION

EXP DATE: 09/30/2016
LICENSE FEES: \$515.00
APP FEE: \$25.00
TOTAL DUE: \$540.00
License ID: 7757



Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

SCRAP METAL RECYCLING FACILITIES PERMIT APPLICATION
CHAPTER 31, PORTLAND CITY CODE §31-1 et. seq.

Please check one: (Corporation/ LLC/ Non-profit org. ☒) (Sole Proprietor ☐) (Partnership ☐)

Property Owner's Name: Prolerized New England Co Phone: (617) 389-8300
LLC

Property Owner's Address: PO Box 0048, 69 Rover St, Everett, MA Zip 02149

*If the property is owned by more than one entity please supplement above information on an additional sheet of paper.

Business Name: Schnitzer Northeast Phone: 207-772-8329

Location Address: 568 Riverside Street Zip 04103

Mailing Address: PO Box 0048, 69 Rover St, Everett, MA Zip 02149

Contact Person: Joseph Murphy Phone: (207)772-8329

Manager of Business Joseph Murphy Home Phone # (207)310-4070

Does the issuance of this license benefit any City employee? ☐ Yes ☒ No

If yes, please list name(s) of employee(s) and City Department(s):

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, convicted or court martialled for any violation of law? ☐ No ☐ If yes, please explain:

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland? ☒ Yes ☐ No. If yes, please list business name(s) and location(s):

Schnitzer Northeast- 568 Riverside St

Is any principal officer under the age of 18? ☐ Yes ☒ No

Please list items or general type of items for sale, if any: NA

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

SOLE PROPRIETOR / PARTNERSHIP INFORMATION: (if corporation, leave blank)

Name of Owner(s): _____

Date of Birth _____ Residence Zip Code _____

Name of Owner(s): _____

Date of Birth _____ Residence Zip Code _____

Name of Owner(s): _____

Date of Birth _____ Residence Zip Code _____

CORPORATE / LLC / NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: _____

Corporation Mailing Address: _____ ZIP _____

Contact Person: _____ Phone Number: _____

PRINCIPAL OFFICERS: (if more space is needed, please attach a separate page)

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____

Name _____ Title _____

Date of Birth _____ Residence Zip Code _____



Permitting and Inspections Department
Michael A. Russell, MS, Director

Please provide the following information and check all items for which information has been submitted. **20 COPIES MUST BE SUBMITTED WITH THIS APPLICATION FOR DISTRIBUTION TO CITY DEPARTMENTS. Incomplete packets will not be accepted.**

- ☐ The maximum storage height of any piles of metal or other material.
- ☐ A map of the location of any areas on the site used for processing, preparing or storage of materials.
- ☐ A map of the location of any sand and/or gravel aquifer and/or any sand and gravel aquifer recharge area as described on the Maine Geological Survey significant aquifer map for the Portland West Quadrangle (GSM Map No. 99-11) or as mapped by a State of Maine certified geologist or other competent professional.
- ☐ A map of the location of any residences, schools, public parks, public playgrounds, public bathing beaches, churches, or cemeteries within 500 feet of the area where metal and/or materials will be stored or processed.
- ☐ A map of the boundaries of the 100-year floodplain.
- ☐ A map of any sand or gravel aquifer on or adjacent to the site as mapped by the Maine Geological Survey or by a licensed geologist.
- ☐ A map of any waterbody, watercourse or wetland on or within 300 feet of the site.
- ☐ A site plan that complies with chapter 14, section 525(b) as files for approval by the Portland Planning Department/Board.
**Please note date of site plan submission at Planning Office, 4th floor, City Hall: _____, 200__
- ☐ Results and data from on-site and off-site soil sampling and testing, which testing complies with the Rules attached hereto.
- ☐ Results and data from on-site and off-site groundwater sampling and testing, which testing complies with the Rules attached hereto.
- ☐ A depiction of any and all screening of the site.

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

____ Other information.

- ____ 1. The types of metal processed on the site.
- ____ 2. The types of waste handled and the average volume per year per material.
- ____ 3. A description of the protocol for handling waste and the destination to which that waste is sent.
- ____ 4. An operations manual as described in chapter 402 of the Maine Department of Environmental Protection regulations.
- ____ 5. Operational records as described in chapter 402 of the Maine Department of Environmental Protection regulations.
- ____ 6. An annual report as described in chapter 402 of the Maine Department of Environmental Protection regulations.

Renewal Application

X If this is a renewal application, please provide evidence of annual testing completed according to the Rules attached to this application.

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, or otherwise owed to the City by the Applicant, 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 waive any rights to privacy with respect thereto.

Signature _____

Title

R.G.M

Date

10/28/16

Planning _____

PPD _____

Zone _____

Taxes _____

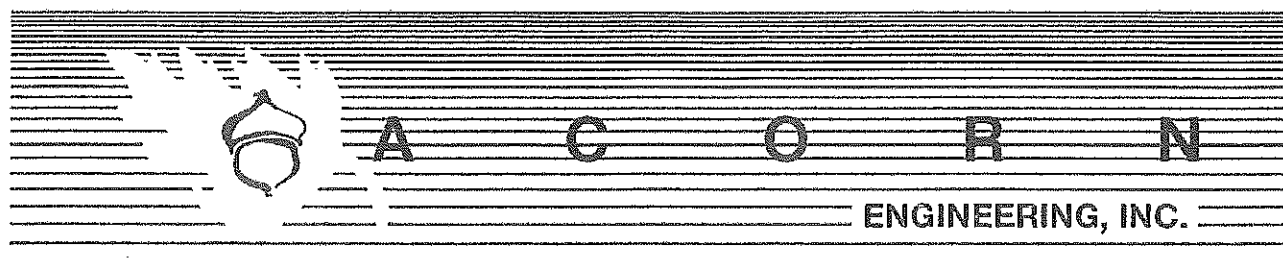
Fire _____

License fee \$515 plus costs

Application fee \$35 new \$25 renewal

Total Due _____

License Expires 9/30/____



February 8, 2016

Mr. Richard Carmosino
Schnitzer Northeast
69 Rover Street
Everett, MA 02149

RE: 2015 Annual Stormwater Monitoring Report
Prolerized New England Company LLC, Portland, Maine

Dear Rich:

This letter report documents stormwater monitoring performed during 2015 at Prolerized New England Company LLC (PNE) in Portland, Maine.

Background/Overview

The Environmental Monitoring Plan (EMP) for the facility specifies triannual surface water monitoring as required by the solid waste processing facility license issued by the Maine Department of Environmental Protection (MEDEP) and quarterly monitoring as required under Maine's Multisector General Permit for Stormwater Discharge Associated with Industrial Activity (MSGP).

Monitoring under the solid waste license requires collection of samples from the wet pond outlet (Outfall 1) and the wet pond inlet (for the first year only) and analysis for petroleum hydrocarbons (see attached Site Plan – Sheet D4).

At the PNE facility the outfalls associated with industrial activity include Outfall 1, Outfall 2, and Outfall 3. Under the MSGP, Benchmark Monitoring requires analysis of total suspended solids (TSS) and total petroleum hydrocarbons (TPH). Visual monitoring requires evaluating and documenting the color, odor, clarity, floating solids, settled solids, suspended solids, foam, and oil sheen observed in the water sample. Visual monitoring is not required when benchmark monitoring is performed.

The MSGP also states that if the average of the four monitoring values of the quarterly monitoring for any parameter does not exceed the benchmark value, the monitoring requirements are fulfilled for that parameter for the permit term and only visual monitoring is required thereafter. The PNE facility achieved this requirement after the 4/27/12 monitoring event, and therefore no Benchmark Monitoring has been performed since that time. Under the MSGP only visual monitoring is performed.



ACORN Engineering, Inc. • PO Box 3372 • Portland • Maine • 04104
Voice: 207-775-2655 • Fax: 207-358-7979 • www.acorn-engineering.com

In addition to stormwater monitoring, the facility performs inspections and maintenance at the facility as described under its Stormwater Pollution Prevention Plan (SWPPP). This includes weekly general facility inspections, quarterly comprehensive stormwater management facility inspections, and general maintenance such as sweeping. Copies of the quarterly comprehensive facility stormwater management inspections conducted by Acorn are included in Attachment C.

Stormwater Monitoring

Sampling Methodology

Stormwater samples were collected according to the procedures outlined in the EMP in PNE's Operations Manual. These procedures, which follow those in Maine's MSGP, specify collection of a sample within a maximum of 2.25 hours of the initial discharge from the outfall for a storm producing measurable runoff.

Stormwater samples were collected directly into laboratory analysis containers to avoid cross-contamination between samples.

Sample Analysis

After collection, samples for laboratory analysis were transported on ice to Katahdin Analytical Laboratory in Scarborough, Maine.

Results

Visual Monitoring

Quarterly visual stormwater monitoring was performed in March, June, September, and December 2015. Visual monitoring forms for 2014 are included in Attachment A. The only visual indication of stormwater impacts during 2015 was some foam in the discharge from Outfall 1 in June. This was most likely some residual foam from fire-fighting activities associated with a fire at the facility on April 15 (see attached letter on fire response). No foam was observed in subsequent monitoring events.

Data on the sampled rainfall events is summarized below.

Monitoring Date	Type of Monitoring	Rainfall Total (inches)	Previous Rainfall >0.11 inches
3/26/15	Visual & Analytical	0.43	3/14
6/21/15	Visual & Analytical	1.4	6/15
9/11/15	Visual & Analytical	0.52	8/23
12/2/15	Visual	0.24	11/28

Analytical Monitoring



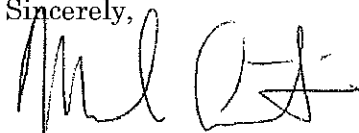
Triannual analytical monitoring of Outfall 1 (wet pond) was performed in March, June, and September to meet the stormwater sampling requirement in the solid waste facility permit. The analytical monitoring was conducted concurrent with the March, June, and September visual monitoring.

The only parameter requiring laboratory analysis is petroleum hydrocarbons. A summary of the 2014 and 2015 monitoring results is presented in Table 1, which follows this text. The full laboratory analysis reports are included as Attachment B. The measured TPH concentration ranged between 1.2 mg/l and 2.0 mg/l, which is well below the petroleum hydrocarbon Benchmark of 100 mg/L.

Conclusions

Stormwater monitoring, inspection and maintenance was performed in 2015 as required by PNE's solid waste license and the MSGP. Monitoring showed that the facility was in compliance with applicable requirements.

Sincerely,



Mark Arienti, P.E.
Senior Environmental Engineer

Cc: Ms. Linda Butler, Maine DEP, Project Manager
Mr. Rick Knowland, City of Portland, Senior Planner



PROLERIZED NEW ENGLAND PORTLAND FACILITY
STORMWATER SAMPLING RESULTS 2014-2015

DATE	6/13/2014			10/16/2014			12/4/2014			3/26/2015			6/21/2015			9/11/2015			
PARAMETER	Outfall 1	Outfall 2	Outfall 3	Outfall 1	Outfall 2	Outfall 3	Outfall 1	Outfall 2	Outfall 3	Outfall 1	Outfall 2	Outfall 3	Outfall 1	Outfall 2	Outfall 3	Outfall 1	Outfall 2	Outfall 3	Maine April 2014 MSGP Sector N Monitoring Benchmarks
pH (S.U.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	6.0 - 9.0
Total Suspended Solids (mg/l)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	100
Total Petroleum Hydrocarbons (mg/l)	1.1	NA	NA	1.3	NA	NA	0.79	NA	NA	1.2	NA	NA	2.0	NA	NA	1.2	NA	NA	100

Notes:

Outfall 1 is Wet Pond Outlet
Outlet 2 is culvert discharge from bioretention basin
Outlet 3 is culvert discharge from loading dock drain

"NA" Not analyzed because
benchmark results for 8
consecutive quarters were below
benchmark values so only visual
monitoring is performed

ATTACHMENT A
VISUAL MONITORING FORMS

Visual Monitoring Form

PROLERIZED NEW ENGLAND

Riverside Street
Portland, Maine

Sampler: Mark Arienti

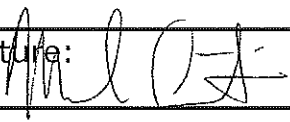
MSGP, Riverside
Permit Number: St., Portland, ME

Outfall Number	Outfall #1 (Wet)	Outfall #2 (Wet)	Outfall #3 (Wet)
Observation Time	4:40	4:30	4:50
Est. Time from Onset of Runoff	2 hrs	2 hrs	2 hrs
Discharge Type (rain or snowmelt)	Snow + Rain	Snow + Rain	Snow + Rain
Color	—	—	—
Odor	musty	none	musty
Clarity	clear	clear	very slightly cloudy
Floating Solids*	none	none	none
Settled Solids*	none	none	none
Suspended Solids*	none	none	none
Foam	“	“	“
Oil Sheen	“	“	“
Probable source of any observed contamination			
* Enter description of these criteria in the general comments section for each outfall on the back of this page.			
Sampler's Signature: <u>Mark Arienti</u>		Date: <u>3/26/15</u>	

In the comments section on the next page, enter physical description of floating, settled, and suspended solids for each outfall sampled. Enter general comments on the condition and appearance of each outfall in the comments section also as indicated in the instructions.

Outfall 1	Comments:
Outfall 2	Comments:
Outfall 3	Comments: All runoff coming from catch basin at facility entrance, some of which runs in from road. No runoff was exiting the biobasin underdrain

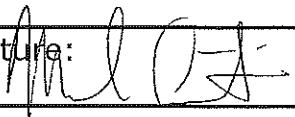
Visual Monitoring Form

PROLERIZED NEW ENGLAND Riverside Street Portland, Maine			
Sampler: <u>Mark Arienti</u>		MSGP, Riverside Permit Number: <u>St., Portland, ME</u>	
Outfall Number	Outfall #1	Outfall #2	Outfall #3
Observation Time	11:15	11:30	11:45
Est. Time from Onset of Runoff	1 hour	2 hours	3 hours
Discharge Type (rain or snowmelt)	Rain	Rain	Rain
Color	Clear	Clear	Clear
Odor	None	None	None
Clarity	Clear	Slightly cloudy	Clear
Floating Solids*	None	None	None
Settled Solids*	None	None	None
Suspended Solids*	None	minor amount, very fine	None
Foam	Some foam	None	None
Oil Sheen	None	None	None
Probable source of any observed contamination	Fire fighting foam from April	Riverside St. runoff	-
* Enter description of these criteria in the general comments section for each outfall on the back of this page.			
Sampler's Signature: 		Date: 6/21/15	

In the comments section on the next page, enter physical description of floating, settled, and suspended solids for each outfall sampled. Enter general comments on the condition and appearance of each outfall in the comments section also as indicated in the instructions.

Outfall 1	<u>Comments:</u> Fire fighting activities in April may be the cause of residual foam during high flow rates _____ _____ _____ _____ _____
Outfall 2	<u>Comments:</u> Heavy rainfall may produces some runoff from Riverside street into catch basin near facility entrance that combines with bioretention basin outfall _____ _____ _____ _____
Outfall 3	<u>Comments:</u> _____ _____ _____ _____ _____

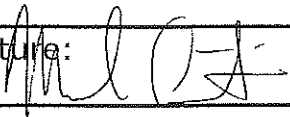
Visual Monitoring Form

PROLERIZED NEW ENGLAND Riverside Street Portland, Maine			
<i>Sampler:</i> <u>Mark Arienti</u>		MSGP, Riverside <i>Permit Number:</i> <u>St., Portland, ME</u>	
Outfall Number	Outfall #1	Outfall #2	Outfall #3
Observation Time	9:15	9:30	9:45
Est. Time from Onset of Runoff	1	2 hours	2.5 hours
Discharge Type (rain or snowmelt)	Rain	Rain	Rain
Color	Clear	Clear	Clear
Odor	None	None	None
Clarity	Clear	Slightly cloudy	Clear
Floating Solids*	None	None	None
Settled Solids*	None	None	None
Suspended Solids*	None	none	none
Foam	one	None	None
Oil Sheen	None	None	None
Probable source of any observed contamination			
* Enter description of these criteria in the general comments section for each outfall on the back of this page.			
Sampler's Signature: 		Date: 9/11/15	

In the comments section on the next page, enter physical description of floating, settled, and suspended solids for each outfall sampled. Enter general comments on the condition and appearance of each outfall in the comments section also as indicated in the instructions.

Outfall 1	<u>Comments:</u> _____ _____ _____ _____ _____ _____
Outfall 2	<u>Comments:</u> _____ _____ _____ _____ _____ _____
Outfall 3	<u>Comments:</u> _____ _____ _____ _____ _____ _____

Visual Monitoring Form

PROLERIZED NEW ENGLAND Riverside Street Portland, Maine			
<i>Sampler:</i> <u>Mark Arienti</u>		MSGP, Riverside <i>Permit Number:</i> <u>St., Portland, ME</u>	
Outfall Number	Outfall #1	Outfall #2	Outfall #3
Observation Time	2:30	2:20	2:35
Est. Time from Onset of Runoff	1 hour	2 hours	2 hours
Discharge Type (rain or snowmelt)	Rain	Rain	Rain
Color	Clear	Clear	Clear
Odor	None	None	None
Clarity	Clear	clear	Clear
Floating Solids*	None	None	None
Settled Solids*	None	None	None
Suspended Solids*	None	None	None
Foam	None	None	None
Oil Sheen	None	None	None
Probable source of any observed contamination			
* Enter description of these criteria in the general comments section for each outfall on the back of this page.			
Sampler's Signature: 		Date: 12/2/15	

In the comments section on the next page, enter physical description of floating, settled, and suspended solids for each outfall sampled. Enter general comments on the condition and appearance of each outfall in the comments section also as indicated in the instructions.

Outfall 1	Comments: _____ _____ _____ _____ _____ _____
Outfall 2	Comments: _____ _____ _____ _____ _____ _____
Outfall 3	Comments: _____ _____ _____ _____ _____ _____

ATTACHMENT B
LABORATORY REPORTS



September 22, 2015

Mr. Mark Arienti
Gould Technologies, LLC.
48 Free Street
Portland, ME 04101

RE: Katahdin Lab Number: SI7164
Project ID: 059-009
Project Manager: Ms. Jennifer Obrin
Sample Receipt Date(s): September 15, 2015

Dear Mr. Arienti:

Please find enclosed the following information:

- * Report of Analysis (Analytical and/or Field)
- * Quality Control Data Summary
- * Chain of Custody (COC)
- * Login Report

A copy of the Chain of Custody is included in the paginated report. The original COC is attached as an addendum to this report.

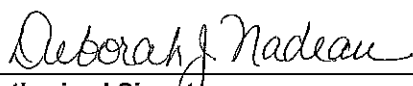
Should you have any questions or comments concerning this Report of Analysis, please do not hesitate to contact the project manager listed above. The results contained in this report relate only to the submitted samples. This cover letter is an integral part of the ROA.

We certify that the test results provided in this report meet all the requirements of the NELAC standards unless otherwise noted in an attached technical narrative or in the Report of Analysis.

We appreciate your continued use of our laboratory and look forward to working with you in the future. The following signature indicates technical review and acceptance of the data.

Please go to <http://www.katahdinlab.com/cert.html> for copies of Katahdin Analytical Services Inc. current certificates and analyte lists.

Sincerely,
KATAHDIN ANALYTICAL SERVICES



Authorized Signature

09/22/2015

Date

KATAHDIN ANALYTICAL SERVICES - ORGANIC DATA QUALIFIERS

The sampled date indicated on the attached Report(s) of Analysis (ROA) is the date for which a grab sample was collected or the date for which a composite sample was completed. Beginning and start times for composite samples can be found on the Chain-of-Custody.

- U Indicates the compound was analyzed for but not detected above the specified level. This level may be the Limit of Quantitation (LOQ)(previously called Practical Quantitation Level (PQL)), the Limit of Detection (LOD) or Method Detection Limit (MDL) as required by the client.

Note: All results reported as "U" MDL have a 50% rate for false negatives compared to those results reported as "U" PQL/LOQ or "U" LOD, where the rate of false negatives is <1%.

- * Compound recovery or percent RPD (relative percent difference) was outside of quality control limits.

- D Indicates the result was obtained from analysis of a diluted sample. Surrogate recoveries may not be calculable.

- E Estimated value. This flag identifies compounds whose concentrations exceed the upper level of the calibration range of the instrument for that specific analysis.

- J Estimated value. The analyte was detected in the sample at a concentration less than the laboratory Limit of Quantitation (LOQ)(previously called Practical Quantitation Limit (PQL)), but above the Method Detection Limit (MDL).

or

- J Used for Pesticides, PCBs, Herbicides, Formaldehyde, Explosives and Method 504.1 analytes when there is a greater than 40% difference for detected concentrations between the two GC columns.

- B Indicates the analyte was detected in the laboratory method blank analyzed concurrently with the sample.

- C Indicates that the flagged compound did not meet DoD criteria in the corresponding daily calibration verification (CV).

- L Indicates that the flagged compound did not meet DoD criteria in the corresponding Laboratory Control Sample (LCS) and/or Laboratory Control Sample Duplicate (LCSD) prepared and/or analyzed concurrently with the sample.

- M Indicates that the flagged compound did not meet DoD criteria in the Matrix Spike and/or Matrix Spike Duplicate prepared and/or analyzed concurrently with the native sample.

- N Presumptive evidence of a compound based on a mass spectral library search.

- A Indicates that a tentatively identified compound is a suspected aldol-condensation product.

- P Used for Pesticide/Aroclor analyte when there is a greater than 25% difference for detected concentrations between the two GC columns. (for CLP methods only).

Report of Analytical Results

Client: Gould Technologies, LLC.
Lab ID: SI7164-1
Client ID: SW-1
Project: 059-009
SDG: SI7164
Lab File ID: AII10346.D

Sample Date: 11-SEP-15
Received Date: 15-SEP-15
Extract Date: 17-SEP-15
Extracted By: HG
Extraction Method: SW846 3510
Lab Prep Batch: WG170609

Analysis Date: 22-SEP-15
Analyst: JLP
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 22-SEP-15

Componnd	Qualifier	Resnlt	Units	Dilntion	PQL	ADJ PQL
Extractable TPH C9-C36		1200	ug/L	1	75	75.
o-Terphenyl		70.5	%			

Method Blank Summary

Lab Name : Katahdin Analytical Services
Project : 059-009
Lab File ID : AII10338.D
Instrument ID : GC10
Matrix : AQ

SDG : SI7164
Lab Sample ID : WG170609-1
Date Extracted : 17-SEP-15
Date Analyzed : 21-SEP-15
Time Analyzed : 21:43

This Method Blank applies to the following samples, LCS, MS and MSD:

Client Sample ID	Lab Sample ID	Lab File ID	Date Analyzed	Time Analyzed
Laboratory Control S	WG170609-2	AII10339.E	09/21/15	22:18
Laboratory Control S	WG170609-3	AII10340.E	09/21/15	22:54
SW-1	SI7164-1	AII10346.E	09/22/15	02:26

Report of Analytical Results

Client:
Lab ID: WG170609-1
Client ID: Method Blank Sample
Project:
SDG: SI7164
Lab File ID: AII10338.D

Sample Date:
Received Date:
Extract Date: 17-SEP-15
Extracted By: HG
Extraction Method: SW846 3510
Lab Prep Batch: WG170609

Analysis Date: 21-SEP-15
Analyst: JLP
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 22-SEP-15

Compound	Qualifier	Result	Units	Dilution	PQL	ADJ PQL
Extractable TPH C9-C36	U	75	ug/L	1	75	75.
o-Terphenyl		65.0	%			

LCS/LCSD Recovery Report

LCS ID: WG170609-2
LCSD ID: WG170609-3
Project:
SDG: SI7164
Report Date: 22-SEP-15
LCS File ID: AII10339.D

Received Date:
Extract Date: 17-SEP-15
Extracted By: HG
Extraction Method: SW846 3510
Lab Prep Batch: WG170609
LCSD File ID: AII10340.D

Analysis Date: 21-SEP-15
Analyst: JLP
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA

Compound	Spike Amt	LCS Conc	LCS Rec (%)	LCSD Conc	LCSD Rec (%)	Conc Units	RPD (%)	RPD Limit	Limits
Extractable TPH C9-C36	700.	518.	74.0	502.	71.7	ug/L	3	30	45-118
o-Terphenyl			87.0		86.0				51-103

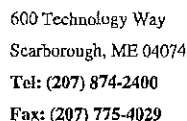
Katahdin Analytical Services, Inc.

Sample Receipt Condition Report

Client: <u>Gould</u>	KAS PM: <u>DA JO</u>	Sampled By: <u>Chad</u>
Project:	KIMS Entry By: <u>AP</u>	Delivered By: <u>KAS</u>
KAS Work Order#: <u>SI7164</u>	KIMS Review By: <u>AP</u>	Received By: <u>AP</u>
SDG #:	Cooler: <u>1</u> of <u>1</u>	Date/Time Rec.: <u>9/15/15 1630</u>

Receipt Criteria	Y	N	EX*	NA	Comments and/or Resolution
1. Custody seals present / intact?		/			
2. Chain of Custody present in cooler?	/				
3. Chain of Custody signed by client?	/				
4. Chain of Custody matches samples?	/				
5. Temperature Blanks present? If not, take temperature of any sample w/ IR gun.		/			Temp (°C): <u>10.8</u>
Samples received at <6 °C w/o freezing?		/			Note: Not required for metals (except Hg soil) analysis.
Ice packs or ice present?	/				The lack of ice or ice packs (i.e. no attempt to begin cooling process) or insufficient ice may not meet certain regulatory requirements and may invalidate certain data.
If yes, was there sufficient ice to meet temperature requirements?		/			
If temp. out, has the cooling process begun (i.e. ice or packs present) and sample collection times <6hrs., but samples are not yet cool?		/			Note: No cooling process required for metals (except Hg soil) analysis.
6. Volatiles:				/	
Aqueous: No bubble larger than a pea?				/	
Soil/Sediment:				/	
Received in airtight container?				/	
Received in methanol?				/	
Methanol covering soil?				/	
D.I. Water - Received within 48 hour HT?				/	
Air: Refer to KAS COC for canister/flow controller requirements.	√ if air included				
7. Trip Blank present in cooler?				/	
8. Proper sample containers and volume?	/				
9. Samples within hold time upon receipt?	/				
10. Aqueous samples properly preserved?	/				
Metals, COD, NH3, TKN, O/G, phenol, TPO4, N+N, TOC, DRO, TPH - pH <2				/	
Sulfide - >9				/	
Cyanide - pH >12				/	

* Log-In Notes to Exceptions: document any problems with samples or discrepancies or pH adjustments.



PLEASE BEAR DOWN AND
PRINT LEGIBLY IN PEN

Page _____ of _____



Katahdin Analytical Services
Login Chain of Custody Report (Ino1)

Page: 1 of 1

Sep. 16, 2015

06:28 AM

Quote/Incoming: ACDGEN

Login Number: SI7164

Account: ACADIA001

Gould Technologies, LLC.

Web

Project:

Primary Report Address:

Mark Arienti

Gould Technologies, LLC.

48 Free Street

Portland, ME 04101

marient@acadiaenvironmental.com

Primary Invoice Address:

Accounts Payable

Gould Technologies, LLC.

48 Free Street

Portland, ME 04101

Login Information:

ANALYSIS INSTRUCTIONS : ME EGAD. Merge results.

CHECK NO. :

CLIENT PO# :

CLIENT PROJECT MANAGE :

CONTRACT :

COOLER TEMPERATURE : 10.8

DELIVERY SERVICES : KAS

EDD FORMAT : KAS064QC-XLS

LOGIN INITIALS : AP

PM : JO

PROJECT NAME : 059-009

QC LEVEL : II+

REGULATORY LIST :

REPORT INSTRUCTIONS : Email PDF, EDD and invoice, no hc.

SDG ID :

SDG STATUS :

Report CC Addresses:

Invoice CC Addresses:

Laboratory Sample ID	Client Sample Number	Collect Date/Time	Receive Date	Verbal PR Date	Due Date	Mailed
SI7164-1	SW-1	11-SEP-15 09:00	15-SEP-15		28-SEP-15	
Matrix	Product	Hold Date (shortest)	Bottle Type	Bottle Count	Comments	
Aqueous	S SW8015M-TPH	18-SEP-15	1L N-Amber Glass			

Total Samples: 1

Total Analyses: 1

09-16-15



July 7, 2015

Mr. Mark Arienti
Gould Technologies, LLC.
48 Free Street
Portland, ME 04101

RE: Katahdin Lab Number: SI4488
Project ID: 059-009
Project Manager: Ms. Jennifer Obrin
Sample Receipt Date(s): June 24, 2015

Dear Mr. Arienti:

Please find enclosed the following information:

- * Report of Analysis (Analytical and/or Field)
- * Quality Control Data Summary
- * Chain of Custody (COC)
- * Login Report

A copy of the Chain of Custody is included in the paginated report. The original COC is attached as an addendum to this report.

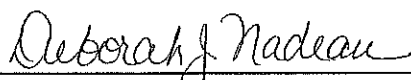
Should you have any questions or comments concerning this Report of Analysis, please do not hesitate to contact the project manager listed above. The results contained in this report relate only to the submitted samples. This cover letter is an integral part of the ROA.

We certify that the test results provided in this report meet all the requirements of the NELAC standards unless otherwise noted in an attached technical narrative or in the Report of Analysis.

We appreciate your continued use of our laboratory and look forward to working with you in the future. The following signature indicates technical review and acceptance of the data.

Please go to <http://www.katahdinlab.com/cert.html> for copies of Katahdin Analytical Services Inc. current certificates and analyte lists.

Sincerely,
KATAHDIN ANALYTICAL SERVICES



Authorized Signature

07/07/2015

Date

TECHNICAL NARRATIVE

Organics Analysis

The sample of Work Order SI4488 was analyzed in accordance with "Test Methods for Evaluating Solid Wastes: Physical/Chemical Methods." SW-846, 2nd edition, 1982 (revised 1984), 3rd edition, 1986, and Updates I, II, IIA, III, IIIA, and IIIB 1996, 1998 & 2004, Office of Solid Waste and Emergency Response, U.S. EPA, and/or for the specific methods listed below or on the Report of Analysis.

8015-TPH Analysis

Sample SI4488-1 had a low recovery for the extraction surrogate o-terphenyl that was outside of the laboratory established acceptance limits. The sample was reextracted two days outside of hold time and had a similar surrogate deviation. The results from the initial extraction are reported.

There were no other protocol deviations or observations noted by the organics laboratory staff.

KATAHDIN ANALYTICAL SERVICES - ORGANIC DATA QUALIFIERS

The sampled date indicated on the attached Report(s) of Analysis (ROA) is the date for which a grab sample was collected or the date for which a composite sample was completed. Beginning and start times for composite samples can be found on the Chain-of-Custody.

U Indicates the compound was analyzed for but not detected above the specified level. This level may be the Limit of Quantitation (LOQ)(previously called Practical Quantitation Level (PQL)), the Limit of Detection (LOD) or Method Detection Limit (MDL) as required by the client.

Note: All results reported as "U" MDL have a 50% rate for false negatives compared to those results reported as "U" PQL/LOQ or "U" LOD, where the rate of false negatives is <1%.

* Compound recovery outside of quality control limits.

D Indicates the result was obtained from analysis of a diluted sample. Surrogate recoveries may not be calculable.

E Estimated value. This flag identifies compounds whose concentrations exceed the upper level of the calibration range of the instrument for that specific analysis.

J Estimated value. The analyte was detected in the sample at a concentration less than the laboratory Limit of Quantitation (LOQ)(previously called Practical Quantitation Limit (PQL)), but above the Method Detection Limit (MDL).

or

J Used for Pesticides, PCBs, Herbicides, Formaldehyde, Explosives and Method 504.1 analytes when there is a greater than 40% difference for detected concentrations between the two GC columns.

B Indicates the analyte was detected in the laboratory method blank analyzed concurrently with the sample.

C Indicates that the flagged compound did not meet DoD criteria in the corresponding daily calibration verification (CV).

L Indicates that the flagged compound did not meet DoD criteria in the corresponding Laboratory Control Sample (LCS) and/or Laboratory Control Sample Duplicate (LCSD) prepared and/or analyzed concurrently with the sample.

M Indicates that the flagged compound did not meet DoD criteria in the Matrix Spike and/or Matrix Spike Duplicate prepared and/or analyzed concurrently with the native sample.

N Presumptive evidence of a compound based on a mass spectral library search.

A Indicates that a tentatively identified compound is a suspected aldol-condensation product.

P Used for Pesticide/Aroclor analyte when there is a greater than 25% difference for detected concentrations between the two GC columns. (for CLP methods only).

Report of Analytical Results

Client: Gould Technologies, LLC.
Lab ID: SI4488-1
Client ID: SW-1
Project: 059-009
SDG: SI4488
Lab File ID: AIF10441.D

Sample Date: 21-JUN-15
Received Date: 24-JUN-15
Extract Date: 25-JUN-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG165449

Analysis Date: 26-JUN-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 06-JUL-15

Compound	Qualifier	Result	Units	Dilution	PQL	ADJ PQL
Extractable TPH C9-C36		2000	ug/L	1	75	74.
o-Terphenyl	*	44.3	%			

Method Blank Summary

Lab Name : Katahdin Analytical Services
Project : 059-009
Lab File ID : AIF10432.D
Instrument ID : GC10
Matrix : AQ

SDG : SI4488
Lab Sample ID : WG165449-1
Date Extracted : 25-JUN-15
Date Analyzed : 26-JUN-15
Time Analyzed : 16:49

This Method Blank applies to the following samples, LCS, MS and MSD:

Client Sample ID	Lab Sample ID	Lab File ID	Date Analyzed	Time Analyzed
Laboratory Control S	WG165449-2	AIF10433.I	06/26/15	17:25
Laboratory Control S	WG165449-3	AIF10434.I	06/26/15	18:00
SW-1	SI4488-1	AIF10441.I	06/26/15	22:09

Report of Analytical Results

Client:
Lab ID: WG165449-1
Client ID: Method Blank Sample
Project:
SDG: SI4488
Lab File ID: AIF10432.D

Sample Date:
Received Date:
Extract Date: 25-JUN-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG165449

Analysis Date: 26-JUN-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 06-JUL-15

Compound	Qualifier	Result	Units	Dilution	PQL	ADJ PQL
Extractable TPH C9-C36	U	75	ug/L	1	75	75.
o-Terphenyl		84.5	%			

LCS/LCSD Recovery Report

LCS ID: WG165449-2
LCSD ID: WG165449-3
Project:
SDG: SI4488
Report Date: 06-JUL-15
LCS File ID: AIF10433.D

Received Date:
Extract Date: 25-JUN-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG165449
LCSD File ID: AIF10434.D

Analysis Date: 26-JUN-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA

Compound	Spike Amt	LCS Conc	LCS Rec (%)	LCSD Conc	LCSD Rec (%)	Conc Units	RPD (%)	RPD Limit	Limits
Extractable TPH C9-C36	700.	565.	80.7	484.	69.1	ug/L	15	30	45-118
o-Terphenyl			89.0		79.5				51-103

Katahdin Analytical Services, Inc.

Sample Receipt Condition Report

Client: <u>Acadia</u>	KAS PM: <u>DSP JO</u>	Sampled By: <u>Client</u>
Project:	KIMS Entry By: <u>AP</u>	Delivered By: <u>KAS</u>
KAS Work Order#: <u>514488</u>	KIMS Review By: <u>JP</u>	Received By: <u>AP</u>
SDG #:	Cooler: <u>1</u> of <u>1</u>	Date/Time Rec.: <u>6/24/15 1450</u>

Receipt Criteria	Y	N	EX*	NA	Comments and/or Resolution
1. Custody seals present / intact?	/	/			
2. Chain of Custody present in cooler?	/	/			
3. Chain of Custody signed by client?	/	/			
4. Chain of Custody matches samples?	/	/			
5. Temperature Blanks present? If not, take temperature of any sample w/ IR gun.	/	/			Temp (°C): <u>5.8</u>
Samples received at <6 °C w/o freezing?	/	/			Note: Not required for metals (except Hg) analysis.
Ice packs or ice present?	/	/			The lack of ice or ice packs (i.e. no attempt to begin cooling process) or insufficient ice may not meet certain regulatory requirements and may invalidate certain data.
If yes, was there sufficient ice to meet temperature requirements?	/	/			
If temp. out, has the cooling process begun (i.e. ice or packs present) and sample collection times <6hrs., but samples are not yet cool?				/	Note: No cooling process required for metals (except Hg) analysis.
6. Volatiles:				/	
Aqueous: No bubble larger than a pea?				/	
Soil/Sediment:				/	
Received in airtight container?				/	
Received in methanol?				/	
Methanol covering soil?				/	
D.I. Water - Received within 48 hour HT?				/	
Air: Refer to KAS COC for canister/flow controller requirements.	√ if air included				
7. Trip Blank present in cooler?	/	/		/	
8. Proper sample containers and volume?	/	/			
9. Samples within hold time upon receipt?	/	/			
10. Aqueous samples properly preserved?	/	/			
Metals, COD, NH3, TKN, O/G, phenol, TPO4, N+N, TOC, DRO, TPH - pH <2				/	
Sulfide - >9				/	
Cyanide - pH >12				/	

* Log-In Notes to Exceptions: document any problems with samples or discrepancies or pH adjustments.



600 Technology Way
Scarborough, ME 04074
Tel: (207) 874-2400
Fax: (207) 775-4029

CHAIN of CUSTODY

PLEASE BEAR DOWN AND
PRINT LEGIBLY IN PEN

Page ____ of ____

Contact Could Tech		Phone #		Fax #	
Address 48 Free St		City Portland		State	
Purchase Order # 059-009		Proj. Name / No.		Katahdin Quote #	
Bill (if different than above)		Address			
Sampler (Print / Sign)		Copies To:			
LAB USE ONLY		ANALYSIS AND CONTAINER TYPE PRESERVATIVES			
WORK ORDER #: SI4488					
KATAHDIN PROJECT NUMBER					
REMARKS:					
SHIPPING INFO: ☐ FED EX ☐ UPS ☐ CLIENT					
AIRBILL NO:					
TEMP°C ☐ TEMP BLANK ☐ INTACT ☐ NOT INTACT					
*	Sample Description	Date / Time coll'd	Matrix	No. of Cntrs.	
	SW-1	6/24/15	W	2	
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
		/			
COMMENTS					
Relinquished By: (Signature)		Date / Time 6/24/15 2:10	Received By: (Signature)	Relinquished By: (Signature)	Date / Time
Relinquished By: (Signature)		Date / Time	Received By: (Signature)	Relinquished By: (Signature)	Date / Time



Katahdin Analytical Services
Login Chain of Custody Report (Ino1)

Page: 1 of 1

Jun. 25, 2015

08:47 AM

Quote/Incoming: ACDGEN

Login Number: SI4488

Account: ACADIA001

Gould Technologies, LLC.

Web

Project: ACDGEN

Primary Report Address:

Mark Arienti

Gould Technologies, LLC.

48 Free Street

Portland, ME 04101

marient@acadiaenvironmental.com

Primary Invoice Address:

Accounts Payable

Gould Technologies, LLC.

48 Free Street

Portland, ME 04101

Login Information:

ANALYSIS INSTRUCTIONS : ME EGAD. Merge results.

CHECK NO. :

CLIENT PO# :

CLIENT PROJECT MANAGE :

CONTRACT :

COOLER TEMPERATURE : 5.8

DELIVERY SERVICES : KAS

EDD FORMAT : KAS064QC-XLS

LOGIN INITIALS : AP

PM : JO

PROJECT NAME : 059-009

QC LEVEL : II+

REGULATORY LIST :

REPORT INSTRUCTIONS : Email PDF, EDD and invoice, no hc.

SDG ID :

SDG STATUS :

Report CC Addresses:

Invoice CC Addresses:

Laboratory Sample ID	Client Sample Number	Collect Date/Time	Receive Date	Verbal PR Date	Due Date	Mailed
SI4488-1	SW-1	21-JUN-15 00:00	24-JUN-15		04-JUL-15	
Matrix Aqueous	Product S SW8015M-TPH	Hold Date (shortest) 28-JUN-15	Bottle Type 1L N-Amber Glass	Bottle Count	Comments	

Total Samples: 1

Total Analyses: 1

JP
06-25-15



April 10, 2015

Mr. Mark Arienti
Acadia Environmental Technology
48 Free Street
Portland, ME 04101

RE: Katahdin Lab Number: SI1998
Project ID: 059-009
Project Manager: Ms. Jennifer Obrin
Sample Receipt Date(s): March 31, 2015

Dear Mr. Arienti:

Please find enclosed the following information:

- * Report of Analysis (Analytical and/or Field)
- * Quality Control Data Summary
- * Chain of Custody (COC)
- * Login Report

A copy of the Chain of Custody is included in the paginated report. The original COC is attached as an addendum to this report.

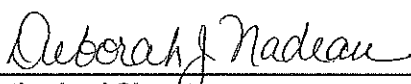
Should you have any questions or comments concerning this Report of Analysis, please do not hesitate to contact the project manager listed above. The results contained in this report relate only to the submitted samples. This cover letter is an integral part of the ROA.

We certify that the test results provided in this report meet all the requirements of the NELAC standards unless otherwise noted in an attached technical narrative or in the Report of Analysis.

We appreciate your continued use of our laboratory and look forward to working with you in the future. The following signature indicates technical review and acceptance of the data.

Please go to <http://www.katahdinlab.com/cert.html> for copies of Katahdin Analytical Services Inc. current certificates and analyte lists.

Sincerely,
KATAHDIN ANALYTICAL SERVICES



Authorized Signature

04/10/2015

Date

TECHNICAL NARRATIVE

Organics Analysis

The samples of Work Order SI1998 were analyzed in accordance with "Test Methods for Evaluating Solid Wastes: Physical/Chemical Methods." SW-846, 2nd edition, 1982 (revised 1984), 3rd edition, 1986, and Updates I, II, IIA, III, IIIA, and IIIB 1996, 1998 & 2004, Office of Solid Waste and Emergency Response, U.S. EPA and/or for the specific methods listed below or on the Report of Analysis.

8015-TPH Analysis

Sample SI1998-1 had a low recovery for the extraction surrogate o-terphenyl that was outside of laboratory established acceptance limits. Based on the sample chromatogram and issues noted during sample extraction, the low recovery is likely due to matrix interferences and the sample was not reextracted.

There were no other protocol deviations or observations noted by the organics laboratory staff.

KATAHDIN ANALYTICAL SERVICES - ORGANIC DATA QUALIFIERS

The sampled date indicated on the attached Report(s) of Analysis (ROA) is the date for which a grab sample was collected or the date for which a composite sample was completed. Beginning and start times for composite samples can be found on the Chain-of-Custody.

U Indicates the compound was analyzed for but not detected above the specified level. This level may be the Limit of Quantitation (LOQ)(previously called Practical Quantitation Level (PQL)), the Limit of Detection (LOD) or Method Detection Limit (MDL) as required by the client.

Note: All results reported as "U" MDL have a 50% rate for false negatives compared to those results reported as "U" PQL/LOQ or "U" LOD, where the rate of false negatives is <1%.

* Compound recovery outside of quality control limits.

D Indicates the result was obtained from analysis of a diluted sample. Surrogate recoveries may not be calculable.

E Estimated value. This flag identifies compounds whose concentrations exceed the upper level of the calibration range of the instrument for that specific analysis.

J Estimated value. The analyte was detected in the sample at a concentration less than the laboratory Limit of Quantitation (LOQ)(previously called Practical Quantitation Limit (PQL)), but above the Method Detection Limit (MDL).

or

J Used for Pesticides, PCBs, Herbicides, Formaldehyde, Explosives and Method 504.1 analytes when there is a greater than 40% difference for detected concentrations between the two GC columns.

B Indicates the analyte was detected in the laboratory method blank analyzed concurrently with the sample.

C Indicates that the flagged compound did not meet DoD criteria in the corresponding daily calibration verification (CV).

L Indicates that the flagged compound did not meet DoD criteria in the corresponding Laboratory Control Sample (LCS) and/or Laboratory Control Sample Duplicate (LCSD) prepared and/or analyzed concurrently with the sample.

M Indicates that the flagged compound did not meet DoD criteria in the Matrix Spike and/or Matrix Spike Duplicate prepared and/or analyzed concurrently with the native sample.

N Presumptive evidence of a compound based on a mass spectral library search.

A Indicates that a tentatively identified compound is a suspected aldol-condensation product.

P Used for Pesticide/Aroclor analyte when there is a greater than 25% difference for detected concentrations between the two GC columns. (for CLP methods only).

Report of Analytical Results

Client: Acadia Environmental Technology, Inc.
Lab ID: SI1998-1
Client ID: SW-001
Project: 059-009
SDG: SI1998
Lab File ID: AID20070.D

Sample Date: 26-MAR-15
Received Date: 31-MAR-15
Extract Date: 02-APR-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG160646

Analysis Date: 07-APR-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 10-APR-15

Compound	Qualifier	Result	Units	Dilution	PQL	ADJ PQL
Extractable TPH C9-C36		1200	ug/L	1	75	71.
o-Terphenyl	*	47.0	%			

Method Blank Summary

Lab Name : Katahdin Analytical Services
Project : 059-009
Lab File ID : AID20038A.
Instrument ID : GC10
Matrix : AQ

SDG : SI1998
Lab Sample ID : WG160646-1
Date Extracted : 02-APR-15
Date Analyzed : 03-APR-15
Time Analyzed : 17:15

This Method Blank applies to the following samples, LCS, MS and MSD:

Client Sample ID	Lab Sample ID	Lab File ID	Date Analyzed	Time Analyzed
Laboratory Control S	WG160646-2	AID20039/	04/03/15	17:51
Laboratory Control S	WG160646-3	AID20040/	04/03/15	18:27
SW-001	SI1998-1	AID20070..	04/07/15	20:28

Report of Analytical Results

Client:
Lab ID: WG160646-1
Client ID: Method Blank Sample
Project:
SDG: SI1998
Lab File ID: AID20038A.

Sample Date:
Received Date:
Extract Date: 02-APR-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG160646

Analysis Date: 03-APR-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA
Report Date: 10-APR-15

Compound	Qualifier	Result	Units	Dilution	PQL	ADJ PQL
Extractable TPH C9-C36	U	75	ug/L	1	75	75.
o-Terphenyl		74.5	%			

LCS/LCSD Recovery Report

LCS ID: WG160646-2
LCSD ID: WG160646-3
Project:
SDG: SI1998
Report Date: 10-APR-15
LCS File ID: AID20039A.

Received Date:
Extract Date: 02-APR-15
Extracted By: KF
Extraction Method: SW846 3510
Lab Prep Batch: WG160646
LCSD File ID: AID20040A.D

Analysis Date: 03-APR-15
Analyst: AC
Analysis Method: SW846 8015D
Matrix: AQ
% Solids: NA

Compound	Spike Amt	LCS Conc	LCS Rec (%)	LCSD Conc	LCSD Rec (%)	Conc Units	RPD (%)	RPD Limit	Limits
Extractable TPH C9-C36	500.	407.	81.4	372.	74.4	ug/L	9	30	45-118
o-Terphenyl			85.0		79.5				51-103

Katahdin Analytical Services, Inc.

Sample Receipt Condition Report

Client: <u>Acedia</u>	KAS PM: <u>DJP JO</u>	Sampled By: <u>Client</u>
Project:	KIMS Entry By: <u>AP</u>	Delivered By: <u>Gen KAS</u>
KAS Work Order#: <u>SI1998</u>	KIMS Review By: <u>JO</u>	Received By: <u>AP</u>
SDG #:	Cooler: <u>1</u> of <u>1</u>	Date/Time Rec.: <u>3/31/15 1500</u>

Receipt Criteria	Y	N	EX*	NA	Comments and/or Resolution
1. Custody seals present / intact?	/				
2. Chain of Custody present in cooler?	/				
3. Chain of Custody signed by client?	/				
4. Chain of Custody matches samples?	/				
5. Temperature Blanks present? If not, take temperature of any sample w/ IR gun.		/			Temp (°C): <u>4.7</u>
Samples received at <6 °C w/o freezing?	/				Note: Not required for metals analysis.
Ice packs or ice present?	/				The lack of ice or ice packs (i.e. no attempt to begin cooling process) or insufficient ice may not meet certain regulatory requirements and may invalidate certain data.
If yes, was there sufficient ice to meet temperature requirements?	/				
If temp. out, has the cooling process begun (i.e. ice or packs present) and sample collection times <6hrs., but samples are not yet cool?				/	Note: No cooling process required for metals analysis.
6. Volatiles:				/	
Aqueous: No bubble larger than a pea?				/	
Soil/Sediment:				/	
Received in airtight container?				/	
Received in methanol?				/	
Methanol covering soil?				/	
D.I. Water - Received within 48 hour HT?				/	
Air: Refer to KAS COC for canister/flow controller requirements.	√ if air included				
7. Trip Blank present in cooler?	/			/	
8. Proper sample containers and volume?	/				
9. Samples within hold time upon receipt?	/				
10. Aqueous samples properly preserved?	/				
Metals, COD, NH3, TKN, O/G, phenol, TPO4, N+N, TOC, DRO, TPH - pH <2				/	
Sulfide - >9				/	
Cyanide - pH >12				/	

* Log-In Notes to Exceptions: document any problems with samples or discrepancies or pH adjustments

CHAIN of CUSTODY

PLEASE BEAR DOWN AND
PRINT LEGIBLY IN PEN

Page _____ of _____

Client Acadia		Contact Mark Arienti	Phone # (207) 780-1230 x102		Fax # 											
Address 48 Free St		City Potomac	State ME		Zip Code 04101											
Purchase Order #		Proj. Name / No. 059-009		Katahdin Quote #												
Bill (if different than above)			Address													
Sampler (Print / Sign) Mark Arienti			Copies To:													
LAB USE ONLY		WORK ORDER #: S1199B KATAHDIN PROJECT NUMBER _____														
REMARKS:																
SHIPPING INFO: ☐ FED EX ☐ UPS ☐ CLIENT																
AIRBILL NO: _____																
TEMP °C _____ ☐ TEMP BLANK ☐ INTACT ☐ NOT INTACT																
*	Sample Description	Date / Time coll'd	Matrix	No. of Cntrs.	ANALYSIS AND CONTAINER TYPE PRESERVATIVES											
					Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	Filt. ☐ Y ☒ N	
	SW-001	3/26/4:30	H₂O	Z	JPH											
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
	/	/														
COMMENTS																
Relinquished By: (Signature)		Date / Time	Received By: (Signature)		Relinquished By: (Signature)		Date / Time	Received By: (Signature)								
		3/21/25														
Relinquished By: (Signature)		Date / Time	Received By: (Signature)		Relinquished By: (Signature)		Date / Time	Received By: (Signature)								

THE TERMS AND CONDITIONS ON THE REVERSE SIDE HEREOF SHALL GOVERN SERVICES, EXCEPT WHEN A SIGNED CONTRACTUAL AGREEMENT EXISTS.

Kalahadin Analytical Services 311998 page 00000009 of 00000010



Katahdin Analytical Services
Login Chain of Custody Report (Ino1)

Page: 1 of 1

Apr. 01, 2015

12:40 PM

Quote/Incoming: ACDGEN

Login Number: SI1998

Account: ACADIA001

Web

Acadia Environmental Technology, Inc.

Project:

Primary Report Address:

Mark Arienti

Acadia Environmental Technology

48 Free Street

Portland, ME 04101

Primary Invoice Address: marient@acadiaenvironmental.com

Accounts Payable

Acadia Environmental Technology

48 Free Street

Portland, ME 04101

Login Information:

ANALYSIS INSTRUCTIONS : Merge results.

CHECK NO. :

CLIENT PO# :

CLIENT PROJECT MANAGE :

CONTRACT :

COOLER TEMPERATURE : 4.7

DELIVERY SERVICES : KAS

EDD FORMAT : KAS064QC-XLS

LOGIN INITIALS : AP

PM : JO

PROJECT NAME : 059-009

QC LEVEL : II+

REGULATORY LIST :

REPORT INSTRUCTIONS : Email PDF & EDD, no hc. Email invoice to Mark.

SDG ID :

SDG STATUS :

Report CC Addresses:

Invoice CC Addresses:

Laboratory Sample ID	Client Sample Number	Collect Date/Time	Receive Date	Verbal PR Date	Due Date	Mailed
SI1998-1	SW-001	26-MAR-15 04:30	31-MAR-15		10-APR-15	
Matrix	Product	Hold Date (shortest)	Bottle Type	Bottle Count	Comments	
Aqueous	S SW8015M-TPH	02-APR-15	1L N-Amber Glass			

Total Samples: 1

Total Analyses: 1

9p
04-01-15

ATTACHMENT C
QUARTERLY COMPREHENSIVE STORMWATER INSPECTIONS

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

January-March ___ April – June ___ July-September ___
October-December X ___

Inspection for the Period:
(check one)

Inspection Item	Satisfactory		Corrective Action Required? (if yes, describe)
	Yes	No	
1. Are metal processing areas swept clean of dirt, debris, and trash on a weekly basis?	X		
2. Have leaks/spills from industrial equipment, drums, barrels or containers been absorbed and cleaned ASAP after each event??	X		
3. Are there absorbent booms in the concrete settling basin? If saturated with oil and dirt, have them replaced.	X		
4. Concrete settling basin is substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning.	X		
5. Oil-water Separators are substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning	X		
6. Is catch basin near Process Building loading dock draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	X		The catch basin is draining freely, but remove accumulated sediment before winter
7. Is catch basin near facility entrance draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	X		Leaves covering grate were removed; check periodically to make sure it is kept free of leaves
8. Are spill response materials stocked and available on-site in the areas where oil or chemicals may be present? If not, arrange to have replaced or refilled.	X		
9. Wet pond forebay is substantially free of sediment accumulation? If no, arrange to have it removed.	X		Fill in the couple ground hog holes on pond side slopes
10. Bioretention cell is substantially free of sediment accumulation? If not, arrange to have it removed	X		See note (a) on following page
11. Wet pond and bioretention pond outlet pipes are draining freely? If clogged or erosion is present, take corrective action.	X		
12. Slopes, edges of roadways, and other areas free of erosion? If not, arrange to have erosion repaired.	X		
13. Are all non-stormwater discharges observed authorized by the MSGP? If no, determine source and take corrective action.	X		None observed

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

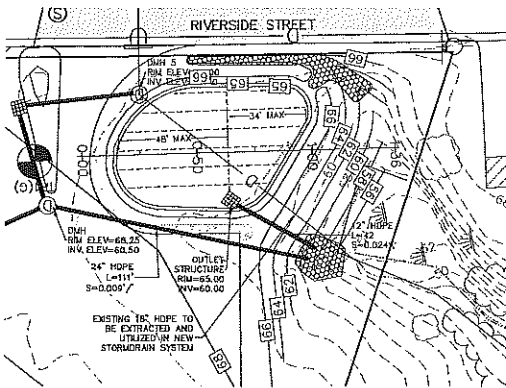
Comments:

(a) Stone "trench" between edge of parking area and bioretention basin needs to be leveled to allow even flow into the basin. Sediment accumulated in front of and within stones should be removed. Mulch eroded from the inlet side of the basin next to the stone trench should be replaced so there is a depth of 3 inches minimum throughout. Low-growing vegetation (weeds) should be removed in this same area. See attached plan and photos.

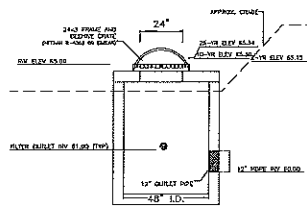
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

Authorized Signature: Mark Arienti, P.E.

Date: 12/2/15



BIORETENTION BASIN PLAN (POND 51)
SCALE: 1"=20'



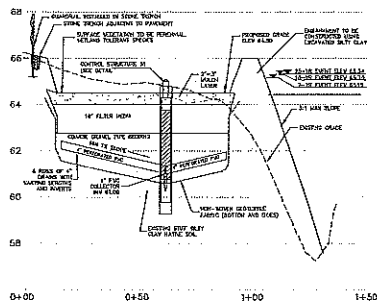
POND 51 OUTLET - CONTROL STRUCTURE
SCALE: 3/8"=1'-0"

NOTE:
-ALL POND SUBGRADMENTS SHALL BE CONSTRUCTED OF SAND WITH 20% CLAY CONTENT COMPACTED TO 95% MODIFIED PROCTOR, PLACED WITH 12" MAXIMUM LIFT THICKNESS.
-SUBGRADMENTS SHALL BE KEPT INTO UNDISTURBED SOIL.
-ALL NET PONDS LOCATED ON FREE DRAINING SOIL SHALL BE LINED WITH 3000 MESH BOX CLAY CONTENT COMPACTED TO 95% MODIFIED PROCTOR, WITH 12" MAXIMUM THICKNESS. THIS LAYER SHALL BE IN PLACE PRIOR TO RECEIVING PROJECT FLOWS.
-NET PONDS CONSTRUCTED IN NATIVE SILTS AND CLAYS DO NOT NEED TO INSTALL THICK LINES.

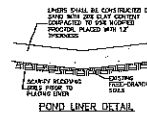


CIVIL CONSULTANTS
Engineers
Architects
P.E. Mark Arienti
Civil Engineer
Mark Arienti
2010-04-25-08
mark@markarient.com

NO.	DATE	REVISIONS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		



BIORETENTION BASIN
DETAIL (POND 51)
SCALE: 1"=20' HORIZ
1"=2' VERT



POND 51 OUTLET - CONTROL STRUCTURE
SCALE: 3/8"=1'-0"

Station	Depth
0+00	1.00
0+10	1.00
0+20	1.00
0+30	1.00
0+40	1.00
0+50	1.00
0+60	1.00
0+70	1.00
0+80	1.00
0+90	1.00
1+00	1.00

Station	Depth
0+00	1.00
0+10	1.00
0+20	1.00
0+30	1.00
0+40	1.00
0+50	1.00
0+60	1.00
0+70	1.00
0+80	1.00
0+90	1.00
1+00	1.00

Comments in red by
Mark Arienti, P.E.
12/2/15

SCRAP METAL RECYCLING FACILITY
RIVERSIDE STREET
PROLIERIZED NEW ENGLAND CO. LLC
FOR PLANS
PROLIERIZED NEW ENGLAND CO. LLC
MARK ARIENTI, P.E.
2010-04-25-08

CIVIL CONSULTANTS
Engineers
Architects
P.E. Mark Arienti
Civil Engineer
Mark Arienti
2010-04-25-08
mark@markarient.com

DATE: 12 FEBRUARY 2015
DRAWN: M.A.
CHECKED: M.A.
SCALE: AS SHOWN
SHEET NO: 1
SHEET TOTAL: 1
PROJECT: 08-759.00

DRG NAME: 08759.00-01
DIRECTOR: J. CARLSON/ENGINEERING/DRAWING
DATE: 02/14/2015



View Toward Clarification Basin from Parking Lot - Area to Remove Sediment and Reestablish Stone "Trench"



View of Woods (in foreground) of Clarification Basin

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

Inspection Date: 9/11/15	Inspector Name: Mark Arienti	Weather Conditions: Light Rain, 60s
--------------------------	------------------------------	-------------------------------------

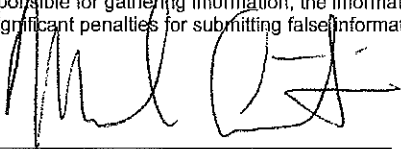
Inspection Item	Satisfactory		Corrective Action Required? (if yes, describe)
	Yes	No	
1. Are metal processing areas swept clean of dirt, debris, and trash on a weekly basis?	X		
2. Have leaks/spills from industrial equipment, drums, barrels or containers been absorbed and cleaned ASAP after each event??	X		
3. Are there absorbent booms in the concrete settling basin? If saturated with oil and dirt, have them replaced.	X		
4. Concrete settling basin is substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning.		X	clean settling basin (it is scheduled for cleaning later in month)
5. Oil-water Separators are substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning	X		
6. Is catch basin near Process Building loading dock draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	X		
7. Is catch basin near facility entrance draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	X		
8. Are spill response materials stocked and available on-site in the areas where oil or chemicals may be present? If not, arrange to have replaced or refilled.	X		
9. Wet pond forebay is substantially free of sediment accumulation? If no, arrange to have it removed.	X		
10. Bioretention cell is substantially free of sediment accumulation? If not, arrange to have it removed	X		see note (a)
11. Wet pond and bioretention pond outlet pipes are draining freely? If clogged or erosion is present, take corrective action.	X		
12. Slopes, edges of roadways, and other areas free of erosion? If not, arrange to have erosion repaired.	X		
13. Are any non-stormwater discharges observed <u>authorized</u> by the MSGP? If no, determine source and take corrective action.	X		none observed

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

Comments:

(a) Rake out and/or add new mulch in bioretention basin

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

Authorized Signature: 

Date: 9/11/15

Quarterly Stormwater Management Facility Inspection Checklist
Proterized New England, Portland, Maine

Inspection Date: 5/13/15 Inspector Name: Mark Arienti Weather Conditions: SUNNY, CLOUDS, WINDY

Inspection Item	Satisfactory		Corrective Action Required? (If yes, describe)
	Yes	No	
1. Are metal processing areas swept clean of dirt, debris, and trash on a weekly basis?	✓		SEE NOTE #1
2. Have leaks/spills from industrial equipment, drums, barrels or containers been absorbed and cleaned ASAP after each event??	✓		
3. Are there absorbent booms in the concrete settling basin? If saturated with oil and dirt, have them replaced.	✓		SEE NOTE #2
4. Concrete settling basin is substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning.	✓		
5. Oil-water Separators are substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning	✓		
Is catch basin near Process Building loading dock draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓		
7. Is catch basin near facility entrance draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓		
8. Are spill response materials stocked and available on-site in the areas where oil or chemicals may be present? If not, arrange to have replaced or refilled.	✓		
9. Wet pond forebay is substantially free of sediment accumulation? If no, arrange to have it removed.	✓		
10. Bioretention cell is substantially free of sediment accumulation? If not, arrange to have it removed	✓		
11. Wet pond and bioretention pond outlet pipes are draining freely? If clogged or erosion is present, take corrective action.	✓		
12. Slopes, edges of roadways, and other areas free of erosion? If not, arrange to have erosion repaired.		✓	SEE NOTE #3
13. Are all non-stormwater discharges observed <u>authorized</u> by the MSGP? If no, determine source and take corrective action.	✓		

Quarterly Stormwater Management Facility Inspection Checklist
Proterized New England, Portland, Maine

Comments:

1)	CLEAN UP ANY TRASH OR SCRAP THAT HAS MIGRATED ONTO GRASSY AREAS
2)	BOOMS ARE NOT SATURATED YET, BUT MONITOR AND REPLACE ANY THAT BECOME SATURATED
3)	REPAIR EROSION ON THE EDGES/SIDEWALL OF BIORETENTION BASIN AND PLACE 1" OF NEW MULCH IN BASIN

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

Authorized Signature: _____

Date: 5/13/15

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

January-March ☒ April - June ☐ July-September ☐
October-December ☐

Inspection for the Period:
(check one)

3/26/15
4:00 PM
LIGHT RAIN / SNOWMELT

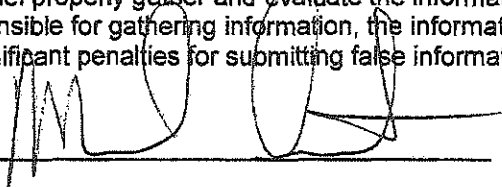
Inspection Item	Satisfactory		Corrective Action Required? (if yes, describe)
	Yes	No	
1. Are metal processing areas swept clean of dirt, debris, and trash on a weekly basis?			WINTER CONDITIONS HAVE PREVENTED THROUGH SWEEPING, SCHEDULE FULL SWEEPING WHEN PAVEMENT DRIES
2. Have leaks/spills from industrial equipment, drums, barrels or containers been absorbed and cleaned ASAP after each event??	✓		
3. Are there absorbent booms in the concrete settling basin? If saturated with oil and dirt, have them replaced.	✓		ONE VISIBLE OTHERS LIKELY COVERED BY SNOW, REPLACE WHEN SNOW MELTS
4. Concrete settling basin is substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning.			SNOW COVER PRECLUDED INSPECTION
5. Oil-water Separators are substantially free of excessive sediment or floatables accumulation? If not arrange for cleaning	✓		
6. Is catch basin near Process Building loading dock draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓		EMPTY FILTER IN APRIL
7. Is catch basin near facility entrance draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓		EMPTY FILTER IN APRIL
8. Are spill response materials stocked and available on-site in the areas where oil or chemicals may be present? If not, arrange to have replaced or refilled.	✓		
9. Wet pond forebay is substantially free of sediment accumulation? If no, arrange to have it removed.			IT WAS SNOW/ICE COVERED AND NOT POSSIBLE TO INSPECT
10. Bioretention cell is substantially free of sediment accumulation? If not, arrange to have it removed	✓		
11. Wet pond and bioretention pond outlet pipes are draining freely? If clogged or erosion is present, take corrective action.	✓		
12. Slopes, edges of roadways, and other areas free of erosion? If not, arrange to have erosion repaired.			SOME AREAS SNOW COVERED AND COULDN'T BE INSPECTED
13. Are all non-stormwater discharges observed <u>authorized</u> by the MSGP? If no, determine source and take corrective action.	✓		NONE OBSERVED

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

Comments:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowingly violating the law.

Authorized Signature:



Date:

3/26/15

ATTACHMENT D
REPORT ON APRIL 14, 2015 FIRE



April 17, 2015

via email: randy.l.mcmullin@maine.gov

Mr. Randy McMullin
Maine Department of Environmental Protection
312 Canco Road
Portland, ME 04103

RE: Summary of Site Activities
Prolerized New England Company LLC/Schnitzer Northeast
568 Riverside Street
Portland, ME 04103

Dear Mr. McMullin,

This letter summarizes the activities which took place at the above referenced facility as a result of a fire that occurred on Tuesday April 14, 2014. The facility is situated on approximately 12.9 acres and is licensed by the state and city to receive and process scrap metal materials. All scrap metal stored outdoors is handled on a 1.85 acre concrete pad operating area.

At approximately 3:15 pm, the Portland Fire Department was notified of a fire in the northern portion of the site in an area used for scrap metal "light iron" storage. The Portland Fire Department, an Alcohol Tobacco and Firearms (ATF) agent, and the Maine Department of Environmental Protection (MEDEP) responded to the fire. Fire Department personnel left the site at approximately 8:00 pm. A copy of the Incident Report from the Portland Fire Department is attached with this letter report. Stephen Brezinski of the MEDEP responded to the incident.

The fire occurred on a concrete pad in the outside operating area of the site where storm-water sheet flows to on-site retention basins that are connected to an on-site storm water system. The storm-water system employs a drainage swale, which flows to a retention basin, which flows to 3 oil-water separators, and then to a filtration pond prior to off-site discharge. All stormwater from the site is discharged via the unnamed stream along the southwest side of the site or a wetland along the northwest side of the site to the Presumpscot River.

The Portland Fire Department notified the MEDEP of the water runoff due to fire-fighting activities. During the fire, oil absorbent booms and oil absorbent pads were deployed at the retention basin and in the filtration pond as a preventative measure to capture any oil that could have potentially traveled through the stormwater system.

According to Chief Jackson of the Portland Fire Department, approximately 700 gallons of Aqueous Film Forming Foam (AFFF) was also used in conjunction with 100,000 gallons of water by the Portland Fire Department during the fire. As requested by



MEDEP, a sample for biological oxygen demand (BOD) was collected by Acadia Environmental of Portland, ME on April 15, 2015 from both the filtration pond and the retention basin. Since fire-fighting water runoff contains AFFF and could affect the oxygen level in the stormwater runoff, the intent of the BOD sampling is to ensure the proper levels of oxygen exist in the stormwater retained on site, prior to discharge. Fire suppression run-off was directed to the on-site stormwater management system. There were no unauthorized stormwater discharges observed during the incident.

During fire-fighting operations, as directed by the fire department, the scrap metal pile was manipulated by Schnitzer personnel utilizing a material handler and a loader, and was subsequently flushed with water.

Following the fire, Schnitzer representatives did not observe any sheen present in the storm-water management system.

The source of the fire is unknown. There were no injuries to Schnitzer personnel, visitors on site, or property damage as a result of the fire. Several Schnitzer employees were tested for smoke inhalation (CO levels) by the Portland Fire Department and were confirmed to be healthy.

The stormwater system, including the oil-water separators and retention basin, were recently cleaned by Tradebe and Clean Harbors on September 19, 2014, which involved the off-site disposal of both water and sediment. The oil-water separator is routinely serviced on an annual basis. No deficiencies were noted during the September 19, 2014 cleaning and inspection. The site and associated storm-water management system is permitted under a National Pollutant Discharge Elimination System Multi-Sector General Permit (MSGP) Permit # MER05C018. As noted in the MSGP, discharge from fire-fighting activities are considered exempt.

If you have any questions regarding this summary or the facility in general, please do not hesitate to contact me at (617) 233-2664.

Regards,

Richard Carmosino
Regional Environmental Manager

Attachments:

City of Portland Fire Department Incident Report

PORTLAND FIRE DEPARTMENT

Incident Report

Page 1

Prepared: 4/15/15, 11:05:52

Program: FI200L

=====

A	COL190 ME	4/14/15	Riverton Station	01-2015-0004476-000	NFIRS - 1
	FDID State	Incident date	Station	Incident number	Basic

=====

B	No	Not Required	Street address	Yes
	Alternative location	Census tract	Location	Emergency

=====

568 RIVERSIDE ST, PORTLAND, ME, 04103
Address

=====

C Outside rubbish, trash or waste fire
Incident type

=====

D Mutual aid received
Aid given or received

=====

E1	Date	Time	E2 Platoon 3	Not Required
Alarm	4/14/15	15:15:44	Shift	Alarms District
Dispatch	4/14/15	15:17:06		
Enroute	4/14/15	15:17:15		
Arrival	4/14/15	15:21:11		
Controlled	0/00/00	0:00:00		
Last unit cleared	4/14/15	19:59:07		

=====

F Extinguishment by fire service personnel	HazMat detection, monitoring, sampling, & analysis
Primary action taken (1)	Additional action taken (2)

=====

G1	Yes	Apparatus	Personnel	No	G2	Losses	Value
Apparatus/	Suppression	9	22	Resource counts	Property	0	0
personnel	EMS	2	4	include aid	Contents	4000	80000
form used	other	2	0	received resources			

=====

H1	Injuries	Deaths	H3 None
Fire service	0	0	Hazardous materials release
Civilian fire	0	0	

=====

I Not mixed use	J Outside material storage area
Mixed use property	Property use

=====

K1 MICHAEL FARR	Reporting party	207-772-8329
Name	Involvement type	Phone number
000000		0/00/0000
Address	Gender	Age
	Birth date	Race

=====

M GARY A. DEVOS, JR.	CAPTMTB	CAPTMTB	4/14/15
Member making report	Position or rank	Assignment	Date

=====

PORTLAND FIRE DEPARTMENT

Incident Report

Page 2

Prepared: 4/15/15, 11:05:52

Program: FI200L

FDOM	State	Incident date	Station	Incident number	NFIRS - 2 Fire
------	-------	---------------	---------	-----------------	-------------------

B1 Not residential	C Steel, iron products	Bulk storage or warehousing
Estimated number of residential units	On-site material 1	Material 1 storage use

B2 Buildings not involved
Number of buildings involved

B3 None
Acres burned (outside fires)

D1 Shipping/receiving area, loading area, dock or bay Area of fire origin	R1 Cause under investigation Cause of ignition
--	---

D2 Undetermined Heat source	R2 Undetermined Factor 1 contributing to ignition
--------------------------------	--

D3 Undetermined Item first ignited No Spread confined to object of origin	R3 None Human factors contributing to ignition
--	---

D4 Undetermined Type of material first ignited

F1 None Equipment involved in ignition	F2
---	----

G
Fire suppression factor 1

HL None Mobile property involved	H2 Mobile property type Mobile property make Mobile property model 0000 Year License plate State VIN
-------------------------------------	---

PORTLAND FIRE DEPARTMENT

Incident Report

Page 3

Prepared: 4/15/15, 11:05:52

Program: FI200L

=====

A	CO190 ME	4/14/15	Riverton Station	01-2015-0004476-000	NRIRS - 9/10
	FDID State	Incident date	Station	Incident number	Apparatus/Personnel

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	C2	Chief officer car	1	Suppression		Yes
		Dispatched	4/14/15	15:17:07		
		Enroute	4/14/15	15:18:10		
		At Scene	4/14/15	15:27:40		
		In Service	4/14/15	19:51:15		

Employee	Assignment	Position	Action taken
2021990 ROBERT M. THOMPSON	Chiefs/BMTI	Deputy Chief	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	(X) C4	Support apparatus, other	0	Other		Yes
		Dispatched	4/14/15	15:28:53		
		In Service	4/14/15	19:08:24		

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	C7	Support apparatus, other	0	Other		Yes
		Dispatched	4/14/15	15:30:55		
		At Scene	4/14/15	15:30:55		
		In Service	4/14/15	19:26:02		

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	E1	Engine	3	Suppression		Yes
		Dispatched	4/14/15	15:17:07		
		Enroute	4/14/15	15:17:38		
		At Scene	4/14/15	16:00:02		
		In Service	4/14/15	19:54:33		

Employee	Assignment	Position	Action taken
961974 EDWARD R. DICKHAUT, III	Firefighter/No EMS	Fire Fighter	
1782004 VINCENT A. DIFILIPPO JR.	Firefighter/BMTB	Fire Fighter	
2771995 KEVIN P. MCGUIRE	Capt/EMTP	CAPT/EMTP	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	E11	Engine	3	Suppression		Yes
		Dispatched	4/14/15	15:17:07		
		Enroute	4/14/15	15:17:34		
		At Hydrant	4/14/15	15:25:21		
		In Service	4/14/15	19:59:07		

Employee	Assignment	Position	Action taken
901986 TIMOTHY FLYNN	Firefighter/No EMS	Fire Fighter	
921993 CHRISTOPHER CHAMPAGNE	Lt/BMTI	Lt/BMTI	
2831995 STACY L. BERNIER	Firefighter/BMTB	FF/BMTB	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	E9	Engine	3	Suppression		Yes
		Dispatched	4/14/15	15:17:06		
		Enroute	4/14/15	15:18:15		

Apr. 17. 2015 1:10PM

No. 1821 P. 5

PORTLAND FIRE DEPARTMENT

Incident Report

Page 4

Prepared: 4/15/15, 11:05:52

Program: FI200L

```

=====
A C0190 ME      4/14/15   Riverton Station   01-2015-0004476-000      NFIRE - 9/10
FMD State      Incident date Station      Incident number      Apparatus/Personnel
=====

```

```

=====
B Apparatus  Type      Personnel  Use      Action taken      Emergency
E3           Engine      3          Suppression
At Scene      4/14/15  15:21:11
At Scene      4/14/15  16:36:03
=====

```

```

Employee      Assignment      Position      Action taken
1151983 GARY A. DEVOE, JR.      Capt/EMTB      CAPT/EMTB
1992005 ADAM D. ROYER      Firefighter/EMTI      FF/EMTI
2212005 LEONARD A. TRACY III      Firefighter/EMTI      FF/EMTI
=====

```

```

=====
B Apparatus  Type      Personnel  Use      Action taken      Emergency
L1           Truck or Aerial      3          Suppression
Dispatched      4/14/15  15:17:07
Enroute         4/14/15  15:18:20
At Scene        4/14/15  15:30:02
In Service      4/14/15  17:22:49
=====

```

```

Employee      Assignment      Position      Action taken
1712011 ADAM W. KALAKOWSKY      Firefighter/EMTI      Fire Fighter
1901993 CURTIS D. MAGNUSON      Lt/EMTB      Lt/EMTB
2092002 TODD J. LYSBY      Firefighter/EMTB      FF/EMTB
=====

```

```

=====
B Apparatus  Type      Personnel  Use      Action taken      Emergency
L3           Quint      3          Suppression
Dispatched      4/14/15  15:17:07
Enroute         4/14/15  15:18:09
At Scene        4/14/15  15:24:37
In Service      4/14/15  18:51:21
=====

```

```

Employee      Assignment      Position      Action taken
1051989 STEVEN J. CUMBACK      Firefighter/EMTB      FF/EMTB
1862000 JOHN S. BRENNAN      Lt/EMTB      Lieutenant
2662005 RALPH E. MUNROE      Firefighter/EMTI      FF/EMTI
=====

```

```

=====
B Apparatus  Type      Personnel  Use      Action taken      Emergency
L4           Quint      3          Suppression
Dispatched      4/14/15  15:17:07
Enroute         4/14/15  15:17:49
At Scene        4/14/15  15:25:04
In Service      4/14/15  19:52:38
=====

```

```

Employee      Assignment      Position      Action taken
1092002 MICHAEL P. SCHERR      Lt/EMTB      Lieutenant - P
1371990 PAUL M. ROYER      Firefighter/EMTB      FF/EMTB
1802000 H. W. CARMICHAEL      Firefighter/EMTB      FF/EMTB
=====

```

```

=====
B Apparatus  Type      Personnel  Use      Action taken      Emergency
MC3          ALS unit      2          EMS
Dispatched      4/14/15  15:26:37
At Scene        4/14/15  15:31:03
=====

```

PORTLAND FIRE DEPARTMENT
 Prepared: 4/15/15, 11:05:52
 Program: FY200L

Incident Report

Page 5

=====

A	C0190 ME	4/14/15	Riverton Station	01-2015-0004476-000	NFIRS - 9/10
	FDID State	Incident date	Station	Incident number	Apparatus/Personnel

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	MC3	ALS unit	2	BMS		Yes
	In Service		4/14/15	17:28:42		

Employee	Assignment	Position	Action taken
1182011 STEPHEN M. COPPI	Firefighter/EMTI	Fire Fighter	
1952011 MICHAEL C. MITCHELL	Firefighter/EMTI	Fire Fighter	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	MC4	ALS unit	2	BMS		Yes
	Dispatched		4/14/15	15:17:07		
	Enroute		4/14/15	15:18:26		
	In Service		4/14/15	19:53:00		

Employee	Assignment	Position	Action taken
1582011 ANDREW S. JOHNSTON	Firefighter/BMTP	Fire Fighter	
2252014 ROSS A. LARRABEE	Firefighter/EMTI	FF/EMTI	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	(X) OPS4	Other apparatus/resource	0	Other		Yes
	Dispatched		4/14/15	15:17:07		
	Dispatched		4/14/15	16:54:47		
	In Service		4/14/15	16:54:47		
	Recall		4/14/15	19:53:33		
	In Service		4/14/15	19:56:54		

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	RED1	Chief officer car	0	Suppression		Yes
	Dispatched		4/14/15	15:30:08		
	At Scene		4/14/15	15:30:08		
	In Service		4/14/15	19:55:05		

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	R1	Ground fire suppression, other	3	Suppression		Yes
	Dispatched		4/14/15	15:17:07		
	Enroute		4/14/15	15:17:15		
	At Scene		4/14/15	15:26:03		
	In Service		4/14/15	19:50:57		

Employee	Assignment	Position	Action taken
1632007 WENDELL HOWARD	Firefighter/EMTI	FF/EMTI	
1922000 SCOTT KRUM	Lt/EMTP	Lt/EMTP	
2621998 JON D. BELANGER	Firefighter/EMTB	FF/EMTB	

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	SPFOA	*ERROR*	0			Yes
	Dispatched		4/14/15	15:56:18		
	Enroute		4/14/15	16:14:05		
	At Scene		4/14/15	16:27:19		
	At Scene		4/14/15	16:32:52		

Apr. 17. 2015 1:11PM

No. 1821 P. 7

PORTLAND FIRE DEPARTMENT

Incident Report

Page 6

Prepared: 4/15/15, 11:05:52

Program: FI200L

=====

A	C0190 ME	4/14/15	Riverton Station	01-2015-0004476-000	NRIRS - 9/10
	FDID State	Incident date	Station	Incident number	Apparatus/Personnel

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	SPFOA	*ERROR*	0			Yes
	In Service	4/14/15	19:36:03			

=====

B	Apparatus	Type	Personnel	Use	Action taken	Emergency
	SPPM2	Support apparatus, other	0	Other		Yes
	Dispatched	4/14/15	16:09:12			
	Enroute	4/14/15	16:14:05			
	At Scene	4/14/15	16:27:19			
	At Scene	4/14/15	16:32:52			
	In Service	4/14/15	19:36:03			

=====

PORTLAND FIRE DEPARTMENT

Incident Report

Page 7

Prepared: 4/15/15, 11:05:52

Program: FI200L

=====

FDID	State	Incident date	Station	Incident number	Equipment used
------	-------	---------------	---------	-----------------	----------------

=====

A C0190 ME 4/14/15 Riverton Station 01-2015-0004476-000

Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
E1	AIR PACKS	0 O2	0 FT AERIAL	0 # LINES 1
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 PPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSPINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 0
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 100
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	0 PUMP MIN 210
	Totals:	0	0	311

Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
E11	AIR PACKS	1 O2	0 FT AERIAL	0 # LINES 2
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 PPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSPINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 0
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 850
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	0 PUMP MIN 210
	Totals:	1	0	1062

Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
E9	AIR PACKS	2 O2	0 FT AERIAL	0 # LINES 3
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 PPV	0 FT OF 2.5" 400
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSPINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 0
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 300
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	0 PUMP MIN 240
	Totals:	2	0	943

Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
L3	AIR PACKS	0 O2	0 FT AERIAL	85 # LINES 0
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 PPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSPINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 2
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 0
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN 120	0 PUMP MIN 120
	Totals:	0	0	205 122

PORTLAND FIRE DEPARTMENT

Incident Report

Page 8

Prepared: 4/15/15, 11:05:52

Program: FI200L

A C0190 ME 4/14/15 Riverton Station 01-2015-0004476-000

FDID State Incident date Station Incident number

Equipment used

B Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
L4	AIR PACKS	3 O2	0 FT AERIAL	105 # LINES 1
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 BPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSELINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 1
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 10
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	75 PUMP MIN 75
	Totals:	3	0	180 27

B Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
R1	AIR PACKS	3 O2	0 FT AERIAL	0 # LINES 0
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 BPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSELINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	1 # MST STR 0
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 0
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	0 PUMP MIN 0
	Totals:	3	0	1 0

B Apparatus	EQUIPMENT	RMS	LADDERS	HOSE/EXTING
SPF02A	AIR PACKS	0 O2	0 FT AERIAL	0 # LINES 0
	Elv Keys	0 BVM	0 FT OF LAD	0 FT OF 4" 0
	SALV COV	0 AED	0 BPV	0 FT OF 2.5" 0
	GAS METER	0 IV	0 SMOKE EJECT	0 FT OF 1.75 0
	EXTR TOOL2	0 CSELINE	0 WATER VAC	0 FT OF 1.5' 0
	AIR BAGS	0 DRUG BOX	0 ROPES FT	0 FT OF BST 0
	HALAGEN	0 ADV AIRWAY	0 INF CAMERA	0 # MST STR 1
	CO2	0 WATER RSQ	0 AIR TOOLS	0 FT OF 5" 0
	DRY CHEM	0 # BTLS FLD	0 LIGHT TWR	0 GEN MIN 0
	WATER CAN	0 INDIAN TAN	0 AERIAL MIN	0 PUMP MIN 0
	Totals:	0	0	0 1

Apr. 17. 2015 1:12PM

No. 1821 P. 10

PORTLAND FIRE DEPARTMENT

Incident Report

Page 9

Prepared: 4/15/15, 11:05:52

Program: FI200L

```
=====
A  C0190 ME      4/14/15  Riverton Station  01-2015-0004476-000
  FDID State    Incident date Station      Incident number      Additional information
=====
Day of week . . . . . : 003 Tuesday
Alarm type . . . . . : 002 Desk Box
All hands @ . . . . . : 1523
Second Alarm @ . . . . . :
Third alarm @ . . . . . :
Fourth Alarm/ general @ . . . . . :
Fire control @ . . . . . : 1930
Other times/ comments . . . . . :
```

PORTLAND FIRE DEPARTMENT

Incident Report

Page 10

Prepared: 4/15/15, 11:05:52

Program: FI200L

```
=====
A C0190 ME      4/14/15   Riverton Station   01-2015-0004476-000
  FDID State   Incident date Station          Incident number          Narratives
=====
```

B Narrative type: Incident

```

Narrative title      Entry date Entered by employee
Dispatch comments    4/14/15      5810 LANCE MAZAR
151040388
Call#: 151040388      Beat: ENGINE 9
Units.: C2      Employees: 0002221979 WALSH, TERENCE
Units.: C4      Employees: 0000000024 PD C4,
Units.: C7      Employees: 0001952000 HENDRICKS, JONATHAN
Units.: E1P     Employees: 0200600741 ENGINE 1 P,
Units.: E11     Employees: 0200600706 ENGINE 11,
Units.: E9      Employees: 0200600705 ENGINE 9,
Units.: L1      Employees: 0200600801 LADDER 1,
Units.: L3      Employees: 0200600802 LADDER 3,
Units.: L4P     Employees: 0200600843 LADDER 4 P,
Units.: MC3     Employees: 0000000623 MEDCU 3, STEVENS AVE
Units.: MC4     Employees: 2005123456 MIS, HELP DESK
Units.: OPS4
Units.: RED1    Employees: 0200600501 RED 1,
Units.: R1P     Employees: 0200600941 RESCUE 1 P,
Units.: SPFOAM
Units.: SPPM2

```

*** CAD Call Narrative ***

```

151040388 change from DBOX to ALLHANDS BY POST9A P 01 000000
FIRE IN THE IRON FILE
IN THE FILE AMONGST FILES OF CARS ETC
CO: REQUEST FOR THE FOAM TRAILER FROM SOPO
DEP CALLED AND AWAITING ON CALL BACK FROM DEP
DEP RESPONDING IN 40 MIN ETA
The following units paged:
  C001F078

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

```

-----
Recommendation: E9 L4P L3 E11 E1P L1
                R1P MC4 C2 OPS4

```

PORTLAND FIRE DEPARTMENT

Incident Report

Page 11

Prepared: 4/15/15, 11:05:52

Program: FY200L

```

=====
A  C0190 ME          4/14/15    Riverton Station    01-2015-0004476-000
  FDID State      Incident date Station            Incident number      Narratives
=====

```

B Narrative type: Incident

Narrative title	Entry date	Entered by employee
-----------------	------------	---------------------

Dispatch comments	0/00/00	
-------------------	---------	--

Recommendation: E9 L4P L3 E11 E1P L1		
--------------------------------------	--	--

R1P MC4 C2 OPS4		
-----------------	--	--

Recommendation: E9 L4P L3 E11 E1P L1		
--------------------------------------	--	--

R1P MC4 C2 OPS4		
-----------------	--	--

Recommendation: E9 L4P L3 E11 E1P L1		
--------------------------------------	--	--

R1P MC4 C2 OPS4		
-----------------	--	--

Recommendation: MC3		
---------------------	--	--

Narrative title	Entry date	Entered by employee
-----------------	------------	---------------------

Schnitzer	4/14/15	1151983 GARY A. DEVOR, JR.
-----------	---------	----------------------------

Call for "fire in the iron pile" at Schnitzer Recycling. On arrival found a 25 x 30 ft pile of scrap metal with heavy fire involvement, and a 40 x 40 ft pile exposed and in the mid-stage of involvement. E-9 layed its own feeder to a Schnitzer yard hydrant and stretched one 200 ft 2.5 inch line attempting to knock down the bulk of fire. E-9 then fed two BlitzFire master streams. L-3 arrived and set up for aerial master stream operation. E-11 layed a feeder from the front yard hydrant and provided supply to L-3 for aerial use. Schnitzer's loader/grappler started to create a fire break through the entire scrap pile, approx. 90 x 60 ft and 30 ft high at its highest point. South Portland Foam trailer/master stream was called and was used to extinguish the bulk of the fire, along with one BlitzFire used at the rear of the pile (Delta side.)

Schnitzer to provide one person on night watch. E-9 provided one 200 ft 2.5 inch line off the yard hydrant for Schnitzer's use in event of a rekindle.

Equipment used as indicated in the Apparatus module.

*Order 99-16/17
Tab 4 12/5/16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

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

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

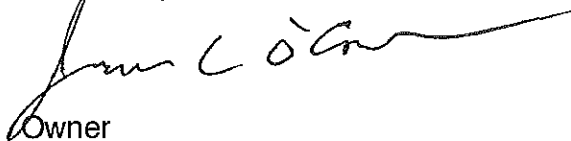
The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street.

Letter of Intent - Jager, 41 Wharf Street

Mr. Mayor, Members of City Council,

This letter serves to inform you of my intent to open a Bavarian pub at 41 Wharf street. The goal of Jager is to provide an upscale pub atmosphere reminiscent of pubs found in the mountain towns of Bavaria. We will serve food authentic in style to that region accompanied by wine and beers from, and true to the style of that region. Other Portland based beers will be available, as well as a craft cocktail list. My Chef-Partner Paul Kirschbaum is first generation American, coming from a family with a long tradition of owning restaurants in that region. He holds a culinary degree from the Culinary Institute of America, as well as degrees in restaurant management from Le Cordon Bleu in Australia. While my formal background is in Law, I have owned and operated The King's Head in the Pierce Atwood law firm building on Commercial street for two and a half years. The King's Head provides upscale casual pub dining combined with a draught list that in one short year achieved a rating of 98 on Beer Advocate, making the pub a tourist attraction, as well as a popular meeting place for Portland's business professionals. With your approval Jager will continue in that tradition.

Yours Truly,



Owner

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director
389 Congress St. Room 307 • 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):	The King's Head LLC DBA Tiger	Phone:	518 637-8784
Location Address:	41 Wharf Street	Zip:	04101
If new, what was formerly at this location:	Ollo Hair Salon		
Mailing Address:	PMB 762, 110 Marginal way	Zip:	04101
Contact Person:	Justin O'Connor	Phone:	518 637-8784
Contact Person Email:	OCOJUSTIN@gmail.com		
Manager of Establishment:	Justin O'Connor	Date of Birth:	2-16-79
Owner of Premises (Landlord):	Dream Port 3, LLC	Phone:	518 637-8784
Address of Premises Owner:	101 Merritt Ave, Bergen Field NJ	Zip:	07621

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	
The King's Head LLC DBA Tiger		PMB 762, 110 Marginal way Portland	
		Zip:	04101
Contact Person:	Justin O'Connor	Phone:	518 637-8784
Principal Officers	Title	Date of Birth	Residence Address
Justin O'Connor	CEO	2-16-79	154 High St, South Portland ME 04106

About Your Establishment

Class of Liquor License:	X2	
Type of food served:	Bavarian (German)	
Please circle all that will be served:	Beers ☒ Wine ☒ Liquor ☒	
Projected percentage of sales:	Generated from Food: 60%	Generated from Alcohol: 40%
Hours & days of operation:	7 Days 3pm - 12 AM	

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
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☒ N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Dancing & Entertainment is required.)	☒ Y
Will you permit dancing on the premises?	☒ Y
Will you permit dancing after 1:00 a.m.?	☒ Y
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	☒ Y
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
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____	
What is your targeted opening date?	12-15-16
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	☒ 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
If Yes, please list business name(s) and location(s):	
The King's Head LLC, 254 Commercial ST	
Is any principal officer under the age of 21?	☒ Y
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	☒ Y
If Yes, please explain:	
Justin C O'Connell	

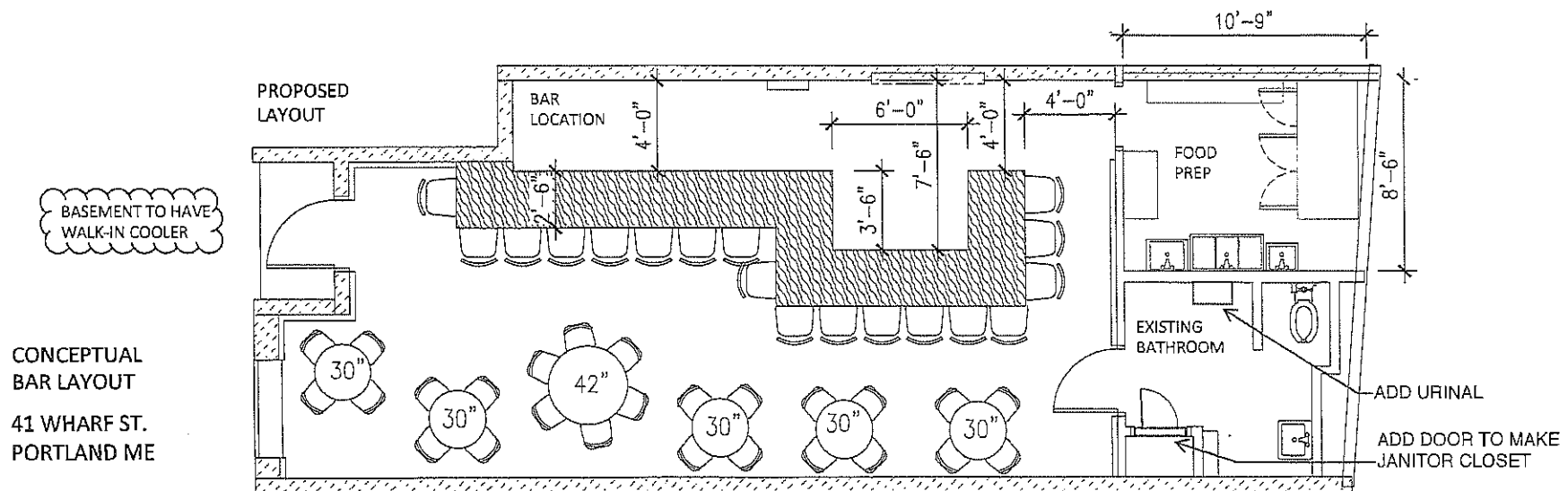
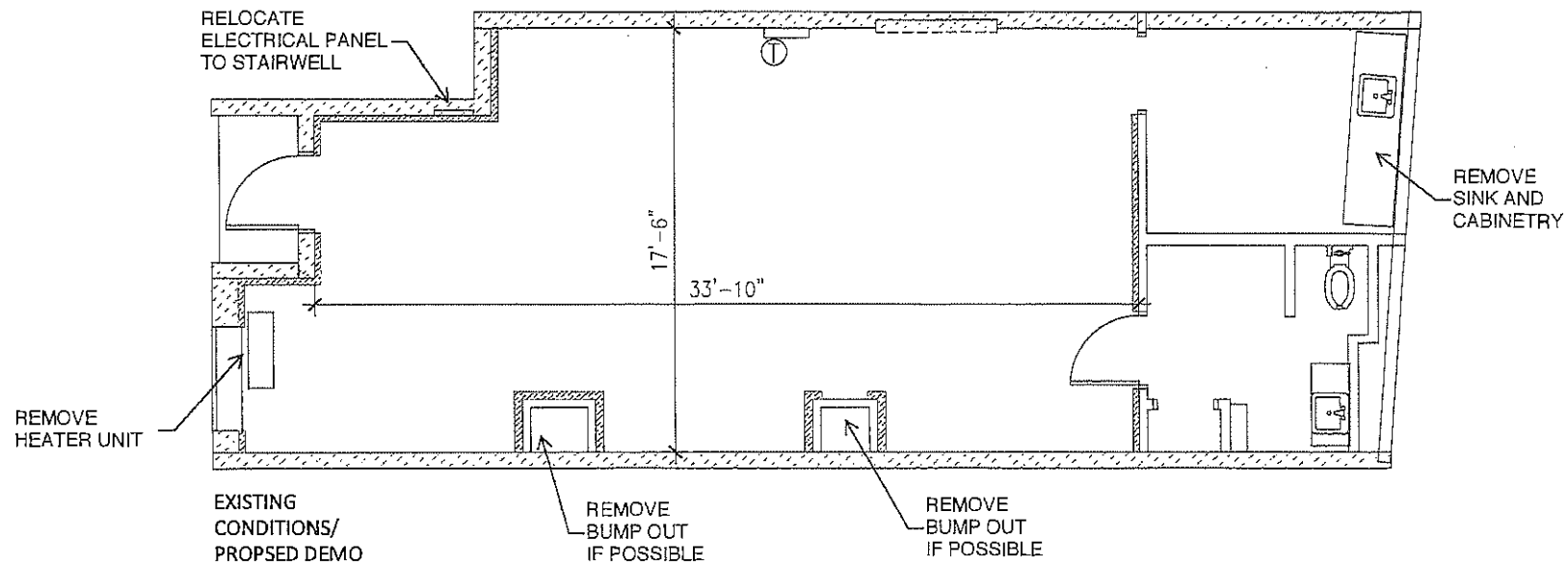
I, Justin C O'Connell do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require 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 Justin C O'Connell Title CEO Date 11-3-16

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.



Sänger

Preitzel

Field Number: 2007-010

Potato pancake

THE UNIVERSITY OF CHICAGO PRESS

Add Structural Steel Members: _____

German meat and cheese plat

For Supply and Algebra I, contact: info@mathworksheetsland.com
 Or call: 1-800-558-2122

Local mix green salad

THE OCEANOGRAPHY

Figure 1. The effect of the concentration of the *Agrobacterium* strain on the transformation efficiency of *Agrobacterium* strain 101. The concentration of the *Agrobacterium* strain 101 was varied from 10 to 1000 cells per μ l. The transformation efficiency was determined by the number of transformants per μ l of the *Agrobacterium* strain 101. The transformation efficiency was determined by the number of transformants per μ l of the *Agrobacterium* strain 101. The transformation efficiency was determined by the number of transformants per μ l of the *Agrobacterium* strain 101.

potato salad

一、本會為維護會員權益，特設「會員服務中心」，為會員提供各項服務，包括：(一) 會員登記、(二) 會員資格審核、(三) 會員會費徵收、(四) 會員名冊管理、(五) 會員通訊、(六) 會員活動安排、(七) 會員意見收集及處理、(八) 會員福利發放、(九) 會員資料保護、(十) 會員服務評估。

二、本會為加強與會員之聯繫，特設「會員服務熱線」，為會員提供24小時熱線服務，包括：(一) 會員查詢、(二) 會員投訴、(三) 會員建議、(四) 會員求助、(五) 會員諮詢、(六) 會員服務、(七) 會員活動、(八) 會員福利、(九) 會員資料、(十) 會員服務。

三、本會為提高會員之參與度，特設「會員服務平台」，為會員提供各項服務，包括：(一) 會員登記、(二) 會員資格審核、(三) 會員會費徵收、(四) 會員名冊管理、(五) 會員通訊、(六) 會員活動安排、(七) 會員意見收集及處理、(八) 會員福利發放、(九) 會員資料保護、(十) 會員服務評估。

四、本會為加強與會員之聯繫，特設「會員服務熱線」，為會員提供24小時熱線服務，包括：(一) 會員查詢、(二) 會員投訴、(三) 會員建議、(四) 會員求助、(五) 會員諮詢、(六) 會員服務、(七) 會員活動、(八) 會員福利、(九) 會員資料、(十) 會員服務。

五、本會為提高會員之參與度，特設「會員服務平台」，為會員提供各項服務，包括：(一) 會員登記、(二) 會員資格審核、(三) 會員會費徵收、(四) 會員名冊管理、(五) 會員通訊、(六) 會員活動安排、(七) 會員意見收集及處理、(八) 會員福利發放、(九) 會員資料保護、(十) 會員服務評估。

六、本會為加強與會員之聯繫，特設「會員服務熱線」，為會員提供24小時熱線服務，包括：(一) 會員查詢、(二) 會員投訴、(三) 會員建議、(四) 會員求助、(五) 會員諮詢、(六) 會員服務、(七) 會員活動、(八) 會員福利、(九) 會員資料、(十) 會員服務。

七、本會為提高會員之參與度，特設「會員服務平台」，為會員提供各項服務，包括：(一) 會員登記、(二) 會員資格審核、(三) 會員會費徵收、(四) 會員名冊管理、(五) 會員通訊、(六) 會員活動安排、(七) 會員意見收集及處理、(八) 會員福利發放、(九) 會員資料保護、(十) 會員服務評估。

八、本會為加強與會員之聯繫，特設「會員服務熱線」，為會員提供24小時熱線服務，包括：(一) 會員查詢、(二) 會員投訴、(三) 會員建議、(四) 會員求助、(五) 會員諮詢、(六) 會員服務、(七) 會員活動、(八) 會員福利、(九) 會員資料、(十) 會員服務。

九、本會為提高會員之參與度，特設「會員服務平台」，為會員提供各項服務，包括：(一) 會員登記、(二) 會員資格審核、(三) 會員會費徵收、(四) 會員名冊管理、(五) 會員通訊、(六) 會員活動安排、(七) 會員意見收集及處理、(八) 會員福利發放、(九) 會員資料保護、(十) 會員服務評估。

十、本會為加強與會員之聯繫，特設「會員服務熱線」，為會員提供24小時熱線服務，包括：(一) 會員查詢、(二) 會員投訴、(三) 會員建議、(四) 會員求助、(五) 會員諮詢、(六) 會員服務、(七) 會員活動、(八) 會員福利、(九) 會員資料、(十) 會員服務。

BRATWURST ROLL

Table 3. *Effect of Temperature and Time on the*

[illegible]

BRATWURST-MÄLE

[illegible][illegible]

1. *Chlorophyll a* (Chl *a*)
 2. *Chlorophyll b* (Chl *b*)
 3. *Chlorophyll c* (Chl *c*)
 4. *Chlorophyll d* (Chl *d*)
 5. *Chlorophyll e* (Chl *e*)
 6. *Chlorophyll f* (Chl *f*)
 7. *Chlorophyll g* (Chl *g*)
 8. *Chlorophyll h* (Chl *h*)
 9. *Chlorophyll i* (Chl *i*)
 10. *Chlorophyll j* (Chl *j*)
 11. *Chlorophyll k* (Chl *k*)
 12. *Chlorophyll l* (Chl *l*)
 13. *Chlorophyll m* (Chl *m*)
 14. *Chlorophyll n* (Chl *n*)
 15. *Chlorophyll o* (Chl *o*)
 16. *Chlorophyll p* (Chl *p*)
 17. *Chlorophyll q* (Chl *q*)
 18. *Chlorophyll r* (Chl *r*)
 19. *Chlorophyll s* (Chl *s*)
 20. *Chlorophyll t* (Chl *t*)
 21. *Chlorophyll u* (Chl *u*)
 22. *Chlorophyll v* (Chl *v*)
 23. *Chlorophyll w* (Chl *w*)
 24. *Chlorophyll x* (Chl *x*)
 25. *Chlorophyll y* (Chl *y*)
 26. *Chlorophyll z* (Chl *z*)
 27. *Chlorophyll aa* (Chl *aa*)
 28. *Chlorophyll ab* (Chl *ab*)
 29. *Chlorophyll ac* (Chl *ac*)
 30. *Chlorophyll ad* (Chl *ad*)
 31. *Chlorophyll ae* (Chl *ae*)
 32. *Chlorophyll af* (Chl *af*)
 33. *Chlorophyll ag* (Chl *ag*)
 34. *Chlorophyll ah* (Chl *ah*)
 35. *Chlorophyll ai* (Chl *ai*)
 36. *Chlorophyll aj* (Chl *aj*)
 37. *Chlorophyll ak* (Chl *ak*)
 38. *Chlorophyll al* (Chl *al*)
 39. *Chlorophyll am* (Chl *am*)
 40. *Chlorophyll an* (Chl *an*)
 41. *Chlorophyll ao* (Chl *ao*)
 42. *Chlorophyll ap* (Chl *ap*)
 43. *Chlorophyll aq* (Chl *aq*)
 44. *Chlorophyll ar* (Chl *ar*)
 45. *Chlorophyll as* (Chl *as*)
 46. *Chlorophyll at* (Chl *at*)
 47. *Chlorophyll au* (Chl *au*)
 48. *Chlorophyll av* (Chl *av*)
 49. *Chlorophyll aw* (Chl *aw*)
 50. *Chlorophyll ax* (Chl *ax*)
 51. *Chlorophyll ay* (Chl *ay*)
 52. *Chlorophyll az* (Chl *az*)
 53. *Chlorophyll aza* (Chl *aza*)
 54. *Chlorophyll abz* (Chl *abz*)
 55. *Chlorophyll acz* (Chl *acz*)
 56. *Chlorophyll adz* (Chl *adz*)
 57. *Chlorophyll aez* (Chl *aez*)
 58. *Chlorophyll afz* (Chl *afz*)
 59. *Chlorophyll agz* (Chl *agz*)
 60. *Chlorophyll ahz* (Chl *ahz*)
 61. *Chlorophyll aiz* (Chl *aiz*)
 62. *Chlorophyll ajz* (Chl *ajz*)
 63. *Chlorophyll akz* (Chl *akz*)
 64. *Chlorophyll alz* (Chl *alz*)
 65. *Chlorophyll amz* (Chl *amz*)
 66. *Chlorophyll anz* (Chl *anz*)
 67. *Chlorophyll aoz* (Chl *aoz*)
 68. *Chlorophyll apz* (Chl *apz*)
 69. *Chlorophyll aqz* (Chl *aqz*)
 70. *Chlorophyll arz* (Chl *arz*)
 71. *Chlorophyll asz* (Chl *asz*)
 72. *Chlorophyll atz* (Chl *atz*)
 73. *Chlorophyll auz* (Chl *auz*)
 74. *Chlorophyll avz* (Chl *avz*)
 75. *Chlorophyll awz* (Chl *awz*)
 76. *Chlorophyll axz* (Chl *axz*)
 77. *Chlorophyll ayz* (Chl *ayz*)
 78. *Chlorophyll ayz* (Chl *ayz*)
 79. *Chlorophyll azz* (Chl *azz*)
 80. *Chlorophyll azaa* (Chl *aza*)
 81. *Chlorophyll abz* (Chl *abz*)
 82. *Chlorophyll acz* (Chl *acz*)
 83. *Chlorophyll adz* (Chl *adz*)
 84. *Chlorophyll aez* (Chl *aez*)
 85. *Chlorophyll afz* (Chl *afz*)
 86. *Chlorophyll agz* (Chl *agz*)
 87. *Chlorophyll ahz* (Chl *ahz*)
 88. *Chlorophyll aiz* (Chl *aiz*)
 89. *Chlorophyll ajz* (Chl *ajz*)
 90. *Chlorophyll akz* (Chl *akz*)
 91. *Chlorophyll alz* (Chl *alz*)
 92. *Chlorophyll amz* (Chl *amz*)
 93. *Chlorophyll anz* (Chl *anz*)
 94. *Chlorophyll aoz* (Chl *aoz*)
 95. *Chlorophyll apz* (Chl *apz*)
 96. *Chlorophyll aqz* (Chl *aqz*)
 97. *Chlorophyll arz* (Chl *arz*)
 98. *Chlorophyll asz* (Chl *asz*)
 99. *Chlorophyll atz* (Chl *atz*)
 100. *Chlorophyll auz* (Chl *auz*)
 101. *Chlorophyll avz* (Chl *avz*)
 102. *Chlorophyll awz* (Chl *awz*)
 103. *Chlorophyll axz* (Chl *axz*)
 104. *Chlorophyll ayz* (Chl *ayz*)
 105. *Chlorophyll ayz* (Chl *ayz*)
 106. *Chlorophyll ayz* (Chl *ayz*)
 107. *Chlorophyll ayz* (Chl *ayz*)
 108. *Chlorophyll ayz* (Chl *ayz*)
 109. *Chlorophyll ayz* (Chl *ayz*)
 110. *Chlorophyll ayz* (Chl *ayz*)
 111. *Chlorophyll ayz* (Chl *ayz*)
 112. *Chlorophyll ayz* (Chl *ayz*)
 113. *Chlorophyll ayz* (Chl *ayz*)
 114. *Chlorophyll ayz* (Chl *ayz*)
 115. *Chlorophyll ayz* (Chl *ayz*)
 116. *Chlorophyll ayz* (Chl *ayz*)
 117. *Chlorophyll ayz* (Chl *ayz*)
 118. *Chlorophyll ayz* (Chl *ayz*)
 119. *Chlorophyll ayz* (Chl *ayz*)
 120. *Chlorophyll ayz* (Chl *ayz*)
 121. *Chlorophyll ayz* (Chl *ayz*)
 122. *Chlorophyll ayz* (Chl *ayz*)
 123. *Chlorophyll ayz* (Chl *ayz*)
 124. *Chlorophyll ayz* (Chl *ayz*)
 125. *Chlorophyll ayz* (Chl *ayz*)
 126. *Chlorophyll ayz* (Chl *ayz*)
 127. *Chlorophyll ayz* (Chl *ayz*)
 128. *Chlorophyll ayz* (Chl *ayz*)
 129. *Chlorophyll ayz* (Chl *ayz*)
 130. *Chlorophyll ayz* (Chl *ayz*)
 131. *Chlorophyll ayz* (Chl *ayz*)
 132. *Chlorophyll ayz* (Chl *ayz*

[illegible]

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

[illegible]

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV) ☒ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL NO FOOD (Class I-A)
☐ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>The King's Head LLC DBA Jäger</u>	Business Name (D/B/A) <u>Jäger</u>
APPLICANT(S) – (Sole Proprietor) DOB:	Physical Location: <u>41 Wharf ST</u>
DOB:	City/Town State Zip Code <u>Portland ME 04101</u>
Address <u>254 Commercial ST</u>	Mailing Address <u>PMB 762, 110 Marginal way</u>
City/Town State Zip Code <u>Portland ME 04101</u>	City/Town State Zip Code <u>Portland ME 04101</u>
Telephone Number Fax Number <u>518-637-8784</u>	Business Telephone Number Fax Number <u>518-637-8784</u>
Federal I.D. # <u>46-2662305</u>	Seller Certificate #: <u>110 8808</u> or Sales Tax #:
Email Address: Please Print <u>OCOJustin@gmail.com</u>	Website: <u>Jageroldport.com</u>

If business is NEW or under new ownership, indicate starting date: 9-1-16

Requested inspection date: 10-10-16 Business hours: 3pm - 12am

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
2. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____

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

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

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

5. If manager is to be employed, give name: _____

6. Business records are located at: 41 Wharf ST, Portland ME 04101

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

8. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

9. 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
<u>Justin Carson O'Connor</u>	<u>2-16-1979</u>	<u>Saranac Lake NY</u>
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
<u>Keene Valley NY, 12943 / Portland ME, 04101 / South Portland ME, 04106</u>		

10. 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: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

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

13. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Keen Port 3 LLC
101 Meritt Ave, Bergenfield NJ 07621

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) See Attached

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☒ Applied for: When Space Brings To Code

16. 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 Mile Which of the above is nearest? church

17. 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 & Enforcement 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: City Hall - Portland on 11-3-16, 20 16
Town/City, State Date

Justin C. O'Connor
Signature of Applicant or Corporate Officer(s)
Justin C. O'Connor
Print Name

Please sign in blue ink

Justin C. O'Connor
Signature of Applicant or Corporate Officer(s)
Justin C. O'Connor
Print Name



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: The King's Head LLC
2. Doing Business As, if any: Jäger
3. Date of filing with Secretary of State: 1-13-13 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

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

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Justin O'Connor	154 High St, South Portland ME, 04106	2-16-79	CEO	99%
	123 Adams Acres La Keene Valley NY 12943			
Paul Kirschbaum	29 Kellogg St Apt 2 Portland ME 04101	12-8-78	Chef	1%

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)
7. Is any principal person involved with the entity a law enforcement official?
Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. 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 ☒

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

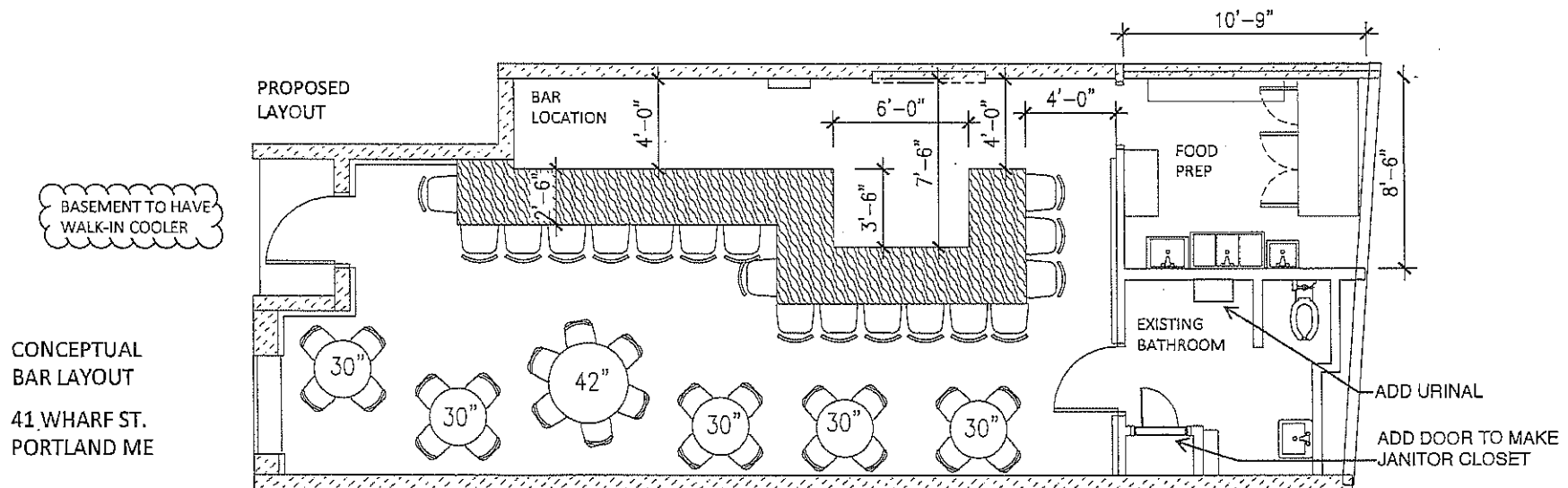
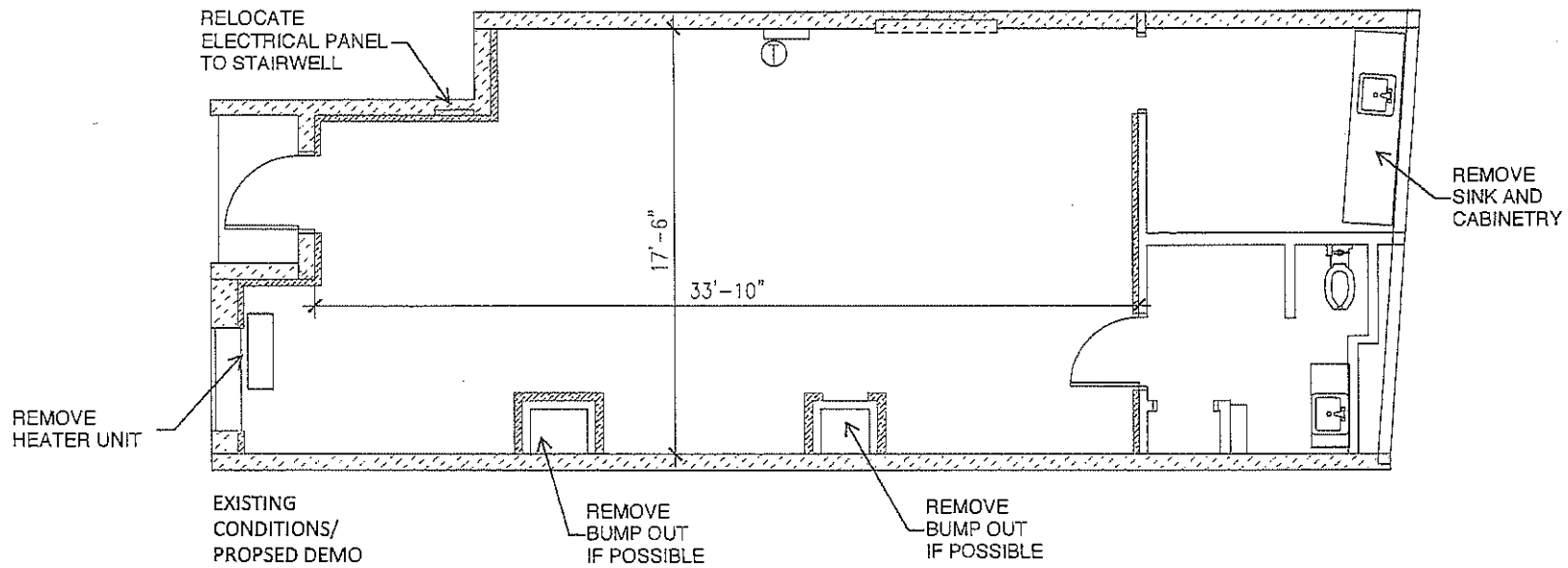
 11-3-16
Signature of Duly Authorized Person Date

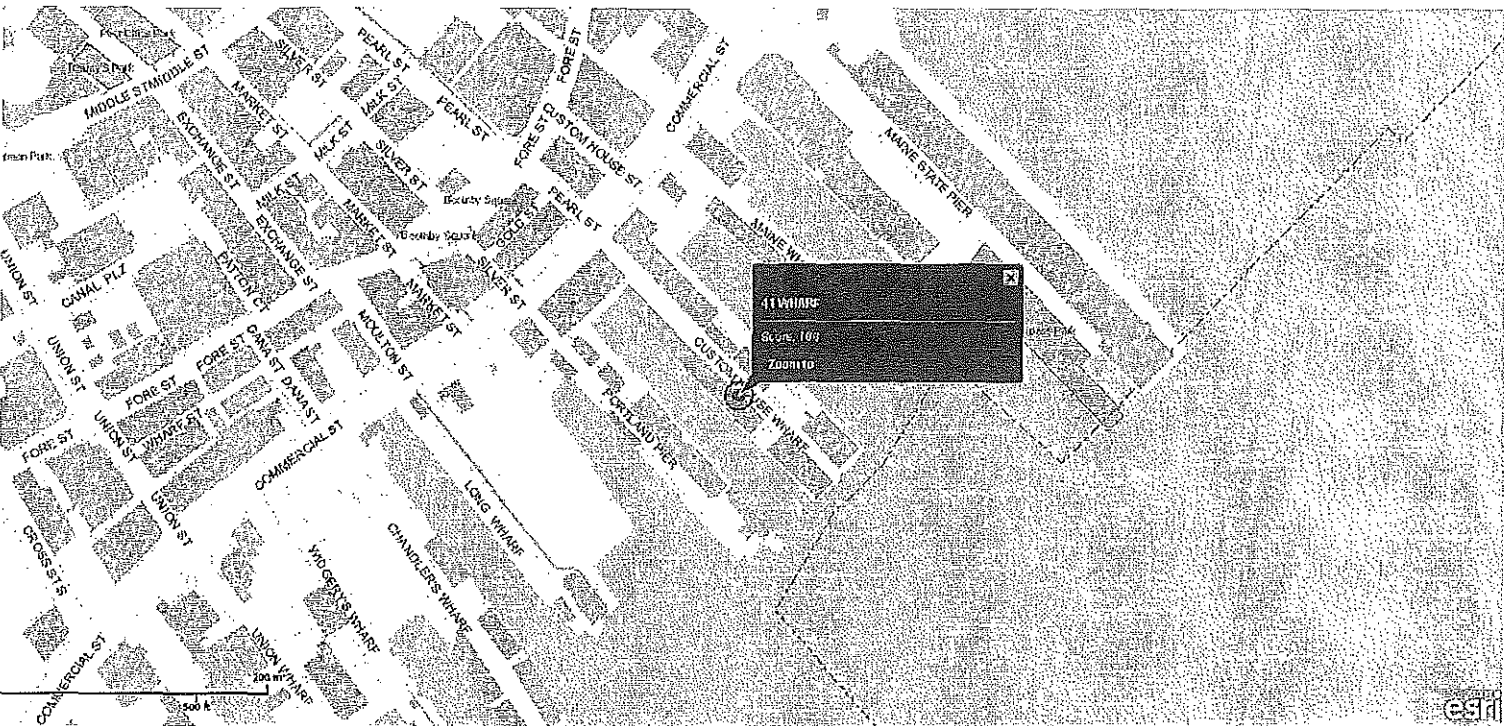
Justin C. O'Connor
Print Name of Duly Authorized Person

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

TYPE 2/CP 16
JUL 1 1/4"=1'-0"
SCALE HTIV max
DATE 160829
PKET A-1
REVISIONS
REVISIONS AND DATE OF THE
REVISIONS AND DATE OF THE
REVISIONS AND DATE OF THE







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

MELISSA CAIAZZO
389 CONGRESS ST
PORTLAND, ME 04101

Transaction Response #: MIQ99D054674

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-11-03) :

Inquiries Name(s) JUSTIN O'CONNOR (1979-02-16)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

November 15, 2016

The King's Head, LLC
Attn: Justin O'Connor
PMB 762, 110 Marginal Way
Portland, ME 04101

Re: The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street.

Dear Mr. O'Connor,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, December 5th at 12:30 p.m.**, for the review of your application for a Class XI Restaurant/Lounge License at 41 Wharf Street. 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, jhanscombe@portlandmaine.gov

Sincerely,

Jessica Hanscombe
Business License Specialist
207-874-8783
jhanscombe@portlandmaine.gov

**Legal Advertisement
Notice of Public Hearing
City of Portland**

A Public Hearing will be held on December 5th at 12:30 P.M., in City Council Chambers, 389 Congress St., on The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street. Sponsored by Michael Russell, Director of Permitting and Inspections.

**Legal Advertisement
Notice of Public Hearing
City of Portland**

A Public Hearing will be held on December 5th at 12:30 P.M., in City Council Chambers, 389 Congress St., on The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street. Sponsored by Michael Russell, Director of Permitting and Inspections.

**Legal Advertisement
Notice of Public Hearing
City of Portland**

A Public Hearing will be held on December 5th at 12:30 P.M., in City Council Chambers, 389 Congress St., on The King's Head, LLC d/b/a Jager. Application for a Class XI Restaurant/Lounge at 41 Wharf Street. Sponsored by Michael Russell, Director of Permitting and Inspections.

*Order 100-16/17
Tab 5 12-5-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

**B&SS Corporation d/b/a Hi Bombay. Application for a Class III & IV (Beer & Wine)
License at 1 Pleasant Street.**

B&SS CORPORATION

28 Robinson St.

South Portland ME, 04106

207-772-8767

November 14, 2016

Prakash Gyawali
Hi Bomboy
1 Pleasant St.
Portland ME, 04101

Dear Mayor and Member of the City Council

This letter is to inform you that I have submitted an application for the food service Establishment with Alcoholic beverages License. I am running successful Indian restaurant in 46 Maine St Brunswick Maine. I would like to expand my business as well as bring my talent and skill to Great City In Portland. Please consider my applications for your diversity Portland.

If there are any questions regarding my applications, please contact me at 617-759-1006 .

Thank you for your time and consideration.

**Sincerely,
Prakash Gyawali**

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director
389 Congress St. Room 307 • Portland, ME 04101 • (207) 874-8557
www.portlandmaine.gov

Application for Food Service Establishment with Alcoholic Beverages License

Business Information		B & S Corporation	
Business Name (d/b/a):	Hi Bombay	Phone:	207-772-8767
Location Address:	1 Pleasant St. Portland ME	Zip:	04101
If new, what was formerly at this location:	1 Pleasant St Portland		
Mailing Address:		Zip:	04106
Contact Person:	Prakash Grawali	Phone:	617-759-1006
Contact Person Email:	Grawalip@gmail.com		
Manager of Establishment:	Prakash Grawali	Date of Birth:	09-12-1971
		Phone:	617-759-1006
Owner of Premises (Landlord):	Gordon T. Holmes Jr.		
Address of Premises Owner:	100 Commercial 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	
B & S Corporation		28 Robinson St. S. Portland	Zip: 04106
Contact Person:	Prakash Grawali	Phone:	617-759-1006
Principal Officers	Title	Date of Birth	Residence Address
Prakash Grawali	Owner	09-12-71	28 Robinson St. S. Portland ME 04106 (Since 2008)

About Your Establishment

Class of Liquor License:	<u>Class #1 + IV</u>	
Type of food served:	<u>Indian Food</u>	
Please circle all that will be served:	☒ Beer ☒ Wine ☐ Liquor	
Projected percentage of sales:	Generated from Food: <u>150000 W</u>	Generated from Alcohol: <u>15000 W</u>
Hours & days of operation:	<u>10 AM to 11 PM</u>	

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? <u>Dec-7-16</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>Greek Corner - 90 Exchange St. Portland ME</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 Prakash Gnanini 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: Nov-15-16

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.

BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINE.LIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

5889

PRESENT LICENSE EXPIRES *

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

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

Corporation Name: <u>B&S Corporation</u>		Business Name (D/B/A) <u>Hi Bombay</u>	
DOB: <u>1-1-1980</u>		Physical Location: <u>1 Pleasant St.</u>	
DOB: <u>1-1-1980</u>		City/Town <u>Portland</u>	State <u>ME</u>
Address <u>1 Pleasant St</u>		Zip Code <u>04101</u>	
City/Town <u>Portland</u>	State <u>ME</u>	City/Town <u>Portland</u>	State <u>ME</u>
Zip Code <u>04101</u>	Zip Code <u>04101</u>	City/Town <u>Portland</u>	State <u>ME</u>
Telephone Number <u>207-772-8767</u>	Fax Number <u>207-772-8767</u>	Business Telephone Number <u>207-772-8767</u>	Fax Number <u>207-772-8767</u>
Federal I.D. # <u>81-4374734</u>	Seller Certificate #: or Sales Tax #: *		
Email Address: Please Print <u>gynalip@gmail.com</u>	Website: <u>HiBombayportland.com</u>		

If business is NEW or under new ownership, indicate starting date: Dec-7-16

Requested inspection date: _____ Business hours: _____

3. If a premise is 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 ☒

If YES, complete Supplementary Questionnaire

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

7. If manager is to be employed, give name: Prakash Gynali

9. Business records are located at: 1 Pleasant St. Portland ME

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
Prakash Gyawali	09-12-1971	NEPAL

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

28 Robinson St South Portland ME 04106
Since 2008

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:
Gordon T. Holmes Jr. 100 Commercial St. Portland ME

17. Describe in detail the premises to be licensed: (On Premise Diagram Required) Just in Dining Room only

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? School Which of the above is nearest? 1/2 mile

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 & Enforcement 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 NOV-14-2016
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Prakash Gyawali
Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

FILING FEE: (must be included on all applications).....\$ 10.00

Class I Spirituous, Vinous and Malt\$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)\$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only\$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only\$ 220.00

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only\$ 220.00

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge\$2,200.00

CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge\$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.



State of Maine
Division of Alcoholic Beverages and
Lottery Operations
Division of Liquor Licensing and Enforcement

Corporate Information Required for
Business Entities Who Are Licensees

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name: B B & S S Corporation
2. Doing Business As, if any: Hi Bomboy
3. Date of filing with Secretary of State: Oct-31-16 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Prakesh Grewal	28 Robinson St	09-12-71	President	100%

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

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

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. 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 ☐

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed).

Name: _____

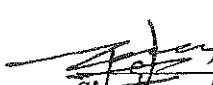
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person

Nov-14-2016
Date

Poekash Gyawali
Print Name of Duly Authorized Person

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

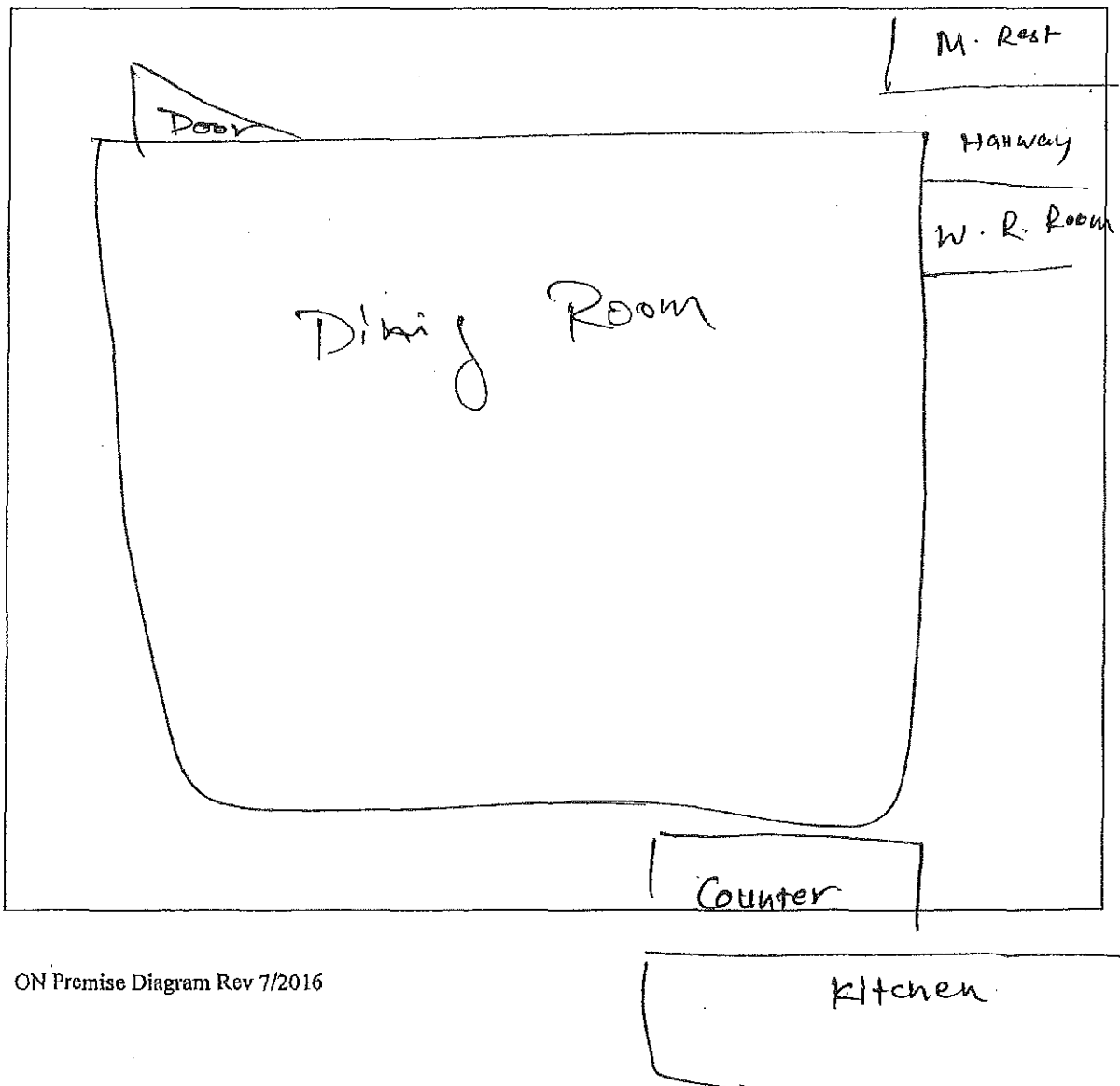
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

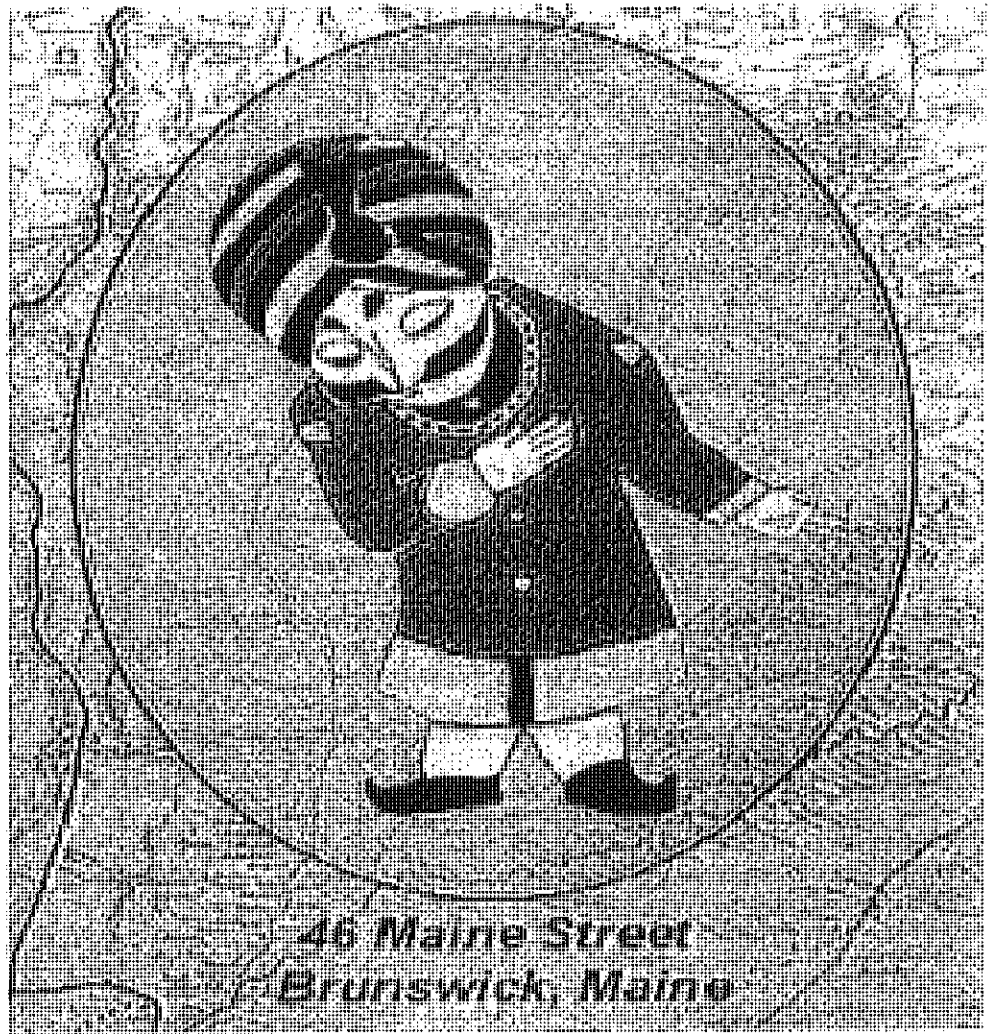
DIVISION USE ONLY	
☐	Approved
☐	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Shere Punjab Fine Indian Cuisine

Phone: (207) 373-0422

Fax: (207) 373-0422

Sherepunjabme.com

SOUPS (Lunch Menu)

Dal Shobra Soup.....	2.95
<i>Traditional soup made with split peas & lentils, subtly flavored with Indian spices, garnished with cilantro.</i>	
Co-Co Nut Soup.....	2.95
<i>Shredded coconut made with whole milk, cream, nuts, sweet Indian spices and saffron.</i>	
Tomato Soup.....	2.95
<i>Soup made with fresh tomatoes, ginger, onions & garlic.</i>	
Vegetarian Soup.....	2.95
<i>Fresh mixed vegetables, fresh tomatoes, fresh ginger, garlic and Indian spices.</i>	
Chicken Soup.....	2.95
<i>A traditional soup made with small peaces of chicken, cilantro and Indian spices</i>	

DISHES (Lunch Menu)

Chicken Curry.....	7.95
<i>Boneless chicken in a savory tomato, ginger, garlic & herb sauce with your choice of spiciness</i>	
Chicken Tikka Saag.....	7.95
<i>Boneless piece of chicken tikka mixed in a spinach sauce with Himalayan herbs and various Indian spices.</i>	
Chicken Masala (Labadar).....	7.95
<i>Boneless chicken marinated in yogurt, charbroiled and sautéed in herbs. Simply fantastic!</i>	
Chicken Mushroom.....	7.95
<i>Boneless chicken in a savory carry made with onions, tomatoes, fresh ginger, garlic, cumin, coriander and clove. We will cook to your order - regular or hot.</i>	
Shrimp Curry.....	8.95
<i>Fresh shrimp in a robust onion and tomato base sauce of ginger, garlic, coriander and other herbs.</i>	
Keema Mutter.....	7.95
<i>An ancient recipe of ground lamb, peas, coriander and ginger.</i>	
Lamb Curry.....	8.95
<i>Soft lamb sautéed in a thick curry sauce. We tailor its spiciness to your taste.</i>	
Fish Curry.....	7.95
<i>Had - dock in a robust onion and tomato base sauce of ginger, garlic, coriander and other herbs.</i>	
Fish Masala(Haddock).....	8.95
<i>Had - dock marinated and cooked in the tomato base sauce and light cream.</i>	

VEGETERIAN DELIGHTS (Lunch Menu)

Dal Makhani.....	7.95
<i>Yellow lentils sautéed over a low flame, laced with cream, Indian spices and served in a typical Punjabis special</i>	
Aloo Mutter.....	7.95
<i>Fresh green peas, sautéed in a delicately spices sauce with potatoes.</i>	
Saag Paneer.....	7.95
<i>A mound of lightly seasoned spinach in a steaming blend of light cream, our own cottage cheese and Indian spices.</i>	
Mutter Paneer.....	7.95
<i>Our flavorful blend of homemade cottage cheese and green pea's, lightly seasoned with fresh herbs.</i>	
Bhindi Masala.....	7.95
<i>Okra cooked with fresh onions, ginger, garlic, tomatoes and Indian spices.</i>	
Saag Pakora.....	7.95
<i>Vegetable fritters cooked with ginger, garlic, and fresh spinach.</i>	
Chana Masala.....	7.95
<i>Chickpeas steamed with tomatoes, ginger, garlic, onions and Indian spices.</i>	
Palak Aloo.....	7.95
<i>Delightful ragout of potatoes, spinach, tomatoes, light cream, cinnamon and other Indian spices.</i>	
Shahi Korma.....	7.95
<i>The choicest of fresh vegetables along with homemade cheese, cashews & raisins sautéed with ginger, cardamom, cloves & special Indian spices.</i>	

SOUPS (Dinner Menu)

Dal Shobra Soup.....2.95

Traditional soup made with split peas & lentils, subtly flavored with Indian spices, garnished with cilantro.

Co-Co Nut Soup.....2.95

Shredded coconut made with whole milk, cream, nuts, sweet Indian spices and saffron.

Tomato Soup.....2.95

Soup made with fresh tomatoes, ginger, onions & garlic.

Chicken Soup.....2.95

A traditional soup made with small pieces of chicken, cilantro and Indian spices

APPETIZER

Papadam: wafers made with lentils and black pepper.....2.50

Samosa: Deep fried spiced and shredded potato turnovers.....3.50

Aloo Tikki: A packet of spiced vegetables, deep fried.....2.95

Onion Bhaji: Fresh vegetable fritters deep fried in vegetable oil.....3.50

Paneer Pakor: Chunks of homemade cheese with low fat milk, rolled in chicken pea flour, deep fried.....4.95

Panjab Special Vegetarian: Mixed platter of appetizers; one piece each of samosa, Aloo Tikka, Pakora, Paneer

Pakora and

Papadam.....7.95

Chicken Tikka: Boneless pieces of chicken marinated in a special sauce, barbecued in Tandoor on hot coals, served on bed of lettuce.....7.95

House Salad: Lettuce, cucumbers, tomatoes and onions garnished with cranberries and walnuts tossed in our home

made dressing.....5.95

BREADS

Roti/chapati: Traditional Indian unleavened whole wheat bread.....2.25

Tandori Roti/chapati: Traditional Indian unleavened whole wheat bread made in Tandoor in slow fire.....2.25

Bhatura (1Piece): Refined flour, deep fried and puffy bread.....2.50

Naan: Traditional Indian leavened with bread made by slapping it quickly on the sides of Tandoor.....2.50

Plain Paratha: Unleavened, whole wheat, flaky multi layered bread topped with butter.....2.50

Poori (2Pieces): Soft balloon shaped bread made with whole wheat flour.....3.95

Methi Poori: Whole wheat puffed bread sprinkled with fenugreek and deep fried.....3.95

Badami Naan: Leavened bread topped with sliced almonds, poppy seeds and hand peeled cantaloupe seeds.....3.95

Lachha Paratha: Layered whole wheat buttered bread.....2.95

Pudena Paratha: Layered whole wheat buttered bread topped with dried mint.....2.95

Keema Naan: Freshly baked leavened bread stuffed with seasoned ground lamb.....3.95

Garlic Naan: Leavened, handmade white bread made with garlic, herbs, & Indian spices with butter.....3.95

Onion Kulcha: Leavened white bread topped with onions, Indian spices and cilantro.....3.95

Aloo Naan: Stuffed bread with potato and Indian spices.....3.95

Mixed Vegetable Paratha: This layered bread is filled with potatoes, peas, cauliflower and homemade cheese, saffron and sweet spices.....3.95

Punjabi Naan: Naan bread stuffed with coconut, saffron and sweet spices.....3.95

Paneer Naan: Fresh homemade cheese with Indian spices.....3.95

BEVERAGES

Darjeeling Tea: Our own choice blend imported from India.....2.00

Masala Tea: Indian special tea with milk and sugar.....2.00

Milk, Sprite, Ginger Ale, Pepsi, Diet Pepsi, Mountain Dew.....1.95

Lassi: Sweet yoghurt drink with rosewater and pistachios.....2.95

Mango Lassi: Lassi made with the mango pulp.....2.95

Iced Tea: Indian spiced cold tea with a slice of lemon.....2.00

Club soda.....2.50

Juice.....2.50

BAHARE MURG – CHICKEN SPECIALTIES (Dinner Menu)

Chicken Curry.....13.95

Boneless chicken in a savory tomato, ginger, garlic & herb sauce with your choice of spiciness

Murg Kesarj.....15.95

Tender pieces of chicken marinated in a mild milk based charbroiled and finished in a coconut curry with saffron

Murg Meethi.....13.95

Tender pieces of chicken cooked with fresh fenugreek, cumin and coriander

Mango chicken.....15.95

Chicken cooked with mango chutney and mint sauce tempered with fresh coriander, ginger and curry leaves

Murg Malabar.....15.95

From the state of Kerala – a popular dish of sautéed chicken curry flavored with coconut, onion and cream.

Butter Chicken.....15.95

Tender pieces of chicken sautéed with ginger, onions and garlic in a sauce made with tomatoes and cream, different Indian spices and exotic herbs.

Chicken Korma.....14.95

Tender pieces of chicken in a special sauce with cashews, almonds and light cream.

Chicken Vindaloo.....14.95

A super hot dish made with potatoes and very hot Indian spices. Pure heat wave!

Shahjahan Murg.....14.95

Tender pieces of white chicken sautéed with ginger, onion, garlic and spices in a robust sauce garnished with cilantro.

Chicken Tikka Saag.....14.95

Boneless pieces of chicken tikka mixed in a spinach sauce with Himalayan herbs and various Indian spices.

Chicken Tikka Masala.....14.95

Boneless chicken marinated in yogurt, charbroiled and sautéed in herbs. Simply fantastic!

Chicken Karahi.....15.95

Boneless pieces of baked chicken, fresh green pepper and onion made in a karahi (a concave shaped pot like wok).

VEGETERIAN DELIGHT DINNER (Dinner Menu)

Vegetable Vindaloo.....13.95

A super hot dish made with potatoes and very hot Indian spices – pure heat wave!

Saag Dal.....13.95

Yellow beans sautéed with ginger, garlic and fresh spinach.

Aloo Mutter.....13.95

Fresh green peas, sautéed in a delicately spiced sauce with potatoes.

Dal Makhani.....13.95

Yellow lentils sautéed over a low flame, laced with cream, Indian spices and served in a typical Punjabi style

Chana Masala.....13.95

Chickpeas steamed with tomatoes, ginger, garlic, onions and Indian spices.

Mutter Paneer.....13.95

Our flavorful blend of homemade cottage cheese and green peas, lightly seasoned with fresh herbs.

Aloo Gobhi.....13.95

Fresh Cauliflower, potatoes, onions, ginger, garlic and Indian spices.

Bhindi Masala.....13.95

Okara cooked with fresh onions, ginger, garlic, tomatoes and Indian spices.

Baigan Bhartha.....14.95

Whole flame grilled eggplant mashed and seasoned with herbs and spices.

Chana Saag.....13.95

Steamed chickpeas sautéed with spinach, ginger, garlic and Indian spices.

Nav Ratna Korma.....14.95

A traditional merging of nine gems- fresh cauliflower, eggplant, green peppers, homemade cheese, green peas, potatoes, tomatoes, cashews and raisins. Sautéed with ginger, garlic, onions, cardamom and cloves.

Saag Paneer.....13.95

A mound of lightly seasoned spinach in a steaming blend of light cream, our own cottage cheese and Indian spices.

Malai Kofta.....14.95

True Mughlai delight – balls of freshly minced vegetables simmered in cardamoms. Saffron, garlic, cashews and raisins, cooked in creamy sauce. A royal vegetarian delight!!

Shahi Paneer.....14.95

Chunks of cheese sautéed with ginger, garlic, onions and tomatoes; garnished with cashews and raisins.

Karahi Paneer.....16.95

Small chunks of cottage cheese and green pepper sautéed in Karahi (wok) with onions, tomatoes, ginger and coriander.

SHER PUJAB – LAMB SPECIALTIES (Dinner Menu)

Lamb Curry.....	14.95
<i>Soft lamb sautéed in a thick curry sauce. We will tailor its spiciness to your taste.</i>	
Keema Mutter.....	14.95
<i>An ancient recipe of ground lamb, peas, coriander and ginger.</i>	
Lamb Do Plaza.....	15.95
<i>Tender young lamb with green pepper, onions, tomatoes and Indian spices.</i>	
Lamb Vindaloo.....	15.95
<i>Super hot and savory</i>	
Lamb Dillruba.....	15.95
<i>Soft lamb and mushrooms lightly steamed with fresh ginger, garlic, onion and Indian spices.</i>	
Lamb Rogan Josh.....	16.95
<i>Cubes of lamb marinated in oriental Indian spices, sautéed with chopped tomatoes, shredded coconut in creamy sauce.</i>	
Lamb Badam Pasanda.....	16.95
<i>Cubed pieces of lamb sautéed in special mild sauce, with almonds, cashews, and raisins. A Mughlai delight!</i>	
Lamb Saag.....	16.95
<i>A Kashmiri design – tender pieces of lamb with spinach, ginger, onions, fresh herbs, a touch of garlic and cream.</i>	
Lamb Karahi.....	16.95
<i>Piece of tender lamb sautéed with Indian spices, fresh bell pepper and onions in a karahi. Served with small karahi (wok).</i>	
Nimboo Lamb.....	16.95
<i>Lean pieces of lamb marinated in lemon juice and delicately spiced with whole black pepper.</i>	
Pudeena Lamb.....	16.95
<i>Tender pieces of lamb sautéed and stewed in an aromatic curry flavored with fresh mint from the Punjab region.</i>	
Boti Kabab Masala.....	16.95
<i>Lean pieces of lamb marinated 24 hours in yogurt and spices baked on skewers in the Tandoor and then finished in a tangy and spicy red sauce.</i>	
Achar Lamb.....	16.95
<i>Tender pieces of lamb roasted with hot peppers, fresh herbs and spices.</i>	
Lamb Madras.....	16.95
<i>Lamb cooked in hot gravy and tangy madras sauce, ginger and fresh herbs.</i>	

All dinners are served with Basmati rice and chutneys

DESSERTS

Kheer: Beloved by everyone! Rice cooked in milk raisins, cardamom and nuts. Garnished with rosewater.....	3.95
Mango Ice Cream: A great mango ice cream.....	2.95
Gulab Jamun: An Indian desert. Small 1-inch diameter balls of flour and milk powdered deep-fried to golden and served cold in syrup. Cake like texture.....	2.95
Rasgulla: Cheese balls in sugar syrup. This is a classic and very popular Indian sweet from Bengal made for special occasions and usually served cold. This is a very sweet desert.....	2.95

Shere Punjab

46 Maine Street

Brunswick, ME 04012

Ph #:(207) 373-0422 Fax #: (207) 373-0422

Sherepunjabme.com

DELHI DARBAR (Dinner Menu)

<i>Tandoori Chicken:</i>	14.95
Spring half chicken marinated in yogurt and freshly ground Indian spices roasted in Tandoor over slow fire. Served on a bed of chicken of lettuce, garnished with cilantro.	
<i>Chicken Tikka:</i>	14.95
Tender boneless chicken pieces of white meat marinated in yogurt, herbs and Indian spices, roasted over Tandoor	
<i>Lamb Boti Kabab:</i>	17.95
Choice pieces of lamb chunks marinated in yogurt and Indian spices for 24 hours, sautéed on a skewer in Tandoor over a hot fire.	
<i>Shere Punjab Mixed Grill:</i>	19.95
Mixed platter of choice pieces of chicken tandoori, lamb kabab, tikka and tandoori shrimp, served in a bed of green.	

BIRYANI – RICE SPECIALITIES (Dinner Menu)

<i>House Special Biryani (serves two)</i>	24.95
Saffron flavored basmati rice sautéed in butter with choice pieces of lamb, chicken, shrimps, almonds, vegetables, cashews and raisins; garnished with cilantro.	
<i>Shrimp Biryani</i>	16.95
Fresh shrimp sautéed in butter with saffron flavored basmati rice, nuts, raisins and vegetables, garnished with herbs.	
<i>Lamb Biryani</i>	15.95
Boiled piece of juicy lamb sautéed with steamed basmati rice, vegetables, Indian spices, cashews, raisins and herbs.	
<i>Chicken Biryani</i>	14.95
Selected chicken pieces sautéed with basmati rice, vegetables, nuts and raisins; garnished with fresh herbs.	
<i>Vegetable Biryani</i>	13.95
Long grain basmati rice sautéed with fresh vegetables in a blend of exotic herbs and Indian spices.	

All Biryani are served with chutneys and Raita

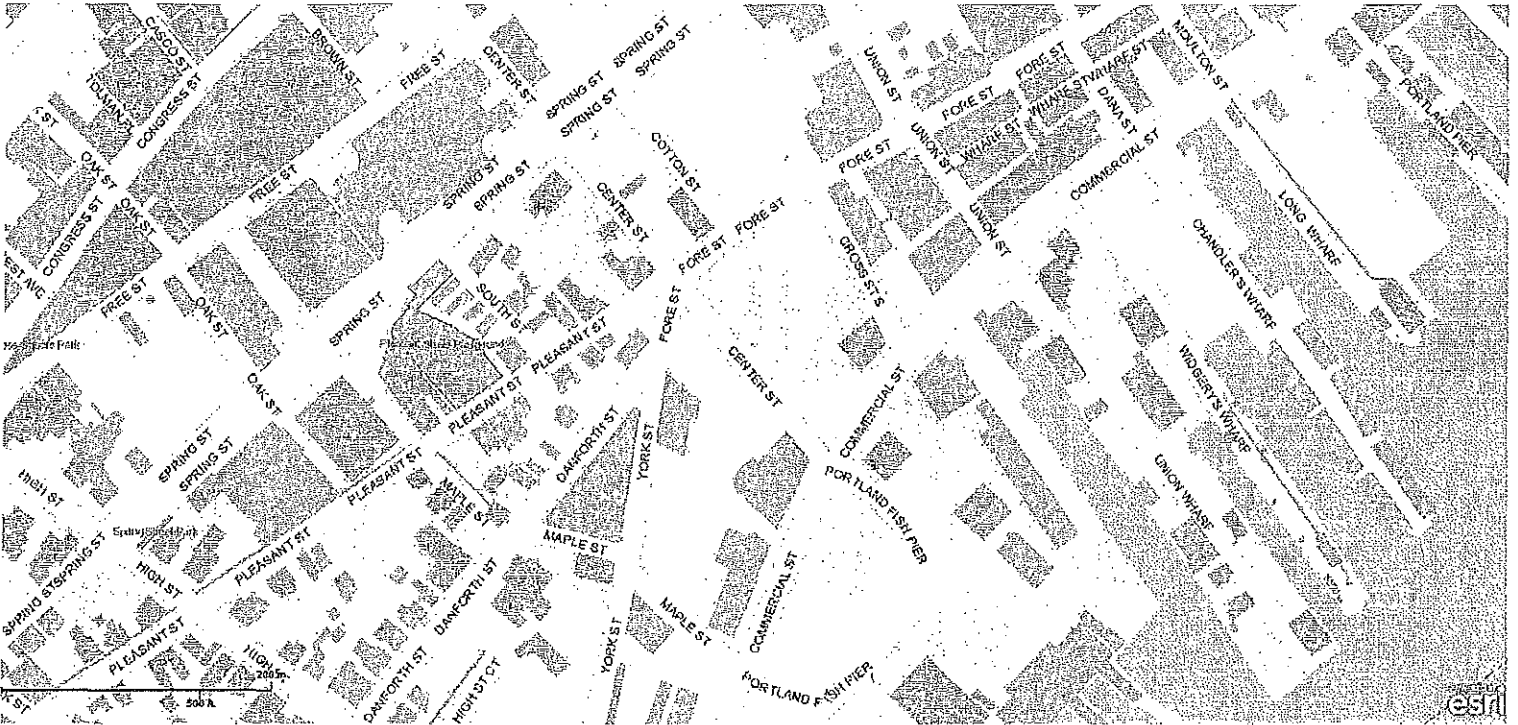
BAY OF BENGAL CUISINE – SEAFOOD SPECIALITIES (Dinner Menu)

<i>Shrimp Vindaloo</i>	15.95
Shrimp sautéed with hot Indian spices in curry sauce with potatoes. From brave men of Madras!!!!	
<i>Shrimp Do Plaza</i>	15.95
Fresh Shrimp with green peppers onions, tomatoes and Indian spices.	
<i>Shrimp Curry</i>	15.95
Fresh shrimp in a robust onion and tomato base sauce of ginger, garlic, coriander and other herbs.	
<i>Shrimp Saag</i>	16.95
Served on a flavorful bed of spiced spinach and light cream.	
<i>Shrimp Korma</i>	16.95
Shrimp with creamy sauce and nuts.	
<i>Fish Curry</i>	15.95
Haddock in a robust onion and tomato base sauce of ginger, garlic, coriander and other herbs.	
<i>Fish Masala</i>	16.95
Haddock marinated and cooked in tomato base sauce and light cream.	
<i>Shrimp Tandoori Masala</i>	16.95
The favorite dish of Emperor Shah Jahan – The creator of Taj Mahal. Shrimp charbroiled and then sautéed in fresh herbs and cooked in a sauce of tomatoes and light cream.	
<i>Mixed Seafood Masala</i>	17.95
Fresh shrimp, scallops, sautéed in fresh herbs and cooked in a sauce of tomatoes, light cream and Indian spices	

All dinners are served with basmati rice and chutneys.

SIDE ORDERS

<i>Mint Raita:</i> Cool whipped homemade yogurt with tomatoes, cucumbers and fresh mint, its cool.....	2.95
<i>Mango Chutney</i>	2.95
<i>Mixed Pickled Vegetables:</i> A tangy treat.....	2.95
<i>Extra Rice</i>	2.50



Re: Hi Bombay

Kevin Cashman <kevindc@portlandmaine.gov>

Tue, Nov 15, 2016 at 10:20 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

PD approves and I'll add it to the urban insight database after it's corrected.

Kevin C.



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

MELISSA CAIAZZO
389 CONGRESS ST
PORTLAND, ME 04101

Transaction Response #: MIQ99D064719

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2016-11-14) :

Inquiries Name(s) PRAKASH GYAWALI (1971-09-12)

NO MATCH WAS FOUND FOR YOUR REQUEST.

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department
Michael A. Russell, MS, Director

November 15, 2016

B&SS Corporation
Attn: Prakash Gyawali
28 Robinson St
South Portland, ME 04106

**Re: B&SS Corporation d/b/a Hi Bombay. Application for a Class III & IV
(Beer&Wine) License at 1 Pleasant Street.**

Dear Mr. Gyawali,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, December 5th at 12:30 p.m.**, for the review of your application for a Class III & IV Beer and Wine License at 1 Pleasant 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, jhanscombe@portlandmaine.gov

Sincerely,

A handwritten signature in black ink, appearing to read "J. Hanscombe", is written over a horizontal line.

Jessica Hanscombe
Business License Specialist
207-874-8783
jhanscombe@portlandmaine.gov

**Legal Advertisement
Notice of Public Hearing
City of Portland**

A Public Hearing will be held on December 5th at 12:30 P.M., in City Council Chambers, 389 Congress St., on B&SS Corporation d/b/a Hi Bombay. Application for a Class III & IV (Beer & Wine) License at 1 Pleasant Street. Sponsored by Michael Russell, Director of Permitting and Inspections.

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 92-16/17
~~Tab 20 11-21-16~~
Tab 6 12-5-16*

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

**ORDER APPROVING THE
COLLECTIVE BARGAINING AGREEMENT WITH
THE CITY EMPLOYEES BENEFIT ASSOCIATION (CEBA)
OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES (AFSCME) LOCAL 1373**

ORDERED, that the attached Collective Bargaining Agreement with City Employees Benefit Association (CEBA) of the American Federation of State, County and Municipal Employees (AFSCME) Local 1373 for July 3, 2016 through June 30, 2019, is hereby approved in substantially the form attached hereto.

CITY OF PORTLAND
MEMORANDUM

To: Mayor Ethan Strimling and Members of the City Council

From: Thomas Caiazzo, Labor Relations Manager *TAC*

Date: November 16, 2016

RE: Order/Second Reading of CEBA, AFSCME Local 1373
December 5, 2016 City Council Meeting

City staff has reached a tentative three (3) year agreement with our largest bargaining unit, CEBA AFSCME Local 1373 representing approximately 500 City employees. The CEBA contract expired on July 2, 2016. Terms of the three year agreement include a 2.0% general wage increase for Fiscal Year (FY) 2017 retroactive to July 3, 2016; a 2.0% general wage increase effective July 2, 2017 and a 2.0% general wage increase effective July 1, 2018. The general wage increases are consistent with guidance received by Council on August 1, 2016 and they are consistent with other negotiated contracts for the same period. The contract term is July 3, 2016 through June 30, 2019. The total direct cost of the general wage increase is \$1,105,000.00.

Other terms of the tentative agreement include:

Article 11 – mandatory direct deposit and paperless pay stubs

Article 18 – higher class pay on the first day rather than on the eighth day of the assignment

Article 19 – 3% stipend for certification as a Master Electrician or a Master Plumber and other small increases to stipends and differentials

Article 26 – additions to the classifications that get clothing allowances and small changes to the amounts allowed each year

Appendix B1 – upgraded the following positions:

Water Quality Technician Grade 15 to Grade 17

One Administrative Assistant Grade 8 to Administrative Associate Grade 12

All other provisions of the contract remain intact for the term of the agreement.

The union membership has ratified the tentative agreement.

This order received a first read at the November 21, 2016 Council meeting.

Cc: Jon P. Jennings – City Manager
Anita LaChance – Deputy City Manager
Danielle West-Chuhta – Corporate Counsel
Anne Torregrossa – Associate Corporate Counsel
Chris Branch – Public Works Director
Sally Deluca – Director of Parks, Recreation & Facilities Management
Gina Tapp – Human Resources Director
Brendan O'Connell – Finance Director
Carlene Kessler – Principal Admin Officer
Jennifer Lodge, Asst. Budget Director
Lori Schools, Financial Specialist

CEBA-Administration Recommendation

ITEM	BASE	YEAR 1 (FY17)	%	YEAR 2 (FY18)	%	YEAR 3 (FY19)	%	Notes:
Base Wages	16,049,760	325,810	2.0%	327,510	2.0%	334,060	2.0%	
Stipends/Differentials	222,150	18,580	8.4%		0.0%		0.0%	
Reclassifications	-	29,540	0.2%	590	0.0%	600	0.0%	
Total Wages	16,271,910	373,930	2.3%	328,100	2.0%	334,660	2.0%	
Overtime	1,095,000	22,230	2.0%	22,350	2.0%	22,790	2.0%	Based on increase in total wages
Clothing	-	800	0.0%		0.0%		0.0%	
Total Direct Cost	17,366,910	396,960	2.3%	350,450	2.0%	357,450	2.0%	
Health Insurance	3,132,340	313,230	10.0%	344,560	10.0%	379,010	10.0%	Inflationary increase only
Health Insurance-Plan Changes		(103,370)	-3.0%	(103,370)	-3.0%			Proj 9% savings less 3% Wellness Cost
Pension	1,545,660	141,770	9.2%	33,260	2.0%	33,930	2.0%	Based on increase in total wages and pension rate increase in FY17
Workers' Compensation	465,430	10,700	2.3%	9,390	2.0%	9,570	2.0%	Based on increase in total wages
Total	22,510,340	759,290	3.4%	634,290	2.7%	779,960	3.3%	

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**

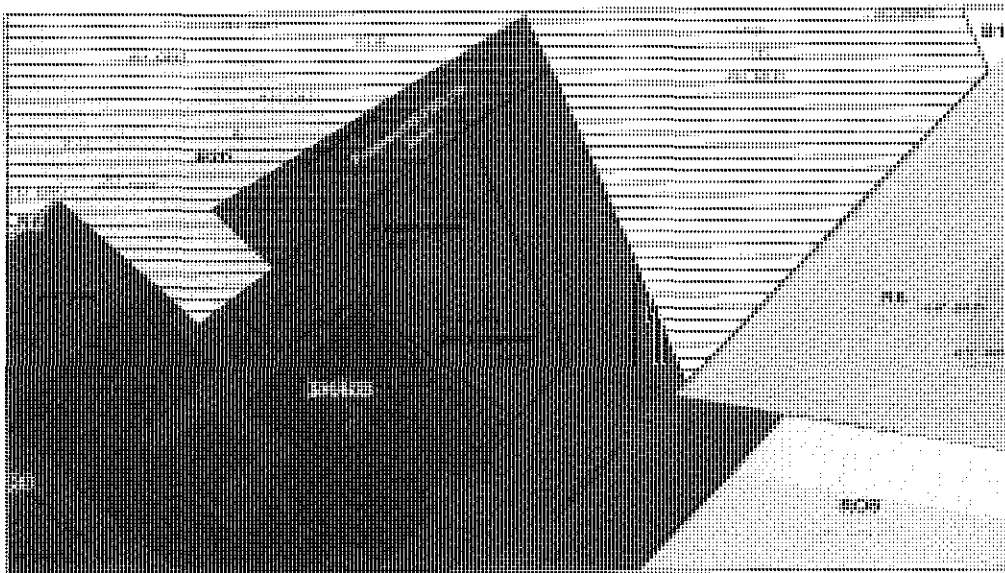
*Order 93-16/17
Tab 21 11-21-16
Tab 7 12-5-16*

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

**AMENDMENT TO ZONING MAP
RE: 10 WASHINGTON AVENUE TO INDIA STREET FORM-BASED CODE ZONE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49, be and hereby is amended by adopting the following map change amendment and specifically rezoning 10 Washington Avenue from the B-2b Zone to the India Street Form-Based Code Zone, as shown in the figure below.



MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Caitlin Cameron, Urban Designer, Planning and Urban Development Department

DATE: 10/26/2016

DISTRIBUTION: Jon Jennings, City Manager; Mayor Ethan Strimling; Anita Lachance, Assistant City Manager; Danielle West-Chuhta, Corporation Counsel; Victoria Morales, Associate Corporation Counsel; Sonia Bean, Nancy English, and Julie Sullivan

SUBJECT: Zoning Map Amendment to India Street Form-based Code (IS-FBC) Zone for 10 Washington Avenue

SPONSOR: Elizabeth Boepple, Portland Planning Board

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading 11/21/16 **Final Action** 12/05/16

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

I. SUMMARY OF ISSUE (Agenda Description)

On October 25, 2016, the Planning Board unanimously voted (6-0, Boepple absent) to recommend to City Council the proposed map amendment to rezone the parcel at 10 Washington Avenue from B-2b to the India Street Form-based Code (IS-FBC) zone, Urban Active (UA) subdistrict.

II. REASON FOR SUBMISSION

The proposed map amendment relates to the IS-FBC zone boundary on-peninsula on Washington Avenue. The proposal would make the three adjacent parcels owned by the applicant Hay Runner, LLC one consistent zone (IS-FBC UA). This requires a zoning map amendment for the third parcel at 10 Washington Avenue from B-2b to IS-FBC.

The proposed zoning map amendment would increase the boundary of the India Street Form-based Code zone to include one additional parcel. That parcel is one of three parcels held by the applicant whose combined development site straddles B-2b and IS-FBC zones. Currently, two of those parcels – 221 Congress Street and 6 Washington Avenue – are in the IS-FBC zone with an Urban Active subdistrict designation. The parcel under consideration here – 10 Washington Avenue – is adjacent to these parcels but is in B-2b zone. The map amendment will allow consistent zoning standards to apply across the applicant's development lot.

III. INTENDED RESULT

The purpose of this amendment is provide consistent zoning for the development site owned by the applicant.

IV. COUNCIL GOAL ADDRESSED

Housing: The rezone will increase the housing density and building height (minimum and bonus story) allowed on the parcel.

V. FINANCIAL IMPACT

No financial impact is anticipated.

VI. STAFF ANALYSIS AND RECOMMENDATION

Staff from the Department of Planning & Urban Development support the recommendation to rezone the parcel from B-2b to IS-FBC UA as shown in Amended Figure 4 (attached). The Planning Board report (attached) provides the staff analysis. The recommendation comes in advance of a mixed-use new development proposed for the site.

VII. LIST ATTACHMENTS

1. Planning Board Report 10/21/16
2. Amended Figure 4: Proposed Zoning Map Amendment

Prepared by: Caitlin Cameron

Date: 10/26/16

Bean/agendarequestmemo/rev 11/2015



PLANNING BOARD REPORT PORTLAND, MAINE

Proposed Zoning Map Amendment
10 Washington Avenue, CBL: 013 G005
from B-2b to IS-FBC
Hay Runner, LLC, Caleb Johnson, Applicant

Submitted to: Portland Planning Board Public Hearing Date: Oct. 25, 2016	Prepared by: Caitlin Cameron, Urban Designer Report Prepared: October 21, 2016
---	---

I. INTRODUCTION

A public hearing has been scheduled to consider a proposal to amend the zoning map of the India Street Form-based Code (IS-FBC) zone to include a parcel adjacent to the IS-FBC and currently zoned as B-2b. A copy of the proposed zoning map is shown as Figure 4. The applicant is Hay Runner, LLC.

Notice of the public hearing consisted of newspaper advertisements in the *Portland Press Herald* and 198 notices sent to area property owners in the vicinity of 10 Washington Avenue.

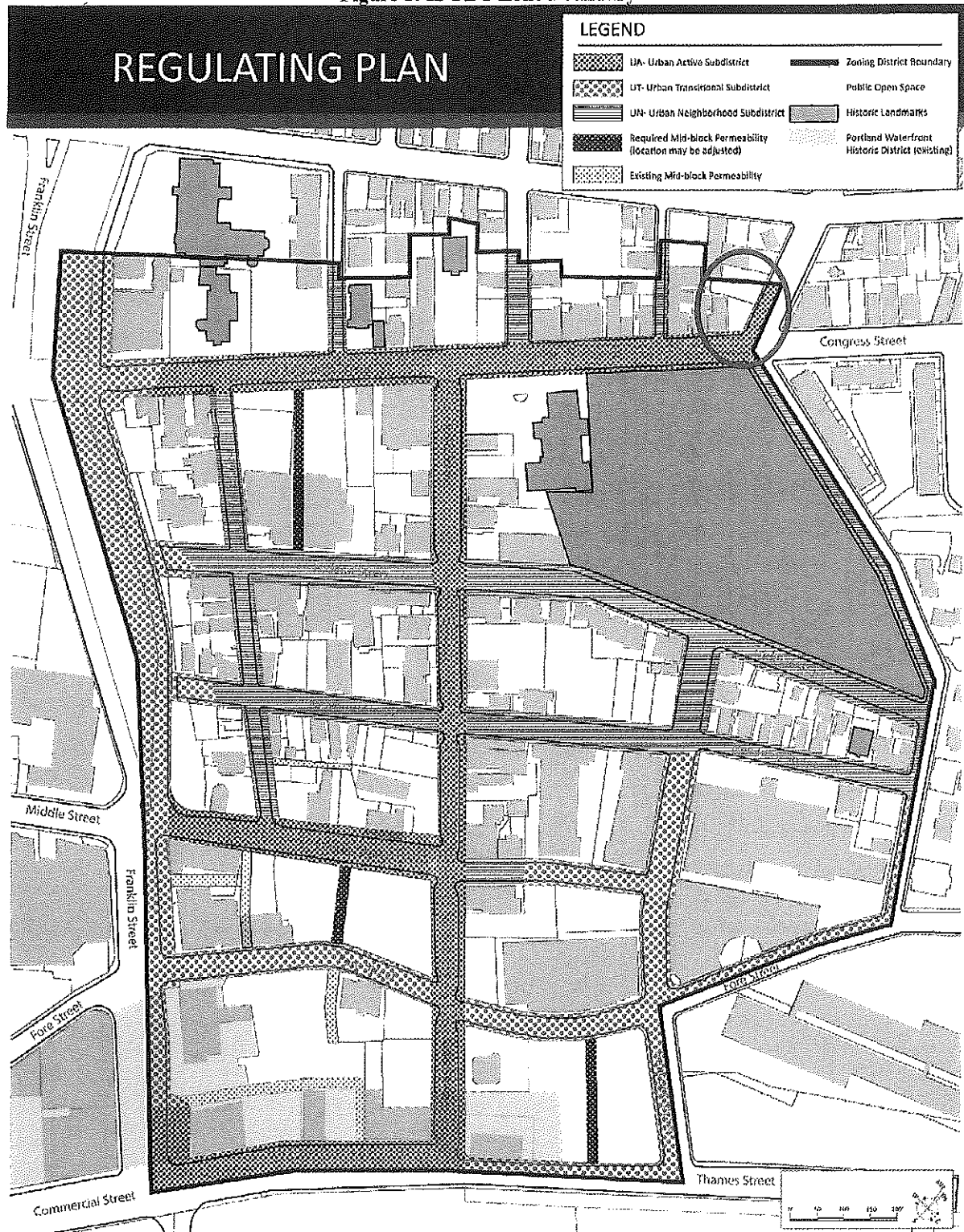
II. BACKGROUND

The proposed map amendment relates to the IS-FBC zone boundary on-peninsula on Washington Avenue. The proposal would make the three adjacent parcels owned by the applicant one consistent zone (IS-FBC). This requires a zoning map amendment for the third parcel at 10 Washington Avenue from B-2b to IS-FBC.

The India Street Form-based Code Zone (IS-FBC) was created in 2015 in conjunction with the India Street Sustainable Neighborhood Plan. The boundary of the IS-FBC zone coincides with the boundary as defined for that neighborhood planning process. The applicant owns three adjacent parcels – 221 Congress Street, 6 Washington Avenue, and 10 Washington Avenue – with the intention of combining them into one development lot at the corner of Congress Street and Washington Avenue. Currently, all three parcels are vacant.

The proposed use of property is a five-story, mixed-use building that would cover all three lots (Figure 4). The ground floor is proposed to be retail/restaurant use with the upper floors to be 13 residential units. The proposed floor area is 25,300 sf above grade. Below grade structured parking is proposed.

Figure 1: IS-FBC Zone Boundary



III. PROPOSED AMENDMENTS

The proposed zoning map amendment would increase the boundary of the India Street Form-based Code zone to include one additional parcel. That parcel is one of three parcels held by the applicant whose combined development site straddles B-2b and IS-FBC zones. Currently, two of those parcels – 221 Congress Street and 6 Washington Avenue are in the IS-FBC zone with an Urban Active subdistrict designation. The parcel under consideration here – 10 Washington Avenue – is adjacent to these parcels but is in B-2b zone. The map amendment will allow consistent zoning standards to apply across the applicant's development lot.

Figure 2: Existing Zoning

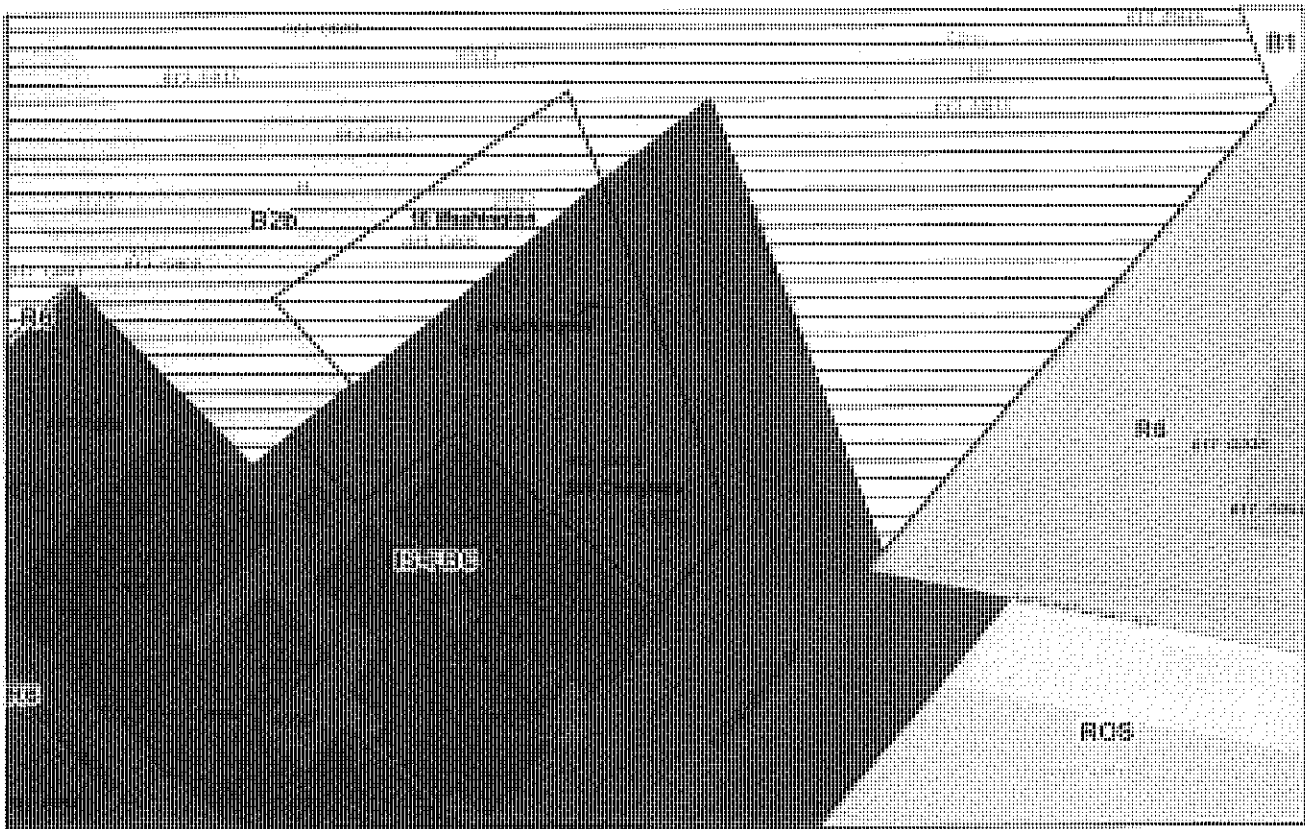


Figure 3: Future Development Proposal

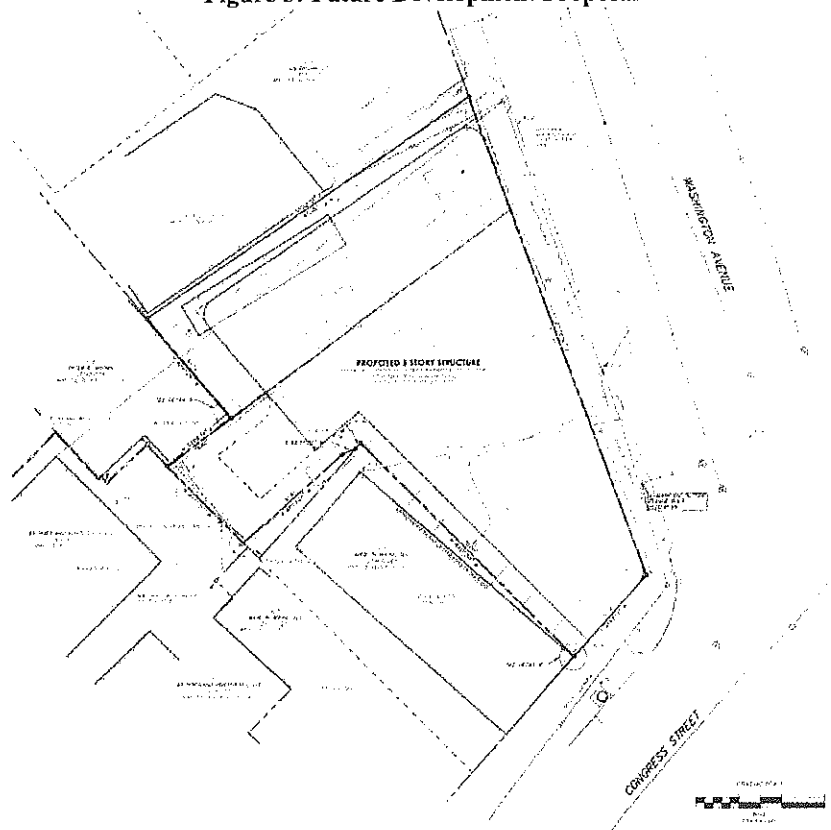
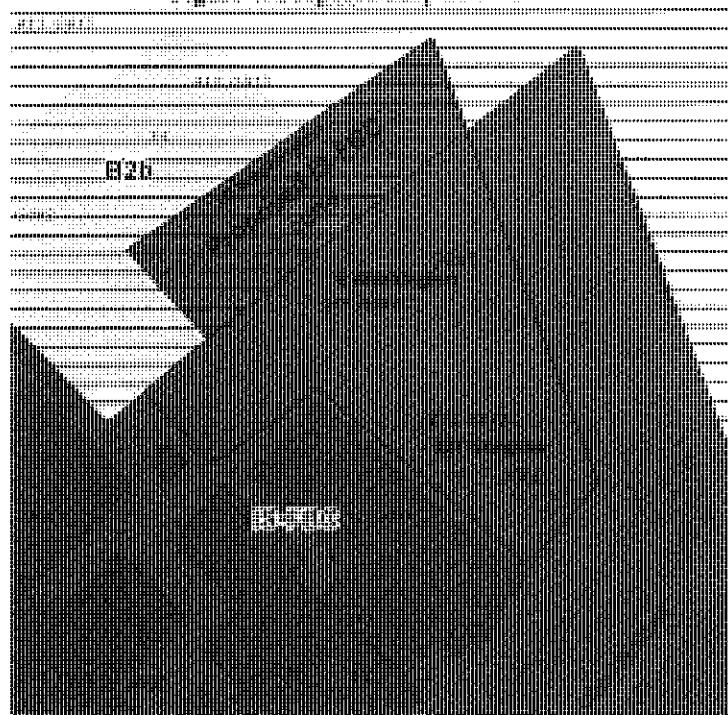


Figure 4: Proposed Map Amendment



IV. LAND USE POLICY

This section considers the zoning implications of changing the parcel in question from B-2b to IS-FBC Urban Active (UA).

Zone Comparison		
Standard	B-2b (on-peninsula)	IS-FBC (UA)
Purpose	Provide neighborhood and community retail, business, and service establishments that are oriented to and built close to the street. Appropriate in areas where a more compact urban development pattern exists such as on-peninsula or in compatible commercial districts with a pedestrian scale and character. Such locations may include the peninsula and other arterials and intersections with an existing urban or neighborhood oriented building pattern.	Maintain and promote a moderate-scale, diverse, mixed-use neighborhood with vibrant streets and active ground floor spaces. Buildings are more active and engage with the street at the ground level. Building frontages are transparent and entries are at sidewalk level with frontage types including storefronts and recessed doorways. The streetscape has steady street planting, and buildings set close to the street providing a consistent street wall.
Density	435 sf min lot area/du	n/a
Lot Coverage (max)	90%	90%
Height Min	n/a	3 stories
Height Max	45' 50' if commercial ground floor or affordable housing	50', 4 stories
Height Bonus	n/a	1 story
Setback - Front	0', 10' max.	0', 5' max
Setback - Side	0'	5'
Setback - Rear	10'	10'
Stepbacks	Above 35' height = 5' side, 15' rear	n/a
Ground Floor/ Active facade	75% of façade shall have an average depth of min. 20' for residential or commercial uses; all primary ground floor entries to multi-family buildings must orient to street	60%-90% fenestration; 12' clear height; at least one primary entrance at grade and oriented to UA street
Parking allowances	Fee-in-lieu	Fee-in-lieu First 3 residential units exempt
Parking dims	No parking within 35' of street	No parking within 35' of street
Parking access	No more than 25% of primary façade	Not allowed on primary façade; 20' setback for garage doors

The B-2b and IS-FBC are similar in their purpose statements and dimensional standards allowed for buildings. The key differences between the two zones include:

Density – B-2b limits the residential density to a minimum of 435 sf of lot area per dwelling unit (100 du/acre). The IS-FBC does not regulate density. Therefore, potentially more residential units can be built under the IS-FBC zone.

Minimum Height – B-2b does not have a minimum height whereas the IS-FBC requires at least 3 stories in the case of UA subdistrict. This effectively means the IS-FBC will result in more square footage, the possibility of more density an/or more housing units built on the parcel, and a building that relates to the historic and urban streetscape in a contextual way.

Maximum Height – B-2b allows up to 50' if the proposed building includes a commercial ground floor or affordable units. IS-FBC allows 50' maximum by right because commercial ground floors are encouraged by the dimensional standards.

Bonus Height – The B-2b does not have a provision for additional stories. The IS-FBC allows for up to 1 story of additional height if a public good is provided in the project (green roof, additional affordable housing, mid-block permeability, high residential density).

Parking – Both zones allow the use of a fee-in-lieu of parking. The IS-FBC provides one more area of flexibility – the first three residential units are exempt from providing on-site parking. Together these allowances make urban infill projects more feasible, especially when dealing with small lots.

The original boundary for the IS-FBC zone was drawn consistently to include two parcels deep past Congress Street (Figure 1) – the drafting of the original boundary should not be considered an argument against including this third parcel in the zone. It was determined at the time of the neighborhood planning process that Cumberland Avenue was part of the East Bayside neighborhood and that a depth of two parcels was a rational transition from the India Street neighborhood to East Bayside. The corner of Washington Avenue and Congress Street serves as a gateway location into the India Street neighborhood from the East End and East Bayside – there is an urban design argument to be made that a substantial, well-designed building should be on that corner to provide a strong anchor in that gateway location.

Specific to the development interests in this parcel, this map amendment would result in a larger development site with consistent zoning throughout. The applicant's development proposal will not be feasible without the map amendment because the project relies on a height bonus that is not available in the B-2b zone.

In summary, the two zones seek similar outcomes; IS-FBC is more permissive for density and some dimensional standards. IS-FBC encourages mixed-use development and infill projects with the potential to accommodate more residential units and square feet per building than the B-2b. The rationale for the original boundary of the IS-FBC does not preclude this parcel being included in the IS-FBC. Therefore, IS-FBC is an appropriate zoning designation for the parcel from a land-use perspective.

V. COMPREHENSIVE PLAN

The map amendment is found to be in compliance with the following Comprehensive Plan documents:

Comprehensive Plan (2005)

- A Community Vision for Portland - Build a Vibrant Small City: *Build upon the distinctive fabric of Portland's built environment by rehabilitating historic resources and by developing new buildings that respect the scale and character of traditional development patterns. New development shall be pedestrian oriented and accessible.*
- Goal B: Accommodate Anticipated Growth
- Goal D: Encourage Decent Housing

India Street Sustainable Neighborhood Plan (ISSNP) (2015)

- Goal – Vitality: *Vitality for this neighborhood can be achieved, in part, by encouraging and directing residential growth, especially small infill projects.*
- Goal – Strong Neighborhood Identity that Builds on its Heritage: *Streetscape and building improvements (both existing and historic) as well as new development should contribute to an identity that promotes the neighborhood to prospective residents, tourist, and adjacent neighborhoods as a destination.*
- Development Principle 1: Strong Neighborhood Identity

The map amendment will allow for a development proposal that advances these aforementioned goals and principles. In no instance would this map amendment conflict with the goals and principles from the Comprehensive Plan or the ISSNP neighborhood plan.

Housing: Sustaining Portland's Future

Policy #1: *Ensure an Adequate and Diverse Supply of Housing for All*

The map amendment will help the city to achieve more of its housing goals. The project will theoretically provide a higher number of residential units than if it were B-2b. This also means the project reaches the threshold to provide workforce housing under the inclusionary zoning ordinance – so at least one affordable unit or fee-in-lieu will be provided.

VI. STAFF RECOMMENDATION

Staff supports the proposed map amendment. Staff further recommends that the parcel be categorized as the Urban Active subdistrict within the IS-FBC to be consistent with the neighboring parcels and to create a consistent standard on Washington Avenue.

VII. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, the policies of the comprehensive plan, and the information provided in the Planning Board Report, the Board finds that:

1. The proposed zone change (is or is not) consistent with policies of the Comprehensive Plan.

The Planning Board therefore (recommends or does not recommend) to the City Council approval of the proposed zoning map amendment from B-2b to IS-FBC UA as shown in Figure 4.

ATTACHMENTS

1. Applicant's Materials



Zoning Map/Text Amendment Application Portland, Maine

Planning and Urban Development Department
Planning Division and Planning Board

Portland's Planning and Urban Development Department coordinates the development review process for requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. The **Application Process for a Zone Change** is summarized below under Section I and the associated costs for reviews are found under Section II, **Development Review Fees, Public Notices and Guarantees**, and are listed on the fee structure sheet.

I. APPLICATION SUBMITTAL

Pre-application meeting → Completed August 3rd, 2016

✓ Prior to submitting a zoning amendment application, the Planning Division recommends that the applicant or the designated representative schedule a pre-application meeting to discuss the review process and applicable standards for a proposal. Please contact Barbara Barhydt, Development Review Services Manager at 874-8699 to schedule a meeting.

Zoning Amendment Application

✓ All plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

- Submit one (1) complete paper set of the zoning amendment application with a concept plan and a written narrative. Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Applications may be submitted between 8 a.m. and 4:30 p.m. Monday through Friday at the Planning Division on the 4th floor of City Hall, 389 Congress Street, Portland.
- All applications are processed in the order in which they are received.
- In order for the Planning Division's Administrative Staff to accept and log-in an application, the application form must be complete, it shall be signed by the applicant's or the applicant's designated representative, and all applicable fees paid at the time of submittal.
- The Land Use Code is available on the City's website at www.portlandmaine.gov.
- If the application is found to be incomplete, the applicant will be informed in writing of the required plans and materials.

II. DEVELOPMENT REVIEW FEES, PUBLIC NOTICES AND GUARANTEES

Zoning Application Fees

- Each application must be submitted with the applicable fees as listed in the fee structure on page 4. The fees cover general administrative processing costs.
- Application fees may be paid in cash or by check (addressed to the City of Portland).
- An application will not be processed without the required application fees.

Fee for City Review Services

- The City of Portland charges fees for service to cover the cost of reviews by Planning and Legal staff members. The charges will be billed at an hourly rate and will be invoiced monthly for reimbursement.
- Current billing rates: Planning services, \$40.00/ hour and Legal services: \$75.00/hour.

Fee for Third Party Review

- Portland contracts with local engineering firms to conduct engineering reviews of development proposals. The direct cost of all engineering services or third-party consultant reviews, such as the civil engineering review of stormwater management plans, traffic impact reviews and such other reviews as required under the City's Ordinances, will be included in the monthly invoices for reimbursement.

Public Notices

- Public notices must be sent to property owners within 500 for all proposals at the time an application is received. Zoning map amendments for Industrial zones require notices to be sent to property owners within 1,000 feet.
- In advance of a Planning Board workshop or public hearing, public notices for projects must be sent to property owners and are posted in a legal ad in the Portland Press Herald and on the City's web site.
- In addition, zoning map amendments, text amendments and conditional rezoning agreements require individual notices to be posted in the Portland Press Herald.
- The Planning Division mails public notices and posts notices in the newspaper. The applicant will be billed for actual or apportioned costs for advertising and sending mailed notices.
- The applicant is required to hold a neighborhood meeting under the City's regulations for zone change requests. The mailing labels must be purchased from the Planning Division for the neighborhood meeting invitation. A request for labels requires a minimum of two business days to generate the mailing labels and a charge of \$1.00 per sheet will be payable upon receipt of the labels.

Third Party Review Fees

- Engineer and Third Party Review Fees - The fees are assessed by the Consulting Engineers and Third Party Reviewers.
- Inspection Fee - This fee is 2% of the Performance Guarantee or as assessed by Planning or Public Works Engineer with \$300.00 being the minimum.

Noticing/Advertisements Planning Board/City Council Review

- Legal Advertisement: Percent of total bill
- Notices: .75 cents each
(notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council)

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8721 or 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT ADDRESS: 10 Washington Ave

CHART/BLOCK/LOT: 013 6005

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

Lot is currently in the B2b zone. We would like to change this lot to be IS-FBL (Urban ~~Active~~ Subdistrict) to match the other two lots as part of the attached purchase & sale agreement, as lots will be in common ownership.

CONTACT INFORMATION:

Applicant's Contact for electronic plans Name: <u>Patrick Boothe</u> e-mail Address <u>patrick@cjab.me</u> work # <u>207-283-8777</u>	
Applicant -- must be owner, Lessee or <u>Buyer</u> Name: <u>Caleb Johnson</u> Business Name, if applicable: <u>Hay Runner, LLC</u> Address: <u>265 Main Street Ste 201</u> City/State: <u>Biddeford, ME</u> Zip Code: <u>04005</u>	Applicant Contact Information Work # <u>207-283-8777</u> Home# Cell # <u>207-590-2503</u> Fax# e-mail: <u>caleb@cjab.me</u>
Owner -- (if different from Applicant) Name: <u>Greg's Properties Wash Ave LLC</u> Address: <u>26 Village Brook Rd</u> City/State: <u>Yarmouth, ME</u> Zip Code: <u>04096</u>	Owner Contact Information Work # Home# Cell # <u>914-261-4440</u> Fax# e-mail: <u>alan.altman@kattenlaw.com</u>
Agent/ Representative Name: <u>Patrick Boothe, AIA</u> Address: <u>265 Main Street, St</u> City/State: <u>Biddeford, ME</u> Zip Code: <u>04005</u>	Agent/Representative Contact information Work # <u>207-283-8777</u> Cell # <u>740-418-5475</u> e-mail: <u>patrick@cjab.me</u>
Billing Information Name: <u>Hay Runner, LLC</u> Address: <u>265 Main Street Ste 201</u> City/State: <u>Biddeford, ME</u> Zip Code: <u>04005</u>	Billing Information Work # <u>207-283-8777</u> Cell # Fax# e-mail: <u>amanda@cjab.me</u> <u>ap@cjab.me</u>
Engineer Name: <u>Steve Blais Civil Engineers</u> <u>Steve Blais, PE</u> Address: <u>27 Gorham Rd #207</u> City/State: <u>Scarborough, ME</u> Zip Code: <u>04074</u>	Engineer Contact Information Work # <u>207-730-7200</u> Cell # <u>207-837-8721</u> Fax# e-mail: <u>sblais@blaisce.com</u>

Surveyor Name: Sebago Technics or Jacob (C. Charlie Marchese) Bartlett Address: 75 John Roberts Road - Suite 1A City/State: South Portland, ME Zip Code: 04106	Surveyor Contact Information Work # 207-200-2069 Cell # 603-781-1405 Fax# e-mail: CMarchese@sebagotechnics.com
Architect Name: Patrick Bothe of Caleb Johnson Architects + Builders Address: 265 Main Street, Ste 201 City/State: Biddeford, ME Zip Code: 04005	Architect Contact Information Work # 207-283-8777 Cell # 740-418-5475 Fax# e-mail: patrick@cjab.me
Attorney Pierce Atwood LLP Name: Rebecca Greenfield Address: 254 Commercial St. City/State: Portland, ME Zip Code: 04101	Attorney Contact Information Work # 207-791-1246 Cell # Fax# 207-791-1350 e-mail: rgreenfield@pierceatwood.com

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

HayBumer is currently under contract to purchase the property.
Please see attached P&S agreement.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

Vacant Land, Parking

Current Zoning Designation(s):

B2b

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

For the 3 lots in the Purchase & Sale Agreement, we are proposing a 5 story mixed use structure. Ground Floor to be Retail/Restaurant use and floors 2-5 to be residential. The proposed floor area is 25,300sf +/- above grade. 13 residential units. The project was presented at a pre-application meeting on August 3rd, 2016.

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1" = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment <u>X</u> \$2,000.00 (from <u>B2b</u> zone to <u>B1W</u> zone)	Fees Paid (office use) —	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment ___ \$2,000.00 (to Section 14-___) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example) and language to be added is depicted as underline (example))	—	
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00	—	
Conditional or Contract Zone ___ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	—	

Signature of Applicant: 	Date: <u>9/19/2016</u>
---	----------------------------------

Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.



Portland Planning and Urban Development
4th Floor
389 Congress Street
Portland, ME 04101
207-874-8300

We are respectfully submitting this Zoning Map Amendment Application in request to change Lot 013 G005 from B2b Business Community Zone to IS-FBC (India Street Form Based Code) Urban Active subdistrict. The parent company of Caleb Johnson Architects, Hay Runner LLC, has a purchase and sale agreement for the above lot along with two contiguous lots to the south (Lots 7 and 12, P&S provided under separate cover). These two lots are currently IS-FBC Urban Active subdistrict.

We wish to develop all three lots into a mixed use 5 story residential and commercial building (additional design information is provided under separate cover). This project was presented at a Pre-Application Meeting on August 3rd, 2016 where the potential of a zoning map amendment was discussed. We are requesting the zoning map change as the three lots will be in common ownership and would allow, in our opinion, a more consistent architectural result with a consistent building height requirement and streamline approval processes.

We are happy to answer any questions regarding the project or the application.

Thank You,

A handwritten signature in black ink, appearing to read "P. Boothe", with a long horizontal stroke extending to the right.

Patrick Boothe, AIA
ME License #4204
Project Architect
patrick@ciab.me
207-283-8777
740-418-5475 cell

**Purchase and Sale Agreement
6 & 10 Washington Avenue, Portland, Maine and
221 Congress Street, Portland, Maine**

7/20/2016

This Agreement, dated _____, 2016, by and between **GREG'S PROPERTIES WASHAVE LLC**, a Maine limited liability company, whose mailing address is 26 Village Brook Road, Yarmouth, Maine 04096 (hereinafter referred to as "Seller") and **HAY RUNNER, LLC**, a Maine limited liability company, whose mailing address is 265 Main Street, Biddeford, Maine 04005 (hereinafter referred to as "Buyer")

Recitals:

A. Seller owns property situated in the City of Portland, County of Cumberland and State of Maine, located at 6 and 10 Washington Avenue and 221 Congress Street, as more particularly described in a Warranty Deed dated March 20, 2006 from Umbel Properties, LLC, recorded in Book 23771, Page 200 of the Cumberland County Registry of Deeds (the "Property" or the "Premises"). The Premises is also described by the City of Portland Tax Assessor as Tam Map 13, Block G, Lots 5, 7, and 12.

B. Buyer wishes to acquire the Property from the Seller and Seller wishes to convey the Property to the Buyer in exchange for the purchase price, all upon the terms and subject to the conditions hereinafter set forth.

Now, Therefore, in consideration of the mutual promises herein contained, and intending to be legally bound hereby, the parties hereby agree as follows:

1. **Closing.** The consummation of the transaction referred to in this Agreement (the "Closing") shall take place at the Law Offices of Robert E. Danielson, 65 West Commercial Street, Portland, Maine 04112-0545, thirty (30) days after the expiration of the Planning Board Approval and Financing Contingency Period, as hereinafter defined ("Closing Date"), or at such earlier time, date, and location as shall be mutually agreed upon by the parties.

2. **Sale of Real Estate.** Seller agrees to sell, convey, transfer and assign to Buyer and Buyer agrees to buy at the Closing, for the consideration hereinafter described, the Property.

3. **Title.** Seller shall convey the Premises at Closing in fee simple by a good and sufficient Quitclaim Deed With Covenant with good and marketable title, free and clear of all mortgages, liens, and encumbrances. Buyer agrees to complete its initial examination of title to the Property within Thirty (30) days from the Effective Date of this Agreement, and to give written notice to Seller if any matters appearing of record as of the date of Buyer's title search are objectionable to Buyer. Buyer hereby waives any matters not so objected to within Thirty (30) days from the Effective Date of this Agreement. Buyer shall also have the right to specify

in writing any additional objections to title not of record or otherwise known to Buyer as of the date of Buyer's initial title search, but appearing of record prior to Closing, except that if the same have been caused by Buyer, then the Buyer shall not be entitled to object to the same. If title to the Property to be conveyed hereunder should prove unmarketable, then Seller shall have a reasonable time beyond the date set for Closing to remedy the title defects. If Seller is unable or fails to remedy the title defects as to which notice is timely given hereunder, then Buyer may elect either (a) to terminate this Agreement, and all parties shall be relieved from all obligations and liabilities hereunder, or (b) to purchase the Property as contemplated herein without deduction from the Purchase Price, and accept such title as Seller can deliver to the Property.

Sellers may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any and all encumbrances or interests.

4. Transfers at Closing. Seller agrees to deliver to Buyer at the Closing:

(a) A Quitclaim Deed conveying to Buyer good and marketable title to the Property, free and clear of all encumbrances.

(b) All other documents and/or property as required by this Agreement to be delivered by Seller to Buyer.

5. Sketch Plan and Bridge Loan Contingency. Buyer shall have Thirty (30) days from the Effective Date of this Agreement (the "Sketch Plan and Bridge Loan Contingency Period") to obtain an initial bridge loan ("Bridge Loan") of One Hundred Thousand Dollars (\$100,000.00) and obtain sketch plan approval ("Sketch Plan Approval") from the City of Portland for conceptual architectural plan for a 25 to 30 unit mixed use building that will conform to the City of Portland's Land-Use Ordinance (the "Proposed Project"). If Buyer, using good faith efforts, is unable to obtain a Bridge Loan and Sketch Plan Approval, Buyer shall provide Seller with written notice within said Sketch Plan and Bridge Loan Contingency Period and this Agreement shall be terminated, the Deposit returned to Buyer, and neither party shall have any further obligations under this Agreement. If no such notice is given within such time period, the contingency referred to in this Paragraph 5 shall be deemed satisfied and waived by the Buyer.

6. Planning Board Approval and Financing Contingency. If Buyer has not terminated this Agreement at the expiration of the Sketch Plan and Bridge Loan Contingency Period in accordance with the provisions of Paragraph 5, Buyer shall have Sixty (60) days from the expiration of the Sketch Plan and Bridge Loan Contingency Period (the "Planning Board Approval and Financing Contingency Period") to obtain approval from the Planning Board of the City of Portland Planning ("Planning Board Approval") and to obtain financing for the Proposed Project ("Financing Approval") on terms and conditions that are satisfactory to Buyer in Buyer's sole discretion. If Buyer, using good faith efforts, is unable to obtain a Planning Board Approval and Financing Approval, Buyer shall provide Seller with written notice within said Planning Board Approval and Financing Contingency Period and this

Agreement shall be terminated, the Additional Deposit, as hereinafter defined, returned to Buyer, and neither party shall have any further obligations under this Agreement. If no such notice is given within such time period, the contingency referred to in this Paragraph 6 shall be deemed satisfied and waived by the Buyer.

7. **Purchase Price and Payment.** The total purchase price (the "Purchase Price") to be paid by Buyer to Seller upon receipt from them of the above instruments effecting the conveyance of the Property to Buyer, and subject to the conditions set forth herein, shall be Five Hundred Thousand Dollars (\$500,000.00), which shall be paid by Buyer to Seller as follows:

(a) On the Effective Date Buyer shall deposit the sum of Twelve Thousand Five Hundred and 00/100 Dollars (\$12,500.00) with The Law Offices of Robert E. Danielson to be held as an earnest money deposit (the "Deposit") in a non-interest-bearing escrow account, which Deposit shall be credited towards the Purchase Price at the Closing. Buyer and Seller agree to hold The Law Offices of Robert E. Danielson harmless from damages, losses or expenses arising out of this Agreement. Seller discloses and Buyer acknowledges that Seller is represented in this transaction by The Law Offices of Robert E. Danielson. In the event of Seller's non-acceptance, this earnest money shall be promptly returned to Buyer.

(b) If Buyer has not terminated this Agreement at the expiration of the Sketch Plan and Bridge Loan Contingency Period in accordance with the provisions of Paragraph 5, the Deposit shall become non-refundable but otherwise applicable towards the Purchase Price at the Closing, and Buyer shall deposit the additional sum of Twelve Thousand Five Hundred and 00/100 Dollars (\$12,500.00) with The Law Offices of Robert E. Danielson to be held as an earnest money deposit (the "Additional Deposit") in a non-interest-bearing escrow account, which Additional Deposit shall be credited towards the Purchase Price at the Closing. The Additional Deposit shall become non-refundable at the expiration of the Planning Board Approval and Financing Contingency Period but shall otherwise be applied towards the Purchase Price at the Closing.

(c) At the Closing Buyer shall pay the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) directly to the Seller in the form of a certified check, bank cashier's check or wired funds.

(d) At the Closing Buyer shall execute and deliver to Seller a Promissory Note (the "Note") for the balance of the Purchase Price, Four Hundred Thousand Dollars (\$400,000.00). Said Note shall be amortized over a twenty (20) year period, provide interest only payments for the first twenty-four (24) months, and bear interest at the rate of six percent (6.0%) per annum. The Note shall be secured by a junior priority mortgage on the Property (the "Mortgage"), subject only to the Buyer's first mortgage lender.

8. **No Representations, Warranties and Agreements of Seller.** Buyer acknowledges that Seller makes and has made no representation or warranty whatsoever,

including the suitability of the Premises for any particular purpose or the physical condition of the Premises. In particular and without limitation, Seller makes and has made no representation or warranty as to the presence or absence of any hazardous, toxic or special waste, substance, or material in, on, under, or about the Premises. Buyer acknowledges that in determining the suitability of the Premises for any purpose and with respect to the presence or absence of any of the aforementioned substances, Buyer will be relying solely on investigations conducted by it, its employees, agents or subcontractors.

9. **Additional Undertakings.** Each party to this Agreement shall execute and deliver or use its best efforts to cause to be executed and delivered such additional instruments as any other party may reasonably request for the purpose of carrying out the stated purposes of this Agreement.

10. **Notices.** Any notice or communication required or performed hereunder shall be sufficiently given if e-mailed, delivered in hand, or if sent by registered or certified mail, postage prepaid, to the following addresses, or to such other address as any party may designate:

If to the Seller: Greg's Properties Washave LLC
Attn: Alec Altman
26 Village Brook Road
Yarmouth, Maine 04096
E-Mail: alec@bingaswingas.com
Tel: (914) 261-4440

with a copy to: Robert E. Danielson, Esq.
The Law Offices of Robert E. Danielson
65 West Commercial Street
Portland, Maine 04112-0545

If to the Buyer: Hay Runner, LLC
Attn: Caleb Johnson
265 Main Street, Biddeford, ME 04005
E-Mail: caleb@cjab.me
Tel: (207) 590-2503

with a copy to: _____

Any such notice shall be effective as of the second business day after the day of mailing thereof.

11. **Contents of Agreement.** This Agreement sets forth the entire understanding of the parties and supersedes any prior agreement or understanding relating to the subject matter of this Agreement. It shall be changed or terminated only by an instrument executed by all parties hereto in writing. Neither party shall be bound by any terms, conditions, promises, statements or representations, oral or written, not herein contained.

12. **No Broker.** The Buyer and Seller represent to each other that neither of them has dealt with any broker in any connection with the sale contemplated hereby. Any commission claimed by any broker on account of the sale contemplated herein shall be the sole responsibility of the party who dealt with such real estate broker, or whose actions gave rise to such claim. This provision shall survive the closing and the delivery of the deed.

13. **Possession.** Buyer shall be entitled to possession of the Property at Closing.

14. **Real Estate Taxes.** Real estate taxes and other municipal assessments assessed by the City of Portland against the Property shall be prorated according to its tax year as of the Closing Date.

15. **Risk of Loss.** The risk of loss or damage to the Property by fire or otherwise is assumed by the Seller until Closing. In the event of substantial loss or damage to the Property prior to the date set for closing, Buyer shall be entitled to terminate this Agreement, but if Buyer elects to complete the Closing, the Buyer shall be entitled to all of insurance proceeds or eminent domain award attributable to such taking, less only the amounts actually expended or incurred by Seller in efforts to obtain such proceeds or such award.

16. **Transfer Taxes.** Each of Buyer and Seller shall pay at Closing one-half of the real property transfer tax imposed on the sale of the Property contemplated hereby.

17. **Default.** If Buyer fails to make any payment as agreed, or otherwise defaults hereunder for a reason other than the default of the Seller, Seller shall be entitled to pursue all available legal and equitable remedies. Should Seller default on its obligations under this Agreement, the Buyer's sole and exclusive remedy shall be to terminate this Agreement and all parties shall be relieved from all obligations and liabilities hereunder.

18. **Withholding:** Seller is aware that Maine law requires Buyer to withhold 2.5% of the sale proceeds unless Seller certifies residency in Maine at the time of closing or is otherwise exempt from this provision.

19. **Binding on Successors.** All the terms and provisions of this Agreement shall be binding upon and inure to the benefit of and be enforceable by the respective successors, personal representatives, heirs and assigns of the parties hereto.

20. **Effective Date.** This Agreement is a binding contract when the last party has caused a paper or electronic copy of the fully executed Agreement to be delivered to the other party which shall be the Effective Date. Except as expressly set forth to the contrary, the use

of the term "days" in this Agreement, including all addenda made a part hereof, shall mean calendar days defined as including Saturday, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first days after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted

21. **Maine Law to Govern.** This Agreement is being delivered and is intended to be performed in the State of Maine and shall be construed and enforced in accordance with the laws of the State of Maine.

22. **Interpretation.** Wherever used herein the masculine gender shall include the feminine and neuter genders, and vice versa, as the context shall require. The paragraph headings are included solely for convenience and shall in no event affect, or be used in connection with, the interpretation of this Agreement. Time is of the essence of each and every provision of this Agreement.

23. **Miscellaneous.** This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which together shall constitute one and the same instrument. All parties hereby acknowledge that they have executed this Agreement after the opportunity for investigation and consultation with an attorney, and in executing this Agreement they have not been induced, persuaded or motivated by any promise or representation made by any other party, except as may expressly be set forth herein. No oral representations have been made by or on behalf of Seller to induce Buyer to sign this agreement. All provisions of this Agreement shall survive the Closing and the delivery of the Deed. No invalidity or unenforceability of any provision of this Agreement shall affect in any way the continued validity or enforceability of the remaining terms and provisions hereof. The use of captions in this Agreement is for purposes of convenience only, and no caption or paragraph heading shall be construed or interpreted so as to affect in any way the meaning of this Agreement.

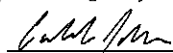
In Witness Whereof, the parties have executed this Agreement as of the date below.

Buyer:

Seller:

Hay Runner, LLC

DocuSigned by:



Caleb Johnson, Its Manager

Date: 7/19/2016

Greg's Properties Washave LLC

DocuSigned by:

By: Alec Altman

Alec Altman, Its Manager

Date: 7/20/2016

FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT (the "First Amendment") is made as of this ____ of August 2016, between **GREG'S PROPERTIES WASHAVE LLC**, a Maine limited liability company ("Seller"), and **HAY RUNNER, LLC**, a Maine limited liability company (the "Buyer").

RECITALS:

WHEREAS, Seller and Buyer entered into an Purchase and Sale Agreement with an effective date of July 20, 2016 (the "Original Contract"), relating to the purchase and sale of certain undeveloped property situated in the City of Portland, County of Cumberland, State of Maine, located at 6 and 10 Washington Avenue and 221 Congress Street, as more particularly described in the Original Contract (the "Property");

WHEREAS, pursuant to Section 3 and Section 5 of the Original Contract Buyer was afforded a thirty (30) day contingency period to review title and to obtain Sketch Plan Approval and a Bridge Loan and sixty (60) days to obtain Planning Board Approval and Financing Approval.

WHEREAS, Buyer has now requested, and Seller has agreed to provide, an extension of said contingency period and an expansion to cover certain typical due diligence period that a lender would require in connection with acquisition and construction financing, all upon the terms and conditions provided herein.

AGREEMENT:

NOW THEREFORE, in the consideration of the mutual covenants and agreements hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to the following:

1. **Due Diligence Contingency Periods.** The Original Contract is hereby amended to provide for the following extensions and amendments:

(a) Section 3 of the Original Contract is amended to provide that the period during which Buyer may examine and object to title matters of record affecting the Property and existing as of the Effective Date shall be sixty (60) days from the Effective Date. Buyer shall also have until the date of Closing to object to any matters affecting title to the Property that either are not of record as of the Effective Date or first arise after the Effective Date, except that if the same have been caused by Buyer, then Buyer shall not be entitled to object to the same.

(b) The last sentence of the first paragraph of Section 3 is amended to provide that if the Agreement is terminated in accordance with the terms of such sentence then the Deposit shall be returned to Buyer.

(c) Section 5 of the Original Contract is amended to provide that the Sketch Plan and Bridge Loan Contingency Period shall be for a period of sixty (60) days from the Effective Date.

(d) Buyer shall have the right to do a complete investigation and analysis of the Property, at its own expense, within sixty (60) days from the Effective Date, (the "Due Diligence Period"). Such investigation and analysis may include such matters as Buyer deems appropriate or necessary, in its sole discretion, with respect to the acquisition of the Property and may include without limitation, environmental assessments, zoning analysis,

physical inspections and preparation of survey. Buyer may seek information from independent professionals regarding any specific issue of concern, and Buyer and its agents and consultants may enter into and onto any part of the Property at their own risk at all reasonable times during the Due Diligence Period in order to inspect the Property, conduct assessments and studies, prepare surveys, and do such other things as are reasonably necessary with respect to Buyer's investigation and analysis. Buyer agrees that in the event it shall not purchase the Property, it shall restore the Property to the condition which existed immediately prior to such work being undertaken to the extent reasonable practicable. Buyer shall have the right to terminate this Agreement if Buyer determines, in its sole discretion, that it is not satisfied with the Property for any reason during the Due Diligence Period. To exercise such termination right, Buyer shall give written notice of termination to Seller on or before the last day of the Due Diligence Period. If Buyer gives notice of termination on or before either deadline, then this Agreement shall be deemed terminated as of the date on which Seller receives such notice, the Deposit shall be returned to Buyer, and neither party shall have any further obligations or liabilities under this Agreement except as expressly set forth in this Agreement.

2. **Effect of This Amendment.** Except as amended or modified by this First Amendment, the Original Contract is hereby ratified and confirmed and all other terms of the Original Contract shall remain in full force and effect. In the event of any conflict between the provisions of the Original Contract and this First Amendment, the provisions of this First Amendment shall prevail.

3. **Counterparts.** This First Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together will constitute one and the same instrument. Signatures by facsimile shall be as effective as originals.

4. **Capitalized Terms.** All capitalized terms set forth herein and not otherwise specifically defined herein shall have the meaning set forth in the Original Contract. The Original Contract, as amended hereby, shall be referred to as the "Agreement".

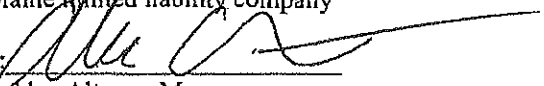
[Signature Page to First Amendment Follows]

IN WITNESS WHEREOF, the parties have duly executed this First Amendment as of the date first written above.

SELLER:

GREG'S PROPERTIES WASHAVE LLC,
a Maine limited liability company

By:

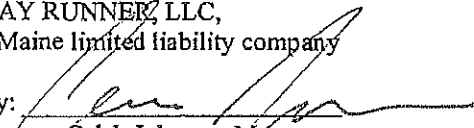

Alec Altman, Manager

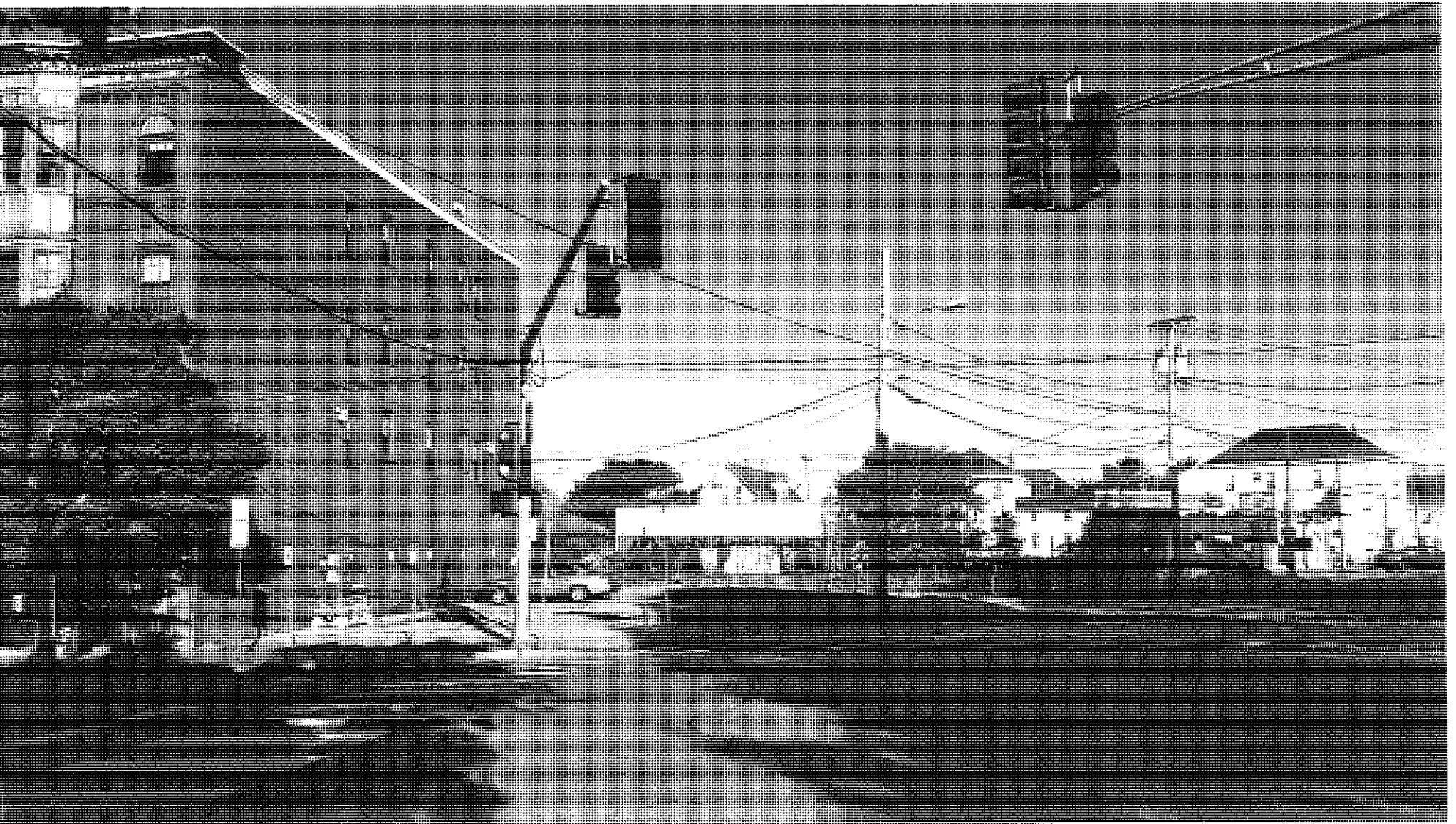
8/12/16

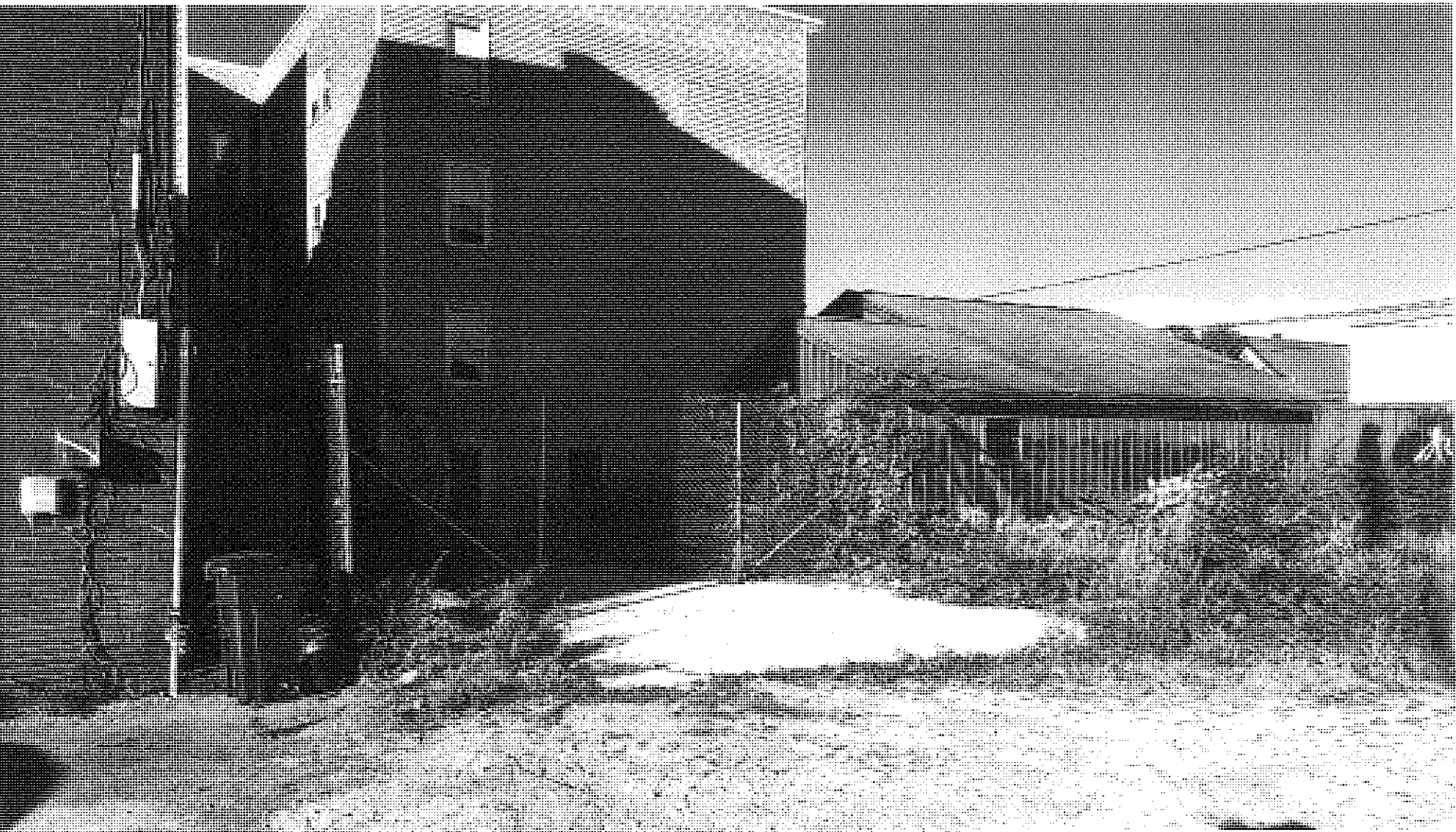
BUYER:

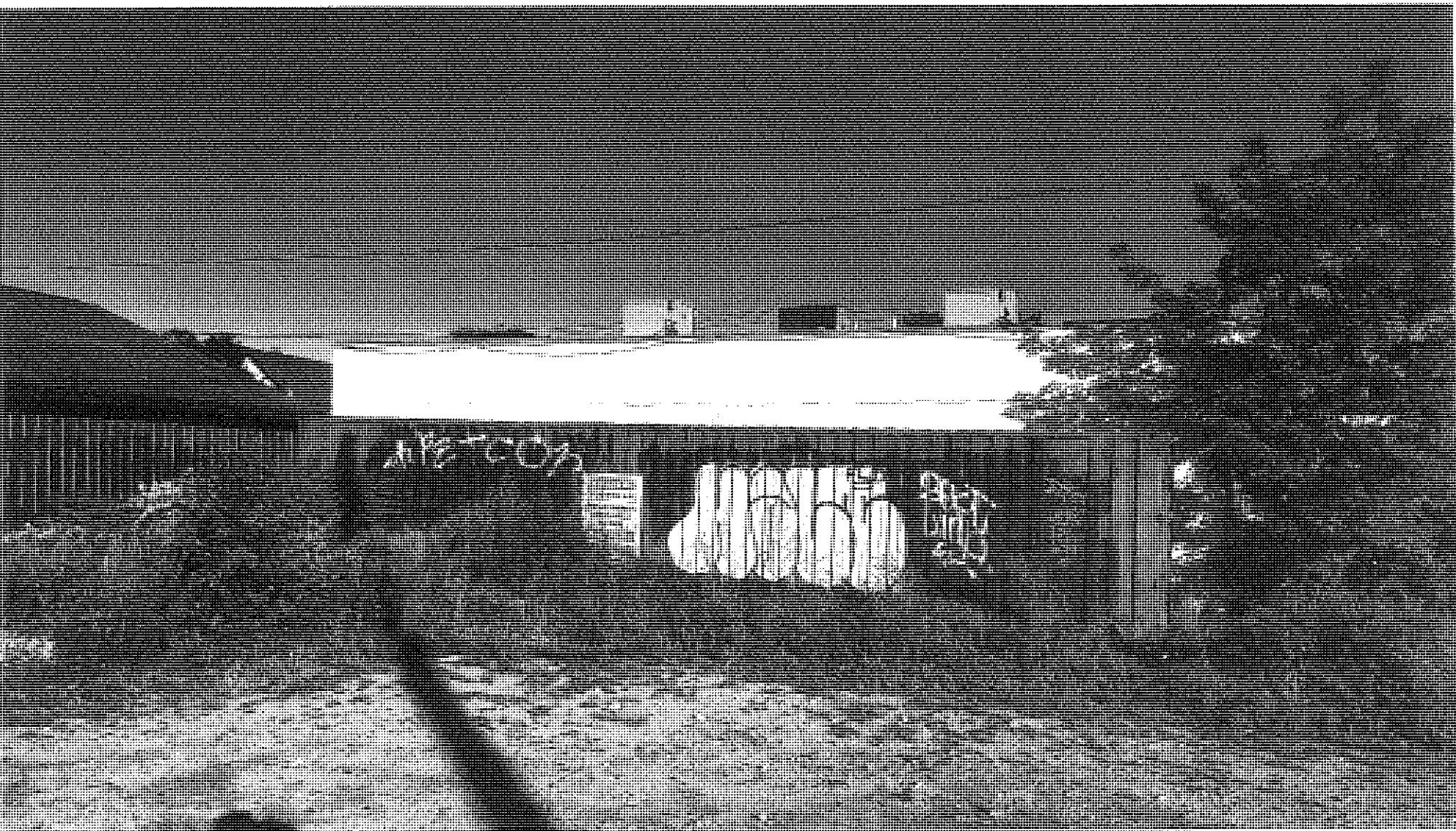
HAY RUNNER, LLC,
a Maine limited liability company

By:


Caleb Johnson, Manager







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 94-16/17
Tab 22 - 11-21-16
Tab 8 12-5-16*

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 2 ADMINISTRATION
RE: AUTHORIZATION FOR FINANCE DIRECTOR TO ACCEPT AND EXECUTE
CERTAIN LICENSES AND EASEMENTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. That Section 2-17 and 2-313 are hereby amended to read as follows:

Sec. 2-17. Additional duties assigned.

In addition to the duties imposed on them by the Charter, state law and ordinance of the city, the City Council or the City Manager, the following officers shall perform the additional duties list below:

(a) City Clerk:

...

(f) Director of Finance: In all cases where the duty is not expressly charged to any other department or office, it shall be the duty of the Director of Finance to act to promote, secure and preserve the financial and property interests of the city. The Director of Finance shall:

1. Perform the duties and have and exercise the powers conferred or imposed upon Directors of Finance, Treasurers and Collectors of Taxes by State law, the City Charter and this Code;

...

5. Reserved Under the direction of the City Manager, execute licenses and easements for foundations, footings, awnings, overhangs and similar appurtenances to private developments on, above,

| or below City property or the public way-;

...

Sec. 2-313. Sale or disposal of real or personal property.

(a) *Redemption of tax-acquired real property.*

...

| (c) Acceptance of certain licenses and sewer and drainage easements. The Finance Director, upon approval ~~by~~ from the City Manager, shall have the authority to accept sewer and drainage easements, and licenses and easements for foundations, footings, awnings, overhangs and similar appurtenances to private developments on, above, or below the City property or the public way, and shall cause such easements and licenses, as necessary, to be recorded in the Cumberland County Registry of Deeds.

...

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, Planning & Urban Development

DATE: November 7, 2016

SUBJECT: Amendment to Code of Ordinances
Regarding Approval of Licenses & Easements

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading 11/21/16 Final Action 12/5/16

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)

Jon Jennings, brief overview; Jeff Levine, description of changes

I. ONE SENTENCE SUMMARY

Amendment to Portland City Code Chapter 2 re: approval of license and easements

II. AGENDA DESCRIPTION

As part of an effort to streamline the development process, staff is proposing a change to Chapter 2 of the Portland City Code to permit the City Manager and Finance Director to execute certain licenses and easements. It is common in an urban environment for developments to require licenses for foundations (below ground) and/or for steps, ADA-compliant ramps, overhangs, or similar appurtenances on public sidewalks or rights of way. These licenses and easements are often requirements of site plan approval by the Planning Board, and have been publicly vetted through that process to protect the public interest. This change would eliminate the requirement that these licenses and easements go to the City Council for approval, and instead authorize City staff to administratively approve them.

III. BACKGROUND

Until a few years ago, licenses and easements on public land were approved by the City Manager as “revocable” licenses under Chapter 25, Division 2. More recently Corporation Counsel has advised that these sorts of licenses and easements are not “revocable” and therefore need to be approved by the City Council.

Given the extensive public review of development projects at the Planning Board, staff believes that taking these licenses and easements to the City Council is not necessary. The site plan that is

includes them has already been reviewed by the Planning Board with public comment. City staff has already consulted with DPW; Parks, Recreation & Facilities; and other relevant internal stakeholders. Bringing these license and easements to the City Council is an unnecessary additional step that adds cost and uncertainty to the development process.

Alternatives that have been studied include (1) retaining the existing system; (2) amending the definition of “revocable” easements in Chapter 25 to include these types of licenses and easements; (3) further refining which items would go to the Council but allowing smaller licenses and easements to be approved administratively; and (4) the current proposal. Staff believes the current proposal strikes the right balance between protecting the public interest and providing certainty and clarity to the development review process.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

This amendment will create a more efficient permitting process.

V. FINANCIAL IMPACT

By removing unnecessary steps in the development review process, this amendment will reduce administrative costs for preparing City Council agenda items, and also encourage additional taxable development.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

VII. RECOMMENDATION

Staff recommends passage of the attached ordinance amendment.

VIII. LIST ATTACHMENTS

Proposed amendment to Chapter 2

Prepared by: Jeff Levine

Date: 11/7/16

Chapter 2 ADMINISTRATION*

*Charter reference(s)--Powers and duties, art. I, § 2.

Cross reference(s)--Ordinances promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds in the city or any evidence of the city's indebtedness, or any contract or obligation assumed by the city saved from repeal, § 1-4(1); ordinances making any appropriations saved from repeal, § 1-4(4); ordinances prescribing the number, classification or compensation of any city officers or employees saved from repeal, § 1-4(10); ordinances providing for retirement benefits saved from repeal, § 1-4(11); uniform procedure for collecting assessments, § 1-16; elections, Ch. 9; general assistance, Ch. 13; planning board, § 14-16 et seq.; administration and enforcement of zoning, § 14-461 et seq.; jurisdiction of board of appeals for zoning, § 14-471 et seq.; board of appeals, § 14-541 et seq.; historic preservation, § 14-600 et seq.; licenses and permits, Ch. 15; police, Ch. 20; special police, § 20-16 et seq.; administration and enforcement of traffic regulations, § 28-11 et seq.; traffic division, § 28 et seq.; traffic engineer, § 28-21 et seq.; parking division, § 28-41 et seq.

Art. I. In General, §§ 2-1 -- 2-15

Art. II. Officers, §§ 2-16--2-30

Div. 1. Generally, §§ 2-16-2-20

Div. 2. Prohibition on Immigration Status Checks §§ 2-21-2-30

Art. III. Boards, Commissions, Committees, etc., §§ 2-31--2-40

Art. III-A. Portland Land Bank Commission; Fund, §§ 2-41-2-45

Art. IV. Civil Service, §§ 2-46--2-90

Div. 1. Generally, §§ 2-46

Div. 2. Civil Service Commission, §§ 2-47--2-57

Div. 3. Employment Subcommittee, §§ 2-58-2-75

Div. 4. Police Citizen Review Subcommittee, §§ 2-76-2-90

Art. V. Employee Benefits, §§ 2-91--2-200

Div. 1. Generally, §§ 2-91--2-100

Div. 2. Retirement, §§ 2-101--2-200

Art. VI. Funds Due to City, §§ 2-201--2-300

Div. 1. Generally, §§ 2-201--2-220

Div. 2. Provisional Payments, §§ 2-221--2-229

Div. 3. Interest, §§ 2-230--2-300

Art. VII. Procurement and Contracting Procedures, §§ 2-301--2-400

Div. 1. Generally, § 2-301

Div. 2. Competitive Process for Contracts, §§ 2-302-2-312

Div. 3. Sale or Disposal of Real or Personal Property §§ 2-313-2-400

Art. VIII. Civil Emergency Preparedness, §§ 2-401--2-415

Art. X. Exemption from Vehicle Excise Tax for Certain Military Personnel, §§ 2-436--2-437

ARTICLE I. IN GENERAL

Sec. 2-1. City seal.

The design set forth below shall be the device of the city seal; and the motto shall be: "RESURGAM, SIGILLUM, CIVITATIS PORTLANDIAE."
(Code 1968, § 103.1)

State law reference(s)--Municipal authority to adopt a seal, 30 M.R.S.A. § 1902.

Sec. 2-2. Council members acting as agents in claims or actions against city prohibited.

No member of the City Council shall act as attorney, agent or representative for any person in any claim or demand against the City, nor in defending any person in any action brought by the City.
(Code 1968, § 202.3)

Charter reference(s)--No personal interest, art. VIII, § 1.

State law reference(s)--30 M.R.S.A. § 2251.

Sec. 2-3. Accidents to be reported.

Every officer and every employee, including the School Department, involved in any accident or other incident in which the City may be a party or having knowledge or notice, whether by hearsay or otherwise, of any such accident or incident shall immediately file a full report of such accident or other incident with the Corporation Counsel.
(Code 1968, § 202.4)

Sec. 2-4. thru 2-15. Reserved.

ARTICLE II. OFFICERS*

*Charter reference(s)--Administrative officers, art. VI.

Cross reference(s)--Parking control officers, § 28-116.

State law reference(s)--Town officials, 30 M.R.S.A. § 2250 et seq.

DIVISION 1. GENERALLY

Sec. 2-16. Positions created.

In addition to the administrative officers and boards established by the Charter, there shall be the following additional administrative officers who shall be appointed in the manner provided in the Charter:

...

(f) *Director of Finance*: In all cases where the duty is not expressly charged to any other department or office, it shall be the duty of the Director of Finance to act to promote, secure and preserve the financial and property interests of the city. The Director of Finance shall:

1. Perform the duties and have and exercise the powers conferred or imposed upon Directors of Finance, Treasurers and Collectors of Taxes by State law, the City Charter and this Code;

2. Receive, file and keep in his or her custody all contracts, leases and other like documents not required to be filed elsewhere, and the Director shall not permit any such papers to be taken from his or her possession without obtaining a receipt therefor;
3. Keep and preserve all bonds required of officers and employees of the City, except his or her own bond which shall be kept by the City Clerk;
4. Under the direction of the City Council, seal and execute all deeds to City-owned property, and shall, after recording when necessary, file and preserve all deeds delivered to the city as purchaser;
5. ~~Reserved~~Under the direction of the City Manager, execute licenses and easements for foundations, footings, awnings, overhangs and similar appurtenances to private developments on, above, or below the public way.
6. Under direction of the City Council, authorize, sign and issue all obligations of the city, and shall keep and administer said documents;
7. Deposit the proceeds of all sales of bonds into the city treasury immediately after he or she shall have received the same, and until such deposit, he or she shall be responsible for the amount thereof;
8. Keep in proper books a full and accurate account of all the moneys received and disbursed by him in behalf of the City, specifying the time of receipt and disbursement, from whom disbursed and on what account received and disbursed and how paid, showing at all times the financial condition of the City;
9. Receive and have custody of all moneys paid to the city and shall then deposit and invest and reinvest the same with some reasonable banking or investment institution or institutions, and shall disburse City moneys upon authorization of the City Council, and may sell, purchase and otherwise trade all, securities, bonds, stocks or other negotiable instruments owned by or belonging to the City;
10. Report the default of any officer of the City to the City Manager, who shall direct the corporation counsel to take immediate legal measures for the recovery of the amount for which such officer may be in default;

11. Ensure that all banks and trust companies, now or hereafter holding deposits of the city, are requested, authorized and, directed to honor checks, drafts or other orders for the payment of money drawn in this corporation's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signee or signers thereof, when bearing the signature or facsimile signature of the Director of Finance or such person as he or she shall identify to the aforementioned banks and trust companies; and further, that the Director of Finance shall cause the names of said designees and all other conditions of payment to be submitted in writing to the aforementioned banks and trust companies;
12. Demand and receive all moneys and fees owing to the City, whenever any person is indebted to the City in any manner and the means of collection of such debt is not otherwise provided for by law. When any claim shall not be collectible by other methods, he shall report the same to the corporation counsel for prosecution;
13. Pay City employees upon presentation of the properly certified payroll;
14. Transmit to the City Manager annually audited statements of cash on hand and of classified unencumbered appropriation balances for the City as a whole and such other financial statements as the City Manager may from time to time require. He or she shall keep every department, board, commission, and institution currently informed of its classified unencumbered appropriation balances;
15. Exercise general supervision over all officers of the City regarding the proper management of the fiscal concerns of their respective offices and:
 - a. Examine the books of each department from time to time and see that they are kept in proper form;
 - b. See that officers receiving money pay the same into the City Treasury when thereto required and that all necessary financial reports are made by officers, and shall report all delinquencies in such payments or reports to the City Manager and Council;
16. Examine, pay and audit the accounts of all officers and departments subject to the approval of the City Manager and appropriation by the Council;

17. Prescribe the forms of accounts and reports to be rendered to him or her;
18. Prepare estimates of revenues and expenditures as prescribed by the Charter and give such other assistance in the preparation of the budget as may be required by the City Manager;
19. Issue all permits and licenses required by ordinance to be issued by the Director of Finance or his designee;
20. Pay out to the persons duly entitled thereto on warrant of the Director of Finance, without appropriation by the Council, any money paid into the Treasury pursuant to special trust funds.

The Finance Director shall further have the authority to employ assistants to whom he or she may delegate duties as permitted by state law, the Charter and this Code.

DIVISION 3. SALE OR DISPOSAL OF REAL OR PERSONAL PROPERTY

Sec. 2-313. Sale or disposal of real or personal property.

(a) Redemption of tax-acquired real property.

- (1) Property acquired by the City by reason of delinquent property taxes or sewer user charges may be reconveyed to the person or persons from whom the property was acquired after the expiration of the statutory period for redemption, upon the following conditions:

The payment of the full amount of all taxes, sewer user charges, and other charges and assessments of any kind owed on all property located within the city, owned by the person seeking to redeem the property.

- (2) The City Manager may attach such further conditions as he or she may determine to be reasonable and appropriate for any reconveyance.
- (3) Nothing herein shall be construed to create any entitlement to reconveyance.

(b) Real property.

- (1) Subject to the provisions of section 2-313(a) above for redemption by the prior owner, the Finance Director shall promulgate rules and regulations for the review and disposition of all real property. Such properties may be offered for sale pursuant to said rules and regulations. All sales shall be subject to the approval of the City Council, except that the City Manager, upon review by the Finance Director, is authorized to sell:

a. Vacant lots that do not meet minimum lot size for construction and are less than five thousand dollars (\$5,000.00) in value as determined by the assessor;

b. Tax-acquired properties that are residential land or residential buildings containing no more than three units and having an assessed value of no more than four hundred thousand dollars (\$400,000.00), provided that such properties shall not be sold for less than the sum of:

i. All taxes and interest owed on the property and the amount of taxes and interest that would have been assessed had the property not been acquired by the city;

- ii. The city's costs of the lien and foreclosure process;
 - iii. The city's costs of maintaining and disposing of the property, including, without limitation, attorneys' fees and marketing costs incurred in connection with the sale of the property;
 - iv. Unpaid sewer, water, storm water, or other charges and fees imposed by or incurred by the city; and
 - v. Any other costs incurred by the city related to the property; and
- c. Such sales must be conducted in accordance with the City of Portland's Rules for the Disposition of City-Owned and Tax-Acquired Property and any other rules promulgated pursuant this section.
- (2) All rules and regulations promulgated hereunder shall be effective upon approval by the City Manager, and a copy of all such rules and regulations shall be kept on file in the office of the Finance Director.
- (3) Nothing herein shall limit or modify the discretion of the City Manager or the City Council to reject any sale or offer to purchase by any person should they deem it in the best interest of the City to do so.
- (c) Acceptance of certain licenses and sewer and drainage easements. The Finance Director, upon approval by the City Manager, shall have the authority to accept sewer and drainage easements, and licenses and easements for foundations, footings, awnings, overhangs and similar appurtenances to private developments on, above, or below the public way, and shall cause such easements to be recorded in the Cumberland County Registry of Deeds.—
- (d) *Personal property.* The Finance Director shall conduct all disposal of personal property determined by the City Manager to be surplus, such disposal to be either:

- (1) By competitive bid;
- (2) By competitive negotiation including, but not limited to, trading property, the value of any single piece of which does not exceed five thousand dollars (\$5,000.00);
- (3) By public auction; or
- (4) By discarding it as he or she determines to be in the best interest of the city, if he or she determines it to be of no

City of Portland
Code of Ordinances
Sec. 2-313

Administration
Chapter 2
Rev. 4-4-2016

economic value.

(Ord. No. 376-90, § 3, 6-6-90; Ord. No. 244-93, § 3, 4-16-93; Ord. No. 142-96, 1-17-96; Ord. No. 131-00, 12-18-00; Ord. No. 191-15/16. 4-4-2016)

*Order 101-16/17
Feb 9 12-5-16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER AUTHORIZING THE ADOPTION OF
THE CUMBERLAND COUNTY HAZARD MITIGATION PLAN**

ORDERED, that the City hereby adopts the Cumberland County Hazard Mitigation Plan in substantially the same form attached hereto;

BE IT FURTHER ORDERED, that the City Manager or his or her designee is authorized to sign the Cumberland County Hazard Mitigation Plan and all other necessary documents on behalf of the City.

MEMORANDUM
City Council Agenda Item

TO: Mayor and City Council

FROM: Fire Chief, David Jackson

DATE: November 22, 2016

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

SUBJECT: Hazard Mitigation Plan

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading ___December 5th, 2016___ **Final Action** _____

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. SUMMARY OF ISSUE: Hazard Mitigation Plan

II. REASON FOR SUBMISSION

The Cumberland County Hazard Mitigation Plan needs to be adopted by the City Council in order to allow the City of Portland to continue to receive grants through the Federal Emergency Management Association (FEMA).

III. INTENDED RESULT: To alleviate the burden on municipalities, to provide consistency in reporting for all jurisdictions and be able to continue to receive grants thru FEMA, specifically the Stafford Act, which requires state, tribal, and local governments to develop and adopt FEMA-approved hazard mitigation plans as condition for receiving certain types of non-emergency disaster assistance. Without City Council approval, these funds are not available to the country or towns.

IV. COUNCIL GOAL ADDRESSED-

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS: handout to be presented at council meeting



David J. Jackson
Fire Chief, Fire Department

November 30, 2016

To: Council Members

Date: November 30, 2016

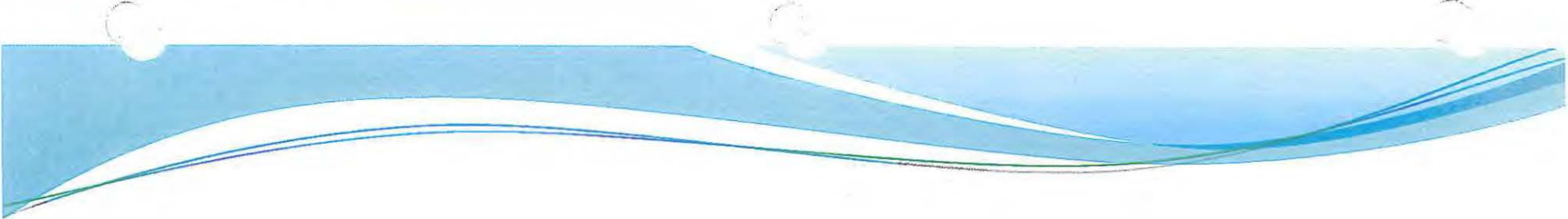
Re: Cumberland County Hazard Mitigation Plan

The purpose of this memo is to request the approval of the Cumberland County Hazard Mitigation Plan. One of the main focuses for our Emergency Management Agency is to assist other agencies that are involved with managing the many disasters that can affect our citizens, visitors and environment. One of the ways that Cumberland County Emergency Management Agency (CCEMA) does this is by developing the Hazard Mitigation Plan for the county and those communities to have as a resource. The plan also puts in place consistency in reporting and an overview of those threats facing all of us here in Maine.

The intended result by created the plan by the CCEMA alleviates the burden on the municipalities, along with keeping one organization staying on top of the required reviews and updating. This plan provides an overview of mitigation needs including resources and progress. Plus it allows us to see the big picture beyond the boundaries of our community. By adopting this plan the City of Portland will be able to continue to participate in many of the emergent and non-emergent FEMA grant programs. These grants cover area's such as but not limited to; Hazard Mitigation, Pre-Disaster Mitigation, Flood & Storm Mitigation Assistance and Fire Mitigation Assistance. For the communities that don't adopt many of those programs are not available.

Over the years the City of Portland has been successful in participating and receiving many FEMA and MEMA grants. It is with my recommendation that we continue to support these efforts brought forth by our county emergency agency and adopt this plan for the City of Portland.

I am available to answer any questions, provide further information, or any help I can provide.



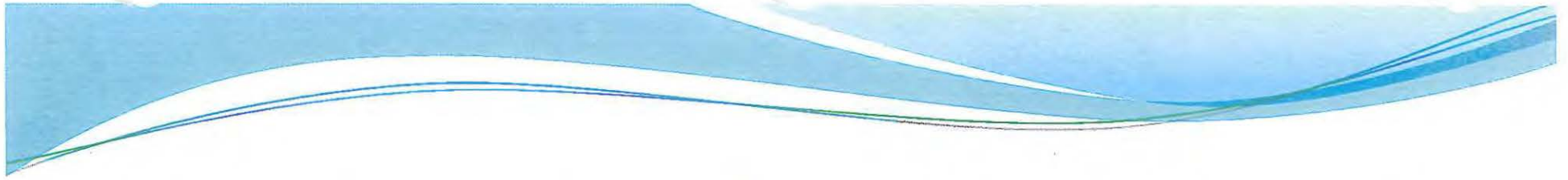
Why Does the County Write the Plan?

- To alleviate the burden on the municipalities
 - Plan has taken 18 months to write
 - Approximately 1800 man-hours
 - Specific FEMA guidance on language and format
- To provide consistency in reporting for all jurisdictions
- To provide an overview of the threats facing the county



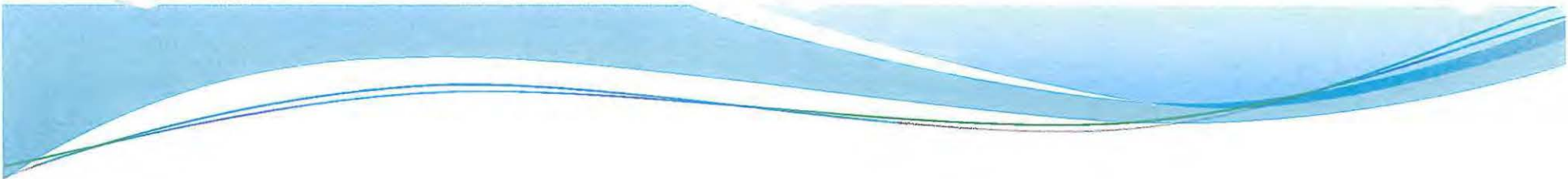
How Was the Plan Developed?

- Consultation with local Emergency Management Directors and/or Local Public Works/Road Commissioners
 - In person discussions
 - Emails
 - Phone calls
- Yearly updates from last five year plan helped provide information on mitigation progress
- Guidance from Maine Emergency Management



How Does It Affect Your Town?

- Provides an overview of your mitigation needs and progress
- Allows you to see the big picture beyond your boundaries
- Does **NOT** commit your town to anything!



What Happens If You Don't Adopt?

- Specifically, the Stafford Act requires state, tribal, and local governments to develop and adopt FEMA-approved hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance.
- Hazard Mitigation Grant Program, Pre-Disaster Mitigation, and Flood Mitigation Assistance, and indirectly, Fire Mitigation Assistance
- Without approval, these funds are not available to the county or towns

Section I

SECTION I – OVERVIEW OF JURISDICTION

This plan, originally produced and updated by the Cumberland County Soil and Water Conservation District (CCSWCD) and under contract to the Cumberland County Emergency Management Agency (CCEMA), is in its third update cycle. It is a multi-jurisdictional plan covering the entire County and has been done in accordance with the most recent Federal Emergency Management Agency guidelines thereby reflecting the most recent research, analysis and mitigation planning. The objectives of producing a multi-jurisdictional plan are:

- Increased efficiency in the development of the plan,
- Identification of county-wide mitigation measures, and
- Identification of opportunities for inter-municipal cooperation and coordination.

The plan includes the following sections:

- 1) Overview of Jurisdiction
- 2) Prerequisites
- 3) Planning Process
- 4) Risk Assessment
- 5) Mitigation Strategies
- 6) Plan Maintenance Procedures

Cumberland County's geology and climate exert great influence on the occurrence and severity of the County's natural hazards. Although the County is usually able to handle these hazards, overwhelming events have sometimes required federal assistance.

The number one hazard for Cumberland County is flooding. A brief climate description at the beginning of the Risk Assessment section of the plan gives an overview of why flooding is a possibility during any season. Therefore, the primary mitigation efforts identified in the plan concentrate on the causes and effects of flooding. As such, the plan supports the on-going efforts of the individual communities within the County as they prioritize the mitigation actions within their comprehensive plans and identify budgets (or shortfalls) to implement their projects. The Risk Assessment section also presents a discussion of Cumberland County's other potential hazards and associated mitigation measures. This third update includes a section on climate change and its effects on the County.

Cumberland County was incorporated in 1760 and was named after William, Duke of Cumberland, son of George II. Cumberland County consists of a mix of municipality types, ranging from Portland, Maine's largest city, to the rural towns in the northern end of the county, and the Islands of Casco Bay. From civil-war era Fort Georges, at the head of the Fore River in Casco Bay to the centuries old inns and mills in the upper county, Cumberland County is rich in history.

Today, Portland is one of the largest oil and seaports on the East Coast and commercial cruise ships are a common sight in the harbor as Portland continues to grow in popularity as a cruise ship port-of-call. From Pine Point at the southern end of the County to Small Point at the north and the islands in between, fishing and lobster boats continue to play a role in the county's economy and cultural heritage. The Lakes Region of the County is a popular vacation destination and continues to see development as the activity and population of Portland and its surrounding suburbs spread north and west. Though threatened by development as less expensive land and housing is sought, farming and forest-based economies still viably operate throughout the County.



Portland Head Light, Cape Elizabeth

Inland features include Sebago Lake, Maine's second largest lake, which serves as the drinking water supply for almost a fifth of the state's population and as the premiere freshwater recreational resource in the state. The Sebago Lake watershed has significant development pressure on its riparian, private forests important for protecting drinking water supply and flood mitigation. Land uses that tend to dramatically alter natural hydro-geological and biological processes have the greatest potential to negatively impact the quality of the watershed. As such, watershed protection and hazard mitigation are integral components of municipal comprehensive plans and zoning ordinances throughout the County, along with policies and procedures by Portland Water District.

As of, May 2015, the County had a population of 287,797 residents living in 138,657 housing units, as estimated in the U.S. Census QuickFacts. The population density of the is approximately 337.2 persons per square mile as reported in County QuickFacts. The County has an overall area of 1,217.46 square miles with land area totaling 835.24 square miles and water area totaling 381.4 square miles. Cumberland County has 1,289-miles of shoreline, including the coastlines of the island communities, of which approximately 126 miles is publically owned.

Governance:

Cumberland County has two types of government. The following is based in part on the Maine Municipal Association's report "Local Government in Maine."

Cities: Portland, South Portland, and Westbrook are the only cities in Cumberland County. All cities in Maine have local charters granted by the Maine legislature that provide for a representative form of government – meaning they have a city council that serves as the legislative body. The city council is elected and answerable to the citizens. The office of mayor varies considerably from city to city, with only a few acting as chief executive officer. Some mayors are elected by the vote of the people, while others are elected by a vote of their fellow councilors. In general, city councils have the authority to enact ordinances.

Towns: There are 25 towns in Cumberland County. Towns remain the cornerstone of local government. A Maine community becomes a town when it is incorporated by a special act of the legislature. At that time, it is given certain privileges and responsibilities. Under Home Rule, towns make take any action or change their form of government in any way not denied or precluded by state or federal law. The voters of the town constitute its legislative body. Day to day governance of towns has expanded from the original board of selectmen to include town managers, town councils, budget committees, municipal departments and various professions managers. In a

CUMBERLAND COUNTY HAZARD MITIGATION PLAN UPDATE 2017

small number of mostly larger towns, the council exerts legislative control without a town meeting. In others, a ballot vote is used to approve the budget rather than the open town meeting.

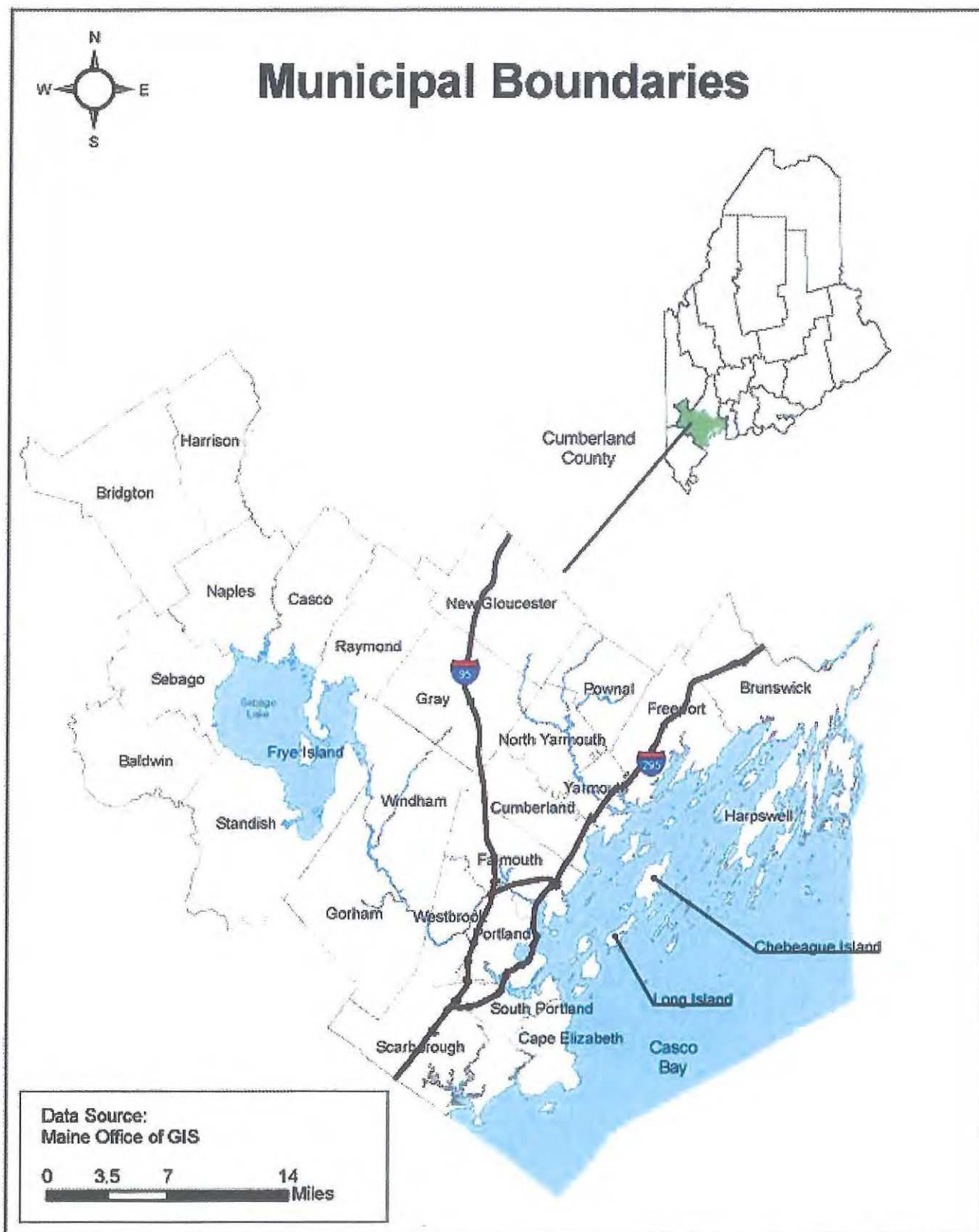
Cumberland County is part of the Portland-South Portland-Biddeford Metropolitan Statistical Area. The County Government includes Community Development, Sheriff's Department, Finance and Treasurer's Office, Registry of Deeds, Probate Court, District Attorney, Violence Intervention Partnership, Regional Assessing, Regional Communication Center, and Emergency Management Agency.

There are significant transportation thoroughfares through the County. These include US Route 95 from north to south and Maine State Route 302 from east to west. Rail transport and Amtrak traverses the county from north to south from Brunswick through Scarborough. Portland is also home to the Portland International Jetport. Significant employers in the county include Maine Medical Center, L.L. Bean, UNUM, Hannaford Bros. and Mercy Hospital.

The table below shows the municipal populations based on the 2010 U.S. Census data. A map showing the municipality boundaries and a table of county demographics follows.

MUNICIPAL POPULATIONS (from 2010 U.S. Census data)

Town/City	Total Population	Total Area	Land Area	Population Density	Housing Units	Seasonal Homes	Median Age	Housing Unit Density
Baldwin	1,525	36.35	35.32	41.9	700	76	42.4	19.8
Bridgton	5210	64.24	56.79	91.7	4051	1581	46.8	71.3
Brunswick	20,278	54.33	46.73	433.9	9599	295	41.4	205.4
Cape Elizabeth	9015	45.92	14.7	613.3	3963	193	46.8	269.6
Casco	3742	38.01	31.24	119.8	2944	1267	42.6	94.2
Chebeague Is	341	24.56	3.56	95.8	525	334	57.9	147.5
Cumberland	7211	26.25	22.88	315.2	2902	104	45	126.8
Falmouth	11185	36.34	29.38	380.7	4751	207	45.3	161.7
Freeport	7879	46.47	34.7	227.1	3690	309	43	106.3
Frye Island	5	1.59	1.33	3.8	481	476	30.8	361.7
Gorham	16381	51.28	50.62	323.6	5972	34	38	118
Gray	7761	45.99	43.27	179.4	3841	574	40.6	88.8
Harpswell	4740	127.69	24.18	196	4208	1746	52.9	174
Harrison	2730	36.8	33.19	82.3	1761	582	45.3	53.1
Long Island	230	33.53	1.42	162	381	262	52	268.3
Naples	3872	37.25	31.82	121.7	3004	1226	42.9	94.4
New Gloucester	5542	47.8	47.12	117.6	2295	109	39.5	48.7
N. Yarmouth	3565	21.42	21.22	168	1354	14	42.5	21.4
Portland	66194	69.44	21.31	3106.2	33836	1322	36.7	1587.8
Pownal	1474	22.87	22.86	64.5	613	1	44.6	26.8
Raymond	4436	44.76	33.18	133.7	2852	994	44.6	86
Scarborough	18919	70.62	47.61	397.4	8617	741	44.5	181
Sebago	1719	48.93	32.75	52.5	1464	675	44.7	44.7
South Portland	25002	14.01	11.99	2085.2	11484	166	39.4	957.8
Standish	9874	80.59	59.03	167.3	4425	742	38.8	75
Westbrook	17494	17.33	17.12	1021.8	7989	26	39.4	466.6
Windham	17001	50.15	46.56	365.1	7136	469	39.9	153.3
Yarmouth	8349	22.95	13.35	625.4	3819	151	45.9	286.1
*(Census) Total	*281674	*1217.46	*835.24	*337.2	*138657	*14676	*41	*166



COUNTY DEMOGRAPHIC PROFILE – Cumberland County, State of Maine (From 2010-2013 Census Data)

Measure	2010-2013-County	2000 – County	2010-2013-State	2010-2013 US
Total Population	281,674	265,612	1,328,361	308,745,538
% White	92.80%	96.70%	95.22%	77.70%
% Black	2.40%	1.40%	1.18%	13.20%
% American Indian	0.32%	0.70%	0.65%	1.20%
% Asian	2%	1.70%	1.02%	5.30%
% Native Hawaiian or other Pacific Islander	0.03%	0.00%	0.03%	0.20%
% Other	0.55%	0.70%	0.32%	---
% Persons reporting two or more races	1.84%	---	1.58%	2.40%
% Hispanic Origin	1.80%	1.00%	1.27%	17.10%
Total Households	117,614	107,989	553,208	115,226,802
Avg. Household Size	11.1	2.38	2.34	2.61
Median Household Income (\$)	\$57,159.00	44,048	\$48,219.00	\$53,046.00
Persons below poverty, % 1999	11.10%	7.90%	13.30%	14.90%
% Female	51.50%	51.60%	51.10%	50.08%
% Male	48.50%	48.40%	49.00%	49.20%
% Under 18 years	20.90%	23.30%	21.08%	23.30%
% 18 years to 64 years	79.10%	63.40%	79.30%	62.60%
% 65 years and over	14.26%	13.30%	15.90%	14.10%
Population density (per sq. mile)	43.1	235.5	37.55	87.4

Section II

(Skip)

Section III

SECTION III – PLANNING PROCESS

MULTI-JURISDICTIONAL PLANNING PARTICIPATION

Requirement §201.6(a)(3):	Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process.
---------------------------	--

The Cumberland County Hazard Mitigation Plan (HMP), a multi-jurisdictional plan originally prepared and updated by a Hazard Mitigation Planning Team coordinated by the Cumberland County Soil and Water Conservation District and the Cumberland County Emergency Management Agency, has been updated by CCEMA for the 2017 Plan (See Appendix for revision schedule). Representatives participated from state, county, and municipal governments, and utilities. The plan development and update process included representatives from all 28 municipalities.- Each provided input regarding prioritization of hazards, assessment of vulnerabilities and risks, and the identification and prioritization of mitigation goals and measures.

A list of participants for the 2017 Plan is included in Table 1 below.

Table 1: 2017 Update - Municipal Hazard Mitigation Planning Participants

Name	Municipal Position	Municipality
Jim Budway	Director CCEMA	Cumberland County EMA
Mary McElman	Deputy Director CCEMA	Cumberland County EMA
Diane Eastwood	Planner CCEMA	Cumberland County EMA
Margaret Cushing	Planner CCEMA	Cumberland County EMA
JoAnn Mooney	State Hazard Mitigation Officer	ME Emergency Management Agency
Robert Flint	Selectman	Baldwin
Olin Thomas	Selectman	Baldwin
Gary W. McNeil	Selectman	Baldwin
Danielle Taylor	Selectmen Assistant	Baldwin
Todd Perreault	Local EMA Director	Bridgton
Ken Brilliant	Fire Chief/Local EMA Director	Brunswick
John Foster	Town Engineer/Public Works Director	Brunswick
Charlie Kennedy	Fire Chief/Local EMA Director	Cape Elizabeth
Robert C. Malley	Public Works Director	Cape Elizabeth
David Morton	Town Administrator/Road Commissioner	Casco
Marjorie Stratton	Town Administrator	Chebeague Island
Dan Small	Fire Chief/Local EMA Director	Cumberland
Howard Rice, Jr.	Fire Chief/Local EMA Director	Falmouth
Jay Reynolds	Public Works Director	Falmouth
Paul Conley	Fire Chief/Local EMA Director	Freeport
John Crosby	Public Works Director	Frye Island
Robert Lefebvre	Fire Chief/Local EMA Director	Gorham
Bob Burns	Public Works Director	Gorham
Steve LaVallee	Public Works Director	Gray
Kristi Eiane	Town Administrator	Harpswell
Robert MacAleer	EMA Director	Harpswell
Raymond LaPlante	EMA Director	Harrison
Melissa St. John	Clerk	Harrison
Brian Dudley	Town Administrator	Long Island
Christopher Papkee	Fire Chief/Local EMA Director	Long Island
Ephrem Paraschak	Town Manager/Local EMA Director	Naples
Tim Joy	Fire Captain/Local EMA Director	New Gloucester
Paul R. First	Town Manager	New Gloucester
Gregory Payson	Fire Chief/Local EMA Director	North Yarmouth

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Terry Walsh	Deputy Fire Chief	Portland
Bob Wassick	Training & Safety Administrator	Portland
Jesse Peters	Fire Chief/Local EMA Director	Pownal
Calvin Beaumier	Road Commissioner	Pownal
Bruce Tupper	Fire Chief/EMA Director	Raymond
B. Michael Thurlow	Fire Chief/Local EMA Director	Scarborough
Mike Shaw	Public Works Director	Scarborough
James Smith	Town Manager	Sebago
James Wilson	Deputy Fire Chief	South Portland
Roger Mosley	Public Works Director	Standish
Rob Caron	Public Safety Director	Standish
Greg Hamilton	EMA Director	Westbrook
Brent Libby	Fire Chief/Local EMA Director	Windham
Richard Kindelan	Deputy Chief/Local EMA Director	Yarmouth
Mike Koza	Regulations and Security Advisor	Portland Water District

DOCUMENTATION OF THE PLANNING PROCESS

Requirement §201.6(b):	In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include: (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval; (2) An opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process; (3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.
Requirement §201.6(c)(1):	[The plan shall document] the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

Table 2: 2017 Update – Summary of Local Hazard Mitigation Planning Participation:

Municipality	Survey	HMP Project Meeting Participation	Email Correspondence	Phone Conversations
	Questionnaire Response			
Baldwin	x	x	x	x
Bridgton	x	x	x	x
Brunswick	x	x	x	
Cape Elizabeth	x	x	x	
Casco	x	x	x	x
Chebeague	x	x	x	x
Cumberland	x	x	x	x
Falmouth	x	x	x	
Freeport	x	x	x	x
Frye Island	x	x	x	
Gorham	x	x	x	
Gray	x	x	x	
Harpswell	x	x	x	x
Harrison	x	x	x	
Long Island	x	x	x	x

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Naples	x	x	x	
New Gloucester	x	x	x	
North Yarmouth	x	x	x	
Portland	x	x	x	x
Pownal	x	x	x	x
Raymond	x	x	x	
Scarborough	x	x	x	x
Sebago	x	x	x	x
South Portland	x	x	x	
Standish	x	x	x	
Westbrook	x	x	x	x
Windham	x	x	x	
Yarmouth	x	x	x	

The lead agency in the preparation of the 2017 update of the Cumberland County HMP was the Cumberland County Emergency Management Agency (CCEMA). For this update, a county EMA staff position was dedicated to the plan process. At the staff level (Planning Team), development of the 2017 update was facilitated by Mr. James Budway (Director, CCEMA) with county EMA staff providing data collection and report updating support.

The goal of the update planning team was to review and analyze each section of the HMP and provide revision as part of the update process. In order to help determine what was important to update, the planning team used the following input:

- The 2012 Cumberland County Hazard Mitigation Plan
- The 2013 State of Maine Hazard Mitigation Plan
- The FEMA Local Mitigation Plan Checklist
- Guidelines for Preparing County Hazard Mitigation Plans
- Disaster Declarations since completion of the 2012 plan
- Information obtained from plans, reports and studies completed since the 2012 plan
- Information obtained from the local EMA directors and Public Works Directors
- Information obtained from the public during the drafting of the update

The HMP Update process began, in August 2015. A detailed review of the status of projects listed in the 2012 HMP was conducted, and a Hazard Mitigation Project Survey and questionnaire were emailed to every municipality in Cumberland County as well as handed out at the face-to-face meetings.(a sample of each is included in the Appendix). The survey was conducted in preparation for the 2017 Cumberland County HMP Review, in an effort to examine the list of mitigation measures identified by each municipality and assess the progress on the mitigation goals and objectives. The Questionnaire was an effort to expand on some of the information on specific hazards.

CCEMA met with and interviewed representatives from each municipality. Summary of Local Planning meeting participation can be found in Table 1. Local EMA Directors were contacted by CCEMA to establish a meeting time with appropriate municipal officials to explain the plan update and to gather data supporting their mitigation projects (See Appendix). This data includes photographs of projects and some historical data. In many instances, site visits to project locations were conducted. -Consideration was given to new mitigation projects for incorporation in the 2017 HMP update.

The planning team met several times in August 2015 to kick-off the update effort. County staff continued to meet regularly for coordination meetings throughout the 2015-16 update planning period to review the existing plan, assess the project schedule, and revise 2012 plan sections. The update planning process included the review and

analysis of each section of the original plan and revisions to each section as necessary. Each section of the updated plan was also reviewed against the Plan Review Checklist provided by FEMA and MEMA.

Municipal officials have provided detailed project descriptions for the update that enhance the plan's discussion by providing status on their projects from the 2012 Plan. For the purposes of Section V – Mitigation Strategy, the existing projects for each municipality from the 2012 Plan are defined as “Retained from 2012 Plan” if they are still valid, necessary and possible within the time period covered by the Five year Plan. New and completed projects are listed as such in the status column.

Recent Disaster Declarations for the County declared since the 2012 publication of the HMP are as follows:

<u>DATE</u>	<u>DISASTER #</u>	<u>DISASTER NAME/TYPE</u>
21-26 Dec 13	“IceMass”	Declaration denied, but significant power outages
8-9 Feb 13	DR 4108	Winter Storm, Snow Storm, Flooding
26-28 Jan 15	DR 4208	Severe Winter Storm, Snowstorm and Flooding

In addition, in October 2015, the U.S. Department of Agriculture declared Cumberland and York Counties in Maine as “primary natural disaster areas” due to damages and losses caused by drought that began in May 2015. This was an “economic injury” disaster. Increasing possibilities of drought will be covered in the Climate Change section of this document.

The updating of the HMP began with an email to all 28 local EMA directors in August 2015 (an example is included in the Appendix. It requested that recipients review the mitigation measures presented in the 2012 HMP and provide information on the progress of meeting the mitigation goals and objectives stated. In addition, it requested a list of any new projects the municipalities would like inserted into the 2017 HMP.

Follow-up e-mails were then sent to each municipality, explaining the HMP update process and requesting a kickoff meeting (example in the Appendix. A Yes/No Eligibility sheet, BCA explanation and URL, and Stream/Road Crossing EPA permit flow chart were attached to the emails and also included in the information presented at the face-to-face meetings. These meetings began in August 2015 and continued through December 2015. At the face-to-face meetings, explanations of the process, and a time line were reviewed with the participants. The data collected from each municipality was then used to update the risk assessment and mitigation measures sections of the HMP.

Updates on the progress of the HMP update have been included in the County Manager Updates (see Appendix) and monthly Local EMA Directors meetings (meeting agendas and attendees included in Appendix) conducted by Jim Budway, County EMA Director. Information on the update process has been chronicled in the CCEMA monthly newsletter and the CCEMA website (Appendix).

Throughout the process, the public had the opportunity to comment on the updated plan during the drafting stage and prior to plan approval, by issuing press releases and posting the draft plan on the County website. Since there are many new EMA directors, Public Works directors and selectmen/councilors who have taken office since the last update, outreach was intensive to educate and assist the appropriate people about the content and value of the plan. This outreach continued to be provided as necessary by CCEMA during the scheduled project planning meetings.

CCEMA staff reviewed the 2012 HMP and the 2013 State Hazard Mitigation Plan and incorporated them as appropriate. In addition, since the severity of winter and summer storms appears to continue to increase, CCEMA staff reviewed recent findings from the Fifth Intergovernmental Panel on Climate Change and Maine Climate Change Institute’s “Maine’s Climate Future 2015 Update.” These studies provide information on climate change issues that could affect future precipitation and temperature trends and other flood related hazards associated with sea level rise. Provided within Section IV – Risk Assessment is a more detailed summary of these studies findings and how they may relate to mitigation planning.

Other press releases, letters and memos relating to participation by the municipalities and the public in the update of the 2017 HMP can be found in the Appendix. As evidenced above, every opportunity was provided for involvement in the planning and updating process by neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests.

In addition, a “final public review and comment session” was conducted during the final draft review phase. CCEMA hosted a session for public comment at the CCEMA bunker. A press release was issued identifying the time and date for the meeting. The meeting was conducted on August 16, 2016. A power point presentation summarizing the plan was conducted and the sign-in sheet is in the Appendix. Two members of the public attended this meeting to review the plan, but there were no comments leading to changes.

Section IV Risk Assessment

INTRODUCTION

The Risk Assessment evaluates Cumberland County's vulnerability to natural hazards and provides sufficient information to identify and prioritize appropriate mitigation actions to reduce losses. The section starts with a brief overview of scientific research on climate variation and the possible effects on Cumberland County.

Climate Variation

The purpose of this part of the plan is to provide an overview of how climate has changed over time, as documented in various scientific studies, and how that change may be impacting the occurrence and severity of natural hazards in Cumberland County. Projecting future climate change can be problematic because, as stated in the document "Maine's Climate Future, 2015 Update" by the University of Maine, climate projections are uncertain for several reasons: natural climate variability, incomplete descriptions of the climate system in computer models, and difficulty in predicting future greenhouse gas emissions (page 6).

Table 1 provides a listing of resources used in researching the effects of climate variations in Cumberland County.

Table 1 Resources

Resources used in Planning	
Climate Change 2014: Impacts, Adaptation, and Vulnerability Fifth Assessment Report	November 2014 Intergovernmental Panel on Climate Change
Sebago Lake Watershed, Maine Climate Adaptation Plan	May 2013 Manomet Center for Conservation Sciences
Maine's Climate Future - 2015 Update	February 2015 University of Maine Climate Change Institute
York Adaptation to Sea Level Rise Chapter of Town of York Emergency Plan	November 2013 Southern Maine Regional Planning Commission
FEMA Mitigation Planning Toolkit	FEMA
National Flood Insurance Program Community Rating System Coordinator's Manual	2013 FEMA
Flood Insurance Manual, Effective October 1, 2014	2014 FEMA
Sea Level Rise and Casco Bay's Wetlands (individual reports on eight Cumberland County towns)	2013 Casco Bay Estuary Partnership/ University of Maine
2013 State Hazard Mitigation Plan	2013 MEMA
People and Nature: Adapting to Climate Change	2010 Maine EPA
Climate Change and Biodiversity in Maine: A Climate Change Exposure Summary for Species and Key Habitats	2013 Manomet Center for Conservation Sciences
Exercises and Trainings in Preparation	
Maine Climate Change Adaptation Tabletop Exercise (Regional Resiliency Assessment Program)	February 2015 FEMA Region 1
Maine Climate, Adaptation and Sustainability Conference	October 2014 University Of Maine Climate Change Institute

Section IV

Temperature Changes: Excerpts from the report “Maine’s Climate Future, 2015 Update,” prepared by the University of Maine, include the following:

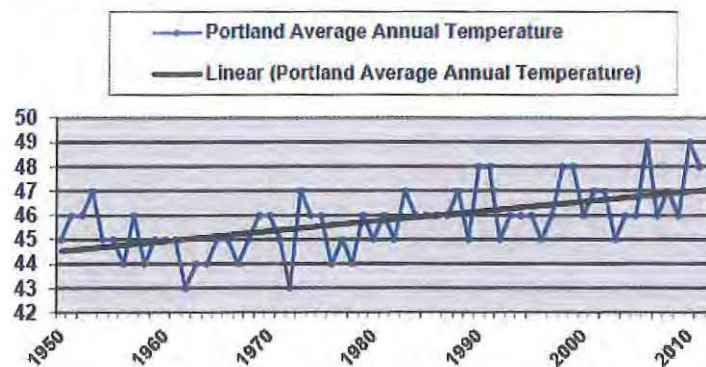
“Average annual temperature across Maine warmed by about 3.0 degrees F between 1895 and 2014....Although the overall warming trend...is clear, Maine’s temperature signal also features significant year to year fluctuations superimposed on a distinct pattern with periods of relative cold...and warmth...” (page 2).

“Numerical models of the global atmosphere and ocean have been in development for over three decades. The most sophisticated of these models, such as those used by the Intergovernmental Panel on Climate Change (IPCC)...predict that annual temperature will increase another 3.0-5.0°F...across Maine between now and 2050” (page 3).

“Maine’s warm season...increased by two weeks from the early 1900s to the 2000s. Global climate models predict that the warm season will increase by an additional two weeks over the next 50 years. Winter is warming at a faster rate than summer.” (page 3)

The following is an excerpt from the Maine State Hazard Mitigation Plan 2013 Update: “The National Weather Service in Gray, Maine, has compiled monthly average and annual average temperatures for a long period of time at three locations in Maine: The Portland International Jetport (1940-present); the Bangor International Airport (1953-1994 and 1999-present), and the Caribou Airport. The data from all three measuring stations show that annual average temperatures have gradually increased at all three locations...although the increase has been greatest at the Portland Jetport station” (page 3-4).

The chart below, taken from the State’s Hazard Mitigation Plan, page 3-5, shows how temperature has changed at the Portland Jetport between 1950 and 2010.



Precipitation Changes: Excerpts from the report “Maine’s Climate Future, 2015 Update,” include the following:

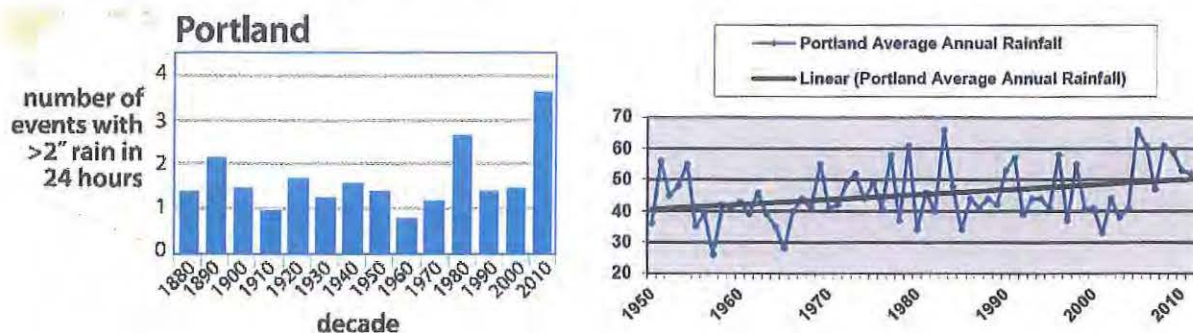
“Since 1895, total annual precipitation has increased by about six inches...or 13%, with most of the additional amount falling in summer and fall. IPCC models predict that precipitation will continue to increase across the Northeast by 5-10% between now and 2050, although the distribution is likely to vary across the climate zones. Model predictions show greater increases in precipitation in interior Maine...whereas measurements to date from the weather stations across the Maine landscape show that precipitation has increased most along the coast” (page 8).

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

“A significant increase in extreme precipitation events (more frequent and intense storms) has been observed across Maine and other parts of the eastern U.S....we define an extreme precipitation event for this analysis as one in which two or more inches (five or more cm) of precipitation falls within a 24-hour period. Historical measurements show that extreme events vary across the state, occurring most often in the coastal zone and western mountains... Higher total precipitation and a higher frequency of extreme precipitation events in coastal Maine are related to the zone’s proximity to Atlantic storm tracks. (page 9).

The following is an excerpt from the Maine State Hazard Mitigation Plan 2013 Update: “The National Weather Service has also compiled monthly average and annual average precipitation at the Portland Jetport, the Bangor International Airport and the Caribou Municipal Airport. The data from all three measuring stations show that average annual precipitation ...has gradually increased at all three locations...The increase has been greatest at the Portland Jetport and the Caribou Municipal Airport” (page 3-5).

The figure on the left below (from Maine’s Climate Future 2015 Update p.9) shows extreme precipitation events from 1880-2010. The chart on the right, taken from the State’s Hazard Mitigation Plan – 2013 Update, page 3-6, shows how precipitation has changed at the Portland Jetport between 1950 and 2010.



“In general, the snow season has declined on average across Maine since the late 1800s...On a simplified linear trend, the snowfall has declined by about 15%....although the amount and duration of snow may decline in the future, extreme snowfall events with significant accumulation – strong nor’easters – are likely to increase in frequency” (page 10).

“The Northeast has experienced a greater recent increase in extreme precipitation than any other region in the U.S.; between 1958 and 2010, the Northeast saw more than a 70% increase in the amount of precipitation falling in very heavy events, taxing an already stressed and aging infrastructure” (page 11).

Description of Hazards	
Requirement §201.6(c)(2)(i): (The plan shall include) a description of the type, location and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.	
Element	B1. Does the Plan include a description of the type, location and extent of all natural hazards that can affect each jurisdiction?
	B2. Does the plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction?

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Table 2 below examines each hazard that may threaten Cumberland County. Rating their priority was accomplished through the 2013 County hazard vulnerability assessment and review of the State Mitigation Plan, as well as through discussions with town/city officials. CCEMA also reviewed past disaster declarations and other historical records. The first four High priority hazards that this plan targets remain the same as in the 2012 Plan: flooding (including dam failure/breach), severe summer storms (thunderstorms, hurricanes and tornados), severe winter storms (snowstorms, blizzards, nor'easters, ice storms), and wildfire. The fifth High priority hazard, coastal erosion, has been added as the coastal towns have begun to recognize increasing erosion from more intense and more frequent coastal storms.

Table 2 Hazards Profiled in 2017 Plan

Summary of Hazards Profiled in the Plan		
Hazard	How Identified	Why Identified
Flooding (includes riverine, spring and stormwater runoff, ice jams, heavy rains) Includes dam failure/breach, as end result is flooding)	Review of FIRM maps Review of SLOSH maps Review of past disaster declarations (FEMA) Maine's Floodplain Management Coordinator CCEMA/MEMA records Review of repetitive loss properties Input from municipal staff	Cumberland County has suffered repeatedly from flood hazard events. These events have resulted in significant damage to property, economic disruption, reduced access for emergency vehicles, injury, and loss of life (at least three deaths).
Severe Summer Storms	Review of past disaster declarations Input from municipal staff Review of NOAA records	All of Cumberland County is subject to periodic severe summer storms. Summer storms have caused damage and injury from microbursts and tornado-like events in recent history (e.g., 2008 EF0 tornado in Gorham).
Severe Winter Storms	Review of past disaster declarations Input from municipal staff Review of NOAA records	All of Cumberland County is subject to periodic winter storms. Ice storms in 1998, 2008, and 2013 caused significant damage in Maine. The last two disaster declarations (DR-4108 in 2013, DR-4208 in 2015) that included Cumberland County were for winter storms/flooding
Wildfire	Review of Maine Forest Service records	Outside of the urbanized areas of the county, much of the land area is still forested, and while it puts the area at high risk of wildfire, it would depend on factors such as drought, humidity, or firefighting accessibility. Some areas in the county have a recent history of experiencing very small wildfires (<100 acres).

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Coastal Erosion	Input from municipal staff Review of Maine Geological Survey maps Review of "Maine's Climate Future" (2015 – University of Maine Climate Change institute) Review of Fifth Intergovernmental Panel on Climate Change (IPCC) Review of Maine State Hazard Mitigation Plan.	Coastal communities have identified coastal erosion as an ongoing problem at specific locations. This hazard has been moved to high priority in recognition of rising sea levels, more intense storms predicted by climate change experts, and community concerns.
-----------------	--	--

Table 3 identifies the hazards that were eliminated from further consideration in the 2017 plan, due to lack of historical evidence or lack of overall countywide severity. Although these disaster events are not profiled in the HMP, it does not mean that any of these events will not or could not occur and cause great damage. As the climate of Maine changes, the hazards may be added to the high priority list in the future. For this Plan, CCEMA's goal is to keep the plan relevant by profiling only the top five hazards.

Table 3 Table 3 Hazards Not Included in 2017 Plan

Hazard	How Identified	Reason for Non-Inclusion
Dam Failure	CCEMA dam records and files MEMA Dam Safety Program	Cumberland County has a number of high and significant hazard dams. Dam breach can cause rapid downstream flooding. Included under Flooding in the Priority Hazards section
Hurricanes	MEMA records National Weather Service NOAA website	Coastal communities are most at risk from tropical events. While hurricanes can produce heavy rains, intense winds, storm surges resulting in flooding and coastal erosion, they remain a rare event in Cumberland County. Extra-tropical events, such as nor'easters tend to cause more frequent damages (see Winter Storms). However, if hurricane probability were to increase, it would be included in future updates of the plan.
Avalanche	Review of USGS maps	There are no mountains in the county with topographic and vegetative characteristics that result in avalanches.
Blight/Infestation	MEMA data Input from stakeholders	Data indicates that there is limited history of damage, injury, or death resulting from blight and infestation in the county.
Drought	Review of NOAA records	Droughts have occurred in Cumberland County in the recent past. Thus far, the impacts of drought have been felt in limited areas. This is one hazard that will continue to bear scrutiny for the next plan revision due to the effects of climate variances.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Hazard	How Identified	Reason for Non-Inclusion
Earthquake	Review of MEMA and FEMA data.	Maine has a steady rate of low magnitude earthquake occurrence (<4.0 and with little damage). No significant amount of motion has been shown for any fault since the last Ice Age, about 20,000 years ago, and geologic evidence demonstrates that many faults have been inactive since the formation of the Appalachians, over 300,000,000 years ago.
Ground Subsidence	Review of Maine Geological Survey records	There have been no reported incidences of sudden land subsidence occurring in Cumberland County.
Landslide	Review of Maine Geological Survey Coastal Bluffs Maps and Coastal Landslide Hazards Maps	Although landslides do occur in the county, they are localized and it is unknown as of this writing if they might pose a more widespread risk.

HAZARD PROFILES

The high priority hazards are profiled below.

HAZARD: FLOODING

Flooding is defined as a temporary inundation of normally dry land because of: the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source. The nature of Maine's geography, geology and hydrology is such that flooding is usually fast rising, but short in duration. Severe flooding in Cumberland County can cause loss of life, property damage, disruption of communications, transportation, electric service and community services, crop and livestock damage, health issues from contaminated water supplies, molds and mildew within structural components, and loss and interruption of business

In most years, Cumberland County receives a fairly high level of precipitation year round, as evidenced in Table 4 below. Widespread flooding occurs regularly in the spring and fall. Localized flooding occurs during the summer as a result of short high-intensity rainfall from thunderstorms.

Table 4 Average precipitation By Month in Cumberland County

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Average Precipitation In Inches	3.39	3.27	4.25	4.33	4.02	3.78	3.62	3.15	3.7	4.88	4.92	4.02
Average Snowfall in Inches	19	12	13	3	0	0	0	0	0	0	2	13

- Average annual Precipitation rain 47.33" Average annual snowfall 62"
<http://www.usclimatedata.com/climate/portland/maine/united-states/usme0328>

At least once in every decade, Cumberland County can expect a major flood event resulting in damage, primarily to roads.

Numerous types of floods have the potential to affect areas of Cumberland County. The flood types include: Dam Failure/Breach, Flash Flood, Ice Jam, Lacustrine (Lake Flooding), Riverine/Riparian, and Urban. Drafts of updated Floodplain boundaries (FIRM Maps) have recently been released. They are not yet finalized, so the older maps have been used in the Plan update

Generous precipitation contributes to the flood potential. The low-pressure system over the seaboard and the tendency for some storms to follow one another in rapid succession provide heavy, combined moisture. The documented gradual sea rise, as evidenced in the graph below from NOAA, coupled with wave action generated by winter storms, particularly nor'easters, have a profound effect on the nature of coastal flooding. Hurricanes occur far less frequently than severe winter storms, but could be just as, if not more, devastating depending on variables such as the tourist season.

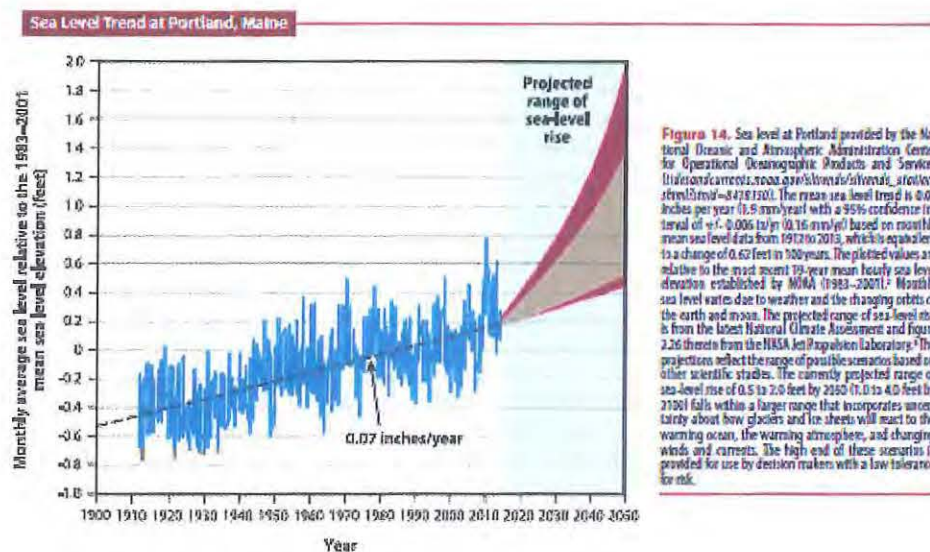
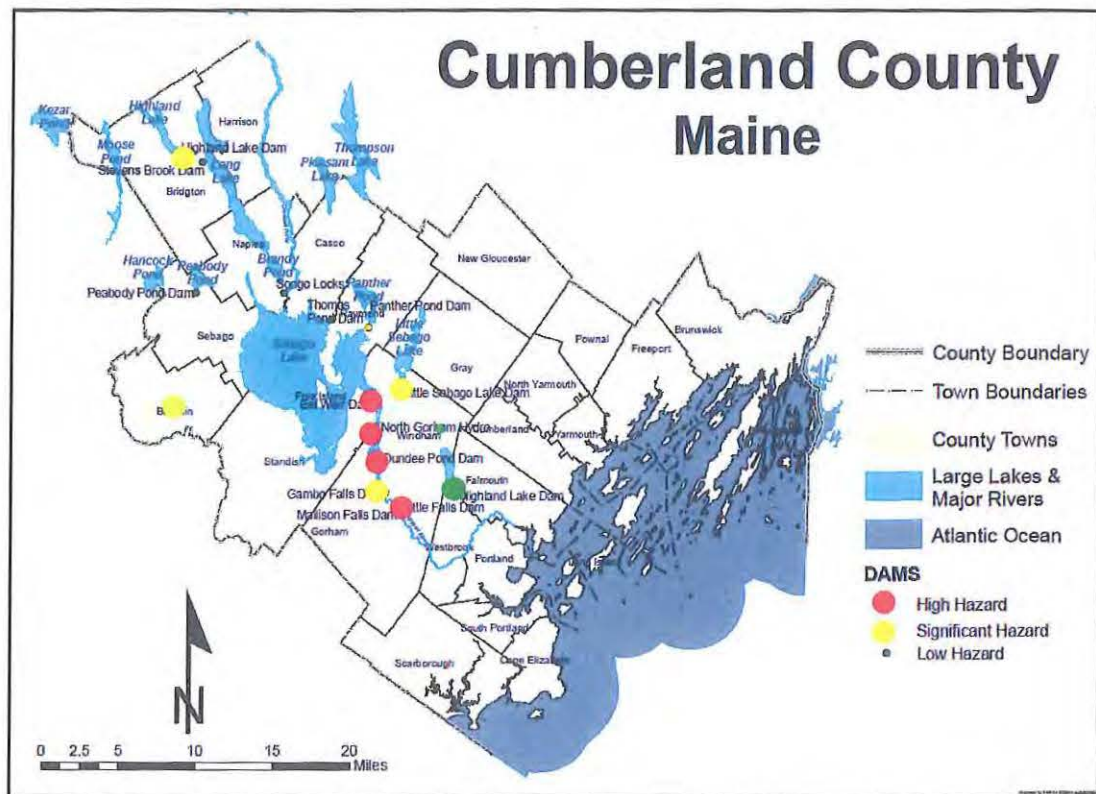


Figure 14. Sea level at Portland provided by the National Oceanic and Atmospheric Administration Center for Operational Oceanographic Products and Services (<http://oceanservice.noaa.gov/storms/silverdale.shtml#silver>). The mean sea level trend is 0.07 inches per year (1.9 mm/year) with a 95% confidence interval of +/- 0.006 in/y (0.16 mm/y) based on monthly mean sea level data from 1912 to 2013, which is equivalent to a change of 0.67 feet in 100 years. The plotted values are relative to the most recent 19-year mean hourly sea level elevation established by NOAA (1983-2001). Monthly sea level varies due to weather and the changing orbits of the earth and moon. The projected range of sea-level rise is from the latest National Climate Assessment and Figure 2.26 therein from the NASA Jet Propulsion Laboratory. The projections reflect the range of possible scenarios based on other scientific studies. The currently projected range of sea-level rise of 0.5 to 7.0 feet by 2050 (1.0 to 4.0 feet by 2100) falls within a larger range that incorporates uncertainty about how glaciers and ice sheets will react to the warming ocean, the warming atmosphere, and changing winds and currents. The high end of these scenarios is provided for use by decision makers with a low tolerance for risk.

Dam failure/breach also has adverse effects related to the nature of flooding within the County. Many dams through the County are now aged (over 100-years old), and beyond typical design life. Maine law classifies the hazard potential of dams as follows:

- High - could cause loss of life
- Significant - could cause significant property damage
- low generally cause damage only to the owner's property -

In Cumberland County, there are four high hazard dams and four significant hazard dams, as shown in Table 5. The high-hazard dams are all regulated by the Federal Emergency Regulatory Commission, while the significant hazard dams are regulated by MEMA. The eight high and significant hazard dams all have Emergency Action Plans to mitigate the effects of failure. (One dam was reclassified from significant to low hazard as a result of road mitigation work.)The County also has 54 low hazard dams that are not included in the table. In Maine, High and Significant Hazard Dams must be inspected every six years.



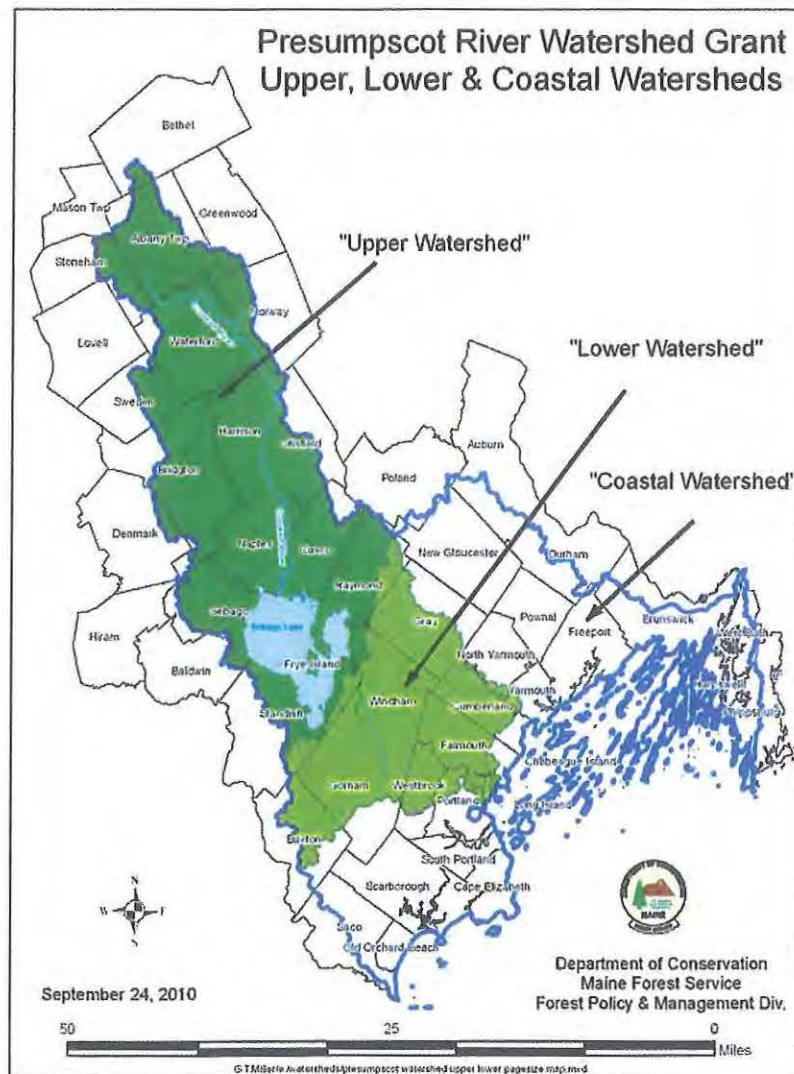
High and Significant Hazard Dams in Cumberland County.
The Dam marked with a large green dot was downgraded from Significant Hazard in 2014

Table 5 High and Significant Dams

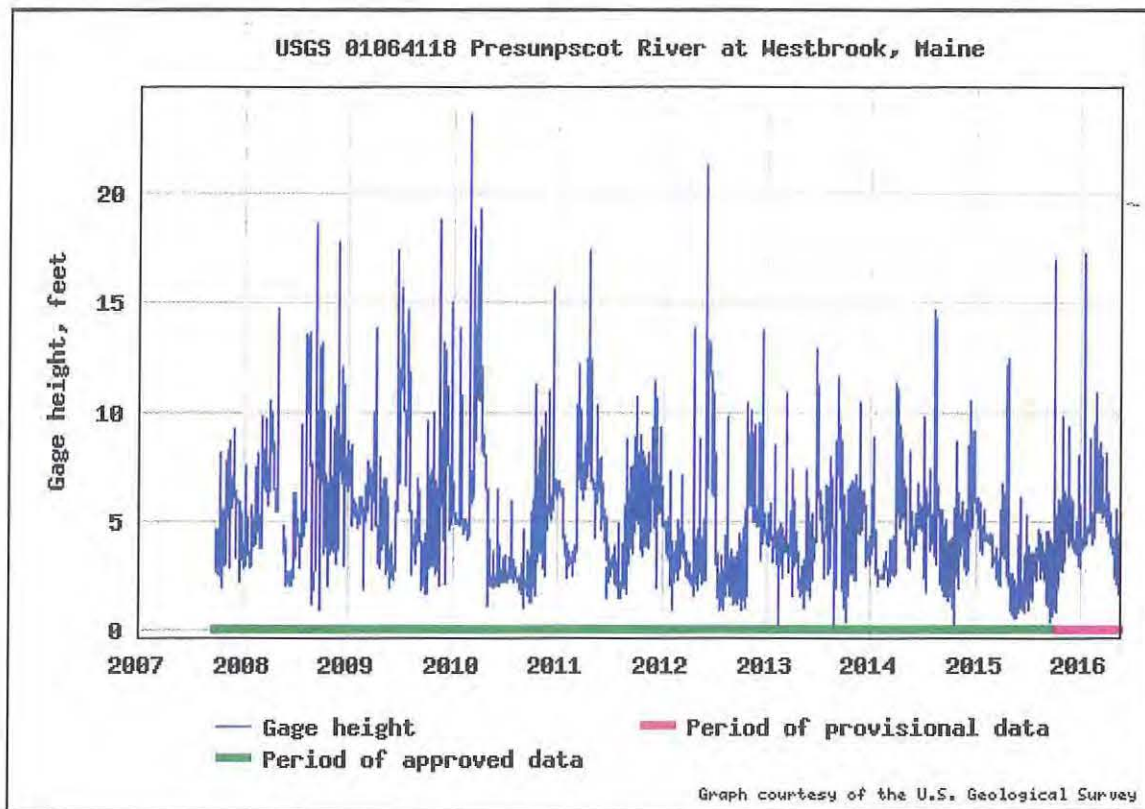
CUMBERLAND COUNTY HIGH & SIGNIFICANT HAZARD DAMS					
MEMA ID	DAM NAME	OTHER NAME	DAM OWNER	MUNICIPALITY	RIVER/LAKE
High Hazard Dams					
417	Dundee Falls	Dundee Pond	SAPPI	Windham	Presumpscot
128	Eel Weir	Sebago Lake Dam	SAPPI	Windham	Presumpscot
123	Mallison Falls		SAPPI	Windham	Presumpscot
495	N. Gorham Hydro Station		FPLE Energy Maine Hydro	Windham	Presumpscot
Significant Hazard Dams					
117	Highland Lake		Bill Morrisseau	Bridgton	Highland Lake
1007	Sanborn Pond		Joel Sanborn and Daniel and Betsy Harrington	Baldwin	Pigeon Brook
127	Little Sebago Lake	Hopkins Dam	Bruce Micucci	Windham	Little Sebago
122	Panther Pond	Raymond Dam	IFW	Raymond	Panther Pond

Location:

All of Cumberland County has areas that are susceptible to coastal and/or riverine flooding. Twelve of its 28 towns are located directly on the Atlantic Ocean. Several rivers and streams flow through portions of Cumberland County, the most predominant being the Presumpscot River. This river, with its tributary waters, extends from Sebago Lake through the towns of Naples, Casco (Crooked River), Standish, Windham, Gorham, Falmouth, and the cities of Westbrook and Portland before flowing into Casco Bay.

**Extent:**

The chart below demonstrates flood levels on the Presumpscot since 2008. In addition, urban flooding, particularly in Portland and Scarborough, has increasingly been a problem in the low lying areas.



U.S.G.S. Presumpscot River Gauge

http://nwis.waterdata.usgs.gov/usa/nwis/uv/?cb_00065=on&format=gif_default&site_no=01064118&period=&begin_date=2007-01-01&end_date=2016-05-17

Impact

Flood damages to roads, bridges and ditches continue to be the most common occurrence throughout Cumberland County, especially in heavy rain events (> 3-5" in 24 hours). Depending on the saturation level of the ground at the time of the event, and the duration of the storm, the extent of damages can vary from a few overwhelmed culverts to major road washouts throughout the county.

The extent of the flooding hazard under the various sea-level rise scenarios has not been determined for individual roads and culverts. This would have to be calculated on a case-by-case basis.

Flooding has been the most common hazard affecting Cumberland County in the past. Between 1987 and 2015, there were fourteen federally declared disasters in the County in which FEMA funds were utilized, eight of which were primarily flood events.

Probability:

Floods are described in local flood studies in terms of their extent, including the horizontal area affected, and the related probability of occurrence. Flood studies use historical records to determine the probability of occurrence for different extents of flooding. The most widely adopted design and regulatory standard for floods in the US is the 1-percent annual chance flood. This is the standard formally adopted by FEMA. The 1-percent annual flood, also known as the base flood, has a 1-percent chance of happening in any particular year. It is also referred to as the "100-year flood".

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Table 7 below provides a historical summary of the flooding events affecting Cumberland County. (Data source: FEMA website.) Where damages are provided they reflect the damage estimate reported for Cumberland County only

Table 7 History of Occurrences

Date	Year	County Damages*	2015 Dollars	Event Type	Declaration
March 19	1936				n/a
August 28	1946				n/a
March 27 – 30	1953				n/a
February 12	1972	\$90,836			n/a
May 8	1975				SBA
March 20	1977				SBA
June	1984				n/a
January	1986				n/a
April 1	1987	\$45,757	63,082.47	Severe Storm/ Flooding	FEMA-788-DR-ME
May 5-13	1989	486,295	929,517	Severe Storms/Flooding	FEMA-830-DR-ME
August 18-21	1991	2,344,567	4,080,046	Hurricane Bob	FEMA-915-DR-ME
October 30 – November 2	1991	200,365	348,678	Severe Coastal Storm	FEMA-921-DR-ME
March 27	1992	\$185,600	313,544.94	Flooding/Heavy Rain	FEMA-940-DR-ME
April	1993	\$13,220	21,684.19	Flooding/Heavy Rain/Snowmelt	FEMA-988-DR-ME
April 16 -17	1996	\$535,046	808,253.65	Severe Storm/ Flooding	FEMA-1114-DR-ME
October 20 - 21	1996	\$4,924,698	7,439,369.95	Severe Storm/ Flooding	FEMA-1143-DR-ME
October 8 – 11	1998	\$852,759	1,239,990.06	Severe Storm/ Flooding/High Wind/Coastal Erosion	FEMA-1263-DR-ME
September 16-19	1999	83,703.45	119,082.48	Hurricane Floyd	FEMA-1308-DR-ME
April 25	2007	\$7,246,244	8,283,333.88	Severe Storms/Inland, Coastal Flooding	FEMA-1693-DR-ME
July 18 – Aug. 16	2008	\$819,201	901,820.06	Severe Storms/Flooding/Tornadoes	FEMA-1788-DR-ME

*County damages are cost in the year of the event.

There have been no flooding declarations since 2008 in Cumberland County.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Table 8 Federally Declared Disaster Costs by Municipality

	DR 788 April 1987	DR 830 May 1989	DR 915 August 1991	DR 921 November 1991	DR 940 March 1992	DR 988 April 1993	DR 1114 April 1996	DR 1143 October 1996	DR 1263 October 1998	
Baldwin	---	5,864	3,224	---	28,368	---	24,231	---	---	
Bridgton	3,697	8,860	5,249	---	20,002	---	198,387	---	---	
Brunswick	---	---	27,845	---	---	---	27,211	---	---	
Cape Elizabeth	---	1,934	29,062	2,379	---	---	---	17,248	11,669	
Casco	---	9,009	14,566	---	---	---	10,150	11,527	---	
Chebeague Island*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cumberland	---	8,813	75,744	412	---	---	---	---	74,078	
Falmouth	---	34,434	199,465	---	---	---	26,825	85,387	23,881	
Freeport	---	7,915	109,730	---	---	---	18,716	---	41,738	
Frye Island*	N/A	N/A	N/A	---	N/A	N/A	N/A	1,162	6,462	
Gorham	---	---	293,343	---	---	---	22,681	171,470	---	
Gray	---	38,514	99,067	---	---	---	14,436	27,109	---	
Harpswell	---	---	---	---	---	---	---	---	---	
Harrison	4,904	28,434	---	---	62,047	---	4,839	---	---	
Long Island*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2,265	
Naples	13,557	1,297	1,297	---	15,666	---	---	5,754	---	
New Gloucester	19,810	139,073	139,073	---	---	---	13,967	---	19,434	
North Yarmouth	---	68,436	68,436	---	---	---	---	---	27,165	
Portland	---	245,399	245,399	174,045	---	---	39,737	439,323	120,602	
Pownal	3,789	64,691	64,691	---	---	---	23,385	---	452,008	
Raymond	---	1,556	9,092	---	20,994	---	7,489	15,651	---	
Scarborough	---	---	129,906	23,529	---	---	21,375	731,786	4,881	
Sebago	---	6,290	16,105	---	38,523	13,220	4,928	---	---	
South Portland	---	2,037	37,564	---	---	---	1,254	112,222	27,229	
Standish	---	1,774	41,376	---	---	---	---	15,917	---	

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Westbrook	---	10,909	186,771	---	---	---	7,297	1,860,507	4,098
Windham	---	5,301	119,306	---	---	---	12,296	1,206,477	2,294
Yarmouth	---	43,841	332,390	---	---	---	51,540	3,867	32,000
County	---	---	26,249	---	---	---	---	7,720	1,598
Portland Water District	---	---	62,801	---	---	---	4,302	193,433	1,357
Freeport Sewer District	---	---	6,801	---	---	---	---	---	---
PNP's	---	1,981	---	---	---	---	---	18,168	---
TOTAL	45,757	486,295	2,344,567	200,365	185,600	13,220	535,046	4,924,698	852,759
In 2015 Dollars	95,468	929,517	4,080,046	348,678	313,545	21,684	808,254	7,439,370	1,239,990

Note¹ Figures derived from MEMA and Cumberland County documents

Note² 2015 dollars figured from Bureau of Labor CPI calculator <http://data.bls.gov/cgi-bin/cpicalc.pl>

* Long Island seceded from Portland 1993; Frye Island from Standish in 1998; Chebeague Island from Cumberland in 2007

HAZARD – SEVERE SUMMER STORMS

A severe summer storm is a violent weather phenomenon producing winds in excess of 50 knots (57.6 mph), heavy rains, lightning, and hail that can cause injuries, and destruction of property, crops and livestock. Severe summer storms include hurricanes, lightning, thunderstorms, microbursts and tornadoes.

Location

The entire County is vulnerable to one or more severe summer storms each year, usually in the form of thunderstorms.

Extent:

The damage from most of these storms is generally localized. As storms typically move from west to east, they may weaken so that a severe storm in the western communities may become a less severe storm as it reaches the coastal communities, but this is dependent on atmospheric conditions.

Impact:

When severe summer storms arrive in the County, high winds can fell trees and branches onto power lines causing power and communication outages. Heavy rains that often accompany thunderstorms can result in flash flooding or erosion. Hail can cause crop damage for farmers and backyard gardeners, lightning strikes can start fires. Any of these weather events can cause personal injury or property damage. The impact of these summer storms is usually restricted to power outages and to flooding caused by large amounts of moisture these storms can carry.

Probability:

The past thirty year history of summer storms indicates that Cumberland County will continue to experience storms on a regular basis. According to the NOAA National Climatic Data Center “there are slightly more than 20 days a year with thunderstorms on average...” There are no probability studies available on summer storm occurrence. However, based on experience, as demonstrated above, the County can expect thunder and lightning every year, particularly in the summer months. Less frequently, the County will experience more damaging storms. Although microbursts or even small tornado-like events may occur periodically, these events typically affect fairly small localized areas. According NOAA data, Maine can expect an F0 or F1 tornado twice a year on average, but location is not predictable. The table below shows the Enhanced Fujita scale indicating wind speeds.

Enhanced Fujita Scale	
EF-0	65–85 mph winds
EF-1	86–110 mph
EF-2	111–135 mph
EF-3	136–165 mph
EF-4	166–200 mph
EF-5	>200 mph

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Table 9 Tornadoes in Cumberland County Maine 1962 through 2014

Location	County/Zone	St.	Date	Time	T.Z.	Type	Mag	Dth	Inj
Totals:								0	1
<u>CUMBERLAND CO.</u>	CUMBERLAND CO.	ME	07/09/1962	10:55	CST	Tornado	F1	0	0
<u>CUMBERLAND CO.</u>	CUMBERLAND CO.	ME	10/03/1970	17:00	CST	Tornado		0	0
<u>CUMBERLAND CO.</u>	CUMBERLAND CO.	ME	08/11/1971	11:45	CST	Tornado	F1	0	0
<u>CUMBERLAND CO.</u>	CUMBERLAND CO.	ME	06/22/1974	13:30	CST	Tornado	F1	0	1
<u>SEBAGO LAKE</u>	CUMBERLAND CO.	ME	08/08/2004	17:00	EST	Tornado	F0	0	0
<u>BRUNSWICK</u>	CUMBERLAND CO.	ME	11/24/2005	13:16	EST	Tornado	F0	0	0
<u>WEST GORHAM</u>	CUMBERLAND CO.	ME	07/21/2010	17:48	EST-5	Tornado	EF0	0	0
<u>THOMPSON PT</u>	CUMBERLAND CO.	ME	07/27/2014	16:05	EST-5	Tornado	EF0	0	0
Totals:								0	1

Mag': Magnitude, 'Dth': Deaths, 'Inj': Injuries

Source: NOAA National Climactic Data center

Hurricanes are associated with flooding in this plan as the majority of storm damage is usually because of excessive rain.

Table 10 Hurricanes Affecting Cumberland County

Hurricane	Year	Category	Wind Speed In mph Sustained/gusts	Rainfall in Inches in Portland	Deaths/ Injuries Statewide
Carol	1954	Cat 1	60/74		7/3
Edna	1954	Cat 1	70	7.49	8
Bob	1991	TS	40/61	7.83	3/2
Floyd	1999	TS	50	4.4	---
Irene	2008	TS	52	1.13	---

Saffir-Simpson Hurricane Scale		
Category	Wind speed	Storm surge
	mph (km/h)	ft (m)
Five	≥156 (≥250)	≥18 (≥5.5)
Four	131–155 (210–249)	13–18 (4.0–5.5)
Three	111–130 (178–209)	9–12 (2.7–3.7)
Two	96–110 (154–177)	6–8 (1.8–2.4)
One	74–95 (119–153)	4–5 (1.2–1.5)
Additional classifications		
Tropical storm	74–95 (119–153)	0–3 (0–0.9)
Tropical depression	0–36 (0–62)	0 (0)

<http://serc.carleton.edu/download/images/10713/saffir-simpson-sm.gif>

HAZARD – SEVERE WINTER STORMS

Severe winter weather conditions are distinguished by low temperatures, strong winds, and often large quantities of snow. The types of winter storms in Maine are blizzards, ice storms, nor'easters, sleet, and heavy snowstorms.

Location

The entire County is subject to severe storms every winter, but historically, northern and western portions of the County receive more snowfall while coastal areas are more likely to have freezing rain, sleet, tide surges and flood damage.

Impact

Loss of electrical power and communication services can occur when utility lines yield under the weight of ice and snow, which can also cause road closures. These conditions can impede the response time of emergency services. Roof structures can collapse. The melting of snow pack in March and April is often gradual enough to prevent serious flooding, although there have been times when a quick melt has led to disastrous flood conditions.

Extent

During the winter months, Cumberland County often has heavy snowfall, or snow combined with high winds, freezing rain or ice storms. Winter storm precipitation amounts can exceed several inches of water equivalent (20-30 inches of snow), while wind speeds can be equal to or greater than those of a hurricane. Total seasonal snowfall ranges between 50 and 90 inches. The snowfall season usually runs from November to April.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Previous Occurrences

The following is a summary of some of the most severe winter storms in Cumberland County in the past 20 years, as reflected in Presidential Disaster Declarations and Emergency Declarations. Note that in several instances, flooding accompanied the winter storms. In addition to those listed, multiple other severe storms occurred during the same period that did not reach the level of a disaster or emergency declaration.



FEMA-DR-4208 Commercial St. Portland, ME
Picture: Shawn Patrick Ouellette/Staff Photographer Portland Press Herald

Table 11 Disaster and Emergency Declarations 1998-2015

Date	Year	County Damages	2015 Dollars	Event Type	Declaration
Jan 5-25	1998	4,465,694	6,493,530.03	Ice Storm	FEMA-1198-DR
March	2001			Severe Winter Storm	EM-1364
Dec. 17 – January 1	2003	\$396,919	511,285.60	Extreme Winter Weather	FEMA-1468-DR-ME
December	2004			Severe Winter Storm	EM-3190
January	2005			Severe Winter Storm	EM-3205
February	2005			Severe Winter Storm	EM-3206
March	2005			Severe Winter Storm	EM-3209
March	2005			Severe Winter Storm	EM-3210
December	2008			Severe Winter Storm	EM-3298
January 1	2009	\$4,439,697	4,825,749.64	Severe winter Storm/Flooding	FEMA-1815-DR-ME

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

April 10	2010	\$1,379,492	1,499,445.35	Severe winter Storm/Flooding	FEMA-1891-DR-ME
March 25	2013	1,458,799.92	1,484,224.04	Winter Storm/Flooding	FEMA-4108-DR-ME
March 12	2015	1,354,396.62	1,354,396.62	Severe Winter Storm/Flooding	FEMA-4208-DR-ME

Table 12 Breakdown of Cost to Communities for the Presidential Declarations.

Municipality	1198 January 1998	1468 December 2003	1815 January 2009	1891 April 2010	4108 March 2013	4208 March 2015
Baldwin	51,054	---	55,199	54,947	10,222	7,958
Bridgton	215,776	---	107,973	--	30,437	21,768
Brunswick	301,680	---	242,411	28,587	124,878	106,830
Cape Elizabeth	125,116	---	175,203	51,593	55,055	42,823
Casco	131,386	---	---	22,455	---	---
Chebeague Island	---	---	25,748	228,413	---	4,913
Cumberland	277,962	---	45,074	4,814	43,089	51,630
Falmouth	210,338	8,523	41,858	48,847	59,133	53,319
Freeport	213,453	---	121,856	8,237	---	41,181
Frye Island	---	---	---	--	---	---
Gorham	200,265	---	194,313	37,208	75,583	64,996
Gray	246,103	9,056	128,218	42,011	40,206	38,027
Harpswell	47,905	---	14,834	4,161	7,902	4,232
Harrison	149,697	---	---	--	---	---
Long Island	8,732	---	7,587	379,863	---	13,265
Naples	191,016	---	24,654	12,911	17,041	---
New Gloucester	262,309	---	127,316	--	38,458	37,116
North Yarmouth	55,664	---	54,817	--	14,977	10,778
Portland	859,489	---	1,174,088	2,109,056	417,153	309,445
Pownal	91,851	---	52,431	--	17,308	8,299
Raymond	153,949	---	33,853	--	10,887	12,989
Scarborough	107,024	---	426,908	67,067	85,373	69,578
Sebago	113,167	---	54,671	24,390	---	14,611
South Portland	322,433	16,495	261,563	29,167	188,128	109,024
Standish	248,458	---	126,357	57,201	41,544	29,307
Westbrook	252,604	---	189,947	32,411	69,933	58,282
Windham	438,534	---	205,577	14,094	69,281	56,106
Yarmouth	261,825	30,732	145,763	45,418	27,707	21,863
County	4,955	---	1,865	--	1,253	---
Bridgton Water District	2,676	10,919	---	---	---	---

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Freeport Sewer District	1,739	---	---	---	---	---
Portland Water District	62,741	317,627	95,439	62,590	---	---
Brunswick/Topsham Water District	---	---	---	3,076	---	---
PNP's	165,373	---	131,930	11,681	---	166,056
Total	5,775,274	396,919	4,272,667	3,391,202	1,458,800	1,354,397
In 2015 Dollars	8,397,780	511,286	4,720,373	3,686,083	1,484,224	1,354,397

Probability

Based on its location in the Northeast and on the past 30 years of history, there is a high probability that Cumberland County will continue to experience winter snowstorms on a yearly basis, which will not likely produce significant damage. However, less frequently, the county will experience damaging snow and ice storms that rise to the level of disaster or emergency declaration, as evidenced by the chart above.

HAZARD – WILDFIRE

Wildfire is a natural phenomenon initially finding its origin in lightning; however, humans have become the greatest cause of fires in Maine. Wildland fires are those that burn vegetation such as grass, brush and timber. Wildland urban interface fires are created where homes meet highly volatile forest fuels. Both of these types of wild fire occur in Cumberland County.

Location and Extent:

Wildland fires can occur in any area of the County, but the most vulnerable areas are the smaller communities, especially those that have narrow roads inaccessible by today's fire equipment or lack of water supply. These fires typically extend to <100 acres.

Previous Occurrences:

The Maine Fire Service tracks all reported fire occurrences in the State on an annual basis. These are coded by cause: campfire, children, debris burning – which can include backyard burning as well as the agricultural practice of “burning over” blueberry fields, incendiary (includes arson), lightning, machinery (includes logging equipment, brush cutters as well as fires along power lines), miscellaneous, railroad and smoking. The chart below, provided by the Maine Fire Service, lists the wildland fires from 2010 through 2014 (the latest year analyzed as of the writing of this plan).

Fire County	CAUSE	# of Fires
CUMBERLAND	CAMPFIRE	7
CUMBERLAND	CHILDREN	9
CUMBERLAND	DEBRIS	18
CUMBERLAND	INCENDIARY	24
CUMBERLAND	MACHINE	21
CUMBERLAND	MISC	16
CUMBERLAND	RAILROAD	6
CUMBERLAND	SMOKING	11
	TOTALS	112
	Average YR	14

Forest fires remain one of the County's most significant hazards. Today, about 90% of all forest fires are caused by human activity while lightning causes about 10%. During dry periods, fire danger increases rapidly, especially in the spring and fall.

Impact:

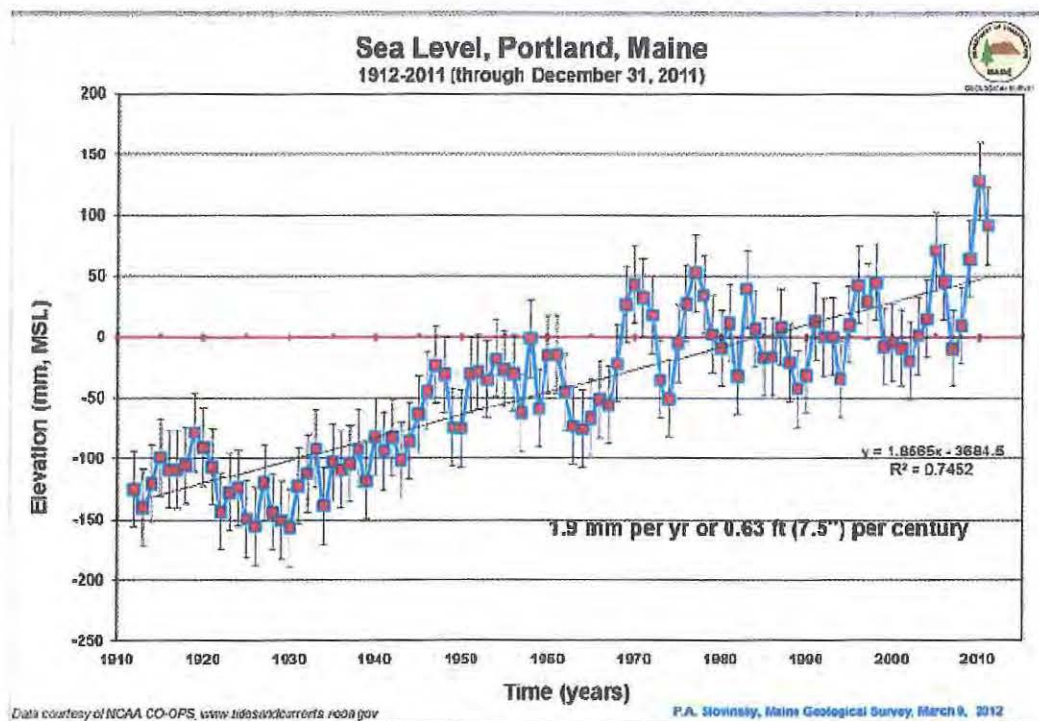
Despite containing a high percentage of heavily forested areas, Cumberland County has not experienced major wildfire events in recent years, with the last widespread wildfire occurring in 1947. This wildfire event caused multiple deaths and resulted in the burning of over 200,000 acres throughout the state of Maine, with the greatest impacts being in York County and on Mount Desert Island. Since the 1947 fire, the County experienced a major wildfire on May 3, 1951 and in October of 1961. As well, it is typical for the county to experience several minor wildfires per year. These fires are typically relatively small and quickly contained (depending on fire apparatus accessibility).

Probability of Occurrence.

Based on the past thirty years of historical records of forest fires, the Maine Forest Service Forest Protection Division anticipates that on a state level there will be between 600 – 700 low acreage fires (a low acreage fire is less than 100-acres) from all causes each year. However, using the last three decades of fire records, the probability of a major wildfire (>1,000 acres, according to the Maine Forest Service) is once a decade.

Hazard: Coastal Erosion

This hazard, newly moved to the High Hazard category, is included because of increasing intensity of storms and greater effects of storm damage along the coasts of the 12 municipalities affected. Rising sea levels increase the effect of these storms. While the damages are currently localized and minimal, the trend is increasing, and communities are experiencing more damage or damage in areas not previously affected.



According to the Maine State Hazard Mitigation Plan – 2013 Update:

One of the consequences of sea level rise is the damage that can occur from storm surges. Storm surge is simply water that is pushed toward the shore by the force of the winds swirling around the storm as well as low barometric pressure. This advancing surge combines with the normal tides to create the storm tide. In addition, wind driven waves are superimposed on the storm tide. This rise in water level can cause severe flooding in coastal areas, particularly when the storm tide coincides with the normal high tides. The following illustration shows how storm surge can increase flooding risk.



No one knows for sure how high the sea will rise or how quickly it will occur, but the IPCC has prepared a range of scenarios based on a scientific analysis of a number of variables including glacial ice melt, thermal expansion of water due to global warming, slowing of the Gulf Stream (there has been a 25% reduction during the past decade), and the melting of ice caps in Greenland and Antarctica. Based on the IPCC's projections, the Maine Geological Survey (MGS) is using for its studies a conservative, mid-range estimate of two (2) additional feet of sea level rise by the year 2100.

Location:

The coastal communities of Scarborough, Cape Elizabeth, Portland, South Portland, Falmouth, Cumberland, Yarmouth, Freeport, Brunswick and Harpswell, and the island towns of Long Island and Chebeague Island are those affected.

Extent:

Low-lying areas such as marshes, roads that run parallel and close to the shore and homes built on bluffs of the geologic Presumpscot formation mud are most vulnerable. Island communities express most concern with their ferry terminals and the effects coastal erosion will have on these fixed structures. The extent of the erosion hazard under the various sea-level rise scenarios has not been determined for individual roads and culverts. This would have to be calculated on a case-by-case basis.

Impact:

Damage to roads, erosion of protective barriers, and loss of property are among the largest impacts in Cumberland County to date. Other concerns, while outside the scope of this plan, include wetland migration and the effects of erosion on the natural habitat.

Probability:

According to the Maine State Hazard Mitigation Plan – 2013 Update, "...the gradual rise in the level of the sea is having a profound effect on the nature of coastal flooding. The sea has risen about 7.5 inches since

1900, and is conservatively projected by the Maine Geological Survey to rise by roughly two additional feet by 2100. Along the Maine Coast, if the 10-year and 100-year storm elevations are only one foot apart, a sea level rise of one (1) foot means that a storm that had a 1% chance of occurring in any one year (the 100-year storm) at the original elevation will have a 10% chance of occurring in any one year (the 10-year storm) at the new elevation. As a result, more homes, businesses, public infrastructure such as roads, and entire communities will be subject to more devastating coastal storms, as well as coastal erosion and landslides, on a more frequent basis. There is also concern in the scientific community that global warming may be increasing the intensity of coastal storms.”

PRIORITIZATION OF HAZARDS

The preceding profiles describe the range of hazards for which Cumberland County is at risk. The history of hazard events in the County is the best indicator of future risks faced by the County. In order to prioritize future mitigation efforts, the range of hazard types was evaluated for frequency, impacts, and extent of affected population. The hazards were then ranked by order of priority, based on these criteria. Only the top five have been evaluated further. The prioritization matrix is shown below:

Table 13

Hazard Type	Frequency	Impact	% of County at risk	Total Score
<i>High Priority</i>				
Flooding	4	4	4	12
Severe Winter Storm	4	4	4	12
Severe Summer Storm	4	2	4	10
Wildfire	3	2	4	9
Coastal Erosion	4	2	2	8
<i>Medium Priority</i>				
Hurricane (included in summer storms)	2	4	2	8
<i>Low Priority</i>				
Drought	1	2	4	7
Earthquake	1	2	4	7
Blight/infestation	1	2	3	6
Landslide	2	2	1	5
Avalanche	1	2	1	4
Ground subsidence	1	1	1	4

Frequency of events:

1- 10 years	=4
Greater than 10 years	=3
Greater than 50 years	=2
Greater than 100 years	=1

Impact:

Significant (multiple deaths, mass casualties, or millions of dollars in damages)	=4
Major (injuries, or 100,000's of dollars in damages)	=3
Moderate (injuries or 1,000's of dollars in damages)	=2
Minimal (no injuries or 100's of dollars in damages)	=1

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

% of County at risk:

All parts of county are vulnerable to hazard and might be impacted by an event	=4
All parts of county are vulnerable, but not all parts are likely to be impacted by an event	=3
Vulnerability and impacts are limited to certain regions of the county	=2
Vulnerability and impacts are localized	=1

This prioritization method remains valid for the 2017 Update. Coastal Erosion moved to High Priority in recognition of rising sea levels and community concerns.

ASSESSING VULNERABILITY: OVERVIEW

Requirement §201.6(c)(2)(ii):	The risk assessment shall include a description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community.
-------------------------------	--

The hazard mitigation planning team identified critical facilities located within each municipality, using GIS data from the Maine Office of GIS, and Northeast States Emergency Consortium HAZUS documents. Critical facilities are defined by FEMA as "facilities that are critical to the health and welfare of the population and that are especially important following hazard events". Critical facilities include, but are not limited to, shelters, police and fire stations, and hospitals. The critical facilities identified in Cumberland County are: municipal offices, fire stations, police stations, water treatment facilities, wastewater treatment plants, libraries, schools, shelters, hospitals, airports, dams, rescue units, armories, roads, electric lines, and telephone lines.

As seen in the above table, the five highest priority hazards identified for Cumberland County are flooding, severe winter storms, severe summer storms, wildfires, and coastal erosion. The following describes the vulnerability of critical facilities to each of these hazards:

Flooding: The typical damage resulting from flooding in Cumberland County is structural damage to roads and utility infrastructure. There may be other types of critical facilities that are susceptible to damage from flooding, but insufficient data was available to determine these facilities. Mitigation measures in the future might include a more comprehensive field analysis of vulnerability. However, due to the varied topography within the county and the availability of higher elevation sites within all municipalities, nearly all critical facility structures are located outside of the flood zones, with the possible exception of roads, some wastewater treatment plants, and island ferry terminals.

Severe Winter Storms: Winter storms damage overhead utility lines, cause flooding (ice jams and spring melt off) and dump debris and large amounts of snow on the roads. The County is also susceptible to ice storms, which can affect the same infrastructure. The more widespread events, such as blizzards and ice storms will typically impact the county through severe damage to overhead electric and utility line infrastructure and blockage of roads by debris. When accompanied by flooding, the impacts will be as described above.

Severe Summer Storms: Localized events, such as microbursts or small tornados have the potential to cause significant damage to structures, should they happen to occur in direct proximity to a critical structure. The more widespread events, such as hurricanes and tornados will typically impact the County through severe damage to overhead electric and utility line infrastructure and blockage of roads by debris. When accompanied by flooding, the impacts will be as described above.

Wildfire: The combination of a high degree of development within the County, which is still primarily heavily forested, creates the potential for significant damage to critical facilities, homes and commercial property in Cumberland County resulting from wildfires.

Coastal Erosion: Critical infrastructures such as roads running close to shorelines, wastewater treatment plants and ferry terminals are all subject to damage from coastal erosion caused by intense storms combined with rising sea levels.

ASSESSING VULNERABILITY: ADDRESSING REPETITIVE LOSS PROPERTIES

Requirement §201.6(c)(2)(ii):	The risk assessment must address National Flood Insurance Program (NFIP) insured structures that have been repetitively damaged by floods.
-------------------------------	--

Repetitive Loss Properties. Based on January 2016 information from the NFIP State Coordinator for the Maine Floodplain Management Program, there were 13 repetitive loss properties located in Cumberland County. Due to privacy laws, the plan only identifies the Town and the number of repetitive losses suffered within each Town. The properties were all single or multi-family residential properties except two properties which were non-residential, commercial properties. The Towns and number of properties in each Town, which reported repetitive losses include the following:

Table 14

Municipality	Number of Properties	Property Type	Number of Claims
Cape Elizabeth	1	Residential	3
Casco	3	Residential	8
Falmouth	1	Residential	2
Gorham	1	Residential	2
Gray	1	Residential	3
Harrison	1	Residential	2
Scarborough	2	Residential	3
South Portland	1	Residential	5
Westbrook	1	Non-residential	3
Yarmouth	1	Non-residential	2

ASSESSING VULNERABILITY: IDENTIFYING STRUCTURES

Requirement §201.6(c)(2)(ii)(A):	The plan should describe vulnerability in terms of the types and numbers of existing and future buildings, infrastructure and critical facilities located in the hazard area.
----------------------------------	---

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

The following table lists the type and numbers of critical facilities in each municipality in Cumberland County.

Table 15

Municipality	Municipal Office	Fire Station	Police Station	Water Treatment	WWTP – Major	WWTP – Minor	Schools	Shelters	Hospital/ Clinic	Airport/ Seaport	Dams	Rescue	Electrical Sub- Stations	Telecom Structures
Baldwin	1	3	0	0	0	0	2	1	0	0	1	0	0	0
Bridgton	1	4	1	1	0	1	3	1	1	1	5	1	0	2
Brunswick	1	2	1	1	1	4	8	5	2	2	1	2	0	5
Cape Elizabeth	1	2	1	0	0	1	5	2	0	1	0	1	0	2
Casco	1	2	0	0	0	0	2	2	0	0	0	2	0	2
Chebeague Isl.	1	1	0	0	0	0	1	1	0	0	0	1	0	0
Cumberland	1	2	1	0	0	0	5	1	0	0	1	3	0	1
Falmouth	1	4	1	0	1	1	5	3	0	1	1	2	0	4
Freeport	1	1	1	0	1	0	5	2	0	0	0	1	0	1
Frye Island	1	1	0	0	0	0	0	1	0	0	0	0	0	0
Gorham	1	3	1	0	0	2	5	0	0	1	0	2	1	10
Gray	1	3	0	0	0	0	3	2	0	0	1	1	0	4
Harpswell	1	3	0	0	0	1	2	2	0	1	0	3	0	1
Harrison	1	1	0	0	0	0	1	1	0	1	1	0	0	
Long Island	1	1	0	0	0	0	1	2	0	0	0	1	0	1
Naples	1	1	0	0	0	0	4	3	0	0	2	2	0	0
New Gloucester	1	1	0	0	0	0	3	1	0	1	4	1	0	1
North Yarmouth	1	1	0	1	0	0	1	1	0	1	0	1	0	2
Portland	1	8	6	1	1	5	34	5	3	1	0	3	0	1
Pownal	1	1	0	0	0	0	1	1	0	1	1	0	0	20
Raymond	1	3	0	0	0	0	3	1	0	0	1	3	0	1
Scarborough	1	6	1	1	1	1	8	1	0	0	0	2	0	1
Sebago	1	3	0	0	0	0	1	2	0	0	4	1	0	6
South Portland	1	6	1	0	1	9	13	7	0	0	0	2	0	0
Standish	1	3	0	0	1	0	4	2	0	0	1	2	0	8
Westbrook	1	2	1	0	1	0	9	2	1	1	3	2	0	2
Windham	1	4	1	0	3	0	4	4	1	1	1	2	0	2
Yarmouth	1	4	1	0	1	0	5	2	0	0	2	2	1	2
TOTAL	28	76	18	5	12	26	138	60	8	14	30	43	2	1
														80

Source: Cumberland County Emergency Management Agency

Vulnerability of existing buildings, infrastructure and critical facilities.

Flooding:

- Buildings. There are very few buildings in Cumberland County that are vulnerable to flood damages. Most of the developed areas in the County are located outside of designated floodplains and are thus not very vulnerable to flooding.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

- Infrastructure. Roads and their associated storm drainage systems are the most vulnerable category of infrastructure. Much of the County is still rural in nature and is serviced by a network of rural roads that do not have proper storm drainage systems. These roads are very vulnerable to flooding caused by heavy downpours and/or the blockage of drainage systems by ice or debris.
- Critical facilities. Due to varied topography within the County and the availability of higher elevation sites within all municipalities, nearly all critical facilities are located outside of floodplains.

Severe Winter Storms:

- Buildings. All buildings in Cumberland County are vulnerable to winter storm damage. Damages can include burst water pipes during power outages, interior water damages due to ice dams forming on roofs and occasionally roof collapses due to heavy loads.
- Infrastructure. Roads and their associated storm drainage systems are the most vulnerable category of infrastructure. They can become temporarily blocked due to heavy snow falling over a short period of time or ice which can build up on their surfaces. Water main breaks due to cold weather can also occur. Roads and their storm drainage systems can become blocked due to heavy snow, ice, and debris such as tree limbs.
- Critical facilities. All critical facilities in Cumberland County are vulnerable to winter storms in the same manner that individual buildings are vulnerable. However, some of the critical facilities throughout the County have back-up generator systems that allow heating systems to continue during a power outage.

Severe Summer Storms:

- Buildings. There are very few buildings in Cumberland County that are vulnerable to summer storms and associated flooding. With the exception of some areas in the outlying towns, most of the developed areas in the County are located outside of designated floodplains and are thus not very vulnerable to flooding.
- Infrastructure. Roads and their associated storm drainage systems are the most vulnerable category of infrastructure. They can become flooded over a short period of time during intense periods of rain. Roads and their storm drainage systems can become blocked due to debris such as tree limbs.
- Critical facilities. Due to varied topography within the County and the availability of higher elevation sites within all municipalities, nearly all critical facilities are located outside of floodplains.

Wildfires:

- Buildings. Almost all buildings within Cumberland County could be vulnerable to wildfire damages if not easily accessible by firefighting crews. Most of the rural areas are heavily forested and could be vulnerable to fire under certain conditions such as prolonged drought.
- Infrastructure. Roads and their associated storm drainage systems are the least vulnerable category of infrastructure. Although during wildfire events roads may become closed, it would be expected that once the fire is under control, the road could reopen without experiencing heavy damages.
- Critical facilities. All critical facilities in Cumberland County could be vulnerable to wildfires in the same manner that individual buildings could be vulnerable.

Coastal Erosion:

- Buildings: Those buildings which were built before zoning and shoreline ordinances were placed into effect may be vulnerable to damage to buildings or property.
- Infrastructure: Roads and low bridges are most at risk due to erosion and higher storm surges.
- Critical facilities: Those facilities built in low lying areas or into the water are most at risk.

Vulnerability of future buildings, infrastructure and critical facilities.

Flooding:

- **Buildings.** All of the municipalities in Cumberland County are in the flood insurance program, and all have municipal Shoreline zoning ordinances that generally prohibit the construction of residential, commercial and industrial structures in floodplains. Therefore, flooding of future buildings is not likely to be a serious issue.
- **Infrastructure.** Future roads and their associated storm drainage systems are the most vulnerable category of infrastructure. However, State and local road construction standards generally ensure that new roads are properly constructed with adequate drainage systems. Most roads (with the exception of some camp roads) in the public domain must be designed by a licensed professional engineer. Therefore, flooding of future roads is not likely a serious issue.
- **Critical facilities.** Conditions for future critical facilities would be the same as those described above for buildings.

Severe Winter Storms:

- **Buildings.** New buildings in Cumberland County are less vulnerable to winter storm damage. Damages can include burst water pipes during power outages, interior water damages due to ice dams forming on roofs and occasionally roof collapses due to heavy loads; however, with current building codes for new construction, water damage and failure from snow load should be limited.
- **Infrastructure.** Roads and their associated storm drainage systems will continue to be the most vulnerable category of infrastructure. They can become temporarily blocked due to heavy snow falling over a short period of time or ice that can build up on their surfaces. Water main breaks due to cold weather can also occur. Roads and their storm drainage systems can become blocked due to heavy snow, ice, and debris such as tree limbs.
- **Critical facilities.** Future critical facilities in Cumberland County are vulnerable to winter storms in the same manner that individual buildings are vulnerable. However, some of them will have back-up generator systems that allow heating systems to continue during a power outage.

Severe Summer Storms:

- **Future buildings in Cumberland County** will be vulnerable to summer storms and associated flooding in the same manner as existing buildings. With the exception of some areas in the outlying towns, most of the future development within the County will be located outside of designated floodplains and are thus not very vulnerable to flooding.
- **Infrastructure.** New roads and their associated storm drainage systems are the most vulnerable category of infrastructure. However, State and local road construction standards generally ensure that new roads are properly constructed with adequate drainage systems. Most roads (with the exception of some camp roads) in the public domain must be designed by a licensed professional engineer. Therefore, flooding of future roads is not likely a serious issue.
- **Critical facilities.** Future critical facilities in Cumberland County are vulnerable to summer storms in the same manner that individual buildings are vulnerable. However, some of them will have back-up generator systems which allow heating systems to continue during a power outage.

Wildfires:

- **Buildings.** New buildings within Cumberland County will be vulnerable to wildfire damages in the same manner as existing buildings. With the exception of some areas in the metropolitan areas, most of the rural areas are heavily forested and thus are very vulnerable to fire.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

- Infrastructure. New roads and their associated storm drainage systems are the least vulnerable category of infrastructure. Although during wildfire events roads may become closed, it would be expected that once the fire is under control, the road could reopen without experiencing heavy damages.
- Critical facilities. All future critical facilities in Cumberland County are vulnerable to wildfires in the same manner that individual buildings are vulnerable.

Coastal Erosion:

New buildings will be subject to shoreline zoning ordinances, which many communities are now strengthening. Old structures will be vulnerable to coastal erosion. The same holds true for infrastructure and critical facilities. Some critical facilities, by nature of their usage must remain in low-lying or vulnerable areas (wastewater treatment, etc.). This is a developing situation and will be addressed through engineering studies and policies put in place by each municipality.

ASSESSING VULNERABILITY: ESTIMATING POTENTIAL LOSSES

Overview:

This section of the Plan relies on historical damages as the basis for estimating future losses, subject to the following:

- Presidential Disaster Declarations have been used where possible, updated for inflation using the Consumer Price Index calculator from the U.S. Department of Labor, Bureau of Labor Statistics.
- Where statewide or county damages are used to determine damages for a specific jurisdiction, the damages are pro-rated using the 2010 Census.

Flooding. This plan uses worst-case, real-life damages to calculate potential flood losses, and assumes that historic patterns will hold for the future. The worst-case flood is the Patriot's Day Flood of 2007, which resulted in a Presidential Disaster Declaration of \$7,145,955 in damages to Cumberland County alone. Using the Consumer Price Index, the damages in 2015 dollars would be \$8,168,691.

In the same way, the winter storm of record is the 1998 Ice Storm with damages of \$5,775,274, or \$8,397,780 in 2015 dollars.

The per capita cost of \$29.00 for the Patriot's Day Storm is calculated by taking the population of Cumberland County in 2010 (281,674) and dividing it into total 2007 flood damages in 2015 dollars (\$8,168,691). Similarly, the Ice Storm of 1998 cost \$31.62 per capita. (population of Cumberland County 265,612; storm cost in 2015 dollars (\$8,397,780) Census figures from U.S. Census Bureau.

The methodology for calculating potential losses in Cumberland County is to assume the greater of:

- 1) Actual damages updated using the Consumer Price Index, or
- 2) Flood losses based on \$29.54 per capita. Each town's population is multiplied by \$29.54 to get potential damages.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Potential losses were figured using the following:

Table 16

Consumer Price Index 1982-1984 = 100		
1947 = 22.3		
1980 = 82.4	1992 = 140.3	2004 = 188.9
1981 = 90.9	1993 = 144.5	2005 = 195.3
1982 = 96.5	1994 = 148.2	2006 = 201.6
1983 = 99.6	1995 = 152.4	2007 = 207.3
1984 = 103.9	1996 = 156.9	2008 = 215.3
1985 = 107.6	1997 = 160.5	2009 = 214.5
1986 = 109.6	1998 = 163.0	2010 = 218.1
1987 = 113.6	1999 = 166.6	2011 = 224.9
1988 = 118.3	2000 = 172.2	2012 = 229.6
1989 = 124.0	2001 = 177.1	2013 = 232.9
1990 = 130.7	2002 = 179.9	2014 = 236.7
1991 = 136.2	2003 = 184.0	2015 = 237.0

Table 17 Cumberland County Population by municipality

Town	2000	2010	Net Change	Growth Rate
Baldwin	1,290	1,525	235	18.22%
Bridgton	4,883	5,210	327	6.70%
Brunswick	21,172	20,278	(894)	-4.22%
Cape Elizabeth	9,068	9,015	(53)	-0.58%
Casco	3,469	3,742	273	7.87%
Chebeague Island	341	341	-	0.00%
Cumberland	7,159	7,211	52	0.72%
Falmouth	10,310	11,185	875	8.50%
Freeport	7,800	7,879	79	1.00%
Frye Island	-	5	5	
Gorham	14,141	16,381	2,240	15.84%
Gray	6,820	7,761	941	13.80%
Harpswell	5,239	4,740	(499)	-9.50%
Harrison	2,315	2,730	415	17.90%
Long Island	202	230	28	13.80%
Naples	3,274	3,872	598	18.30%
New Gloucester	4,803	5,542	739	15.38%
North Yarmouth	3,210	3,565	355	11.05%
Portland	64,249	66,194	1,945	3.02%
Pownal	1,491	1,474	(17)	-1.14%
Raymond	4,299	4,436	137	9.12%
Scarborough	16,970	18,919	1,949	11.48%
Sebago	1,433	1,719	286	19.95%

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

South Portland	23,324	25,002	1,678	7.19%
Standish	9,285	9,874	589	6.34%
Westbrook	16,142	17,494	1,352	8.38%
Windham	14,904	17,001	2,097	14.07%
Yarmouth	8,360	8,349	(11)	-0.13%
County	265,953	281,674	15,721	5.91%

Population figures from US Census Bureau

The maximum flood loss is the greater of 2015 loss or per capita loss.

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Table 18								
Patriot's Day Storm	DR 1693 April 2007	In 2015 Dollars	Potential Losses based on Per Capita \$29.00	Maximum Potential Flood Loss in dollars		Great Ice Storm of '98	DR 1198 Jan. 1998	In 2015 Dollars
Baldwin	263,760	301,591	44,225	301,591		Baldwin	51,054	58,361
Bridgton	93,511	106,894	151,090	151,090		Bridgton	215,776	246,658
Brunswick	52,550	60,071	588,062	588,062		Brunswick	301,680	344,857
Cape Elizabeth	169,375	193,616	261,435	261,435		Cape Elizabeth	125,116	143,023
Casco	448,410	512,587	108,518	512,587		Casco	131,386	150,190
Chebeague Island	N/A	N/A	N/A	N/A		Chebeague Island	N/A	N/A
Cumberland	499,073	570,886	209,119	570,886		Cumberland	277,962	317,744
Falmouth	108,650	124,200	324,365	324,365		Falmouth	210,338	240,442
Freeport	120,986	138,302	228,491	228,491		Freeport	213,453	244,003
Frye Island	8,854	10,121	145	10,121		Frye Island	---	---
Gorham	82,366	94,154	475,049	475,049		Gorham	200,265	228,927
Gray	171,641	196,206	225,069	225,069		Gray	246,103	281,325
Harpswell	48,931	55,934	137,460	137,460		Harpswell	47,905	54,761
Harrison	139,326	159,266	79,170	159,266		Harrison	149,697	171,122
Long Island	326,377	373,088	6,670	373,088		Long Island	8,732	9,982
Naples	252,876	289,068	112,288	289,068		Naples	191,016	218,354
New Gloucester	46,495	53,149	160,718	160,718		New Gloucester	262,309	299,851
North Yarmouth	18,164	20,764	103,385	103,385		North Yarmouth	55,664	63,631
Portland	2,327,749	2,660,899	1,919,626	2,660,899		Portland	859,489	982,500
Pownal	20,024	22,890	42,746	42,746		Pownal	91,851	104,997
Raymond	130,739	149,450	128,644	149,450		Raymond	153,949	175,982
Scarborough	557,178	636,922	548,651	636,922		Scarborough	107,024	122,341

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Sebago	139,276	159,209	49,851	159,209	Sebago	113,167	129,364
South Portland	245,551	280,695	725,058	725,058	South Portland	322,433	368,580
Standish	51,453	58,817	286,346	286,346	Standish	248,458	284,018
Westbrook	98,500	112,597	507,326	507,326	Westbrook	252,604	288,757
Windham	149,401	170,783	493,029	493,029	Windham	438,534	501,297
Yarmouth	63,679	72,793	242,121	242,121	Yarmouth	261,825	299,298
County	9,295	10,625	--	--	County	4,955	5,664
Other	329,760	376,956	---	---	Other	232,529	265,809
Totals	7,145,955	8,168,691			Total	5,775,274	8,397,780

2015 dollars figured from Bureau of Labor CPI calculator <http://data.bls.gov/cgi-bin/cpicalc.pl>

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Summer Storms This plan uses worst-case, real-life damages to calculate potential summer storm damages, and assumes that in the future, historic pattern the historic pattern will repeat itself. Hurricane Edna (1954) was the most devastating summer storm to hit Maine, and impacted the State ten days after Hurricane Carol. (DR 24) It caused an estimated \$25,000,000 in damages (from US Weather Bureau Office (<https://noaa.hrd.wordpress.com/2014/09/10/60th-anniversary-of-hurricane-edna/>)). The Disaster

Declaration was for the entire state.

The damage in 2015 dollars would be approximately \$220.2 million (multiply \$25 million by 237– the CPI for 2015, and divide by 26.9 – the CPI for 1954). There has been substantial development, especially in the coastal areas since 1954. The low incidence of hurricanes in Maine keeps this within the category of summer storms; however, if hurricane probability were to increase, it would be included in future updates of the plan as a High Priority.

The methodology for calculating potential summer storm damages in Cumberland County is based on the damages that occurred in the State of Maine in 1954 with Hurricane Edna. The population of the State (from the 2010 census) is 1,328,361. Divide \$220.2 million (the 1954 damages in 2015 dollars) by 1,328,361 to get a per capita cost of \$166. Multiply each town's population by \$166 to get potential summer storm damages.

Potential Summer Storm Damage in Cumberland County		
Baldwin	1,525	\$253,150
Bridgton	5,210	\$864,860
Brunswick	20,278	\$3,366,148
Cape Elizabeth	9,015	\$1,496,490
Casco	3,742	\$621,172
Chebeague Island	341	\$56,606
Cumberland	7,211	\$1,197,026
Falmouth	11,185	\$1,856,710
Freeport	7,879	\$1,307,914
Frye Island	5	\$830
Gorham	16,381	\$2,719,246
Gray	7,761	\$1,288,326
Harpswell	4,740	\$786,840
Harrison	2,730	\$453,180
Long island	230	\$38,180
Naples	3,872	\$642,752
New Gloucester	5,542	\$919,972
North Yarmouth	3,565	\$591,790
Portland	66,194	\$10,988,204
Pownal	1,474	\$244,684
Raymond	4,436	\$736,376
Scarborough	18,919	\$3,140,554
Sebago	1,719	\$285,354
South Portland	25,002	\$4,150,332
Standish	9,874	\$1,639,084
Westbrook	17,494	\$2,904,004
Windham	17,001	\$2,822,166

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Yarmouth	8,349	\$1,385,934
TOTAL for County	281,674	46,757,884

Wildfires. This plan uses worst-case, real-life damages to calculate potential wildfire losses, and assumes that in the futures, the historic pattern will repeat itself.. The 1947 fire was the worst on record, although it was actually a series of wildfires that flared over Eastern and Southern Maine. The 1947 fire caused an estimated \$30,000,000 (www.uninets.net/~dsrowley/Fires%20of%201947.pdf) in damages to Cumberland, Hancock, Oxford, and York Counties.

The damage in 2015 dollars would be about \$318.8 million (multiply \$30 million by 237– the CPI for 2015, and divide by 22.3 – the CPI for 1947). While there is significantly more development in each of these counties today than there was in 1947, fire-fighting capabilities have also increased so there may be no need to further increase the damage estimate. The probability that a wildfire such as the 1947 fire will hit Maine during the five-year period covered by this Plan is dependent upon such factors as rainfall, winds, and ignition sources, as well as fire apparatus accessibility.

The methodology for calculating potential wildfire losses in Cumberland County is based on the damages that occurred in the 1947 fire in Cumberland, Hancock, Oxford and York Counties. The population of these counties is 591,055; divide \$318.8 million (the 1947 fire in 2015 dollars) by 591,055 to get a per capita cost of \$540. Then multiply each town's population by \$540 to get potential wildfire damages.

Potential Wildfire Damages in Cumberland County		
Municipality	2010 Population	Potential Losses based on Per Capita \$540.00
Baldwin	1,525	\$823,500
Bridgton	5,210	\$2,813,400
Brunswick	20,278	\$10,950,120
Cape Elizabeth	9,015	\$4,868,100
Casco	3,742	\$2,020,680
Chebeague Island	341	\$184,140
Cumberland	7,211	\$3,893,940
Falmouth	11,185	\$6,039,900
Freeport	7,879	\$4,254,660
Frye Island	5	\$2,700
Gorham	16,381	\$8,845,740
Gray	7,761	\$4,190,940
Harpwell	4,740	\$2,559,600
Harrison	2,730	\$1,474,200
Long island	230	\$124,200
Naples	3,872	2,090,880
New Gloucester	5,542	2,992,680
North Yarmouth	3,565	1,925,100
Portland	66,194	\$35,744,760
Pownal	1,474	\$795,960
Raymond	4,436	\$2,395,440
Scarborough	18,919	\$10,216,260
Sebago	1,719	\$928,260
South Portland	25,002	\$13,501,080
Standish	9,874	\$5,331,960

CUMBERLAND COUNTY ME HAZARD MITIGATION PLAN 2017 UPDATE

Westbrook	17,494	\$9,446,760
Windham	17,001	\$9,180,540
Yarmouth	8,349	\$4,508,460
County Total	281,674	\$152,103,960

Coastal Erosion. Since this is a developing hazard with increasing sea levels and more intense storms, it is not yet possible to calculate the per capita estimate of damages (from coastal erosion) due to insufficient data and lack of reporting methodology by communities. In the next five years, CCEMA will work with local communities to document these damages separately from other storm damage.

ASSESSING VULNERABILITY: ANALYZING DEVELOPMENT TRENDS

Requirement §201.6(c)(2)(ii)(C):	The plan should describe vulnerability in terms of providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land uses decisions.
-------------------------------------	---

Cumberland County is Maine's most populous County. Land use within the County ranges from densely populated urbanized areas to suburban residential areas to farm and forestland. The County contains Portland, which is Maine's most populous city. All of the communities in the County have enacted comprehensive plans, in compliance with Maine statute. All communities are participants in the NFIP program and all communities have floodplain ordinances to regulate development within flood zones. All but one community have enacted zoning and/or shoreline ordinances.

As can be seen by the population table above, overall population growth in the County between 2000 and 2010 was almost 6%. However, some communities experienced growth rates of up to 20% or during this period, while other communities experienced practically no growth at all. Several communities lost population including Brunswick and Harpswell, possibly as a result of the closure of Naval Air Station Brunswick. A clear trend in the county is that much of the residential growth is occurring in the suburban and rural communities

As the populations of the suburban towns grows, so too does the demand for land that encroaches on historically forested and riparian areas. New population growth in these areas may contribute to hazard affects particularly when buffers between human activities and wild lands are not protected. This has placed a burden on the suburban towns as they deal with urban interface fire issues and expansion of infrastructure into these more remote areas.

Mitigation options used for future land-use decisions are being incorporated into municipality development and community planning goals. Because of these options and ordinances, little development in hazard prone areas has taken place affecting the vulnerability of the jurisdictions. Regional cooperation is required in order to analyze land use practices, which may exacerbate hazards, and to implement strategies to deal with the changing demographics. At the community level, land use planning goals include ensuring the efficient allocation and management of resources and protection of the environment through compliance with federal, state and local laws and regulations.

MULTI-JURISDICTIONAL RISK ASSESSMENT

Requirement §201.6(c)(2)(iii):	For multi-jurisdictional plans, the risk assessment section must assess each jurisdiction's risks where they vary from the risks facing the entire planning area.
--------------------------------	---

The following are hazards for which all areas of the County are subject to the same general risk:

- Severe winter storms
- Severe summer storms
- Riverine Flooding
- Wildfires (with some limited variance among the communities, particularly a lower degree of risk within the immediate Greater Portland area).

2017

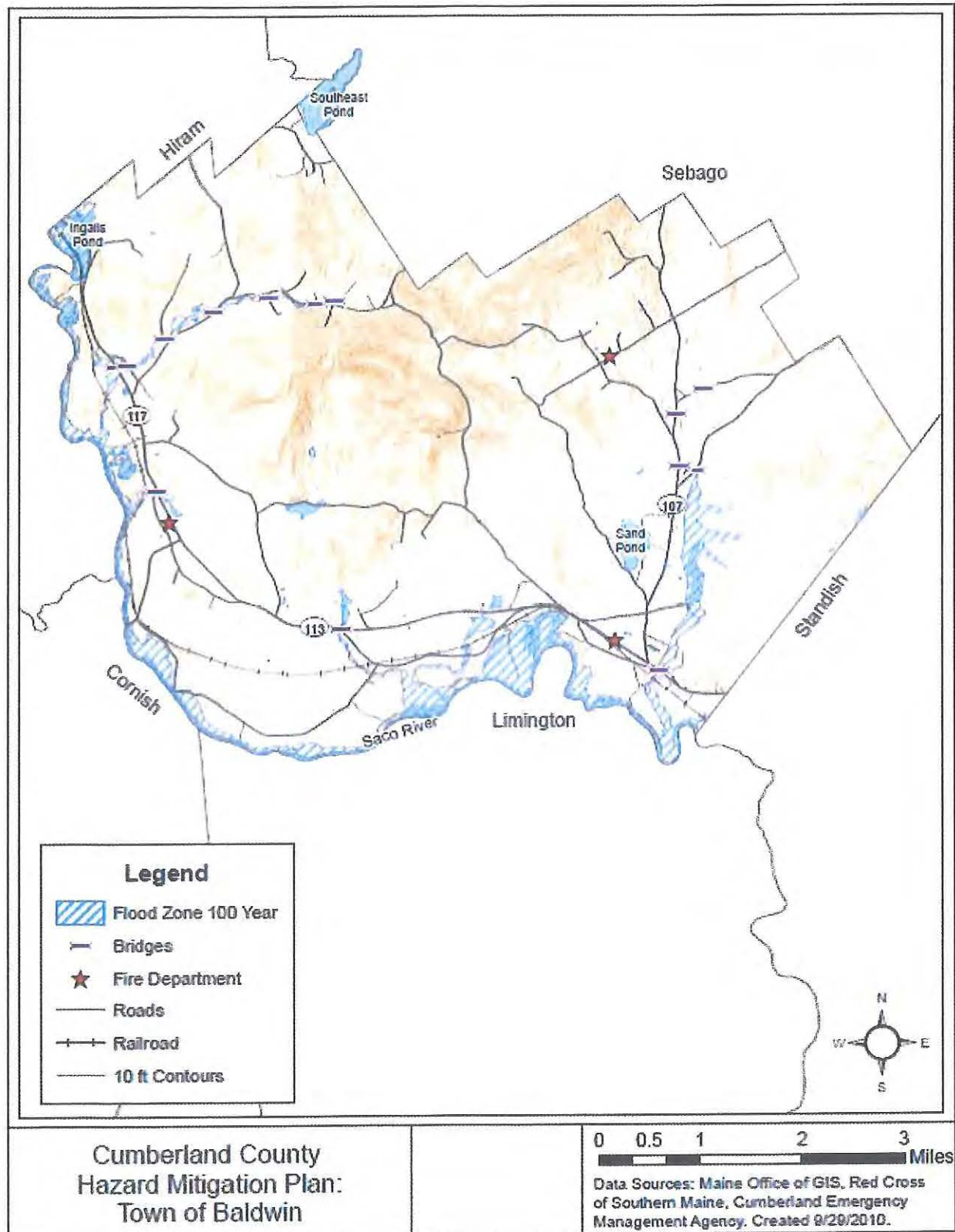
The following hazards primarily affect the coastal communities of Scarborough, Cape Elizabeth, South Portland, Portland, Falmouth, Cumberland, Yarmouth, Freeport, Brunswick, Long Island, Chebeague Island, and Harpswell:

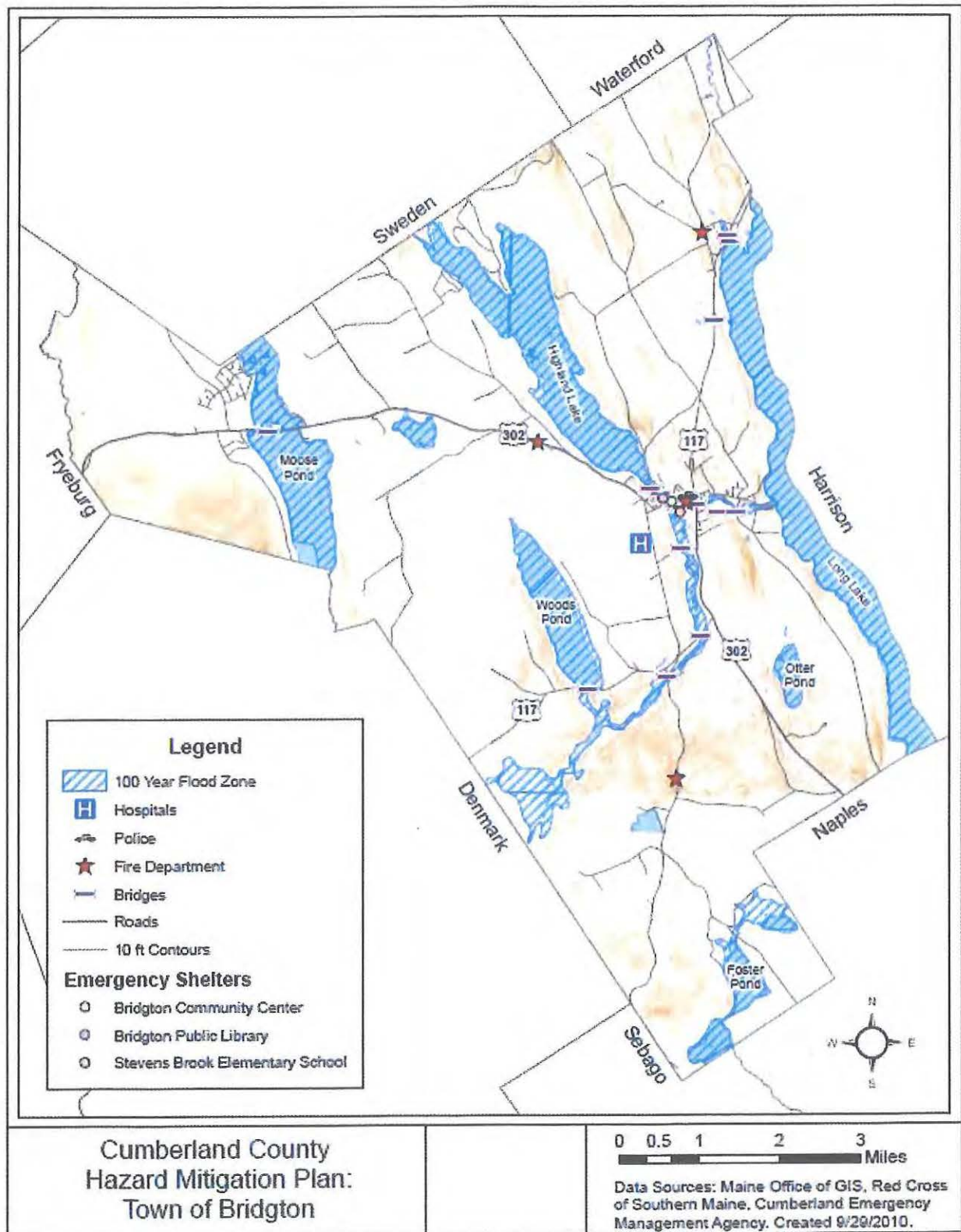
- Coastal erosion

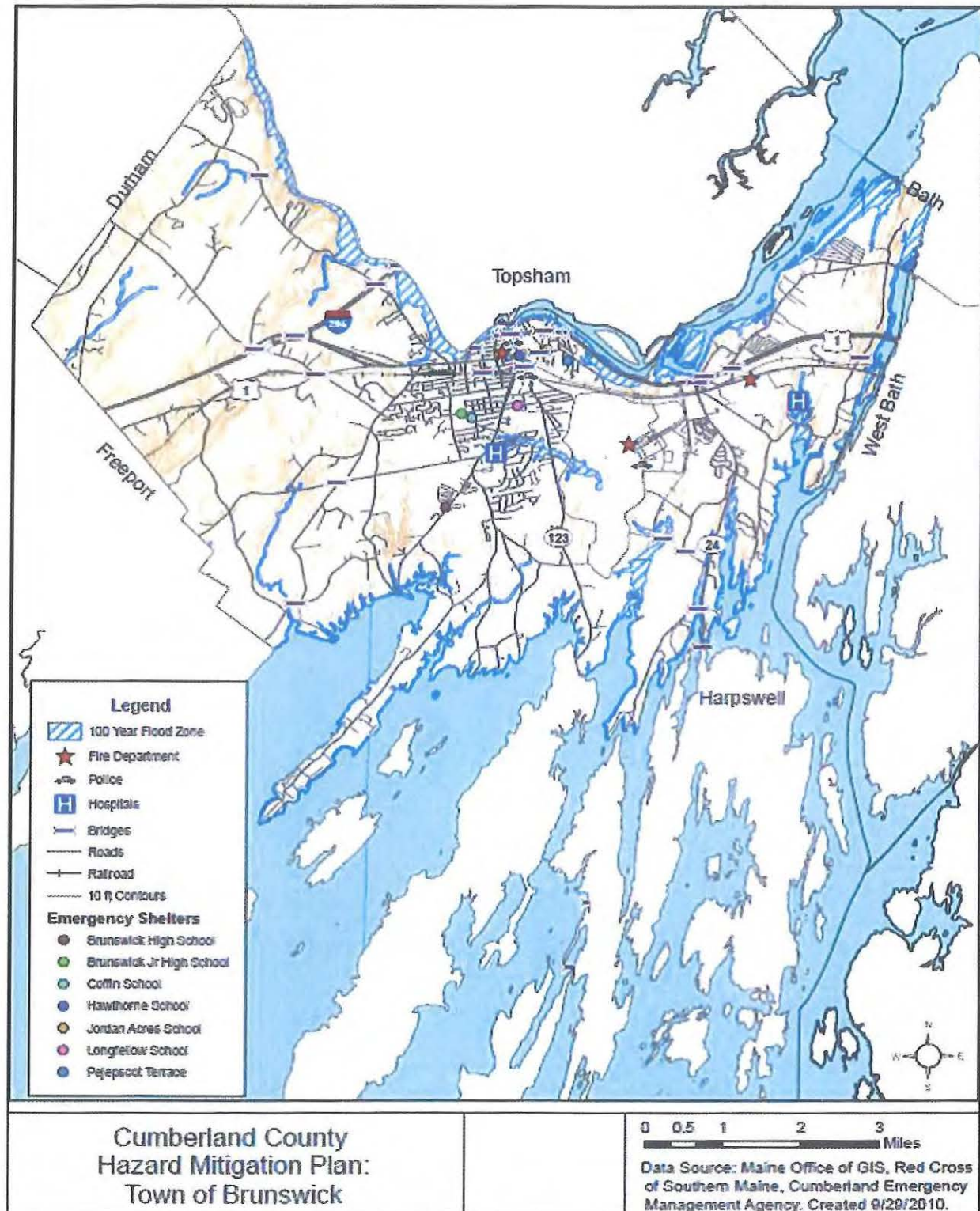
COUNTY BASE MAPS

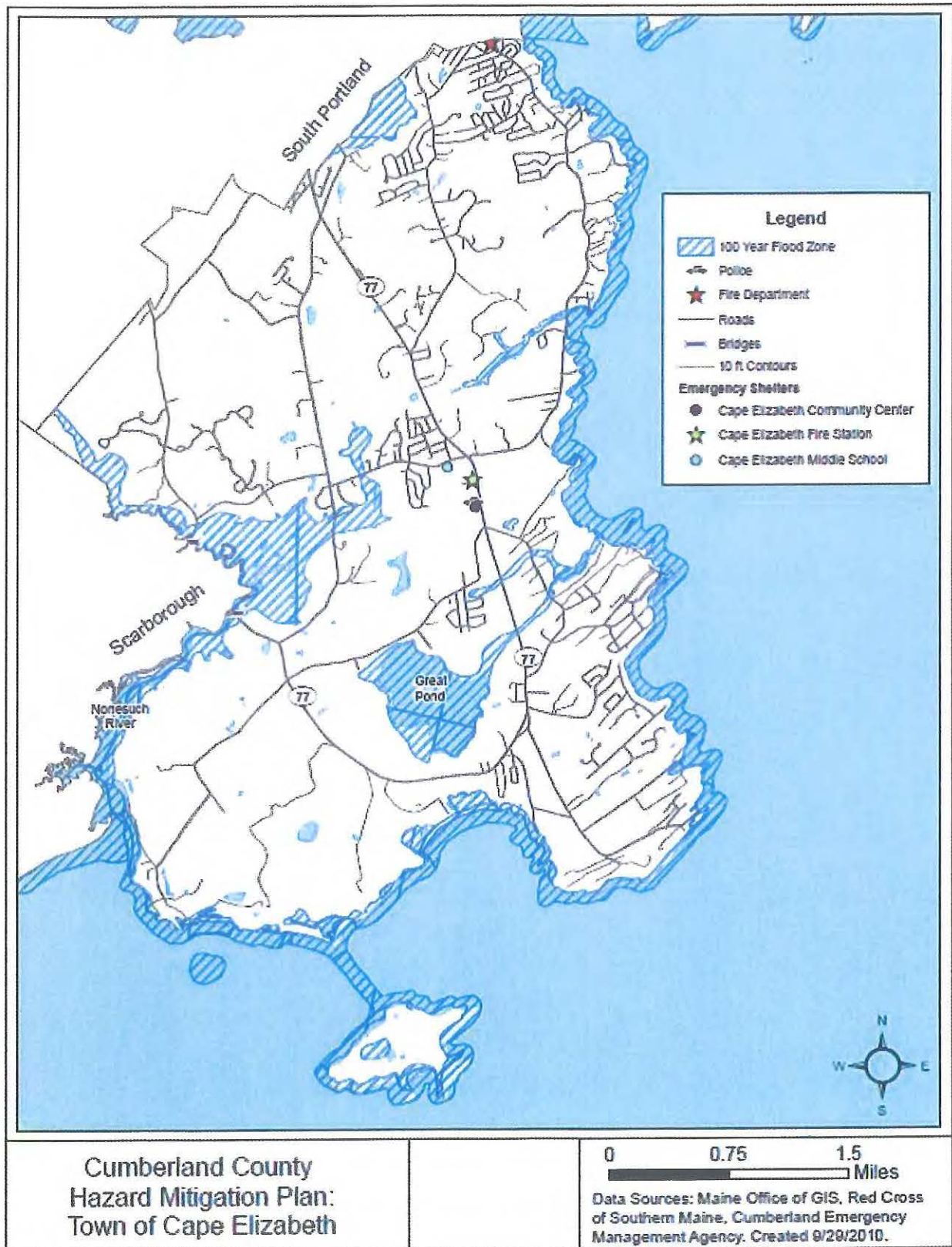
Following are base maps of the 28 cities and towns in Cumberland County. Data was obtained from the Maine Office of GIS, Maine DEP, Maine Geological Survey, Maine Department of Transportation and the individual municipalities. Each figure shows the municipal boundary, topographic relief, floodplains, critical facilities and principal roads. The maps were created for the 2012 Plan and were reviewed for accuracy for the 2017 Plan.

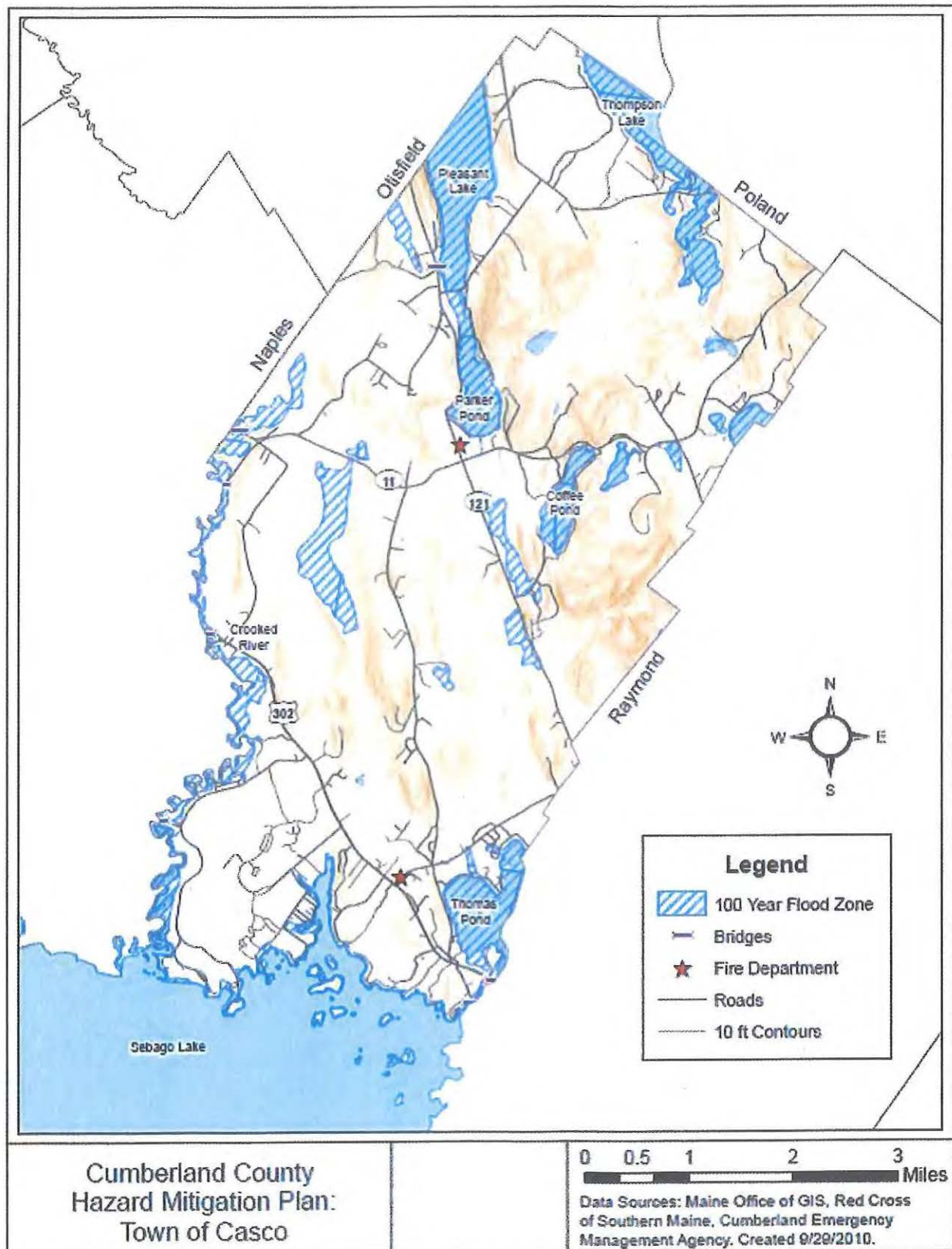
The primary flood analysis data used was the FEMA FIRM flood zone areas. The Army Corps of Engineers SLOSH data for Cumberland County was obtained and examined for storm surge inundation areas. These areas appeared to follow roughly with the FEMA FIRM data. LIDAR mapping has been done on many areas of the county, but the analysis is still in process.

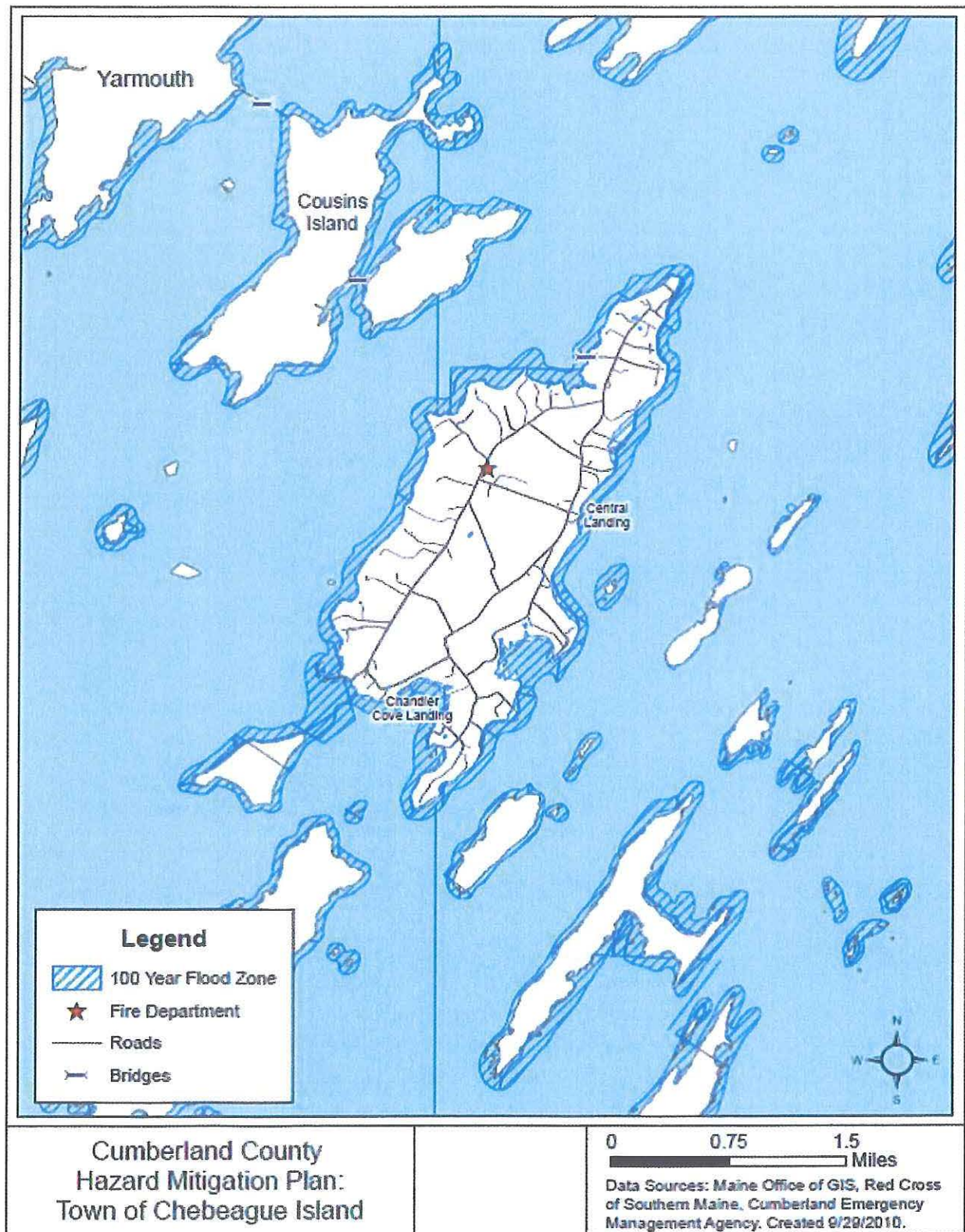


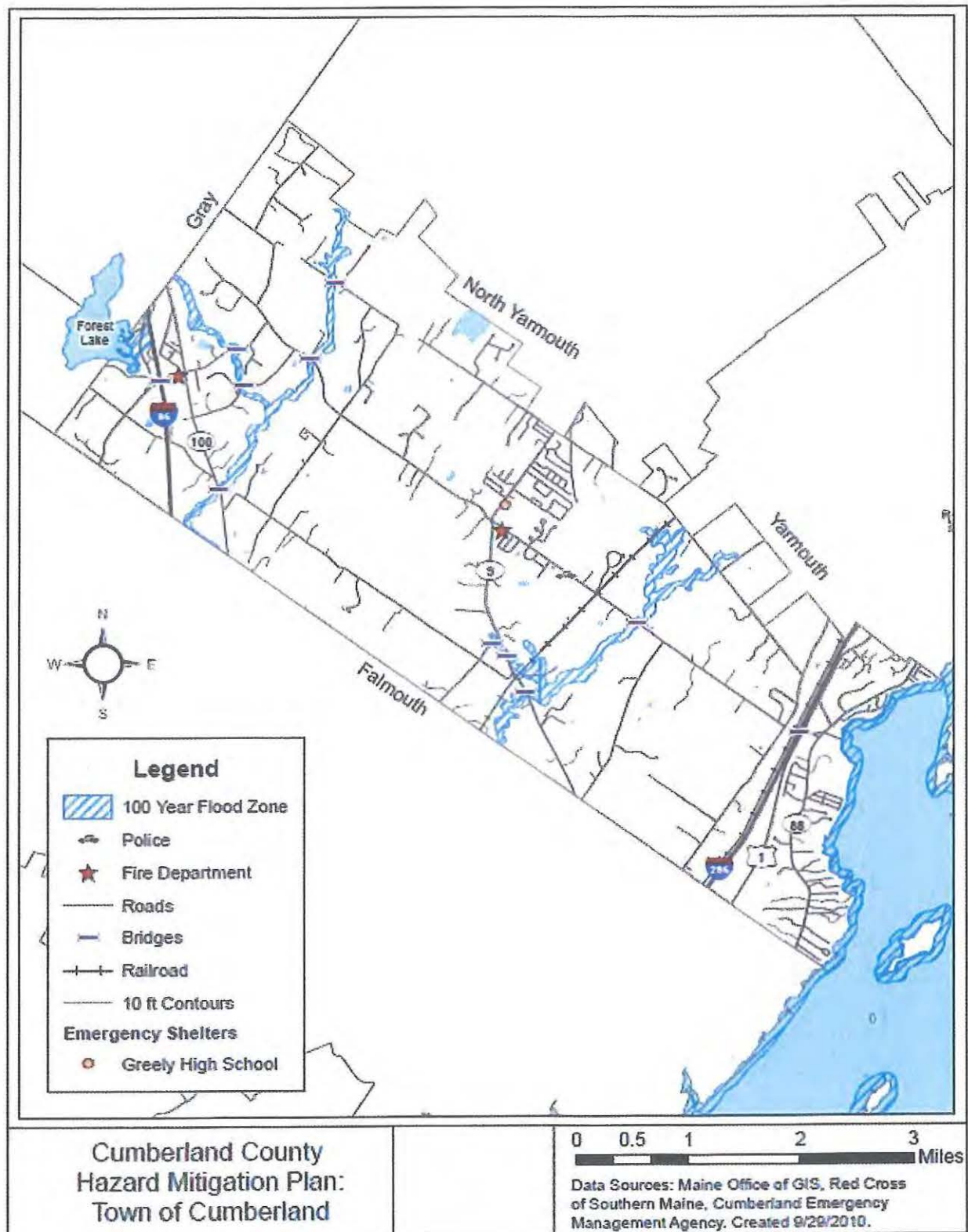


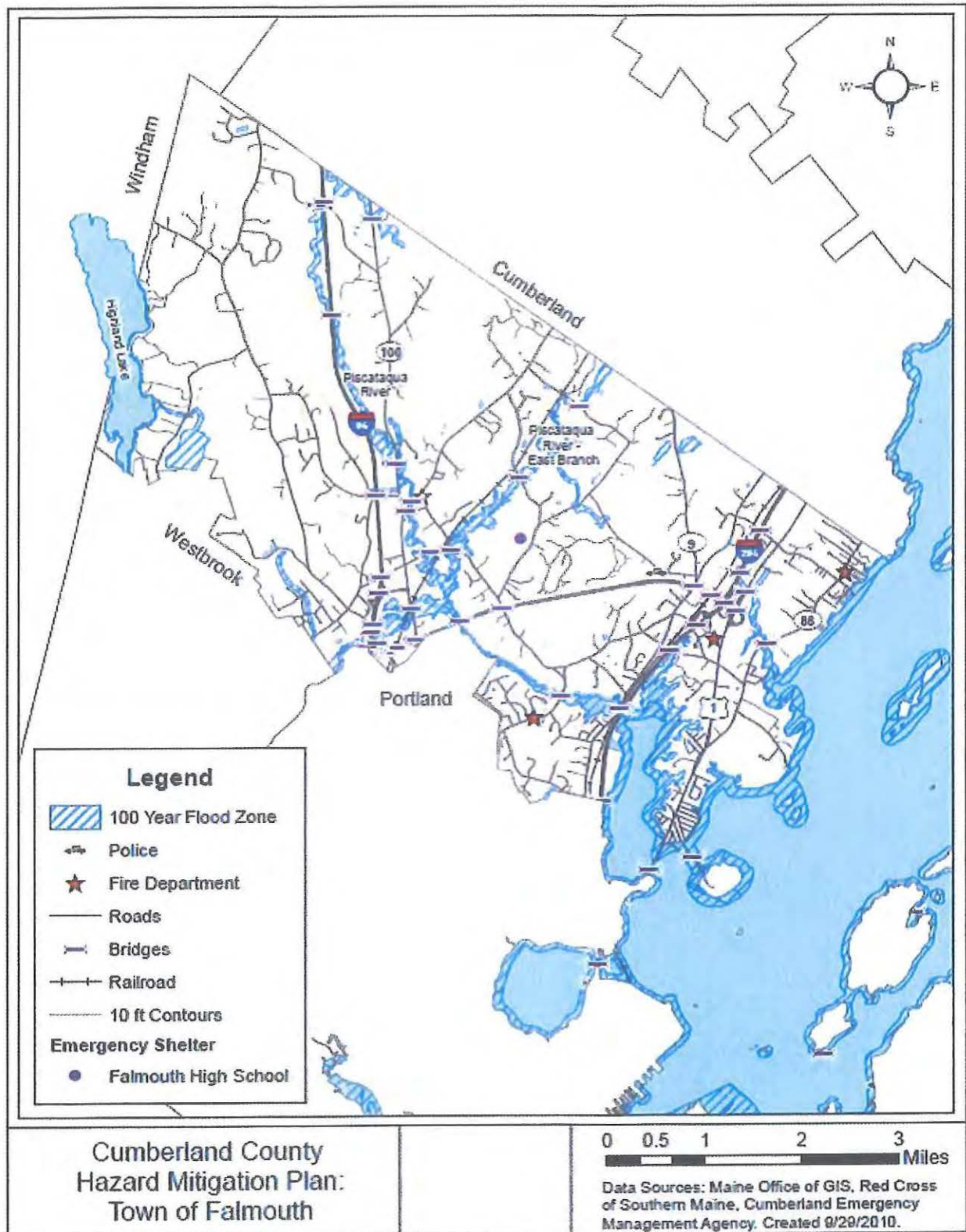


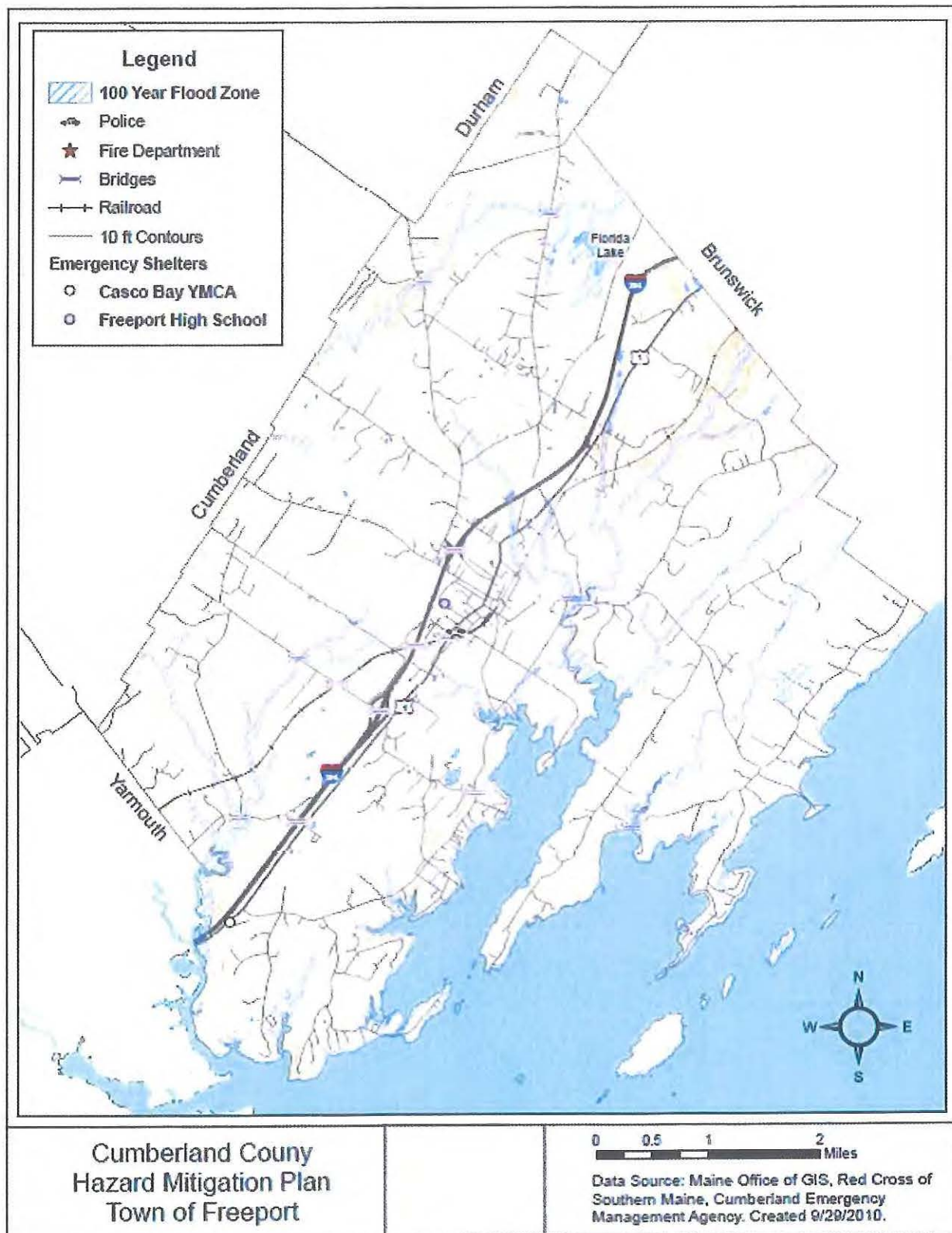


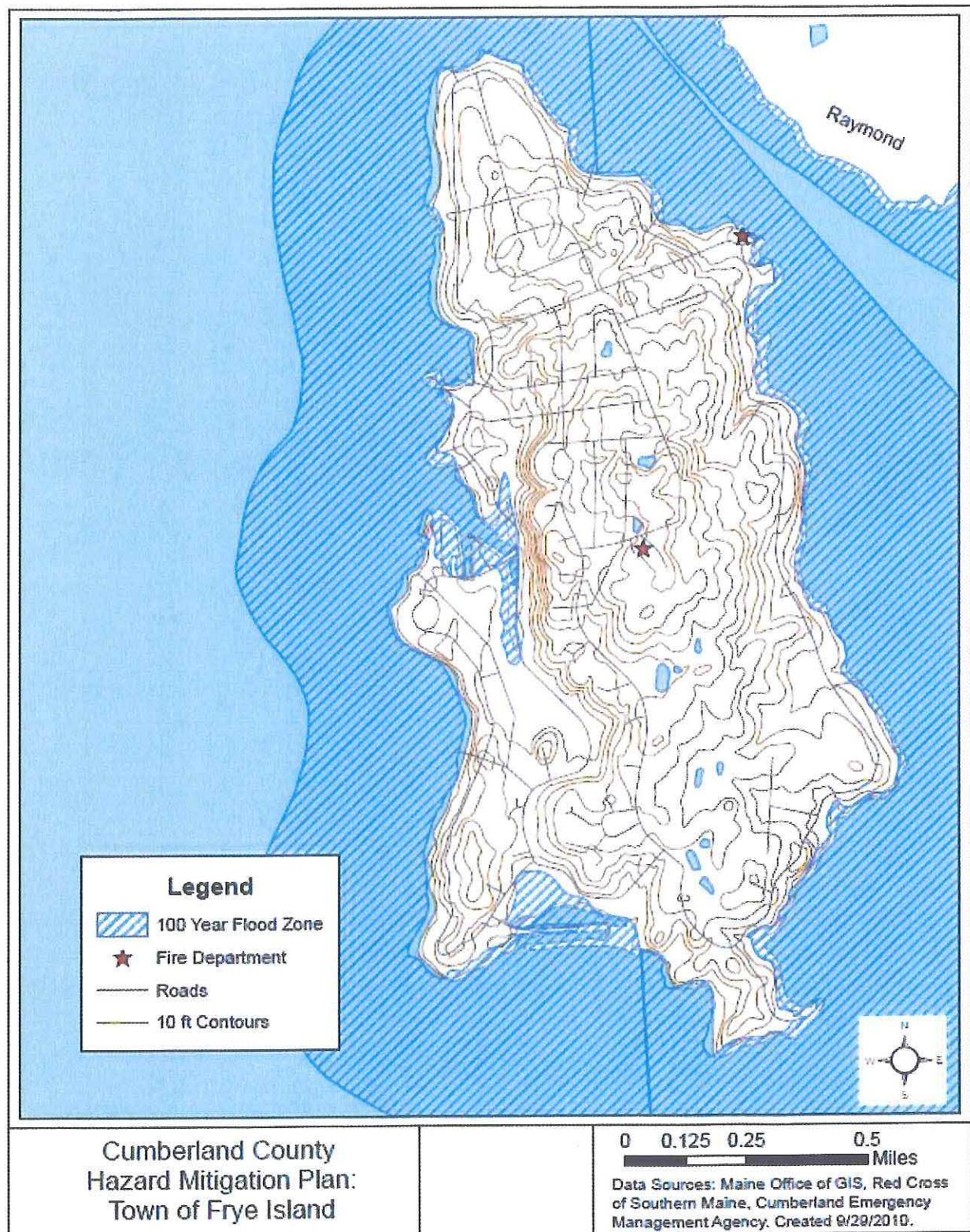


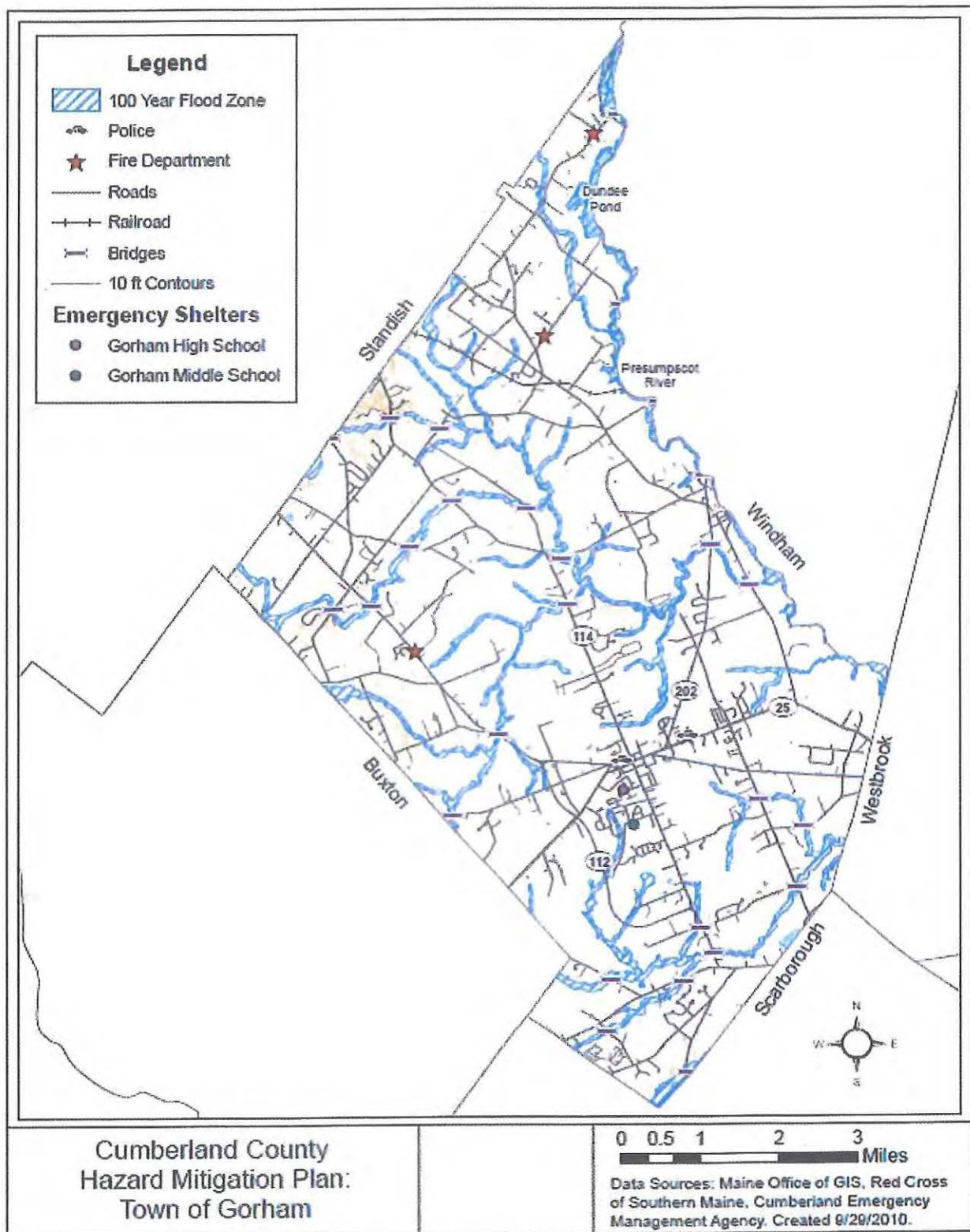


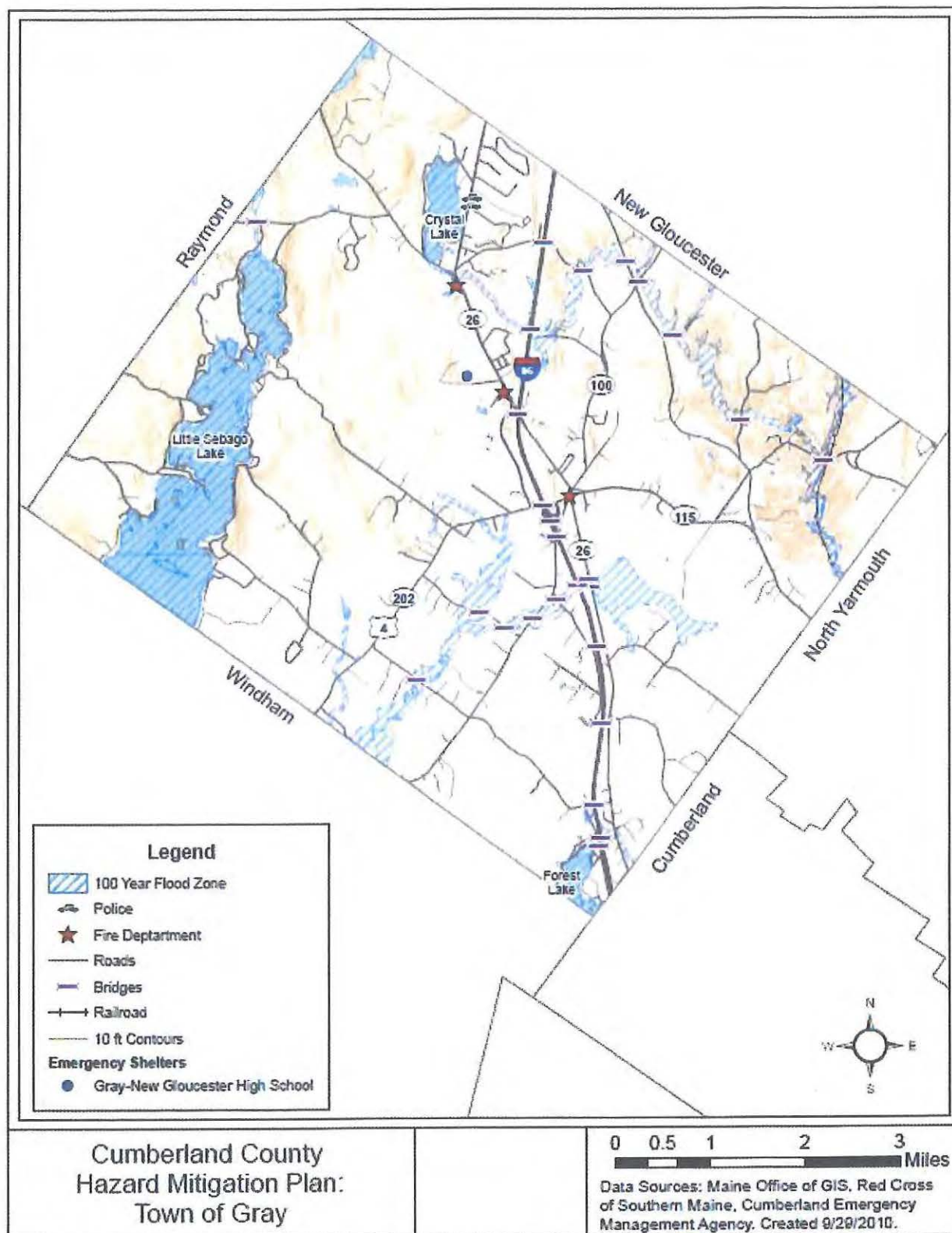


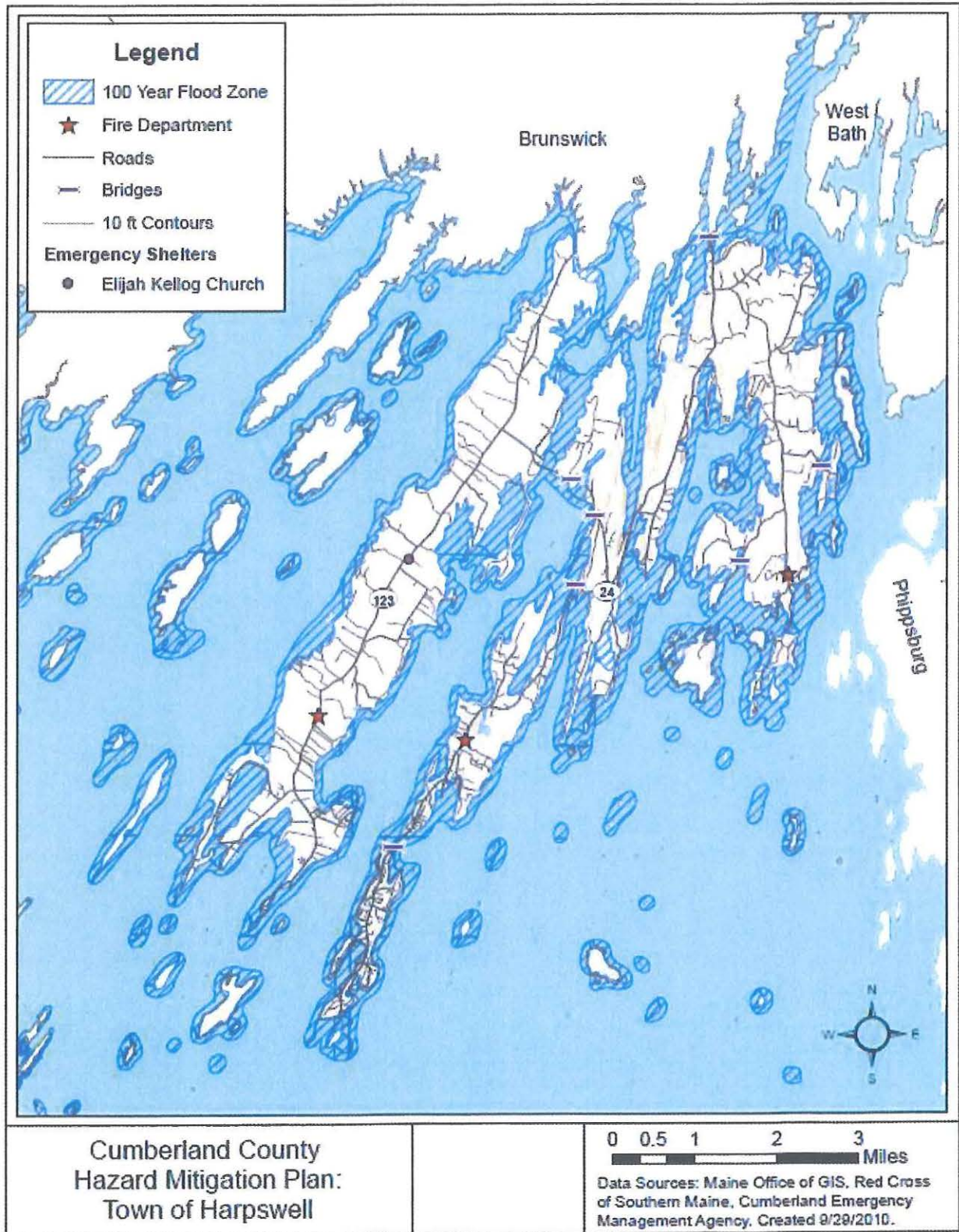


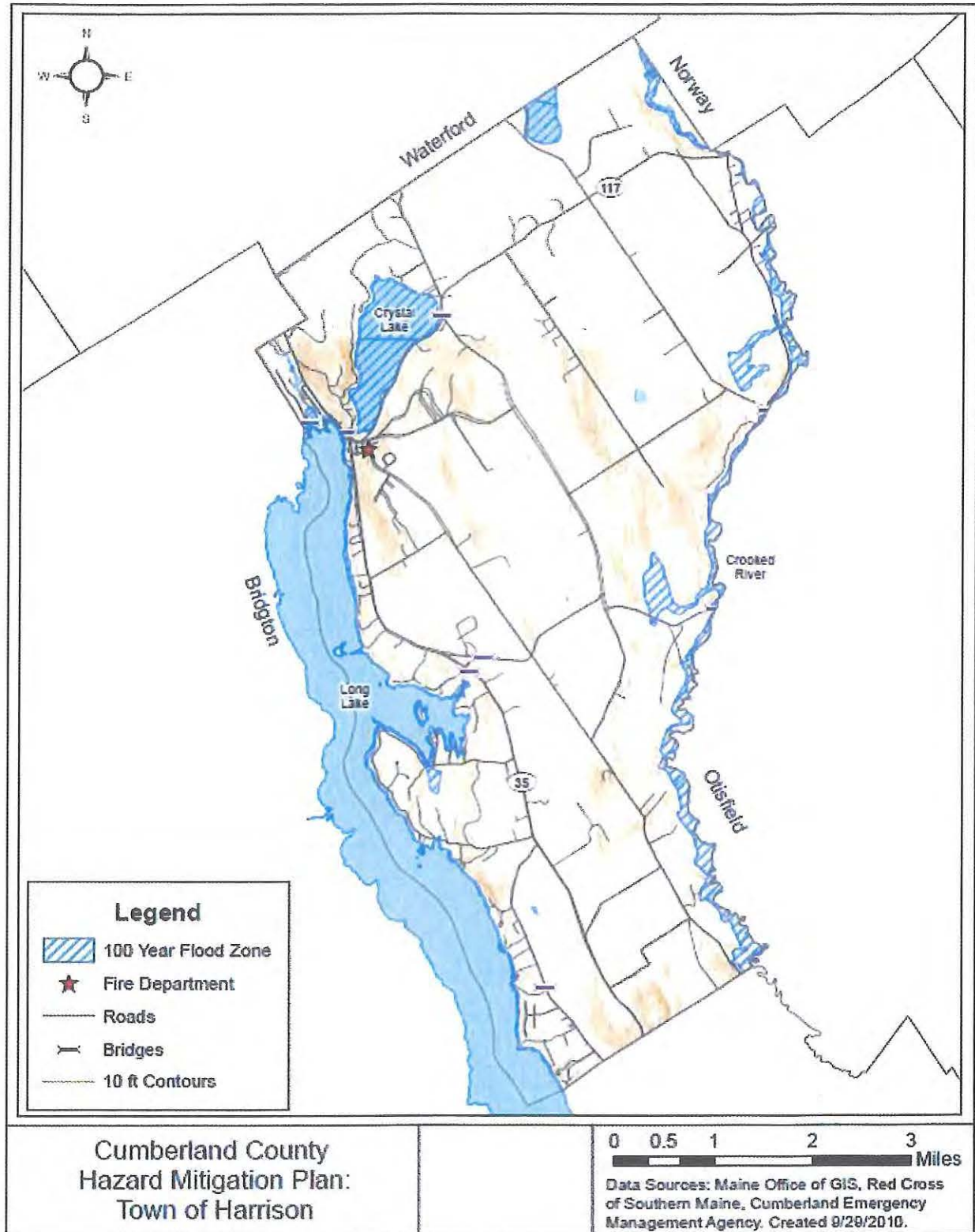


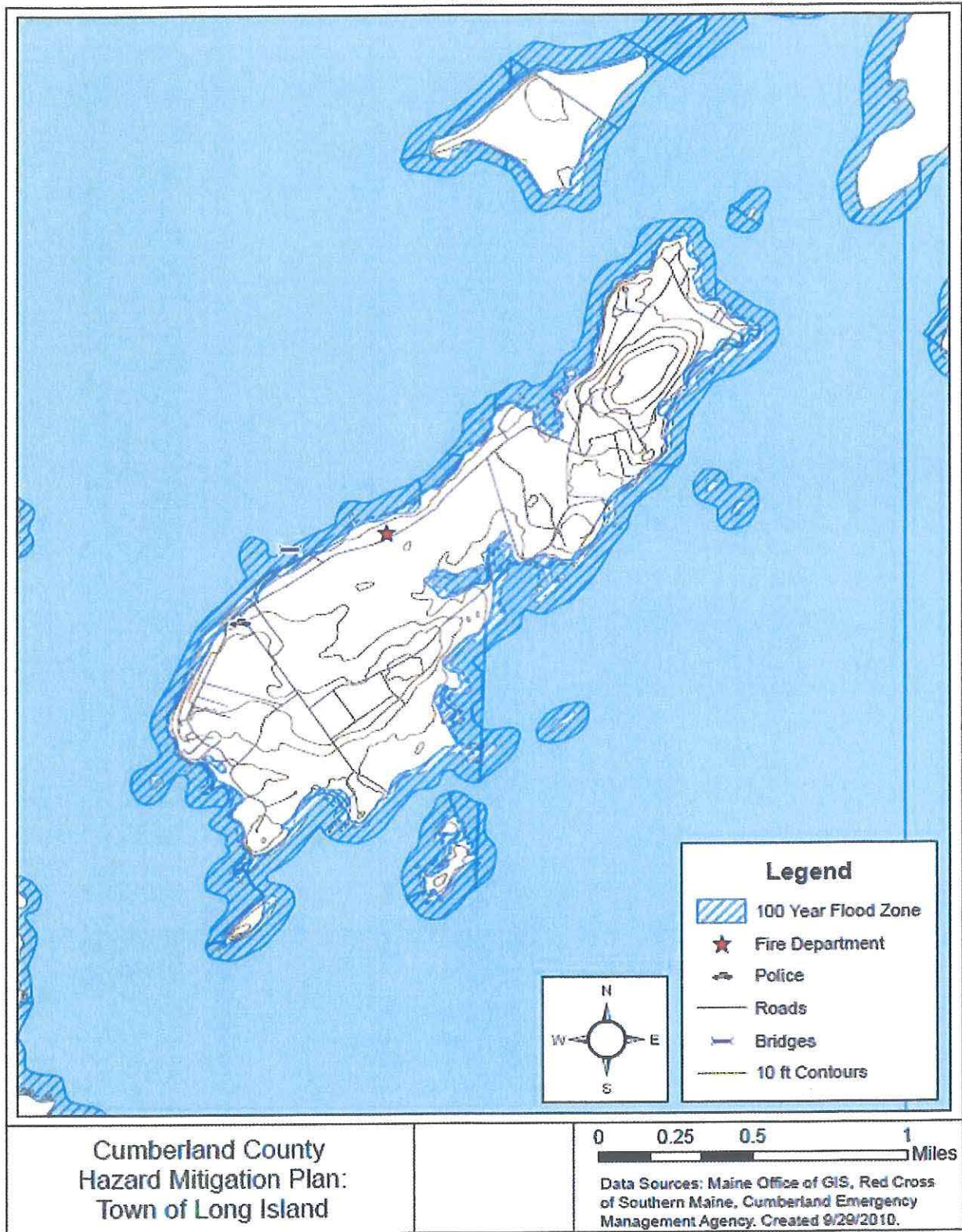


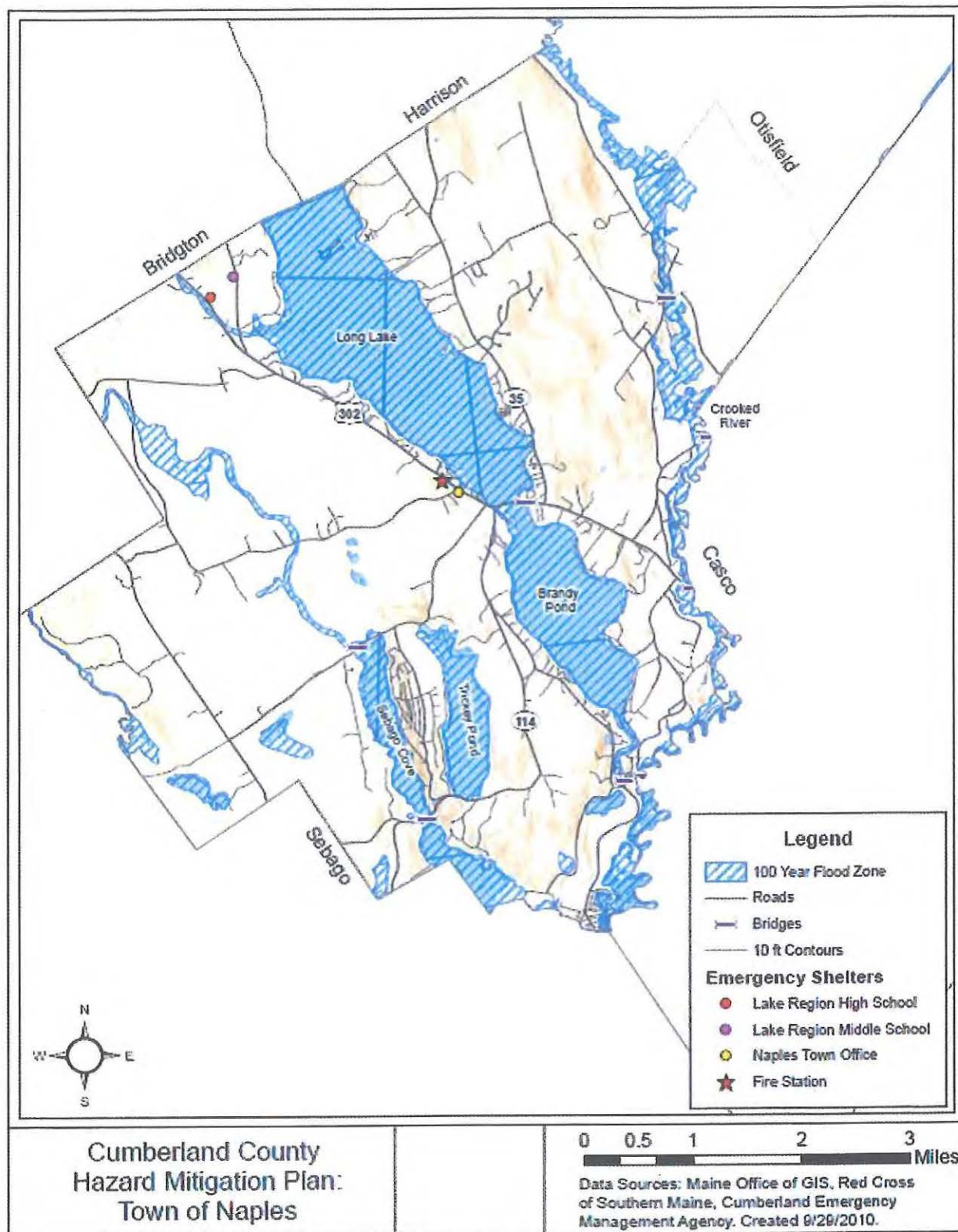


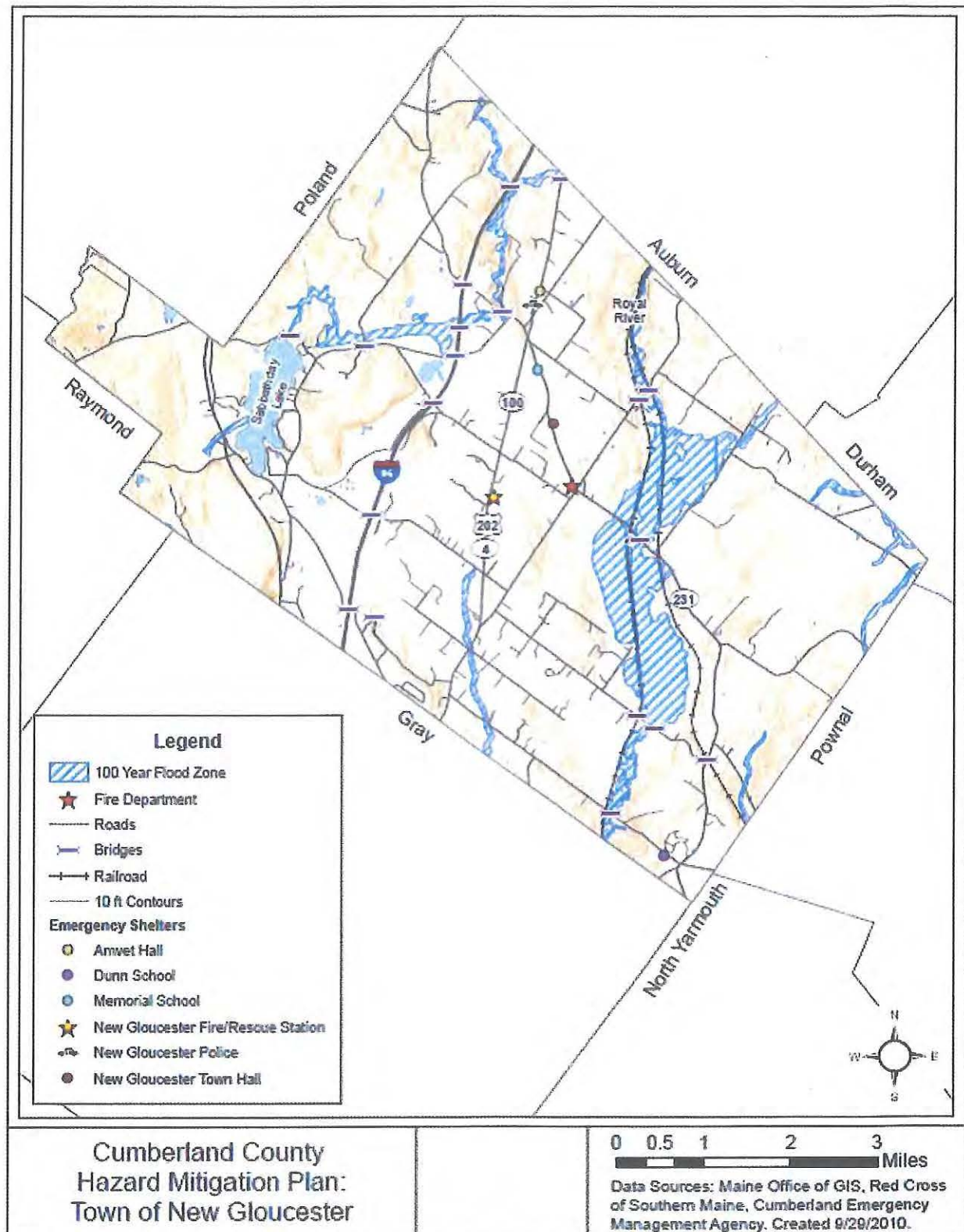


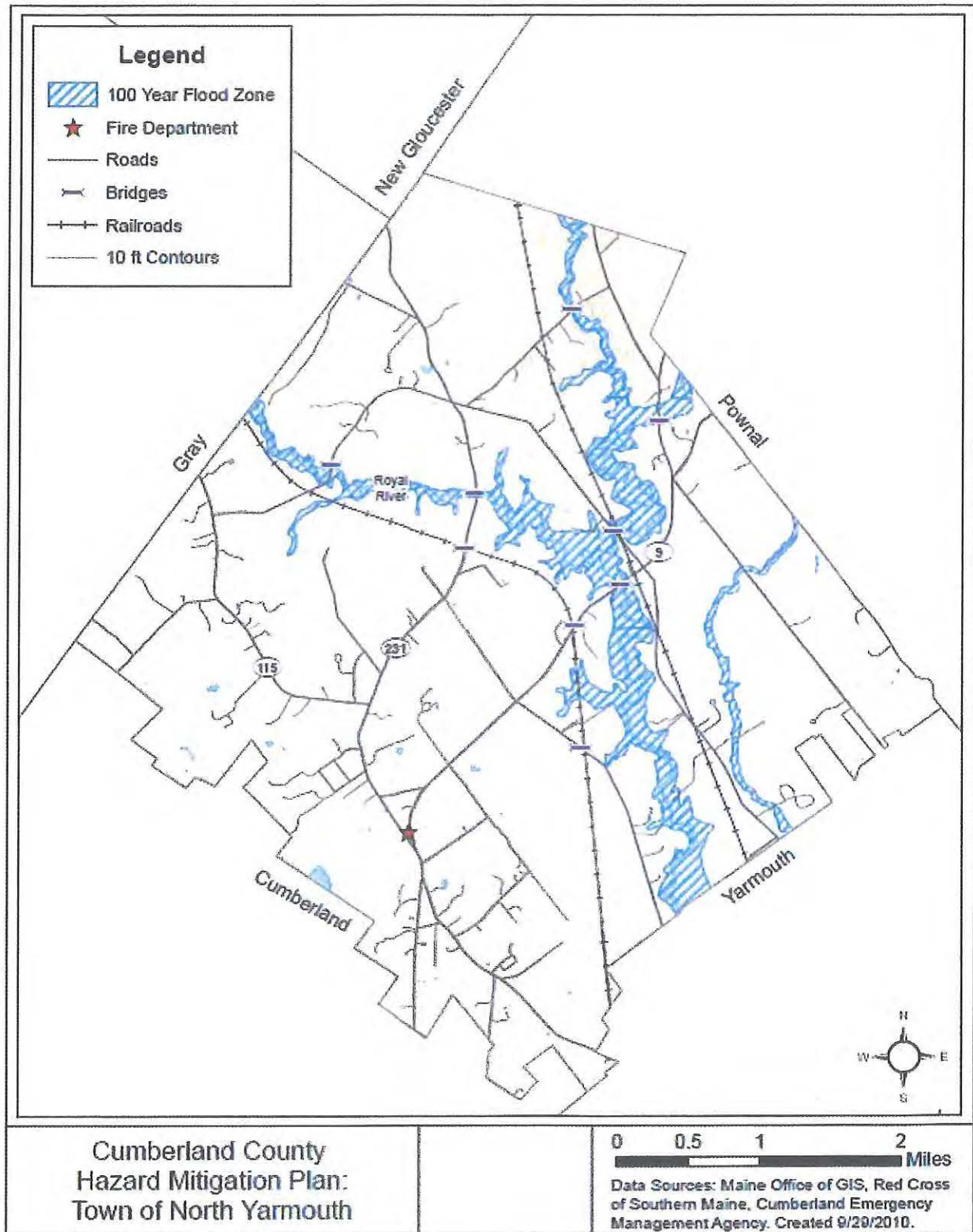


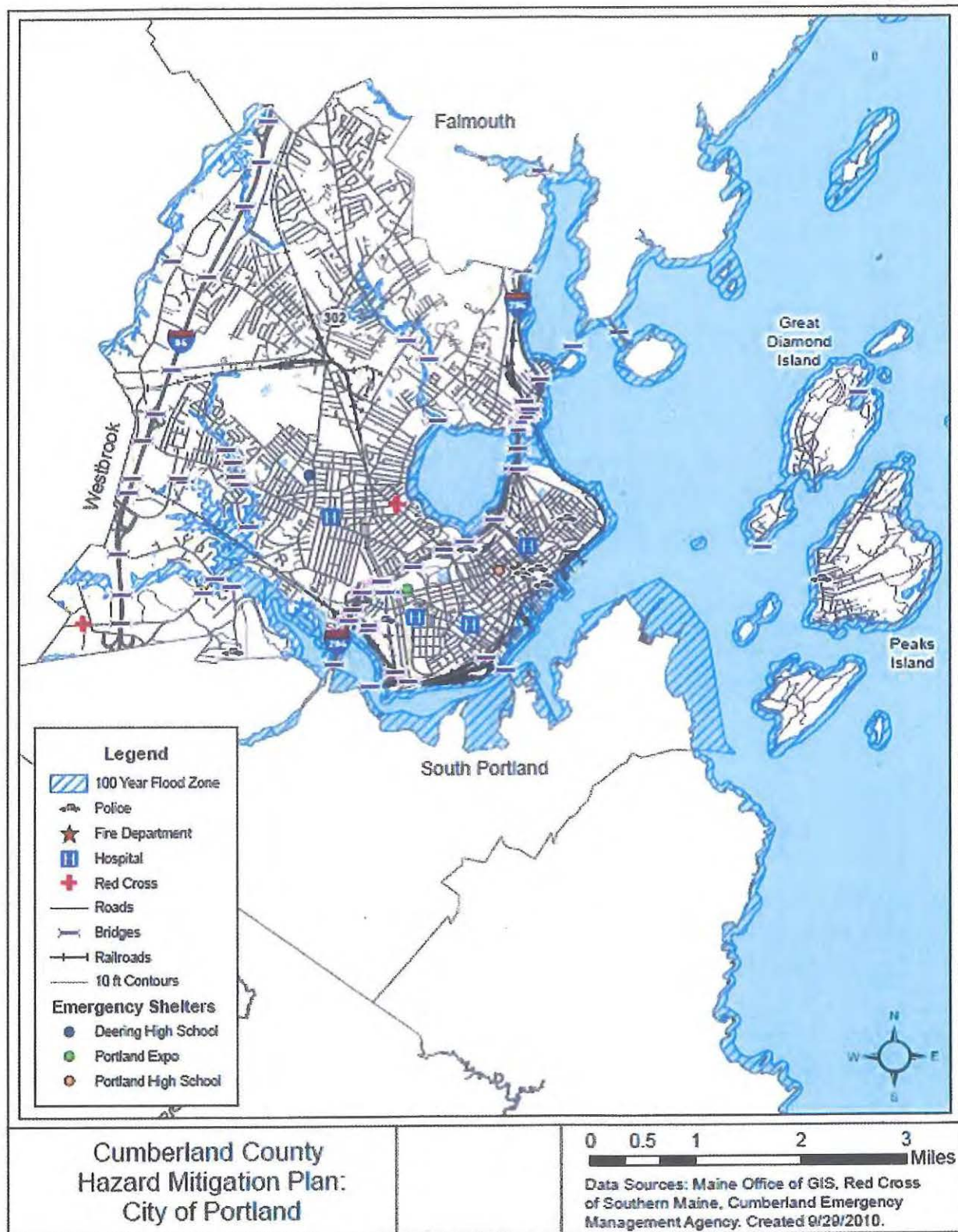


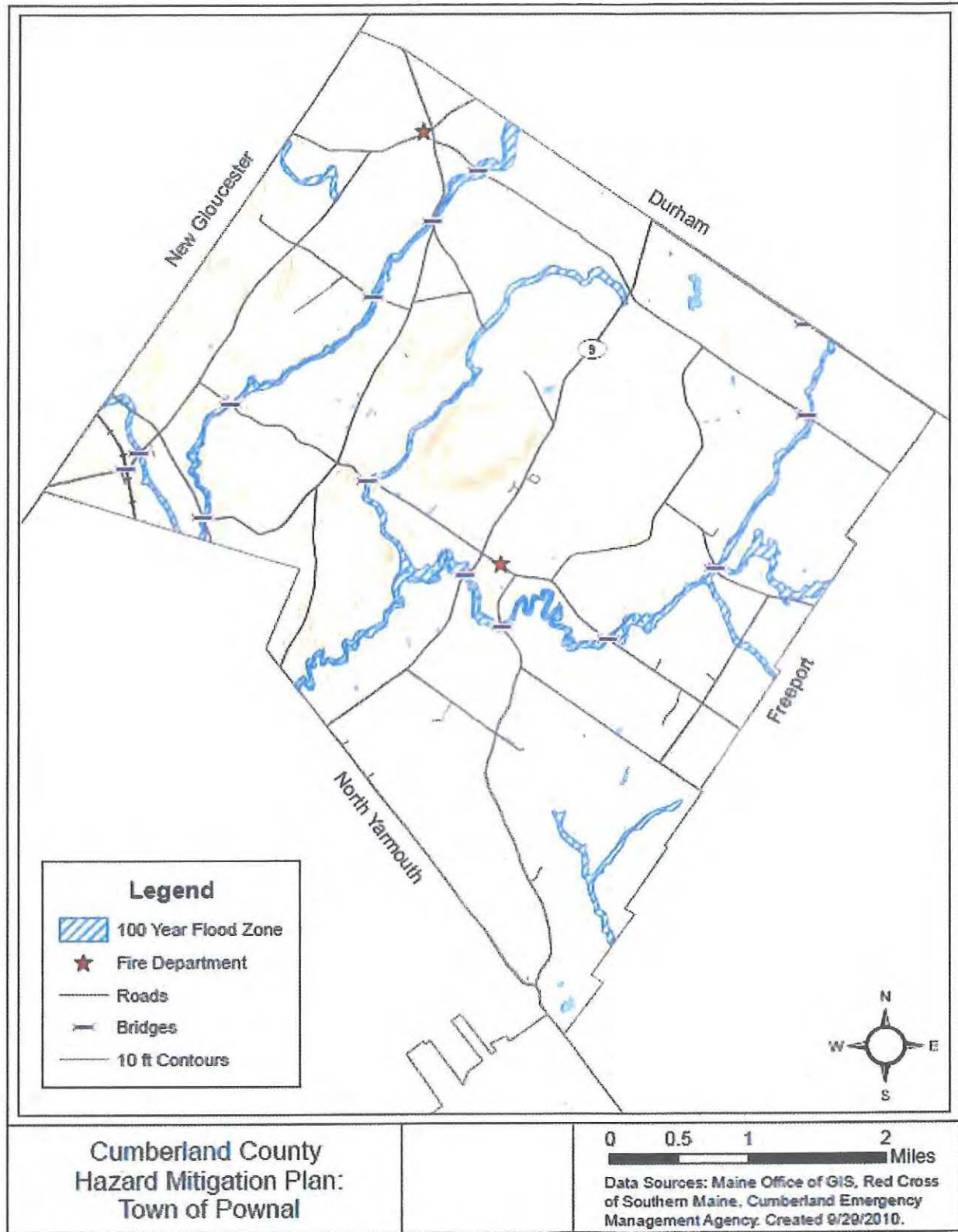


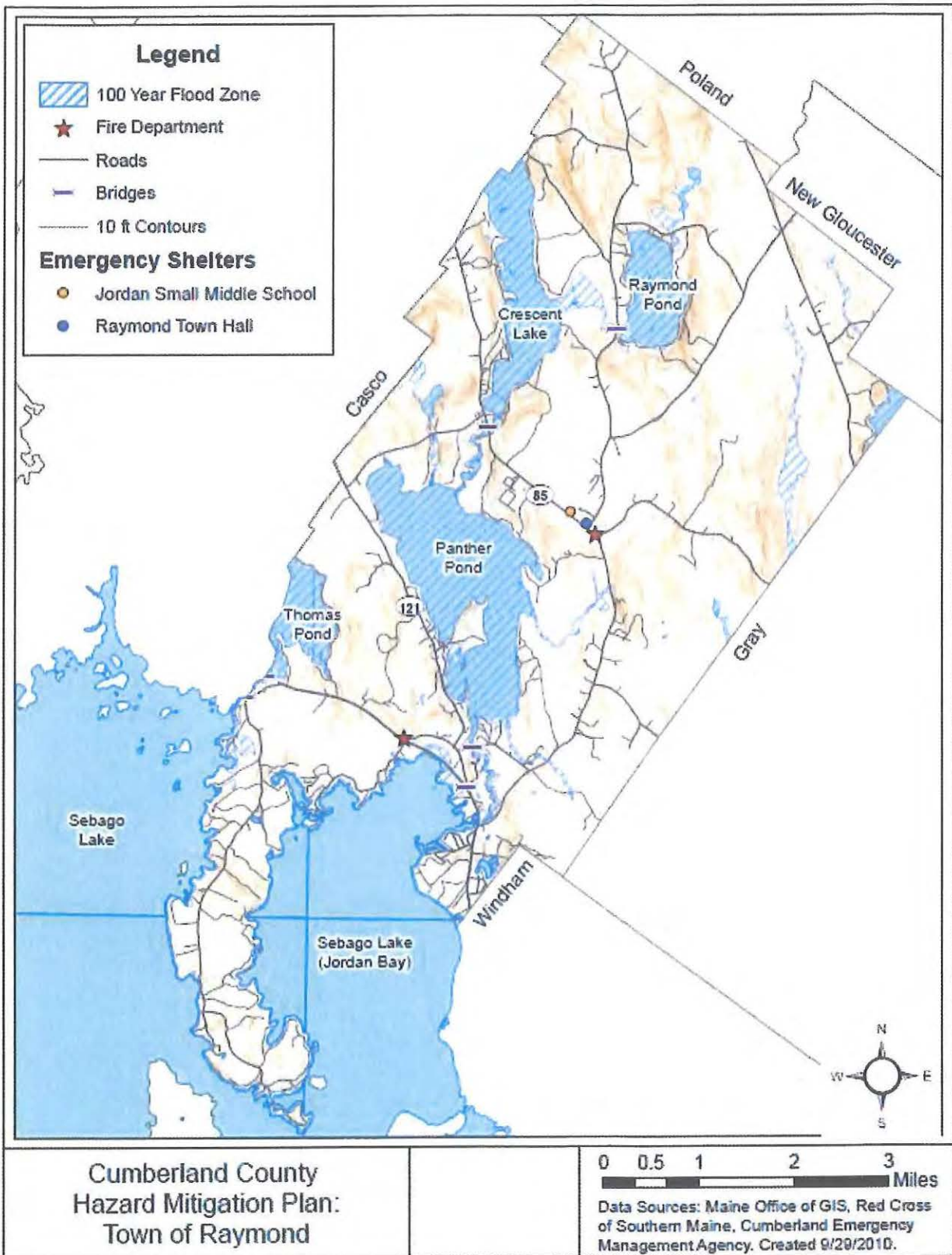


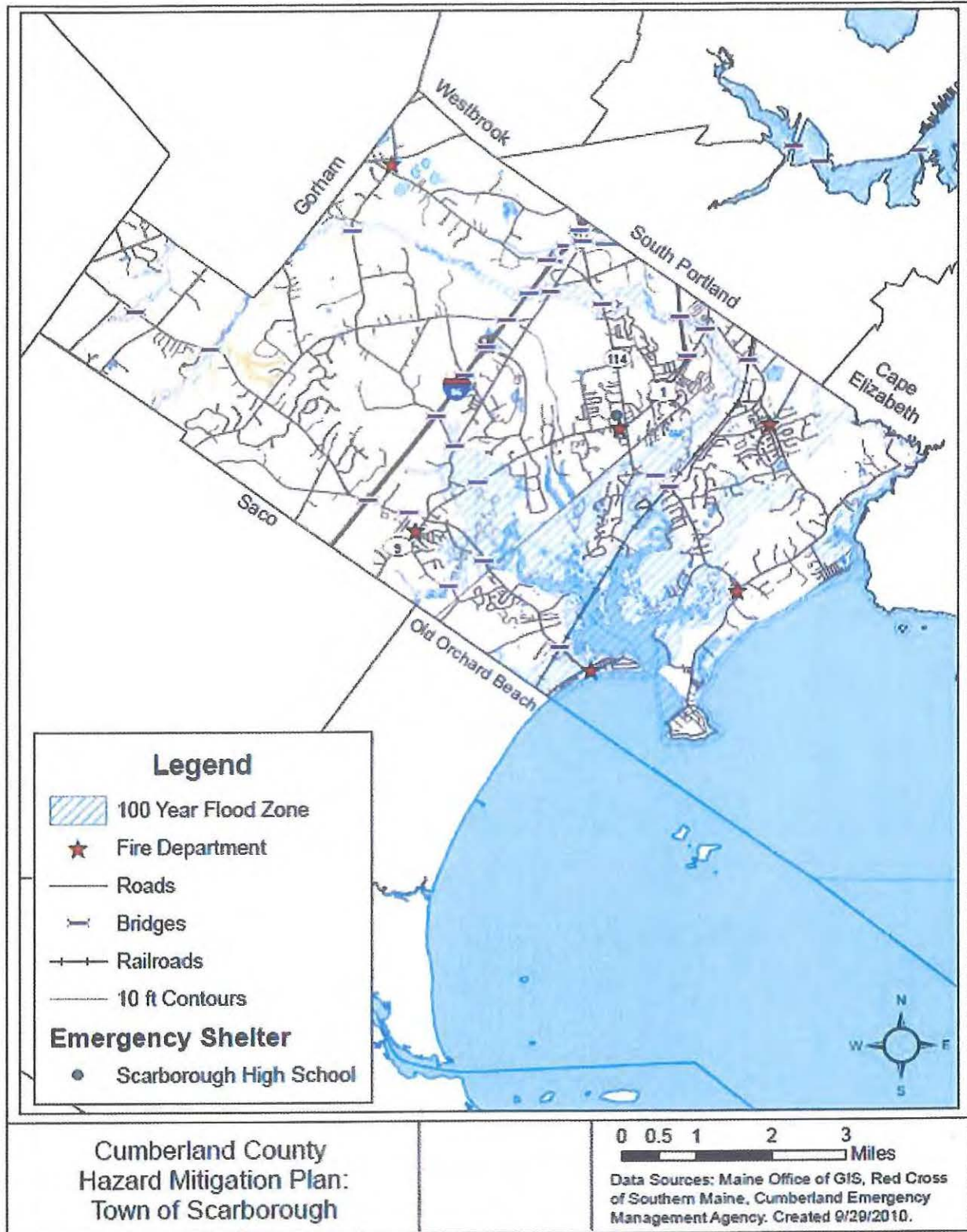


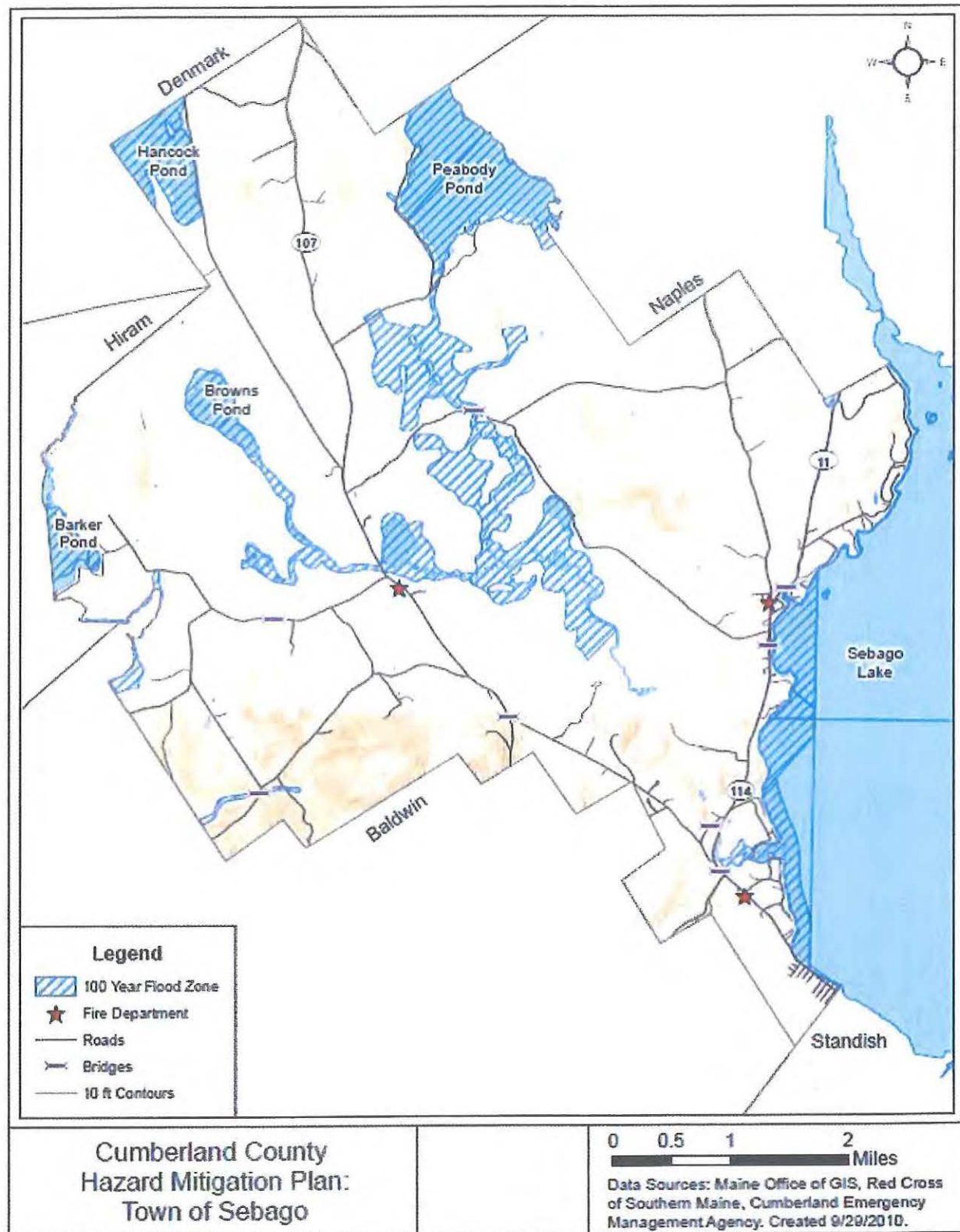


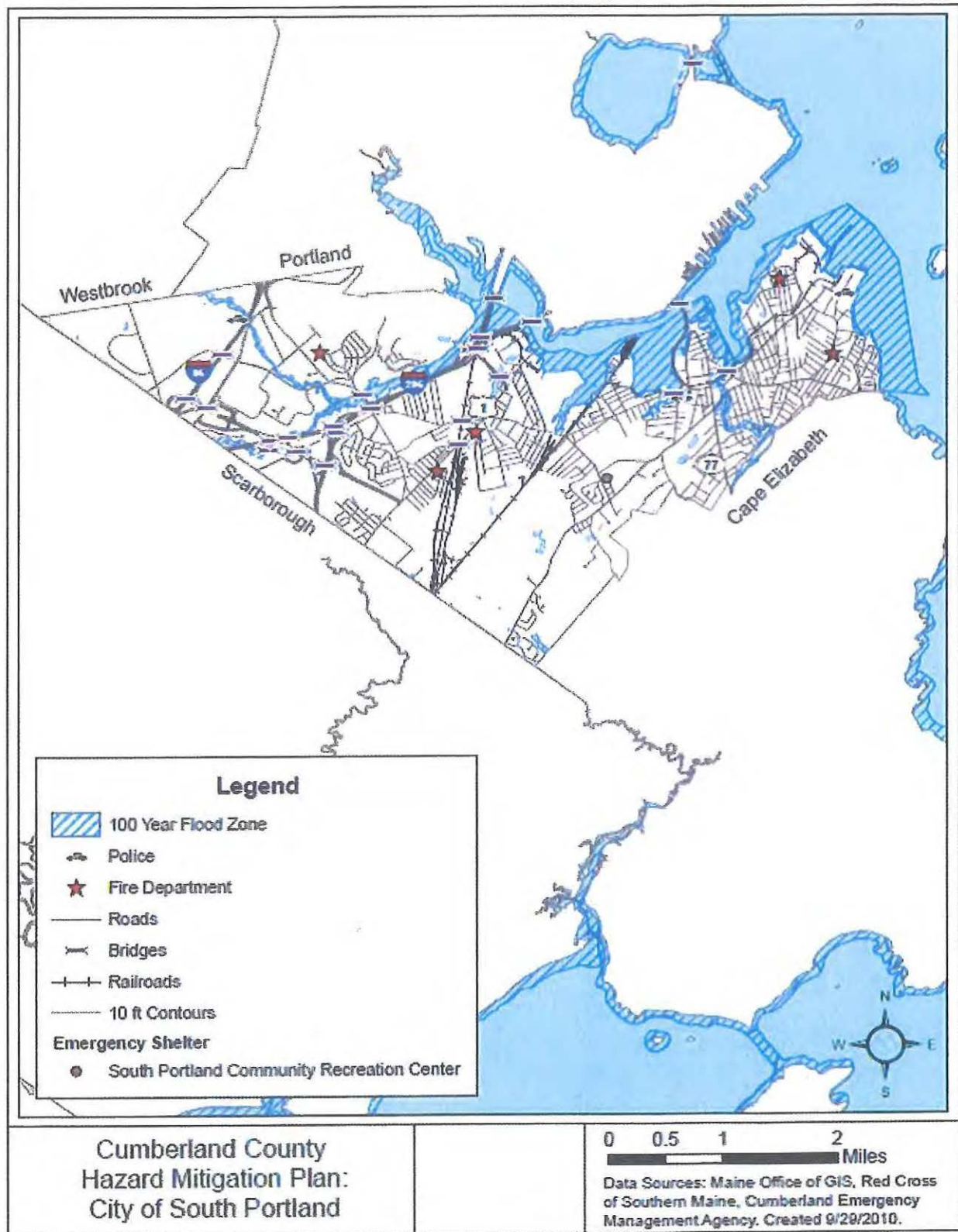


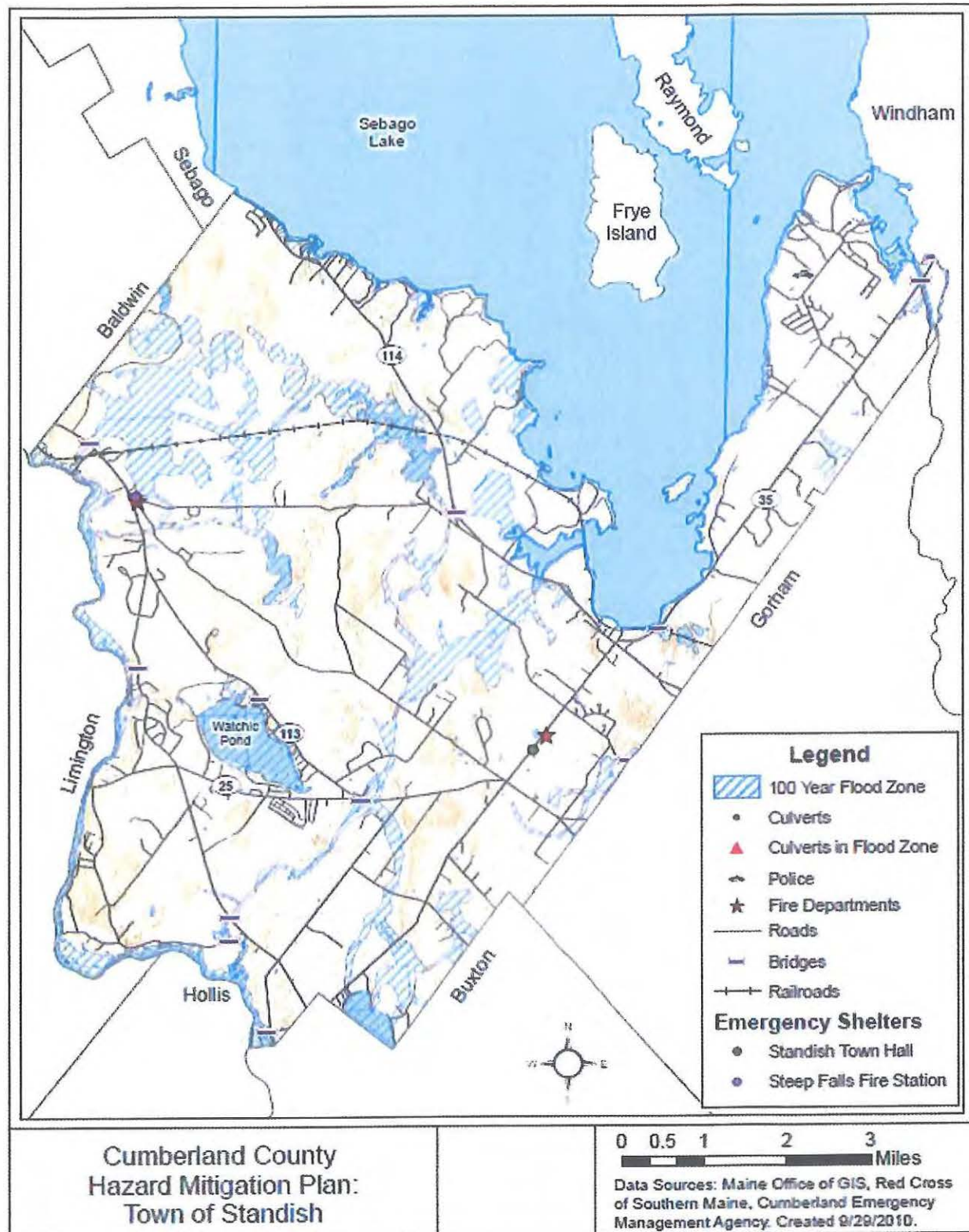


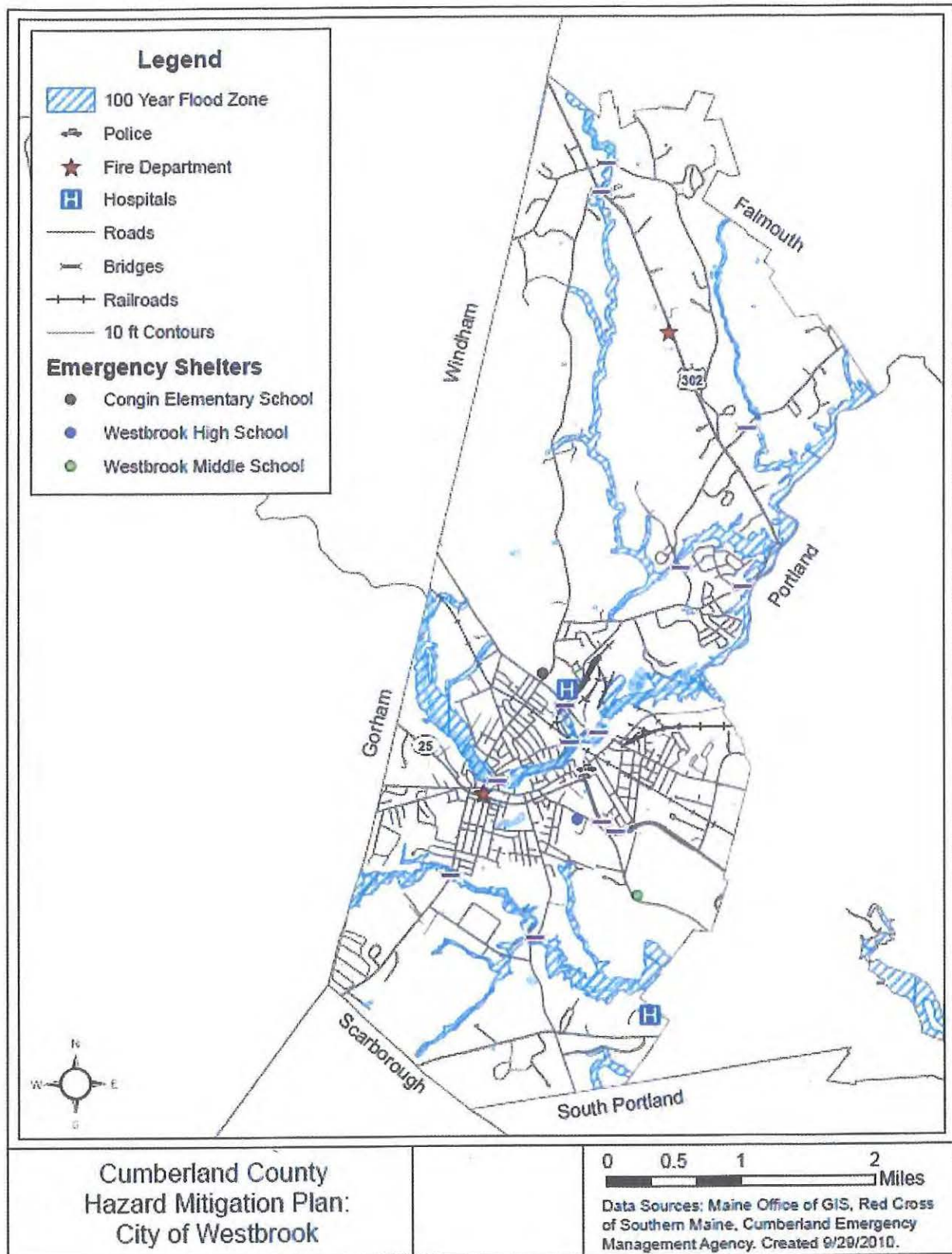


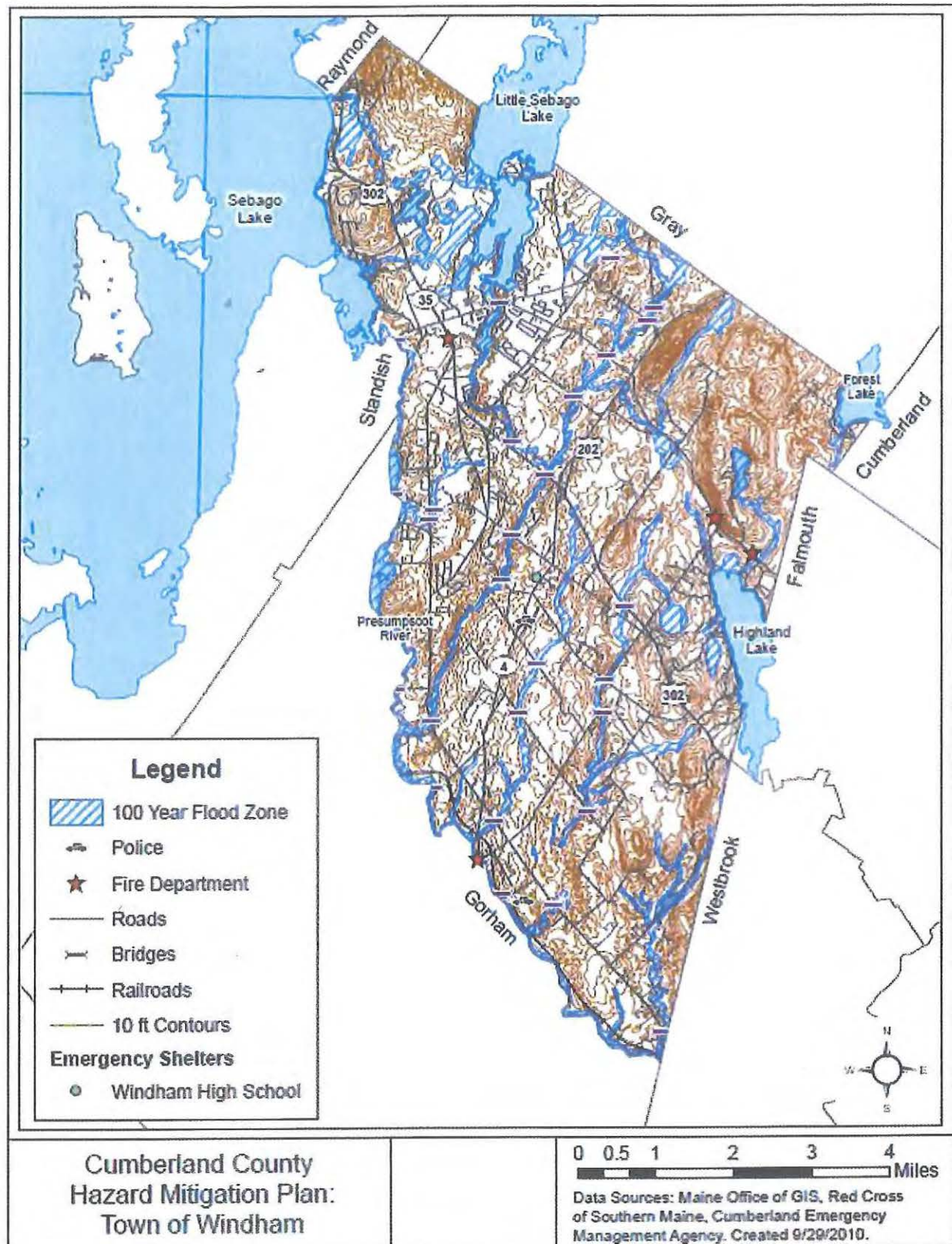


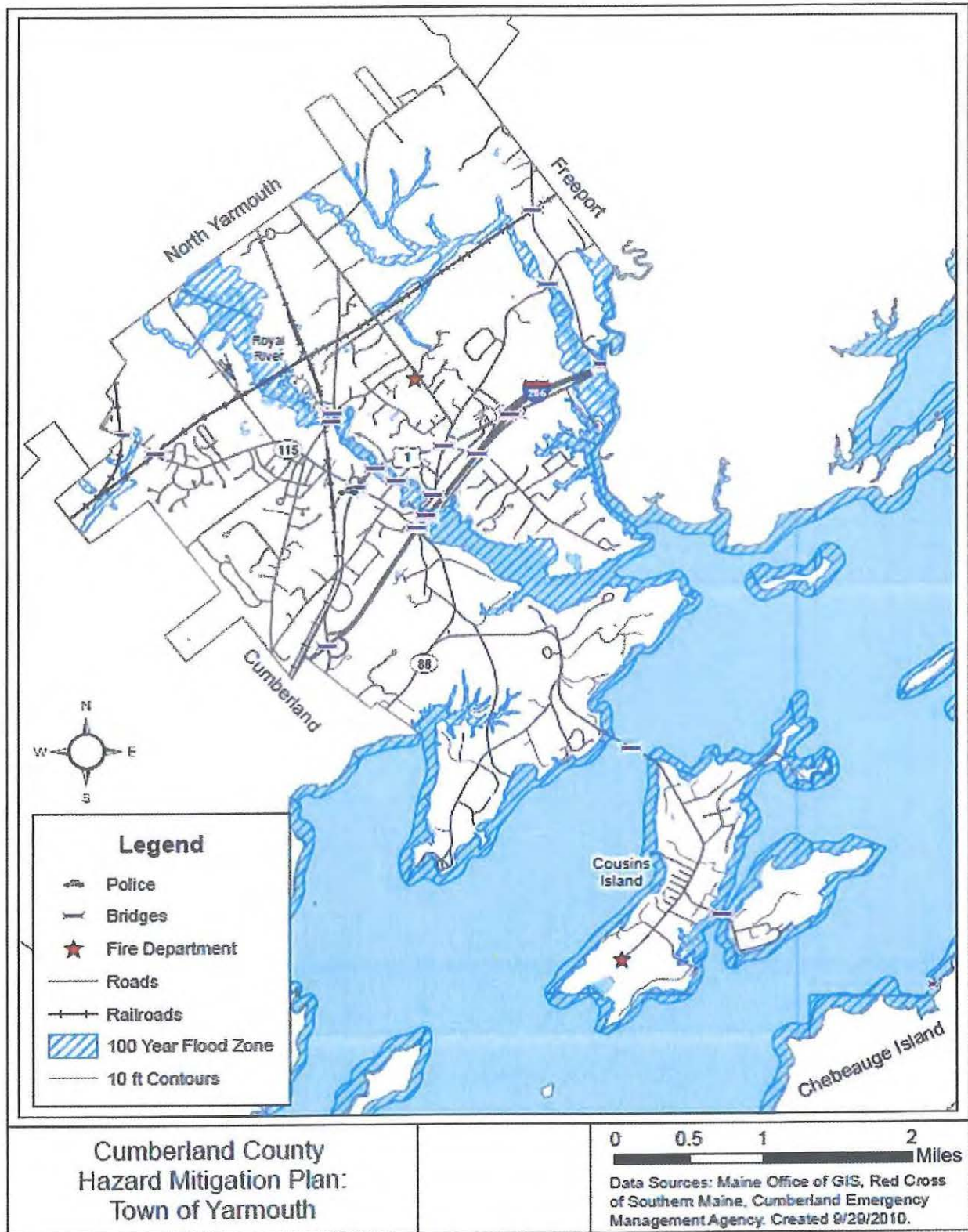












Section V

SECTION V – MITIGATION STRATEGY

LOCAL HAZARD MITIGATION GOALS

Requirement §201.6(c)(3)(i):	The hazard mitigation strategy shall include a) description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
------------------------------	---

The following pages contain goals and strategic mitigation actions for each of the hazards identified earlier in this plan, followed by a town-by-town summary of prioritized projects. Within the municipalities, their priorities are based on local knowledge of their risks/vulnerabilities and available budget and potential funding to address them. If a town wishes to apply for grant funding, officials understand that they will need to use FEMA's Benefit/Cost Analysis (BCA) process and the County will support their efforts by providing information and/or guidance.

The goals for the 2017 Plan remain the same. Because Maine is a home rule State and counties can only promote and educate to specific activities, some objectives have been deleted.

The following presents a list of the mitigation goals and actions planned to reduce or avoid long-term vulnerability in the County thereby reducing the impact of natural disasters on people, property, infrastructure, and the environment.

Goal #1: Reduce damage, injury and loss of life resulting from flooding in Cumberland County.

Hazard: Flooding			
Actions	Time Frame	Status	Responsible Party
1.1 Provide information to the public concerning the dangers of flooding through brochures (such as those from the National Weather Service) posted on the county website and social media, (measured through "hits" and "engagements" on these sites) and distributed at public events (See Appendix for samples of brochures)	Annually and As Needed	New	CCEMA
1.2 Review Emergency Action Plans for High and Significant Hazard dams on an annual basis and update contact information	Annually	Completed As Planned and Ongoing	CCEMA/LEMD
1.3 Provide Flood insurance Program updates to local EMA directors and town officials through local director meetings and monthly newsletter	As needed	New	CCEMA
1.4 Promote community participation in NFIP's Community Rating System through local director meetings monthly newsletter and community outreach	Annually	Completed As Planned and Ongoing	CCEMA
1.5 Provide information to local directors and town officials about green infrastructure solutions to urban runoff/flooding through local director meetings and monthly newsletter	Annually	New	CCEMA
1.6 Promote river/stream corridor and wetland protection through education of local EMA directors and municipal officials, and monthly newsletter.	Annually	Completed As Planned and Ongoing	CCEMA

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Goal #2: Reduce damage, injury and loss of life resulting from severe summer and winter storms in Cumberland County.

Hazard: Severe Summer and Winter Storms			
Action	Timeframe	Status	Responsible Party
2.1 Provide information to the public concerning the dangers of severe summer and winter storms through hazard-specific brochures (such as those from the National Weather Service) posted on the county website and social media, (measured through “hits” and “engagements” on these sites) and distributed at public events (See Appendix)	Annually and As Needed	New	CCEMA
2.2 Support towns and eligible non-profits in applying for generator grants to protect their critical functions	Annually	New	CCEMA/LEMD
2.3 Use social media and Vulnerable Population Communication Network to inform public of impending storms/hazardous conditions (See Appendix)	As needed	New	CCEMA
2.4 Track mitigation projects through surveys with local EMA directors/Public Works directors	Annually	New	CCEMA/LEMD
2.5 Support municipalities in development/maintenance of warming/cooling center plans	Annually	New	CCEMA

Goal #3: Reduce damage, injury and loss of life resulting from wildfires in Cumberland County

Hazard: Wildfires			
Action	Timeframe	Status	Responsible Party
3.1 Promote participation in wildfire prevention programs such as FireWise through local director meetings, monthly newsletter and community outreach	Annually	New	CCEMA/LEMD/TO
3.2 Promote participation in Maine Forest Service workshops and consultations through education of local directors and municipal officials through local director meetings and monthly newsletter.	Annually and As Needed	New	CCEMA/LEMD
3.3 Provide information to the public concerning the dangers of wildfires through brochures (such as those from the National Weather Service and the Maine Forest Service) posted on the county website and social media, (measured through “hits” and “engagements” on these sites) and distributed at public events	Annually and As Needed	New	CCEMA

Goal #4 Reduce damage, injury and loss of life resulting from coastal erosion in Cumberland County.

Hazard: Coastal Erosion			
Action	Timeframe	Status	Responsible Party
4.1 Update local emergency managers concerning storm surge mapping and relevant evacuation zones	Annually and As Needed	New	CCEMA
4.2 Inform local emergency management directors of grant availability for mitigation of vulnerable infrastructure	When Available	New	CCEMA

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

4.3 Work with local emergency managers and town officials to develop a tracking methodology for coastal erosion separately from other storm damages	Annually and As Needed	New	CCEMA/LEMD/TO
---	------------------------	-----	---------------

IDENTIFICATION AND ANALYSIS OF MITIGATION ACTIONS

Requirement §201.6(c)(3)(ii):	The mitigation strategy shall include a) section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.
Requirement §201.6(c)(3)(ii):	[The mitigation strategy] must also address the jurisdiction's participation in the National Flood Insurance Program (NFIP), and continued compliance with NFIP requirements, as appropriate.
Requirement §201.6(c)(3)(iii):	[The mitigation strategy shall include] an action plan describing how the actions identified in section (c)(3)(ii) will be prioritized, implemented, and administered by the local jurisdictions. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.
Requirement §201.6(c)(3)(iv):	For multi-jurisdictional plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.

Currently, all 28 communities within Cumberland County participate in the National Flood Insurance Program (NFIP). Their continued compliance with the program is encouraged at all levels of the County's mitigation strategy. Two communities participate in the Community Rating System at Level Eight (Portland and Cape Elizabeth. Each community will continue to enforce its existing floodplain ordinance

The list of local projects contained in the following table was developed and prioritized separately by each municipality. Projects were chosen based on local knowledge of the frequency and extent of local damages, local knowledge of which projects were of the highest priority (based on frequency and severity of damages), local knowledge of weather, the geography and topography of the community, and the technical and financial abilities of their respective communities to address hazards and mitigate the impacts of hazards. Municipal capabilities could expand if other funding were to become available.

Many of the municipalities in Cumberland County are small towns that do not have the resources, staff or funding to prepare cost benefit analyses for their proposed projects. However, in virtually all cases involving expenditure of local funds for implementation, there will be a very rigorous, line-by-line analysis of cost effectiveness during the budget review process and subsequent public discussion through regular and special meetings. This review is at least equal to a formal benefit-cost calculation because each expenditure item will be scrutinized rather than simply plugged into a formula. Furthermore, MEMA and CCEMA have made it clear to local officials that a formal cost-benefit analysis must be prepared when they apply for mitigation funding.

The list of projects contained in the table below is largely the result of Cumberland County EMA's collaboration with town officials, local EMA, and Public Works officials to first review and update their hazard mitigation project lists, and secondly, to continue their ongoing efforts to map specific locations that require mitigation. The table includes project data relevant to its identification/location, its prioritization, its cost, the timeframe estimated to complete, and the responsible agency. The timeframe includes the estimated completion period that starts when

funding is available and permitting has been obtained. Short term is 1 year, midterm is 2-3 years, and long term is 4-5 years before completion.

All municipalities understand that placing projects in the plan is no guarantee of their eligibility for grants or of federal funding.

In addition to stating whether the project is new, completed, deleted, or revised, the status column also identifies when FEMA funds were used for the project.

It should be noted that many urgently needed projects are not included here as they are on State roads and the towns do not have authority to do needed upgrades. In some instances, lengthy permitting processes are holding up needed work.

It should also be noted that in many instances, capabilities could expand if additional funding were to become available.

In the following projects list, completed projects move to the bottom of the list and newer projects are re-prioritized.

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Municipality	Project	Est. Cost	Timeframe	Responsible Official	Status
Baldwin	1) Wentworth Rd: paving, culverts, ditching, shoulder work, reclaim, rip-rap, cut trees	\$175,000	Long Term	Road Commissioner	New Project
	2) Senator Black Rd: culverts, ditching, shoulder work, reclaim, rip-rap, cut trees	\$600,000	Long term	Road Commissioner	New Project
	3) Saddleback West Rd.; Remove trees from ditch line 3,500' add ditch 650' add 24" x 40' N-12 cross culvert.	\$9,000	Long term	Road Commissioner	Deferred – Lack of Funding
	4) Anderson Rd; Add (2) 18" x 40' N-12 culverts and riprap inlet and outlet.	\$6,000	Mid term	Road Commissioner	Completed 2014 with Town funds
	5) Brown Rd; Elevate road 925' x 21' x 3' add 24" x 40' N-12 culvert and stabilize shoulders. H&H study, engineering design, upgrade to 24" HDPE culvert, upgrade two 24" culverts to 57"x38" squash pipe	\$56,000 \$96,348.94	6 months	Road Commissioner & engineering firm	HMGP project Completed Oct 2012
	6) Senator Black Rd; Ditch 150' and upsize existing culverts.	n/a	2 weeks	Road Commissioner	Completed with Town funds per 2012 plan
Bridgton	1) Post Office Square (Main St-Depot St); Upsize existing 48" x 50' culvert with 4' x 10' x 50' bottomless box culvert to match culvert under US 302. Revised: needs study and permitting from DEP, EPA, NFIP and USACE	TBD	Long term	Road Commissioner Engineering Firm	Revised from 2012 Plan
	2) Mountain Rd; Upsize existing triple culverts with 4' x 10' x 40' bottomless box culvert and riprap inlet and outlet. Replaced existing culverts	\$45,000	2 weeks	Road Commissioner	Completed with Town Funds

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Brunswick	1) Bull Rock Rd; Ditch and armor 400' add (2) 15" x 40' N-12 driveway culverts & an 18" x 40' N-12 cross culvert riprap inlet and outlet.	\$12,000	Long term	Director of Public Works	Deferred – Lack of Funding
	2) Pleasant Hill Rd; Upsize twin 5' x 66' culverts w/ 12' x 6' x 70' bottomless box culvert w/ integrated headwalls.	\$175,000-\$200,000	Long term	Director of Public Works	Deferred – Lack of Funding
	3) Highland Rd. Upsize existing 24" x 40' culvert with 36" x 40' N-12 culvert and riprap inlet and outlet.	\$25,000	Long term	Director of Public Works	Deferred – Lack of Funding
	4) Collins Brook Rd; Upsize existing 6' x 40' culvert with 8' x 5' x 40' bottomless box culvert and riprap inlet and outlet.	\$33,868.80	3 weeks	Director of Public Works	Completed August 2014 town funds
Cape Elizabeth	1) Kettle Cove Rd. @ Crescent Beach; Rebuild road substructure/retaining wall that abuts Crescent Beach	\$500,000	Long term	Director of Public Works	Revised from 2012 Plan and still deferred: lack of municipal funds
	2) Garden Circle. Improve gravity storm drain outfall and/or install stormwater pump station	\$125,000-\$1,100,000	Mid term	Director of Public Works	New Project
	3) Oakhurst Rd & Hemlock Hill Rd.; Upsize 200' underground drainage. Add downstream stormwater catch basins on adjacent public way (Hemlock Hill Rd.) and replace current outfall	\$125,000	Long term	Director of Public Works	Revised from 2012 plan
	4) Sawyer St.; Elevate 600' x 22' x 18" add (3) 18" x 40' N-12 cross culverts, stabilize shoulders and repave.	\$200,000	4 weeks Long term	Director of PW; Joint Project Scarborough	Deferred – Lack of Funding

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	5) Garden Circle; Install pump system with vault and backup generator to remove ponding. Portland Water District installed grinder sanitary pump station, replaced existing catch basin with 4' diameter pipe. Outflow pipe being replaced with project #2	\$250,000	3 weeks	Director of Public Works	completed 2014 with PWD funds
	6) Spurwink Ave @ Spurwink River; Extend arch culvert.	unknown	unknown	Director of Public Works	Completed with Town funds per 2012 Plan
	7) Sawyer St. @ Trout Brook; upsize existing culvert with metal arch.	\$175,000	3 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	8) Scott Dyer Rd./ Elizabeth Park: Enlarge stormwater discharge outfall pipe.	unknown	unknown	Director of Public Works	Completed with Town funds per 2012 Plan
	9) Running Tide Rd; Sewer Rehabilitation project.	unknown	unknown	Director of Public Works	Completed with Town funds per 2012 Plan
	10) Old Ocean House Rd. @ Alewife Brook: Culvert Upgrade.	unknown	unknown	Director of Public Works	Completed with Town funds per 2012 Plan
	11) Spurwink Ave @ Trout Brook; Upsize existing culvert with metal arch culvert.	\$85,000	3 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
Casco	1) Point Sebago Rd. Site #1; Add 24" x 40' N-12 cross culvert, ditch and line 200' and repave	\$4,000	Mid term	Road Commissioner	Deferred – Lack of Funding

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	2) Johnson Hill Rd; Ditch and line 2,000', install check dams and upsize (4) 15" x 24' culverts w/ (4) 18" x 32' N-12 culverts. Road reconstruction scheduled	\$23,000	Short term	Road Commissioner	Deferred – Lack of Funding
	3) Leach Rd; Upsize existing cross culvert with 6'x 4' x 40' box culvert.	\$35,000	Long term	Road Commissioner	Deferred – Lack of Funding
	4) Edwards Rd Site #1; Elevate Road 300' x 2' x 21' upsize 36" x 40' corrugated metal pipe with 4' x 10' x 40' bottomless box culvert, repave and stabilize shoulders.	\$165,000	3 weeks	Road Commissioner	Completed 2013 with Town funds
	5) Edwards Rd Site #2; Upsize existing 24" x 40' corrugated metal pipe with 36" x 40' N-12 culvert riprap outlet.	\$5,000	2 weeks	Road Commissioner	Completed 2012 with Town Funds
	6) Edwards Rd Site #3; Riprap existing culvert.	\$1,000	1 day	Road Commissioner	Completed 2012 with Town Funds
	7) Point Sebago Rd. Site #2; Riprap inlet and outlet of existing culvert.	\$1,000	1 day	Road Commissioner	Completed 2014 with Town Funds
	8) Libby Rd; Elevate 200' x 21' x 2' stabilize shoulder and repave. Road reconstructed	\$18,000	3 weeks	Road Commissioner	Completed 2015 with Town funds
	9) Crooked River Corridor; Acquire and/or elevate 12 houses.	\$1,200,000-3,500,000	6 months	Town Manager	Deferred - owners unwilling to sell at this time
Chebeague Island	1) Stone Wharf. Replace or relocate Chebeague island Ferry landing. Vulnerability Study complete; Engineering Study ongoing	\$300,000-1,000,000	Unknown Long term	Town Manager Road Commissioner	New Project

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	2) Bennett Cove. Engineering Study for improvements to stone block commercial boat ramp	unknown	Long term	Town Manager Road Commissioner	New Project
	3) Indian Point Rd; Install sheet pile 500' x 10'.	\$14,000	Mid term	Road Commissioner	Deferred – Lack of Funding
	4) Ongoing public education of homeowners about protection from wildfires.	\$500	2016-2021	Fire Department & Island Institute Fellow.	Completed as planned; continuing
Cumberland	1) Tuttle Rd Site 2; Elevate 200' x 21' x 3' stabilize shoulders and repave. Engineering Study completed	\$18,000	Long term	Director of Public Works	Deferred – Lack of Funding
	2) Middle Rd @ Hazeltines; Upsize existing 36" x 50' lined culvert with 42" x 50' N-12 culvert and riprap inlet and outlet.	\$17,000	Long term	Director of Public Works	Deferred – Lack of Funding
	3) Tuttle Rd Site 1; Upsize existing 36" x 40' culvert with 48" x 40' N-12 culvert and riprap inlet and outlet.	\$14,000	2 weeks	Director of Public Works	Completed with Town funds
	4) Harris Rd; Upsize existing culvert with box and elevate road.	\$294,216.94	unknown	Director of Public Works	Completed with FEMA PA/ Town funds per 2012 Plan
	5) Range Rd. (5) sites Upsize culverts and improve inlet and outlets.	\$50,000	1 year	Director of Public Works	Completed with Town funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Falmouth	1) Northbrook Drive; Upsize existing 48" culvert with 8' x 4' x 80' bottomless box culvert and riprap inlet and outlet.	\$200,000	Long term	Director of Public Works	Deferred – Lack of Funding
	2) Middle Rd. @ Scittery Gussett Brook; Upsize triple 15" culverts with bottomless box culvert or as required by H&H study and riprap inlet and outlet.	\$100,000	Long term	Director of Public Works	Revised from 2012 Plan - held up for Army Corp of Engineering permit
	3) Shoreline Drive Coastal Erosion; Stabilize bank 100' x 50' x 3' with large fractured stone Engineering study complete	\$75,000	Long term	Director of Public Works	Study -Town funds Deferred – Lack of Funding
	4) Woodville Road Piscataqua River Crossing; upsize double culvert with bridge or box culvert	\$500,000	Unknown	Director of Public Works	Completed with Town funds per 2012 Plan
	5) Woodville Rd @ High School; upsize existing culverts	\$50,000	1 week	Director of Public Works	Completed with Town funds per 2012 Plan
Freeport	1) Hunter Road. Upsize existing culvert with 24" culvert	\$125,000	Mid term	Director of Public Works	New Project
	2) Percy Street. Upsize existing culvert with 24" culvert	Unknown	Mid term	Director of Public Works	New project
	3) Richards Lane; Elevate 150' x 1' x 22' stabilize shoulders upsize twin 15" x 40' culverts with 6' x 3' x 40' bottomless box and riprap inlet and outlet.	Unknown	Long term	Director of Public Works	Deferred – Lack of Funding
	4) Grant Rd; Upsize existing culvert with 24" x 40' N-12 culvert.	\$4,000	3 days	Director of Public Works	Completed with Town funds
	5) Webster/Old County Rd; Install 36" x 50' N-12 culvert and riprap inlet and outlet.	\$5,000	1 week	Director of Public Works	Completed with Town funds

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	6) Flying Point Rd; Enlarge existing corrugated metal pipe. Add additional culvert and elevate road and repave.	\$200,000-500,000	1 week	Director of Public Works	Completed with Town funds per 2012 Plan
	7) Cheehawk Rd; Added additional 18" x 40' N-12 culvert.	\$2,500	3 days	Director of Public Works	Completed with Town funds per 2012 Plan
Freeport Sewer District	1) move dry pit pump above ground and raise structure at least three feet.	\$300,000	Long Term	Board of Directors	New Project
Frye Island	1) Monitor/mitigate hillside erosion in Recreation Area trail between Beach 10 and Long Beach. Site monitoring will continue in order to collect more information and determine the best approach to mitigating the hazard.	Unknown	Long term	Director of Public Works	New Project
	2) Erosion at beach #6; Installed retention pond and added (2) culverts to divert flow from beach.	\$10,000	2 weeks	Town Manager	Completed with Town funds per 2012 Plan
Gorham	1) Mitchell Hill Rd; Elevate road 300' x 3' x 22' stabilize shoulders and upsize existing culvert with bridge approx. 100' x 22' with wing walls.	\$600,000	Long Term	Director of Public Works; Joint project with Scarborough	Deferred – Lack of municipal funds
	2) Dingley Springs Rd.; Upsize existing multiple culverts with 12' x 6 x 40' bottomless box culvert and riprap inlet and outlets.	\$80,000	Long Term	Director of Public Works	Deferred – Lack of Funding
	3) Wood Rd; Upsize existing multiple culverts with 12' x 6 x 40' bottomless box culvert and riprap inlet and outlets.	\$80,000	Long Term	Director of Public Works	Deferred – Lack of Funding
	4) Wilson Rd: Upsize existing culvert with 10' x 5 x 40' bottomless box culvert and riprap inlet and outlets.	\$60,000	Long term	Director of Public Works	Deferred – Lack of Funding

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Gorham, cont.	5) Buck St; Upsize existing multiple culverts with 20'x 8' x 40' bottomless box culvert and riprap inlet and outlets. Elevate road 200' x 21' x 3' and repave.	\$130,000	Long Term	Director of Public Works	Deferred – Lack of Funding
	6) New Portland Rd; Upsize existing multiple culverts with 10' x 5' x 40' bottomless box culvert and riprap inlet and outlets.	\$60,000	Long Term	Director of Public Works	Deferred – Lack of Funding
	7) Spiller Rd; Upsize existing multiple culverts with 20'x 8' x 40' bottomless box culvert and riprap inlet and outlets. Elevate road 200' x 21' x 3' and repave. Twin plastic culvert installed by PW	\$30,000	3 weeks	Director of Public Works	Completed in 2014 with Town Funds
	8) Huston Rd; Upsize existing multiple culverts with 20'x 8' x 40' bottomless box culvert and riprap inlet and outlets.	\$75,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	9) Tow Path Rd; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	10) North Gorham Rd; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	11) Hodgdon Rd @ South Branch Brook; Install metal arch pipe.	\$200,000	1 month	Director of Public Works	Completed with FEMA funds per 2012 Plan
	12) Washburn Rd; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with FEMA funds per 2012 Plan
	13) Longfellow Rd @ Indian Camp Brook; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

14) Day Rd @ Indian Camp Brook; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
15) Weeks Rd @ Gully Brook; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
16) Plummer Rd @ Westcott Brook; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
17) New Portland Rd. @ East Branch of Indian Brook; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
18) Flaggy Meadow Rd. @ Little River; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
19) Brackett Rd.; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
20) Files Road @ Files Brook; Scour protection.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
21) Brackett Rd @ Indian Brook; Additional scour protection and redesign bridge.	\$200,000	unknown	Director of Public Works	Completed with Town funds per 2012 Plan
22) Fort Hill Rd@ Tannery Brook; Additional scour protection and redesign bridge.	\$200,000	unknown	Director of Public Works	Completed with Town funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	23) Deering Rd @ Stroutwater River; Slope protection, upsize culvert.	\$20,000	2 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	24) Hurricane Rd; Slope protection and upsize culvert.	\$20,000	Unknown	Director of Public Works	Completed with FEMA funds per 2012 Plan
Gray	1) Campbell Shores Rd Site #1; Upsize triple 24" x 40' culvert with 4' x 8' x 40' bottomless box culvert raise road 21' x 3' x 500' and repave	\$60,000	Long term	Director of public Works	Deferred – Lack of Funding
	2) Campbell Shores Rd Site #2; Upsize triple 24" x 40' culvert with 4' x 8' x 40' bottomless box culvert raise road 21' x 3' x 500' and repave.	\$60,000	Long term	Director of Public Works	Deferred – Lack of Funding
	3) Long Hill Rd.; Upsize 60" x 40' culvert with 5' x 8' x 40' bottomless box culvert, raise road 21' x 6' x 500' stabilize shoulders and repave.	\$70,000	Long term	Director of Public Works	Deferred – Lack of Funding - Engineering study – Town funds Possible DEP grant
	4) Westwood Rd at Sucker Brook; H&H, engineering design Upsize existing 36" x 40' culvert with 6' x 8' x 40' bottomless box culvert with integrated wing walls.	\$110,165.64	4 weeks	Director of Public Works & engineering firm	HMPG project completed Oct 2012
	5) Lawrence Rd; Elevate road 22' x 700' x 4' on average, raise bridge deck, stabilize shoulders and repave.	\$202,122.00	2 months	Director of Public Works / Town Engineer	Completed with town Funds August 2015

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Harpwell	1) Long Point Rd. Shore up embankment; engineering study done 2013	\$75,000	Mid term	Road Commissioner	New project
	2) Bethel Point Rd.; Replace existing 8' x 40' culvert with same sized culvert.	\$149,000	2 months	Director of Public Works	Completed with Town Funds
Harrison	1) Buck Rd; Remove ledge in ditch line 300', continue berm along road and upsize existing twin culverts with 36" x 40' N-12 culvert.	\$9,000	Mid term	Road Commissioner	Deferred – Lack of Funding
	2) Fog Rd.; Upsize existing twin 36" x 40' cross culvert with 8' x 4' x 40' box culvert riprap inlet and outlet	\$9,000	Long term	Road Commissioner	Deferred – Lack of Funding
Long Island	1) 765 Island Ave; Engineering Study and upgrade culvert and stabilize outlet with riprap.	\$100,000	Long term	Road Commissioner	Revised from 2012 Plan
	2) Island Ave. & Garfield St; Install catch basin, add 18" x 40' N-12 culvert and upsize 15" x 40' culvert with 18" x 40' N-12 culvert. Ditch and armor 700' and shim 800' of road. Rebuild drainage grate	\$12,000	Long term	Road Commissioner	Revised from 2012 plan
	3)Beach Ave. Remove ledge 50' x 6' x 2' Ditch and line 200' add 12" x 30"N-12 driveway culvert	\$8,000	2 weeks	Road Commissioner	Completed with Town Funds
	4) Harbor De Grace St; Upsize 12" x 80' culvert with 15" x 80' N-12 culvert, remove ledge 30' x 6' x 2' and ditch 50'.	\$8,500	3 weeks	Road Commissioner	Completed with Town Funds

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	5) Island Ave; Stabilize bank with riprap and native plantings 400' x 60' x 2'.	10,000	3 weeks	Road Commissioner	Completed with Town Funds
	6) Levitt Street/ Public Works Yard; Excavate wet spot in road install 12' x 30' filter fabric and crushed stone pillow.	\$8,000	3 weeks	Road Commissioner	Completed with Town funds per 2012 Plan
	4)–7) Island Ave @ Stepping Stone Ln.; Install 12" x 40 N-12 culvert and re-establish ditch line.	\$9,000	2 weeks	Road Commissioner	Completed with Town funds per 2012 Plan
	8) Apple Tree Ln.; Upsize existing cross culvert add (2) driveway culverts and (1) catch basin clean ditches and add check dams.	\$5,000	3 weeks	Road Commissioner	Completed with Town and PA funds per 2012 Plan
Naples	1) Lakehouse Road near Muddy River ditching	\$3,500	Mid term	Road Commissioner	New Project
	2) Lamb's Mill Road from Rt 302 to hilltop ditching	\$3,000	Mid term	Road Commissioner	New Project
	3) Edes Falls Road and River Road junction 30" culvert upgrade and ditching	\$6,500	Mid term	Road Commissioner	New Project
	4) Wiley Rd @ Sam's Bluff; Upsize existing 30" x 40' corrugated metal pipe with 36" x 40' N-12 culvert and riprap inlet and outlet.	\$8,000	Long term	Town Manager	Deferred - Lack of funding
	6) Songo Rd; Ditch 2,500' and add 30" x 40' N-12 culvert.	\$11,000	2 weeks	Town Manager	Completed with Town Funds
	7) Lambs Mill Rd; Remove road bed 200' x 21' x 12" install french drain and geotextile fabric and repave.	\$10,000	1 week	Town Manager	Completed 2012 with Town funds
	8) Horace Files Rd. @ Pikes Hill; Ditch 200' and build detention pond 10'x 10' x 6'.	\$2,000	1 week	Town Manager	Completed 2012 with

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

					Town funds
	9) Sand Rd; Upsize existing culvert with 24" x 40' N-12 culvert, remove catch basin and replace with stone lined plunge pool. New catch basin installed	\$5,000	1 week	Town Manager	Completed 2012 with Town funds
New Gloucester	1) Ayers Rd; Upsize multiple culverts with (1) 3' x 8' x 40' bottomless box culvert and (1) 3' x 10' x 40' bottomless box culvert, elevate road 300' x 21' x 2' and stabilize shoulders riprap and repave	\$116,000	Long term	Director of Public Works	Deferred - Lack of funding
	2) Durham Rd; Upsize multiple culverts with 3' x 8' x 40' bottomless box culvert, elevate road 600' x 21' x 2' and stabilize shoulders riprap and repave	\$73,000	Long term	Director of Public Works	Deferred - Lack of funding
	3) Woodman Rd; Upsize multiple culverts with 3' x 8' x 40' bottomless box culvert, elevate road 600' x 21' x 2' and stabilize shoulders riprap and repave.	\$60,000	1 month	Director of Public Works	Completed with Town funds
North Yarmouth	1) West Pownal Rd; Continue to monitor erosion at site (elevation of road would cost \$2 million). Site monitoring will continue in order to collect more information and determine the best approach to mitigating the hazard.		Long Term	Road Commissioner	Revised from 2012 Plan
Portland	1) Johanson and Front St; Park Side Condos acquisition and demolition of six unit condo complex.	1,000,000-2,000,000	Long term	City Council	Deferred - Lack of funding
	2) Washington Ave. @ Leister Dr; Upsize, realign and lower outlet 36" x 150' corrugated metal pipe with 48" x 150' N-12 culvert and install plunge pool.	\$50,000	Long term	Director of Public Works	Deferred - Lack of funding

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

3) Gertrude St. Install backflow prevention.	\$500,000	Long term	Director of Public Works	Deferred - Lack of funding
4) Capisic St.; Install backflow prevention.	\$500,000	Long term	Director of Public Works	Deferred - Lack of funding
6) Back Cove @ Tukeys Bridge; Stabilize bank along back cove 100' x 90' x 3' using one ton fractured stone and flat revetments in the water up to 5' above mean high tide.	\$180,000	2 months	Director of Public Works	Completed City funds
7) Back Cove @ Dartmouth St; Stabilize bank erosion along walking trail 6'x 150' x 2' using 500 lb. fracture stone riprap.	\$14,256	1 week	Director of Public Works	Completed City funds
8) West end Commercial St; Upgrade drainage.	\$500,000	Unknown	Director of Public Works	Completed with City funds per 2012 Plan
9) Alden and Violette St; Upsize culverts, build detention pond upstream and install backflow valves.	\$1,000,000	Unknown	Director of Public Works	Completed with City funds per 2012 Plan
10) Alden @ Violette Circle; Upsize Lucas St culvert, build detention ponds upstream and install backflow preventers.	\$1,000,000	Unknown	Director of Public Works	Completed with City funds per 2012 Plan
11) Mona/Bernard/Washington/Maine Ave. @ Falls Brook; Easement acquisition, culvert upgrades and stream channel work.	\$8,000,000	Unknown	Director of Public Works	Completed with City funds per 2012 Plan
12) West end of Commercial St; Upgrade storm water system.	\$1,000,000	Unknown	Director of Public Works	Completed with City funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	13) 60 kW Generator for Munjoy Fire Station to power 100% of building Also protects sprinkler system for Portland observatory which is wired into Fire Station	\$93,655	24 weeks	City of Portland	HMPG Grant funding Completed 2015
Pownal	1) Chadsey Rd Site #1 Upstream; Upsize triple N-12 culverts with 12' x 4' x 40' bottomless box culvert and riprap inlet and outlets.	\$45,000	Long term	Road Commissioner	Deferred - Lack of funding
	2) Chadsey Rd Site #2; Upsize triple N-12 culverts with 12' x 4' x 40' bottomless box culvert and riprap inlet and outlets.	\$45,000	Long term	Road Commissioner	Deferred - Lack of funding
	3) Brown Rd; Upsize twin 48" x 40' culverts with 12' x 4' x 40' bottomless box culvert, riprap inlet and outlets and repave.	\$48,000	Long term	Road Commissioner	Deferred - Lack of funding
Raymond	1) Monitor/mitigate as needed ditch erosion at Raymond Hill Rd and Webbs Mill Rd Site monitoring will continue in order to collect more information and determine the best approach to mitigating the hazard.	Unknown	Long term	Road Commissioner	New Project
	2) Plains Road at Route 85 & Crescent Beach; Install closed drain and catch basin	\$50,000 - \$200,000	3 weeks	Director of Public Works	Completed with Town Funds
	3) Mountain Rd from Spiller Hill to McDermott Drive; Upsize culvert and armor ditch.	\$20,000 - \$50,000	2 Weeks	Director of Public Works	Completed with Town funds per 2012 Plan
	4) Elizabeth Ave. from Route 302 to Pine Road	Unknown	Unknown	MDOT	Completed with State funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Scarborough

1) Gorham Rd at Nonesuch River. Engineering study and replacement of existing 5' culvert	\$200,000 - \$300,000	Long term	Director of Public Works	New Project
2) Payne Road at Cabela's Boulevard. Engineering study and upsizing of drainage culverts	\$75,000 - \$175,000	Long term	Director of Public Works	New Project
3) Pleasant Hill Upgrade storm drain system.	\$600,000	Long term	Director of Public Works	Revised from 2012 Plan
4) Broadturn Rd & Martin Ave; Upsize existing twin 36" x 40' corrugated metal pipes with 10' x 4' x 40' bottomless box culvert and add 36" x 40' N-12 culvert on Martin Ave.	\$65,000	Long term	Director of Public Works	Deferred - Lack of funding
5) Mitchell Hill Rd; Elevate road 300' x 3' x 22' stabilize shoulders and upsize existing culvert with bridge approx.. 100' x 22' with wing walls.	\$600,000	Long term	Director of Public Works; Joint project with Gorham	Deferred - Lack of funding
6) Sawyer St.; Elevate 600' x 22' x 18" add (3) 18" x 40' N-12 cross culverts, stabilize shoulders and repave.	\$95,000	Long term	Director of Public Works; Joint project with Cape Elizabeth	Deferred - Lack of funding
7) Higgins Beach along Bay View Dr; shoreline erosion. Install plantings/storm breaks.	\$75,000	3 weeks	Director of Public Works	Completed with FEMA/ Town funds. Still Issues. per 2012 Plan
8) Higgins beach between Cliff and Shell St; Upgrade storm drain system.	\$100,000	Unknown	Director of Public Works	Completed with Town funds per 2012 Plan
9) Clay Pitts Rd; Armor river banks with riprap	\$7,500	3 weeks	Director of Public Works	Completed with FEMA/ Town funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Sebago	1 Shore Road: 600' surface improvements, add gravel cross culverts	\$100,000	Short Term	Road Commissioner	New Project
	2. Anderson Road: ditch, cross culverts and repave	\$90,000	Long Term	Road Commissioner	New Project
	3. Robinson Hill Rd.: rebuild cross culverts under drains (spring), ditch both sides of road, repave	\$225,000	Short Term	Road Commissioner	New Project Completed with Town Funds
	4 Swamp Road: ditch both sides of road, cross culverts and repave	\$165,000	Short Term	Road Commissioner	New Project completed with Town Funds
	5) Peabody Pond Rd. Ditch and line 1,800' add (2) driveway culverts 15" X 30' and (42) cross culvert 15" x 40' remove ledge from ditch line. Second cross culvert 4' x 45"	\$75,000	2 weeks	Road Commissioner	Revised from 2102 Plan In progress
	6) River Rd; Elevate and reconstruct road replace 18" x 40' culverts with 24" x 40' N-12 culverts.	\$120,000	3 weeks	Road Commissioner	Completed with Town Funds
	7) Hancock Pond Rd; Upsize culvert and elevate road and add ditches. Ditched on both sides and repaved 3.6 miles	140,000	3 weeks	Road Commissioner	Completed with Town Funds
	8) Winn Mountain Rd; Ditch 500'. Ledge blasting to improve drainage	\$5,000	1 week	Road Commissioner	Completed with Town Funds
	9) Dyke Mountain Rd; Ditch and pave road.	\$67,000	1 week	Road Commissioner	Completed with Town funds per 2012 Plan
	10) Orchard Rd; Ditching and install 140' of culverts.	\$8,000	1 week	Road Commissioner	Completed with Town funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

South Portland	1) Fessenden St @ Trout Brook; Upsize existing twin 36" x 50' culvert with 3' x 8' x 50' bottomless box culvert and riprap inlet and outlet.	\$65,000	Long term	Director of Public Works	Deferred - Lack of funding
South Portland Cont.	2) Alfred St; Upsize existing twin 24" x 40' culvert with 3' x 6' x 50' bottomless box culvert and riprap inlet and outlet.	\$55,000	Long term	Director of Public Works	Deferred - Lack of funding
	3) Boothby St @ Trout Brook; Upsize existing culvert with 3' x 6' x 50' bottomless box culvert and riprap inlet and outlet.	\$55,000	Long term	Director of Public Works	Deferred - Lack of funding
	4) Running Hill Rd; Install catch basin.	\$25,000	Mid term	Director of Public Works	Deferred - Lack of funding
	5) Broadway @ Daytona; Relocate Basin	\$50,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
	6) Highland Av @ High school; Upgrade storm drain system.	\$130,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
	7) Main St @ Massachusetts and Main @ Wallace Ave.; Road rehabilitation	Unknown	unknown	Director of Public Works	Completed with City funds per 2012 Plan
	8) Preble @ Alder and Day St; Add curb inlet.	\$10,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
	9) Broadway @ Boys Club; New sidewalks and upgrade systems.	\$50,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

10) Highland Ave @ Whispering Pines; Upgrade storm drain system.	\$100,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
11) Broadway @ underpass; Upgrade Storm drain system.	\$100,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
12) Dike Farm Rd @ Meadow Way; Upgrade storm drain system.	\$50,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
13) Nutter Rd; Upsize existing culvert.	\$10,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
14) Highland Ave @ Gamblers Brook; Upsize existing culvert.	\$10,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
15) Angell Ave. @ Preble St; Install curb inlets.	\$50,000	unknown	Director of Public Works	Completed with City funds per 2012 Plan
16) Cummings Rd @ Westbrook Line; Upgrade culverts.	N/A	unknown	Director of Public Works	Completed with City funds per 2012 Plan
17) Broadway @ Scarborough Line; Upgrade Ditches.	N/A	unknown	Director of Public Works	Completed with City funds per 2012 Plan
18) Willow St @ Sand pebbles condo's; Tidal effect	N/A	unknown	Director of Public Works	Completed with City funds per 2012 Plan

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

Standish	1) Blake Rd; Upsize existing twin culverts 36" x 40' culverts with 8' x 4' x 40' bottomless box and riprap inlet and outlet	\$70,000	Long term	Director of Public Works	Deferred - Lack of funding
Standish cont.	2) Middle Jam Rd; Install precast head wall with wing walls on inlet and outlet of 40" culvert.	\$15,000	Mid term	Director of Public Works	Deferred - Lack of funding
	3) Northeast Rd @ Rt. 35; Ditch and armor 300' add 30" x 30' N-12 driveway culvert.	\$7,000	Mid term	Director of Public Works	Deferred - Lack of funding
	4) Route 35A – Cape Road; upsize culvert, create spillway, armor downstream side of road bed.			Director of Public Works	Deferred - Lack of funding
	5) Cape Rd; Upsize existing 30" x 40' corrugated metal pipe with 36" x 40' N-12 culvert and riprap inlet and outlet.	\$5,000	2 week	Director of Public Works	Completed with town funds
	6) White Bridge Rd; Upsize existing culvert and create spillway and armor downstream side of road.	\$ 50,000-200,000	3 weeks	Director of Public Works	Completed with Town funds per 2012 Plan
Westbrook	1) Brook Street. Replace bridge over Minnow Brook with new culvert to meet crossing standards	Unknown	Long term	Director of Public Works	New Project
	2) Cottage Place. Culvert upgrade to meet crossing standards.	Unknown	Long term	Director of Public Works	New Project

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

	3) Purchase and demolish building at 40 Lincoln St.	\$250,000	Long term	Director of Public Works	New Project
	4) Cumberland St; Upsize existing twin culverts.	Unknown	Unknown	Director of Public Works	Completed with City funds per 2012 Plan
	5) River Walk @ Ash St; Stabilize bank with 12" riprap.	\$5,000	3 Days	Director of Public Works	Completed with City funds per 2012 Plan
Windham	1) Highland Cliff Rd @ Annie Leighton Brook. Add second culvert	\$45,000	Long term	Director of Public Works	Revised from 2012 Plan
Yarmouth	2) Nash Rd; Elevate road 1,200' x 21' x 2' stabilize shoulders add 24" x 40' N-12 cross culvert and repave.	\$74,000	Mid term	Director of Public Works	Deferred - Lack of funding – now in capital budget
	1) Ledge Rd; Install headwall and wing walls on inlet side of Pratt's Brook.	\$10,000	Mid term	Director of Public Works	Deferred - Lack of funding
	2) North Rd; Add 42" x 80' N-12 overflow culvert at Pratt's Brook.	\$15,000	2 weeks	Director of Public Works	Completed with Town Funds

CUMBERLAND COUNTY HAZARD MITIGATION PLAN

3) Pratt's Brook @ Northwood Rd; Problem should be solved by adding overflow culvert @ North Rd.	N/A	N/A	Director of Public Works	Resolved by North Rd culvert
4) Pratt's Brook @ East Elm St; Problem should be solved by adding overflow culvert @ North Rd.	N/A	N/A	Director of Public Works	Resolved by North Rd culvert

Section VI

SECTION VI – PLAN MAINTENANCE PROCESS

MONITORING, EVALUATING AND UPDATING THE PLAN

Requirement §201.6(c)(4)(i):	(The plan shall include a plan maintenance process that includes) a section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five year cycle
-------------------------------------	---

§201.6(c)(4)(i) requires a formal plan maintenance process to take place to ensure that the Mitigation Plan remains an active and pertinent document. The plan maintenance process includes a schedule for monitoring and evaluating the plan at least every five years, and continued public participation throughout the plan maintenance process. This section also includes an explanation of how the county and municipal governments intend to incorporate their mitigation strategies into any existing planning mechanisms they have.

Monitoring the Plan. Monitoring of the Plan continues to be conducted by the Cumberland County Emergency Management Agency (CCEMA) and the local Emergency Management Agency Directors. CCEMA collects information (via email and phone conversations) on an annual basis from the local EMA Directors to assess progress on the mitigation goals and objectives. CCEMA also hosts monthly meetings of the County EMA Directors at which issues relating to the implementation of the plan are addressed. This process has worked well for Cumberland County and will continue in the next five years. The mitigation plan and project application process will also be addressed at each federal disaster declaration kickoff meeting and will be reinforced via email announcements for workshops and grant application deadlines.

Evaluating the Plan

The plan is constantly being evaluated through various measures at county and local levels. Annually and after each disaster declaration, Cumberland County EMA reviews the hazards in the risk assessment section of this plan. In addition, Cumberland County EMA contacts towns in regards to Form 7 briefings and submittals, workshops on project applications, and for the status on existing projects and the addition of new projects. This process has worked well for Cumberland County and will continue in the next five years.

Updating the Plan. The Plan will be updated every five years. The method for determining what changes might be necessary will be to review and assess information gathered from disaster declarations, unusual weather events and/or significant changes in science or legislation. As previously described, part of that schedule will be reviews on a monthly basis and after disasters, but in the fourth year of the plan, a more in depth review will take place, and the plan will be updated accordingly. At the beginning of the fourth year, CCEMA will again initiate a process to assess the implementation of the plan including a re-evaluation of the hazard analysis and the mitigation measures. This process will involve the local EMA Directors, who served as liaisons to other municipal staff and officials. Based on the information collected and an analysis of that information, proposed changes to the plan will be made for the five year period and submitted to the Maine Emergency Management Agency and Federal Emergency Management Agency. This process will be repeated during the fourth year of implementation for each updated version of the Plan.

INCORPORATION INTO EXISTING PLANNING MECHANISMS

Requirement §201.6(c)(4)(ii): (The plan shall include a plan maintenance process that includes) a process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate.

Element	C6. Does the plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate?
---------	--

County government is very limited in scope and authority in the State of Maine and does not have the staff, authority, or fiscal capabilities to control planning or development within municipalities. In Maine, most government authority is derived from State statutes and rules and with the municipal “home rule” ordinances.

It must be recognized that there is a variety of governance structures within Cumberland County. Some municipalities can adopt ordinances and other regulatory mechanisms by council or select board vote, while other municipalities must put such proposals to a town meeting vote. The citizens in attendance at these meetings have a vested interest in the town and how and what is funded annually. Through the municipal budget process and long-term planning based on the identified mitigation actions, towns will be better able to allocate funding for these projects to safeguard their communities. In all cases, the need to educate the public as well as elected officials is paramount.

The Cumberland County Emergency Management Agency (CCEMA) will provide guidance to the local EMA Directors who will play the lead role in incorporating measures in the hazard mitigation plan into other planning mechanisms. (See Appendix for letter regarding SLOSH modeling)

The municipalities used the following planning mechanisms to incorporate the mitigation strategy and other information contained in the 2011 HMP, where appropriate. Planning mechanisms at the municipal level include:

- All municipalities have Comprehensive Plans. Comprehensive plans are policy documents that address a wide range of issues affecting the future of the community, and those relating to public safety and environmental protection would be consistent with the strategies contained in this plan. In general, local comprehensive plans do not include recommendations on specific projects, although they may contain recommendations that roads and their associated infrastructure be upgraded as funds become available.
- Participation in the National Flood Insurance Program. In addition, two communities have attained Level Eight in the Community Rating System.
- Capital improvement plans (most of the larger municipalities have capital improvement plans; some of the smaller ones do not, but they do have local budgeting processes which are used to examine potential expenditures in detail and establish overall spending priorities).
- Road maintenance planning efforts: These may include priorities for local improvements, but not necessarily engineering studies or cost benefit analyses.
- Emergency management and mitigation planning.
- Fire prevention planning and coordination, including participation in mutual aid agreements and multi-town wildfire training exercises, and:
- Grant writing (many of the County’s municipalities have been active in applying for grants to address municipal priorities).

It must be noted that all of the mitigation measures identified by the local EMA directors for the 2017 revision of the Plan were structural and not ordinance related.

Process for Incorporating Mitigation Strategies and Related Information into Local Planning Mechanisms.

County government does not have the authority to control local planning mechanisms. However, the County EMA Director can provide information to local units of government, as well as technical assistance. After adoption of the Mitigation Plan, the Cumberland County EMA Office offers assistance to municipal officers in implementing their selected mitigation measures. The County EMA Office conducts annual reviews with local EMA directors to determine the status of their measures. The County EMA office assists the municipalities with the completion of FEMA PreDisaster Mitigation and Hazard Mitigation Grant packages.

Explanation of How Local Governments Incorporated Strategies and other Information.

In addition to the planning mechanisms discussed above, there has been progress in some additional areas, but no known actions in other areas:

- Comprehensive plans – no State money for new plans or updates
- Road maintenance planning efforts – many towns in Cumberland County are now using MEMA's Road Tracker to document repair costs
- Emergency management and mitigation planning – limited because of part time EMA directors and little or no budgets
- Ordinances –no State money for new plans or updates
- Grant applications – a few of the County's municipalities have been active in applying for grants to address mitigation issues

The County EMA notifies municipal EMA's and local officials of hazard mitigation workshops such as those related to the Pre-Disaster and Hazard mitigation Grant programs, workshops with hazard mitigation context such as those sponsored by Maine's Local Roads Center that deal with the use of geotextiles, and workshops dealing with various sea level rise scenarios and how they may affect specific municipalities.

The responsible agency within each municipality that is responsible for the implementation and completion of each mitigation measure will notify the County EMA Office whenever assistance is needed or whenever a measure is completed. Existing programs such as the municipal road maintenance plan, emergency management program and local fire prevention programs will be utilized to their greatest extent to complete the community's mitigation measures.

Continued Public Participation

Requirement §201.6(c)(4)(iii): (The plan shall include a plan maintenance process that includes) a discussion on how the community will continue public participation in the plan maintenance process	
Element	A5. Is there discussion on how the community(ies) will continue public participation in the plan maintenance process?
	A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5year cycle)?

Cumberland County is committed to involving the public directly in the continued reshaping and updating of the Hazard Mitigation Plan. The CCEMA Planning Team is responsible for reviewing and updating the plan. The opportunity for the public to comment on the HMP has been available, and will continue to be available, on the Cumberland County website, and is linked to our Facebook and Twitter sites. Contained in the plan is the address and phone number of the Cumberland County EMA Office, which is responsible for keeping track of public comments on the plan.

Each municipality will receive a copy of the completed plan to keep on file at the municipal office. A notice will be posted at each municipal office advising the public of the availability of the plan for review. Municipalities with websites may choose to post the plan on the website. The original and draft updates have been posted on the CCEMA website during the updating process in order to encourage public comment on the plan during the draft stage. The website is as follows: <http://www.cumberlandcounty.org/223/Emergency-Management-Agency>.

Members of the public have been welcome to submit comments, suggestions, or feedback on the plan to CCEMA via our website (See Appendix for Feedback form). Each comment from the public are reviewed for possible inclusion in the final plan. CCEMA will continue its efforts to coordinate with volunteer community groups.

At the time of the initial five-year review and update of the plan, and at subsequent updates, CCEMA will notify the public of the plan review and updating process and will invite public comment and participation in the process. To a large degree, this will be done through the use of the monthly regional meetings CCEMA holds with the local emergency management directors. Included as an agenda item will be the request for updates on the HMP from the meeting participants. This will serve to reinforcement the importance of the plan and encourage local directors to provide to their constituents information on the plan and the update process.

In Cumberland County, hazard mitigation is far more than a written plan. It is an important part of the overall mission of the Cumberland County Emergency Management Agency (EMA), and is fully integrated into the comprehensive nature of the EMA's emergency management responsibilities. Most of the EMA's activities and communications emphasize the importance of planning, preparation, mitigation, training, and emergency response. A partial list of EMA's public outreach efforts includes:

- Maintaining and updating the EMA's website;
- Including on the website and social media public information materials such as the Winter Awareness brochure;
- Including on the website and social media notice of training opportunities for local public safety personnel;
- Communicating with the public on an ongoing basis through the website and social media
- Supporting emergency communications systems such as PageGate (the messaging server used in Cumberland County)
- Holding meetings and training sessions with local EMA officials;
- Maintaining the Vulnerable Population Communication Network and ensuring the agencies on the list are contacted during storms and other emergencies
- Participating in public outreach efforts such as the annual Maine Preparedness Conference
- Participating in events with County Special Teams such as
 - Southern Maine COAD booths at Scarborough Summerfest and the Portland Sea Dogs events night
 - Medical Reserve Corps participation in flu clinics
 - Animal response team participation in Portland Home Show

County EMA will also continue to provide advisories on its website and social media when public safety may be impacted by hazards such as flooding or severe winter storms.

The address and phone number of the Cumberland County EMA office is:

Cumberland County Emergency Management Agency
22 High Street – Unit 1
Windham, ME 04062
207-892-6785
207-892-8617 (fax)

<http://www.cumberlandcounty.org/223/Emergency-Management-Agency>

*Order 102-16-17
Tab 10 12-5-14*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**TRAFFIC SCHEDULE AMENDMENT
RE: JUNIOR STREET TO NO PARKING**

ORDERED, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

By adding under Junior Street:

West Side

- **Schedule I** – No parking anytime

East Side

- **Schedule I** – No parking anytime

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: Jon Jennings, Ethan K. Strimling, Anita LaChance, Sonia Bean,
Danielle West-Chuhta, Nancy English, Julianne Sullivan,

FROM: Jeremiah Bartlett, PE, PTOE
Transportation Systems Engineer, Department of Public Works

CC: John Peverada, Parking Division
Mike Murray, Assistant to the City Manager
Christopher Branch, Director of Public Works
Kathi Earley, Engineering Manager, Public Works
Jeff Levine, Director of Planning & Urban Development

DATE: November 16, 2016

SUBJECT: Traffic Schedule Amendment: convert Junior Street to "No Parking"

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading Dec 5, 2016 **Final Action:** Dec 19, 2016

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

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

I. ONE SENTENCE SUMMARY

The Department of Public Works requests City Council approval to amend the Traffic Schedule to convert Junior Street from unrestricted parking to "No Parking Any Time".

II. AGENDA DESCRIPTION

Junior Street is a 150-foot long street connecting Lyseth Moore Drive to Bartley Avenue, just east of Auburn Street. The neighborhood and District 5 Councilor desire to see Junior Street adjusted not to allow parking along its length. When schools are in session, it is common to have vehicles parking along Junior Street, which impacts visibility and access for its residents. The Council action would change the traffic schedule to make Junior Street, currently an unrestricted street, to a "No Parking" street on both sides of the street.

III. BACKGROUND

(See Agenda Description, above.)

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

The intended result of this change is to relieve this narrow street of parking congestion issues, as well as visibility challenges that result from vehicles parking along this street, typically at times when schools are in session.

V. FINANCIAL IMPACT

The financial impact will be staff time and the placement of signage along the street, approximately \$500 for staff time and another \$250 in materials related to signage, and Dig Safe fees from On Target.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

VII. RECOMMENDATION

DPW staff, with concurrence from Parking Division, recommend this change.

VIII. LIST ATTACHMENTS

1. Draft Council Order

Prepared by: Jeremiah Bartlett

Date: 11/16/2016

O:\PWSHARE\City Council info and Agenda Requests\Agenda Requests\Jr. Street Parking Change\Jr._Street_Parking_Change_Council_Agenda_11-16-2016 final draft.docx

*Order 103-16/17
Tab 11 12.5.16*

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**ORDER APPROVING AGREEMENTS BETWEEN PORTLAND, MAINE
DEPARTMENT OF TRANSPORTATION AND PORTLAND AREA
COMPREHENSIVE TRANSPORTATION SYSTEM
RE: VERANDA STREET PAVING**

ORDERED, that the three-party agreement between the Portland Area Comprehensive Transportation System, the Maine Department of Transportation and the City of Portland, for work on a section of Veranda Street, WIN 018631, is hereby approved 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: Jon Jennings, Ethan K. Strimling, Anita LaChance, Sonia Bean,
Danielle West-Chuhta, Nancy English, Julianne Sullivan,

FROM: Kathi Earley, Engineering Division Manager
Department of Public Works

CC: Christopher Branch, Director of Public Works
Jeff Levine, Director of Planning & Urban Development
Jeremiah Bartlett, Transportation Systems Engineer

DATE: November 16, 2016

SUBJECT: Veranda Street Paving: Three-Party Agreement with MaineDOT & PACTS

SPONSOR: Jon Jennings, City Manager

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading Dec 5, 2016 **Final Action:** Dec 19, 2016

Can action be taken at a later date: No (If no why not?) MaineDOT requires several months' lead time to meet delivery targets for this 2017 paving project. No activity can proceed until this three-party agreement is officially in place.

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

I. ONE SENTENCE SUMMARY

City Council authorization to enter into this three-party agreement with MaineDOT and PACTS is required to achieve the PACTS Veranda St Collector paving project in 2017.

II. AGENDA DESCRIPTION

Authorizing this three-party agreement officially commits City funding and provides MaineDOT with authorization to proceed with engineering and estimating work. An update to the overall project cost is expected early in 2017 as part of a two-party agreement between MaineDOT and the City, which will be brought before the City Council for endorsement. The surface paving of Veranda Street (from I-295 to Martin's Point Bridge) is anticipated in mid to late 2017.

III. BACKGROUND

This Collector Paving project is part of the 16-18 PACTS TIP and reflected in MaineDOT's 2016-2018 Work Plan.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

A key goal of pursuing this project through PACTS is the highly leveraged outcome; the City will owe only a 25% Local Match for this pavement preservation project. No City "add-ons" are being considered at this time, however – our sewer and stormwater system adjustments do result in a 100% local cost.

Authorizing this three-party agreement will commit local funds to the necessary engineering process for MaineDOT to refine the cost estimate and prepare a two-party agreement. Due to pending I-295 overpass bridge work identified by MaineDOT, the scope and cost of this pavement preservation project is likely to be reduced.

V. FINANCIAL IMPACT

Projects awarded by the PACTS Collector Paving Program are typically financed with 75% federal and State funds and 25% local funds. The previously estimated costs, split between MaineDOT, PACTS, and the City, are as follows:

Work Phase	Estimated Federal Share	Estimated State Share	Estimated Municipal Share	Estimated Total Cost
Preliminary Engineering	\$ 9,975.24	\$ -	\$ 3,325.08	\$ 13,300.32
Right of Way	\$ 1,500.00	\$ -	\$ 500.00	\$ 2,000.00
Construction	\$ 207,980.04	\$ -	\$ 69,326.68	\$ 277,306.72
Construction Engineering	\$ 29,925.72	\$ -	\$ 9,975.24	\$ 39,900.96
Total Project Share	\$ 249,381.00	\$ -	\$ 83,127.00	\$ 332,508.00

At this time the City's financial risk is limited to the PE and ROW portions of costs noted above, roughly \$15,300. Our commitment to the Municipal Share of the Construction and Construction Engineering cost does not occur until the two-party agreement is authorized.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

MaineDOT will administer this Collector paving project, which will likely take place in late 2017 provided we enter into a two-party agreement with MaineDOT in early 2017.

VII. RECOMMENDATION

DPW staff recommends that the City Council endorse the three-party agreements to allow MaineDOT to pursue engineering and refine the cost to be reflected in the two-party agreement early next year. Our Local costs exposure is limited to the PE & ROW portions noted above.

VIII. LIST ATTACHMENTS

- 1.) Three-Party agreement for Veranda Street Paving (WIN #018631.00)
- 2.) MaineDOT Project Identification Form
- 3.) Enhanced Project Scoping report

Prepared by: Jeremiah Bartlett/Kathi Earley

Date: 11/16/2016

O:\PWSHARE\City Council info and Agenda Requests\Agenda Requests\PACTS Veranda Collector Pave 3-Party\2018_3-Party_Veranda
Pave_Endorsement_Council_Agenda_11-16-2016 final draft.docx

CTM#: _____

*Internal Use Only*WIN #: 018631.00Agreement Maximum Amount: \$332,508.00N/M MPO Id#: PACTS

Agreement Begin Date: _____ (For Office Use Only)

N/M Municipality Id#: PortlandAgreement End Date: 09/30/2019

This agreement ("**Agreement**") is entered into by the State of Maine Department of Transportation ("**MaineDOT**"), the Municipality of Portland ("**Municipality**"), and the Portland Area Comprehensive Transportation System, the designated Metropolitan Planning Organization for the Portland Urbanized Area ("**PACTS**"), jointly hereinafter referred to as the "**Parties**".

Whereas, the project that is the subject of this Agreement consists of an 1-1/4" overlay on Veranda Street from the I-295 Overpass to Martin's Point Bridge (hereafter referred to as the "**Project**"), and as further described in the attached Project Identification Form and Enhanced Project Scoping Report; and

Whereas, PACTS has programmed the Project for inclusion in the MaineDOT Annual Work Plan for CY15-17, using Federal capital improvement funding allocated by MaineDOT; and

Whereas, the Municipality supports the decision by PACTS to program the Project; and

Whereas, the Parties have a mutual interest in ensuring that the Project is delivered on a reasonable schedule and within the budget programmed, using a process that maximizes communication and cooperation; and

Whereas, the purpose of this Agreement is to identify the Parties' individual responsibilities during the design, permitting and right-of-way phases of the Project through completion of final Plans, Specifications and Estimate ("**PS&E**"), and to identify the intended financial allocations between the Parties through all phases of the Project if and when the parties formally approve and commit financial resources for the Project; and

Whereas, following the preparation of the project PS&E, a separate Municipal/State Agreement will be executed by MaineDOT and the Municipality.

Now therefore, in consideration of the forgoing, the Parties hereby establish and agree to the following terms and conditions:

The following Appendix is hereby incorporated into this Agreement by reference

- Appendix A - Enhanced Project Scoping Report

1. The total estimated cost of the Project through all phases is \$332,508.00 (the “**Project Estimate**”), and the Parties agree to share in and allocate the associated costs of each phase as outlined in this section:

Work Phase	Estimated Federal Share	Estimated State Share	Estimated Municipal Share	Estimated Total Cost
Preliminary Engineering	\$ 9,975.24	\$ -	\$ 3,325.08	\$ 13,300.32
Right of Way	\$ 1,500.00	\$ -	\$ 500.00	\$ 2,000.00
Construction	\$ 207,980.04	\$ -	\$ 69,326.68	\$ 277,306.72
Construction Engineering	\$ 29,925.72	\$ -	\$ 9,975.24	\$ 39,900.96
Total Project Share	\$ 249,381.00	\$ -	\$ 83,127.00	\$ 332,508.00

- a. Estimated allocations are further identified as follows:
 - i. **Federal share** (through PACTS) - 75% of federally participating costs, up to a maximum of \$249,381.00.
 - ii. **State share** (through PACTS) - 0% of federally participating costs, up to a maximum of \$0.00.
 - iii. **Municipal share** (through the Municipality) - 25% federally participating costs, which is estimated at \$83,127.00, plus 100% of any additional costs incurred in accordance with Section 1.b. below.
 - b. The Municipality shall be fully responsible for any and all Project costs exceeding \$332,508.00, unless otherwise agreed to in writing by the Parties through a modification to this Agreement.
 - c. If the actual Project cost is less than the Project Estimate the amounts owed will be adjusted according to the percentages.
 - d. If the Project Estimate or associated financial allocations are adjusted to reflect updated costs, MaineDOT will consult with PACTS and the Municipality before such adjustments are approved and implemented.
2. MaineDOT will share information about the status of the Project with staff from PACTS and the Municipality at the following milestones:
 - Project kickoff/initial team meeting/formal public contact.
 - Horizontal/Vertical Alignment Complete (“**HVAC**”).
 - Preliminary Design Report (“**PDR**”).
 - Formal public meeting.
 - Plan Impacts Complete (“**PIC**”).
 - PS&E complete.
 - Changes in the Project Schedule or Engineer’s Estimate.

3. MaineDOT will prepare, or cause to be prepared, construction plans and specifications for the Project within the scope described above, using MaineDOT's standard project development process to ensure adherence to federal and state regulations.
4. After the final PS&E package is prepared, MaineDOT and the Municipality will execute a Municipal/State Project Agreement covering Project advertisement, award, construction and construction engineering. Said Municipal/State Agreement will carry the financial terms outlined in Section 1 above, as well as a schedule for collection of the Municipality's share of Project costs.
5. MaineDOT will consult with PACTS and the Municipality before implementing any adjustments to the Project scope, and PACTS and the Municipality will, likewise, notify MaineDOT of any proposed changes they wish to implement.
6. The Parties will participate as partners in any public meetings held to discuss the Project.
7. If MaineDOT withdraws from the Project before it has been advertised for construction, and that action was not directed by PACTS and the Municipality, MaineDOT will be responsible for all Project costs incurred to date.
8. If the Municipality withdraws its financial support for the Project as described in Section 1 of this Agreement, leading MaineDOT to cancel the Project before it has been advertised for construction, the Municipality shall reimburse MaineDOT fully for any and all Project costs incurred in reliance on the Municipality commitment documented in this Agreement, including, but not limited to, reimbursement of all federal funds expended to date.
9. Anything herein to the contrary notwithstanding, the Municipality and PACTS acknowledge that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by its federal partners and the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.
10. The Municipality represents that its governing body has taken all steps necessary and lawful to approve the Project and the Municipality's entry into this Agreement, has appropriated or authorized the use of any necessary funds in connection with the Municipality's participation, and has further authorized the undersigned Municipal representative to execute this Agreement on the Municipality's behalf.
11. MaineDOT shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off monies due the Municipality under a specific Project Contract up to any amounts due and owed to MaineDOT with regard to this Agreement, and any other Agreement/Contract, any other Agreement/Contract with any State Department or Agency, including any Agreement/Contract for a term commencing prior to the term of this Agreement, plus any amounts due and owed to the State for any reason including without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. MaineDOT shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by MaineDOT, its representatives, or the State Controller.

12. All provisions of this Agreement shall expire at Project final voucher, or upon final payment by the Municipality of any Project costs as hereinbefore provided, whichever occurs later.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the day and date last signed.

Date

Portland Area Comprehensive Transportation System

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.

Date

Municipality of Portland

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.

Date

Maine Department of Transportation

I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.

MPO Project

Sponsoring metropolitan planning organization (MPO): PACTS

Section 2-Project Description and Justification

Project Sequence Number (PSN):

S'8'37

Project

Identification Number (PIN): / G 31.6()

Municipality: Portland

Route Number/Street Name: Veranda Street
OOA

Description of Project Location: 1-295 Overpass 0.47 miles to match Martins Point Bridge project.

Federal Functional Classification:
(mph): 25

Is the project on the NHS? Speed Limit

Minor Collector
MOT (segment):

No
Total Entering MOT:

Potentially administrated project?

0 Yes No

Please state the purpose and need, describing why the improvements proposed: Current PACTS policy is to both preserve and improve the collector roads in the PACTS region implementing cost effective infrastructure management.

Please describe the proposed scope of work: 1 1/4 inch overlay. There is some undetermined potential for some traffic circulation revisions, bike lane potential and traffic calming treatments TBD.

Section 3-Municipal Involvement

Please provide the following information about the sponsoring municipality:

-E-mail
Address:

Form completed by:

Date:-

f_a_u_l_Niehoff

Section 5-Other Project Considerations

area, either under design or construction?

If yes, please identify the person who conducted the review and specify the projects:

ADA requirements, including sidewalks and sidewalk ramps?

If yes, by whom? Only initially by Paul Niehoff and Bruce Hyman

Comments: Discussions pertain to making pedestrian and bicycle connections to the recently constructed bridge. Scope and design to begin in the next 6 to 9 months.

Has the project been reviewed for crash history or other safety concerns? If yes, by whom?	☐ Yes	☒ No	☐ N/A
Has this project been reviewed for potential environmental impacts? If yes, by whom?	☐ Yes	☒ No	☐ N/A

If yes, please identify the person who did the review and provide this data to the MalnaDOT MPO Coordinator.

If yes, please describe:

Are there related intersections that should be evaluated?	☐ Yes	☒ No	☐ N/A
If yes, please list:	-	-	
For intersection improvements that call for new signals where none currently exist, has a warrant analysis been completed?	☐ Yes	☐ No	☒ N/A
Will the project change the road's horizontal or vertical alignment?	☐ Yes	☒ No	☐ N/A
If yes, please describe:			

Are there any obvious right-of-way impacts or displacements? ☐ Yes ☒ No ☐ N/A

If yes, please identify the source of the review and briefly explain the impacts:

Are there utility impacts within the proposed project limits? ☐ Yes ☐ No ☒ N/A

If yes, please describe the utility impacts:

MaineDOT Highway Design Guide for guidance.)

If no, please explain:

If yes, please explain:

Have previous technical studies been conducted? ☐ Yes ☒ No ☐ N/A

If yes, please: 1.) check all that apply; 2.) identify the responsible firm(s); and 3.) provide a copy to MaineDOT.

☐ Planning and Feasibility ☐ Corridor Report ☐ Geotechnical ☐ Hydraulic ☐ Environmental
Responsible firm(s)

Is professionally stamped technical documentation attached? ☐ Yes ☒ No If no, please explain: DOT Region One project.

	Phase	Original Estimate	Requested Delivery Year
181	Preliminary Engineering	\$13,300	2017
181	Right-Of-Way	\$2,000	2017
181	Construction	\$277,307	2017
181	Construction Engineering	\$39,901	2017

Total Cost \$332,508

Source of the estimate and contact information, for follow-up: G.P. & D.O.f

Is the project intended to be advertised for construction in 2016-2017? ☒ Yes ☐ No
☐ N/A If no, please explain:

Section 7- Funding Sources for the Project			
	Funding Source	Amount	%
121	Federal	\$249,381	75
0	State	\$0	0
100	Total Project Funding	\$249,381	100

Section 8- Project Approvals

Comments:

Dato

oommenle:

tyPortInId

Common!&:

- and therefore home entirely by the Municipality and/or MPO, unless otherwise mutually agreed to by MaineDOT.

APPENDIX A
ENHANCED PROJECT SCOPING REPORT



Transportation | Land Development | Environmental Engineering

Creating results for our clients and benefits for our communities.

June 19, 2014
Revised July 17, 2014

Ref: 52168.00

Mr. Paul Niehoff
PACTS
68 Marginal Way
Portland, ME 04101

Re: EPS Review of Martin's Point Pathway (Phase I) Bike Ped. Proposal
Portland, Maine

Dear Mr. Niehoff:

The following is a review of the City of Portland's proposal for a shared-use path from Kensington Street along the 1-295 Northbound/US Route 1 (I-295NB/US 1) embankment to the embankment along the easterly side of Veranda Street/US 1 to the Martin's Point Bridge. Project length is approximately one 2900 feet. This project is Phase I of an overall project to establish a shared-use path from Tukey's Bridge/Back Cove to the Martin's Point Bridge.

VHB reviewed the City's application and Concept Plans prepared plans by Gorii-Palmer. VHB staff subsequently performed a field review of the project on May 28 that included video documentation. VHB also reviewed comments from MaineDOT.

Project Summary

The Phase I project will focus on constructing a shared-use path beginning at the sidewalk grade on Kensington Street then northerly along the easterly embankment of 1-295/US 1 to Martin's Point Bridge. The Gorii-Palmer Plans depicted the entire project from Back Cove and a new bridge over Kensington Street. For this Phase I, the new bridge over Kensington Street shown in the Gorii-Palmer plans is not included.

From our field review, we noted an existing bituminous concrete walk from Kensington Street along the bottom of the 1-295/US 1 embankment up to Sullivan Street which we assume would be utilized for this Phase I project. From Sullivan Street to Martin's Point Health Care, modifications to the US 1 roadway section will be required. The project application and cost estimate includes only the work associated with the path construction from Kensington Street to the Martin's Point Bridge, reconfiguration of the Veranda Street/US 1 intersection and modifications to the US 1 roadway section. Costs for the path from Kensington Street to Back Cove are not included.

Vanasse Hangen Brustlin,
Inc.

500 Southborough Drive, Suite 1
OSB South Portland, Maine 04106
207.889.3150 FAX 207.253.5596
www.vhb.com

Observations

The existing roadway pavement is in good condition up to the Veranda Street/US 1 intersection. From Veranda Street up to Martin's Point Bridge approach, the pavement is poor condition with surface cracking, potholes and numerous utility patches. Curb and bituminous sidewalks are provided on both sides of US 1 north of Veranda Street and appear to be in good condition. The land use along the project corridor from Kensington Street to Sullivan Street is single family residential, coastal waters shoreline from Sullivan Street to north of Veranda Street then bordered by the Martin's Point Health Care facility up to the Martin's Point Bridge.

The Health Care facility driveway intersection with US 1 is signalized. The end of the median island at the merge between US 1 northbound and US 1 southbound shows a heavy U-turn movement as evidenced by numerous tire tracks on the pavement.

Project Constructability

Although construction of the path and roadway modifications should not present any unusual construction requirements, the work will most likely require a significant traffic management plan (TMP) especially along US 1 to avoid impacts to traffic on 1-295 NB and impacts to access to the Health Care Center near the Martin's Point Bridge.

Utility pole relocation will most likely be required so consideration should be given to relocating utilities via an advance utility contract.

Design Concerns

The existing path at the bottom of the US 1 embankment is narrow (approximately 4 feet wide). Widening the existing path will most likely require encroachment into the 1-295 right-of-way (ROW). This will require approval from FHWA.

The City's application notes that the US 1 "off-ramp" from 1-295 NB is a 2-lane exit. The application proposes to reduce the configuration to a 1-lane exit providing space for the construction of the pathway without encroaching into coastal waters. It is our opinion that technically the 1-295 NB/US 1 is a divergence of two limited access highways and not a 2-lane exit. Additionally, the on-ramp from Baxter Boulevard is located just 900 feet south of the 1-295/Route 1 divergence. Reconfiguring the US 1 typical section from 2 lanes to 1 lane would not be compliant with AASHTO design guidance for "lane balance" at a divergence. It is our opinion reducing the number of lanes on US 1 at the divergence may prove to be a significant hurdle to overcome for Phase II. Also, the 900 feet between the on-off ramp maneuvers seems a bit short for merging maneuvers. Alternatives could include realigning the divergence and constructing

a retaining structure to provide the width needed to construct the path without impacting coastal waters. We recommend that additional study be conducted including a review of record crash data at this location. In any case, this lane balance issue does not impact the construction of a path at the bottom of the US 1 embankment and should not impact proceeding with this Phase I.

US 1 continues as a 2-lane roadway some distance north of the 1-295/US 1 divergence. Phase I will require narrowing of the US 1 typical section beyond the divergence to avoid encroachment into coastal waters. Phase I will also require reconfiguration of the Veranda Street US 1 NB intersection. The City's application and supporting material did not include any information regarding record crash data for this location. For Phase I we recommend that record crash data be reviewed to verify the operational history of the roadway at this location and what impact the narrowing of the typical section might have. It may well be that reducing the length of the full 2-lane section may be appropriate but that should be verified through a review of the crash data.

Right-of-Way Impacts

The project will involve construction of a shared-use path within interstate ROW where pedestrians and bicyclists are typically excluded. This will require concurrence with FHWA for approval to construct a shared-use path within an Interstate right-of-way.

Additionally, permanent guy wire and pole easements will be required.

Utility & Railroad Impacts

It is highly likely that the project will require relocation of some utility poles to accommodate the shared-use path in the Health Care Center area.

Railroad impacts are not anticipated.

National Environmental Policy Act Compliance

Based on a review of the Maine DEP GIS database, application plans and a field review, it appears that significant impacts to natural resources are not anticipated provided that encroachment into coastal waters is avoided. If so, the project will most likely qualify as a Categorical Exclusion.

Section 106 of the National Historic Preservation Act

Complete listings of documented historic resources are not readily available online so a records review and field overview should be conducted during design to satisfy NEPA.

Threatened & Endangered Species Act

A check of the Maine Department of Inland Fisheries & Wildlife Essential Habitat Maps revealed typical shoreland high value habitat listings for tidal waterfowl and shorebirds along the shoreline.

Maine Natural Resources Protection Act

Areas protected under the Maine Natural Resources Protection Act generally need to be field delineated, depending on the resource type, however, preliminary field review did not indicate the presence of protected natural resources areas within the project limits other than the coastal zone at the shoreline. Further field review and mapping may be appropriate during design if impacts are anticipated.

Hazardous Materials

A check of the Maine DEP GIS database did not reveal the presence of any sites that would be impacted by the project construction.

Stormwater Management Permits

A stormwater management permit will be required since the project will likely expose more than 1 acre of erodible soil. A coastal waters permit may also be required for work along US 1.

Dredge Material

The project will not remove any dredge material from beneath any body of water based on the supplied project application information and provide encroachment into coastal waters can be avoided.

Design Exceptions

Design exceptions are not anticipated for Phase I.

Project Consistency with Other PACTS' Documents:

The project is consistent with the PACT's 2009 PACTS *Regional Bicycle & Pedestrian Plan Update*.

Suitability of Cost Estimate

It is our opinion that the cost of \$666,050 for Phase I (construction plus contingency) seems significantly low for the following reasons:

- It is missing several major items of work such as erosion control.
- Given that it is unlikely that the 1-295/Rte. 1 divergence can be reduced to a one-lane off ramp configuration, it seems reasonable to anticipate that a retaining structure of some type will be required.
- Includes mobilization and traffic control as one item. Traffic control related to 1-295 are anticipated to be a significant cost.
- Does not include a contingency amount. Generally, we recommend carrying a higher contingency for concept estimates.
- Cost for utility modifications.

It is our opinion that the construction cost would be in the area of \$1.7 million with engineering design and construction services.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

VANASSE HANGEN BRUSTLIN,


INC. William J.
DeSantis, P.E.
Corporate Director-Bicycle Transportation

Enclosure

Order 104-16/17
Tab 12 12-5-12

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 13 GENERAL ASSISTANCE
RE: DEFINITIONS OF LAWFULLY PRESENT AND LAWFUL PROCESS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 13, Section 13-4 of the Portland City Code
IS hereby amended to read as follows:*

Sec. 134. Eligibility factors.

(a) *Residence.* The administrator shall provide general assistance to all eligible persons applying for assistance who are residents of the city. A resident is a person who has no other residence and is physically present in the city and who intends to remain here and establish a household.

...

(i) *Immigration Status.* Beginning July 1, 2015, the administrator shall provide general assistance to all eligible persons who are lawfully present in the United States or who are pursuing a lawful process to apply for immigration relief, except that assistance for such a person may not exceed 24 months. Only months of general assistance provided after July 1, 2015 for eligible persons who are lawfully present in the United States or who are pursuing a lawful process to apply for immigration relief shall be counted toward the 24-month limit.

Citizens, nonimmigrants and "qualified aliens" as defined in the provisions of § 431 of the PRWORA, as amended (8 U.S.C. § 1641) are not subject to the 24-month time limit.

(1) For the purposes of this section and determining eligibility under this chapter, an eligible person who

is lawfully present in the United States ~~or who is pursuing a lawful process to apply for immigration relief~~ shall be defined as an individual described in 8 U.S.C. §1621(a)(1)-(3) who is: ~~a person who:~~

a. A qualified alien (as defined in section 1641 of this title);

b. A nonimmigrant under the Immigration and Nationality Act (8 U.S.C. §1101 et seq.); or

c. An alien who is paroled into the United States under section 212(d)(5) of such Act (8 U.S.C. §1182(d)(5)) for less than one year.

~~(1) Is living in the United States with the knowledge and permission of the Department of Homeland Security (DHS), and DHS does not contemplate enforcing his/her departure;~~

~~(2) Has not yet applied for asylum, but has been in the United States less than one (1) year;~~

~~(3) Is a parent, guardian or sibling of an American-born minor child; or~~

~~(4) Is an applicant for asylum, applicant for approved Special Immigrant Juvenile Status, applicant for protection under the Violence Against Women Act (VAWA), or a person who has been a Lawful Permanent Resident (LPR or "green card" holder) for less than 5 years (after 5 years an LPR is a "qualified alien" and is not subject to the 24 month time limit);~~

~~(5) Is an unaccompanied minor; and~~

(2) For the purposes of this section and determining eligibility under this chapter, an eligible person who is pursuing a lawful process to apply for immigration relief shall be defined as a person who ~~is~~ has filed an application for immigration relief with the United States Citizen and Immigration Service.

~~(6) Is applying for immigration relief under the Immigration and Nationality Act (INA). Verification that a person is taking reasonable steps to apply for immigration relief may be either proof of a pending application, a letter~~

~~from an attorney, or a sworn statement from an individual other than the applicant or recipient who can attest to the fact that the person is taking reasonable steps to lawfully apply for immigration relief. A person pursuing an application for asylum must also provide evidence that he/she is within the one-year filing deadline for asylum, or qualifies for an exception to the one-year filing deadline.~~

BE IT FURTHER ORDERED, that notwithstanding 1 M.R.S. §302, this amendment shall be effective as of December 19, 2016.

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: October 24, 2016

SUBJECT: Amendment to Portland City Code Chapter 13 General Assistance Re: Lawfully Present and Lawful Process

SPONSOR: Corporation Counsel Danielle West-Chuhta
(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 12/5/2016 Final Action 12/19/2016

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

The City risks losing some part of its reimbursement for general assistance payments by not aligning city code amendments with Maine Department of Health and Human Services Rules and Regulations definitions for “lawfully present” and “lawful process.” These definitions concern the process of immigration relief.

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

I. ONE SENTENCE SUMMARY

Maine Department of Health and Human Services Rules and Regulations regarding those persons who are lawfully present in the United States or are pursuing a lawful process to apply for immigration relief have been recently changed and the City must follow these rules to qualify for General Assistance reimbursement for such persons.

II. AGENDA DESCRIPTION

Amendments to Portland City Code Chapter 13, General Assistance (GA), are proposed to mirror recent changes in Maine Department of Health and Human Services (MDHHS) Rules and Regulations regarding those persons who are lawfully present in the United States or are pursuing a lawful process to apply for immigration relief. By enacting these changes, the City shall insure that it does not run the risk of the State of Maine withholding some of the reimbursement provided for payments from the General Assistance program, for those persons

receiving GA who are seeking asylum. A failure to amend the City Code could be construed as a refusal to abide by the MDHHS rules.

III. BACKGROUND

In the last few years, MDHHS has repeatedly withheld funds the City had anticipated in its budgets as reimbursement for GA payments, arguing that the City provided them to persons who did not qualify. While this past issue between the City and MDHHS is in appeal before the Maine Supreme Court or Maine Law Court, the City remains, as always, focused on following all MDHHS rules and regulations.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

Passage of the proposed amendments put the City's GA program in compliance with MDHHS rules and remove the risk that the State will argue that the City is not complying with its rules and that it is justified in withholding reimbursement for GA payments.

V. FINANCIAL IMPACT

Passage of the proposed amendments avoid the risk the City has grappled with in past budgets that anticipated funds will not be paid into its GA program by the State.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

On May 16, 2016, the Maine Department of Health and Human Services enacted new rules regarding the General Assistance definitions of "lawfully present" and "pursuing a lawful process." Page six of the Maine General Assistance Policy Manual contains the first definition, and Page eight has the second. The definitions are highlighted in the first attachment of this Agenda Request, labeled Exhibit A.

A complete copy of the Maine General Assistance Policy Manual is attached as Exhibit B.

The City's General Assistance ordinance sections concerning the same issues (specifically the definition or any provisions that relate to the aforementioned terms) are attached as Exhibit C.

VII. RECOMMENDATION

Corporation Counsel has reviewed these amendments as to form and recommends adoption.

VIII. LIST ATTACHMENTS

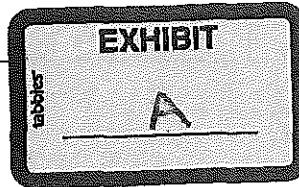
MDHHS Rules and Regulations, General Assistance Policy Manual, definitions highlighted on pages 4 and 8.

Amendment to Portland City Code Chapter 13 Re: Lawfully Present and Lawful Process

Prepared by: Dawn Stiles

Date: October 24, 2016

Bean/agendarequestmemo/rev 11/2015



HOUSING ASSISTANCE	Payments made by, or on behalf of an individual for rent or mortgage.
INCOME	Any form of income in cash or in kind (as defined below) received by the household including net remuneration for services performed, cash received on either secured or unsecured credit, any payments received as an annuity, retirement, or disability benefits, veterans' pensions, workers' compensation, unemployment benefits, benefits under any state or federal categorical assistance program, supplemental security income, social security, and any other payments from governmental sources, unless specifically prohibited by any law or regulation, support payments, income from pension or trust funds and household income from any other source, including relatives or unrelated household members and any benefit received pursuant to Title 26, chapter 907 and Title 36, section 5219-II (see property tax fairness credit below). For repeat applicants, it also includes unverified expenditures or misspent money from the 30 day period prior to application (§4301(7)). Exception: Support Services Payments that are available to ASPIRE program participants are not to be counted as income in the time of intended use.
IN KIND INCOME	Payments made to or on behalf of an applicant either monetary or in the form of a commodity.
JUST CAUSE	A valid, verifiable reason that hinders an individual in complying with one or more conditions of eligibility.
LAWFULLY PRESENT	Individuals described in 8 U.S.C. § 1621(a)(1)-(3): (1) A qualified alien (as defined in section 1641 of this title), (2) A nonimmigrant under the <i>Immigration and Nationality Act</i> [8 U.S.C. §1101 <i>et seq.</i>], or (3) An alien who is paroled into the United States under section 212(d)(5) of such Act [8 U.S.C. §1182(d)(5)] for less than one year.
LUMP SUM PAYMENT	A one-time payment issued to an applicant or recipient prior to or subsequent to applying for General Assistance. Lump sum payment includes, but is not limited to: retroactive or settlement portions of social security benefits, worker's compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after

Section III page 6
Rev. 5/16/16
#19A

PERIOD OF ELIGIBILITY	The time for which a person has been granted assistance. Such period shall commence on the date of application for assistance and shall continue for the period stated on the decision. The period of eligibility may vary depending on the type of assistance provided; however, in no event shall such a period extend beyond one month (§4309(1)).
POOLING OF INCOME	The financial relationship among household members who are not legally liable for mutual support in which there occurs any commingling of funds or sharing of income or expenses. It is a rebuttable presumption that persons sharing the same dwelling unit are pooling their income. Applicants who are requesting that the determination of eligibility be calculated as though one or more household members are not pooling their income have the burden of rebutting the presumption of pooling income by providing verification that they are not doing so (§4301(12-A)).
POTENTIAL RESOURCES	Sources of financial assistance, including programs, services, non-liquid assets or trusts which typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released (§4317).
PROPERTY TAX FAIRNESS CREDIT	For tax years beginning on or after January 1, 2013, a Maine resident individual is allowed a property tax fairness credit as computed by the Maine Revenue Service (36 MRSA §5219-II). Any benefit received under Title 36, chapter 907 and Title 36, Section 5219-II, unless used for basic necessities as described above, will counted as income.
PURSUITING A LAWFUL PROCESS TO APPLY FOR IMMIGRATION RELIEF	Anyone who has filed an application for immigration relief with the U.S. Citizenship and Immigration Services.
REAL ESTATE	Any land, buildings, homes, mobile homes, and any other things affixed to that land (§4301(13)).

Order 105-16/17
Tab 13 12-5-16

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

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

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 33 MINIMUM WAGE RE: TIPPED WAGE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. That Section 33-2, 33-7 of the Portland City Code is hereby amended to read as follows:

Sec. 33.2. Definitions.

Unless the context otherwise indicates, the following words shall have the following meanings.

City: City of Portland.

...

State Minimum Wage: The minimum hourly wage established by
26 M.R.S. § 664.

Service Employee: Any Employee engaged in an occupation in which he or she customarily and regularly receives more than \$30.00 a month or more in tips.

...

Section 33.7. Minimum Wage.

(a) *Minimum wage payment required:* Except as provided herein, Employers shall pay all Employees no less than the Minimum Wage established by this ordinance for each hour worked within the City Limits.

(b) *Minimum Wage rate:*

- (i) Beginning on January 1, 2016, the regular Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to \$10.10 per hour;
- (ii) Beginning on January 1, 2017, the regular Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to \$10.68 per hour; and
- (iii) Beginning on every first day of July following January 1, 2018, and every first day of July thereafter, the Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be increased according to the Consumer Price Index - All Urban Consumers (CPI-U) percentage increase from the prior year, unless the Minimum Wage equals the State Minimum Wage as set forth below. If there is no increase, the Minimum Wage will be unchanged. The percentage increase in the annual CPI-U for the previous calendar year from the annual CPI-U for the calendar year preceding that shall be the percentage by which the Minimum Wage is increased on the first day of July 2018 and every July 1 thereafter.
- (iv) If the State Minimum Wage established by 26 M.R.S. § 664 is equal to or greater than the Minimum Wage established herein, the Minimum Wage for all Employees, including, but not limited to, Service Employees, shall be raised to equal the State Minimum Wage.

(c) *Tip Credit:*

- (i) As provided in 26 M.R.S. §664(2), An Employer may consider tips as part of the wages of a Service Employee toward satisfaction of the Minimum Wage established by this ordinance, in accordance with 26 M.R.S. §664(2) and until such time as the tip credit is eliminated under state law. Such a tip credit shall be no greater than the amount necessary to reduce the direct wages paid to a Service Employee to an amount equal to the minimum direct wages required to be paid to Service Employees pursuant to 26 M.R.S. §664(2).

Minimum direct wages pursuant to 26 M.R.S. §664(2) is the amount required by state law to be paid to a Service Employee after an Employer reduces the state minimum wage by the maximum allowable tip credit as provided in 26 M.R.S. §664(2).

- (ii) An Employer who elects to use the tip credit, until it is eliminated under state law, must inform the affected employee in advance and must be able to show that the employee receives at least the Minimum Wage established by this ordinance when direct wages and the tip credit are combined. Upon a satisfactory showing by the employee or the employee's representative that the actual tips received were less than the tip credit, the employer shall increase the direct wages by the difference.

...

BE IT FURTHER ORDAINED that these amendments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to make the amendment effective immediately and allow the changes to the minimum wage ordinance to be in place prior to the enactment of the State Minimum Wage Law on January 1, 2017.

MEMORANDUM
City Council Agenda Item

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

FROM: Danielle West-Chuhta

DATE: November 17, 2016

SUBJECT: Amendment to Portland City Code Chapter 33 Re: Tipped Wage

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 12/5/2016* Final Action 12/21/2016

*Staff is requesting that this amendment be passed as an emergency in order to make it effective immediately and allow the City to publicize any changes to the City's Minimum Wage Ordinance prior to January 1, 2017, when the approved State Referendum takes effect.

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

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

I. ONE SENTENCE SUMMARY

On November 8, 2016, Maine voters approved a minimum wage increase that changes state law to provide, among other things, that the amount of the minimum direct cash wage for tipped employees be \$5.00 in 2017. The City's Minimum Wage Ordinance's language on the tipped wage credit currently conflicts with this state language and must be amended.

II. AGENDA DESCRIPTION

Starting on January 1, 2017, workers who receive tips as part of their wages must be paid a minimum of \$5.00 an hour by their employers. On November 8, 2016, Maine voters approved a minimum wage increase starting at \$9.00 an hour on January 1, 2017. Before the increase was approved, employers could pay their tipped employees a direct cash wage of half of the minimum wage of \$7.50, or \$3.25 an hour, and take a tip credit of \$3.25, as long as tips added to that wage totaled the minimum wage.

The City's adopted a minimum wage ordinance also has the same tip credit as state law, as long as tips added to that wage totaled the amount of the City's minimum wage, which was \$10.10 in 2016.

On January 1, 2017, the City of Portland Minimum Wage will be \$10.68. The tipped direct cash wage will be at least \$5.00 an hour, in compliance with the new state law. Therefore, the total of a tipped employee's minimum direct cash wage of \$5.00 an hour plus the tip credit must equal at least \$10.68 per hour under the City's ordinance. If it does not, the employer must pay the employee more in a direct cash wage to make up the difference. The proposed amendment to the Portland City Code will put the City in compliance with the new statutory language.

III. BACKGROUND

Many states have raised the minimum wage, including Maine in 2016. The City of Portland approved an increase in the city-wide minimum wage in 2015, as support grew for workers in need of more money to pay rent, buy food and pay bills. Similar increases in other cities, where housing and other costs were high, were already in place or being adopted.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

The amendment is intended to put the Portland City Code in compliance with state law.

V. FINANCIAL IMPACT

While the statewide statutory change will effect employers of tipped employees, the city code amendment will not itself have any additional effect.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

VII. RECOMMENDATION

The amendment is approved as to form and recommended by Corporation Counsel's office.

VIII. LIST ATTACHMENTS

Amendment to Portland City Code Chapter 33 Re: Tipped Wage

Maine Minimum Wage Referendum Language

Prepared by: Nancy English
Date: 11/18/2016

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §664, sub-§1**, as amended by PL 2007, c. 640, §4, is further
3 amended to read:

4 **1. Minimum wage.** The minimum hourly wage is ~~\$6.50 per hour. Starting October~~
5 ~~1, 2006, the minimum hourly wage is \$6.75 per hour. Starting October 1, 2007, the~~
6 ~~minimum hourly wage is \$7.00 per hour. Starting October 1, 2008, the minimum hourly~~
7 ~~wage is \$7.25 per hour. Starting October 1, 2009, the minimum hourly wage is \$7.50 per~~
8 ~~hour. Starting January 1, 2017, the minimum hourly wage is \$9.00 per hour; starting~~
9 ~~January 1, 2018, the minimum hourly wage is \$10.00 per hour; starting January 1, 2019,~~
10 ~~the minimum hourly wage is \$11.00 per hour; and starting January 1, 2020, the minimum~~
11 ~~hourly wage is \$12.00 per hour. On January 1, 2021 and each January 1st thereafter, the~~
12 ~~minimum hourly wage then in effect must be increased by the increase, if any, in the cost~~
13 ~~of living. The increase in the cost of living must be measured by the percentage increase,~~
14 ~~if any, as of August of the previous year over the level as of August of the year preceding~~
15 ~~that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers,~~
16 ~~CPI-W, for the Northeast Region, or its successor index, as published by the United~~
17 ~~States Department of Labor, Bureau of Labor Statistics or its successor agency, with the~~
18 ~~amount of the minimum wage increase rounded to the nearest multiple of 5¢. If the~~
19 ~~highest federal minimum wage is increased in excess of the minimum wage in effect~~
20 ~~under this section, the minimum wage under this section is increased to the same amount,~~
21 ~~effective on the same date as the increase in the federal minimum wage, but in no case~~
22 ~~may the minimum wage exceed the minimum wage otherwise in effect under this section~~
23 ~~by more than \$1 per hour and must be increased in accordance with this section~~
24 ~~thereafter.~~

25 **Sec. 2. 26 MRSA §664, sub-§2**, as amended by PL 2011, c. 118, §3, is further
26 amended to read:

27 **2. Tip credit.** An employer may consider tips as part of the wages of a service
28 employee, but such a tip credit may not exceed 50% of the minimum hourly wage
29 established in this section. Starting January 1, 2017, the minimum cash wage paid
30 directly to a tipped service employee may not be less than \$5.00 per hour, and the tip
31 credit may not exceed the difference between the minimum cash wage paid directly to a
32 tipped service employee and the minimum hourly wage established under subsection 1.
33 Starting January 1, 2018, and on each January 1st thereafter, the minimum cash wage
34 paid directly to a tipped service employee must be increased by an additional \$1.00 per
35 hour until it reaches the same amount as the annually adjusted minimum hourly wage
36 established under subsection 1, except that if the minimum cash wage paid directly to a
37 tipped service employee is less than \$1.00 less than the annually adjusted minimum
38 hourly wage, it must be increased by that lesser amount. An employer who elects to use
39 the tip credit, until it is eliminated under this subsection, must inform the affected
40 employee in advance and must be able to show that the employee receives at least the
41 minimum hourly wage when direct wages and the tip credit are combined. Upon a
42 satisfactory showing by the employee or the employee's representative that the actual tips
43 received were less than the tip credit, the employer shall increase the direct wages by the
44 difference.

1 The tips received by a service employee become the property of the employee and may
2 not be shared with the employer. Tips that are automatically included in the customer's
3 bill or that are charged to a credit card must be treated like tips given to the service
4 employee. A tip that is charged to a credit card must be paid by the employer to the
5 employee by the next regular payday and may not be held while the employer is awaiting
6 reimbursement from a credit card company.

7 SUMMARY

8 This initiated bill raises the minimum wage to \$9.00 per hour in 2017 and by \$1.00
9 per hour each year after that until it is \$12.00 per hour in 2020. The minimum wage then
10 increases at the same rate as the cost of living. The minimum wage for workers who
11 receive tips increases to \$5.00 per hour in 2017 and then by \$1.00 per hour each year
12 until it matches the minimum wage for all other workers, which occurs no sooner than
13 2024.