

CERTIFICATE OF VARIANCE OR WAIVER APPROVAL
185 Fore Street, Portland, Maine

I, Stuart O'Brien, the duly appointed, qualified and acting Chair of the Planning Board for the City of Portland, Cumberland County and State of Maine, hereby certify that on May 26, 2015, the following-described variances or waivers were granted pursuant to the provisions of 30-A M.R.S.A. § 4401 *et. seq.* and the City of Portland Land Use Ordinance.

1. Property Owner:

EAST INDIA LAND COMPANY, LLC

2. Property (Tax Map and Lot No. and Registry of Deeds Reference):

Lot 23 on Tax Map 20, Block F (Registry Reference - Cumberland County Registry of Deeds, Book 30624, Page 17)

3. Variances or Waivers and Conditions of Variances or Waivers:

1. *Street Trees:*

The Planning Board finds that the applicant has demonstrated that due to site constraints preventing the planting of required street trees in the right of way, the requirements of Section 14-526(2)(b)(iii) of the Site Plan Ordinance cannot be met; and the Board finds that the applicant has satisfied the waiver criteria set out in Section 14-526(2)(b)(iii)(b) with the monetary contribution to the tree fund of \$200 per tree for six (6) trees for a total of \$1200. The Planning Board therefore voted unanimously (6-0, Boepple absent) to waive Section 14-526(b)(2)(b)(iii) Street Trees of the Site Plan Ordinance.

2. *Site Lighting:*

The Planning Board voted unanimously (6-0, Boepple absent) to waive the Technical Standard, Sections 12.2.3 Illumination Levels and 12.2.5 Light Trespass, to allow four locations near the building where maximum light levels are exceeded by up to 7.7 foot candles, and to allow some minor trespass at the property boundaries that benefit the pedestrian areas.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 11th day of August, 2015.



Stuart O'Brien, Chair
City of Portland Planning Board

STATE OF MAINE
Cumberland, ss.

August 11, 2015

Then personally appeared the above-named Stuart O'Brien, and acknowledged the above certificate to be his free act and deed in his said capacity as Chair of the Planning Board.



ELIZABETH BOEPPLE
(Printed or Typed Name)
~~Notary Public~~ ATTORNEY AT LAW

This certificate must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval or the variance is void. 30-A M.R.S.A. § 4406(1)(B).

Received
Recorded Register of Deeds
Aug 12, 2015 12:56:13P
Cumberland County
Nancy A. Lane