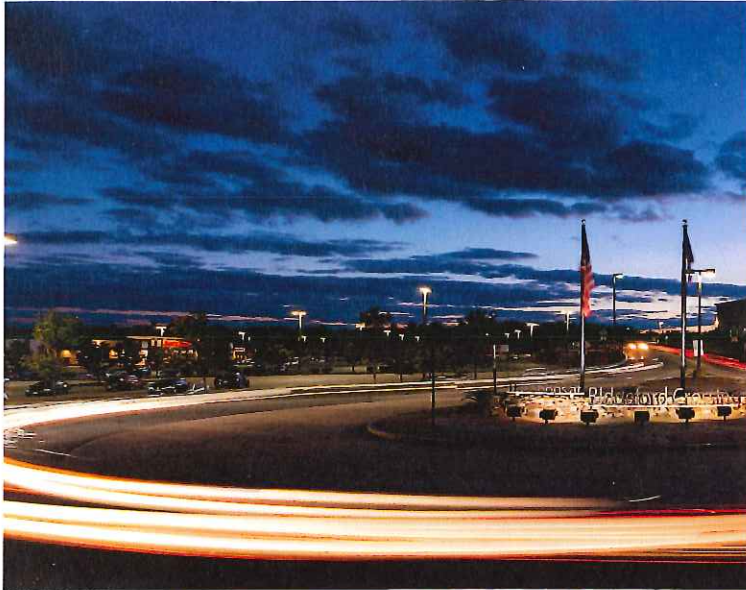
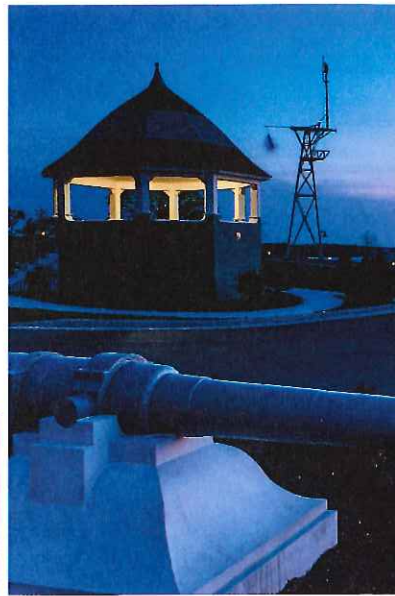


Relationships.
Responsiveness.
Results.



Traffic Permit
Application
Request for
Scoping Meeting
The Asylum Expansion
Portland, Maine

PREPARED FOR:

Tedlum Associates, LLC &
The Asylum, Inc.
121 Center Street
Portland, Maine 04101

April 2016

SUBMITTED BY:

Gorrill Palmer
707 Sable Oaks Drive
Suite 30
So. Portland, ME 04106
207.772.2515



Gray, Maine & Spotsylvania, Virginia
www.gorrillpalmer.com

April 14, 2016

Mr. Rick Knowland
City of Portland Planning Division
389 Congress Street, 4th Floor
Portland, Maine 04101

RE: Application for Traffic Movement Permit
Asylum Expansion Project
Portland, Maine

Dear Mr. Knowland,

Gorrill Palmer (GP) has been retained by the Asylum Inc. to prepare this Traffic Movement Permit Application for the proposed Asylum expansion project located on Center Street between Free Street and Lancaster Lane in Portland, Maine.

We have attached the following information in support of this application:

- Three copies of sections 1-6
- Signed application form
- Notice of intent to file
- List of abutters
- \$1,000 application fee

Please contact our office with any questions regarding this application.

Sincerely,

Gorrill Palmer



Randy Dunton, PE, PTOE
Senior Engineer

Copy: John Kenney, WBRC
Timothy Soucie, MaineDOT Region I Traffic Engineer



TOTALLY COMMITTED

Sports Bar

Dance Club

Loisige

March 17, 2016

To Whom It May Concern:

Tedlum LLC and The Asylum have retained the services of WBRC Architects - Engineers located in Portland, Maine to prepare requisite local site plan permit application materials for two building additions, building renovations and associated site improvements at 121 Center Street in Portland, Maine.

We, the undersigned, hereby authorize WBRC Architects - Engineers and their sub-consultants contracted and assigned to the above mentioned project to act on behalf of Tedlum LLC and The Asylum in matters related to these permits, including signing of documentation. Please contact my office at (207) 232-4693 should you have any questions.

Sincerely,

Valerie Levy, Owner

Asylum Inc.

121 Center Street

Portland Maine 04101

© 207.772.8274

fax 207.772.8738

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE
ID# _____

12/99

Total Fees: _____
Date Received: _____

**PERMIT APPLICATION – TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. §704-A**

Please type or print:

This application is for (check all that apply):
Traffic 100-200 PCE's
Traffic 200 + PCE's

Name of Applicant: Tedlum Associates LLC & The Asylum Inc.

Address: 121 Center Street, Portland, ME 04101 Telephone: _____

Name of local contact or agent: Randy Dunton – Gorrill Palmer

Address: 707 Sable Oaks Drive, Suite 30, South Portland, ME 04106

Telephone: (207) 772-2515

Name and type of development: The development consists of adding 5,208 sf to the
basement, 5,497 sf to the first floor, and building a 3,732 sf balcony

Location of development including road, street, or nearest route number: The site is located
at 121 Center Street.

City/Town/Plantation: Portland County: Cumberland Tax Maps: F9SE Lots: 027
F009, 027 F010, 027 F015, 027 F028

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704-A (7)? No

Was this development started prior to obtaining a traffic permit? No

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30-A, chapter 187)?
Yes X No _____

Is this project located within a compact area of an urban compact municipality? Yes X No _____

Is this development or any portion of the site currently subject to state or municipal enforcement action?
None Known

Existing DEP or MDOT permit number (if applicable): Delegated review is to the City

Name(s) DOT staff person(s) contacted concerning this application None

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applicants: _____

To be held

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE
ID# _____

12/99

Total Fees: _____
Date Received: _____

CERTIFICATION

This person responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the applicant for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: *Randall E. Dunton*

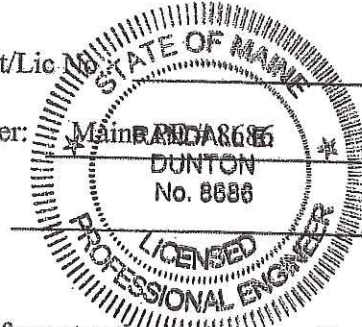
Name (print): Randall E. Dunton

Date: April 13, 2016

Re/Cert/Lic No. _____

Engineer: Maine RANDA8686

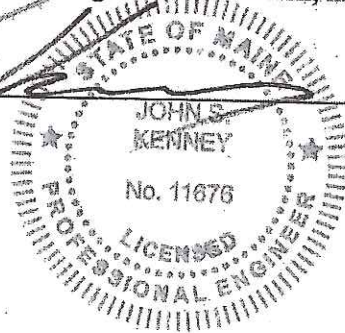
Other: _____



If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature of applicant
[Signature]
AGENT



4/5/2016
Date

WBRC
ARCHITECTS • ENGINEERS
44 Central Street
Bangor, Maine 04401
207/947-4511

BANGOR
SAVINGS BANK
BANGOR, ME 04401
52-7438/2112

104578

CHECK DATE

4/7/16

PAY One thousand dollars and ⁰⁰/₁₀₀ —
TO City of Portland

AMOUNT
\$1,000.00

Samuel P. Ross
AUTHORIZED SIGNATURE

Security Check features
included.
Details on back.

⑈ 104578 ⑈ ⑆ 211274382⑆ 2010001721⑈

WBRC
ARCHITECTS • ENGINEERS
44 Central Street
Bangor, Maine 04401
207/947-4511

EMILY BUSINESS FORMS 800 392 6018 VISION

104578

Traffic Movement Permit

4071.10 / Asylum Expan + Reno

NOTICE OF INTENT TO FILE

Please take notice that:

Tedlum Associates LLC & The Asylum Inc.
121 Center Street
Portland, ME 04101

is intending to file a MaineDOT Traffic Permit application with the City of Portland (Delegated Review Authority) pursuant to the provisions of 23 M.R.S.A. §704 – A on or about April 13, 2016.

This application is for:

The expansion of The Asylum in Portland, Maine. The proposed development is to expand the basement and first floor, and add a balcony to the facility. This expansion will increase the capacity of the facility by 557 people. The project is forecast to generate 156 PM peak hour trip ends. The project is expected to open in 2017.


At the following location:

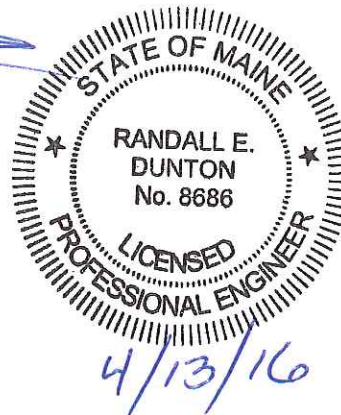
The site is located within the block defined by Free Street, Center Street, and Lancaster Lane.

A request for a public hearing must be received by the City, in writing no later than 20 days after the application is found by the department to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Transportation's office in Scarborough (Region 1) during normal working hours. A copy of the application may also be seen at the municipal offices in Portland, Maine.

Written public comments may be sent to the following address: Attention Rick Knowland, Planning Division, 389 Congress Street, Portland, Maine 04101.


Randall Dunton, P.E., PTOE
Gorrill-Palmer Consulting Engineers, Inc.



CBL	PROP_LOC	OWNR_NAME1	MAIL_ADDR1	OWNR_CITY	OWNR_STATE	ZIPCODE	ProjectDesc
027	F001001	50 MONUMENT LLC	PO BOX 1671	BLUE HILL	ME	04614	2016069 Asylum Expansion and Renovation
027	F002001	BUDDE SCOTT & CHARLOTTE F COLE JTS	28 MONUMENT SQ # 1	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F002002	STODDARD ROBERT B & ELIZABETH W SODDARD JTS	28 MONUMENT SQ # 2	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F002003	28 MSQ LLC	302 CHANDLER'S WHARF	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F002004	28 MSQ LLC	302 CHANDLER'S WHARF	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F002005	28 MSQ LLC	302 CHANDLER'S WHARF	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F003001	22 MONUMENT SQUARE LLC	22 MONUMENT SQ STE 600	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
027	F004001	PARCHEGGIO LLC	79 BOW ST	FREEPORT	ME	04032	2016069 Asylum Expansion and Renovation
027	F005001	18 MONUMENT SQUARE LLC	PO BOX 4894	PORTLAND	ME	04112	2016069 Asylum Expansion and Renovation
027	F029001	ONE CITY CENTER ASSOCIATES LLC	ONE CITY CENTER	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
037	I003001	482 CONGRESS LP	21 TECHNOLOGY DR	WEST LEBANON	NH	03784	2016069 Asylum Expansion and Renovation
037	I012001	482 CONGRESS LP	21 TECHNOLOGY DR	WEST LEBANON	NH	03784	2016069 Asylum Expansion and Renovation
038	D015001	CUMBERLAND COUNTY RECREATION CENTER	1 CIVIC CENTER SQ	PORTLAND	ME	04101	2016069 Asylum Expansion and Renovation
038	I018001	JB BROWN & SONS	PO BOX 207	PORTLAND	ME	04112	2016069 Asylum Expansion and Renovation

Section I Site and Traffic Information

I.A. Site Description and Site Plan

The site is located on Center Street between Free Street and Lancaster Lane in Portland, Maine. The site is identified on City Tax Map 27, Lots F009, F010, F015, and F028. A proposed site plan is included in Attachment IA.

I.B. Existing and Proposed Site Uses

The existing site has a 15,600 sf building at 121 Center Street most of which is proposed to remain. The proposed project consists of the demolition of a small portion of the existing building, the expansion of the basement and first floor, and the addition of a balcony, which will give a total gross floor area of 24,459 sf. Existing vehicular access to the site is via a left in / left out driveway onto Free Street and Lancaster Lane on Center Street. The only proposed vehicular access to the site will be via Lancaster Lane on Center Street as the existing driveway on Free Street will be repurposed as a pedestrian access. There will be very limited on-site parking. The Asylum plans to lease the required number of parking spaces off-site.

I.C. Site Vicinity and Boundaries

The site is bordered by Free Street, Center Street, and Lancaster Lane. A site location map showing the development area is included in attachment IC to this section.

I.D. Proposed Uses in the Vicinity of the Proposed Development

Approved projects that are not yet opened as well as projects for which applications have been filed are required to be included in the predevelopment volumes for this project. Based on conversations with Barbara Barhydt, Portland Development Review Services Manager, there are many downtown projects that may need to be considered. Of the downtown projects the following may be included in the background traffic:

- 443 Congress Street – 28 Residential Units
- Eastman Block Condominium – 4 Residential Units with a Restaurant
- Longfellow Apartments – 139 Units with Retail
- 749 Congress Street – Hotel and 7 Townhouses
- York Street Development – 63 Residential Units with Retail

The traffic from these developments will be considered in the traffic analysis.

I.E. Trip Generation

The proposed Asylum expansion will increase the capacity of the facility by 557 people. The additional traffic will be 3.5 occupants per vehicle, which will result in 159 additional trip ends. This trip generation rate is consistent with the Civic Center project and the Thompson's Point project.

A trip end is defined as a trip into or out of the site; thus a round trip is equal to two trip ends. Since the forecast traffic exceeds 99 trip ends during a peak hour, a Maine Department of Transportation Traffic Movement Permit is required.

I.F. Trip Distribution

It is assumed that all traffic will be entering the site. This is a conservative approach, since this will assign more traffic to the study area intersection than is actually anticipated.

I.G. Trip Composition and Assignment

GP has assumed that all trips are primary trips made for the sole purpose of going to and from the site. The trip assignment has been based on the traffic counts at the study area intersections. The trip assignment is shown on the attached Figure.

I.H. Attachments

Attachment IA – Site Survey, Proposed Site Plan
Attachment IB – Trip Generation Calculations
Attachment IC – Site Location Map, Trip Assignment Diagram

Attachment 1B
Trip Generation Calculations



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JOB 3131

SHEET NO. _____

OF _____

CALCULATED BY ET

DATE

4/6/16

CHECKED BY _____

DATE _____

SCALE _____

Expansion of Asylum

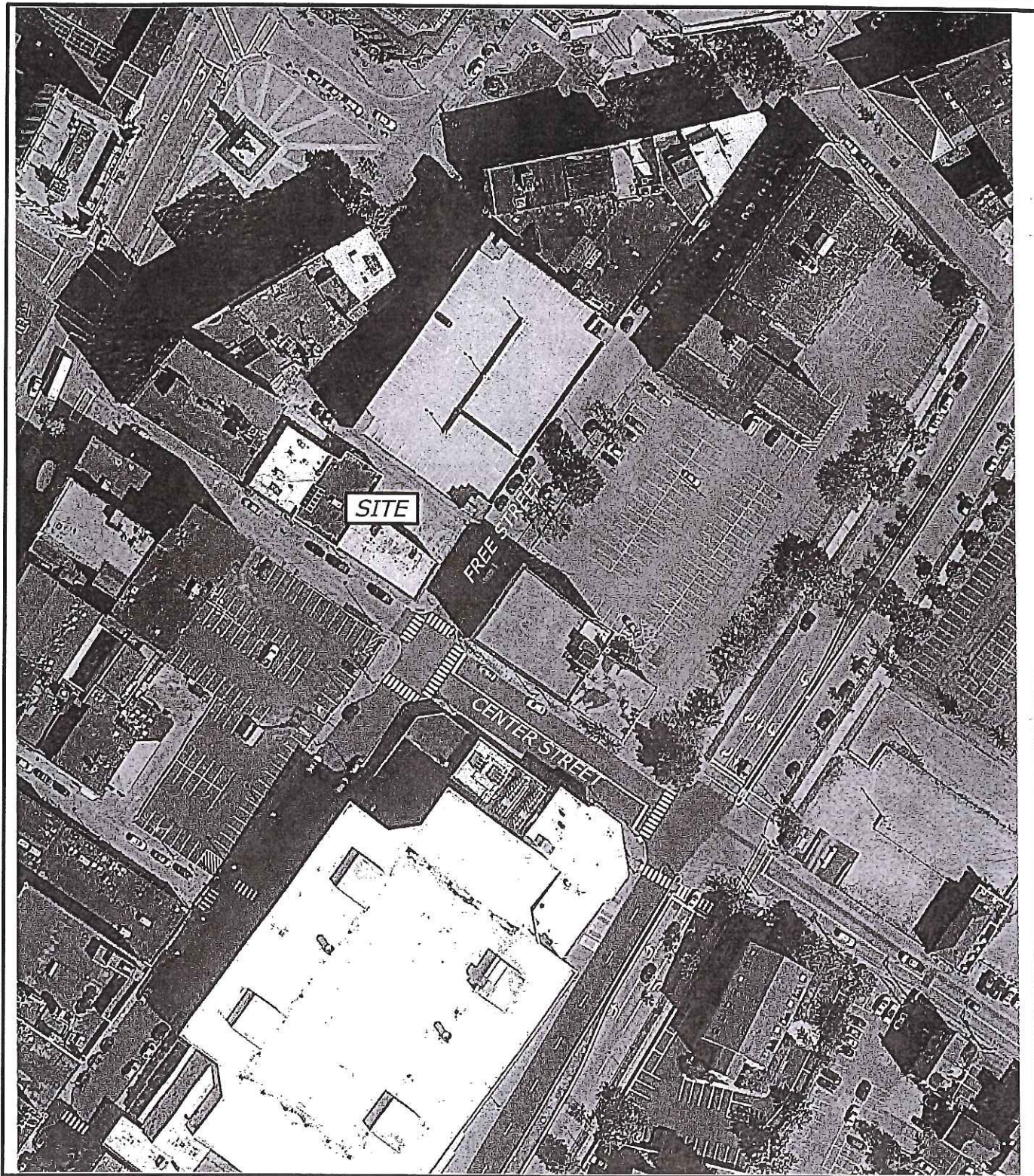
Increased capacity by 557 people

3.5 occupants/vehicle

$$\frac{557}{3.5} = \underline{159 \text{ trip ends}}$$

Location Map

Figure No. 1



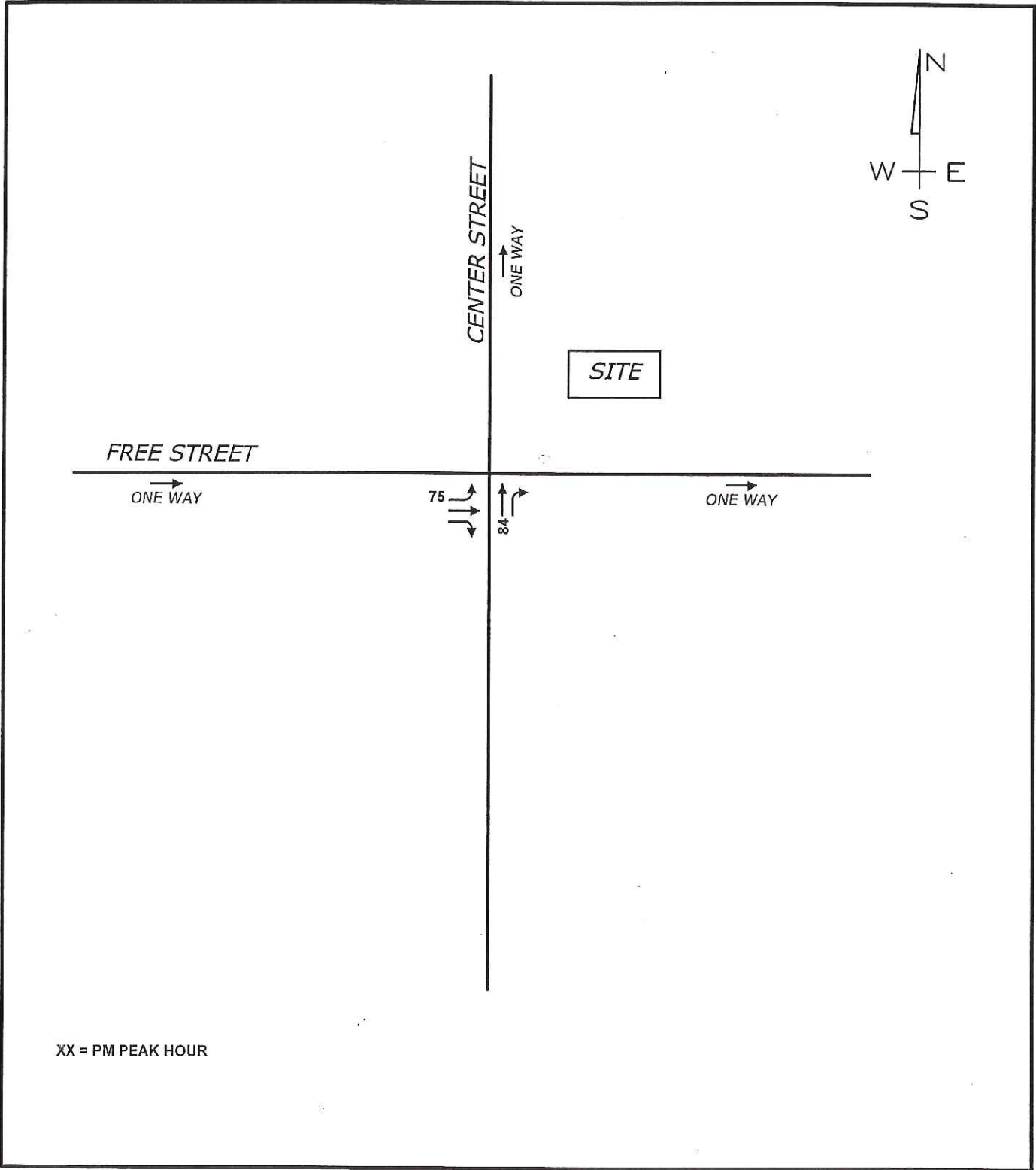
ASYLUM EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
Draft: CG Date: APRIL 2016
Checked: RED File Name: 3131-TRAFF.dwg



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ASYLUM EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
Draft: CG Date: APRIL 2016
Checked: RED File Name: 3131-TRAFF.dwg

Section 2 Traffic Crashes

2.A. Crash Summary Data

Gorrill Palmer obtained the crash data from MaineDOT for the period of 2013-2015, the most recent period available.

In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual crash rate to the rate for similar intersections in the state. A CRF of less than 1.00 indicates a rate of less than average) and:
2. A minimum of eight crashes over the same three-year period.

Based on the crash data provided by MaineDOT, the intersection of Center Street / Free Street is not a high crash location. The intersection has a CRF of 1.29 and saw four collisions over the three-year period. Two of these collisions involved pedestrians on skateboards and a third collision was a rear end that occurred due to a vehicle stopped for a pedestrian in the crosswalk on Center Street. These collisions involving pedestrians all occurred after the intersection was updated with ADA compliant crosswalks during the Cross Insurance Arena renovations.

2.B. Attachments

Attachment 2A – Crash History

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

- Crash Summary I - Single Node
- Section Detail
- Crash Summary II
- 1320 Public
- 1320 Private
- 1320 Summary

REPORT DESCRIPTION

Center/Free

REPORT PARAMETERS

Year 2013, Start Month 1 through Year 2015 End Month: 12

Route: 0560122

Start Node: 18976

Start Offset: 0

End Node: 18976

End Offset: 0

Exclude First Node

Exclude Last Node

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	K	A	B	C	PD	Injury Crashes	Percent Annual M Injury Ent-Veh	Crash Rate	Critical Rate	CRF
18976	0560122 - 0.24	0509396 POR, FREE, CENTER ST.	2	4	0	1	0	2	1	75.0	2.402	0.55	0.43	1.29
Statewide Crash Rate: 0.14														
NODE TOTALS:				4	0	1	0	2	1	75.0	2.402	0.56	0.43	1.29

Study Years: 3.00

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash

Driver Action at Time of Crash	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
No Contributing Action	3	0	0	0	0	0	3
Ran Off Roadway	0	0	0	0	0	0	0
Failed to Yield Right-of-Way	1	1	0	0	0	0	2
Ran Red Light	0	0	0	0	0	0	0
Ran Stop Sign	0	0	0	0	0	0	0
Disregarded Other Traffic Sign	0	0	0	0	0	0	0
Disregarded Other Road Markings	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	0	0	0	0	0	0
Drove Too Fast For Conditions	0	0	0	0	0	0	0
Improper Turn	0	0	0	0	0	0	0
Improper Backing	0	0	0	0	0	0	0
Improper Passing	0	0	0	0	0	0	0
Wrong Way	0	0	0	0	0	0	0
Followed Too Closely	0	1	0	0	0	0	1
Failed to Keep in Proper Lane	0	0	0	0	0	0	0
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	0	0	0	0	0	0	0
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	0	0	0	0	0	0	0
Over-Correcting/Over-Steering	0	0	0	0	0	0	0
Other Contributing Action	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0
Total	4	2	0	0	0	0	6

Crashes by Apparent Physical Condition And Driver

Apparent Physical Condition	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
Apparently Normal	4	2	0	0	0	2	8
Physically Impaired or Handicapped	0	0	0	0	0	0	0
Emotional(Depressed, Angry, Disturbed, etc.)	0	0	0	0	0	0	0
Ill (Sick)	0	0	0	0	0	0	0
Asleep or Fatigued	0	0	0	0	0	0	0
Under the Influence of Medications/Drugs/Alcohol	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total	4	2	0	0	0	2	8

Driver Age by Unit Type

Age	Driver	Bicycle	Snow/Mobile	Pedestrian	ATV	Total
09-Under	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	0	0	0	0	0	0
20-24	1	0	0	0	0	1
25-29	2	0	0	0	0	2
30-39	2	0	0	0	0	2
40-49	1	0	0	0	0	1
50-59	0	0	0	0	0	0
60-69	0	0	0	0	0	0
70-79	0	0	0	0	0	0
80-Over	0	0	0	0	0	0
Unknown	0	0	0	2	0	2
Total	6	0	0	2	0	8

Crash Summary II - Characteristics

Most Harmful Event		Most Harmful Event		Injury Data		
	Total	Most Harmful Event	Total	Severity Code	Injury Crashes	Number Of Injuries
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	0	K	0	0
2-Fire / Explosion	0	39-Unknown	0	A	1	1
3-Immersion	0	40-Gate or Cable	0	B	0	0
4-Jackknife	0	41-Pressure Ridge	0	C	2	2
5-Cargo / Equipment Loss Or Shift	0	Total	6	PD	1	0
6-Fell / Jumped from Motor Vehicle	0			Total	4	3
7-Thrown or Falling Object	0					
8-Other Non-Collision	0					
9-Pedestrian	2					
10-Pedalcycle	0					
11-Railway Vehicle - Train, Engine	0					
12-Animal	0					
13-Motor Vehicle in Transport	4					
14-Parked Motor Vehicle	0					
15-Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle	0					
16-Work Zone / Maintenance Equipment	0					
17-Other Non-Fixed Object	0					
18-Impact Attenuator / Crash Cushion	0					
19-Bridge Overhead Structure	0					
20-Bridge Pier or Support	0					
21-Bridge Rail	0					
22-Cable Barrier	0					
23-Culvert	0					
24-Curb	0					
25-Ditch	0					
26-Embankment	0					
27-Guardrail Face	0					
28-Guardrail End	0					
29-Concrete Traffic Barrier	0					
30-Other Traffic Barrier	0					
31-Tree (Standing)	0					
32-Utility Pole / Light Support	0					
33-Traffic Sign Support	0					
34-Traffic Signal Support	0					
35-Fence	0					
36-Mailbox	0					
37-Other Post Pole or Support	0					

Road Character		Traffic Control Devices		Light	
	Total	Traffic Control Device	Total	Light Condition	Total
1-Level	0	1-Traffic Signals (Stop & Go)	0	1-Daylight	2
2-On Grade	4	2-Traffic Signals (Flashing)	0	2-Dawn	0
3-Top of Hill	0	3-Advisory/Warning Sign	0	3-Dusk	0
4-Bottom of Hill	0	4-Stop Signs - All Approaches	0	4-Dark - Lighted	2
5-Other	0	5-Stop Signs - Other	4	5-Dark - Not Lighted	0
Total	4	6-Yield Sign	0	6-Dark - Unknown Lighting	0
		7-Curve Warning Sign	0	7-Unknown	0
		8-Officer, Flagman, School Patrol	0	Total	4
		9-School Bus Stop Arm	0		
		10-School Zone Sign	0		
		11-R.R. Crossing Device	0		
		12-No Passing Zone	0		
		13-None	0		
		14-Other	0		
		Total	4		

Maine Department Of Transportation - Traffic Engineering, Crash Records Section
Crash Summary II - Characteristics

Crashes by Year and Month

Month	2013	2014	2015	Total
JANUARY	0	0	0	0
FEBRUARY	0	1	0	1
MARCH	0	0	0	0
APRIL	0	0	0	0
MAY	0	0	0	0
JUNE	0	0	1	1
JULY	0	0	0	0
AUGUST	0	0	0	0
SEPTEMBER	0	1	0	1
OCTOBER	0	0	1	1
NOVEMBER	0	0	0	0
DECEMBER	0	0	0	0
Total	0	2	2	4

Report is limited to the last 10 years of data.

Crash Summary II - Characteristics

Crashes by Crash Type and Type of Location

Crash Type	Straight Road	Curved Road	Three Leg Intersection	Four Leg Intersection	Five or More Leg Intersection	Driveways	Bridges	Interchanges	Other	Parking Lot	Private Way	Cross Over	Railroad Crossing	Total
Object in Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rear End / Sideswipe	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Head-on / Sideswipe	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intersection Movement	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Pedestrians	0	0	0	2	0	0	0	0	0	0	0	0	0	2
Train	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Went Off Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jackknife	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rollover	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Submersion	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thrown or Falling Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bear	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deer	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moose	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	4	0	0	0	0	0	0	0	0	0	4

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Blowing Sand, Soil, Dirt	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Blowing Snow	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Clear	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	1	1
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	2	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	2
Cloudy	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Lighted	1	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	1
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Fog, Smog, Smoke												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Other												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Rain												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Severe Crosswinds												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Sleet, Hail (Freezing Rain or Drizzle)												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	3	0	0	0	0	0	0	0	0	0	0	4

Section 3 Development Entrances and Exits

3.A. Entrance and Exit Locations

Vehicular access to the site is via Lancaster Lane (right in / right out) on Center Street. The existing site also has a left in / left out driveway onto Free Street that will be repurposed as a pedestrian access as part of this development.

3.B. Plan View

Attachment IA of Section I shows the proposed site plan.

- Frontage Road – Center Street
- Assumed Speed Limit – 25 mph
- Sight Lines – The speed limit on Center Street is not posted and assumed to be 25 mph, which requires a MaineDOT and City available sight distance of 200 feet. The available sight distance when exiting the site driveway looking left is restricted due to adjacent parked vehicles. However, this is not uncommon in a downtown urban environment. The City may want to consider removing the most immediate spaces.

Section 4
Title, Right or Interest

4.A. Evidence of Title, Right or Interest

A copy of the Deed is included in Attachment 4A.

4.B. Attachments

Attachment 4A – Deed

QUITCLAIM DEED WITHOUT COVENANT (Release Deed)
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that I, Valerie J. Levy of Buxton, County of York, and State of Maine, for consideration paid, RELEASE to Tedlum Associates, LLC a Maine Limited Liability Company, the mailing address of which is c/o Verrill Dana, LLP, One Portland Square, P.O. Box 586, Portland, Maine 04112, all my right, title, and interest in and to certain real estate situated on Free and Center Streets, in the City of Portland, County of Cumberland, and State of Maine, which is more particularly described in Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey the premises conveyed to Valerie J. Levy by Quitclaim Deed with Covenant from Second Century Blues dated April 18, 1997 and recorded in the Cumberland County Registry of Deeds in Book 13038, Page 325 and by Quitclaim Deed with Covenant from Joseph Paulin dated June 16, 1997 and recorded in the Cumberland County Registry of Deeds in Book 13143, Page 256. Together with the right of first refusal as set forth in the Deed dated October 23, 1985 and recorded in Book 6946, Page 211, to the extent it is still in effect.

WITNESS my hand and seal this 29th day of October, 2015.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

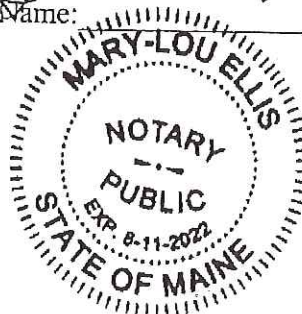
Ray Pelletier Witness Raymond A. Pelletier By: Valerie J. Levy Printed Name: Valerie P. Levy

STATE OF MAINE
County of Cumberland, SS.

October 29, 2015

Then personally appeared the above-named Valerie J. Levy and acknowledged the foregoing instrument to be her free act and deed.

Before me,
Mary-Lou Ellis
Notary Public/Maine Attorney at Law
Printed Name: _____



SEAL

EXHIBIT A

A certain lot or parcel of land situated at the intersection of the easterly sideline of Center Street and the Northerly sideline of Free Street, so called, in the City of Portland, County of Cumberland, State of Maine and being more particularly bounded and described as follows:

Beginning at said intersection point on the easterly sideline of Center Street and the northerly sideline of Free Street;

Thence N68° 11' 20" E thirty-five and forty-nine hundredths feet (35.49') by and along the northerly sideline of said Free Street to a point at the southwesterly corner of other land now or formerly of John Martin Enterprises;

Thence N20° 15' 16"W one and seventy-five hundredths feet (1.75') by and along the westerly sideline of other land at said John Martin Enterprises to the southeasterly corner of the present Art Gallery Restaurant;

Thence continuing N20° 15' 16"W seventy-six and fifty-eight hundredths feet (76.58') by and along the easterly face of the present Art Gallery Restaurant to an internal corner of said Restaurant;

Thence N65° 23' 05" E twenty-six and seventy-six hundredths feet (26.76') by and along the southerly face of the present Art Gallery Restaurant to a point near an external corner of said Restaurant on the westerly sideline of land now or formerly of One City Center Associates;

Thence N24° 25' 40"W forty-two and forty-three hundredths feet (42.43') by or near the easterly face of said Restaurant and the westerly sideline of said One City Center Associates and to an angle point;

Thence N70° 34' 30"E nine and thirteen hundredths (9.13') by and along the northerly sideline of said One City Center Associates land to an angle point;

Thence N21° 48' 40"W seventeen and seventy-two hundredths feet (17.72') by and along the westerly sideline of said One City Center Associates land to an angle point;

Thence N68° 11' 20" E seventy-one and twenty-three hundredths feet (71.23') by and along the northerly sideline of said One City Center Associates to an angle point on the westerly sideline of land, now or formerly of A.H. Benoit & Company;

Thence N 18° 15' 00" W twenty-three and fifty-two hundredths feet (23.52') by and along the westerly sideline of said Benoit land to an angle point;

Thence S79° 41' 00" W zero and fifty hundredths feet (0.50') to an angle point;

Thence S18° 15' 00" E eight and zero hundredths feet (8.00') to an angle point;

Thence S 79° 41' W twenty and zero hundredths feet (20.00') to an angle point;

Thence N18° 15' 00" W five and zero hundredths feet (5.00') to an angle point on or near the southerly sideline on Lancaster Lane, so called;

Thence S76° 23' 20" W twenty-five and fifty-three hundredths feet (25.53') to an angle point in the southerly sideline of said Lancaster Lane;

Thence S66° 23' 00" W forty-six and ninety-five hundredths feet (46.95') by and along the southerly sideline of said Lancaster Lane to an angle point;

EXHIBIT A Continued

Thence S65° 40' 50" W fifty-nine and five hundredths feet (59.05') by and along the southerly sideline of said Lancaster Lane to an intersection point with the easterly sideline of said Center Street;

Thence S24° 21' 10" E one hundred sixty-three and sixty-three hundredths feet (163.63') by and along the easterly sideline of said Center Street to the point of beginning.

Meaning and intending to describe a parcel of land containing 11,070 square feet, more or less, and being shown on a plan entitled "Plan of Land for Art Gallery Restaurant -- Center and Free Streets -- Portland, Maine" by Sebago Technics dated May 23, 1985 as revised and to be recorded in the Cumberland County Registry of Deeds.

Meaning and intending to convey and hereby conveying a portion of the premises described in Indenture Deed from Portland Renewal Authority to S & J Corporation (now John Martin Enterprises) dated June 24, 1977 and recorded at the Cumberland County Registry of Deeds in Book 4050, Page 238, and the premises described in Deed from Anthony's to S & J Corporation (now John Martin's Enterprises) dated September 6, 1973 and recorded at the Cumberland County Registry of Deeds in Book 3455, Page 157.

Together with a certain easement in common with Grantor for purposes of pedestrian access, and a right to the grantee, its successors and assigns only, to construct and maintain a canopy, on and over Easement Area V as designated on "Plan of Land in Portland, Maine, Free Street, for One City Center Associates" prepared by Owen Haskell, Inc. dated June 20, 1984 and recorded in the Cumberland County Registry of Deeds in Plan Book 143, Page 27. Said Easement being further described in deed from the City of Portland to John Martin Enterprises dated June 22, 1984 and recorded at said Registry in Book 6489, Page 174, and together with the benefit of and subject to all appurtenances, additional rights, conditions, restrictions and encumbrances as referenced in said deed as affecting Easement Area V.

And further together with a right of way in common with others in, on and over a certain alley known as Lancaster Lane adjoining the above-described premises and extending from Center Street easterly to the rear of the easterly line of the premises herein conveyed, all as more particularly shown on the above-referenced Plan by Sebago Technics as "Lancaster Lane (private passageway)". Said right of way was established by agreement dated April 11, 1913, recorded in said Registry in Book 810, Page 187, and by agreement dated September 11, 1851 and recorded in said Registry in Book 231, Page 331, and as other wise may exist.

And together with all rights, title or interest, if any, in and to all passageways, lanes, streets or alleys adjoining, abutting and/or running with the above-described premises.

The above-described premises are conveyed subject to the following:

1. Sewer Agreement between Frad H. Dow, William H. Dow, James P. Baxter dated August 27, 1913 and recorded in said Registry in Book 915, Page 452.

2. A ten foot wide easement identified as Easement Area II on the above-referenced Sebago Technics Plan, said easement being described in Deed of John Martin Enterprises to the City of Portland dated June 22, 1984 and recorded at said Registry in Book 6489, Page 170.

3. Terms and conditions contained and referenced in Indenture Deed from Portland Renewal Authority to S & J Corp, dated June 24, 1977 and recorded at said Registry of Deeds in Book 4050, Page 238, as the same have been modified and released by a certain Certificate of Completion and Release dated October 15, 1985, to be recorded at the Cumberland County Registry of Deeds.

EXHIBIT A Continued

4. Terms and Conditions of a certain party wall agreement by and between Fred H. Dow et al and James P. Baxter dated August 1, 1913 and recorded at said registry in Book 815, Page 299.

5. Terms and conditions of a certain party wall agreement by and between A. H. Benoit and Company and Anthony's dated April 2, 1969 and recorded at said Registry in Book 3083, Page 572.

6. Terms and conditions of a certain party wall agreement by and between Fred H. Dow et al and J. B. Brown & Sons dated May 17, 1910 and recorded in said Registry in Book 858, Page 81.

Reserving to the Grantor, its successors and assigns, the right to construct on adjoining land being retained by Grantor a wall abutting the two walls of the existing building on the above-described premises which adjoin the premises retained by Grantor, and Grantor covenants and agrees that said wall shall be constructed only after Grantee shall have had the opportunity to review and approve the plans of Grantor as to the structural matters only, and providing further, (1) that said wall shall not use the walls on land of Grantee for purposes of either lateral or horizontal support, (2) that such abutting wall shall be constructed in such manner so as to protect Grantee's existing walls from weather, (3) that Grantee shall have the right to construct abutting walls, (4) that Grantor in erecting any such wall and building shall do so at such times and in such manner so as not to and shall not interfere with or disrupt Grantee's use and enjoyment of the above granted premises and (5) that Grantor, its successors and assigns shall indemnify Grantee for any loss, cost or injury which Grantee may suffer by reason of the construction and/or maintenance of said abutting wall.

The above references to "Grantor" are to John Martin Enterprises in deed dated October 23, 1985 and recorded in said Registry of Deeds Book 6946, Page 211.

Received
Recorded Register of Deeds
Nov 03, 2015 11:50:42A
Cumberland County
Nancy A. Lane

WARRANTY DEED

This Warranty Deed (the "Agreement") is made and effective 7-21-15.

Between: The Surplus Store, Inc. (the "Grantor"), a corporation organized and existing under the laws of the State of Maine, County of Cumberland, with its office located at:

15 Woodville Road
Falmouth, Maine 04105

AND: Tedlum Associates, LLC (the "Grantee"), a Maine limited liability company with a mailing address of:

c/o Verrill Dana, LLP
One Portland Square, 9th Floor
P.O. Box 586
Portland, Maine 04112-0586

For good consideration, Grantor hereby grants, bargains, deeds and conveys, to Grantee the land legally described as a certain lot of land located on Free Street, in Portland, Maine, Lot 028, Block F, Map 027, and more fully described on Exhibit A attached hereto and made a part hereof.

COVENANTS

Grantor, for itself and its heirs, successors and assigns, hereby covenants with Grantee, its heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above-described premises; that it has a good right to convey; that the premises are free from all encumbrances; that Grantor and its, successors and assigns, and all persons acquiring any interest in the property granted, through or for Grantor, will, on demand of Grantee, or its heirs, successors or assigns, and at the expense of Grantee, its heirs, successors or assigns, execute an instrument necessary for the further assurance of the title to the premises that may be reasonably required; and that Grantor and its heirs, successor sand assigns will forever warrant and defend all of the property

MAINE REAL ESTATE TAX PAID

so granted to Grantee, its heirs, successor and assigns, against every person lawfully claiming the same or any part thereof.

Being the same property conveyed to the Grantor by deed of March 4, 1997, and recorded in the Cumberland County Registry of Deeds in Book 13038, Page 288.

IN WITNESS WHEREOF, the Grantor has caused this agreement to be executed at the Portland, Maine office of Verrill Dana, LLP on July 1, 2015.

WITNESS

THE SURPLUS STORE, INC.

By: Larry H. Rose
Title: V.P.
Print Name: LARRY H. ROSE

State of Maine
County of Cumberland, ss,

July 21, 2015

Personally appeared the above named Larry H. Rose,
Vice President of The Surplus Store, Inc., and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free and deed of The Surplus Store, Inc.

Before me,

Ellen R. Guptill
Notary Public/Attorney at Law
Print Name: _____
Commission Expires: ELLEN R. GUPTILL
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES APRIL 23, 2021

SEAL

EXHIBIT A

A certain lot or parcel of land on the northerly side of Free Street, I the City of Portland and County of Cumberland, Maine bounded and described as follows:

The lot or land on Free Street designated as "Area To Be Retained 3160 Sq. Ft." on the plan entitled "Plan of Land for Art Gallery Restaurant, Center and Free Street, Portland, Maine", dated May 23, 1985, a copy of which plan is attached to the deed from John Martin Enterprises dated January 15, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7347, Page 8.

Received
Recorded Register of Deeds
Jul 23, 2015 11:31:22A
Cumberland County
Nancy A. Lane

Section 5
Public or Private Rights-of-Way

5.A. Public or Private Rights-of-Way

The site will have a right in / right out driveway onto Center Street. The existing driveway on Free Street is being repurposed as a pedestrian access. No other accesses or public rights of way are anticipated.