

28-L-7

2002-0156

127-131 Middle St.

Renovations - Radcliffe Block  
Radcliffe Block LLC.

on Spreadsheet

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

2002-0156  
Application I. D. Number  
  
07/08/2002  
Application Date

**Rackleff Block Llc**  
Applicant  
**17 Colonial Dr , Killingworth, CT 06419**  
Applicant's Mailing Address

**Rackleff Block Renovations**  
Project Name/Description

Consultant/Agent  
**Applicant Ph: (207) 846-3150 Agent Fax:**  
Applicant or Agent Daytime Telephone, Fax

**127 - 131 Middle St, Portland, Maine**  
Address of Proposed Site  
**028 L007001**  
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

**20,700 sf** Proposed Building square Feet or # of Units **B3** Zoning  
Acreage of Site \_\_\_\_\_

**Check Review Required:**

- |   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                       | <input type="checkbox"/> Shoreland                   | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance             |  | <input type="checkbox"/> Other _____             |

Fees Paid: Site Plan **\$400.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date **07/09/2002**

**Planning Approval Status:**

Reviewer \_\_\_\_\_

- Approved**  **Approved w/Conditions** See Attached  **Denied**

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

**Performance Guarantee**  **Required\***  **Not Required**

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                            |  |                             |
|---|----------------------------|--|-----------------------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____ date _____           | _____ amount _____                                 | _____ expiration date _____ |
| <input type="checkbox"/> Inspection Fee Paid                | _____ date _____           | _____ amount _____                                 |                             |
| <input type="checkbox"/> Building Permit Issue              | _____ date _____           |  |                             |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____ date _____           | _____ remaining balance _____                      | _____ signature _____       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ date _____           | <input type="checkbox"/> Conditions (See Attached) | _____ expiration date _____ |
| <input type="checkbox"/> Final Inspection                   | _____ date _____           | _____ signature _____                              |                             |
| <input type="checkbox"/> Certificate Of Occupancy           | _____ date _____           |  |                             |
| <input type="checkbox"/> Performance Guarantee Released     | _____ date _____           | _____ signature _____                              |                             |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____ submitted date _____ | _____ amount _____                                 | _____ expiration date _____ |
| <input type="checkbox"/> Defect Guarantee Released          | _____ date _____           | _____ signature _____                              |                             |

# City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: <b>127-131 MIDDLE STREET</b>		Zone: <b>B-3</b>
Total Square Footage of Proposed Structure <b>20,700 SF (EXISTING)</b>		Square Footage of Lot <b>8,272 SF</b>
Tax Assessor's Chart, Block & Lot Chart# <b>028</b> Block# <b>L</b> Lot# <b>28</b>	Property owner, mailing address: <b>RACKLEFF BLOCK LLC 17 COLONIAL DRIVE KILMICKWORTH, CONN. 06419</b>	Telephone: <b>207-846-3150 (LOCAL)</b>
Consultant/Agent, mailing address, phone & contact person <b>MARK MUEBER ARCHITECTS 100 COMMERCIAL ST. #207 PORTLAND, MAINE 04101 774-9057</b>	Applicant name, mailing address, telephone #/Fax#/Pager#: <b>SAME AS ABOVE FAX 846-3150 (LOCAL)</b>	Project name: <b>RACKLEFF BLOCK</b>
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Office <input checked="" type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots <input type="checkbox"/> \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other _____ <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00  Major Development _____ \$500.00 Minor Development <input checked="" type="checkbox"/> \$400.00 Plan Amendments: <input type="checkbox"/> Board review \$200.00 <input type="checkbox"/> Staff review \$100.00		
Who billing will be sent to: <b>RACKLEFF BLOCK LLC</b> Mailing address: <b>17 COLONIAL DRIVE</b> State and Zip: <b>KILMICKWORTH, CONN. 06419</b> Contact person: <b>SHARI</b> Phone: <b>860-663-7050</b>		

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

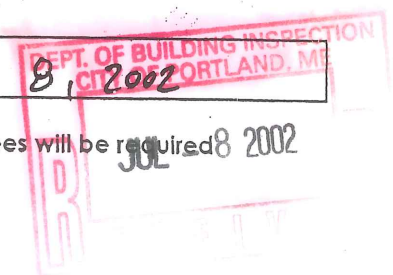
**ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM**

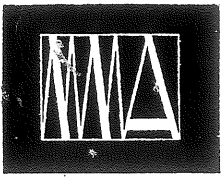
Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11) you may also visit the web site: [ci.portland.me.us](http://ci.portland.me.us) chapter 14

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

Signature of applicant: <i>Mark Mueber</i>	Date: <b>July 8, 2002</b>
--	---------------------------

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.





M A R K  
M U E L L E R  
A R C H I T E C T S

July 08, 2002

Portland Planning Office  
389 Congress Street  
Portland, Maine 04101

Re: Rackleff Block  
127-131 Middle St.  
Portland, Maine  
Zone: B-3

I am writing to initiate the planning phase for the restoration and renovations of the Rackleff Block. The scope of the project shall include restoration of the exterior façade, renovations of the building interior and modernizing the building with new accessible entries. There are no proposed additions as part of this submission. The site work for this project will include a courtyard at the rear of the building and related work to repair sidewalks as required. The existing vehicular right of way shall be maintained. The courtyard will be serviced by four entrances at the rear of the building and will be for the use of building tenants and as a common pedestrian walkway. One parking space that is accessible is planned for the site.

#### *Current Use*

The use of the building prior to purchase by the new owners was predominately an office/ warehouse. Eastern Book Co. occupied one half of the first floor and all of the second and third floors. Their street address was 131 Middle Street. The other half of the street access floor (127 Middle) was a hair salon/ retail use.

#### *Proposed Use*

The proposed use of the first floor shall be a mercantile/ retail use. The upper floors will be a business use group containing offices. The lower level/basement will be available for tenant storage.

#### *Building Area*

The existing area of each floor is 6,900 sf. for a total lease area of 20,700 sf.  
(Does not include the basement)

**Rackleff Block**  
 127-131 Middle Street  
 Portland, Maine

**CITY OF PORTLAND, MAINE**  
**SITE PLAN CHECKLIST**

Project Name, Address of Project

Application Number

Submitted () & Date	Item	Required Information	Section 14-525 (b,c)
	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
	(2)	Name and address of applicant and name of proposed development	a
	(3)	Scale and north points	b
	(4)	Boundaries of the site	c
	(5)	Total land area of site	d
	(6)	Topography - existing and proposed (2 feet intervals or less)	e
	(7)	Plans based on the boundary survey including:	2
	(8)	Existing soil conditions	a
	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
	(11)	Approx location of buildings or other structures on parcels abutting the site	d
	(12)	Location of on-site waste receptacles	e
	(13)	Public utilities	e
	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
	(18)	Parking areas	g
	(19)	Loading facilities	g
	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
	(24)	Type of vegetation	h
	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
	(27)	Existing areas to be preserved	h
	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
	(31)	Location and intensity of outdoor lighting system	j
	(32)	Location of fire hydrants, existing and proposed	k
	(33)	Written statement	c
	(34)	Description of proposed uses to be located on site	1
	(35)	Quantity and type of residential, if any	1
	(36)	Total land area of the site	b2
	(37)	Total floor area and ground coverage of each proposed building and structure	b2
	(38)	General summary of existing and proposed easements or other burdens	c3
	(39)	Method of handling solid waste disposal	4
	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
	(42)	An estimate of the time period required for completion of the development	7
	(43)	A list of all state and federal regulatory approvals to which the development may be subject to	8
	(44)	The status of any pending applications	8
	(45)	Anticipated timeframe for obtaining such permits	h8

(See Enclosed)



**City of Portland  
Site Plan Checklist**

- Item 1            See standard boundary survey
- Item 2            Proposed development: Rackleff Block  
Applicant: Rackleff Block LLC.  
                      17 Colonial Drive  
                      Killingworth, Conn. 06419
- Item 3-4          See standard boundary survey
- Item 5            Project includes two parcels separated by a right-of-way.  
                      Building parcel - 7,009 sf  
                      Rear yard parcel - 1,263 sf  
                      Total Land Area - 8,272 sf  
                      (Does not include right-of-way)
- Item 6            See sheet L-2.
- Item 7            N/A
- Item 8-9          As an urban project, soils & wetlands mapping are not  
                      applicable.
- Item 10          See enclosed building elevations.
- Item 11          See boundary survey.
- Item 12          There will not be an exterior waste receptacle.
- Item 13          Public utilities (existing & proposed) are indicated on sheet L-2.  
                      Note: All overhead power lines are to be removed.
- Item 14          Water & Sewer are indicated on the survey. Sufficient water  
                      volume & pressure exists for the upgrade in the fire sprinkler  
                      system.
- Item 15          See sheet L-2.

- Item 16 See boundary survey. The unknown right-of-way as shown shall be preserved; however an "ADA" accessible walkway will encroach approximately 18".
- Item 17-18 See sheet L-1 for walkways & parking. Our proposal includes one van accessible space.
- Item 19 A loading dock shall not be a part of this project. Small van deliveries will occur at the rear drive.
- Item 20 See sheet L-1 for proposed one way access from Church Street to the existing right-of-way at the rear of the building.
- Item 21 Middle Street: Existing side walk to remain with proposed repair work at the new office entrance.  
Church Street  
& Courtyard: New sidewalks are proposed as shown.
- Item 22-29 All plantings & hardscapes are shown on the landscape sheets. (L-1 & L-2)
- Item 30 No fencing or screenings are proposed.
- Item 31 Exterior lighting is shown on sheet L-1.
- Item 32 No fire hydrants existing or are proposed on the property.
- Item 33 See cover letter for the project description.
- Item 34 See cover letter for the project description.
- Item 35 No residential living units are part of this project.
- Item 36 Total Land Area: 8,272 sf. (Does not include the right-of-way)
- Item 37 Existing building foot print: 6,900 +/- sf.  
Total Floor Area Above Grade: 3 Floors at 6,900 sf. = 20,700sf.
- Item 38 No existing easements at this time are known; except the "owner unknown" right-of-way at the rear of the building. The owners will be entering into an easement agreement with CMP.
- Item 39 Trash will be removed by each tenant or by a third party cleaning service. No trash will be stored on-site.



- Item 40 As noted previously, water service is adequate for the proposed use; as well as sewer facilities.
- Item 41 A majority of drainage will be contained at the roof. All sheet flow will be directed as it does currently to the catch basins in the Middle Street.
- Item 42 Estimated 6 months to complete the exterior repairs and modernize the interior.
- Item 43 No state or federal approvals are required.
- Item 44 This project has been conditionally approved by the cities Historical Preservation Committee. The outstanding issue with regard to window dimensions is currently being resolved with the above mentioned board.
- Item 45 One week.
- Item 46 N/A
- Item 47 The proposal shall be finalized by the Rackleff Block LLC partners personally. No lending institution will be involved.

DRAFT

May 13, 2003

Mr. Peter Konstantino  
Rackleff Block, LLC  
17 Colonial Drive  
Killingworth, CT 06419

RE: 127-131 Middle Street, alterations to the site plan  
CBL: 028 L007001

Dear Mr. Konstantino:

As we discussed on-site, Thank you for meeting of site with City staff to evaluate the as-built conditions of your site plan. Although the pavement width, curb line, and sidewalk width are not installed according to your site plan, the layout changes are acceptable to the City. These changes, in the City's opinion, do not restrict rights of passage through the area in question. Please consider this letter your approval of these alterations to the site plan.

However, since but what do Piscopo & other say? ch.  
Pertaining to the area in question that others may have rights of passage through, the City recommends that a title search be done on the adjacent building known as the Woodman Block at 75 Pearl Street.

and permission requested for the installation of curb and sidewalk within the passageway.  
Please feel free to contact me if you have any questions or comments.

Sincerely,

Lee D. Urban  
Planning and Development Department Director

cc: Alexander Jaegerman, Planning Division Director  
Sarah Hopkins, Development Review Services Manager  
Bill Needelman, Senior Planner  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Penny Littell, Associate Corporation Counsel  
Correspondence File

SEP-11-02 WED 08:25 AM CENTRAL ME POWER

FAX NO. 2077918000

P. 02

Form 1199  
Rev 6/00

**Corporation Easement Deed**

*Underground Line Easement*

The Woodman Condominium Owners Association, a Maine corporation with a mailing address of 75 Pearl St., Portland, ME, 04101 ('Grantor(s)'), for consideration given, grants to CENTRAL MAINE POWER COMPANY, a Maine Corporation with an office at 83 Edison Drive, Augusta, Maine 04336, and VERIZON NEW ENGLAND, INC. A New York corporation with a mailing address of 125 High Street, Boston, Massachusetts, 02110, and their respective successors and assigns (collectively 'Grantee(s)'), with warranty covenants, the right and easement to erect, bury, maintain, rebuild, respace, patrol, operate, and remove and do all other actions involving electric and communication distribution equipment and facilities, consisting of wires, cables, together with all necessary fixtures and appurtenances under the surface of the land of the Grantor(s) in the City/Town of Portland, Cumberland County, Maine. The said equipment and facilities are attached to a line commencing at Pole(s)/Pad(s) 10, Pearl St., Portland and extending to include Pole(s)/Pad(s) 10.1 to serve Grantor(s) and others. This easement affects land ~~or right conveyed to the Grantor(s) in a deed from General Development, Inc., dated August 01, 1985, and recorded in the Cumberland County Registry of Deeds in Book 6884 Page 210.~~ The rights granted herein include the right to keep the surface of ground above its underground cables and other electrical equipment free from structures, improvements and growth which, in the judgment of the Grantees, may interfere with the proper operation or maintenance of said underground cables; and the right to enter upon the land of the Grantor(s) for any and all of the foregoing purposes, \* described in the Declaration of Condominium for Woodman Condominium dated August 1, 1983, recorded in the Cumberland County Registry of Deeds in Book 6233, Page 110, as amended, and plats and plans related thereto recorded in

WITNESS the hand(s) and seal(s) of Grantor(s) duly authorized representatives on Sept 5 2002. Plan Book 138, Page 70.

Signed, Sealed and Delivered in the presence of:

Witness(es)

*[Signature]*  
Printed: Bernice T. Roy

The Woodman Condominium Owners Association

*[Signature]*  
Drew A. Anderson  
Caroline Piscopo  
President

State of Maine

County of Cumberland

The above-named Drew A. Anderson, personally appeared before me this 5<sup>th</sup> day of September, 2002, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said The Woodman Condominium Owners Association.

WR# 0204136831 Acc# 441-0016857-001  
WO# 041-00673

*[Signature]*  
Notary Public/Attorney  
Printed Name:  
My Commission Expires:

**BONNIE L. PAGE**  
A Notary Public Of Maine  
My Commission Expires November 6, 2008

**CENTRAL MAINE POWER COMPANY**

83 Edison Drive  
Augusta, ME 04336

**F A X C O V E R S H E E T**

DATE: September 17, 2002      TIME: 10:00 am  
TO: Bill Needelman      FAX: 756-8258  
City Of Portland  
FROM: Alice Richards      PHONE: 207-626-9817  
CMP      FAX: 207-626-9503  
RE: Rackleff Block, 131 Middle St., Portland, Maine  
cc: Brad Finlay, Gary Crabtree

Number of pages including cover sheet: 1

Message:

Mr. Needleman:

Central Maine Power Company will be serving the above property from an existing transformer on Pearl Street, across the property of Woodman Condominium Owners Association, easement attached. From the Woodman Condominium Owners Association property the underground electric service is a privately owned, 3 phase service, which does not require an easement to Central Maine Power Company.

Please let me know if you have any questions or concerns.

SEP-11-02 WED 08:25 AM CENTRAL ME POWER

FAX NO. 2077918000

P. 02

Form 1199  
Rev 6/00

**Corporation Easement Deed**

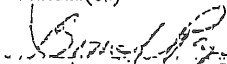
*Underground Line Easement*

The Woodman Condominium Owners Association, a Maine corporation with a mailing address of 75 Pearl St., Portland, ME, 04101 ('Grantor(s)'), for consideration given, grants to CENTRAL MAINE POWER COMPANY, a Maine Corporation with an office at 83 Edison Drive, Augusta, Maine 04336, and VERIZON NEW ENGLAND, INC. A New York corporation with a mailing address of 125 High Street, Boston, Massachusetts, 02110, and their respective successors and assigns (collectively 'Grantee'), with warranty covenants, the right and easement to erect, bury, maintain, rebuild, respace, patrol, operate, and remove and do all other actions involving electric and communication distribution equipment and facilities, consisting of wires, cables, together with all necessary fixtures and appurtenances under the surface of the land of the Grantor(s) in the City/Town of Portland, Cumberland County, Maine. The said equipment and facilities are attached to a line commencing at Pole(s)/Pad(s) 10, Pearl St., Portland and extending to include Pole(s)/Pad(s) 10.1 to serve Grantor(s) and others. This easement affects land ~~or right conveyed to the Grantor(s) in a deed from General Development, Inc., dated August 01, 1985, and recorded in the Cumberland County Registry of Deeds in Book 6884 Page 219.~~ The rights granted herein include the right to keep the surface of ground above its underground cables and other electrical equipment free from structures, improvements and growth which, in the judgment of the Grantees, may interfere with the proper operation or maintenance of said underground cables; and the right to enter upon the land of the Grantor(s) for any and all of the foregoing purposes. \* described in the Declaration of Condominium for Woodman Condominium dated August 1, 1983, recorded in the Cumberland County Registry of Deeds in Book 6233, Page 110, as amended, and plats and plans related thereto recorded in

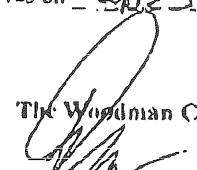
WITNESS the hand(s) and seal(s) of Grantor(s) duly authorized representatives on Sept 5, 2002 Plan Book 138, Page 70.

Signed, Sealed and Delivered in the presence of:

Witness(es)

  
 Printed: Lawrence J. Roy

The Woodman Condominium Owners Association

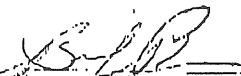
  
 Drew A. Anderson  
 Carmine Piscopo  
 President

State of Maine

County of Cumberland

The above-named Drew A. Anderson, personally appeared before me this 5<sup>th</sup> day of September, 2002, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said The Woodman Condominium Owners Association.

WR# 0204136831 Acc# 441-0016857-001  
 WOH 041-00673

  
 Notary Public/Attorney  
 Printed Name:  
 My Commission Expires:

**BONNIE L. PAZE**  
 A Notary Public Of Maine  
 My Commission Expires November 6, 2008

**CENTRAL MAINE POWER COMPANY**

83 Edison Drive  
Augusta, ME 04336

**F A X C O V E R S H E E T**

**DATE:** September 17, 2002      **TIME:** 10:00 am  
**TO:** Bill Needelman      **FAX:** 756-8258  
City Of Portland  
**FROM:** Alice Richards      **PHONE:** 207-626-9817  
CMP      **FAX:** 207-626-9503  
**RE:** Rackleff Block, 131 Middle St., Portland, Maine  
**cc:** Brad Finlay, Gary Crabtree

Number of pages including cover sheet: 1

Message:

Mr. Needleman:

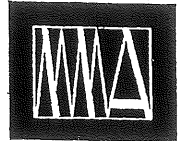
Central Maine Power Company will be serving the above property from an existing transformer on Pearl Street, across the property of Woodman Condominium Owners Association, easement attached. From the Woodman Condominium Owners Association property the underground electric service is a privately owned, 3 phase service, which does not require an easement to Central Maine Power Company.

Please let me know if you have any questions or concerns.

RESTORATION & RENOVATION OF:

# RACKLEFF BLOCK

127-131 MIDDLE ST.  
PORTLAND, MAINE



**MARK  
MUELLER  
ARCHITECTS**

A.I.A.

100 Commercial Street  
Suite 207  
Portland, Maine 04101  
Phone/Fax 207.774.9057  
Email: mm.arch@rcn.com

NEW PVC  
PIPE TO  
EXISTING  
SEWER

EXISTING 4"  
CAST IRON  
SEWER PIPE

EXISTING SEWER  
TO STREET  
SHALL BE  
MAINTAINED FOR  
BOTH SIDES OF  
BUILDING

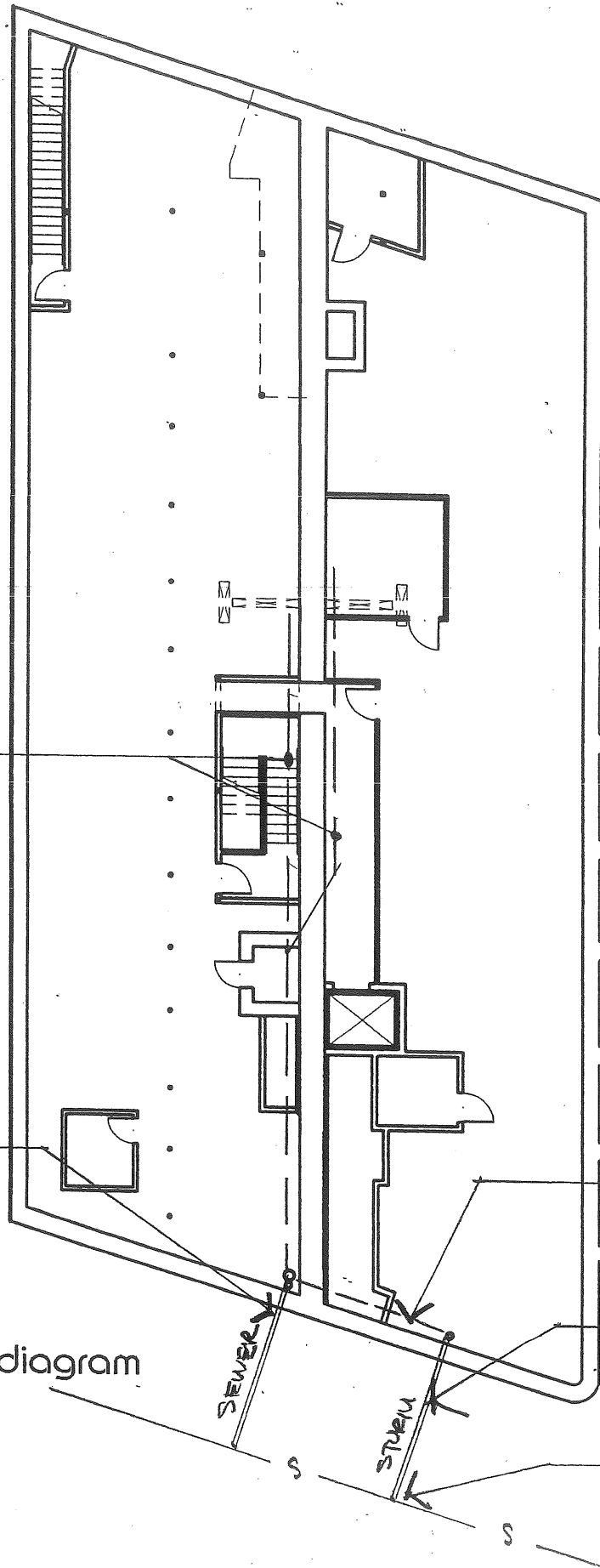
NEW 4" PVC PIPE  
FROM ROOF TO  
DEDICATED STORM-  
DRAIN

CONVERT EXIST'G  
SEWER TO STORM DRAIN

FUTURE  
CONNECTION TO NEW  
STORM DRAIN BY  
THE CITY OF  
PORTLAND

## Roof/ Stormwater diagram

Basement Plan  
Sept. 3, 2002







The Director of Planning and Development may draw on this guarantee, at his option, either thirty days prior to the expiration date contained herein, or s/he may draw against this escrow for a period not to exceed ninety (90) days after the expiration of this commitment; provided that the Applicant will give the City written notice, by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Room 110, Portland, Maine) of the expiration of this escrow within sixty (60) days prior thereto. Otherwise, drafts may be submitted by the City of Portland no later than ninety (90) days following such notice, whenever given.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the City to reduce the available amount of the escrowed money by a specified amount.

This Escrow will automatically expire upon the earlier of:

1. the written notification from Portland's Director of Planning and Development that said work contained within the \_\_\_\_\_ [insert: subdivision and/ or site improvements as applicable] approval and as required by Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 has been completed in accordance with the City of Portland's specifications; or
2. the expiration date of \_\_\_\_\_ [date may not fall between October 30 and April 15] or any automatically extended date as specified herein.

Seen and Agreed to: [Applicant]

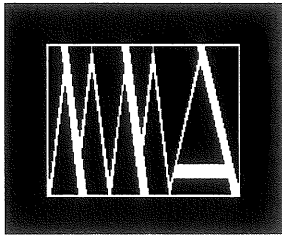
By: \_\_\_\_\_

**Attach Letter of Approval and Estimated Cost of Improvements to this form.**

---

#### **Distribution**

1. This information will be completed by Planning Staff.
2. The account number can be obtained by calling Paul Colpitts, ext. 8665.
3. The Agreement will be executed with one original and one copy.
4. The original and copy, each signed by the Developer, will be delivered to the Finance Office, together with a copy of the Report of Receipts form.
5. The Director of Finance will sign the copies, retain the original for their files and deliver the other signed copy to the Planning Office.



**M A R K  
M U E L L E R  
A R C H I T E C T S**

A.I.A.

# Transmittal

**To:** Bill Needleman

**From:** Mark Mueller

**Job:** Rackleff Block

**Date:** August 01, 2002

**Drawings:** Revised Site Drawings

**CC:**

Attached

Prints

Specification

Material Samples

For Approval

For Review

For Your Use

For Signature

Please Comment

Please Reply

Please Forward

Please Return

Copies:	Date:	Job:	Description:
3	08-01-02	Rackleff Block	Revised Site Drawings L1 & L2 (07-30-02)

**•Comments:**

Bill,

I am resubmitting Tony Muench's revised drawings; where I am at City Hall applying for a building permit.

At the right-of-way in the back of the building, the sidewalk has been returned back to its current projection from the face of the building.

As far as the underground electrical service, CMP is researching their easements in the back alley.

SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: 09-04-02

Name of Project: RALLEFF BLK

Address/Location: 127-131 MIDDLE STREET

Developer: RALLEFF BLK LLC

Form of Performance Guarantee: \_\_\_\_\_

Type of Development: Subdivision \_\_\_\_\_ Site Plan (Major/Minor) \_\_\_\_\_

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road						2000
✓ Granite Curbing			3500			
✓ Sidewalks			9000			
Esplanades						
Monuments						
Street Lighting						3250
✓ Street Opening Repairs			1500			
Other						
2. EARTH WORK						
Cut						2500
Fill						2500
3. SANITARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS						
5. STORM DRAINAGE						
Manholes						
Catchbasins						
Piping						
Detention Basin						
Stormwater Quality Units						
Other						

7. EROSION CONTROL

- Silt Fence
- Check Dams
- Pipe Inlet/Outlet Protection
- Level Lip Spreader
- Slope Stabilization
- Geotextile
- Hay Bale Barriers
- Catch Basin Inlet Protection

8. RECREATION AND OPEN SPACE AMENITIES

DAVENS

9. LANDSCAPING

(Attach breakdown of plant materials, quantities, and unit costs)

10. MISCELLANEOUS

TOTAL:

GRAND TOTAL:

14,000

19,368

\$ ~~25,800.00~~

33,368.00

2110.00

5000.00

2000-

INSPECTION FEE (to be filled out by the City)

OK 9-16-02  
Y.R.

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	280.00	387.36	667.36
or			
B: Alternative Assessment:			
Assessed by:	J.R. (name)	J.R. (name)	J.R.

**DEFECT GUARANTEE  
with the City of Portland**

Developer's Tax Identification Number: 611402247

Developer's Name and Mailing Address: Rackleff Block, LLC  
17 Colonial Drive  
Killingworth, CT 06419

City Account Number: <sup>1</sup> \_\_\_\_\_

Treasurer's Report of Receipts Number: <sup>1</sup> \_\_\_\_\_

Project Job Number: <sup>1</sup> \_\_\_\_\_  
(from Site Plan Application form)

Application of Rackleff Block, LLC [applicant] for  
Rackleff Block 127-131 Middle Street [insert street/project name] at  
127-131 Middle Street [address], Portland, Maine.

The City of Portland (hereinafter the "City") will hold the sum of \$ \_\_\_\_\_ [amount of performance guarantee] on behalf of Rackleff Block, LLC [applicant] in a non-interest bearing account established with the City. This account shall represent the estimated cost to correct defects in the workmanship and the durability of all materials used in the construction of improvements and to complete any unfinished improvements as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65. It is intended to satisfy the Applicant's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a defect guarantee for the above referenced development.

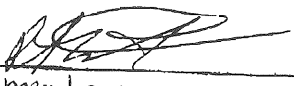
The City, through its Director of Planning and Development and in his sole discretion, may draw against this Escrow Account in the event that:

the Developer has not corrected, satisfactorily, any defects in work or unfinished improvements as noted above by 10/2/2003 [date: 1 year from the date of issuance, but in no event between October 30 and April 15]; or

The City of Portland may draw on this guarantee, at its option, either thirty days prior to the expiration date contained herein, or s/he may draw against this escrow for a period not to exceed ninety (90) days after the expiration of this commitment; provided that the Applicant will give

the City written notice, by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Room 110, Portland, Maine) of the expiration of this escrow within sixty (60) days prior thereto. Otherwise, drafts may be submitted by the City of Portland no later than ninety (90) days following such notice, whenever given. Provided, however, that the City shall notify the Applicant of its intention to call on the guarantee and to retain the monies posted as guarantee. The City shall provide the Applicant thirty (30) days from the date of such notice in which to complete the noted improvements.

Seen and Agreed to: [Applicants]

By:   
member

Attach Letter of Approval and Estimated Cost of Improvements to this form.

**Distribution**

1. This information will be completed by Planning Staff.
2. The account number can be obtained by calling Paul Colpitts, ext. 8665.
3. The Agreement will be executed with one original and one copy.
4. The original and copy, each signed by the Developer, will be delivered to the Finance Office, together with a copy of the Report of Receipts form.
5. The Director of Finance will sign the copies, retain the original for their files and deliver the other signed copy to the Planning Office.
6. The Planning Office will keep one copy for their files and the original signed copy will be mailed to the Developer.

846-3150

MODE = MEMORY TRANSMISSION

START=OCT-01 15:48

END=OCT-01 15:49

FILE NO.=661

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		97726726	005/005	00:00:56

-CITY OF PORTLAND -

\*\*\*\*\* -PLANNING DEPT. - \*\*\*\*\* 2077568258- \*\*\*\*\*

389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101  
(207)874-8721 or (207)874-8719  
Fax: (207)756-8258



# Fax

To: W. Monahan Company: Same  
 Fax: 772-6726 Date: \_\_\_\_\_  
 From: Bill Hoedelman

Comments:

P.S. Forum

Thanks, Mike

Bill

MODE = MEMORY TRANSMISSION

START=OCT-02 14:43

END=OCT-02 14:47

FILE NO.=668

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		97726726	003/003	00:00:34

-CITY OF PORTLAND -

\*\*\*\*\* -PLANNING DEPT. - \*\*\*\*\* 2077568258-\*\*\*\*\*

389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101  
(207)874-8721 or (207)874-8719  
Fax: (207)756-8258



# Fax

To: Mike W Company: \_\_\_\_\_  
 Fax: 772-6726 Date: 10-2-02  
 From: Bill Needleman

Comments:

FYI

Thanks for your attention to finalizing the details.

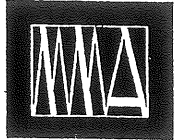
Bill



RESTORATION & RENOVATION OF:

# RACKLEFF BLOCK

127-131 MIDDLE ST.  
PORTLAND, MAINE



**M A R K  
M U E L L E R  
A R C H I T E C T S**

A.I.A.

100 Commercial Street  
Suite 207  
Portland, Maine 04101  
Phone/Fax 207.774.9057  
Email: mm.arch@rcn.com

NEW PVC  
PIPE TO  
EXISTING  
SEWER

EXISTING 4"  $\phi$   
CAST IRON  
SEWER PIPE

EXISTING SEWER  
TO STREET  
SHALL BE  
MAINTAINED FOR  
BOTH SIDES OF  
BUILDING

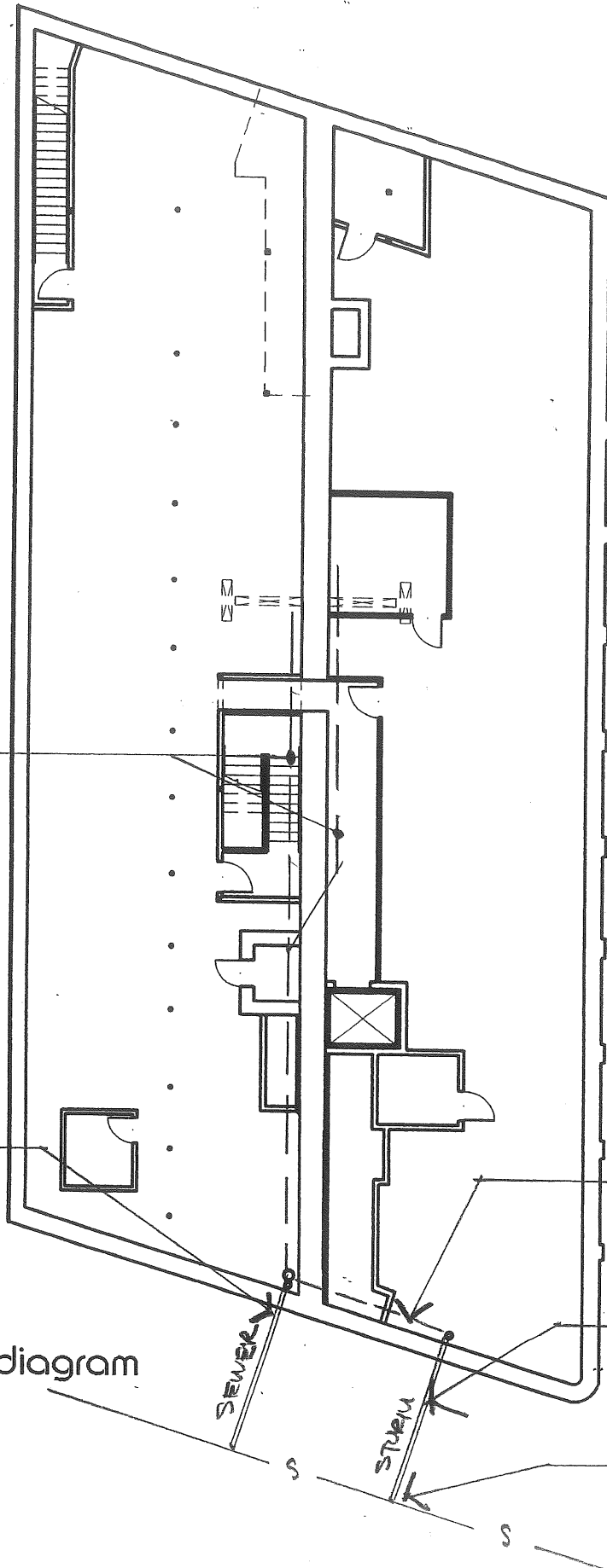
NEW 4" PVC PIPE  
FROM ROOF TO  
DEDICATED STORM-  
DRAIN

CONVERT EXIST'G  
SEWER TO STORM DRAIN

FUTURE  
CONNECTION TO NEW  
STORM DRAIN BY  
THE CITY OF  
PORTLAND

## Roof/ Stormwater diagram

Basement Plan  
Sept. 3, 2002



**Planning and Development Department  
SUBDIVISION/SITE DEVELOPMENT**

**COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE**

Date: 09-04-02

Name of Project: RALKLEFF BLOCK

Address/Location: 127-131 MIDDLE STREET

Developer: RALKLEFF BLOCK LLC

Form of Performance Guarantee: \_\_\_\_\_

Type of Development: Subdivision \_\_\_\_\_ Site Plan (Major/Minor) \_\_\_\_\_

**TO BE FILLED OUT BY THE APPLICANT:**

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road						
✓ Granite Curbing			3500			
✓ Sidewalks			9000			
Esplanades						
Monuments						
Street Lighting						
✓ Street Opening Repairs			1500			
Other						
2. EARTH WORK						
Cut						2500 ✓
Fill						2000 ✓
3. SANITARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS						
5. STORM DRAINAGE						
Manholes						
Catchbasins						
Piping						
Detention Basin						
Stormwater Quality Units						
Other						

1. SITE LIGHTING	_____	_____	_____	_____	_____	_____
7. EROSION CONTROL	_____	_____	_____	_____	_____	_____
Silt Fence	_____	_____	_____	_____	_____	_____
Check Dams	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	_____	_____	_____
Slope Stabilization	_____	_____	_____	_____	_____	_____
Geotextile	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	_____	_____	_____
Catch Basin Inlet Protection	_____	_____	_____	_____	_____	_____
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	2110 <sup>00</sup>
<i>PAVERS</i>	_____	_____	_____	_____	_____	5000 <sup>00</sup>
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	_____	_____	2000 <sup>-</sup>
10. MISCELLANEOUS	_____	_____	_____	_____	_____	_____
TOTAL:	_____	_____	_____	_____	_____	_____
GRAND TOTAL:	_____	_____	_____	_____	_____	\$ 28,110. <sup>00</sup>

**INSPECTION FEE (to be filled out by the City)**

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	_____	_____	_____
<u>or</u>			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	_____	_____	_____
	(name)	(name)	

**From:** James Seymour <jseymour@sebagotechnics.com>  
**To:** ""WBN@ci.portland.me.us"" <WBN@ci.portland.me.us>  
**Date:** Fri, Sep 27, 2002 2:03 PM  
**Subject:** 127-131 Middle Street Rackleff Block

Bill,

Upon review of the updated erosion control measures for the site work proposed at the Rackleff Block at 127 Middle Street, I feel it is acceptable to approve the plans. If the applicant does not intend to construct the storm drain as shown in Church Street then revised plans should be drawn without inclusion of the drain line work. Please have Public works review roof connections with two separate ties into the combined sewer for possible separation of storm and sewer in the future.

Jim Seymour P.E.



02P156

**TO:** William Needelman, Senior Planner  
**FROM:** Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.  
**RE:** Rackleff Block – 112756 Middle Street  
**DATE:** July 23, 2002

---

Sebago Technics made a site visit on Friday, July 19, 2002 and has reviewed the Site Plan Package and supporting documentation for the Rackleff Block property located at 127 Middle Street. The following comments are submitted in outline format:

1. **Stormwater Management**

- A. The existing site envelope is fully developed; therefore, no additional stormwater runoff would be anticipated due to the proposed improvements. No downspouts were observed during our field visit. Openings at roof parapet (two) appeared to be roof runoff relief points. Note on Plan Sheet P-2 mentions closing off opening(s) and providing continuous gutter. New gutters are noted on Plan P-2 with what appears to be two new downspouts (Church Street Elevation) on building interior. Sheet L-2 of the submission notes that two roof drains will be connected to the existing City catch basin located on Church Street near Middle Street. This should work well with the City's future plans to separate the existing combined sewer system.

2. **Road Access/Circulation**

- A. One-Way and/or Do Not Enter signs should be installed at appropriate ends of unknown right of way.

3. **Grading/Erosion Control**

- A. Inlet protection will be required at existing catch basins in Church Street and Middle Street as deemed necessary during roof drain and underground electric installation and curb/sidewalk reconstruction. Appropriate BMPs will need to be shown on plan set and be in place prior to any work commencing.

**4. Utility Installation/Location**

- A. Proposed underground electrical service shall be encased in concrete since it passes beneath paved driveway.
- B. Letters must be obtained from utilities stating that adequate capacity exists since previous building use was predominantly warehouse and proposed retail/office use will most likely result in an increase in services. Existing service/line sizes should be confirmed of adequate size/condition for anticipated uses and replaced if deemed necessary prior to sidewalk reconstruction.
- C. Catalogue cuts for proposed lighting fixtures will need to be provided for review.

**5. General**

- A. A proposed dumpster/recycling location is not shown on the plans. The applicant is not proposing to have a dumpster, but requires each tenant or a third party cleaning service to be responsible for (daily?) trash removal. The applicant goes on to state that no trash will be stored on-site. A copy of the service agreement/contract with a waste hauler and/or tenant contract stating that no trash will be stored on-site and must be removed daily will be required. Otherwise, an on-site trash storage location must be noted. If storage is outside the building, screening will be required.
- B. The applicant shall show area(s) of proposed snow storage on the plan for parking area.

**6. Details**

- A. Appropriate BMP details shall be included on the detail plan sheet.
- B. The applicant shall provide appropriate underground electric and roof drain trench details.
- C. The applicant shall provide an appropriate City approved detail for roof drain connection to the existing City catch basin in Church Street.
- D. Detail number 2 on Sheet L.1 (Step Detail) does not include the iron handrail detail as the plan note implies.

Please contact our office with any questions.

TS:ts/jc

VERRILL  
&  
DANA<sup>LLP</sup>  
Attorneys at Law

Peter Konstantino (owner)  
653-9279

CHARLES R. OESTREICHER  
PARTNER  
coestreicher@verrilldana.com  
Direct: 207-253-4500

ONE PORTLAND SQUARE  
PORTLAND, MAINE 04112-0586  
207-774-4000 • FAX 207-774-7499

March 26, 2002

Mr. Theodore Konstantino  
Rackleff Block, LLC  
17 Colonial Drive  
Killingworth, CT 06419

Dear Ted:

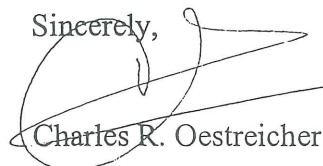
With respect to the right of way research for the passageway running between Church Street and Pearl Street, we know that the ownership of the right of way behind your building is in the heirs of Jane R. and Allen Haines, who owned it back in the 1800s. We could determine who currently owns it of record, if you so desired. Of most importance, if you are considering blocking this in any way would be to determine whether or not the current owners of what I refer to as the F. O. Bailey building have rights from the rear of that building over this alleyway to Church Street. That would require a full title search of the F. O. Bailey building, which we could do for you. My reaction is if no one from the F. O. Bailey building has rights, then you just do what you want in the alleyway and not worry about the heirs who own it. If, on the other hand, F. O. Bailey has affirmative rights through it, you should probably address who the current owners are of this.

Enclosed is the original Quitclaim Deed With Covenant from Eastern Book Co. to Rackleff Block, LLC. as recorded in the Cumberland County Registry of Deeds in Book 17310, Page 246.

Also enclosed is the original owner's title insurance policy which has been issued by Harbor Title.

I am also enclosing our statement for services rendered through March 20<sup>th</sup>, which I hope you find satisfactory. I believe it is self-explanatory, however, should you have any questions concerning the statement or with respect to any of the enclosed materials, please do not hesitate to give me a call.

Sincerely,



Charles R. Oestreicher

CRO/mle  
Enclosures

cc: Peter Konstantino (with enclosures)

COPY

QUITCLAIM DEED WITH COVENANT  
Statutory Short Form

KNOW ALL BY THESE PRESENTS, that EASTERN BOOK CO., a Maine corporation ("Grantor"), of Westbrook, Cumberland County, Maine, for consideration paid, grant to RACKLEFF BLOCK, LLC, a Connecticut limited liability company ("Grantee"), with a mailing address of 17 Colonial Drive, Killingworth, Connecticut 06419, with Quitclaim Covenant, the land and building in Portland, Cumberland County, Maine, located at 131 Middle Street, described more particularly as follows:

Certain lots or parcels of land together with all the improvements situated thereon located at 127-131 Middle Street and 2-12 Church Street in the City of Portland, Maine, depicted as Lot 7 on City of Portland Tax Map 28, Block L, as such street numbers and tax map and lot numbers were designated in 2000, and more particularly bounded and described as follows:

## Parcel One:

A certain lot or parcel of land with the improvements thereon situated on the northerly side of Middle Street in said City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the northerly side of said Middle Street at the center of the partition wall dividing the property hereby conveyed and property owned by the Heirs of Charles Cook, formerly known as the Woodman and Rackleff Block; thence easterly on said Middle Street thirty (30) feet, more or less, to the center of the brick wall dividing the property hereby conveyed and the adjoining property on the corner of Middle and Church Streets and from these two (2) points running back through the centers of said walls one hundred twenty (120) feet, more or less, to a passageway sixteen (16) feet wide running from Pearl to Church Streets, as such passageway is described in deed from Ruth C. Hyde, et al., heirs of Charles Cook to Libby Realty Corporation dated September 6, 1944 and recorded

MAINE REAL ESTATE TAX PAID



in the Cumberland County Registry of Deeds in Book 1763, Page 196.

Parcel Two:

Also another certain lot or parcel of land with the buildings thereon situated on the southerly side of Church Street in said Portland, bounded and described as follows:

Beginning at a point in the southerly line of Church Street sixteen (16) feet northerly from the corner of the brick block formerly owned by Jane R. Haines and running thence northwesterly about twenty-six (26) feet to land formerly of William McDowell; thence along said McDowell land about sixty (60) feet to land formerly of George W. Woodman; thence southerly along said Woodman's land about seventeen (17) feet to the sixteen (16) foot passageway in the rear of said block; thence running easterly along said passageway about sixty (60) feet to the point of beginning on Church Street.

Parcel Three:

Also another certain lot or parcel of land, with the building thereon, situated on Middle Street in Portland, bounded and described as follows:

Beginning at the junction of the southwesterly side line of Church Street with Middle Street; thence running northwesterly by said Church Street one hundred twenty (120) feet, more or less, to the southerly side of a passageway leading from Church Street to Pearl Street; thence by the southerly side of said passageway thirty (30) feet, more or less, to the center of the partition wall dividing the building hereby conveyed from the adjoining building formerly owned by Ellen H. Libby et al.; thence by the center line of said partition wall one hundred twenty (120) feet, more or less, to said Middle Street; thence northeasterly by said Middle Street thirty (30) feet, more or less, to the point begun at.

Parcel Four:

Also all right, title and interest in another certain lot or parcel of land being that portion of the sixteen foot passageway described in deeds from Ruth C. Hyde, et al., heirs of Charles Cook to Libby Realty

Corporation dated September 6, 1944 and recorded in the Cumberland County Registry of Deeds in Book 1763, Page 196 and to Hyman A. Ginsberg dated September 6, 1944 and recorded in Book 1763, Page 195, bounded north/northwesterly by Parcel Two and south/southeasterly by Parcel One and Three above described. The release of Parcel Four is made without any covenant of title.

Parcel Five: Appurtenant Rights:

Together with all right, title and interest in and to the right in common with others to use a passageway for the benefit of Parcel One and Parcel Three described above as now located on land now or formerly owned by Carmine Piscopo and Joy Piscopo and described as a portion of the passageway described in deed from Ruth C. Hyde, et al., heirs of Charles Cook to Libby Realty Corporation dated September 6, 1944 and recorded in the Cumberland County Registry of Deeds in Book 1763, Page 196. Reference is also made to plan entitled "Plat of The Woodman Condominium Portland, Maine Made for Camine & Joy A. Piscopo" by Owen Haskell, Inc. dated March 24, 1983 and recorded in the Cumberland County Registry of Deeds in Plan Book 138, Page 70. The release of Parcel Five is made without any covenant of title.

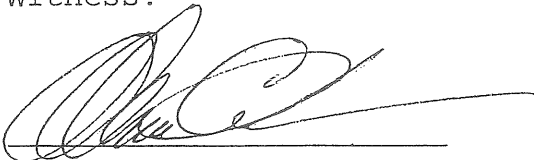
Reference is made to deeds to Eastern Book Co. from Bertha Seavey dated March 7, 1974 and recorded in the Cumberland County Registry of Deeds in Book 3519, Page 84 and to deed from Free Street Corp. dated November 21, 1974 and recorded in said Registry of Deeds in Book 3626, Page 63.

The above-described property is SUBJECT TO the following:

1. Rights of others in the common party wall separating the property and the abutting property now known as The Woodman Condominium.
2. Title to and rights of others in and to the appurtenant 16' passageway described in the deed from Ruth C. Hyde et al. to Hyman A. Ginsberg dated September 6, 1944 and recorded in the Cumberland County Registry of Deeds in Book 1763, Page 195, and in the deed from Ruth C. Hyde et al. to Libby Realty Corporation dated September 6, 1944 and recorded in said Registry of Deeds in Book 1763, Page 196.

Witness my/our hand(s) and seal(s) this 11<sup>th</sup> day of  
February, 2002.

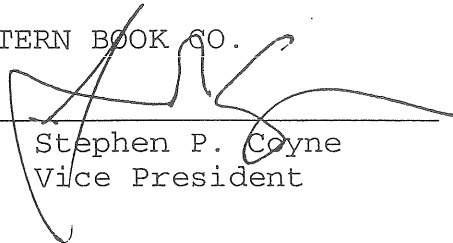
Witness:



GRANTOR:

EASTERN BOOK CO.

By:

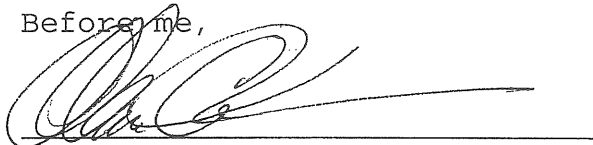


Stephen P. Coyne  
Vice President

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

On February 11, 2002, personally appeared before me the  
above-named Stephen P. Coyne, Vice President of said corporation  
in his said capacity, and acknowledged the foregoing to be his  
free act and deed and the free act and deed of said corporation.

Before me,



~~Notary Public~~

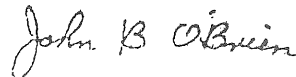
Maine Attorney-at-Law

Printed Name: DENNIS C. KEELER

RECEIVED  
RECORDED REGISTRY OF DEEDS

2002 FEB 12 AM 9:35

CUMBERLAND COUNTY



**Memorandum**

**Date:** November 29, 2001

**To:** Bill Needleman

**From:** Bob Metcalf

**Re: Rackleff Block 127-133 Middle Street**

This memo is in regards to our discussion concerning new parking to be located behind the existing Rackleff building off of Church Street where a brick garage has been removed. As we discussed, the former garage has been razed and there is a portion of the old stone and brick foundation/wall remaining. This section of wall is retaining an embankment from the adjacent County parking lot. Our client has requested that we pursue the possibility of maintaining the wall and placing 90 degree parking in front of the wall for approximately 6 spaces. As we discussed, the issue is with the city requirements for stall and aisle depth. We have enclosed a copy of a concept sketch for your review. As requested we are forwarding a copy of this memo to Larry Ash, City Traffic Engineer. We would like to address this option prior to submitting the site plan application for staff review. Please do not hesitate to call if you have any questions.

Cc Larry Ash, PE

OLD

# Barba

*Architecture & Preservation*

500 Congress Street  
Portland, Maine 04101  
tel: 207-772-2722  
fax: 207-772-3667

20 September 2001

Stephen R. Dodge  
Fire Specialist  
State Fire Marshalls Office  
State House Station 164  
Augusta, ME 04333

RE: Rackleff Block  
127-133 Middle Street  
Portland, Maine

Dear Stephen:

I understand from our meeting on September 12, 2001 that you are amenable, or in agreement with, the need for an on-street accessible parking space on Middle Street to best access the new main entry.

This is important as on-site parking is only available in the rear of the building and the main accessible entrance is on Middle Street.

Your approval of this now can go to the city in hopes that they will concur.

Sincerely,



Nancy L. Barba

Cc: Bill Needleman, City Planning Department  
Bob Metcalf, Landscape Architect  
Jeffrey Cohen, Owner

Portland Historic Resources Inventory

Property Address: 129-131 Middle Street

Inventory #: PW-51

Assessor's C/B/L: 28-L-7

District: Portland Waterfront Map #: 51

Rating:

Local Code: LANDMARK

National Register: Ind. Listing N/A District Portland Waterfront

Date of Placement: Local 08/01/1990 National 05/02/1974

Description of Significant Features and Subsequent Alterations:

The Rackleff Building, built in 1867, is located on the northwestern side of Middle Street in Portland. It faces southeast toward Middle Street and is bounded on the northeastern side by Church Street. The Woodman Block is adjacent to it on the southwest; together they form an entire city block. The Rackleff Building, like its neighbors, is in the Second Empire style.

Architect George M. Harding designed the Rackleff Building. He also designed the Woodman Block and the Thompson Block, on the other side of the Rackleff Building. Like the Woodman Block, the Rackleff Building is built of brick with freestone trim. It is almost a parallelogram in shape; sixty feet wide across the front and one hundred and fifteen feet along the sides. It is three stories high and has a practically flat roof. Some features of the Rackleff Building are identical to those of the Woodman Block, but it is designed to be an individual unit.

The cast iron arcade of the first floor of the facade is identical to that of the Woodman Block, only about one foot lower, causing the whole facade of the Rackleff Building to be lower than that of the Woodman Block. The arches support an entablature originally used for store names. Recessed doors approached by short flights of stairs, and full length windows alternate in the seven bays of the arcade. On the second floor are three single windows to either side of a central double window. Projecting brick columns which continue up to the roof frame this double window, creating a central bay. There are similar columns at either end of the facade. At the corner of the building on the right, the facade wraps around to the side forming a rounded version of the center bay. The second floor windows have freestone sills and freestone arches which are connected by a freestone stringcourse. On the third floor are three windows to either side of an identical window in the center bay. The freestone arches are connected by a stringcourse. The sills are also connected by a stringcourse which joins with the third floor stringcourse of the adjacent Woodman Block. Just below this stringcourse is another one; the two frame a plaque which says "Rackleff". The projecting wooden cornice is capped by pairs of freestone brackets above the columns on the facade. Between the brackets are a band of elongated freestone hexagons. No roof shows above the cornice today. Originally there was an arched window above the center bay.

Primary Use (Present): COMMERC/TRADE

Condition: GOOD

**ARCHITECTURAL DATA**

Primary Stylistic Category: ITALIANATE

Other Stylistic Category:

Height: 3 STORY

Primary Facade Width (Main Block; Use Ground Floor): 9+ Bay

Appendages:

Porch:

Plan: SIDE HALL

Primary Structural System: BRICK

Chimney Placement:

Roof Configuration: FLAT

Roof Material:

Exterior Wall Materials: BRICK

Foundation Material: BRICK GRANITE

Outbuildings/Features:

**HISTORICAL DATA**

Documentated Date of Construction: 1867

Estimate Date of Construction:

Date Major Additions/Alterations:

Architect: George M. Harding

Contractor:

Original Owner:

Subsequent Signific. Owner:

Dates:

Cultural/Ethnic Affiliation:

Historic Context(s): COMMERCE

Comments:

PHR1 1976; 1924 Tax Assessor Office; 1969 Survey Form; Portland Street  
Fiel; National Register Nomination Form;

Historical Drawings Exist N

Location:

**ENVIRONMENTAL DATA**

Site Integrity: Original Y   Moved N   Date Moved







Zoning Division  
Marge Schmuckal  
Zoning Administrator



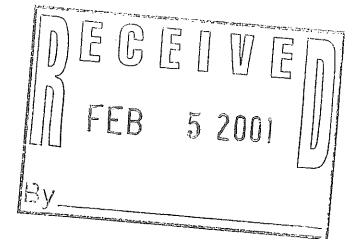
Department of Urban Development  
Joseph E. Gray, Jr.  
Director

OHD

## CITY OF PORTLAND

February 1, 2001

Nancy Barba  
C/o Barba Architecture & Preservation  
500 Congress Street  
Portland ME 04101



RE: 129-131 Middle Street - 027-L-007 - B-3 zone

Dear Nancy,

I am in receipt of your letter dated January 21, 2001 explaining the existing uses and the proposed uses in the Rackleff Block project. I have reviewed all information you submitted. I also do appreciate the time we had on the phone going over the submitted spreadsheets.

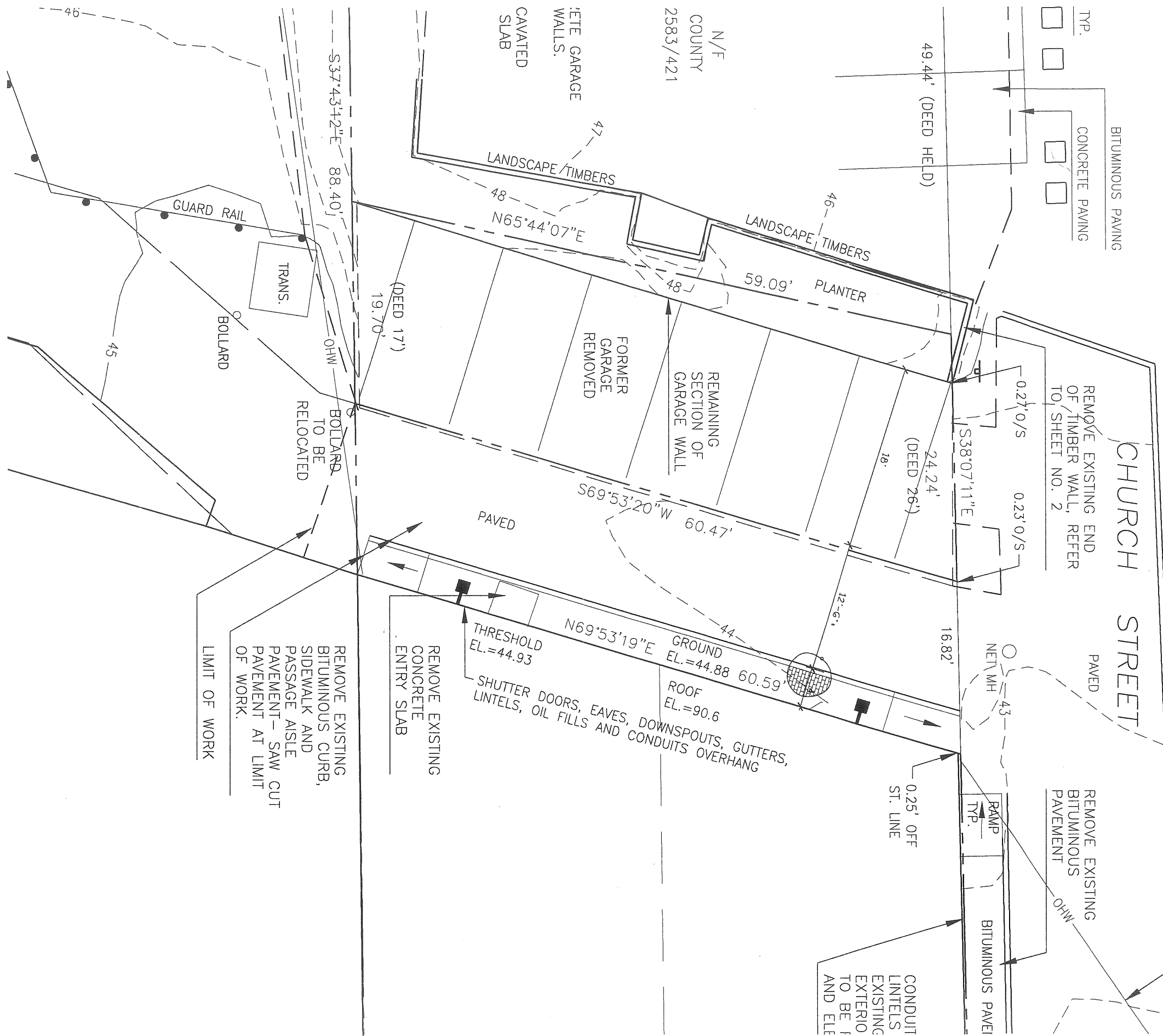
I have accepted your breakdown of the net square footage for change of use as being very reasonable. And I agree that the site plan definition for a minor site plan review includes change of uses from 5,000 sq. ft. to 10,000 sq. ft. Your change of use of 7,653 sq. ft. would certainly fall under the minor site plan review. This would then become a staff review, not a Planning Board review. I'm sure the Planning Division would confirm this.

I would be glad to sit down with you and Sarah to review your proposal in more depth. If you have any more questions, please do not hesitate to contact me.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Cc: Sarah Hopkins, Planning Division  
File



EXISTING OVERHEAD SERVICE TO BE RELOCATED COORDINATE WITH UTILITY COMPANY

REMOVE EXISTING BITUMINOUS PAVEMENT

REMOVE EXISTING END OF TIMBER WALL, REFER TO SHEET NO. 2

BITUMINOUS PAVING  
CONCRETE PAVING

CONDUIT LINTELS EXISTING EXTERIOR TO BE REMOVED

SHUTTER DOORS, EAVES, DOWNSPOUTS, GUTTERS, LINTELS, OIL FILLS AND CONDUITS OVERHANG  
ROOF EL.=90.6  
GROUND EL.=44.88  
THRESHOLD EL.=44.93

REMOVE EXISTING BITUMINOUS CURB, SIDEWALK AND PASSAGE AISLE PAVEMENT - SAW CUT PAVEMENT AT LIMIT OF WORK.

REMOVE EXISTING CONCRETE ENTRY SLAB

LIMIT OF WORK

Mitchell & Associates  
Landscape Architects  
70 Center Street  
Portland, Maine 04101  
(207) 774-4427

Title: ALTERNATIVE PARKING CONCEPT  
Date: 11/21/01  
Drawn By: JAP  
Project: RACKLEPPF BLOCK

Scale: 1"=10'-0"  
Checked By: RBM

A

010