



October 31, 2013

City of Portland Planning Division
City Hall – Fourth Floor
389 Congress Street
Portland, Maine 04101

RE: 46 Market Street – Change of use & increase in dwelling units
Waiver Request (Street Trees)

Dear City of Portland Planning,

On behalf of Tom Watson of Market Milk Partners, LLC & Port Property Management; we'd like to formally request a waiver from city ordinance Section 14-526(b)2.biii – Street Trees. This section allows a waiver to be granted by the following:

'Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City right of way, or within the first ten feet of the front set back; the Reviewing Authority may allow the applicant to contribute to the City of Portland Tree Fund an amount proportionate to the cost of required street trees'

The property as submitted has an all encompassing site with 100% lot building coverage; no front yard exists for the planting of street trees. Furthermore, the existing historic neighborhood includes brick side walks varying in width from six to seven feet, which significantly restrict the planting of such street trees while allowing adequate clearances for pedestrian access.

The applicant would like to contribute to the City of Portland Tree Fund as necessary in acceptance of this waiver and to satisfying the City of Portland Street Tree ordinance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Provencal', is written over a white background.

Matt Provencal, Assoc. AIA
Architectural Designer
Mark Mueller Architects