

From: "Mark Sengelmann" <mark@alphaarchitects.com>
To: "Jean Fraser" <JF@portlandmaine.gov>, "Patrick Ducas" <patrickd@duca...>
CC: "Kathy Gips" <kgips@humancenterreddesign.org>, "Mike P. Johnson" <mpj...>
Date: 10/21/2015 2:42 PM
Subject: FW: ADA Not Req'd- 415 Cumberland Ave, Portland

Hi Jean,

The developer, Patrick Ducas, is seeking state and local historic tax credits for this market rate apartment conversion project only. The developer will not receive any state or federal funds for this project only tax credits.

Last week I spoke with Kathy Gips, Director of the New England ADA Center regarding this issue.

Since this project will not receive any federal funds and is not a public accommodation and is therefore exempt from and Federal ADA barrier removal and/or ADA accommodations.

Secondly I spoke with Michael Johnson, the Rehabilitation Tax Incentives Coordinator for the Maine Historic Preservation Commission and Mike told me that this project is not required to meet the ADA. Had the developer elected to take an additional 5% tax credit for low income housing then he would be required to meet the requirements of the ADA.

I have cc'd both Kathy Gips and Mike Johnson in case I misrepresented our telecons.

The developer does plan to utilize the lower level office/ commercial space as a public accommodation which will therefore be required to meet the standards of the ADA including an accessible route, interior accommodations and finally the toilet will be upgraded to ADA standards.

Let me know if you have any additional comments on this matter,

Mark

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