

CITY OF PORTLAND, MAINE

PLANNING BOARD

Joe Lewis, Chair
Carol Morrissette, Vice Chair
Lee Lowry, III
Stuart G. O'Brien
Michael J. Patterson
David Silk
Bill Hall

November 30th, 2011

Mark Swann
Preble Street
18 Portland Street, PO Box 1459
Portland, ME 04104

RE: **38 Preble Street, Teen Shelter**
 Conditional Use Application #2011-323
 CBL: 37-F-20

Dear Mr. Swann:

On November 22, 2011 the Portland Planning Board considered the conditional use and site plan applications for the proposed Emergency Teen Shelter on the first and second floors of 38 Preble Street.

The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use Review and Site Plan Ordinance. The Planning Board voted (6-0, Silk recused) to approve the applications with the following motions and conditions as presented below.

CONDITIONAL USE REVIEW

The Planning Board voted 6-0 (Silk recused) that the proposed use for an Emergency Teen Shelter on the first and second floors of 38 Preble Street is in conformance with the Conditional Use Standards as set forth in Sec. 14-218 (b) (4) & Sec. 14-474 c) (2) of the Land Use Code, as presented in Report #25-11, with the following conditions of approval:

- i. That the conditional use shall be limited to the first and second floors of 38 Preble Street ie a total of 6000 sq ft; and
- ii. That the hours of operation of the emergency teen shelter shall be from 8pm to 8am only and that no teens shall be in the building at any other time; and
- iii. The maximum number of teens staying at the shelter at any one time shall be 24; and
- iv. That any security features such as surveillance cameras and external lights shall be maintained at all times, with cameras recording 24/7 and digital images to be retained for a minimum of 7 days; and
- v. That the associated "in-take" functions shall not be located within 38 Preble Street to the extent practicable.

continued

SITE PLAN REVIEW

The Planning Board voted 6-0 (Silk recused) that the proposed use for an Emergency Teen Shelter on the first and second floors of 38 Preble Street is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

- i. That the detailed locations, specifications and photometric information for all external lighting, cameras, and details of external fencing shall address CPTED principles and be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and
- ii. That the applicant shall be responsible for making repairs to the Cumberland Avenue sidewalk as identified as being in poor condition in the Memo from Mike Farmer, Department of Public Services, dated November 4, 2011 paras. 2 and 3, details to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit.

The approval is based on the submitted plans and the findings related to conditional use and site plan review standards as contained in Planning Report #25-11 for application 2011-323, which is attached. The standard conditions of approval are listed below.

Standard Conditions of Approval

Please note the following standard conditions of approval and requirements for all approved site plans:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of the Site Plan Ordinance of Portland's Land Use Code.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans.
4. The site plan approval and conditional use approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
5. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
8. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

Philip DiPierro, Development Review Coordinator, must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at 874-8632.

Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If you have any questions, please contact Jean Fraser at 874 8728 or jf@portlandmaine.gov

Sincerely,



Joe Lewis, Chair
Portland Planning Board

Attachments:

1. 11.4.2011 DPS Memo from Mike Farmer
2. Planning Board Report #25-11
3. Performance Guarantee Packet

Electronic Distribution:

Gregary Mitchell, Acting Director, Planning and Urban Development Department	Bill Clark, Public Services
Alexander Jaegerman, Planning Division Director	David Margolis-Pineo, Deputy City Engineer
Barbara Barhydt, Development Review Services Manager	Greg Vining, Public Services
Jean Fraser, Planner	John Low, Public Services
Philip DiPierro, Development Review Coordinator	Jane Ward, Public Services
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Lannie Dobson, Inspections Division	David Senus, Woodard & Curran
Michael Bobinsky, Public Services Director	Assessor's Office
Kathi Earley, Public Services	Approval Letter File

Hard Copy: Project File

**ENGINEERING DIVISION
Portland Department of Public Services
55 Portland Street
Portland, ME 04101**

M E M O

TO: Jean Fraser
FROM: Mike Farmer, Project Engineer
DATE: November 4, 2011
RE: 38 Preble Street

I offer the following comments regarding the condition of the street lighting, curb, and sidewalks adjacent to the project site.

1. The curb and sidewalk along Preble Street are in satisfactory condition.
2. The curb along Cumberland Avenue is in satisfactory condition; however, an existing 12-foot wide curb cut along Cumberland Avenue is no longer in use. If sidewalk and curb work is contemplated as part of this project, this curb cut should be closed. The City could provide some old granite curb pieces to match the width and texture of the existing curb along Cumberland Avenue.
3. The sidewalk along Cumberland Avenue is in poor condition. If sidewalk and curb work is contemplated as part of this project, the sidewalk along Cumberland Avenue should be reconstructed with brick sidewalk material. There are three metal grates in the sidewalk and adjacent to the building. These grates are deformed and should be replaced. The granite sills that support the grates should also be reset or replaced.
4. There are no street lights adjacent to the project site on the southeast side of Cumberland Avenue or the southwest side of Preble Street. There are three pairs (6 lamps) of existing street lights on the northeast side of Preble Street adjacent to the former Public Market building; all six of these lights were off when I recently visited the site. The light poles and fixtures on Preble Street match Figure X-3H in the Technical Manual (Downtown District street lighting pole, Style 2). The existing street lights on Cumberland Avenue are cobra head fixtures attached to overhead utility poles, which are located on the northwest side the street. The only existing street light at the intersection of Preble and Cumberland is a cobra head fixture near the parking garage, on the corner opposite the site. DPS will consider the issue of street lighting needs in the project area in more detail.

38 Preble Street Overview

Preble Street currently has the property at 38 Preble Street in Portland, Maine under contract. This document provides an overview of how Preble Street plans to use this property as part of the process to obtain a conditional use permit allowing us to move our youth shelter from its current location at 65 Elm Street to 38 Preble Street.

Qualifications

The mission of Preble Street is to provide accessible, barrier-free services to empower people experiencing problems with homelessness, housing, hunger, and poverty; and to advocate for solutions to these problems. Preble Street has distinguished itself for 35 years with its comprehensive approach to helping the homeless and low-income community. While striving to meet immediate needs for food, clothing and shelter, Preble Street works just as hard at meeting long-term needs for permanent housing, literacy, job training, employment, mental health services, healthcare, and substance abuse treatment. Its success in providing services that range from “safety net” to solutions makes Preble Street unique. Preble Street will coordinate the provision of all services to clients of the new Lighthouse Shelter.

New Lighthouse Program Description

Background

Preble Street took over operations of the Lighthouse Shelter from The Salvation Army in 2004, including the lease of the building located at 65 Elm Street. The Lighthouse Shelter is licensed by the State of Maine (see Attachment I) and is open 365 days a year from 8:00pm to 8:00am to offer a warm, safe, caring environment as an alternative to staying on the streets or other unsafe situations. In addition to a clean bed, snacks, showers and personal hygiene items, and laundry facilities, staff make appropriate referrals to help youth improve their lives, re-unite with families, or develop other positive housing options.

As part of Preble Street Teen Services collaborative model, the Lighthouse Shelter works closely with area youth emergency and residential service providers such as Day One, Portland Public Health, Day One Street Program, Sexual Assault Response Services, and Youth Alternatives Ingraham. We also coordinate and consult with the Maine Department of Human Services, Portland Police Department, the Juvenile Justice System, and the Emergency Shelter Assessment Committee (ESAC), a joint community effort led by the City of Portland and United Way.

Shelter bednight usage (as reported by the city of Portland’s Emergency Shelter Assessment Committee, ESAC) has shown a continuous increase in the number of youth accessing shelter services at the Lighthouse from 2007-2010. In 2007 there were 3,383 bednights and in 2010 there were 4,838, or a 43% increase in bednight usage. That increase has pushed the Lighthouse

02-1-2010

8pm and closes at 8am. There are several challenges to this set up that create increased risk to the youth that use the Lighthouse and Teen Center.

First, from 8:00 a.m. to 12:00 noon youth have no safe space to go that is designed for, and dedicated to, providing a safe supportive environment. They can either go to the adult soup kitchen to stand in line with hundreds of adults and get breakfast or try to find safety in the adult day shelter, public parks, the library, or other public spaces throughout the city. All of those choices have negative consequences for the youth and the larger community. Second, the youth who transition from the Teen Center to the Lighthouse are on their own and are often intercepted along the way by people who seek to prey on them for one reason or another. Finally, when youth move from one program to the other, or are left with no place to go, they are disconnected from services and staff creating a breakdown in the continuity of their care due to a lack of continuity in programming.

It is our goal as part of the new Lighthouse project to eliminate these gaps in services and to significantly reduce the amount of exposure to high risk situations for youth by being open for 24 hours a day, 365 days a year. This will close the gap from 8:00 a.m. to 12:00 noon and allow us to create staffing patterns that integrate the Lighthouse and Teen Center programs by having staff that move with the youth through these difficult daily transitions. In addition, the location of the new Lighthouse at 38 Preble Street will allow for less time out of program as staff walk youth across the street for their overnight. Youth will also no longer be forced to intermingle with the adult homeless population and be able to eat breakfast, lunch, and dinner in a safe secure location designed and staffed specifically to meet their needs.

Staffing

The state of Maine requires that youth shelters have a minimum staffing of one staff for every eight youth staying at the shelter. The current Lighthouse meets this requirement by having a maximum capacity of sixteen youth (8 male and 8 female), three staff on during the awake hours of 8:00 p.m. and 11:00 p.m., and two staff for the overnight shift until 8:00 a.m. The staffing patterns for the new Lighthouse and expanded Teen Center hours would also meet this requirement as well as improve on program continuity by sharing staff between programs and supervisors across shifts. The staffing for the new Lighthouse would also change to meet the increased capacity of 24 youth by having up to 4 staff from 8:00 p.m. to 12:00 midnight, and 3 staff from 12:00 midnight to 8:00 a.m. (see Attachment II).

Caseworkers will be at the Teen Center with youth until 8:00 p.m. when they will bring them to the new Lighthouse and get them settled in for the night. A supervisor will arrive at 3:00 p.m. to allow for overlap with both the first shift staff and supervisor to insure continuity of services, communications, and solid transitions. The third shift staff will not be working five 8 hour shifts, but rather four longer shifts. Three overnight staff will arrive at 11:30 p.m. and work until 8:30 a.m. to allow for overlap with the second and first shift workers in order to provide continuity of care, solid transitions and communication between shifts.

Because the size of the program will be increased, we anticipate hiring more full time and part time staff.

Deliveries

Deliveries to 38 Preble Street should be minimal. The primary delivery location for Preble Street will remain 18 Portland Street for most deliveries and to our post office box for mail and deliveries via the USPS. During the day from 8:00 a.m. to 5:00 p.m. there may be small internal deliveries by our facilities staff. No operation in the building will require a high volume of deliveries.

Solid Waste Disposal

Currently, trash from Administrative offices is brought to the Teen Center trash room where it is hauled off three days a week by Scott's Disposal Service, and Lighthouse trash is brought to the Resource Center where it is put in a blue City bag and added to the soup kitchen's trash. Trash from both locations amounts to the equivalent of approximately 3-5 trash bags daily.

Since we do not anticipate this volume to increase at 38 Preble Street, facilities staff will place the trash from the building in a large trash receptacle and wheel it across the street to the internal trash room in the Teen Center. It may mean adding another pickup by Scott's Disposal Service.

Access Restriction

There will be two primary entrances, one for clients and one for administrative staff. Both will be located on the east side of the building. The administrative staff entrance will be part of Preble Street's card access system with Norris Inc, which will be locked at all times. The client entrance will be a separate entrance and kept locked at all times with an Aiphone system, including a camera that will be controlled in the staff intake office.

The elevator will require a key during Lighthouse hours from 8:00 p.m. to 8:00 a.m.; staff will accompany clients needing use of the elevator during this time. During business hours for the administration, the use of the elevator will not require a key.

The large door on the Cumberland Street side of the building will just be used on an occasional basis by Preble Street staff for building deliveries of supplies.

Surveillance

Two functional surveillance cameras will be situated in order to monitor the outer perimeter of the property, one capturing the eastern side of the building and one capturing the south side of the building. Both will be directed to avoid monitoring any neighboring properties unless explicitly agreed with the owner of that property. Exact mounting locations will be selected to maximize viewing coverage; mounting height will be a minimum of 10 feet above the ground to prevent vandalism. The cameras are part of a digital video security system that will allow for

brief history of the current Lighthouse and the need to move into a different facility due to conditions of the current building at 65 Elm Street and program limitations of this facility.

Concerns mentioned at the BNA meeting included the location of the shelter on the first and second floors given the street noise and whether or not Preble Street would pay property tax. Preble Street's architect, James Sterling, has been aware of street noise issues and will be addressing this in the final plans for each floor. As a nonprofit, Preble Street is not required to pay property tax. Given the nature of our mission and our service to the City of Portland, at this time we do not plan to pay property taxes on this building.

One member of BNA expressed general support for moving the Lighthouse Shelter to the 38 Preble Street building. His opinion was that the Teen Center is already in the neighborhood, the Lighthouse Shelter has been in the neighborhood for years. He also mentioned the importance to the new facility to be close to Portland High School, which is just two blocks from 38 Preble Street, as well as proximity to downtown employment opportunities.

A concern mentioned at the PDD meeting was the "misbehavior" of Preble Street clients as they walk through the neighborhood. Preble Street was asked to be part of a broader conversation on homelessness and poverty, and a question was raised if we were planning to pay dues to PDD since the building would be in their district. Opening the new facility will provide Preble Street youth clients with programs 24/7 so that they will always have a place to go and be safe; thus, minimizing the time our clients are forced to survive on the streets. Preble Street has been, and will continue to be, part of a broader conversation on homelessness and poverty. We are currently active members of the Home Team, Emergency Shelter Assessment Committee (ESAC), Greater Portland Sex Trafficking Initiative, and several other committees and task forces. We are always willing and ready to be part of community conversations on these important issues. Depending on the cost and impact it would have on our budget, we would consider paying PPD dues.

Going forward, Preble Street plans to host a neighborhood meeting for other neighbors and abutters that were not part of the BNA and PDD meetings. Date and time is yet to be determined.

PROJECT DATA

The following information is required where applicable, in order complete the application

Superceded.

Total Site Area	3883.5 +/-	sq. ft.
Proposed Total Disturbed Area of the Site	545.4 +/-	sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)		
IMPERVIOUS SURFACE AREA		
• Proposed Total Paved Area	410	sq. ft.
• Existing Total Impervious Area	150	sq. ft.
• Proposed Total Impervious Area	410	sq. ft.
• Proposed Total Impervious Area		sq. ft.
• Proposed Impervious Net Change	+ 260	sq. ft.
BUILDING AREA		
• Proposed Building Footprint	3,355	sq. ft.
• Proposed Building Footprint Net change	same	sq. ft.
• Existing Total Building Floor Area	3,000 x 3 = 9,000	sq. ft.
• Proposed Total Building Floor Area	same	sq. ft.
• Proposed Building Floor Area Net Change	0	sq. ft.
• New Building		(yes or <u>no</u>)
ZONING		
• Existing	B-3	
• Proposed, if applicable		
LAND USE		
• Existing	NA	
• Proposed		
RESIDENTIAL, IF APPLICABLE		
• Proposed Number of Affordable Housing Units		
• Proposed Number of Residential Units to be Demolished		
• Existing Number of Residential Units		
• Proposed Number of Residential Units		
• Subdivision, Proposed Number of Lots		
PARKING SPACES		
• Existing Number of Parking Spaces	0	
• Proposed Number of Parking Spaces	3 at parking garage	
• Number of Handicapped Parking Spaces		
• Proposed Total Parking Spaces		
BICYCLE PARKING SPACES		
• Existing Number of Bicycle Parking Spaces		
• Existing Number of Bicycle Parking Spaces		
• Proposed Number of Bicycle Parking Spaces		
• Total Bicycle Parking Spaces		
ESTIMATED COST OF PROJECT	\$850,000	

Original
superceded

City of Portland
Zoning Board of Appeals

Conditional Use Application of)
Preble Street for use of) Memorandum in Support
38 Preble Street, Portland) of Conditional Use Application
as a teen shelter)

Preble Street has submitted its Conditional Use Application in order to utilize the first and second floors of the property at 38 Preble Street as a new location for its Lighthouse Teen Shelter, which is currently located approximately 200 yards from 38 Preble Street at 65 Elm Street. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the Standard Conditions for Conditional Uses set forth in Section 14-474 of the Portland Code of Ordinances and also subject to the following conditions set forth in Section 14-218(b)(4) of the B-3 Zone:

Emergency shelters, subject to the following conditions, in addition to the provisions of Section 143-474

a. *The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.*

b. *The facility shall be registered with the City of Portland Department of Health and Human Services.*

Factual Background. Preble Street seeks to relocate its existing Lighthouse Shelter from 65 Elm Street to the first and second floors of the property at 38 Preble Street, which it presently has under contract. A detailed description of the operations of the program is contained in the 38 Preble Street Overview Summary attached hereto as Exhibit A. The third floor will be used by Preble Street for administrative offices, separate from the Lighthouse Shelter use. The use of the third floor is not addressed herein, as it is a permitted use, and not a conditional use in the B-3 Zone.

Conditional Use Criteria. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the specific conditions set forth in Section 14-218(b)(4) in the B-3 Ordinance and the familiar conditional use standards set forth in Section 14-474 of the Portland Code of Ordinances. This memo addresses compliance of the project, with each of these specific conditional use criteria.

B-3 Zone Conditional Use Criteria. Emergency shelters are permitted, subject to the following conditions:

a. The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.

Preble Street has contacted the director of the City's Department of Health and Human Services to obtain a copy of any Comprehensive Housing Assistance Plan. Preble Street has been informed that the Department is not aware of the existence of a plan, but that further inquiry is being made. Preble Street intends to supplement this memorandum, prior to the date of the Board of Appeals hearing, with information regarding conformance with such a plan, if one exists, or if not, to provide a letter from the director of the Department of Health and Human Services containing a determination of need for the teen shelter.

b. The facility shall be registered with the City of Portland Department of Health and Human Services.

Preble Street has also requested information regarding registration with the City's Department of Health and Human Services from the Department of Health and Human Services. To date, the City has not confirmed that any process exists for registration of shelters. Preble Street is working with the Department of Health and Human Services to determine with whether the City will be maintaining a registration process and will submit such evidence in a

supplementation to this memorandum prior to the date of the Board of Appeals Hearing, or with confirmation from the City Department of Health and Human Services that no such registration process presently exists for shelters operating in the City of Portland.

Section 14-474 Conditional Use Criteria. All conditional uses are subject to establishing compliance with the standards set forth in the City of Portland Ordinance at Section 14-474. Those standards provide that a Conditional Use Permit shall be granted unless the Board determines that:

- a. there are unique or distinctive characteristics or effects associated with the proposed conditional use;*
- b. there will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;*
- c. such impact differs substantially from the impact which would normally occur from such a use in that zone.*

Each of these conditional use standards will be addressed below.

a. There are no unique or distinctive characteristics associated with the proposed conditional use. As stated in the overview, the Lighthouse Shelter is merely moving approximately 200 yards around the corner to a location much closer to the existing Teen Center at 343 Cumberland Avenue. Although the relocation involves an increase from 16 beds to 24 beds, the attached Program Overview explains the additional staffing. The relocated Lighthouse Shelter will result in a significant decrease in the impact upon the neighborhood as a result of the existence of the Teen Shelter in the neighborhood and as a result of the plan to increase hours at the Teen Center so that there will be no gap in coverage or period when the teens who are served by the shelter will not have a place to go coordinated by staff from Preble Street.

b. There will be no adverse impact upon the health, safety or welfare of the public or the surrounding area. The Lighthouse Shelter currently provides a needed service for homeless youth in the City of Portland. Without the Shelter, or in the event that the Shelter is unable to relocate, there may be an impact upon the health, safety or welfare of the public or the surrounding area. The Teen Shelter serves an important function - to address the needs of

homeless teens in Portland. In coordination with the expanded hours of the Teen Center at 343 Cumberland Avenue and the increased staffing, which will coordinate the transition of the clients from the Teen Shelter to the Teen Center, there will be no adverse impact upon the health, safety or welfare of the public or the surrounding area.

c. Such impact does not differ substantially from the impact which would normally occur from such a use in that zone. As stated above, the Teen Shelter is already located approximately two hundred yards away in the B-3 Zone. Other services utilized by the Teen Shelter's clients, including the Teen Center, soup kitchens, clinics and other social services, are located in the same neighborhood. The location of the Teen Shelter on the first and second floors of the building at 38 Preble Street will not differ substantially from the impact that would normally occur from the shelter use in this zone. This is an easy determination for the Zoning Board of Appeals to make as a result of the location of the existing Teen Shelter just down the street. This is unlike a situation where we were looking to locate a teen shelter in the neighborhood where one had not previously existed, and the Planning Board would need to rely entirely upon the program descriptions, staffing plans and other operational aspects of the plan to determine if they were comfortable that the program would not have adverse impacts or that the program would create substantially different impacts that occur already within the B-3 Zone. Here, the Zoning Board should have an easy time determining compliance with these standards as a result of the mere relocation of the Lighthouse Shelter and the increased staffing that will be part of the new shelter, and most importantly, the plan to eliminate the gap of service coverage for the teen shelter clients as a result of expanded hours at the Teen Center just across Cumberland Avenue.


Conclusion. For all of the reasons stated in the foregoing memorandum and the attachments thereto, we believe that the Lighthouse Shelter to be located in the first and second floors of the building at 38 Preble Street meet each of the specific and standard conditional use criteria set forth in the City of Portland Code of Ordinances.

Ad. A. b. 6.

We look forward to discussing this Application with the Zoning Board of Appeals.

Respectively submitted,

PREBLE STREET


By: Mark R. Swan
Executive Director
10/12/11

From: Jean Fraser
To: Barhydt, Barbara; Gardner, Doug; Jaegerman, Alex; Schmuckal, Marge; ...
CC: Momborquette, Linda
Date: 10/28/2011 2:52 PM
Subject: re Preble St Teen Shelter mtg on Monday 10.31.2011
Attachments: 38 Preble - All except ATT 1.pdf

Hi

I am suggesting the following general order of items for discussion at the meeting on Monday at 10:30 (4th floor planning) so that - maybe - some of you could leave the meeting early:

Clarify re the Teen Program generally and how it works including "registration" with HHS and related issues

The proposed uses and physical alterations at 38 Preble Street

Clarification of review issues and any procedural questions

Also please note that attending from Preble Street will be Mark Swann (Director), Mark Schmitz (Director of Operations) and Jim Sterling (Architect) , ALSO: Chris Bicknell, Teen Services Coordinator, and Gary Vogel, their legal representative. Jon Bradley, Preble Street Associate Director, may or may not attend.

We will be meeting in Penny-now-Greg's office (with Greg's agreement!) - we have it until 12 noon.

I attach again the submitted info (excluding the detailed Maine DHSS docs) for background.

Thanks
Jean

38 Preble Street Overview

Preble Street currently has the property at 38 Preble Street in Portland, Maine under contract. This document provides an overview of how Preble Street plans to use this property as part of the process to obtain a conditional use permit allowing us to move our youth shelter from its current location at 65 Elm Street to 38 Preble Street.

Qualifications

The mission of Preble Street is to provide accessible, barrier-free services to empower people experiencing problems with homelessness, housing, hunger, and poverty; and to advocate for solutions to these problems. Preble Street has distinguished itself for 35 years with its comprehensive approach to helping the homeless and low-income community. While striving to meet immediate needs for food, clothing and shelter, Preble Street works just as hard at meeting long-term needs for permanent housing, literacy, job training, employment, mental health services, healthcare, and substance abuse treatment. Its success in providing services that range from “safety net” to solutions makes Preble Street unique. Preble Street will coordinate the provision of all services to clients of the new Lighthouse Shelter.

New Lighthouse Program Description

Background

Preble Street took over operations of the Lighthouse Shelter from The Salvation Army in 2004, including the lease of the building located at 65 Elm Street. The Lighthouse Shelter is licensed by the State of Maine (see Attachment I) and is open 365 days a year from 8:00pm to 8:00am to offer a warm, safe, caring environment as an alternative to staying on the streets or other unsafe situations. In addition to a clean bed, snacks, showers and personal hygiene items, and laundry facilities, staff make appropriate referrals to help youth improve their lives, re-unite with families, or develop other positive housing options.

As part of Preble Street Teen Services collaborative model, the Lighthouse Shelter works closely with area youth emergency and residential service providers such as Day One, Portland Public Health, Day One Street Program, Sexual Assault Response Services, and Youth Alternatives Ingraham. We also coordinate and consult with the Maine Department of Human Services, Portland Police Department, the Juvenile Justice System, and the Emergency Shelter Assessment Committee (ESAC), a joint community effort led by the City of Portland and United Way.

Shelter bednight usage (as reported by the city of Portland’s Emergency Shelter Assessment Committee, ESAC) has shown a continuous increase in the number of youth accessing shelter services at the Lighthouse from 2007-2010. In 2007 there were 3,383 bednights and in 2010 there were 4,838, or a 43% increase in bednight usage. That increase has pushed the Lighthouse

beyond its 16 bed capacity. As a result, two out of every three nights youth who cannot stay at the Lighthouse are being faced with the choice of going to the City of Portland's Oxford Street Shelter, sleeping in a place unsuitable for human habitation, or selling their bodies to secure a bed for the night.

The current building at 65 Elm Street has created numerous challenges over the years since it is more of a residential building and not designed to meet the demanding requirements of a shelter. In May 2010 just prior to a lease renewal, Preble Street was informed that the building at 65 Elm Street requires \$21,021 of foundation work. The owner of the building told Preble Street that he was not willing to pay for this work and asked Preble Street to do so as part of a multiyear lease renewal. We were eventually able to negotiate a one year lease without paying for the foundation work, which the owner has not had completed. This lease expires on December 31, 2011.

In summary, the Lighthouse Shelter is in a building not designed for shelter use, does not have the space to meet the need, and is in need of expensive repairs that Preble Street, as the tenant, is not willing to fund. To solve these problems, Preble Street has been looking for a new home for the Lighthouse. We believe we found an ideal building located at 38 Preble Street in Portland.

38 Preble Street Building

A New Lighthouse Shelter

Preble Street is under contract for a 4-story building located at 38 Preble Street. This 14,080 square foot building will provide the much needed space not only for the Lighthouse Shelter, but for needed administrative offices. In addition, the location is ideal as it is literally across the street from our Teen Center, which is located at 343 Cumberland Avenue, and is approximately 200 yards from the current location at 65 Elm Street.

The new shelter for Portland's homeless youth will maintain the current hours of 8:00 p.m. to 8:00 a.m. It will occupy the first and second floors of the building. We will be able to increase the number of beds from 16 to 24, mitigating the problem of turning away youth at the 65 Elm Street location. Each floor will have 12 beds, be divided by gender, common room space to gather, quiet study areas, and adequate bathrooms and showers. Each floor will have a private room available to underage, high risk and LGBTQ youth, as needed. There will also be 3 semi-private beds on each floor. A small kitchenette will be located on the first floor. Youth will enter the building through a small courtyard located off of the Preble Street side of the building.

Creating a 24/7 Operation

In addition to the 38 Preble Street building providing us with the needed space to expand our youth shelter, it is literally across the street from the Teen Center. Thus, our plans are not to just create a new Lighthouse Shelter, but to also expand Teen Services to a 24/7 operation. The current program structure in Preble Street Teen Services has the Teen Center opening at 12 noon every day and closing at 8pm when youth then walk to the Lighthouse shelter, which opens at

8pm and closes at 8am. There are several challenges to this set up that create increased risk to the youth that use the Lighthouse and Teen Center.

First, from 8:00 a.m. to 12:00 noon youth have no safe space to go that is designed for, and dedicated to, providing a safe supportive environment. They can either go to the adult soup kitchen to stand in line with hundreds of adults and get breakfast or try to find safety in the adult day shelter, public parks, the library, or other public spaces throughout the city. All of those choices have negative consequences for the youth and the larger community. Second, the youth who transition from the Teen Center to the Lighthouse are on their own and are often intercepted along the way by people who seek to prey on them for one reason or another. Finally, when youth move from one program to the other, or are left with no place to go, they are disconnected from services and staff creating a breakdown in the continuity of their care due to a lack of continuity in programming.

It is our goal as part of the new Lighthouse project to eliminate these gaps in services and to significantly reduce the amount of exposure to high risk situations for youth by being open for 24 hours a day, 365 days a year. This will close the gap from 8:00 a.m. to 12:00 noon and allow us to create staffing patterns that integrate the Lighthouse and Teen Center programs by having staff that move with the youth through these difficult daily transitions. In addition, the location of the new Lighthouse at 38 Preble Street will allow for less time out of program as staff walk youth across the street for their overnight. Youth will also no longer be forced to intermingle with the adult homeless population and be able to eat breakfast, lunch, and dinner in a safe secure location designed and staffed specifically to meet their needs.

Staffing

The state of Maine requires that youth shelters have a minimum staffing of one staff for every eight youth staying at the shelter. The current Lighthouse meets this requirement by having a maximum capacity of sixteen youth (8 male and 8 female), three staff on during the awake hours of 8:00 p.m. and 11:00 p.m., and two staff for the overnight shift until 8:00 a.m. The staffing patterns for the new Lighthouse and expanded Teen Center hours would also meet this requirement as well as improve on program continuity by sharing staff between programs and supervisors across shifts. The staffing for the new Lighthouse would also change to meet the increased capacity of 24 youth by having up to 4 staff from 8:00 p.m. to 12:00 midnight, and 3 staff from 12:00 midnight to 8:00 a.m. (see Attachment II).

Caseworkers will be at the Teen Center with youth until 8:00 p.m. when they will bring them to the new Lighthouse and get them settled in for the night. A supervisor will arrive at 3:00 p.m. to allow for overlap with both the first shift staff and supervisor to insure continuity of services, communications, and solid transitions. The third shift staff will not be working five 8 hour shifts, but rather four longer shifts. Three overnight staff will arrive at 11:30 p.m. and work until 8:30 a.m. to allow for overlap with the second and first shift workers in order to provide continuity of care, solid transitions and communication between shifts.

Because the size of the program will be increased, we anticipate hiring more full time and part time staff.

Administrative Staff Offices

Currently, staff at Preble Street is spread out to six locations across the City. We rent office space at 309 Cumberland Avenue due to lack of space in our other facilities. As the agency continues to grow, so does the need for office space.

The third floor at 38 Preble Street will be used for much needed staff offices. Most of the staff on this floor will be relocating from our 343 Cumberland Avenue building, across the street from 38 Preble Street. This will not only provide us with office relief now, but should help satisfy future growth needs.

We anticipate 10-12 staff will have offices on the third floor of 38 Preble Street. Office hours are generally 8:00 a.m. to 5:00 p.m. Some staff will arrive earlier, and some will stay later on occasions.

Parking

The lease for the current Lighthouse Shelter at 65 Elm Street includes two parking spaces in the adjacent lot for overnight staff. For the needed three parking spaces at 38 Preble Street, which will be needed from 5:00 p.m. to 8:00 a.m., Preble Street will seek monthly parking spaces from the Portland Public Market Garage when the building opens in 2012 (see Attachment III).

Administrative staff moving to the third floor will maintain their current parking arrangements since their office will just be moving across the street from the location of their current offices.

Additional parking, as needed, is available on the nearby streets and parking garages.

Facilities Management

Preble Street will be responsible for all property management issues at the 38 Preble Street facility. We currently own two buildings, 343 Cumberland Ave and 5 Portland Street, providing the same services. This includes building repairs, interior and exterior maintenance, snow removal, cleaning, and equipment maintenance. Work is performed by Preble Street staff and outside vendors under Preble Street's oversight.

The Facilities Management department at Preble Street consists of a facilities manager, custodial supervisor, maintenance technician, three full time custodians, and five per diem staff under the direction of the Director of Operations. The additional building needs for 38 Preble Street will require hiring additional custodial staff.

Deliveries

Deliveries to 38 Preble Street should be minimal. The primary delivery location for Preble Street will remain 18 Portland Street for most deliveries and to our post office box for mail and deliveries via the USPS. During the day from 8:00 a.m. to 5:00 p.m. there may be small internal deliveries by our facilities staff. No operation in the building will require a high volume of deliveries.

Solid Waste Disposal

Currently, trash from Administrative offices is brought to the Teen Center trash room where it is hauled off three days a week by Scott's Disposal Service, and Lighthouse trash is brought to the Resource Center where it is put in a blue City bag and added to the soup kitchen's trash. Trash from both locations amounts to the equivalent of approximately 3-5 trash bags daily.

Since we do not anticipate this volume to increase at 38 Preble Street, facilities staff will place the trash from the building in a large trash receptacle and wheel it across the street to the internal trash room in the Teen Center. It may mean adding another pickup by Scott's Disposal Service.

Access Restriction

There will be two primary entrances, one for clients and one for administrative staff. Both will be located on the east side of the building. The administrative staff entrance will be part of Preble Street's card access system with Norris Inc, which will be locked at all times. The client entrance will be a separate entrance and kept locked at all times with an Aiphone system, including a camera that will be controlled in the staff intake office.

The elevator will require a key during Lighthouse hours from 8:00 p.m. to 8:00 a.m.; staff will accompany clients needing use of the elevator during this time. During business hours for the administration, the use of the elevator will not require a key.

The large door on the Cumberland Street side of the building will just be used on an occasional basis by Preble Street staff for building deliveries of supplies.

Surveillance

Two functional surveillance cameras will be situated in order to monitor the outer perimeter of the property, one capturing the eastern side of the building and one capturing the south side of the building. Both will be directed to avoid monitoring any neighboring properties unless explicitly agreed with the owner of that property. Exact mounting locations will be selected to maximize viewing coverage; mounting height will be a minimum of 10 feet above the ground to prevent vandalism. The cameras are part of a digital video security system that will allow for

live viewing of each camera from a central computer as well as the recording of data. Front desk staff will be responsible for monitoring the cameras. Camera locations will be set in consultation with the Portland Police Department.

Safety Measures

Working closely with the Portland Police Department and other public safety departments, Preble Street provides extensive trainings to all staff on basic safety including CPR, First Aid, intervention with potentially violent situations, how to communicate with crisis services and with 911, and the role of police and Medcu in on site situations. Preble Street have developed specific safety protocols and regularly communicate with the Portland Police and other emergency personnel. See an outline of the Preble Street training material in Attachment IV.

Controls of Behaviors; Control of Noise Levels

Clients' behavior is expected to be safe and appropriate. Clients may not unreasonably disturb others, use the premises for any purpose deemed hazardous, conduct any activity or occupation which is illegal, noisy or dangerous, nor cause any damage or waste to the premises. No alcohol or drugs are permitted in any indoor or outdoor public area.

Loitering of non-clients around the building is not permitted nor is any behavior that is disruptive or unsafe. Any behavior that does not meet safety and noise expectations as well as any loitering will be addressed by procedures that will vary based on the severity and the responsiveness of the person whose behavior is being inappropriate:

- First, the individual(s) is asked to leave the area and staff use any existing relationship as well as offers of alternative resources, if needed, to make sure that the individual(s) leave the area and understand the need to change this behavior in the future.
- Second, in the event that the person returns to the area or refuses to leave, Preble Street staff will serve the individual(s) with paperwork approved by the City that lets them know that they are restricted from a specific area around the building.
- Third, if the individual(s) still does not leave the area or returns, the police will be notified to move the individual(s) along and /or to make an arrest for trespassing. Preble Street staff follow up with the Police Department to ensure that individuals do not return to the area and that they understand that continued trespassing can result in incarceration.

Neighborhood Meetings

Neighborhood meetings are not required as part of a Conditional Use Application. Even though we are not required to do so, Preble Street has reached out to the Bayside Neighborhood Association (BNA) and Portland Downtown District (PDD). Preble Street asked to be on the agenda for a regular BNA meeting on September 9, 2011 and arranged a special meeting with PDD on September 21, 2011 in our Teen Center. In both meetings, Preble Street provided a

brief history of the current Lighthouse and the need to move into a different facility due to conditions of the current building at 65 Elm Street and program limitations of this facility.

Concerns mentioned at the BNA meeting included the location of the shelter on the first and second floors given the street noise and whether or not Preble Street would pay property tax. Preble Street's architect, James Sterling, has been aware of street noise issues and will be addressing this in the final plans for each floor. As a nonprofit, Preble Street is not required to pay property tax. Given the nature of our mission and our service to the City of Portland, at this time we do not plan to pay property taxes on this building.

One member of BNA expressed general support for moving the Lighthouse Shelter to the 38 Preble Street building. His opinion was that the Teen Center is already in the neighborhood, the Lighthouse Shelter has been in the neighborhood for years. He also mentioned the importance to the new facility to be close to Portland High School, which is just two blocks from 38 Preble Street, as well as proximity to downtown employment opportunities.

A concern mentioned at the PDD meeting was the "misbehavior" of Preble Street clients as they walk through the neighborhood. Preble Street was asked to be part of a broader conversation on homelessness and poverty, and a question was raised if we were planning to pay dues to PDD since the building would be in their district. Opening the new facility will provide Preble Street youth clients with programs 24/7 so that they will always have a place to go and be safe; thus, minimizing the time our clients are forced to survive on the streets. Preble Street has been, and will continue to be, part of a broader conversation on homelessness and poverty. We are currently active members of the Home Team, Emergency Shelter Assessment Committee (ESAC), Greater Portland Sex Trafficking Initiative, and several other committees and task forces. We are always willing and ready to be part of community conversations on these important issues. Depending on the cost and impact it would have on our budget, we would consider paying PPD dues.

Going forward, Preble Street plans to host a neighborhood meeting for other neighbors and abutters that were not part of the BNA and PDD meetings. Date and time is yet to be determined.

Attachment III

COMMERCIAL REAL ESTATE SERVICES

CBRE | The Boulos Company

Part of the CB Richard Ellis affiliate network

BOULOS PROPERTY MANAGEMENT

One Canal Plaza, Suite 500
Portland, ME 04101

T 207.871.1290
F 207.772.2647

www.boulos.com

September 30, 2011

Mark Schmitz
Preble Street
PO Box 1459
Portland, ME 04101

Via email to: mschmitz@preblestreet.org

RE: Public Market Parking Garage

Dear Mr. Schmitz:

The monthly rate for parking at the Public Market Garage is currently \$110.00 per month (per card). We do charge a one-time card deposit fee of \$10.00 which would be returned once the card is canceled and the account is paid in full.

At this time, we have sufficient parking space available at the garage.

Payment is due on the first of every month, and we accept cash or check only. The contract is on a month-to-month basis.

Please let me know if I could be of further assistance.
Thank you.

Sincerely,



Brooke Beaucage-Ghans
Parking Administrator
Boulos Property Management
1 Canal Plaza
Portland, ME 04101
Bbeaucage-ghans@boulos.com
207-553-1759

Preble Street Training Material Outline

I. Preble Street Required Training for All Staff

Step 1: Orientation: Preble Street Handbook and Policies

Confidentiality Policy and Unlawful Harassment Policy

Exposure Risk Policies (Universal Precautions, Bloodborne and Airborne Pathogens)

Incident and Accident reporting, Worker's Compensation, and Trauma Protocol

Step 2: Maintaining a Safe Work Environment:

Boundaries & Confidentiality, Steps for Safety, Conflict Resolution, Challenging Behaviors, Emergency Services Intervention Basics, Weapon Policy and Trauma Procedures

Step 3: Mental Health & Suicide Intervention:

Emergency & Non-Emergency Procedures, Mental Health Crisis Intervention, Suicide Intervention

Additional Annually Training: Unlawful Harassment & Safety Training, Video Display Terminal Training (for office staff)

II. Specific Program Training

Adult Services

Logan Place/Florence House:

History & Logan Place/Florence House Policies

Harm Reduction

Social Services Tour

Police Interaction Protocol/Referral Guidelines

Personal Safety & De-escalation Techniques

Boundaries & Confidentiality

Challenging and Unsafe Behaviors

Steps for Safe Interactions

Co-occurring Mental Health and Substance Use Disorders

Mental Health Intervention Training

Developing Positive Relationships

Assessing for Suicide

Stages of Alcoholism/Withdrawal/Overdose/Recovery

Substance Abuse and Victimization

History and Principles of Supportive Housing

Women's Shelter/Florence House:

Shelter Procedures and Policies (including Intake Procedures, On Call Procedures, Illegal

Substance Policy, & Overflow Plan)

Emergency Interventions/Police and Medcu Protocols

De-escalating & Addressing Difficult Behaviors

Boundaries & Confidentiality

Suicide Intervention

Coordinator and Program Assistant (HMIS Training)

Sexual Abuse Training (SARS)

Adult Day Shelter:

Day Shelter Policies (including Drug & Alcohol Policies, Weapon Policy & Trauma Protocol)

Social Work and Safety in the Day Shelter

Emergency Interventions/Police and Medcu Protocols

De-escalating & Addressing Difficult Behaviors

Casework –Working with Clients & Paperwork

Weekend Breakfast Protocols/On Call Procedures

Teen Services

Teen Drop in Center:

Agency Overview
Drop in Policies/Rules/ Regulations
Confidentiality
Consumer Needs, Issues, and Characteristics
Boundaries
Harm Reduction/Drugs & Alcohol
Case Management/Paperwork/Resources
Child Abuse Reporting (DHHS/CPS Training)
Crisis Intervention
Outreach
Program Assistant (HMIS Training)

Lighthouse:

Lighthouse Policies /Rules
Intake/ Discharge Procedures
Confidentiality
Child Abuse Reporting (DHHS/CPS Training)
Police/Medcu/Fire Department Procedure
Emergency & Evacuation Procedure
Emergency Preparedness Plan/Overflow
Suicide Prevention

Upon Hire and as required by license:

Physical for staff
TB testing
First Aide/CPR (American Red Cross)

III. Additional Training from Outside Sources:

University Of Maine: 40-42 course slots (days) for staff each year

Ethical Decision Making, Motivational Interviewing, Communicating One on One, Using Feedback Effectively, Constructive Conflict Resolution, Anger as Information, The Practice of Supervision, Assessing the Risk of Violence, Stepping Up to Supervisor, Critical Thinking, Compassion Fatigue, Managerial Courage, Negotiation Skills, Coaching to Enhance & Improve Performance

Co-Occurring Collaborative of Southern Maine – some examples are: Multi-Cultural Responsiveness in Maine, Co-Occurring Disorders and the Criminal Justice System, Meth on the Move, Psychiatric Care of Patients in the ER Department, Treatment & Recovery Philosophies

Sexual Assault Response Services of Southern Maine – 4 Trainings contracted per year on sexual assault, medical and legal issues.

American Red Cross – First Aide and CPR for Lighthouse staff upon hire and annually.

DHHS – Intake and Referral - Mandatory Reporting

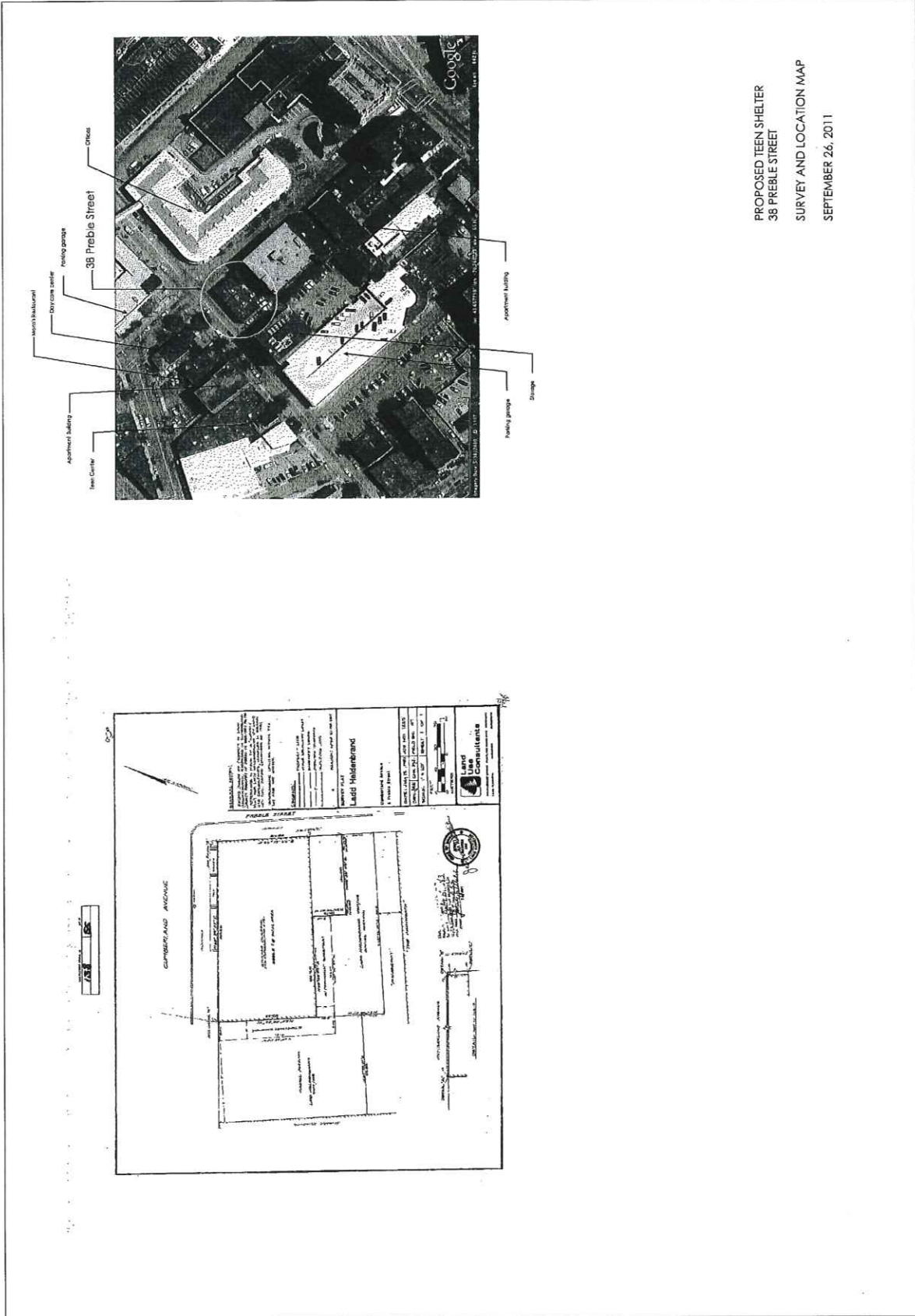
David Mandt & Associates – Mandt System Training

Amistad – Mental Health Trainings

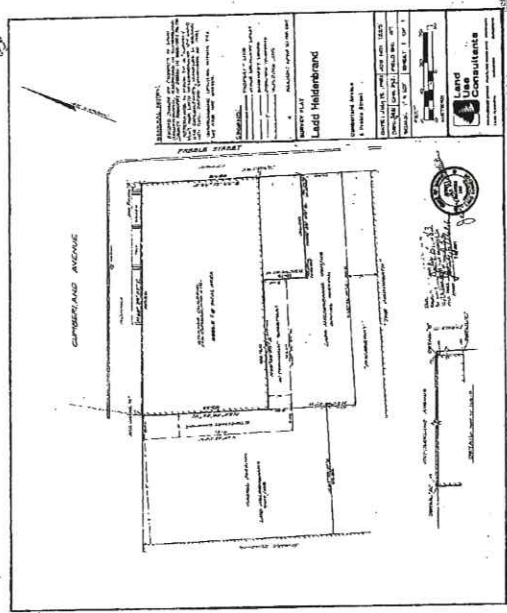
Day One - Teen Center Training

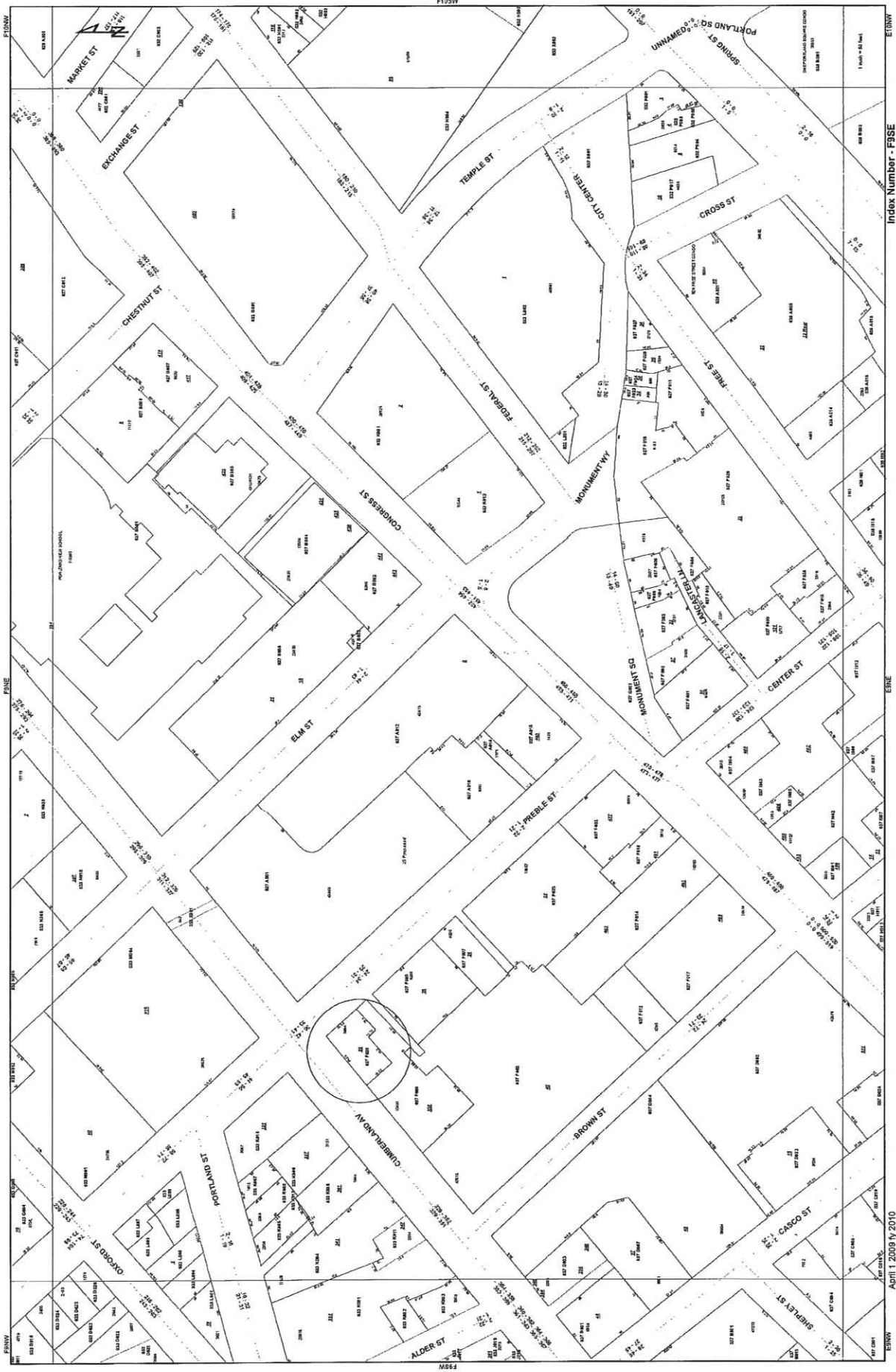
Portland Police Department – Police Interaction and Relationships, CIT Officers and Crisis Intervention

Maine Medical Center – Ethics in the Health & Mental Health Care



PROPOSED TEEN SHELTER
38 PREBLE STREET
SURVEY AND LOCATION MAP
SEPTEMBER 26, 2011





Index Number - F95E

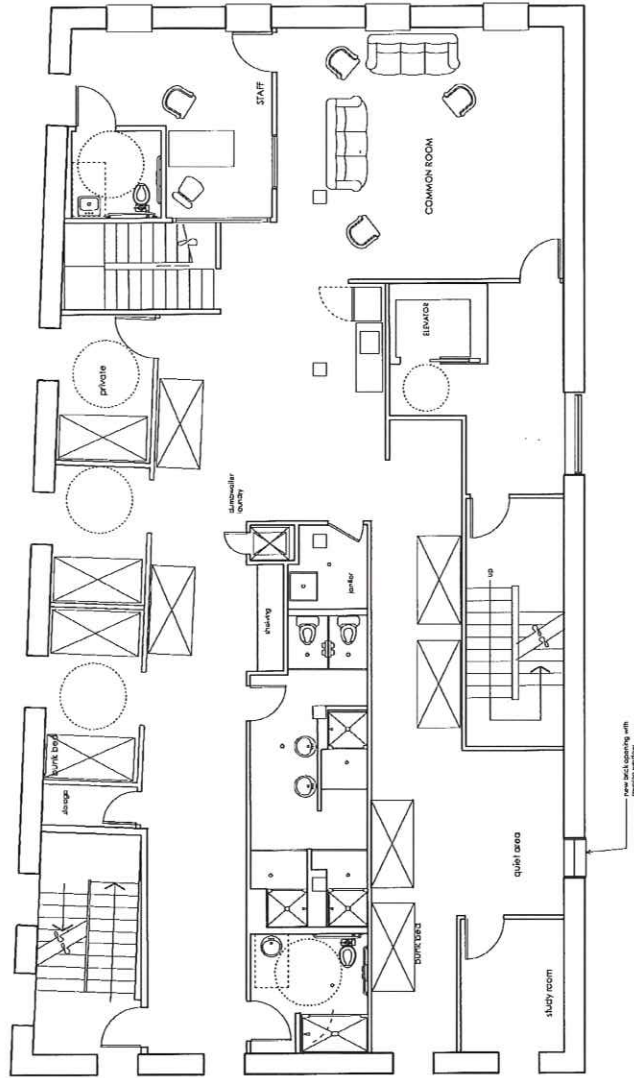
April 1, 2009 to 2010

PROPOSED TEEN SHELTER
38 PREBLE STREET

2ND LEVEL

SEPTEMBER 26, 2011

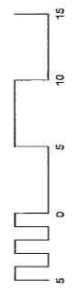
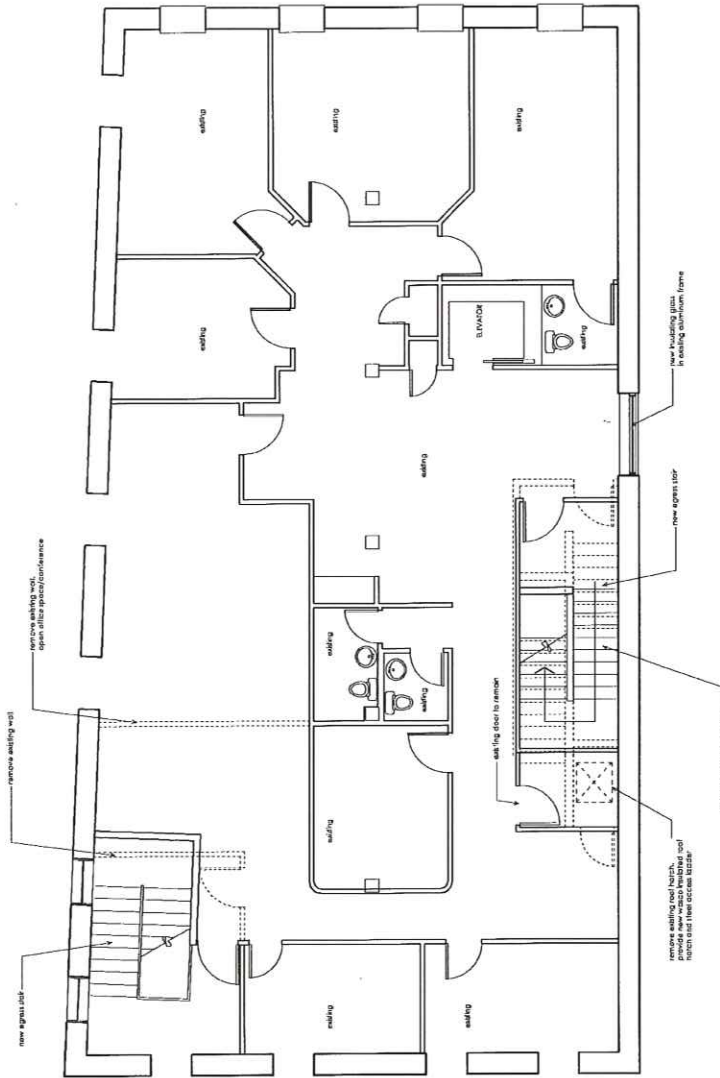
James Sterling, AIA
Architect
1000 Commercial
Portland, Maine
207-772-0037

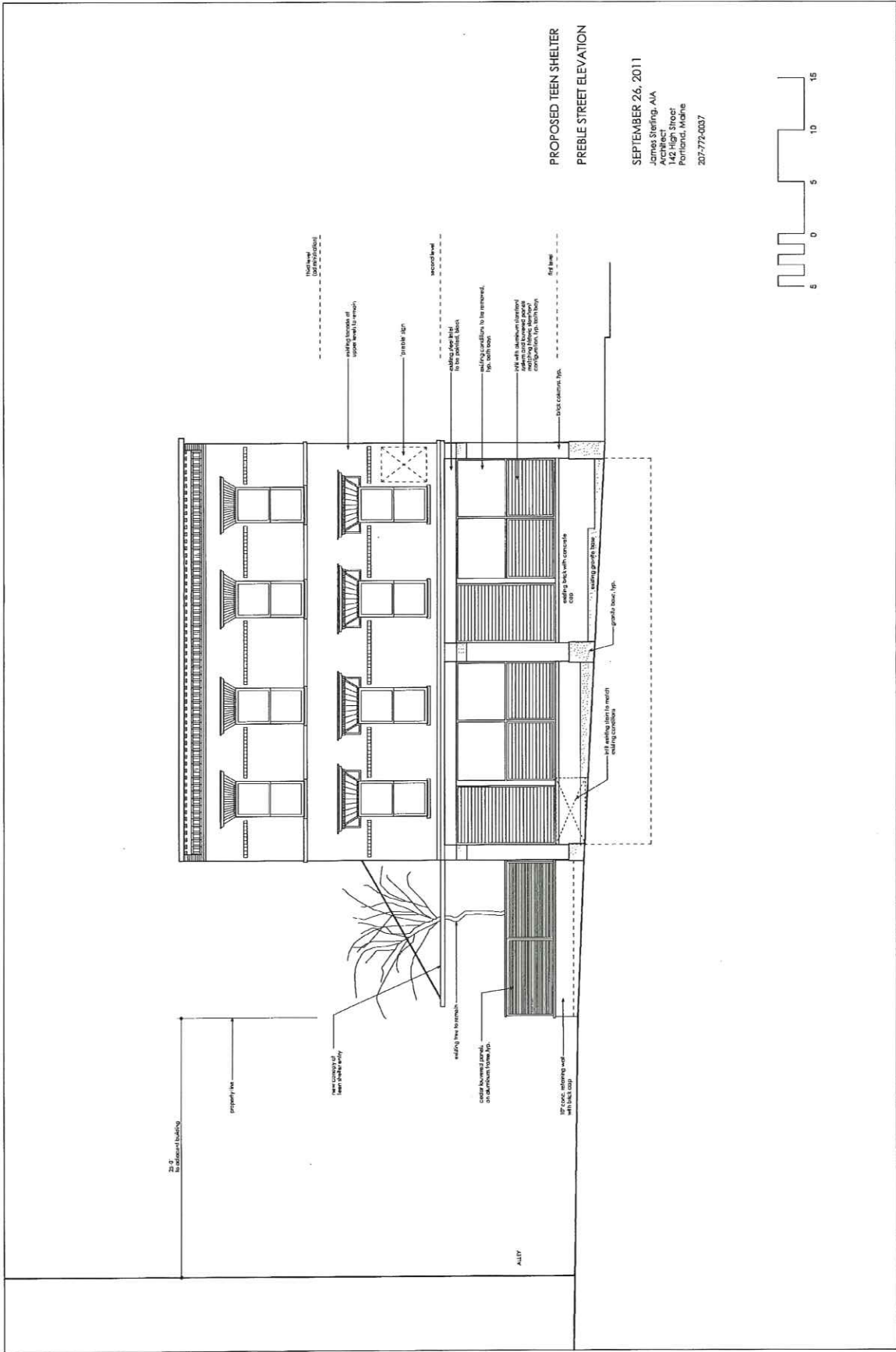


PROPOSED TEEN SHELTER
 38 PREBLE STREET
 ADMINISTRATION
 3rd LEVEL

SEPTEMBER 26, 2011

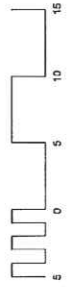
James Sterling, AIA
 Architect
 145 High Street
 Portland, Maine
 207-772-0037

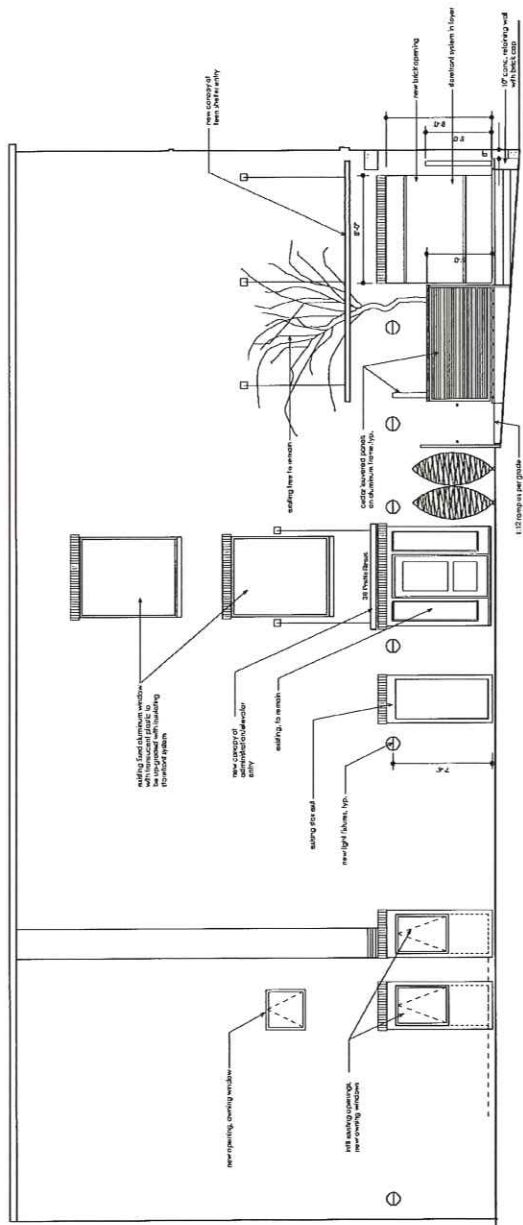




PROPOSED TEEN SHELTER
PREBLE STREET ELEVATION

SEPTEMBER 26, 2011
James Sterling, AIA
James Sterling Architects
142 High Street
Portland, Maine
207-772-0037

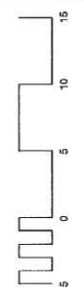




PROPOSED TEEN SHELTER
ALLEY (EAST) ELEVATION

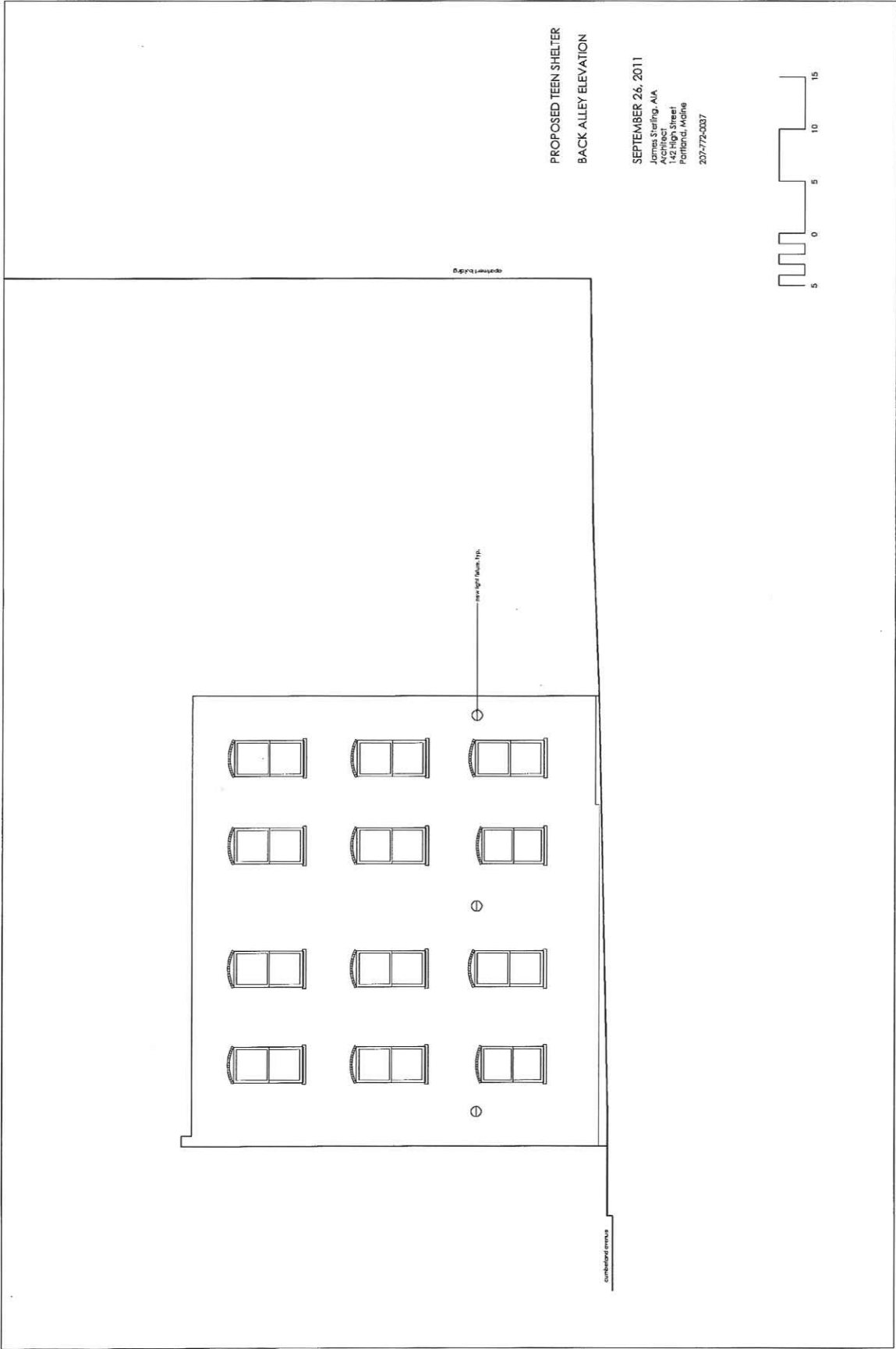
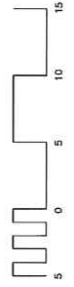
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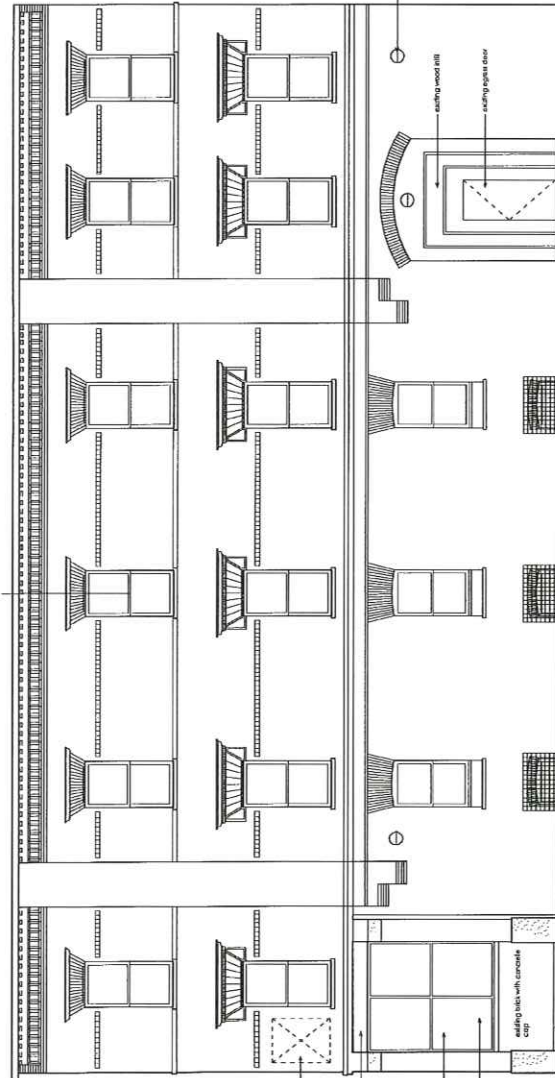
James Sterling, AIA
Architect
142 High Street
Portland, Maine
207-772-0327



PROPOSED TEEN SHELTER
BACK ALLEY ELEVATION

SEPTEMBER 26, 2011
James Sterling, AIA
140 High Street
Portland, Maine
207-774-3337





PROPOSED TEEN SHELTER
CUMBERLAND AVENUE
ELEVATION

SEPTEMBER 26, 2011

James Straffing, AIA
Architect
142 High Street
Portland, Maine
207-772-0037





PLANNING BOARD REPORT PORTLAND, MAINE

Teen Shelter at 38 Preble Street

Conditional Use Application and Site Plan Review

Preble Street, Applicant
Project ID 2011-214

Submitted to: Portland Planning Board Public Hearing Date: November 22, 2011	Prepared by: Jean Fraser, Planner Date: November 18, 2011 Planning Board Report # 25-11
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I. INTRODUCTION

Preble Street has requested conditional use and site plan approval for the change in use of 2 floors within the existing 4 floor building at 38 Preble Street for an Emergency Shelter for Teens (Lighthouse Shelter), and associated external modifications. The proposed use will provide an overnight emergency shelter for up to 24 teens and would replace the existing shelter located 200 yards away at 65 Elm Street.

The proposed use would take place within the existing structure with minor external alterations to reorganize access, link to the existing courtyard, increase privacy and improve lighting. The other 2 floors of the building (basement and third) would remain in their existing uses (offices/mechanicals).

The proposed use as an emergency shelter constitutes a conditional use within the B-3 zone, for which the standards are explicitly set out in Section 14- 218 (b) (4) of the City's Ordinance. It specifies that the Planning Board shall be substituted for the Zoning Board of Appeals as the reviewing authority. In addition, the site is located within the Encouragement Area of the Pedestrian Activities District Overlay Zone.

Emergency Shelters are listed as a use requiring Level II Site Plan review, so the proposal is subject to site plan review. The property is located within the Congress Street Historic District and is considered a contributing building. The proposals have been discussed at an Historic Preservation Board Workshop on November 16, 2011 and their comments are included in this report.

A Workshop on this proposal was held on November 8, 2011 where the Board indicated it was generally acceptable subject to clarification of shelter use information, refinement of the frontage treatment; and resolution of CPTED issues.

Since the Workshop (at which all but one of the public comments was in support) staff have heard from a number of objectors, including the owner of the abutting property and the Portland Downtown District; their concerns are discussed in section II below.

II PUBLIC COMMENTS

A total of 104 notices of this Hearing were sent to property owners within 500 feet and to interested citizens. A public notice also appeared in the November 14 and 15, 2011 editions of the *Portland Press-Herald*. At the time of the Workshop almost 300 e-mails indicating support had been received. At the Workshop meeting eight members of the public spoke; 7 in support and 1 objecting.

Since the workshop a further 24 e-mails of support have been received plus the following (all in separate attachment white paper with blue writing numbered PC293- 329):

- Letter from Janis Beitzer, Executive Director Portland Downtown District (PC 318) expressing opposition and requesting conditions if the use were permitted; [Conditions were:
 - All meals provided separately from the adult population.
 - No gap in service and staff supervision between the teen center and teen shelter operating hours.
 - Recording building exterior cameras on Preble and Cumberland 24/7. Digital images to be maintained for a minimum of 7 days.
 - Enclosed outdoor space provided on-site.
 - Routine street outreach inside and outside the library and in downtown parks.
 - An operational review by the City's Health and Human Services Director on a quarterly basis for one year and then annually.]
- 5 e-mails of opposition from businesses associated with PDD (forwarded to staff by PDD; PC 319-324)
- A petition to the Planning Board supporting the project signed by 16 local businesses and 8 others (this was mentioned by Gary Vogel, the applicants attorney, during the presentation to the Workshop- submitted via Preble Street and received on 11.17.2011) (PC 325-328)
- Letter from Louis Wood, 340 Associates, LLC (own land immediately surrounding 38 Preble Street) raising concerns about access and easement restrictions and advising of generator use associated with their premises); (PC329)

A Neighborhood Meeting is not required by the Ordinance but the applicant has reached out voluntarily to explain the proposals (see overview, last 2 pages. Attachment A.c.)

The potential conditions of approval include several conditions that address the concerns raised in the comments.

III. SUMMARY OF FINDINGS

Zoning:	B-3
Parcel Size:	3,883.5 sq ft
Footprint of existing building:	3,355 sq ft
Total Floorspace of the Existing Building excl basement:	9,000 sq ft
Total floorspace of 2 floors proposed for teen shelter:	6,000 sq ft
Parking Spaces:	N/A (3 spaces to be leased in parking garage)

IV. BACKGROUND

Preble Street is a private, not for profit organization that has been in existence for 35 years and now operates (along with other services) the Lighthouse Teen Shelter (Elm Street) and the Teen Center (Cumberland Avenue). Together with the Preble Street Resource Center on Portland Street, these facilities provide meals, shelter and relevant social services to serve the needs of people experiencing problems with homelessness, housing, hunger and poverty. The Lighthouse Teen Shelter provides sleeping accommodation (8pm to 8am) only.

Preble Street took over the operation of the Lighthouse Shelter (for teens) from the Salvation Army in 2004, including the lease for the building at 65 Elm Street. The lease for this building expires on December 31, 2011 as a result of issues related to the building needing extensive repairs.

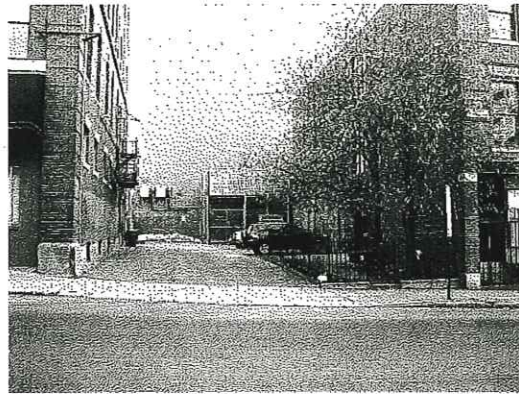
According to the applicant, the existing Lighthouse Shelter does not meet the needs of the client group; bednight usage of this shelter has shown a continuous increase in the number of youth accessing the shelter, from 3,383 bednights in 2007 to 4,838 bednights in 2010- a 43% increase. Youth are therefore frequently turned away; the Overview in Attachment A.c page 2 refers to this being the case two out of every three nights. Further submitted information in Attachment C.c relates to the Runaway and Homeless Youth Act.

Relocation of the Lighthouse Shelter to the property at 38 Preble Street meets a number of objectives as stated by the applicant:

- The teen shelter would be in a building owned and maintained by Preble Street and avoid continued leasing;
- The proposed site allows an increase in bedspaces from 16 to 24 to meet the growing need;
- The proposed site would retain the teen shelter location near the Preble Resource Center and Teen Center which would allow continued/improved coordination of services.

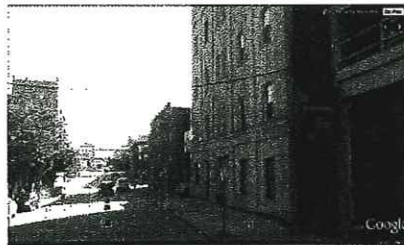
V. EXISTING CONDITIONS

The building at 38 Preble Street is on the southwest corner of Preble Street and Cumberland Avenue opposite the Public Market building. On the south side there is an existing 15ft by 36 ft fenced courtyard that currently leads to the canopied entrance on that side. The property is surrounded on the south and west sides by a paved area (part of the abutting property at 338 Cumberland Avenue) that separates it from much higher buildings on both sides (B/W enlarged photos are included in [Attachment 4](#)):



From Preble Street; 38 Preble Street to right and 64 unit apartment building to left -- and "alley" and existing courtyard

To the south is the 6 story building known as "The Wadsworth" which is a 64 unit apartment building with commercial uses on the ground floor. To the west at 338 Cumberland Avenue is an eight story building known as the Portland Data Center with a blank wall, access alley and mechanicals facing the west side of 38 Preble Street. The parking shown in the photographs in the area around the building is not on property owned by 38 Preble Street, although easements exist along the property ([Attachment C.a](#)).



Cumberland Avenue frontage at left

VI. PROPOSAL

The proposal is outlined in [Attachment A.c "Overview"](#) and shown in the plans in [Attachment E](#). The proposed Emergency Shelter for Teens would be located on the first and second floors of 38 Preble Street to provide up to 24 bed spaces with appropriate staffing and separation by age and gender in accordance with their existing license from the state of Maine DHSS ([Attachment A.d](#)). The existing Lighthouse Shelter license includes extensive restrictions, policies and procedures that ensure overnight security and management. The shelter would be open from 8pm to 8am

and the "in take" of teens would take place at the Teen Center on Cumberland Avenue earlier in the day with staff accompanying the teens when they transfer to 38 Preble Street at 8pm.

The two floors of the shelter would include common rooms and quiet areas and a mix of semi-private sleeping areas, with associated bathrooms, but no full kitchen/meal service. Those staying overnight would bring in only what they need for the night and take their belongings with them when they leave at 8am. Staffing would be 4-5 staff between 8pm and 11pm and 3 staff overnight (Attachment A.e).

The property comprises only the building and the courtyard area (see Survey in Attachment E.c), with easements around the internal perimeter (Attachment E.a). The following external modifications are proposed; details of the frontages facing Preble Street and the Wadsworth have been revised since the Workshop (Attachments Ee1&2):

- Modifications to the existing fenced courtyard on Preble Street to revise grading and add ramped access direct from Preble Street (leading to 2 separate entrances within courtyard area, one for teens and one for administrative staff);
- Sheet steel piling fence around part of courtyard facing the Wadsworth;
- Transparent panels along courtyard at Preble Street;
- New canopy over courtyard;
- Preble Street frontage mix of windows and louvres, as revised to address Historic Preservation concerns (see Attachment 7);
- Basement window openings in Cumberland Avenue sidewalk to be re-fitted with grates;
- New building-mounted lighting around the building.

VII. Zoning Analysis

The property is located in the B3 zone where emergency shelters are permitted as conditional uses; there is also a PAD (Pedestrian Activities District) Encouragement Areas Overlay and a Historic Overlay on the site.

The Zoning Administrator comments (Attachment 1):

The B-3 Zone allows emergency shelters as a conditional use before the Planning Board. Several other office uses and such are allowable by right under the B-3 Zone.

Change of uses in the B-3 Zone does not require a minimum parking analysis.

Separate permits are required through Inspection Services for the change of use (after it has been approved) along with separate sign permit.

A. Conditional Use Requirements (Sec. 14-218 (b) (4) & Sec. 14-474 c) (2))

The applicant has submitted a *Memorandum in Support of Conditional Use Application* dated 11.3.2011 (Attachment A.b.) which addresses these Conditional Use Requirements.

The Requirements are quoted below, followed by staff comments:

Section 14-218 (b) Re Emergency Shelters in the B-3 Zone

(b) The following uses are permitted as provided in section 14-474 (conditional uses), provided that, notwithstanding section 14-474(a) or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

- (4) Emergency shelters, subject to the following conditions, in addition to the provisions of section 14-474:*
- a. The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the*

Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.

The City's current Comprehensive Housing Assistance Plan (the Consolidated Plan as prepared in accordance with HUD regulations- Section VI – Five Year Strategy for 2010-15) includes a section on Homeless Needs (extracts in Attachment 3). These confirm the higher than expected teen shelter bedspace numbers for 2010 and confirms the role of the Lighthouse Center in the Homeless Strategic Plan.

The City of Portland Director of Health and Human Services (Douglas Gardner) has commented that there is a continued need for a youth emergency overnight shelter and that the data (ESAC) also supports the requested increase in bed capacity (Attachment 6). Mr. Gardner will attend the hearing to answer any questions.

b. The facility shall be registered with the City of Portland Department of Health and Human Services.

The City of Portland Department of Health and Human Resources does not formally register such facilities at this time but supports the provision of these services (see Attachment 6). It is noted that unlike adult shelters, teen shelters must be licensed by the State of Maine DHSS (License included at Attachment A.d.) and such licensing ensures restrictions and services appropriate to this vulnerable group.

Section. 14-474 (c) (2) (Conditional Uses generally)

(a) There are unique or distinctive characteristics or effects associated with the proposed conditional use.

The applicant has described the use in the Overview (Attachment A.c.). The proposed use is a relocation of an existing use already located in the area. No additional issues are anticipated to arise from its relocation to 38 Preble Street or its increase from 16 to 24 beds since it would be open from 8pm to 8am only and teens come to the property via the Teen Center and its staff. In the morning the teens leave the building to go to school, jobs, outreach programs/Teen Center or to the Preble Resource Center with staff (see statistics in Attachment C.b.).

Both the Planning Board and the Portland Downtown District (PDD) identified the importance of filling the 8am to 12 noon gap in teen service that currently exists at the Teen Center, and a potential condition of approval has been included to address this issue (Potential condition vi under Conditional Use).

(b) & (c) There will be an adverse impact up on health, safety or welfare of the public or surrounding area./Such impact differs substantially from the impact which would normally occur from such a use in that zone.

The submitted information in the overview (Attachment A.c.) confirms that the teens will be supervised during the period the building is used as a shelter (Attachment A.e.) and that arrangements have been made to ensure teens are supervised and have a place to go before and after the overnight period in the shelter. In addition, the Overview describes arrangements to restrict access, provide surveillance with security cameras, and to address unsafe or disruptive behaviors. Policies and procedures are also required by the State license to ensure the health, safety and welfare of the public and the surrounding area as well as the users of the facility (Attachment A.d.). The use is comparable to a residential use (and there is a residential use next door).

The board of appeals may impose such reasonable conditions upon the premises benefited by a conditional use as may be necessary to prevent or minimize adverse effects therefrom upon other property in the neighborhood. Such conditions shall be expressly set forth in the resolution authorizing the conditional use permit and in the permit. Violation of such conditions shall be a violation of this article.

While there may be more general concerns about the presence of homeless shelters in the Bayside neighborhood, the particular use as proposed is not anticipated to create adverse effects. The Board may

wish to require conditions that reinforce the times the building is used as a shelter (8pm to 8am) or other operational aspects as described in the submission to minimize potential impacts.

The Police Department provided information on calls for service to the existing Lighthouse Teen Shelter on Elm Street (Attachment 5) and noted that this would be a relocation of an existing use.

If concerns relate to the potential for youth gathering in or near the courtyard between the building and its neighbors, the Board may wish to consider conditions that relate to the use or design of the outside space in some way.

B. Pedestrian Activity District Overlay, Encouragement Areas (14-217 (b)) and associated Technical Standards

The proposal is subject to the B3 Design Standards, which largely relate to the placement and design of new buildings. These Standards include a standard headed "relationship to the pedestrian environment" which requires the first 35 feet of the building to "*enhance the character, attractiveness, comfort, security and usability of the street level pedestrian environment*". In this context the location of the entrances and treatment of the former storefront need further consideration.

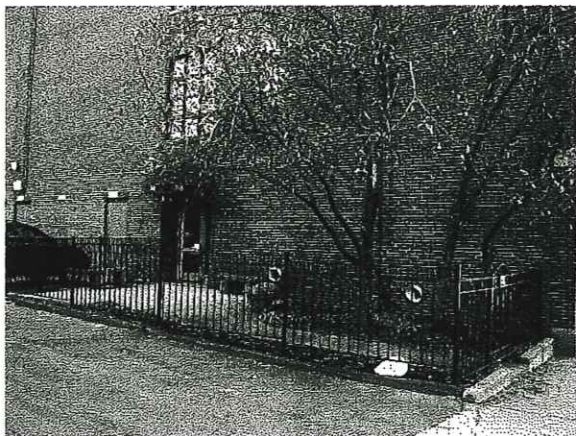
The building is located in the Pedestrian Activities District Encouragement Area (includes only the Preble Street frontage) where the ground floor frontage is expected to be designed and constructed to be reasonably capable of being converted to pedestrian-oriented uses.

The revised proposals (Attachment E) include less infill of the windows along Preble Street and are generally acceptable to the Historic Preservation Board (Attachment 7).

VIII SITE PLAN REVIEW (Sec. 14-526)

Transportation

The proposed use does not impact the surrounding streets and does not require vehicular access as the teens will be arriving on foot and the few staff may park in the parking garage across the street (Attachment A.f) confirms availability of spaces) or on street overnight. There are limited kitchen facilities, so there would not be any food deliveries.



Pedestrian Access

The proposals (See Alley (East) elevation in Attachment E.e) have been revised to create a ramped access directly from Preble Street into the building, going through the existing courtyard. These revisions have been made to address questions that have been raised regarding the easements (see discussion under Right, Title and Interest below).

The existing railings are proposed to be replaced with 6 foot high steel sheeting.

Parking Requirements

The property is located within an Historic District and does not require dedicated parking on site.

Environmental Quality

The existing tree in the courtyard is shown in some of the plans as being retained, but the proposed wide canopy appears to conflict with the tree. This aspect has not been revised since the workshop. The details of the courtyard landscaping have not been submitted but the 1st level floor plans (Attachment E.d) gives an indication that it will be largely paved.

This is an existing building with no substantial alterations and does not trigger stormwater or other requirements. Sewer capacity will need to be evaluated as the use potentially may result in an increase in sewerage as compared to an office.

Public Infrastructure and Community Safety Standards

The sidewalk along Preble Street is in satisfactory condition but Public Services have commented (Attachment 2) that the sidewalk along Cumberland Avenue will need repair or reconstruction if such work is required.

It is understood that this section of sidewalk has 3 parts:

- Nearest Preble Street: sidewalk is satisfactory;
- Middle section in brick- not satisfactory but it is understood CMP will be opening this area to do work on a vault and it will be reinstated by CMP;
- Section farthest from Preble is cobbles with a curb cut (former loading to 38 Preble Street)- the Historic Preservation Board "...encouraged that the cobbles be retained as they represent a historic artifact associated with the building's [original] use." (Attachment 7).

The wording of the relevant ordinance suggests that the proposed use is not subject to the ordinance requirements for providing adequate sidewalks/curbs because it is a residential use that is not two-family nor multi-family. The ordinance states:

Article VI SIDEWALK AND CURBING CONSTRUCTION AND MAINTENANCE Section 25-96 states:

"Sec. 25-96. Required for nonresidential, two-family or multi-family development; exceptions.

Where a nonresidential, or two-family or multi-family development requiring site plan approval abuts any accepted street and a sidewalk with granite curbing satisfactory to the public works authority has not already been provided, a sidewalk constructed of bituminous concrete, portland cement concrete, brick or other paving material and granite curbing shall be provided along the entire street. If either a sidewalk or curbing, but not both, shall exist at such location which is satisfactory to the public works authority, only a sidewalk or curbing, as the case may be, shall be provided. In either case, such sidewalk and curbing shall be constructed in accordance with the specifications and to the satisfaction of the public works authority at no cost to the city...."

Staff have not included a potential condition of approval regarding sidewalks.

It is understood that the applicant is in discussions with the Fire Department staff to ensure the floors being used for the shelter meet all code requirements; comments had not been received at the time this Report was completed.

Crime Prevention through Environmental Design objectives will be met through the incorporation of external security camera surveillance (outlined in the Overview in Attachment A.c.) along with improved lighting around the building resulting from the proposed wall mounted lights (shown on the elevations with the specification included at Attachment B.b). The revised proposals for the courtyard area incorporate 6 foot high steel sheeting around the side towards the Wadsworth (along the access ramp leading to the entrances). In the context of CPTED these steel panels appear to offer a "place to hide" and should be reconsidered. It is noted that the Historic Preservation Board expressed reservations regarding this choice of materials (Attachment 7).

Trash collection will be taken to the Teen Center where the existing trash removal service will remove it.

Site Design Standards

No new structures are proposed except for two wall hung canopies over the entrances on the south side, so most of the standards do not apply.

The building is located within the Congress Street Historic District and the Historic Preservation concurrent review will focus on the compatibility of the alterations to the south and east elevations and the proposed location of signs; the 1924 photograph is included in Attachment D.f for information.

The revised elevations in Attachment E.e reflect preliminary historic preservation comments and will be further refined to address the Historic Preservation Board Workshop comments (Attachment 7). A potential condition of approval is included under the Site Plan motion requiring that the final revisions to external details be submitted for review and approval by planning staff prior to issuance of a building permit. The Board may wish to give direction to staff regarding these details, such as regarding fencing.

Site Lighting

The revised plans retain the proposal for new wall mounted lights to improve the local lighting levels and adequate lighting for the proposed surveillance cameras. The Historic Preservation Board requested removal of the proposed lights along the Cumberland Avenue frontage (Attachment 7) and improved integration of lights and cameras where they are required elsewhere.

As these details also require fine tuning the potential condition under site plan includes lighting.

There is an existing streetlight on the opposite side of the street near the building on Cumberland Avenue, and a set of the Congress Street double pedestrian lights is located opposite the building on the other side of Preble Street. DPS are reviewing the street lighting in the area (Attachment 2).

Zoning-Based Design Standards

Refer to VII. Zoning Analysis for the PAD Encouragement Area, above.

IX. RIGHT, TITLE AND INTEREST

After the Planning Board Workshop staff were contacted by Mr Louis Wood, of 340 Associates, LLC who own the land immediately surrounding the building. He stated that he considers that the easements do not allow for the proposed access (as in the plans shown at the Workshop) and that the practical needs for the land around the building to operate his data center conflict with the proposed use.

The applicants attorney, Gary Vogel, has sent a letter acknowledging that the easements are not well defined and confirming that the proposals have been revised to avoid any access over or to the land owned by 340 Associates LLC.

Mr Wood was advised of the revised plans and has sent a letter received 11.18.2011 (PC329) confirming his understanding of the easements and advising of the proximity of a generator that is run from time to time in relation to the operation of their building next door.

Staff have noted the difference in interpretation of the easement documents (in Attachment C.a) and the Corporation counsel's office has advised :

“that under Maine law an applicant have some "title, right, or interest" in the property in order to have standing to apply for and receive approval from the Board. Walsh v. City of Brewer, 351 A.2d 200 (Me. 1974). It is important to note that Maine courts have held that the existence of a dispute between co-owners or abutters about "title, right, or interest" in property is not grounds for denial of an approval by a municipality. Southridge Corp. Board of Environmental Protection, 655 A.2d 345 (Me. 1995).

Therefore, if the Board finds in this case that the applicant has presented sufficient evidence of ownership then the applicant has met the "title, right or interest" standard. It is not up to the Board to resolve a dispute between the applicant and an abutter over legal title to the property or where a property line is located. Those disputes need to be resolved by the individuals in court through separate civil suits. See Rockalnd Plaza Realty Corp. v. LaVerdiere's Enterprises, Inc., 531 A.2d 1272 (Me. 1987).

X. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of the application, plans, reports and other information submitted by the applicant and on staff comments and recommendations contained in Planning Report #25-11, standards for conditional use review, site plan and other applicable regulations, and the testimony presented at the Planning Board Hearing, the Planning Board finds:

CONDITONAL USE

That the Planning Board finds that the proposed use for an Emergency Teen Shelter on the first and second floors of 38 Preble Street is/is not in conformance with the Conditional Use Standards as set forth in Sec. 14-218 (b) (4) & Sec. 14-474 c) (2) of the Land Use Code, as presented in Report #25-11, with the following conditions of approval:

Potential Conditions of Approval:

- i. That the conditional use shall be limited to the first and second floors of 38 Preble Street ie a total of 6000 sq ft; and
- ii. That the hours of operation of the emergency teen shelter shall be from 8pm to 8am only and that no teens shall be in the building at any other time; and
- iii. The maximum number of teens staying at the shelter at any one time shall be 24; and
- iv. That any security features such as surveillance cameras and external lights shall be maintained at all times, with cameras recording 24/7 and digital images to be retained for a minimum of 7 days; and
- v. That the associated "in-take" facilities shall not be located within 38 Preble Street; and
- vi. That Preble Street will use it's best endeavors to provide teen services, including meals, from 8am to 8pm every day, within existing facilities nearby.

SITE PLAN

That the Planning Board finds that the proposed use for an Emergency Teen Shelter on the first and second floors of 38 Preble Street is/is not in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

Potential Conditions of Approval:

- i. That the detailed locations, specifications and photometric information for all external lighting and details of external fencing shall address CPTED principles and be submitted for review and approval prior to the issuance of a building permit.

Attachments (next page)

ATTACHMENTS

Hearing Report Attachments as brought forward from PB Memorandum

1. Marge Schmuckal, City Zoning Administrator dated 11.4.2011
2. Mike Farmer, Department of Public Services dated 11.4.2011
3. Extract from Consolidated (Housing) Plan 2010-2015
4. Photographs

Hearing Report Attachments since PB workshop (ie not in PB Memorandum)

5. Police Information from Commander Malloch 11.8.2011(as availableat the Workshop)
6. Memo from Douglas Gardner, Director, Health & Human Services Department 11.15.2011
7. Memo from Deborah Andrews, Historic Preservation Program Manager 11.18.2011
8. Fire Department comments (not received at time this Report was completed)

Public Comments considered at PB Workshop- in separate attachment with green cover

PC1 to PC91 as received by noon, 11.4.2011; any received subsequently will be circulated at the Workshop

Public comments considered at PB Workshop – in separate attachment with pink cover

PC92 to PC 292

Public comments received SINCE PB Workshop-- in separate attachment with white cover/blue printing

PC 293 to PC 329

Applicants Submittal – in separate attachment with yellow cover

- A. Conditional Use Application dated August and October, 2011
 - a. Application Form and Right, Title and Interest
 - b. Memorandum re Conditional Use Zoning Requirements
 - c. 38 Preble Street Overview (narrative describing proposals)
 - d. State of Maine DHSS License- service description and targets
 - e. Staffing Information
 - f. Letter re availability of parking space in Public Market Parking Garage
 - g. Training Information
- B. Site Plan Application (most of this already included in the Conditional Use Application)
 - a. Application Form
 - b. Wall mounted lighting specifications including photometrics
- C. Additional Information for Workshop
 - a. Easement information from Drummond Woodsum 11.3.2011
 - b. Lighthouse Shelter: Statistics regarding the youth who used the Lighthouse Shelter in last 12 months
 - c. Information re the Runaway and Homeless Youth Act
- D. [Since PB Workshop 11.8.2011] Letter from Gary Vogel, Drummond Woodsum, 11.17.2011 re easements
- E. Plans
 - a. Survey, Aerial and Location
 - b. Tax parcel map
 - c. Larger Survey Plan
 - d. Floorplans (revised since Workshop)
 - e. Elevations (Preble Street and south elevations revised since Workshop)
 - f. Historic Photo

DrummondWoodsum

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November 17, 2011

Via Email (jf@portlandmaine.gov)

Jean Fraser, Planner
City of Portland
Department of Planning and Urban Development
389 Congress Street, Room 308
Portland, ME 04101

RE: 38 Preble Street, Portland, Maine

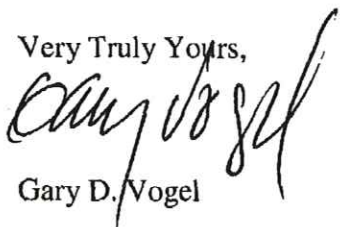
Dear Jean:

In response to the concerns raised by Louis Wood of 340 Associates concerning the scope of the easements benefitting the 38 Preble Street property (the "Property"), Preble Street has re-configured its plan for the Property so that access to the Property will be exclusively from the public sidewalks on Preble Street. I have enclosed for your review a revised first floor plan of the building, which shows an entry via ramp into the courtyard area and into the building. The three existing doors on the north side of the building that adjoin the maintenance easement will be removed and will not be utilized for access.

Although we believe that the easements do afford access to the building from the passageway leading from Preble Street, we acknowledge that those easements are not well defined. Rather than being forced to resolve any issues associated with those easements, we have elected to provide access to the Property from the Preble Street sidewalk only. I also understand that the Portland Fire Department has reviewed and approved this design.

Please feel free to contact me if you have any questions.

Very Truly Yours,



Gary D. Vogel

GDV/ss

cc: James Sterling
Mark Swann
Mark Schmitz
Tony McDonald, The Boulos Company (all via email w/enclosures)

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November 3, 2011

Jean Fraser, Planner
City of Portland
Department of Planning and Urban Development
389 Congress Street, Room 308
Portland, ME 04101

RE: Summary of Easements – 38 Preble Street, Portland, Maine

Dear Jean:

As we discussed, I am providing this summary of easements benefitting the property at 38 Preble Street (the "Property" or "Premises"), which is the subject of the application of Preble Street for a Conditional Use Approval and Level II Site Plan Approval.

The subject property at 38 Preble Street sits on the corner of Cumberland Avenue and Preble Street. The property lines of the building, as shown on the survey plat attached hereto as Exhibit A, are the exterior of the building, with the exception of the 36' x 15' courtyard, which also forms a part of the boundary.

The Property is benefitting by a number of easements set forth in the Deed attached hereto as Exhibit B. The purpose of this letter is to summarize and identify those easements benefitting the Property. Our office has conducted a title search of the Property and has confirmed that these easements continue to benefit the Property and have not been altered or amended since the date of the Deed attached hereto as Exhibit B.

1. Access, Utilities and Circulation. The Property is benefitting by an easement for access and for installation of utilities from Preble Street over the passageway shown on the Plan. The Easement Deed also provides that the parcel is subject to any existing easements now enjoyed in the described Premises by adjoining or nearby premises. In our opinion, the easement over the passageway and the other existing easements enjoyed by the Property are sufficient to enable access and installation of utilities to the premises, even though the passageway does not directly abut the Premises. This easement is identified on the attached Deed as *access and utility easement* on page 3 of the legal description.
2. The Property is benefitting by an 8 foot permanent easement for the maintenance of the Property located on the southerly side of the building and shown as *8 Foot*

SHORT FORM WARRANTY DEED

20002

LADD L. HELDENBRAND and ANNE HELDENBRAND, being married, both of South Portland, Maine, FOR CONSIDERATION PAID, grant to PREBLE STREET ASSOCIATES, a Maine limited partnership with an address at 38 Preble Street, Portland, Maine, 04101, with WARRANTY COVENANTS, the real property located at the intersection of the southerly side line of Cumberland Avenue with the westerly side line of Preble Street, Portland, Cumberland County, Maine, which is described on Exhibit A attached hereto.

WITNESS our hands and seals this 15th day of July, 1983.

WITNESS:

[Signature]
[Signature]

Ladd L. Heldenbrand
Ladd L. Heldenbrand
Anne Heldenbrand
Anne Heldenbrand

State of Maine
County of Cumberland, ss

July 15, 1983

PERSONALLY APPEARED the above named Ladd L. Heldenbrand and Anne Heldenbrand and acknowledged the foregoing instrument to be their free act and deed.

Before me,

[Signature]
Notary Public
Attorney at Law

Thence N 66° 32' 53" E along and by the southerly building line of 328²²¹ Cumberland Avenue approximately 36.00' more or less to a point on the westerly sideline of Preble Street;

Thence S 24° 12' 44" E along the westerly sideline of said Preble Street approximately 15.15' more or less to the point of beginning

Permanent easement

Also granting and conveying a permanent easement and/or right of way over and across other land of these Grantors, which easement and/or right of way shall be for the purpose of permitting the Grantee, its successors or assigns access, at all reasonable times for the purposes of constructing, repairing, maintaining, and improving the premises herein conveyed and in order to maintain a chimney located on the southerly wall of the building herein conveyed, which easement and/or right of way is bounded and described as follows:

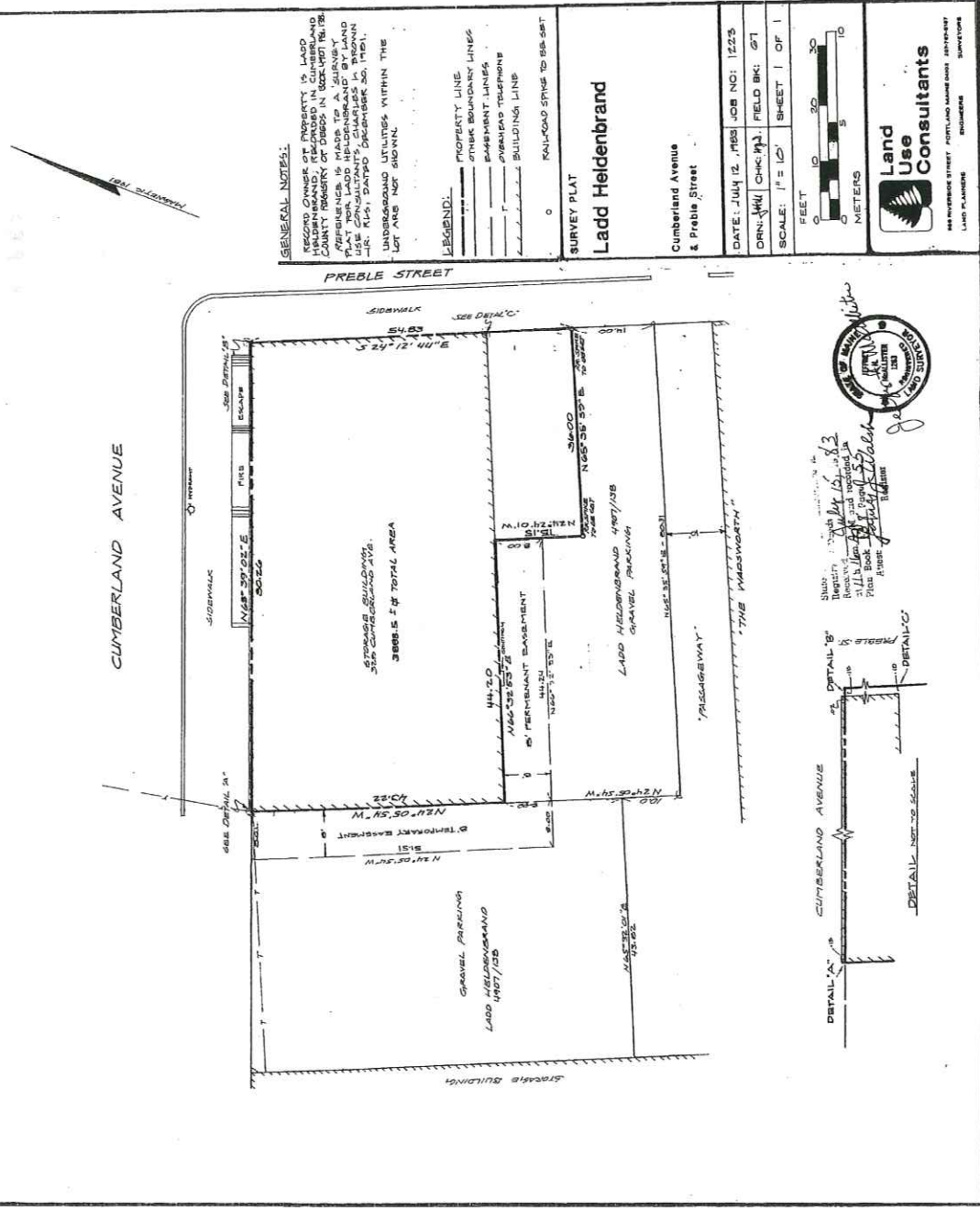
Beginning at the southwesterly corner of 328 Cumberland Avenue; thence S 24° 05' 54" E on a prolongation of the westerly building line 8.00'; thence N 66° 32' 53" E 8.00' from and parallel to the southerly building line of 328 Cumberland Avenue 44.24' to a point; thence N 24° 24' 01" W 8.00' to intersect the southerly building line of 328 Cumberland Avenue; thence S 66° 32' 53" W along the southerly building line of 328 Cumberland Avenue 44.20' to the point of beginning. Also conveying to the Grantee, its successors and assigns forever a right of way across other land of these Grantors in order to provide Grantee access from public streets to said permanent easement and/or right of way.

temporary easement

Also granting and conveying a temporary easement and/or right of way over and across other land of these Grantors, which easement and/or right of way shall be for the purpose of permitting the Grantee, its successors or assigns access, at all reasonable times for the purposes of constructing, repairing, maintaining, and improving the premises herein conveyed, which easement and/or right of way is bounded and described as follows: Beginning at the intersection of the westerly building line of 328 Cumberland Avenue with the southerly sideline of Cumberland Avenue; thence S 68° 39' 02" W 8.01'; thence S 24° 05' 54" E 8.00' from and parallel to the westerly building line of 328 Cumberland Avenue 51.51'; thence N 66° 32' 53" E 8.00'; thence N 24° 05' 54" W along the prolongation of the westerly building line 8.00' to the southwesterly building corner of 328 Cumberland Avenue; thence continuing on the same course along the westerly building line of 328 Cumberland Avenue 43.22' to the point of beginning. This easement and/or right of way shall remain in full force and effect until such time as the Grantors, their heirs and assigns construct a building on the other premises now owned by said Grantors on Cumberland Avenue adjacent to this easement and/or right of way. In the event the easterly wall of said proposed building is to be erected within five feet of the westerly wall of the building herein conveyed, the Grantee agrees to grant a permanent easement and enter into mutually agreeable necessary collateral agreements for the joining of the two buildings, all of which shall be in compliance with existing local, State and Federal laws then applicable. The joining of the said two buildings will comply with the highest state of the art for engineering and architecture then existing.

DATE: 12/15/15
 133 65

0.15



0.15



Level II – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level II: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits. General information pertaining to the thresholds of review, public noticing procedures and the fee structure is contained in the Notice to Developer's Packet.

Level II: Site Plan Development includes:

- New structures with a total floor area of less than 10,000 sf except in Industrial Zones.
- New structures with a total floor area of less than 20,000 sf in Industrial Zones.
- Any new temporary or permanent parking area, paving of an unpaved surface parking area, or creation of other impervious surface area greater than 7,500 sf.
- Building addition(s) with a total floor area of less than 10,000 sf (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of less than 20,000 sf in Industrial Zones.
- Park improvements: New structures or buildings with a total floor area of less than 10,000 sf, facilities encompassing an area of greater than 7,500 sf and less than 20,000 sf (excludes rehabilitation or replacement of existing facilities).
- New piers, docks, wharves, bridges, retaining walls, and other structures within the Shoreland Zone.
- Land disturbance between 1 and 3 acres (includes stripping, grading, grubbing, filling or excavation).
- A change in the use of a total floor area between 10,000 and 20,000 sf in any existing building (cumulatively within a 3 year period).
- Construction of a lodging house, bed and breakfast facility, emergency shelter or special needs independent living unit.
- Signage subject to approval pursuant to Section 14-526 (d) 8.a. (IV) of the Land Use Code.
- Any new major or minor auto service station with less than 10,000 sf of building area that is outside the B-2 or B-5 zones.
- The creation of day care or home babysitting facilities to serve more than 12 children in a residential zone (not permitted as a home occupation under section 14-410) in any principal structure that has not been used as a residence within the 5 years preceding the application.

The Land Use Code (including Article V), the Technical Manual, and the Design Manual are available on the City's web site at <http://www.portlandmaine.gov/planning/default.asp> or copies may be purchased at the Planning Division Office.

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8721

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:
Surveyor Name: Address: City/State : Zip Code:	Surveyor Contact Information Work # Cell # Fax# e-mail:
Architect Name: James Sterling Address: 142 High Street City/State : Portland ME Zip Code: 04101	Architect Contact Information Work # 772-0037 Cell # Fax# e-mail: cheehgk@gmail.com
Attorney Name: Gary Vogel Address: 84 Marsenal Way, Suite 600 City/State : Portland ME Zip Code: 04101	Attorney Contact Information Work # 772-1941, x 518 Cell # Fax# 772-3627 e-mail: GVogel@dwm.law.com

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

Level II Development (check applicable reviews) <input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)	Fees Paid (office use) <input type="checkbox"/> <input type="checkbox"/>	Other Reviews (check applicable reviews) <input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input type="checkbox"/> Section 14-403 Review (\$400 + \$25/lot) # of Lots ___ x \$25/lot = _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation	Fees Paid (office use) <input type="checkbox"/> <input type="checkbox"/>
The City invoices separately for the following: <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.			
Plan Amendments (check applicable reviews) <input type="checkbox"/> Planning Staff Review (\$250) <input checked="" type="checkbox"/> Planning Board Review (\$500)	Fees Paid (office use) <input type="checkbox"/> <input type="checkbox"/>		

PROJECT DATA

The following information is required where applicable, in order complete the application

Superseded.

Total Site Area	3883.5	+/-	sq. ft.
Proposed Total Disturbed Area of the Site	545.4	+/-	sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)			
IMPERVIOUS SURFACE AREA			
• Proposed Total Paved Area	410		sq. ft.
• Existing Total Impervious Area	150		sq. ft.
• Proposed Total Impervious Area	410		sq. ft.
• Proposed Total Impervious Area			sq. ft.
• Proposed Impervious Net Change	+ 260		sq. ft.
BUILDING AREA			
• Proposed Building Footprint	3,355		sq. ft.
• Proposed Building Footprint Net change	same		sq. ft.
• Existing Total Building Floor Area	3,000 x 3 = 9,000		sq. ft.
• Proposed Total Building Floor Area	same		sq. ft.
• Proposed Building Floor Area Net Change	0		sq. ft.
• New Building			(yes or no)
ZONING			
• Existing	B-3		
• Proposed, if applicable			
LAND USE			
• Existing	NA		
• Proposed			
RESIDENTIAL, IF APPLICABLE			
• Proposed Number of Affordable Housing Units			
• Proposed Number of Residential Units to be Demolished			
• Existing Number of Residential Units			
• Proposed Number of Residential Units			
• Subdivision, Proposed Number of Lots			
PARKING SPACES			
• Existing Number of Parking Spaces	0		
• Proposed Number of Parking Spaces	3 at parking garage		
• Number of Handicapped Parking Spaces			
• Proposed Total Parking Spaces			
BICYCLE PARKING SPACES			
• Existing Number of Bicycle Parking Spaces			
• Existing Number of Bicycle Parking Spaces			
• Proposed Number of Bicycle Parking Spaces			
• Total Bicycle Parking Spaces			
ESTIMATED COST OF PROJECT		\$850,000	

NA

NA

- Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).
- Existing and proposed easements or public or private rights of way.

General Submittal Requirements – Final Plan (Required)
Level II Site Plan
Final Plan Phase Check list (including items listed above in General Requirements for Preliminary Plan, if applicant did not elect to submit for a preliminary plan review)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity.
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual).
<input type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan.
<input type="checkbox"/>	<input type="checkbox"/>	1	Traffic Plan (if development will (1) generate 100 or more PCE or (2) generate 25 or more PCE and is located on an arterial, within 1/2 mile of a high crash location, and/or within ¼ mile of an intersection identified in a previous traffic study as a failing intersection).
<input type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards.
<input type="checkbox"/>	<input type="checkbox"/>	1	Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Final Plan Phase			
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	<p style="text-align: center;">Final Site Plan Including the following</p>
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures on the site with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways. Proposed curb lines must be shown.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed loading and servicing areas, including applicable turning templates for delivery vehicles
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed snow storage areas or snow removal plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed trash and recycling facilities.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities.



Forthcoming

PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
7. Hydrant locations
8. Water main[s] size and location
9. Access to all structures [min. 2 sides]
10. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:



- e. Residential Developments
 - i. Residential Development in the following districts: PRUDS in the R3, R5 and R5a zones; Multiple family and multiplex developments in the R5 zone; Small residential lot development of single family homes in the R5 zone; Multiple family and multiplex development in the R6 zone on lots of 10,000 square feet or less.
 - ii. Residential Development of the following types: Manufactured housing parks; Two-family and multiple family housing not already specified above; Special needs independent living units; Lodging houses; Bed and breakfasts; Emergency Shelters.

38 Preble
Teen Center
PB Memo

Attachments:

Memorandum Attachments

- 1. Marge Schmuckal, City Zoning Administrator xxx
- 2. Extract from Consolidated Housing Plan 2010-2015
- 3. Photographs
- 4. Public comments

tomorrow

Applicants Submittal

- A. Conditional Use Application dated August and October, 2011
 - a. Application Form and Right, Title and Interest
 - b. Memorandum re Conditional Use Zoning Requirements
 - c. 38 Preble Street Overview (narrative describing proposals)
 - d. State of Maine DHSS License- service description and targets
 - e. Staffing Information
 - f. Letter re availability of parking space in Public market parking Garage
 - g. Training Information
- B. Site Plan Application (most of this already included in the Conditional Use Application)
 - a. Application Form (awaited)
 - b. Wall mounted lighting specifications including photometrics
 - c. _____
 - d. _____

paper clipped
copy separately
in case we need
to replace with
updated version

C. Additional Information

- a. (something likely to come in Friday AM)

(awaited) see tonight's note

D. Plans

- a. Survey
- b. Aerial
- c. Floorplans
- d. Elevations

how long Sterling took!
not even sure how many!

agreements
stats re
terms
CD 1127
color

City of Portland
Planning Board

Conditional Use Application of)	
Preble Street for use of)	Memorandum in Support
38 Preble Street, Portland)	of Conditional Use Application
as a teen shelter)	

Preble Street has submitted its Conditional Use Application in order to utilize the first and second floors of the property at 38 Preble Street as a new location for its Lighthouse Teen Shelter, which is currently located approximately 200 yards from 38 Preble Street at 65 Elm Street. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the Standard Conditions for Conditional Uses set forth in Section 14-474 of the Portland Code of Ordinances and also subject to the following conditions set forth in Section 14-218(b)(4) of the B-3 Zone:

Emergency shelters, subject to the following conditions, in addition to the provisions of Section 143-474

a. The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.

b. The facility shall be registered with the City of Portland Department of Health and Human Services.

Factual Background. Preble Street seeks to relocate its existing Lighthouse Shelter from 65 Elm Street to the first and second floors of the property at 38 Preble Street, which it presently has under contract. A detailed description of the operations of the program is contained in the 38 Preble Street Overview Summary attached hereto as Exhibit A. The third floor and the basement level will be used by Preble Street for administrative offices, separate from the Lighthouse Shelter use, with the exception of a laundry area on the basement level. The use of the basement

and third floor is not addressed herein, as those areas will contain permitted uses, and not a conditional uses in the B-3 Zone.

Conditional Use Criteria. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the specific conditions set forth in Section 14-218(b)(4) in the B-3 Ordinance and the familiar conditional use standards set forth in Section 14-474 of the Portland Code of Ordinances. This memo addresses compliance of the project, with each of these specific conditional use criteria.

B-3 Zone Conditional Use Criteria. Emergency shelters are permitted, subject to the following conditions:

a. *The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.*

Preble Street has contacted the director of the City's Department of Health and Human Services to obtain a copy of the City's Comprehensive Housing Assistance Plan. Preble Street has been informed that there is a plan, and that the City has determined that there is a need for the Lighthouse Teen Shelter beds, including the 8 additional beds requested in this application, which are supported by the terms of the City Comprehensive Housing Assistance Plan. The City Department of Health and Human Services is expected to attend the public hearing and has indicated that it shall provide a memorandum containing the Department's determination of need for the teen shelter as requested in Preble Street's application for the conditional use and compliance with the Comprehensive Housing Assistance Plan..

b. *The facility shall be registered with the City of Portland Department of Health and Human Services.*

Preble Street has also requested information regarding registration with the City's Department of Health and Human Services from the Department of Health and Human Services. The City has confirmed that no formal process exists for registration of shelters, but has indicated that it will provide a letter in lieu of a formal registration, a process that it has utilized in the past.

Section 14-474 Conditional Use Criteria. All conditional uses are subject to establishing compliance with the standards set forth in the City of Portland Ordinance at Section 14-474. Those standards provide that a Conditional Use Permit shall be granted unless the Board determines that:

- a. *there are unique or distinctive characteristics or effects associated with the proposed conditional use;*
- b. *there will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;*
- c. *such impact differs substantially from the impact which would normally occur from such a use in that zone.*

Each of these conditional use standards will be addressed below.

a. There are no unique or distinctive characteristics associated with the proposed conditional use. As stated in the overview, the Lighthouse Shelter is merely moving approximately 200 yards to a location much closer to the existing Teen Center at 343 Cumberland Avenue. Although the relocation involves an increase from 16 beds to 24 beds, the attached Program Overview explains the need for the additional beds and the additional staffing that will be utilized. The relocated Lighthouse Shelter will result in a decrease in the impact upon the neighborhood as a result of the proximity of the Teen Center to the Lighthouse Shelter. The teen shelter will be open only from 8 pm to 8 am, and the teens will be under close supervision indoors. Teens will not be permitted to congregate outside of the shelter. There have been virtually no neighborhood problems with the existing shelter. The relocated shelter will allow for even better supervision and management of the program. Accordingly, there will be no distinctive characteristics associated with the relocated shelter.

b. There will be no adverse impact upon the health, safety or welfare of the public or the surrounding area. The Lighthouse Shelter currently provides a needed service for homeless youth in the City of Portland. The shelter must find a new location, as its lease expires December 31, 2011. Its Landlord has indicated that the Lease will not be renewed, due to structural issues with the building that the Landlord and Preble Street are unwilling and unable to address. Without the Shelter, or in the event that the Shelter is unable to relocate, there will likely be an impact upon the health, safety or welfare of the public or the surrounding area, since the teen population served by the shelter will have no place to sleep, other than the adult shelter which is unsuitable for teens and which many teens will avoid. The Teen Shelter serves an important function - to address the needs of homeless teens in Portland, and serves all of the residents of Portland by providing a safe overnight shelter with coordination with other services that may be needed by the teens. In coordination with the increased staffing, which will coordinate the transition of the clients from the Teen Center to the Teen Shelter in the evenings, and to the Resource Center for breakfast in the mornings, there will be no adverse impact upon the health, safety or welfare of the public or the surrounding area. Ultimately, Preble Street intends to obtain funding to expand the hours at the Teen Center, so that there will be 24 hour coverage and 24 hours support for teens. Until then, many of the teens attend school or work and the programs that are available work well without problems to support the teens using the shelter, many of whom attend school or work during the day.

c. Such impact does not differ substantially from the impact which would normally occur from such a use in that zone. As stated above, the Teen Shelter is presently located just two hundred yards away in the B-3 Zone. Other services utilized by the Teen Shelter's clients, including the Teen Center, soup kitchens, clinics and other social services, are located in the same neighborhood. The location of the Teen Shelter on the first and second floors of the building at 38 Preble Street will not differ substantially from the impact that would normally occur from the shelter use in this zone. This is an easy determination for the Planning Board to make as a result of the location of the existing Teen Shelter just down the street. This is unlike a situation where we were looking to locate a teen shelter in the neighborhood where one had not previously existed, and the Planning Board would need to rely entirely upon the program

descriptions, staffing plans and other operational aspects of the plan to determine if they were comfortable that the program would not have adverse impacts or that the program would create substantially different impacts that occur already within the B-3 Zone. Here, the Planning Board should have an easy time determining compliance with these standards as a result of the mere relocation of the Lighthouse Shelter, the increased staffing that will be part of the new shelter and the ability of Preble Street to better provide for the teen clients with a much better facility that will enable better services and a better facility. .


Conclusion. For all of the reasons stated in the foregoing memorandum and the attachments thereto, we believe that the Lighthouse Shelter to be located in the first and second floors of the building at 38 Preble Street meet each of the specific and standard conditional use criteria set forth in the City of Portland Code of Ordinances.

We look forward to discussing this Application with the Planning Board.

Respectively submitted,

PREBLE STREET

November 3, 2011



By: Mark R Swann
Executive Director

LIGHTHOUSE SHELTER: Keeping the Doors Open for Homeless Teens

STATISTICS

Lighthouse Shelter youth activities

Of youth who used the Lighthouse Shelter in the past 12 months:

- 54% were actively working on education either enrolled in school or pursuing a GED
- 59% were employed, in an employment training program or actively seeking employment
- 63% were engaged in mental health or substance abuse treatment

Preble Street Teen Services street outreach schedule

Sunday	7:45am-12noon**
Monday	7:45am-12noon
Tuesday	7:45am-12noon 3:00-5:00pm
Wednesday	7:45am-12noon 7:00-8:00pm
Thursday	2:00-4:00pm
Friday	7:45am-12noon
Saturday	7:45am-12noon**

** Effective with new staff being hired

Future outreach will have the same number of hours, but we will assess the need throughout the week by day to determine the best utilization of existing resources.

IMPACT

Shaina

“If I was on the streets, I wouldn’t be going to school,” says Shaina, a resident of the Lighthouse Shelter. This fall Shaina re-enrolled in school after dropping out.

At the Lighthouse Shelter, she finds a place to do homework and laundry, take showers, connect with staff, and get the sleep essential to consistent attendance at school. “Sometimes I don’t like it here. It’s not a home. It’s just a place to sleep,” Shaina admits; but she continues, “without the Lighthouse, I’d probably be sleeping outside or in an abandoned building.”

It's a few minutes after nine on a week night. As other youth arrive at the Lighthouse to sign in, Shaina sits at the large table. Leaning intently over a sheet of ruled paper, she reviews a list of adjectives she has written, one per line. Taking a moment to think before completing this school assignment, she chooses three more words--to describe herself. Independent, hard working, and strong find their way onto the page.

Matt

His father beat his older brother and molested his sister. The older brother beat the younger brothers. Finally the father ended up in jail for years. When he returned he said the kids had to leave. Matt was 15. He stayed out for three months but tried to go back. When he was 16, his father said "legally we can kick you out." And did.

Matt slept outside a few days, then went to the Lighthouse. He was going to school in Westbrook so tried to take the bus each day from Portland to attend classes. But the Westbrook schools said he was no longer eligible for school there.

So he found a job and an apartment with a friend, but he lost his job when the business folded and couldn't pay the rent. He went back to the Lighthouse and worked with the Street Academy at the Teen Center to get his GED so he could go to SMCC and take courses in culinary arts.

"When people say, 'Why don't you just go home?' I say, 'because my father beats me.' You can never assume that a homeless kid is just some rebellious punk. You need to get to know their story before you ask such questions."

Jean Fraser - PPB Public Hearing

From: Jean Fraser
To: mschmitz@preblestreet.org
Date: 11/16/2011 1:09 PM
Subject: PPB Public Hearing

Mark

1. Hearing Format: the order of events is the same as for the workshop but it is usually more formal. The way the public comment is organized may be different in view of feedback on the workshop.
2. Petition of businesses: I have not received a copy of the petition as Gary referred to in his presentation; I need a paper copy of that for it to get on the record and be included in the packet (needed by end of tomorrow).

Another issue has come up regarding right, title and interest and I have been asked to send an e-mail to you, Mark Swann and Gary Vogel- so that will follow.

Jean

Jean Fraser - Re: 38 Preble - right, title and Interest

From: Jean Fraser
To: Schmitz, Mark; Swann, Mark; gvogel@dwmlaw.com
Date: 11/16/2011 1:17 PM
Subject: Re: 38 Preble - right, title and Interest
CC: Barhydt, Barbara; Jaegerman, Alex

Mark, Mark and Gary

The owner of the property immediately around 38 Preble Street (Louis Wood of 340 Associates) has confirmed in discussions with staff that he considers that the easements do not allow for the proposed access and that the practical needs for the land around the building to operate his data center conflict with the proposed use. He will be sending a letter to the Planning Board. He also mentioned that Preble Street had not contacted him to discuss the proposals and implications for his property (he seeks to meet with the attorney and/or owner to discuss his legal and public safety concerns).

You should be aware that evidence of right, title and interest is a basic review requirement and if there is a substantial question over right, title and interest for what you are proposing the Board may find that they cannot take final action until it is resolved.

Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Jean Fraser - Re: Final Pieces

From: Jean Fraser
To: Schmitz, Mark
Date: 11/14/2011 10:25 AM
Subject: Re: Final Pieces
Attachments: PB Lgl Ad 11-22-11.docx; Conditional Use Request-38 Elm Street (2).doc

Mark

The hearing is scheduled for Tuesday, November 22, 2010; please see attached the Legal Ad which should be in the newspaper today. You are the first item on the hearing agenda ie 7pm but in room 209 this time.

We have received additional e-mails of support for the relocation of the teen shelter and all of those will be added to the Hearing Report- in addition we received the attached letter of objection from the PDD.

After the Historic Preservation Workshop on this project on Wednesday (11/16), I hope to get updated plans from Jim Sterling for inclusion in the Hearing Report that goes out Friday.

Jean

>>> Mark Schmitz <mschmitz@preblestreet.org> 11/14/2011 7:47 AM >>>
Hi Jean,

Hope you had a nice long weekend. When will you know for sure if the Hearing will be scheduled on November 22nd, or if it will need to wait until December 13th?

-Mark

Mark Schmitz
Director of Operations
Preble Street
phone: (207) 874-1100, x2012
direct line: (207) 956-6577
fax: (207) 699-3320
www.preblestreet.org

On Wed, Nov 9, 2011 at 4:29 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

Mark

Just to confirm that we are aiming to have the Hearing on 38 Preble Street on tuesday, Nov 22, 2011- it

would be in the evening but Barbara Barhydt is currently trying to fit a number of items into that day.
I am out of the office tomorrow but will follow up as necessary on Monday.
Jean

Jean Fraser - 38 Preble cond use Teen Shelter- comments for 11.22.11 Hearing

From: Jean Fraser
To: Gardner, Doug
Date: 11/14/2011 11:45 AM
Subject: 38 Preble cond use Teen Shelter- comments for 11.22.11 Hearing
CC: Barhydt, Barbara; Jaegerman, Alex; Mitchell, Greg
Attachments: PB Memo - 38 Preble Street 11-8-11 staff memo only.pdf; New Elm Street.pdf; Conditional Use Request-38 Preble Street.doc

Doug,

The Planning Board Hearing on the Teen Shelter at 38 Preble Street is on Tuesday November 22 (7pm) and the report goes out this Friday.

1. I would appreciate your comments by the end of thursday this week; below is an extract from the 11.9.11 PB Memo where it refers to the ordinance "conditions" that you would address and what the Board were advised last week:

(4) *Emergency shelters, subject to the following conditions, in addition to the provisions of section 14-474:*

a. *The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.*

The City's current Comprehensive Housing Assistance Plan (the Consolidated Plan as prepared in accordance with HUD regulations- Section VI – Five Year Strategy for 2010-15) includes a section on Homeless Needs (extracts in Attachment 3). These confirm the higher than expected teen shelter bedspace numbers for 2010 and confirms the role of the Lighthouse Center in the Homeless Strategic Plan.

The City of Portland Director of Health and Human Services (Doug Gardner) has commented that there is a continued need for a youth emergency overnight shelter and that the data (ESAC) also supports the requested increase in bed capacity. A memo from Mr. Gardner will be available for the Hearing on this project.

b. *The facility shall be registered with the City of Portland Department of Health and Human Services.*

The City of Portland Department of Health and Human Resources does not formally register such facilities at this time but supports the provision of these services. It is noted that unlike adult shelters, teen shelters must be licensed by the State of Maine DHSS (License included at Attachment A.d.) and such licensing ensures restrictions and services appropriate to this vulnerable group.

I attach the entire staff Memo that went to the Planning Board last week - and the Memo with all attachments is at <http://www.portlandmaine.gov/planning/pbmemo38preblestreet110811.pdf>

2. Also- I spoke to the Police Department (Commander Vern Malloch) about whether the existing Lighthouse Teen shelter was creating any problems that maybe should be advised to the Planning Board and taken into account when crafting potential conditions of approval for the new location- just before the PB workshop he

sent me the data on calls for police service to the Lighthouse Teen Center for the last 4-5 years (second attachment)- his comment over the 'phone was that these numbers were not particularly high. This data was given to the Planning Board, Preble Street (Mark Swann) and PDD on 11.9.2011. Commander Malloch has offered to attend the Hearing or provide further information, but at the moment he is on "standby" as the Board did not raise this issue.

3. For info- we have received 300+ e-mails of support for the relocation of the Teen Shelter to Preble Street- and PDD have sent the attached objection today (they did not send written comments for the PB Workshop and did not speak at the Workshop). One Bayside owner voiced objection at the Board Workshop, but otherwise all comments at the Workshop were in support (7 spoke in support and a show of hands indicated 20-30 members of the public were in support).

Thank you
Jean

>>> Doug Gardner 11/2/2011 5:30 PM >>>

Thanks Barbara and yes, it is fair to say that my memo will confirm that there is a continued need for a youth emergency overnight shelter and that the data (ESAC) also supports the requested increase in bed capacity.

~Doug.

>>> Barbara Barhydt 11/2/2011 4:35 PM >>>

Hi Jean and doug:

Yes, I did say that. Doug, is it fair to say in the workshop memo that you will confirm there is a need for this housing?

Jean, in the memo please say that Doug attended the meeting and his memo will be part of the planning board packet for the public hearing.

Thanks and have a good vacation.

Barbara

Jean Fraser - Urgent info needed re relocation of Teen Shelter to 38 Preble St

From: Jean Fraser
To: Ruby, Raymond
Date: 11/7/2011 2:19 PM
Subject: Urgent info needed re relocation of Teen Shelter to 38 Preble St
Attachments: PB Memo - 38 Preble Street 11-8-11 staff memo only.pdf

Officer Ruby

I am a planner in the Planning Division and am coordinating the conditional use and site plan review of the proposal by Preble St to use 2 floors at 38 Preble St for the Lighthouse Teen Shelter which is currently at 65 Elm Street.

The Planning Board are holding a Workshop on this tomorrow afternoon 3:30pm - the staff "cover" Memo that the Board will consider is attached and it and all attachments are on line at:

<http://www.portlandmaine.gov/planning/pbmemo38preblestreet110811.pdf>

I am writing you because we understand the Portland Downtown District and others oppose it, in part because of associated crime. Since its a relocation of the Lighthouse Shelter on Elm Street, the question is whether there have been any problems at the Elm St location???

Mark Swann and Jon Bradbury of Preble St say that they believe the Teen Shelter at Elm Street has resulted in very few crime -related calls and that they have not received any complaints. Is that the case from your point-of-view?

The Board will be looking at whether there are any "adverse impacts" (of using 38 Preble for a teen shelter) on the surrounding area, so the question of "attracting crime" is also likely to be part of the discussion. Again, do you have any info to offer on this question?

I would appreciate having a police perspective on this to at least verbally convey to the Planning Board- so would appreciate anything you can send me or if you have time please call.

Thanks

Jean

874 8728

PS Many many people have written to confirm general support for the relocation of the Teen Shelter.

Jean Fraser - Re: Fwd: Consolidated Plan

From: Doug Gardner
To: Barbara Barhydt; Jean Fraser
Date: 11/2/2011 5:30 PM
Subject: Re: Fwd: Consolidated Plan

Thanks Barbara and yes, it is fair to say that my memo will confirm that there is a continued need for a youth emergency overnight shelter and that the data (ESAC) also supports the requested increase in bed capacity.

~Doug.

>>> Barbara Barhydt 11/2/2011 4:35 PM >>>
Hi Jean and doug:

Yes, I did say that. Doug, is it fair to say in the workshop memo that you will confirm there is a need for this housing?

Jean, in the memo please say that Doug attended the meeting and his memo will be part of the planning board packet for the public hearing.

Thanks and have a good vacation.

Barbara

>>> Jean Fraser Wednesday, November 02, 2011 4:28 PM >>>
for info/action?????

>>> Doug Gardner 11/2/2011 2:12 PM >>>
Hi Jean,

Given my current competing issues and the fact that I am heading out for vacation tomorrow, it is unlikely that I will be able complete my memo by the end of the day tomorrow. I'm pretty sure I heard Barbara say that if they had it for the public hearing, that would suffice. Please confirm. Thanks.

~Doug.

>>> Jean Fraser 11/2/2011 8:50 AM >>>
Doug

For information- I will be referencing this in the PB reports.

If possible it would be helpful to have your e-mail re the proposed Teen Shelter by the end of tomorrow (thursday) so it can get into the PB Memo that goes out on Friday.

thank you
Jean

>>> Amy Pulaski 11/1/2011 10:22 AM >>>

The Five Year Consolidated Plan is attached.

The Homeless Needs section begins on page 63, the Teen Shelter statistics and need begins on page 65.

The Homeless Strategic Plan section begins on page 81, the Teen info starts on page 83.

Hope this is helpful.

Let me know if there's anything else that you need.

Amy

Amy Grommes Pulaski
Housing & Community Development Program Manager
389 Congress St. Rm 312
Portland, ME 04101
207.874.8731 phone
207.874.8949 fax

Jean Fraser - Re: Items for PB Workshop

From: Jean Fraser
To: Schmitz, Mark
Date: 11/2/2011 11:18 AM
Subject: Re: Items for PB Workshop

Mark

Everything goes through me so have them sent to my e-mail; they will be included in the Workshop Memo to the PB (if received by 11am Friday)- otherwise will be circulated (by me) at the meeting.

thanks

Jean

>>> Mark Schmitz <mschmitz@preblestreet.org> 11/2/2011 8:50 AM >>>

Hi Jean,

Where should we forward emails of support for the 38 Preble project?

-Mark

Mark Schmitz
Director of Operations
Preble Street
phone: (207) 874-1100, x2012
direct line: (207) 956-6577
fax: (207) 699-3320
www.preblestreet.org

On Tue, Nov 1, 2011 at 3:36 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

Jim and Mark,

The PB Memo goes to the Planning Board members Friday afternoon (11.4.11); most of the copying will be done tomorrow (Wed) and I will hold places for any new documents to be added Friday morning. If I receive new items after Friday AM they probably will not get into the packet for the Board to read over the weekend but will be distributed at the PB Workshop meeting on Tuesday.

Based on the discussions on Monday morning I am expecting the following items from Preble Street by the end of thursday (preferably by 4pm on Wednesday as I am not in the office on thursday).

I am not sure who will be sending me what so have created the overall list (these relate to both the conditional use and site plan reviews) - please circulate as appropriate:

- Information re teens using the current shelter as to how many go to school, how many to a job etc

when they leave the shelter;

- Site plan to be revised to show more information including surrounding buildings, easements and access details including changes to utilities/sidewalks;
- Elevations or renderings to clarify proposed external treatment along Preble Street and Cumberland Ave;
- Summary of the easements that are secured (Gary Vogel);
- Update of the zoning analysis memorandum (submitted one signed 10.12.11) (Gary Vogel);
- ✓ ● External Lighting specifications (just received) and photometric plan.

Please call if any questions.

thank you

Jean

Jean Fraser, Planner

City of Portland

874 8728

✓ + updated overview

From: Amy Pulaski
To: Barhydt, Barbara; Fraser, Jean
Date: 11/1/2011 10:22 AM
Subject: Consolidated Plan
Attachments: Five Year Plan 2010 (posted to web.pdf)

The Five Year Consolidated Plan is attached.

The Homeless Needs section begins on page 63, the Teen Shelter statistics and need begins on page 65.

The Homeless Strategic Plan section begins on page 81, the Teen info starts on page 83.

Hope this is helpful.

Let me know if there's anything else that you need.

Amy

Amy Grommes Pulaski
Housing & Community Development Program Manager
389 Congress St. Rm 312
Portland, ME 04101
207.874.8731 phone
207.874.8949 fax

10-31-11

Mark Swana, Dir.
John Bradley, Assoc. Dir.
Mark Schmitz, Dir of Operations
Gary Vogel
Jeni Sterling

Doug Gardner.
Danielle W-C
Alex
Barbara
Jean
Marge.

- Lighthouse Teen Shelter 8pm to 8am 16 → 24 beds
Relocating. up to age 21 split by age/gender
appropriately. ↘
licensing restrictions limits capacity
last night 11.
- City doesn't register
Need memo from Doug to PB.
- ⊛ - Existing lease expires Dec 31 then mos by mos.
- Basement + third floor 'offices' not direct service
floor
laundry on ground floor

Alex - management issues - clarification

John - dec. who staying o/N taken over from Teen Center; don't hang around outside (against rules) - currently lottery if too many children

allow smoking but not called that by permission only

Staff
4-5 8-11 pm
3 o/N.

4-Staff - cheaper to have one person over at Resource Center instead

Working on 8-12 opening - some staff new whether at Teen Center or lighthouse but as managed w/ pr individual.

Teen Center have case managers; no meals (snacks, showers, beds)
Teen Center + lighthouse work "in synch" - exchange of information etc.

Public concerns - few pmer. calls at lighthouse no complaints since 2004
- Teen Center - there were concerns

ff. ck public rewards.

go to Resource Center/School/work

Doug - ? is strictly o/N. - store belongings at Teen Center - carry in carry out for shelter.

Barbara asked o/s School/Job/etc.

Courtyard - raise 30 inches enclosed on Preble St + side toward adj easement (alley) (between it + building)
security cameras have been useful at Florence House so will be incorporated here

Bong asked re the rest of space
where admin have access.

8 ft easement

have easements around all sides of buildings

lighting - have lights around but not spec'd

Tony McDonald - Boulder acting for adj bldg.
part of partnership that owns.

Confidential Bldg.
most impacted
abutter.

Alex suggests further discussions

Jim Sterling spoke to him 2x + offered
mtg to discuss details

N Western Mutual further up treble

concerns - not Lappy re bus stop.

- general "safety + handling"

are wider issues in n'hood + city. something
they need to address

Alex - project not "adding" an issue

and addressing shortage of beds (a +)

but teen center is separate

Barbara asked re teen center

Jim said had
waiver from P Brewer
is permitted use

Alex - description of Shelter may become
conditions of approval so be clear what
committing.

Doug - confirmed there are many aspects that can commit to because required for (state) licensing because its for youth eg re staffing

Alex. Board/Pl. Auth can rely on that so may not repeat.

Doug - feels its an existing program only commenting on

will do memo for 8th

no Comp Housing Assistance Plan?
Barbara thinks there is.

* double ck.
Doug had asked Amy.

"CHAP"
Alex to find it.

de reports ^{womens} Shelter / Florence House

Mark Stramm - POD contacted him today and disappointed that going forward
- Northwestern Mutual may attend workshop
- held resp. for Park.

8-12 pm to what extent a 'gap' with implications

Alex - Bd. will focus on stds at hand this mtg. so we can be prepped & ready

Dannelle - 14-474 refers to this use - keep focus as std. is very broad.

Barbara - site plan - expand site plan to show surrounding buildings & access/easements

Opening
sidewalk at
corner of
Pruitt/Cumberland.

Jim Sterling - 1st floor - issue of external
"screen" of some kind + not glass
behind
'soft'

? of PAD review - addresses retail/commercial
uses (Alex explained)
PAD encouragement issues?

Mostly HP issue but Board need to know
no need to draft proposals for Board

Cond Use conditions -
Discussion ^{as to} when these to be developed
(after wkshop before Hearing)

Hearing - Planning for asap so first mtg. in Dec.
as Nov 22 may be too soon esp.
re noticing (alt is Dec 13)

Alder survey
Prev. site plan (LUC)
BB has reviewed this ok but
any thing to be changed
need to document what's
there as well as proposal.
+ include easements.

← Gary to do summary of easements.
avoids any question since Tony
McD. has raised a?

Jean Fraser - re Preble St Teen Shelter mtg on Monday 10.31.2011

From: Jean Fraser
To: Barhydt, Barbara; Gardner, Doug; Jaegerman, Alex; Schmuckal, Marge; ...
Date: 10/28/2011 2:51 PM
Subject: re Preble St Teen Shelter mtg on Monday 10.31.2011
CC: Momborquette, Linda
Attachments: 38 Preble - All except ATT 1.pdf

Hi

I am suggesting the following general order of items for discussion at the meeting on Monday at 10:30 (4th floor planning) so that - maybe - some of you could leave the meeting early:

- Clarify re the Teen Program generally and how it works including "registration" with HHS and related issues
- The proposed uses and physical alterations at 38 Preble Street
- Clarification of review issues and any procedural questions

Also please note that attending from Preble Street will be Mark Swann (Director), Mark Schmitz (Director of Operations) and Jim Sterling (Architect) , ALSO: Chris Bicknell, Teen Services Coordinator, and Gary Vogel, their legal representative. Jon Bradley, Preble Street Associate Director, may or may not attend.

We will be meeting in Penny-now-Greg's office (with Greg's agreement!) - we have it until 12 noon.

I attach again the submitted info (excluding the detailed Maine DHSS docs) for background.

Thanks
Jean

Jean Fraser - Re: Confirmation of meeting Re: 38 Preble Street

From: Jean Fraser
To: Schmitz, Mark
Date: 10/28/2011 2:06 PM
Subject: Re: Confirmation of meeting Re: 38 Preble Street

Mark

The site plan review would be included in the Planning Board review on Nov 8th- my Memorandum for the Board to consider that afternoon (which goes out on Friday next week) will cover both the conditional use and the site plan issues (but not HP as that is a separate review). The legal ad for the Planning Board meeting includes the site plan as well as the conditional use- so there is no other step to go through and the graphics and information submitted are enough for the PB workshop (subject to the outcome of Monday's meeting).

This is the notice that went out to neighbors today (which is in addition to a legal ad in the paper):

IMPORTANT NOTICE FROM CITY OF PORTLAND
RE: 38 Preble Street

To residents and property owners: The Portland Planning Board will hold a workshop to consider a proposal by Preble Street (Mark Swann, Executive Director) for an emergency shelter for teens. The applicant is proposing to relocate the existing Lighthouse Teen Shelter on Elm Street to the first and second floors of 38 Preble Street in order to provide a 24-bed emergency shelter for teens. The third floor remains as office space. The proposal will be reviewed as a conditional use in the B-3 zone and a Level II site plan. It is located in the Congress Street Historic District and the associated exterior alterations will also be subject to a separate review under the Historic Preservation Ordinance.

The workshop is an opportunity for the applicant to present a plan to the Planning Board in an informal session which is open to the public. Public comments will be taken at this meeting.

The meeting will be held:

Tuesday, November 8, 2011

3:30 p.m.

City Hall, Room 209, 2nd Floor

Plans are available in the Portland Planning Division, 4th Floor, City Hall. If you wish to submit written comments, address them to Jean Fraser, Planner, Planning Division, City Hall, 4th Floor, 389 Congress Street, Portland, Maine 04101, contact by phone at 874-8728 or e-mail at jf@portlandmaine.gov To access agenda materials on-line, please visit the following web address on or after the Friday preceding the meeting date:
<http://www.portlandmaine.gov/planning.htm>

The meeting on the afternoon of Tuesday Nov 8th is a workshop- no decision would be taken and the board will be focusing on understanding the proposal, understanding what the review issues are, determining whether or how public comments should be addressed, and making sure they have all of the necessary information to make a decision.

The board would indicate whether they were willing for the project to move forward to a Hearing (the other option would be another workshop); the Hearing is an evening meeting where the Board would make their final decision (on both the conditional use and on the site plan). I understand that the Planning Board would want to know the views of HP Board (which is a separate review) by the time of the Hearing.

The third item I suggested for the Monday meeting would provide the "slot" for clarifying and confirming all of this.

thank you
Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/28/2011 12:55 PM >>>
Hi Jean,

Your agenda looks good. I cannot think of anything else to add at this point.

Regarding the Level II site plan review, do you know if this involves a separate planning board hearing and approval, if it's part of the conditional use workshop on 11/8, or if it is subject to just staff review and approval?

-Mark

Mark Schmitz
Director of Operations
Preble Street
phone: [\(207\) 874-1100, x2012](tel:(207)874-1100)
direct line: [\(207\) 956-6577](tel:(207)956-6577)
fax: [\(207\) 699-3320](tel:(207)699-3320)
www.preblestreet.org

On Fri, Oct 28, 2011 at 12:15 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

Mark

Sorry I didn't have time Wednesday to elaborate as we were trying to get the legal notice prepared and I was out at a training yesterday.

There is no staff determination involved in this decision as its a straightforward ordinance requirement as set out in 14-523 (e) 9 where emergency shelters automatically are subject to this review. This review (if it were not associated with the conditional use review) would be at staff level.

I apologize that this was not raised during the pre-app discussions. I don't believe it will have much impact on the timetable or the basic review issues as the conditional use criteria "...*Conditional Use Permit shall be granted unless the Board determines that there will be an adverse impact upon the health, safety or welfare of the public or surrounding area*" raises similar issues as would be reviewed under site plan.

Later today I will be sending a separate e-mail (to all attending) suggesting an outline agenda for Monday's meeting so that maybe some folks don't have to stay for the whole meeting. I was thinking that we would take things in this order:

- Clarify re the Teen Program generally and how it works including "registration" with HHS and related issues
- The proposed uses and physical alterations at 38 Preble Street
- Clarification of review issues and any procedural questions

Do you have any views on this? (let me know asap)
thank you
Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/28/2011 10:38 AM >>>

Hi Jean,

So that we can better prepare for our meeting on Monday, can you identify for us what in our conditional use application triggered the Level II site plan review? And, if applicable, where are the provisions for that in the land use ordinance? Thanks for your help.

-Mark

Mark Schmitz
Director of Operations
Preble Street
phone: [\(207\) 874-1100, x2012](tel:(207)874-1100)
direct line: [\(207\) 956-6577](tel:(207)956-6577)
fax: [\(207\) 699-3320](tel:(207)699-3320)
www.preblestreet.org

On Thu, Oct 27, 2011 at 4:03 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

Thank you - I will let others know; I may try for a larger room!

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/27/2011 8:13 AM >>>

Hi Jean,

There are a few additional folks from Preble Street who will be attending. Chris Bicknell, Teen Services Coordinator, and Gary Vogel, our legal representative. Jon Bradley, Associate Director, may or may not attend.

-Mark

Mark Schmitz
Director of Operations
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On Wed, Oct 26, 2011 at 4:40 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

CONFIRMED:

Meeting will be:

Monday, October 31, 2011

10:30am

Planning Conference Room, 4th floor City Hall

City: Doug Gardner, Alex Jaegerman, Marge Schmuckal; Danielle West-Chuhta; Barbara Barhydt

Preble Street: Mark Swann; Mark Schmitz; Jim Sterling (Architect)

Please let me know if I have the names wrong re your attendees; also please note that Danielle West-Chuhta is from our Legal Dept- she is attending because she will be advising the Planning Board of their scope of review on this but I thought I would mention it.

We have determined that this project is also subject to a level II site plan review - there are few site plan issues but this will be covered in the Planning Board review. Barbara has suggested that when you come in for the meeting on Monday maybe you could stay afterwards and fill out some of the Site Plan paperwork (eg application).

Please also note that a separate Historic Preservation application needs to be made to the Historic Preservation program manager (Deb Andrews) re the exterior alterations being made to a contributing building in the Congress Street Historic District (I am writing separately to Jim Sterling re this as I know he has spoken to Deb). I understand the earliest it could be considered by the HP Board would be Nov 16th but it needs to get into their "process" asap.

Please call if any questions; I am out of the office at a training most of tomorrow but will be here in the late afternoon.

Jean

Jean Fraser, Planner

City of Portland

874 8728

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/26/2011 1:27 PM >>>

Thanks, Jean.

Mark Schmitz

Director of Operations

Preble Street

phone: [\(207\) 874-1100, x2012](tel:(207)874-1100)

direct line: [\(207\) 956-6577](tel:(207)956-6577)

fax: [\(207\) 699-3320](tel:(207)699-3320)

www.preblestreet.org

On Wed, Oct 26, 2011 at 1:25 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

The meeting is provisionally scheduled for 10:30am on Monday- I am waiting for one key person here to confirm so please pencil it in and I will confirm asap.

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/25/2011 12:58 PM >>>

Tuesday the 1st is not a good day for us. Monday the 31st after 10:00 and before 2:00 does work. Shall we go with 10:30 or 11:00? -Mark Schmitz

- Monday (10.31) anytime after 10am or
- Tuesday (11.1) afternoon

Could you let me know which of these times would be convenient for you and your colleagues that wish to attend? (and suggest other days/times if these are not good). I would try to have it in the Planning Conference room (4th floor City hall).

I am out of the office tomorrow but will be checking e-mails to try and get this meeting arranged asap.

Thank you

Jean

Jean Fraser, Planner

City of Portland

874 8728

Jean Fraser - Re: Confirmation of meeting Re: 38 Preble Street

From: Mark Schmitz <mschmitz@preblestreet.org>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 10/27/2011 8:13 AM
Subject: Re: Confirmation of meeting Re: 38 Preble Street

Hi Jean,

not attending
↓

There are a few additional folks from Preble Street who will be attending. Chris Bicknell, Teen Services Coordinator, and Gary Vogel, our legal representative. Jon Bradley, Associate Director, may or may not attend.

-Mark

Mark Schmitz
Director of Operations
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Preble Street: Mark Swann; Mark Schmitz; Jim Sterling (Architect)

Please let me know if I have the names wrong re your attendees; also please note that Danielle West-Chuhta is from our Legal Dept- she is attending because she will be advising the Planning Board of their scope of review on this but I thought I would mention it.

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application).

Please also note that a separate Historic Preservation application needs to be made to the Historic Preservation program manager (Deb Andrews) re the exterior alterations being made to a contributing building in the Congress Street Historic District (I am writing separately to Jim Sterling re this as I know he has spoken to Deb). I understand the earliest it could be considered by the HP Board would be Nov 16th but it needs to get into their "process" asap.

Please call if any questions; I am out of the office at a training most of tomorrow but will be here in the late afternoon.

Jean

Jean Fraser, Planner

City of Portland

874 8728

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Thanks, Jean.

Mark Schmitz

Director of Operations

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- Monday (10.31) anytime after 10am or
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I am out of the office tomorrow but will be checking e-mails to try and get this meeting arranged asap.

Thank you

Jean

Jean Fraser, Planner

City of Portland

874 8728

Jean Fraser - 38 Preble Street - HP review

From: Jean Fraser
To: sterling, james
Date: 10/26/2011 4:49 PM
Subject: 38 Preble Street - HP review
CC: Andrews, Deb; Barhydt, Barbara; mschmitz@preblestreet.org

Jim

As you noted in the earlier submissions, several aspects of this project require HP review and approval.

A separate Historic Preservation application needs to be made to the Historic Preservation program manager (Deb Andrews) re the exterior alterations being made to a contributing building in the Congress Street Historic District.

I understand the earliest it could be considered by the HP Board would be Nov 16th but it needs to get into their "process" asap and I think Deb will need some colored renderings and some specs re the materials at the front etc.- please make an HP application and contact her to discuss further supporting material (DGA@portlandmaine.gov or 874 8726).

Please also note that we have determined that this project is also subject to a level II site plan review - there are few site plan issues but this will be covered in the Planning Board review. Barbara has suggested that you/Mark could fill out some of the Site Plan paperwork (eg application) after the meeting on Monday (which is confirmed for 10:30AM 10.31.2011 Planning conference rm 4th floor City Hall.)

Thank you

Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Portland Historic Resources Inventory

Property Address: 38 Preble Street

CSHD Map Key #52

District: Congress Street

Local Rating: Contributing

Date of Placement: Local 4/15/09

Architectural Description/Historic Significance:

c. 1894

This is a three story brick commercial building with granite used for window sills and the bases and caps for the piers surrounding the storefront openings. The Preble St. façade is evenly divided into two storefront bays with iron lintels supported on the granite and brick piers, each bay has an entrance on the left and a six pane display window on the right. Another display window turns the corner onto Cumberland Ave. There are four large 2/2 double hung windows spaced evenly across the façade on the second and third floors which have nicely detailed terracotta lintels. Projecting brick belt courses are located at the third story sill level and slightly below the window lintels at the 2nd and 3rd story levels. A brick cornice caps the facades on Preble Street and Cumberland Avenue.

The Cumberland Ave. façade is divided into three asymmetrical bays by two slightly projecting chimneys. The eastern bay is the narrowest and contains the storefront window on the first floor and one 2/2 window on each of the floors above. The middle bay is the widest and has three 2/2 windows on each floor. The western bay is slightly wider than the eastern bay and has an off center wide arched doorway on the first floor and two 2/2 windows on each of the upper floors.

The south wall is a blank party wall, though it appears never to have had a neighboring building above the first floor level. In 1924 a new single story retail structure containing a "Preble Fruit Store" and "Steve's Lunch" restaurant was located on the adjoining lot at 36 Preble St.

The storefronts have been recessed and filled in to contain smaller modern aluminum framed plate glass windows with a single entrance on the southwest corner. The double hung windows are 1/1 aluminum replacement windows. The chimneys have been removed to the cornice level.



Surveyed by

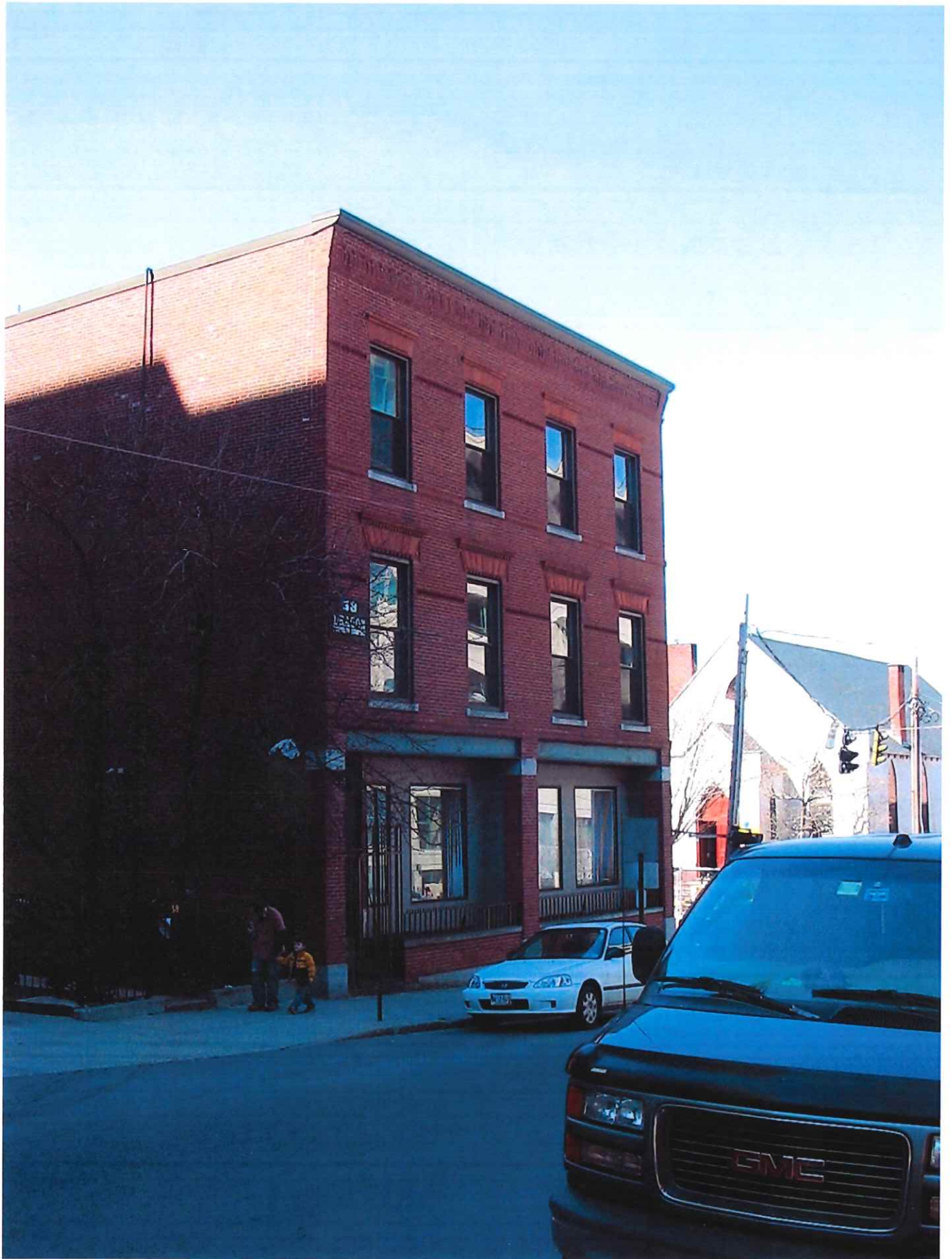
A. M. Waterman

(Remarks on other Side)

142

'23 - 1125/269 - 5 44,500+

20017



Jean Fraser - Confirmation of meeting Re: 38 Preble Street

From: Jean Fraser
To: Schmitz, Mark
Date: 10/26/2011 4:40 PM
Subject: Confirmation of meeting Re: 38 Preble Street

CONFIRMED:

Meeting will be:

Monday, October 31, 2011
10:30am

Planning Conference Room, 4th floor City Hall

City: Doug Gardner, Alex Jaegerman, Marge Schmuckal; Danielle West-Chuhta; Barbara Barhydt
Preble Street: Mark Swann; Mark Schmitz; Jim Sterling (Architect)

Please let me know if I have the names wrong re your attendees; also please note that Danielle West-Chuhta is from our Legal Dept- she is attending because she will be advising the Planning Board of their scope of review on this but I thought I would mention it.

We have determined that this project is also subject to a level II site plan review - there are few site plan issues but this will be covered in the Planning Board review. Barbara has suggested that when you come in for the meeting on monday maybe you could stay afterwards and fill out some of the Site Plan paperwork (eg application).

Please also note that a separate Historic Preservation application needs to be made to the Historic Preservation program manager (Deb Andrews) re the exterior alterations being made to a contributing building in the Congress Street Historic District (I am writing separately to Jim Sterling re this as I know he has spoken to Deb). I understand the earliest it could be considered by the HP Board would be Nov 16th but it needs to get into their "process" asap.

Please call if any questions; I am out of the office at a training most of tomorrow but will be here in the late afternoon.

Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/26/2011 1:27 PM >>>
Thanks, Jean.

Mark Schmitz

Director of Operations
Preble Street
phone: (207) 874-1100, x2012
direct line: (207) 956-6577
fax: (207) 699-3320
www.preblestreet.org

On Wed, Oct 26, 2011 at 1:25 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

The meeting is provisionally scheduled for 10:30am on Monday- I am waiting for one key person here to confirm so please pencil it in and I will confirm asap.

>>> Mark Schmitz <mschmitz@preblestreet.org> 10/25/2011 12:58 PM >>>

Tuesday the 1st is not a good day for us. Monday the 31st after 10:00 and before 2:00 does work. Shall we go with 10:30 or 11:00? -Mark Schmitz

- Monday (10.31) anytime after 10am or
- Tuesday (11.1) afternoon

Could you let me know which of these times would be convenient for you and your colleagues that wish to attend? (and suggest other days/times if these are not good). I would try to have it in the Planning Conference room (4th floor City hall).

I am out of the office tomorrow but will be checking e-mails to try and get this meeting arranged asap.

Thank you

Jean

Jean Fraser, Planner

City of Portland

874 8728

Jean Fraser - Urgent - 38 Preble needs site plan review

From: Jean Fraser
To: Barhydt, Barbara
Date: 10/26/2011 2:41 PM
Subject: Urgent - 38 Preble needs site plan review
CC: Andrews, Deb; Yeaton, Jennifer

Barbara,

In my e-mail to you re the notice I advised that this needs to be a LEVEL II SITE PLAN REVIEW and I wanted to discuss that with you before adding to the notice.

Here is my draft of the notice, which adds in the additional info as you advised as well as the referring to Level II site plan:

38 Preble Street

To residents and property owners: The Portland Planning Board will hold a workshop to consider a Conditional Use Application submitted by *Preble Street* (Mark Swann, Executive Director). The applicant is proposing to relocate the existing nearby Lighthouse Teen Shelter to the first and second floors of this property to provide an 24-bed emergency shelter for teens. The other floor will remain in office use. The proposal will be reviewed as a conditional use in the B-3 zone and a Level II site plan. It is located in the Congress Street Historic District and the associated exterior alterations will also be subject to a separate review under the Historic Preservation Ordinance.

Jean

Jean Fraser - 38 Preble Street Teen Center

From: Jean Fraser
To: Yeaton, Jennifer
Date: 10/24/2011 4:37 PM
Subject: 38 Preble Street Teen Center
CC: Barhydt, Barbara

Jennifer

This will be going to the Planning Board as a Workshop item on November 8th and I assume the Legal Ad will go out at the end of this week.

I have had one neighbor "complain" that they had not received a notice that the Conditional Use application had been lodged- so I want to make sure that the postcard and e-mail notices for the PB workshop go out as early as possible ie this week.

I am out of the office tomorrow (Tuesday) but will finalize the wording for the notice on Wednesday.

Could you give me a print out of the names/address to whom the notices have/will be sent?

Thanks
Jean

Jean Fraser - 38 Preble Street Teen Shelter

From: Jean Fraser
To: Barhydt, Barbara; Gardner, Doug; Jaegerman, Alex; Schmuckal, Marge; ...
Date: 10/24/2011 5:52 PM
Subject: 38 Preble Street Teen Shelter
CC: Momborquette, Linda

Hello all,

Preble Street have submitted a conditional use application for the teen shelter to be relocated into 2 floors of the 4-floor building at 38 Preble Street (from 65 Elm Street) and this will be considered by the Planning Board at a PB Workshop on the afternoon of Tuesday, November 8, 2011.

I am preparing a PB Memo that needs to be completed the morning of Friday Nov 4th.

We are aware that there will be neighbor and PDD "objections" but have not received anything yet.

I would like to arrange a meeting with Preble Street and their architect (James Sterling) for early next week to:

- clarify aspects of the proposal
- identify issues where the Planning Board may need more info (ie "need" for the additional 8 bedspaces; implications of the revised opening hours)
- Discuss any comments received by then

I would like to try for:

- Monday (10.31) anytime after 10am or
- Tuesday (11.1) afternoon

Could you please let me know your availability?

Thanks
Jean
874 8728

Jean Fraser - 38 Preble Street

From: Jean Fraser
To: cheehaak@sterlingarchitect.com
Date: 10/24/2011 5:51 PM
Subject: 38 Preble Street
CC: Barhydt, Barbara; cheehaak@gmail.com; mschmitz@preblestreet.org; ster...

Jim

I am the planner coordinating the review of the Conditional Use Application for 38 Preble Street. Barbara Barhydt has given me the background information and it will be considered by the Planning Board at a PB Workshop on the afternoon of Tuesday, November 8, 2011.

I am preparing a PB Memo that needs to be completed the morning of Friday Nov 4th at latest.

We are aware that there will be neighbor and PDD "objections" but have not received anything yet.

I would like to arrange a meeting with you and Preble Street representatives for early next week to:

- clarify aspects of the proposal
- identify issues where the Planning Board may need more info (ie "need" for the additional 8 bedspaces; implications of the revised opening hours)
- Discuss any comments received by then.

The meeting will hopefully include Doug Gardner, Alex Jaegerman and Barbara Barhydt plus maybe Marge Schmuckal or other staff.

I would like to try for:

- Monday (10.31) anytime after 10am or
- Tuesday (11.1) afternoon

Could you let me know which of these times would be convenient for you and your colleagues that wish to attend? (and suggest other days/times if these are not good). I would try to have it in the Planning Conference room (4th floor City hall).

I am out of the office tomorrow but will be checking e-mails to try and get this meeting arranged asap.

Thank you

Jean

*Jean Fraser, Planner
City of Portland
874 8728*

340 Associates, LLC

120 Exchange Street, Portland, ME 04101
207-874-6959 (O) 207-874-6988 (F)

City of Portland Maine
Department of Planning & Urban Development
389 Congress Street Room 308
Portland, ME 04101

Attn: Barbara Barhydt, Development Review Service Manager
Jean Fraser, Planner

Thank you for meeting with me this morning to review the project under your consideration known as Lighthouse Teen Shelter. As I mentioned we are the owners of 340 Cumberland Avenue. Our land abuts the projects building on the corner of Cumberland and Preble.

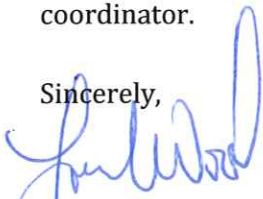
I wanted to formerly express my concerns to you on the project so that you may review them and pass them along to the Chairman and planning board members. As you are aware, I have experienced issues with graffiti and vandalism at my property and am concerned that this project will add to those issues.

Please consider two important issues in your approval process.

- The easement clearly states that they are only allowed to access the property for constructing, repairing, maintaining, and improving the premises. The applicant does not have an easement or any right of egress from their building on to our property. There is no clear access to our property other than for those uses.
- Due to the nature of the businesses in our building the operation of generators are necessary and from time to time they do run. I would want to make sure the applicant is aware of the sound implications to their property considering they are changing the use to a residential property.

Again, thank you for your time and consideration this morning. Please feel free to call me at any time. In addition I would be happy to meet with the applicant and its staff or development coordinator.

Sincerely,



Louis Wood
340 Associates, LLC
120 Exchange Street
Portland, ME 04101

rec'd
11-18-11

TO: City of Portland Planning Board

DATE: 11/9/11

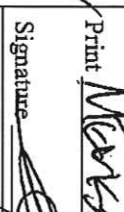
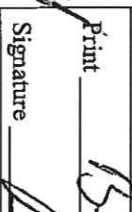
We the undersigned support Preble Street's request to move the Lighthouse Shelter one block, from 65 Elm Street to 38 Preble Street. **544 times in the past two years a homeless young person has been turned away because of limitations at the present location. We want to make sure it never happens again.** All youth should have a safe, warm place to lay their heads at night with programming and professional staff to help them move beyond homelessness.

Name	Business/Street Address	E-mail
Print <u>Richard L. GRIFFARD</u> Signature <u>[Signature]</u>	DOWN HOME COOKIN 28 PREBLE ST PORT. ME 04101	TERC 157 @AOL.COM
Print <u>James Barilone</u> Signature <u>[Signature]</u>	44 Melburne St. Apt #1 Portland, ME 04101	
Print <u>Isaac Royles</u> Signature <u>[Signature]</u>	5 MONTGOMERY apt 2 Portland ME 04101	
Print <u>Kelley Foley</u> Signature <u>[Signature]</u>	Market Inn coffee Monument St. Portland ME 04101	
Print <u>Michael Suster</u> Signature <u>[Signature]</u>	11 Gray's Bunkies	
Print <u>Matt Sparrows</u> Signature <u>[Signature]</u>	"Gnarly's Bunkies"	
Print <u>Stuart Benson</u> Signature <u>[Signature]</u>	Long fellow Books	
Print <u>Craig Rowe</u> Signature <u>[Signature]</u>	Long fellow Books	

TO: City of Portland Planning Board

DATE: 11/4/11



We the undersigned support Preble Street's request to **move the Lighthouse Shelter one block**, from 65 Elm Street to 38 Preble Street. **544 times in the past two years a homeless young person has been turned away because of limitations** at the present location. **We want to make sure it never happens again.** All youth should have a safe, warm place to lay their heads at night with programming and professional staff to help them move beyond homelessness.

Name	Business/Street Address	E-mail
Print <u>Nerissa Pinney</u> Signature 	140 Boutique 144 High Street Portland ME 04101	slupp@lighthouse.com
Print <u>Jill Guyot</u> Signature <u>Jill Guyot</u>	Swiss Time 86 Exchange St Portland, ME 04101	
Print <u>Stephany Guyot</u> Signature <u>Stephany Guyot</u>	69 Danforth Street Portland, ME 04101	
Print <u>Sean Mahoney</u> Signature <u>Sean Mahoney</u>	417 Portland St Portland, ME 04101	smahoney@elf.org
Print <u>Ellen Varner</u> Signature <u>Ellen Varner</u>	151 151 Middle St. Dober Portland ME 04101	ellent@yaho.com
Print <u>Ben Butler</u> Signature 	Ben's Old Port Barber Shop 28 Milk St. Portland Me.	BenTruoldPortBarber@yaho.com
Print _____ Signature _____		
Print _____ Signature _____		

TO: City of Portland Planning Board

DATE: November 8, 2011

We the undersigned support Preble Street's request to **move the Lighthouse Shelter one block**, from 65 Elm Street to 38 Preble Street. **544 times in the past two years a homeless young person has been turned away because of limitations** at the present location. **We want to make sure it never happens again.** All youth should have a safe, warm place to lay their heads at night with programming and professional staff to help them move beyond homelessness.

Name	Business/Street Address	E-mail
Print <u>Mary Allen Lindemann</u> Signature <u></u>	Coffee By Design 43 Washington Avenue Portland, Maine 04101	mal@coffeebydesign.com
Print <u>Alan G. Spear</u> Signature <u></u>	Coffee By Design 43 Washington Avenue Portland, Maine 04101	alan@coffeebydesign.com
Print _____ Signature _____		
Print _____ Signature _____		
Print _____ Signature _____		
Print _____ Signature _____		
Print _____ Signature _____		

11/16/11

38 Preble

Low Wood

- own adjacent building

Teen center across the st -

- Drug dealings - on Cumberland

- Graffiti - often -

- Not watched properly - not police

property -
kids loitering

Police property -

Access on property * life safety

Don't believe use in this location

Permanent - easement for servicing the building

- ~~No easement~~ -

temporary easement - right to build up
to building

- right egress - to service permanent easement

not right to enter premises
at any time

- how - park cars there - at access -

- don't want them to egress onto
site -

don't want potential access on site

- only way to enter door is through their property

- Have problem w/ people on property
- may want to fence -

- ~~Want to~~
~~into~~

Tony MacDonald -

- contacted for parking

Jim Sterling - Have lawyer
call - nothing back
want to talk to lawyer -

Jean Fraser - 38 Preble Teen shelter- abutters objections

From: Jean Fraser
To: Barhydt, Barbara; Jaegerman, Alex
Date: 11/14/2011 1:25 PM
Subject: 38 Preble Teen shelter- abutters objections

Barbara and Alex

I have had a call from the owner of the abutting property (alley and parking area plus data building- named Lewis Wood on behalf of 340 Associates). He is going to write to the Planning Board for the Hearing (objecting but I don't know how strongly) but would like to discuss/explain his concerns with us first. *

I encouraged him to come in so that at least one of you could join me in meeting with him for half an hour with the plans in front of us. I would like another pair of eyes/ears on this. if poss but the pressure of time means we need to meet with him soon.

I have provisionally arranged for him to come in at 8:45 am on wed Nov 16th (ie before Dev Rev)

Could you join us then- we would keep it to 45 mins or less. Pl confirm.

thanks
Jean

* life safety issues?

Lewis wood
340 Associates
874 6959

email: lewood24@hotmail.com

11-15-11
emailed
confirmations

prov. meet 8:45 am wed
11-16-11

if to confirm after chng BB/AJ.



Board of Directors

President
Doug Fuss
Owner
Bull Feeney's Pub

Vice President
Nicholas Morrill
Attorney
Jensen Baird Gardner & Henry

Treasurer
Catherine Lamson
Senior Vice-President
MEMIC

Immediate Past President
Brian Petrovek
Managing Owner/CEO
Portland Pirates

Josh Benthien
Partner
Northland Enterprises, LLC

Amy Booth
Senior Vice-President
The Boulos Company

Peter Gellerson
Senior Vice-President
Lathrop Property Management

Cyrus Hagge
Owner
Project Management, Inc

Elizabeth Humstone
Owner
21 Chestnut Street Condominium

Gerard Kiladjian
General Manager
Portland Harbor Hotel

Allan Labos
Owner
Akari

Kristen Levesque
Director of Marketing & Public Relations
Portland Museum of Art

Dave Marshall
City Council Representative

Brad McCurtain
Owner
Others!
Maine Securities Corporation

Greg Mitchell
Economic Development Director
City Manager's Representative

Brianne O'Donnell
Leasing and Marketing Specialist
Dirigo Management Company

June Usher
Branch Manager
Bangor Savings Bank

*Superseded
by letter w/
corrected address*

November 11, 2011

Planning Board
City of Portland
389 Congress Street
Portland, ME 04101

PDD Board Action

On November 10, 2011 Portland's Downtown District Board of Directors voted to oppose granting a conditional use request for an expanded teen shelter in the B-3 zone and Pedestrian Activities District (PAD) proposed for 38 Elm Street. The basis for the Board of Directors' opposition is that the proposed conditional use will have an adverse impact on the health, safety and welfare of the areas surrounding 38 Elm Street, and that it is not a compatible Pedestrian Activities District use.

Conditional Use Requested Guidelines

In the event that the Planning Board decides to approve the conditional use the Board also voted on November 10 to submit operational requirements to be added to the permitted use in order to mitigate the above mentioned adverse affects.

Requested For Relocated And Expanded Teen Shelter

- All meals provided separately from the adult population.
- No gap in service and staff supervision between the teen center and teen shelter operating hours.
- Recording building exterior cameras on Preble and Cumberland 24/7. Digital images to be maintained for a minimum of 7 days.
- Enclosed outdoor space provided on-site.
- Routine street outreach inside and outside the library and in downtown parks.
- An operational review by the City's Health and Human Services Director on a quarterly basis for one year and then annually.

Sincerely,

Janis M Beitzer
Executive Director

Jean Fraser - Fwd: Elm St

From: Vernon Malloch
To: Jean Fraser
Date: 11/8/2011 2:08 PM
Subject: Fwd: Elm St
Attachments: New Elm Street.pdf

Hello Jean,

I left a voice mail for you but also wanted to follow up with this e-mail. I have attached the breakdown of calls for police service to the current Lighthouse Shelter at 65 Elm Street. I will not be able to attend the workshop this afternoon but if you have any questions please call me. We will assign someone from the police department to attend a future meeting if the planning board feels it would be helpful. Please let me know as far in advance as possible so we can prepare.

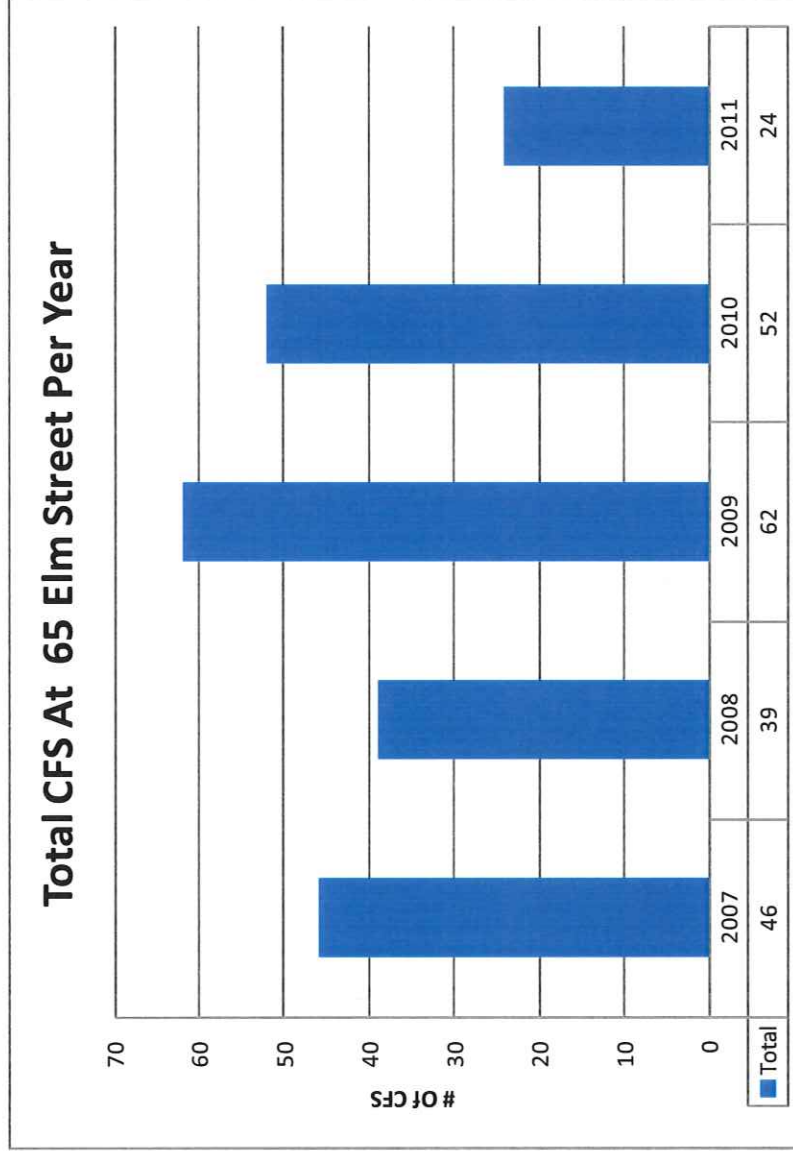
Thanks,
Vern

Commander Vern Malloch
Portland Maine Police Department
109 Middle Street
Portland, ME 04101
207-874-8548
e-mail: vwm@portlandmaine.gov
Our Core Values:
Leadership, Integrity, Service.

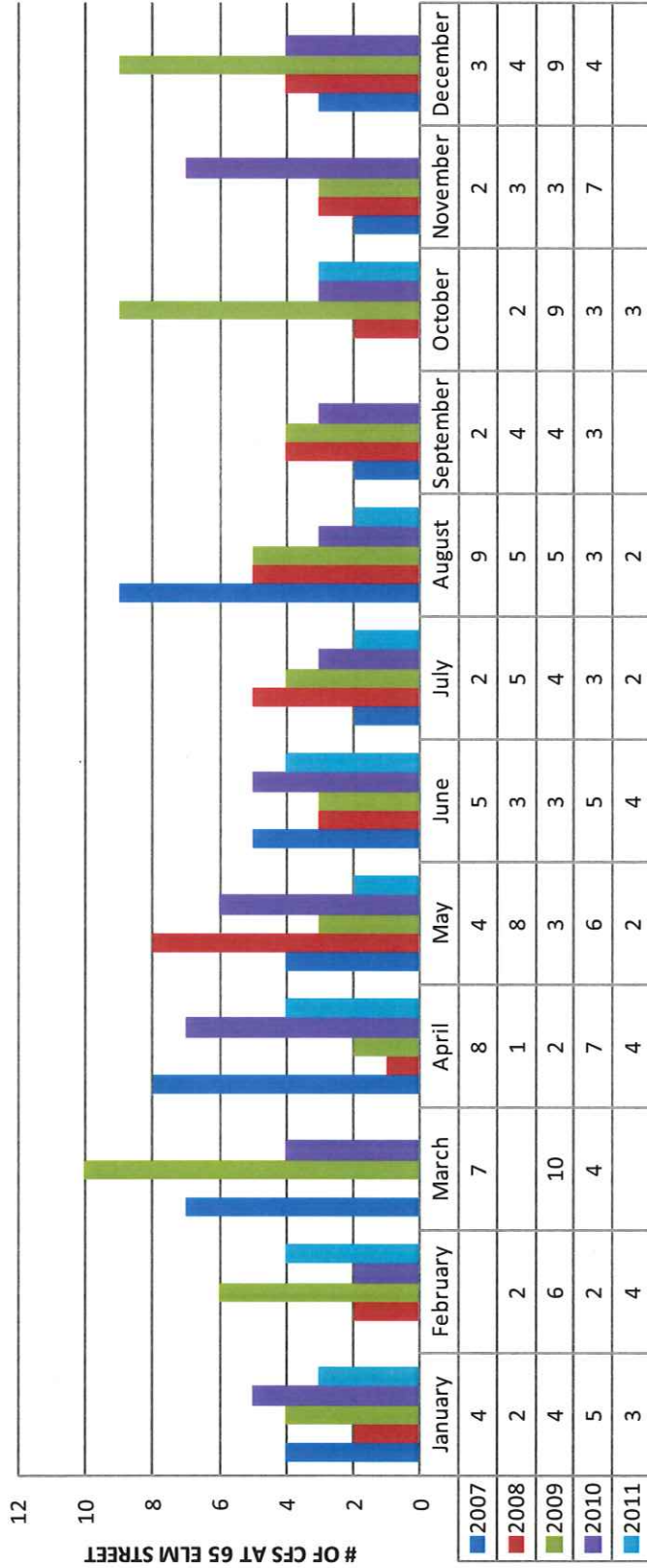
>>> Lisa Konopka 11/8/2011 1:26 PM >>>

Lisa Konopka
Certified Criminal Analyst
CID
Portland Police Department
Phone: (207) 874-8553
Fax: (207) 874- 8586

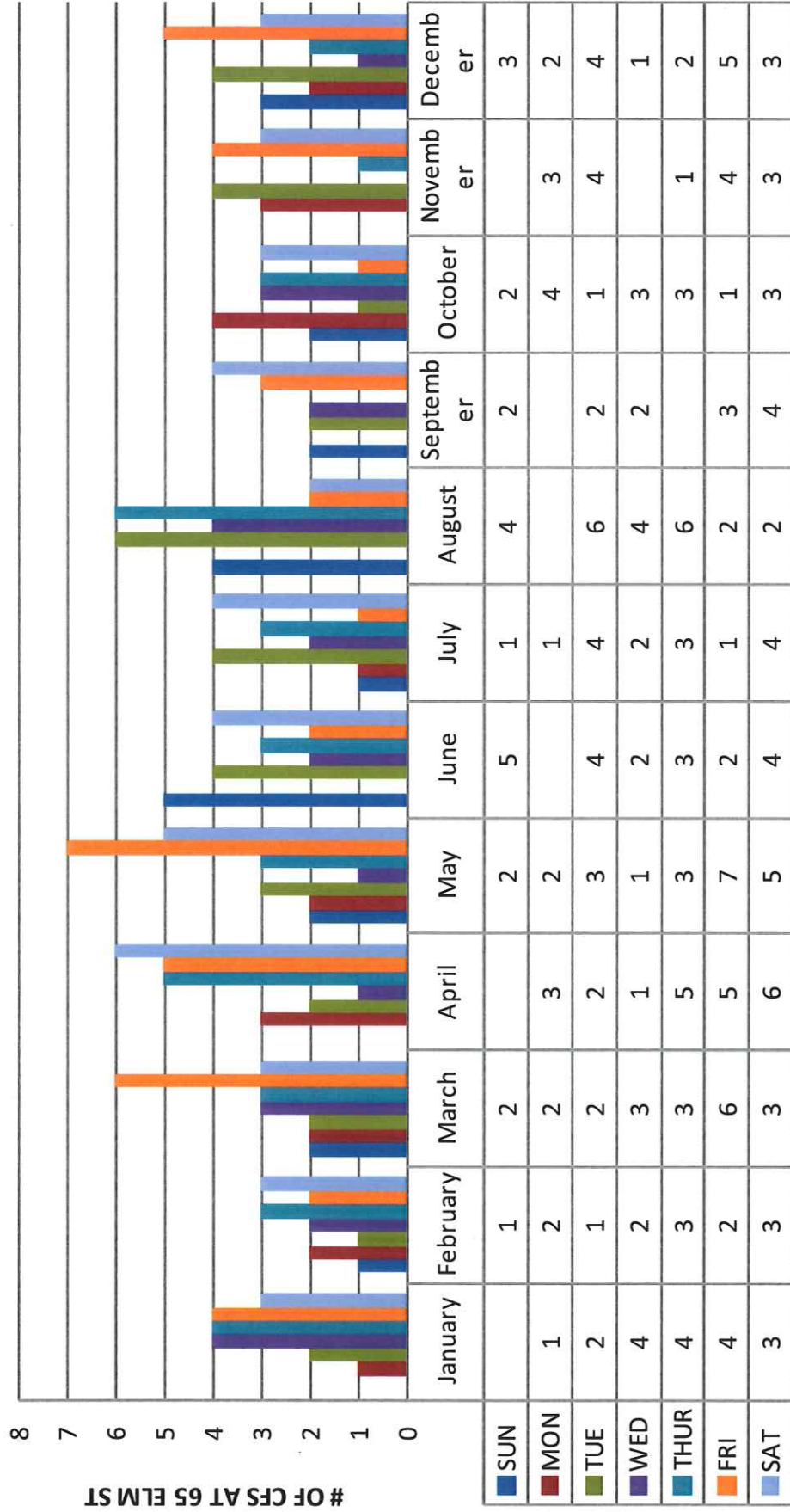
Count of PD TYPE OF CALL END eng	Column Labels					
Crime Type	2007	2008	2009	2010	2011	TOTAL
911 HANG UP CALLS		1	1			2
ALARM/BURGLARY	3	3	12	5		23
ANIMAL COMPLAINT		2		3	1	6
ASSAULT	2	2	3		2	9
ASSAULT MEDCU NEEDED				1		1
ASSIST CITIZEN			3			3
ASSIST FIRE DEPT					1	1
ASSIST MEDCU			1			1
ASSIST OTHER AGENCY/GENERAL			2	1	1	4
ATTEMPT TO LOCATE		1	4			5
BEHAVIORAL HEALTH	2	2	2	1		7
BEHAVIORAL HEALTH MEDCU NEEDED	1					1
BURGLARY					1	1
CASUALTY REPORT				1		1
CHECK WELL BEING	2		2	1	1	6
CHECK WELL BEING MEDCU NEEDED				1		1
CRIMINAL MISCHIEF	1			2		3
CRIMINAL TRESPASS	2		1			3
DOMESTIC DISPUTE/ASSAULT				1		1
DRINKING IN PUBLIC		1				1
DRUG OVERDOSE	3	2	1	3		9
ESCORTS	1	2				3
FIGHT	1	1	2	2	1	7
GENERAL DISTURBANCE	1			2	1	4
HARASSMENT		1			1	2
INTOXICATED PERSON	2	1	2		1	6
JUVENILE OFFENSE	1			1		2
KEEP THE PEACE	3			1	1	5
LAYOUT/INCAPACITATED PERSON			1			1
LAYOUT/MEDCU NEEDED	1	2	2			5
MISSING PERSONS	1				1	2
MOTOR VEHICLE STOP	1	1	3	6		11
PANIC ALARM		1				1
PARKING COMPLAINT			1			1
PEDESTRIAN CHECK	3		2	1	1	7
PERSON(S) REFUSING TO LEAVE	3		4	4	2	13
PERSONS BOTHERING	1	2	2	3	1	9
PROPERTY/FOUND		1	1	1		3
SERVING PAPERWORK				1		1
SPECIAL ATTENTION CHECK				1		1
SUICIDE ATTEMPT				1	1	2
SUICIDE THREATS	2	6	2	4	2	16
SUSPICIOUS ACTIVITY	1		2		3	6
THEFT		1	1	1		3
THREAT/TERRORIZING	3	3	2	1		9
UNLAWFUL SEXUAL CONTACT		1				1
VIOLATION OF PAPERWORK		1				1
WARRANT CHECK	5	1	3		1	10
WEAPONS VIOLATION,POSSESSION				2		2



CFS AT 65 ELM STREET BY MONTH AND YEAR



CFS BY MONTH AND DAY OF WEEK



Handwritten: Jean Fraser copy
cc to PB + public on 11-8-11

Jean Fraser - Fwd: Elm St

From: Vernon Malloch
To: Jean Fraser
Date: 11/8/2011 2:08 PM
Subject: Fwd: Elm St
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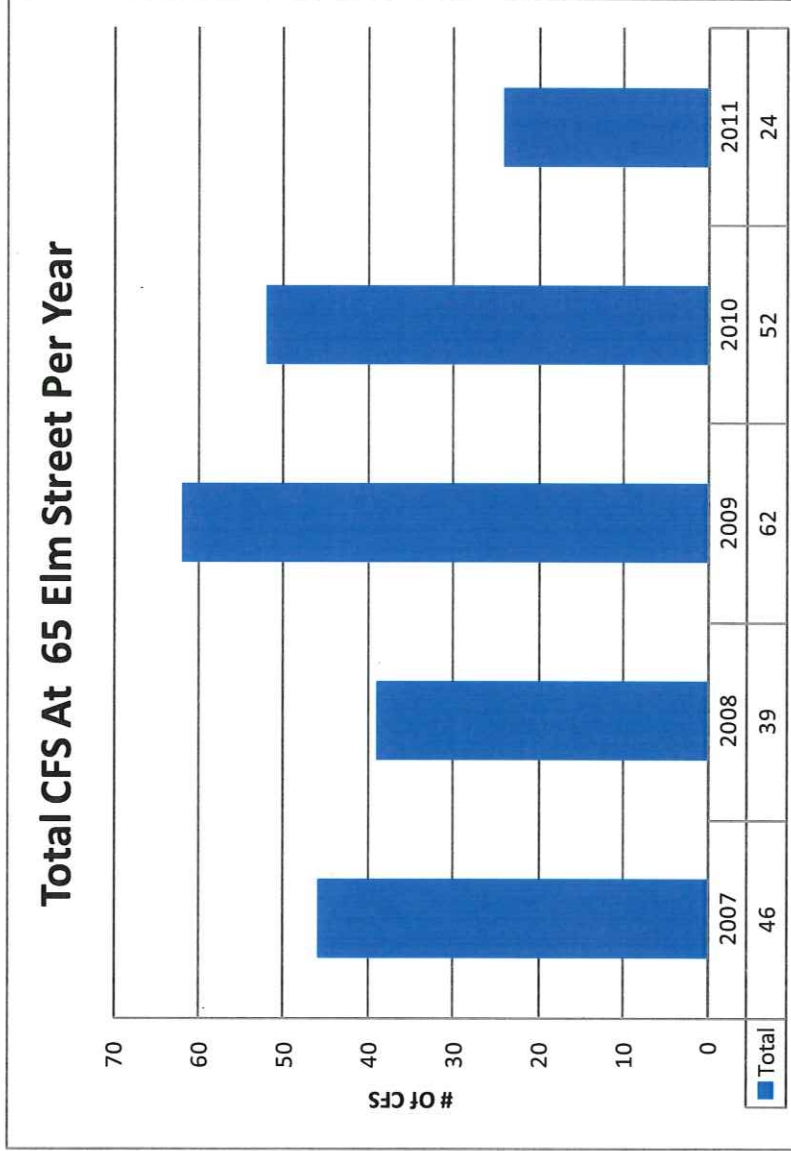
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Thanks,
Vern

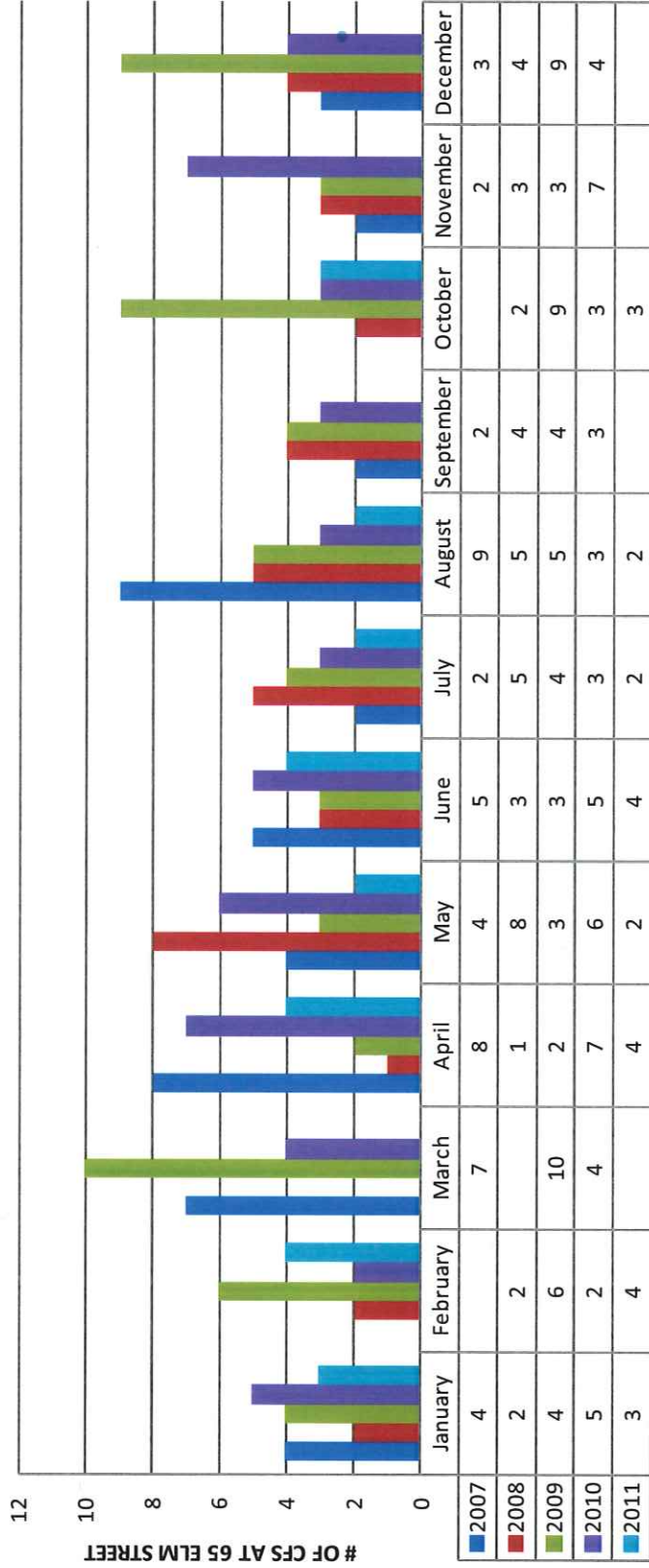
Commander Vern Malloch
Portland Maine Police Department
109 Middle Street
Portland, ME 04101
207-874-8548
e-mail: vwm@portlandmaine.gov
Our Core Values:
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>>> Lisa Konopka 11/8/2011 1:26 PM >>>

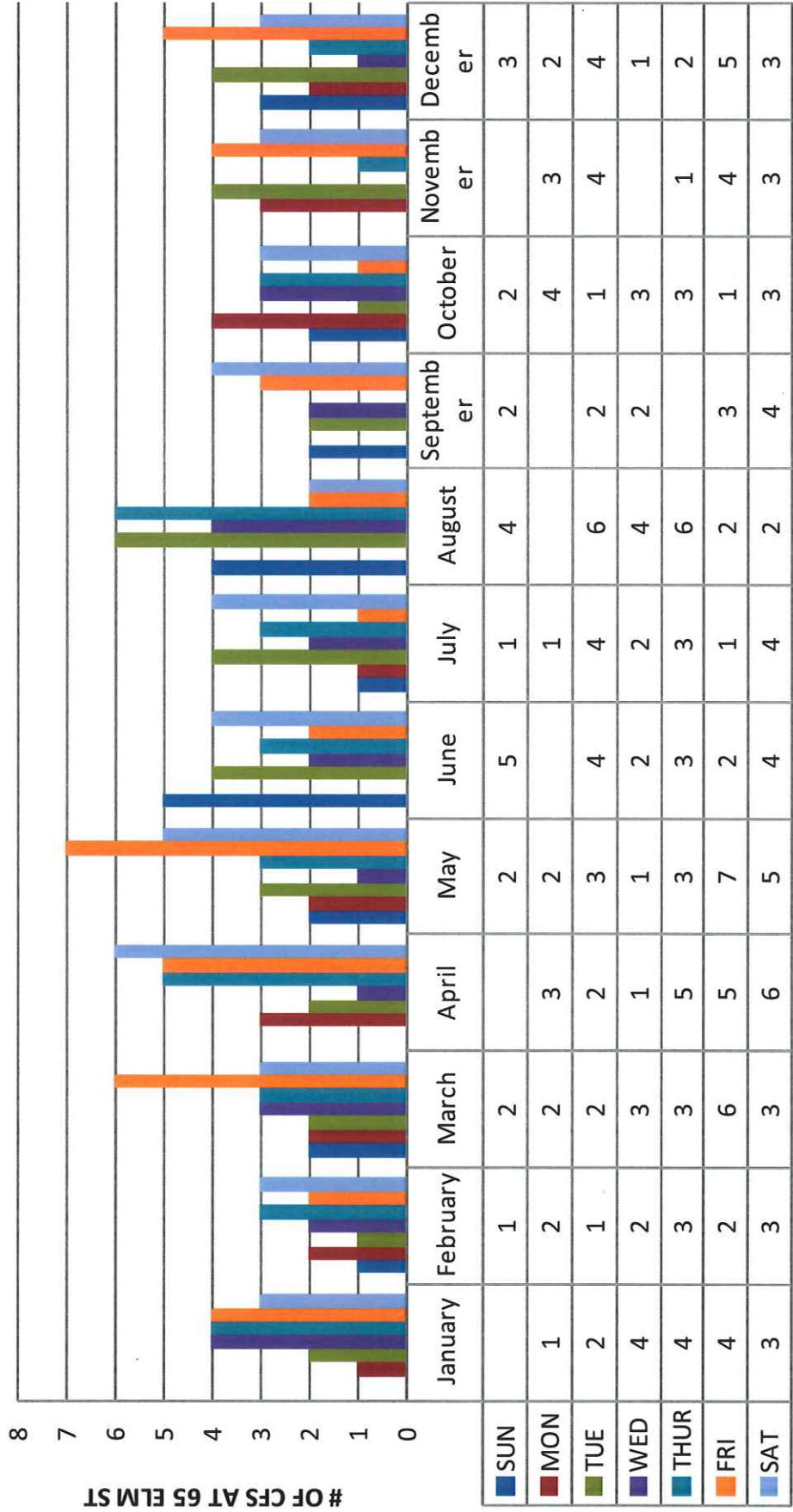
Lisa Konopka
Certified Criminal Analyst
CID
Portland Police Department
Phone: (207) 874-8553
Fax: (207) 874- 8586



CFSS AT 65 ELM STREET BY MONTH AND YEAR



CFS BY MONTH AND DAY OF WEEK



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LAYOUT/INCAPACITATED PERSON			1			1
LAYOUT/MEDCU NEEDED	1	2	2			5
MISSING PERSONS	1				1	2
MOTOR VEHICLE STOP	1	1	3	6		11
PANIC ALARM		1				1
PARKING COMPLAINT			1			1
PEDESTRIAN CHECK	3		2	1	1	7
PERSON(S) REFUSING TO LEAVE	3		4	4	2	13
PERSONS BOTHERING	1	2	2	3	1	9
PROPERTY/FOUND		1	1	1		3
SERVING PAPERWORK				1		1
SPECIAL ATTENTION CHECK				1		1
SUICIDE ATTEMPT				1	1	2
SUICIDE THREATS	2	6	2	4	2	16
SUSPICIOUS ACTIVITY	1		2		3	6
THEFT		1	1	1		3
THREAT/TERRORIZING	3	3	2	1		9
UNLAWFUL SEXUAL CONTACT		1				1
VIOLATION OF PAPERWORK		1				1
WARRANT CHECK	5	1	3		1	10
WEAPONS VIOLATION,POSSESSION				2		2

ANNE B. PRINGLE

44 Neal Street Portland, ME 04102-3527 207/774-0437
oldmayor@maine.rr.com

November 8, 2011

Portland Planning Board
389 Congress Street
Portland ME 04102

Re: CHOM Housing Project
66-68 High Street

Dear Chair Lewis and Members of the Board:

I am sorry that I am not able to attend this evening's meeting , at which you will vote on a change to CHOM's unit configuration, required by a last-minute determination by Maine Housing, which is indeed unfortunate.

While the unit cost is high, at least partially because of the original provision of 3 bedroom units and the tax-credit restoration of the historic structure, I believe that cost could be justified in this instance -- but that it not for my or your assessment.

What is before you is a change in unit configuration to satisfy Maine Housing. I urge you to accept this change, as it will not affect any other project elements, as noted in the staff report.

As you will recall, my interest in this project is that my son owns a condo directly abutting the property. I have participated in many meeting with the developer and before the Board and Historic Preservation and am very satisfied with the outcome of the prior reviews. Let's approve this change and let the project move forward!

Very truly yours,

CM - election
DS - recused

Joe Lewis / Lee Lowry +
Bill Hall here for presenta
tion.

38 Preble St - PB workshop 11-8-11.

JF - presentation as in note.

Mark Swann -

- 544 turned away last 2 yrs.
- run LS. since 2004. (before then SA).
- 50% girls / boys are age less ^{not} 17
- 50% in school
- 60% working / training
- >60% in mental health / substance abuse programs.

Collaborative w/ other services (not PS)

including teachers, clinic etc. -

good model of continuum of services

Missing the "shelter" piece - building in bad shape
+ too small.

2009 numbers went up (also Lewiston + Bangor)
economy + Hmt programs.

Thinks 38 Preble ideal (200 yds away) + works
with

Referred to summary / conditions in report.

Hours - 8-8 same as existing

Ext lighting + security cameras both planned

16 - 24 ^{max} beds but have flex. for diff. genders

Man. plan - there is one at Flor. House

Intake elsewhere

Police Dept - work with them closely - informal
conversations - confirming teens are
inside but happy to discuss more.

Jim Sterleng:

Architect

Existing offices B3

clean up 1 x 2 rest offices.
for shelter

described floor plans

access from Cumberland.

Stairs not full height everywhere but in
discussion for Marshall. / Chris Priore

no major issues.

have cables for sewer.

Gary Vogel:

Attorney - could use criteria / easements.

Est that meet cond use criteria.

ref staff memo & extracts CHAP.

ref Doug Gardner re registration

usually

diff. to apply but its a relocation of
existing use in existing m'hood

Problem of homeless teens - part of
solution to a societal problem.

Shelter addresses effects etc.

to avoiding adverse impacts

Ran thru his memo. incl. in app's submitted

OK with potential conditions if those
relevant

huge nos. of comments, many from
neighbors who note importance
to city / neighborhood

Preble St. Spoke to local businesses
(no copy available) many in
support

Easements: 1983 easements - has
historically had access to all.

[Mrs O'Brien
joined the meeting]

Questions from the Board:

Lee Lowry: ^{clarity re beds/floor}
2 bunks rest singles on each floor

: basement? Last use was office's

: ave stay ^{consecutive} 7.1/night.

: 544 is bednights couldn't serve.

Chair - ^{Opens} (Public Comment) - clar. rules for public comments

Snow of Lands re support for project.

Clar. that address questions to Chair to be answered at end:

- ① Tom Blackman
Hanover St.
 - opposed
 - is an adverse impact
 - conc. in Bayside
 - ~~capacity~~ demand has exceeded capacity + city shd review.
 - look at campus arrangement
 - feels haphazard + piecemeal approach.
- ② Soto Salenger
of Portland.
 - Preble St Bd. adds 8
 - re children who can't be served beds
 - closer to teen center
 - not a new use but a relocation.
 - Preble st part of solution
 - ref other projects
 - 4 other Bd member
- ③ Suzanne McCormick
River Rd, Bowdon
 - rep Pres + CEO United Way partner w/city
 - believe reloc. Lighthouse Shelter important
 - to connect to services

- ③ *cowi* - founder of lighthouse
 Preble well run
 this project about giving kids
- ④ Hugh Nager - Preble St unusually well managed
 Federal St worked w/ homeless youth on PA.
 India St 1st speaker had a real point
 NA Broad is a need for comp. study for all
 groups in
 but don't think there will be any
 increase in problems on this
 proposal.
- ⑤ Peggy Agneth - Adurse
 Concord St worked at Teen Clinic
 explained issues dealt
 if no space at Shelter, mat on Oxford
 St. shelter.
- ⑥ ?
 High St Adult - manager
 direct correlation between teen
 homelessness, adult homelessness
 helps minimize adult "
- ⑦ Thomas Pascal
 State St Homeless forces for justice
 Importance of Teen center
 Teens esp. vulnerable
 have been failed by those close to them
 Pl. support.
- ⑧ Joe confirmed
 not judging
 Preble/lighthouse - focus comments on what Bd. considering
- Rev Maya Holman - impact on public?
 Sheridan St - what would be detrimental to public?
 - need to be in relationship with

Public Comment Closed.

Joe Lewis - one question - what adverse impacts -
hypothetical issue of impacts.

Open to Board members questions:

Lee Lowry - asked DW-C re what they Board
needs to "find"

- do you have to find in negative for
all 3 to deny project

- Qn to Kan re PAD -
drew Bd's attn to last rendering
showing proposal + partial screening

Jim Sterling says ^{their changes} ~~to be~~ taken out

Barbara added -

PAD etc. is a B3 issue before the Pl. Bd
P B will have HP comments before
final action

LC concludes prob. not a key issue

* Generally proposal well done; concerns
have been address

* wd. appreciate clar. re days of use/ave
stay to renewed - esp. re
def. of emergency shelter - chart
refers to months.

section
3.4 of
Mack
doc.

Bill Hall - agrees w/ lee
well presented proposal
Re Teen Center - goal to
extend AM hours & to noon
confident this will be reached?

thinks this
would be
important

Mark S - is goal but in current
climate (pricing) - intention
that this be achieved when
38 Preble as goal is 24 hrs
safe place

hoping to do ³⁸ Preble St entirely
from private funding
learning from Flo + House + Logan
Place how to run 24 hrs.

- agrees w/ public; good initiative.
- general comment - make bldg
look as good as poss -
portage on Preble St could be better
proposal not good.

S O'Brien - no comment

Joe Lewis - agrees - good presentation
2 areas of concern:
CP + ED: Preble St entrance
— had wall where iron fence
at present. — cameras ok
but need street surveillance
— other people can hide

goes
backward

Jim Sterling
described

7 The brick wall is a low red wall
not a dense wall 4 ft. high
33" above Preble St.
not intent to be a barrier

Joe Lewis still concerned

Joe Lewis - Cumberland Ave sidewalk not good

Jim Sterling - C1 land / Preble
Concrete + brick
water will need to come in under concrete
granite cobbles then brick
ref to CMP - line on sidewalk
change grating to be flush w/ granite
+ vertical cover to windows
proposing to repair where:

Joe Lewis - Wadsworth - impact on building of lights
includes loading openers
lights cut off. + photometrics
he doesn't see impact here.

Lee Lowry - procedural question.
re public comments
useless expenditure
not a popularity vote.
95% don't address criteria that
Board needs to address.

Joe Lewis - agrees re public comments
asked Teen Center - ans M Swann
that Preble St owns
so long term commitment.

Hearing: agreed next step.
NOV. 27th.

Demond Silk - recused.
CM. absent

extra copies
Jean's
explain packet
5 more comments
Sun call pm today - total
297
Support
no written objections received

Conditional Use and Site Plan applications:

**Emergency Shelter for Teens
38 Preble Street
Preble Street, Applicant**

- This project is being reviewed as a conditional use in relation to the 2 floors of 38 Preble Street being proposed for an emergency shelter for teens with 24 bedspaces;
- This project is being reviewed under the Site Plan requirements because this use is listed in the ordinance as a use requiring site plan review;
- Today is a Workshop where the Board will not be making a final decision;
- Key issues:
 1. **Need:** ^{Note re inc. in bedspaces:} the applicants have outlined that the existing Lighthouse Shelter is inadequate and financially unsustainable; staff understand that they have proposed to relocate it to 38 Preble Street because it is in a zone that allows shelters; offers scope for expansion from 16 bedspaces to 24 bedspaces; and is located to other services for teens and the High School.
 2. The proposal is consistent with the Comprehensive Housing Assistance Plan and the need for additional bedspaces is confirmed by statistics in that plan as well as by the director of health and Human Services Doug Gardner.
 3. **Adverse Impacts:** Another key issue is whether there are adverse impacts on the health, welfare and safety of the public or surrounding area. The use of these 2 floors is not anticipated to create any unique impacts, since it is a relocation of an existing use that is nearby. The use is supervised, with the in-take taking place earlier at the Teen Center.
 4. **Potential issues:** I have spoken with the Police Department and Commander Malloch of the Police Department has shared the call for service data at the existing Lighthouse Teen Shelter and does not consider these to be particularly high. He has asked me to advise the Planning Board that a representative of the Police are willing to attend any future hearing and/or provide further information if other issues arise.
 5. **Access:** The proposed access for teens is from the paved area between the building and the adjacent apartment building. Staff have asked for confirmation that the easements allow for this access and other questions over the design of the courtyard and access have been raised in the Memo- including how the tree would be retained if there was a large canopy over the area.
 6. **Site plan/Pedestrian Activities District- Encouragement Area overlay:** the last page of the plans illustrates the proposal and the external design of the first floor, including access locations and window treatments/screening could better address the objectives of the Pedestrian Activity District. It is understood that the Historic Preservation Board will be considering these aspects and may request revisions.

Police
had around
data

Preble & - Teen Shelter
Hearing 11-22-11

1. JF presentation

2. Joe Lewis asked re what if HP + PB disagree.
Alex clarified practically the Board regs would
be pursued with guidance from HP.

3. Mark Soann - To school

- To Hmt

- colocation of services at Teen Center

- critical need for new home - existing
bldg rundown + inadequate

- turn away 68 in Sept.

- plan remodel 2 floors for teens

- expand capacity

- better coord. prox. to teen center

- 200 yds from existing location
+ same hrs.

- no clients etc in bldg during day

Conversations w/ neighbors

Power pay

2x PDB.

Police

Final conditions of approval - OK
+ them "intent re "intake" but
perwork in middle of night because
of Police; le # 6 OK as are aiming for

length of stay question
re staff. 3.4 - 4.8 nights
Definition used Homeless def.
homelessness def.
30 under license.

at through sheet by sheet

Jim Sterling - 1st level -
ramp 26" rise to final landing
all people enter there.
2ndary egress onto Cumberland

2nd level
sheet piling being reused for H.P.
w/ guardrail posts ^{on outside}
the feels widening piece has to be ^{durable} rigorous
6-8 ft.

Preble St elevation will also be
reused - more frosted glass +
historic geometry.

Design is reversible
Cumberland Ave - no steps now.
? of lights
last elev. blocking window for bathroom.
HP no happy w/ translucent panels.

Questions
to Jim Sterling

Joe Lewro - asked about courtyard + CPTED.
bushes between 2 entries

Mike Patterson - how creating safe env. for public
- what's proposed?

Jim ~~the~~ Sterling indicated ^{steel} wall
could be lower so all more "transparent"

Carol Mornsette - 2ndary access? alarmed
ans. "yes"

Gary Vogel - Attorney -

- ~~wants to~~ feels safety not cond use
issue is building code.
- cond use - has std. 3 + 2 re emer.
shelters.

Gary Vogel - ref. City's Strategy etc so
not much question re compliance

- registration issue OK.

- familiar cond use criteria (quoted)

"themes"
→ teen shelter part of "solution"
→ provide valuable service to neighborhood - teens
→ relocate of a use 200 yds. so not a 'new' use & achieve better cond.

conclude ~~improve~~ no unique / dist. char.
adverse impacts - not being able to continue would create problems.
ex. use does not have sub. impact same when relocated.

mentioned that some bus. owners here in support.

- ref. to PAD encouragement zone.

Carol M - fu. re zone of existing lighthouse; ans B3

Lee Lowry - can't analyze this on basis of other facility
- last criteria - because located in diff area could be an impact.

Public Comment

Public Comment - Joe L outlined ground rules,

confirmed
(Open to all news -

1. Doug Foos, Pres. PDD Dis

owner downtown restaurant - reiterate view

- not opposing teen shelter but its location

- described behaviors downtown and ascribe these to group of services

- frustration

created } Home Team - outreach
helps pay for }

- problems of beh. library, Monument Sq - moving Teen Shelter 2 blocks nearer Downtown. -

shouldn't be allowed in Bus District lead to dead bldg. on 1st corner of Bus District/veh. gateway.

news. need certainty - adverse impact on whole downtown. BD is hub - essential to preserve its vibrancy.

2. Gito Selinger
Bd Chair of
Prestige St

- will/won't be adverse impact believe opp. positive impact by providing for homeless teens & remove more from adults (read text) - mc. engagement shd - disappointed PDD oppose; ack. Mr Foos desc. of a problem. Read list of businesses supporting (colleagues on Prestige St Bd raised hands)

Ms Hollinder - 1987 - directed Child Abuse Center
 res of Portland. - feel compelled to tell history of lighthouse
 3 daughters - 1987 - Report re homeless teens
 Port - Preble St coord incl Police etc incl
 United Way (Brennan)
 - 250 teens at risk
 - pressed to create lighthouse
 - asked for \$ from Augusta
 - 25 yrs later not got far in addressing
 roots
 - if this not approved, ex. fac at risk
 - if no L.S., def. have an adverse impact

Shawn Mahoney
 run non-profit legal - has been inside that building
 47 Portland as worked for Dragon
 moved from - nothing inconsistent w/ cond use
 Brunswick 2 1/2 yrs - does not ^{have} adverse impacts
 worked in Portland 1997 - bettering issues bigger than
 lighthouse
 - feels area is safe. ^{comm} commend Policing + Preble St.

Collette Bonchard
~~Shepley~~
 Hanover St
 lived here since 1991

- when Preble St.
 - intermingling teens + adults
 - suggest man. plan for
 both teen center + Preble St
 resource.

Mike Boyson
 Machworth St
 works at T+Temp Bldg

- believe wd have positive effect
 - have teens now not adequately
 sheltered
 - bus attracted to place where
 "problem" addressed
 - pl. considers wd make
 Portland better pl. and
 attract ppl/bus to
 Portland.

- Comm. Malloch ^{vern} - commander of uniformed police
- refer to statistics 65 Elm
 - these low & manageable (24 yr to date)
 - ref POP library / Mon. Sq.
calls are up in these areas
200 in Mon Sq - doubling of last yr.
so police making some calls
assigning add'l officers
 - diff to say what's driving this
 - higher demand for all social services
economically driven
 - move of 200 yds so won't change anything
 - biggest def. they'd like to see -
close gap between 8am to 12am
when Teen Center. That would
significantly help address issues.

- Mike Patterson - for record.
- ~~data~~ stats re age of ppl involved
 - often don't result in arrests ^{so no} data
 - 20-25 yr. age group most
problematic.

↓
ref. Mr Mooney's
letter

Close of public comments

Carol moved Cond Use motion -
amended v. to reflect

Lee Lowry asked if any pricing of sidewalk imps.
↓ what CMP doing; Barbara resp.
some imps to area of vault and a bit
beyond

Discussion of first motion

LL cont - asking about extent of CMP work
Barbara not sure nor is DPS

does not agree interpretation of 25-16
& Alex doesn't either - so pursuing

applicant - not priced anything

understands £3 million total

serious omission on project of this
size to leave adj. sidewalk in
poor condition

not seeking brick where good sidewalk
CMP mps not clear extent.

asked about grates (JS confirmed
wd improve around grates)

cond. in brick area are 2 grates /

(seeking cond. under site plan)

Management Plan - explicit discussion
and agreed not necessary.

Unanimous Agreement to strike VI (Mike ^P against)

Passes 6-0 to approve as amended

Site Plan

Discussion re extent

LL - wants brick area totally improved
passed. in conjunction CMP.

Mike P - re plans - not yet finalized? what's there

Barbara Barhydt - Re: 2011Teen ShelterRevProcess

From: Barbara Barhydt
To: Mitchell, Greg
Subject: Re: 2011Teen ShelterRevProcess

>>> Greg Mitchell Monday, November 28, 2011 11:31 AM >>>
Barb:

See my draft response to Jan Beitzer's below email. My response incorporates the notes you provided me. Please provide me your input, fill in any blanks and provide me PDF files for the referenced attachments. I would like to send this to Jan before tomorrow at 12 noon. Let me know if you can meet that deadline.

Thanks, Greg

Jan:

Here is my response to each issue you raised in your email below.

PLANNING BOARD NOTIFICATIONS (Direct and public)

Confirming that City Planning Staff did receive notice from you to add you to the list of interested individuals which wanted to receive direct notice regarding the Teen Shelter request before the City Planning Board. Your request was presented to Planning Division administrative staff. However, there was no follow through. We have changed internal procedures so that this mistake does not occur in the future.

For your information, here is the listing and timing associated with Teen Shelter (38 Preble Street) meeting notifications and legal advertisements.

For November 8, 2011 Workshop

- On October 27, 2011, emailed notice (copy attached) to interested citizens.
- On October 27, 2011, legal ad sent to the Portland Press Herald (PPH) with PPH confirmation that ad would run on October 31st and November 1st (copy attached). The legal ad for November 8th Planning Board workshop agenda was not posted on the City web site; however the agenda was posted on November 4, 2011.
- On October 28, 2011 mailed notice (copy attached) to property owners located within a 500 foot radius (from 38 Preble Street) and interested individuals. This list totals 104. Happy to provide the complete list upon request

For November 22, 2011 Public Hearing

- On November 10 2001, emailed notice (copy attached) to interested citizens.
- On November 10, 2011, legal ad sent to the Portland Press Herald (PPH) with PPH confirmation that ad would run on November 14 and November 15 (copy attached).
- The legal ad for the Planning Board public hearing agenda was posted on the City web site on November 10, 2011 and the final Planning Board agenda was posted on November 18, 2011.
- On November 10, 2011 mailed notice (copy attached) to property owners located within a 500 foot radius (from 38 Preble Street) and interested individuals. This list totals 104.

NEIGHBORHOOD MEETING REQUIREMENTS

The proposal is a conditional use and a Level II site plan. A neighborhood meeting is not required as stipulated in Section 14.32, Notice (c) Required Neighborhood Meeting. However, the Planning Staff did advise the applicant to meet with PDD and neighbors regarding the Tenn Shelter proposal prior to the Planning Board workshop.

Let me know if you have any questions or require additional information.

Greg

Greg A. Mitchell, Acting Director
Planning and Urban Development Department
City of Portland

389 Congress Street
Portland, Maine 04101
Tel. 207.874.8945
Fax 207.756.8217

>>> "Janis Beitzer" <jbeitzer@portlandmaine.com> 11/9/2011 11:32 AM >>>
As discussed this morning, Jan



November 9, 2011

Greg Mitchell
Acting Director, Planning and Urban Development
City Hall, 389 Congress Street
Portland, Maine 04101

Dear Greg,

As discussed the Executive Committee of Portland's Downtown District (PDD) is asking that you review the process that led to the scheduled workshop on November 8 concerning the expansion and relocation of the Lighthouse Teen Shelter as a conditional use in the B-3, Pedestrian Activities District (PAD).

The issue of allowing this conditional use in the B-3 Downtown District Zone, and in the Pedestrian Activities District (PAD), is of great interest to the PDD Board and members. That is why last August I emailed City planning staff to be added to the interested parties list for this project.

Despite an email acknowledgement from planning staff of that request that states, "she has asked to be informed of meetings and materials related to the Preble Street proposal for a teen shelter," I did not receive any information about this project from City staff.

In addition, the City's public notices section states, "in advance of a planning board workshop or public hearing, notices must be published on the City's website and in the Press Herald." As of November 1st, no agenda for the workshop was posted on the City's website, nor was it in the Press Herald.

This section also requires that the applicant hold a neighborhood meeting, and no downtown district neighborhood meeting has been held.

I am submitting copies of the relevant documents to you and we look forward to your determination on these issues.

As always, we are available and willing to meet with you to discuss these concerns.

Sincerely,
o/s/b
Janis Beitzer
Executive Director

Attachments (note time date stamp on documents)
Cc: Doug Fuss, PDD Board President
Nick Morrill, Esq. PDD Board Vice-President

Barbara Barhydt - 38 Preble- Teen Shelter - draft Approval letter

From: Jean Fraser
To: Andrews, Deb; Barhydt, Barbara; Jaegerman, Alex
Date: Monday, November 28, 2011 4:02 PM
Subject: 38 Preble- Teen Shelter - draft Approval letter
Attachments: draft APP Itr 38 Preble Teen Shelter.doc; Preble Street 38 DPS comments 11 4 2011.doc

Hi

Please find the draft attached for review and comment.

Please note that Jan Beitzer has asked me to send her the revised and final conditions of the cond use part of this (her letter to the Board had asked for 6 particular conditions, most of which were not required by the Board).

Re the 3 issues that overlapped with HP review (cobblestones; lights; "fence" by access) the Planning Board confirmed the following conditions and when the applicants asked what happens if HP and PB "disagree" Alex confirmed staff would find a practical compromise. I understand that Deb has revised plans and has suggested that I write a memo to HP reporting on the PB views.....for further discussion please.

- i. That the detailed locations, specifications and photometric information for all external lighting, cameras, and details of external fencing shall address CPTED principles and be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and
- ii. That the applicant shall be responsible for making repairs to the Cumberland Avenue sidewalk as identified as being in poor condition in the Memo from Mike Farmer, Department of Public Services, dated November 4, 2011 paras. 2 and 3, details to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit. *[Mike Farmer's Memo is also attached]*

Jean

Jean Fraser - RE: Lighting at entrance to 38 Preble Street

From: Jean Fraser
To: Barrett, Robert
Date: 4/18/2013 11:37 AM
Subject: RE: Lighting at entrance to 38 Preble Street
CC: <cheehaak@gmail.com, Sterling James; Barhydt, Barbara; DiPierro, Phili...

Rob

I don't know for sure- another possibility is to put lower level lamps in each fixture.

I hesitate to recommend anything until I have a better understanding of the actual levels (as it could be that the area around it is very dark and therefore the lighting appears brighter than it really is).

Also, the Preble Street van was parked there when I saw it and it blocks the light trespass- so that was difficult to assess from a site visit.

So - we see these photometric plans all the time and they appear to be quick to prepare, so I would prefer that information please.

thank you
Jean

>>> Robert Barrett <rbarrett@wright-ryan.com> 4/18/2013 11:09 AM >>>

Jean, thank you for the follow up. Would it be easier if I just removed the additional light?

Thanks

Rob

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Thursday, April 18, 2013 10:59 AM
To: Robert Barrett <rbarrett@wright-ryan.com>
Cc: Sterling James <cheehaak@gmail.com>; Alex Jaegerman; Barbara Barhydt; Philip DiPierro
Subject: Lighting at entrance to 38 Preble Street

Jean Fraser - Lighting at entrance to 38 Preble Street

From: Jean Fraser
To: Robert Barrett <rbarrett@wright-ryan.com>
Date: 4/18/2013 10:58 AM
Subject: Lighting at entrance to 38 Preble Street
CC: Barhydt, Barbara; DiPierro, Philip; Jaegerman, Alex; Sterling James ...
Attachments: 38 Preble St. - Bollard Lights.pdf; Section 12 - Site Lighting_8.4.11.pdf

Rob

I understand that you have been in touch with Phil DiPierro regarding the lighting that has been installed at the entrance to 38 Preble Street.

As you are aware, only one bollard light was approved for installation at this location on the site plan, but two have been installed and are mounted on top of the wall which is much higher than the spec describes (maybe 7+ ft above the ground).

There was a condition of site plan approval that stated:

That the detailed locations, specifications and photometric information for all external lighting, cameras, and details of external fencing shall address CPTED principles and be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and

This condition was included because there is a "sensitive" use nearby (apartment building with many windows overlooking the entrance) and it is important to avoid glare and light trespass. This condition was not fully met prior to the building permit being issued and the information that you recently sent (attached) does not provide the actual photometrics because it does not combine the two bollard lights and does not take account of the higher than normal installation level. I don't believe the photometric information for the wall lights has been submitted, and these contribute to the overall light levels.

During a recent evening site visit the light levels at this location appeared very high (with a high possibility of glare and trespass) and therefore potentially not in accordance with the City's Technical Standard for Site Lighting (copy attached) . We appreciate that improved lighting in this vicinity is welcome and that the canopy does mitigate some of the impact from the wall lights.

I am uncomfortable recommending a final Certificate of Occupancy until we have reviewed and approved accurate photometric information for the lighting at this location, and any revised lighting in the event the levels are determined to be excessive.

Please submit a photometric plan as per 12.8 of the City's Technical Standards for all lights on this elevation of the building (ie facing the apartment building) - the photometric plan should be based on a computerized modeling system that can take account of the actual height and light level of the light sources and the cumulative effect of the light from both the bollard lights and the wall lights; if the canopy can be taken into account that would be helpful.

Thank you
Jean

Jean Fraser, Planner (for this project during its site plan review in 2011)
City of Portland
874 8728

Jean Fraser - Fwd: RE: 38 Preble St. Fire Sealing in Mechanical Room

From: Jean Fraser
To: DiPierro, Philip
Date: 4/8/2013 10:34 AM
Subject: Fwd: RE: 38 Preble St. Fire Sealing in Mechanical Room

Phil

Technically these lights exceed the standard in terms of maximum levels and trespass (the latter because the alley is not owned by Preble Street). Under the light itself it seems very bright, especially with two of these lights.

I would like to check this at night, as its difficult to check on paper because of the variables at play here and the overall desirability of a having a reasonable amount of light here.

If you need to sign off before I have got there to check, go ahead as there appears to be a less bright light (bulb) that could be substituted if there is any reason that might be needed.

thanks
Jean

>>> Philip DiPierro 4/4/2013 4:54 PM >>>

Hi Jean, I met with the contractor today for a final CO inspection. Based on our last conversation about the lighting, you asked that the cut sheet showing the photometrics be submitted to determine compliance, rather than require a complete photometrics plan.

Anyway, can you take a look at this and let me know what you think. If you recall, 2 bollard lights were installed on top of the concrete wall in the patio area instead of one (one is all that was approved).

Thanks.

Phil

>>> Robert Barrett <rbarrett@wright-ryan.com> 4/4/2013 12:09 PM >>>

Phil,

Thanks for coming out to the project today. Please find the attached requested information on the bollard lighting.

Let me know if you need any additional information.

Thanks,

Rob

From: Philip DiPierro [mailto:PD@portlandmaine.gov]
Sent: Tuesday, April 02, 2013 2:04 PM
To: Donald McPherson; Robert Barrett
Subject: Re: 38 Preble St. Fire Sealing in Mechanical Room (Vacation2013)

Hi Rob, I can make 11:00. See you then.

Also, during my last inspection I noticed that 2 lights had been installed in the patio area, the site plan was approved with only 1 light. Lighting was a big issue during the review. Please submit the catalog cuts for the lights, including a photometrics plan that confirms the lighting is in compliance with the City's Technical Standards. Has the tree been planted, or is it still too early to get plant materials?

Thanks.

Phil

Philip DiPierro
Development Review Coordinator
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

Phone 207 874-8632
Fax 207 756-8258

>>> Robert Barrett <rbarrett@wright-ryan.com> 4/2/2013 1:30 PM >>>
Phil

Can you make 11am?

Thanks

Rob

On Apr 2, 2013, at 12:21, "Donald McPherson" <DMCPHERSON@portlandmaine.gov> wrote:

Rob,
As I was putting together the CO I realized that you need DRC to approve. That is Phil DiPerro. He says that he can get out there on Thursday. Please contact him about a time.

Don

Don McPherson
Code Enforcement Officer

City of Portland
Planning and Urban Development Department
Inspection Services Division
389 Congress St. Rm 315
Portland, ME 04101
Office: 207.874.8705
Support Staff: 207.874.8701
DMcPherson@portlandmaine.gov

>>> Robert Barrett <rbarrett@wright-ryan.com> 3/28/2013 10:41 AM >>>
Don,

Any update on getting this final C of O sent out?

You can send it to my attention at: 10 Danforth St. Portland, 04101

Thanks

-----Original Message-----

From: Donald McPherson [<mailto:DMCIPHERSON@portlandmaine.gov>]
Sent: Thursday, March 14, 2013 12:46 PM
To: Robert Barrett
Subject: Re: 38 Preble St. Fire Sealing in Mechanical Room (Vacation2013)

I am out of the office 3/13-3/18. I will return on the 19th. If you need assistance please call 874-8703

>>> Robert Barrett <rbarrett@wright-ryan.com> 03/14/13 12:44 >>>

Don and Chris,

Please find the attached photos of the 5/8" gyp box we built around the old penetration for the 3" pipe.

Thank you for accommodating us with this work.

Please send the formal Certificate of Occupancy to:
Rob Barrett
Wright-Ryan Construction, Inc.
10 Danforth St.
Portland, ME 04101.

Thanks again and we'll see you on the next one!

Robert Barrett
Integrated Project Manager/Superintendent Wright-Ryan Construction, Inc.
Portland, Maine
C - 207-838-6310
O - 207-773-3625
F - 207-773-5173

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From: Jean Fraser
To: Sterling James <cheehaak@gmail.com>
Date: 12/19/2012 2:21 PM
Subject: Confirmation of approvals: amendments to approved plans for patio, 38 Preble St
Attachments: teen entry 07dec12.pdf; 7.3.2012 APPROVAL to amendments.rtf

Jim

1. Historic Preservation Review: Option #2 in the attached plan (as you described to me today- see below*) has been approved by Deb Andrews, subject to the following:
 - Design and materials of the railings to match the other railings (as approved);
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Jean Fraser, Planner
City of Portland
874 8728

To do: Photometry of
bollard lights

4-8-13 - Reviewed photo contours
of installed bollard lights w/ plans +
proximity of adjacent bldg - while not
precise, it appears that light level near
apt building very low - altho' technically
does not meet trespass criteria as alley not
owned by applicant. Needs site visit. JF

Jean Fraser - Fwd: RE: 38 Preble St. Fire Sealing in Mechanical Room

From: Jean Fraser
To: DiPierro, Philip
Date: 4/8/2013 10:34 AM
Subject: Fwd: RE: 38 Preble St. Fire Sealing in Mechanical Room

Phil

Technically these lights exceed the standard in terms of maximum levels and trespass (the latter because the alley is not owned by Preble Street). Under the light itself it seems very bright, especially with two of these lights.

I would like to check this at night, as its difficult to check on paper because of the variables at play here and the overall desirability of a having a reasonable amount of light here.

If you need to sign off before I have got there to check, go ahead as there appears to be a less bright light (bulb) that could be substituted if there is any reason that might be needed.

thanks
Jean

>>> Philip DiPierro 4/4/2013 4:54 PM >>>

Hi Jean, I met with the contractor today for a final CO inspection. Based on our last conversation about the lighting, you asked that the cut sheet showing the photometrics be submitted to determine compliance, rather than require a complete photometrics plan.

Anyway, can you take a look at this and let me know what you think. If you recall, 2 bollard lights were installed on top of the concrete wall in the patio area instead of one (one is all that was approved).

Thanks.

Phil

>>> Robert Barrett <rbarrett@wright-ryan.com> 4/4/2013 12:09 PM >>>

Phil,

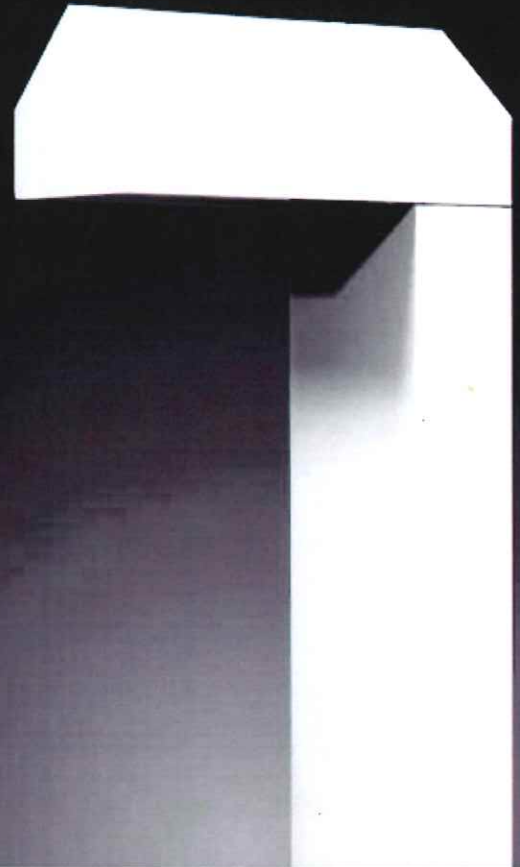
Thanks for coming out to the project today. Please find the attached requested information on the bollard lighting.

Let me know if you need any additional information.

Thanks,

Rob

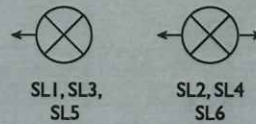
LED Site Lightforms® Series



Site Lightforms® LED

Kim Site Lightforms are specifically designed and engineered to combine contemporary form with rugged vandal-resistant construction. All fixture heads are heavy-wall one-piece aluminum castings and head to shaft connections are concealed for greater strength and clean detailing.

DISTRIBUTION TYPE

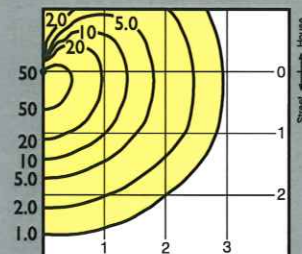


ORDERING INFORMATION

1 FIXTURE	2 MODE	3 FINISH
SL1	18L3KUV, 18L5KUV, 36L3KUV, 36L5KUV	BL Black
SL2	36L3KUV, 36L5KUV, 72L3KUV, 72L5KUV	DB Dark Bronze
SL3	18L3KUV, 18L5KUV, 36L3KUV, 36L5KUV	LG Light Gray
SL4	36L3KUV, 36L5KUV, 72L3KUV, 72L5KUV	SG Stealth Gray
SL5	9L3KUV, 9L5KUV, 18L3KUV, 18L5KUV	PS Platinum Silver
SL6	18L3KUV, 18L5KUV, 36L3KUV, 36L5KUV	WH White

Fixture	Mode	Finish
EXAMPLE: SL1	/ 36L3KUV	/ BL
1	2	3

SL1 PHOTOMETRY



Typical Quarter for 36 LEDs, Isofootcandle Lines of Horizontal Illumination, 42" Bollard, 3.5' Mounting Ht., Longitudinal and Transverse Distances in Units of Mounting Ht.

L = LEDs / 3K = 3500K / 5K = 5100K / UV = Universal Voltage

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874 8728*

needs site visit

From: James A Sterling <cheehaak@gmail.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 12/12/2012 10:09 AM
Subject: Re: revised teen entry
Attachments: teen entry 07dec12.pdf

jean: attached is the scheme, option 2, we have selected.

from my last email:

'the reason for the change was a late realization that the open foyer might be difficult to supervise and control. sealing it off at the opening solves this problem but also creates a need for a 3'-8" long landing as shown in the drawing. one possible benefit is that there is more separation between the public (sidewalk) and the courtyard, which was a concern expressed by some community members. there will be no other changes to the courtyard as it is basically the same concept as originally presented.'

what other information would you like to have? i think meeting at the site would be helpful.

call when you can: 772-0037. js

On Fri, Dec 7, 2012 at 2:43 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

> Thank you Jim- I will go have a look Monday and then maybe we could
> discuss re some of the details. Jean
>
> >>> James A Sterling <cheehaak@gmail.com> 12/7/2012 1:05 PM >>>
>
> jean et al: i just sent this scheme to ben w. i think he will be ok with
> it but we shall see. the reason for the change was a late realization that
> the open foyer might be difficult to supervise and control. sealing it off
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> your bearings. js
>
>

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>
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>> I don't quite understand how the new landing works within the patio
>> area, and re the benches and railing along Preble- will it create a
>> potentially awkward unusable space at the front? Are you going to rework
>> the patio a bit? I think it might be a di minimus amendment from my
>> viewpoint but I would like to better understand how it impacts the patio.
>> When you have decided on a final amendment and have some graphics,
>> please send me a request for di minimus amendment to the site plan so this

>> can be formalized.
>> thank you
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>> i haven't yet gone public. i am waiting for ps to decide which version
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>>
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>>> That looks acceptable, so this is a substantial change from the
>>> approved permit, an amendment is required with site plan and building code
>>> plans and details.
>>> You may have already run this by Jean Fraser for the site plan
>>> amendment, I am cc'ing her.
>>> Jeanie
>>>
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>>> here's the latest...let me know.
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>>>> Lt. Benjamin Wallace Jr.
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>>>>
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>>>> does this fly?
>>>>
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>>>> In my *opinion* 7.2.1.3.5 doesn't apply as the intent is a single
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>>>> >>> James A Sterling <cheehaak@gmail.com> 12/3/2012 10:59 AM >>>

>>>>

>>>> also nfpa 7.2.1.3.5 exterior condition.

>>>>

>>>>

>>>> On Mon, Dec 3, 2012 at 10:44 AM, James A Sterling <cheehaak@gmail.com>wrote:

>>>>

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>>>>>

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James A. Sterling, A I A
Architect

*see file
re courtyard
amends*

May 24, 2012

Alex Jaegerman, Div. Director
Planning & Urban Development
389 Congress Street
Portland, Maine 04101

Re: 38 Preble Street Teen Shelter
Permit

Alex:

As per our meeting yesterday, I am writing to request that your department approve the processing of our construction permit for the Preble Street Teen Shelter with the understanding that this would exclude any work in the courtyard area, except demolition/clearing of existing conditions. Until the decision is made on the elevator proposal, I am proceeding with the plans as submitted for permitting and plans as approved by the Historic Preservation Board. Below is a summary of where I believe we are in reference to the Conditional Use approval letter, November 30, 2011, and the motions/conditions therein.

Conditional Use Review:

- i. The shelter use is limited to the first and second floors as shown on the plans.
- ii. The hours of operation are 8 pm to 8 am. Teens will not be in the building or on the property at any other time.
- iii. 24 teens is the maximum number by program license.
- iv. Exterior lights are shown on the plan. They are located on the 'alley' entry side and in the back. They are 'cut-off' fixtures as submitted to the Historic Preservation Board. There will be 5 surveillance cameras covering all sides of the building with the 5th specifically for the courtyard/teen entry.

142 High Street P.O. Box 7305
Portland, Maine 04112
207-772-0037

www.sterlingarchitect.com

James A. Sterling, A I A
Architect

All images will be displayed on internal computers and retained for a minimum of 7 days.

v. In-take functions will be located at the teen center not at 38 Preble Street 'to the extent possible'.

Site Plan Standards:

- i. The proposed fixture cut sheet is attached and complies with the lighting standards set forth in section 12 of the Technical Manual. The location of the fixtures is on the drawings as submitted. The proposed surveillance cameras and their location are also attached. In consideration of CPTED principles, as noted below, a 'soft' barrier will be included between the Preble Street sidewalk and the courtyard.
- ii. Preble Street will repair all Cumberland Avenue sidewalks disturbed during construction as agreed with the Department of Public services.

Historic Preservation

- i. The proposed finish material for the courtyard concrete wall will be submitted as requested.

Meeting Items Discussed May 23, 2012

- i. The tree shown in plan will be as recommended by the City arborist, Jeff Tarling.
- ii. A 'soft' barrier will be designed between the Preble Street sidewalk and the courtyard of a material consistent with the material 'theme' of the project.

I hope this addresses all the concerns and puts them in their proper sequence.

James Sterling, AIA
Architect

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Portland, Maine 04112
207-772-0037

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Architect

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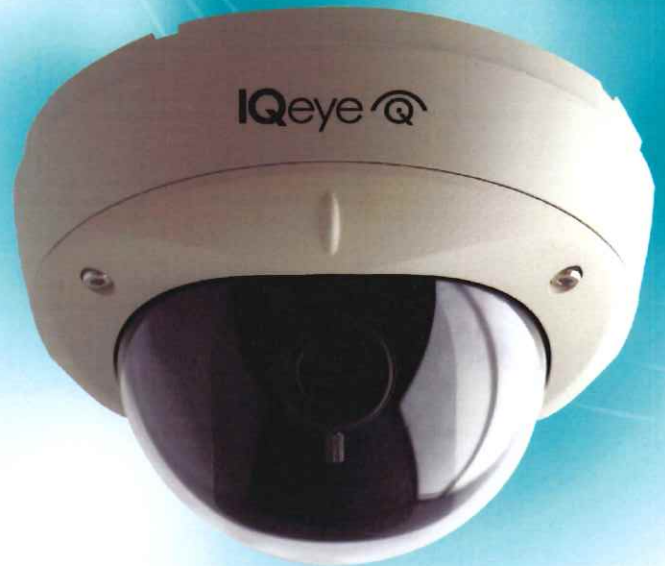
IQeye Alliance-mx

H.264 Megapixel Dome IP Camera

Features

- > Resolutions up to HD1080p
- > H.264 Main Profile + MJPEG Compression
- > 30 fps @ SD480p and HD720p, 15 fps @ HD1080p
- > Two-Way Audio
- > Day/Night Movable IR Filter
- > Lightgrabber™ II Low-light Feature
- > Power Over Ethernet
- > IP66/NEMA 4 Outdoor Enclosure
- > Indoor/Outdoor Vandal Resistant Dome
- > ONVIF and PSIA Compliant
- > 3 Year Warranty

The Alliance-mx encodes video using Main Profile H.264, the most efficient video compression available, resulting in a smooth, high-quality image, low network bandwidth utilization, and reduced storage costs. Requiring less than 3.8W PoE, the Alliance-mx is highly energy-efficient and economical. A movable day/night IR filter and 3-13 mm varifocal lens enables field-of-view adaptability for a wide range of settings and applications. ONVIF and PSIA compliant APIs provide the necessary flexibility to ensure compatibility with many of the most popular VMS platforms. A high-quality, ultra-strong polycarbonate bubble and aluminum body combine to make the Alliance-mx dome vandal resistant while maintaining an aesthetically pleasing look in any scenario. The IP66 rating allows for installation just about anywhere.



IQ inVision 

33122 Valle Road
San Juan Capistrano, CA
92675-4853
USA

toll free within US 877.850.0805
phone +1.949.369.8100
fax +1.949.369.8105

www.iqeye.com

IQeye Alliance-mx

H.264 Megapixel Dome IP Camera



Specifications

Video

Compression	H.264 and MJPEG
H.264 Profile	Main
Sensor	1/3" CMOS
JPEG Compression Quality Settings	User Configurable
Shutter Speed	Auto/Programmable/Fixed
Image Settings	Saturation, Contrast, Brightness, Sharpness, Lightgrabber™ II
Exposure	User Configurable
White Balance	Auto/Programmable
Backlight Compensation	Auto
IR Range	800 to 940 nm

Features

Motion Detection	User Configurable Windows
Time Lapse Recording	User Configurable
Event Based Recording	User Configurable
Flip and Rotate	90, Horizontal, Vertical
Audio Support	Two-way G.711 PCM 8 kHz
Analytics Ready	Yes
On-Camera IQapps	IQaccess
System Integration	ONVIF, PSIA, IQfinder, IQmanager, IQsentry

Network

Supported Protocols	TCP/IP, HTTP, HTTPS, DHCP, UDP, RTP, RTSP, DNS, ARP, ICMP, NTP, UPnP, ZeroConf, APIPA, UDP multicast, SNMP, FTP, SMTP, Telnet, CIFS
----------------------------	---

Password Protection	Secure Multi-level
----------------------------	--------------------

Input/Output

Input Power	Power over Ethernet 802.3af Class 1
--------------------	-------------------------------------

Power Consumption	< 3.8W (typical)
--------------------------	------------------

AC Lighting	50 Hz/60 Hz Selectable
--------------------	------------------------

Network Interface	RJ45 10Base-T/100Base-TX
--------------------------	--------------------------

Audio I/O	Mic/Line in, Line out
------------------	-----------------------

Misc

Ingress Protection Rating	IP66, NEMA 4
----------------------------------	--------------

Approvals	FCC, CE
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Temperature Range	-4F to 122F, -20C to 50C
--------------------------	--------------------------

Weight (grams)	900 g
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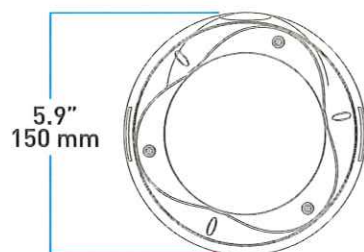
Warranty	3 years
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Lens Options	B5 Wide Angle Lens 1/3" M14, 3-13 mm, F1.4, IR
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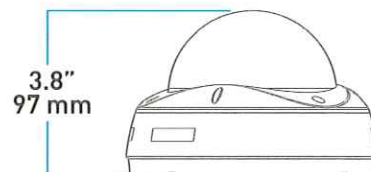
Accessories	IQM-GBA IQA-WM IQ800-PMA	Gang Box Adapter Wall Mount Pole Mount Adaptor
--------------------	--------------------------------	--

Part Number	Maximum Resolution	Maximum Frame Rate	Min Illumination
IQM30NE-B5	SD480p - 720 x 480	30 fps	Color: 0.1 lux, B/W: <0.05 lux
IQM31NE-B5	HD720p - 1280 x 720	30 fps	Color: 0.1 lux, B/W: <0.05 lux
IQM32NE-B5	HD1080p - 1920 x 1080	15 fps	Color: 0.2 lux, B/W: <0.05 lux

Dimensions



Top



Side



<http://www.pelotonlabsportland.com>



<http://www.randomorbitinc.com>

Jean Fraser - Re: 38 Preble Street

From: Jean Fraser
To: Schmuckal, Marge
Date: 2/1/2012 2:13 PM
Subject: Re: 38 Preble Street
CC: Andrews, Deb; Barhydt, Barbara; DiPierro, Philip; Jaegerman, Alex
Attachments: APP LTR Preble Street - 38 (Teen Center) 11-22-11 no atts.pdf

Marge

They can go ahead with the interior demolition (I have spoken with Deb, Barbara and Phil re this).

Please note that they have a number of items to address before a Phase II building permit may be issued:

- Obtaining HP approval
- Sending PI Div info to determine PG and paying PG/Inspection fee
- Meeting the site plan conditions of approval (see attached approval letter)
- Sending me final plans (after HP approval rec'd and to reflect water main connection)

I will write to the applicant to confirm these outstanding items but wanted you to be aware of these and please let us know when the Phase II application comes in.

Thank you
 Jean

>>> Marge Schmuckal 2/1/2012 12:33 PM >>>

Our office just received an application for the teen shelter - for interior demolition only. Please let me know whether they can go ahead with this request for Phase I - Phase II will be the change of use and fit-up.

Marge

2-1-12 spoke to Phil + Barbara re PG.

① Barbara wants PG to include any contribution to sidewalk improvements, this' noted that such contribution is not being pressed (if awaiting info from Kathi Earley re this)

② Phil advises that the PG should include any landscaping

③ Barbara + Phil agreed \$300 inspection fee would apply if no PG.

Jean Fraser - Fwd: Re: CDBG meeting Follow Up - Cumberland Avenue Sidewalk (CD1116)

From: David Margolis-Pineo (David Margolis-Pineo)
To: Jean Fraser; Katherine Earley
Date: 2/1/2012 1:48 PM
Subject: Fwd: Re: CDBG meeting Follow Up - Cumberland Avenue Sidewalk (CD1116)
CC: Deb Andrews

Deb and I have agreed to meet tomorrow to review this area.

>>> Jean Fraser 2/1/2012 12:31 PM >>>
Kathi

I am trying to clarify the next steps on this so that I can put the new owner of 38 Preble (teen shelter) in the picture and ensure that a Planning Board condition of approval is addressed. Could you give me an update:

- Is this sidewalk upgrade project definitely funded?
- Is there any funding gap where you would be looking for contributions?
- When will it start?
- Who will be the project manager for this? (applicant would not be in a position to undertake- they are intending to replace the grates over the basement windows and will have to install a water main connection (I have not seen the location for this); also CMP have already replaced the vault and reinstated some of the brickwork.

I understand that the final design work is currently taking place and that Deb Andrews (HP) will be involved in considering the question of the granite cobbles and curbing.

Thank you
Jean

>>> Katherine Earley 12/23/2011 11:39 AM >>>
Hello:

The Department of Public Services has identified hazardous and non-ADA compliant sidewalk conditions on the southeast side of Cumberland Avenue between Preble St. and Brown Street. Two motivating factors raise the need to make repairs at this time; a Teen Shelter is being relocated to a building at the corner of Preble and Cumberland, and CMP is in the process of repairing the vaults within this sidewalk area.

We therefore request that the available funds in CD1116 be utilized to rehabilitate this block of sidewalk, including the provision of future street lighting conduit. Staff is working up a full scope and estimate at this time; we anticipate that the Historic Preservation Coordinator will also play a role in defining the outcomes of any future sidewalk work at this location due to the presence of cobbles and other granite materials.

Thank you for your consideration of this request.

Katherine Earley, PE
Engineering Services Manager
Dept. of Public Services
City of Portland Maine

207.874.8830
kas@portlandmaine.gov

LAREDO SERIES

LCC SERIES



Cat.#		Approvals
Job	Type	



SPECIFICATIONS

Intended Use

- Full cutoff*, IDA compliant entry or perimeter lighting
- Six to twelve foot typical mounting heights

Construction

- Decorative die-cast aluminum housing and door. Rugged design protects internal components and provides excellent thermal management for long life
- Flat, tempered, impact-resistant glass lens protects optics
- 800 Series powder paint finishes provide lasting appearance and are available in standard finishes: Dark Bronze, Black, White, Gray and Platinum

Electrical

- HID units are medium base; CFL units have insert and twist electronic socket
- Lamps are optional
- Systems include Pulse Start 50-70w, CFL 26-42w, HPS 50-70w and LED 12w
- Optional socket available for remote power for power outage egress applications

LED

- NEW 12 LED system delivers 802 lumens at 12.4w for 64LPW efficiency
- Universal 120-277V, 50/60Hz driver, .5 amp max

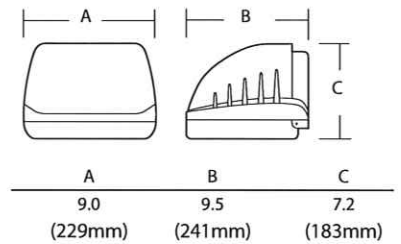
Installation

- Two-point lag mount securely holds housing to surface; Mounting template is provided.
- Designed for mounting over standard recessed junction boxes or for wiring with surface conduit; 1/2" hubs with plugs provided on top and sides for versatile access

Listings

- Listed to UL 1598 for use in wet locations
- IDA Dark Sky compliant

* (PSMH, CFL and HPS only) LED unit IDA compliant – no uplight



ORDERING INFORMATION

ORDERING EXAMPLE: LCC-70P8-1-LP

LCC	-		-		-		
Series		Wattage/Source/Voltage		Finish		Options	
SERIES		WATTAGE/SOURCE/VOLTAGE		FINISH		OPTIONS*	
LCC	Laredo Compact Cutoff	ELECTRONIC FLUORESCENT		1	Bronze	PC1	Button photocontrol 120V
		26F 8	26w, 120-277V	2	Black	PC2'	Button photocontrol 208V
		32F 8	32w, 120-277V	3	Gray	PC3'	Button photocontrol 240V
		42F 8	42w, 120-277V	4	White	PC4'	Button photocontrol 277V
		PULSE START METAL HALIDE		5	Platinum		
		50P 9	50w, 120/277V			Egress Lamp Socket	
		70P 8	70w, 120-277V			EM	Mini can base socket only for remote, power by others (Max 50w Halogen recommended)
		HPS				LP	Lamp shipped in carton with fixture (Standard on LED units) Fluorescent lamps are 3500K
		50S 1	50w, 120V NPF				
		70S 1	70w, 120V NPF				
		50S 8	50w, 120-277V				
		70S 8	70w, 120-277V				
		LED					
		12LU-5K	12w, 120-277V				

LCC LED System:

- 5000K color temperature
- Five year limited warranty
- Typical spacing of three times mounting height
- LED is IDA approved – no uplight

ACCESSORIES

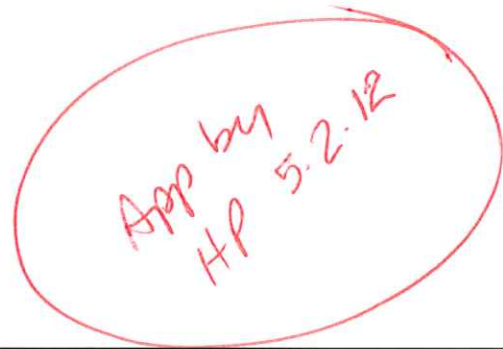
LCC-SPC	Polycarbonate shield
PBT-1	120V button photocontrol
PBT-234'	208/240/277V button photocontrol
PTA-1	External 120V Photocontrol (use for 70w)
PTA-8	External photocontrol 120-277V (use for 70w and above)

¹ For use on CFL and LED units only

Note: 347V is available in 50P, 70P and 70S

Example: Change 50P8 to 50P6

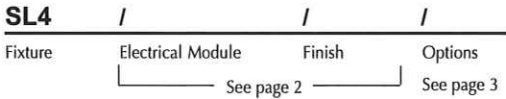
*Not recommended at 70w





Type:
Job:
Catalog number:

Approvals:

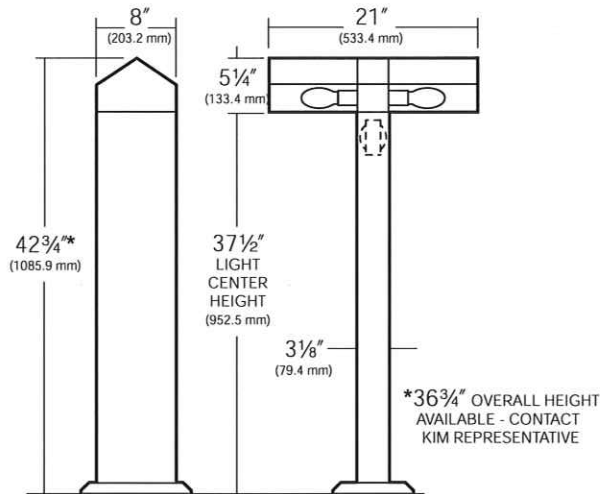


Date:
Page: 1 of 3

Specifications

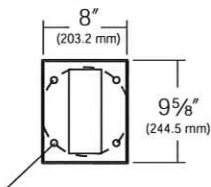
SL4 Model
50 to 70 watt HID
Medium Base Lamps
42 watt Compact Fluorescent
36 or 72 LED

SL4
Maximum weight: 47 lb



HID drawing shown above

BASE PLAN SL4



Head: One-piece cast, low-copper (<0.6% Cu) aluminum, 3/16" wall thickness with external reveals to unify head and shaft. Attachment to shaft is by four bolts concealed within the head.

Shaft: One-piece extruded aluminum with internal tracks for attaching head and base.

Base: One-piece cast, low-copper (<0.6% Cu) aluminum secured to shaft by four concealed stainless steel bolts.

Reflector and Socket: (Typical of two) Formed specular Alzak® reflector panels secured to a harness which holds a porcelain medium base 4KV socket (HID and Incandescent), GX24q - Universal Socket (42W Fluorescent), or two single-ended twin tube sockets (13W Fluorescent). No reflector provided for LED.

Lens: Clear flat 1/8" thick tempered glass retained by two stainless steel brackets, and four stainless steel, hex socket cap screws, fully gasketed.

Ballast: Factory mounted to rigid harness suspended from fixture head within the shaft. Wire leads supplied to base. **HID:** High power factor with starting temperatures of -20°F. for PMH and -40°F. for HPS lamp modes. **13W Fluorescent:** 120V 32°F. starting; 277V 0°F. starting. **26W, 32W, 42W Fluorescent:** High power factor with starting temperature of 0°F.

LED Optical System: A total of 9 LED emitters configured in a rectangular array comprised together as a module. four (4) modules for 36 LED version and eight (8) modules for 72 LED version. Available in 3500K and 5100K.

LED Driver: Rated for 36 or 72 LED. Universal voltage from 120 to 277V with a ±10% tolerance. -40°F starting temperature. All drivers are Underwriters Laboratories recognized.

Anchor Bolts: Four 3/8" x 10" + 2" zinc plated L-hooks complete with leveling nuts, washers, couplings, rigid pressed board template and black stainless steel bolts.

Finish: Super TGIC thermoset polyester powder coat paint, 2.5 mil nominal thickness, applied over a titanated zirconium conversion coating; 2500 hour salt spray test endurance rating. Standard colors are Black, Dark Bronze, Light Gray, Stealth Gray™, Platinum Silver, or White. Custom colors are available.

CAUTION: Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

Listings and Ratings

ETL ¹ to UL Standards 1598 & 8750	IP 46 Rated	CE	25C Ambient
FCO = (Full) Cut Off ²			

¹Suitable for wet locations.

²Dark Sky Legislation Compliant

KIM LIGHTING RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.


Type:

Job:

Page: 2 of 3



Standard Features

<p>Fixture</p>	<p>Cat. No. SL4 Site Lightforms</p>																																																																																	
<p>Electrical Module</p> <p>PMH = Pulse Start Metal Halide HPS = High Pressure Sodium INC = Incandescent PL = Compact Fluorescent LED = Light Emitting Diodes</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Lamp Watts</th> <th style="text-align: left;">Lamp Type</th> <th style="text-align: left;">Line Volts</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">50</td> <td style="text-align: center;">PMH</td> <td style="text-align: center;">277</td> </tr> </tbody> </table> <p style="font-size: small;">For PMH, HPS and PL. See footnote 4 below for LED</p> 	Lamp Watts	Lamp Type	Line Volts	50	PMH	277	<p>Cat. Nos. for Electrical Modules available:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th colspan="2" style="text-align: center;">Pulsestart Metal Halide</th> <th colspan="2" style="text-align: center;">High Pressure Sodium</th> </tr> </thead> <tbody> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 50PMH120¹</td> <td><input type="checkbox"/> 70PMH120¹</td> <td><input type="checkbox"/> 50HPS120¹</td> <td><input type="checkbox"/> 70HPS120¹</td> </tr> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 50PMH208¹</td> <td><input type="checkbox"/> 70PMH208¹</td> <td></td> <td></td> </tr> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 50PMH240¹</td> <td><input type="checkbox"/> 70PMH240¹</td> <td></td> <td></td> </tr> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 50PMH277¹</td> <td><input type="checkbox"/> 70PMH277¹</td> <td><input type="checkbox"/> 50HPS277¹</td> <td><input type="checkbox"/> 70HPS277¹</td> </tr> <tr> <td style="border: none;">Lamp</td> <td>ED-17, Coated</td> <td>ED-17, Coated</td> <td>ED-17, Coated</td> <td>ED-17, Coated</td> </tr> <tr> <td style="border: none;">Socket</td> <td>Medium Base</td> <td>Medium Base</td> <td>Medium Base</td> <td>Medium Base</td> </tr> <tr> <td style="border: none;">ANSI Ballast</td> <td>M-98</td> <td>M-98</td> <td>S-68</td> <td>S-62</td> </tr> </tbody> </table> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Incandescent</th> <th colspan="2" style="text-align: center;">Compact Fluorescent</th> </tr> </thead> <tbody> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 60INC120¹</td> <td><input type="checkbox"/> 13PL120²</td> <td><input type="checkbox"/> 42PL^{1,3}</td> </tr> <tr> <td style="border: none;"></td> <td></td> <td><input type="checkbox"/> 13PL277²</td> <td></td> </tr> <tr> <td style="border: none;">Lamp</td> <td>T-10 Inside Frost</td> <td>Coated (2) Twin Tubes</td> <td>Coated Triple Tubes</td> </tr> <tr> <td style="border: none;">Socket</td> <td style="text-align: center;">—</td> <td>GX23-2</td> <td>GX24q-4</td> </tr> </tbody> </table> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th colspan="2" style="text-align: center;">LED</th> </tr> </thead> <tbody> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 36L3KUV⁴</td> <td><input type="checkbox"/> 72L3KUV⁴</td> </tr> <tr> <td style="border: none;"></td> <td><input type="checkbox"/> 36L5KUV⁴</td> <td><input type="checkbox"/> 72L5KUV⁴</td> </tr> <tr> <td style="border: none;">Lamp</td> <td>LED</td> <td>LED</td> </tr> <tr> <td style="border: none;">Socket</td> <td>N/A</td> <td>N/A</td> </tr> </tbody> </table>		Pulsestart Metal Halide		High Pressure Sodium			<input type="checkbox"/> 50PMH120 ¹	<input type="checkbox"/> 70PMH120 ¹	<input type="checkbox"/> 50HPS120 ¹	<input type="checkbox"/> 70HPS120 ¹		<input type="checkbox"/> 50PMH208 ¹	<input type="checkbox"/> 70PMH208 ¹				<input type="checkbox"/> 50PMH240 ¹	<input type="checkbox"/> 70PMH240 ¹				<input type="checkbox"/> 50PMH277 ¹	<input type="checkbox"/> 70PMH277 ¹	<input type="checkbox"/> 50HPS277 ¹	<input type="checkbox"/> 70HPS277 ¹	Lamp	ED-17, Coated	ED-17, Coated	ED-17, Coated	ED-17, Coated	Socket	Medium Base	Medium Base	Medium Base	Medium Base	ANSI Ballast	M-98	M-98	S-68	S-62		Incandescent	Compact Fluorescent			<input type="checkbox"/> 60INC120 ¹	<input type="checkbox"/> 13PL120 ²	<input type="checkbox"/> 42PL ^{1,3}			<input type="checkbox"/> 13PL277 ²		Lamp	T-10 Inside Frost	Coated (2) Twin Tubes	Coated Triple Tubes	Socket	—	GX23-2	GX24q-4		LED			<input type="checkbox"/> 36L3KUV ⁴	<input type="checkbox"/> 72L3KUV ⁴		<input type="checkbox"/> 36L5KUV ⁴	<input type="checkbox"/> 72L5KUV ⁴	Lamp	LED	LED	Socket	N/A	N/A
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<p>NOTE: For lamp/ballast information outside of the U.S.A. and Canada, please consult your local Kim representative.</p>	<p>¹Two lamps required per fixture. ²Four lamps required per fixture. ³42PL operates one 26, 32, or 42 watt lamp at 120 thru 277 volts (50-60 Hz). NOTE: Coated lamps are recommended. ⁴For LED, 36L = 36 LED Emitters; 72L = 72 LED Emitters; 3K = 3500K color temperature; 5K = 5100K color temperature; UV = Universal voltage from 120 to 277V with a ± 10% tolerance.</p>																																																																																	
<p>Finish Super TGIC powder coat paint over a titanated zirconium conversion coating.</p>	<p>Color: Black Dark Bronze Light Gray Stealth Gray™ Platinum Silver White Custom Color⁵ Cat. No.: <input type="checkbox"/> BL <input type="checkbox"/> DB <input type="checkbox"/> LG <input type="checkbox"/> SG <input type="checkbox"/> PS <input type="checkbox"/> WH <input type="checkbox"/> CC</p> <p>⁵Custom colors subject to additional charges, minimum quantities and extended lead times. Consult representative. Custom color description: _____</p>																																																																																	

Type:

Job:

Page: 3 of 3



Optional Features

Textured Glass Lens

Cat. No. **TG**
 No Option

Unique textured glass reduces LED glare and improves visual comfort.

Emergency Battery Back-up

Cat. No. **EM**
 No Option

Internal battery pack provides 90 minutes of supplemental light at 23% of initial lamp lumens for 26, 32, or 42 watt compact fluorescent lamps.



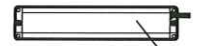
battery back-up

Cold-Pack Emergency Battery Pack

Cat. No. **EM-CP**
 No Option

The EM-CP option is a temperature controlled ballast designed to maintain operation without interruption within a range of hi/low ambient temperatures, -20°C to +55°C.

Internal Cold-Pack emergency battery pack provides up to 90 minutes of supplemental light. See following table for max. lumens output by lamps.



cold-pack battery back-up

Lamp (4-Pin)	1 lamp lumens
42W	750
32W	575
26W	450

Infrastructure Financial Contribution Form
Planning and Urban Development Department
Planning Division

242-3100-341-00-00

amy

Amount \$ 2,880.00

City Account Number:
Project Code: IN1301
(This number can be obtained by calling Cathy Ricker, x8665)

Project Name: Teen Shelter

Application ID #: #2011-323

Project Location: 38 Preble Street

Project Description: Teen Shelter

Funds intended for: Contribution for portion of disturbed sidewalk associated with this project to be used toward the installation of the new sidewalk along Cumberland Avenue.

Applicant's Name: Mark Swan, Preble Street

Applicant's Address: P.O. Box 1459, Portland, Maine 04104

Expiration:

If funds are not expended or encumbered for the intended purpose by _____, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution

Interest Disbursement: Interest on funds to be paid to contributor only if project is not commenced.

Terms of Draw Down of Funds: The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form: 7/3/2012

Planner: Jean Fraser

Person Completing Form: Philip DiPierro

- Attach the approval letter, condition of approval or other documentation of the required contribution.
- One copy sent to the Applicant.

Electronic Distribution to: Peggy Axelsen, Michael Bobinsky, Michael Farmer, Kathi Earley, Betsy Beety, David Margolis-Pineo, Jeff Tarling, Alex Jaegerman, Barbara Barhydt, Phil DiPierro, Deb Marquis and Planner for project.

BATCH ID - JMY 7/11/12 00 OVER THE COUNTER DRAWER #: 1

DETAIL TOTALS

PYMT TYPE	DESCRIPTION	COUNT	AMOUNT	ZERO/VOID COUNT	TENDERED AMOUNT	NON-CASH AMOUNT
GM	GM-MISC (NEED ACCT #)	4	52,220.00	0		
CK	CHECK	4			52,220.00	52,220.00
	TENDERED TOTAL				52,220.00	52,220.00
	CHANGE				.00	.00
	GRAND TOTAL				52,220.00	52,220.00

ENDORSEMENT
 CODES DESCRIPTION COUNT AMOUNT
 ** DEFAULT ENDORSEMENT . . . 4 52,220.00

BANK CODE TOTALS
 CODE AMOUNT
 00 DEFAULT BANK CODE 52,220.00

VOIDED OR ZERO RECEIPTS 0 .00
 ENTERED TOTAL 0 .00
 COMPUTED NON-ZERO RCPTS 4 52,220.00
 ***** OUT OF BALANCE *****



PREBLE STREET
P.O. BOX 1459
PORTLAND, MAINE 04104
(207) 775-0026

KEYBANK NATIONAL ASSOCIATION
PORTLAND, MAINE 04101

30669

52-36/112

6/28/2012

PAY TO THE ORDER OF City of Portland \$ **2,880.00

Two Thousand Eight Hundred Eighty and 00/100*****

City of Portland

TWO SIGNATURES REQUIRED
FOR OVER \$5000

DOLLARS
Security features
included.
Details on back.

MEMO 38 Preble Street Sidewalk cost


AUTHORIZED SIGNATURE **MP**

⑈030669⑈ ⑆011200608⑆ 191274011441⑈

PREBLE STREET

30669

City of Portland
9500 · Professional Fees

38 Preble Street Sidewalk cost

6/28/2012

2,880.00

Key Bank Operating A 38 Preble Street Sidewalk cost

2,880.00

Jean Fraser - Approval of amendments

From: Jean Fraser
To: Sterling James <cheehaak@gmail.com>
Date: 7/2/2012 2:55 PM
Subject: Approval of amendments
CC: Andrews, Deb; Bourke, Jeanie; DiPierro, Philip
Attachments: comm38preblestreet.pdf

Jim

I am writing to confirm that the proposed amendments shown on plans A-1.1, A-1.1.1 and A-2.1 and specs for camera and lights (all received 6.18.12 and 6.22.12) are approved as minor amendments to the previously approved plans. The revisions result in greater visual surveillance of the courtyard area while adding a railing along Preble Street to provide a sense of enclosure and public/private demarcation, and a tree/canopy to provide some buffering between the property and the adjacent use.

It is understood that the revisions along the elevation of the main building on Preble Street were made to address the HP Board concerns.

I attach the associated Planning Board Communication (including the approved plans) which was considered on June 26th, 2012.

Stamped paper plan sets will be distributed once the performance guarantee is posted.

thank you
Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Jean Fraser - Approval of amendments

From: Jean Fraser
To: Sterling James <cheehaak@gmail.com>
Date: 7/2/2012 2:55 PM
Subject: Approval of amendments
CC: Andrews, Deb; Bourke, Jeanie; DiPierro, Philip
Attachments: comm38preblestreet.pdf

Jim

I am writing to confirm that the proposed amendments shown on plans A-1.1, A-1.1.1 and A-2.1 and specs for camera and lights (all received 6.18.12 and 6.22.12) are approved as minor amendments to the previously approved plans. The revisions result in greater visual surveillance of the courtyard area while adding a railing along Preble Street to provide a sense of enclosure and public/private demarcation, and a tree/canopy to provide some buffering between the property and the adjacent use.

It is understood that the revisions along the elevation of the main building on Preble Street were made to address the HP Board concerns.

I attach the associated Planning Board Communication (including the approved plans) which was considered on June 26th, 2012.

Stamped paper plan sets will be distributed once the performance guarantee is posted.

thank you

Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Jean Fraser - Re: 38 preble street

From: Jean Fraser
To: sterling, james
Date: 6/14/2012 11:53 AM
Subject: Re: 38 preble street
CC: Andrews, Deb; Barhydt, Barbara; Barton, Mike; Bourke, Jeanie; Mark, ...

Jim

In terms of the site plan/conditional use review of the amendments, we would like a Plan set (plans/renderings/elevations/descriptions/specs as appropriate) that clarifies:

- what surrounds the side of the courtyard on the side farthest from Preble
- size and type of canopy
- all materials and a detail of the fencing/railings
- key dimensions (wall heights; railing heights)
- tree species and caliper
- whether the cameras have a full view of the courtyard area

Once we have that we will arrange for a review as discussed at the meeting.

thank you
Jean

>>> james sterling <cheehaak@gmail.com> 6/14/2012 10:28 AM >>>
jean: it looks like the exterior elevator scheme has been dropped so we are essentially back to the plans as submitted in april with the changes to the courtyard as i submitted with my letter to alex on may 24th. in order to bring this permitting process to an end could you let me know if you need additional drawings to finalize you report to the planning board? i have passed the site work forms to wright-ryan for the performance guarantee information. the pre-construction meeting is also being scheduled by wright-ryan. lastly, i will schedule a meeting with deb next week to review courtyard finishes. i have i missed anything?

thanks!

--
js

Jean Fraser - Fwd: 38 Preble Street

From: Jean Fraser
To: sterling, james
Date: 6/1/2012 11:07 AM
Subject: Fwd: 38 Preble Street
Attachments: CAMERA AND RAILING.pdf

Jim

For information

If for some reason Jeanie is unable to issue partial building permits, I can arrange for Alex to write a letter giving permission for very specific items. I will hold for the moment on the assumption you can get it resolved quickly with Jeannie.

Let me know if you need me to progress a letter from Alex.

thanks
Jean

>>> Jean Fraser 6/1/2012 11:02 AM >>>
Jeanie

I believe that you are dealing with the building permit for this property and I understand that they have completed demo work inside the building and now want to move on: firstly, to some construction work inside; and secondly, to some demo in the area of the patio.

I am writing to confirm that from a site plan point of view the site plan conditions of approval, as relevant at this stage, have been addressed and both of these activities are OK except that a permit should not be given for any new construction work in the patio as the proposals for this area (latest plan attached; I understand the highest wall is 3 feet but that is one of the details that needs to be finalized) may need to be revised to accommodate an external elevator- however, the in-principle proposals for the courtyard have been discussed with us and are OK subject to reviewing the final detailed plans (including with Deb re HP but she has indicated an "in principle" OK too)

Re demo of items in the courtyard (includes removal of a tree) ... there is a wall of apartment windows overlooking the courtyard so measures need to be in place re dust control etc (? noise) and safety for the adjacent sidewalk. Any interim fencing around the courtyard area needs to be see-through (ie chain link) so as not to create hiding places behind it.

Please let me know if you need any further information.

I will be forwarding this e-mail to Jim Sterling as I understand he will be contacting you.

thanks
Jean

Jean Fraser - 38 Preble Street

From: Jean Fraser
To: Bourke, Jeanie
Date: 6/1/2012 11:02 AM
Subject: 38 Preble Street
CC: Andrews, Deb; Barhydt, Barbara; DiPierro, Philip; Jaegerman, Alex; S...
Attachments: CAMERA AND RAILING.pdf

Jeanie

I believe that you are dealing with the building permit for this property and I understand that they have completed demo work inside the building and now want to move on: firstly, to some construction work inside; and secondly, to some demo in the area of the patio.

I am writing to confirm that from a site plan point of view the site plan conditions of approval, as relevant at this stage, have been addressed and both of these activities are OK except that a permit should not be given for any new construction work in the patio as the proposals for this area (latest plan attached; I understand the highest wall is 3 feet but that is one of the details that needs to be finalized) may need to be revised to accommodate an external elevator- however, the in-principle proposals for the courtyard have been discussed with us and are OK subject to reviewing the final detailed plans (including with Deb re HP but she has indicated an "in principle" OK too)

Re demo of items in the courtyard (includes removal of a tree) ... there is a wall of apartment windows overlooking the courtyard so measures need to be in place re dust control etc (? noise) and safety for the adjacent sidewalk. Any interim fencing around the courtyard area needs to be see-through (ie chain link) so as not to create hiding places behind it.

Please let me know if you need any further information.

I will be forwarding this e-mail to Jim Sterling as I understand he will be contacting you.

thanks
Jean

Jean Fraser - Re: 38 Preble St- revisions to courtyard

From: Jean Fraser
To: Schmitz, Mark; sterling, james
Date: 5/24/2012 12:37 PM
Subject: Re: 38 Preble St- revisions to courtyard
Attachments: APP LTR Preble Street - 38 (Teen Center) 11-22-11 no atts.pdf

Mark and Jim

Thank you for coming in yesterday and explaining the current proposals. As you will have gathered from the discussion, the site plan/conditional use review is separate from the historic preservation review and you also need to send information direct to me re the courtyard and to meet the conditions of approval in the attached approval letter. The building permit for external work does not get issued until all of the site plan/conditional use conditions are met (in addition to any other requirements related to reviews under other ordinances).

I thought I would outline what I think we all agreed were the next steps:

1. Courtyard: revised design will keep benches subject to incorporation of railing (to match your design theme) along boundary with Preble St sidewalk, with gap for access, to better define that the area is private and associated with 38 Preble; the area will incorporate at least one tree of large caliper, species to be agreed with Jeff Tarling; there may be a need to adjust camera surveillance for the area (because of new elevator and the tree) and information on this to be provided as per 4. below. Jim to send revised plan/elevation to Jean that would be subject of a communication to the Planning Board.
2. New external elevator: this results from review of existing elevator and what is cost-effective- will be in front of existing windows on south side but will not result in any change in occupancy and numbers of teens staying there; will require review by HP (Jim will soon have these plans to Deb);
3. Advance work: you outlined that you want to continue to do work inside the building and demolish within courtyard (as access re utilities needed anyway); this OK as long as any new work in courtyard does not take place until final HP and Planning Approvals are issued for proposals in the courtyard area and any demolitions etc to take place after receiving written permission from the Director of Planning: Jim to write letter addressed to Alex Jaegerman (can send by pdf to me) requesting permission to undertake work in advance of building permit etc- it needs to describe the nature and extent of the work you want to do. (this option is outlined in the ordinance section 14-532 (d) (2) b.)
4. Site Plan Approval: Please note that the approval letter contains a number of conditions (including standard conditions) which need to be addressed via me; in particular the following condition in that letter needs to be complied with:
 - i. That the detailed locations, specifications and photometric information for all external lighting, cameras, and details of external fencing shall address CPTED principles and be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and

Please call if any questions.

Thank you

Jean

874 8728

Jean Fraser - Preble St- mtg note

From: Jean Fraser
To: Jaegerman, Alex
Date: 5/23/2012 4:03 PM
Subject: Preble St- mtg note
CC: Andrews, Deb; Barhydt, Barbara

Alex

Just to let you know what was agreed, including after you left the meeting (I will send similar note to Jim and Mark):

1. Courtyard: keep benches subject to incorporation of railing (to match theme) along boundary with Preble St sidewalk, with gap for access; incorporate tree of large caliper, species to be agreed with Jeff Tarling; confirm camera surveillance. Jim to provide plan/elevation that would be subject of a communication to the Planning Board (timing not clear at this time)
2. New external elevator: result of review of existing elevator and what is cost-effective- will be in front of existing windows on south side but will not result in any change in occupancy and numbers of teens staying there; will require review by HP (Jim will soon have these plans to Deb);
3. Advance work: Jim wants to continue to do work inside the building and demolish within courtyard (as they need to get in there re utilities anyway); Deb and Barbara OK with that as long as any new work in courtyard does not take place until final HP and Planning Approvals are issued for proposals in that area. Jim to write letter to you requesting permission to undertake work in advance of building permit etc- we clarified to Jim that he needs to describe the nature and extent of the work they want to do.
4. Site Plan Approval: Advised Jim that the approval letter contained a number of conditions (eg sending details of cameras etc; final sets of plans) that needed to be addressed via Jean. A condition of the PB review was:
 - i. That the detailed locations, specifications and photometric information for all external lighting, cameras, and details of external fencing shall address CPTED principles and be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and

thanks
Jean

James A. Sterling, AIA
Architect

June 18, 2012

Jean Fraser
Planning & Urban Development
389 Congress Street
Portland, Maine 04101

Re: 38 Preble Street Teen Shelter
Permit

Jean:

As per your request, I have attached the plan, elevation and details of the courtyard, drawing A-1.1.1. This drawing shows the following:

1. The revised side of the courtyard that was lowered to provide better visibility for the surveillance cameras. The cameras will be adjusted on site to provide a full view of the courtyard and be coordinated with a tree specified by the city arborist, Jeff Tarling.
2. The canopy is as approved by the Historic Preservation Board with the exception that it no longer extends 5' over the sidewalk.
3. Railings and concrete curbs/walls are shown. The revisions in this plan are: a) the 'soft barrier' requested by Alex between the courtyard and the Preble Street sidewalk and b) the lowered wall at south end of the courtyard as mentioned above.

James Sterling, AIA
Architect

142 High Street P.O. Box 7305
Portland, Maine 04112
207-772-0037

www.sterlingarchitect.com

① Discussion Dev Rev 6-20-12
Agreed OK to go to PB as
communication. Area supervised
most of time.

② 6-20-12 Spoke to Jim Sterling
to complete this process.
Get status update email
Inspection (Bldg Code), DEC
and HP (Deb Andrews)

5.23.12

Preble St.

Jim Sterling
Mark Schmidt

Alex/Barbara/Deb/
Jean.

Meeting to consider changes PB Hq/new.

① Benches

② Rel. to sidewalk / def of edge -

③ Tree - existing tree acts as buffer
- not a bush.

access added
so wheelchairs access
courtyard.

① Benches - cameras overlook this area +

glass door between it + foyer.

not much
surveillance

agreed to keep as long as a
railing along Preble St.

Discussion of how to define space as private

but still allow surveillance - railing? Meet

not if used elsewhere. (aluminium).

new - external elevator - benefits internal

- small impact courtyard

PB advised Jim to write to Alex

req. permission to do work in advance w/ Jim

clarifying what work they want to do.

Jean Fraser - 38 Preble St- revisions to courtyard

From: Jean Fraser
To: cheehaak@gmail.com; mschmitz@preblestreet.org
Date: 5/15/2012 2:41 PM
Subject: 38 Preble St- revisions to courtyard

Mark and Jim

I understand that as a result of HP discussions and Jim's further thoughts regarding the design of the courtyard, that the proposals are different from what was shown (or indicated as intended) to the Planning Board. We are not sure what further review these proposals require under the site plan/conditional use ordinances, but would like to suggest that we firstly meet with you to better understand the current proposals and to share some preliminary concerns that we have.

Alex Jaegerman and Barbara Barhydt would like to be at the meeting and I am hoping for to schedule it for Monday or Wednesday afternoon next week.

If you are willing to meet, would either of those times be convenient?

thanks
Jean
874 8728

Jean Fraser - 38 Preble St- amended courtyard proposed ?what review needed?

From: Jean Fraser
To: Barhydt, Barbara; Jaegerman, Alex
Date: 5/10/2012 12:23 PM
Subject: 38 Preble St- amended courtyard proposed ?what review needed?
CC: Andrews, Deb
Attachments: A-1.1.1.pdf; A-2.1.pdf; A-2.2.pdf; A-5.2 CANOPY DETAILS.pdf; FIXT ON BUILDING.pdf; FIXT ON WALL J1 .pdf; preble 1.pdf; PREBLE 1 copy.pdf; preble 2.pdf; PREBLE 2 copy.pdf; preble 3.pdf; preble 4.pdf; preble 5.pdf; PREBLE COLOR.pdf

Barbara and Alex,

I have spoken to Jim Sterling and he has sent the attached 14 pdfs that illustrate the amended plans for the courtyard area. (I will print out one set)

He has confirmed that the existing tree will be removed and that he independently took the decision to add benches to make it a "nice space" and that the benches were not requested by Preble Street and do not reflect a programmatic change.

I think there are 3 issues (I feel strongly that the benches are a mistake):

- Conditional Use Requirements: the ordinance states that the proposals should not create "*an adverse impact on the health, safety or welfare of the public or the surrounding area*". The sound from that courtyard (assuming that if benches are there it encourages people to congregate and stay there and talk) is going to echo around that area as it is enclosed by high walls on 3 sides and probably be really intrusive in the summer for those many apartment windows overlooking it;
- The letter from Mark Swann to Barbara Barhydt (10.11.2011) in Hearing Report states: (page 3) "Teens will not be permitted to congregate outside of the shelter"- Jim has mentioned teens might need a place to smoke - but if they are not allowed to congregate why do they need benches? Why not put in a tree or keep the existing tree (since the canopy is now smaller)?
- Site Plan CPTED Requirements (natural surveillance; access control; territorial reinforcement): The amended proposals, especially the benches, should be reviewed in the context of CPTED principles and I think we should get the views of the Police (Vernon Mallch)(who did make time to look at the earlier proposals and come to the hearing). It seems to me the benches invite loitering there (and so does the low wall but not so explicitly).

Jean

>>> james sterling <cheehaak@gmail.com> 5/9/2012 4:06 PM >>>

jean: here are the drawings approved by the hp board on may 2

--
js

Jean Fraser - Fwd: 38 Preble: Site Plan Amendments

From: Jean Fraser
To: Barhydt, Barbara; Jaegerman, Alex
Date: 5/9/2012 2:56 PM
Subject: Fwd: 38 Preble: Site Plan Amendments
Attachments: APP LTR Preble Street - 38 (Teen Center) 11-22-11 no atts.pdf

Barbara and Alex

FYI -- As agreed with Alex, I have sent this "request" to Mark Schmitz of Preble Street and Jim Sterling, their Architect.

Jean

>>> Jean Fraser 5/9/2012 2:53 PM >>>
Mark and Jim

I understand the HP board have recently approved your proposals for 38 Preble Street but that the final proposals for the courtyard area facing south have changed considerably from those that were presented to the Planning Board.

These revised proposals would need to be reviewed as site plan amendments to what the Planning Board approved on November 22,2011.

Please send us (by pdf to me) the current proposals for the courtyard area, including the plans/elevations, any supporting graphics, whether the existing tree remains, and any information on who would be using this space and when - so that we can determine the appropriate review process in relation to the conditional use/site plan review.

Whilst writing, please note there are a number of outstanding items to address, including some conditions and standard conditions of the Planning Board approval letter (copy attached).

thank you
Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Jean Fraser - 38 Preble Street

From: Jean Fraser
To: Schmuckal, Marge
Date: 5/9/2012 3:05 PM
Subject: 38 Preble Street
CC: DiPierro, Philip; Dobson, Lannie

Marge,

We did not discuss this at Dev Rev today in the interests of time, but I wanted you to be aware of the situation in case a building permit for external work is submitted.

The HP board have recently approved the final courtyard design- and it is substantially different from the proposals that were approved by the Planning Board in late 2011 (in particular it adds benches so raises a question in terms of the conditional use review as well as site plan).

At the moment Alex does not have enough info to determine whether this is diminimus/amendment for staff review/amendment for PB review (we have asked for this info) but please note that this needs to be resolved before any building permit is issued for external work. (Also, I think there are a number of other outstanding items on this project).

thanks
Jean

Jean Fraser - Re: Building Permit

From: Jean Fraser
To: Schmitz, Mark
Date: 7/16/2012 11:51 AM
Subject: Re: Building Permit

Mark

I understand the permit was issued last week and someone from Wright Ryan collected it on Friday. So I hope you are all set but if anything else arises please do not hesitate to contact me.

Jean

>>> Mark Schmitz <mschmitz@preblestreet.org> 7/13/2012 7:04 AM >>>

Good morning Jean. I apologize if this question is coming at you from another direction. We are very anxious to get started on the new teen shelter so that we can get it open before Thanksgiving. Can you tell me what's causing the delay in getting the building permit? Thanks. -Mark

Mark Schmitz
Director of Operations
Preble Street
phone: [\(207\) 874-1100, x2012](tel:(207)874-1100)
direct line: [\(207\) 956-6577](tel:(207)956-6577)
fax: [\(207\) 842-3614](tel:(207)842-3614)
www.preblestreet.org

Preble Street has also requested information regarding registration with the City's Department of Health and Human Services from the Department of Health and Human Services. The City has confirmed that no formal process exists for registration of shelters, but has indicated that it will provide a letter in lieu of a formal registration, a process that it has utilized in the past.

Section 14-474 Conditional Use Criteria. All conditional uses are subject to establishing compliance with the standards set forth in the City of Portland Ordinance at Section 14-474. Those standards provide that a Conditional Use Permit shall be granted unless the Board determines that:

- a. *there are unique or distinctive characteristics or effects associated with the proposed conditional use;*
- b. *there will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;*
- c. *such impact differs substantially from the impact which would normally occur from such a use in that zone.*

Each of these conditional use standards will be addressed below.

a. There are no unique or distinctive characteristics associated with the proposed conditional use. As stated in the overview, the Lighthouse Shelter is merely moving approximately 200 yards to a location much closer to the existing Teen Center at 343 Cumberland Avenue. Although the relocation involves an increase from 16 beds to 24 beds, the attached Program Overview explains the need for the additional beds and the additional staffing that will be utilized. The relocated Lighthouse Shelter will result in a decrease in the impact upon the neighborhood as a result of the proximity of the Teen Center to the Lighthouse Shelter. The teen shelter will be open only from 8 pm to 8 am, and the teens will be under close supervision indoors. Teens will not be permitted to congregate outside of the shelter. There have been virtually no neighborhood problems with the existing shelter. The relocated shelter will allow for even better supervision and management of the program. Accordingly, there will be no distinctive characteristics associated with the relocated shelter.

*as presented to
PB Hearing
11-22-11*

City of Portland
Planning Board

Conditional Use Application of)
Preble Street for use of) Memorandum in Support
38 Preble Street, Portland) of Conditional Use Application
as a teen shelter)

Preble Street has submitted its Conditional Use Application in order to utilize the first and second floors of the property at 38 Preble Street as a new location for its Lighthouse Teen Shelter, which is currently located approximately 200 yards from 38 Preble Street at 65 Elm Street. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the Standard Conditions for Conditional Uses set forth in Section 14-474 of the Portland Code of Ordinances and also subject to the following conditions set forth in Section 14-218(b)(4) of the B-3 Zone:

Emergency shelters, subject to the following conditions, in addition to the provisions of Section 143-474

a. *The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.*

b. *The facility shall be registered with the City of Portland Department of Health and Human Services.*

Factual Background. Preble Street seeks to relocate its existing Lighthouse Shelter from 65 Elm Street to the first and second floors of the property at 38 Preble Street, which it presently has under contract. A detailed description of the operations of the program is contained in the 38 Preble Street Overview Summary attached hereto as Exhibit A. The third floor and the basement level will be used by Preble Street for administrative offices, separate from the Lighthouse Shelter use, with the exception of a laundry area on the basement level. The use of the basement

AH. A. b. 2

Preble Street
Department of Health
The City has confirmed
indicated that it will proceed
in the past.

and third floor is not addressed herein, as those areas will contain permitted uses, and not conditional uses in the B-3 Zone.

Conditional Use Criteria. Emergency shelters are permitted as conditional uses in the B-3 Zone, subject to the specific conditions set forth in Section 14-218(b)(4) in the B-3 Ordinance and the familiar conditional use standards set forth in Section 14-474 of the Portland Code of Ordinances. This memo addresses compliance of the project, with each of these specific conditional use criteria.

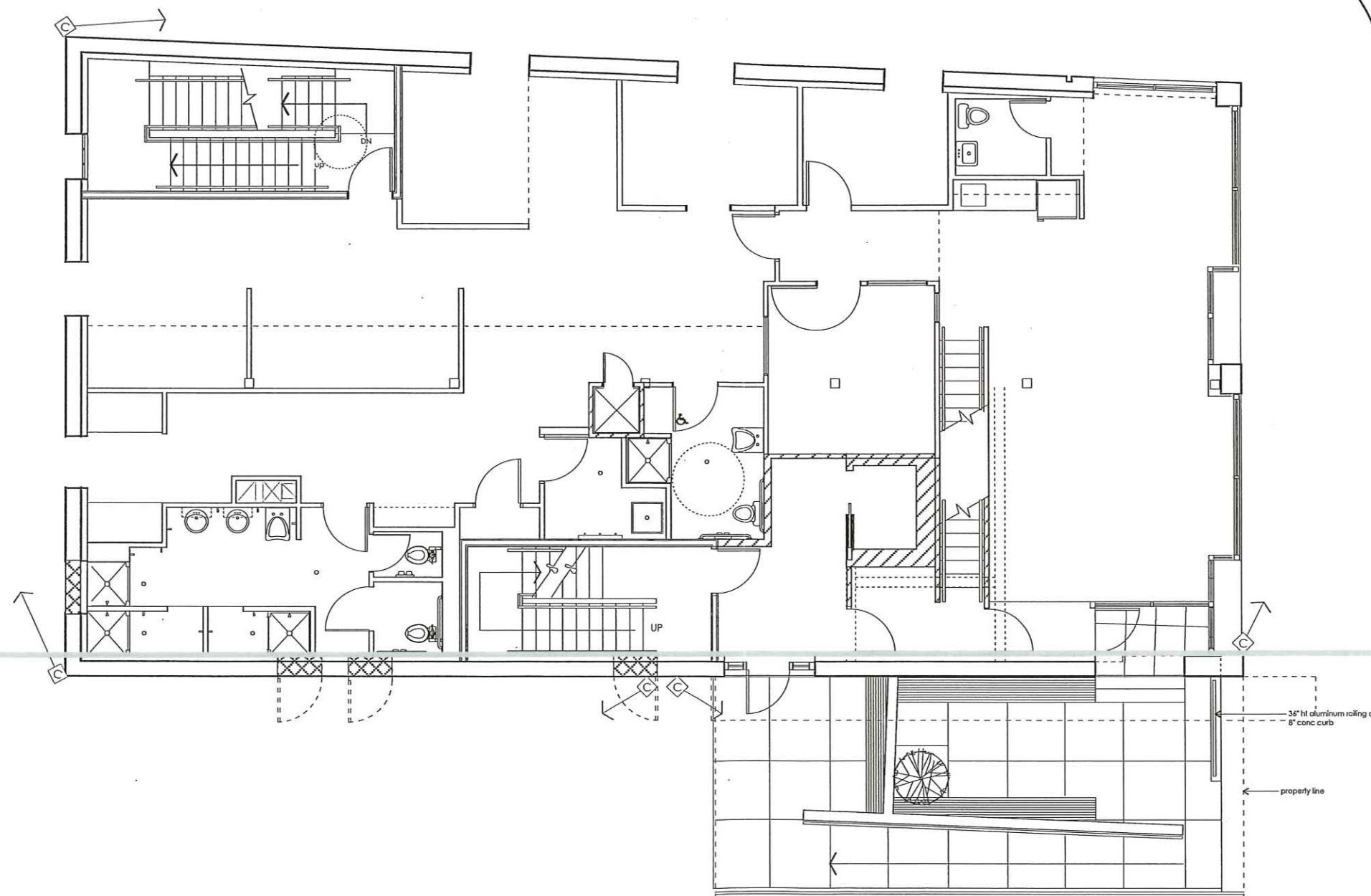
B-3 Zone Conditional Use Criteria. Emergency shelters are permitted, subject to the following conditions:

a. *The facility shall be in compliance with the city's current Comprehensive Housing Assistance Plan, a copy of which is on file in the department of planning and urban development, or, if there is no current edition of the Comprehensive Housing Assistance Plan, with a determination of need by the director of the department of health and human services.*

Preble Street has contacted the director of the City's Department of Health and Human Services to obtain a copy of the City's Comprehensive Housing Assistance Plan. Preble Street has been informed that there is a plan, and that the City has determined that there is a need for the Lighthouse Teen Shelter beds, including the 8 additional beds requested in this application, which are supported by the terms of the City Comprehensive Housing Assistance Plan. The City Department of Health and Human Services is expected to attend the public hearing and has indicated that it shall provide a memorandum containing the Department's determination of need for the teen shelter as requested in Preble Street's application for the conditional use and compliance with the Comprehensive Housing Assistance Plan..

b. *The facility shall be registered with the City of Portland Department of Health and Human Services.*

CUMBERLAND AVENUE



TEEN SHELTER
38 PREBLE STREET

1ST LEVEL PLAN

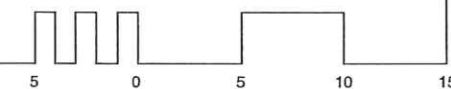
Owner:
Preble Street
18 Portland Street
Portland, Maine

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

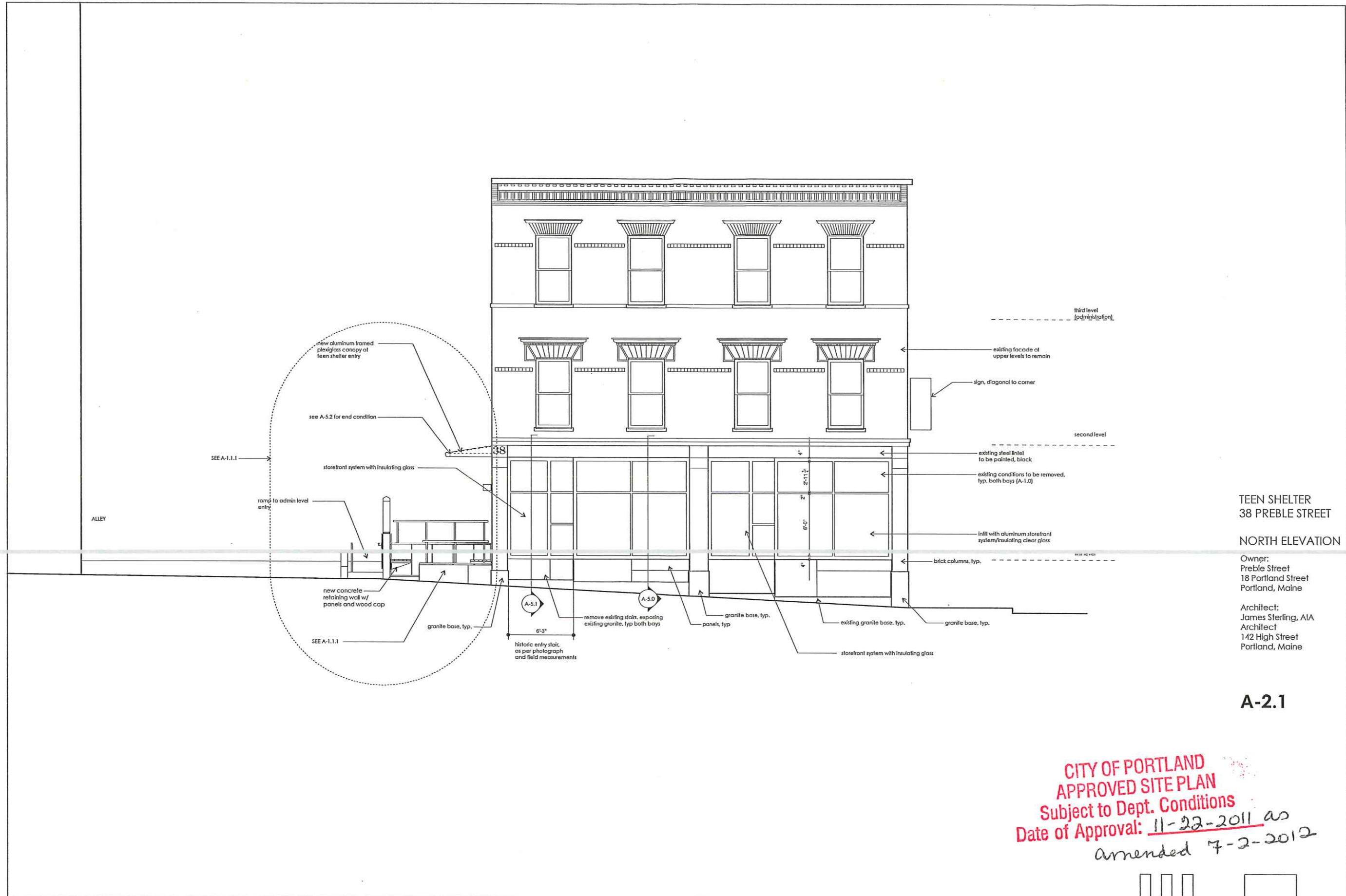
A-1.1

2011-323 38 PREBLE

CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11-22-2011 as amended 7-2-2012



Amendment June 2012



TEEN SHELTER
38 PREBLE STREET

NORTH ELEVATION

Owner:
Preble Street
18 Portland Street
Portland, Maine

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-2.1

CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11-22-2011 as
Amended 7-2-2012

5 0 5 10 15
Amendments June 2012

LAREDO SERIES
LCC SERIES

NEW

Cat.#		Approvals
Job	Type	



SPECIFICATIONS

Intended Use

- Full cutoff*, IDA compliant entry or perimeter lighting
- Six to twelve foot typical mounting heights

Construction

- Decorative die-cast aluminum housing and door. Rugged design protects internal components and provides excellent thermal management for long life
- Flat, tempered, impact-resistant glass lens protects optics
- 800 Series powder paint finishes provide lasting appearance and are available in standard finishes: Dark Bronze, Black, White, Gray and Platinum

Electrical

- HID units are medium base; CFL units have insert and twist electronic socket
- Lamps are optional
- Systems include Pulse Start 50-70w, CFL 26-42w, HPS 50-70w and LED 12w
- Optional socket available for remote power for power outage egress applications

LED

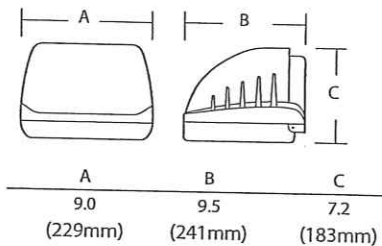
- NEW 12 LED system delivers 802 lumens at 12.4w for 64LPW efficiency
- Universal 120-277V, 50/60Hz driver, .5 amp max

Installation

- Two-point lag mount securely holds housing to surface; Mounting template is provided.
- Designed for mounting over standard recessed junction boxes or for wiring with surface conduit; 1/2" hubs with plugs provided on top and sides for versatile access

Listings

- Listed to UL 1598 for use in wet locations
- IDA Dark Sky compliant
- * (PSMH, CFL and HPS only) LED unit IDA compliant - no uplight



re Lighting Bollard
KIM LIGHTING

Attachment 3.6

SL2

Site Lightforms

revision 6/17/11 • kl_sl2_spec.pdf

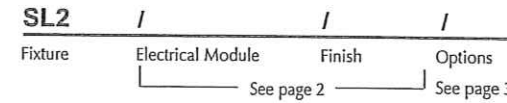
Type:

Job:

Catalog number:

Approvals:

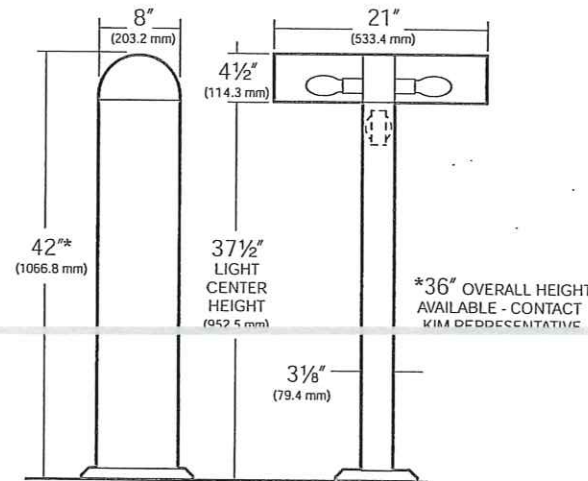
Date:
Page: 1 of 3



Specifications

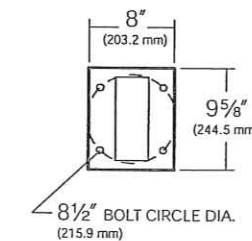
SL2 Model
50 to 70 watt HID
Medium Base Lamps
42 watt Compact Fluorescent
36 or 72 LED

SL2
Maximum weight: 47 lb



HID drawing shown above

BASE PLAN SL2



© 2011 KIM LIGHTING • P.O. BOX 60080, CITY OF INDUSTRY, CA 91716-0080 • TEL: 626/968-5666 • FAX: 626/369-2695

Head: One-piece cast, low-copper (<0.6% Cu) aluminum, 3/8" wall thickness with external reveals to unify head and shaft. Attachment to shaft is by four bolts concealed within the head.

Shaft: One-piece extruded aluminum with internal tracks for attaching head and base.

Base: One-piece cast, low-copper (<0.6% Cu) aluminum secured to shaft by four concealed stainless steel bolts.

Reflector and Socket: (Typical of two) Formed specular Alzak® reflector panels secured to a harness which holds a porcelain medium base 4KV socket (HID and Incandescent), X24q - Universal Socket (42W Fluorescent), or two single-ended twin tube sockets (13W Fluorescent). No reflector provided for LED.

Lens: Clear flat 1/8" thick tempered glass retained by two stainless steel brackets, and four stainless steel, hex socket cap screws, fully gasketed.

Ballast: Factory mounted to rigid harness suspended from fixture head within the shaft. Wire leads supplied to base. **HID:** High power factor with starting temperatures of -20°F. for PMH and -40°F. for HPS lamp modes. **13W Fluorescent:** 120V 32°F. starting; 277V 0°F. starting. **26W, 32W, 42W Fluorescent:** High power factor with starting temperature of 0°F.

LED Optical System: A total of 9 LED emitters configured in a rectangular array comprised together as a module. four (4) modules for 36 LED version and eight (8) modules for 72 LED version. Available in 3500K and 5100K.

LED Driver: Rated for 36 or 72 LED. Universal voltage from 120 to 277V with a ±10% tolerance. -40°F starting temperature. All drivers are Underwriters Laboratories recognized.

Anchor Bolts: Four 3/8" x 10" + 2" zinc plated L-hooks complete with leveling nuts, washers, couplings, rigid pressed board template and black stainless steel bolts.

Finish: Super TGIC thermoset polyester powder coat paint, 2.5 mil nominal thickness, applied over a titanated zirconium conversion coating; 2500 hour salt spray test endurance rating. Standard colors are Black, Dark Bronze, Light Gray, Stealth Gray™, Platinum Silver, or White. Custom colors are available.

CAUTION: Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

CITY OF POCOCK APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11-22-2011 as amended 7-2-2012

Listings and Ratings			
ETL ¹ to UL Standards 1598 & 8750	IP 46 Rated	CE	25C Ambient
FCO = (Full) Cut Off ²			

¹Suitable for wet locations.

²Dark Sky Legislation Compliant

KIM LIGHTING RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.

ORDERING INFORMATION

ORDERING EXAMPLE: LCC-70P8-1-LP

LCC	Wattage/Source/Voltage	Finish	Options
SERIES	WATTAGE/SOURCE/VOLTAGE	FINISH	OPTIONS*
LCC - Laredo Compact Cutoff	ELECTRONIC FLUORESCENT	1 Bronze	PC1 Button photocontrol 120V
	26F 8 26w, 120-277V	2 Black	PC2¹ Button photocontrol 208V
	32F 8 32w, 120-277V	3 Gray	PC3¹ Button photocontrol 240V
	42F 8 42w, 120-277V	4 White	PC4¹ Button photocontrol 277V
	PULSE START METAL HALIDE	5 Platinum	
	50P 9 50w, 120/277V		
	70P 8 70w, 120-277V		
	HPS		Egress Lamp Socket
	50S 1 50w, 120V NPF		EM Mini can base socket only for remote, power by others (Max 50w Halogen recommended)
	70S 1 70w, 120V NPF		
	50S 8 50w, 120-277V		LP Lamp shipped in carton with fixture (Standard on LED units) Fluorescent lamps are 3500K
	70S 8 70w, 120-277V		
	LED		
	12LU-5K 12w, 120-277V		

LCC LED System:

- 5000K color temperature
- Five year limited warranty
- Typical spacing of three times mounting height
- LED is IDA approved - no uplight

ACCESSORIES

LCC-SPC	Polycarbonate shield
PBT-1	120V button photocontrol
PBT-234¹	208/240/277V button photocontrol
PTA-1	External 120V Photocontrol (use for 70w)
PTA-8	External photocontrol 120-277V (use for 70w and above)

¹ For use on CFL and LED units only

Note: 347V is available in 50P, 70P and 70S

Example: Change 50P8 to 50P6

*Not recommended at 70w

HUBBELL OUTDOOR LIGHTING

WWW.HUBBELLOUTDOOR.COM Rev 3/11

KIM LIGHTING RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.



IQeye Alliance-mx
H.264 Megapixel Dome IP Camera

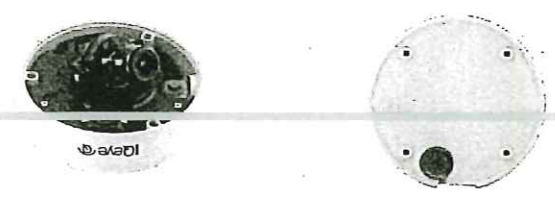


Features

- > Resolutions up to HD1080p
- > H.264 Main Profile + MJPEG Compression
- > 30 fps @ SD480p and HD720p, 15 fps @ HD1080p
- > Two-Way Audio
- > Day/Night Movable IR Filter
- > Lightgrabber™ II Low-light Feature
- > Power Over Ethernet
- > IP66/NEMA 4 Outdoor Enclosure
- > Indoor/Outdoor Vandal Resistant Dome
- > ONVIF and PSIA Compliant
- > 3 Year Warranty

The Alliance-mx encodes video using Main Profile H.264, the most efficient video compression available, resulting in a smooth, high-quality image, low network bandwidth utilization, and reduced storage costs. Requiring less than 3.9W

PoE, the Alliance-mx is highly energy-efficient and economical. A movable day/night IR filter and 3-13 mm varifocal lens enables field-of-view adaptability for a wide range of settings and applications. ONVIF and PSIA compliant APIs provide the necessary flexibility to ensure compatibility with many of the most popular VMS platforms. A high-quality, ultra-strong polycarbonate bubble and aluminum body combine to make the Alliance-mx dome vandal resistant while maintaining an aesthetically pleasing look in any scenario. The IP66 rating allows for installation just about anywhere.



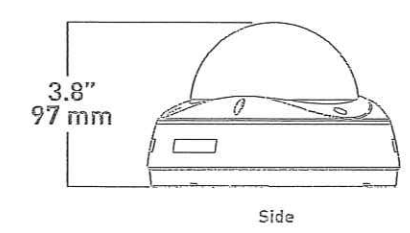
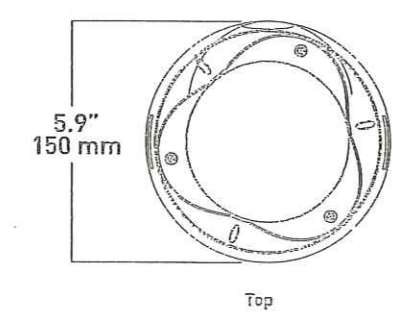
IQeye Alliance-mx
H.264 Megapixel Dome IP Camera

Specifications

Video		Network	
Compression	H.264 and MJPEG	Supported Protocols	TCP/IP, HTTP, HTTPS, DHCP, UDP, RTP, RTSP, DNS, ARP, ICMP, NTP, UPnP, ZeroConf, APIPA, UDP multicast, SNMP, FTP, SMTP, Telnet, CIFS
H.264 Profile	Main	Password Protection	Secure Multi-level
Sensor	1/3" CMOS	Input/Output	
JPEG Compression Quality Settings	User Configurable	Input Power	Power over Ethernet 802.3af Class 1
Shutter Speed	Auto/Programmable/Fixed	Power Consumption	< 3.8W (typical)
Image Settings	Saturation, Contrast, Brightness, Sharpness, Lightgrabber™ II	AC Lighting	50 Hz/60 Hz Selectable
Exposure	User Configurable	Network Interface	RJ45 10Base-T/100Base-TX
White Balance	Auto/Programmable	Audio I/O	Mic/Line in, Line out
Backlight Compensation	Auto	Misc	
IR Range	800 to 940 nm	Ingress Protection Rating	IP66, NEMA 4
Features		Approvals	FCC, CE
Motion Detection	User Configurable Windows	Temperature Range	-4F to 122F, -20C to 50C
Time Lapse Recording	User Configurable	Weight (grams)	900 g
Event Based Recording	User Configurable	Warranty	3 years
Flip and Rotate	90, Horizontal, Vertical	Lens Options	B5 Wide Angle Lens 1/3" M14, 3-13 mm, F1.4, IR
Audio Support	Two-way G.711 PCM 8 kHz	Accessories	IQM-GBA Gang Box Adapter IQA-WM Wall Mount IQ800-PMA Pole Mount Adaptor
Analytics Ready	Yes		
On-Camera IQapps	IQaccess		
System Integration	ONVIF, PSIA, IQfinder, IQmanager, IQsentry		

Part Number	Maximum Resolution	Maximum Frame Rate	Min Illumination
IQM30NE-B5	SD480p - 720 x 480	30 fps	Color: 0.1 lux, B/W: <0.05 lux
IQM31NE-B5	HD720p - 1280 x 720	30 fps	Color: 0.1 lux, B/W: <0.05 lux
IQM32NE-B5	HD1080p - 1920 x 1080	15 fps	Color: 0.2 lux, B/W: <0.05 lux

Dimensions



CITY OF PORTLAND
APPROVED SITE PLAN
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Date of Approval: 11-22-2011 as amended 7-2-2012

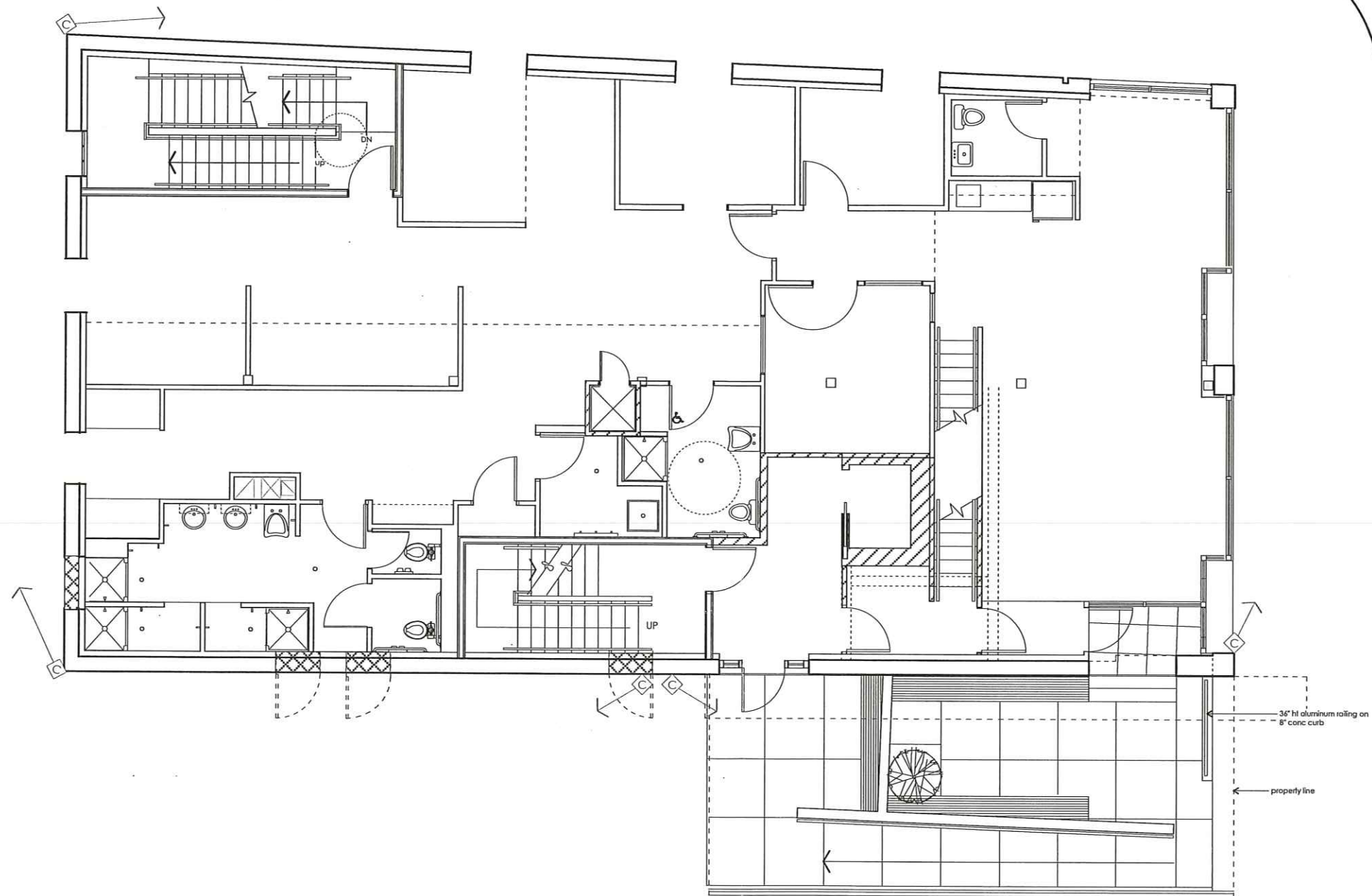


33122 Valle Road
San Juan Capistrano, CA
92675-4853
USA

toll free within US 877.850.0805
phone +1.949.369.8100
fax +1.949.369.8105

www.iqeye.com

CUMBERLAND AVENUE



TEEN SHELTER
38 PREBLE STREET

1ST LEVEL PLAN

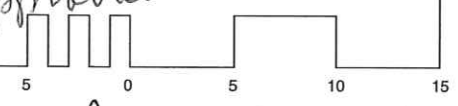
Owner:
Preble Street
18 Portland Street
Portland, Maine

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-1.1

CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 7-2-2012 amendment to
11-22-2011 approval 2011-323.

*Pl. file
copy*



Amendment June 2012

LAREDO SERIES

LCC SERIES

NEW

Cat.#		Approvals
Job	Type	



SPECIFICATIONS

Intended Use

- Full cutoff*, IDA compliant entry or perimeter lighting
- Six to twelve foot typical mounting heights

Construction

- Decorative die-cast aluminum housing and door. Rugged design protects internal components and provides excellent thermal management for long life
- Flat, tempered, impact-resistant glass lens protects optics
- 800 Series powder paint finishes provide lasting appearance and are available in standard finishes: Dark Bronze, Black, White, Gray and Platinum

Electrical

- HID units are medium base; CFL units have insert and twist electronic socket
- Lamps are optional
- Systems include Pulse Start 50-70w, CFL 26-42w, HPS 50-70w and LED 12w
- Optional socket available for remote power for power outage egress applications

LED

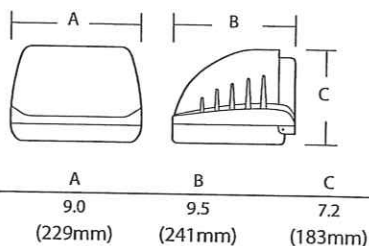
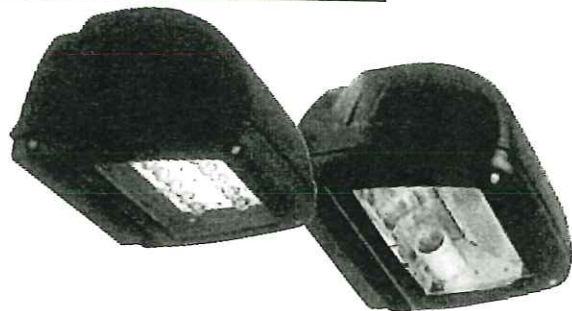
- NEW 12 LED system delivers 802 lumens at 12.4w for 64LPW efficiency
- Universal 120-277V, 50/60Hz driver, .5 amp max

Installation

- Two-point lag mount securely holds housing to surface; Mounting template is provided.
- Designed for mounting over standard recessed junction boxes or for wiring with surface conduit; 1/2" hubs with plugs provided on top and sides for versatile access

Listings

- Listed to UL 1598 for use in wet locations
- IDA Dark Sky compliant
- (PSMH, CFL and HPS only) LED unit IDA compliant - no uplight



ORDERING INFORMATION

ORDERING EXAMPLE: LCC-70P8-1-LP

LCC	Wattage/Source/Voltage	Finish	Options
SERIES	WATTAGE/SOURCE/VOLTAGE	FINISH	OPTIONS*
LCC	Laredo Compact Cutoff		
	ELECTRONIC FLUORESCENT		
	26F 8 26w, 120-277V	1 Bronze	PC1 Button photocontrol 120V
	32F 8 32w, 120-277V	2 Black	PC2' Button photocontrol 208V
	42F 8 42w, 120-277V	3 Gray	PC3' Button photocontrol 240V
	PULSE START METAL HALIDE	4 White	PC4' Button photocontrol 277V
	50P 9 50w, 120/277V	5 Platinum	
	70P 8 70w, 120-277V		
	HPS		
	50S 1 50w, 120V NPF		
	70S 1 70w, 120V NPF		
	50S 8 50w, 120-277V		
	70S 8 70w, 120-277V		
	LED		
	12LU-5K 12w, 120-277V		

LCC LED System:

- 5000K color temperature
- Five year limited warranty
- Typical spacing of three times mounting height
- LED is IDA approved - no uplight

ACCESSORIES

LCC-SPC	Polycarbonate shield
PBT-1	120V button photocontrol
PBT-234'	208/240/277V button photocontrol
PTA-1	External 120V Photocontrol (use for 70w)
PTA-8	External photocontrol 120-277V (use for 70w and above)

*For use on CFL and LED units only

Note: 347V is available in 50P, 70P and 70S

Example: Change 50P8 to 50P6

*Not recommended at 70w

HUBBELL OUTDOOR LIGHTING

WWW.HUBBELLOUTDOOR.COM Rev 3/11

Attachment 3.6



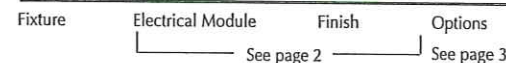
KIM LIGHTING

Type:

Job:

Catalog number:

SL2



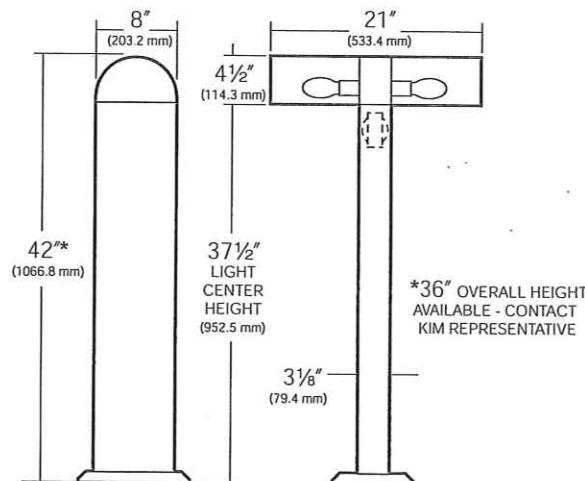
Specifications

SL2 Model

- 50 to 70 watt HID
- Medium Base Lamps
- 42 watt Compact Fluorescent
- 36 or 72 LED

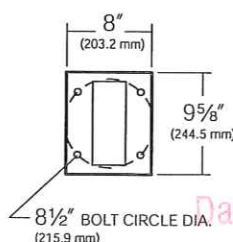
SL2

Maximum weight: 47 lb



HID drawing shown above

BASE PLAN SL2



CITY OF PORTLAND
APPROVED SITE PLAN
Subject to Dept. Conditions
Date of Approval: 11-22-2011 as amended 7-2-2012

SL2

Site Lightforms

revision 6/17/11 • kl_sl2_spec.pdf

Approvals:

Date:
Page: 1 of 3

Head: One-piece cast, low-copper (<0.6% Cu) aluminum, 3/16" wall thickness with external reveals to unify head and shaft. Attachment to shaft is by four bolts concealed within the head.

Shaft: One-piece extruded aluminum with internal tracks for attaching head and base.

Base: One-piece cast, low-copper (<0.6% Cu) aluminum secured to shaft by four concealed stainless steel bolts.

Reflector and Socket: (Typical of two) Formed specular Alzak® reflector panels secured to a harness which holds a porcelain medium base 4KV socket (HID and Incandescent), X24q - Universal Socket (42W Fluorescent), or two single-ended twin tube sockets (13W Fluorescent). No reflector provided for LED.

Lens: Clear flat 1/8" thick tempered glass retained by two stainless steel brackets, and four stainless steel, hex socket cap screws, fully gasketed.

Ballast: Factory mounted to rigid harness suspended from fixture head within the shaft. Wire leads supplied to base. **HID:** High power factor with starting temperatures of -20°F. for PMH and -40°F. for HPS lamp modes. **13W Fluorescent:** 120V 32°F. starting; **26W, 32W, 42W Fluorescent:** High power factor with starting temperature of 0°F.

LED Optical System: A total of 9 LED emitters configured in a rectangular array comprised together as a module. four (4) modules for 36 LED version and eight (8) modules for 72 LED version. Available in 3500K and 5100K.

LED Driver: Rated for 36 or 72 LED. Universal voltage from 120 to 277V with a ±10% tolerance. -40°F starting temperature. All drivers are Underwriters Laboratories recognized.

Anchor Bolts: Four 3/8" x 10" + 2" zinc plated L-hooks complete with leveling nuts, washers, couplings, rigid pressed board template and black stainless steel bolts.

Finish: Super TGIC thermoset polyester powder coat paint, 2.5 mil nominal thickness, applied over a titanated zirconium conversion coating; 2500 hour salt spray test endurance rating. Standard colors are Black, Dark Bronze, Light Gray, Stealth Gray™, Platinum Silver, or White. Custom colors are available.

CAUTION: Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

Listings and Ratings			
ETL ¹ to UL Standards 1598 & 8750	IP 46 Rated	CE	25C Ambient
FCO = (Full) Cut Off ²			

¹Suitable for wet locations.

²Dark Sky Legislation Compliant

KIM LIGHTING RESERVES THE RIGHT TO CHANGE SPECIFICATIONS WITHOUT NOTICE.



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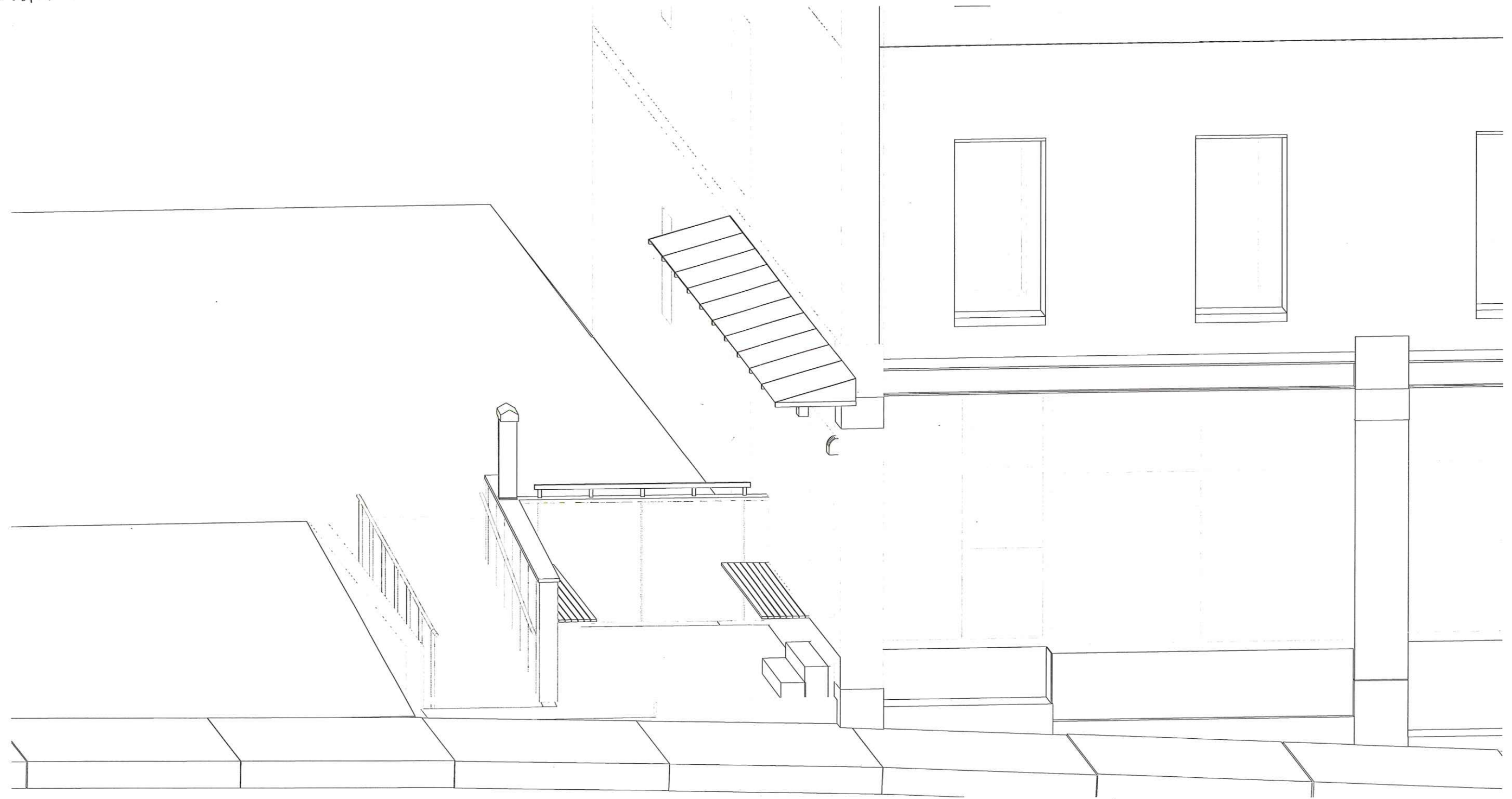


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D.g.

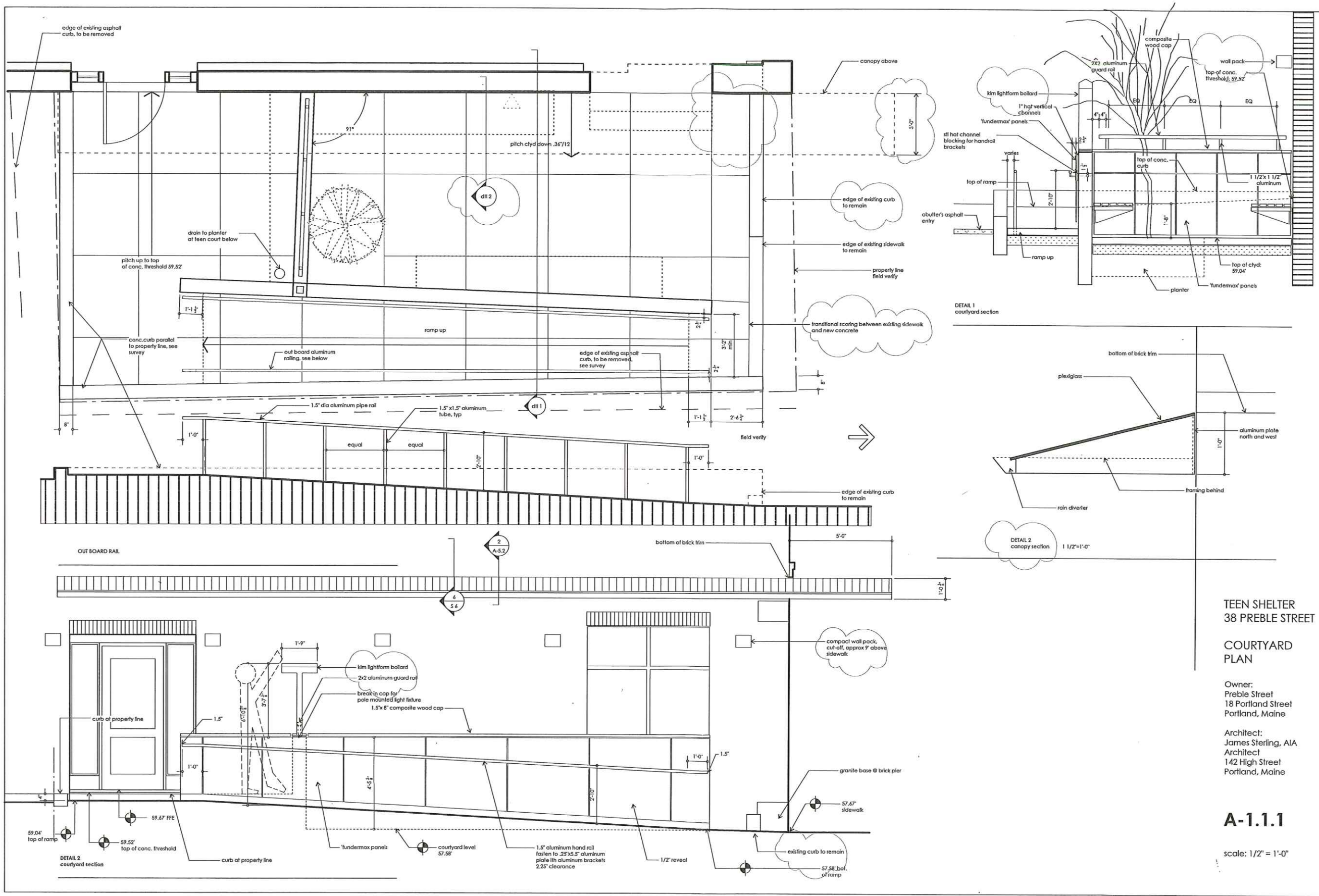
This proposal
superceded —
this photo shows
apt windows and bldg

not incl for Hearings

Plans as app. by
HP May 1, 2012
(from Bob Andrews)



ATT. 1
 PLANS &
 ELEVATIONS



TEEN SHELTER
 38 PREBLE STREET

COURTYARD
 PLAN

Owner:
 Preble Street
 18 Portland Street
 Portland, Maine

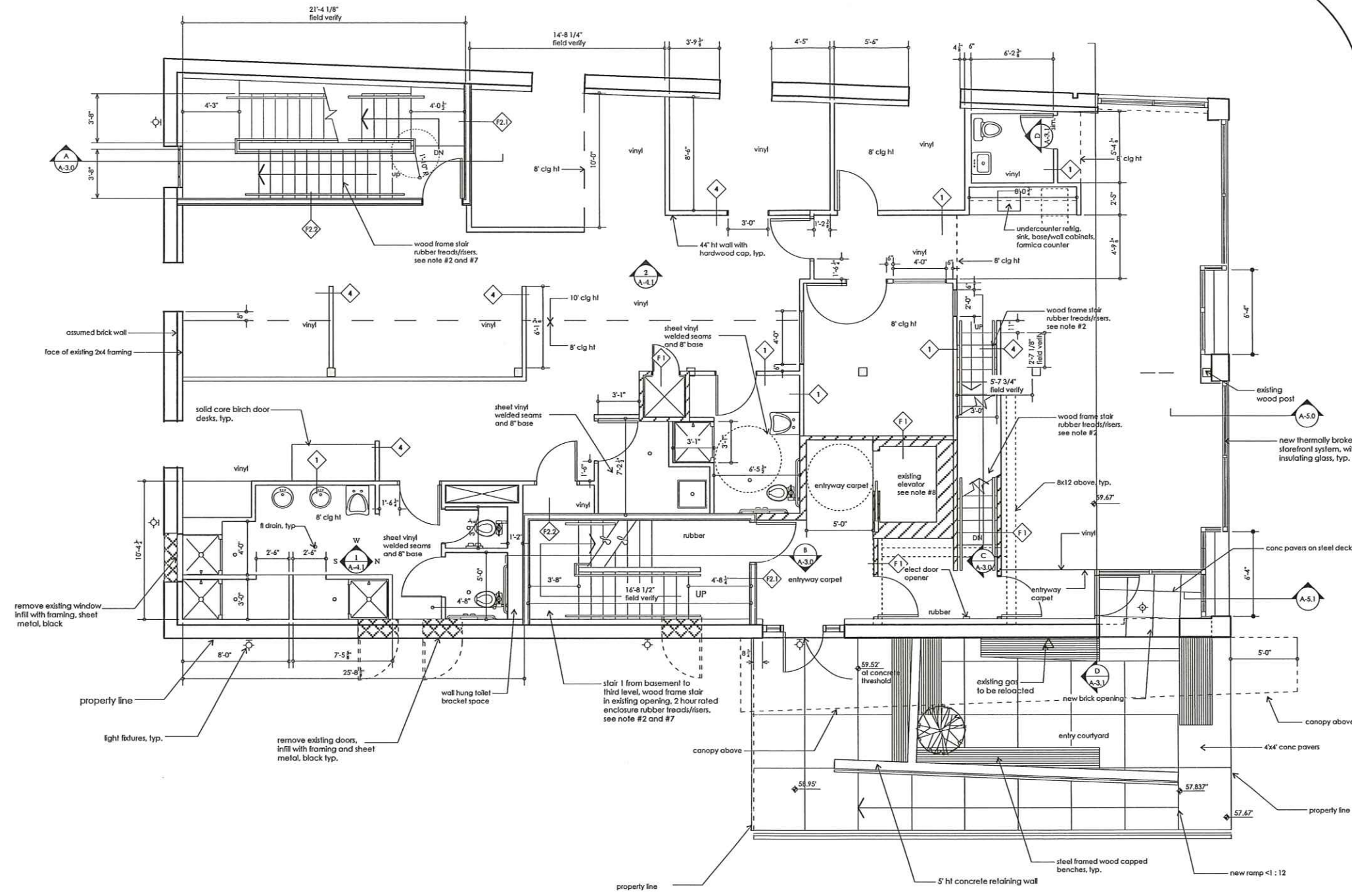
Architect:
 James Sterling, AIA
 Architect
 142 High Street
 Portland, Maine

A-1.1.1

scale: 1/2" = 1'-0"

from Dec 3-12-12

CUMBERLAND AVENUE



- GENERAL NOTES:
1. All ceilings: sound attenuation insulation, 5/8" gwb, painted. Note railed ceilings between basement and first level and between 2nd and third level.
 2. Stair 1, 2 and 3 shall have pipe railings both sides, inside railings shall be continuous. Leads shall be 1" clear, rises shall not exceed 7". see detail A-3.0.
 3. All doors in railed enclosures shall be railed according to required rating for the enclosure. They shall have steel frames, solid core birch, brushed stainless lever hardware, sets of three hinges, railed door closers.
 4. Typical walls: 3 5/8" stl studs at 16"oc, 5/8" USG 'Fiberock' painted, ceiling 5/8" gwb, base 4" poplar painted. See A-4.2 FOR ALL TYPES AND EXCEPTIONS.
 5. Ceiling heights as noted.
 6. All interior glass to be tempered and set in hardwood frames.
 7. Prior to all structural cutting and removal for stairs 1, 2, 3 and the dumbwaiter shaft VERIFY ALL CLEARANCES FROM BASEMENT UP. SEE SECTION A-3.0
 8. Verify elevator shaft railing as 1 hour.

TEEN SHELTER
38 PREBLE STREET

1ST LEVEL PLAN

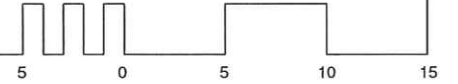
Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-1.1



understand
(3.14.12)
that these
have been
w/drawn from
HP mty
next week &
further rev's
will be made





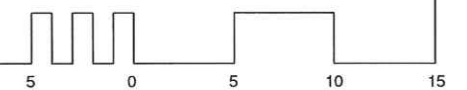
TEEN SHELTER
38 PREBLE STREET

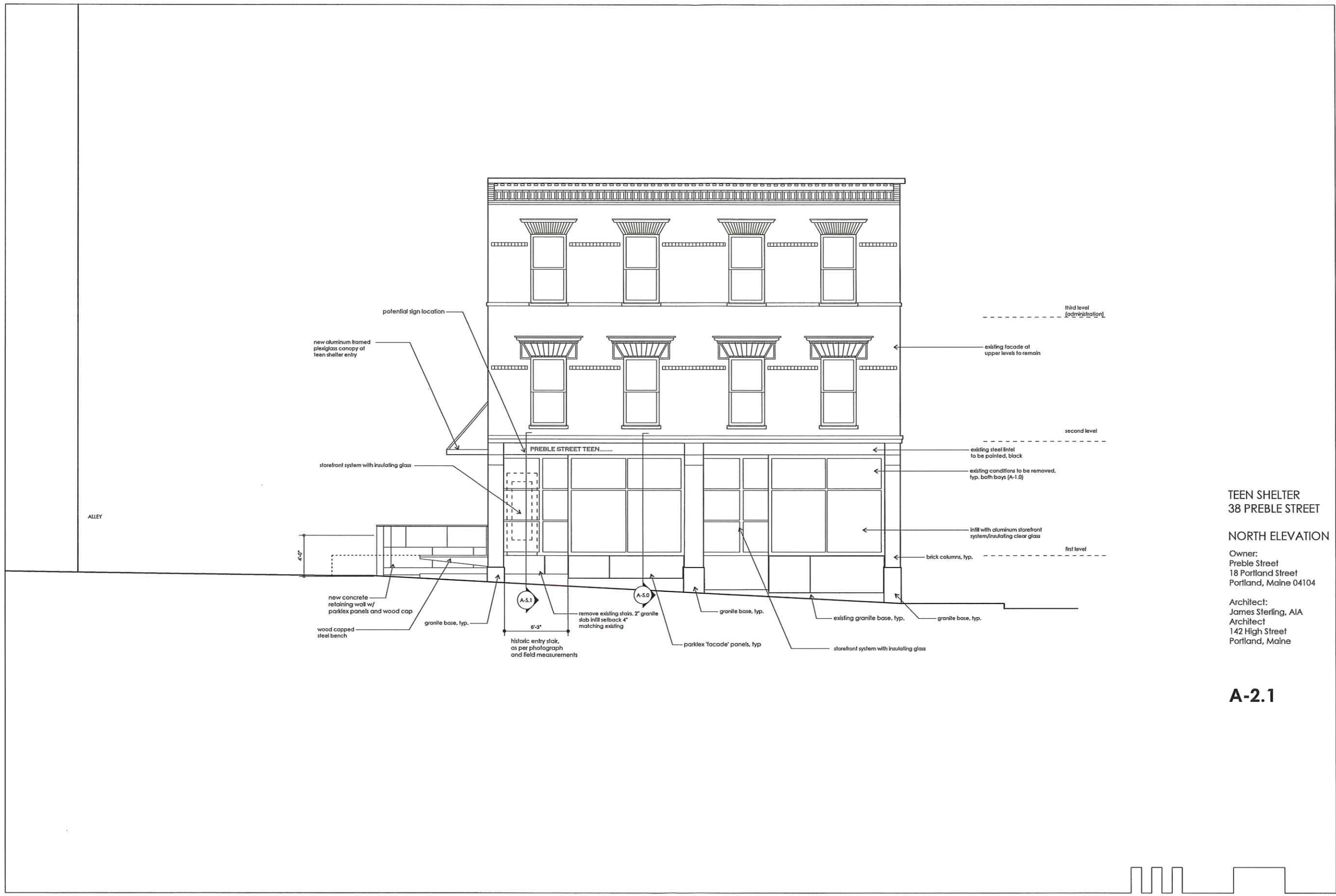
WEST ELEVATION

Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-2.2





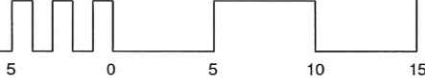
TEEN SHELTER
38 PREBLE STREET

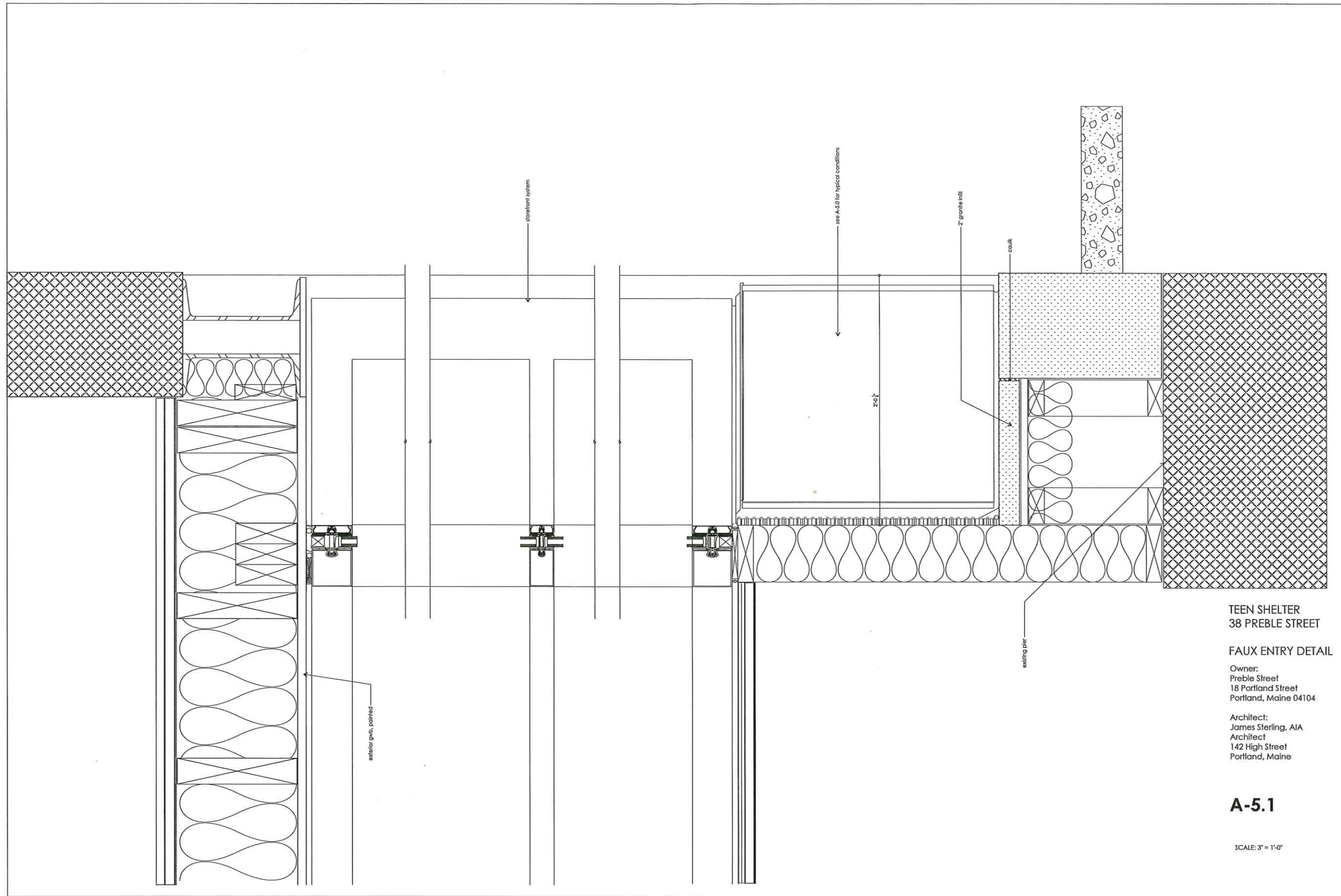
NORTH ELEVATION

Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-2.1





TEEN SHELTER
38 PREBLE STREET

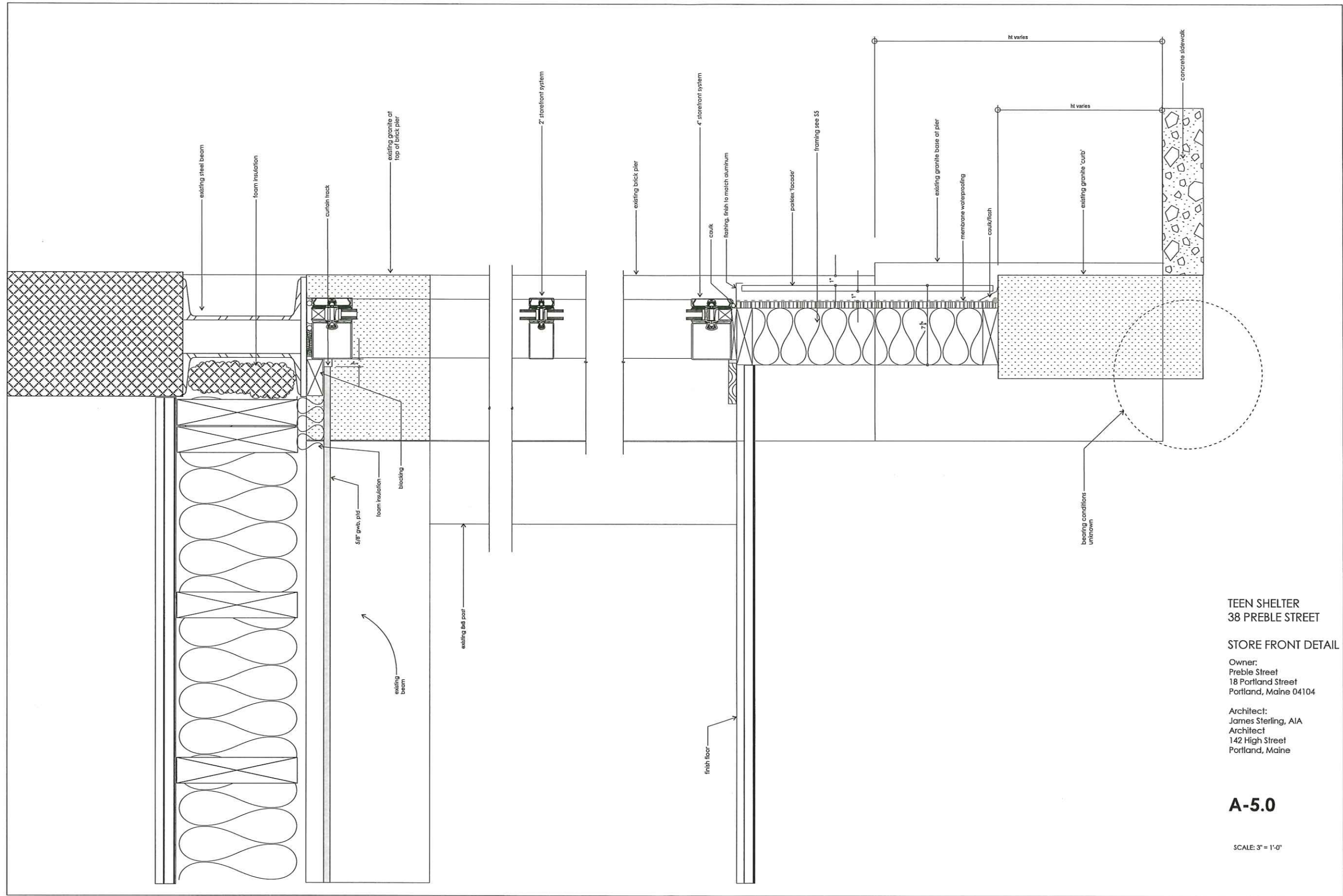
FAUX ENTRY DETAIL

Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-5.1

SCALE: 3" = 1'-0"



TEEN SHELTER
38 PREBLE STREET

STORE FRONT DETAIL

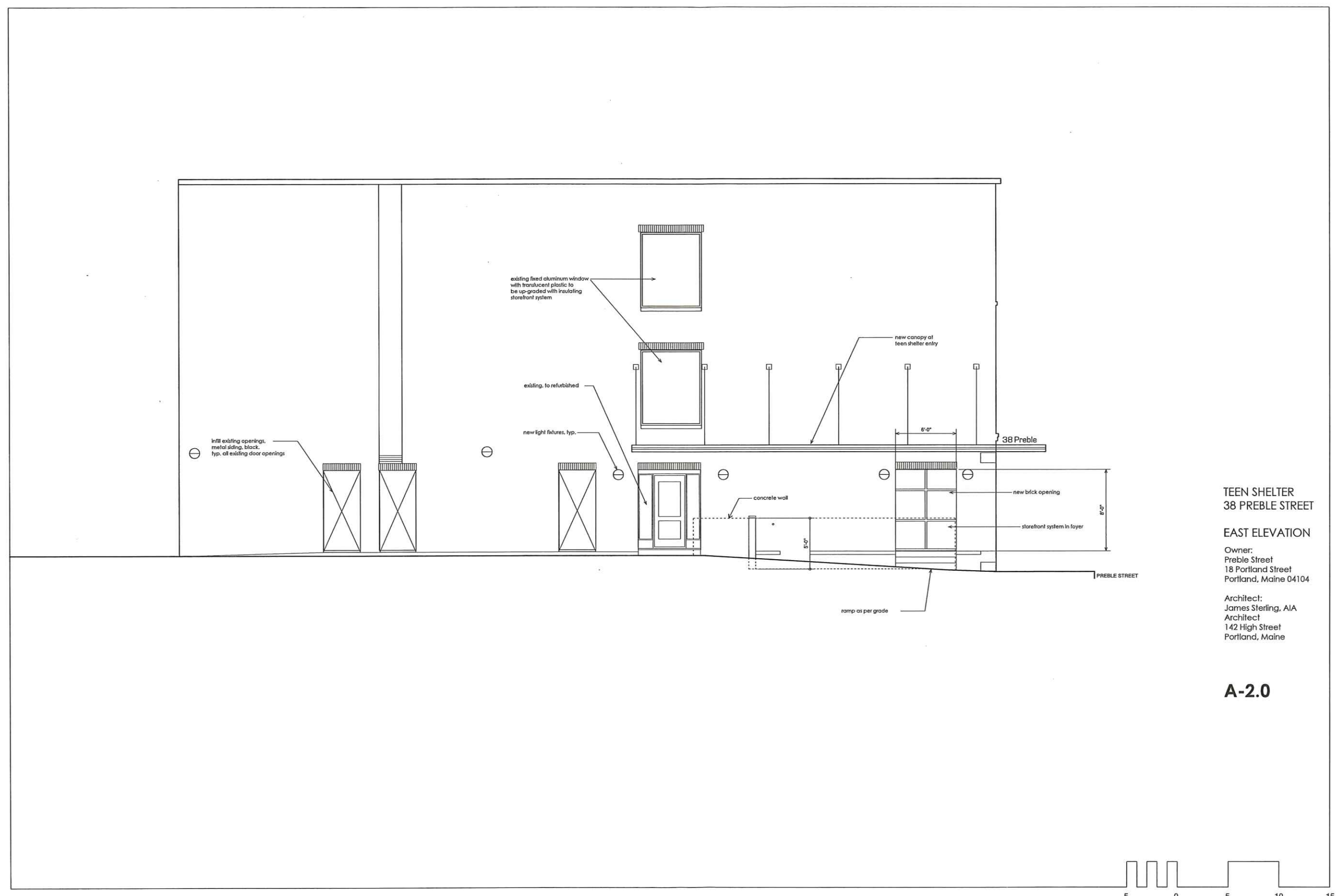
Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-5.0

SCALE: 3" = 1'-0"

from Deb 3.12-12



TEEN SHELTER
38 PREBLE STREET

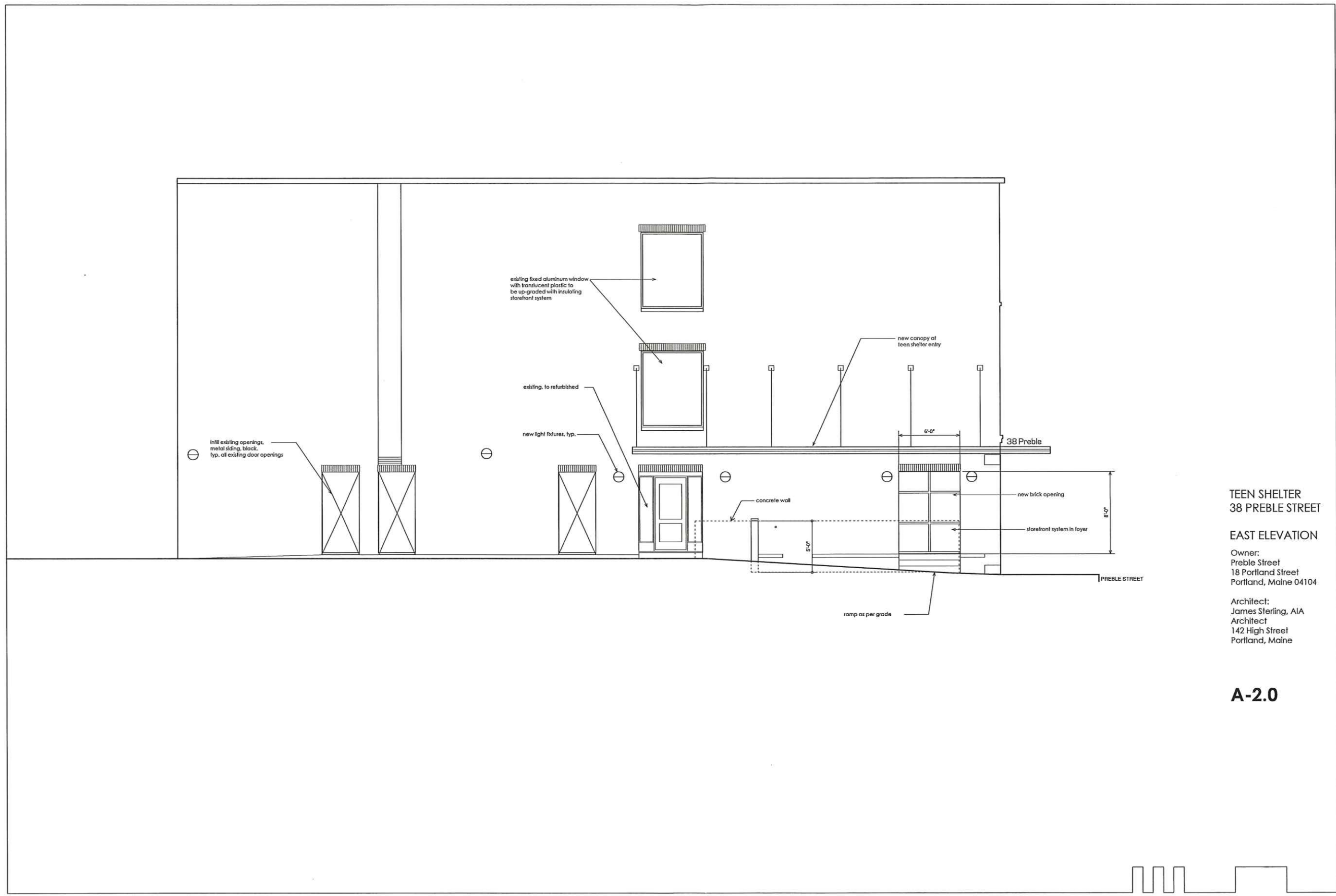
EAST ELEVATION

Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-2.0

from Deb
3.12.12



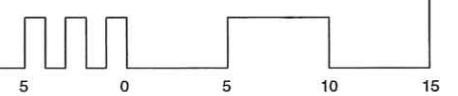
TEEN SHELTER
38 PREBLE STREET

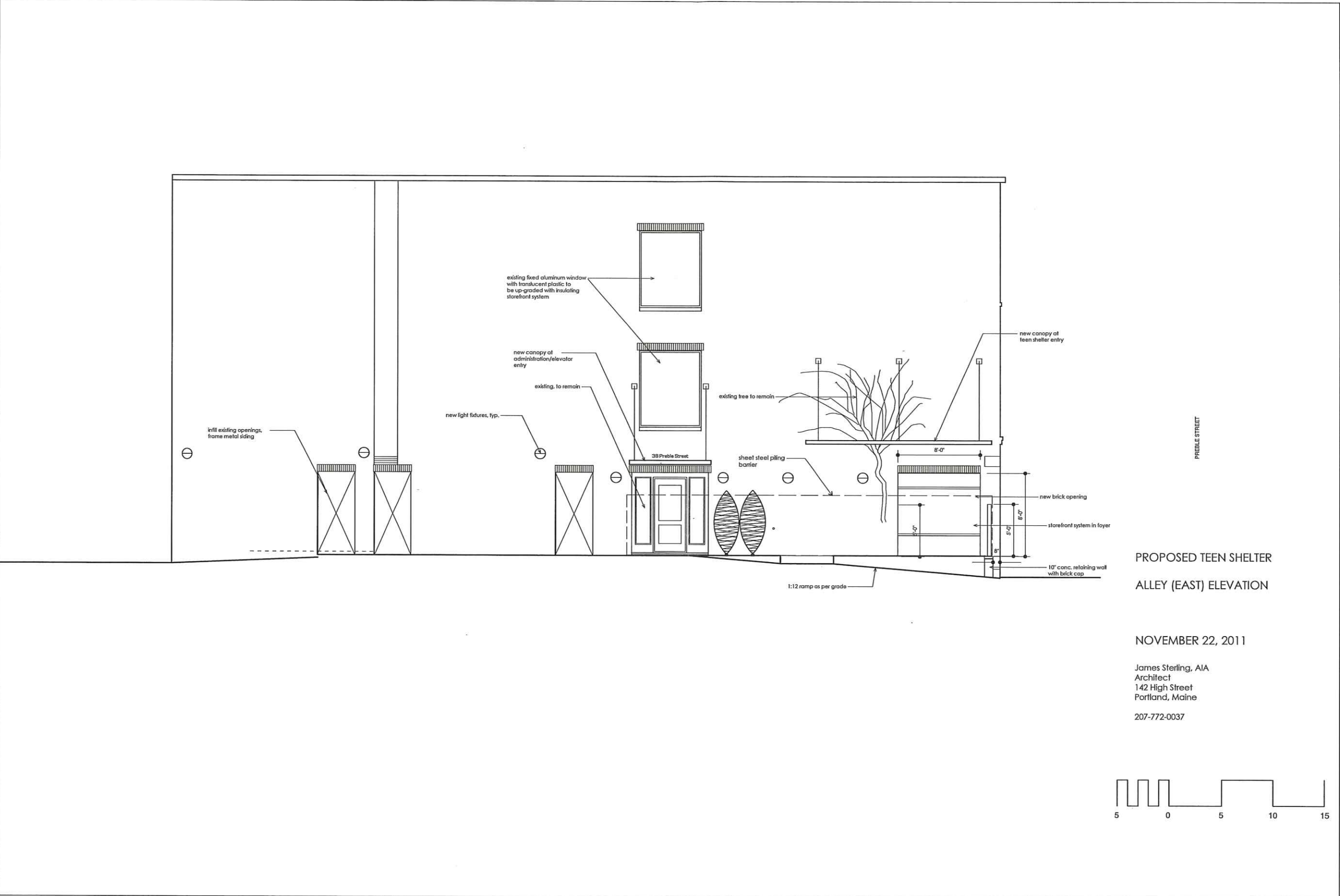
EAST ELEVATION

Owner:
Preble Street
18 Portland Street
Portland, Maine 04104

Architect:
James Sterling, AIA
Architect
142 High Street
Portland, Maine

A-2.0

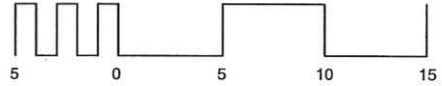


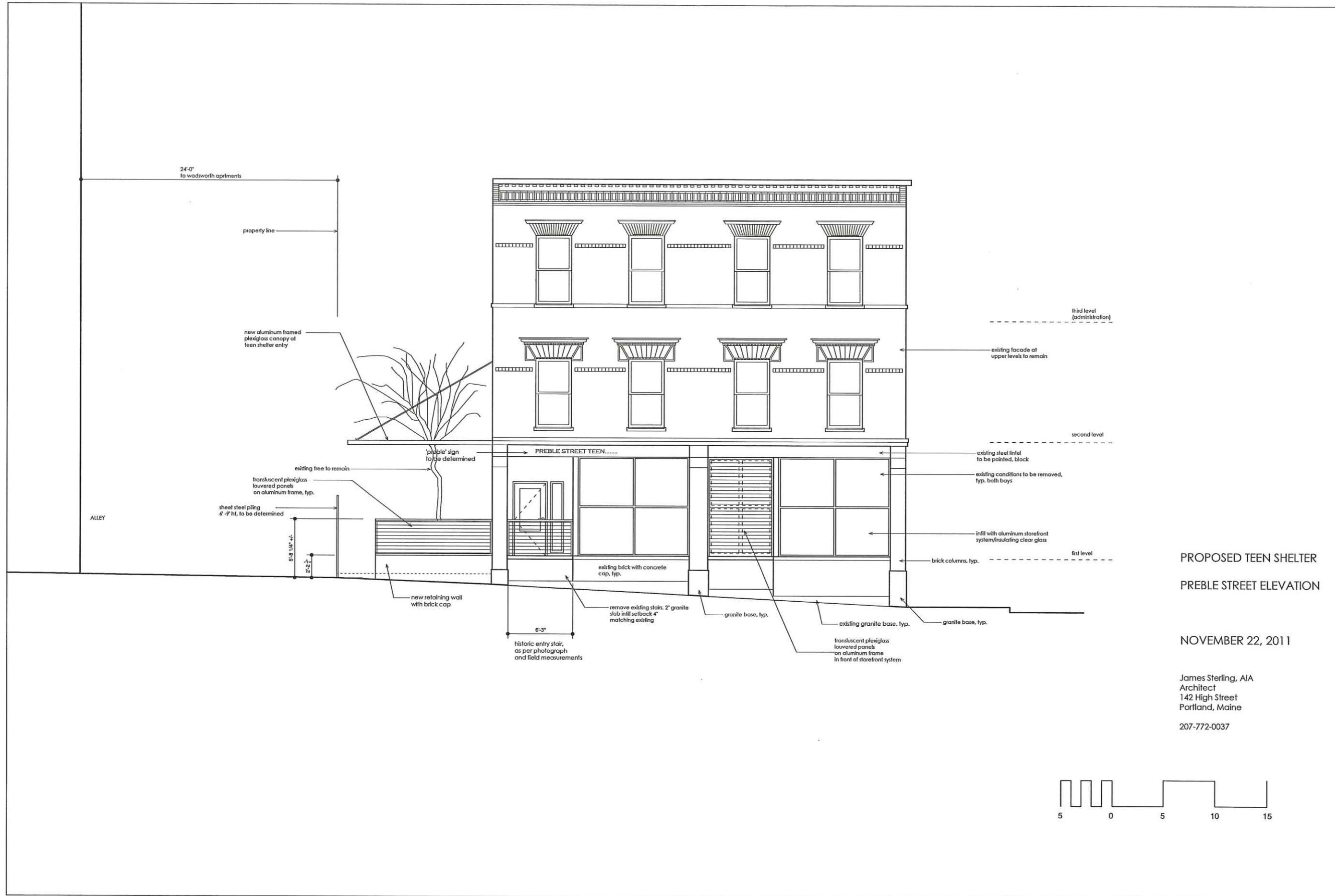


PROPOSED TEEN SHELTER ALLEY (EAST) ELEVATION

NOVEMBER 22, 2011

James Sterling, AIA
Architect
142 High Street
Portland, Maine
207-772-0037

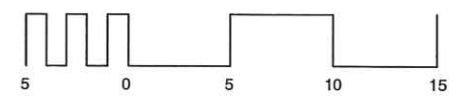




PROPOSED TEEN SHELTER
 PREBLE STREET ELEVATION

NOVEMBER 22, 2011

James Sterling, AIA
 Architect
 142 High Street
 Portland, Maine
 207-772-0037

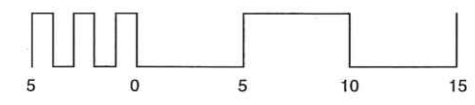


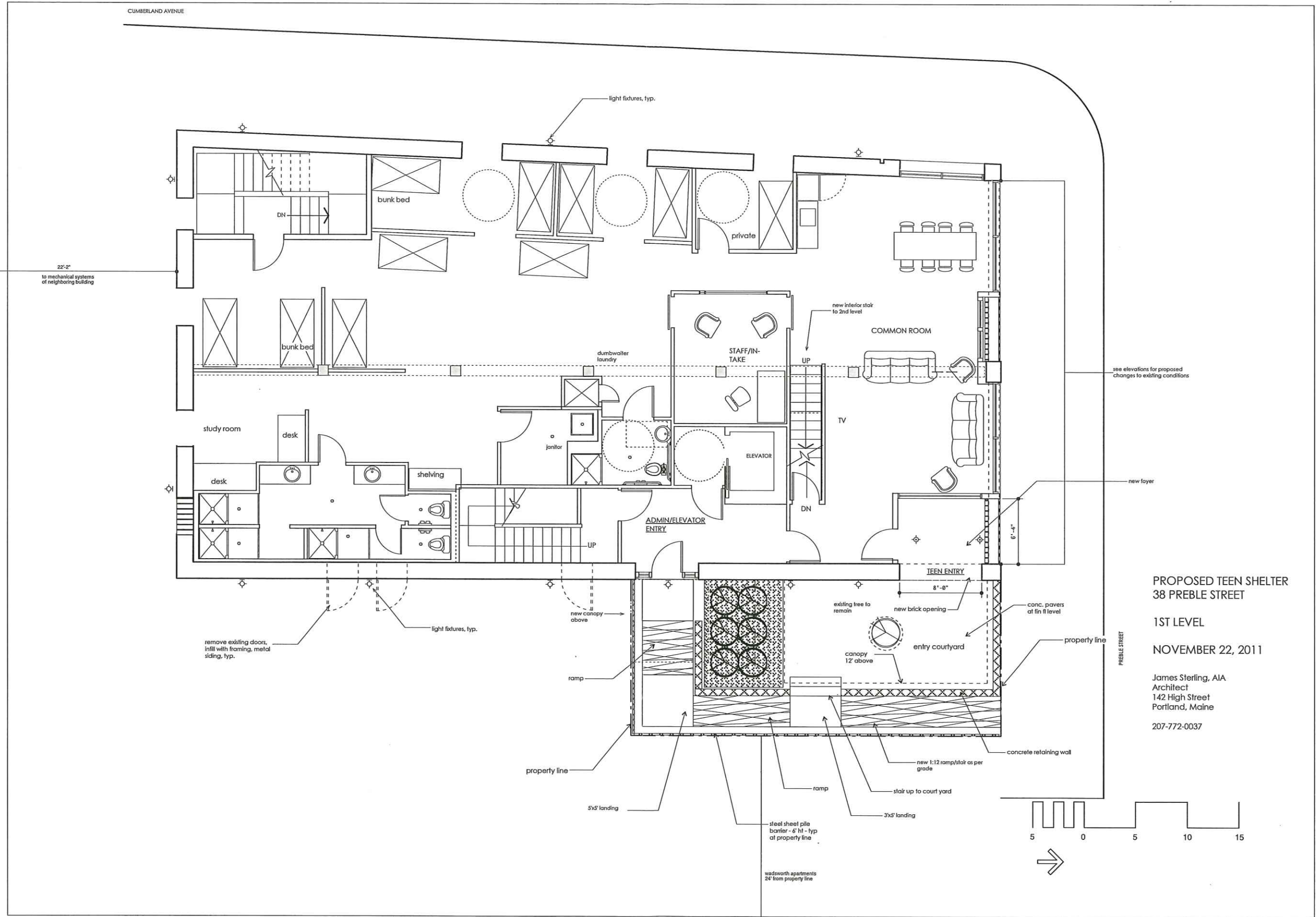


PROPOSED TEEN SHELTER
CUMBERLAND AVENUE
ELEVATION

NOVEMBER 01, 2011

James Sterling, AIA
Architect
142 High Street
Portland, Maine
207-772-0037





PROPOSED TEEN SHELTER
38 PREBLE STREET

1ST LEVEL

NOVEMBER 22, 2011

James Sterling, AIA
Architect
142 High Street
Portland, Maine
207-772-0037