

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

August 1, 2003

TO: Patric Santerre, Chair and Zoning Board of Appeal Members

FROM: *MCS* Marge Schmuckal, Zoning Administrator

SUBJECT: Deakes Wharf – Watchman's unit - -043-H-001 – WCZ

In 1987 there was a great concern about what should be allowed for waterfront uses. There was a task force created to look into appropriate waterfront uses before rezoning. There were two separate waterfront inventories of uses that were undertaken. One such inventory was performed by Scott G. McMullin. The other inventory was conducted by the City of Portland. I have attached copies of the results of both inventories.

The results of the McMullin inventory showed no residential/watchman's unit on Deakes Wharf. The results of the City's research does indicate a "home" use in the building in question.

A residential/watchman's unit is a nonconforming use within the prior W-2 zone and current WCZ zone. Evidence from the City's records in addition to evidence submitted from Attorney Walsh, shows that a watchman's unit has existed at this location.

Since this use is a nonconforming use, the Zoning Board has several determinations to consider. First, is this a legal nonconforming use? Then if this is a legal nonconforming use, has there ever been a discontinuance of this nonconforming use for a period of twelve months? Section 14-387 states, "If a nonconforming use of a building or premises is discontinued for a period of twelve (12) months, such discontinuance shall constitute an abandonment of the use and the building or premises shall not thereafter be occupied or used except in conformity with the provisions of this article".

Since notices have gone out to owners within 500 feet of this property, there may be public testimony that can be heard either for or against the continuance of this nonconformity. The City of Portland has no specific evidence that this use has been discontinued for twelve months, nor that it has been continuous.

It should be noted that if the Zoning Board of Appeals considers this use to be a legal, continuous, nonconforming use, it may not be expanded, nor enlarged from what is considered to legally exist per §14-382.

CC: file
legal

of the initial damage where such damage is sudden and accidental; or

- (d) Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first.

For the purpose of this section, the footprint of a building is the perimeter of the foundation supporting a structure.
(Code 1968, § 602.17.E; Ord. No. 89-88, 7-19-88; Ord. No. 284-99, §2, 5-17-99, enacted as an emergency to take effect immediately pursuant to Article II, Sec. 8 of the Portland City Charter)

*Editor's note--Ord. No. 89-88, adopted July 19, 1988, amended this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 89-88.

Sec. 14-386. Discontinuance of use of land for ninety days.

A nonconforming use of land where no buildings or only incidental or accessory buildings are employed together with such use shall not be changed to any other nonconforming use, and if such use is discontinued for a period of ninety (90) days, it shall not be reestablished.
(Code 1968, § 602.17.G)

Sec. 14-387. Discontinuance of use of building or premises for period of twelve months.

If a nonconforming use of a building or premises is discontinued for a period of twelve (12) months, such discontinuance shall constitute an abandonment of the use and the building or premises shall not thereafter be occupied or used except in conformity with the provisions of this article. A nonconforming use of land which is incidental or accessory to such nonconforming building shall be considered as being discontinued at the same time as the nonconforming use of the building.
(Code 1968, § 602.17.F; Ord. No. 499-74, § 9, 8-19-74)

Sec. 14-388. Nonconformity as to area of dwelling.

A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building,



CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

Date: July 14, 1987

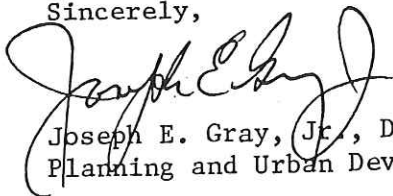
Dear Property Owner/Tenant:

As you undoubtedly know the new Waterfront Overlay Zone which has resulted from the recent initiative referendum is now in effect.

The City needs to inventory existing uses in order to establish a baseline of uses in the overlay area to properly monitor any future changes in use and whether they are permitted under the new zoning. In order to complete this inventory, code enforcement officers from our Inspection Services Division will be visiting your property or office to inventory the present use.

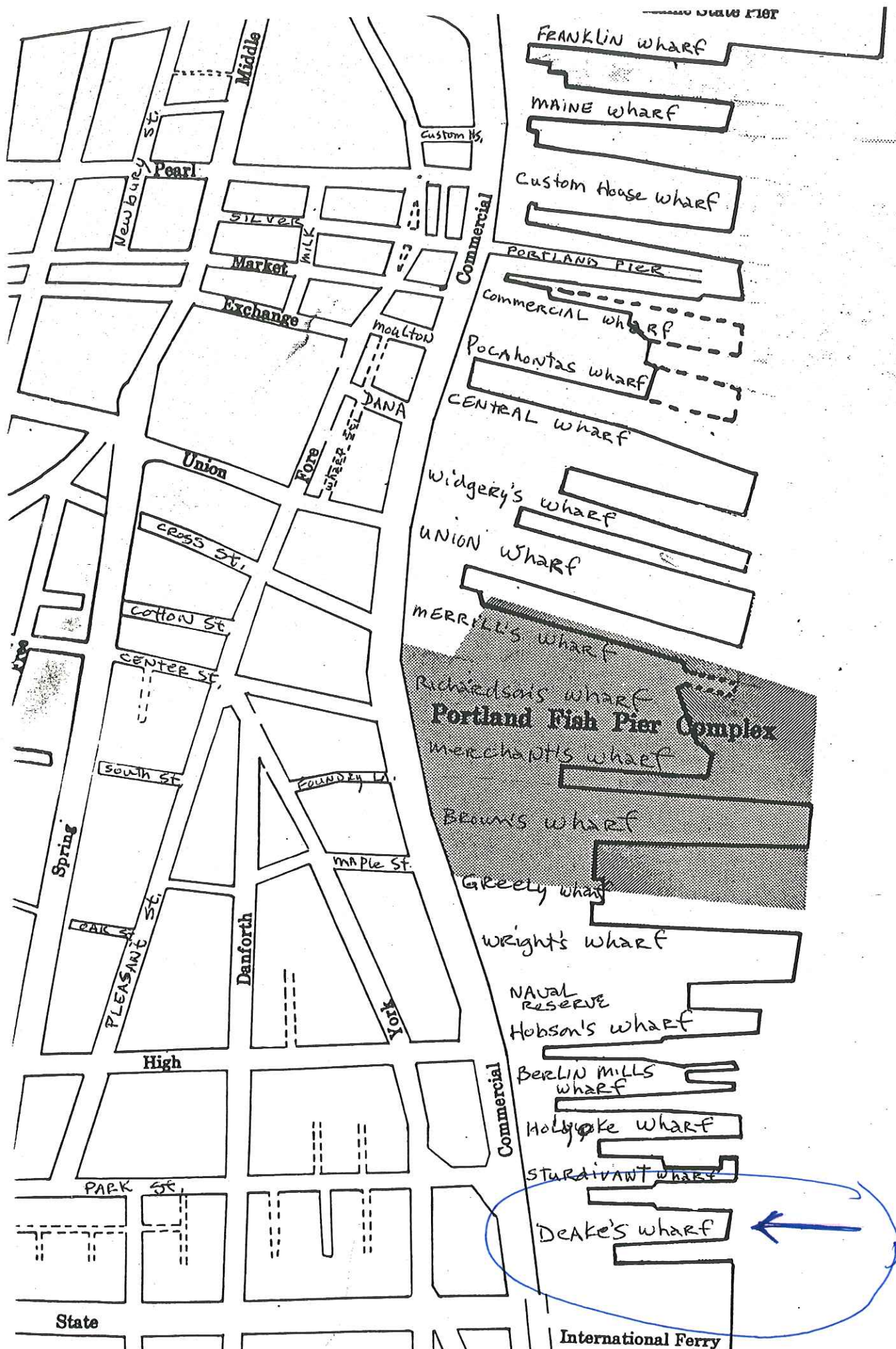
I wanted to write so that you will not be surprised by their visit. If you wish to schedule a particular time which will be convenient, please contact Marge Schmuckal, Assistant Chief of Inspection Services, at 775-5451, ext. 327.

Sincerely,



Joseph E. Gray, Jr., Director
Planning and Urban Development

/lmc



PROPC
STATE

9
29800B
GUILFORD TRANSPORTATION INC. 12/85

PA

STREET

W-1
W-2
W-2

I-20
I-30
W-1
W-2

DYER'S WHARF

STATE
G
STREET
WHARF

H
DEAKES
WHARF

1-25
2-15
3-10
4-0

N57°06'30"W

CITY # 1

W-1 #1
W-2 #1
DOCK 1
DOCK 2

N 35° 50' E 230

SEAWALL
OBSTRUCTED DOCK

BULK HEAD

DCC
2
1089.5
6760

(PART)
2

GENERAL INVEST CO. 27 852600

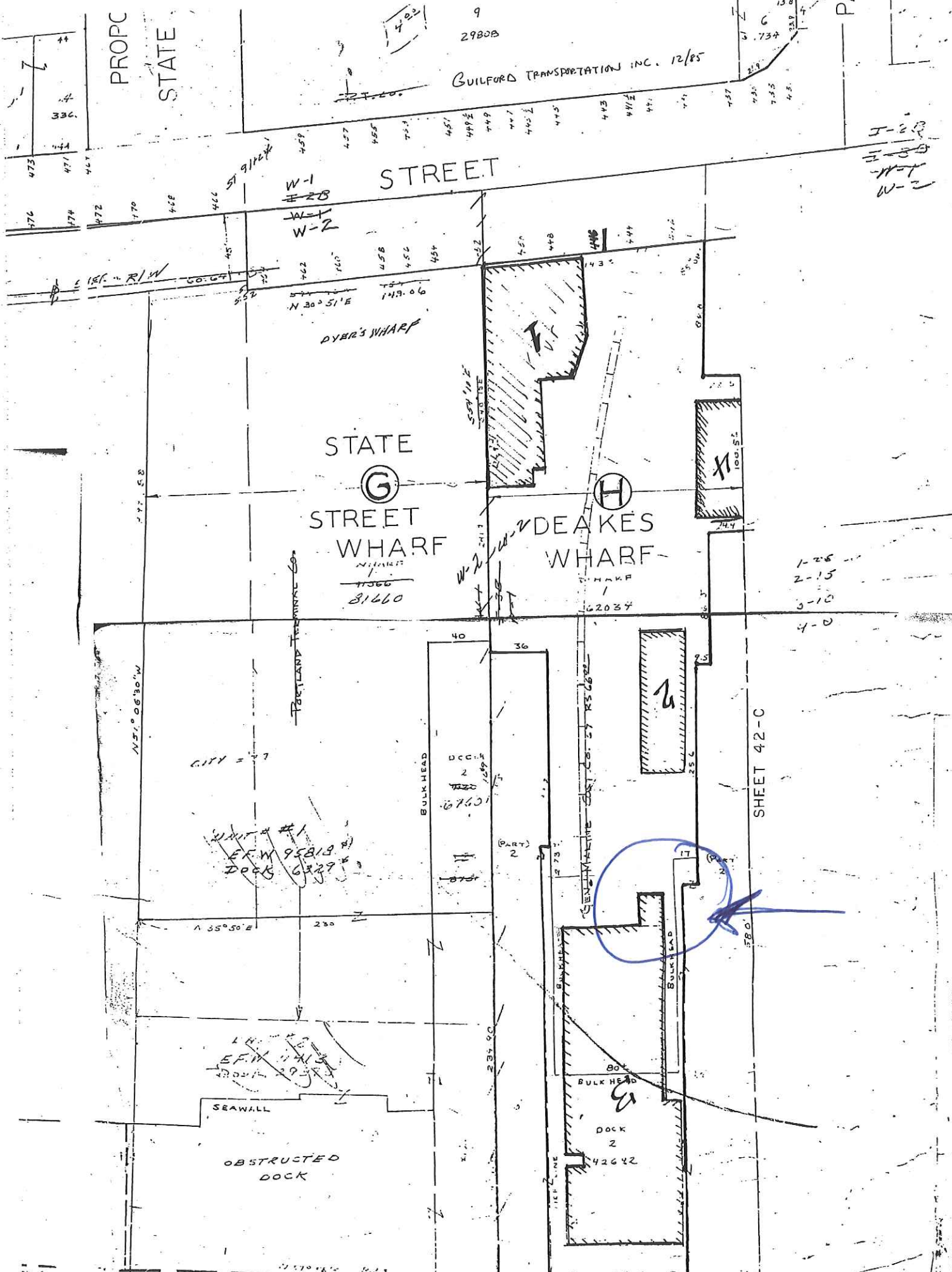
2

SHEET 42-C

BULK HEAD
BULK HEAD
BULK HEAD

DOCK
2
42642

580



446 Commercial St
STREET ADDRESS

43-H-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

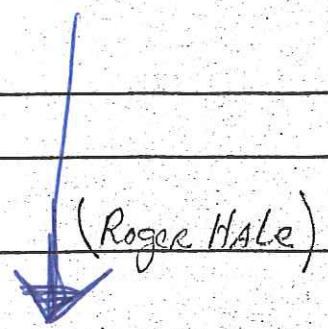
BUILDING INDICATION ON MAP: 3 (EX: BLDG #1 or #2)

OWNER OF BLDG: General Marine Construction Co. Inc

BUSINESS NAME: Port Harbor Fuel

LOCATION OF BUSINESS IN BLDG: Lot
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1985
(Indicate sources of information)



DESCRIPTION OF BUSINESS: Retail fuel sales - Home, Commercial, Marine diesel



C.E.O'S NAME: Irving / Caswell

DATE: 8/10/87

446 Commercial St

STREET ADDRESS

43-4-1

CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

BUILDING INDICATION ON MAP: 3 (EX; BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: Port Harbor Fuel

LOCATION OF BUSINESS IN BLDG: 1st (Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1985 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Retail fuel sales - Home, Commercial, Marine level

C.E.O'S NAME: Irving / Connell

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

BUILDING INDICATION ON MAP: 3 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: Gordon Hurtubise

LOCATION OF BUSINESS IN BLDG: 2nd (Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: approx 20 yrs (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Entrepreneur

(Buys & sells, brokers, sets up deals in anything & everything)

C.E.O'S NAME: Irving / Correll

DATE: 8/10/87

446 Commercial St

STREET ADDRESS

43-4-1

CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

BUILDING INDICATION ON MAP: 3 (EX; BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: General Marine Construction

LOCATION OF BUSINESS IN BLDG: 1st (Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1981 10 yrs (Roger Hale) (Indicate sources of information)

DESCRIPTION OF BUSINESS: Ship building & repair

C.E.O.'S NAME: Young / Cornell DATE: 8/10/87

~~448~~ 446 Comments 59

43-4-1

STREET ADDRESS

CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Decker Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: Bldg #2 (EX: BLDG #1 or #2)

OWNER OF BLDG: Hancock Marine Construction Inc

BUSINESS NAME: None

LOCATION OF BUSINESS IN BLDG: Entire
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: over 10 yrs - Roger Hale
(Indicate sources of information)

DESCRIPTION OF BUSINESS:

Office & shop for H. M. C.
Ship building & repair

C.E.O'S NAME: Irving / Cant

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-1-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

BUILDING INDICATION ON MAP: / (EX; BLDG #1 or #2)

OWNER OF BLDG: General Marine Construction Co. INC

BUSINESS NAME: Holland Marine Services

LOCATION OF BUSINESS IN BLDG: 1st Right
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 7yr (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Vessel Repair

C.E.O'S NAME: Irving / Currell

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-A-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE Construction Co. INC

BUSINESS NAME: Seacoast Electric

LOCATION OF BUSINESS IN BLDG: 2nd
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1986 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: General Electrical Work - Distributing
Material

C.E.O'S NAME: Living / Council

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: Port Quality Shellfish

LOCATION OF BUSINESS IN BLDG: 1st Flr
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1985 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Shellfish Wholesaler

C.E.O.'S NAME: Living / Counsel DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-47-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 1 Map 42-1-1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE Construction Co. Inc

BUSINESS NAME: Portly L. Hale

LOCATION OF BUSINESS IN BLDG: 2nd floor
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1977 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Real Estate Broker

C.E.O.'S NAME: James / Council

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE Construction Co. INC

BUSINESS NAME: Buzzy Bee Workshops

LOCATION OF BUSINESS IN BLDG: 1st Right Rear
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1979 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Truck Repair

C.E.O'S NAME: Living / Council

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: Daugherty Bros.

LOCATION OF BUSINESS IN BLDG: 1st
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1984 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Fish Processing

C.E.O'S NAME: Young / Council

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING:

BUILDING INDICATION ON MAP: 1 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE Construction Co. INC

BUSINESS NAME: Design Services / ~~Structural~~

LOCATION OF BUSINESS IN BLDG: 2nd (Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1983 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Structural Engineers

C.E.O'S NAME: Irving / Council

DATE: 8/10/87

448 / 450 Commercial
STREET ADDRESS

42-6-
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Decker Wharf
NAME OF BUILDING: General Mauns
BUILDING INDICATION ON MAP: - (EX: BLDG #1 or #2)
OWNER OF BLDG: General Mauns

BUSINESS NAME: Holland's Marine Services, Inc

LOCATION OF BUSINESS IN BLDG: 1st Right
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: Jan 1987 (Frances Payne
(Indicate sources of information) Bookkeeper)

DESCRIPTION OF BUSINESS: Repair & maintenance of fishing
boats.

C.E.O.'S NAME: Carroll / Irving DATE: 7/29/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 4 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: General Marine Construction

LOCATION OF BUSINESS IN BLDG: Entire
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 10 yrs (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Boat Building & Repair

C.E.O'S NAME: Living / Council

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-44
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 3 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC.

BUSINESS NAME: Boston Fuel Transport Co

LOCATION OF BUSINESS IN BLDG: 1 Rear
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1962 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Transporting fuel by Barge

C.E.O'S NAME: Living / Canell

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 2 (EX; BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE Construction Co. INC

BUSINESS NAME: Cash Bay Boat Building Co

LOCATION OF BUSINESS IN BLDG: 2
(Ex: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1977 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: Leasing Co. Offices
(Trucks, Cars, Boats)

C.E.O'S NAME: Living / Canell

DATE: 8/10/87

446 Commercial St
STREET ADDRESS

43-4-1
CHART-BLOCK-LOT

WATERFRONT USE SURVEY

NAME OF WHARF: Deakes Wharf

NAME OF BUILDING: _____

BUILDING INDICATION ON MAP: 3 (EX: BLDG #1 or #2)

OWNER OF BLDG: GENERAL MARINE CONSTRUCTION CO. INC

BUSINESS NAME: Forest Landa Inc

LOCATION OF BUSINESS IN BLDG: 2
(EX: 2nd floor, rear right)

DATE BUSINESS ESTABLISHED AT LOCATION: 1977 (Roger Hale)
(Indicate sources of information)

DESCRIPTION OF BUSINESS: offices for Timber Cutting Co.

C.E.O'S NAME: Living / Council

DATE: 8/10/87

SCOTT G. McMULLIN ASA, MAI, SRPA
BUSINESS VALUATIONS & REAL ESTATE APPRAISALS
477 CONGRESS STREET • PORTLAND, MAINE 04101 • (207) 775-7716

April 15, 1987

Ms. Sandy Goolden
Chamber of Commerce
Greater Portland Region
142 Free Street
Portland, ME 04101

Re: Waterfront Task Force
Portland Waterfront Inventory
Dated February 5, 1987

Dear Ms. Goolden:

The initial draft of the above referenced report was submitted to you on February 5, 1987. I am please to provide a revised format which attempts to follow your requests for format and listed information changes of your letter dated April 1, 1987. Please consider this letter report to be in place of the original but reflective of the same information and date.

The study encompasses the water side of Commercial Street, including all piers, from the South Portland Bridge (Million Dollar Bridge) to the Grand Trunk property and also includes the portion of Fore Street from India Street up to and including the Portland Company (Eastern Point Associates).

Properties were identified by the City Assessor's maps and by canvassing the area for review and/or verification of material. Details regarding building square footages, berthing linear feet, rental rates and other data was gathered from the Assessor's property record cards and through discussions with property managers, owners, and developers. The Appraiser conducted a visual inspection of the piers by automobile to determine general characteristics.

Subsequent to comments received on the initial draft, specific properties have been handled in the following manner:

- a.) The inventory of Table #1 lists all of the properties by their current actual zoning of Industrial, Waterfront W-1 and Waterfront W-2. In the summaries, recognition is given to current Waterfront W-2 Zone which is as it states, all of those properties which are currently under the W-2 Zoning. The summary provides a further breakdown entitled Proposed Waterfront W-2 Zone which combines the current Waterfront W-2 Zone with the current Industrial Zone (those properties found on Fore and India Streets). This proposed Waterfront W-2 Zone

is a reflection of the inclusions of these properties in the W-2 Zone as requested by the referendum.

- b.) The former Portland Company property (shown as Eastern Point Associates) is included in its entirety under the Industrial Zone and under the Proposed Waterfront W-2 Zone.
- c.) The residential and office condominium projects on Chandler's Wharf and Portland Pier are shown as completed and 100% occupied. Their associated berthing slips are handled in a similar manner.
- d.) The International Ferry Terminal Building is included, but only those portions of the structure which are actually enclosed.
- e.) Any and all buildings existing within the studied area have been included whether vacant or not. The objective of the study is to identify all existing structures, their current use and the state of their occupancy. Exclusion of structures such as Eastern Point Associates or the former Cumberland Cold Storage Building is considered inappropriate in that a less than accurate picture of the waterfront would result.
- f.) All Commercial Street properties which are located on the harbor side of Commercial Street have been included. Exclusion of any of these would lead to a less than accurate portrayal of the properties which are encompassed within the Waterfront W-1 and W-2 Zones.

On following pages seven tables are presented which provide the Waterfront Inventory, Summaries and Explanatory Graphs.

Table #1

Inventory of Existing Waterfront Users
(Exclusive of Berthing)

This table summarizes the total floor area of buildings as obtained from various sources. At the request of the Chamber, these are categorized in terms of total floor area, ground floor area and upper floor area with specific information on marine and non-marine uses and vacancies. The table delineates and presents totals for the Industrial Zone, the Waterfront W-1 Zone and the Waterfront W-2 Zone. In some instances where information derived from City records was not in agreement with conversations with owners, the Appraiser may have made specific area estimates. The data is shown in highly specific quantities, but it should be recognized that inaccuracies may

and do exist in City or owner estimates.

Table #2

Summary of Waterfront Inventory

This table summarizes Table #1 in terms of the entire waterfront, the specific current zones and, finally, the totals for the Proposed Waterfront W-2 Zone which is a mathematical summation of the Waterfront W-2 and Industrial Zone shown above. This table provides total square footages as well as percentages of total floor areas. Those percentages reflect the ratio of specific categories to the entire floor area of the waterfront or specific zones and then shows a further breakdown of the proportions of marine, non-marine and vacant floors areas first to the total of the ground floor and then to the total of the upper floors for each of the categories.

Table #3

Graphs of Total Floor Area

The two graphs shown here provide a visual depiction of the entire waterfront area (with no delineation between ground and upper levels) for the separate categories under the current zoning and then under the proposed zoning. The vertical axis represents millions of square feet of floor area and the left hand side of each category reflects total floor area in that category while the right-hand side reflects the vacant floor area.

Table #4

Graph of Ground Floor Area

This table presents two graphs in the same format as the above table but is a reflection of the ground floor area of the separate categories only. Thus, the top portion indicates total floor area on the left-hand side and vacant floor area on the right-hand side for each category under the present zoning. The lower table indicates the same but for the proposed zoning reflective of the referendum.

Table #5

Graph of Upper Floors

This table presents two graphs in a format similar to the two described above but showing only upper floor areas of the respective zoning categories both under the current zoning and under the proposed zoning.

Table #6

Current Rental Rate Summary

This summary identifies current asking rents or recently negotiated rents for specific locations with comments and conditions noted. This table is considered to provide a representation of current market rental rates of buildings on the waterfront.

Table #7

Inventory of Berthing Users and Rental Rates

Table #7 is a summary of linear feet and rental rates of berthing for commercial and pleasure craft with comments as noted. Linear feet of berthing is based upon Assessor's records, discussions with property owners and the Appraiser's estimation of length as scaled from aerial photographs. While the Appraiser has been notified that a 1983 COG Study reported about 10,000 SF less when considering both Portland and South Portland, the information presented here is considered to be reasonably accurate.

Table #8

This is a graphical presentation of the subtotals by zoning and the total berthing for the waterfront delineating between pleasure and commercial craft.

CONCLUSIONS

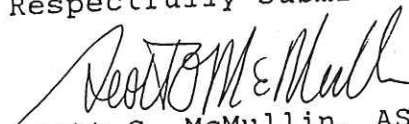
Based on our research and the above summaries, the following conclusions have been reached.

- 1.) There is a total of 1,424,232 SF of building area in the studied area. Of that, 353,238 SF or 24.80% of the waterfront buildings are vacant.
- 2.) There is a total of 770,319 SF of ground floor building area of which 139,727 SF or 18.14% of the ground floor area is vacant.
- 3.) There is 658,713 SF of floor area above the ground floor of which 213,511 SF or 32.41% of the upper floors is vacant.
- 4.) There is 513,046 SF of total floor area in the Waterfront W-1 Zone of which 19,257 SF of 3.75% is vacant.
- 5.) There is a total of 666,596 SF of total floor area in the current Waterfront W-2 Zone of which 190,104 SF or 28.52% is vacant.

- 6.) Should the Waterfront W-2 Zoning be extended to include those properties identified on the Fore and India Street areas, the total floor area of the extended Waterfront W-2 Zone would be 911,186 SF of which 336,981 SF or 36.65% would be vacant.
- 7.) In the current Waterfront W-2 Zone, 54.80% of the upper floors are vacant. If the Waterfront W-2 Zone is extended as proposed, that vacancy will increase to 60.41%.
- 8.) There is approximately 23,170 linear feet of berthing available in the harbor with little or no vacancy. 29.10% of that is pleasure oriented while 70.90% is used for commercial purposes. The weighted average rental rate is approximately \$4.20/LF for both categories. Only 10.50% of the pleasure berthing is located on wharves other than the four found within the more permissive W1 Zone.

The information presented in the tables above was obtained primarily in January of 1987 and may be considered to be reflective of the actual use of the Portland Waterfront as of year-end 1986. The revisions which have been made to the initial report have been made with that reporting date in mind. Thank you for allowing us to be of further service to you. If you have any questions regarding this study, please feel free to contact us.

Respectfully submitted,


Scott G. McMullin, ASA, MAI, SRPA
Appraiser

SGM/cj
Encls.

Table #1

Inventory of Existing Waterfront Users
(Exclusive of Berthing)

ASSESSR STREET #	STREET	IDENTIFICATION	BLDG HGT	TOTAL FLOOR AREA (SF)	TOTAL VACANT	GROUND FLOOR (SF)				UPPER FLOORS (SF)			
						TOTAL	MARINE	NON-MARINE	VACANT	TOTAL	MARINE	NON-MARINE	VACA
2 - 82	FORE STREET	EASTERN PT. ASSOC	1-3	161,527	138,877	112,537		112,537	89,887	48,990		48,990	48,9
82 -140	FORE STREET	FARLEY (FORMER AHER HOIST)	1&2	33,840		29,640		29,640		4,200		4,200	
144 -156	FORE STREET	"144 FORE STREET"	1&2	34,223		32,303		32,303		1,920		1,920	
1 - 9	INDIA STREET	CANADIAN NATIONAL	3	15,000	5,000	5,000		5,000		10,000		10,000	5,0
TOTALS FOR INDUSTRIAL ZONE				244,590	143,877	179,480	0	179,480	89,887	65,110	0	65,110	53,9
78 - 84	COMMERCIAL STREET	CHANDLER'S WHARF CONDOMINIUMS	4	135,200		19,400		19,400		115,800		115,800	
94 - 96	COMMERCIAL STREET	DRY DOCK RESTAUR.	2	4,128		2,148	2,148			1,980	(2,148)	4,128	
102 -104	COMMERCIAL STREET	GENERAL STORE	3	15,453	5,151	5,151	5,151			10,302	(5,151)	15,453	5,1
106 -132	COMMERCIAL STREET	THOMAS BLOCK	4	8,096	8,096	2,024		2,024	2,024	6,072		6,072	6,0
136 -142	COMMERCIAL STREET	THOMAS BLOCK	4	52,800	5,060	13,200		13,200		39,600		39,600	5,0
154 -182	COMMERCIAL STREET	CARROLL BLOCK	5	18,281		3,798		3,798		14,483		14,483	
154 -182	COMMERCIAL STREET	LONGFELLOW CRUISES				112	112			(112)		(112)	
154 -182	COMMERCIAL STREET	LONGFELLOW CRUISES	1							2,643		2,643	
154 -182	COMMERCIAL STREET	KEY BANK	2	5,286		2,643		2,643			1,300	(1,300)	
154 -182	COMMERCIAL STREET	MARINE SOCIETY											
184 -210	COMMERCIAL STREET	FENDERSON BROKERS	2&3	15,988	950	6,620	4,180	2,440	950	9,368	5,621	3,747	
184 -210	COMMERCIAL STREET	HARRIS MARINE SUPPLY	2&3	39,479		15,778	15,778			23,701	23,701		
184 -210	COMMERCIAL STREET	HARRIS CO.	1	14,800		11,200	5,600	5,600		3,600	1,800	1,800	
184 -210	COMMERCIAL STREET	HARRIS INDUS & MARINE	1	6,383		6,383		6,383					
214 -220	COMMERCIAL STREET	CARR BROS.	1	8,784		4,392	4,392			4,392	4,392		
	CUSTOM HOUSE WHARF	LOBSTERS	2	4,050		2,025	2,025			2,025	2,025		
	CUSTOM HOUSE WHARF	CASCO BAY LINES OFFICES	2	8,000		4,000	4,000			4,000	4,000		
	CUSTOM HOUSE WHARF	HARBOR FISH	2	8,346		4,173	4,173			4,173	4,173		
	CUSTOM HOUSE WHARF	A.L. GRIFFIN MARINE SUPPLY	2	12,928		6,464	6,464			6,464	6,464		
	CUSTOM HOUSE WHARF	BALIZANO FISHING	2	17,600		8,800	8,800			8,800	(8,800)	17,600	
	CUSTOM HOUSE WHARF	BOONES & PORTHOLE RESTRS	2	10,800		7,200	7,200			3,600	3,600		
	CUSTOM HOUSE WHARF	R&S SEAFOOD	1&2	10,895		8,435	8,435			2,460	2,460		
	CUSTOM HOUSE WHARF	SEACOAST OCEAN SERVICES	1&2	8,000		4,000	4,000			4,000	4,000		
	CUSTOM HOUSE WHARF	CASCO BAY LINES WAREHOUSE	2	28,000		14,000		14,000		14,000		14,000	
	LONG WHARF	DINILLO'S RESTR.	2	1,950		1,950	1,950						
	LONG WHARF	OLD PORT YACHT SALES	1	1,655		1,655		1,655					
11 - 17	PORTLAND PIER	JAY'S OYSTER BAR	1	3,600		3,600	3,600			7,200	(3,600)	10,800	
12 - 18	PORTLAND PIER	KRIGER ATTY.	3	2,610		1,530		1,530		1,080		1,080	
29 - 51	PORTLAND PIER	LEDGEWOOD CONSTRUCTION	2	53,750		13,750		13,750		40,000		40,000	
32 - 54	PORTLAND PIER	CONDOMINIUMS	4	2,036		2,036	2,036						
53 - 59	PORTLAND PIER	BROOKS, RON	1								1,219	(1,219)	
56 - 60	PORTLAND PIER	INTL MARINE UNDERWRITERS	2	2,438		1,219	1,219			1,219		1,219	
56 - 60	PORTLAND PIER	NEW MEADOWS LOBSTER	2	2,760		1,300	1,300			1,300	1,380		
56 - 60	PORTLAND PIER	NEW MEADOWS LOBSTER	2	1,750		1,750	1,750						
56 - 60	PORTLAND PIER	NEW MEADOWS LOBSTER	1										
TOTALS FOR WATERFRONT WI ZONE				513,046	19,257	180,816	94,393	86,423	2,974	332,230	47,001	285,229	16,2

Table #1 (Cont.'d.)

Inventory of Existing Waterfront Users
(Exclusive of Berthing)

ASSESSR STREET	STREET	IDENTIFICATION	BLDG HGT	TOTAL FLOOR AREA (SF)	TOTAL VACANT	GROUND FLOOR (SF)				UPPER FLOORS (SF)				
						TOTAL	MARINE	NON-MARINE	VACANT	TOTAL	MARINE	NON-MARINE	VACA	
	BERLIN MILLS WHARF	GOWEN INC	1	5,483		5,483	5,483							
	COMMERCIAL STREET	FREEMPORT CLAM & FISH	1	1,362		1,362	1,362			5,208	(218)	5,426		
222	COMMERCIAL STREET	THE CHANDLERY	1&3	10,026		10,283		10,283		10,283		10,283		
222-240	COMMERCIAL STREET	K.H. MADES CO INC	2	20,566		7,344	7,344		7,344	14,688	14,688		14,6	
242-250	COMMERCIAL STREET	VACANT	1-2	22,032	22,032	12,623	12,623		8,037	5,812	(12,623)	18,435	6,6	
252	COMMERCIAL STREET	AREJAY RLTY (MOTOR SUPPLY)	1-2	18,435	14,649	4,000	4,000							
258-266	COMMERCIAL STREET	ADAM'S MARINE	1	4,000		1,800	1,800		1,800					
382-396	COMMERCIAL STREET	FORMER ADAM'S MARINE	1	1,800	1,800	8,000	8,000			15,600	2,800	12,800	12,8	
382-396	COMMERCIAL STREET	GOWEN INC	4	21,600	12,800	10,168	10,168							
398-410	COMMERCIAL STREET	IND WELDING & MACHINE	1	10,168		4,312	4,312							
424-430	COMMERCIAL STREET	FATHOMS EAST	1	4,312		1,930	1,930			7,952	7,952			
	COMM/HOLYOKE WHARF	GENERAL MARINE	1	1,930		12,247	12,247							
	DEAKES WHARF	GENERAL MARINE	1-3	20,199		2,780	2,780			5,220	5,220		5,2	
	DEAKES WHARF	GENERAL MARINE	1	2,780		5,220	5,220							
	DEAKES WHARF	GENERAL MARINE	2	10,440	5,220	1,960	1,960			15,000	15,000		8,5	
	DEAKES WHARF	GENERAL MARINE	1	1,960		15,000	15,000			3,976	3,976			
	DEAKES WHARF	SIMONTON COVE & OTHERS	2	30,000	8,500	8,709	8,709							
	HOBSON'S WHARF	ME FISHERIES CORP	1-2	12,685		2,921	2,921			5,997	5,997			
	HOLYOKE WHARF	ME FISHERIES CORP	1	2,921		5,997	5,997			26,150	26,150			
	HOLYOKE WHARF	ME FISHERIES CORP	2	11,994		97,825	97,825			480	480			
	HOLYOKE WHARF	BATH IRON WORKS	1&2	123,975		8,000	8,000							
	MAINE STATE PIER	CASCO BAY ICE & OTHERS	1	8,480		3,600	3,600		3,600					
	MAINE WHARF	GOWEN INC.	1	3,600	3,600	4,000	4,000			800	800			
	MAINE WHARF	GOWEN MARINE SHOP	1	4,800	800	4,000	4,000			535	535			
	MAINE WHARF	BROWN SHIP	1	4,535		4,000	4,000							
	MAINE WHARF	BROWN SHIP	1	4,000		4,000	4,000							
	MAINE WHARF	HOLDEN SEAFOOD	1	4,000		745	745			745	745			
	MAINE WHARF	CENTRAL WHARF TOW BOAT	2	1,490		4,800	4,800		4,800	4,800	4,800		4,8	
	MAINE WHARF	GOWEN INC.	1&2	4,800	9,600	20,010	20,010		20,010	78,390	78,390		78,3	
	MAINE WHARF	FORMER CUMB COLD STORAGE	4-5	98,400	98,400	24,562	24,562			7,117	7,117			
	MERRILL'S WHARF	U.S. NAVY	1	24,562		17,045	17,045							
	NAVAL TRAINING WHF	LION'S FERRY	1-3	24,162		25,250	25,250			22,765	22,765			
	PORTLAND FERRY TERM.	FISH EXCHANGE BLDG	1	25,250		12,735	12,735							4,0
	PORTLAND FISH PIER	MARINE TRADE CENTER	3	35,500	4,022	5,084	5,084			10,829	10,829			
292	PORTLAND FISH PIER	VESSEL SERVICES INC	1	5,084		12,061	12,061							
340	PORTLAND FISH PIER	IND WELDING & MACHINE	1+2	22,890		2,180	2,180							
	STURDIVANT'S WHARF	LITCHFIELD GEAR&LOB TRAPS	1	2,180										
	UNION WHARF	J.M. HUBER				1,800	1,800			900	900			
	UNION WHARF	CHASE LEAVITT & OTHERS	2	2,700										
	UNION WHARF	CHASE LEAVITT & OTHERS												
	UNION WHARF	COZY HARBOR				5,000	5,000							
	UNION WHARF	FISH SUPPLY	1	5,000		6,300	6,300			6,300	2,500	3,800		
	UNION WHARF	FISH SUPPLY	2	12,600		6,850	6,850			1,660	1,340	320		
	UNION WHARF	IMP FISH GEAR & OTHERS				6,850	6,850			7,406	3,606	3,800		7,4
	UNION WHARF	FISH PROCESSING	1.5	8,510		10,080	10,080							
	UNION WHARF	UNITED FISH & OTHERS	1-3	17,486	7,406	1,275	1,275		1,275					
	UNION WHARF	UNION WHARF - VACANT	1	1,275	1,275	1,000	1,000			2,760	2,760			
	UNION WHARF	QUONSETT HUT	1	1,000		2,760	2,760							
	UNION WHARF	PROP UNION WHARF OFFICES	2	5,520		4,104	4,104							
	UNION WHARF	PROP UNION WHARF OFFICES	1	4,104										
	WIDGERY'S WHARF	MISC FISH HOUSES	1	4,104										
	TOTALS FOR WATERFRONT W2 ZONE			666,596	190,104	410,023	399,740	10,283	46,866	261,373	211,809	49,564	143,	

Table #2

SUMMARY OF WATERFRONT INVENTORY

	TOTAL FLOOR AREA (SF)		GROUND FLOOR (SF)				UPPER FLOORS (SF)			
	TOTAL	TOTAL VACANT	TOTAL	MARINE	NON-MARINE	VACANT	TOTAL	MARINE	NON-MARINE	VACANT
TOTALS FOR ALL WATERFRONT	1,424,232	353,238	770,319	494,133	276,186	139,727	658,713	258,810	399,903	213,511
% OF TOTAL FLOOR AREA	100.00%	24.80%	54.09%	34.69%	19.39%	9.81%	46.25%	18.17%	28.08%	14.99%
% OF GROUND FLOOR AREA			100.00%	64.15%	35.85%	18.14%	100.00%	39.29%	60.71%	32.41%
% OF UPPER FLOOR AREA										
TOTALS FOR INDUSTRIAL ZONE	244,590	143,877	179,480	0	179,480	89,887	65,110	0	65,110	53,990
% OF TOTAL FLOOR AREA	100.00%	58.82%	73.38%	0.00%	73.38%	36.75%	26.62%	0.00%	26.62%	22.07%
% OF GROUND FLOOR AREA			100.00%	0.00%	100.00%	50.08%	100.00%	0.00%	100.00%	82.92%
% OF UPPER FLOOR AREA										
TOTALS FOR WATERFRONT W1 ZONE	513,046	19,257	180,816	94,393	86,423	2,974	332,230	47,001	285,229	16,283
% OF TOTAL FLOOR AREA	100.00%	3.75%	35.24%	18.40%	16.85%	0.58%	64.76%	9.16%	55.60%	3.17%
% OF GROUND FLOOR AREA			100.00%	52.20%	47.80%	1.64%	100.00%	14.15%	85.85%	4.90%
% OF UPPER FLOOR AREA										
TOTALS FOR CURRENT WATERFRONT W2 ZONE	666,596	190,104	410,023	399,740	10,283	46,866	261,373	211,809	49,564	143,238
% OF TOTAL FLOOR AREA	100.00%	28.52%	61.51%	59.97%	1.54%	7.03%	39.21%	31.77%	7.44%	21.49%
% OF GROUND FLOOR AREA			100.00%	97.49%	2.51%	11.43%	100.00%	81.04%	18.96%	54.80%
% OF UPPER FLOOR AREA										
TOTALS FOR PROPOSED WATERFRONT W2 ZONE	911,186	333,981	589,503	399,740	189,763	136,753	326,483	211,809	114,674	197,228
% OF TOTAL FLOOR AREA	100.00%	36.65%	64.70%	43.87%	20.83%	15.01%	35.83%	23.25%	12.59%	21.65%
% OF GROUND FLOOR AREA			100.00%	67.81%	32.19%	23.20%	100.00%	64.88%	35.12%	60.41%
% OF UPPER FLOOR AREA										

PROFESSIONAL AFFILIATIONS

American Institute of Real Estate Appraisers, New England Chapter: MAI, (Member Appraisal Institute) Designation.
Society of Real Estate Appraisers, State of Maine Chapter: SRPA (Senior Real Property Appraiser) Designation.
American Society of Appraisers, Massachusetts Chapter: ASA (Senior Member) Designation, Business Valuation and Urban Real Estate.
American Arbitration Association, member of Commercial Arbitration Panel.

EXPERT WITNESS

Qualified as an expert witness in real estate valuation before Superior Court, Counties of Cumberland and Oxford, State of Maine.
Qualified as an expert witness in stock valuation of closely held businesses before U. S. Bankruptcy Court, District of Maine and in Superior Courts, Knox County, State of Maine and Hillsborough County, State of New Hampshire.
Approved by U. S. Bankruptcy Court in the Districts of Maine and New Hampshire.

PUBLICATION

The Valuation of Patents, Valuation (American Society of Appraisers), Oct./Nov. 1976, reprinted: -Business Valuation News, Sept., 1983.
Simple Computer Data Processing for Appraisers, The Real Estate Appraiser and Analyst (Journal of the Society of Real Estate Appraisers), Fall Quarter, 1983 Volume 49 - No. 3.
The Valuation of Professional Goodwill, Bar Bulletin, (Maine State Bar Association), January, 1984, Volume 18 No. 1.
Discount Rate Selection, Business Valuation News, (Official Publication of the Business Valuation Committee, American Society of Appraisers), September, 1986, Volume 5 - No. 3.

RECERTIFICATION

The American Institute of Real Estate Appraisers conducts a voluntary program of continuing education for its designated members. MAI's who meet the minimum standards of this program are awarded periodic educational certification. Mr. McMullin is currently certified.

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Current Owner Information

Card Number 1 of 4
 Parcel ID 043 H001001
 Location 450 COMMERCIAL ST
 Land Use MANUFACTURING & CONSTRUCTION

Owner Address GENERAL MARINE CONSTRUCTION CORP
 446 COMMERCIAL ST
 PORTLAND ME 04101

Book/Page
 Legal 43-H-1-2
 COMMERCIAL ST 442-452
 W 62034

Valuation Information

Land	Building	Total
\$555,770	\$440,050	\$995,820

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1981	1	4204	1

Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
1.424	40608		MANUFACTURING	DEAKES WHARF

Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	2692	MANUFACTURING
2	01/01	1080	MULTI-USE OFFICE
2	A1/A1	1080	SUPPORT AREA

Height	Walls	Heating	A/C
12	METAL-LIGHT		CENTRAL
14	METAL-LIGHT		
4	METAL-LIGHT		

Building Other Features

Line	Structure Type	Identical Units
1	COOLER FREEZE	1
1	COOLER FREEZE	1
1	OVERHEAD DOOR - ROLLING STEEL	1
1	SPRINKLER - WET	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1981	TOWER RADIO	45	1
1981	DOCK-MEDIU	12934	1

