

Fore River Company

5 Milk Street

P.O. Box 7525

Portland, ME 04112

(207) 772-6404

October 15, 1998

Mr. John H. Carroll
Planning Board Chair
City of Portland
389 Congress Street
Portland, ME 04101

RE: Proposed Office Building at 161 Marginal Way

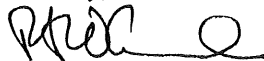
Dear Mr. Carroll,

Thank you for your letter of October 14 regarding the Planning Board hearing on October 13, 1998 at which the proposed office building at 161 Marginal Way was reviewed. Anyone who read your letter but was not at that hearing might incorrectly presume that the application was tabled because the application was incomplete. As you may recall and as the record will clearly reflect, there was discussion on the record that evening as to whether the application was complete. The four Planning Board members present agreed, without dissent from staff present, that the application should be deemed complete and that it was appropriate to proceed to a vote.

The application was tabled during the voting process after one of the four Planning Board members present announced her opposition to the project as presented. Her opposition was stated to be based on her view that the applicant had not demonstrated to the Board's satisfaction that a waiver of the siting standards of Sec. 14-526 (1) (26) (e) was "reasonably necessary to suit the operational or marketing needs of the user(s) of the property." While we disagree with her view on this issue and believe that both we and the proposed tenant provided ample testimony demonstrating 'reasonable necessity,' we understand that Planning Board members vote as they deem fit.

We acknowledge that you share the view that this building should not be approved unless it is located on the front lot line. We object, however, to intentional or unintentional statements which have the effect of muddying the water on what in fact happens at these public hearings. Thank you for this opportunity to clarify the record.

Sincerely,



Peter W. Quesada

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Development Review Coordinator
William Bray, Director of Public Works
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Councillor George Campbell
City Manager Robert Ganley

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