

ATTAR

ENGINEERING, INC

CIVIL ♦ STRUCTURAL ♦ MARINE

Ms. Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

April 19, 2012
Project No.: C089-12

**Re: Portland Sports Center Addition
512 Warren Avenue
Portland, Maine**

Dear Ms. Barhydt:

On behalf of Portland Sports Realty, LLC I have attached a Level III Final Site Plan application for your review and consideration for the referenced project. The project involves adding a new, 18,000 S.F. indoor sports facility to the existing 50,844 S.F. Portland Sports Center dome. The project site (Tax Assessor's Map 271, Block A, Lot 2) is located in the B-4: Commercial Corridor Zone and is approximately 7.16 acres in area.

Please contact me for any additional information or clarifications required.

Sincerely,

Edward Brake, EIT.

cc: Portland Sports Realty, LLC

PORTLAND SPORTS REALTY, LLC
550 WARREN AVENUE
PORTLAND, MAINE 04103
(207) 205-0705

Ms. Shukria Wiar, Planner
City of Portland
Planning & Urban Development Department
389 Congress Street – Room 308
Portland, ME 04101

April 18, 2012

Dear Ms. Wiar:

Please be informed that Kenneth A. Wood, P.E. and Edward A. Brake, E.I.T. of Attar Engineering, Inc. will be acting as my agents for the Site Plan application.

Please contact me if I can provide any additional information.

Sincerely,



Jim Grattello, Portland Sports Realty, LLC

cc: Kenneth A. Wood, P.E. Attar Engineering, Inc.



Level III – 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 to be used for a Level III: 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 and fee structure is contained on page 3 of this 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>

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sf or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sf or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sf or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sf or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sf or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sf of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sf and/or facilities encompassing 20,000 sf or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

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 or 874-8719

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

PROJECT NAME: Portland Sports Center

PROPOSED DEVELOPMENT ADDRESS:

550 Warren Avenue

PROJECT DESCRIPTION:

Proposed athletic training facility associated with the existing Portland Sports Center.

CHART/BLOCK/LOT: Map 271 Block a Lot 2 **PRELIMINARY PLAN** _____ (date)
FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant's Contact for electronic plans
Name: Edward Brake, E.I.T.
e-mail: ed@attarengineering.com
work # (207) 439-6023

Applicant – must be owner, Lessee or Buyer Name: Jim Grattelo Business Name, if applicable: Portland Sports Realty, LLC Address: 550 Warren Avenue City/State: Portland, ME Zip Code: 04103	Applicant Contact Information Work # Home# Cell # (207) 205-0705 Fax# e-mail: jgrattelo@gmail.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Attar Engineering, Inc. Kenneth A. Wood, P.E. Address: 1284 State Road City/State: Eliot, ME Zip Code: 03903	Agent/Representative Contact information Work # (207) 439-6023 Cell # e-mail: ken@attarengineering.com
Billing Information Name: Attar Engineering, Inc. Address: 1284 State Road City/State: Eliot, ME Zip Code: 03903	Billing Information Work # (207) 439-6023 Cell # Fax# (207) 439-2128 e-mail:

<p>Engineer</p> <p>Name: Attar Engineering, Inc. Kenneth A. Wood, P.E. & Edward Brake E.I.T.</p> <p>Address: 1284 State Road</p> <p>City/State : Eliot, Me Zip Code: 03903</p>	<p>Engineer Contact Information</p> <p>Work # (207) 439-6023</p> <p>Cell # Fax# (207) 439-2128</p> <p>e-mail: ken@attarengineering.com ed@attarengineering.com</p>
<p>Surveyor</p> <p>Name:</p> <p>Address:</p> <p>City/State : Zip Code:</p>	<p>Surveyor Contact Information</p> <p>Work #</p> <p>Cell # Fax#</p> <p>e-mail:</p>
<p>Architect</p> <p>Name:</p> <p>Address:</p> <p>City/State : Zip Code:</p>	<p>Architect Contact Information</p> <p>Work #</p> <p>Cell # Fax#</p> <p>e-mail:</p>
<p>Attorney</p> <p>Name:</p> <p>Address:</p> <p>City/State : Zip Code:</p>	<p>Attorney Contact Information</p> <p>Work #</p> <p>Cell # Fax#</p> <p>e-mail:</p>

APPLICATION FEES:

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

<p>Level III Development (check applicable reviews)</p> <p><input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over \$300,00 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 11 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> - Notices (\$.75 each) - Legal Ad (% of total Ad) - Planning Review (\$40.00 hour) - Legal Review (\$75.00 hour) <p>Third party review is assessed separately.</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____ _____ _____ _____</p>	<p>Other Reviews (check applicable reviews)</p> <p>____ Traffic Movement (\$1,000) ____ Stormwater Quality (\$250) ____ Subdivisions (\$500 + \$25/lot) # of Lots ____ x \$25/lot = _____ ____ Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ____ x \$200/lot = _____</p> <p>____ Other _____ ____ Change of Use ____ Flood Plain ____ Shoreland ____ Design Review ____ Housing Replacement ____ Historic Preservation</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____</p>
<p>Plan Amendments (check applicable reviews)</p> <p>____ Planning Staff Review (\$250) ____ Planning Board Review (\$500)</p>	<p>Fees Paid (office use)</p> <p>_____ _____</p>		

APPLICATION SUBMISSION

All site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Submissions shall include one (1) paper packet with folded plans containing the following materials:


1. One (1) full size set of plans that must be folded.
2. One (1) copy of all written materials as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
6. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:  AGENT	Date: 9/20/2012
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PROJECT DATA

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

Total Site Area	7.16 acres
Proposed Total Disturbed Area of the Site	25,150 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	128,453 sq. ft.
• Existing Total Impervious Area	235,663 sq. ft.
• Proposed Total Impervious Area	235,420 sq. ft.
• Proposed Impervious Net Change	-243 sq. ft.
BUILDING AREA	
• Proposed Building Footprint	18,000 sq. ft.
• Proposed Building Footprint Net change	+ 18,000 sq. ft.
• Existing Total Building Floor Area	88,967 sq. ft.
• Proposed Total Building Floor Area	+ 106,967 sq. ft.
• Proposed Building Floor Area Net Change	+ 18,000 sq. ft.
• New Building	YES (yes or no)
ZONING	
• Existing	B4 Commercial Corridor Zone
• Proposed, if applicable	N/A
LAND USE	
• Existing	Jokers Entertainment Ctr., Portland Sports Ctr.
• Proposed	Jokers Entertainment Ctr., Portland Sports Ctr.
RESIDENTIAL, IF APPLICABLE	
• Proposed Number of Affordable Housing Units	N/A
• Proposed Number of Residential Units to be Demolished	N/A
• Existing Number of Residential Units	N/A
• Proposed Number of Residential Units	N/A
• Subdivision, Proposed Number of Lots	N/A
PARKING SPACES	
• Existing Number of Parking Spaces	272
• Proposed Number of Parking Spaces	222
• Number of Handicapped Parking Spaces	10
• Proposed Total Parking Spaces	222
BICYCLE PARKING SPACES	
• Existing Number of Bicycle Parking Spaces	0
• Proposed Number of Bicycle Parking Spaces	28
• Total Bicycle Parking Spaces	28
ESTIMATED COST OF PROJECT	\$ 507,000.00

**General Submittal Requirements – Preliminary Plan (Optional)
Level III Site Plan
Preliminary Plan Phase Check list (if elected by applicant)**

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Completed application form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Application fees
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written description of project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of right, title and interest.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Copies of required State and/or Federal permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of proposed project's compliance with applicable zoning requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written description of existing and proposed easements or other burdens.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written requests for waivers from individual site plan and/or technical standards, where applicable.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written summary of significant natural features located on the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written summary of project's consistency with related city master plans.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Neighborhood Meeting Material (refer to page 13 of this application.)
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input type="checkbox"/>	<input type="checkbox"/>	1	Preliminary Site Plan including the following: (*information provided may be preliminary in nature during preliminary plan phase):
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures 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.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing 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).
<input type="checkbox"/>	<input type="checkbox"/>		▪ 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).

<ul style="list-style-type: none"> Existing and proposed easements or public or private rights of way.

General Submittal Requirements – Final Plan (Required)

Level III 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development.
<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan.
<input checked="" 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 1/4 mile of an intersection identified in a previous traffic study as a failing intersection).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards.
<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1	Final Site Plan Including the following
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed site access and circulation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed grading and contours.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed loading and servicing areas, including applicable turning templates for delivery vehicles
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed snow storage areas or snow removal plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed trash and recycling facilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Existing and proposed utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, public transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed septic system, if not connecting to municipal sewer. (Portland Waste Water Application included in this application)
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed finish floor elevation (FFE).
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Exterior building elevation(s) (showing all 4 sides).
<input checked="" type="checkbox"/>	<input type="checkbox"/>		<ul style="list-style-type: none"> Proposed stormwater management and erosion controls.

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<ul style="list-style-type: none"> ▪ <i>Exterior lighting plan, including street lighting improvements..</i>
<ul style="list-style-type: none"> ▪ <i>Proposed signage.</i>
<ul style="list-style-type: none"> ▪ <i>Identification of existing 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). Wetlands must be delineated.</i>
<ul style="list-style-type: none"> ▪ <i>Proposed alterations to and protection measures for of existing 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).</i>
<ul style="list-style-type: none"> ▪ <i>Total area and limits of proposed land disturbance.</i>
<ul style="list-style-type: none"> ▪ <i>Soil type and location of test pits and borings.</i>
<ul style="list-style-type: none"> ▪ <i>Details of proposed pier rehabilitation (Shoreland areas only).</i>
<ul style="list-style-type: none"> ▪ <i>Existing and proposed easements or public or private rights of way.</i>

Project Summary – Portland Sports Center Addition

1. Description of Project
2. Right, Title, and Interest
3. State and Federal Permits
4. Zoning
5. Easements
6. Waivers
7. Traffic Analysis
8. Natural Features
9. City Master Plans
10. Neighborhood Meeting Material
11. Financial Capacity
12. Technical Capacity
13. Utilities
14. Fire Safety
15. Construction Management Plan
16. Stormwater Management Plan
17. Solid Waste
18. Conformity with Design Standards
19. Emissions Requirements
20. Wastewater Calculations

1. Description of Project

The purpose of this project is to obtain approval and permitting for a proposed 18,000 S.F. indoor sports facility addition to the existing 50,844 S.F. Portland Sports Center dome. The site is identified as Tax Assessor's Map Map 271, Block A, Lot 2, and is located at 550 Warren Avenue. The proposed addition will be a 120' x 150' pre-engineered building that will be constructed at the eastern end of the existing dome. Entrance to the addition will be through the existing dome; doors on the proposed building will be used as emergency exits only.

The proposed building will be located in the area of the existing parking lot. The building addition will result in a net loss of 50 parking spaces. The site contains a Joker's Family Fun and Games amusement center, and the existing Portland Sports Center Dome and an associated storage building. Parking calculations are included on the Site Plan. The existing parking requirement is calculated to be 194 spaces, with 272 existing spaces on site. The total proposed parking is calculated to be 212 spaces, with a total of 222 parking spaces proposed. In discussions with the city, Jim Grattelo of Portland Sports Realty, LLC has shown that the existing parking exceeds the needs of the facilities on the site. The loss of the 50 parking spaces will not adversely affect the parking situation on the site. Additionally, a parking agreement for overflow parking for special events is in place between Joker's and Everett J. Prescott, Inc. located at 530 Warren Avenue. The parking agreement is attached. Parking for special events is managed by the Portland Police Department at the expense of the owner. Additional parking information is attached.

The location of the propose building will also result in the loss of approximately 750 S.F. of existing landscaped areas. This area will be replaced by 995 S.F. of proposed landscaped area around the building as shown on the plan. This results in a net increase of approximately 240 S.F. of landscaped area.

As part of this project, the existing parking lot will be restriped to match the required parking space dimensions listed in the City of Portland Technical Manual Section 1.14. Parking spaces will be 9'x18' with 36-8'x15' spaces for compact cars. Fourteen "Dero Bike Hitch" bicycle racks with twenty-eight bicycle parking places will be provided, as shown on the Site Plan, in accordance with Section 1.15 in the City of Portland Technical Manual.

Site lighting will consist of cut-off wall-pack fixtures to be placed at each door of the proposed building. The light fixtures will be the same as those on the existing building. One parking lot light will be relocated as shown on the Site Plan. No additional parking lot fixtures are proposed. Lighting cut sheets are attached.

The proposed limit of disturbance is shown on the Grading and Drainage Plan. The area of development is approximately 25,150 S.F.

HISTORY OF USE AT THE JOKER'S PROPERTY

- 1997** Joker's opens a 28,000 sq foot family entertainment center
- 1999** Joker's sells 1.4 acres to EJ Prescott with no reduction of parking
- 2003** Portland Sports complex opens a 55,000 sq foot sports dome
(Adding a net gain of 58 additional parking spots)
- 2004** Turf's Sports Grill opens a 3500 sq ft sports bar
(Parking was included in Sports dome site plan and study)
- 2005** Turf's Adds on the "Gold Room" for comedy on Friday nights
(This space reduces Joker's to 23,000 sq ft)
(There is no impact on parking since it's mostly night activity)
- 2005** Children's Academy Day Care opens in 3000 sq feet
(This space reduces Joker's to 20,000 sq ft)
(No impact on parking- kids are dropped off and picked up)
- 2006** Academy of mixed martial arts opens in 3000 sq ft
(This space reduces Joker's to 17,000 sq ft)
(Joker's Sales are down so much parking never an issue)
- 2010** Day Care closes due to the economy
- 2011** Martial arts moves to a new (bigger) location
- 2012** Zumba Dance studio takes over Day care space
(No impact on parking-75% of classes are during school time)
- 2013** Sports Dome applies for expansion

Long term we see Joker's eventually closing and replaced with continued Sports training space. This will further reduce the parking requirements on the property. We currently have 273 parking spots with a use of about 50% at any given time.

*ATTACHMENT D.***SIDE AGREEMENT**

Reference is made to a contract dated November 4, 1999 by and between M.T.S., LLC, a Maine Limited Liability Company with a mailing address of c/o Michael T. Savage, Heritage On The Green, 300 Boylston, Unit #1105, Boston, Massachusetts 02116 ("Seller"), and EVERETT J. PRESCOTT, INC., a Maine corporation with a mailing address of P.O. Box 600, 191 Central Street, Gardiner, ME 04345 ("Buyer").

WHEREAS, the parties have agreed to certain provisions in the contract that will be merged into the deed; and

WHEREAS, several of the obligations contained in the contract shall survive the closing; and

WHEREAS the parties have agreed to make provision for the obligations, covenants and agreements to survive the closing.

WHEREFORE, in consideration for these mutual covenants, the parties agree as follows:

The Buyer shall grant and hereby grants a license for weekend parking for the employees of Jokers, a partnership affiliated with the Seller, and a Tenant at Seller's Warren Avenue property, for hours limited to between 5:00 p.m. and 11:00 p.m. on Friday, all day Saturday and all day Sunday. The license to park shall be revocable upon 30 days notice to the Seller in writing effective from the date of posting, to be mailed to the Seller, c/o Michael T. Savage, Heritage On The Green, 300 Boylston, Unit #1105, Boston, Massachusetts 02116.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of
the date stated hereinbelow.

SELLER
M.T.S., LLC
a Maine Limited Liability Company

11/7/99
Dated

By: Michael T. Savage
Michael T. Savage, its Member,
duly authorized

BUYER
EVERETT J. PRESCOTT, INC.

Dated

By: _____
Edward H. Boudreau, its Treasurer,
duly authorized

149976/15591.5752.PSM is

**PARKING REQUIREMENTS/ TRAFFIC
JOKER'S & PORTLAND SPORTS CENTER**

IN 1997, JOKER'S, AFTER HAVING GONE THROUGH A FULL SITE PLAN APPROVAL PROCESS, ADDED 10,000SF TO AN ALREADY EXISTING 16,000SF "GROSSMAN'S" BUILDING ON WARREN AVE.

THE EXTENSIVE SITE PLAN REVIEW INCLUDED SEVERAL TRAFFIC STUDIES, (SEE ATTACHMENT #1A&1B.), ZONING DETERMINATIONS, PARKING REQUIREMENTS, ENVIORNMENTAL SURVEYS AND STORMWATER AND EROISION CONTROL ANALYSES.

AS PART OF THIS REVIEW THESE FINAL DETERMINATIONS WERE MADE:

1. BECAUSE REGULAR ZONING REGULATIONS FOR PARKING DIDN'T FIT THE UNUSUAL NATURE OF JOKER'S OPERATIONS, THE ZONING WAS DETERMINED TO BE PART GENERAL ASSMBLY, PART RESTAURANT, AND PART RETAIL.

2.AFTER HAVING CONDUCTED SEVERAL PARKING STUDIES AT A JOKER'S LOCATION IN PORTSMOUTH , NH, TWO BONKER'S LOCATION IN MASSACHUSETTS AND AT THE SITE IN PORTLAND, IT WAS DETERMINE THAT 215 PARKING SPACES WOULD BE REQUIRED JOKER'S DECIDED TO ADD 35 MORE SPACES FOR A SAFETY FACTOR BRING THE TOTAL TO 250.

JOKERS WAS OPEN FOR ITS' FIRST FULL YEAR OF OPERATIONS IN 1998 AND GENERATED JUST OVER \$1,600,000 IN VOLUME. DURING IT'S BUSIEST WEEK (FEBRUARY SCHOOL VACATION 1998) THERE WERE ALWAYS OVER 40 PARKING SPACES STILL AVIALABLE.

IN 1999, JOKER'S SOLD APPROXIMATELY 1.4 ACRES OF LAND INCLUDING A BUILDING TO EJ PRESCOTT. THIS DID NOT INCLUDE ANY OF THE JOKER'S PARKING BUT DID INCLUDE A SIDE AGREEMENT WITH EJ PRESCOTT TO ALLOW JOKER'S TO PARK ON THEIR PROPERTY ON WEEKENDS. (SEE ATTACHMENT #2.)

IN 2003, JOKER'S GAVE LAND TO PORTLAND SPORTS COMPLEX, INC TO BUILD A 55,000SF INDOOR ATHLETIC FACILITY. A FULL SITE PLAN REVIEW MADE THE FOLLOWING DETERMINATION:

1. IN 2003 AN ADDIONAL TRAFFIC AND PARKING STUDY WAS DONE (SEE ATTACHMENT #3.) AND CONFIRMED THAT PEAK PARKING SPACE REQUIRED FOR JOKER'S WAS 150 PARKING SPACES AND THEREFORE JOKER'S WAS ALLOWED TO REDUCE IT'S SPACES TO 172. THE ADDITIONAL PARKING REQUIRED FOR THE PORTLAND SPORTS COMPLEX WOULD BE 101 SPACES BRINGING THE TOTAL AVAILABLE TO 273.

CURRENT UPDATE:

THE PARKING REQUIREMENTS FOR BOTH FACILITIES HAVE DIMINISHED DRASTICALLY. JOKER'S VOLUME FROM 1998 TO 2011 HAS DROPPED OVER 50% TO \$860,000. SPENDING PER CAPITA IS THE SAME, THERE ARE JUST FEWER PEOPLE COMING THROUGH THE FRONT DOOR. DURING SCHOOL VACATION 2012, AT PEAK TIME SATURDAY, THERE WERE OVER 45 PARKING SPACES STILL AVAILABLE ON THE JOKER'S SIDE. PORTLAND SPORTS CENTER, IN IT'S CAPACITY AS AN ATHLETIC FACILITY, ONLY USES HALF IT'S PARKING SPACES PROVIDING AN ADDITIONAL 50 EMPTY SPACES ON OUR BUSIEST DAY. THE ONLY TIME THE PARKING LOT IS CLOSE TO BEING FULL IS FOR ONE TRADE SHOW (MAINE PRODUCTS SHOW). THEY ARRANGE FOR OFFSITE PARKING FOR ALL VENDORS AT APPLICATORS SALES SO THAT THERE IS NEVER A PARKING ISSUE. FOR ALL OTHER TRADE SHOWS PARKING IS ADEQUATE ALTHOUGH WE DO UTILIZE THE EJ PRESCOTT PARKING FOR EMPLOYEES. AT NO TIME IS THERE EVER PARKING ON WARREN AVE AND FOR ALL MAJOR EVENTS, WE HIRE THE PORTLAND POLICE FOR TRAFFIC CONTROL.

SUMMARY:

WE CURRENTLY HAVE 100 EXTRA PARKING SPACES ON OUR BUSSIEST DAY OF THE YEAR AND 150 OR MORE ON A REGULAR BASIS. EVEN WITH THE EXPANSION OF THE DOME AND THE LOSS OF 50 SPACES WE WILL STILL HAVE 50 EXTRA SPACES ON OUR BUSIEST DAY AND 100 ON A REGULAR BASIS. THE EXPANSION WILL REQUIRE ABOUT 15 SPACES BUT 80% OF THE TIME THIS WILL BE 7PM TO MIDNIGHT WHEN JOKER'S IS CLOSING

SINCE WE OWN THE WHOLE PROPERTY AND MANAGE ALL THE BUSSINESS WE CAN MAKE SURE WE NEVER HAVE COMPETING EVENTS, AT THE SAME TIME, THAT REQUIRE TOO MUCH PARKING.

JOHN L. MURPHY, P.E.

ATTACHMENT 1A.

Civil Engineer
Traffic Engineer

RR1, BOX 6300
WEST BALDWIN, MAINE 04091-9745
207-625-8222

To: Bill Bray

From: Jack Murphy

J. Murphy 9/13/96

Re: Proposed "Jokers 2" on former Grossman's site, Warren Ave. -
Traffic.

General

The developer will use the Grossman's site on Warren Avenue for a 430 seat entertainment center. The existing site has 27,200 square feet of main buildings plus 4475 square feet of open sided lumber sheds. The Grossman's facility is currently closed. The proposed project will result in 37,200 square feet of usable building space with 26,400 square feet used for the 430 seat entertainment center and one existing 10,900 square foot building to remain in warehouse use. (Addition of 10,000 square feet is proposed for the other building.) Also, a miniature golf course and a possible "go cart" track may be added outside at some time in the future.

Trip Discussion

The former Grossman's site with 27,200 square feet of closed buildings (the 4475 square feet of sheds are not considered for trip generation purposes) is estimated to have generated 140 Saturday peak hour trips with 71 entering and 69 exiting. This is based upon the Institute of Transportation Engineers' 1995 updated report "Trip Generation".

The developer has supplied traffic counts taken at similar entertainment facilities in Peabody and Weymouth, Massachusetts. These facilities and the related count dates are as follows:

1. Bonkers 22,500 sq. ft., 438 seats, Peabody, MA
Saturday 6/4/94 11:00 - 16:00
2. Bonkers 26,000 sq. ft., 418 seats, Weymouth, MA
Sunday 6/5/94 11:00 - 16:00

The peak hour for the Peabody facility was between 1420 and 1520 with 41 entering vehicles and 34 exiting vehicles for a total of 75 trips per hour. A secondary peak hour of 68 trips occurred between 1220 and 1320. The larger facility (26,000 sq. ft.) in Weymouth had a Sunday peak hour between 1200 and 1300 with 57 entering and 8 exiting vehicles for a total of 65 trips per hour.

The smaller facility of 22,500 square feet located in Peabody had the greater number of weekend trips during a Saturday afternoon. This facility has a greater number of seats than the larger facility in Weymouth (438 versus 418). This is important because customers pay for and occupy seats for two hour periods. Thus available seats are potentially a better variable for trip generation estimates. However, since the proposed "Jokers 2" in Portland will have greater enclosed floor area, a more conservative estimate of trips results based upon a ratio of floor space.

Therefore assuming that the Portland "Jokers 2" will have 26,400 square feet of floor space and the Peabody, Mass. Bonkers facility had 22,500 square feet, the Saturday 6/4/94 peak hour count of 75 trips was factored by 1.17 to result in an estimated 86 Saturday peak hour trips for the Portland project. Of these trips, 48 are estimated to enter and 40 exit. The remaining 10,800 square foot warehouse is expected to generate only 2 additional trips on Saturday, thus total Saturday peak hour impact is an estimated 90 trips.

The available data from these two counts plus summary data from two other weekend counts at the Peabody and Weymouth Bonkers also included vehicle occupancy data for all entering vehicles. The vehicle occupancy resulted in over 3 persons per vehicle in all counts. Therefore, if 3 persons per vehicle arrive in 48 vehicles during an hour, 144 seats are occupied. Since seats are occupied for 2 hours, and only 430 total seats are to be available in Portland, this estimate would represent a reasonable estimate of a peak hour during a school year.

Conclusions

1. Based upon factored available counts of similar facilities and an estimate of trip generation from the former Grossman's, the Grossman's facility could be expected to generate 140 Saturday peak hour trips while the proposed "Jokers 2" total project is estimated to generate 90 Saturday peak hour trips.
2. The Saturday peak hour is the greatest impact for both a retail lumber store and a recreational facility.
3. Thus the existing site has already been permitted for the expected trip impact of the proposed facility, and no future traffic impact analysis should be required for approvals.

J. Murphy
7/13/96

Bentley

TRAFFIC STUDY - # CARS OCCUPANCY WEYMOUTH

I	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	
																												TIME
2	0:00			0	0																					0	6/5/94	
3	1:10			0	0																						0	
4	1:20			0	0																						0	
5	1:30	4	0	4	4	1	1	1	1																		0	
6	1:40	5	0	5	9	3	1	2	1	1																	4	
7	1:50	4	0	4	13	1	1	1	1																		8	
8	2:00	12	1	11	24	1	4	7	1	5	3	1	5	8	4	1	3									4		
9	2:10	8	3	5	29	4	4	3	1	3	7	3	6													43		
10	2:20	9	0	9	38	3	3	3	2	1	1	7	3	5												31		
11	2:30	5	0	5	43	4	5	8	3	2																28		
12	2:40	13	2	11	54	4	2	4	1	3	3	2	4	6	3	5	2	8								22		
13	2:50	10	4	6	60	5	1	5	2	4	3	2	5	2	3											47		
14	3:00	5	4	1	61	3	3	2	3	3																32		
15	3:10	4	1	3	64	4	3	3	1																	14		
16	3:20	4	0	4	68	2	9	1	1																	11		
17	3:30	1	0	1	69	3																				13		
18	3:40	5	1	4	73	3	2	5	5	3																3		
19	3:50	2	4	-2	71	2	3																			18		
20	4:00	3	5	-2	69	3	2	3																		5		
21	4:10	9	3	6	75	2	2	2	2	2	3	1	1	4												8		
22	4:20	5	8	-3	72	1	4	3	1	8																19		
23	4:30	12	4	8	80	1	1	2	5	7	8	7	5	3	4	3										17		
24	4:40	10	6	4	84	6	1	5	3	3	3	2	4	4	5											49		
25	4:50	13	8	5	89	4	3	4	3	2	4	4	2	5	3	6	4									36		
26	5:00	0	7	1	90	2	2	2	2	4	3	3	3													48		
27	5:10	5	3	2	92	2	5	3	4	2																21		
28	5:20	5	5	0	92	3	2	3	2	3																16		
29	5:30	3	4	-1	91	2	3	4																		13		
30	5:40	1	10	-9	92	3																				9		
31	5:50	4	4	0	82	5	5	11	3																	3		
32	TOTAL	169	67	82	82																					24	Average / Car	
																										546	3.23076923	

Bentley
TRAFFIC STUDY - # CARS OCCUPANCY PEABODY

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	
1	TIME	IN	OUT	NET	TOT	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL	DATE	
2	0:00			0	28	1																				1	6/4/94	
3	1:10	2	3	-1	27	6	4																			10		
4	1:20	7	2	5	32	3	4	3	5	3	2	3														23		
5	1:30	5	4	1	33	5	5	3	3	4																20		
6	1:40	7	1	6	39	2	1	6	7	4	3	3														26		
7	1:50	8	2	6	45	6	1	4	5	3	3	4														26		
8	2:00	4	2	2	47	3	1	5	3																	12		
9	2:10	3	2	1	48	3	5	3																		11		
10	2:20	7	2	5	53	3	3	3	4	2	2	2														19		
11	2:30	12	6	6	59	3	4	4	4	3	2	4	1	1	3	1	3									33		
12	2:40	9	6	3	62	4	5	4	6	2	3	3	4	7												38		
13	2:50	7	4	3	65	2	3	5	1	3	3	4														21		
14	3:00	7	2	5	70	4	1	3	4	4	6	4														26		
15	3:10	3	3	0	70	2	3	1																		6		
16	3:20	3	3	0	70	3	5	3																		11		
17	3:30	2	0	2	72	3	1																			4		
18	3:40	1	1	0	72	2																				2		
19	3:50	2	2	0	72	4	2																			6		
20	4:00	5	1	4	76	2	3	3	3	2																13		
21	4:10	3	2	1	77	6	5	3																		14		
22	4:20	7	4	3	80	1	5	6	1	5	6	6														30		
23	4:30	6	6	0	80	1	5	5	1	3	3															18		
24	4:40	7	4	3	83	3	3	6	2	2	3	5														24		
25	4:50	8	3	5	88	4	3	3	4	4	3	2	3													26		
26	5:00	9	8	1	89	3	6	2	5	3	2	3	7													34		
27	5:10	4	9	-5	84	2	1	5	5																	13		
28	5:20	4	4	0	84	2	2	3	2																	9		
29	5:30	8	8	0	84	5	2	3	4	2	3	3	1													23		
30	5:40	3	7	4	80	2	3	2																		7		
31	5:50	3	7	-4	76	4	1	4																		9		
32	TOTAL	156	103	48	76																					515	Average / Car	
																											3.30120205	

ATTACHMENT 1B.

Additional Traffic Data 11/16/96

A thorough traffic study was conducted at the Joker's Portsmouth site on Saturday, November 16, 1996 between the hours of 10:00am and 5:00pm. Saturday is the busiest day of the week and 12:00pm to 4:00pm is the busiest time period. Traffic study personnel were positioned strategically to insure that proper counts were taken.

The results of the traffic study are attached and are summarized below:

Hour	Total Cars In & Out
10:00-11:00	41
11:00-12:00	39
12:00-1:00	56
1:00-2:00	73
2:00-3:00	56
3:00-4:00	60
4:00-5:00	40

Weather and seasonality affect traffic and volume. The five highest volume days that have occurred at Portsmouth are as follows:

Sat	2/24/96	\$16,232
Sat.	1/27/96	\$14,428
Sat.	3/25/95	\$15,659
Sat.	2/25/95	\$12,980
Sat.	1/21/95	\$12,830

Saturday, February 24th was a rainy Saturday during a school vacation in the highest volume month of the year.

Sales on Saturday when the traffic study was done were \$9,970. The highest in and out traffic count for any hour on Saturday was 73. A multiple of 1.62 (highest sales ever of \$16,232 divided by Saturday actual sales of \$9,970) could be applied thereby indicating that the highest in and out count on the busiest day would be approximately 118 cars.

Additional Trip & Traffic Data

11/2/96

In response to Tom Errico's request for additional data regarding trip generation we submit the following:

- O Joker's in Portsmouth is the same size and concept and has the same demographics as the Portland location. Both locations are projected to produce the same annual sales volume and customer traffic. Although Portland will have outdoor amusement activities, Portsmouth is a high traffic summer tourist area and therefore, volumes for the summer will be the same for both locations. Portsmouth has 186 parking spaces and we have never filled the entire parking lot at any one time. The City of Portsmouth has already admitted that they required too many parking spaces.
- O The traffic counts previously submitted were done at Bonker's in Weymouth and Peabody MA where the demographics including population, traffic, trips etc. are significantly higher overall. These are competitors of Joker's with the same concept. As you can understand, they are not willing to share competitive information regarding sales, cash receipts or customer volume as Tom Errico requested.

Instead, more relevant customer volume and sales information for the same time period at our Portsmouth location is provided below:

	Customer Volume	Sales
Rainy Saturday	438 people	\$7400
Sunny Saturday	288 people	\$5100
Rainy Sunday*	311 people	\$4400
Sunny Sunday*	182 people	\$3300

* Open only until 8:00pm

The average # of people per car that arrives is approximately 2.7 in the summer. As you can see, rainy day volumes are 1.5 to 1.7 times sunny days. If June represents 80 to 85 % of higher volume months then it appears that the trip generations, traffic and parking is not a problem.

- O To add validity to the above data, an additional traffic study was done at Portsmouth on Saturday 11/2/96 from 11:00 am to 5:00pm which is the peak day of the week and the peak time period of the day. It was a partially cloudy day. November is a slightly higher volume month as compared with June.

Attached are the results of the study. The maximum number of parking spaces used was 98. The average number of people per car was 2.84. Had this been a rainy day a multiple of 1.5 applied would mean that 147 spaces would have been used. During our higher volume months, a multiple of 1.2 would mean that 176 spaces would be used.

We hope that this data sufficiently puts to rest any concerns regarding traffic or parking.

summary

End

	In (cars)	Perks	Out		Parking Spots
	<u>28</u>	<u>50</u>			
11:00-11:15	4	14	1	1	31 63
11:15-11:30	5	18	2	0	34 75
11:30-11:45	8	23	5	12	37 86
11:45-12:00	12	25	2	5	47 106
12:00-12:15	14	29	6	14	55 121
12:15-12:30	12	38	9	21	58 138
12:30-12:45	6	21	5	12	59 147
12:45-1:00	11	34	3	6	67 175
1:00-1:15	20	55	6	19	81 211
1:15-1:30	19	48	14	28	81 221
1:30-1:45	15	46	4	12	92 255
1:45-2:00	13	41	8	24	97 270
2:00-2:15	10	26	9	29	98 267
2:15-2:30	5	13	14	46	89 234
2:30-2:45	8	30	6	16	91 248
2:45-3:00	8	30	10	29	89 249
3:00-3:15	7	19	7	17	89 251
3:15-3:30	5	15	7	19	87 247
3:30-3:45	5	16	10	29	82 234
3:45-4:00	5	13	10	37	77 210
4:00-4:15	4	9	12	29	69 190
4:15-4:30	5	17	13	48	61 159
4:30-4:45	11	40	7	30	65 169
4:45-5:00	4	11	5	14	64 166
TOTAL	239	681			

11/18/08

2.84 per car

DATE 11/2/96	EXP. NUMBER ①	EXPERIMENT Parking Survey	Weather = partly cloudy	4
NAME Peter Laturs		LAB PARTNER Yuan Boudreau		LOCKER NUMBER

○ = drop off

Time	Cars	# of People	Cars out	# of people out
Start	28	50 total		
11 → 11:15	IIII	2, 4, 6, 2	I	1
11:15 → 11:30	IIII	4, 3, 2, 3, 6	II	3, 3
11:30 → 11:45	IIII III	3, 2, 4, 2, 2	IIII	1, 2, 4, 2
11:45 → 12:00	IIII III	1, 3, 2, 3, 1, 2, 2, 1, 3, 3, 3, 1	IIII	2, 2, 3, 3
12:00 → 12:15	IIII III	2, 5, 2, 1, 1, 2, 4, 4, 1, 2, 3, 3	IIII I	3, 3, 1, 1, 2, 2, 2
12:15 → 12:30	IIII III	3, 4, 2, 2, 3, 3, 3, 3, 1, 3, 5, 2	IIII III	3, 3, 1, 1, 3, 1, 5, 2
12:30 → 12:45	IIII I	4, 3, 1, 3, 2, 4, 3	IIII	3, 2, 1, 4, 2
12:45 → 1:00	IIII I	3, 3, 3, 3, 4	IIII	2, 2, 2
1:00 → 1:15	IIII III	1, 2, 3, 1, 2, 2, 4	IIII I	1, 4, 3, 4, 2
1:15 → 1:30	IIII III	1, 1, 3, 3, 5, 2, 2, 4, 2	IIII III	5, 4, 2, 2, 3, 2, 2
1:30 → 1:45	IIII III	2, 6, 3, 1, 4, 2, 2, 3, 2, 3	IIII III	3, 1, 2, 3, 5, 2, 1
1:45 → 2:00	IIII III	1, 2, 3, 3, 6, 7, 4, 5, 6, 2	IIII III	3, 3, 4, 2
2:00 → 2:15	IIII III	2, 5, 2	IIII III	3, 2, 5, 2, 2, 6, 2
2:15 → 2:30	IIII III	3, 5, 2, 3, 1, 8, 1, 1	IIII III	2, 2, 3, 4, 3, 4
2:30 → 2:45	IIII III	4, 2, 3, 5	IIII III	4, 3, 1
2:45 → 3:00	IIII III	2, 1, 2, 2, 5, 2, 1, 3, 6	IIII III	3, 2, 3, 4, 2, 4
3:00 → 3:15	IIII III	3, 2, 3, 3, 2	IIII III	1, 3, 4, 2, 3, 5
3:15 → 3:30	IIII III		IIII III	2, 5

DATE 11/2/95	EXP. NUMBER	EXPERIMENT Parloing survey	19 d
NAME Peter Latus		LAB PARTNER Tuan Boudreau	LOCKER NUMBER 5

230 → 245	 III 2, 6, 5, 5, 4, 3, 2	out I	Part 1 2, - x 2, 2, 3, 5
245 → 3:00	 III 4, 2, 7, 3, 5 3, 1, 5	 III	3, 1, 5 4, 1, 5 1, 1, 3, 4, 5, 5
3 → 3:15	 II 4, 5, 6, 1, 1, 1	 II	3, 1, 6, 1, 1, 4, 1
3:15 → 3:30	 2, 3, 2, 6, 2	 II	2, 2, 2, 3, 3, 5
3:30 → 3:45	 3, 1, 5, 3, 3	 III	6, 1, 2 4, 3, 4, 1, 2 5
3:45 → 4:00	 4, 1, 1, 4, 3	 III	3, 3, 2, 2, 6, 5 7, 1, 3, 5
4:00 → 4:15	 4, 2, 2, 1 4, 2, 2, 1	 III	2, 6, 2, 3, 2, 3, 2 4, 1, 1, 3
4:15 → 4:30	 5, 3, 5, 3, 1	 III	3, 2, 5, 3, 5, 3, 3 2, 6, 6, 2, 3, 5
4:30 → 4:45	 III 5, 3, 3, 2 3, 4, 3, 8, 4, 2 3	 III	7, 3, 3, 3, 5 2, 4, 3
4:45 → 5:00	 3, 2, 3, 3	 III	3, 2, 3, 2, 4

ATTACHMENT 2.

SIDE AGREEMENT

Reference is made to a contract dated November 4, 1999 by and between M.T.S., LLC, a Maine Limited Liability Company with a mailing address of c/o Michael T. Savage, Heritage On The Green, 300 Boylston, Unit #1105, Boston, Massachusetts 02116 ("Seller"), and EVERETT J. PRESCOTT, INC., a Maine corporation with a mailing address of P.O. Box 600, 191 Central Street, Gardiner, ME 04345 ("Buyer").

WHEREAS, the parties have agreed to certain provisions in the contract that will be merged into the deed; and

WHEREAS, several of the obligations contained in the contract shall survive the closing, and

WHEREAS the parties have agreed to make provision for the obligations, covenants and agreements to survive the closing.

WHEREFORE, in consideration for these mutual covenants, the parties agree as follows:

The Buyer shall grant and hereby grants a license for weekend parking for the employees of Jokers, a partnership affiliated with the Seller, and a Tenant at Seller's Warren Avenue property, for hours limited to between 5:00 p.m. and 11:00 p.m. on Friday, all day Saturday and all day Sunday. The license to park shall be revocable upon 30 days notice to the Seller in writing effective from the date of posting, to be mailed to the Seller, c/o Michael T. Savage, Heritage On The Green, 300 Boylston, Unit #1105, Boston, Massachusetts 02116.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of
the date stated hereinbelow.

SELLER
M.T.S., LLC
a Maine Limited Liability Company

11/7/99
Dated

By: Michael T. Savage
Michael T. Savage, its Member,
duly authorized

BUYER
EVERETT J. PRESCOTT, INC.

Dated

By: _____
Edward H. Boudreau, its Treasurer,
duly authorized

149V76/15391.5751.PSM.15

ATTACHMENT 3.

JOHN L. MURPHY, P.E.

Civil Engineer
Traffic Engineer221 BROWN ROAD
WEST BALDWIN, MAINE 04091
207-625-8222Peter B. Biegel
P.O. Box 86A
Cumberland, Me
04021

4-3-03

Re: Portland Sports Center - Traffic
Dear Peter,

I reviewed my files of the Jokers II traffic study in 1996. This study had two main assumptions as follows:

1. All impact was expected to occur between 6:00 PM Friday and on the weekend.
2. The basis for the traffic was a Saturday peak hour of 130 trips during school vacation in February.

The attached Parking Analysis shows peak parking space occupancy of 150 spaces on a weekend or during school vacation. The Jokers patrons rent seats for two hours; therefore the 130 trips seem accurate (1 vehicle produces 2 trips). These vehicles have a high occupancy of 3 persons, which also correlates with the available seats.

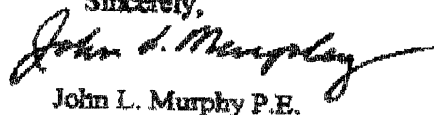
The same things that apply to Jokers II apply to the Portland Sports Center with the exception that the field (3 fields in the case of younger players) and the 6 batting cages rent for one hour rather than two hours. The owners have observed parking space occupancy of 111 spaces from a stand alone similar facility during peak times. This should be high as some Jokers II patrons are expected to use the Sports Center as a shared trip.

The special events will not be held during peak times of Jokers II. These events will be in the evening only. The special events also will require that there be only one bigger field not three small fields used for the younger players.

Conclusions

1. The Portland Sports Center, like Jokers II, will not impact the weekday AM or PM traffic peak hour periods.
2. A special event will only impact nighttime traffic on a weekend or week night.
3. The Portland Sports Center will generate additional traffic on a normal weekend or on a weeknight when traffic on City streets is lower volume than on weekdays.
4. Based on parking observation data provided by the owners the weekend or weeknight impact of the Sports Center should be approximately 100 trips per hour.

Sincerely,



John L. Murphy P.E.

Re: Traffic volumes - design hour- Joker's Portland

A traffic study was conducted at Portland, Maine Joker's on Saturday, 4/20/03 to determine total peak hour traffic at this site. The count was conducted to verify and update the traffic study conducted when Joker's opened in 1996. The study was conducted by Bill Latvis of Joker's II under the same close supervision and standards as were applied in 1996.

The study revealed a total peak hour of 62 vehicles between 11:45am-12:45pm and also 12:00pm-1:00pm. A copy of the data is attached. Saturday is Joker's busiest day each week. The volume for Joker's on that day was \$8,395. Sales figures were obtained for the five busiest Saturday's in the past five years and are listed on the attached study. The heaviest day was Saturday, 3/2/02. The volume on that day was \$17,831. Using this highest dollar figure accounts for weather and other variables and results in a ratio of 2.12. If 62 cars per hour is factored by 2.12, the design hour volume would be 131 vehicles per hour. It is unusual to design anything for the highest day of the year and normal highway design uses the 30th highest hour.

This study confirms the accuracy of the study done in 1996 in that this is less than the 140 trips per hour expected from the previous Grossman's site using the ITE volumes.

DATA TRAFFIC & PARKING - PORTLAND JOKER'S 4/17/03

TIME	IN	OUT	TOTAL	# PARKING
10:00-11:00	3	0	3	3
11:00-12:00	3	1	4	5
12:00-1:00	4	2	6	7
1:00-2:00	2	2	4	7
2:00-3:00	1	1	2	7
3:00-4:00	1	0	1	8
4:00-5:00	5	3	8	10
5:00-6:00	5	3	8	12
7:00-8:00 <i>Cliff</i>	4	7	11	9
8:00-9:00	1	8	9	2
VOLUME ON 4/17/03 = \$2,040				

DATA COUNT PORTLAND JOKER'S 4/20/03

TIME	IN	OUT	TOTAL	HOURLY TOTAL
10:00-10:15	7	2	9	
10:15-10:30	8	1	9	
10:30-10:45	9	2	11	
10:45-11:00	10	2	12	41
11:00-11:15	14	1	15	
11:15-11:30	12	4	16	
11:30-11:45	9	3	12	
11:45-12:00	10	2	12	55
12:00-12:15	11	7	18	
12:15-12:30	13	5	18	
12:30-12:45	10	4	14	
12:45-1:00	8	4	12	62
1:00-1:15	11	3	14	
1:15-1:30	8	4	12	
1:30-1:45	7	7	14	
1:45-2:00	6	7	13	53
2:00-2:15	6	6	12	
2:15-2:30	7	4	11	
2:30-2:45	5	5	10	
2:45-3:00	7	5	12	45
3:00-3:15	6	3	9	
3:15-3:30	3	4	7	
3:30-3:45	5	5	10	
3:45-4:00	4	3	7	33
4:00-4:15	5	2	7	
4:15-4:30	5	4	9	
4:30-4:45	5	4	9	
4:45-5:00	3	3	3	28
PEAK HOUR				
11:45-12:45	44	18	62	
PEAK HOUR				
12:00-1:00	42	20	62	
VOLUME ON DAY OF TRAFFIC STUDY = \$8,495				
HIGHEST \$ DAYS - LAST FIVE YEARS				
DATE	AMOUNT	\$8,395	RATIO	
03/02/2002	\$17,831	\$8,395	2.12	
03/17/2001	\$17,611	\$8,395	2.10	
03/07/2002	\$17,377	\$8,395	2.07	
03/22/2003	\$17,052	\$8,395	2.03	
03/16/2000	\$16,827	\$8,395	2.00	
		AVERAGE	2.06	
HIGHEST RATIO TIMES VOLUME FOR 4/20/03 = PEAK HOUR TRAFFIC				
2.12	62	131		

Needs explanation for Sports Center

CLARIFICATION OF PARKING ANALYSIS CHART

THE PARKING ANALYSIS DETAILS THE PARKING REQUIREMENTS FOR ALL TIMES AND TYPES OF EVENTS AT THE HIGHEST TRAFFIC LEVELS IN ORDER TO PROVIDE A THOROUGH ANALYSIS.

COLUMN	EXPLANATION
1.&2.	<p>The following businesses will be occupying the site at 512 Warren Ave.:</p> <p style="margin-left: 40px;">Joker's- An indoor family entertainment center with games, food, jungle gym, rides, lazer tag, slide, bounce, etc. It also includes an outdoor championship level miniature golf. Joker's has been in existence since 1996.</p> <p style="margin-left: 40px;">Sports Center- A full size indoor artificial turf field that will be used for all types of team-oriented field sports such as soccer, lacrosse, etc.</p> <p style="margin-left: 40px;">Batting Cages- Six batting cages will be installed for baseball training and practice.</p> <p style="margin-left: 40px;">Additional space for storage, food court, and offices will also be provided..</p>
3.	Parking ratio formula requirements for each of the occupants
4.	The square foot space that each occupant represents.
5.	The parking spaces required for each occupant
6.	<p>The number of participants:</p> <p style="margin-left: 40px;">a. Sports Center- There will be two fields of play. Each field would allow two team per field. This assumes eight teams because four teams will be arriving when four teams are leaving. This also assumes one person per car even though most cars carry several players. This also includes spectators.</p>
7.	This represents the total spaces for field play and events.
8.	This represents spaces required during the day which is the slowest time during the week.
9.	This represents spaces required at night because traffic increases at night

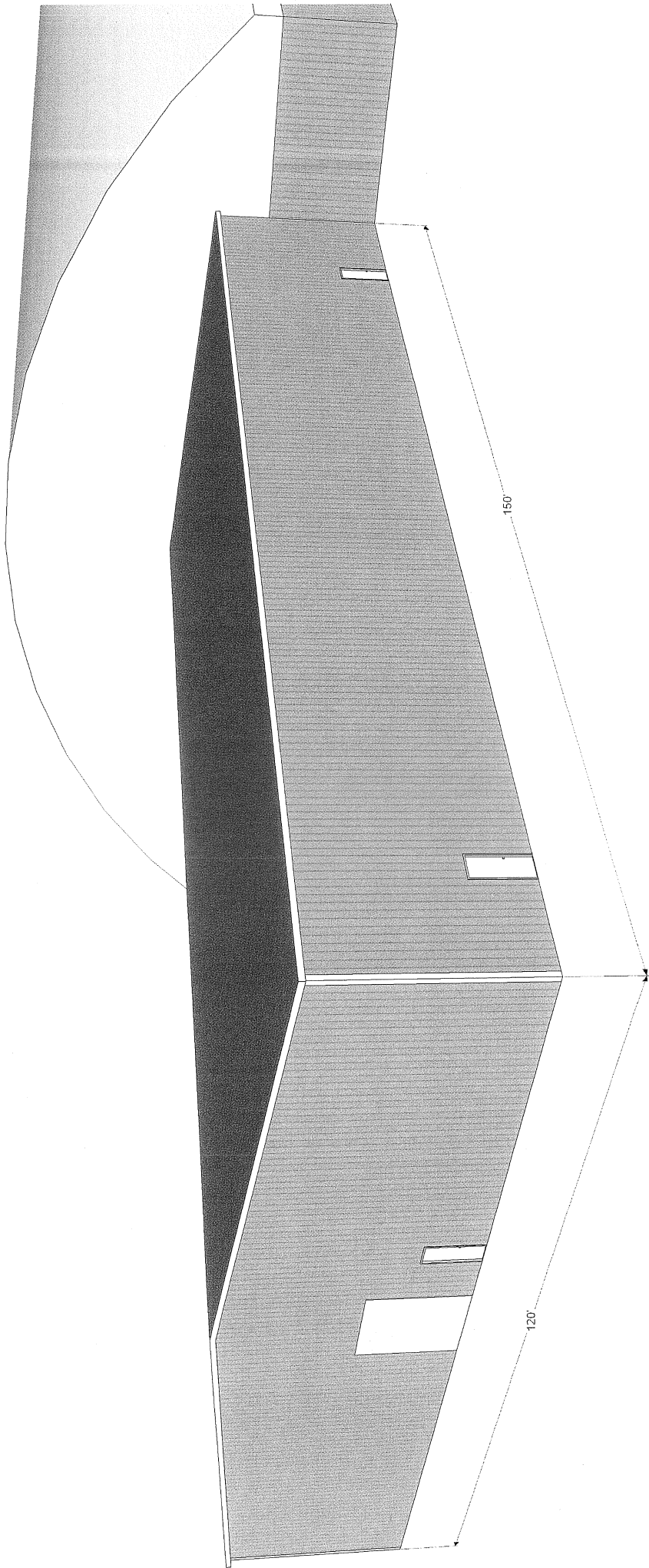
10. This represents the spaces required on Friday evening when traffic is heavier due to a pizza buffet and karaoke held at Joker's every Friday night.
11. This represents spaces required on Saturday and Sunday during the day
12. This represents spaces required on Saturday and Sunday night.
13. This represents the spaces required for the busiest day during school vacations twice per year.
14. This represents the spaces required for any special events in addition to regular business.

CLARIFICATION OF PARKING ANALYSIS CHART

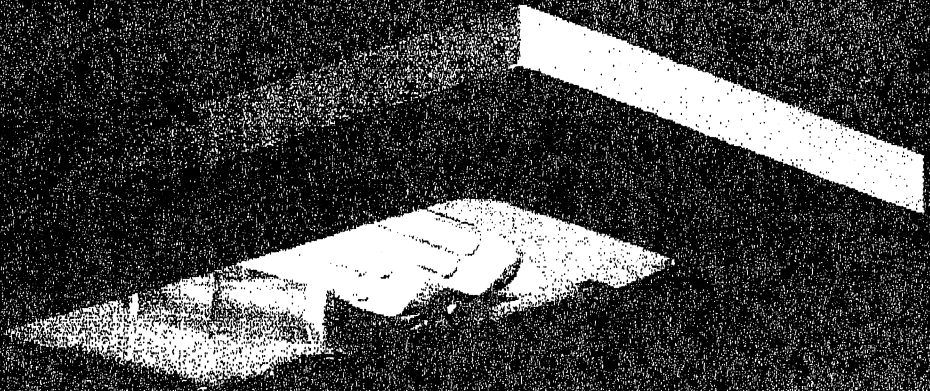
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COLUMN	EXPLANATION
1.&2.	<p>The following businesses will be occupying the site at 512 Warren Ave.:</p> <ul style="list-style-type: none"> Joker's- An indoor family entertainment center with games, food, jungle gym, rides, lazer tag, slide, bounce, etc. It also includes an outdoor championship level miniature golf. Joker's has been in existence since 1996. Sports Center- A full size indoor artificial turf field that will be used for all types of team-oriented field sports such as soccer, lacrosse, etc. Batting Cages- Six batting cages will be installed for baseball training and practice. <p>Additional space for storage, food court, and offices will also be provided..</p>
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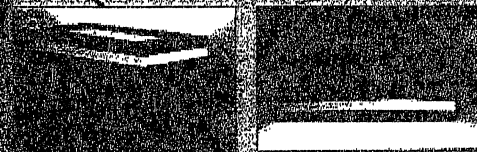


LSI
Lighting Solutions plus



THE GREENBRIAR® WALL SCONCE SERIES

*Small and Medium
available in HID and
Compact Fluorescent*



THE GREENBRIAR
SERIES - DOWNLIGHT
AND UPLIGHT
SITE LIGHTING

MEETS MECCA
FULL CODED
CLASSIFICATION

Downlight mounting is available for indoor and outdoor applications.

Uplight mounting is available for indoor or under canopy applications.



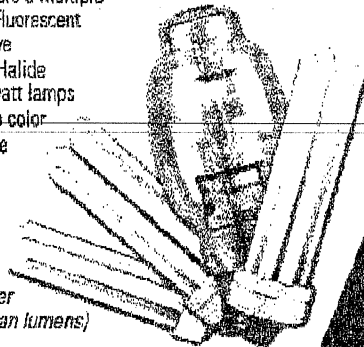
Recess mounting is available for pedestal seats, lighting applications.



COMPACT FLUORESCENT LAMPS (CFL) THAT ENTER THE REALM OF HID

The Greenbriar Wall Sconce offers a multiple 42-, 57-, and 70-watt Compact Fluorescent light source, which is an attractive alternative to traditional Metal Halide lamps. These 42-, 57-, and 70-watt lamps provide an energy-efficient, high color rendition light source with multiple lamp-switching flexibility.

- Up to 26% more energy efficient than a horizontal Metal Halide lamp (based on lumens per watt calculated using mean lumens)
- High color rendering index (CRI) of 82
- Amalgam Technology for excellent lamp-to-lamp consistency
- Flicker-free, instant start light source with quicker ramp-up to full output
- CFL available with optional dimming ballast for multiple types of controls, such as building lighting controls and occupancy sensors



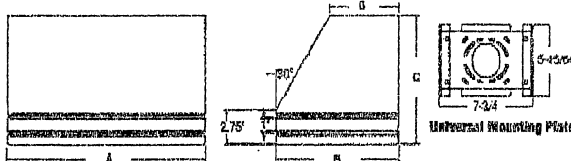
ARCHITECTURAL HOUSING

Formed aluminum housing is rectangular in shape, featuring sleek, smooth lines. All mounting hardware is stainless steel or electro-zinc plated steel.

TWO SIZES

Small size is available from 50 to 175 Watts HID and 26 to 2/42 Watts Compact Fluorescent. Medium fixture is available from 250 to 400 Watts HID and 57 to 2/70 Watts Compact Fluorescent.

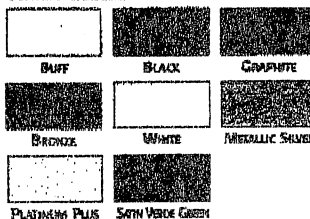
	A	B	C	D
Small	17-1/2"	9-5/8"	10-1/8"	5-3/8"
Medium	20"	19-7/16"	11-5/8"	8-5/8"



FINISH COLORS & ACCENT STRIPING

Each Greenbriar fixture is finished with DuraGrip,® LSI's baked-on, polyester-powder coat finishing process. LSI's DuraGrip finish withstands weather changes without cracking or peeling, and is guaranteed for 5 full years.

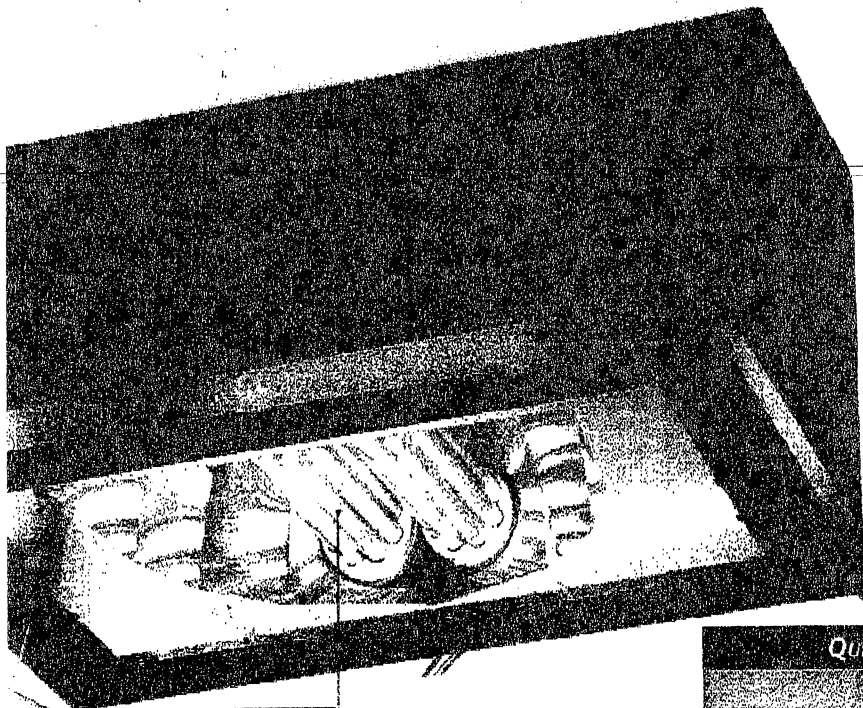
FINISH COLORS



ACCENT STRIPING



QUICK AND EASY INSTALLATION COUPLED WITH ENERGY EFFICIENCY



ELECTRICAL COMPONENTS

Electrical components are factory-mounted in the housing and pre-wired with voltage-specific leads extending out the back of the unit, ensuring quick and easy installation. Components are UL listed.



SEALING GROMMET

One-piece grommet, positioned at the point where internal wiring exits the housing, helps keep insects, dust and moisture out of the ballast compartment.

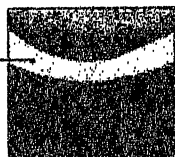
LAMP OPTIONS

Operates with Pulse-Start Metal Halide, Pulse-Start Metal Halide Reduced, Super Metal Halide, Super Metal Halide Reduced, Metal Halide, Metal Halide Reduced, High Pressure Sodium, and Compact Fluorescent lamps. Compact Fluorescent lamps are available in single, double and triple configurations. Lamp supplied as standard-HID (clear, shipped installed), or Compact Fluorescent (coated, 4100K).

HINGED DOOR FRAME WITH FLAT LENS

Simply loosen two captive, stainless steel fasteners for quick and easy access into the fixture. Wire-formed retainer holds door frame in place for ease of maintenance. Compress retainer to remove door frame.

Clear tempered flat glass lens is sealed to the door frame with EPDM gasketing to prevent entry of insects, dust and moisture.



SILICONE GASKET

A one-piece extruded silicone gasket seals the door frame against the housing.

REFLECTOR ASSEMBLIES

Reflector models are protected by U.S. Patent # 6,484,378.

Forward Throw (FTM & FT), Type III, and Wall Wash reflectors offer high performance and full cutoff distribution in downlight position as defined by the IESNA. Visit our web site for detailed photometric data, which is tested in accordance with IESNA guidelines.

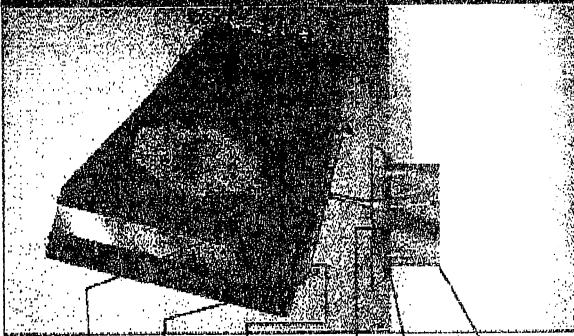


GBWS FTM A2 CFL



GBWM FT 320 PSMA

QUICK AND EASY INSTALLATION



- 1 Sealing Grommet
- 2 Locking Fasteners
- 3 Housing Bracket
- 4 Wall Mounting Plate
- 5 Gasket
- 6 Junction Box

The Greenbriar Wall Sconce comes fully assembled with HID lamp installed. Specially designed mounting plates provide for installation in just three easy steps.

1. Attach gasket and wall mounting plate to junction box.
2. Make wiring connections and attach fixture to wall mounting plate by hanging it over the beveled lip of the wall mounting plate.
3. Lock fixture into place by tightening two hex-head locking fasteners.

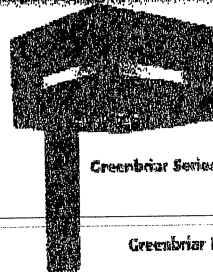
THE GREENBRIAR FAMILY - FOR ADDING A SUBTLE, DECORATIVE TOUCH AND DESIGN CONTINUITY TO YOUR ENTIRE SITE

Accent your square or rectangular site lighting fixtures with a high-performance Greenbriar Wall Sconce - the perfect solution for adding a subtle, decorative touch and architectural design continuity to your entire site. This versatile Greenbriar Wall Sconce can also be a pedestrian scale pole-mount lighting fixture - an ideal choice for illuminating pedestrian walkways, entrances and other pedestrian foot traffic areas.

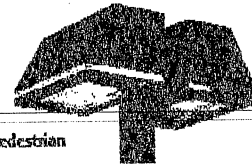


Listed for wet locations (Downlight only)
Listed for damp locations (Uplight only)

Greenbriar Wall Sconce



Greenbriar Series



Greenbriar Pedestrian

LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **GBWS 3 175 MH F 120 BRZ SQT**

Luminaire Prefix	Distribution	Lamp Wattage	Light Source	Lens	Line Voltage	Luminaire Finish	Options
GBWS (Small)	3 - Type III FT - Forward Throw WW - Wall Wash	50	MH - Metal Halide 50, 70, 100 ¹ , 150, 175 Watt	F - Flat Clear Tempered Glass	120 208 240 277 347	BRZ - Bronze BLK - Black PLP - Platinum Plus BWF - Buff WHT - White SVG - Satin Verde Green GPT - Graphite MSV - Metallic Silver	FCI20 - Button-Type Photocell FCI208 - Button-Type Photocell FCI240 - Button-Type Photocell FCI277 - Button-Type Photocell FCI347 - Button-Type Photocell TP - Tamper Proof ⁵ PMA - Pole Mount Adapter for use with square poles (for 3 or D180 mounting configurations only) ⁶ PMA-R - Pole Mount Adapter for use with round poles (for 3 or D180 mounting configurations only) ⁶ DIM - CFL Control Voltage Dimming Ballast ⁷ G - Coated MH or PSMH Lamp SQT - Standby Quartz (Time Delay) ⁸ SQN - Standby Quartz (Non-Time Delay) ⁸ EG - Emergency Quartz (separate 120V circuit - HID only) ⁹ EQ2 - Two Emergency Quartz (2 separate 120V circuits - HID only) ⁹ BB - CFL Battery Back-up ¹⁰ EM1 - One Emergency 12V Circuit Provision with 35 Watt Halogen Lamp ¹¹ EM1LL - One Emergency 12V Circuit Provision - Less Halogen Lamp ¹¹ EM2 - Two Emergency 12V Circuit Provisions with (2) 35 Watt Halogen Lamps ¹¹ EM2LL - Two Emergency 12V Circuit Provisions - Less Halogen Lamps ¹¹ LL - Less Lamp
		70					
		100 150 175					
GBWM (Medium)	3 - Type III FT - Forward Throw	250	PSMH - Pulse Start Metal Halide 250, 320 Watt	F - Flat Clear Tempered Glass	120 208 240 277 347 480	Consult Factory for Intermediate Voltages	FCI20 - Button-Type Photocell FCI208 - Button-Type Photocell FCI240 - Button-Type Photocell FCI277 - Button-Type Photocell FCI347 - Button-Type Photocell TP - Tamper Proof ⁵ PMA - Pole Mount Adapter for use with square poles (for 3 or D180 mounting configurations only) ⁶ PMA-R - Pole Mount Adapter for use with round poles (for 3 or D180 mounting configurations only) ⁶ DIM - CFL Control Voltage Dimming Ballast ⁷ G - Coated MH or PSMH Lamp SQT - Standby Quartz (Time Delay) ⁸ SQN - Standby Quartz (Non-Time Delay) ⁸ EG - Emergency Quartz (separate 120V circuit - HID only) ⁹ EQ2 - Two Emergency Quartz (2 separate 120V circuits - HID only) ⁹ BB - CFL Battery Back-up ¹⁰ EM1 - One Emergency 12V Circuit Provision with 35 Watt Halogen Lamp ¹¹ EM1LL - One Emergency 12V Circuit Provision - Less Halogen Lamp ¹¹ EM2 - Two Emergency 12V Circuit Provisions with (2) 35 Watt Halogen Lamps ¹¹ EM2LL - Two Emergency 12V Circuit Provisions - Less Halogen Lamps ¹¹ LL - Less Lamp
		320					
		400					
	WW - Wall Wash		CFL - Compact Fluorescent Single 28, 32, 42 Watt Double 28, 32, 42 Watt	F - Flat Clear Tempered Glass FPC - Flat Clear Polycarbonate	UE - Universal Electronic (120-277V 50/60Hz) 347 ⁴		
		26 32 42 57 70	CFL - Compact Fluorescent Single 57, 70 Watt CFL2 - Compact Fluorescent Double 57, 70 Watt CFL3 - Compact Fluorescent Triple 28, 32, 42 Watt	F - Flat Clear Tempered Glass FPC - Flat Clear Polycarbonate	UE - Universal Electronic (120-277V 50/60Hz) 347 ⁴		

FOOTNOTES:

- 1- Supplied with a 10K-HPF transformer as standard. Also available with a 120/277 volt CMA transformer. Consult factory.
- 2- 50 Watt HPS is not available in TT or 347V.
- 3- If a polycarbonate lens is required on an Uplight Medium fixture in 70 CPL2 or 42 CFL3, the glass lens with Polycarbonate Shield (GBWS PLS) accessory must be ordered.
- 4- 347V CFL is not available with dimming ballast (DIM) option. Consult factory for battery back-up (BB) option.
- 5- Tamper-proof Screwdriver must be ordered separately. (See Accessory Ordering Information)
- 6- Not compatible with EQ, EQ2, EM1, EM1LL, EM2 or EM2LL option
- 7- CFL Dimming Control by others.
- 8- HID lamp wattages 50 and 70 are supplied with a 50 watt, 120V quartz lamp. HID lamp wattages 100 through 250 are supplied with a 100 watt, 120V quartz lamp. HID lamp wattages 320 and 400 are supplied with a 250 watt, 120V quartz lamp. EQ is not compatible with PMA or PMA-R option.
- 9- Available in 100 watt minimum HID fixtures. HID lamp wattages 100 through 175 are supplied with two 50 watt, 120V quartz lamps. 250 through 400 watt fixtures are supplied with two 100 watt, 120V quartz lamps. Not compatible with PMA or PMA-R option.
- 10- Battery back-up available on single, double and triple 120 or 277 volt specific units for U.S. applications. Please change Line Voltage of UE to 120 or 277 when ordering this option. On double and triple units, one lamp will be energized by Battery Back-up (BB) option. Consult factory for specific details of application compliance.
- 11- Utilizes G16.35 socket(s). 12 volt separate circuit(s) required. Not compatible with PMA or PMA-R option.

ACCESSORY ORDERING INFORMATION (Accessories are field installed)

Description	Order Number	Description	Order Number
FK120 - Single Fusing	FK120+	GBWS PLS - Polycarbonate Shield for Small	172765
FK277 - Single Fusing	FK277+	GBWM PLS - Polycarbonate Shield for Medium	172787
DFK208, 240 - Double Fusing	DFK208, 240+	SW BLK - Surface Wiring Box	173156B, K1+++
DFK480 - Double Fusing	DFK480+	SCD - Tamper-proof Screwdriver	35449
FK347 - Single Fusing	FK347+		

+ Available on HID fixtures only. Fusing to be installed in a compatible junction box supplied by contractor.
+++ SW BLK not compatible with PMA or PMA-R option.



LSI INDUSTRIES INC
10000 Alliance Road
Cincinnati, OH 45242
(513)793-3200 FAX(513)793-0147
www.lsi-industries.com

THE POWER OF IMAGE

208-W-3397

SAME DAY SHIPPING (ORDERS BY 5pm EST) • SECURE CHECKOUT - \$9.95 FLAT RATE SHIPPING

Home >



PHILIPS

Recommend this on Google

250 Watt Clear M58/E Mogul Base ED28 Metal Halide Bulb (MH250/U)

ITEM #: MH250/U

Need help with anything or prefer to order by phone?
Call 877.231.2852 or go to live chat.

Price Per Bulb:

\$14.95

\$14.20 (12-47)

\$13.46 (48+)

QTY:



Add to quick order list | Add to compare

DETAILS DESCRIPTION REPLACEMENT FOR

PHILIPS

Brand: PHILIPS
 Manufacturer Part Number: MH250/U
 Manufacturer Code: 27484-5
 Product Category: HID
 Product Type: Standard Metal Halide
 Case Pack: 12
 Fixture Type: Enclosed
 Finish: Clear
 Operating Position: Universal
 Length: 8 5/16"
 Diameter: 3 1/2"
 Watts: 250
 Shape: ED28
 Base: Mogul (E29)
 Average Life (Hours): 10000

Color Temp: Cool White
 CRI: 65
 Initial Lumens: 20,500
 Mean Lumens: 13,500
 ANSI Code: M58/E
 Kelvin Temperature: 4000



CONSIDER THESE OPTIONS

THIS PAGE'S PRODUCT



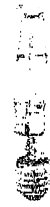
250 Watt Clear M58/E Mogul Base ED28 Metal Halide Bulb (MH250/U)

As low as: \$13.46



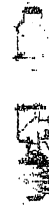
250 Watt Clear M58/E Mogul Base ED28 Metal Halide Bulb (MVR250/U)

As low as: \$14.22



250 Watt Clear M58/E Mogul Base BT28 Metal Halide Bulb (MZ50/U)

As low as: \$14.76



250 Watt Clear M58/E Mogul Base ED28 Metal Halide Bulb (MH250W/U)

As low as: \$14.81

LOWEST PRICE

	250	250	250	250
Wattage	250	250	250	250
Hours	10000	10000	10000	10000
Lumens	13,500	13,500	15,000	13,700
CRI	65	65	65	65
Kelvin Temp	4000	4200	4200	4000

2. Right, Title, and Interest

Supporting documentation is attached.

23189/204
rec 9/26/05 = 12:57pm QUITCLAIM DEED WITHOUT COVENANT

COPY

MAINE BANK & TRUST COMPANY, a Maine banking institution with a principal place of business at 467 Congress Street, Portland, Maine 04101, as foreclosing mortgagee by virtue of and pursuant to the exercise of the Power of Sale contained in a certain mortgage given by Portland Sports Center, LLC to Maine Bank & Trust Company dated August 1, 2003 and recorded in the Cumberland County Registry of Deeds in Book 19890, Page 172, as amended by that certain Amendment to Mortgage dated January 28, 2004 and recorded in said Registry of Deeds in Book 20820, Page 161, for consideration paid, releases to PORTLAND SPORTS REALTY II, LLC, a Maine limited liability company with a principal place of business at 512 Warren Avenue, Portland, Maine 04103, as assignee of the highest bidder, all right, title and interest in and to a certain lot or parcel of land, together with the buildings and improvements thereon, located at or near 550 Warren Avenue, in the City of Portland, County of Cumberland and State of Maine, being more particularly described on Exhibit A attached hereto and made a part hereof.

Reference is made to (a) a Notice of Mortgagee's Sale of Real Estate and Secured Party's Sale of Personal Property dated August 1, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22961, Page 219, and (b) Affidavit of Exercise of Power of Sale Pursuant to 14 M.R.S.A. §6203-B dated August 19, 2005 and recorded in said Registry of Deeds in Book 23189, Page 199.

IN WITNESS WHEREOF, the said Maine Bank & Trust Company, as foreclosing mortgagee by virtue of and pursuant to the exercise of the Power of Sale, as aforesaid, has caused this instrument to be executed in its name and on its behalf by Robert A. Burgess, its Vice President, thereunto duly authorized this 23rd day of September 2005.

WITNESS:

MAINE BANK & TRUST COMPANY,
a Maine banking institution

Daina Nathanson

By: Robert A. Burgess
Robert A. Burgess
Its Vice President

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 23, 2005

Then personally appeared the above-named Robert A. Burgess, Vice President of Maine Bank & Trust Company, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of said Maine Bank & Trust Company.

Before me,

Daina Nathanson
Notary Public/Attorney at Law
Daina J. Nathanson
Print Name
My commission expires: _____

Exhibit A

A certain lot or parcel of land with the buildings thereon, situated at or near 550 Warren Avenue in Portland in the County of Cumberland and State of Maine, being Unit #2 of the Portland Sports Center Condominium described in a certain Declaration of Condominium of the Portland Sports Center Condominium, together with all covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title created by the laws of the State of Maine pursuant to the Maine Condominium Act, Title 33 M.R.S.A. Section 1601 et seq., as set forth in said Declaration, as the same may be lawfully amended from time to time, in the related By-Laws, in the Declaration of Trust, or Site Plans and Floor Plans as duly recorded in the appropriate land records office and as the same may be lawfully amended, and as shown on a certain Condominium Plan (Plat) prepared by SYTDesign Consultants dated April, 2003 prepared for Portland Sports Center to be recorded herewith in the Cumberland County Registry of Deeds, together with all easements and appurtenances described in the said Declaration and in the deeds recorded in the said Registry of Deeds in Book 12753, Page 131; Book 12825, Page 252; and in Book 15917, Page 348 and as further described and subject to those instruments and documents described in the Notice of Mortgagee's Sale of Real Estate and Secured Party's Sale of Personal Property dated August 1, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22961, Page 219.

3. State and Federal Permits

No State or Federal Permits are required.

4. Zoning

The proposed development is on Tax Assessor's Map Map 271, Block A, Lot 2. The lot is located in the B-4: Commercial Corridor Zone and is approximately 7.16 acres in area. The proposed use will be an indoor sports facility. Health clubs and gymnasiums are permitted in the Commercial Corridor Zone.

5. Easements

An existing easement along the southern property line has been granted to Central Maine Power Company, as recorded in the Cumberland County Registry of Deeds Book 2070, Page 256.

A 37' wide right-of-way and easement exists along the eastern property line granted to Everett J. Prescott, Inc. as recorded in the Cumberland County Registry of Deeds Book 12825, Page 252 and Book 15251, Page 274.

6. Waivers

No waivers have been requested for this project.

7. Traffic Analysis

A traffic analysis has been prepared by William Eaton, P.E. of Eaton Traffic Engineering.

8. Natural Features

The existing site includes 3 buildings with associated parking, as well as a miniature gold course. There are landscaped islands throughout the parking lot, and landscaping in the mini-golf area. There is an existing swale at the southern end of the property that flows to a Vortechincs Stormwater Treatment Unit, which outlets through an existing culvert under the railroad bed.

9. City Master Plans

This project involves the expansion of an existing use on a developed site. It meets applicable requirements and fits within the City's Master Plan.

10. Neighborhood Meeting Material

Neighborhood Meeting materials are attached.



A Guide to Holding Neighborhood Meetings Portland, Maine

Planning and Urban Development Department
Planning Division and Planning Board

In order to improve communication between development applicants and neighbors, the City of Portland requires applicants, proposing certain types of projects, to hold a neighborhood meeting.

What type of development proposal requires a neighborhood meeting?

Neighborhood meetings, organized and hosted by the applicant, are required for the following development proposals:

- Proposed zone changes, contract zones and zoning text amendments that would result in major development;
- Subdivisions of five or more units or lots; and
- Level III site plan proposals for preliminary or final site plans:
 - Neighborhood meetings are to be held within 30 days after submitting a preliminary plan or within twenty-one days of submitting a final plan, if a preliminary plan was not submitted.

Who must be invited to a neighborhood meeting?

Property owners within 500 feet of the proposed development (1000 feet for proposed industrial subdivisions and zone changes) as well as those people on a list of interested citizens and neighborhood groups must be invited to the planned neighborhood meeting.

The Planning Division provides the mailing labels for the neighborhood meeting invitation. We require at least 48 hours notice to generate the mailing labels and a charge of \$1.00 per sheet will be payable upon receipt of the labels.

When and where must the neighborhood meeting be held?

The neighborhood meeting must be held within 30 calendar days of submitting a preliminary site plan. If an applicant chooses only to submit a final site plan, then the neighborhood meeting must be held within twenty-one calendar days of submitting the final plan and not less than seven days prior to the Planning Board public hearing.

The meeting should be held in the evening, during the week, at a convenient location within the Portland neighborhood surrounding the proposed site. Community meeting spaces at libraries, schools or other places of assembly are recommended. Neighborhood schools are usually available for evening meetings.

Meetings should not be held on the same day as scheduled Planning Board or City Council meetings. The City Council generally meets on the first and third Monday of each month and the Planning Board generally meets on the second and fourth Tuesday of each month; however additional meetings may be scheduled. An updated schedule may be found on the City's website: www.portlandmaine.gov

When must invitations be sent?

Invitations to a neighborhood meeting must be sent no less than ten days (to include weekends) prior to the neighborhood meeting. If the notice is for a final site plan, then the neighborhood meeting must be held no less than seven days (to include weekends) prior to the public hearing. Notices may be sent by regular mail and do not need to be sent by certified mail.

What information should the invitation include?

Dept. of Planning and Urban Development ~ Portland City Hall ~ 389 Congress St. ~ Portland, ME 04101 ~ ph (207)874-8721 or 874-8719 - 13 -

A recommended invitation format is included in this packet of material.

Sign-up Sheets and Meeting Minutes

At the meeting, the applicant must circulate a sign-up sheet for those in attendance. The applicant must also keep accurate minutes of the meeting.

After holding the neighborhood meeting, the applicant must submit the sign-up sheet and meeting minutes to the Planning Division. The meeting minutes and sign-up sheet will be attached to the Planning Board report. A public hearing will not be scheduled until the meeting minutes and sign-up sheet are submitted to the Planning Division.

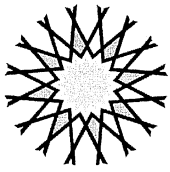
Certification

Included with this packet is a Certification to be completed and signed by the applicant. The applicant is required to certify when the invitations were sent out.

Please call the Planning Division at 874-8721 or 874-8719 if you have any questions.

Formats to follow are attached:

1. Neighborhood Meeting Invitation Format
2. Neighborhood Meeting Certification



ATTAR

ENGINEERING, INC

CIVIL • STRUCTURAL • MARINE

Neighborhood Meeting Invitation Format

April 23, 2012

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a proposed athletic training facility associated with the Portland Sports Center located at 550 Warren Avenue, Portland, Maine.

Meeting Location: Portland Sports Center, 550 Warren Avenue, Portland, Maine.

Meeting Date: Wednesday, May 9, 2012.

Meeting Time: 4:00pm

The City code requires that property owners within 500 feet (except notices must be sent to property owners within 1000 feet for industrial zoning map amendments and industrial subdivisions) of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call Attar Engineering, Inc., Edward A. Brake E.I.T. (207) 439-6023.

Sincerely,

Jim Gratello, Portland Sports Center

Note:

Under Section 14-32(C) and 14-525 of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within three weeks of submitting a preliminary application or two weeks of submitting a final site plan application, if a preliminary plans was not submit. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division 4th Floor, 389 Congress Street Portland, ME 04101 or by email: to bab@portlandmaine.gov

1284 State Road, Eliot, ME 03903 • tel (207) 439-6023 • fax (207) 439-2128

Dept. of Planning and Urban Development ~ Portland City Hall ~ 389 Congress St. ~ Portland, ME 04101 ~ ph (207)874-8721 or 874-8719

- 15 -

Neighborhood Meeting Certification

I, Edward A. Brake, E.I.T. of Attar Engineering, Inc., hereby certify that a neighborhood meeting was held on Wednesday, May 9, 2012 at 550 Warren Avenue, Portland, Maine at 4:00pm.

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change and the residents on the "interested parties" list.

Signed,

_____ (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes

11. Financial Capacity

Supporting documentation will be provided by the owner.



March 1, 2012

Bill Latvis
Portland Sports Complex, Inc.
512 Warren Avenue
Portland, ME

Dear Bill:

Based on our earlier discussions People's United Bank ("Bank") is pleased to present this *Confidential Term Sheet* for your review and consideration in connection with your financing needs. This Term Sheet contains the basic terms and conditions on which the Bank will consider the proposed Loan, subject to the completion of due diligence, required approvals and the execution of satisfactory legal documentation. *This Term Sheet shall replace the term sheet dated February 17, 2012.*

Although provided only for discussion purposes, the Bank considers this Term Sheet proprietary and confidential. Your further review constitutes an agreement not to deliver or discuss its contents with third parties without the Bank's consent.

Co-Borrowers: Portland Sports Complex, Inc. and Portland Sports Realty II, LLC

Amount/Purpose: \$2,408,000 -- To refinance three existing loans with Bank (referred to as main loan, humidifier, and insulation/lights) plus provide \$750,000 (100%) of new funds to construct an 18,000 s.f. addition to the dome.

Maturity Date: 10 years from Closing

Repayment Schedule: Monthly payment of principal and interest amortized on a schedule of 20-years, with all amounts due 120 months from closing. If subject to a variable rate, Bank reserves the right to change the monthly payment so as to maintain the original amortization schedule.

Interest Rate: The Loan will bear interest (the "Note Rate") until the Maturity Date at a per annum rate equal to 3.00% (the "Credit Spread") in excess of the applicable Federal Home Loan Bank of Boston Regular Amortizing Advances Rate (the "Index Rate") determined 5 days before the date of Closing. At the conclusion of the initial fixed rate term of the Loan (the "Rate Adjustment Date"), the Loan will be reset at the National Prime Rate (as published in *The Wall Street Journal*) plus 0%, as it may vary, until the Maturity Date. Based on the current Index Rates as of the date of this

default under any document governing or securing the Loan.

- Financial Covenants:**
- Minimum Debt Service Coverage Ratio ("DSCR") of 1.20x, measured annually and defined as: Net income + depreciation + amortization + interest expense – unfunded capital expenditures – distributions – cash outflows to affiliated non-guarantor entities divided by the sum of principal and interest due during the period. This covenant shall be measured on a combined basis for Portland Sports Complex, Inc., Portland Sports Realty II, LLC, Railroad Land, LLC, and Family Amusements, Inc. so long as each entity is a party to the subject loan.

Note: The Repayment Schedule may be shortened at the request of the Borrower so long as the DSCR based upon actual 2011 fiscal year end performance and the proposed debt service is at least 1.20x.

- Other Conditions & Terms:**
- Comprehensive corporate deposit account relationship with the Bank to be maintained during the life of the Loan.
 - Copy of plans and specifications, and guaranteed maximum price contract to be received by Bank.
 - Appraisal to be ordered by Bank, satisfactory to it in all respects, on the collateral known as the Dome, and on an as-completed basis. (Appraisal to be received prior to final approval.)
 - Appraisal to be ordered by Bank, satisfactory to it in all respects, for the collateral known as the Land. (Appraisal to be received prior to final approval.)
 - The Aggregate Loans shall not exceed 75% of the appraised value of the Dome plus 50% of the appraised value of the Land. The Aggregate Loans are defined as the subject Loan plus the existing loan to Railroad Land, LLC (\$225,000+/-).
 - Satisfactory environmental review or such other analysis as Bank may require.
 - Subject to Bank's standard construction-following procedures.
 - A copy of all 2011 fiscal year end reporting, as prepared by a CPA, to be received prior to final approval.
 - Other documents and terms deemed necessary by Bank or its Counsel.

- Other Obligations:**
- We are recommending that the existing loan to Railroad Land, LLC (approx. \$225,000) remain as-is. This obligation should amortize fully by its existing maturity date of June 13, 2021. Existing fixed rate of 5.64%.
 - We are recommending that the fixed interest rate on the existing loan

Portland Sports Complex, Inc.
March 1, 2012
Page 5

person who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

We would welcome any comments or suggestions you may have after you have had time to review the above.

Thank you very much for your consideration of us for your banking needs.

Sincerely,



Lisa C. Hook
Senior Vice President
Commercial Banking

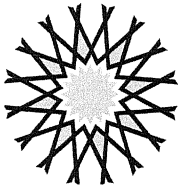
Read and Understood:

By: _____
Its: _____

Date: _____

12. Technical Capacity

A description of Technical Capacity and Qualifications is attached.



ATTAR

ENGINEERING, INC

CIVIL ♦ STRUCTURAL ♦ MARINE

❖ **Company Profile**

Attar Engineering, Inc. is a civil, structural, and marine engineering firm located in south coastal Maine. We offer civil, structural and marine engineering services to municipalities and residential and commercial developers. The firm was established in 1988 and employs about ten technical staff members. Our design professionals have total control of their projects from the ground up and are involved in the fieldwork, design, permitting and construction phases. At Attar Engineering, Inc., we are dedicated to turning our clients' dreams into successful developments.

❖ **Geographic Area**

Attar Engineering, Inc. is based in Eliot, Maine (10 miles from Portsmouth, NH). The majority of our workload is in York and Cumberland counties in Maine and Rockingham and Strafford counties in New Hampshire. We are licensed to practice engineering in Maine, New Hampshire, and Massachusetts. Attar's president and founder, Kenneth A. Wood, is a licensed professional engineer, and is certified as a wetland scientist and subsurface disposal system designer in New Hampshire.

❖ **Project Workload & Types of Projects**

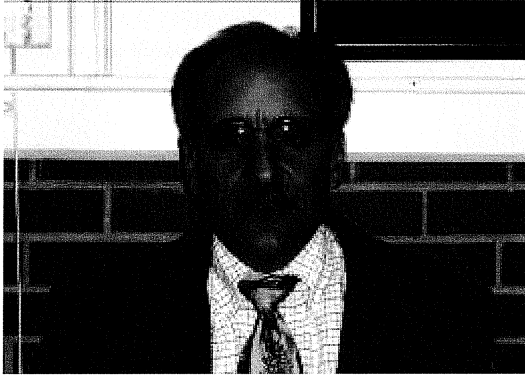
Annually, we complete 120 to 150 individual projects and maintain a steady workload of about 40 active projects. The cost of construction ranges from \$50,000 to \$50 million with an average of \$5 to 8 million. Our design projects consist of large-scale residential complexes (apartments, elderly housing, hotels), large subdivisions (residential and commercial), active and passive recreation environments (golf courses, municipal parks, gymnasiums), site plans, municipal projects (peer reviews, roads, bridges, drainage designs, construction inspections), and structural engineering (foundations, retaining walls, building designs, sea walls). We conduct professional and peer reviews of site, subdivision, and stormwater management plans for municipalities. We submit applications for the following permits from the Maine Department of Environmental Protection: Site Location of Development; Stormwater Management Law; Natural Resources Protection Act; and various others. We also conduct third-party construction observations on behalf of towns, property owners and state agencies.

❖ **Design Approach – Field to Finish**

Most of our projects are done entirely in house, from the field to the final plans and specifications. We start with a native piece of property, conduct all fieldwork, accomplish preliminary through final designs, obtain all permits and approvals and often provide construction management services. We also foster the design team approach on more involved projects in which we coordinate our efforts with architects, landscape architects, golf architects, design-build contractors and other design professionals.

❖ **Design Tools and Field Instruments**

Our CAD stations have Pentium IV processors and utilize AutoCAD Land Development Desktop v2i, Civil Design v2i, Survey v2i, STAAD Pro Structural Analysis and Design, the HydroCAD Stormwater Modeling System, and various other support programs. Our survey instruments include a Topcon TC-GPT-3005W Total Station with TDS Recon Data Collector, a Pentax PTS-V Total Station with a Pentax SC- 2000 Data Collector, a Pentax Automatic Level, and a Pentax FX-1DE Digital Theodolite.



Kenneth A. Wood, P.E. has served as the president of Attar Engineering, Inc. since founding the civil, structural and marine engineering company in 1988. Today, Attar Engineering, Inc. employs about ten technical staff members and designs, permits and manages projects of up to \$50 million in Maine, New Hampshire and Massachusetts for municipalities and residential and commercial developers.

Ken has held the position of district engineer for the York County Soil and Water Conservation District since 1990; in this capacity he reviews most development projects in the county for erosion control/stormwater management and conducts municipal seminars on development, site and subdivision review. He authored the initial Stormwater Management for Maine manual for the Maine Department of Environmental Protection.

Recently, Ken was responsible for managing the replacement of over 800' of seawall for the Town of Wells, Maine in cooperation with the Federal Emergency Management Agency (FEMA) and the Maine Department of Environmental Protection. He also was instrumental in obtaining a thirty-year Tax Increment Finance District (TIF) for Sea Dog Realty, LLC, owner of the Eliot Commons, for the economic development of a new hotel, function facility and business and office spaces. Ken is a partner in Real Property Resolution Corporation (RPRC); a firm he formed with other business associates.

Ken holds professional engineering registrations in Maine, New Hampshire and Massachusetts and a National Council of Engineering Examiners (NCEE) certificate. He is a certified wetland scientist and a certified National Association of Underwater Instructors (NAUI) SCUBA Diver. He belongs to the American Society of Civil Engineers (ASCE), the National Society of Professional Engineers (NSPE), the Society of Wetland Scientists (SWS), the Technical Advisory Service for Attorneys (TASA), the National Trust for Historic Preservation and the Small Woodlot Owners Association of Maine (SWOAM). Ken has been a member of the Eliot Conservation Commission for over twenty years, is a past director of the Portsmouth Chamber of Commerce and is a past chairman of the Maritime Heritage Commission.

From 1978 to 1982, Ken was a naval architect at the Portsmouth Naval Shipyard and was responsible for the design of primary and secondary hull structures. He was a supervisory mechanical engineer and branch head at the shipyard until 1987 and managed up to 32 engineers and technicians responsible for the design and construction of naval refueling facilities. He earned his B.S. in civil engineering from the University of New Hampshire and has received certificates in program management from Worcester Polytechnic Institute and in wetland science from the University of New Hampshire's continuing education division.

Ken lives in Eliot with his wife and daughter on a small farm and enjoys fishing, skiing and boating.

KENNETH A. WOOD, P.E.
President, Principal Engineer

REGISTERED PROFESSIONAL ENGINEER

Maine

New Hampshire

Massachusetts

National Council of Engineering Examiners

CERTIFIED WETLAND SCIENTIST

New Hampshire

DESIGNER OF SUBSURFACE SYSTEMS

New Hampshire

EDUCATION

- University of New Hampshire, BSCE (Structures)
- Worcester Polytechnic Institute, Project Management Series
- David W. Taylor Naval Ship and Development Center, Nastran Engineering Program
- New Hampshire Division of Historical Resources, Community Planning Seminar
- US ACOE Wetland Delineation Methods, University of New Hampshire
- Delineating Hydric Soils on a Human Disturbed Site, University of New Hampshire
- Identifying Problem Hydric Soils, University of New Hampshire
- Understanding Wetlands and 404 Permitting, ASCE

GENERAL BACKGROUND

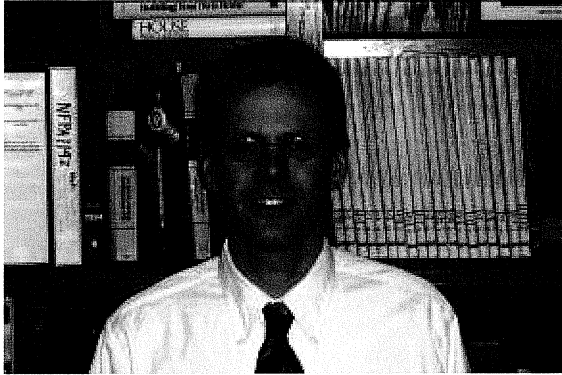
Kenneth A. Wood, founder and principal of Attar Engineering, Inc., has extensive technical experience in civil and structural engineering and construction. He has also managed and designed projects concerning:

- Site Development
- Foundations/Retaining Walls
- Construction and Project Management
- Dams and Impoundments
- Mill Design and Analysis
- Code Compliance
- Feasibility Studies
- Golf Course Design
- Floodplain Modeling and Analysis
- Watershed Modeling
- Water and Wastewater System Design
- Municipal Road Design and Road Surveys
- Stormwater Quality and Quantity Design
- Wetland Identification

Mr. Wood has also authored the manual "Stormwater Management- Water Quality and Quantity Guidelines" in cooperation with the Maine Department of Environmental Protection and the Environmental Protection Agency. Professional engineering services are also provided to the York County Soil and Water Conservation District.

AFFILIATIONS

- American Society of Civil Engineers
- National Society of Professional Engineers
- National Trust for Historic Preservation
- York County Soil and Water Conservation District
- Society of Wetland Scientists



Lewis Chamberlain, P.E. joined Attar Engineering, Inc. in 1995. Since receiving his professional engineering license in 2001, Lewis has served as a senior project manager, responsible for the design, permitting and management of various civil, site and structural projects.

In the past few years Lewis has managed the engineering and permitting of several large, commercial site projects including Summer Village in Wells, ME and Seaglass Village in Wells, ME each a 200+ unit seasonal cottage facility, and Chapel Road Crossing in Wells, ME a mixed-use development consisting of retail space and 117 dwelling units. He recently was pleased to witness the completion of Old Marsh Golf Course in Wells, ME a project he has worked on in various capacities, for several developers, since the beginning of his tenure at Attar Engineering. Lewis enjoys working with clients and also with fellow members of project teams including attorneys, architects and environmental consultants. He also enjoys serving as a resource to younger engineers in the Attar office and contributing to the development of the business.

Lewis maintains a professional engineering license in Maine and is a member of the American Society of Civil Engineers (ASCE).

Lewis became interested in the engineering field while working as an intern at International Paper (Androscoggin Mill, Jay, Maine) during summer breaks in high school and college. He earned his B.S. in civil engineering from the University of Vermont in 1992. His lifetime interest in skiing led to two post-collegiate years working and skiing in the Pacific Northwest.

Lewis currently resides in Eliot, Maine, with his wife and two children.

LEWIS S. CHAMBERLAIN, P.E.
Project Engineer

REGISTERED PROFESSIONAL ENGINEER

Maine

EDUCATION

University of Vermont, BSCE

GENERAL BACKGROUND

Lewis Chamberlain, has extensive technical experience in structural design and construction. He is also responsible for all CADD operations and field survey tasks. Additionally, he has contributed to projects concerning:

- Stormwater Management
- Architectural Design
- Site Development
- Commercial/Industrial Structural Design and Analysis
- Code Compliance
- Foundation and Retaining Wall Design
- Mill Design and Analysis
- Golf Course Design
- Water and Wastewater System Design
- Municipal Road Condition Surveys
- HVAC System Design
- Power Distribution System Design
- Fire and Security System Design
- Road Design
- Municipal Infrastructure System Design

Mr. Chamberlain has considerable experience in the pulp and paper industry, specifically pulp mill safety and pulp mill process engineering. He has managed projects concerning mill hygiene and environmental compliance and paper sampling. He also has experience in marina construction and management. Additionally, Lewis has extensive experience in field survey operations and structural engineering and design utilizing computer models.



Joseph Cheever, E.I.T. has been employed by Attar Engineering, Inc. since 2004. Joe serves as a project manager and has worked on all aspects of project design, approvals, permitting, management and inspection. He has experience with large and small site projects and with subdivisions, gravel pits, municipal improvements, and erosion and sediment control plans.

Joe has extensive experience with computer software including AutoCAD Land Development Desktop and Civil 3D 2009; HydroCAD; Adobe Acrobat; and Microsoft Word, Excel and Powerpoint. Joe has experience with Maine's DEP stormwater rules, site rules and permitting. He regularly presents projects to several planning boards and to the public in the Maine communities of Eliot, Kittery, Wells, Arundel, Sanford and South Berwick.

Joe was instrumental in the design of and approvals for the following projects:

- VIP Parts, Tires and Service Center in Wells, ME
- Loop Road subdivision, Wells, ME
- Wilderbush Acres subdivision in Wells, ME
- Pond Road subdivision in South Berwick, ME
- York Hospital Medical Office Buildings in Berwick and Eliot, ME
- Wilson & Picott Road culverts management and inspection, Kittery, ME
- Cemetery Road subdivision, Berwick, ME
- Beaver Brook seasonal cottages, Wells, ME

Joe was employed from 2001 to 2004 as a project manager in the airports division at Edwards and Kelcey Inc. in Boston, MA. He developed contract drawings, specifications and engineer estimates for various airfield improvement projects. Additionally, he served as the resident engineer and inspector on airfield projects at multiple airports including Logan International Airport in Boston and Tweed-New Haven Regional Airport in Connecticut.

Joe earned a B.S. in Civil Engineering at the Crawford School of Engineering at Norwich University in 2001. He graduated as a member of the Corps of Cadets. He holds an Engineer Intern Certificate from the state of Vermont.

Joe is a Captain/O3 in the Maine Army National Guard and has seven years of military service. Captain Cheever is a Bronze Star recipient and veteran with service during Operation Enduring Freedom in Afghanistan. He currently serves as the commander of the 262nd Engineer Company (Horizontal) in Westbrook, ME.

Joe lives in Newburyport, MA with his wife, Marybeth.

**Joseph L. Cheever, E.I.T.
Civil/Structural Engineer**

REGISTERED PROFESSIONAL ENGINEER IN TRAINING

Maine

EDUCATION

Norwich University, BSCE (2001)

GENERAL BACKGROUND

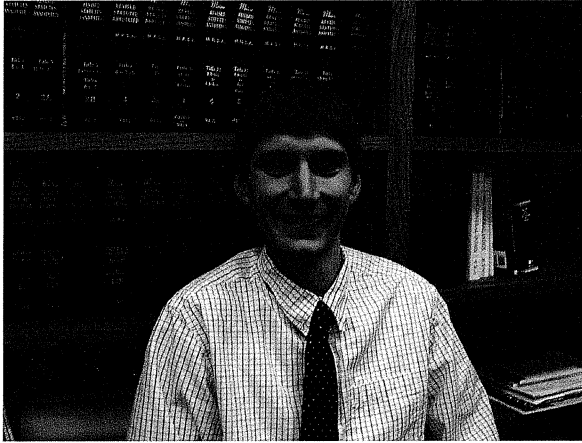
Joseph Cheever, has extensive technical experience in civil and structural design and construction. He is also responsible for all CADD operations and field survey tasks. Additionally, he has contributed to projects concerning:

- Airport Runway Design
- Stormwater Management
- Architectural Design
- Site Development
- Site Construction and Layout
- Commercial Structural Design and Analysis
- Code Compliance
- Foundation and Retaining Wall Design
- Mill Design and Analysis
- Water and Wastewater System Design
- Municipal Road Condition Surveys
- Road Design
- Municipal Infrastructure System Design

Mr. Cheever has considerable experience in airport asphalt design, light and heavy construction, specifically site grading and utility installation. He has managed construction projects from initial site layout through completion. He also has experience in survey operations, CADD and structural analysis and modeling.

CERTIFICATES

- Softdesk Land Development Desktop
- NE Transportation Technician
- US Army Engineering Officer School
- Officer Candidate School – Massachusetts
- Basic Combat Training



Edward Brake, E.I.T. has been employed full time by Attar Engineering, Inc. since January of 2006. He also worked as an intern the summer of 2005. Ed serves as a project engineer, and has worked on all aspects of project design, approvals, permitting, management and inspection. He has experience with a range of site projects, subdivisions, structural design, municipal improvements, and erosion and sediment control plans.

Ed has extensive experience with computer software including AutoCAD Land Development Desktop and Civil 3D 2009, HydroCAD, Adobe Acrobat, and Microsoft Word, Excel, and PowerPoint. Ed is experienced with Maine DEP stormwater, site rules and permitting. He also has experience in surveying, working closely with Nathan Amsden on Attar Engineering's survey crew.

Ed has worked on the design for many site and subdivision projects completed by Attar Engineering including, but not limited to: Chapel Road Crossing in Wells, ME, VIP Parts, Tires and Service Center in Wells, ME, Seaglass Village in Wells, ME, Pinederosa Campground, Wells, ME and Outlook Golf Course in South Berwick, ME. He also completed a structural design for an addition to the Wells Activity Center in Wells, ME.

Ed earned a B.S. in Civil Engineering from Clemson University in 2005. He holds an Engineer in Training Certificate from the State of South Carolina.

Edward Brake, E.I.T.
Civil/Structural/Mechanical Engineer

REGISTERED PROFESSIONAL ENGINEER IN TRAINING

South Carolina

EDUCATION

Clemson University, BSME (2005)

GENERAL BACKGROUND

Edward Brake, has extensive technical experience in nuclear power plant drawings and civil and structural design and construction. He is also responsible for all CADD operations and field survey tasks. Additionally, he has contributed to projects concerning:

- Nuclear Power Plant Design
- Stormwater Management
- Architectural Design
- Site Development
- Site Construction and Layout
- Commercial Structural Design and Analysis
- Code Compliance
- Water and Wastewater System Design
- Road Design

Mr. Brake has considerable experience in nuclear power plant design, light and heavy construction, specifically site grading and utility installation. He has managed construction projects from initial site layout through completion. He also has experience in survey operations, CADD and structural analysis and modeling.

13. Utilities

There are no proposed additional utilities for the site. The proposed addition will use the existing water, sewer, and electricity connected to the existing building. The addition will be used as an additional indoor field and athletic area, and will not have any restroom facilities.

14. Fire Safety

Fire protection has been addressed with access being provided on three sides of the proposed building. The 120' x 150' (18,000 S.F.) steel building will be used for an indoor athletic field. Five emergency exits are provided for the proposed building. The proposed building is 34' tall and will be attached to the existing sports dome, which has a height of 54 feet.

15. Construction Management Plan

The proposed Construction Schedule follows:

	Start	Complete
▪ Obtain all Required Permits	4/15/2012	6/1/2012
▪ Cut Development Areas	6/1/2012	6/7/2012
▪ Install Erosion Controls	6/1/2012	6/7/2012
▪ Rough Grade Area of Development	6/8/2012	6/22/2012
▪ Construct Building	7/1/2012	9/1/2012
▪ Install Utilities	9/1/2012	9/8/2012
▪ Gravel/Pave Parking Areas	9/1/2012	9/15/2012
▪ Loam/Seed/Mulch Disturbed Areas	10/1/2012	10/15/2012
▪ Final Site Stabilization		10/15/2012



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

16. Stormwater Management Plan

The proposed addition to the building will not have an adverse effect on stormwater runoff for the site. Since the proposed building will be constructed in the area of the existing parking lot and the landscaped areas removed for the proposed building will be replaced, there is a net decrease in impervious area on the site. This decrease in impervious area will result in a lower peak runoff rate for the proposed conditions compared to the existing conditions. Also, the stormwater quality from the runoff from the roof of the proposed addition will result in improved water quality compared to the existing parking area.

Existing Conditions

The existing site includes 3 buildings with an associated parking area, and a miniature golf course. There are landscaped islands throughout the parking lot, and landscaping in the mini-golf area. Slopes in the parking area are minimal. Existing spot grades are shown on the Grading and Drainage Plan. Runoff from the northern half of the existing "dome" facility toward Warren Avenue sheet flows across the parking lot to two catchbasins and into an existing drainage system. Runoff from the southern half of the existing "dome" facility to the southern lot line, including that portion of the parking area, sheet flows across the pavement and into an existing swale at the southern end of the property. This swale provides treatment to the stormwater and conveys the discharge to an existing Vortechincs Stormwater Treatment Unit located in the western portion of the rear parking area. The Vortechincs unit provides additional treatment before the stormwater outlets through an existing culvert under the railroad bed south of the site.

Proposed Conditions

The proposed building is located at the boundary between the two drainage areas; runoff from the north of the building flows to the parking lot catchbasins and into the existing drainage system. Stormwater runoff to the south of the building flows through the existing swale and to the Voertechincs unit. The drainage flow is indicated by the drainage arrows on the Grading and Drainage Plan. The location of the proposed building does not significantly alter the areas flowing to the parking lot catch basins or to the existing swale, compared to the existing conditions. Since there is a net decrease in impervious area between the existing and developed conditions, the peak runoff at the catch basins and swale will be the same or lower for proposed conditions compared to existing conditions.

Water Quality

This project is in the watershed of the Capisic Brook, which is identified by the Maine Department of Environmental Protection as an urban impaired stream. The water quality of the runoff of the site is improved by the replacement of pavement with a building, since the quality of runoff from a roof is greater than that of a parking area. Also, since the total impervious area on the site is decreased, and the landscaped area is increased, the water quality of the runoff from the site will be increase by the reduction in impervious area. Finally, the existing Vortechincs unit on the south side of the parking lot will continue to provide treatment to the runoff from the southern side of the proposed building.

Erosion Control

Best Management Practices for Erosion and Sediment Control shall be put in place on the site by the contractor, in accordance with the Grading and Drainage Plan and the Site Details Plan. Siltation fence shall be installed around the area of development. All disturbed areas shall be stabilized as set forth in the Erosion and Sediment Control Notes on the Site Details Plan.

Prepared by:

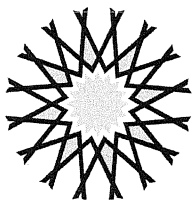


Edward Brake, E.I.T



Operation and Maintenance

The Operation and Maintenance Program is attached.



ATTAR

ENGINEERING, INC

CIVIL • STRUCTURAL • MARINE

PORTLAND SPORTS CENTER ADDITION 512 WARREN AVENUE ~ PORTLAND, MAINE OPERATION AND MAINTENANCE PROGRAM STORMWATER MANAGEMENT BMP'S

This project contains specific Best Management Practices (BMP's) for the conveyance, storage, and treatment of stormwater and the prevention of erosion. These BMP's consist of swales, catchbasins, culverts, and an existing Vortech Stormwater Treatment Unit. All components should be inspected quarterly, and after every significant rain event of 1" in any 24-hour period.

The party responsible for implementing this Operation and Maintenance Program (O & M Program) shall be the owner of the Portland Sports Center.

Swales

All swales should be inspected for accumulation of debris, which could adversely affect the function of this BMP. These areas should also be maintained to have gradual slopes, which prevent channeling of stormwater and erosion of the bottom and sides of the swales.

Culverts

Culvert inlets and outlets should be inspected for debris, which could clog the BMP. Additionally, the placement of rip-rap should be inspected to ensure that all areas remain smooth and no areas exhibit erosion in the form of rills or gullies.

Vortech Stormwater Treatment Unit

The Vortech Stormwater Treatment Unit should be inspected for accumulation of debris, which could adversely affect the function of this BMP. The inlet and outlet to the unit shall be inspected for clogging and material soundness. The unit shall be serviced by a qualified service technician on an annual basis or in accordance with the manufacturer's recommendation.

Catchbasins

All catchbasin grates, sumps, and inlets/outlets should be inspected for accumulation of debris, which could adversely affect the function of this BMP. Additionally, the water quality inlets shall be inspected for clogging and material soundness. Sumps shall always be clear to a depth of 1' below the water quality inlet.

Snow Removal

Snow shall be stockpiled only in the approved snow storage areas. Plowing of snow into wetland areas or detention ponds shall be avoided. Additionally, a mostly sand mix (reduced salt) shall be applied during winter months to prevent excessive salt from leaching into wetland areas. Excess sand shall be removed from the storage areas, all paved surfaces and adjacent areas each spring.

Stabilized Construction Entrance

All stabilized construction entrances shall be inspected to ensure that all stone materials remain in place and that the entrance is not clogged with silt and mud. This BMP must remain effective in removing silt from construction vehicles prior to travel on the public way.

Siltation Fence

All silt fences must be installed, inspected and repaired in accordance with the plan details and notes. Excess silt must be removed from the up-gradient side of the fence and all fences must remain in a vertical position.

Seeding, Fertilizing and Mulching

All exposed soil materials and stockpiles must be either temporarily or permanently seeded, fertilized and mulched in accordance with plan specifications. This is one of the most important features of the Erosion Control Plan, which will provide both temporary and permanent stabilization. Areas must be repaired until a 75% effective growth of vegetation is established.

Record Keeping

Routine maintenance and inspections will be accomplished by the owner of the Portland Sports Center maintenance staff or third party contracted by the owner. All inspections accomplished in accordance with this program shall be documented on the attached Inspection & Maintenance Log. Copies of the Log shall be kept by the owner, and be made available to the Maine Department of Environmental Protection, upon request.

Maintenance and repair

If the BMP requires maintenance, repair or replacement to function as intended by the approved stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services ("DPS") in the annual report.

Annual report

The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, including the record of the deficiency and corrective action(s) taken.

Filing fee

Any persons required to file and annual certification under this section shall include with the annual certification a filing fee established by DPS to pay the administrative and technical costs of review of the annual certification.

Right of entry

In order to determine compliance with this article and with the post-construction stormwater management plan, DPS may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

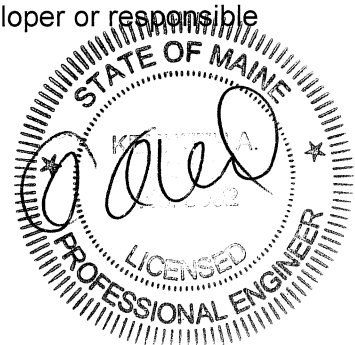
Housekeeping

Housekeeping of the project site, as required by Section 5, Appendix C of the *City of Portland Technical Manual*, must be implemented by the developer or responsible contractor.

Prepared by:



Edward Brake, E.I.T
C089-12_sw_opmaint



**INSPECTION & MAINTENANCE LOG
PORTLAND SPORTS CENTER**

Date	Purpose ¹	Maintenance Done ²	By

- 1. Purpose is the reason for the inspection. For example; “quarterly” or “after a significant rain event.”
- 2. Maintenance Done means any maintenance required as a result of the inspection, such as trash removal or re-seeding of areas.

17. Solid Waste

Construction Waste

Waste generated during construction, such as the removal of asphalt, will be hauled to a licensed disposal site. Approximately 25,150 S.F. of the parking area will be removed to accommodate the new building and surrounding area.

Solid Waste

The waste generated by the proposed addition is expected to be minimal. The existing waste from the sports center consists of miscellaneous office type waste and paper and plastic products from the lounge area. This waste is handled by the Joker's dumpster, which is disposed of weekly. Additional waste from the proposed building will be handled the same way.

Hazardous Waste

No hazardous waste is anticipated to be generated by the development during construction or at full operation

18. Conformity with Design Standards

The proposed addition to the Portland Sports Center Dome conforms to the design standards set forth in the *City of Portland, Maine Code of Ordinances* and the *City of Portland Technical Manual*. Specifically, the proposed development calls for the restriping of the parking lot with 9'x18' parking spaces, with up to 20% of the parking spaces being 8'X15' for compact cars. The required parking for bicycles is also shown on the plan.

With the landscaping associated with the existing miniature golf course, the site exceeds the landscaping requirements of Section 4 of the *City of Portland Technical Manual*. Additionally, the landscaped areas in the parking lot that are removed for the proposed building, will be replaced by new landscaping of equal or greater area around the building.

19. Emissions Requirements

The proposed building will use the existing HVAC system used by the sports dome. There will be no increase in emissions from the site.

20. Wastewater Calculations

The previously approved site application estimated wastewater flows of 1,839 GPD, as stated in a letter from SYTDesign Consultants to Mr. Frank Brancely of the Department of Public Works, dated April 3, 2003. The proposed addition to the Portland Sports Center is for an additional practice field, in order to give more space to the participants at the facility. It is not expected that the proposed building will significantly increase the number of participants at the facility. It is estimated that 28 people per hour will use the new building. A summary of the proposed wastewater flows follows:

Design flows taken from the *Handbook of Subsurface Wastewater Disposal in Maine* states that a gym requires 10 gpd per participant plus 3 gpd per spectator plus 12 gpd per employee. During the weekdays this results in:

$$[10 \text{ GPD} \times 28 \text{ ppl/hr} \times 5 \text{ hrs} + 12 \text{ GPD} \times 1 \text{ employee}] = 1412 \text{ GPD}$$

On weekends the result is:

$$[10 \text{ GPD} \times 28 \text{ ppl/hr} \times 10 \text{ hrs} + 12 \text{ GPD} \times 1 \text{ employee}] = 2812 \text{ GPD}$$

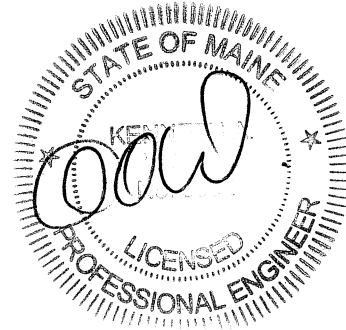
The calculations from the previously approved site plan application assume 3 gpd per person for 20% of the participants 15 gpd per employee. Using these assumptions results in weekday flows of:

$$[28 \text{ ppl/hr} \times 20\% \times 5 \text{ hrs} \times 3 \text{ GPD} + 15 \text{ GPD} \times 1 \text{ employee}] = 99 \text{ GPD}$$

On weekends the result is:

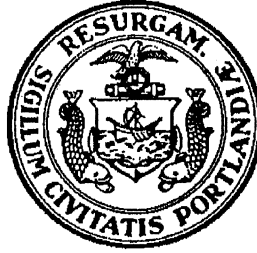
$$[28 \text{ ppl/hr} \times 20\% \times 10 \text{ hrs} \times 3 \text{ GPD} + 15 \text{ GPD} \times 1 \text{ employee}] = 183 \text{ GPD}$$

Based on the previous approved wastewater design, this results in a total of 1,938 GPD for the facility, with a weekend peak of 2,022 GPD.



CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



Mr. Frank J. Brancely,
Senior Engineering Technician,
Phone #: (207) 874-8832,
Fax #: (207) 874-8852,
E-mail: fjb@portlandmaine.gov

Date: April 19, 2012

1. Please, Submit Utility, Site, and Locus Plans.

Site Address: 550 Warren Avenue
(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Proposed Use: Indoor Sports Facility (addition)

Previous Use: Indoor Sports Facility

Existing Sanitary Flows: 1839 GPD

Existing Process Flows: ----- GPD

Description and location of City sewer, at proposed building sewer lateral connection:
Sewer service runs parallel to the western property line to an existing septic tank and pump station that connects to the existing sewer line on Warren Ave.
Clearly, indicate the proposed connection, on the submitted plans.

Chart Block Lot Number: 271-A-2

Site Category	Commercial	<u>X</u>
	Industrial <i>(complete part 4 below)</i>	_____
	Governmental	_____
	Residential	_____
	Other <i>(specify)</i>	_____

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 1,938 GPD

Peaking Factor/ Peak Times: 2,022 GPD

Specify the source of design guidelines: *(i.e. X "Handbook of Subsurface Wastewater Disposal in Maine," ___ "Plumbers and Pipe Fitters Calculation Manual," ___ Portland Water District Records, ___ Other (specify)*

Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

3. Please, Submit Contact Information.

Owner/Developer Name: Jim Grattelo

Owner/Developer Address: Portland Sports Realty, LLC, 550 Warren Ave, Portland, ME 04103

Phone: (207) 205-0705 Fax: _____ E-mail: jgrattelo@gmail.com

Engineering Consultant Name: Attar Engineering, Inc.

Engineering Consultant Address: 1284 State Road, Eliot, ME 03903

Phone: (207) 439-6023 Fax: _____ E-mail: ken@attarengineering.com

City Planner's Name: _____ Phone: _____

Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: N/A GPD

Do you currently hold Federal or State discharge permits? Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____ *(http://www.osha.gov/oshstats/sicser.html)*

Peaking Factor/Peak Process Times: _____

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.