

**July 10, 2018 Workshop - 100 Fore Street**

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**Sandra Guay** <slg@woodedlaw.com>

Jul 10, 2018 2:12 PM

Posted in group: **Planning Board**

Dear Planning Board Members:

Please review and circulate to all Planning Board Members the attached letter concerning the zoning amendment proposal for 100 Fore Street.

Thank you for your assistance and for your attention to this very important issue.

Sandra Guay

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July 10, 2018

*Via Email*

Portland Planning Board  
Sean Dundan, Chair  
City of Portland  
Planning Division  
389 Congress Street  
Portland, ME 04101

Re: 100 Fore Street LLC  
Zoning Map Amendment

Dear Mr. Dundan and Planning Board Members:

This law firm represents a large group of Portland fishermen and merchants who call themselves the Portland Working Water Front Group (“PWWG”). This letter addresses the apparent purpose of the zoning amendment proposed by 100 Fore Street LLC, to enable 100 Fore Street LLC to increase occupancy and parking at the 100 Fore Street location. The PWWG opposes this zoning amendment request for several reasons.

First and foremost, there should be no consideration of any zoning amendments in the Commercial Street area without the applicant first submitting a peer reviewed traffic study addressing the additional impact on Commercial Street from the increased development made possible by the amendment. As the City’s recent *West Commercial Street Multi-Model Corridor Study* (the “Study”) and other recent studies report, the present traffic on Commercial Street is already having a significant and negative impact on the fishermen, fisheries and marine related businesses that are dependent on the Commercial Street docks and wharves. While parking garages, condominiums, hotels and retail outlets can locate anywhere on the peninsula, “[t]he fisheries and other marine

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Portland Planning Board  
Sean Dundan, Chair  
July 10, 2018  
Page 2 of 3

businesses that dominate the waterside of Commercial Street have no alternative locations within which to operate.” *Study* at 6.

As an example of the existing and ongoing issues caused by the ever increasing traffic on Commercial Street, just this past month, fishermen and others on a wharf were trapped *for over an hour* while a semitrailer truck unloaded produce to a restaurant causing significant public safety issues, in addition to blocking access to the wharf. Trucks loaded with fresh fish, lobster and bait are consistently held up for prolonged periods of time in traffic while attempting to access 295. The *Study* predicts that the already proposed Commercial Street area development/redevelopment “would be expected to generate 3,300 weekday PM peak hour trips” within the next 10 years. *See* Memo from Christine Grimando to Portland Planning Board (July 6, 2018).

As adopted in Portland’s recent Comprehensive Plan, the State goal is to “protect the State’s marine industry, ports and harbors from incompatible development.” The City’s goal is to “celebrate, promote, and protect Portland’s lobster and fishing industry as a foundation of the region’s economy and a feature of civic pride.” The City of Portland is blessed with the country’s oldest fishing community. Today, these fishermen and lobstermen bring in a catch worth over \$750 million annually to contribute to the local economy. In addition to the fishermen and lobstermen, the many businesses that support this fishery must be located on the wharves and piers along Commercial Street – they cannot relocate to any other location and still function in their industry service capacities. The City cannot have it both ways – unrestricted continued development, which daily increases inaccessibility to the wharves, and deteriorating transportation facilities and access for the fishing community, will destroy the fishing industry in Portland unless the City takes action to slow (rather than allow for zoning amendments to increase) development.

In addition to the above traffic and access related concerns, the PWWG views the continued and piecemeal zoning amendment and relaxation requests for development in the Commercial Street area as a slippery slope that can only result in creating an ever-increasing logjam of congestion on Commercial Street, and decreased accessibility to the wharves. Bending to a developer’s vision of how to maximize his or her property in this fashion is the antithesis of good planning and the PWWG respectfully asks this Board to put the brakes on and as provided for in the Comprehensive Plan, to consider further study of the effects and impact of traffic on the marine industry from the plethora of proposed, nonstop Commercial Street development.

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Portland Planning Board

Sean Dundan, Chair

July 10, 2018

Page 3 of 3

Commercial Street has reached a tipping point. It simply cannot accommodate continued increased traffic – and provide safe and reliable access to support the marine industry. The Planning Board, as the guardians of public safety, health and welfare, must begin to more closely scrutinize development in the Commercial Street area, and especially on development proposals that seek relaxation or amendment of the present zoning requirements.

Thank you for your consideration of these very important issues.

Very Truly Yours,



SANDRA L. GUAY

SLG/lb

Copy to:

Members of the Portland Working Water Front Group