

**PORTLAND PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
Wednesday, May 8, 2024 at 6:00 PM  
Portland High School Auditorium  
Public access through Zoom link A at [www.portlandct.org](http://www.portlandct.org)**

**Special Meeting Minutes**

1. Call Meeting to Order

Robert Ellsworth called the meeting to order at 6:00 p.m.

2. Introduction of Members and Seating of Alternates

Present: Bob Ellsworth, Victoria Tchetchet, Chantal Foster, Carolyn Freeman, Robert Taylor, Tom Bransfield, Jennifer Tellone, Joe Spada.

Staff: Dan Bourret, Town Planner  
Kari Olson, Town Attorney  
Dawn Guite, Recording Secretary

3. Accept Agenda

**MOTION:** Chantal Foster MOVED, seconded by Robert Taylor to ACCEPT the agenda as PRESENTED. **VOTE UNANIMOUS. MOTION CARRIED.**

4. Meeting Procedures

Chairman Ellsworth said that public comments are limited to five minutes with permission to circle back after all who have requested have spoken.

**Public Hearing**

5. PZC Application #23-16: Proposed Amendment to the Portland Zoning Regulations. Change to section 9.17.1 to increase the allowable MUD residential units to 350 from the current 240 and to increase the ratio of allowable apartments from 16 to 21 per 5,000 square feet of commercial space. Change to section 9.17.5.E to allow the sum of the total commercial area to include any single upper floor to the total commercial area where only the ground floor counts currently. Application of BRT DiMarco PTP, LLC.

**MOTION:** Victoria Tchetchet MOVED, seconded by Robert Taylor to open the Public Hearing. **VOTE UNANIMOUS. MOTION CARRIED.**

David Daniels, Daniels, Poro and Lusardi, LLP, Attorney for BRT DiMarco PTP, LLC, summarized how the zoning text amendment and project details are relative to the review criteria and the town. They are not seeking a zone change as it is already established. The POCD – redevelopment of Elmcrest – is site specific, and strengthening the town center are qualifications to meet its goals. If built as currently approved it will not be marketable and negatively impacted. If the new plan is approved there will be a positive impact.

Review Criteria 1:

POCD goals are incorporated by reference into list of factors which must be considered under 10.3D. PZC must evaluate each goal equally. A most relevant goal is to strengthen the town center and to redevelop Elmcrest site. Project details will help PZC assess how text amendments will impact the appropriateness of the development.

Review Criteria 2:

Keeping with established character of the area while maintaining historic and architectural features.

Review Criteria 3:

Attracting other companies due to available housing and Nordic Spa.

Review Criteria 4 – 8:

Impact on utilities, character of neighborhood and surrounding area.

Victoria Tchetchet said it is not a zone change.

Review Criteria 9: (Joe Balskas – Traffic impact)

Review Criteria 10:

Impact on property values.

Review Criteria 11 and 12:

Environmental impacts, health and welfare of the community.

Bob Ellsworth said a lot of what has been cited refers to the POCD and how Brainerd meets the POCD goals. Want to focus on the reasoning behind the request to change and allowance of the number of units and the ratio of residential to commercial.

Victoria Tchetchet said that review criteria refers to zone changes not text amendments.

Dan Bourret said that 103.D does include text amendments.

Attorney Olson said it is not only 103.D but also statutory requirements to be considered. Some of the criteria is relevant to a zone change but it does include text amendments in 103.D3?

Dan Bourret said 103.D.

Victoria Tchetchet said that she thinks her information is different.

Dan Bourret said review criteria is for both zone change and text amendment.

Attorney Olson said that statutory requirements are to be considered by the PZC, not just 103.D.

Other goals discussed were strengthening the town center; improve vehicular and parking, preserve open space, preserve historic resources, and promote economic development.

Dan Bertram, 69 Marlborough, the Applicant, said that work has been done through analysis to develop phases of Brainerd Place. The existing site plan was shown on the screen.

He summarized what was involved with developing this project. In 2015 another development proposal preceded the project with modification for a ratio between commercial and residential; 16 residences per every 5,000 s.f. of commercial space. Tonight is a change from 16 to 21 residences. There was a 13,000 s.f. pad for CVS and 70,000 s.f., primarily for commercial. It is tough news in the marketplace coming in an area with existing commercial buildings which are being absorbed and markets perceived in a certain way in the surrounding area.

Commercial leasing was originally with Atlantic Realty out of Boston where the site had been marketed for quite some time. The Town of Portland encouraged that a local real estate broker be used for commercial leasing. And this is what was done. Justification for a modification was done as a best result for Portland.

An email was sent to DiMarco Leasing Counterpart, a partner on this deal from Jed Hayes about market conditions. Email was addressed to an employee and read:

Paul, following up on conversation from Friday, let this email as confirmation of Sullivan's withdrawal as leasing agent for the retail space at Brainerd Place. As we came to better understand the specifics of the retail space at Brainerd Place, we determined that in our opinion there are several concerns regarding the project that would prevent us from being able to successfully lease the project.

- The amount of retail space proposed by your plan is more than the market can conceivably absorb. Location serves as a space for convenience services and not to users requiring a large trade area. This limits the number of tenants that we feel will be reasonable prospects.

- Portland is not a significant retail corridor. Most retail, restaurant, and service users would not know where Portland and this intersection are located and would need to be educated as to the market which makes the leasing process difficult.
- The significant retail cluster in this area is in Middletown, not Portland. The successful restaurant cluster that has grown over 10 years on Main Street in Middletown and regional retail located on Rt. 66 and Washington Street. Once people are educated about the Portland market they will make a decision that if they want to service the Portland market they are better off doing it in Middletown with a much larger draw that would also include the Portland market. The site plan itself is a concern. The second floor space in the A Building, 30,000 s.f., is extremely difficult to lease. Other than a large medical user, the space is not leasable as retail space. It would be considered Class B office space made up of small independent businesses at unattractive rates for new construction.
- The basement space is not leasable.
- It would be very difficult to lease the rear retail space in Building A. It creates an “L” shape which does not have exposure to Marlborough or Main Street. It would not be a problem if the entire “L” portion was leased to one tenant. Given the Portland trade area the tenants will be smaller in size and not likely to want this larger space.

I am not trying to be overly critical of your project. The comments are based on current experience in the market.

Mr. Bertram said that points made required different thinking in order to move forward. Changing conditions in the market and commercial areas were focused in on creating alternative analyses and one analysis is represented in what the team would like to walk through because we want to show the town that we are optimistic about Portland and think that if we make certain changes to the regulations and what regulations allow to deliver to the community. With differentiated success we can compete with the surrounding communities.

Mr. Bertram had another letter from the current broker CBRE that thanks sharing of new site plan for Brainerd Place in Portland. Configurations of Buildings A and B are much more marketable than the previous plan. Currently the demand for retail, office and medical space in Portland is in the 2,500 – 5,000 s.f. range. Space would be more active for market requirements and are hopeful to receive approval from the Town of Portland to promote the new site plan as soon as possible.

Mr. Bertram said that they have a good team on this but we are looking to make modifications. Building B with a 2,500 s.f. Starbucks, and a 10,000 s.f. physical therapy company in Building F fall in line with the smaller user that is consistent with that. There is a broader context than when we were there last.

Mr. Bertram said that when information was received from Sullivan Hayes we were required to figure out what will work in Portland. We are trying to reveal what came back from that analysis. The height calculation shows how it manifests both commercial allocated square feet and ground level.

Mr. Bertram talked about keeping the momentum going. The original Building A, 70,000 s.f., a large amount of space that is difficult to get secure enough critical mass to justify constructing the building. A creative solution will be discussed by other members of the team. He read another letter in support of the project.

Letter reads:

May 7, 2024 from Pomeroy Lodging

Dear Chairman Ellsworth:

Pomeroy Lodging was recently approved to construct a Nordic spa located at the Brownstone Quarry. We are excited to break ground this summer and deliver an exceptional spa for this fantastic location. I am writing today to express my support for the Brainerd Place project and share some thoughts on the synergies and alignment our projects share as lead large development investments in the Town of Portland. The investment being made at Brainerd Place was one of the reasons we chose to invest in our next Nordic spa within the Town of Portland. We believe that the housing that will be provided at Brainerd Place will be very desirable for our new employees and that the spa services will be equally desirable to all the residents of Brainerd Place. We have had discussions with Mr. Bertram and reviewed the potential impact of the regulation changes proposed. We feel that what is planned for Phase III aligns with Pomeroy’s vision for the Portland Central Business District. The area has great potential to evolve into an upscale pedestrian experience that connects our spa located at the edge of the district (*shown on site plan*) and properties referenced will increase the value and some will be redeveloped enhancing the downtown experience for all residents. Such investment typically happens when first movers are successful so completing projects quickly is important. We intend to open our spa within a year to receive electrical service required for our new facility. We are being told by Eversource that they cannot

provide sufficient power until they upgrade the grid in the area. We also understand that to start that upgrade Eversource needs Brainerd Place to agree to shoulder some of the burden; something that requires a certain amount of electrical usage from its development. We understand that completing Phase II of Brainerd alone is not sufficient to carry the burden for our business. The more people that move to town and live in the upscale development proposed for Brainerd Place's final phase the better as our spa offering is a destination experience. We think in terms of differentiation the destination of a rooftop restaurant at the top of the proposed Arrigoni Building, the revised Building A, truly resonates with our vision. We also believe the Gildersleeve building, the revised Building B, will make a much more attractive first impression than seeing CVS across from Walgreens on the corner of Main and Marlborough Streets, especially people coming to the area for the first time. In fact we believe the Phase III proposed plan is much better than what was originally proposed to be developed at that property. The overall plan is very much in line with what we seen succeed in mixed use communities in other markets. We share Mr. Bertram's vision and applaud him for as he says refusing to lease to Dollar Tree just to fill space when the goal for redeveloping the Brainerd Place property is to stimulate development in the surrounding area in ways that improve the quality of life of its residents. We're excited to be one such party investing in this chapter of Portland's history. We urge the Commission to do anything in its power to increase the odds of attracting further investment in town and hope to see Brainerd Place quickly completed in a manner proposed in the next couple of years.

Yours truly,

Chris Puchala  
Exc. Vice President Real Estate Development  
Pomeroy Lodging

Bob Ellsworth asked if a similar study has been done for demand for residential in the area.

Mr. Bertram said we have absolutely done that and can talk to comparable products in Middletown, Glastonbury and downtown Hartford. There is such a shortage of highly sought after workforce housing. We announced prices for studios, one and two bedroom apartments at the recent EDC meeting. We are \$1,600 studio, \$1,950 one bedroom, and \$2,400 for a two bedroom which in are line with central Connecticut housing up and down the 91 corridor.

Bob Ellsworth asked if there is a demand for housing.

Mr. Bertram said that the demand is there for this type of housing. Housing is behind in demand.

Steve Sullivan, P.E., CCA Engineers, was assigned for site engineering on the project. He said that the applicant is looking to amend the mixed use development regulations, 9.17, in particular 9.17.1 changing the residential density to a maximum of 350 units in the commercial industrial ratio to be not more than 24 for each 5,000 s.f. of commercial space. The change to the other part of the regulation would be to add language to add 50% of upper floor commercial space be counted toward the 30% of commercial space required in a mixed used building. Currently it is only the ground floor. We are looking to include 50% of the upper floors. Changes will require modifications to the site plan. Building A would mimic Building F and have 119 apartments and 20,000 s.f. of commercial space including a rooftop restaurant. There will also be a parking garage constructed similar to Buildings E and F. Building B would be moved closer to the road and would be a 2-story commercial building for a total of about 32,000 s.f. It will replace the 13,000 s.f. CVS Pharmacy that was previously approved. Water and sewer are adequate for these changes that we are looking to make. The majority of the infrastructure has been completed.

Victoria Tchetchet asked for information to be repeated and areas pointed out. She asked if one of the infrastructure systems is built at the west side of the entrance to the site.

Mr. Sullivan said on the south side near the entrance.

Mr. Sullivan said that in the proposed text amendment they are looking to increase the number of apartments from 240 to 348. There will be 130 underground parking spaces in Building A. Total commercial space will go from 118,000 s.f. to 84,000 s.f. Parking will be increased from 754 spaces to 887 spaces. Other details will be discussed during special permit application meeting.

Victoria Tchetchet asked for numbers to be repeated which was done by Mr. Sullivan.

Joe Balskus, P.E., VHB, 161 Jobs Pond Road, is the traffic engineer assigned to the project.

*Fire alarm interrupted meeting at 7:00 p.m.  
Meeting resumed at 7:10 p.m.*

Mr. Balskus said how we got here relates to the change in land use. We have approvals from Portland PZC, OSTA (Office of State Traffic Administration) and CTDOT. OSTA mandated offsite improvements on Main Street and Rt. 66 which are being done now. CTDOT approved encroaching permit for the improvements. Brainerd Place is approved for retail, restaurants, and commercial/office. Traffic analysis determines generation during peak A.M., P.M, and Saturday. Estimations are based on area of the buildings. Intersections review impacts which drive improvements that have been approved.

What is changing with the project are facts. Commercial generates higher peak hour volume and residential generates lower peak hour volume. Reducing traffic volumes is what is in the current plan. If kept as is adding commercial will increase volumes.

Chantal Foster asked for the estimated volume of traffic coming in and out of the site under the existing approved plan vs. estimated volume based on the proposed plan. Residential creates less traffic in and out than commercial. How does it affect peak time.

Mr. Balskus showed a traffic letter that details changes in the land uses. The net change is 30 vehicles during afternoon peak hours reducing 30 vehicles. It is reducing by changing the text to allow residential. The reduction in commercial the net change is reduction of traffic volume. With a volume increase there would be reanalysis of intersections. Peak volume use is being reduced with the proposed change in land use.

Bob Ellsworth said less commercial means fewer people coming in and out during rush hour. If you have more people more residents in the complex wouldn't they be leaving and returning from work.

Applause

Mr. Balskus said it offsets it. You will have more residential traffic but it is offset by the reduction of the commercial space. Less traffic is coming in for commercial.

Victoria Tchetchet asked how peak hours for commercial are defined being that businesses open at different times. How do you make the distinction.

Mr. Balskus said that it is based on data. Peak hour is the highest volume on the road from 6:30 – 9:30 a.m. Data is analyzed and assessed for impact during a portion of this timeframe. The same is for afternoon peak hours. It is decided by facts/data.

Carolyn Freeman asked if it includes both entrances.

Mr. Balskus said “yes”. Both entrances were analyzed on Main Street and on Rt. 66 as well as 7 intersections on Rt. 66, traffic count, and crashes for approval. The Lower CT Valley Council of Governments did a follow-up study. River CROG Rt. 66 study included East Hampton and Portland and concurred with the findings of the traffic study.

Maura Newell Juan, Principal Architect, Seventy2 Architects, Danbury, CT, showed site approved as it currently stands with CVS at the intersection of Marlborough and Main Streets. Building is surrounded by parking lot with line showing intersection of Main Street. Building does not feel connected to the town and is not compliant with the current design guidelines. Main and Marlborough is an important threshold welcoming visitors and residents to Portland. The new corner building will frame the image of the town. It meets building design district guidelines. The undulating façade interrupts the length of the building to bring it down to human scale as the building faces Marlborough Street and the continuous pedestrian walk.

Victoria Tchetchet asked if the view of the property is of the interior of the property.

Ms. Juan concurred.

Victoria Tchetchet asked how close the property is from the street.

Ms. Juan said that she does not know measurements but is at the edge of the property line.

Victoria Tchetchet said it seems like the edge of a fortress rather than a welcoming embrace to the town center and village district. It looks inviting from the other side.

Mr. Bertram said that it is not a fully designed space. There will be signage, landscaping, brownstone, etc. It is not developed beyond the architecture of the building.

Victoria Tchetchet said that she wasn't thinking about landscaping but the structure itself which is more permanent than the landscaping. How does it include the rest of the village district rather than excluding it. It is the back of the building not main entrances to the property.

Ms. Juan said that we made an intentional decision to take the parking lot off of the street and hide it in the back. It is in compliance with design guidelines where they are trying to move buildings closer to the street for more of an urban feel.

Attorney Olson said we're not talking about the special permit and site plan tonight so this is reserved for a different application which will be subject to a public hearing on a different night.

Mr. Bertram said the building is 80 ft. from the edge of the road.

Ms. Juan showed a drone image from the proposed rooftop restaurant with a capacity of 174 guests and patio capacity of 72 guests. It is a unique experience for Portland. The new mixed used building presents a unique design experience for the Town of Portland.

Attorney Olson said we really need to focus on the text amendment and not to matters that are subject to scrutiny under the special permit site plan review. A general overview is one thing but to get into the actual architectural details is going far afield and could start to confuse the commission on what their objectives are tonight.

Bob Ellsworth agreed with Attorney Olson.

Mr. Bertram said there are pieces of the presentation that are important about the historic home. Going more vertical solves a marketing issue from an economic perspective and improving fundamentally the historic restoration scenarios. He met with the Historical Society last night and made slides that are relevant and in context with historic restoration to show how this plan is materially better than before and economically feasible.

Attorney Olson said again, I want to make clear that a lot of what has been discussed is subject to a further public hearing, public comment and the discretion of the commission as to how far they want to let you go and scrutinized under a special permit site plan approval. She appreciates what Mr. Bertram is saying and turned it over to the Chair to determine how far to let them go.

Bob Ellsworth said without hearing what you have to say it is hard to say.

Mr. Bertram asked to show how the historic restorations goal in the POCD is furthered by the altered approach enabled by the regulation change.

Victoria Tchetchet said which regulation change.

Mr. Bertram said density, language that talks about the building height, and delivering high floor commercial; going from 240 to 350.

Ms. Juan said the new site plan shows the new corner wrap around building addressing the street and intersection in line with the vision of the Portland Design District Regulations. The center campus is opened up and Building A is more vertical to offer a better viewing experience of historic buildings. The overlay shows a red triangle as the viewing area from Main Street to the Hart Jarvis House. The longer blue triangle show improvements to the viewing area to the Hart Jarvis House from the rooftop restaurant. It will bring functional value to Portland.

Mr. Bertram said to tie back to commercial success the terrace on the outside of Sage is enhanced by better viewing and dining experience. (We have committed \$20,000 for kitchen grease trap.) We are preparing and working toward a plan so that when we find someone who shares our vision and hopefully do business. The theme is trying to bring higher quality buildable space. We think it works economically, is a trade for higher quality space from lower quality space. We don't need a third dollar store in Portland. Enabling mechanism to keep the job rolling. He fears that Phase III is not feasible otherwise. If 2/3 of the project is complete businesses considering coming to town will see a dirt pile. Once Brainerd is finished they may want to invest in something else.

Bob Ellsworth opened the discussion for comments by the PZC.

Victoria Tchetchet said why is it necessary for the spa to be up and running in a year. Do you feel that the increase in the number of apartments is necessary when we are on the precipice of a lot more people coming into town for that attraction alone which will attract more commercial venues in town. It appears that you would be building apartments and cutting off your nose because you won't have the commercial space when the demand does come. Within a year is a short period of time.

Mr. Bertram said that the spa is not a demand generator for the site. They are a nice amenity. They are in support because of the power issue and think that residents will use the spa, and some of their employees can live there and walk to work. It is a symbiotic relationship. What they have seen elsewhere in a central business district is a town wanting as many as possible with disposable income to live in the area and a walking piece makes it easier to build up retail. Good economic development for all parties and viewed to be a good plan.

Bob Ellsworth said that if anyone attended the EDC meeting last week tonight may be repetitive but the commission was counseled not to attend that meeting or watch it on social media.

Public Comment:

Bob McDougall, 14 Kristen Drive, is a trustee of the Historical Society. He shared a statement on behalf of the Portland Historical Society which reads as follows:

It has been established by Portland that the three historic houses in the development are recognized as valuable historic assets. They are part of the Marlborough Historic District which is on the National Register of Historic Places and the district includes twelve homes within 900 ft. of each other. 1830 Hart Jarvis, 1852 Brainerd House, and 1884 John Sage House are associated with Portland's Brownstone Quarry and shipbuilding. Brainerd and Gildersleeve families that lived here are synonymous with industries that shaped the town's history. The Historical Society is excited to support the development as a means of restoring these three homes for reuse. The town amended mixed use development and regulations increasing the number of residential units allowed from 15 to 240 on the condition that the homes would be restored early in the development. They are disappointed that the restoration has not been completed on schedule and are very concerned about the requested changes to the plan. They further delay the restoration of the homes. They retreat from full restoration to simply exterior restoration which is not acceptable and does not fulfill the requirements of the zoning amendments. They are inconsistent with the POCD which stipulates residential development of high rise buildings at the south end of the development. The scale of proposed Buildings B1 and B2 dwarf the historic homes which should be highlighted not diminished on the site. The community has worked very hard and many years to develop a plan for the development of the town that will preserve its character and rich history while meeting the needs of the residents and creating a downtown with character as unique as our history. If we are not going to follow the plans we have worked hard to develop then we have wasted our time, money and a great opportunity. Please reject this application and enforce rules and agreements that are in place. Thank you.

Applause

Stephanie Tetreault, 65 Great Hill Road, agrees with the previous speaker. She does not support going forward and allowing 348 apartments on this property. She asked if this application applies to this project only and not the entire town. How many other parcels in town could be affected by this change.

Dan Bourret said for the record this MUD applies to B1, B2, B3, and IP zones which are all in section 9.17. A parcel needs to be greater than 10 acres and requires preservation of a historic resource as identified in the POCD in order to get the increased density that is currently allowed. If you do not preserve a historic structure you have 1 to 3 apartments per 5,000 s.f. density. Currently allowed is 16 apartments per 5,000 s.f. density and one of the changes that the applicant is seeking is to increase that to 21 per 5,000 s.f. density with a maximum of 350 total apartments. Currently St. Clemens is the only parcel that meets this criteria as a whole. At Brainerd Place you can assemble a parcel for multiple parcels. A caveat to this is many of these locations are in areas that lack water and sewer infrastructure. It is very unlikely that another development of this size would be constructed without water and sewer infrastructure.

Ms. Tetreault said in the presentation done by the traffic engineer the second bullet states "peak retail afternoon hours" which is different wording from the other bullets. Is there a difference between peak retail afternoon hours vs. peak hours.

Dan Bourret asked Bob Ellsworth how he would like this to be tracked.

Bob Ellsworth said it will be difficult to keep track of if we don't address them as we go.

Mr. Balskus said we look at the peak hour on the street. The data is from the commuting peak hour. We use that in our analysis. The peak hour on the street in the morning peak hour and the peak hour on the street in the afternoon peak hour. 40 were reviewed for the prior traffic analysis.

Ms. Tetreault said that my question – is there a difference between peak retail afternoon hours vs. peak hours.

Mr. Balskus said that he doesn't want to go back and forth. Retail usually peaks in the afternoon on a week day. Usually it is the same as a community peak hour because you are home, you are driving home, you are stopping to get something at a retail store. This is typically what we see. Saturday is different. We have a midday peak hour and traffic volumes aren't necessarily the same. A peak on Saturday may be different but midday retail has a peak between 11:00 a.m. and 1:00 p.m.

Ms. Tetreault said that given that the property has one exit on Rt. 66 it cannot accommodate 350 residential units. I have a significant concern and at the last meeting I suggested that the town consider property between this parcel and Wolcott Lane that could be used to accommodate an alternate entrance and exit not accommodating Perry Avenue. Perry Avenue is a residential street and I'm not suggesting that we try and connect Perry Avenue to Wolcott Lane. I don't think that would benefit the citizens on Perry Avenue but there is land between Hassan South and Wolcott Lane that I don't know why it wasn't considered to be added to this project to create another entrance and exit and then you have access to all roads that go to the bridge or you can go out to Airline and go to 66 out by Farrell's. I think we are setting ourselves up for a dangerous disaster by only having one exit from this significant parcel. I think the other thing that has not been considered is we are talking about all or none here. We

are talking about 240 or we are talking about 350 and in Dan's presentation or one of Dan's team members said that they were talking about going from 118,000 to 84,000 sf of retail space roughly the halfway point in there is 100,000 sf of retail space. Maybe we talk about a compromise where they don't get all 108 apartments. I don't love it but sometimes a compromise means we all walk away a little bit unhappy and Dan talked about how he's had these letters to educate these people where Portland is and how to bring business. Well we can all use a little bit of education. Let's educate people about our town and bring these businesses here. We are a great town. There's nothing wrong with educating these people about bringing these retail spaces here and I think that maybe it means that real estate has to do a little more work to fill the spaces. But let them earn their keep. Thank you.

Applause

Elwin Guild, 332 Middle Haddam Road, said the story began 11 years ago when someone put a letter in the River East Newsletter that showed concern for the conditions of the Elmcrest Campus. Shortly after that I founded the Elmcrest Campus Advisory Committee and for years citizens of Portland joined me every month to look at solutions for developing the proper development of the Elmcrest Campus. I have been witnessing every step of the way for 11 years. The question on the table is the one that the Chairman asked at the beginning of the hearing tonight, "how do you justify the change from 240 to 350". That is the question. I compliment the developer on progress in the design work for this project. I see clear evidence that his team has come to understand the environment here much more clearly and I applaud that. Early on in his testimony he used *destination*. The Town of Portland has invested in this project by giving all kinds of assistance to the concept of *destination* beginning with the outgrowth of the Elmcrest Campus Advisory Committee's work, the VCI grant for \$50,000 to have a marketing study done on this particular property. It created three hypothetical scenarios of how the development of the 14.88 acres could be conducted. Dan Bertram and his team took advantage of these studies and they were well founded. He hybridized two of the three to come up with the original proposal that you've seen projected tonight. He was clearly aware at the very outset all of the ambiguities and the difficulties of development. That's his business. It is not your business. You're being asked to be a developer because at the end of the day the only means of determining whether or not the application is justified is to have an understanding of rental terms leasing agreement construction contracts. That's not your business as I said at the last meeting. All of those are subjective and beyond your expected capacities. I hope you will give this serious deep consideration and draw on all of the resources that are available to you. We have a legal team, support of urban planning; assistance that you can use. I want to call your attention to the fact that the original site plan was contracted to Teddy Han a professional urban planner who worked diligently for a long time and has a wonderful record that you should review to substantiate the original site plan work. Thank you.

Applause

Mike Cleary, 11 Birch Tree Hill Road, said I think the main thing that is on a lot of peoples' minds is the addition of the apartments. Obviously I understand the reasoning behind using smaller retail spaces to be able to make it more feasible to lease to businesses. I have two questions. Does the commission have any thoughts on any of the benefits of bringing in 100 extra apartments. I heard there are some tax benefits. But do you know of any other benefits by adding this many apartments to the project. None that I have heard of. Is there a tax benefit. Apparently we're not privy. I heard it mentioned so I wasn't sure if that was the case. I think that Mr. Bertram said that it would generate \$300,000 per year. Is that correct.

Mr. Bertram said "yes". The additional apartments that I was referencing at \$3,000 a year for 108 would be over \$300,000 - \$324,000 a year. \$3,000 a year is what we project as an average tax so for the 108 additional apartments you'd have \$324,000 a year that would start right away upon building. To answer the question why it is an enabling mechanism to build out the 19,000 sf in Building A and to build the 32,000 sf at Building B. Right now they are hypotheticals and I'm here talking about market realities and proposing a solution to address them. The apartments are the enabling mechanism to build 50,000 sf of commercial.

Mr. Cleary said that his only other question is that the rent prices you said you did market research and compared prices elsewhere. The market I feel is way different in Portland than what you'd find in Glastonbury or West Hartford. Do you have any wiggle room in adjusting those prices to be more in line with what Portland would probably support.

Mr. Bertram said when we look at the demand generators it is typically people who are working so it's the commutability from the site to the employment center. We look at going up to Hartford, down to New Haven so there is enough of a base in the area and a shortage of



housing we think are the employment centers that support this is offered to everyone in the area. Obviously people working in Middletown, working in Portland are also respective tenants.

Mr. Cleary said “okay, thank you”.

Grayson Hartson, 1 Joelle Drive, said “Mr. Chairman, thank you for this opportunity to speak.” As we just heard Mr. Bertram say he needed 108 apartments to continue the project. What that tells me is that he is wanting us taxpayers to unburden him by increasing our taxes. I don’t think that is a fair representative of what a town should be doing. There’s many things involved with this that I approve of but I don’t approve of giving him something in order to take and complete the project. At the last meeting he said that if he doesn’t get the 108 apartments that he’s not going to get financing to complete this new rendition. I don’t think that the Town of Portland taxpayer should have resolved. He should have known that going in and as he said that he would only be able to complete 2/3. So, I don’t concur.

Applause

Terry Grady, 16 Victoria Road, said that Stephanie caught a lot of the points that I wanted to make and I don’t want to be too site specific. I don’t have a problem with changing the CVS building but I do have a problem with a few other things. That’s the time spent on the vibrant communities project, the time by the economic development task force. I know personally what is involved in what you are doing; the time and effort it takes. To extend the number of apartments is wrong. It puts a further strain on that people talk about and we’re afraid. You’re not going to get me to believe that at 7:00 a.m. the traffic is not going to increase with 300 apartments. It gets down to we made a deal. Stick to it.

Applause

Ben Srb, 139 West Cotton Hill Road, said that’s not Perry Avenue on the right side of the screen. It’s the gas station, it’s the Quonset Surplus Store, that’s the factory. Somehow we skipped the road. This thing got stretched. It’s not ACC in any way shape or form. That’s Pickering Street. I am speaking on behalf of 30 properties that I own in town consisting of almost all of the zones. I have no problem saying that I love Portland. I am the owner of multiple companies in town and proudly employ many people for almost a quarter of a century. I have volunteered my time on the ZBA for approximately 12 years, Board of Education – 7 years, Board of Selectmen – 4 years. I have always wanted what is best for Portland. I have been involved in the Elmcrest Development Project from the beginning. We have one chance to get this right. Bruce Tyler, your former Chairman, had the wisdom and foresight to help craft our zoning regulations. I quote – “under no circumstance shall a mixed use contain more than 240 residential units. I’m not sure if he saw thing coming or knew our town could not handle them at this site. The only reason we agreed to mixed use was the positive effects from the commercial component of the development not the residential being placed in the best commercial site in town. Early on in this process we relied on a study from the Cecil Group that cost tax payers \$50,000. This was used to help create the changes in our zoning regulations we see today. The study recognized that an 80 room hotel would do well at this site and in town. At the time St. Clemens was going to build one so it was not pursued. Fast forward almost 10 years to now we still do not have a hotel and we need one. This site would be perfect for a hotel with a rooftop restaurant that Dan claims would do well. For those of you who are counting this is at least the third proposed restaurant at this site. If you ask me it doesn’t seem to me that Dan has any other interest than residential. Every time we have a meeting for a site change it encompasses less commercial and more residential. If Dan does want to put in a hotel he should put the alleged rooftop restaurant on Building F which is yet to be built. This would give the town 9,000 more sf using his restaurant numbers of commercial and less residential. The town would still have the opportunity for future development helping the Grand List for many generations. To put this in perspective 240 units is about the size of Bartlett Hill, Grandview Farms, Copper Beach, and the Atrium combined. The majority of those units are deed restricted 55 and older. We don’t know how residential will impact school, sewer, police and fire. One thing is for sure there will be a cost to the town from this development. The real question – is it a detriment or not. The answer is time will tell. If you get this wrong the rest of the taxpayers will share the burden of this development. The town has approximately 4,400 housing units that consist of apartments, condos, and freestanding homes. 350 residential units would be approximately of our overall housing because none on the proposed site are deed restricted 55 and older. It will be a greater strain on our community. We should not count the restoration of historic homes in commercial development because this is redevelopment. The three historic homes consist of approximately 15,000 sf of the overall 83,000 of commercial. The new would be approximately 70,000 sf of new commercial on this site which is the approximate size of a Stop and Shop.

Mr. Srb said that Mr. Bertram said that mixed use regulations call for being balanced clearly and a third residential tower does not leave enough land to be balanced. In the same meeting, Mr. Bertram got permission to build Buildings E and F which is the majority of the residential in Phase 1 and 2. Most of the commercial in Phase II, Mr. Bertram said we have no right to do any more apartments. Mr. Bertram also said what risk is the commission taking when they hold the keys to a building. Mr. Bertram’s next quote no one could come in and propose something for building. Mr. Srb ended there.

## Applause

Jennifer Sparks, 186 Jobs Pond Road, said her main concerns are traffic obviously because my husband goes over the bridge every morning. I go over the bridge all the time. Fortunately I don't have to deal with rush hour traffic. On the occasion when I do it's really hard to get over the bridge. I don't see how the town is going to be benefiting from more apartments. I think that the potential for this space could have been profound by the river. We could have had way more green open space. We could have had nice apartments there. We're going to have some apartments but I think Dan's intention was always to come and build community apartments. I am not sure if the good people of the Town of Portland have been following the builder boom across the nation including Connecticut. If you are familiar with the zoning enabling act that was passed in 2021 and some other laws that allowed developers to come into town and override what the town would like and that's called A30G. Dan briefly mentioned that with workforce housing. My question to Dan is DeMarco Group which is also part of BRT and by the way Dan are you still on the board for the Fairfield Community Bank. You did serve there, right? So you have a lot of understanding about financing and coming into a town and what that means for financing. So I think Dan is holding a carrot of fear over the town to say that he is going to leave a pile of mud on the corner. That is valuable real estate. He is obligated by law to finish the project that he has already committed to. We will potentially find ourselves in a big legal battle with Dan coming in to tell you that now you have to have workforce affordable housing. I hope all of you have been following what is coming out of Hartford. There's a great website called 169 CT Strong which I highly suggest all of you familiarize yourselves with because Dan came here with the intent to build apartments. The apartment industry, the multi-family housing industry is valued at \$881 billion and projected to rise annually by 88.3% and projected to rise after 2028 another 9 point something percent. That is close to 10 percent annually. So my thought is that Dan knew and saw Portland as an opportunity. The people of Portland will not benefit. We will actually be harmed. I am concerned that as I get into my elder years I'd like to retire here. Am I going to be able to afford it so that Dan can make \$7M a year and that's just on residential property. And what about commercial property. Dan, I am very curious about this restaurant because if no other business wants to come into town and with Middletown being the restaurant mecca of the state, why are people going to want to come to a rooftop restaurant here. And in case you haven't noticed Middletown has their own "Dans" in town building very high rises which I am sure will be offering rooftop restaurants also. So Dan did you come here with plans to just build apartments.

Mr. Bertram said that he had never heard of Portland. I hadn't come here before 2015 and I grew up in CT. I have a personal relationship with the seller of the property and that is why I am here. We looked at what the developer had put together prior to our involvement. It was clear that the plan which had a very large box of commercial square feet and maybe 70 apartments. That was the development plan that had been approved by the town. It was very aspirational. It was never going to happen. After the approval was taken through the town decided to put six buildings on the National Historic Registry effectively condemning the property from development. So I came into a situation knowing in some ways what I was getting into. There are competing interests in this town. The town loves historic homes. I agreed to do one of them was forced into two, then three. There's no question that I don't want to be doing anything past the Brainerd House. I've been very public about that. We came to town with a development plan and were told to go home. A tax abatement was approved and then pulled because it wasn't executed. The only way that I could see developing the property was with A30G. It was 530 units that were laid out for the site. That's the only way that I can see to develop this property. Our goal was to deliver on the plan. I'm here with a crew that has a skill set to do large scale development. I have a personal relationship with Fred Hassan. Two of the buildings are named after him. He has been like an uncle to me. I'm trying to complete this job while he is still alive. He is 86 years old. That's my motivation. I'm here to say here's a way to develop it. I did not start anything that cannot be wound down in a controlled fashion. I will stand down because my motivation and integrity are being challenged. Portland has aspired for a level of commercial that I can't see how to deliver and I'm one of the more creative developers in the state. That doesn't mean it can't be done. I'm say that we can complete the stuff and we will because it is the commission's decision. They can say let's make a change and fulfill a broader objective which is to stimulate growth in the Town of Portland. I can complete this job at the level of what we've started. This is not a money grab. It is to complete a mission and we're trying to do so.

Alfred W. Yangle, 12 Grandview Terrace, said he hates Connecticut and New England and is here because of his children. They think that Portland is the center of their universe and I can't take that away from them. Now I see a developer that wants to destroy that and I know you've got good intentions with this plan and I know what is going on. What's going on in this country right now is disgusting. You all are getting played in 2012. Obama and the government repealed the Smith Act making it legal for your media, you newscasters to lie to you to get on public TV and tell you that Russia is still communist. I was in the US Army from 1979 – 1983. I happen to know that the Soviet Union fell. When that young lady talked about finance world, what did Charles Schwab say of the new world order. You will own nothing and be happy. That is what they are doing. They shut off our pipeline. When energy is expensive humanity flounders. When energy is cheap we flourish. How can be aspire to go to the stars when the elitists want to drag us back down to slavery. What's up with these apartments. If you have been paying attention to our southern borders and the massive treason being committed by our government. Right now there's over 20M men of military age in this country that do not belong here. Over 100,000 confirmed from China. I strongly suggest that you get on social media

and find the new costs that are telling you the truth. These people are lying to you and they're committing treason. They're going to get between \$15,000 and \$20,000 per unit. That's the deal. When you want to find the truth you follow the money.

Applause

Karen Maza, 13 Perry Avenue, said she wanted to emphasize a few points and a couple of new points. The town agreed in the original agreement to mixed-use development with commercial and residential that contained 240 residential apartments. This is the biggest residential development in town. Before that is built we are being asked to shift to commercial to residential ratio to favor more residential to the tune of 350 apartments. I heard one person say 108, another say 110. I heard 350. It is more than what was already approved. One of the reasonings the developer gave was the email he keeps reading from the marketing company. With the money involved, I think you would have done your marketing analysis beforehand of what this town could support in the way of commercial development. We're a niche little town across the river from Middletown that what not unknown before the original plan was proposed. I really question the reasoning that all of a sudden our geography cannot support the amount of commercial that was originally agreed to. To build our geography hasn't changed. Our proximity to Middletown hasn't changed. What has changed is the residential market booming. I question that being cited as a reason for the change from residential to commercial ratio. Another point is the cars. I heard Ryan Curley say with 350 apartments that would yield 400 residential cars. The 400 cars only counted two cars per two bedroom unit, one car per one bedroom unit, and one car per studio unit. Two people can live in a one bedroom and have two cars. 400 extra residential cars at 350 apartments is low ball. I think you will have more than that. I also think that there is a little bit of engineering math and the peak hours. I don't think most commercial stores open until 9:00 or 10:00am. I live on Perry Avenue and see traffic backing up at that light which happens from when I leave at 6:15am through 9:00am. There's no commercial traffic at that hour so these 400, and that's a low number, more cars will be entering. She also wanted to caution the commission against this. How the change in the text amendment will benefit this town; Mr. Bertram has only spoken about this particular development. You're being asked to change to allow this kind of development for any future developer. The west side of Pickering is a potentially developable rectangle beyond this development. If you change that commercial to residential ratio someone can offer to buy us out and develop that parcel at this increased ratio. Now you've not only got 350 apartments on this parcel, you're going to have that ratio on the next parcel. All are on Rt. 66. Mr. Bertram said smaller commercial is more marketable. There's no reason you can't carve that out into smaller pieces in the same building. Thank you.

Applause

Linda Yo, 84 High Street, had a question for the commission. She asked if other retail is being considered with other developers as a comparison. As far as traffic goes I live on High Street. Getting out of High Street onto Rt. 66 near Cumberland Farms in the morning is problematic. I notice a lot of cars coming from East Hampton, Colchester, and also on Main Street coming through from Glastonbury and farther north. A lot of people pass that corner daily going to and from work. Was this figured into any calculations.

Commission asked her to repeat question she had for them. She asked if other retail is being considered with other developers as a comparison. Commission members answered that they had not and that it isn't its charge to do so. You're relying on the developer. We're evaluating his request to change the application. That's the extent of our involvement. We would have to have a study done. Is that what you are referring to. Are you referring to the VCI report in 2015 done by the town, or are you talking about what their marketing group put together; a marketing evaluation.

Ms. Yo said that the applicant needs to be truthful. If they are not, it is an illegal issue.

Commission answered that it does not have a market study.

Applause

Dick Lawton, 331 Cox Road, started with the traffic congestion. About two and a half weeks ago the traffic was backed up from High Street past the new light that is going up. Traffic was backed up past there heading in the east direction. What are 100 extra apartments going to do for traffic. I think is already going to be a problem. You can do traffic studies and manipulate the facts however you want to. Just going up the street was pretty bad. You have a big traffic choke point going over the bridge. You've got four lanes basically narrowing down to two. Not so long ago the bridge was refurbished and it was down for about a year and a half. During that time it was a real nightmare. Nothing will change the four lanes until DOT decides to put in a new bridge. I think they are trying to develop a new Middletown and I don't want to see a big development put in. We don't need to increase to 100 extra apartments. We don't need to increase any new apartments that weren't originally approved of. With additional people living there – people do vote when it comes to town issues. We're going to be footing the bill as far as what we pay for. We don't need transients making our decisions. Maybe they should consider making it a park for the people and their pets who live there. Or even more parking for that matter. Instead of having to park under the buildings and probably paying premium price to park. The extra 100 apartments is not a good idea. Thank you.

Applause

5 minute break taken – 8:53pm. Meeting resumed at 9:00pm.

Dan Bourret said that we will not be able to get to everyone tonight. We will need to plan for another round.

Zoom Caller – Marra Giuliano, 280 Middle Haddam Road, asked Dan Bourret if her letter has been submitted to the court and PZC and if it can be read or not.

Dan Bourret said that her letter has been submitted to the commission as part of the record. We weren't going to read all correspondence that was submitted to the town. We were going to read that your letter is in opposition to the project.

Ms. Giuliano said that no one has talked about spot zoning. By definition spot zoning is when zoning is changed to accommodate a single individual or corporation and not necessarily for the benefit of the town. That's exactly what would happen here if the commission decides to go forward with the amendment to these zoning regulations. Thank you.

Chat Caller – Marie (no last name given) said that she does not support the project. I agree we should hold off on and continue to educate commercial businesses on what a great idea and opportunity this would be rather than giving up the additional traffic in the already hazardous area to drive in. Crazy people drive like nuts in this town, some without licenses, registrations, and insurance which the town chooses to do nothing about. Do we have the capacity in schools to handle the added number of students. Construction in this area is silly to begin with. I among many others would prefer to have shops, restaurants and services added to this town versus apartments and an additional 350 to 700 plus vehicles added to this intersection. I have to disagree that 350 apartments will create less traffic than a handful of businesses with a helpful handful of employees. Look at Main Street and destruction of some beautiful homes that are already apartments. It's disgraceful and an embarrassment to our town. Who would be responsible for maintaining the integrity of this site.

Dan Bourret asked Dylan to cut and paste this conversation so that it can be entered into the record as a word document.

Zoom Caller – Peter Willse, Building Official, 62 Jobs Pond Road said I'd like to correct the record. Back in February 2023 I received two permits to renovate the Brainerd House and the Sage House. I had to reject both of them because they did not meet the international existing building code under Part 12 for structural. Historic buildings depending on how you renovate them would need to comply with the existing 2022 international building codes. The Sage House, if you were on the second floor and wanted to exit, you would have to go into the first floor. If you had a fire on the first floor you would not be able to exit. With the Brainerd House the first revision sent to me back in February 2023 was to have tenant storage down in the basement. The basement was going to be changing houses, showers, a kitchen and some other that we consider to be assembly occupancies. On the second floor was going to be upper and lower exercise rooms, a TV/movie room, a yoga room, and a library which all constitute assembly occupancy. The building code requires two exits on an assembly occupancy and they had one stair so I had to reject it. A year later they came back with another revision where they said the Brainerd House second floor was going to be co-workers lounges which is not defined by the building code. He asked them what that meant. They said so that people could work remotely and I said that it was still part of the assembly occupancy because it is a business. In order to consider it a business, it has to be incidental to another occupancy which they did not do. Four weeks ago we sent modifications to the CT State Building Inspector to have them respond back. We have not heard back. I heard Ben Srb say we need to have, instead of the apartment building, an 80 room hotel. Hotels have transient people who come here to do business and then move on. Everything was done 11 years ago prior to Covid. Things have changed. Hartford had vacant floors in buildings. People are working remotely so I am sure the occupancy of those buildings are way less now. He asked the audience how many shop online. If so you are not supporting any store so we need to have more commercial space. How many of you are working remotely. How many of you walk. If you drive downtown Middletown or any other city – how many have paper covered store fronts because there is no occupancy. There is a move to have high rise that used to have businesses and turn them into residential because they cannot rent out the office space. This was all done 11 years ago before Covid. In 11 years have you changed. Has everyone stayed the same. Thank you.

Applause

Mike Nadolski, 47 Blackberry Ridge Road, said that he has a different perspective from this project from everyone else who has spoken so far. He chairs Portland's Economic Development Commission. As a starting point I think there is a general consensus that we need more commercial development due to continuing inflation, rising energy costs, unfunded state mandates. All of these things are driving up the operating costs of the town. Paying our teachers, plowing our roads, equipping our first responders. Those costs are going up and up. If we don't expand the tax base, that's going to make the property tax for residents unsustainable. The critical question is how do we grow the tax base. How do we solve this problem. Based on past history the town's demographics is not able to significantly the tax base without

new catalysts coming to town. It's not going to happen. You need proof. Wald down Main Street today what do you see – vacant buildings, vacant storefronts. How long has the bank on Waverly sat open. The Victorian - paint is peeling off the side, dark every night. Portland doesn't have a problem with lack of commercial space, we can't build the commercial space that we have. The solution is not building more unutilized space in our prime development spot. It's going to have the exact opposite effect. In the post Covid world that we are living in now Amazon, online retail is rising. Retail shopping has fundamentally changed. It's not coming back. The original plan is not going to work today. We need to recalibrate, readjust for the world as it is today. We can't cling to the past that no longer exists. I'm a business law professor. We teach fundamental economics to our students. Commercial investment follows demand. Portland doesn't generate sufficient demand. Our town center lacks critical mass of people. The only time our center is vibrant is Trick or Treat on Main Street, lighting the Christmas Tree, and maybe the Memorial Day Parade. That's three times a year. We want vibrancy in town. To do that we have to add residential units and I think residential units in a pedestrian friendly environment in the middle of our business district helps us attract and create the demand that we lack. I think we should encourage and welcome new residents to our Town Center. We should more importantly welcome their wallets and pocketbooks. Every new apartment translates into new consumer spending money at our existing businesses and encouraging new ones to open. We get a choice to make. If you like everything the way it is, reject the proposal. If you want an empty lifeless Town Center, reject the proposal. If you support broadening the tax base, breathing new life into the Town Center, we have to change. Change is hard for people. We can't let fear of change blind us to objectively considering what we gain, what we risk to gain, and what we risk to lose. And we risk losing things if we don't adopt this proposal.

Ben Srb, 139 West Cotton Hill Road, said I couldn't disagree with Mike Nadolski more and I understand why he came up and said because he was one of the few who stood up in front of this commission and told the commission "we need a driver. You need 240 residential units to be built so that we have the driver for all the commercial development." Well, where's the driver. I guess you got to flip now. Honestly it sounds like you are anti-development quite frankly not part of the economic development. If that's the mindset that you have there's very little coming. That's what you are going to get. At the end of the day there's plenty of towns building new commercial in an appropriate manner. What was originally proposed we all got on board for an appropriate manner so critical mass was the 240. That's how we concluded what was going to be needed as far as residential. That's the critical mass that we needed for this development. I don't blame Dan for trying because he will do what is best for himself. I urge this commission to please do what is best for our town and vote "no". I think we should negotiate until this is returned to two phases giving the town protection moving forward. This Board should let the Board of Selectmen know the concerns that the majority of the commercial phase in Phase III and might not get built this way. Any future tax payment can work to put protections back in for the residents. To be very clear, the Town is in the driver's seat. If BRT wants some sort of tax abatement they will need to build 240 residential units, restore the historic homes, and the proper amount of commercial. At some point there has to be give and take. Maybe the commercial needs to be reduced slightly at some point. To give up the potential for future commercial in the future is ridiculous. Dan left out Building B which is currently in Phase I and the foundation is supposed to be in. That's not the look we want. That building is supposed to be poured already. That's part of Phase I. We can work on that corner. What needs to happen is make it a one-story building. I think it was Victoria who pointed out that it was too tall. I believe it's a footprint of 16,000 s.f. but it seems uneven because of the mezzanine. I am going to assume that it is around 16,000 s.f. per floor. We can work together on getting it completed but once it's gone, it's gone. According to the attorney's statement "in my opinion you're creating spot zoning when it does apply to only one site." What I want to do for the traffic guy is you're quoting it's not going to have any more cars. It's going to be a reduction is what you said. Further, he said "some of the apartment spaces during the day will be available for office space when most residents are at work." That's how we got the reduction on the site. So if that's the case you cannot use the calculations saying the office spaces are going to peak generating time because they conflict. It either didn't match the waiver statement or it doesn't match the traffic study. It can't be both.

Mr. Balskus said parking does not mean traffic. I'll respond next time.

Mr. Srb will respond again next time.

### Applause

Mr. Bertram said that the text amendment is responsibly applied in and around the central business district and would come back between meetings with some way of making it a little more focused on that region and take away some of the speculation about how this could be done elsewhere. And with that we asked the commission to continue the hearing.

Dan Bourret said that the next available date at the high school is May 23 at 6:00pm. It's a Thursday so two weeks from tomorrow. That will give people time to speak and for the commission to deliberate.

**RECORDED VOTE**

DATE: May 8, 2024

COMMISSION: PLANNING & ZONING COMMISSION

**MOTION**

To Continue Application #23-16: Proposed Amendment to the Portland Zoning Regulations. Change to section 9.17.1 to increase the allowable MUD residential units to 350 from the current 240 and to increase the ratio of allowable apartments from 16 to 21 per 5,000 square feet of commercial space. Change to section 9.17.5.E to allow the sum of the total commercial area to include any single upper floor to the total commercial area where only the ground floor counts currently. Application of BRT DiMarco PTP, LLC.

Made by: Bob Ellsworth

Seconded by: Victoria Tchetchet

IN FAVOR

IN OPPOSITION

By Voice Vote \_\_\_\_\_  
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IN ABSTENTION

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Recorded By: Dawn Guite

16. Adjourn

Meeting adjourned at 9:15 p.m.

Respectfully Submitted:

***Dawn Guite***

Dawn Guite, Recording Secretary