

1. Legal Ad

Documents: [PB LGL AD 7-8-14.PDF](#)

2. Agenda

Documents: [PB AGENDA 7-8-14.PDF](#)

3. 72 Bishop Street

3.I. Memo

Documents: [BISHOP ST. \(MEMO\).PDF](#)

3.II. Applicants Submittal

Documents: [BISHOP ST. \(APPLICANTS SUBMITTAL\).PDF](#)

3.III. Plans

Documents: [BISHOP ST. \(PLANS\).PDF](#)

4. 50 Industrial Way

4.I. Memo And Attachments

Documents: [INDUSTRIAL WAY - 50 \(MEMO AND ATTACHMENTS\).PDF](#)

4.II. Applicants Submittal

Documents: [INDUSTRIAL WAY - 50 \(APPLICANTS SUBMITTAL\).PDF](#)

4.III. Plans

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5. 802 Ocean Avenue

5.I. Report And Attachments

Documents: [OCEAN AVE. - 802-828 \(REPORT AND ATTACHMENTS\).PDF](#)

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Documents: [OCEAN AVE. - 802-828 \(ATTACHMENTS FROM 6-10-14 REPORT\).PDF](#)

5.III. Applicants Submittal

Documents: [OCEAN AVE. - 802-828 \(APPLICANTS SUBMITTAL\).PDF](#)

5.IV. Public Comment

Documents: [OCEAN AVE. - 802-828 \(PUBLIC COMMENT\).PDF](#)

5.V. Additional Public Comment

Documents: [OCEAN AVE. - 802-828 \(ADDITIONAL PUBLIC COMMENT AS OF 7-3-14\).PDF](#)

5.VI. Plans

Documents: [OCEAN AVE. - 802-828 \(PLANS\).PDF](#)

6. 528 Commercial Street

6.I. Report And Attachments

Documents: [COMMERCIAL ST. - 528 \(REPORT AND ATTACHMENTS\).PDF](#)

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Documents: [COMMERCIAL ST. - 528 \(APPLICANTS SUBMISSION\).PDF](#)

6.III. Plans (1 Of 3)

Documents: [COMMERCIAL ST. - 528 \(PLANS 1 OF 3\).PDF](#)

6.IV. Plans (2 Of 3)

Documents: [COMMERCIAL ST. - 528 \(PLANS 2 OF 3\).PDF](#)
6.V. Plans (3 Of 3)

Documents: [COMMERCIAL ST. - 528 \(PLANS 3 OF 3\).PDF](#)
7. 101-121 Newbury Street

7.I. Report And Attachments

Documents: [NEWBURY ST. - 101 \(REPORT AND ATTACHMENTS\).PDF](#)
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7.III. Plans

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**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will hold a meeting on July 8, 2014, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at both the workshop and public hearing.**
The agenda includes the following items:

Workshop – 4:30 p.m.

- i. Bishop Street B-2 Map Amendment; Avesta Housing, Applicant. Avesta Housing has submitted a zoning map amendment application for 72 Bishop Street. The 52,383 sq. ft. parcel is located within 3 zoning designations of Industrial I-M, Residential R-5 and Residential R-3. The request is to rezone the entire site to the Business B-2 zone with the intent of developing a 30 unit efficiency apartment building.
- ii. 50 Industrial Way; Level III Site Plan; Allagash Brewery Expansion; 50 Industrial Way; Allagash Brewing, Applicant. The Board will consider a 18,360 sq. ft. phased building expansion that will connect the buildings at 50 and 100 Industrial Way. The project will include adding loading docks, site work, 2,422 sq. ft. bunker and a concrete pad for tank support.

Public Hearing – 7:00 p.m.

Old Business

- i. Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue; Ridge Development, LLC., Applicant. The Planning Board will consider proposed amendments to include, but are not limited to, changing the name to Ridge Development, LLC.; reducing the total number of units allowed from 98 to 94; eliminating the project amenities; reducing building height, changing the zone line and modifying the amount of area within the ROS and R-5A zones; and changing the parking ratio to allow 2 spaces for multi-bedroom units and 1 space per 1 bedroom unit. The Planning Board tabled consideration of this item at the June 10, 2014 public hearing.
- ii. International Marine Terminal, 528 Commercial Street, Level III Site Plan, Maine Department of Transportation, Applicant. The Board will hold a public hearing on a proposal to expand the International Marine Terminal (IMT) at 460 Commercial Street. The proposal includes rail improvements, site improvements for shipping container and chassis storage yard, coordination with adjoining uses, and West Commercial Street improvements. The Planning Board tabled consideration of the site plan at the June 24, 2014 public hearing.

New Business

- ii. Seaport Lofts (aka Bay Hosue Phase 2) , Reivew of Exterior Elevations per Condition of Approval, 101-121 Newbury Street, 113 Newbury Street, LLC, Applicant. The Planning Board will review the revised building elevations which is a condition of approval from the Board's October 22, 2013 approval of the subdivision and site plan for Seaport Lofts.

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

CITY OF PORTLAND, MAINE

PLANNING BOARD

Stuart G. O'Brien, Chair
Timothy Dean, Vice Chair
Elizabeth Boepple
Sean Dundon
Bill Hall
Carol Morrisette
Jack Soley

AGENDA PORTLAND PLANNING BOARD

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WORKSHOP – 4:30 p.m.

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PUBLIC HEARING – 7:00 p.m.

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATIONS AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE MEETING HELD ON JUNE 24, 2014:**
Workshop: O'Brien, Dean, Boepple, Dundon, and Morrisette present. Hall, and Soley absent.
Public Hearing: O'Brien (7:25 p.m.), Dean Boepple, Dundon, and Morrisette present. Hall and Soley absent.
4. **REPORT OF DECISIONS AT THE MEETING HELD ON JUNE 24, 2014:**
 - i. Car Dealership Conditional Use Review and Site Plan; 783 Forest Avenue, Mr. Changiz Fard, Applicant. O'Brien moved and Dundon seconded a motion to waive the driveway width to allow a width of 28 feet. Vote: 4-0, (O'Brien abstained, Hall and Soley absent). O'Brien moved and Morrisette seconded a motion to approve the conditional use with four (4) conditions of approval. Vote: 4-0, (O'Brien abstained, Hall and Soley absent). O'Brien moved and Morrisette seconded a motion to approve the site plan with nine (9) conditions of approval. Vote: 4-0, (O'Brien abstained, Hall and Soley absent).

- ii. International Marine Terminal, 528 Commercial Street, Level III Site Plan, Maine Department of Transportation, Applicant. Tim Dean moved and Carol Morrisette seconded seven (7) waivers of technical standards, which waived the sidewalk and granite curbing along the site frontage, allowed wider curb cuts for the IMT, Nova Seafood and Graybar, waived the flooding standard, waived infiltration testing, waives landscape standards, and allows a light fixture height of 34 feet. Votes: 5-0, (Hall and Soley absent). The Board voted 5-0 (Hall and Soley absent) to table the site plan review to July 8, 2014 at 7 p.m.

5. OLD BUSINESS

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STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

Memorandum
Planning and Urban Development Department
Planning Division



To: Stuart O'Brien, Chair and Members of the Portland Planning Board

From: Barbara Barhydt, Development Review Services Manager

Date: July 3, 2014

Re: B-2 Map Amendment for 72 Bishop Street, Bishop Street Apartments, Avesta Housing

Project #: 2014-110 CBL: 293 C002001

Meeting Date: July 8, 2014

I. INTRODUCTION

Avesta Housing submitted a request to rezone 72-78 Bishop Street to the B-2 zone. The 1.16 acre site is currently developed with a single family home along Bishop Street and vegetated vacant land behind. The parcel is located within three zones: Industrial I-M along Bishop Street and extending back roughly 85 feet; Residential R-5 for a portion of the rear of the site; and Residential R-3 encompassing the westerly side of the site. Avesta Housing requests the zoning map amendment in order to create 30 efficiency units for chronically homeless individuals, using the Housing First approach employed for Logan Place and Florence House.

Applicant: Avesta Housing, Greg Payne
Property Owner: Hed Way Development
Consultant: Mitchell & Associates, Bob Metcalf

Public Notice: Public notice of the workshop appeared in the Portland Press Herald on June 30 and July 1, 2014, was posted on the web site and was sent by mail or e-mail to 471 property owners and interested citizens.

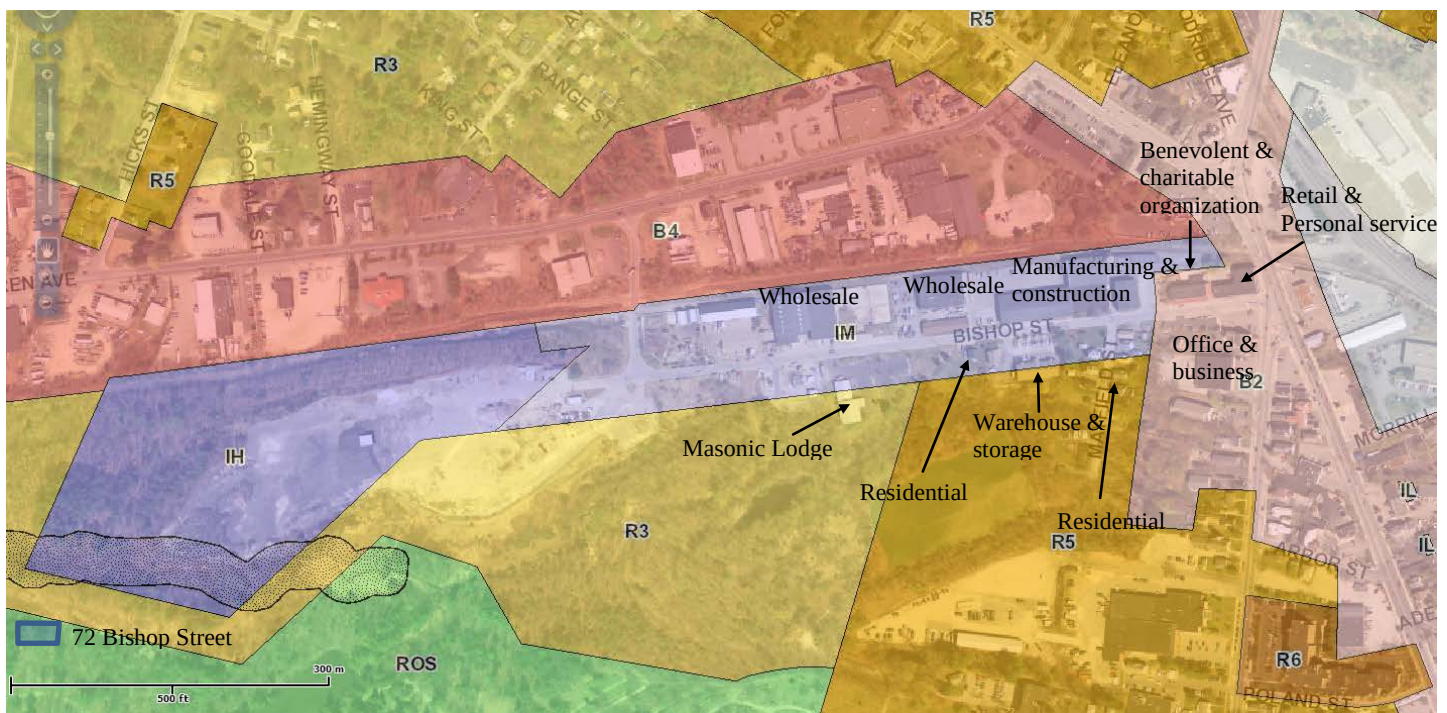
II. EXISTING CONDITIONS

Bishop Street extends from Forest Avenue at Morrill's Corner to Warren Avenue. As shown on the excerpt of Portland's Zoning Map, roughly the first 300 feet of Bishop Street from the intersection of Bishop and Forest Avenue is zoned B-2 and the zone line stops approximately 500 feet from the proposed site. The majority of Bishop Street is zoned Industrial I-M (moderate) with an Industrial I-H (heavy) at the westerly end of Bishop Street that encompasses the former Pike Industry site. The I-H site is now the remote parking lot for the University of New England. The I-M zone abuts the railroad line that is north of Bishop Street. The Warren Avenue corridor, which is on the northerly side of the rail line, is zoned B-4 Commercial Corridor Zone. The Residential R-3 and R-5 zones are located to the south of the I-M zone and there are single family homes along Mayfield Street, which is a dead-end street that intersects with Bishop. The

majority of Mayfield Street is within the R-5 zone, but the buildings along Bishop Street are within the I-M zone.

The rear property line of the proposed site abuts the University of New England site and it is in close proximity to Evergreen Cemetery. The proposed site is within the Capisic Brook watershed, which is an urban impaired stream. According to Doug Roncarati, Stormwater Coordinator at DPS, there is a stream tributary of the Capisic that is located just south of the site, which is the only stream segment in Portland meeting DEP water quality standards. The land area held by University of New England and in Evergreen Cemetery in the vicinity of the site has been considered an environmentally sensitive area. (UNE proposed developing their adjoining property for a parking lot, which was not supported by the Planning Board due to the environmental impacts). At the time of final development review, a rigorous stormwater management plan and other measures that address water quality and environmental protection will be needed.

In the applicant's cover letter, they list some of the adjoining uses, including a 3-unit office building to the east of the site, a Masonic Hall to the west of the site, and a car repair shop across the street. An excerpt of the zoning map with the existing uses according to the Tax Assessor's records is presented in the map below.



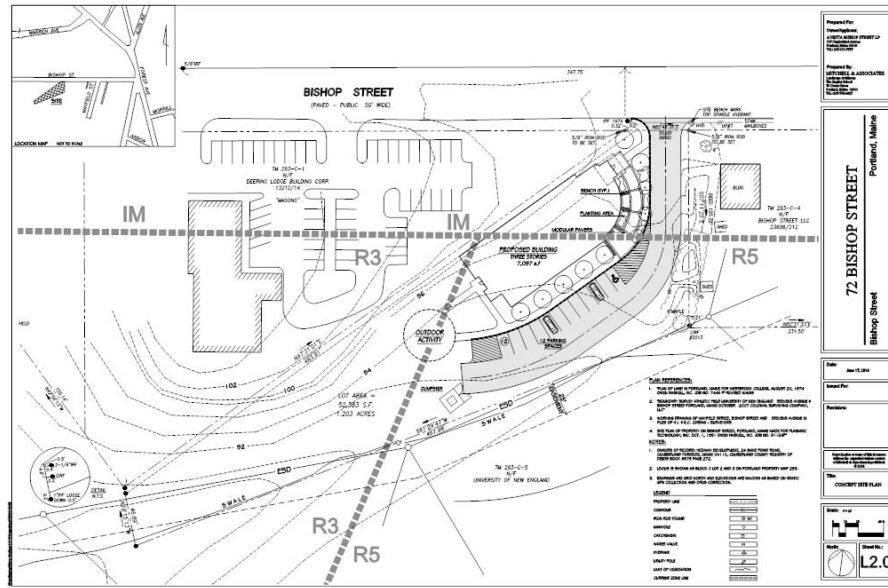
Existing Land Use Type, per City

III. PROPOSED DEVELOPMENT

The Applicant's Submission includes the application and cover letter outlining the proposed development and the request for the B-2 zone map amendment. In summary, Avesta Housing proposes to develop 30 efficiency units at 72 Bishop Street for chronically homeless individuals,

using the Housing First approach. This is the same housing approach that was employed for Logan Place on Frederick Street and Florence House on Valley Street. Preble Street will provide 24-hour on-site support services, Portland Housing Authority will provide project-based rental assistance, and Avesta will partner with a health care provider to offer on-site health and personal care services. The proposed three story building will include common space for residents, office space, six first floor efficiency units, and 24 efficiencies on the upper floors.

The site improvements include a surface parking lot for 12 vehicles. Outdoor recreation space will be on the westerly side of the building and a landscaped seating area will be near the front entrance on the easterly side of the building.



Avesta Housing is proposing to develop the site under the recently adopted amendments to the B-2 zone, which go into effect on July 17, 2014. The revisions to the B-2 dimensional standards are presented on the next page. The B-2 zone provision regarding active first floor uses is as follows:

Sec. 14-188. Active street frontages

A building will be determined to have an active street frontage upon meeting the following guidelines to the greatest extent practicable as determined by the Planning Board or Planning Authority: the primary building façade shall be within ten feet of the front street line; there shall be no parking on the lot within 35 feet of the front street line; no more than 25% of the first floor primary façade shall consist of access to garages, unutilized space, service entrances, storage or mechanicals, and the remaining minimum 75% shall have an average depth of a minimum of 20 feet for residential or commercial uses; all primary ground floor entries to multi-family buildings must orient to street, not to interior blocks or parking lots.

B-2 Dimensional Standards

Minimum Lot Size	None
Minimum Street Frontage	25 feet
Front Yard Setback Minimum	None
Rear Yard Setback Minimum	10 feet, except as provided for below: a. 5 feet for accessory structures
Side Yard Setback Minimum	None required, except as provided for below: a. 5 feet for accessory structures
Side Yard on Side Street Setback Minimum	None Required
Front Yard Maximum¹	No more than 10 feet, except that the Planning Board or Planning Authority may approve a different amount for irregularly shaped lots or lots with frontage less than 40 feet provided this standard is met to the maximum extent practicable. ²
Height maximum	45 feet except as provided for below: a. 50 feet if first floor is partially or wholly occupied by a commercial use. b. 65 feet in B-2 and B-2c zones on lots >5 acres provided that all setbacks, except for front yard setbacks and side yard on side street setbacks, increase by 1 foot for each foot of height over 45 feet. c. 65 feet within 65 feet of Franklin St.
Maximum Impervious Surface Ratio	a. For residential uses: None b. For all other permitted uses: 80% in B-2 and B-2c c. For all other permitted uses: 90% in B-2b
Minimum Lot Area per Dwelling Unit	a. Off-peninsula locations, as defined in section 14-47: 1,500 square feet, except as provided for in (b) below. b. On-peninsula locations (as per 14-47) and projects with active street frontages, as defined in section 14-188, below: 435 square feet.

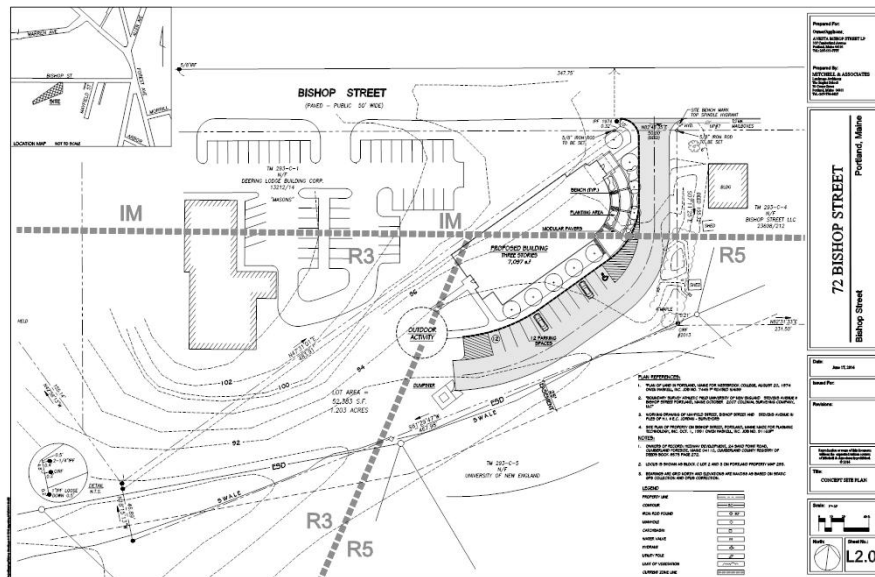
¹ Building additions do not have to meet this section.

² If lot has less than 40 feet of frontage and is more than 100 feet deep then no maximum setback is required. If existing structures are within 20 feet of the street or meet the front yard maximum, and remainder of lot has less than 40 feet of frontage, then no maximum setback is required. Where setbacks exceed 10 feet, a continuous, attractive, and pedestrian-scaled edge treatment shall be constructed along the street, consisting of street trees spaced at no more than 15 feet on center, approved by City arborist, and a combinations of landscaping no less than 4 feet deep, ornamental brick or stone walls or ornamental fencing.

The applicant is requesting a B-2 map amendment for 72 Bishop Street as shown below:



As shown on the proposed site plan, the parcel is divided by three zones: Industrial I-M, Residential R-5 and Residential R-3.



In the recent update, the permitted uses within the B-2 zone remained the same, which includes a full range of commercial uses. Nell Donaldson, prepared a comparison of the uses permitted in the I-M, B-2, R-3 and R-5 zone (Table 1 below) and a second chart presents a comparison of the dimensional requirements (Table 2).

Table 1 Permitted, Conditional, and Prohibited Uses

	I-M	R-3	R-5	B-2
Permitted Uses	Low impact industries (i.e. bakeries; breweries; bottling; printing; publishing; pharmaceuticals; machine shops; musical instruments; precision instruments, watchmakers, toys and sporting goods, wood products, jewelry, assembly of electrical components, tool and die shops and food packaging); Research and development and back office uses; Building contractors and construction and engineering services; Wholesale trade; Warehouse and distribution facilities, including outdoor storage; Intermodal transportation facilities & terminals; Repair services; Indoor amusement centers; Nurseries; Lumber yards; Commercial kitchens or other food preparation; Recycling facilities; Food processing; Solid waste disposal facilities; Day care facilities; Dairies; Utility substations; Correctional prerelease facilities; General, business and professional offices; Storage lots for towed vehicles; Street vendors; Wind energy systems; Registered marijuana cultivation; Incidental accessory uses; Other uses meeting performance standards per Section 14-248	Single family; PRUDs; Handicapped family unit; Single-family, multiple-component manufactured housing; Single-family single-component manufactured housing; Parks; Accessory uses; Home occupation; Municipal uses; Wind energy systems	Single- and two-family dwellings; Multiplex development; PRUDs; Handicapped family units; Single-family, multiple-component manufactured housing; Single-family single-component manufactured housing; Parks; Accessory uses; Home occupation; Municipal uses; Special needs independent living units; Wind energy systems	Attached single-family & two-family dwellings; Multi-family dwellings; Handicapped family units; Combined living/working spaces General, business & professional offices; Personal services; Offices of building tradesmen; Retail establishments; Restaurants; Drinking establishments; Billiard parlors; Mortuaries or funeral homes; Miscellaneous repair services, excluding motor vehicle repair; Communication studios or broadcast and receiving facilities; Health clubs and gymnasiums; Veterinary hospitals; Theaters; Hotels; Dairies and bakeries; Drive-throughs associated with a permitted use if not adjacent to residential zone; Registered medical marijuana dispensaries; Long term, extended and intermediate care facilities; Clinics; Places of assembly; Schools; College, university or trade schools; Municipal buildings and uses. Lodging houses; Utility substations; Accessory uses; Bed and breakfasts; Studios for artists and craftspeople; Hostels; Wind energy systems.

Conditional Uses	Temporary wind anemometers; Wind energy systems	Sheltered care group homes; Additional accessory dwelling units; Schools; Long term and extended care facilities; Intermediate care facilities; Places of assembly; Hospitals; Off-street parking; Utility substations; Daycare facilities; Temporary wind anemometer towers; Wind energy systems.	Sheltered care group homes; Alteration of a non-residential structure to 3+ dwelling units; Conversion of multi-family structures to lodging houses Additional accessory dwelling units; Schools; Long term and extended care facilities; Intermediate care facilities; Places of assembly; Hospitals; College, university, or trade schools; Off-street parking; Utility substations; Daycare facilities; Temporary wind anemometer towers; Wind energy systems.	Major and minor auto service stations; Car washes; Drive-throughs associated with a permitted use adjacent to residential zones; Automobile dealerships; Printing and publishing establishments; Wholesale distribution establishments; Research and developments and related production establishments; Temporary wind anemometer towers; Wind energy systems.
Prohibited Uses	Uses not expressly enumerated as permitted, as well as: Residential uses; Retail trade that is not ancillary to permitted use; Restaurant uses; Junk yards; Amusement parks; Crematoriums; Concert halls or dance halls; Banquet facilities; Mining and drilling operations; Refining of petroleum/petroleum tank farms; Commercial excavation; Distillation of bones, fat rendering, glue, soap, or fertilizer manufacture; Dumping or incineration of garbage; Stockyards; Smelting of ore; Manufacture of chemicals, cement, lime, gypsum, plaster of paris, bleaching powder, matches, paper, rubber, explosives or fireworks; Tanning of rawhides or skins; Coal distillation or coke ovens; Creosote treatment; Drop forging; Steel mills or furnaces; Coal- or coke-fired kilns; Used tire storage; Extraction of raw materials;	Uses not expressly enumerated as permitted or conditionally permitted	Uses not expressly enumerated as permitted or conditionally permitted	Uses not expressly enumerated as permitted or conditionally permitted

Table 2: Comparison of Dimensional Requirements

	I-M (Section 14-250)	R-3 (Section 14-90)*	R-5 (Section 14-120)***	B-2 (Section 14-185)
Min. Lot Area per D.U.	N/A	6,500 SF	3,000 SF, except 3,600 – 4,800 SF for special needs independent living units	1,500 SF 435 SF in projects with active street frontages
Street Frontage	60 feet	50 feet	50 feet	25 feet
Min. Lot Width	N/A		60 feet, except 90 feet for multiplex	
Min. Front Yard	1 foot for each foot of building height	25 feet	20 feet, except where average depth of adjacent front yards is less	N/A
Max. Front yard	N/A	N/A	N/A	10 feet, except for irregularly shaped lots or lots with < 40 feet of frontage
Min. Rear Yard	1 foot for each foot of building height up to 25 feet 35 feet when abutting residential zone	25 feet	20 feet	10 feet
Min. Side Yard	1 foot for each foot of building height up to 25 feet 35 feet when abutting residential zone	8-20 feet, depending on height/location	8-15 feet, depending on height/location	N/A
Structure Height	75 feet	35 feet	35 feet	45 feet, except 50 feet if first floor is occupied by a commercial use 65 feet on lots > 5 ac.
Max. Lot Coverage	N/A	35 %	40%	N/A
Max. Impervious Surface	75%	N/A	N/A	Residential: N/A Business and non-residential uses: 80%

*Additional restrictions on total number of dwelling units, setbacks, and lot coverage apply for PRUDs in the R-3 and R-5 zones

** Separate requirements apply for small residential lot development

V. Analysis

The I-M zone does not permit residential uses, thus the proposed zone change to B-2 is sought in order to develop housing on the site. The allowable density of 435 square feet of land area per unit for projects with an active street frontage enables this project to be considered. Both the R-3 and R-5 zone do not accommodate the density nor the building height envisioned for the proposal.

The applicant is proposing to rezone their lot at 72 Bishop Street to B-2. While the B-2 zone is within 500 feet of the site, the parcel is surrounded by the I-M zone along Bishop Street and it extends into the adjoining residential zones. One question for the Board is whether a broader map amendment to B-2 that encompasses more of Bishop Street should be advertised for consideration. This could achieve a map change that is contiguous with existing B-2 designations. The potentially larger area could encompass the I-M zone along Bishop Street or include just the southerly side of the street.

The uses in the I-M zone are generally industrial in nature, while the B-2 has a wide range of commercial uses and auto related businesses. Some of the existing uses in the vicinity are found in both zoning designations. For example, the current use of office space is a permitted use in both the I-M and B-2 zones. Auto repair shops are included in the I-M category of repair services. Major and minor auto service stations are a conditional use in the B-2 zone and at this time, the staff does not have a determination if the auto body repair shop across Bishop Street would fit into the B-2 definition. The Masonic Hall would most likely be a place of assembly, which is a permitted use in B-2, but is not listed in the I-M zone. The current zoning status of the hall has not been determined yet, but it may be a legally non-conforming use. The CMP substation is west of the Masonic Hall. Other uses across the street in the I-M zone include a landscaping company that stores material outside, a dog training center, wholesale operations and a manufacturing facility. The wholesale and manufacturing facility would qualify as a permitted use in the I-M zone, but would generally not be a permitted use in the B-2 zone.

The Planning Board will be asked to make a determination of whether the proposed map amendment is consistent with the comprehensive plan and make a recommendation to the City Council. A full analysis will be prepared for a public hearing. In general terms, the housing element of the Comprehensive Plan includes many policies to support increasing the range of housing types in the City to serve all income levels. The plan also includes policies that support commercial nodes near residential areas and seeks to limit business expansion into residential zones. In addition, the policies that pertain to protecting environmentally sensitive areas, such as the tributary of the Capisic Brook, are relevant to this proposal. Lastly, “Transforming Forest Avenue” identified Morrill’s Corner as one of the mixed use nodes that could be further developed along this corridor.

VI. Next Steps

- Determine area to be advertised for a map amendment
- Determine whether to schedule a public hearing or another workshop



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June 17, 2014

Ms. Barbara Barhydt
Development Review Services Manager
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

**Re: Bishop Street Apartments
72 & 78 Bishop Street
Request for Zoning Map Amendment**

Dear Barbara:

On behalf of Avesta Housing, we are pleased to submit the enclosed Zone Map Amendment application for the property located at 72 & 78 Bishop Street, Map 293, Block C Lots 2 & 3. The applicant is proposing to amend the current zoning designation (a combination of IM, R-3 and R-5) of the property to a B-2 zone with the intent to develop a 30 unit efficiency apartment building.

Housing Objective of the Project

Avesta Housing proposes to develop the combined lots of 72 & 78 Bishop Street to create 30 efficiency units at 72 Bishop Street in Portland for chronically homeless individuals, using a "housing first" approach. As was the case at Logan Place and Florence House, Avesta's two prior 'housing first' projects, Avesta anticipates partnering with Preble Street for the provision of 24-hour, on-site support services and Portland Housing Authority for project-based rental assistance. In addition to the 30 apartments, the property will include common space for residents as well as office space for Avesta and Preble Street staff. Bishop Street Apartments will provide housing and support services for those chronically homeless individuals who are currently most vulnerable due to their significant medical conditions. The project will likely include a partnership with a health care provider, to both address specific health concerns and ensure that residents have access to the health and/or personal care services that medically compromised individuals typically benefit from in their homes.

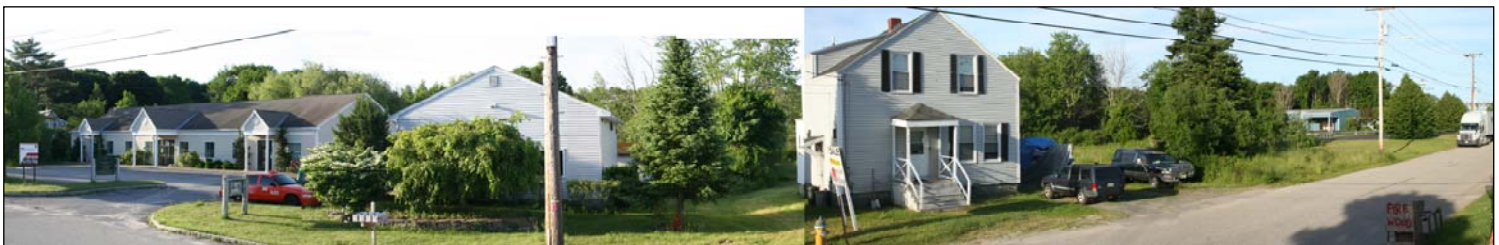
The proposed facility is in close proximity to employment opportunities, public transportation services, retail and amenities, yet beyond the high paced downtown urban environment. Avesta's vision for the property is to create a high quality housing resource for the neediest population within the City of Portland that combines the best features of affordable housing and quality design.

The Site

72 & 78 Bishop Street consists of a single family residence (lot 3) and a vacant lot (lot 2). Lot 3 has 50 feet of frontage on Bishop Street and is 8,125 SF; Lot 2 is a 42,419 SF vacant lot with no road frontage and lawn and mixed primary and secondary growth vegetation. The combined property is 52,383 SF (1.203 acres) and are zoned a combination of I-M (Industrial-Moderate Impact), R-3 and R-5 zones.



Abutting properties include a single story 3 unit professional office building to the east at 68 Bishop Street and a Masonic Hall to the west. A car repair garage (Portland Collision) is located across the street. To the south, the parcel abuts property owned by the University of New England. Bishop Street has many large industrial, metal clad buildings with varied businesses including a dog kennel, printing services and home healthcare services.



Professional Office Building

72 Bishop Street

Masonic Hall



Bishop Street Businesses



Residences on Mayfield Street

Bishop Street connects to Riverside Street to the west and Forest Avenue at Morrill's Corner to the east. While there are no residential properties on Bishop Street besides 72 Bishop, approximately ten single family residences are located towards the Forest Avenue end of Bishop Street on a small dead end street (Mayfield Street) that bisects Bishop Street.

Building Program

Bishop Street Apartments will consist of a single, new, 3 story building. The main entrance vestibule and reception is accessed from the first floor with building services including community rooms and offices. In addition, six efficiency units are located on the first level along with laundry, staff rooms and mechanical and electrical facilities. The remaining 24 efficiency units are located on the upper second and third levels. The complex will contain 30 total efficiency units.

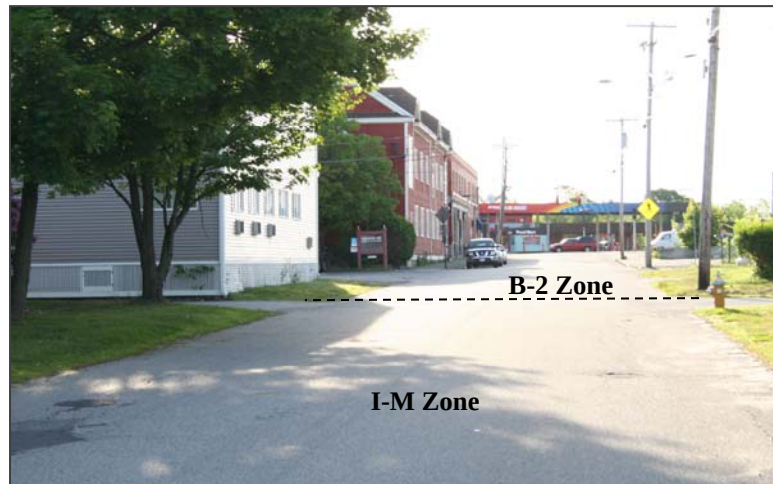
The site will accommodate a 12 space surface parking lot and dumpster pad. Outdoor recreation space will be located on the west side of the building and a landscaped seating area will be located on the eastern side of the building near the main entrance.

Zoning

The combined lots 2 and 3 (72 & 78 Bishop Street) fall within the I-M, R-3 and R-5 zones. The portion of the property along Bishop Street is defined as Industrial-Moderate Impact (IM) while the southern /rear portion of the properties are defined as Residential-3 (R-3) and Residential-5 (R-5). Avesta Housing is requesting a Zone Map Amendment to change the entire parcel created by the combined lots 2 & 3 to the B-2 Zone.

The proposed project intends to align with the city's desire to have a greater density of housing along the Forest Avenue corridor. The current zoning within the I-M zone prohibits residential uses while the R-3 and R-6 zones are primarily for medium density residential. The B-2 zone is located approximately 500 feet

from the property towards Forest Avenue. The B-2 zone supports moderate to high density residential development close to arterials.



View from 72 Bishop St towards Forest Avenue- Zoning

We believe that affording this property B-2 zoning status will provide desirable residential opportunities and support services for a population that is in great need of assistance. The location of the facility will provide residents with easy access to public transit with numerous entry level employment opportunities within walking distance.

Implementing Portland's Vision

Bishop Street Apartments supports many of Portland's goals as stated in the Land Use Ordinance and *Housing: Sustaining Portland's Future*. The purpose of the B-2 zones (sec 14-181) states to provide moderate to high density housing in urban neighborhoods along arterials. Avesta Housing has developed numerous highly successful housing projects throughout Portland and will continue, with this project, to provide excellent housing options for our community.

Housing Replacement Ordinance

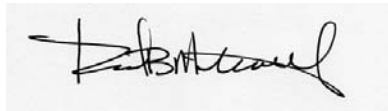
The 30 housing units proposed at Bishop Street Apartments will replace the housing units lost as a result of the demolition of the single family residence.

This submission includes the following information:

1. Zoning Map Amendment Application Fee
2. Application Booklet
3. Plan Set: Sheet L1.0 Existing Conditions
Sheet L1.1 - Concept Site Plan

We look forward to the opportunity to meet with the Planning Board to review this request. Should you have any comments and or questions, please do not hesitate to call me.

Sincerely,
Mitchell & Associates

A handwritten signature in black ink, appearing to read "R. Metcalf", is written over a light gray rectangular background.

Robert Metcalf, Principal
Maine Licensed Landscape Architect

Enclosure

cc. Greg Payne, Avesta Housing
Ben Walter, CWS Architects



Zoning Map/Text Amendment Application Portland, Maine

Planning and Urban Development Department
Planning Division and Planning Board

Portland's Planning and Urban Development Department coordinates the development review process for requests for zoning map amendments, zoning text amendments and contract or conditional rezoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. The **Application Process for a Zone Change** is summarized below under Section I and the associated costs for reviews are found under Section II, **Development Review Fees, Public Notices and Guarantees**, and are listed on the fee structure sheet.

I. APPLICATION SUBMITTAL

Pre-application meeting

Prior to submitting a zoning amendment application, the Planning Division recommends that the applicant or the designated representative schedule a pre-application meeting to discuss the review process and applicable standards for a proposal. Please contact Barbara Barhydt, Development Review Services Manager at 874-8699 to schedule a meeting.

Zoning Amendment Application

All 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.

- Submit one (1) complete paper set of the zoning amendment application with a concept plan and a written narrative. Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Applications may be submitted between 8 a.m. and 4:30 p.m. Monday through Friday at the Planning Division on the 4th floor of City Hall, 389 Congress Street, Portland.
- All applications are processed in the order in which they are received.
- In order for the Planning Division's Administrative Staff to accept and log-in an application, the application form must be complete, it shall be signed by the applicant's or the applicant's designated representative, and all applicable fees paid at the time of submittal.
- The Land Use Code is available on the City's website at www.portlandmaine.gov.
- If the application is found to be incomplete, the applicant will be informed in writing of the required plans and materials.

II. DEVELOPMENT REVIEW FEES, PUBLIC NOTICES AND GUARANTEES

Zoning Application Fees

- Each application must be submitted with the applicable fees as listed in the fee structure on page 4. The fees cover general administrative processing costs.
- Application fees may be paid in cash or by check (addressed to the City of Portland).
- An application will not be processed without the required application fees.

Fee for City Review Services

- The City of Portland charges fees for service to cover the cost of reviews by Planning and Legal staff members. The charges will be billed at an hourly rate and will be invoiced monthly for reimbursement.
- Current billing rates: Planning services, \$40.00/ hour and Legal services: \$75.00/hour.

Fee for Third Party Review

- Portland contracts with local engineering firms to conduct engineering reviews of development proposals. The direct cost of all engineering services or third-party consultant reviews, such as the civil engineering review of stormwater management plans, traffic impact reviews and such other reviews as required under the City's Ordinances, will be included in the monthly invoices for reimbursement.

Public Notices

- Public notices must be sent to property owners within 500 for all proposals at the time an application is received. Zoning map amendments for Industrial zones require notices to be sent to property owners within 1,000 feet.
- In advance of a Planning Board workshop or public hearing, public notices for projects must be sent to property owners and are posted in a legal ad in the Portland Press Herald and on the City's web site.
- In addition, zoning map amendments, text amendments and conditional rezoning agreements require individual notices to be posted in the Portland Press Herald.
- The Planning Division mails public notices and posts notices in the newspaper. The applicant will be billed for actual or apportioned costs for advertising and sending mailed notices.
- The applicant is required to hold a neighborhood meeting under the City's regulations for zone change requests. The mailing labels must be purchased from the Planning Division for the neighborhood meeting invitation. A request for labels requires a minimum of two business days to generate the mailing labels and a charge of \$1.00 per sheet will be payable upon receipt of the labels.

Third Party Review Fees

- Engineer and Third Party Review Fees - The fees are assessed by the Consulting Engineers and Third Party Reviewers.
- Inspection Fee - This fee is 2% of the Performance Guarantee or as assessed by Planning or Public Works Engineer with \$300.00 being the minimum.

Noticing/Advertisements Planning Board/City Council Review

- Legal Advertisement: Percent of total bill
- Notices: .75 cents each
(notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council)

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 ADDRESS: 72 & 78 Bishop Street, Portland

CHART/BLOCK/LOT: 293-C-2 & 3

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

Requesting a zone map amendment reflective of attached plans. Project to construct 30 apartment units with 12 parking spaces.

CONTACT INFORMATION:	Applicant's Contact for electronic plans Name: Mitchell Associates e-mail Address smisner@mitchellassociates.biz work # 207.774.4427
Applicant – must be owner, Lessee or Buyer Name: Avesta 72 Bishop L.P. Business Name, if applicable: Address: 307 Cumberland Avenue City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207.553.7780 Home# Cell # Fax# e-mail: gpayne@avestahousing.org
Owner – (if different from Applicant) Name: HED/WAY Development Address: 24 Sand Point Road City/State : Zip Code: 04110 Cumberland Foreside, ME	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Bob Metcalf/ Mitchell & Assoc. Address: 70 Center Street City/State : Portland, ME Zip Code: 04101	Agent/Representative Contact information Work # 207.774.4427 Cell # e-mail: rmetcalf@mitchellassociates.biz
Billing Information Name: Avesta 72 Bishop L.P. Address: 307 Cumberland Avenue City/State : Portland, ME Zip Code: 04101	Billing Information Work # 207.553.7780 Cell # Fax# e-mail: gpayne@avestahousing.org
Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:

Surveyor Name: Owen Haskell Surveyors, Inc. Address: 390 U.S. Rt 1, Unit 10 City/State : Falmouth, ME Zip Code: 04105	Surveyor Contact Information Work # 207.774.0424 Cell # Fax# e-mail: www.owenhaskell.com
Architect Name: CWS Architects/ Ben Walters Address: 434 Cumberland Ave City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work # 207.774.4441 Cell # Fax# e-mail: bwalter@cwsarch.com
Attorney Name: Cito Sellinger/Maurice Thaxter Address: 1 Canal Plaza Suite 1000 City/State : Portland Zip Code: 04101	Attorney Contact Information Work # 207.774.9000 Cell # 207.233-1029 Fax# e-mail: msellinger@curticthaxter.com

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

See attached Purchase & Sale Agreement.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

The site is currently a single family residence and vegetated vacant lot.

Current Zoning Designation(s):

Industrial-Moderate Impact (I-M), Residential (R-5) & Residential (R-3)

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

See attached project narrative.

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment <u> X </u> \$2,000.00 (from <u> R6 </u> zone to <u> B3 </u> zone)	Fees Paid (office use) _____	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment _____ \$2,000.00 (to Section 14- _____) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (<u>example</u>) and language to be added is depicted as underline (<u>example</u>))	_____	
Combination Zoning Text Amendment and Zoning Map Amendment _____ \$3,000.00	_____	
Conditional or Contract Zone _____ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	_____	

Signature of Applic 	Date: June 17, 2014
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Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.



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:
 - Portland's new site plan ordinance went into effect in August, 2010. It now includes provisions for preliminary and final plans. Neighborhood meetings are to be held three weeks after submitting a preliminary plan or within two weeks 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 three weeks 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 two weeks 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?

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.

Attachments

1. Neighborhood Meeting Invitation Format
2. Neighborhood Meeting Certification

~Applicant/Consultant: Please include all of the information listed below in the notice sent to neighbors~

Neighborhood Meeting Invitation Format

Applicant/Consultant Letterhead

(Date)

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a (development proposal) located at (location/number and street address).

Meeting Location: _____

Meeting Date: _____

Meeting Time: _____

The City code requires that property owners within 500 feet 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 (telephone number of applicant or consultant).

Sincerely,

(Applicant)

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

Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

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



LETTER OF AUTHORIZATION

June 17, 2014

To: City of Portland Planning Department

This letter authorizes Robert Metcalf, Michael King and/or Sashie Misner of Mitchell & Associates and Ben Walter of CWS Architects to act as agents on behalf of Avesta Housing Development Corporation in public meetings and the submission of any and all application materials that relate to our proposed development of Bishop Street Apartments on Bishop Street in Portland.

Sincerely,

A handwritten signature in blue ink that reads "Greg Payne".

Greg Payne
Development Officer



Individual Member
Individual Membership



Residential,
Industrial and
Office Real Estate

CBRE | The Boulos Company

CONTRACT FOR THE SALE OF REAL ESTATE

Date: 2.20.14

One Canal Plaza, Portland, ME 04101
(207) 772-1333

RECEIVED OF: Avesta Housing and/or assigns whose mailing address is 307 Cumberland Av. Portland, ME 04101, hereinafter called the Purchaser(s), the sum of Five Thousand Dollars (\$5,000) as earnest money deposit and in part payment of the purchase price of the following described real estate, situated in the municipality of Portland, County of Cumberland, State of Maine and located at 72 Bishop Street being all the property owned by the Seller(s) at the above address, and described at said County's Registry of Deeds Book 8575, Page 272 and further described as: a 1.16+- acre parcel improved with a 1,134+- sf wood frame house, upon the terms and conditions indicated below:

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): appliances
2. PURCHASE PRICE: The TOTAL purchase price being One Hundred Seventy Five Thousand Dollars (\$175,000) to be paid as follows: \$5,000 earnest money deposit within one business day of the execution of said contract and the balance to be paid in cash or wired funds at time of closing.
3. EARNEST MONEY/ACCEPTANCE: Malone Commercial Brokers shall hold said earnest money in a non-interest bearing account and act as Escrow Agent until closing; this offer shall be valid until February 26, 2014 at 4:00 PM; and, in the event of the Seller's non-acceptance, this earnest money shall be returned promptly to the Purchaser(s).
4. TITLE: That a deed, conveying good and merchantable title in accordance with standards adopted by the Maine Bar Association shall be delivered to the Purchaser(s) and this transaction shall be closed and the Purchaser(s) shall pay the balance due and execute all necessary papers within 45 days of receipt of zone change referenced in Paragraph 10.1. If Seller(s) is unable to convey in accordance with the provisions of this paragraph, then the Seller(s) shall have a reasonable time period, not to exceed thirty (30) days, from the time the Seller(s) receives written notice of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is merchantable title, the Purchaser(s) may, within fifteen (15) days thereafter, at Purchaser's option, declare the contract null and void and any earnest money shall be returned to the Purchaser(s) and neither party shall have any further obligation hereunder. If the Purchaser(s) does not declare the contract void within the period set forth above, the Purchaser(s) shall have waived the right to object to title. The Seller(s) hereby agrees to make a good-faith effort to cure any title defect during such period.
5. DEED: That the property shall be conveyed by a quitclaim with covenant deed, and shall be free and clear of all encumbrances except building and zoning restrictions of record, restrictive covenants and conditions of record and usual public utilities servicing the property and shall be subject to applicable land use and building laws and regulations.
6. POSSESSION/OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser(s) immediately at closing, subject to any leases, unless otherwise agreed by both parties in writing.
7. LEASES/TENANT SECURITY DEPOSITS: Seller(s) agrees to transfer at closing to Purchaser(s) all Seller(s)' rights under the current leases to the property and all security deposits held by Seller(s) pursuant to said leases.
8. RISK OF LOSS: Until the transfer of title, the risk of loss or damage to said premises by fire or otherwise, is assumed by the Seller(s) unless otherwise agreed in writing. Said premises shall then be in substantially the same condition as at present, excepting reasonable use and wear.
9. PRORATIONS: The following items shall be prorated as of the date of closing:
 - a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years.
 - b. Fuel
 - c. N/A
 - d. Rents
 - e. Metered utilities, such as water and sewer, shall be paid by Seller(s) through the date of closing.
 - f. Purchaser(s) and Seller(s) shall each pay its transfer tax as required by the State of Maine.
10. INSPECTIONS: The Purchaser(s) is encouraged to seek information from professionals regarding any specific issue of concern. Purchaser(s) acknowledges receipt of disclosure form attached hereto. The Agent makes no warranties regarding the condition, permitted use or value of the Seller's real or personal property. This Contract is subject to the following inspections, with the results being satisfactory to the Purchaser(s):

Page 1 of 3

Seen and agreed to:

[Signature]

[Signature]

Rev. 3/2001

			Seller(s)		Purchaser(s)		
TYPE OF INSPECTION	YES	NO	RESULTS	TYPE OF INSPECTION	YES	NO	RESULTS
			REPORTED				REPORTED
a. General Building	☒	☐	Within 21 days	g. Lead Paint	☐	☐	Within ____ days
b. Sewage Disposal	☐	☐	Within ____ days	h. Pests	☐	☐	Within ____ days
c. Water Quality	☐	☐	Within ____ days	i. ADA	☐	☐	Within ____ days
d. Radon Air Quality	☐	☐	Within ____ days	j. Wetlands	☒	☐	Within 30 days
e. Radon Water Quality	☐	☐	Within ____ days	k. Environmental Scan	☒	☐	Within 30 days
f. Asbestos Air Quality	☐	☐	Within ____ days	l. Zone Change	☒	☐	Within 90 days

The use of days is intended to mean from the effective date of this Contract. All inspections will be done by inspectors chosen and paid for by the Purchaser(s). If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser(s), in Purchaser(s) sole discretion, Purchaser(s) may declare the Contract null and void by notifying Seller(s) in writing within the specified number of days, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s). In the absence of inspection(s) mentioned above, the Purchaser(s) is relying completely upon Purchaser's own opinion as to the condition of the property.

11. FINANCING: Intentionally Deleted

12. AGENCY DISCLOSURE: The Purchaser(s) and Seller(s) acknowledge that they have been informed that the Selling Licensee is acting as a Buyer's agent in this transaction and is representing the Buyer and that the Listing Licensee is acting as a Seller's agent in this transaction and is representing the Seller.

13. DEFAULT: If Purchaser(s) fails to perform any of the terms of this Contract or is otherwise in default of any of its obligations, Seller shall have the option of either retaining the earnest money as full and complete liquidated damages or employing all available legal and equitable remedies. Notwithstanding any other provision of this agreement, Escrow Agent shall have the right to require written releases from both parties prior to releasing the earnest money to either party. If a dispute arises between Purchaser(s) and Seller as to the existence of a default hereunder and/or the release of the earnest money and said dispute is not resolved by the parties within (30) days, Escrow Agent may elect to file an action in Interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser(s) and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the Deposit.

14. MEDIATION: Any dispute or claim arising out of or relating to this Contract or the premises addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the closing of this transaction.

15. PRIOR STATEMENTS: Any verbal representations, statements and agreements are not valid unless contained herein. This Contract completely expresses the obligations of the parties. This is a Maine contract and shall be construed according to the laws of Maine.

16. HEIRS/ASSIGNS: This Contract is assignable ☒ Yes ☐ No. This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns (if assignment is allowed by the terms of this Contract), of the respective parties.

17. COUNTERPARTS: This Contract may be signed on any number of identical counterparts, including telefacsimile copies, with the same binding effect as if the signatures were on one instrument. Original or telefacsimile signatures are binding.

18. BINDING CONTRACT: This Contract is a binding contract when signed by both Seller(s) and Purchaser(s) and when that fact has been communicated to all parties or to their agents. The Effective Date of the Contract is noted below. Time is of the essence of this Contract.

19. REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION: Purchaser shall have 21 days from the effective date of the Contract to review leases of the property and income and expense information regarding the property, which leases and information Seller shall make available to Purchaser at a convenient time and location. If the result of the review is unsatisfactory to Purchaser, Purchaser may declare the Contract null and void by notifying the Seller in writing within the specified number of days set forth herein, and the earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that the review is unsatisfactory within the time period set forth herein, this contingency is waived by Purchaser.

20. Seller(s) and Purchaser(s) acknowledge receipt of the Maine Real Estate Commission Disclosure of Agency Relationship Form (Form #2), if the property is, or has a component of, one to four residential dwelling units.

21. ADDENDA: This Contract has addenda containing additional terms and conditions: YES ☐ NO ☒

22. Per the reference in Paragraph 10.1, this contract is subject to purchaser's ability to get a zone change to Residential which is satisfactory to the Purchaser for its intended use, within 90 days of the effective date of this contract.

Page 2 of 3
Rev. 3/2001

Seen and agreed to:

Seller(s)

Purchaser(s)

A COPY OF THIS CONTRACT IS TO BE RECEIVED BY ALL PARTIES AND, BY SIGNATURE, RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED. IF NOT FULLY UNDERSTOOD CONSULT AN ATTORNEY.

Seller(s) acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2% of the consideration unless the Seller(s) furnishes to the Buyer(s) a certificate by the Seller(s) stating, under penalty of perjury, that Seller(s) is/are a resident of Maine or the transfer is otherwise exempt from withholding.

Dan Peterson
 Purchaser
 Avesta Housing
 Name/Title President

2-20-14
 Date
01-0315296
 Soc. Sec. # or Tax I.D. #

 Purchaser
 Name/Title

 Date
 Soc. Sec. # or Tax I.D. #

The Seller(s) accepts the offer and agrees to deliver the above-mentioned property at the price and upon the terms and conditions set forth above and agrees to pay the Broker the commission for services herein according to the Listing Agreement or if there is no Listing Agreement the sum of: 10% of Sale Price. The obligation to pay said commission or sum shall survive the closing of this transaction. Seller agrees that Broker may apply any deposit(s) received in connection with the sale of the Property toward commissions due and payable under this Agreement. If the earnest money is forfeited by Purchaser(s), it shall be evenly distributed between the Broker and the Seller(s), provided, however, that Broker's portion shall not exceed the full amount of the commission specified. In the event the Seller(s) defaults on its obligations hereunder, CBRE | The Boulos Company shall be entitled to costs of collection, including reasonable attorneys' fees.

Signed this _____ day of _____, Effective date of Contract: _____.

The Listing Licensee is Mark Malone of Malone Commercial Brokers (Company).
 The Selling Licensee is Dan Greenstein of CBRE/The Boulos Company (Company).

Frank Dixon
 Seller
Partner
 Name/Title

2/20/14
 Date
01-0428120
 Soc. Sec. # or Tax I.D. #

 Seller
 Name/Title

 Date
 Soc. Sec. # or Tax I.D. #

Offer reviewed and refused on _____, Seller

Seen and agreed to:

[Signature]
 Seller(s)

[Signature]
 Purchaser(s)

- teletyped signatures are binding.
18. **BINDING CONTRACT:** This Contract is a binding contract when signed by both Seller(s) and Purchaser(s) and when that fact has been communicated to all parties or to their agents. The Effective Date of the Contract is noted below. Time is of the essence of this Contract.
19. **REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION:** Purchaser shall have 21 days from the effective date of the Contract to review leases of the property and income and expense information regarding the property, which leases and information Seller shall make available to Purchaser at a convenient time and location. If the result of the review is unsatisfactory to Purchaser, Purchaser may declare the Contract null and void by notifying the Seller in writing within the specified number of days set forth herein, and the earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that the review is unsatisfactory within the time period set forth herein, this contingency is waived by Purchaser.
20. Seller(s) and Purchaser(s) acknowledge receipt of the Maine Real Estate Commission Disclosure of Agency Relationship Form (Form 822), if the property is, or has a component of, one to four residential dwelling units.
21. **ADDENDA:** This Contract has addenda containing additional terms and conditions: YES NO
22. For the reference in Paragraph 10.1, this contract is subject to purchaser's ability to get a zone change to Residential which is satisfactory to the Purchaser for its intended use, within 90 days of the effective date of this contract.

Page 2 of 3

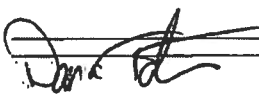
Seller
3/2/14
Seller(s)

Purchaser(s)

Seen and agreed to:

A COPY OF THIS CONTRACT IS TO BE RECEIVED BY ALL PARTIES AND, BY SIGNATURE RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED. IF NOT FULLY UNDERSTOOD CONSULT AN ATTORNEY.

Seller(s) acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 3 1/2% of the consideration unless the Seller(s) furnishes to the Buyer(s) a certificate by the Seller(s) stating, under penalty of perjury, that Seller(s) is/are a resident of Maine or the transfer is otherwise exempt from withholding.



Buyer

Address

Purchaser

Date

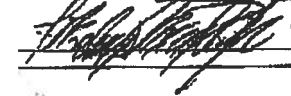
Name/Title
#

Sec. 11 or Ter I.D.

The Seller(s) accepts the offer and agrees to deliver the above-mentioned property at the price and upon the terms and conditions set forth above and agrees to pay the Broker the commission for services herein according to the Listing Agreement or if there is no Listing Agreement the sum of 10% of Sale Price. The obligation to pay said commission or sum shall survive the closing of this transaction. Seller agrees that Broker may apply any deposit(s) received in connection with the sale of the Property toward commissions due and payable under this Agreement. If the earnest money is forfeited by Purchaser(s), it shall be evenly distributed between the Broker and the Seller(s), provided however, that Broker's portion shall not exceed the full amount of the commission specified. In the event the Seller(s) defaults on its obligations hereunder, CBRE | The Boston Company shall be entitled to costs of collection, including reasonable attorney's fees.

Signed this _____ day of _____ Effective date of Contract _____

The Listing Licensee is Mark Malone of Malone Commercial Brokers (Company).
The Selling Licensee is San Francisco of CBRE The Boston Company (Company).

 - Partner

Seller

Date

**First AMENDMENT
TO CONTRACT
For Sale of Real Estate
March 12, 2014**

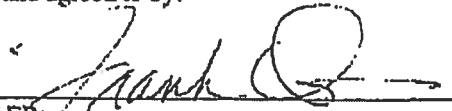
The Contract For Sale Of Real Estate for property located at 72 Bishop St. Portland, Maine, between William F. Dixon & Wesley Wright Jr., (Known as Seller) and Advesta Housing and/or assigns (known as Purchaser), dated 2/20/14, for valuable consideration, is amended as follows:

1. Paragraph 10 item a – General Building inspection shall be extended to expire on March 18, 2014 at 5:00 pm.

This Amendment may be signed on any number of identical counterparts, including telefax copies, with the same blading effect as if all of the signatures were on one instrument

All other terms and conditions of the Contract will remain in full force and effect.

Seen and agreed to by:

SELLER: 
BY:
ITS:

DATE 3/12/14

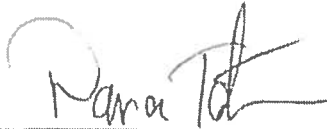

PURCHASER:
BY:
ITS:

DATE 3/13/14

Amendment A
To the Purchase and Sale Agreement
For Property Located at 72 Bishop Street, Portland, Maine
Purchaser: Avesta Housing and/or assigns
Dated: February 20, 2014

1. The time frame referenced in Paragraph 10 (l.) of the Purchase and Sale Agreement is hereby extended through July 21, 2014.
2. All other terms and conditions shall remain in full force and effect.

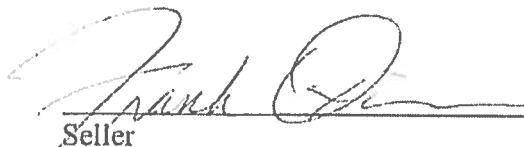
SEEN AND AGREED TO:



Purchaser

3-7-14

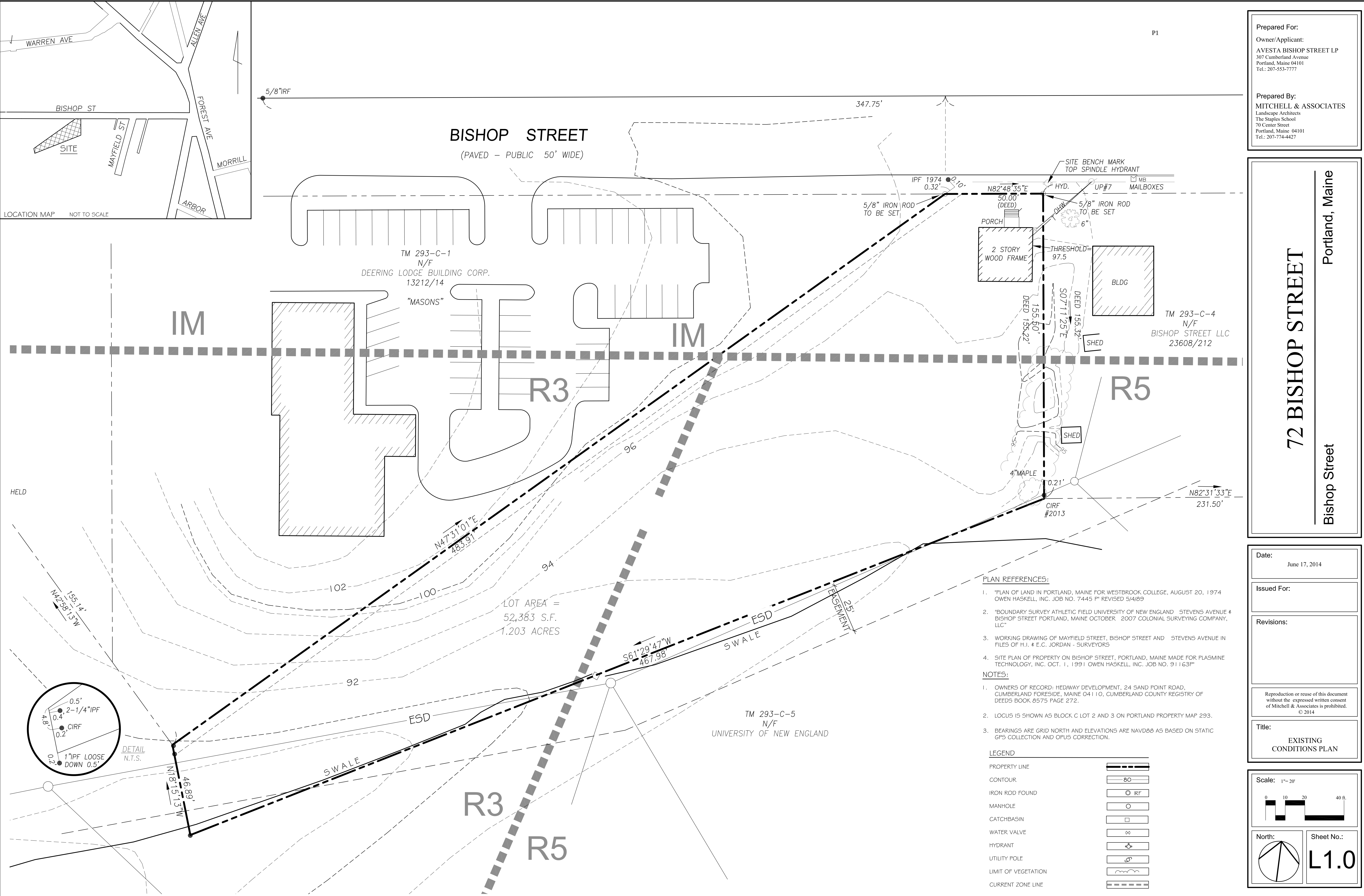
Date



Seller

5/12/2014

Date



Prepared For:

Owner/Applicant:

AVESTA BISHOP STREET LP
307 Cumberland Avenue
Portland, Maine 04101
Tel.: 207-553-7777

Prepared By:

MITCHELL & ASSOCIATES

Landscape Architects
The Staples School
70 Center Street
Portland, Maine 04101
Tel.: 207-774-4427

72 BISHOP STREET

Portland, Maine

Bishop Street

Date:

June 17, 2014

Issued For:

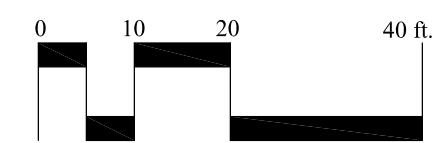
Revisions:

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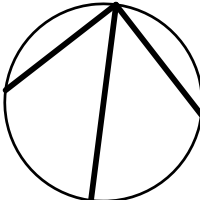
Title:

EXISTING
CONDITIONS PLAN

Scale: 1"=20'

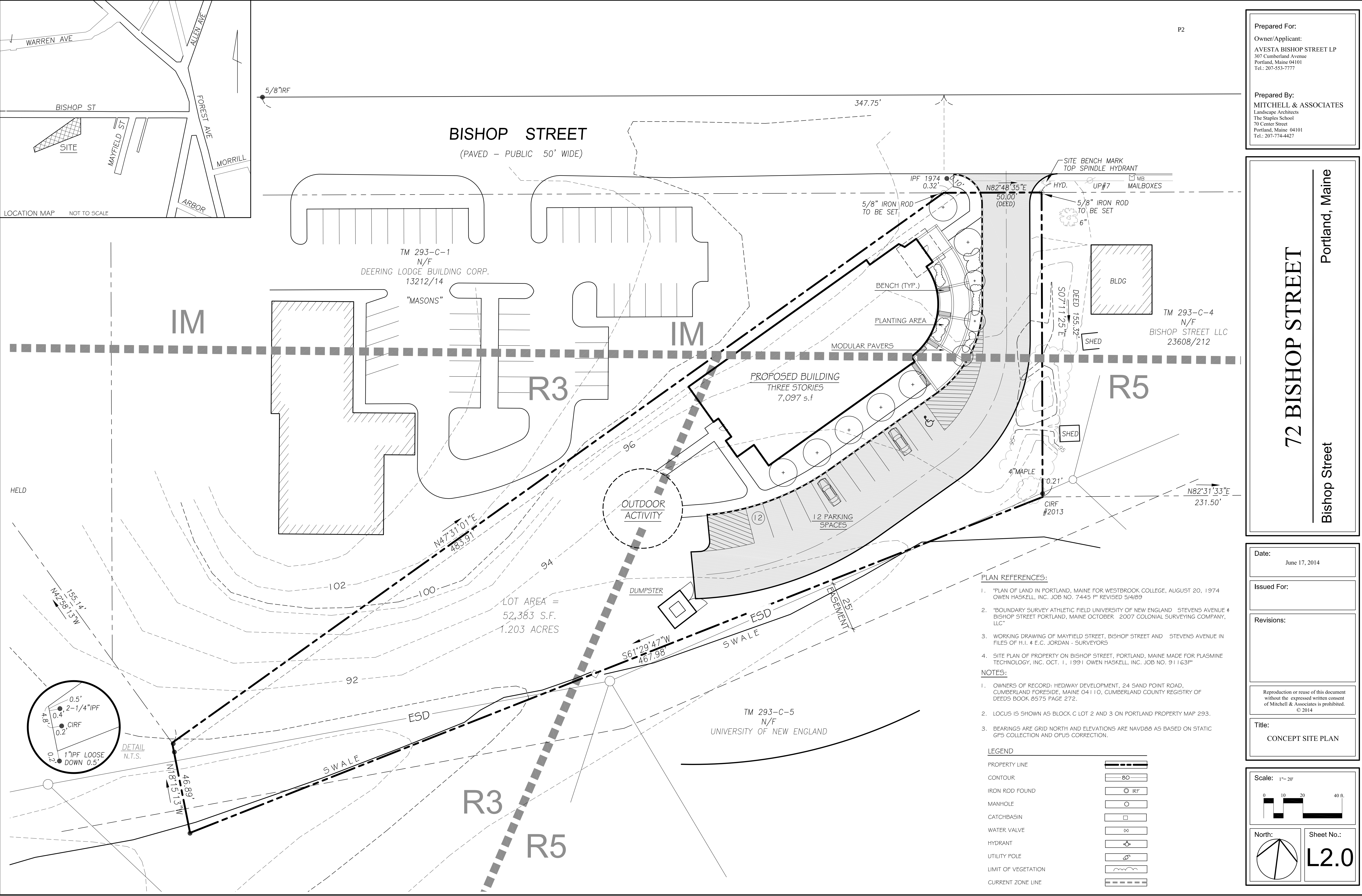


North:



Sheet No.:

L1.0





BISHOP STREET CONTEXT MAP
NOT TO SCALE



Memorandum

Department of Planning and Development

Planning Division

TO: Stuart O'Brien, Chair and Members of the Portland Planning Board

FROM: Jean Fraser, Planner

DATE: July 3rd, 2014

RE: **Expansion of Commercial Building**
50 Industrial Way
50 Industrial Way LLC (Allagash Brewing Company), Applicant
Project #: 2014-098 CBL 326-B009001

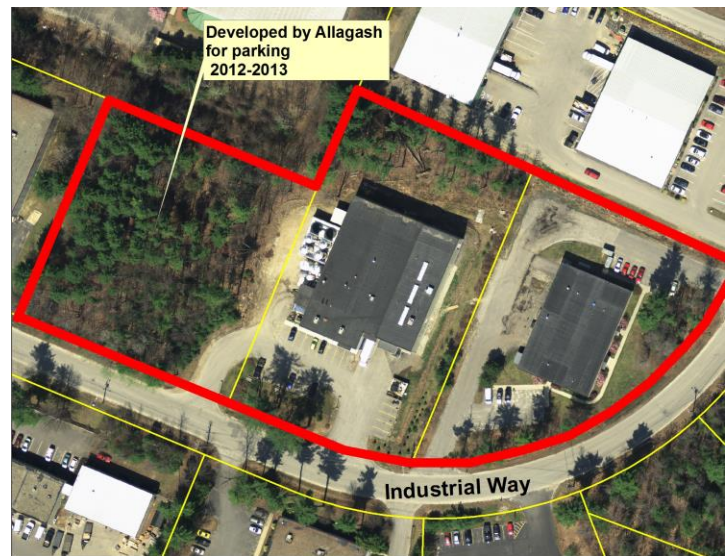
MEETING DATE: July 8th, 2014

I. INTRODUCTION

Richard Meek of Sebago Technics, on behalf of the applicant, has requested a Preliminary Level III Site Plan review for a proposed building addition of 21,200 sq ft (Phases 1 and 2, this submission). A Phase 3 of 4,560 sq ft footprint is also anticipated, bringing the total on the site to 61,496 sq ft. The access arrangements are similar to the existing and 10 additional parking spaces are proposed to be added to the site layout.

This expansion is the fourth expansion for this company, which started on the westernmost lot in 2006. Since then they have acquired the adjacent 2 lots in the 1986 industrial subdivision known as "Turnpike Industrial Park", and expanded several times (described in Attachment C). The earlier developments were reviewed by staff and the latest was in 2012.

The proposal includes a new infill building between the two existing buildings (proposed to be constructed in 2 phases); buildings along the rear of the recently developed parking lot (not shown in the aerial), which also are phased; and a large concrete pad (for tanks). The three phases are indicated Phasing Plan (Plan P4), but the submitted Site Plan set (Plans P3, P5-P9) all relate to the first two phases that total 56,936 sq ft footprint.



Staff plan based on City of Portland GIS

A total of 73 notices of this Workshop were sent to property owners within 500 feet and to interested citizens. The applicant will hold a Neighborhood Meeting on July 15, 2014. To date the Planning office has not received any public comments

Required reviews: The site plan is being reviewed under the Land Use Code provision 14-526 (Site Plan). The proposed phasing is allowed under 14-524 g (iii) *Final Plan* (ie the separate Master Plan provision is not applicable to this project) which states:

Phased Development: A phased development plan may be proposed for a Level III site plan. The Planning Board may permit the Level III site plan to be divided into up to three (3) sections for phased development purposes and subject to any conditions that the board deems necessary in order to insure the orderly development of the plan. The applicant may seek approval of a phased development only if the section constitutes at least twenty (20) percent of the total development and in addition, shows the entire tract or parcel. Each phase of such project shall conform to all standards of this article in the event that subsequent phases do not go forward. The Planning Board may extend the site plan approval for all phases up to three years from the date of approval.

Required waivers:

<i>Requested Waiver</i>	<i>Standard and any waiver provisions</i>
<i>Sidewalks:</i> As per 14-506 (b) “1. There is no reasonable expectation for pedestrian usage coming from, going to, or traversing the site; and “6. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value” (ie the existing roadside drainage swales.	Sec 14-526 (a) 2. C (i) <i>Sidewalks</i> requires sidewalks along all frontages unless the site meets the applicable waiver criteria in 15-506 (b). Staff support the waiver, but consider Criteria “3. A safe alternative-walking route is reasonably and safely available, for example, by way of a sidewalk on the other side of the street that is lightly traveled” should be substituted for Criteria 1.
<i>Curbs:</i> As per 14-506 (b) “4. Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value” and “ 5. Runoff from the development site or within the street does not require curbing for stormwater management”.	Staff support this waiver in light of the sidewalk waiver.
<i>Street trees:</i> Requesting waiver from the provision of street trees because of existing swales, existing trees already are closely spaced, and new trees could conflict with sight distance requirements (<u>Attachment H</u>).	Staff comments were not received in time to be included.
<i>Number of driveways:</i> The applicant owns 3 lots, which were purchased separately and were acquired with 4 driveways, 2 of which were slightly relocated in 2012. All four driveways are needed to serve the delivery trucks, tank servicing and visitor parking (<u>Attachment R</u>)	Technical Manual 1.7.1.8 <i>Number of driveways</i> limits the number of driveways for any site to 2 driveways. Staff support a waiver “given that the driveways already exist; the project generally separates trucks and passenger vehicle activity; the curved alignment of Industrial Parkway creates site vehicle circulation constraints; and that low volumes and speeds exist on Industrial Parkway” (<u>Att. 3</u>).

II. EXISTING CONDITIONS

The site is currently developed in a pattern that would relate to it being 2 lots, with one building and parking area in the western part (photo at right), and another in the eastern part, each served by 2 curb cuts/driveways. Street trees, landscaping and tree buffer protection has been undertaken in association with the previous expansions.

The proposed building expansion would connect the two existing buildings approximately where the drive is shown in the lower photograph.

[Photographs from Google Maps]



III. PROJECT DATA

The applicant has confirmed that the data sheet below relates to Phases 1 and 2 and is consistent with the set of site plans submitted (P5-P9) (Attachment R).

Total Area of Site	191,979	sq. ft.
Proposed Total Disturbed Area of the Site	163,500	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		
Impervious Area (Total Existing)	93,404	sq. ft.
Impervious Area (Total Proposed)	120,311	sq. ft.
Building Ground Floor Area and Total Floor Area		
Building Footprint (Total Existing)	35,722	sq. ft.
Building Footprint (Total Proposed)	56,936	sq. ft.
Building Floor Area (Total Existing)	37,055	sq. ft.
Building Floor Area (Total Proposed)	64,250	sq. ft.
Zoning		
Existing	I-M	
Proposed, if applicable	I-M	
Land Use		
Existing	BREWERY	
Proposed	BREWERY	
Residential, If applicable		
# of Residential Units (Total Existing)	N/A	
# of Residential Units (Total Proposed)	N/A	
# of Lots (Total Proposed)	N/A	
# of Affordable Housing Units (Total Proposed)	N/A	
Proposed Bedroom Mix		
# of Efficiency Units (Total Proposed)	N/A	
# of One-Bedroom Units (Total Proposed)	N/A	
# of Two-Bedroom Units (Total Proposed)	N/A	
# of Three-Bedroom Units (Total Proposed)	N/A	
Parking Spaces		
# of Parking Spaces (Total Existing)	64	
# of Parking Spaces (Total Proposed)	74	
# of Handicapped Spaces (Total Proposed)	3	
Bicycle Parking Spaces		
# of Bicycle Spaces (Total Existing)	10	
# of Bicycle Spaces (Total Proposed)	10	
Estimated Cost of Project	\$750,000	

IV. PROPOSALS

The proposals are described in the submitted application (Attachments A and C) and include 3 phases, of which only phases 1 and 2 are covered in detail by this submission. It is anticipated there would be a Phase 3 (one additional building near the existing parking lot, building “K” (4,560 sq ft) on Plan P4). This would be a separate site plan amendment in the future; it has been included for information on the Phasing Plan (Plan P4).

The proposals are shown in the Site Plans P5-P9 and the elevations in P10 and P11. There are three areas of new built development plus site work:

- New production building (H and J on Plan P4) to connect the two large existing buildings, to total 18,800 sq ft but built in 2 phases (12,130 sq ft in first phase);
- Small building (G on Plan P4) of 2,400 sq ft at the rear of the existing parking lot;
- Concrete pad 40’ X 60’ for tanks, to be built in 2 phases (40’ X 16’ in first phase);
- Associated new detention basin and replanting in the buffer area;
- Site improvements and additional parking in the vicinity of the existing loading dock area.

V. Staff Review

- a. **Zoning:** The applicant has submitted a zoning analysis in Attachment F and on the Site Plan in Plan P5. The Zoning Administrator comments were not available in time to include in this Memo.
- b. **Site Plan:** 14-526 Site Plan Level III Plan Requirements

The submitted information for a preliminary plan has addressed most of the relevant Site Plan requirements. The comments below highlight areas where staff consider the Site Plan requirements need to be further addressed for the final plan review.

A. Transportation

1. Impact on Surrounding Street system

The applicant has submitted a Traffic Analysis (Attachment I) and Tom Errico, the Traffic Engineering reviewer, has confirmed agreement with the trip generation data and conclusions (ie a Traffic Movement Permit is not required) but has requested further crash data analysis for Riverside Street in the vicinity of this project (Attachment 3).

2. Access and circulation, loading and servicing

The expansion proposals do not alter the existing access and circulation arrangements. Tom Errico has confirmed support for the waiver required in respect of the number of driveways - see section **I Introduction**.

It is noted on the Site Plan (Plan P.5) that a gravel drive is shown near the northern boundary to access the proposed concrete tank pad. The gravel drive extends to the site boundary and implies access across the abutting lot. This aspect of the proposal should be supported with an easement, with details included in the final submissions.

B. Environmental Quality

1. Landscape Preservation

The applicant has proposed planting 25 fruit trees within the preservation buffer along part of the northern site boundary (Landscape Plan in Plan P7). The buffer is a requirement of the 1986 subdivision plat. Jeff Tarling, the City Arborist, has indicated that he considers such planting would maintain the “buffer” function, and written comments are anticipated to be available for the Workshop meeting.

2. Site Landscaping and Street Trees

The site includes established landscaping for the western part of the site and parts of the eastern section. The proposals include additional street trees along the eastern frontage area (Landscape Plan in Plan P.7). The proposals for the rear part of the new infill building show a 60' by 40' concrete pad in addition to the detention basin (Plan P.5). Further information regarding the tank(s) or other structures/equipment proposed for that pad location should be included in the final submission, and the Landscape Plan in Plan P.7 should include appropriate screening and buffer planting/fencing in the vicinity of the pad and basin.

3. Stormwater Management

The proposals are preliminary at this stage but include a Stormwater Management Plan (Attachment P). It is understood (Attachment R) that the Stormwater Management Plan (full build out) would be large enough to cover the proposed third phase (building K on Plan P4).

The applicant has noted that Phase 2 will require an expansion of the existing wet pond, construction of the proposed stormwater detention basin, a Tier 2 Wetland Alteration Permit, and a Maine Programmatic General Permit. The Applicant has requested that a Condition of Approval be granted which will allow Phase 1 construction to proceed without these permits and without construction of the detention basin and wet pond expansion (Attachments A and E).

Dave Senus, the Consulting Review Engineer, considers that the construction of the detention basin and wet pond expansion should be a requirement of the first phase and is unlikely to support the Condition of Approval that is requested. He will review the issue in greater detail at the final stage, and has requested the Applicant to provide a clearer phasing plan(s) and a stormwater evaluation that further defines areas of impact under Phases 1, 2, and 3 to support the request for this condition (Attachment 1).

C. Public Infrastructure and Community Safety Standards

1. Fire Prevention

The Fire Department has indicated in discussions that there are no major concerns with the proposed expansion, though would be interested to know if access will be available from the abutting lot (where the gravel access drive is indicated on Plan P5.)

D. Site Design Standards

1. Site Lighting and HVAC

It appears that there will be additional mechanical HVAC required as part of the expansion as well as site lighting. Details would need to be included as part of the final submissions.

VI. **NEXT STEPS**

The proposal appears generally acceptable, subject to further information and final revisions for final plan review, to address a number of issues as identified in the staff comments and in this Memorandum. The stormwater issue is the highest priority in light of the applicants request for a formal condition of approval to defer stormwater measures to Phase 2.

- Submit phasing plan(s) and a stormwater evaluation that further defines areas of impact under Phases 1, 2, and 3
- Submit further crash data information for Riverside Street in vicinity of the site
- Provide clarification/easement regarding the gravel access along north boundary
- Provide clarification of concrete pad use, and landscaping in vicinity of pad/detention basin
- Submit final details of HVAC and site lighting
- Address Planning Board comments.

[Attachments next page]

ATTACHMENTS:

Staff Review comments and background information

1. Engineering Review (David Senus, Woodard & Curran) comments 6.19.2014
2. DPS (David Margolis-Pineo) - confirmed no comments on 7.3.2014
3. Traffic Engineering Review (Tom Errico, T Y Lin), comments 6.27.2014 (sidewalk waiver) and 7.2.2014
4. City Arborist (Jeff Tarling) comments (not received at time Memo prepared)
5. Zoning Administrator (Marge Schmuckal) comments (not received at time Memo prepared)
6. Fire Department (Captain Chris Pirone) comments (not received at time Memo prepared)

Public comments (none at the time PB Memo completed)

Applicant's Submittal

- A. Cover letter
- B. Application
- C. Project Description
- D. Right, Title and Interest
- E. State and Federal Permits
- F. Zoning Assessment
- G. Existing/Proposed Easements
- H. Waivers
- I. Traffic Analysis
- J. Significant Natural Features
- K. City Master Plan Consistency
- L. Financial and Technical Capacity
- M. Utility Capacity to Serve
- N. Fire Safety
- O. Construction Management Plan
- P. Stormwater Management Plan
- Q. Solid Waste/Design and HVAC
- R. Update re Phasing and Drive Access

Plans

- P1. Cover sheet
- P2. Existing conditions survey
- P3. Demolition
- P4. Phasing
- P5. Site Plan
- P6. Grading
- P7. Landscape
- P8. Detail
- P9. Detail
- P10. Elevation
- P11. Elevation

MEMORANDUM



TO: Barbara Barhydt, Planner
FROM: David Senus, P.E. & Ashley Auger, E.I.T.
DATE: June 19, 2014
RE: Allagash Brewing Expansion, Preliminary Level III Site Plan Application

Woodard & Curran has reviewed the Preliminary Level III Site Plan Application for the proposed Allagash Brewing Expansion located at 50 Industrial Way in Portland, Maine. The project consists of constructing two building additions, a tank support pad, additional loading docks, the expansion of an existing wet pond, the construction of a new stormwater detention basin, and other associated site work. The project will be constructed in three phases.

Documents Reviewed by W&C

- Level III Preliminary Site Plan Application and attachments, dated June 3, 2014, prepared by Sebago Technics on behalf of 50 Industrial Way, LLC.
- Engineering Plans, Sheets 1-9, dated June 3, 2014, prepared by Sebago Technics on behalf of 50 Industrial Way, LLC.

Comments

- 1) The application is preliminary. As such, we anticipate that additional documents (as requested herein) will be submitted with the final application. Woodard & Curran will perform a review of the Final Application upon receipt of these documents.
- 2) The Applicant has noted that Phase 2 will require an expansion of the existing wet pond, construction of the proposed stormwater detention basin, a Tier 2 Wetland Alteration Permit, and a Maine Programmatic General Permit. The Applicant has requested that a Condition of Approval be granted which will allow Phase 1 construction to proceed without these permits and without construction of the detention basin and wet pond expansion. The Applicant should provide a clearer phasing plan(s) and a stormwater evaluation that further defines areas of impact under Phases 1, 2, and 3 to support this request.
- 3) In accordance with Section 5 of the City of Portland Technical Manual, a Level III Site Plan project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a) Basic Standard: The Applicant has provided a plan, notes, and details to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500. The Applicant should clarify what controls may be needed for the various phases of construction (i.e. – will there be different locations for the stabilized construction entrances?).
 - b) General Standards: The project will result in a net increase in impervious area of approximately 30,156 square feet. As such, the project is required to include specific stormwater management features for stormwater quality control. At this time, it appears that the Applicant is proposing sufficient treatment for compliance with the General Standards. The Applicant should provide further information related to the phasing of the project and how the project will meet the General Standards for each progressive phase of work.
 - c) Flooding Standard: The project will result in a net increase in impervious area of approximately 30,156 square feet. As such, the project is required to include specific stormwater management features to control the rate of stormwater runoff from the site. The approach presented by the Applicant appears to provide an appropriate means of meeting the Flooding Standard; however, the Applicant should provide Pre- and Post-watershed maps depicting the subcatchments described in the Stormwater Management Plan in addition to complete HydroCAD reports for the



pre and post-development sites. The Applicant should provide further information related to the phasing of the project and how the project will meet the Flooding Standard for each progressive phase of work. Woodard & Curran will complete a review of the proposed project relative to the Flooding Standard upon receipt of the necessary documentation.

- 4) The Applicant should provide a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
- 5) The Applicant has requested confirmation of capacity to serve the development from utilities. Confirmation letters should be forwarded to the City upon receipt.
- 6) The final submission package should include details for the proposed detention pond and for the proposed wet pond expansion.
- 7) The grading around proposed CB-1 should be better defined to ensure runoff from the parking area enters the catch basin for treatment and storage instead of flowing into the adjacent roadway swale.
- 8) The Tipdown Curb Installation detail specifies a 2" reveal; however, in accordance with the City of Portland Technical Manual, tipdowns within the City Right-of-Way should only have a 1" curb reveal at driveways.
- 9) Will the proposed segmented block retaining wall will be designed by others? If yes, then design and submittal requirements for the proposed retaining wall system should be noted on the plan, along with any known design parameters related to the soils or adjacent site features.

From: Tom Errico <thomas.errico@tylin.com>
To: Jean Fraser <JF@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@port...
Date: 7/2/2014 12:11 PM
Subject: Allagash Brewery Expansion

Jean - I have reviewed the application materials for the noted project and I find the project to be acceptable from a traffic perspective with the following comments.

* I have reviewed the traffic analysis conducted by the applicant and I concur that the proposed traffic volume level does not required a Traffic Movement Permit.

* The applicant has provided a review of High Crash Locations in the study area. I concur with their conclusion, but the applicant should conduct a crash analysis along Riverside Street in the vicinity of the project.

* The project will exceed the number of driveways permitted by the City and a waiver is required (four driveways exist and a maximum of two driveways are permitted). I support a waiver from the City's Technical Standard given that the driveways already exist; the project generally separates trucks and passenger vehicle activity; the curved alignment of Industrial Parkway creates site vehicle circulation constraints; and that low volumes and speeds exist on Industrial Parkway.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
[T.Y. Lin International]T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105
207.781.4721 (main)
207.347.4354 (direct)
207.400.0719 (mobile)
207.781.4753 (fax)
thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>
Visit us online at www.tylin.com<<http://www.tylin.com>>
Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: Jean Fraser <JF@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>
Date: 6/27/2014 10:06 AM
Subject: RE: Allagash Brewery sidewalk

Jean - In my professional opinion the appropriate criteria for waiving a sidewalk should be the criteria noting loss of site features and the criteria that notes that a safe and reasonable pedestrian alternative is available via use of Industrial Way as a shared street (due to low vehicle speeds and volumes). I believe there is an expectation of pedestrian demand from these land uses. Accordingly, given historically site plan approvals and traffic conditions I support a waiver for construction of the sidewalk. I can elaborate further if you would like.

Thanks
Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
[T.Y. Lin International]T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105
207.781.4721 (main)
207.347.4354 (direct)
207.400.0719 (mobile)
207.781.4753 (fax)



June 3, 2014
02249

Barbara Barhydt, Development Review Services Manager
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, ME 04101

Level III Preliminary Site Plan Application;
50 Industrial Way, LLC - Allagash Brewing Company
Tax Map 326 Block B, Lot 8, Lot 9 and Lot 10

Dear Barbara:

On behalf of 50 Industrial Way, LLC, Sebago Technics, Inc. is submitting this Preliminary Site Plan application for an expansion of their facility located at 50 Industrial Way in Portland, Maine. The property is owned and operated as a Brewery (Allgash Brewing Company) by the applicant and is depicted as Lots 8, 9 and 10 on Tax Map 326. As you will recall, we met with you and the Urban Development review staff on May 28, 2014 to discuss the future development for this property.

The current plan of development includes: a 18,800 square foot building addition (2015 Production addition), which will connect 50 Industrial Way and 100 Industrial Way; a 40' x 60' concrete tank support pad; a 2,422 square foot building addition (Bunker); and, site improvements associated with the loading dock area.

The project is proposed to be phased. Phase 1 will include approximately 12,130 square feet of the 2015 Production addition, approximately 40' x 16' of the concrete tank support pad, the Bunker addition, and the site improvements associated with the loading dock area. Phase 2 will include construction of an approximately 5,510 square foot addition at the rear of the 2015 Production addition, connection of 50 Industrial Way and 100 Industrial Way, and completion of the 40' x 60' concrete tank support pad. Phase 2 will require expansion of the existing wet pond, construction of the proposed stormwater detention basin, and application for a Tier 2 wetland alteration permit. Phase 3 will include an approximately 4,560 square foot addition to the Bunker.

All utilities including: public water, sanitary sewer, natural gas, electrical and communications are currently serving the existing building via connections within Industrial Way. These utilities will be extended to the proposed addition(s) within the building.

The majority of stormwater runoff from the site will be collected and routed to the existing wet pond such that the post-development peak rates of discharge will be maintained or reduced when compared to the pre-development peak rates of discharge. In addition, the wet pond provides water quality treatment in general conformance with Chapter 500 of the Maine Stormwater Law.

With the inclusion of the \$750.00 application fee, we are hopeful that the information provided is sufficient to complete a review of the application and to proceed with final approval of the development proposal. Please contact me if you have any questions or if you require additional information. Thank you for your consideration.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read 'R. Meek', written in a cursive style.

Richard L. Meek, P.E.
Sr. Project Engineer

RLM:llg

Enclosure

cc: Rob Tod, Allagash Brewing Company
Paul Ureneck, CBRE/Boulos Asset Management



PRELIMINARY SITE PLAN APPLICATION

For

Allagash Brewing Company

Prepared for:

**50 industrial Way, LLC
50 Industrial Way
Portland, ME 04103**

June 3, 2014

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Level III Site Plan

Preliminary Plan Written Requirements

- Exhibit 1 Application Form
- Exhibit 2 Project Description
- Exhibit 3 Title, Right and Interest
- Exhibit 4 State and Federal Permits
- Exhibit 5 Assessment of Zoning
- Exhibit 6 Existing/Proposed Easements
- Exhibit 7 Waivers
- Exhibit 8 Traffic Analysis
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Final Plan Written Requirements

- Exhibit 11 Financial and Technical Capacity
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- Exhibit 16 Solid Waste
- Exhibit 17 Conformance with Design Standards
- Exhibit 18 Manufacturer's Catalog Package

Exhibit 1

Application Form



Jeff Levine, AICP, Director
Planning & Urban Development Department

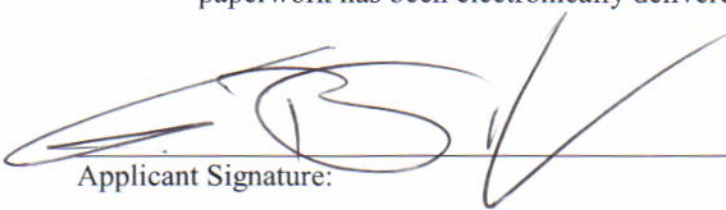
Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no Site Plan or Historic Preservation Applications can be reviewed until payment of appropriate application fees are ***paid in full*** to the Inspections Office, City of Portland Maine by method noted below:

- ☐ Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- ☐ Within 24-48 hours, once my application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- ☒ I intend to deliver a payment method through the U.S. Postal Service mail once my application paperwork has been electronically delivered.

Applicant Signature: 

Date: 6/3/14

I have provided digital copies and sent them on:

Date: _____

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means i.e. a thumb drive or CD to the Inspections Office, City Hall, 3rd Floor, Room 315.



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 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.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. 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 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. 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 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. 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).

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719

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

PROJECT NAME: Allagash Brewery 2015 Expansion

PROPOSED DEVELOPMENT ADDRESS:

50 Industrial Way, Portland

PROJECT DESCRIPTION:

2,400 SQ FT Tank Support Addition (Bunker), 18,360 sq.ft.

Production Exp. (connecting 50&100 Industrial Way Facilities)
Adding loading docks and associated site work.

CHART/BLOCK/LOT: 326, B (89, 210)

PRELIMINARY PLAN _____ (date)

FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: 50 Industrial Way, LLC Business Name, if applicable: Allagash Brewing Co. Address: 50 Industrial Way City/State : Portland, ME Zip Code: 04103	Applicant Contact Information Work # 207-878-5385 Home# Cell # 207-450-4274 Fax# e-mail: robtod@allagash.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Richard Meek, P.E. Address: 75 John Roberts RD Suite 1A City/State : So. Portland Zip Code: 04106	Agent/Representative Contact information Work # 207-200-2075 Cell # e-mail: rmeek@sebagotechnics.com
Billing Information Name: Rob Too c/o Allagash Brewing Co. Address: 50 Industrial Way City/State : Portland, ME Zip Code: 04103	Billing Information Work # 207-878-5385 Cell # 207-450-4274 Fax# e-mail: robtod@allagash.com

Engineer Name: Richard Meek Address: 75 John Roberts RD Suite 1A City/State : So. Portland Zip Code: 04106	Engineer Contact Information Work # 207-200-2075 Cell # Fax# 207-856-2206 e-mail: rmeek@sebagotechnics.com
Surveyor Name: Matthew Ek Address: 15 John Roberts RD Suite 1A City/State : So. Portland Zip Code: 04106	Surveyor Contact Information Work # 207-200-2058 Cell # Fax# 207-871-9308 e-mail: mek@sebagotechnics.com
Architect Name: Mike Hays c/o Grant Hays Assoc. Address: P.O. BOX 6179 City/State : Falmouth, ME Zip Code: 04105	Architect Contact Information Work # 207-871-5900 Cell # Fax# 207-871-9308 e-mail: mhays@earhlink.net
Attorney Name: David Galgay c/o Verrill Dana, LLP Address: ONE Portland Square City/State : Portland, ME Zip Code: 04112	Attorney Contact Information Work # 207-774-4000 Cell # Fax# 774-7499 e-mail: dgalgay@verrilldana.com

APPLICATION FEES:

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

Level III Development (check applicable reviews) ☒ Less than 50,000 sq. ft. (\$500.00) ☐ 50,000 - 100,000 sq. ft. (\$1,000) ☐ 100,000 – 200,000 sq. ft. (\$2,000) ☐ 200,000 – 300,000 sq. ft. (\$3,000) ☐ over \$300,00 sq. ft. (\$5,000) ☐ Parking lots over 11 spaces (\$1,000) ☐ After-the-fact Review (\$1,000.00 plus applicable application fee) Plan Amendments (check applicable reviews) ☐ Planning Staff Review (\$250) ☐ Planning Board Review (\$500) The City invoices separately for the following: • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	Other Reviews (check applicable reviews) ☐ 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 = _____ ☐ Other _____ ☐ Change of Use ☐ Flood Plain ☐ Shoreland ☐ Design Review ☐ Housing Replacement ☐ Historic Preservation
--	---

APPLICATION SUBMISSION:

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file which can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Documents-Submittal>
2. In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Building Inspections Office to start the review process.

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

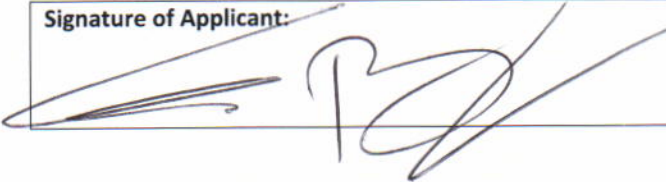
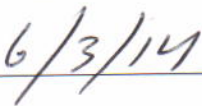
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence 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. One (1) set of plans reduced to 11 x 17.

Please refer to the application checklist (attached) for a detailed list of submission requirements.

APPLICANT SIGNATURE:

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 II 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: 	Date: 
--	---

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	191,979	sq. ft.
Proposed Total Disturbed Area of the Site	163,500	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		
Impervious Area (Total Existing)	93,404	sq. ft.
Impervious Area (Total Proposed)	120,311	sq. ft.
Building Ground Floor Area and Total Floor Area		
Building Footprint (Total Existing)	35,722	sq. ft.
Building Footprint (Total Proposed)	56,936	sq. ft.
Building Floor Area (Total Existing)	37,055	sq. ft.
Building Floor Area (Total Proposed)	64,250	sq. ft.
Zoning		
Existing	I-M	
Proposed, if applicable	I-M	
Land Use		
Existing	BREWERY	
Proposed	BREWERY	
Residential, If applicable		
# of Residential Units (Total Existing)	N/A	
# of Residential Units (Total Proposed)	N/A	
# of Lots (Total Proposed)	N/A	
# of Affordable Housing Units (Total Proposed)	N/A	
Proposed Bedroom Mix		
# of Efficiency Units (Total Proposed)	N/A	
# of One-Bedroom Units (Total Proposed)	N/A	
# of Two-Bedroom Units (Total Proposed)	N/A	
# of Three-Bedroom Units (Total Proposed)	N/A	
Parking Spaces		
# of Parking Spaces (Total Existing)	64	
# of Parking Spaces (Total Proposed)	74	
# of Handicapped Spaces (Total Proposed)	3	
Bicycle Parking Spaces		
# of Bicycle Spaces (Total Existing)	10	
# of Bicycle Spaces (Total Proposed)	10	
Estimated Cost of Project		
	\$750,000	

PRELIMINARY PLAN (Optional) - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
X		1	Completed Application form
X		1	Application fees
X		1	Written description of project
X		1	Evidence of right, title and interest
X		1	Evidence of state and/or federal approvals, if applicable
X		1	Written assessment of proposed project's compliance with applicable zoning requirements
X		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
X		1	Written requests for waivers from site plan or technical standards, if applicable.
X		1	Evidence of financial and technical capacity
X		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
X		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)
X			Proposed grading and contours;
X			Existing structures with distances from property line;
X			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
X			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
X			Preliminary infrastructure improvements;
X			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
X			Location of significant natural features (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features) located on the site as defined in Section 14-526 (b) (1);
X			Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);
X			Location , dimensions and ownership of easements, public or private rights of way, both existing and proposed;
X			Exterior building elevations.

FINAL PLAN - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
		1	* Completed Application form
		1	* Application fees
		1	* Written description of project
		1	* Evidence of right, title and interest
		1	* Evidence of state and/or federal permits
		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
		1	* Evidence of financial and technical capacity
		1	Construction Management Plan
		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
		1	Stormwater management plan and stormwater calculations
		1	Written summary of project's consistency with related city master plans
		1	Evidence of utility capacity to serve
		1	Written summary of solid waste generation and proposed management of solid waste
		1	A code summary referencing NFPA 1 and all Fire Department technical standards
		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	Final Site Plans including the following:
			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
			Existing and proposed structures on parcels abutting site;
			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
			Location of all snow storage areas and/or a snow removal plan;
			A traffic control plan as detailed in Section 1 of the Technical Manual;
			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
			Location and proposed alteration to any watercourse;
			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
			Proposed buffers and preservation measures for wetlands;
			Existing soil conditions and location of test pits and test borings;
			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
			Grading plan;
			Ground water protection measures;
			Existing and proposed sewer mains and connections;

- Continued on next page -

		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.



**PORTLAND FIRE DEPARTMENT
SITE REVIEW
FIRE DEPARTMENT CHECKLIST**



A separate drawing[s] shall be provided as part of the site plan application for the Portland Fire Department's review.

1. Name, address, telephone number of applicant
- 2.
3. Name address, telephone number of architect
4. Proposed uses of any structures [NFPA and IBC classification]
- 5.
6. Square footage of all structures [total and per story]
7. Elevation of all structures
8. 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.)**
9. Hydrant locations
10. Water main[s] size and location
11. Access to all structures [min. 2 sides]
12. 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

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: June 3, 2014

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

Site Address: 50 Industrial Way, Portland ME 04103

Chart Block Lot Number: 326/B/8, 9, 10

Proposed Use: Brewery

Previous Use: Brewery

Existing Sanitary Flows: 900 GPD

Existing Process Flows: 22,000 GPD

Description and location of City sewer that is to receive the proposed building sewer lateral.

10" DIA. Pipe, Unknown Material Located

Aproximately in The Center of Industrial Way

Site Category
Commercial (see part 4 below)
Industrial (complete part 5 below)
Governmental
Residential
Other (specify)

☒
☐
☐
☐
☐

(Clearly, indicate the proposed connections, on the submitted plans)

2. Please, Submit Contact Information.

City Planner's Name: _____ Phone: _____

Owner/Developer Name: Rob Tod c/o 50 Industrial Way, LLC

Owner/Developer Address: 50 Industrial Way, Portland ME 04103

Phone: 207-878-5385

Fax: _____ E-mail: robtod@allagash.com

Engineering Consultant Name: Richard Meek c/o Sebago Technics, Inc.

Engineering Consultant Address: 75 John Roberts RD Suite 1A So. Portland, ME 04106

Phone: 207-200-2075

Fax: 207-856-2206 E-mail: rmeek@sebagotechnics.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 975 GPD

Peaking Factor/ Peak Times: M-F 5am to 11pm

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

15 GPD per employee = 65 employees x 15 GPD = 975 GPD

(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)

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: N/A

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

(Note: In determining your restaurant process water flows, and the size of your external grease interceptor, please use The Uniform Plumbing Code. Note: In determining the retention time, sixty (60) minutes is the minimum retention time. Note: Please submit detailed calculations showing the derivation of your restaurant process water design flows, and please submit detailed calculations showing the derivation of the size of your external grease interceptor, either in the space provided below, or attached, as a separate sheet)

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 28,000 GPD

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

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

OSHA Standard Industrial Code (SIC): 2082 <http://www.osha.gov/oshstats/sicser.html>

Peaking Factor/Peak Process Times: M - F 5am to 11pm

(Note: On the submitted plans, please show where the building's domestic sanitary sewer laterals, as well as the building's industrial-commercial process wastewater sewer laterals exits the facility. Also, show where these building sewer laterals enter the city's sewer. Finally, show the location of the wet wells, control manholes, or other access points; and, the locations of filters, strainers, or grease traps)

(Note: Please submit detailed calculations showing the derivation of your design flows, either in the space provided below, or attached, as a separate sheet)

Notes, Comments or Calculation

Exhibit 2

Project Description

Project Description

50 Industrial Way, LLC (the applicant) currently owns and operates the Allagash Brewing Company facility located in the I-M zone at 50 Industrial Way, identified as Block B, Lot 9 on the City of Portland Tax Map 326. The original Site Plan was approved in 2006; with construction of 11,700 square feet footprint occurring in 2007. A 5,200 square foot addition (approved as part of the original Site Plan) was constructed in 2010. The applicant purchased the adjacent, undeveloped, lot identified as Block B, Lot 8 on the City of Portland Tax Map 326 in April 2011. A 1,464 square foot addition was approved and constructed in 2011. In November 2011, the applicant purchased the adjacent lot identified as Block B, Lot 10 on the City of Portland Tax Map 326 (100 Industrial Way). In 2012, a 1,464 square foot building addition, a 5,894 square foot building addition and a 64 space parking lot were approved and constructed.

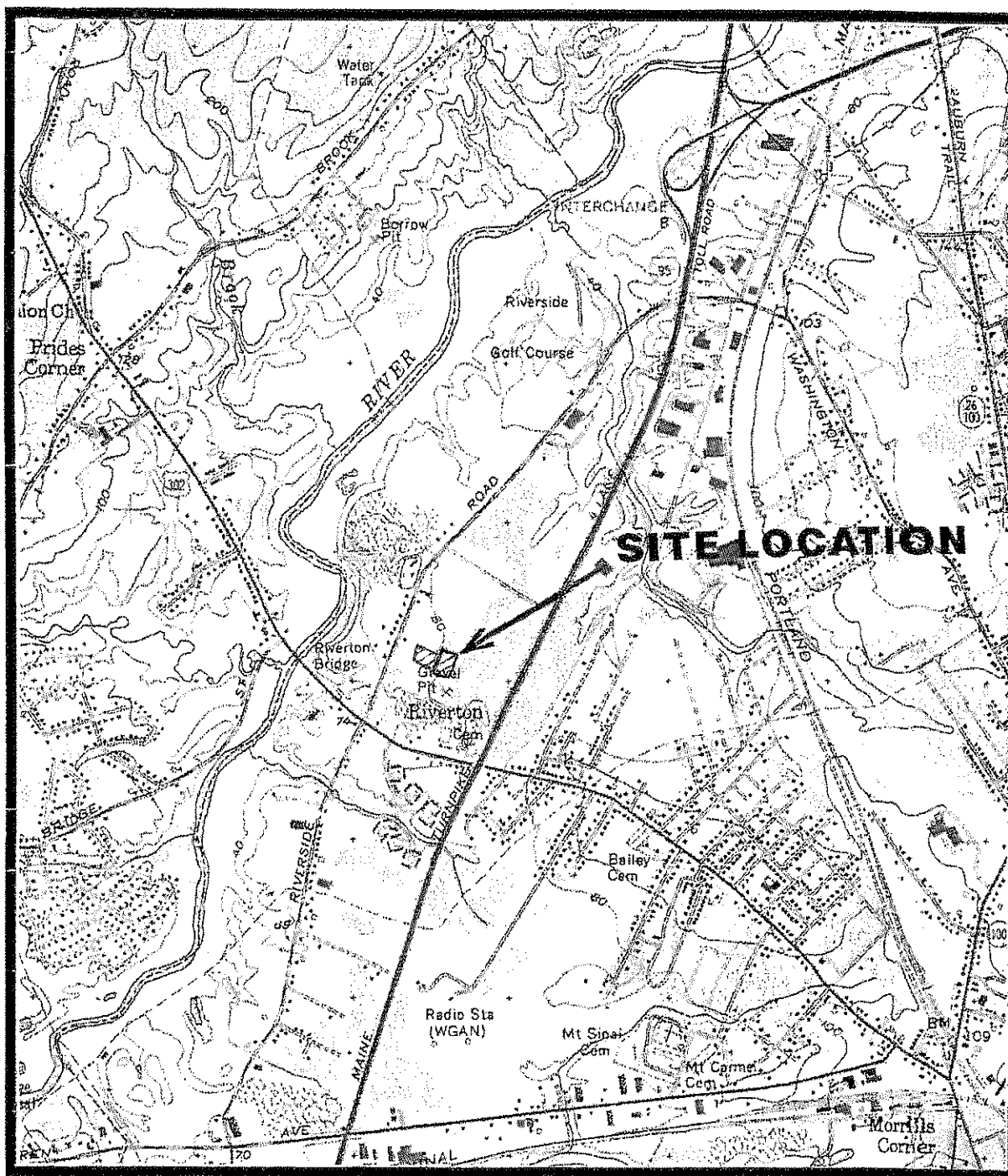
The current plan of development includes a 18,800 square feet building addition (2015 Production addition), which will connect 50 Industrial Way and 100 Industrial Way, a 40' x 60' concrete tank support pad, a 2,422 square feet building addition (Bunker), and site improvements associated with the loading dock area.

The project is proposed to be phased. Phase 1 will include approximately 12,130 square feet of the 2015 Production addition, approximately 40' x 16' of the concrete tank support pad, the Bunker addition and the site improvements associated with the loading dock area. Phase 2 will include construction of an approximately 5,510 square feet addition at the rear of the 2015 Production addition, connection of 50 Industrial Way and 100 Industrial Way and completion of the 40' x 60' concrete tank support pad. Phase 2 will require expansion of the existing wet pond, construction of the proposed stormwater detention basin, and application for a Tier 2 wetland alteration permit. Phase 3 will include an approximately 4,560 square foot addition to the Bunker.

All utilities including: public water, sanitary sewer, natural gas, electrical and communications are currently serving the existing building via connections within Industrial Way. These utilities will be extended to the proposed addition(s) within the building.

The majority of stormwater runoff from the site will be collected and routed to the existing wet pond such that the post-development peak rates of discharge will be maintained or reduced when compared to the pre-development peak rates of discharge. In addition, the wet pond provides water quality treatment in general conformance with Chapter 500 of the Maine Stormwater Law.

FIGURE 1



SITE LOCATION MAP

USGS TOPOGRAPHIC

7.5 MIN. QUADRANGLE

PORTLAND WEST

SCALE: 1"=2,000'



Sebago Technics
Engineering & Planning for the Future

Exhibit 3

Title, Right and Interest

Title, Right or Interest

The record owner of the parcel(s) is 50 Industrial Way, LLC by deeds recorded at the Cumberland County Registry of Deeds (CCRD). The parcels are identified on the City of Portland Tax Map 326 as Block B, Lot 8 (subdivision Lot 19), Lot 9 (subdivision Lot 18) and Lot 10 (subdivision Lot 17). Copies of the following deeds are attached, for reference:

Lot 9	CCRD Book 18385, page 348, dated November 14, 2002
Lot 8	CCRD Book 28660, page 237, dated April 26, 2011
Lot 10	CCRD Book 29167, page 291, dated November 30, 2011

QUITCLAIM DEED WITH COVENANT

NORTHEASTERN GRAPHIC SUPPLY, INC., a Maine corporation, for consideration paid, grants to 50 INDUSTRIAL WAY LLC, a Maine limited liability company with an address of 100 Industrial Way, Portland, Maine, 04103, with Quitclaim Covenant, the following described real property:

A certain lot or parcel of land, with any buildings and improvements thereon, situated in on the northerly side of Industrial Way, so-called, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Lot 18 as shown on a Plan entitled Turnpike Industrial Park-Riverside Street, Portland Maine; Recording Plat, made for Portland Venture Partners, 100 Silver Street, Portland, Maine, by Land Use Consultants, dated March 25, 1986, revised through September 9, 1986 and recorded in the Cumberland County Registry of Deeds, in Plan Book 157, Page 61 ("the Subdivision Plan"), to which Subdivision Plan reference is hereby made for a more particular description.

Meaning and intending to convey and hereby conveying the same premises as conveyed to Northeastern Graphic Supply by deed of Alfred H. Milliken, Jr., et als, dated June 2, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8317, Page 51.

Together with an easement to benefit the above described Lot 18, over the parcel of land described hereinafter (the "Easement Area") for ingress and egress by foot and by vehicle, together with the right to construct, improve, maintain, repair, grade, excavate, fill and pave a driveway within the Easement Area for access to Lot 18, and together with the right to install within the Easement Area, both above and below ground, utility services to include, without limitation, facilities necessary or convenient for the transmission of electricity, gas, telephone communications, cable television, computer communications, sewerage and water.

The Easement Area is a fifty (50) foot wide parcel of land, being a portion of Lot 19 as shown on the Subdivision Plan, bound and described as follows:

Beginning on the northerly side of Industrial Park Way, also known as Industrial Way, at the southwesterly corner of Lot 18 as shown on the Subdivision Plan, said point also being the most southerly corner of Lot 19 as shown on the Subdivision Plan;

Thence N 29° 52' 15" E along the westerly sideline of Lot 18 and the easterly sideline of Lot 19 a distance of 90.00 feet;

MAINE REAL ESTATE TAX PAID

Received
Recorded Register of Deeds
Nov 15, 2002 10:01:56A
Cumberland County
Maine

Thence N 60° 03' 55" W through land of Northeastern Graphic Supply, Inc., being Lot 19 as aforesaid, a distance of 50.00 feet;

Thence S 29° 52' 15" W through land of Northeastern Graphic Supply, Inc., being Lot 19 as aforesaid, a distance of 90.00 feet to the northerly sideline of Industrial Way;

Thence S 60° 03' 55" E along the northerly sideline of Industrial Way a distance of 50.00 feet to the point of beginning.

The Easement Area consists of approximately 4,500 square feet.

The Grantor herein reserves for itself, its successors and assigns, the right to use the Easement Area in common with the Grantee for all purposes, including but not limited to, ingress and egress by foot and vehicle and the right to install and/or connect to all utilities located within the Easement Area, all of which reserved rights shall benefit the Grantor's adjoining property.

IN WITNESS WHEREOF, Northeastern Graphic Supply, Inc. has caused this instrument to be executed by Brian Kroot, its President this 14th day of November, 2002.

WITNESS

NORTHEASTERN GRAPHIC
SUPPLY, INC.

By: [Signature]

Brian Kroot

Its: President

State of Maine

County of Cumberland

November 14, 2002

Personally appeared before me the above named Brian Kroot, President of Northeastern Graphic Supply, Inc. and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and the free act and deed of Northeastern Graphic Supply, Inc.

Catherine E. Decker
Notary Public/Attorney at Law

Print Name CATHERINE E. DECKER

My Commission Expires N/A

QUITCLAIM DEED WITH COVENANT

NORTHEASTERN GRAPHIC SUPPLY, INC., a Maine corporation, for consideration paid, grants to 50 INDUSTRIAL WAY LLC, a Maine limited liability company with an address of 100 Industrial Way, Portland, Maine 04103, with Quitclaim Covenant, the following described real property:

A certain lot or parcel of land, with any buildings and improvements thereon, situated on the northerly side of Industrial Way, so-called, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

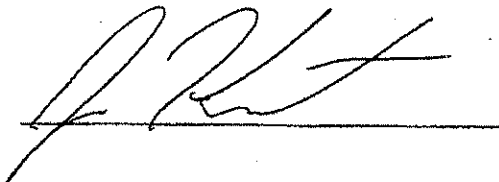
Lot 19 as shown on a Plan entitled Turnpike Industrial Park-Riverside Street, Portland, Maine, Recording Plat, made for Portland Venture Partners, 100 Silver Street, Portland, Maine, by Land Use Consultants, dated March 25, 1986, revised through September 9, 1986 and recorded in the Cumberland County Registry of Deeds, in Plan Book 157, Page 61 ("the Subdivision Plan"), to which Subdivision Plan reference is hereby made for a more particular description.

Meaning and intending to convey and hereby conveying a portion of the premises as conveyed to Northeastern Graphic Supply, Inc. by deed of Turnstone Properties, dated March 29, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8226, Page 37.

IN WITNESS WHEREOF, Northeastern Graphic Supply, Inc. has caused this instrument to be executed by Brian Kroot, its Treasurer, as of the 26th day of April, 2011.

WITNESS

NORTHEASTERN GRAPHIC
SUPPLY, INC.

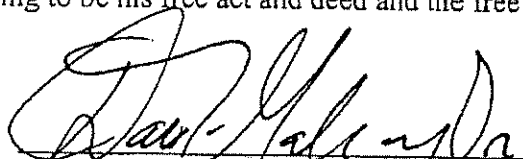


By: 
Brian Kroot
Its Treasurer

State of Maine
County of Cumberland, ss.

April 26, 2011

Personally appeared before me the above named Brian Kroot, Treasurer of Northeastern Graphic Supply, Inc. and acknowledged the foregoing to be his free act and deed and the free act and deed of Northeastern Graphic Supply, Inc.


Notary Public / Attorney At Law
Print Name: David L. GALLEY JR
My Commission Expires: _____

Received
Recorded Register of Deeds
Apr 26, 2011 12:41:53P
Cumberland County
Pamela E. Lavley

QUITCLAIM DEED
With Covenant

MAINE REAL ESTATE TAX PAID

THAT, 100 INDUSTRIAL WAY, LLC, a Maine Limited Liability Company with an office in Portland, County of Cumberland, State of Maine (Grantor) in consideration of one dollar and other valuable consideration paid by 50 INDUSTRIAL WAY LLC, a Maine Limited Liability Company with an office in Portland, County of Cumberland, State of Maine whose mailing address is 50 Industrial Way, Portland, Maine 04103 (Grantee), the receipt whereof Grantor does hereby acknowledge, does hereby remise, release, bargain, sell and convey and forever quitclaim unto the said 50 Industrial Way LLC, its successors and assigns forever, the following described real estate:

A certain lot or parcel of land, together with the buildings and improvements thereon, situated on the northerly side of Industrial Way, so-called, in the City of Portland, County of Cumberland and State of Maine, and described as follows:

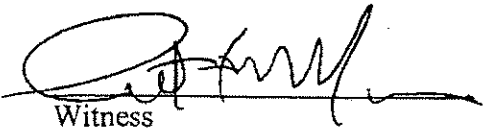
Lot 17 as shown on a Plan of Turnpike Industrial Park made for Portland Venture Partners by Land Use Consultants (Jeffrey H. McAllister, Registered Land Surveyor No. 1263), dated March 25, 1986 and recorded September 17, 1986 in the Cumberland County Registry of Deeds in Plan Book 157, page 61, to which Plan reference is hereby made for a more particular description.

Being the same premises conveyed to the Grantor herein by deed from Bruce E. Milliken dated August 29, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24314, Page 237.

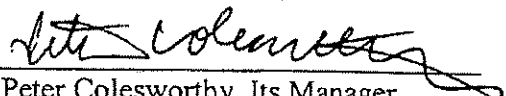
TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging to the said 50 Industrial Way LLC, its successors and assigns forever.

AND Grantor does covenant with the said Grantee, its successors and assigns, that Grantor shall and will warrant and defend the premises to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Peter Colesworthy, Manager of 100 Industrial Way, LLC have hereunto set my hand and seal in my said capacity this 30th day of November, 2011.


Witness

100 INDUSTRIAL WAY, LLC

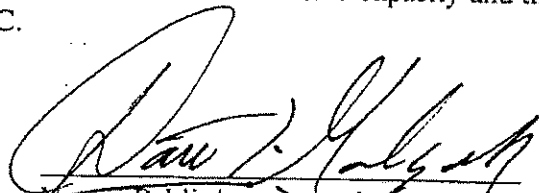
By: 
Peter Colesworthy, Its Manager

State of Maine
Cumberland, ss.

November 30, 2011

Personally appeared Peter Colesworthy, Manager of 100 Industrial Way, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said 100 Industrial Way, LLC.

Before me,


Notary Public/
Attorney at Law
David L. Gallagher Jr.
Bar # 003643

Received
Recorded Register of Deeds
Dec 01, 2011 11:31:38A
Cumberland County
Pamela E. Lovley

Exhibit 4

State and Federal Permits

State and Federal Permits

The development of the site has required alteration (filling) of approximately 14,790 square feet of forested wetlands. As such, a Natural Resource Protection Act Permit (NRPA) - Tier 1 and a Maine Programmatic General Permit - Tier 1 were obtained. These permit applications were filed through the Maine Department of Environmental Protection (MDEP) and the Army Corps of Engineers, respectively. Copies of the existing permits are provided, for reference.

The remaining wetlands on site (approximately 3,757 square feet) will be directly altered or impacted during Phase 2 of the proposed expansion. As such, a Natural Resource Protection Act Permit (NRPA) - Tier 2 and a Maine Programmatic General Permit will be required. The applicant would prefer to delay application for the State and Federal permits until necessary to construct Phase 2. As such, the applicant will be requesting a Condition of Approval which will allow Phase 1 construction to proceed without additional State and Federal permits.

A Notice of Intent to Comply with Maine Construction General Permit application will be filed with the MDEP because greater than one acre of disturbance is proposed. This permit is typically approved 14 days after submission unless notified otherwise. A copy of the application will be forwarded once submitted to MDEP.



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, ME 04333

DEPARTMENT ORDER
IN THE MATTER OF

50 INDUSTRIAL WAY, LLC
Portland, Cumberland County
ALLAGASH BREWING COMPANY
L-21059-TC-D-N (approval)

) NATURAL RESOURCES PROTECTION ACT
) FRESHWATER WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Project History: In Department Order # L-21059-TC-B-N, dated December 28, 2005, the applicant received approval to fill approximately 14,180 square feet of freshwater wetlands to construct a new 18,200-square foot production warehouse and office facility with associated parking and loading. In Department Order # L-21059-TC-C-N, dated September 7, 2011, the applicant received approval to fill an additional 979 square feet of freshwater wetland to construct a 1,600 square foot building addition.

Project Description: The applicant proposes to fill an additional 64 square feet of freshwater wetlands to relocate an existing accessory structure adjacent to the existing building. This accessory structure contains an open-air brewing tank that requires electrical and piping connections with the existing building. The applicant considered alternate locations around the existing building, but the alternatives were rejected because they would either require more extensive wetland impacts, would be located in a stormwater management area, or would conflict with brewing equipment within the existing building. In order to minimize wetland impacts to the greatest extent practicable, side slopes of fill along the wetland boundary and within the wetlands will be constructed at a 2:1 ratio. With the wetland fill proposed by the applicant, the total cumulative wetland alteration for the development will be approximately 14,790 square feet. The proposed project is shown on a plan titled "Site Plan of Allagash Brewing Company" drawn by Sebago Technics and dated July 29, 2011, with a last revision date of September 29, 2011. According to the Department's Geographic Information System (GIS), there are no mapped significant wildlife habitats associated with the project site. The project is located on Industrial Way in Portland.

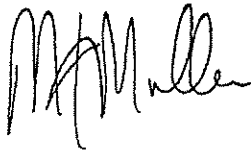
Permit for:	☒ Tier 1
DEP Decision:	☒ Approved ☐ Denied (see attached letter)
CORPS Action:	☒ The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier I permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, <i>Corps approval is required for your project.</i> For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Standard Conditions:

- 1) If construction or operation of the activity is not begun within four (4) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DEPARTMENT OF ENVIRONMENTAL PROTECTION



This permit is digitally signed by Michael Mullen on behalf of Commissioner Patricia Aho. It is digitally signed pursuant to 10 M.R.S.A. § 9418. It has been filed with the Board of Environmental Protection as of the signature date.
2011.10.31 13:34:20 -04'00'

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

cgw/l21059dn/ats73963



Natural Resource Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET. SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

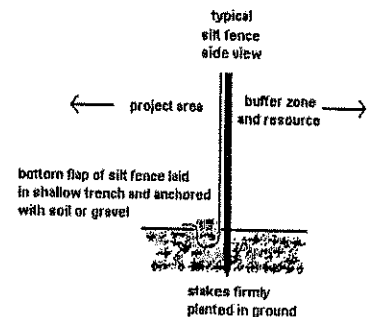
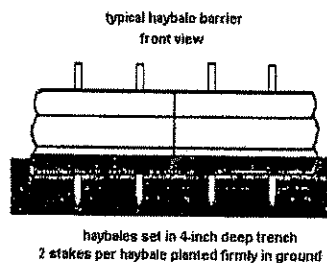
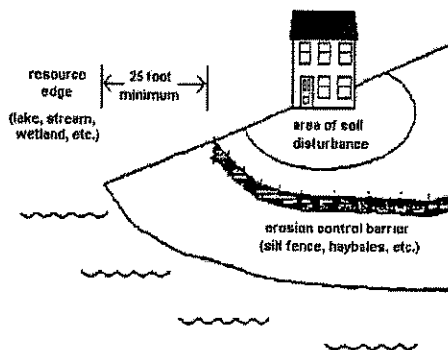


STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 17 STATE HOUSE STATION, AUGUSTA, MAINE 04333

Erosion Control for Homeowners

Before Construction

1. If you have hired a contractor, make sure you discuss your permit-by-rule with them. Talk about what measures they plan to take to control erosion. Everybody involved should understand what the resource is, and where it is located. Most people can identify the edge of a lake or river. However, the edges of wetlands are often not so obvious. Your contractor may be the person actually pushing dirt around, but you are both responsible for complying with the permit-by-rule.
2. Call around to find where erosion control materials are available. Chances are your contractor has these materials already on hand. You probably will need silt fence, hay bales, wooden stakes, grass seed (or conservation mix), and perhaps filter fabric. Places to check for these items include farm & feed supply stores, garden & lawn suppliers, and landscaping companies. It is not always easy to find hay or straw during late winter and early spring. It also may be more expensive during those times of year. Plan ahead -- buy a supply early and keep it under a tarp.
3. Before any soil is disturbed, make sure an erosion control barrier has been installed. The barrier can be either a silt fence, a row of staked hay bales, or both. Use the drawings below as a guide for correct installation and placement. The barrier should be placed as close as possible to the soil-disturbance activity.
4. If a contractor is installing the erosion control barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level or elevation across the land slope, whenever possible. This keeps stormwater from flowing to the lowest point along the barrier where it can build up and overflow or destroy the barrier.



During Construction

1. Use lots of hay or straw mulch on disturbed soil. The idea behind mulch is to prevent rain from striking the soil directly. It is the force of raindrops hitting the bare ground that makes the soil begin to move downslope with the runoff water, and cause erosion. More than 90% of erosion is prevented by keeping the soil covered.
2. Inspect your erosion control barriers frequently. This is especially important after a rainfall. If there is muddy water leaving the project site, then your erosion controls are not working as intended. You or your contractor then need to figure out what can be done to prevent more soil from getting past the barrier.
3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's General Laws, 38 M.R.S.A. § 341-D(4), and its Rules Concerning the Processing of Applications and Other Administrative Matters (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5)

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II. APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION: If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751
MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

50 Industrial Way, LLC.
Allagash Brewing Company
50 Industrial Way
Portland, Maine 04103

CORPS PERMIT # NAE-2005-04110 Amend #2
CORPS PGP ID# Non-screen
STATE ID# L-21059-TC-B-N

DESCRIPTION OF WORK:

To amend Department of the Army permit NAE-2005-04110 to place additional fill in 64 SF (0.001 acres) of wetland in conjunction with the construction of an 1,600 square foot expansion to the existing facility and relocating an 250 SF accessory structure off 50 Industrial Way at Portland, Maine as shown on the attached plans entitled "Allagash Brewing Company for 50 Industrial Way, LLC, Portland, Maine" by Sebago Technics in 2 sheets. The total cumulative impacts to wetlands is 14,790 SF (0.34 acres).

LAT/LONG COORDINATES : 43.70284 N 70.31806 W USGS QUAD: ME-PORTLAND WEST

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP). Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP (including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation). Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 41 of the GP (page 18) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [], ISSUED [], DENIED [] DATE _____

APPLICATION TYPE: PBR: _____ TIER 1: X TIER 2: _____ TIER 3: _____ LURC: _____ DMR LEASE: _____ NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: Non-screen LEVEL OF REVIEW: CATEGORY 1: X CATEGORY 2: _____

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10: _____, 404: X, 10/404: _____, 103: _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO _____, USF&WS_NO _____, NMFS_NO _____

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

Rodney A. Howe
RODNEY A. HOWE
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

Frank J. Del Giudice 9/30/11
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION

Exhibit 5

Assessment of Zoning

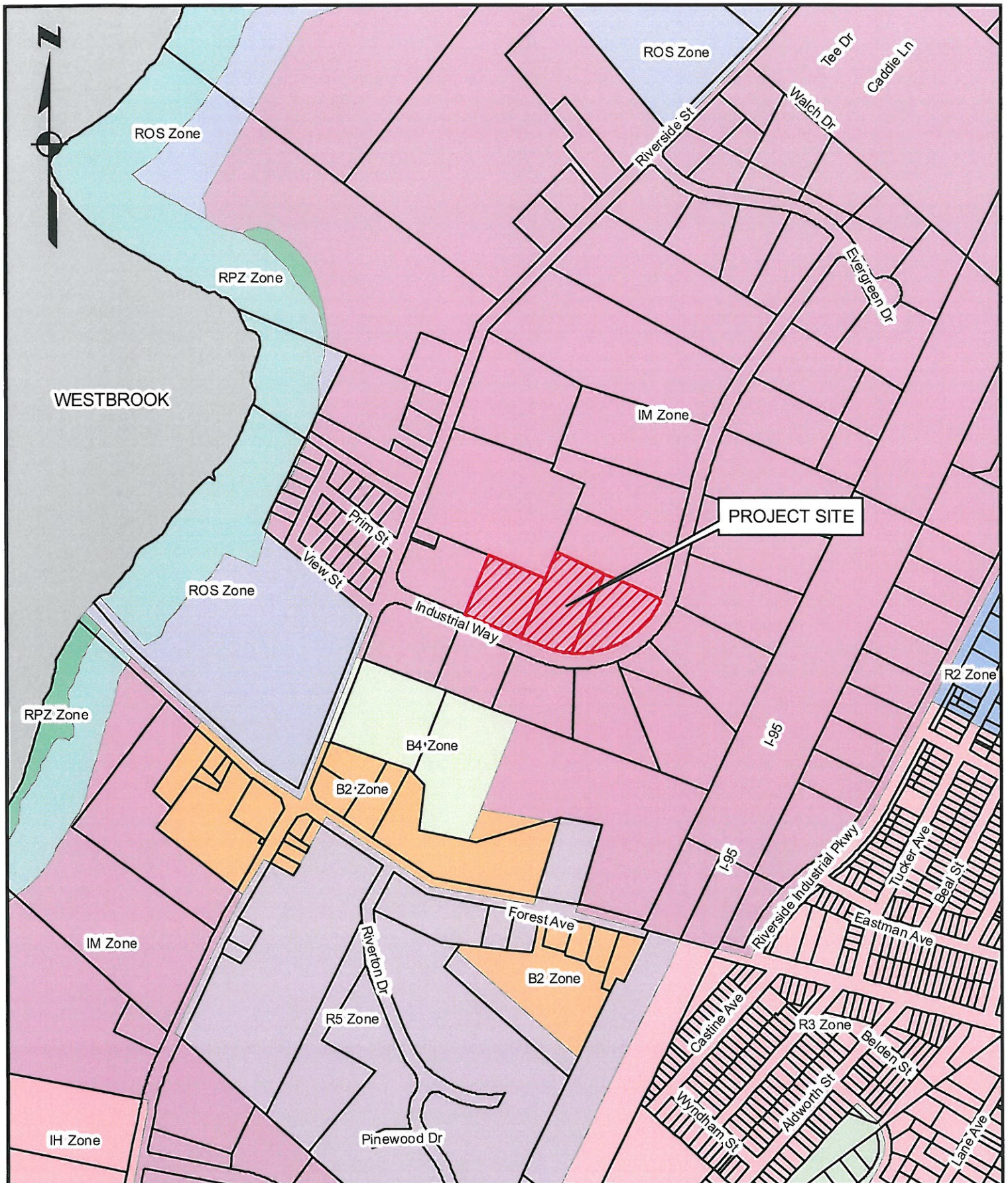
Assessment of Zoning

A copy of the zoning map indicating the location of the project site is provided. As depicted, the subject parcel is located entirely within the medium intensity industrial zone (I-M); and does not abut any other City zoning districts.

The proposed use is a brewery, which is a permitted use as described in Section 14-247.a of the City of Portland Code of Ordinances.

In accordance with the dimensional requirements defined in Section 14-250 of the City of Portland Code of Ordinances, the proposed development meets or exceeds the requirements as follows:

	<u>Ordinance Requirement</u>	<u>Provided</u>
Min. lot size	none	4.07 acres
Max. impervious ratio	75%	64.4%
Max. building height	75 feet	31 feet
Min. side yard	25 feet	35.9 feet
Min. rear yard	25 feet	30.6 feet
Min. front yard	1 ft./1 ft. of building height	35.8 feet
Min. street frontage	60 feet	881.5 feet
Pavement setback	10 feet	12 feet



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TECHNICS

WWW.SEBAGOTECHNICS.COM

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Tel: 207-203-2100

250 Goddard Rd - Suite B
Lewiston, ME 04240
Tel: 207-789-5656

ZONING MAP OF LOT 18, TURNPIKE INDUSTRIAL PARK

LOCATION:
INDUSTRIAL WAY
PORTLAND, MAINE

INFORMATION:
ZONING MAP AND PARCEL DATA FROM
THE CITY OF PORTLAND GIS DEPARTMENT

SCALE: 1" = 500'

DATE: 07/03/12

Exhibit 6

Existing/Proposed Easements

Existing/Proposed Easements

There is an existing drainage easement to the City of Portland located along the site frontage in the vicinity of the loading dock entrance. Additionally, the site is encumbered by an existing 30 foot preservation buffer. The site is composed of three parcels which were created as lots within the Turnpike Industrial Park Subdivision in 1986. The subdivision abuts property previously occupied by Spurwink School which prompted the 30 foot wide preservation buffer to be established within all lots which abut the Spurwink School property.

There are no proposed easements anticipated in association with the project.

Exhibit 7

Waivers

Waivers

The applicant is requesting a waiver pertaining to the construction of curbs and sidewalks along the site's frontage. In accordance with the provisions of Sec 14-506 (b) – Sidewalks, the following apply:

1. There is no reasonable expectation for pedestrian usage coming from, going to, or traversing the site.
2. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value (i.e. the existing roadside drainage swales).

In accordance with the provisions of Sec 14-506 (b) – Curbing, the following apply:

1. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value (i.e. the existing roadside drainage swales).
2. Stormwater runoff within the street does not require curbing for stormwater management.

The applicant is requesting a waiver pertaining to the number of street trees. In accordance with the provisions of Sec 4.6.3 of the City Technical manual, trees are required within the right-of-way spaced at 30-45 feet on-center. The following mitigating circumstances apply:

1. The City maintains drainage swales along Industrial Way. The existing swales occupy the area from the edge of pavement to the limits of the right-of-way.
2. Existing trees, which will be preserved to the extent possible, exceed the 30 to 45 foot spacing requirement.
3. Providing street trees within the right-of-way potentially conflicts with the sight distance requirements of the existing driveways.

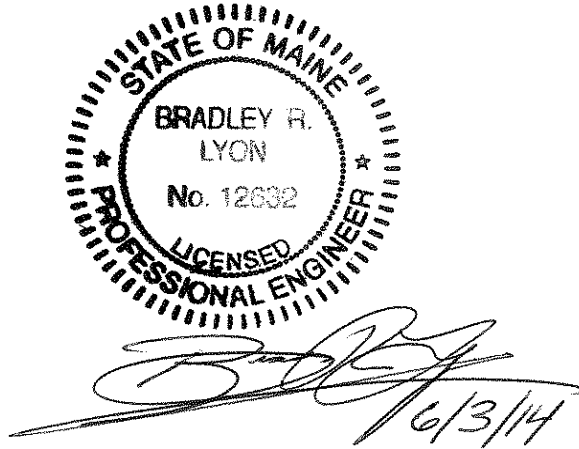
Exhibit 8

Traffic Analysis



Memorandum

Project: 02249
To: Richard Meek, P.E.,
Project Manager
From: Bradley Lyon, P.E., PTOE,
Sr. Transportation Engineer
Date: June 3rd, 2014
Subject: Traffic Evaluation for the
2015 Allagash Brewing Company
Expansion, Portland, ME



This memorandum is to present relevant traffic information in response to the City of Portland's Technical Manual, Section 1.1 Traffic Studies which states, *"Developments that generate less than 100 passenger car equivalents (PCE), but require a Scoping Meeting because they generate 25 PCE or more and are located*

- (1) *On an arterial; and/or*
- (2) *Within ½ mile of a high crash location; and/or*
- (3) *Within ¼ mile of an intersection that has been identified in a previous traffic study as a failing intersection, with an overall Level of Service below Level of Service D."*

Proposed Development Plan

The applicant is proposing to expand their existing operations located at 100 and 50 Industrial Way in Portland, ME. Once the project is complete, the full build out will comprise of 57,276 s.f. of manufacturing / office space with 50 employees, 3,810 s.f. of warehouse and 1,736 s.f. of specialty retail (tour facility and merchandise) with 10 employees.

Trip Generation

Given the fact that the existing development does not currently have a Traffic Movement Permit and was developed within the last 10 years, we have calculated the total trip generation for the weekday AM, weekday PM and Saturday peak hours of the generator per ITE's Trip

Generation, 8th Edition including both the existing and proposed buildout. Land Use Code (LUC) #140 Manufacturing, LUC #150 Warehousing and LUC #814 Specialty Retail were used. As can be seen from the attached table, trip generation rates were used per 1,000 square feet and averaged with rates per employee where possible.

Using this methodology the total trip ends generated by this development is expected to be 49 trips in the weekday AM peak hour, 51 trips in the weekday PM peak hour and 26 trips in the Saturday peak hour.

Given the fact that the warehousing component of this facility will primarily include deliveries by tractor trailer we factored the trip ends for this use by 2.0 per the City of Portland's Technical Manual, Section 1.1 Traffic Studies, in order to calculate an applicable passenger car equivalent (PCE). In turn the total PCE generated by this development is expected to be 57 PCE in the weekday AM Peak Hour, 56 PCE in the weekday PM Peak Hour and 26 PCE in the Saturday Peak Hour. Since this development generates less than 100 PCE in a peak hour a Traffic Movement Permit (TMP) will not be required.

Road Classification

The development is located on Industrial Way, which is classified by the MaineDOT as a "local road" and therefore is not located on an arterial.

High Crash Locations

High crash locations (HCL's) are defined by MaineDOT as locations having a minimum of 8 crashes in a three-year period and a Critical Rate Factor (CRF) greater than 1. The latest three year period from 2010-2012 was studied and it was determined that there was one high crash location within a ½ mile radius of the project site located on the section of roadway between the intersection of Riverside Street @ Forest Avenue to the intersection of Riverton Drive @ Forest Avenue. As can be seen from the attached crash summary report provided by MaineDOT there were 13 crashes and a CRF of 2.40 within the latest three year period. MaineDOT recently had a roadway improvement project in 2012 (Project No. NH-1310(700)E) that began at the intersection of Riverside Street @ Forest Avenue and extended easterly for 0.41 miles to the intersection of Castine Avenue @ Forest Avenue. Given the fact that MaineDOT recently made improvements to this corridor in 2012 and that the crash data we're analyzing is from 2010-2012, a determination cannot be made on the effectiveness of this project in correcting this HCL. Since there are no other HCL's within a ½ mile of this project we believe no further action is needed.

Level of Service

The major intersections within ¼ mile of the project site at Industrial Way were determined to be Riverside Street @ Forest Avenue, Riverton Drive @ Forest Avenue and Hannaford Drive @ Forest Avenue. As stated previously, MaineDOT recently had a project that improved this corridor in 2012, therefore, it is our opinion that any intersections that may have been

previously identified as failing intersections will have been improved by this project and no further action is needed.

Conclusions

Based on traffic assessment, we offer the following conclusions:

- The proposed expansion of the Allagash Brewing Company facility on 100 and 50 Industrial Way is expected to generate less than 100 PCE and therefore will not require a Traffic Movement Permit (TMP).
- Even though the development generates more than 25 PCE, a Scoping Meeting will not be required per the City of Portland's Technical Manual, Section 1.1 Traffic Studies due to the fact that
 - (1) The development is located on a "local road" and not an arterial.
 - (2) There is only 1 high crash location within a ½ mile radius of the development. This high crash location occurs within the limits of a MaineDOT project which was built in 2012. Since this project was built less than 3 years ago it cannot be determined if the presence of the high crash location has been eliminated as a result of this construction.
 - (3) There are no intersections within a ¼ mile that have been identified in a previous traffic study as a failing intersection, with an overall Level of Service below Level of Service D. The recent construction of the MaineDOT project on Forest Avenue (Project No. NH-1310(700)E) covered all three major intersections of Riverside Street @ Forest Avenue, Riverton Drive @ Forest Avenue and Hannaford Drive @ Forest Avenue.

Enclosures

1. Trip Generation Computations
2. 2010-2012 MaineDOT Crash Summary Reports

**2015 Allagash Brewing Company Expansion
50 Industrial Way, Portland**

TRIP GENERATION COMPUTATIONS

FULL BUILD OUT

MANUFACTURING, LUC #140				
BY 1000 SF	SF	RATE (Trips/1000SF)	TOTAL TRIP ENDS	PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	57,276	$T=0.83(X)-17.71$	30	30
WEEKDAY PM PEAK HOUR	57,276	$T=0.76(X)-5.15$	38	38
SATURDAY PEAK HOUR	57,276	0.28	16	16
BY EMPLOYEES	Employees	RATE (Trips/Employee)	TOTAL TRIP ENDS	PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	50	$\ln(T)=0.89\ln(X)-0.11$	29	29
WEEKDAY PM PEAK HOUR	50	$\ln(T)=0.82\ln(X)+0.31$	34	34
SATURDAY PEAK HOUR	50	0.16	8	8
AVERAGE	TOTAL TRIP ENDS			PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	29			29
WEEKDAY PM PEAK HOUR	36			36
SATURDAY PEAK HOUR	12			12

WAREHOUSING, LUC #150				
BY 1000 SF	SF	RATE (Trips/1000SF)	TOTAL TRIP ENDS	PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	3,810	$\ln(T)=0.70\ln(X)+1.11$	8	15
WEEKDAY PM PEAK HOUR	3,810	$\ln(T)=0.78\ln(X)+0.72$	6	12
SATURDAY PEAK HOUR	3,810	0.13	1	2

SPECIALTY RETAIL CENTER, LUC #814				
BY 1000 SF	SF	RATE (Trips/1000SF)	TOTAL TRIP ENDS	PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	1,736	6.84	12	12
WEEKDAY PM PEAK HOUR	1,736	5.02	9	9
SATURDAY PEAK HOUR*	1,736	6.84	12	12

TOTAL TRIP GENERATION		
	TOTAL TRIP ENDS	TOTAL PASSENGER CAR EQUIVALENTS
WEEKDAY AM PEAK HOUR	49	57
WEEKDAY PM PEAK HOUR	51	56
SATURDAY PEAK HOUR*	25	26

*Data for Saturday Peak Hour is not available, therefore the highest rate between the AM and PM peak hours has been used

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Rt 302

REPORT PARAMETERS

Year 2010, Start Month 1 through Year 2012 End Month: 12

Route: 0302X

Start Node: 16885

Start Offset: 0

☐ Exclude First Node

End Node: 16894

End Offset: 0

☐ Exclude Last Node

Crash Summary I

Nodes															
Node	Route - MP	Node Description		U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
16885	0302X - 3.32	Int of FOREST AV	STUART ST	2	1	0	0	0	0	1	0.0	6.570	0.05	0.30	0.00
													Statewide Crash Rate:	0.12	
16886	0302X - 3.37	Int of FARNHAM ST	FOREST AV	2	1	0	0	0	0	1	0.0	6.318	0.05	0.30	0.00
													Statewide Crash Rate:	0.12	
16887	0302X - 3.42	Int of FOREST AV	LANE AV	2	0	0	0	0	0	0	0.0	6.484	0.00	0.30	0.00
													Statewide Crash Rate:	0.12	
16888	0302X - 3.46	Int of BAILEY AV	FOREST AV	2	3	0	0	1	1	1	66.7	6.209	0.16	0.30	0.00
													Statewide Crash Rate:	0.12	
16889	0302X - 3.52	Int of ALDWORTH ST	FOREST AV	2	2	0	0	0	1	1	50.0	6.028	0.11	0.30	0.00
													Statewide Crash Rate:	0.12	
16890	0302X - 3.56	Int of FOREST AV	TUCKER AV	2	0	0	0	0	0	0	0.0	5.871	0.00	0.30	0.00
													Statewide Crash Rate:	0.12	
A16891	0302X - 3.62	Int of CASTINE AV	FOREST AV	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00
													Statewide Crash Rate:	0.12	
P13321	0302X - 3.64	Int of FOREST AV, RIVERSIDE IND	P	9	7	0	0	1	2	4	42.9	6.285	0.37	1.10	0.00
													Statewide Crash Rate:	0.65	
18508	0302X - 3.92	Int of FOREST AV	RIVERTON DR	2	3	0	0	1	0	2	33.3	5.607	0.18	0.31	0.00
													Statewide Crash Rate:	0.12	
P16892	0302X - 4	Int of FOREST AV	RIVERSIDE ST	9	29	0	0	3	9	17	41.4	10.580	0.91	1.00	0.00
													Statewide Crash Rate:	0.65	
A66782	0302X - 4.02	Int of FOREST AV	RD INV 3209706	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00
													Statewide Crash Rate:	0.12	
16893	0302X - 4.23	TL	Portland Westbrook	2	0	0	0	0	0	0	0.0	7.613	0.00	0.28	0.00
													Statewide Crash Rate:	0.12	
16894	0302X - 4.27	Int of BRIDGTON RD	EAST BRIDGE ST	9	12	0	0	0	2	10	16.7	7.774	0.51	1.06	0.00
													Statewide Crash Rate:	0.65	
Study Years:	3.00	NODE TOTALS:			58	0	0	6	15	37	36.2	75.339	0.26	0.38	0.67

Crash Summary I

Sections																				
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF			
16885	16886	3122266	0 - 0.05	0302X - 3.32	0.05	2	0	0	0	0	0	0	0.0	0.00315	0.00	460.39	0.00			
Int of FOREST AV		STUART ST		US 302											Statewide Crash Rate: 168.84					
16886	16887	3106435	0 - 0.05	0302X - 3.37	0.05	2	1	0	0	0	0	1	0.0	0.00313	106.61	461.14	0.00			
Int of FARNHAM ST		FOREST AV		US 302											Statewide Crash Rate: 168.84					
16887	16888	3106436	0 - 0.04	0302X - 3.42	0.04	2	0	0	0	0	0	0	0.0	0.00245	0.00	491.47	0.00			
Int of FOREST AV		LANE AV		US 302											Statewide Crash Rate: 168.84					
16888	16889	3129284	0 - 0.06	0302X - 3.46	0.06	2	2	0	0	1	1	0	100.0	0.00361	184.54	444.23	0.00			
Int of BAILEY AV		FOREST AV		US 302											Statewide Crash Rate: 168.84					
16889	16890	3122267	0 - 0.04	0302X - 3.52	0.04	2	1	0	0	0	1	0	100.0	0.00238	140.08	494.96	0.00			
Int of ALDWORTH ST		FOREST AV		US 302											Statewide Crash Rate: 168.84					
16890	16891	3106437	0 - 0.06	0302X - 3.56	0.06	2	3	0	0	1	1	1	66.7	0.00337	296.35	452.13	0.00			
Int of FOREST AV		TUCKER AV		US 302											Statewide Crash Rate: 168.84					
13321	16891	3106247	0 - 0.02	0302X - 3.62	0.02	2	0	0	0	0	0	0	0.0	0.00112	0.00	596.88	0.00			
Int of FOREST AV,		RIVERSIDE IND P		US 302											Statewide Crash Rate: 168.84					
13321	18508	3123934	0 - 0.28	0302X - 3.64	0.28	2	7	0	0	0	4	3	57.1	0.01598	146.05	311.30	0.00			
Int of FOREST AV,		RIVERSIDE IND P		US 302											Statewide Crash Rate: 168.84					
16892	18508	3106439	0 - 0.08	0302X - 3.92	0.08	2	13	0	0	2	1	10	23.1	0.00423	1024.45	426.58	2.40			
Int of FOREST AV		RIVERSIDE ST		US 302											Statewide Crash Rate: 168.84					
16892	66782	3154570	0 - 0.02	0302X - 4	0.02	2	0	0	0	0	0	0	0.0	0.00151	0.00	556.20	0.00			
Int of FOREST AV		RIVERSIDE ST		US 302											Statewide Crash Rate: 168.84					
66782	16893	3154571	0 - 0.21	0302X - 4.02	0.21	2	7	0	0	1	2	4	42.9	0.01581	147.62	312.01	0.00			
Int of FOREST AV		RD INV 3209706		US 302											Statewide Crash Rate: 168.84					
16893	16894	3106441	0 - 0.04	0302X - 4.23	0.04	2	3	0	0	0	1	2	33.3	0.00308	324.75	462.97	0.00			
TL Portland		Westbrook		US 302											Statewide Crash Rate: 168.84					
Study Years: 3.00				Section Totals:			0.95		37		0	0	5	11	21	43.2	0.05981	206.22	245.08	0.84
				Grand Totals:			0.95		95		0	0	11	26	58	38.9	0.05981	529.48	362.08	1.46

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	K	Injury Crashes				Crash Report	Crash Date	Crash Mile Point	Injury Degree
							A	B	C	PD				
16885	16886	3122266	0 - 0.05	0302X - 3.32	0	0	0	0	0	0				
16886	16887	3106435	0 - 0.05	0302X - 3.37	1	0	0	0	0	1	2011-2956C	02/10/2011	3.41	PD
16887	16888	3106436	0 - 0.04	0302X - 3.42	0	0	0	0	0	0				
16888	16889	3129284	0 - 0.06	0302X - 3.46	2	0	0	1	1	0	2012-48564	12/25/2012	3.47	B
											2010-24429C	11/03/2010	3.51	C
16889	16890	3122267	0 - 0.04	0302X - 3.52	1	0	0	0	1	0	2010-7680C	03/30/2010	3.55	C
16890	16891	3106437	0 - 0.06	0302X - 3.56	3	0	0	1	1	1	2010-2543C	02/03/2010	3.57	C
											2012-45902	12/02/2012	3.60	B
											2010-15287C	08/01/2010	3.61	PD
13321	16891	3106247	0 - 0.02	0302X - 3.62	0	0	0	0	0	0				
13321	18508	3123934	0 - 0.28	0302X - 3.64	7	0	0	0	4	3	2010-16651C	08/09/2010	3.66	PD
											2011-17266	11/29/2011	3.67	C
											2011-1772C	01/31/2011	3.75	C
											2012-32345	07/11/2012	3.75	PD
											2010-30516C	12/31/2010	3.84	C
											2012-253	01/08/2012	3.89	C
											2011-728C	01/13/2011	3.91	PD
16892	18508	3106439	0 - 0.08	0302X - 3.92	13	0	0	2	1	10	2012-46813	12/08/2012	3.95	PD
											2011-8558C	05/22/2011	3.96	PD
											2010-17574C	08/17/2010	3.97	B
											2012-27943	05/09/2012	3.97	B
											2011-14946	11/07/2011	3.97	C
											2012-40847	10/11/2012	3.97	PD
											2012-46520	12/06/2012	3.97	PD
											2010-24466C	11/09/2010	3.97	PD
											2010-30511C	12/31/2010	3.97	PD
											2011-18190	12/08/2011	3.97	PD
											2012-24623	02/10/2012	3.98	PD
											2010-10353C	05/23/2010	3.98	PD
											2010-8639C	04/17/2010	3.99	PD
16892	66782	3154570	0 - 0.02	0302X - 4	0	0	0	0	0	0				

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	K	Injury Crashes				Crash Report	Crash Date	Crash Mile Point	Injury Degree
							A	B	C	PD				
66782	16893	3154571	0 - 0.21	0302X - 4.02	7	0	0	1	2	4	2012-2229	01/28/2012	4.03	B
											2011-3530	06/27/2011	4.03	C
											2011-18467	12/10/2011	4.03	PD
											2011-18464	12/09/2011	4.06	C
											2011-7450	08/10/2011	4.06	PD
											2012-51181	12/08/2012	4.19	PD
											2010-18314C	08/29/2010	4.20	PD
16893	16894	3106441	0 - 0.04	0302X - 4.23	3	0	0	0	1	2	2011-5674	01/25/2011	4.26	C
											2010-8060C	04/12/2010	4.26	PD
											2010-16138C	07/21/2010	4.26	PD
Totals:					37	0	0	5	11	21				

Crash Summary II - Characteristics

Crashes by Day and Hour

Day Of Week	AM												PM												Un	Tot
	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11		
SUNDAY	0	1	0	0	0	0	0	1	1	1	2	2	1	0	0	0	0	1	0	0	1	1	0	0	0	12
MONDAY	0	0	0	0	1	0	0	1	1	2	2	0	1	1	3	1	1	2	1	0	0	0	1	0	0	18
TUESDAY	0	0	0	0	0	0	0	2	3	1	1	0	1	1	2	1	2	1	1	0	1	1	0	1	0	19
WEDNESDAY	0	0	0	0	0	0	0	1	1	2	0	3	1	0	0	3	1	3	1	0	0	0	0	0	0	16
THURSDAY	0	0	0	0	0	0	0	2	0	0	0	0	3	1	3	0	0	1	3	0	0	0	0	1	0	14
FRIDAY	0	0	0	0	0	1	0	0	0	1	1	0	0	0	0	2	0	3	1	0	0	0	1	0	0	10
SATURDAY	1	0	1	1	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	6
Totals	1	1	1	1	1	1	0	7	6	8	7	5	7	3	8	7	4	11	7	1	2	2	2	2	0	95

Vehicle Counts by Type

Unit Type	Total	Unit Type	Total
1-Passenger Car	114	23-Bicyclist	2
2-(Sport) Utility Vehicle	30	24-Witness	6
3-Passenger Van	11	25-Other	2
4-Cargo Van (10K lbs or Less)	0	Total	197
5-Pickup	27		
6-Motor Home	0		
7-School Bus	0		
8-Transit Bus	0		
9-Motor Coach	0		
10-Other Bus	0		
11-Motorcycle	1		
12-Moped	0		
13-Low Speed Vehicle	0		
14-Autocycle	0		
15-Experimental	0		
16-Other Light Trucks (10,000 lbs or Less)	0		
17-Medium/Heavy Trucks (More than 10,000 lbs)	2		
18-ATV - (4 wheel)	0		
20-ATV - (2 wheel)	0		
21-Snowmobile	0		
22-Pedestrian	2		

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash

Driver Action at Time of Crash	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
No Contributing Action	23	21	2	0	0	0	46
Ran Off Roadway	2	0	0	0	0	0	2
Failed to Yield Right-of-Way	7	6	0	0	0	0	13
Ran Red Light	2	0	0	0	0	0	2
Ran Stop Sign	0	0	0	0	0	0	0
Disregarded Other Traffic Sign	0	0	0	0	0	0	0
Disregarded Other Road Markings	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	1	1	0	0	0	2
Drove Too Fast For Conditions	4	0	0	0	0	0	4
Improper Turn	3	0	0	0	0	0	3
Improper Backing	1	1	0	0	0	0	2
Improper Passing	1	1	0	0	0	0	2
Wrong Way	0	0	0	0	0	0	0
Followed Too Closely	10	13	2	0	0	0	25
Failed to Keep in Proper Lane	2	2	0	0	0	0	4
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	0	1	0	0	0	0	1
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	0	0	0	0	0	0	0
Over-Correcting/Over-Steering	1	0	0	0	0	0	1
Other Contributing Action	2	5	1	0	0	0	8
Unknown	0	1	0	0	0	0	1
Total	58	52	6	0	0	0	116

Crashes by Apparent Physical Condition And Driver

Apparent Physical Condition	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
Apparently Normal	90	78	11	1	0	2	182
Physically Impaired or Handicapped	0	0	0	0	0	0	0
Emotional(Depressed, Angry, Disturbed, etc.)	1	0	0	0	0	0	1
Ill (Sick)	0	0	0	0	0	0	0
Asleep or Fatigued	0	0	0	0	0	0	0
Under the Influence of Medications/Drugs/Alcohol	4	2	0	0	0	0	6
Other	0	1	0	0	0	0	1
Total	95	81	11	1	0	2	190

Driver Age by Unit Type

Age	Driver	Bicycle	SnowMobile	Pedestrian	ATV	Total
09-Under	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	8	0	0	0	0	8
20-24	27	0	0	0	0	27
25-29	24	0	0	0	0	24
30-39	31	0	0	0	0	31
40-49	39	0	0	0	0	39
50-59	30	0	0	0	0	30
60-69	19	0	0	0	0	19
70-79	6	0	0	0	0	6
80-Over	0	0	0	0	0	0
Unknown	3	2	0	2	0	7
Total	187	2	0	2	0	191

Crash Summary II - Characteristics

Most Harmful Event			
Most Harmful Event	Total	Most Harmful Event	Total
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	2
2-Fire / Explosion	0	39-Unknown	13
3-Immersion	0	40-Gate or Cable	0
4-Jackknife	0	41-Pressure Ridge	0
5-Cargo / Equipment Loss Or Shift	0	Total	93
6-Fell / Jumped from Motor Vehicle	0		
7-Thrown or Falling Object	0		
8-Other Non-Collision	0		
9-Pedestrian	2		
10-Pedalcycle	0		
11-Railway Vehicle - Train, Engine	0		
12-Animal	0		
13-Motor Vehicle in Transport	70		
14-Parked Motor Vehicle	0		
15-Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle	0		
16-Work Zone / Maintenance Equipment	0		
17-Other Non-Fixed Object	0		
18-Impact Attenuator / Crash Cushion	0		
19-Bridge Overhead Structure	0		
20-Bridge Pier or Support	0		
21-Bridge Rail	0		
22-Cable Barrier	0		
23-Culvert	0		
24-Curb	1		
25-Ditch	0		
26-Embankment	0		
27-Guardrail Face	2		
28-Guardrail End	0		
29-Concrete Traffic Barrier	0		
30-Other Traffic Barrier	0		
31-Tree (Standing)	1		
32-Utility Pole / Light Support	1		
33-Traffic Sign Support	1		
34-Traffic Signal Support	0		
35-Fence	0		
36-Mailbox	0		
37-Other Post Pole or Support	0		

Traffic Control Devices		
Traffic Control Device	Total	
1-Traffic Signals (Stop & Go)	59	
2-Traffic Signals (Flashing)	0	
3-Advisory/Warning Sign	0	
4-Stop Signs - All Approaches	0	
5-Stop Signs - Other	1	
6-Yield Sign	1	
7-Curve Warning Sign	0	
8-Officer, Flagman, School Patrol	1	
9-School Bus Stop Arm	0	
10-School Zone Sign	0	
11-R.R. Crossing Device	0	
12-No Passing Zone	1	
13-None	32	
14-Other	0	
Total	95	

Injury Data		
Severity Code	Injury Crashes	Number Of Injuries
K	0	0
A	0	0
B	11	13
C	26	35
PD	58	0
Total	95	48

Road Character	
Road Grade	Total
1-Level	79
2-On Grade	16
3-Top of Hill	0
4-Bottom of Hill	0
5-Other	0
Total	95

Light	
Light Condition	Total
1-Daylight	66
2-Dawn	1
3-Dusk	3
4-Dark - Lighted	25
5-Dark - Not Lighted	0
6-Dark - Unknown Lighting	0
7-Unknown	0
Total	95

Crash Summary II - Characteristics

Crashes by Year and Month

Month	2010	2011	2012	Total
JANUARY	1	4	2	7
FEBRUARY	1	3	1	5
MARCH	3	2	2	7
APRIL	3	2	1	6
MAY	4	3	1	8
JUNE	1	2	2	5
JULY	3	0	2	5
AUGUST	6	2	4	12
SEPTEMBER	2	0	3	5
OCTOBER	2	2	3	7
NOVEMBER	5	4	2	11
DECEMBER	4	3	10	17
Total	35	27	33	95

Report is limited to the last 10 years of data.

Crash Summary II - Characteristics

Crashes by Crash Type and Type of Location

Crash Type	Straight Road	Curved Road	Three Leg Intersection	Four Leg Intersection	Five or More Leg Intersection	Driveways	Bridges	Interchanges	Other	Parking Lot	Private Way	Cross Over	Railroad Crossing	Total
Object in Road	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Rear End / Sideswipe	17	0	22	24	0	4	0	0	0	0	0	0	0	67
Head-on / Sideswipe	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Intersection Movement	0	0	5	2	0	7	0	0	0	0	0	0	0	14
Pedestrians	1	0	0	1	0	0	0	0	0	0	0	0	0	2
Train	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Went Off Road	6	1	2	0	0	0	0	0	0	0	0	0	0	9
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jackknife	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rollover	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Submersion	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thrown or Falling Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bear	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deer	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moose	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	25	1	31	27	0	11	0	0	0	0	0	0	0	95

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Blowing Sand, Soil, Dirt												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Blowing Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Clear												
Dark - Lighted	13	0	0	0	0	0	0	1	0	0	2	16
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	39	0	0	0	0	0	0	0	0	0	2	41
Dusk	1	0	0	0	0	0	0	0	0	0	1	2
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Cloudy												
Dark - Lighted	1	1	0	0	0	0	0	0	0	0	2	4
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	12	0	0	0	0	0	0	0	0	0	1	13
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Fog, Smog, Smoke												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Other												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Rain												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	3	3
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	1	1
Daylight	1	0	0	0	0	0	0	0	0	0	6	7
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Severe Crosswinds												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Sleet, Hail (Freezing Rain or Drizzle)												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	1	1
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	1	1
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	1	4	0	0	0	5
Dusk	0	0	0	0	0	0	0	1	0	0	0	1
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	67	1	0	0	0	0	1	6	0	0	0	95

Exhibit 9

Significant Natural Features

Significant Natural Features

There are no known mapped significant natural features within the project site. However, there is an area of forested wetlands, which was identified during the initial site assessment, located in the rear of the parcel. Approximately 14,790 square feet of this wetland has been altered (filled) as a result of development at this property. The remaining 3,757 square feet will be altered during Phase 2 of construction.

The property is located within the Dole Brook Watershed. The watershed is not currently listed as an Urban Impaired Stream by the MDEP. However, the City's Public Services Department has identified this resource as an impaired water body, which may necessitate future stormwater management requirements within the watershed.

Exhibit 10

City Master Plan

City Master Plan Consistency

The Allagash Brewery is currently located in the moderate intensity industrial zone (I-M). The site is accessed from Industrial Way which intersects Riverside Street, north of Forest Avenue.

The expansion meets the current zoning requirements. In addition, the expansion will create additional jobs as Allagash Brewery's business continues to grow. This is consistent with the Portland's Comprehensive Plan as posted on the City of Portland website.

Specifically, in the Portland Industry and Commerce section of Portland's Goals and Policies for the Future, State Goal C strives "to promote an economic climate which increases job opportunities and overall economic well-being". Additionally, in the Industrial Zones section of the Future Land Use Plan, "no changes to the zone are anticipated".

Exhibit 11

Financial and Technical Capacity

Financial and Technical Capacity

The applicant for the development of this project is 50 Industrial Way, LLC. The applicant is the owner and operator of Allagash Brewing Company and is responsible for the construction of the existing facility as well as the subsequent building additions.

A letter from Bath Savings Institution is provided as evidence of financial capacity.

The applicant has retained Sebago Technics, Inc., a consulting engineering firm, to assist in the engineering, land planning and permitting of the development. Please find attached in the following section a brief history of Sebago Technics along with qualifications of some of Sebago Technics' key personnel.



Bath Savings Institution

Since 1852

June 2, 2014

City of Portland
Planning Division
389 Congress Street
Portland, ME 04101

RE: Allagash Brewing Company / 50 Industrial Way LLC

To Whom It May Concern:

Allagash Brewing has been a customer of Bath Savings Institution since June 2006. We assisted with financing the construction of the current Allagash Brewing facility at 50 Industrial Way in Portland and we are looking to assist them in their continued expansion. This letter is to underscore that Bath Savings Institution believes that 50 Industrial Way, LLC and Allagash Brewing have the financial capacity to finance the proposed expansion of the existing building at 50 Industrial Way as well as the site work.

If you have any questions regarding the financial capacity of 50 Industrial Way, LLC, to undertake the expansion of their current building please do not hesitate to give me call.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Geoff Gattis", is written over a faint, larger version of the same signature.

Geoff G. Gattis
Executive Vice President

:sjk

cc: Allagash Brewing Company

Sebago Technics, Inc.
Technical Ability

Sebago Technics has been retained to perform the civil engineering, stormwater management, and sediment and erosion control design for the proposed project. The technical phase of this project includes the preparation of a detailed grading design, taking into account hydrological considerations and stormwater management. The permitting phase of this project consists of the preparation of all state and local application packages and coordination throughout the entire review process from initial submission to final approval.

Company Background

The firm was established in 1981. The company as a whole has grown to approximately 50 professionals. The firm consists of civil/site engineers, surveyors, landscape architects, soil scientist, and other professionals. In 1986, a computer-aided design drafting (CADD) division was established to further enhance our scope of available services. Sebago Technics, Inc. provides full-range technical assistance to developers, contractors and municipalities in the areas of commercial, residential and industrial developments.

Key Personnel

Matthew W. Ek, P.L.S.

A Registered Land Surveyor, he joined the firm in 1994. His expertise in boundary and topographic surveying provides comprehensive land planning and design services to clients.

Richard L. Meek, P.E.

A licensed Professional Engineer, he joined the firm in 2002 as a design engineer. His 14 years of practice in consulting engineering firms provides the required experience to allow for effective project management.

Exhibit 12

Utility Capacity to Serve

Utility Capacity to Serve

A copy of the most recent correspondence with the Portland Water District dated July 30, 2012 regarding the ability to serve the project site's water demand is attached. Confirmation of the current ability to serve has been requested.

A copy of the correspondence with the City of Portland Public Services Department dated September 6, 2011 regarding the capacity to handle wastewater flows is attached. Confirmation of the current treatment facility capacity to serve the project site's wastewater flow has been requested.



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

July 30, 2012

Sebago Technics
75 John Roberts Road - Suite 1A
South Portland, ME 04106

Attn: Richard Meek, P.E.
Re: 50 Industrial Way, Portland
Ability to Serve with PWD Water

Dear: Mr. Meek

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on July 2, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

Please note that this letter does not constitute approval of this project from the District. Please review this letter for any special conditions specified by the District and to determine the appropriate next steps to take to move your project through the submittal and approval process.

Existing Site Service

According to District records, the project site does currently have existing water service. A 4-inch diameter ductile iron domestic water service line and a 6-inch diameter ductile iron fire service line, located as shown on the attached water service cards, provides water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of these services.

Water System Characteristics

According to District records, there is a 12-inch diameter ductile iron water main on the north side of Industrial Way and a public fire hydrant located adjacent to the site.

The current data from the nearest hydrant with flow test information is as follows:

Hydrant Location: Industrial Way 570' east of Riverside Streer
Hydrant Number: POD-HYD01742
Last Tested: 9/27/2006
Static Pressure: 80 psi
Residual Pressure: Not Measured
Flow: 2,348 GPM



Public Fire Protection

It is anticipated that this project will not include the installation of new public hydrants to be accepted into the District water system. The decision to require new hydrants and to determine their locations is solely that of the local fire department. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of the proposed Allagash Brewing Company. Based on the high water pressure in this area, we recommend that you consider the installation of pressure reducing devices that comply with state plumbing codes.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact the MEANS Division to request a hydrant flow test and we will work with you to get more complete data.

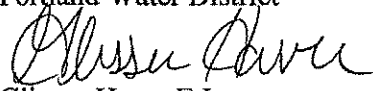
Conditions of Service

The existing water services at this site may be used by the proposed development provided that the development team concludes that these services will provide adequate flow and pressure for the anticipated needs. Any existing services that will no longer be used by the proposed development must be retired by shutting the corporation valve and cutting the pipe from the water-main.

The existing water meter is a 2-inch displacement type meter which is capable of handling a maximum flow rate of 160 gallons per minute. If a larger meter will be necessary please contact the MEANS group to request an upgrade.

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District


Glissen Havu, E.I.
Design Engineer



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Public Services Department
Michael J. Bobinsky, Director

6 September 2011

Mr. Richard Meek, P.E.,
Senior Civil Engineer,
Sebago Technics,
P.O. Box 1339,
Westbrook, Maine 04098

**RE: The Capacity to Handle Wastewater Flows, from a Proposed 1,575
Square Foot Building Addition, to the Allagash Brewery, at 50 Industrial Way.**

Dear Mr. Meek:

The existing eight-inch diameter, polyvinyl chloride sanitary sewer pipe, located in Industrial Way, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total anticipated increase in wastewater flows of **2,840 GPD**, from this proposed addition.

Anticipated Wastewater Flows from the Proposed Brewery Addition:

16 Proposed Brewery Employees @ 15 gpd per Employee	= 240 GPD
30 Percent Estimated Growth in Industrial Process Wastewater Flows	= 2,600 GPD
Total Proposed Increase in Wastewater Flows for this Project	= 2,840 GPD

If The City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J. Brancely, B.A., M.A.
Senior Engineering Technician

FJB

CC: Penny Littell, Director, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
Erick Giles, Planner, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
John Emerson, Wastewater Coordinator, City of Portland
Matt Doughty, Field Inspection Coordinator, City of Portland
Jane Ward, Administrative Assistant, City of Portland

Exhibit 13

Fire Safety

Fire Safety

The existing building and proposed addition(s) will comply with the applicable NFPA regulations. In addition, the site plan generally complies with the applicable sections of the Technical Design Manual in the following manner:

- 3.2 There is an existing City owned and maintained hydrant within the public right-of-way directly in front of the existing facility.
- 3.4.1 There are no dead end roads greater than 150 feet on this site.
- 3.4.2 Access to at least two sides of the building is provided on site.
- 3.4.3 The building setbacks meet the zoning requirements and allow adequate access for emergency vehicles.
- 3.4.4 The main entry is within fifty feet of the site access drive.
- 3.4.5 There are no clearance restrictions associated with this site.
- 3.4.6 There are no elevators associated with this structure.
- 3.5 The access lane meets the requirements of section 3.5.
- 3.6 The subdivision requirements do not apply to this project.
- 3.7 There is no blasting anticipated for this project.

Additional information is provided in the attached memorandum and code analysis prepared by Michael F. Hays, Maine licensed Architect #ARC1724.

GRANT HAYS ASSOCIATES

ARCHITECTURE  INTERIOR DESIGN

MEMO

DATE: May 27, 2014

TO: City of Portland

FROM: Mike Hays

RE: Allagash Brewing Company
24,795 sf New Addition

CC: Richard Meek, Paul Ureneck, Aaron Wilson, Sean Diffley, file

Architect of Record: Michael F. Hays, Maine Licensed Architect #ARC1724
Grant Hays Associates
P.O. Box 6179
Falmouth, Maine 04105
207-871-5900 (o) / 207-318-7972 (m)
mike@granthays.com

Proposed Use of Structure: Per NFPA 101 Life Safety Code – 2012 Edition:
Industrial with ancillary Business & Mercantile (Existing)
Industrial with ancillary Business (New Addition)
Building Type: II (000)

Per International Building Code – 2009 Edition:
Factory (F2); Business (B) & Mercantile (M)
Building Type: 2B

Building Size:

First Floor:	48,238 sf
Second Floor:	6,212 sf
Mezzanine:	4,847 sf
Total:	59,295 sf

Building Elevations:

Existing & New Addition First Floor:	83.5'
Existing & New Addition Second Floor:	95.5'
Existing & New Addition Mezzanine:	95.5'

Fire Protection: Existing Building = NFPA 13 supervised/monitored fire suppression system and fire alarm system.
Proposed New Addition = NFPA 13 supervised/monitored fire suppression system and fire alarm system.

CODE ANALYSIS
2014 ADDITION
ALLAGASH BREWING COMPANY
50 INDUSTRIAL WAY
PORTLAND, MAINE

NFPA 101 Life Safety Code - 2012 Edition

Building Classification:	Existing Industrial (ancillary Business & Mercantile) New Addition – Industrial (ancillary Business) Total First Floor Area = 48,238 sf Total Second Floor Area = 6,212 sf Total Mezzanine Floor Area = 4,847 sf (10%) Building Total Floor Area = 59,295 sf
Hazard Classification:	Ordinary Hazard
Construction Type:	Type II (000)
Occupant Loads:	52,043 SF Industrial @ 100 sf/occupant = 521 occupants (40 actual) 7,252 SF Business @ 100 sf/occupant = 73 occupants (35 actual) 1,904 SF Mercantile @ 30 sf/occupant = 64 occupants Total Calculated Load: 658 Occupants (139 actual)
Separation of Use Rating:	2 hour (1 Hour)
Janitor, Mech, Stor Rating:	1 hour
Stair Rating:	2 hour (1 Hour)
Elevator Shafts:	2 hours (Note: Elevator not required per 2010 ADA)
Area of Refuge:	1 hour (None)
Minimum Stair width:	44" clear; 36" if less than 50 occupants
Maximum Riser height:	7"
Minimum Tread width:	11"
Minimum Headroom:	6'-8" at stairs; 7'-6" at occupied areas
Maximum ht between landings:	12'-0"
Handrail height:	34"-38" @ 42" guardrail
Handrail top extension:	12" horz.
Handrail bottom extension:	11" angled + 12" horz.
Handrail diameter:	1-1/4" O.D.
Maximum balluster open space:	less than 4"

<u>Building Uses</u>	<u>Industrial</u>	<u>Business/Mercantile</u>
“(x)” denotes if building is fully sprinkled		
Max. Allowable Travel Distance:	200' (250')	200' (300') /150' (250')
Max. Allowable Common Path:	50' (100')	75' (100')
Max. Dead End Corridor Length:	50'	20' (50')
Minimum Egress Corridor Width:	44"/36" if >50 occ	44"/36" if >50 occ.
Minimum Number of Required Exits	2	2 (1 if less than 100 Occupants and less than 100' travel distance to egress floor level exit)
Minimum Horz Egress Enclosure rating:	1 hr (none)	1 hr (none)
Minimum Separation of exits:	0.5 diagonal' (0.33)	Same
Fire Escapes as means of egress:	Allowed (NA)	Allowed (NA)
Minimum Egress Door Width:	36"	36"

Exit Lighting:	Required	Required
Emergency Lighting:	Required	Required
Fire Alarm System:	Required	Required
Fire Sprinkler System:	Not Required	Not Required
Portable Fire Extinguishers:	Required	Required
Exit Devices/Panic Hardware	Required	Required

City of Portland Compliance: NFPA 1 & PFD Technical Standards

2009 International Building Code

“(x)” denotes if building is fully sprinkled

Use Group Classification:	Factory – Use Group F2 Business - Use Group B
Construction:	Type II – Non-Combustible, Unprotected
Occupant Loads:	F2 @ 100 sf/occupant = 521 occupants (40 actual) B @ 100 sf/occupant = 75 occupants (35 actual) M @ 30 sf/occupant = 64 occupants Total calculated load: 658 occupants (actual 139)
Area Use Separation Ratings:	2 hour (1 Hour)
Janitor, Mech & Storage Rooms:	1 hour

Building Limitations

Construction Type:	IIB Unprotected
Maximum Height:	3 story / 55' (+1 story/20') @ F2
Maximum Area / Floor:	23,000 sf (69,000) F2
Actual Area/Height:	59,295 SF & 2 Stories

Fire Resistance Ratings

Load Bearing Exterior Walls:	None
Fire Separation Exits (Stairs):	2 hours (1 hour)
Fire Separation of Uses:	2 hours (1 hour)
Shafts & Elevator Hoistways:	2 hours
Exit Corridors:	1 hour (none)
Minimum Number of Exits:	2 per occupancy type (1 if less than 30 occupants and 75' travel distance to exit from 2 nd floor to exterior)
Maximum Dead End Corridor Length:	20'/50' at system furniture under 6' high
Maximum Common Travel Path:	75' (100')
Maximum Travel Distance:	200' (300') @ B; 300' (400') @ F2
Minimum Corridor Width:	44"/36" if >50 occupants
Minimum Stair Width:	44"/36" if > 50 occupants
Maximum Riser Height:	7"
Minimum Tread Depth:	11"
Minimum Ramp Width:	44"/36" if > 50 occupants
Maximum Ramp Pitch:	1:12
Handrails:	Same as NFPA 101
Minimum Ceiling Height:	7'-6"

Fire Alarm System:	Required
Fire Sprinkler System:	Required
Portable Fire Extinguishers:	Required
Exit Lighting	Required
Emergency Lighting	Required

Building Live Loads

Office:	50 psf
Lobbies:	100 psf
Corridors:	80 psf
Storage:	125 psf @ light; 250 psf @ heavy

Maine State Plumbing Code/UPC

Occupancy Classification:	Factory & Ancillary Business/Mercantile
Occupancy Area:	59,295 sf
Occupancy Load:	658 (139 Actual)

Factory:		75 Occupants - 38 male/37 female (#) indicates existing count					
<u>FIXTURES</u>	<u>TOILETS</u>	<u>URINALS</u>		<u>LAVS</u>		<u>SHOWERS</u>	
Men	(3) 3	(1)	0	(3)	4	(1)	0
Women	(3) 3	(0)	0	(3)	4	(0)	0
Drinking Fountain:	1/150 OCCUPANTS						
Mercantile:		64 Occupants (32 male/32 female)					
<u>FIXTURES</u>	<u>TOILETS</u>	<u>URINALS</u>		<u>LAVS</u>		<u>SHOWERS</u>	
Men	2	1		1		NR	
Women:	2	0		1		NR	

MUBEC (Maine Uniform Building Energy Code) MINIMUM INSULATION VALUES

Per 2009 IECC; Table 502.1.2, 502.2(1) and 502.3

<u>ZONE 6A</u>	<u>R-VALUE</u>	<u>U-FACTOR</u>	<u>SHGC</u>
Exterior wall	18.5	0.054	NA
Roof (above deck)	20.0	0.048	NA
Slab (24" band)	15.0	0.052	NA
Frost Wall	7.5	0.133	NA
Doors – Opaque	2.0	0.50	NA
Doors – Glazed	1.25	0.80	NR
Windows	2.9	0.35	NR
Storefront	2.2	0.45	NR

End of Analysis

Exhibit 14

Construction Management Plan

Construction Management Plan

The project is anticipated to include an approximate nine month construction schedule commencing upon project approvals in the summer of 2014. The anticipated construction schedule is dependent on approval of the final design plans for the project.

SCHEDULE

1.	Estimated construction time.	9 months
2.	Erosion control measures placed	Week 1
3.	Site clearing and grubbing	Week 1 – Week 2
4.	Construction of parking lot sub-base	Week 2 – Week 4
5.	Stormwater Management Area Construction	Week 2 – Week 5
6.	Utility improvements and site construction	Week 4 – Week 36
7.	Building Addition Construction	Week 4 – Week 36
8.	Mulch Spread for Winter Erosion Control	October 15, 2014
9.	Start final seeding on prepared areas (during growth season)	Spring 2015
10.	Biweekly monitoring of vegetative growth	May 2015
11.	Re-seeding of areas, if needed	May 2015
12.	Removal of erosion control devices	Upon final project completion

* Dates are subject to change at the discretion of the engineer, depending on construction progress.

Exhibit 15

Stormwater Management Plan



STORMWATER MANAGEMENT PLAN

For

**Allagash Brewing Company
Portland, Maine**

prepared for

**50 Industrial Way, LLC
50 Industrial Way
Portland, ME 04103**

June 3, 2014

STORMWATER MANAGEMENT PLAN
Allagash Brewing Company
Portland, Maine

Introduction

This Stormwater Management Plan has been prepared to address the potential impacts associated with this project due to the proposed modification in stormwater runoff characteristics. The stormwater management controls that are outlined in this plan have been designed to best suit the proposed development and to comply with applicable regulatory requirements.

The project site consists of three contiguous lots within the Turnpike Industrial Park with a combined parcel area of 4.407 acres. The applicant currently owns and operates Allagash Brewing Company within one of the existing buildings and utilizes the other existing building for storage. The proposed development will include construction of an 18,800 square foot building addition, a 2,422 square foot building addition, and site improvements associated with the loading dock area. When completed, the developed area will encompass approximately 3.89 acres with approximately 2.84 acres of impervious area.

Based upon the anticipated development, the project will be subject to the Chapter 500 Basic and General standards. Although the threshold for meeting the Chapter 500 Flooding Standards will not be exceeded, the proposed stormwater management plan will meet the stormwater discharge criteria in accordance with the City of Portland requirements. The proposed erosion controls, inspection and maintenance criteria, and the stormwater management system have been designed to meet MDEP and City of Portland requirements.

Existing Conditions

The parcel is currently approximately 60% developed with the undeveloped portion consisting of forested upland. A small pocket of forested and scrub shrub wetland area is located on the northern side of the existing building. Slopes on the site are generally between 0% and 8% with an elevation range between 88 feet and 71 feet, relative to mean sea level. The site is located within the Dole Brook Watershed with surface runoff from the site drains toward the northeast corner of the property and is discharged from the site via existing public drainage infrastructure within the Industrial Park Way.

Soil information for the site was obtained via the U.S. Department of Agriculture and natural Resources Conservation Service's Web Soil Survey. The Hydrologic Soil Group (HSG) of the site soils are classified by Technical Release TR-55 of the Soil Conservation Service as follows:

Soil Type	Symbol	HSG	Drainage Class
Buxton	BuB	C	Silt loam
Scantic	Sn	D	Silt loam
Windsor	WmB	A	Loamy sand

Proposed Development

The applicant proposes to construct an 18,800 square foot building addition, a 2,422 square foot building addition and additional pavement associated with the improvements to the loading docks. Treatment and detention of stormwater runoff from the site will be accomplished by utilizing Stormwater Best Management Practices (BMP) including one wet pond.

The proposed development will result in the following:

Total disturbed/developed area = 3.89 ac.
Total impervious area = 2.84 ac.

Regulatory Requirements

City of Portland and Maine Department of Environmental Protection (MDEP)

MDEP Rule Chapters 500 and 502 describe stormwater management requirements for new development projects. These rules describe performance standards divided into five major categories: Basic Standards, General Standards, Phosphorous Standards, Urban Impaired Stream Standards, and Flooding Standards. The following sections describe how this project will address these stormwater management performance standards.

Basic Standards: A project must meet basic standards if it disturbs an area greater than one (1) acre. As this development will disturb approximately 2.60 acres, it must meet these basic standards. These standards include various erosion and sedimentation controls, inspection and maintenance procedures, and general housekeeping requirements.

General Standards: A project is subject to the general standards if it results in the creation of one (1) or more acres of impervious area or developed areas greater than five (5) acres. As this project will create approximately 1.46 acres of impervious area, it must meet the general standards. These standards require that a minimum of 95% of all impervious areas and at least 80% of all developed areas are designed to be tributary to stormwater BMPs. Standard BMPs have been defined by the MDEP and are described thoroughly in their publication Stormwater Management for Maine: Best Management Practices manual as revised in January of 2006.

Phosphorous Standards: A project must meet the phosphorous standards if located within a lake watershed. As this project is not tributary to a lake watershed, it is not subject to the phosphorus standards.

Urban Impaired Stream Standards: A project must meet the urban impaired stream standards if located within an urban impaired stream watershed. As this project is not tributary to an Urban Impaired Stream as defined by MDEP Chapter 502, it is not subject to the urban impaired stream standards.

Flooding Standards: A project must meet to the flooding standards if it creates impervious areas greater than three (3) acres, or developed areas greater than twenty (20) acres. The City of Portland requires all Level II Site plan projects to meet the flooding standards.

Methodology

In order to evaluate drainage characteristics as a result of the proposed development activities, a quantitative analysis was performed to determine peak runoff rates in the pre-development and post-development conditions. The evaluation was performed using the methodology outlined in the USDA Soil Conservation Service's "Urban Hydrology for Small Watersheds - Technical Release #55 (TR-55)". HydroCAD computer software was utilized to perform the calculations.

The peak runoff rates were calculated using a 24-hour duration storm event with a Type III rainfall distribution. The rainfall amounts for Cumberland County are as follows:

Storm Frequency	24-hr Duration Rainfall (in.)
2-yr	3.0
10-yr	4.7
25-yr	5.5

Pre-Development Watershed

The pre-development watershed contains one study point and three subcatchments. Study Point (SP1) is identified as the inlet of the existing 15" RCP, which exits the site from the northeast corner.

Subcatchment 11 includes the undeveloped wooded area along the northern property line. Stormwater runoff flows overland via sheet flow and shallow concentrated flow; and is collected in the proposed wet pond.

Subcatchment 12 includes the existing developed area, which is not collected by the proposed wet pond, located along the eastern side of the property. Stormwater runoff flows overland via sheet flow, shallow concentrated flow and channelized flow to SP1.

Subcatchment 21 consists of the remainder of the property. Stormwater runoff is conveyed via overland flow or is captured in catch basins and piped to the proposed wet pond. Treated stormwater from the wet pond is discharged to SP1.

Post-Development Watershed

The post-development watershed includes the same study point as the pre-development watershed..

Subcatchment 11 includes the undeveloped wooded area along the northern property line and the roof of the existing building. Stormwater runoff is directed to a proposed detention basin and is subsequently routed to the existing wet pond.

Subcatchment 12 includes the existing developed area, which is not collected by the proposed wet pond, located along the eastern side of the property. Stormwater runoff flows overland via sheet flow, shallow concentrated flow and channelized flow to SP1.

Subcatchment 21 consists of the remainder of the property. Stormwater runoff is conveyed via overland flow or is captured in catch basins and piped to the proposed wet pond. Treated stormwater from the wet pond is discharged to SP1.

Quality Treatment Results

The project will utilize a wet pond to achieve the required quality treatment.

The wet pond must detain a channel protection volume equal to 1.0-inch times the subcatchment's impervious area and 0.4-inch times the subcatchment's tributary landscaped areas. In addition, the permanent pool must have a mean depth of three feet and a length to width ration of at least two to one. The wet pond is designed to treat 2.83 acres of impervious area and 0.80 acres of landscaped area, which are tributary to the basin. Furthermore, the mean depth is approximately 3.1 feet and the length to width ratio is approximately 3.2 to one.

The attached treatment table summarizes the total impervious and developed areas for the proposed development and indicates the BMP measures proposed for treating the impervious areas. The conclusion is a tabulation of the effective treatment percentages for the proposed development. The results of this tabulation indicate the following:

- The post-development areas requiring treatment include approximately 113,560 square feet of new impervious area and a total of approximately 154,500 square feet of new developed area.
- The general standards require treatment for 95% of the new impervious areas. As such, the site is required to provide treatment for a minimum of 107,882 square feet. Because treatment is provided for some existing impervious areas, the total area receiving treatment is 123,560 square feet (greater than 100% of the impervious area requiring treatment).
- The general standards require treatment for 80% of the new developed areas. As such, the site is required to provide treatment for a minimum of 123,600 square feet. Because treatment is

provided for some existing developed areas, the total area receiving treatment is 157,000 square feet (greater than 100% of the developed area requiring treatment).

Peak Flow Analysis

The subcatchment areas and times of concentration of the post-development conditions vary from the pre-development conditions based on the proposed site development and grading. The following table summarizes the results of the hydrologic analysis of the project during pre-development and post-development conditions.

Stormwater Peak Discharge Summary Table									
Study Point	2-Year Storm			10-Year Storm			25-Year Storm		
	Pre (cfs)	Post (cfs)	Diff. (cfs)	Pre (cfs)	Post (cfs)	Diff. (cfs)	Pre (cfs)	Post (cfs)	Diff. (cfs)
SP1	1.50	0.94	-0.56	4.22	4.22	0.00	8.30	7.50	-0.80

The results of the stormwater modeling at Study Point SP1 indicate that the peak rates of runoff in the post-developed condition will be less than the pre-developed condition for the 2-year, 10-year and 25-year storm events.

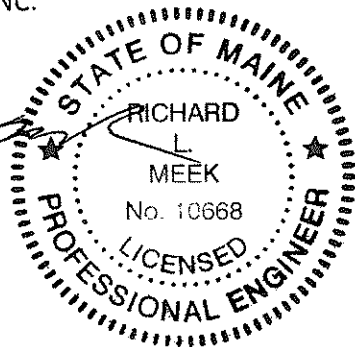
Conclusions

Erosion and sedimentation controls, inspection and maintenance procedures and general housekeeping requirements have been outlined to prevent unreasonable impacts on the site and to the surrounding environment. By utilizing Best Management Practices (wet pond), stormwater quality treatment has been provided for at least 95% of the total site impervious area and at least 80% of the total site developed area. Based on the modeling data, the post-development peak flow rates are less than or equal to their corresponding pre-development rates at Study Points SP1 during the 2-year, 10-year and 25-year storm events. It is anticipated that stormwater runoff from the proposed site development will not cause a significant adverse affect to off-site receiving channels or downstream properties.

Prepared by,
SEBAGO TECHNICS, INC.


Richard L. Meek, P.E.
Sr. Project Engineer

June 3, 2014



Attachment A

STORMWATER MODELING

Soil Map—Cumberland County and Part of Oxford County, Maine



TREATMENT SUMMARY

Areas Requiring Treatment											
Sub-catchment ID	Description	Impervious (S.F.)	Landscaping (S.F.)	Total Developed (S.F.)	Receives Treatment (Yes/No)	Impervious Area Treated (S.F.)	Landscaped Area Treated (S.F.)	Developed Area Treated (S.F.)	TREATMENT BMP		
11	Northern Portion of Site	25400	8000	33400	YES	200	8700	8900	Wet Pond 10		
21	Southern portion of site	219500	13800	233300	YES	68940	29860	98800	Wet Pond 10		
12	Eastern Portion of Site	5800	12900	18700	No	0	0	0	None		
		250,700	34,700	285,400		69,140	38,560	107,700			
TOTAL IMPERVIOUS AREA (requiring treatment)				250,700	TOTAL DEVELOPED AREA (requiring treatment)						285,400
95% of IMPERVIOUS AREA REQUIRING TREATMENT				238,165	80% of DEVELOPED AREA REQUIRING TREATMENT						228,320
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT				69,140	TOTAL DEVELOPED AREA RECEIVING TREATMENT						107,700
% OF IMPERVIOUS AREA RECEIVING TREATMENT				100.00%	% OF DEVELOPED AREA RECEIVING TREATMENT						100.00%

SEBAGO TECHNICS, INC.

75 John Roberts Road

Suite 1A

South Portland, ME 04106

(207) 200-2100 FAX (207) 856-2206

JOB

02249 - Allagash Brewing Company

SHEET NO.

1

OF

1

CALCULATED BY

RLM

DATE

6/3/2014

CHECKED BY

DATE

FILE NAME 02249.pond

PRNT DATE 6/3/2014

Water Quality Volume Calculations:

Pond 10: Area to Pond = 2.83 acres Impervious
0.80 acres Developed

Channel Protection Volume:

2.83 acres x 1 inch → 10273 ft³ Length : Width Ratio =
0.80 acres x 0.4 inches → 1162 ft³ 135 ft : 42 ft = 3.2:1
11435 ft³

Channel Protection Volume Needed = 11435 ft³

Elevation	Surf. Area	Cum. Store
73.20	5,305	0
74.00	11,580	6,754
74.60	12,620	14,014

Trench Sizing:

9184 ft³/1000 x 3ft = 28 ft

Treatment Volume @ Elevation 74.24 → 9,289 ft³

Permanent Pool Volume:

2.83 acres x 1.5 inches → 15409 ft³
0.80 acres x 0.6 inches → 1742 ft³
17152 ft³

Permanent Pool Vol. Needed = ft³

Elevation	Surf. Area	Cum. Store
67.70	1,550	0
68.00	1,775	499
69.00	2,290	2,531
70.00	2,830	5,091
71.00	3,395	8,204
72.20	4,105	12,704
73.20	5,305	17,409

Pretreatment Forebay:

Area x 500 pounds / 90 pounds x 10 storms =
(acres) acre-storm ft³ year

Annual Sediment Volume = 114 ft³

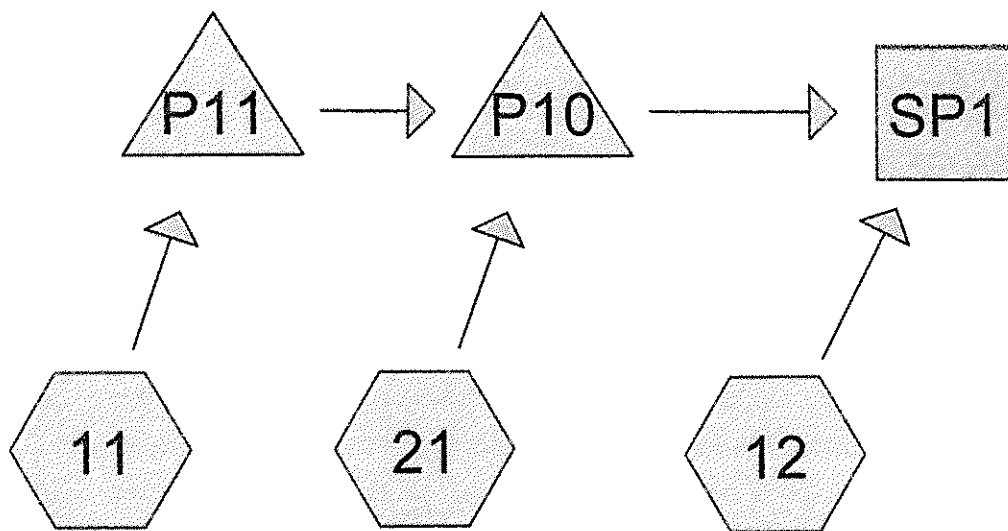
Elevation	Surf. Area	Cum. Store
73.20	0	0
73.50	1500	225

Mean Depth = di

1 ft below permanent pool (Elev 72.2)=

3.1

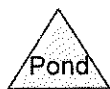
Volume @ Elevation 73.42



Subcat



Reach



Pond



Link

Drainage Diagram for 02249 Allagash post-2014
Prepared by Sebago Technics, Inc., Printed 6/3/2014
HydroCAD® 8.50 s/n 001856 © 2007 HydroCAD Software Solutions LLC

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 11:

Runoff Area=1.361 ac 42.84% Impervious Runoff Depth>1.33"
Flow Length=440' Tc=32.2 min CN=83 Runoff=1.25 cfs 0.151 af

Subcatchment 12:

Runoff Area=0.496 ac 26.81% Impervious Runoff Depth>1.14"
Flow Length=316' Tc=24.3 min CN=80 Runoff=0.44 cfs 0.047 af

Subcatchment 21:

Runoff Area=2.552 ac 79.94% Impervious Runoff Depth>2.12"
Flow Length=774' Tc=14.3 min CN=93 Runoff=5.04 cfs 0.452 af

Reach SP1:

Inflow=0.94 cfs 0.465 af
Outflow=0.94 cfs 0.465 af

Pond P10:

Peak Elev=74.47' Storage=12,134 cf Inflow=5.20 cfs 0.593 af
Primary=0.50 cfs 0.418 af Secondary=0.00 cfs 0.000 af Outflow=0.50 cfs 0.418 af

Pond P11:

Peak Elev=74.59' Storage=1,790 cf Inflow=1.25 cfs 0.151 af
15.0" x 183.0' Culvert Outflow=0.85 cfs 0.141 af

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 11:	Runoff Area=1.361 ac 42.84% Impervious Runoff Depth>2.61" Flow Length=440' Tc=32.2 min CN=83 Runoff=2.45 cfs 0.296 af
Subcatchment 12:	Runoff Area=0.496 ac 26.81% Impervious Runoff Depth>2.36" Flow Length=316' Tc=24.3 min CN=80 Runoff=0.92 cfs 0.098 af
Subcatchment 21:	Runoff Area=2.552 ac 79.94% Impervious Runoff Depth>3.59" Flow Length=774' Tc=14.3 min CN=93 Runoff=8.29 cfs 0.763 af
Reach SP1:	Inflow=4.22 cfs 0.866 af Outflow=4.22 cfs 0.866 af
Pond P10:	Peak Elev=74.81' Storage=16,445 cf Inflow=8.87 cfs 1.048 af Primary=0.50 cfs 0.476 af Secondary=3.23 cfs 0.293 af Outflow=3.73 cfs 0.769 af
Pond P11:	Peak Elev=74.87' Storage=2,871 cf Inflow=2.45 cfs 0.296 af 15.0" x 183.0' Culvert Outflow=1.88 cfs 0.284 af

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 11:

Runoff Area=1.361 ac 42.84% Impervious Runoff Depth>3.38"
Flow Length=440' Tc=32.2 min CN=83 Runoff=3.15 cfs 0.384 af

Subcatchment 12:

Runoff Area=0.496 ac 26.81% Impervious Runoff Depth>3.10"
Flow Length=316' Tc=24.3 min CN=80 Runoff=1.20 cfs 0.128 af

Subcatchment 21:

Runoff Area=2.552 ac 79.94% Impervious Runoff Depth>4.42"
Flow Length=774' Tc=14.3 min CN=93 Runoff=10.10 cfs 0.940 af

Reach SP1:

Inflow=7.50 cfs 1.141 af
Outflow=7.50 cfs 1.141 af

Pond P10:

Peak Elev=74.90' Storage=17,528 cf Inflow=10.96 cfs 1.310 af
Primary=0.50 cfs 0.501 af Secondary=6.05 cfs 0.511 af Outflow=6.55 cfs 1.012 af

Pond P11:

Peak Elev=75.08' Storage=3,375 cf Inflow=3.15 cfs 0.384 af
15.0" x 183.0' Culvert Outflow=2.76 cfs 0.370 af

Summary for Subcatchment 11:

Runoff = 3.15 cfs @ 12.44 hrs, Volume= 0.384 af, Depth> 3.38"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.50"

Area (ac)	CN	Description
0.591	70	Woods, Good, HSG C
0.187	74	>75% Grass cover, Good, HSG C
* 0.583	98	Roofs
1.361	83	Weighted Average
0.778		Pervious Area
0.583		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
27.2	150	0.0270	0.09		Sheet Flow, A to B Woods: Light underbrush n= 0.400 P2= 3.00"
1.0	45	0.0210	0.72		Shallow Concentrated Flow, B to C Woodland Kv= 5.0 fps
4.0	245	0.0210	1.01		Shallow Concentrated Flow, C to D Short Grass Pasture Kv= 7.0 fps
32.2	440	Total			

Summary for Subcatchment 12:

Runoff = 1.20 cfs @ 12.34 hrs, Volume= 0.128 af, Depth> 3.10"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.50"

Area (ac)	CN	Description
0.067	70	Woods, Good, HSG C
0.296	74	>75% Grass cover, Good, HSG C
0.133	98	Paved parking & roofs
0.496	80	Weighted Average
0.363		Pervious Area
0.133		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
23.6	121	0.0250	0.09		Sheet Flow, A to B Woods: Light underbrush n= 0.400 P2= 3.00"
0.2	64	0.0100	5.26	6.46	Circular Channel (pipe), B to C Diam= 15.0" Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.013 Corrugated PE, smooth interior
0.5	131	0.0080	4.30	12.89	Channel Flow, C to D Area= 3.0 sf Perim= 5.0' r= 0.60' n= 0.022 Earth, clean & straight
24.3	316	Total			

Summary for Subcatchment 21:

Runoff = 10.10 cfs @ 12.19 hrs, Volume= 0.940 af, Depth> 4.42"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.50"

Area (ac)	CN	Description
0.195	70	Woods, Good, HSG C
2.040	98	Paved parking & roofs
0.317	74	>75% Grass cover, Good, HSG C
2.552	93	Weighted Average
0.512		Pervious Area
2.040		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.8	50	0.0300	0.08		Sheet Flow, A to B Woods: Light underbrush n= 0.400 P2= 3.00"
0.7	55	0.0300	1.39		Sheet Flow, B to C Smooth surfaces n= 0.011 P2= 3.00"
0.8	135	0.0200	2.87		Shallow Concentrated Flow, C to D Paved Kv= 20.3 fps
1.4	314	0.0050	3.72	4.57	Circular Channel (pipe), D to E Diam= 15.0" Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.013 Corrugated PE, smooth interior
0.6	220	0.0170	6.44	32.19	Channel Flow, E to F Area= 5.0 sf Perim= 8.0' r= 0.63' n= 0.022 Earth, clean & straight
14.3	774	Total			

Summary for Reach SP1:

Inflow Area = 4.409 ac, 62.51% Impervious, Inflow Depth > 3.10" for 25-Year event
Inflow = 7.50 cfs @ 12.51 hrs, Volume= 1.141 af
Outflow = 7.50 cfs @ 12.51 hrs, Volume= 1.141 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Pond P10:

Inflow Area = 3.913 ac, 67.03% Impervious, Inflow Depth > 4.02" for 25-Year event
Inflow = 10.96 cfs @ 12.20 hrs, Volume= 1.310 af
Outflow = 6.55 cfs @ 12.52 hrs, Volume= 1.012 af, Atten= 40%, Lag= 19.3 min
Primary = 0.50 cfs @ 9.85 hrs, Volume= 0.501 af
Secondary = 6.05 cfs @ 12.52 hrs, Volume= 0.511 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Peak Elev= 74.90' @ 12.52 hrs Surf.Area= 13,137 sf Storage= 17,528 cf

Plug-Flow detention time= 96.2 min calculated for 1.012 af (77% of inflow)

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Type III 24-hr 25-Year Rainfall=5.50"

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Page 7

Center-of-Mass det. time= 38.6 min (814.4 - 775.9)

Volume	Invert	Avail.Storage	Storage Description
#1	73.20'	27,224 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
73.20	4,570	0	0
74.00	11,580	6,460	6,460
74.60	12,620	7,260	13,720
75.00	13,320	5,188	18,908
75.60	14,400	8,316	27,224

Device	Routing	Invert	Outlet Devices
#1	Primary	73.20'	0.50 cfs Exfiltration when above invert
#2	Secondary	74.65'	20.0' long x 9.0' breadth Broad-Crested Rectangular Weir
			Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50
			4.00 4.50 5.00 5.50
			Coef. (English) 2.46 2.55 2.70 2.69 2.68 2.68 2.67 2.64 2.64 2.64 2.65 2.64
			2.65 2.65 2.66 2.67 2.69

Primary OutFlow Max=0.50 cfs @ 9.85 hrs HW=73.22' (Free Discharge)

↑1=Exfiltration (Exfiltration Controls 0.50 cfs)

Secondary OutFlow Max=6.00 cfs @ 12.52 hrs HW=74.89' (Free Discharge)

↑2=Broad-Crested Rectangular Weir (Weir Controls 6.00 cfs @ 1.23 fps)

Summary for Pond P11:

Inflow Area = 1.361 ac, 42.84% Impervious, Inflow Depth > 3.38" for 25-Year event
Inflow = 3.15 cfs @ 12.44 hrs, Volume= 0.384 af
Outflow = 2.76 cfs @ 12.61 hrs, Volume= 0.370 af, Atten= 12%, Lag= 10.0 min
Primary = 2.76 cfs @ 12.61 hrs, Volume= 0.370 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Peak Elev= 75.08' @ 12.61 hrs Surf.Area= 4,000 sf Storage= 3,375 cf

Plug-Flow detention time= 41.2 min calculated for 0.370 af (97% of inflow)
Center-of-Mass det. time= 28.5 min (826.4 - 797.8)

Volume	Invert	Avail.Storage	Storage Description
#1	74.10'	3,375 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
74.10	3,500	0	0
75.00	4,000	3,375	3,375

Device	Routing	Invert	Outlet Devices
#1	Primary	74.10'	15.0' x 183.0' long Culvert CPP, projecting, no headwall, Ke= 0.900
			Outlet Invert= 73.19' S= 0.0050 '/' Cc= 0.900 n= 0.011

02249 Allagash post-2014

Type III 24-hr 25-Year Rainfall=5.50"

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Page 8

Primary OutFlow Max=2.73 cfs @ 12.61 hrs HW=75.08' (Free Discharge)

↑1=Culvert (Inlet Controls 2.73 cfs @ 2.66 fps)

Exhibit 16

Solid Waste

Solid Waste

Solid waste quantities generated by the project will not significantly increase as a result of the proposed addition. Solid waste and recyclables are currently contained on site inside a screened dumpster enclosure. Solid waste and recyclables are currently disposed of by a licensed waste management and recycling company under contract with the owner.

Exhibit 17

Conformance with Design Standards

Conformity with Design Standards

The City of Portland Design Manual is geared toward Commercial, Residential and Institutional zones. As this project is located in the medium intensity industrial zone (I-M), the principals of the design manual are not applicable.

Exhibit 18

Manufacturer's Catalog Package

Manufacture's Catalog Package

New rooftop HVAC equipment is proposed for Phase 1 of the 2015 production expansion. The manufacture's catalog data sheets will be provided under separate cover.

From: Richard Meek <rmeek@sebagotechnics.com>
To: "JF@portlandmaine.gov" <JF@portlandmaine.gov>
Date: 7/1/2014 4:23 PM
Subject: Allagash Brewing Company
Attachments: 00249.Application Project Data.pdf; C4 PHASING.pdf

Jean,

I have attached an updated Project Data sheet (the areas previously submitted included the future addition identified as "K" on the Phasing plan). As discussed, I've modified the Phasing Plan to note that "K" is a future addition. It is shown for information purposes and should not be considered as part of the application. Please note that the stormwater management has been designed/sized to accommodate stormwater runoff from all proposed impervious, including the future addition "K". The traffic analysis and parking summary does not include addition "K".

An electronic copy of the invitation to the Neighborhood meeting will follow in a separate email. For your information, the meeting is scheduled for 5:30 p.m. on Tuesday July 15, 2014.

Regarding the number of driveways. The applicant owns three contiguous lots, which were purchased separately. There are four existing driveways accessing the site. Two drives access the loading dock area and are necessary for delivery trucks to enter and exit the site. There is not sufficient area for a truck to enter and exit via one entrance. There are also two drives accessing the visitor parking side of the building. Spent grain from the brewing process is stored in tanks on this side of the building and the trucks which haul this material off-site require the two entrances.

I hope this addresses your comments from your email and our telephone conversation.

Thanks
Rick
Richard L. Meek, P.E.
Sr. Project Engineer
[SebagoTechnics_logo_RGB]

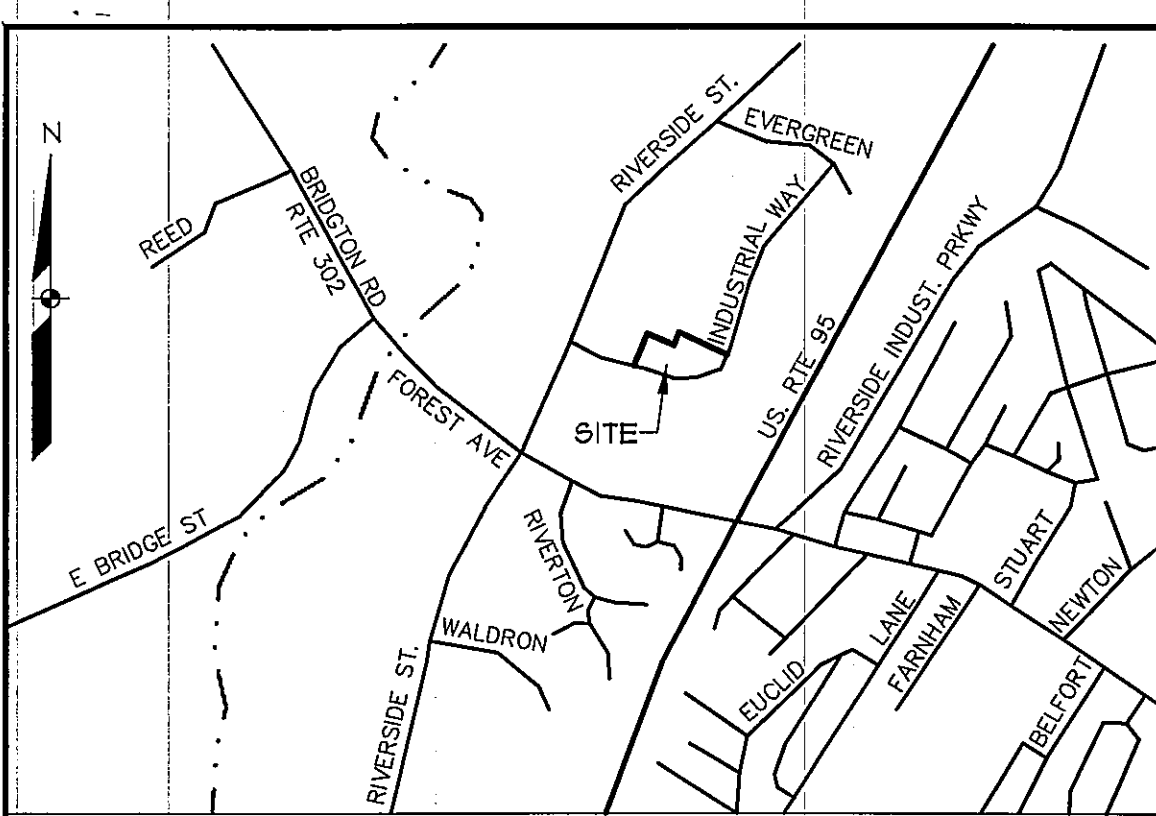
www.sebagotechnics.com<.././Desktop/www.sebagotechnics.com>
An Employee Owned Company

75 John Roberts Road - Suite 1A
South Portland, ME 04106-6963

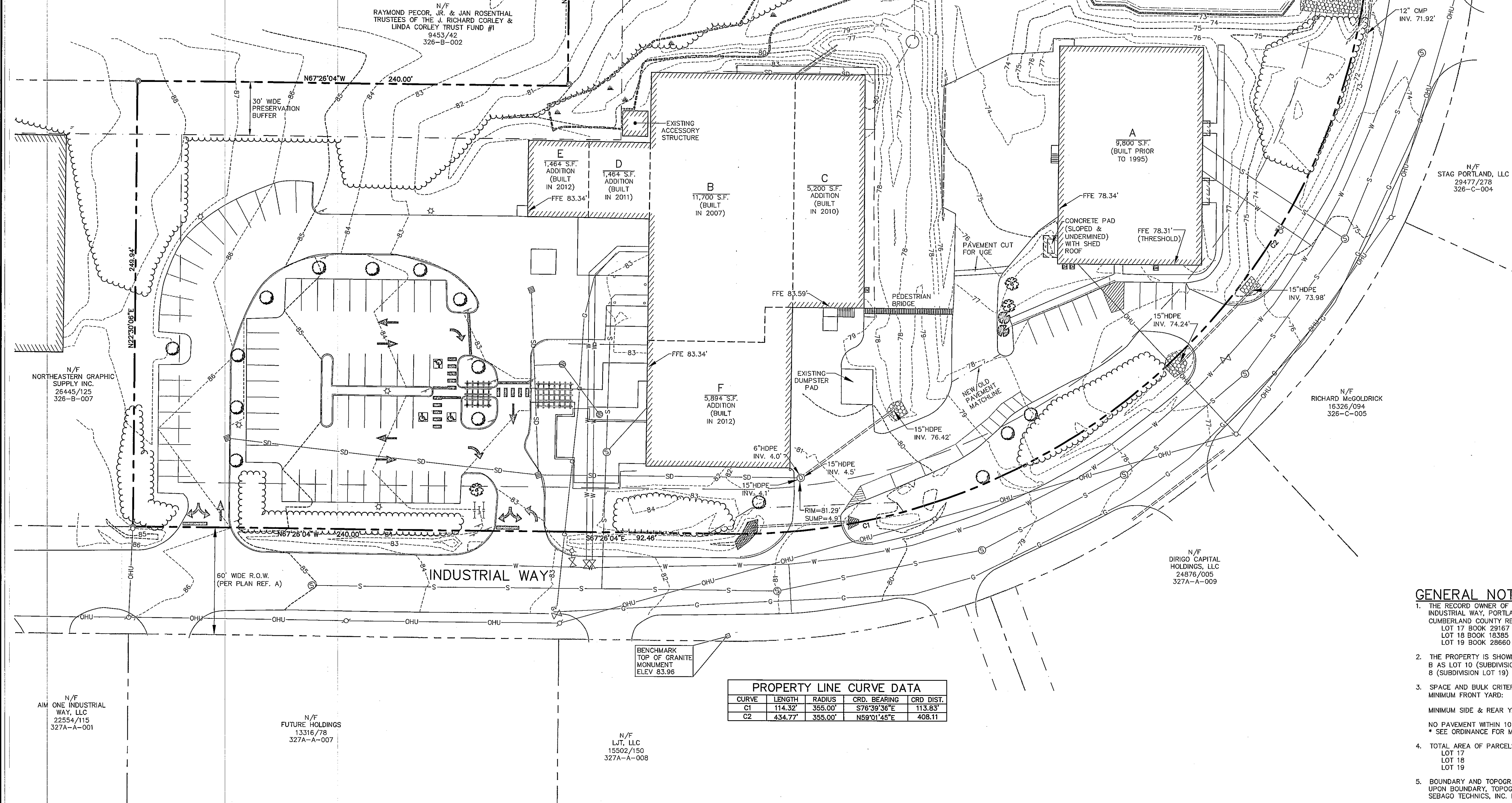
Office: 207.200.2100
Direct Dial: 207.200.2075
Fax: 207.856.2206

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LOCATION MAP

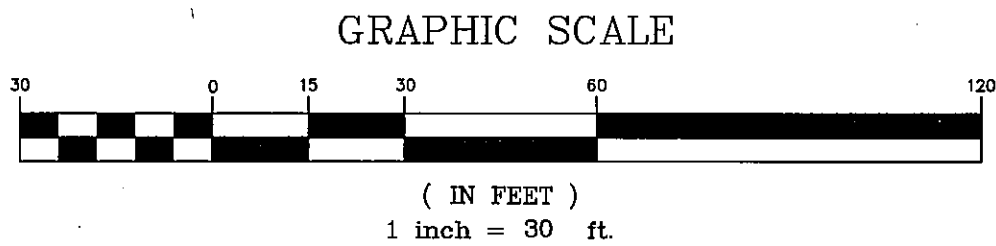


PROPERTY LINE CURVE DATA				
CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C1	114.32'	355.00'	S78°39'36"E	113.83'
C2	434.77'	355.00'	N59°01'45"E	408.11'

LEGEND	
EXISTING	DESCRIPTION
---	BOUNDARY LINE/R.O.W.
---	ABUTTER LINE/R.O.W.
---	SETBACK
---	EASEMENT
---	MONUMENT
---	IRON PIPE/ROD
---	CURVE/LINE NO.
---	BENCHMARK
---	BUILDING
---	WETLANDS
---	EDGE WETLAND
---	SIGN
---	EDGE PAVEMENT
---	EDGE CONCRETE
---	PAVEMENT PAINT
---	GRAVEL
---	CURBLINE
---	TREELINE
---	CONTOURS
---	CHAIN LINK FENCE
---	DECIDUOUS TREE
---	CONIFEROUS TREE
---	SHRUB
---	BOLLARD
---	GAS
---	GAS GATE VALVE
---	GAS METER
---	WATER
---	WATER GATE VALVE
---	WATER SHUT OFF
---	HYDRANT
---	SEWER
---	SEWER MH
---	STORM DRAIN
---	UNDERDRAIN
---	CATCH BASIN
---	DRAINAGE MH
---	CULVERT
---	OVERHEAD UTILITY
---	UNDERGROUND UTILITY
---	TRANSFORMER PAD
---	WATER MANHOLE
---	LIGHT POLE/WALL
---	UTILITY POLE
---	GUY
---	RIPRAP

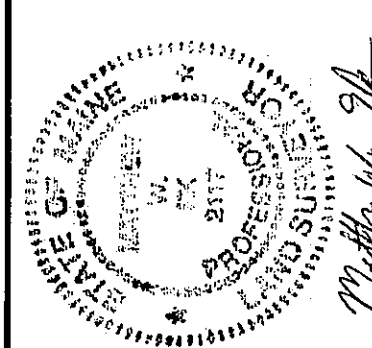
GENERAL NOTES

- THE RECORD OWNER OF THE PARCELS IS 50 INDUSTRIAL WAY LLC, 50 INDUSTRIAL WAY, PORTLAND, MAINE 04103 BY DEEDS RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CORD) IN THE FOLLOWING: LOT 17 BOOK 29167 PAGE 291, DATED NOVEMBER 30, 2011 LOT 18 BOOK 18385 PAGE 348, DATED NOVEMBER 14, 2002 LOT 19 BOOK 28860 PAGE 237, DATED APRIL 26, 2011
- THE PROPERTY IS SHOWN ON THE CITY OF PORTLAND TAX MAP 326 BLOCK B AS LOT 10 (SUBDIVISION LOT 17), LOT 9 (SUBDIVISION LOT 18) AND LOT 6 (SUBDIVISION LOT 19) AND IS LOCATED IN THE IM ZONE.
- SPACE AND BULK CRITERIA FOR THE IM ZONE ARE AS FOLLOWS: MINIMUM FRONT YARD: 1 FOOT/FOOT OF BUILDING HEIGHT MINIMUM SIDE & REAR YARD: 25' MIN. & 1 FOOT/FOOT OF BUILDING HEIGHT NO PAVEMENT WITHIN 10 FEET OF PROPERTY LINE * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION
- TOTAL AREA OF PARCELS ARE AS FOLLOWS: LOT 17 ±58,920 SQUARE FEET LOT 18 ±73,073 SQUARE FEET LOT 19 ±59,985 SQUARE FEET
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON BOUNDARY, TOPOGRAPHIC AND AS-BUILT SURVEYS PERFORMED BY SEBAGO TECHNICS, INC. FROM 2002 THROUGH 2011.
- PLAN REFERENCES: A. RECORDING PLAT OF THE TURNPIKE INDUSTRIAL PARK, BY LAND USE CONSULTANTS, DATED MARCH 25, 1986 AND LAST REVISED SEPTEMBER 9, 1986, BEING RECORDED IN THE CORD IN PLAN BOOK 157 PAGE 61. B. SITE PLAN SET OF PLANS OF LOT 18, TURNPIKE INDUSTRIAL PARK FOR ALLAGASH BREWING, BY SEBAGO TECHNICS, INC., (PROJECT 05057).
- PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, ELEVATIONS DEPICTED HEREON ARE NAVD83, BASED ON DUAL FREQUENCY GPS OBSERVATIONS.
- UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.



EXISTING CONDITIONS PLAN
OF:
ALLAGASH BREWING COMPANY
INDUSTRIAL WAY
PORTLAND, MAINE
FOR:
50 INDUSTRIAL WAY, LLC
50 INDUSTRIAL WAY
PORTLAND, MAINE 04103

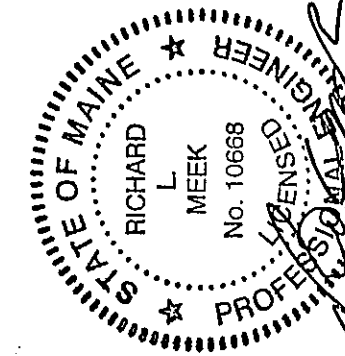
DATE	SCALE
05-20-14	1" = 30'



REV.	BY:	DATE:	STATUS:
A	RLM	08-03-14	SITE PLAN SUBMISSION TO CITY

PROJECT NO.	FIELD BOOK	DESIGN	CHKD	DRAWN
02249	847		MWE	KWD

RECORD OWNER:
50 INDUSTRIAL WAY, LLC
50 INDUSTRIAL WAY
PORTLAND, MAINE 04103



REV.	BY	DATE	STATUS
A	RLM	05-03-14	SITE PLAN SUBMISSION TO CITY

SEBAGO
TECHNICS
75 John Roberts Rd., Suite 1A
South Portland, ME 04106
Tel. 207-260-2100

WWW.SEAGOTECHNICS.COM
250 Gadsden Rd. - Suite B
Lewiston, ME 04240
Tel. 207-783-6665

DESIGN	CHKD	DRAWN
847	RLM	JAR

PROJECT NO. 02249

DEMOLITION PLAN
OF:
ALLAGASH BREWING COMPANY
INDUSTRIAL WAY
PORTLAND, MAINE

FOR:
50 INDUSTRIAL WAY, LLC
50 INDUSTRIAL WAY
PORTLAND, MAINE 04103

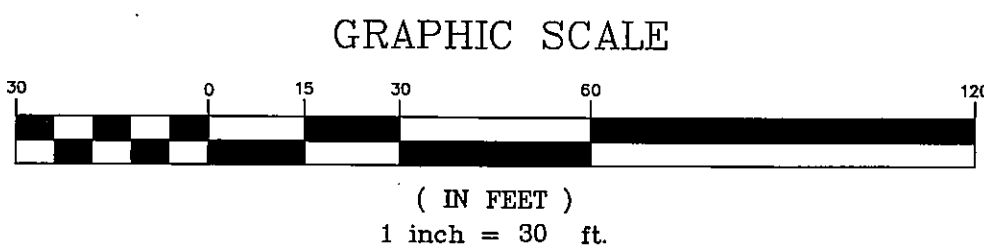
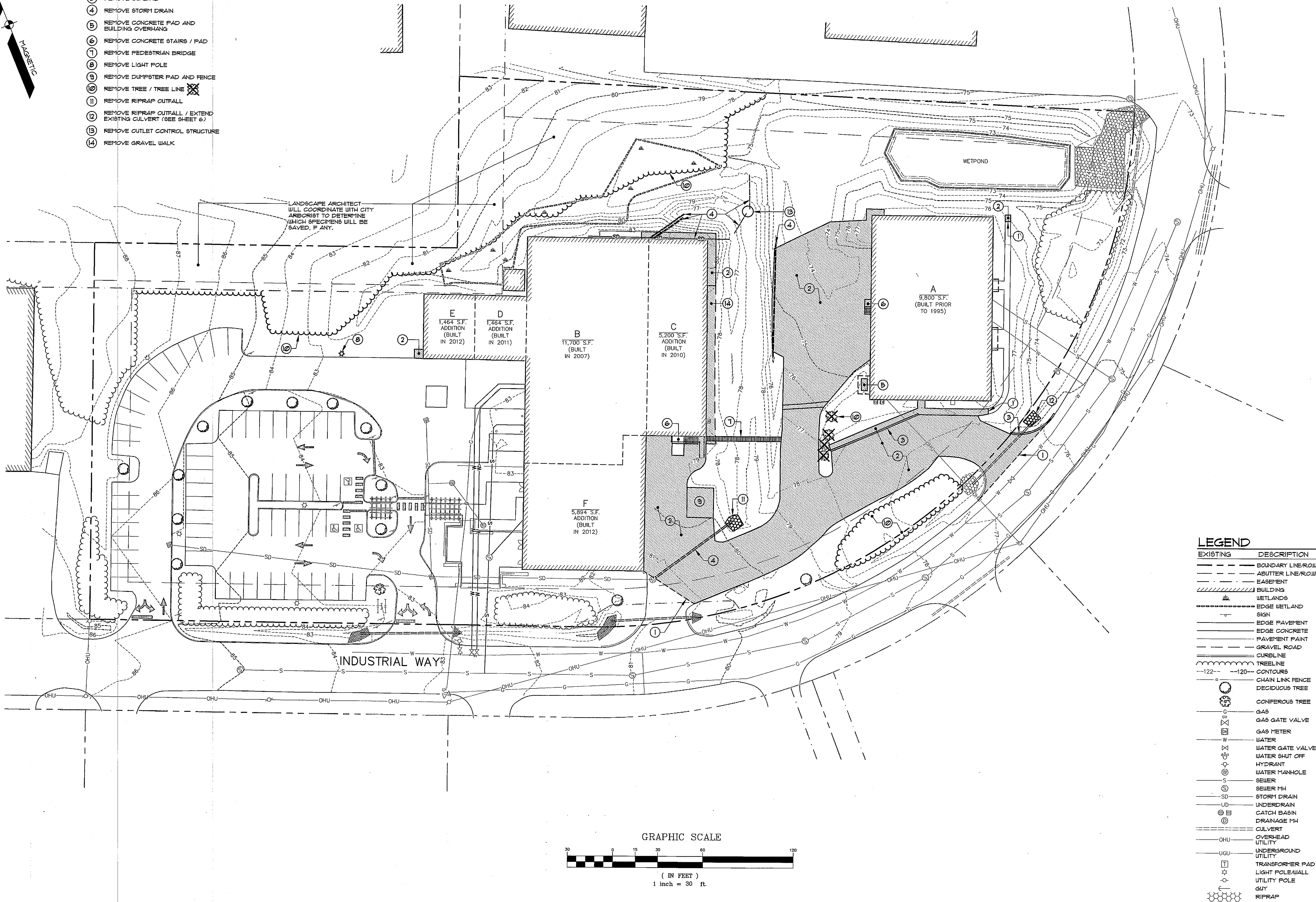
DATE	SCALE
05-20-14	1" = 30'

SHEET 3 OF 9

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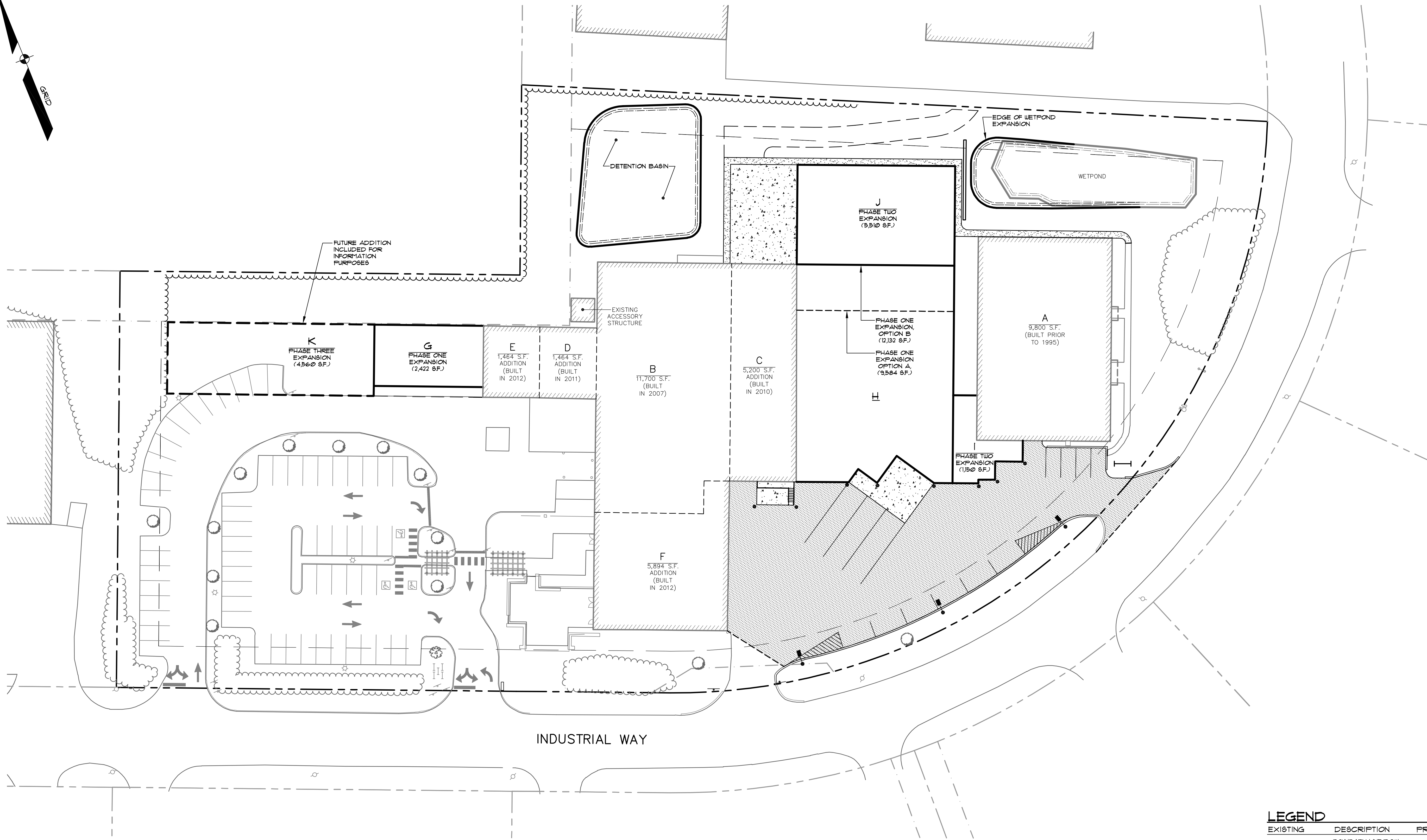
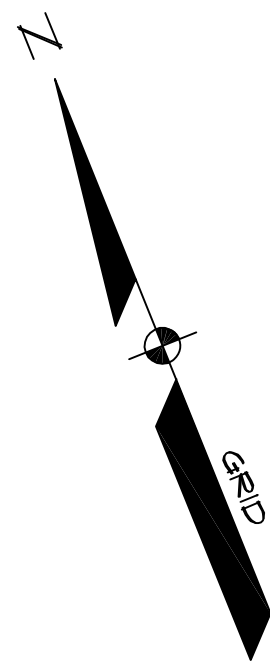
SITE DEMOLITION INDEX

- 1 SAW CUT PAVEMENT
- 2 REMOVE PAVEMENT / SIDEWALK
- 3 REMOVE CURBING
- 4 REMOVE STORM DRAIN
- 5 REMOVE CONCRETE PAD AND BUILDING OVERHANG
- 6 REMOVE CONCRETE STAIRS / PAD
- 7 REMOVE PEDESTRIAN BRIDGE
- 8 REMOVE LIGHT POLE
- 9 REMOVE DUMPSTER PAD AND FENCE
- 10 REMOVE TREE / TREE LINE
- 11 REMOVE RIPRAP OUTFALL
- 12 REMOVE RIPRAP OUTFALL / EXTEND EXISTING CULVERT (SEE SHEET 6)
- 13 REMOVE OUTLET CONTROL STRUCTURE
- 14 REMOVE GRAVEL WALK

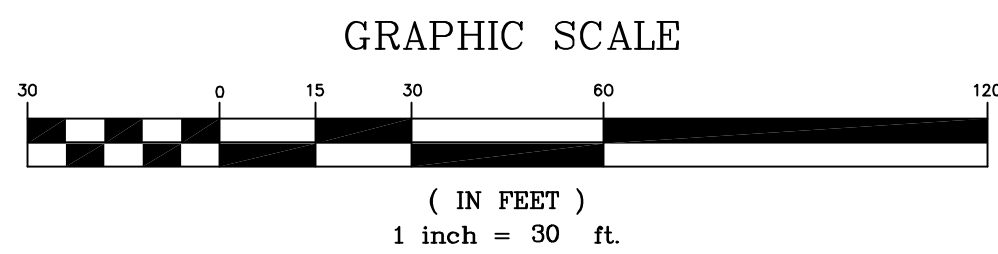


LEGEND

EXISTING	DESCRIPTION
---	BOUNDARY LINE/ROW
---	ABUTTER LINE/ROW
---	EASEMENT
---	BUILDING
---	WETLANDS
---	EDGE WETLAND
---	SIGN
---	EDGE PAVEMENT
---	EDGE CONCRETE
---	PAVEMENT PAINT
---	GRAVEL ROAD
---	CURBLINE
---	TREELINE
---	CONTOURS
---	CHAIN LINK FENCE
---	DECIDUOUS TREE
---	CONIFEROUS TREE
---	GAS
---	GAS GATE VALVE
---	GAS METER
---	WATER
---	WATER GATE VALVE
---	WATER SHUT OFF
---	HYDRANT
---	WATER MANHOLE
---	SEWER
---	SEWER MH
---	STORM DRAIN
---	UNDERDRAIN
---	CATCH BASIN
---	DRAINAGE MH
---	CULVERT
---	OVERHEAD UTILITY
---	UNDERGROUND UTILITY
---	TRANSFORMER PAD
---	LIGHT POLE/WALL
---	UTILITY POLE
---	GUY
---	RIPRAP



INDUSTRIAL WAY



LEGEND		
EXISTING	DESCRIPTION	PROPOSED
	BOUNDARY LINE/ROW	
	ABUTTER LINE/ROW	
	EASEMENT	
	MONUMENT	
	IRON PIPE/ROD	
	BUILDING	
	WETLANDS	
	EDGE WETLAND SIGN	
	EDGE PAVEMENT	
	EDGE CONCRETE	
	PAVEMENT PAINT	
	GRAVEL ROAD	
	CURBLINE	
	EDGE WATER	
	TREELINE	
	BOLLARD	
	LIGHT POLE/WALL	
	UTILITY POLE	

PHASING PLAN
OF:
ALLAGASH BREWING COMPANY
INDUSTRIAL WAY
PORTLAND, MAINE
FOR:
50 INDUSTRIAL WAY, LLC
50 INDUSTRIAL WAY
PORTLAND, MAINE 04103

DATE	SCALE
05-20-14	1" = 30'

SHEET C4

SEBAGO
TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 1A
South Portland, ME 04106
Tel: 207-262-2100
Tel: 207-783-8686

PROJECT NO.	FIELD BOOK	DESIGN	CHKD	DRAWN
02249	847	RLM	RLM	MAL

REV.	BY:	DATE:	STATUS:	REVISIONS
B	RLM	07-01-14	REVISE PER REVIEW COMMENTS	
A	RLM	06-03-14	SITE PLAN SUBMISSION TO CITY	

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

1. THE RECORD OWNER OF THE PARCELS IS 50 INDUSTRIAL WAY LLC, 50 INDUSTRIAL WAY, PORTLAND, MAINE 04103 BY DEEDS RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN THE FOLLOWING:

LOT 11 BOOK 23161 PAGE 231, DATED NOVEMBER 30, 2011
LOT 18 BOOK 18385 PAGE 348, DATED NOVEMBER 14, 2002
LOT 19 BOOK 28660 PAGE 237, DATED APRIL 26, 2011

2. THE PROPERTY IS SHOWN AS ON THE CITY OF PORTLAND TAX MAP 326 BLOCK B AS LOT 10 (SUBDIVISION LOT 17), LOT 9 (SUBDIVISION LOT 18) AND LOT 8 (SUBDIVISION LOT 19) IS LOCATED IN THE 1M ZONE.

3. SPACE AND BULK CRITERIA FOR THE IM ZONE ARE AS FOLLOWS:

ORDINANCE REQUIREMENT		PROVIDED
MIN. LOT SIZE	NONE	4,401 ACRES
MAX. IMPERVIOUS RATIO	15%	51%
MAX. BUILDING HEIGHT	75 FEET	34 FEET
MIN. SIDE YARD	25 FEET	35-34 FEET
MIN. REAR YARD	25 FEET	20-66 FEET
MIN. FRONT YARD	1 FT./1 FT. OF BLDG. HEIGHT	55-02 FEET
MIN. STREET FRONTAGE	60 FEET	8815 FEET
PAVEMENT SETBACK	10 FEET	10 FEET

4. TOTAL AREA OF PARCELS ARE AS FOLLOWS:

LOT 17	± 58,920 SQUARE FEET
LOT 18	± 73,073 SQUARE FEET
LOT 19	± 59,985 SQUARE FEET

5. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON BOUNDARY, TOPOGRAPHIC AND AS-BUILT SURVEYS PERFORMED BY SEBAGO TECHNICS, INC. FROM 2002 THROUGH 2014.

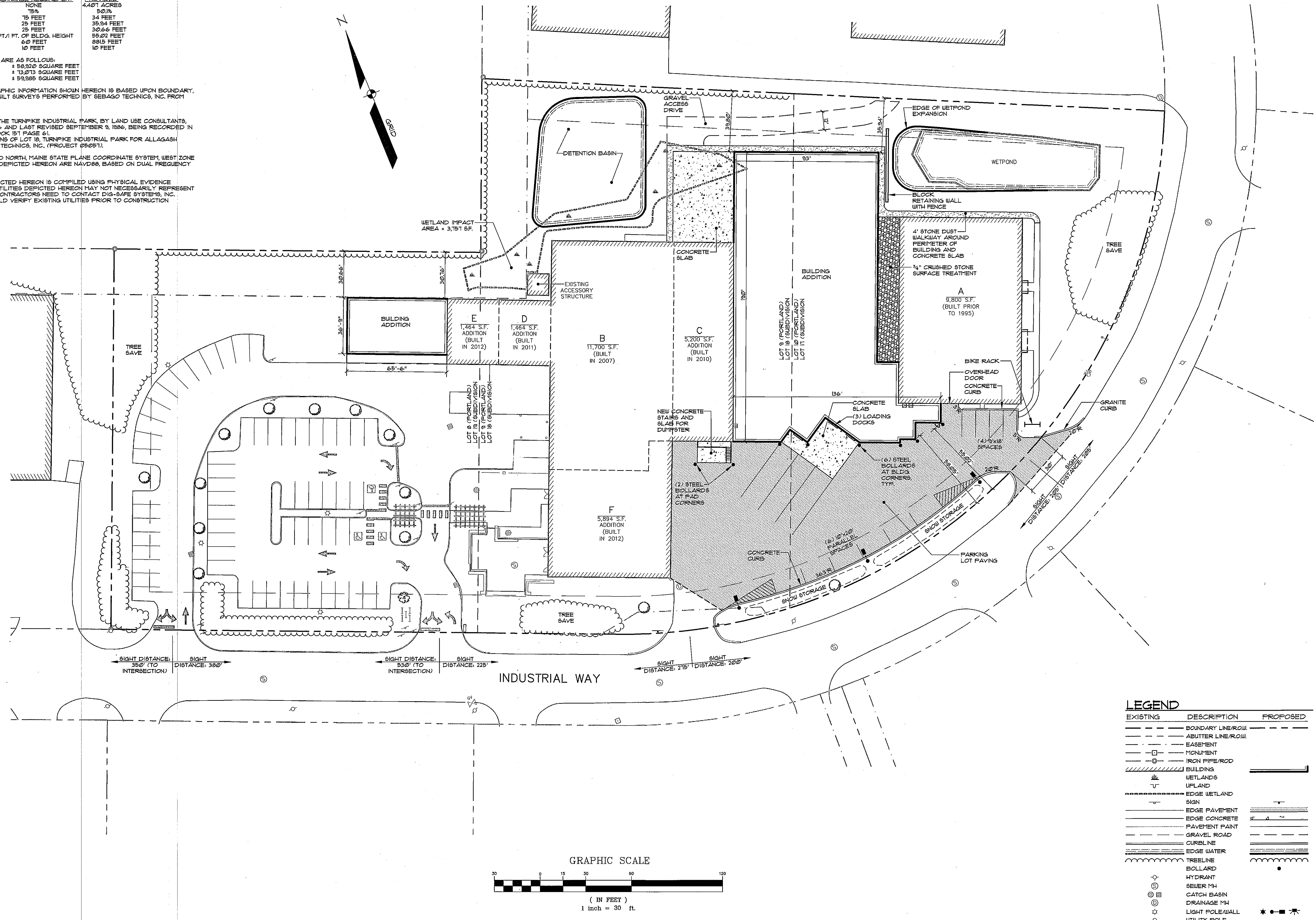
6. PLAN REFERENCES:

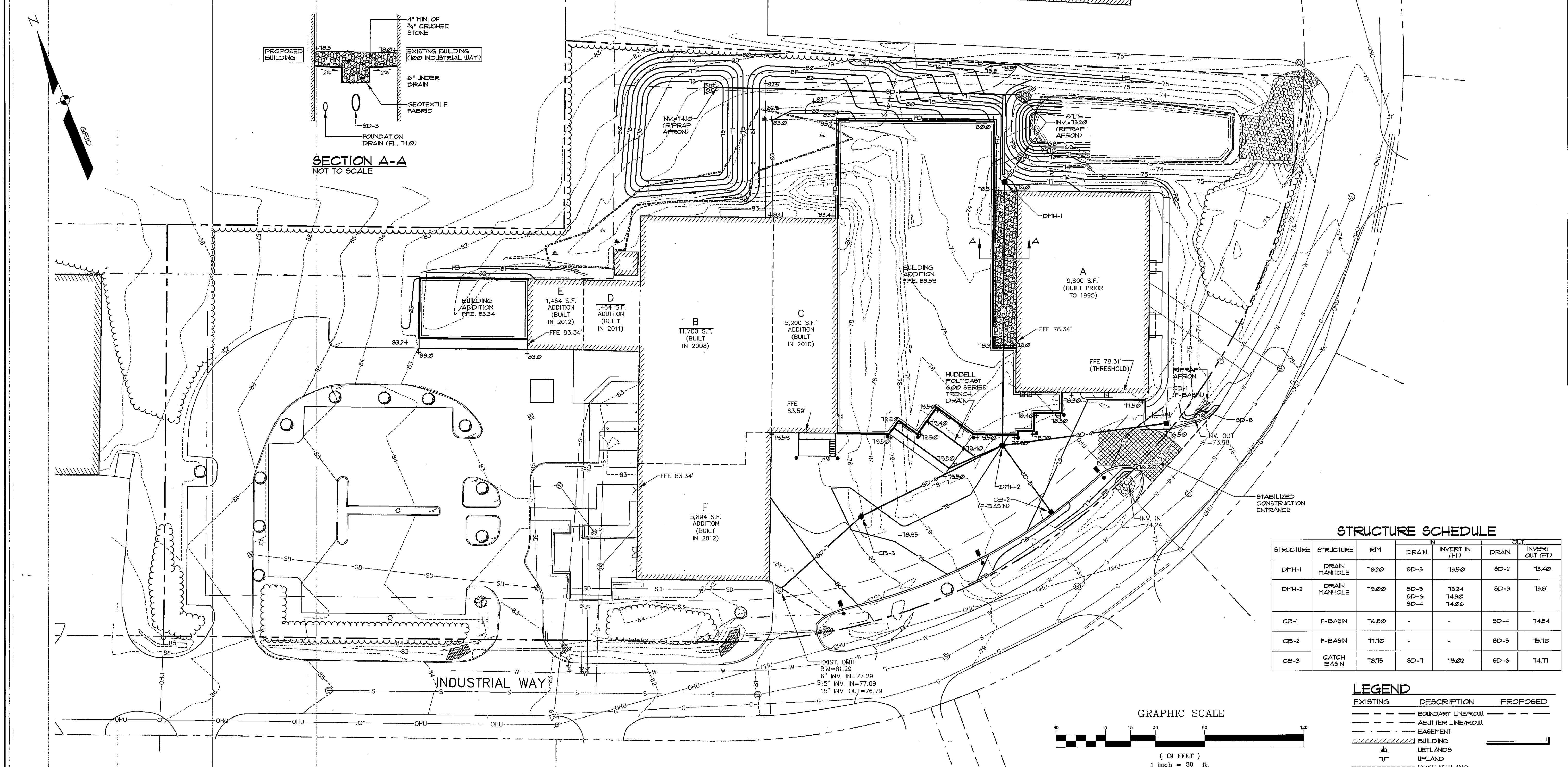
- A. RECORDING PLAT OF THE TURNPIKE INDUSTRIAL PARK, BY LAND USE CONSULTANTS, DATED MARCH 25, 1986 AND LAST REVISED SEPTEMBER 3, 1986, BEING RECORDED IN THE CORD IN PLAN BOOK 151 PAGE 61.
- B. SITE PLAN SET OF PLANS OF LOT 18, TURNPIKE INDUSTRIAL PARK FOR ALLAGASH BREWING, BY SEBAGO TECHNICS, INC., (PROJECT 08051).

7. PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, ELEVATIONS DEPICTED HEREON ARE NAVD88, BASED ON DUAL FREQUENCY GPS OBSERVATIONS.

8. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.

<u>50 INDUSTRIAL WAY</u>			
RETAIL	1,136 SF.	1 SPACE/200 SF. (OVER 2,000 SF.)	= 0 SPACES
OFFICE	1,336 SF.	1 SPACE/400 SF.)	= 13 SPACES
PRODUCTION	53,150 SF.	1 SPACE/1,000 SF.)	= 54 SPACES
TOTAL REQUIRED:			= 73 SPACES
TOTAL PROVIDED:			= 74 SPACES



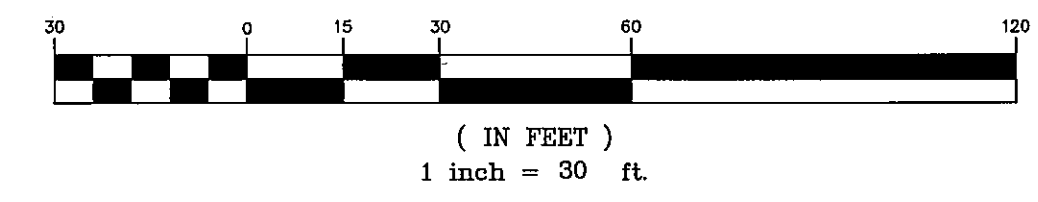


SECTION A-A
NOT TO SCALE

STRUCTURE SCHEDULE

STRUCTURE	STRUCTURE	RIM	DRAIN	INVERT IN (FT)	DRAIN	INVERT OUT (FT)
DMH-1	DRAIN MANHOLE	18.20	SD-3	13.50	SD-2	13.40
DMH-2	DRAIN MANHOLE	19.00	SD-5 SD-6 SD-4	15.24 14.30 14.06	SD-3	13.81
CB-1	F-BASIN	16.50	-	-	SD-4	14.54
CB-2	F-BASIN	11.10	-	-	SD-5	15.10
CB-3	CATCH BASIN	18.15	SD-1	15.02	SD-6	14.11

GRAPHIC SCALE



LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	BOUNDARY LINE/ROW	---
---	ABUTTER LINE/ROW	---
---	EASEMENT	---
---	BUILDING	---
---	WETLANDS	---
---	UPLAND	---
---	EDGE WETLAND SIGN	---
---	EDGE PAVEMENT	---
---	EDGE CONCRETE	---
---	PAVEMENT PAINT	---
---	GRAVEL ROAD	---
---	CURBLINE	---
---	TREELINE	---
---	CONTOURS	---
---	CHAIN LINK FENCE	---
---	DECIDUOUS TREE	---
---	CONIFEROUS TREE	---
---	BOLLARD	---
---	GAS	---
---	GAS GATE VALVE	---
---	GAS METER	---
---	WATER	---
---	WATER GATE VALVE	---
---	WATER SHUT OFF	---
---	HYDRANT	---
---	WATER MANHOLE	---
---	SEWER	---
---	SEWER MH	---
---	STORM DRAIN	---
---	UNDERDRAIN	---
---	CATCH BASIN	---
---	DRAINAGE MH	---
---	CULVERT	---
---	OVERHEAD UTILITY	---
---	UNDERGROUND UTILITY	---
---	TRANSFORMER PAD	---
---	LIGHT POLE/WALL	---
---	UTILITY POLE	---
---	GUY	---
---	RIFRAP	---
---	FILTER BARRIER	---

STORM DRAIN SCHEDULE

PIPE ID	LENGTH (FT)	DIAMETER (IN)	SLOPE (FT/FT)	INVERT IN (FT)	INVERT OUT (FT)
SD-1	183	15	0.0025	14.10	13.20
SD-2	16	24	0.0025	13.40	13.20
SD-3	156	24	0.002	13.81	13.50
SD-4	96	12	0.0025	14.54	14.06
SD-5	46	12	0.010	15.10	15.24
SD-6	92	18	0.0025	14.11	14.31
SD-7	63	15	0.0028	11.19	15.02
SD-8	8	15	0.0025	13.98	13.94

CONSTRUCTION NOTES:

- ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.
- CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SHALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.
- CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.
- INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.
- CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.
- CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.
- SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENTATION CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION MARCH 1991 OR LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
- CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (1-888-DIGSAFE) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.
- CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE DIG. WHEN NOTIFIED, DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SHALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.
- CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRS.A 3360-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.
- ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS.
- ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
- NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.
- ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL REQUIRE A M.D.O.T. PERMIT AS WELL AS PERMITS FROM THE TOWN AS APPLICABLE.
- IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.
- THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
- ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
- WHERE THE TERMS "APPROVED EQUAL", "OTHER APPROVED", "EQUAL TO", "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGMENT OF SEBAGO TECHNICS, INC.
- THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.
- THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
- THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
- DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER AND THE CITY OF PORTLAND FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.
- BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION, CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.
- ALL SUBSURFACE UTILITY LINES SHOWN HEREON ARE BASED SOLELY ON THE FIELD LOCATION OF VISIBLE STRUCTURES, SM-1'S, CB'S, HYDRANTS, ETC., CORRELATING WITH DESIGN AND OR AS-BUILT PLANS SUPPLIED TO SEBAGO TECHNICS, INC. BY OTHERS. PRIOR TO ANY CONSTRUCTION, EXCAVATION, TEST BORINGS, DRILLING, ETC. DIG SAFE MUST BE NOTIFIED AND A SITE IDENTIFICATION NUMBER ALONG WITH A SAFE TO DIG DATE OBTAINED. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION, DEPTH AND MATERIAL OF ALL SUBSURFACE UTILITY LINES SHOWN HEREON AND ANY AND ALL OTHERS LOCATED ON SITE WITHIN THE CONSTRUCTION AREA.
- AN APPROVED SPRINKLER SYSTEM SHALL BE INSTALLED PER NFPA 13 AND MONITORED BY AN APPROVED CENTRAL MONITORING STATION.
- ALL STORM DRAIN PIPES SHALL BE SMOOTH BORE HDPE UNLESS OTHERWISE NOTED.
- ALL TREE SAVE AREAS MUST BE IDENTIFIED IN THE FIELD PRIOR TO SITE WORK.
- PROTECTIVE MEASURES WILL BE REQUIRED IN TREE SAVE AREAS IN ORDER TO PREVENT THE STORAGE OF MATERIALS AND EQUIPMENT.
- IN THE CASE THAT TREE SAVE AREAS ARE AFFECTED DURING CONSTRUCTION, ADDITIONAL TREES/SHRUBS MAY BE NEEDED.

P6

STATE OF MAINE
REGISTERED PROFESSIONAL ENGINEER
RICHARD M. SK
No. 13668
PROJECT NO. 022490

DATE: 06-03-14
BY: RLM
STATUS: SITE PLAN SUBMISSION TO CITY

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS AUTHORIZED OTHERWISE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO TECHNICS
75 Jean Roberts Rd., Suite 1A
South Portland, ME 04106
Tel. 207-260-2100

PROJECT NO. 022490
FIELD BOOK 847
DESIGN CHKD RLM
DRAWN MAL

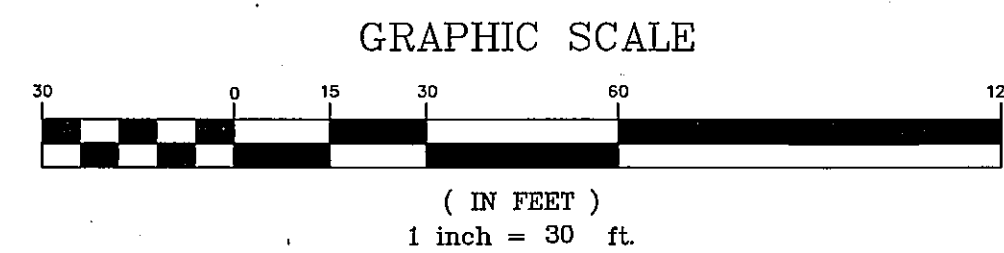
GRADING AND UTILITY PLAN
OF:
ALLAGASH BREWING COMPANY
INDUSTRIAL WAY
PORTLAND, MAINE
FOR:
50 INDUSTRIAL WAY, LLC
50 INDUSTRIAL WAY
PORTLAND, MAINE 04103

DATE: 05-20-14
SCALE: 1" = 30'

SHEET 6 OF 9

TAB: G0
022490-G.dwg

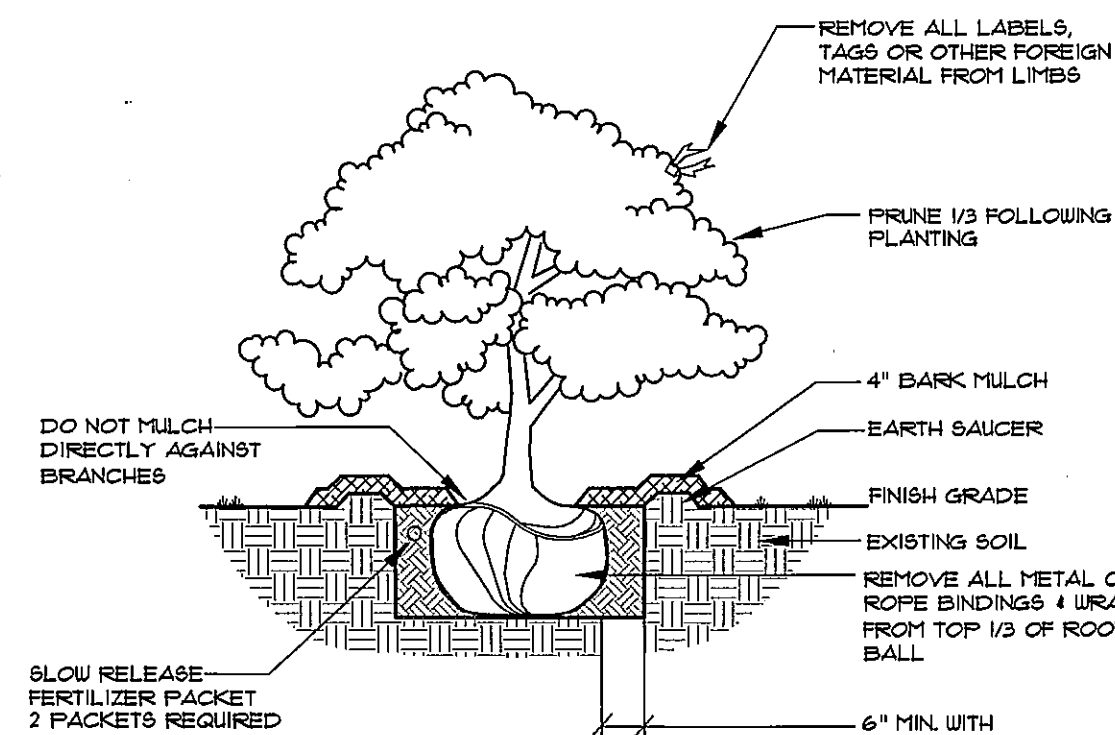
KEY	BOTANICAL NAME / COMMON NAME	SIZE / COMMENTS	QUANTITY
PA	PICEA ABIES / NORWAY SPRUCE	10'-12' HGT.	9
UA	ULMUS AMERICANA 'VALLEY FORGE' / AMERICAN ELM	3" CAL.	5



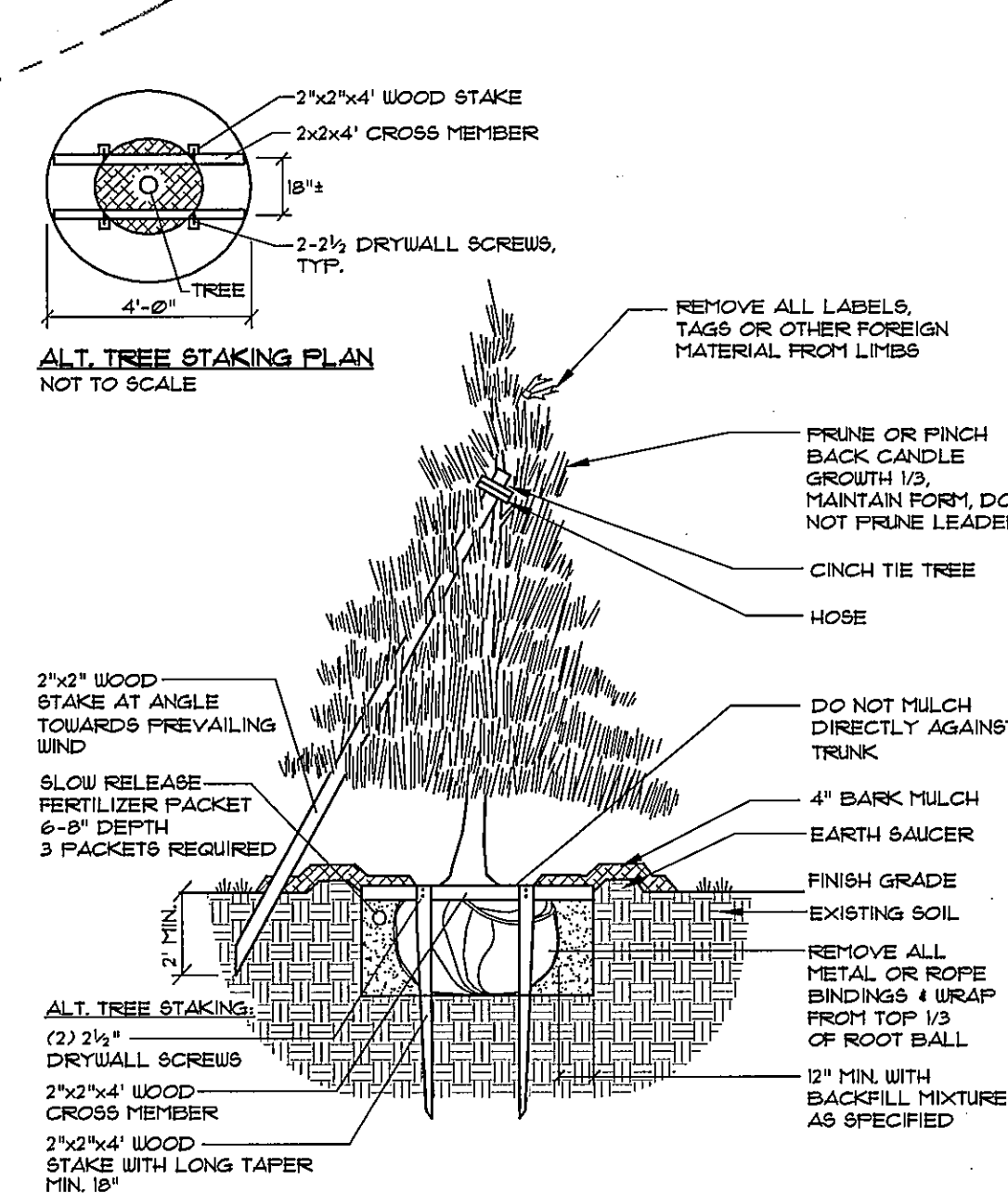
1. ALL TREE SAVE AREAS MUST BE IDENTIFIED IN THE FIELD PRIOR TO SITE WORK.	
2. PROTECTIVE MEASURES WILL BE REQUIRED IN TREE SAVE AREAS IN ORDER TO PREVENT THE STORAGE OF MATERIALS AND EQUIPMENT.	
3. IN THE CASE THAT TREE SAVE AREAS ARE AFFECTED DURING CONSTRUCTION, ADDITIONAL TREES/SHRUBS MAY BE NEEDED.	

KIM LIGHTING:
S-3 - EKG401-3/200HP8-E18 (20' MOUNTING HEIGHT)
S-3S - EKG401-3/200HP8-E18/H8 (20' MOUNTING HEIGHT)
S-4S - EKG401-4/250HP8-E18/H8 (20' MOUNTING HEIGHT)

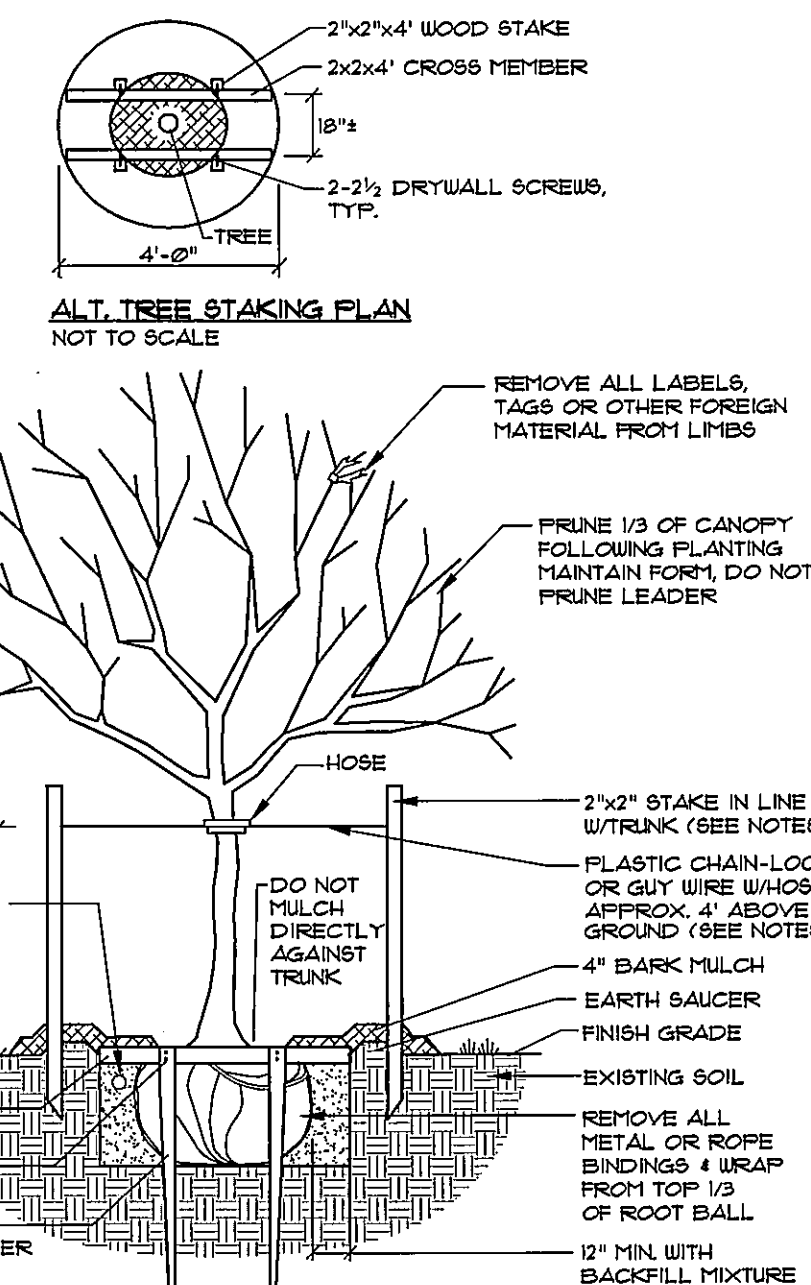
EXISTING	DESCRIPTION	PROPOSED
— — — — —	BOUNDARY LINE/ROLL	— — — — —
— — — — —	ABUTTER LINE/ROLL	— — — — —
— — — — —	SETBACK	— — — — —
— — — — —	EASEMENT	— — — — —
	BUILDING	
— — — — —	SIGN	
— — — — —	EDGE PAVEMENT	
— — — — —	EDGE CONCRETE	
	CURBLINE	
	TREELINE	
	DECIDUOUS TREE	
	CONIFEROUS TREE	
— — — — —	MULCH LINE	— — — — —
— — — — —	SCREENING FENCE	— — — — —
— — — — —	BOLLARD	
○	LIGHT POLE/WALL	●
	UTILITY POLE	



DECIDUOUS & EVERGREEN SHRUB
NOT TO SCALE



DECIDUOUS TREES UNDER 2" CALIFER OR
UNDER 8' IN HEIGHT
EVERGREEN TREES 1'-0" IN HEIGHT & UNDER
NOT TO SCALE



DECIDUOUS TREES 2" TO 4" CALIFER
NOT TO SCALE

EROSION CONTROL MEASURES

PRE-CONSTRUCTION PHASE

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, SEDIMENT BARRIERS (SILT FENCE) WILL BE STAKED/INSTALLED ACROSS THE SLOPE(S) ON THE CONTOUR AT OR JUST BELOW THE LIMITS OF CLEARING OR GRUBBING, AND/OR JUST ABOVE ANY ADJACENT PROPERTY LINE OR WATERCOURSE TO PROTECT AGAINST CONSTRUCTION RELATED EROSION. THE PLACEMENT OF SEDIMENT BARRIERS SHALL BE COMPLETED IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN BEST MANAGEMENT PRACTICES AND IN ACCORDANCE WITH THIS EROSION CONTROL PLAN AND SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL ALL EXPOSED SLOPES HAVE AT LEAST 85%-90% VIGOROUS PERENNIAL VEGETATIVE COVER TO PREVENT EROSION. TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

PRIOR TO ANY CLEARING OR GRUBBING, A CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED AT THE INTERSECTION OF THE PROPOSED ENTRANCES AND EXISTING ROADWAY TO AVOID TRACKING OF MUD, DUST AND DEBRIS FROM THE SITE.

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL PREPARE A DETAILED SCHEDULE AND MARKED UP PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE MUNICIPAL STAFF. THREE COPIES OF THE SCHEDULE AND MARKED UP PLAN SHALL BE PROVIDED TO THE MUNICIPALITY THREE DAYS PRIOR TO THE SCHEDULED PRE-CONSTRUCTION MEETING. SPECIAL ATTENTION SHALL BE GIVEN TO THE 14 DAY LIMIT OF DISTURBANCE IN THE SCHEDULE ADDRESSING TEMPORARY AND PERMANENT VEGETATION MEASURES.

CONSTRUCTION AND POST-CONSTRUCTION PHASE

AREAS UNDERGOING ACTUAL CONSTRUCTION SHALL ONLY EXPOSE THAT AMOUNT OF MINERAL SOIL NECESSARY FOR PROGRESSIVE AND EFFICIENT CONSTRUCTION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. OPEN AREAS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL AS SHOWN ON THE DESIGN PLANS AND AS DESCRIBED WITHIN THIS EROSION CONTROL PLAN WITHIN 14-DAYS OF DISTURBANCE. AREAS LOCATED WITHIN 100' OF STREAMS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL WITHIN SEVEN (7) DAYS. REFER TO WINTER EROSION CONTROL NOTES FOR THE TREATMENT OF OPEN AREAS AFTER OCTOBER 1ST OF THE CONSTRUCTION YEAR.

THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

EROSION CONTROL APPLICATIONS & MEASURES

THE PLACEMENT OF EROSION CONTROL MEASURES SHALL BE COMPLETED IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN BEST MANAGEMENT PRACTICES AND IN ACCORDANCE WITH THE EROSION CONTROL PLAN AND DETAILS IN THE PLAN SET.

1. TEMPORARY MULCHING:

ALL DISTURBED AREAS SHALL BE MULCHED WITH MATERIALS SPECIFIED BELOW PRIOR TO ANY STORM EVENT. ALL DISTURBED AREAS NOT FINAL GRADED WITHIN 14 DAYS SHALL BE MULCHED. ALSO, AREAS WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEED MULCHED IMMEDIATELY FOLLOWING SEEDING. EROSION CONTROL BLANKETS ARE RECOMMENDED TO BE USED AT THE BASE OF SLOPES GREATER THAN 15%. MULCH ANCHORING SHOULD BE USED ON SLOPES GREATER THAN 5% AFTER SEPTEMBER 15TH OF THE CONSTRUCTION YEAR (SEE WINTER EROSION CONTROL NOTES). TYPES OF MULCH:

HAY OR STRAW SHALL BE APPLIED AT A RATE OF 15 LBS/1000 SF. (15 TONS PER ACRE).

EROSION CONTROL MIX SHALL BE PLACED EVENLY AND MUST PROVIDE 100% SOIL COVER. EROSION CONTROL MIX SHALL BE APPLIED SUCH THAT THE THICKNESS ON SLOPES 3:1 OR LESS IS 2 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THE THICKNESS ON SLOPES BETWEEN 3:1 AND 2:1 SHALL BE 4 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THIS SHALL NOT BE USED ON SLOPES GREATER THAN 2:1.

EROSION CONTROL BLANKET SHALL BE INSTALLED SUCH THAT CONTINUOUS CONTACT BETWEEN THE MAT AND THE SOIL IS OBTAINED. INSTALL BLANKETS AND STAPLE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

2. SOIL STOCKPILES:

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED WITH HAY OR STRAW AT A RATE OF 15 LBS/1000 SF. (15 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

3. NATURAL RESOURCES PROTECTION:

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 15% MATURE VEGETATION CATCH, SHALL BE MULCHED USING TEMPORARY MULCHING (AS DESCRIBED IN PART 1 OF THIS SECTION) WITHIN 1 DAYS OF EXPOSURE OR PRIOR TO ANY STORM EVENT. SEDIMENT BARRIERS (AS DESCRIBED IN PART 4. OF THIS SECTION) SHALL BE PLACED BETWEEN ANY DISTURBED AREAS AND NATURAL RESOURCES. EROSION CONTROL MEASURES SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL ALL EXPOSED SLOPES HAVE AT LEAST 85%-90% VIGOROUS PERENNIAL VEGETATIVE COVER TO PREVENT EROSION.

4. SEDIMENT BARRIERS:

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, SEDIMENT BARRIERS SHALL BE STAKED ACROSS THE SLOPE(S) ON THE CONTOUR AT OR JUST BELOW THE LIMITS OF CLEARING OR GRUBBING, AND/OR JUST ABOVE ANY ADJACENT PROPERTY LINE OR WATERCOURSE TO PROTECT AGAINST CONSTRUCTION RELATED EROSION. SEDIMENT BARRIERS SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL ALL EXPOSED SLOPES HAVE AT LEAST 85%-90% VIGOROUS PERENNIAL VEGETATIVE COVER TO PREVENT EROSION.

SILT FENCE SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THE EFFECTIVE HEIGHT OF THE FENCE SHALL NOT EXCEED 36 INCHES. IT IS RECOMMENDED THAT SILT FENCE BE REMOVED BY CUTTING THE FENCE MATERIALS AT GROUND LEVEL SO AS TO AVOID ADDITIONAL SOIL DISTURBANCE.

HAY BALES SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. BALES SHALL BE WIRE-BOUND OR STRING-TIED AND THESE BINDINGS MUST REMAIN PARALLEL WITH THE GROUND SURFACE DURING INSTALLATION TO PREVENT DETERIORATION OF THE BINDINGS. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER.

EROSION CONTROL MIX SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THE MIX SHALL CONSIST PRIMARILY OF ORGANIC MATERIAL AND CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4 INCHES IN DIAMETER. THE MIX COMPOSITION SHALL MEET THE STANDARDS DESCRIBED WITHIN THE MDEP BEST MANAGEMENT PRACTICES. NO TRENCING IS REQUIRED FOR INSTALLATION OF THIS BARRIER.

CONTINUOUS CONTAINED BERM SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THIS SEDIMENT BARRIER IS EROSION CONTROL MIX PLACED WITHIN A SYNTHETIC TUBULAR NETTING AND PERFORMS AS A STURDY SEDIMENT BARRIER THAT WORKS WELL ON HARD GROUND SUCH AS FROZEN CONDITIONS, TRAVELED AREAS OR PAVEMENT. NO TRENCING IS REQUIRED FOR INSTALLATION OF THIS BARRIER.

5. TEMPORARY CHECK DAMS:

SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. CHECK DAMS ARE TO BE PLACED WITHIN DITCHES/ SWALES AS SPECIFIED ON THE DESIGN PLANS IMMEDIATELY AFTER FINAL GRADING. CHECK DAMS SHALL BE 2 FEET HIGH. TEMPORARY CHECK DAMS MAY BE REMOVED ONLY AFTER THE ROADWAYS ARE PAVED AND THE ROADWAY DRAINAGE ARE ESTABLISHED WITH AT LEAST 85%-90% OF VIGOROUS PERENNIAL GROWTH. THE AREA BENEATH THE CHECK DAM MUST BE SEEDDED AND MULCHED IMMEDIATELY AFTER REMOVAL OF THE CHECK DAM.

STONE CHECK DAMS SHOULD BE CONSTRUCTED OF 2 TO 3 INCH STONE AND PLACED SUCH THAT COMPLETE COVERAGE OF THE SWALE IS OBTAINED AND THAT THE CENTER OF THE DAM IS 6 INCHES LOWER THAN THE OUTER EDGES.

HAY BALE CHECK DAMS: WE DO NOT RECOMMEND THE USE OF HAY BALES AS CHECK DAMS.

MANUFACTURED CHECK DAMS, MANUFACTURED CHECK DAMS, AS SPECIFIED IN THE DETAIL ON THE PLANS, MAY BE USED IF AUTHORIZED BY THE PROPER LOCAL, STATE OR FEDERAL REGULATING AGENCIES. THESE UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

6. STORMDRAIN INLET PROTECTION:

INLET PROTECTION SHALL BE PLACED AROUND A STORMDRAIN DROP INLET OR CURB INLET PRIOR TO PERMANENT STABILIZATION OF THE IMMEDIATE AND UPSTREAM DISTURBED AREAS. THEY SHALL BE CONSTRUCTED IN A MANNER THAT WILL FACILITATE CLEAN-OUT AND DISPOSAL OF TRAPPED SEDIMENTS AND MINIMIZE INTERFERENCE WITH CONSTRUCTION ACTIVITIES. ANY RESULTANT FLOWING OF WATER FROM THE PROTECTION METHOD MUST NOT CAUSE EXCESSIVE INCONVENIENCE OR DAMAGE TO ADJACENT AREAS OR STRUCTURES.

HAY BALE DROP INLET PROTECTION: WE DO NOT RECOMMEND THE USE OF HAY BALES AS INLET PROTECTION.

CONCRETE BLOCK AND STONE INLET SEDIMENT FILTER (DROP OR CURB INLET) SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THE HEIGHT OF THE CONCRETE BLOCK BARRIER CAN VARY BUT MUST BE BETWEEN 12 AND 24 INCHES TALL. A MINIMUM OF 1 INCH CRUSHED STONE SHALL BE USED.

MANUFACTURED SEDIMENT BARRIERS AND FILTER (DROP OR CURB INLET) MANUFACTURED FILTERS, AS SPECIFIED IN THE DETAIL ON THE PLANS, MAY BE USED IF INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

7. STABILIZED CONSTRUCTION ENTRANCE/EXIT:

PRIOR TO CLEARING AND/OR GRUBBING THE SITE A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED WHEREVER TRAFFIC WILL EXIT THE CONSTRUCTION SITE ONTO A PAVED ROADWAY IN ORDER TO MINIMIZE THE TRACKING OF SEDIMENT AND DEBRIS FROM THE CONSTRUCTION SITE ONTO PUBLIC ROADWAYS. THE ENTRANCES AND ADJACENT ROADWAY AREAS SHALL BE PERIODICALLY WASHED TO FURTHER MINIMIZE THE TRACKING OF MUD, DUST OR DEBRIS FROM THE CONSTRUCTION AREA. STABILIZED CONSTRUCTION EXITS SHALL BE CONSTRUCTED IN AREAS SPECIFIED ON THE PLANS AND AS DETAILED ON THE PLANS.

8. DUST CONTROL:

DUST CONTROL DURING CONSTRUCTION SHALL BE ACHIEVED BY THE USE OF A WATERING TRUCK TO PERIODICALLY SPRINKLE THE EXPOSED ROADWAY AREAS. HOWEVER, DUST CONTROL SHALL NOT BE LIMITED TO THE FOLLOWING AREAS. OTHER DUST CONTROL PRODUCTS SUCH AS CALCIUM CHLORIDE OR OTHER MANUFACTURED PRODUCTS ARE ALLOWED IF AUTHORIZED BY THE PROPER LOCAL, STATE AND/OR FEDERAL REGULATING AGENCIES. HOWEVER, IT IS THE CONTRACTOR'S ULTIMATE RESPONSIBILITY TO MITIGATE DUST AND SOIL LOSS FROM THE SITE.

9. TRENCH DEWATERING AND TEMPORARY STREAM DIVERSION:

WATER FROM CONSTRUCTION TRENCH DEWATERING OR TEMPORARY STREAM DIVERSION WILL PASS FIRST THROUGH A FILTER BAG OR SECONDARY CONTAINMENT STRUCTURE (EG. HAY BALE LINED POOL) PRIOR TO DISCHARGE. THE DISCHARGE SITE SHALL BE SELECTED TO AVOID FLOODING AND SEDIMENT DISCHARGES TO A PROTECTED RESOURCE. IN NO CASE SHALL THE FILTER BAG OR CONTAINMENT STRUCTURE BE LOCATED WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE.

10. TEMPORARY VEGETATION:

TEMPORARY VEGETATION SHALL BE APPLIED TO DISTURBED AREAS THAT WILL NOT RECEIVE FINAL GRADING FOR PERIODS UP TO 12 MONTHS. THIS PROCEDURE SHOULD BE USED EXTENSIVELY IN AREAS ADJACENT TO NATURAL RESOURCES. SEEDBED PREPARATION AND APPLICATION OF SEED SHALL BE CONDUCTED AS INDICATED IN THE PERMANENT VEGETATION SECTION OF THIS NARRATIVE. SPECIFIC SEEDS (FAST GROWING AND SHORT LIVING) SHALL BE SELECTED FROM THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL DATED 3/2003 OR LATER. ALTERNATIVE EROSION CONTROL MEASURES SHOULD BE USED IF SEEDING CAN NOT BE DONE BEFORE SEPTEMBER 15TH OF THE CONSTRUCTION YEAR.

11. PERMANENT VEGETATION:

REVEGETATION MEASURES SHALL COMMENCE IMMEDIATELY UPON COMPLETION OF FINAL GRADING OF AREAS TO BE LOAMED AND SEEDDED. THE APPLICATION OF SEED SHALL BE CONDUCTED BETWEEN APRIL 1ST AND OCTOBER 1ST OF THE CONSTRUCTION YEAR. PLEASE REFER TO THE WINTER EROSION CONTROL NOTES FOR MORE DETAIL. REVEGETATION MEASURES SHALL CONSIST OF THE FOLLOWING:

SEEDBED PREPARATION:

A. FOUR (4) INCHES OF LOAM SHALL BE SPREAD OVER DISTURBED AREAS AND SMOOTHED TO A UNIFORM SURFACE. LOAM SHALL BE FREE OF SUBSOIL, CLAY LUMPS, STONES AND OTHER OBJECTS OVER 2 INCHES OR LARGER IN ANY DIMENSION, AND WITHOUT WEEDS, ROOTS OR OTHER OBJECTIONABLE MATERIAL.

B. SOIL TESTS SHALL BE TAKEN AT THE TIME OF SOIL STRIPPING TO DETERMINE FERTILIZATION REQUIREMENTS. SOIL TESTS SHALL BE TAKEN PROMPTLY AS TO NOT INTERFERE WITH THE 14-DAY LIMIT ON SOIL EXPOSURE. BASED UPON TEST RESULTS, SOIL AMENDMENTS SHALL BE INCORPORATED INTO THE SOIL PRIOR TO FINAL SEEDING. IN LIEU OF SOIL TESTS, SOIL AMENDMENTS MAY BE APPLIED AS FOLLOWS:

ITEM	APPLICATION RATE
10-20-20 FERTILIZER (N-P2O5-K2O OR EQUAL)	18.4 LBS/1,000 SF.
GROUND LESTONE (50% CALCIUM & MAGNESIUM OXIDE)	138 LBS/1,000 SF.

C. WORK LIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH PROPER EQUIPMENT. ROLL THE AREA TO FIRM THE SEEDBED EXCEPT ON CLAY OR SILTY SOILS OR COARSE SAND.

APPLICATION OF SEED:

A SEEDING SHALL BE CONDUCTED BETWEEN APRIL 1ST AND OCTOBER 1ST OF THE CONSTRUCTION YEAR. GENERALLY A SEED MIXTURE MAY BE APPLIED AS FOLLOWS: (MDEP SEED MIX 2 IS DISPLAYED)

SEED TYPE	APPLICATION RATE
CREeping RED FESCUE	0.46 LBS/1,000 SF. (2 LBS/ACRE)
RED TOP	0.05 LBS/1,000 SF. (2 LBS/ACRE)
TALL FESCUE	0.46 LBS/1,000 SF. (2 LBS/ACRE)
TOTAL	0.97 LBS/1,000 SF. (4.2 LBS/ACRE)

NOTE: A SPECIFIC SEED MIXTURE SHOULD BE CHOSEN TO MATCH THE SOILS CONDITION OF THE SITE. VARIOUS AGENCIES CAN RECOMMEND SEED MIXTURES. MDEP RECOMMENDED SEED MIXTURES ARE IN THE EROSION AND SEDIMENT CONTROL BMP MANUAL DATED 3/2003 OR LATER.

B. HYDROSEEDING SHALL BE CONDUCTED ON PREPARED AREAS WITH SLOPES LESS THAN 2:1. LIME AND FERTILIZER MAY BE APPLIED SIMULTANEOUSLY WITH THE SEED. RECOMMENDED SEEDING RATES MUST BE INCREASED BY 10% WHEN HYDROSEEDING.

C. MULCHING: SHALL COMMENCE IMMEDIATELY AFTER SEED IS APPLIED. REFER TO THE TEMPORARY MULCHING SECTION OF THIS NARRATIVE FOR DETAILS.

SODDING:

FOLLOWING SEEDBED PREPARATION, SOD CAN BE APPLIED IN LIEU OF SEEDING IN AREAS WHERE IMMEDIATE VEGETATION IS MOST BENEFICIAL, SUCH AS DITCH, SLOPE, AND STORMWATER. SOD SHOULD BE LAID AT RIGHT ANGLES TO THE DIRECTION OF FLOW, STARTING AT THE LOWEST ELEVATION. SOD SHOULD BE ROLLED OR TAPPED DOWN TO EVEN OUT THE JOINTS ONCE LAID DOWN. WHERE FLOW IS PREVALENT THE SOD MUST BE PROPERLY ANCHORED DOWN. IRRIGATE THE SOD IMMEDIATELY AFTER INSTALLATION. IN BEST PRACTICES, SOD CAN BE ESTABLISHED BETWEEN APRIL 1ST AND NOVEMBER 15TH OF THE CONSTRUCTION YEAR, HOWEVER, REFER TO THE WINTER EROSION CONTROL NOTES FOR ANY ACTIVITIES AFTER OCTOBER 1ST.

CONSTRUCTION SCHEDULE

SITE IMPROVEMENTS WILL MOST LIKELY BEGIN IN SUMMER 2014 DEPENDING UPON FINAL PROJECT APPROVAL. THE FOLLOWING SCHEDULE IS ANTICIPATED FOR CONSTRUCTION.

SCHEDULE:

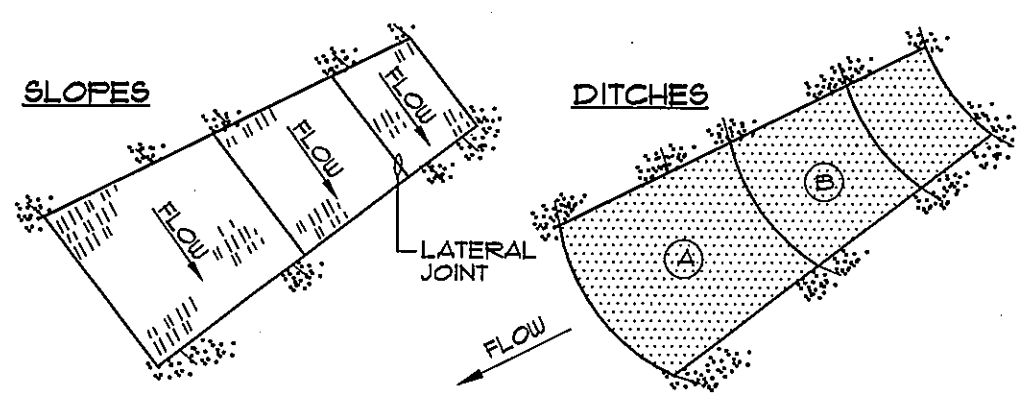
1. ESTIMATED CONSTRUCTION TIME:	1 MONTHS
2. EROSION CONTROL MEASURES PLACED:	WEEK 1
3. SITE CLEARING AND GRUBBING:	WEEK 1 - WEEK 2
4. CONSTRUCTION OF PARKING LOT SUBBASE:	WEEK 2 - WEEK 4
5. STORMWATER MANAGEMENT AREA CONSTRUCTION:	WEEK 2 - WEEK 5
6. UTILITY IMPROVEMENTS AND SITE CONSTRUCTION:	WEEK 4 - WEEK 28
7. BUILDING ADDITION CONSTRUCTION:	WEEK 4 - WEEK 28
8. MULCH SPREAD FOR WINTER EROSION CONTROL:	OCTOBER 15, 2014
9. START FINAL SEEDING ON PREPARED AREAS (DURING GROWING SEASON)	SPRING, 2015
10. BIWEEKLY MONITORING OF VEGETATIVE GROWTH:	MAY, 2015
11. RE-SEEDING OF AREAS, IF NEEDED:	MAY, 2015
12. REMOVAL OF EROSION CONTROL DEVICES:	UPON FINAL PROJECT COMPLETION

* DATES ARE SUBJECT TO CHANGE DEPENDING ON CONSTRUCTION PROGRESS.

INSPECTIONS/MONITORING:

MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, OR AT LEAST EVERY SEVEN (7) DAYS, THE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PERFORM REPAIRS AS NEEDED TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURE. THE CONTRACTOR SHALL PROVIDE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN.

FOLLOWING THE TEMPORARY AND/OR FINAL SEEDINGS, THE CONTRACTOR SHALL INSPECT THE WORK AREA SEMIMONTHLY UNTIL THE SEEDINGS HAVE BEEN ESTABLISHED. ESTABLISHED MEANS A MINIMUM OF 85%-90% OF AREAS VEGETATED WITH VIGOROUS GROWTH. RESEEDING SHALL BE CARRIED OUT BY THE CONTRACTOR WITH FOLLOW-UP INSPECTIONS IN THE EVENT OF ANY FAILURES UNTIL VEGETATION IS ADEQUATELY ESTABLISHED.



NOTES:

- BURY THE TOP END OF THE MESH MATERIAL IN A 6" TRENCH AND BACKFILL AND TAMP TRENCHING SECURE END WITH STAPLES AT 6" SPACING, 4" DOWN FROM EXPOSED END
- FLOW DIRECTION JOINTS TO HAVE OVERLAP OF LOWER STRIP BURIED WITH UPPER LAYERS OVERLAPPED 4" AND STAPLED. OVERLAP B OVER A.
- LATERAL JOINTS TO HAVE 4" OVERLAP OF STRIPS, STAPLE 18" ON CENTER
- STAPLE OVERLAP LATERAL EDGE 2' ON CENTER
- WIRE STAPLES TO BE MIN. OF #11 WIRE 6" LONG AND 1/2-1" WIDE.
- USE NORTH AMERICAN GREEN D5 500 OR APPROVED EQUAL.

EROSION CONTROL BLANKET

NOT TO SCALE

WINTER EROSION CONTROL MEASURES

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 15% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15 THEN THE SITE NEEDS TO BE PROTECTED WITH EROSION CONTROL STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD.

WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SUCH THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT.

ALL AREAS SHALL BE CONSIDERED TO BE DENIED UNTIL THE SUBBASE GRAVEL IS INSTALLED IN ROADWAY AREAS OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDDED AND MULCHED. HAY AND STRAW MULCH RATE SHALL BE A MINIMUM OF 150 LBS/1000 SF. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

1. SOIL STOCKPILES

STOCKPILES OF SOIL OR SUBSOIL WILL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR AT 150 LBS/1000 SF. (3 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

2. NATURAL RESOURCES PROTECTION

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 15% MATURE VEGETATION CATCH, SHALL BE MULCHED WITH HAY OR STRAW AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS. DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (IE. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCES AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

3. SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS SHALL CONSIST OF WOOD WASTE FILTER BERMS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES AND SEDIMENT SILT FENCES.

4. MULCHING

ALL AREAS SHALL BE CONSIDERED TO BE DENIED UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDDED AND MULCHED BY DECEMBER 1 AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS. DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (IE. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCES AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER FEG LINE, MULCH NETTING, ASPHALT EMULSION CHEMICAL, TRACK OR WOOD CELLULOSE FIBER WHEN GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH THEN COVER IS SUFFICIENT. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL BARE SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORK DAY.

5. MULCHING ON SLOPES AND DITCHES

SLOPES SHALL NOT BE LEFT EXPOSED FOR ANY EXTENDING TIME OF WORK SUSPENSION UNLESS FULLY MULCHED AND ANCHORED WITH FEG AND NETTING OR WITH EROSION CONTROL BLANKETS. MULCHING SHALL BE APPLIED AT A RATE OF 120 LBS/1000 SF ON ALL SLOPES GREATER THAN 8%. MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 8%. EROSION CONTROL BLANKETS SHALL BE USED IN LIEU OF MULCH IN ALL DRAINAGE WAYS WITH SLOPES 8%. EROSION CONTROL MIX CAN BE USED TO SUBSTITUTE EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

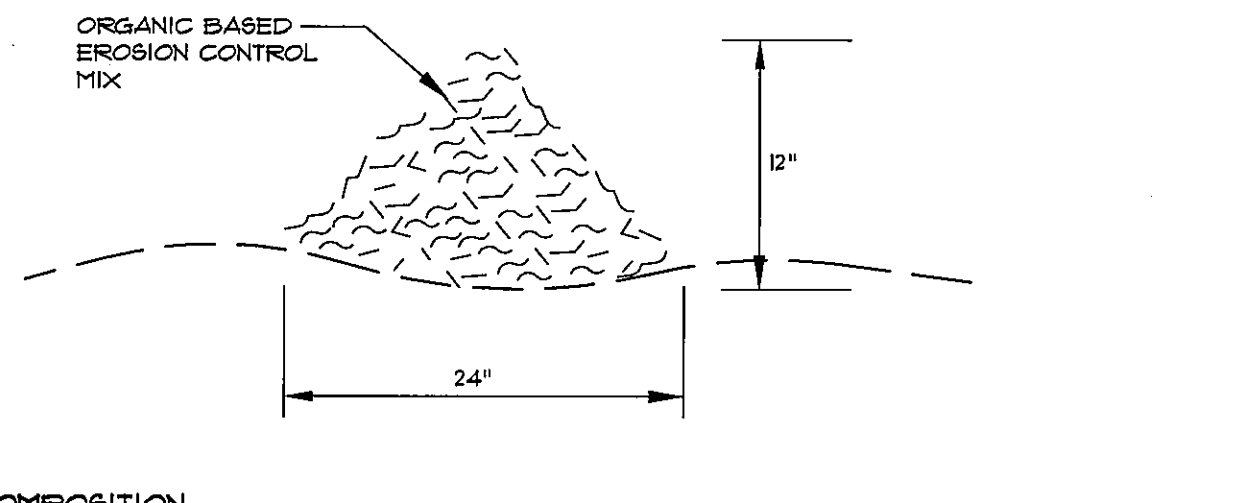
6. SEEDING

BETWEEN THE DATES OF OCTOBER 15 AND APRIL 15, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ADVERSE WEATHER, FROZEN CONDITIONS, FROZEN AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS BEEN LOOED, FINAL GRADED WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED.

DORMANT SEEDING MAY BE SELECTED TO BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 150 LBS/1000 SF. ALL AREAS SEEDDED DURING THE WINTER WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS SUFFICIENTLY VEGETATED (LESS THAN 15% CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH. IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED IN THE SPRING.

7. TRENCH DEWATERING AND TEMPORARY STREAM DIVERSION

WATER FROM CONSTRUCTION TRENCH DEWATERING OR TEMPORARY STREAM DIVERSION WILL PASS FIRST THROUGH A FILTER BAG OR SECONDARY CONTAINMENT STRUCTURE (EG. HAY BALE LINED POOL) PRIOR TO DISCHARGE. THE DISCHARGE SITE SHALL BE SELECTED TO AVOID FLOODING, ICING, AND SEDIMENT DISCHARGES TO A PROTECTED RESOURCE. IN NO CASE SHALL THE FILTER BAG OR CONTAINMENT STRUCTURE BE LOCATED WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE.



COMPOSITION

EROSION CONTROL MIX SHALL BE MANUFACTURED ON OR OFF THE PROJECT SITE SUCH THAT ITS COMPOSITION IS IN ACCORDANCE WITH THE MDEP MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL. THE MIX SHALL BE MANUFACTURED IN A MANNER THAT WILL FACILITATE CLEAN-OUT AND DISPOSAL OF TRAPPED SEDIMENTS AND MINIMIZE INTERFERENCE WITH CONSTRUCTION ACTIVITIES. ANY RESULTANT FLOWING OF WATER FROM THE PROTECTION METHOD MUST NOT CAUSE EXCESSIVE INCONVENIENCE OR DAMAGE TO ADJACENT AREAS OR STRUCTURES.

INSTALLATION:

- THE BARRIER MUST BE PLACED ACROSS THE SLOPE, ALONG THE CONTOUR.
- EXISTING GRASS OR VEGETATION SHALL BE CUT AND REMOVED. THE BARRIER SHALL BE FLAT ALONG THE GROUND TO AVOID THE CREATION OF VOIDS AND BRIDGES IN ORDER TO MINIMIZE THE POTENTIAL OF WASH OUTS UNDER THE BARRIER.
- THE BARRIER SHALL BE A MINIMUM OF 1 FOOT HIGH (AS MEASURED ON THE UPHILL SIDE) AND 2 FEET WIDE FOR SLOPES LESS THAN 5% IN GRADE AND SHALL BE WIDER TO ACCOMMODATE THE ADDITIONAL RINOFF.
- EROSION CONTROL MIX CAN BE INSTALLED WHERE SILT FENCE IS ILLUSTRATED ON THE DESIGN PLANS AND AS SPECIFIED IN THE DETAIL ON THE PLANS. THE MIX SHALL BE APPLIED TO THE DISTURBED AREA, AT POINTS OF CONCENTRATED FLOW, BELOW CULVERT OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS AND AT THE BOTTOM OF STEEP SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM.

EROSION CONTROL MIX BERM

NOT TO SCALE

8. INSPECTION AND MONITORING

MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION SEASON. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, THE SITE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES AND PERFORM REPAIRS AS NEEDED TO INSURE THEIR CONTINUOUS FUNCTION.

FOLLOWING THE TEMPORARY AND OR FINAL SEEDING AND MULCHING, THE CONTRACTOR SHALL, IN THE SPRING INSPECT AND REPAIR ANY DAMAGES AND/ OR UNESTABLISHED SPOTS. ESTABLISHED VEGETATIVE COVER MEANS A MINIMUM OF 85 TO 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH.

STANDARDS FOR TIMELY STABILIZATION OF CONSTRUCTION SITES DURING WINTER

1. STANDARD FOR THE TIMELY STABILIZATION OF DITCHES AND CHANNELS -- THE APPLICANT WILL CONSTRUCT AND STABILIZE ALL STONE-LINED DITCHES AND CHANNELS ON THE SITE BY NOVEMBER 15. THE APPLICANT WILL CONSTRUCT AND STABILIZE ALL GRASS-LINED DITCHES AND CHANNELS ON THE SITE BY SEPTEMBER 15. IF THE APPLICANT FAILS TO STABILIZE A DITCH OR CHANNEL TO BE GRASS-LINED BY SEPTEMBER 15, THEN THE APPLICANT WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE DITCH FOR LATE FALL AND WINTER.

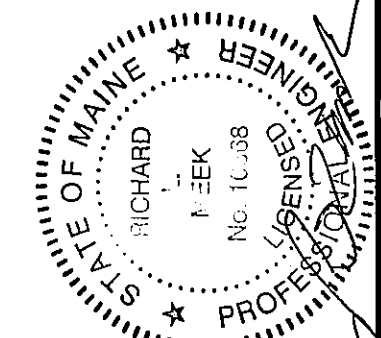
INSTALL A SOD LINING IN THE DITCH -- THE APPLICANT WILL LINE THE DITCH WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL, AND ANCHORING THE SOD WITH WIRE OR PLASTIC MESH TO PREVENT THE SOD STRIPS FROM SLOUGHING DURING FLOW CONDITIONS.

INSTALL A STONE LINING IN THE DITCH -- THE APPLICANT WILL LINE THE DITCH WITH STONE RIPRAP BY NOVEMBER 15. THE APPLICANT WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE AND LINING THICKNESS NEEDED TO WITHSTAND THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHIN THE DITCH. IF NECESSARY, THE APPLICANT WILL REGRADE THE DITCH PRIOR TO PLACING THE STONE LINING SO TO PREVENT THE STONE LINING FROM REDUCING THE DITCH'S CROSS-SECTIONAL AREA.

2. STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES -- THE APPLICANT WILL CONSTRUCT AND STABILIZE STONE-COVERED SLOPES BY NOVEMBER 15. THE APPLICANT WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15. THE DEPARTMENT WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 15% (3H:1V) TO BE A SLOPE. IF THE APPLICANT FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15, THEN THE APPLICANT WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER.

STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS -- BY OCTOBER 1 THE APPLICANT WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET AND APPLY EROSION CONTROL MATS OVER THE MULCHED SLOPE. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 15% OF THE DISTURBED SLOPE BY NOVEMBER 1, THEN THE APPLICANT WILL COVER THE SLOPE WITH A LAYER OF WOOD WASTE COMPOST AS DESCRIBED IN ITEM III OF THIS CONDITION OR WITH STONE RIPRAP AS DESCRIBED IN ITEM IV OF THIS CONDITION.

STABILIZE THE SLOPE WITH SOD -- THE APPLICANT WILL STABILIZE THE DISTURBED SLOPE WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE APPLICANT WILL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING

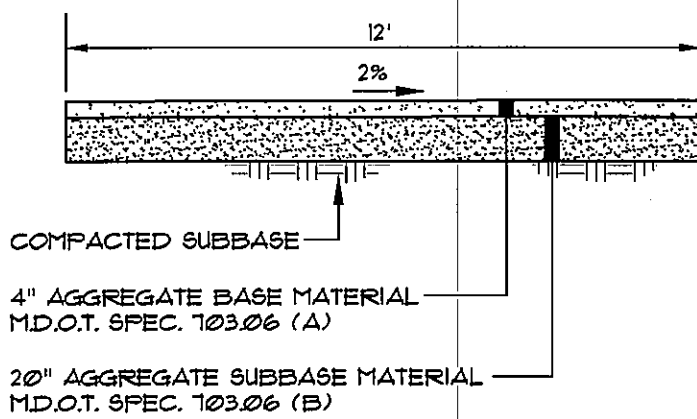


DATE	05-03-14	STATUS	SITE PLAN SUBMISSION TO CITY
BY	RLM	DATE	
REV	A	DATE	

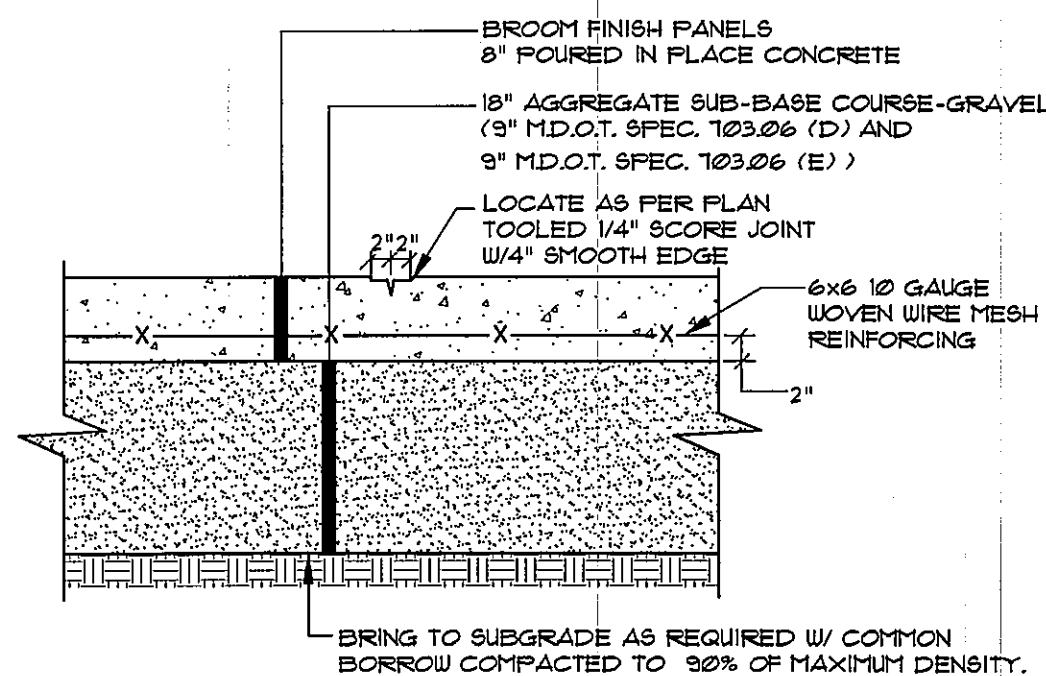
PROJECT NO.	02249	FIELD BOOK	847	DESIGN	RLM	CHKD	RLM	DRAWN	MAI
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DETAILS OF:	ALLAGASH BREWING COMPANY
INDUSTRIAL WAY	PORTLAND, MAINE
FOR:	50 INDUSTRIAL WAY, LLC
	50 INDUSTRIAL WAY
	PORTLAND, MAINE 04103

DATE	05-20-14	SCALE	N.T.S.
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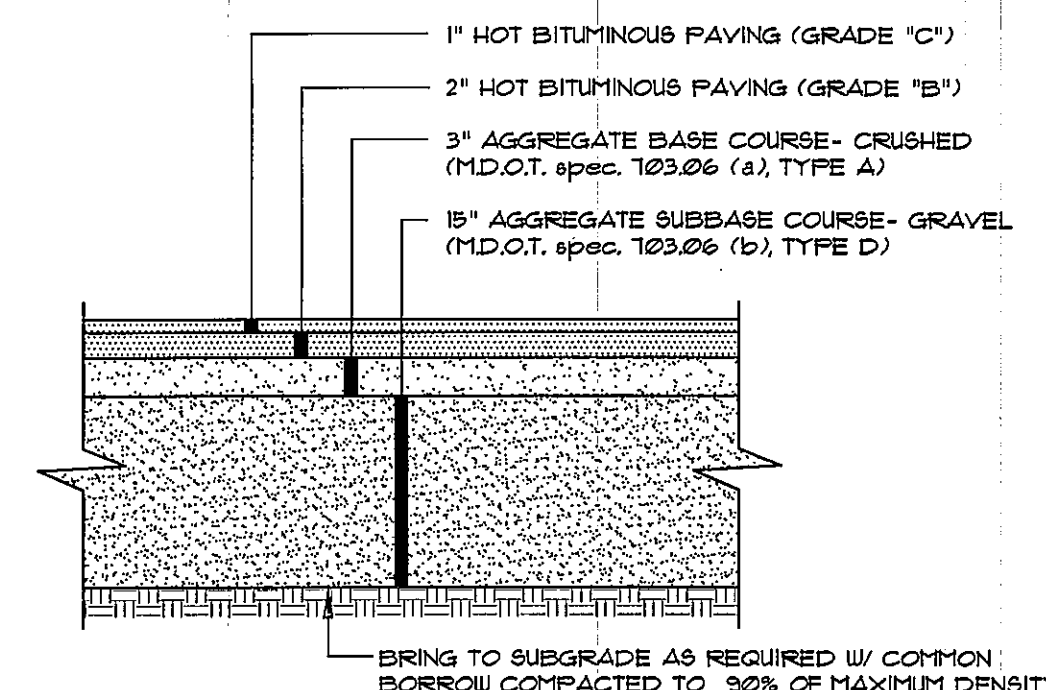


GRAVEL DRIVE SECTION
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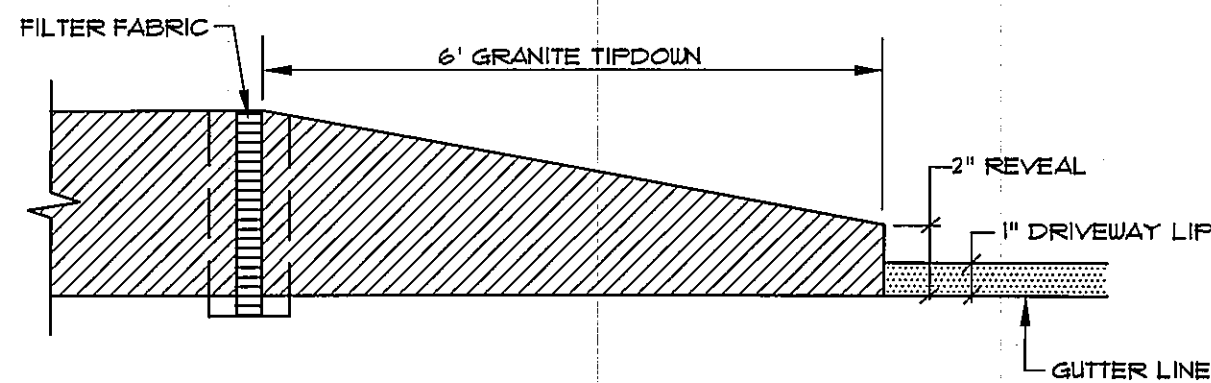
- NOTES:**
1. COMPACT GRAVEL SUB-BASE, BASE COURSE TO 92% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
 2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.

HEAVY DUTY CONCRETE PAVEMENT
NOT TO SCALE

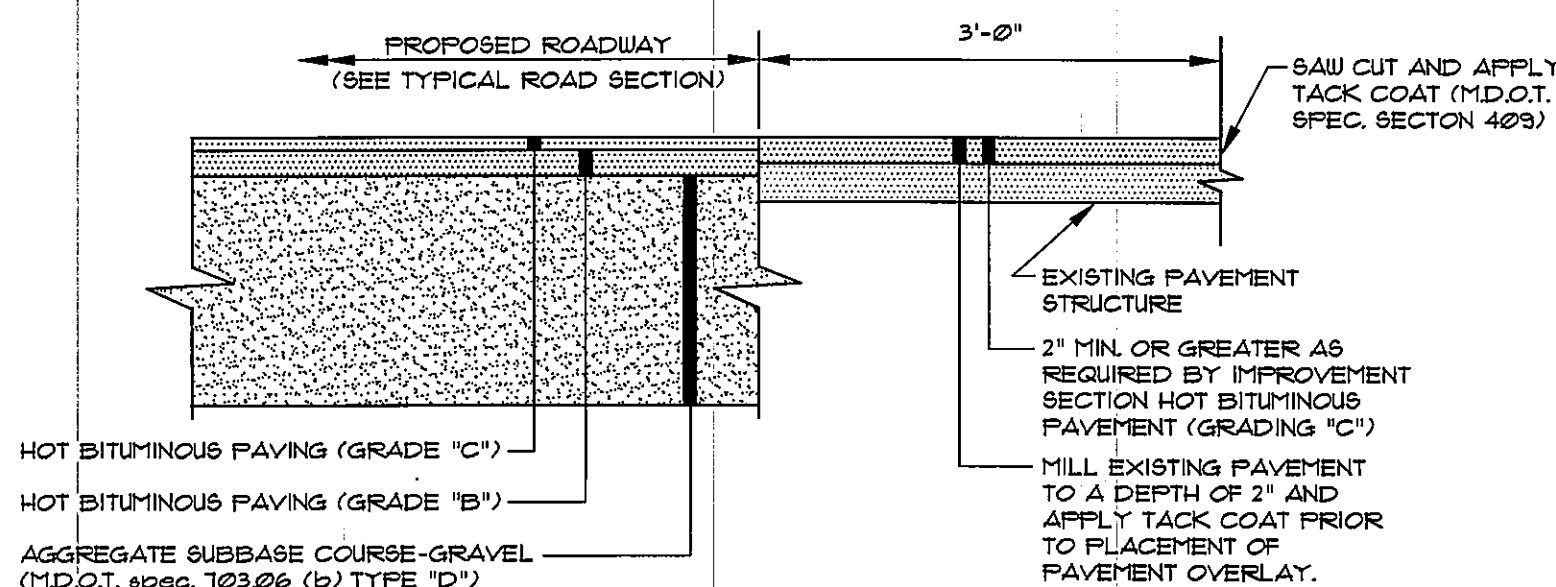


- NOTES:**
1. COMPACT GRAVEL SUBBASE, BASE COURSE TO 92% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
 2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.

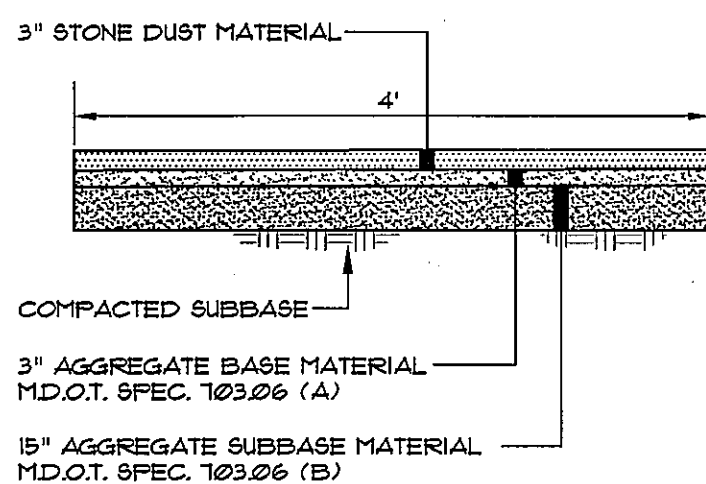
TYP. PAVED PARKING LOT SECTION
NOT TO SCALE



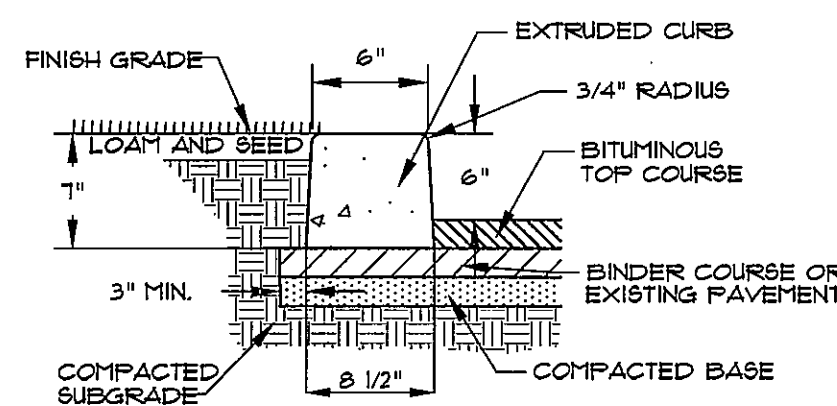
TYPICAL TIPDOWN CURB INSTALLATION
NOT TO SCALE



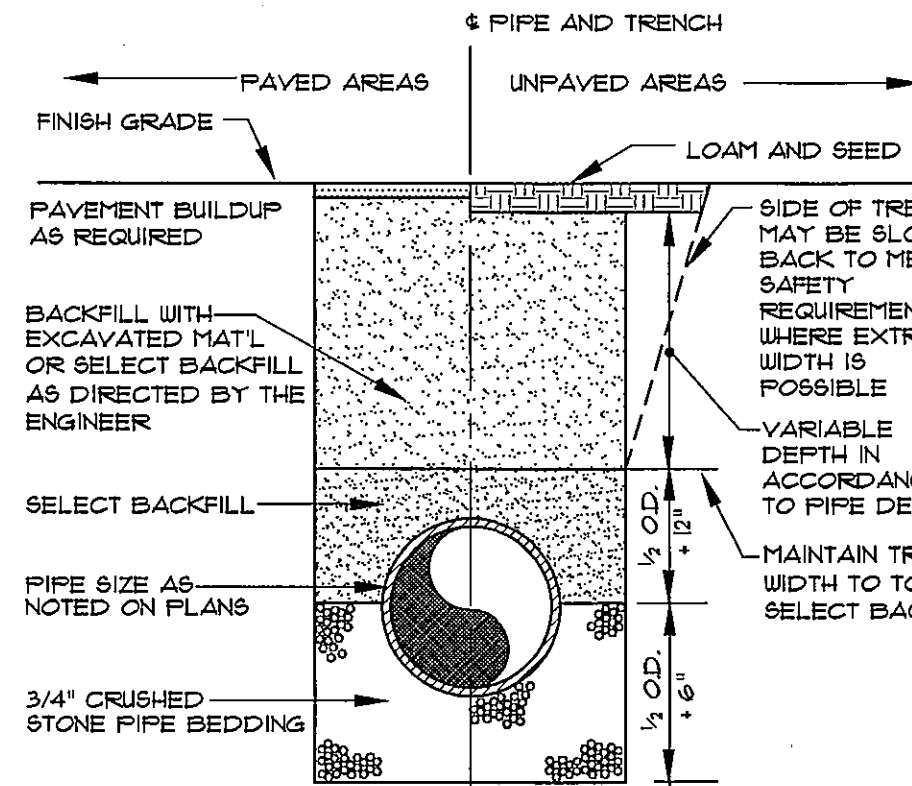
TYPICAL PAVEMENT JOINT
NOT TO SCALE



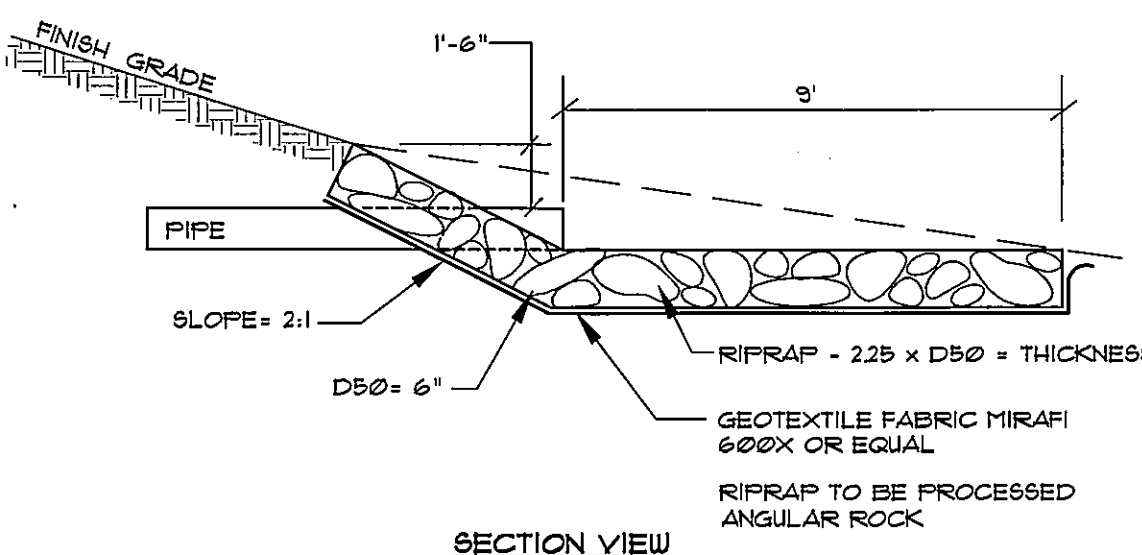
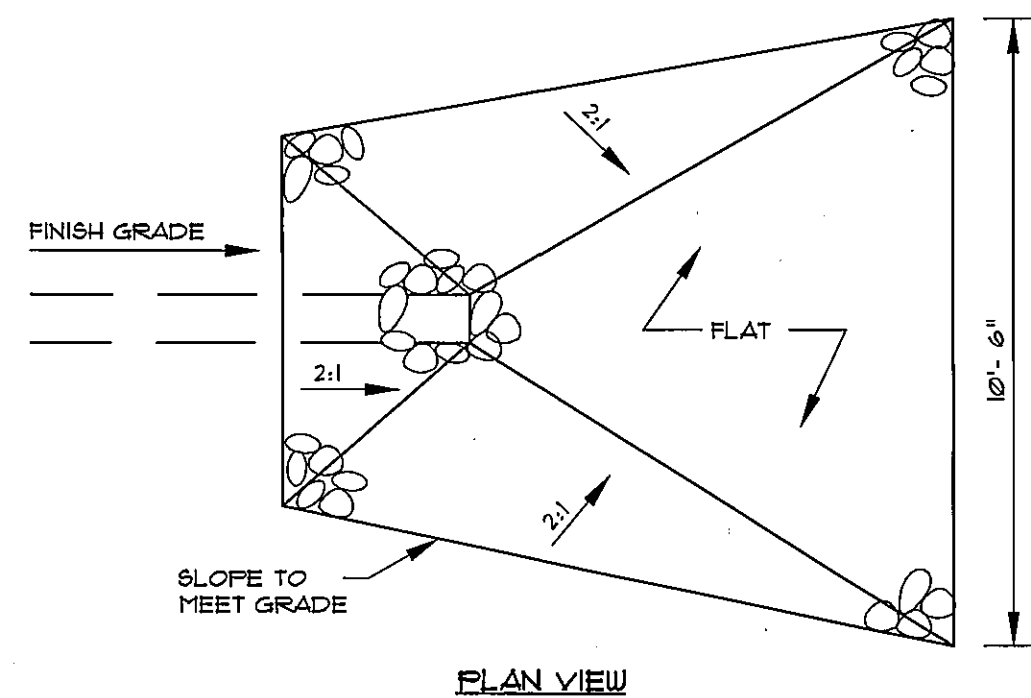
STONE DUST WALK SECTION
NOT TO SCALE



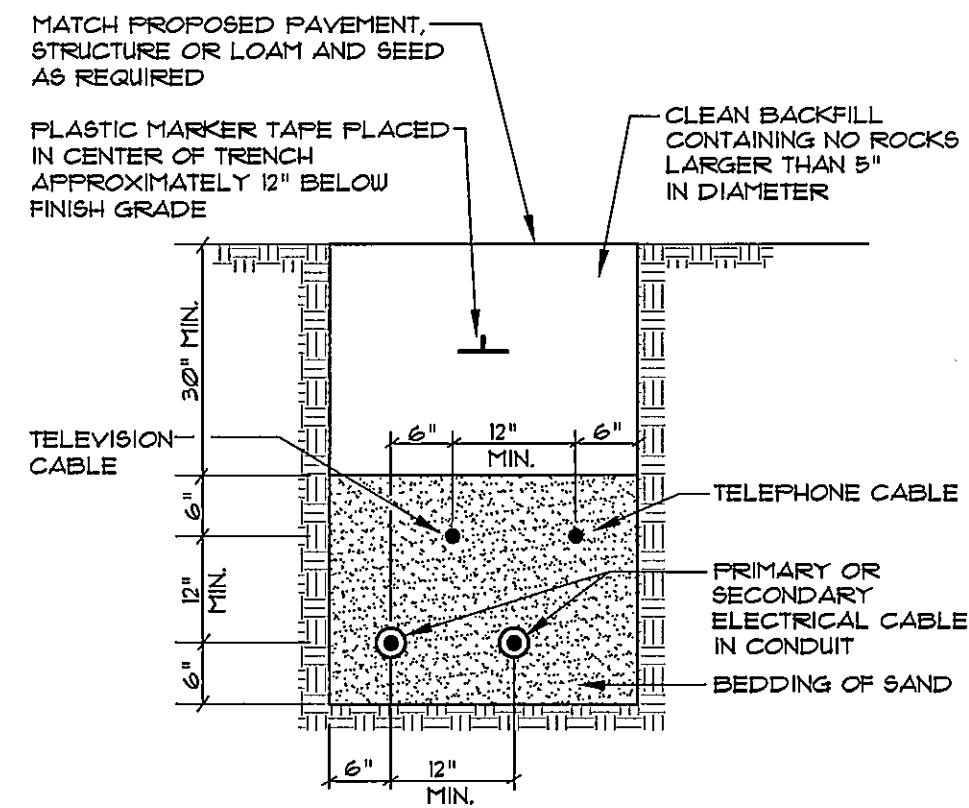
SLIPFORM CONCRETE CURB
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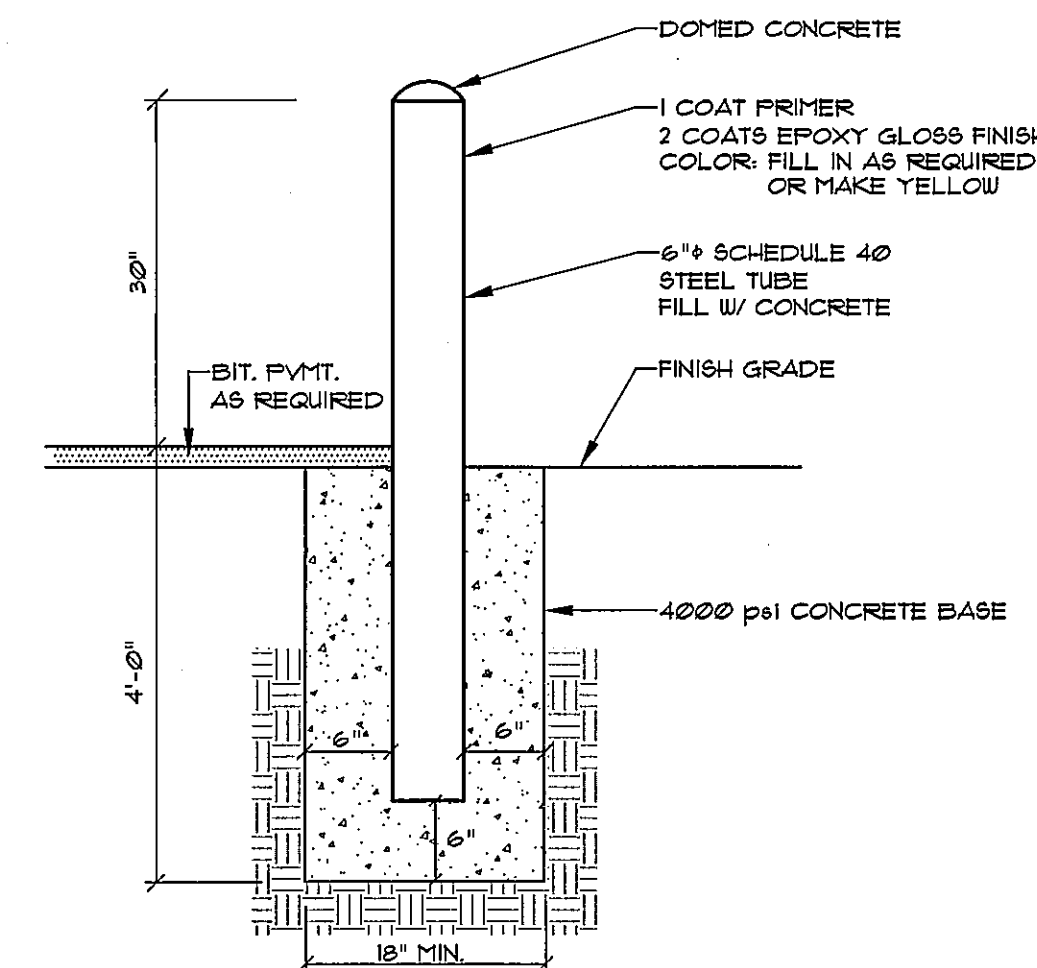
TYPICAL TRENCH SECTION
NOT TO SCALE



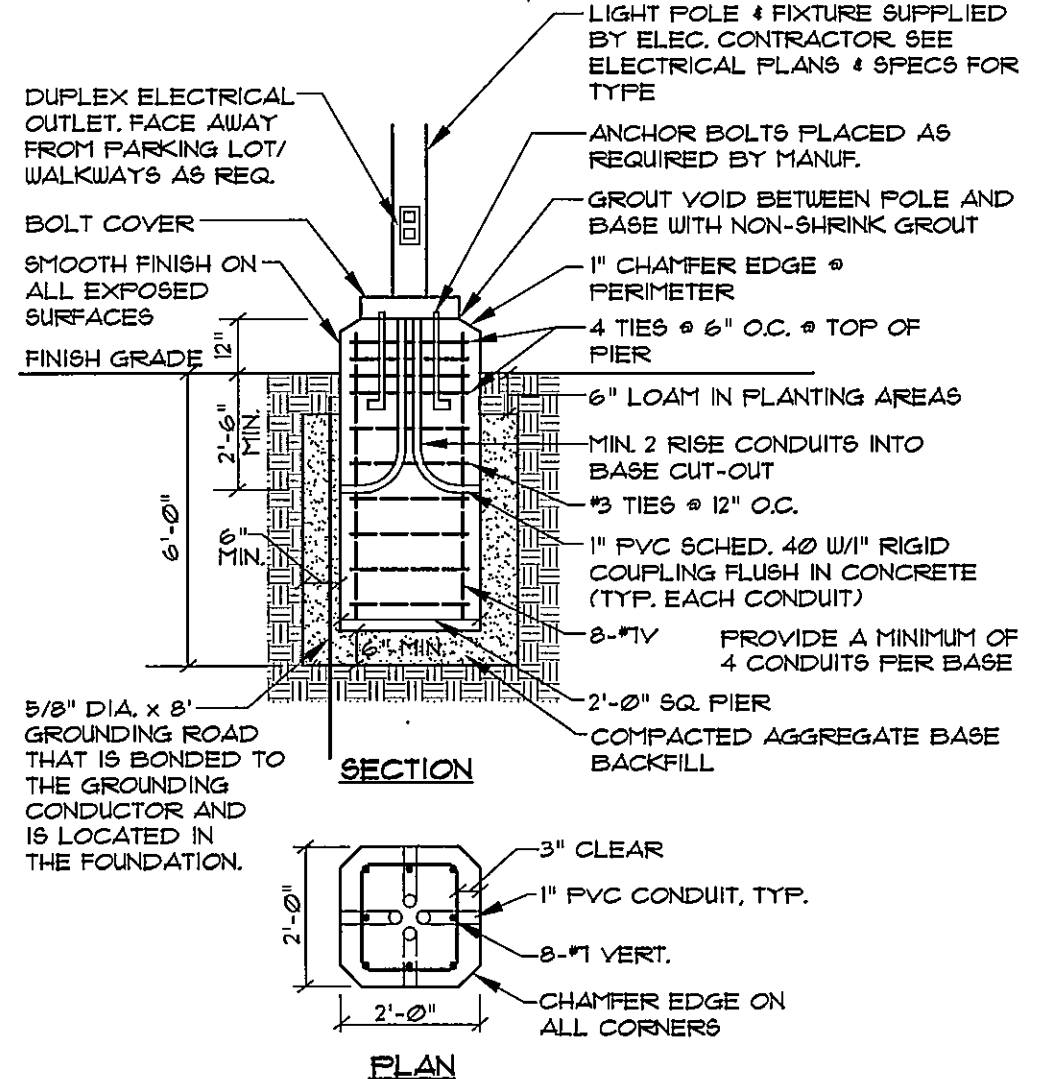
RIPRAP APRON
NOT TO SCALE



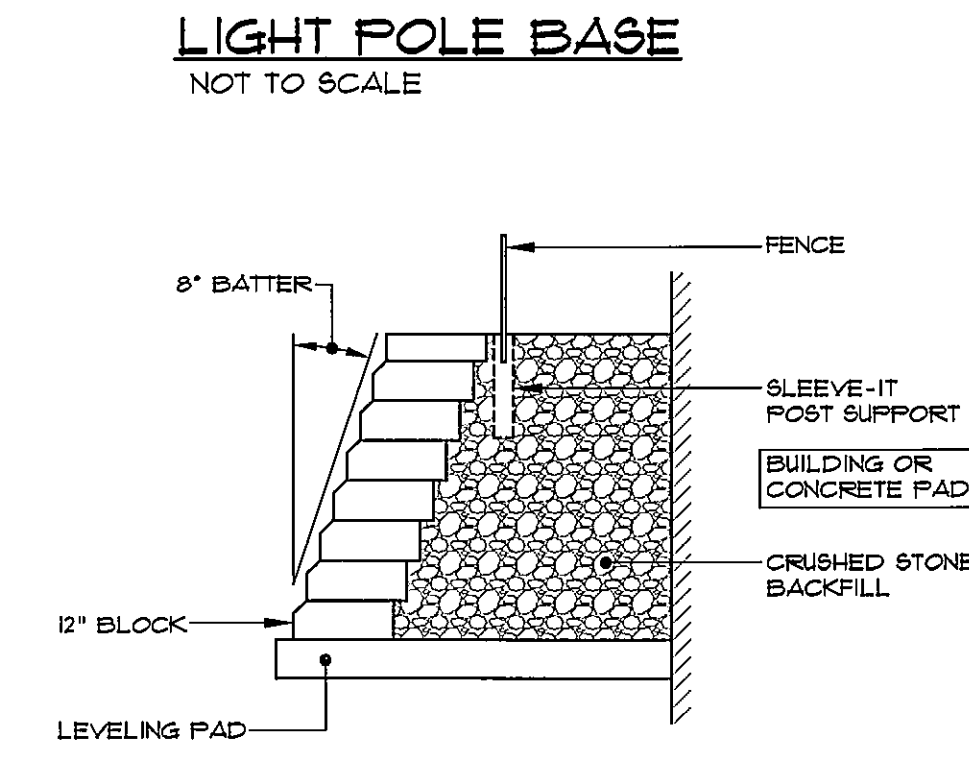
TYPICAL UNDERGROUND CABLE INSTALLATION
NOT TO SCALE



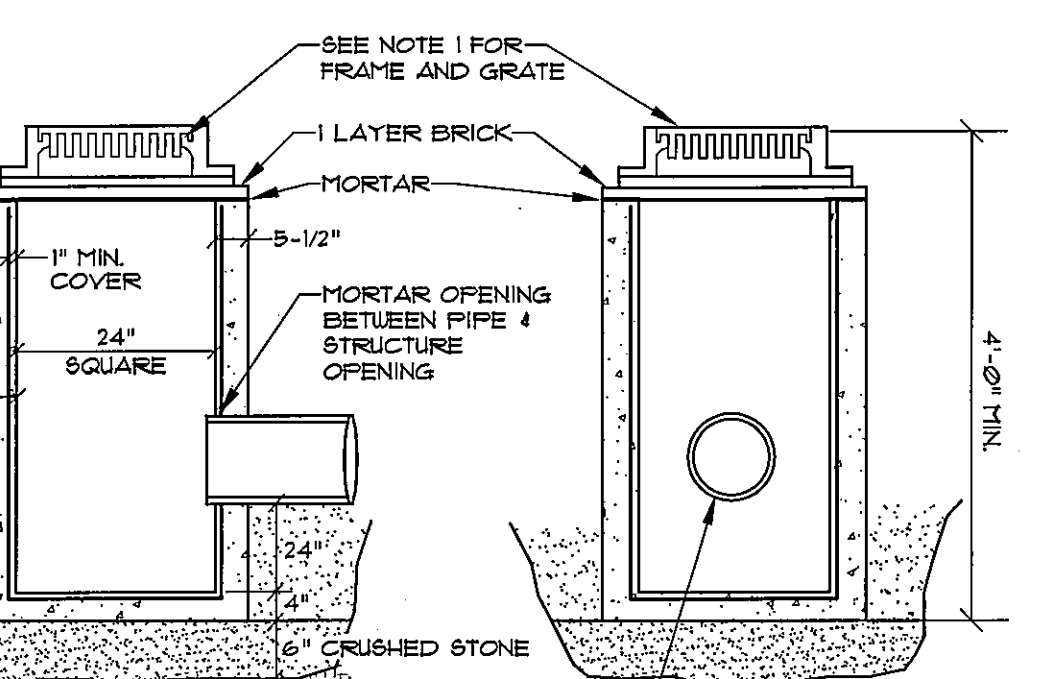
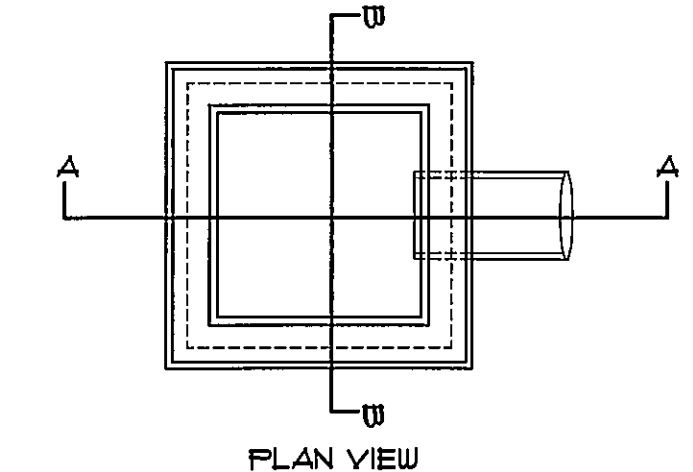
METAL BOLLARD
NOT TO SCALE



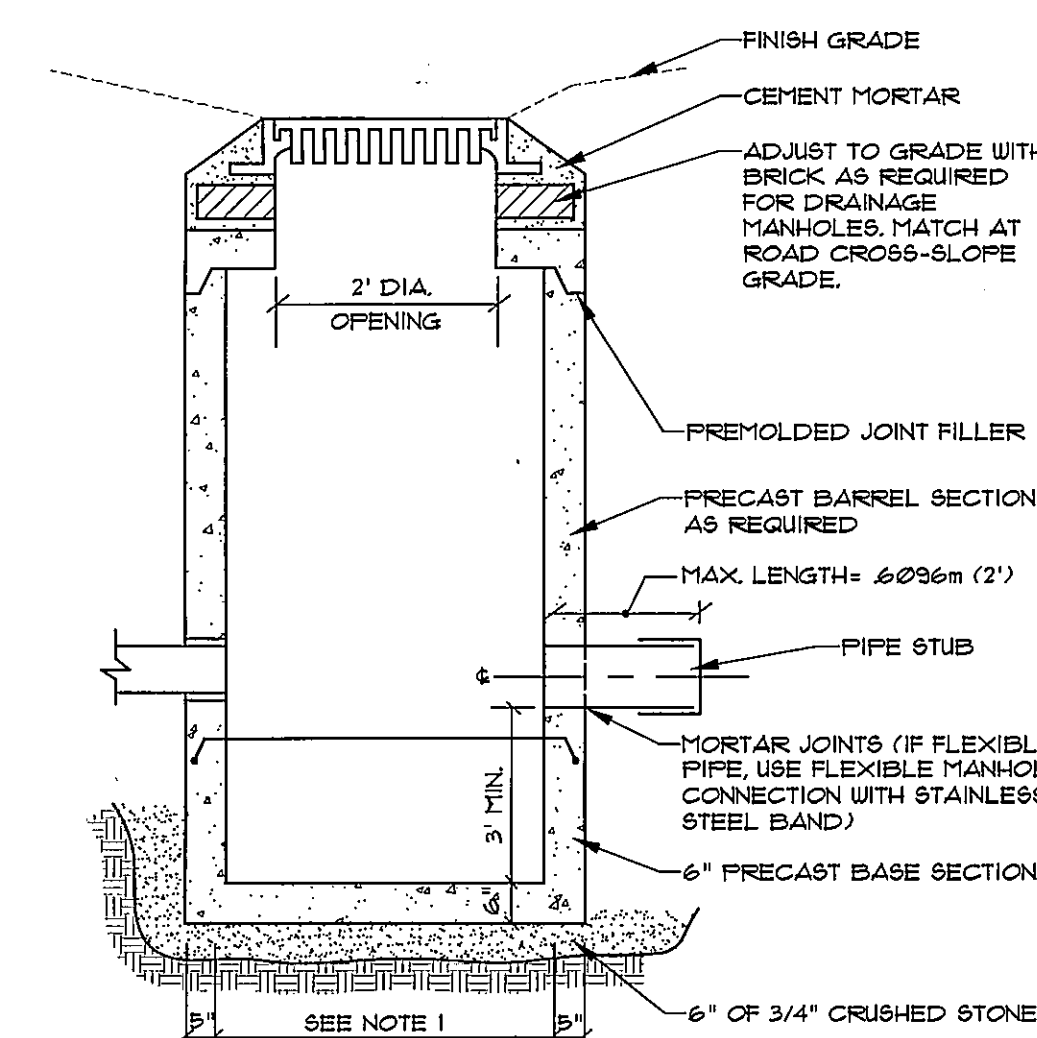
LIGHT POLE BASE
NOT TO SCALE



BLOCK RETAINING WALL
NOT TO SCALE

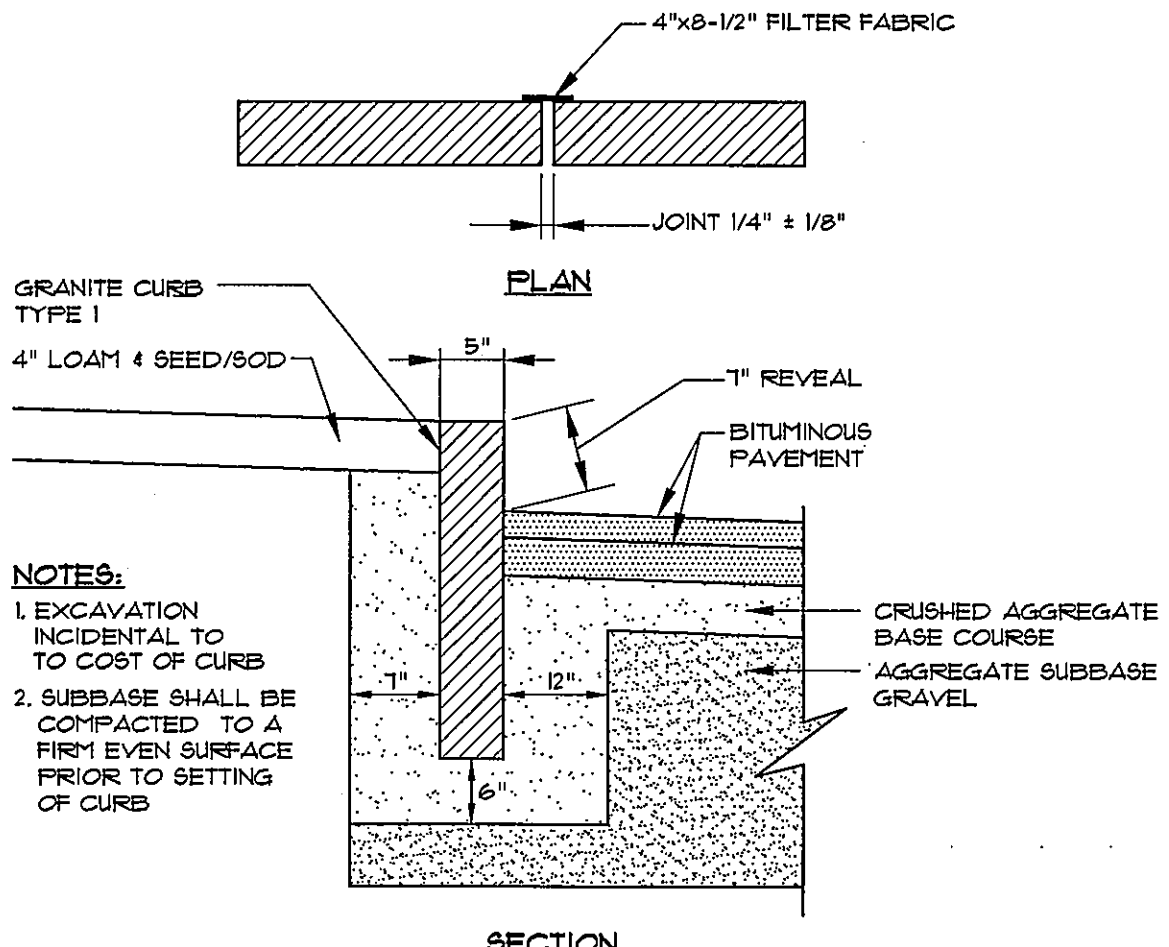


TYP. TYPE "F" CATCH BASIN
NOT TO SCALE

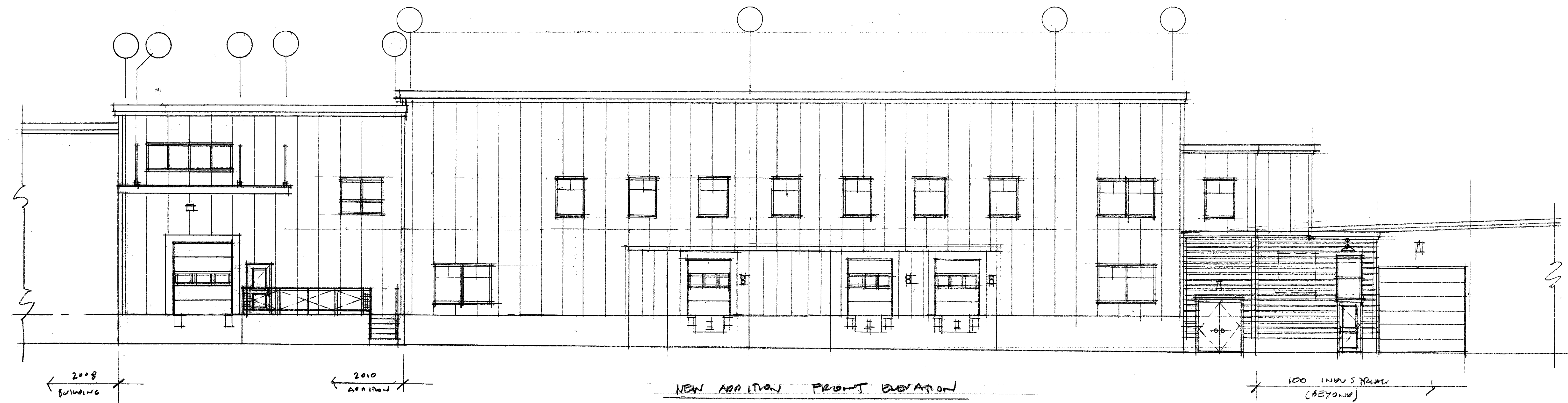
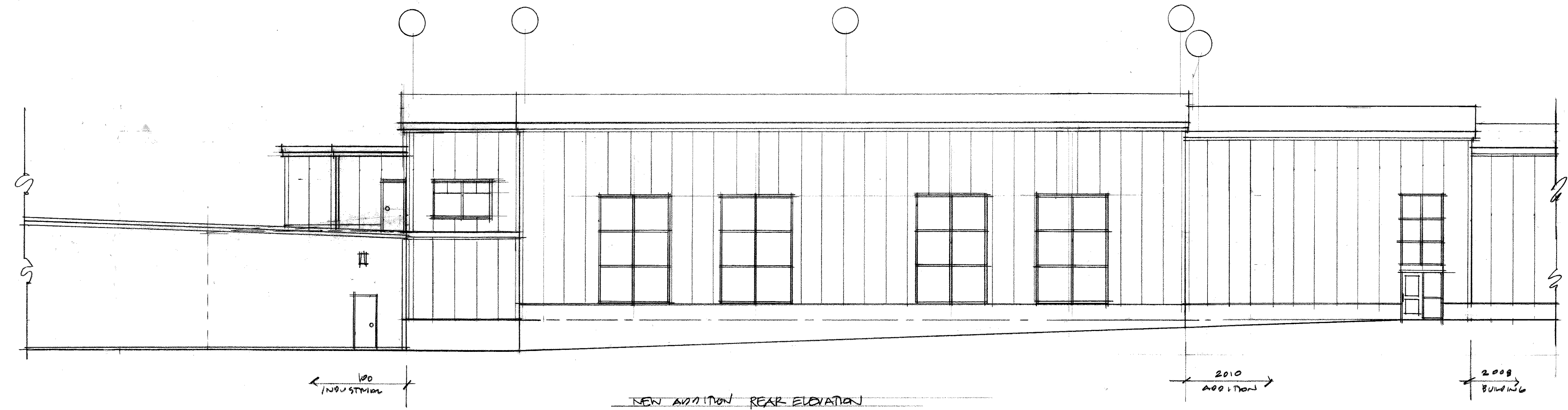


- NOTES:**
1. 4'-0" I.D. TYPICAL. SOME STRUCTURES MAY REQUIRE LARGER I.D. PROVIDE SHOP DRAWINGS.
 2. DRAINAGE STRUCTURES TO BE DESIGNED FOR H-20 LOADING.
 3. PIPE SIZES AND INVERTS AS NOTED ON PLANS.
 4. CATCH BASIN FRAME AND GRATE TO BE GENERAL FOUNDRY 12462 OR APPROVED EQUAL. LOW PROFILE FRAMES AND COVERS MAY BE USED AS A SUBSTITUTE.
 5. DRAINAGE MANHOLE FRAME AND COVER TO BE GENERAL FOUNDRY 12462 OR APPROVED EQUAL.

TYP. DRAINAGE STRUCTURE & CATCH BASIN
NOT TO SCALE



VERTICAL GRANITE CURB
NOT TO SCALE





GRANT HAYS
ASSOCIATES

ARCHITECTURE & INTERIOR DESIGN
P.O. BOX 6179 FALMOUTH MAINE 04105
207.871.5900 www.granthays.com

P11

J.E.L.

REVISIONS

DRAWING NAME

1/MEET

DATE

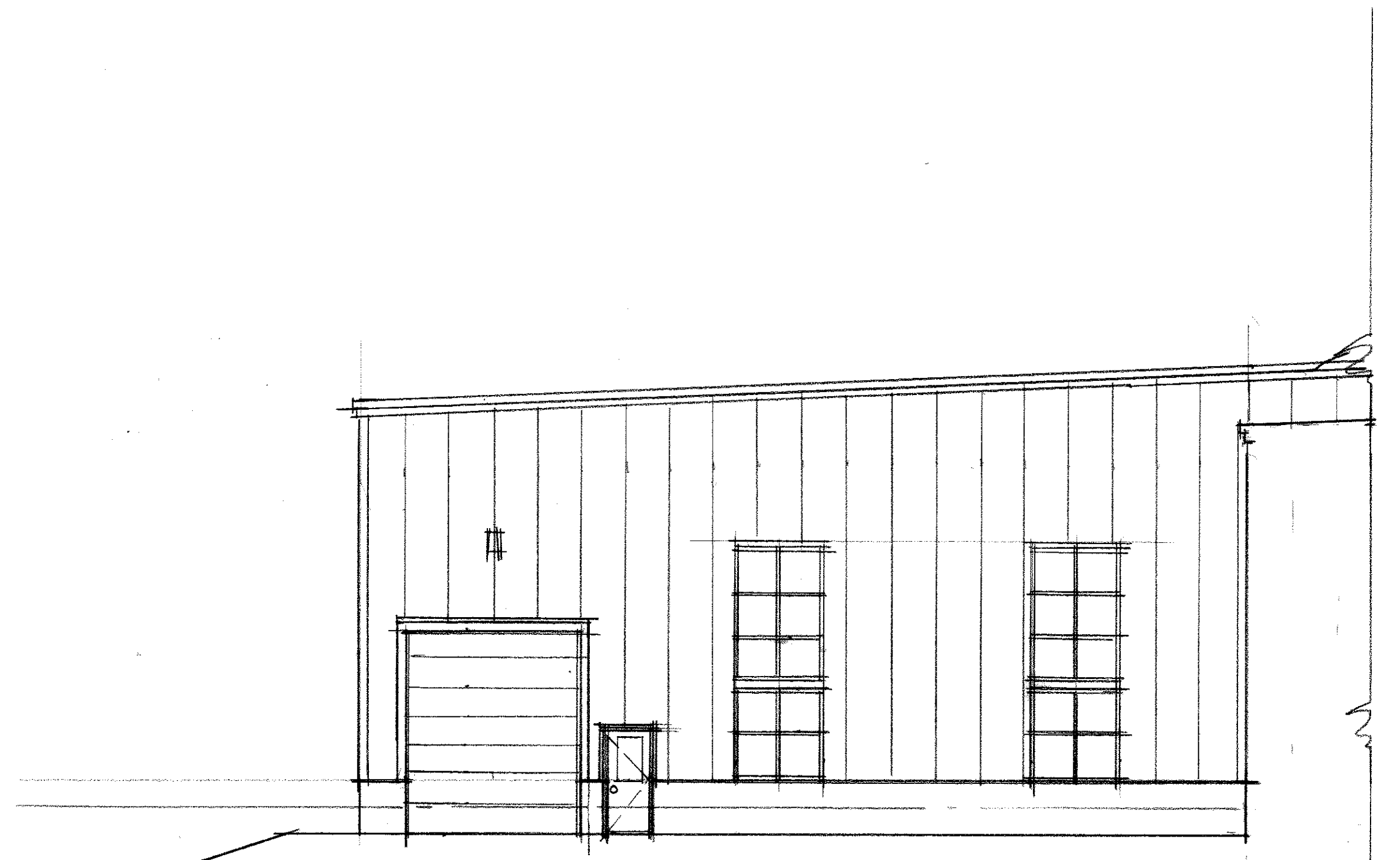
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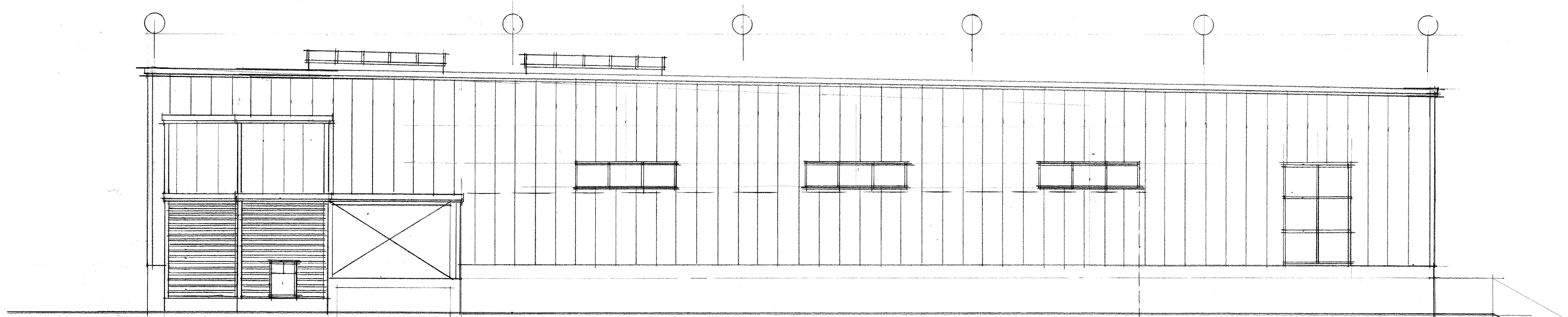
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NEW ADDITION LEFT ELEVATION



NEW ADDITION RIGHT ELEVATION

PLANNING BOARD REPORT
ADDENDUM FROM June 10, 2014 TABLING
PORTLAND, MAINE

Amended Conditional Rezoning Agreement for 802-828 Ocean Avenue
Casco Heights Condominiums, formerly Graves Hill
802 Ocean Avenue

First Amendment to Conditional Rezoning Agreement for 802 Ocean Avenue
Project No.: 2014-036
Ridge Development LLC, Applicant

Submitted to: Portland Planning Board: Public Hearing Date: June 8, 2014	Prepared by: Barbara Barhydt, Development Review Services Manager Date: July 3, 2014 CBL: 411 A007, 416 lots 6, 7, and 21
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I. INTRODUCTION

The Ridge Development LLC is requesting the Planning Board's recommendation on proposed amendments to a conditional zoning agreement for the property at 802-828 Ocean Avenue, which was formerly referred to as Graves Hill. In October 2004, the City Council adopted a conditional rezoning agreement for this site that divided the 18.3 acre parcel into two zones: the Residential R-5A zone (10 acres); and the Recreation and Open Space zone (8 acres). The agreement allowed for a planned residential development of 98 residential condominium units in two mid-rise buildings with a maximum height of 100 feet. Trail easements and other amenities were proposed as part of the project.

The Planning Board held a public hearing on this application on June 10, 2014. The Planning Board voted 3-2, (Hall and Dean opposed, Morrisette and Soley absent) to table this item. This report is an addendum to the Planning Board report prepared for the June 10, 2014 public hearing and dated June 5, 2014. The original report and its attachments are included as part of the packet for the Board's consideration. The proposed agreement has been revised by Jennifer Thompson, Corporation Counsel, since the public hearing. Thus the First Amendment to the Conditional Rezoning Agreement as revised is presented in this report with the redlined version included as Attachment 1A and a clean copy as Attachment 2A. The addendum includes an updated section on the consistency with the comprehensive plan and a motion for the Board's consideration. The applicant has not submitted any new material for this public hearing.

Applicant: Ridge Development LLC, Pat Tinsman

Property Owner: Diane Doyle, Developer of Graves Hill and hired by applicant to advise on this proposal

Consultant: Will Conway, Sebago Technics

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Statute</i>
Conditional Zoning Agreement	MSRA Section 4352(8) City of Portland Code of Ordinances, <i>Chapter 14, Division 1.5</i>

III. PUBLIC COMMENT

Notices were sent to 414 residents and the interested citizen list for the July 8, 2014 public hearing. The notice also appeared in the Portland Press Herald on June 23 and June 24, 2014, as well as being posted on the City's web page.

The applicant held the required neighborhood meeting on April 21, 2014 and the material from that meeting is included under the public comment packet as PC-1. The Planning Division has received additional written comments since this item was tabled on June 10th, which is included in the updated public comment section.

IV. AMENDED CONDITIONAL REZONING AGREEMENT

Attachment 1A to this report is the revised First Amendment to the Conditional Rezoning Agreement updated by Jennifer Thompson after the Planning Board public hearing on June 10th. The applicant's requested agreement, as revised by the applicant, is presented in Applicant's submission, Attachment J. A consolidated redlined version of the applicant's request is included as Attachment 1 to the June 5, 2014 report. Staff recommendations for changes to this agreement are noted below and are incorporated into the proposed agreement, which is included as Attachment 1 to this addendum. The proposed agreement incorporating staff recommendations is summarized below and the most recent revisions (since June 10th) are highlighted.

A. **WHEREAS STATEMENTS (refer to Attachment 1A for complete list of whereas statements):**

1. **Developer Name:** All references to the Graves Hill Land Company, LLC are replaced with the Ridge Development LLC.
2. **Purchase Option:** The first whereas is modified to reflect that Ridge Development has an option to purchase the property.
3. **Number of Residential Units:** The maximum number of proposed residential units is changed from 98 to 96 (at the workshop the maximum figure was 94).
4. **Zone Map Adjustments:** In the third whereas statement, the land area within the R-5a zone is increased slightly from 10.167 to 10.18 acres (at the workshop the increase was to 10.4) and the land area within the ROS zone is reduced from 8.155 to 8.14 acres (at the workshop the reduction was to 7.92 acres).
5. **Revised: Consistency with Land Use Code and Comprehensive Plan:** In the fourth paragraph, the wording has been revised since the workshop to include reference to the comprehensive plan and the underlying zone. The changes are as follows:

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "**Code**") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the Planning Board recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the CITY, by and through its City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, has also concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

6. **Design:** The fifth whereas statement refers to the design. The staff and applicant have not proposed any revisions to this statement other than the substitution of the developer name . It is as follows:

WHEREAS, the CITY, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with GRAVES HILL'S RIDGE DEVELOPMENT's agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the CITY'S comprehensive land use plan; and

B. CONDITIONS FOR THE AMENDED AGREEMENT (refer to Attachment 1A for complete list of Conditions:

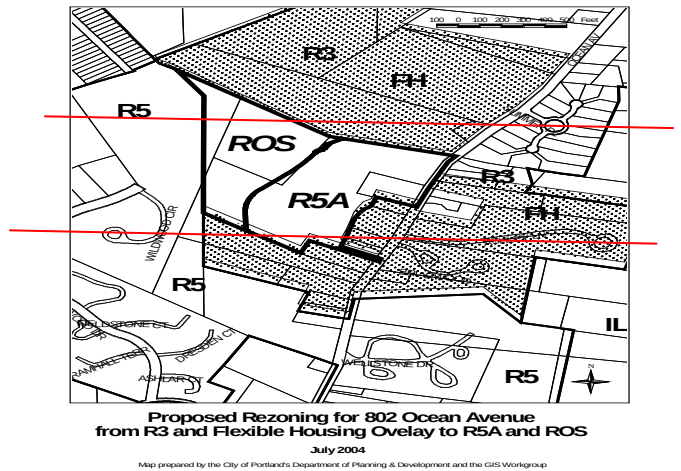
1. Revised: The Zoning Map Amendment (paragraph 1):

At the public hearing, the Board discussed with the staff whether the proposal could revert to the original underlying R-3 zone or would it revert to the adopted Conditional Rezone Agreement. Jennifer Thompson, Associate Corporation Counsel, reviewed this question and has revised the wording so that it would revert back to the 2004 adopted conditional agreement rather than to R-3.

The revised condition is as follows:

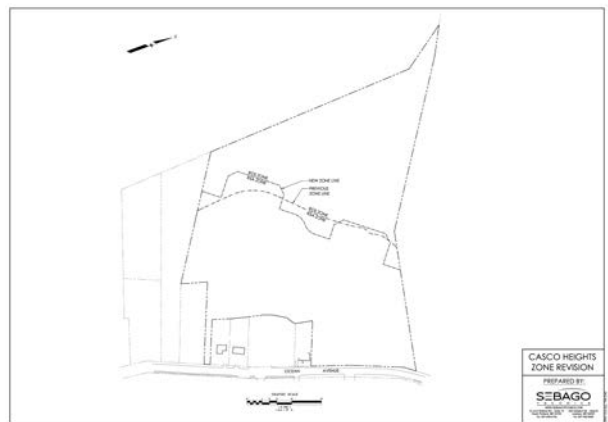
1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Council's approval of said rezoning sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later, then the rezoning shall become null and void and the zoning of the Property (together with all conditions) shall revert to the pre-existing R-3 zone that contained in the original Conditional Rezoning Agreement for 802-828 Ocean Avenue approved on _____ and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____

DELETE THIS MAP



The proposed map amendment presents the revised line as shown below for the adjustment in the zone line between ROS and R-5a.

Substitute Map Showing Revised Zone Line
(This map is unchanged from the June 10th public hearing)



2. Permitted uses in the R5a and Parking (paragraph 2):

- a. Number of residential units permitted is up to 96 rather than up to 98;
- b. Community room in each building is deleted;
- c. A small office in each building is deleted.
- d. A fitness and special events room in each building available for use by the residents is deleted.
- e. A cross country ski center/locker room in each building available for the residents is deleted.
- f. The two spaces per unit plus 28 spaces for visitor parking is now proposed as 2 spaces per the two and three bedroom units and 1 space per 1 bedroom unit, plus at least 28 visitor parking spaces.
- g. In addition to the trail system, a future recreation area is proposed that is subject to site plan review and approval by the Planning Board.

3. Use and Phasing of R-5A portion of site (paragraph 3.): The proposal retains the phasing as depicted in the adopted agreement. The site will be developed in two phases. The paragraph specifies that each phase will be limited to 48 units and it retains the language that all blasting required for the entire site development would be done in Phase I. The first phase includes the access road, building on the northerly side of the site near Ocean Ridge, the surface parking, all trails and the stormwater pond below Phase 1 (as shown on the revised overall site plan, Plan 1, dated 5-20-14).

4. Separate Performance Guarantees for each Phase (Paragraph 4): Unchanged.

5. **Use of ROS portion of the site (paragraph 5):** The proposal retains the language for the uses as follows and adds the concept of a future recreation area (shown on site layout):

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walks, future recreation area, or similar improvements as necessary to facilitate access.

The section retains the language for the ROS which states, "... the property shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property."

6. **Recreation Trail Easement to Portland Trails (paragraph 6):** The requirements to grant trail easements to Portland Trails for not less than 3,207 linear feet of trails to allow for passive recreational use by the general public are retained. The full condition remains unchanged from the adopted agreement except for owner name changes. If Portland Trails does not accept the easements or conveyance, then the applicant may grant the trail easements to the City of Portland.
7. **Property developed in substantial accordance with Preliminary Site Plans (paragraph 7):** The site plans developed by Sebago Technics and the building elevations prepared by Archetype are substituted for the plans prepared by Scott Simons Architects.

The applicant is proposing a change in this section since the workshop. The revised plan shifts the drainage detention area from behind the homes on Ocean Avenue to a location on the easterly side of the proposed roadway. The revised plan shows tree save areas where the detention basin had been located and it shifts the building in Phase 1 from 32 to 65 feet from the Ocean Ridge property line. The proposal revises the buffer requirement (Plan 19 is the buffer plan, which will be attached to agreement) as follows:

RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the ~~rear lot lines of the abutters whose lots front on Ocean Avenue~~ side of the building adjacent to Ocean Ridge Condominiums, with precise specifications subject to final site plan review.

Based upon Mr. Errico's review of the proposed accessway and its proximity to Ridge Road (see Planning Board report for June 10th), staff members recommend that this paragraph be amended to allow the Planning Board to review the final location for the access road and that it would be separated from Ridge Road to the maximum extent practicable. The proposed language is as follows:

The Ridge Development entrance on Ocean Avenue as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable ~~be at the location shown on said Site Plans~~ subject to site plan review by the Planning Board and ~~the City hereby grants consideration of~~ such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, ~~that at the request of RIDGE DEVELOPMENT, with the approval of the Planning Board, the~~ the final Planning Board approved location of the entrance may be moved ~~up to 20 feet southerly of the location shown~~ from the location on the attached site plan without any further amendment to this Contract Zone Agreement.

8. **Planning Board Review of each Phase (paragraph 8):** Unchanged

9. **Revised: Staff Recommendations for conditions of approval regarding a blasting plan, adds new conditions 9-13:** The Planning staff recommends that conditions be included in the agreement to address concerns raised by the Board and the public. Portland regulates blasting through the Regulation of Explosive Ordinance and technical manual regulations. The proposed conditions build upon those regulations and would require a blasting plan be submitted for review by a third party seismologist, as part of the site plan and subdivision review. The amendments presented on June 10th also call for a certified mailing, increase in insurance coverage from \$2 million to \$4 million, and third party monitoring approved by the Planning Authority. At the June 10th public hearing, the applicant requested that the insurance coverage remain at \$2 million as stipulated in the City's regulations. The staff did not modify that provision in this agreement and is looking for the Planning Board's guidance. After the public hearing, the staff sought to clarify that a blasting seismologist be hired to conduct a third party review of the blasting plan and that this independent expert would also monitor the blasting during construction. The proposed conditions are as follows:

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by the Planning Board based upon the recommendation of a third-party, independent, seismologist approved and hired by the Planning Authority at the Applicant's expense (hereinafter "Third-Party Seismologist").

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by the an independent Third-Party Sseismologist at the Applicant's expense or blasting consultant. RIDGE DEVELOPMENT's selection of the independent seismologist or blasting consultant is subject to the review and approval of the City of Portland Planning Authority.

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, RIDGE DEVELOPMENT expressly agrees that, with respect to its development of the Property, it will comply with all other provisions relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

10. **Change in Ownership (paragraph 14 in staff version or 9 in applicant's):** Unchanged

11. **Dimensional Requirements for modified R-5a zone (paragraph 15, staff version or 10 in applicant's):**

- a. Maximum number of units per building is reduced from 49 to 48
- b. Maximum number of units per building is 2 (unchanged from adopted agreement)
- c. Maximum building height is reduced from 100 feet to 75 feet
- d. The parking is revised to provide a total of 204 spaces with have in Phase I and half in Phase II. The total number of space proposed in the original agreement was 224 spaces.
- e. Minimum recreation open space area: (unchanged from adopted agreement)

12. Standard Conditions of Conditional Zone Agreements (paragraphs 16-21 in staff version or 12 through 16 in applicant's): Unchanged

VII. REGULATORY CONSIDERATIONS AND COMPREHENSIVE PLAN

A. Conditional Rezoning

Consideration of the request for conditional rezoning is guided by both state statute and the city's land use ordinance. The state statute (Title 30-A Section 4352(8)) requires that all conditional or contract zoning must:

- *Be consistent with the growth management program adopted under this chapter;*
- *Establish rezoned areas that are consistent with the existing and permitted uses within the original zones; and*
- *Only include conditions and restrictions that relate to the physical development or operation of the property.*

The city's ordinance (Section 14-60) further states:

Pursuant to 30-A M.R.S.A. Section 4503(9), conditional or contract zoning is hereby authorized for rezoning of property where, for reasons such as the unusual nature or unique location of the development proposed, the city council finds it necessary or appropriate to impose, by agreement with the property owner or otherwise, certain conditions or restrictions in order to ensure that the rezoning is consistent with the city's comprehensive plan. Conditional or contract zoning shall be limited to where a rezoning is requested by the owner of the property to be rezoned. Nothing in this division shall authorize either an agreement to change or retain a zone or a rezoning which is inconsistent with the city's comprehensive plan.

The applicant has provided two narratives in their submission that addresses compliance with the Comprehensive Plan and an analysis of compliance with the R-5a zone, refer to the Applicant's Submissions, Attachments F and G. The applicant has cited goals and policies in Attachment F regarding housing and economic development, trail connections, appreciation of coastal heritage, need for higher residential density, housing options for all income levels, open space and recreation, environmental protection and urban design. The R-5a zoning analysis (Attachment G) provides the history, purpose, zoning comparison, and provisions of the conditional agreement. It should be noted that on the future Land Use Plan in Portland's Comprehensive Plan, the conditional rezone agreement for the R-5A is shown as a growth area and the ROS area is designated as rural or conservation zone.

B. Comprehensive Plan

In addition to the comprehensive plan policies as stated in the Applicant's Submission Attachments F and G, Portland's Comprehensive Plan includes the following policies regarding neighborhood compatibility:

Housing: Sustaining Portland's Future

Policy #3: Maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulations, design and public participation that respect neighborhood integrity.

Objective 3.b. Support Portland's livable neighborhoods by encouraging a mix of needed uses and services within walking distance of most residents.

Actions:

3.b.1. Promote a mix of housing types, small retail and service businesses, community services, and open space/recreation opportunities of appropriate size, scale and type within each neighborhood through City policies and programs such as zoning for mixed use neighborhood centers, housing pilot projects, Land Band Commission efforts and parks planning.

Objective 3.c. Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.

Actions:

3.c.1. Evaluate and update, as needed, the current zoning and subdivision codes to encourage new residential development that

- Offers diverse and quality living options;
- Provides traditional neighborhood elements;
- Promotes a walkable city;
- Is compatible with Portland's existing neighborhoods.

Objective 3.d. Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.

Objective 3. e. Ensure the integrity and economic value of Portland's neighborhoods

Action

3.e. 7. The City will preserve publicly owned neighborhood amenities, such as trails, athletic fields, and parks.

C. Staff Analysis:

At the June 10th public hearing, neighboring residents raised a number of concerns regarding the scale and compatibility of the project with the existing neighborhood. The Planning Board's discussion noted that the layout had improved since the workshop, but questions were raised pertaining to the scale and massing of the buildings given that the neighborhood had further developed since the original agreement was adopted in 2004. Specifically, the Board expressed concern regarding the mass of the buildings in both height and width and questioned the project's consistency with the comprehensive plan in terms of compatibility with the neighborhood.

The history of the site and the proposal that was considered by the Planning Board in 2004 is contained in Attachment 4 of the Planning Board report dated June 5, 2014. According to the Planning Board report to the City Council, "[T]he focus was to design buildings that would minimize the impact on the site, preserving the natural landscape for the public to enjoy through a trail system." One early iteration of the proposal included 13 and 14 story buildings with a maximum height of 137 feet. This was determined to be too high and "...would have loomed over the adjacent Alden's Walk subdivision." The proposal was revised with the two buildings having a maximum height of 100 feet and a total of 98 units.

The 2014 revised plans propose 96 units in two buildings rather than 98. The structures are now lower in height (maximum of 75 feet) and wider than the original design. As stated in the Applicant's submission (Attachment F), one of Portland's housing goals is to "ensure that an adequate supply of housing is available to meet the needs, preference and financial capabilities of all Portland households, now and in the future." The policies call for a mix of housing types that offers options for owners and renters across all income levels. It also encourages higher density housing, particularly located near services, such as schools, businesses, institutions, employers, and public transportation. While the site is not on a public transportation route, it is near the downtown and off-peninsula business areas and employment centers in both East and North Deering.

The proposed buildings offer an alternative housing type (mid-rise buildings) for the neighborhood \ and the density is within the limits of the R-5a zone. The concept for the two larger buildings versus multiple smaller structures is intended to preserve a significant portion of the site for passive recreation and preservation of open space.

As noted above, the Comprehensive Plan includes policies that seek to maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity. As noted in

the June 5, 2014 report, The roughly 18 acre parcel at 802 Ocean Avenue is a wooded site that has one of the highest elevations in Portland with views of Casco Bay. There is a 135 foot CMP easement along the rear property line. The parcel abuts single family homes along Ocean Avenue. The Ocean Ridge Condominium project is located to the north of the site along Ocean Avenue. The rear boundary abuts the condominiums located in the Alden's Walk project



on Wildwood Circle. There are single family homes and condominium projects along the easterly side of Ocean Avenue in vicinity of the site. According to the Planning Board report to the Council, the 2004 proposal sought to achieve the following objectives:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

The most recent version of the plan (since the workshop) increases the width of the buffer along Ocean Ridge, provides increased landscaping, reduces impervious surface area from workshop, and seeks to minimize blasting. The revised agreement includes strengthened conditions to review a blasting plan and to monitor the blasting during construction.

Preserving a portion of the site in the ROS zone for trails was an integral component of the site plan. The line between the ROS zone and the R-5A zone is modified in the 2014 proposal, but the quantity of land in each zone is essentially the same. As presented in the applicant's analysis of the comprehensive plan ([Attachment E](#)) there are policies from Green Spaces, Blue Edges, that support trails and open space focal points within walking distance of neighborhoods. The plan as revised preserves the high point and is consistent with the comprehensive plan recommendation to "develop High Point Parks, open space spaces located on the higher elevations of the city...." The Comprehensive plan also includes policies for trail connections, which in this proposal includes at least 3,207 linear feet of trails for public use. Lastly, the City's housing policies support locating and designing housing to reduce impacts on environmentally sensitive areas. The applicant has indicated that they are trying to minimize tree clearance, reduce blasting from the 2004 proposal, and minimize

the amount of impervious surface area on the site. It should be noted that the site is on the highest priority list for acquisition by the Land Bank Commission (list includes 15 sites).

V. STAFF RECOMMENDATION

The Planning Staff suggest a positive recommendation for the adoption of the proposed amended conditional rezoning agreement for 802 Ocean Avenue, as revised by the staff, to the City Council.

VI. PROPOSED MOTION

On the basis of plans and materials submitted by Ridge Development LLC, the policies of the ROS and R-5A zones, Comprehensive Plan, public comment, the information provided in Planning Board Report dated June 6, 2014 and the Addendum Report, dated July 3, 2014, for the First Amendment to the Conditional Rezoning for Casco Heights, 802 Ocean Avenue, Project # 2014-036, and/or other findings as follows:

The Board finds that the proposed First Amendment to the Conditional Rezoning Agreement for Ridge Development LLC, now known as Casco Heights [is or is not] consistent with the Comprehensive Plan of the City of Portland and is consistent with the existing and permitted uses in the underlying R-5a zone. The Planning Board therefore recommends or does not recommend to the City Council approval of the proposed conditional rezoning, as revised by the staff and Planning Board, for 802 Ocean Avenue.

X. ATTACHMENTS

PLANNING BOARD REPORT FOR JULY 8, 2014 ATTACHMENTS

- 1A. Proposed First Amendment to Conditional Rezoning Agreement - Staff Recommendation – redlined version
- 2A. Proposed First Amendment to Conditional Rezoning Agreement - Staff Recommendation – clean copy

PLANNING BOARD REPORT FOR JUNE 10, 2014 ATTACHMENTS

1. Proposed First Amended Conditional Rezoning Agreement - Applicant's Request
2. Proposed First Amended Conditional Rezoning Agreement - Staff Recommendation
3. Adopted Agreement 2005 with attachments
4. Planning Board Report to City Council
5. Article VIII Regulation of Explosive
6. Technical Manual – Blasting Regulations

APPLICANT'S SUBMITTALS

- A. Table of Contents
- B. Cover Letter
- C. Application
- D. Redlined Rezoning Agreement
- E. Proposed Amended Rezoning Agreement
- F. Conformance with Comprehensive Plan
- G. Conformance with R-5a zoning
- H. Right Title and Interest
- I. May 20, 2014 Cover letter
- J. Redlined revised agreement, May 20th

PUBLIC COMMENT

PC-1 Applicant's Neighborhood Meeting Packet, meeting held on April 21, 2014
PC-2 Mark Lourie, April 21 and 23, 2014
PC-3 Roberta Loring, April 29, 2014
PC-4 Dagmar Decker, May 3, 2014
PC-5 Anthony Miller MD, May 3, 2014
PC-6 Vincenzo Marotta, May 4, 2014
PC-7 Jeff Degan, May 4, 2014
PC-8 Antoinette Mancusi, May 4, 2014
PC -9 Jon Camire, May 4, 2014
PC-10 Pam Anzelc, May 5, 2014
PC-11 Jade Arn, May 5, 2014
PC-12 Helen Daniels, May 5, 2014
PC-13 Thomas and Shelia Buckland, May 6, 2014
PC-14 Sabrina Nickerson and Randy Judkins, May 5, 2014
PC-15 Jean Mattimore, May 5, 2014
PC-16 Gene DiBenedetto, May 5, 2014
PC-17 Judith Richard, May 6, 2014
PC 18 Glenna Irvine, May 6, 2014
PC-19 Jeanette Haskell, Wellstoen Condominium Association, May 6, 2014
PC-20 Frank Pandolfo, May 7, 2014
PC-21 Linda Belanger, May 7, 2014
PC-22 Chuck Grossman, May 6, 2014
PC-23 Leslie Rodgers, May 7, 2014
PC-24 Gene Ibenedetto, June 4, 2014
PC-25 Richard Kessler
PC-26 Lesli Rodgers 6-30-14
PC27 Robin Schulte 6-30-14
PC28 Helen Daniels 5-5-14
PC29 Pamela Anzelc 6-29-14
PC30 Carol Hayden 6-28-14
PC31 Terence Goodwin 6-27-14
PC32 Vincenzo Marotta 7-1-14, 6-8-14 and 5-4-14
PC33 Wayne Goodman 6-8-14
PC34 Matt Smith 6-8-14
PC35 Antoinette Mancusi 6-8-14
PC36 Vincenzo Marotta 6-8-14 and 5-4-14
PC37 Frank Pandolfo 6-8-14
PC38 Judith Richard 6-8-14
PC39 Barbara Miller 6-9-14
PC40 Karen McCallum 6-9-14
PC41 Robin Schulte 6-9-14
PC42 Richard Kessler 6-9-14
PC43 Glenn Turner 6-9-14
PC44 Jean Mattimore 6-9-14
PC45 Terence Goodwin 6-9-14
PC46 Chuck Grossman 6-9-14

PC47 Craig Williams 6-9-14
PC48 James Harnar 6-9-14
PC49 Stacey Hong 6-9-14
PC50 Asherah Cinnamon 6-9-14
PC51 Jim Fairbanks 6-9-14
PC52 Carol Veilleux 6-9-14

PLANS

Plan 1 Overall Site Plan
Plan 2 Illustrative Site Plan- accessway
Plan 3 Illustrative Site Plan- building and parking
Plan 4 Boundary Survey 1
Plan 5 Boundary Survey 2
Plan 6 Zoning Map Adjustment
Plan 7 Casco Heights Building Elevations
Plan 8 Casco Heights Rendering
Plan 9 Casco Heights Flagging for Site Walk
Plan 10 Fall Equinox 9 a.m.
Plan 11 Fall Equinox 12 p.m.
Plan 12 Fall Equinox 3 p.m.
Plan 13 Winter Solstice 9 a.m.
Plan 14 Winter Solstice 12 p.m.
Plan 15 Winter Solstice 3 p.m.
Plan 16 Summer Solstice 9 a.m.
Plan 17 Summer Solstice 12 p.m.
Plan 18 Summer Solstice 3 p.m.
Plan 19 Buffer Plan

**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT TO CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning upon sale to Ridge Development LLC.~~

**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, 2004 by ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC, a Maine limited liability company with an office in ~~Saco~~, Maine (hereinafter "GRAVES HILL- RIDGE DEVELOPMENT").

WITNESSETH:

WHEREAS, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ proposes to construct upon a portion of the Property a maximum of ~~98.96~~ condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ has requested the rezoning of ~~40.167~~ 10.18 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~8.155- 8.14~~ acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "CITY"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the Planning Board recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the CITY, by and through its City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, has also concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the CITY, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

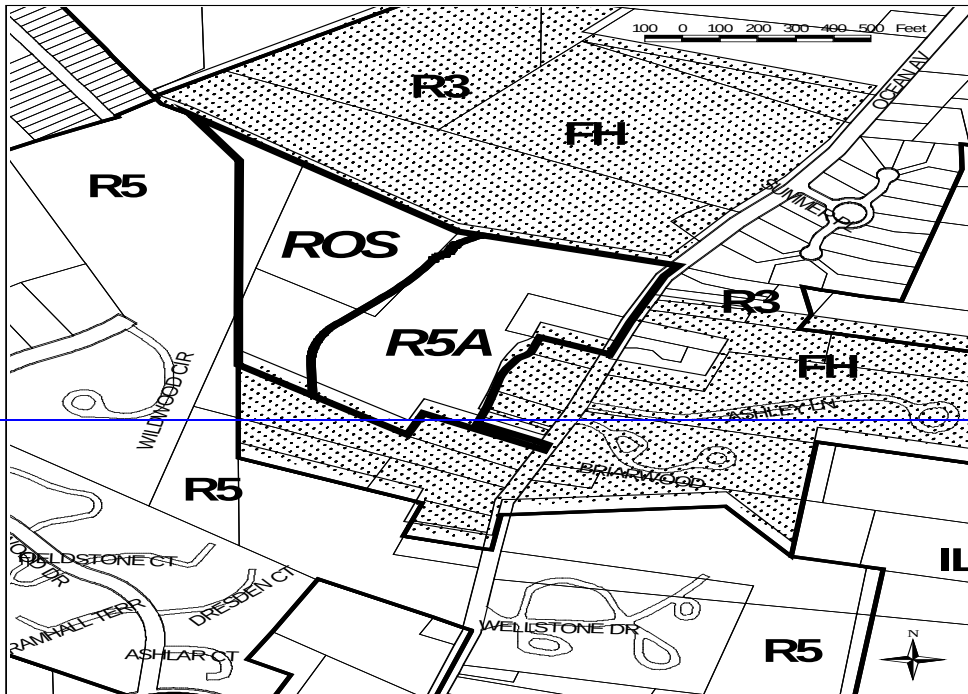
it is necessary and appropriate to impose with GRAVES HILL'S- RIDGE DEVELOPMENT'S agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the CITY'S comprehensive land use plan; and

WHEREAS, the City Council of the CITY authorized the execution of this Agreement on _____, 200_, by City Council Order No._____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, GRAVES HILL- RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind GRAVES HILL- RIDGE DEVELOPMENT, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, GRAVES HILL- RIDGE DEVELOPMENT contracts to be bound by the following terms and conditions:

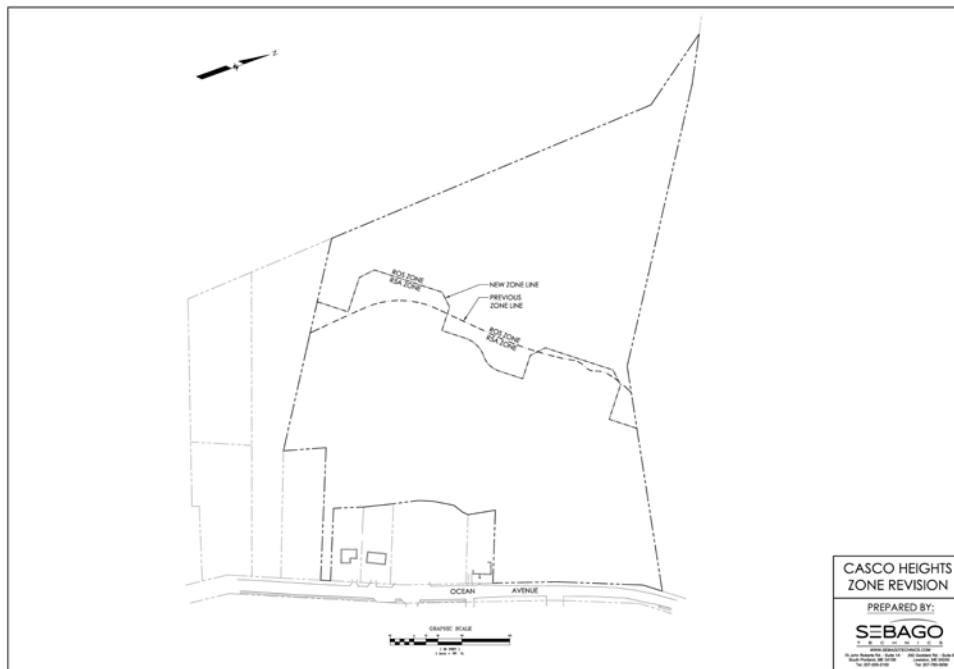
1. The CITY hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later, then the rezoning shall become null and void and the zoning of the Property (together with all conditions) shall revert to the pre-existing R-3 zone that contained in the original Conditional Rezoning Agreement for 802-828 Ocean Avenue approved on _____ and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup



[Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between Recreation and Open Space \(ROS\) and Residential R-5a \(of the C-34 Conditional Rezone Agreement\) May 2014](#)

2. GRAVES HILL RIDGE DEVELOPMENT is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to ~~98-96~~ residential units located in two buildings, each building containing up to 49 48 units, which may be sold as condominium units, resulting in a maximum total of ninety ~~eight~~six (98 96) residential units within the Property; and
- ~~b. a community room in each building available for use by the residents of the PRUD; and~~
- ~~c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services a fitness and special events room in each building available for use by the residents of the PRUD; and~~
- ~~d. a cross-country ski center/locker room in each building available for use by the residents of the PRUD; and~~
- ~~e.~~ b. parking in an amount of not less than ~~2 spaces per residential unit~~ one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units, plus at least 28 additional surface visitor parking spaces; and
- ~~f.~~ c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty ~~nine~~eight (49 48) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty ~~nine~~ eight (49 48) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. GRAVES HILL RIDGE DEVELOPMENT is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

- a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL RIDGE DEVELOPMENT~~ shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL RIDGE DEVELOPMENT~~, its successors and assigns, ~~Graves Hill Ridge Development~~ Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL RIDGE DEVELOPMENT~~ may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as ~~GRAVES HILL RIDGE DEVELOPMENT~~ has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, ~~GRAVES HILL RIDGE DEVELOPMENT~~ may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by ~~Richardson and Associates (last revised August 16, 2004)~~ Sebago Technics (last revised May 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by ~~Scott Simons Architects (last revised July 8, 2004)~~ Archetype PA (last revised May 2014) ~~and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto.~~ The Ridge Development entrance on Ocean Avenue as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable ~~be at the location shown on said Site Plan~~ subject to site plan review by the Planning Board and ~~the City hereby grants consideration of~~ such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, ~~that at the request of RIDGE DEVELOPMENT, with the approval of the Planning Board, the the final Planning Board approved~~ location of the entrance may be moved up to 20 feet southerly of the location shown from the location on the attached site plan without any further amendment to this Contract Zone Agreement. So long as

the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the CITY for the CITY to apply toward installing granite curbs and sidewalk in the vicinity of the PROPERTY.

~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide a planted buffer as shown on the site plan in the vicinity of the ~~rear lot lines of the abutters whose lots front on Ocean Avenue side of the building adjacent to Ocean Ridge Condominiums~~, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by the Planning Board based upon the recommendation of a third-party, independent, seismologist approved and hired by the Planning Authority at the Applicant's expense (hereinafter "Third-Party Seismologist").

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by the an independent Third-Party Seismologist at the Applicant's expense or blasting consultant. RIDGE DEVELOPMENT's selection of the independent seismologist or blasting consultant is subject to the review and approval of the City of Portland Planning Authority.

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, RIDGE DEVELOPMENT expressly agrees that, with respect to its development of the Property, it will comply with all other provisions relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

149. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL- RIDGE DEVELOPMENT~~ and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or any successor in interest may convey the R-

OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

~~1015~~. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~49~~ 48

Maximum number of buildings containing residential dwelling units: 2

Maximum building height: ~~100~~ 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

Parking: ~~Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II.~~ 204 spaces, half in Phase I and half in Phase II.

Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL~~ RIDGE DEVELOPMENT may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

~~164~~. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and ~~GRAVES HILL~~ RIDGE DEVELOPMENT need not submit any parking needs projections.

~~17~~. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL~~ RIDGE DEVELOPMENT, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

1318. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

1419. In the event ~~GRAVES HILL~~ RIDGE DEVELOPMENT or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S~~ RIDGE DEVELOPMENT 'S breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL~~ RIDGE DEVELOPMENT has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

1520. ~~GRAVES HILL~~ RIDGE DEVELOPMENT shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

1621. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC

By: _____
~~Diane Doyle~~ Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named ~~Diane Doyle~~ Patrick Tinsman, Manager of ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC as aforesaid, and acknowledged the foregoing instrument to be ~~her~~ his free act and deed in ~~her~~ his said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT TO CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective upon sale to Ridge Development LLC.

**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, by **RIDGE DEVELOPMENT, LLC**, a Maine limited liability company with an office in Maine (hereinafter “**RIDGE DEVELOPMENT**”).

WITNESSETH:

WHEREAS, RIDGE DEVELOPMENT owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the “Property”); and

WHEREAS, RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of 96 condominium units in two mid-rise buildings in a Planned Residential Unit Development (“PRUD”) while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, RIDGE DEVELOPMENT has requested the rezoning of 10.18 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.14 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter “**CITY**”), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the “Code”) §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City’s Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the Planning Board recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, has also concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

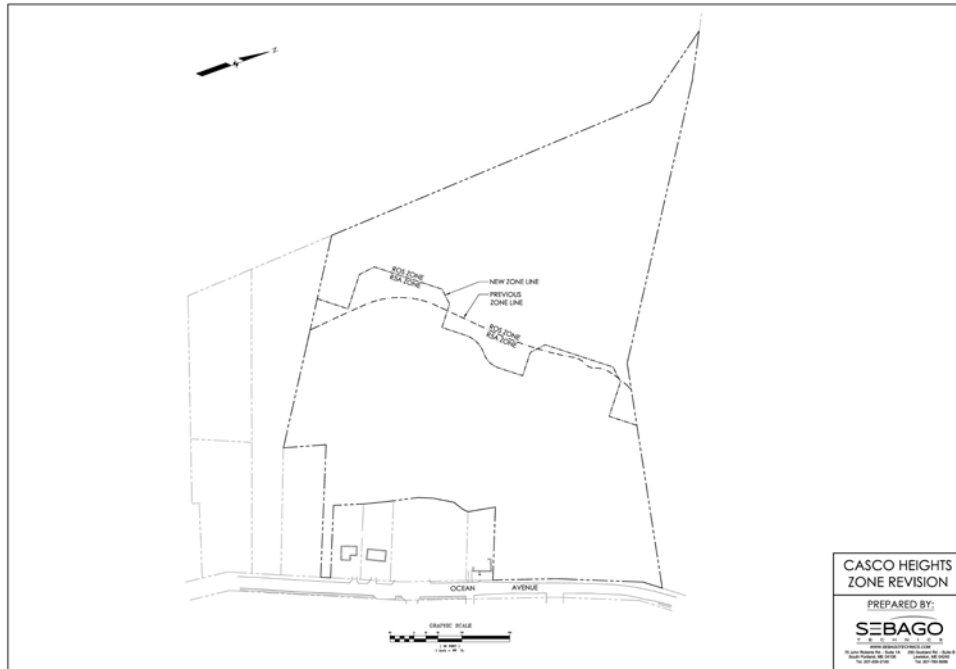
it is necessary and appropriate to impose with **RIDGE DEVELOPMENT's** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 20__, by City Council Order No._____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, **RIDGE DEVELOPMENT** has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **RIDGE DEVELOPMENT**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **RIDGE DEVELOPMENT** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later, then the rezoning shall become null and void and the zoning of the Property (together with all conditions) shall revert to that contained in the original Conditional Rezoning Agreement for 802-828 Ocean Avenue approved on _____ and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____.



Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between Recreation and Open Space (ROS) and Residential R-5a (of the C-34 Conditional Rezone Agreement) May 2014

2. **RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- g.d. Up to 96 residential units located in two buildings, each building containing up to 48 units, which may be sold as condominium units, resulting in a maximum total of ninety-six (96) residential units within the Property; and
- h.e. parking in an amount of not less than one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units, plus at least 28 additional surface visitor parking spaces; and
- i.f. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-eight (48) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-

eight (48) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **RIDGE DEVELOPMENT** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **RIDGE DEVELOPMENT** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **RIDGE DEVELOPMENT**, its successors and assigns, Ridge Development Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **RIDGE DEVELOPMENT** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **RIDGE DEVELOPMENT** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **RIDGE DEVELOPMENT** may satisfy this contract zone requirement

by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Sebago Technics (last revised May 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by Archetype PA (last revised May 2014). The Ridge Development entrance on Ocean Avenue as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable subject to site plan review by the Planning Board and consideration of such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, the final Planning Board approved location of the entrance may be moved from the location on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **RIDGE DEVELOPMENT** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **RIDGE DEVELOPMENT** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the side of the building adjacent to Ocean Ridge Condominiums, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **RIDGE DEVELOPMENT** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **RIDGE DEVELOPMENT** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by the Planning Board based upon the recommendation of a third-party, independent, seismologist approved and hired by the Planning Authority at the Applicant's expense (hereinafter "Third-Party Seismologist").

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by the Third-Party Seismologist at the Applicant's expense. .

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, **RIDGE DEVELOPMENT** expressly agrees that, with respect to its development of the Property, it will comply with all other provisions

relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

14. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **RIDGE DEVELOPMENT** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **RIDGE DEVELOPMENT** holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **RIDGE DEVELOPMENT** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

15. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 48

Maximum number of buildings containing residential dwelling units: 2

Maximum building height: 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

Parking: 204 spaces, half in Phase I and half in Phase II.

Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **RIDGE DEVELOPMENT** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

16. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **RIDGE DEVELOPMENT** need not submit any parking needs projections.

17. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **RIDGE DEVELOPMENT**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

18. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

19. In the event **RIDGE DEVELOPMENT** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **RIDGE DEVELOPMENT**'S breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **RIDGE DEVELOPMENT** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

20. **RIDGE DEVELOPMENT** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

21. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: **RIDGE DEVELOPMENT, LLC**

By: _____
Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named Patrick Tinsman, Manager of **RIDGE DEVELOPMENT, LLC** as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

Applicant's Proposed Amended Agreement

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**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning upon sale to Ridge Development LLC.~~

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**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, 2004 by ~~GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC~~, a Maine limited liability company with an office in ~~Saco~~, Maine (hereinafter "GRAVES HILL RIDGE DEVELOPMENT").

WITNESSETH:

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of 98.96 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT has requested the rezoning of 10.167- 10.18 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for

dwelling units on that portion of the property, and the rezoning of ~~8.155~~ 8.14 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter “**CITY**”), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the “Code”) §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

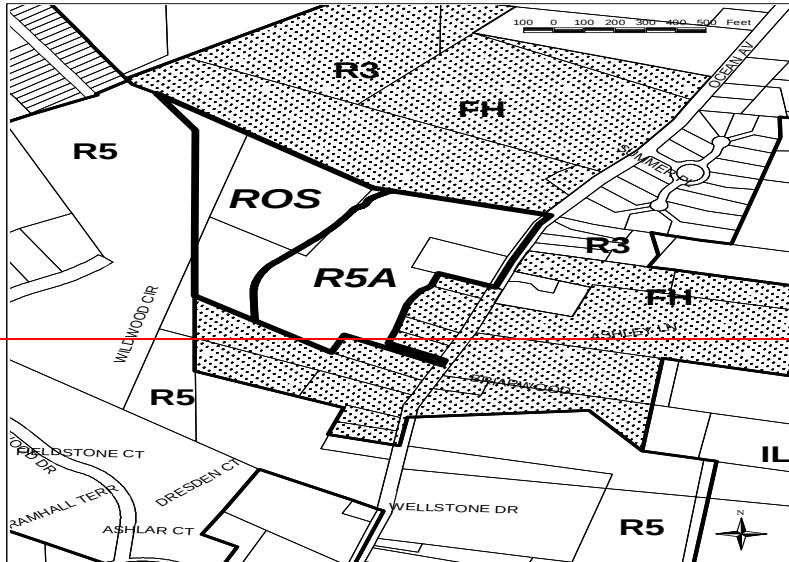
it is necessary and appropriate to impose with ~~GRAVES HILL'S~~ RIDGE DEVELOPMENT'S agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, ~~GRAVES HILL~~ RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind ~~GRAVES HILL~~ RIDGE DEVELOPMENT, its successors or assigns;

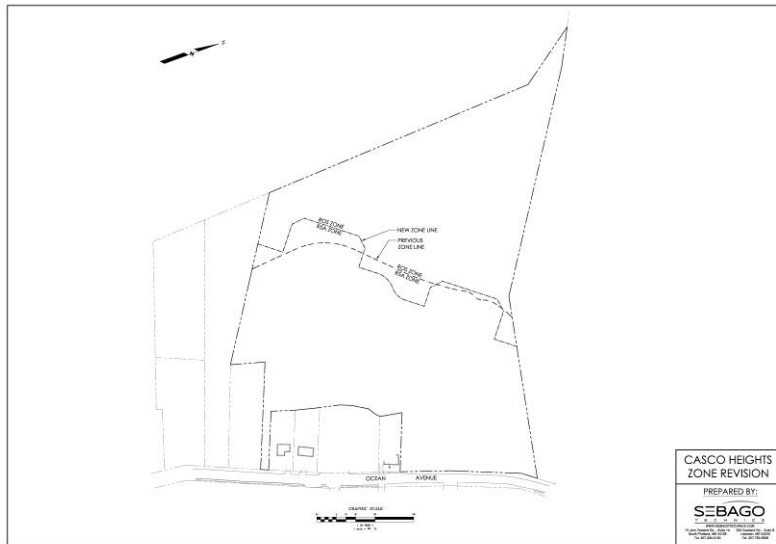
NOW, THEREFORE, in consideration of the rezoning of the Property, ~~GRAVES HILL~~ RIDGE DEVELOPMENT contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the ~~City Counsel's approval of said rezoning sale of the property to Ridge Development LLC~~, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS
July 2004**

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup



Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between
Recreation and Open Space (ROS) and Residential R-5a (of the C-34 Conditional Rezone
Agreement) May 2014

2. **GRAVES HILL RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to ~~98-96~~ residential units located in two buildings, each building containing up to ~~49-48~~ units, which may be sold as condominium units, resulting in a maximum total of ninety ~~eight-six~~ (~~98-96~~) residential units within the Property; and
- ~~b. a community room in each building available for use by the residents of the PRUD; and~~
- ~~c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services a fitness and special events room in each building available for use by the residents of the PRUD; and~~
- ~~d. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and~~
- ~~e. b.~~ parking in an amount of not less than ~~2 spaces per residential unit one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units~~, plus at least 28 additional surface visitor parking spaces; and
- ~~f. c.~~ a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty ~~nine-eight~~ (~~49-48~~) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty ~~nine-eight~~ (~~49-48~~) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface

stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the R-OS portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL- RIDGE DEVELOPMENT~~, its successors and assigns, Graves Hill Ridge Development Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall

not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as ~~GRAVES HILL- RIDGE DEVELOPMENT~~ has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by ~~Richardson and Associates (last revised August 16, 2004)~~, ~~Sebago Technics (last revised May 2014)~~ and the Proposed Building Design site sections, building sections and floor plans submitted by ~~Scott Simons Architects (last revised July 8, 2004)~~, ~~Archetype PA (last revised May 2014)~~ and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The ~~Graves Hill- Ridge Development~~ entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of ~~GRAVES HILL- RIDGE DEVELOPMENT~~, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the CITY for the CITY to apply toward installing granite curbs and sidewalk in the vicinity of the PROPERTY.

~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide a planted buffer as shown on the site plan in the vicinity of the ~~rear lot lines of the abutters whose lots front on Ocean Avenue side of the building adjacent to Ocean Ridge Condominiums~~, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL RIDGE DEVELOPMENT and/or Diane Doyle~~ holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~49~~ **48**

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Maximum number of buildings containing residential dwelling units: 2

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Maximum building height: ~~100~~ **75** feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

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Parking: ~~Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II.~~ **204 spaces, half in Phase I and half in Phase II.**

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Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL RIDGE DEVELOPMENT~~ may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However,

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the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL- RIDGE DEVELOPMENT** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL- RIDGE DEVELOPMENT~~, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S- RIDGE DEVELOPMENT 'S~~ breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL- RIDGE DEVELOPMENT~~ has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC

By: _____
~~Diane Doyle~~ Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named ~~Diane Doyle~~ Patrick Tinsman, Manager of ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC as aforesaid, and acknowledged the foregoing instrument to be ~~her~~ his free act and deed in ~~her~~ his said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

Portland Staff Recommendations

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**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning upon sale to Ridge Development LLC.~~

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**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, ~~2004~~ by ~~GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC~~, a Maine limited liability company with an office in ~~Saco~~, Maine (hereinafter "~~GRAVES HILL RIDGE DEVELOPMENT~~").

WITNESSETH:

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of ~~98.96~~ condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT has requested the rezoning of ~~10.167-10.18~~ acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~8.155-8.14~~ acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

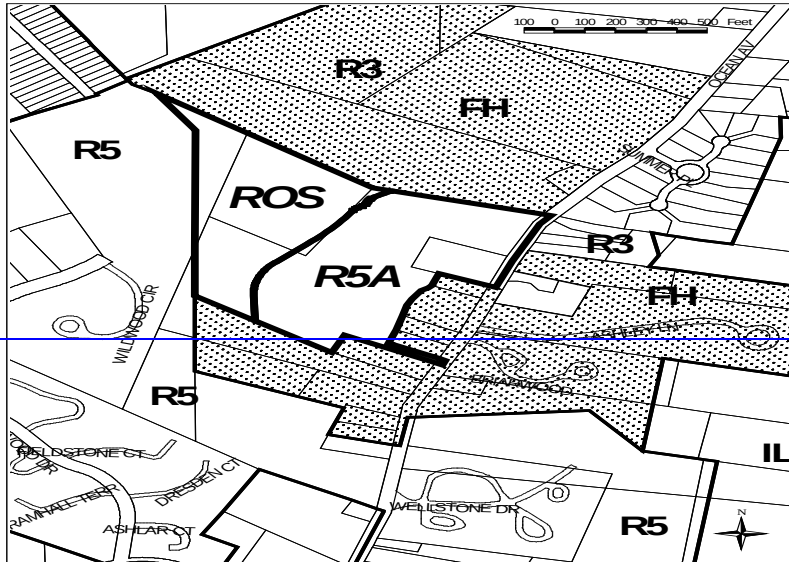
it is necessary and appropriate to impose with ~~GRAVES HILL'S~~ RIDGE DEVELOPMENT'S agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, ~~GRAVES HILL~~ RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind ~~GRAVES HILL~~ RIDGE DEVELOPMENT, its successors or assigns;

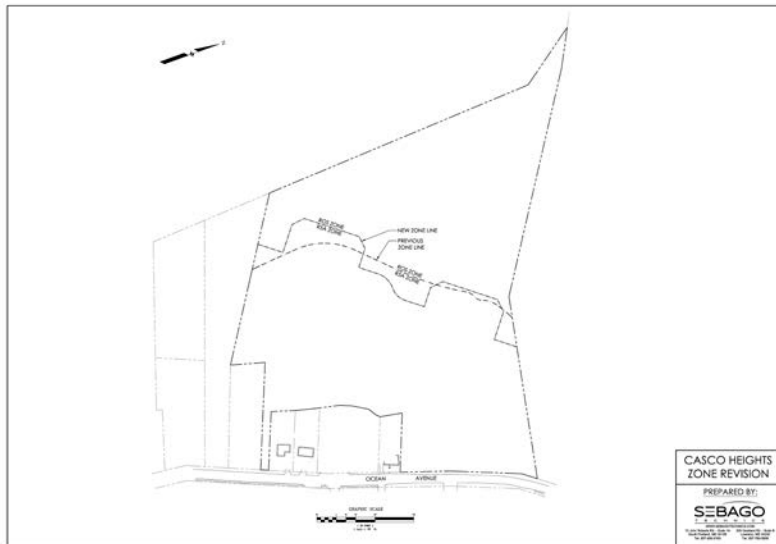
NOW, THEREFORE, in consideration of the rezoning of the Property, ~~GRAVES HILL~~ RIDGE DEVELOPMENT contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the ~~City Council's approval of said rezoning sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later~~, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**
July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup



Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between
Recreation and Open Space (ROS) and Residential R-5a (of the C-34 Conditional Rezone
Agreement) May 2014

2. ~~GRAVES HILL RIDGE DEVELOPMENT~~ is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to ~~98-96~~ residential units located in two buildings, each building containing up to ~~49-48~~ units, which may be sold as condominium units, resulting in a maximum total of ninety ~~eight-six~~ (~~98-96~~) residential units within the Property; and
- ~~b. a community room in each building available for use by the residents of the PRUD; and~~
- ~~c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services a fitness and special events room in each building available for use by the residents of the PRUD; and~~
- ~~d. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and~~
- ~~e.~~ parking in an amount of not less than ~~2 spaces per residential unit one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units~~, plus at least 28 additional surface visitor parking spaces; and
- ~~f.~~ c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty ~~nine-eight~~ (~~49-48~~) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty ~~nine-eight~~ (~~49-48~~) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface

stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the R-OS portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL- RIDGE DEVELOPMENT~~, its successors and assigns, Graves Hill Ridge Development Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall

not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as ~~GRAVES HILL- RIDGE DEVELOPMENT~~ has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by ~~Richardson and Associates (last revised August 16, 2004)~~ Sebago Technics (last revised May 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by ~~Scott Simons Architects (last revised July 8, 2004)~~ Archetype PA (last revised May 2014) and the preliminary elevation from ~~Mackworth Island (undated, submitted August 17, 2004), attached hereto.~~ The Ridge Development entrance on Ocean Avenue as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable be at the location shown on said Site Plans subject to site plan review by the Planning Board and ~~the City hereby grants consideration of~~ such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, ~~that at the request of RIDGE DEVELOPMENT, with the approval of the Planning Board, the the final Planning Board approved~~ location of the entrance may be moved up to 20 feet southerly of the location shown from the location on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide a planted buffer as shown on the site plan in the vicinity of the ~~rear lot lines of the abutters whose lots front on Ocean Avenue side of the building adjacent to Ocean Ridge Condominiums,~~ with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by ~~GRAVES HILL- RIDGE DEVELOPMENT~~ or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while ~~GRAVES HILL- RIDGE DEVELOPMENT~~ shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by the Planning Board.

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by an independent seismologist or blasting consultant. RIDGE DEVELOPMENT's selection of the independent seismologist or blasting consultant is subject to the review and approval of the City of Portland Planning Authority.

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, RIDGE DEVELOPMENT expressly agrees that, with respect to its development of the Property, it will comply with all other provisions relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

149. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL RIDGE DEVELOPMENT and/or Diane Doyle~~ holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

~~1015.~~ For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49 48

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Maximum number of buildings containing residential dwelling units:

2

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Maximum building height: ~~100~~ 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

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Parking: ~~Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II.~~ 204 spaces, half in Phase I and half in Phase II.

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Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL- RIDGE DEVELOPMENT~~ may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

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Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

~~164.~~ For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and ~~GRAVES HILL- RIDGE DEVELOPMENT~~ need not submit any parking needs projections.

~~17.~~ The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL- RIDGE DEVELOPMENT~~, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

~~18.~~ If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

1419. In the event ~~GRAVES HILL~~ RIDGE DEVELOPMENT or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S~~ RIDGE DEVELOPMENT 'S breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL~~ RIDGE DEVELOPMENT has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

1420. ~~GRAVES HILL~~ RIDGE DEVELOPMENT shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

1421. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC

By: _____
~~Diane Doyle~~ Patrick Tinsman
 Its Manager

STATE OF MAINE
 CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named ~~Diane Doyle~~ Patrick Tinsman, Manager of ~~GRAVES HILL LAND COMPANY~~ RIDGE DEVELOPMENT, LLC as aforesaid, and acknowledged the foregoing instrument to be ~~her~~ his free act and deed in ~~her~~ his said capacity and the free act and deed of said limited liability company.

Before me,

 Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

Att. 3

Order 67 – 04/05

Given first reading 9/20/04

Postponed on 10/4/04

Public Hearing and Passage 10/18/04 7-1 (Smith abstaining, O'Donnell opposed)

NATHAN H. SMITH (MAYOR)(3)

WILLIAM R. GORHAM (1)

KAREN A. GERAGHTY (2)

CHERYL A. LEEMAN (4)

JAMES I. COHEN (5)

CITY OF PORTLAND

IN THE CITY COUNCIL

PETER E. O'DONNELL (A/L)

JAMES F. CLOUTIER(A/L)

JILL C. DUSON (A/L)

NICHOLAS M. MAVODONES (A/L)

ORDER AUTHORIZING AMENDMENT TO CITY CODE SEC. 14-49 (ZONING MAP AMENDMENT) RE: CONDITIONAL REZONING FOR 802-828 OCEAN AVENUE

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective thirty (30) days following this rezoning.

CONDITIONAL ZONE AGREEMENT GRAVES HILL LAND COMPANY, LLC

This Agreement made this _____ day of _____, 2004 by **GRAVES HILL LAND COMPANY, LLC**, a Maine limited liability company with an office in Saco, Maine (hereinafter "**GRAVES HILL** ").

WITNESSETH:

WHEREAS, GRAVES HILL owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

with a larger trail system; and

WHEREAS, GRAVES HILL has requested the rezoning of 10.167 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.155 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with **GRAVES HILL's** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

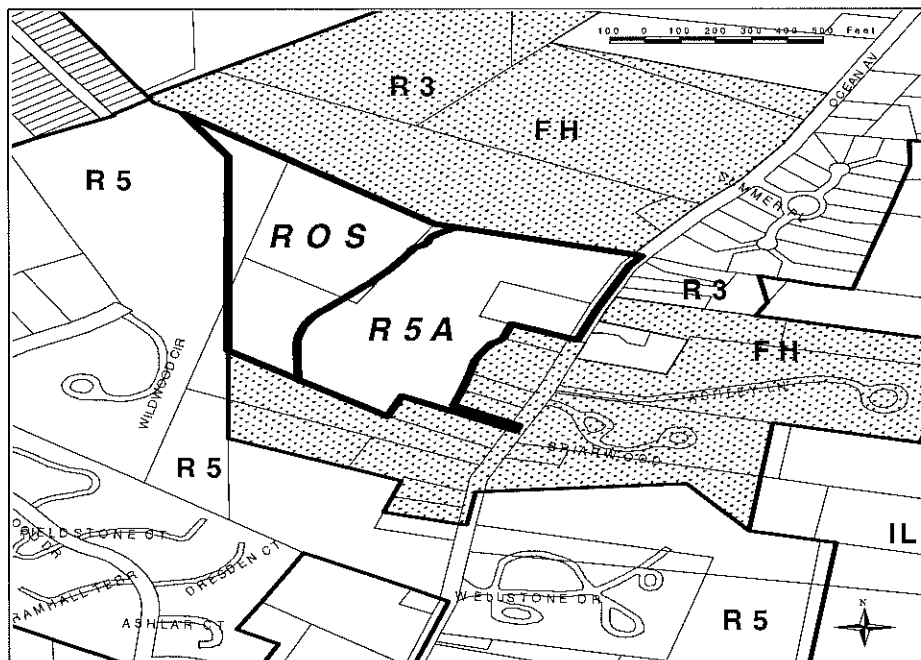
WHEREAS, GRAVES HILL has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
- b. a community room in each building available for use by the residents of the PRUD; and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

residents of the PRUD; and

- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The

easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **GRAVES HILL** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this

Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49

**Maximum number of buildings containing
residential dwelling units:** 2

Maximum building height: 100 feet, as measured per zoning ordinance,
and in accordance with the plans attached hereto and in accordance with the location on the site

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

plan

Parking: Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II

Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property,

generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **GRAVES HILL** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

GRAVES HILL LAND COMPANY, LLC

By: _____
Diane Doyle
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named Diane Doyle, Manager of **GRAVES HILL LAND COMPANY, LLC** as aforesaid, and acknowledged the foregoing instrument to be her

free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

CHESTER & VESTAL

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

EDWIN P. CHESTER
BARBARA A. VESTAL
STEVEN M. CAREY

107 Congress Street
Portland, Maine 04101
Telephone (207) 772-7426
Fax (207) 761-5822
E-mail: nchester@maine.rr.com
vestal@maine.rr.com
smcarey@maine.rr.com

NOV 12 2004

November 12, 2004

HAND DELIVERED

Penny Littel, Esq.
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Conditional Zone Agreement, Graves Hill Land Company, LLC

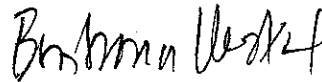
Dear Penny:

Enclosed is a copy of the Conditional Zone Agreement which was executed by Graves Hill Land Company, LLC on November 8, 2004, together with the Council Order (Attachment 1) and reduced, black/white copies of Exhibits 1-4 which were attached to the Agreement when it was submitted to the City Council for public hearing on October 18, 2004. The original Conditional Zone Agreement (including Attachment and Exhibits) was recorded on November 10, 2004 at 2:02 p.m. in Cumberland County Registry of Deeds Book 21999, Page 113.

As agreed, also enclosed for your records are the full size, 11" x 17" and/or color pages which were submitted to the Council as Exhibits 1-4.

Please contact me if anything further is required at this time. Thank you for your assistance throughout this phase of the process.

Very truly yours,



Barbara A. Vestal

BAV/om
Enclosures
dc: Diane Doyle, Graves Hill Land Company, LLC

Official Receipt for Recording in:

Cumberland County Registry Of Deeds
142 Federal Street
PORTLAND, MAINE 04101

Issued To:
CHESTER & VESTAL
107 CONGRESS STREET
PORTLAND ME 04101-

Recording Fees

Document Description	Number	Volm	Page	Recording Amount
MORTGAGE	88949	21999	113	\$61.00
1-GRAVES HILL LAND CO LLC				
02:02:30p				
				\$61.00

Collected Amounts

Payment Type	Check Number	Amount
CHECK	144	\$61.00
		\$61.00

Total Received :	\$61.00
Less Total Recordings:	\$61.00
Change Due :	\$0.00

Thank You
JOHN B OBRIEN - Register of Deeds
By - Monica Bouchie

Receipt# Date Time
0185173 11/10/2004 02:02p

**CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY, LLC**

This Agreement made this 8th day of November, 2004 by **GRAVES HILL LAND COMPANY, LLC**, a Maine limited liability company with an office in Saco, Maine (hereinafter "**GRAVES HILL**").

WITNESSETH:

WHEREAS, GRAVES HILL owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL has requested the rezoning of 10.167 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.155 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

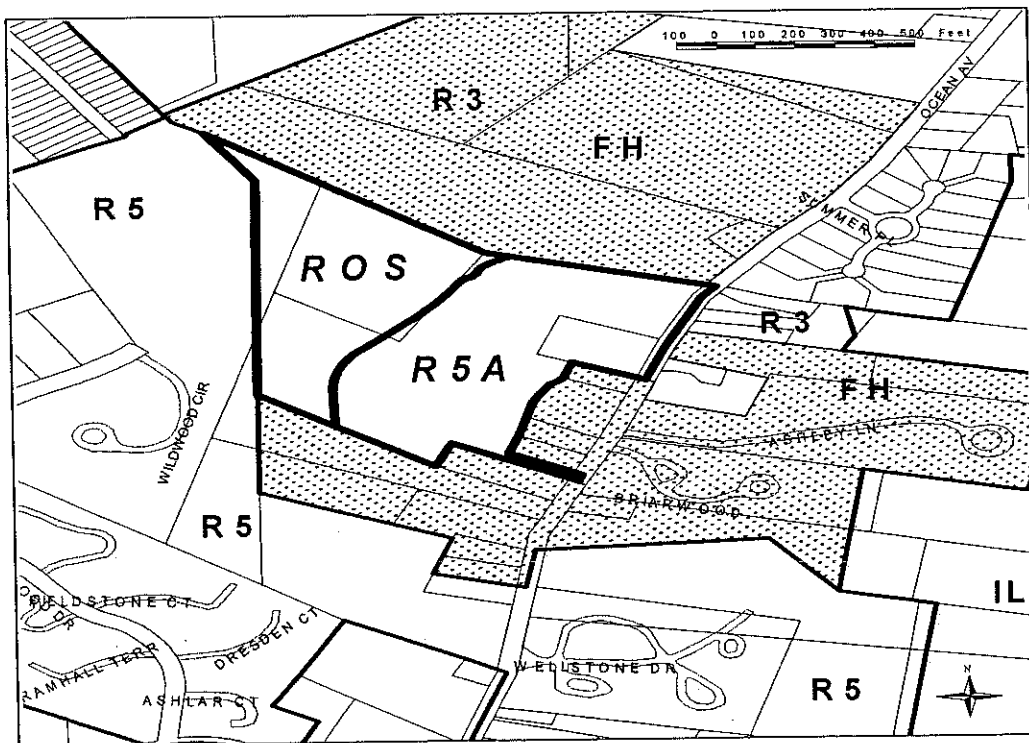
it is necessary and appropriate to impose with **GRAVES HILL**'s agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on October 18, 2004, by City Council Order No.67 – 04/05, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, **GRAVES HILL** has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
- b. a community room in each building available for use by the residents of the PRUD; and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and
- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by

blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **GRAVES HILL** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site

have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual

condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49

Maximum number of buildings containing residential dwelling units: 2

Maximum building height: 100 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location of the site plan

Parking: Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II

Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. An public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **GRAVES HILL** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

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tion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

Brianne V. Vorkel

GRAVES HILL LAND COMPANY, LLC

By: [Signature]
Diane Doyle
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

November 8, 2004

Then personally appeared the above-named Diane Doyle, Manager of GRAVES HILL LAND COMPANY, LLC as aforesaid, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

Barbara A. Vezina

Notary Public/Attorney-at-Law

Printed name: Barbara A. Vezina

My Commission Expires: _____

ATTACHMENT 1

Order 67 – 04/05

Given first reading 9/20/04

Postponed on 10/4/04

Public Hearing and Passage 10/18/04 7-1 (Smith abstaining, O'Donnell opposed)

NATHAN H. SMITH (MAYOR)(3)

WILLIAM R. GORHAM (1)

KAREN A. GERAGHTY (2)

CHERYL A. LEEMAN (4)

JAMES I. COHEN (5)

CITY OF PORTLAND
IN THE CITY COUNCIL

PETER E. O'DONNELL (A/L)

JAMES F. CLOUTIER (A/L)

JILL C. DUSON (A/L)

NICHOLAS M. MAVODONES (A/L)

ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR 802-828 OCEAN AVENUE

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective thirty (30) days following this rezoning.

CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY, LLC

This Agreement made this _____ day of _____, 2004 by **GRAVES HILL LAND COMPANY, LLC**, a Maine limited liability company with an office in Saco, Maine (hereinafter "**GRAVES HILL** ").

WITNESSETH:

WHEREAS, GRAVES HILL owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL has requested the rezoning of 10.167 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.155 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

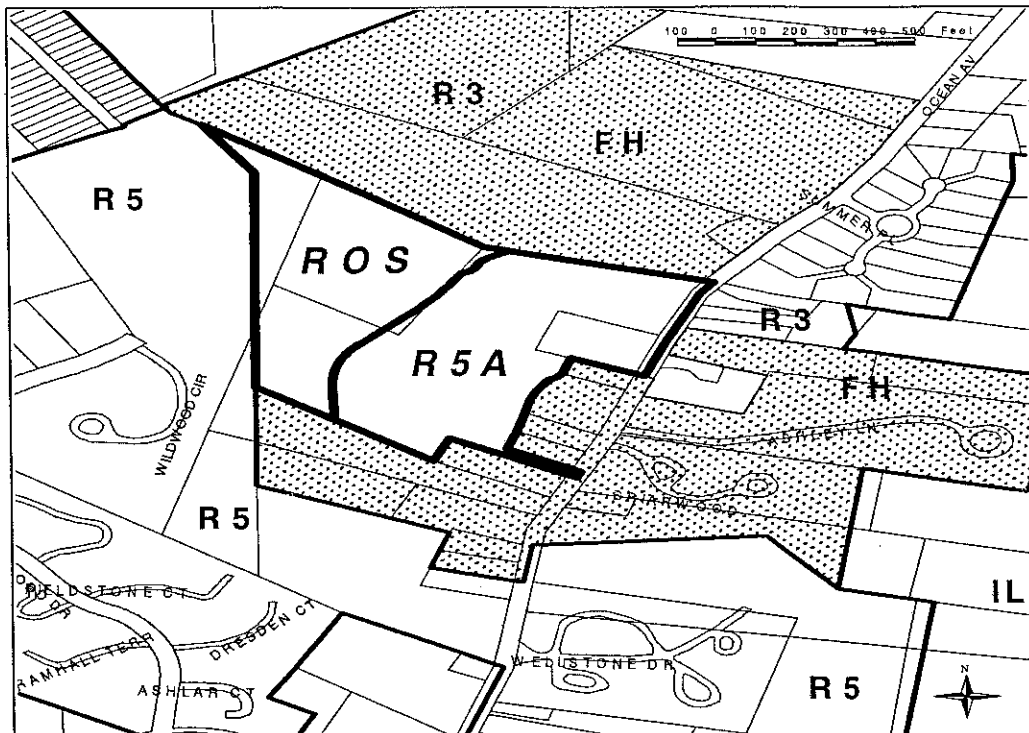
it is necessary and appropriate to impose with **GRAVES HILL's** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200__, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, GRAVES HILL has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
- b. a community room in each building available for use by the residents of the PRUD; and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and

- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking

dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **GRAVES HILL** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds

equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49

**Maximum number of buildings containing
residential dwelling units:** 2

Maximum building height: 100 feet, as measured per zoning ordinance,
and in accordance with the plans attached hereto and in accordance with the location on the site
plan

Parking: Minimum of 2 spaces per unit plus 28 visitor
spaces, half in Phase I and half in Phase II

Minimum recreation open space area: Outdoor passive recreation in the form of

pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **GRAVES HILL** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY**'s zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the

request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

GRAVES HILL LAND COMPANY, LLC

By: _____
Diane Doyle
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named Diane Doyle, Manager of GRAVES HILL LAND COMPANY, LLC as aforesaid, and acknowledged the foregoing instrument to be her

free act and deed in her said capacity and the free act and deed of said limited liability company.

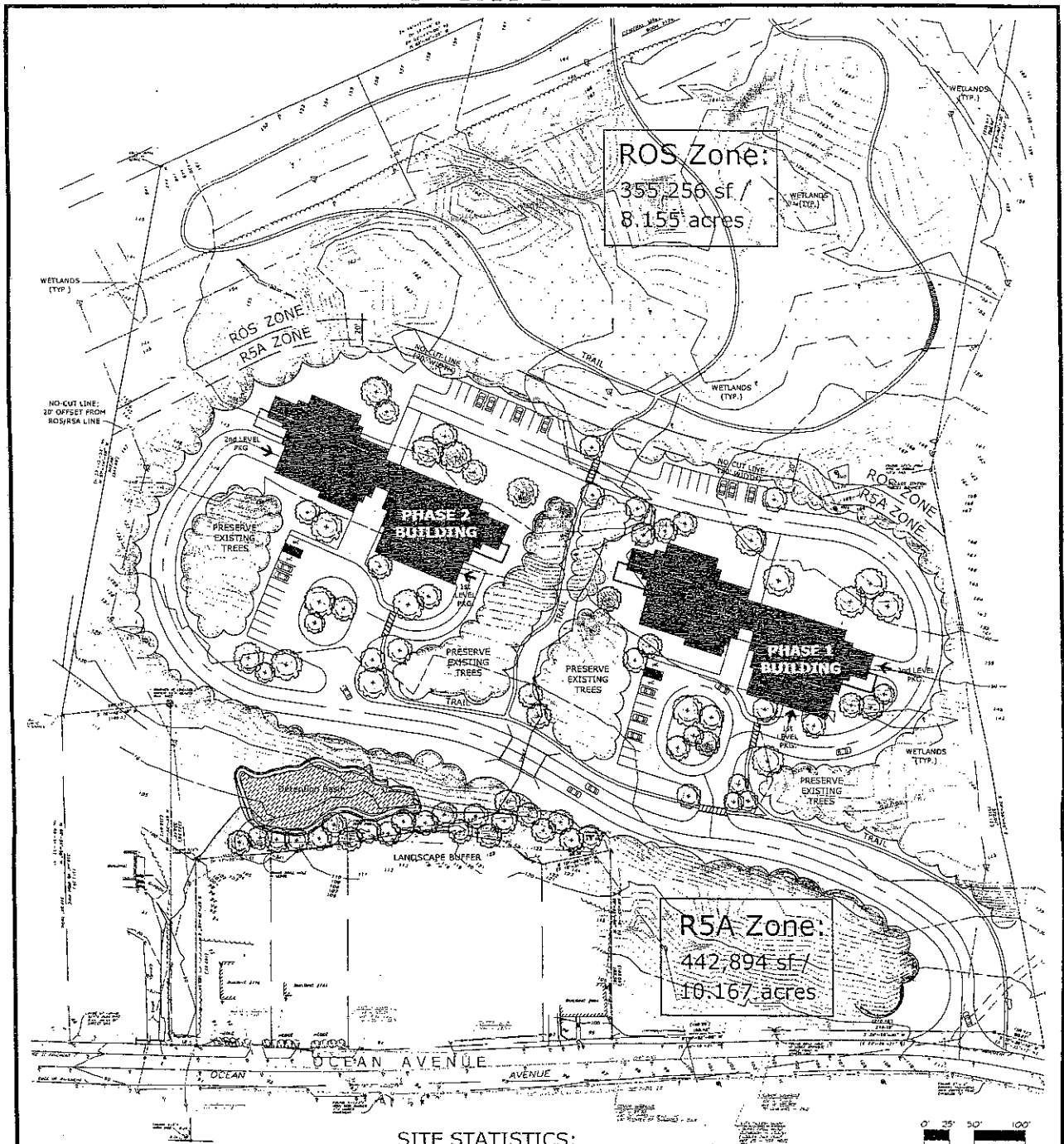
Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

EXHIBIT 1



NOTES:

1. ALL TOPOGRAPHIC INFORMATION AND EXISTING BASE INFORMATION EXCEPT WETLANDS BOUNDARIES PROVIDED BY DOW & COULOMBE SURVEYORS.
2. UTILITY INFORMATION SHOWN IS APPROXIMATE ONLY.
3. PROPOSED ELEVATIONS AND PERCENT SLOPES INDICATED ON PLAN ARE TO PROVIDE GENERAL INFORMATION REGARDING
4. EXISTING AND PROPOSED CONDITIONS AND RELATIONSHIPS.
5. WETLANDS BOUNDARIES SHOWN ARE FOR PLANNING PURPOSES ONLY AND WILL REQUIRE FIELD VERIFICATION.

SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
 Zone ROS: 355,256 sf / 8.1555 acres
 Zone R5A: 442,894 sf / 10.167 acres
 Net Land Area: 434,622 s.f. / 9.978 acres
 Frontage: 445 L.F.
 Impervious Surface Ratio: 0.16

Number of Units:
 Phase 1: 49
 Phase 2: 49
 Gross Density: 5.3 Units/Acre
 Net Density: 9.8 Units/Acre

Roadway Ownership: Private
 Linear Feet of Roadway: 2,656 L.F.
 Roadway Width: 24 feet

Total Number of Parking Spaces: 224 spaces
 Phase 1: 112 spaces
 Phase 2: 112 spaces

Parking Spaces within Parking Structure:
 Phase 1: 90 spaces
 Phase 2: 20 spaces

Surface Parking Spaces:
 Phase 1: 22 spaces
 Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,230 s.f.
 Projected Site Disturbance: 3.4 Acres

Trail:
 Zone ROS: 2,855 lf
 Zone R5A: 1,170 lf
 Total Trail: 4,025 lf

Preliminary Site Plan: Zone Identification

GRAVES HILL

Portland, Maine

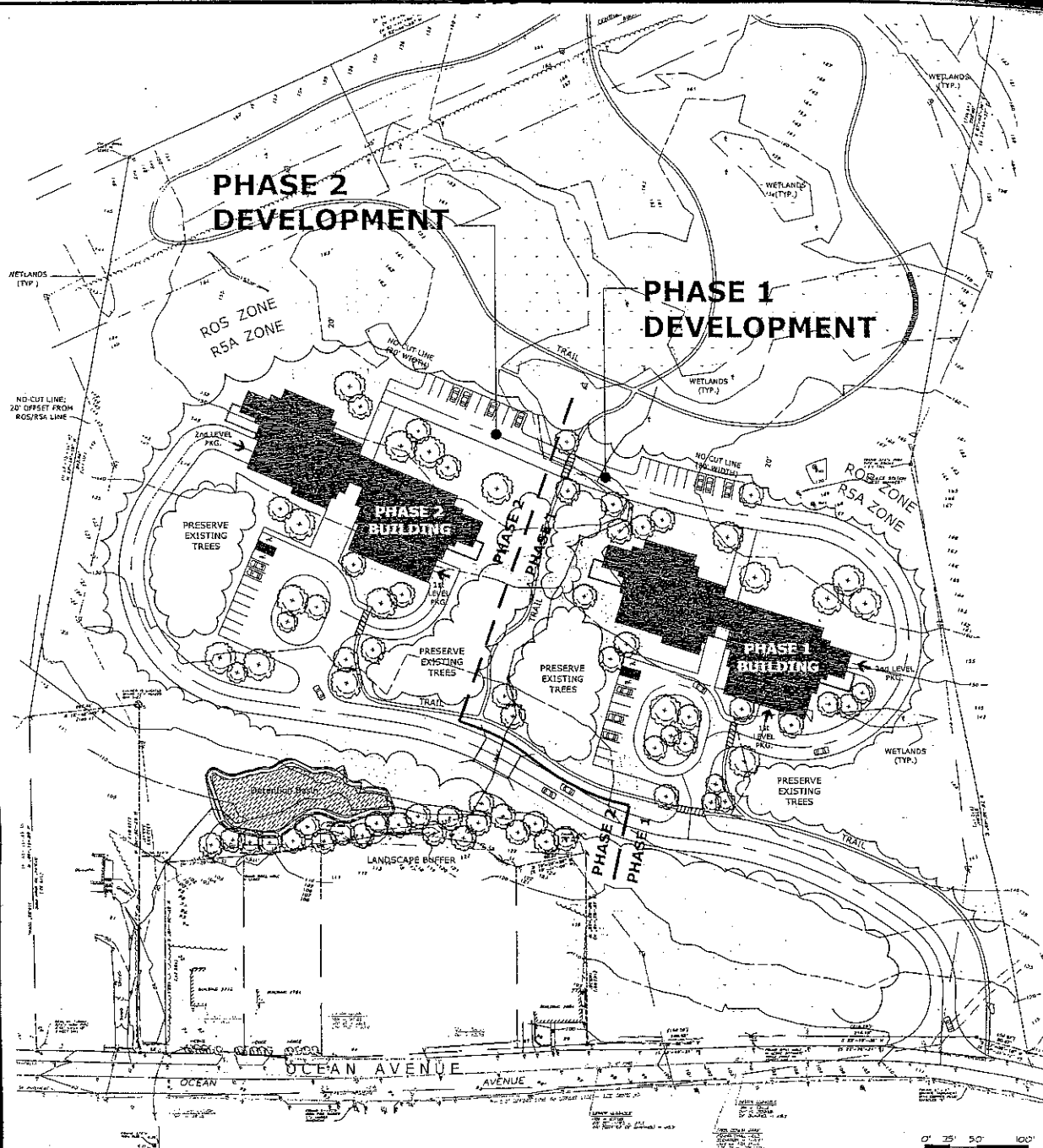
Developer: GRAVES HILL LAND COMPANY
 150 Main Street
 Scarborough, Maine
 tel: 207.286.1191

Architect: Scott Simons Architects
 75 York Street
 Portland, Maine 04101
 tel: 207.772.4656

Landscape Architect: Richardson & Associates
 Landscape Architects
 PO Box 426
 176 Main Street
 Scarborough, Maine 04072
 tel: 207.286.9291

Civil Engineer: BH2M
 Consulting Engineers
 28 State Street
 Gorham, Maine
 tel: 207.870.7371

MARCH 25, 2004
 REVISED MAY 14, 2004
 REVISED JUNE 1, 2004
 REVISED JUNE 14, 2004
 REVISED JULY 8, 2004
 REVISED AUGUST 18, 2004



NOTES:

1. ALL TOPOGRAPHIC INFORMATION AND EXISTING BASE INFORMATION EXCEPT WETLANDS BOUNDARIES PROVIDED BY DOW & COULOMBE SURVEYORS.
2. UTILITY INFORMATION SHOWN IS APPROXIMATE ONLY.
3. PROPOSED ELEVATIONS AND PERCENT SLOPES INDICATED ON PLAN ARE TO PROVIDE GENERAL INFORMATION REGARDING
4. EXISTING AND PROPOSED CONDITIONS AND RELATIONSHIPS.
5. WETLANDS BOUNDARIES SHOWN ARE FOR PLANNING PURPOSES ONLY AND WILL REQUIRE FIELD VERIFICATION.

SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
 Zone ROS: 355,256 s.f. / 8.155 acres
 Zone RSA: 442,894 s.f. / 10.167 acres
 Net Land Area: 434,622 s.f. / 9.978 acres
 Frontage: 445 L.F.
 Impervious Surface Ratio: 0.16

Number of Units:
 Phase 1: 49
 Phase 2: 49
 Gross Density: 5.3 Units/Acre
 Net Density: 9.8 Units/Acre

Roadway Ownership: Private
 Linear Feet of Roadway: 2,656 L.F.
 Roadway Width: 24 feet

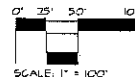
Total Number of Parking Spaces: 224 spaces
 Phase 1: 112 spaces
 Phase 2: 112 spaces

Parking Spaces within Parking Structure:
 Phase 1: 90 spaces
 Phase 2: 90 spaces

Surface Parking Spaces:
 Phase 1: 22 spaces
 Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,730 s.f.
 Projected Site Disturbance: 3,645 Acres

Trail:
 Zone ROS: 2,855 L.F.
 Zone RSA: 1,170 L.F.
 Total Trail: 4,025 L.F.



SCALE: 1" = 100'



NORTH

Preliminary Site Plan: Phasing Identification

GRAVES HILL

Portland, Maine

Developer: GRAVES HILL LAND COMPANY

110 Main Street
 Saco, Maine
 tel 207.286.1151

Architect: Scott Simons Architects

75 York Street
 Portland, Maine 04101
 tel 207.722.4656

Landscape Architect: Richardson & Associates

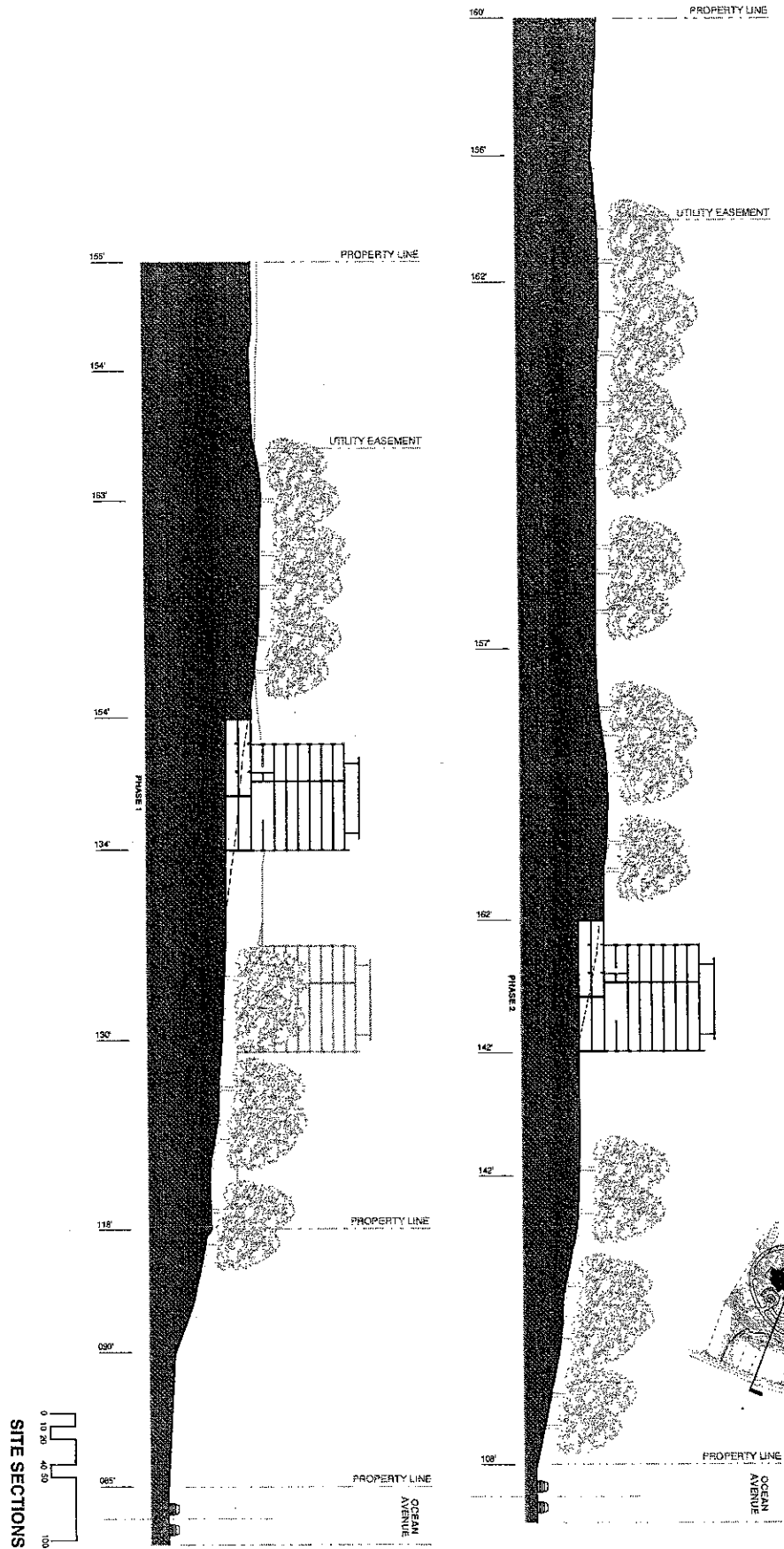
Landscape Architects
 PO Box 426
 176 Main Street
 Saco, Maine 04072
 tel 207.286.9291

Civil Engineer: BHZM
 Consulting Engineers
 28 State Street
 Portland, Maine
 tel 207.535.2771

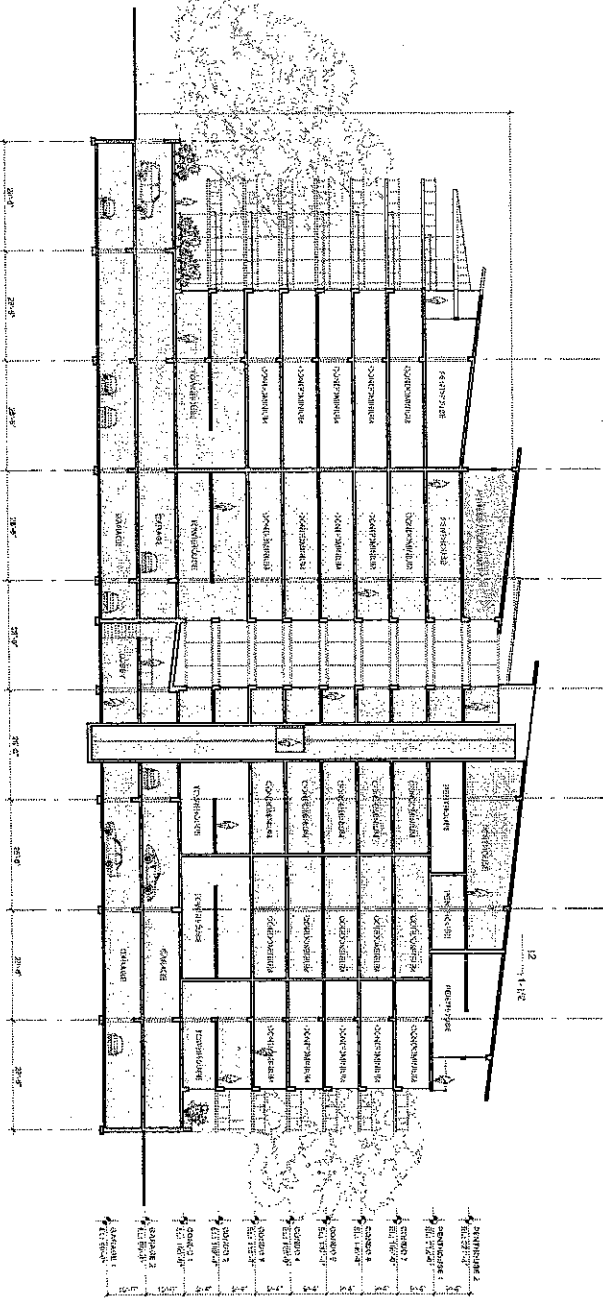
MARCH 25, 2004
 REVISED MAY 14, 2004
 REVISED JUNE 1, 2004
 REVISED JUNE 14, 2004
 REVISED JULY 6, 2004
 REVISED AUGUST 16, 2004

EXHIBIT 3

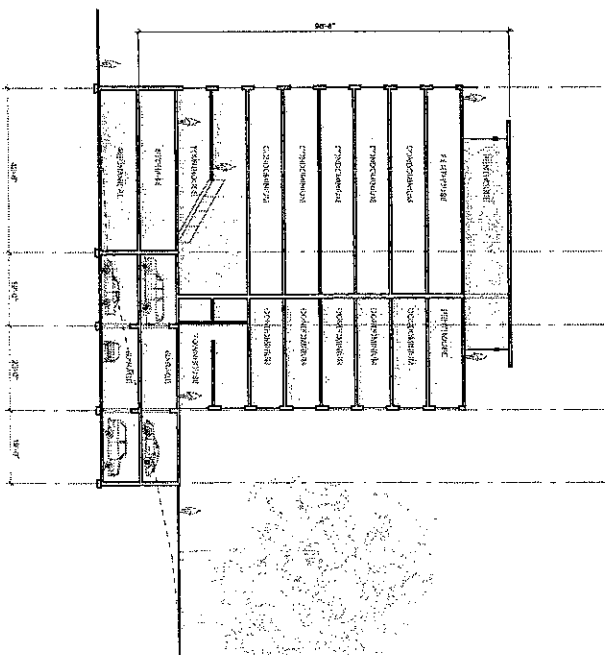
GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



S-N BUILDING SECTION



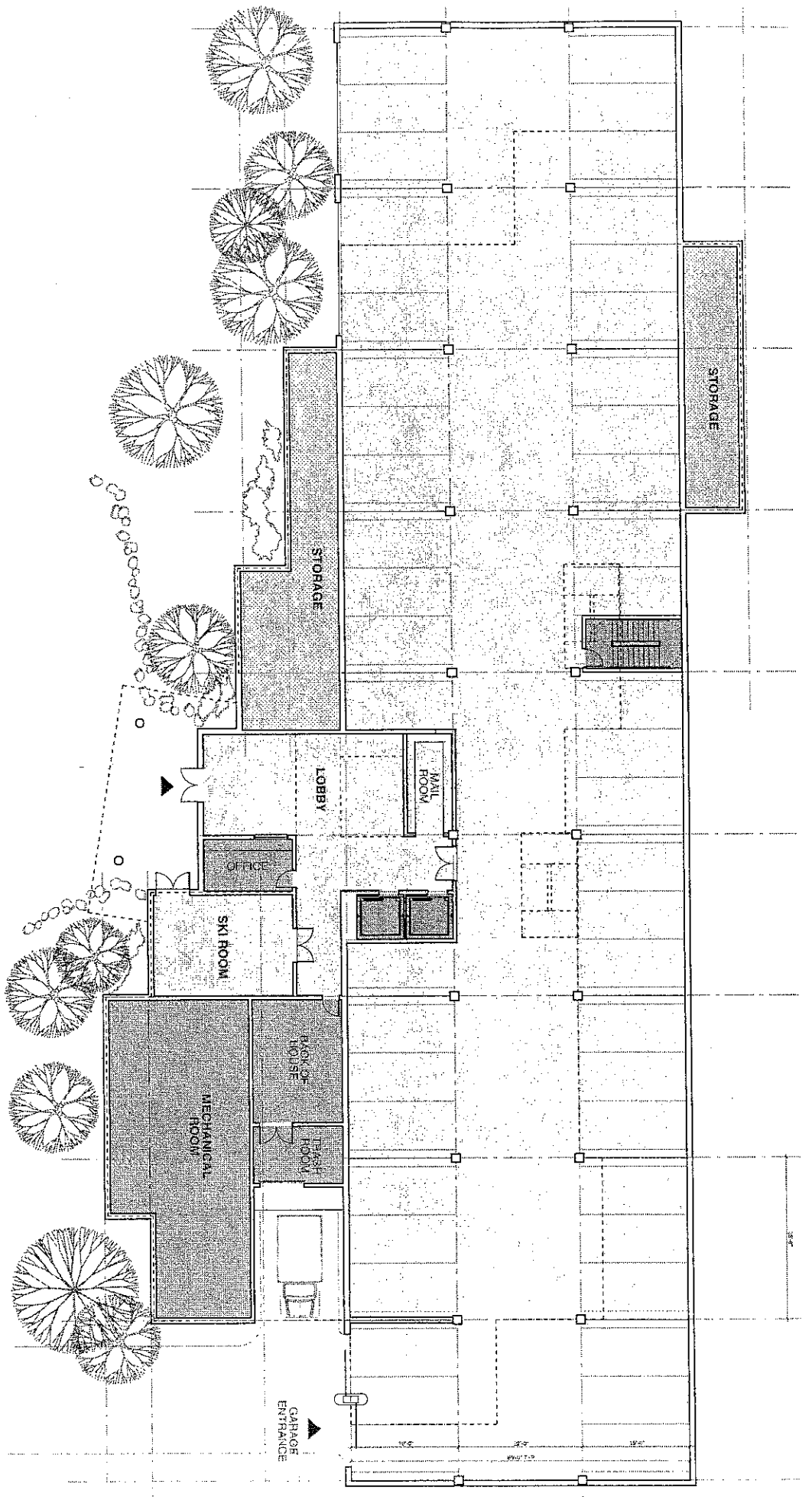
E-W BUILDING SECTION



BUILDING SECTIONS

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME

GRAVES HILL
 OCEAN AVENUE
 PORTLAND, ME

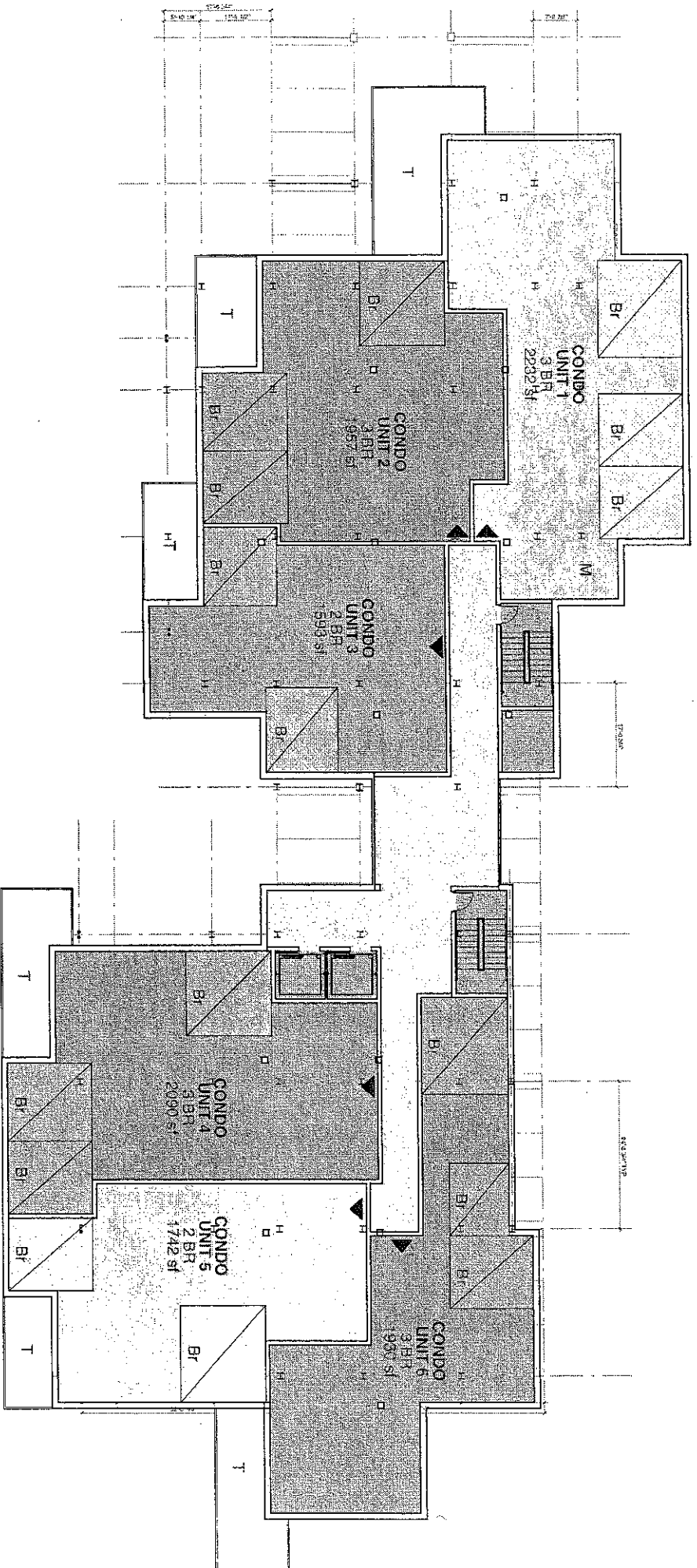


FLOOR 01: LOBBY & GARAGE

Scott Simons Architects

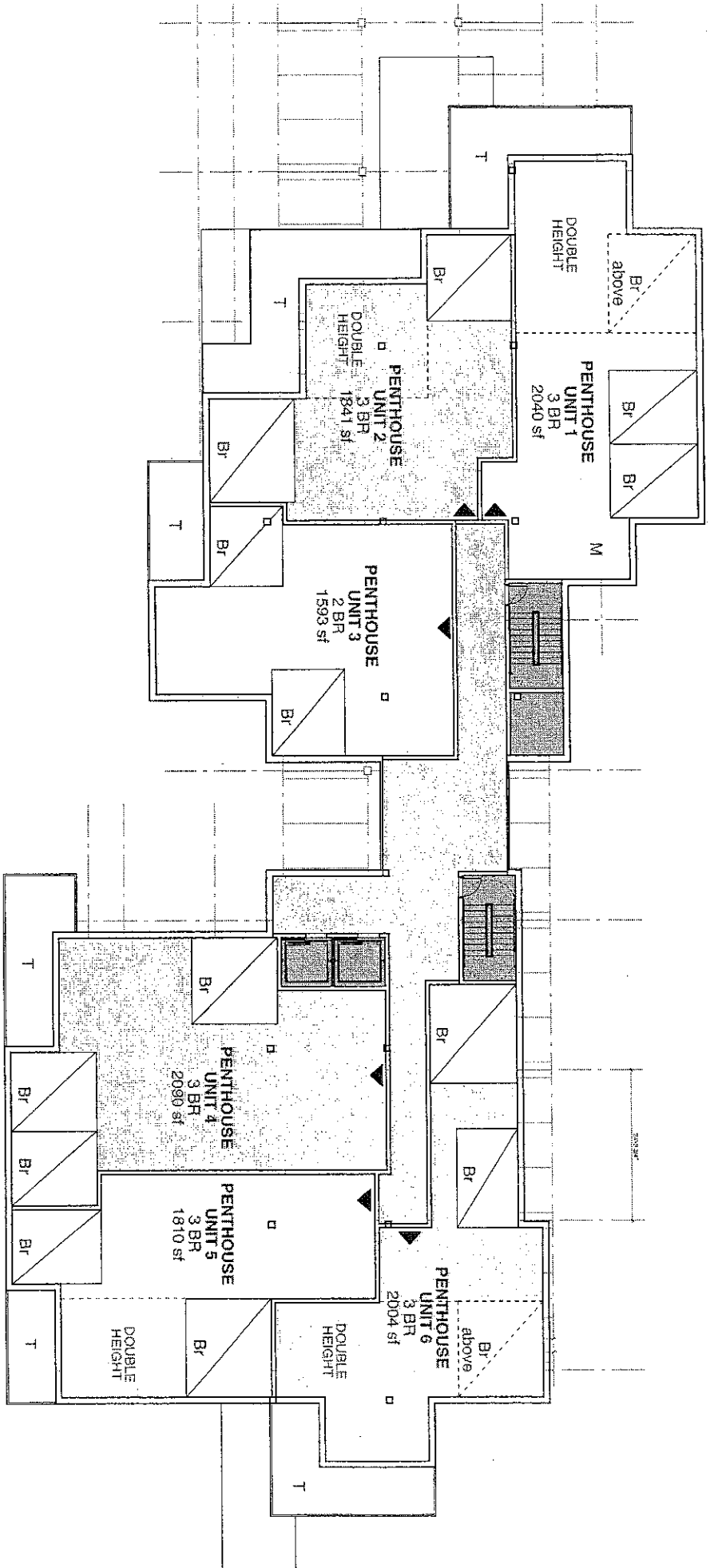
This architectural floor plan depicts a long, narrow building layout. The plan includes several rooms and storage areas, each labeled with text. At the top, a large rectangular area is labeled "STORAGE". Below this, a smaller rectangular area is also labeled "STORAGE". In the center, a large rectangular area is labeled "STORAGE". To the right of this central storage area, a smaller rectangular area is labeled "STORAGE". At the bottom, a large rectangular area is labeled "STORAGE". In the middle of the plan, a rectangular area is labeled "COMMUNITY ROOM". To the right of the community room, a small rectangular area is labeled "LOBBY". The plan also shows various other rooms, including a "RESTROOM" and a "KITCHEN". The layout is defined by solid lines for walls and dashed lines for partitions or openings. The plan is oriented horizontally, with the top of the building on the left and the bottom on the right.

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



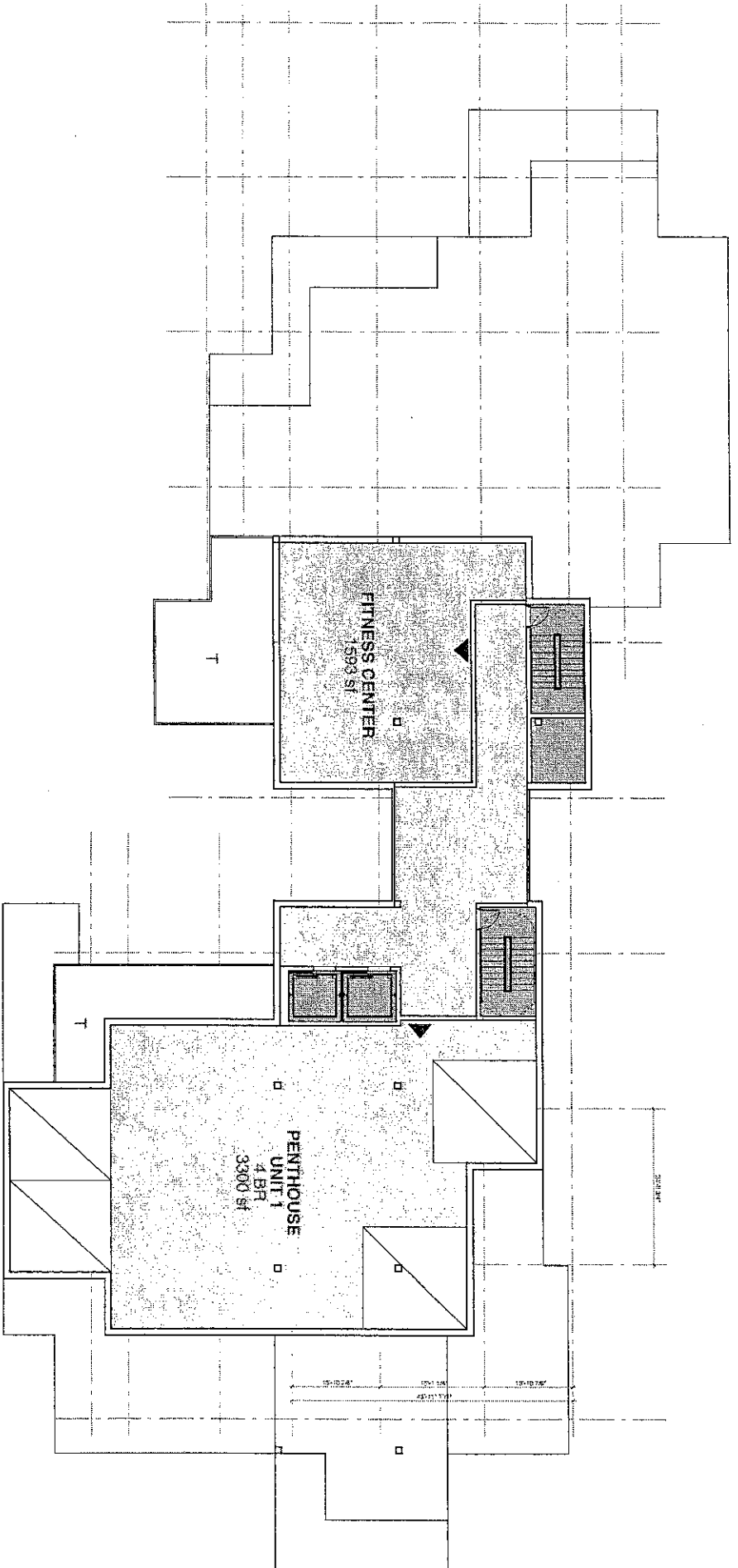
FLOOR 03-09: TYPICAL CONDOMINIUM
 14,510 SF TOTAL

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



FLOOR 10: PENTHOUSE
 13,405 SF TOTAL

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



FLOOR 11: PENTHOUSE
6,653 SF TOTAL

EXHIBIT 4



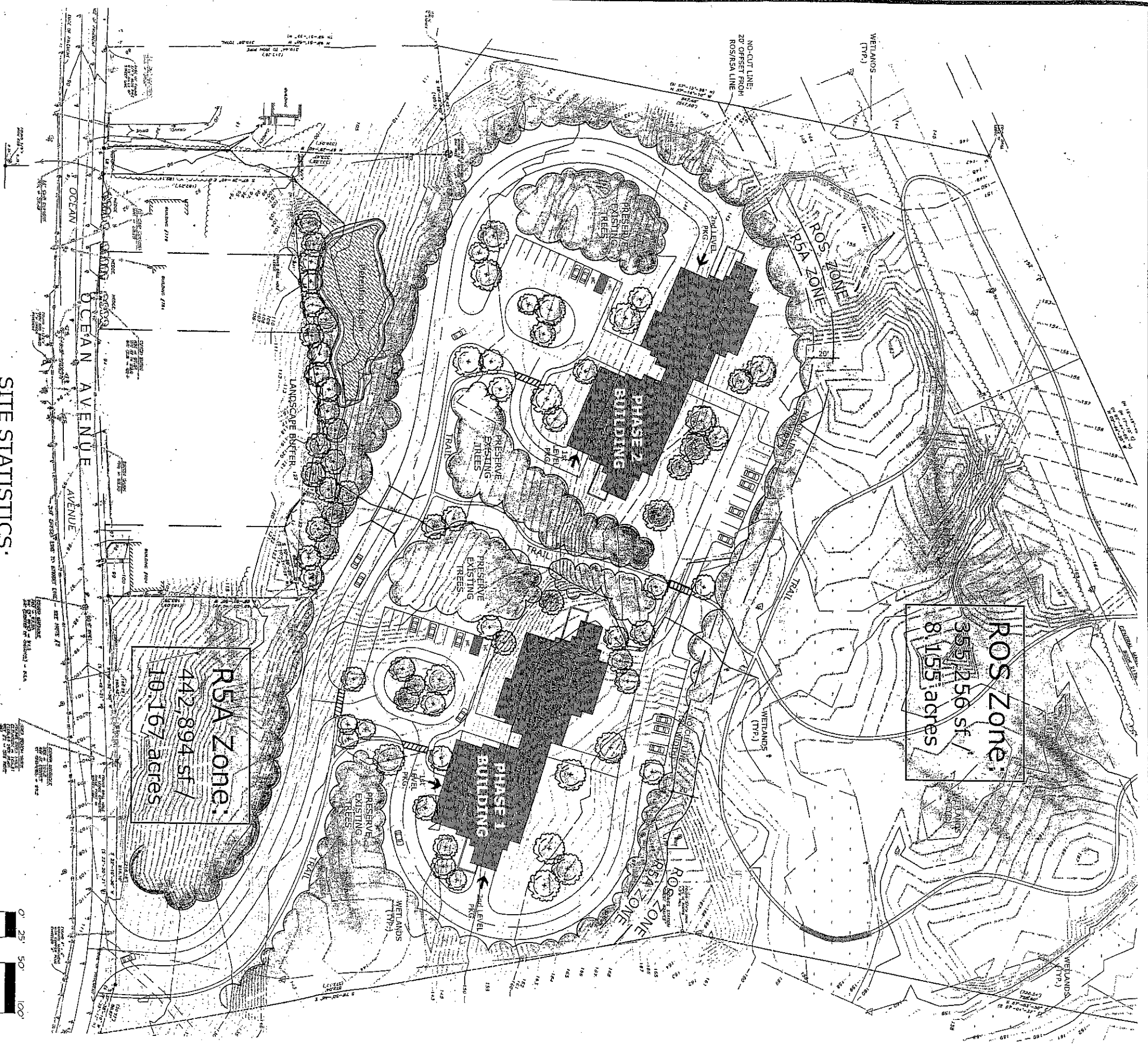
Submitted to
PORTLAND PLANNING BOARD
AUGUST 17, 2004

GRAVES HILL LAND COMPANY, LLC
Diane Doyle 207.286.1151

SCOTT SIMONS ARCHITECTS
Scott Simons 207.772.4656

RICHARDSON & ASSOCIATES
Todd Richardson 207.286.9291

BH2M
Les Berry 207.839.2771



NOTES:

1. ALL TOPOGRAPHIC INFORMATION AND EXISTING BASE INFORMATION EXCEPT WETLANDS BOUNDARIES PROVIDED BY DOW & COULOMBE SURVEYORS.
2. UTILITY INFORMATION SHOWN IS APPROXIMATE ONLY.
3. PROPOSED ELEVATIONS AND PERCENT SLOPES INDICATED ON PLAN ARE TO PROVIDE GENERAL INFORMATION REGARDING
4. EXISTING AND PROPOSED CONDITIONS AND RELATIONSHIPS.
5. WETLANDS BOUNDARIES SHOWN ARE FOR PLANNING PURPOSES ONLY AND WILL REQUIRE FIELD VERIFICATION.

SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
Zone ROS: 355,256 sf / 8.155 acres
Zone RSA: 442,894 sf / 10.167 acres
Net Land Area: 434,622 s.f. / 9.978 acres
Frontage: 445 L.F.
Impervious Surface Ratio: 0.16

Number of Units:
Phase 1: 49
Phase 2: 49
Gross Density: 5.3 Units/Acre
Net Density: 9.8 Units/Acre

Roadway Ownership: Private
Linear Feet of Roadway: 2,656 L.F.
Roadway Width: 24 feet

Total Number of Parking Spaces: 224 spaces
Phase 1: 112 spaces
Phase 2: 112 spaces

Parking Spaces within Parking Structure:
Phase 1: 90 spaces
Phase 2: 90 spaces

Surface Parking Spaces:
Phase 1: 22 spaces
Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,230 s.f.
Projected Site Disturbance: 3.4 Acres

Trail:
Zone ROS: 2,855 lf
Zone RSA: 1,170 lf
Total Trail: 4,025 lf



Preliminary Site Plan: Zone Identification

GRAVES HILL

Portland, Maine

MARCH 25, 2004
REVISED MAY 14, 2004
REVISED JUNE 1, 2004
REVISED JUNE 4, 2004
REVISED JUNE 8, 2004
REVISED AUGUST 16, 2004

Developer: GRAVES HILL LAND COMPANY
110 Main Street
Saco, Maine
tel 207.286.1151

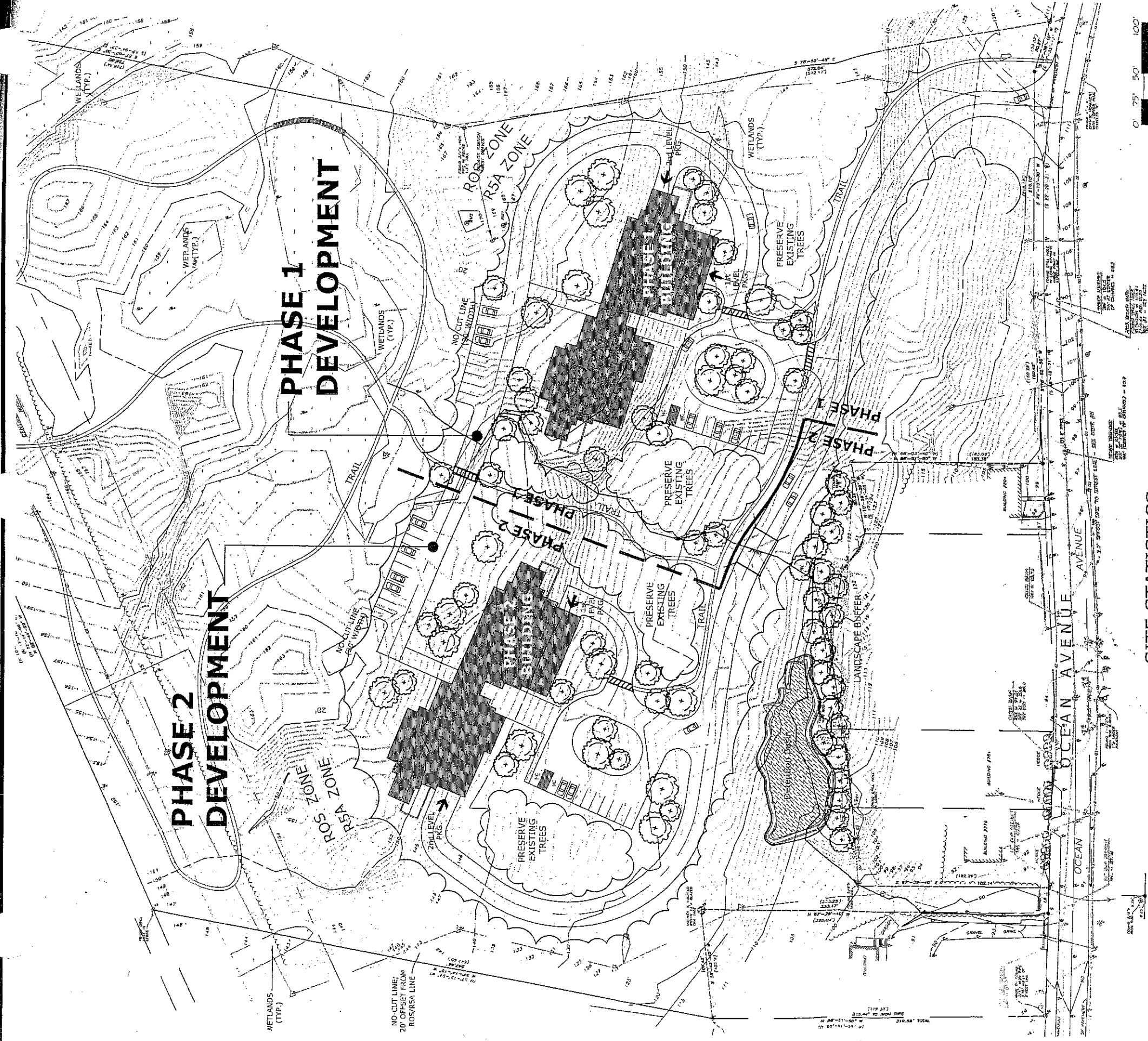
Architect: Scott Simons Architects
75 York Street
Portland, Maine 04103
tel 207.772.4556

Landscape Architect: Richardson & Associates
Landscape Architects
PO Box 426
176 Main Street
Saco, Maine 04072
tel 207.286.9291

Civil Engineer: BH2M
Consulting Engineers
28 State Street
Corryton, Maine
tel 207.859.7771

PHASE 2 DEVELOPMENT

PHASE 1 DEVELOPMENT



SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
 Zone ROS: 355,256 sf / 8.155 acres
 Zone R5A: 442,894 sf / 10.167 acres
 Net Land Area: 434,622 s.f. / 9.978 acres
 Frontage: 445 L.F.
 Impervious Surface Ratio: 0.16

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Preliminary Site Plan: Phasing Identification

GRAVES HILL Portland, Maine

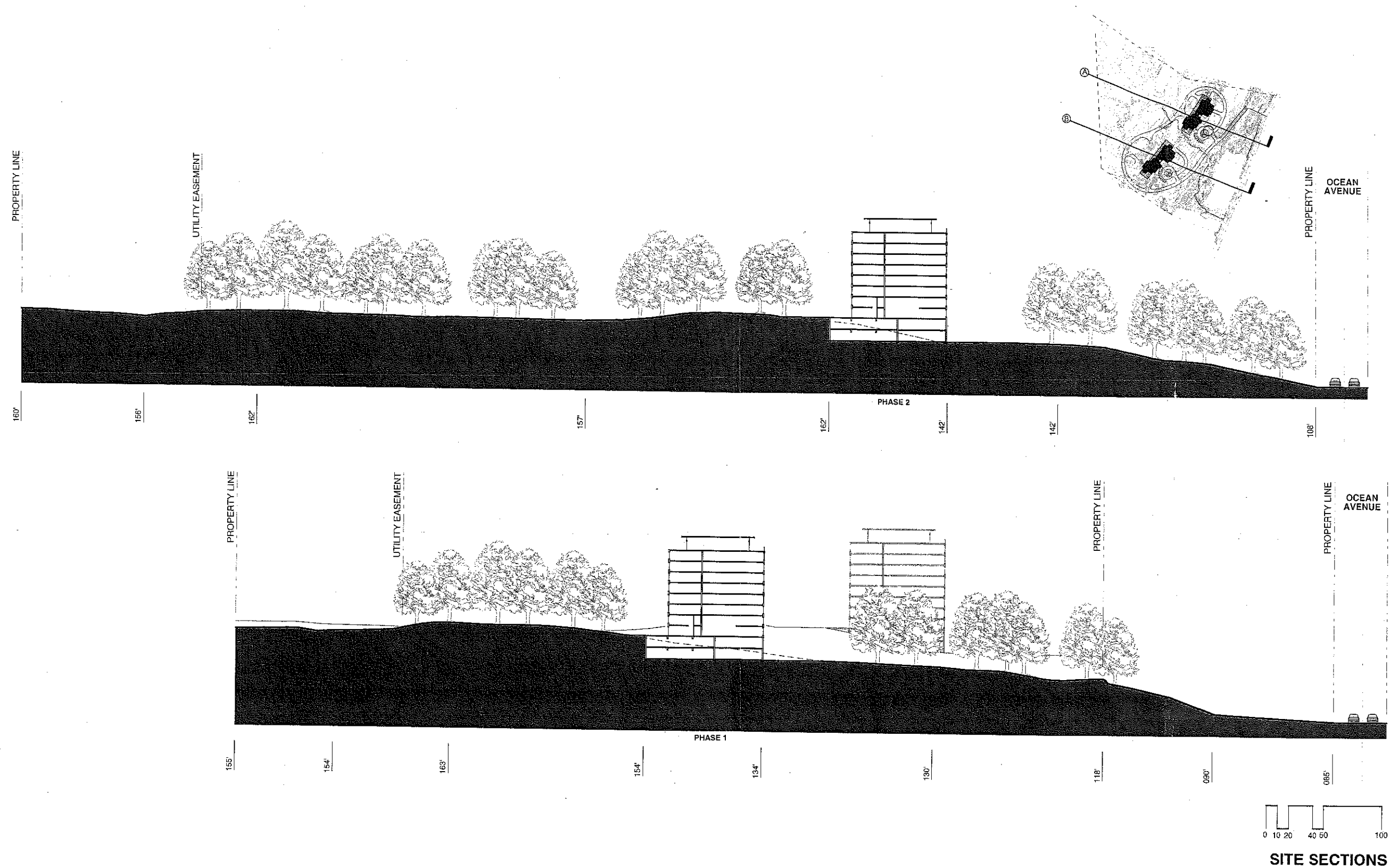
Developer: GRAVES HILL LAND COMPANY
 110 Main Street
 Saco, Maine
 tel 207.286.1151

Architect: Scott Simons Architects
 75 York Street
 Portland, Maine 04101
 tel 207.772.4656

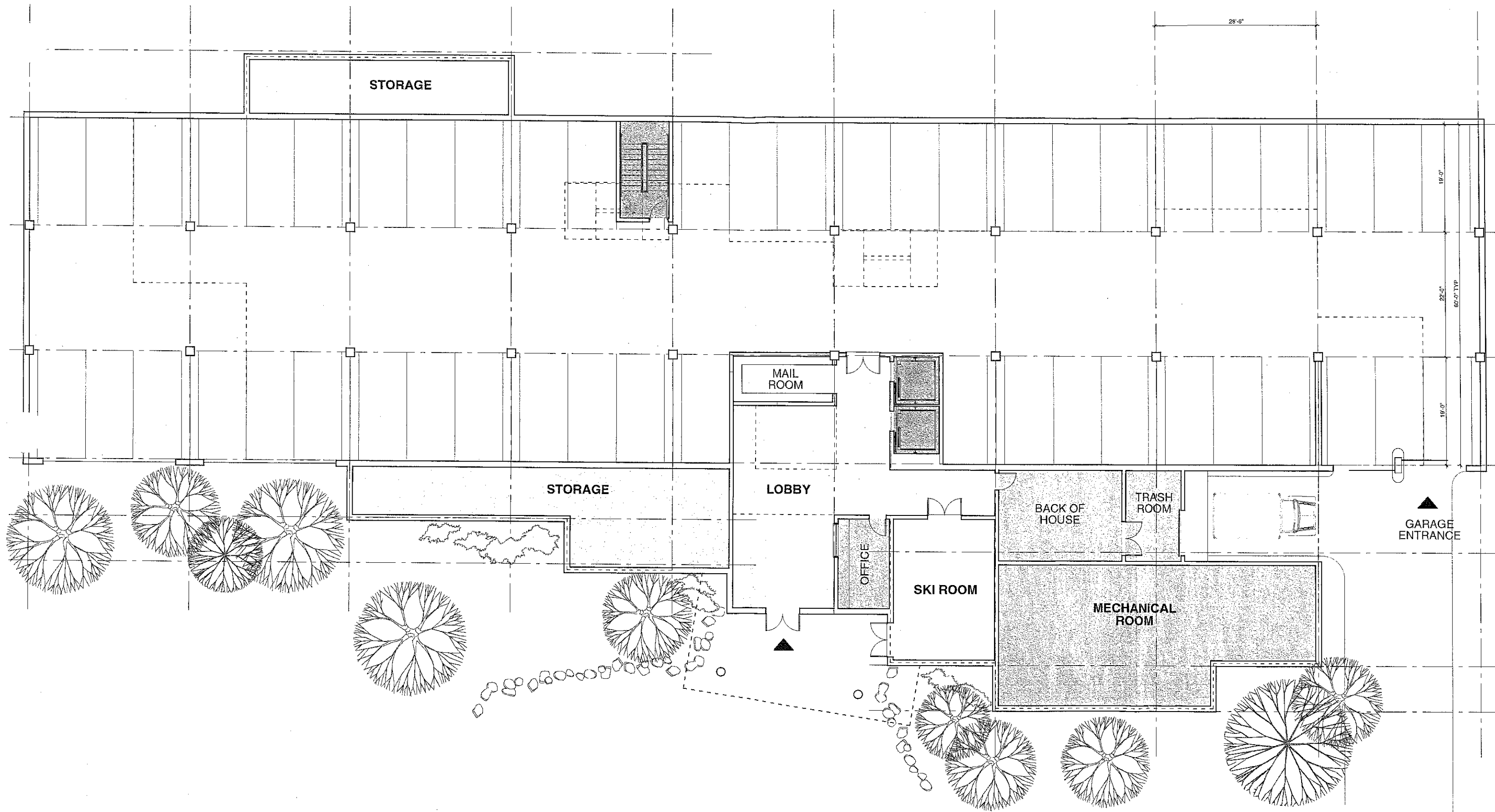
Landscape Architect: Richardson & Associates
 Landscape Architects
 PO Box 426
 176 Main Street
 Saco, Maine 04072
 tel 207.286.9291

Civil Engineer: BHZM
 Consulting Engineers
 28 State Street
 Gorham, Maine
 tel 207.859.2771

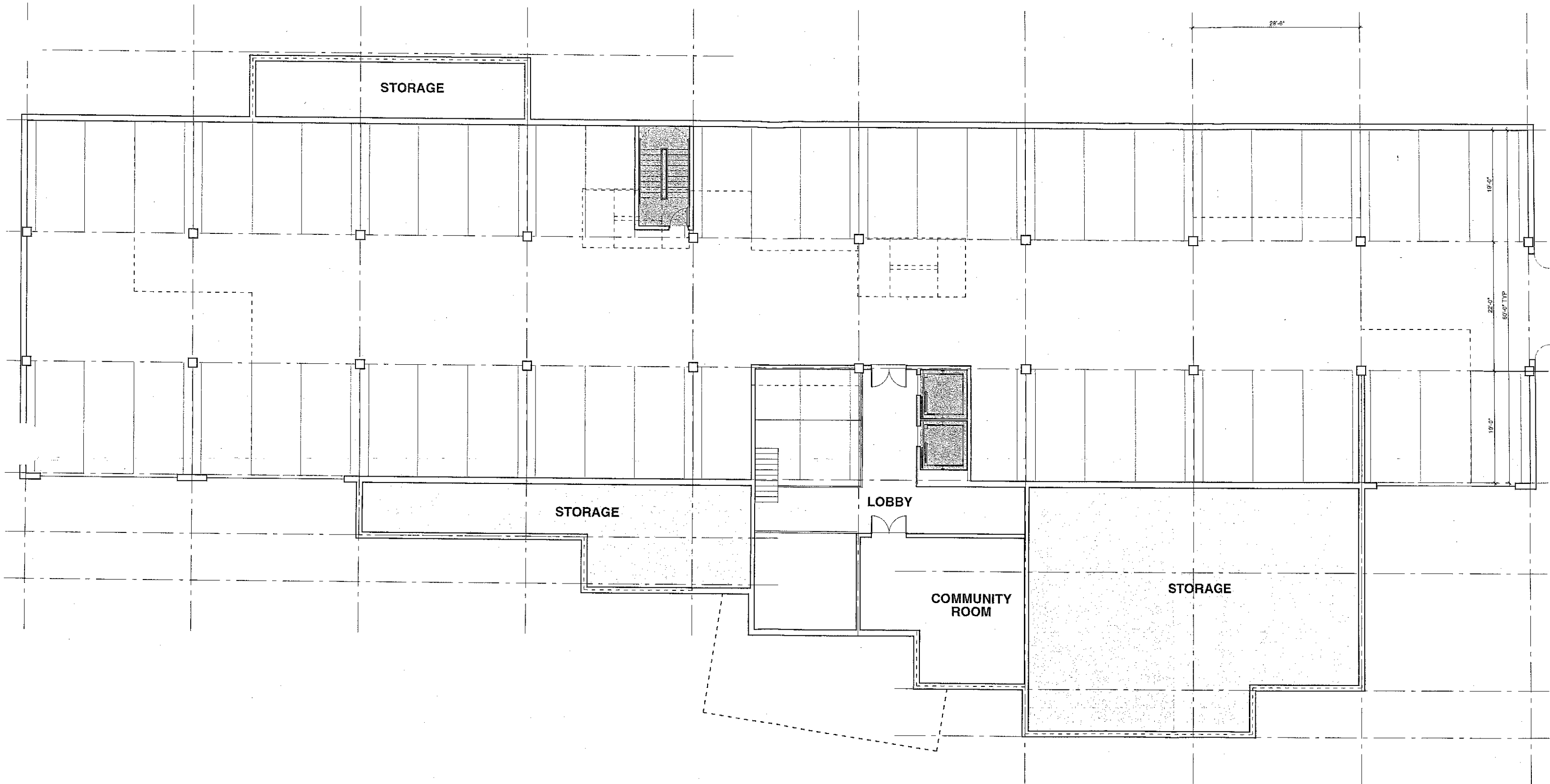
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 REVISED JULY 6, 2004
 REVISED AUGUST 16, 2004



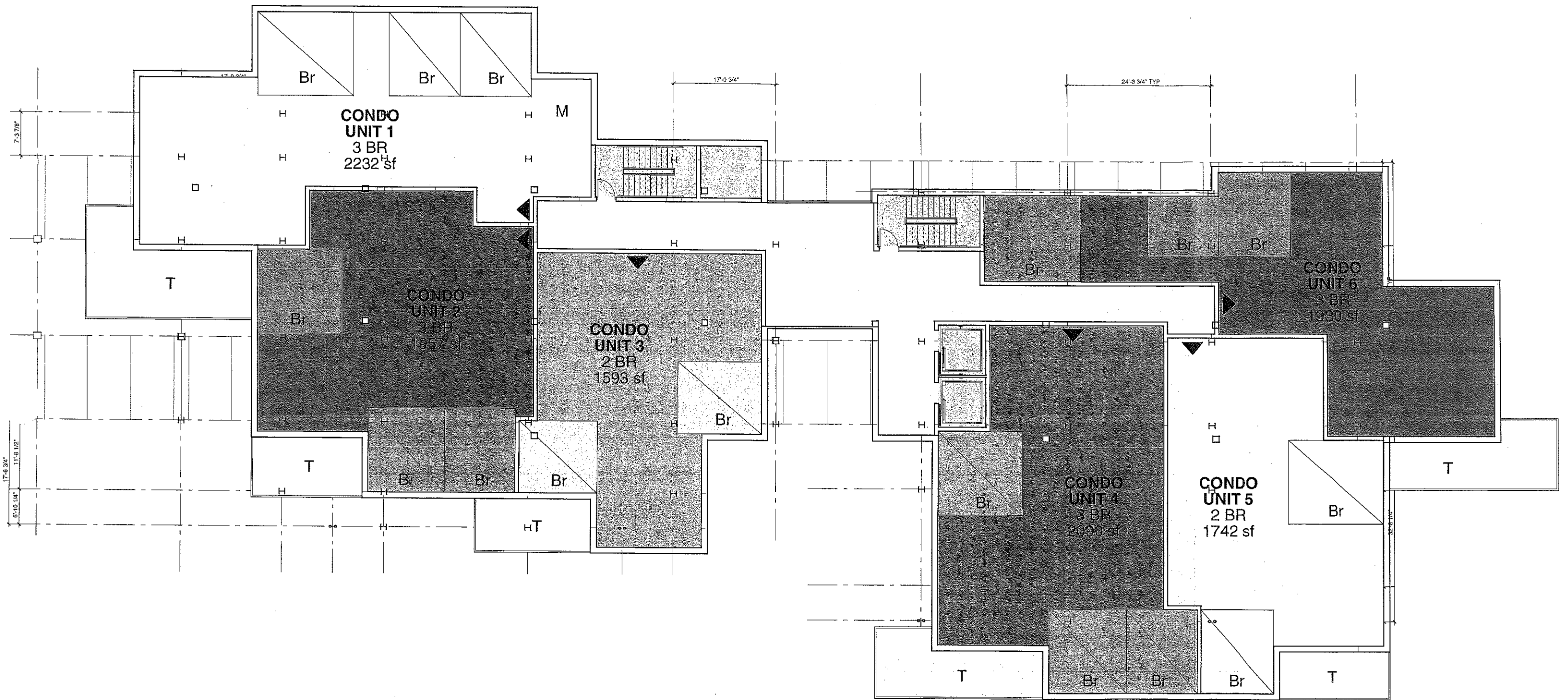
GRAVES HILL
 OCEAN AVENUE
 PORTLAND, ME



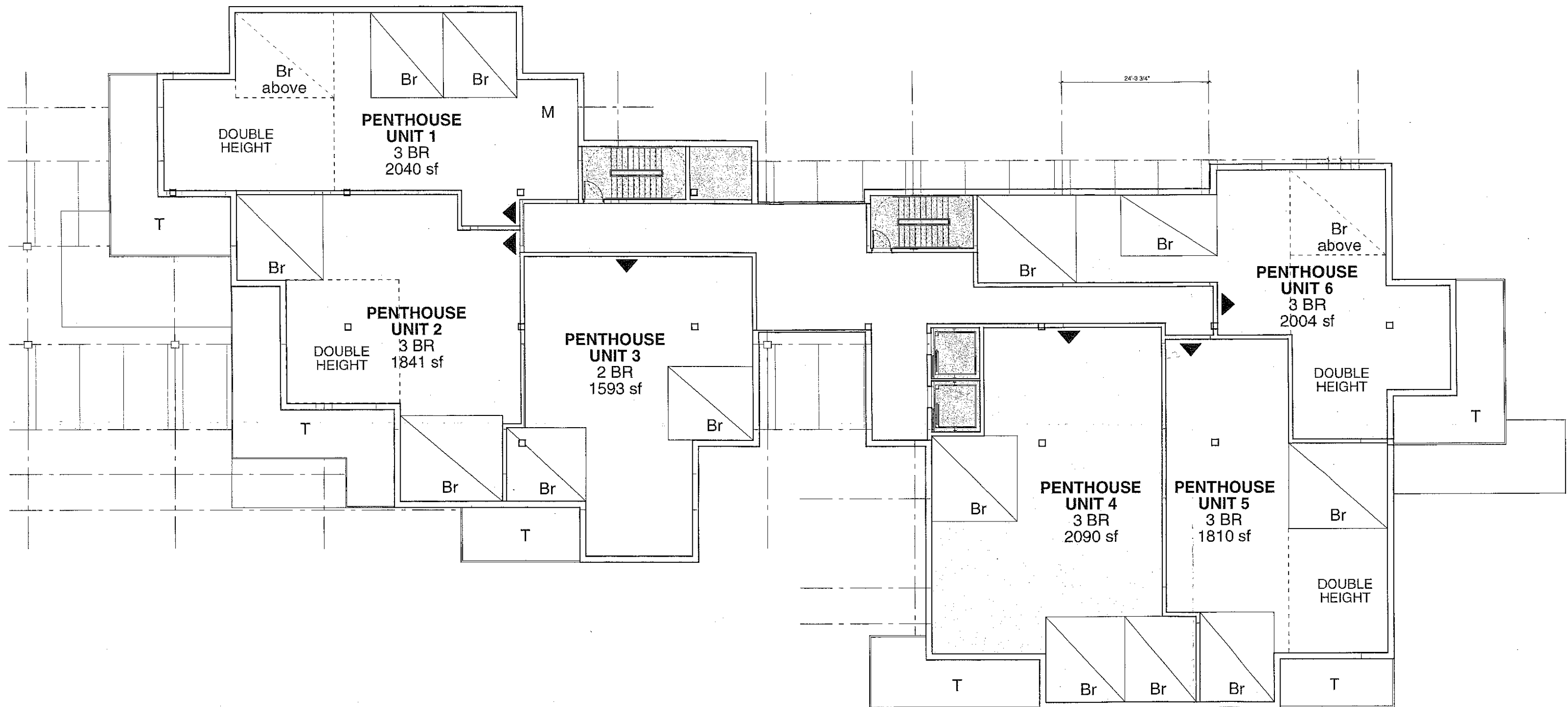
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 OCEAN AVENUE
 PORTLAND, ME



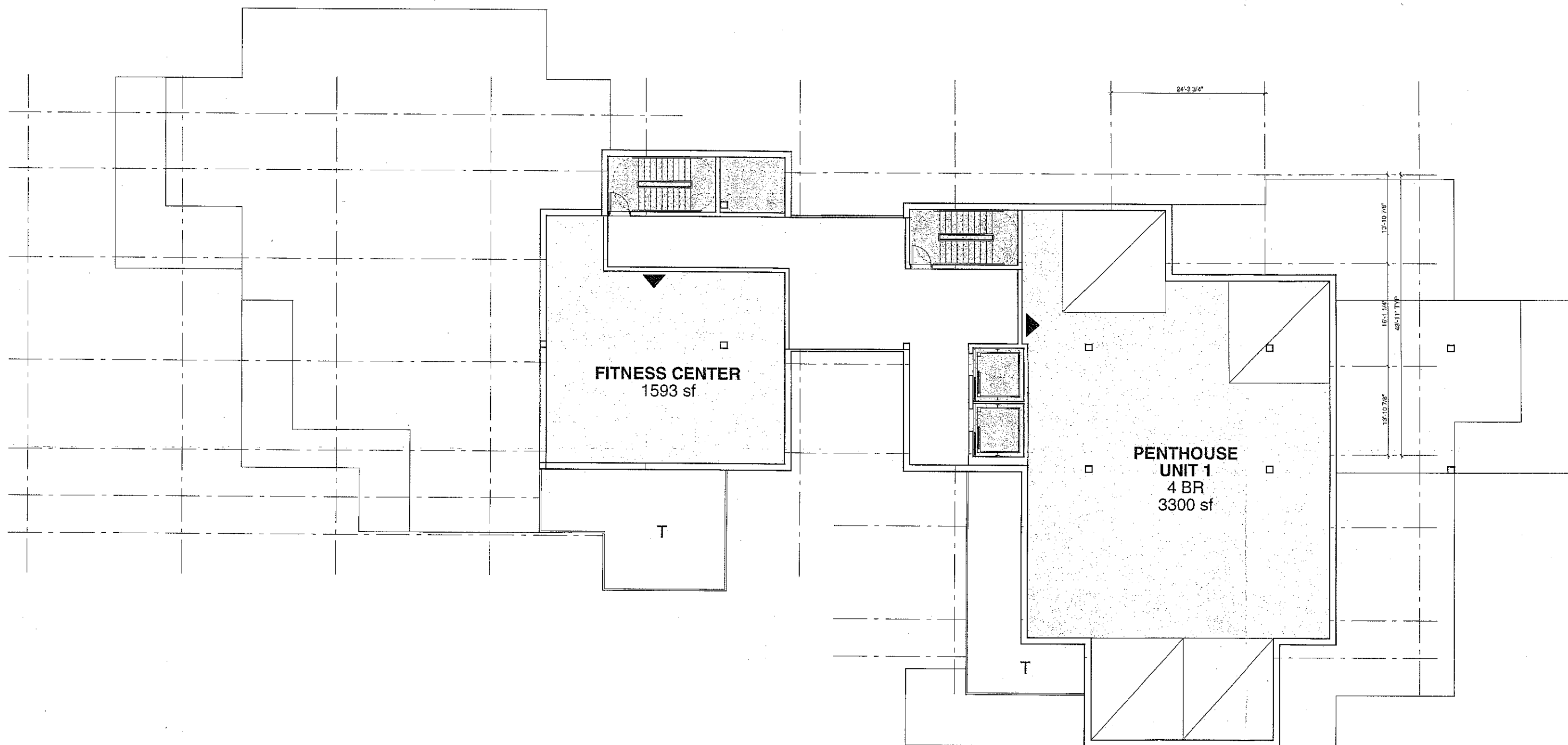
FLOOR 02: COMMUNITY ROOM & GARAGE



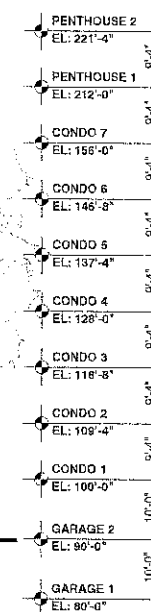
FLOOR 03-09: TYPICAL CONDOMINIUM
14,510 SF TOTAL



FLOOR 10: PENTHOUSE
13,405 SF TOTAL



FLOOR 11: PENTHOUSE
6,653 SF TOTAL



PLANNING BOARD REPORT #38-04

**802 OCEAN AVENUE
R-5A/ROS CONDITIONAL REZONING REQUEST
GRAVES HILL LAND COMPANY, LLC, APPLICANT**

Submitted to:

Portland City Council
Portland, Maine
September 16, 2004

I. INTRODUCTION

Graves Hill Land Company, LLC is proposing a R5A/ROS conditional rezoning at 802 Ocean Avenue to allow two (2) highrise buildings. The site is approximately 18.32 acres in size and is currently zoned R-3 Residential and F-H Flexible Housing Overlay.

The buildings have a proposed maximum height of 100 feet, tapering down to 70 feet at each end. The buildings have a maximum of 98 new housing units. Approximately 8 acres of property is proposed to remain natural and to be rezoned ROS Recreation Open Space.

Included in the package submitted by the developer are:

- The proposed conditional rezoning.
- Site layout plan.
- Site phasing plan.
- Building floor plans.
- A shadow study.
- A study showing visibility of balloons from all the surrounding neighborhoods.
- Information regarding hydrostatic pressure of the detention pond and blasting.
- Letter from Portland Trails discussing trails and open space area.

266 notices were sent to area property owners. Two notices of the public hearing appeared in the Portland Press Herald. The notice was posted in the City Clerks office 14 days prior to the Public Hearing. A neighborhood meeting was held on April 4, 2004 and minutes are included.

II. HISTORY

In November 2003 the first Graves Hill plans were submitted. At that time, a preliminary plan was submitted proposing two twelve-story buildings containing a total of eighty (80) units with a height of 120 feet. The developer hired Scott Simons Architects to design the building and Richardson and Associates to do the site design and landscape plan. The focus was to design buildings that would minimize the impact on the site, preserving the natural landscape for the public to enjoy through a trail system.

The developer returned to the Planning Board in March 2004 with two buildings proposed, a 14-story 150-foot building and a 13-story 137-foot building containing a total of 98 units. A neighborhood meeting was scheduled for the abutters of Graves Hill. In preparation for the meeting, the developer flew weather balloons at each end of the buildings at the proposed height. The balloons indicated that the buildings were too high and would have loomed over the adjacent Alden's Walk subdivision. The developer reworked the plans and submitted the proposal that is before the City Council today.

III. FINDINGS

Current Zoning:	R-3 Residential/Flexible Housing Overlay
Proposed Zoning:	R-5A/ROS Conditional Zone
Land Area:	18.32 acres
Existing Use:	vacant
Proposed Use:	98 residential units
Land Uses in the Vicinity:	residential

IV. EXISTING USES

The uses along Ocean Avenue consist primarily of singlefamily homes and residential condominium units.

V. DEVELOPMENT PLAN

The applicant is proposing to construct two buildings, which will consist of a total of 98 units. The buildings will have a maximum height of 100 ft., tapering down to 70 feet at each end. The buildings will be constructed on a portion of the property, while preserving and protecting a portion of the property as open space. By utilizing a pattern of development designed to minimize the clearing of natural vegetation, the applicant proposes to minimize the need for blasting, to maximize views from the site, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails, which integrate with a larger trail system.

Each building will contain up to 49 units, a community room, a small office, fitness and special events room, and a cross-country ski center/locker room. The uses will be available for residents of the PRUD. Each building will have parking in the amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces.

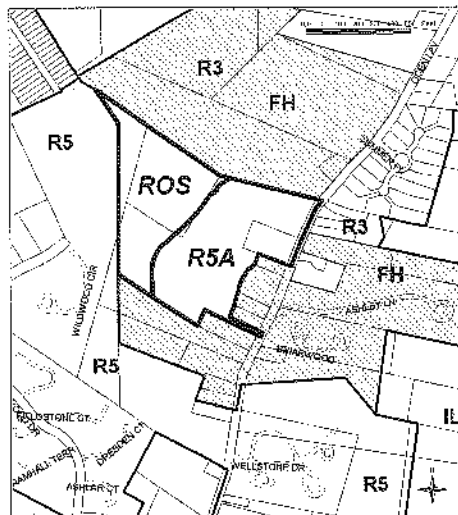
As stated previously, a portion of the site (approximately 8 acres) will remain undeveloped and is proposed to be rezoned ROS Recreation Open Space. This ROS area will be open to the public. Also proposed is a trail system through the R5A portion of the site and throughout the ROS open space area of the site. The developer is also proposing a buffer area between the abutting residential neighbors that reside on Ocean Avenue and a no cut area along the ROS zone to further protect the buffer area for the residents at Alden's Walk.

The applicant is proposing to construct the development in two phases. Phase I will consist of all necessary blasting for both buildings, one building plus all accessory uses associated with that structure, and the entire trail system in both the R5A and ROS portions of the property. Phase II will consist of the second building and trail sections and roads serving only that structure.

VI. CONDITIONS FOR REZONING

This rezoning shall be subject to the following proposed conditions, as outlined in the executive agreement between the City and the applicant.

1. The CITY hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 1449 of the Code, by adopting the map change amendment shown below (rezoning to R5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert to the preexisting R-3 zone.



Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS

July 2004

Map prepared by the City of Portland's Urban Planning and Development Department

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the ~~R-5A~~ **R-5A** portion of the property:
 - a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
 - b. a community room in each building available for use by the residents of the PRUD; and
 - c. a small office in each building to be used by employees of the condominium owners' association, only for onsite property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and

- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and
- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

- 3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.
- 4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.
- 5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other nonmotorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the **RSA** portion of the Property and ten feet in width for trails on the **ROS** portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the **ROS** portion of the Property, **GRAVES HILL** may opt to convey the **R-OS** portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the **R-OS** portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the **R-OS** portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.
7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be

at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area", also with precise specifications subject to final site plan review, shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, these buffers may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations* and such other provisions as may be approved by the Planning Board. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.
9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying **R5A** zone with respect to PRUDs except as follows:

Maximum number of units per building	49
Maximum number of buildings containing residential dwelling units:	2
Maximum building height	100 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan
Parking:	Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II
Minimum recreation open space area	Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plan, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to Portland Trails or, in the alternative, to the City of Portland granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, GRAVES HILL may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to Portland Trails in fee, both subject to such restrictions on hours, manner and

intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the CITY's zoning ordinance shall apply to the portion of the Property rezoned R5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the **R-OS** zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no offstreet parking need be provided on any portion of the Property for visitors projected to use the **ROS** portion of the Property and **GRAVES HILL** need not submit any parking needs projections.
12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the CITY, by and through its duly authorized representatives.
13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.
14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the **R5A** or **ROS** zone, the CITY may prosecute such violations in accordance with 39A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

VII. POLICY CONSIDERATIONS

Graves Hill Land Company, LLC has stated that they believe their proposal is a bold and innovative design, which does the following:

- Promotes efficient land use and conservation of natural resources.
- Protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas.
- Utilizes one of the last large undeveloped tracts of residentially zoned land to provide housing of a type not currently available in Portland.
- Reduces the impact on surrounding properties by minimizing the blasting and preserving the natural site amenities.
- Enhances the recreational trail system in Portland.

R-5A Residential Zone

The purpose of the R-5A zone is:

"To provide for moderate-density residential development in offpeninsula sections that can provide a unique residential living experience with a high degree of natural site amenities; and to provide areas of the city in the general proximity of the peninsula that have the capability for adequate municipal services, including traffic corridors with adequate traffic capacity, that can appropriately accommodate a more intensive use of land than other lower-density zoned land and be compatible with surrounding neighborhoods; and to increase affordable housing opportunities in offpeninsula locations by providing a moderate-density zone."

The R-5A Residential Zone allows for the higher density. When the R-5A zone was created, it was intended as a floating zone and therefore, was not mapped on the zoning map. The intention was that a development that may wish to use the R5A designation would require a zone change. The R-5A zone does not have a height limitation. Planned Residential Unit Developments can only be implemented through a contract or conditional rezoning.

Housing Plan

The Housing Plan recommends a diversity of housing types. Graves Hill Land Company, LLC's luxury high-rise proposal is unique, and offers an alternative method of providing density while maintaining and preserving the majority of a wooded, ledgestrewn site. As stated previously, the applicant is proposing to develop 10.16 acres and rezoning the remaining 8.1 acre ROS to be maintained as natural open space.

Open Space and Recreation

The *Green Spaces, Blue Edges* Report adopted by the City Council in 1995 recommends that neighbors have open space focal points within walking distance. The addition of 8 acres in the ROS portion of the Graves Hill development will significantly increase the amount of forested open space and expand the length and quality of pedestrian trails available in the immediate vicinity for public recreational use.

The report also makes a city-wide recommendation to "develop High Point Parks, open spaces located on the higher elevations of the city, in neighborhoods throughout the city such as the Ocean Avenue landfill, hilltop on Ocean Avenue, by rock shop, Rocky Hill, and hills in Stroudwater." The hilltop on Ocean Avenue, by rock shop is the Graves Hill site. The ROS boundary has been drawn so that the highest point of land is included within that zone. The trail system will include a branch leading to the marker on the rock outcropping signifying the high point.

The Comprehensive Plan also discusses Portland Trails and the creation of 13 miles of public trails in Portland and the goal of creating 30 miles of trails. The developer is proposing to convey a trail easement to Portland Trail over all of the trails on the R-5A portion of the site, and will convey all of the land to be rezoned ROS to Portland Trails. It is proposed that there will be at least 3,207 linear feet of trails constructed for public use on the site.

Environmental Protection

The Comprehensive Plan states "locate and design housing to reduce impacts on environmentally sensitive areas." The Comprehensive Plan encourages growth and development in appropriate areas and discourages development where it is hazardous or threatens natural resources.

The buildings and road infrastructures have been moved down the slope to stay away from wetland areas. The roads have been designed to avoid going up steep inclines where possible, to minimize erosion.

VIII. NEIGHBORHOOD COMMENTS

At the Planning Board public hearing for this development, a number of residents chose to speak on this project. There were residents from across Ocean Avenue, Summer Place and Ocean Ridge, in opposition of the development, citing incompatibility with the neighborhood and excessive height. Residents from directly below the development on Ocean Avenue and from Alden's Walk were in favor of the development and felt that the developer had listened early on to their concerns and had addressed them.

Attached to this report are also a number of letters from residents discussing their concerns. Please note, that there are two letters from Scott Cohen and his attorney discussing his concerns and opposition to this development. However, at the public hearing, Mr. Cohen stated that he felt that Graves Hill Land Company had addressed his concerns and felt that the project had come a long way since the original proposal.

IX. PLANNING BOARD RECOMMENDATION

On August 31, 2004, the Portland Planning Board voted unanimously (6-0, Anton absent) to recommend the proposal by Graves Hill Company, LLC to rezone the property located at 802 Ocean Avenue from the R-3 zone to the R-5A/ROS Conditional Rezoning. The Planning Board found that the proposal was consistent with the policies of the R-5A Residential Zone, ROS Recreation Open Space Zone and the City's Comprehensive Plan.

Attachments:

1. Zone Change Application
2. Right, Title and Interest
3. Letter from Applicant
4. R-5A Zoning Text
5. Letters from Neighbors
6. Reply from Applicant regarding Attorney Vaniotis' Letter
7. Fire Department Memo
8. Neighborhood Meeting Minutes
9. Booklet from Developer

ARTICLE VIII. REGULATION OF EXPLOSIVES

*Editor's note--Ord. No. 125-98, adopted Oct. 19, 1998, repealed Art. VIII, §§ 14-583--14-585, relative to moratorium on residential developments. Formerly, such provisions derived from Ord. No. 152-81, §§ 607.1--607.3, adopted Aug. 17, 1981, and Ord. No. 180-87, adopted Nov. 2, 1987. The new Article VIII, regarding regulation of explosives, was passed on March 17, 2003.

Sec. 14-583. Purpose.

The purpose of this ordinance is to protect the public's health, safety and general welfare by regulating and controlling blasting operations within the City.
(Ord. No. 177-02/03, 3-17-03)

Sec. 14-584. Applicability.

This ordinance shall apply to all blasting operations related to construction and development of real estate within the City. The City of Portland Technical Manual is incorporated into this section by reference. Standards listed in the Technical Manual shall be additional to the provisions of this article.
(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-585. Definitions.

For the purposes of this Article, the following words and phrases shall have the respective meanings ascribed to them:

Blasting plan means the detailed plan for conduct of any blasting operations, and any amendments thereto where over three hundred (300) cubic yards of material shall be removed, which plan has been reviewed by the Planning and Urban Development Department in accordance with the provisions of this ordinance.

Blasting operations means the use of explosives for purposes of breaking up and removing soil, rock and ledge, related to construction and development of real estate within the City.

Blasting permit means a permit issued by the City Fire Department in accordance with the provisions of this ordinance to allow blasting operations within the City.

Blasting submittal means the plan for conduct of any blasting operation where between fifty (50) and three hundred (300) cubic yards of material shall be removed, which plan has been submitted to the Planning and Urban Development Department in accordance with the provisions of this ordinance.

Explosives means any material or container containing a chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustible materials or other ingredients in such proportions, quantities, or packaging that an ignition by fire, by friction, by compound or mixture may cause such a sudden generation of highly heated gasses that the resultant gaseous pressures are

capable of producing destructive effects on contiguous objects, but shall not mean the components for handloading rifle, pistol and shotgun ammunition, or fireworks.

(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-586. Administration.

(a) This ordinance shall be administered by the Planning and Urban Development Department and the Fire Department, which departments shall have the ability to promulgate amendments to the standards listed in the City of Portland Technical Manual that implement this ordinance.

(b) City Council shall enact the initial Rules required for implementing this Article.

(c) The procedure for amendment of rules shall be as follows:

1. Department staff shall draft proposed rule amendments to the technical standards for presentation to the Planning Board.

2. The Planning Board shall hold a public hearing on the proposed rule amendments and provide interested parties an opportunity for comment, both written and oral, on the proposed rule amendments.

3. The department shall review comments made by the Planning Board and interested parties and make changes to the proposed rule amendments at its discretion. The amendments to the rules shall go into effect within thirty (30) days of the public hearing held by the Planning Board.

(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-587. Permit Required.

No person may conduct blasting operations within the City without first obtaining a permit from the Fire Department, as required by the National Fire Protection Association 1 Fire Prevention Code, as adopted and amended in section 10-16 et seq. Of this Code. Fees for this permit shall be as established by Order of the City Council.

(Ord. No. 177-02/03, 3-17-03)

Sec. 14-588. Application Requirements.

Prior to the issuance of a permit pursuant to section 14-587 the following information shall be submitted to the City:

(a) A blasting plan shall be submitted by the applicant to the Planning and Urban Development Department for all projects where more than three hundred (300) cubic yards of material shall be removed. The blasting plan shall conform to the provisions of this section and of Section 3 of the City of Portland Technical Manual.

(b) A blasting submittal shall be submitted to the Planning and Urban Development Department where between fifty (50) and three hundred (300) cubic yards of material shall be removed. The blasting submittal shall conform to the provisions of this section and of Section 3 of the City of Portland Technical Mannual.

(c) A blasting application shall be submitted to the Planning and Urban Development Department where less than fifty (50) cubic yards of material shall be removed, or where utility trench work in the accepted public right of way, including City or Portland Water District infrastructure is proposed. Small blasts where less than fifty (50) cubic yards of material shall be removed, are not required to submit either a blasting plan or blasting submittal. Such projects must conform to the National Fire Protection Association Fire Prevention Code and applicants shall submit a monitoring report upon request. Information provided in the blasting application shall confirm that the proposed small blast conforms to all applicable provisions of this ordinance and of Section 3 of the City of Portland Technical Manual.

(d) A blasting plan or blasting submittal may be required for any blasting operation at the discretion of the Planning and Urban Development Department when it determines that conditions at or near the site of the blasting operations warrant the provision of a plan.

(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-589. Storage and handling.

All explosives shall be stored and handled in accordance with the provisions of this code, the laws of the State of Maine and the National Fire Protection Association 1 Fire Prevention Code.

(Ord. No. 177-02/03, 3-17-03)

Sec. 14-590. Enforcement.

(a) This ordinance shall be enforced by the Planning and Urban Development Department and the Fire Department. Either department shall have the authority to issue a written stop work order in the event of a violation of this ordinance or a failure to follow the approved blasting plan.

(b) The issuance of a stop work order may be appealed to the Director of Planning and Urban Development within two (2) business days of its issuance. The decision of the Director of Planning and Urban Development on the appeal shall be final.

(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-591. Penalties.

(a) In addition to the stop work order which may be issued pursuant to section 14-590, the Permittee shall be subject to the following penalties:

1 st offence	\$500.00
2 nd offence	\$1,000.00
Subsequent offences	\$1,000.00.

(b) In the event that there are more than three documented violations of the blasting plan, blasting submittal, or blasting permit, the Planning and Urban Development Department and/or Fire Department shall have the right to issue a stop work order on all construction or development related to the permitted operation. The Permittee shall then be required to submit a revised blasting plan to the Planning and Urban Development

Department for review and approval. Work shall not be allowed to continue until the revised blasting plan is approved.
(Ord. No. 177-02/03, 3-17-03; Ord. No. 74-10/11, 11-15-10)

Sec. 14-592. Notice requirements.

(a) At least ten (10) days prior to the start of any blasting operation, notice shall be published in a newspaper of local publication and shall be mailed by first class mail to all property owners within the distance specified below of the perimeter of the blasting site:

Small blast (trench blast or under fifty (50) cubic yards of rock removed): All property owners within two hundred and fifty (250) feet of the perimeter of the blasting site.

Medium blast (removal of 50-300 cubic yards of rock material): All property owners within five hundred (500) feet of the perimeter of the blasting site.

Large blast (removal of over 300 cubic yards of rock material): All property owners within six hundred (600) feet of the perimeter of the blasting site.

(b) Notice shall conform to the model notice contained in Section 3 of the City of Portland Technical Manual and shall include a description of the proposed blasting operations, estimated schedule and duration of blasting operations, description of the blasting signals to be used during operations, the complaint protocol and the complete address, telephone numbers and email contact for the blasting contractor, Planning and Urban Development Department and Fire Department where neighbors and property owners may request further information and notification.

(c) For medium blasts where 50-300 cubic yards of rock material is to be removed, and large blasts where over 300 cubic yards of rock material is to be removed, additional notification requirements shall apply during construction, as detailed in Section 3 of the City of Portland Technical Manual.

(d) If blasting operations are to occur within two hundred and fifty (250) feet of any structure, additional notification requirements shall apply, as detailed in Section 3 of the City of Portland Technical Manual, in order to prevent adverse public health and safety impacts due to blasting-related carbon

monoxide migration.

(Ord. No. 74-10/11, 11-15-10)

Sec. 14-593. Hours of blasting.

Blasting shall occur Monday through Friday, between the hours of 9am and 4pm, unless otherwise approved by the Planning and Urban Development Department. Requests for extension of hours of blasting must be submitted by the applicant in writing.

(Ord. No. 74-10/11, 11-15-10)

Sec. 14-594. Waiver provision.

Upon written request by the applicant, the Planning and Urban Development Department, based on a positive recommendation by the Fire Department, may waive all or a portion of the blasting provisions of Section 3 of the City of Portland Technical Manual, provided that all waivers are consistent with the purposes set forth in Section 14-583.

(Ord. No. 74-10/11, 11-15-10)

Sec. 14-595. Suspension of blasting operations.

If it is determined that blasting operations pose any risk to public health, safety or general welfare, the Director of Planning and Urban Development or the Fire Chief or their designee shall have the authority to suspend the blasting permit at any time until they deem it safe for blasting operations to continue.

(Ord. No. 74-10/11, 11-15-10)

Excerpt from Portland Technical Manual -

1.7. STANDARDS FOR BLASTING AND REGULATION OF EXPLOSIVES

1.7.1. Definitions

Small Blast: Trench blast or removal of under fifty (50) cubic yards of rock material.

Medium Blast: Removal of 50-300 cubic yards of rock material.

Large Blast: Removal of over 300 cubic yards of rock material.

1.7.2. Submittal Requirements:

1.7.2.1. All Blast Operations:

Applicants for all blasting operations shall obtain a blasting permit from the Planning and Urban Development Department prior to any blasting.

Application forms may be obtained through the Inspections Division or can be downloaded from the City of Portland website.

1.7.2.2. Medium Blast Operations:

For medium blast operations, the blasting contractor will also be required to submit a blasting submittal with the blasting application form. The blasting submittal must include, at a minimum, the following information:

- Description of Test Blast, Drill Pattern
- Description of Production Blasting, Drill Pattern
- Explosives to be used during wet and dry conditions
- Stemming material and depth
- Description of matting used to prevent fly rock
- Description and location of blasting signs
- Type of seismograph to be used
- Description of proposed transportation and storage of explosives
- Signature of blasting contractor testifying to the accuracy of the above information

1.7.2.3. Large Blast Operations:

For large blast operations, the blasting contractor will also be required to submit a drilling pattern and loading plan, referred to herein as a blasting plan, with the blasting application for review and approval. Blasting plans must be submitted at least two weeks prior to the start of any drilling and/or blasting operations. A model blasting plan is provided at the end of this section and shall include, at a minimum, the following information:

- The sequence and schedule of blasting rounds, including a general description of the proposed approach for developing each bedrock excavation area.
- A diagrammatic description of the typical blast pattern to be used, including pre-splitting pattern if pre-splitting is required.

- Diameter, spacing, burden, depth and orientation of each drill hole relative to the “free face”, along with details of the delay pattern.
- A diagrammatic description of the loading plan for a typical production hole including charge weights and distribution of primer, explosives and stemming within a typical hole.
- Estimation of ground vibration levels at nearest adjacent structures.
- Written evidence of the licensing, experience, and qualifications of the blaster who will be responsible for loading and firing each shot.
- A listing of the number and type of instrumentation proposed to be used to monitor vibrations and airblast overpressures.
- Safety procedures, security measures, and warning sequences.

1.7.3. Pre-Blast Survey

Pre-blast surveys are required for all blasting operations. The blasting contractor will hire an independent seismologist or blasting consultant to perform pre-blast surveys on all structures (contingent upon property owner agreement) within the distances specified below. The independent seismologist or blasting consultant shall not be an employee of the contractor, subcontractor, explosives manufacturer, or explosives distributor.

Size of Blast	Scope of pre-blast survey
Small Blast	Within 250 feet of the perimeter of the blasting site
Medium Blast	Within 500 feet of the perimeter of the blasting site
Large Blast	Within 600 feet of the perimeter of the blasting site

1.7.3.1. Pre-Blast Survey Offer Notice:

Prior to commencement of the pre-blast surveys, the contractor shall provide the following documentation to the Planning and Urban Development Department:

- A list of property owners to be contacted (in accordance with the distances listed in the table, above).
- Verification that the subject property owners were notified of the pre-blast survey work.
- A copy of the pre-blast survey offer notice.
- Whether each offer to conduct a pre-blast survey was either accepted, rejected, or there was no response.

The contractor shall retain a copy of each pre-blast survey offer notice for their records until the development project receives a final certificate of occupancy or is otherwise deemed complete by the City. Nothing herein shall be construed to discourage repeated efforts by the blasting contractor to contact eligible property owners via phone, hand delivery, or other method in

addition to provision of the required offer notice letter.

1.7.3.2. Pre-Blast Survey Documentation:

All pre-blast surveys shall include documentation of interior subgrade and above grade accessible walls, ceilings, floors, roof and visible exterior as viewed from the grade level. Where significant cracks or damage exist, or for more complex structural defects, photographs or video shall be taken.

A high- quality videotape survey with appropriate audio description of the locations, conditions, and defects may substitute for a written pre-blast survey. Where necessary, notes and sketches may also be submitted as part of a video pre-blast survey in order to highlight or elaborate on certain aspects of the video documentation.

1.7.3.3. Pre-Blast Survey Conditions Report:

The pre-blast surveys shall include a conditions report for each property. The conditions report may be presented as narrative, photographs, video or a combination thereof. Conditions reports shall summarize the condition of each building and define areas of concern, including deteriorated structures or utilities, structures housing sensitive equipment, and/or manufacturing processes that are sensitive to vibrations.

1.7.3.4. Verification:

Verification that all pre-blast surveys and conditions reports have been completed shall be submitted to the Planning and Urban Development Department at least two weeks prior to commencing any drilling and/or blasting operations.

1.7.4. Notification to Neighbors

Notice of blasting operations shall be provided in accordance with the requirements listed in Section VIII of the Land Use Code. For medium and large blasts, please also refer to the additional notification requirements during construction, described in Section 3.7.8 of this section (*Blasting Schedule*).

1.7.5. Complaint Protocol

The blasting contractor shall be solely and completely responsible for the safety of all persons and property during the performance of work. The blasting contractor shall have full and complete responsibility for the handling, discharging, or settling of any and all damage or annoyance claims resulting from the blasting activities on the project.

Complaints may be submitted to the Blasting Contractor and to the Planning and Urban Development Department or to the Fire Department throughout the duration of blasting operations. If a property owner submits a complaint regarding alleged blasting- related damages, the independent seismologist or blasting

consultant shall meet with the property owner within 24 hours of receiving the complaint to discuss the basis for the complaint, review applicable blasting records, and evaluate the reasonableness of the complaint. If a reasonable basis for the complaint is verified, the independent seismologist or blasting consultant shall conduct a second condition survey of the property within 48 hours of receiving the complaint to identify any changes in the property conditions. A condition survey report summary shall be submitted to the Applicant, and verification that the condition survey was completed shall be submitted to the Planning and Urban Development Department within two weeks of the second condition survey being conducted.

1.7.6. Hours of Blasting and Storage of Explosives

1.7.6.1. Hours of blasting operations shall be limited to those defined in Chapter 14, Section VIII, *Regulation of Explosives* of the City Code of Ordinances.

1.7.6.2. Only the amount of explosives necessary for the day's work shall be brought to the site, and explosives shall be transported and stored in approved magazines when not in use.

1.7.7. Blast Warning

1.7.7.1. International Blast Warnings shall be utilized for all blasting operations, as described below:

3 horns	5 minutes before blast
2 horns	1 minute before blast
1 horn	All clear

1.7.7.2. Large Blasts:

For large blasts, all persons within 600 feet of the blasting area shall be notified of the "warning" and "all-clear" signals through notices left in mailboxes and signs posted in the vicinity of the blasting site.

1.7.8. Blasting Schedule (Medium and Large Blasts, only)

For medium and large blasts, the blasting contractor shall prepare and submit a blasting schedule to the property owner, the general contractor and the Planning and Urban Development Department at least 10 business days prior to commencing blasting operations. The schedule shall include name and contact information for the blasting contractor, blasting area locations, planned dates and times of blasts, access restrictions to the blast areas, and warning signal protocols.

During construction, the blasting contractor shall coordinate the blasting schedule with the property owner, the general contractor, the Planning and Urban Development Department and the Fire Department on a weekly basis.

The morning of a planned detonation, the blasting contractor shall notify the Fire Department and the Planning and Urban Development Department of the planned

time of the blast (+/- one hour), the location where the blasting is to occur, and the amount of explosives to be used.

At least 24 hours prior to any blast, the blasting contractor shall inform all property owners who requested notice of the blasting schedule (+/- one hour).

1.7.9. Vibration Limits and Ground Vibration Monitoring

The seismograph must be set up at the closest structure to record each blast event. Ground vibration from all blasting operations shall be measured in terms peak particle velocity (inches per second, ips) and frequency (Hertz). The permissible maximum ground vibration at existing nearby structures shall be limited to values established by the U.S. Bureau of Mines¹ to avoid cracking or structural damage in residential structures. Particle velocity shall be recorded in three mutually perpendicular directions. Ground vibration for residential structures shall not exceed the following limits:

Type of Structure	Maximum PPV (ins/s)	
	Frequencies below 40 HZ	Frequencies 40 HZ or greater
Modern Homes (drywall interior)	.75	2.0
Older Homes (Plaster on wood lath for interior walls)	.50	2.0

Deteriorated structures or utilities, structures housing sensitive equipment, and/or manufacturing processes that are sensitive to vibrations may require lower PPV limits than those listed above. If information obtained from the pre-blast surveys indicates lower limits are required for certain structures, the independent seismologist or blasting consultant shall identify the limits applicable to a specific structure, and the blasting contractor shall incorporate such provisions in the features of the blasting plan.

In the event the blasting contractor's blasting round results in ground vibrations closely approaching the stated limits, the blasting operations shall be modified to reduce ground vibrations.

In the event the blasting contractor's blasting round results in ground vibrations exceeding the stated limits at structures, the blasting contractor shall cease all blasting activities and submit a written report to the property owner and the general contractor, copied to the Planning and Urban Development Department and the Fire Department. This report shall describe corrective action to be taken on the next shot. The next shot shall not be loaded until the property owner and the general contractor acknowledge, in writing, copied to the Planning and Urban Development

¹ United States Bureau of Mines. *Structure Response And Damage Produced By Ground Vibration From Surface Mine Blasting*. Prepared by D.E. Siskind, M.S. Stagg, J.W. Kopp, and C.H. Dowding, Report of Investigations #8507, Appendix B, 1980.

Department and the Fire Department, that a design change is being attempted.

1.7.10. Flyrock Control (Large Blasts, only)

For large blasts, blasting mats, soil, or other equally serviceable material shall be utilized for all blast rounds to prevent the throw of flyrock from the blasting area.

1.7.11. Pre-Blast Safety Meeting (Medium and Large Blasts, only)

For medium and large blasts, prior to any blasting the blasting contractor will conduct a pre-blast safety meeting with all contractors to familiarize them with blast signals and precautions.

1.7.12. Test Blasts (Large Blasts, only)

For large blasts, prior to commencing full-scale blasting, the blasting contractor shall demonstrate the adequacy of the proposed blasting plan by drilling, blasting, and excavating short test sections using small charges and the required monitoring instruments. The blasting contractor shall develop site specific scaled distance relationships from the test blast rounds to determine the allowable charge weight of explosives to be detonated per delay.

1.7.13. Personnel

All employees of the blasting contractor working on site during the blasting operation shall be trained in the use and handling of explosives.

1.7.13.1. Large Scale Blasts:

For large scale blasts, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$2,000,000.

For large blasts, the blasting contractor shall a company specializing in the use of explosives for breaking rock and licensed in the State of Maine. The blaster or foreman responsible for the loading and firing of each shot, as well as the person responsible for designing and directing the blasting operation, shall have at least five years of documented experience with similar work responsibilities. If controlled blasting methods are required, these individuals shall have at least five years of documented experience in controlled blasting techniques.

At least two weeks prior to the commencement of pre-blast surveys, the contractor will submit the name and qualifications of the independent seismologist or blasting consultant proposed to conduct the pre-blast surveys to the Planning and Urban Development Department and the applicant, if other than the blasting contractor.

At least two weeks prior to the commencement of drilling and blasting operations, the contractor will submit to the City of Portland and applicant the name and qualifications of the independent seismologist or blasting consultant proposed to monitor and report blasting vibrations.

1.7.14. Record Keeping and Reporting

1.7.14.1. For large blasts, Blast monitoring and analysis shall be conducted by the independent seismologist or blasting consultant. A minimum of two (2) seismograph instruments will be used to monitor vibrations and airblast pressures for each blast. The seismographs used by the seismologist or blasting consultant for blast monitoring shall comply with the following requirements:

- Velocity range: 0.005 to 10.0 inches per second.
- Seismic frequency range: 2 to 250 Hz, within zero to -3 dB of an ideal flat response.
- Acoustic frequency range: 2 to 250 Hz flat, -3 dB at 2 Hz $\pm$ 1 dB.
- Sound range: 100 to 140 dB (linear).
- Measure, display, and provide a permanent time history record of the event, including both ground vibration and airblast.
- Measure the three mutually perpendicular components of particle velocity in directions vertical, radial, and perpendicular to the vibration source.
- The seismograph shall display and provide a record of:
 - the date and time of the event
 - identifying information concerning the company
 - the location of the seismograph and of the blast
 - trigger levels
 - verification the instrument was set for “continuous” and not “manual” readings
 - instrument serial number
 - the date of the most recent calibration
- The seismograph shall be calibrated as often as necessary, but at least once every 12 months, and must be performed to a standard traceable to the National Institute of Standards and Technology.

Blast monitoring data obtained by the independent seismologist or blasting consultant must be available for inspection on the blasting site, be submitted in writing to the Applicant within 24 hours following each blast, and be submitted to the Planning and Urban Development Department on a weekly basis. A model blast monitoring report is included at the end of this section.

1.7.14.2. Blasting Log:

A blasting log summarizing details of the round as shot, weather conditions, proximity of the blast location to nearest structures, exact locations of monitoring instruments, and the results of blast monitoring at each instrument location shall be maintained daily for every blast. The blasting log shall be available for inspection on-site, shall be submitted in writing to the Applicant within 24 hours following each blast, and shall be submitted to the City on a weekly basis.

1.7.15. Airblast Overpressure Limits

The peak airblast overpressure at any inhabited building not owned or controlled by the developer shall not be allowed to exceed 133 decibels (linear) when measured by an instrument with a high pass system and a lower frequency limit of 2 Hz.

The seismologist or blasting consultant shall monitor, record, analyze and report airblast pressure resulting from the blasting activities. In the event the blasting contractor's blasting round results in airblast overpressures approaching the stated limits, the Applicant may require the blasting contractor to modify the blasting operations to reduce airblast overpressures. In the event the blasting contractor's blasting round results in airblast overpressures exceeding the stated limits at structures, the blasting contractor shall cease all blasting activities and submit a written report to the Applicant, and copied to the City. This report shall discuss the corrective action to be taken on the next shot, and the next shot shall not be loaded until the Applicant acknowledges, in writing, that a design change is being attempted.

1.7.16. Carbon Monoxide (CO) Control

If any blasting operations are to occur within two hundred and fifty (250) feet of any structure, the blasting company shall:

- Submit a carbon monoxide (CO) management plan to the Planning and Urban Development Department with the Blasting Application for review and approval. The plan shall detail strategies that will be employed by the blasting company throughout blasting operations to prevent and mitigate the health and safety risks associated with possible CO migration away from the blast site and into abutting structures. CO management plans shall be tailored to the specific nature of blasting operations but shall include, at a minimum, two or more of the following actions:
 - Effort to determine the presence and location of one or more operable Carbon Monoxide detector(s) within abutting

structures. Where operable Carbon Monoxide detectors are not present, they shall be temporarily provided and placed in the basement of the structure, or on the first floor if there is no basement, until at least 24 hours after completion of blasting operations.

- Immediate excavation of individual shots, with holes remaining vented for an adequate time to allow any CO produced by the blast to dissipate into the atmosphere. Safe CO levels in the blast hole shall be confirmed by a CO detector before the hole is backfilled.
 - Identify and document active and abandoned sewer connection locations and sealed drains locations for abutting structures as part of the pre-blast survey in order to identify structures that may pose an increase risk for CO migration. This information is available through the City of Portland Department of Public Services.
- Notify all commercial and residential abutters of the blast site at least 24 hours prior to the start of blasting by means of door hangers left at both front and rear primary building entrances. Reasonable effort shall be made to also provide face-to-face notification to all building owners and/or occupants of abutting buildings. Door hangers shall be provided to the blasting company by the City of Portland and are available through the Fire Department or the Inspections Division. The language provided on the door hangar is provided at the end of this section.

If a carbon monoxide detector is in alarm during blasting operations, the blasting company or building occupant shall call 911 immediately. In addition to calling 911, the blasting company shall contact the Fire Department at (207) 874-8405 to notify them of the emergency. The blast location shall be excavated immediately and shall remain open to the atmosphere until CO is no longer detectable in the blast hole.

1.8. MODEL BLASTING PLAN

Removal of over 300 cubic yards of rock material

The purpose of the Blasting Plan is to describe anticipated rock excavation requirements for the project, and outline proposed blasting operations, vibration control criteria, and monitoring/reporting protocols, and to protect surrounding properties from damage related to proposed blasting activities.

1. Project:

2. Project Location:

3. Estimated Quantity (cubic yards in-ground measurement) of Rock to be Blasted:

4. Project Description

Describe the project for which blasting is required. Include lot size, building construction type, number of units, etc. Refer to site/grading plans. Specify anticipated depth of fills and cuts.

5. Site and Subsurface Conditions

Provide a detailed description of the site, including but not limited to existing conditions, elevations, terrain character, topography, soil conditions, groundwater depths, depth of bedrock, etc.

6. Surrounding Properties, Utilities and Wells

Describe surrounding properties, specifying use and type of construction. Include a vicinity map with the outlines of existing structures located within a site radius equal to the minimum radius required for pre-blast condition surveys.

Indicate the location of all utilities in the vicinity, including water, sewer, stormwater, and natural gas.

Indicate the location of drinking wells in a 2000ft radius of the property.

7. Anticipated Project Areas Requiring Blasting

Indicate on a site plan the areas where blasting is expected to occur. Provide a narrative characterizing the blasting/excavation work, the estimated total number of cubic yards of material to be removed by blasting, and an estimate of the number of blasts required to remove the specified amount of material.

Include a proposed Bedrock Excavation Plan showing approximate bedrock excavation areas, variations in the depth of bedrock excavation requiring blasting, and areas where controlled perimeter blasting methods will be used (if any).

Describe the distance of proposed blasting to the nearest structures and underground utilities.

Attachments:

- A. Site Plan
- B. Radius Plan
- C. Proposed Bedrock Excavation Plan
- D. Model Notification Letter
- E. Model Offer of Pre-Blast Survey Notice
Blasting Log
- F. Model Blast Monitoring Report

1.9. MODEL NOTIFICATION LETTER

Date _____

Dear Neighbor:

We are sending you this letter to inform you that we will be blasting ledge in preparation for the _____ project on _____ Street.

As required by City Ordinance, prior to any blasting, neighbors within (250, 500, 600)feet of the blast area shall be notified in writing prior to the blast.

We will begin blasting on _____. We expect the blasting to last for _____. By City Ordinance, blasting will occur between 9:00am – 4:00pm, Monday through Friday.

The procedure for the blast will be as follows: Just before the blasting is due to begin, a horn will sound to signal people in the immediate area of the upcoming blast. The horn will blow in the following sequence:

- 3 long horns – 5 minutes before the blast
- 2 long horns – 1 minute before the blast
- 1 long horn - All clear for the blast to proceed.

Please Note: Toxic gases, including carbon monoxide (CO), are a byproduct of the detonation of explosives. Carbon monoxide is a poisonous, colorless, odorless, and tasteless gas. Exposure to raised levels of carbon monoxide can be hazardous or deadly. It is possible, in instances of incomplete combustion of explosives and where an open pathway is present, for carbon monoxide to travel from the blast site into nearby buildings. The Portland Fire Department encourages all Portland residents to install carbon monoxide detectors in their homes and workplaces to prevent exposure to hazardous levels of carbon monoxide. Carbon monoxide detectors should be installed in the basement or on the first floor of structures.

If you have any questions, please call any of the following numbers:

Blasting Contractor _____

City of Portland Fire Prevention Bureau
City of Portland Development Review Coordinator
City of Portland Inspections Division

(207) 874-8405
(207) 874-8719
(207) 874-8703

For damage complaints, please call the Fire Prevention Bureau at (207) 874-8405 to log the complaint and request inspection and documentation of the damage.

Please do not hesitate to call if you have any questions or concerns.

Sincerely,

Blasting Contractor

1.10. MODEL OFFER OF PRE-BLAST SURVEY NOTICE

Date

Dear Neighbor:

We are sending you this letter to inform you that we will be blasting ledge in preparation for the _____ project on _____ Street.

As required by City Ordinance, prior to any blasting, a pre-blast survey of all structures within (250, 500, 600)feet of the blast area shall be conducted to establish a base line against which any claims of damage caused by this blasting can be judged.

Your property is within the (250, 500, 600) ft radius. A pre-blast survey will be performed at no cost to you if you would like to have it done.

To request that a pre-blast survey be done of your residence, please complete the enclosed survey form in its entirety and mail it back in the enclosed stamped envelope no later than_____.

Pre-blast condition surveys for this project will be performed by _____. A representative from _____ will call you to set up an appointment to perform the survey. A seismologist or a qualified technician working under the direction of a seismologist from _____ will then make a videotape of the interior and exterior condition of your residence. The pre-blast survey records will be kept in a locked file for a period of _____after the completion of blasting at which time they will be destroyed.

If you have any questions, please contact _____ at _____.

Thank you,

Blasting Contractor

1.11. Door Hanger Model Language

Fact Sheet

This notice serves as a reminder that blasting operations will be occurring in your neighborhood in the next day or two. By now you should have also been notified in writing by the Blasting Company who will be doing this work. For the public's safety, the City of Portland requires contractors of blasting operations to monitor for the release of any carbon monoxide gas traveling into occupied buildings. This notice describes what carbon monoxide is, identifies potential signs of carbon monoxide build-up and steps for you to follow.

What is carbon monoxide?

Carbon monoxide (CO) is an odorless, colorless gas that can cause sudden illness or death.

Where is CO found?

CO is found in combustion fumes, such as those produced by cars and trucks, small gasoline engines, stoves, lanterns, burning charcoal and wood, and gas ranges and heating systems. ***CO is also a byproduct of blasting operations in the ground.*** CO from any of these sources can build up in enclosed or semi-enclosed spaces. People and animals in these spaces can be poisoned by breathing it.

Protection from CO

The best protection from CO poisoning is early detection through the installation of a working carbon monoxide detector in your home.

What are the symptoms of CO poisoning?

The most common symptoms of CO poisoning are headache, dizziness, weakness, nausea, vomiting, chest pain, and confusion. High levels of CO inhalation can cause loss of consciousness and death. Unless suspected, CO poisoning can be difficult to diagnose because symptoms mimic other illnesses. People who are sleeping or intoxicated can die from CO poisoning before ever experiencing symptoms.

Emergency Contact

If you or anybody in the building experiences any of the symptoms or your CO detector goes into alarm ***please call 911 immediately.***

If you have general questions regarding blasting operations in your neighborhood or carbon monoxide, please contact the Portland Fire Department Fire Prevention Bureau.

**Portland Fire Department
Fire Prevention Bureau
380 Congress Street
Portland, ME 04101
874-8405**

1.12. MODEL EMERGENCY ACCESS LANE MAINTENANCE AGREEMENT

IN CONSIDERATION OF the Subdivision approval granted by the Planning Board of the City of Portland to a plan entitled

dated , 20 and recorded in the Cumberland County Registry of Deeds in Plan Book ,
Page and pursuant to a conditions thereof,

(Applicant, Nature of Applicant's Business-Corporation, Partnership or sole proprietorship and principal of business)

The owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner") as follows:

1. That the Owner shall be responsible for the maintenance and repair of, snow removal from, preservation of, and removal of obstructions and encumbrances including but not limited to debris, junked vehicles and other refuse, from the Emergency Access Lane depicted on the Plat (the "Emergency Access Lane") so that the Emergency Access Lane shall remain reasonably passable for fire-fighting and preventive apparatus and vehicles and other public emergency vehicles owned or operated by or on behalf of the City of Portland.

2. That the Owner shall remove snow from Emergency Access Lane so that at no time shall the snow accumulate thereto to an average depth in excess of four (4) inches and shall also remove snow from the Emergency Access Lane of a depth of less than four (4) inches if subsequent rain, hail or temperatures below thirty-two (32°) degrees Fahrenheit shall result in the snow accumulated on the Emergency Access Lane becoming so frozen as to render the Emergency Access drive impassable by such fire-fighting and public emergency vehicles. If the Owner shall fail to remove such non-frozen snow accumulating in excess of four (4) inches in depth within twenty-four (24) hours after the cessation of the storm creating such snow, or if the Owner shall fail to remove such ice within twenty-four (24) hours after ice has accumulated or formed to the state as to render the Emergency Access Lane impassable for said purposes, or if the Owner shall fail to remove said obstructions and encumbrances on the Emergency Access Lane (that are not the result of precipitation) which render the Emergency Access Lane (that are not the result of precipitation) which render the Emergency Access Lane impassable for said purposes within thirty-six (36) hours after such obstructions and up the Emergency Access Lane and adjacent land as necessary with men and machines in order to plow and clear, or cause to be plowed and cleared, such snow and ice and to remove said obstructions and encumbrances from the Emergency Access Lane and bill the Owner for the expense of the same. The City of Portland shall submit its itemized bill for such expenses to the Owner which the Owner shall pay to the City of Portland within sixty (60) days of receipt, or such longer period of time as the City of Portland shall agree to. The expenses billed to the Owner shall include the time spent for travel to and from the Property.

This Agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon its successors and assigns as their interests may appear.

Date at Portland, Maine this day of , 20

(Applicant)

BY _____

Its

State of Maine

Cumberland, ss , 20

Then personally appeared the above named _____,
and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free
act and deed of said Corporation.

Before me,

Notary Public/Attorney-at-Law

(Print or Type Name)

*If the approval is of a site plan, this clause should read "IN CONSIDERATION OF THE SITE
PLAN APPROVAL granted by the Planning Board of the City of Portland to a site plan entitled _____,
dated FORMTEXT _____, 20 _____, and file with the City of Portland, Department of Planning and
Urban Development, 389 Congress Street, Portland, Maine,..."



Conditional Rezoning Amendment Application
Casco Heights Residential Condominium
802- 828 Ocean Avenue Portland, Maine
Tax Map 411, Block A, Lot 7 and Tax Map 416, Lots 6,7 and 21
Ridge Development, LLC / Applicant

April 4, 2014

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Tab 1 – Cover Letter

Tab 2- Application Form / Project Data

Tab 3 – Redlined Edits to Existing Conditional Rezoning Agreement

Tab 4 – Proposed Amended Conditional Rezoning Agreement

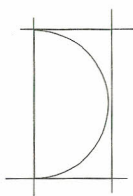
Tab 5 – Conformance With Comprehensive Plan

Tab 6 – Conformance With R5A Zoning District

Tab 7- Right, Title or Interest

Tab 8 – Preliminary Site Plans

Tab 9 – Preliminary Architectural Design



d o y l e
enterprises

CASCO HEIGHTS

April 2014

Dear Members,

On October 18, 2004 the Portland City Council approved the Contract Zone Agreement to Graves Hill, LLC, which allowed the 18 acre vacant property, overlooking Casco Bay, located at 802 Ocean Avenue to be rezoned from R-3 to 8 acres of R-OS and 10 acres of R-5A. Working with Portland Trails, the open space was to be developed into a trail system that would connect with the Ocean Avenue Recreation Area. (At that time it was The Ocean Avenue Landfill.) The R-5A portion would allow two 100 foot buildings containing a total of 98 units. The 2004 project was called Graves Hill and was designed as large luxury condominiums. The Contract Zone Agreement specified that there would be two parking spaces per unit along with 28 visitor spaces and that each building would contain a community room, an office, a fitness and special events room and a cross country ski room.

The project got bogged down in stormwater issues and the final planning board approval was not received until 2006. Then 2007 came along and due to the instability of the economy, the project was not built. I own the property and was the developer for the Graves Hill project. I have entered into an agreement to sell the property to Ridge Development, LLC. They have hired me to advise them and present the new plan.

The new project will be called Casco Ridge and the buildings are an improvement over the approved 2006 project. The approved 100 foot height limit was controversial, Casco Heights will be no taller than 75 feet. Graves Hill was entirely large luxury units. Casco Heights is a mix of one, two and three bedroom, market rate condominiums along with top floor penthouses.

Although the Graves Hill buildings may have been controversial, the preservation of open space and the careful consideration of the land to be developed, was always supported by the boards and neighbors. That concept has not changed. Eight Acres will still be rezoned as R-OS and Portland Trails will participate in the development of a trail system that will run from Ocean Avenue through the R5-A zone to the R-OS and then connect to the Ocean Avenue Recreation Area.

We are asking that the Planning Board recommend to the Portland City Council the following changes to the 2004 approved Conditional Rezoning Amendment:

1. The name shall be changed from Graves Hill Land Company, LLC to Ridge Development, LLC
2. The maximum number of total allowed units shall be reduced from 98 to 94
3. The R-5A zone shall be changed from 10.17 acres to 10.4 acres and the R-OS shall be changed from 8.15 acres to 7.92 acres
4. The requirement for each building to contain a community room, office, fitness room, special events room and cross country ski center shall be removed
5. The amount of required parking shall be changed from two spaces per unit to two spaces for multi bedroom units and one space per single bedroom unit. The 28 visitor spaces remain unchanged.

Thank you for your consideration. We look forward to working with you on the new project.

Sincerely,

Diane Doyle

PROJECT ADDRESS: 802 - 828 Ocean AvenueCHART/BLOCK/LOT: 411-A-7 and 416-A-6, 7, 21

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

Amendment to existing conditional rezoning agreement

CONTACT INFORMATION:

	Applicant's Contact for electronic plans Name: <u>William Conway</u> e-mail Address: <u>Sebago Technics</u> work #
Applicant – must be owner, Lessee or Buyer Name: <u>Patrick Tinsman</u> <u>Ridge Development LLC</u> Business Name, if applicable: Address: <u>P.O. Box 535</u> City/State: <u>Buxton ME</u> Zip Code: <u>04093</u>	Applicant Contact Information Work # Home# Cell # <u>239 - 5000</u> Fax# e-mail: <u>ptinsman@maine.rr.com</u>
Owner – (if different from Applicant) Name: <u>Diane Doyle</u> <u>Doyle Enterprises</u> Address: <u>110 Main Street; Suite 1214</u> City/State: <u>Saco, ME</u> Zip Code: <u>04072</u>	Owner Contact Information Work # <u>286 - 1151</u> Home# Cell # <u>229 - 3530</u> Fax# <u>282 - 7970</u> e-mail: <u>didoyleco@gmail.com</u>
Agent/ Representative Name: <u>William Conway</u> <u>Sebago Technics Inc</u> Address: <u>75 John Roberts Road</u> City/State: <u>So Portland ME</u> Zip Code: <u>04106</u>	Agent/Representative Contact information Work # <u>200 - 2055</u> Cell # <u>205 - 5271</u> e-mail: <u>wconway@sebagotechnics.com</u>
Billing Information Name: <u>Same as Applicant</u> Address: City/State : Zip Code:	Billing Information Work # <u>Same as Applicant</u> Cell # Fax# e-mail:
Engineer Name: <u>Shawn Frank</u> <u>Sebago Technics</u> Address: City/State : Zip Code:	Engineer Contact Information Work # <u>200 - 2062</u> Cell # Fax# e-mail: <u>sfrank@sebagotechnics.com</u>

Surveyor Name: Dow and Colombe Mike Colombe Address: Saco ME City/State : Zip Code:	Surveyor Contact Information Work # 204 - 4521 Cell # Fax# e-mail: dowcol @ gwi.net
Architect Name: Bill Hopkins Address: Archetype PA Portland ME City/State : Zip Code:	Architect Contact Information Work # 772 6022 Cell # Fax# e-mail: hopkins @ archetype pa . com
Attorney Name: N/A Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

See Attached

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

Undeveloped

Current Zoning Designation(s):

R5A / R0S Conditional Zone

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

See Attached

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1" = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

See Attached

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment ___ \$2,000.00 (from ___ zone to ___ zone)	Fees Paid (office use) ___	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment ___ \$2,000.00 (to Section 14- ___) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (<u>example</u>) and language to be added is depicted as underline (<u>example</u>))	___	
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00	___	
Conditional or Contract Zone ☒ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	___	

Signature of Applicant: 	Date: 4-2-14
---	------------------------

Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	18.32	Ac	sq. ft.
Proposed Total Disturbed Area of the Site	5.86	Ac	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			
Impervious Area (Total Existing)	0		sq. ft.
Impervious Area (Total Proposed)	2.78	Ac	sq. ft.
Building Ground Floor Area and Total Floor Area			
Building Footprint (Total Existing)	0		sq. ft.
Building Footprint (Total Proposed)	46,698		sq. ft.
Building Floor Area (Total Existing)	0		sq. ft.
Building Floor Area (Total Proposed)	25,438		sq. ft.
Zoning			
Existing	RSA / ROS		
Proposed, if applicable	RSA / ROS		
Land Use			
Existing	UNDEVELOPED		
Proposed	RESIDENTIAL		
Residential, if applicable			
# of Residential Units (Total Existing)	0		
# of Residential Units (Total Proposed)	94		
# of Lots (Total Proposed)	1		
# of Affordable Housing Units (Total Proposed)	0		
Proposed Bedroom Mix			
# of Efficiency Units (Total Proposed)	0		
# of One-Bedroom Units (Total Proposed)	12		
# of Two-Bedroom Units (Total Proposed)	34		
# of Three-Bedroom Units (Total Proposed)	48		
Parking Spaces			
# of Parking Spaces (Total Existing)	0		
# of Parking Spaces (Total Proposed)	204		
# of Handicapped Spaces (Total Proposed)	5		
Bicycle Parking Spaces			
# of Bicycle Spaces (Total Existing)	0		
# of Bicycle Spaces (Total Proposed)	38		
Estimated Cost of Project			

Att. D

~~Order 67 - 04/05~~~~Given first reading 9/20/04~~~~Postponed on 10/4/04~~~~Public Hearing and Passage 10/18/04 7-1 (Smith abstaining, O'Donnell opposed)~~

NATHAN H. SMITH (MAYOR)(3)
 WILLIAM R. GORHAM (1)
 KAREN A. GERAGHTY (2)
 CHERYL A. LEEMAN (4)
 JAMES I. COHEN (5)

CITY OF PORTLAND
 IN THE CITY COUNCIL

PETER E. O'DONNELL (A/L)
 JAMES F. CLOUTIER (A/L)
 JILL C. DUSON (A/L)
 NICHOLAS M. MAVODONES (A/L)

amended

ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR 802-828 OCEAN AVENUE

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective thirty (30) days following this rezoning.

Ridge
 Development LLC
 wherever Graves
 Hill referred to

CONDITIONAL ZONE AGREEMENT
~~GRAVES HILL LAND COMPANY, LLC~~

This Agreement made this _____ day of _____, 2004 by ~~GRAVES HILL LAND COMPANY, LLC~~, a Maine limited liability company with an office in ~~Saco~~, Maine (hereinafter "~~GRAVES HILL~~").

or has an option

WITNESSETH:

WHEREAS, ~~GRAVES HILL~~ owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

94

WHEREAS, ~~GRAVES HILL~~ proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

with a larger trail system; and

10.40

WHEREAS, ~~GRAVES HILL~~ has requested the rezoning of ~~10.167~~ acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~8.155~~ acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

7.92

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with ~~GRAVES HILL's~~ agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

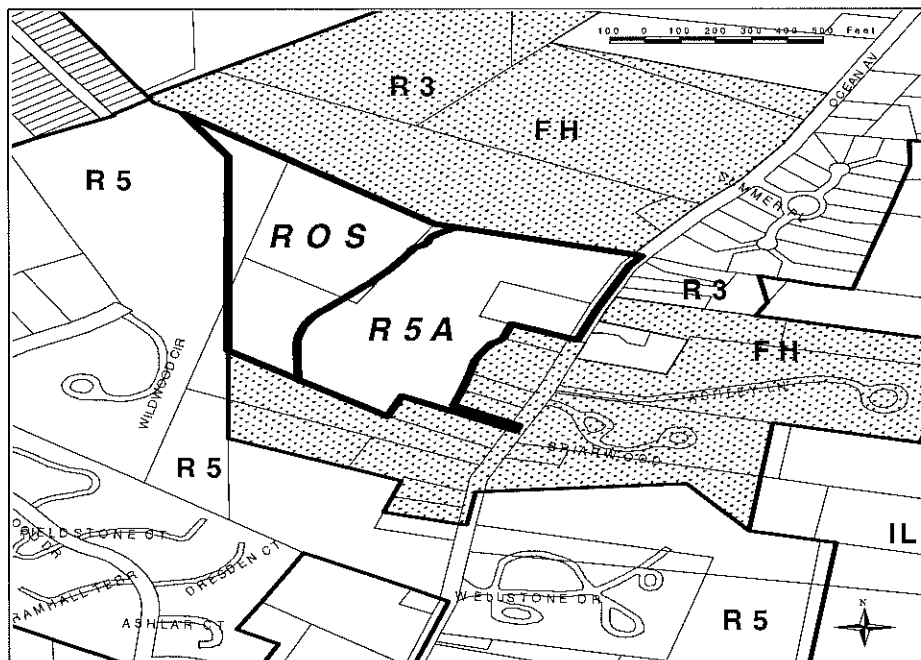
WHEREAS, GRAVES HILL has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind ~~GRAVES HILL~~, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, ~~GRAVES HILL~~ contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

94

47

- a. Up to ~~98~~ residential units located in two buildings, each building containing up to ~~49~~ units, which may be sold as condominium units, resulting in a maximum total of ~~ninety eight (98)~~ residential units within the Property; and
- b. a community room in each building available for use by the residents of the ~~PRUD~~, and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the ~~PRUD~~; and
- e. a cross country ski center/locker room in each building available for use by the

ninety four (94)

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

1 space per 1BR
unit + 2 spaces per
2BR, 3BR units

A future recreation
area is also
permitted, subject
to Site Plan Review
and approval by
the Planning Board

b

~~residents of the PRUD; and~~

~~f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and~~

c

~~g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.~~

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

forty seven (47)

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to ~~forty nine (49)~~ dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to ~~forty nine (49)~~ dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

forty seven (47)

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. ~~GRAVES HILL~~ is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

future recreation
area

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL~~ shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The

easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL~~, its successors and assigns, ~~Graves Hill~~ Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL~~ may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as ~~GRAVES HILL~~ has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, ~~GRAVES HILL~~ may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

Archetype PA, date
TBD

Sebago Technics,
Date TBD

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The ~~Graves Hill~~ entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of ~~GRAVES HILL~~, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this

Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. ~~GRAVES HILL~~ shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, ~~GRAVES HILL~~ shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the CITY for the CITY to apply toward installing granite curbs and sidewalk in the vicinity of the PROPERTY.

~~GRAVES HILL~~ shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by ~~GRAVES HILL~~ or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while ~~GRAVES HILL~~ shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL~~ and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL~~ or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned R-5A, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~49~~

47

Maximum number of buildings containing residential dwelling units:

2

75

Maximum building height:

~~100~~ feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site

plan

204 spaces



Parking:
spaces, half in Phase I and half in Phase II

Minimum of ~~2 spaces per unit~~ plus 28 visitor

Minimum recreation open space area:
in the form of

Outdoor passive recreation

pedestrian trails of not less than 3,207 linear

feet shall be provided on the Property,

generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL~~ may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and ~~GRAVES HILL~~ need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL~~, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

o:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

14. In the event ~~GRAVES HILL~~ or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S~~ breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL~~ has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. ~~GRAVES HILL~~ shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

~~GRAVES HILL LAND COMPANY, LLC~~

Ridge
Development LLC

By: _____

~~Diane Doyle~~
Its Manager

Patrick Tinsman,
Manager of Ridge
Development LLC

Patrick Tinsman

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named ~~Diane Doyle, Manager of GRAVES HILL LAND COMPANY, LLC~~ as aforesaid, and acknowledged the foregoing instrument to be her

free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

CHESTER & VESTAL

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW

EDWIN P. CHESTER
BARBARA A. VESTAL
STEVEN M. CAREY

107 Congress Street
Portland, Maine 04101
Telephone (207) 772-7426
Fax (207) 761-5822
E-mail: nchester@maine.rr.com
vestal@maine.rr.com
smcarey@maine.rr.com

NOV 12 2004

November 12, 2004

HAND DELIVERED

Penny Littel, Esq.
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Conditional Zone Agreement, Graves Hill Land Company, LLC

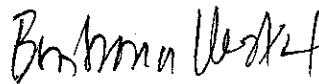
Dear Penny:

Enclosed is a copy of the Conditional Zone Agreement which was executed by Graves Hill Land Company, LLC on November 8, 2004, together with the Council Order (Attachment 1) and reduced, black/white copies of Exhibits 1-4 which were attached to the Agreement when it was submitted to the City Council for public hearing on October 18, 2004. The original Conditional Zone Agreement (including Attachment and Exhibits) was recorded on November 10, 2004 at 2:02 p.m. in Cumberland County Registry of Deeds Book 21999, Page 113.

As agreed, also enclosed for your records are the full size, 11" x 17" and/or color pages which were submitted to the Council as Exhibits 1-4.

Please contact me if anything further is required at this time. Thank you for your assistance throughout this phase of the process.

Very truly yours,



Barbara A. Vestal

BAV/om
Enclosures
dc: Diane Doyle, Graves Hill Land Company, LLC

Official Receipt for Recording in:

Cumberland County Registry Of Deeds
142 Federal Street
PORTLAND, MAINE 04101

Issued To:
CHESTER & VESTAL
107 CONGRESS STREET
PORTLAND ME 04101-

Recording Fees

Document Description	Number	Volm	Page	Recording Amount
MORTGAGE	88949	21999	113	\$61.00
1-GRAVES HILL LAND CO LLC				
02:02:30p				
				\$61.00

Collected Amounts

Payment Type	Check Number	Amount
CHECK	144	\$61.00
		\$61.00

Total Received :	\$61.00
Less Total Recordings:	\$61.00
Change Due :	\$0.00

Thank You
JOHN B OBRIEN - Register of Deeds
By - Monica Bouchie

Receipt# Date Time
0185173 11/10/2004 02:02p

**CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY, LLC**

This Agreement made this 8th day of November, 2004 by **GRAVES HILL LAND COMPANY, LLC**, a Maine limited liability company with an office in Saco, Maine (hereinafter "**GRAVES HILL**").

WITNESSETH:

WHEREAS, GRAVES HILL owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL has requested the rezoning of 10.167 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.155 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

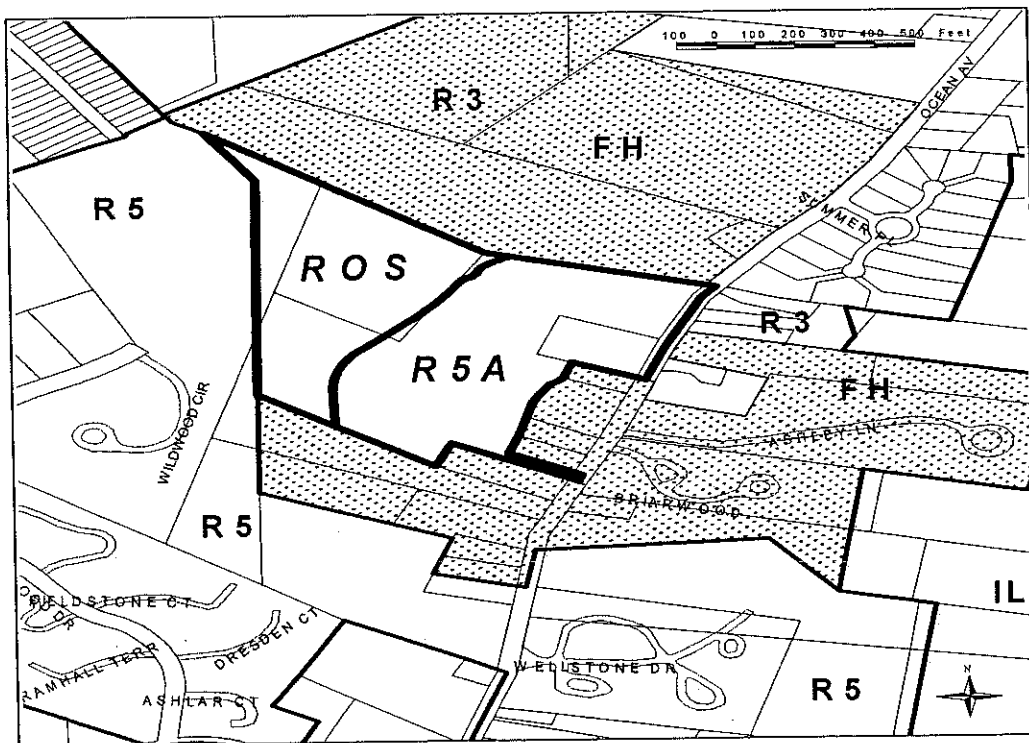
it is necessary and appropriate to impose with **GRAVES HILL**'s agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on October 18, 2004, by City Council Order No.67 -- 04/05, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, **GRAVES HILL** has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
- b. a community room in each building available for use by the residents of the PRUD; and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and
- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by

blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **GRAVES HILL** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site

have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual

condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49

Maximum number of buildings containing residential dwelling units: 2

Maximum building height: 100 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location of the site plan

Parking: Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II

Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. An public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **GRAVES HILL** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any por-

tion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

Brianne V. Vorkel

GRAVES HILL LAND COMPANY, LLC

By: [Signature]
Diane Doyle
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

November 8, 2004

Then personally appeared the above-named Diane Doyle, Manager of GRAVES HILL LAND COMPANY, LLC as aforesaid, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

Barbara A. Vezina

Notary Public/Attorney-at-Law

Printed name: Barbara A. Vezina

My Commission Expires: _____

ATTACHMENT 1

Order 67 – 04/05

Given first reading 9/20/04

Postponed on 10/4/04

Public Hearing and Passage 10/18/04 7-1 (Smith abstaining, O'Donnell opposed)

NATHAN H. SMITH (MAYOR)(3)

WILLIAM R. GORHAM (1)

KAREN A. GERAGHTY (2)

CHERYL A. LEEMAN (4)

JAMES I. COHEN (5)

CITY OF PORTLAND
IN THE CITY COUNCIL

PETER E. O'DONNELL (A/L)

JAMES F. CLOUTIER (A/L)

JILL C. DUSON (A/L)

NICHOLAS M. MAVODONES (A/L)

**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective thirty (30) days following this rezoning.

**CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY, LLC**

This Agreement made this _____ day of _____, 2004 by **GRAVES HILL LAND COMPANY, LLC**, a Maine limited liability company with an office in Saco, Maine (hereinafter "**GRAVES HILL** ").

WITNESSETH:

WHEREAS, GRAVES HILL owns a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL proposes to construct upon a portion of the Property a maximum of 98 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL has requested the rezoning of 10.167 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 8.155 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS) ; and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

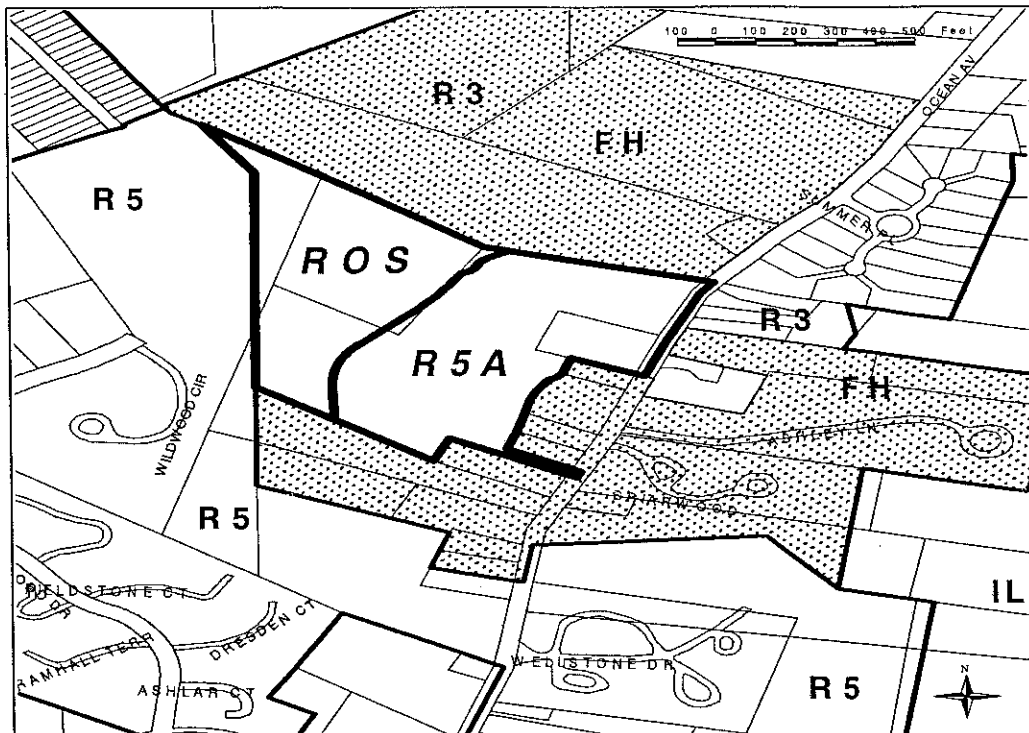
it is necessary and appropriate to impose with **GRAVES HILL's** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200__, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, GRAVES HILL has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **GRAVES HILL**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **GRAVES HILL** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Counsel's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

July 2004

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

2. **GRAVES HILL** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. Up to 98 residential units located in two buildings, each building containing up to 49 units, which may be sold as condominium units, resulting in a maximum total of ninety-eight (98) residential units within the Property; and
- b. a community room in each building available for use by the residents of the PRUD; and
- c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services for 802 Ocean Avenue, if determined necessary by the condominium owners' association; and
- d. a fitness and special events room in each building available for use by the residents of the PRUD; and
- e. a cross country ski center/locker room in each building available for use by the residents of the PRUD; and

- f. parking in an amount of not less than 2 spaces per residential unit, plus at least 28 additional surface visitor parking spaces; and
- g. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-nine (49) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-nine (49) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **GRAVES HILL** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **GRAVES HILL** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking

dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **GRAVES HILL**, its successors and assigns, Graves Hill Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **GRAVES HILL** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **GRAVES HILL**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL** shall instead contribute funds

equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

GRAVES HILL shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **GRAVES HILL** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **GRAVES HILL** and/or Diane Doyle holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **GRAVES HILL** or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 49

**Maximum number of buildings containing
residential dwelling units:** 2

Maximum building height: 100 feet, as measured per zoning ordinance,
and in accordance with the plans attached hereto and in accordance with the location on the site
plan

Parking: Minimum of 2 spaces per unit plus 28 visitor
spaces, half in Phase I and half in Phase II

Minimum recreation open space area: Outdoor passive recreation in the form of

pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **GRAVES HILL** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY**'s zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **GRAVES HILL** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **GRAVES HILL**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized representatives.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **GRAVES HILL** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **GRAVES HILL'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **GRAVES HILL** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the

request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **GRAVES HILL** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

GRAVES HILL LAND COMPANY, LLC

By: _____
Diane Doyle
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named Diane Doyle, Manager of GRAVES HILL LAND COMPANY, LLC as aforesaid, and acknowledged the foregoing instrument to be her

free act and deed in her said capacity and the free act and deed of said limited liability company.

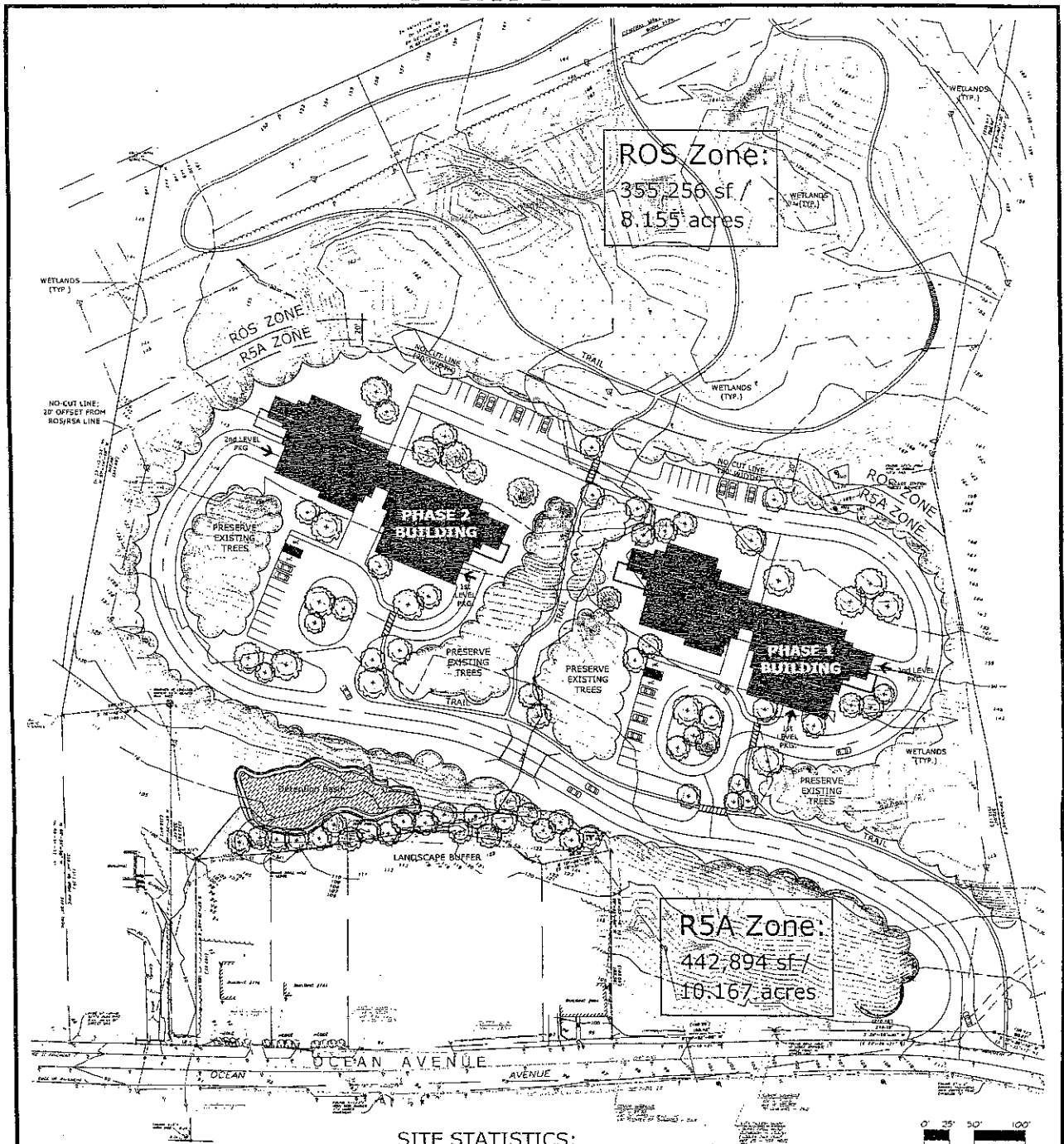
Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

EXHIBIT 1



NOTES:

1. ALL TOPOGRAPHIC INFORMATION AND EXISTING BASE INFORMATION EXCEPT WETLANDS BOUNDARIES PROVIDED BY DOW & COULOMBE SURVEYORS.
2. UTILITY INFORMATION SHOWN IS APPROXIMATE ONLY.
3. PROPOSED ELEVATIONS AND PERCENT SLOPES INDICATED ON PLAN ARE TO PROVIDE GENERAL INFORMATION REGARDING
4. EXISTING AND PROPOSED CONDITIONS AND RELATIONSHIPS.
5. WETLANDS BOUNDARIES SHOWN ARE FOR PLANNING PURPOSES ONLY AND WILL REQUIRE FIELD VERIFICATION.

SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
 Zone ROS: 355,256 sf / 8.1555 acres
 Zone R5A: 442,894 sf / 10.167 acres
 Net Land Area: 434,622 s.f. / 9.978 acres
 Frontage: 445 L.F.
 Impervious Surface Ratio: 0.16

Number of Units:
 Phase 1: 49
 Phase 2: 49
 Gross Density: 5.3 Units/Acre
 Net Density: 9.8 Units/Acre

Roadway Ownership: Private
 Linear Feet of Roadway: 2,656 L.F.
 Roadway Width: 24 feet

Total Number of Parking Spaces: 224 spaces
 Phase 1: 112 spaces
 Phase 2: 112 spaces

Parking Spaces within Parking Structure:
 Phase 1: 90 spaces
 Phase 2: 22 spaces

Surface Parking Spaces:
 Phase 1: 22 spaces
 Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,230 s.f.
 Projected Site Disturbance: 3.4 Acres

Trail:
 Zone ROS: 2,855 lf
 Zone R5A: 1,170 lf
 Total Trail: 4,025 lf

Preliminary Site Plan: Zone Identification

GRAVES HILL

Portland, Maine

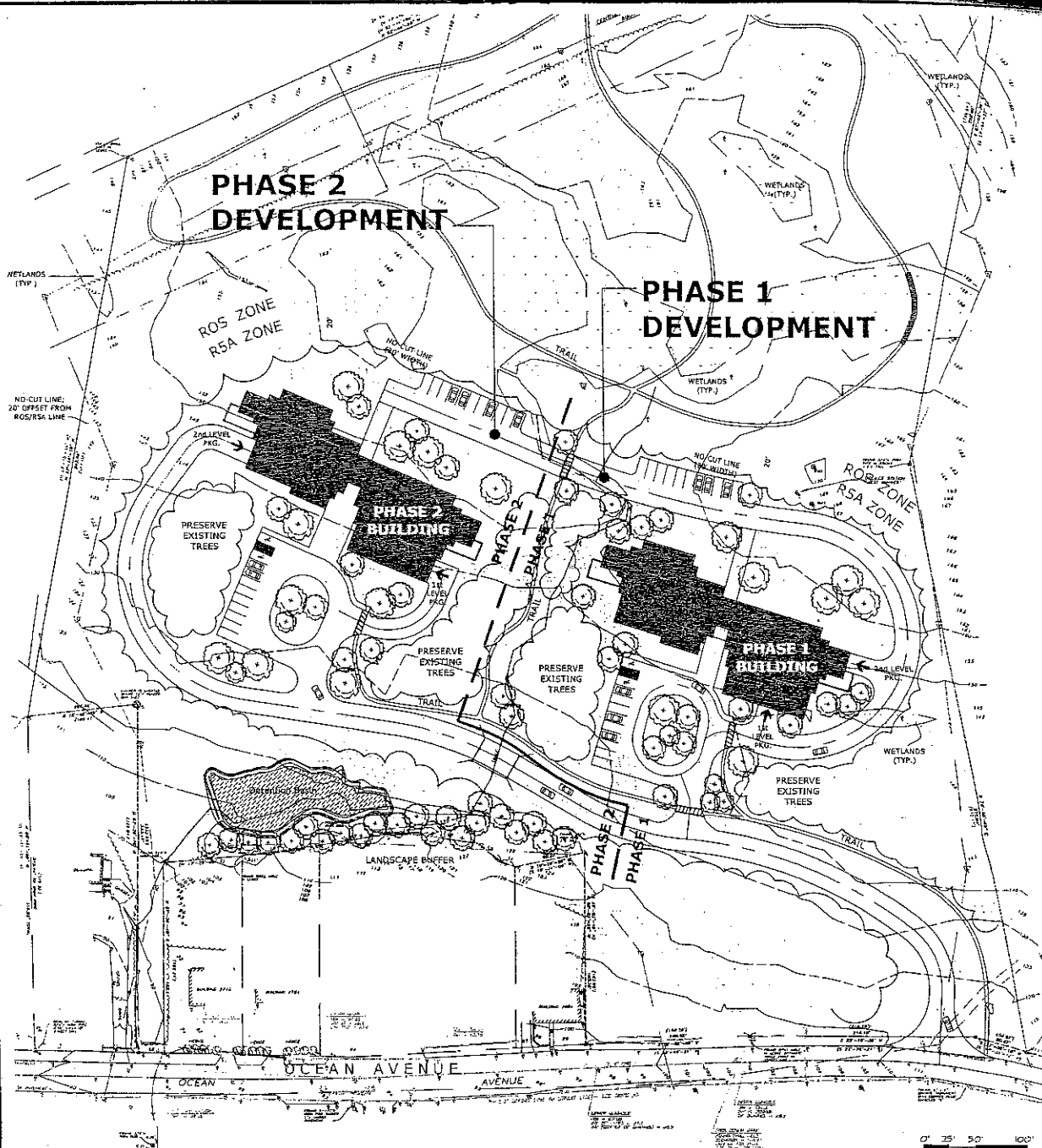
Developer: GRAVES HILL LAND COMPANY
 150 Main Street
 Scarborough, Maine
 tel: 207.286.1191

Architect: Scott Simons Architects
 75 York Street
 Portland, Maine 04101
 tel: 207.772.4656

Landscape Architect: Richardson & Associates
 Landscape Architects
 PO Box 426
 176 Main Street
 Scarborough, Maine 04072
 tel: 207.286.9291

Civil Engineer: BH2M
 Consulting Engineers
 28 State Street
 Gorham, Maine
 tel: 207.870.7371

MARCH 25, 2004
 REVISED MAY 14, 2004
 REVISED JUNE 1, 2004
 REVISED JUNE 14, 2004
 REVISED JULY 8, 2004
 REVISED AUGUST 18, 2004



NOTES:

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Number of Units:
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 Phase 2: 49
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 Linear Feet of Roadway: 2,656 L.F.
 Roadway Width: 24 feet

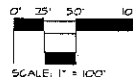
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 Phase 2: 112 spaces

Parking Spaces within Parking Structure:
 Phase 1: 90 spaces
 Phase 2: 90 spaces

Surface Parking Spaces:
 Phase 1: 22 spaces
 Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,730 s.f.
 Projected Site Disturbance: 3,645 Acres

Trail:
 Zone ROS: 2,855 L.F.
 Zone RSA: 1,170 L.F.
 Total Trail: 4,025 L.F.



Preliminary Site Plan: Phasing Identification

GRAVES HILL

Portland, Maine

Developer: GRAVES HILL LAND COMPANY
 110 Main Street
 Saco, Maine
 tel 207.286.1151

Architect: Scott Simons Architects
 75 York Street
 Portland, Maine 04101
 tel 207.722.4656

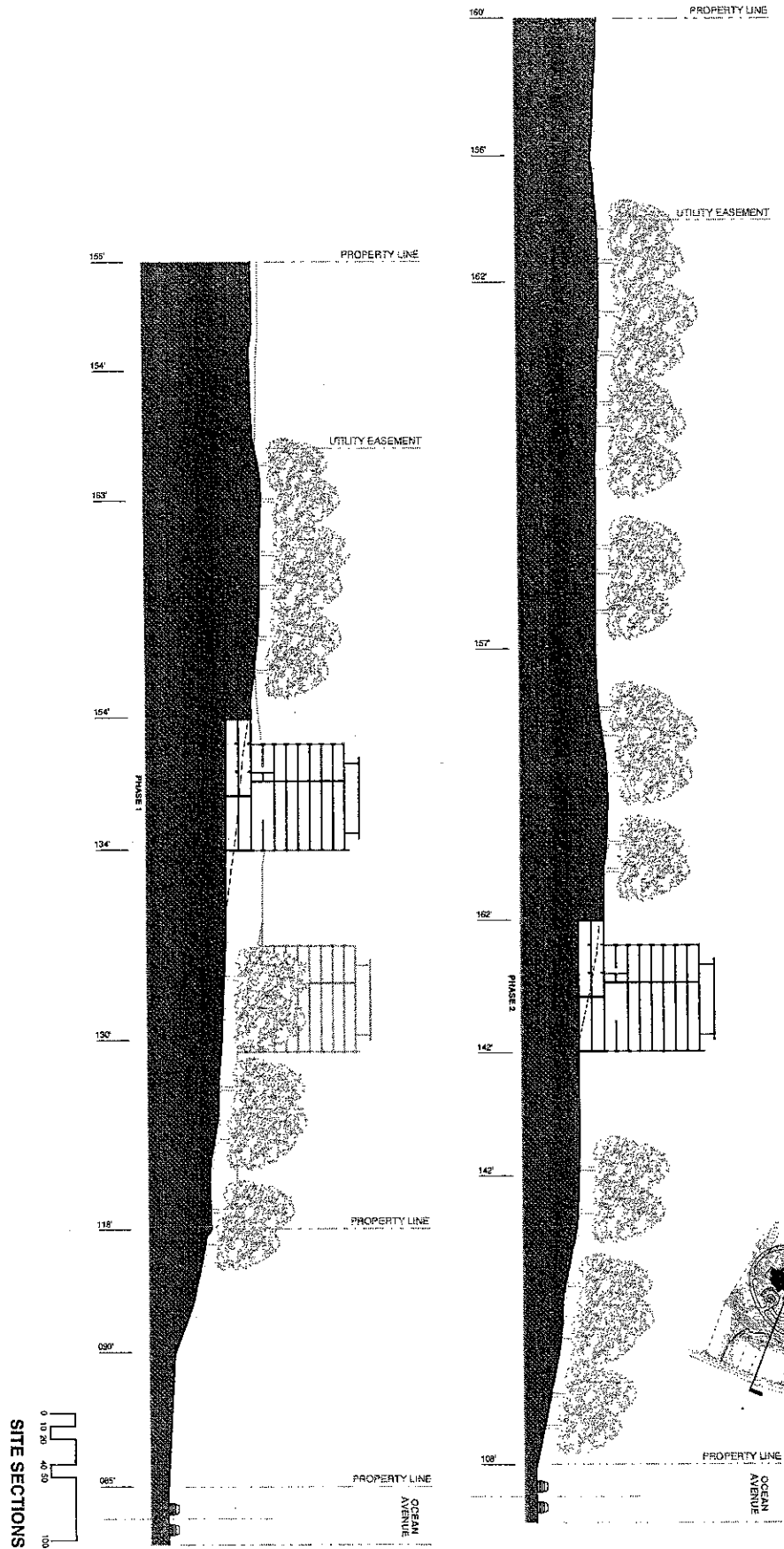
Landscape Architect: Richardson & Associates
 Landscape Architects
 PO Box 426
 176 Main Street
 Saco, Maine 04072
 tel 207.286.9291

Civil Engineer: BHZM
 Consulting Engineers
 28 State Street
 Portland, Maine
 tel 207.535.2771

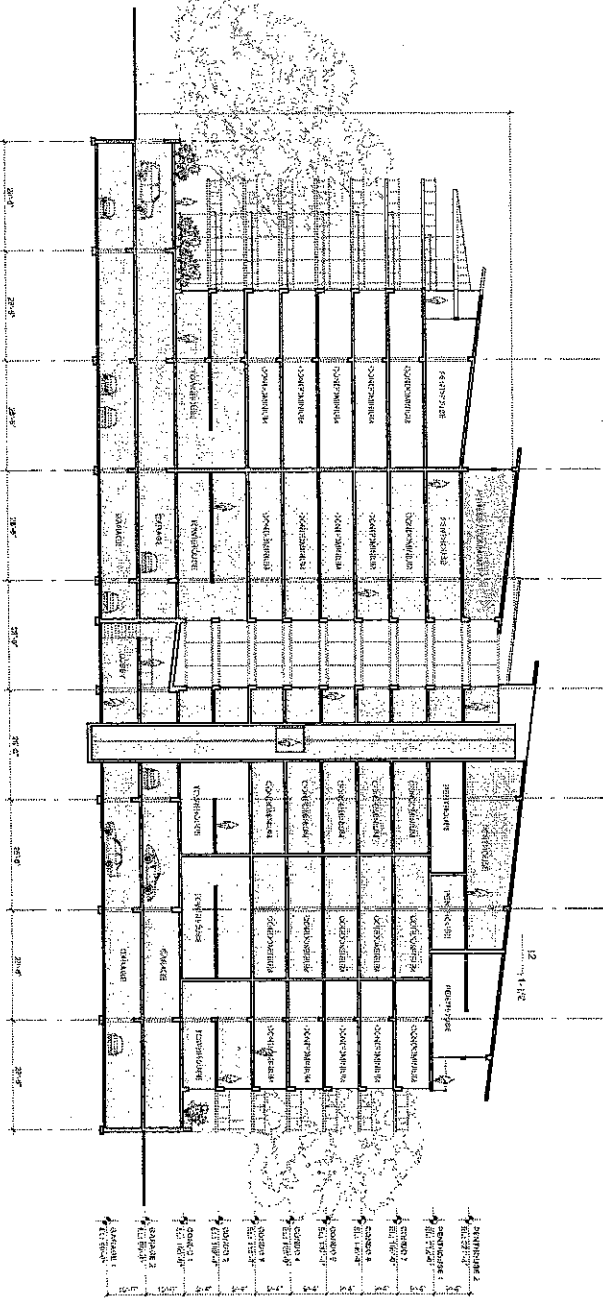
MARCH 25, 2004
 REVISED MAY 14, 2004
 REVISED JUNE 1, 2004
 REVISED JUNE 14, 2004
 REVISED JULY 6, 2004
 REVISED AUGUST 16, 2004

EXHIBIT 3

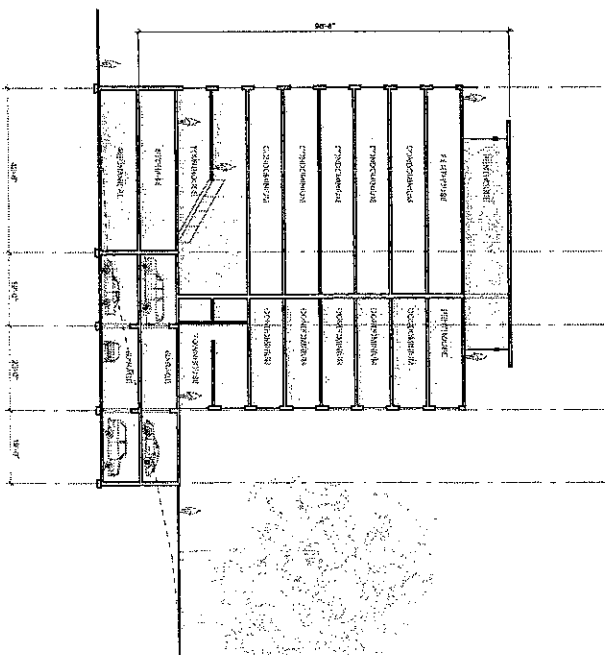
GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



S-N BUILDING SECTION



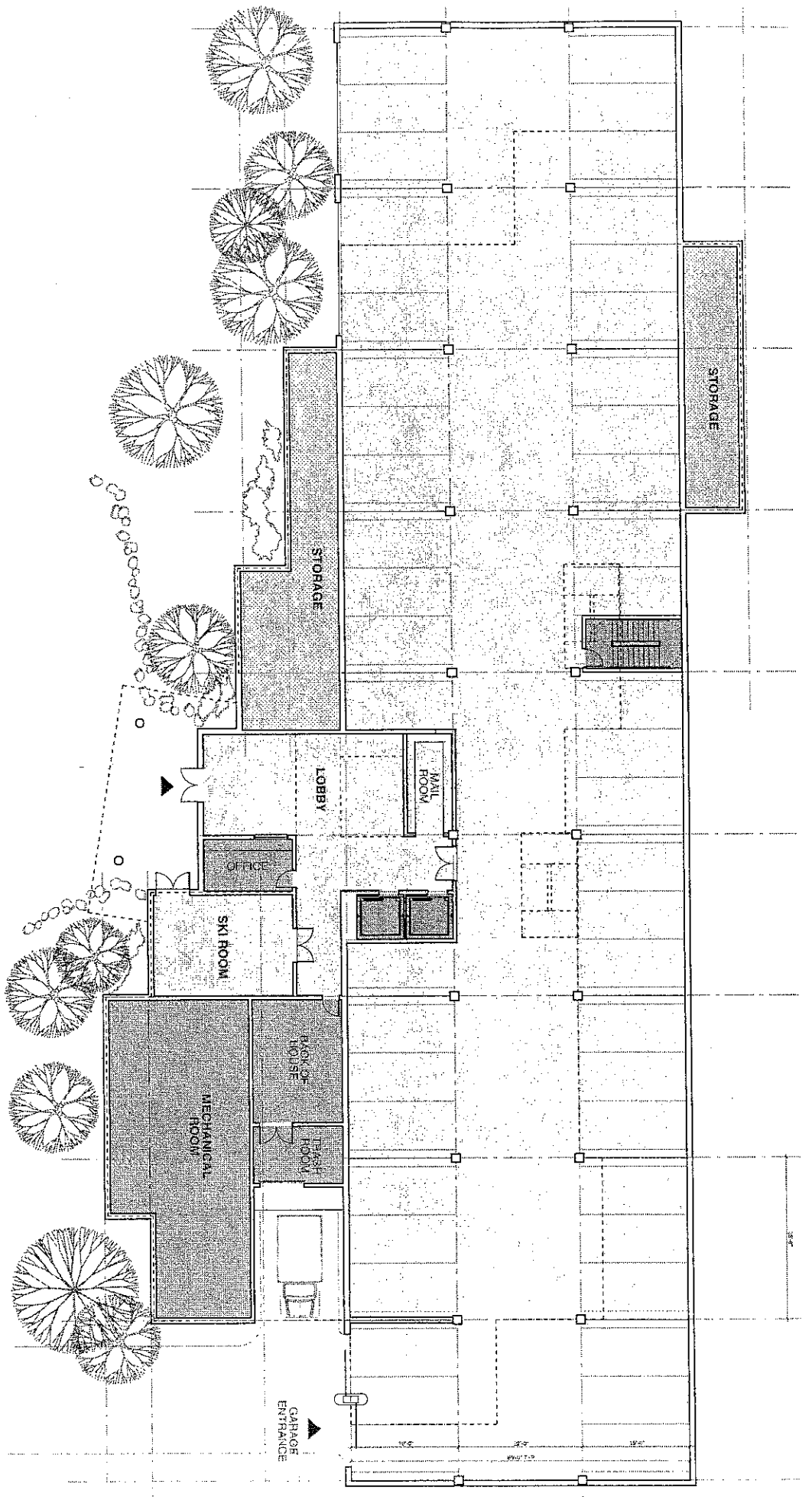
E-W BUILDING SECTION



BUILDING SECTIONS

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



FLOOR 01: LOBBY & GARAGE

SS
Scott Simon Architects

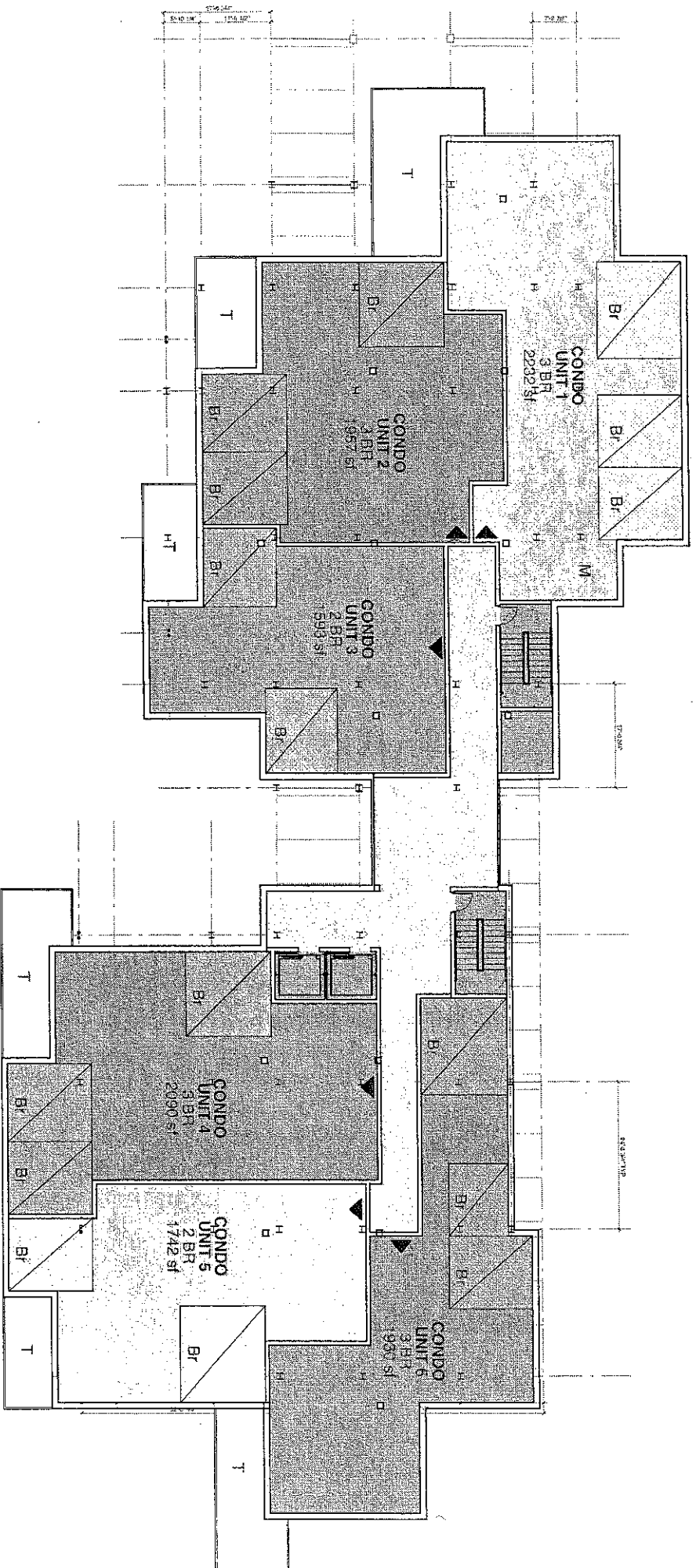
Scott Simons Architects

This architectural floor plan depicts a building layout with several distinct rooms and storage areas. The plan is oriented horizontally, with a dashed line indicating a section cut on the left side. The rooms are labeled as follows:

- STORAGE:** There are four storage areas, each shaded with a stippled pattern. One is located at the top right, another in the middle left, a third in the bottom left, and a fourth in the bottom right.
- COMMUNITY ROOM:** A large room located in the middle left, adjacent to the bottom-left storage area.
- LOBBY:** A small room located between the community room and the middle-left storage area.
- Staircase:** A staircase is located in the middle right, adjacent to the middle-left storage area.
- Entrances/Exits:** Several door symbols are shown throughout the plan, indicating entrances and exits to various rooms.

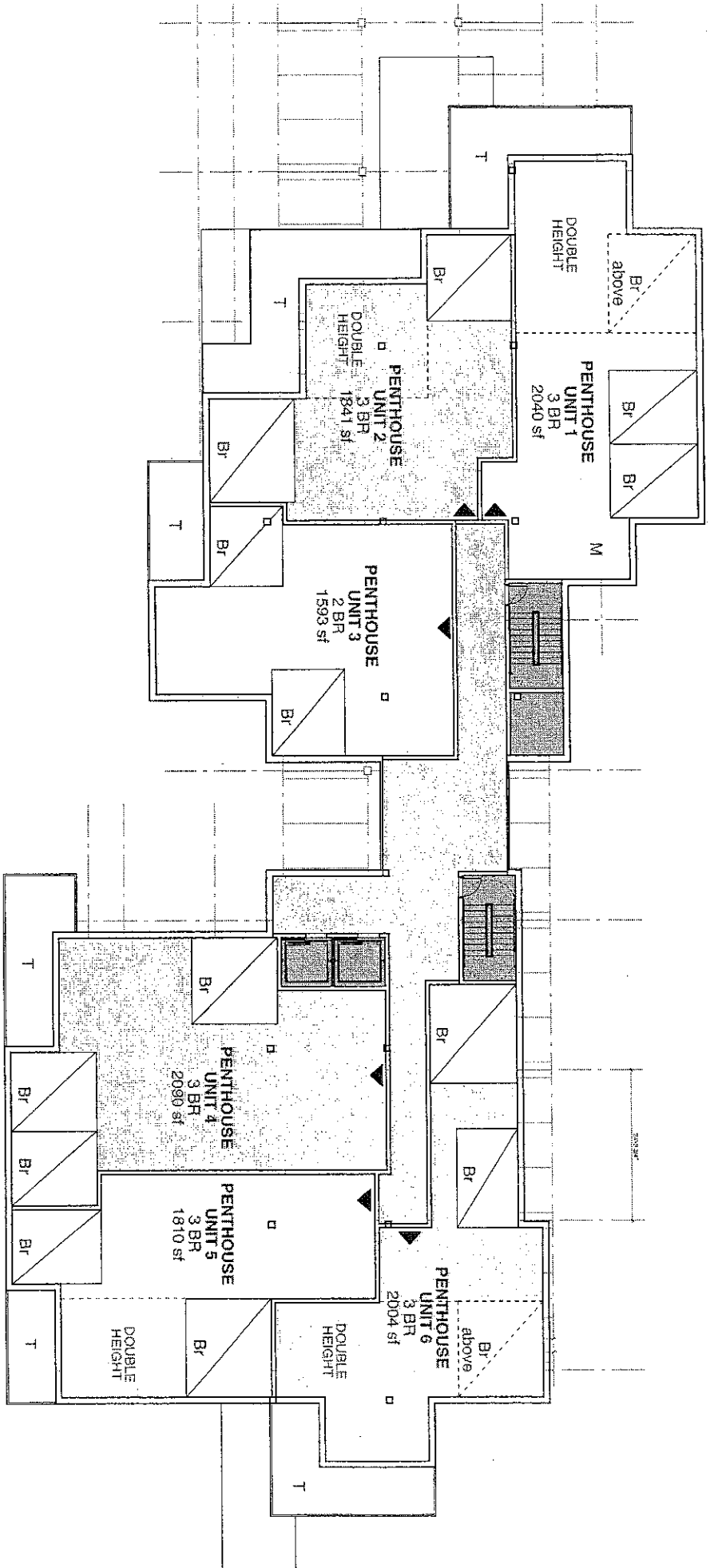
The plan also includes a grid system for reference, with dashed lines indicating room boundaries and structural elements. A dashed line on the left side suggests a section cut through the building.

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



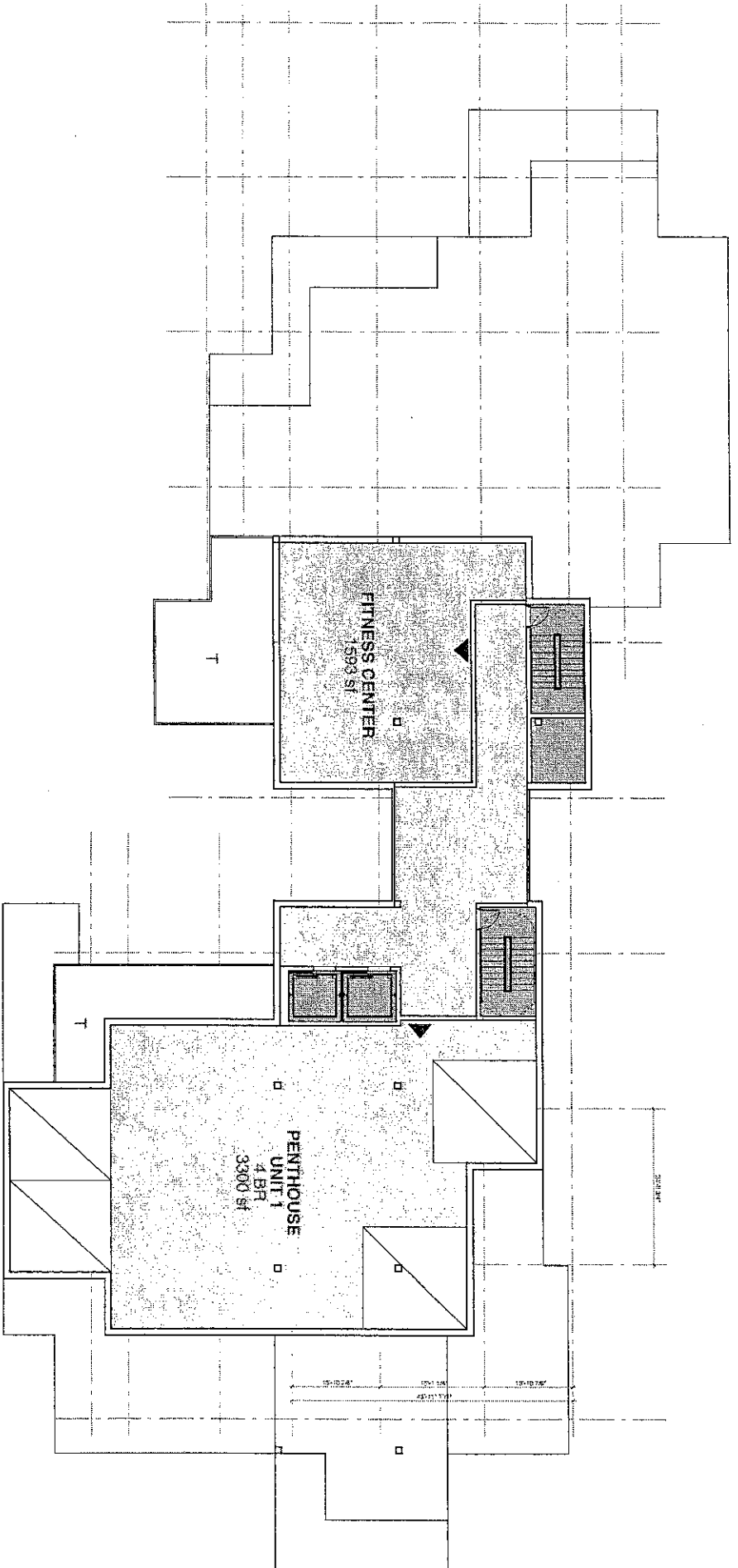
FLOOR 03-09: TYPICAL CONDOMINIUM
 14,510 SF TOTAL

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



FLOOR 10: PENTHOUSE
 13,405 SF TOTAL

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



FLOOR 11: PENTHOUSE
6,653 SF TOTAL

EXHIBIT 4



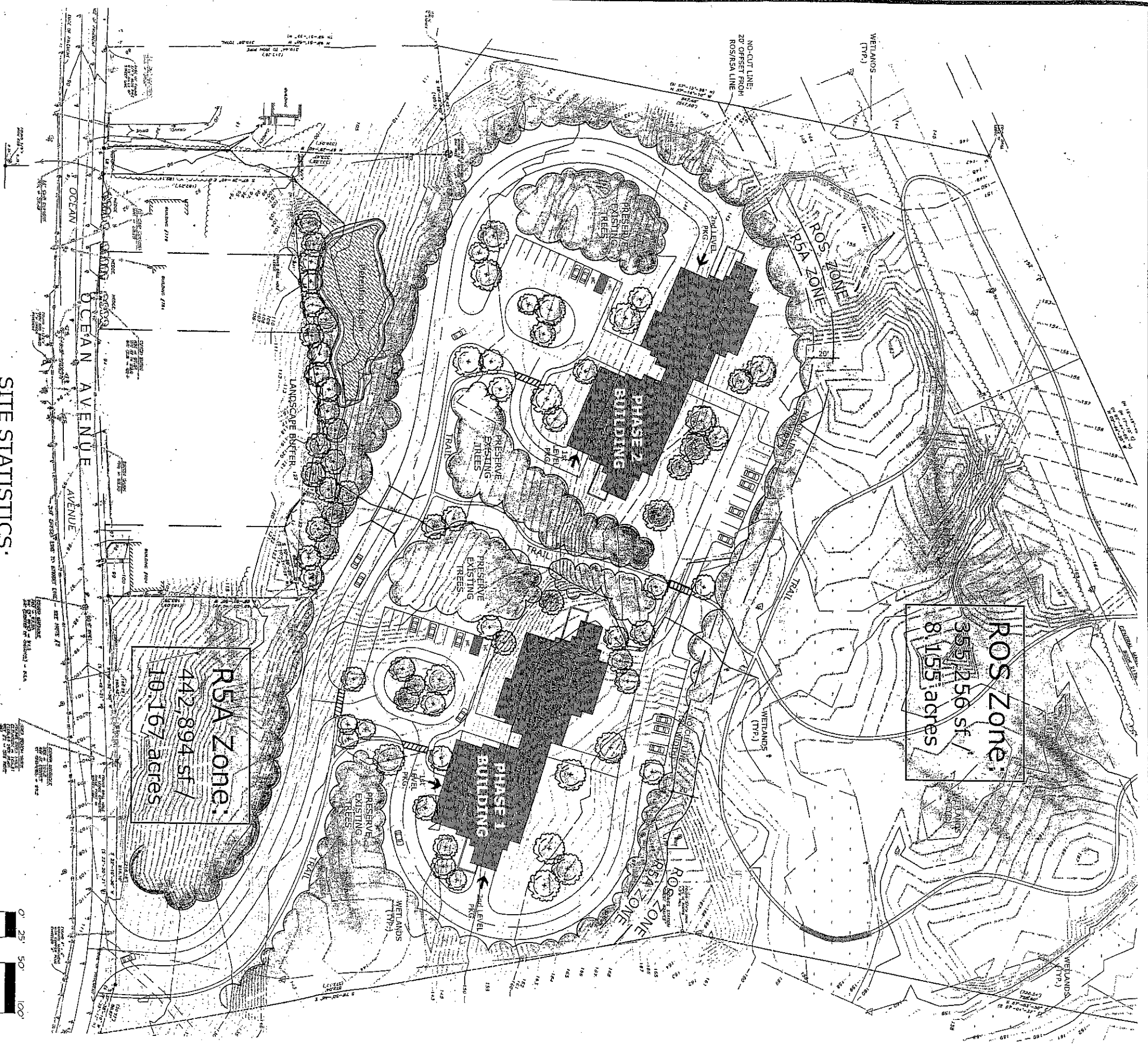
Submitted to
PORTLAND PLANNING BOARD
AUGUST 17, 2004

GRAVES HILL LAND COMPANY, LLC
Diane Doyle 207.286.1151

SCOTT SIMONS ARCHITECTS
Scott Simons 207.772.4656

RICHARDSON & ASSOCIATES
Todd Richardson 207.286.9291

BH2M
Les Berry 207.839.2771



ROS Zone:
355,256 sf /
8.155 acres

RSA Zone:
442,894 sf /
10.167 acres

NOTES:

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Impervious Surface Ratio: 0.16

Number of Units:
Phase 1: 49
Phase 2: 49
Gross Density: 5.3 Units/Acre
Net Density: 9.8 Units/Acre

Roadway Ownership: Private
Linear Feet of Roadway: 2,656 L.F.
Roadway Width: 24 feet

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Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,230 s.f.
Projected Site Disturbance: 3.4 Acres

Trail:
Zone ROS: 2,855 lf
Zone RSA: 1,170 lf
Total Trail: 4,025 lf



Preliminary Site Plan: Zone Identification

GRAVES HILL

Portland, Maine

MARCH 25, 2004
REVISED MAY 14, 2004
REVISED JUNE 1, 2004
REVISED JUNE 4, 2004
REVISED AUGUST 16, 2004

Developer: GRAVES HILL LAND COMPANY
110 Main Street
Saco, Maine
tel 207.286.1151

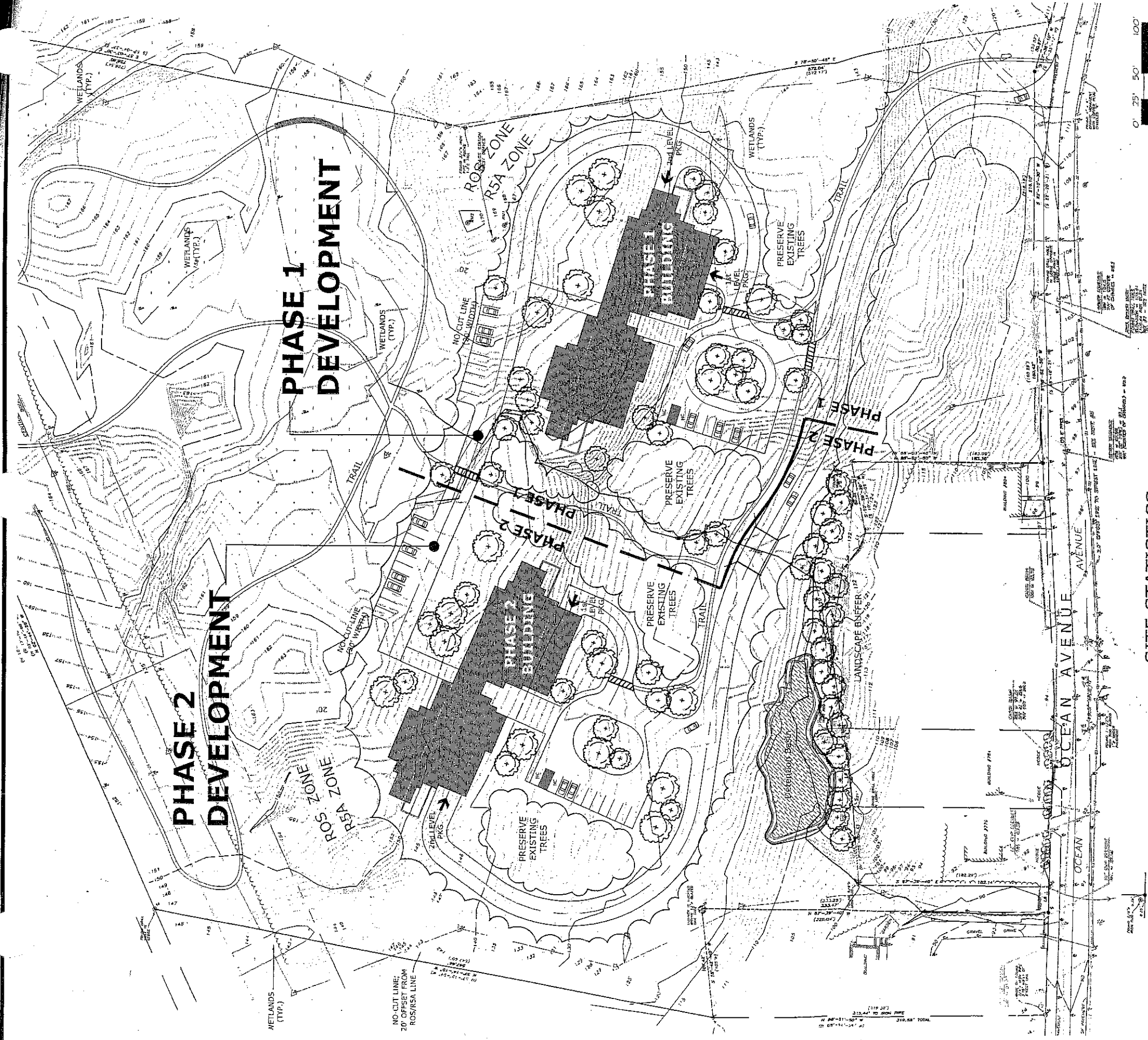
Architect: Scott Simons Architects
75 York Street
Portland, Maine 04103
tel 207.772.4556

Landscape Architect: Richardson & Associates
Landscape Architects
PO Box 426
176 Main Street
Saco, Maine 04072
tel 207.286.9291

Civil Engineer: BH2M
Consulting Engineers
28 State Street
Corryville, Maine
tel 207.859.2771

PHASE 2 DEVELOPMENT

PHASE 1 DEVELOPMENT



SITE STATISTICS:

Site Size: Gross area: 798,150 s.f. / 18.323 acres
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 Impervious Surface Ratio: 0.16

Number of Units:

Phase 1: 49
 Phase 2: 49
 Gross Density: 5.3 Units/Acre
 Net Density: 9.8 Units/Acre

Roadway Ownership: Private
 Linear Feet of Roadway: 2,656 L.F.
 Roadway Width: 24 feet

Total Number of Parking Spaces: 224 spaces
 Phase 1: 112 spaces
 Phase 2: 112 spaces

Parking Spaces within Parking Structure:

Phase 1: 90 spaces
 Phase 2: 90 spaces

Surface Parking Spaces:

Phase 1: 22 spaces
 Phase 2: 22 spaces

Projected Wetlands Disturbance: 2,230 s.f.
 Projected Site Disturbance: 3,645 Acres

Trail:

Zone ROS: 2,855 lf
 Zone R5A: 1,170 lf
 Total Trail: 4,025 lf

NOTES:

1. ALL TOPOGRAPHIC INFORMATION AND EXISTING BASE INFORMATION EXCEPT WETLANDS BOUNDARIES PROVIDED BY DOW & COULOMBE SURVEYORS.
2. UTILITY INFORMATION SHOWN IS APPROXIMATE ONLY.
3. PROPOSED ELEVATIONS AND PERCENT SLOPES INDICATED ON PLAN ARE TO PROVIDE GENERAL INFORMATION REGARDING
4. EXISTING AND PROPOSED CONDITIONS AND RELATIONSHIPS.
5. WETLANDS BOUNDARIES SHOWN ARE FOR PLANNING PURPOSES ONLY AND WILL REQUIRE FIELD VERIFICATION.

Preliminary Site Plan: Phasing Identification

GRAVES HILL

Portland, Maine

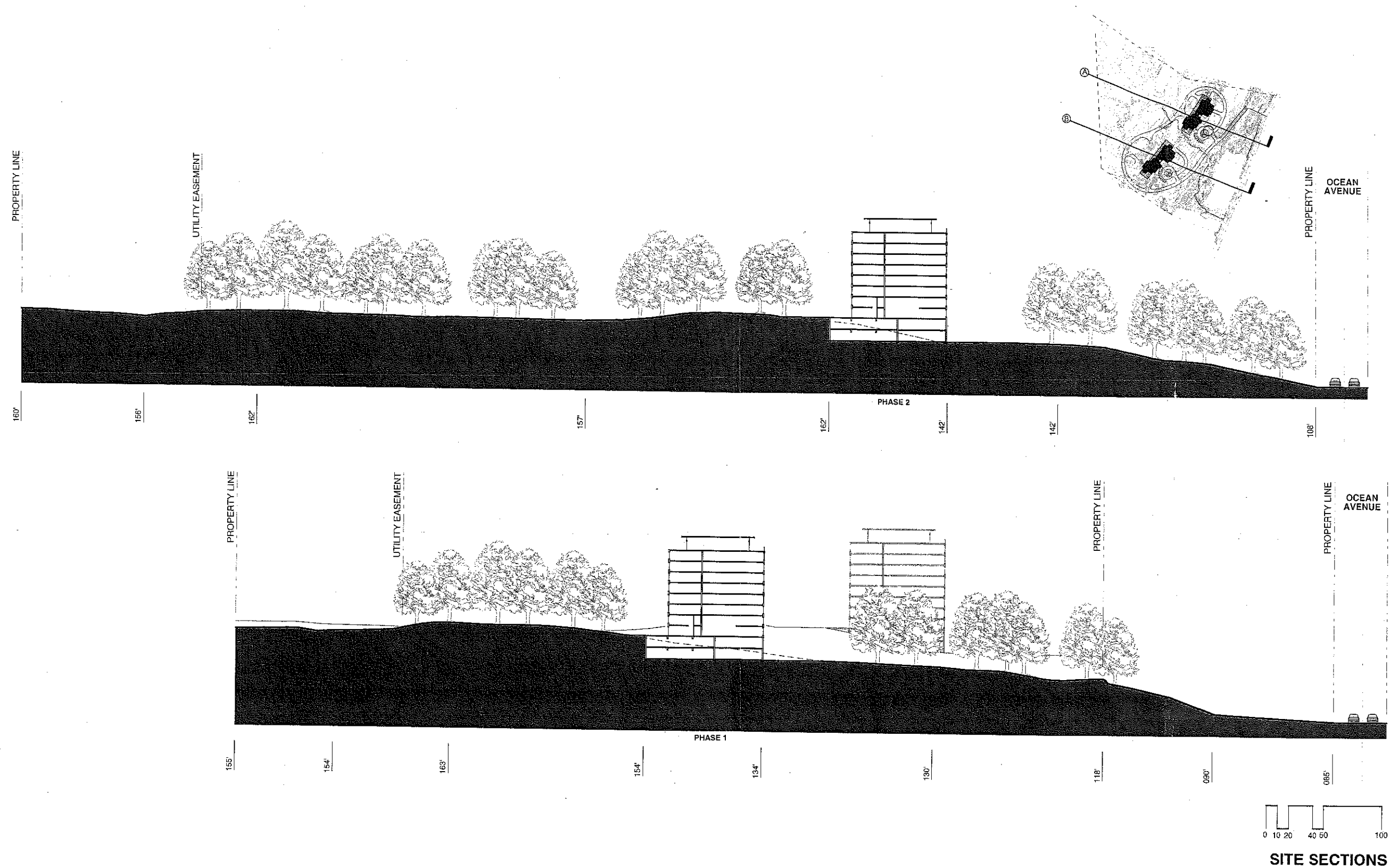
Developer: GRAVES HILL LAND COMPANY
 110 Main Street
 Saco, Maine
 tel 207.286.1151

Architect: Scott Simons Architects
 75 York Street
 Portland, Maine 04101
 tel 207.772.4656

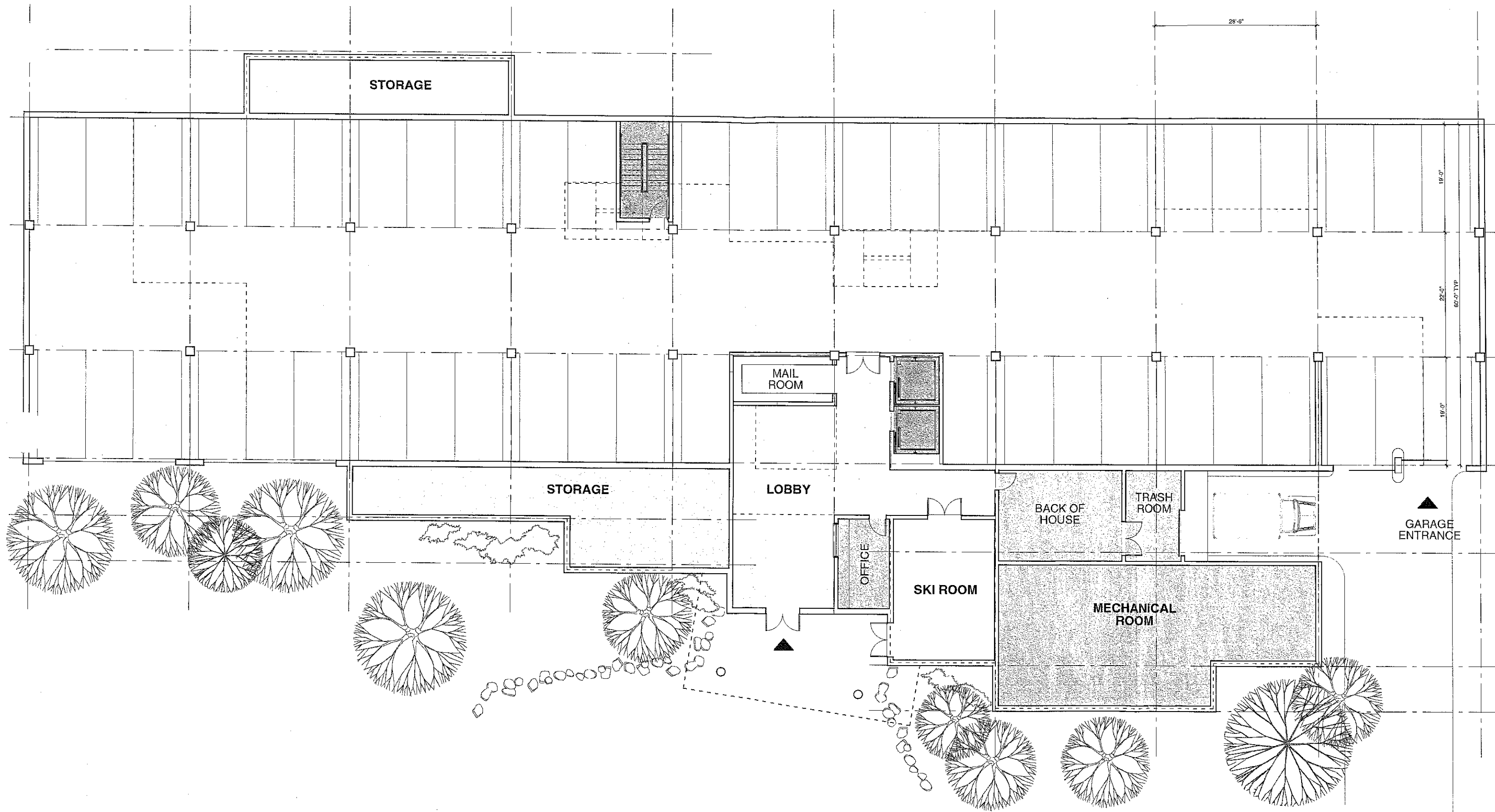
Landscape Architect: Richardson & Associates
 Landscape Architects
 PO Box 426
 176 Main Street
 Saco, Maine 04072
 tel 207.286.9291

Civil Engineer: BHZM
 Consulting Engineers
 28 State Street
 Gorham, Maine
 tel 207.859.2771

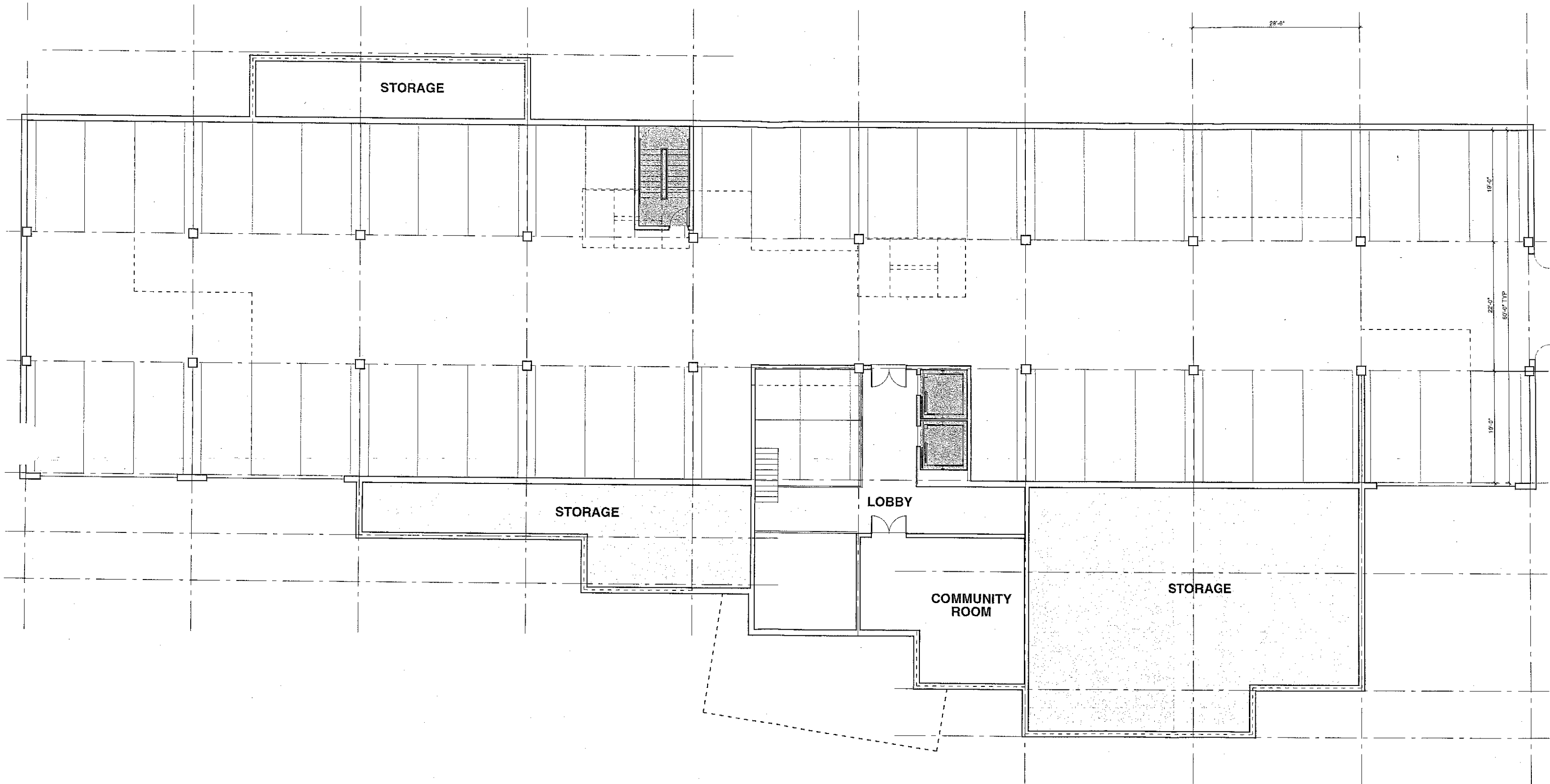
MARCH 23, 2004
 REVISED MAY 14, 2004
 REVISED JUNE 1, 2004
 REVISED JUNE 14, 2004
 REVISED JULY 6, 2004
 REVISED AUGUST 16, 2004



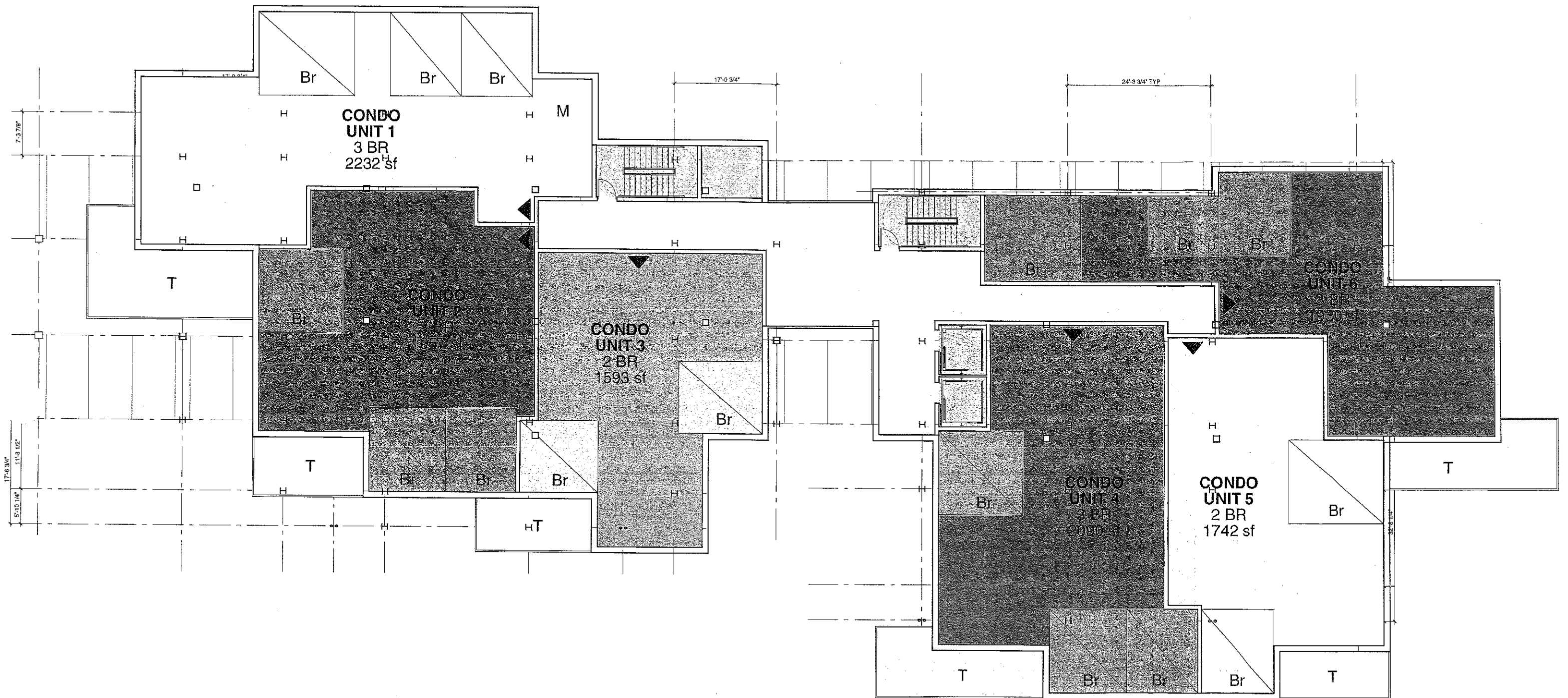
GRAVES HILL
 OCEAN AVENUE
 PORTLAND, ME



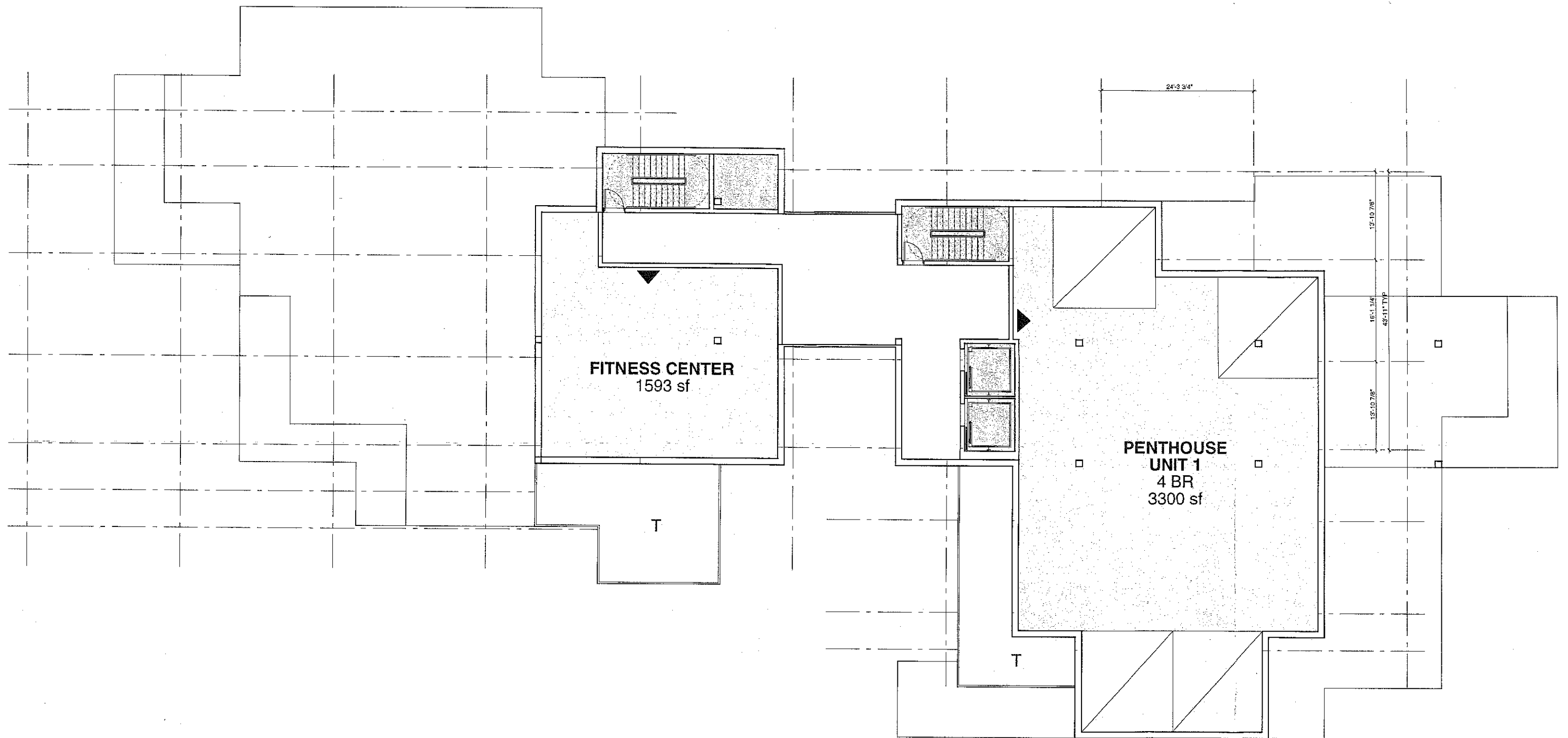
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 OCEAN AVENUE
 PORTLAND, ME



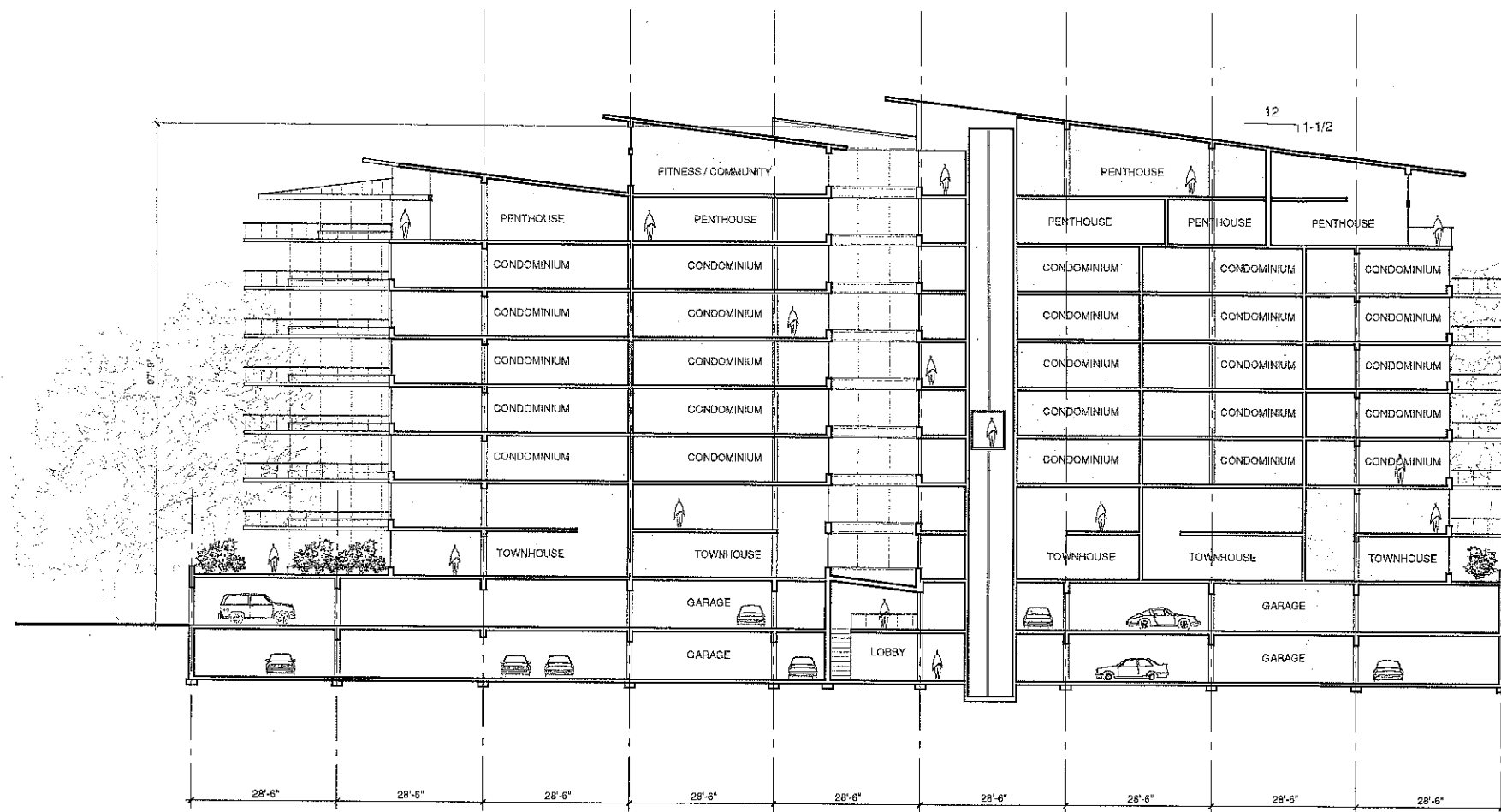
FLOOR 02: COMMUNITY ROOM & GARAGE



FLOOR 03-09: TYPICAL CONDOMINIUM
14,510 SF TOTAL

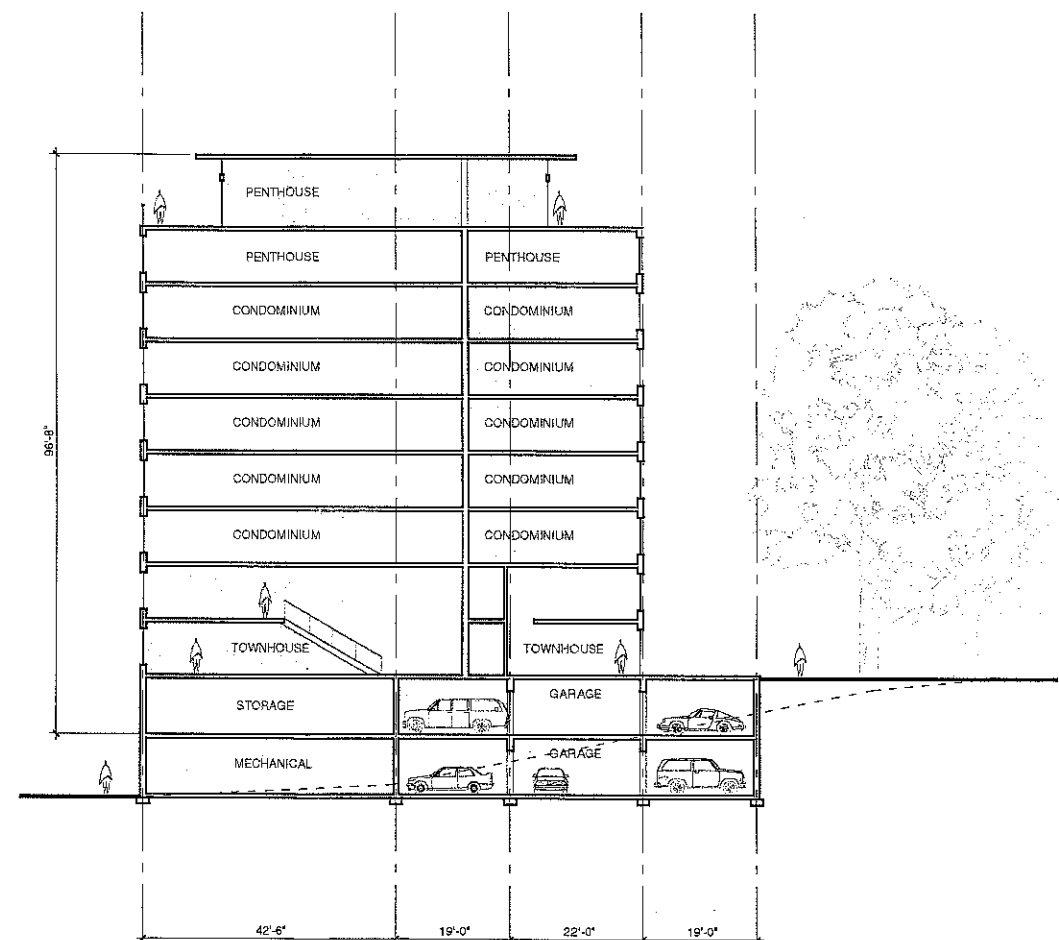


FLOOR 11: PENTHOUSE
6,653 SF TOTAL



S-N BUILDING SECTION

- PENTHOUSE 2
EL: 221'-4"
- PENTHOUSE 1
EL: 212'-0"
- CONDO 7
EL: 155'-0"
- CONDO 8
EL: 146'-8"
- CONDO 5
EL: 137'-4"
- CONDO 4
EL: 128'-0"
- CONDO 3
EL: 118'-8"
- CONDO 2
EL: 109'-4"
- CONDO 1
EL: 100'-0"
- GARAGE 2
EL: 90'-0"
- GARAGE 1
EL: 80'-0"



E-W BUILDING SECTION

BUILDING SECTIONS

GRAVES HILL
OCEAN AVENUE
PORTLAND, ME



Scott Simons Architects

Michael F. Brennan
Kevin J. Donoghue
David A. Marshall
Cheryl A. Leeman
Edward J. Suslovic

CITY OF PORTLAND
IN THE CITY COUNCIL

John R. Coyne
John Hinck
JILL C. DUSON
NICHOLAS M. MAVODONES

ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR
802-828 OCEAN AVENUE
RIDGE DEVELOPMENT, LLC

ORDERED, that the Zoning Map of the City of Portland, dated 2012 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective thirty (30) days following this rezoning.

CONDITIONAL ZONE AGREEMENT
RIDGE DEVELOPMENT, LLC

This Agreement made this day of , 2014 by Ridge Development, LLC, a Maine limited liability company with an office in Portland, Maine (hereinafter "RIDGE DEVELOPMENT").

WITNESSETH:

WHEREAS, RIDGE DEVELOPMENT owns or has an option to buy a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of 94 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, RIDGE DEVELOPMENT has requested the rezoning of 10.4 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of 7.92 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS); and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with **RIDGE DEVELOPMENTS** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

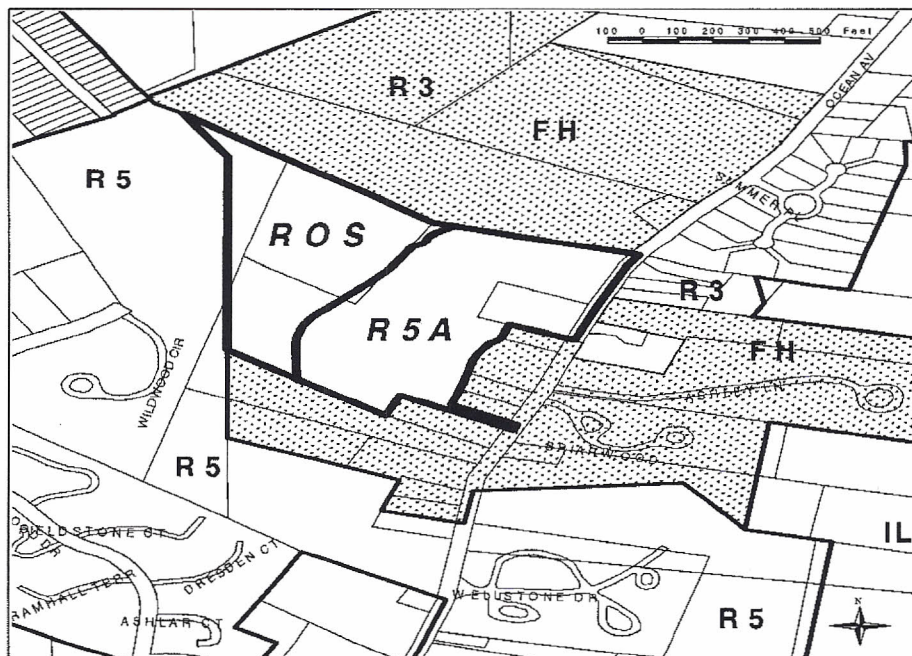
WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 2014_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

WHEREAS, RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **RIDGE DEVELOPMENT**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **RIDGE DEVELOPMENT** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated 2012, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to *R5-A* and R-OS). If this Agreement is not recorded within thirty (30) days of the City Council's approval of said rezoning, then the rezoning shall become null and void and the zoning of the Property shall revert

to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

April 2014

2. **RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

- a. up to 94 residential units located in two buildings, each building containing up to 47 units, which may be sold as condominium units, resulting in a maximum total of ninety-four (94) residential units within the Property; and
- b. parking in an amount of not less than 1 space per 1BR unit and 2 spaces per 2BR and 3BR units per residential unit, plus at least 28 additional surface visitor parking spaces; and
- c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty-seven (47) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty-seven (47) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **RIDGE DEVELOPMENT** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access. Additionally, a future recreation area subject to Planning Board approval may be created.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **Ridge DEVELOPMENT** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public.

The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **RIDGE DEVELOPMENT**, its successors and assigns, Casco Heights Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **RIDGE DEVELOPMENT** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I.

If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **RIDGE DEVELOPMENT** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **RIDGE DEVELOPMENT** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Sebago Technics (last revised March, 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by Archetype (last revised March, 2014). The Casco Heights entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **RIDGE DEVELOPMENT**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment

the attached site plan without further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **RIDGE DEVELOPMENT** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **RIDGE DEVELOPMENT** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **RIDGE DEVELOPMENT** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **RIDGE DEVELOPMENT** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **RIDGE DEVELOPMENT** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **RIDGE DEVELOPMENT** holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **RIDGE DEVELOPMENT** or any successor in interest may convey the R- OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: 47

**Maximum number of buildings containing
residential dwelling units:** 2

Maximum building height: 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

Parking: 204 Spaces, half in Phase I and half in Phase II.

Minimum recreation open space area:

Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **RIDGE DEVELOPMENT** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **RIDGE DEVELOPMENT** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **RIDGE DEVELOPMENT**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized **representatives**.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **RIDGE DEVELOPMENT** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **RIDGE DEVELOPMENT'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **RIDGE DEVELOPMENT** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **RIDGE DEVELOPMENT** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

RIDGE DEVELOPMENT, LLC

By: _____

Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 2014_

Then personally appeared the above-named Patrick Tinsman, Manager of Ridge Development, LLC as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me:

Notary Public/Attorney-at-Law

Printed name: -----

My Commission Expires: _____

Consistency of Casco Heights with Portland's Comprehensive Plan

1. Introduction: Portland's Comprehensive Plan attempts to safeguard Portland's status as a "truly remarkable city" by identifying its distinctive features and then creating a multi-faceted strategy to value, preserve and build upon those features. The Plan seeks to enhance Portland's best qualities and characteristics partially through incremental growth, but also through "bold initiatives tempered by careful consideration and foresight in planning." (Housing Component, p. 9). In some respects, Casco Heights might be viewed as a "bold initiative" due to its imaginative design, the balance it strikes between scale and massing and environmental protection. However, in many other ways, it is consistent with an incremental pattern of development; it is a residential use in a residential zone which preserves open space. This type of development is already anticipated in the R-5A zoning text.

To protect Portland's premier status as a vibrant, small city the Comprehensive Plan adopts the target of **increasing the number of housing units so that Portland grows at the same pace as the region**, maintaining a 25% share of Cumberland County's population (Housing, p. 20). Other components of the community vision seek to: **capitalize on Portland's economic assets**; support and encourage the **creation of an adequate supply of quality housing for all**; create a **sustainable community** while keeping **municipal taxes affordable**; and **protect valued community attributes** including a welcoming and people-scaled built environment, coastal amenities, parks, trails and natural resources, and distinctive sense of place. (Housing, p. 8-9)

As the Casco Heights site is one of the largest remaining parcels of undeveloped land in Portland, it is important for it to be developed in a way that furthers the community vision. The proposal for this site is consistent with that community vision and furthers the Comprehensive Plan's goals and objectives for housing and economic development, open space and recreation, environmental protection and urban design, as further outlined below.

2. Housing and Economic Development: The housing component of the Comprehensive Plan (*Housing: Sustaining Portland's Future*, November 18, 2002) endeavors to build upon Portland's: (1) identity as the regional center for jobs, economic activity and institutional services (social, educational, and medical); (2) unique combination of a welcoming "small town feel" with bigger city amenities; and (3) appreciation of its heritage, including coastal environment, natural resources, and architectural character (p. 8). The Casco Heights developer values and, in turn seeks to attract residents who value these same community attributes. In keeping with the community vision, Casco Heights will be accessible and welcoming, designed to complement the architectural and coastal heritage, and positioned to contribute to maintaining Portland's position as the economic engine of the region.

Accessible/Welcoming

Casco Heights will be welcoming not only to its own residents, but also to the community at large. Public access will be granted over trails which cross the entire site. While the primary trailhead will be located on the former landfill site (where parking will be available), neighborhood walkers from Summer Place, Ocean Ridge, and other nearby residences will be able to access the trail system from Ocean Avenue by walking through the R-5A portion of the site. Similarly, the open space will not be reserved for owners only. A number of neighborhood residents and others already use an informal trail system on the back portion of the site for running, walking, mountain biking, riding ATVs and hunting. While use by motorized vehicles and hunters will no longer be permitted, use by the general public for the remaining low impact uses will be encouraged and facilitated through improvements to be made in cooperation with Portland Trails.

Appreciation of Coastal Heritage

The Housing Plan encourages Portland to build upon the fact that it is a geographically varied and dynamic coastal community with "spectacular views of Casco Bay and the Islands, Back Cove, and Maine's Mountains from the City's promontories," and the fact that residents have ready access to natural features through trails, parks, and scenic viewpoints. Casco Heights is designed to provide water views from most of the units. Similarly, the trails and open space on the R-OS portion of the site will provide residents and the general public with access to wooded land and interesting natural features such as dramatic rock outcroppings.

Need for Higher Density to Maintain Regional Share

The Housing Plan recognizes that, given the limited amount of vacant land, in order for Portland achieve its target of maintaining a 25% share of the County's population, the City will have to allow higher residential density in areas that can support it. The Plan states:

[l]ocations along arterials, near services, or adjoining public amenities may be appropriate for a medium or high-rise apartment building given appropriate controls, high quality design and neighborhood compatibility. The intent is to identify areas suitable for higher density without adversely impacting the character of Portland's neighborhoods. (Housing Plan, p. 27)

Casco Heights is one of those sites that is suitable for development at a density higher than the existing R-3 zone. It is located on a collector street with capacity to accommodate additional traffic, and it is not too far from Washington Avenue, a principal arterial.

. It is served by public water and sewer, adjoins land which will be dedicated to public open space, is on a site of sufficient size to provide substantial buffers from its neighbors, and, due to the nature of the units to be built, should impact the character of the neighborhood in a positive way.

Need for Continuum of Options for All Income Levels

The Housing Plan also states that Portland needs to encourage a full range of housing types, including private market rate development:

Although there has been much emphasis on affordable assisted housing, the need for market rate housing for mid and higher income households is also critically important to Portland's future. Eliminating barriers to housing development and supporting market rate projects through the approval process can assist in this. (Housing Plan, "Early Achievable Actions, Production, #8, p. 64)

This market rate housing should "provide a continuum of options across all income levels" and should include all types of quality housing including condominium and town-house units (Housing Plan, p. 29). The goal is to allow households to "move up" in the real estate market within Portland (or be attracted back into Portland from outlying communities) so that Portland can remain competitive with suburban communities (Housing Plan, p. 15-16). Casco Heights will supply needed housing options at market rate and penthouses at the higher cost end of the continuum.

Integrate Housing and Economic Goals

The Comprehensive Plan recognizes that Portland is sliding into an unbalanced situation where the City provides much of the employment, educational, medical and social services, and arts and cultural opportunities for the region, but many of the higher income individuals who work in Portland and enjoy these services and amenities live in, and pay real estate taxes to, outlying communities. The Comprehensive Plan recognizes the need to improve the balance between where jobs are located and where housing is located by pursuing strategies to entice these individuals not to leave and/or to return to Portland (Comprehensive Plan, Vol I, p. 22).

The Casco Heights units can make a significant contribution to recapturing real estate tax dollars that would, most likely, otherwise flow to suburban communities. In addition, the net real estate tax benefit may be even greater because the high assessed value per unit may very well be coupled with relatively low service demands as a majority of the residents are expected to be older and/or without children in City schools, and some of them may only be in residence for part of each year.

Similarly, while there is no guarantee, it is very possible that one or more of the households attracted by Graves Hill may make a significant contribution to Portland's economic base. As technology makes it increasingly possible for certain types of businesses to relocate almost anywhere, a prime factor in deciding where to locate a business is often where top management would prefer to live. Allowing the creation of very high quality, innovative housing in our high-amenity community (with coastal resources, spectacular views, diverse recreational opportunities, arts and cultural offerings, historic resources, an authentic sense of place, and easy access to all amenities) may very well attract one or more residents who want to relocate their businesses to Portland, thus serving as an economic development tool.

3. Open Space and Recreation: The component of the Comprehensive Plan addressing open space and recreation (based on *Green Spaces, Blue Edges*, 1995, updated 2001), **recommends that neighborhoods have open space focal points within walking distance.**

The adjacent Ocean Avenue Landfill has been developed into The Ocean Avenue Recreation Area. The addition of 7.92 acres in the R-OS portion of the Casco Heights development will significantly increase the amount of forested open space and expand the length and quality of pedestrian trails available in the immediate vicinity for public recreational use.

In addition, *Green Spaces, Blue Edges* makes a city-wide recommendation to **"develop High Point Parks, open spaces located on the higher elevations of the city, in neighborhoods throughout the city such as the Ocean Avenue landfill, hilltop on Ocean Avenue by rock shop, Rocky Hill, and hills in Stroudwater"** (Comp. Plan Vol. I, p. 56). The second highest listed site is located on the Casco Height's property and will be part of the RO-S property.

Ridge Development will be working in conjunction with Portland Trails to develop the trail system on the site. The **Comprehensive Plan lauds Portland Trails** for its diligent work in creating at least 50 miles of public trails in Portland. Assuming final agreement by Ridge Development and Portland Trails, Ridge Development will convey a trail easement to Portland Trails over all of the trails on the R-5A portion of the site, and will convey all of the land to be rezoned R-OS to Portland Trails in fee, both subject to use restrictions. Between the two zones, at least 3,207 linear feet of trails will be constructed for public use. This is consistent with the strategies contained in the Comprehensive Plan to foster partnerships with nonprofits with similar goals and to continue to attract private funding to enhance recreation and open space goals (Comp. Plan, Vol. I, p. R-5).

4. Environmental Protection: Encouraging growth and development in appropriate areas, and discouraging or prohibiting development where it is hazardous or threatens natural resources is another goal of the Comprehensive Plan. Specifically, it states: **"locate and design housing to reduce impacts on environmentally sensitive areas"** (Comp. Plan, Vol. I, p. 22). The Casco Heights proposal has done this, both within its own site and within the context of Greater Portland.

Within the 18-acre site, the buildings and road infrastructure have been moved down the slope to stay away from environmentally sensitive wetland areas. The roads

have been designed to avoid going up steep inclines where possible, to minimize erosion. Structures have been massed to minimize the need for blasting and to reduce the amount of impervious surface. The developer will place 7.92 acres under the control of Portland Trails; all of the land in that portion of the site not used for pedestrian trails will be left in its natural state. On the R-5A portion of the site, Casco Heights has made a commitment to carefully evaluate construction options relative to the existing vegetation, and has identified tree preservation areas where it will actively work to save mature trees to the extent possible. There is also a 20' "no cut" strip of land in the R-5A zone abutting the R-OS zone for its entire length. These efforts to reduce negative environmental impact are all consistent with the goals of the Comprehensive Plan.

This environmental goal may also be viewed in a **broadier context, intended to direct coastal development to sites that can accommodate it.** The State Coastal Management Policies, the Mandatory Shoreland Zoning Act (as implemented by City zoning), and the City's Islands Land Use and Zoning Study all recognize that absent regulation, there will be a very high demand to build residences in locations with views of coastal waters. Yet unless properly sited, building near coastal waters can pose an environmental threat to coastal resources, place residences in hazardous locations, and reduce the scarce supply of land suitable for water-dependent uses. Portland has adopted shoreland zoning and waterfront zoning to regulate setbacks and establish allowable uses along waterbodies. Similarly, Portland has zoned its islands for very low density development, based in part upon a groundwater carrying capacity analysis which sets limits based upon an assumption that each island might need to be self-supporting with regard to fresh water at some point in the future (Comp. Plan, Vol. I, p. 53).

Thus, if Portland wants to capitalize upon the high demand for views of coastal waters, that demand will have to be satisfied by non-harbor, non-island locations. Allowing 94 units on the Casco Heights site, approximately most of which will have spectacular views of Casco Bay, may take some pressure off more hazardous or environmentally fragile locations. This is very much in keeping with state and local policies and with the Comprehensive Plan (Comp. Plan, Vol. I, p. 59).

5. Urban Design: The Comprehensive Plan notes that Portland's topography plays an important role in shaping perceptions of and views from the City. The high bluffs of the Western and Eastern Promenades are said to help accentuate a sense of Portland as a "city of stature." Similarly, the Plan notes: "off the peninsula, the topography of the city includes several high points that provide scenic vistas or are appealing objects for viewing themselves. For example, Graves Hill offers a majestic view of the Presumpscot River Sanctuary and the islands." (Comp. Plan., Vol. I, p. N-15). At an elevation of 174 feet, Graves Hill is the second highest off-peninsula point of land, six feet lower than Summit Hill and one foot lower than the Western Promenade. Graves Hill is the site on which Casco Heights will be built.

The interplay of the natural topography with the built environment can further accentuate the distinctive sense of place. *Green Spaces, Blue Edges* challenges the City to:

[d]evelop a vision of the natural environment that enhances the full range of dynamic contrasts between the landscapes and built forms found in Portland, which will enrich the appearance and enliven the use of our City. (Comp. Plan, Vol. I, p. 24)

The building design proposed for Casco Heights embodies dynamic contrasts between natural features and the built forms. Siting relatively tall, built upon one of the higher hills in Portland emphasizes the natural topography. The buildings themselves will be surrounded by mostly-forested open space. Due to the vegetation, they will be only minimally visible to their immediate neighbors

Even though it addressed primarily non-residential uses, the Downtown Height Study, a component of the Comprehensive Plan, provides important guidance for approaching height issues at Graves Hill (Comp. Plan, Vol. I, p. N-17). Based on an extensive process lead by a skilled consultant, in 1989 the City adopted height overlay zones for the entire peninsula. The process examined the contextual relationship, the underlying topography, the skyline, view corridors, architectural massing, the resulting pedestrian environment, open space, transportation capacity, and build out scenarios.

One of the primary recommendations was that the **tallest structures should be located on the high points already established by the natural topography**. This meant the tallest buildings should be located along the raised spine of the peninsula (along Congress Street/Cumberland Avenue), and that heights should step down as the topography fell off toward Back Cove and Commercial Street. The rationale for this design was that it would produce the most visually interesting, graceful skyline, reflective of the underlying place, and it would also preserve views from multiple locations.

By analogy, the Downtown Height Study component of the Comprehensive Plan suggests that Casco Heights is located at precisely the right location, on one of the points of high natural topography, to create visual interest and avoid blocking views. It also suggests that heights in excess of 150 feet have been determined to be compatible with Portland's sense of a human scale and in keeping with the local context. Casco Heights, at a maximum height of 75 feet, is well under that height. Finally, consistent with the study's conclusion that architects needed to pay much more additional attention to the tops of buildings, the Casco Heights structures are already designed for maximum visual interest.

Policy Underlying R-SA Zone and Contract Zone Standards

HISTORY OF R-5A:

The R-5A zone was developed in 1988 as part of a multi-year, comprehensive review of all of the residential zones. It is unique in that when it was first enacted, it was the only residential zone which was not accompanied by any designation of corresponding land on a map. The Planning Board and City Council decided not to designate any specific land as R-5A, but rather to wait until individual applicants expressed an interest in having their land rezoned to that classification. As the zone requires a unique confluence of site characteristics coupled with an owner's desire to develop a particular type unit, the City determined it had an insufficient basis for "reducing the zone to the ground" in advance. Thus, the City made the zone available as a matter of policy, but opted to wait for specific rezoning requests to determine whether it was appropriate to change the map to R-SA in a particular location.

PURPOSE OF R-5A:

The R-5A zone was created to allow for moderate density in off-peninsula locations. It was designed to help maintain a strong residential tax base, to accommodate a diverse range of housing within Portland (both affordable and high end), and to allow developers to take advantage of unique development opportunities offering high site amenities.

The purpose statement anticipates use of the R-5A zone in three different situations:

- 1) To provide a unique residential living experience with a high degree of natural site amenities;
- 2) To provide areas in the general proximity of the peninsula that have the capability for adequate municipal services, including traffic corridors with adequate traffic capacity, that can appropriately accommodate a more intensive use of land than other lower-density zoned land and be compatible with surrounding neighborhoods;
- 3) To increase affordable housing opportunities in off-peninsula locations by providing a moderate-density zone.

Casco Ridge development is clearly consistent with the first purpose. As a large, undeveloped parcel with wooded hills, recreational trails, and magnificent views of Casco Bay, the City, and points west, the site amenities are unsurpassed. As proposed it would provide a residential living experience unique to Portland: a mix of market rate and high end penthouse units in mid-rise buildings in a natural, non-urban setting.

Casco Ridge is also consistent with the second purpose. Due to the easy proximity to the peninsula via Ocean Avenue/Washington Avenue, its access to the full range of municipal services, the size of the site, the ability to provide substantial buffering from its neighbors, and its intent to provide significant recreational open space for use by its

residents and the public, it can appropriately accommodate a more intensive use of the land.

COMPARISON OF DENSITY:

Land in the R-1 and R-2 zones, designated as "**low**" density, is probably unlikely to be rezoned to R-5A because that land is located in outlying areas and/or in areas with limited additional traffic capacity. Thus, it is most likely that R-5A rezoning request will involve land zoned R-3 or R-5. The ordinance describes R-3 and R-5 as "**medium**" density, requiring a minimum net land area of 6,500 and 3,000 square feet per dwelling unit, respectively. R-6, applicable to most peninsula residential neighborhoods, is designated as "**high**" density, requiring a minimum of 1,000 square feet per dwelling unit. R-5A, designated as a "**moderate**" density, falls in the middle, requiring a minimum of 1,600 square feet of net land area per dwelling unit.

Zone	Density Designation	Minimum Lot Area Per Dwelling Unit (sq. ft.)
R-1	Lower	15,000 (gross)
R-2	Low	10,000 (gross)
R-3	Medium	6,500 (net)*
R-5	Medium	3,000 (net)*
R-5A	Moderate	1,600 (net)*
R-6	High	1,000 (gross)

*Net land area, as defined in Sec. 14-47 deducts all unbuildable and "inaccessible" areas plus 20% of the remaining area, per formula.

Casco Heights significantly exceeds these lot area minimum requirements. Looking at the entire parcel, the gross area per dwelling unit is 8,144 sq. ft. and the net area is 4,435 sq. ft., almost triple the R-5A required minimum of 1,600 square feet. If Graves Hill Land Company conveys the R-OS portion of the site to Portland Trails in fee, the remaining R-5A portion of the site continues to meet the density requirements by itself, with a gross area of 4,519 sq. ft. and a net area of 3,249 sq. ft. per unit, still double the required 1,600 sq. ft. minimum.

Casco Heights Density Calculations

Land Area	Lot Area Per Dwelling Unit, Gross, Sq. Ft.	Lot Area Per Dwelling Unit, Net, Sq. Ft.
Entire parcel (R-5A and R-OS)	8,144	4,435
R-5A only	4,519	3,249

CONTRACT/CONDITIONAL ZONE IN R-5A:

The R-5A zone allows multiple-family attached dwelling units ("planned residential unit developments" or PRUDs) as a permitted use. However, rather than attempting to impose fixed requirements for what may be very divergent types of housing, it provides for each proposed PRUD to be reviewed and implemented through conditional or contract zoning (hereinafter "contract zoning").

The Planning Board and the City Council have significant discretion in recommending and/or approving a contract zone. The state enabling legislation requires that a contract zone be consistent with the municipality's growth management program, establish rezoned areas that are consistent with the existing and permitted uses within the original zones; and only include conditions and restrictions that relate to the physical development or operation of the property. (30A M.R.S.A Sec. 4352) Portland's Land Use Ordinance directs that a contract zone may be granted where the City Council finds it necessary or appropriate to impose, by agreement with the property owner, certain conditions or restrictions to ensure that the rezoning is consistent with the city's comprehensive plan. The conditions imposed must relate only to the physical development and operation of the property, and may address the number of units and types of uses permitted, the scale and density of development, the design and layout of buildings, schedules for completion, performance guarantees, open space, buffers, protection of natural areas, and contributions toward the provision of municipal services. (Division 1.5, Conditional or Contract Zoning, Sec. 14-60 to -62)

In addition to these general principals, some of Portland's zones anticipate contract zone requests and incorporate more specific guidance into that section of the ordinance. For example, there are very detailed standards for the review of any proposed contract zone in the Waterfront Central Zone. Similarly, the R-5A zone sets some minimum standards for PRUDs applying for a contract zone, as follows:

- Minimum lot size: three acres gross area;
- Minimum land area per dwelling unit: 1,600 square feet of net land area;
- Minimum street frontage: Fifty (50) feet;
- Minimum building setback from external property lines: 35 feet if building length is greater than 100 feet;
- Minimum recreation open space area (PRUD): Two hundred (200) square feet per dwelling unit of common area designated on the site for recreational purposes, with additional standards addressing features of the area;
- No open outside stairways or fire escapes above the ground floor; and
- All land shall be owned and used in common and governed and maintained through condominium documents or similar instruments.

However, none of the other dimensional requirements contained in Sec. 14-130 (e.g., minimum yard dimensions, maximum lot coverage) or height limits apply to PRUDs, so the Planning Board and City Council retain discretion to determine appropriate limits for

those components, informed by the comprehensive plan, site plan and subdivision standards.

Casco Heights clearly meets or exceeds all of the minimum standards for PRUDs established in the R-5A zone. The applicant is requesting that those ordinance minima be supplemented by establishing the density and dimensional requirements listed in Paragraph 10 of the proposed contract zone (e.g., maximum units per building, 49; maximum number of buildings, 2; maximum building height, 100 feet (per ordinance definition); minimum parking of 2 spaces per unit plus 28 visitor spaces; recreation open space of not less than 3,207 linear feet of pedestrian trails). Similarly, consistent with City Code, the proposed contract zone addresses map changes, number and types of uses, protection of natural areas, design and layout of buildings, phasing, performance guarantees, and enforcement.

PURCHASE AND SALE AGREEMENT - LAND ONLY

October , 2013 Effective Date

Effective Date is defined in Paragraph 20 of this Agreement.

October 3, 2013

1. PARTIES: This Agreement is made between V&E Enterprises ("Buyer") and Graves Hill Land Trust ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (☒ all , ☐ part of; If "part of" see paragraph 26 for explanation) the property situated in municipality of Portland, County of Cumberland , State of Maine, located at 802 Ocean Ave. and described in deed(s) recorded at said County's Registry of Deeds Book(s) 21500, Page(s) 269.

3. PURCHASE PRICE: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$1,100,000.00. Buyer has delivered; or will deliver to the Agency within 2 days of the date of this offer, a deposit of earnest money in the amount \$10,000.00. If said deposit is to be delivered after the submission of this offer and is not delivered by the above deadline, this offer shall be void and any attempted acceptance of this offer in reliance on the deposit being delivered will not result in a binding contract. The remainder of the purchase price shall be paid by a certified or cashier's check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. EARNEST MONEY/ACCEPTANCE: Malone Commercial Brokers ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until October ☐ AM 5:00 ☒ PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers the later of March 7, 2014 or 14 days following receipt of the Amended Contract zone and site Plan approvals per Paragraph 22 of this Contract. (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Maine State Short deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: association fees, Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

Mark Malone
Licensee

N/A
Licensee

Malone Commercial Brokers is the
Agency

N/A is a
Agency

☒ Seller Agent ☐ Buyer Agent
☐ Disc Dual Agent ☐ Transaction Broker

☐ Seller Agent ☐ Buyer Agent
☐ Disc Dual Agent ☐ Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency

Consent Agreement.

10. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Seller's Property Disclosure Form.

11. MEDIATION: Earnest money disputes subject to the jurisdiction of small claims court will be handled in that forum. For all other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules. Buyer and Seller are bound to mediate in good faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

12. DEFAULT: In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller.

13. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

14. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

15. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original or faxed signatures are binding.

16. ADDENDA: ☐ Yes Explain: _____ ☒ No

17. EFFECTIVE DATE/NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to the party or their licensee. Withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing. This Agreement is a binding contract when signed by both Buyer and Seller and when that fact has been communicated which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any State/Federal holidays (including but not limited to Patriots Day, Columbus Day, Martin Luther King Holiday, etc.) Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on

18. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

19. ZONING CONTINGENCY: This contract is contingent upon the City of Portland amending the Contract Zone to allow 98 units in 2 or more buildings, in a configuration mutually satisfactory to both the City and the Buyer. 2) The Buyer receives site plan approval for its intended project and 3) The Seller authorize Sebago Technics and any other professional service providers it has used for the evaluation of the Property, to use any and all data and material the Seller previously obtained while conducting the zone change and site plan approvals.

20. PERMITS AND APPROVALS: Purchase is subject to Buyer being able to obtain all necessary permits, approvals, and municipal zone changes within one hundred and fifty (150) days of the executed Purchase and Sale Agreement. Buyer shall submit applications to City and State agencies within thirty (45) days of the executed Purchase and Sale Agreement. Buyer shall have one - (30) day extension to this contingency if it has diligently pursued its permits and approvals and the City of Portland has caused delays to make this deadline impossible without the extension.

21. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern.

Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

CONTINGENCY	YES	NO	DAYS FOR COMPETION
1. SURVEY	☒	☐	<u>30</u>
Purpose:			
2. SOILS TEST	☒	☐	<u>30</u>
Purpose:			
3. SEPTIC SYSTEM DESIGN	☐	☒	<u>0</u>
Purpose:			
4. HAZARDOUS WASTE REPORTS	☒	☐	<u>30</u>
Purpose:			
5. UTILITIES	☒	☐	<u>30</u>
Purpose:			
6. WATER	☒	☐	<u>30</u>
Purpose:			
7. SUB-DIVISION APPROVAL	☒	☐	<u>30</u>
Purpose:			
8. HABITAT REVIEW/ WATERFOWL	☒	☐	<u>30</u>
Purpose:			
9. MDOT DRIVEWAY/ ENTRANCE PERMIT	☒	☐	<u>30</u>
Purpose:			
10. DEED RESTRICTION	☒	☐	<u>30</u>
Purpose:			

Further specifications regarding any of the above:

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, this contingency is waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

22. FINANCING: None

A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.

Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.

Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.

Buyer's Mailing address is 199 Elderberry Drive, So. Portland, ME.

Robert A. Mantle Pres 10-3-13
BUYER DATE

BUYER DATE

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is 16 Tiffany Lane, Saco, ME 04072.

SELLER

DATE

SELLER

DATE

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) _____ (time) _____ ☐ AM ☐ PM.

BUYER

DATE

BUYER

DATE

The Buyer hereby accepts the counter offer set forth above.

BUYER

DATE

BUYER

DATE

EXTENSION: The time for the performance of this Agreement is extended until _____.

BUYER

DATE

BUYER

DATE

BUYER

DATE

BUYER

DATE

**2nd AMENDMENT TO
PURCHASE AND SALE AGREEMENT – LAND ONLY**

The Contract For Sale of Real Estate for property located at 802 Ocean Ave. Portland, Maine between Graves Hill Land Company, LLC ("Seller") and V&E Enterprises (the original Buyer), with an effective date of October 7, 2013, for valuable consideration, is hereby amended as follows effective as of January 7, 2014:

1. Paragraph 1 Parties: The identity of the parties is hereby amended as follows:

The name of the Seller is hereby corrected to Graves Hill Land Company, LLC instead of Graves Hill Land Trust, and Seller hereby represents that it is duly authorized to enter into the Contract.

The identity of the Buyer is hereby changed to Ridge Development LLC and the original buyer, V&E Enterprises, hereby assigns its entire interest in the Contract to Ridge Development LLC, which hereby assumes and agrees to perform the Contract.

2. Paragraph 21, PERMITS AND APPROVALS: Paragraph 21 is hereby amended and restated as follows:

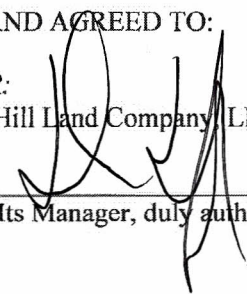
"Buyer's obligations under this Contract are subject to receipt of all necessary governmental permits and approvals satisfactory to Buyer, including without limitation City Council approval of a replacement/amended Contract Zone, which Buyer agrees to seek with due diligence and continuity of effort. Buyer shall have until 1/20/2014 to submit applications to the City of Portland and shall have until 5/5/2014 to receive approvals, provided that Buyer shall be entitled to 15 business days written notice of default and opportunity to cure."

This Amendment may be signed on any number of identical counterparts, including telefax or scanned copies, with the same binding effect as if all of the signatures were on one instrument. All other terms and conditions of the Contract as amended to date remain in full force and effect.

SEEN AND AGREED TO:

SELLER:

Graves Hill Land Company LLC

By: 
Its Manager, duly authorized

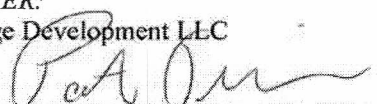
ASSIGNING BUYER

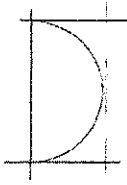
V&E Enterprises

By: _____
Its _____

BUYER:

Ridge Development LLC

By: 
Its Manager, duly authorized



d o y l e
e n t e r p r i s e s

CASCO HEIGHTS

Dear Members,

On May 6, 2014 we presented to you Casco Heights and the proposed amendment to the underlying 2004 approved Conditional Rezoning Amendment. That 2004 amendment rezoned the R-3 parcel into 8.15 acres of R-OS, improved with trails and 10.17 acres of R-5A developed with two 100 foot buildings containing a total of 98 luxury condominiums.

Based on the input from the neighbors, the Planning Board and advisors, we have slightly adjusted the proposed revision to the contract zone.

The factor most upsetting to the neighbors at the adjacent Ocean Ridge Condominium complex was the proximity of the north building to their units and the lack of a substantial buffer. In our previous submission, the building was 32 feet from the property line. We have increased that to 65 feet and included a buffer plan.

The site plan submitted in May divided the property into more or less the same amount of R-OS and R5-A as the contract zone, however the shape was different and included a rounded parking lot that would require blasting the second highest point in Portland. Our current plan's zoning division is within a hundredth of an acre of the existing contract zone, more in line with the contract zone's shape and preserves the second highest point.

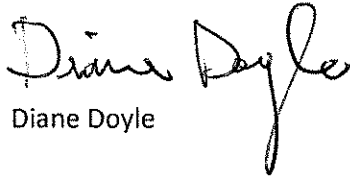
Staff suggested that rather than requiring a sidewalk on Ocean Avenue in front of Casco Heights, the sidewalk should go on the opposite side of Ocean Ave. and connect the existing pieces. This is now shown with a crosswalk connecting it to the Casco Heights Trail/sidewalk. The only other change to the site plan is the location of the detention pond. The pond has been moved to the front of the north building, away from the Ocean Avenue neighbors.

The approved contract zone allowed 98 units. On May 6, 2014 we asked that that be reduced to 94 units. After talking to local real estate agents, we determined that we needed a few more one bedroom units so we are asking that the maximum number of units be changed to 96 units, 48 per building. In each building we have taken a top floor two bedroom and converted it into two one bedroom units. The required parking spaces remain the same.

The final change to the amended contract zone regards the effective date of the conditional rezoning amendment. The approved contract zone orders the rezoning to become effective within 30 days of approval by City Council. We have asked that the zone amendment become effective upon sale of the property to Ridge Development.

We look forward to meeting with you on June 10th.

Sincerely,

A handwritten signature in black ink that reads "Diane Doyle". The signature is written in a cursive, flowing style. The first name "Diane" is written with a capital 'D' and a lowercase 'i', and the last name "Doyle" is written with a capital 'D' and a lowercase 'y'. The signature is positioned to the right of the word "Sincerely,".

Diane Doyle

Michael F. Brennan
 Kevin J. Donoghue
 David A. Marshall
 Cheryl A. Leeman
 Edward J. Suslovic

CITY OF PORTLAND
 IN THE CITY COUNCIL

John R. Coyne
 John Hinck
 JILL C. DUSON
 NICHOLAS M. MAVODONES

ORDER AUTHORIZING AMENDMENT TO CITY CODE
 SEC. 14-49 (ZONING MAP AMENDMENT)
 RE: CONDITIONAL REZONING FOR
 802-828 OCEAN AVENUE
 RIDGE DEVELOPMENT, LLC

ORDERED, that the Zoning Map of the City of Portland, dated 2012 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning.~~

CONDITIONAL ZONE AGREEMENT
 RIDGE DEVELOPMENT, LLC

upon sale to ridge
 development llc

This Agreement made this _____ day of _____, 2014 by Ridge Development, LLC, a Maine limited liability company with an office in Portland, Maine (hereinafter "RIDGE DEVELOPMENT").

WITNESSETH:

WHEREAS, RIDGE DEVELOPMENT owns or has an option to buy a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

96

WHEREAS, RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of ~~94~~ condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

10.18

WHEREAS, RIDGE DEVELOPMENT has requested the rezoning of ~~10.4~~ acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~7.92~~ acres of the Property from R-3 to Recreation and Open Space Zone (R-OS); and

8.14

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with **RIDGE DEVELOPMENTS** agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 2014, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1; and

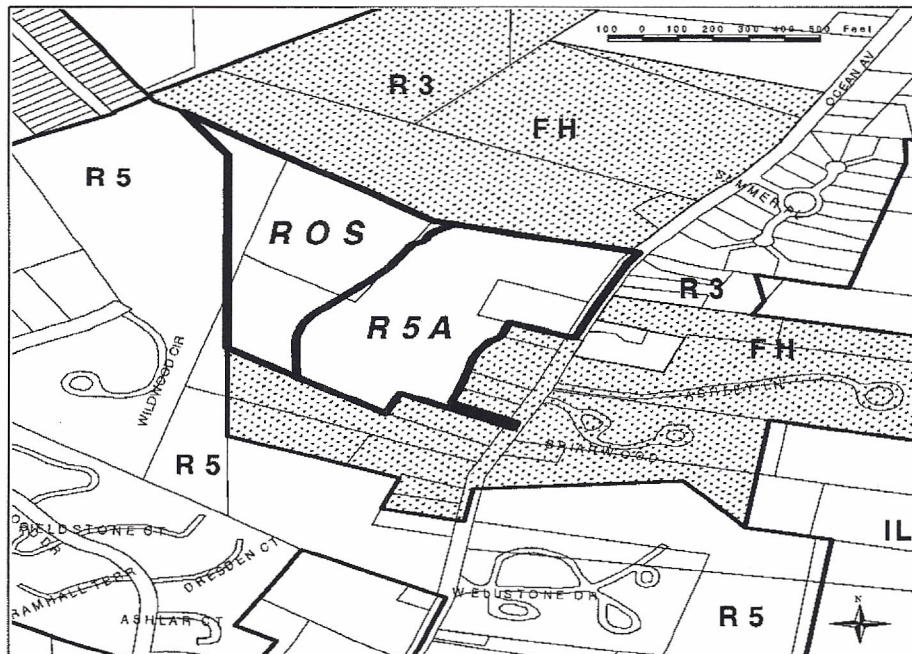
WHEREAS, RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind **RIDGE DEVELOPMENT**, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, **RIDGE DEVELOPMENT** contracts to be bound by the following terms and conditions:

1. The **CITY** hereby amends the Zoning Map of the City of Portland dated 2012, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R5-A and R-OS). If this Agreement is not recorded within thirty (30) days of the ~~City Council's approval of said rezoning~~, then the rezoning shall become null and void and the zoning of the Property shall revert

sale of the property
to ridge
development

to the pre-existing R-3 zone.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS**

April 2014

2. **RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the **R-5A** portion of the property:

96

- a. up to ~~94~~ residential units located in two buildings, each building containing up to ~~47~~ units, which may be sold as condominium units, resulting in a maximum total of ~~ninety-four (94)~~ residential units within the Property; and

48

ninety six(96)

- b. parking in an amount of not less than 1 space per 1BR unit and 2 spaces per 2BR and 3BR units per residential unit, plus at least 28 additional surface visitor parking spaces; and
- c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site.

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

forty eight (48)

3. The use of the **R-5A** portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to ~~forty seven (47)~~ dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to ~~forty seven (47)~~ dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

forty eight (48)

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. **RIDGE DEVELOPMENT** is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the **R-OS** portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, or similar improvements as necessary to facilitate access. Additionally, a future recreation area subject to Planning Board approval may be created.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. **Ridge DEVELOPMENT** shall grant to **Portland Trails**, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public.

The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize **RIDGE DEVELOPMENT**, its successors and assigns, Casco Heights Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, **RIDGE DEVELOPMENT** may opt to convey the R-OS portion of the Property to **Portland Trails** in fee, with such conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I.

If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **RIDGE DEVELOPMENT** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **RIDGE DEVELOPMENT** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

May

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Sebago Technics (last revised ~~March~~, 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by Archetype (last revised ~~March~~, 2014). The Casco Heights entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of **RIDGE DEVELOPMENT**, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment

May

side of the building
adjacent to Ocean
Ridge
Condominiums

the attached ~~side of the building adjacent to Ocean Ridge Condominiums~~ amendment to this Contract Zone Agreement. So long as the two residences have an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **RIDGE**

DEVELOPMENT shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **RIDGE DEVELOPMENT** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the **CITY** for the **CITY** to apply toward installing granite curbs and sidewalk in the vicinity of the **PROPERTY**.

RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **RIDGE DEVELOPMENT** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **RIDGE DEVELOPMENT** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestrian trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by **RIDGE DEVELOPMENT** or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which **RIDGE DEVELOPMENT** holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, **RIDGE DEVELOPMENT** or any successor in interest may convey the R- OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

10. For the portion of the Property rezoned **R-5A**, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~47~~ ← 48

Maximum number of buildings containing
residential dwelling units: 2

Maximum building height: 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

Parking: 204 Spaces, half in Phase I and half in Phase II.

Minimum recreation open space area:

Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, **RIDGE DEVELOPMENT** may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

Except as set forth above, all provisions in Sections 14-126 through 14-131 of the **CITY's** zoning ordinance shall apply to the portion of the Property rezoned R-5A.

11. For the portion of the Property rezoned **R-OS**, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and **RIDGE DEVELOPMENT** need not submit any parking needs projections.

12. The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit **RIDGE DEVELOPMENT**, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the **CITY**, by and through its duly authorized **representatives**.

13. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

14. In the event **RIDGE DEVELOPMENT** or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of **RIDGE DEVELOPMENT'S** breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that **RIDGE DEVELOPMENT** has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

15. **RIDGE DEVELOPMENT** shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

16. Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS:

RIDGE DEVELOPMENT, LLC

By: _____

Patrick Tinsman
Its Manager

STATE OF MAINE
CUMBERLAND, SS.

_____, 2014_

Then personally appeared the above-named Patrick Tinsman, Manager of Ridge Development, LLC as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me:

Notary Public/Attorney-at-Law

Printed name: -----

My Commission Expires: _____

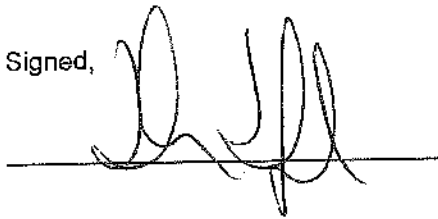
Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least ten (10) days prior to the neighborhood meeting), invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to the Planning Office (imy@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,



APRIL 21, 2014 (date)

Attached to this certification are:

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



April 11, 2014
13450

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a conditional re-zoning amendment for Casco Heights Condominium (Formerly Graves Hill Condominium) 802 - 828 Ocean Avenue, Portland, ME.

Meeting Location: The Atrium, located at the Cedars Retirement Community-
630 Ocean Avenue, Portland, ME 04103

Meeting Date: April 21, 2014
Meeting Time: 6:30pm

The city code requires that property owners within 500 feet 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 Shawn Frank at Sebago Technics, Inc. at 207-200-2100.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Shawn M. Frank", written over a horizontal line.

Shawn M. Frank, P.E.
Senior Project Manager

SMF:jsf

Sign In Sheet

Chuck Grossman

Antoinette Mancusi

VINCENZO MAROTTA

Amy Hebel

Gene DiBenedetto

Jay Johnson

Judy Richard

F.R. + N.D. Goodwin

Carol Vellamy

CHRISTY MILLMAN

BILL PUSEY

Jeff Burr

Glenn Irvine

Hammy Ellis

Tim CAIAZZO

Laurette Johnstone

Jay Mattimore

John M. McCall

Karen McLellan

Barbara Miller

Stacey Hong

Mark Smith

Doug McGoan

Xesie Merrill

Howard

Charlie Miller

Jonathan Camire

Leslie A Fuller

Dick Perkins

Mike Payson

Casco Heights Contract Zone Amendment Neighborhood Meeting

The Cedars-April 21, 2014

Diane Doyle opens meeting with a discussion about the change in the height of the building-

-Can you still fit the same number of units in it?

Doyle gives explanation of the change in number of units within the building-

-The average size of units?

Doyle explains the change of parking lot layout-

- What is the excavation involved in creating these parking spaces?

Is the excavation/blasting report available from the plan created 10 years ago?

Not part of approval. Did not apply for building permit

-Ocean Ridge was put on slabs, that development in in a similar environment, why not follow their example instead of blasting?

Blasting basically for a flat surface. Less than previous plan.

Doyle gives explanation of past drilling samples, there has been no blasting done yet, everything needs to be approved by planning board

Gives details on traffic impact study-

-How far away from Ocean Ridge is the entrance for the project?

Fairly close.

-Is there going to be an access road?

-Is there going to be a natural buffer or constructed buffer around the new extension of the building?

-When are we going to be able to see a map of where our properties lay in relation to this proposed plan?

Sebago Tech to provide to City for viewing soon.

-What is the elevation of the back of the parking lot? And what is the excavation involved in creating these parking areas?

-What is the estimated price range of the various units? (This is important for us to know since it relates to how the general real estate of the area will be impacted)

Not certain. Maybe \$300,000 for one bedroom.

-How much of the natural vegetation on coming down/going to be affected?

-Implication of opening up private property to the public with trails around property-

-Will you be allowing public access through the easement over the road? (Neighbors not pleased about the fact of tapping into "their road and their resources) Can the new owners utilize the easement?

Sidewalk from Ocean Ave through Casco Heights to be open for people connecting to trails on open space.

-Who is the new developer? We would like to know more about Steve Goodrich-Who are his partners?

Pat Tinsman. Vinnie Mietta

Ledgewood Condos-The traffic and parking issue related to the trailhead at Pheasant Hill are an issue; the trails are not public trails but people use them as such, bringing bikes, dogs etc. to them; This area is supposed to remain undeveloped according to them

-Are there any designated wet lands in the proposed developed area? The detention pond sits over homes, Do you know the numbers of the homes that the pond sits over?

-Where will we see the change in the length of the building?

-Again: When will we be able to see the maps of the other properties around the development?

Ocean Ridge: Doesn't want their views to be impacted or to have to look at the new buildings; important for their visuals

-A building of this size blocks limited light available to surrounding properties, especially to the four properties next to building extension.

Diane explains Shadow study-

-What is the time frame of when the development will begin?

Not sure

Further discussion on amendment to contract-

Orca- there is a current problem with parking at our establishment, for example when someone has a party or guests, your planned parking seems "wildly inaccurate"

Explanation of city calculated minimum-

-Did your contract zone not lapse? Why couldn't they reverse that decision?

-Does the storm water solution still impact Briarwood Apartments?

-What is the elevation on the peaks of the building?

Height is 60'. Is not the peak but average roof height possibly.

-Again: Is there an estimate of what the units will be selling for? When will we know the answer to that?

-When does the city look at and take into consideration the previous track record of the new developers?

Need financial and technical capability.

Concern about finishing the project with quality- Neighbors don't want to look at construction for an extended period of time and also voice concerns about the end product being of quality. What if it lacks quality and they are unable to sell the units? What if the value of their property is decreased by the addition of a subpar development?

Comment that a 5A Zone needs to be in character of surrounding neighborhood, will this development follow that rule?

-What is the impact of the blasting to surrounding homes?(They have previous experience with a small home being contrasted in the area that required blasting and the blasts could be felt in the neighborhood, there are even cracks in sheetrock in some homes from it)

Will have to get a blasting survey and explained.

-How long does a project like this take to build?

-How do you plan to preserve the trails? How many miles are the proposed trails?

Ocean Ridge: back to the issue of the easement, it would give them more security knowing that it wasn't there and wasn't able to be utilized by new developers.

-What is that second access area next to ocean road on the map? Will it continue to be a drain for the property?

-How many feet away from the development is Ocean Road?

Concern: If the road (Ocean Road) is not well maintained (which is currently is not-they have made previous calls to the city in regards to this) then the added traffic of new residents and construction vehicles is a concern.

-What is the distance from the back parking lot to the power lines?

-So the city of Portland has no problem blasting the second highest point in Portland...?

Aldens Walk: Are you purporting to give all the open space to Portland Trails? We don't want all the trees getting cut down.

Did Ocean Ridge exist in 2004 when you created your first plan for the property?

-Again: We would like to see what the buffer consists of-Do we, as neighbors, have a say in it?

Planning board discussion

-Does the changed contract zone eliminate the previous contract zone? Can you specify what the contract changes entail?

-Does one space (regarding the change in the parking situation) mean that the owner of the unit only has one vehicle as well? Can they use the visitor parking for extra vehicles?

In regards to "Tab 4" (in handout): The City of Portland letterhead is used-was this document penned by the contractor, who signed it, and not the city of Portland like it primarily gives the allusion to?

In regards to the timing of the project: It says that the date previously given (May 5) has been amended, what has that date been amended to? What are you extending it to?

In regards to the difference in the two buildings 10 years ago versus now-has the foot print really changed that much?

Narrower but longer.

-What/when will the next step of this new project begin?

Comment that the type of zoning (conditional contract zoning) is not very common in the state or city.

Explains why taller buildings and more open space works. Good use of contract zone

-How many acres is the building total? What is the effect on the change of open space due to these changes?

-Have the purchasers of the property considered a project like Ocean Ridge (maybe even a continuation) which is comprised of more home-like homes instead of condos? This proposed project has a much bigger impact on the environment.

No. If homes all developed and no R-OS.

-Why would a developer not make a 100ft structure if it was already approved-why not make the most of your investment?

4 stories can be made of wood.

-What materials are the buildings made of? What type of siding?

Not sure.

-So, the city council approved your previous plan? Why wasn't it developed?

2007

Even though projects get approved by the city council, they don't always fit in with the rest of the community-The neighbors are afraid of this and the quality of the finished project, concerned that new developers will be "cutting corners," just looking to make a profit and not care about the effect on the neighborhood as a whole.

-What is "Plan B"? Going back to the original design?

Possible

Alden's Walk- A previous developer began a project near their community and then went bankrupt, leaving the area unfinished and an eyesore to the community, the community sued them for leaving the unfinished land and won the land in the lawsuit, they kept the land until they found a quality developer who only built 25 quality homes on the land, which in turn increased their real estate values.

-Once you sell the property you're done with the project? So, Pat wants you to do his dirty work and get it approved? Are you going to be involved in the building process at all?

Comment that Ledgewood and Aldens Walk were both built without cutting all the trees down.

-Who is the Ocean Ridge developer?

The people who are most drastically impacted by the closer building don't necessarily think that the new contract is better.

-There is money involved for the people who are affected by the easement (\$10,000 per unit), so is Pat Tinsman paying himself?

Again: Concerns about the buffer between the new project and Ocean Ridge-if it's a natural buffer what about during the season changes when the leaves fall off.

-Is that a pump house (referring to a location on the blue print)? Is that for natural gas?

-Is there any way to make the easement go away with the contract change?

-You currently own the property-so the decision of the easement is up to you?

From: Mark Lourie <mark@skylineonline.com>
To: Barbara Barhydt <BAB@portlandmaine.gov>
Date: Wednesday, April 23, 2014 4:41 PM
Subject: Re: Casco Heights Development

Thank you Barbara and yes, please include my comments.

Mark Lourie

VP of Development <> Skyline Music, LLC

Full Skyline Roster: <http://skylineonline.com> – includes bios, digital assets, and links on our artists

PH – *866-531-2172 x104 *Fax – 207-930-4512

Skyline Music News @skylineagency <<http://twitter.com/skylineagency>>

On Wed, Apr 23, 2014 at 6:31 PM, Barbara Barhydt <BAB@portlandmaine.gov> wrote:

> Hello:
 >
 > Thank you for your comments and I will share them with the city staff who
 > are reviewing this project.
 >
 > The meeting on the 21st was a neighborhood meeting held by the applicant.
 > A workshop with the Planning Board will be scheduled soon. It may be on
 > their agenda for May 6th or May 13th. The schedule will be finalized
 > tomorrow. I can let you know the timing for this project. Please let me
 > know if you would like me to include your comments in the packet for the
 > Planning Board.
 >
 > Thank you.
 >
 > Barbara
 >
 >
 >
 > 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
 > >>> Mark Lourie <mark@skylineonline.com> Monday, April 21, 2014 10:15 AM
 > >>>
 > Dear Barbara,
 >
 > As a resident and owner at Ocean Ridge Condominium Association I have
 > serious concerns about the proposed Casco Heights development at 802 - 828
 > Ocean Ave.
 >
 > I am unable to attend the April 21 meeting and so would like to present
 > these concerns. In general, I do not feel the site is appropriate for a
 > development of this size.
 >
 > 1 - The parking allotment is insufficient, as we have learned the hard way
 > from our own development by the same developer, and am concerned that
 > traffic pressure on Ocean avenue, with inadequate sidewalks and limited
 > width, could be a problem.
 >
 > 2 - High Rise buildings in this area are out of context with the
 > neighborhood.
 >
 > 3 - The ledge our units and the proposed development would be built on is

> unique and potentially fragile. It would be hard to imagine blasting of
> that ridge not causing potentially significant damage to our adjacent
> buildings, not to mention disturbance of the peace.
>
> 4 - A quick look at a google map in satellite view will show that the
> woods and trails surrounding Ocean Ridge is the single remaining
> uninterrupted parcel of such natural environment in the city. A major
> development like this would ruin such a wonderful resource.
>
> I hope you will consider the impact of such a major development.
>
> Obviously the City cannot impose restrictions beyond their jurisdiction on
> the development of a parcel within it's zoned usage, but this seems to be
> stretching the limits of what is reasonable in this particular property.
>
> Thanks for your attention to this matter.
>
> Sincerely,
>
> Mark Lourie
>
> VP of Development <> Skyline Music, LLC
>
> Full Skyline Roster: <http://skylineonline.com> – includes bios, digital
> assets, and links on our artists
>
> PH – *866-531-2172 <866-531-2172> x104 *Fax – 207-930-4512
>
> Skyline Music News @skylineagency <<http://twitter.com/skylineagency>>
>
>
> Notice: Under Maine law, documents - including e-mails - in the possession
> of public officials or city employees about government business may be
> classified as public records. There are very few exceptions. As a result,
> please be advised that what is written in an e-mail could be released to
> the public and/or the media if requested. --
>

Barbara Barhydt

From: <rmayl1301@aol.com>
To: <bab@portlandmaine.gov.>
Date: Tuesday, April 29, 2014 6:59 PM

Barbara, Blasting of any sort with this Ledge surrounding our homes here in Ledgewood is very worrisome. Building 94 new homes is alot. All our pipes for our condos as you must know are just beneath our cement and could cause problems from the long blasting movements. This is my real concern!!!!

Thank you
Roberta Loring

Barbara Barhydt - Comment to Casco Heights Project

From: Dagmar Decker <dagmardecker@gmail.com>
To: <bab@portlandmaine.gov>
Date: Saturday, May 03, 2014 12:59 PM
Subject: Comment to Casco Heights Project

Dear Portland Planning Board:

As a person looking to move to Portland (preferably the North Deering neighborhood) I am horrified at knowing that there is a proposal being put forth of the scale of the Casco Heights project!!!! How awful for the neighborhood. I strongly encourage you to scale down the project to ensure that development in such a lovely neighborhood is not contrary to its the character. This project is most certainly inappropriate!!!!

Sincerely,

Dagmar Decker

Barbara Barhydt - Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue

From: "Anthony C. Miller MD" <millerac@me.com>
To: <bab@portlandmaine.gov>
Date: Saturday, May 03, 2014 4:39 PM
Subject: Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue
CC: Anthony Miller <millerac@me.com>

Anthony C. Miller

56 Ridge Road

Portland, ME 04103-4715

May 3, 2014

Barbara Barhydt

Development Review Services Manager

Planning Division

City Hall

Fourth Floor

389 Congress Street

Portland, ME 04101

Re: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development); 802-828 Ocean Avenue; Ridge Development, LLC., Applicant

Dear Ms. Barhydt:

In reference to the above amendment to be discussed by the Planning Board at upcoming meetings, I am presenting the following concerns and comments for consideration.

1. Scale and position of buildings on the lot

Although I understand that the goal of Zone R5A is to increase the density of certain off-peninsula lots, the proposed scale of the buildings of Casco Heights is greatly out of character with the East Deering neighborhood. The nearby buildings are all three stories or less, yet the proposed structures are 60 to 75 feet tall. Furthermore, the dimensions of the structures make each of them approximately the size of the Thomas Block on Commercial Street. This contrast of scale and mass will make the new buildings oppressive to their neighbors. Furthermore, the repositioning of the new buildings on the lot in comparison to the original plan submitted to the Board places the nearer only approximately 110 feet from the closest building of the Ocean Ridge Condominium Association. This is about twice as close as the original development plan, and the decrease in height from the original proposal is not enough to ameliorate the affect of this proximity. Given that the Casco Heights structures will be about twice as tall as the Ocean Ridge buildings, they will cast shadows into Ocean Ridge, especially in the winter when the sun is low in the southern sky. I recommend that Board require a shadow study of the proposed structures.

2. Buffer

Given the proximity of the Casco Heights units to Ocean Ridge, I believe that the inadequacy of the proposed buffer must be addressed. Not only is physical separation a consideration, but noise, sight lines, and privacy must be examined. The Casco Heights building nearest Ocean Ridge will afford its occupants a view down into the windows of their neighbors. This will encroach on their privacy and may reduce the value of their property. Furthermore, although the plan is to keep some existing trees, the extensive blasting and construction will likely damage the root structures of many of those trees. I recommend that the Board consider how to address protecting the buffer should some of those trees eventually die.

3. Parking and Traffic

The proposed amendment to the number of parking spots (less than one per bedroom on average) is inadequate. The lack of parking will push occupants to use both Ocean Avenue, which is not wide enough for parking in that area, and the overflow parking of Ocean Ridge, which is only a short walk away. Furthermore, automobiles for 94 units will dramatically increase the traffic on Ocean and Washington Avenues. I recommend that the Board require a traffic study to determine the effects of this increase in traffic volume as well as the noise and light pollution caused by surface parking for nearly 150 vehicles. The easement from Ocean Ridge to Casco Heights should not be used for routine traffic flow from one to the other given that the Ocean Ridge private road was never designed for that volume of cars and trucks.

4. Blasting

The amended project will require blasting in close proximity to Ocean Ridge. Given the dense rock formation underlying Graves Hill, vibrations will be transmitted into Ocean Ridge and the entire neighborhood. I recommend that the Board consider a substantial bond for blasting damage caused by the project to existing structures in the neighborhood. In addition, a mechanism for assessment of both internal and external damage to neighboring structures as well as their contents should be established.

5. Impact on Graves Hill

The proposed amendment includes a provision to blast the top of Graves Hill for one of the buildings and for surface parking. The hill is the third highest point in the City, and a United States Geological Survey marker is in place to mark that area. At the recent community meeting, a spokesperson for the developer stated that they plan to blast the peak and "move" the marker. I am troubled by this disdain for the site and neighborhood.

6. Property values

Given that the Casco Heights structures will be twice as tall as the Ocean Ridge units, they will cast shadows and allow their occupants to look down into the nearest Ocean Ridge buildings. This may adversely affect the property value of Ocean Ridge property.

In closing, I want to make clear that I am not opposed to development of this parcel on Ocean Avenue. However I have several concerns about the particular amendments requested by the developer with regard to its lack of appropriateness for the neighborhood, scale, proximity to existing buildings, inadequate buffer, traffic, parking, and blasting.

Thank you for your attention.

Sincerely,

Anthony C. Miller

Barbara Barhydt - Casco Heights Project Comments

From: "MarMan" <marman@maine.rr.com>
To: <bab@portlandmaine.gov>
Date: Sunday, May 04, 2014 6:55 AM
Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
Ocean Ridge Condominium Owner

Barbara Barhydt - Public comment to Casco Heights Project

From: Jeff Degan <jrdegan@gmail.com>
To: <bab@portlandmaine.gov>
Date: Sunday, May 04, 2014 11:13 AM
Subject: Public comment to Casco Heights Project

Dear City of Portland Planning Board:

I am writing to express my opposition to the proposed Casco Heights Project.

I am very concerned that one of largest undeveloped tracts of land in the city will soon be the site of an over-sized development, a development which would be in glaring conflict with the existing neighborhood's character.

Furthermore, I am vigorously opposed to seeing Portland's third-highest elevation blasted away in order to accommodate the development's design. This is totally unacceptable. Please preserve this natural landmark.

I strongly encourage the Planning Board to utilize its power under the Code of Ordinances, Chapter 14, Sec. 14-62, which supports conditions and restrictions on the physical development and operation of the property. The scale and density of the proposed project alone is reason enough to reject it, given the neighborhood's characteristics. This project is too massive and tall given the surrounding area.

Sincerely,

Jeffrey Degan

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer's proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it's a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It's too too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City's comprehensive plan?

Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Mancusi".

Antoinette Mancusi

Barbara Barhydt - Comments regarding proposed Casco Heights development

From: Jon Camire <jon_camire@yahoo.com>
To: "BAB@portlandmaine.gov" <BAB@portlandmaine.gov>
Date: Sunday, May 04, 2014 7:10 PM
Subject: Comments regarding proposed Casco Heights development

Dear Portland Planning Board Members:

My name is Jonathan Camire. I am a resident living at 173 Ridge Rd in the Ocean Ridge Condominiums, and I would like to express my concerns with the proposed Casco Heights development at 802 Ocean Avenue.

As proposed, this Casco Heights development presents the following major concerns:

The type, size and height of this development are completely inconsistent with the character of the surrounding area along Ocean Avenue. The area consists of many single family homes along with several condominium projects with multiple townhouse buildings containing a few units each with 2-3 floors. Construction of multiple 75-foot buildings containing 47 units comprising 70,000 square feet or more each cannot be considered consistent with the current or desired nature of this area of the Portland community.

[if !supportLists]-->2. Construction of the proposed Casco Heights project would require substantial geological blasting of the ledge that makes up Graves Hill and the surrounding area. Given the very close proximity of the Ocean Ridge condominiums of which I am a resident, I am very concerned about potential for damage to underground utilities, foundations or the skeletal structure of the existing buildings in the area.

[if !supportLists]-->3. The scale of the development will significantly increase traffic in the area. The section of pavement on Ocean Avenue from Presumpscot St. to Washington Ave. has historically shown to deteriorate very quickly, and is often in disrepair. The eventual addition of 150+ vehicles, not to mention the coming and goings of the construction equipment and the ledge blasting, will only serve to exacerbate the condition of this section of Ocean Avenue.

[if !supportLists]-->4. The area of Ocean Avenue adjacent to Graves Hill has no sidewalk and no easy ability to park on the street near the development. The number of parking spaces allocated to this project is woefully inadequate for residents, their visitors, and the potential public that will seek to use the trail system that is part of the development. This presents the potential of public safety issues along Ocean Avenue, but also presents the possibility that Casco Heights residents, visitors or the public trail users will seek to park in the Ocean Ridge condominiums or other surrounding developments, potentially disrupting the surrounding community.

These issues with the proposed Casco Heights development leave me very concerned about the potential impact to the nature, comfort and value of my neighborhood and personal residence. I trust you will take these concerns under advisement when considering the Casco Heights development.

Thank you for the opportunity to comment.

Sincerely,

Jonathan Camire

From: Pam <pamela630@gmail.com>
To: "bab@portlandmaine.gov" <bab@portlandmaine.gov>
Date: Monday, May 05, 2014 1:08 AM
Subject: Casco Heights project

Dear Board Members,

I'm very concerned and worried about this new project that is proposed on Ocean Ave close to my home at Oceanridge.

I understand the density and height of the proposed buildings is not what is considered acceptable use of that land.

My biggest issue is that the blasting is going to damage my home and endanger the natural habitat that exists there. My condo sits close to the edge and I want to be assured that my home won't be damaged.

I also expect that IF this project is approved that I should see my property taxes go down. This obviously devalues my home.

I await a thoughtful decision of the board.

Pam Anzelc

Sent from my iPhone

Jennifer Yeaton - Fwd: Public Comment re. Proposed Casco Heights Condo (Towers) Project

From: Barbara Barhydt

To: Yeaton, Jennifer

Date: 5/5/2014 11:56 AM

Subject: Fwd: Public Comment re. Proposed Casco Heights Condo (Towers) Project

PC11

public comment

>>> Jade Arn <jadearn@hotmail.com> Monday, May 05, 2014 11:18 AM >>>

Good Morning,

As a North Deering resident, I am submitting this public comment to express my concerns regarding the Casco Heights Development Project as proposed. The scale and nature of this project are not consistent with the area. The magnitude of the development will bring population density and all of its associated noise, traffic, etc. to an otherwise quiet residential area. The architecture, size, height and design is totally out of place off the peninsula. As a taxpayer, I feel that this project jeopardizes the desirable characteristics of the neighborhood and may have a negative impact on livability and property values as a result.

I urge the Planning Board to deny approval of this project as it is currently planned.

Thank you for your consideration.

Sincerely,

Jade Arn

Jennifer Yeaton - Fwd: Casco Heights Project - Urgent Appeal

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/5/2014 1:50 PM
Subject: Fwd: Casco Heights Project - Urgent Appeal

public comment

>>> <danielsmediaco@gmail.com> Monday, May 05, 2014 1:46 PM >>>
May 5, 2014

Dear Planning Board - City of Portland:

**It has been brought to my attention that a developer is trying to get a behemoth project passed in Portland which is most out of character with the charming neighborhood in which it would potentially be situated in. Please review this plan scrupulously and insist that the developer's plan remain consistent with it's neighbors and residents/families in the area.
A 95 unit high rise apartment complex is outrageous in this area!
Portland is a gem. Keep it that way!**

Please help keep the quality of life at its highest level in Casco Heights.

Sincerely,

Helen Daniels

May 6 2014

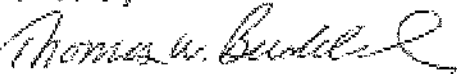
Thomas & Sheila Buckland
95 Ridge Road
Portland, ME 04103

To: Portland Planning Board,

As residents of Portland we oppose the Casco Heights development. The proposed project is out of character with the Neighborhood. The density of the project would effect neighborhood livability and negatively impact the traffic patterns and congestion of Ocean avenue and Washington Street. To build in the location would require tremendous blasting efforts and possibly endanger surrounding structures.

These are just some of the reasons we oppose the Casco Heights development project and do not support it.

Sincerely,



Thomas W. Buckland



Sheila E. Buckland

May 5, 2014

To: Portland Planning Board

From: Sabrina Nickerson, Randy Judkins Residents at Ocean Ridge Condominiums

Dear Planning Board,

As residents of Ocean Ridge Condominiums, we are speaking today because we truly want to protect what is good in our neighborhood. As much as possible we want to preserve our surrounding hardwood forest, vernal pools and the 3rd highest peak in the city of Portland. In addition, we seek to maintain the unique character and style of the architecture of our Ocean Avenue Neighborhood.

We certainly understand that the abutting property, the proposed Casco Heights Development is a candidate for construction. We'd like to ask then, "Is Casco Heights Project a good example of smart growth and responsible land use?"

In regards to the proposed Casco Heights project, we have some questions:

- 1) Given the proposed changes in the footprint of the two large buildings and adjoining parking lots, I would ask the planning board to consider the preservation of this unique hardwood forest, the vernal pools and the third highest peak known historically as 'Graves Hill'.
- 2) Will the board please consider that the current footprint and proposed height of the tower-like structure will create visual blight and most assuredly block much needed sunlight and solar gain for our Ocean Ridge homeowners.
- 3) How much damage to our existing homes will be realized with extended and prolonged amounts of blasting during Phase 1 and then during Phase 2 of this building project? Should any damage occur during or after this prolonged blasting, what kind of assurance do we have that the developers will take responsibility and fix any related damages?
- 4) How mindful and environmentally responsible will efforts be for habitat restoration after all the blasting, building and road construction?
- 5) Is the proposed development IN character with the surrounding architecture, the scale, density and livability?
- 6) We respectfully request that the Planning Board reconsider Casco Heights' original buffer zone of at least 100 ft which was adjusted to 80 feet when a new plan was proposed a few years later when Ocean Ridge Condominiums were not yet constructed.

Thank you for your consideration,
Respectfully submitted,

Sabrina T. Nickerson
and Randy Judkins
54 Ridge Road
Portland, Maine

Jennifer Yeaton - Fwd: May 6 Planning Board Workshop: Proposed Casco Heights Project at 802-828 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/5/2014 3:49 PM
Subject: Fwd: May 6 Planning Board Workshop: Proposed Casco Heights Project at 802-828 Ocean Avenue

public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Monday, May 05, 2014 2:52 PM >>>
TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

Jennifer Yeaton - concerns

From: <Gfdb115@aol.com>
To: <bab@portlandmaine.gov>
Date: 5/5/2014 7:36 PM
Subject: concerns

I'm not certain I will be able to attend the Planning Board Meeting but I have similar concerns about the project that have already been expressed, namely:

1. The scope of the project
2. The environmental impact the project would have on populations density and traffic on Ocean and Washington Avenues.
3. Impact on property values at Ocean Ridge
4. The amount of blasting that would be required.

Gene DiBenedetto

Jennifer Yeaton - Fwd: Casco Heights Condominium project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 8:11 AM
Subject: Fwd: Casco Heights Condominium project

Public Comment

>>> "Richard, Judith" <Judy.Richard@astellas.com> Monday, May 05, 2014 9:39 PM >>>
 My apologies for the late comments, I had a death in the family and couldn't respond sooner.

I would like to voice my concerns regarding the proposed Casco Heights Condominium project and request the planning board consider these concerns and make appropriate changes/recommendations to the proposed project.

1. The proposed Casco Heights Condominiums are totally out of character with anything in the neighborhood. It is out of scale for the neighborhood as there are no buildings that high anywhere near the proposed area and a development like this would stick out. It is just not consistent with the neighborhood as it is mainly single family living consisting of two or three levels. This would have a negative financial impact on property values in the area. The original plan was to have "luxury" condominiums and that has changed significantly by decreasing the amenities, etc.
2. The proposed project would consist of 94 or 98 units – 1 bedroom, 2 bedrooms and 3 bedrooms. That would bring a considerable amount of people to the area thus having an impact on traffic, which is already heavy enough without this additional load. The impacted areas would be Ocean Avenue, Presumpscott Street and Washington Avenue. There is already an overload of traffic in this area. Also, there are several schools in the area that children walk to and this development would significantly increase the traffic in the area.
3. The proposed condominium project would have a negative impact on quality of life by significantly creating density on that part of Ocean Avenue. There are already several condominium, apartment projects and Nursing Home/Rehab facility that create a lot of traffic. Air quality by the significant increase in vehicles would be diminished and the blasting necessary to develop the project would affect so many people.
4. The proposed entrance to Casco Heights is too close to the entrance to Ridge Road and this would create a danger to have two entrances so close together with people trying to enter and exit at the same time.
5. Can our existing municipal services handle the extra load on our schools, roads, water and sewer and garbage removal? Will the increase in tax revenue offset the costs to the school system? I doubt it. The original proposal was for luxury condominiums which would have brought in more tax revenues than the current proposal.
6. Lastly, but not of least importance, is the concern of one of the partners in this development. He was involved in Ocean Ridge Condominiums and we are still paying for his failure to complete the project and his cutting of corners. Ocean Ridge was not completed per his contractual obligations and per the specifications and this has cost the residents a lot of money for his failure to meet his obligations. What if this happens at Casco Heights? This will also negatively impact property values.

I don't object to the rights of a property owner to develop his or her land. However, I do object to the

suitability of the project for the neighborhood and recommend a different type of development that is more suitable to the neighborhood. I want to be assured that any blasting that is done does not result in any damage to surrounding properties. I also want to live in a neighborhood where I don't have to worry about entering and leaving my property and feel safe with where the entrance/exit is located.

Thank you for your consideration.

Regards,

Judy Richard

Senior Corporate Account Director

Astellas Pharma US, Inc.

(207) 879-7373 Office

(207) 712-3230 Cell



Jennifer Yeaton - Fwd: Casco Heights

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 2:59 PM
Subject: Fwd: Casco Heights

public comment

>>> "Glenna Irvine" <gm Irvine2003@yahoo.com> Tuesday, May 06, 2014 1:31 PM >>>
I wanted to take a moment to share my views/concerns regarding the Casco Heights Project.

As the President of the Ocean Ridge Condo Association and an owner myself, I have heard from numerous owners. The main concerns are:

- Disruption of the natural habitat – frogs, birds, trees, deer, fox, etc.
- The escalated noise level from having a site so close to Ocean Ridge condo Association
- Based on the tape marking off the lot – the buildings appear to be extremely close – leaving no barrier between Ocean Ridge Condo Association and Casco Heights – having the appearance of clear cutting.
- Damage to our buildings as a result of the blasting
- Potential property devaluation. Ocean Ridge Condo Association was not in existence when Graves Hill/Casco Heights was approved to be built so owners purchased a very private, wooded scenic landscape. That will no longer exist as a result of this project.
- Developer – Tinsman – built Ocean Ridge and we are still making repairs from the poor workmanship and incomplete items.
- Additional traffic on both Ocean Avenue and Washington Avenue. Ocean Avenue is and has been in very poor condition for years. So additional traffic would certainly not improve that situation. Washington Avenue is a mess. It is literally bumper to bumper traffic day and night.

As a Real Estate Broker, I think the above concerns are valid. I have sold a number of condos in Ocean Ridge as well as other associations in Portland. The big draw for buyers looking at Ocean Ridge is the close proximity to downtown Portland and the very peaceful, quiet, natural setting. That would change if we don't have a significant barrier between the two communities. If a significant barrier with trees and natural habitat are left so that there is still an element of privacy, I don't think it will have as significant impact on the resale value.

Please feel free to contact me,

Glenna Irvine
91 ridge Rd
Portland, ME 04103
207-749-9098

Jennifer Yeaton - Fwd: FW: Wellstone Condominium Association

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/6/2014 3:03 PM
Subject: Fwd: FW: Wellstone Condominium Association

Public Comment

>>> Jeanette Haskell <jeanette@mpropertiesinc.com> Tuesday, May 06, 2014 2:05 PM >>>

Barbara

Per our conversation this morning regarding the meeting scheduled this evening for Ridge Development LLC the Board of Wellstone Condo Association would ask that the Planning Board take into consideration the following. After the prior blasting and development surrounding the Wellstone property the Association experienced leaks in the basements of 12+ units and they had to install battery backup sump pumps to keep the basements dry. The Association has also hired a contractor to repair many of these basement walls which were not a problem prior to the blasting. The Association did not experience water issues in these basements prior to the blasting. They continue to have issues today and are concerned that the blasting created a fissure in the ledge that has somehow changed the water flow. The Association just spent \$35,000 to do additional drainage work due to changes in ground water flow which they feel may have been caused by the blasting as well.

There are also some concerns about water flow from Ridge Development displacing water to the ditches (as engineers are designing). My understanding is that the plan is to direct the water to the Ocean Ave. ditch which then flows under Ocean Ave. just above the bus stop up the street from Wellstone. This would have an impact on increasing the level of the water table here as we are already experiencing this from the previous development. Presently, the water table is just under the slab of several buildings.

Please let me know if you have any questions.

Thank you

Jeanette

Jeanette Haskell, CMCA
Maine Properties, Inc.
207-883-3753
Fax: 207-883-2135
E-mail: jeanette@mpropertiesinc.com



Jennifer Yeaton - Fwd: Workshop of 5/6/2014

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/7/2014 8:18 AM
Subject: Fwd: Workshop of 5/6/2014

public comment

>>> Ocean Ridge <concerned.orca@gmail.com> Wednesday, May 07, 2014 8:15 AM >>>

To members of the Planning Board:

As an owner at Ocean Ridge I attended and spoke at the workshop on 5/7/14 on the Casco Heights project.

I offer these brief post-meeting comments:

1. Carol Morrisette characterized the potential decision, at first glance, as a "...no brainer..." given that the height of the buildings was reduced from a controversial 100' to 75'. I remind her that as the building came down 25', their footprints expanded by 100' so as to maintain essentially the same occupancy and infringe closer to the buildings of Ocean Ridge.
2. Several PB members characterized the Ammendment as having "...lesser impact..." I respectfully and forcefully disagree with this characterization. The density is unchanged, the adequacy of parking continues to be questionable, the buffer to adjacent properties is less and the water drainage to Ocean Avenue and down-the-hill residences is still problematic.
3. Bill Hall in his comments "...look at the big picture..." and "...appropriateness after a decade..." seems to be thinking correctly. Is the scope of this project good for the City of Portland generally and do we want to disrupt the neighborhood?
4. Eventual development of the acreage in question is inevitable and welcome. But please keep in mind the neighborhood, the environment and the City.

Respectfully,

Frank W. Pandolfo

Owner at 146 Ridge Road

Jennifer Yeaton - Fwd: Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 5/7/2014 8:03 AM
Subject: Fwd: Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave

public comment

>>> Linda Belanger <lindaportlandmaine@yahoo.com> Wednesday, May 07, 2014 6:41 AM >>>
Dear Barbara,

Re: 5-6-2014 City Plan. Div.Meeting regarding Ridge 802....Ocean Ave.

I feel I must clarify something that was misinterpreted at last night's meeting.
The Chairman stated that everyone that voiced opinions and concerns from the public sector appeared to "not be in favor" of the Ridge project. I don't recall saying that I was not in favor. I would like to apologize if I misled the board without realizing it.
I began by saying that I was not going to say one way or the other about being in favor or not with regards to the general proposal, that I was there to mainly listen and learn about the process.
I went on to say that I had two major concerns (1. the blasting and 2. water flow)
I also stated that the Wellstone complex has experienced actual problems associated with this two issues over the last 28 years due to development that has taken place in the area.
Thank you.

Best Regards,
Linda Belanger, Wellstone Condominium Board member, Portland

**Questions for Workshop
Portland Planning Board
May 6th @ 6 PM**

Geology/Blasting/Environmental Survey/Site Plans

1. **Geology** – Graves Hill is a geologically unique place in Cumberland County and the State of Maine according to a Professor at USM. The whole area has been subjected to fault-type shearing that is reflected in the overall texture of the rock. The weaker rock in this case is the foliated metamorphic rocks that flank the mass of granite that makes up Graves Hill. You can see this in the steep grade of the entry drive into Ocean Ridge Condos. This is why the 13 buildings of Ocean Ridge were built on top of the mass of granite and not excavated in to the mass. My question to the Planning Board is whether the plans have taken this into account and how would it affect the stability of the granite mass known as Graves Hill?
2. **Blasting** – I would like to raise the issue of blasting, and potential issues resulting therefrom. What are the regulations in place to limit any adverse effects of Blasting? Does the Planning Board require a project bond (in an adequate amount) in light of the blasting/fault lines and other safety concerns?
3. **Environmental Survey and Site Plan** – Has there been an Environmental Survey done? Is there an up to date to the Site Plan? Has there been site consideration for the protection of the natural areas and historic sites.

Thank you,
Chuck Grossman
175 Ridge Road

>>> Lesli Rodgers <LRodgers@buxtonco.com> Wednesday, May 07, 2014 10:02 AM >>>
TO: Barbara Barhydt, Development Review Services Manager

Unfortunately, I could not attend last night's workshop due to a prior commitment. But I wanted to make sure I was letting you know of my concern regarding this proposed condominium project - Casco Heights.

As a resident of Ocean Ridge, this proposed project would be right next door. While I have no objections to neighbors, I am concerned that this project will considerably change and deteriorate the neighborhood already in existence.

None of the homes in this area are more than a few stories ... it is my understanding that Casco "Heights" is proposing to build two towers, up to or exceeding 75' in height. This will dramatically change the sky line here, especially as the proposed building site is already on a hill.

It is also my understanding that these towers are meant to include 94 units...in a relatively small footprint. None of the surrounding area tries to compact so many people into such a small space. The impact on the neighborhood of an additional 94 families in terms of traffic, garbage, noise, pollution, etc. is certainly something never anticipated when I purchased my home here 5 years ago.

I'm not sure of what the options here are for a private citizen...or how far along the road to inevitability this proposed project is. But I have to voice my concern...and I would very much appreciate it if you (or someone else on your team) could let me know what I can personally do to stop this project from moving forward.

I look forward to your response. Thank you.

Lesli Rodgers
145 Ridge Road
Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/4/2014 4:22 PM
Subject: Fwd: Casco Heights Development

public comment

>>> <Gfdb115@aol.com> Wednesday, June 04, 2014 3:38 PM >>>
To The Planning Board

I would like to express my concerns regarding the development of the Casco Heights Project on Graves Hill. My concerns are the following:

1. The proposed construction is out of character with the surrounding neighborhood. All surrounding buildings are 3 stories or less.
2. An environmental impact study should be conducted and the results made available to local residents. My chief concerns are traffic on Ocean and Washington Avenues, water, drainage, destruction of trees and shrubs and the negative effects on wildlife.
3. The scope of the project is too ambitious; namely 94 units in 75 foot buildings which will have a negative impact on the area.
4. An enormous amount of blasting will no doubt be required with potential damage to adjacent buildings. What financial provisions have been made by the developers to underwrite repairs to neighboring buildings, especially Ocean Ridge.
5. The project will have a negative impact on neighbors, namely livability, safety and a sense of community.
6. Another consideration is the potential negative effect the project will have on property values.

Thank you for your attention on this important matter.

Sincerely,
Gene DiBenedetto
17 Osprey Terrace

Richard L. Kessler
60 Ridge Road
Portland, ME 04103

Phone: 207-899-0066
Email: rkessler5@yahoo.com

To; Barbara Barhydt

The proposed development of 802-928 Ocean Avenue (aka Graves Hill) presented to the Portland Planning Board by Doyle Enterprises will have substantial consequences for neighbors of the property, impact traffic and livability in the community and is generally inappropriate for off-peninsula Portland.

1. Building height of 75' is inappropriate for off-peninsula location. All surrounding buildings are 3 stories or less. This includes private homes, Summer Place, Wellstone, Ocean Ridge, Ledgewood, Townhouses at Ocean East, Oceanwoods, The Cedars (even it latest addition of a nursing home facility). Alden's Walk and Martins Point.
2. The addition of 94 residential units and likely 200+ automobiles will impact traffic and safety. Ocean Avenue is narrow, offers no safe option for on-street parking and should have sidewalks and bike paths. A traffic study should be done.
3. Condos east of Ocean Avenue claim to have water seepage in basements. The problem will be exacerbated with Casco Heights development. A proper engineering study is requested.
4. Doyle Enterprises was advised by the Planning Board to consult with neighbors and interested parties prior to amending the site plan provided to the Board at the May 9, 2014 meeting. The revision was submitted; the offer to meet with neighbors arrived later. Concerned parties seem to be an afterthought.
5. The original 2004 proposal called for two 100' towers, 98 residential units, 2 levels of underground parking, amenities (office, exercise room, x-country ski room and community center). A smaller building footprint was posed further down Graves Hill and, importantly, offered a more reasonable buffer to adjacent properties. The 2014 proposal reduces the controversial 100' height to 75' but expands the footprint so as to maintain essentially the same residential density (98 vs. 94 units). Also, all amenities are eliminated, construction changed from steel/concrete to less expensive wood frame and buffers are reduced. Profit motive seems to be at play here.
6. The project will require enormous amounts of blasting in granite. Damage to adjacent buildings is a possibility. Engineers must determine the range of potential damage, all structure

“camera-ed” before blasting and an insurance bond on the order of \$20,000,000 should be in place.

7. Development of Graves Hill is inevitable and should be welcomed by all Portlanders. However, reasonableness must prevail. Considerations must include scale, density, livability, community, safety and environment.

I was born and raised in Portland and have lived at 60 Ridge road for 10 years. Doyle Enterprises wants out from the property so they need to have changes made to sell a package. I get it but am not happy that it affects all abutting owners and my unit with such an impact. Directly behind, no privacy at all.

The City has a reputation for approving and then letting the plans be completely altered. The original foot print gave everyone plenty of privacy and was well laid out. Do the right thing and have them come up with a better plan so we can all be happy.

Thank you,

Richard L. Kessler

Jennifer Yeaton - Fwd: CASCO HEIGHTS

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:34 PM
Subject: Fwd: CASCO HEIGHTS

public comment

>>> Lesli Rodgers <LRodgers@buxtonco.com> Monday, June 30, 2014 12:14 PM >>>
To Whom It May Concern:

Unfortunately, I have prior commitments on July 8, so will not be able to attend the upcoming planning meeting where it is my understanding this development is to be addressed. I am therefore sending you my expression of concern, in the hopes that it will be shared with those on the planning committee.

As a resident of Ocean Ridge, I am naturally interested in any new development of the area. When it comes to development of land that is virtually on top of our community, I am more than just interested...I'm concerned. It is my understanding that these structures will be approximately 6-7 stories high...sitting on top of the hill, this will definitely change the skyline in this immediate area, putting the buildings well above the height of the mature and lovely trees that surround us. These would stick out like the proverbial sore thumbs and ruin the atmosphere that we've worked so hard to maintain not only in our development, but those surrounding us as well. Such buildings would definitely NOT blend into the neighborhood.

I'm not an engineer, but it is basic common sense that to build up to that height, they're going to have to dig down to a significant level with the support structure. As the area around here is mostly rock, I dread to think what the ramifications of blasting would be. My biggest concern would be that blasting would have to be substantial, prolonged, and at very close range...this cannot help but have a detrimental impact on the structures in Ocean Ridge.

If I am reading the preliminary plans correctly, Casco Heights has an easement that runs through Ocean Ridge, and this is how access to Casco Heights would be achieved. This would more than double the amount of traffic on Ridge Road, to serve the 96 (?) units proposed in the new development, compared to the 45 (or so?) units in Ocean Ridge. Considering that the existing community has a number of pet owners who walk their dogs, children who play outside, and health enthusiasts who walk the roads and trails, this additional traffic will detract from the environment as well as safety of current residents to a significant degree.

I fully understand that the designated land will be developed at some point...but I would sincerely hope that such development would be in keeping with the area as it exists today, with reasonable expectations for the impact on the environment as well as existing residents. I don't believe Casco Heights has taken these factors into consideration, but sincerely hope that the planning commission will.

Thank you.

Lesli Rodgers
VP/Marketing Services
BUXTON
207-899-0623 - Direct
817-332-3681 - Switchboard
203-940-3762 - Cell

Jennifer Yeaton - Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:35 PM
Subject: Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

public comment

>>> Robin Schulte <robin.l.schulte@gmail.com> Monday, June 30, 2014 1:32 PM >>>

I am a resident of Alden's Walk and I am writing to let you know that my husband and I are highly opposed to this project. The condominiums will virtually destroy the woods behind our home where we walk on trails with our dog and replace them with concrete and cars and congestion on Ocean Avenue and virtually ruin the tranquility of the area, not to mention affect property values. I truly feel as if this will totally change our ability to live comfortably in this area.

Robin Schulte & Jim Fairbanks
19 Wildwood Circle
Alden's Walk

May 5, 2014

Dear Planning Board - City of Portland:

It has been brought to my attention that a developer is trying to get a behemoth project passed in Portland which is most out of character with the charming neighborhood in which it would potentially be situated in. Please review this plan scrupulously and insist that the developer's plan remain consistent with it's neighbors and residents/families in the area.

A 95 unit high rise apartment complex is outrageous in this area!

Portland is a gem. Keep it that way!

Please help keep the quality of life at its highest level in Casco Heights.

Sincerely,

Helen Daniels

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

>>> Pam <pamela630@gmail.com> Sunday, June 29, 2014 2:59 PM: >>>

Dear Board members,

I understand you'll be voting on the Casco Heights project this week. I've seen property stakes marking the enormous size of this project. I am very concerned that blasting and building this close to my property at Oceanridge Condominiums will not only lower my property value but will actually damage my home, especially the foundation. What assurances will I be given that my home won't be disturbed? Who will pay if damage occurs? I'm all for new development, but think this project is too big and too dense for that piece of land. Thanks for your careful consideration. I hope protection of your current taxpayers' property is considered.
Pamela Anzelc

Sent from my iPhone

file:///C:/Users/JMY/AppData/Local/Temp/XPgrpwise/53B2A7F1PortlandCityHall1001346... 7/1/2014

PC30

Jennifer Yeaton - Fwd: RE: Ridge Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 12:08 PM
Subject: Fwd: RE: Ridge Development

public comment for Casco Heights

>>> Carol Hayden <sfocph@aol.com> Saturday, June 28, 2014 1:31 PM >>>

I am a homeowner east and downhill of the proposed development and I attended the site walk last week. My concerns, aside from the obvious impact on the neighborhood with increased traffic and the noise that goes along with a construction site of this size, is the need to mitigate water run off downhill. There is a small stream that runs in a gully in my backyard and after a good rain it swells to considerable size on it's way to a culvert that runs under the road maintained by our association. Without the natural water management the wooded hillside provides I'm concerned that the runoff will exceed the existing ability to keep it in check and create risk for my neighborhood. It is also worth noting that quite a lot of wildlife that lives on the hillside and they will be driven from their habitat with construction. I often see foxes in my backyard since the blasting to provided access for a single home on Ocean and can foresee more on the move.

I will continue to be interested in the progress of this project as will many of my neighbors.

Carol Hayden
45 Ashley Lane

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**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT TO CONDITIONAL REZONING
FOR 802-828 OCEAN AVENUE**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below;

BE IT FURTHER ORDERED, that the conditional rezoning amendment authorized herein shall become effective ~~thirty (30) days following this rezoning upon sale to Ridge Development LLC,~~

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**FIRST AMENDMENT CONDITIONAL ZONE AGREEMENT
GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC**

This Agreement made this _____ day of _____, 2004 by GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC, a Maine limited liability company with an office in Saco, Maine (hereinafter "GRAVES HILL RIDGE DEVELOPMENT").

WITNESSETH:

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT owns or has an option on a parcel of land consisting of approximately 18.32 acres located at 802-828 Ocean Avenue in Portland, consisting of parcels shown on City of Portland Tax Map 411, Block A, Lot 7 and Tax Map 416, Block A, Lots 6, 7 and 21, and more particularly described in a deed recorded in Cumberland County Registry of Deeds in Book 21500, Page 269 (collectively the "Property"); and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT proposes to construct upon a portion of the Property a maximum of ~~98~~ 96 condominium units in two mid-rise buildings in a Planned Residential Unit Development ("PRUD") while preserving and protecting a portion of the Property as open space, by utilizing a pattern of development designed to minimize the clearing of natural vegetation, to minimize the area to be blasted, to provide a unique residential living experience with a high degree of natural site amenities, and to promote public recreational use of trails which integrate with a larger trail system; and

WHEREAS, GRAVES HILL RIDGE DEVELOPMENT has requested the rezoning of ~~40.467~~ 10.18 acres of the Property from R-3 to R-5A Residential Zone and the simultaneous approval of a contract zone to implement a planned residential unit development (PRUD) for dwelling units on that portion of the property, and the rezoning of ~~8.455~~ 8.14 acres of the Property from R-3 to Recreation and Open Space Zone (R-OS); and

WHEREAS, the Planning Board of the **CITY OF PORTLAND** (hereinafter "**CITY**"), pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62 and 14-127, after notice and hearing and due deliberation thereon, concluded that the rezoning of the Property as aforesaid and subject to certain conditions outlined below, is consistent with the City's Comprehensive Plan and with existing and permitted uses in the underlying zone; and

WHEREAS, the Planning Board recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions; and

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WHEREAS, the **CITY**, by and through its City Council has determined that because of the bold and innovative design which:

- promotes efficient land use and conservation of natural resources,
- protects the natural environment by locating the development so as to reduce the impact on environmentally sensitive areas,
- utilizes one of the last large undeveloped tracts of residentially-zoned land to provide housing of a type not currently available in Portland,
- reduces the impact on surrounding properties by minimizing the area to be blasted, preserving natural site amenities, and providing substantial buffers, and
- enhances the recreational trail system in Portland,

it is necessary and appropriate to impose with GRAVES HILL's RIDGE DEVELOPMENT's agreement the conditions and restrictions set forth herein, in order to insure that said rezoning is consistent with the **CITY'S** comprehensive land use plan; and

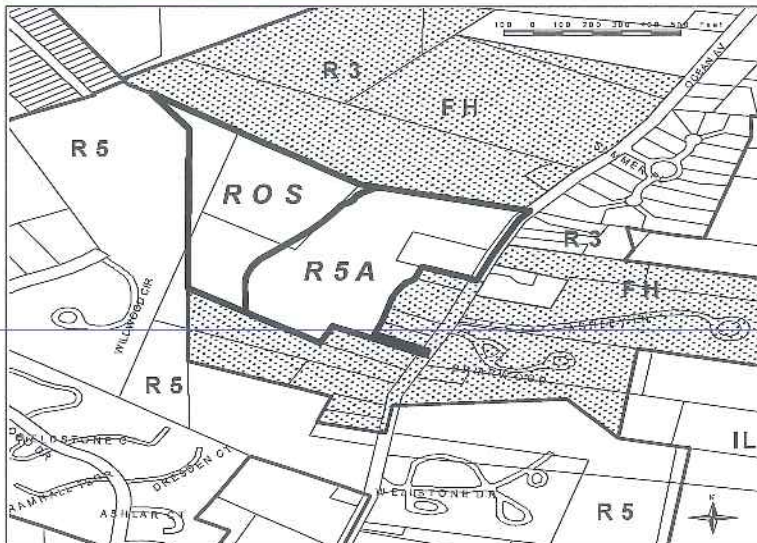
WHEREAS, the City Council of the **CITY** authorized the execution of this Agreement on _____, 200_, by City Council Order No. _____, a true copy of which is attached hereto as Attachment I; and

WHEREAS, GRAVES HILL-RIDGE DEVELOPMENT has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind GRAVES HILL-RIDGE DEVELOPMENT, its successors or assigns;

NOW, THEREFORE, in consideration of the rezoning of the Property, GRAVES HILL-RIDGE DEVELOPMENT contracts to be bound by the following terms and conditions:

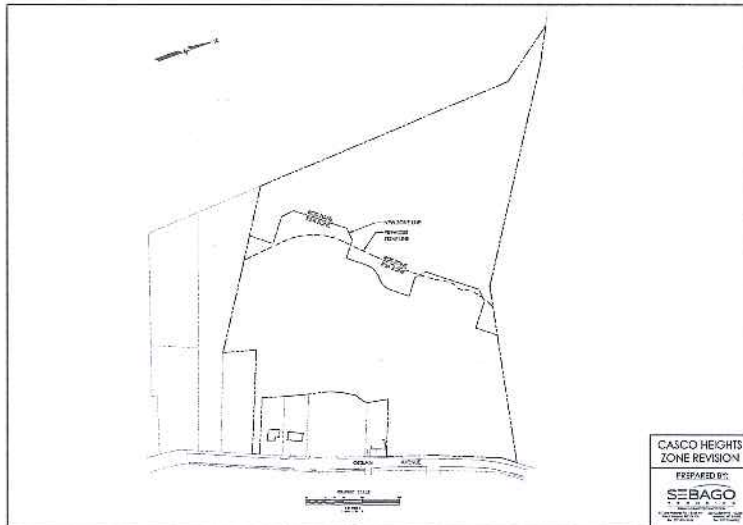
1. The **CITY** hereby amends the Zoning Map of the City of Portland dated December 2000, as amended from time to time and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by Section 14-49 of the Code, by adopting the map change amendment shown below (rezoning to R-5A and R-OS). If this Agreement is not recorded within thirty (30) days of the City Council's approval of said rezoning sale of the property to Ridge Development LLC or within one hundred and eighty (180) days of the City Council's approval of said rezoning, whichever is later, then the rezoning shall become null and void and the zoning of the Property (together with all conditions) shall revert to

the pre-existing R-3 zone that contained in the original Conditional Rezoning Agreement for 802-828 Ocean Avenue approved on _____ and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____.



**Proposed Rezoning for 802 Ocean Avenue
from R3 and Flexible Housing Overlay to R5A and ROS
July 2004**

Map prepared by the City of Portland's Department of Planning & Development and the SID Workgroup



Proposed Amended Rezoning for 802 Ocean Avenue for the line adjustment between Recreation and Open Space (ROS) and Residential R-5a (of the C-34 Conditional Rezone Agreement) May 2014

2. **GRAVES HILL RIDGE DEVELOPMENT** is authorized to establish and maintain the following uses on the R-5A portion of the property:

- a. Up to ~~98 96~~ residential units located in two buildings, each building containing up to 49 48 units, which may be sold as condominium units, resulting in a maximum total of ninety ~~eight six~~ (98 96) residential units within the Property; and
- ~~b. a community room in each building available for use by the residents of the PRUD; and~~
- ~~c. a small office in each building to be used by employees of the condominium owners' association, only for on-site property management and concierge services; a fitness and special events room in each building available for use by the residents of the PRUD; and~~
- ~~d. a cross-country ski center/locker room in each building available for use by the residents of the PRUD; and~~
- ~~e. b. parking in an amount of not less than 2 spaces per residential unit one (1) space per one bedroom unit and two (2) spaces per two and three bedroom units, plus at least 28 additional surface visitor parking spaces; and~~
- ~~f. c. a trail system traversing the site, extending from Ocean Avenue to connect with the trail system on the R-OS portion of the site. A future recreation area is also permitted, subject to Site Plan Review and approval by the Planning Board.~~

The uses specified herein supersede the otherwise permitted uses contained within the underlying R-3 and R-5A zones.

3. The use of the R-5A portion of the property, by virtue of this contract rezoning, shall be limited to that of a residential PRUD with the accessory uses described in paragraph 2. The Property may be developed in two phases, Phase I to consist of all necessary blasting for both buildings, one structure containing up to forty ~~nine eight~~ (49 48) dwelling units plus all accessory uses associated with that structure, and the entire trail system in both the R-5A and R-OS portions of the Property (excluding only the portion of the trail accessing the building to be constructed in Phase II) and Phase II to consist of the second structure, containing up to forty ~~nine eight~~ (49 48) dwelling units plus all accessory uses associated therewith and trail sections and roads serving only that structure, all as more fully set forth in the Site Plans.

4. Separate performance guarantees shall be issued for Phases I and II. The amounts and terms of such performance guarantees shall be determined by the Planning Authority at the time of Site Plan and Subdivision approval for each Phase, but each Phase must provide minimum financial guarantees such that each Phase constitutes a separate and complete project. Surface stabilization of any portions of the project area located in Phase II that have been affected by blasting performed during Phase I shall be accomplished prior to the issuance of a Certificate of Occupancy for Phase I, unless construction of Phase II has commenced. The intent of this condition is to ensure a complete site in the event Phase II is never built.

5. ~~GRAVES HILL RIDGE DEVELOPMENT~~ is authorized, and is hereby required pursuant to this Contract Zone Agreement, to establish and maintain the following use on the R-OS portion of the Property:

a trail system, for pedestrian, bicycle and/or other non-motorized use, together with associated benches, bridges, raised walkways, future recreation area, or similar improvements as necessary to facilitate access.

The R-OS portion of the Property not used as aforesaid shall be left in its natural state, and natural features, mature trees and natural surface drainageways, shall be preserved to the greatest possible extent consistent with the uses of the property.

6. ~~GRAVES HILL RIDGE DEVELOPMENT~~ shall grant to Portland Trails, a Maine nonprofit corporation, a recreational trail easement at least five feet in width for trails on the R-5A portion of the Property and ten feet in width for trails on the R-OS portion of the property, extending for a distance of not less than 3,207 linear feet, to allow for passive recreational use by the general public. The easement may impose reasonable restrictions upon the trail use, including the following: Permitted uses are limited to low-impact recreational uses, including, without limitation, walking, hiking, nature viewing, photography, mountain biking, cross-country skiing, snowshoeing, walking dogs on leashes as long as dog owners pick up after their dogs, and educational programs. Prohibited uses include, but are not necessarily limited to, motorized vehicles (except for authorized trail construction, repair or maintenance), camping, fires, horses, removing, cutting, or otherwise altering trees, branches, and other vegetation (except for authorized trail construction, repair and maintenance, to restore native flora and fauna, or to remove invasive or dangerous flora and fauna), any filling, excavation or alteration of the surface of the earth other than for authorized trail construction, repair or maintenance purposes, any disposal of rubbish, garbage or other waste material, hunting, trapping, wildlife collecting, any loud activities which disturb others, all overnight uses, and other activities which have a high impact by degrading or destroying the natural resource values of the property or which conflict with the rights of other users for a quiet, peaceful and contemplative experience in a natural area. In no event shall any of the above prohibited uses interfere with the right to construct, repair and maintain a recreational trail and associated recreational structures. The hours of use may be strictly limited to daylight hours. The easement may authorize ~~GRAVES HILL RIDGE DEVELOPMENT~~, its successors and assigns, Graves-Hill Ridge Development Condominium Owners' Association, and Portland Trails to enforce those restrictions. In the alternative, instead of granting a trail easement on the R-OS portion of the Property, ~~GRAVES HILL RIDGE DEVELOPMENT~~ may opt to convey the R-OS portion of the Property to Portland Trails in fee, with such

conveyance made subject to use conditions and reserved rights of enforcement as aforesaid. The form of such easement and/or deeds shall be reviewed and approved by Corporation Counsel in connection with the Site Plan approval process for Phase I. If a conveyance, by easement or in fee, is to be made to **Portland Trails**, the certificate of occupancy for the residential units shall not be delayed due to the status of completion of the trail system on the R-OS portion of the site so long as **GRAVES HILL RIDGE DEVELOPMENT** has made the required conveyance, by easement and/or in fee, to Portland Trails and funds sufficient to complete construction the trails on the R-OS portion of the site have been placed in escrow. If, for any reason, Portland Trails declines to accept said trail easements and/or conveyances upon the terms offered, **GRAVES HILL RIDGE DEVELOPMENT** may satisfy this contract zone requirement by constructing the trails pursuant to the approved site plan and granting trail easements to the City of Portland, upon the same terms and conditions stated above, granting the City of Portland (rather than Portland Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004), Sebago Technics (last revised May 2014) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2004), Archetype PA (last revised May 2014) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Ridge Development entrance on Ocean Avenue as shown on the site plan shall achieve separation from Ridge Road to the maximum extent practicable be at the location shown on said Site Plans subject to site plan review by the Planning Board and the City hereby grants consideration of such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of RIDGE DEVELOPMENT, with the approval of the Planning Board, the the final Planning Board approved location of the entrance may be moved up to 20 feet southerly of the location shown from the location on the attached site plan without any further amendment to this Contract Zone Agreement. So long as the two residential structures include an approved fire sprinkler system, the required fire access shall be satisfied by the provision of one access road, as shown on the site plan. **GRAVES HILL RIDGE DEVELOPMENT** shall provide sidewalk and granite curb along the property's frontage on Ocean Avenue and also as along the frontage of the four intervening residential parcels, or, at the option of the Planning Board, **GRAVES HILL RIDGE DEVELOPMENT** shall instead contribute funds equal to the cost of installing sidewalk and granite curbs as aforesaid to the CITY for the CITY to apply toward installing granite curbs and sidewalk in the vicinity of the PROPERTY.

GRAVES HILL RIDGE DEVELOPMENT shall provide a planted buffer as shown on the site plan in the vicinity of the rear lot lines of the abutters whose lots front on Ocean Avenue side of the building adjacent to Ocean Ridge Condominiums, with precise specifications subject to final site plan review. Such planted buffer, in addition to the areas on the site plan designated as "preserve existing trees" and "no cut area" shall remain in perpetuity and shall not be eliminated by **GRAVES HILL RIDGE DEVELOPMENT** or its successors, provided that, to the extent applicable, the planted buffer may be maintained according to standards contained within the *National Arborist Association, Inc. Standards for Tree Care Operations*. Furthermore, while **GRAVES HILL RIDGE DEVELOPMENT** shall provide at least 3,207 linear feet of pedestrian trails in the general configuration shown on the plans, it is stipulated that the pedestri-

an trails shown on the attached plans are for diagrammatic purposes only, and actual proposed trail locations will be submitted to and reviewed by the Planning Board as part of the site plan process.

8. The Planning Board shall review and approve Phase I and Phase II of this development according to the subdivision and site plan provisions of the Portland Land Use Code.

9. The blasting plan required by Chapter 14, Article VIII of the Portland City Code and Section 3 of the City of Portland Technical Manual for issuance of a blasting permit shall be included in the applications for Site Plan and Subdivision Review and shall require final review and approval by ~~the Planning Board~~ a third-party, independent, seismologist approved and hired by the Planning Authority at the Applicant's expense (hereinafter "third-party seismologist").

10. The notification of neighbors required by Section 14-592 of the Portland City Code shall be accomplished by certified mail rather than regular mail.

11. During blasting operations, ground vibration monitoring shall be conducted by an independent third-party seismologist or blasting consultant. ~~RIDGE DEVELOPMENT's selection of the independent seismologist or blasting consultant is subject to the review and approval of the City of Portland Planning Authority.~~

12. Notwithstanding Section 3.7.13 of the City of Portland Technical Manual, the blasting contractor shall be required to carry liability insurance (XCU) coverage in an amount no less than \$4,000,000.00.

13. In addition to the requirements outlined in Paragraphs 9-11 above, RIDGE DEVELOPMENT expressly agrees that, with respect to its development of the Property, it will comply with all other provisions relating to the regulation of blasting and explosives contained in Chapter 14 of the Portland City Code and the City of Portland Technical Manual.

149. Any change in ownership shall be brought to the Planning Board for its review and approval, but this requirement shall not apply to the granting of mortgages by ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest, or to the enforcement by the mortgagees of their rights under such mortgages, or to the assignment or conveyance of the ownership to an entity in which ~~GRAVES HILL RIDGE DEVELOPMENT~~ and/or ~~Diane Doyle~~ holds at least a 30% interest, nor shall this requirement apply to the conveyance of individual condominium units or to the granting of mortgages upon individual condominium units. Similarly, ~~GRAVES HILL RIDGE DEVELOPMENT~~ or any successor in interest may convey the R-OS portion of the Property to Portland Trails in fee simple and/or may grant trail easements and conservation easements to Portland Trails and/or to the City of Portland as provided above without any further review of the change in ownership by the Planning Board.

1015. For the portion of the Property rezoned R-5A, the dimensional requirements and other zoning requirements for the Property shall be those of the underlying R-5A zone with respect to PRUDs except as follows:

Maximum number of units per building: ~~49~~ 48

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Maximum number of buildings containing residential dwelling units: 2

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Maximum building height: ~~100~~ 75 feet, as measured per zoning ordinance, and in accordance with the plans attached hereto and in accordance with the location on the site plan

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Parking: Minimum of 2 spaces per unit plus 28 visitor spaces, half in Phase I and half in Phase II. 204 spaces, half in Phase I and half in Phase II.

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Minimum recreation open space area: Outdoor passive recreation in the form of pedestrian trails of not less than 3,207 linear feet shall be provided on the Property, generally as shown on the Preliminary Site Plans, Zone Identification. Such trails shall be composed of stone dust, asphalt or similar materials, and, if environmentally necessary or advisable, shall include bridges, raised walkways, or similar improvements as necessary to facilitate access, together with a reasonable number of wooden benches. The non-trail portion of the Property located in the R-OS zone shall otherwise remain in its natural vegetative state. A public recreational trail easement over the trails on the Property shall be conveyed to **Portland Trails** or, in the alternative, to the **City of Portland** granting the public the right to use the trails subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. In the alternative, ~~GRAVES HILL~~ RIDGE DEVELOPMENT may convey an easement over the recreational trails on the R-5A portion of the Property and convey the R-OS portion of the Property to **Portland Trails** in fee, both subject to such restrictions on hours, manner and intensity of use outlined in Paragraph 6, above. So long as at least the minimum passive recreational open space is provided as specified above, no additional active recreational open space is required. However, the developer may provide more than the minimum required, at its option, and subject to site plan review.

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Except as set forth above, all provisions in Sections 14-126 through 14-131 of the CITY's zoning ordinance shall apply to the portion of the Property rezoned R-5A.

~~164.~~ For the portion of the Property rezoned R-OS, the dimensional requirements and other zoning requirements of the R-OS zone shall apply, except as follows: despite any requirement to the contrary in § 14-158 (g), due to the linkage of the trail system to publicly-owned property which will provide public parking, no off-street parking need be provided on any portion of the Property for visitors projected to use the R-OS portion of the Property and ~~GRAVES HILL~~ RIDGE DEVELOPMENT need not submit any parking needs projections.

~~17.~~ The above stated restrictions, provisions and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit ~~GRAVES HILL~~ RIDGE DEVELOPMENT, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit and be enforceable by the CITY, by and through its duly authorized representatives.

~~1318.~~ If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as a separate, distinct and independent provision and such determinations shall not affect the validity of the remaining portions thereof.

~~1419.~~ In the event ~~GRAVES HILL RIDGE DEVELOPMENT~~ or its successors should fail to utilize the **PROPERTY** in accordance with this Agreement, or in the event of ~~GRAVES HILL'S RIDGE DEVELOPMENT 'S~~ breach of any condition(s) set forth in this Agreement which differs from the provisions of Portland's Land Use Code which would otherwise be applicable to property situated in the R-5A or ROS zone, the **CITY** may prosecute such violations in accordance with 30-A M.R.S.A. §4452, M.R.Civ.P. 80K, or in any other manner available by law.

In addition, if such an enforcement action should result in a finding that ~~GRAVES HILL RIDGE DEVELOPMENT~~ has breached the Agreement, then either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

~~1520.~~ ~~GRAVES HILL RIDGE DEVELOPMENT~~ shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

~~1621.~~ Except as expressly modified herein, the development, use and occupancy of the Property shall be governed by and comply with the applicable provisions of the Portland City Code and any applicable amendments thereto or replacements thereof.

WITNESS: GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT, LLC

By: _____
Diane Doyle Patrick Tinsman
 Its Manager

STATE OF MAINE
 CUMBERLAND, SS.

_____, 200_

Then personally appeared the above-named Diane Doyle Patrick Tinsman, Manager of ~~GRAVES HILL LAND COMPANY RIDGE DEVELOPMENT~~, LLC as aforesaid, and acknowledged the foregoing instrument to be ~~her~~ his free act and deed in ~~her~~ his said capacity and the free act and deed of said limited liability company.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

My Commission Expires: _____

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/1/2014 10:56 AM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> Terence Goodwin <tgoodwin1232@gmail.com> Friday, June 27, 2014 6:42 PM >>>

This proposed development should not be approved. It is totally out of character with the neighborhood, and therefore not in compliance with the city's standards for community planning. In addition, it is a serious threat to the integrity and safety of the neighboring buildings and their occupants because of the required heavy blasting. Ocean Ridge, for example, has buried propane tanks and lines which stand a good chance of being damaged, presenting a very real threat of the type of gas explosion such as we saw recently in Yarmouth.

Terence & Barbara Goodwin
1 Wildwood Circle
Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Project Comments for 7/8/14

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/2/2014 7:45 AM
Subject: Fwd: Casco Heights Project Comments for 7/8/14

public comment

>>> "MarMan" <marman@maine.rr.com> Tuesday, July 01, 2014 6:48 PM >>>

Dear Planning Board:

Still vehemently opposed to the proposed Casco Heights Project I send my previous comments as a re-statement of my opposition to the project.

Thank you,

Vincenzo Marotta
Ocean Ridge Condominium Owner

"MarMan" <marman@maine.rr.com> Sunday, June 08, 2014 6:59 PM >>>

Dear Planning Board/City Council:

I write once again to voice my opposition to the proposed Casco Height project.

I am concerned that the planning board is going to approve revisions to the original zoning agreement (the conditional contract zoning agreement -2004) which had a most different and specific architectural plan with much more set back from ORCA (the Ocean Ridge Condominium Association).

I am also in terrible disagreement with the new proposed storm water treatment detention pond. With a project of the scale and cost of the current plan it is most incredible that this is the best they could come up with. Shabby—a mosquito breeding pond!

The red-line document (revisions) clearly entertain a completely new plan but what prey tell is it? Bottom line, why would the 2014 planning board deem it necessary to approve anything that was not as depicted in the 2004 plan?

Thanks again,

Vincenzo Marotta
Ocean Ridge Condominium Owner

From: MarMan [<mailto:marman@maine.rr.com>]

Sent: Sunday, May 04, 2014 6:50 AM

To: 'bab@portlandmaine.gov'

Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have

complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
Ocean Ridge Condominium Owner

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Jun. 07. 2014 10:21 PM

PC33

Wayne Goodman & Jo Ann Miller Goodman
15 Wildwood Circle
Portland, ME 04103

June 8, 2014

City of Portland Planning Board
389 Congress Street
Portland, ME 04101

Dear Portland Planning members,

I am an abutting neighbor to the proposed Casco Heights condominium project. Having participated in the recent site walk, I have several concerns about the developer's proposal.

My greatest concern is the size of the two buildings. According to the developer's site plan, each building measures more than 300 feet long and up to 75 feet tall. As one neighbor measured, that is about the size of the entire city block at 100 Commercial Street. Any building of that size is totally out of place in a neighborhood of modest sized condos and private homes; yet there are two such buildings planned on one of the highest points of land on Portland.

I am not suggesting that development on that site be prohibited; however restricting the project to buildings with smaller footprints and more green space, especially as buffers to abutting neighbors, would certainly be preferable. As an example, during the site walk, I stood on the spot where the Phase 2 parking lot would be built and looked across the CMP right of way directly at the back deck of an Alden's Walk neighbor. There was no buffer at all since the Casco Heights property borders the right of way.

During its June 10 meeting, I'm asking that the Board revisit the original zoning variance that allowed the Casco Heights developer to build two oversized buildings on her property in favor of recommending more suitable zoning for the neighborhood.

Sincerely,

Wayne Goodman
15 Wildwood Circle
Portland, ME

Jennifer Yeaton - Fwd: Casco Heights Condo Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:46 AM
Subject: Fwd: Casco Heights Condo Development

public comment

>>> Matt Smith <mattdive10@gmail.com> Sunday, June 08, 2014 2:30 PM >>>
 To Portland City Hall Planning Board

I am writing as concerned resident of Ocean Ridge regarding the proposed Casco Heights Condo Development project on Graves Hill. I strongly urge you to make the right choice here and deny the rezoning. It is a move in the wrong direction

Below please find the key rationale points for the denying of the re-zone:

1.) Buildings that are 75' high and are residential in nature, really have no place in an off peninsula location in Portland. People move off the peninsula to move away from large, sky rise buildings and less "city" quality of life. While this proposal reduces the 100' towers to 75' it is still not appropriate as all surrounding buildings are 3 stories or less. This includes private homes in the surrounding area, Ocean Ridge, Ledgewood, Wellstone, The Cedars (even its latest addition of a nursing home facility), Alden's Walk and Martins Point.

The developers must be held to a higher standard and figure out a way to develop the property just as the developers of these other properties have done in a fashion suiting to this area of Portland.

2.) The original 2004 proposal, while its approval was disappointing given 100' steel/concrete luxury towers with 98 units in a quiet residential neighborhood, again, is completely inappropriate for this part of Portland, this proposal, while lowering it to 75', expands the footprint dramatically. It is shorter, yes, but now fatter, as they seek to maintain essentially the same residential density with 94 units. This is worse as it moves the development closer to infringing on Ocean Ridge's space. Furthermore, this proposal eliminated all of the luxury amenities of the towers (fitness center, etc.), and moved to cheaper wood frame siding from the steel/concrete.

Their vision for this property is not suited for this area. The re-zone will result in tall, fat building structures made of cheap materials. It will become an eye sore for those in the area and for those in Portland, and will result in many owners, like myself, to take our high tax dollars elsewhere and out of Portland and into Freeport, Falmouth and Yarmouth.

3) The addition of 94 residential units all the 200+ cars from both residents and guests will greatly impact traffic and safety. Ocean Avenue today is a narrow road, often in need but rarely receives repair, offers no safe option for on-street parking. Ocean Avenue is a challenging road and this proposal wants to put another 200+ cars on it. That is a recipe for disaster. A traffic study should be done to understand the impact of the development on the roads.

4) In addition to the impact of traffic and safety due to the increase in cars driving on Ocean Ave, developing the Graves Hill property to this new vision will require significant amounts of blasting of granite, which will not only disrupt the peace of the area, particularly those in the nursing home at Cedar's, but will likely result in damage of adjacent buildings. Engineers MUST determine the range of damage before any blasting happens, and apply an insurance bond on the order of \$20MM.

5). We learned that Doyle Enterprises was advised by the Planning Board to consult with neighbors and interested parties PRIOR to amending the site plan provided to the Board at the May 9, 2014 meeting. The revision was submitted; and the offer to meet with neighbors arrived AFTER.

Concerned parties seem to be an afterthought.

Net - Doyle Enterprises is only interested in developing, unloading the property, start making money off it, not for whether it is good for Portland, good for the area, good for the neighbors, good with any of the interested parties. It is up to the Planning Board to see this for what it is and deny the rezone until a proposal is in front that we can all support.

In summary, while I absolutely am supportive of developing Graves Hill and that its development is inevitable given the housing challenges of Portland, this proposal in front of the Board for consideration is a bad idea and should be denied.

Thank you

Matt Smith

Jennifer Yeaton - Fwd: Public Commentary - Proposed Casco Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:48 AM
Subject: Fwd: Public Commentary - Proposed Casco Heights Project
Attachments: AM Comment 6-6-14.pdf; AM public comment 5-3.pdf

public comment - please include both pdfs

>>> "Antoinette Mancusi" <amancusi@coastalcounties.org> Sunday, June 08, 2014 4:09 PM >>>

Hello Barbara: Please accept the attached as my comments for the 10th's planning board meeting. (I have also attached my previous (5/6/14) comments for your convenience).

Thank you,

Antoinette Mancusi

(Owner/Resident at Ocean Ridge Condominium Assoc.)

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

June 6, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

Per my earlier comment (5/4/14), which I yet again attach for your consideration, I am an owner of a home at the Ocean Ridge Condominium Association (ORCA) and am terribly concerned with the proposed Casco Heights project. (Please refer to my earlier comment for specific concerns with the project.)

I have another concern which I am hopeful the Planning Board can allay. I do not understand why the planning board is entertaining changes (revisions) to a conditional rezoning agreement when the plan put forth in 2004 (on which the conditional rezoning agreement was based) is no longer the plan being proposed by the builder. I am confounded as to how these revisions could possibly be approved, if for example, using the height revision, the height of the building being proposed currently does not apply to the building (site plan) provided in 2004. Doyle has put forth a completely different site plan.

As Section 7. from page 5 of Doyle's "red-line" agreement (see below) provides, the plans are now by Sebago Technics and Archetype PA. These are not the 2004 Richardson Associates plan. How, therefore, can the planning board accept changes to a plan (on which the conditional rezoning agreement was based in 2004) when the plan NO LONGER EXISTS?

Was not the conditional rezoning agreement based on the 2004 site plan? Since the 2004 site plan is no longer the "plan", how could current proposed considerations regarding the building i.e., it's height, go forward presently?

Incidentally, despite the planning board directing Ms. Doyle (at the May 6th meeting) to speak to the ORCA residents in order to address our concerns prior to revising her plan, much to our chagrin Ms. Doyle developed her current plan without meeting with us.

Section 7. from page 5 of Doyle's "red-line" agreement:

Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel.

Archetype PA, date
TBD

Sebago Technics,
Date TBD

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates ~~(last revised August 16, 2004)~~ and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects ~~(last revised July 8, 2004)~~ and the ~~preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto.~~ The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of GRAVES HILL, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet southerly of the location shown on the attached site plan without any further amendment to this

c:/Penny/Contract/Rezoning/Graves Hill to Council 9.15.04

I would greatly appreciate any clarification you might be able to provide.

Sincerely,



Antoinette Mancusi

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer's proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it's a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It's too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City's comprehensive plan?

Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Mancusi".

Antoinette Mancusi

Jennifer Yeaton - Fwd: Casco Heights Project Comments for 6/10/14

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:54 AM
Subject: Fwd: Casco Heights Project Comments for 6/10/14

public comment

>>> "MarMan" <marman@maine.rr.com> Sunday, June 08, 2014 6:59 PM >>>

Dear Planning Board/City Council:

I write once again to voice my opposition to the proposed Casco Height project.

I am concerned that the planning board is going to approve revisions to the original zoning agreement (the conditional contract zoning agreement -2004) which had a most different and specific architectural plan with much more set back from ORCA (the Ocean Ridge Condominium Association).

I am also in terrible disagreement with the new proposed storm water treatment detention pond. With a project of the scale and cost of the current plan it is most incredible that this is the best they could come up with. Shabby -a mosquito breeding pond!

The red-line document (revisions) clearly entertain a completely new plan but what prey tell is it? Bottom line, why would the 2014 planning board deem it necessary to approve anything that was not as depicted in the 2004 plan?

Thanks again,

Vincenzo Marotta
 Ocean Ridge Condominium Owner

From: MarMan [mailto:marman@maine.rr.com]
Sent: Sunday, May 04, 2014 6:50 AM
To: 'bab@portlandmaine.gov'
Subject: Casco Heights Project Comments

Dear Planning Board/City Council:

As the owner of a home in the Ocean Ridge Condominium Association, I am in dread of the potential massive housing project being proposed by Ridge Development LLC. It is quite evident that the developers have complete disregard for the surrounding neighborhood. Although they propose reductions in units (from 98 to 94), reductions in building height and parking ratio changes which on their face may seem positive, the proposed changes do nothing to mitigate the negative consequences of this project's scale and proximity to my home. The modifications are simply insufficient. The project's scale is too large given the surrounding neighborhood. Moreover, by moving the buildings closer to the Ocean Ridge property line, this project is much more detrimental to Ocean Ridge than the original 2004 proposal. Please do not allow this project to go through on the scale they are proposing. Also critical, please do not allow them to move the building so close to our property line!!! Our quality of life will suffer. Our home values will suffer. The neighborhood will suffer.

Thank you for listening.

Vincenzo Marotta
 Ocean Ridge Condominium Owner

Jennifer Yeaton - Fwd: The Casco Heights project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:57 AM
Subject: Fwd: The Casco Heights project

public comment

>>> <FWPandolfo@aol.com> Sunday, June 08, 2014 8:02 PM >>>
 City of Portland, City Hall
 389 Congress Street
 Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

RE: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)

Dear Portland Planning Board/City Council:

I attended the Planning Board workshop in early May where I presented my concerns about the above referenced project/amendment. Unfortunately I cannot attend the coming meeting on June 10. Therefore I wish to present my concerns in writing.

Where to begin? The list seems endless:

1. Proximity to adjacent homes, 46 of which did not exist a decade ago when the original plan was approved in 2004. It seems strange to amend the 2004 plan without considering the new neighbors that did not exist in 2004. Actually, the 2014 plan marginally resembles the 2004 plan.
2. Lack of significant buffer. At the site walk we all observed the meager offer by the developer to plant a few trees. It was laughable.
3. Appropriateness for the neighborhood. All condos (Ocean Ridge, Ledgewood, Alden's Walk, Summer Place, Wellstone, Townhouses at Ocean East, Oceanwoods), Martins Point, The Cedars (including the recent addition) are all 3 stories or less.
4. Open water detention pond to harbor mosquitoes.
5. Expanded footprint.
6. Stick construction vs. steel/concrete, presumably to magnify profit. When asked at the site walk why build with wood Ms. Doyle so much as said because it was cheaper. Regardless of the present zoning, is it really a good idea to house 94 residences in a wood frame building?
7. Blasting! At the site walk we all saw the granite ledge. ORCA has about 9 very large buried propane tanks. Has anyone considered or even mentioned this potential hazard?
8. The likely developers/builders are, from my experience as an original owner at Ocean Ridge, are unreliable. Shortcuts were taken at Ocean Ridge; I would be highly skeptical of their involvement at Casco Heights.
9. At the May meeting, Ms. Doyle was advised to consult with neighbors about changes to her plan. That consultation NEVER happened. She reached out a few days before the site walk and after she had already revised the plans.
10. "Impervious" is increased where drainage is already an issue on Ocean Avenue. Ask the residents east of Ocean Avenue. Is not a drainage/environment impact study by qualified engineers appropriate before a project is considered?
11. At the site walk we all noticed how narrow is Ocean Avenue. Parking, bike and pedestrian lanes are absent. It is dangerous. Imagine adding another 200 or so Casco Heights vehicles to the traffic patterns.
12. When asked at the site walk about the pricing of the residential units, one of the principals offered "...\$400,000 to a good million". A little pricey, maybe even greedy-*n'est ce pas?*

I urge the Planning Board to deny the amendment. Then in the future ,the Planning Board, the Zoning Board and the City Council should rethink the decade old decision to allow Portland's version the Twin Towers to exist in a residential off-peninsula community.

Thank you for your consideration for doing what at times must seem like a thankless job.

Respectfully,

Frank W. Pandolfo

Jennifer Yeaton - Fwd: 802-928 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 9:59 AM
Subject: Fwd: 802-928 Ocean Avenue

public comment

>>> "Richard, Judith" <Judy.Richard@astellas.com> Sunday, June 08, 2014 8:29 PM >>>
Portland Planning Board,

I would like to give my concerns to the planning board about this proposed development. I wish I could attend the meeting in person but I am away on a business trip. While I am in favor of people's rights to develop their property, I have deep concerns about this proposed developments also known as Graves Hill.

The project is not in character with the existing surroundings, all existing surrounding properties are 3 stories or less. The proposed development exceeds this and the height of the proposed buildings is inappropriate for this neighborhood. That is more in character with what is on the peninsula and not Ocean Avenue. Even the Cedars is not this large.

One of the developers of this property was the developer for Ocean Ridge and he did not complete the project he started. What's to say that he won't do the same here? He left the residents of Ocean Ridge high and dry financially. He also cut corners and we are still having issues with work that was done under him. Will there be a guarantee that he does not do the same here?

The project is extremely large with so many proposed residences. This will require an lot of blasting with potential damage to several adjacent buildings.

The owner of the property says they are going to sell the residences for \$400,000 to \$1,000,000. They have eliminated or scaled back all of the amenities and kept the same amount of units. They have changed construction materials and reduced the buffers with adjacent properties. How is a 1 BR unit going to sell for \$400,000 when neighboring 3 BR properties are selling for under \$400,000 with a view? If these units don't sell, you have a big monster of a development that could be foreclosed on, rented out, etc. etc. This would devalue the properties in the area. It appears that they have a significant profit motive with no regard for the surrounding properties and what is best for the neighborhood and City of Portland.

There are 94 units being proposed. This will have a huge negative impact on traffic on Ocean Avenue, especially at the Washington Avenue light which is already a dangerous and busy intersection. This is already a dangerous street to bike and walk on.

Doyle enterprises does not seem to be willing to consult with neighbors of this development. They have been vague in their dissemination of information and have said they would get back to us with more information and I have not received anything from them. They don't want to inform us because they know they are not in keeping with the scale and density of the neighborhood. They have no regard for the community and safety of Ocean Avenue residents, only their profit.

Please consider these concerns greatly while making decisions about the proposed development.

Thank you for your consideration.

Regards,

Judy Richard

(207) 879-7373 Office

(207) 712-3230 Cell

Jennifer Yeaton - Fwd: Casco Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:00 AM
Subject: Fwd: Casco Heights Project
Attachments: Casco Heights comments.pdf

public comment

>>> Barbara Miller <btmiller100@gmail.com> Monday, June 09, 2014 7:48 AM >>>
Dear Barbara

Attached please find my questions regarding the proposed Casco Heights Residential Condominium.

Thank you for your consideration,

Barbara Miller

My name is Barbara Miller. I live at 56 Ridge Road in Portland. In addition to the comments I forwarded to the Planning Board prior to the May 2014 Workshop, I would like suggest the following items be considered regarding the proposed changes to the Casco Heights Residential Condominium:

- The original zoning agreement had a very specific architectural plan attached to it. The current plans are not specific, other than site footprint. With such a major change, why is the conditional zoning still pertinent?
- Because the footprint has changed, a request was made at the PB workshop to determine the measured difference and between the original plan's building/parking lot and the current plan's buildings/parking lot and nearby neighbors. What is that difference?
- The current footprint has a greater percentage of impervious terrain - what will this do to water flow down the hill?
- The new plans moved the storm water treatment detention pond next to ORCA (downhill from building 1 of the proposal) - the current proposal is a open treatment pond - are there better options that will not become mosquito hatcheries?
- If these amendments are approved - what kind of protection will be put into place if this plan, like the 2004 plan, is not built? Can a rider be added to the amendment requesting a return to R-3 status after a certain amount of time?
- Reduction in number of parking spaces - always a problem as there are no street options for parking in the immediate neighborhood
- At the PB Workshop in May, it was suggested the developer meet with neighbors - I have received no notification of any such meeting prior to the revised plans being submitted to the Planning Board

Thank you for your consideration

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:22 AM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> karen mccallum <kjmccallu@hotmail.com> Monday, June 09, 2014 9:00 AM >>>
Good Morning,

My name is Karen McCallum and I live at Alden's Walk in Portland. I am writing to let the planning board know of my deep concern over the building of Casco Heights off of Ocean Ave. I have lived in Portland my whole life and love the beauty of this city and have seen what a building that doesn't fit in with the surrounding landscape can look like. Once it's up there is nothing you can do to correct it and every day you have to look at it. That is how I feel about Casco Heights.

I walk the power lines behind our condo's and drive by the area where Casco Heights is to be built every day. It's a beautiful wooded area with many different forms of wildlife and vegetation and to put these modern, in my opinion, very ugly large buildings in there would be a travesty. They can be seen from our condos at Alden's Walk and from the interstate and route one. My husband and I are very upset about them.

In addition to the looks of them we are concerned about the damage all the blasting may do to our buildings at Alden's Walk and the traffic we already deal with on Ocean Ave. and Washington Ave. Also the condition of the road there is already a problem and to add more traffic would only make it worse.

I ask that you take this into consideration in making any decisions you have to about this project. As I have said the beauty of this city is an asset we have and Casco Heights will most certainly be a detraction from that.

Thank you
Karen McCallum

Sent from Windows Mail

Jennifer Yeaton - Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 10:24 AM
Subject: Fwd: HIGHLY OPPOSED TO Casco Heights Condominiums!!!!!!!!!!

public comment

>>> Robin Schulte <robin.f.schulte@gmail.com> Monday, June 09, 2014 9:43 AM >>>

I am a resident of Alden's Walk and I am writing to let you know that my husband and I are highly opposed to this project. The condominiums will virtually destroy the woods behind our home where we walk on trails with our dog and replace them with concrete and cars and congestion on Ocean Avenue and virtually ruin the tranquility of the area, not to mention affect property values. I truly feel as if this will totally change our ability to live comfortably in this area.

Robin Schulte & Jim Fairbanks
19 Wildwood Circle
Alden's Walk

Jennifer Yeaton - Fwd: Casco Heights Development

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 1:04 PM
Subject: Fwd: Casco Heights Development

public comment

>>> Richard Kessler <rkessler5@yahoo.com> Monday, June 09, 2014 12:42 PM >>>
Did the walk through last week and I am not in favor of the changes.

1. The retention pond location.
2. Where they want to build Phase One.
3. The impact on people that live here now.
4. Amount of blasting necessary.

I can keep going on and on.

Not in favor, please vote no.

Richard L. Kessler
60 Ridge Road
Portland, ME 04013

Jennifer Yeaton - Fwd: Casco Heights development plan

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 1:33 PM
Subject: Fwd: Casco Heights development plan

public comment

>>> Glenn Turner <ghturner35@gmail.com> Monday, June 09, 2014 1:14 PM >>>
 To: The City of Portland Planning Board

From: Glenn Turner and Caroline Loupe (3 Wildwood Circle, Portland, Maine 04103)

My wife and I participated in a site walk of the proposed Casco Heights development plan. We were taken aback by the scope of this project and dramatic changes which would result if it goes through as planned.

Our concerns are as follows:

It is a huge development right between two existing condo clusters (Ocean Ridge and Alden's Walk) abutting each in an "in your face" manner which we doubt the proposed buffer of planted trees will mitigate unless Sequoias are planted. In the winter months, the buffer will be less effective. The two condo towers will be up to 70 feet high. Much more of an elephant in the living room than an adjoining development should be and still be good neighbors.

The style of the development looks similar to the unsightly college housing along Interstate 295, more suited to the overcrowded beach development strips off the Atlantic Coast in New Jersey or North Carolina. It's not Portland! It would be as incongruous as the Florida style Howard Johnson's Hotel on Spring St. in downtown Portland.

Set on the rocky hillside, there will be, especially for the large footprint of this project, a lot of blasting. Even up-front discussion of offering to have videotape pictures taken of the insides of all the adjoining condo units in Alden Walk and Ocean Ridge sends shivers up our spines. If our foundations do crack, what are the limits of liability, the compensation for the disruption of our lives?

How responsible is the builder? Even full compensation is cold comfort. That this was raised as a possibility certainly makes it a POSSIBILITY!

There are our fears that five years of building and blasting, and the erection of this behemoth, will drive down the property values of the condos in both associations. I would guess that our condo's value would drop tens of thousands of dollars. And, even a lowering of our tax assessment to reflect our deflated property value is not enough to offset that kind loss. Which raises the question of whether the City of Portland does drop its property assessment in such cases.

Given the increased volume of traffic on Washington Ave., we often drive through Ledgewood to Ocean Ave. to get to the light on Washington to go into Portland. Ocean Ave. is a country road, no sidewalks, less attention paid to its maintenance. The size of this project will immensely impact the traffic in the area.

The area between Alden Walk and Ocean Ridge condos is a very lovely piece of land harboring older trees and

lady slippers and abutting the Portland Trail System. Surely something kinder to the environment and its neighbors can be developed in keeping with it.

In the original novel, the creator of Frankenstein's Monster meant well. That, it turned out, was not enough.

Sincerely,

Glenn Turner and Caroline Loupe

Jennifer Yeaton - Fwd: Casco Heights Planning Board Public Hearing on June 10

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 2:35 PM
Subject: Fwd: Casco Heights Planning Board Public Hearing on June 10

public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Monday, June 09, 2014 1:33 PM >>>
 Dear Ms. Barhydt,

I've included the May 5 message I sent to you prior to the Planning Board's workshop on this project on May 6. I attended the workshop and also tagged along on the site visit on June 3, at which we received updated plans for the site. The visit and discussion of the proposed plan heightened the concerns I sent earlier and emphasized a few, as follows:

- Now I appreciate how much of the ridge would need to be blasted to achieve the design proposed, although the design itself still seemed to lack details that could affect the impact on the ridge and neighboring properties. Will more of these specifics be clarified before the Board votes on the amendment as was the case in the original plan approved? This would be important since, as I understood from the discussion, it is this plan that would be part of the Board's review of the amendment on June 10 and possible recommendation.
- The drawing of the blueprint for the proposed complex shows more clearly to me why this project is incompatible with the surrounding area. This point is not about aesthetics--which we've been told often are a discussion for a later date--but about the underlying plan for these structures, which would be so completely different from everything surrounding them and appear quite close to some other structures. There will be only 4 fewer units than were originally planned, so these structures will still have many more units than and be up to twice the height of Ocean Ridge and other communities surrounding the site. The size and population density--and related traffic--is unique in the area and would be disruptive.
- While the developers indicated that surrounding properties would be "camera-ed" before the project begins for comparison--and compensation, I assume--for repairs required post-construction, I wonder how the many units built on slabs rather than foundations (mine included) can even accomplish that structural comparison. This may be my lack of knowledge, but is a significant concern.
- Given the time and aggravation the ORCA Board has gone through to get promised construction requirements met here, I'm concerned any reparations would be prolonged, disruptive and costly to us (legal fees were involved before). I know this might seem like predicting a worst case, but the ORCA folks who were here at that time have very clear knowledge of these issues and we're still fixing some years later.

Again, thanks to you and the Board for the consideration being given to the proposed amendment and related issues, as this proposal would have a profound effect on this section of Portland and have what still appears to be a negative impact on surrounding properties.

Jean Mattimore
 147 Ridge Road

TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

Jennifer Yeaton - Fwd: Casco Heights Condominiums

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/9/2014 5:14 PM
Subject: Fwd: Casco Heights Condominiums

public comment

>>> Terence Goodwin <tgoodwin1232@gmail.com> Monday, June 09, 2014 5:09 PM >>>

To: Portland Planning Board
From: B. Terence & Barbara Goodwin
1 Wildwood Circle
Portland, ME 04103
Re: Casco Heights Condominiums

We wish to express our complete opposition to the approval of the proposed Casco Heights Condominium project. As abutting neighbors in the Alden's Walk condominiums, we are deeply concerned about the scale and density of this proposed project, its affect on traffic, it being totally out of character with the neighborhood, the potential damage to the foundations and structures of our buildings from the extensive blasting, and the negative affect it will have on the value of our properties. While we are not opposed to a reasonable development of the land, this particular project has no place in this neighborhood, and should not be approved for a zone change or anything else. To do otherwise would be a colossal mistake, and show a total disregard for the legitimate concerns of those of us taxpayers who live here.

Sincerely,

B. Terence & Barbara Goodwin

Jennifer Yeaton - Fwd: The Casco Heights Project Hearing

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:23 AM
Subject: Fwd: The Casco Heights Project Hearing
Attachments: City of Portlandjune9.docx

public comment

>>> Chuck NGrossman <chuckngrossman@gmail.com> Monday, June 09, 2014 5:50 PM >>>
Ms. Barhydt please find attached letter with questions for the Planning Board Hearing on June 10th.
Thank you for your attention

--

Chuck Grossman
+1-201-787-9022 (Mobile)
+1-207-518-9303 (Home)

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

RE: Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums
(formerly Graves Hill Development)

Date: June 9, 2014

Dear Portland Planning Board/City Council:

I attended the Planning Board Workshop on May 5th, 2014. At that time I presented questions for the Planning Board in regards to Casco Heights Project.

I will be out of town and unable to attend the meeting on June 10th so I would like to present my concerns and questions for the record.

Amendment to Conditional Rezoning Agreement Granted in 2004 vs. 2014 – This NEW project is not similar to the Original Project approved in 2004. The Owner Doyle has submitted Amendments to the Original project at least twice this year.

1. The first Amendment had a relatively straight line between the ROS and R5-parcels and asked for a decrease to ROS and increase to the R5-a in order to accommodate her NEW project.
2. After the Hearing a new list of Admendments have been presented for the June 10th Hearing. Now the ROS and R5-a acreage is very close to the original project. This has been achieved by redrawing the boundary between the ROS and R5-parcels. The new boundary resembles a Double S.
3. **Question: Why has the Owner redrawn the boundary line between the ROS and R5-parcels?** To me it looks like a creative way to shoehorn the project within the original Conditional Zoning Agreement.
4. Another concern is the footprints of the buildings has moved up the hill and are considerably closer to adjacent property lines. The Impervious Area on the Original Site Plan was listed as 0.16%. The Impervious Area on the Site Plan presented at the Workshop was 15.6%.
5. **Questions: How can this be considered the same project that was approved in 2004 with the changing footprint and site of the building and increased surface parking? Has the Impervious Area been increased 10 fold?**

Blasting – I would like to raise the issue of blasting and the safe guards and potential adverse effects to the surrounding properties.

1. At the last meeting the Owner Doyle could not identify the Size of Blast (Small, Medium, Large) as required by the City. When this survey is completed I hope the geology of Graves Hill and adjacent properties will be taken into account.

2. According to Prof. Mark Swanson, Geosciences Dept., University of South Maine: "The whole area has been subjected to fault-type shearing that is reflected in the overall texture of the rock. The weaker rock in this case is foliated metamorphic rocks that flank the mass of granite that makes up Graves Hill."
3. **Question: Considering this will the developer be required to post a substantial bond for any damage caused by the blasting?** In particular the blast waves that will cause vibration under the surface of the ground where the propane, electrical, water and communication pipes and conduit have been placed.

Casco Heights is Out of Character and Scale for the Neighborhood - Besides the concerns I have raised above and not seen/heard answers to I believe it is just wrong for the R-3 zoned neighborhood.

1. The Owner Doyle has asked for a project to be approved with density within the limits of an R5-a zone but has twice the number of units on half the buildable acreage of Ocean Ridge Condominiums. That translates to four times the density. The very high density raises concerns of increased traffic and need for water drainage.
2. **Question: Where are the studies and surveys for these concerns so the Planning Board can make the best decision on the NEW project?**
3. The Owner Doyle has asked for the minimum number of parking spaces allowed with R5-a zoning.
4. The Owner Doyle has not met with concerned neighbors as suggested by the Planning Board at the Workshop.

I ask the Planning Board not to approve the Amendments to the Conditional Rezoning Agreement granted in 2004. Furthermore I would like the Planning Board to look at the big picture and determine if this project is appropriate 10 years later.

Thank you for your attention and consideration.
Charles Grossman
175 Ridge Road
Portland.

Jennifer Yeaton - Fwd: Casco Heights - proposed development on Ocean Avenue in Portland

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:25 AM
Subject: Fwd: Casco Heights - proposed development on Ocean Avenue in Portland

public comment

>>> "Craig Williams" <craig@churchillcaterers.com> Monday, June 09, 2014 5:57 PM >>>
 Dear Members of the Planning Board:

RE: Casco Heights Condominiums

I joined you and others last Tuesday, 3 June 2014, to meet with the developers of the subject project in order to review their plans for the development of land between the CMP power line rights-of-way and the Ocean Ridge condominium project.

I had no idea of the scope of this project (and its potentially adverse environmental impact) until this gathering; and the more I have learned – through reading and discussions with those who live in its surrounding environs – the more convinced I am that this project needs major alterations in order to be viable in this setting.

Nothing in the area comes close to approximating the size of these two (2) buildings. And when completed they will be the highest residential structures in greater Portland...they will overpower everything within sight. More importantly, the amount of site work required will necessitate months...possibly several years...of noise and disruption to daily life. No one is capable of determining the potential damage which will result from the blasting work required to make the site suit the required work of the proposed construction and surrounding landscape/hardscape. What is the developers' liability, even if our basements are photographed and the information stored for future reference?

Traffic and road conditions will be adversely affected during the various phases of construction...heavy equipment will undoubtedly wreak havoc on this section of City pavement that is always being repaired, caused not only by construction in the immediate area and heavy trucks going in and out of the Dragon facility several hundred yards away, but undoubtedly by the water that follows the ledge from the top of the ridge, flowing under the road bed, ultimately reaching the bay. Further, the potential of 150 residents' cars in and out every day once the project has been completed will have detrimental effects on this section of Ocean Avenue.

The close proximity of the proposed buildings to our residences in Alden's Walk ensures that the proposed buildings will dominate our neighborhood's skyline...and in fact may prevent some of our units from realizing the sunlight they receive now.

Please consider the various ramifications of this project and the long-term shortcomings...

perhaps they could consider constructing the units perpendicular to Ocean Avenue, rather than parallel.

Thank you for your consideration,

Sincerely,

Craig W. Williams
4 Wildwood Circle
Portland, ME 04103

Jennifer Yeaton - Fwd: Concerned About Casco Heights

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:28 AM
Subject: Fwd: Concerned About Casco Heights

public comment

>>> "James Harnar" <jharnar@maine.rr.com> Monday, June 09, 2014 6:02 PM >>>

To Portland Planning Board,

As homeowners at 11 Wildwood Circle (Alden's Walk), we are writing to express our deep concern over the proposed Casco Heights high-rise development.

We attended the recent Planning Board workshop and have familiarized ourselves with the site where the develop plans to build the high rises.

Our concerns are two fold—first of all, there is no doubt the development, as proposed, will substantially change the character of an entire neighborhood, altering forever a rare section of Portland that is wooded, peaceful and characterized by a mix of single family homes, apartments and low rise condominiums. There is no question that the large number of occupants proposed, their cars, visitors, delivery vehicles, etc. will bring noise and congestion to our neighborhood. It is clear that the high rises will be visible from Alden's Walk as well as other neighborhoods. It's also important to note that the high rises will overshadow the nearby walking trails, diminishing the opportunity for Portland residents to enjoy the wooded paths and peaceful area that now exists.

Secondly, as avid sailors on Casco Bay, we are concerned about the impact Casco Heights will have on the Portland skyline. Visitors from around the world travel here to enjoy the unique coastline of Maine. Clearly, the high rises will irrevocably change the skyline along the ridge, eliminating a rare beautiful wooded view that is the second highest point in Portland. As we continue to overdevelop wooded ridgelines, cruise ships and airplanes arriving in Portland will be greeted by a skyline littered with a jumble of buildings—just like so many other cities. As stewards of the City of Portland, we must be aware of projects that are out of character with their surroundings, as Casco Heights clearly will be.

We certainly do not object to development in this area. The landowner certainly has a right to develop the land. Single family homes or one or two story condominiums are much more in keeping with the neighborhood and will not contribute materially to overcrowding, noise and congestion. Development of this kind will minimize the impact on the view from the Bay and the overall appearance of the wooded ridgeline.

There comes a time to draw a line in the sand. Are short term construction jobs worth all that is given

up when multi-level buildings rise up from a rare, undeveloped and verdant ridgeline? Do we want to deny our children and grandchildren the opportunity to enjoy a community that offers a reasonable mix of developed and undeveloped neighborhoods in Portland? Finally, we want to point out that high priced high rises on the Peninsula—and off Ocean Avenue—do little to meet the most pressing housing needs in our community. Instead they become havens for people of means who could live anywhere.

We implore you to take all of these points into consideration and help us preserve a special part of Portland that's a peaceful, accessible respite for residents and visitors alike.

Thank you very much.

James Harnar and Kathleen McKeen
11 Wildwood Circle
Portland

Jennifer Yeaton - Fwd: Planning Board - Re: Proposed Development 802-928

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:29 AM
Subject: Fwd: Planning Board - Re: Proposed Development 802-928

public comment

>>> Stacey Hong <hong.stacey@gmail.com> Monday, June 09, 2014 9:02 PM >>>

As a homeowner on Osprey Terrace at Ocean Ridge Condominium Association, I am writing to discourage the Planning Board from approving the proposed re-zoning 802-928 Ocean Avenue (aka Graves Hill).

When rezoning of the site was considered many years ago I spoke at the meeting to discourage the rezoning. Then, and now, I do not feel that a building 100' in height, at one of the highest points in Portland, fits with the Ocean Ave neighborhood or with Portland (off peninsula). At that time I felt the decision makers could have been more thoughtful, and that they did not act in the best interest of the people of Portland then, and for future generations.

I am opposed to rezoning Graves Hill and reducing the building height to 75' and enabling the developer to construct a building closer to any abutting property line, including Ocean Ridge. If a developer is going to construct a 75' building at Graves Hill, then the developer may as well develop to the previously approved 100' height. The Planning Board and the people of Portland can then consider the 100' building. Undeveloped ground surface area at Graves Hill should be preserved.

I appreciate the desire of the landowner to maximize their return on their property, and the City's desire to increase tax revenues, but each objective should not be achieved at any cost.

I hope sensitivity is applied by the Planning Board in evaluating non-financial considerations, not simply for our community today, but for our community for years to come.

Please do not approve the rezoning request.

Sincerely,

Stacey Hong

Jennifer Yeaton - Fwd: proposed Casco Heights Condominium project zoning change

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:31 AM
Subject: Fwd: proposed Casco Heights Condominium project zoning change

public comment

>>> Asherah Cinnamon <acinnamon@meca.edu> Monday, June 09, 2014 9:38 PM >>>

To: Portland Planning Board

From: Asherah Cinnamon and Dr. Ronald Breazeale

21 Wildwood Circle

Portland, ME 04103

Re: Casco Heights Condominiums

Thank you for your hard work and dedication to the well being of Portland and its residents.

We wish to express our opposition to a zoning change requested for the proposed Casco Heights Condominium project. As abutting neighbors in the Alden's Walk condominiums, we are deeply concerned about the scale and people density of this proposed project. It would increase traffic in the area by many times the current load. As it is now Ocean Ave can get backed up during weekday travel to and from work. That road is actually quite narrow, where it meets Washington Avenue especially. And Washington Ave in this neighborhood is the only direct way to I 295 and also to the Turnpike.

The proposal is out of character with the neighborhood.

It would require extensive blasting of ledge to build. We have already experienced the negative impact of blasting on a previous home in another Maine community. There is potential damage to the foundations and structures of our property from the extensive blasting, and simply saying that photos of before and after construction will take care of this is naive! That kind of damage does not always show up until one or two years later. Compensation is at that point a pipe dream. There can be damage to water lines and gas lines also.

We are not opposed to a reasonable development of the land, but this enormous project has no place in this neighborhood, and should not be approved for a zone change.

Thank you for your ear about our concerns. We count on you to protect us, as residents and voters.

Best wishes
Asherah and Ron

Jennifer Yeaton - Fwd: Casco Heights condominium project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:32 AM
Subject: Fwd: Casco Heights condominium project

public comment

>>> Jim Fairbanks <jim@dunegrass.com> Monday, June 09, 2014 10:09 PM >>>

To whom it may concern,

I believe this project does not fit the developments in the area and will adversely affect the area property values, traffic and overall quality of living in the area. I am strongly apposed and am willing to do what I can to stop it. I can't believe the city would let such a project ruin such a unique living area.

Jim Fairbanks

Jennifer Yeaton - Fwd: Comments to the Planning Board on Casco Bay Heights project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 6/10/2014 8:34 AM
Subject: Fwd: Comments to the Planning Board on Casco Bay Heights project
Attachments: R-5 Design Standards_.pdf

public comment

>>> "Carol Veilleux" <cveille1@maine.rr.com> Monday, June 09, 2014 10:48 PM >>>
Dear Planning Board members,

We would like to express our opposition to the proposed Casco Bay Heights project as you consider the amended zoning change from a similar proposal approved by the City Council in 2004. As residents of North Deering for the past 30 years, we have seen many changes in the area, the vast majority of which have kept and enhanced the quality of this residential neighborhood. The approval of this project, as currently proposed by the current/future land owners, significantly diverts from previous housing projects in numerous ways:

- 1) The size and height of the buildings and the surrounding site are completely unlike any other privately owned housing in the area. The project does not meet the **City of Portland's Comprehensive plan goals of increasing the housing stock while maintaining neighborhood characteristics and livability.**
- 2) The proposed condo unit selling prices (we have been told from \$450K to \$1M) do not align with the City's Comprehensive Plan directive to **increase affordable housing for the area's workforce. How can the Planning Board and the City Council approve a project that proposes to add 94 new housing units whose target market most likely represents less than 1% of households in the city?**
- 3) The proposed project does not align with the City's Comprehensive plan regarding the **preservation of open space. The project's mass and height will effectively result in the clear-cutting of 10 acres of the Graves Hill ridge and provide no significant buffers for two adjacent communities.** Are there no other options for the development of this site that mitigate the destruction of so much open space? If you are not familiar with the area, we urge you to take look at how Ledgewood, Alden's Walk, the Pheasant Hill Association homes, Ocean Ridge and other area projects have managed to maintain and enhance the natural landscape.
- 4) The proposed project does not meet the **required City zoning guidelines for an R5 zone** (see attached from the City of Portland, Planning Division website). While we are not a zoning expert by any means, **how does approval of this project in an R5 zone comply with the R5 published guidelines?**

Thank you for your consideration of our comments.

Carol Veilleux and Donald Kale
16 Wildwood Circle
Alden's Walk
Portland, Maine

Draft
Planning and Development Design Manual
R-5 Small Residential Lot Development Design Standards

Small Residential Lot development in the R-5 Zone shall comply with the following standards. The general intent of these standards is to achieve an attractive and comfortable neighborhood environment. Except where stated otherwise, these standards shall apply to the front façade and those portions of the building that are visible from the public way.

1. **Context:** Residential development shall include design elements that reinforce the context and existing character of the neighborhood, and enhance the streetscape. Neighborhood context refers to the existing residential development within a two block radius of the site. The more definite and easily discernable traits within an established neighborhood shall serve as a basis for a design solution.
2. **Public Realm:** The public realm of open space, sidewalks and streets shall be reinforced through appropriately scaled entries, porches, fenestration, architectural details and landscaping. The transition space between the street and the primary building entrance shall include features such as porches, stoops, covered entries, landscaping or other measures to delineate the space.
3. **Massing:** The building's massing (as defined by its size, scale, and form) shall be consistent with existing residential buildings in a two block radius.
4. **Orientation:** Principal facades, primary entrances, porches and bays shall orient to the street, not to interior blocks or parking lots. The primary entrance shall either face the street, or be located on the side with a covered porch (minimum six feet wide) that extends to the front of the building. The slope of the roof shall be either parallel or perpendicular to the street.
5. **Articulation:** Facades shall be articulated with architectural details that create visual interest consistent with the context of the neighborhood. The primary façade and all facades visible from public ways shall include at least two of the following architectural details: gables or dormers, balconies, bay windows, recessed entries, covered porches (minimum six feet wide), covered entries, or stoops. The area of fenestration shall be a minimum of 25% of the total area of street facing facades. Windows shall be included on all sides of a building. The rhythm, size and proportion of door, window and other openings shall be proportional to the overall massing of the building, and consistent with existing residential buildings in a two block radius.
6. **Garages.** Attached and detached garages shall be oriented to the side, or oriented to the street as long as the garage is set back from the primary façade by a minimum of four feet. In such case, the total width of the garage door(s) shall be less than 40% of the overall building width (however, the garage door shall not be required to be reduced to less than 9 feet wide).
7. **Roofs:** Roofs shall be peaked, unless evidence can be shown for an alternative roof form that is predominant on existing residential buildings in a two block radius. Buildings shall have a main roof form, and subsidiary roofs (except for porch roofs) shall follow the pitch and form of the main roof. Rooflines shall have a cornice treatment.

8. **Materials:** Building materials shall be consistent with the context and overall character of the neighborhood. Façade materials shall provide visual cohesion. Chimneys shall be brick, finished metal, stone or boxed in.

9. **Sound:** Provide visual and acoustical privacy between units

10. **Light and air:** Maximize natural light and ventilation with units.

PC53

Jennifer Yeaton - Fwd: We Remain Highly Concerned

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/3/2014 7:28 AM
Subject: Fwd: We Remain Highly Concerned

public comment Casco Heights

>>> Jim Hamar <jameshamar@hanleyleadership.org> Thursday, July 03, 2014 6:51 AM >>>

To Portland Planning Board,

This is our second letter to the Board expressing our strong and growing opposition to the Casco Heights high rise. We attended an initial Planning Board this spring and will certainly be in attendance at the July 8 hearing.

The more we learn about this proposal and its unfortunate impact, the stronger our opposition as grown. With this letter we want to restate with greater emphasis, key points from our June 10 letter to the Board:

As homeowners at 11 Wildwood Circle (Alden's Walk), we are writing to express our deep concern over the proposed Casco Heights high-rise development.

We attended the recent Planning Board workshop and have familiarized ourselves with the site where the developer plans to build the high rises.

Our concerns are two fold—first of all, there is no doubt the development, as proposed, will substantially change the character of an entire neighborhood, altering forever a rare section of Portland that is wooded, peaceful and characterized by a mix of single family homes, apartments and low rise condominiums. There is no question that the large number of occupants proposed, their cars, visitors, delivery vehicles, etc. will bring noise and congestion to our neighborhood. It is clear that the high rises will be visible from Alden's Walk as well as other neighborhoods. It's also important to note that the high rises will overshadow the nearby walking trails, diminishing the opportunity for Portland residents to enjoy the wooded paths and peaceful area that now exists.

Secondly, as avid sailors on Casco Bay, we are concerned about the impact Casco Heights will have on the Portland skyline. Visitors from around the world travel here to enjoy the unique coastline of Maine. Clearly, the high rises will irrevocably change the skyline along the ridge, eliminating a rare

beautiful wooded view that is the second highest point in Portland. As we continue to overdevelop wooded ridgelines, cruise ships and airplanes arriving in Portland will be greeted by a skyline littered with a jumble of buildings—just like so many other cities. As stewards of the City of Portland, we must be aware of projects that are out of character with their surroundings, as Casco Heights clearly will be.

We certainly do not object to development in this area. The landowner certainly has a right to develop the land. Single family homes or one or two story condominiums are much more in keeping with the neighborhood and will not contribute materially to overcrowding, noise and congestion. Development of this kind will minimize the impact on the view from the Bay and the overall appearance of the wooded ridgeline.

There comes a time to draw a line in the sand. Are short term construction jobs worth all that is given up when multi-level buildings rise up from a rare, undeveloped and verdant ridgeline? Do we want to deny our children and grandchildren the opportunity to enjoy a community that offers a reasonable mix of developed and undeveloped neighborhoods in Portland? Finally, we want to point out that high priced high rises on the Peninsula—and off Ocean Avenue—do little to meet the most pressing housing needs in our community. Instead they become havens for people of means who could live anywhere.

We implore you to take all of these points into consideration and help us preserve a special part of Portland that's a peaceful, accessible respite for residents and visitors alike.

Thank you very much.

James Harnar and Kathleen McKeen
11 Wildwood Circle
Portland

PC 54

Jennifer Yeaton - Fwd: Opposition and concern regarding Casco Heights Development.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 8:23 AM
Subject: Fwd: Opposition and concern regarding Casco Heights Development.
Attachments: Casco Ocean Ridge 2 Buckland-2.pdf

public comment - can you please orient this correctly. Thanks.

>>> Tom Buckland <twb61@roadrunner.com> Friday, July 04, 2014 8:41 AM >>>

Attention Planning Board,

Attached find letter of opposition and concern regarding Casco Heights Development.

June 23 2014

Thomas & Sheila Buckland
95 Ridge Road
Portland, ME 04103

To: Portland Planning Board,

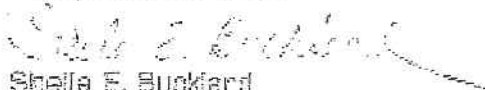
As residents of Portland we oppose the Casco Heights development. The proposed project is completely out of character with the Neighborhood. The density of the project would effect neighborhood livability and negatively impact the safety of traffic that travels on Ocean avenue and Washington Street. To build in the location would require tremendous blasting efforts and possibly endanger surrounding structures.

These are just some of the reasons we oppose the Casco Heights development project and do not support it.

Sincerely,



Thomas W. Buckland



Sheila E. Buckland

PC 55

Jennifer Yeaton - Fwd: July Public Comments

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 8:36 AM
Subject: Fwd: July Public Comments
Attachments: AM Comment 6-6-14.pdf; AM public comment 5-3.pdf

public comment - please include attachments

>>> "Antoinette Mancusi" <amancusi@coastalcounties.org> Saturday, July 05, 2014 7:48 AM >>>
Dear Planning Board:

I am re-submitting my previous comments as a restatement of my disapproval of the Casco Heights project (as is being proposed).

I am also hopeful that the City is examining how to mitigate the potential damage of this terrible zoning decision which was made in 2004. Since this was a "conditional" agreement it should have had an end date (a date by which if not fulfilled the agreement would become void and the zone would revert back to an R3 zone.) How could the City have entered into a "conditional" zoning decision which is good in perpetuity? This makes no sense and goes against sound land use planning and moreover, sound public policy.

Thank you,

Antoinette Mancusi
Owner at Ocean Ridge Condominium Assoc. (ORCA)

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101
Attn: Barbara Barhydt, Development Review Services Manager

June 6, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

Per my earlier comment (5/4/14), which I yet again attach for your consideration, I am an owner of a home at the Ocean Ridge Condominium Association (ORCA) and am terribly concerned with the proposed Casco Heights project. (Please refer to my earlier comment for specific concerns with the project.)

I have another concern which I am hopeful the Planning Board can allay. I do not understand why the planning board is entertaining changes (revisions) to a conditional rezoning agreement when the plan put forth in 2004 (on which the conditional rezoning agreement was based) is no longer the plan being proposed by the builder. I am confounded as to how these revisions could possibly be approved, if for example, using the height revision, the height of the building being proposed currently does not apply to the building (site plan) provided in 2004. Doyle has put forth a completely different site plan.

As Section 7, from page 5 of Doyle's "red-line" agreement (see below) provides, the plans are now by Sebago Technics and Archetype PA. These are not the 2004 Richardson Associates plan. How, therefore, can the planning board accept changes to a plan (on which the conditional rezoning agreement was based in 2004) when the plan NO LONGER EXISTS?

Was not the conditional rezoning agreement based on the 2004 site plan? Since the 2004 site plan is no longer the "plan", how could current proposed considerations regarding the building i.e., it's height, go forward presently?

Incidentally, despite the planning board directing Ms. Doyle (at the May 6th meeting) to speak to the ORCA residents in order to address our concerns prior to revising her plan, much to our chagrin Ms. Doyle developed her current plan without meeting with us.

Section 7. from page 5 of Doyle's "red-line" agreement:

Trails) the right to enforce the restrictions, with the form of the easement subject to review and approval by Corporation Counsel).

Archetype PA, date
TBD

Sebago Technics,
Date TBD

7. The Property will be developed substantially in accordance with the Preliminary Site Plans, Zone Identification and Phasing Identification submitted by Richardson and Associates (last revised August 16, 2004) and the Proposed Building Design site sections, building sections and floor plans submitted by Scott Simons Architects (last revised July 8, 2007) and the preliminary elevation from Mackworth Island (undated, submitted August 17, 2004), attached hereto. The Graves Hill entrance on Ocean Avenue shall be at the location shown on said Site Plan and the City hereby grants such waivers as may be necessary to permit the entrance in that proximity to adjacent driveways; provided, however, that at the request of GRAVES HILL, with the approval of the Planning Board, the location of the entrance may be moved up to 20 feet south of the location shown on the attached site plan without any further amendment to this

07/Peany/Contract/Rezoning/Graves Hill to Council 2.15.04

I would greatly appreciate any clarification you might be able to provide.

Sincerely,



Antoinette Mancusi

Antoinette Mancusi
58 Ridge Road
Portland, Maine 04103

City of Portland, City Hall
389 Congress Street
Portland, Me. 04101

Attn: Barbara Barhydt, Development Review Services Manager

May 4, 2014

Via email: bab@portlandmaine.gov

RE: Public Comment to "Amendment to Conditional Rezoning Agreement; Casco Heights Condominiums (formerly Graves Hill Development)"

Dear Portland Planning Board/City Council:

As a resident of the Ocean Ridge Condominium Association (ORCA) I am extremely concerned about the proposed Casco Heights project. Clearly, the planning board/city council, by virtue of the City of Portland Code of Ordinances, Chapter 14, DIVISION 1.5. CONDITIONAL OR CONTRACT ZONING Sec. 14-60, has the authority to impose conditions and restrictions on such a project. I am hopeful that the board/council will reflect upon the negative consequences that this project will have on ORCA and the surrounding neighborhood and impose conditions/restrictions that will protect us.

First, it is vital to acknowledge the extraordinary difference in backdrop that exists between the original 2004 decision (granting the conditional contract zoning agreement) and TEN years later—2014. There are currently 46 family homes directly adjacent to the proposed project. We exist now. We did not then. The feasibility of this project must be analyzed under the current context—not the context that existed an entire decade ago.

Moreover, the developer's proposed amendments have moved the structures so close to our homes that there would be an enormous negative impact on ORCA. I urge the Planning Board and City Council to utilize their authority to set conditions and restrictions permissible under Sec. 14-62. The conditions and restrictions imposed must:

- 1) Restrict the scale and density of this development; it's a monolith. It is too large given the tract of buildable land and natural surroundings. The proposed height is still too tall — it is not compatible with ORCA nor is it compatible with our neighborhood.
- 2) Preserve our open space and buffers, and protect our natural areas and historic sites; the proposed project does not provide a sufficient buffer. It's too too close to ORCA. The current proposal would also require a magnitude of blasting that is of great concern to us. Moreover, Ms. Doyle, the developer/owner, specifically told us at the first neighborhood meeting that the USGS marker representing the 3rd highest point in our City would be blasted. She remarked it would just be moved! How could this be reasonable and consistent with the City's comprehensive plan?

PC56

Jennifer Yeaton - Fwd: Casco Heights Planning Board Public Hearing on June 10

From: Barbara Barhydt
 To: Yeaton, Jennifer
 Date: 7/3/2014 2:26 PM
 Subject: Fwd: Casco Heights Planning Board Public Hearing on June 10

Public comment

>>> Jean Mattimore <jeanmattimore@gmail.com> Thursday, July 03, 2014 2:23 PM >>>

Dear Ms. Barhydt,

I'm resubmitting my previous comments in anticipation of the Planning Board hearing on July 7 on 802-828 Ocean Avenue. I wanted to communicate to the Board that my concerns and questions remain as stated previously.

Thank you,
 Jean Mattimore
 147 Ridge Road

----- Forwarded message -----

From: Jean Mattimore <jeanmattimore@gmail.com>
 Date: Mon, Jun 9, 2014 at 1:33 PM
 Subject: Casco Heights Planning Board Public Hearing on June 10
 To: bab@portlandmaine.gov

Dear Ms. Barhydt,

I've included the May 5 message I sent to you prior to the Planning Board's workshop on this project on May 6. I attended the workshop and also tagged along on the site visit on June 3, at which we received updated plans for the site. The visit and discussion of the proposed plan heightened the concerns I sent earlier and emphasized a few, as follows:

- Now I appreciate how much of the ridge would need to be blasted to achieve the design proposed, although the design itself still seemed to lack details that could affect the impact on the ridge and neighboring properties. Will more of these specifics be clarified before the Board votes on the amendment as was the case in the original plan approved? This would be important since, as I understood from the discussion, it is this plan that would be part of the Board's review of the amendment on June 10 and possible recommendation.
- The drawing of the blueprint for the proposed complex shows more clearly to me why this project is incompatible with the surrounding area. This point is not about aesthetics--which we've been told often are a discussion for a later date--but about the underlying plan for these structures, which would be so completely different from everything surrounding them and appear quite close to some other structures. There will be only 4 fewer units than were originally planned, so these structures will still have many more units than and be up to twice the height of Ocean Ridge and other communities surrounding the site. The size and population density--and related traffic--is unique in the area and would be disruptive.
- While the developers indicated that surrounding properties would be "camera-ed" before the project begins for comparison--and compensation, I assume--for repairs required post-construction, I wonder how the many units built on slabs rather than foundations (mine included) can even accomplish that

Although I attended the first neighborhood meeting, very little information was provided by Ms. Doyle. As a result, I am unable to comment on other elements of this proposed project that will certainly come into play such as:

- Specifications for the design and layout of buildings and other improvements;
- Schedules for commencement and completion of construction;
- Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
- Contributions toward the provision of municipal services required by the development; and
- Provisions for enforcement and remedies for breach of any condition or restriction.

I reserve judgment/commentary on these elements until the time we have more information.

As an aside, on the matter of the neighborhood meeting, let me say that I was quite disappointed that Ms. Doyle felt it necessary to utilize scare tactics on the meeting's attendees. She, in essence, described our options as being threefold; the original 2004 building plan, the 2014 proposed plan (at issue currently) or, potential clear cutting to build a multitude of homes. I find all these options utterly unacceptable given the aforementioned reasons and implore the Planning Board/City Council to utilize its authority in controlling any such project on Graves Hill.

Sincerely,

A handwritten signature in dark ink, appearing to read "A. Mancusi". The signature is stylized with a large, looped initial "A" and a cursive "Mancusi".

Antoinette Mancusi

structural comparison. This may be my lack of knowledge, but is a significant concern.

- Given the time and aggravation the ORCA Board has gone through to get promised construction requirements met here, I'm concerned any reparations would be prolonged, disruptive and costly to us (legal fees were involved before). I know this might seem like predicting a worst case, but the ORCA folks who were here at that time have very clear knowledge of these issues and we're still fixing some years later.

Again, thanks to you and the Board for the consideration being given to the proposed amendment and related issues, as this proposal would have a profound effect on this section of Portland and have what still appears to be a negative impact on surrounding properties.

Jean Mattimore
147 Ridge Road

TO: Barbara Barhydt, Development Review Manager, Planning Division

Dear Ms. Barhydt,

As an owner in the Ocean Ridge condominium community, I'd like to express several concerns about the proposed development being considered. They also relate directly to the mission of the Planning Division as stated on your website:

"We plan Portland's future by building upon the City's distinct historic, cultural and natural assets to achieve a livable and sustainable built and natural environment, exemplified by dignified and engaging public spaces, a strong sense of community, and a diversity of healthy neighborhoods and business districts comprising a vibrant urban center."

- The proposed development will add significant traffic to the already heavily traveled Ocean Avenue and surrounding roads, challenging the safety and sense of community in the area.
- The addition of so many units in an already densely populated area can affect the livable quality of the neighborhood and some of its valuable natural environment.
- The design, scale and density of the proposed plan is inconsistent with the character of other buildings in the area, including other condominium communities such as Ocean Ridge.
- The blasting this project will require could materially affect the stone ridge we would share. That, in turn, could have a substantial impact on our homes.
- These factors could affect the value and sustainability of our property.

Thank you for including these comments as the Planning Board considers this proposal at its workshop.

Jean Mattimore

147 Ridge Road

Portland, ME 04103

PC57

Jennifer Yeaton - Fwd: Planning Board Hearing July 8th on rezoning 802 Ocean Ave.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/3/2014 4:31 PM
Subject: Fwd: Planning Board Hearing July 8th on rezoning 802 Ocean Ave.

public comment for casco heights

>>> Glenn Turner <ghturner35@gmail.com> Thursday, July 03, 2014 4:28 PM >>>
To: the Planning Board of the City of Portland

I am writing again to voice our objections to the proposed plans for the two high-rise condominiums which will be situated between the Alden Walk condominium development and the Ocean Ridge development.

My wife, Caroline Loupe, and I agree with the comments sent to you in an email from Wayne Goodman. I won't belabor those points.

It's would be an incongruous development between Alden Walk and Ocean Ridge. It would destroy views of the nearest neighbors because of the proximity and height. It would dominate the skyline. During, and probably after, construction it would decrease the value of neighboring condos. Condo owners would take a loss if they tried to sell their properties. There's the question of whether the City of Portland would revise our taxes downward if the project went forward. Five years of building and blasting. Who would want to move close to that? There is significant rock to be blasted for this size building. I would expect collateral damage, damage that might take years to discover, and the prospect of costly litigation.

Moreover, if the city is looking for affordable housing, prices of over \$400,000 are not it. Nor is the impact of the number of units and drivers inconsiderable. Congestion in our area, especially at peak hours, is such that we don't directly drive to Washington Ave. but skirt through Ledgewood over to the traffic light at Ocean and Washington to have a fighting chance. Even then it's dicey.

We strongly urge you to advise the City Council to reconsider this entire development that is compatible with the neighborhood and with less potential damage to surrounding buildings and the natural environment.

Sincerely,

Glenn H. Turner
Caroline M. Loupe
3 Wildwood Circle
Portland, ME 04103

PC58

Jennifer Yeaton - Fwd: Casco Bay Heights Project

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 10:04 AM
Subject: Fwd: Casco Bay Heights Project

public comment

>>> "Craig Williams" <craig@churchillcaterers.com> Monday, July 07, 2014 9:52 AM >>>
In re: Casco Bay Heights Project

Dear Members of the Portland, Maine Planning Board:

I do not envy your jobs, particularly with the responsibility of oversight for this specific project; nevertheless, I want to reiterate my concerns (shared by many homeowners in the areas abutting the referenced proposed project), which I expressed in a letter on 9 June 2014, as follows:

Nothing in the area comes close to approximating the size of these two (2) buildings. And when completed they will be the highest residential structures in greater Portland...they will overpower everything within sight. Driving along I-295 from either direction, the buildings will loom large over the few currently visible residential projects (though not as large, these structures will appear visually in context to be nearly as large as the Maine Medical Center does when approaching Portland from the south).

More importantly, the amount of site work required will necessitate months...possibly several years...of noise and disruption to daily life. No one is capable of determining the potential damage which will result from the blasting work required to make the site suit the required work of the proposed construction and surrounding landscape/hardscape. What is the developers' liability, even if our basements are photographed and the information stored for future reference?

Traffic and road conditions will be adversely affected during the various phases of construction...heavy equipment will undoubtedly wreak havoc on this section of City pavement that is always being repaired, caused not only by construction in the immediate area and heavy trucks going in and out of the Dragon facility several hundred yards away, but undoubtedly by the water that follows the ledge from the top of the ridge, flowing under the road bed, ultimately reaching the bay. Further, the potential of 150 residents' cars in and out every day once the project has been completed will have detrimental effects on this section of Ocean Avenue.

And, this will not bring new affordable housing to the greater Portland community, with units being priced between \$400,000 and \$1,000,000. I am all for growth when it conforms with the tenets that everyone can support; in this case, I believe strongly that the original conditional zoning be reversed – and that the parcel be reserved for single family development and/or retained as open space for all.

Thank you for your consideration.

Craig W. Williams
4 Wildwood Circle
Portland, ME 04103
(President, Alden's Walk Homeowners' Association Board)

PC 59

Jennifer Yeaton - Fwd: Planning Board Meeting July 8, 2014 - Conditional Rezoning of 802-828 Ocean Avenue

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 11:56 AM
Subject: Fwd: Planning Board Meeting July 8, 2014 - Conditional Rezoning of 802-828 Ocean Avenue

public comment for Casco Heights

>>> Paulette Tidd <pstidd1011@gmail.com> Monday, July 07, 2014 11:48 AM >>>
Members of the Portland Planning Board:

I am very concerned about the effect that this development will have on Ocean Ridge Condominium where I live. I am particularly concerned about the **effect that the blasting could have on our underground propane storage tanks**. If the blasting should damage these tanks in any way, the result could be catastrophic on our community.

In addition I think that this development will have a negative impact on:

- damage to our units from the blasting
- parking in the neighborhood since 1 space for a 1 bedroom unit is not adequate to handle some residents' needs, visitors to these apartments, and service people who will need to go to these apartments
- the amount of traffic on Ocean Avenue and Washington Avenue
- the character of our neighborhood since this development is totally out of line with the other structures in the neighborhood
- the noise level in the neighborhood both during construction and afterwards
- the narrow width of the buffer of natural vegetation that will be left between our community and this development
- the shadows that this development will cast on our neighborhood

Sincerely,

Paulette S. Tidd
182 Ridge Road
Portland ME

PC60

Jennifer Yeaton - Fwd: Casco Hights Condo project.

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 8:06 AM
Subject: Fwd: Casco Hights Condo project.

public comment

>>> Jim Fairbanks <jim@dunegrass.com> Monday, July 07, 2014 10:34 PM >>>

This will be my second email apposing this project. It does not meet zoning and will be an extremely negative impact on the area.

PC 61

Jennifer Yeaton - Fwd: Casco Heights Proposal

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 8:28 AM
Subject: Fwd: Casco Heights Proposal
Attachments: SAVEORCA3.doc

public comment

>>> Sabrina Nickerson <snickerson@windhamraymondschools.org> Tuesday, July 08, 2014 8:20 AM >>>

Hello,
Please accept my comments attached for tonight's planning board meeting,
Thank you,
Sabrina Nickerson

Sabrina T. Nickerson
Grade 5 Teacher
Manchester School
709 Roosevelt Trail
Windham, Maine 04062
207-892-1830

July 8th, 2014

To: Portland Planning Board

From: Sabrina Nickerson, Resident at Ocean Ridge Condominiums

Dear Planning Board,

As a resident of Ocean Ridge Condominiums, I am writing today because I truly believe Portland residents need to protect the natural environment, beauty and historical value of their neighborhoods. As much as possible we want to preserve our surrounding hardwood stands of oak, and maple, rare plants such as Lady Slippers, and vernal pools that are essential breeding habitats for blue spotted salamanders, wood frogs, and fairy shrimp. (<http://www.maine.gov/dep/water/wetlands/vernal.html>) Our neighborhood, historically known as Grave's Hill also includes the 3rd highest peak in the city of Portland. We therefore wish to maintain the unique forest habitat and the character and architectural style of our Ocean Avenue Neighborhood.

Given the Casco Heights Project proposal, I must ask the following questions to the all of the members of the Planning Board if this type of building construction is **truly responsible land use and smart and considerate growth** for our already heavily trafficked neighborhood:

- 1) Is the proposed development in character with the surrounding architecture, the scale, density and livability?
- 2) Will the board please consider that the current footprint and proposed height of the tower-like structure will create visual blight and most assuredly block much needed sunlight and solar gain for our Ocean Ridge homeowners.
- 3) Will the Planning Board reconsider and require that Casco Heights' readjust their buffer zone which was adjusted to 80 feet when a new plan was proposed a few years later when Ocean Ridge Condominiums were not yet constructed.
- 4) How much damage to our existing homes will be realized with extended and prolonged amounts of blasting during Phase 1 and then during Phase 2 of this building project?
- 5) Should any damage occur during or after this prolonged blasting, what kind of assurance do we have that the developers will take responsibility and fix any related damages?
- 6) Last but certainly not least, given the proposed changes in the footprint of the two large buildings and adjoining parking lots, I would ask the planning board to promote the optimum building construction that would consider the preservation of this unique hardwood forest, the vernal pools and the third highest peak known historically as 'Graves Hill'.

Respectfully submitted,

Sabrina T. Nickerson

54 Ridge Road , Portland, Maine

FCled

Jennifer Yeaton - Fwd: FW: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/7/2014 2:32 PM
Subject: Fwd: FW: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

public comment

>>> "Carol Veilleux" <cveille1@maine.rr.com> Monday, July 07, 2014 2:29 PM >>>

Hi Barbara,

I tried to send this last night, but I got an error message. Hope my comments can still be included in the Planning Board package. Thank you.

Carol Veilleux

From: Carol Veilleux [mailto:cveille1@maine.rr.com]
Sent: Sunday, July 06, 2014 8:30 PM
To: 'bab@portlandmaine.gov'
Subject: Comments on Casco Bay Heights project for July 8 Planning Board Meeting

Dear Planning Board Members,

Attached below are the comments I submitted for the last Planning Board Meeting that addressed the Casco Bay Heights project. I would like to re-submit them as you re-consider the proposed amendment and making a recommendation to the City Council. I believe the fundamental issues regarding the neighborhood opposition to this project continue to be those you have thoroughly discussed:

- 1) The original conditional zoning was approved for this site 10 years ago. For some unknown reason, the Council at that time, **did not include any end-date to this conditional zoning** which has prevented the Planning Board from recommending any substantial changes to the proposed project in terms of scale and height. **Would the Planning Board consider recommending to the council that the original conditional zoning be reversed, given the current realities of the now existing neighborhoods near this project?** The zoning should then revert to and/or ROS and R3.
- 2) Your decision to table the vote on this project, as expressed by all of the Planning Board members present at the last meeting, was due to the Board's complete dissatisfaction with the scope and height of the project. **Since the developer has not submitted any new plans to address these issues, we expect that your opposition to the scale and size of the project remains.** The Board continues to be hampered by the issue raised in my previous point in its efforts to make a recommendation to the City Council.
- 3) I believe that the property known as the **Graves Hill parcel** (Casco Bay Heights project) is currently on the list of **high priority open space parcels** for the City's Land Bank program. Should this be the case, then a reversal of the original conditional zoning of 2004 is warranted and all efforts be made by the City and its residents to preserve this parcel as open space for the benefit of the entire community.

Thank you for your consideration.

Carol Veilleux
16 Wildwood Circle
Portland, Maine

From: Carol Veilleux [mailto:cveille1@maine.rr.com]
Sent: Monday, June 09, 2014 10:48 PM

PC63

To: 'bab@portlandmaine.gov'

Subject: Comments to the Planning Board on Casco Bay Heights project

Dear Planning Board members,

We would like to express our opposition to the proposed Casco Bay Heights project as you consider the amended zoning change from a similar proposal approved by the City Council in 2004. As residents of North Deering for the past 30 years, we have seen many changes in the area, the vast majority of which have kept and enhanced the quality of this residential neighborhood. The approval of this project, as currently proposed by the current/future land owners, significantly diverts from previous housing projects in numerous ways:

- 1) The size and height of the buildings and the surrounding site are completely unlike any other privately owned housing in the area. The project does not meet the **City of Portland's Comprehensive plan goals of increasing the housing stock while maintaining neighborhood characteristics and livability.**
- 2) The proposed condo unit selling prices (we have been told from \$450K to \$1M) do not align with the City's Comprehensive Plan directive to **increase affordable housing for the area's workforce.** How can the Planning Board and the City Council approve a project that proposes to add 94 new housing units whose target market most likely represents less than 1% of households in the city?
- 3) The proposed project does not align with the City's Comprehensive plan regarding the **preservation of open space.** The project's mass and height will effectively result in the **clear-cutting of 10 acres of the Graves Hill ridge and provide no significant buffers for two adjacent communities.** Are there no other options for the development of this site that mitigate the destruction of so much open space? If you are not familiar with the area, we urge you to take look at how Ledgewood, Alden's Walk, the Pheasant Hill Association homes, Ocean Ridge and other area projects have managed to maintain and enhance the natural landscape.
- 4) The proposed project does not meet the **required City zoning guidelines for an R5 zone** (see attached from the City of Portland, Planning Division website). While we are not a zoning expert by any means, how does approval of this project in an R5 zone comply with the R5 published guidelines?

Thank you for your consideration of our comments.

Carol Veilleux and Donald Kale
16 Wildwood Circle
Alden's Walk
Portland, Maine

PC64

Jennifer Yeaton - Fwd: Delivery Status Notification (Failure)

From: Barbara Barhydt
To: Yeaton, Jennifer
Date: 7/8/2014 1:44 PM
Subject: Fwd: Delivery Status Notification (Failure)

public comment

>>> George Campbell <georgencampbelljr@gmail.com> Tuesday, July 08, 2014 1:30 PM >>>

> Members of Planning Board and Staff- I write in support of the request
 > to amend the existing contract zone.

>

> Although, I now live on Clifford St in Portland, I was at the time
 > of the original contract zone approval a resident of Alden's Walk, in
 > fact my townhouse was the very closest to the site.

>

> After hours of attending hearings, listening to all sides of the
 > contract zone, I became an ardent supporter of the Graves Hill
 > Project.

>

> Why? The contract zone gave opportunity for the City to work
 > directly with the developer and ensure we would get a much more
 > desirable project than the underlying R-3 Zone allowed. More desirable
 > because our City added 8 acres of open space and created essential
 > deeded connections to other open space. In addition, trees and other
 > vegetation was much more preserved, unlike the Ocean Ridge proposal
 > for example.

>

> There were many other important points that helped me become a
 > project advocate- the quality of the developer; the design of
 > buildings; support from key conservation groups; and the ability of
 > Planning Board and City Council to have direct and effective input in
 > shaping the proposal- rather than reacting to a site plan under R-3.

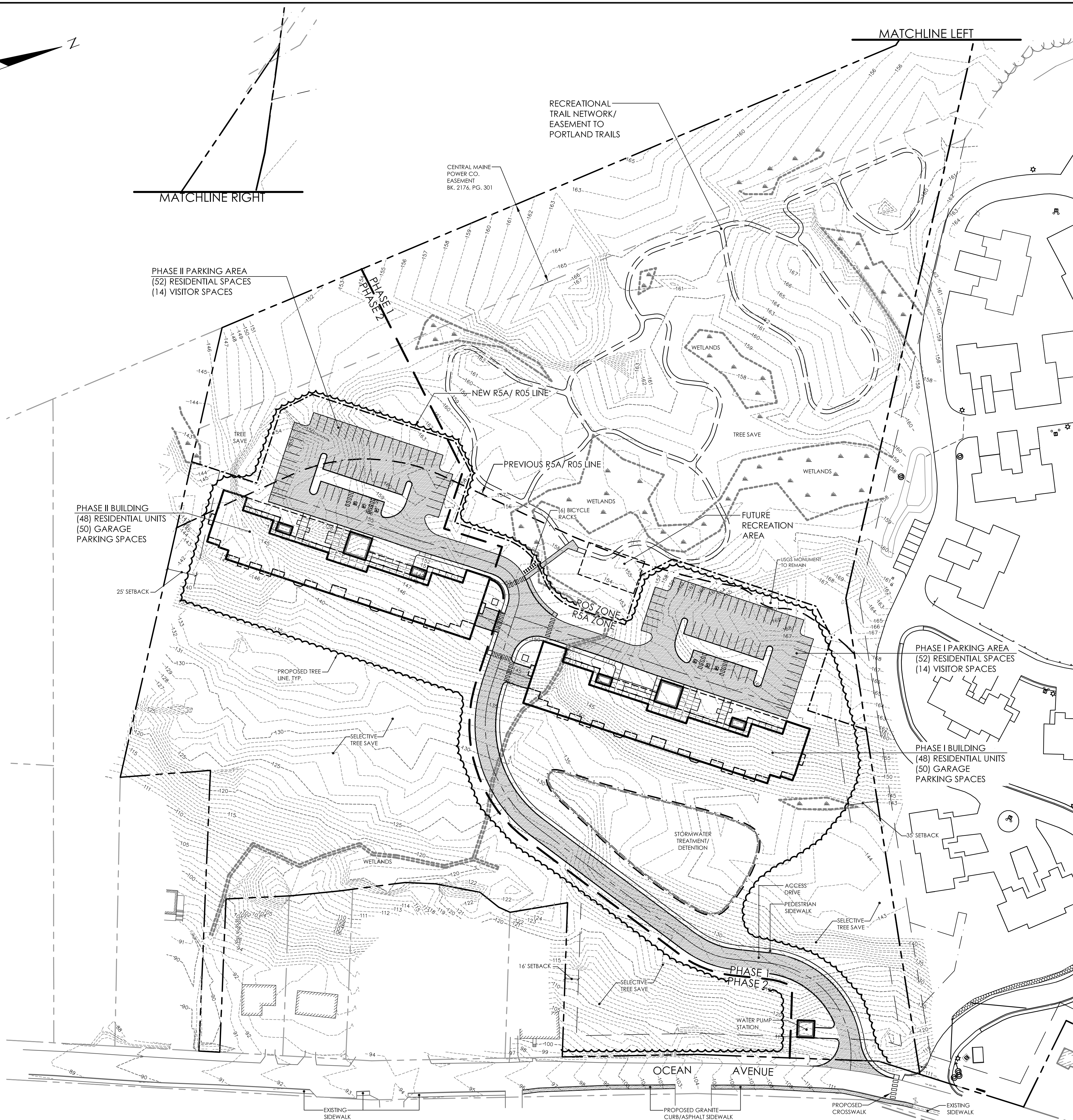
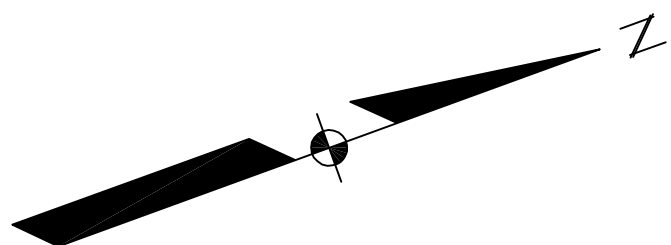
>

> The amendment requests of the current development team adheres to the
 > principles and core concepts of the contract zone, while actually
 > reducing height, expanding opportunities for housing beyond the high
 > end only market; and offers specific changes that are readily
 > analyzed.

>

> As a former City Councilor, Chair of the Eastern Promenade Master
 > Planning Committee, and current active member of Friends of the
 > Eastern Promenade I have long come to understand the value of
 > dedicated open space. These amendments give you a chance to add to our
 > open space inventory while allowing the private developer to create
 > a place that can long serve as home to Portlanders of many economic
 > stripes.

>
> Please vote yes to recommend amending the contract zone to the
> Portland City Council.
>
> Regards, George Campbell
>
> ----- Message truncated -----
>

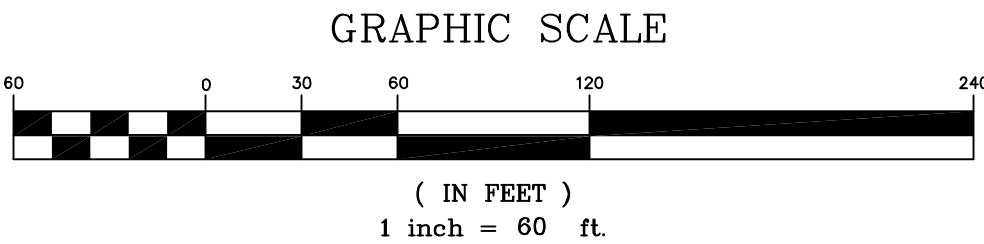


GENERAL NOTES

- OWNER/APPLICANT: RIDGE DEVELOPMENT, LLC
P.O. BOX 535
BUXTON, MAINE 04093
- ARCHITECT: ARCHETYPE, P.A.
48 UNION WHARF
PORTLAND, MAINE 04101
- SURVEYOR: DOW AND COULOMBE, INC.
13 PARK STREET
SACO, MAINE 04072
- ENGINEER: SEBAGO TECHNIQS, INC.
75 JOHN ROBERTS ROAD, SUITE 1A
SOUTH PORTLAND, MAINE 01046
- WETLANDS: ALBERT FRICK ASSOC., INC.
95A COUNTY ROAD
GORHAM, MAINE 04038
- DEED REFERENCE: BOOK 21500, PAGE 269
- TAX MAP REFERENCE: MAP 411, BLOCK A, LOT 7
MAP 416, BLOCK A, LOTS 6, 7 AND 21
- PROJECT AREA: 18.32 ACRES
- ZONING: R5A (10.18 ACRES)
R0S (8.14 ACRES)
- DIMENSIONAL REQUIREMENTS:
R5A ZONE: FRONT AND REAR YARD: 25 FT.
SIDE YARD: 16 FT.
35 FT.
SETBACK @ BUILDINGS > 100 FT:
- PROPOSED USE: 96 UNIT CONDOMINIUM
- SEWER SERVICE: PUBLIC
- WATER SERVICE: PUBLIC
- ELECTRIC/TELEPHONE: UNDERGROUND
- ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE EROSION PREVENTION PROVISIONS OUTLINED IN THE MAINE EROSION CONTROL AND SEDIMENTATION HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES, 2003.
- PARKING REQUIREMENTS:
(80) 2-BR; 3-BR UNITS AT 2 EA. = 160 SPACES
(16) 1-BR UNITS AT 1 EA. = 16 SPACES
(28) VISITOR SPACES AT 1 EA. = 28 SPACES
TOTAL REQUIRED = 204 SPACES
- THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION, TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION AND SURFACING OF PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.
- ALL POWER LINE UTILITIES SHALL BE UNDERGROUND.
- ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES.
- PRIOR TO CONSTRUCTION, A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE SITE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRE-CONSTRUCTION MEETING.
- TRAIL LENGTH:
R5A ZONE = 900 L.F.
R0S ZONE = 2,307 L.F.
TOTAL = 3,207 L.F.
- TOTAL IMPERVIOUS AREA = 2.74 ACRES (14.9% RATIO)
- TOTAL DISTURBED AREA = 5.86 ACRES.
- PROPOSED BUILDINGS:
LEVEL 1 = 50 PARKING SPACES
LEVEL 2-5 = 48 RESIDENTIAL UNITS
PROPOSED HEIGHT = 60 FT. ABOVE AVERAGE FINISH GRADE

LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	BOUNDARY LINE/R.O.W.	---
---	ABUTTER LINE/R.O.W.	---
---	SETBACK	---
---	EASEMENT	---
---	CENTERLINE	---
---	ZONE LINE	---
---	BUILDING	---
---	WETLANDS	---
---	EDGE WETLAND	---
---	EDGE PAVEMENT	---
---	PAVEMENT PAINT	---
---	TRAILS	---
---	CURBLINE	---
---	CONTOURS	---



Plan 1

REV.	DATE	STATUS
A	WTC	BY:

SEBAGO

TECHNIQS

WWW.SEBAGOTECHNIQS.COM

75 John Roberts Rd. - Suite 1A - 220 Goddard Rd. - Suite B
South Portland, ME 04106
Tel: 207-285-5666

PROJECT NO.	FIELD BOOK	DESIGN	CHKD	DRAWN
13450	-	WTC	WTC	MAL

OVERALL SITE PLAN

OF:
CASO HEIGHTS
OCEAN AVENUE
PORTLAND, MAINE

FOR:
RIDGE DEVELOPMENT, LLC
P.O. BOX 535
BUXTON, MAINE 04093

DATE	SCALE
05-20-14	1" = 60'

SHEET 1 OF 1

13450B.dwg, TAB: SITE-60



STORMWATER
TREATMENT/
DETENTION

WETLANDS

TREE
SAVE

Access Driveway

Sidewalk

Access Driveway

PEDESTRIAN
SIDEWALK

TREE
SAVE

Evergreen Screen Trees to Augment
Buffer to Residences

Illustrative Site Plan :
Preliminary Grading and
Landscape Design
CASCO HEIGHTS

Ridge Development, LLC
Archetype, P.A.
Sebago Technics, Inc.

April 1, 2014

Ledge Cuts

TREE
SAVE

WATER PUMP
STATION

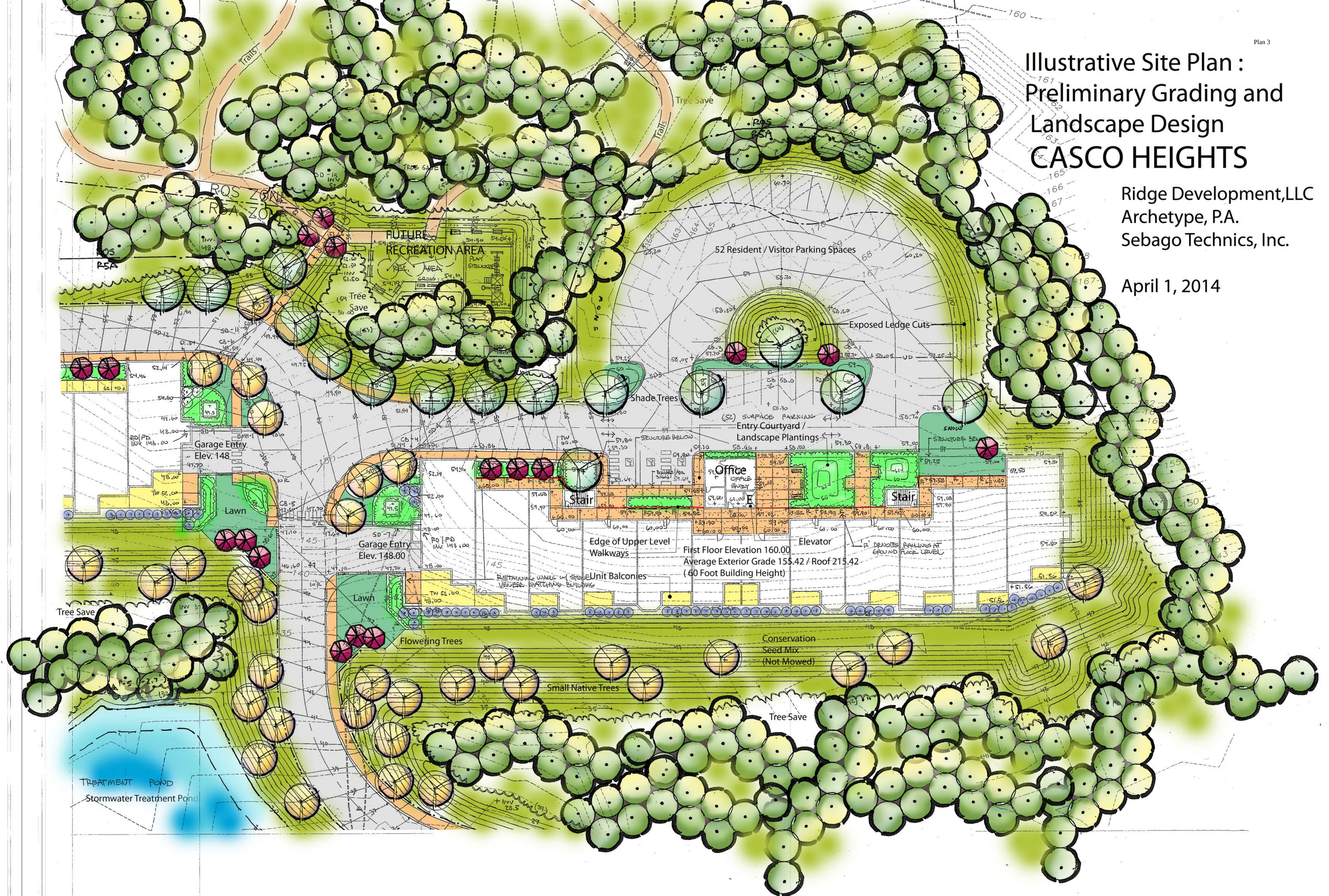
OCEAN AVENUE

Water Pump Station
Stone Retaining Wall
Project Sign

Illustrative Site Plan : Preliminary Grading and Landscape Design CASCO HEIGHTS

Ridge Development, LLC
Archetype, P.A.
Sebago Technics, Inc.

April 1, 2014



LINE

TRUE - SEE NOTE #3

N/F ANSPACH
BOOK 3513, PAGE 84
BOOK 3795, PAGE 278

<u>LEGEND :</u>	
•	SET IRON ROD WITH CAP
□	CATCH BASIN
⊙	DRAIN MANHOLE
⊕	HYDRANT
⊕ W	WATER VALVE
⊙	SEWER MANHOLE
⌒	SIGN
⌒	UTILITY POLE
⊙ N	HEDGE OR SHRUB
N/F	NOW OR FORMERLY
———	WATER MAIN
——— S ———	SANITARY SEWER MAIN
——— 90 ———	CONTOUR LINE
——— OU ———	OVERHEAD UTILITY LINES
○○○○○○○○○○	STONE WALL

N/F MARJEM MORTGAGE CORPORATION
BOOK 15443, PAGE 349
SEE PLAN REFERENCES #2 & #5

PLAN REFERENCES:

1. "CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS OCEAN AVE. SANITARY SEWER FROM 700 FT. NORTHERLY OF GRAFTON ST. THEN 1100 FT. NORTHERLY", DATED JUNE 14, 1977 (AS-BUILT 7/13/77).
2. "PLAN OF PROPERTY 852 OCEAN AVENUE, PORTLAND, MAINE MADE FOR ERNEST M. & ARIEL A. PALMER", DATED FEBRUARY 3, 1983, BY ROBERT P. TITCOMB, INC., RECORDED AT GUMBERLAND COUNTY RECORDS OF DEEDS IN PLAN BOOK 138, PAGE 71.
3. "PORTLAND SEWER SYSTEM INFILTRATION-INFLOW ANALYSIS, SYSTEM BASE MAPING, STUDY AREA 3", DATED 1988, BY T. Y. LIN INTERNATIONAL.
4. "PLAN OF PROPERTY OCEAN AVENUE, PORTLAND, MAINE MADE FOR THE DARTMOUTH COMPANY", DATED MARCH 17, 1988, BY R. P. TITCOMB ASSOCIATES, INC.
5. "STANDARD BOUNDARY SURVEY, PLAN OF PROPERTY OCEAN AVENUE, PORTLAND, MAINE MADE FOR THE FINCH GROUP", DATED JULY 30, 1992, BY TITCOMB ASSOCIATES.

PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY
MADE FOR
DIANE DOYLE
(MAILING ADDRESS : 16 TIFFANY LANE, SACO, ME 04072)
PARCEL LOCATED AT OCEAN AVENUE
PORTLAND MAINE

Dow & Coulombe, Inc.
Land Surveyors & Land Planners
13 Park Street, Saco, ME 04072
Telephone: 207-284-4521 • Fax: 207-284-4522

Date:	
JULY 8, 2002	
H. Scale:	Drawn by
1" = 40'	MJC
Chk'd by:	Appv'd by
PDD	MJC
SHEET 1 OF 2	

ZONE-MISC
DWGS2002\DD-PORT\TOPC

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

LOCUS DEED REFERENCES

CRE I REAL ESTATE CORP.
TO
LEO J. DELICATA AND JEANNE B. DELICATA
AUGUST 14, 1992 BOOK 10228, PAGE 236

LINE TABLE :

LINE	DIRECTION	DISTANCE
L1	44° 34' 10" W	14.82
L2	55° 13' 30" W	28.68
L3	30° 55' 10" W	53.12
L4	22° 31' 30" W	36.08
L5	13° 40' 30" W	76.84
L6	14° 07' 00" W	59.83
L7	17° 18' 40" W	77.80
L8	25° 13' 50" W	24.71

1. THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS.
2. AREA = 18.323 ACRES.
3. BEARINGS REFER TO TRUE NORTH PER PLAN REFERENCES #4 & #5.
4. INFORMATION IN PARENTHESES COPIED FROM DEED AND PLAN REFERENCES.
5. THE LINE OF OCEAN AVENUE IS BASED ON RECORDS FURNISHED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT, AND EVIDENCED BY MONUMENTATION FOUND ALONG A 3.0' OFFSET LINE TO THE EASTERLY LINE OF SAID STREET.
6. ELEVATIONS ARE BASED ON A CLOSED LEVEL LOOP RUN FROM THE TOP OF THE HYDRANT LOCATED NEAR THE ANGLE POINT IN OCEAN AVENUE SOUTH SIDE OF HOUSE #762 AS SHOWN ON PLAN REFERENCE #1 (ELEVATION 191.17 FEET TO THE NATIONAL GEODETIC DATUM OF 1929, ACCORDING TO THE CITY OF PORTLAND ENGINEERING DEPARTMENT).
7. FOR FURTHER INFORMATION ON UNDERGROUND UTILITIES LOCATED WITHIN OCEAN AVENUE, REFERENCE IS MADE TO PLAN REFERENCES #2 AND #4.

LEGEND :

•	SET IRON ROD WITH CAP
□	CATCH BASIN
○	DRAIN MANHOLE
⊕	HYDRANT
⊕	WATER VALVE
⊕	SEWER MANHOLE
⊕	SIGN
⊕	UTILITY POLE
⊕	HEDGE OR SHRUB
N/F	NOW OR FORMERLY
W	WATER MAIN
S	SANITARY SEWER MAIN
90	CONTOUR LINE
OU	OVERHEAD UTILITY LINES
=====	STONE WALL

NOTES :

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6. ELEVATIONS ARE BASE ON A CLOSED LEVEL LOOP RUN FROM THE TOP OF THE HYDRANT LOCATED NEAR THE ANGLE POINT IN OCEAN AVENUE SOUTHERLY OF HOUSE #752 AS SHOWN ON PLAN REFERENCE #1 (ELEVATION 88.17), AND REFER TO NATIONAL GEODETIC VERTICAL DATUM OF 1929, ACCORDING TO THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
7. FOR FURTHER INFORMATION ON UNDERGROUND UTILITIES LOCATED WITHIN OCEAN AVENUE, REFERENCE IS MADE TO PLAN REFERENCES #2 AND #4.

LINE TABLE :

LINE	DIRECTION	DISTANCE
1	S 45° 14' 10" W	14.62'
2	S 45° 14' 10" W	14.62'
3	S 30° 00' 00" W	83.29'
4	S 15° 00' 00" W	76.84'
5	S 15° 00' 00" W	99.80'
6	S 25° 18' 20" W	24.71'

LOCUS DEED REFERENCES :

CRE I REAL ESTATE CORP.
TO
LEO J. DELICATA AND JEANNE B. DELICATA
AUGUST 14, 1992 BOOK 10226, PAGE 236

PLAN REFERENCES :

1. "CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS OCEAN AVE. SANITARY SEWER FROM 700 FT. NORTHERLY OF GRAFTON ST. THEN 1100 FT. NORTHERLY", DATED JUNE 14, 1977 (AS-BUILT 7/13/77).
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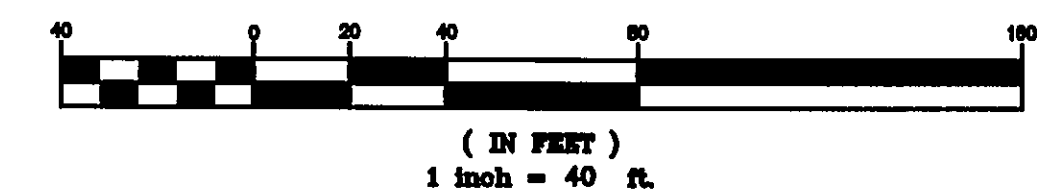
SEE: "SURVEY PLAT, PHASE 1, ALDEN'S WALK A CONDOMINIUM, PHEASANT HILL DRIVE, PORTLAND, MAINE FOR THE DARTMOUTH COMPANY", DATED NOVEMBER 2, 1997, BY OWEN HASKELL, INC., RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 166, PAGE 65

(N 15° 40' 10" E)
(N 17° 10' E)
(N 02° 44' 00" W)
(N 02° 44' 00" W)

CENTRAL MAINE POWER COMPANY EASEMENT
BOOK 2176, PAGE 301

N/F MARJEM MORTGAGE CORPORATION
BOOK 18443, PAGE 349
SEE PLAN REFERENCES #2 & #6

GRAPHIC SCALE



MATCH

LINE

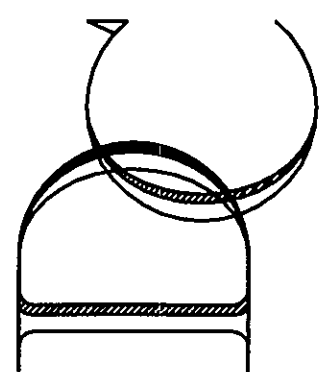
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MADE FOR

DIANE DOYLE

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PARCEL LOCATED AT OCEAN AVENUE

PORTLAND MAINE



Dow & Coulombe, Inc.
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13 Park Street, Saco, ME 04072

Telephone: 207-284-4521 * Fax: 207-284-4522

Date:

JULY 8, 2002

H. Scale: Drawn by:

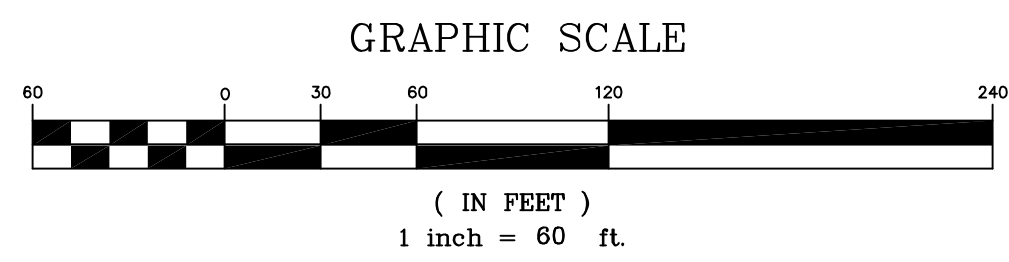
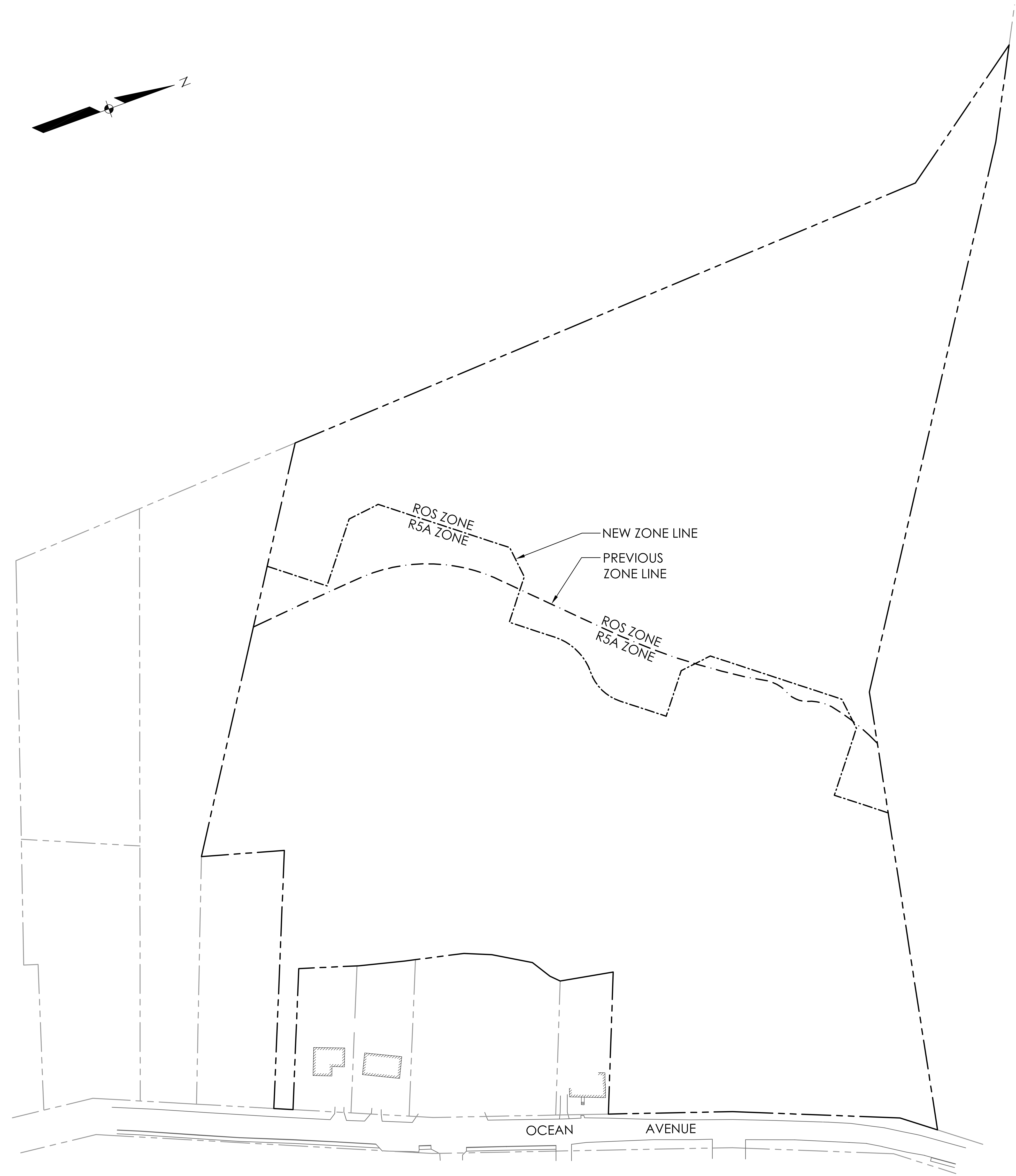
1" = 40' MJC

Chk'd by: Appv'd by:

PDD MJC

SHEET 2 OF 2

ZONE-MISC
DWGS2002\DD-PORT\TOPO

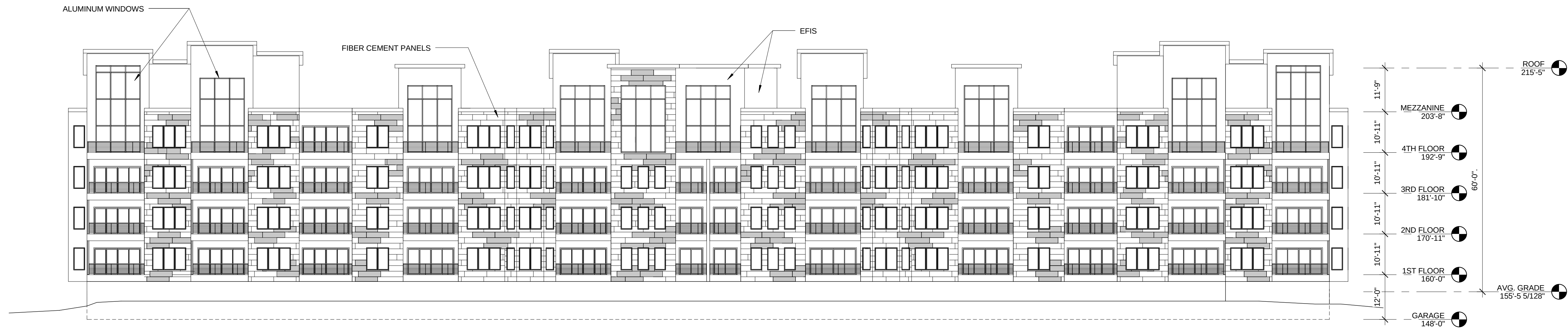


CASCO HEIGHTS ZONE REVISION

PREPARED BY:

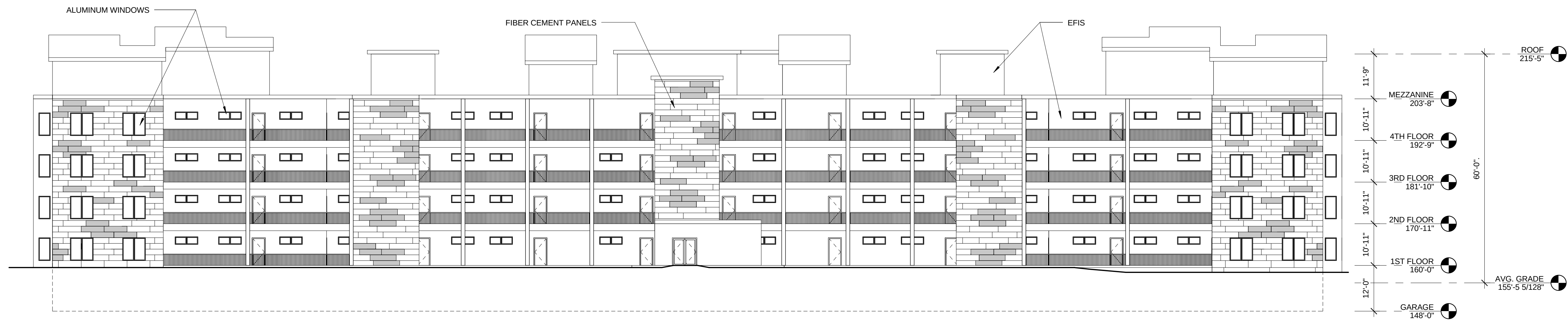


WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 1A 250 Goddard Rd. - Suite B
South Portland, ME 04106 Lewiston, ME 04240
Tel. 207-200-2100 Tel. 207-783-5656



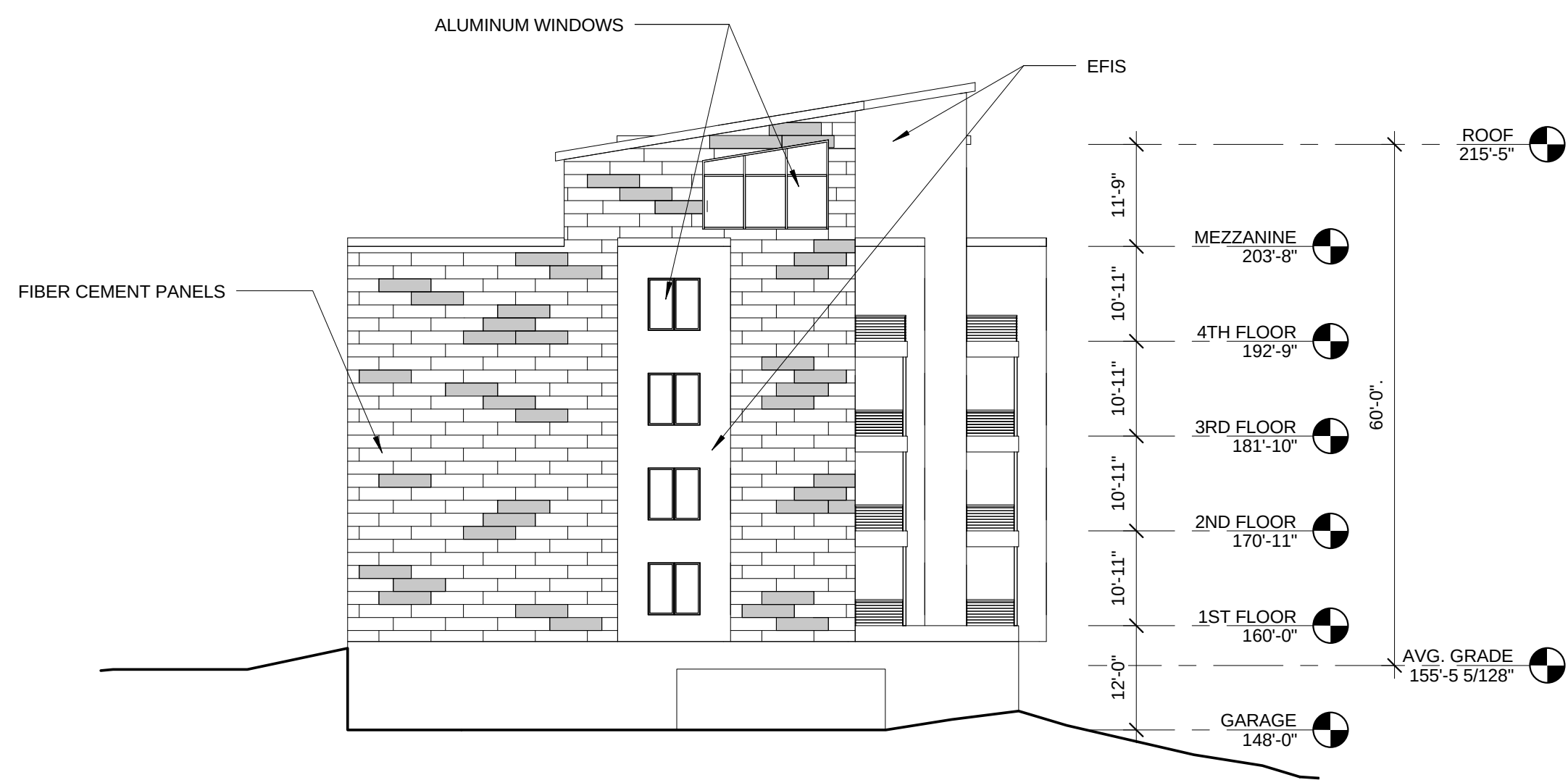
1 Front Elevation

1/16" = 1'-0"



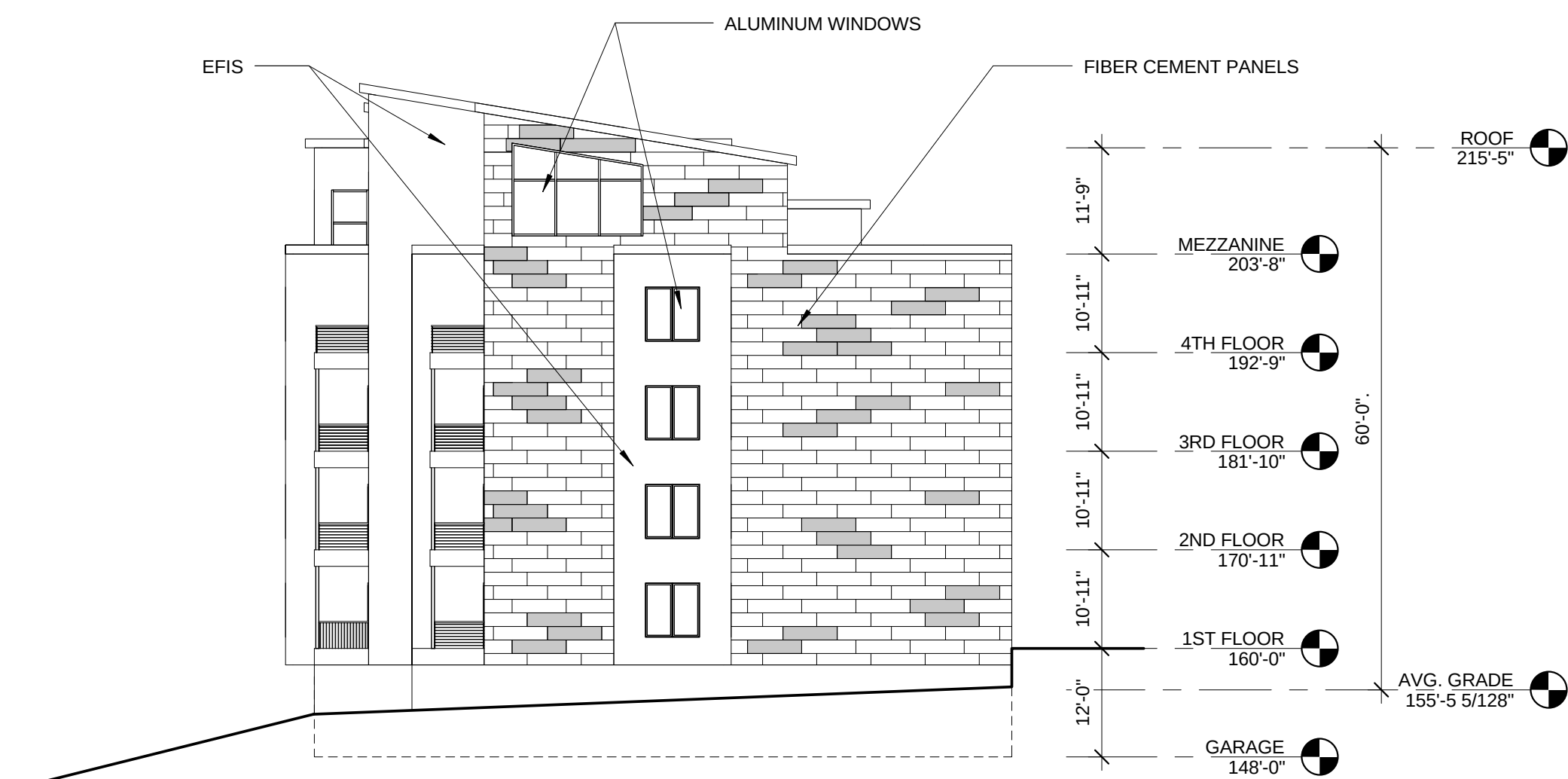
2 Back Elevation

1/16" = 1'-0"



3 Side Elevation

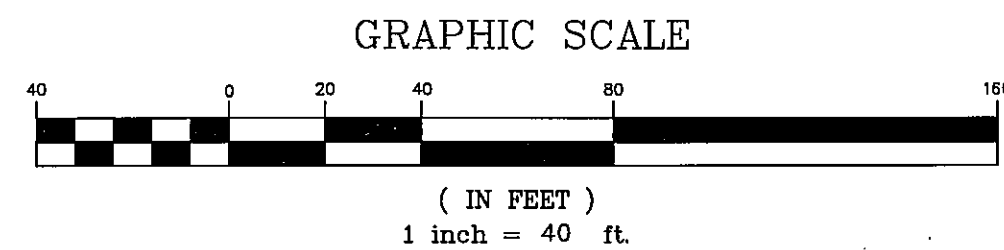
1/16" = 1'-0"



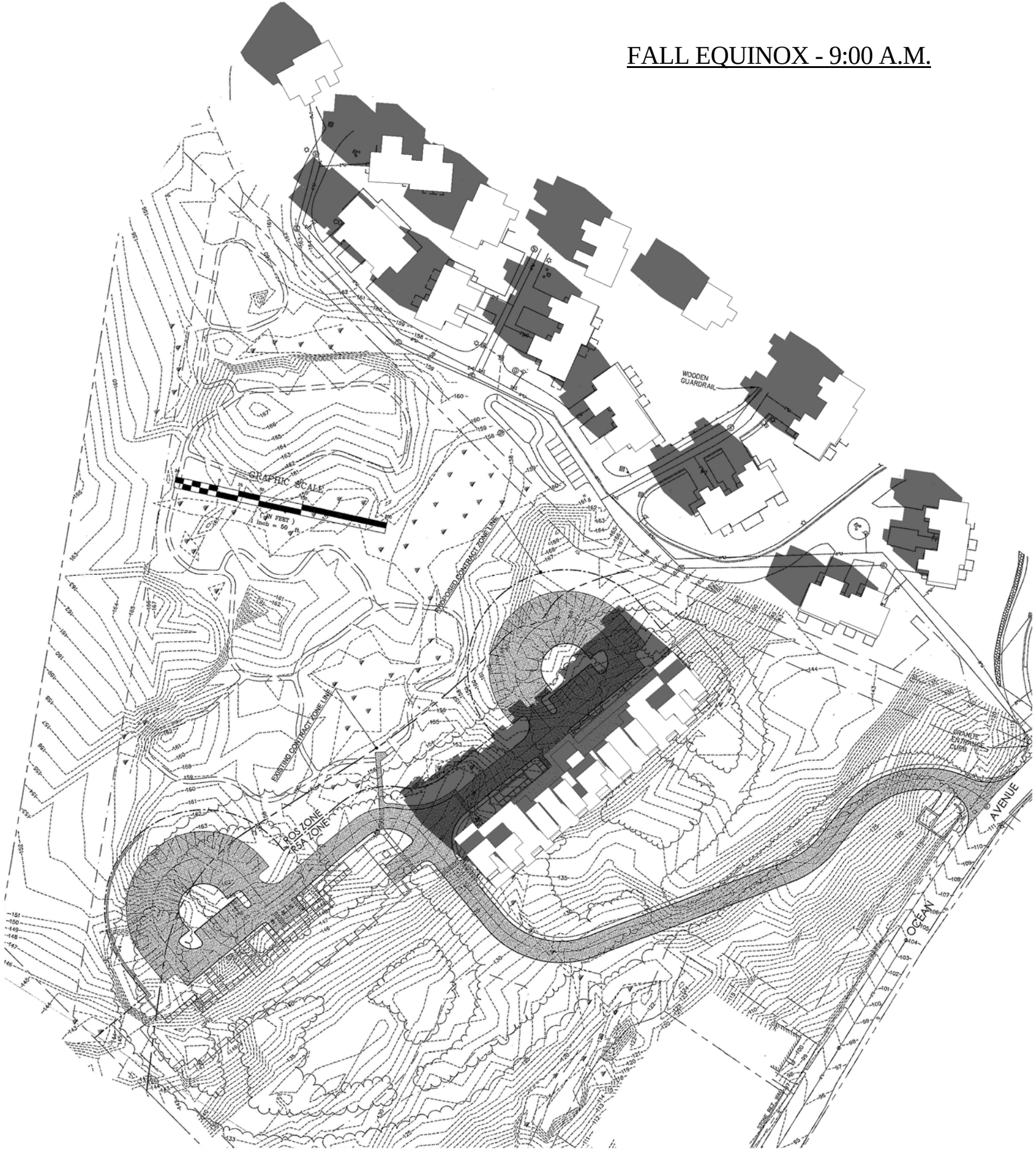
4 Side Elevation 2

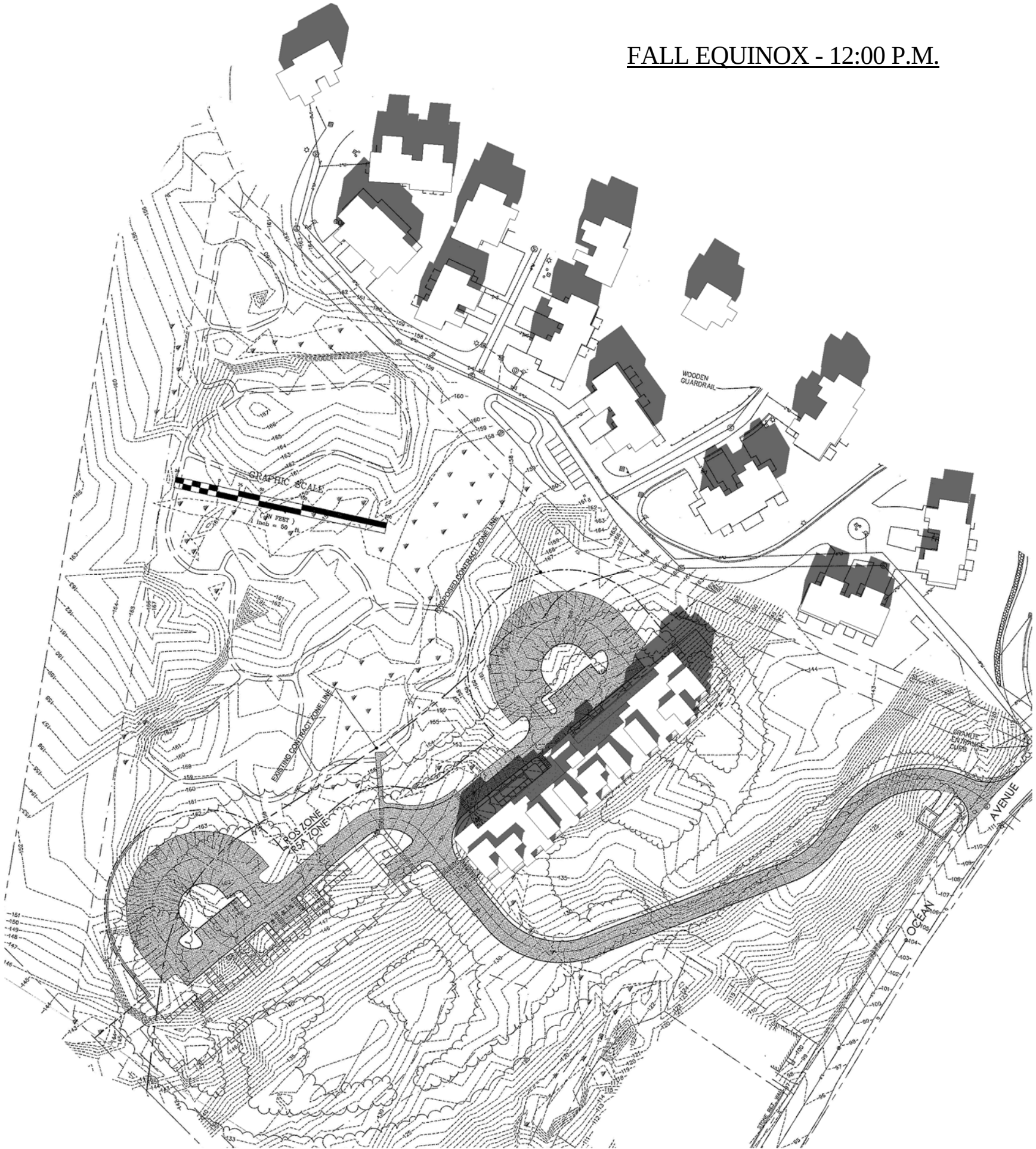
1/16" = 1'-0"

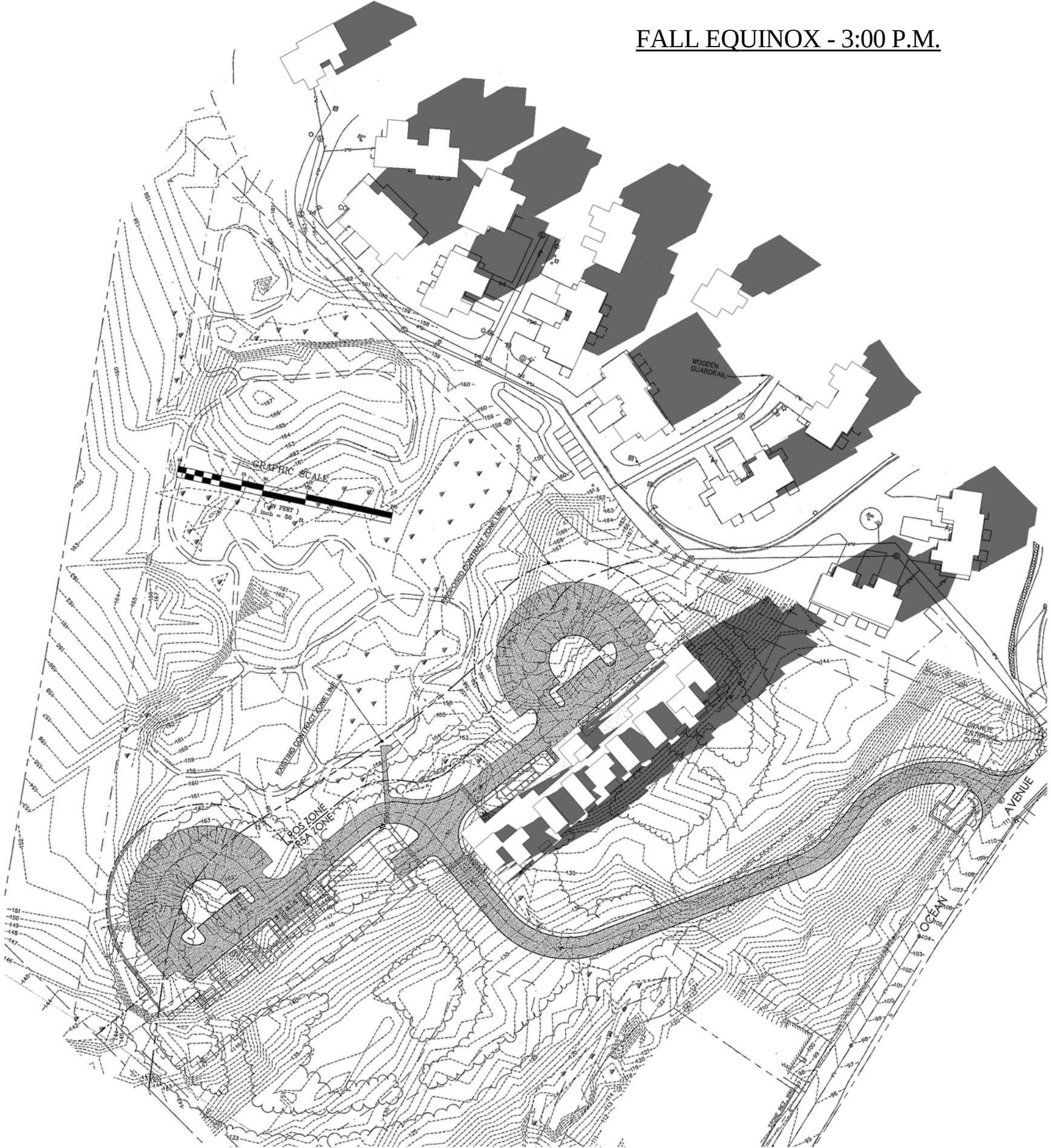




FALL EQUINOX - 9:00 A.M.







WINTER SOLSTICE - 9:00 A.M.

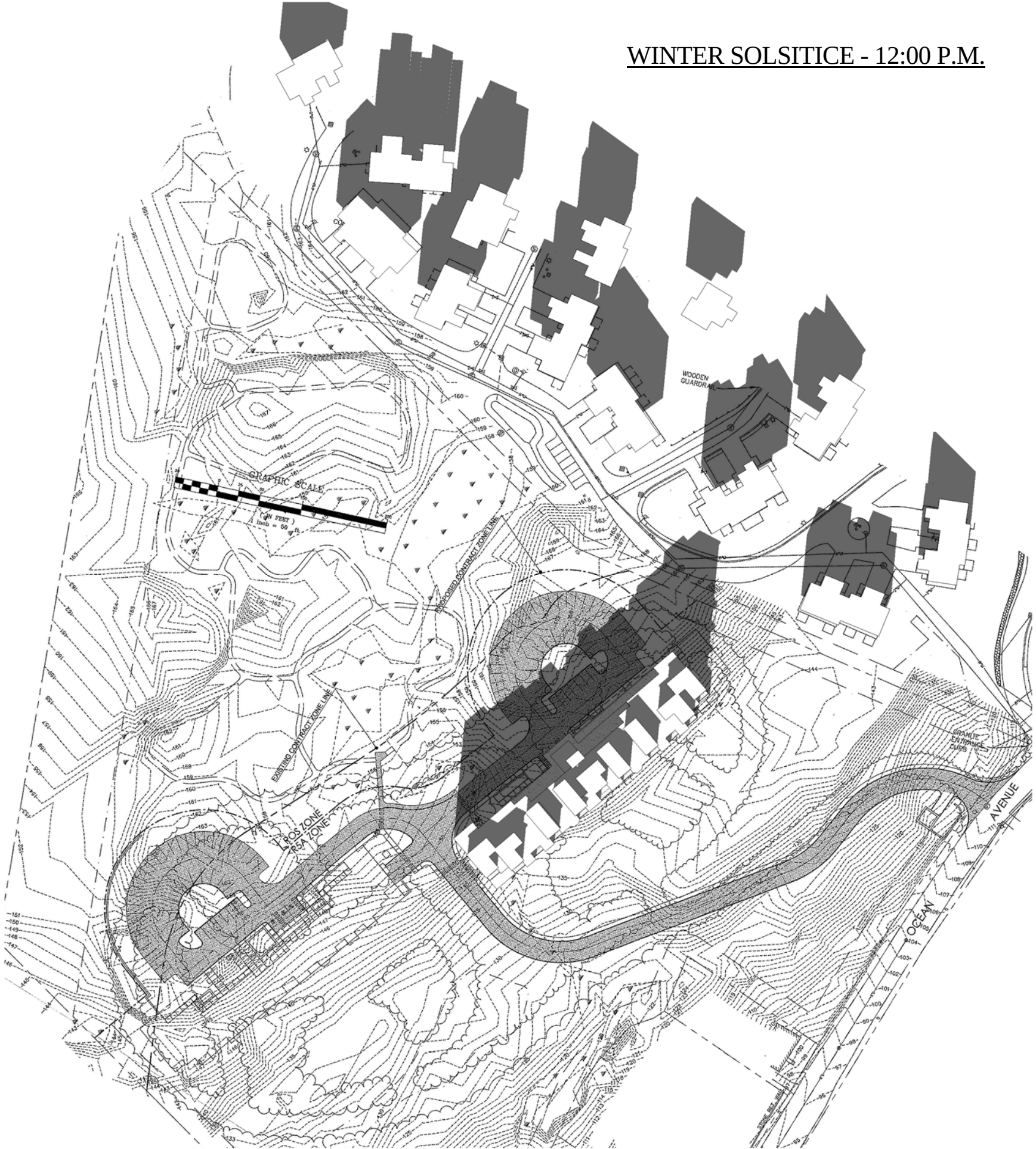
WOODEN GUARDRAIL

GRAPHIC SCALE
1" = 50'

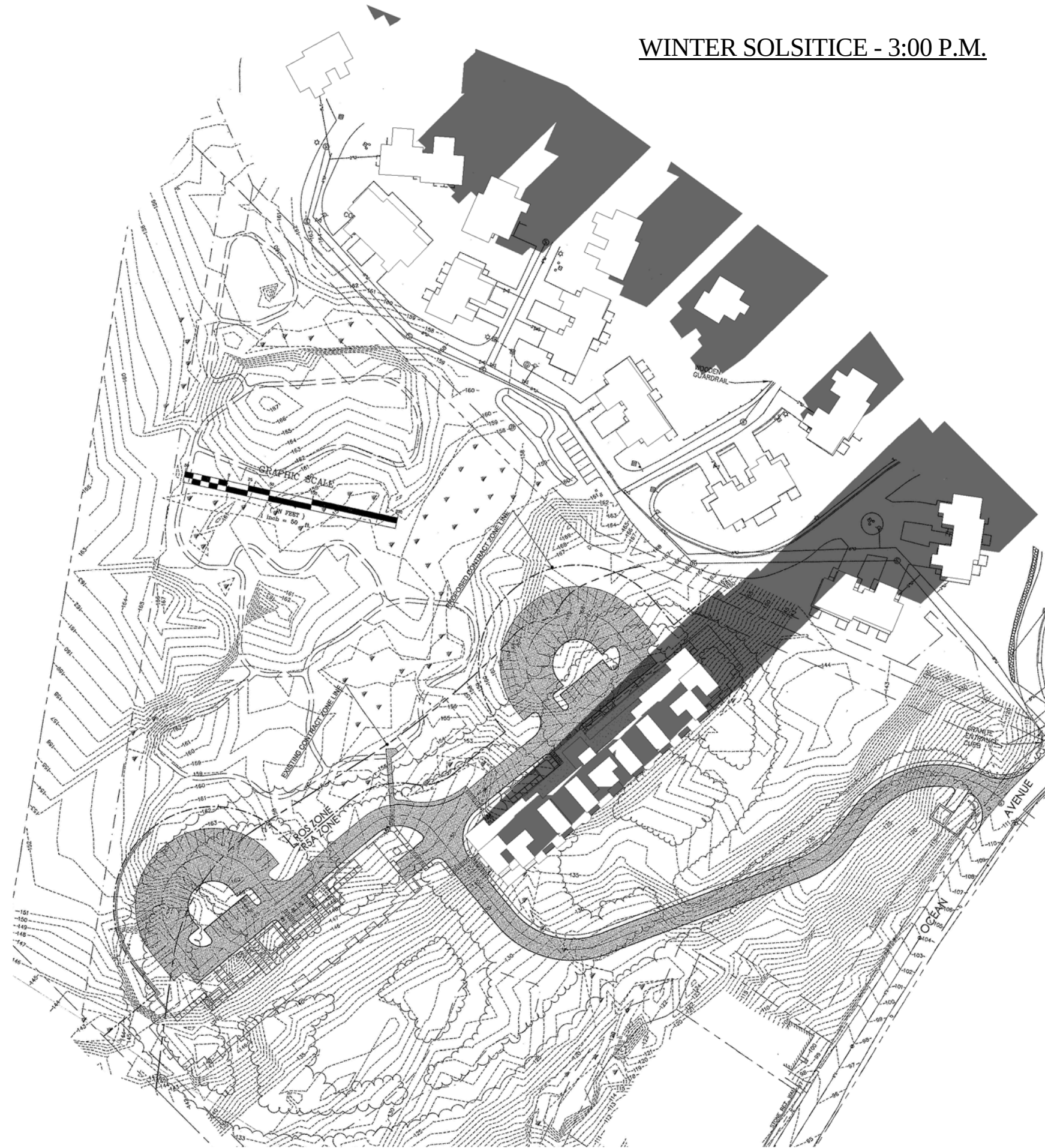
EXISTING CONTRACT ZONE LINE

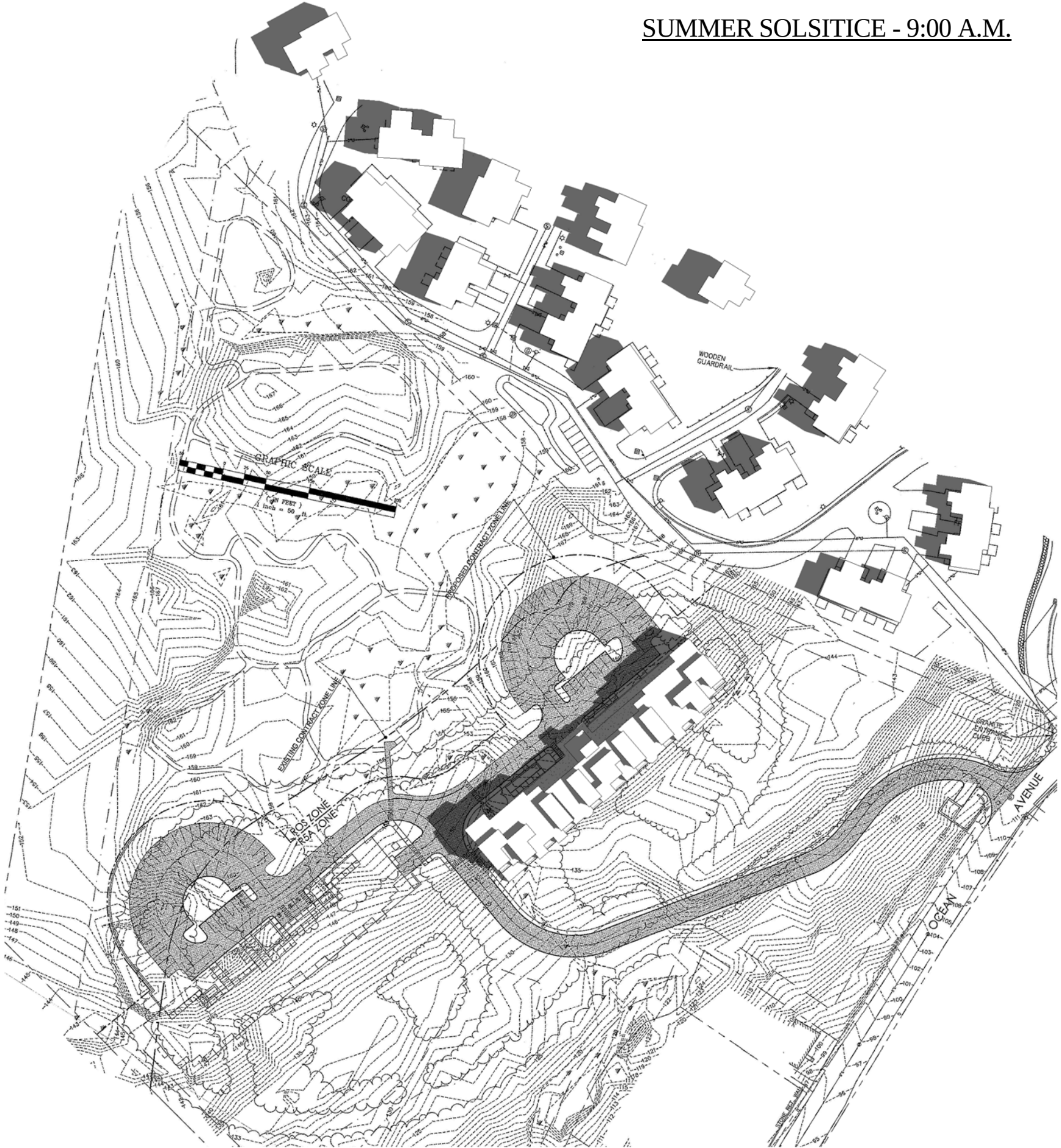
LOS ZONE

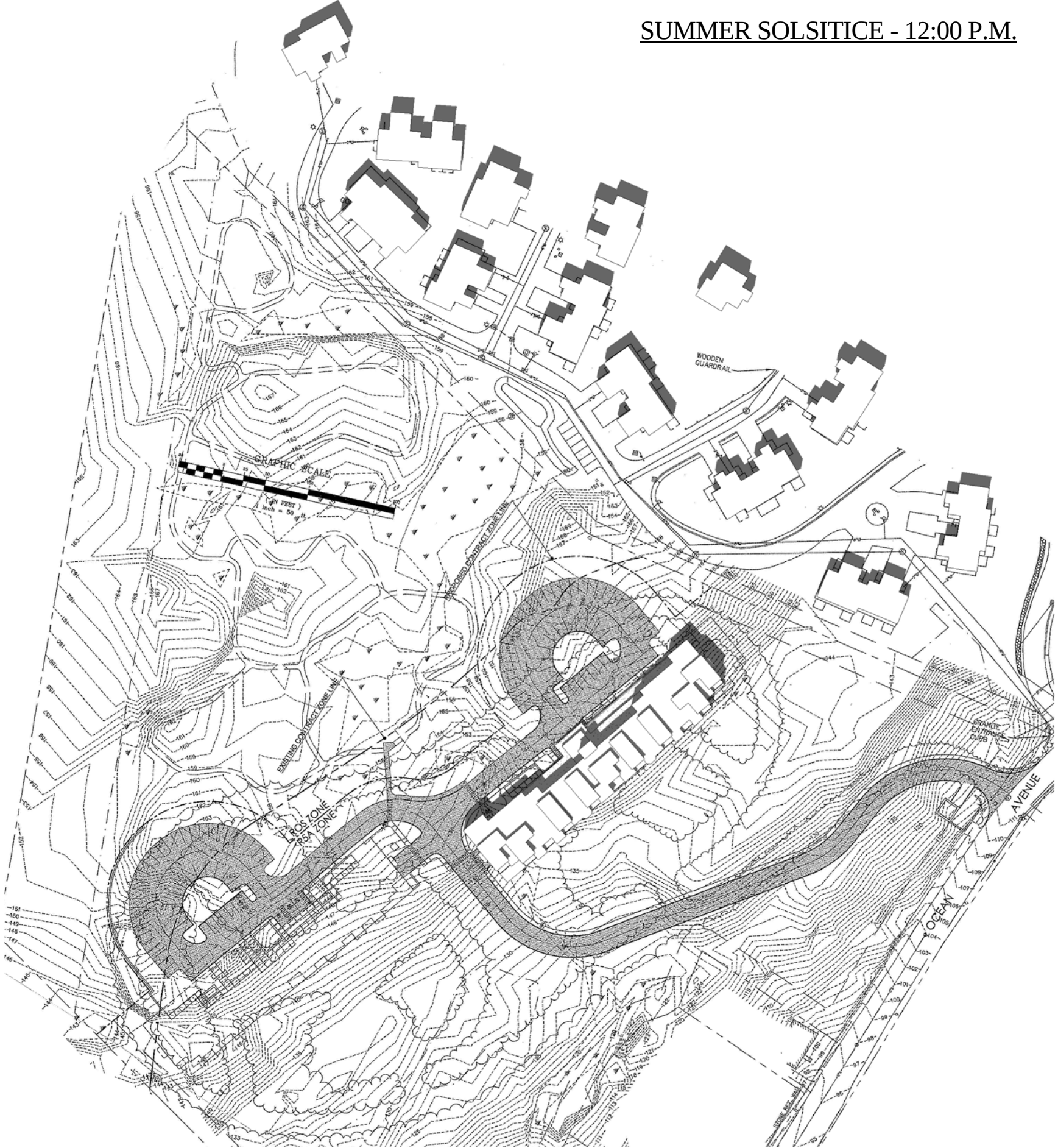
OPEN AVENUE

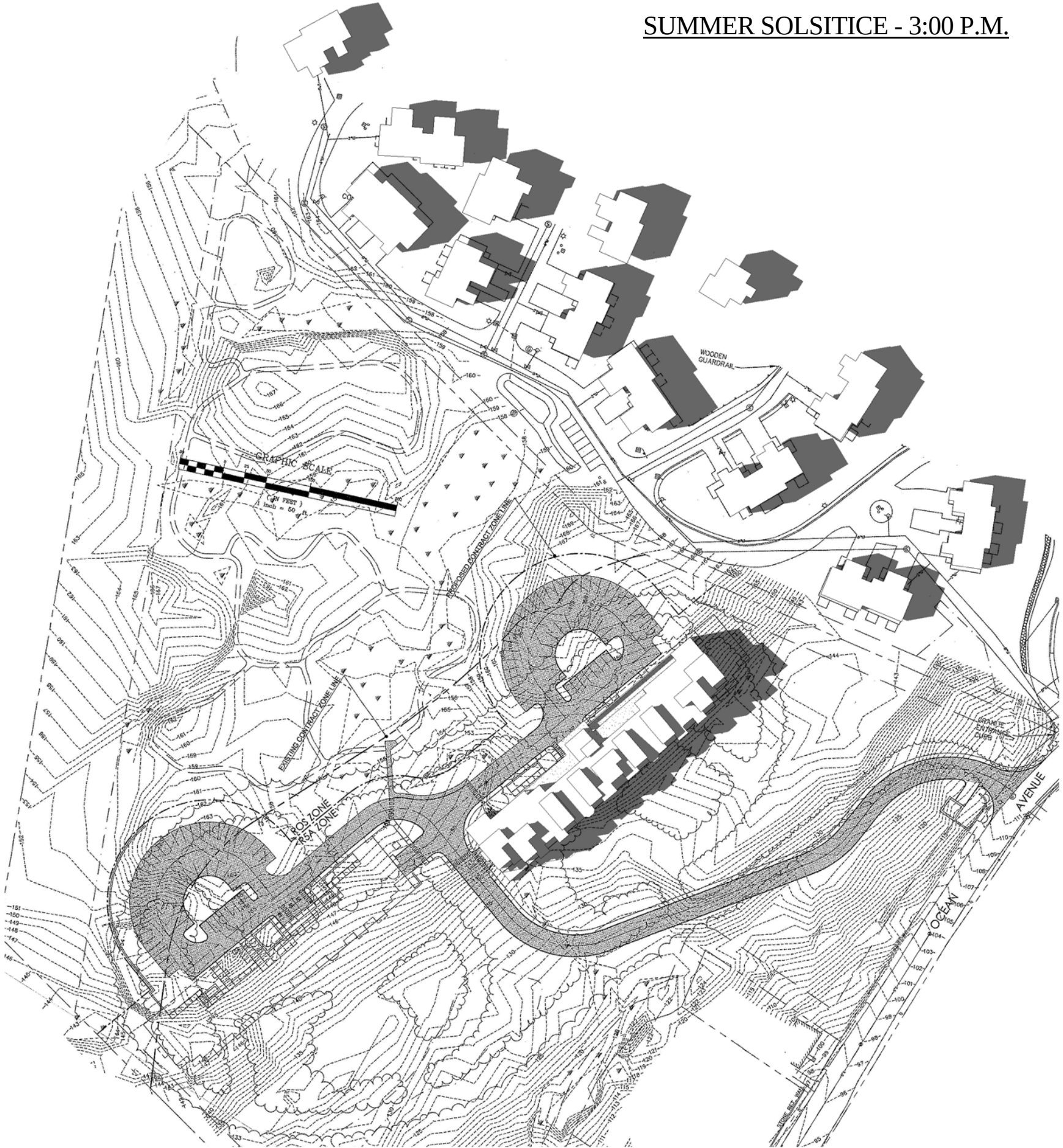


WINTER SOLSITICE - 3:00 P.M.





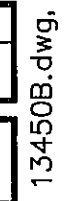




100

OVERALL SITE PLAN / LANDSCAPE BUFFER
OF:
CASO HEIGHTS
OCEAN AVENUE
PORTLAND, MAINE
FOR:
RIDGE DEVELOPMENT, LLC
P.O. BOX 535
BUXTON, MAINE 04093

SHEET 1 OF 1





PLANNING BOARD REPORT PORTLAND, MAINE

Portland International Marine Terminal
460 Commercial Street
Level III Site Plan Review
2014-038
Maine Department of Transportation, Applicant

Submitted to: Portland Planning Board: Public Hearing Date: July 8, 2014	Prepared by: Richard Knowland Date: July 3, 2014 CBL: 59-A-1-3-4-7-8-11; 59-A-2-5-6-9-10 (leased)
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I. INTRODUCTION

The Planning Board held a public hearing on June 24, 2014 for the International Marine Terminal (IMT) expansion site plan but voted 5-0 (Hall and Soley absent) to table consideration of the application. The application was tabled to the Board's July 8, 2014 meeting.

At the public hearing the Board approved 7 of the 8 waivers requested by the applicant. The 8th waiver (waiver #7 involving boundary survey information) was withdrawn by the applicant at the meeting.

Please review the previous staff report prepared for the June 24th meeting. Updated Motions presented by staff at the last meeting have been incorporated into today's report and have been further revised based on applicant submissions received since the public hearing.

II. UPDATED INFORMATION

Subsequent to completion of the Planning Board Report prepared for the June 24, 2014 public hearing, the applicant has submitted the following material.

Applicant submission dated June 23, 2014 including responses to staff comments. See Attachment 1.

Applicant Power Point Presentation for June 24, 2014 public hearing. See Attachment 2.

Applicant submission dated June 27, 2014 including updated site plan (Attachment P) and

summary of revisions (Attachment 3)

Draft Supplemental Agreement between MDOT and New Yard Regarding Access and Utility Crossings dated July 1, 2014 (including map exhibits). See Attachment 4.

Excerpt of Executed Property Acquisition and Settlement Agreement between MDOT and New Yard dated March 11, 2014. See Attachment 5.

Draft Additional Terms and Conditions Pertaining to Installation of Underground Utility Lines dated July 1, 2014. See Attachment 6.

Concrete Wall Concept Alternatives. See Attachment 7.

Updated Land Survey. See Attachment 8.

III. DISCUSSION OF MAJOR ISSUES

A narrative on two of the more significant issues in the IMT review is provided below which includes (1) coordination of appropriate access and utilities to the New Yard property and (2) the concrete wall along Commercial Street.

Coordination of Infrastructure with New Yard Parcel

As discussed at previous Planning Board meetings, coordination of access and utilities between the IMT and New Yard is critical otherwise the New Yard could be effectively landlocked without permanent access or utilities. New Yard received Planning Board site plan approval in 2012 but later the majority of that land was purchased by IMT thus these parcels are linked together.

As mentioned at the public hearing the infrastructure coordination issue appears to be nearing resolution. At the request of MDOT, City Staff (Jennifer Thompson and Rick Knowland) met with MDOT attorneys Toni Kemmerle and Nat Rosenblatt on July 1st to discuss progress in that regard. At this meeting MDOT presented several documents that indicate substantial progress towards that goal. Absent a signed agreement between both parties, execution of a final agreement will remain a condition of approval.

A "Supplemental Agreement" (draft dated July 1, 2014) is intended to supplement the original March 11, 2014 "Acquisition Agreement" between New Yard and MDOT which covered MDOT's purchase of New Yard's property. These are shown as Attachments 4 and 5, respectively. The Supplemental Agreement spells out in more detail the arrangements for access and utilities including a site plan depicting indicating their location. The rail crossings are highlighted in yellow on the plans

Vehicle Access- Two vehicles access crossings are shown across the MDOT owned rail road tracks. PANAM presently owns the land between the rail corridor and Commercial Street as well as the land between the rail road tracks and the Fore River for which New Yard has an agreement to purchase from PANAM. The crossings are located to the west of the concrete slab and have a separation distance of about 225 feet. One crossing is 50 feet wide (for heavy/oversized trucks)

while the second crossing is 24 feet wide (for auto and light trucks).

Note that review of the actual location driveway locations is not part of this approval process. Review of the driveway locations and other utility corridors will be considered as part of an updated New Yard site plan which was formally submitted by New Yard on July 3rd.

Utilities- Access to utilities includes 4 utility sleeves under the 50 foot wide vehicle rail crossing and 2 utility sleeves under the second driveway. A utility crossing just west of the concrete slab includes 4 sleeves with water and power specifically noted on the plan. These utilities will serve the existing New Yard building. Four separate locations for utility crossings are shown on the plan providing a total of 12 utility sleeves.

Provisions for temporary vehicle access and existing utilities are accommodated in the agreement. New Yard may use the new IMT driveway until their new main driveway has been constructed.

An exhibit entitled "Additional Terms and Conditions Pertaining to Installation and Maintenance of Underground Utility Lines" with a draft date of July 1, 2014 was also submitted. See Attachment 6.

Concrete Wall Along Commercial Street

As discussed previously applicant's proposal for a concrete wall 752 feet long (4 feet high) along the edge of Commercial Street poses a significant design challenge in a highly visible gateway location into the city.

At last Tuesday's public hearing, Craig Morin of HNTB indicated a 4 foot high concrete wall was necessary to contain the "reach stacker" – the equipment that loads and unloads containers from trains and tractor trailers. A 4 foot high wall is needed for the safety of cars and pedestrians on Commercial Street should the reach stacker over run the internal curb stop and crash into the wall according to Mr. Morin. A cross section of the concrete pad, concrete wall and curb stop are shown as Attachment P, sheet SO1.

Staff has previously indicated the preferred solution would be to lower the wall and proportionately increase the height of the metal fence. If that is not possible because of safety concerns, we offer the following alternatives.

- (1) Retain the four foot high concrete wall but design a more appropriate façade treatment based on a design analysis in which the function, environment and context of the site is fully considered and explored including its role as a gateway into the City. Among the context themes that might inspire such a design treatment include the site's relationship to the harbor, rail road, transportation, industrial uses or other character defining activities associated with this site or Commercial Street. Concrete form liners can be employed to provide any variety of designs.

Applicant has submitted some ideas on other design concepts shown as Attachment 7. The pseudo stone walls don't offer much appeal but some of the other examples do offer promise.

A quick google search found some interesting examples around the country in dealing with design challenges associated with concrete infrastructure. See Attachment A. These samples demonstrate how a well thought out design can take a negative (a large blank wall) and create a positive. Some of these examples are somewhat complex while others are simple but they demonstrate there is an almost endless range of possibilities. What is needed at this point is a design process that provides a simple but appropriate design to deal with this extraordinarily long wall.

Staff recommends this continue to be a condition of approval. The condition no longer includes a requirement to lower the 4 foot high wall which means the design of the surface treatment becomes ever more important.

- (2) Retain the four foot concrete wall but set the wall back 5 or 6 feet to provide a landscape buffer along Commercial Street to mitigate the impact of the wall. Previously MDOT indicated this was not possible. We have requested a cross section from the applicant depicting the distance of the "pinch point" between their property and the New Yard property line to evaluate this impact.

At the workshop there was some discussion about tractor trailers queuing along Commercial Street that would help screen the wall. This is a misnomer. Yes there are trucks that park along this area of Commercial Street but there will never be enough at any one time to significantly screen the wall. The wall design should be able to stand on its own.

IV. STATUS OF CONDITIONS OF APPROVAL

Below are the conditions of approval presented at the June 24th meeting with an update on their current status.

A. Site Plan

1. That the applicant shall submit information addressing the comments of Marge Schmuckal (Zoning Administrator) memo dated June 18, 2014 for review and approval.

Current Status:

Applicant has provided updated information but we do not have a memo from the Zoning Administrator as of the writing of this report. It remains a condition of approval (at least for the time being). We are hoping to receive comments from the Zoning Administrator prior to the meeting.

2. That the applicant shall submit a revised site plan and other related material addressing the review comments of Tom Errico (Traffic Review Consultant) memo dated June 18, 2014 for review and approval.

Current Status:

The applicant has provided updated information. Mr. Errico has reviewed this information but has determined not all comments have been addressed. Mr. Errico's

updated comments are shown as Attachment B. Outstanding comments or conditions from his memo include the following (as numbered in his review memo): 1 to 3, 5, 10, 11, 13, 24, 25, 30 to 32, 35, 36 and "additional comment".

3. That the applicant shall submit a revised site plan and other related material addressing the comments of David Senus (Development Review Consultant) memo dated June 17, 2014 for review and approval.

Current Status:

The latest revision has been reviewed by Mr. Senus. He indicates that the "Pollution Prevention Plan does not adequately address the inspection, maintenance and reporting requirements for the Post Construction Stormwater BMP systems (the porous crushed stone yard surface and the porous concrete panels). The Plan should be developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances".

All other review comments have been addressed. See Attachment C.

4. That the applicant shall submit a revised site plan and other related material addressing the comments of David Margolis-Pineo memo dated June 17, 2014 for review and approval.

Current Status:

Mr. Pineo's conditions still apply.

5. That the applicant shall submit a revised site plan removing the proposed benches from the City right-of-way and providing an alternative tree species to the Red Maple for review and approval by Jeff Tarling (City Arborist).

Current Status:

A follow-up conversation with Mr. Tarling indicates he does not have a concern with the Red Maple and the bench is being relocated which is acceptable.

6. That the applicant shall submit a revised site plan for Planning Staff review and approval reflecting a lower concrete wall along Commercial Street.

Current Status:

See commentary earlier in this report starting on page 3.

A revised condition has been drafted as follows:

That the applicant shall submit for Planning Staff review and approval a revised surface treatment design for the 4 foot high concrete wall along Commercial Street. Applicant shall also be responsible for removing graffiti from the wall in a timely manner.

7. That the applicant shall submit agreements , easements, a revised site plan and other relevant documents confirming appropriate easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road for City Staff review and approval.

Current Status:

See page 2 of this report for commentary on this issue. New Yard and MDOT have made much progress in resolving the infrastructure coordination issue. Based on the draft agreements attached to this memo it appears the final execution of these documents is near. However since these documents have not been signed this remains a condition of approval.

8. That the applicant shall submit a revised site plan with sufficient details and dimensions to clarify design intent for Planning Staff review and approval.

Current Status:

Staff continues to recommend this as a condition of approval. The applicant has submitted a drawing package with 116 pages. While this is impressive documentation and will likely be used as a bid packet, we need a few sheets that show the basic layout of the site development plan appropriately labeled with critical dimensions. It is entirely appropriate that separate sheets be provided for specific topics such as lighting, erosion and sedimentation control, profiles and cross sections but we need a basic site plan that is clear and coherent. This is particularly important in achieving a common understanding of the site plan as well as an instrument that can be used for site plan inspection and checking compliance with the approved site plan.

9. That the lighting illumination levels shall not exceed the levels shown on the submitted plan and shall meet IESNA (Lighting for Exterior Environments RP-33-99) for the proposed use. Lighting levels within the container area (S2 and S3 light poles) and security lights within the concrete pad area (S1A and S1B light poles) shall operate at 50% light output levels unless the yard is actively being used. The remaining type S1A light poles within the concrete pad shall only be turned on when the pad area is actively being used.

Current Status:

Staff recommends this item remain a condition of approval since the applicant is proposing an illumination level that exceeds normal technical standards but has been granted a waiver by the Planning Board. This helps mitigate the impact of the higher illumination levels.

B. Shoreland Regulations

1. That a revised plan shall be submitted documenting compliance with shoreland tree clearance standards for review and approval by Marge Schmuckal, Zoning Administrator.

Current Status:

We are awaiting comments from the Zoning Administrator on her review of the latest submission by the applicant.

V. MOTIONS FOR THE BOARD TO CONSIDER

(additions or deletions from the June 24, 2014 meeting motions are noted below)

A. Site Plan

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application#2014-038 relevant to the Site Plan Ordinance and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the site plan standards of the land use code, subject to the following conditions of approval prior to the issuance of a building permit:

1. That the applicant shall submit information addressing the comments of Marge Schmuckal (Zoning Administrator) memo dated June 18, 2014 for review and approval.
2. That the applicant shall submit a revised site plan and other related material addressing the review comments of Tom Errico (Traffic Review Consultant) memo dated July 2, 2014 ~~June 18, 2014~~ for review and approval.
3. That the applicant shall submit a revised site plan and other related material addressing the comments of David Senus (Development Review Consultant) memo dated June 30, 2014 ~~June 17, 2014~~ for review and approval.
4. That the applicant shall submit a revised site plan and other related material addressing the comments of David Margolis-Pinco memo dated June 17, 2014 for review and approval.
- ~~5. That the applicant shall submit a revised site plan removing the proposed benches from the City right of way and providing an alternative tree species to the Red Maple for review and approval by Jeff Tarling (City Arborist).~~
5. That the applicant shall submit a revised site plan for Planning Staff review and approval a revised surface treatment design for the 4 foot high reflecting a lower concrete wall along Commercial Street. Applicant shall also be responsible for removing graffiti from the wall in a timely manner.
6. That the applicant shall submit agreements (including cross agreements), easements, a revised site plan and other relevant documents confirming appropriate cross

agreements and easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road for City Staff review and approval.

7. That the applicant shall submit a revised site plan with sufficient details and dimensions to clarify design intent for Planning Staff review and approval.
8. That the lighting illumination levels shall not exceed the levels shown on the submitted plan and shall meet IESNA (Lighting for Exterior Environments RP-33-99) for the proposed use. Lighting levels within the container area (S2 and S3 light poles) and security lights within the concrete pad area (S1A and S1B light poles) shall operate at 50% light output levels unless the yard is actively being used. The remaining type S1A light poles within the concrete pad shall only be turned on when the pad area is actively being used.

B. Shoreland Regulations

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-038 relevant to Shoreland Regulations, and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the shoreland regulations standards of the land use code, subject to the following conditions of approval to be met prior to the issuance of a building permit:

1. That a revised plan shall be submitted documenting compliance with shoreland tree clearance standards for review and approval by Marge Schmuckal, Zoning Administrator.

Staff Attachment List

- A. Concrete Wall Alternative Treatments
- B. Tom Errico (Traffic Engineer Consultant) Memo dated 6-18-2014
- C. David Senus (Development Review Consultant) Memo dated 7-17-2014

Applicant Submissions

1. Applicant's Submission dated 6-23-2014
2. Power Point Presentation for 6-24-2014 public hearing
3. Applicant Submission Summary dated 6-27-2014
4. Draft Supplemental Agreement between MDOT and New Yard Regarding Access and Utility Crossing dated 7-1-2014 (including maps)
5. Excerpt of Property Acquisition and Settlement Agreement between MDOT and New Yard, dated 3-11-2014
6. Draft Additional Terms and Conditions Pertaining to Installation of Underground Utility Lines dated 7-1-2014

7. Concrete Wall Concept Alternatives
8. Update Land Survey

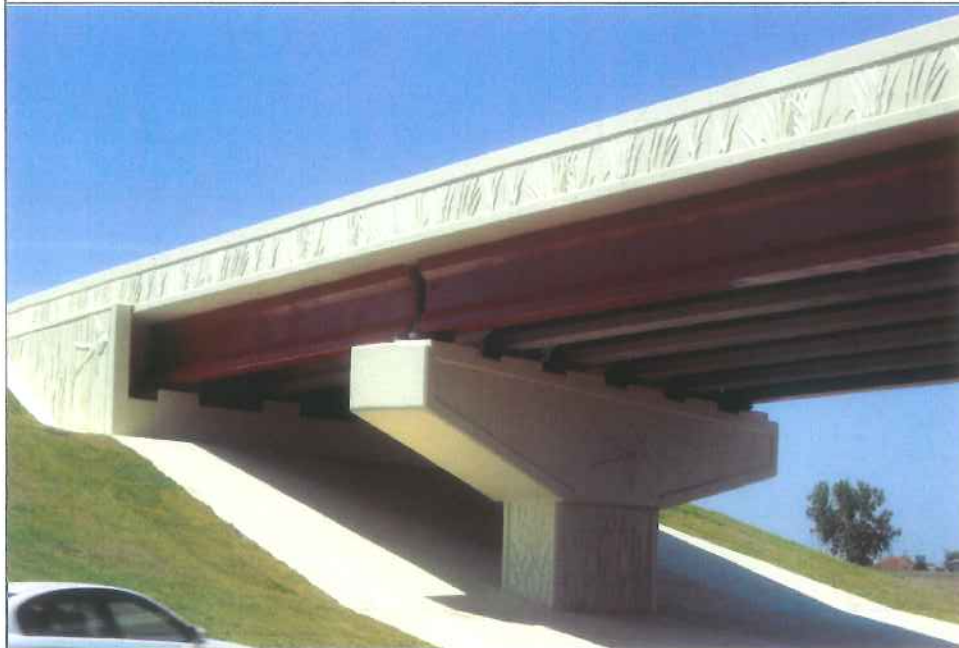
P – Site Plans and Other Drawings

ATT 4.

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PROJECT INFO

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US-77/I-35, Norman, Oklahoma

LOCATION - Norman, Oklahoma

PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge, Creative Form Liners.

PROJECTS

BRIDGES

1. Main Street Bridge, Norman Oklahoma
2. Rogers Road Bridge, Canadian County, Oklahoma
3. La Cholla Boulevard, Magee Road to Lambert Lane, Tucson, Arizona
4. I-630/I-430 Interchange, Little Rock, Arkansas
5. US19 & SR60 Intersection - Clearwater, Florida
6. **US-77/I-35, Norman, Oklahoma**
7. Rock Creek Road / I 35, Norman, Oklahoma
8. Broadway Extension at Memorial Road Interchange, Edmond, Oklahoma
9. 193rd East Avenue and US 412/I 44 Interchange, Tulsa, Oklahoma
10. Lindsey Street / I-35, Norman, Oklahoma
11. I 270 Gateway Bridge, Rockville, Maryland (Proposal)
12. SH-9 West & I-35, Norman, Oklahoma
13. Roberts Road Bridge, Los Gatos, California
14. 9th Street Bridge, Washington DC
15. Heritage Bridge, Oklahoma City, Oklahoma
16. Racetrack Road Gateway Bridge, Prince George's County, Maryland
17. Kellogg/Oliver Bridge, Wichita, Kansas
18. I-57 Bridge, Marion, Illinois
19. Soldier Pile Wall and Ramp C. Piers, Dayton, Ohio
20. The 23rd Street Parkway Bridge, Prince George's County, Maryland
21. Mashantucket Bridges, Mashantucket, Connecticut
22. Route 7 and River Creek Parkway Bridge, Leesburg, Virginia (Proposal)
23. Kolb Road at Sabino Canyon Road Project, Tucson, AZ
24. Garth Brooks Bridge, Canadian County, Oklahoma
25. Stockton Delta Bridge, Stockton, California
26. SH9 East/I-35 - Norman, Oklahoma
27. I-44 Corridor Tri-Level Bridge - Lawton, Oklahoma

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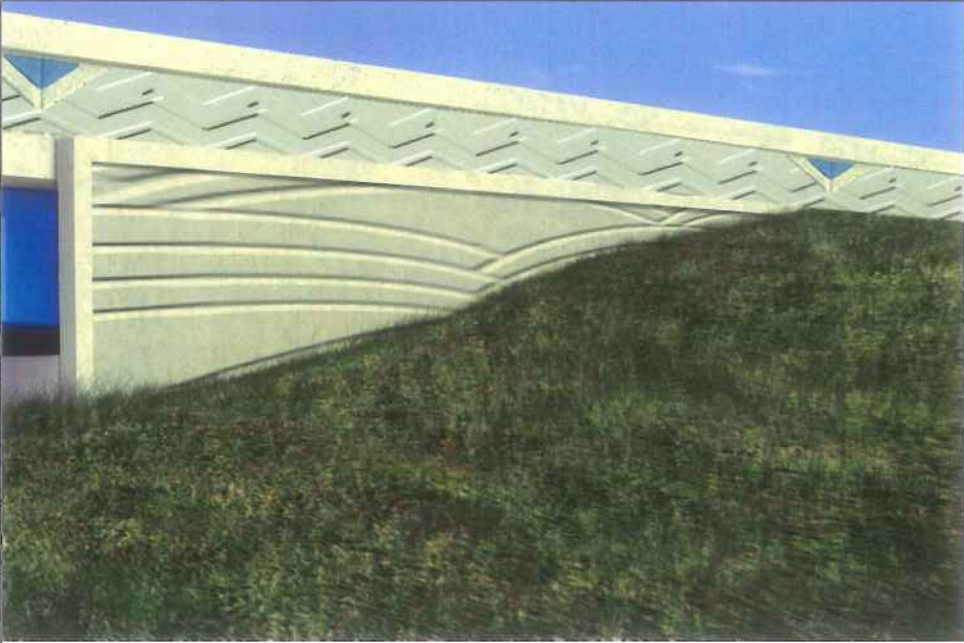
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SH9 East/I-35 - Norman, Oklahoma
 LOCATION - Norman, Oklahoma
 PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Creative Form Liners, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge

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PROJECT 1100

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Rock Creek Road / I 35, Norman, Oklahoma

LOCATION - Norman, Oklahoma

PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge, Creative Form Liners

PROJECTS

BRIDGES

1. Main Street Bridge, Norman Oklahoma
2. Rogers Road Bridge, Canadian County, Oklahoma
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[PROJECT INFO](#)

US19 & SR60 Intersection - Clearwater, Florida

LOCATION - Clearwater, Florida

PROJECT TEAM - CDR, Creative Form Liners, Inc., Hubbard Construction, City of Clearwater

PROJECTS

BRIDGES

1. Main Street Bridge, Norman Oklahoma
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ATT B

Rick Knowland - IMT -- Final Updated Comments (July 2, 2014)

From: Tom Errico <thomas.errico@tylin.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 7/2/2014 7:56 AM
Subject: IMT -- Final Updated Comments (July 2, 2014)
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...

Rick – The following is a status update of previous comments and is reflective of responses provided by the applicant dated June 27, 2014.

1. The traffic signal plan includes special signal phasing for Nova Seafood. I would suggest that a City agreement with Nova Seafood be crafted related to traffic operations and a memorandum of understanding and for traffic control.

June 18th Status: The applicant shall be required to provide a draft agreement that specifies maintenance, traffic signal, pavement marking and signage requirements for review and approval. The City suggests that this be a three-party agreement (City/State/Property Owner).

Current Status: Outstanding

2. The driveway apron material at Nova Seafood does not meet City standards and a waiver will be required.

June 18th Status: The City supports a waiver from their technical standards for driveway apron material given pedestrian and truck movement conflicts. DPS requests that the driveway apron material be concrete with a color tint (to be determined in the future prior to construction) and be designed to accommodate heavy truck loads.

Current Status: This comment is for the driveway apron area, not the roadway area outside the curb line. Use of cobble for the non-driveway area is acceptable.

3. Several of the driveways on Commercial Street (IMT, Nova Seafood, and Gray Bar) do not meet City width standards and thus waivers will be required.

June 18th Status: For the IMT Driveway, which is proposed to be 100 feet wide, the applicant has provided a "auto-turn" graphic for a WB-67 truck. Reviewing the graphic, I believe the driveway can be narrowed, although not substantially. I would also like to understand more about the truck characteristics before rendering a final decision on the driveway width. Additionally, understanding right and left-turning movements for these large trucks will be helpful. If most are turning left and destined to the Fore River Parkway and the Veterans Bridge, there may be an opportunity to narrow the driveway on the easterly edge, which may also have a positive impact on the design of the crosswalk.

Current Status: The requested information is outstanding.

June 18th Status: I have reviewed the "auto-turn" graphics for the Nova Seafood site and I support a waiver for driveway width given site operations and that it is an existing business with unique truck access/egress requirements.

Current Status: I have no further comment.

June 18th Status: The applicant has provided a "auto-turn" analysis for one of the Graybar Driveways. The applicant shall provide a similar analysis for the second driveway and provide specific truck delivery information before approval of the widths can be provided.

Current Status: The requested information is outstanding.

4. Several of the driveways on Commercial Street do not meet City corner clearance and separation standards.

June 18th Status: Both the Nova Seafood and Graybar driveways currently do not meet corner clearance standards and conditions will not worsen with the proposed project. Given site constraints and access and egress needs for large trucks, I support a waiver from the City's Technical standard.

5. The City is requesting that truck parking on in-bound Commercial Street be prohibited for to be specified distance in advance of the Beach Street intersection. The City will provide this restriction length.

June 18th Status: Trucks shall be prohibited from parking along Commercial Street from the new STOP bar at the signalized intersection to a point westerly of 200 feet. The applicant shall provide recommendations on how this prohibition will be regulated via signs or other measures for review and approval.

Current Status: The applicant has agreed to revised the plans to include pavement markings and signage. Final plans shall be reviewed and approved by the City.

6. The applicant should investigate the provision of a bicycle lane on Beach Street departing the intersection.

June 18th Status: The applicant has noted that adequate shoulder spaces is provided on Beach Street and no action is required. I concur with their response.

7. I am concerned about traffic operations and congestion during peak time periods, particularly when the special Nova Seafood traffic signal phase is actuated. The applicant should investigate the ability to limit the traffic signal phase during peak time periods.

June 18th Status: Specific information needs to be provided by the applicant that helps the City understanding specific constraints to implementing time-of-day restrictions.

Current Status: Nova Seafood has provided the requested information and given low traffic volumes entering and exiting the site during the critical PM peak hour, no special restriction is recommended. I would suggest that the signal operations be monitored and adjustments incorporated as necessary.

8. A sidewalk waiver has been requested and a review of the supporting information will be performed.

June 18th Status: The applicant has documented that two sidewalk waiver criteria are met for the project and are based on prior IMT and New Yard applications. Given these prior decisions, specifically that an alternative route on the opposite side of Commercial Street will serve pedestrian activity in this area and that a signalized crossing will be provided at the IMT Site Driveway/Beach Street intersection, I support a waiver from providing a sidewalk along the property frontage.

9. A granite curbing waiver has been requested and a review of the supporting information will be performed.

June 18th Status: DPS is reviewing this waiver request.

10. The applicant should provide information as it relates to use of the proposed traffic signal by existing IMT traffic. I believe there will be overall site traffic and safety benefits if all IMT traffic has the ability to use the traffic signal.

June 18th Status: I understand the security constraints, as noted by the applicant, but I would suggest that the applicant provide an overview of the entire site and whether the layout could be modified to allow for an internal driveway connecting the existing IMT facility and the new signalized entrance that avoids going through the fenced area of the chassis yard.

Current Status: The request site overview illustrating specific constraints has not been provided.

11. A construction management plan has been prepared. Additional information will be required as it relates to specific traffic, pedestrian, and bicycle impacts during construction.

June 18th Status: The applicant has noted that the contractor will be responsible for development of a construction management plan. Site plan standards require applicants to prepare a plan in conjunction with site plan approval. The applicant is required to develop a conceptual management plan that should indicate how construction will occur on Commercial Street. The plan should note how vehicular traffic, pedestrians and bicyclists will be maintained during construction and should note any peak time period restrictions for construction activity (The City has arterial time restrictions). It may be necessary that some construction activities occur at night to avoid impacts to traffic flow.

Current Status: The applicant has provided general construction management guidelines that I generally find to be acceptable. I would note that the City has specific time of day restrictions that must be complied with or requests for waivers submitted for review and approval. Approval of a complete detailed construction management plan will be required before the DPS permits are issued.

12. At the planning board workshop, there was discussion about the provision of a driveway entrance west of the project site for future development access and egress. The applicant should provide information in support of that driveway if that is to be included in the project approval.

June 18th Status: The applicant has indicated that this is not part of the project application and therefore no further action is required.

13. The City does not support the use of pavement markings to delineated pavements areas for use by large trucks.

June 18th Status: The applicant has suggested the use of cobblestones for the truck apron areas and I find this material, in general, to be acceptable. DPS shall review the product information and design details and provide approval.

14. The phasing for the intersection does not appear to be NEMA compliant. Please revise with Commercial Street as the main street, assuming an east-west phasing structure.

June 18th Status: The plans have been revised and I have no further comment.

15. The phasing sequence should begin with Commercial Street and end with Nova Seafood (currently designated as Phase 9).

June 18th Status: The plans have been revised and I have no further comment.

16. The peak hour cycle length seems unusually long for an intersection with this type of geometry, going as long as 150 seconds during the PM peak hour. Discussion should be provided as to why shorter cycle lengths cannot be achieved.

June 18th Status: The applicant has indicated that this cycle length is necessary for providing optimal level of service conditions. The long cycle length is related to the long Nova Seafood signal phase. Given this requirement, I find their response to be acceptable. I would note that the City can monitor traffic conditions and incorporate signal timing adjustments in the future.

17. The pedestrian timing does not appear to provide sufficient crossing time, particularly for Commercial Street. Please confirm use of a standard 3.5 feet per second pedestrian crossing time from curb to curb.

June 18th Status: The plans have been revised and I have no further comment.

18. Given the sight distance issues for this intersection, the all-red clearance times should likely be extended.

June 18th Status: The plans have been revised and I have no further comment.

19. The City's technical standards are in the process to migrating to infra-red video detection as a requirement. The City now requires that either the cameras used with the VIP processors be the FLIR FC series or that the solution be based on the FLIR TrafiSense cameras.

June 18th Status: The plans have been revised and I have no further comment.

20. Please specify four-inch conduit to provide additional future wiring capabilities.

June 18th Status: The plans have been revised and I have no further comment.

21. Please provide one-piece pedestrian poles.

June 18th Status: The plans have been revised and I have no further comment.

22. All pole bases, pull boxes and controller conduits should be sealed to prevent access by rodents and other small animals.

June 18th Status: The plans have been revised and I have no further comment.

23. Please confirm the method of advance notification when the Commercial Street westbound approach is red to account for minimal sight distances passing by Nova Seafood.

June 18th Status: The applicant has added a supplemental signal head and I have no further comment.

24. It is my understanding that the Nova Seafood driveways will be restricted such that the easterly driveway will be an entrance only and the westerly driveway a exit only driveway. The plans do not reflect this.

June 18th Status: The applicant should include signs and pavement markings that support the one-way access/egress conditions for review and approval.

Current Status: The applicant has indicated that the requested information is to be provided by Nova Seafood. DPS will not issue any permits until plans have been submitted for review and approval.

25. There are areas of roadway pavement that appear to be located outside the public right-of-way. An agreement on maintenance may be required.

June 18th Status: The applicant shall provide a draft maintenance agreement for review and comment.

Current Status: This item is outstanding.

26. The applicant should note the material for the Nova Seafood island.

June 18th Status: The applicant has provided the detail and I find the material to be acceptable.

27. The applicant should provide details for the area between the sidewalk and the Nova Seafood island.

June 18th Status: The applicant has indicated that this area will have cobblestone material. I find this material to be acceptable. I have no further comment.

28. The left-turn bay shadowed island is depicted as paint. The applicant should investigate other material treatment for longevity purposes.

June 18th Status: The City supports the use of paint in this area. I have no further comment.

29. During Casco Bay Bridge openings, traffic may be backed up into the new traffic signalized intersection. The applicant should note whether there are any provisions for this scenario from a traffic signal perspective.

June 18th Status: No special provisions have been identified and therefore I have no further comment.

30. The bicycle lane on the outbound side of Commercial Street continues to the limit of work, while the in-bound bicycle lane begins at the point where the left-turn lane is starting. The applicant should note why the in-bound bicycle lane can't start at the project limits.

June 18th Status: Within the project limits along Commercial Street, a formal bicycle lane should be continuously marked and signed as appropriate. The plans should be revised to reflect this.

Current Status: The applicant has agreed to make the noted changes and I have no further comments.

31. The direction sign that note Casco Bay Bridge 500 Feet is being removed. This removal should be confirmed by City staff.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

32. The plans illustrate that the sidewalk at the corner of the Nova Seafood building will not need to be reconstructed. Given that the curb is being relocated, the sidewalk will need to be upgraded.

June 18th Status: The applicant has agreed to make this change and revised plans will be reviewed for approval.

33. The length of curbing at the Nova Seafood driveway is being eliminated. Justification on this change shall be provided.

June 18th Status: I have reviewed the "auto-turn" graphics and given Nova Seafood's site needs, I have no further comment.

34. A fire hydrant is located in the middle of the sidewalk east of the easternmost Nova Seafood driveway. It would be beneficial if this hydrant could be relocated.

June 18th Status: No further action is requested of the applicant on this issue.

35. The plan replaces an existing Casco Bay Bridge 500 Feet sign with a sign that notes Casco Bay Bridge (right) and Fore River Parkway (through). City staff should determine if this replacement is acceptable.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

36. It was my understanding that the bicycle lanes were going to have dashed line treatment through the intersection. The plans do not depict this.

June 18th Status: Enhanced pavements markings shall be provided in the subject area and final approval of the details shall be provided prior to construction.

37. The applicant should confirm that adequate illumination will be provided at the two crosswalk locations.

June 18th Status: The applicant has noted that the traffic signal mast arm support will include light fixtures and provide adequate illumination. I have no further comment.

Additional Comment

- June 18th Status: DPS requests that the shared use path along Commercial Street within the project limits consist of brick material meeting city standards and the width be reduced to 8-feet. A revised plan that meets this directive shall be reviewed and approved by DPS.

Current Status: The City of Portland views the proposed shared use path to be a secondary facility for serving pedestrians and bicyclist. The long-term vision is the provision of a landside trail that will be located off the street. The path being constructed for this project will only serve temporary use, until the off-road path is constructed and therefore the City does not believe it to be practical to build a full

width facility under this project. The City continues to request construction of a 8-foot facility.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

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**MEMORANDUM**

TO: Rick Knowland, Planner
FROM: David Senus, P.E.
DATE: June 30, 2014
RE: IMT Expansion, Level III Site Plan Application

Woodard & Curran has reviewed the June 23, 2014 letter and attachments for the Level III Site Plan Application for the proposed International Marine Terminal (IMT) expansion at 460 Commercial Street in Portland, Maine. The project consists of expanding the existing IMT facility and will result in approximately eight acres of new impervious area.

Documents Reviewed by W&C

- Response to Comments Letter and Attachments dated June 23, 2014 prepared by HNTB Corporation on behalf of MaineDOT
- Existing Laydown and Connecting Corridor Submittal Letter and Revised Plans dated June 27, 2014 prepared by HNTB Corporation on behalf of MaineDOT

Comments

1. The Pollution Prevention Plan does not adequately address the inspection, maintenance and reporting requirements for the Post Construction Stormwater BMP systems (the porous crushed stone yard surface and the porous concrete panels). The Plan should be developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
2. All other review comments have been adequately addressed.

June 23, 2014



Mr. Richard Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

RE: Site Plan Application for Portland IMT, Existing Laydown and Connecting Corridor Connection
Site Plan Addendum #5

C/O: Pat Carroll, Carroll Associates (email: pcarroll@carroll-assoc.com)

Rick,

Please find attached responses to the City's latest questions and comments received regarding the Portland IMT subject project. We have copied the comments directly into this letter and provided our responses immediately following each comment.

We have already implemented many of your suggested changes to the design where we are in agreement, but since many comments require a fair amount of rework to the drawings, we have simply provided our response at this time indicating the manner by which modifications will be made. We will submit a final stamped plan set with all the changes on Friday June 27, 2014.

If you have any additional questions regarding these responses, please do not hesitate to contact me or our project liaison, Pat Carroll.

Regards,

A handwritten signature in blue ink, appearing to read "G.R.M.", with a stylized flourish at the end.

Craig R. Morin, P.E.
Project Manager

C: Joel Kittredge, Project Manager, MaineDOT (via email: Joel.C.Kittredge@maine.gov)

Encl.: Response to Comments
Attachments

HNTB File No.: 62506-DS-001-001

M:\jobs\62506 - Portland IMT Corridor Connection (Stage1)\Communications\Letters\
LTR 03 Response to City Comments 06-23-14.docx

COMMENTS FROM RICK KNOWLAND, SENIOR PLANNER (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

Section E. Coordination with Adjacent Development Parcels: An agreement to resolve access and utility issues has not been received as of the writing of this report, but appears to be close to resolution.

Response: An agreement has been reached which resolves the access and utility issues with New Yard, and is currently being drafted by the legal staff of both parties. A copy of the agreement can be made available to the City for its records upon request. A brief summary of the details of the agreement include the following:

- *Twelve 24-inch diameter RCP utility sleeves will be added across the railroad corridor for use by New Yard, LLC.*
- *Electrical provisions will be added along with a CMP easement leading up to the New Yard property line for permanent electrical service.*
- *A new 50-ft wide fenced accessway through the Unitol property will be added with 32-ft double-leaf swing gates.*

Comment 2

Section E. Coordination with Adjacent Development Parcels: In reviewing the IMT site plan, staff finds that the application has not met all of the site plan submission requirements of sec. 14-527(d), in particular, the following items of this section.

- (4) Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways.
- (22) Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets.
- (31) Location, dimensions and ownership of easements public or private rights of way, both existing and proposed.

Response: Updated site plans are attached which incorporate the information requested, and are included herein as Attachment A.

More specifically:

- *Commercial Street Plans H05 and H06 have been revised to show driveway, vehicle and pedestrian access way information.*
- *Site Plans C06, C07, and C08 have been revised to show required easement information.*
- *Site Grading and Drainage Plan C09 has been revised to include location, sizing, and directional flows of utilities.*

COMMENTS FROM MARGE SCHMUCKAL, ZONING ADMINISTRATOR (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

I have reviewed the responses to my comments dated May 6, 2014. The response did not address my questions concerning truck to truck activities. I wanted more detail on that specific activity. Will that activity be less than 20% of the total activities there? Please give me more of a specific idea as to the details concerning the truck to truck activities.

Response by Maine Port Authority: The planned use of the expanded area is for "drop-and-pick" operations as part of the intermodal services needed to sustain the IMT's competitive rail and maritime connections. A container is placed in the yard by terminal personnel, and picked up by a trucker at their convenience. This "truck to truck" freight is merely part of the intermodal transportation chain that allows shippers to use maritime transportation more competitively. The customers and carriers that participate in this operation are critical

to the growth of the marine freight volumes at the terminal. The IMT has been engaged in such operations and container movements since 2010. The percentage of truck-to-truck activity here would be approximately 15% of the total container activity occurring at the IMT. Furthermore, the "truck to truck" moves are not traditional trucks as seen in a trucking yard, these moves are intermodal containers on chassis that the truck cabs are picking up.

Comment 2

My second comment regarded meeting the shoreland requirements of clearing vegetation. The response was that the final construction site plans will show what is to be removed. I could not find a plan with sufficient detail that responds to my request. As offered, I would like backup calculations to be provided so that I can determine compliance with ordinances. Please let me know the specific number on which the information is provided.

Response: A plan has been prepared that shows all trees greater than 4" in diameter located within the 250' shoreland setback. The plan summarizes the number of trees to be removed within the project limits and is attached hereto as Attachment B.

COMMENTS FROM DAVID MARGOLIS-PINEO, DEPARTMENT OF PUBLIC SERVICES (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

The DPS is agreeable to support a waiver for Point 1, Incomplete Utility Information, and Point 2, Incomplete Topographic Information. However we do not support a waiver of the request to a scale of less than 1 inch to 50 feet. The applicant is requested to resubmit the site plans at a scale on no less than 1 inch to 50 feet. Match line shall be used and the plan size shall be no bigger than 24" x 36".

Response: The Boundary and Topographic Survey produced by Owen Haskell will be reissued at a scale no less than 1 inch to 50 feet on a sheet no bigger than 24" x 36".

COMMENTS FROM TOM ERRICO, TRAFFIC REVIEW CONSULTANT (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

The traffic signal plan includes special phasing for Nova Seafood. I would suggest that a City agreement with Nova Seafood be crafted related to traffic operations and a memorandum of understanding and for traffic control.

Status: The applicant shall be required to provide a draft agreement that specifies maintenance, traffic signal, pavement marking and signage requirements for review and approval. The City suggests that this be a three-party agreement (City/State/Property Owner).

Response: The applicant will consider drafting an agreement with the City and the Property Owner that specifies maintenance, traffic signal, pavement marking and signage requirements.

Comment 2

The driveway apron material at Nova Seafood does not meet City standards and a waiver will be required.

Status: The City supports a waiver from their technical standards for driveway apron material given pedestrian and truck movement conflicts. DPS requests that the driveway apron material be concrete with a color tint (to be determined in the future prior to construction) and be designed to accommodate heavy truck loads

Response: In recent dialogs with the City staff members, the determination was to use cobblestones as the preferred material of choice, and therefore is the material that continues to be shown on the drawings. The DPS provided specific instructions to use a cobblestone material for these areas with a 6-inch thick fiber reinforced concrete base.

Comment 3

Several of the driveways on Commercial Street (IMT, Nova Seafood, and Gray Bar) do not meet City width standards and thus waivers will be required.

Status: For the IMT Driveway, which is proposed to be 100 feet wide, the applicant has provided a "auto-turn" graphic for a WB-67 truck. Reviewing the graphic, I believe the driveway can be narrowed, although not substantially. I would also like to understand more about the truck characteristics before rendering a final decision on the driveway width. Additionally, understanding right and left-turning movements for these large trucks will be helpful. If most are turning left and destined to the Fore River Parkway and the Veterans Bridge, there may be an opportunity to narrow the driveway on the easterly edge, which may also have a positive impact on the design of the crosswalk. I have reviewed the "auto-turn" graphics for the Nova Seafood site and I support a waiver for driveway width given site operations and that it is an existing business with unique truck access/egress requirements.

The applicant has provided an "auto-turn" analysis for one of the Graybar Driveways. The applicant shall provide a similar analysis for the second driveway and provide specific truck delivery information before approval of the widths can be provided.

Response: The applicant and the design team has worked extensively with the City and the neighboring businesses over the last few months to ensure that the truck operations at Graybar and Nova Seafood remain unobstructed as a result of the final esplanade design and roadway geometry. Since the widths of the entranceways are not excessive and they function in a positive manner for these businesses, we suggest that no changes be made to the driveway entrances. We kindly request that waivers be granted for both the Graybar and the Nova Seafood driveways.

Comment 4

Several of the driveways on Commercial Street do not meet City corner clearance and separation standards.

Status: Both the Nova Seafood and Graybar driveways currently do not meet corner clearance standards and conditions will not worsen with the proposed project. Given site constraints and access and egress needs for large trucks, I support a waiver from the City's Technical standard.

Response: Agreed; waiver will be required.

Comment 5

The City is requesting that truck parking on in-bound Commercial Street be prohibited for to be specified distance in advance of the Beach Street intersection. The City will provide this restriction length.

Status: Trucks shall be prohibited from parking along Commercial Street from the new STOP bar at the signalized intersection to a point westerly of 200 feet. The applicant shall provide recommendations on how this prohibition will be regulated via signs or other measures for review and approval.

Response: The drawings will be revised to illustrate a white diagonal-striped area for 200 ft from the STOP bar and NO PARKING signs will be attached along the security fence.

Comment 7

I am concerned about traffic operations and congestion during peak time periods, particularly when the special Nova Seafood traffic signal phase is actuated. The applicant should investigate the ability to limit the traffic signal phase during peak time periods.

Status: Specific information needs to be provided by the applicant that helps the City understanding specific constraints to implementing time-of-day restrictions.

Response: We have adjusted the delay for the signal (Phase 9) through collaborative discussions with Nova Seafood and its traffic engineer. The Contractor will make field adjustments as needed to relieve peak hour congestion as best as possible. If there is a vehicle/truck presence within the detection zone for longer than 240 seconds, subsequent calls for Phase 9 will be skipped. The video thermal detection system allows for regulating calls from Phase 9 with the simple flip of a switch.

Comment 8

A sidewalk waiver has been requested and a review of the supporting information will be performed.

Status: The applicant has documented that two sidewalk waiver criteria are met for the project and are based on prior IMT and New Yard applications. Given these prior decisions, specifically that an alternative route on the opposite side of Commercial Street will serve pedestrian activity in this area and that a signalized crossing will be provided at the IMT Site Driveway/Beach Street intersection, I support a waiver from providing a sidewalk along the property frontage.

Response: Agreed; waiver will be required.

Comment 9

A granite curbing waiver has been requested and a review of the supporting information will be performed.

Status: DPS is reviewing this waiver request.

Comment 10

The applicant should provide information as it relates to use of the proposed traffic signal by existing IMT traffic. I believe there will be overall site traffic and safety benefits if all IMT traffic has the ability to use the traffic signal.

Status: I understand the security constraints, as noted by the applicant, but I would suggest that the applicant provide an overview of the entire site and whether the layout could be modified to allow for an internal driveway connecting the existing IMT facility and the new signalized entrance that avoids going through the fenced area of the chassis yard.

Response: The site traffic is dependent upon the level of security for each container, and therefore, the use of each entranceway is still required. Not all of the traffic generated at the IMT can utilize the traffic signal. The internal operations and layout of the facility are specific to an optimized and efficient container terminal and the use of internal roads are simply not possible given the site constraints.

Comment 11

A construction management plan has been prepared. Additional information will be required as it relates to specific traffic, pedestrian, and bicycle impacts during construction.

Status: The applicant has noted that the contractor will be responsible for development of a construction management plan. Site plan standards require applicants to prepare a plan in conjunction with site plan approval. The applicant is required to develop a conceptual management plan that should indicate how construction will occur on Commercial Street. The plan should note how vehicular traffic, pedestrians and bicyclists will be maintained during construction and should note any peak time period restrictions for construction activity (The City has arterial time restrictions). It may be necessary that some construction activities occur at night to avoid impacts to traffic flow.

Response: A construction management plan was provided in the previous Amendment submittal, Amendment #3, as Attachment I dated June 6, 2014. The plan is attached here for your reference as Attachment C.

Comment 24

It is my understanding that the Nova Seafood driveways will be restricted such that the easterly driveway will be an entrance only and the westerly driveway a exit only driveway. The plans do not reflect this.

Status: The applicant should include signs and pavement markings that support the one-way access/egress conditions for review and approval.

Response: Per conversations with the owner, signage will be installed by the owner to denote the entrance and exit locations.

Comment 25

There are areas of roadway pavement that appear to be located outside the public right-of-way. An agreement on maintenance may be required.

Status: The applicant shall provide a draft maintenance agreement for review and comment.

Response: The applicant will consider drafting a maintenance agreement with the City for its review and comment.

Comment 30

The bicycle lane on the outbound side of Commercial Street continues to the limit of work, while the in-bound bicycle lane begins at the point where the left-turn lane is starting. The applicant should note why the in-bound bicycle lane can't start at the project limits.

Status: Within the project limits along Commercial Street, a formal bicycle lane should be continuously marked and signed as appropriate. The plans should be revised to reflect this.

Response: We will update the plans to reflect the continuation of the marked bike lane to the westerly limits of the project.

Comment 31

The direction sign that note Casco Bay Bridge 500 Feet is being removed. This removal should be confirmed by City staff.

Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

Comment 32

The plans illustrate that the sidewalk at the corner of the Nova Seafood building will not need to be reconstructed. Given that the curb is being relocated, the sidewalk will need to be upgraded.

Status: The applicant has agreed to make this change and revised plans will be reviewed for approval.

Comment 35

The plan replaces an existing Casco Bay Bridge 500 Feet sign with a sign that notes Casco Bay Bridge (right) and Fore River Parkway (through). City staff should determine if this replacement is acceptable.

Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

Comment 36

It was my understanding that the bicycle lanes were going to have dashed line treatment through the intersection. The plans do not depict this.

Status: Enhanced pavements markings shall be provided in the subject area and final approval of the details shall be provided prior to construction.

ADDITIONAL COMMENTS FROM PLANNING BOARD REPORT (JUNE 20, 2014) AND RESPONSES:

Comment 1 (Pg.13)

DPS requests that the shared use path along Commercial Street within the project limits consist of brick material meeting city standards and the width be reduced to 8-feet. A revised plan that meets this directive shall be reviewed and approved by DPS.

Response: The applicant does not support the reduction of the width of the shared-use path along Commercial Street. The 12-ft width is considered a minimum standard. Lesser widths are only considered when space is limited, which is not the case on this project.

Comment 2 (Pg.19, Jeff Tarling's Review of Landscape Features)

The Karpick (Red Maple) may not be the best tree for the street frontage along Graybar. Mr. Tarling would like to consider another tree species.

Response: The design team is amenable to planting a different tree species as directed by the City.

Comment 3 (Pg.19, Jeff Tarling's Review of Landscape Features)

Stone benches should be relocated elsewhere because of conflicts with snow plowing operations.

Response: The design team notes that the existing sidewalks along Commercial Street already contain obstructions such as fire hydrants and utility poles; however the design team is amenable to placing the stone benches in a different location as directed by the City.

Comment 4 (Pg.19, Jeff Tarling's Review of Concrete Wall)

Vegetation along the concrete such as Boston Ivy might help mitigate the impact of the wall.

Response: Vegetation along the wall is not possible due to lack of areas for planting soil, and it is not desirable to have shelves or pockets for planting soil since these could be used as climbing devices to scale the security fence.

Comment 5 (Pg.20, Staff Review of Concrete Wall)

A four high concrete wall that is 750 feet long is a questionable design solution in a gateway location. The higher the concrete wall the greater the concern about graffiti. A high wall also raises concerns about graffiti. There are a number of options in achieving an eight foot high security fence without using a 4 foot high concrete wall.

Response: The concrete wall has a design height of 48 inches to provide a safe buffer for Commercial Street against the specialized equipment operating on the concrete slab within the Terminal. Please see Attachment D which depicts the size of these machines.

As a reference point, the typical highway railing height along bridges is commonly 32-inches due to several factors such as: the anticipated impact angle of passenger vehicles and trucks (commonly 15 degrees to 20 degrees from parallel, respectively); the low center-of-gravity of highway trucks; and the low percentage of trucks using the highways, and the weight of passenger cars and trucks (2 tons to 40 tons, respectively). All of these factors have contributed to the design height of Maine's concrete barrier heights.

By contrast, the reach-stacker device which will operate on the concrete slab is a 128-ton piece of machinery (three times greater than that of a standard highway truck) that will be moving perpendicular (90 degrees from parallel) to the concrete wall and has a higher center-of-gravity than any tractor truck on the road. Therefore, the height of the wall is necessary to accommodate the higher impact point of the reach-stacker, if the equipment should accidentally hit the wall. Comparison of this concrete wall to a typical highway bridge rail is misleading due to the direction, type, and impact angles associated with the design criteria of highway railings. It is our professional opinion that a 48-inch high concrete wall is the safest manner to accommodate the reach-stacker device while maintaining openness to the corridor that enables views within the site.

Comment 6 (Pg.21, Staff Review of Stormwater Quantity)

The plan should clarify where new gravel will be installed on the site including a cross section of the depth and type of material.

Response: Site Grading and Drainage Plan C09 shows the limits for the new granular improvements in the Chassis Storage Yard and Site Details C13 shows the typical section which will be used for this area (see Attachments A and E).

Comment 7 (Pg.22, David Senus' Review of Stormwater Design)

Provide an updated stormwater treatment area plan that better identifies treated vs. untreated areas of the site plan in plan (via hatching or some other means).

Response: Treated and non-treated areas of the project have been shown graphically on the Post-Development Conditions plan attached hereto as Attachment F.

Comment 8 (Pg.22, David Senus' Review of Stormwater Design)

Provide an updated Stormwater Management Plan and Calculations that reflect the final design approach.

Response: The Post-Development Conditions plan has been updated to reflect the final design and calculations have also been revised for the final design and are attached hereto as Attachment F.

Comment 9 (Pg.23, David Senus' Review of Stormwater Design)

Provide an updated Stormwater Inspection & Maintenance Plan (or Stormwater Pollution Prevention Plan) that addresses the previous review comment: "The Stormwater Management Plan will need to

include a stormwater inspection and maintenance plan for the proposed stormwater measures, such as the porous crushed stone yard surface and the porous concrete, developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances". Specific guidance will need to be included for both the inspection and maintenance of the porous concrete panels and the crushed stone yard surface.

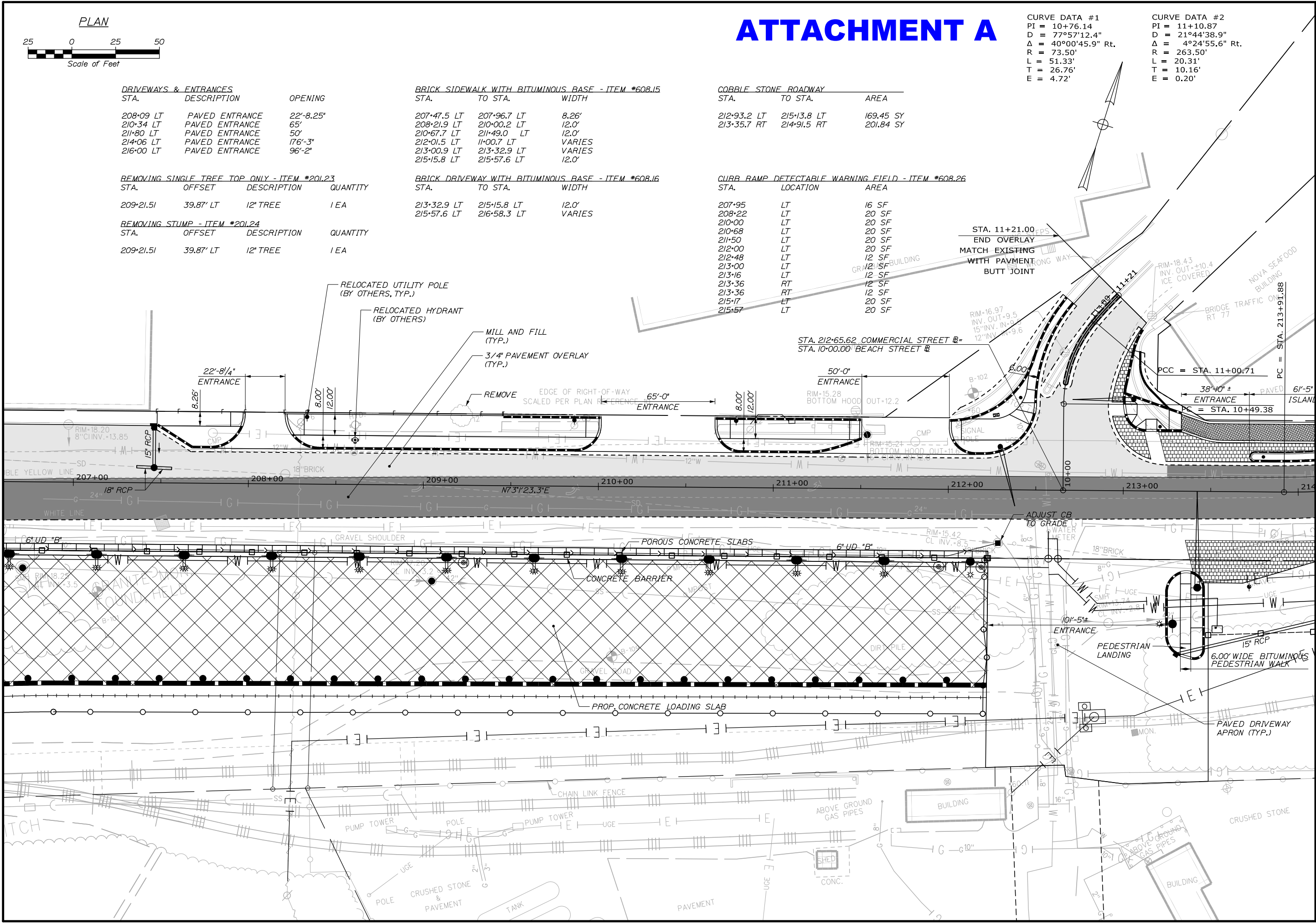
Response: The Stormwater Pollution and Prevention Plan has been revised to better address the inspection, maintenance and repairs of the porous crushed stone yard surface and the porous concrete shoulder on Commercial Street. The revised SWPPP is attached hereto as Attachment G.

Date:6/23/2014

Username:

Division:

Filename: 039_Highway_002.dgn



ATTACHMENT A

CURVE DATA #1	CURVE DATA #2
PI = 10+76.14	PI = 11+10.87
D = 77°57'12.4"	D = 21°44'38.9"
Δ = 40°00'45.9" Rt.	Δ = 4°24'55.6" Rt.
R = 73.50'	R = 263.50'
L = 51.33'	L = 20.31'
T = 26.76'	T = 10.16'
E = 4.72'	E = 0.20'

DRIVEWAYS & ENTRANCES	OPENING
STA.	DESCRIPTION
208+09 LT	PAVED ENTRANCE
210+34 LT	PAVED ENTRANCE
211+80 LT	PAVED ENTRANCE
214+06 LT	PAVED ENTRANCE
216+00 LT	PAVED ENTRANCE

BRICK SIDEWALK WITH BITUMINOUS BASE - ITEM #608.15	WIDTH
STA.	TO STA.
207+47.5 LT	207+96.7 LT
208+21.9 LT	210+00.2 LT
210+67.7 LT	211+49.0 LT
212+01.5 LT	11+00.7 LT
213+00.9 LT	213+32.9 LT
215+15.8 LT	215+57.6 LT

COBBLE STONE ROADWAY	AREA
STA.	TO STA.
212+93.2 LT	215+13.8 LT
213+35.7 RT	214+91.5 RT

CURB RAMP DETECTABLE WARNING FIELD - ITEM #608.26	AREA
STA.	LOCATION
207+95	LT
208+22	LT
210+00	LT
210+68	LT
211+50	LT
212+00	LT
212+48	LT
213+00	LT
213+16	LT
213+36	LT
213+36	RT
215+17	LT
215+57	LT

REMOVING SINGLE TREE TOP ONLY - ITEM #201.23	QUANTITY
STA.	OFFSET
209+21.51	39.87' LT
209+21.51	39.87' LT

BRICK DRIVEWAY WITH BITUMINOUS BASE - ITEM #608.16	WIDTH
STA.	TO STA.
213+32.9 LT	215+15.8 LT
215+57.6 LT	216+58.3 LT

REMOVING STUMP - ITEM #201.24	QUANTITY
STA.	OFFSET
209+21.51	39.87' LT
209+21.51	39.87' LT

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

DATE	BY	REVISION	DESCRIPTION
06/14	J. KITREDE	1	DESIGN-DETAILED
06/14	J. KITREDE	2	CHECKED-REVIEWED
06/14	J. KITREDE	3	DESIGN-DETAILED
06/14	J. KITREDE	4	DESIGN-DETAILED
06/14	J. KITREDE	5	DESIGN-DETAILED
06/14	J. KITREDE	6	DESIGN-DETAILED
06/14	J. KITREDE	7	DESIGN-DETAILED
06/14	J. KITREDE	8	DESIGN-DETAILED
06/14	J. KITREDE	9	DESIGN-DETAILED
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06/14	J. KITREDE	98	DESIGN-DETAILED
06/14	J. KITREDE	99	DESIGN-DETAILED
06/14	J. KITREDE	100	DESIGN-DETAILED

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
PLAN

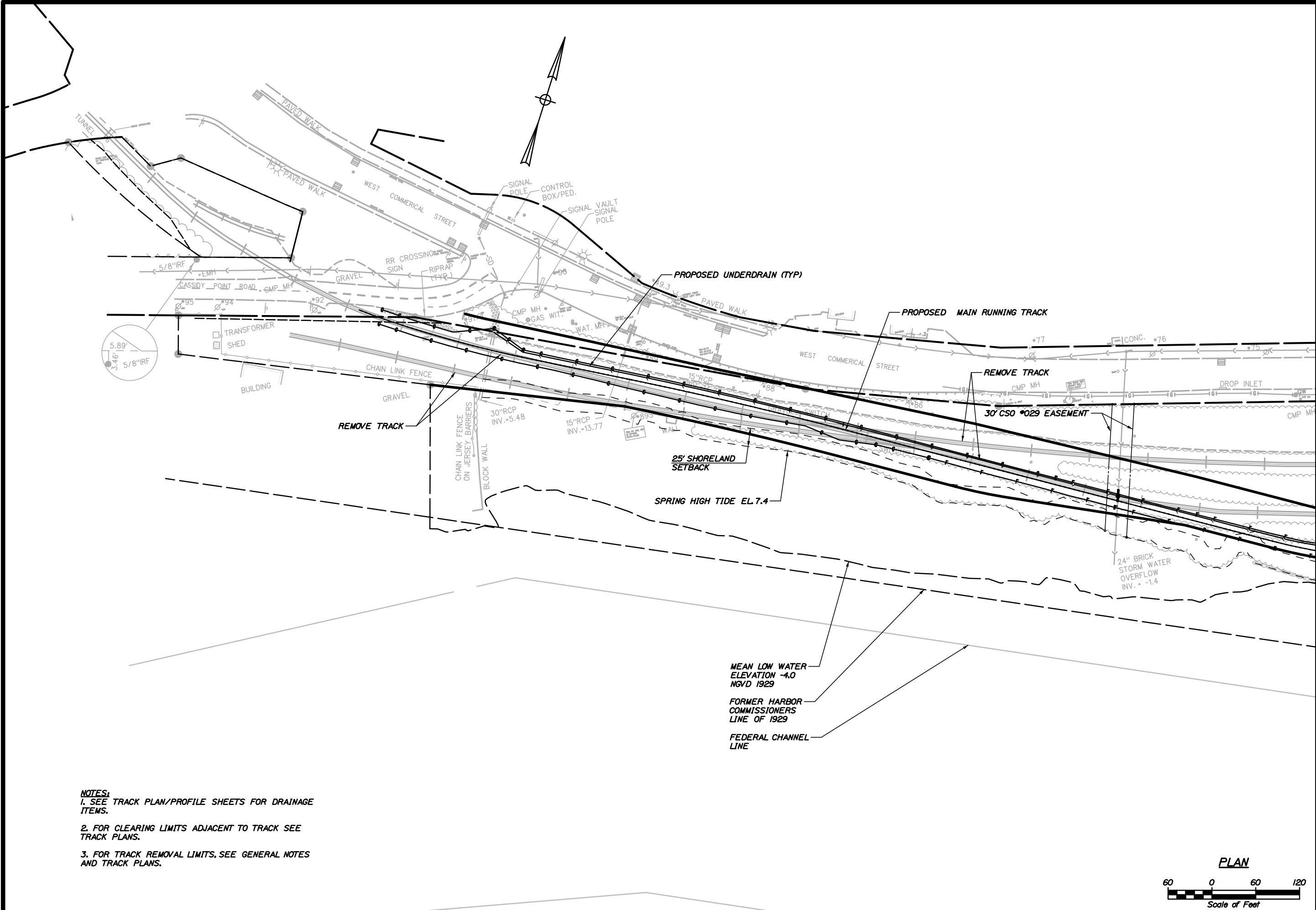
SHEET NUMBER
H05
39 OF 113

Date:6/23/2014

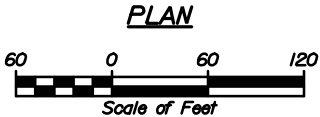
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Division:

Filename: 009_SitePlan1.dgn



NOTES:
1. SEE TRACK PLAN/PROFILE SHEETS FOR DRAINAGE ITEMS.
2. FOR CLEARING LIMITS ADJACENT TO TRACK SEE TRACK PLANS.
3. FOR TRACK REMOVAL LIMITS, SEE GENERAL NOTES AND TRACK PLANS.



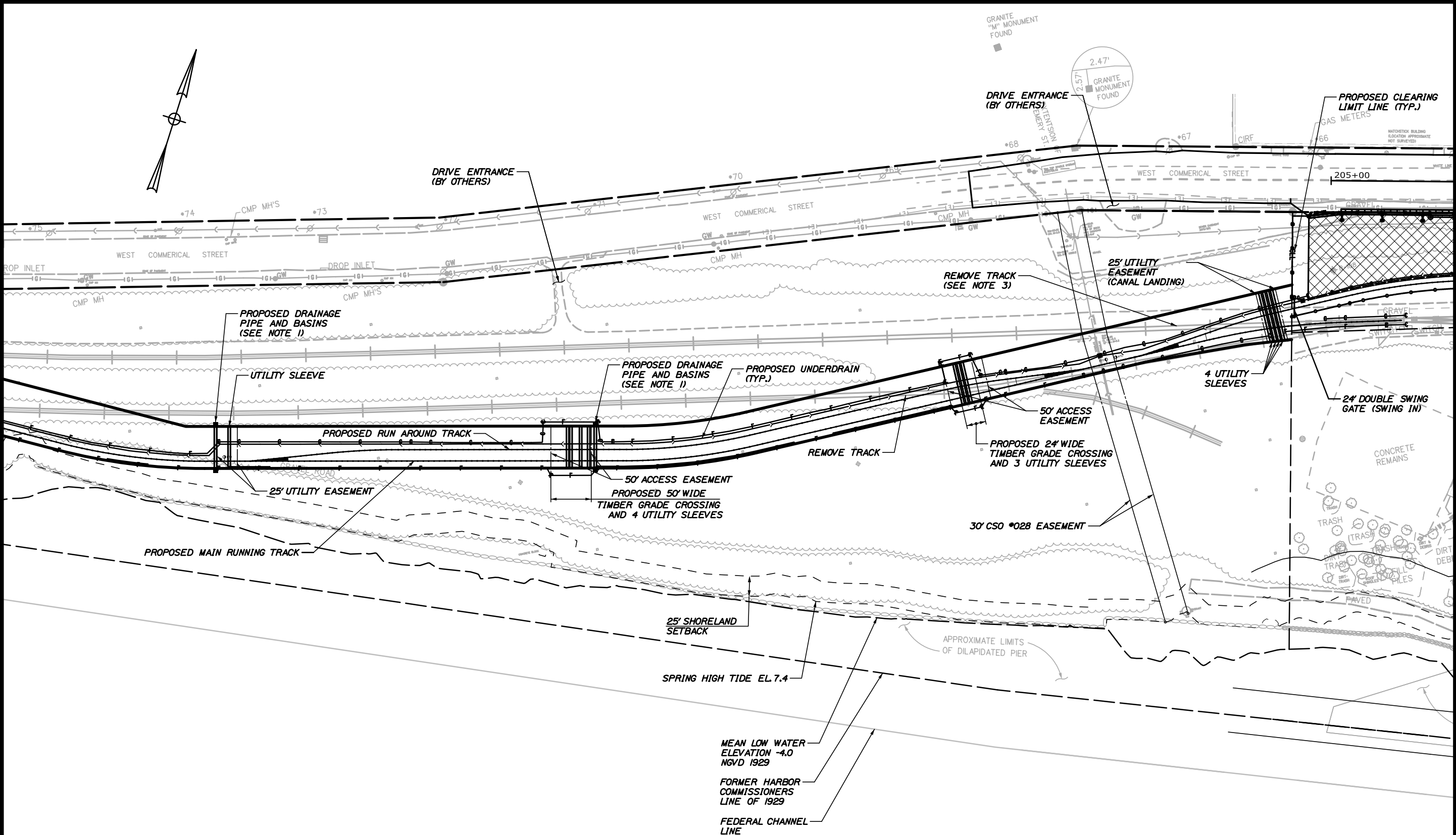
PROJ. MANAGER	J. KITREDE	BY	DATE
DESIGN-DETAILED	LINE	MPC	06/14
CHECKED-REVIEWED	CM	CM	06/14
DESIGN-DETAILED			
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

Date: 6/23/2014

Username:

Division:

Filename: 010_SitePlan2.dgn



- NOTES:**
1. SEE TRACK PLAN/PROFILE SHEETS FOR DRAINAGE ITEMS.
 2. COORDINATE WITH NGL FOR TIMING AND TRACK REMOVALS.
 3. FOR CLEARING LIMITS ADJACENT TO TRACK SEE TRACK PLANS.
 4. UTILITY SLEEVES SHALL BE 24 INCH DIAMETER RCP, CLASS V, AND SHALL EXTEND FROM THE NORTH PROPERTY LINE TO THE SOUTH PROPERTY LINE.



STATE OF MAINE		DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER 022809.20		WIN 022809.20	

PROJ. MANAGER	J. KITTREDGE	BY	DATE	SIGNATURE	P.E. NUMBER	DATE
DESIGN-DETAILED	LINE	MPC	06/14			
CHECKED-REVIEWED		CFM	06/14			
DESIGN-DETAILED						
DESIGN-DETAILED						
REVISIONS 1						
REVISIONS 2						
REVISIONS 3						
REVISIONS 4						
FIELD CHANGES						

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	SITE PLAN
---	------------------

SHEET NUMBER	C07
10 OF 113	

ATTACHMENT B

ZONE 2

740 TREES > 4" DIA.
37 REMOVED

ZONE 3

147 TREES > 4" DIA.
9 REMOVED
138 REMOVED (BY OTHERS)

REMOVE 37 TREES

TREES REMOVED BY OTHERS

ZONE I

85 TREES > 4" DIA.
0 REMOVED

SPRING HIGH TIDE ELEVATION 7.4

REMOVE NO TREES

LIMIT OF DISTURBANCE (TYP)

250' SHOR

972 TOTAL TREES > 4" DIA.
184 TREES REMOVED WITHIN
LIMITS OF DISTURBANCE (18.9%)

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

WIN

022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

SHEET NUMBER

1

1 OF 1

Date:6/23/2014

Username:

Division:

Filename: 010_TreeRemovals.dgn

ATTACHMENT C

Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection Project

CONSTRUCTION MANAGEMENT PLAN

The following outline represents the anticipated construction management plan that will be provided by the winning bidder for the project:

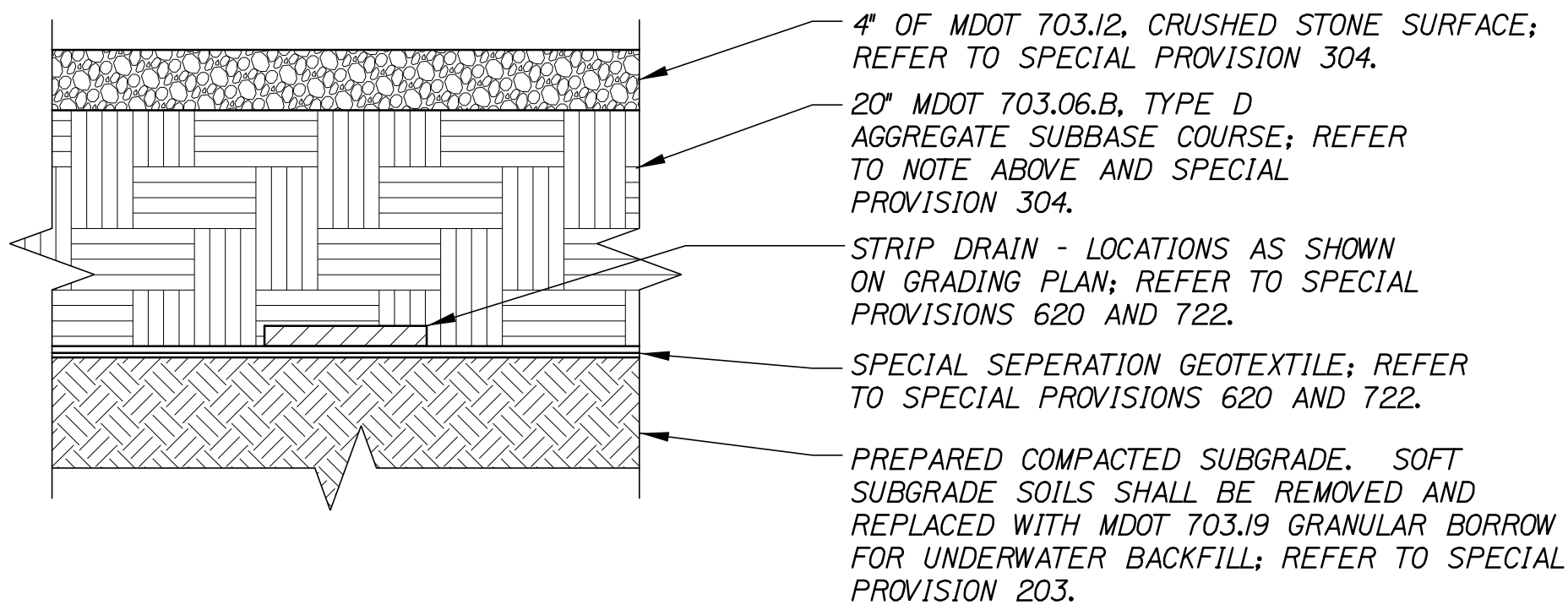
- The contractor shall maintain a minimum of a 11 foot lane through lane (and a 10 foot Left turn lane for eastbound commercial street) for each approach through the duration of the project unless otherwise noted.
- The contractor shall maintain a minimum of a 3 foot sidewalk for existing pedestrian approaches for the duration of the project unless otherwise noted.
- All full lane closures on Commercial street shall only be allowed from 7 PM to 7 AM Sunday night through Friday Morning. Full lane closures shall have a minimum of an 11 foot lane of alternating one way traffic.
- All Traffic Control Devices shall comply with the latest edition of the MUTCD.
- All temporary pedestrian facilities shall comply ADA requirements.
- No unpaved surfaces (gravel) shall be allowed within the work zone on Commercial Street.
- The Contractor Shall provide Certified Flaggers for any construction operation requiring short term stoppages of traffic.

ATTACHMENT D

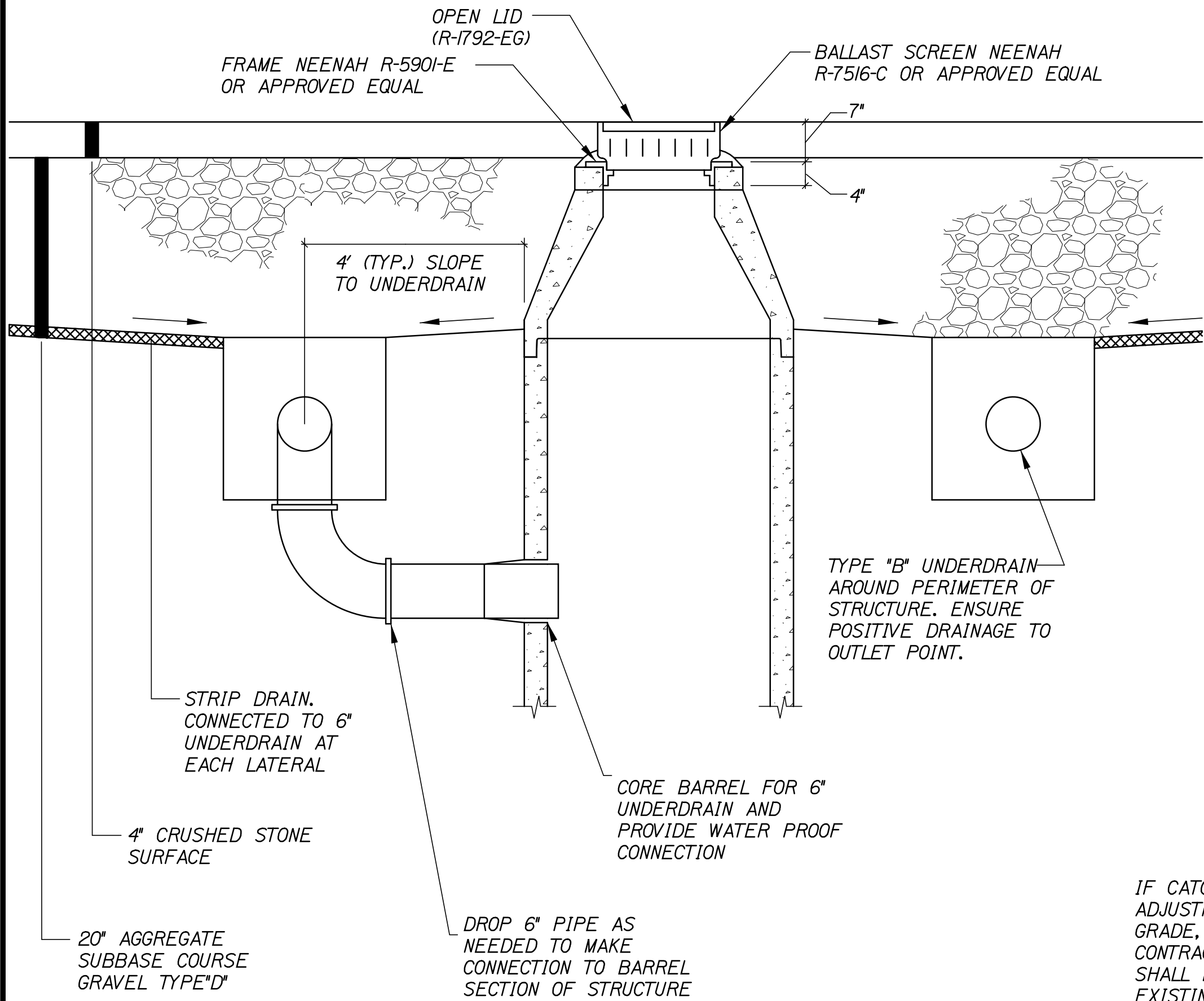
REACH STACKER MACHINES



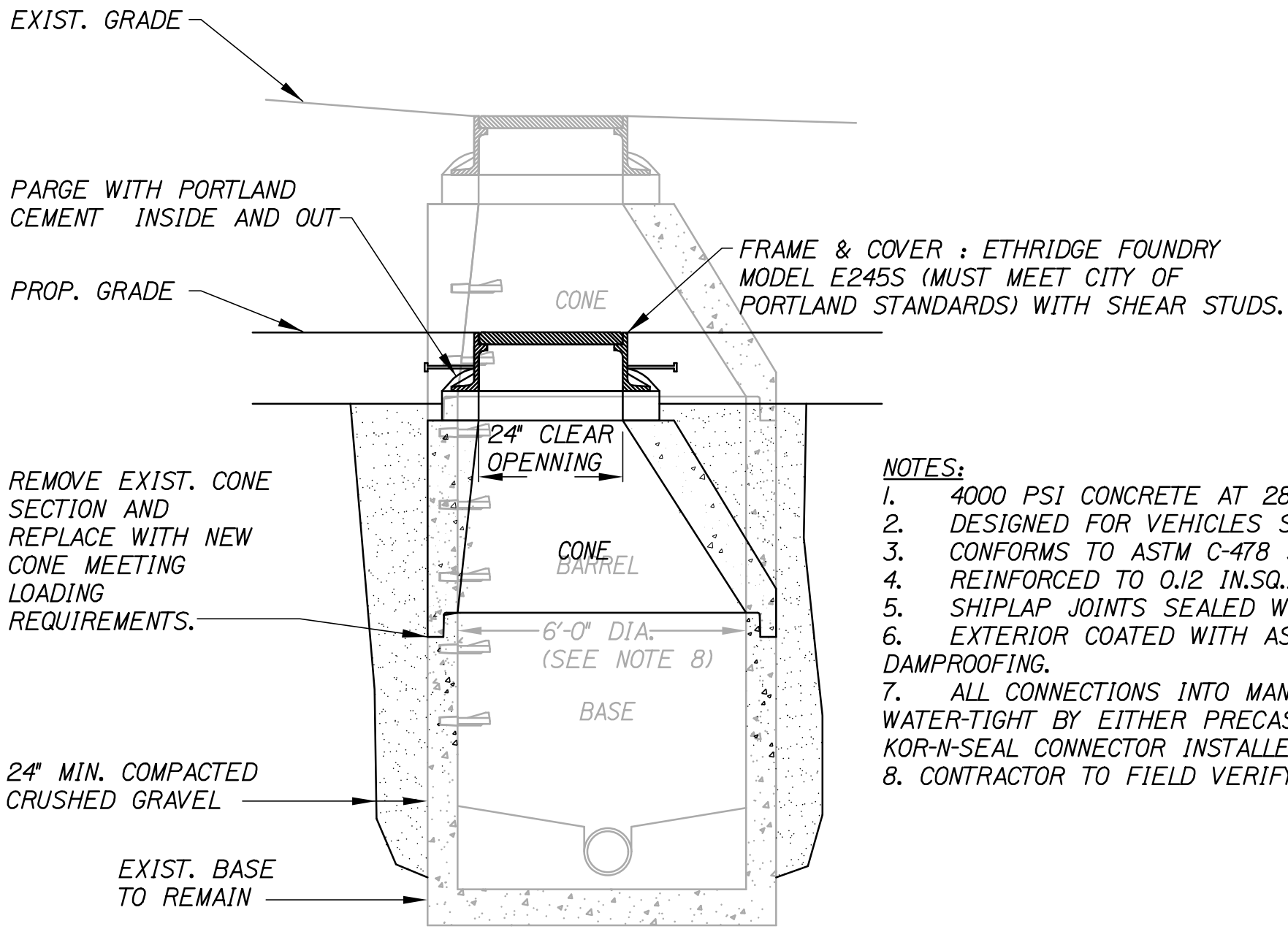
NOTE:
TYPE D AGGREGATE SUBBASE SHALL HAVE BETWEEN 4% AND 7% FINES (PERCENT PASSING #200 SIEVE) TO ACT AS A FILTER LAYER.



CHASSIS STORAGE YARD SURFACE DETAIL
NOT TO SCALE

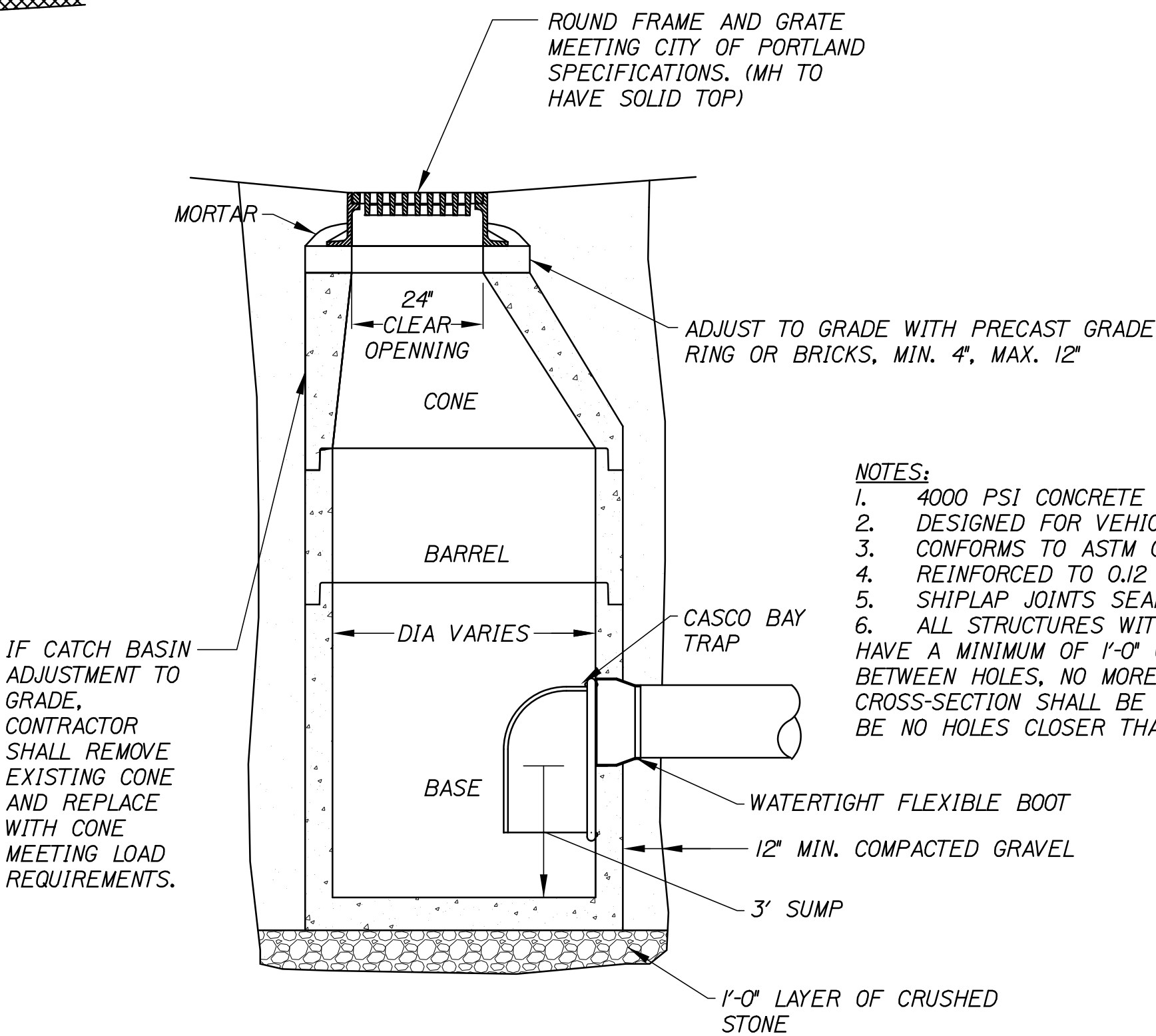


STRIP DRAIN CONNECTION TO CB2 AND CB3 DETAIL
NOT TO SCALE



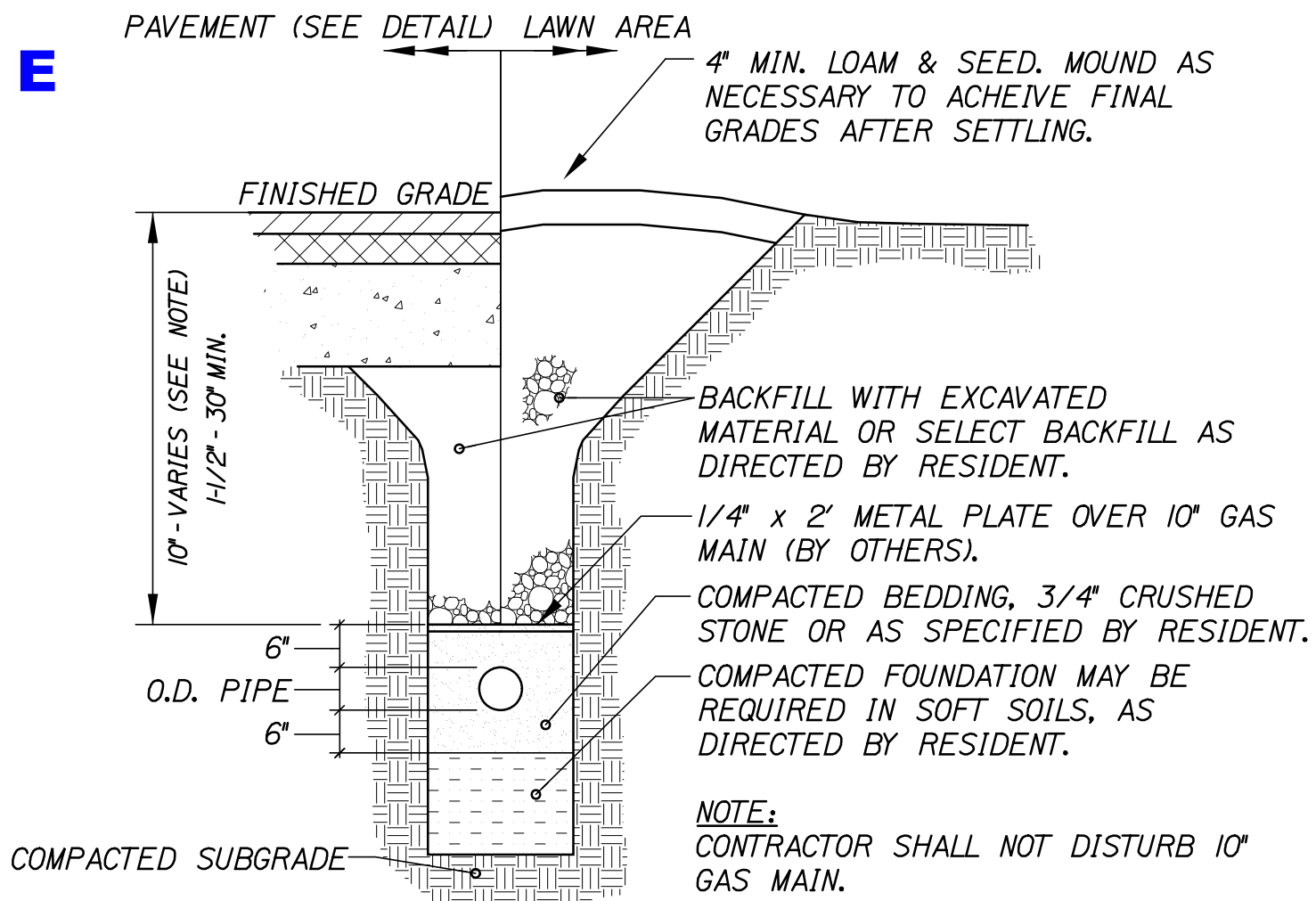
- NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
 2. DESIGNED FOR VEHICLES SHOWN ON SHEET G3.
 3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
 4. REINFORCED TO 0.12 IN.SQ./L.F.
 5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
 6. EXTERIOR COATED WITH ASPHALTIC PROTECTIVE DAMPROOFING.
 7. ALL CONNECTIONS INTO MANHOLE SHALL BE WATER-TIGHT BY EITHER PRECAST FLEXIBLE BOOT OR KOR-N-SEAL CONNECTOR INSTALLED IN CORED HOLE.
 8. CONTRACTOR TO FIELD VERIFY.

ADJUST LOADING SLAB MANHOLE (SMH) TO GRADE
NOT TO SCALE

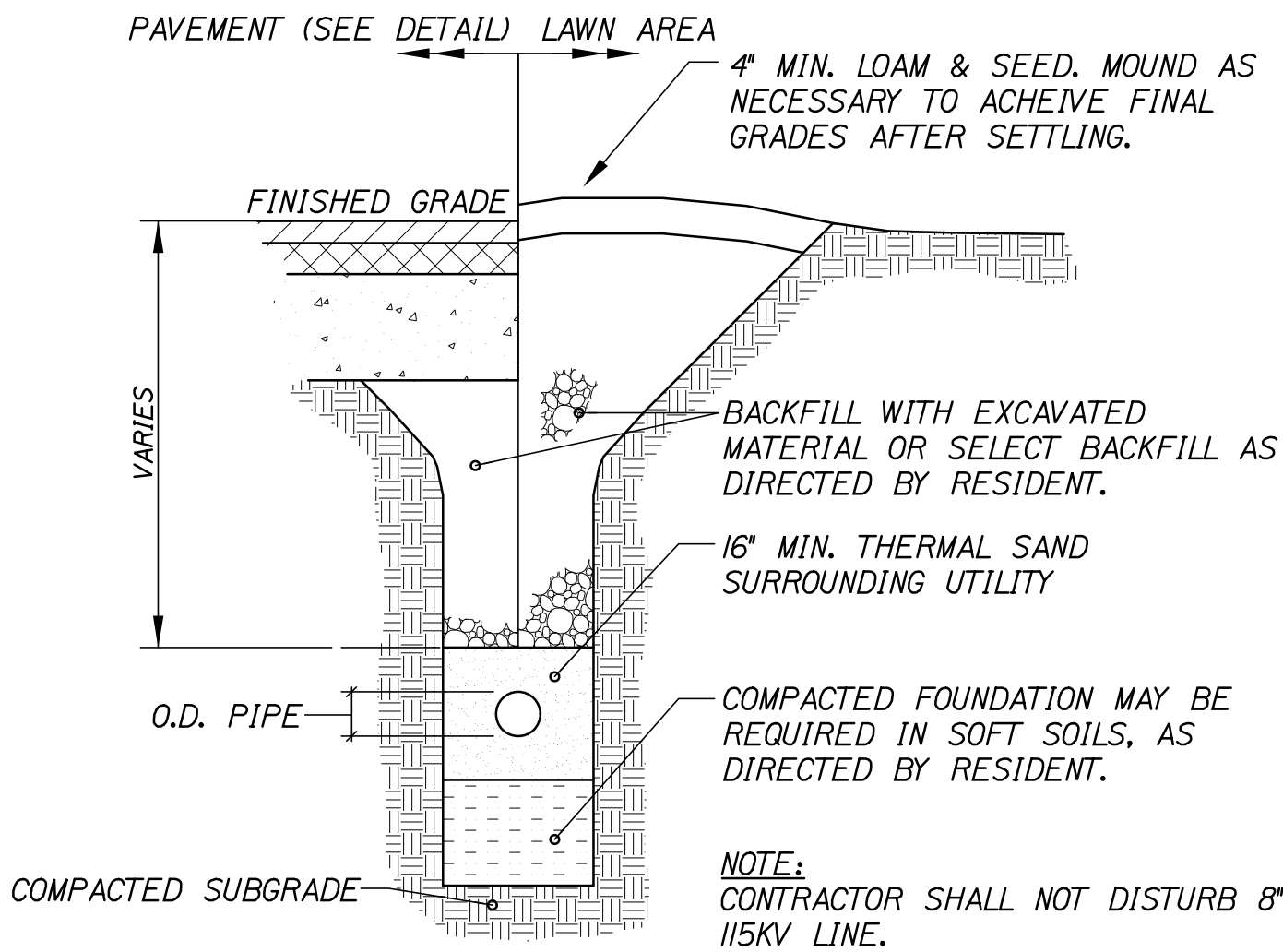


CATCH BASIN (CB)
NOT TO SCALE

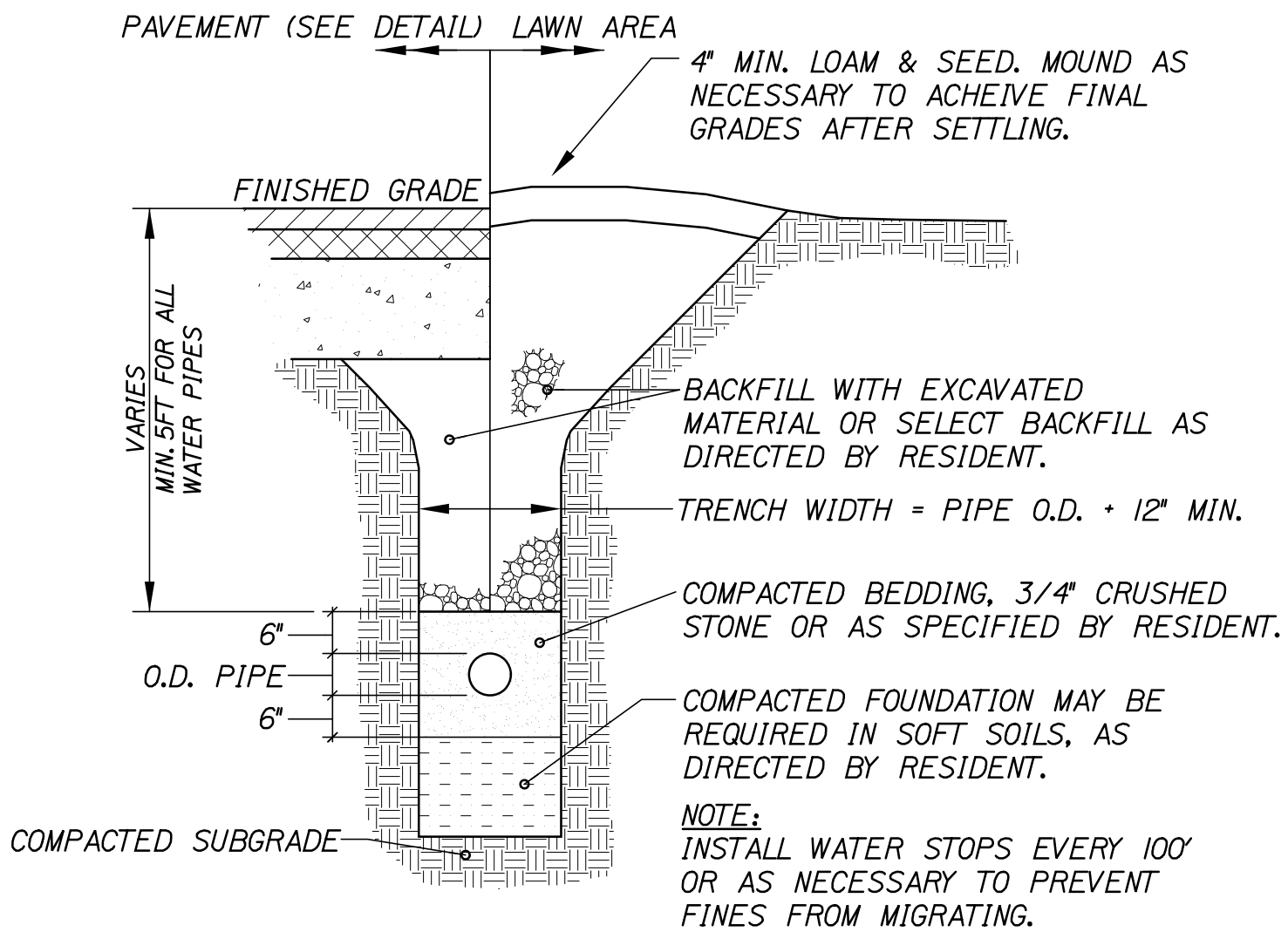
ATTACHMENT E



GAS TRENCH SECTION
NOT TO SCALE



115KV ELECTRICAL TRENCH SECTION
NOT TO SCALE



UTILITY TRENCH SECTION
NOT TO SCALE

STATE OF MAINE				PORTLAND INTERNATIONAL MARINE TERMINAL				SITE DETAILS			
DEPARTMENT OF TRANSPORTATION				EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION				PORTLAND			
PROJECT NUMBER 022809.20				CUMBERLAND COUNTY							
WIN				PROJ. MANAGER	J. KITREDE	BY	DATE	DESIGN-DETAILED	1	DATE	
022809.20				CHECKED-REVIEWED	1	DATE	06/14	DESIGN-DETAILED	2	DATE	
				DESIGN-DETAILED	3	DATE	06/14	DESIGN-DETAILED	3	DATE	
				REVISIONS 1		DATE		REVISIONS 1		DATE	
				REVISIONS 2		DATE		REVISIONS 2		DATE	
				REVISIONS 3		DATE		REVISIONS 3		DATE	
				REVISIONS 4		DATE		REVISIONS 4		DATE	
				FIELD CHANGES		DATE		FIELD CHANGES		DATE	
SHEET NUMBER				C13				16 OF 113			

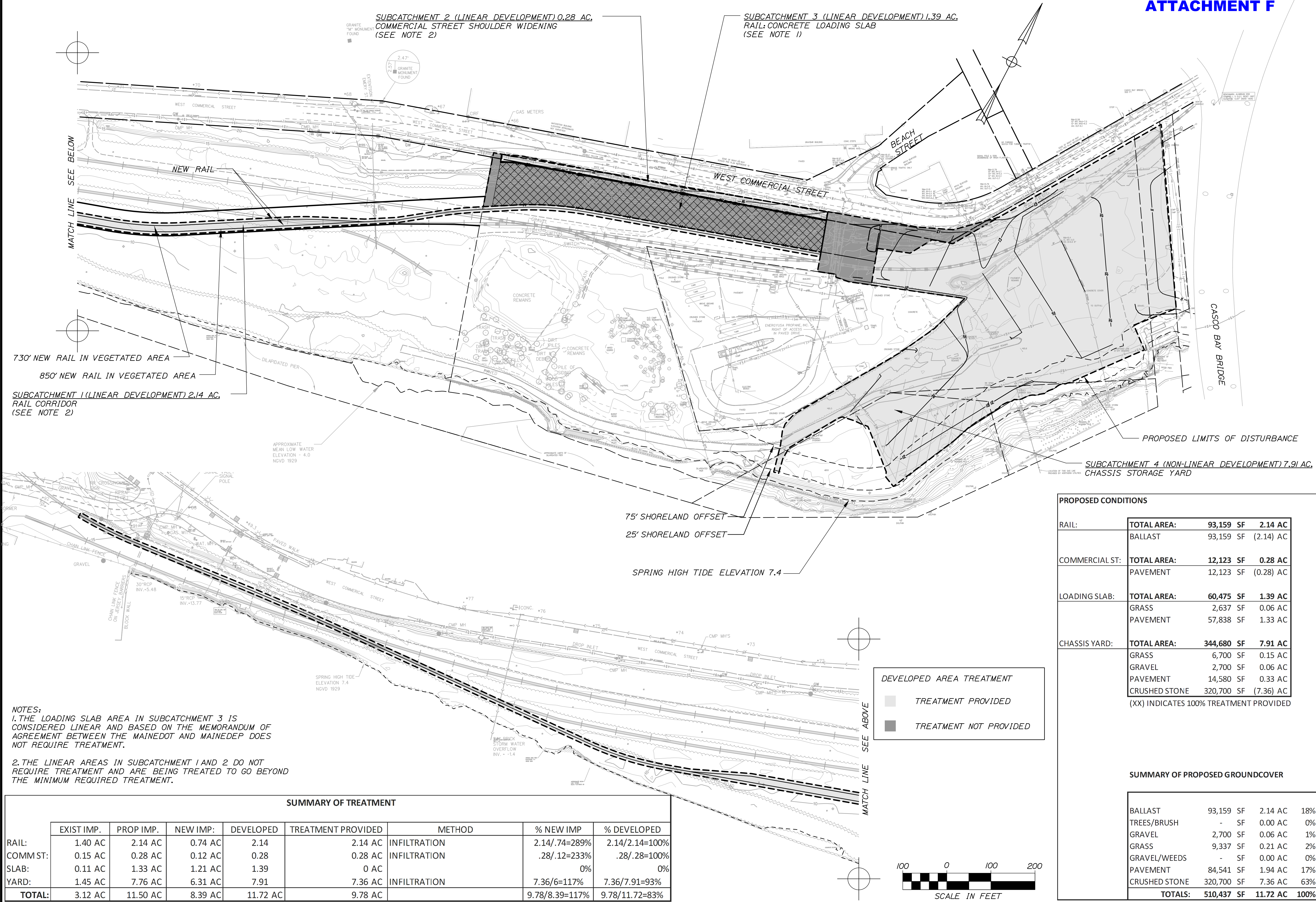
Date:6/23/2014

Username:

Division:

Filename: 002_developPost.dgn

ATTACHMENT F



PROJ. MANAGER	J. KITTEDGE	BY	DATE	SIGNATURE	P.E. NUMBER	DATE
DESIGN-DETAILED	RWH	RWH	06/14			
CHECKED-REVIEWED			06/14			
DESIGN-DETAILED						
DESIGN-DETAILED						
REVISIONS 1	TREATMENT TABLES		03/14			
REVISIONS 2	TREATMENT NOTES		4/9/14			
REVISIONS 3	TREATMENT HATCH		6/23/14			
REVISIONS 4						
FIELD CHANGES						

STORMWATER POLLUTION PREVENTION PLAN PORTLAND INTERNATIONAL MARINE TERMINAL June 2014

FACILITY NAME: Port of Portland, International Marine Terminal

FACILITY ADDRESS: 460 Commercial Street Portland, Maine

OWNER/OPERATOR:

Maine Port Authority: John Henshaw (207) 200-2401; Patrick Arnold (207) 408-5391

Ports America: Jack Humeniuk, Bobby Connolly (207) 232-5178

Maine Department of Transportation: Joel Kittredge (207) 624-3550

WATER BODY: Fore River, Portland Harbor

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) OVERVIEW

This Stormwater Pollution Prevention Plan:

- Identifies the SWPPP coordinator with a description of the coordinator's duties;
- Identifies members of the SWPPP team and lists their responsibilities;
- Describes the facility operational areas and description of stormwater drainage features;
- Identifies potential stormwater contaminants;
- Describes stormwater management controls and BMP's required to reduce pollutants in stormwater discharges;
- Describes the facilities Operations and Monitoring plan;
- Inspections, Maintenance, repair and annual reporting requirements of stormwater BMP's, and;
- Describes the implementation schedule and provisions for amendment of the plan.

1 PLANNING AND ORGANIZATION

1.1 SWPPP COORDINATOR AND TEAM

The team members and list of responsibilities is as follows:

Person in Charge: Patrick Arnold, (207) 408-5391

Title: Maine Port Authority

Responsibilities: Coordinates all stages of plan development, inspections and implementations. Coordinates employee training programs, keep all records and ensures that monitoring and inspection reports are maintained as part of the SWPPP. Coordinates container storage layout, movement, loading, unloading and site operations. Coordinates and implements other plans such as Spill Containment and Countermeasure (SPCC).

Member: Jack Humeniuk, Bobby Connolly (207) 232-5178

Title: Ports America

Responsibilities: Implement the preventative maintenance program. Oversee good housekeeping activities, serves as spill response coordinator. Conduct/assist with inspections and training program, conduct and document visual sampling and comprehensive inspections.

Member: Joel Kittredge, (207) 624-3550

Title: Maine Department of Transportation

Responsibilities: Assurance of quality control implementation.

2 ASSESSMENT

2.1 SITE DESCRIPTION

The following is an overview of the IMT facility, description of site usage and identification of possible stormwater pollutant areas. Each of the following areas are defined:

- Site activities
- Address
- Number of acres
- Length of waterfront
- Buildings and use
- Storage locations
- Container movement
- Type of vehicles used on site
- Vehicle maintenance activities
- Site restrictions
- Other potential hazards

The International Marine Terminal (IMT) is located at 460 Commercial Street in Portland, Maine, between Commercial Street and the Fore River, and at the same location as the Casco Bay Bridge. The site covers approximately 33 acres and has approximately 2,500 linear feet of frontage on the Fore River.

Activities on site include on and off loading of cargo containers from international shipping, storage of containers and deliver and pickup of containers by trucking and rail. Containers are moved on site with a Liebherr LHM 320 Mobile Harbor Crane, Taylor TEC-950L Top Lifter, Fantuzzi Reach Stacker, Kalmar Reach stacker DRF450-65S5 and Kalmar Ottawa 4x2 Yard Tractors.

The site contains three buildings, a 3,300 square foot office building for facility management staff near the Commercial Street entrance, a 4,500 square foot maintenance building located at the pier and a 6,300 square foot cold storage building (the Rubb Building).

The facility utilizes a concrete loading slab to load rail cars with containers. The loading slab is located along Commercial Street and includes a concrete retaining wall to separate operations from vehicle and pedestrian traffic along Commercial Street.

Stormwater runoff from the facility drains to one of five outlets and is described from east to west as follows:

- The eastern most outlet is a 15" PVC storm drain that collects stormwater runoff from the upper yard where various containers are stored including refrigerated and flammable liquid. Runoff is collected via catch basins and storm drains. The outlet is located on the southern end of the site in the seawall and is shown as Outlet #1 on the Site Map.
- A catch basin with 4" PVC storm drain is located directly in front of the Maintenance Building overhead door and collects a small amount of stormwater from the area around the overhead door. The outlet is located beneath the Maintenance Building in the sea wall and is shown as Outlet #2 on the Site Map.
- A catch basin with 12" PVC storm drain is located east of the Rubb Building and collects a small amount of stormwater from the area around the concrete loading slab east of the Rubb Building. The outlet is located beneath the dilapidated wood pier in the sea wall and is shown as Outlet #3 on the Site Map.
- The middle portion of the site, east of the Casco Bay Bridge, outlets in the seawall via two separate storm drain systems. A 24" RCP and 30" RCP collect stormwater runoff from the lower container storage lot via catch basins and storm drains. The outlets are located near the Casco Bay Bridge and are shown as Outlet #4 on the Site Map.
- The western most portion of the site is the chassis storage yard and concrete loading ramp. The chassis storage yard is constructed of a porous crushed stone surface. All stormwater runoff from this portion of the site percolates into the existing ground. In the event the porous media becomes clogged, overflow is provided via two catch basins within the chassis storage yard. The catch basins are connected to the Combined Sewer Overflow (CSO) owned by the City of Portland and discharge into the Fore River near the Bridge Maintenance Building. The concrete slab drains into scuppers which also are connected to the CSO. The CSO outlet is located along the seawall near the Bridge Maintenance Building and is shown as CSO Outlet on the Site Map.

Vehicle Maintenance will only take place at the maintenance building (with the exception of in-place breakdown repairs). Residuals such as oil, grease or paint scrapings from typical maintenance operations will be collected and stored in 55 gallon drums and removed from the site as needed.

Container Cargo Ships will dock at the facility and will on and off-load container boxes. Bunkering and sewage management is performed by accredited vendors in accordance with United States Coast Guard regulations. Boats may replenish their supply of fresh water and may also recharge electrical capacitors while docked at the facility.

Containers and general cargo will be stored throughout the facility. Loaded containers will be sealed while stored at the facility. Loading and unloading of containers generally occurs at the Rubb Building. Containers and general cargo will not be stacked in the chassis storage lot.

Rail cars will be stored along the concrete loading slab at the western side of the facility and will allow for on and off-loading container boxes.

RESTRICTED USE: The chassis storage yard allows for infiltration of stormwater runoff into the underlying soils therefore use of this area is restricted to prevent contaminants from entering the groundwater. The following uses are strictly prohibited in this portion of the facility:

- Storage of salt/sand mixtures
- Bulk storage of petroleum products

- Maintenance of vehicles and equipment (excluding in-place breakdowns)
- Long term storage of vehicles and equipment that has potential to leak pollutants
- Other activities that present a risk of significant pollutant discharges to groundwater

A Site Map of the IMT facility for use with this SWPPP shows buildings, storage areas, parking areas, stormwater drainage outlets, vehicle maintenance areas, restricted areas and site access is shown on the following page.

2.2 SIGNIFICANT MATERIAL INVENTORY

SWPPP MATERIAL INVENTORY:

AREA	POTENTIAL SOURCE	POLLUTANT
Maintenance Bldg	Vehicles, waste containers	Oil, grease, metal chips, paint
Container on/off loading	Vehicles, vessel, rail, containers	Oil, grease
Container storage	Containers, transport vehicles	Oil, grease, metal chips
Travel ways	Transport vehicles	Oil, grease, sand, salt
Waste handling	Vehicles, waste containers	Trash, non-hazardous waste
Flammable liquids storage	Containers	Flammable liquids
Parking	vehicles	Oil, grease, sand, salt

Incoming Container Inspection: As part of the normal operating procedures for the facility, containers are monitored for leaks at time of arrival whether the arrival is from vessel, rail, or highway. Any leaks will be contained and cleaned up immediately and this information is recorded in the stevedore's "Statement of Fact".

Stored Container Inspections: Stored containers will be visually monitored as part of daily reconnaissance which includes visual observations.

Vehicles: Vehicles used at the IMT facility for container on and off loading as well as on-site transporting will be monitored by the Port Operator according to the standard operating procedures. Otherwise, monitoring will occur on a weekly basis. This will typically occur in the Maintenance Building where immediate repairs may be implemented. Vehicles stored in the chassis storage lot shall be visually monitored and relocated and repaired immediately if dripping fluid is observed.

Methods and Location of Storage & Disposal: Waste materials such as oils, grease and coolants will be stored at the Maintenance Building in specifically marked containers. All containers will be securely closed at all times. Transport will be limited to reduce risk of spills and will be conducted by equipment intended for transporting such containers. Disposal of waste materials will be in accordance with all local, state and federal regulations and will occur as needed. Waste products will be disposed of frequently enough as to prevent large quantities of storage at the facility.

All paved surfaces will be maintained, cleaned, and swept by a certified vendor as sediments buildup. Winter sanding will be kept to a minimum and salt will be primarily used during snow removal to limit sediment buildup.

Training and spill prevention for stormwater pollution prevention will become part of the IMT site operations program. New employees will be trained and become knowledgeable with this manual, locations of hazardous materials, storage locations, spill prevention, inspections, cleanup and reporting.

2.3 SPILLS AND LEAKS

All spills will be cleaned immediately and reported if necessary depending on the material, size and location of the spill. Spill kits will be located at the Maintenance Building and throughout the facility as deemed necessary depending on hazard type. Spill kits will be restocked as needed. In the event of spills, priority will be given to

preventing pollutants from entering into the stormwater drainage systems. Absorbent pads will be located between spill and catch basin inlets if applicable.

Chassis storage yard porous stone surface: Spills and leaks that occur in the chassis yard will require complete cleanup and may also require some level of reconstruction depending on the extent and nature of the spill. All spills must be inspected and removal of all pollutants will be required and replacement of granular materials and crushed stone surface will be required. The porous surface also contains separation geotextile at a depth of 24" below grade and must be replaced if spills extend into deeper soils. The Chassis storage yard porous surface is constructed of the following:

- 4" of MDOT 703.12, Crushed Stone Surface;
- 20" of MDOT 703.06.B, Type-D Aggregate Subbase Course
- Special Separation Geotextile

Compaction requirements for the Type-D subbase course shall be per the MDOT Standard Specifications.

2.4 NON-STORMWATER DISCHARGES

Vehicle maintenance could result in non-stormwater discharges. Maintenance will occur in the Maintenance Building to prevent non-stormwater discharges from entering the drainage system except in the event of a breakdown in the yard. Non-stormwater pollutant and discharges that may result in contamination will be monitored and pollutants will be picked up with absorbent pads.

2.5 SITE SUMMARY

The IMT facility will be used for cargo container on- and off-loading from vessels, rail and highway transport vehicles and the movement and storage of cargo containers on site prior to their transport. Potential pollutants are those generally associated with vehicles and within storage containers.

3 IMPLEMENTATION

This section describes practices that are in place to control pollutants that have the potential to contaminate stormwater.

3.1 GOOD HOUSEKEEPING

Good housekeeping practices are the most effective first step towards preventing pollution in stormwater. The following is a list of good housekeeping practices that apply to the IMT facility:

- Immediately clean up spills with an absorbent material;
- Spills and leaks around containers are monitored as part of daily security;
- Vehicle monitoring is part of the operator standard operating procedures;
- Store fuel and wastes indoors and in sealed containers;
- Fuel storage containers are periodically monitored during fueling operations;
- Changing of fluids, painting, sandblasting, sanding and scraping is done in designated areas with proper containment for waste materials. Drip pans and tarps are used to capture drips or spills. Absorbent pads and quick-dry granular materials are used to clean up spills and leaks;
- Prohibit use and transport of contaminants in porous stone chassis storage yard;

- Crane maintenance procedures are performed in accordance with terminal's stevedore as part of their standard operating procedure.

3.2 PREVENTATIVE MAINTENANCE

This preventative maintenance program involves inspections and maintenance of stormwater management controls and routine monitoring of facility operations to detect faulty vehicles or containers. Such equipment will be routinely monitored for signs of deterioration. Preventative maintenance measures will include but not be limited to:

- Visual monitoring of incoming vessels, trucks and cargo containers;
- Regular monitoring of stored cargo containers;
- A written spill prevention and response policy;
- A spill prevention and response procedure;
- Spill response equipment is located at potential spill areas;
- Waste fluids are stored inside and are properly stored in sealed/labeled containers;
- Batteries are stored in a secure area and are properly disposed of as needed;
- Catch basins and sediment chambers are checked and cleaned as needed;
- Chassis storage yard porous stone surface is monitored and replenished as needed;
- Hydraulic equipment is kept in good repair to prevent leaks;
- Outdoor drum and storage tank containment areas are routinely checked for leaks;

3.3 BEST MANAGEMENT PRACTICES (BMP'S)

The following is a list of BMP's for the IMT facility. When implemented the following BMP's will prevent or reduce the discharge of potential pollutants in stormwater runoff.

- Hazardous materials that are in easily ripped or breakable containers (such as bags or plastic buckets) are handled with care;
- Staff members are present during all fueling operations and loading/unloading operations;
- Cover catch basin inlets in the vicinity of drum handling operations;
- Prohibit bulk contaminants from being stored or used on the porous chassis storage yard;
- Keep dumpster lid closed except for when in use.
- Periodic inspection of the Chassis Storage Yard porous surface to determine crushed stone depth and quality of filter media. Ponding during rain events will be an indicator that sediment clogging has occurred.

3.4 SEDIMENT AND EROSION CONTROL

The existing shorefront has the potential for erosion in locations where soils are present. Soil areas along the shorefront will be inspected annually and after major storm events to ensure erosion does not occur and will be reported if noticed.

Winter sanding and salting have the potential for depositing sediments and therefore will be very limited at the facility. The porous crushed stone surface in the chassis storage yard also has the potential for clogging with winter sanding sediment therefore this area will not be sanded and will be limited to salt. Inspections will monitor sediments in the stone surface as well as ensuring crushed stone surface thickness is maintained at 4".

If clogging, rutting or ponding occurs, the crushed stone surface will be removed, sediments removed, and stone surface replaced to a thickness of 4".

The SWPPP team for the IMT facility will act as a qualified post-construction stormwater inspector to inspect BMP's annually. The inspector will observe parking areas, catch basins, chassis storage yard spillway and outlet pipes.

3.5 MANAGEMENT OF STORMWATER RUNOFF

The following management practices for runoff are used at the IMT facility:

- Stormwater catch basins are deep sump with hoods and are monitored and cleaned as necessary;
- Chassis storage yard porous crushed stone surface is monitored and repaired/replaced as necessary;
- Drainage outfalls discharge to riprap pads;

3.6 SPILL PREVENTION AND RESPONSE

- Spill response equipment is stored throughout the facility and includes absorbent pads and quick dry granular materials;
- All personnel are made aware of spill kit locations and trained in use;
- The pollution prevention team leader or spill coordinator will be advised immediately of all spills of hazardous materials or regulated materials, regardless of quantity;
- Spills will be evaluated to determine the necessary response. If there is a health hazard, fire or explosion potential, 911 will be called. If a spill is large or threatens surface waters, including storm drains, the MaineDEP will be called at (800) 482-0777;
- Spills will be contained as close to the source as possible with a berm of absorbent materials from the emergency spill kit. Additional berms will be deployed to protect stormwater.
- Spills in the porous chassis storage lot may require additional response and clean up such as removal and replacement of stone surfacing and underlying gravel media. This will depend on the nature and magnitude of the spill.

3.7 EMPLOYEE TRAINING

All employees will be properly trained in the implementation of this SWPPP. Pollution prevention team members will meet annually to discuss the effectiveness of and improvements to the plan.

4 EVALUATION

4.1 ANNUAL VISUAL MONITORING

Annually and after large storm events, SWPPP team members will examine the stormwater discharges at each outfall at the IMT facility. Monitoring should occur at or near LOW TIDE. Team members will document observed contamination/problems with date and time and will determine the source of contamination, if observed, and take action to eliminate it. The monitoring log will contain at a minimum the following information:

- Date, time, tide level and weather conditions;
- Outfall location and description;
- Observations and contaminants;

- Possible source of contaminant;
- Action taken to prevent future discharges;

4.2 ANNUAL SITE INSPECTIONS (COMPREHENSIVE SITE COMPLIANCE EVALUATION)

The SWPPP team for the IMT facility will prepare a Compliance Evaluation Report on an annual basis. The report will include the following information:

- Date;
- Name of person conducting inspection
- Observations;
- Evidence of pollution;
- Inspection of equipment and cargo containers;
- Evaluation and assessment of BMP's
- Corrective actions taken;
- Signed/dated certification;

Reports will be kept with the site SWPPP. Both the Evaluation Report and reports of follow-up action must be certified as follows: "This Compliance Evaluation Report has been prepared by qualified personnel who properly gathered and evaluated information submitted for this Report. The information provided in this Report, to the best of my knowledge, is accurate and complete."

4.3 RECORDKEEPING AND REPORTING

The IMT facility will maintain records of spills, leaks, inspections and maintenance activities as described in this SWPPP for at least three (3) years from the date the permit coverage expires or is terminated. These records will be made available to state or federal inspectors upon request. Additionally, employee training records shall be maintained by Ports America and verified by the Maine Port Authority.

4.4 PLAN REVISIONS

If the IMT facility expands its operations or changes and significant material handling or storage practices which could impact stormwater, this SWPPP will be amended. The amended Plan will describe the new activities and planned control measures. This plan will also be amended if a state or federal inspector determines that it is not effective in controlling stormwater pollutants discharged to waterways.

5 CERTIFICATIONS

Certifications will be signed by an "authorized representative, "i.e., someone who is at or near the top of the IMT facility's management team that has the authority to sign and certify this type of document.

- Non-stormwater Discharges;
- Stormwater Pollution Prevention Plan;

NON-STORMWATER DISCHARGES:

Example 1: "All stormwater outfalls to surface waters at this facility have been evaluated and found to be free of non-stormwater discharges."

Example 2: "With the exception of run-off from the salt storage area, all stormwater outfalls to surface waters at this facility have been evaluated and found to be free of non-stormwater discharges."

STORMWATER POLLUTION PREVENTION PLAN:

This Stormwater Pollution Prevention Plan has been prepared in accordance with good engineering practices. Qualified personnel gathered and evaluated information submitted for this Plan. The information in this Plan, to the best of my knowledge, is accurate and complete.

Name_____

Title_____

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND
CONNECTING CORRIDOR CONNECTION PROJECT

Planning Board
PUBLIC HEARING

June 24, 2014
Portland City Hall

Presented By:



HNTB

WELCOME

- Introductions
- Project Benefits
- General Description of the Project
- Questions & Answers

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Benefits of Expanding the Terminal

- Increase throughput of the port
- Increase extent of regional markets to include Midwest and Canada
- Increase operational efficiency for Eimskip
- Reduce cost of shipping for local manufacturers
- Bolster forest product, seafood and agricultural economies



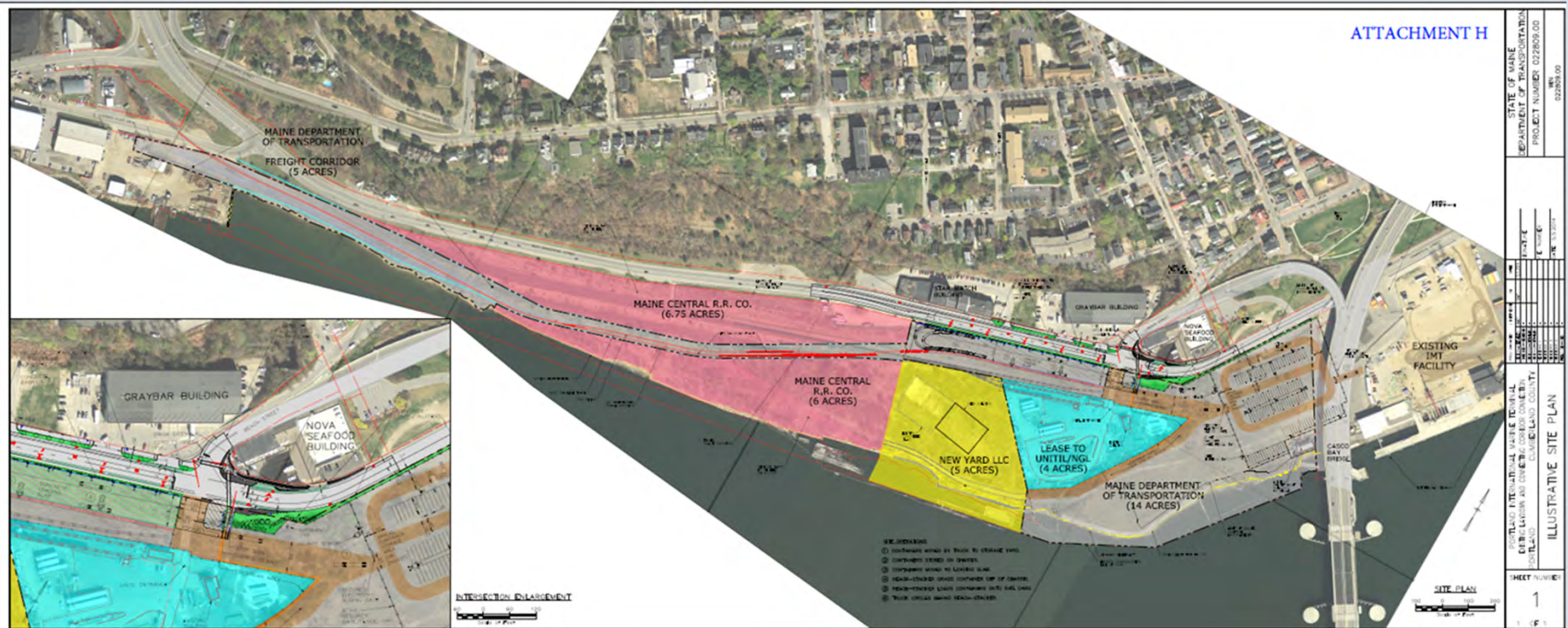
General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisitions
- Internal Operations
- Project Components
- Infrastructure Improvements
- Commercial Street Improvements

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

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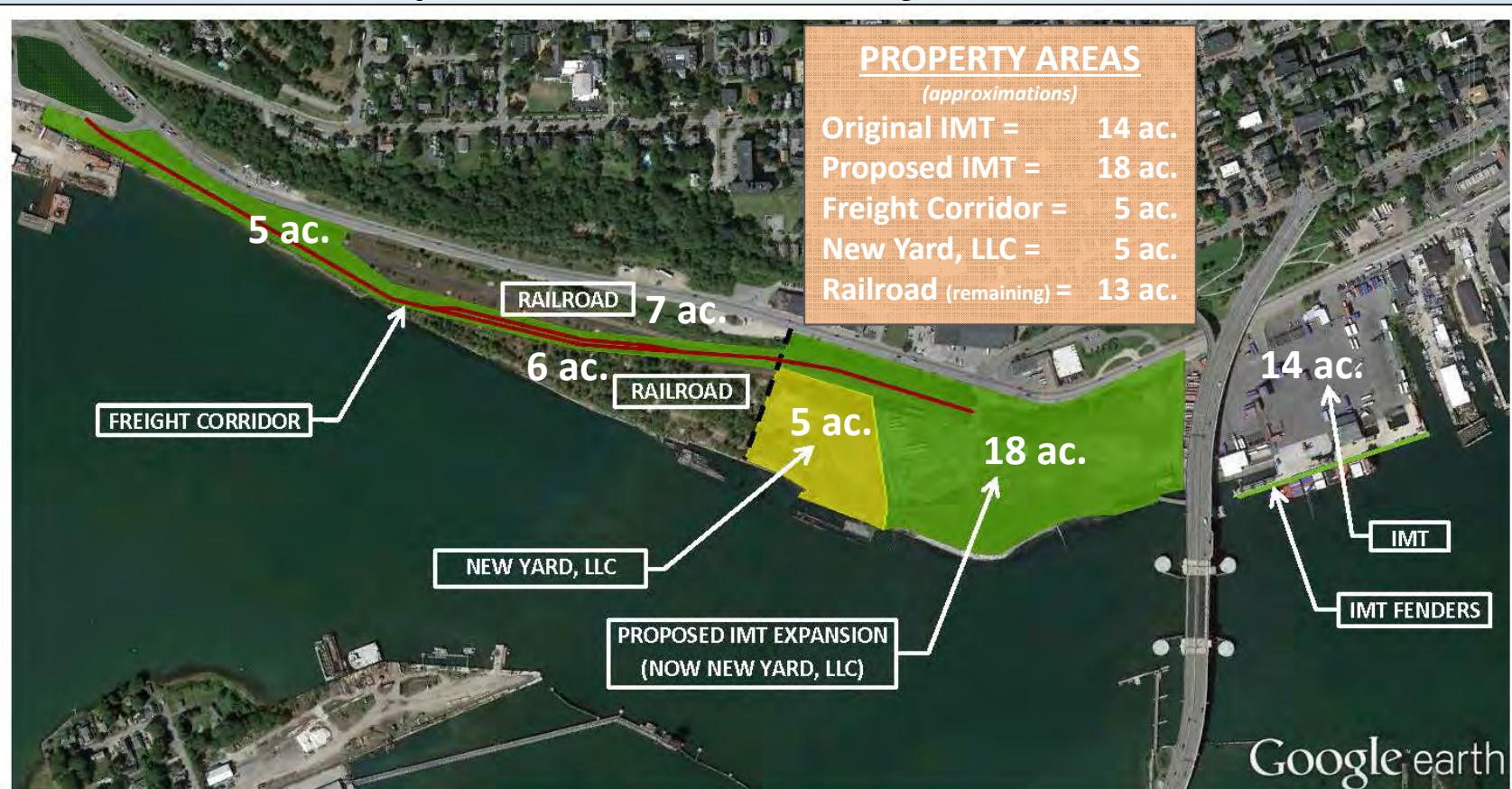
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

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- **Land Acquisition**
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- Commercial Street Improvements

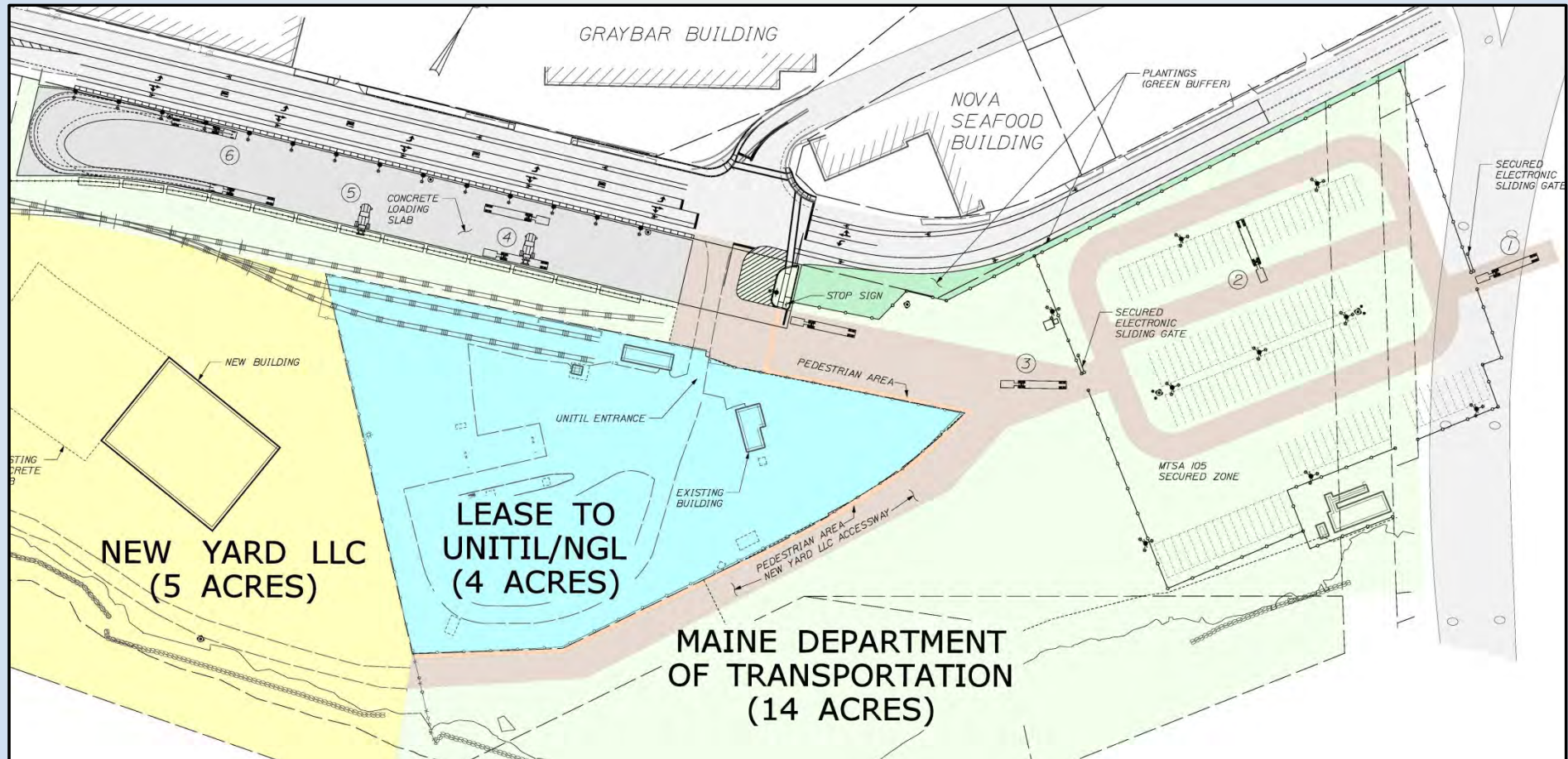


EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Portland International Marine Terminal

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT General Description of the Project

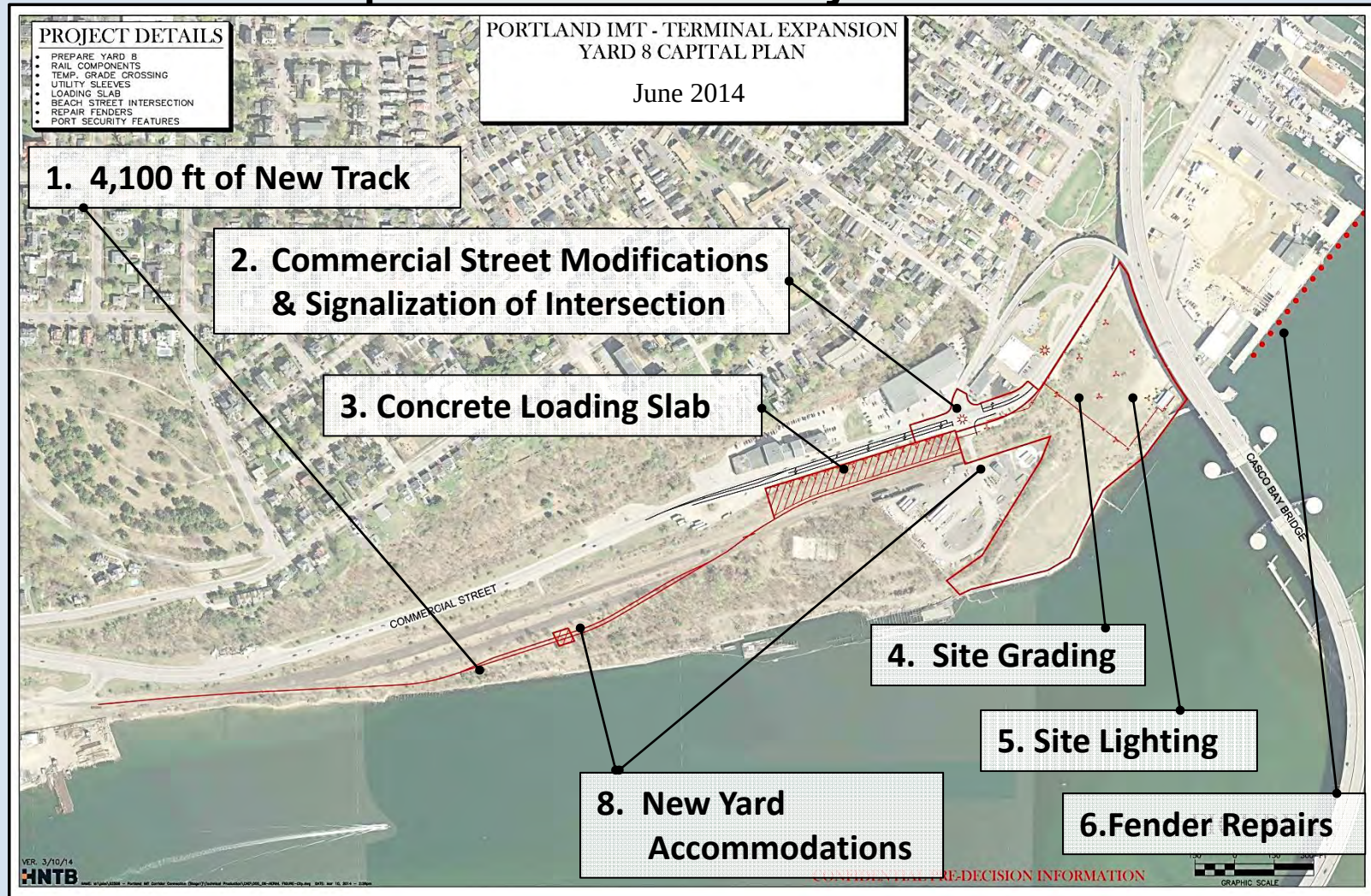
- Provide Rail Connection to the Terminal
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PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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- **Project Components**
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- Commercial Street Improvements

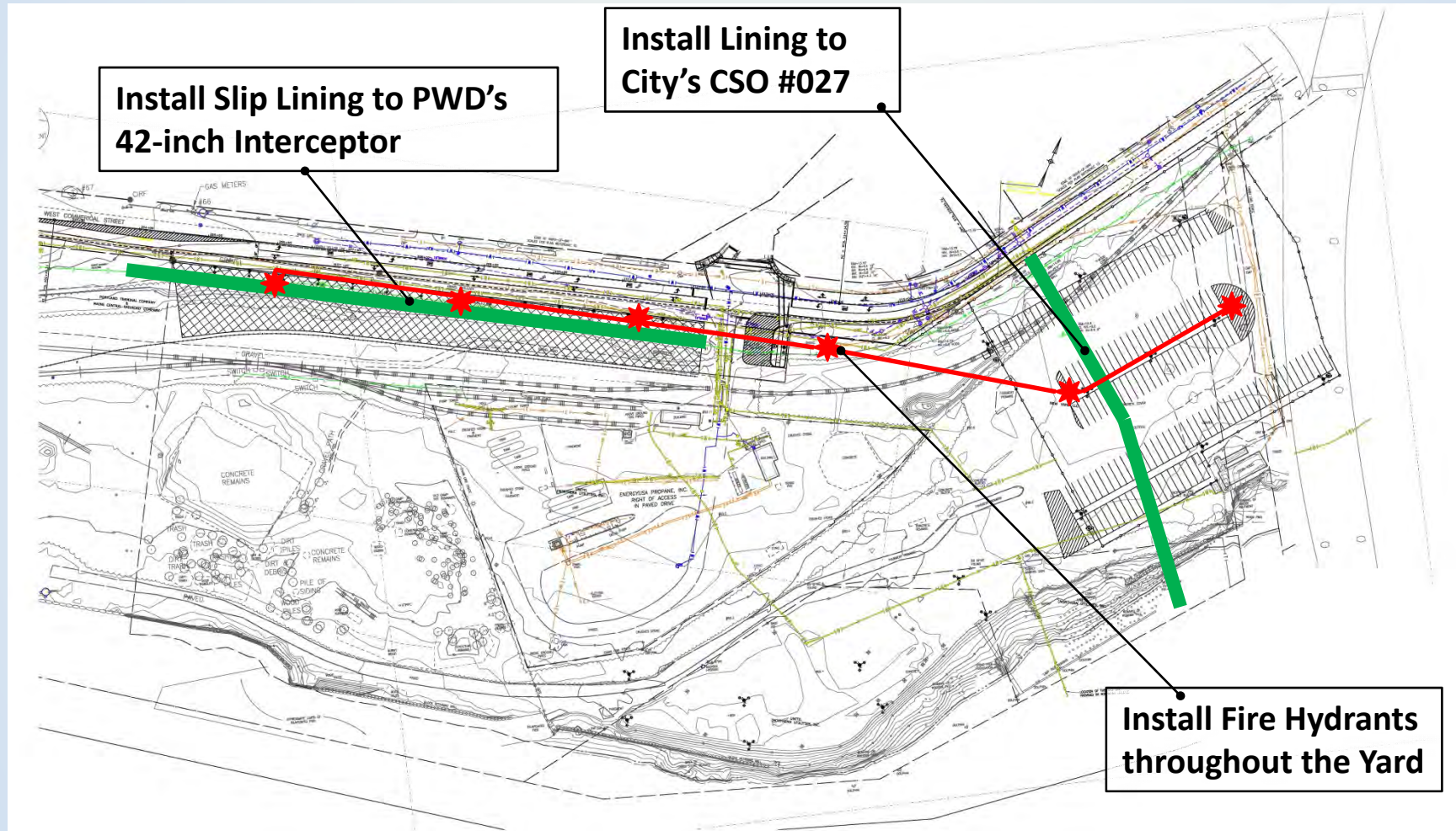


PORTLAND INTERNATIONAL MARINE TERMINAL

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General Description of the Project

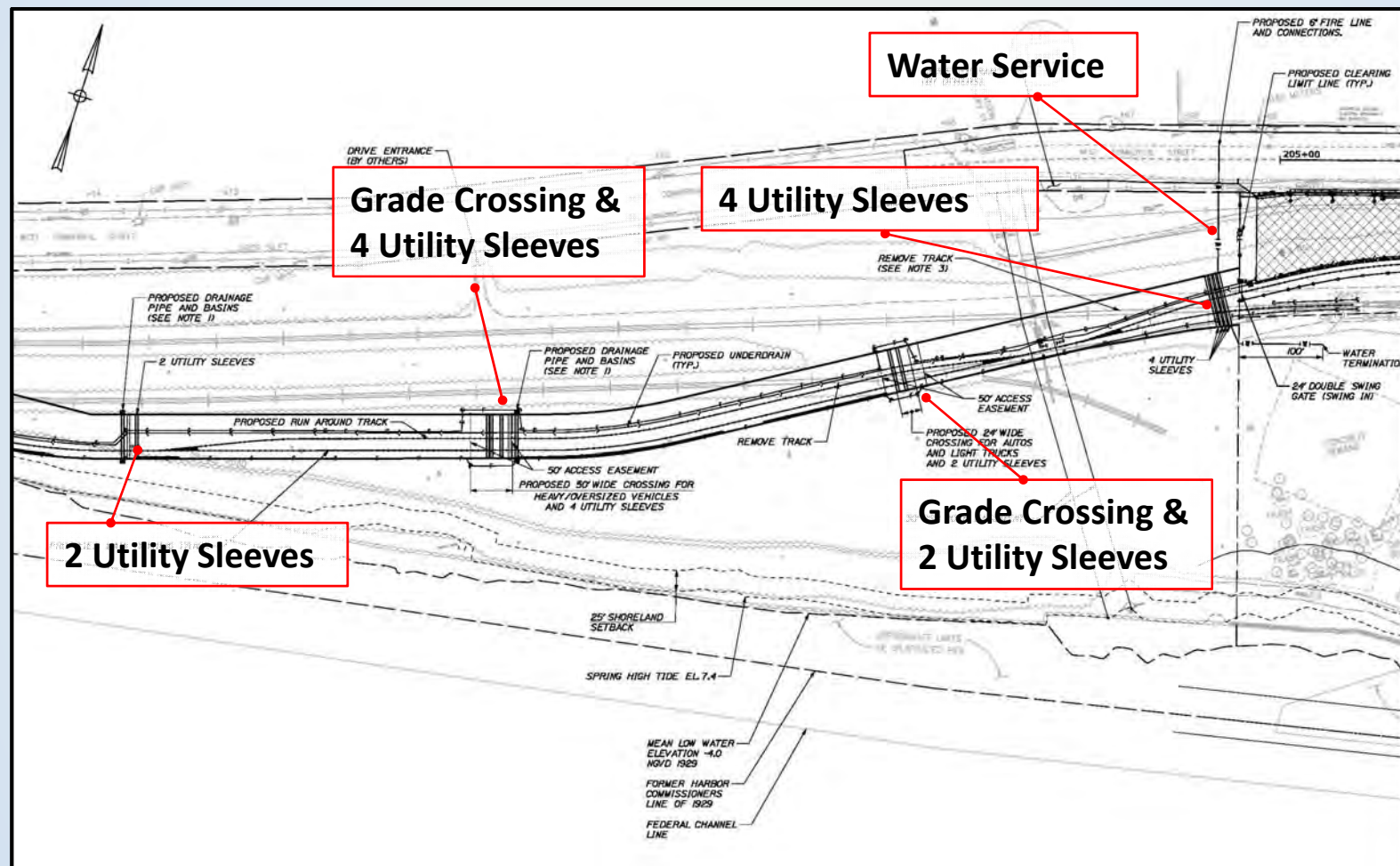
- Provide Rail Connection to the Terminal
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- Commercial Street Improvements



PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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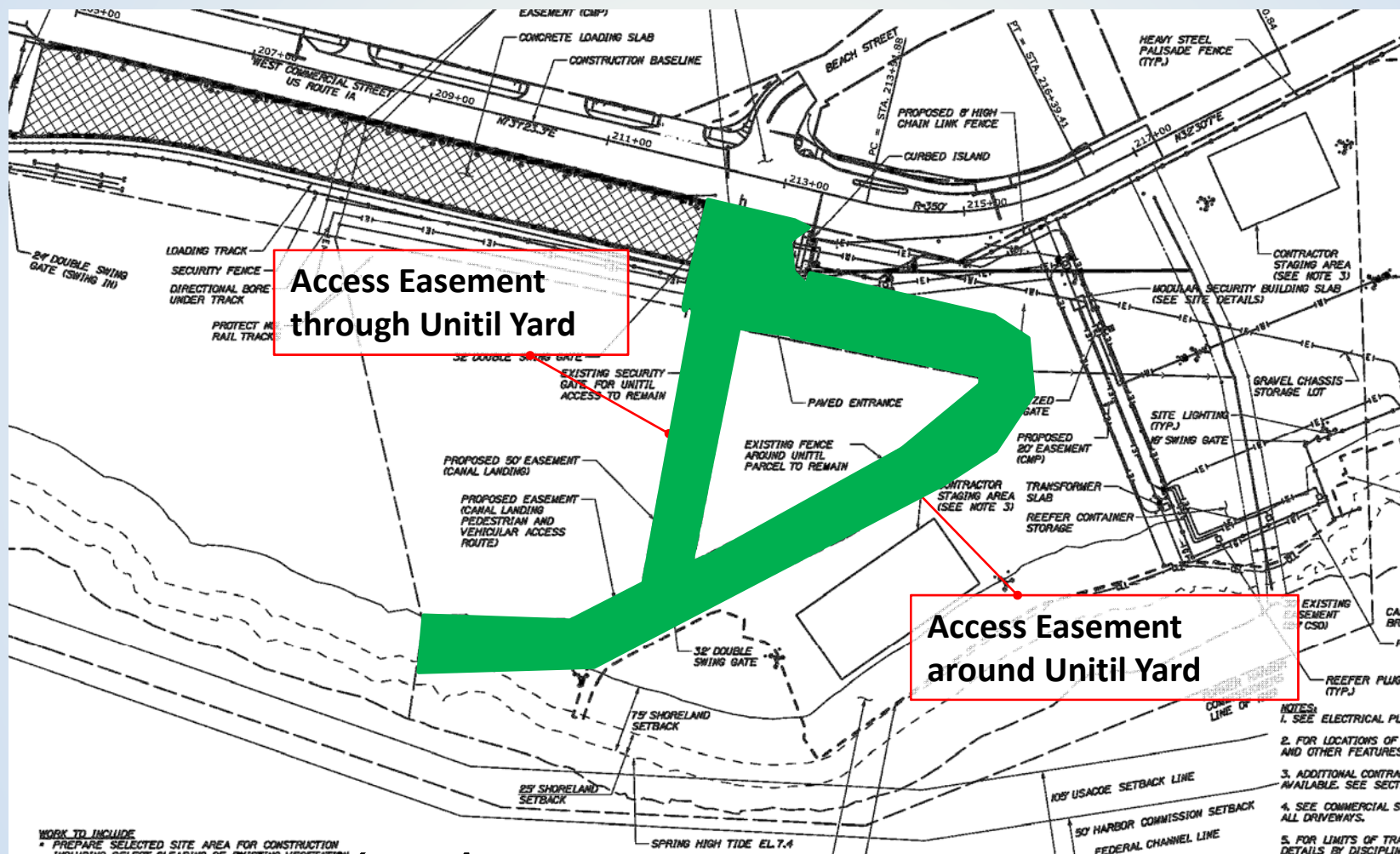
NEW YARD ACCOMMODATIONS

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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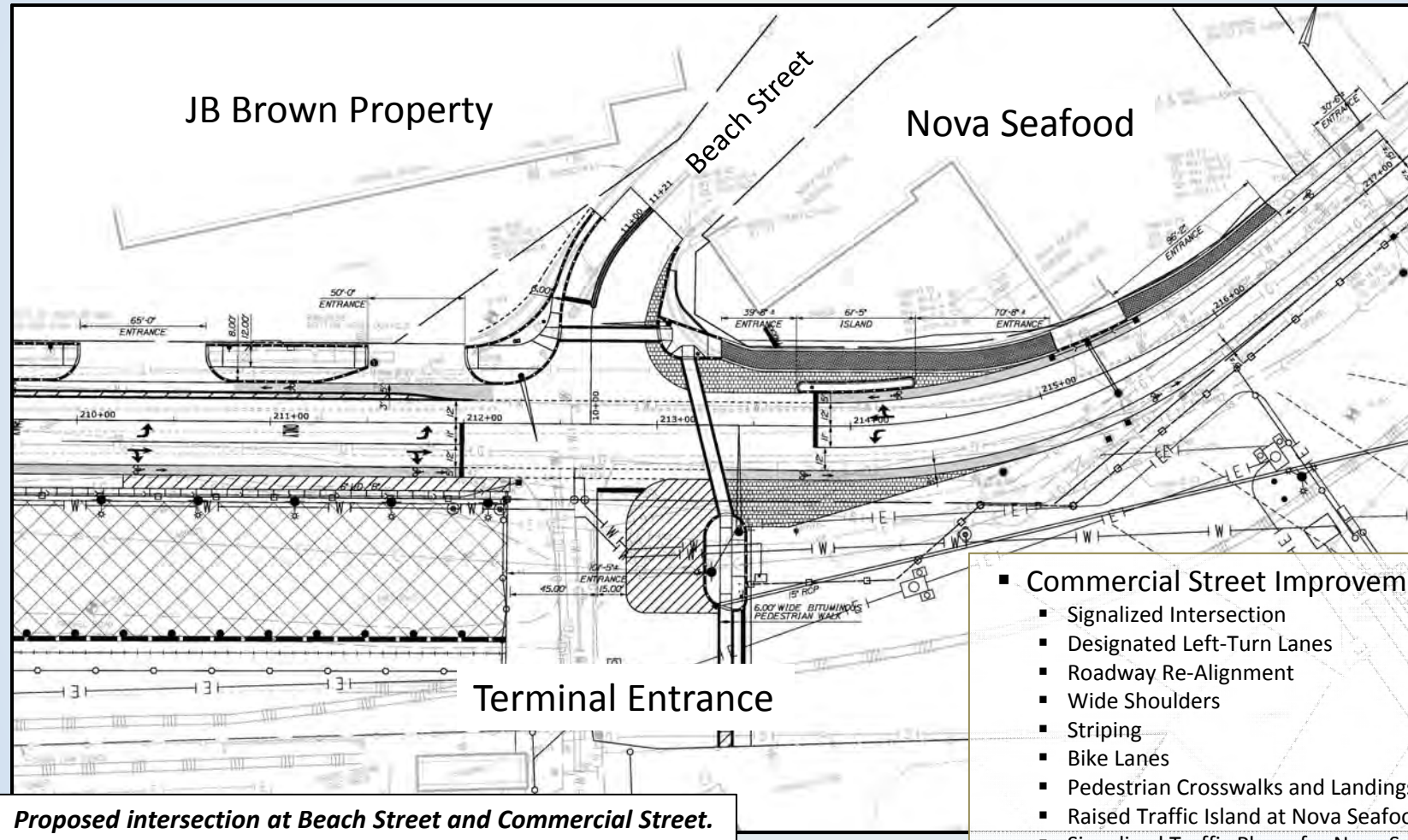


PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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- **Commercial Street Improvements**



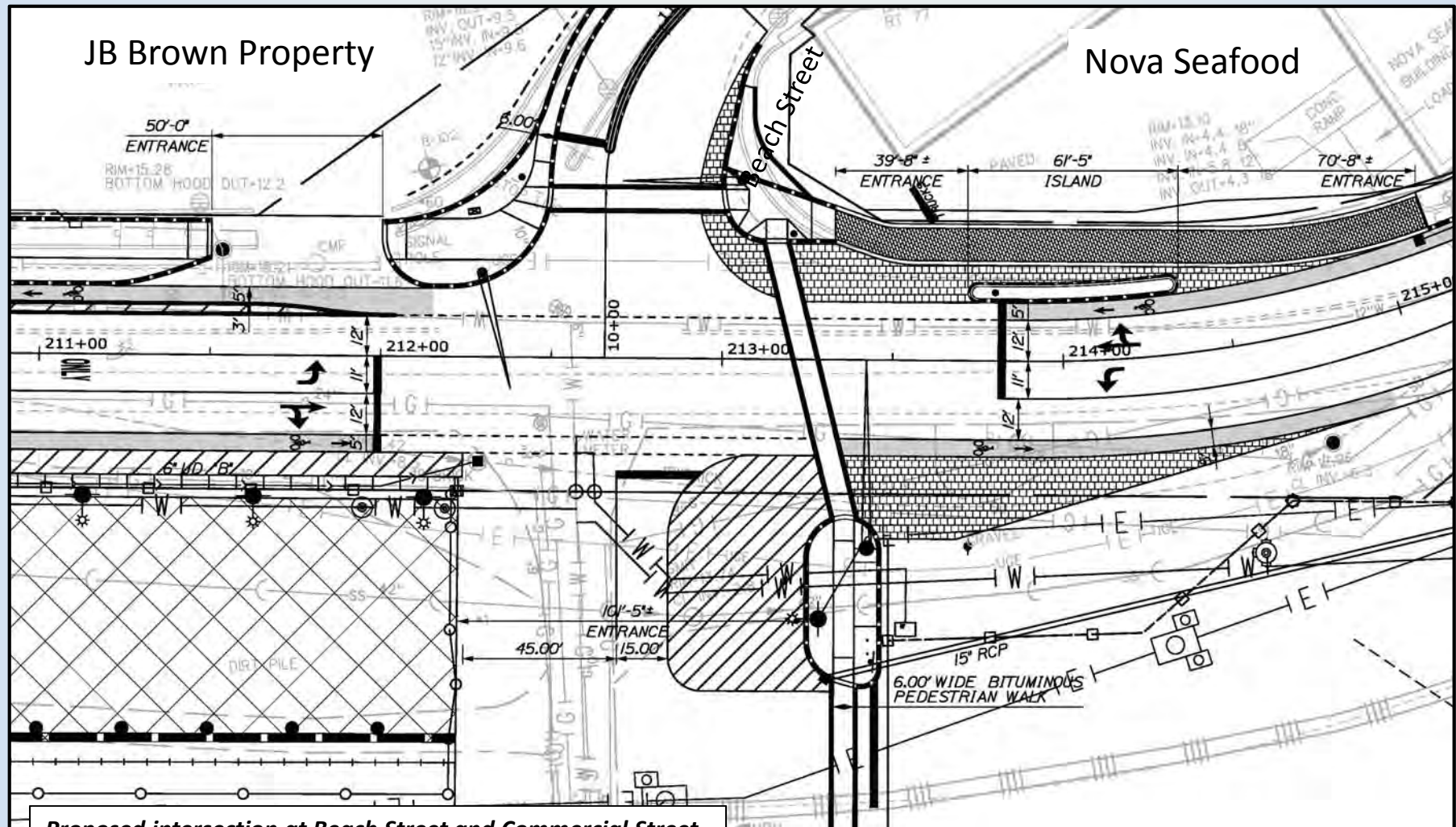
- **Commercial Street Improvements**
 - Signalized Intersection
 - Designated Left-Turn Lanes
 - Roadway Re-Alignment
 - Wide Shoulders
 - Striping
 - Bike Lanes
 - Pedestrian Crosswalks and Landings
 - Raised Traffic Island at Nova Seafood
 - Signalized Traffic Phase for Nova Seafood.

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

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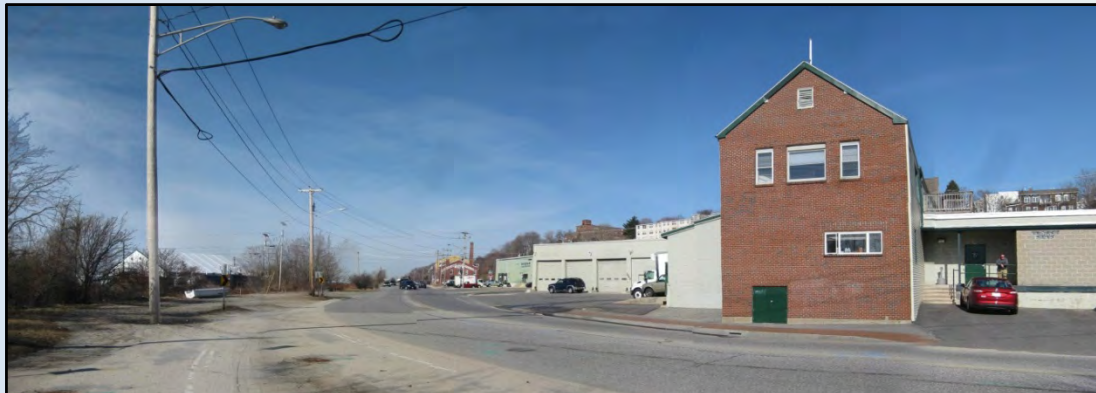
Proposed intersection at Beach Street and Commercial Street.

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
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- **Commercials Street Improvements**



view west existing



view west proposed



COMMERCIAL STREET IMPROVEMENTS



PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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- Provide Rail Connection to the Terminal
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view east existing



view east proposed

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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COMMERCIAL STREET IMPROVEMENTS



PORTLAND INTERNATIONAL MARINE TERMINAL

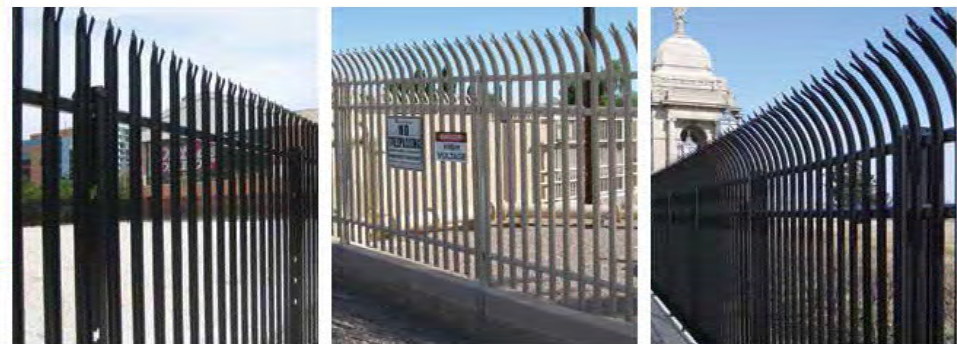
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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HIGH SECURITY STEEL PALISADE FENCING

Maintaining a secure perimeter is your first line of defense against potential threats. Impasse II fence systems serve as a *visual deterrent backed with heavy steel components* that give a higher level of protection compared to the traditional chain link or architectural mesh fence alternatives. Impasse II is the *best choice for securing at risk facilities or protecting specific assets within a property.*

PORTLAND INTERNATIONAL MARINE TERMINAL

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Road Demarcation

- ▶ **Sizes:**
 - 0.8–2mm for Bike Lanes
 - 2–4mm for Bus Lanes
- ▶ Road and pathway demarcation creates a safe and long lasting alternative to traditional painting methods.



- 100% Recycled Glass
- Reflective Beauty of Glass
- Color Retention
- Epoxy Resin Binder
- Environmentally Friendly
- Variety of Colors
- Size Ranges

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Open Dialog

Questions & Answers

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Miscellaneous Information

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- Project Components
- Infrastructure Improvements
- **Commercials Street Improvements**



Mi-Jack Reach Stacker
(128-tons)



Kalmar Reach Stacker
(86-tons)

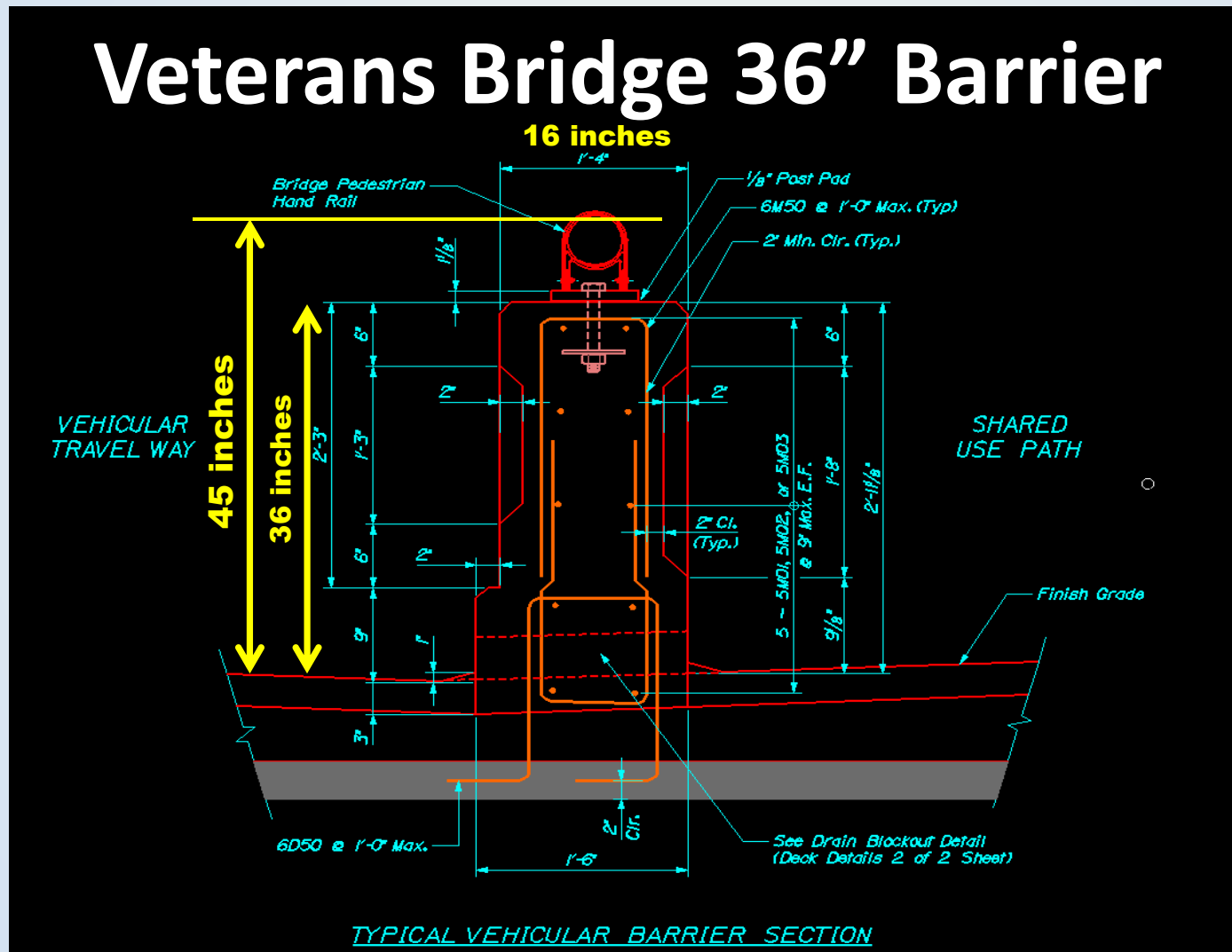
Passenger Vehicle: 2 tons
HS20 Highway Truck: 40 tons

PORTLAND INTERNATIONAL MARINE TERMINAL
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Veterans Bridge 36" Barrier



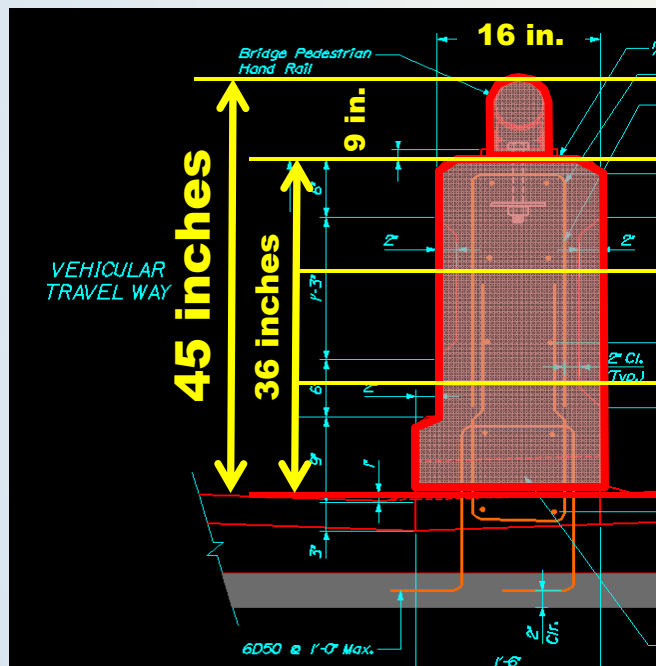
PORTLAND INTERNATIONAL MARINE TERMINAL

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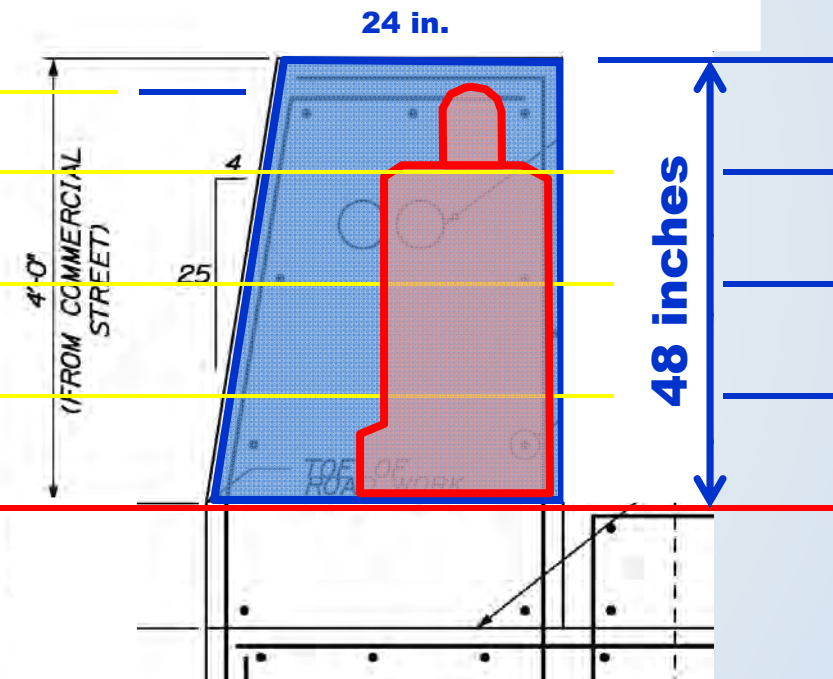
General Description of the Project

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Veterans Bridge 36" Barrier



Proposed Slab 48" Barrier

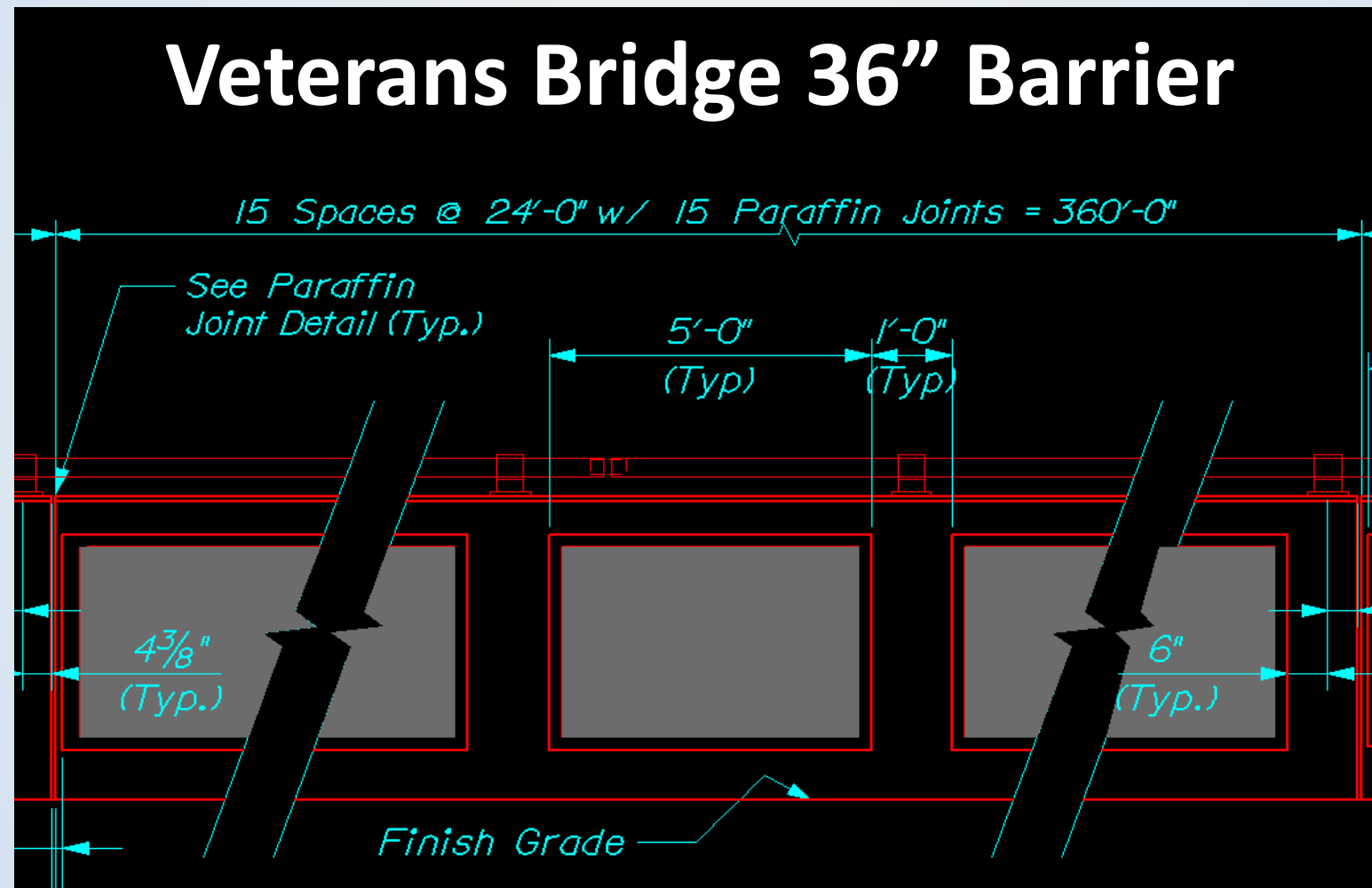


PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

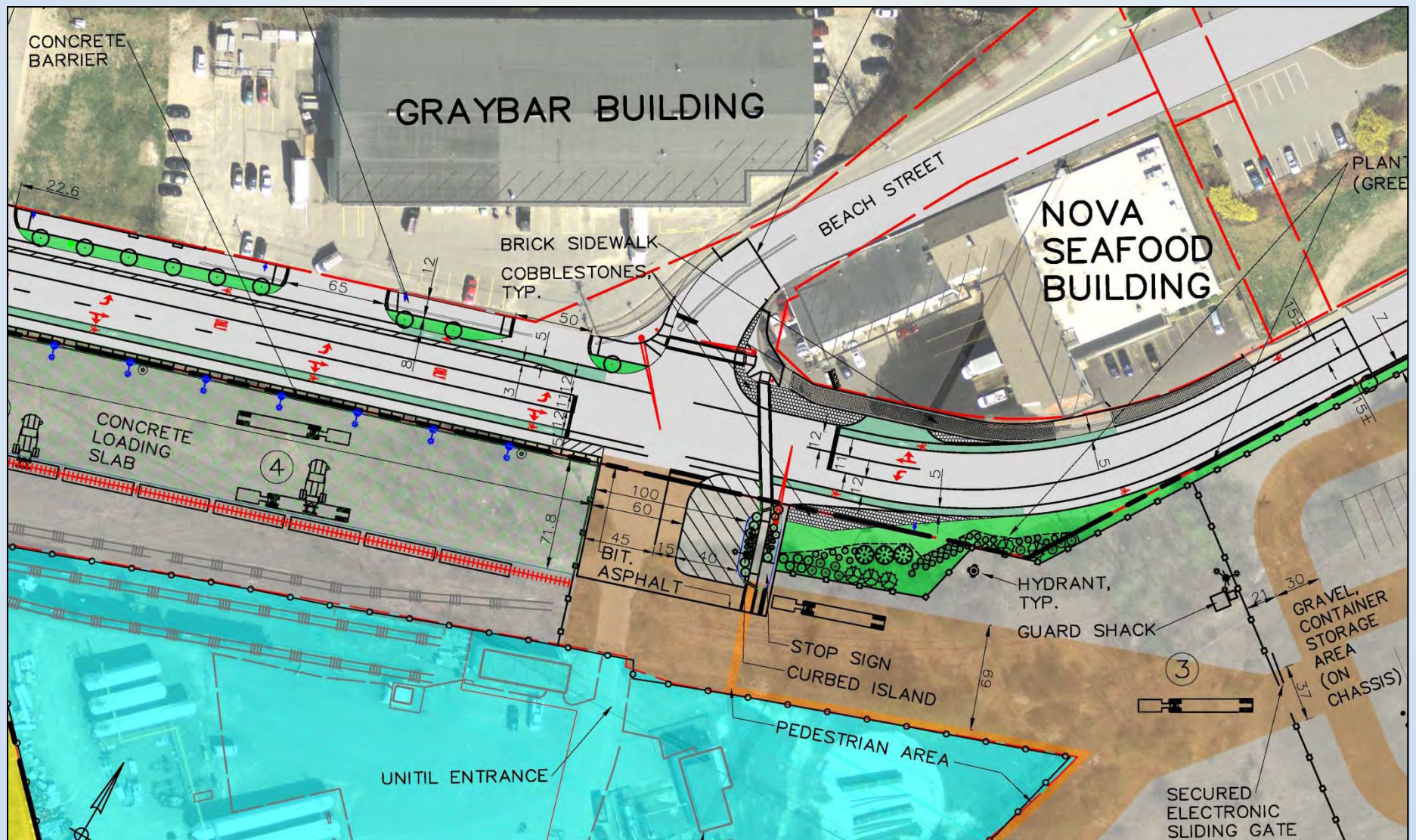
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General Description of the Project

- Provide Rail Connection to the Terminal
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- Internal Operations
- Project Components
- Infrastructure Improvements
- **Commercials Street Improvements**



HNTB Corporation
The HNTB Companies
Engineers Architects Planners

340 County Road, Suite 6-C
Westbrook, ME 04092

Telephone (207) 774-5155
Facsimile (207) 228-0909
www.hntb.com

June 27, 2014



Mr. Richard Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

RE: Site Plan Application for Portland IMT, Existing Laydown and Connecting Corridor Connection
Amendment #6 and Revised Plans

Rick,

Please find attached responses to the City's latest questions, comments, and conditions received during the public hearing on June 24th. We have outlined the changes that have been performed to the drawing set; attached a revised set of plans hereto; and provided our responses to the latest general comments. We believe that our responses provided in Amendment #5 on June 23rd already addressed many of the City's comments; and therefore, have not been reiterated here. If there are any outstanding comments after your review of this amendment package, please let us know as soon as possible so that we may respond in a timely manner.

Also, the State is working diligently with New Yard to finalize the details of the supplemental agreement, and as such, the Boundary Survey sheets are scheduled to be finalized next week. Therefore, they are not presented in this plan set, but we will provide them to you as soon as they become available.

If you have any additional questions regarding these responses, please do not hesitate to contact me or our project liaison, Pat Carroll. We look forward to seeing you again on July 8th at the public hearing to complete the Site Plan process.

Regards,

A handwritten signature in blue ink, appearing to read "G.R.M.", is written over a faint circular stamp.

Craig R. Morin, P.E.
Project Manager

C: Joel Kittredge, Project Manager, MaineDOT (via email: Joel.C.Kittredge@maine.gov)
Pat Carroll, Carroll Associates (email: pcarroll@carroll-assoc.com)

Encl.: Summary of Drawing Updates
Response to Comments

HNTB File No.: 62506-DS-001-001

M:\jobs\62506 - Portland IMT Corridor Connection (Stage1)\Communications\Letters\
LTR 04 Plan Submittal to City 06-27-14.docx

SUMMARY OF DRAWING UPDATES:

SHEETS	DESCRIPTION
C06-C08 and R09-R10	<u>New Yard, LLC Accommodations:</u> The plans reflect the following changes to provide additional accommodations for New Yard, LLC at the request of New Yard, LLC and at the concurrence of the MaineDOT. These changes will be listed in the supplemental agreement with New Yard, the details of which will be submitted by the MaineDOT under separate cover. - Twelve 24-inch diameter RCP utility sleeves have been provided across the railroad corridor for planned and future use. - Electrical provisions have been added to provide permanent service once the temporary utility pole (located within the limits of the proposed slab) has been removed. - A new temporary accessway directly through the Unitil parcel has been added so that access from Commercial Street is more direct toward the New Yard, LLC property.
C06-C10 and R09-R10	<u>Utility and Other Accommodations:</u> The plans reflect the following existing and proposed utility easements and temporary accessways: - CMP easements for primary service. - New Yard accessways.
S01	<u>Structural Design:</u> The plans reflect the following changes to the concrete barrier: The façade of the concrete wall has been revised to provide a panel-like appearance which will consist of a recessed textured surface (similar to the one shown during the presentations) outlined by a flat perimeter of concrete.
C08-C09 and C13-C15	<u>Site Plan Information:</u> The plans reflect the following updates to the Site Plan drawings per City staff review comments: - Inclusion of width dimensions for driveway entrances. - Site grading and drainage has been updated along with sections.
H29-H36	<u>Highway and Traffic Information:</u> The plans reflect the following updates to the highway and traffic drawings per City staff review comments: - Additional signs added per Nova Seafood for trucks using the intersection. - Additional signs added per City for no parking 200-ft of the intersection. - The delay timing for the Nova Seafood signal phase has been adjusted to prevent consecutive calls when vehicles accidentally park within the video detection zone. - The sidewalk along Nova Seafood will be reconstructed. - The bike lanes through the intersection will have a dashed line treatment. - The bike lanes west of the project are now marked.
At End of the Drawing Set	<u>Boundary Survey Revisions:</u> The plans reflect the following changes to the Boundary Survey provided by Owen Haskell. - Scale of the drawings are 1 inch = 50 ft. - New Yard accessways and accommodations

COMMENTS FROM RICK KNOWLAND, SENIOR PLANNER (VIA PLANNING BOARD REPORT AND PUBLIC HEARING, JUNE 24, 2014) AND RESPONSES:

Comment 1

Please submit a revised plan reflecting a lower concrete wall along Commercial Street. Also, please consider an approach to provide a variable-textured façade to the concrete wall to enhance its aesthetic appeal.

Response: During the public hearing, we illustrated that the height of the concrete wall is necessary to protect the public against the risk of accidental operations of the reach stacker machine. The applicant also illustrated that the proposed 48-inch height of the concrete wall is only 3 inches higher than the 45-inch high concrete panels with steel railing used on Veteran's Bridge. We feel that safety is a paramount concern given the proximity of the reach stacker to the traveling motorist and queued trucks along Commercial Street. Therefore, on this topic, we kindly request that the Board remove this topic as a condition of site plan approval.

Comment 2

Please submit agreements, easements, and other relevant documents confirming appropriate easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road.

Response: The MaineDOT is developing these agreements and documents in a collaborative effort with New Yard, LLC and will provide copies of these documents in advance of the public hearing for the City's review.

Comment 3

Please submit a revised site plan with sufficient details and dimensions to clarify design.

Response: We have provided additional information on the site plan drawings to accommodate this request, but as you will note, the drawing has become congested with these callouts. On a multi-faceted and complex project such as this, the industry standard for drawing production is to show dimensions and information only the designated drawings per discipline. We have accommodated the City's request for additional information on the site plans. All other information is provided on the appropriate drawings by discipline. On this topic, we kindly request that the Board remove this topic as a condition of site plan approval

COMMENTS FROM STUART O'BRIEN, PLANNING BOARD CHAIRMAN (VIA PUBLIC HEARING, JUNE 24, 2014) AND RESPONSES:

Comment 1

Please evaluate the use of cobblestones along Commercial Street in lieu of paint lines to denote the "No Parking" zone along the concrete barrier near the intersection.

Response: We evaluated the use of cobblestones as well as landscaping elements in this area as a means to indicate "No Parking" within the 200-ft zone prior to the intersection. Upon our review, we concluded that the use of paint markings is an industry-standard method of denoting no parking zones which will be more prevalent to a truck driver when coupled with the no parking signs. The use of cobblestones on the east side of the intersection are areas where trucks are in fact permitted, and so the use of cobblestones on this side of the intersection could be interpreted to mean that only trucks are permitted to use the cobblestone region. We feel cobblestones would be used inconsistently at the intersection if installed in this no parking zone.

Landscaping was also considered for this area, but was deemed impractical for several reasons:

- *The use of trees or shrubs would interfere with cleaning efforts of the concrete pavers. The concrete pavers are typically cleaned with a vacuum truck that is required to have unobstructed access along the concrete wall.*
- *Snow plowing would be problematic and the landscaped area could become an area for snow pile-up which would damage the landscaping.*

Supplemental Agreement

This Supplemental Agreement is dated as of the _____ day of July, 2014, by and between the **STATE OF MAINE**, acting by and through its **DEPARTMENT OF TRANSPORTATION** ("MaineDOT"), and **NEW YARD, LLC**, a Maine limited liability company with an office in Portland, Maine ("New Yard").

1. Definitions.

(a) "Acquisition Agreement" means the Property Acquisition and Settlement Agreement dated March 11, 2014, between MaineDOT and New Yard, LLC.

(b) "New Yard" includes New Yard's successors in title to the Retained New Yard Parcel (or portions thereof).

(c) "Site Plan" means the site plan (consisting of Sheet Nos. C07 and C08) attached as Exhibit [INSERT] to this Supplemental Agreement.

(d) Capitalized terms not otherwise defined in this Supplemental Agreement have the same meanings as in the Acquisition Agreement.

2. Introduction.

(a) MaineDOT and New Yard are parties to the Acquisition Agreement. A copy of Section 3 of the Acquisition Agreement, which includes provisions pertaining to vehicular access and utilities access, is attached as Exhibit [INSERT] to this Supplemental Agreement. MaineDOT has completed the Acquisition, and the parties have now reached certain supplemental agreements regarding temporary vehicular access and regarding utilities and wish to document these supplemental agreements.

(b) New Yard has entered into an agreement to acquire the Additional New Yard Parcel. New Yard anticipates that it will close on the acquisition of the Additional New Yard Parcel by December 31, 2014.

(c) New Yard will be obtaining an easement from the owner of the Additional New Yard Parcel that will permit New Yard to undertake the utility installations described in this Supplemental Agreement prior to New Yard's acquisition of the Additional New Yard Parcel.

3. Temporary Vehicular Access.

(a) Section 3.3(b) of the Acquisition Agreement states:

Temporary Access over Fee Parcel and Inland Utilit Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular

driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Unitil Parcel currently occupied by Osterman Propane, LLC.

(b) The one driveway that New Yard may use for temporary access is depicted on Sheet No. C08 of the Site Plan.

(c) New Yard will cease using this temporary access driveway upon the earlier of: (i) New Yard's acquisition of the Additional New Yard Parcel (so long as the heavy/oversize vehicular driveway/crossing described in Section 3.3(c) of the Acquisition Agreement has been completed by that time), or (ii) (subject to Section 3(d) below) May 15, 2015.

(d) If, despite proceeding diligently and exercising its best efforts to do so, New Yard has not closed on the acquisition of the Additional New Yard Parcel by May 15, 2015, MaineDOT will select one of the following alternatives to provide for continued temporary access until New Yard closes on the acquisition of the Additional New Yard Parcel:

(i) MaineDOT may permit New Yard to continue to use the temporary access driveway depicted on Sheet No. C08 of the Site Plan; or

(ii) MaineDOT will facilitate with the owner of the Additional New Yard Parcel the establishment of an alternative temporary access driveway over the Additional New Yard Parcel.

If MaineDOT selects alternative (i) above, MaineDOT may at any time thereafter facilitate with the owner of the Additional New Yard Parcel the establishment of an alternative temporary access driveway over the Additional New Yard Parcel, after which New Yard will cease using the temporary access driveway depicted on Sheet No. C08 of the Site Plan.

4. Utilities Access.

(a) Section 3.4 of the Acquisition Agreement is amended to read as follows:

3.4 Utilities Access

New Yard, at its expense, may have underground utility crossings transversely across the MaineDOT Corridor Parcel through sleeves installed at the locations depicted on Sheet No. C07 of the Site Plan. These underground utility crossings will be in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

(b) The precise locations of these sleeves may vary slightly based on field conditions and on the final design of the track and other improvements depicted on these exhibits.

(c) These sleeves will be installed by New Yard's contractor in compliance with MaineDOT's specifications for such installations. New Yard will bear the cost of installing these sleeves; provided, however, that MaineDOT will bear the cost of installing one (1) sleeve, i.e. the sleeve for the fire water line referenced in Section 6(a) below, and will reimburse New Yard for the cost of installing this one (1) sleeve within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work.

(d) All installations of pipe lines carrying non-flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Non-Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(e) All installations of pipe lines carrying flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(f) Additional terms and conditions pertaining to underground utility crossings are set forth in Exhibit [INSERT] to this Supplemental Agreement.

5. Electric Service to Retained New Yard Parcel.

(a) Electric service to the Retained New Yard Parcel presently is provided through an electric line that extends from Commercial Street to a utility pole on the Retained New Yard Parcel.

(b) The present electric service to the Retained New Yard Parcel will be replaced (and thereupon discontinued) no later than August 31, 2014, by the new electric line from Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This new electric line will be installed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of an electric line that provides service that is equivalent to the present electric service to the Retained New Yard Parcel, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for any cost associated with any improvement to electric service beyond that which is provided by the present electric service to the Retained New Yard Parcel.

6. Water Service to Retained New Yard Parcel.

(a) The present interim water service to the Retained New Yard Parcel will be replaced no later than August 31, 2014, by the new water service from Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This new water service will be installed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of the fire water component of this new water service, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for the cost of any of the potable water components of this new water service.

(b) New Yard will work directly with the Portland Water District regarding the location and other arrangements for this new water service.

(c) As soon as this new water service is installed and operational, the present interim water service to the Retained New Yard Parcel will be discontinued.

7. Sewer Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a sewer line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This sewer line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with the City of Portland and the Portland Water District regarding the location and other arrangements for this sewer line.

8. Natural Gas Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a natural gas line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This natural gas line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with Unitil regarding the location and other arrangements for this natural gas line.

9. Surface Water Drainage.

(a) MaineDOT will install (at MaineDOT's expense) catch basins immediately adjacent to the MaineDOT Corridor Parcel at the locations depicted on Sheet No. C07 of the Site Plan.

(b) These catch basins will be for the drainage of surface water only and will be designed and installed in a manner that permits New Yard to tie into them (at New Yard's expense) for the purpose of surface water drainage. All discharges into these catch basins will be in compliance with MaineDOT's standard terms and conditions and applicable federal and state law.

(c) MaineDOT will not utilize any of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement for surface water drainage purposes.

10. Coordination With MaineDOT.

All work and other activities undertaken by New Yard on MaineDOT's property pursuant to this Supplemental Agreement will be undertaken only after coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with ongoing work and other activities being undertaken by MaineDOT.

11. Coordination With Pan Am Railways.

In addition to the coordination with MaineDOT required by Section 10 of this Supplemental Agreement, all work and other activities undertaken by New Yard within fifteen (15) feet of the outside rail of the existing railroad tracks that are used by Pan Am Railways to serve Osterman Propane, LLC will be undertaken only after coordination with Pan Am Railways. New Yard will bear the costs of all flagging, supervision, inspection, and other services required by Pan Am Railways.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF the parties have executed this Supplemental Agreement.

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

By: _____

Name: _____

Title: _____

NEW YARD, LLC

By: _____

Name: _____

Title: _____

SEEN AND AGREED TO:

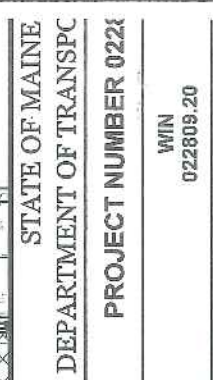
CANAL LANDING, LLC

(successor in title to portion of Retained New Yard Parcel)

By: _____

Name: _____

Title: _____



PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

SITE PLAN

SHEET NUMBER
C07
10 OF 116

- PLAN
-
- Scale of Feet

**Section 3. IMPROVEMENTS; RETENTION AND REMOVAL OF PERSONAL
PROPERTY; VEHICULAR ACCESS; UTILITIES ACCESS;
DRAINAGE**

3.1 Improvements

The Acquisition will include all improvements, fixtures, trackage, and structures that are owned by New Yard and located on the Fee Parcel, as well as all improvements, fixtures, trackage, and structures that are owned by New Yard and located on either of the Unitil Parcels. For purposes of this Section 3.1, "trackage" includes tracks, rails, ties, signals, switches, grade crossing materials, warning devices,

ballast, subgrade, railroad communication and signal systems, wires, pipes, poles, and all other trackage appurtenances.

3.2 Retention and Removal of Personal Property

(a) Retained Items. The Acquisition will not include the following items that are owned by (or that are in the custody and control of) New Yard and that, on the Acquisition Date, are located on the Fee Parcel and/or on the Unitil Parcels: (i) piles of earth, gravel, fill, and borrow; (ii) construction-related materials; and (iii) construction-related personal property.

(b) Removal. New Yard will remove the retained items enumerated above no later than July 1, 2014. These items will be moved to another location in the Portland area acceptable to MaineDOT, after which MaineDOT (following receipt and review of invoices and other supporting documentation of actual costs incurred by New Yard) will pay New Yard's one-time Relocation Costs.

3.3 Vehicular Access

(a) Introduction. The Fee Parcel is part of a parcel of land acquired by New Yard by deed from Portland Terminal Company dated July 31, 2013, and recorded in the Cumberland County Registry of Deeds in Book 30887, Page 247. New Yard will retain the portion of that parcel of land that is not part of the Acquisition (the "Retained New Yard Parcel"). Furthermore, New Yard intends to acquire additional land westerly of the Retained New Yard Parcel (the "Additional New Yard Parcel"), while MaineDOT intends to acquire a strip of land, westerly of the Fee Parcel and the Unitil Parcels and roughly parallel to West Commercial Street, to be used as a transportation corridor (the "MaineDOT Corridor Parcel"), one segment of which will bisect longitudinally the

Additional New Yard Parcel. MaineDOT intends to construct a railroad track and a heavy haul road over the length of the MaineDOT Corridor Parcel that will connect, at the easterly end, with additional related infrastructure to be constructed on the Fee Parcel and/or the Unitil Parcels. The parties intend that New Yard will be able to gain vehicular access from West Commercial Street to the Retained New Yard Parcel, and to the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline: (i) first, by initially utilizing the temporary access arrangement described in Section 3.3(b), and (ii) thereafter, over the two driveways/crossings described in Sections 3.3(c) and 3.3(d), one intended for heavy/oversize vehicles (as well as for automobiles and light trucks) and the other intended only for automobiles and light trucks. The parties also intend that New Yard will be able to use MaineDOT's heavy haul road on a limited basis for specific purposes, as described in Section 3.3(e).

(b) Temporary Access over Fee Parcel and Inland Unitil Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Unitil Parcel currently occupied by Osterman Propane, LLC.

(c) Driveway/Crossing for Heavy/Oversize Vehicles. A driveway and private railroad at-grade crossing, up to fifty (50) feet wide, for heavy/oversize vehicles will be constructed and maintained across the MaineDOT Corridor Parcel to

specifications established by MaineDOT and at a location acceptable to MaineDOT. The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the south side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate such heavy/oversize vehicles as are required for the conduct of New Yard's business on the Retained New Yard Parcel and/or on the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline. Following the installation of the driveway and railroad at-grade crossing for heavy/oversize vehicles described in this Section 3.3(c), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(d) Driveway/Crossing for Automobiles and Light Trucks. A driveway and private railroad at-grade crossing will be constructed and maintained across the

MaineDOT Corridor Parcel or the Fee Parcel to specifications established by MaineDOT and at a location acceptable to MaineDOT easterly of the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c). The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the southerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate automobiles and light trucks. Following the installation of the driveway and railroad at-grade crossing for automobiles and light trucks described in this Section 3.3(d), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(e) Use of Heavy Haul Road. If New Yard has a specific need to use MaineDOT's heavy haul road to move oversize vehicles and/or cargo that cannot be accommodated elsewhere, New Yard may ask MPA for permission to use the heavy

haul road for that specific purpose. If such permission is granted, any such use of the heavy haul road will be on a supervised basis, for that specific purpose, and at New Yard's risk and expense, with access to/from the heavy haul road only at the following points (and not at any points in between): (i) the easterly end of the heavy haul road; (ii) the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c); and (iii) the westerly end of the heavy haul road.

3.4 Utilities Access

New Yard, at its expense, may install up to two (2) underground utility crossings transversely across the MaineDOT Corridor Parcel, at locations acceptable to MaineDOT, in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

3.5 Drainage

MaineDOT's project design for the MaineDOT Corridor Parcel includes drainage features sufficient to accommodate MaineDOT's planned development on that parcel. New Yard may propose to MaineDOT, for MaineDOT's consideration, adjustments to these drainage features in anticipation of New Yard's planned development of the Additional New Yard Parcel, provided that any such adjustments must be proposed to MaineDOT within thirty (30) days after the Acquisition Date. If any such adjustments are proposed to MaineDOT, MaineDOT will review them and will decide, in MaineDOT's sole discretion, whether to adopt any of them. If MaineDOT decides to adopt any of the proposed adjustments, New Yard will be responsible for the incremental costs of materials, installation, and maintenance associated with those adjustments.

EXHIBIT [INSERT]

Additional Terms and Conditions
Pertaining to Installation of Underground Utility Lines

#. Installation and Maintenance of Underground Utility Lines.

(a) New Yard will notify MaineDOT no less than thirty (30) days prior to the installation of any utility line across the MaineDOT Corridor Parcel. All such installations will be underground and will use the sleeves depicted on the Site Plan. No additional sleeves may be installed without MaineDOT's prior written permission.

(b) Following receipt of notice from New Yard, MaineDOT will determine the extent to which flag protection, inspection, and supervision are necessary in connection with installation. MaineDOT will arrange for this flag protection, inspection, and supervision at New Yard's expense, calculated at the rates prevailing at the time the work is performed.

(c) Installation of underground utility lines will proceed only in coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with railroad operations or other activities taking place on the MaineDOT Corridor Parcel.

(d) New Yard will install and maintain all underground utility lines in compliance with the design previously provided to, and approved by, MaineDOT and in compliance with applicable federal, state, and local law. In the event of a conflict between an approved design and an applicable law, the applicable law will govern.

(e) New Yard will be solely responsible, at its expense, for procuring and complying with all necessary federal, state, and local permits that are required.

(f) In the event of an emergency, New Yard will make every effort to inform MaineDOT of the emergency and steps being taken in light of the emergency.

(g) If New Yard fails to properly maintain an underground utility line, or if an underground utility line interferes with drainage or other uses of MaineDOT's property, then MaineDOT may order changes to the underground utility line at New Yard's expense or may (but will have no obligation to do so) make such repairs to the underground utility line at New Yard's expense as may be immediately necessary for the safety of rail operations or of MaineDOT's property.

#. Use.

Each underground utility line that is installed will be used solely for the purpose for which it was installed (i.e. the transmission of electricity, the transportation of

natural gas, or the transportation of water or sewage, as the case may be). Any change in use will be subject to the prior approval of the Director of MaineDOT's Office of Freight Transportation.

#. Protection of Other Utilities.

New Yard will protect any other power, communication, signal, or other utility lines on, over, or under MaineDOT's property from damage of any kind by or because of the construction, maintenance, or use of New Yard's underground utility lines, and New Yard will construct, maintain, and use its underground utility lines in such a manner as will not damage or adversely affect the use of power, communication, signal, or other utility uses of MaineDOT or other companies which may have under contract the right to maintain such utilities on MaineDOT's property.

#. Liability and Risk.

(a) All cost or expense resulting from any and all loss of life or property, or injury or damage to the person or property of any person, firm, or corporation (including the parties hereto and their respective officers, agents, and employees), and any and all claims, demands, or actions for such loss, injury, or damage, caused by or growing out of the installation, presence, use, maintenance, or removal of any of the underground utility lines, will be borne by New Yard. New Yard also will bear the cost of inspections performed by MaineDOT to determine whether New Yard is in compliance with its obligations hereunder.

(b) New Yard assumes all risk of loss or damage to the installed underground utility lines, however caused, and hereby releases MaineDOT from any and all liability on account of such loss or damage, regardless of any negligence on the part of MaineDOT.

#. Insurance.

Any contractor retained by New Yard to install underground utility lines will carry at all times while conducting the installation Public Liability Insurance covering bodily injury or death with limits of not less than \$1,000,000 for the injury or death of each person and \$3,000,000 for each single occurrence, and Property Damage Liability with limits of not less than \$3,000,000 for each single occurrence. These policies will provide that they will not be cancelled or amended without thirty (30) days written notice to the Director of MaineDOT's Office of Freight Transportation. A certified copy of these policies will be provided to the Director of MaineDOT's Office of Freight Transportation prior to the commencement of any installation work.

#. Discontinuance.

New Yard will, at its sole expense, upon the abandonment or discontinuance of use of any of its underground utility lines for twelve (12) consecutive months, promptly

remove the underground utility line and restore MaineDOT's property to a condition satisfactory to MaineDOT. If New Yard fails to do so, MaineDOT may do so, in which case New Yard will pay the bill(s) for such removal and restoration within thirty (30) days after presentation by MaineDOT.

#. No Warranty of Title.

MaineDOT gives no warranty of title to its property, and the permission herein given to New Yard is subject to all encumbrances, conditions, and reservations upon or under which MaineDOT holds its property. New Yard's rights are limited solely to that of a licensee, and New Yard does not hereby acquire any easement or other greater interest in MaineDOT's property.

#. Annual Fee.

New Yard will pay MaineDOT an annual fee for each installed underground utility line in accordance with MaineDOT's fee schedule for underground utility crossings of State-owned rail lines (as that fee schedule may be amended from time to time). This annual fee is payable, in advance, on the date of the Supplemental Agreement between the parties and thereafter on each anniversary of that date.

No Waiver.

No waiver by MaineDOT of any term or condition contained herein (or any breach of any such term or condition) will constitute a precedent, nor bind MaineDOT to waive such term or condition (or breach of such term or condition) in the future.

#. Notice.

All communications and notices required or permitted hereunder will be in writing and will be deemed sufficiently served if served in hand or by certified mail addressed as follows or to such other address as New Yard or MaineDOT may designate in writing from time to time:

MaineDOT: Director
Office of Freight Transportation
Maine Department of Transportation
Transportation Building
16 State House Station
Augusta, Maine 04333

New Yard: New Yard, LLC
c/o Phineas Sprague, Jr., Manager
58 Fore Street
Portland, Maine 04101

#. Successors and Assigns.

This Agreement will inure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; provided, however, that no assignment or other transfer of New Yard's rights or obligations hereunder will be effective without MaineDOT's prior written consent.

ATT 7.

Rick Knowland - RE: Concrete Wall Facade Alternatives (IMT)

From: Craig Morin <cmorin@HNTB.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 6/30/2014 4:12 PM
Subject: RE: Concrete Wall Facade Alternatives (IMT)
CC: Matthew Phillips <mphillips@carroll-assoc.com>, Patrick Carroll <pcarrol...>
Attachments: Capture- formliner 2.JPG; Capture3.JPG; Capture4.JPG; Capture5- large cut stone.JPG; 1117.pdf

Rick,

Here are some examples of the other form liners that can be used for the concrete wall. Most are stone patterns, but some are more unique. The point we would like to make is that we have many options for form liners, and it is simply a matter of picking the one that represents the City's preferred option. We would be happy to research this a little more if you would like to provide us some guidance based on your experience and successful examples within the city.

Craig

From: Craig Morin
Sent: Monday, June 30, 2014 3:59 PM
To: Rick Knowland
Cc: Matthew Phillips; Patrick Carroll; Mitch Elliott; Joel(Joel.C.Kittredge@maine.gov) Kittredge; Alex Jaegerman; Barbara Barhydt; Jeff Levine
Subject: FW: Revised Boundary Survey Plans (IMT)

Hello Rick,

As we just discussed, please find attached the electronic files associated with the Boundary Survey. Tomorrow morning I will hand-deliver the hard copies to the planning board office at City Hall.

In a separate email, I will forward graphics illustrating other options for the concrete wall façade.

If you have any questions or comments, please feel free to call me.

Craig

From: Rick Knowland [<mailto:RWK@portlandmaine.gov>]
Sent: Monday, June 30, 2014 10:04 AM
To: Craig Morin
Cc: Matthew Phillips; Patrick Carroll; Mitch Elliott; Joel(Joel.C.Kittredge@maine.gov) Kittredge; Alex Jaegerman; Barbara Barhydt; Jeff Levine
Subject: RE: IMT - Revised Plans and CD

Hi Craig, Thanks for submitting the material on Friday. The submission references a new surface treatment for the concrete wall. I did not find a graphic of this treatment in the submission. Could you forward me a copy of that graphic? Thanks.

>>> Craig Morin <cmorin@HNTB.com> Friday, June 27, 2014 >>>
 Good Morning, Rick,

High resolution photographs available upon request.



1106 Random Cut Stone (12in) 1



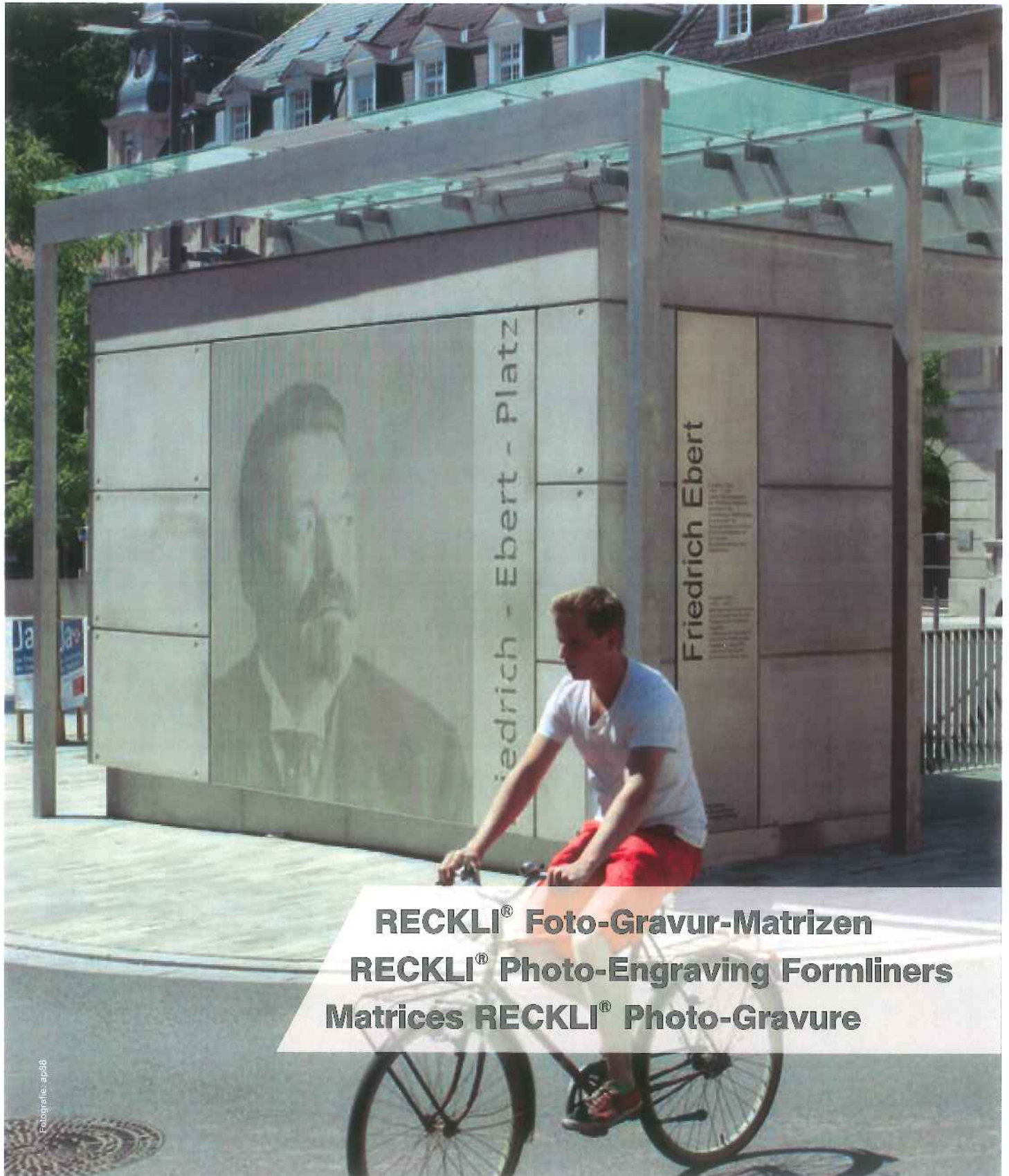






**Strukturmatrizen
Abformtechnik
Formen- und Modellbauharze
Betonveredelung**

DESIGN YOUR CONCRETE



**RECKLI® Foto-Gravur-Matrizen
RECKLI® Photo-Engraving Formliners
Matrices RECKLI® Photo-Gravure**



Ein Bild oder eine Struktur?

Die Fassade ist das Aushängeschild eines jeden Bauwerkes und bestimmt neben der Bauwerksgliederung in ganz entscheidender Weise seinen Gesamteindruck.

Eine Betonfassade bietet dem Architekten die Möglichkeit, durch die Strukturauswahl und -anordnung das natürliche Spiel von Licht und Schatten an der Wand zu beeinflussen und je nach Sonnenstand und Lichteinfall zu betonen oder dezent in den Hintergrund treten zu lassen.

Die Texturierung von Sichtbetonflächen durch den Einsatz elastischer RECKLI®-Strukturmatrizen hat sich qualitativ und wirtschaftlich millionenfach bewährt. Ihre Elastizität ermöglicht selbst bei komplizierten Strukturen mit Hinter- oder Unterschneldungen ein bruchfreies Entschalen sowohl des Betons als auch der Form.

RECKLI®-Strukturmatrizen bieten dem Architekten, Planer und Bauherrn durch Standardtexturen und Individualanfertigungen nahezu unbegrenzte Gestaltungsmöglichkeiten.

Die neuen RECKLI® Foto-Gravur-Matrizen erweitern diesen Gestaltungsspielraum in bisher nicht gekannter Weise.

Die Kombination aus dem RECKLI®-System und der Photo-Gravur-Technik erzeugen eine je nach Auflösung feine bis grobe reliefartige Oberflächenstruktur. Es entsteht der Eindruck eines auf die Betonfassade projizierten Fotos.

Bei der Photo-Gravur-Technik handelt es sich um ein computergestütztes Verfahren, Bildinformationen durch Frästechnik auf Plattenwerkstoffe zu übertragen. Dazu wird zunächst eine Bildvorlage eingescannt und in 256 Graustufen umgewandelt.

Für die Übertragung des Bildes auf den Werkstoff wird aus den ermittelten Grauwerten eine Bearbeitungsdatei generiert, die Fräsbefehle für eine spezielle CNC-Fräse enthält. Ein entsprechend gefrästes Modell dient dann als Vorlage für die Fertigung der elastischen RECKLI® Matrizen. Deren Elastizität, Qualität und Reproduzierbarkeit machen das gesamte Verfahren ästhetisch und ökonomisch für eine bildähnliche Betonoberfläche umsetzbar.

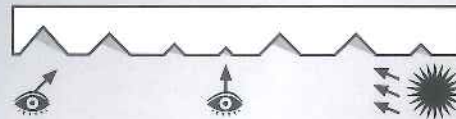
Die Einsatzmöglichkeiten sind vielfältig, denn nahezu sämtliche Bildvorlagen, die in den gängigen Grafikformaten vorliegen, können verwendet werden. Die Skalierung der Vorlage erlaubt die Herstellung von Photo-Gravur-Matrizen jeder Größe.

Die Größe der Matrizen wird begrenzt durch die maximalen Maße des verfügbaren Plattenwerkstoffes und die maximale Bearbeitungsfläche der Fräsmaschine. Allerdings können mehrere Platten zu einem ganzen Bild oder Teilbildern zusammengesetzt werden. Beachten Sie aber bitte,

dass Stöße quer zum Verlauf der Gravur-Kannelüren stets als schwach sichtbare Naht erkennbar sein werden. Wir bitten Sie deshalb, von Fall zu Fall die maximalen Größen mit uns abzustimmen.

Wie jede Struktur lebt auch die Fotogravur vom Licht- und Schattenspiel an der Fassade. Streiflicht lässt deshalb das Foto im Beton deutlicher erscheinen als Frontallicht oder totaler Schatten. An der Fassade führt so das wandernde Sonnenlicht zu abwechslungsreichen Bildeffekten, während im Innenbereich der Effekt durch Kunstlicht akzentuiert werden kann.

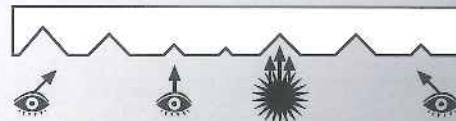
Die reliefartige Oberfläche der Fotogravur erzeugt einzig durch Licht- und Schatteneffekte ein Abbild der Bildvorlage. Durch die Ausrichtung der V-förmigen Nuten zur (dynamischen) Lichtquelle und der jeweiligen Position des Betrachters ist der Grad der Erkennbarkeit des Motivs bestimmt. Bei schräg einfallendem Licht bilden sich die Schattenlängen analog zu den Nutentiefen aus. Sie erzeugen den Schwarz-Anteil des Bildes. Das Motiv ist dadurch aus lotrechter bzw. entgegengesetzter Betrachtungsposition gut erkennbar.

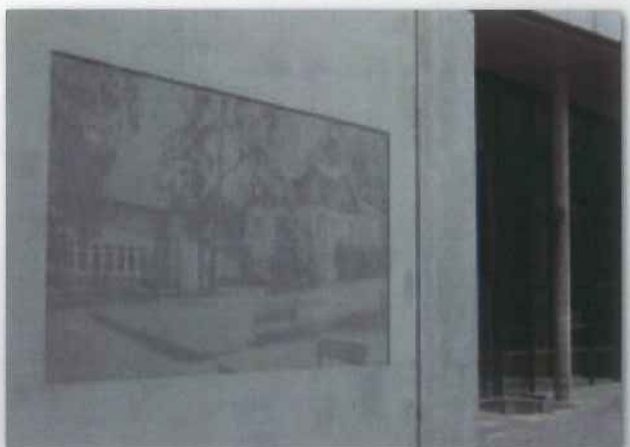


Aus einer dem Lichteinfall gleichgerichteten Betrachtungsposition verkürzen sich die erkennbaren Schattenbereiche. Das Motiv wird dadurch kontrastärmer. Ist der Betrachtungswinkel spitzer als der Lichteinfallswinkel, erscheint das Motiv „Negativ“.



Bei lotrechtem Lichteinfall zur Objektebene bilden sich in den Nuten keine Schatten aus – das Motiv ist aus keiner Betrachtungsposition erkennbar.







Original Porträtfoto der kleinen Lola
Original portrait photo of little Lola
Original du portrait photo de la petite Lola

Lola ist begeistert von ihrem Betonporträt
Lola is enthusiastic of her concrete portrait
Lola regarde avec enthousiasme son portrait en béton



An image or a pattern?

A building or structure facade is an advertisement for the designer or architect. It can also be a popular landmark and depending on the location of the building its initial visual impact can be considerable.

The use of a patterned or textured concrete facade allows the architect and designer to produce subtle nuances of light and shadow to the building.

The use of elastic RECKLI®-Formliners for texturing the exposed face of concrete surfaces has attained a high degree of acceptance in terms of quality, ease of use and economic efficiency. Many millions of square metres of this type of finished concrete are the proof of this. The elasticity of our formliners removes the risk of damage to the hardened concrete allowing intricate detail to be used.

This system has given architects, planners and designers the freedom to realize unlimited ideas in their designs for the past 35 years.

The new generation of RECKLI® Photo-Engraving Formliners expands these possibilities in a previously unknown way.

The combination of the RECKLI®-System and the Photo-Engraving Technology creates a surface pattern which can vary from fine to coarse depending on the resolution of the image used. This image can then be incorporated onto the finished concrete surface by using the RECKLI®-Formliner system.

The Photo-Engraving Process is a computer-based method for transferring image data onto sheet materials by means of milling technology. First an image template is scanned and converted into 256 grey scales. In order to transfer the image onto the sheet material, a machining file is generated from the identified grey values, whereby the file includes milling commands for a special CNC milling machine.

The milled model is used as a master for casting the elastic RECKLI® Formliners. Their elasticity, quality and reusability contribute to the aesthetics and the economic efficiency of the whole process and make it possible to recreate the image onto the concrete surface.

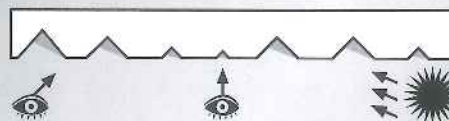
The applications are almost unlimited because almost any image in standard graphic formats can be used. The templates are scalable, which allows the production of Photo-Engraving Formliners in any size.

The size of the formliners is limited by the maximum dimensions of the available sheet material and the maximum milling area of the CNC machine. Indeed it is possible to put more plates together to one common picture or to several parts of one picture. But please note that junctions cross to the vertical running engraving grooves will unavoidable

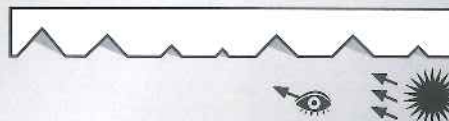
lead to barely visible joint lines. Therefore we ask you to contact us for a clarification of this question in advance.

Like for each pattern the intensity of the photo engraving effect is altered by the movement of the sun. It is more vivid when sun light is at 45° to the façade. The movement of the sun leads to various effects on a concrete panel. Inside a building you can intensify the visibility by means of artificial light.

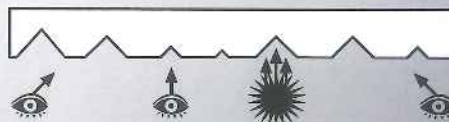
The relief-like surface of the photogravure produces an image of the original solely as a result of light and shadow effects. The degree to which the motif is visible is determined by the orientation of the V-shaped grooves to the (dynamic) light source and the position of the observer. Where the light meets the image obliquely, the length of the shadows is proportional to the depth of the grooves. They generate the black portion of the image. The motif is therefore visible from a perpendicular position or a position away from the light source.

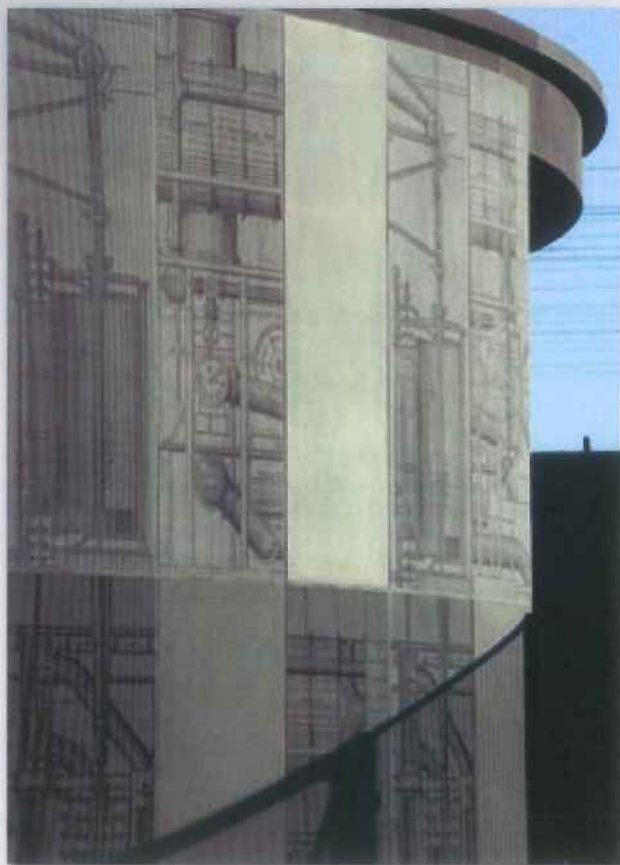


Viewed from a position close to the direction of incident light, the visible shadowed areas are shortened. The result is that the motif has less contrast. If the angle of observation is less than the angle of incidence of the light, the motif appears as a negative.



Where the incident light is perpendicular to the object plane, no shadows are formed in the grooves – the motif is not visible from any position.





Betonelement für die „Gutenberghöfe“, Heidelberg
Concrete panel for the „Gutenberghöfe“, Heidelberg
Élément béton pour la „Gutenberghöfe“, Heidelberg

Une image ou une texture ?

La façade donne l'image d'un bâtiment et détermine, en complément de la structure, le caractère de celui-ci.

Le parement béton offre à l'architecte la possibilité de souligner un élément en faisant participer les jeux d'ombre et de lumière en mettant en avant la façade de façon plus ou moins discrète selon la position du soleil.

La structuration des parements vus par l'utilisation de matrices structurées RECKLI®, a démontré à des milliers d'exemplaires, les résultats qualitatifs et économiques du procédé.

L'élasticité des matrices permet d'envisager des décoffrages sans dommage aussi bien pour le béton que pour les moules, même en présence de structures complexes ou de contre dépourilles.

Les matrices structurées RECKLI®, grâce à la gamme standard et aux fabrications personnalisées, offrent au concepteur des possibilités d'animation quasiment illimitées.

Les nouvelles Matrices RECKLI® Photo Gravure étendent ces possibilités de création d'une manière inconnue jusqu'alors.

La combinaison du système RECKLI® et du procédé Photo-Gravures permet de réaliser des effets de surface du plus fin au plus prononcé selon la définition de l'image choisie. La perception se rapproche alors de l'effet produit par la projection d'une photographie sur la façade béton.

La technique Photo-Gravures est un procédé qui consiste à transférer des informations graphiques par fraisage sur un support en stratifié. Une image est d'abord numérisée en 256 niveaux de gris. Un fichier de traitement est alors constitué pour commander une fraiseuse numérique qui va reproduire les nuances.

Le modèle gravé va ensuite servir à la fabrication des matrices RECKLI®. Leur élasticité et leur fidélité de reproduction rendent leur utilisation parfaitement adaptée à une transposition esthétique et économique de l'image sur le béton.

Les applications sont multiples. Presque tous les types de documents ou de fichiers image les plus courants peuvent être traités.

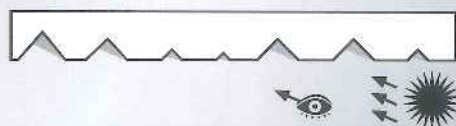
La taille maximale des matrices est liée à la dimension des plaques usinables disponibles et à la course maximale de la machine CNC. Bien entendu, il est possible de fractionner une image en plusieurs plaques, ou de rassembler plusieurs fraisages en une seule image. Toutefois, veuillez noter qu'une jonction perpendiculaire aux rainures occasionne inévitablement une ligne légèrement visible. Contactez nous afin d'examiner ce point cas par cas.

A l'instar de tout autre relief, l'intensité de rendu du photo-gravé est fortement liée au ratio d'ombre et de lumière sur la façade. Une lumière latérale accentue la visibilité contrairement à un éclairage frontal ou à une situation à l'ombre. C'est la raison pour laquelle la course du soleil procure toute une variation d'effets sur la façade. En intérieur, on peut intensifier le rendu en utilisant un éclairage artificiel.

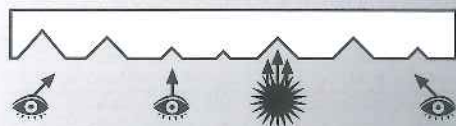
La surface en relief de la photogravure génère une image du motif unique avec ses effets d'ombre et de lumière. L'orientation des rainures en forme de V vers la source lumineuse (dynamique) et la position de l'observateur permettent de déterminer le degré selon lequel le motif est visible. Dans le cas d'une incidence oblique de la lumière, les longueurs d'ombre se forment en fonction des profondeurs des rainures. Elles génèrent la partie noire de l'image. Le motif est à cet effet bien visible à partir de la position perpendiculaire ou d'une position d'observation opposée.



À partir d'une position d'observation dans la même direction que l'incidence de la lumière, les zones d'ombre visibles sont diminuées. À cet effet, le motif est moins contrasté. Si l'angle d'observation est plus aigu que l'angle d'incidence de la lumière, le motif apparaît « négatif ».



En cas d'incidence de la lumière perpendiculaire au plan objet, aucune ombre ne se forme dans les rainures. Aucune position d'observation ne permet alors de voir le motif.





**Strukturmatrizen
Abformtechnik
Formen- und Modellbauharze
Betonveredelung**

DESIGN YOUR CONCRETE

RECKLI GmbH

Adresse/Address: Eschstraße 30 44629 Herne Germany Tel. +49 2323 1706-0 info@reckli.de
Postadresse/Mailing Address: Postfach 10 13 29 44603 Herne Germany Fax +49 2323 1706-50 www.reckli.de





JOHN HUSKELL, INC. HUSKEY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL AND SUPERVISOR CURRENT STANDARDS OF PRACTICE.

SCALE : 1" = 50'

TERRMS AND CONDITIONS OF RIGHTS AND GUARANTEES TO MAINTAIN A DOWN OF SEVER
SIT FORM IN THE INSTRUMENT FROM J. B. BROWN, HENRIETTA M. JONES AND
A SELLER CLASS COMPANY TO THE CITY OF CHICAGO, DATED JANUARY 11, 1917 AND
CONFIRMED IN THE CLERK'S OFFICE OF THE CLERK OF THE COUNTY OF COOK IN BOOK 340, PAGE 357.

**TERRMS AND CONDITIONS OF POSSIBLE RIGHTS TO METAL WAREHOUSE, REPAIR, REFINISH,
AND REMODELING WORK ON THE BUILDING, INCLUDING THE RIGHT TO REMOVE AND RE-
CONSTRUCT THE BUILDING, TO BE MADE BY THE CITY OF CHICAGO, DATED JANUARY 11,
1917 AND CONFIRMED IN THE CLERK'S OFFICE OF THE CLERK OF THE COUNTY OF COOK IN
BOOK 340, PAGE 357.**

OWNER OF RECORD
STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF PUTNAM
TAX PARCEL NO. 100-1-1-1
TAX MAP REF. 100-1-1-1
TAX MAP REF. 100-1-1-1
TAX MAP REF. 100-1-1-1

1. CAPMED IRON ROD TO BE SET
 2. IRON PFC OR IRON PND
 3. MONUMENT FOUND
 4. GAS VALVE
 5. WATER VALVE
 6. HIBRANT
 7. UTILITY POLE
 8. LIGHT POLE
 9. WHOLE
 10. PATCH BLDN
 11. FENCE
 12. OVERHEAD WIRE
 13. GAS LINE
 14. SANITARY SINKER
 15. STORM DRAIN
 16. SEWALL
 17. MONITORING WELL
 18. TEST PIT
 19. GAS METER
 20. SIGN

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. OTHER THAN THE INFORMATION CONTAINED HEREIN, THE SURVEYOR HAS NO RECORD OF THE LOCATION OF ANY OTHER UTILITIES IN THE AREA. THE LOCATION OF UTILITIES IN THE AREA LOCATIONS INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-865-6247 AT LEAST TWO WEEKS BEFORE ANY CONSTRUCTION. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY DAMAGE TO ANY UTILITIES OR FOR ANY CONSTRUCTION, DUE TO CLOSURE OF ANY SPACE REQUIREMENTS, ALL RIGHTS AND EASES WERE VERIFIED.

[illegible]



EXCEPTIONS:

THE FOLLOWING ITEMS WERE EXCEPTED FROM THE SURVEY ACQUISITION AGREED UPON BY THE PARTIES:

1. TERMS AND CONDITIONS OF RIGHTS AND EASEMENTS TO MARGINAL BANK OR SHORE AS SET FORTH IN THE INSTRUMENT DATED JANUARY 11, 1987 AND RECORDED IN SAID COUNTY OF DEEDS IN BOOK 246, PAGE 231.
2. TERMS AND CONDITIONS OF RIGHTS AND EASEMENTS TO MARGINAL BANK OR SHORE AS SET FORTH IN THE INSTRUMENT DATED JANUARY 11, 1987 AND RECORDED IN SAID COUNTY OF DEEDS IN BOOK 246, PAGE 231.
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RECORD OWNER

SA MAP 24, BOOK 246, PAGE 231
IN THE COUNTY OF CLATSOP
CLATSOP COUNTY, OREGON

BOUNDARY & TOPOGRAPHIC SURVEY

WEST COMMERCIAL STREET
PORTLAND, CLATSOP COUNTY, OREGON

OWNED BY

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYOR

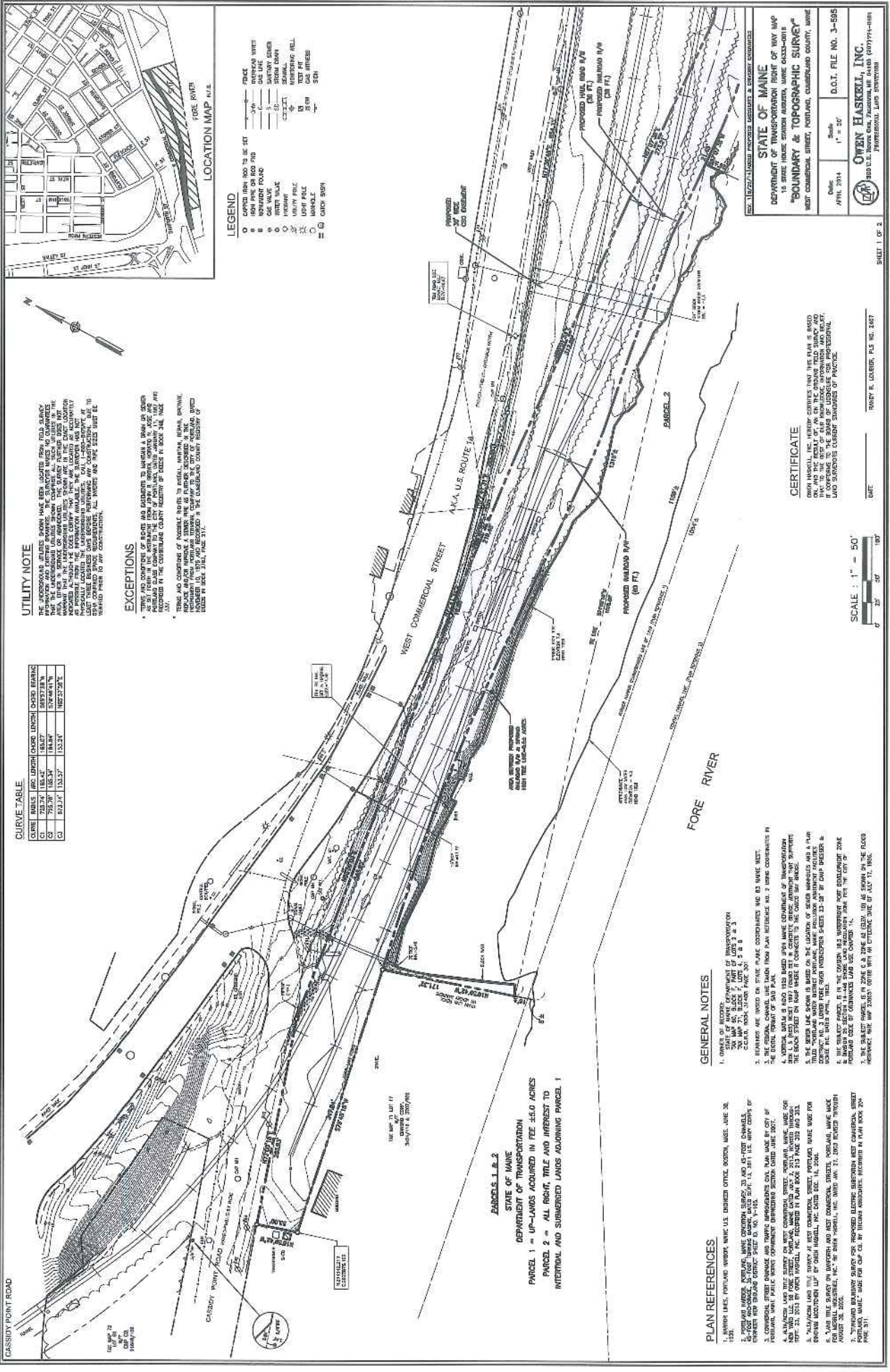
1800 N.E. 30TH AVE. SUITE 100
PORTLAND, OREGON 97211-4484
(503) 774-4484

DATE OF SURVEY: APRIL 4, 2014
DATE OF PLOTTING: APRIL 20, 2014

BY: [Signature]
CHECKED BY: [Signature]

SCALE: 1" = 50'
SHEET NO. 1 OF 3

RECEIVED
CLATSOP COUNTY
APRIL 10, 2014
DATE OF PLOTTING: APRIL 20, 2014
DATE OF SURVEY: APRIL 4, 2014



UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FULL SURVEY DATA. THE LOCATION OF UTILITIES SHOWN ON THIS MAP IS BASED ON THE INFORMATION PROVIDED BY THE UTILITY OWNERS. THE SURVEYOR HAS NOT VERIFIED THE LOCATION OF UTILITIES SHOWN ON THIS MAP. THE SURVEYOR HAS NOT VERIFIED THE LOCATION OF UTILITIES SHOWN ON THIS MAP. THE SURVEYOR HAS NOT VERIFIED THE LOCATION OF UTILITIES SHOWN ON THIS MAP.

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CURVE TABLE

CURVE	BEARS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	755.74° 154.42'	154.42'	154.42'	585.75° 15.18'
C2	755.74° 154.42'	154.42'	154.42'	585.75° 15.18'
C3	755.74° 154.42'	154.42'	154.42'	585.75° 15.18'

GENERAL NOTES

1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING.
2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING.
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9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING.
10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING.

PLAN REFERENCES

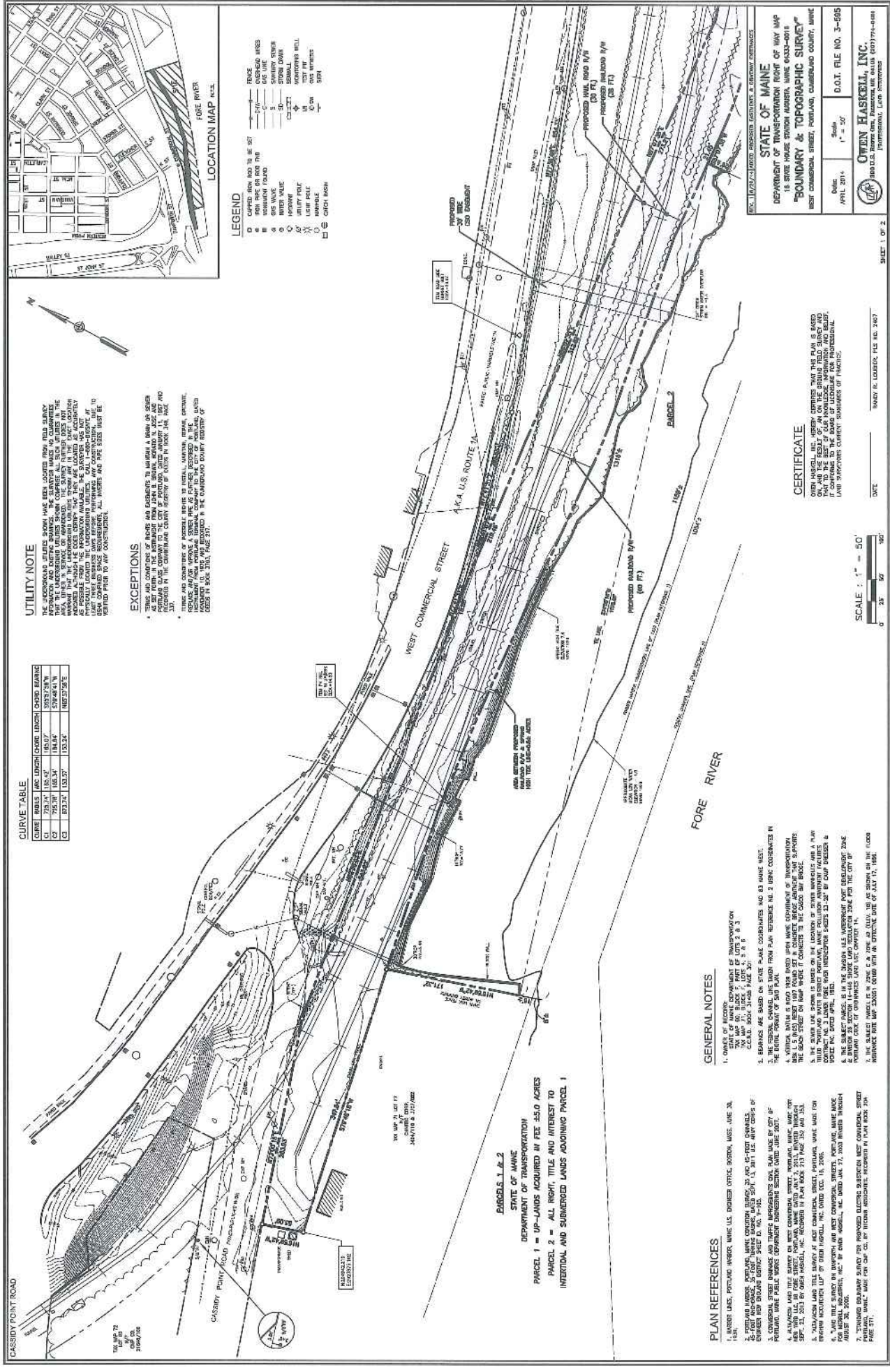
1. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
2. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
3. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
4. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
5. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
6. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
7. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
8. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
9. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.
10. BAYVIEW LANE, PORTLAND, MAINE, U.S. DEPARTMENT OF TRANSPORTATION, MAP NO. 100, 1990.

CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Maine, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land described in the foregoing.

DATE: MAY 10, 2014
BY: OWEN HASKELL, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 50'



CURVE TABLE

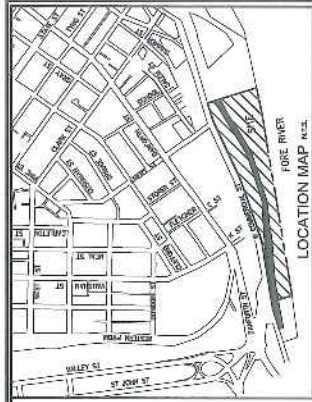
CURVE	BEGIN	END	LENGTH	CHORD BEARING
1	759.44	105.47	16.87	295°27'30"
2	759.50	105.34	18.84	279°46'41"
3	873.52	133.27	13.24	107°27'28"

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE UTILITIES SINCE THE SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE UTILITIES SINCE THE SURVEY. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE UTILITIES SINCE THE SURVEY.

EXCEPTIONS

THESE AND COPIES OF BOOKS AND EXHIBITS TO VOUCHER A BOUNDARY AS SET FORTH IN THE INSTRUMENT FROM PLAN B. SIGNED, RECORDED, & INDEXED AND RECORDED IN THE CHURCH AND COUNTY RECORDS OF DEEDS IN BOOK 146, PAGE 217.



- LEGEND**
- 1-10' EASEMENT
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 - 20-30' EASEMENT
 - 30-40' EASEMENT
 - 40-50' EASEMENT
 - 50-60' EASEMENT
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 - 950-960' EASEMENT
 - 960-970' EASEMENT
 - 970-980' EASEMENT
 - 980-990' EASEMENT
 - 990-1000' EASEMENT

PARCELS 1 & 2

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

PARCEL 1 = UP-LANDS ACQUIRED IN FEB 25.0 ACRES

PARCEL 2 = ALL RIGHT, TITLE AND INTEREST TO

INTENTIONAL AND SUBMERGED LANDS ADJOINING PARCEL 1

- PLAN REFERENCES**
1. HERRING LANE, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 2. FORDHAM LANE, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 3. COMMERCE STREET, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 4. ALBANY LANE, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 5. ALBANY LANE, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 6. ALBANY LANE, PORTLAND, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 7. TOWN OF ALBANY, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 8. TOWN OF ALBANY, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 9. TOWN OF ALBANY, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.
 10. TOWN OF ALBANY, MAINE, U.S. BUREAU OF OFFICE, SECTION, MAP, LANE 30, 1928.

- GENERAL NOTES**
1. OWNER OF RECORD: THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION.
 2. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 3. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 4. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 5. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 6. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 7. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 8. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 9. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.
 10. THE SURVEY WAS MADE BY THE STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, IN 1928.

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

"BOUNDARY & TOPOGRAPHIC SURVEY"

WEST COMMERCIAL STREET, PORTLAND, MAINE

DATE: APRIL 2011

SCALE: 1" = 50'

D.O.T. FILE NO. 3-595

OWEN HASKELL, INC.

1000 U.S. Street, Portland, Maine 04101

Telephone: (207) 779-0000

Fax: (207) 779-0000

Surveyor: OWEN HASKELL, INC.

Surveyor License No. 1000

Surveyor License State: MAINE

Surveyor License Exp. Date: 12/31/2011

Surveyor License No. 1000

Surveyor License State: MAINE

Surveyor License Exp. Date: 12/31/2011

Surveyor License No. 1000

Surveyor License State: MAINE

Surveyor License Exp. Date: 12/31/2011



DATE

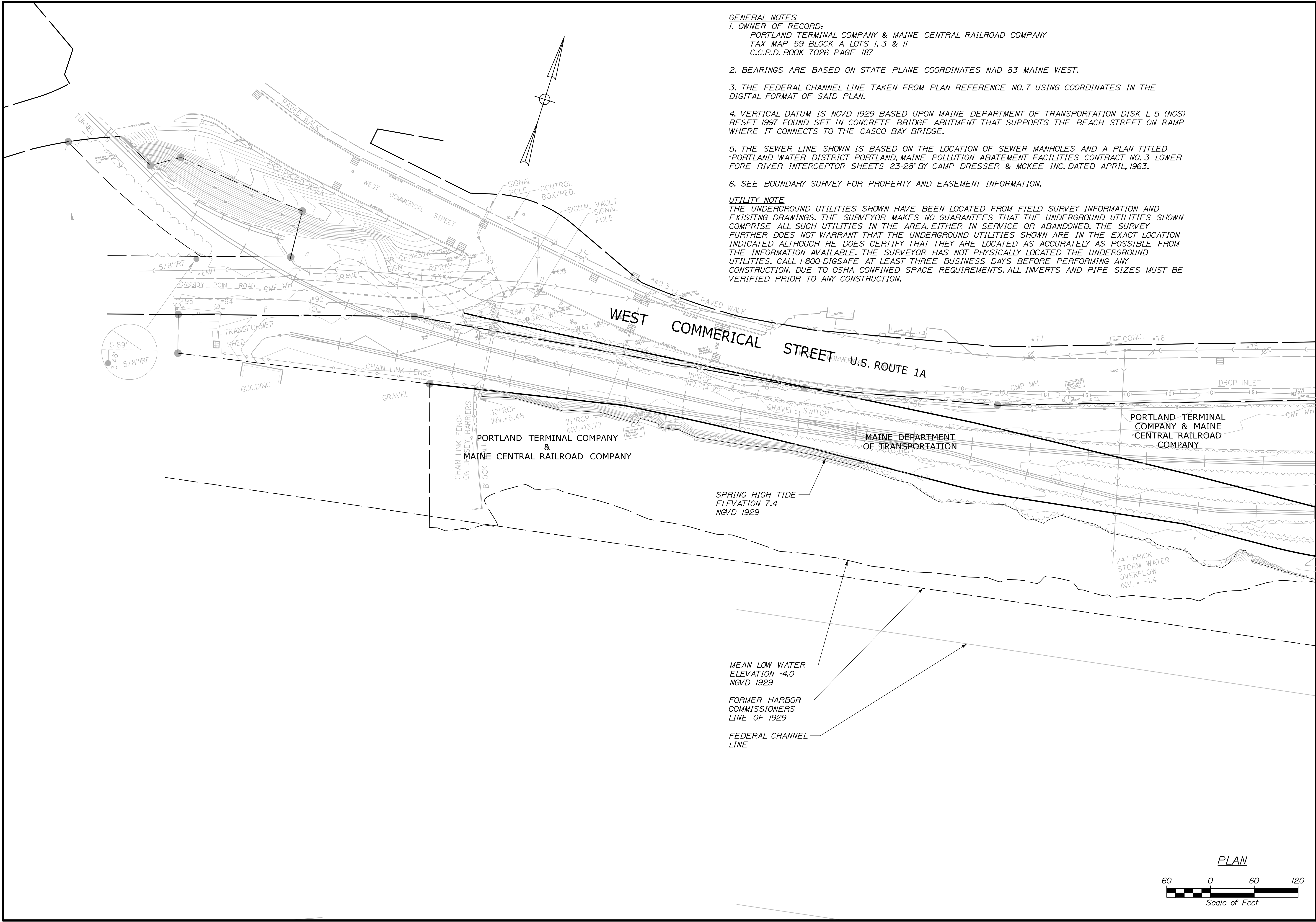
MAINE R. L. LORSON, P.E. NO. 2407

Date:6/26/2014

Username:

Division:

Filename: 004_ExistSitePlan1.dgn

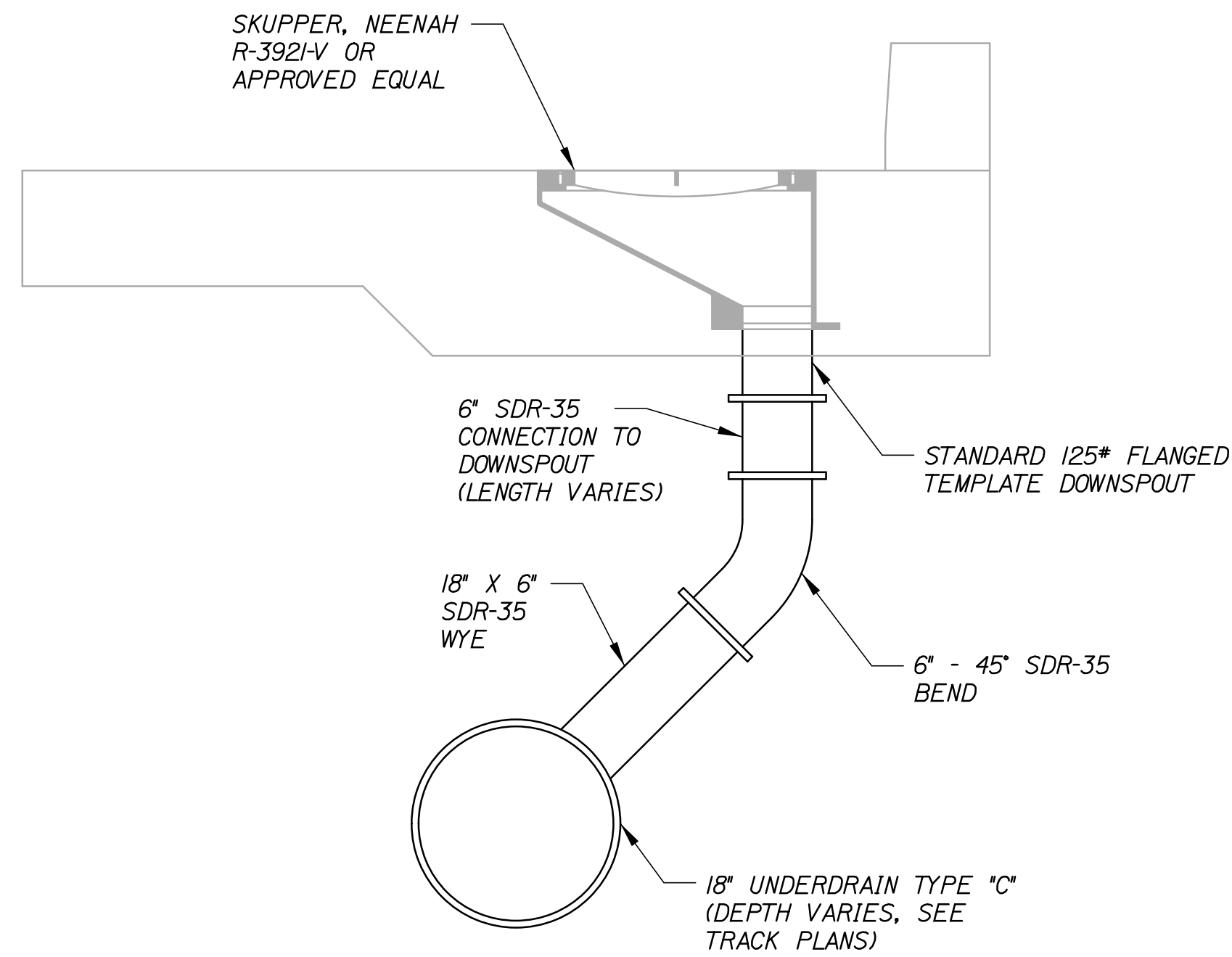


- GENERAL NOTES**
1. OWNER OF RECORD:
PORTLAND TERMINAL COMPANY & MAINE CENTRAL RAILROAD COMPANY
TAX MAP 59 BLOCK A LOTS I, 3 & II
C.C.R.D. BOOK 7026 PAGE 187
 2. BEARINGS ARE BASED ON STATE PLANE COORDINATES NAD 83 MAINE WEST.
 3. THE FEDERAL CHANNEL LINE TAKEN FROM PLAN REFERENCE NO.7 USING COORDINATES IN THE DIGITAL FORMAT OF SAID PLAN.
 4. VERTICAL DATUM IS NGVD 1929 BASED UPON MAINE DEPARTMENT OF TRANSPORTATION DISK L 5 (NGS) RESET 1997 FOUND SET IN CONCRETE BRIDGE ABUTMENT THAT SUPPORTS THE BEACH STREET ON RAMP WHERE IT CONNECTS TO THE CASCO BAY BRIDGE.
 5. THE SEWER LINE SHOWN IS BASED ON THE LOCATION OF SEWER MANHOLES AND A PLAN TITLED "PORTLAND WATER DISTRICT PORTLAND, MAINE POLLUTION ABATEMENT FACILITIES CONTRACT NO.3 LOWER FORD RIVER INTERCEPTOR SHEETS 23-28" BY CAMP DRESSER & MCKEE INC. DATED APRIL, 1963.
 6. SEE BOUNDARY SURVEY FOR PROPERTY AND EASEMENT INFORMATION.

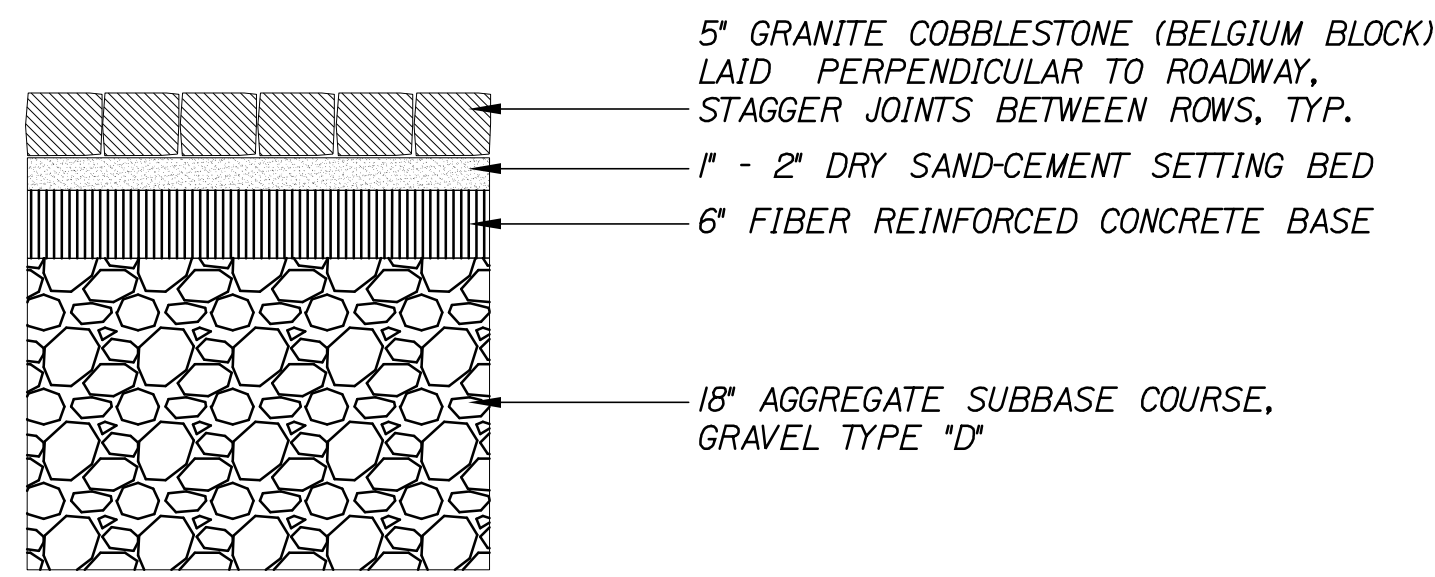
UTILITY NOTE
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		PROJECT NUMBER 022809.20		WIN 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL		EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		PORTLAND CUMBERLAND COUNTY		EXISTING CONDITIONS PLAN	
SHEET NUMBER		C01		4 OF 116			
PROJ. MANAGER		J. KITTEDGE		BY		DATE	
DESIGN-DETAILED		HME		MPC		06/14	
CHECKED-REVIEWED		-		CPM		06/14	
DESIGN-DETAILED		-		-		-	
REVISIONS 1		-		-		-	
REVISIONS 2		-		-		-	
REVISIONS 3		-		-		-	
REVISIONS 4		-		-		-	
FIELD CHANGES		-		-		-	
SIGNATURE		P.E. NUMBER		DATE			

Filename: 018_SiteDets3.dan



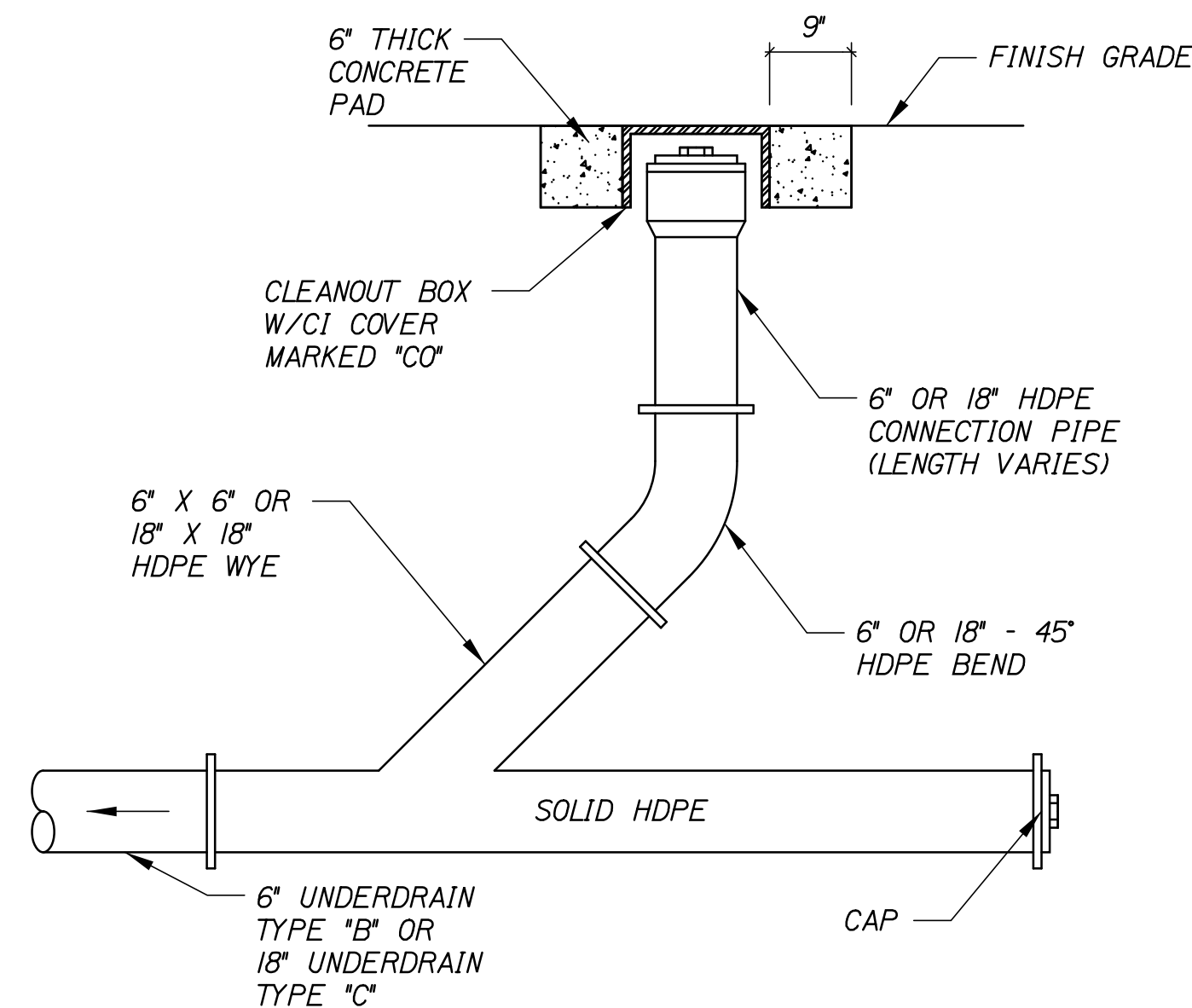
SCUPPER CONNECTION DETAIL
NOT TO SCALE



NOTES:

1. DRY SAND-CEMENT SHALL BE SIX (6) PARTS OF WASHED MORTAR SAND TO ONE (1) PART PORTLAND CEMENT.
2. DRY SAND-CEMENT SHALL BE PLACED AND SWEEPED INTO THE JOINTS TO WITHIN $\frac{1}{4}$ TO $\frac{1}{2}$ OF PAVER SURFACE.
3. ALL SURPLUS SHALL BE SWEEPED FROM COBBLESTONE SURFACE.
4. A FINAL APPLICATION OF SAND ONLY SHALL BE SPREAD ON THE COBBLESTONE SURFACE.

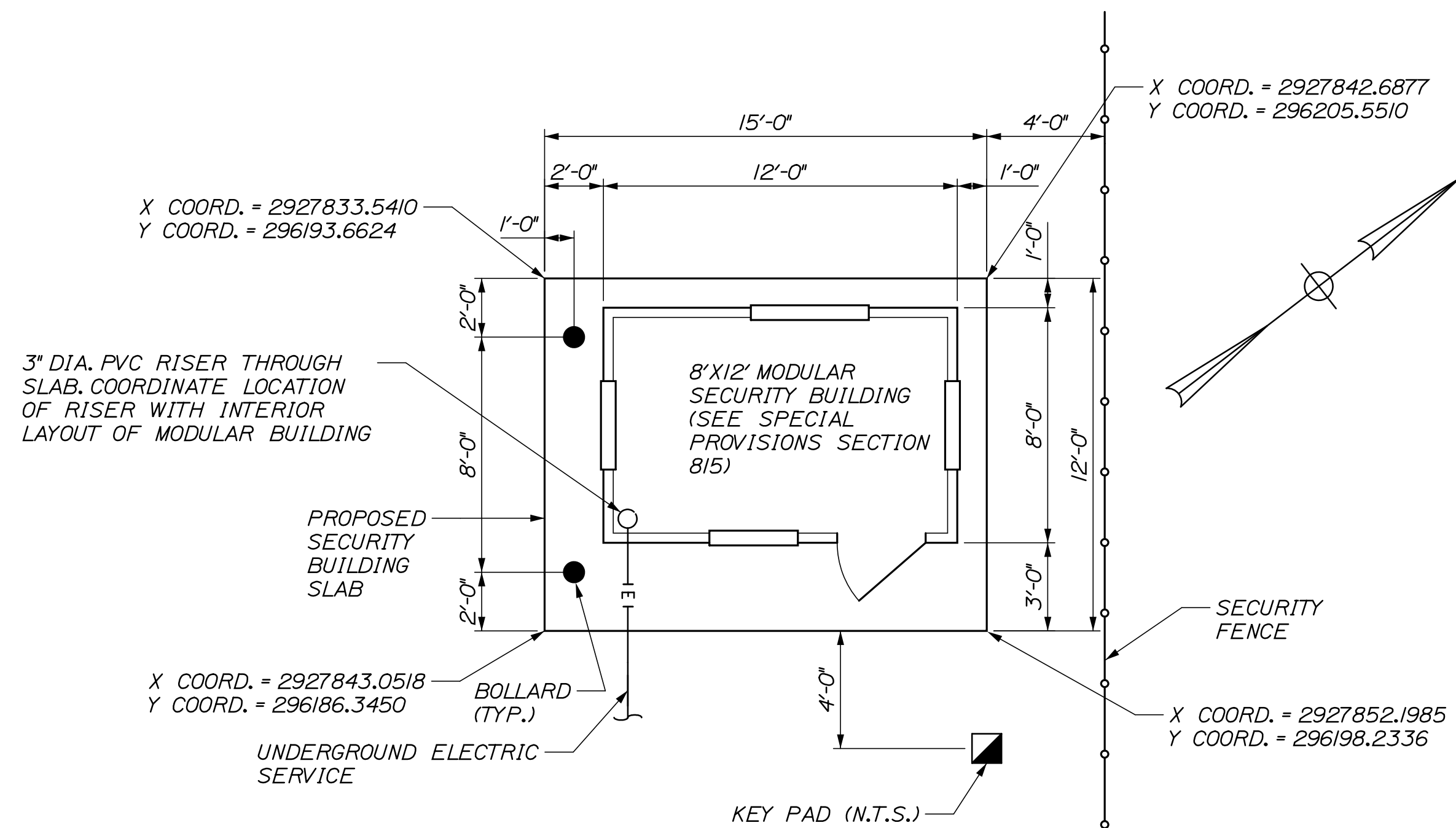
COBBLESTONE PAVING IN ROAD
NOT TO SCALE



NOTES:

2. PAYMENT FOR UNDERDRAIN CLEANOUT MATERIAL, LABOR AND EQUIPMENT SHALL BE CONSIDERED INCIDENTAL TO 605 ITEMS. NO SEPARATE PAYMENT WILL BE MADE. COORDINATE WORK WITH RESIDENT.

6" OR 18" UNDERDRAIN CLEANOUT W/ CAP DETAIL
NOT TO SCALE



NOTE: SEE STRUCTURAL
DETAILS SHEET FOR SLAB
CONSTRUCTION.

SECURITY BUILDING SLAB DETAIL
1/4" = 1'-0"

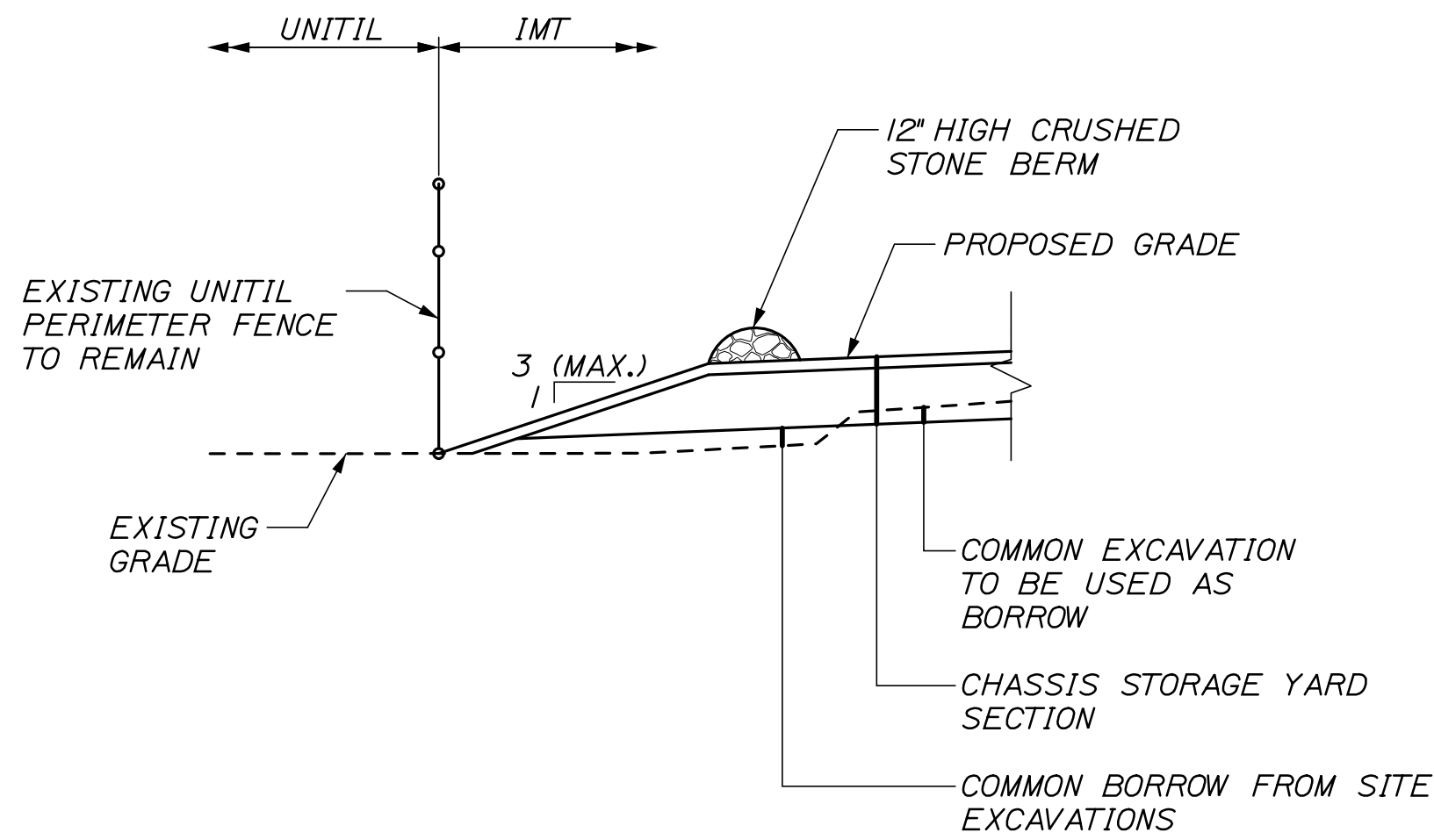
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY SITE DETAILS	SHEET NUMBER		C15				18 OF 116	
	PROJ. MANAGER	J. KITTREDGE	BY	DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20			
	DESIGN-DETAILED	PMC	06/14					
	CHECKED-REVIEWED	CRM	06/14					
	DESIGN-DETAILED2	-	SIGNATURE					
	DESIGN-DETAILED3	-	P.E. NUMBER					
	REVISIONS 1	-	-	-	WIN 022809.20			
	REVISIONS 2	-	-	-				
	REVISIONS 3	-	-	-				
	REVISIONS 4	-	-	-				
FIELD CHANGES	-	-	-	DATE				

Date:6/26/2014

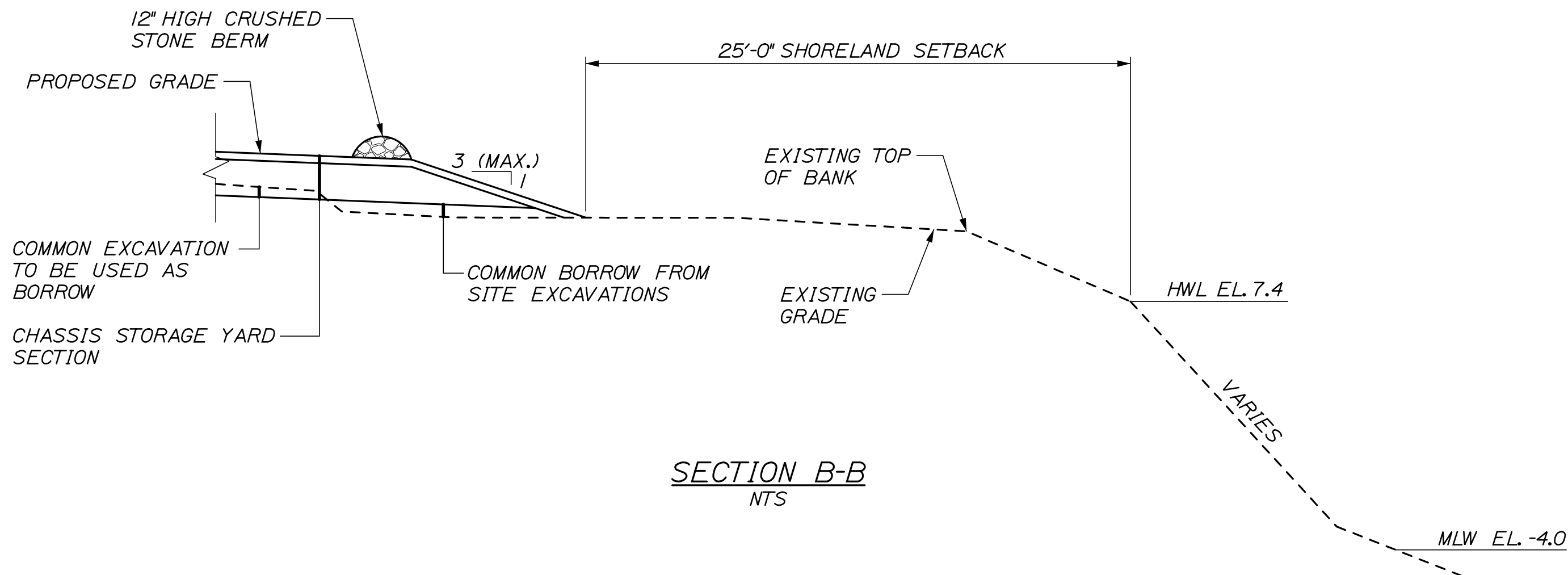
Username:

Division:

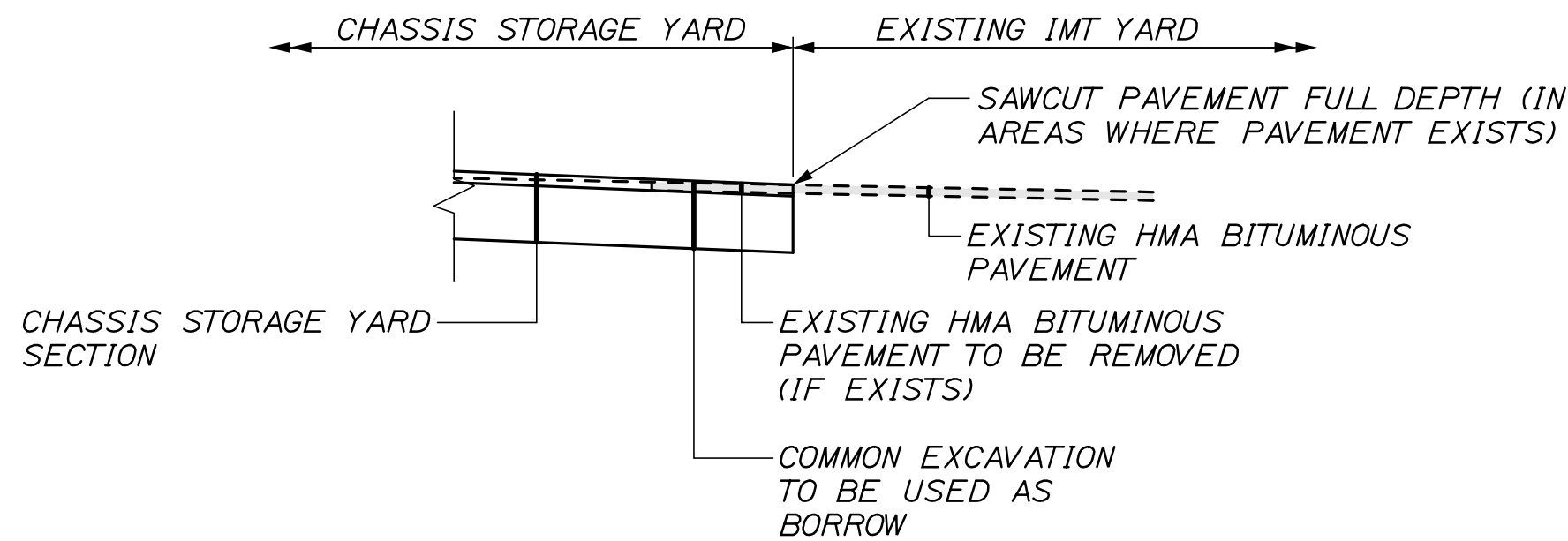
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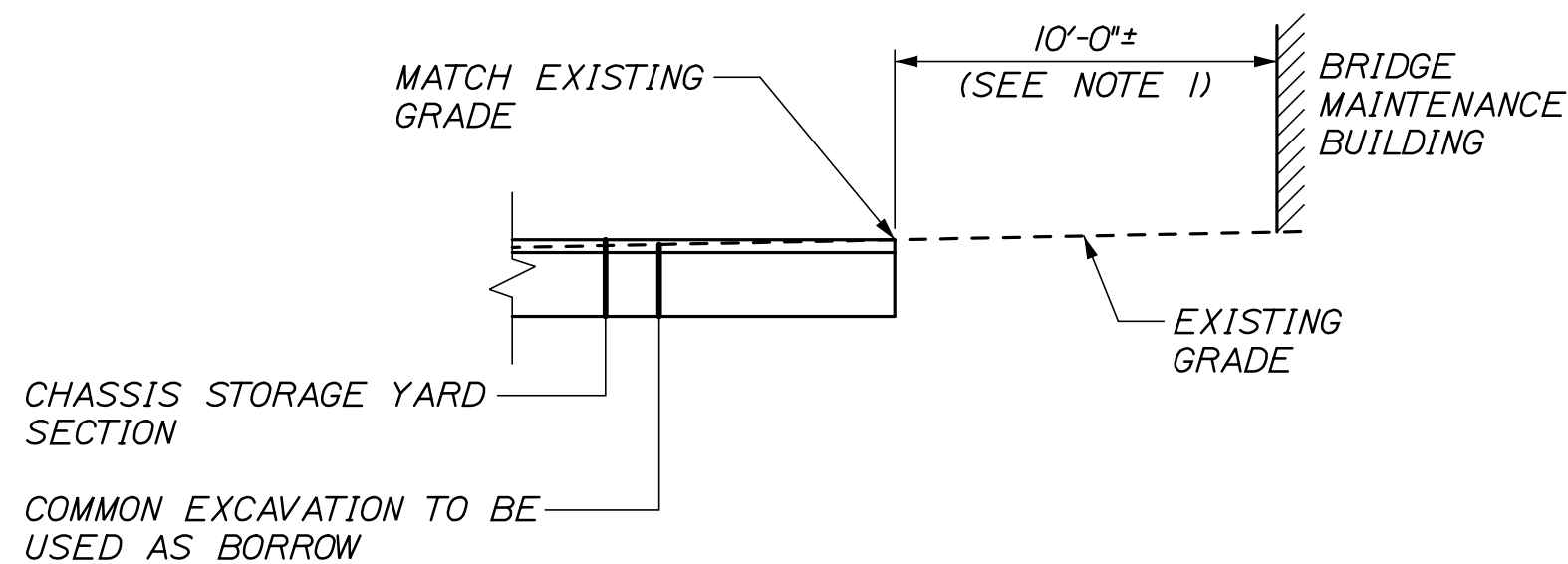
SECTION A-A
NTS



SECTION B-B
NTS

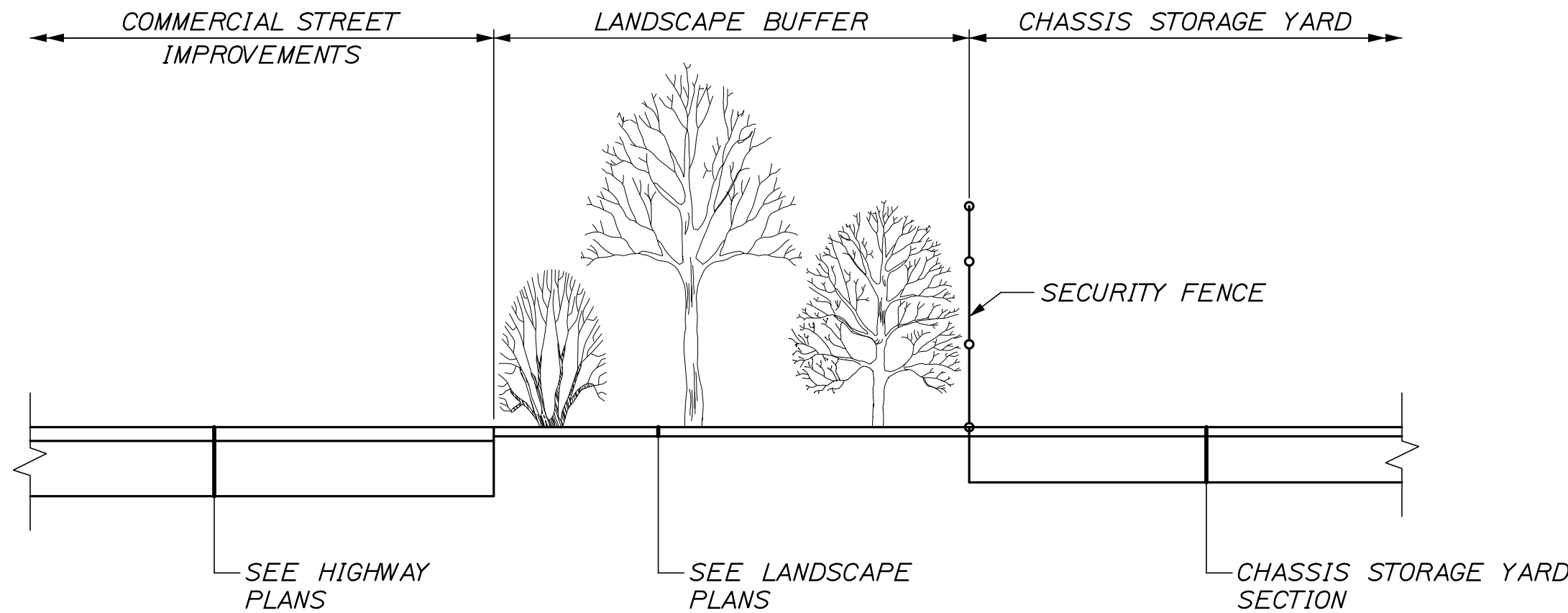


SECTION C-C
NTS

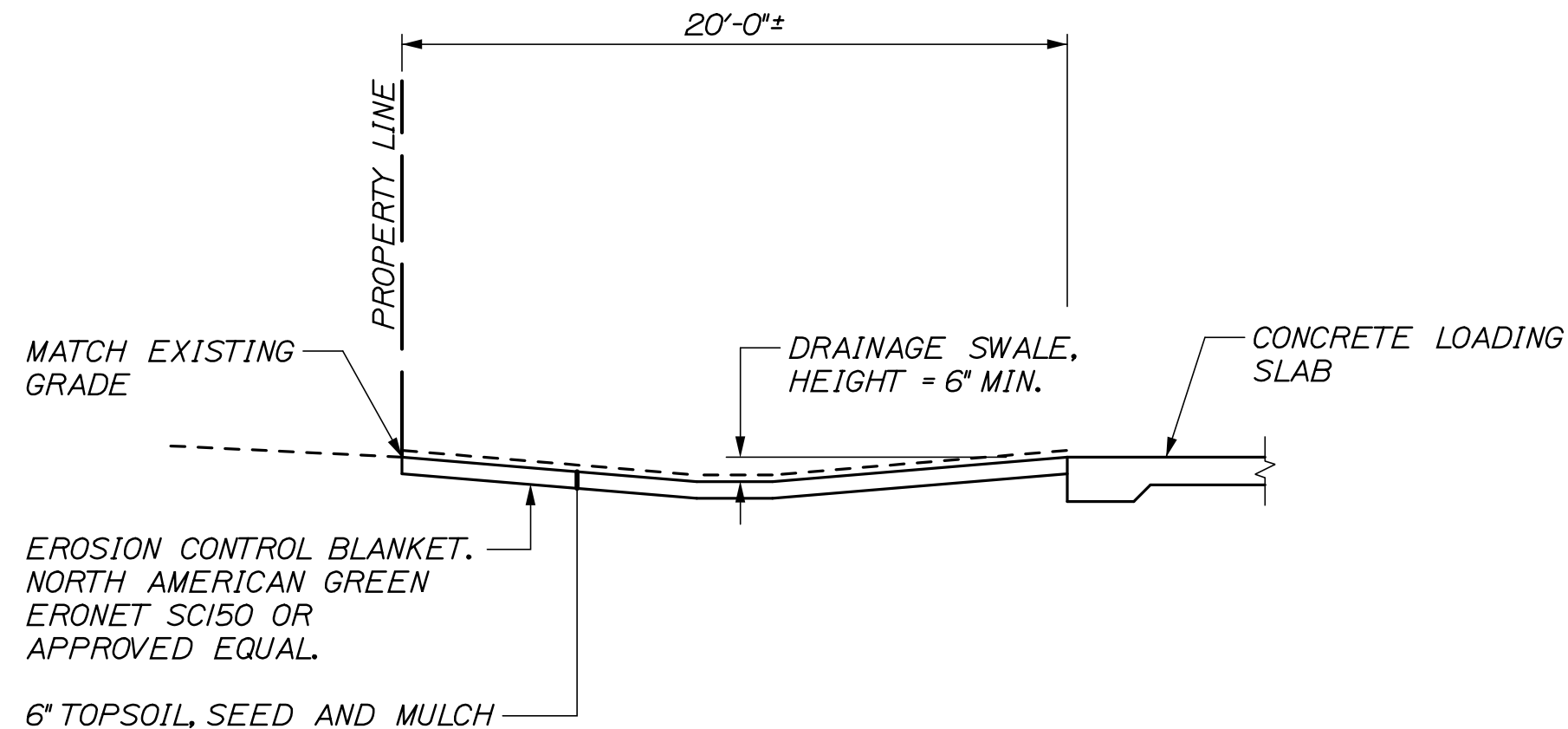


SECTION D-D
NTS

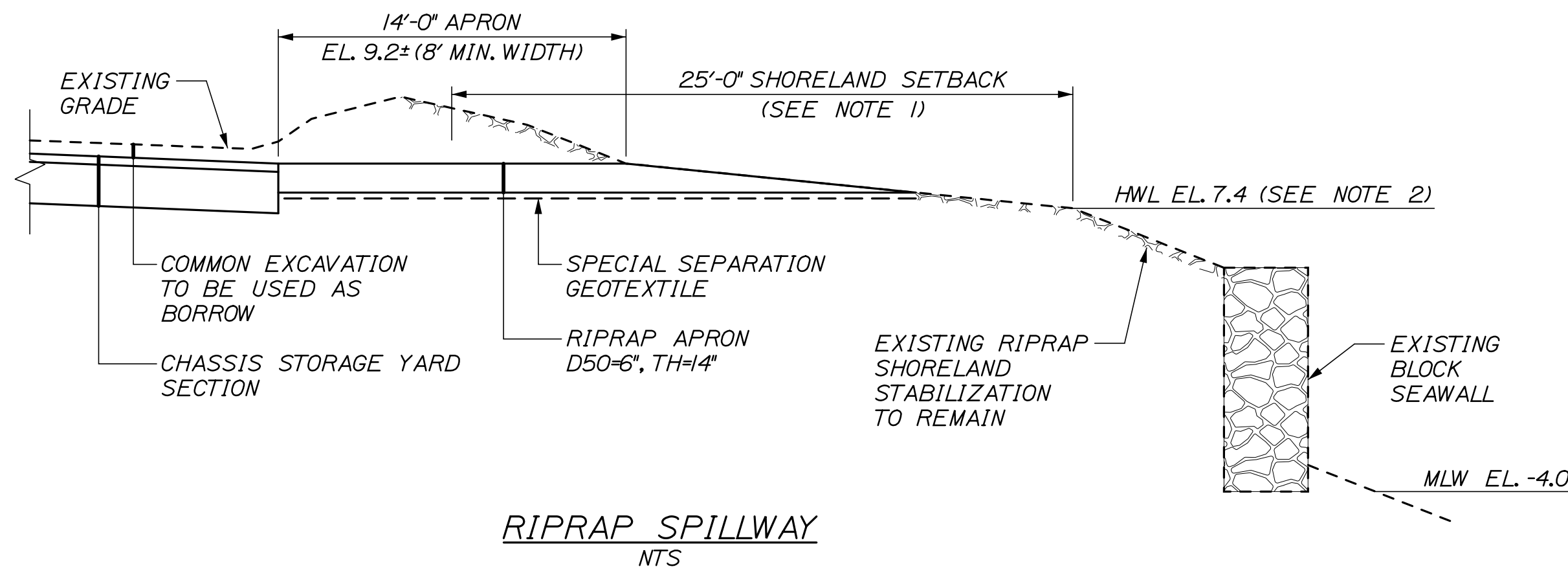
NOTES:
1. RESIDENT TO DETERMINE EXACT MATCH LIMITS
BASED ON EXISTING FIELD CONDITIONS.



SECTION E-E
NTS



SECTION F-F
NTS



RIPRAP SPILLWAY
NTS

NOTES:
1. CONTRACTOR TO MINIMIZE LAND DISTURBANCE
WITHIN 25' SHORELAND SETBACK. ALL EROSION
CONTROL MEASURES MUST BE IN PLACE AND
APPROVED BY RESIDENT PRIOR TO COMMENCING WITH
CONSTRUCTION.
2. CONTRACTOR SHALL NOT DISTURB GROUND BELOW
HWL EL. 7.4.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PROJ. MANAGER	J. KITTREDE	BY	DATE	SIGNATURE	P.E. NUMBER	DATE
DESIGN-DETAILED	CHKD	CHKD	06/14			
CHECKED-REVIEWED	CHKD	CHKD	06/14			
DESIGN-DETAILED	CHKD	CHKD				
DESIGN-DETAILED	CHKD	CHKD				
REVISIONS 1						
REVISIONS 2						
REVISIONS 3						
REVISIONS 4						
FIELD CHANGES						

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
SITE DETAILS

SHEET NUMBER
C14
17 OF 116

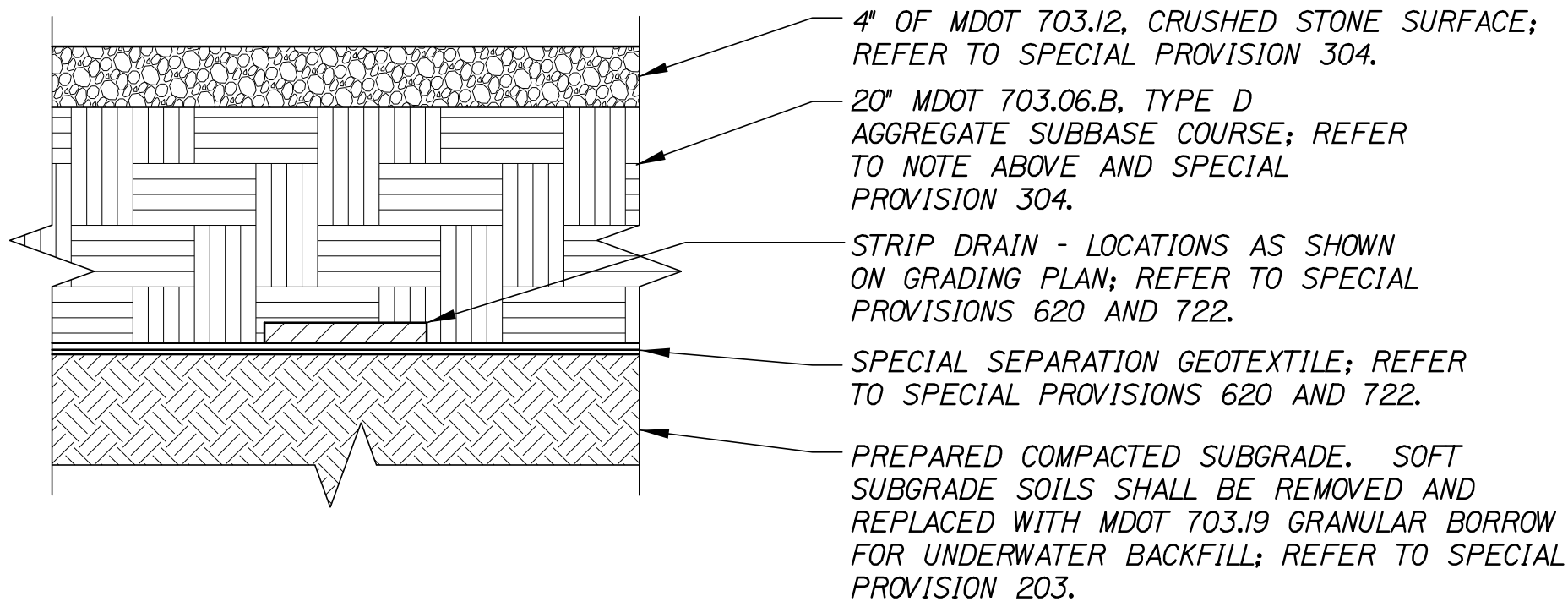
Date:6/26/2014

Username:

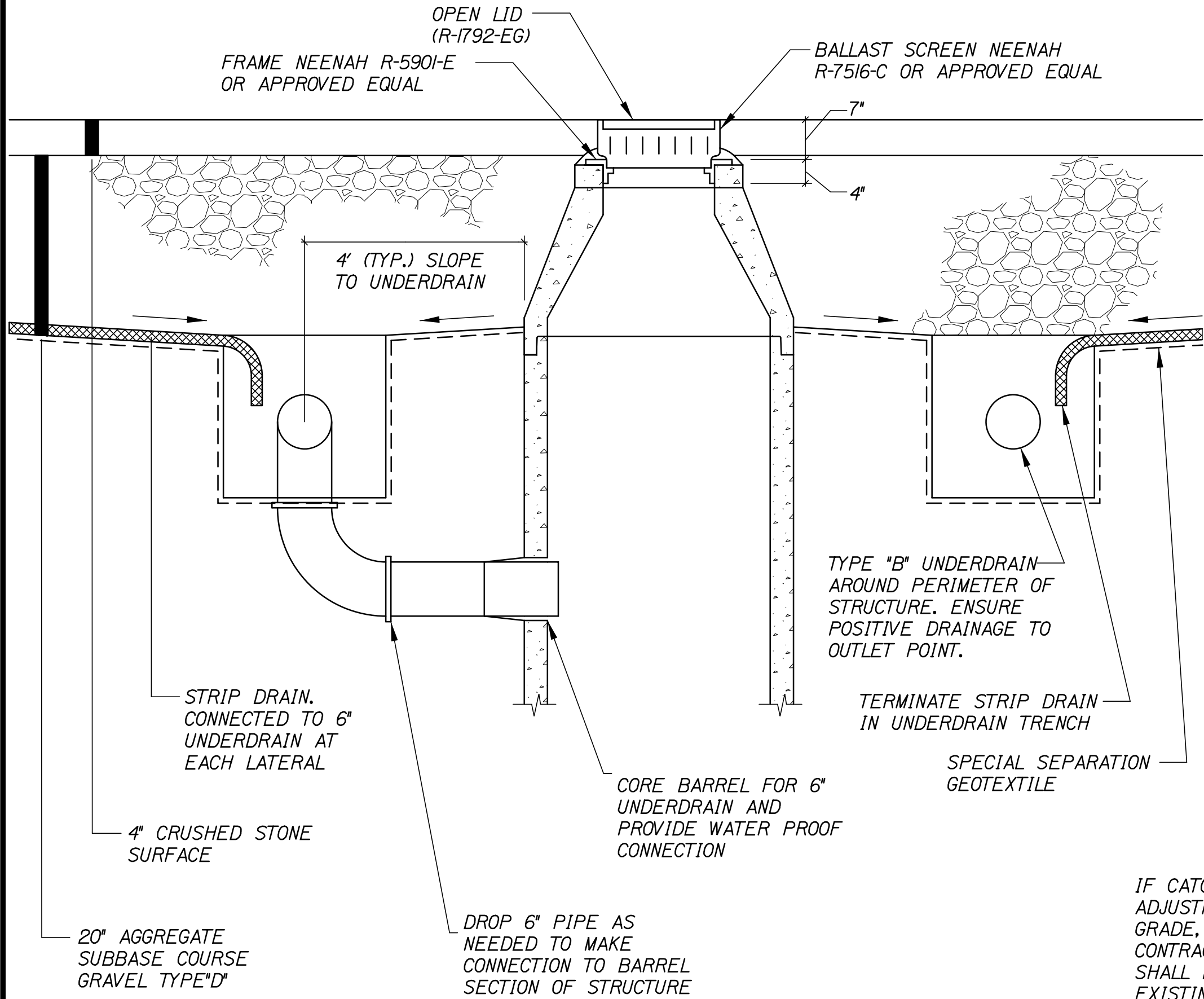
Division:

Filename: 016_SiteDets.dgn

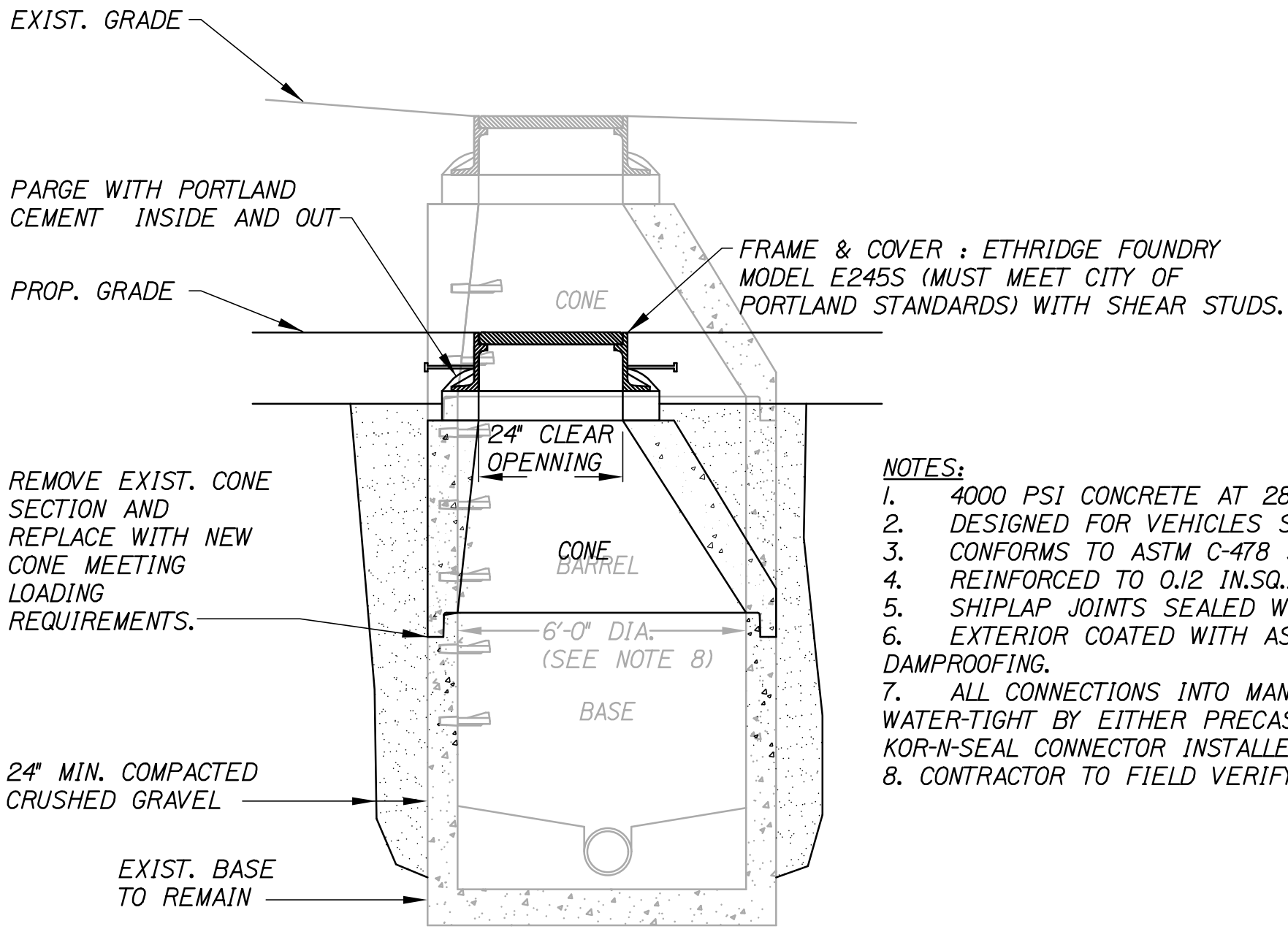
NOTE:
TYPE D AGGREGATE SUBBASE SHALL HAVE BETWEEN 4% AND 7% FINES (PERCENT PASSING #200 SIEVE) TO ACT AS A FILTER LAYER.



CHASSIS STORAGE YARD POROUS SURFACE DETAIL
NOT TO SCALE

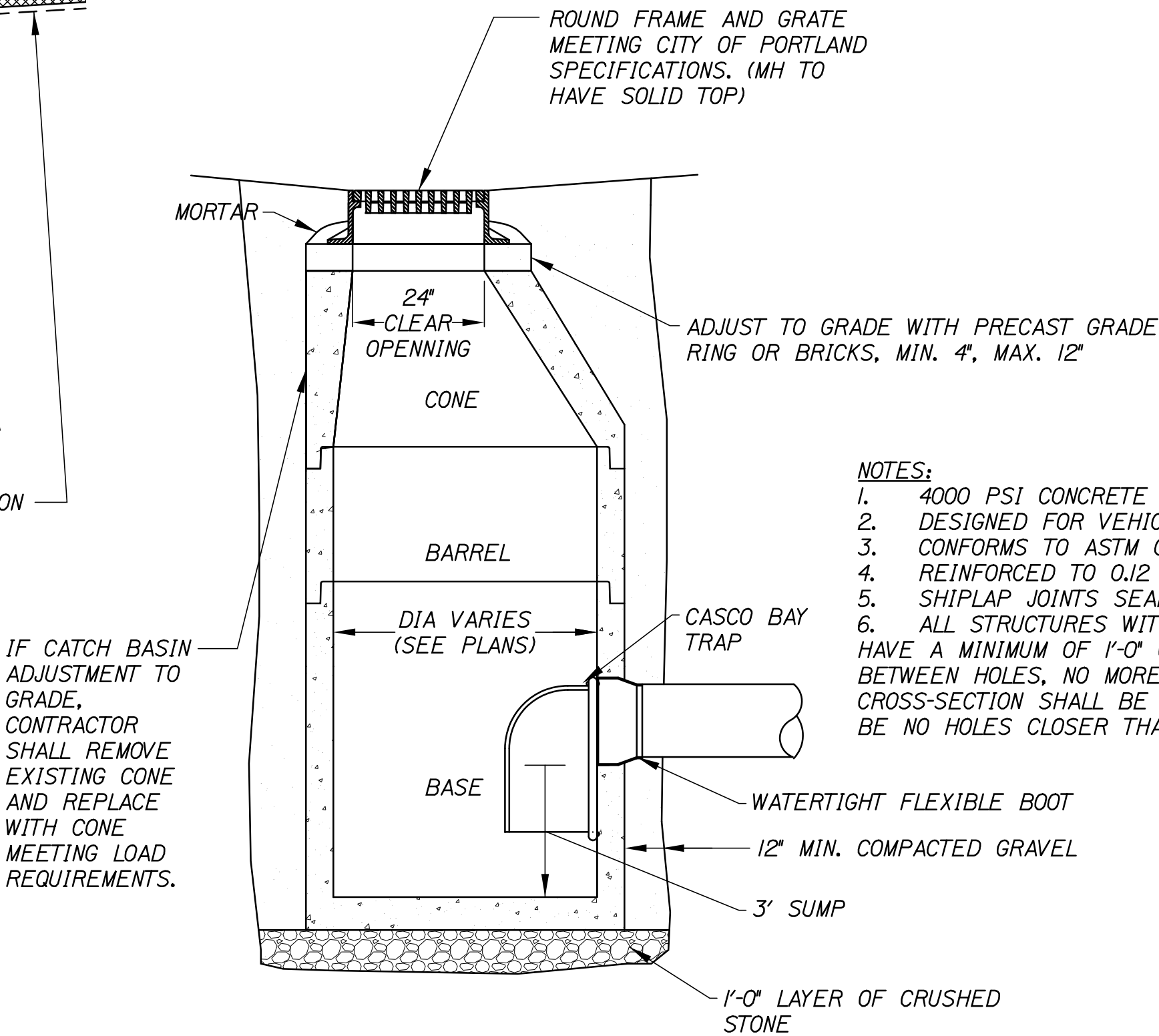


STRIP DRAIN CONNECTION TO CB2 AND CB3 DETAIL
NOT TO SCALE

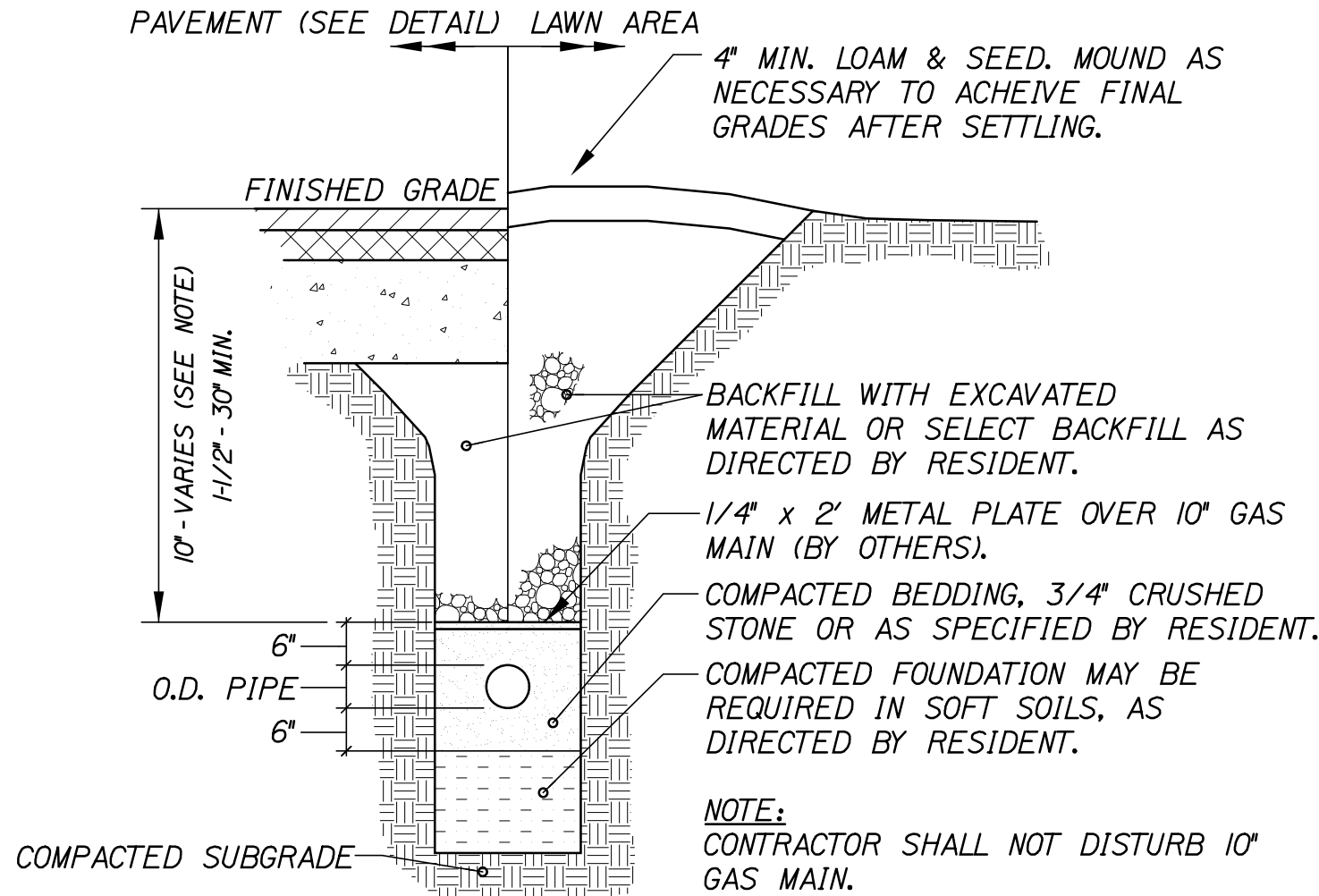


- NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
 2. DESIGNED FOR VEHICLES SHOWN ON SHEET G3.
 3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
 4. REINFORCED TO 0.12 IN.SQ./L.F.
 5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
 6. EXTERIOR COATED WITH ASPHALTIC PROTECTIVE DAMPROOFING.
 7. ALL CONNECTIONS INTO MANHOLE SHALL BE WATER-TIGHT BY EITHER PRECAST FLEXIBLE BOOT OR KOR-N-SEAL CONNECTOR INSTALLED IN CORED HOLE.
 8. CONTRACTOR TO FIELD VERIFY.

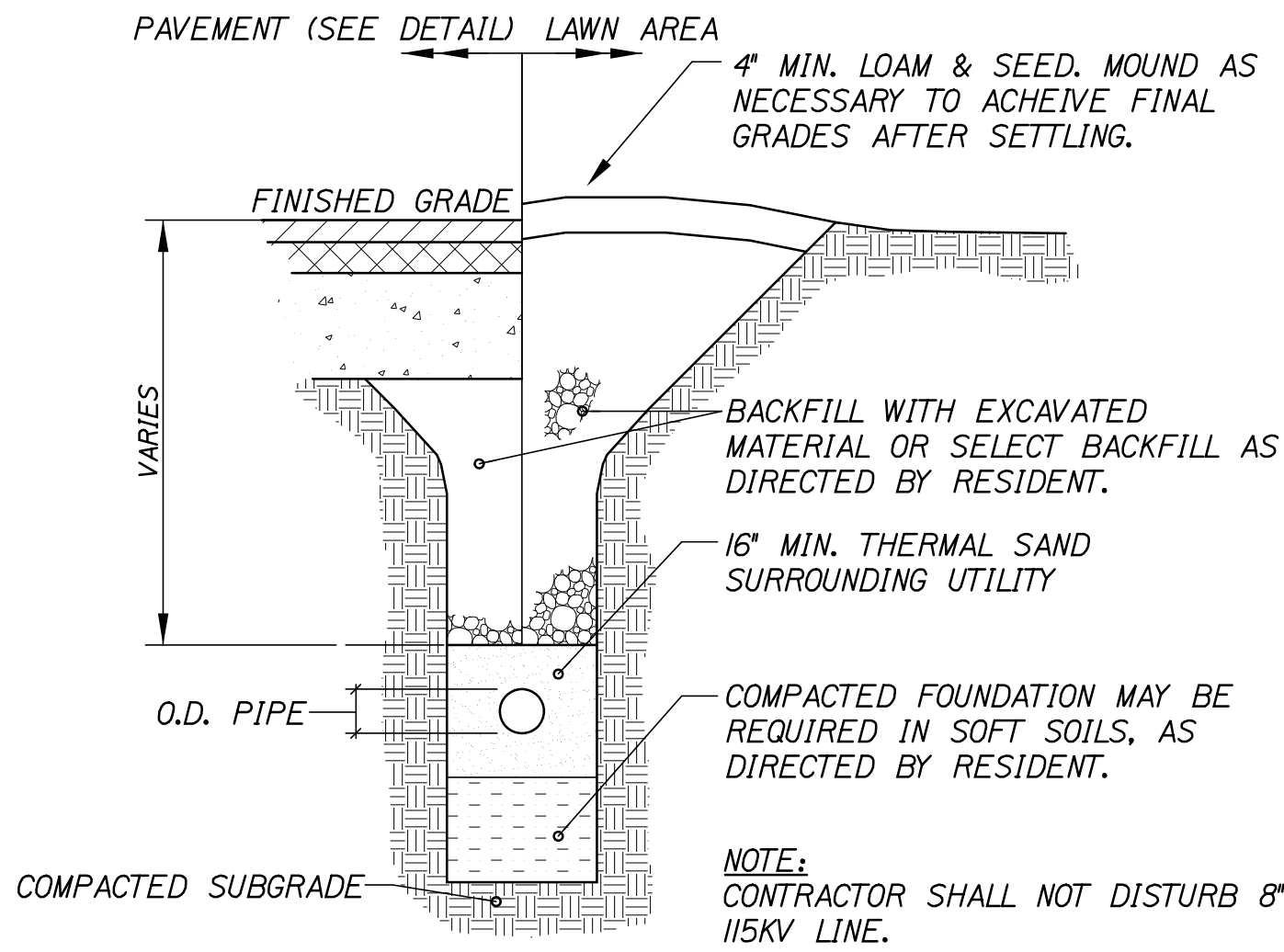
ADJUST LOADING SLAB MANHOLE (SMH) TO GRADE
NOT TO SCALE



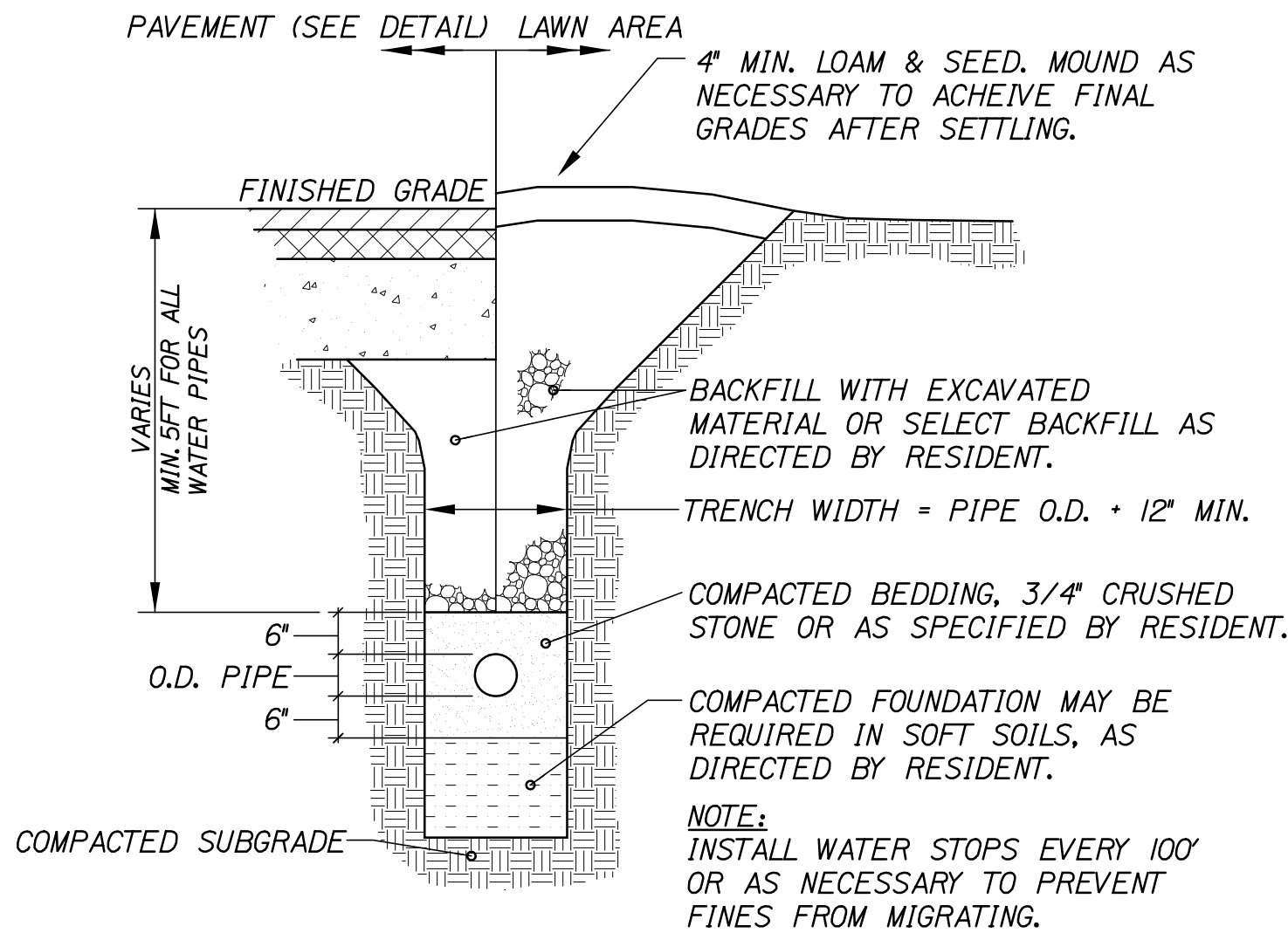
CATCH BASIN (CB)
NOT TO SCALE



GAS TRENCH SECTION
NOT TO SCALE



115KV ELECTRICAL TRENCH SECTION
NOT TO SCALE



UTILITY TRENCH SECTION
NOT TO SCALE

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	PROJECT NUMBER 022809.20	
	WIN 022809.20	

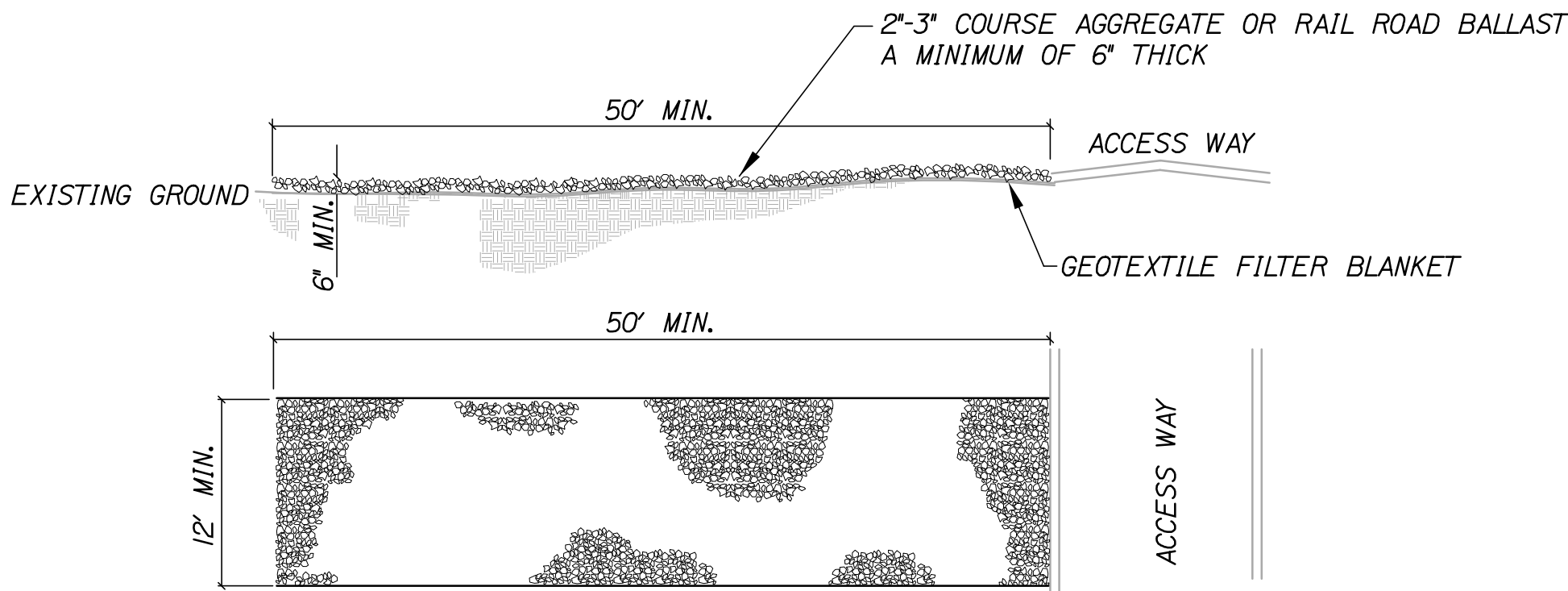
PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	LINE	MPC	06/14
CHECKED-REVIEWED	CPM	CPM	06/14
DESIGN-DETAILED			
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	SITE DETAILS	
	SHEET NUMBER	

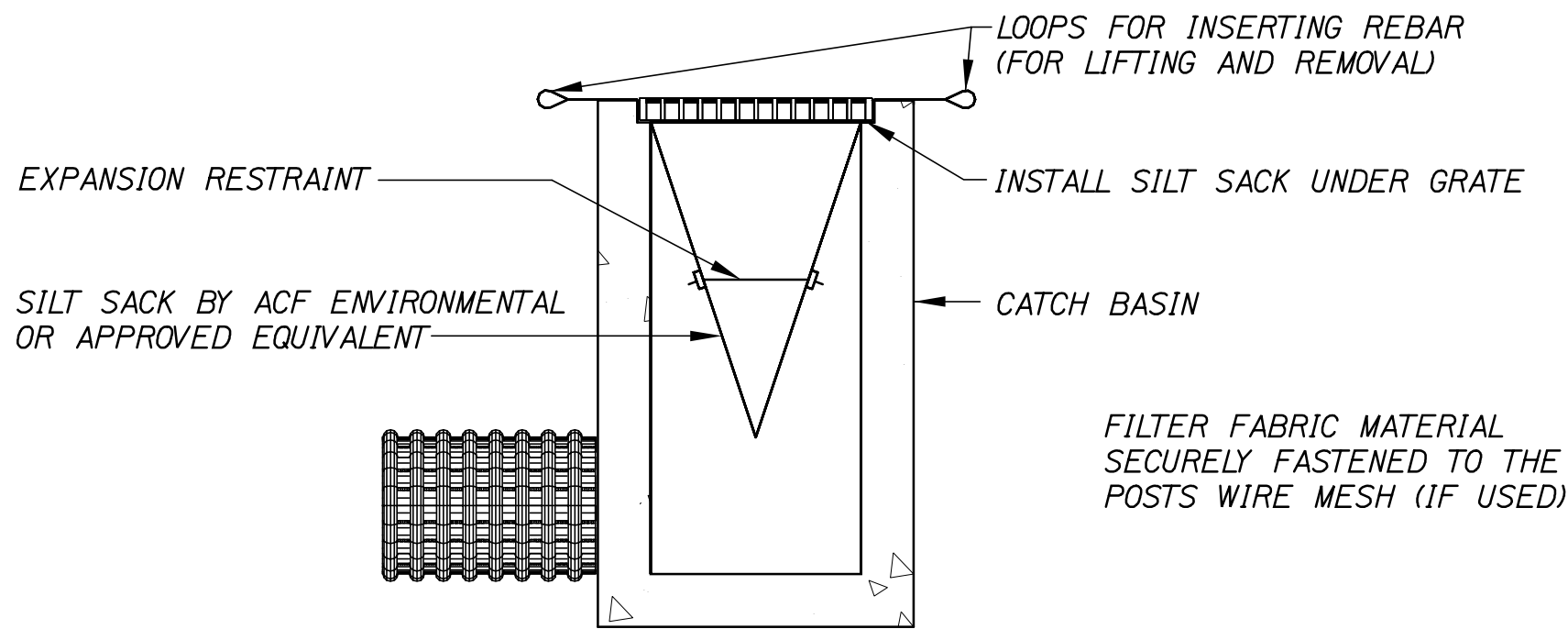
C13

NOTES:

1. THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE LOCATED WHERE TRAFFIC WILL ENTER OR LEAVE THE CONSTRUCTION SITE ONTO A PUBLIC STREET.
2. FILTER FABRIC OR COMPACTED CRUSHER RUN STONE SHALL BE USED AS A BASE FOR THE CONSTRUCTION ENTRANCE.
3. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC STREETS OR EXISTING PAVEMENT. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS WARRANT AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
4. ANY SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC STREETS MUST BE REMOVED IMMEDIATELY.
5. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IN ORDER TO TRAP AND STABILIZE ANY SEDIMENT THAT RUNS OFF OF THE STABILIZED CONSTRUCTION ENTRANCE.
6. WHEN APPROPRIATE, WHEELS MUST BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTERING A PUBLIC STREET.
7. WHEN WASHING IS REQUIRED, IT SHALL BE DONE IN AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.



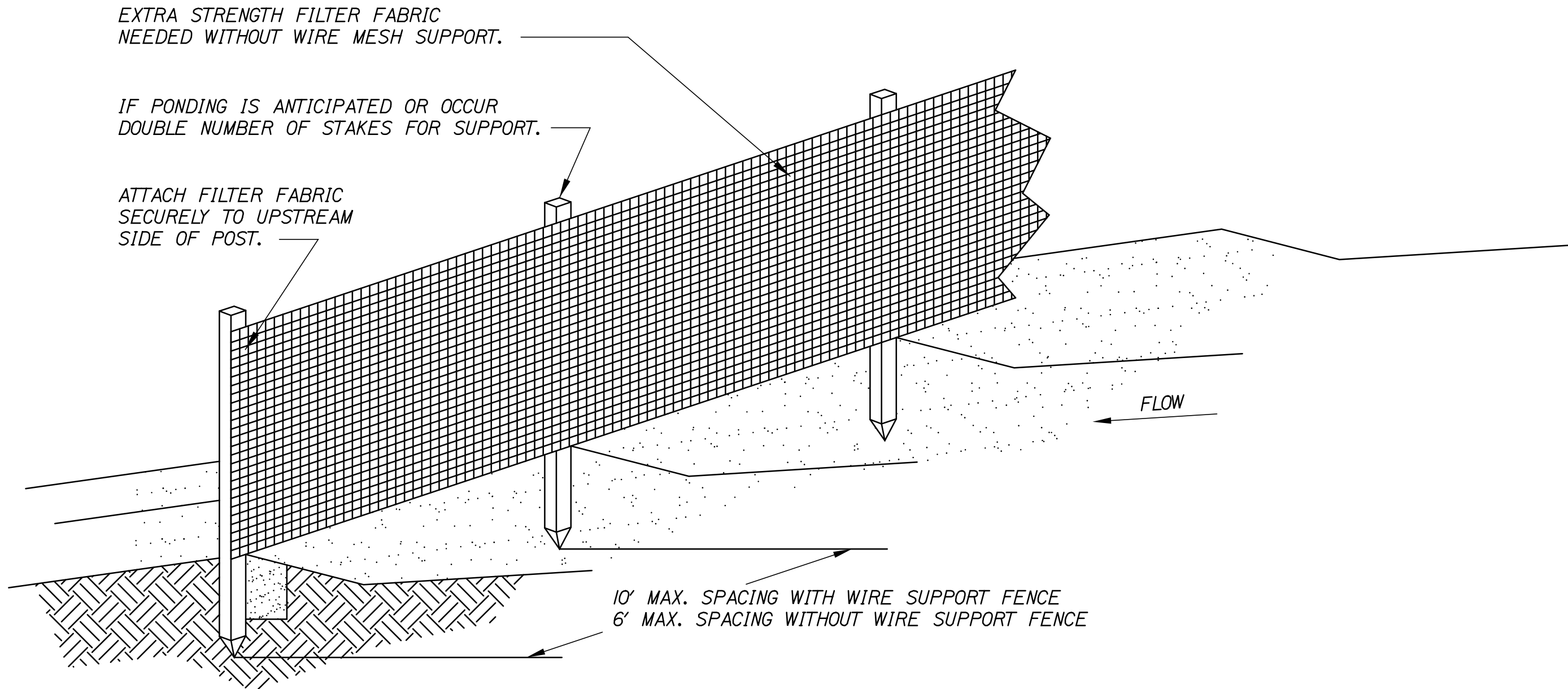
STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE



NOTES:

1. INSTALL SILTSACK PER MANUFACTUREER'S RECOMENDATIONS.
2. SILTSACKS SHALL BE CHECKED FOR SEDIMENT LEVEL AND OVERALL CONDITION IMMEDIATELY AFTER EVERY RAIN EVENT AND AT LEAST EVERY DAY DURING PROLONGED RAINFALL.
3. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE SILTSACK. REMOVED SEDIMENT SHALL BE DISPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT WILL NOT ERODE.
4. SEDIMENT SHALL ONLY BE REMOVED BY REMOVING THE SILTSACKS FROM THE CATCH BASINS ACCORDING TO MANUFACTUREER RECOMENDATIONS.
6. CARE SHALL BE TAKEN TO AVOID SPILLING SEDIMENT WHILE REMOVING THE SILTSACK.
7. ANY DAMAGED SILTSACK SHALL BE REPLACED WITH A NEW SILTSACK.

INLET PROTECTION - SILTSACK
NOT TO SCALE

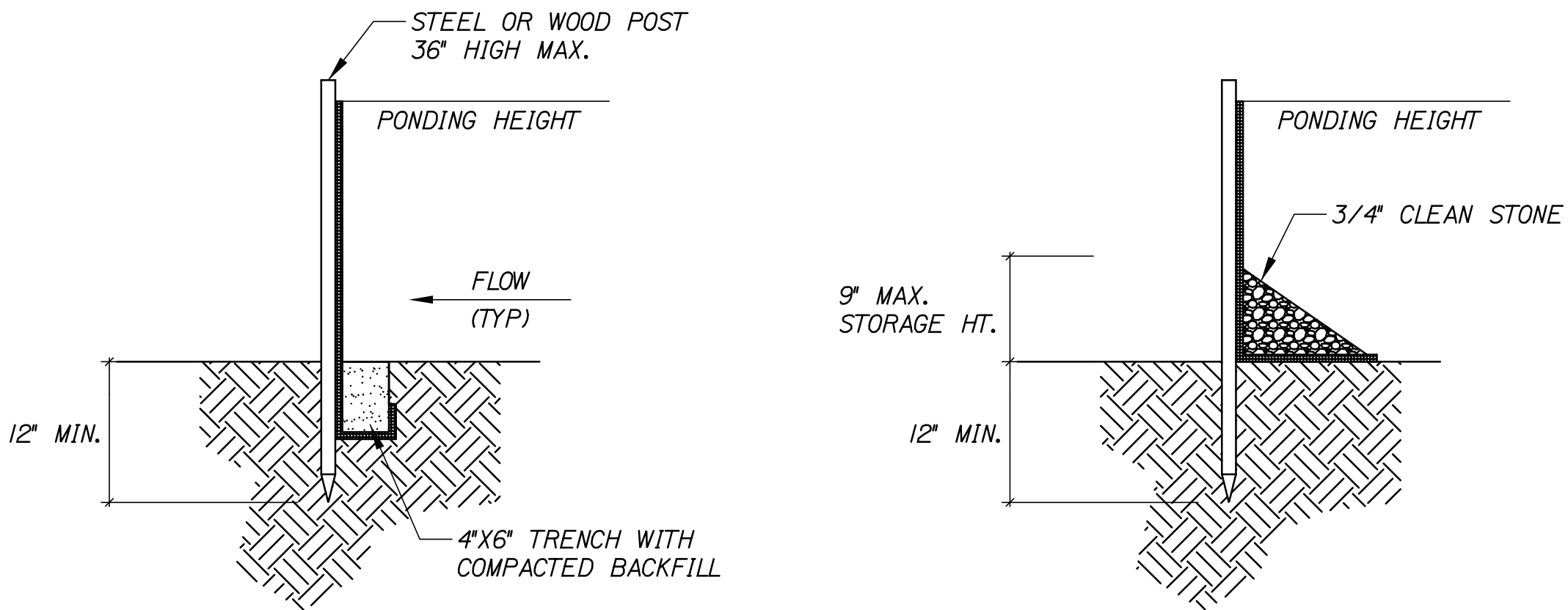


NOTE:

PRE-FABRICATED SILT FENCE IS ACCEPTABLE IF INSTALLED PER MANUFACTURER.

NOTES:

1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9' MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
4. DO NOT PLACE SILT FENCE IN STREAMS OR CONCENTRATED FLOW CONDITIONS.



TRENCH DETAIL

SILT FENCE DETAIL
NOT TO SCALE

LEDGE, FROZEN GROUND, HEAVY ROOTS
INSTALLATION WITHOUT TRENCHING

STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20				
	PROJ. MANAGER	J. KITTREDE	BY	DATE
	DESIGN-DETAILED	HME	MPC	06/14
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY EROSION AND SEDIMENTATION CONTROL DETAILS	CHECKED-REVIEWED	-	CPM	06/14
	DESIGN-DETAILED	-	-	-
	DESIGN-DETAILED	-	-	-
	REVISIONS 1	-	-	-
	REVISIONS 2	-	-	-
SHEET NUMBER C12 15 OF 116	REVISIONS 3	-	-	-
	REVISIONS 4	-	-	-
	FIELD CHANGES	-	-	-
SIGNATURE				
P.E. NUMBER				
DATE				

Date:6/26/2014

Username:

Division:

Filename: 014_ErosSedNotes.dgn

EROSION CONTROL NOTES:

1. THE ANTICIPATED EROSION CONTROL DEVICES ARE SHOWN ON THE PLANS.THE CONTRACTOR SHALL PROPOSE ACTUAL TYPE AND LOCATION OF DEVICES FOR APPROVAL BE THE RESIDENT.ADDITIONAL MEASURES MAY BE PROPOSED BY THE CONTRACTOR DUE TO SITE OR WEATHER CONDITIONS.THE RESIDENT MAY DIRECT THE CONTRACTOR TO IMPLEMENT ADDITIONAL MEASURES.
2. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST "MAINE EROSION AND SEDIMENT CONTROL BMPS"BY THE BUREAU OF LAND AND WATER QUALITY,MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
3. THE CONTRACTOR SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ENGINEER.
4. THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH THE EROSION CONTROL PLAN.THE CONTRACTOR SHALL BE RESPONSIBLE FOR EMPLOYING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IN ORDER TO MEET THE ABOVE-REFERENCED DEP EROSION CONTROL STANDARDS.
5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR RE-GRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR DESIGNATED PARKING AREAS, DRIVEWAYS, OR SIDEWALKS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED/DESCRIBED IN THE MAINE DEP BMP STANDARDS.
6. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINAL GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
7. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT,MULCH MUST BE SPREAD ON ANY EXPOSED SOILS.
8. THE CONTRACTOR SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS,OR PRIOR TO A STORM EVENT.
9. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING,DAMAGE,DETERIORATION OR UNDERMINING. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER OR AS OTHERWISE SHOWN ON THE PLANS.
10. ALL TRAFFIC INTO AND OUT OF THE SITE SHALL BE OVER A STABILIZED CONSTRUCTION ENTRANCE.
11. LINEAR UTILITY CONSTRUCTION SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER BACKFILL AND NO MORE THAN 500 FEET SHALL BE OPEN AT ANY ONE TIME. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS,ALL EXCAVATED MATERIALS SHALL BE PLACED ON THE UPHILL SIDES OF ALL TRENCHES. ALL TEMPORARY EARTH BERMS SHALL BE SEEDED AND MULCHED WITH TEMPORARY VEGETATION WITHIN 7 DAYS AFTER GRADING.
12. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
13. EROSION CONTROL DEVICES (EROSION CONTROL BLANKET, SEDIMENT BARRIER, STABILIZED CONSTRUCTION ENTRANCE) SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
14. SEEDED AREAS SHALL BE FERTILIZED AND RESEEDED AS NECESSARY TO ENSURE VEGETATION IS ESTABLISHED.
15. 4" LOAM HAS BEEN ESTIMATED FOR 100% OF THE DISTURBED SLOPE AREA UNLESS OTHERWISE SPECIFIED ON THE PLANS.ACTUAL PLACEMENT OF THE LOAM SHALL BE AS DESIGNATED BY THE RESIDENT.

SEEDING NOTES:

1. ALL SEEDING SHALL BE IN ACCORDANCE WITH SECTION 618.
2. ALL FINAL SEEDING SHALL BE COMPLETED WITHIN SEVEN (7) DAYS FOLLOWING FINAL GRADING.
3. ALL AREAS SHALL BE MULCHED IMMEDIATELY AFTER SEEDING.THE CONTRACTOR SHALL MONITOR THE MULCH PERFORMANCE AND,IF MULCHING PROVES TO BE INEFFECTIVE,THEN NETTING AND MATTING SHALL BE USED IN ITS PLACE.
4. SEEDING SHALL BE PERFORMED BETWEEN APRIL 15TH AND OCTOBER 1ST (WITHOUT DORMANT SEEDING).
5. ALL SEEDING SHALL BE METHOD NUMBER 1.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION										
	PROJECT NUMBER 022809.20									
	WIN 022809.20									
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY EROSION AND SEDIMENTATION CONTROL NOTES		PROJ. MANAGER	J. KITTREDD	BY	DATE					
		DESIGN-DETAILED	HME	MPC	06/14	SIGNATURE				
		CHECKED-REVIEWED	-	CPM	06/14					
		DESIGN-DETAILED	-	-	-	P.E. NUMBER				
		REVISIONS 1	-	-	-	DATE				
		REVISIONS 2	-	-	-					
		REVISIONS 3	-	-	-					
		REVISIONS 4	-	-	-					
		FIELD CHANGES	-	-	-					
SHEET NUMBER										
C11										
14 OF 116										

Date: 6/27/2014

Username:

Division:

Filename: 013_SiteUtilityPlan3.dgn

SLIPLINE EXIST 48" RCP
GRAVITY SEWER MAIN
STA. 201+75, RT. TO STA. 213+00 RT.

ADJUST SEWER MANHOLE TO GRADE
RIM EL. = 14.66

ADJUST SEWER MANHOLE TO GRADE
RIM EL. = 14.59

MANUAL FIRE PULL
STATION (TYP. OF 3)
POST INDICATOR VALVE.
SEE WATER SYSTEM
DETAILS

SEE TRAFFIC PLANS
FOR BEACH STREET
SIGNALS

REMOVE 3'X4' METER PIT
AND CHECK VALVE, PAYMENT
INCIDENTAL TO THE 822 ITEMS.
INSTALL 8"X6" REDUCER, AND 6"
WATERMAIN TO PROPERTY
LINE. INSTALL 6" SHUT-OFF
AT PROPERTY LINE.

6" X 4" TEE
4" SHUT-OFF VALVE
AT PROPERTY LINE
4" DOMESTIC WATER
SERVICE

REMOVE POLE AND
OVERHEAD WIRES

PROPOSED
STANDPIPE (3 TOTAL)
SEE WATER SYSTEM
DETAILS

DISCONNECT EXISTING
SERVICE, CONNECT NEW
SERVICE, AND ELECTRIFY.
COORDINATE WITH CMP
AND NEW YARD.

PROPOSED SITE ELECTRICAL
SEE ELECTRICAL PLANS
FOR DETAILS (TYP.)

DIRECTIONAL DRILL
UNDER TRACK AND
INSTALL 16" PVC
SLEEVE. SEE SECTION
104 AND 830 FOR
MORE INFORMATION.

REGULATOR BUILDING
6"X6" TAPPING SLEEVE
AND SHUT-OFF VALVE

4'X8' METER PIT WITH
4" COMPOUND METER.
CAP END FOR FUTURE
CONNECTION.

6" FIRE SERVICE

END SLIPLINING AT
SS MANHOLE

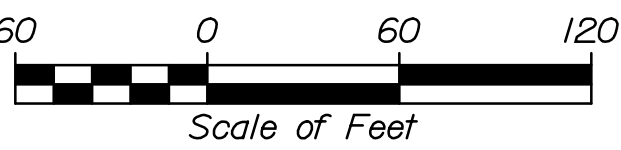
6" SHUT-OFF VALVE
FOR NEW YARD LLC
SERVICE

NOW OR FORMERLY
NEW YARD, LLC
(5.03 AC ±)

HYDRANT (3)

RELOCATE 1 1/2" GAS
SERVICE

PLAN



NOTES:
1. CONTRACTOR TO PERFORM TEST PITS TO LOCATE
UTILITIES AS NEEDED. SEE SECTION 104 SPECIAL
PROVISION.
2. SEE ELECTRICAL PLANS FOR ELECTRICAL ITEMS.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

DATE	BY	J. KITREDOE	DATE	DATE
06/14	MPC	06/14	SIGNATURE	
06/14	CPM	06/14	P.E. NUMBER	
			DATE	

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
SITE UTILITY PLAN

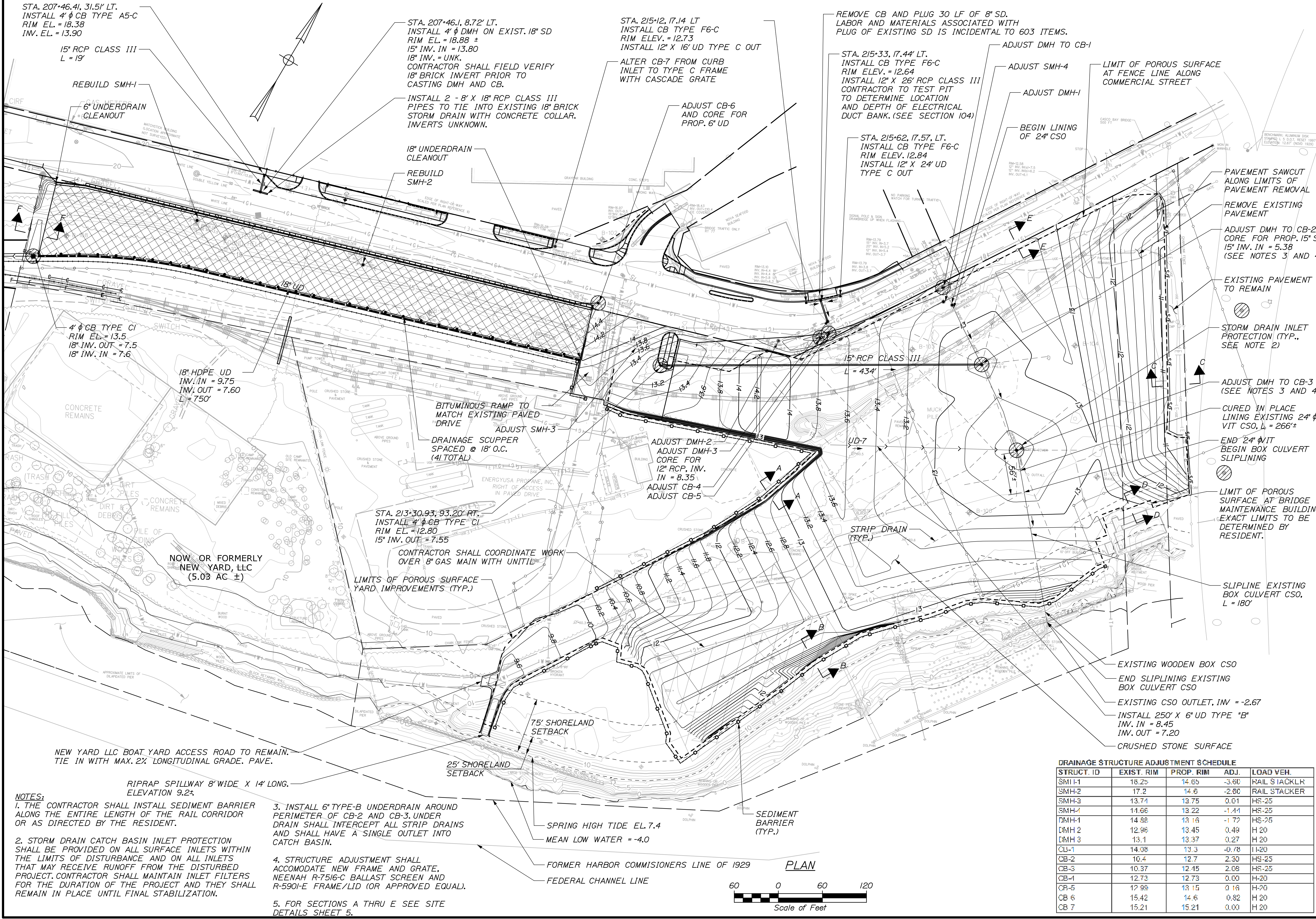
SHEET NUMBER
C10
13 OF 116

Date: 6/27/2014

Username:

Division:

Filename: 012_SiteGradingPlan3.dgn



STA. 207+46.41, 31.51' LT.
INSTALL 4" CB TYPE A5-C
RIM EL. = 18.38
INV. EL. = 13.90

15" RCP CLASS III
L = 19'

REBUILD SMH-1

6" UNDERDRAIN
CLEANOUT

WATERSTOP BELONGS
LOCATION APPROXIMATE
NOT SHOWN

18" UNDERDRAIN
CLEANOUT

STA. 207+46.1, 8.72' LT.
INSTALL 4" DMH ON EXIST. 18" SD
RIM EL. = 18.88 ±
15" INV. IN = 13.80
18" INV. = UNK.
CONTRACTOR SHALL FIELD VERIFY
18" BRICK INVERT PRIOR TO
CASTING DMH AND CB.

INSTALL 2 - 8" X 18" RCP CLASS III
PIPES TO TIE INTO EXISTING 18" BRICK
STORM DRAIN WITH CONCRETE COLLAR.
INVERTS UNKNOWN.

18" UNDERDRAIN
CLEANOUT

REBUILD
SMH-2

STA. 215+12, 17.14 LT
INSTALL CB TYPE F6-C
RIM ELEV. = 12.73
INSTALL 12" X 16" UD TYPE C OUT

ALTER CB-7 FROM CURB
INLET TO TYPE C FRAME
WITH CASCADE GRATE

ADJUST CB-6
AND CORE FOR
PROP. 6" UD

REMOVE CB AND PLUG 30 LF OF 8" SD.
LABOR AND MATERIALS ASSOCIATED WITH
PLUG OF EXISTING SD IS INCIDENTAL TO 603 ITEMS.

STA. 215+33, 17.44 LT.
INSTALL CB TYPE F6-C
RIM ELEV. = 12.64
INSTALL 12" X 26" RCP CLASS III
CONTRACTOR TO TEST PIT
TO DETERMINE LOCATION
AND DEPTH OF ELECTRICAL
DUCT BANK. (SEE SECTION 104)

ADJUST DMH TO CB-1

ADJUST SMH-4

ADJUST DMH-1

BEGIN LINING
OF 24" CSO

LIMIT OF POROUS SURFACE
AT FENCE LINE ALONG
COMMERCIAL STREET

PAVEMENT SAWCUT
ALONG LIMITS OF
PAVEMENT REMOVAL

REMOVE EXISTING
PAVEMENT

ADJUST DMH TO CB-2
CORE FOR PROP. 15" SD
15" INV. IN = 5.38
(SEE NOTES 3 AND 4)

EXISTING PAVEMENT
TO REMAIN

STORM DRAIN INLET
PROTECTION (TYP.,
SEE NOTE 2)

ADJUST DMH TO CB-3
(SEE NOTES 3 AND 4)

CURED IN PLACE
LINING EXISTING 24" φ
VIT CSO, L = 266'±

END 24" VIT
BEGIN BOX CULVERT
SPLINING

LIMIT OF POROUS
SURFACE AT BRIDGE
MAINTENANCE BUILDING.
EXACT LIMITS TO BE
DETERMINED BY
RESIDENT.

SPLINE EXISTING
BOX CULVERT CSO,
L = 180'

EXISTING WOODEN BOX CSO

END SPLINING EXISTING
BOX CULVERT CSO

EXISTING CSO OUTLET, INV. = -2.67

INSTALL 250' X 6" UD TYPE "B"
INV. IN = 8.45
INV. OUT = 7.20

CRUSHED STONE SURFACE

DRAINAGE STRUCTURE ADJUSTMENT SCHEDULE				
STRUCT. ID	EXIST. RIM	PROP. RIM	ADJ.	LOAD VEH.
SMH-1	18.25	14.65	-3.60	RAIL STACKLR
SMH-2	17.2	14.6	-2.60	RAIL STACKLR
SMH-3	13.74	13.75	0.01	HS-25
SMH-4	14.66	13.22	-1.44	HS-25
DMH-1	14.88	13.16	-1.72	HS-25
DMH-2	12.96	13.45	0.49	H-20
DMH-3	13.1	13.37	0.27	H-20
CU-1	14.08	13.3	-0.78	H-20
CB-2	10.4	12.7	2.30	HS-25
CB-3	10.37	12.45	2.08	HS-25
CB-4	12.73	12.73	0.00	H-20
CB-5	12.99	13.15	0.16	H-20
CB-6	15.42	14.6	-0.82	H-20
CB-7	15.21	15.21	0.00	H-20

NOTES:
1. THE CONTRACTOR SHALL INSTALL SEDIMENT BARRIER
ALONG THE ENTIRE LENGTH OF THE RAIL CORRIDOR
OR AS DIRECTED BY THE RESIDENT.

2. STORM DRAIN CATCH BASIN INLET PROTECTION
SHALL BE PROVIDED ON ALL SURFACE INLETS WITHIN
THE LIMITS OF DISTURBANCE AND ON ALL INLETS
THAT MAY RECEIVE RUNOFF FROM THE DISTURBED
PROJECT. CONTRACTOR SHALL MAINTAIN INLET FILTERS
FOR THE DURATION OF THE PROJECT AND THEY SHALL
REMAIN IN PLACE UNTIL FINAL STABILIZATION.

3. INSTALL 6" TYPE-B UNDERDRAIN AROUND
PERIMETER OF CB-2 AND CB-3. UNDER
DRAIN SHALL INTERCEPT ALL STRIP DRAINS
AND SHALL HAVE A SINGLE OUTLET INTO
CATCH BASIN.

4. STRUCTURE ADJUSTMENT SHALL
ACCOMMODATE NEW FRAME AND GRATE,
NEENAH R-7516-C BALLAST SCREEN AND
R-5901-E FRAME/LID (OR APPROVED EQUAL).

5. FOR SECTIONS A THRU E SEE SITE
DETAILS SHEET 5.

SPRING HIGH TIDE EL. 7.4

MEAN LOW WATER = -4.0

FORMER HARBOR COMMISSIONERS LINE OF 1929

FEDERAL CHANNEL LINE

PLAN



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
SITE GRADING AND
DRAINAGE PLAN

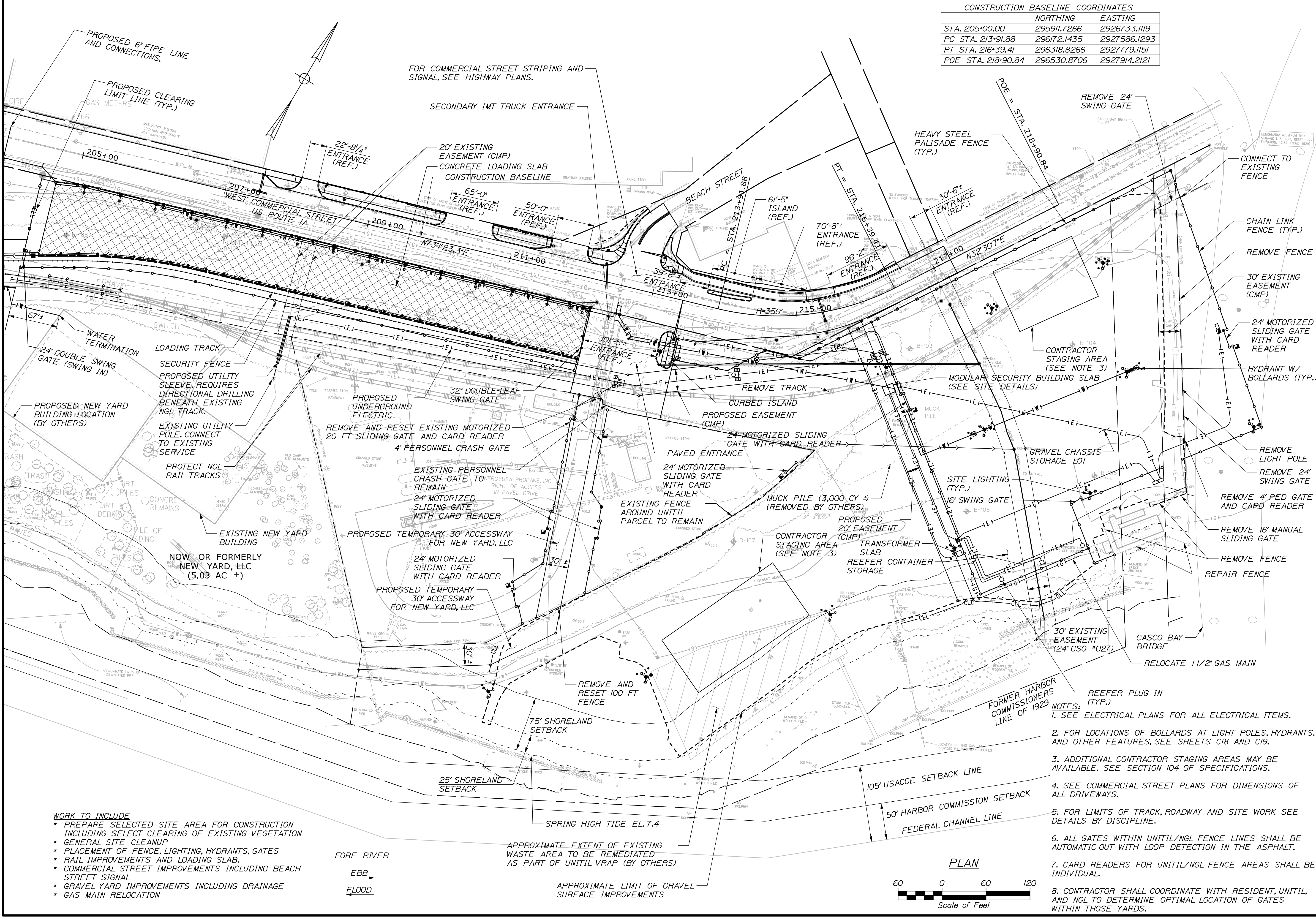
SHEET NUMBER
C09
12 OF 116

Date: 6/27/2014

Username:

Division:

Filename: 011_SitePlan3.dgn

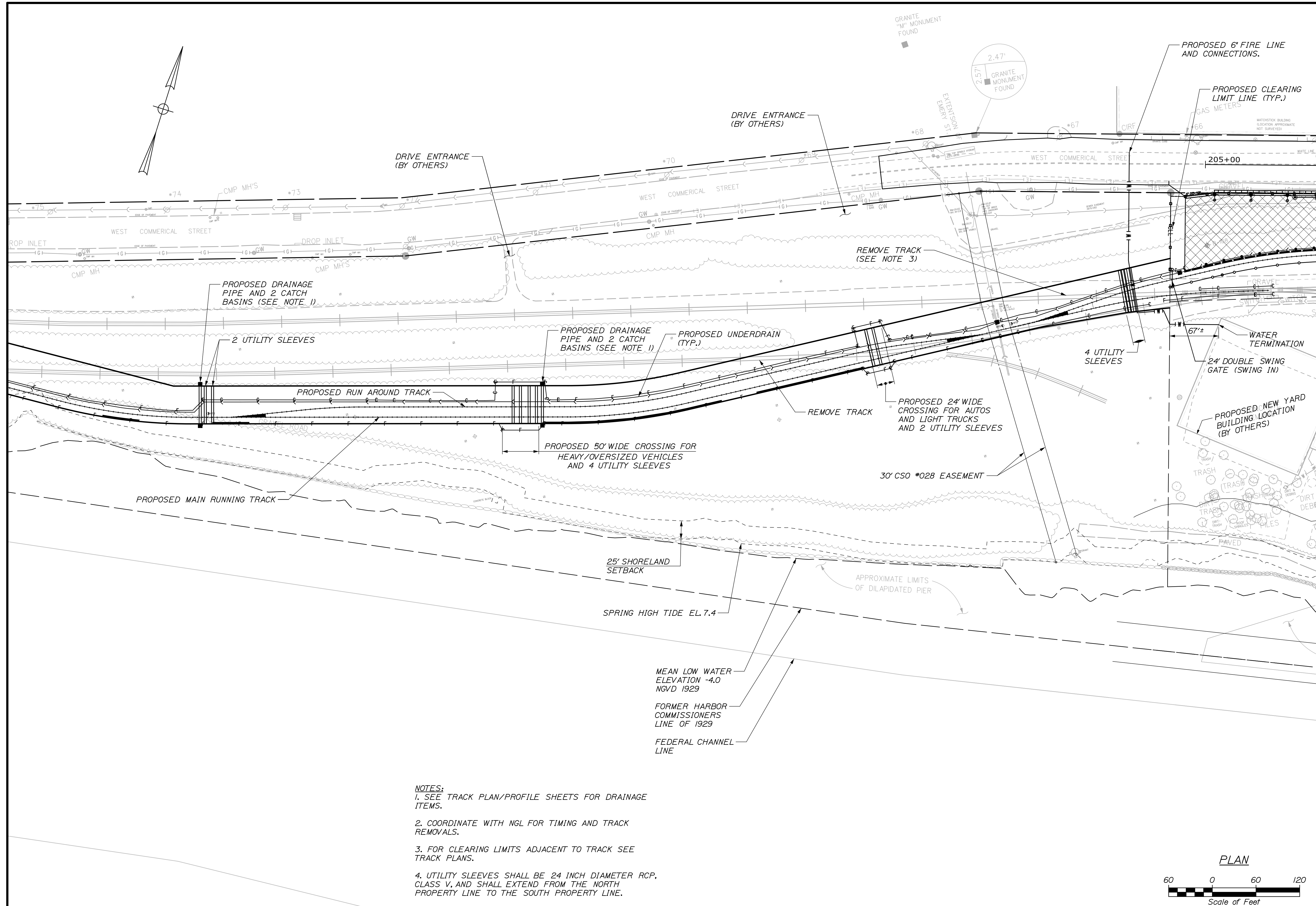


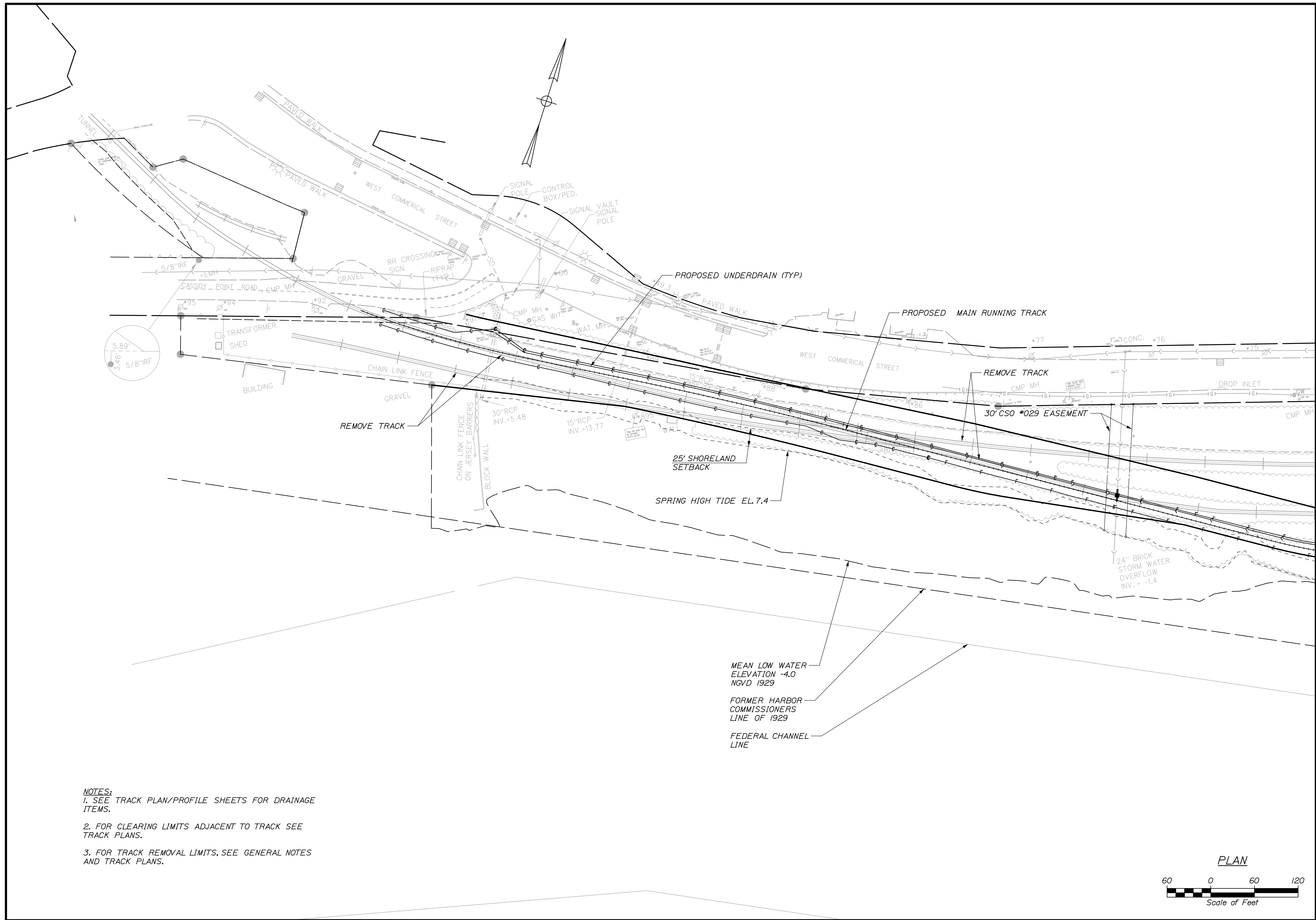
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

DATE	BY	REVISION	DESCRIPTION
06/14	CPM	1	DESIGN-DETAILED
06/14	CPM	2	DESIGN-DETAILED
06/14	CPM	3	DESIGN-DETAILED
06/14	CPM	4	DESIGN-DETAILED

DATE	BY	REVISION	DESCRIPTION
06/14	CPM	1	DESIGN-DETAILED
06/14	CPM	2	DESIGN-DETAILED
06/14	CPM	3	DESIGN-DETAILED
06/14	CPM	4	DESIGN-DETAILED

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
SHEET NUMBER
C08
11 OF 116





STATE OF MAINE DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN 022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	HME	MPC	06/14
CHECKED-REVIEWED	-	CRM	06/14
DESIGN-DETAILED2	-	-	-
DESIGN-DETAILED3	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY
SITE PLAN

SHEET NUMBER

C06

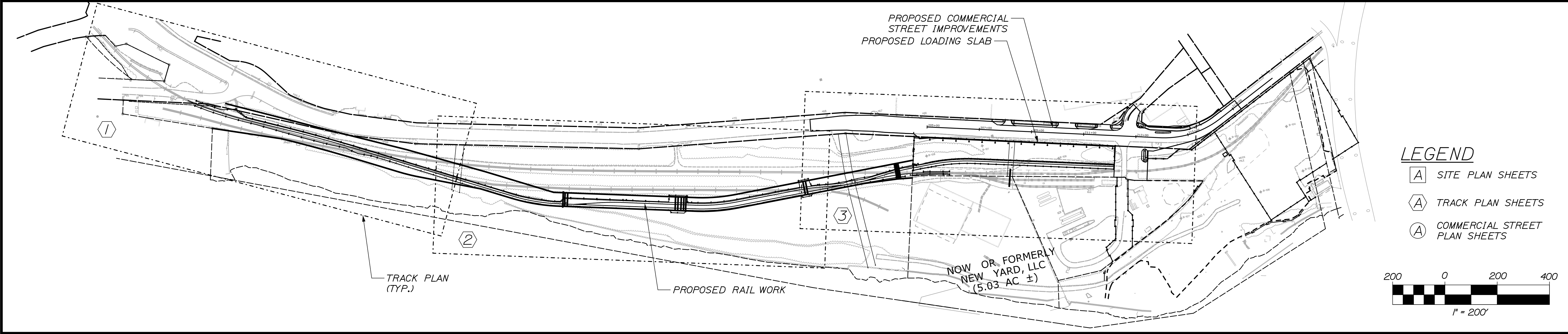
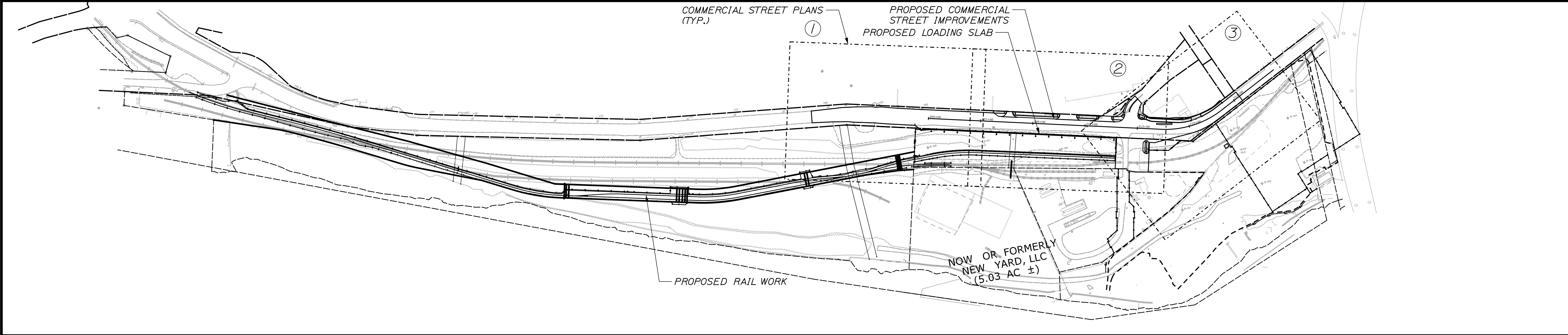
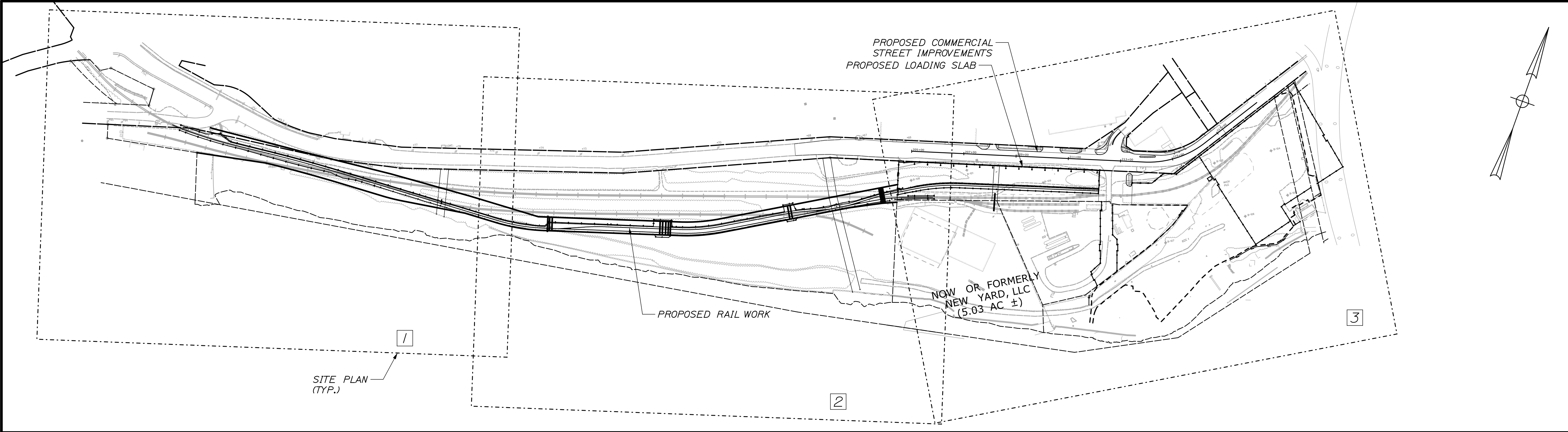
9 OF 116

Date: 6/26/2014

Username:

Division:

Filename: 008_LayoutPlan.dgn



STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 PROJECT NUMBER 022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	CRM	MPC	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL
 EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
 PORTLAND CUMBERLAND COUNTY
 SHEET LAYOUT PLAN

SHEET NUMBER
C05
 8 OF 116

Date: 6/26/2014

Username:

Division:

Filename: 007_BoringLogs.dgn

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-101	
LOCATION: Portland, Maine		Elevation (ft.) 11.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 0800 - 5/2/14; 0910		Drilling Method: HSA		Core Barrel: none observed	
Boring Location: loading slab - see geoplan		Casing ID/OD: 4 1/2" (in augers)		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/20	5.5 - 7.5	4-6-3-3	9
10	2D	24/20	8.0 - 10.0	1-1/12"-3	1
15	3D	24/18	10.0 - 12.0	2-3-5-8	8
	4D	24/12	12.0 - 14.0	1-3-9-9	12
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-101			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-102	
LOCATION: Portland, Maine		Elevation (ft.) 16.0		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 0925 - 5/2/14; 1200		Drilling Method: HSA		Core Barrel: none observed	
Boring Location: intersection - see geoplan		Casing ID/OD: 8 ft. (in augers)		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/19	5.0 - 7.0	7-10-9-8	19
10	2D	24/22	10.0 - 12.0	6-10-11-18	21
15	3D	24/15	15.0 - 17.0	11-8-13-13	21
20	4D	24/24	20.0 - 22.0	1/12"-2-3	2
25	5D	24/20	25.0 - 27.0	1-2-3-12	5
30	6D	20/13	30.5 - 32.2	11-18-23-504"	41
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 2 of 2 Boring No.: B-102			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-103	
LOCATION: Portland, Maine		Elevation (ft.) 11.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1230 - 5/2/14; 1250		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: storage pad - see geoplan		Casing ID/OD: none observed		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/11	1.0 - 3.0	12-14-16-15	30
	2D	24/15	3.0 - 5.0	9-11-9-7	20
	3D	24/14	5.0 - 7.0	5-4-5-4	9
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-103			

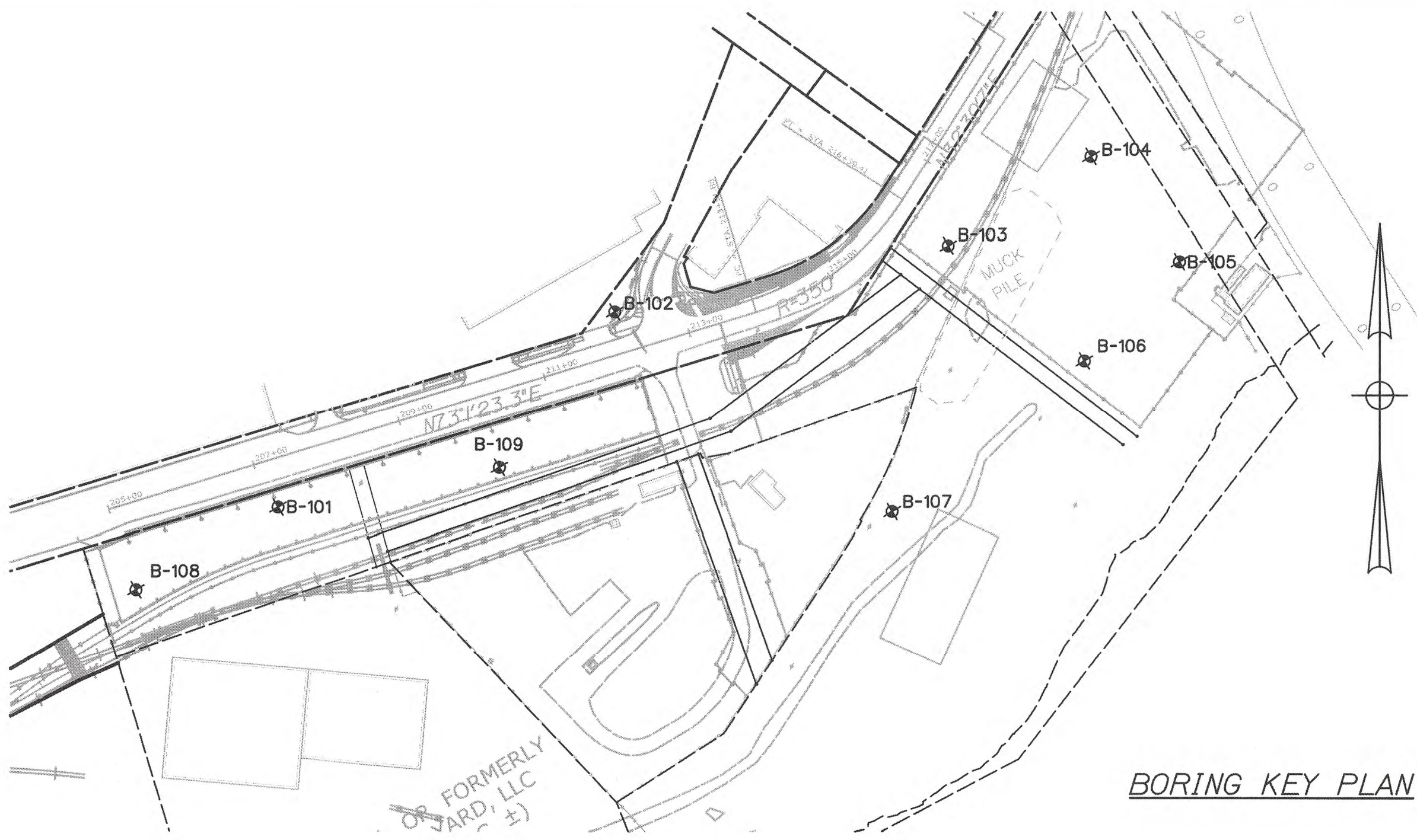
		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-104	
LOCATION: Portland, Maine		Elevation (ft.) 10.6		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1255 - 5/2/14; 1315		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: storage pad - see geoplan		Casing ID/OD: none observed		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/18	1.0 - 3.0	9-17-12-14	29
	2D	24/13	3.0 - 5.0	6-8-10-14	18
	3D	24/14	5.0 - 7.0	9-8-5-3	13
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-104			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-105	
LOCATION: Portland, Maine		Elevation (ft.) 11.5		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1320 - 5/2/14; 1340		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: storage pad - see geoplan		Casing ID/OD: none observed		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/24	1.0 - 3.0	18-31-23-25	54
	2D	24/0	3.0 - 5.0	18-15-15-17	30
	3D	24/22	5.0 - 7.0	7-5-4-7	9
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-105			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-106	
LOCATION: Portland, Maine		Elevation (ft.) 11.2		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1350 - 5/2/14; 1415		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: storage pad - see geoplan		Casing ID/OD: none observed		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/15	1.0 - 3.0	7-8-6-7	14
	2D	16/8	3.0 - 4.3	4-4-504"	
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-106			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-108	
LOCATION: Portland, Maine		Elevation (ft.) 13.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1450 - 5/2/14; 1505		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: loading slab - see geoplan		Casing ID/OD: none observed		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/21	1.0 - 3.0	6-6-6-5	12
	2D	24/20	3.0 - 5.0	2-2-3-4	5
	3D	24/20	5.0 - 7.0	1-3-2-4	5
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-108			

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-109	
LOCATION: Portland, Maine		Elevation (ft.) 12.7		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3 1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1510 - 5/2/14; 1530		Drilling Method: SSA		Core Barrel: none observed	
Boring Location: loading slab - see geoplan		Casing ID/OD: none observed		Water Level*: 3.2 ft (open hole)	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/19	3.0 - 5.0	6-5-3-2	8
	2D	24/15	5.0 - 7.0	3-5-12-22	17
Remarks:		Stratification lines represent approximate boundaries between soil types; transitions may be gradual.			
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.		Page 1 of 1 Boring No.: B-109			



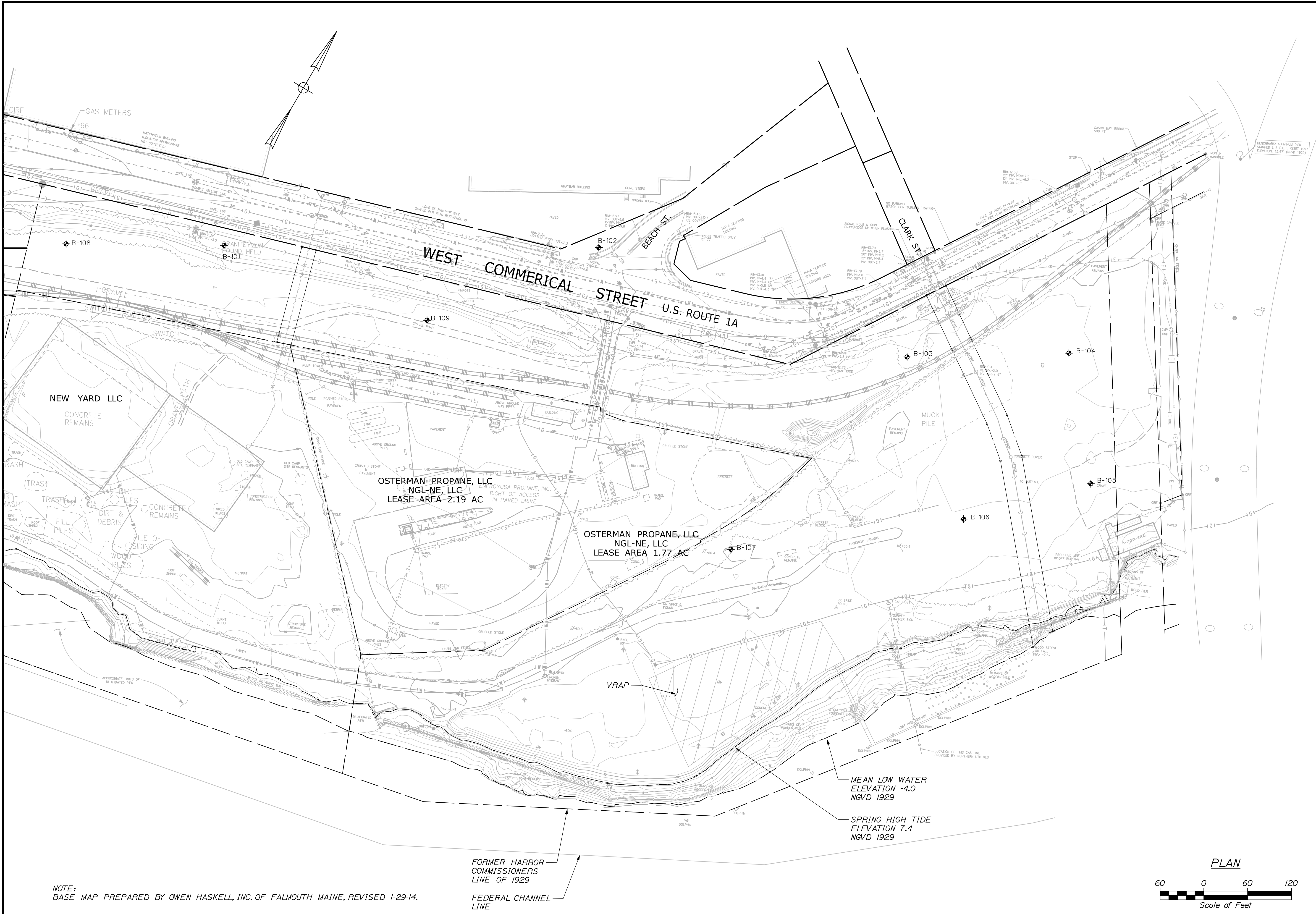
STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20		DATE 6/14 BY J. KITTESE MFC 6/14 DESIGN-DETAILED CHECKED-REVIEWED DESIGN-DETAILED DESIGN-DETAILED REVISIONS 1 REVISIONS 2 REVISIONS 3 REVISIONS 4 FIELD CHANGES		SIGNATURE 7528 P.E. NUMBER 62714 DATE 6/27/14	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY BORING LOGS BORING KEY PLAN		SHEET NUMBER C04 7 OF 116			

Date:6/26/2014

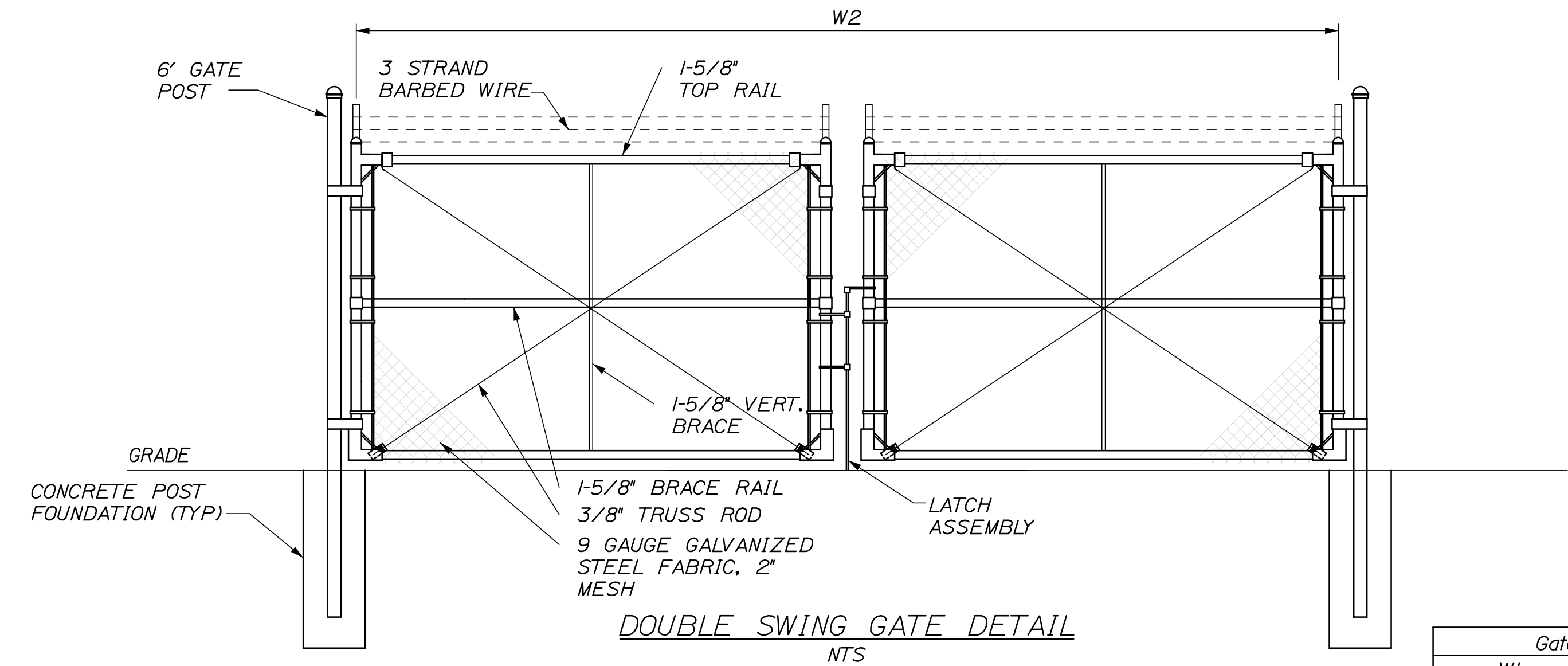
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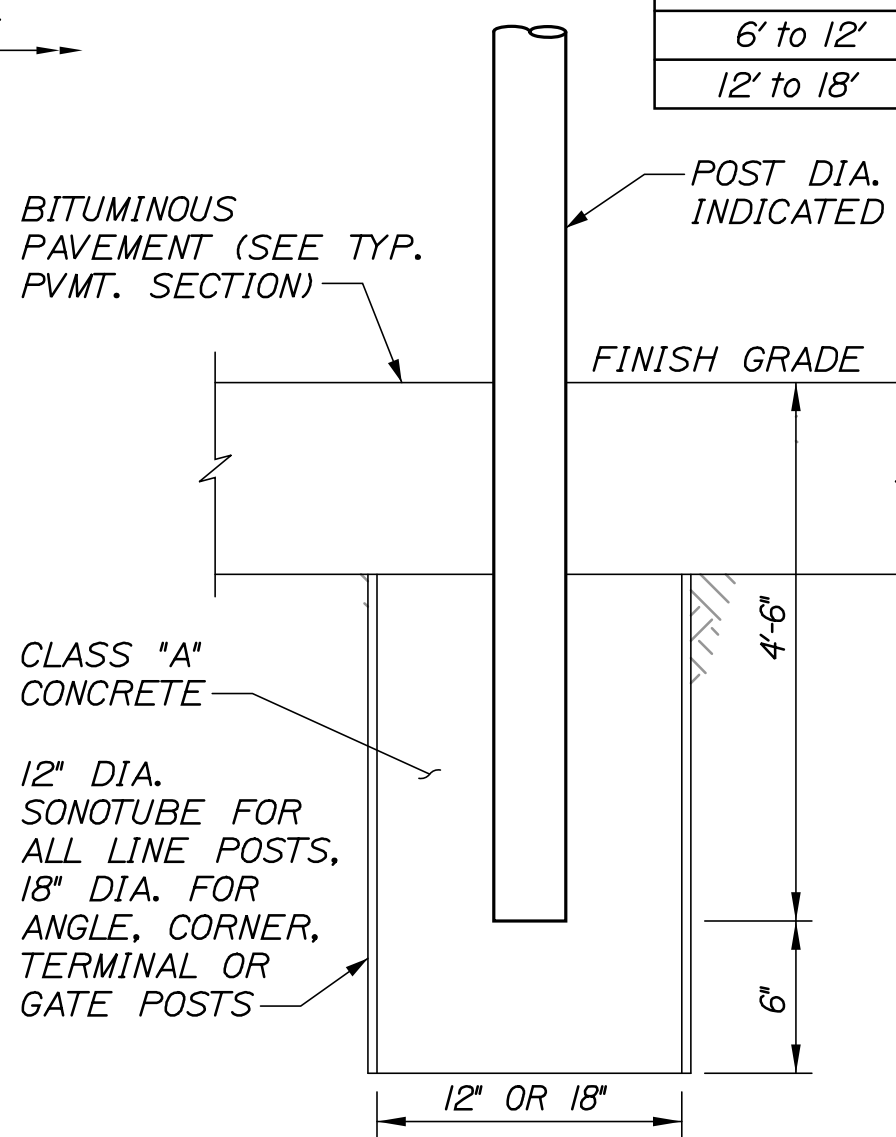
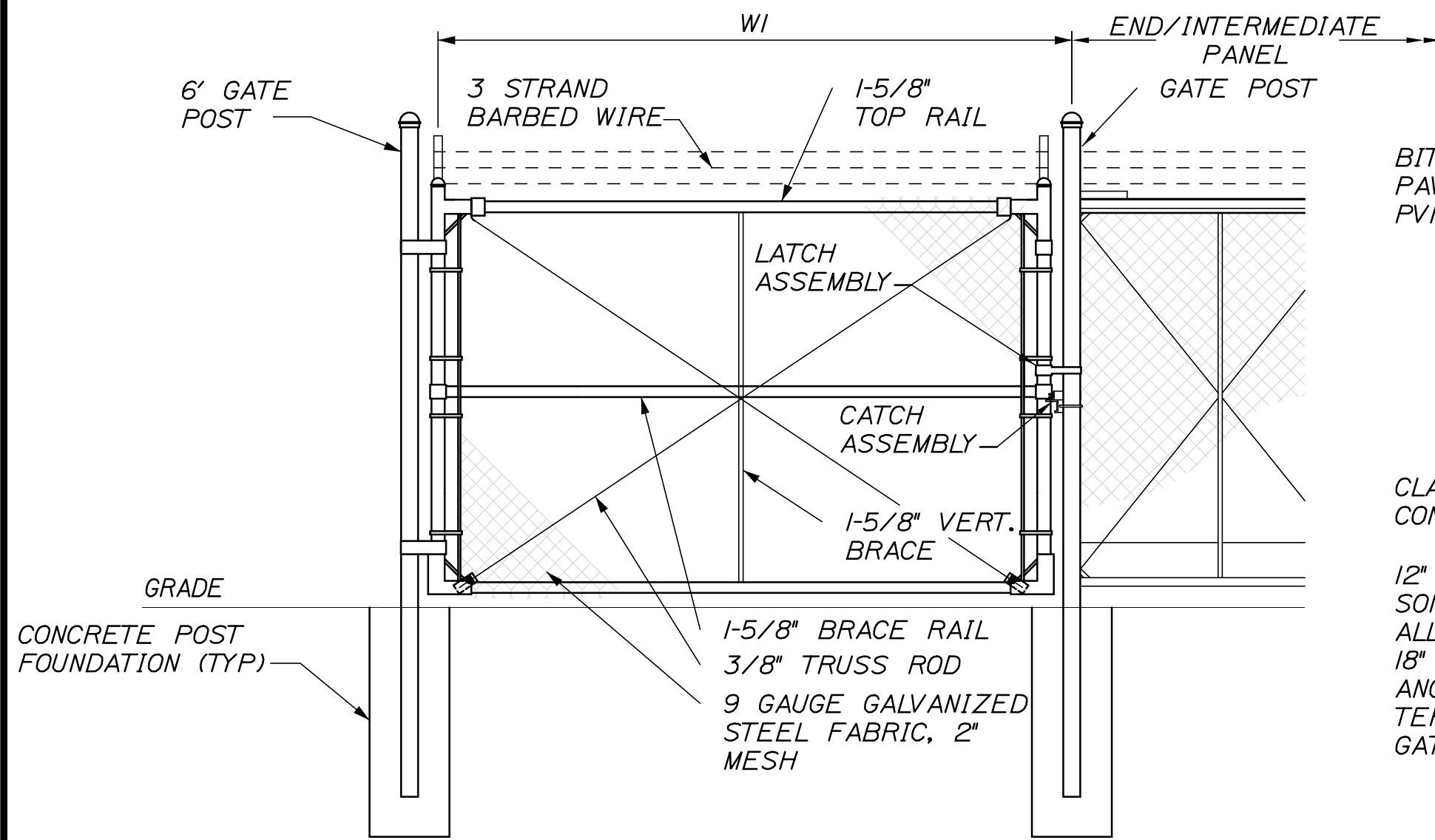
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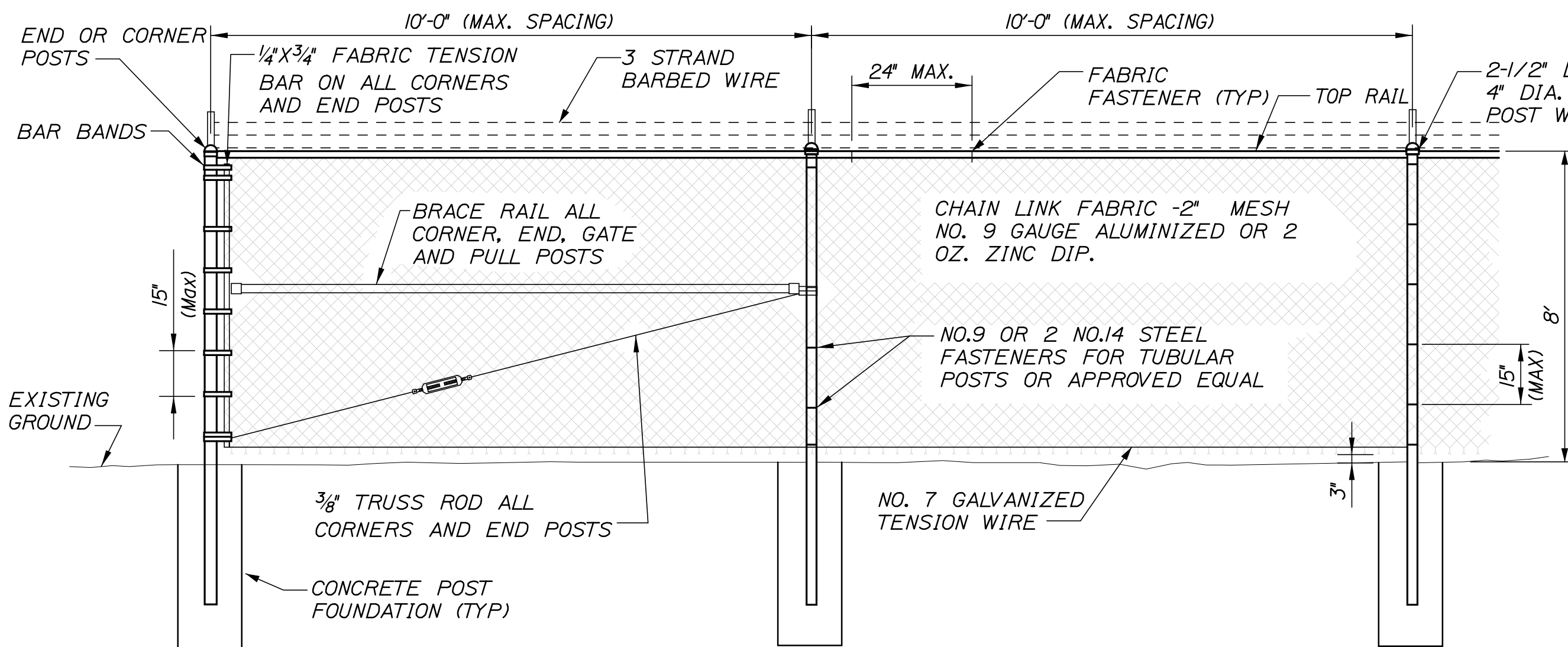
STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		PROJECT NUMBER 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL		EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		EXISTING CONDITIONS PLAN	
PORTLAND		CUMBERLAND COUNTY		SHEET NUMBER	
				C03	
				6 OF 116	
PROJ. MANAGER		J. KITTEDGE	BY	DATE	
DESIGN-DETAILED		LINE	MPC	06/14	
DESIGN-DETAILED		-	CPM	06/14	SIGNATURE
DESIGN-DETAILED		-	-	-	P.E. NUMBER
REVISIONS 1		-	-	-	DATE
REVISIONS 2		-	-	-	
REVISIONS 3		-	-	-	
REVISIONS 4		-	-	-	
FIELD CHANGES		-	-	-	



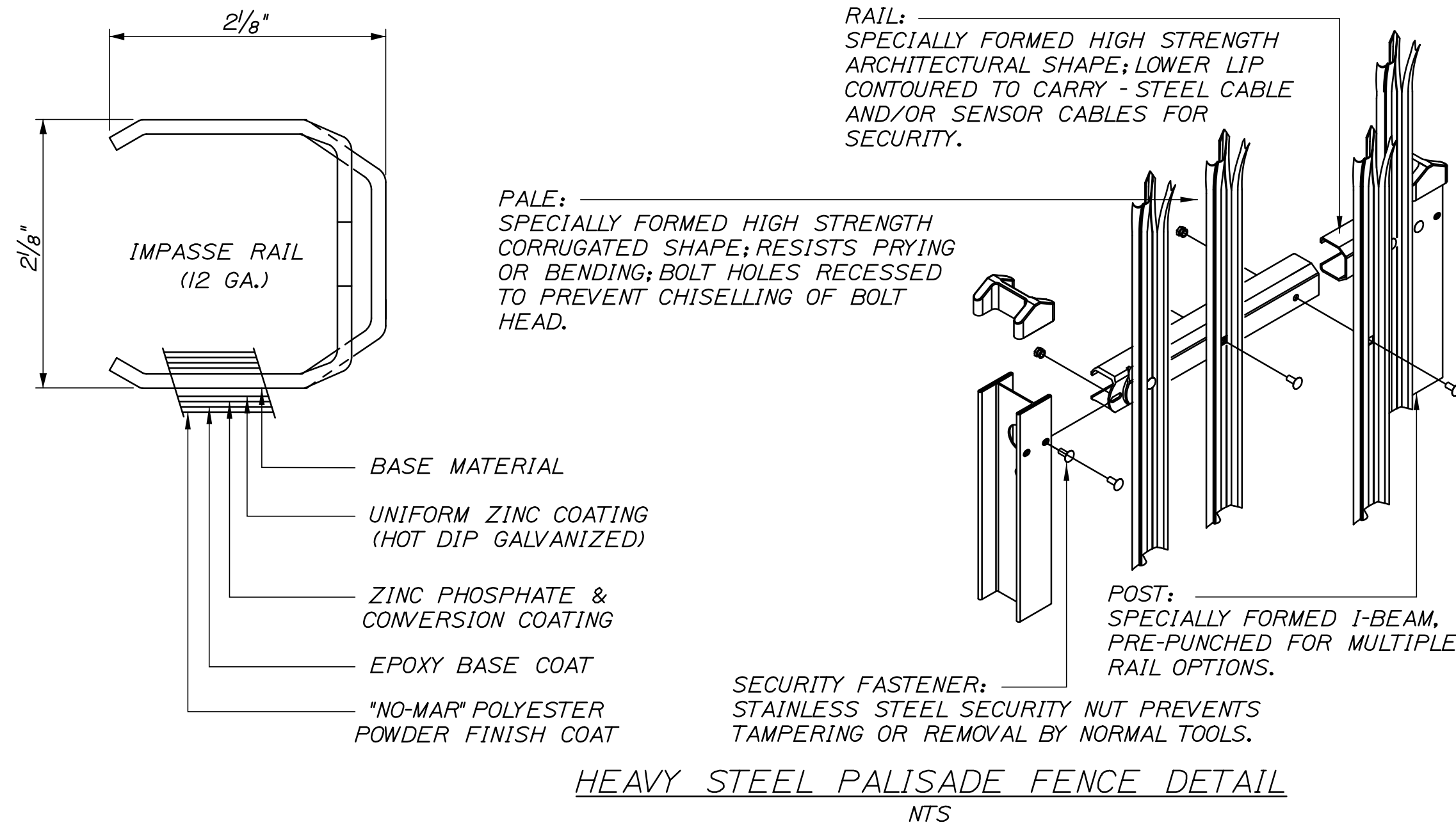
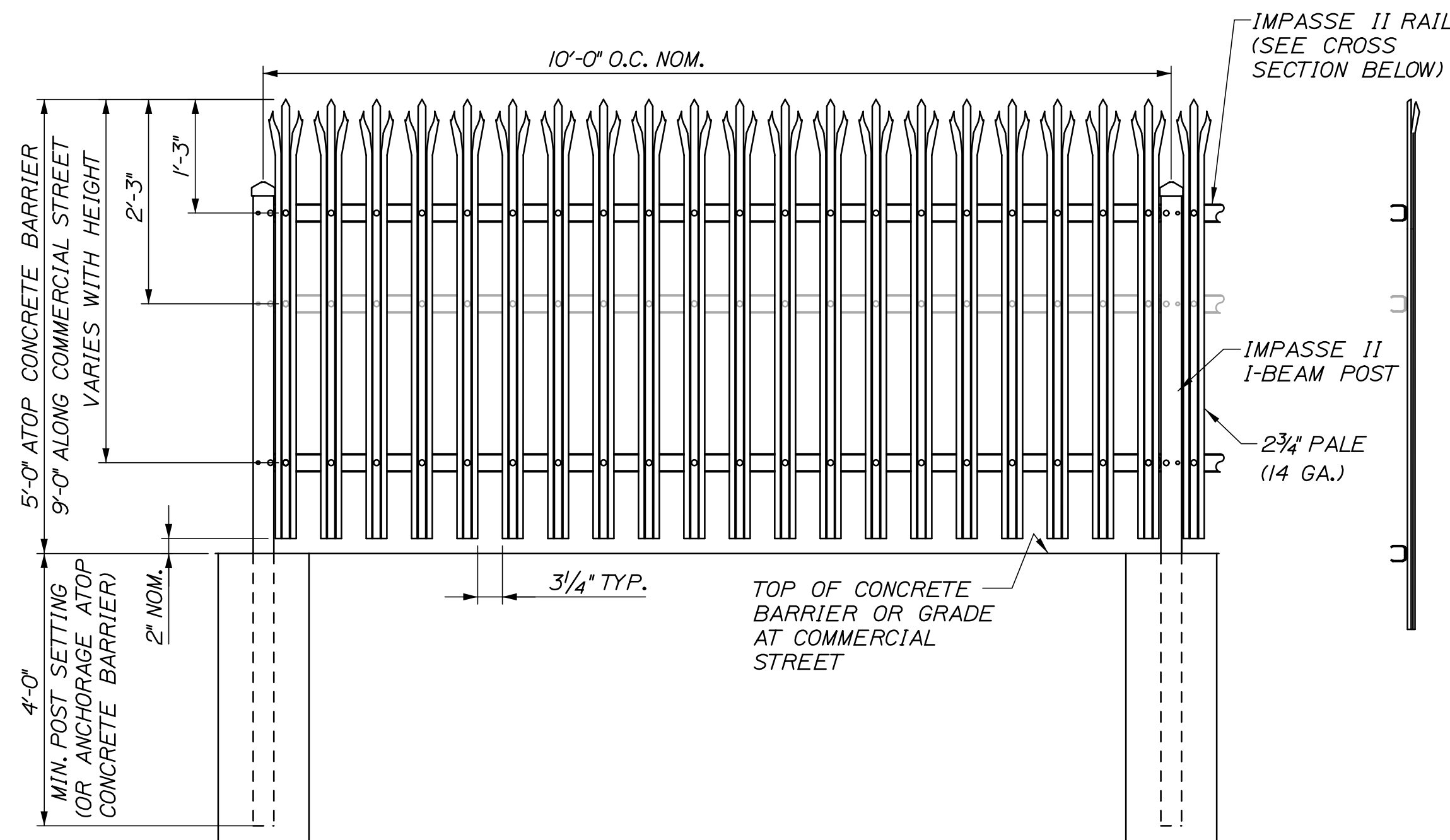
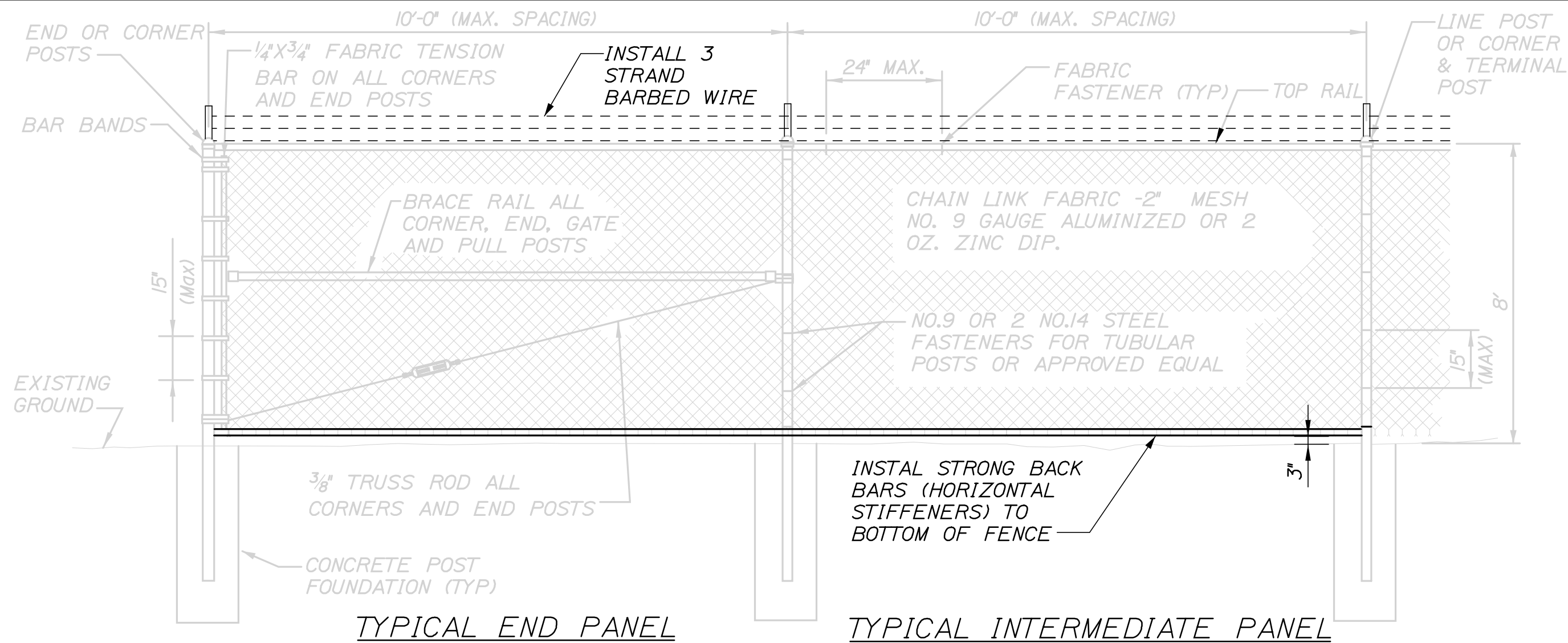
Gate Width		Gate Post
W1	W2	O.D.
to 6'	to 12'	3 "
6' to 12'	12' to 24'	4 "
12' to 18'	24' to 36'	6 "



- NOTES:
1. ALL POSTS ARE NOMINAL PIPE SIZE, SCHEDULE 40, GALVANIZED STEEL.
 2. PATCH ALL PAVEMENT (FOLLOWING CURING OF CONCRETE BASES) TO MATCH EXISTING MATERIAL AND THICKNESS



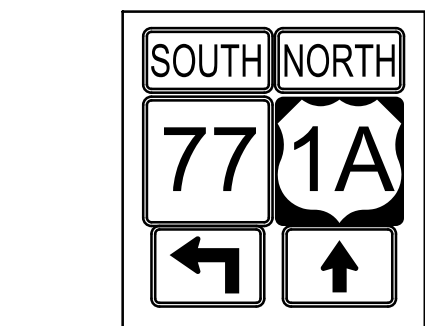
- NOTES:
1. TYPE I BRACING WILL BE USED AT CORNER AND END POSTS.
 2. CONCRETE FOR POST FOUNDATIONS SHALL BE CLASS "A".
 3. ALL POSTS SHALL BE SET IN CONCRETE.
 4. CHAIN LINK FENCE SHALL BE INSTALLED WITH BARBS DOWN.
 5. ALL COMPONENTS OF CHAIN LINK FENCE SHALL BE HDG STEEL IN ACCORDANCE WITH AASHTO M81.
 6. FASTEN STEEL FABRIC FROM EXISTING FENCE TO NEW POST WHERE REQUIRED.



STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		PROJECT NUMBER 022809.20		WIN 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL		EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		CUMBERLAND COUNTY		FENCING DETAILS	
PROJ. MANAGER	J. KITTREDEE	BY	DATE	DESIGN-DETAILED	DATE	DESIGN-DETAILED	DATE
CHECKED-REVIEWED	LINE	MPC	06/14	CM	06/14	CM	06/14
DESIGN-DETAILED	-	-	-	DESIGN-DETAILED	-	DESIGN-DETAILED	-
REVISIONS 1	-	-	-	REVISIONS 1	-	REVISIONS 1	-
REVISIONS 2	-	-	-	REVISIONS 2	-	REVISIONS 2	-
REVISIONS 3	-	-	-	REVISIONS 3	-	REVISIONS 3	-
REVISIONS 4	-	-	-	REVISIONS 4	-	REVISIONS 4	-
FIELD CHANGES		DATE		P.E. NUMBER		DATE	
SHEET NUMBER		C16		19 OF 116			

IDENTIFI- CATION NUMBER	SIZE OF SIGN		TEXT	TEXT DIMENSIONS (INCHES)			NUMBER OF SIGNS REQUIRED	COLOR		BORDER RADIUS	AREA IN SQUARE FEET	NOTES
	WIDTH	HEIGHT		LETTER HEIGHT	VERTICAL SPACING	ARROW RTE. MKR.		BACK- GROUND	LEGEND BORDER			
OMI-1	18"	18"		TEXT DIMENSIONS SHALL CONFORM TO "2004 EDITION - STANDARD HIGHWAY SIGNS - 2012 SUPPLEMENT"			2	COLORS SHALL CONFORM TO "2004 EDITION - STANDARD HIGHWAY SIGNS - 2012 SUPPLEMENT"			2.25 (4.50)	
CS-01	24"	30"	CAUTION TRUCKS ENTERING				/				4.50 (4.50)	
RI-1	30"	30"	STOP				/				6.25 (6.25)	
R2-1 (30) R2-1 (40)	30"	36"	SPEED LIMIT XX				/				7.50 (7.50) 7.50 (7.50)	
R3-4	24"	24"					/				4.00 (4.00)	
R3-5L	30"	36"	ONLY				5				7.50 (37.50)	
R3-6R	30"	36"					5				7.50 (37.50)	
R4-7R	24"	30"					/				5.00 (5.00)	
R4-7L	24"	30"					/				5.00 (5.00)	
R7-1	12"	18"	NO PARKING ANY TIME				/				1.50 (1.50)	
R9-2	12"	18"	CROSS ONLY AT CROSS WALKS				/				1.50 (1.50)	
RI0-3bL	9"	12"					2				0.75 (1.50)	
RI0-3bR	9"	12"					2				0.75 (1.50)	
RI0-6a	24"	30"	STOP HERE ON RED				/				5.00 (5.00)	

IDENTIFI- CATION NUMBER	SIZE OF SIGN		TEXT	TEXT DIMENSIONS (INCHES)			NUMBER OF SIGNS REQUIRED	COLOR		BORDER RADIUS	AREA IN SQUARE FEET	NOTES
	WIDTH	HEIGHT		LETTER HEIGHT	VERTICAL SPACING	ARROW RTE. MKR.		BACK- GROUND	LEGEND BORDER			
RI0-12	30"	36"	LEFT TURN YIELD ON GREEN				2	COLORS SHALL CONFORM TO "2004 EDITION - STANDARD HIGHWAY SIGNS - 2012 SUPPLEMENT"			7.50 (15.00)	
RI0-15	30"	30"					/				6.25 (6.25)	
CS-04	18"	30"					/				3.75 (3.75)	
W3-3	30"	30"					/				6.25 (6.25)	
W3-6a	36"	36"	DRAW BRIDGE UP				/				9.00 (9.00)	
W16-13P	24"	18"	WHEN FLASHING				/				3.00 (3.00)	
GS-1	36"	108"	← Casco Bay Bridge Old Port ↑				/				27.00 (27.00)	
GS-2	36"	108"	Casco Bay Bridge → ↑ Fore River Parkway				/				27.00 (27.00)	
CS-02	24"	48"	← 1MT ↑ BOAT YARD				/				8.00 (8.00)	
CS-05	30"	30"	ENTER INTERSECTION ON GREEN SIGNAL ONLY				/				6.25 (6.25)	SEE NOTE 1
MI-4	24"	24"	1A				2				4.00 (8.00)	
MI-5	24"	24"	77				2				4.00 (8.00)	
M3-1	24"	12"	NORTH				/				2.00 (2.00)	
M3-3	24"	12"	SOUTH				3				2.00 (6.00)	
R3-17	24"	18"					2				3.00 (6.00)	
M5-1(L)	15"	21"	←				/				2.19 (2.19)	
M5-1(R)	15"	21"	→				/				2.19 (2.19)	
M6-3	15"	21"	↑				/				2.19 (2.19)	



SIGN ASSEMBLY NO. 1
(1 REQUIRED)



SIGN ASSEMBLY NO. 2
(1 REQUIRED)

NOTES:
1. LOCATION TO BE DETERMINED IN THE
FIELD. COORDINATE WORK WITH RESIDENT.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

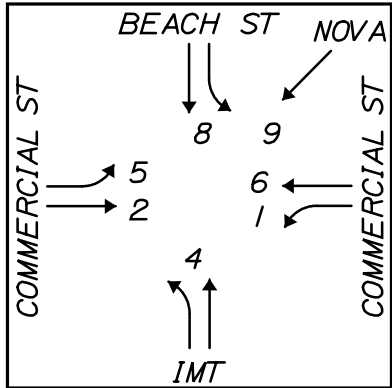
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY

SIGN SUMMARY

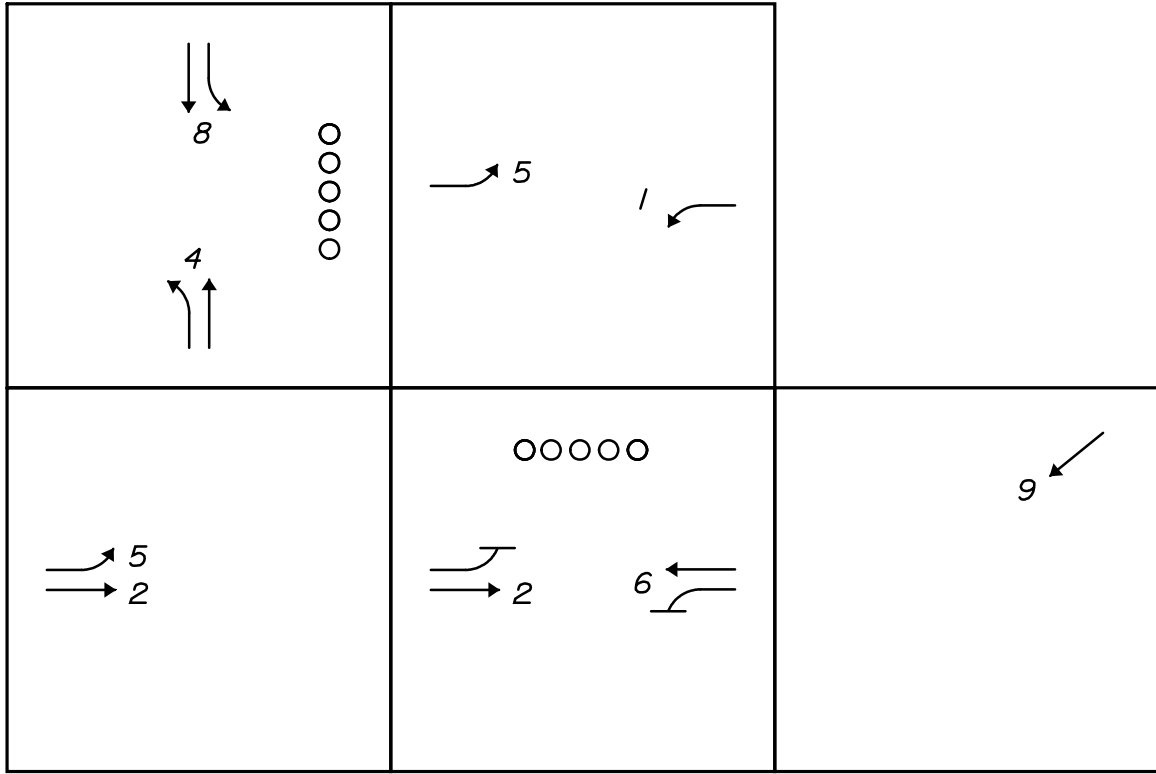
SHEET NUMBER
H36
70 OF 116

PROPOSED TIMING & PHASING

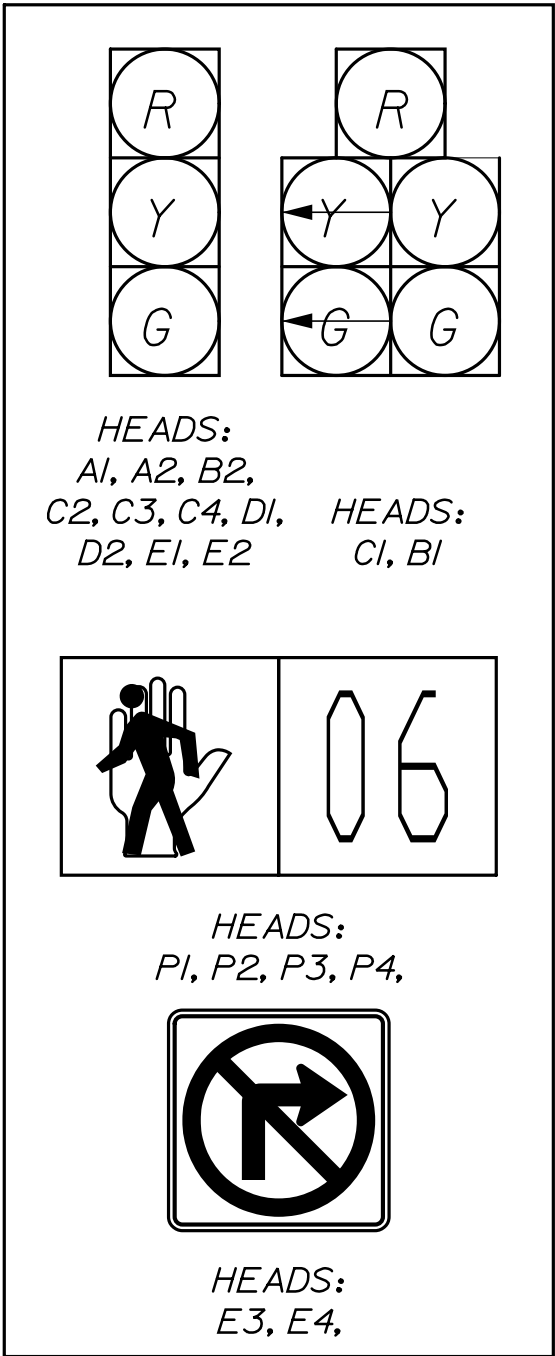
NEMA PHASE IDENTIFICATION



SIGNAL PHASING SEQUENCE



PROPOSED SIGNAL HEADS



SIGNAL NOTES

- CONDUITS INSTALLED ON UTILITY COMPANY OWNED POLES WILL BE INSTALLED BY THE RESPECTIVE UTILITY. THE CONDUIT WILL BE PROVIDED BY THE CONTRACTOR.
- THE LOCATION OF ALL SIGNAL EQUIPMENT AND RELATED ITEMS SHALL BE IN CONFORMITY WITH 'AMERICANS WITH DISABILITIES ACT' (ADA) ACCESSIBILITY STANDARDS. USE OF SIDEWALKS AND PEDESTRIAN RAMPS SHALL NOT BE OBSTRUCTED.
- TRAFFIC CONTROLLER CABINETS SHALL BE NAZTEC MODEL P44 TS2 TYPE I SERIES T ONLY. THE CABINET SHALL HAVE AN EXTENSION BASE AND BE MOUNTED ON A CONCRETE PAD FOUNDATION.
- ALL NEW SIGNAL SECTIONS SHALL HAVE LED LENSES 12 INCHES IN DIAMETER WITH 5" BACK PLATES.
- ALL SPLICES WILL BE MADE IN THE CABINETS MEETING MAINEDOT SPECIFICATIONS.
- THE BOTTOM OF THE HOUSING OF NEW MAST ARM MOUNTED SIGNAL FACES SHALL BE AT LEAST 16 FEET BUT NOT MORE THAN 19 FEET ABOVE THE PAVEMENT GRADE AT THE CENTER OF THE ROADWAY.
- TWO COPIES OF AS-BUILT PLANS, SIGNAL TIMING, AND CONTROLLER MANUALS SHALL BE LEFT IN THE CONTROLLER CABINET.
- THE CONTRACTOR IS RESPONSIBLE FOR FINDING EXACT LOCATIONS OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CONTACT DIG-SAFE AND APPROPRIATE AUTHORITIES PRIOR TO ANY SUBSURFACE ACTIVITIES.
- TRAFFIC SIGNAL WORK SHALL BE COMPLETED IN A MANNER AND ORDER THAT WILL CAUSE THE MINIMUM DISRUPTION TO TRAFFIC.
- THE RESIDENT, MAINE DOT, AND CITY SHALL HAVE THE RIGHT AND AUTHORITY TO DETERMINE THE ACCEPTABILITY OF WORK AND MATERIALS IN PROGRESS OR COMPLETED AND SHALL HAVE THE RIGHT TO REJECT ANY WORK OR MATERIALS WHICH DO NOT CONFORM, IN ITS SOLE OPINION, TO THE PLANS OR SPECIFICATIONS.
- THE CONTRACTOR SHALL PROVIDE THE RESIDENT AND THE CITY OF PORTLAND WITH A SCHEDULE OF WORK FOR CONSTRUCTING THE TRAFFIC IMPROVEMENTS.
- THE CONTRACTOR SHALL PREPARE A MATERIAL SCHEDULE BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING RED-LINE AS-BUILT DRAWINGS OF THE FINAL WORK TO THE RESIDENT. THOSE DRAWINGS SHALL BE A CLEAN SET OF PLANS SHOWING ALL CHANGES, MODIFICATIONS, AND ELEVATIONS TO THE BID PLANS.
- ALL UNDERGROUND CONDUIT SHALL BE PVC SCHEDULE 80 CONDUIT WHEN PLACED UNDER PAVEMENT AND SCHEDULE 40 BEYOND PAVEMENT LIMITS.
- AM TIMING SHALL BE FROM 7:00 - 9:00 AM; PM TIMING SHALL BE FROM 3:30 - 6:30 PM. FREE TIME OPERATION WILL BE FROM 9:00 AM - 3:30 PM AND 6:30 PM - 7:00 AM.
- CONTRACTOR SHALL SET THE PROPOSED SIGNAL TO FLASHING MODE ONE WEEK PRIOR TO ACTIVATING THE PROPOSED SIGNAL TIMING AND PHASING. FLASHING MODE SHALL BEGIN DURING THE BEGINNING OF A WEEK.
- THE THREE SECTION SIGNAL HEADS FOR NOVA SEAFOOD (E1 AND E2) SHALL BE EQUIPPED WITH GEOMETRICALLY PROGRAM LOUVERS TO LIMIT FIELD OF VIEW TO 15' ON EITHER SIDE OF CENTER OF THE STOP BAR FOR ALL SIGNAL INDICATORS. THE LOUVERS SHALL BE CONTAINED IN A FULLY ENCLOSED UNIVERSAL VISOR AND SHALL BE INSTALLED ON ALL SIGNAL INDICATORS.
- THE CONTRACTOR SHALL MEET ALL UTILITY REQUIREMENTS FOR THE NEW SERVICE CONNECTION.
- FOR POLE MOUNTED SIGNAL HEADS, THE BOTTOM OF THE HOUSING SHALL BE MOUNTED AT LEAST 8 FEET BUT NOT MORE THAN 19 FEET ABOVE THE SIDEWALK, OR ABOVE PAVMENT GRADE AT THE HIGH POINT OF THE ROAD.
- ALL PEDESTRAIN POLES SHALL BE ONE-PIECE.
- CONTRACTOR SHALL POVIDE AND INSTALL ALL JUNCTION BOXES, ALL JUNCTION BOXES SHALL BE INCIDENTAL TO ITEM 643.80.
- THE CONTRACTOR SHALL REFER TO THE SPECIAL PROVISIONS FOR CITY OF PORTLAND SIGNAL REQUIREMENTS.
- ALL POLE BASES, PULL BOXES, AND OTHER CONTROLLER CONDUITS SHALL BE SEALED TO PREVENT ACCESS BY RODENTS AND OTHER SMALL ANIMALS.

VIDEO DETECTION

- VIDEO DETECTION SHALL CONSIST OF A THERMAL TRAFFIC SENSOR SYSTEM PER THE CITY OF PORTLAND AND MAINEDOT. FOR ADDITIONAL INFORMATION SEE SPECIAL PROVISIONS.
- THE RESIDENT RESERVES THE RIGHT TO DIRECT THE CONTRACTOR TO FIELD ADJUST THE HEIGHT, EITHER LOWER OR HIGHER, OF THE VIDEO DETECTOR FOR LOCAL CONDITIONS IDENTIFIED DURING OR AFTER CONSTRUCTION. NO ADDITIONAL COSTS WILL BE ALLOWED FOR FIELD ADJUSTING THE VIDEO DETECTOR.

AM SIGNAL TIMING (CYCLE LENGTH 150.0 S)

	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	PHASE 7	PHASE 8	PHASE 9*
MINIMUM GREEN	4	4	-	4	4	4	-	4	4
VEHICLE EXTENSION	3	3	-	3	3	3	-	3	3
MAXIMUM GREEN	4	91	-	16	24	71	-	16	24
YELLOW	3	4	-	4	3	4	-	4	4
ALL RED	2	3	-	2	2	3	-	2	2
RECALL MODE	MIN	MAX	-	MIN	MAX	MIN	-	MIN	NONE
WALK	-	-	-	4	-	4	-	-	-
PED CLEAR	-	-	-	18	-	13	-	-	-

*A 60 SECOND DELAY IN ACTIVATION OF PHASE 9 SHALL BE PROGRAMMED INTO THE PHASE 9 TIMING - TO BE FIELD ADJUSTED.

PM SIGNAL TIMING (CYCLE LENGTH 150.0 S)

	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	PHASE 7	PHASE 8	PHASE 9*
MINIMUM GREEN	4	4	-	4	4	4	-	4	4
VEHICLE EXTENSION	3	3	-	3	3	3	-	3	3
MAXIMUM GREEN	5	91	-	16	12	84	-	16	24
YELLOW	3	4	-	4	3	4	-	4	4
ALL RED	2	3	-	2	2	3	-	2	2
RECALL MODE	MIN	MAX	-	MIN	MAX	MIN	-	MIN	NONE
WALK	-	-	-	4	-	4	-	-	-
PED CLEAR	-	-	-	18	-	13	-	-	-

*A 60 SECOND DELAY IN ACTIVATION OF PHASE 9 SHALL BE PROGRAMMED INTO THE PHASE 9 TIMING - TO BE FIELD ADJUSTED.

FREE SIGNAL TIMING (CYCLE LENGTH 100.0 S)

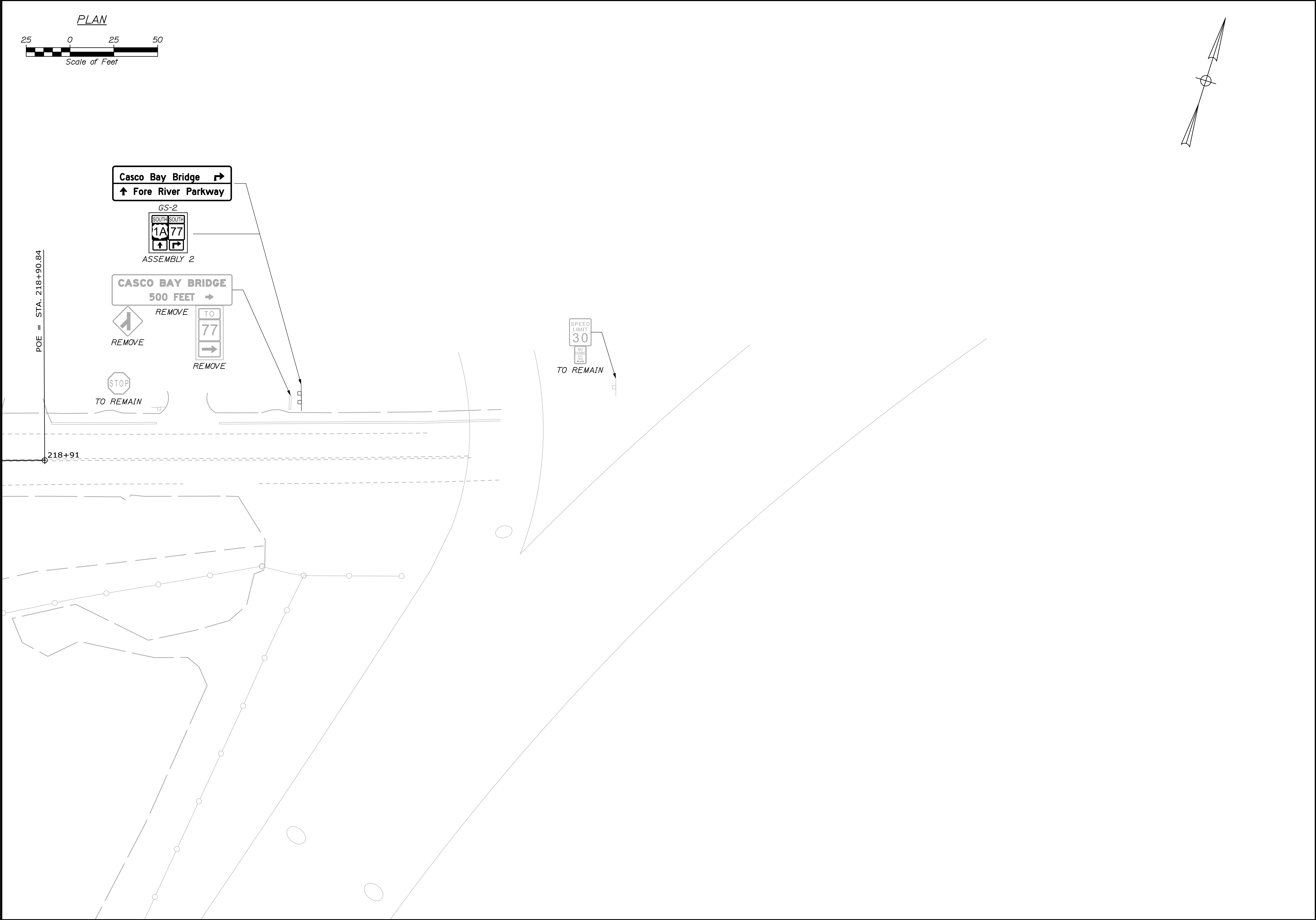
	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	PHASE 6	PHASE 7	PHASE 8	PHASE 9*
MINIMUM GREEN	4	4	-	4	4	4	-	4	4
VEHICLE EXTENSION	3	3	-	3	3	3	-	3	3
MAXIMUM GREEN	4	41	-	16	7	38	-	16	24
YELLOW	3	4	-	4	3	4	-	4	4
ALL RED	2	3	-	2	2	3	-	2	2
RECALL MODE	MIN	MAX	-	MIN	MAX	MIN	-	MIN	NONE
WALK	-	-	-	4	-	4	-	-	-
PED CLEAR	-	-	-	18	-	13	-	-	-

*A 60 SECOND DELAY IN ACTIVATION OF PHASE 9 SHALL BE PROGRAMMED INTO THE PHASE 9 TIMING - TO BE FIELD ADJUSTED.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
SIGNAL NOTES

SHEET NUMBER
H35
69 OF 116



PROJ. MANAGER	J. KITTREDEE	BY	DATE
DESIGN-DETAILED	CDH	CHVRWH	06/14
CHECKED-REVIEWED	RBH	CRM	06/14
DESIGN-DETAILED2	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

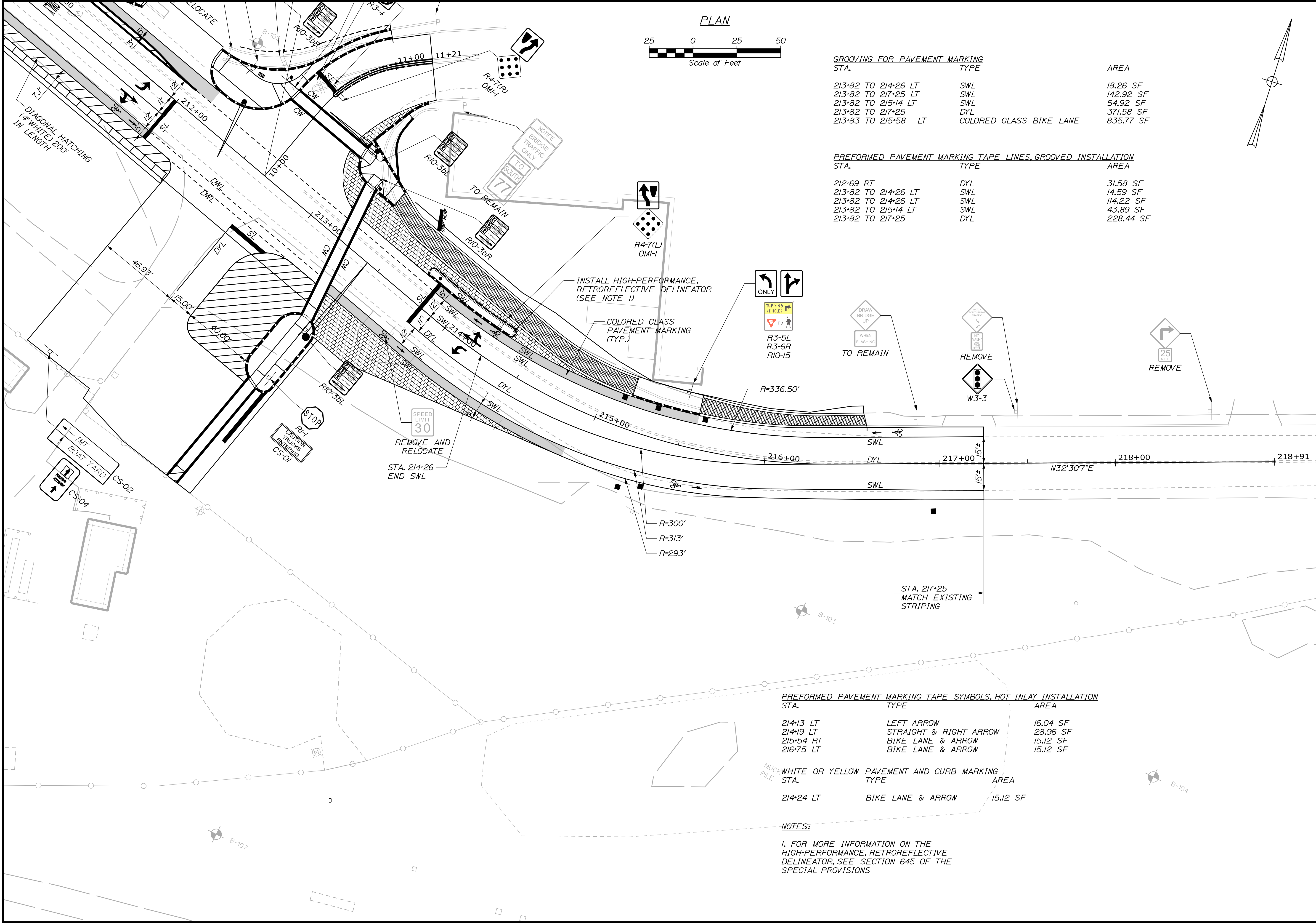
SIGNATURE	P.E. NUMBER	DATE

Date:6/26/2014

Username:

Division:

Filename: 066_SSPlan4.dgn



GROOVING FOR PAVEMENT MARKING		
STA.	TYPE	AREA
213+82 TO 214+26 LT	SWL	18.26 SF
213+82 TO 217+25 LT	SWL	142.92 SF
213+82 TO 215+14 LT	SWL	54.92 SF
213+82 TO 217+25	DYL	371.58 SF
213+83 TO 215+58 LT	COLORED GLASS BIKE LANE	835.77 SF

PREFORMED PAVEMENT MARKING TAPE LINES, GROOVED INSTALLATION		
STA.	TYPE	AREA
212+69 RT	DYL	31.58 SF
213+82 TO 214+26 LT	SWL	14.59 SF
213+82 TO 214+26 LT	SWL	114.22 SF
213+82 TO 215+14 LT	SWL	43.89 SF
213+82 TO 217+25	DYL	228.44 SF

PREFORMED PAVEMENT MARKING TAPE SYMBOLS, HOT INLAY INSTALLATION		
STA.	TYPE	AREA
214+13 LT	LEFT ARROW	16.04 SF
214+19 LT	STRAIGHT & RIGHT ARROW	28.96 SF
215+54 RT	BIKE LANE & ARROW	15.12 SF
216+75 LT	BIKE LANE & ARROW	15.12 SF

WHITE OR YELLOW PAVEMENT AND CURB MARKING		
STA.	TYPE	AREA
214+24 LT	BIKE LANE & ARROW	15.12 SF

NOTES:
1. FOR MORE INFORMATION ON THE HIGH-PERFORMANCE, RETROREFLECTIVE DELINEATOR, SEE SECTION 645 OF THE SPECIAL PROVISIONS

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
SIGNING & STRIPING PLANS

SHEET NUMBER
H32
66 OF 116

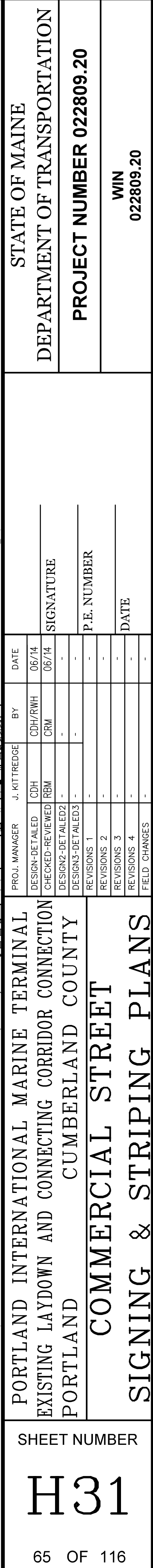
PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	CDH	CHK/RWH	06/14
CHECKED-REVIEWED	RM	CRM	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

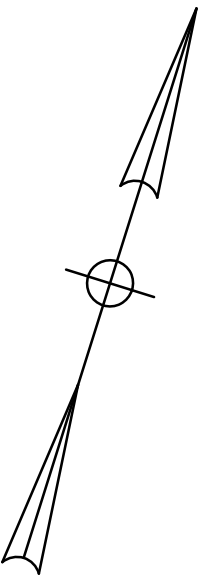
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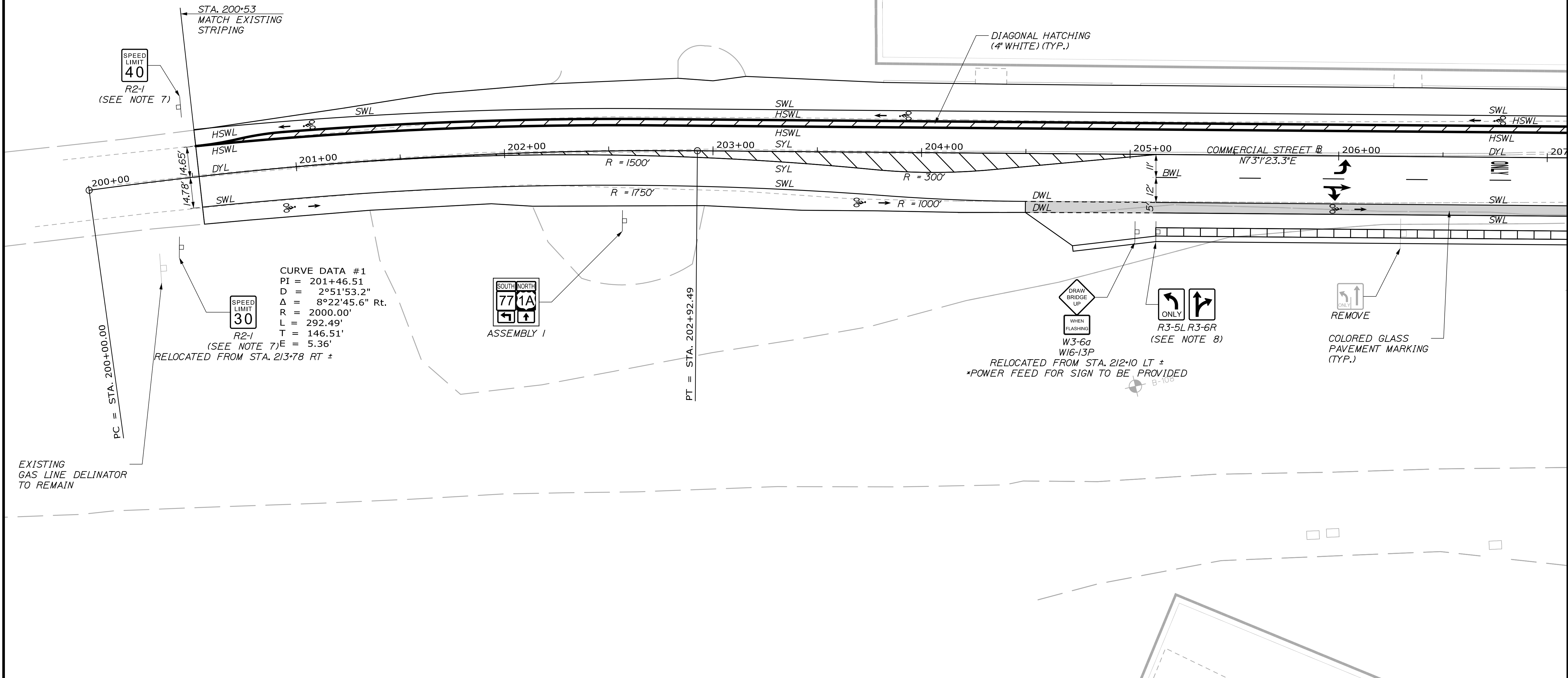
DATE

<u>COLORLED GLASS PAVEMENT MARKING SYSTEM, BIKE LANES</u>		
<u>STA.</u>	<u>TO STA.</u>	<u>AREA</u>
210+81 LT	212+15 LT	768.99 SF
213+34 RT	214+19 RT	827.94 SF
213+83 LT	215+58 LT	835.77 SF





<u>COLORED GLASS PAVEMENT MARKING SYSTEM, BIKE LANES</u>		
STA.	TO STA.	AREA
204+50 RT	211+98 RT	3870.26 SF



Date:6/26/2014

Username:

Division:

Filename: 063_SSPlan1.dgn

LEGEND

SWL
SYL
DYL
BWL
DL

CW
SL
HSWL

SOLID WHITE LINE (4")
SOLID YELLOW LINE (4")
DOUBLE YELLOW LINE (4")
BROKEN WHITE LINE (4")
4" DOTTED WHITE LINE (2' LINE & 6' GAP)
CROSS WALK STRIPE (12")
STOP LINE (24")
HEAVY SOLID WHITE LINE (12")

↑
←
→
↕

ONLY

STRAIGHT ARROW PAVEMENT MARKING
LEFT ARROW PAVEMENT MARKING
RIGHT ARROW PAVEMENT MARKING
SHARED STRAIGHT & RIGHT/LEFT ARROW PAVEMENT MARKING
"ONLY" PAVEMENT MARKING

NOTES:

- ALL WORK TO CONFORM TO MAINE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES AND STANDARD DETAILS
- ALL PROPOSED WORK SHALL BE IN CONFORMANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS", AND "STANDARD HIGHWAY SIGNS", U.S.D.O.T., F.H.W.A. LATEST EDITION.
- PAYMENT FOR REMOVAL OF EXISTING SIGNS SHALL BE INCIDENTAL TO 645 ITEMS.
- SIGNS INSTALLED ON ISLANDS SHALL BE INSTALLED ON 4 LB/FT U-CHANNEL POSTS AND BREAKAWAY DEVICE. THE BREAKAWAY DEVICE SHALL BE MARION STEEL LAP SPLICE U-CHANNEL BREAKAWAY SYSTEM, "THE RIB-BAK."
- THE CONTRACTOR SHALL REMOVE ALL EXISTING PAVEMENT MARKINGS THAT CONFLICT WITH PROPOSED MARKINGS.
- SEE SIGNAL PLANS FOR OVERHEAD LANE USE SIGNS.
- REQUIRED ADJUSTMENT OF CURRENTLY DEFINED SPEED ZONE, TO BE COORDINATED WITH MAINE DOT SOUTHERN REGION OFFICE.
- SIGNS MOUNTED ON BARRIER SHALL HAVE BOTTOM OF SIGN AT 13' ABOVE ROADWAY.
- GROVING FOR PAVEMENT MARKINGS SHALL OCCUR IN THE FOLLOWING LOCATIONS:
-LONGITUDINAL LINES
-COLOR BIKE LANES
-SYMBOLS

PLAN

Scale of Feet

← Casco Bay Bridge

Old Port ↑

GS-1

EXISTING
GAS LINE DELINATOR
TO REMAIN

SPEED
LIMIT
40

R2-1
(SEE NOTE 7)

STA. 200+53
MATCH EXISTING
STRIPING

SPEED
LIMIT
30

R2-1
(SEE NOTE 7)

RELOCATED FROM STA. 213+78 RT ±

CURVE DATA #1
PI = 201+46.51
D = 2°51'53.2"
Δ = 8°22'45.6"
R = 2000.00'
L = 292.49'
T = 146.51'
E = 5.36'

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

COMMERCIAL STREET
SIGNING & STRIPING PLANS

SHEET NUMBER
H29
63 OF 116

PROJ. MANAGER	DATE	BY	DATE
J. KITTEDOE	06/14	CDH	06/14
DESIGN-DETAILED		CHVRWH	
CHECKED-REVIEWED		CRM	
DESIGN-DETAILED			
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

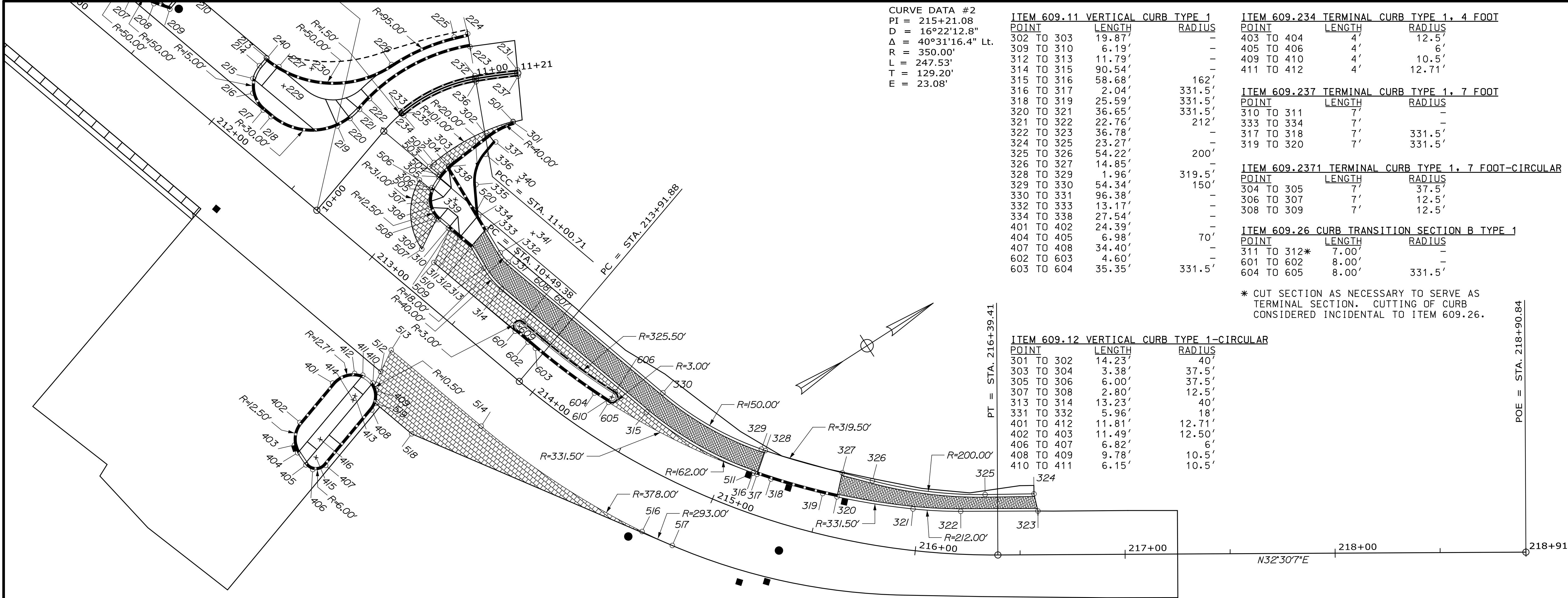
SIGNATURE	P.E. NUMBER	DATE

Date:6/26/2014

Username:

Division:

Filename: 062_Geometric_003.dgn



GRANITE PAVERS WITH CONCRETE BASE		
POINT	AREA	
501 TO 504	17.54 SY	
505 TO 508	27.20 SY	
509 TO 511	126.40 SY	
512 TO 517	201.84 SY	

CONTROL POINTS FOR CURBING				
POINT	STATION	OFFSET	X-COORD	Y-COORD
301	11+16.30	23' RT	2927480.7276	296236.6488
302	11+01.54	27.74' RT	2927479.4302	296222.5543
303	10+68.95	33.37' RT	2927481.1381	296202.7605
304	10+62.76	33.57' RT	2927481.5792	296199.4150
305	10+49.83	34.04' RT	2927483.4397	296192.6773
306	10+43.69	34.92' RT	2927486.0075	296187.2617
307	10+37.65	38.27' RT	2927490.9769	296182.4618
308	213+06.08	35.91' LT	2927493.5799	296181.4346
309	213+12.72	34' LT	2927500.4879	296181.5472
310	213+18.91	34' LT	2927506.4099	296183.3551
311	213+25.91	34' LT	2927513.1048	296185.3990
312	213+32.91	34' LT	2927519.7998	296187.4429
313	213+44.06	30.17' LT	2927531.5856	296187.0357
314	213+57.06	28' LT	2927544.6463	296188.7549
315	214+51.85	23.22' LT	2927631.2380	296215.1904
316	215+13.81	18.61' LT	2927683.0754	296242.0081
317	215+15.96	18.64' LT	2927684.6824	296243.2594
318	215+23.35	18.73' LT	2927690.1461	296247.6350
319	215+50.41	19.09' LT	2927709.3089	296264.5922
320	215+57.81	19.18' LT	2927714.3167	296269.4830
321	215+96.61	19.68' LT	2927738.7800	296296.7424
322	216+20.73	20.43' LT	2927752.0418	296315.2230
323	216+58.60	20.84' LT	2927771.8489	296346.2085
324	216+56.75	29.03' LT	2927763.9519	296349.0489
325	216+32.95	28.78' LT	2927751.6102	296329.3190
326	215+73.88	30.1' LT	2927717.0137	296287.7861
327	215+57.63	30.88' LT	2927706.0550	296277.7656
328	215+15.78	30.64' LT	2927677.2806	296252.7047
329	215+13.62	30.61' LT	2927675.7318	296251.4987
330	214+54.12	35.03' LT	2927627.7342	296226.6675
331	213+51.22	40' LT	2927535.5565	296198.5267
332	213+45.37	40.98' LT	2927529.6792	296197.7530
333	213+32.91	45.26' LT	2927516.5133	296198.2079
334	213+26.29	47.53' LT	2927509.5175	296198.4497
335	10+75.83	48.33' RT	2927496.1248	296205.5655
336	10+97.87	36.26' RT	2927486.4377	296217.2030
337	11+05.64	31.29' RT	2927484.1429	296224.4678
338	10+62.65	33.99' RT	2927481.9956	296199.4006
339	10+46.50	47.1' RT	2927496.8381	296193.5025
340	11+15.07	51.17' RT	2927505.5089	296223.2273
341	213+51.22	58' LT	2927530.3008	296215.7423

CONTROL POINTS FOR CURBING				
POINT	STATION	OFFSET	X-COORD	Y-COORD
401	213+24.53	58' RT	2927538.6438	296097.0072
402	213+24.73	82.38' RT	2927545.9547	296073.7438
403	213+29.73	92.28' RT	2927553.6250	296065.7378
404	213+33.25	94.13' RT	2927557.5383	296064.9961
405	213+39.96	96.01' RT	2927564.5027	296065.1525
406	213+43.86	95.59' RT	2927568.1105	296066.7017
407	213+47.29	90.11' RT	2927569.7936	296072.9358
408	213+47.01	55.72' RT	2927559.4813	296105.7494
409	213+42.71	47.33' RT	2927552.9179	296112.5172
410	213+39.11	45.63' RT	2927548.9835	296113.0904
411	213+33.06	45.89' RT	2927543.2652	296111.0761
412	213+29.55	47.77' RT	2927540.4583	296108.2495
413	213+36.51	55.81' RT	2927549.4644	296102.6014
414	213+37.24	57.89' RT	2927550.7691	296100.8177
415	213+41.29	90.16' RT	2927564.0696	296071.1369
416	213+37.23	82.28' RT	2927557.8797	296077.4914
501	11+16.23	22.62' RT	2927480.3624	296236.7629
502	10+55.91	27.76' RT	2927476.4886	296194.5448
503	10+51.37	27.56' RT	2927476.9573	296191.7432
504	10+51.69	33.97' RT	2927483.0971	296193.6176
505	10+42.62	35.22' RT	2927486.6048	296186.3240
506	10+42.62	27.93' RT	2927479.6364	296184.1966
507	213+15.70	18.15' LT	2927507.9651	296167.2622
508	213+11.68	34.04' LT	2927499.4799	296181.2848
509	213+19.93	34' LT	2927507.3855	296183.6530
510	213+24.25	17' LT	2927516.4764	296168.6538
511	215+13.81	18.61' LT	2927683.0754	296242.0081
512	213+38.49	39.11' RT	2927546.4825	296119.1463
513	213+35.67	28' RT	2927540.5405	296128.9500
514	213+91.83	28' RT	2927594.2530	296145.3478
516	214+76.80	27.99' RT	2927677.9182	296182.4774
517	214+91.49	27.89' RT	2927691.3044	296190.9845
518	213+68.85	52.19' RT	2927579.3386	296115.4988
519	213+46.37	52.19' RT	2927557.8389	296108.9352
520	213+24.08	48' LT	2927507.2658	296198.2543

CONTROL POINTS FOR CURBING				
POINT	STATION	OFFSET	X-COORD	Y-COORD
601	213+74.93	17' LT	2927564.9540	296183.4534
602	213+82.93	17' LT	2927572.6054	296185.7893
603	213+87.53	17' LT	2927577.0008	296187.1312
604	214+24.48	17.44' LT	2927610.1924	296199.2326
605	214+32.90	17.55' LT	2927617.5132	296202.4579
606	214+32.81	23.55' LT	2927615.0280	296207.9191
607	213+87.53	23' LT	2927575.2489	296192.8697
608	213+74.93	23' LT	2927563.2021	296189.1920
609	213+74.93	20' LT	2927564.0780	296186.3227
610	214+32.85	20.55' LT	2927616.2706	296205.1885

ITEM 609.31 CURB TYPE 3		
POINT	LENGTH	RADIUS
334 TO 335	15.17'	-
335 TO 336	16.15'	20'
336 TO 337	7.62'	-

ITEM 609.34 CURB TYPE 5		
POINT	LENGTH	RADIUS
606 TO 607	42.56'	325.5'
607 TO 608	12.60'	-

ITEM 609.35 CURB TYPE 5-CIRCULAR		
POINT	LENGTH	RADIUS
601 TO 608	9.42'	3'
605 TO 606	9.42'	3'



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PORTLAND INTERNATIONAL MARINE TERMINAL
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PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
GEOMETRIC AND CURBING PLAN

SHEET NUMBER
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CONTROL POINTS FOR CURBING				
POINT	STATION	OFFSET	X-COORD	Y-COORD
101	207+43.57	32.65' LT	2926956.5349	296014.0689
102	207+47.57	32.63' LT	2926960.3657	296015.2171
103	207+67.61	20' LT	2926983.2197	296008.9930
104	207+78.00	20' LT	2926993.1550	296012.0262
105	207+92.93	26.7' LT	2927005.4836	296022.7933
106	207+96.59	32.63' LT	2927007.2492	296029.5301
107	207+97.98	40.89' LT	2927006.1654	296037.8384
108	208+20.67	40' LT	2927028.1306	296043.6151
109	208+24.67	28' LT	2927035.4601	296033.3060
110	208+29.76	23.24' LT	2927041.7129	296030.2392
111	208+40.67	20' LT	2927053.0988	296030.3263
112	209+86.40	20' LT	2927192.4747	296072.8763
113	209+95.10	22.78' LT	2927199.9825	296078.0747
114	209+99.66	28' LT	2927202.8272	296084.4013
115	210+01.40	35' LT	2927202.4412	296091.6024
116	210+01.40	40' LT	2927200.9813	296096.3845
117	209+93.98	40' LT	2927193.8878	296094.2189
118	209+45.45	40' LT	2927147.4716	296080.0486
119	207+78.00	40' LT	2926987.3153	296031.1546
120	208+40.67	40' LT	2927047.2591	296049.4548
121	209+86.40	35' LT	2927188.0949	296087.2226
122	210+00.98	40' LT	2927200.5828	296096.2628

ITEM 609.11 VERTICAL CURB TYPE 1		
POINT	LENGTH	RADIUS
102 TO 103	23.69'	-
103 TO 104	10.39'	-
111 TO 112	145.73'	-
115 TO 116	5.00'	-
117 TO 118	48.53'	-
201 TO 202	5.00'	-
205 TO 206	37.84'	-
207 TO 208	11.26'	150'
209 TO 210	12.00'	-
211 TO 212	69.05'	-
213 TO 214	5.00'	-
217 TO 218	4.84'	-
222 TO 223	54.69'	89'
224 TO 225	6.62'	-
225 TO 226	32.76'	95'

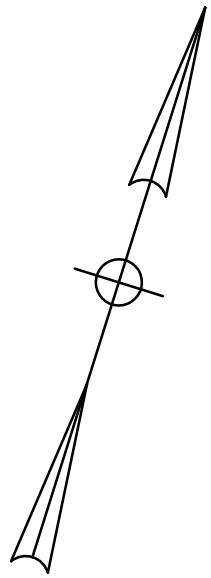
ITEM 609.237 TERMINAL CURB TYPE 1, 7 FOOT		
POINT	LENGTH	RADIUS
117 TO 122	7'	-
211 TO 239	7'	-
212 TO 238	7'	-
221 TO 222	7'	89'

ITEM 609.12 VERTICAL CURB TYPE 1-CIRCULAR		
POINT	LENGTH	RADIUS
104 TO 105	16.86'	20'
106 TO 107	8.44'	20'
108 TO 109	12.87'	20'
110 TO 111	11.55'	20'
112 TO 113	9.28'	15'
114 TO 115	7.28'	15'
202 TO 203	7.28'	15'
204 TO 205	8.97'	15'
206 TO 207	13.3'	50'
214 TO 215	6.93'	15'
216 TO 217	9.63'	15'
218 TO 219	33.70'	30'
220 TO 221	6.27'	30'
226 TO 227	56.58'	50'

ITEM 609.2371 TERMINAL CURB TYPE 1, 7 FOOT-CIRCULAR		
POINT	LENGTH	RADIUS
105 TO 106	7'	20'
109 TO 110	7'	20'
113 TO 114	7'	15'
203 TO 204	7'	15'
215 TO 216	7'	15'
219 TO 220	7'	30'
227 TO 240	7'	50'

CURVE DATA #1
PI = 10+76.14
D = 77°57'12.4"
Δ = 40°00'45.9" Rt.
R = 73.50'
L = 51.33'
T = 26.76'
E = 4.72'

CURVE DATA #2
PI = 11+10.87
D = 21°44'38.9"
Δ = 4°24'55.6" Rt.
R = 263.50'
L = 20.31'
T = 10.16'
E = 0.20'

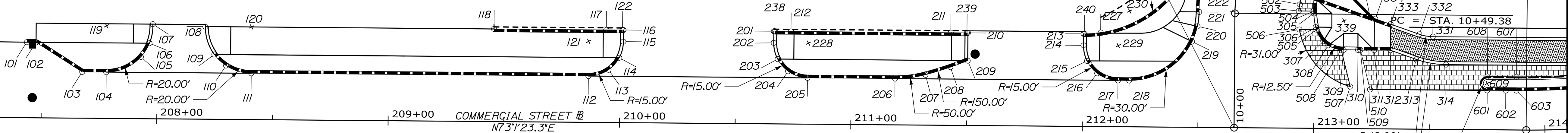


ITEM 609.26 CURB TRANSITION SECTION B TYPE 1
POINT LENGTH RADIUS
208 TO 209* 8.00' 150'

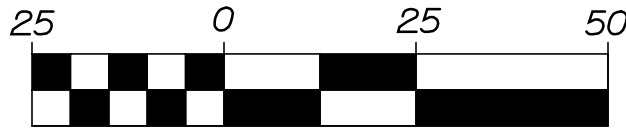
* CUT SECTION AS NECESSARY TO SERVE AS
TERMINAL SECTION. CUTTING OF CURB
CONSIDERED INCIDENTAL TO ITEM 609.26.

ITEM 609.34 CURB TYPE 5		
POINT	LENGTH	RADIUS
231 TO 232	20.42'	265'
232 TO 233	40.00'	75'
234 TO 236	38.40'	72'
236 TO 237	20.19'	262'

ITEM 609.35 CURB TYPE 5-CIRCULAR		
POINT	LENGTH	RADIUS
233 TO 234	4.71'	1.5'



CONTROL POINTS FOR CURBING				
POINT	STATION	OFFSET	X-COORD	Y-COORD
201	210+66.40	40' LT	2927263.1488	296115.3636
202	210+66.40	35' LT	2927264.6087	296110.5814
203	210+68.13	28' LT	2927268.3106	296104.3926
204	210+72.70	22.78' LT	2927274.2037	296100.7336
205	210+81.09	20' LT	2927283.0414	296100.5253
206	211+18.93	20' LT	2927319.2282	296111.5727
207	211+32.07	21.76' LT	2927331.2859	296117.0925
208	211+42.82	25.12' LT	2927340.5799	296123.4488
209	211+50.28	28' LT	2927346.8792	296128.3788
210	211+50.28	40' LT	2927343.3753	296139.8558
211	211+42.86	40' LT	2927336.2819	296137.6903
212	210+73.82	40' LT	2927270.2422	296117.5291
213	212+00.28	40' LT	2927391.1947	296154.4559
214	212+00.28	35' LT	2927392.6550	296149.6726
215	212+01.85	28.31' LT	2927396.1144	296143.7337
216	212+06.30	22.98' LT	2927401.9210	296139.9389
217	212+15.28	20' LT	2927411.3811	296139.7060
218	212+20.12	20' LT	2927416.0119	296141.1197
219	10+37.02	18.45' LT	2927436.9098	296165.2920
220	10+43.62	16.18' LT	2927437.1513	296172.2720
221	10+49.76	15.5' LT	2927435.9902	296178.4226
222	10+55.54	15.5' LT	2927434.2468	296185.2002
223	11+00.71	15.5' LT	2927439.3427	296238.7926
224	11+00.71	21.73' LT	2927433.6089	296241.2307
225	10+95.59	21.5' LT	2927431.4469	296234.9686
226	10+70.25	21.5' LT	2927426.2531	296202.7909
227	212+07.66	40.60' LT	2927398.0761	296157.1843
228	210+81.40	35' LT	2927278.9550	296114.9612
229	212+15.28	35' LT	2927407.0013	296154.0524
230	212+20.12	50' LT	2927407.2523	296169.8124
231	11+21.02	1.5' LT	2927460.9336	296251.7815
232	11+00.71	1.5' LT	2927452.2264	296233.3143
233	10+61.51	1.5' LT	2927446.8912	296194.1488
234	10+61.51	1.5' RT	2927449.8654	296194.5415
235	10+61.51	0' RT	2927448.3783	296194.3451
236	11+00.71	1.5' RT	2927454.9871	296232.1403
237	11+21.02	1.5' RT	2927463.5958	296250.3985
238	210+66.82	40' LT	2927263.5473	296115.4852
239	211+49.86	40' LT	2927342.9768	296139.7342
240	212+00.70	40' LT	2927391.5918	296154.5820



STATE OF MAINE
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PORTLAND INTERNATIONAL MARINE TERMINAL
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PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
GEOMETRIC AND CURBING PLAN

SHEET NUMBER
H27
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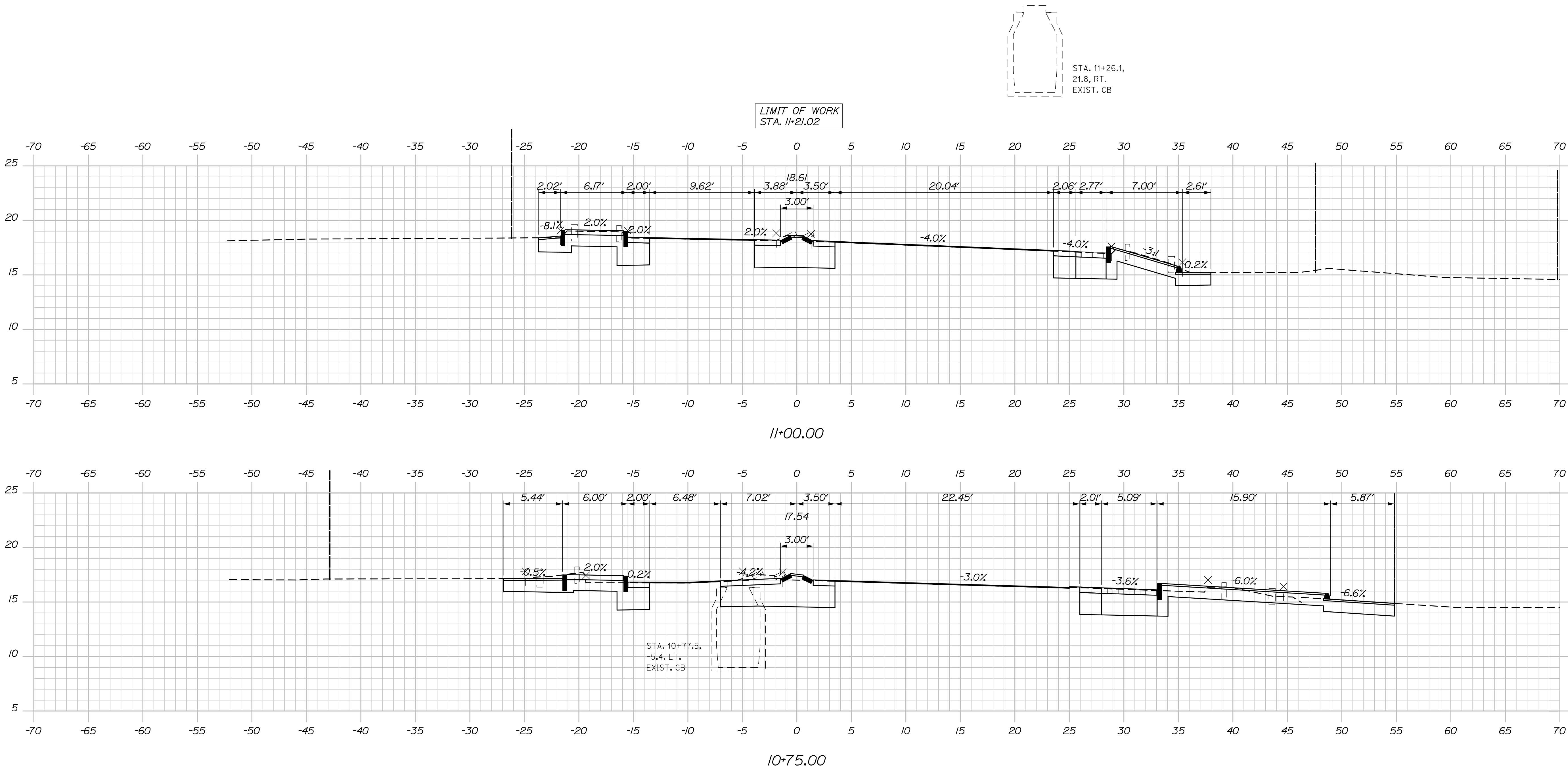
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J. KITTEDGE	06/14	TJW	06/14			
CHECKED-REVIEWED	06/14	CFM	06/14			
DESIGN-DETAILED	-	-	-			
DESIGN-DETAILED	-	-	-			
REVISIONS 1	-	-	-			
REVISIONS 2	-	-	-			
REVISIONS 3	-	-	-			
REVISIONS 4	-	-	-			
FIELD CHANGES	-	-	-			

Date:6/26/2014

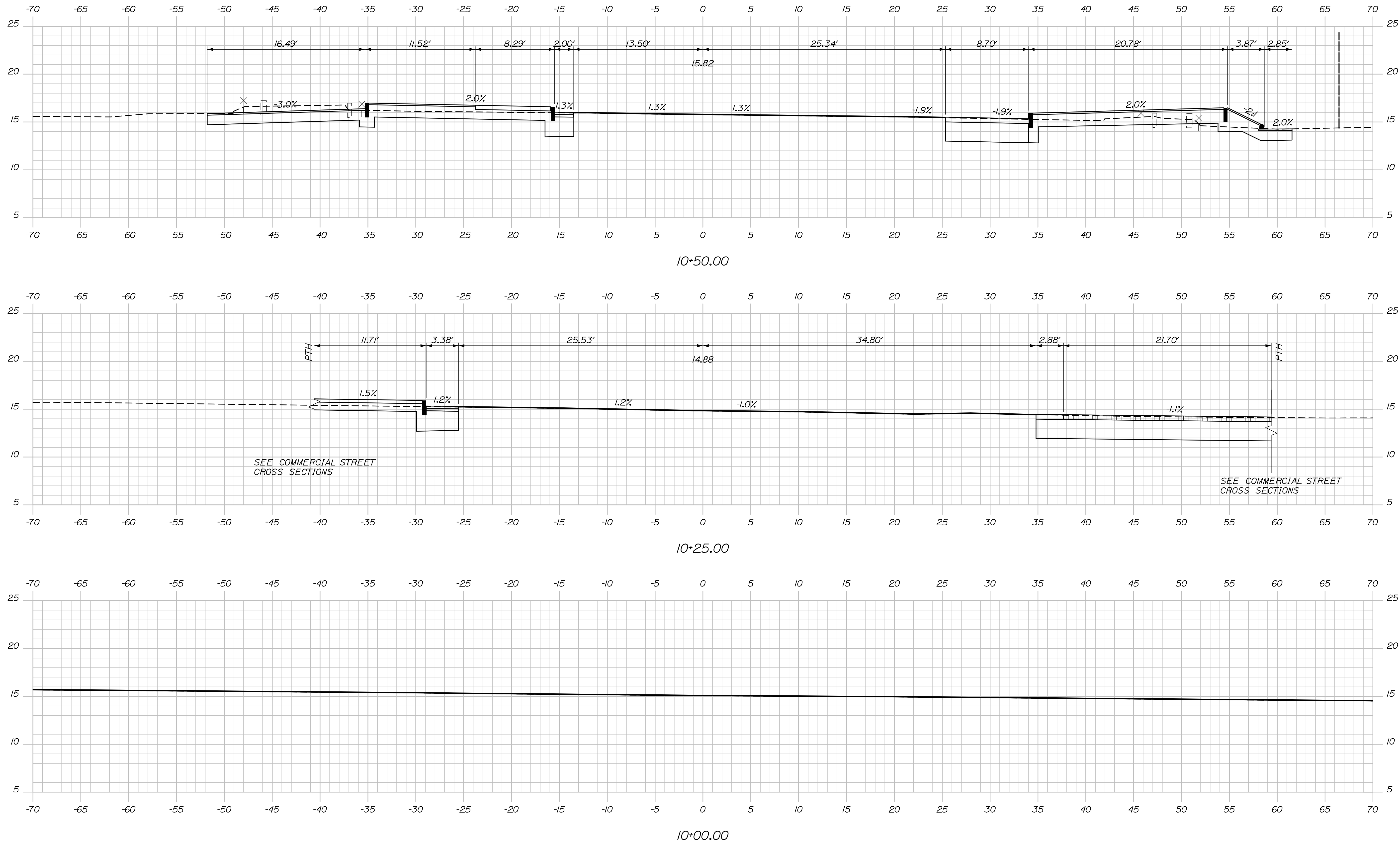
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Division:

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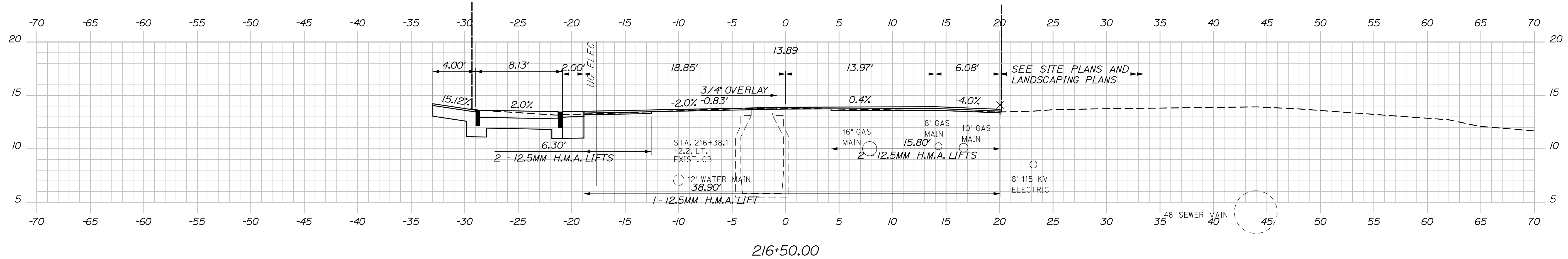
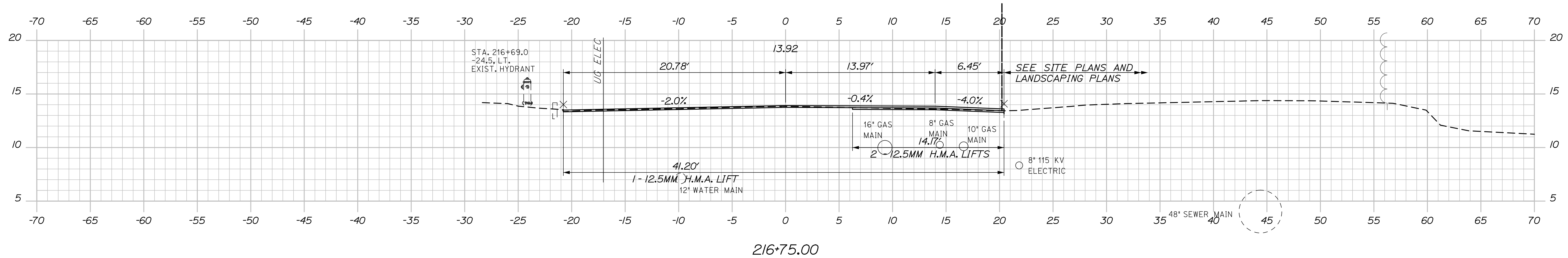
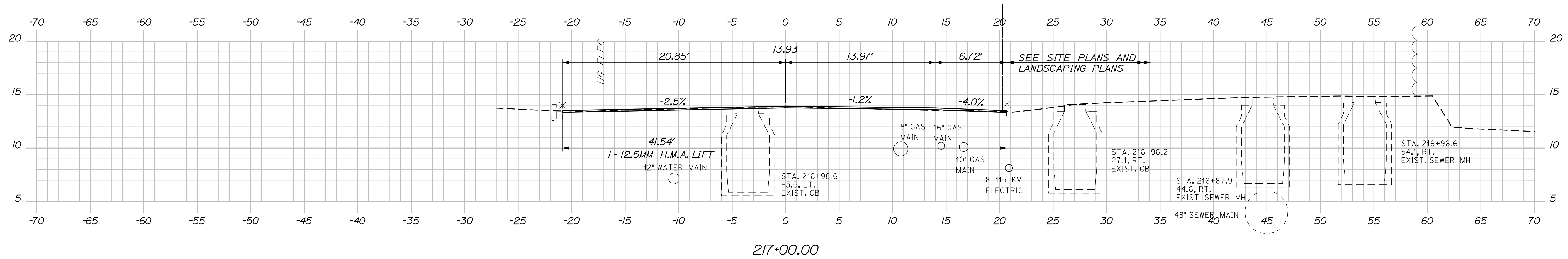
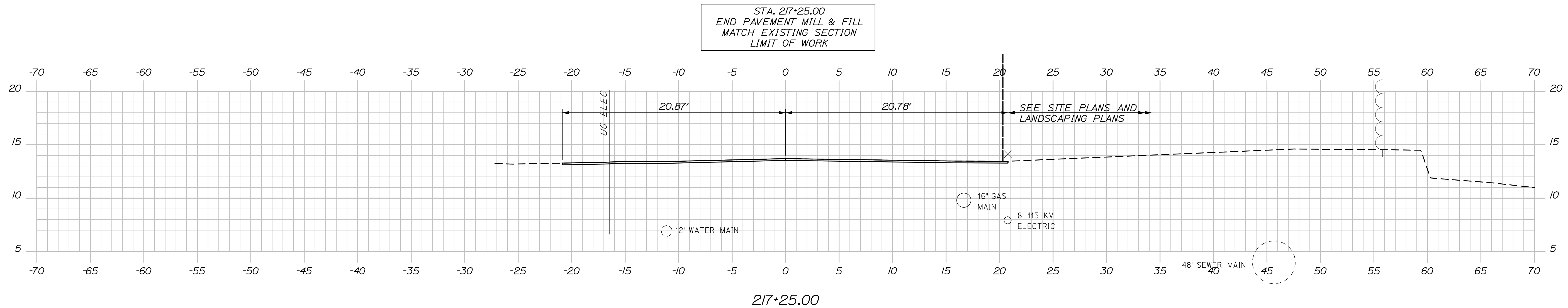


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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
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022809.20

SHEET NUMBER				PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY				PROJ. MANAGER		J. KITTREDGE		BY		DATE	
H25				59 OF 116				DESIGN-DETAILED		RWH		TJM		06/14	
								CHECKED-REVIEWED		RWH		CRM		06/14	
								DESIGN2-DETAILED2		-		-		-	
								DESIGN3-DETAILED3		-		-		-	
								REVISIONS 1		-		-		-	
BEACH STREET								REVISIONS 2		-		-		P.E. NUMBER	
								REVISIONS 3		-		-		-	
								REVISIONS 4		-		-		-	
								FIELD CHANGES		-		-		-	
								DATE		-		-		-	
CROSS SECTIONS															



Date: 6/26/2014

Username:

Division:

Filename: Xsect.dgn

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

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	PROJ. MANAGER	J. INTREDOGE	BY	DATE
	DESIGN-DETAILED	RWH	TJW	06/14
	CHECKED-REVISED	-	CRM	06/14
	DESIGN2-DETAILED2	-	-	
	DESIGN3-DETAILED3	-	-	
	REVISIONS 1	-	-	
	REVISIONS 2	-	-	
	REVISIONS 3	-	-	
	REVISIONS 4	-	-	
				SIGNATURE
				P.E. NUMBER
				DATE

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION

PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET

COMMERCIAL STEEL CROSS SECTIONS

SHEET NUMBER

H24

58 OF 116

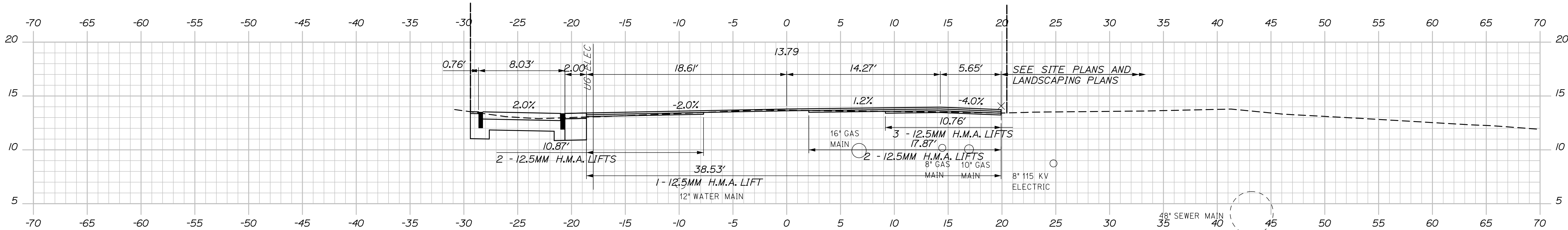
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Date:6/26/2014

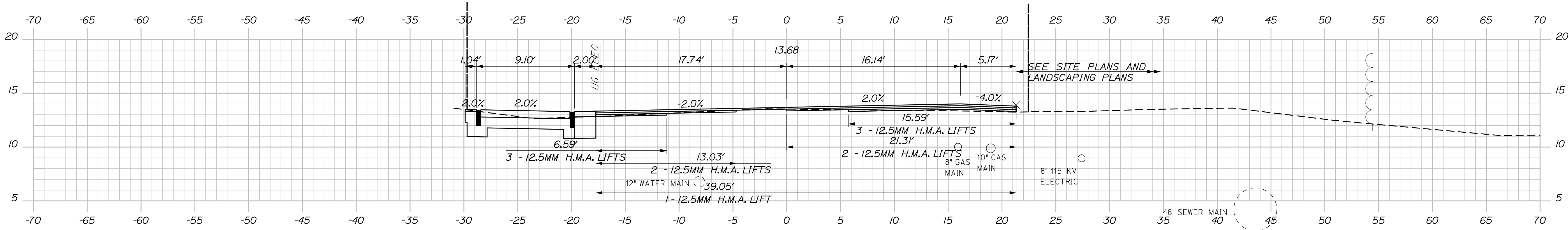
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Division:

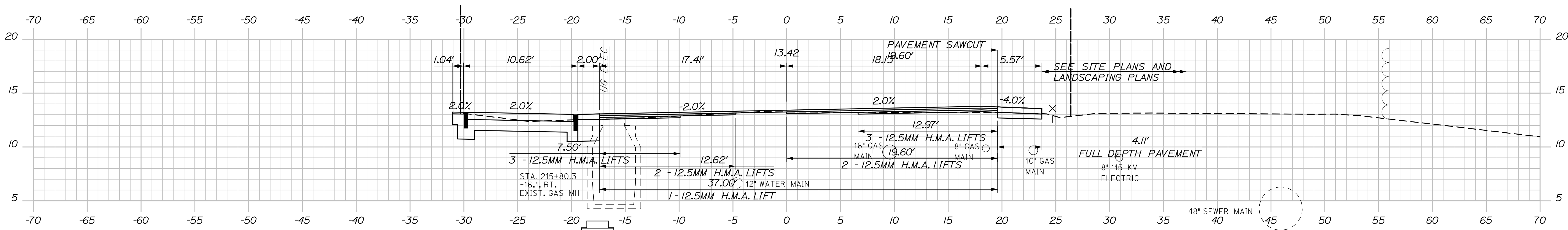
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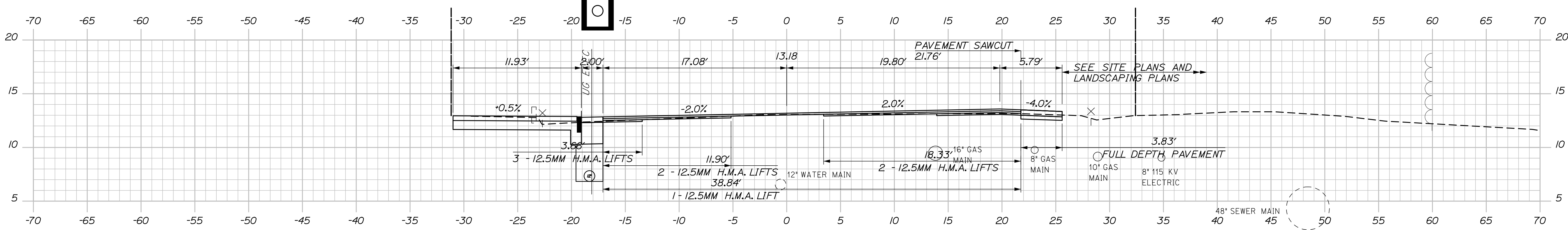
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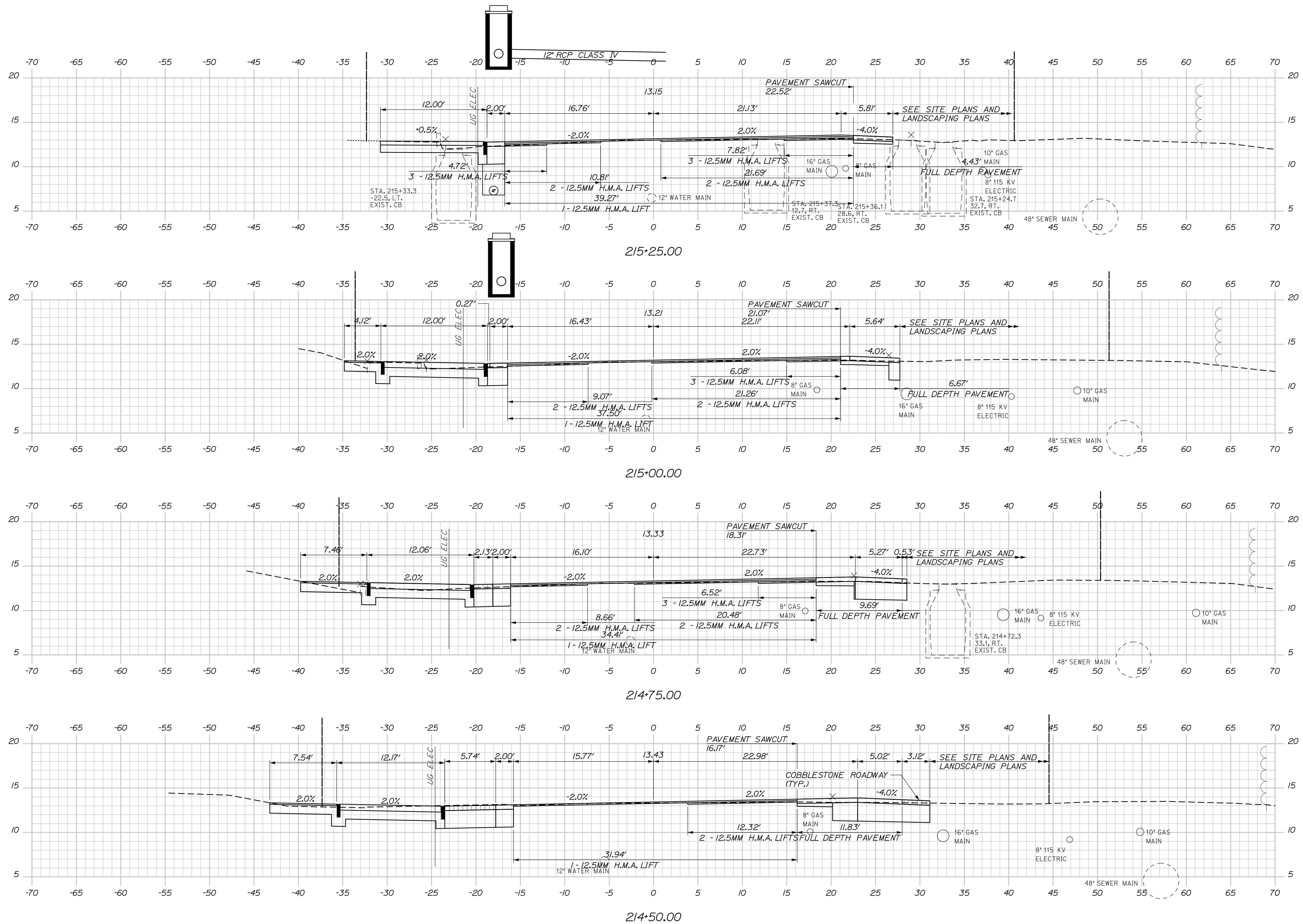
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215+50.00

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	RMH	TJW	06/14
CHECKED-REVIEWED		CPM	06/14
DESIGN-DETAILED			
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

Filename: Xsect.dgn

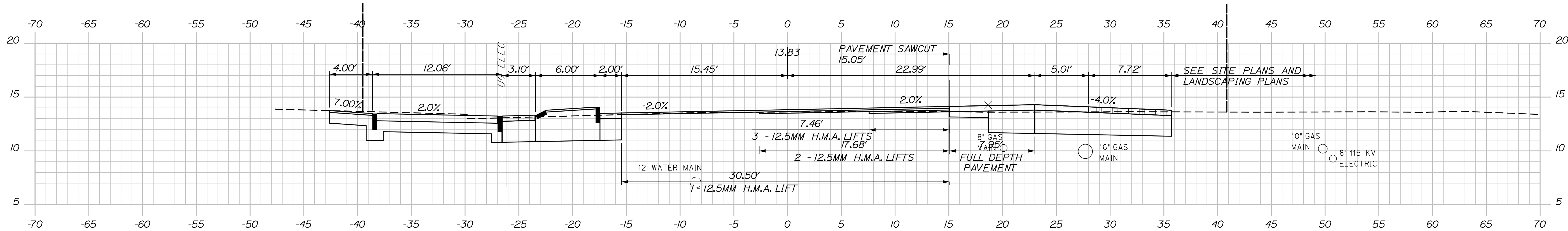


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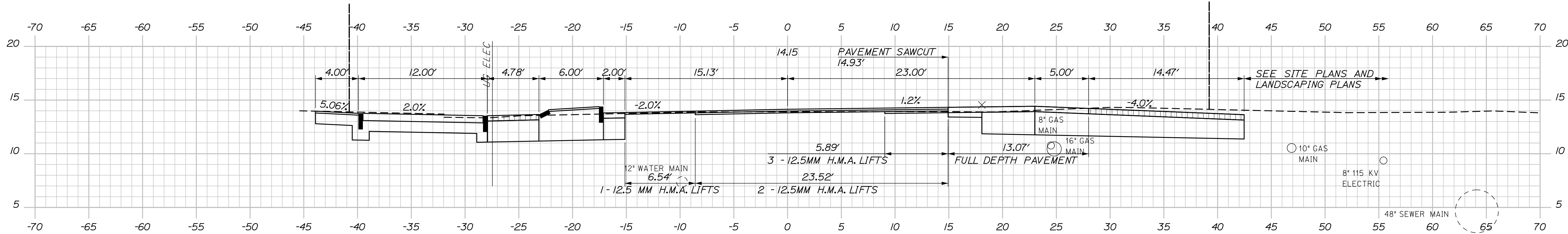
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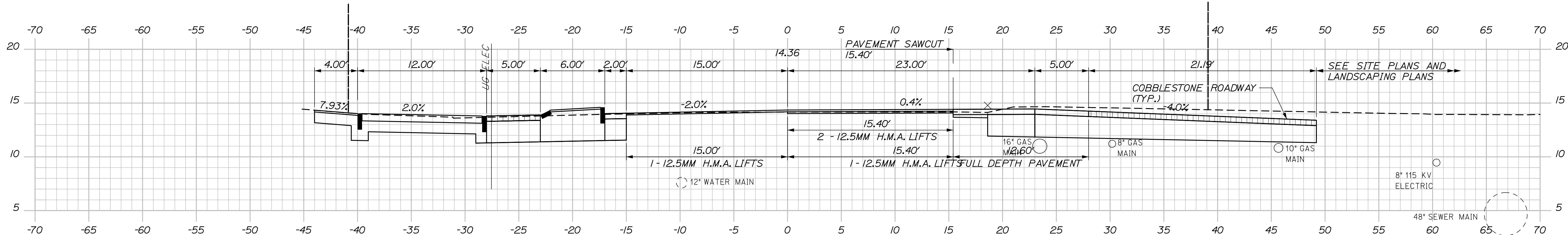
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214+25.00



214+00.00



213+75.00

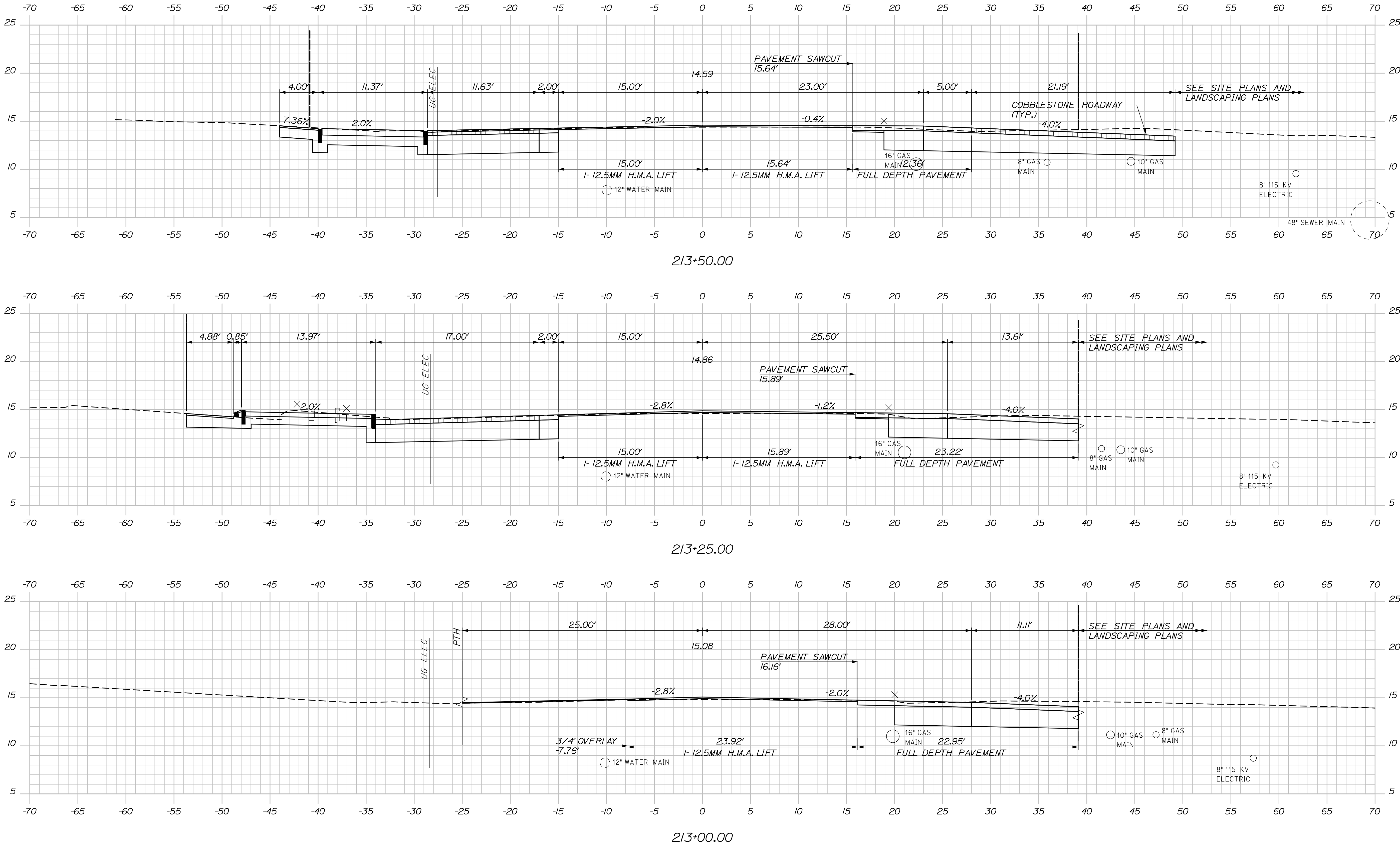
PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	1	TJW	06/14
CHECKED-REVIEWED	1	CPM	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn



PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	IRWH	TJW	06/14
CHECKED-REVIEWED	-	CFM	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-
SIGNATURE			
P.E. NUMBER			
DATE			

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION

PORTLAND CUMBERLAND COUNTY

COMMERCIAL STREET

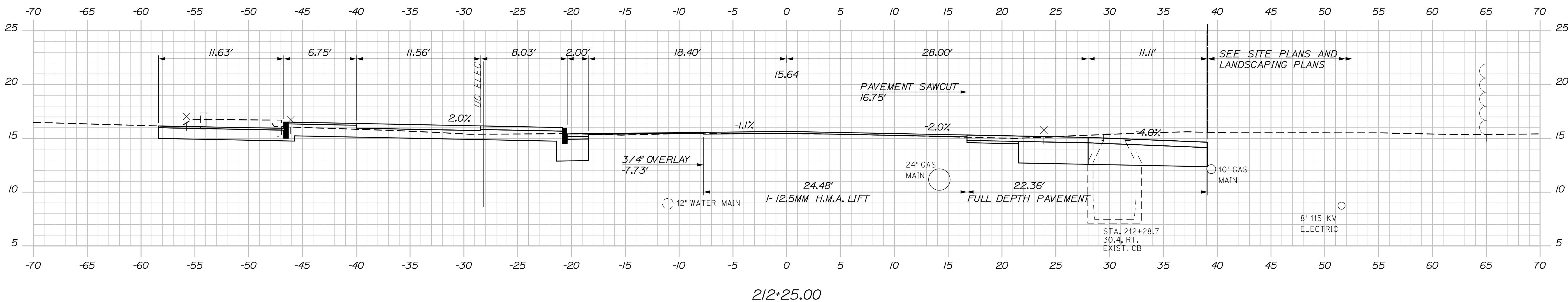
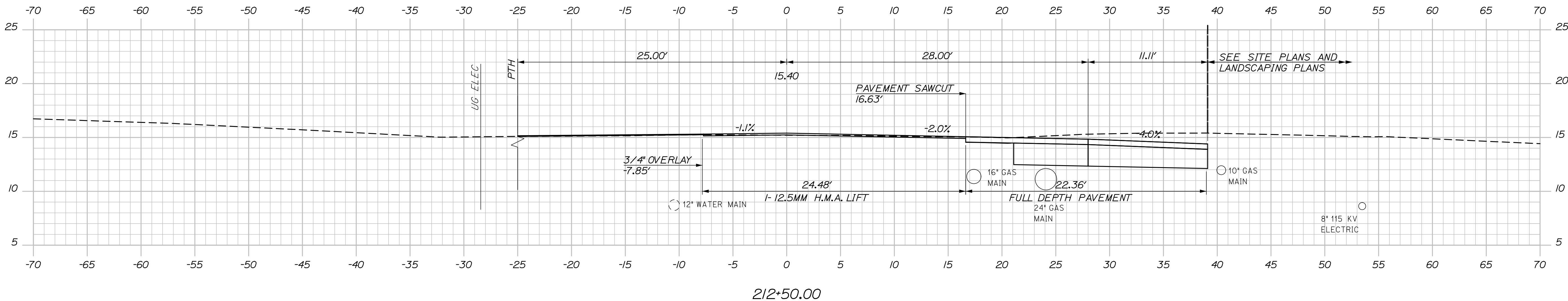
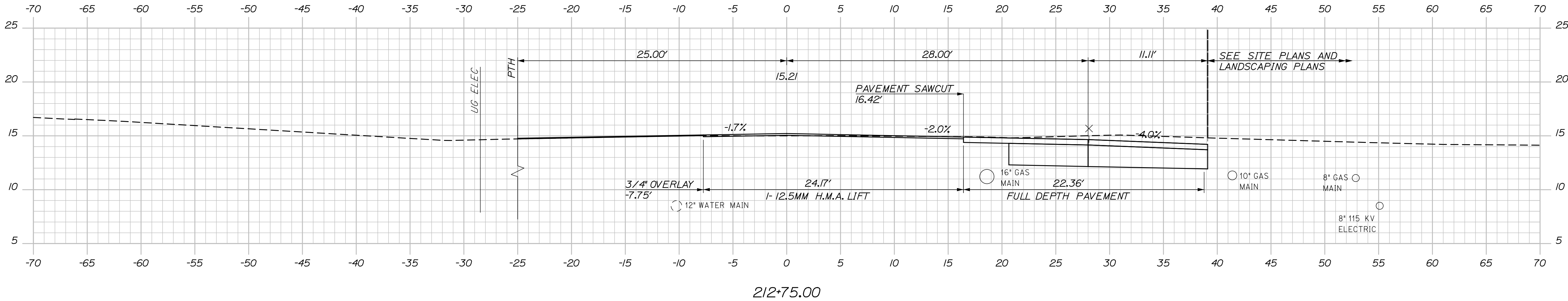
CROSS SECTIONS

Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn

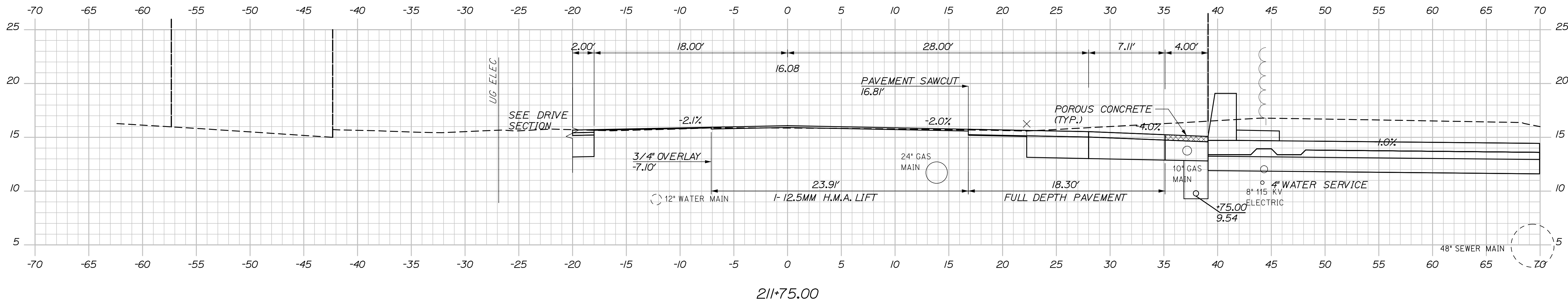
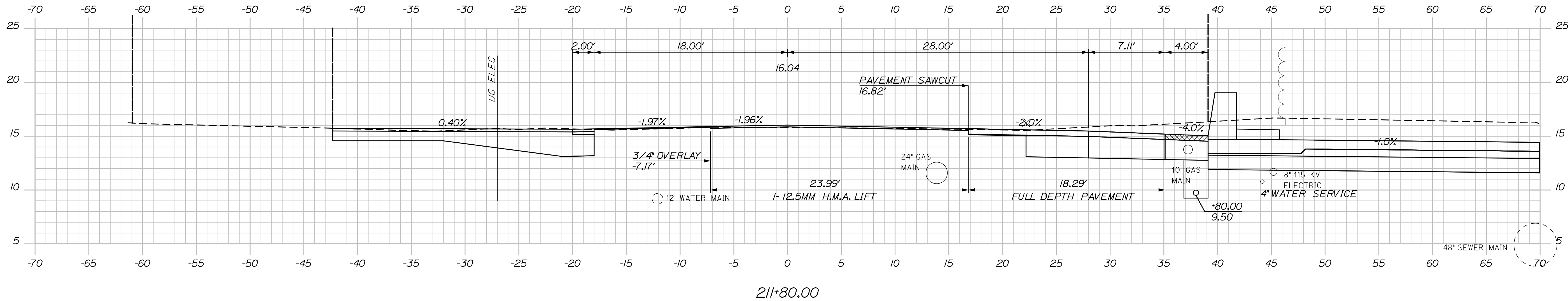
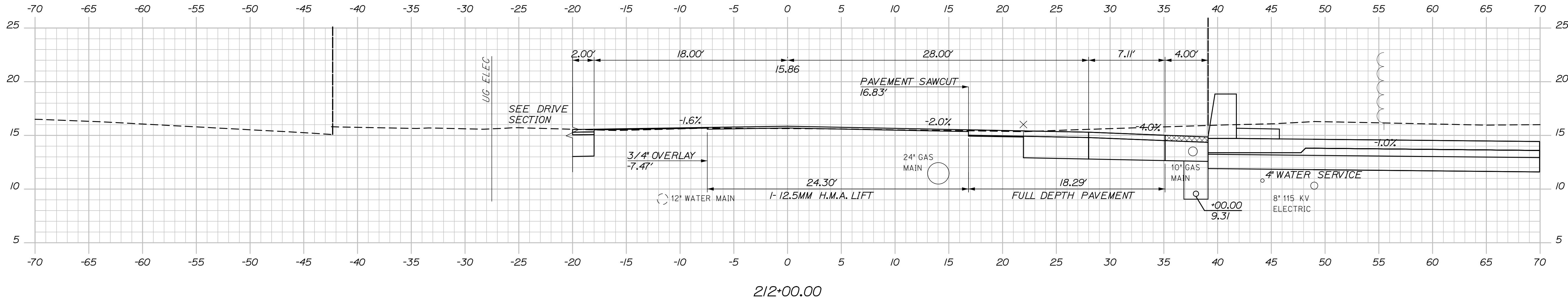


Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn



DATE	BY	J. KITREDEE	PROJ. MANAGER	DESIGN-DETAILED	CHECKED-REVIEWED	DESIGN-DETAILED	DESIGN-DETAILED	REVISIONS 1	REVISIONS 2	REVISIONS 3	REVISIONS 4	FIELD CHANGES
06/14	TJW	RWH										
06/14	CPM											
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

DATE	BY	J. KITREDEE	PROJ. MANAGER	DESIGN-DETAILED	CHECKED-REVIEWED	DESIGN-DETAILED	DESIGN-DETAILED	REVISIONS 1	REVISIONS 2	REVISIONS 3	REVISIONS 4	FIELD CHANGES
06/14	TJW	RWH										
06/14	CPM											
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
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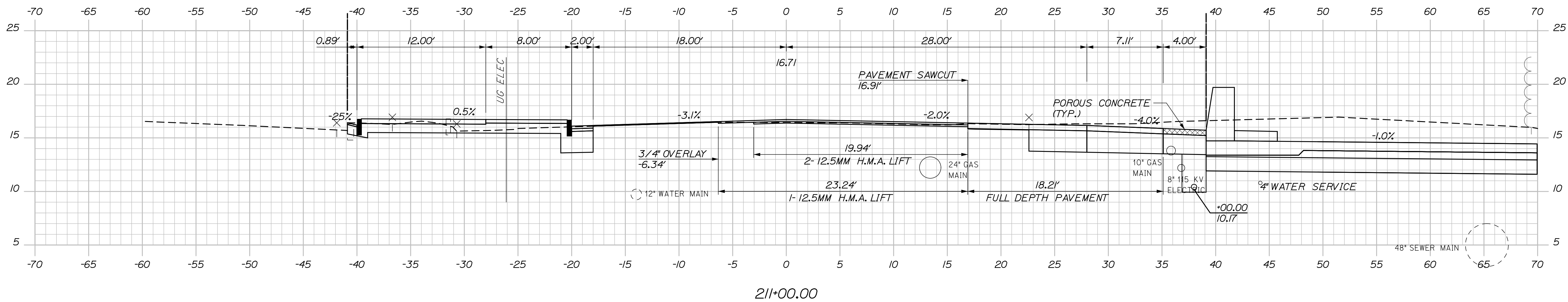
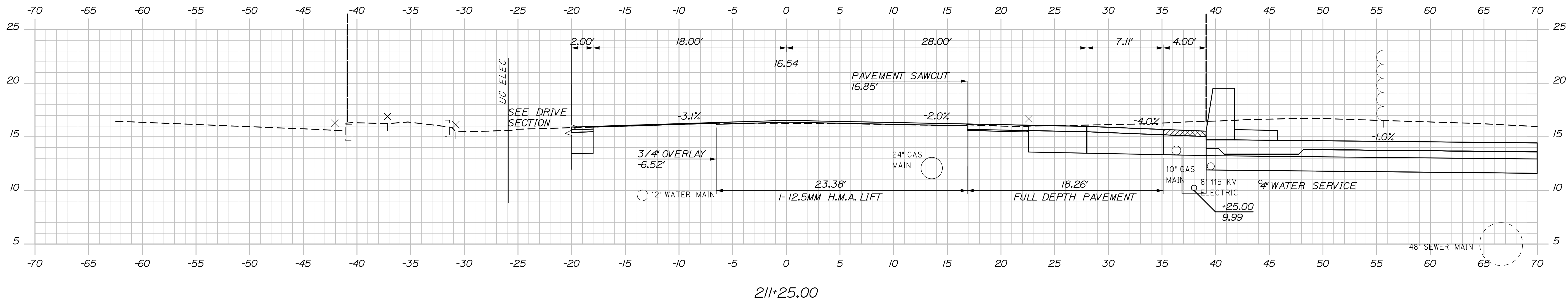
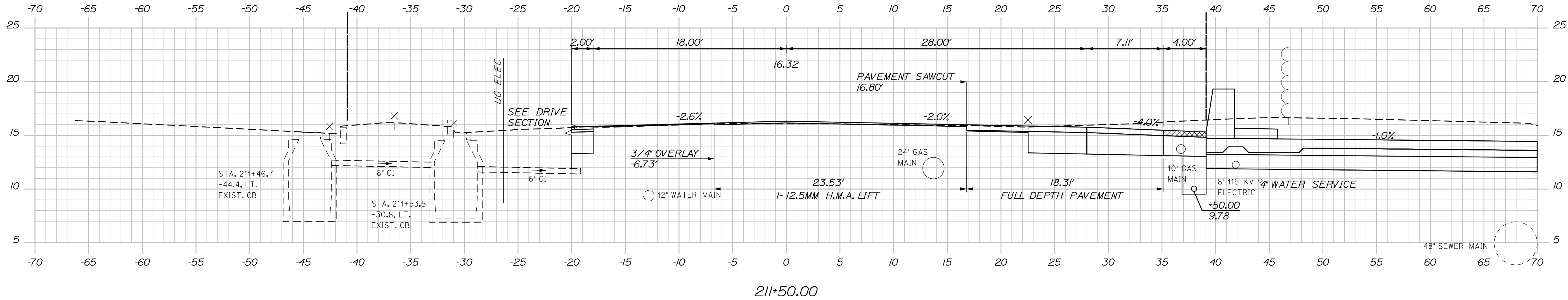
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
CROSS SECTIONS

Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn



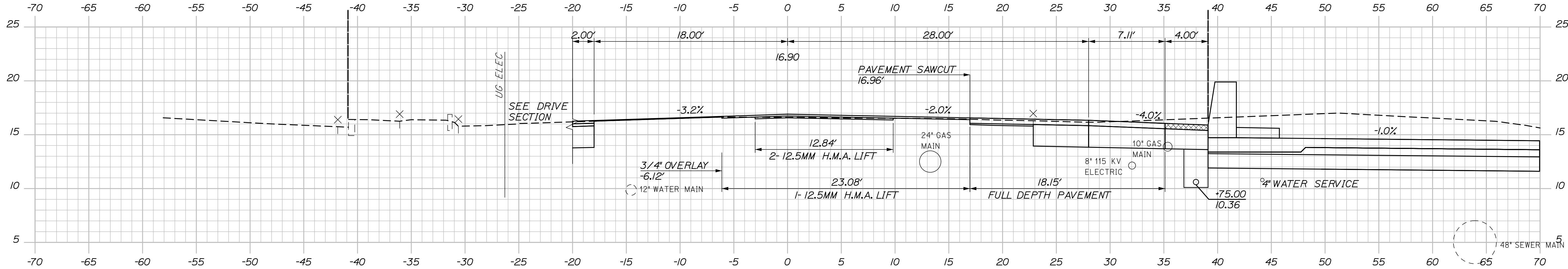
PROJ. MANAGER	J. KITREDOE	BY	DATE
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CHECKED-REVIEWED	-	CPM	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
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REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

Date:6/26/2014

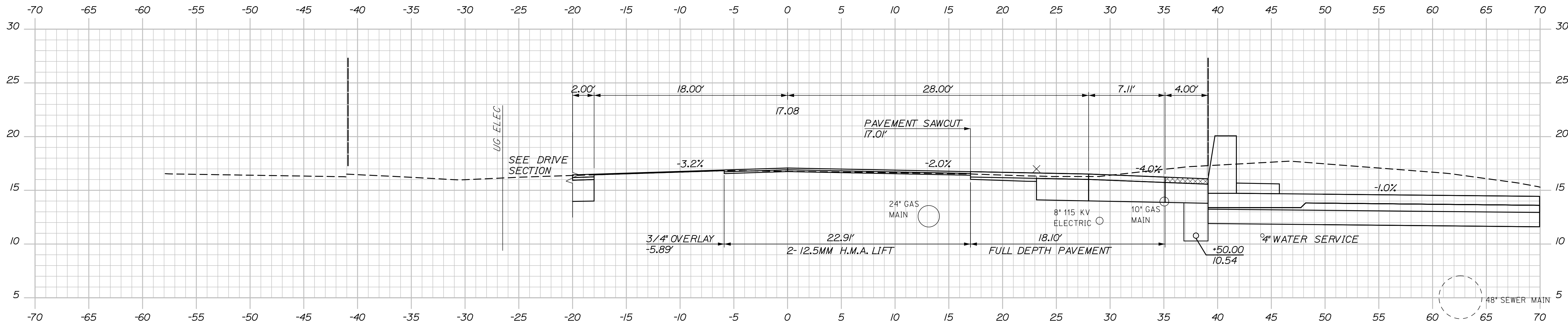
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Division:

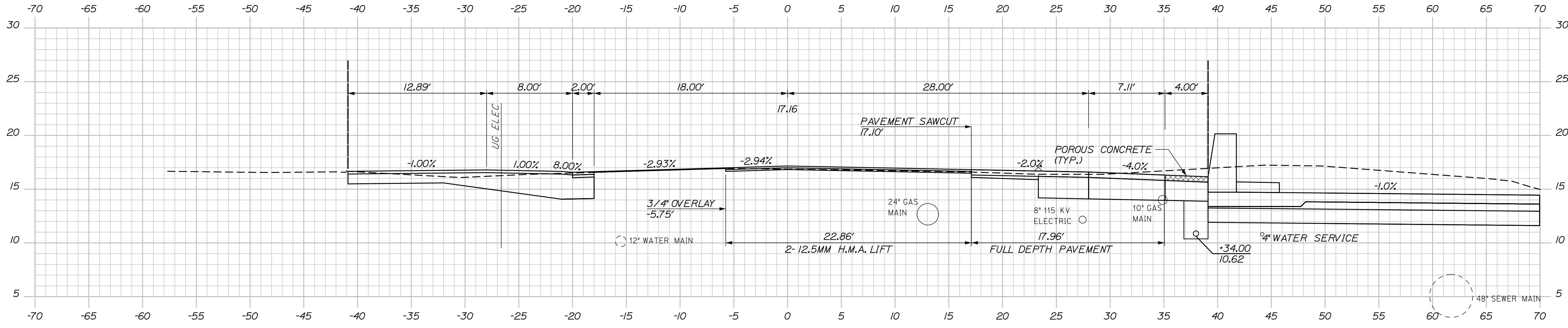
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210+50.00



210+34.00

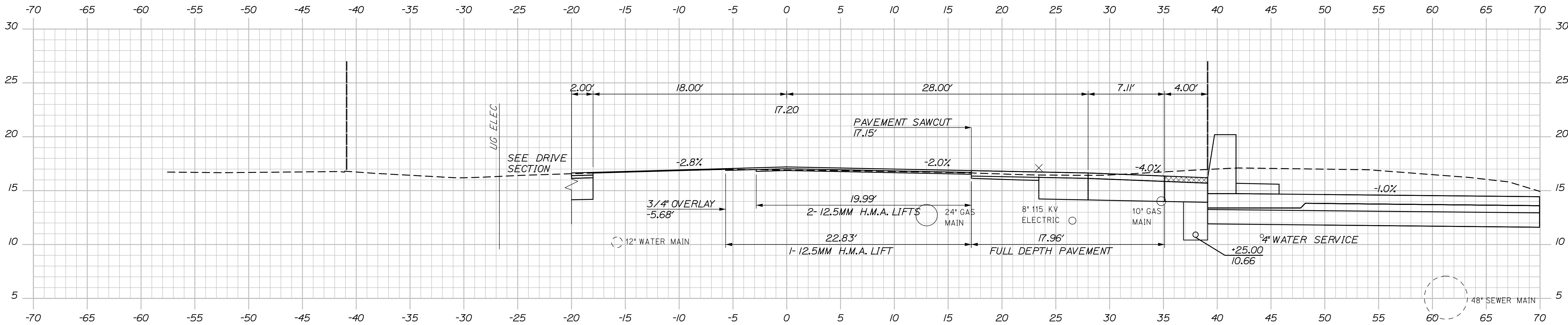
PROJ. MANAGER	J. KITTEDGE	BY	DATE	SIGNATURE
DESIGN-DETAILED	RWI	TJW	06/14	
CHECKED-REVIEWED			06/14	
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DESIGN-DETAILED				
REVISIONS 1				
REVISIONS 2				
REVISIONS 3				
REVISIONS 4				
FIELD CHANGES				

Date:6/26/2014

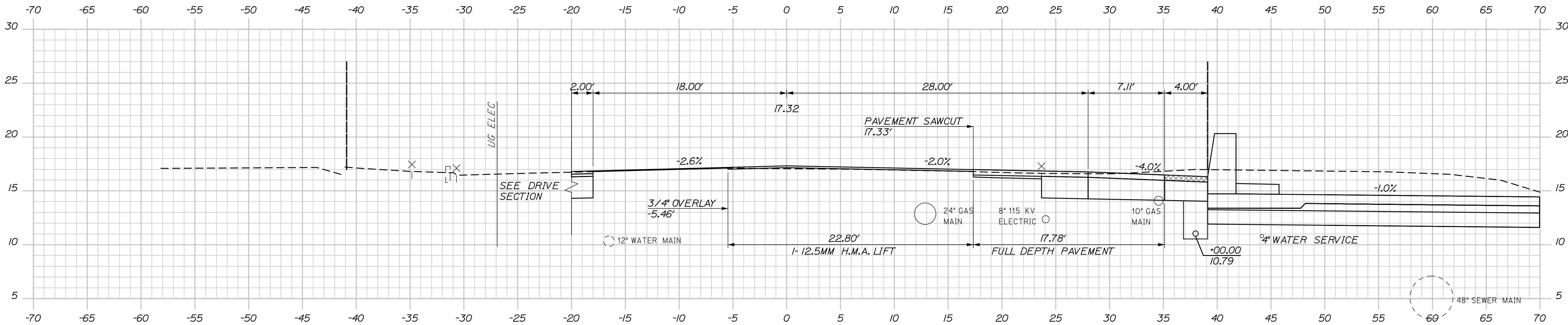
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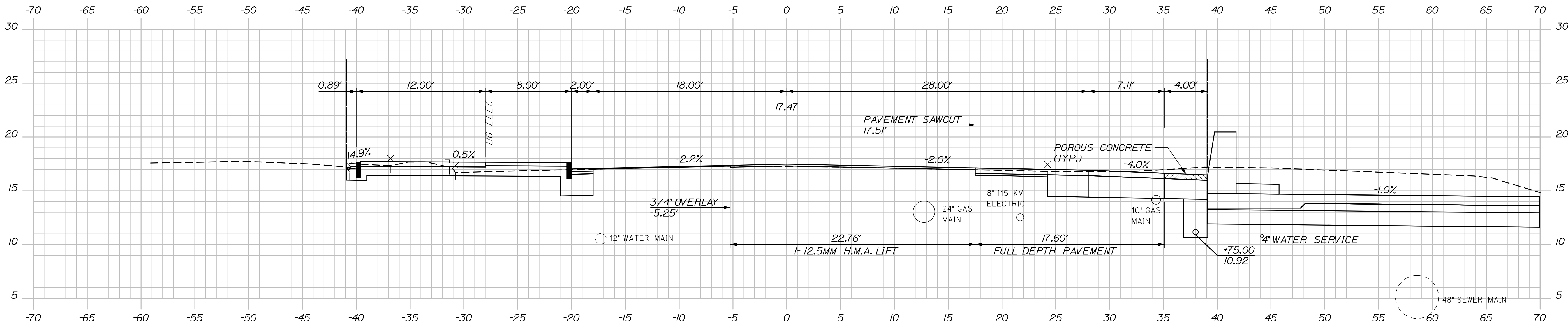
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210+25.00



210+00.00



209+75.00

PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	RMH	TJW	06/14
CHECKED-REVIEWED		CPM	06/14
DESIGN-DETAILED			
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

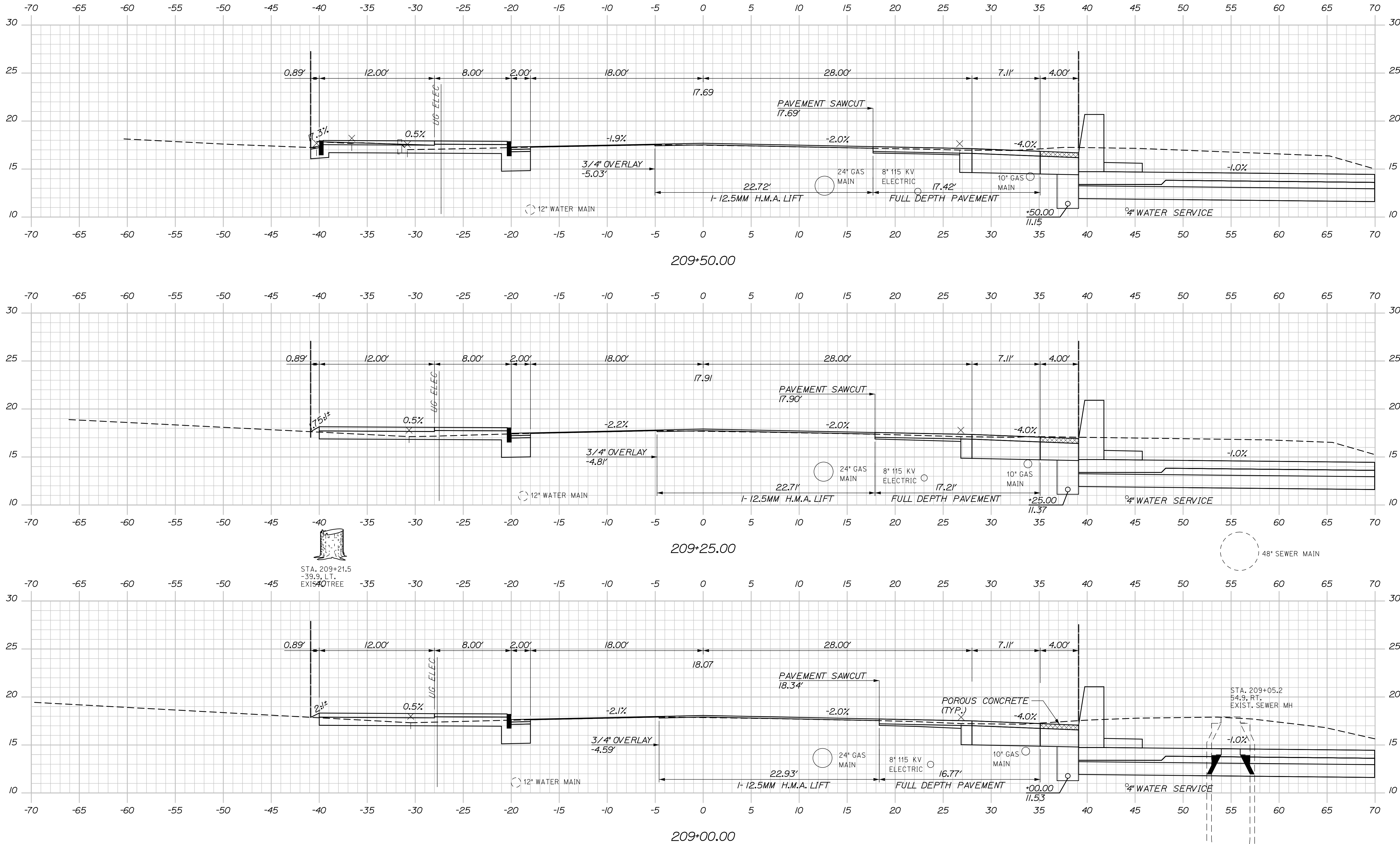
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
CROSS SECTIONS

Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn

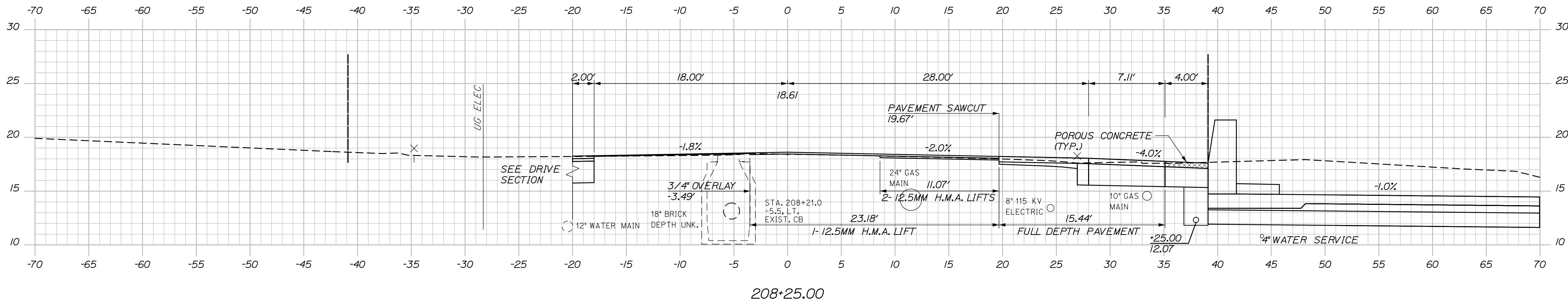
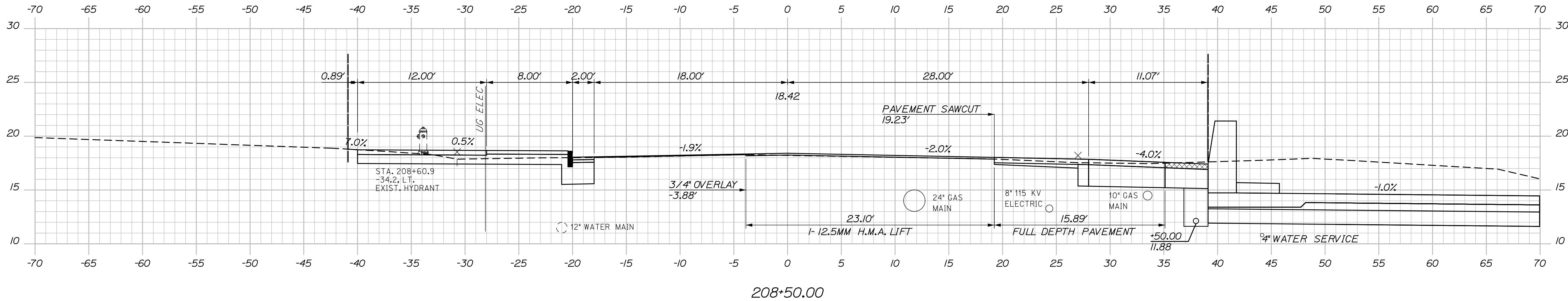
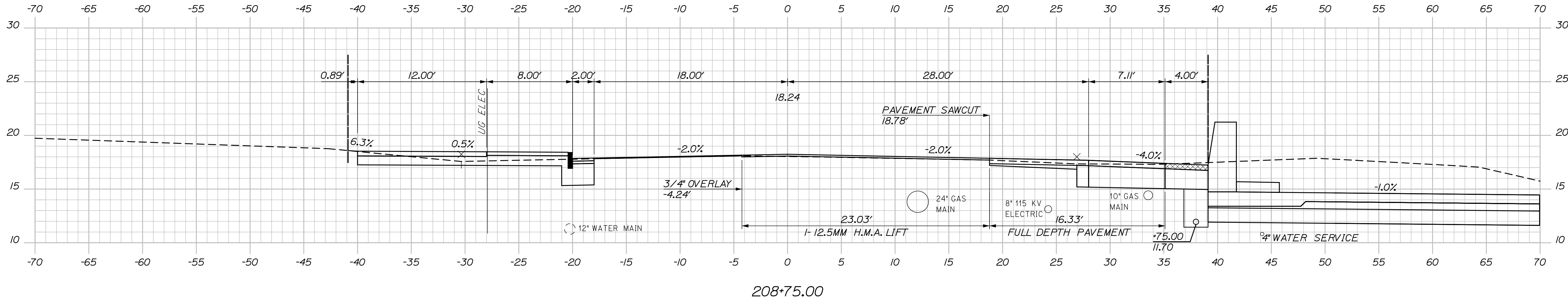


Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn



PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	LRH	TJW	06/14
CHECKED-REVIEWED		CPM	06/14
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DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
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FIELD CHANGES			

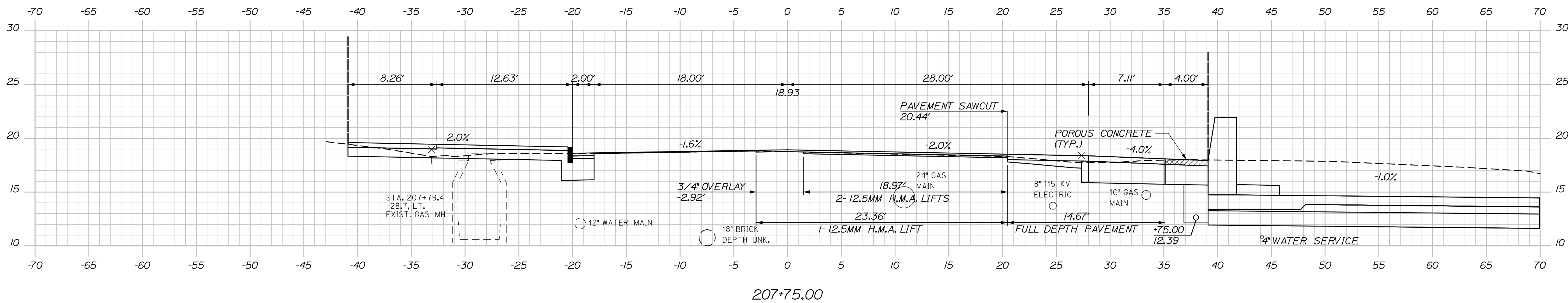
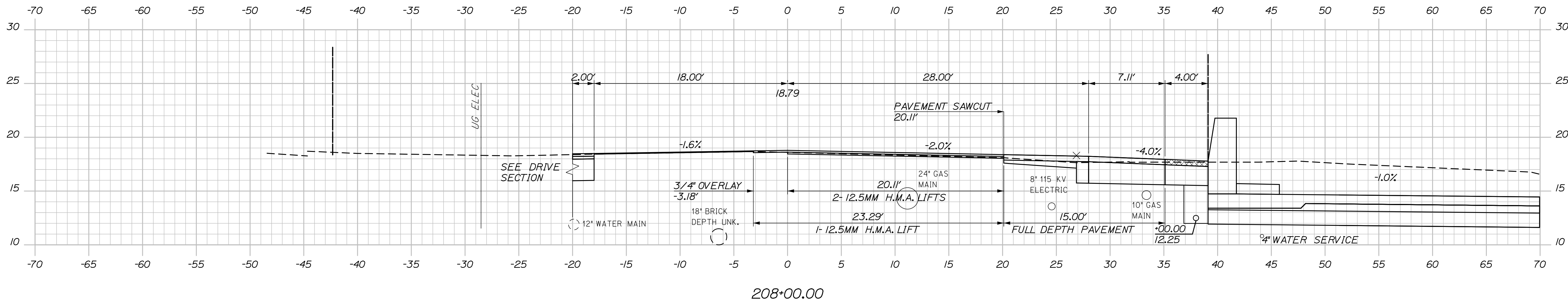
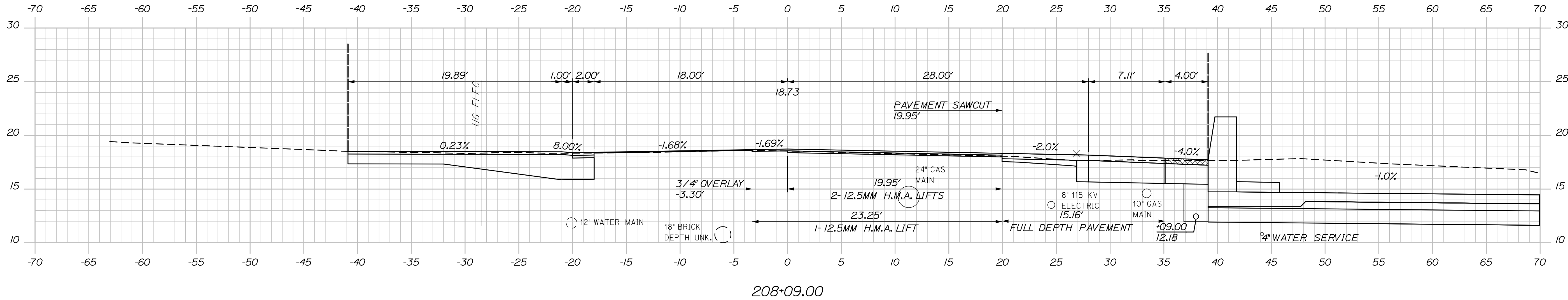
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
CROSS SECTIONS

Date:6/26/2014

Username:

Division:

Filename: Xsect.dgn

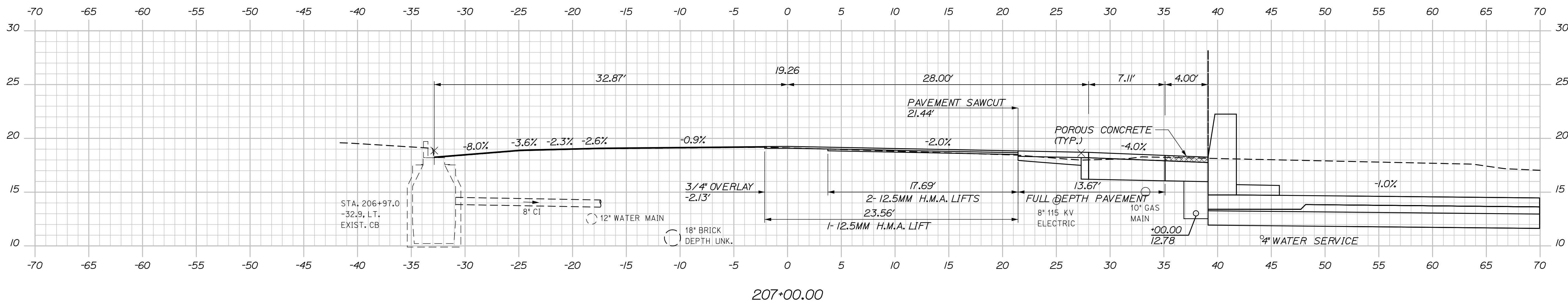
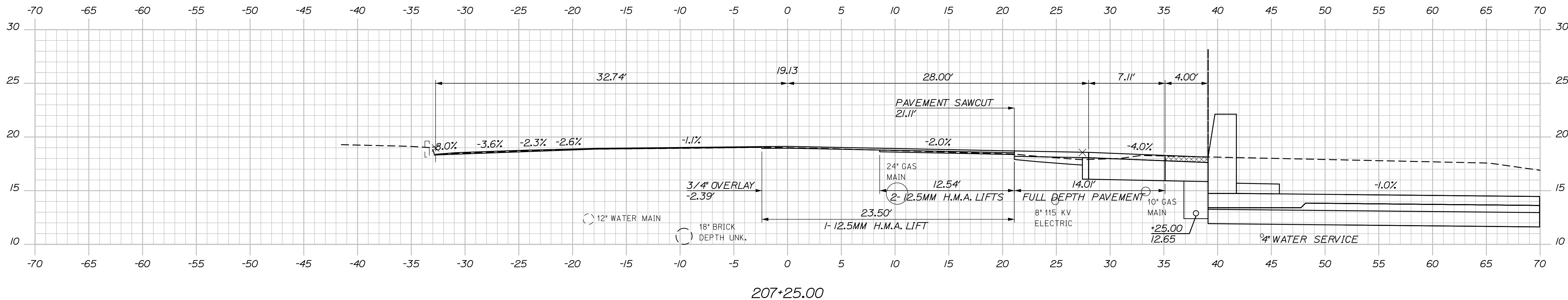
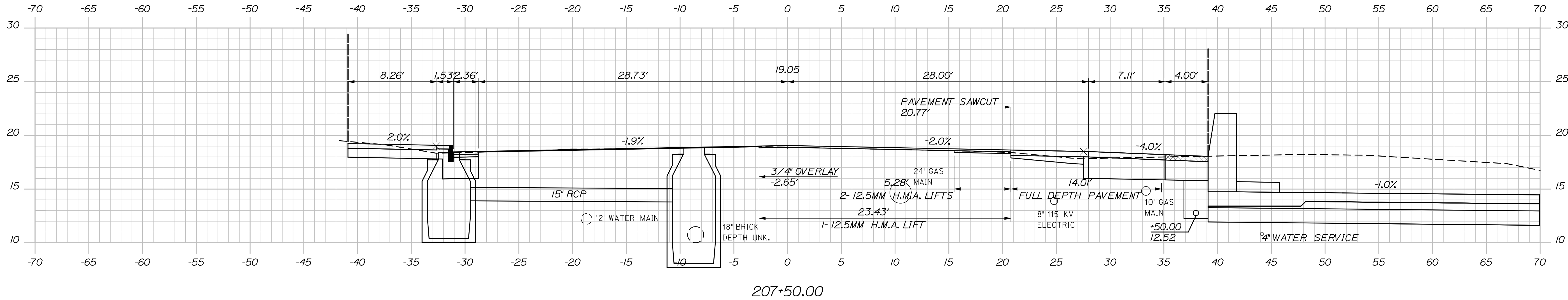


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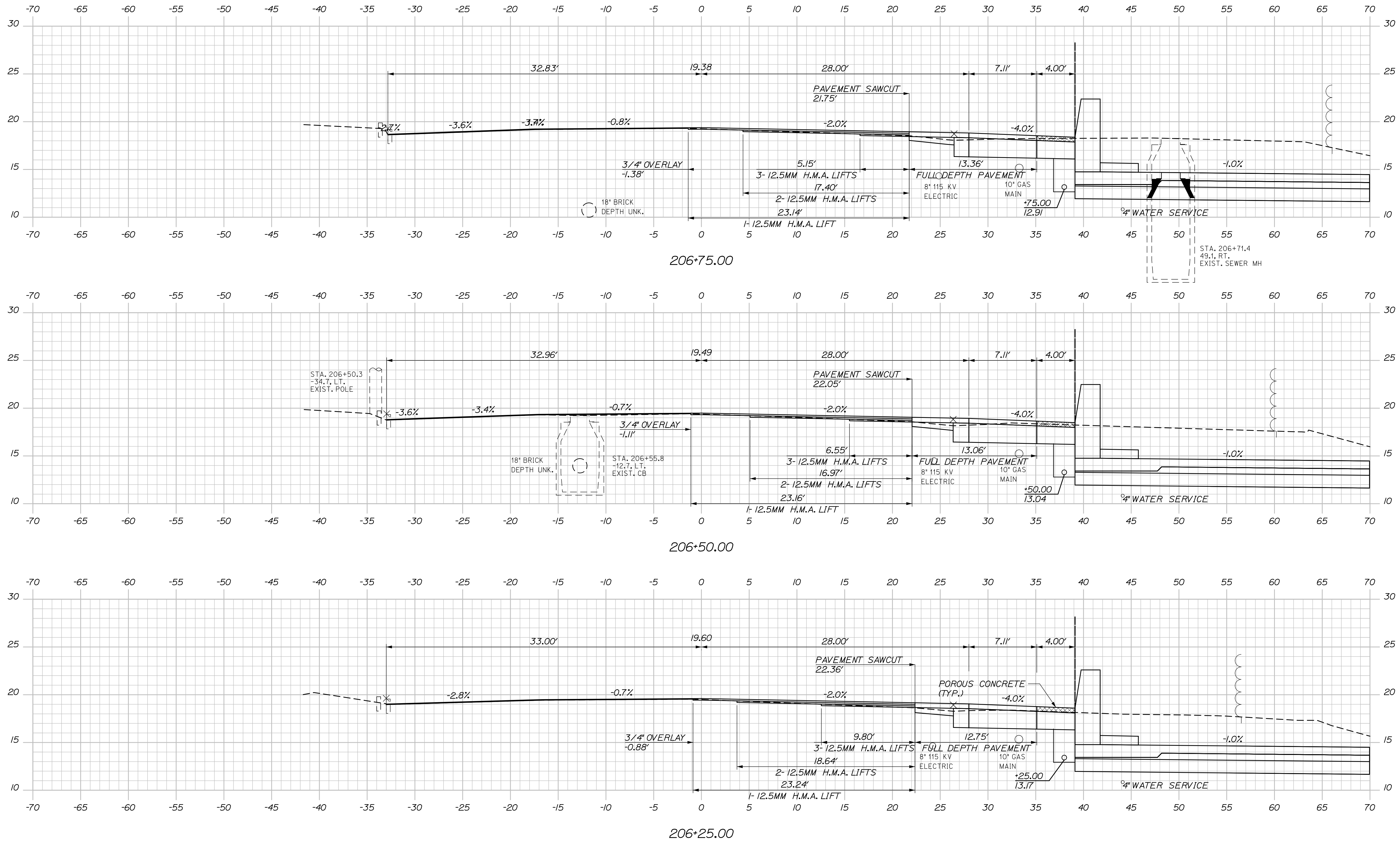
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Filename: Xsect.dgn



STATE OF MAINE	
DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER 022809.20	
PIN	022809.20

PROJ. MANAGER	J. KITTROE	BY	DATE
DESIGN-DETAILED	RWH	TJW	06/74
CHECKED-REVIEWED	-	CRM	06/74
DESIGNS DETAIL E02	-	-	SIGNATURE
DESIGNS-DETAILED3	-	-	P.E. NUMBER
REVSIONS 1	-	-	
REVSIONS 2	-	-	
REVSIONS 3	-	-	DATE
REVSIONS 4	-	-	
FIELD CHANGES	-	-	

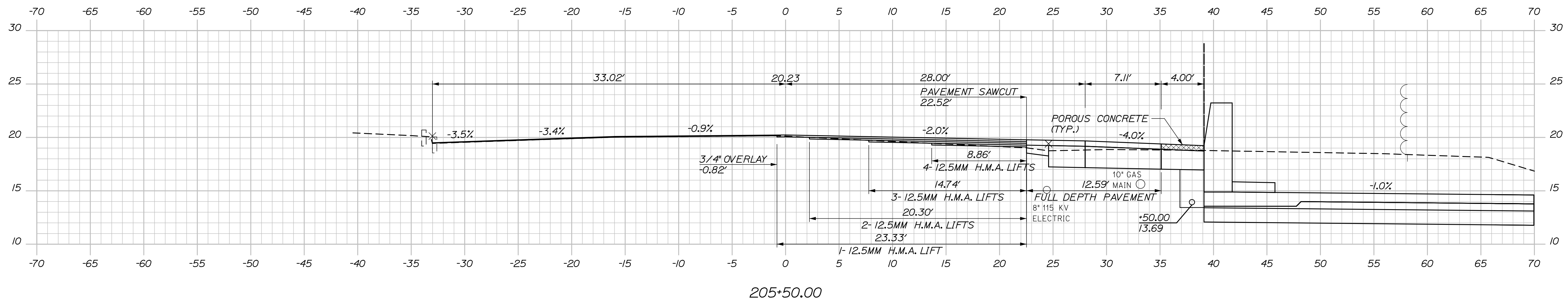
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

COMMERCIAL STREET

CROSS SECTIONS

SHEET NUMBER
H10
44 OF 116

Filename: Xsect.dgn



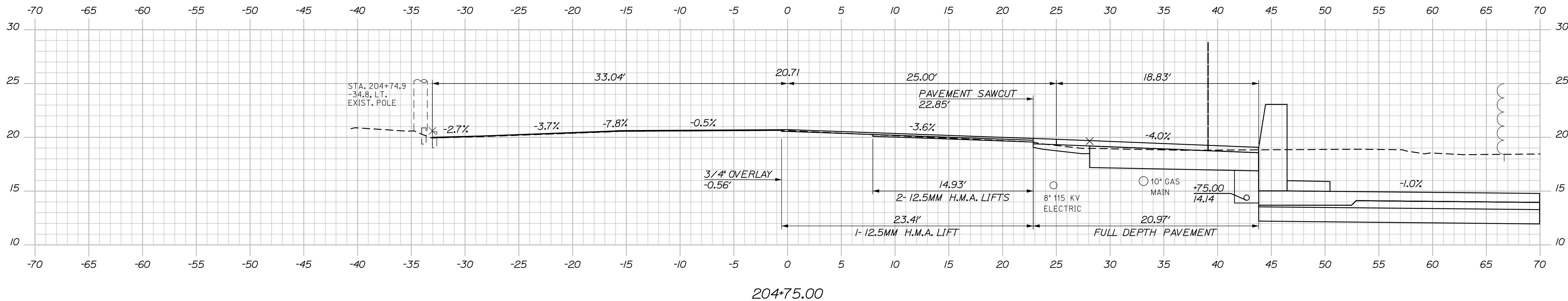
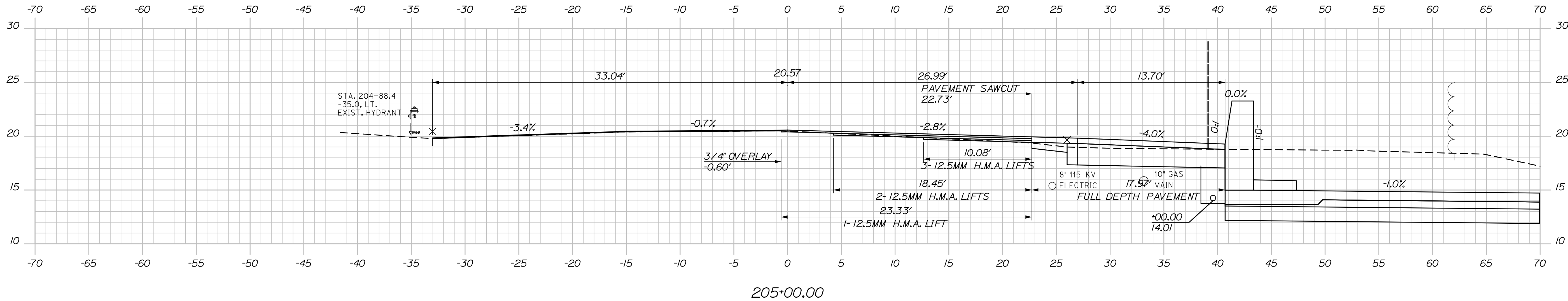
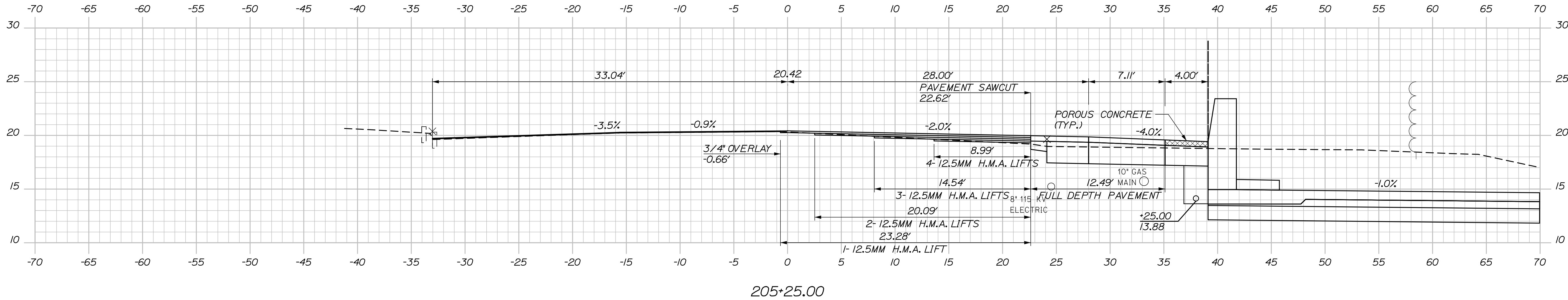
SHEET NUMBER
H09
43 OF 116

Date:6/26/2014

Username:

Division:

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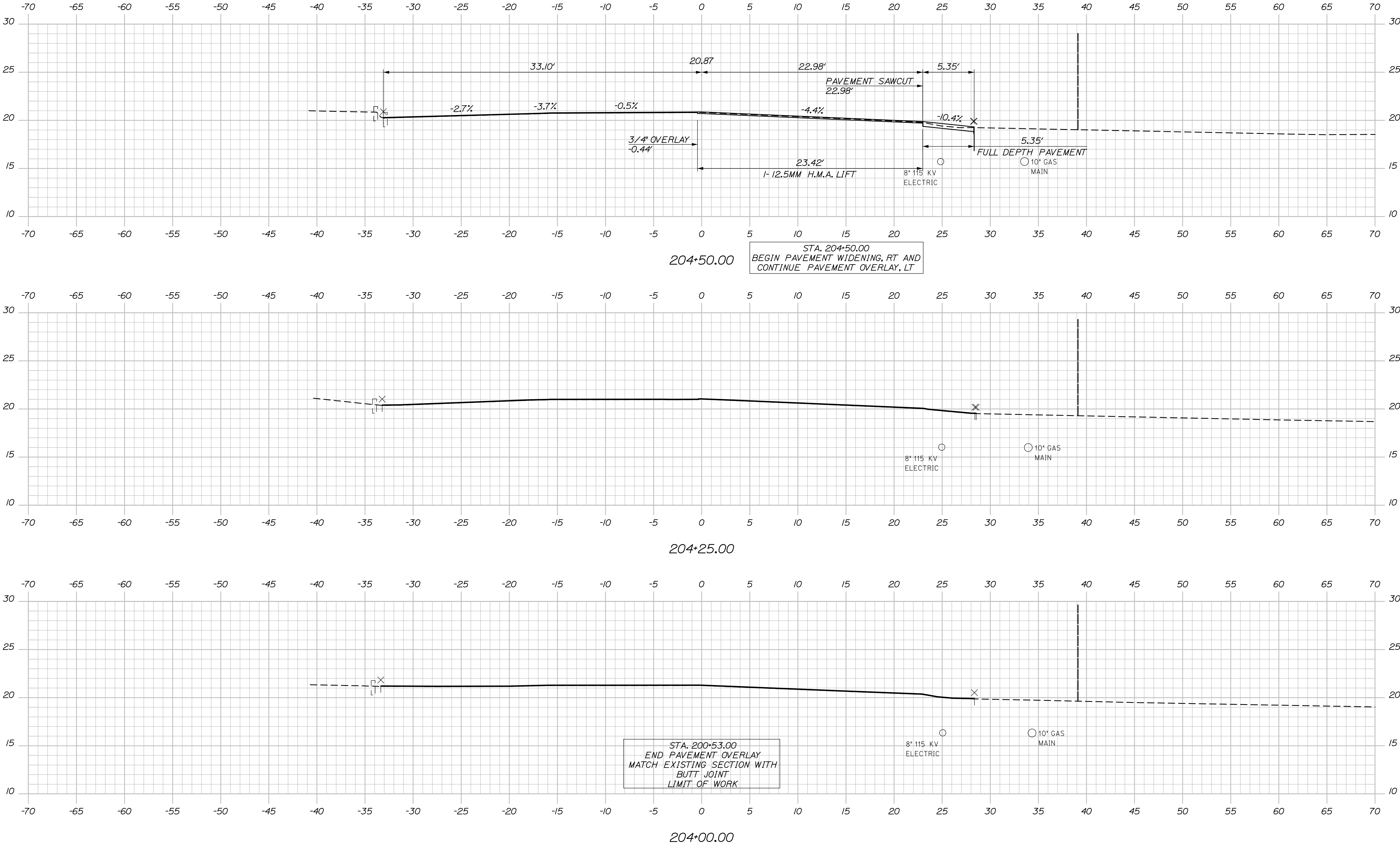


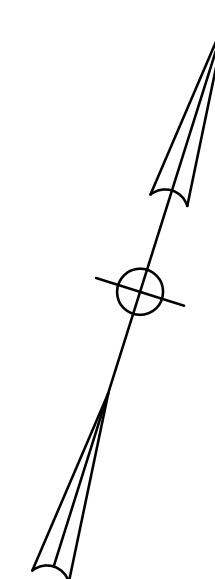
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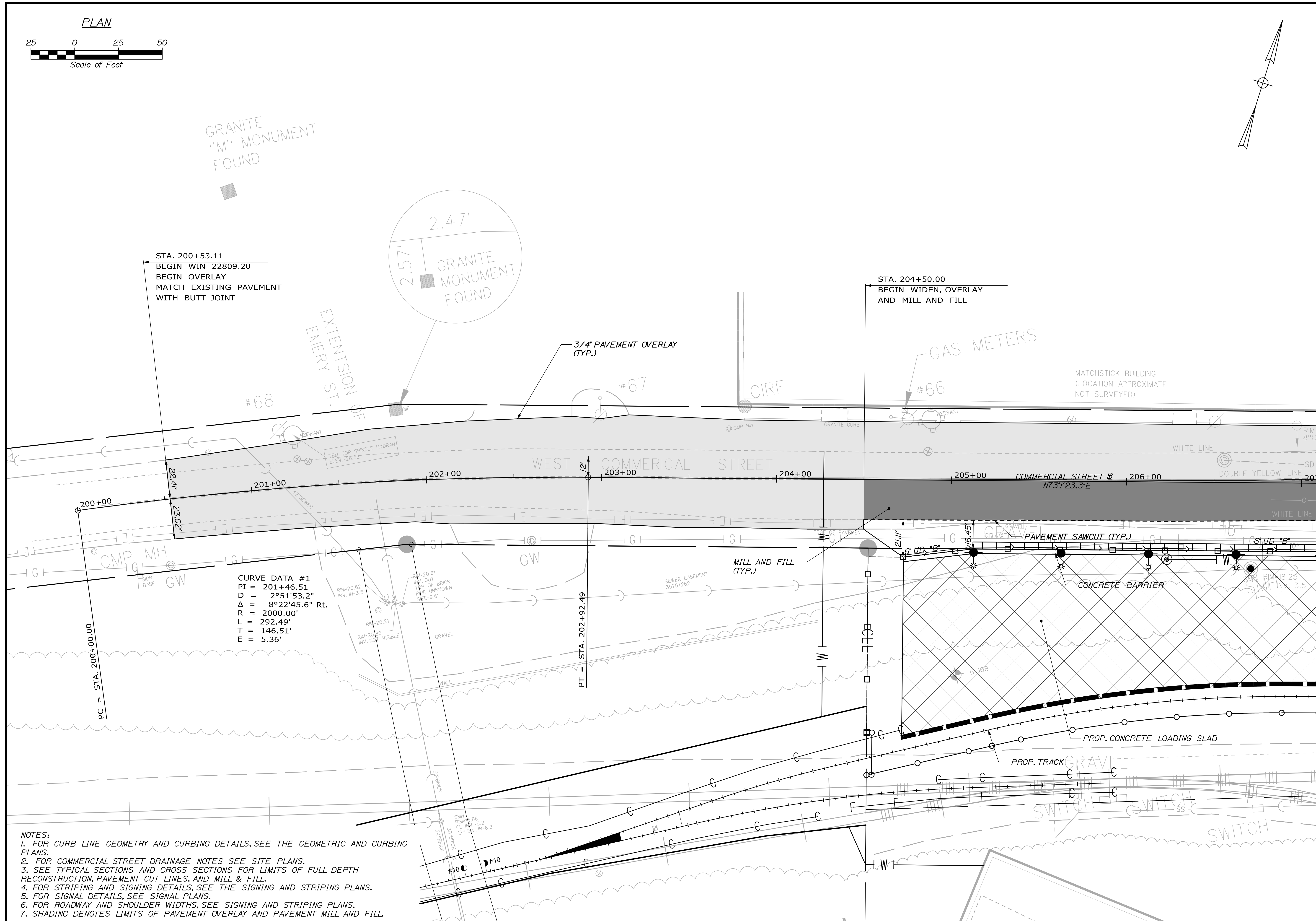
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Filename: Xsect.dgn





Filename: 038_Highway_001.dgn



NOTES:

1. FOR CURB LINE GEOMETRY AND CURBING DETAILS, SEE THE GEOMETRIC AND CURBING PLANS.
2. FOR COMMERCIAL STREET DRAINAGE NOTES SEE SITE PLANS.
3. SEE TYPICAL SECTIONS AND CROSS SECTIONS FOR LIMITS OF FULL DEPTH RECONSTRUCTION, PAVEMENT CUT LINES, AND MILL & FILL.
4. FOR STRIPING AND SIGNING DETAILS, SEE THE SIGNING AND STRIPING PLANS.
5. FOR SIGNAL DETAILS, SEE SIGNAL PLANS.
6. FOR ROADWAY AND SHOULDER WIDTHS, SEE SIGNING AND STRIPING PLANS.
7. SHADING DENOTES LIMITS OF PAVEMENT OVERLAY AND PAVEMENT MILL AND FILL.

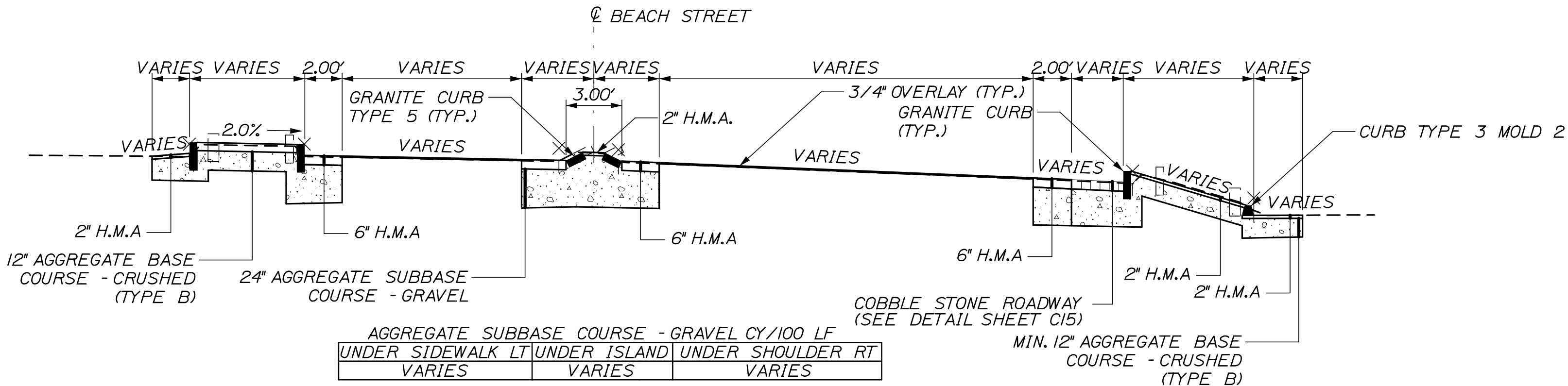
38 OF 116 SHEET NUMBER H04	PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY COMMERCIAL STREET PLAN	PROJ. MANAGER	J. KITTEDGE	BY	DATE
		DESIGN-DETAILED	RWH	TJW	06/14
		CHECKED-REVIEWED	-	CRM	06/14
		DESIGN-DETAILED2	-	-	SIGNATURE
		DESIGN-DETAILED3	-	-	-
		REVISIONS 1	-	-	P.E. NUMBER
		REVISIONS 2	-	-	
		REVISIONS 3	-	-	DATE
		REVISIONS 4	-	-	
		FIELD CHANGES	-	-	
		STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20			

Date:6/27/2014

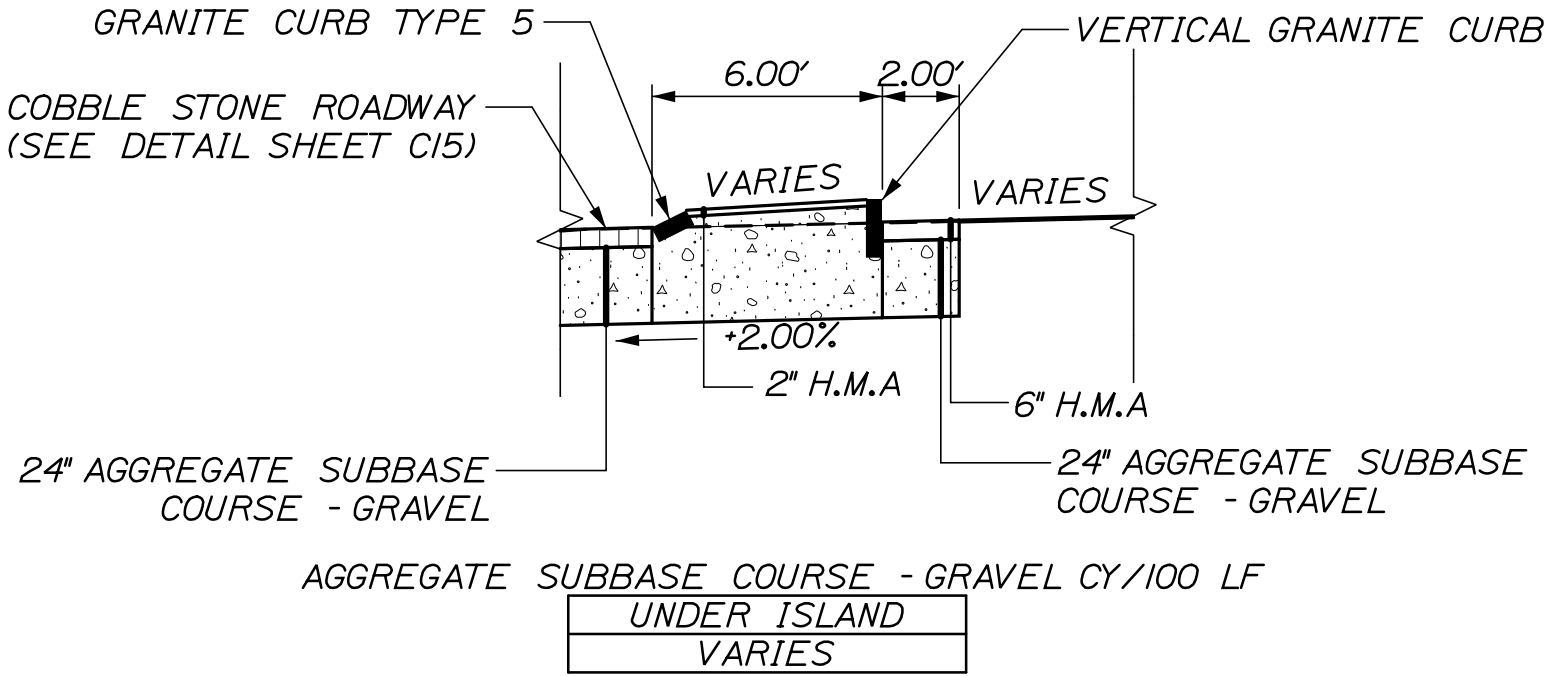
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Division:

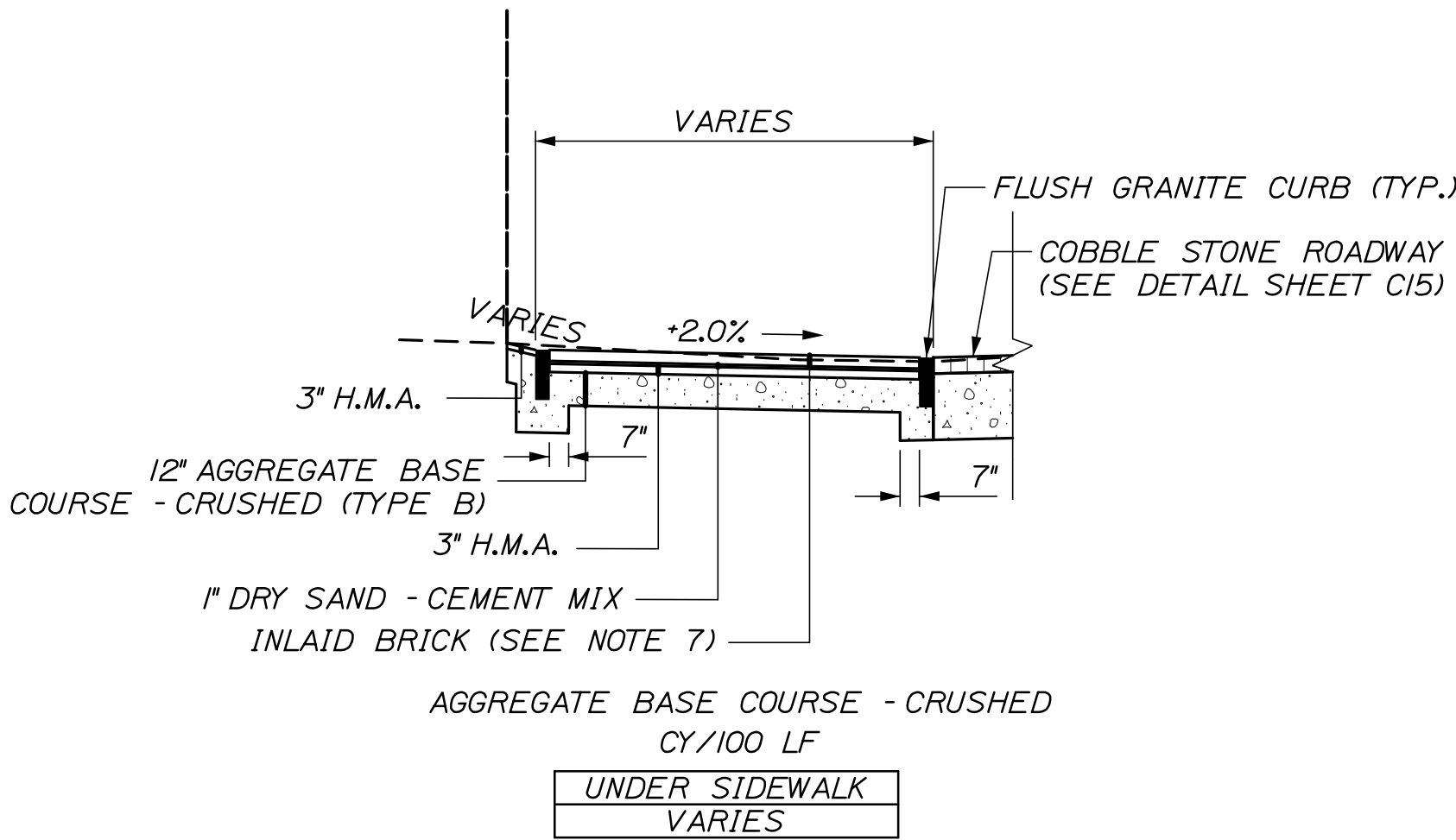
Filename: 037_Typ_Commercial.dgn



BEACH ST
OVERLAY
STA. 10+60 TO STA. 11+21



COMMERCIAL STREET
ISLAND
STA. 213+72 TO STA. 214+36



COMMERCIAL STREET
INLAID BRICK SIDEWALK
STA. 213+33 TO STA. 215+16
STA. 215+58 TO STA. 216+58

- TYPICAL SECTION NOTES:
1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
2. STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.
3. SEE CROSS SECTIONS FOR ACTUAL UNDERDRAIN ELEVATIONS.
4. MATCH EXISTING TRAVELWAY SLOPE.
5. BRICK SIDEWALK TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARD, FIGURE I-10. EXCEPT HMA SHALL BE 9.5 MM PAID UNDER 403.209
6. FOR LIMITS OF COBBLE STONE ROADWAY SEE GEOMETRIC AND CURBING PLAN
7. INLAID BRICK SHALL BE INSTALLED ON EDGE.

NOT TO SCALE

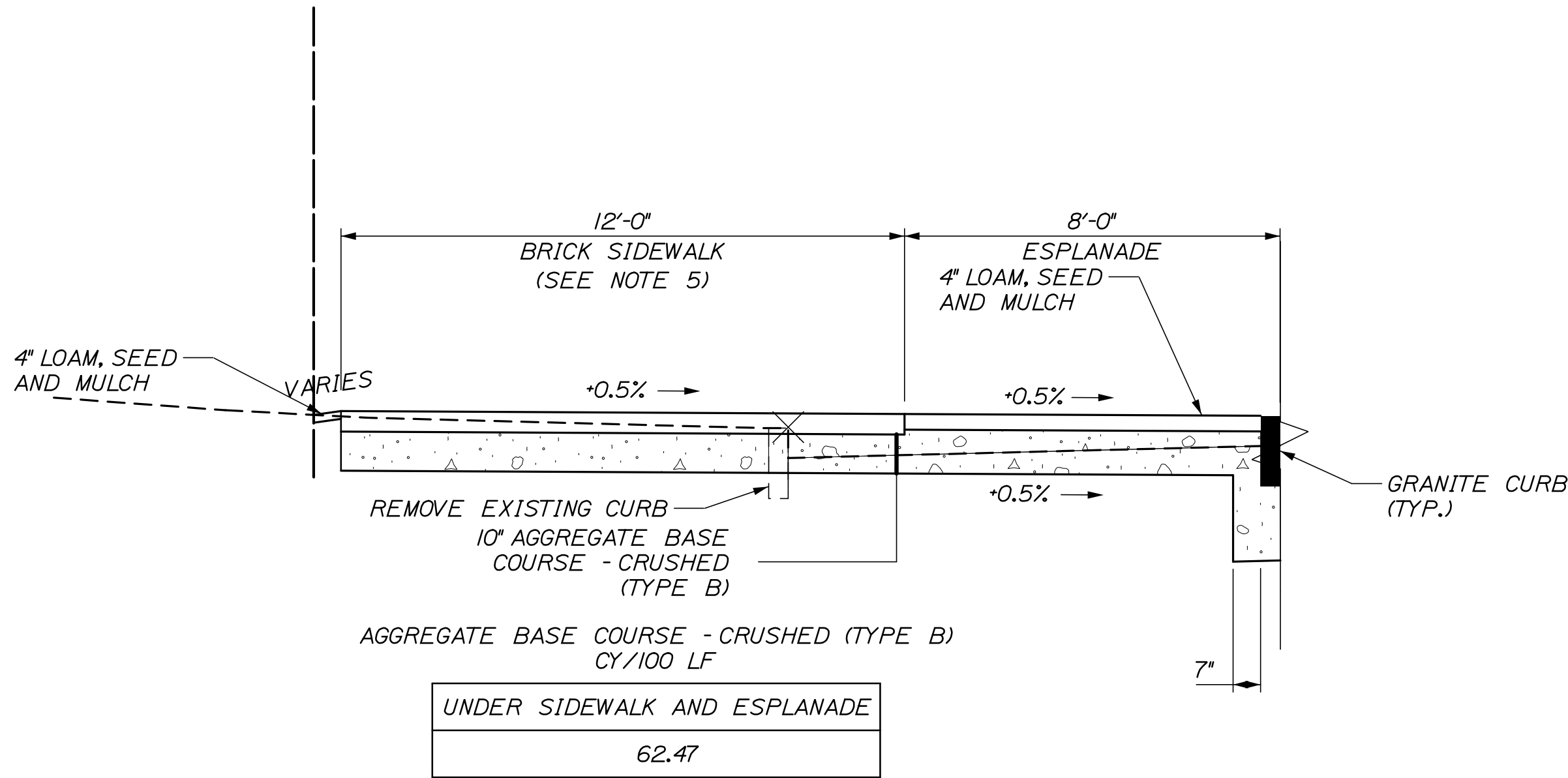
STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20				
	PROJ. MANAGER	J. KITTEDGE	BY	DATE
	DESIGN-DETAILED	RWH	TJW	06/14
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY COMMERCIAL STREET TYPICAL SECTIONS	CHECKED-REVIEWED	-	CPM	06/14
	DESIGN-DETAILED	-	-	-
	REVISIONS 1	-	-	-
	REVISIONS 2	-	-	-
	REVISIONS 3	-	-	-
	REVISIONS 4	-	-	-
	FIELD CHANGES	-	-	-
SHEET NUMBER		SIGNATURE		
H03		P.E. NUMBER		
37 OF 116		DATE		

Date:6/26/2014

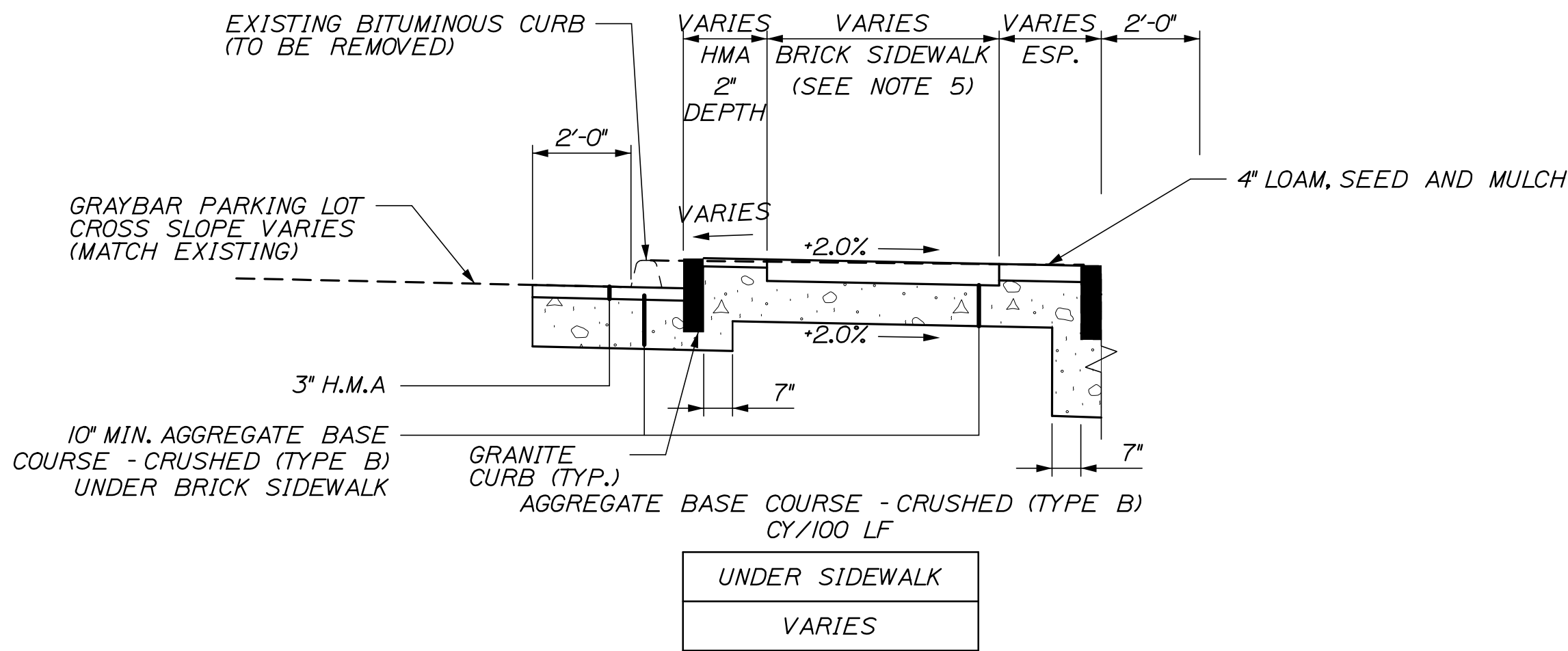
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Division:

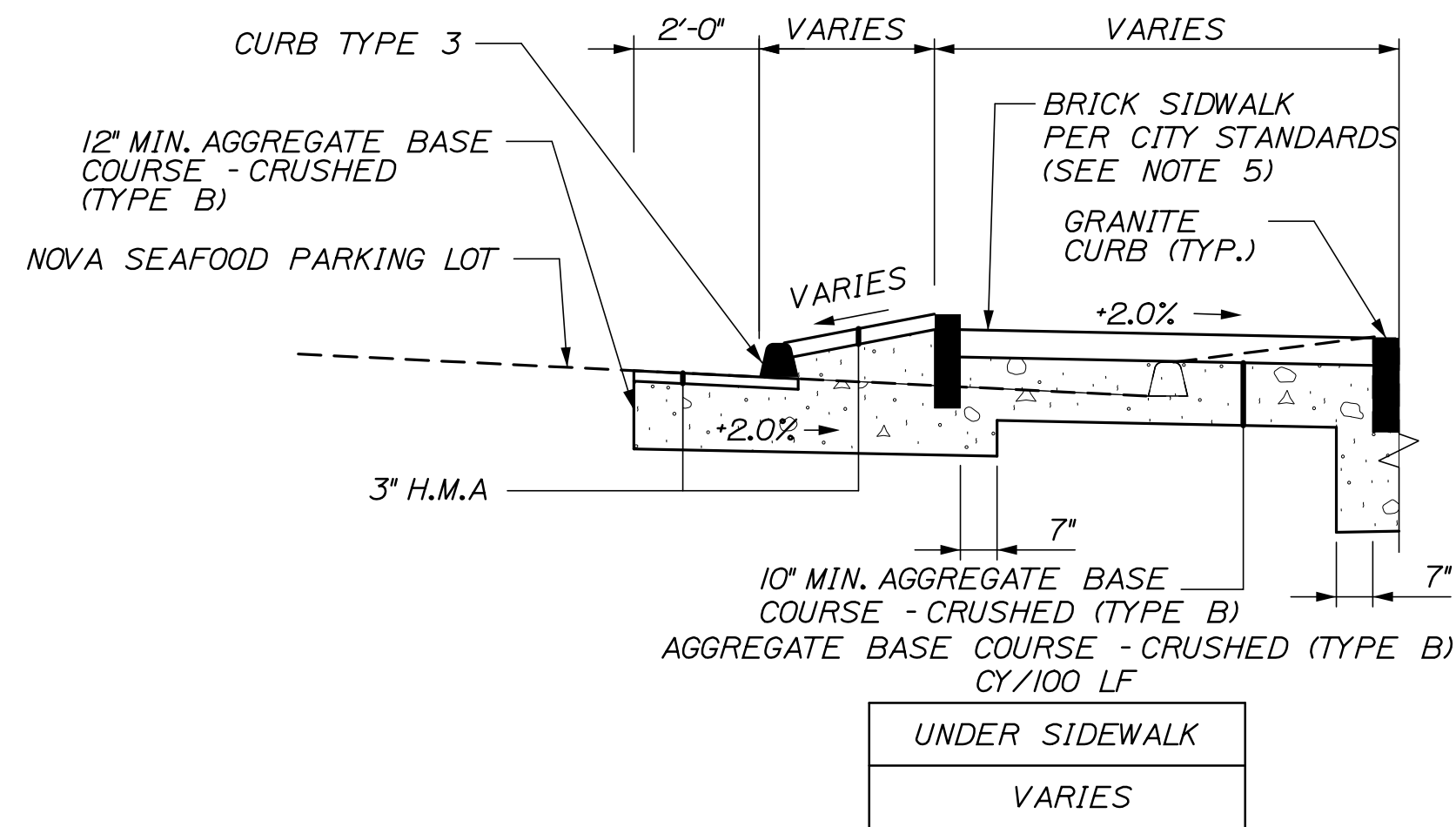
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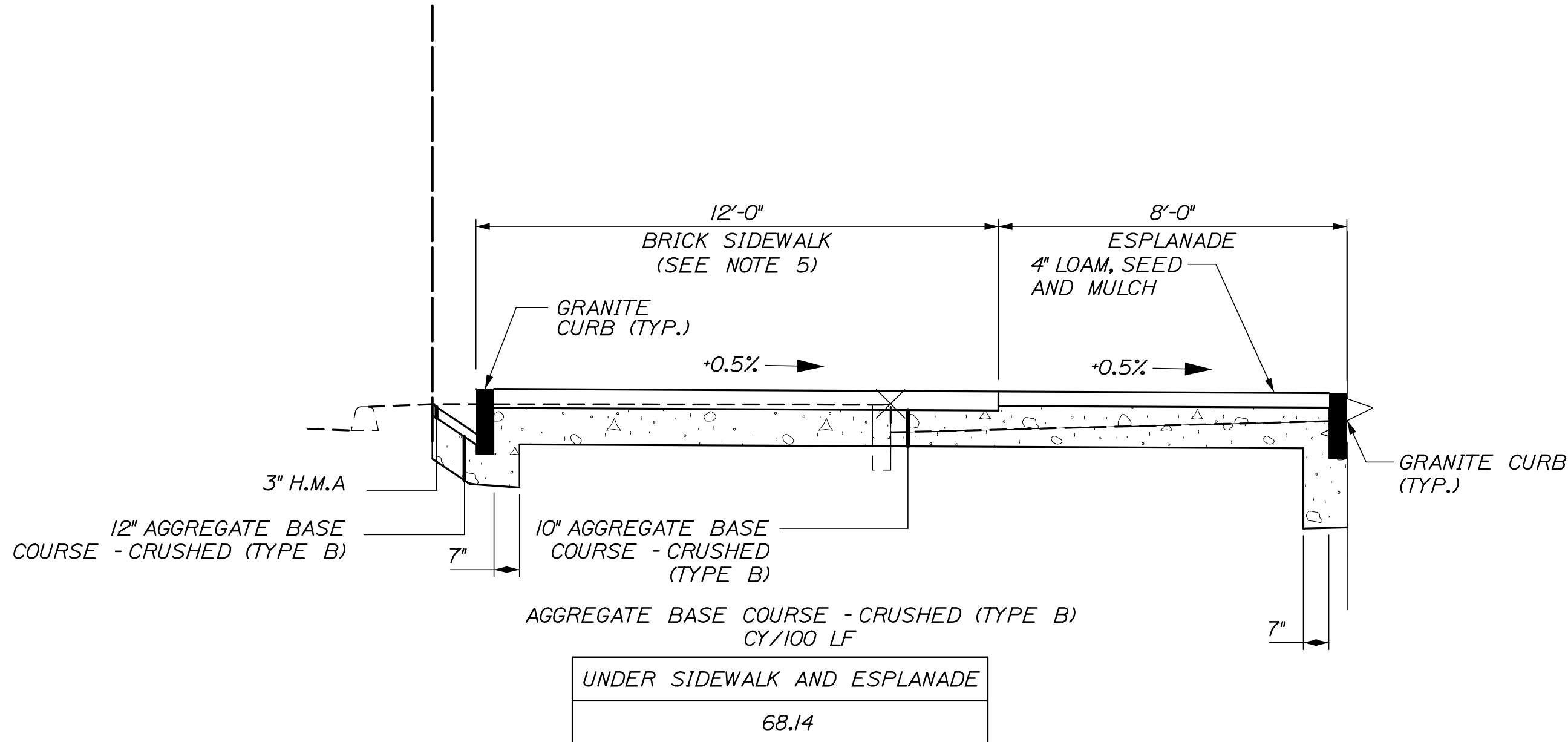
COMMERCIAL STREET
SIDEWALK CONSTRUCTION
STA. 208+41 TO STA. 209+45



COMMERCIAL STREET
SIDEWALK CONSTRUCTION
STA. 212+00 TO STA. 212+50, LT.



COMMERCIAL STREET
SIDEWALK CONSTRUCTION
STA. 212+94 TO STA. 213+35, LT.



COMMERCIAL STREET
SIDEWALK CONSTRUCTION
STA. 209+45 TO STA. 211+50

SUPERELEVATION (e)		
LEFT %	STATION	RIGHT %
MATCH EXISTING	204+50	MATCH EXISTING
MATCH EXISTING	204+75	-3.60
MATCH EXISTING	205+00	-2.80
MATCH EXISTING	205+25	-2.00
MATCH EXISTING	T0	
MATCH EXISTING	213+00	-2.00
MATCH EXISTING	213+25	-1.20
-2.00	213+50	-0.40
-2.00	213+75	+0.40
-2.00	214+00	+1.20
-2.00	214+25	+2.00
-2.00	T0	
-2.00	216+00	+2.00
-2.00	216+25	+1.20
-2.00	216+50	+0.40
-2.00	216+75	-0.40
-2.00	217+00	-1.20
MATCH EXISTING	217+25	MATCH EXISTING

- TYPICAL SECTION NOTES:
1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
 2. STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.
 3. SEE CROSS SECTIONS FOR ACTUAL UNDERDRAIN ELEVATIONS.
 4. MATCH EXISTING TRAVELWAY SLOPE.
 5. BRICK SIDEWALK TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARD, FIGURE 1-10, EXECPT HMA SHALL BE 9.5 MM PAID UNDER 403.209

NOT TO SCALE

The diagrams show four cross-sections of Commercial Street, each with a central 'COMMERCIAL STREET' label and a stationing range. The sections are:

- Section 1:** STA. 205+13 TO STA. 207+48. It shows a 12'-0" travel lane, 11'-0" turn lane, 12'-0" travel lane, 5'-0" bike lane, and 11'-1/4" shoulder. Pavement layers include 12.5mm H.M.A., 2" lift(s), 24" aggregate subbase, and 6" H.M.A. Existing ground is shown on the right.
- Section 2:** STA. 207+68 TO STA. 212+00. It shows a 12'-0" travel lane, 11'-0" turn lane, 12'-0" travel lane, 5'-0" bike lane, and 11'-1/4" shoulder. Pavement layers include 12.5mm H.M.A., 2" lift(s), 24" aggregate subbase, and 6" H.M.A. Existing ground is shown on the right.
- Section 3:** STA. 212+24 TO STA. 213+00. It shows a 12'-0" travel lane, 11'-0" turn lane, 12'-0" travel lane, 5'-0" bike lane, and 11'-1/4" shoulder. Pavement layers include 12.5mm H.M.A., 2" lift(s), 24" aggregate subbase, and 6" H.M.A. Existing ground is shown on the right.
- Section 4:** STA. 214+25 TO STA. 216+00. It shows a 12'-0" travel lane, 11'-0" turn lane, 12'-0" travel lane, 5'-0" bike lane, and 11'-1/4" shoulder. Pavement layers include 12.5mm H.M.A., 2" lift(s), 24" aggregate subbase, and 6" H.M.A. Existing ground is shown on the right.

Typical section notes:

1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS PLANS ARE INTENDED TO BE NOMINAL.
2. STATIONING SHOWN UNDER EACH TYPICAL IS APPLICABLE.
3. SEE CROSS SECTIONS FOR ACTUAL UNDERDRAIN LOCATIONS.
4. MATCH EXISTING TRAVELWAY SLOPE.

TYPICAL SECTION NOTES:

1. THE PAVEMENT, BASE AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
2. STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.
3. SEE CROSS SECTIONS FOR ACTUAL UNDERDRAIN ELEVATIONS.
4. MATCH EXISTING TRAVELWAY SLOPE.
5. BRICK SIDEWALK TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARD, FIGURE 1-10. EXCEPT HMA SHALL BE 9.5 MM PAID UNDER 403.209

TRACK NOTES:

- ANY DAMAGE TO THE EXISTING TRACKS,ROADS,SLOPES OR DRAINAGE PIPES CAUSED BY THE CONTRACTOR'S EQUIPMENT,PERSONNEL OR OPERATION SHALL BE REPAIRED TO THE SATISFACTION OF THE RESIDENT. ALL WORK,EQUIPMENT AND MATERIALS REQUIRED TO MAKE REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE.
- STABILIZATION GEOTEXTILE MAY BE REQUIRED IN LOW WET AREAS TO IMPROVE RAIL EMBANKMENT STABILITY. ITEM 620.54,STABILIZATION GEOTEXTILE SHALL BE USED IN AREAS DETERMINED BY THE RESIDENT. SPECIFIC LOCATIONS ARE NOT SHOWN ON THE PLANS. COORDINATE WORK WITH RESIDENT.
- THE CONTRACTOR SHALL COORDINATE AND SCHEDULE WORK ITEMS (WHICH MAY NECESSITATE THE CLOSURE OF THE EXISTING TRACK)WITH PAN AM RAILWAYS AND NGL SUPPLY LLC.IN ORDER TO MINIMIZE ANY DISRUPTION TO RAIL TRAFFIC AND OPERATIONS. ALL WORK ITEMS IMPACTING RAIL TRAFFIC AND OPERATIONS SHALL BE PERFORMED WITHIN ALLOWABLE WORK WINDOWS. A DETAILED SCHEDULE OF WORK TASKS SHALL BE SUBMITTED TO THE RESIDENT A MINIMUM OF THREE WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- THE CONTRACTOR SHALL REMOVE ALL TOPSOIL,ORGANIC MATTER AND DEBRIS ENCOUNTERED WITHIN THE FOOTPRINT OF THE EMBANKMENT.THE CONTRACTOR SHALL PROOF ROLL SUBGRADE CONSISTING OF GRANULAR SOILS USING A SELF-PROPELLED VIBRATORY ROLLER OR HEAVY HAND-GUIDED VIBRATORY COMPACTOR,UNTIL FIRM AS DETERMINED BY THE GEOTECHNICAL ENGINEER. ANY SOFT POCKETS REVEALED BY PROOF ROLLING SHALL BE REMOVED AND REPLACED WITH GRANULAR BORROW TO THE SATISFACTION OF THE GEOTECHINCAL ENGINEER AT NO ADDITIONAL COST TO THE OWNER.WET OR SATURATED SUBGRADES OR SUBGRADES CONSISTING OF SILT/CLAY SOILS SHALL NOT BE PROOFROLLED,REFER TO SECTION 203 AND GEOTECHNICAL RECOMMENDATIONS. ALL EXCAVATIONS AND BACKFILLING SHALL BE PERFORMED IN-THE-DRY. DEWATERING, IF REQUIRED, SHALL BE CONDUCTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER AS NEEDED TO ENSURE THAT THE SUBGRADE IS DRY AND STABLE PRIOR TO FILL PLACEMENT, AND THAT LIFTS OF ENGINEERED FILL ARE PLACED AND COMPACTED IN-THE-DRY.
- CONTRACTOR SHALL PROVIDE A BALLASTED WALKWAY AT PROPOSED TURNOUTS. SEE TRACK DETAILS SHEET.
- THE CONTRACTOR SHALL VERIFY ALL HORIZONTAL STATIONS AND OFFSETS AND ALL VERTICAL ELEVATIONS OF PROPOSED WORK PRIOR TO THE START OF CONSTRUCTION.
- RAILROAD CIRCULAR CURVES AND SPIRALS ARE DEFINED BY THE CHORD DEFINITION OF CURVATURE AND SPECIFIED BY THEIR DEGREE OF CURVATURE.
- EXISTING RAILROAD TRACKS,TIES,SWITCHES AND HARDWARE WITHIN THE PROJECT RIGHT OF WAY SHALL BE REMOVED UNLESS OTHERWISE NOTED. TRACK OUTSIDE OF THE PROJECT RIGHT OF WAY SHALL REMAIN IN PLACE. SEE SECTION 104 OF SPECIAL PROVISIONS FOR TRACK REMOVALS. BALLAST AND SUBBALLAST SHALL REMAIN. RAKE BALLAST SMOOTH. REMOVE TO PROPERTY LINE IN FULL SECTIONS IF POSSIBLE. FOR SEGMENTS THAT EXTEND LESS THAN 4' BEYOND PROPERTY LINE, COORDINATE WITH ADJACENT PROPERTY OWNER TO MAINTAIN FULL TRACK LENGTH IF POSSIBLE.
- ALL PROPOSED DRAINAGE PIPES ADJACENT TO RAILROAD TRACKS INCLUDING REINFORCED CONCRETE PIPES,UNDERDRAIN AND UNDERDRAIN OUTLETS SHALL MEET COOPER E80 LOADING REQUIREMENTS.CONTRACTOR SHALL PROVIDE THE RESIDENT WITH DOCUMENTATION THAT MATERIAL MEETS LOADING REQUIREMENTS.
- RAILROAD VAL PLANS AND PROPERTY DOCUMENTS CAN BE MADE AVAILABLE UPON REQUEST TO MAINE DOT.

UTILITY NOTES:

- THE LOCATION OF THE EXISTING UTILITIES AND DRAINAGE SHOWN ON THE PLANS AND CROSS SECTIONS WERE COMPILED FROM FIELD SURVEY AND VARIOUS OTHER SOURCES. LOCATIONS ARE APPROXIMATE AND NOT GUARANTEED TO BE ACCURATE NOR IS IT GUARANTEED THAT ALL UTILITIES ARE SHOWN. NO SEPARATE OR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR DUE TO ANY VARIANCE BETWEEN THE DATA SHOWN ON THE PLANS AND THE ACTUAL FIELD CONDITIONS ENCOUNTERED.
- UTILITY SLEEVES AND CLASS V RCP FOR FUTURE USE BY NEW YARD, LLC AT RAILROAD GRADE CROSSINGS SHALL BE PLUGGED AND COVERED WITH PLYWOOD AT BOTH ENDS AND MARKED WITH TIMBER POSTS. THIS SHALL BE INCIDENTAL TO THE 603 ITEM(S).ELEVATION OF UTILITY SLEEVES SHALL BE DETERMINED IN THE FIELD. COORDINATE WORK WITH RESIDENT AND NEW YARD, LLC.
- VIDEO INSPECTION OF CSO #027,028, AND 029 HAS BEEN CONDUCTED BY THE CITY AND WILL BE POSTED ON THE MAINE DOT'S WEBSITE AND MADE AVAILABLE TO THE CONTRACTOR FOR BIDDING PURPOSES.
- EXCAVATION AND INSTALLATION IN THE VICINITY OF 115KV LINE WILL REQUIRE CONTRACTOR TO RE-INSTALL 16" THERMAL SAND, AS SPECIFIED BY CMP CO. PAYMENT SHALL BE INCIDENTAL TO CONTRACT.
- UTILITIES REMOVED FROM SERVICE MUST BE RECONNECTED AND OPERATIONAL WITHIN A TIMEFRAME ACCEPTED BY THE OWNER.CCTV AND SECURITY SYSTEMS MUST REMAIN ONLINE AT ALL TIMES. SCHEDULING OF ALL WORK SHALL BE COORDINATED WITH CENTRAL MAINE POWER CO.,THE OWNER AND THE RESIDENT.

GEOTECHNICAL NOTES:

- THE GEOTECHNICAL REPORT SHALL BECOME PART OF THE CONTRACT DOCUMENTS.

FIRE SAFETY COMPLIANCE NOTES:

- CODE REQUIREMENTS ASSOCIATED WITH THE SITE ACCESS THAT THE PORTLAND INT INTENDS TO COMPLY WITH INCLUDE:
 - THE SITE IS TO BE "GATED",THEREFORE A KNOX BOX (OR EQUIVALENT) IS REQUIRED TO SUPPORT FD ACCESS.
 - ALL ACCESS ROADS MUST BE COMPLIANT WITH NFPA I (NATIONAL FIRE CODE) AND MUNICIPAL ORDINANCES.
- WORK SHOWN HEREIN RELATED TO THE FIRE FIGHTING WATER SUPPLY SYSTEM HAS BEEN PREPARED WITH GUIDANCE FROM FIRE RISK MANAGEMENT, INC. TO ENSURE SPECIFIED WORK IS IN CONFORMANCE WITH STATE AND LOCAL CODES AND ADHERES TO THE RECOGNIZED STANDARDS FOR COMMERCIAL CONSTRUCTION.

CODES

- AASHTO,"LRFD BRIDGE SPECIFICATIONS",5TH EDITION,2010 W/ INTERIMS.
- IBC, 2009 EDITION
- AISC,"STEEL CONSTRUCTION MANUAL",9TH EDITION
- AWS,DI.1,"STRUCTURAL WELDING CODE - STEEL",CURRENT EDITION
- AWS,DI.2,"STRUCTURAL WELDING CODE - ALUMINUM",CURRENT EDITION
- AWS,DI.5,"BRIDGE WELDING CODE",CURRENT EDITION
- ACI,318-02,"BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE"
- ASCE 7-05 MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
- NFPA I AND NFPA 307; NATIONAL FIRE PROTECTION CODES.

CONSTRUCTION SEQUENCE NOTES:

- IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE TERMINAL'S SECURITY PLAN AND ENSURE THAT THE FACILITY'S OPERATIONS AND SITE SECURITY ARE NOT COMPROMISED AT ANY TIME DURING THE PROJECT.

DEMOLITION NOTES:

- TO THE MAXIMUM EXTENT PRACTICABLE,ALL CONSTRUCTION DEBRIS, INCLUDING ANY LIQUIDS OR SLURRIES THAT ARE PRODUCED AS PART OF THE DEMOLITION,SHALL BE CAPTURED AND DISPOSED OF PROPERLY.THE CONTRACTOR SHALL COMPLY WITH APPLICABLE PERMIT CONDITIONS AND ENVIRONMENTAL REGULATIONS LISTED IN THE SPECIFICATIONS.

- THE EXISTING SECURITY SYSTEM AND CLOSED CIRCUIT TELEVISION SYSTEM SHALL REMAIN FULLY FUNCTIONAL DURING ALL PHASES OF CONSTRUCTION. WORK SHALL BE COORDINATED WITH GALAXY INTEGRATED TECHNOLOGIES AND THE RESIDENT.

- MATERIALS SCHEDULED FOR REMOVAL AND DISPOSAL THAT MAY HAVE SALVAGEABLE VALUE TO THE CONTRACTOR INCLUDE THE FOLLOWING:
 - FENCES,POSTS,AND GATES;
 - RAILROAD CROSS TIES
 - RAILROAD TRACKS
 - RAILROAD TURNOUTS

SECURITY NOTES:

- THE PORTLAND INTERNATIONAL MARINE TERMINAL IS IN COMPLIANCE WITH M TSA 33 CFR PART 105.SPECIFIC DESIGN DETAILS AND CONSTRUCTION SEQUENCING ARE PROVIDED TO ENSURE COMPLIANCE IS MAINTAINED THROUGHOUT THE PROJECT.CONTRACTOR MAY PROPOSE VARIATIONS TO THE CONSTRUCTION PHASES SHOWN HEREIN UPON COMMENCEMENT OF CONSTRUCTION ACTIVITIES BUT SHALL NOT ASSUME THAT PROPOSED VARIATIONS WILL BE AUTHORIZED. ALL ACTIVITIES SHALL BE COORDINATED WITH THE PORT OPERATOR.

- THE CONTRACTOR, ITS EMPLOYEES, AND SUBCONTRACTORS SHALL OBTAIN TWIC CARDS FOR THE DURATION OF THE PROJECT TO PERFORM WORK WHICH OCCURS WITHIN THE RESTRICTED AREAS OF TERMINAL. SEE SECTION 104 OF THE SPECIAL PROVISIONS.

TIDAL DATA:		
	NGVD29	MLLW
TOP OF PIER DECK (ALONG EDGE OF DECK)	15.32	19.84
FIRST FLOOR ELEVATION (FFE), OFFICE BUILDING	13.77	18.29
100 Yr flood recurrence flood wave zone (BFE)(V Zone)	12.00	16.52
100 Yr recurrence flood zone (still water)	10.00	14.52
Highest observed water level (02/07/78)	9.61	14.13
Mean Higher High Water (MHHW)	5.39	9.91
Mean High Water (MHW)	4.95	9.47
Notional Geodetic Vertical Datum (NGVD) 1929	0.00	4.52
Mean Low Water (MLW)	-4.18	0.34
Mean Lower Low Water (MLLW)	-4.52	0.00
Lowest observed water level (11/30/55)	-7.97	-3.45

NOAA TIDAL STATION ID: 8418150, PORTLAND, CASCO BAY, MAINE
EPOCH: 1983-2001, UNITS: FEET

ABBREVIATIONS:

BLDG	BUILDING
CIP	CAST-IN-PLACE
CLR	CLEAR
CMP	CORRUGATED METAL PIPE
CY	CUBIC YARD
DIA	DIAMETER
EA	EACH
EF	EACH FACE
EL	ELEVATION IN FEET
EW	EACH WAY
EXP. JT.	EXPANSION JOINT
FFE	FIRST FLOOR ELEVATION
FS	FAR SIDE
HDG	HOT DIPPED GALVANIZED
HSS	HOLLOW STRUCTURAL SECTIONS
ID	INSIDE DIAMETER
IMT	INTERNATIONAL MARINE TERMINAL
K (KIP)	1000 POUNDS
LBS	POUNDS
LF	LINEAR FEET
MAX	MAXIMUM
MIL	.001 INCHES
MIN.	MINIMUM
NS	NEAR SIDE
NTS	NOT TO SCALE
OC	ON CENTER
PSF	POUNDS PER SQUARE FOOT
R	RADIUS
REF	REFERENCE
REQ'D	REQUIRED
SF	SQUARE FEET
SS	STAINLESS STEEL
STD	STANDARD
SWL	SAFE WORKING LOAD
TBM	TEMPORARY BENCHMARK
TEMP	TEMPORARY
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED

PLAN LEGEND

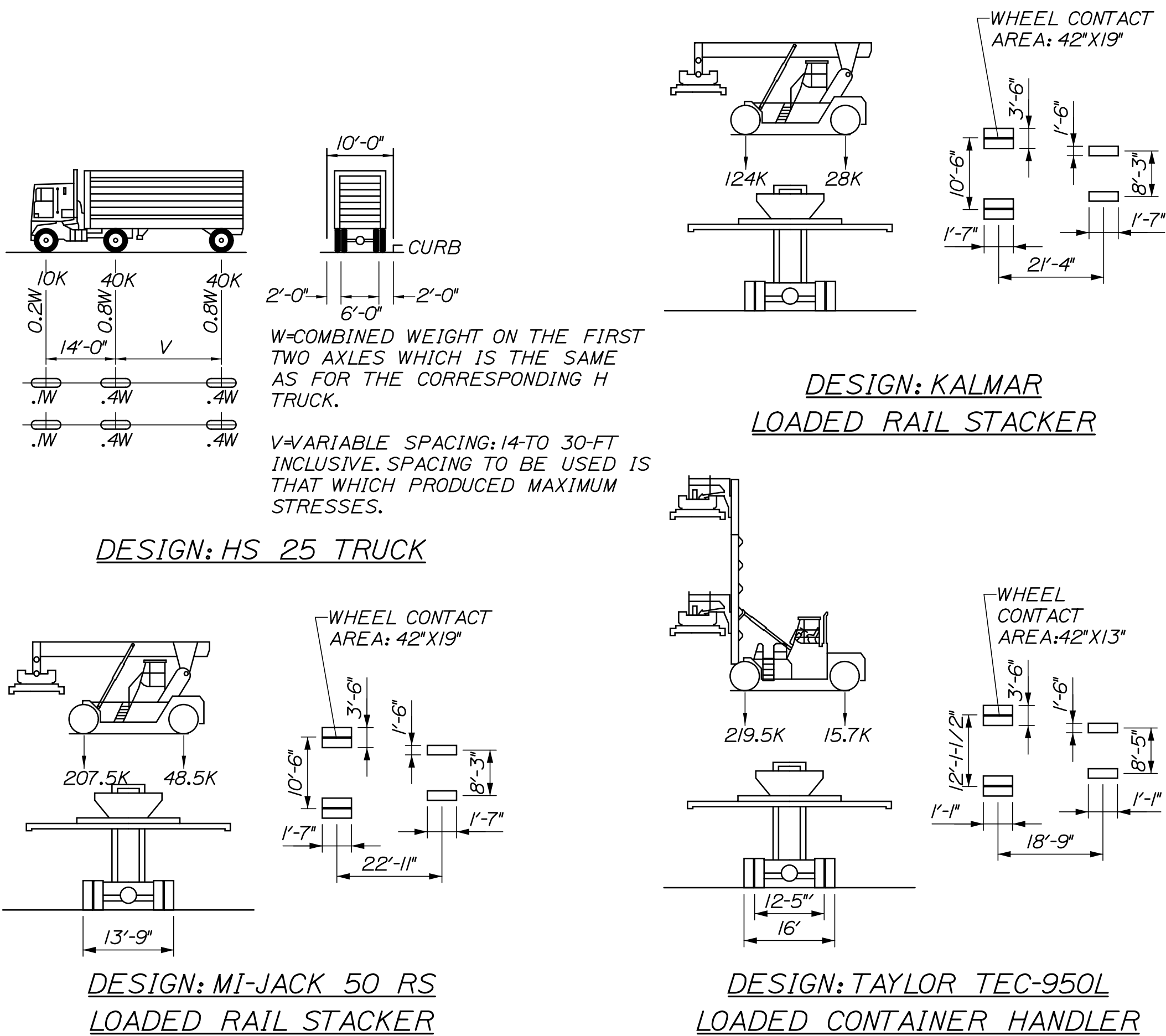
TOWN, COUNTY, STATE _____
PROPERTY LINES _____
R/W LINES - EXISTING _____
R/W LINES - PROPOSED _____
BUILDINGS _____

TRAVELWAY - EXISTING _____
TRAVELWAY - PROPOSED _____
CULVERT - EXISTING _____
CULVERT - PROPOSED _____
DITCH LINE - EXISTING _____
DITCH LINE - PROPOSED _____
UNDERDRAIN - PROPOSED _____
EXISTING UTILITIES - WATER _____
EXISTING UTILITIES - SEWER _____
EXISTING UTILITIES - TELEPHONE _____
EXISTING UTILITIES - GAS _____
EXISTING UTILITIES - ELECTRIC _____

PROPOSED CLEARING LIMIT _____
PROPOSED SLOPELINE _____
PROPOSED SILT FENCE _____
CURBING - EXISTING _____
CURBING - PROPOSED _____
PAVEMENT SAWCUT _____
PALISADE FENCE _____
PROPOSED RIPRAP _____

PROPOSED GAS LINE _____
PROPOSED ELECTRICAL LINE _____
PROPOSED WATER LINE _____

OUTLINE OF BODIES OF WATER _____
CATCH BASINS _____
MANHOLES _____
UTILITY POLES _____
FIRE HYDRANTS _____
TREES _____
BORINGS _____
WOODS _____
SHRUBS _____



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
GENERAL NOTES

SHEET NUMBER
G3
3 OF 116

Date:6/26/2014

Username:

Division:

Filename: 002_GenNotes.dgn

GENERAL NOTES:

1. THESE DRAWINGS FORM PART OF THE CONTRACT DOCUMENTS.REFER TO THE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
2. ELEVATIONS AND SOUNDINGS ARE IN FEET BASED ON PROJECT DATUM,NGVD29.
3. CONTRACTOR SHALL MAINTAIN ADEQUATE SURVEY CONTROL AT ALL TIMES TO ESTABLISH AND MAINTAIN ALL LINES AND ELEVATIONS.
4. ALL DIMENSIONS,ELEVATIONS & CONDITIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR.ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE RESIDENT BEFORE ORDERING MATERIALS AND PROCEEDING WITH THE AFFECTED PART OF THE WORK.
5. ALL NORTH ARROWS SHOWN ARE GRID NORTH BASED ON NAD83 MAINE WEST. VERTICAL DATUM IS NGVD 1929.
6. THE UTILITIES INVOLVED IN THIS CONTRACT ARE AS FOLLOWS:
PORTLAND WATER DISTRICT
CITY OF PORTLAND,PUBLIC SERVICES ENGINEERING DEPT.
CENTRAL MAINE POWER CO.
FAIRPOINT COMMUNICATIONS
TIME WARNER CABLE
UNTIL
7. ALL UTILITY FACILITIES SHALL BE ADJUSTED BY THE RESPECTIVE UTILITIES UNLESS OTHERWISE NOTED.
8. THE EXACT SIZE & LOCATION OF ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED BY THE CONTRACTOR,SEE SECTION 104.CARE SHALL BE TAKEN TO PROTECT ANY UTILITIES PRESENT AND ALL CONSTRUCTION SHALL BE COORDINATED WITH THE RESIDENT.
9. EXISTING FEATURES WERE SURVEYED BY OWEN HASKELL, INC.BETWEEN OCTOBER 2010 AND NOVEMBER 2010 WITH REVISIONS IN JANUARY 2014,AND CAN ONLY BE CONSIDERED AS INDICATING THE CONDITIONS EXISTING AT THAT TIME.
10. ALL APPLICABLE FEDERAL,STATE AND MUNICIPAL REGULATIONS AND PERMITS SHALL BE FOLLOWED,INCLUDING THE FEDERAL DEPARTMENT OF LABOR,SAFETY,AND HEALTH, U.S. ARMY CORPS OF ENGINEERS,AND STATE/LOCAL WETLANDS CONTROL.
11. THE CONTRACTOR MAY BE CHARGED ANY ADDITIONAL COST OF REINSPECTION OR RETEST WHEN PRIOR REJECTION MAKES REINSPECTION OR RETEST NECESSARY.
12. THE CONTRACTOR SHALL MAINTAIN DUST CONTROL AT ALL TIMES DURING THE PROJECT.PERIODIC SWEEPING OF PAVEMENT SURFACES WITHIN THE CONSTRUCTION AREA AND ON COMMERCIAL STREET MAY BE REQUIRED DURING CONSTRUCTION AS DIRECTED BY THE RESIDENT AND REQUIRED BY MAINEDOT EROSION CONTROL SPECIFICATIONS.
13. ALL WORK ADJACENT TO OR WITHIN THE FORE RIVER REQUIRES ALL PERSONNEL TO WEAR NECESSARY FLOATATION EQUIPMENT AND/OR HARNESSSES.THE CONTRACTOR SHALL PROVIDE A WORK SAFETY PLAN TO THE RESIDENT FOR APPROVAL PRIOR TO WORK.
14. WHERE DRILLING AND ANCHORING OF REINFORCING STEEL IS SPECIFIED,THE CONTRACTOR SHALL USE A MATERIAL LISTED ON THE MAINE DEPARTMENT OF TRANSPORTATION PRE-QUALIFIED LIST OF CHEMICAL ANCHORING MATERIALS.THE DEPTH OF THE EMBEDMENT SHALL BE SUFFICIENT TO DEVELOP 125% OF THE YIELD STRENGTH OF THE BAR,BUT SHALL BE NO LESS THAN THE MINIMUM DEPTH OF EMBEDMENT SPECIFIED.WHERE MINIMUM DEPTHS HAVE NOT BEEN SPECIFIED,BAR LENGTHS HAVE BEEN DEVELOPED BASED ON AN ASSUMED EMBEDMENT DEPTH OF 9" FOR #5 BARS,AND 11" FOR #6 BARS.THE CONTRACTOR SHALL VERIFY THE REQUIRED DEPTH OF EMBEDMENT AND ADJUST THE REQUIRED BAR LENGTHS AS NECESSARY.
15. DRAWING PLAN VIEWS WITH SCALES ARE INTENDED FOR FULL SIZE 22X34-INCH DRAWINGS.
16. NO SEPARATE PAYMENT FOR SUPERINTENDENT OR FOREMAN SHALL BE MADE FOR THE SUPERVISION OF EQUIPMENT BEING PAID FOR UNDER THE EQUIPMENT RENTAL ITEMS.
17. EXISTING AND PROPOSED RIGHT OF WAY INFORMATION IS SHOWN ON THE PLANS,
18. "UNDETERMINED LOCATIONS"SHALL BE DETERMINED BY THE RESIDENT.
19. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN SAFE AND CLEAN VEHICULAR AND PEDESTRIAN ACCESS TO THE CANAL LANDING BOAT YARD FOR THE DURATION OF THE PROJECT. ALL PROVISIONS,INCLUDING SIGNAGE,FENCING,AND MAINTENANCE SHALL BE INCIDENTAL TO 652.361 MAINTENANCE OF TRAFFIC CONTROL DEVICE.VEHICULAR ACCESS SHALL ACCOMODATE A WB-67 AT ALL TIMES.
20. RESEARCH PERFORMED BY THE MAINE DEPARTMENT OF TRANPORTATION'S ENVIRONMENTAL OFFICE (MAINEDOT'S-ENV) SUGGESTED THAT THE SUBSURFACE ENVIRONMENT AT THE PORTLAND INTERNATIONAL MARINE TERMINAL HAD BEEN ADVERSELY AFFECTED BY PAST ACTIVITIES. SUBSEQUENT ON-SITE WORK BY MAINEDOT-ENV CONFIRMED THE REPORTED CONCERNS. HOWEVER,THE ENVIRONMENTAL ISSUES WERE NOTED TO BE LARGELY AT DEPTH;IT APPEARS THAT THE MOST RECENT WORK PROPOSED FOR THE SITE WILL NOT ENCOUNTER THE IDENTIFIED ENVIRONMENTAL CONCERNS. IN LIGHT OF THE AVAILABLE ENVIRONMENTAL DATA,THE CONTRACOTR SHALL REMAIN ALERT FOR EVIDENCE OF CONTAMINATION. IF THE CONTRACTOR ENCOUNTERS EVIDENCE OF SOIL OR GROUNDWATER CONTAMINATION,THE CONTRACTOR SHALL SECURE THE EXCAVATION,STOP WORK IN THE CONTAMINATED AREA AND IMMEDIATELY NOTIFY THE RESIDENT.THE RESIDENT SHALL CONTACT THE HYDROGEOLOGIST IN MAINEDOT'S ENVIRONMENTAL OFFICE AT 207-624-3100 AND THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION AT 800-482-0777. WORK MAY ONLY CONTINUE WITH AUTHORIZATION FROM THE RESIDENT.

EARTHWORK NOTES:

1. CLEARING LIMITS SHALL BE 10 FEET BEYOND AND PARALLEL TO THE CONSTRUCTION SLOPE LINES OR AS SHOWN ON THE PLANS UNLESS OTHERWISE AUTHORIZED BY THE RESIDENT.
2. CLEARING HAS BEEN ESTIMATED FOR THE PROJECT.THE ACTUAL LINES FOR CLEARING AND THINNING SHALL BE ESTABLISHED IN THE FIELD BY THE CONTRACTOR AND APPROVED BY THE RESIDENT.
3. ALL DITCH ELEVATIONS SHOWN ON THE CROSS SECTIONS ARE FOR THE FINISH DITCH FLOW LINE.
4. IF FOUNDATION MATERIAL IS REQUIRED UNDER CULVERTS,IT SHALL MEET THE REQUIREMENTS FOR GRANULAR BORROW -UNDERWATER BACKFILL AND SHALL BE PAID FOR AS GRANULAR BORROW.
5. GRANULAR BORROW SHALL BE USED TO BACKFILL MUCK EXCAVATION OR IN LOW WET AREAS TO 1 FT.ABOVE WATER LEVEL OR OLD GROUND AND SHALL MEET REQUIREMENTS FOR GRANULAR BORROW UNDERWATER BACKFILL.
6. EXISTING INSLOPES STEEPER THAN 2:1 IN PROPOSED FILL AREAS SHALL BE BENCHED AS DIRECTED BY THE RESIDENT.
7. GRUBBING IN FILL AREAS HAS BEEN SHOWN ON THE CROSS SECTIONS.THESE LIMITS ARE APPROXIMATE AND HAVE BEEN USED FOR ESTIMATING PURPOSES ONLY. ACTUAL GRUBBING LIMITS MAY VARY BASED ON FIELD CONDITIONS AS DIRECTED BY THE RESIDENT. ESTIMATED GRUBBING DEPTHS ARE 6 INCHES IN FIELD AREAS AND 12 INCHES IN WOODED AREAS.
8. LOAM HAS BEEN ESTIMATED FOR 100% OF THE DISTURBED SLOPE AREA UNLESS OTHERWISE NOTED ON THE PLANS. ACTUAL PLACEMENT OF THE LOAM USED SHALL BE AS DESIGNATED BY THE RESIDENT.
9. EXCAVATIONS ACCOMPLISHED AS PART OF THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH SUBPART P OF 29 CFR PART 1926.650-.652 (CONSTRUCTION STANDARD FOR EXCAVATIONS).
10. ESTIMATED QUANTITIES FOR REQUIRED STRUCTURAL EARTH EXCAVATION,DRAINAGE, AND MINOR STRUCTURES ARE INFORMATIONAL ONLY AND REPRESENT THE APPROXIMATE MINIMUM QUANTITY REQUIRED TO INSTALL DRAINAGE STRUCTURES. ADDITIONAL EXCAVATION FOR THE CONTRACTOR'S CONVENIENCE OR TO COMPLY WITH BACKSLOPING REQUIREMENTS WILL NOT BE PAID FOR DIRECTLY,BUT WILL BE CONSIDERED INCIDENTAL TO THE RELATED DRAINAGE ITEMS.
11. EARTHWORK SUMMARY CALCULATIONS ASSUME NO LOAM SALVAGE,HOWEVER,IN ACCORDANCE WITH THE GENERAL CONDITIONS,DATED FEBRUARY 1,2001,SECTION 104.3.13,THE DEPARTMENT WILL APPROVE THE CONTRACTOR TO PROCESS SUITABLE EXCAVATED MATERIAL AS SHOWN ON THE PLANS FOR REUSE AS LOAM ON THE PROJECT. PAYMENT SHALL BE MADE UNDER COMMON EXCAVATION AND LOAM. NO ADDITIONAL PAYMENT WILL BE MADE FOR PROCESSING OR HANDLING OF THE MATERIAL. AS THIS WOULD BE A REDUCTION IN THE WASTE,THE CONTRACTOR WILL NOT BE REQUIRED TO REPLACE THE EXCAVATED MATERIAL SALVAGED FOR LOAM. THE CONTRACTOR MAY ELECT TO SALVAGE LOAM IN FILL BEYOND THE GRUBBING LIMITS SHOWN ON THE PLANS. EXCAVATION FOR SUCH SALVAGING LOAM IN FILL SHALL NOT BE PAID FOR.THE CONTRACTOR SHALL REPLACE SUCH EXCAVATED MATERIAL WITH OTHER APPROVED MATERIAL AND PROPERLY COMPACT IT AT NO COST TO THE DEPARTMENT.
12. ALL WASTE MATERIAL NOT USED ON THE PROJECT SHALL BE DISPOSED OF IN ACCEPTABLE WASTE AREAS AND REVIEWED BY THE RESIDENT. GRADING,SEEDING AND MULCHING OF WASTE AREAS SHALL BE CONSIDERED INCIDENTAL.
13. THE REUSE OF COMMON EXCAVATION AS BORROW MAY HAVE LIMITATIONS. RESIDENT TO APPROVE USE OF SUITABLE SOILS FOR USE AS BORROW.

EROSION CONTROL NOTES:

1. REQUIRED DITCH PROTECTION SHOWN ON THE PLANS IS FOR ESTIMATING PURPOSES ONLY. ACTUAL TYPE AND LOCATION FOR EROSION CONTROL BLANKET AND RIPRAP SHALL BE DETERMINED IN THE FIELD BY THE RESIDENT.
2. TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED AS SPECIFIED IN THE SOIL EROSION AND WATER POLLUTION CONTROL PLAN. PAYMENT WILL BE MADE UNDER ITEM 656.75.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MAINE DEPARTMENT OF TRANSPORTATION'S BEST MANAGEMENT PRACTICES FOR EROSION CONTROL & SEDIMENT CONTROL, FEBRUARY, 2008.
4. PROPOSED LOCATIONS FOR EROSION AND SEDIMENTATION CONTROL DEVICES HAVE BEEN DEVELOPED.THE CONTRACTOR SHALL REVIEW AND MODIFY THE LOCATIONS OF THESE DEVICES AS NEEDS WARRANT.THE CONTRACTOR SHALL DEVELOP AND IMPLEMENT EROSION AND SEDIMENTATION CONTROL DEVICES IN ACCORDANCE WITH MAINE DEPARTMENT OF ENVIRONMENTAL BEST MANAGEMENT PRACTICES. PAYMENT FOR DEVELOPING,INSTALLING,AND MAINTAINING EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE PAID UNDER ITEM 656.75 "TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL".

5. CONTRACTOR SHALL PROVIDE STABILIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH DETAIL.LOCATION SHALL BE COORDINATED WITH RESIDENT

DRAINAGE NOTES:

1. EXISTING CULVERTS TO REMAIN SHALL BE CLEANED AS DIRECTED BY THE RESIDENT. PAYMENT SHALL BE MADE UNDER ITEM 631.32 CULVERT CLEANER (INCLUDING OPERATORS).
2. NO EXISTING DRAINAGE SHALL BE ABANDONED,REMOVED OR PLUGGED WITHOUT PRIOR APPROVAL OF THE RESIDENT.
3. INLETS AND OUTLETS OF ALL CULVERTS SHALL BE RIPRAPPED IN ACCORDANCE WITH STANDARD DETAILS UNLESS OTHERWISE NOTED ON THE PLANS OR DIRECTED BY THE RESIDENT.
4. THE CULVERT SIZES SHOWN ON THE PLANS AND CROSS SECTIONS ARE FOR SMOOTH LINED PIPES.
5. A 3 FOOT X 3 FOOT SQUARE RIPRAP PAD SHALL BE CONSTRUCTED AT U.D.OUTLETS.
6. THE FOLLOWING SHALL BE INCIDENTAL TO THE 603 ITEM(S):

ANY CUTTING OF EXISTING CULVERTS AND OR CONNECTORS NECESSARY TO INSTALL NEW CULVERT REPLACEMENTS OR EXTENSIONS.

ALL PIPE EXCAVATION INCLUDING ANY CUTTING AND REMOVAL OF PAVEMENT.

ALL DITCHING AT PIPE ENDS.

FURNISHING,PLACING,GRADING,AND COMPACTING OF ANY NEW GRAVEL AND/OR FILL MATERIAL INCLUDING GRANULAR BORROW USED UNDER PIPES (EXCAVATION IS ALSO INCIDENTAL).

GRANULAR BORROW UNDER THE PIPE SHALL MEET THE REQUIREMENTS FOR UNDERWATER BACKFILL.

ALL WORK NECESSARY TO CONNECT TO EXISTING PIPES AND DRAINAGE STRUCTURES.

FLOW LINES MAY BE CHANGED BY 1.5 FEET.

ANY NECESSARY CLEARING OF BRUSH AND NON-PAY TREES AT CULVERT ENDS.

7. CONTRACTOR SHALL VERIFY CSO INVERTS AT ALL PROPOSED TIE-IN LOCATIONS.
8. UNDERDRAIN CONNECTION TO EXISTING DRAINAGE STRUCTURES SHALL BE INCIDENTAL TO THE 605 ITEM(S).

SEEDING NOTES:

1. SEEDING METHOD NO.1 AND 2 SEEDING SHALL BE UTILIZED ON THE PROJECT.
2. MULCH SHALL BE APPLIED IN ALL AREAS SEEDDED.

3. LOAM SHALL BE PLACED TO A DEPTH OF 6" IN ALL AREAS OR AS DIRECTED BY THE RESIDENT.

CONSTRUCTION NOTES:

1. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURES AND SEQUENCE TO INSURE THE SAFETY OF THE FACILITIES AND THEIR COMPONENTS DURING CONSTRUCTION UNLESS OTHERWISE DIRECTED BY THE RESIDENT. THIS INCLUDES THE ADDITION OF NECESSARY SHORING,SHEETING,TEMPORARY BRACING, GUYS OR TIEDOWNS,SUCH MATERIAL SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER COMPLETION OF THE PROJECT.
2. METHODS OF DEMOLITION,CONSTRUCTION AND ERECTION ARE THE CONTRACTOR'S RESPONSIBILITY UNLESS OTHERWISE SPECIFIED.IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE AND MAINTAIN ENVIRONMENTAL CONTROLS AS REQUIRED BY FEDERAL,STATE AND MUNICIPAL REGULATIONS AND PERMITS.ENVIRONMENTAL CONTROLS SHALL INCLUDE BUT NOT BE LIMITED TO NOISE,TURBIDITY,LIQUIDS AND DUST.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE TO STRUCTURES AND VESSELS OR INJURIES TO THE PUBLIC DURING THE CONSTRUCTION PHASE.THE CONTRACTOR SHALL FURNISH AND INSTALL TEMPORARY FACILITIES FOR THE PROTECTION OF THE WORK,WORKERS AND PUBLIC SAFETY.
4. COMMERCIAL PAVED ENTRANCES SHALL BE CONSTRUCTED WITH: 3" HOT MIX ASPHALT AND 11" AGGREGATE BASE COURSE CRUSHED.
5. THE CONTRACTOR'S CONSTRUCTION SEQUENCE SHALL CONSIDER THE PROPOSED POROUS CRUSHED STONE SURFACE IN THE CHASSIS STORAGE YARD.CONSTRUCTION OF THE CRUSHED STONE SURFACE SHOULD OCCUR LAST OR BE PROTECTED FOR THE DURATION OF THE PROJECT TO PROTECT FROM SEDIMENTS.IF DURING CONSTRUCTION OF THE PROJECT,SEDIMENTS AND GRANULAR MATERIALS CLOGG THE VOIDS WITHIN THE STONE,THE CONTRACTOR WILL REPLACE THE CRUSHED STONE SURFACE PER THE TYPICAL SECTION.
6. EXISTING MANHOLES,CATCH BASINS,FRAMES AND COVERS TO BE REMOVED SHALL BE SALVAGED BY THE CONTRACTOR AND SHALL REMAIN THE PROPERTY OF THE CITY OF PORTLAND.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20										
	DATE		BY		J. KIT REDOE		SIGNATURE		P.E. NUMBER	
	06/14		MPC		CRM		06/14		-	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY GENERAL NOTES	DESIGN-DETAILED		CHECKED-REVIEWED		DESIGNS-DETAILED		DESIGNS-DETAILED		REVISED	
	-		-		-		-		-	
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SHEET NUMBER		G2		2		OF		116		

Filename: 001_Title.dgn

Division:

Userame:

Date: 6/25/2014

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G03	3	GENERAL NOTES AND LEGEND

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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

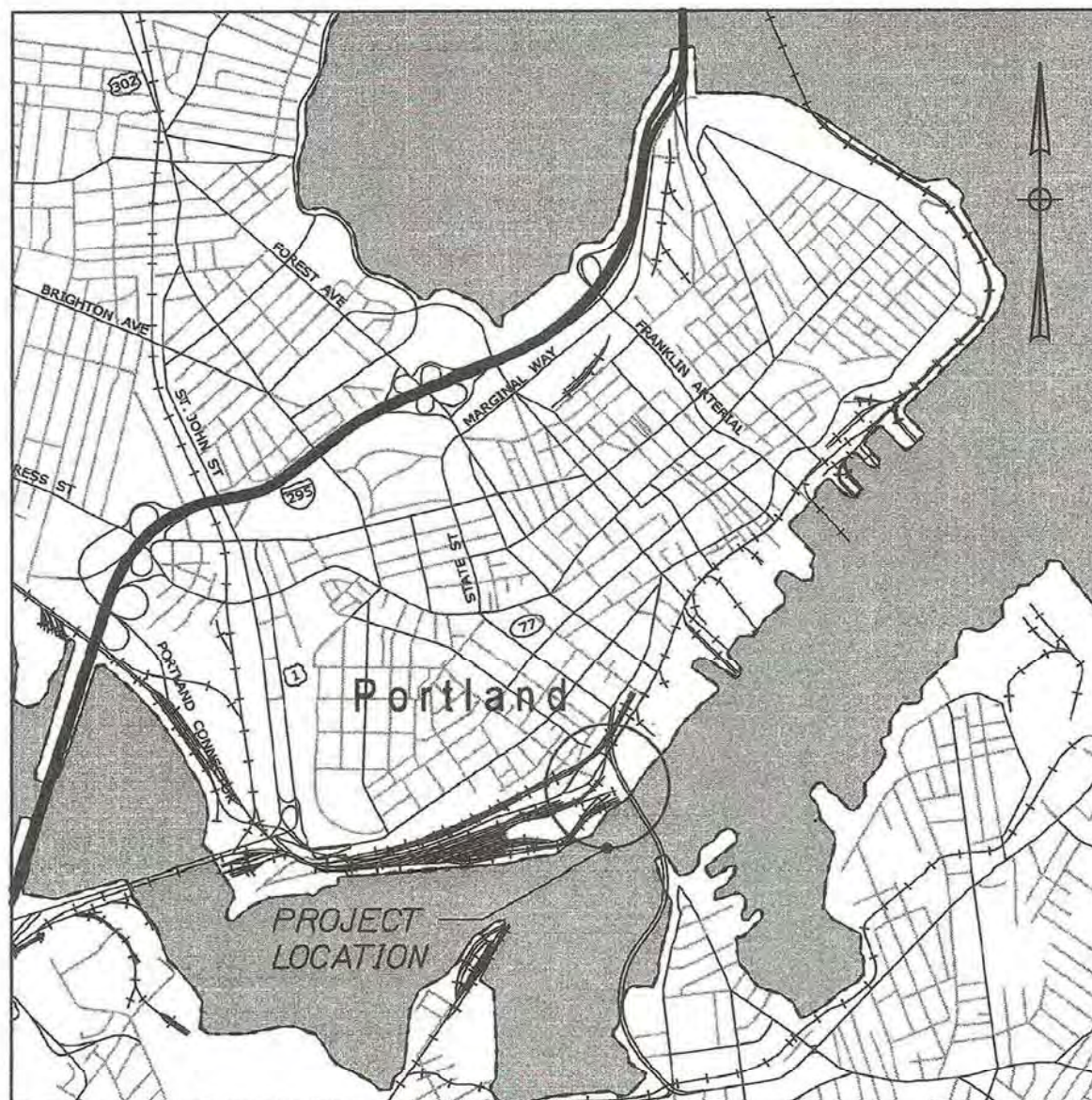


CITY OF PORTLAND
CUMBERLAND COUNTY

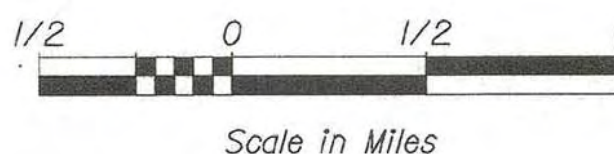
PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND
CONNECTING CORRIDOR CONNECTION

WIN: 022809.20



LOCATION MAP



Scale in Miles

THE PROFESSIONAL ENGINEER WHOSE STAMP APPEARS ON THIS COVER SHEET BEARS RESPONSIBILITY FOR THE FOLLOWING SHEETS WITHIN THIS DRAWING SET:

GENERAL	G01-G03
SITE PLANS	C01-C03, C05-C20
STRUCTURAL PLANS	S01-S05
HIGHWAY PLANS	H01-H36
TRACK PLANS	R01-R39
MARINE PLANS	M01-M02

ADDITIONAL WORK APPEARS WITHIN THIS DRAWING SET AND IS THE RESPONSIBILITY OF THE FOLLOWING ORGANIZATIONS, WHOSE STAMP APPEARS ON THOSE INDIVIDUAL SHEETS:

SITE PLAN	C04	GEOTECHNICAL BORING LOGS	SCHONEWALD ENGINEERING ASSOC., INC.
SITE PLANS	C21-C23	LANDSCAPE DESIGN	CARROLL ASSOCIATES LANDSCAPE ARCHITECTS
ELECTRICAL PLANS	E01-E03	ELECTRICAL DESIGN	BARTLETT DESIGN, INC.
BOUNDARY PLANS	-	BOUNDARY SURVEY	OWEN HASKELL, INC.

HNTB

WIN 022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY

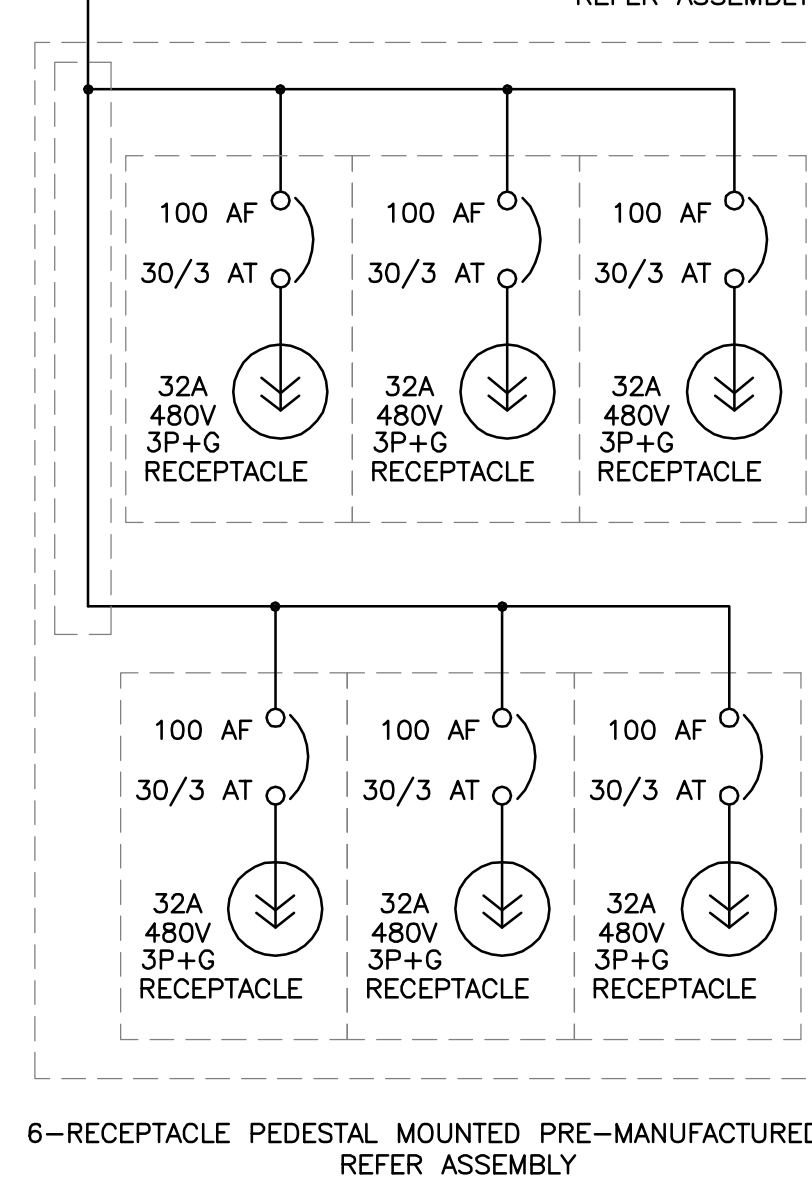
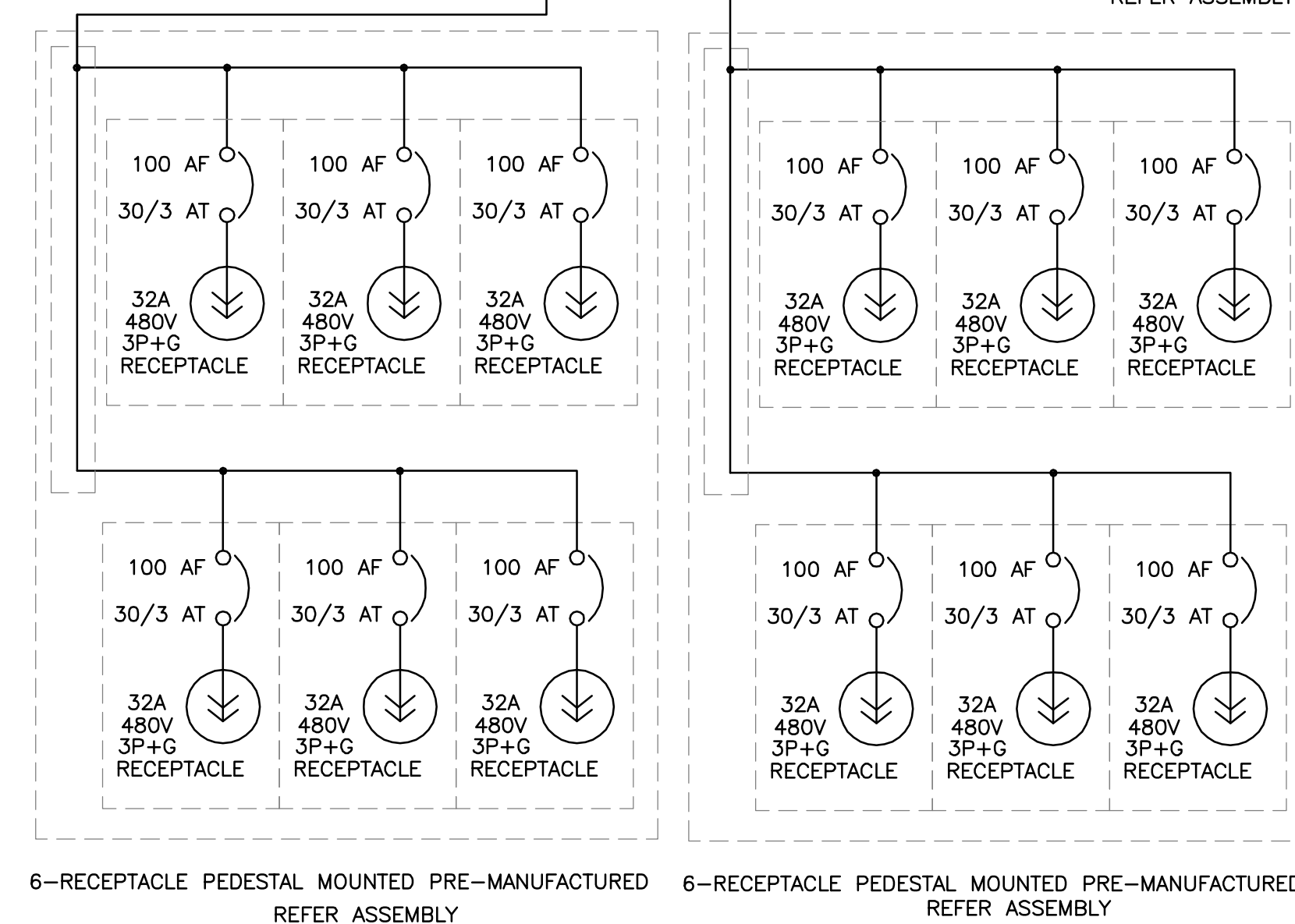
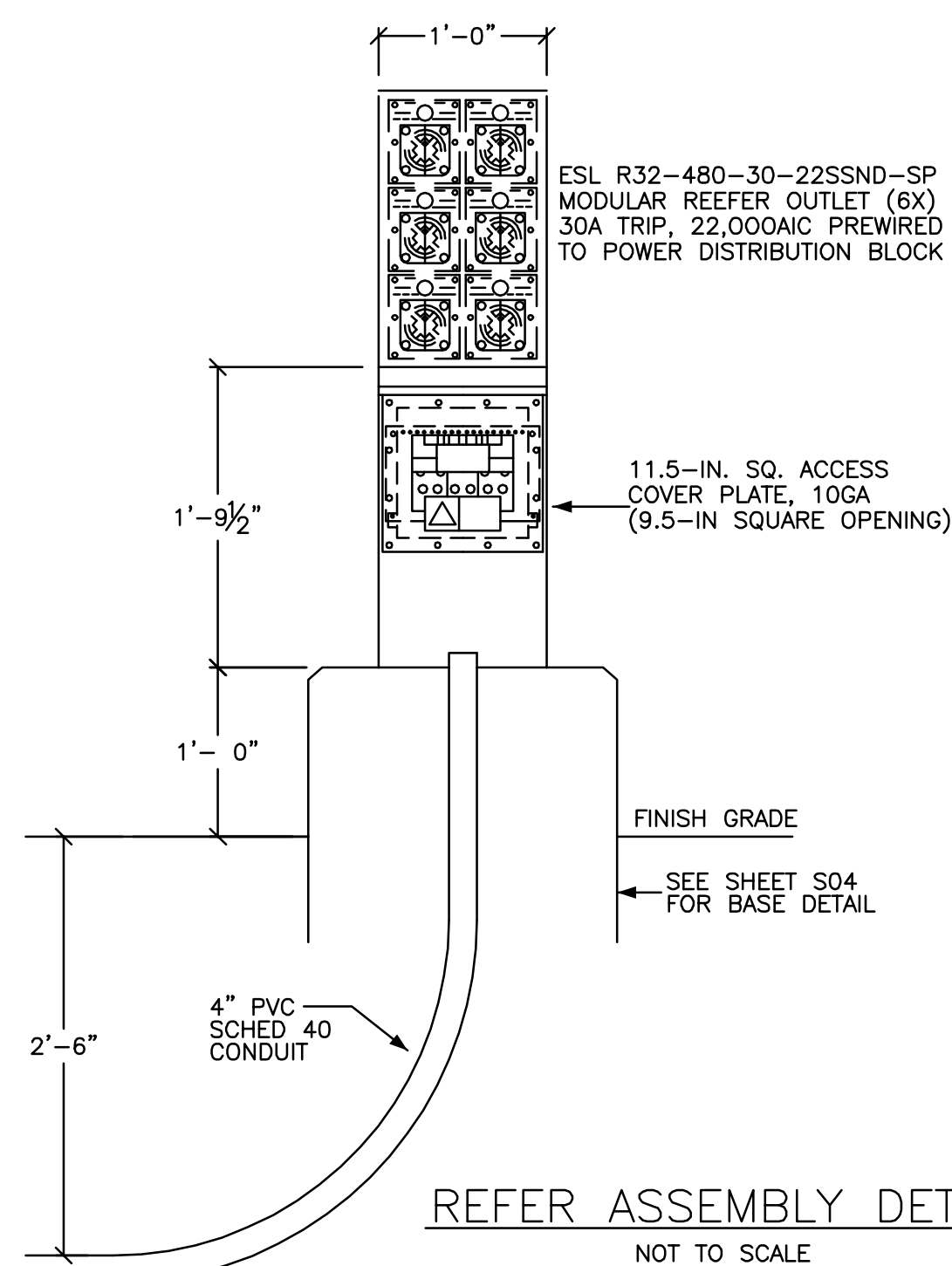
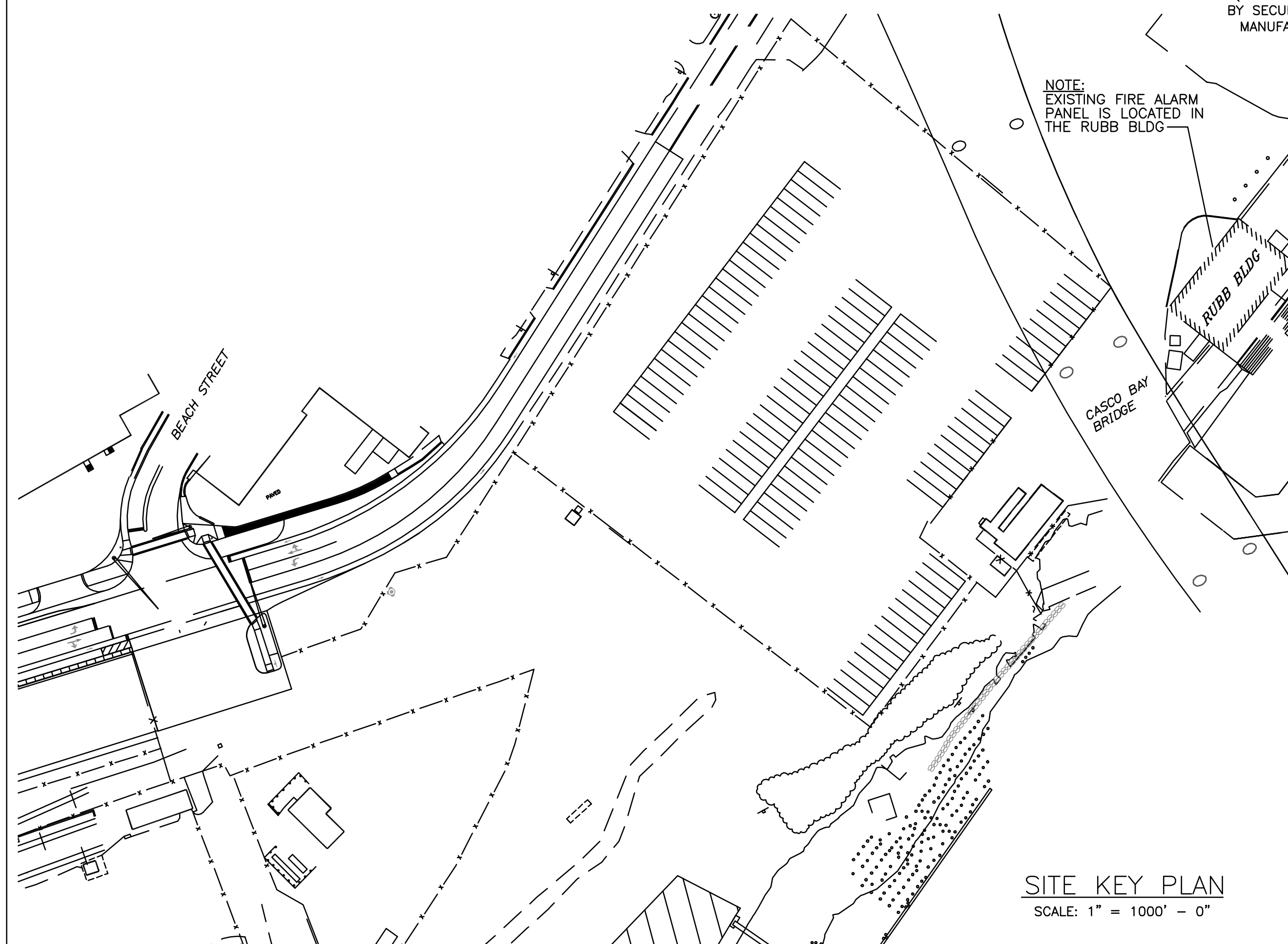
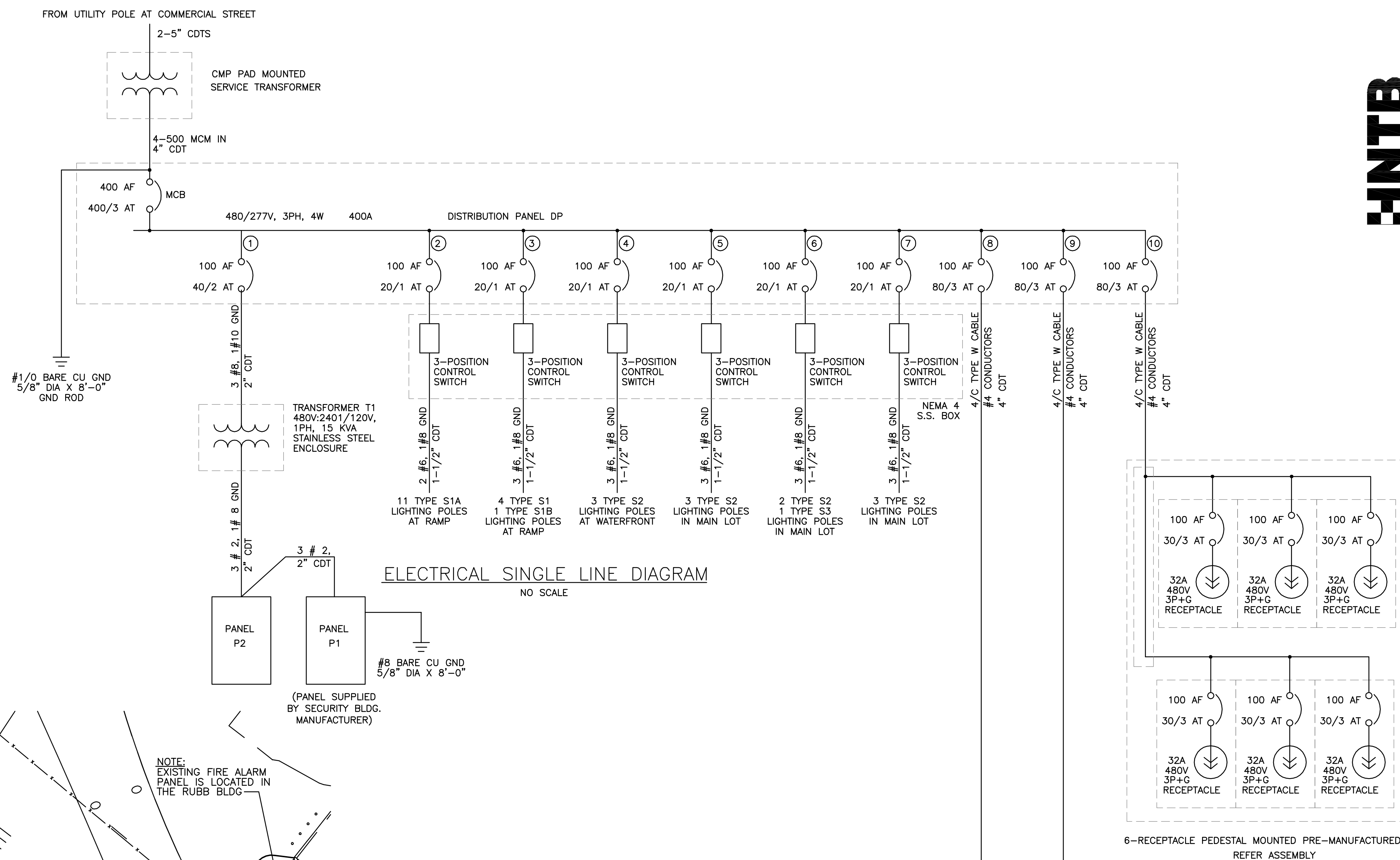
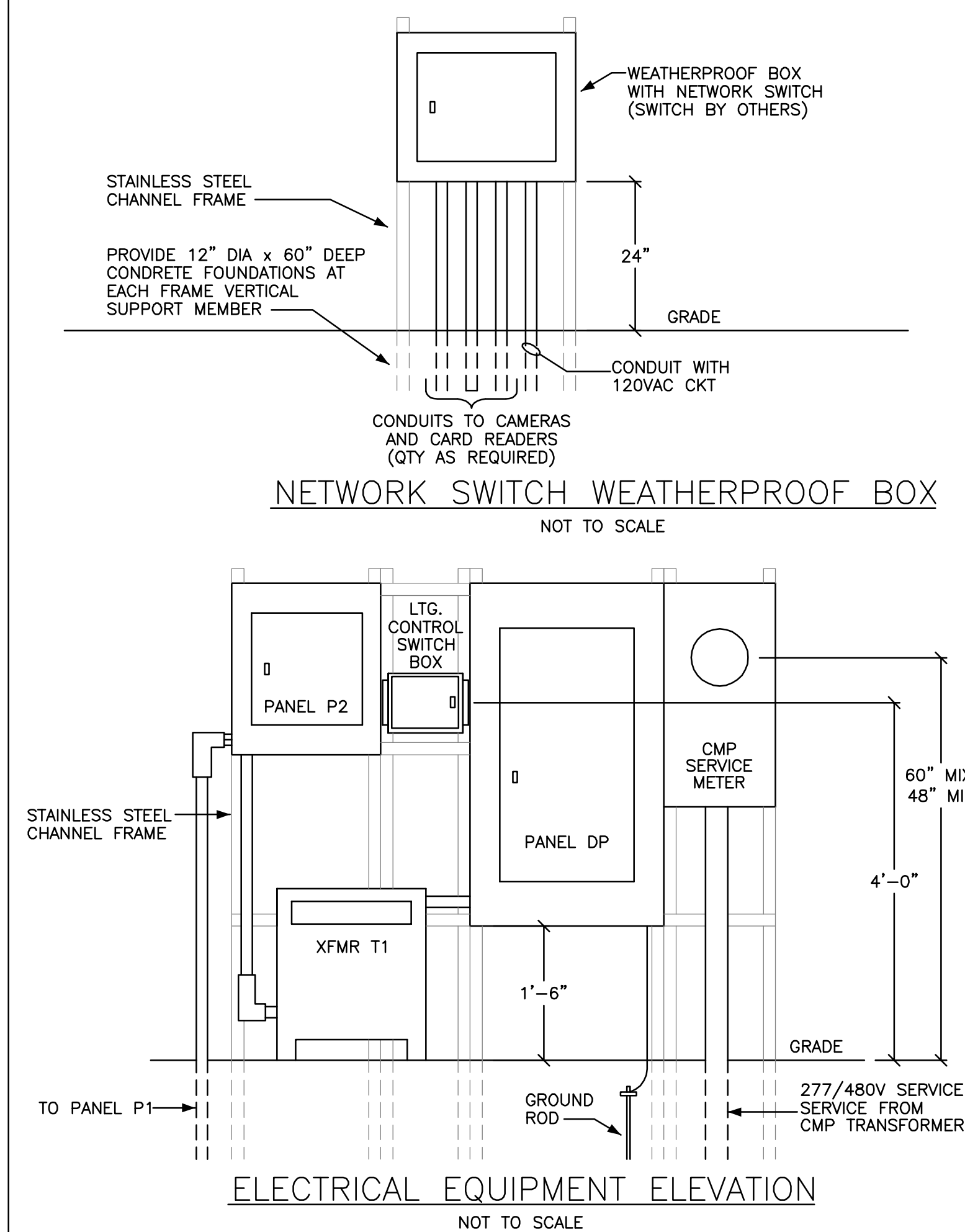
SHEET NUMBER

G1

1 OF 116

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	APPROVED	DATE
COMMISSIONER:		CHIEF ENGINEER:
SIGNATURE: <i>Robert A. ...</i>		DATE: 6/26/14
P.E. NUMBER: 6452		
LICENSEE: ROLAND A. ...		

PROJECT INFORMATION	MULTIMODAL	JOEL C. MITCHELL
PROGRAM	DESIGNER	CRAIG R. MORIN, P.E.
DESIGNER	CONSULTANT	HNTB CORPORATION
CONSULTANT	PROJECT RESIDENT	
PROJECT RESIDENT	CONTRACTOR	
CONTRACTOR	PROJECT COMPLETION DATE	





The image contains two technical drawings of a rectangular duct assembly, labeled PLAN VIEW and SIDE VIEW.

PLAN VIEW: This drawing shows the top-down layout of the duct. The overall dimensions are 13' in width and 6' 7" in height. The duct has a 1" thick wall. There are four tapered knockouts, one on each side, with a 5" diameter. A 33" diameter opening is centered on the top edge. The duct is shown with a dashed outline and a solid outline.

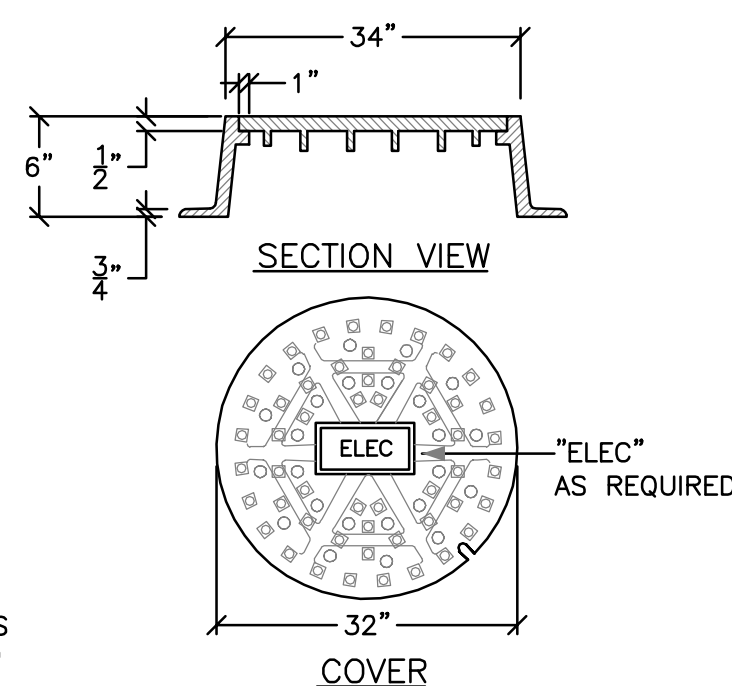
SIDE VIEW: This drawing shows the side profile of the duct. The overall height is 8'. The duct has a 6" wide top flange and a 6" wide bottom flange. The main body of the duct is 3'-3 1/2" high. The duct is shown with a dashed outline and a solid outline. A pulling eye is located on the bottom flange. The duct is shown with a dashed outline and a solid outline.

Labels and Dimensions:

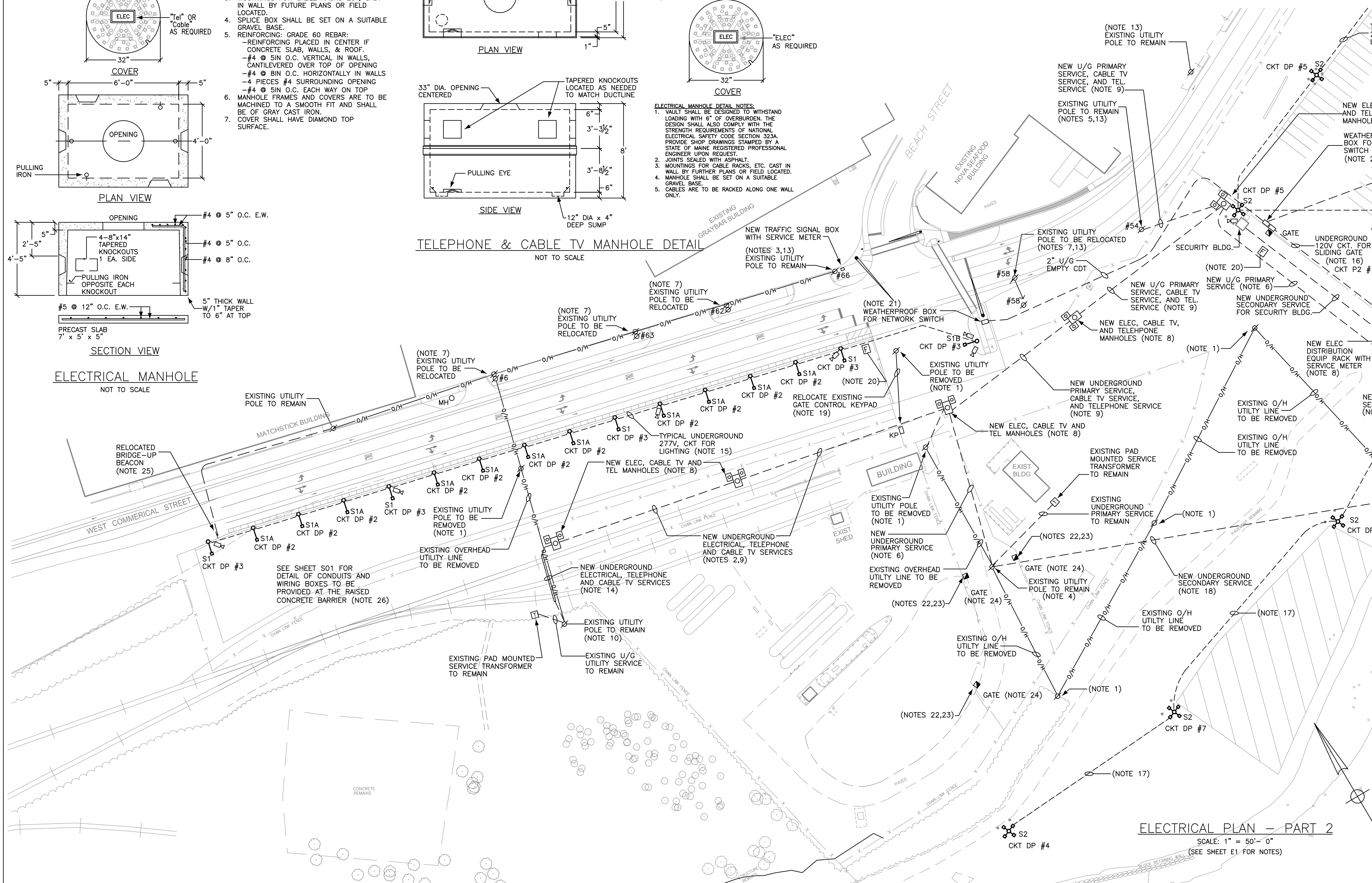
- PLAN VIEW:**
 - 13' (Overall Width)
 - 6' 7" (Overall Height)
 - 1" (Wall Thickness)
 - 5" (Knockout Diameter)
 - 33" DIA. OPENING CENTERED (Top Opening)
 - TAPERED KNOCKOUTS LOCATED AS NEEDED TO MATCH DUCTLINE (Side Knockouts)
- SIDE VIEW:**
 - 8' (Overall Height)
 - 6" (Top Flange Height)
 - 3'-3 1/2" (Main Body Height)
 - 6" (Bottom Flange Height)
 - PULLING EYE (Bottom Flange Feature)

ELECTRICAL MANHOLE DETAIL NOTES:

1. VAULT SHALL BE DESIGNED TO WITHSTAND LOADING WITH 6" OF OVERBURDEN. THE DESIGN SHALL ALSO COMPLY WITH THE STRENGTH REQUIREMENTS OF NATIONAL ELECTRICAL SAFETY CODE SECTION 323A. PROVIDE SHOP DRAWINGS, STAMPED BY A STATE OF MAINE REGISTERED PROFESSIONAL ENGINEER UPON REQUEST.
2. JOINTS SEALED WITH ASPHALT.
3. MOUNTINGS FOR CABLE RACKS, ETC. CAST IN WALL BY FURTHER PLANS OR FIELD LOCATED.
4. MANHOLE SHALL BE SET ON A SUITABLE GRAVEL BASE.
5. CABLES ARE TO BE RACKED ALONG ONE WALL ONLY.



TELEPHONE & CABLE TV MANHOLE DETAIL



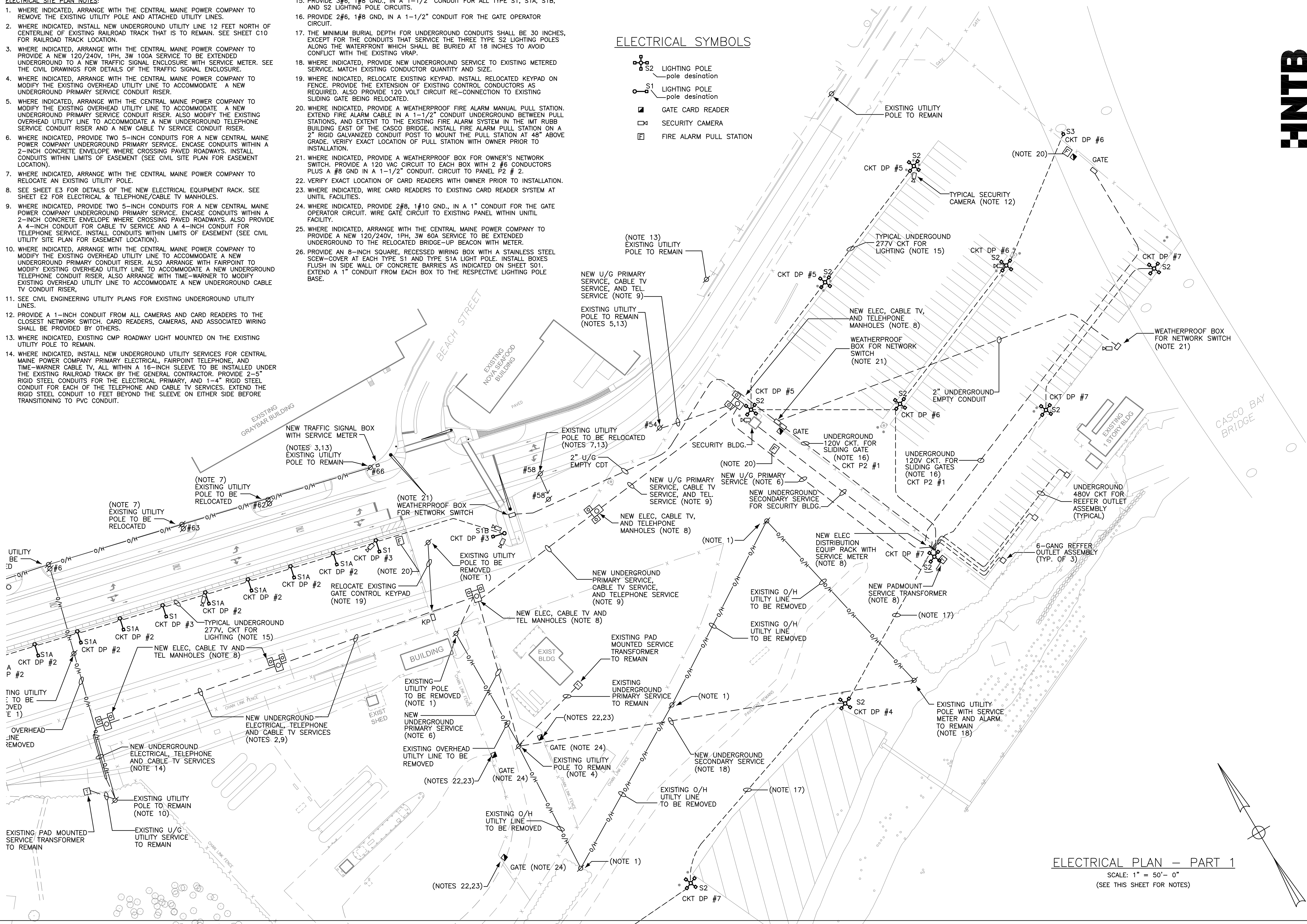
ELECTRICAL PLAN - PART 2

SCALE: 1" = 50' - 0"
(SEE SHEET E1 FOR NOTES)

3. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO REMOVE THE EXISTING UTILITY POLE AND ATTACHED UTILITY LINES.
2. WHERE INDICATED, INSTALL NEW UNDERGROUND UTILITY LINE 12 FEET NORTH OF CENTERLINE OF EXISTING RAILROAD TRACK THAT IS TO REMAIN. SEE SHEET C10 FOR RAILROAD TRACK LOCATION.
3. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO PROVIDE A NEW 120/240V, 1PH, 3W 100A SERVICE TO BE EXTENDED UNDERGROUND TO A NEW TRAFFIC SIGNAL ENCLOSURE WITH SERVICE METER. SEE THE CIVIL DRAWINGS FOR DETAILS OF THE TRAFFIC SIGNAL ENCLOSURE.
4. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO MODIFY THE EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND PRIMARY SERVICE CONDUIT RISER.
5. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO MODIFY THE EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND PRIMARY SERVICE CONDUIT RISER. ALSO MODIFY THE EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND TELEPHONE SERVICE CONDUIT RISER AND A NEW CABLE TV SERVICE CONDUIT RISER.
6. WHERE INDICATED, PROVIDE TWO 5-INCH CONDUITS FOR A NEW CENTRAL MAINE POWER COMPANY UNDERGROUND PRIMARY SERVICE. ENCASE CONDUITS WITHIN A 2-INCH CONCRETE ENVELOPE WHERE CROSSING PAVED ROADWAYS. INSTALL CONDUITS WITHIN LIMITS OF EASEMENT (SEE CIVIL SITE PLAN FOR EASEMENT LOCATION).
7. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO RELOCATE AN EXISTING UTILITY POLE.
8. SEE SHEET E3 FOR DETAILS OF THE NEW ELECTRICAL EQUIPMENT RACK. SEE SHEET E2 FOR ELECTRICAL & TELEPHONE/CABLE TV MANHOLES.
9. WHERE INDICATED, PROVIDE TWO 5-INCH CONDUITS FOR A NEW CENTRAL MAINE POWER COMPANY UNDERGROUND PRIMARY SERVICE. ENCASE CONDUITS WITHIN A 2-INCH CONCRETE ENVELOPE WHERE CROSSING PAVED ROADWAYS. ALSO PROVIDE A 4-INCH CONDUIT FOR CABLE TV SERVICE AND A 4-INCH CONDUIT FOR TELEPHONE SERVICE. INSTALL CONDUITS WITHIN LIMITS OF EASEMENT (SEE CIVIL UTILITY SITE PLAN FOR EASEMENT LOCATION).
10. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO MODIFY THE EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND PRIMARY CONDUIT RISER. ALSO ARRANGE WITH FAIRPOINT TO MODIFY EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND TELEPHONE CONDUIT RISER. ALSO ARRANGE WITH TIME-WARNER TO MODIFY EXISTING OVERHEAD UTILITY LINE TO ACCOMMODATE A NEW UNDERGROUND CABLE TV CONDUIT RISER.
11. SEE CIVIL ENGINEERING UTILITY PLANS FOR EXISTING UNDERGROUND UTILITY LINES.
12. PROVIDE A 1-INCH CONDUIT FROM ALL CAMERAS AND CARD READERS TO THE CLOSEST NETWORK SWITCH. CARD READERS, CAMERAS, AND ASSOCIATED WIRING SHALL BE PROVIDED BY OTHERS.
13. WHERE INDICATED, EXISTING CMP ROADWAY LIGHT MOUNTED ON THE EXISTING UTILITY POLE TO REMAIN.
14. WHERE INDICATED, INSTALL NEW UNDERGROUND UTILITY SERVICES FOR CENTRAL MAINE POWER COMPANY PRIMARY ELECTRICAL, FAIRPOINT TELEPHONE, AND TIME-WARNER CABLE TV, ALL WITHIN A 16-INCH SLEEVE TO BE INSTALLED UNDER THE EXISTING RAILROAD TRACK BY THE GENERAL CONTRACTOR. PROVIDE 2" STEEL CONDUIT FOR EACH OF THE ELECTRICAL, PRIMARY, AND 1"-4" RIGID STEEL CONDUIT FOR EACH OF THE TELEPHONE AND CABLE TV SERVICES. EXTEND THE RIGID STEEL CONDUIT 10 FEET BEYOND THE SLEEVE ON EITHER SIDE BEFORE TRANSITIONING TO PVC CONDUIT.

15. PROVIDE 3#6, 1#8 GND., IN A 1-1/2" CONDUIT FOR ALL TYPE S1, S1A, S1B, AND S2 LIGHTING POLE CIRCUITS.
16. PROVIDE 2#6, 1#8 GND, IN A 1-1/2" CONDUIT FOR THE GATE OPERATOR CIRCUIT.
17. THE MINIMUM BURIAL DEPTH FOR UNDERGROUND CONDUITS SHALL BE 30 INCHES, EXCEPT FOR THE CONDUITS THAT SERVICE THE THREE TYPE S2 LIGHTING POLES ALONG THE WATERFRONT WHICH SHALL BE BURIED AT 18 INCHES TO AVOID CONFLICT WITH THE EXISTING WRAP.
18. WHERE INDICATED, PROVIDE NEW UNDERGROUND SERVICE TO EXISTING METERED SERVICE. MATCH EXISTING CONDUCTOR QUANTITY AND SIZE.
19. WHERE INDICATED, RELOCATE EXISTING KEYPAD. INSTALL RELOCATED KEYPAD ON FENCE. PROVIDE THE EXTENSION OF EXISTING CONTROL CONDUCTORS AS REQUIRED. ALSO PROVIDE 120 VOLT CIRCUIT RE-CONNECTION TO EXISTING SLIDING GATE BEING RELOCATED.
20. WHERE INDICATED, PROVIDE A WEATHERPROOF FIRE ALARM MANUAL PULL STATION. EXTEND FIRE ALARM CABLE IN A 1-1/2" CONDUIT UNDERGROUND BETWEEN PULL STATIONS, AND EXTEND TO THE EXISTING FIRE ALARM SYSTEM IN THE IMT RUBB BUILDING EAST OF THE CASCO BRIDGE. INSTALL FIRE ALARM PULL STATION ON A 2" RIGID GALVANIZED CONDUIT POST TO MOUNT THE PULL STATION AT 48" ABOVE GRADE. VERIFY EXACT LOCATION OF PULL STATION WITH OWNER PRIOR TO INSTALLATION.
21. WHERE INDICATED, PROVIDE A WEATHERPROOF BOX FOR OWNER'S NETWORK SWITCH. PROVIDE A 120 VAC CIRCUIT TO EACH BOX WITH 2 #6 CONDUCTORS PLUS A #8 GND IN A 1-1/2" CONDUIT. CIRCUIT TO PANEL P2 # 2.
22. VERIFY EXACT LOCATION OF CARD READERS WITH OWNER PRIOR TO INSTALLATION.
23. WHERE INDICATED, WIRE CARD READERS TO EXISTING CARD READER SYSTEM AT UTIL FACILITIES.
24. WHERE INDICATED, PROVIDE 2#8, 1#10 GND., IN A 1" CONDUIT FOR THE GATE OPERATOR CIRCUIT. WIRE GATE CIRCUIT TO EXISTING PANEL WITHIN UTIL FACILITY.
25. WHERE INDICATED, ARRANGE WITH THE CENTRAL MAINE POWER COMPANY TO PROVIDE A NEW 120/240V, 1PH, 3W 60A SERVICE TO BE EXTENDED UNDERGROUND TO THE RELOCATED BRIDGE-UP BEACON WITH METER.
26. PROVIDE AN 8-INCH SQUARE, RECESSED WIRING BOX WITH A STAINLESS STEEL SCOT-CORE AT EACH TYPE S1 AND TYPE-U BOX. INSTALL S1A LIGHT POLE, INSTAL BOXES FLUSH IN SIDE WALL OF CONCRETE BARRIES AS INDICATED ON SHEET S01. EXTEND A 1" CONDUIT FROM EACH BOX TO THE RESPECTIVE LIGHTING POLE BASE.

 S2 LIGHTING POLE
 — pole destination
 S1 LIGHTING POLE
 — pole destination
 GATE CARD READER
 SECURITY CAMERA
 FIRE ALARM PULL STATION



SCALE: 1" = 50'- 0"
(SEE THIS SHEET FOR NOTES)



PLANNING BOARD REPORT PORTLAND, MAINE

Portland International Marine Terminal
460 Commercial Street
Level III Site Plan Review
2014-038
Maine Department of Transportation, Applicant

Submitted to: Portland Planning Board: Public Hearing Date: July 8, 2014	Prepared by: Richard Knowland Date: July 3, 2014 CBL: 59-A-1-3-4-7-8-11; 59-A-2-5-6-9-10 (leased)
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I. INTRODUCTION

The Planning Board held a public hearing on June 24, 2014 for the International Marine Terminal (IMT) expansion site plan but voted 5-0 (Hall and Soley absent) to table consideration of the application. The application was tabled to the Board's July 8, 2014 meeting.

At the public hearing the Board approved 7 of the 8 waivers requested by the applicant. The 8th waiver (waiver #7 involving boundary survey information) was withdrawn by the applicant at the meeting.

Please review the previous staff report prepared for the June 24th meeting. Updated Motions presented by staff at the last meeting have been incorporated into today's report and have been further revised based on applicant submissions received since the public hearing.

II. UPDATED INFORMATION

Subsequent to completion of the Planning Board Report prepared for the June 24, 2014 public hearing, the applicant has submitted the following material.

Applicant submission dated June 23, 2014 including responses to staff comments. See Attachment 1.

Applicant Power Point Presentation for June 24, 2014 public hearing. See Attachment 2.

Applicant submission dated June 27, 2014 including updated site plan (Attachment P) and

summary of revisions (Attachment 3)

Draft Supplemental Agreement between MDOT and New Yard Regarding Access and Utility Crossings dated July 1, 2014 (including map exhibits). See Attachment 4.

Excerpt of Executed Property Acquisition and Settlement Agreement between MDOT and New Yard dated March 11, 2014. See Attachment 5.

Draft Additional Terms and Conditions Pertaining to Installation of Underground Utility Lines dated July 1, 2014. See Attachment 6.

Concrete Wall Concept Alternatives. See Attachment 7.

Updated Land Survey. See Attachment 8.

III. DISCUSSION OF MAJOR ISSUES

A narrative on two of the more significant issues in the IMT review is provided below which includes (1) coordination of appropriate access and utilities to the New Yard property and (2) the concrete wall along Commercial Street.

Coordination of Infrastructure with New Yard Parcel

As discussed at previous Planning Board meetings, coordination of access and utilities between the IMT and New Yard is critical otherwise the New Yard could be effectively landlocked without permanent access or utilities. New Yard received Planning Board site plan approval in 2012 but later the majority of that land was purchased by IMT thus these parcels are linked together.

As mentioned at the public hearing the infrastructure coordination issue appears to be nearing resolution. At the request of MDOT, City Staff (Jennifer Thompson and Rick Knowland) met with MDOT attorneys Toni Kemmerle and Nat Rosenblatt on July 1st to discuss progress in that regard. At this meeting MDOT presented several documents that indicate substantial progress towards that goal. Absent a signed agreement between both parties, execution of a final agreement will remain a condition of approval.

A "Supplemental Agreement" (draft dated July 1, 2014) is intended to supplement the original March 11, 2014 "Acquisition Agreement" between New Yard and MDOT which covered MDOT's purchase of New Yard's property. These are shown as Attachments 4 and 5, respectively. The Supplemental Agreement spells out in more detail the arrangements for access and utilities including a site plan depicting indicating their location. The rail crossings are highlighted in yellow on the plans

Vehicle Access- Two vehicles access crossings are shown across the MDOT owned rail road tracks. PANAM presently owns the land between the rail corridor and Commercial Street as well as the land between the rail road tracks and the Fore River for which New Yard has an agreement to purchase from PANAM. The crossings are located to the west of the concrete slab and have a separation distance of about 225 feet. One crossing is 50 feet wide (for heavy/oversized trucks)

while the second crossing is 24 feet wide (for auto and light trucks).

Note that review of the actual location driveway locations is not part of this approval process. Review of the driveway locations and other utility corridors will be considered as part of an updated New Yard site plan which was formally submitted by New Yard on July 3rd.

Utilities- Access to utilities includes 4 utility sleeves under the 50 foot wide vehicle rail crossing and 2 utility sleeves under the second driveway. A utility crossing just west of the concrete slab includes 4 sleeves with water and power specifically noted on the plan. These utilities will serve the existing New Yard building. Four separate locations for utility crossings are shown on the plan providing a total of 12 utility sleeves.

Provisions for temporary vehicle access and existing utilities are accommodated in the agreement. New Yard may use the new IMT driveway until their new main driveway has been constructed.

An exhibit entitled "Additional Terms and Conditions Pertaining to Installation and Maintenance of Underground Utility Lines" with a draft date of July 1, 2014 was also submitted. See Attachment 6.

Concrete Wall Along Commercial Street

As discussed previously applicant's proposal for a concrete wall 752 feet long (4 feet high) along the edge of Commercial Street poses a significant design challenge in a highly visible gateway location into the city.

At last Tuesday's public hearing, Craig Morin of HNTB indicated a 4 foot high concrete wall was necessary to contain the "reach stacker" – the equipment that loads and unloads containers from trains and tractor trailers. A 4 foot high wall is needed for the safety of cars and pedestrians on Commercial Street should the reach stacker over run the internal curb stop and crash into the wall according to Mr. Morin. A cross section of the concrete pad, concrete wall and curb stop are shown as Attachment P, sheet SO1.

Staff has previously indicated the preferred solution would be to lower the wall and proportionately increase the height of the metal fence. If that is not possible because of safety concerns, we offer the following alternatives.

- (1) Retain the four foot high concrete wall but design a more appropriate façade treatment based on a design analysis in which the function, environment and context of the site is fully considered and explored including its role as a gateway into the City. Among the context themes that might inspire such a design treatment include the site's relationship to the harbor, rail road, transportation, industrial uses or other character defining activities associated with this site or Commercial Street. Concrete form liners can be employed to provide any variety of designs.

Applicant has submitted some ideas on other design concepts shown as Attachment 7. The pseudo stone walls don't offer much appeal but some of the other examples do offer promise.

A quick google search found some interesting examples around the country in dealing with design challenges associated with concrete infrastructure. See Attachment A. These samples demonstrate how a well thought out design can take a negative (a large blank wall) and create a positive. Some of these examples are somewhat complex while others are simple but they demonstrate there is an almost endless range of possibilities. What is needed at this point is a design process that provides a simple but appropriate design to deal with this extraordinarily long wall.

Staff recommends this continue to be a condition of approval. The condition no longer includes a requirement to lower the 4 foot high wall which means the design of the surface treatment becomes ever more important.

- (2) Retain the four foot concrete wall but set the wall back 5 or 6 feet to provide a landscape buffer along Commercial Street to mitigate the impact of the wall. Previously MDOT indicated this was not possible. We have requested a cross section from the applicant depicting the distance of the "pinch point" between their property and the New Yard property line to evaluate this impact.

At the workshop there was some discussion about tractor trailers queuing along Commercial Street that would help screen the wall. This is a misnomer. Yes there are trucks that park along this area of Commercial Street but there will never be enough at any one time to significantly screen the wall. The wall design should be able to stand on its own.

IV. STATUS OF CONDITIONS OF APPROVAL

Below are the conditions of approval presented at the June 24th meeting with an update on their current status.

A. Site Plan

1. That the applicant shall submit information addressing the comments of Marge Schmuckal (Zoning Administrator) memo dated June 18, 2014 for review and approval.

Current Status:

Applicant has provided updated information but we do not have a memo from the Zoning Administrator as of the writing of this report. It remains a condition of approval (at least for the time being). We are hoping to receive comments from the Zoning Administrator prior to the meeting.

2. That the applicant shall submit a revised site plan and other related material addressing the review comments of Tom Errico (Traffic Review Consultant) memo dated June 18, 2014 for review and approval.

Current Status:

The applicant has provided updated information. Mr. Errico has reviewed this information but has determined not all comments have been addressed. Mr. Errico's

updated comments are shown as Attachment B. Outstanding comments or conditions from his memo include the following (as numbered in his review memo): 1 to 3, 5, 10, 11, 13, 24, 25, 30 to 32, 35, 36 and "additional comment".

3. That the applicant shall submit a revised site plan and other related material addressing the comments of David Senus (Development Review Consultant) memo dated June 17, 2014 for review and approval.

Current Status:

The latest revision has been reviewed by Mr. Senus. He indicates that the "Pollution Prevention Plan does not adequately address the inspection, maintenance and reporting requirements for the Post Construction Stormwater BMP systems (the porous crushed stone yard surface and the porous concrete panels). The Plan should be developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances".

All other review comments have been addressed. See Attachment C.

4. That the applicant shall submit a revised site plan and other related material addressing the comments of David Margolis-Pineo memo dated June 17, 2014 for review and approval.

Current Status:

Mr. Pineo's conditions still apply.

5. That the applicant shall submit a revised site plan removing the proposed benches from the City right-of-way and providing an alternative tree species to the Red Maple for review and approval by Jeff Tarling (City Arborist).

Current Status:

A follow-up conversation with Mr. Tarling indicates he does not have a concern with the Red Maple and the bench is being relocated which is acceptable.

6. That the applicant shall submit a revised site plan for Planning Staff review and approval reflecting a lower concrete wall along Commercial Street.

Current Status:

See commentary earlier in this report starting on page 3.

A revised condition has been drafted as follows:

That the applicant shall submit for Planning Staff review and approval a revised surface treatment design for the 4 foot high concrete wall along Commercial Street. Applicant shall also be responsible for removing graffiti from the wall in a timely manner.

7. That the applicant shall submit agreements , easements, a revised site plan and other relevant documents confirming appropriate easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road for City Staff review and approval.

Current Status:

See page 2 of this report for commentary on this issue. New Yard and MDOT have made much progress in resolving the infrastructure coordination issue. Based on the draft agreements attached to this memo it appears the final execution of these documents is near. However since these documents have not been signed this remains a condition of approval.

8. That the applicant shall submit a revised site plan with sufficient details and dimensions to clarify design intent for Planning Staff review and approval.

Current Status:

Staff continues to recommend this as a condition of approval. The applicant has submitted a drawing package with 116 pages. While this is impressive documentation and will likely be used as a bid packet, we need a few sheets that show the basic layout of the site development plan appropriately labeled with critical dimensions. It is entirely appropriate that separate sheets be provided for specific topics such as lighting, erosion and sedimentation control, profiles and cross sections but we need a basic site plan that is clear and coherent. This is particularly important in achieving a common understanding of the site plan as well as an instrument that can be used for site plan inspection and checking compliance with the approved site plan.

9. That the lighting illumination levels shall not exceed the levels shown on the submitted plan and shall meet IESNA (Lighting for Exterior Environments RP-33-99) for the proposed use. Lighting levels within the container area (S2 and S3 light poles) and security lights within the concrete pad area (S1A and S1B light poles) shall operate at 50% light output levels unless the yard is actively being used. The remaining type S1A light poles within the concrete pad shall only be turned on when the pad area is actively being used.

Current Status:

Staff recommends this item remain a condition of approval since the applicant is proposing an illumination level that exceeds normal technical standards but has been granted a waiver by the Planning Board. This helps mitigate the impact of the higher illumination levels.

B. Shoreland Regulations

1. That a revised plan shall be submitted documenting compliance with shoreland tree clearance standards for review and approval by Marge Schmuckal, Zoning Administrator.

Current Status:

We are awaiting comments from the Zoning Administrator on her review of the latest submission by the applicant.

V. MOTIONS FOR THE BOARD TO CONSIDER

(additions or deletions from the June 24, 2014 meeting motions are noted below)

A. Site Plan

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application#2014-038 relevant to the Site Plan Ordinance and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the site plan standards of the land use code, subject to the following conditions of approval prior to the issuance of a building permit:

1. That the applicant shall submit information addressing the comments of Marge Schmuckal (Zoning Administrator) memo dated June 18, 2014 for review and approval.
2. That the applicant shall submit a revised site plan and other related material addressing the review comments of Tom Errico (Traffic Review Consultant) memo dated July 2, 2014 ~~June 18, 2014~~ for review and approval.
3. That the applicant shall submit a revised site plan and other related material addressing the comments of David Senus (Development Review Consultant) memo dated June 30, 2014 ~~June 17, 2014~~ for review and approval.
4. That the applicant shall submit a revised site plan and other related material addressing the comments of David Margolis-Pinco memo dated June 17, 2014 for review and approval.
- ~~5. That the applicant shall submit a revised site plan removing the proposed benches from the City right of way and providing an alternative tree species to the Red Maple for review and approval by Jeff Tarling (City Arborist).~~
5. That the applicant shall submit a revised site plan for Planning Staff review and approval a revised surface treatment design for the 4 foot high reflecting a lower concrete wall along Commercial Street. Applicant shall also be responsible for removing graffiti from the wall in a timely manner.
6. That the applicant shall submit agreements (including cross agreements), easements, a revised site plan and other relevant documents confirming appropriate cross

agreements and easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road for City Staff review and approval.

7. That the applicant shall submit a revised site plan with sufficient details and dimensions to clarify design intent for Planning Staff review and approval.
8. That the lighting illumination levels shall not exceed the levels shown on the submitted plan and shall meet IESNA (Lighting for Exterior Environments RP-33-99) for the proposed use. Lighting levels within the container area (S2 and S3 light poles) and security lights within the concrete pad area (S1A and S1B light poles) shall operate at 50% light output levels unless the yard is actively being used. The remaining type S1A light poles within the concrete pad shall only be turned on when the pad area is actively being used.

B. Shoreland Regulations

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-038 relevant to Shoreland Regulations, and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the shoreland regulations standards of the land use code, subject to the following conditions of approval to be met prior to the issuance of a building permit:

1. That a revised plan shall be submitted documenting compliance with shoreland tree clearance standards for review and approval by Marge Schmuckal, Zoning Administrator.

Staff Attachment List

- A. Concrete Wall Alternative Treatments
- B. Tom Errico (Traffic Engineer Consultant) Memo dated 6-18-2014
- C. David Senus (Development Review Consultant) Memo dated 7-17-2014

Applicant Submissions

1. Applicant's Submission dated 6-23-2014
2. Power Point Presentation for 6-24-2014 public hearing
3. Applicant Submission Summary dated 6-27-2014
4. Draft Supplemental Agreement between MDOT and New Yard Regarding Access and Utility Crossing dated 7-1-2014 (including maps)
5. Excerpt of Property Acquisition and Settlement Agreement between MDOT and New Yard, dated 3-11-2014
6. Draft Additional Terms and Conditions Pertaining to Installation of Underground Utility Lines dated 7-1-2014

7. Concrete Wall Concept Alternatives
8. Update Land Survey

P – Site Plans and Other Drawings

ATT 4.

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PROJECT INFO

[View Flash Video](#)

US-77/I-35, Norman, Oklahoma

LOCATION - Norman, Oklahoma

PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge, Creative Form Liners.

PROJECTS

BRIDGES

1. Main Street Bridge, Norman, Oklahoma
2. Rogers Road Bridge, Canadian County, Oklahoma
3. La Cholla Boulevard, Magee Road to Lambert Lane, Tucson, Arizona
4. I-630/I-430 Interchange, Little Rock, Arkansas
5. US19 & SR60 Intersection - Clearwater, Florida
6. **US-77/I-35, Norman, Oklahoma**
7. Rock Creek Road / I 35, Norman, Oklahoma
8. Broadway Extension at Memorial Road Interchange, Edmond, Oklahoma
9. 193rd East Avenue and US 412/I 44 Interchange, Tulsa, Oklahoma
10. Lindsey Street / I-35, Norman, Oklahoma
11. I 270 Gateway Bridge, Rockville, Maryland (Proposal)
12. SH-9 West & I-35, Norman, Oklahoma
13. Roberts Road Bridge, Los Gatos, California
14. 9th Street Bridge, Washington DC
15. Heritage Bridge, Oklahoma City, Oklahoma
16. Racetrack Road Gateway Bridge, Prince George's County, Maryland
17. Kellogg/Oliver Bridge, Wichita, Kansas
18. I-57 Bridge, Marion, Illinois
19. Soldier Pile Wall and Ramp C. Piers, Dayton, Ohio
20. The 23rd Street Parkway Bridge, Prince George's County, Maryland
21. Mashantucket Bridges, Mashantucket, Connecticut
22. Route 7 and River Creek Parkway Bridge, Leesburg, Virginia (Proposal)
23. Kolb Road at Sabino Canyon Road Project, Tucson, AZ
24. Garth Brooks Bridge, Canadian County, Oklahoma
25. Stockton Delta Bridge, Stockton, California
26. SH9 East/I-35 - Norman, Oklahoma
27. I-44 Corridor Tri-Level Bridge - Lawton, Oklahoma

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SH9 East/I-35 - Norman, Oklahoma
 LOCATION - Norman, Oklahoma
 PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Creative Form Liners, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge

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PROJECT VIDEO

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Rock Creek Road / I 35, Norman, Oklahoma

LOCATION - Norman, Oklahoma

PROJECT TEAM - Oklahoma Art in Public Places Division, ODOT, Cobb Engineering, City of Norman, Carter-Burgess, Haskell Lemon, Manhattan Road and Bridge, Creative Form Liners

PROJECTS

BRIDGES

1. Main Street Bridge, Norman Oklahoma
2. Rogers Road Bridge, Canadian County, Oklahoma
3. La Cholla Boulevard, Megee Road to Lambert Lane, Tucson, Arizona
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PROJECT INFO

US19 & SR60 Intersection - Clearwater, Florida

LOCATION - Clearwater, Florida

PROJECT TEAM - CDR, Creative Form Liners, Inc., Hubbard Construction, City of Clearwater

PROJECTS

BRIDGES

1. Main Street Bridge, Norman Oklahoma
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ATT B

Rick Knowland - IMT -- Final Updated Comments (July 2, 2014)

From: Tom Errico <thomas.errico@tylin.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 7/2/2014 7:56 AM
Subject: IMT -- Final Updated Comments (July 2, 2014)
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...

Rick – The following is a status update of previous comments and is reflective of responses provided by the applicant dated June 27, 2014.

1. The traffic signal plan includes special signal phasing for Nova Seafood. I would suggest that a City agreement with Nova Seafood be crafted related to traffic operations and a memorandum of understanding and for traffic control.

June 18th Status: The applicant shall be required to provide a draft agreement that specifies maintenance, traffic signal, pavement marking and signage requirements for review and approval. The City suggests that this be a three-party agreement (City/State/Property Owner).

Current Status: Outstanding

2. The driveway apron material at Nova Seafood does not meet City standards and a waiver will be required.

June 18th Status: The City supports a waiver from their technical standards for driveway apron material given pedestrian and truck movement conflicts. DPS requests that the driveway apron material be concrete with a color tint (to be determined in the future prior to construction) and be designed to accommodate heavy truck loads.

Current Status: This comment is for the driveway apron area, not the roadway area outside the curb line. Use of cobble for the non-driveway area is acceptable.

3. Several of the driveways on Commercial Street (IMT, Nova Seafood, and Gray Bar) do not meet City width standards and thus waivers will be required.

June 18th Status: For the IMT Driveway, which is proposed to be 100 feet wide, the applicant has provided a "auto-turn" graphic for a WB-67 truck. Reviewing the graphic, I believe the driveway can be narrowed, although not substantially. I would also like to understand more about the truck characteristics before rendering a final decision on the driveway width. Additionally, understanding right and left-turning movements for these large trucks will be helpful. If most are turning left and destined to the Fore River Parkway and the Veterans Bridge, there may be an opportunity to narrow the driveway on the easterly edge, which may also have a positive impact on the design of the crosswalk.

Current Status: The requested information is outstanding.

June 18th Status: I have reviewed the "auto-turn" graphics for the Nova Seafood site and I support a waiver for driveway width given site operations and that it is an existing business with unique truck access/egress requirements.

Current Status: I have no further comment.

June 18th Status: The applicant has provided a "auto-turn" analysis for one of the Graybar Driveways. The applicant shall provide a similar analysis for the second driveway and provide specific truck delivery information before approval of the widths can be provided.

Current Status: The requested information is outstanding.

4. Several of the driveways on Commercial Street do not meet City corner clearance and separation standards.

June 18th Status: Both the Nova Seafood and Graybar driveways currently do not meet corner clearance standards and conditions will not worsen with the proposed project. Given site constraints and access and egress needs for large trucks, I support a waiver from the City's Technical standard.

5. The City is requesting that truck parking on in-bound Commercial Street be prohibited for to be specified distance in advance of the Beach Street intersection. The City will provide this restriction length.

June 18th Status: Trucks shall be prohibited from parking along Commercial Street from the new STOP bar at the signalized intersection to a point westerly of 200 feet. The applicant shall provide recommendations on how this prohibition will be regulated via signs or other measures for review and approval.

Current Status: The applicant has agreed to revised the plans to include pavement markings and signage. Final plans shall be reviewed and approved by the City.

6. The applicant should investigate the provision of a bicycle lane on Beach Street departing the intersection.

June 18th Status: The applicant has noted that adequate shoulder spaces is provided on Beach Street and no action is required. I concur with their response.

7. I am concerned about traffic operations and congestion during peak time periods, particularly when the special Nova Seafood traffic signal phase is actuated. The applicant should investigate the ability to limit the traffic signal phase during peak time periods.

June 18th Status: Specific information needs to be provided by the applicant that helps the City understanding specific constraints to implementing time-of-day restrictions.

Current Status: Nova Seafood has provided the requested information and given low traffic volumes entering and exiting the site during the critical PM peak hour, no special restriction is recommended. I would suggest that the signal operations be monitored and adjustments incorporated as necessary.

8. A sidewalk waiver has been requested and a review of the supporting information will be performed.

June 18th Status: The applicant has documented that two sidewalk waiver criteria are met for the project and are based on prior IMT and New Yard applications. Given these prior decisions, specifically that an alternative route on the opposite side of Commercial Street will serve pedestrian activity in this area and that a signalized crossing will be provided at the IMT Site Driveway/Beach Street intersection, I support a waiver from providing a sidewalk along the property frontage.

9. A granite curbing waiver has been requested and a review of the supporting information will be performed.

June 18th Status: DPS is reviewing this waiver request.

10. The applicant should provide information as it relates to use of the proposed traffic signal by existing IMT traffic. I believe there will be overall site traffic and safety benefits if all IMT traffic has the ability to use the traffic signal.

June 18th Status: I understand the security constraints, as noted by the applicant, but I would suggest that the applicant provide an overview of the entire site and whether the layout could be modified to allow for an internal driveway connecting the existing IMT facility and the new signalized entrance that avoids going through the fenced area of the chassis yard.

Current Status: The request site overview illustrating specific constraints has not been provided.

11. A construction management plan has been prepared. Additional information will be required as it relates to specific traffic, pedestrian, and bicycle impacts during construction.

June 18th Status: The applicant has noted that the contractor will be responsible for development of a construction management plan. Site plan standards require applicants to prepare a plan in conjunction with site plan approval. The applicant is required to develop a conceptual management plan that should indicate how construction will occur on Commercial Street. The plan should note how vehicular traffic, pedestrians and bicyclists will be maintained during construction and should note any peak time period restrictions for construction activity (The City has arterial time restrictions). It may be necessary that some construction activities occur at night to avoid impacts to traffic flow.

Current Status: The applicant has provided general construction management guidelines that I generally find to be acceptable. I would note that the City has specific time of day restrictions that must be complied with or requests for waivers submitted for review and approval. Approval of a complete detailed construction management plan will be required before the DPS permits are issued.

12. At the planning board workshop, there was discussion about the provision of a driveway entrance west of the project site for future development access and egress. The applicant should provide information in support of that driveway if that is to be included in the project approval.

June 18th Status: The applicant has indicated that this is not part of the project application and therefore no further action is required.

13. The City does not support the use of pavement markings to delineated pavements areas for use by large trucks.

June 18th Status: The applicant has suggested the use of cobblestones for the truck apron areas and I find this material, in general, to be acceptable. DPS shall review the product information and design details and provide approval.

14. The phasing for the intersection does not appear to be NEMA compliant. Please revise with Commercial Street as the main street, assuming an east-west phasing structure.

June 18th Status: The plans have been revised and I have no further comment.

15. The phasing sequence should begin with Commercial Street and end with Nova Seafood (currently designated as Phase 9).

June 18th Status: The plans have been revised and I have no further comment.

16. The peak hour cycle length seems unusually long for an intersection with this type of geometry, going as long as 150 seconds during the PM peak hour. Discussion should be provided as to why shorter cycle lengths cannot be achieved.

June 18th Status: The applicant has indicated that this cycle length is necessary for providing optimal level of service conditions. The long cycle length is related to the long Nova Seafood signal phase. Given this requirement, I find their response to be acceptable. I would note that the City can monitor traffic conditions and incorporate signal timing adjustments in the future.

17. The pedestrian timing does not appear to provide sufficient crossing time, particularly for Commercial Street. Please confirm use of a standard 3.5 feet per second pedestrian crossing time from curb to curb.

June 18th Status: The plans have been revised and I have no further comment.

18. Given the sight distance issues for this intersection, the all-red clearance times should likely be extended.

June 18th Status: The plans have been revised and I have no further comment.

19. The City's technical standards are in the process to migrating to infra-red video detection as a requirement. The City now requires that either the cameras used with the VIP processors be the FLIR FC series or that the solution be based on the FLIR TrafiSense cameras.

June 18th Status: The plans have been revised and I have no further comment.

20. Please specify four-inch conduit to provide additional future wiring capabilities.

June 18th Status: The plans have been revised and I have no further comment.

21. Please provide one-piece pedestrian poles.

June 18th Status: The plans have been revised and I have no further comment.

22. All pole bases, pull boxes and controller conduits should be sealed to prevent access by rodents and other small animals.

June 18th Status: The plans have been revised and I have no further comment.

23. Please confirm the method of advance notification when the Commercial Street westbound approach is red to account for minimal sight distances passing by Nova Seafood.

June 18th Status: The applicant has added a supplemental signal head and I have no further comment.

24. It is my understanding that the Nova Seafood driveways will be restricted such that the easterly driveway will be an entrance only and the westerly driveway a exit only driveway. The plans do not reflect this.

June 18th Status: The applicant should include signs and pavement markings that support the one-way access/egress conditions for review and approval.

Current Status: The applicant has indicated that the requested information is to be provided by Nova Seafood. DPS will not issue any permits until plans have been submitted for review and approval.

25. There are areas of roadway pavement that appear to be located outside the public right-of-way. An agreement on maintenance may be required.

June 18th Status: The applicant shall provide a draft maintenance agreement for review and comment.

Current Status: This item is outstanding.

26. The applicant should note the material for the Nova Seafood island.

June 18th Status: The applicant has provided the detail and I find the material to be acceptable.

27. The applicant should provide details for the area between the sidewalk and the Nova Seafood island.

June 18th Status: The applicant has indicated that this area will have cobblestone material. I find this material to be acceptable. I have no further comment.

28. The left-turn bay shadowed island is depicted as paint. The applicant should investigate other material treatment for longevity purposes.

June 18th Status: The City supports the use of paint in this area. I have no further comment.

29. During Casco Bay Bridge openings, traffic may be backed up into the new traffic signalized intersection. The applicant should note whether there are any provisions for this scenario from a traffic signal perspective.

June 18th Status: No special provisions have been identified and therefore I have no further comment.

30. The bicycle lane on the outbound side of Commercial Street continues to the limit of work, while the in-bound bicycle lane begins at the point where the left-turn lane is starting. The applicant should note why the in-bound bicycle lane can't start at the project limits.

June 18th Status: Within the project limits along Commercial Street, a formal bicycle lane should be continuously marked and signed as appropriate. The plans should be revised to reflect this.

Current Status: The applicant has agreed to make the noted changes and I have no further comments.

31. The direction sign that note Casco Bay Bridge 500 Feet is being removed. This removal should be confirmed by City staff.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

32. The plans illustrate that the sidewalk at the corner of the Nova Seafood building will not need to be reconstructed. Given that the curb is being relocated, the sidewalk will need to be upgraded.

June 18th Status: The applicant has agreed to make this change and revised plans will be reviewed for approval.

33. The length of curbing at the Nova Seafood driveway is being eliminated. Justification on this change shall be provided.

June 18th Status: I have reviewed the "auto-turn" graphics and given Nova Seafood's site needs, I have no further comment.

34. A fire hydrant is located in the middle of the sidewalk east of the easternmost Nova Seafood driveway. It would be beneficial if this hydrant could be relocated.

June 18th Status: No further action is requested of the applicant on this issue.

35. The plan replaces an existing Casco Bay Bridge 500 Feet sign with a sign that notes Casco Bay Bridge (right) and Fore River Parkway (through). City staff should determine if this replacement is acceptable.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

36. It was my understanding that the bicycle lanes were going to have dashed line treatment through the intersection. The plans do not depict this.

June 18th Status: Enhanced pavements markings shall be provided in the subject area and final approval of the details shall be provided prior to construction.

37. The applicant should confirm that adequate illumination will be provided at the two crosswalk locations.

June 18th Status: The applicant has noted that the traffic signal mast arm support will include light fixtures and provide adequate illumination. I have no further comment.

Additional Comment

- **June 18th Status:** DPS requests that the shared use path along Commercial Street within the project limits consist of brick material meeting city standards and the width be reduced to 8-feet. A revised plan that meets this directive shall be reviewed and approved by DPS.

Current Status: The City of Portland views the proposed shared use path to be a secondary facility for serving pedestrians and bicyclist. The long-term vision is the provision of a landside trail that will be located off the street. The path being constructed for this project will only serve temporary use, until the off-road path is constructed and therefore the City does not believe it to be practical to build a full

width facility under this project. The City continues to request construction of a 8-foot facility.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

TYLIN INTERNATIONAL

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MEMORANDUM

TO: Rick Knowland, Planner
FROM: David Sensus, P.E.
DATE: June 30, 2014
RE: IMT Expansion, Level III Site Plan Application

Woodard & Curran has reviewed the June 23, 2014 letter and attachments for the Level III Site Plan Application for the proposed International Marine Terminal (IMT) expansion at 460 Commercial Street in Portland, Maine. The project consists of expanding the existing IMT facility and will result in approximately eight acres of new impervious area.

Documents Reviewed by W&C

- Response to Comments Letter and Attachments dated June 23, 2014 prepared by HNTB Corporation on behalf of MaineDOT
- Existing Laydown and Connecting Corridor Submittal Letter and Revised Plans dated June 27, 2014 prepared by HNTB Corporation on behalf of MaineDOT

Comments

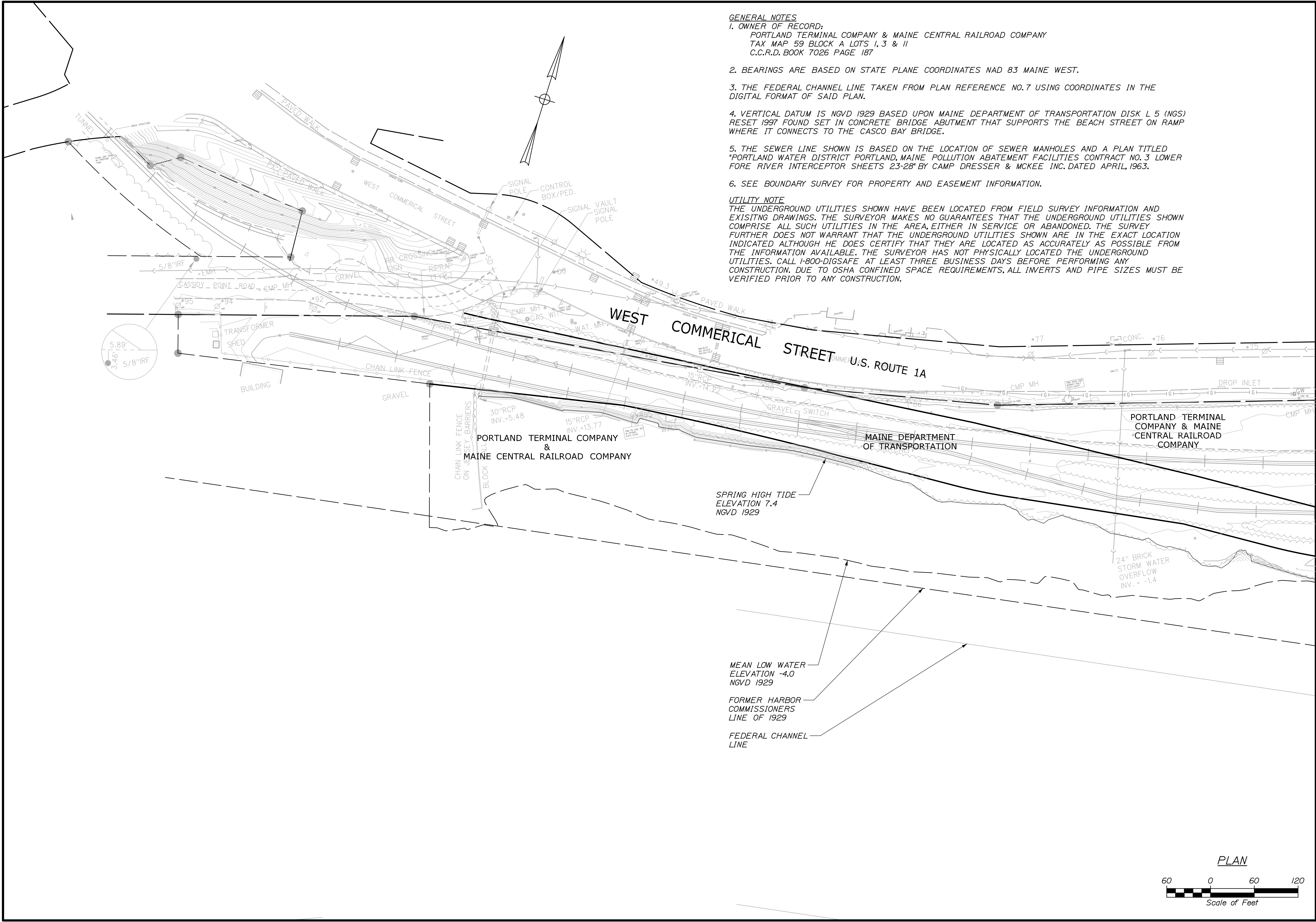
1. The Pollution Prevention Plan does not adequately address the inspection, maintenance and reporting requirements for the Post Construction Stormwater BMP systems (the porous crushed stone yard surface and the porous concrete panels). The Plan should be developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
2. All other review comments have been adequately addressed.

Date:6/26/2014

Username:

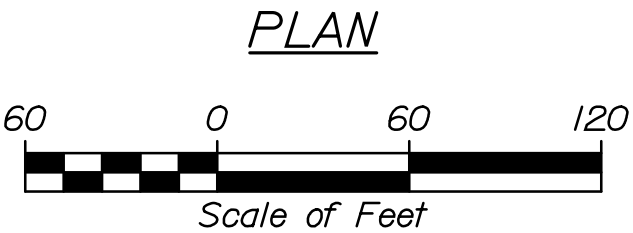
Division:

Filename: 004_ExistSitePlan1.dgn



- GENERAL NOTES**
1. OWNER OF RECORD:
PORTLAND TERMINAL COMPANY & MAINE CENTRAL RAILROAD COMPANY
TAX MAP 59 BLOCK A LOTS I, 3 & II
C.C.R.D. BOOK 7026 PAGE 187
 2. BEARINGS ARE BASED ON STATE PLANE COORDINATES NAD 83 MAINE WEST.
 3. THE FEDERAL CHANNEL LINE TAKEN FROM PLAN REFERENCE NO.7 USING COORDINATES IN THE DIGITAL FORMAT OF SAID PLAN.
 4. VERTICAL DATUM IS NGVD 1929 BASED UPON MAINE DEPARTMENT OF TRANSPORTATION DISK L 5 (NGS) RESET 1997 FOUND SET IN CONCRETE BRIDGE ABUTMENT THAT SUPPORTS THE BEACH STREET ON RAMP WHERE IT CONNECTS TO THE CASCO BAY BRIDGE.
 5. THE SEWER LINE SHOWN IS BASED ON THE LOCATION OF SEWER MANHOLES AND A PLAN TITLED "PORTLAND WATER DISTRICT PORTLAND, MAINE POLLUTION ABATEMENT FACILITIES CONTRACT NO.3 LOWER FORE RIVER INTERCEPTOR SHEETS 23-28" BY CAMP DRESSER & MCKEE INC. DATED APRIL, 1963.
 6. SEE BOUNDARY SURVEY FOR PROPERTY AND EASEMENT INFORMATION.

UTILITY NOTE
 THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.



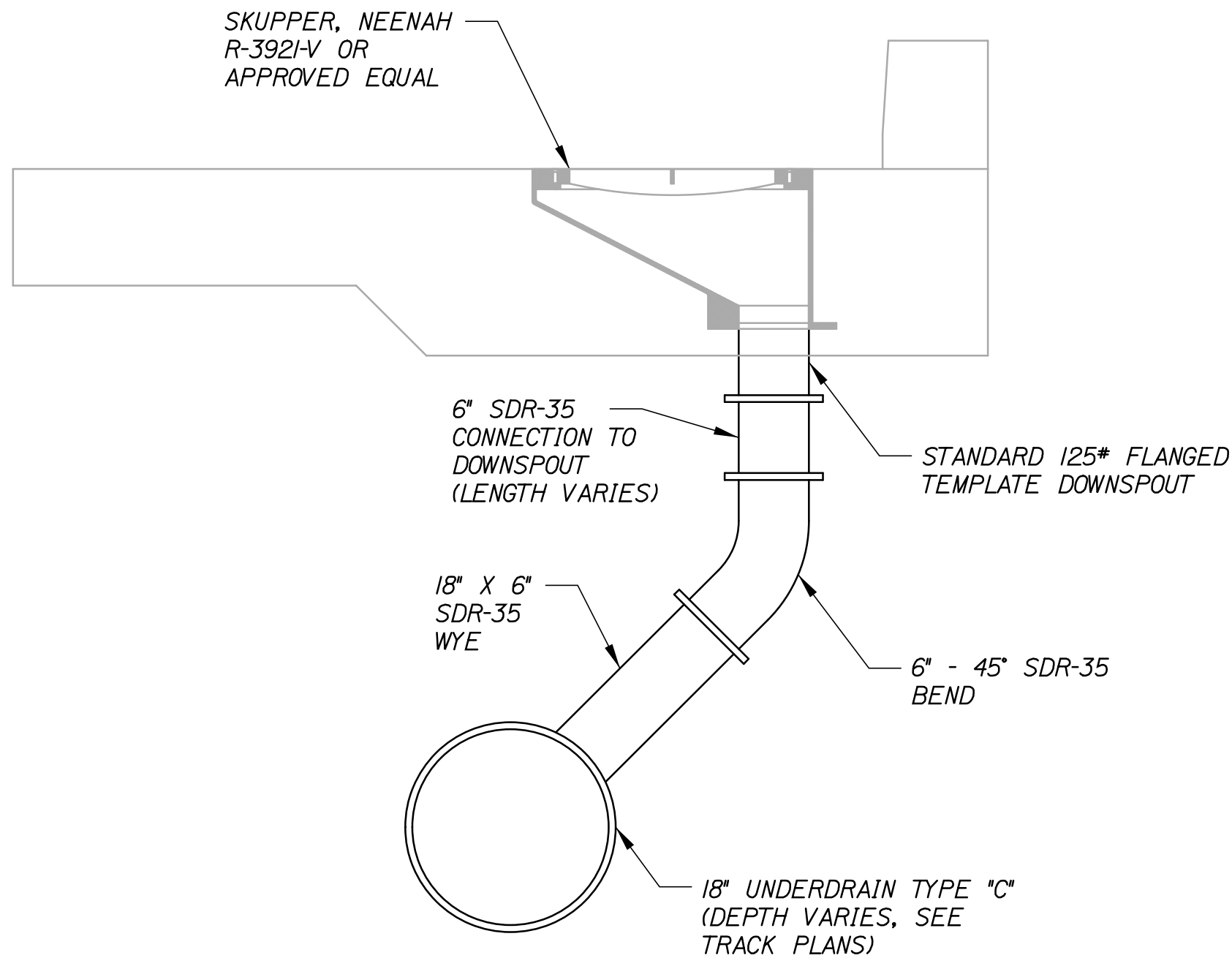
STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		PROJECT NUMBER 022809.20		WIN 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		CUMBERLAND COUNTY		EXISTING CONDITIONS PLAN		SHEET NUMBER C01	
PROJ. MANAGER	J. KITTEDGE	BY	MPC	DATE	06/14	SIGNATURE	
DESIGN-DETAILED	LINE	DATE	06/14	P.E. NUMBER		DATE	
DESIGN-REVIEWED							
DESIGN-DETAILED							
REVISIONS 1							
REVISIONS 2							
REVISIONS 3							
REVISIONS 4							
FIELD CHANGES							

Date:6/26/2014

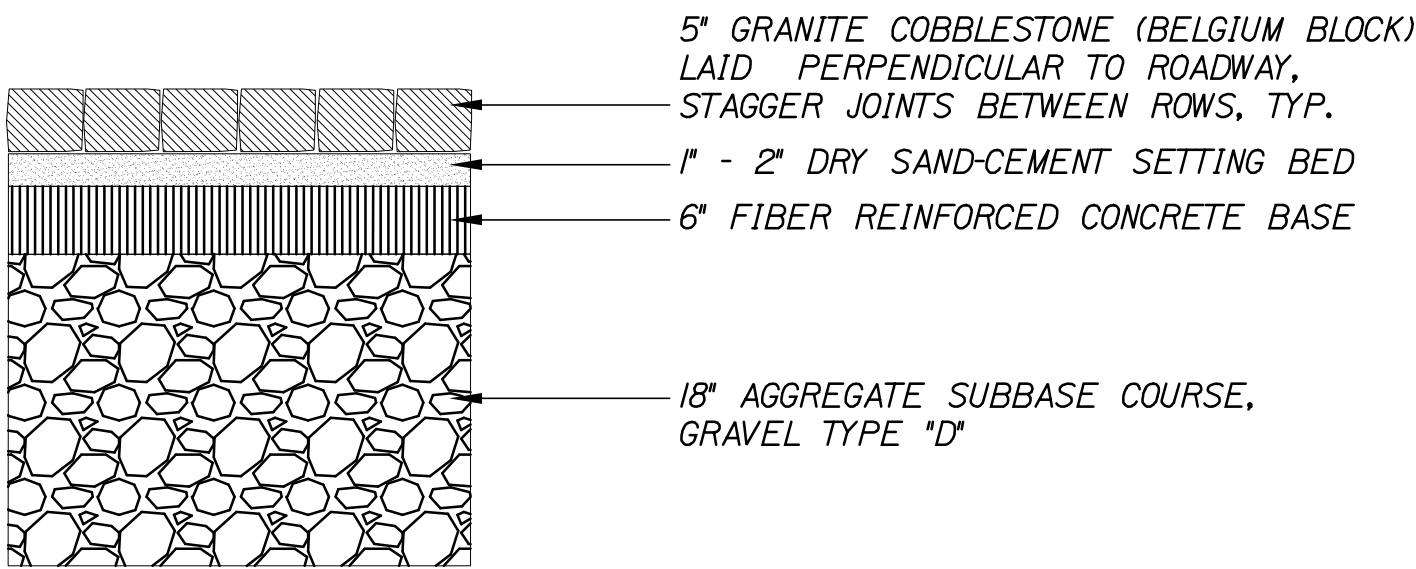
Username:

Division:

Filename: 018_SiteDets3.dgn

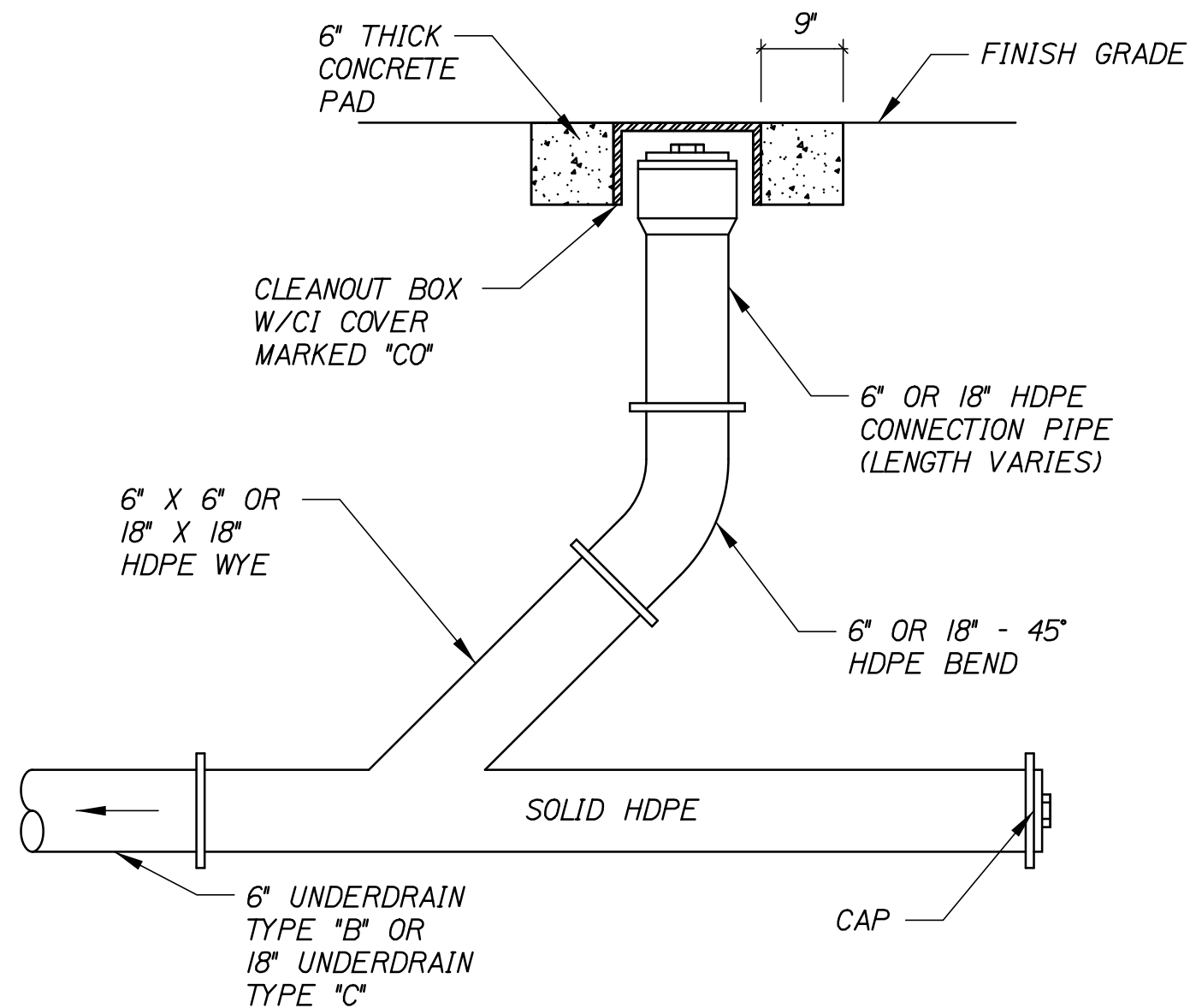


SCUPPER CONNECTION DETAIL
NOT TO SCALE



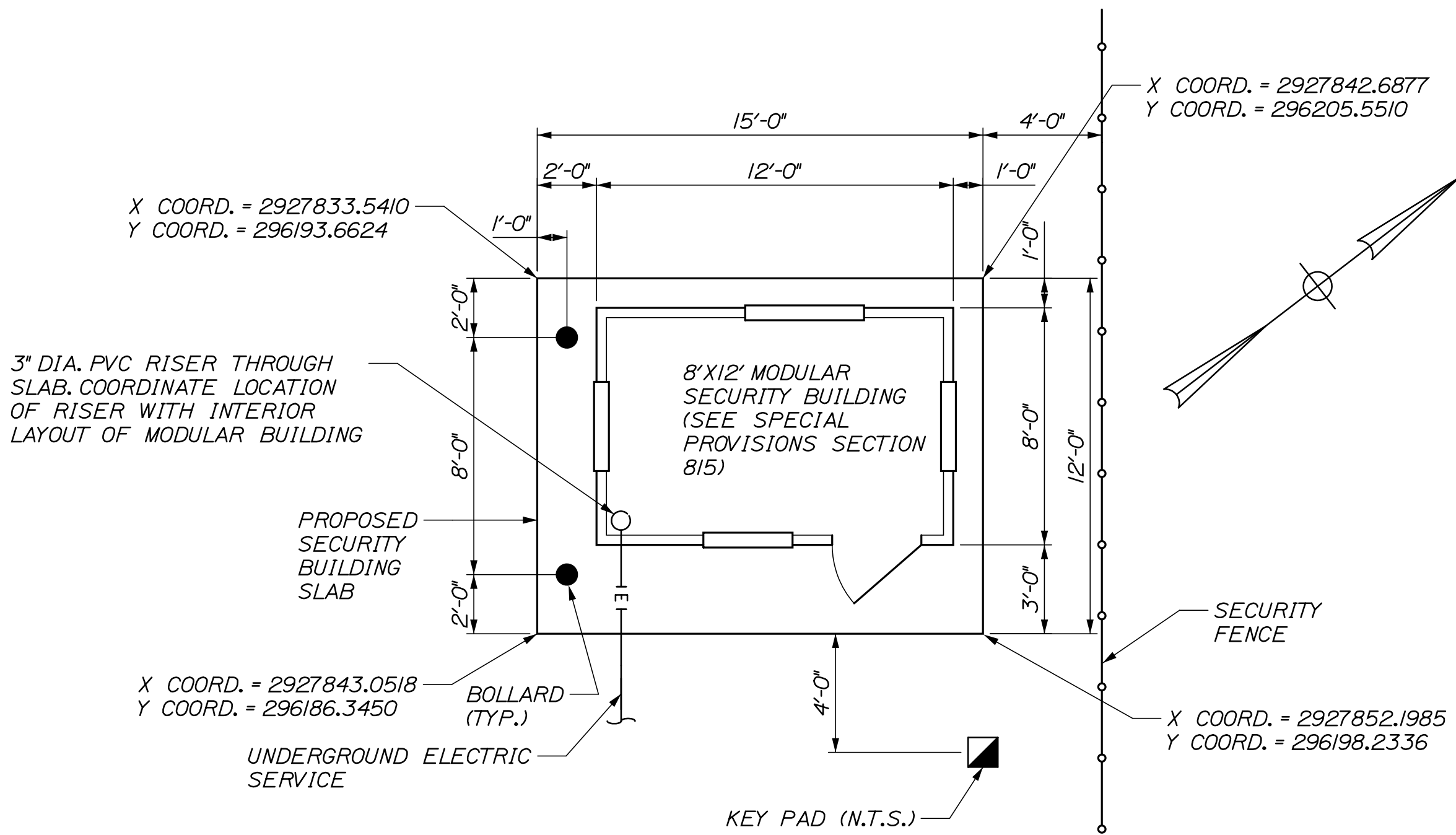
- NOTES:
1. DRY SAND-CEMENT SHALL BE SIX (6) PARTS OF WASHED MORTAR SAND TO ONE (1) PART PORTLAND CEMENT.
 2. DRY SAND-CEMENT SHALL BE PLACED AND SWEEP INTO THE JOINTS TO WITHIN $\frac{1}{4}$ TO $\frac{1}{2}$ OF PAVER SURFACE.
 3. ALL SURPLUS SHALL BE SWEEPED FROM COBBLESTONE SURFACE.
 4. A FINAL APPLICATION OF SAND ONLY SHALL BE SPREAD ON THE COBBLESTONE SURFACE.

COBBLESTONE PAVING IN ROAD
NOT TO SCALE



- NOTES:
1. CAP END ONLY AT THE BEGINNING OF PIPE RUN.
 2. PAYMENT FOR UNDERDRAIN CLEANOUT MATERIAL, LABOR AND EQUIPMENT SHALL BE CONSIDERED INCIDENTAL TO 605 ITEMS. NO SEPERATE PAYMENT WILL BE MADE. COORDINATE WORK WITH RESIDENT.

6" OR 18" UNDERDRAIN CLEANOUT W/ CAP DETAIL
NOT TO SCALE



SECURITY BUILDING SLAB DETAIL
 $\frac{1}{4}" = 1'-0"$

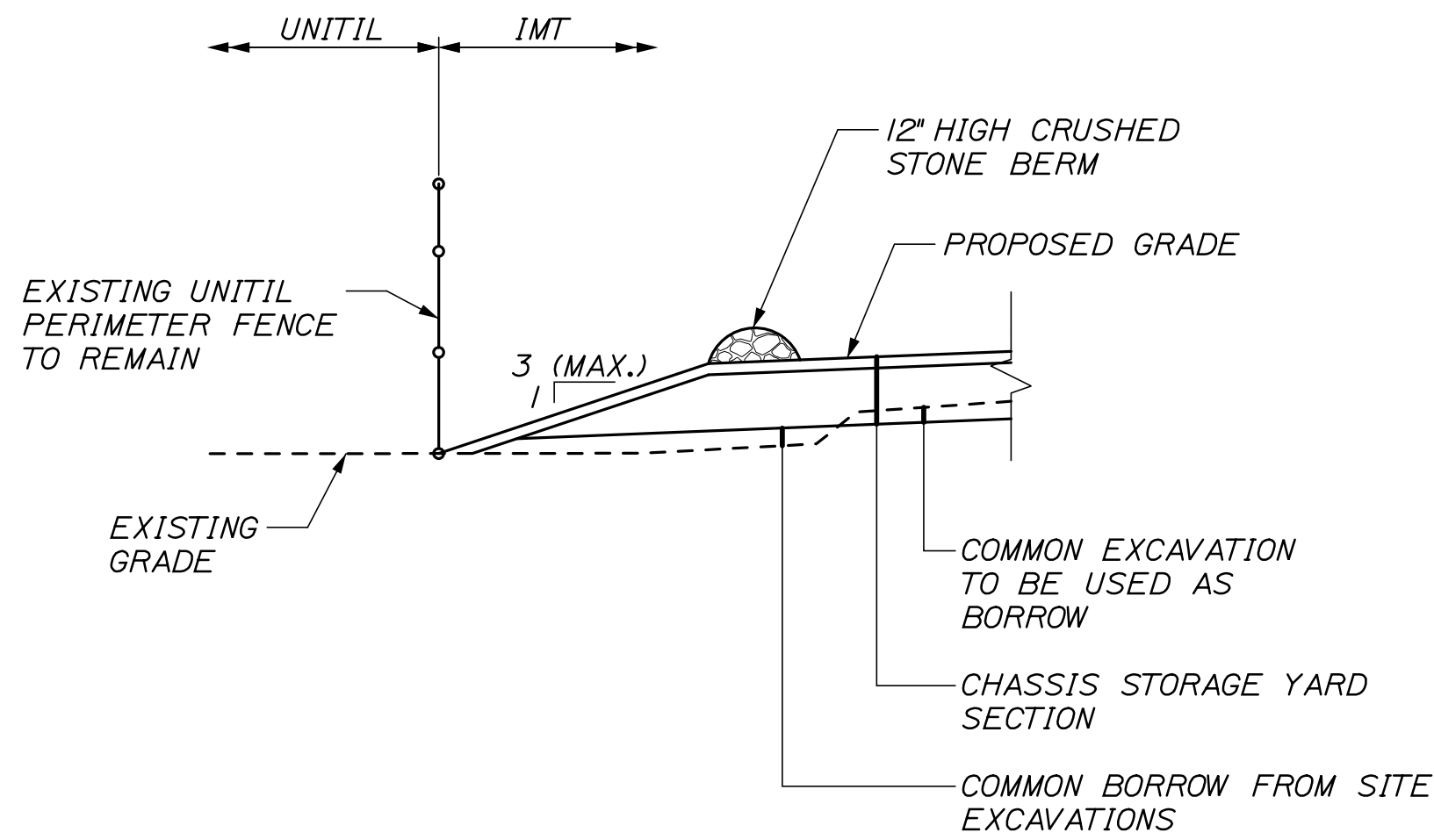
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	PROJ. MANAGER	J. KITTEDGE	BY	DATE	STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20	
	DESIGN-DETAILED	HME	MPC	06/14		
	CHECKED-REVIEWED	-	CRM	06/14		
	DESIGN2-DETAILED2	-	-	SIGNATURE		
SITE DETAILS	DESIGN3-DETAILED3	-	-	-	PROJECT NUMBER 022809.20	
	REVISIONS 1	-	-	-		WIN 022809.20
	REVISIONS 2	-	-	-		
	REVISIONS 3	-	-	-	DATE	
	REVISIONS 4	-	-	-		
FIELD CHANGES	-	-	-	-		

Date:6/26/2014

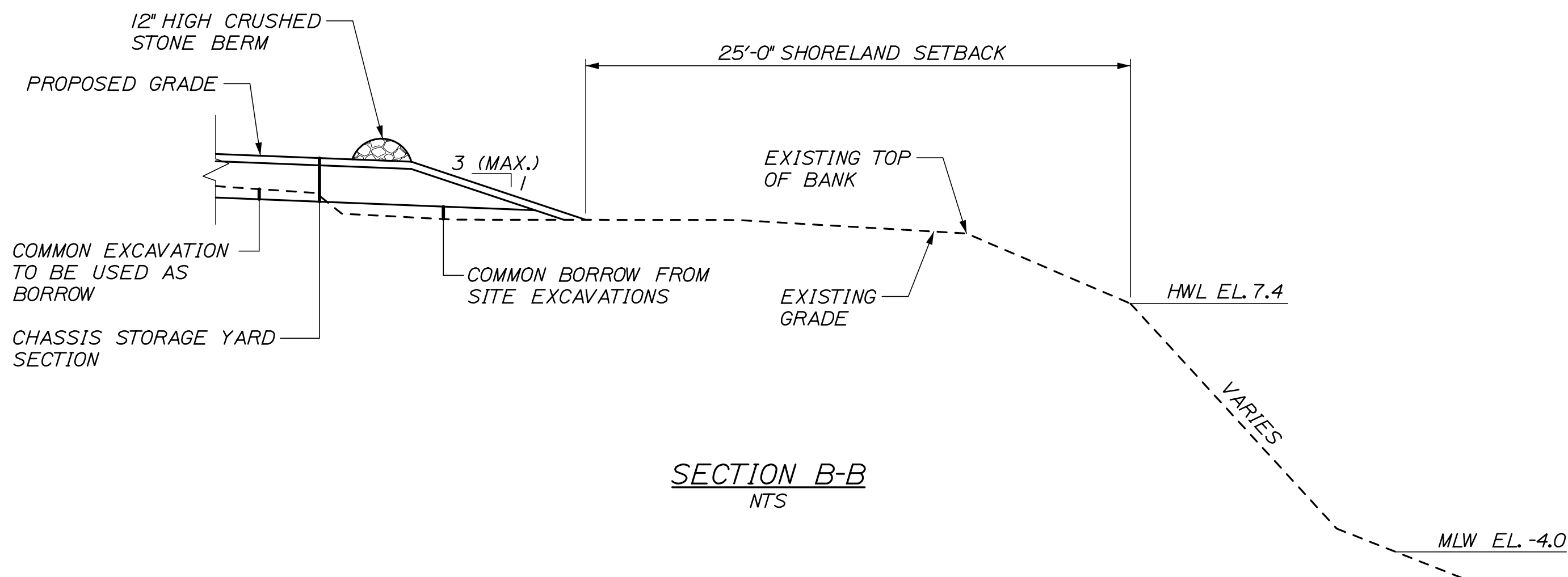
Username:

Division:

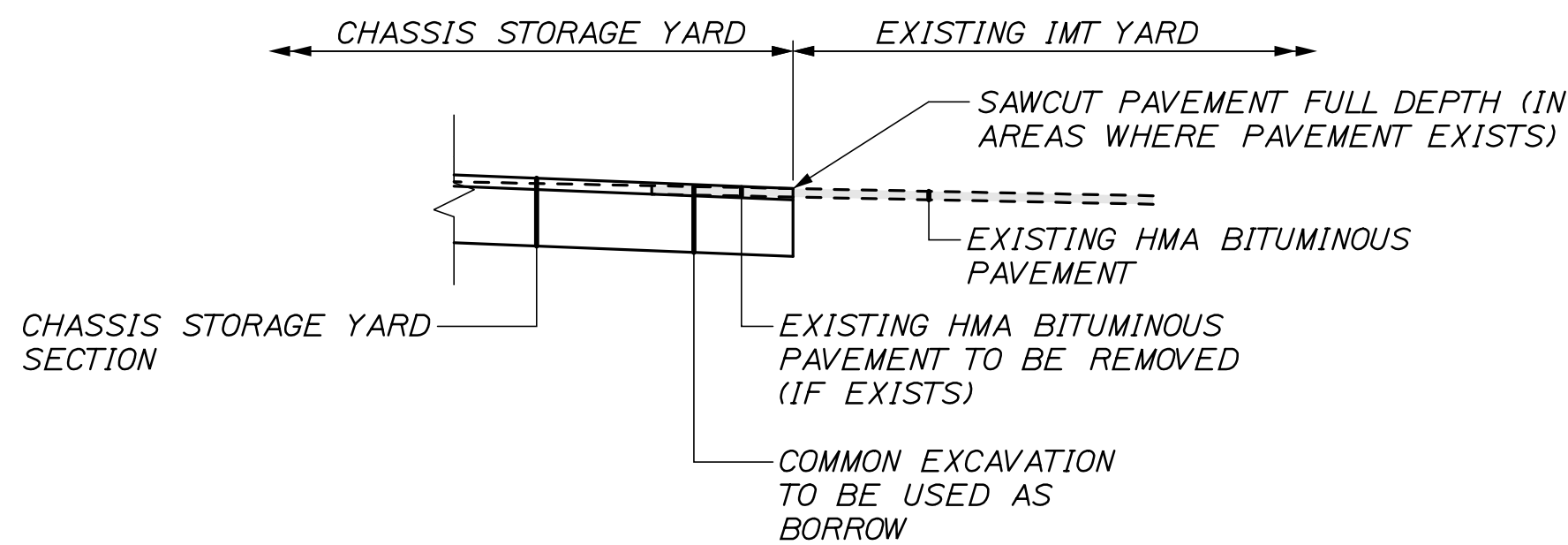
Filename: 017_SiteDets2.dgn



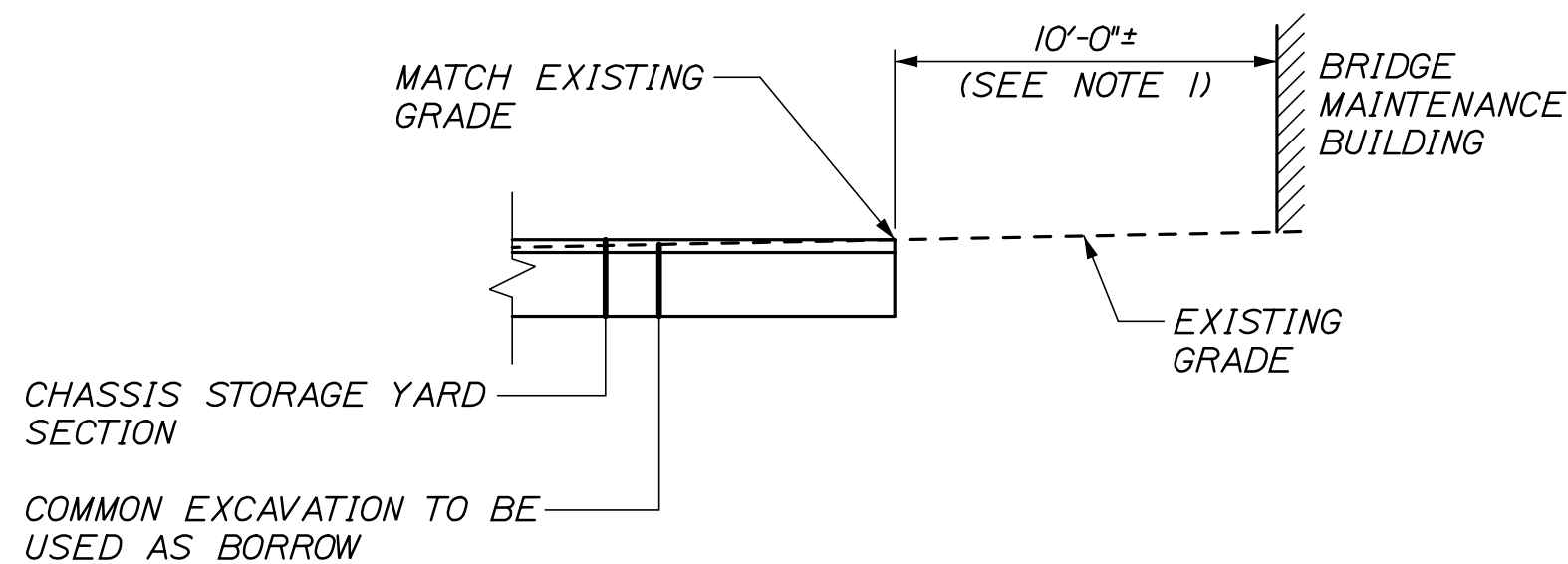
SECTION A-A
NTS



SECTION B-B
NTS

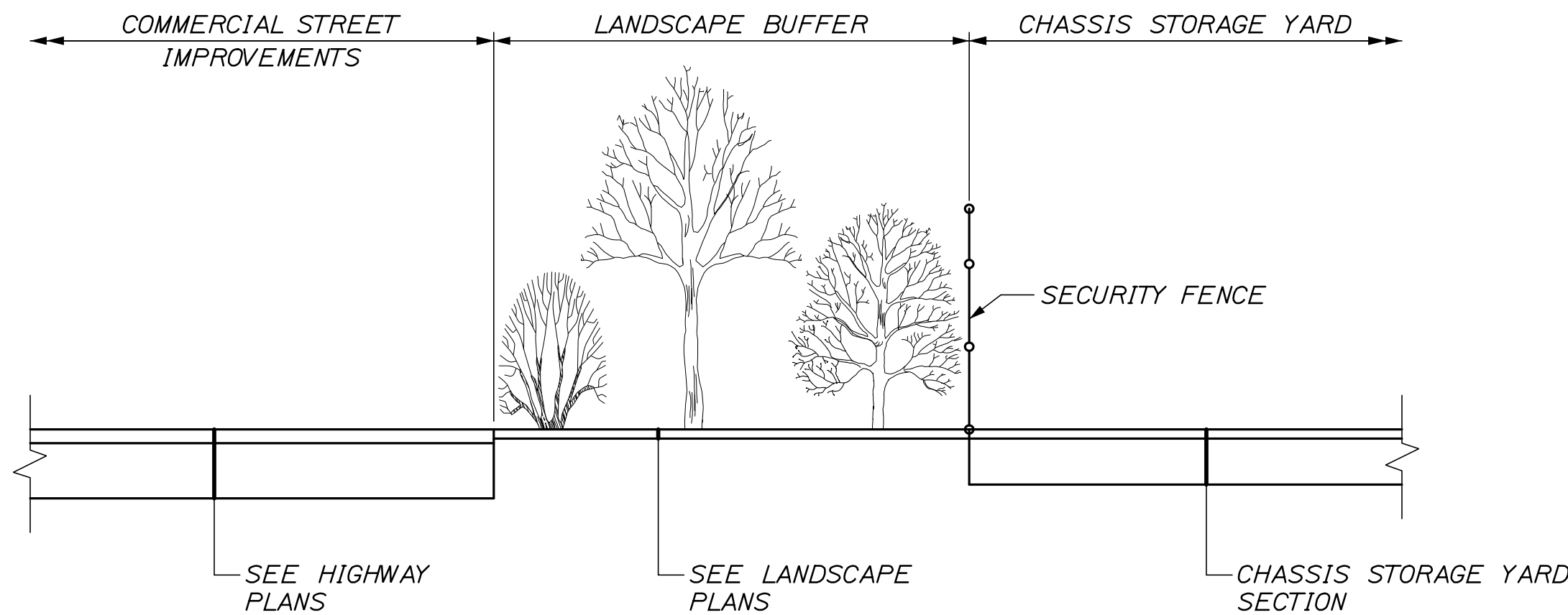


SECTION C-C
NTS

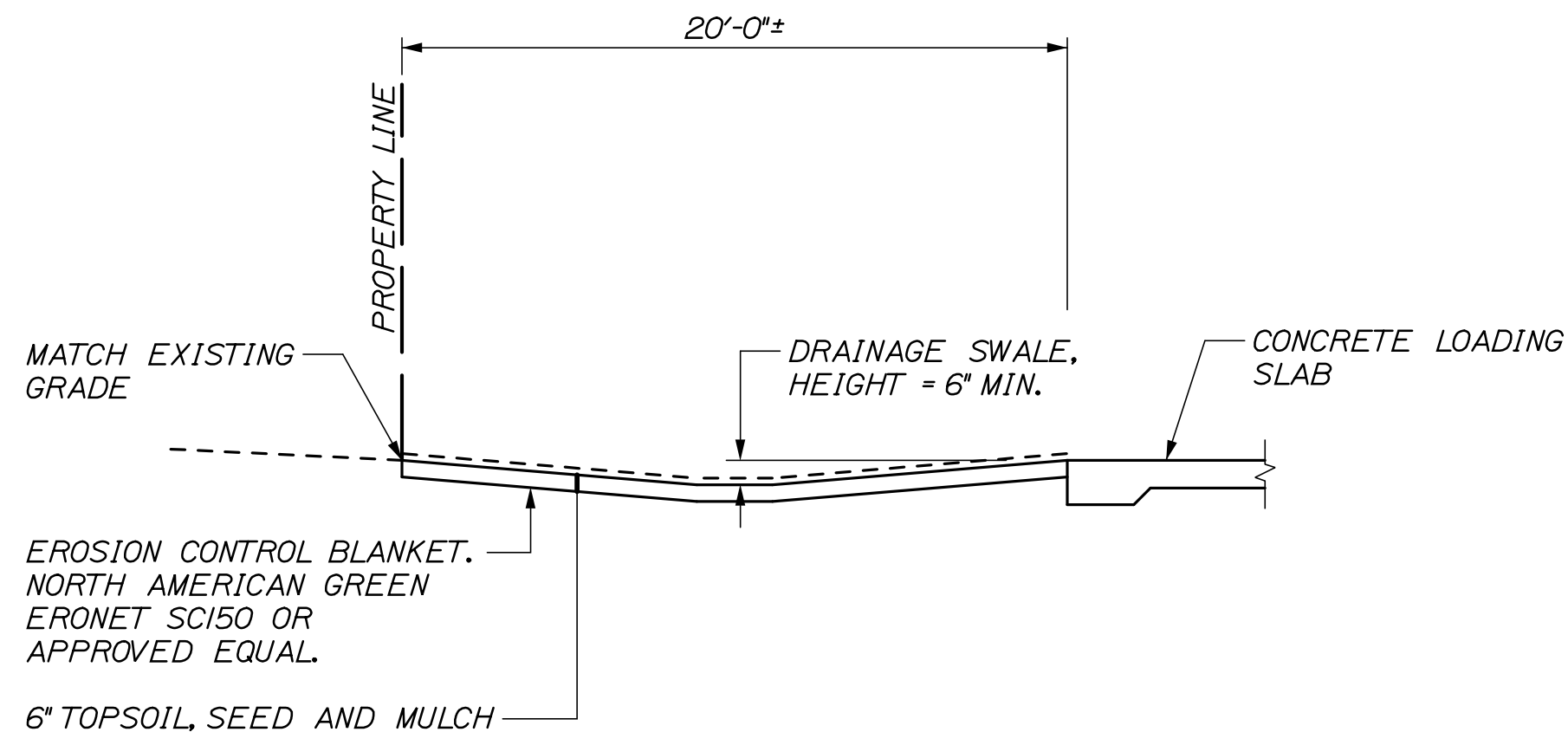


SECTION D-D
NTS

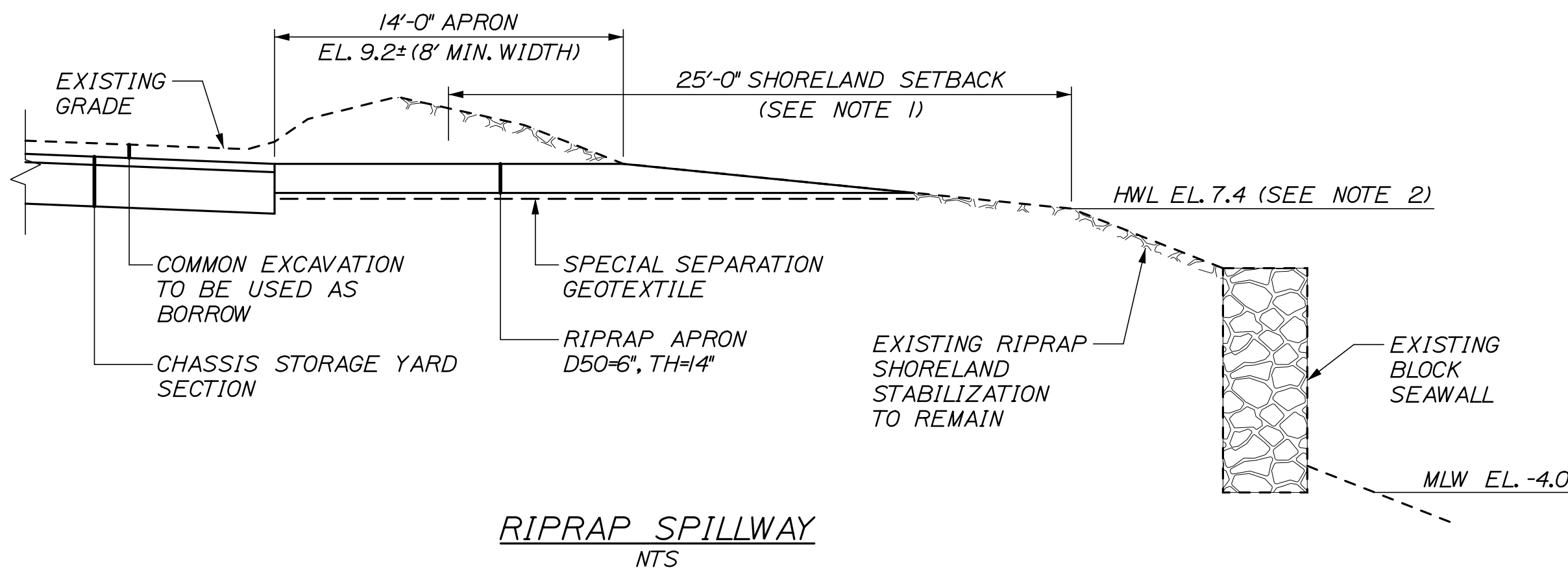
NOTES:
1. RESIDENT TO DETERMINE EXACT MATCH LIMITS BASED ON EXISTING FIELD CONDITIONS.



SECTION E-E
NTS



SECTION F-F
NTS



RIPRAP SPILLWAY
NTS

NOTES:
1. CONTRACTOR TO MINIMIZE LAND DISTURBANCE WITHIN 25' SHORELAND SETBACK. ALL EROSION CONTROL MEASURES MUST BE IN PLACE AND APPROVED BY RESIDENT PRIOR TO COMMENCING WITH CONSTRUCTION.
2. CONTRACTOR SHALL NOT DISTURB GROUND BELOW HWL EL. 7.4.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PROJ. MANAGER	J. KITTREDE	BY	DATE	SIGNATURE	P.E. NUMBER	DATE
DESIGN-DETAILED	1	DATE	06/14			
CHECKED-REVIEWED	1	DATE	06/14			
DESIGN-DETAILED	1	DATE	06/14			
DESIGN-DETAILED	1	DATE	06/14			
REVISIONS 1	1	DATE	06/14			
REVISIONS 2	1	DATE	06/14			
REVISIONS 3	1	DATE	06/14			
REVISIONS 4	1	DATE	06/14			
FIELD CHANGES	1	DATE	06/14			

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
SITE DETAILS

SHEET NUMBER
C14
17 OF 116

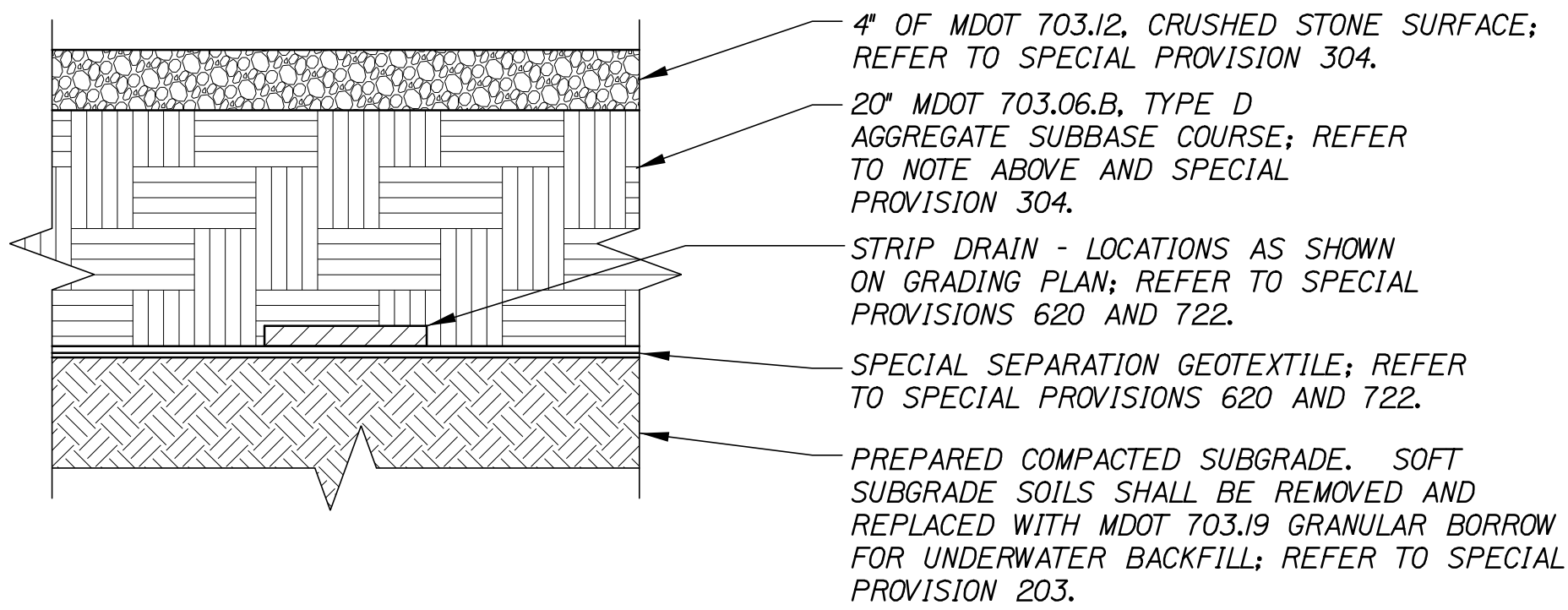
Date:6/26/2014

Username:

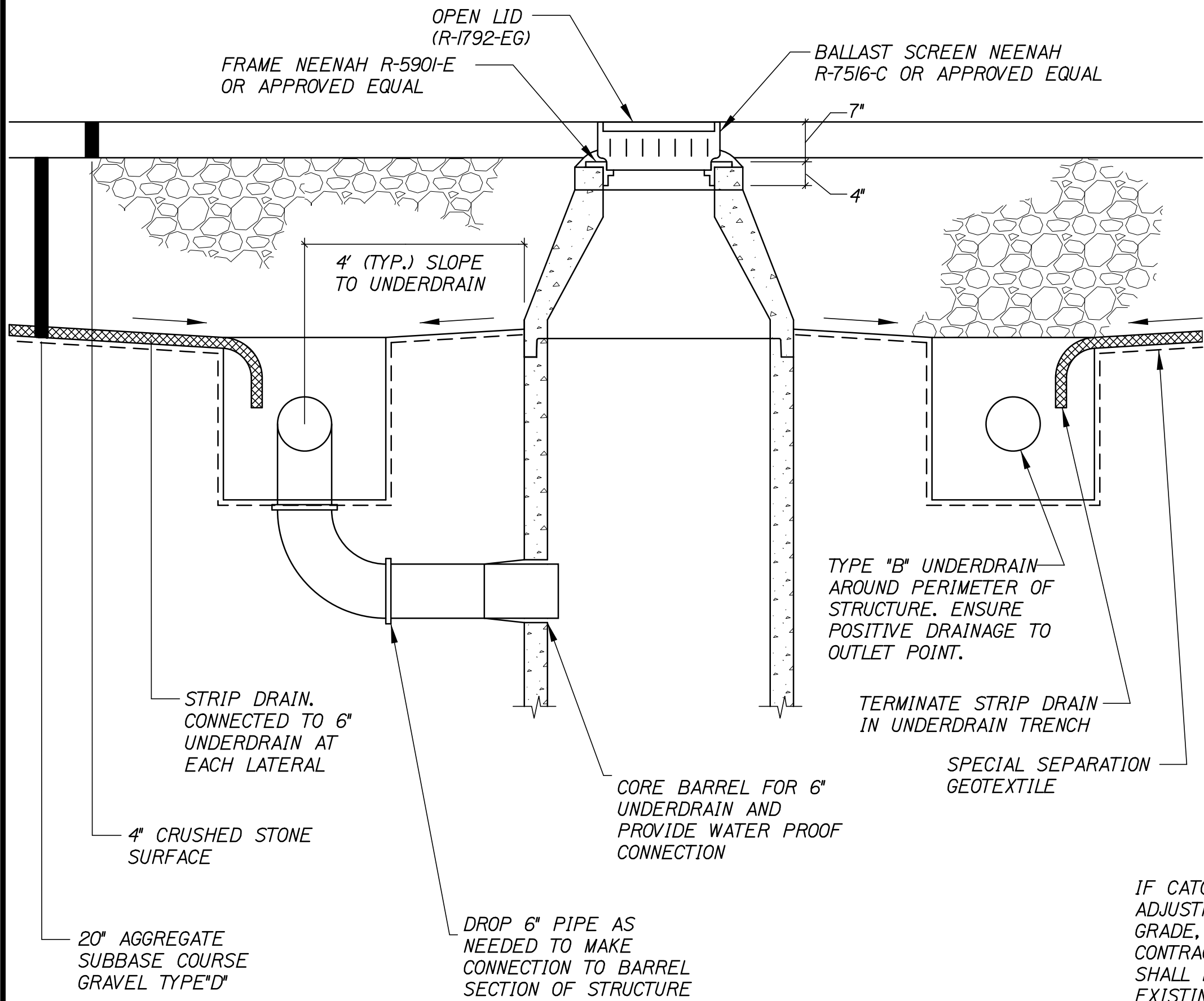
Division:

Filename: 016_SiteDets.dgn

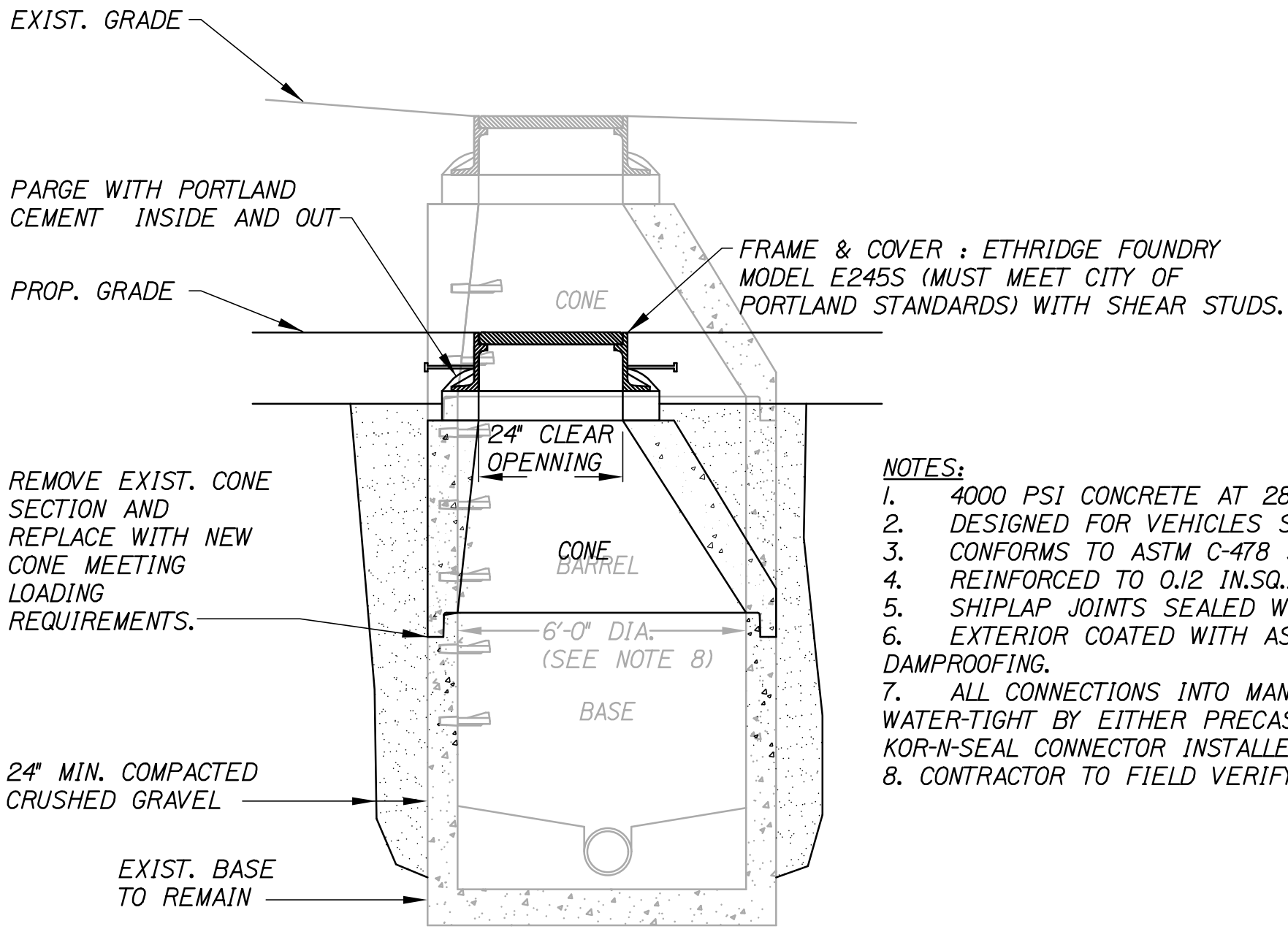
NOTE:
TYPE D AGGREGATE SUBBASE SHALL HAVE BETWEEN 4% AND 7% FINES (PERCENT PASSING #200 SIEVE) TO ACT AS A FILTER LAYER.



CHASSIS STORAGE YARD POROUS SURFACE DETAIL
NOT TO SCALE

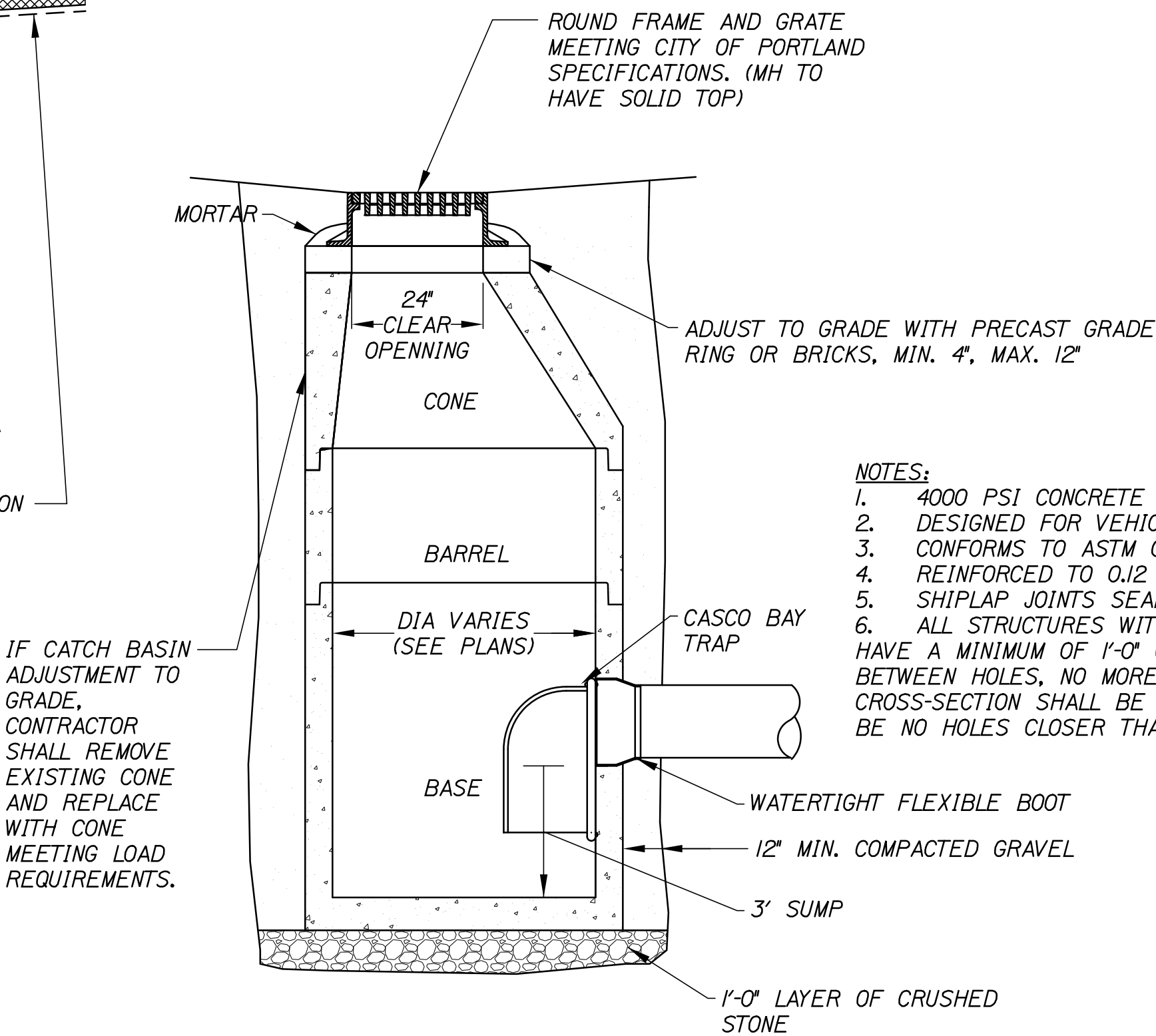


STRIP DRAIN CONNECTION TO CB2 AND CB3 DETAIL
NOT TO SCALE

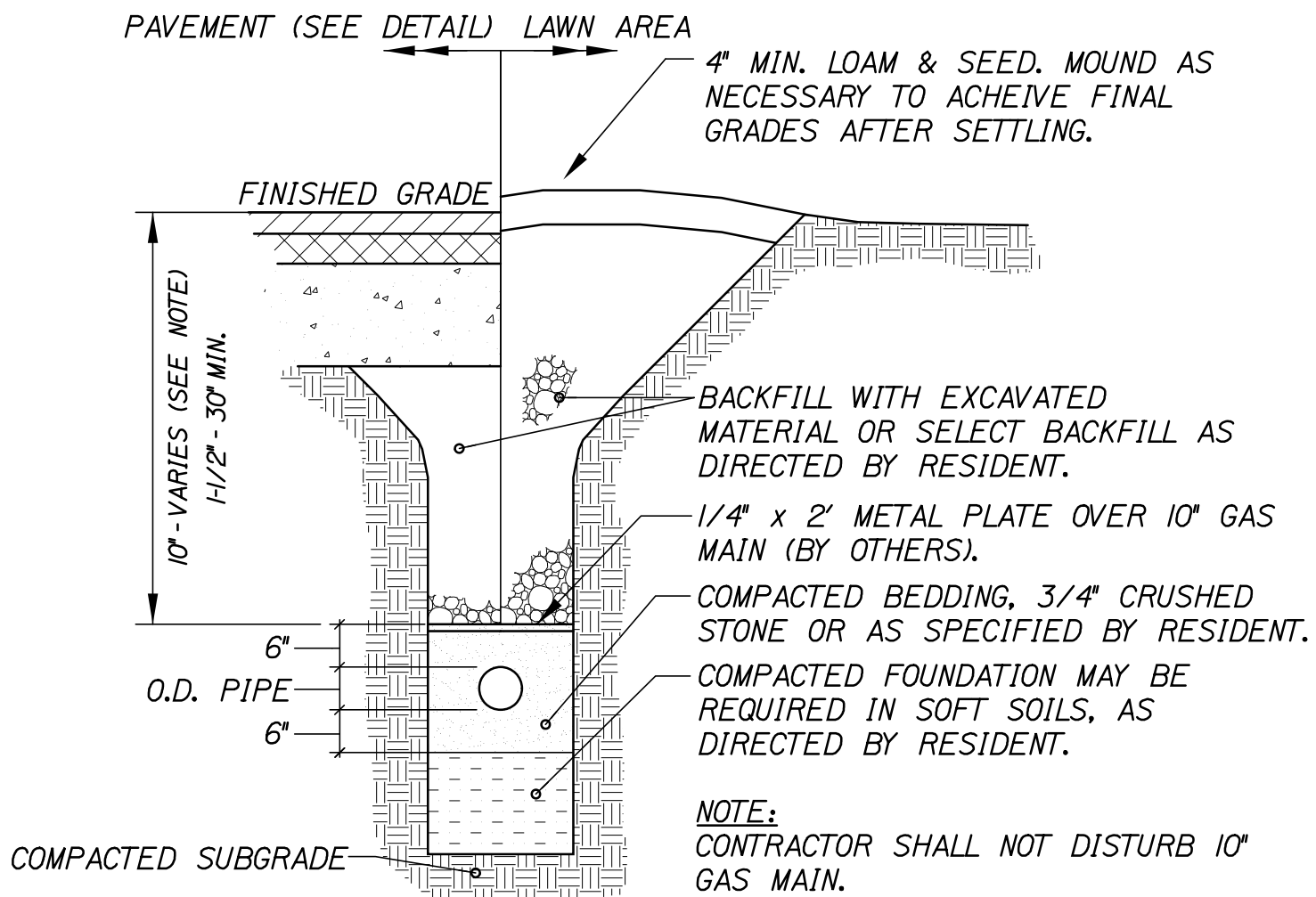


- NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
 2. DESIGNED FOR VEHICLES SHOWN ON SHEET G3.
 3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
 4. REINFORCED TO 0.12 IN.SQ./L.F.
 5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
 6. EXTERIOR COATED WITH ASPHALTIC PROTECTIVE DAMPROOFING.
 7. ALL CONNECTIONS INTO MANHOLE SHALL BE WATER-TIGHT BY EITHER PRECAST FLEXIBLE BOOT OR KOR-N-SEAL CONNECTOR INSTALLED IN CORED HOLE.
 8. CONTRACTOR TO FIELD VERIFY.

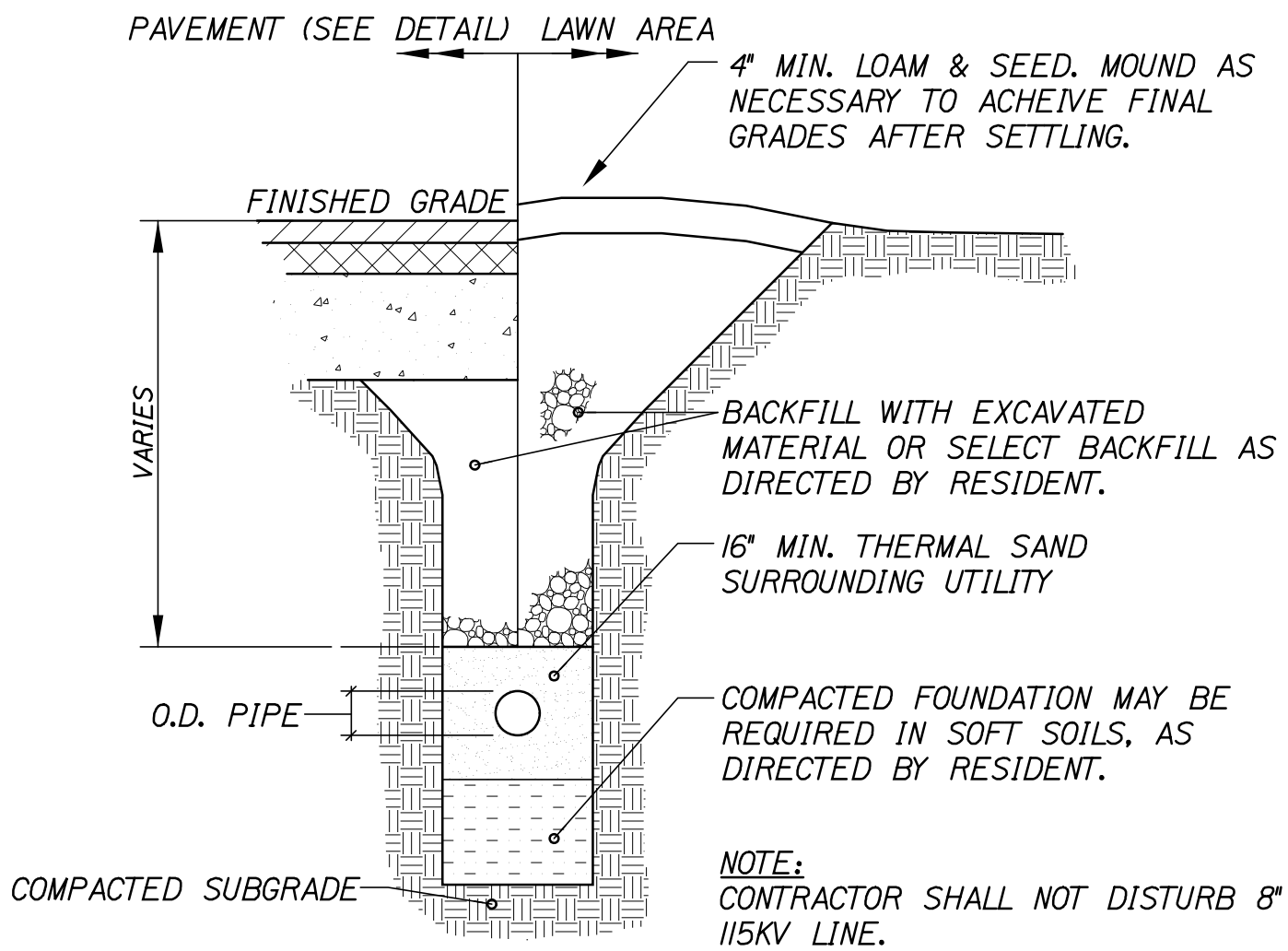
ADJUST LOADING SLAB MANHOLE (SMH) TO GRADE
NOT TO SCALE



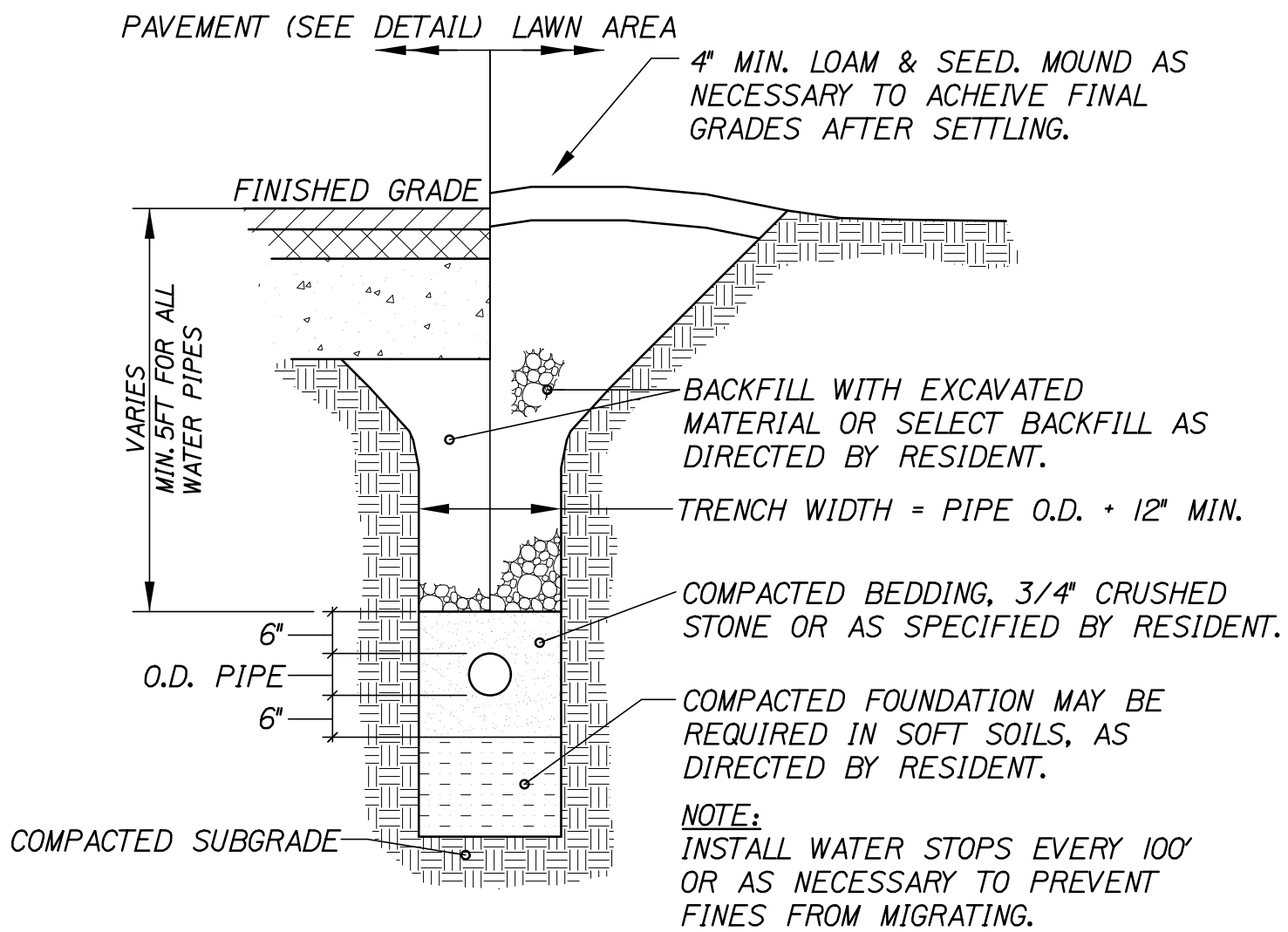
CATCH BASIN (CB)
NOT TO SCALE



GAS TRENCH SECTION
NOT TO SCALE



115KV ELECTRICAL TRENCH SECTION
NOT TO SCALE



UTILITY TRENCH SECTION
NOT TO SCALE

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	PROJECT NUMBER 022809.20	
	WIN	022809.20

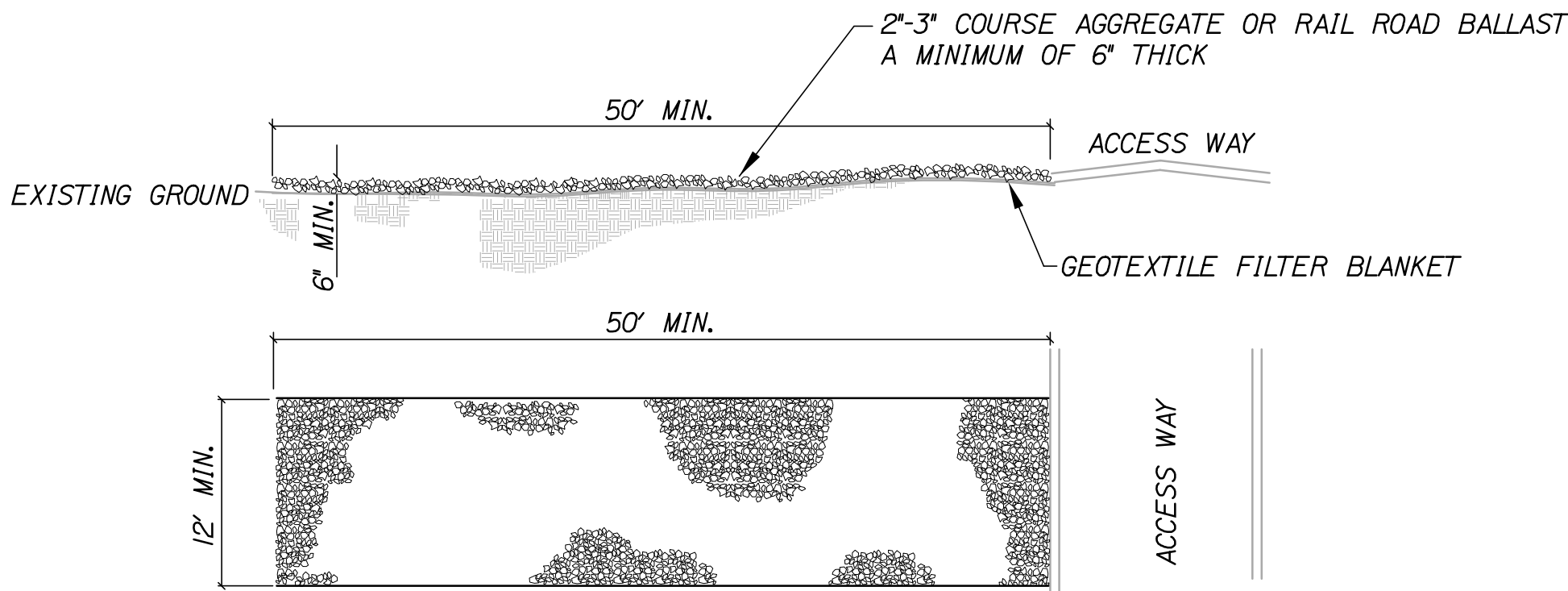
PROJ. MANAGER	J. KITTREDE	BY	DATE	SIGNATURE
DESIGN-DETAILED	LINE	MPC	06/14	
CHECKED-REVIEWED	CPM	CPM	06/14	
DESIGN-DETAILED				
DESIGN-DETAILED				
REVISIONS 1				
REVISIONS 2				
REVISIONS 3				
REVISIONS 4				
FIELD CHANGES				

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	SITE DETAILS	
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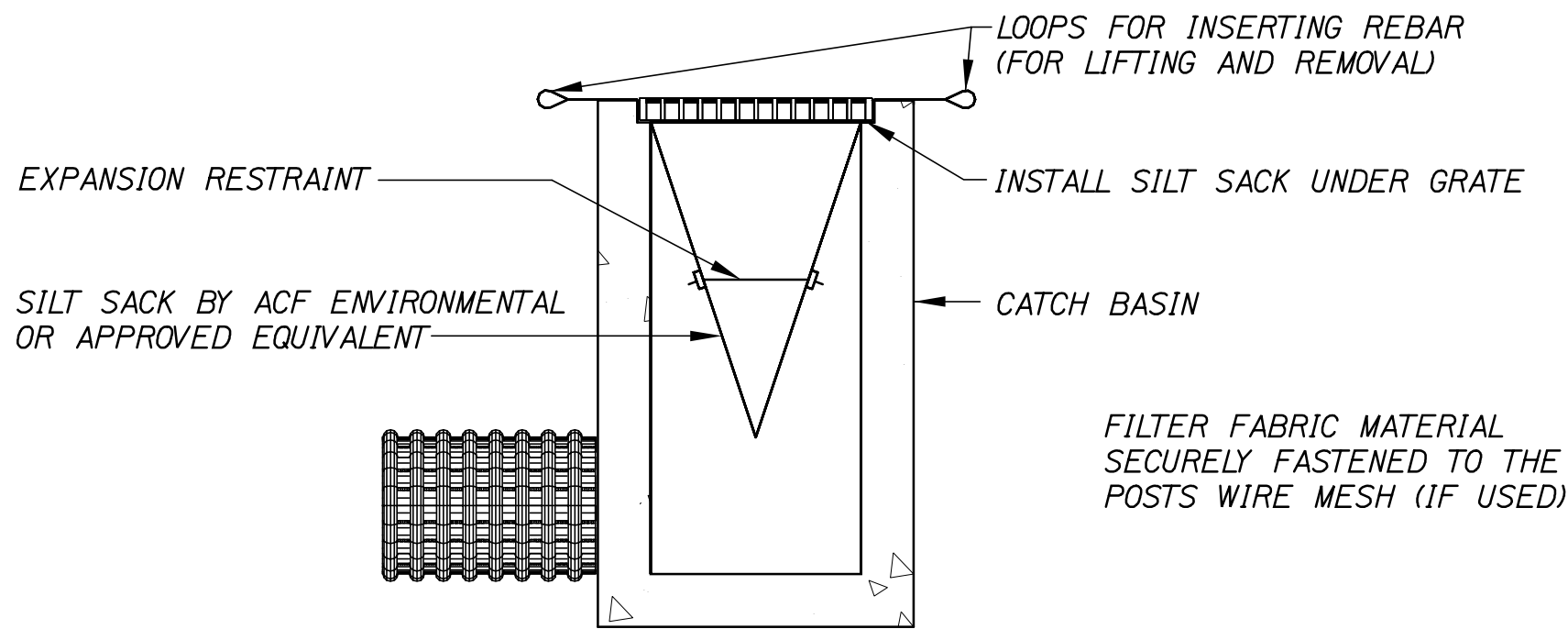
SHEET NUMBER
C13
16 OF 116

NOTES:

1. THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE LOCATED WHERE TRAFFIC WILL ENTER OR LEAVE THE CONSTRUCTION SITE ONTO A PUBLIC STREET.
2. FILTER FABRIC OR COMPACTED CRUSHER RUN STONE SHALL BE USED AS A BASE FOR THE CONSTRUCTION ENTRANCE.
3. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC STREETS OR EXISTING PAVEMENT. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS WARRANT AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
4. ANY SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC STREETS MUST BE REMOVED IMMEDIATELY.
5. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IN ORDER TO TRAP AND STABILIZE ANY SEDIMENT THAT RUNS OFF OF THE STABILIZED CONSTRUCTION ENTRANCE.
6. WHEN APPROPRIATE, WHEELS MUST BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTERING A PUBLIC STREET.
7. WHEN WASHING IS REQUIRED, IT SHALL BE DONE IN AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.



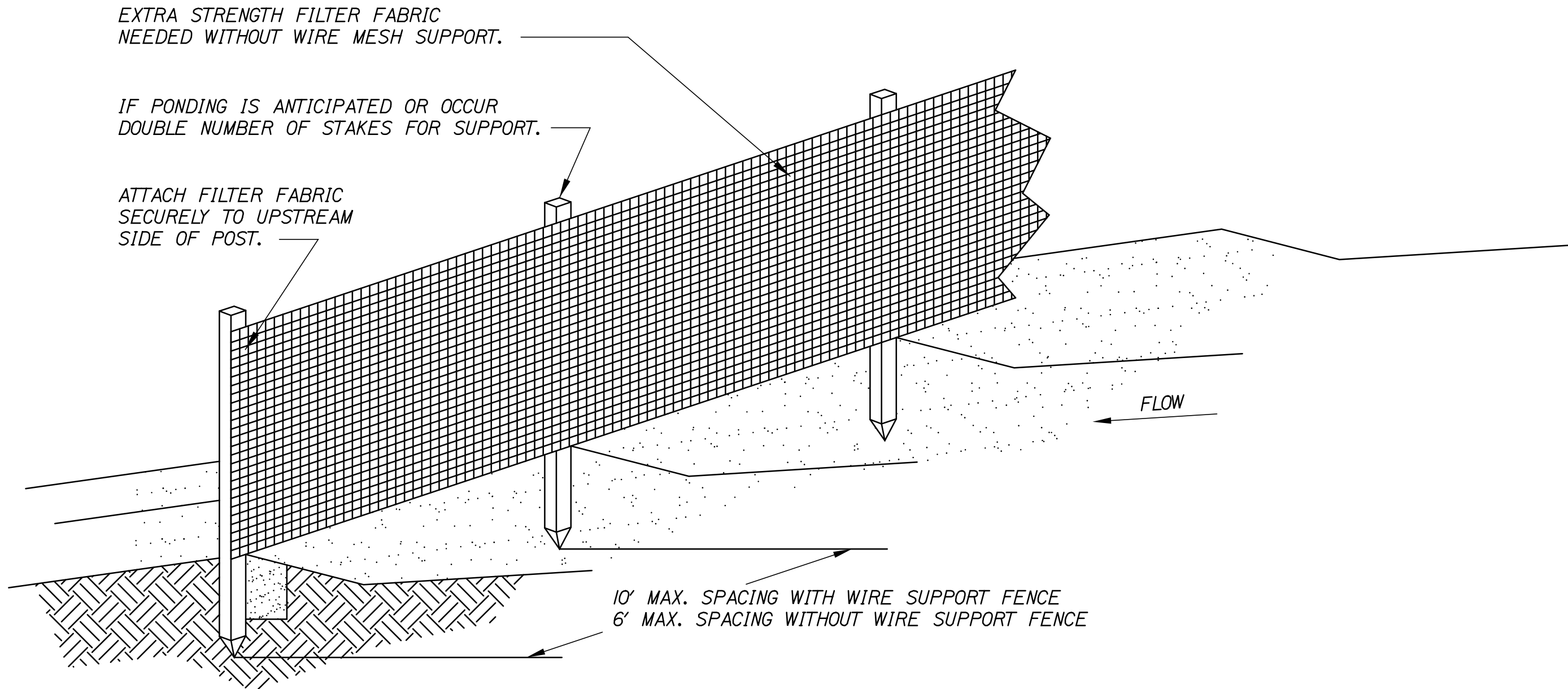
STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE



NOTES:

1. INSTALL SILTSACK PER MANUFACTUREER'S RECOMENDATIONS.
2. SILTSACKS SHALL BE CHECKED FOR SEDIMENT LEVEL AND OVERALL CONDITION IMMEDIATELY AFTER EVERY RAIN EVENT AND AT LEAST EVERY DAY DURING PROLONGED RAINFALL.
3. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE SILTSACK. REMOVED SEDIMENT SHALL BE DISPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT WILL NOT ERODE.
4. SEDIMENT SHALL ONLY BE REMOVED BY REMOVING THE SILTSACKS FROM THE CATCH BASINS ACCORDING TO MANUFACTUREER RECOMENDATIONS.
6. CARE SHALL BE TAKEN TO AVOID SPILLING SEDIMENT WHILE REMOVING THE SILTSACK.
7. ANY DAMAGED SILTSACK SHALL BE REPLACED WITH A NEW SILTSACK.

INLET PROTECTION - SILTSACK
NOT TO SCALE

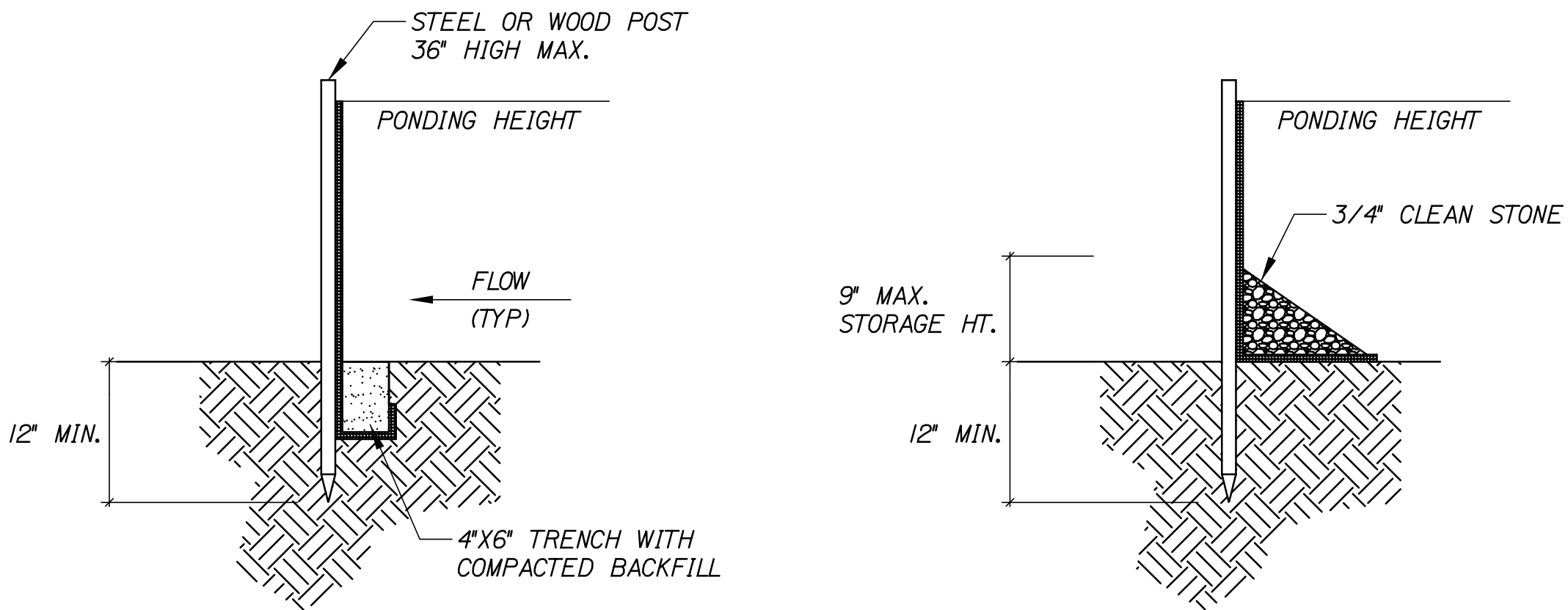


NOTE:

PRE-FABRICATED SILT FENCE IS ACCEPTABLE IF INSTALLED PER MANUFACTURER.

NOTES:

1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9' MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
4. DO NOT PLACE SILT FENCE IN STREAMS OR CONCENTRATED FLOW CONDITIONS.



TRENCH DETAIL

SILT FENCE DETAIL
NOT TO SCALE

LEDGE, FROZEN GROUND, HEAVY ROOTS
INSTALLATION WITHOUT TRENCHING

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN 022809.20

PROJ. MANAGER	J. KITTREDE	BY	DATE
DESIGN-DETAILED	HME	MPC	06/14
CHECKED-REVIEWED	-	CPM	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY
EROSION AND SEDIMENTATION CONTROL DETAILS

SHEET NUMBER
C12
15 OF 116

Date:6/26/2014

Username:

Division:

Filename: 014_ErosSedNotes.dgn

EROSION CONTROL NOTES:

1. THE ANTICIPATED EROSION CONTROL DEVICES ARE SHOWN ON THE PLANS.THE CONTRACTOR SHALL PROPOSE ACTUAL TYPE AND LOCATION OF DEVICES FOR APPROVAL BE THE RESIDENT.ADDITIONAL MEASURES MAY BE PROPOSED BY THE CONTRACTOR DUE TO SITE OR WEATHER CONDITIONS.THE RESIDENT MAY DIRECT THE CONTRACTOR TO IMPLEMENT ADDITIONAL MEASURES.
2. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST "MAINE EROSION AND SEDIMENT CONTROL BMPS"BY THE BUREAU OF LAND AND WATER QUALITY,MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
3. THE CONTRACTOR SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ENGINEER.
4. THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH THE EROSION CONTROL PLAN.THE CONTRACTOR SHALL BE RESPONSIBLE FOR EMPLOYING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IN ORDER TO MEET THE ABOVE-REFERENCED DEP EROSION CONTROL STANDARDS.
5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR RE-GRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR DESIGNATED PARKING AREAS, DRIVEWAYS, OR SIDEWALKS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED/DESCRIBED IN THE MAINE DEP BMP STANDARDS.
6. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINAL GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
7. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT,MULCH MUST BE SPREAD ON ANY EXPOSED SOILS.
8. THE CONTRACTOR SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS,OR PRIOR TO A STORM EVENT.
9. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING,DAMAGE,DETERIORATION OR UNDERMINING. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER OR AS OTHERWISE SHOWN ON THE PLANS.
10. ALL TRAFFIC INTO AND OUT OF THE SITE SHALL BE OVER A STABILIZED CONSTRUCTION ENTRANCE.
11. LINEAR UTILITY CONSTRUCTION SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER BACKFILL AND NO MORE THAN 500 FEET SHALL BE OPEN AT ANY ONE TIME. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS,ALL EXCAVATED MATERIALS SHALL BE PLACED ON THE UPHILL SIDES OF ALL TRENCHES. ALL TEMPORARY EARTH BERMS SHALL BE SEEDED AND MULCHED WITH TEMPORARY VEGETATION WITHIN 7 DAYS AFTER GRADING.
12. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
13. EROSION CONTROL DEVICES (EROSION CONTROL BLANKET, SEDIMENT BARRIER, STABILIZED CONSTRUCTION ENTRANCE) SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
14. SEEDED AREAS SHALL BE FERTILIZED AND RESEEDED AS NECESSARY TO ENSURE VEGETATION IS ESTABLISHED.
15. 4" LOAM HAS BEEN ESTIMATED FOR 100% OF THE DISTURBED SLOPE AREA UNLESS OTHERWISE SPECIFIED ON THE PLANS.ACTUAL PLACEMENT OF THE LOAM SHALL BE AS DESIGNATED BY THE RESIDENT.

SEEDING NOTES:

1. ALL SEEDING SHALL BE IN ACCORDANCE WITH SECTION 618.
2. ALL FINAL SEEDING SHALL BE COMPLETED WITHIN SEVEN (7) DAYS FOLLOWING FINAL GRADING.
3. ALL AREAS SHALL BE MULCHED IMMEDIATELY AFTER SEEDING.THE CONTRACTOR SHALL MONITOR THE MULCH PERFORMANCE AND,IF MULCHING PROVES TO BE INEFFECTIVE,THEN NETTING AND MATTING SHALL BE USED IN ITS PLACE.
4. SEEDING SHALL BE PERFORMED BETWEEN APRIL 15TH AND OCTOBER 1ST (WITHOUT DORMANT SEEDING).
5. ALL SEEDING SHALL BE METHOD NUMBER 1.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20										
	PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY EROSION AND SEDIMENTATION CONTROL NOTES		PROJ. MANAGER	J. KITTREDEGE	BY	DATE				
	DESIGN-DETAILED	HME	MPC	06/14	SIGNATURE					
		CHECKED-REVIEWED	-	CPM	06/14					
		DESIGN-DETAILED	-	-	-					
		REVISIONS 1	-	-	-	P.E. NUMBER				
		REVISIONS 2	-	-	-	DATE				
		REVISIONS 3	-	-	-					
		REVISIONS 4	-	-	-					
		FIELD CHANGES	-	-	-					
SHEET NUMBER										
C11										
14 OF 116										

Date: 6/27/2014

Username:

Division:

Filename: 013_SiteUtilityPlan3.dgn

SLIPLINE EXIST 48" RCP
GRAVITY SEWER MAIN
STA. 201+75, RT. TO STA. 213+00 RT.

ADJUST SEWER MANHOLE TO GRADE
RIM EL. = 14.66

ADJUST SEWER MANHOLE TO GRADE
RIM EL. = 14.59

MANUAL FIRE PULL
STATION (TYP. OF 3)
POST INDICATOR VALVE.
SEE WATER SYSTEM
DETAILS

SEE TRAFFIC PLANS
FOR BEACH STREET
SIGNALS

REMOVE 3'X4' METER PIT
AND CHECK VALVE, PAYMENT
INCIDENTAL TO THE 822 ITEMS.
INSTALL 8"X6" REDUCER, AND 6"
WATERMAIN TO PROPERTY
LINE. INSTALL 6" SHUT-OFF
AT PROPERTY LINE.

6" X 4" TEE
4" SHUT-OFF VALVE
AT PROPERTY LINE
4" DOMESTIC WATER
SERVICE

REMOVE POND AND
OVERHEAD WIRES

PROPOSED
STANDPIPE (3 TOTAL)
SEE WATER SYSTEM
DETAILS

DISCONNECT EXISTING
SERVICE, CONNECT NEW
SERVICE, AND ELECTRIFY.
COORDINATE WITH CMP
AND NEW YARD.

PROPOSED SITE ELECTRICAL
SEE ELECTRICAL PLANS
FOR DETAILS (TYP.)

DIRECTIONAL DRILL
UNDER TRACK AND
INSTALL 16" PVC
SLEEVE. SEE SECTION
104 AND 830 FOR
MORE INFORMATION.

REGULATOR BUILDING
6"X6" TAPPING SLEEVE
AND SHUT-OFF VALVE

4'X8' METER PIT WITH
4" COMPOUND METER.
CAP END FOR FUTURE
CONNECTION.

6" FIRE SERVICE

END SLIPLINING AT
SS MANHOLE

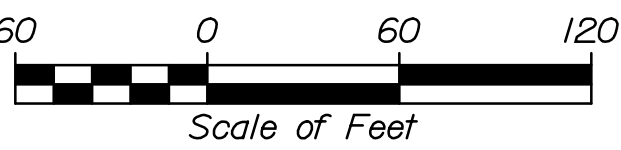
6" SHUT-OFF VALVE
FOR NEW YARD LLC
SERVICE

NOW OR FORMERLY
NEW YARD, LLC
(5.03 AC ±)

HYDRANT (3)

RELOCATE 1 1/2" GAS
SERVICE

PLAN



NOTES:
1. CONTRACTOR TO PERFORM TEST PITS TO LOCATE
UTILITIES AS NEEDED. SEE SECTION 104 SPECIAL
PROVISION.
2. SEE ELECTRICAL PLANS FOR ELECTRICAL ITEMS.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	LINE	MPC	06/14
CHECKED-REVIEWED	LINE	CPM	06/14
DESIGN-DETAILED	LINE	CPM	06/14
DESIGN-DETAILED	LINE	CPM	06/14
REVISIONS 1	LINE	CPM	06/14
REVISIONS 2	LINE	CPM	06/14
REVISIONS 3	LINE	CPM	06/14
REVISIONS 4	LINE	CPM	06/14
FIELD CHANGES	LINE	CPM	06/14

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
SITE UTILITY PLAN

SHEET NUMBER

C10

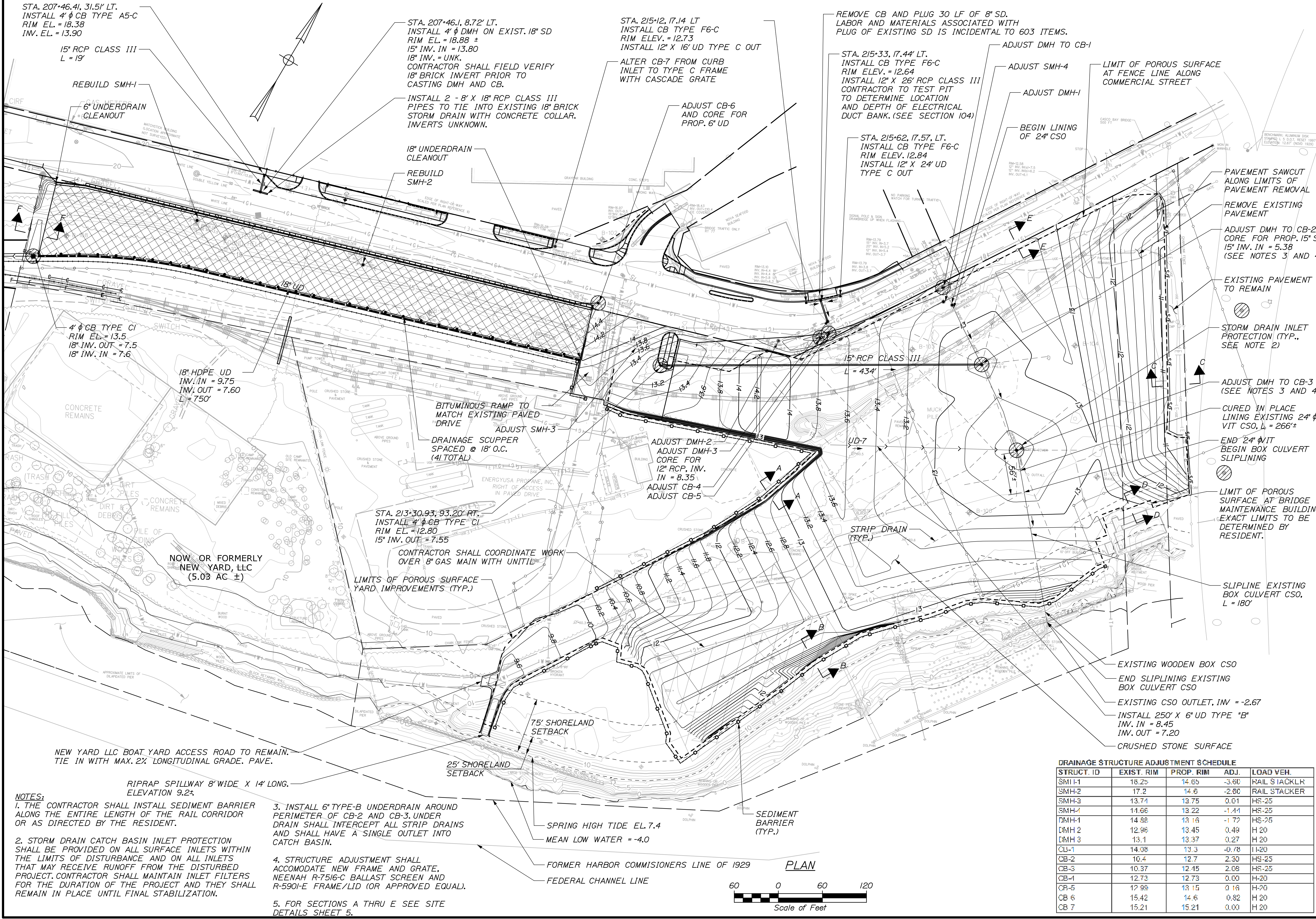
13 OF 116

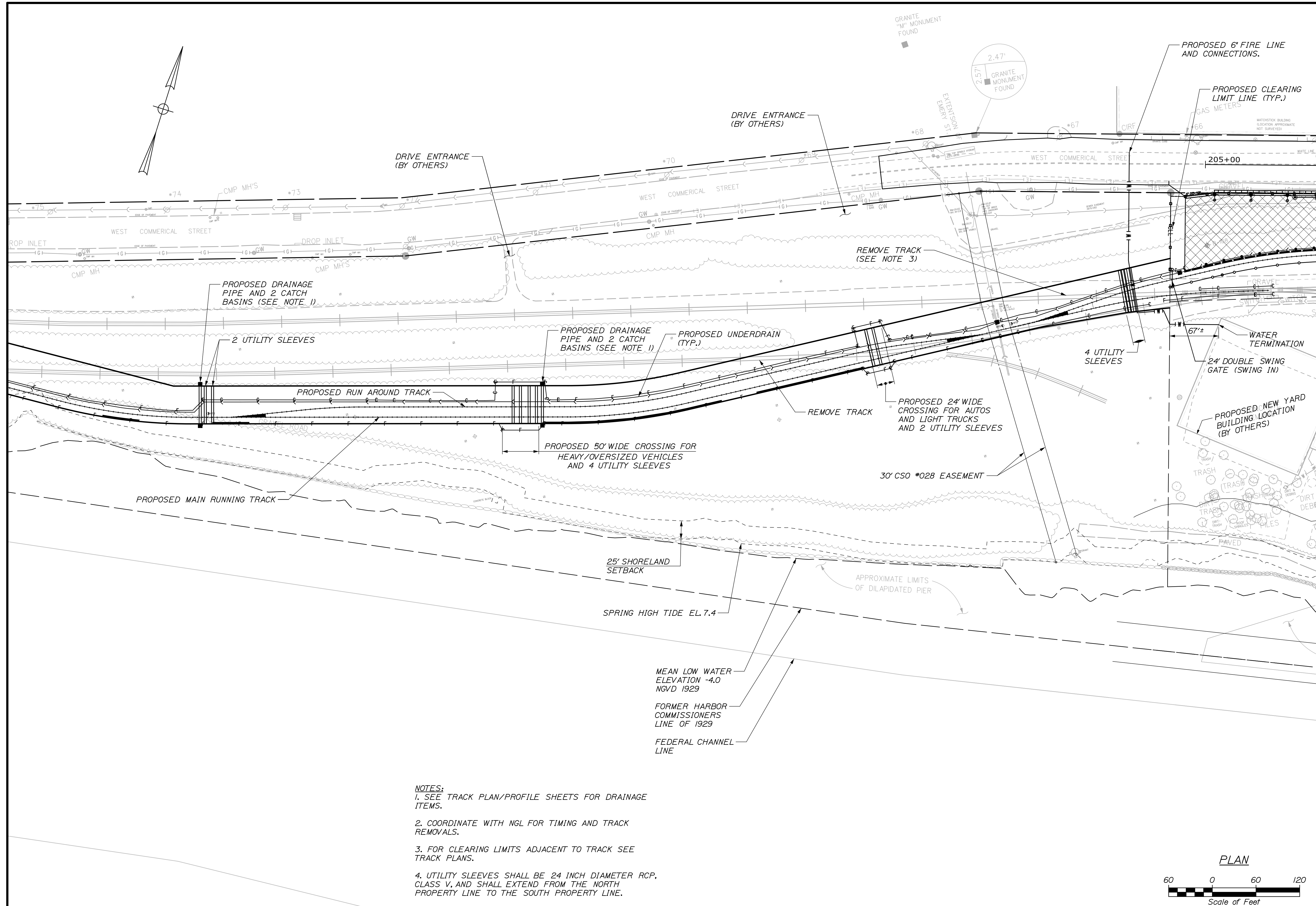
Date: 6/27/2014

Username:

Division:

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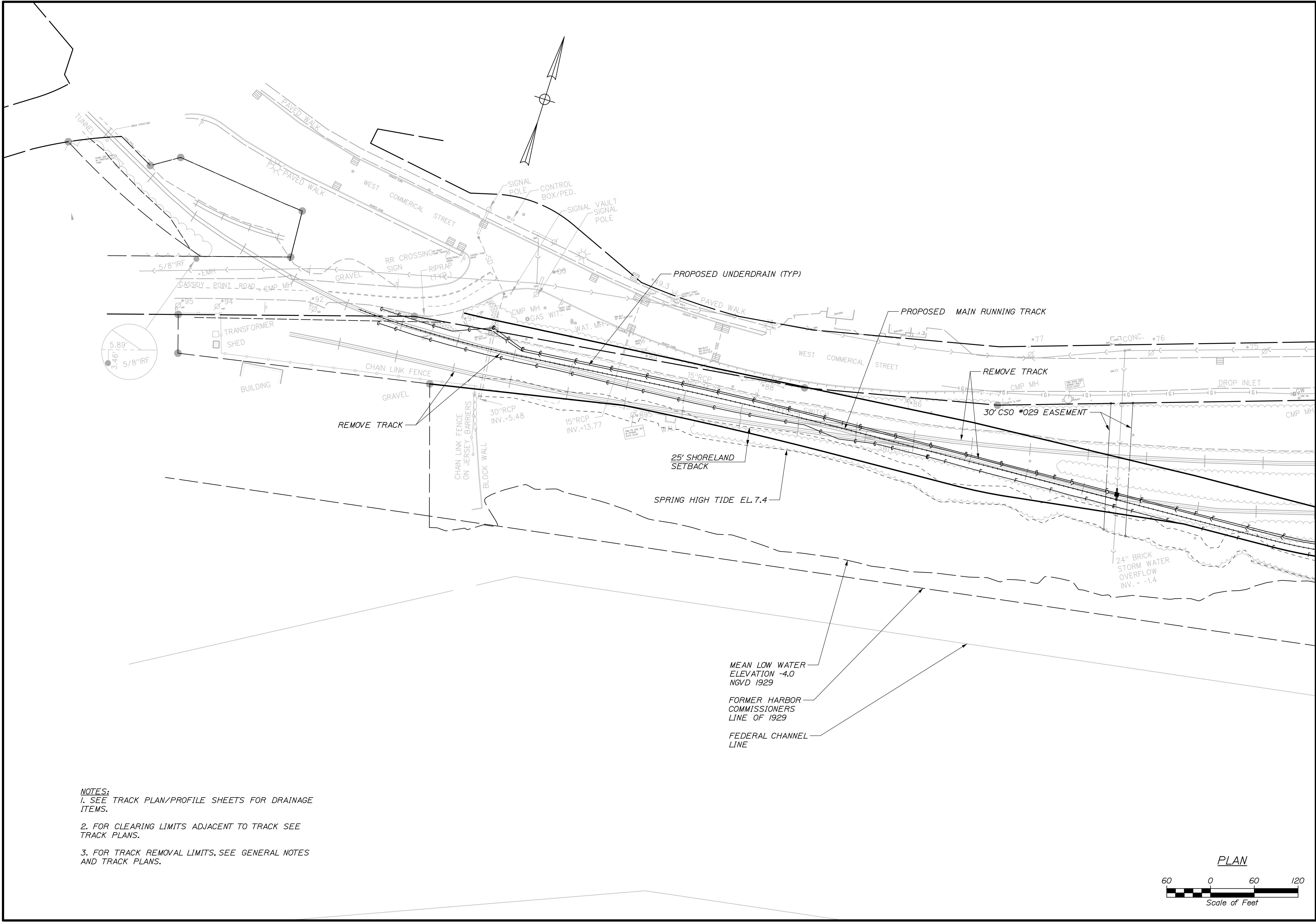


Date:6/26/2014

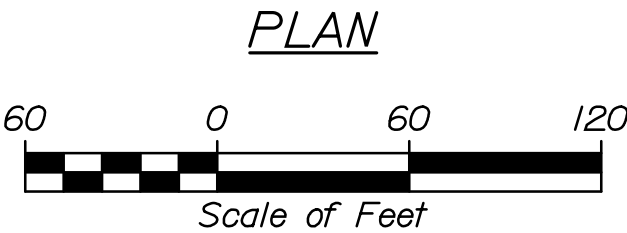
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Division:

Filename: 009_SitePlan1.dgn



NOTES:
1. SEE TRACK PLAN/PROFILE SHEETS FOR DRAINAGE ITEMS.
2. FOR CLEARING LIMITS ADJACENT TO TRACK SEE TRACK PLANS.
3. FOR TRACK REMOVAL LIMITS, SEE GENERAL NOTES AND TRACK PLANS.



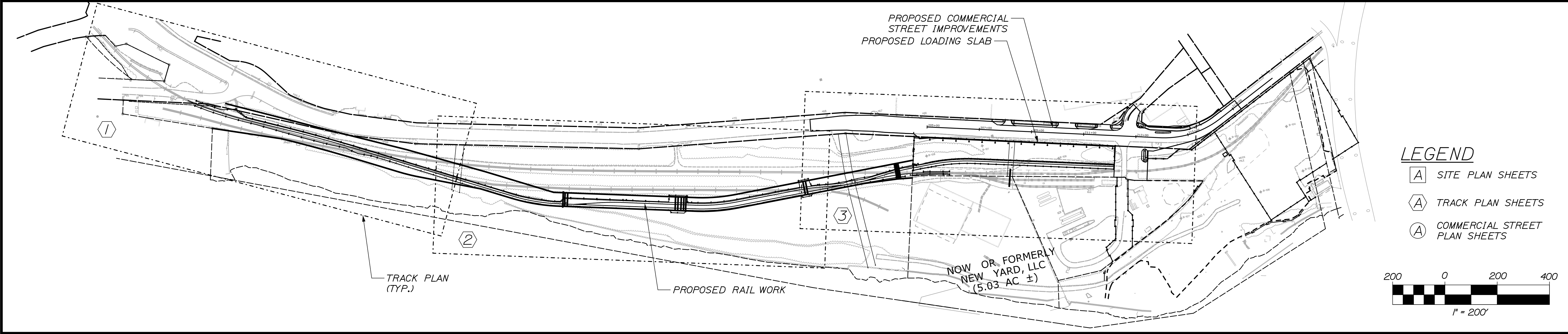
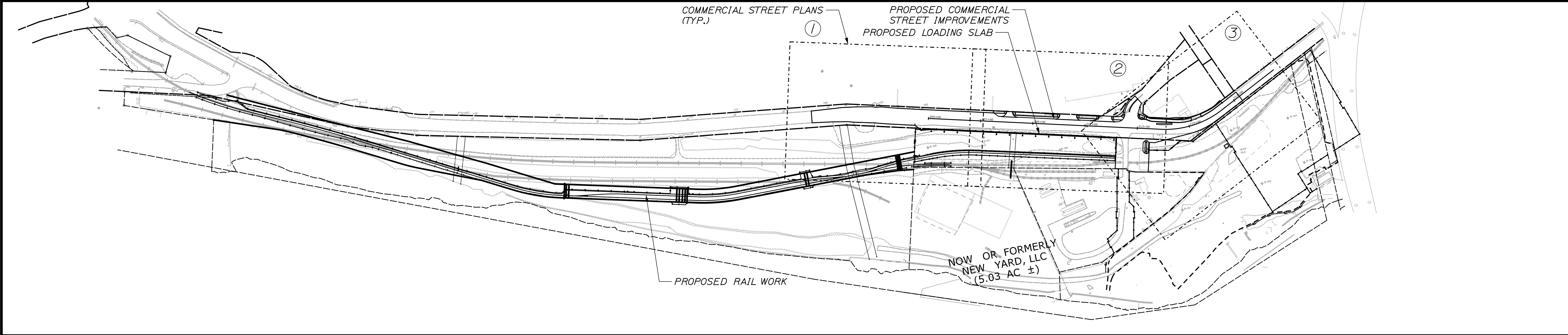
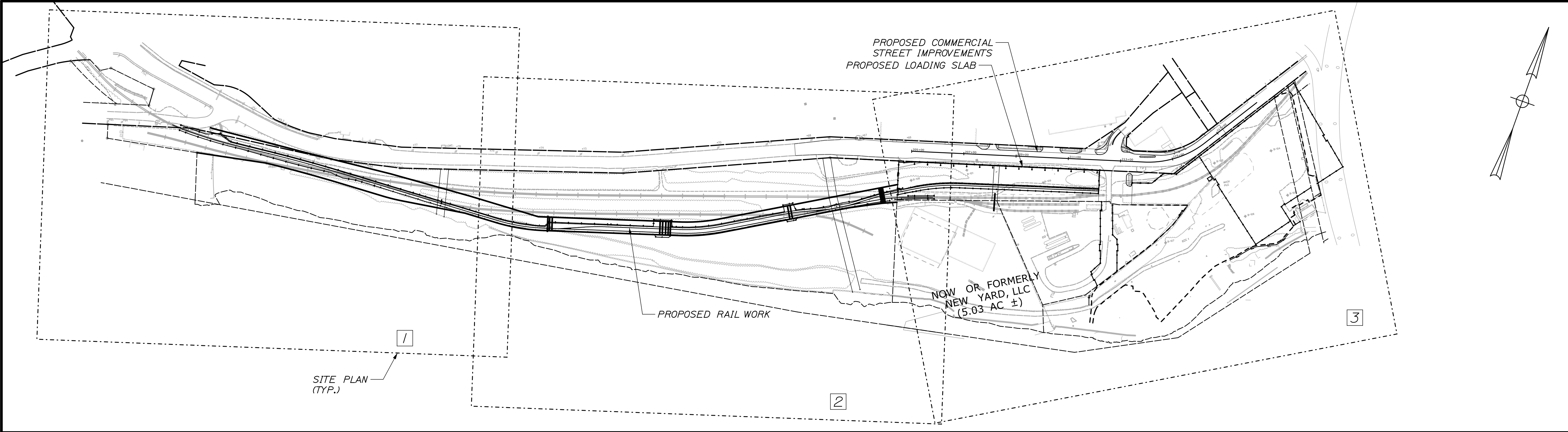
STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20		PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		SHEET NUMBER C06 9 OF 116	
PROJ. MANAGER	J. KITTREDEE	BY	DATE	SIGNATURE	P.E. NUMBER
DESIGN-DETAILED	LINE	MPC	06/14		
CHECKED-REVIEWED	CPM		06/14		
DESIGN-DETAILED					
REVISIONS 1					
REVISIONS 2					
REVISIONS 3					
REVISIONS 4					
FIELD CHANGES					

Date: 6/26/2014

Username:

Division:

Filename: 008_LayoutPlan.dgn



STATE OF MAINE	
DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER 022809.20	
WIN	022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	CRM	MPC	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION	
PORTLAND CUMBERLAND COUNTY	
SHEET LAYOUT PLAN	

SHEET NUMBER
C05
8 OF 116

Date: 6/26/2014

Username:

Division:

Filename: 007_BoringLogs.dgn

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-101	
LOCATION: Portland, Maine		Elevation (ft.) 11.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 0900 - 5/2/14; 0910		Drilling Method: HSA		Core Barrel:	
Boring Location: loading slab - see geoplan		Casing ID/OD:		Water Level*: 11.0 ft. (in augers)	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/20	5.5 - 7.5	4-6-3-3	9
10	2D	24/20	8.0 - 10.0	1-1/12"-3	1
15	3D	24/18	10.0 - 12.0	2-3-5-8	8
	4D	24/12	12.0 - 14.0	1-3-9-9	12
					3.6
Visual Description and Remarks					
grass surface					
1D: Moist, black-brown, f. SAND, some silt, trace c. Sand; FILL. Changing at 6.7 ft to 1D-A: grayish-brown, moist, f. Sandy SILT.					
2D: V. loose, moist, mixture of reddish-brown, silty f. SAND, trace m. Sand and gray, Clayey SILT, some f. Sand; APPEARS DISTURBED.					
3D: Loose, moist, gray, f. Sandy SILT w/ pockets and seams of reddish-brown, silty f. SAND.					
4D: M. dense, wet, gray, slightly mottled, alternating layers of SILT, some f. Sand and f. SAND, trace to little SILT.					
Bottom of Exploration at 14.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-101					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-102	
LOCATION: Portland, Maine		Elevation (ft.) 16.0		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 0925 - 5/2/14; 1200		Drilling Method: HSA		Core Barrel:	
Boring Location: intersection - see geoplan		Casing ID/OD:		Water Level*: 8 ft. (in augers)	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/19	5.0 - 7.0	7-10-9-8	19
10	2D	24/22	10.0 - 12.0	6-10-11-18	21
15	3D	24/15	15.0 - 17.0	11-8-13-13	21
20	4D	24/24	20.0 - 22.0	1/12"-2-3	2
25	5D	24/20	25.0 - 27.0	1-2-3-12	5
30	6D	20/13	30.5 - 32.2	11-16-23-504"	41
Visual Description and Remarks					
4" asphalt pavement					
1D: M. dense, damp, gray, f. SAND, trace SILT, trace m. Sand.					
2D: M. dense, wet, brownish-gray, slightly mottled, f. SAND, trace SILT.					
Few gravelly layers from approximately 13 to 14 feet.					
3D: M. dense, wet, grayish-brown, f. SAND, trace to little SILT. Running sands encountered.					
4D: Soft, wet, dark gray, Silty CLAY, trace f. Sand					
Driller notes sand layers within silty clay. 5D: M. stiff, wet, dark gray, Silty CLAY w/ multiple partings of f. Sand and one 2-inch seam f. Sand at 26.4 ft.					
Possible change at 26.6 ft. to organic f. Sandy SILT.					
Drilling behavior suggests gravel seams.					
6D: Dense, wet brown, f-m SAND, trace SILT, trace c. Sand; changing at 31.7 ft to brown, f-c Sandy GRAVEL, trace SILT.					
Bottom of Exploration at 32.2 feet below ground surface. Split-spoon refusal.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 2 of 2 Boring No.: B-102					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-103	
LOCATION: Portland, Maine		Elevation (ft.) 11.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1230 - 5/2/14; 1250		Drilling Method: SSA		Core Barrel:	
Boring Location: storage pad - see geoplan		Casing ID/OD:		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/11	1.0 - 3.0	12-14-16-15	30
	2D	24/15	3.0 - 5.0	9-11-9-7	20
	3D	24/14	5.0 - 7.0	5-4-5-4	9
Visual Description and Remarks					
gravel surface					
1D: Dense, damp, dark reddish-brown, f-m SAND, little to some SILT, trace to little Gravel, trace c. Sand; URBAN FILL.					
2D: M. dense, damp, reddish-brown f-m SAND, trace to little SILT, trace c. Sand, trace Gravel; URBAN FILL.					
3D: Loose, damp, reddish-brown f-m SAND, trace to little SILT, trace c. Sand, trace Gravel; URBAN FILL. Top of spoon wet.					
Bottom of Exploration at 7.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-103					

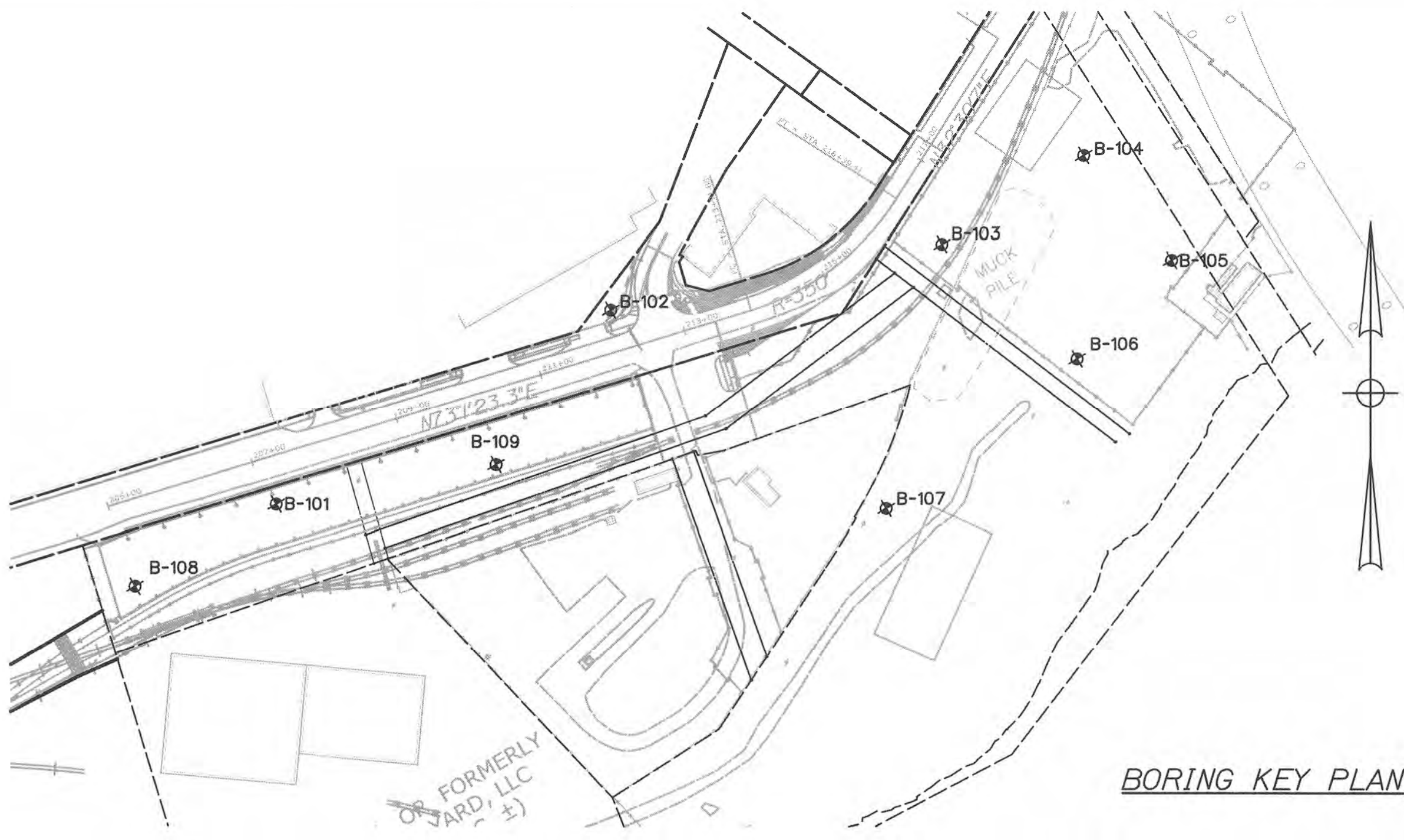
		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-104	
LOCATION: Portland, Maine		Elevation (ft.) 10.6		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1255 - 5/2/14; 1315		Drilling Method: SSA		Core Barrel:	
Boring Location: storage pad - see geoplan		Casing ID/OD:		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/18	1.0 - 3.0	9-17-12-14	29
	2D	24/13	3.0 - 5.0	6-8-10-14	18
	3D	24/14	5.0 - 7.0	9-8-5-3	13
Visual Description and Remarks					
gravel surface					
1D: M. dense, damp, dark reddish-brown, f-m SAND, little to some SILT, little Gravel, trace c. Sand; URBAN FILL (w/ ash and coal)					
2D: M. dense, damp, brown, f-m SAND, trace to little SILT, trace c. Sand, trace Gravel; URBAN FILL (w/ ash and coal).					
3D: M. dense, damp, brown, f-m SAND, trace to little SILT, trace c. Sand, trace Gravel; URBAN FILL (w/ ash and coal).					
Bottom of Exploration at 7.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-104					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-105	
LOCATION: Portland, Maine		Elevation (ft.) 11.5		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1320 - 5/2/14; 1340		Drilling Method: SSA		Core Barrel:	
Boring Location: storage pad - see geoplan		Casing ID/OD:		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/24	1.0 - 3.0	18-31-23-25	54
	2D	24/0	3.0 - 5.0	18-15-15-17	30
	3D	24/22	5.0 - 7.0	7-5-4-7	9
Visual Description and Remarks					
gravel surface					
1D: V. dense, moist, dark brown w/ light gray, f-m SAND GRAVEL, little SILT, trace c. Sand; gravel includes pieces of concrete and brick; URBAN FILL.					
2D: No recovery					
3D: Loose, moist, black-tan reddish brown, f-m SAND, trace to little SILT; URBAN FILL (w/ ash and coal).					
Bottom of Exploration at 7.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-105					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-106	
LOCATION: Portland, Maine		Elevation (ft.) 11.2		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1350 - 5/2/14; 1415		Drilling Method: SSA		Core Barrel:	
Boring Location: storage pad - see geoplan		Casing ID/OD:		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/15	1.0 - 3.0	7-8-6-7	14
	2D	16/8	3.0 - 4.3	4-4-50-4"	
Visual Description and Remarks					
gravel surface					
1D: M. dense, damp, black, coal, Gravelly f-c SAND, trace SILT; URBAN FILL.					
2D: Damp, tan-reddish brown-black, f-c SAND, some SILT, trace Gravel; URBAN FILL (w/ ash and coal).					
Bottom of Exploration at 4.5 feet below ground surface. Auger refusal on wood.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-106					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-108	
LOCATION: Portland, Maine		Elevation (ft.) 13.8		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1450 - 5/2/14; 1505		Drilling Method: SSA		Core Barrel:	
Boring Location: loading slab - see geoplan		Casing ID/OD:		Water Level*: none observed	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/21	1.0 - 3.0	6-6-6-5	12
	2D	24/20	3.0 - 5.0	2-2-3-4	5
	3D	24/20	5.0 - 7.0	1-3-2-4	5
Visual Description and Remarks					
gravel surface					
1D: Damp, dark brown, f. SAND, little SILT; FILL, changing at 1.9 ft. to 1D-A: brownish gray, mottled, f. Sandy SILT, trace m-c Sand; FILL.					
2D: Loose, damp, olive gray, mottled, f. Sandy SILT.					
3D: Loose, damp, brownish gray, mottled, f. Sandy SILT, w/ one 2-inch seam f-m SAND, trace to little SILT.					
Bottom of Exploration at 7.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-108					

		PROJECT: Maine Department of Transportation Intl Marine Terminal Expansion		Boring No.: B-109	
LOCATION: Portland, Maine		Elevation (ft.) 12.7		WIN: 22809.20	
Driller: Maine Test Borings		Datum: NGVD 1929		Auger ID/OD: 3-1/2"OD (approx.)	
Operator: Porter/ Nason		Sampler: standard split-spoon		Sampler: standard split-spoon	
Logged By: Schonewald		Rig Type: Mobile B-47		Hammer Wt/Fall: 140 lbs / 30 inches (safety)	
Date Start/Finish: 5/2/14; 1510 - 5/2/14; 1530		Drilling Method: SSA		Core Barrel:	
Boring Location: loading slab - see geoplan		Casing ID/OD:		Water Level*: 3.2 ft (open hole)	
Definitions: D = Split Spoon Sample MD = Unsuccessful Split Spoon Sample attempt U = Thin Wall Tube Sample MU = Unsuccessful Thin Wall Tube Sample attempt V = In situ Vane Shear Test MV = Unsuccessful In situ Vane Shear Test attempt		Definitions: S _u = In situ Field Vane Shear Strength (psf) R = Rock Core Sample RQD = Rock Quality Designation (%) WOC = weight of casing WCH = weight of 140lb. hammer WCR = weight of rods		Definitions: -- = not recorded LL = Liquid Limit PL = Plastic Limit PI = Plasticity Index WC = water content, percent G = grain size analysis	
Sample Information		Visual Description and Remarks		Lab. Testing Results	
Depth (ft.)	Sample No.	Pen. Rec. (in.)	Sample Depth (ft.)	Blows (6 in.) Shear Strength (psf) or RQD (%)	N-value Casing Blows Elevation (ft.) Graphic Log
0					
5	1D	24/19	3.0 - 5.0	6-5-3-2	8
	2D	24/15	5.0 - 7.0	3-5-12-22	17
Visual Description and Remarks					
gravel surface					
1D: [COMPOSITE SAMPLE] Loose, dry, black-reddish brown, f-m SAND, little to some SILT, trace Gravel, trace c. Sand; URBAN FILL (w/ ash and coal).					
2D: V. loose, wet, brown, f-c SAND, trace SILT; FILL.					
Bottom of Exploration at 5.0 feet below ground surface. No refusal encountered.					
Remarks:					
Stratification lines represent approximate boundaries between soil types; transitions may be gradual.					
* Water level readings have been made at times and under conditions stated. Groundwater fluctuations may occur due to conditions other than those present at the time measurements were made.					
Page 1 of 1 Boring No.: B-109					



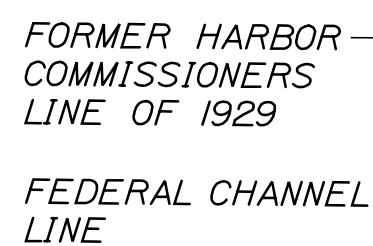
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

ISABEL V. SCHONEWALD
No. 7528
LICENSED PROFESSIONAL ENGINEER

DATE: 6/27/14
P.E. NUMBER: 7528
SIGNATURE: [Signature]
DATE: 6/14
BY: J. KITTEBOE
PROJ. MANAGER: J. KITTEBOE
DESIGN-DETAILED: JVS
CHECKED-REVIEWED: RM
DESIGN-DETAILED: JVS
DESIGN-DETAILED: JVS
REVISIONS: 1
REVISIONS: 2
REVISIONS: 3
REVISIONS: 4
FIELD CHANGES

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
BORING LOGS
SHEET NUMBER
C04
7 OF 116

Filename: 006_ExistSitePlan3.dgn



A scale bar labeled "Scale of Feet" with markings at 60, 0, 60, and 120. The segment from 0 to 60 is divided into four equal parts by tick marks.

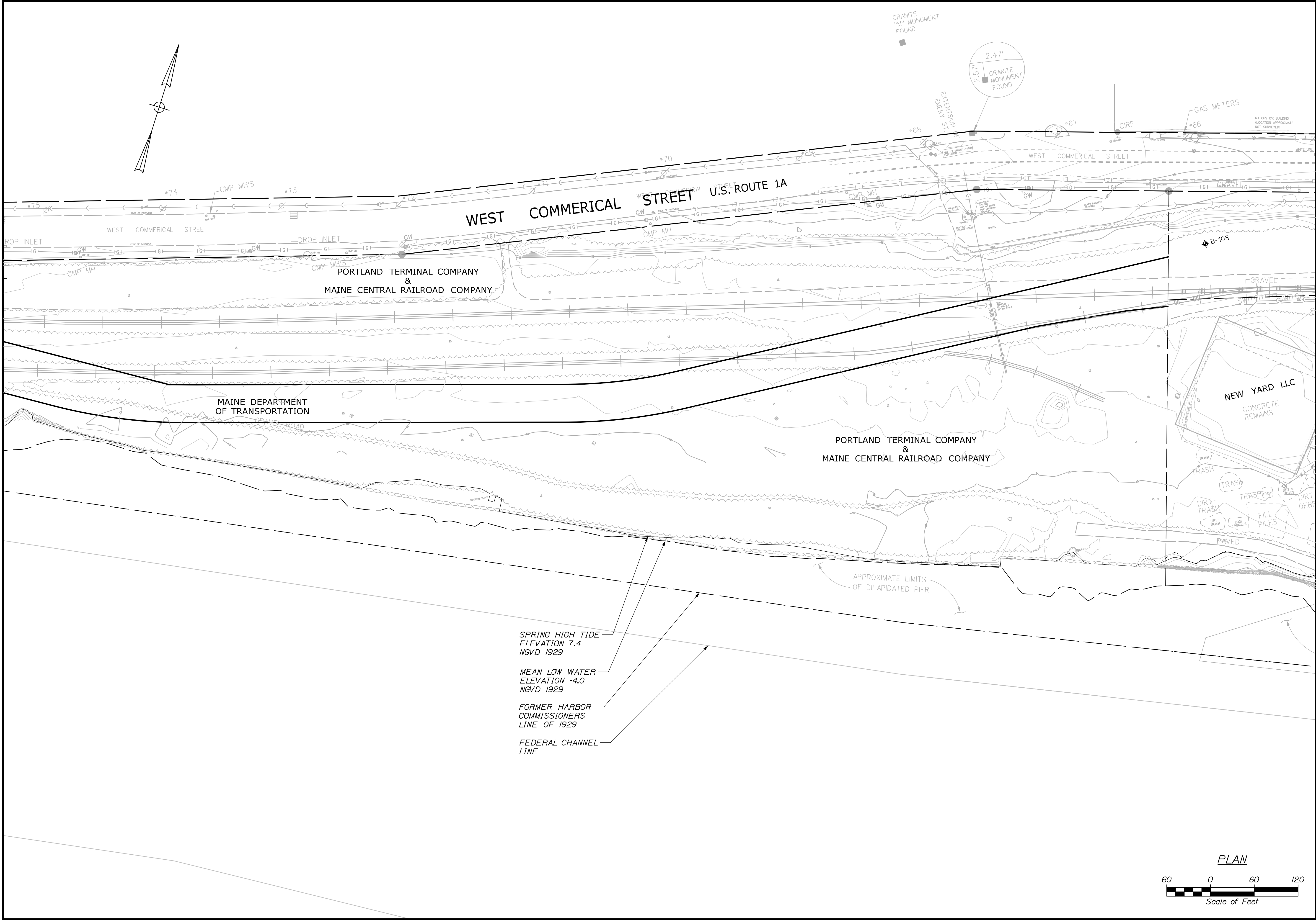
SHEET NUMBER
C03
6 OF 116

Date:6/26/2014

Username:

Division:

Filename: 005_ExistSitePlan2.dgn



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20

WIN
022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	LINE	MPC	6/14
CHECKED-REVIEWED	CPM	CPM	6/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

EXISTING CONDITIONS PLAN

SHEET NUMBER

C02

5 OF 116

June 23, 2014



Mr. Richard Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

RE: Site Plan Application for Portland IMT, Existing Laydown and Connecting Corridor Connection
Site Plan Addendum #5

C/O: Pat Carroll, Carroll Associates (email: pcarroll@carroll-assoc.com)

Rick,

Please find attached responses to the City's latest questions and comments received regarding the Portland IMT subject project. We have copied the comments directly into this letter and provided our responses immediately following each comment.

We have already implemented many of your suggested changes to the design where we are in agreement, but since many comments require a fair amount of rework to the drawings, we have simply provided our response at this time indicating the manner by which modifications will be made. We will submit a final stamped plan set with all the changes on Friday June 27, 2014.

If you have any additional questions regarding these responses, please do not hesitate to contact me or our project liaison, Pat Carroll.

Regards,

A handwritten signature in blue ink, appearing to read "G.R.M.", with a stylized flourish at the end.

Craig R. Morin, P.E.
Project Manager

C: Joel Kittredge, Project Manager, MaineDOT (via email: Joel.C.Kittredge@maine.gov)

Encl.: Response to Comments
Attachments

HNTB File No.: 62506-DS-001-001

M:\jobs\62506 - Portland IMT Corridor Connection (Stage 1)\Communications\Letters\
LTR 03 Response to City Comments 06-23-14.docx

COMMENTS FROM RICK KNOWLAND, SENIOR PLANNER (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

Section E. Coordination with Adjacent Development Parcels: An agreement to resolve access and utility issues has not been received as of the writing of this report, but appears to be close to resolution.

Response: An agreement has been reached which resolves the access and utility issues with New Yard, and is currently being drafted by the legal staff of both parties. A copy of the agreement can be made available to the City for its records upon request. A brief summary of the details of the agreement include the following:

- *Twelve 24-inch diameter RCP utility sleeves will be added across the railroad corridor for use by New Yard, LLC.*
- *Electrical provisions will be added along with a CMP easement leading up to the New Yard property line for permanent electrical service.*
- *A new 50-ft wide fenced accessway through the Unutil property will be added with 32-ft double-leaf swing gates.*

Comment 2

Section E. Coordination with Adjacent Development Parcels: In reviewing the IMT site plan, staff finds that the application has not met all of the site plan submission requirements of sec. 14-527(d), in particular, the following items of this section.

- (4) Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways.
- (22) Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets.
- (31) Location, dimensions and ownership of easements public or private rights of way, both existing and proposed.

Response: Updated site plans are attached which incorporate the information requested, and are included herein as Attachment A.

More specifically:

- *Commercial Street Plans H05 and H06 have been revised to show driveway, vehicle and pedestrian access way information.*
- *Site Plans C06, C07, and C08 have been revised to show required easement information.*
- *Site Grading and Drainage Plan C09 has been revised to include location, sizing, and directional flows of utilities.*

COMMENTS FROM MARGE SCHMUCKAL, ZONING ADMINISTRATOR (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

I have reviewed the responses to my comments dated May 6, 2014. The response did not address my questions concerning truck to truck activities. I wanted more detail on that specific activity. Will that activity be less than 20% of the total activities there? Please give me more of a specific idea as to the details concerning the truck to truck activities.

Response by Maine Port Authority: The planned use of the expanded area is for "drop-and-pick" operations as part of the intermodal services needed to sustain the IMT's competitive rail and maritime connections. A container is placed in the yard by terminal personnel, and picked up by a trucker at their convenience. This "truck to truck" freight is merely part of the intermodal transportation chain that allows shippers to use maritime transportation more competitively. The customers and carriers that participate in this operation are critical

to the growth of the marine freight volumes at the terminal. The IMT has been engaged in such operations and container movements since 2010. The percentage of truck-to-truck activity here would be approximately 15% of the total container activity occurring at the IMT. Furthermore, the "truck to truck" moves are not traditional trucks as seen in a trucking yard, these moves are intermodal containers on chassis that the truck cabs are picking up.

Comment 2

My second comment regarded meeting the shoreland requirements of clearing vegetation. The response was that the final construction site plans will show what is to be removed. I could not find a plan with sufficient detail that responds to my request. As offered, I would like backup calculations to be provided so that I can determine compliance with ordinances. Please let me know the specific number on which the information is provided.

Response: A plan has been prepared that shows all trees greater than 4" in diameter located within the 250' shoreland setback. The plan summarizes the number of trees to be removed within the project limits and is attached hereto as Attachment B.

COMMENTS FROM DAVID MARGOLIS-PINEO, DEPARTMENT OF PUBLIC SERVICES (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

The DPS is agreeable to support a waiver for Point 1, Incomplete Utility Information, and Point 2, Incomplete Topographic Information. However we do not support a waiver of the request to a scale of less than 1 inch to 50 feet. The applicant is requested to resubmit the site plans at a scale on no less than 1 inch to 50 feet. Match line shall be used and the plan size shall be no bigger than 24" x 36".

Response: The Boundary and Topographic Survey produced by Owen Haskell will be reissued at a scale no less than 1 inch to 50 feet on a sheet no bigger than 24" x 36".

COMMENTS FROM TOM ERRICO, TRAFFIC REVIEW CONSULTANT (VIA PLANNING BOARD REPORT, JUNE 20, 2014) AND RESPONSES:

Comment 1

The traffic signal plan includes special phasing for Nova Seafood. I would suggest that a City agreement with Nova Seafood be crafted related to traffic operations and a memorandum of understanding and for traffic control.

Status: The applicant shall be required to provide a draft agreement that specifies maintenance, traffic signal, pavement marking and signage requirements for review and approval. The City suggests that this be a three-party agreement (City/State/Property Owner).

Response: The applicant will consider drafting an agreement with the City and the Property Owner that specifies maintenance, traffic signal, pavement marking and signage requirements.

Comment 2

The driveway apron material at Nova Seafood does not meet City standards and a waiver will be required.

Status: The City supports a waiver from their technical standards for driveway apron material given pedestrian and truck movement conflicts. DPS requests that the driveway apron material be concrete with a color tint (to be determined in the future prior to construction) and be designed to accommodate heavy truck loads

Response: In recent dialogs with the City staff members, the determination was to use cobblestones as the preferred material of choice, and therefore is the material that continues to be shown on the drawings. The DPS provided specific instructions to use a cobblestone material for these areas with a 6-inch thick fiber reinforced concrete base.

Comment 3

Several of the driveways on Commercial Street (IMT, Nova Seafood, and Gray Bar) do not meet City width standards and thus waivers will be required.

Status: For the IMT Driveway, which is proposed to be 100 feet wide, the applicant has provided a "auto-turn" graphic for a WB-67 truck. Reviewing the graphic, I believe the driveway can be narrowed, although not substantially. I would also like to understand more about the truck characteristics before rendering a final decision on the driveway width. Additionally, understanding right and left-turning movements for these large trucks will be helpful. If most are turning left and destined to the Fore River Parkway and the Veterans Bridge, there may be an opportunity to narrow the driveway on the easterly edge, which may also have a positive impact on the design of the crosswalk. I have reviewed the "auto-turn" graphics for the Nova Seafood site and I support a waiver for driveway width given site operations and that it is an existing business with unique truck access/egress requirements.

The applicant has provided an "auto-turn" analysis for one of the Graybar Driveways. The applicant shall provide a similar analysis for the second driveway and provide specific truck delivery information before approval of the widths can be provided.

Response: The applicant and the design team has worked extensively with the City and the neighboring businesses over the last few months to ensure that the truck operations at Graybar and Nova Seafood remain unobstructed as a result of the final esplanade design and roadway geometry. Since the widths of the entranceways are not excessive and they function in a positive manner for these businesses, we suggest that no changes be made to the driveway entrances. We kindly request that waivers be granted for both the Graybar and the Nova Seafood driveways.

Comment 4

Several of the driveways on Commercial Street do not meet City corner clearance and separation standards.

Status: Both the Nova Seafood and Graybar driveways currently do not meet corner clearance standards and conditions will not worsen with the proposed project. Given site constraints and access and egress needs for large trucks, I support a waiver from the City's Technical standard.

Response: Agreed; waiver will be required.

Comment 5

The City is requesting that truck parking on in-bound Commercial Street be prohibited for to be specified distance in advance of the Beach Street intersection. The City will provide this restriction length.

Status: Trucks shall be prohibited from parking along Commercial Street from the new STOP bar at the signalized intersection to a point westerly of 200 feet. The applicant shall provide recommendations on how this prohibition will be regulated via signs or other measures for review and approval.

Response: The drawings will be revised to illustrate a white diagonal-striped area for 200 ft from the STOP bar and NO PARKING signs will be attached along the security fence.

Comment 7

I am concerned about traffic operations and congestion during peak time periods, particularly when the special Nova Seafood traffic signal phase is actuated. The applicant should investigate the ability to limit the traffic signal phase during peak time periods.

Status: Specific information needs to be provided by the applicant that helps the City understanding specific constraints to implementing time-of-day restrictions.

Response: We have adjusted the delay for the signal (Phase 9) through collaborative discussions with Nova Seafood and its traffic engineer. The Contractor will make field adjustments as needed to relieve peak hour congestion as best as possible. If there is a vehicle/truck presence within the detection zone for longer than 240 seconds, subsequent calls for Phase 9 will be skipped. The video thermal detection system allows for regulating calls from Phase 9 with the simple flip of a switch.

Comment 8

A sidewalk waiver has been requested and a review of the supporting information will be performed.

Status: The applicant has documented that two sidewalk waiver criteria are met for the project and are based on prior IMT and New Yard applications. Given these prior decisions, specifically that an alternative route on the opposite side of Commercial Street will serve pedestrian activity in this area and that a signalized crossing will be provided at the IMT Site Driveway/Beach Street intersection, I support a waiver from providing a sidewalk along the property frontage.

Response: Agreed; waiver will be required.

Comment 9

A granite curbing waiver has been requested and a review of the supporting information will be performed.

Status: DPS is reviewing this waiver request.

Comment 10

The applicant should provide information as it relates to use of the proposed traffic signal by existing IMT traffic. I believe there will be overall site traffic and safety benefits if all IMT traffic has the ability to use the traffic signal.

Status: I understand the security constraints, as noted by the applicant, but I would suggest that the applicant provide an overview of the entire site and whether the layout could be modified to allow for an internal driveway connecting the existing IMT facility and the new signalized entrance that avoids going through the fenced area of the chassis yard.

Response: The site traffic is dependent upon the level of security for each container, and therefore, the use of each entranceway is still required. Not all of the traffic generated at the IMT can utilize the traffic signal. The internal operations and layout of the facility are specific to an optimized and efficient container terminal and the use of internal roads are simply not possible given the site constraints.

Comment 11

A construction management plan has been prepared. Additional information will be required as it relates to specific traffic, pedestrian, and bicycle impacts during construction.

Status: The applicant has noted that the contractor will be responsible for development of a construction management plan. Site plan standards require applicants to prepare a plan in conjunction with site plan approval. The applicant is required to develop a conceptual management plan that should indicate how construction will occur on Commercial Street. The plan should note how vehicular traffic, pedestrians and bicyclists will be maintained during construction and should note any peak time period restrictions for construction activity (The City has arterial time restrictions). It may be necessary that some construction activities occur at night to avoid impacts to traffic flow.

Response: A construction management plan was provided in the previous Amendment submittal, Amendment #3, as Attachment I dated June 6, 2014. The plan is attached here for your reference as Attachment C.

Comment 24

It is my understanding that the Nova Seafood driveways will be restricted such that the easterly driveway will be an entrance only and the westerly driveway a exit only driveway. The plans do not reflect this.

Status: The applicant should include signs and pavement markings that support the one-way access/egress conditions for review and approval.

Response: Per conversations with the owner, signage will be installed by the owner to denote the entrance and exit locations.

Comment 25

There are areas of roadway pavement that appear to be located outside the public right-of-way. An agreement on maintenance may be required.

Status: The applicant shall provide a draft maintenance agreement for review and comment.

Response: The applicant will consider drafting a maintenance agreement with the City for its review and comment.

Comment 30

The bicycle lane on the outbound side of Commercial Street continues to the limit of work, while the in-bound bicycle lane begins at the point where the left-turn lane is starting. The applicant should note why the in-bound bicycle lane can't start at the project limits.

Status: Within the project limits along Commercial Street, a formal bicycle lane should be continuously marked and signed as appropriate. The plans should be revised to reflect this.

Response: We will update the plans to reflect the continuation of the marked bike lane to the westerly limits of the project.

Comment 31

The direction sign that note Casco Bay Bridge 500 Feet is being removed. This removal should be confirmed by City staff.

Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

Comment 32

The plans illustrate that the sidewalk at the corner of the Nova Seafood building will not need to be reconstructed. Given that the curb is being relocated, the sidewalk will need to be upgraded.

Status: The applicant has agreed to make this change and revised plans will be reviewed for approval.

Comment 35

The plan replaces an existing Casco Bay Bridge 500 Feet sign with a sign that notes Casco Bay Bridge (right) and Fore River Parkway (through). City staff should determine if this replacement is acceptable.

Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

Comment 36

It was my understanding that the bicycle lanes were going to have dashed line treatment through the intersection. The plans do not depict this.

Status: Enhanced pavements markings shall be provided in the subject area and final approval of the details shall be provided prior to construction.

ADDITIONAL COMMENTS FROM PLANNING BOARD REPORT (JUNE 20, 2014) AND RESPONSES:

Comment 1 (Pg.13)

DPS requests that the shared use path along Commercial Street within the project limits consist of brick material meeting city standards and the width be reduced to 8-feet. A revised plan that meets this directive shall be reviewed and approved by DPS.

Response: The applicant does not support the reduction of the width of the shared-use path along Commercial Street. The 12-ft width is considered a minimum standard. Lesser widths are only considered when space is limited, which is not the case on this project.

Comment 2 (Pg.19, Jeff Tarling's Review of Landscape Features)

The Karpick (Red Maple) may not be the best tree for the street frontage along Graybar. Mr. Tarling would like to consider another tree species.

Response: The design team is amenable to planting a different tree species as directed by the City.

Comment 3 (Pg.19, Jeff Tarling's Review of Landscape Features)

Stone benches should be relocated elsewhere because of conflicts with snow plowing operations.

Response: The design team notes that the existing sidewalks along Commercial Street already contain obstructions such as fire hydrants and utility poles; however the design team is amenable to placing the stone benches in a different location as directed by the City.

Comment 4 (Pg.19, Jeff Tarling's Review of Concrete Wall)

Vegetation along the concrete such as Boston Ivy might help mitigate the impact of the wall.

Response: Vegetation along the wall is not possible due to lack of areas for planting soil, and it is not desirable to have shelves or pockets for planting soil since these could be used as climbing devices to scale the security fence.

Comment 5 (Pg.20, Staff Review of Concrete Wall)

A four high concrete wall that is 750 feet long is a questionable design solution in a gateway location. The higher the concrete wall the greater the concern about graffiti. A high wall also raises concerns about graffiti. There are a number of options in achieving an eight foot high security fence without using a 4 foot high concrete wall.

Response: The concrete wall has a design height of 48 inches to provide a safe buffer for Commercial Street against the specialized equipment operating on the concrete slab within the Terminal. Please see Attachment D which depicts the size of these machines.

As a reference point, the typical highway railing height along bridges is commonly 32-inches due to several factors such as: the anticipated impact angle of passenger vehicles and trucks (commonly 15 degrees to 20 degrees from parallel, respectively); the low center-of-gravity of highway trucks; and the low percentage of trucks using the highways, and the weight of passenger cars and trucks (2 tons to 40 tons, respectively). All of these factors have contributed to the design height of Maine's concrete barrier heights.

By contrast, the reach-stacker device which will operate on the concrete slab is a 128-ton piece of machinery (three times greater than that of a standard highway truck) that will be moving perpendicular (90 degrees from parallel) to the concrete wall and has a higher center-of-gravity than any tractor truck on the road. Therefore, the height of the wall is necessary to accommodate the higher impact point of the reach-stacker, if the equipment should accidentally hit the wall. Comparison of this concrete wall to a typical highway bridge rail is misleading due to the direction, type, and impact angles associated with the design criteria of highway railings. It is our professional opinion that a 48-inch high concrete wall is the safest manner to accommodate the reach-stacker device while maintaining openness to the corridor that enables views within the site.

Comment 6 (Pg.21, Staff Review of Stormwater Quantity)

The plan should clarify where new gravel will be installed on the site including a cross section of the depth and type of material.

Response: Site Grading and Drainage Plan C09 shows the limits for the new granular improvements in the Chassis Storage Yard and Site Details C13 shows the typical section which will be used for this area (see Attachments A and E).

Comment 7 (Pg.22, David Senus' Review of Stormwater Design)

Provide an updated stormwater treatment area plan that better identifies treated vs. untreated areas of the site plan in plan (via hatching or some other means).

Response: Treated and non-treated areas of the project have been shown graphically on the Post-Development Conditions plan attached hereto as Attachment F.

Comment 8 (Pg.22, David Senus' Review of Stormwater Design)

Provide an updated Stormwater Management Plan and Calculations that reflect the final design approach.

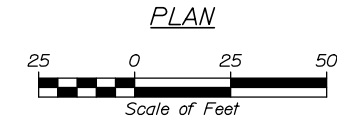
Response: The Post-Development Conditions plan has been updated to reflect the final design and calculations have also been revised for the final design and are attached hereto as Attachment F.

Comment 9 (Pg.23, David Senus' Review of Stormwater Design)

Provide an updated Stormwater Inspection & Maintenance Plan (or Stormwater Pollution Prevention Plan) that addresses the previous review comment: "The Stormwater Management Plan will need to

include a stormwater inspection and maintenance plan for the proposed stormwater measures, such as the porous crushed stone yard surface and the porous concrete, developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances". Specific guidance will need to be included for both the inspection and maintenance of the porous concrete panels and the crushed stone yard surface.

Response: The Stormwater Pollution and Prevention Plan has been revised to better address the inspection, maintenance and repairs of the porous crushed stone yard surface and the porous concrete shoulder on Commercial Street. The revised SWPPP is attached hereto as Attachment G.



ATTACHMENT A

CURVE DATA #1	CURVE DATA #2
PI = 10+76.14	PI = 11+10.87
D = 77°57'12.4"	D = 21°44'38.9"
Δ = 40°00'45.9" Rt.	Δ = 4°24'55.6" Rt.
R = 73.50'	R = 263.50'
L = 51.33'	L = 20.31'
T = 26.76'	T = 10.16'
E = 4.72'	E = 0.20'

DRIVEWAYS & ENTRANCES	OPENING
STA.	DESCRIPTION
208+09 LT	PAVED ENTRANCE
210+34 LT	PAVED ENTRANCE
211+80 LT	PAVED ENTRANCE
214+06 LT	PAVED ENTRANCE
216+00 LT	PAVED ENTRANCE

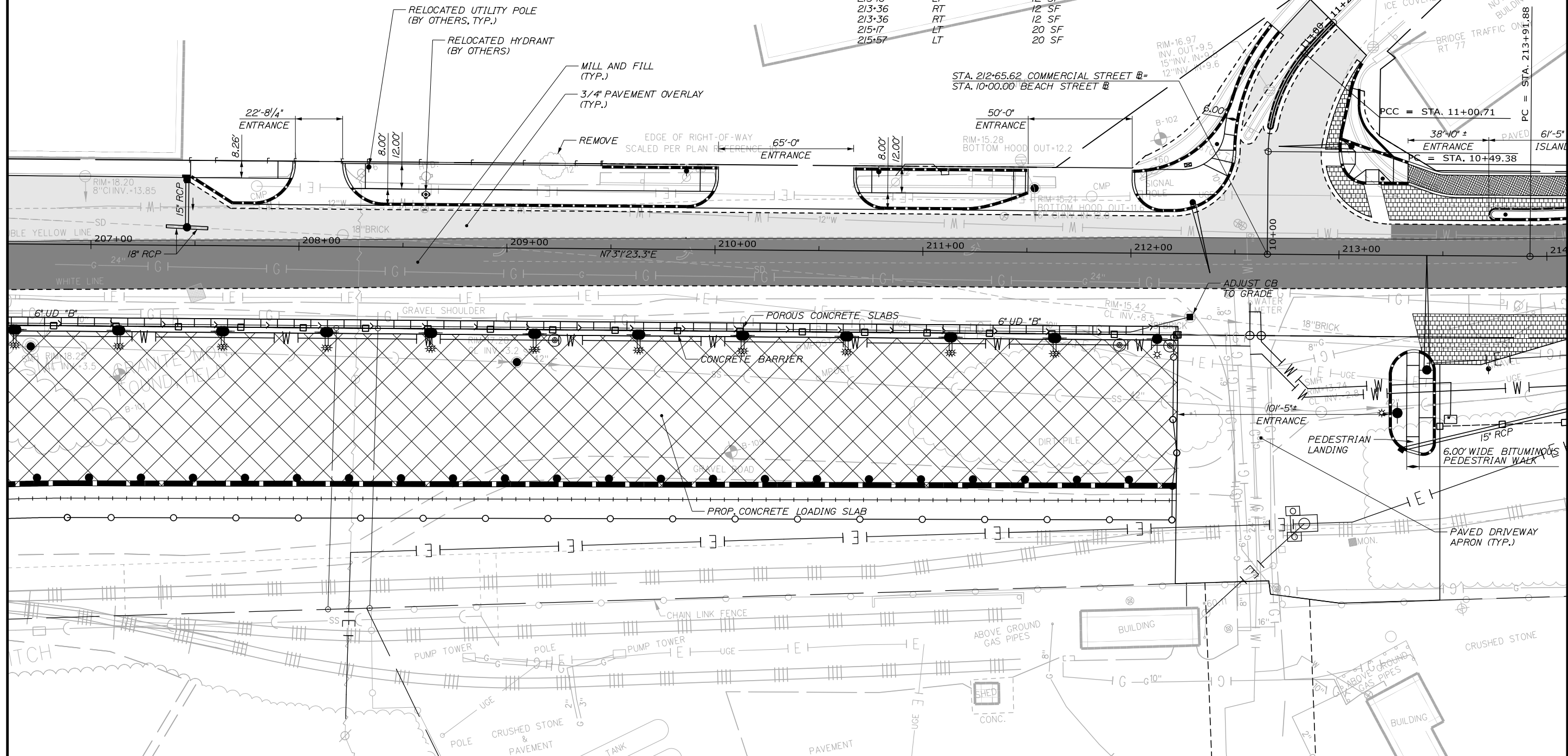
BRICK SIDEWALK WITH BITUMINOUS BASE - ITEM #608.15	WIDTH
STA.	TO STA.
207+47.5 LT	207+96.7 LT
208+21.9 LT	210+00.2 LT
210+67.7 LT	211+49.0 LT
212+01.5 LT	11+00.7 LT
213+00.9 LT	213+32.9 LT
215+15.8 LT	215+57.6 LT

COBBLE STONE ROADWAY	AREA
STA.	TO STA.
212+93.2 LT	215+13.8 LT
213+35.7 RT	214+91.5 RT

REMOVING SINGLE TREE TOP ONLY - ITEM #201.23	QUANTITY
STA.	OFFSET
209+21.51	39.87' LT
209+21.51	39.87' LT

BRICK DRIVEWAY WITH BITUMINOUS BASE - ITEM #608.16	WIDTH
STA.	TO STA.
213+32.9 LT	215+15.8 LT
215+57.6 LT	216+58.3 LT

CURB RAMP DETECTABLE WARNING FIELD - ITEM #608.26	AREA
STA.	LOCATION
207+95	LT
208+22	LT
210+00	LT
210+68	LT
211+50	LT
212+00	LT
212+48	LT
213+00	LT
213+16	LT
213+36	LT
213+36	RT
215+17	LT
215+57	LT



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

DATE	SIGNATURE	P.E. NUMBER	DATE
06/14			
06/14			

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
COMMERCIAL STREET
PLAN

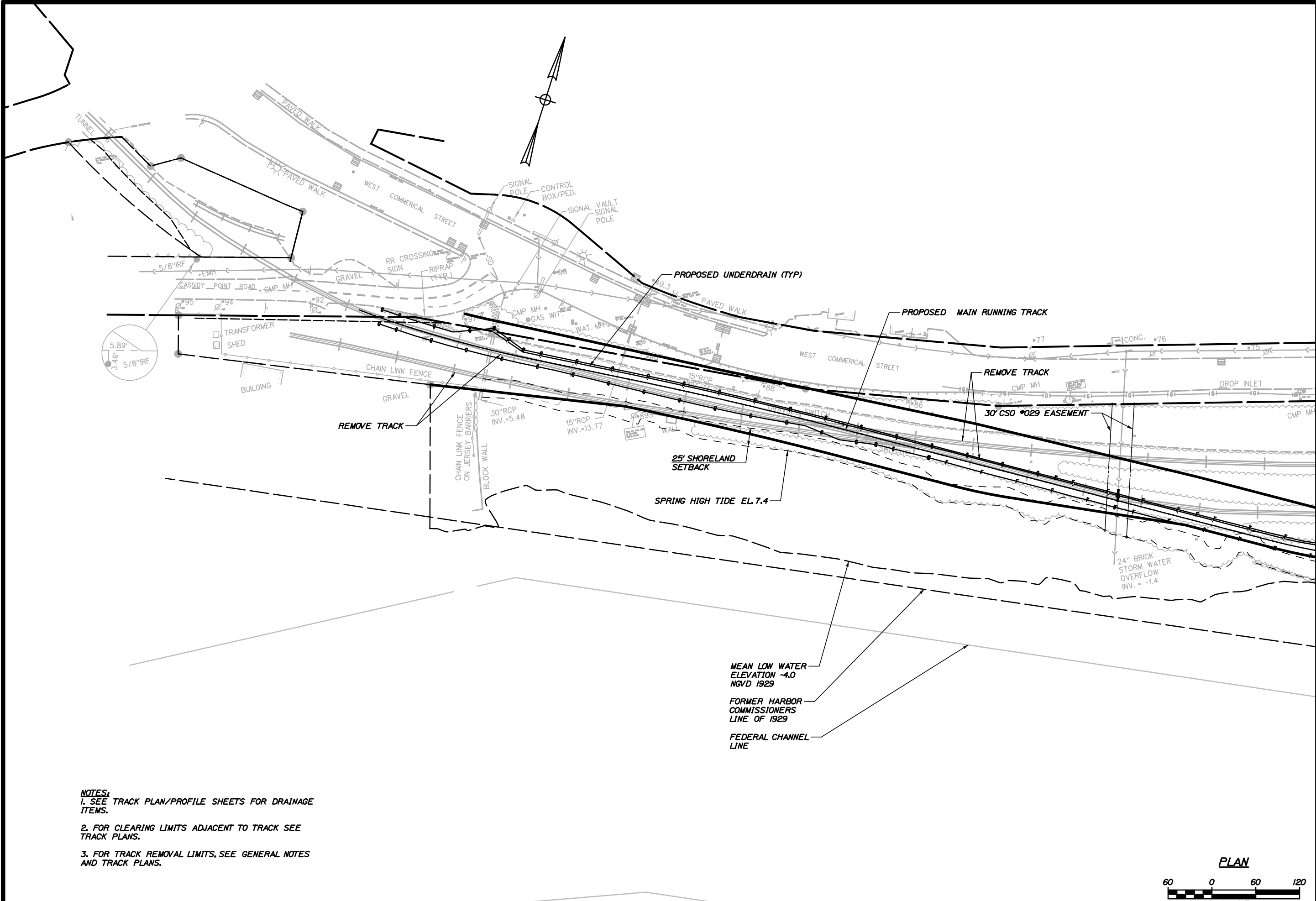
SHEET NUMBER
H05
39 OF 113

Date:6/23/2014

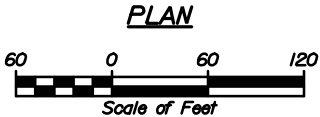
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STATE OF MAINE		DEPARTMENT OF TRANSPORTATION		PROJECT NUMBER 022809.20		WIN 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		J. KITREDOE LINE		DATE 06/14 06/14		SIGNATURE P.E. NUMBER DATE	
SHEET NUMBER C06		REVISIONS 1 REVISIONS 2 REVISIONS 3 REVISIONS 4 FIELD CHANGES		DATE - - - - -		DATE - - - - -	

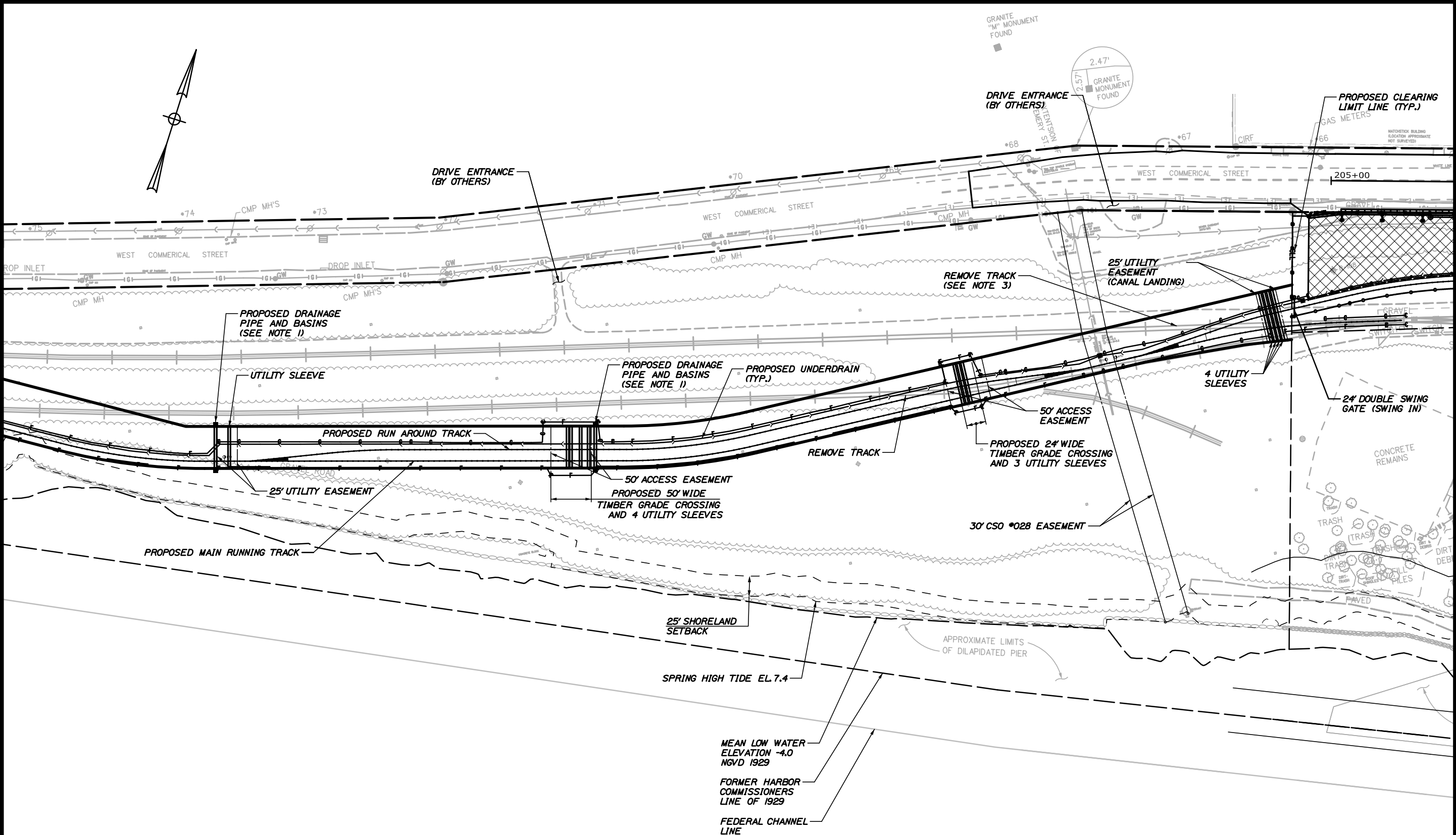


Date: 6/23/2014

Username:

Division:

Filename: 010_SitePlan2.dgn



- NOTES:**
1. SEE TRACK PLAN/PROFILE SHEETS FOR DRAINAGE ITEMS.
 2. COORDINATE WITH NGL FOR TIMING AND TRACK REMOVALS.
 3. FOR CLEARING LIMITS ADJACENT TO TRACK SEE TRACK PLANS.
 4. UTILITY SLEEVES SHALL BE 24 INCH DIAMETER RCP, CLASS V, AND SHALL EXTEND FROM THE NORTH PROPERTY LINE TO THE SOUTH PROPERTY LINE.



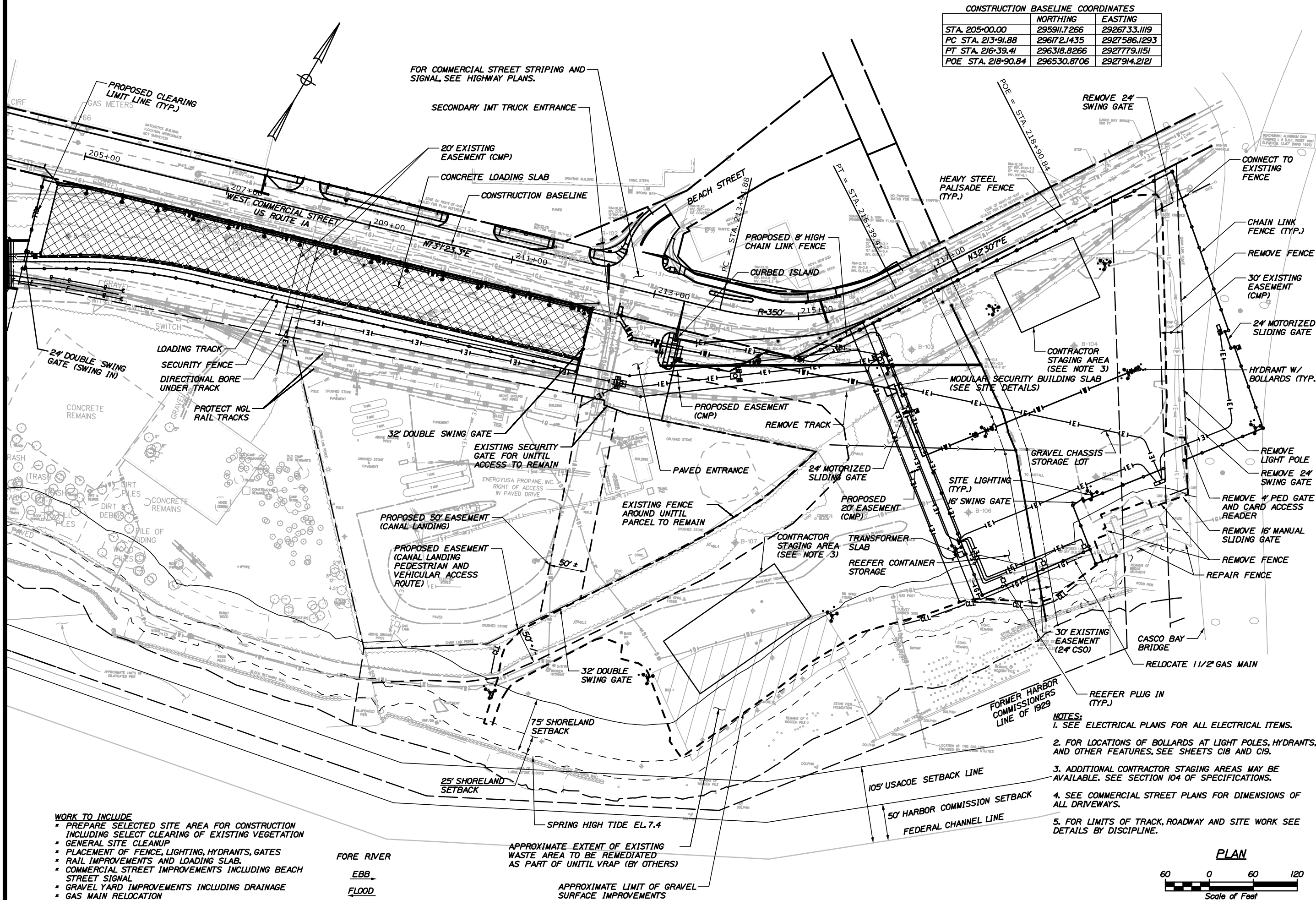
STATE OF MAINE		DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER 022809.20		WIN 022809.20	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		SHEET NUMBER C07 10 OF 113	
SITE PLAN		DATE: 06/14 BY: J. KITTEDGE PROJ. MANAGER: J. KITTEDGE DESIGN-DETAILED: J. KITTEDGE CHECKED-REVIEWED: J. KITTEDGE DESIGN-DETAILED: J. KITTEDGE REVISIONS 1: J. KITTEDGE REVISIONS 2: J. KITTEDGE REVISIONS 3: J. KITTEDGE REVISIONS 4: J. KITTEDGE FIELD CHANGES: J. KITTEDGE	

Date: 6/23/2014

Username:

Division:

Filename: 011_SitePlan3.dgn



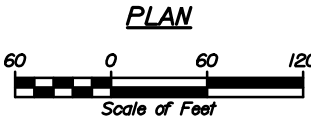
CONSTRUCTION BASELINE COORDINATES		
	NORTHING	EASTING
STA. 205+00.00	295911.7266	2926733.1119
PC STA. 213+91.88	296172.1435	2927586.1293
PT STA. 216+39.41	296318.8266	2927779.1151
POE STA. 218+90.84	296530.8706	2927914.2121

- WORK TO INCLUDE**
- PREPARE SELECTED SITE AREA FOR CONSTRUCTION INCLUDING SELECT CLEARING OF EXISTING VEGETATION
 - GENERAL SITE CLEANUP
 - PLACEMENT OF FENCE, LIGHTING, HYDRANTS, GATES
 - RAIL IMPROVEMENTS AND LOADING SLAB
 - COMMERCIAL STREET IMPROVEMENTS INCLUDING BEACH STREET SIGNAL
 - GRAVEL YARD IMPROVEMENTS INCLUDING DRAINAGE
 - GAS MAIN RELOCATION

FORE RIVER
EBB
FLOOD

APPROXIMATE EXTENT OF EXISTING WASTE AREA TO BE REMEDIATED AS PART OF UNITIL VRAP (BY OTHERS)
APPROXIMATE LIMIT OF GRAVEL SURFACE IMPROVEMENTS

- NOTES:**
- SEE ELECTRICAL PLANS FOR ALL ELECTRICAL ITEMS.
 - FOR LOCATIONS OF BOLLARDS AT LIGHT POLES, HYDRANTS, AND OTHER FEATURES, SEE SHEETS C18 AND C19.
 - ADDITIONAL CONTRACTOR STAGING AREAS MAY BE AVAILABLE. SEE SECTION 104 OF SPECIFICATIONS.
 - SEE COMMERCIAL STREET PLANS FOR DIMENSIONS OF ALL DRIVEWAYS.
 - FOR LIMITS OF TRACK, ROADWAY AND SITE WORK SEE DETAILS BY DISCIPLINE.



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

DATE	BY	REVISION	DESCRIPTION
06/14	MPC	1	DESIGN-REVIEWED
06/14	CFM	2	DESIGN-REVIEWED
06/14	CFM	3	DESIGN-REVIEWED
06/14	CFM	4	DESIGN-REVIEWED
06/14	CFM	5	DESIGN-REVIEWED
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06/14	CFM	7	DESIGN-REVIEWED
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06/14	CFM	99	DESIGN-REVIEWED
06/14	CFM	100	DESIGN-REVIEWED

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
SITE PLAN

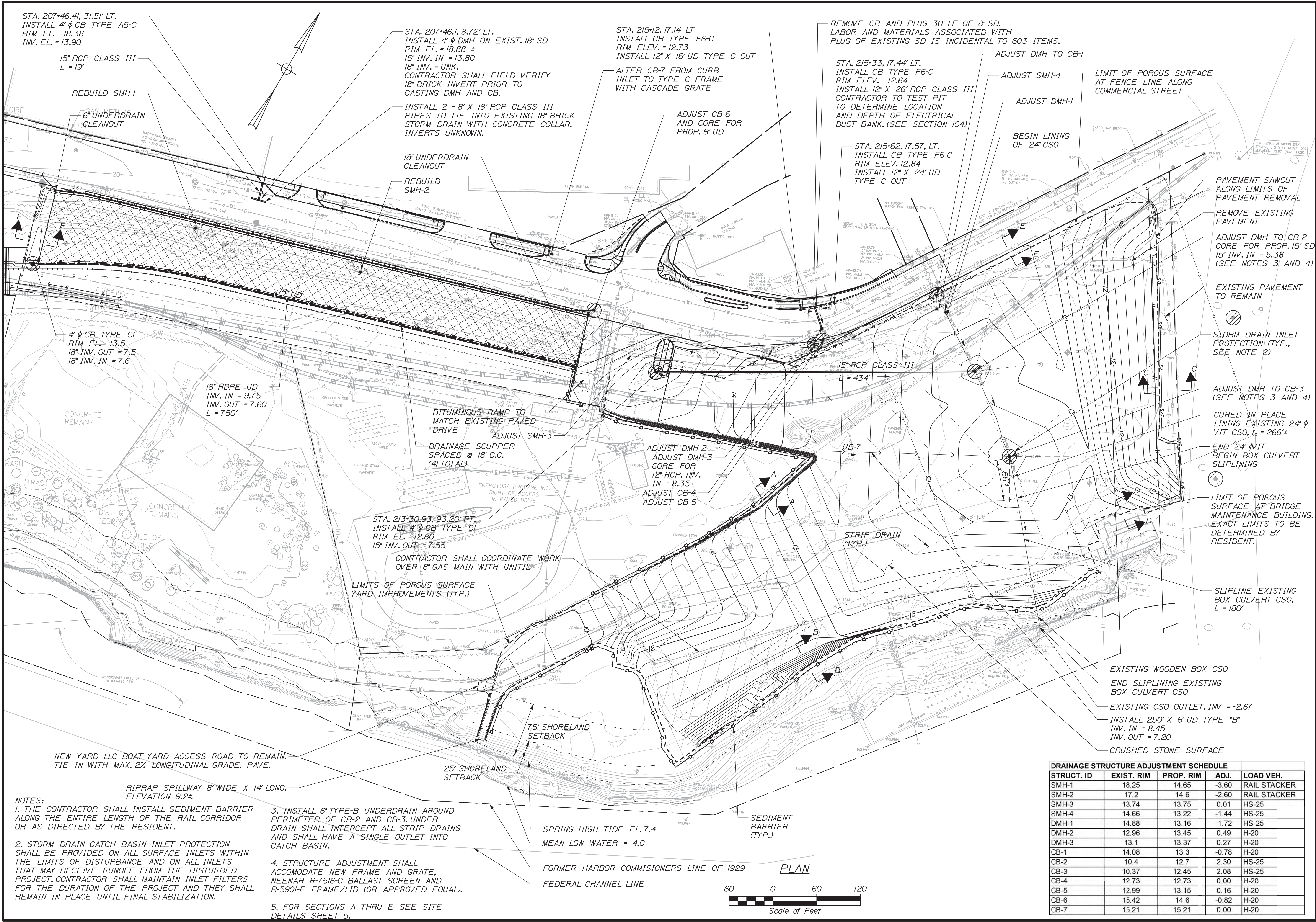
SHEET NUMBER
C08
11 OF 113

Date:6/18/2014

Username:

Division:

Filename: 012_SiteGradingPlan3.dgn



DRAINAGE STRUCTURE ADJUSTMENT SCHEDULE				
STRUCT. ID	EXIST. RIM	PROP. RIM	ADJ.	LOAD VEH.
SMH-1	18.25	14.65	-3.60	RAIL STACKER
SMH-2	17.2	14.6	-2.60	RAIL STACKER
SMH-3	13.74	13.75	0.01	HS-25
SMH-4	14.66	13.22	-1.44	HS-25
DMH-1	14.88	13.16	-1.72	HS-25
DMH-2	12.96	13.45	0.49	H-20
DMH-3	13.1	13.37	0.27	H-20
CB-1	14.08	13.3	-0.78	H-20
CB-2	10.4	12.7	2.30	HS-25
CB-3	10.37	12.45	2.08	HS-25
CB-4	12.73	12.73	0.00	H-20
CB-5	12.99	13.15	0.16	H-20
CB-6	15.42	14.6	-0.82	H-20
CB-7	15.21	15.21	0.00	H-20

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY
SITE GRADING AND
DRAINAGE PLAN

SHEET NUMBER
C09
12 OF 113

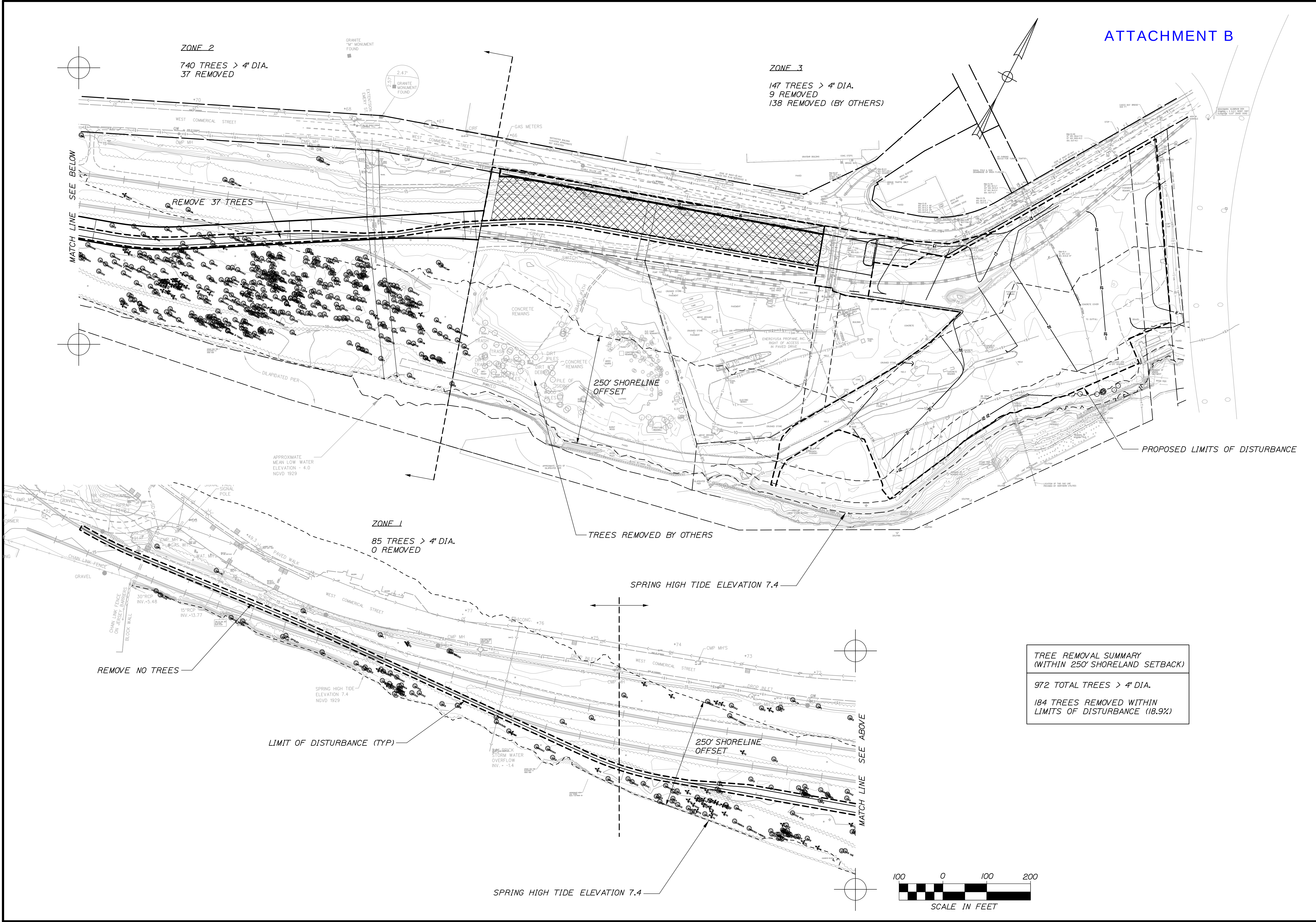
DATE	BY	J. KITTEDGE	DESIGN-DETAILED	CHECKED-REVIEWED	DESIGN-DETAILED	DESIGN-DETAILED	REVISIONS 1	REVISIONS 2	REVISIONS 3	REVISIONS 4	FIELD CHANGES
06/14	MP	CPM	-	-	-	-	-	-	-	-	-
06/14	CPM	-	-	-	-	-	-	-	-	-	-
SIGNATURE											
P.E. NUMBER											
DATE											

Date:6/23/2014

Username:

Division:

Filename: 010_TreeRemovals.dgn



ATTACHMENT B

STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20	PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY			
	TREE REMOVALS			
	SHEET NUMBER 1 1 OF 1			
DATE		PROJ. MANAGER	J. KITTEDGE	BY
SIGNATURE		CHECKED-REVIEWED	RWH	RWH
P.E. NUMBER		DESIGNS-DETAILED	-	-
DATE		REVISIONS 1	-	-
		REVISIONS 2	-	-
		REVISIONS 3	-	-
		REVISIONS 4	-	-
		FIELD CHANGES	-	-

ATTACHMENT C

Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection Project

CONSTRUCTION MANAGEMENT PLAN

The following outline represents the anticipated construction management plan that will be provided by the winning bidder for the project:

- The contractor shall maintain a minimum of a 11 foot lane through lane (and a 10 foot Left turn lane for eastbound commercial street) for each approach through the duration of the project unless otherwise noted.
- The contractor shall maintain a minimum of a 3 foot sidewalk for existing pedestrian approaches for the duration of the project unless otherwise noted.
- All full lane closures on Commercial street shall only be allowed from 7 PM to 7 AM Sunday night through Friday Morning. Full lane closures shall have a minimum of an 11 foot lane of alternating one way traffic.
- All Traffic Control Devices shall comply with the latest edition of the MUTCD.
- All temporary pedestrian facilities shall comply ADA requirements.
- No unpaved surfaces (gravel) shall be allowed within the work zone on Commercial Street.
- The Contractor Shall provide Certified Flaggers for any construction operation requiring short term stoppages of traffic.

ATTACHMENT D

REACH STACKER MACHINES



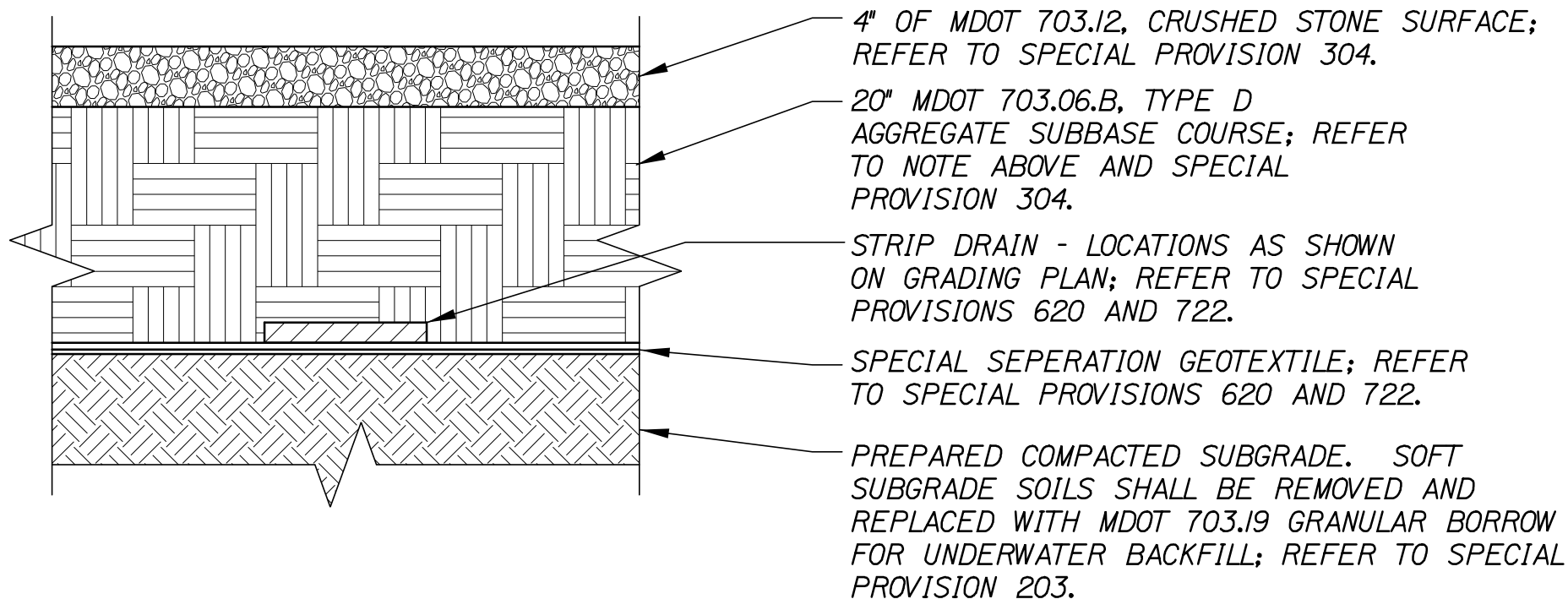
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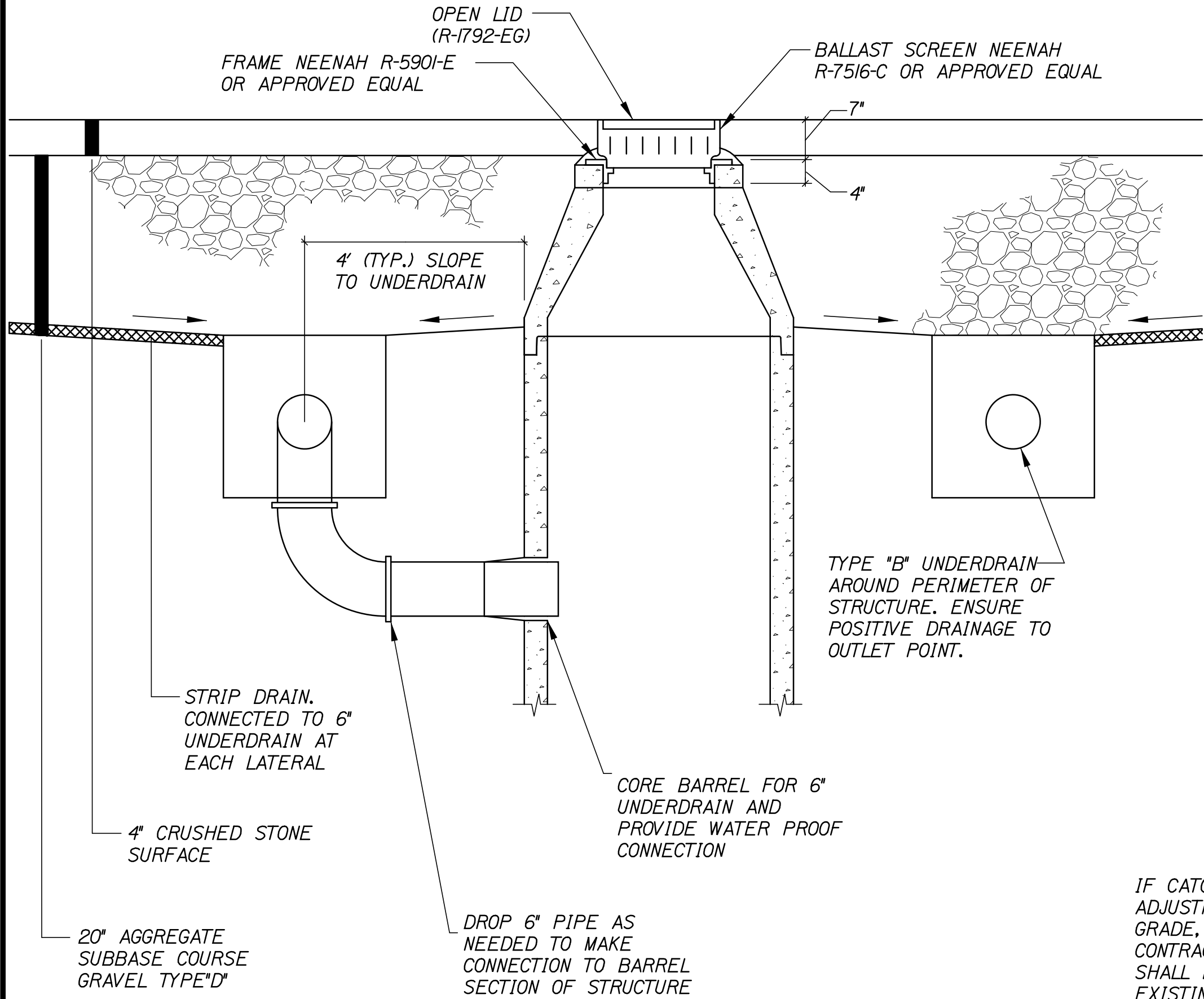
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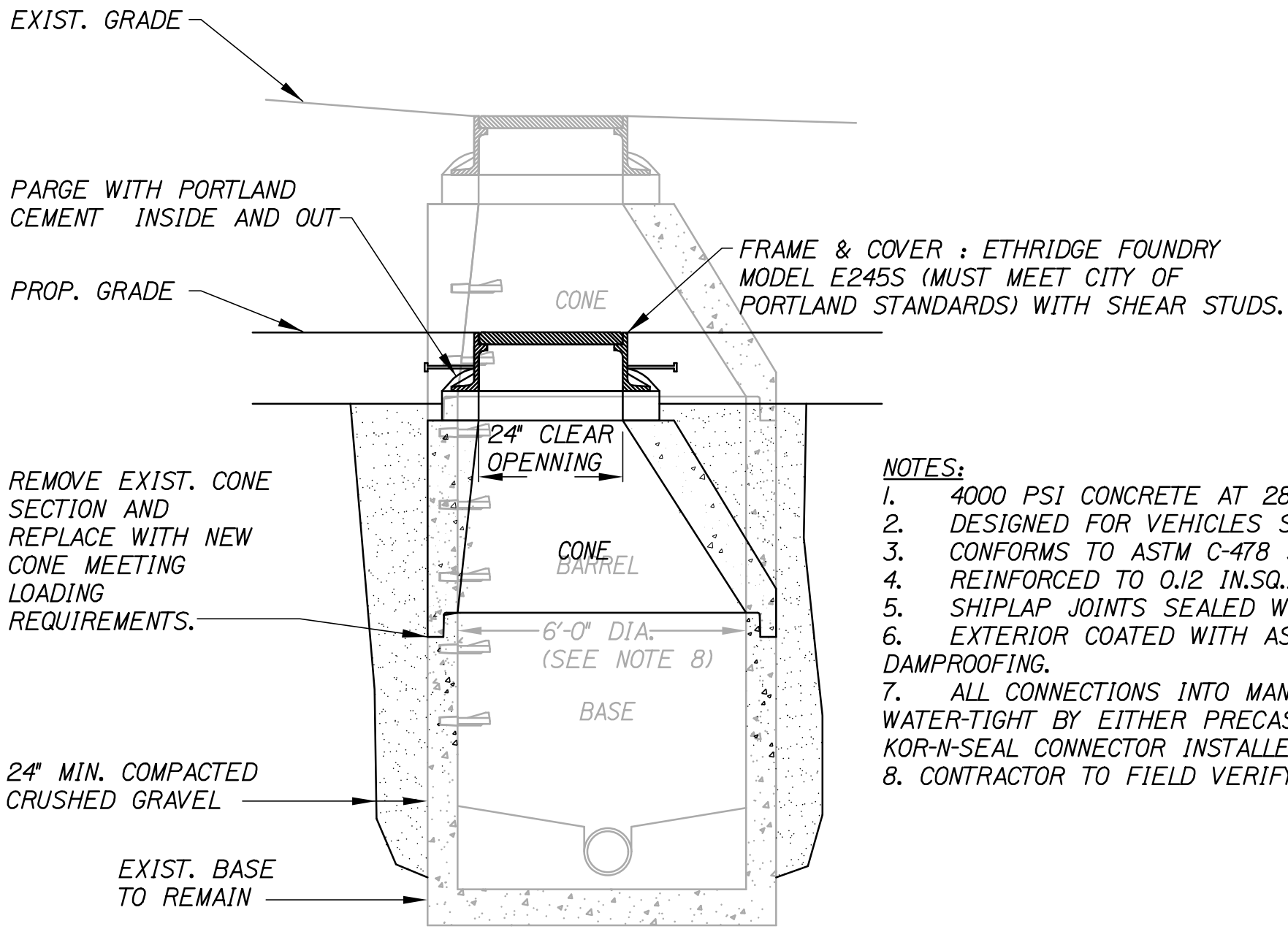
NOTE:
TYPE D AGGREGATE SUBBASE SHALL HAVE BETWEEN 4% AND 7% FINES (PERCENT PASSING #200 SIEVE) TO ACT AS A FILTER LAYER.



CHASSIS STORAGE YARD SURFACE DETAIL
NOT TO SCALE

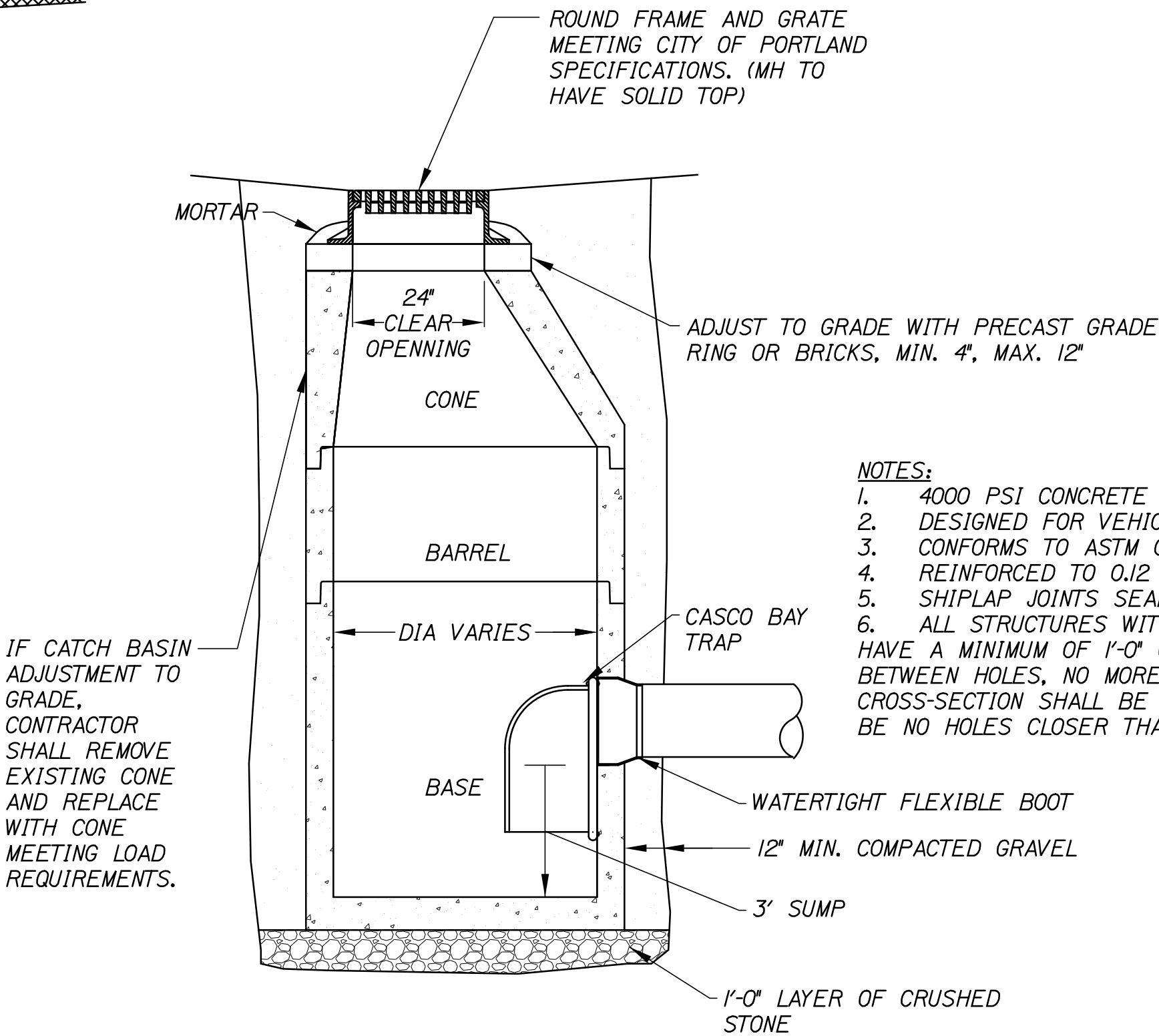


STRIP DRAIN CONNECTION TO CB2 AND CB3 DETAIL
NOT TO SCALE



ADJUST LOADING SLAB MANHOLE (SMH) TO GRADE
NOT TO SCALE

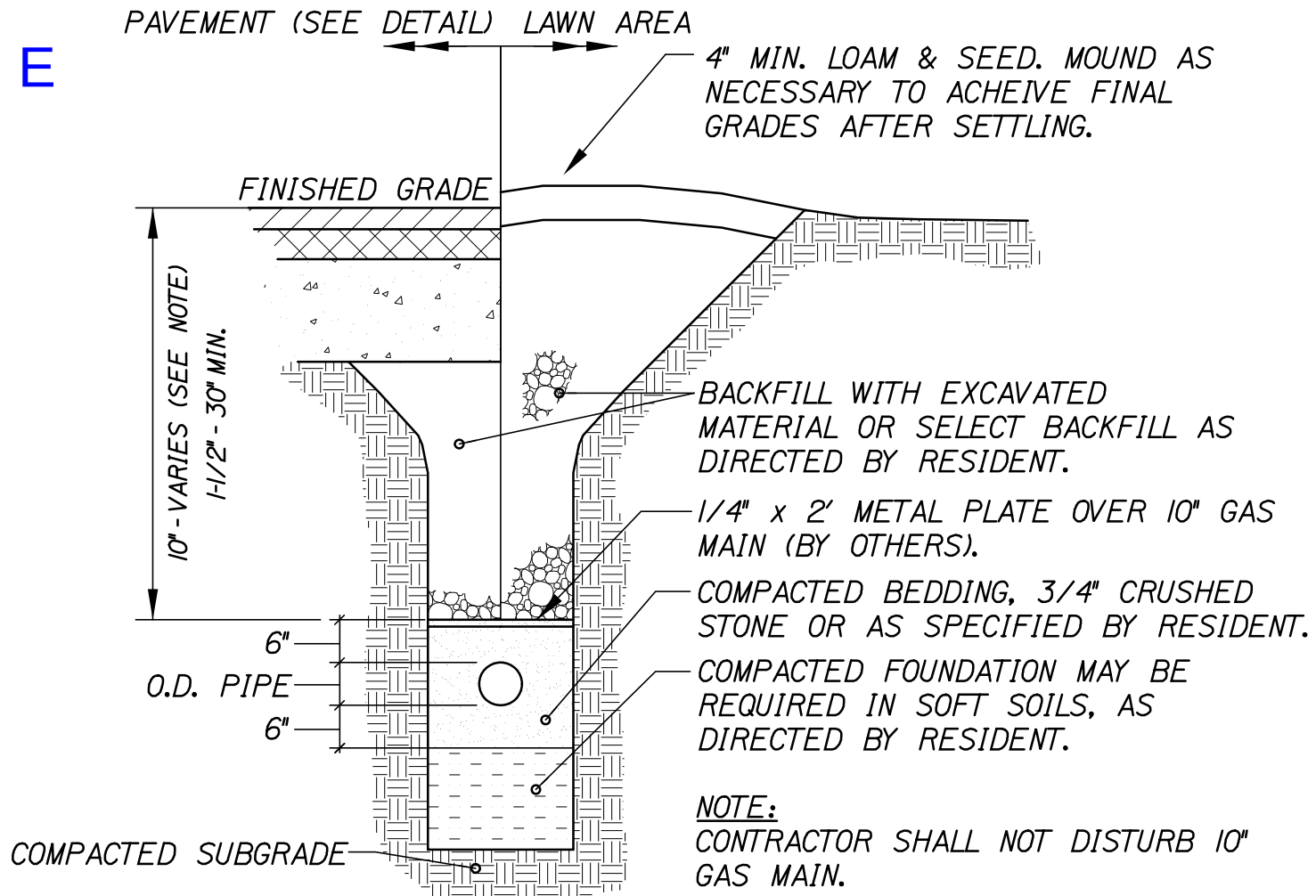
- NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
 2. DESIGNED FOR VEHICLES SHOWN ON SHEET G3.
 3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
 4. REINFORCED TO 0.12 IN.SQ./L.F.
 5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
 6. EXTERIOR COATED WITH ASPHALTIC PROTECTIVE DAMPROOFING.
 7. ALL CONNECTIONS INTO MANHOLE SHALL BE WATER-TIGHT BY EITHER PRECAST FLEXIBLE BOOT OR KOR-N-SEAL CONNECTOR INSTALLED IN CORED HOLE.
 8. CONTRACTOR TO FIELD VERIFY.



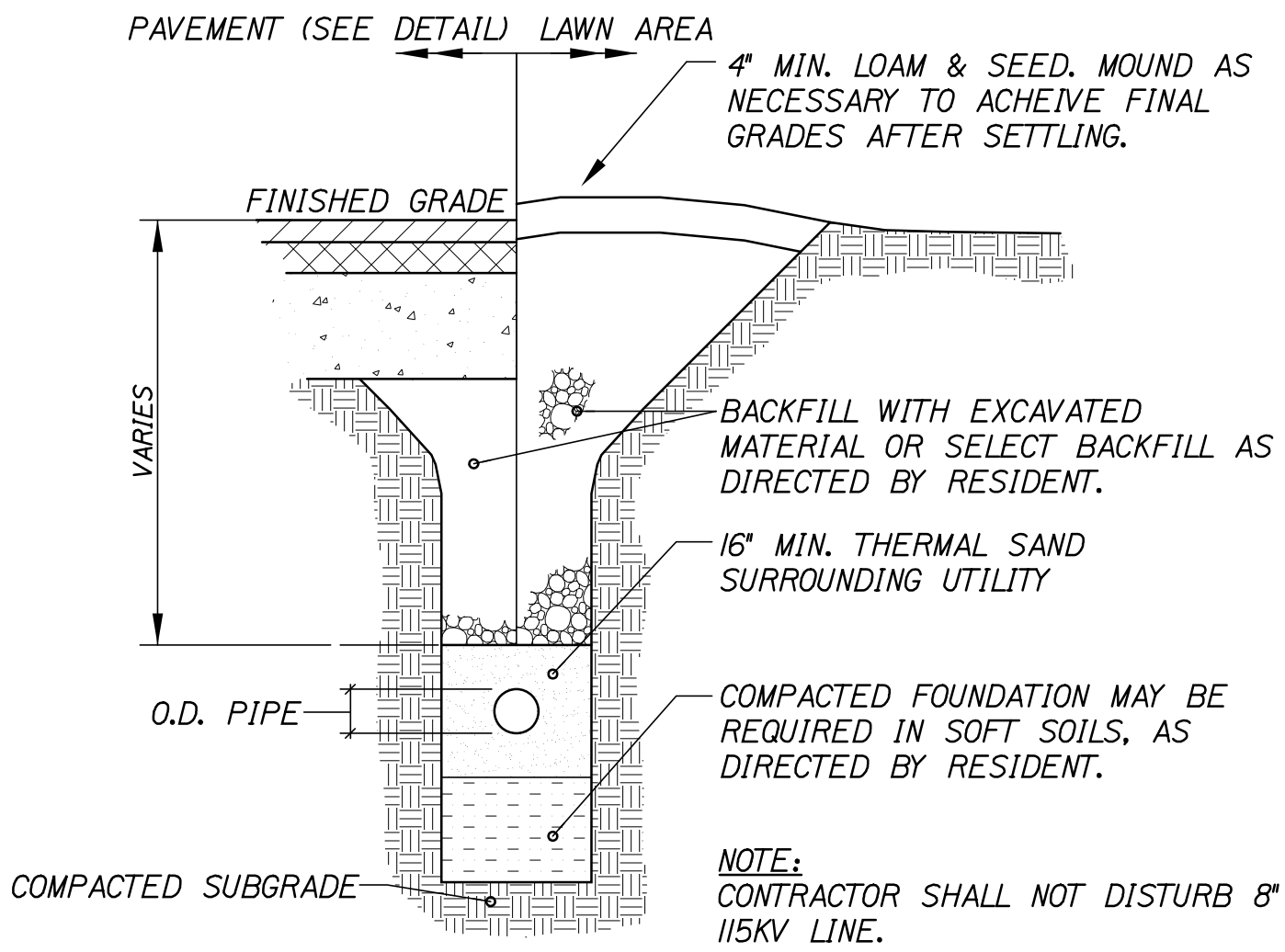
CATCH BASIN (CB)
NOT TO SCALE

- NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
 2. DESIGNED FOR VEHICLES SHOWN ON SHEET G3.
 3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
 4. REINFORCED TO 0.12 IN.SQ./L.F.
 5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
 6. ALL STRUCTURES WITH MULTIPLE PIPES SHALL HAVE A MINIMUM OF 1'-0" OF OUTSIDE SURFACE BETWEEN HOLES, NO MORE THAN 75% OF A HORIZONTAL CROSS-SECTION SHALL BE HOLES, AND THERE SHALL BE NO HOLES CLOSER THAN 3" FROM JOINTS.

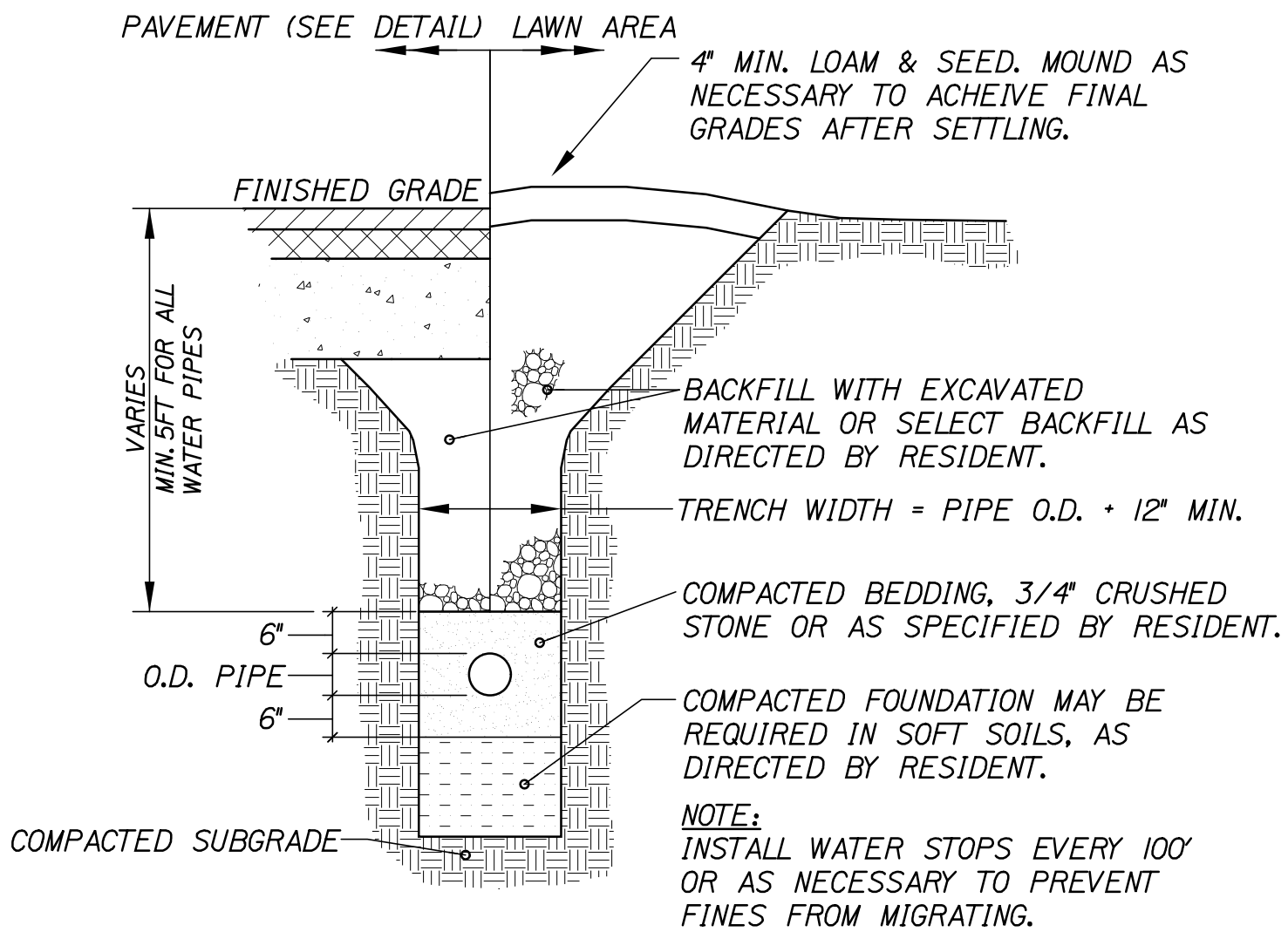
ATTACHMENT E



GAS TRENCH SECTION
NOT TO SCALE



115KV ELECTRICAL TRENCH SECTION
NOT TO SCALE



UTILITY TRENCH SECTION
NOT TO SCALE

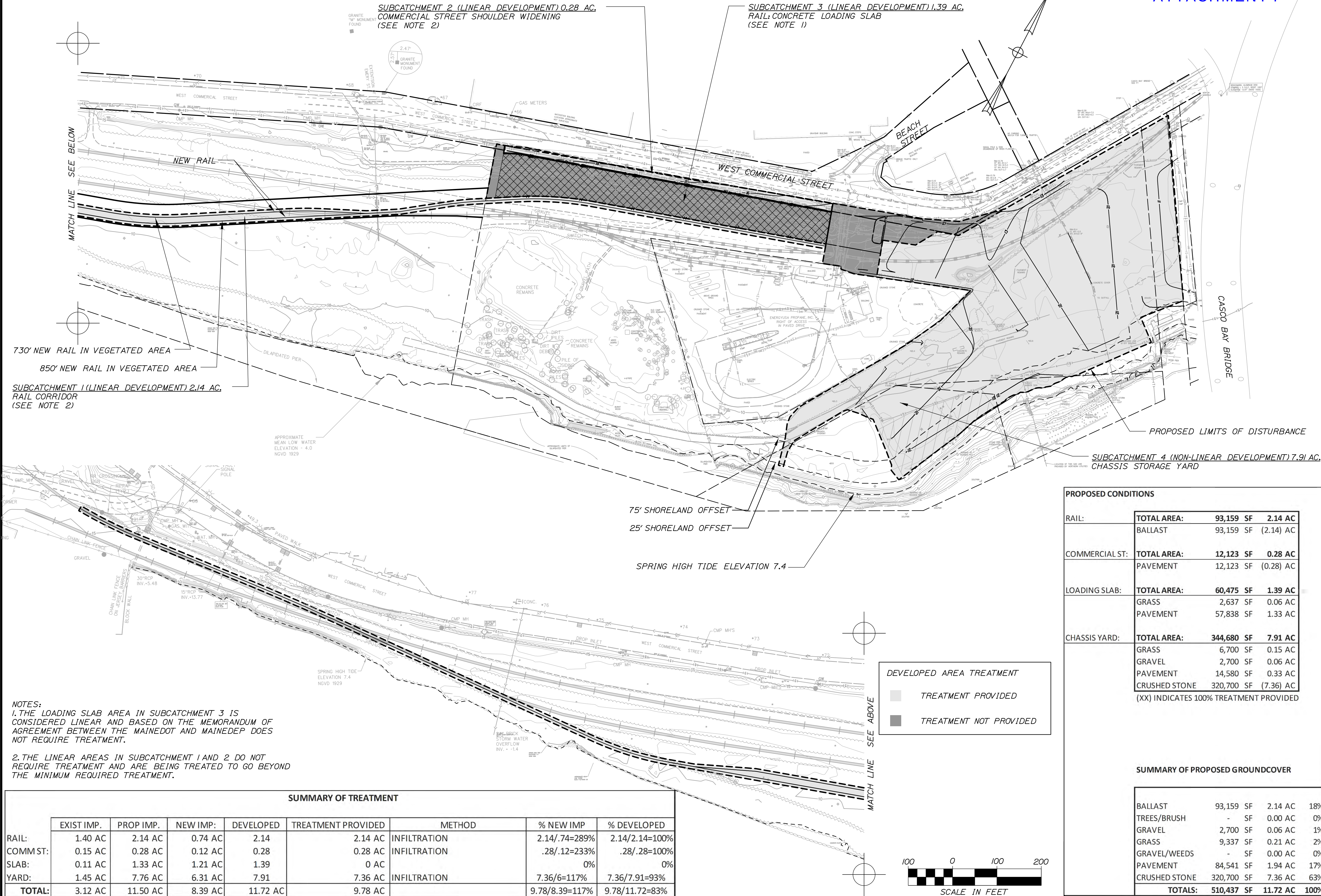
STATE OF MAINE				PORTLAND INTERNATIONAL MARINE TERMINAL				SITE DETAILS			
DEPARTMENT OF TRANSPORTATION				EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION				PORTLAND			
PROJECT NUMBER 022809.20				CUMBERLAND COUNTY							
WIN				PROJ. MANAGER	J. KITREDE	BY	DATE	DESIGN-DETAILED	1	HE	06/14
022809.20				CHECKED-REVIEWED	1	CM	06/14	DESIGN-DETAILED	2	CM	06/14
				DESIGN-DETAILED	3			DESIGN-DETAILED	3		
				REVISIONS	1			REVISIONS	1		
				REVISIONS	2			REVISIONS	2		
				REVISIONS	3			REVISIONS	3		
				REVISIONS	4			REVISIONS	4		
				FIELD CHANGES				FIELD CHANGES			

Date:6/23/2014

Username:

Division:

Filename: 002_developPost.dgn



NOTES:
1. THE LOADING SLAB AREA IN SUBCATCHMENT 3 IS CONSIDERED LINEAR AND BASED ON THE MEMORANDUM OF AGREEMENT BETWEEN THE MAINE DOT AND MAINE DEP DOES NOT REQUIRE TREATMENT.
2. THE LINEAR AREAS IN SUBCATCHMENT 1 AND 2 DO NOT REQUIRE TREATMENT AND ARE BEING TREATED TO GO BEYOND THE MINIMUM REQUIRED TREATMENT.

SUMMARY OF TREATMENT							
	EXIST IMP.	PROP IMP.	NEW IMP.	DEVELOPED	TREATMENT PROVIDED	METHOD	% DEVELOPED
RAIL:	1.40 AC	2.14 AC	0.74 AC	2.14	2.14 AC	INFILTRATION	2.14/2.14=100%
COMMST:	0.15 AC	0.28 AC	0.12 AC	0.28	0.28 AC	INFILTRATION	.28/.28=100%
SLAB:	0.11 AC	1.33 AC	1.21 AC	1.39	0 AC		0%
YARD:	1.45 AC	7.76 AC	6.31 AC	7.91	7.36 AC	INFILTRATION	7.36/7.91=93%
TOTAL:	3.12 AC	11.50 AC	8.39 AC	11.72 AC	9.78 AC		9.78/11.72=83%

PROPOSED CONDITIONS				
RAIL:	TOTAL AREA:	93,159 SF	2.14 AC	
	BALLAST	93,159 SF	(2.14) AC	
COMMERCIAL ST:	TOTAL AREA:	12,123 SF	0.28 AC	
	PAVEMENT	12,123 SF	(0.28) AC	
LOADING SLAB:	TOTAL AREA:	60,475 SF	1.39 AC	
	GRASS	2,637 SF	0.06 AC	
	PAVEMENT	57,838 SF	1.33 AC	
CHASSIS YARD:	TOTAL AREA:	344,680 SF	7.91 AC	
	GRASS	6,700 SF	0.15 AC	
	GRAVEL	2,700 SF	0.06 AC	
	PAVEMENT	14,580 SF	0.33 AC	
	CRUSHED STONE	320,700 SF	(7.36) AC	
(XX) INDICATES 100% TREATMENT PROVIDED				
SUMMARY OF PROPOSED GROUND COVER				
	BALLAST	93,159 SF	2.14 AC	18%
	TREES/BRUSH	- SF	0.00 AC	0%
	GRAVEL	2,700 SF	0.06 AC	1%
	GRASS	9,337 SF	0.21 AC	2%
	GRAVEL/WEEDS	- SF	0.00 AC	0%
	PAVEMENT	84,541 SF	1.94 AC	17%
	CRUSHED STONE	320,700 SF	7.36 AC	63%
	TOTALS:	510,437 SF	11.72 AC	100%

STORMWATER POLLUTION PREVENTION PLAN PORTLAND INTERNATIONAL MARINE TERMINAL June 2014

FACILITY NAME: Port of Portland, International Marine Terminal

FACILITY ADDRESS: 460 Commercial Street Portland, Maine

OWNER/OPERATOR:

Maine Port Authority: John Henshaw (207) 200-2401; Patrick Arnold (207) 408-5391

Ports America: Jack Humeniuk, Bobby Connolly (207) 232-5178

Maine Department of Transportation: Joel Kittredge (207) 624-3550

WATER BODY: Fore River, Portland Harbor

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) OVERVIEW

This Stormwater Pollution Prevention Plan:

- Identifies the SWPPP coordinator with a description of the coordinator's duties;
- Identifies members of the SWPPP team and lists their responsibilities;
- Describes the facility operational areas and description of stormwater drainage features;
- Identifies potential stormwater contaminants;
- Describes stormwater management controls and BMP's required to reduce pollutants in stormwater discharges;
- Describes the facilities Operations and Monitoring plan;
- Inspections, Maintenance, repair and annual reporting requirements of stormwater BMP's, and;
- Describes the implementation schedule and provisions for amendment of the plan.

1 PLANNING AND ORGANIZATION

1.1 SWPPP COORDINATOR AND TEAM

The team members and list of responsibilities is as follows:

Person in Charge: Patrick Arnold, (207) 408-5391

Title: Maine Port Authority

Responsibilities: Coordinates all stages of plan development, inspections and implementations. Coordinates employee training programs, keep all records and ensures that monitoring and inspection reports are maintained as part of the SWPPP. Coordinates container storage layout, movement, loading, unloading and site operations. Coordinates and implements other plans such as Spill Containment and Countermeasure (SPCC).

Member: Jack Humeniuk, Bobby Connolly (207) 232-5178

Title: Ports America

Responsibilities: Implement the preventative maintenance program. Oversee good housekeeping activities, serves as spill response coordinator. Conduct/assist with inspections and training program, conduct and document visual sampling and comprehensive inspections.

Member: Joel Kittredge, (207) 624-3550

Title: Maine Department of Transportation

Responsibilities: Assurance of quality control implementation.

2 ASSESSMENT

2.1 SITE DESCRIPTION

The following is an overview of the IMT facility, description of site usage and identification of possible stormwater pollutant areas. Each of the following areas are defined:

- Site activities
- Address
- Number of acres
- Length of waterfront
- Buildings and use
- Storage locations
- Container movement
- Type of vehicles used on site
- Vehicle maintenance activities
- Site restrictions
- Other potential hazards

The International Marine Terminal (IMT) is located at 460 Commercial Street in Portland, Maine, between Commercial Street and the Fore River, and at the same location as the Casco Bay Bridge. The site covers approximately 33 acres and has approximately 2,500 linear feet of frontage on the Fore River.

Activities on site include on and off loading of cargo containers from international shipping, storage of containers and deliver and pickup of containers by trucking and rail. Containers are moved on site with a Liebherr LHM 320 Mobile Harbor Crane, Taylor TEC-950L Top Lifter, Fantuzzi Reach Stacker, Kalmar Reach stacker DRF450-65S5 and Kalmar Ottawa 4x2 Yard Tractors.

The site contains three buildings, a 3,300 square foot office building for facility management staff near the Commercial Street entrance, a 4,500 square foot maintenance building located at the pier and a 6,300 square foot cold storage building (the Rubb Building).

The facility utilizes a concrete loading slab to load rail cars with containers. The loading slab is located along Commercial Street and includes a concrete retaining wall to separate operations from vehicle and pedestrian traffic along Commercial Street.

Stormwater runoff from the facility drains to one of five outlets and is described from east to west as follows:

- The eastern most outlet is a 15" PVC storm drain that collects stormwater runoff from the upper yard where various containers are stored including refrigerated and flammable liquid. Runoff is collected via catch basins and storm drains. The outlet is located on the southern end of the site in the seawall and is shown as Outlet #1 on the Site Map.
- A catch basin with 4" PVC storm drain is located directly in front of the Maintenance Building overhead door and collects a small amount of stormwater from the area around the overhead door. The outlet is located beneath the Maintenance Building in the sea wall and is shown as Outlet #2 on the Site Map.
- A catch basin with 12" PVC storm drain is located east of the Rubb Building and collects a small amount of stormwater from the area around the concrete loading slab east of the Rubb Building. The outlet is located beneath the dilapidated wood pier in the sea wall and is shown as Outlet #3 on the Site Map.
- The middle portion of the site, east of the Casco Bay Bridge, outlets in the seawall via two separate storm drain systems. A 24" RCP and 30" RCP collect stormwater runoff from the lower container storage lot via catch basins and storm drains. The outlets are located near the Casco Bay Bridge and are shown as Outlet #4 on the Site Map.
- The western most portion of the site is the chassis storage yard and concrete loading ramp. The chassis storage yard is constructed of a porous crushed stone surface. All stormwater runoff from this portion of the site percolates into the existing ground. In the event the porous media becomes clogged, overflow is provided via two catch basins within the chassis storage yard. The catch basins are connected to the Combined Sewer Overflow (CSO) owned by the City of Portland and discharge into the Fore River near the Bridge Maintenance Building. The concrete slab drains into scuppers which also are connected to the CSO. The CSO outlet is located along the seawall near the Bridge Maintenance Building and is shown as CSO Outlet on the Site Map.

Vehicle Maintenance will only take place at the maintenance building (with the exception of in-place breakdown repairs). Residuals such as oil, grease or paint scrapings from typical maintenance operations will be collected and stored in 55 gallon drums and removed from the site as needed.

Container Cargo Ships will dock at the facility and will on and off-load container boxes. Bunkering and sewage management is performed by accredited vendors in accordance with United States Coast Guard regulations. Boats may replenish their supply of fresh water and may also recharge electrical capacitors while docked at the facility.

Containers and general cargo will be stored throughout the facility. Loaded containers will be sealed while stored at the facility. Loading and unloading of containers generally occurs at the Rubb Building. Containers and general cargo will not be stacked in the chassis storage lot.

Rail cars will be stored along the concrete loading slab at the western side of the facility and will allow for on and off-loading container boxes.

RESTRICTED USE: The chassis storage yard allows for infiltration of stormwater runoff into the underlying soils therefore use of this area is restricted to prevent contaminants from entering the groundwater. The following uses are strictly prohibited in this portion of the facility:

- Storage of salt/sand mixtures
- Bulk storage of petroleum products

- Maintenance of vehicles and equipment (excluding in-place breakdowns)
- Long term storage of vehicles and equipment that has potential to leak pollutants
- Other activities that present a risk of significant pollutant discharges to groundwater

A Site Map of the IMT facility for use with this SWPPP shows buildings, storage areas, parking areas, stormwater drainage outlets, vehicle maintenance areas, restricted areas and site access is shown on the following page.

2.2 SIGNIFICANT MATERIAL INVENTORY

SWPPP MATERIAL INVENTORY:

AREA	POTENTIAL SOURCE	POLLUTANT
Maintenance Bldg	Vehicles, waste containers	Oil, grease, metal chips, paint
Container on/off loading	Vehicles, vessel, rail, containers	Oil, grease
Container storage	Containers, transport vehicles	Oil, grease, metal chips
Travel ways	Transport vehicles	Oil, grease, sand, salt
Waste handling	Vehicles, waste containers	Trash, non-hazardous waste
Flammable liquids storage	Containers	Flammable liquids
Parking	vehicles	Oil, grease, sand, salt

Incoming Container Inspection: As part of the normal operating procedures for the facility, containers are monitored for leaks at time of arrival whether the arrival is from vessel, rail, or highway. Any leaks will be contained and cleaned up immediately and this information is recorded in the stevedore's "Statement of Fact".

Stored Container Inspections: Stored containers will be visually monitored as part of daily reconnaissance which includes visual observations.

Vehicles: Vehicles used at the IMT facility for container on and off loading as well as on-site transporting will be monitored by the Port Operator according to the standard operating procedures. Otherwise, monitoring will occur on a weekly basis. This will typically occur in the Maintenance Building where immediate repairs may be implemented. Vehicles stored in the chassis storage lot shall be visually monitored and relocated and repaired immediately if dripping fluid is observed.

Methods and Location of Storage & Disposal: Waste materials such as oils, grease and coolants will be stored at the Maintenance Building in specifically marked containers. All containers will be securely closed at all times. Transport will be limited to reduce risk of spills and will be conducted by equipment intended for transporting such containers. Disposal of waste materials will be in accordance with all local, state and federal regulations and will occur as needed. Waste products will be disposed of frequently enough as to prevent large quantities of storage at the facility.

All paved surfaces will be maintained, cleaned, and swept by a certified vendor as sediments buildup. Winter sanding will be kept to a minimum and salt will be primarily used during snow removal to limit sediment buildup.

Training and spill prevention for stormwater pollution prevention will become part of the IMT site operations program. New employees will be trained and become knowledgeable with this manual, locations of hazardous materials, storage locations, spill prevention, inspections, cleanup and reporting.

2.3 SPILLS AND LEAKS

All spills will be cleaned immediately and reported if necessary depending on the material, size and location of the spill. Spill kits will be located at the Maintenance Building and throughout the facility as deemed necessary depending on hazard type. Spill kits will be restocked as needed. In the event of spills, priority will be given to

preventing pollutants from entering into the stormwater drainage systems. Absorbent pads will be located between spill and catch basin inlets if applicable.

Chassis storage yard porous stone surface: Spills and leaks that occur in the chassis yard will require complete cleanup and may also require some level of reconstruction depending on the extent and nature of the spill. All spills must be inspected and removal of all pollutants will be required and replacement of granular materials and crushed stone surface will be required. The porous surface also contains separation geotextile at a depth of 24" below grade and must be replaced if spills extend into deeper soils. The Chassis storage yard porous surface is constructed of the following:

- 4" of MDOT 703.12, Crushed Stone Surface;
- 20" of MDOT 703.06.B, Type-D Aggregate Subbase Course
- Special Separation Geotextile

Compaction requirements for the Type-D subbase course shall be per the MDOT Standard Specifications.

2.4 NON-STORMWATER DISCHARGES

Vehicle maintenance could result in non-stormwater discharges. Maintenance will occur in the Maintenance Building to prevent non-stormwater discharges from entering the drainage system except in the event of a breakdown in the yard. Non-stormwater pollutant and discharges that may result in contamination will be monitored and pollutants will be picked up with absorbent pads.

2.5 SITE SUMMARY

The IMT facility will be used for cargo container on- and off-loading from vessels, rail and highway transport vehicles and the movement and storage of cargo containers on site prior to their transport. Potential pollutants are those generally associated with vehicles and within storage containers.

3 IMPLEMENTATION

This section describes practices that are in place to control pollutants that have the potential to contaminate stormwater.

3.1 GOOD HOUSEKEEPING

Good housekeeping practices are the most effective first step towards preventing pollution in stormwater. The following is a list of good housekeeping practices that apply to the IMT facility:

- Immediately clean up spills with an absorbent material;
- Spills and leaks around containers are monitored as part of daily security;
- Vehicle monitoring is part of the operator standard operating procedures;
- Store fuel and wastes indoors and in sealed containers;
- Fuel storage containers are periodically monitored during fueling operations;
- Changing of fluids, painting, sandblasting, sanding and scraping is done in designated areas with proper containment for waste materials. Drip pans and tarps are used to capture drips or spills. Absorbent pads and quick-dry granular materials are used to clean up spills and leaks;
- Prohibit use and transport of contaminants in porous stone chassis storage yard;

- Crane maintenance procedures are performed in accordance with terminal's stevedore as part of their standard operating procedure.

3.2 PREVENTATIVE MAINTENANCE

This preventative maintenance program involves inspections and maintenance of stormwater management controls and routine monitoring of facility operations to detect faulty vehicles or containers. Such equipment will be routinely monitored for signs of deterioration. Preventative maintenance measures will include but not be limited to:

- Visual monitoring of incoming vessels, trucks and cargo containers;
- Regular monitoring of stored cargo containers;
- A written spill prevention and response policy;
- A spill prevention and response procedure;
- Spill response equipment is located at potential spill areas;
- Waste fluids are stored inside and are properly stored in sealed/labeled containers;
- Batteries are stored in a secure area and are properly disposed of as needed;
- Catch basins and sediment chambers are checked and cleaned as needed;
- Chassis storage yard porous stone surface is monitored and replenished as needed;
- Hydraulic equipment is kept in good repair to prevent leaks;
- Outdoor drum and storage tank containment areas are routinely checked for leaks;

3.3 BEST MANAGEMENT PRACTICES (BMP'S)

The following is a list of BMP's for the IMT facility. When implemented the following BMP's will prevent or reduce the discharge of potential pollutants in stormwater runoff.

- Hazardous materials that are in easily ripped or breakable containers (such as bags or plastic buckets) are handled with care;
- Staff members are present during all fueling operations and loading/unloading operations;
- Cover catch basin inlets in the vicinity of drum handling operations;
- Prohibit bulk contaminants from being stored or used on the porous chassis storage yard;
- Keep dumpster lid closed except for when in use.
- Periodic inspection of the Chassis Storage Yard porous surface to determine crushed stone depth and quality of filter media. Ponding during rain events will be an indicator that sediment clogging has occurred.

3.4 SEDIMENT AND EROSION CONTROL

The existing shorefront has the potential for erosion in locations where soils are present. Soil areas along the shorefront will be inspected annually and after major storm events to ensure erosion does not occur and will be reported if noticed.

Winter sanding and salting have the potential for depositing sediments and therefore will be very limited at the facility. The porous crushed stone surface in the chassis storage yard also has the potential for clogging with winter sanding sediment therefore this area will not be sanded and will be limited to salt. Inspections will monitor sediments in the stone surface as well as ensuring crushed stone surface thickness is maintained at 4".

If clogging, rutting or ponding occurs, the crushed stone surface will be removed, sediments removed, and stone surface replaced to a thickness of 4".

The SWPPP team for the IMT facility will act as a qualified post-construction stormwater inspector to inspect BMP's annually. The inspector will observe parking areas, catch basins, chassis storage yard spillway and outlet pipes.

3.5 MANAGEMENT OF STORMWATER RUNOFF

The following management practices for runoff are used at the IMT facility:

- Stormwater catch basins are deep sump with hoods and are monitored and cleaned as necessary;
- Chassis storage yard porous crushed stone surface is monitored and repaired/replaced as necessary;
- Drainage outfalls discharge to riprap pads;

3.6 SPILL PREVENTION AND RESPONSE

- Spill response equipment is stored throughout the facility and includes absorbent pads and quick dry granular materials;
- All personnel are made aware of spill kit locations and trained in use;
- The pollution prevention team leader or spill coordinator will be advised immediately of all spills of hazardous materials or regulated materials, regardless of quantity;
- Spills will be evaluated to determine the necessary response. If there is a health hazard, fire or explosion potential, 911 will be called. If a spill is large or threatens surface waters, including storm drains, the MaineDEP will be called at (800) 482-0777;
- Spills will be contained as close to the source as possible with a berm of absorbent materials from the emergency spill kit. Additional berms will be deployed to protect stormwater.
- Spills in the porous chassis storage lot may require additional response and clean up such as removal and replacement of stone surfacing and underlying gravel media. This will depend on the nature and magnitude of the spill.

3.7 EMPLOYEE TRAINING

All employees will be properly trained in the implementation of this SWPPP. Pollution prevention team members will meet annually to discuss the effectiveness of and improvements to the plan.

4 EVALUATION

4.1 ANNUAL VISUAL MONITORING

Annually and after large storm events, SWPPP team members will examine the stormwater discharges at each outfall at the IMT facility. Monitoring should occur at or near LOW TIDE. Team members will document observed contamination/problems with date and time and will determine the source of contamination, if observed, and take action to eliminate it. The monitoring log will contain at a minimum the following information:

- Date, time, tide level and weather conditions;
- Outfall location and description;
- Observations and contaminants;

- Possible source of contaminant;
- Action taken to prevent future discharges;

4.2 ANNUAL SITE INSPECTIONS (COMPREHENSIVE SITE COMPLIANCE EVALUATION)

The SWPPP team for the IMT facility will prepare a Compliance Evaluation Report on an annual basis. The report will include the following information:

- Date;
- Name of person conducting inspection
- Observations;
- Evidence of pollution;
- Inspection of equipment and cargo containers;
- Evaluation and assessment of BMP's
- Corrective actions taken;
- Signed/dated certification;

Reports will be kept with the site SWPPP. Both the Evaluation Report and reports of follow-up action must be certified as follows: "This Compliance Evaluation Report has been prepared by qualified personnel who properly gathered and evaluated information submitted for this Report. The information provided in this Report, to the best of my knowledge, is accurate and complete."

4.3 RECORDKEEPING AND REPORTING

The IMT facility will maintain records of spills, leaks, inspections and maintenance activities as described in this SWPPP for at least three (3) years from the date the permit coverage expires or is terminated. These records will be made available to state or federal inspectors upon request. Additionally, employee training records shall be maintained by Ports America and verified by the Maine Port Authority.

4.4 PLAN REVISIONS

If the IMT facility expands its operations or changes and significant material handling or storage practices which could impact stormwater, this SWPPP will be amended. The amended Plan will describe the new activities and planned control measures. This plan will also be amended if a state or federal inspector determines that it is not effective in controlling stormwater pollutants discharged to waterways.

5 CERTIFICATIONS

Certifications will be signed by an "authorized representative, "i.e., someone who is at or near the top of the IMT facility's management team that has the authority to sign and certify this type of document.

- Non-stormwater Discharges;
- Stormwater Pollution Prevention Plan;

NON-STORMWATER DISCHARGES:

Example 1: "All stormwater outfalls to surface waters at this facility have been evaluated and found to be free of non-stormwater discharges."

Example 2: "With the exception of run-off from the salt storage area, all stormwater outfalls to surface waters at this facility have been evaluated and found to be free of non-stormwater discharges."

STORMWATER POLLUTION PREVENTION PLAN:

This Stormwater Pollution Prevention Plan has been prepared in accordance with good engineering practices. Qualified personnel gathered and evaluated information submitted for this Plan. The information in this Plan, to the best of my knowledge, is accurate and complete.

Name_____

Title_____

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND
CONNECTING CORRIDOR CONNECTION PROJECT

Planning Board
PUBLIC HEARING

June 24, 2014
Portland City Hall

Presented By:



HNTB

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

WELCOME

- Introductions
- Project Benefits
- General Description of the Project
- Questions & Answers

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Benefits of Expanding the Terminal

- Increase throughput of the port
- Increase extent of regional markets to include Midwest and Canada
- Increase operational efficiency for Eimskip
- Reduce cost of shipping for local manufacturers
- Bolster forest product, seafood and agricultural economies



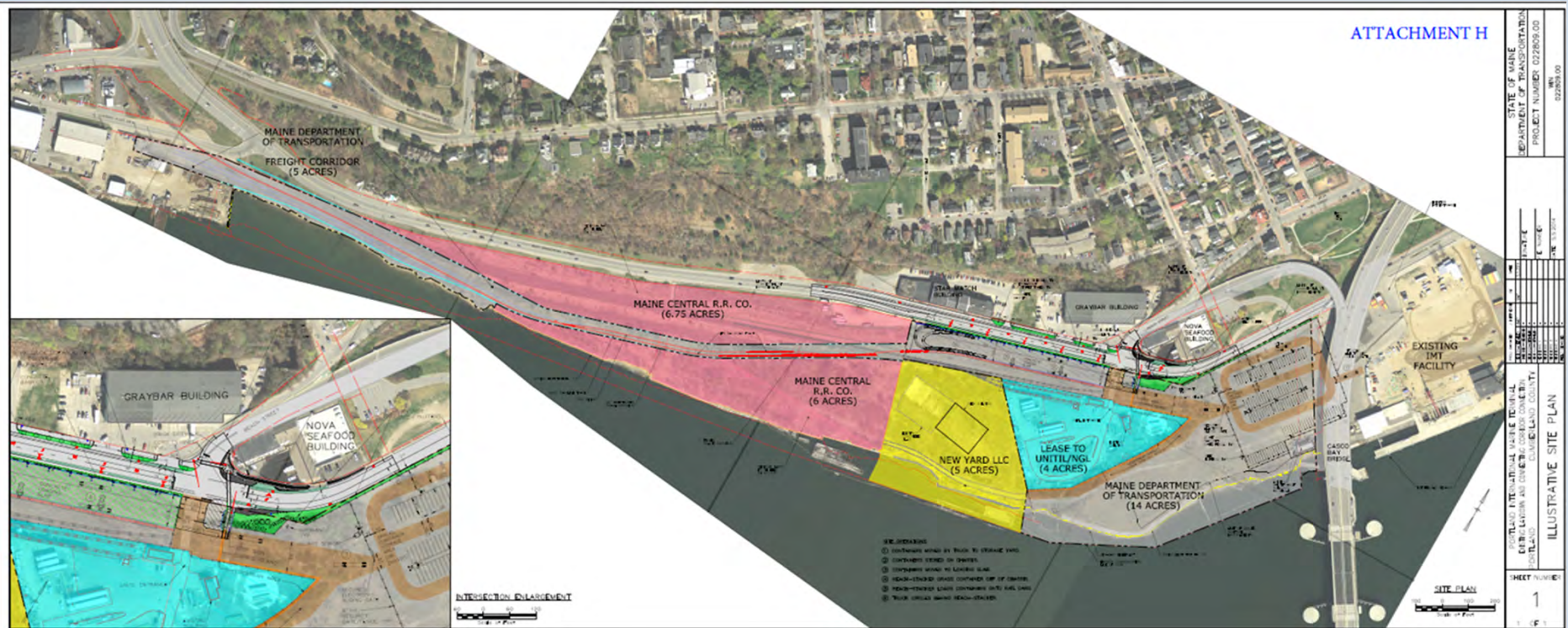
General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisitions
- Internal Operations
- Project Components
- Infrastructure Improvements
- Commercial Street Improvements

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
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EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- **Land Acquisition**
- Internal Operations
- Project Components
- Infrastructure Improvements
- Commercial Street Improvements



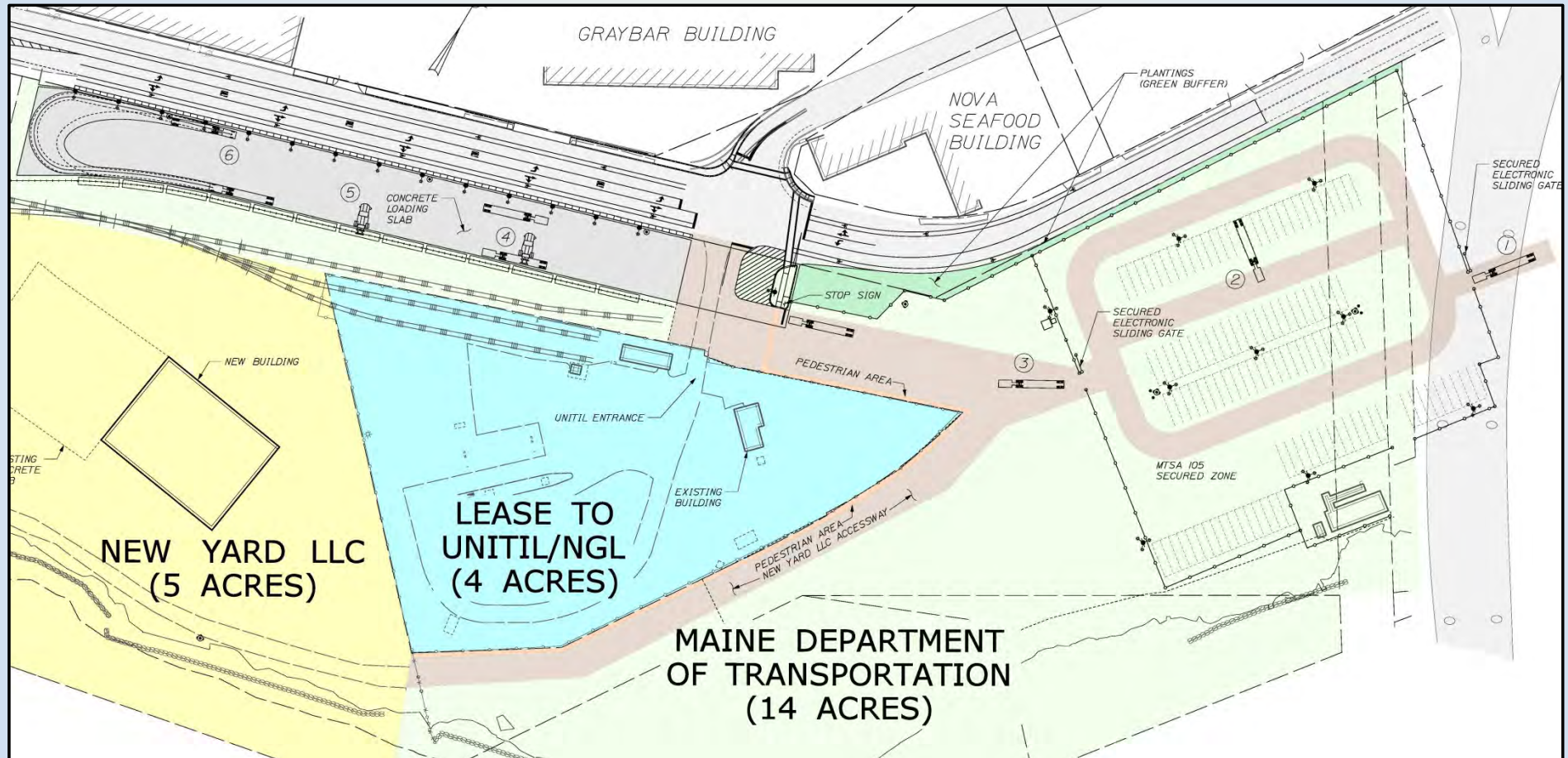
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Portland International Marine Terminal

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

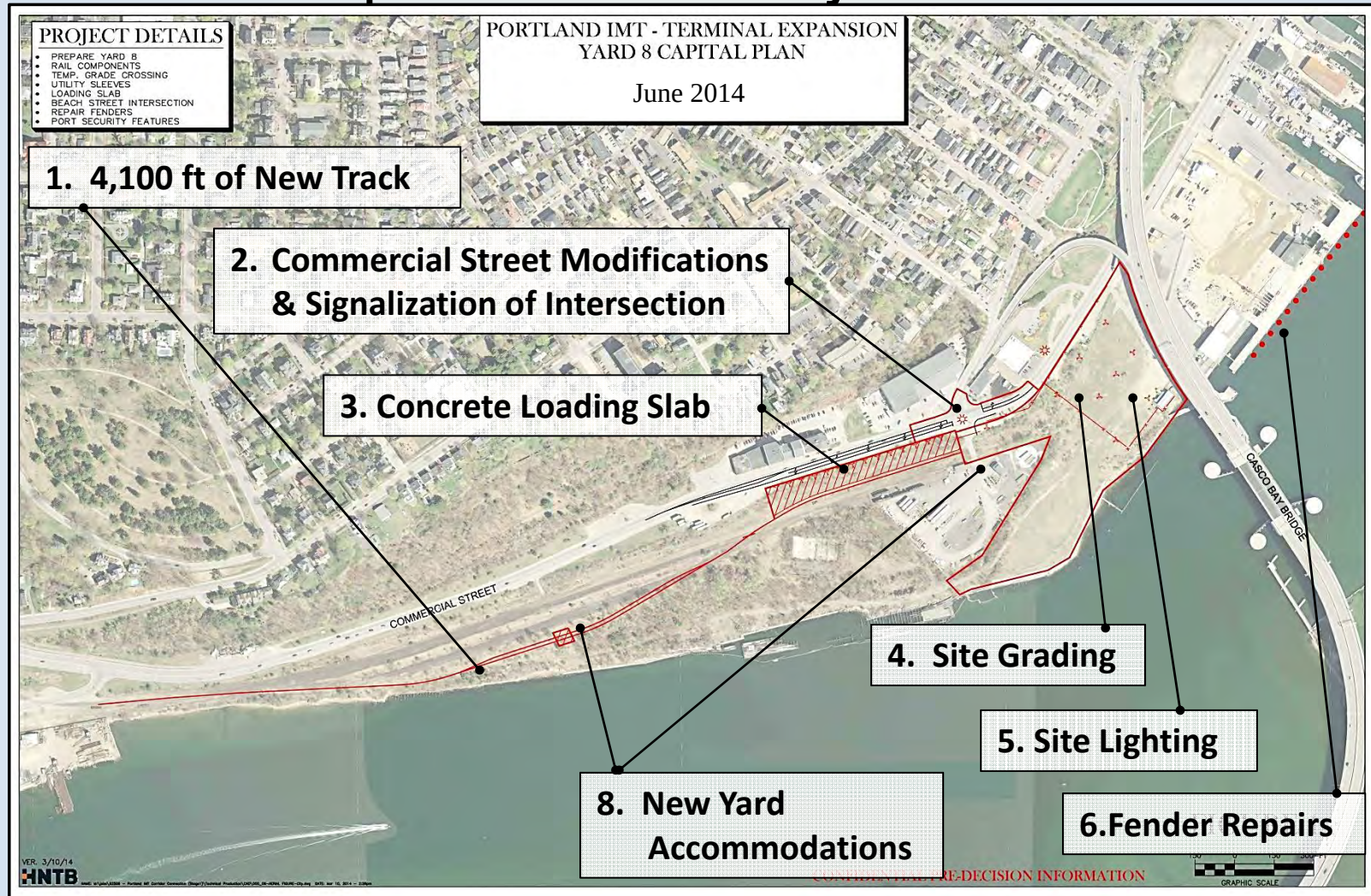
- Provide Rail Connection to the Terminal
- Land Acquisition
- **Internal Operations**
- Project Components
- Infrastructure Improvements
- Commercial Street Improvements



PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- **Project Components**
- Infrastructure Improvements
- Commercial Street Improvements

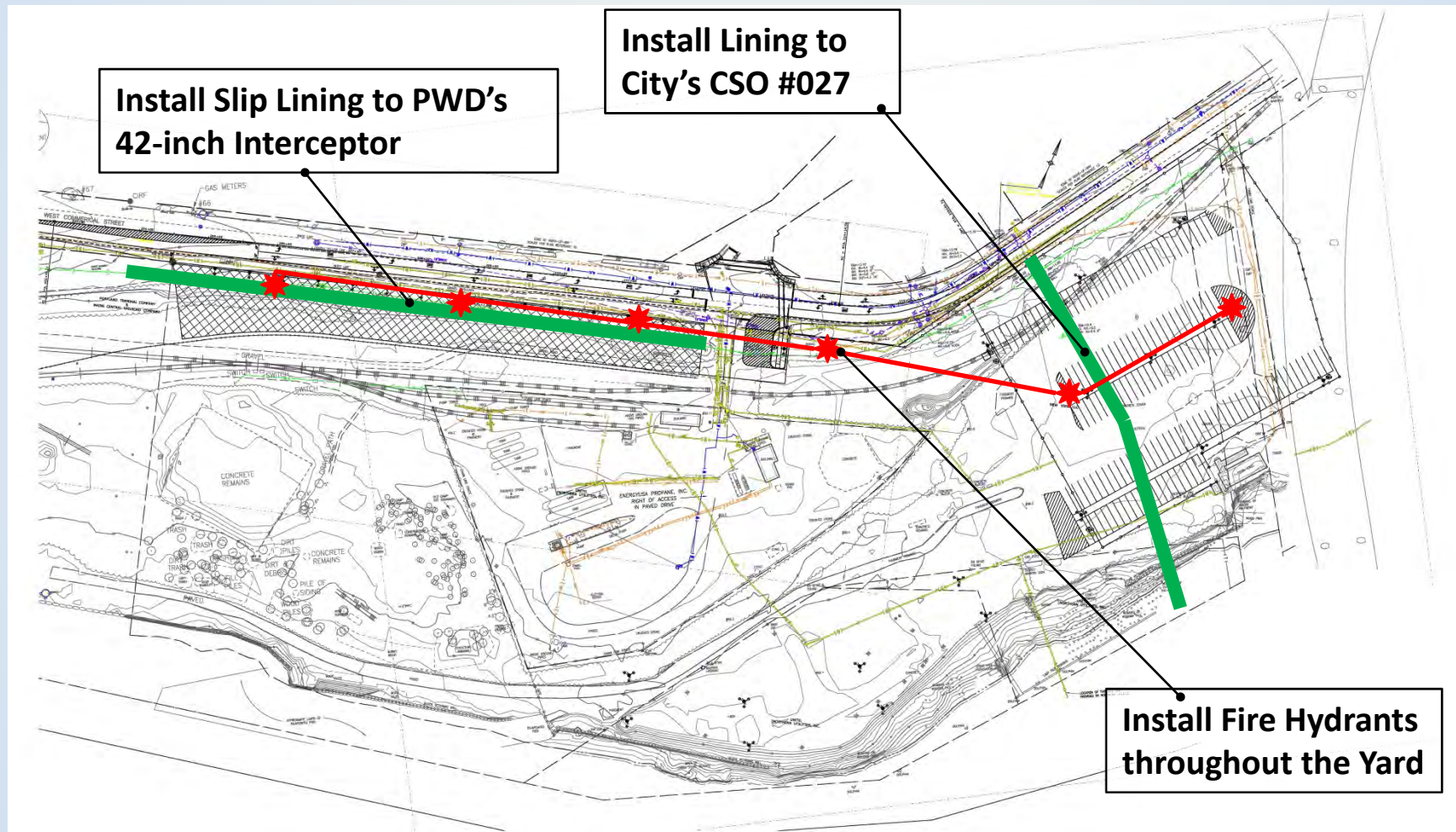


PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

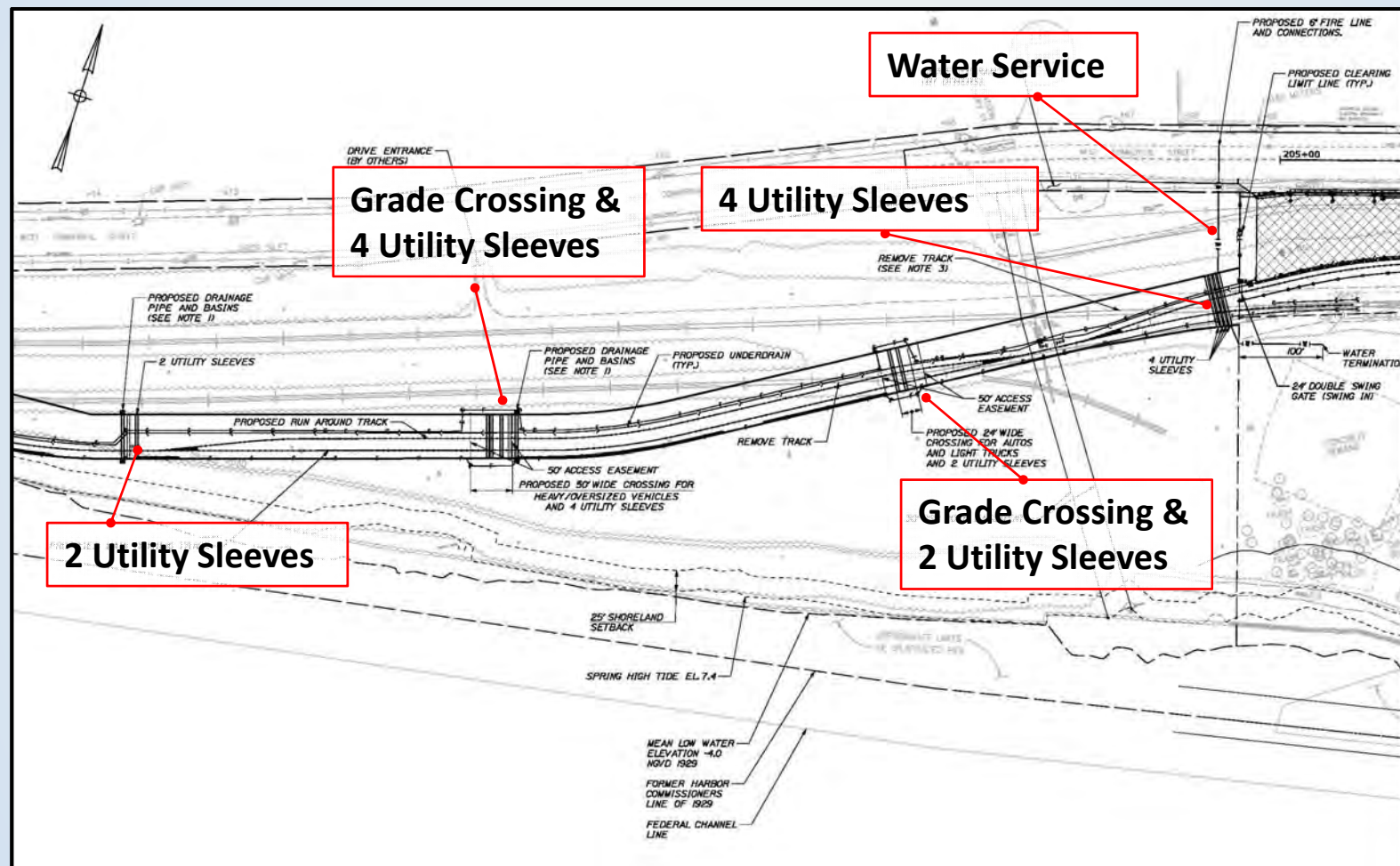
General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- Project Components
- **Infrastructure Improvements**
- Commercial Street Improvements



PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- Project Components
- **Infrastructure Improvements**
- Commercial Street Improvements



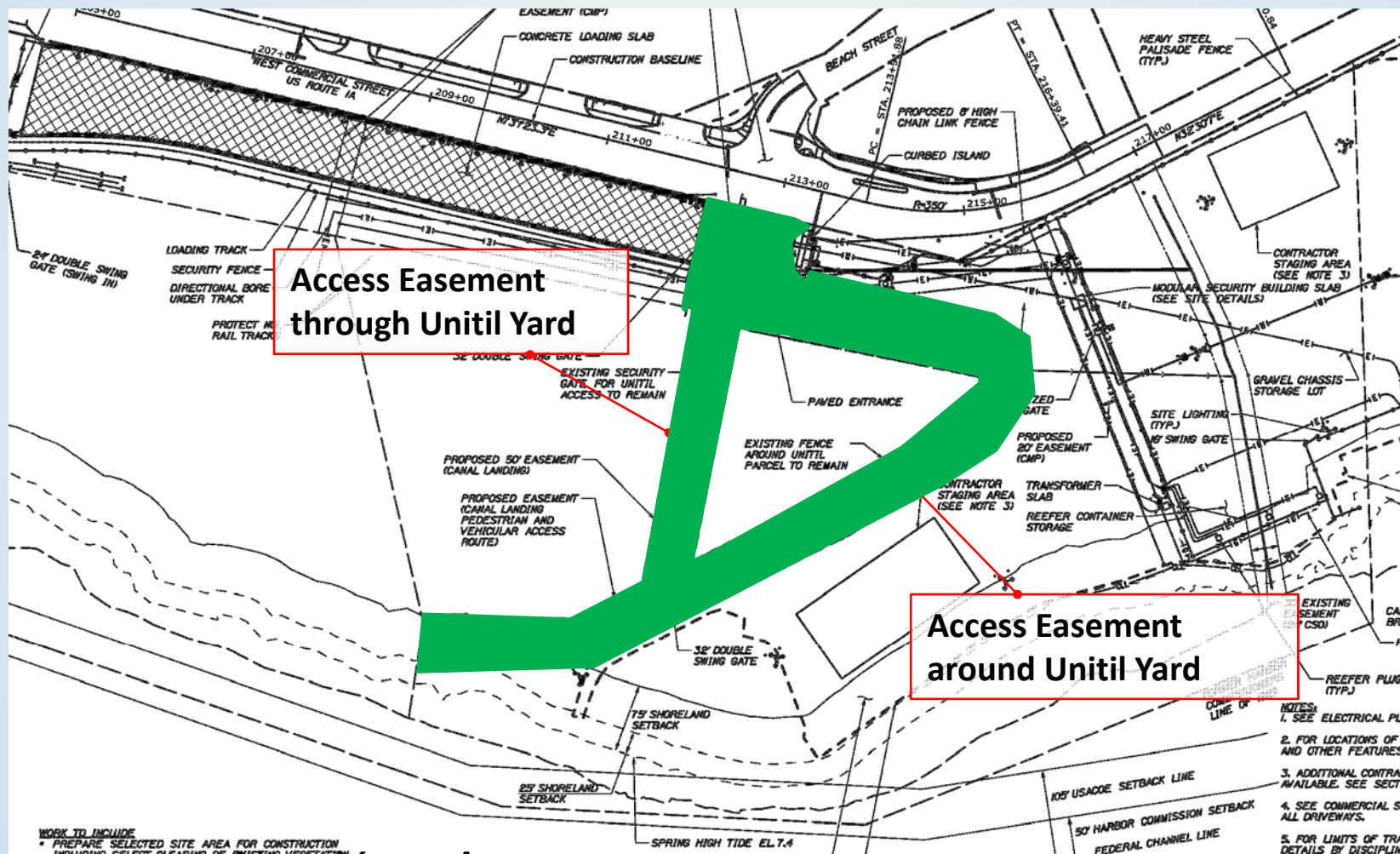
NEW YARD ACCOMMODATIONS

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- Project Components
- **Infrastructure Improvements**
- Commercials Street Improvements



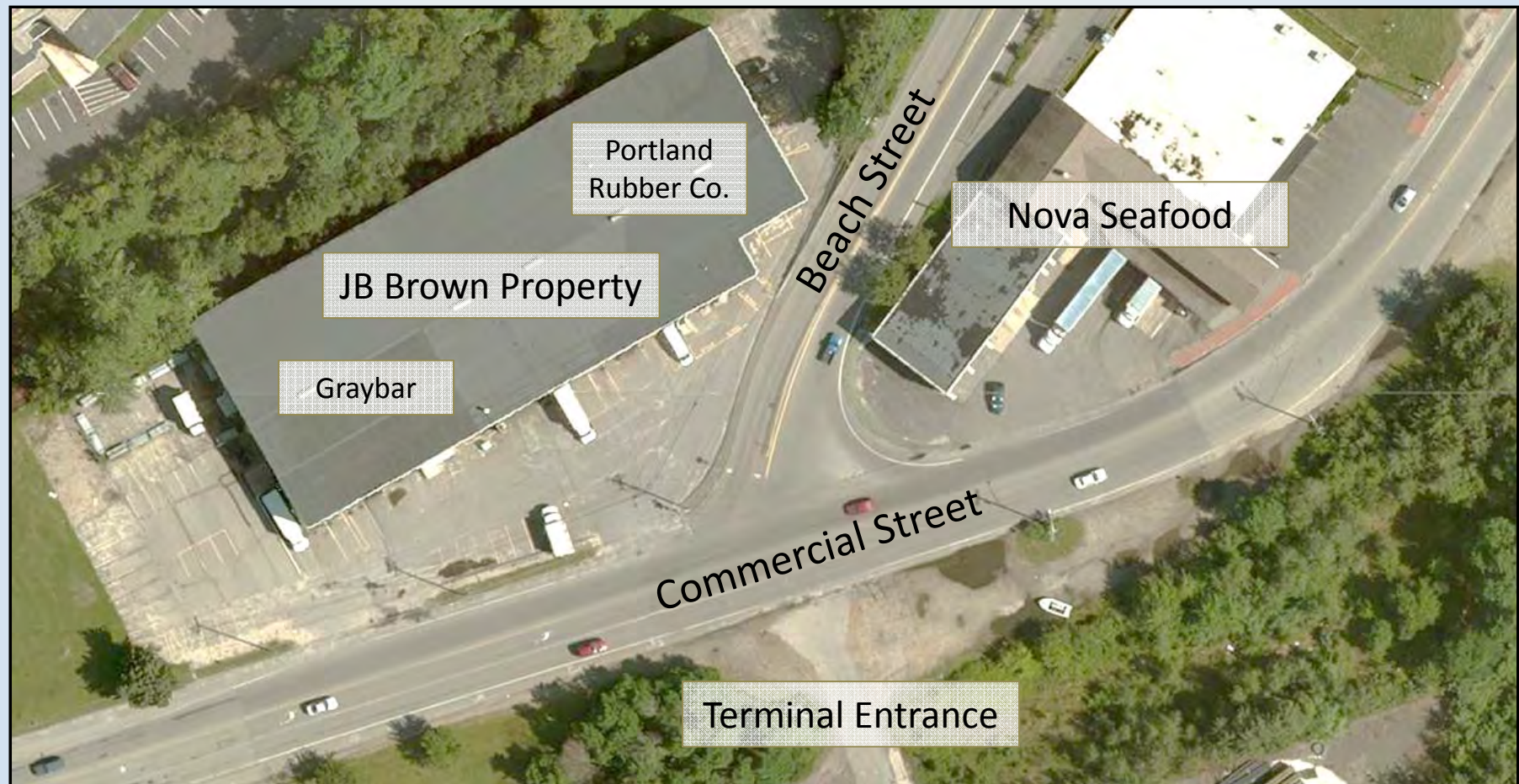
NEW YARD ACCOMMODATIONS

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

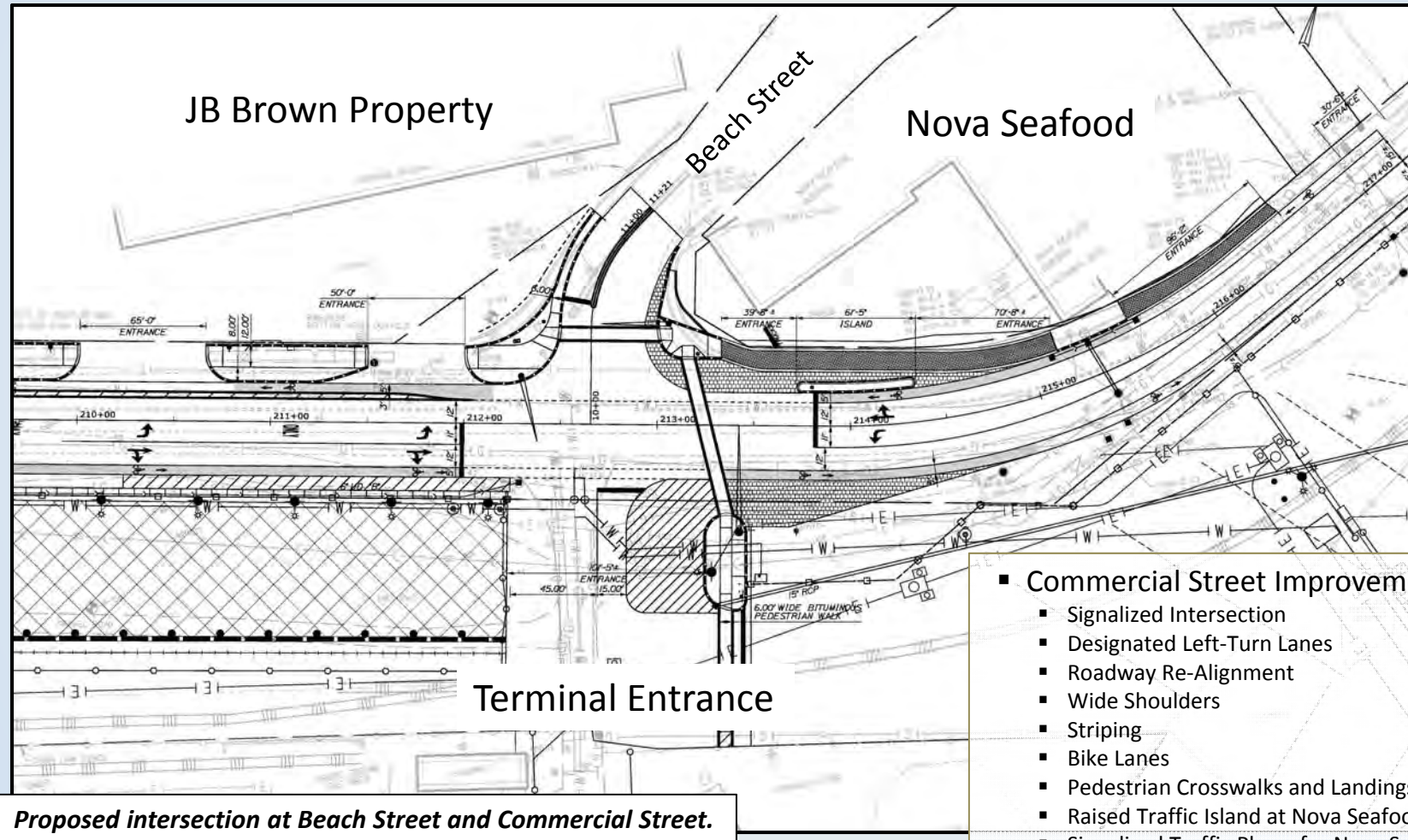
- Provide Rail Connection to the Terminal
- Land Acquisition
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- Infrastructure Improvements
- **Commercial Street Improvements**



PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
- Land Acquisition
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- Project Components
- Infrastructure Improvements
- **Commercial Street Improvements**



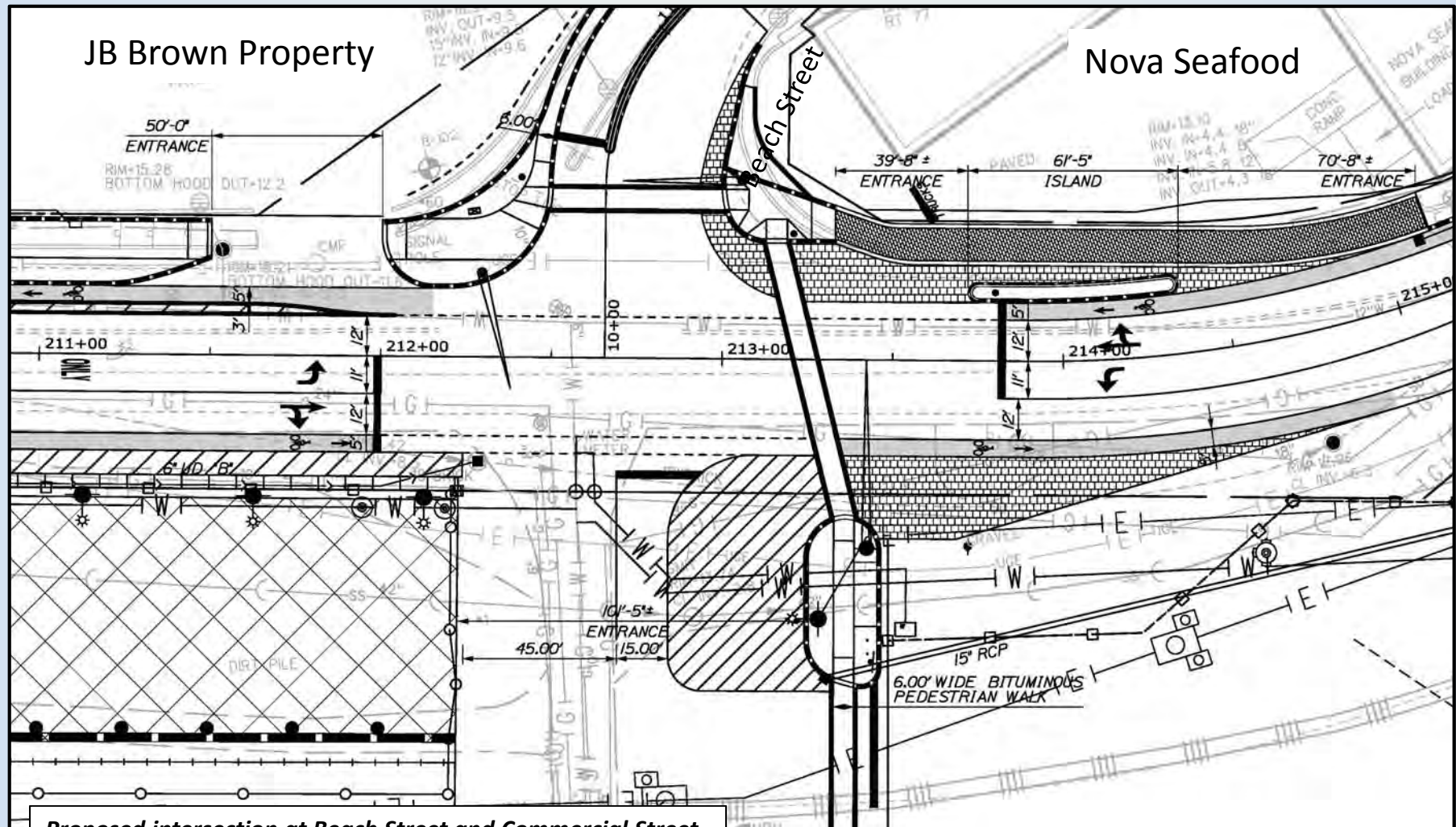
- **Commercial Street Improvements**
 - Signalized Intersection
 - Designated Left-Turn Lanes
 - Roadway Re-Alignment
 - Wide Shoulders
 - Striping
 - Bike Lanes
 - Pedestrian Crosswalks and Landings
 - Raised Traffic Island at Nova Seafood
 - Signalized Traffic Phase for Nova Seafood.

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

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- Land Acquisition
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- Project Components
- Infrastructure Improvements
- **Commercial Street Improvements**



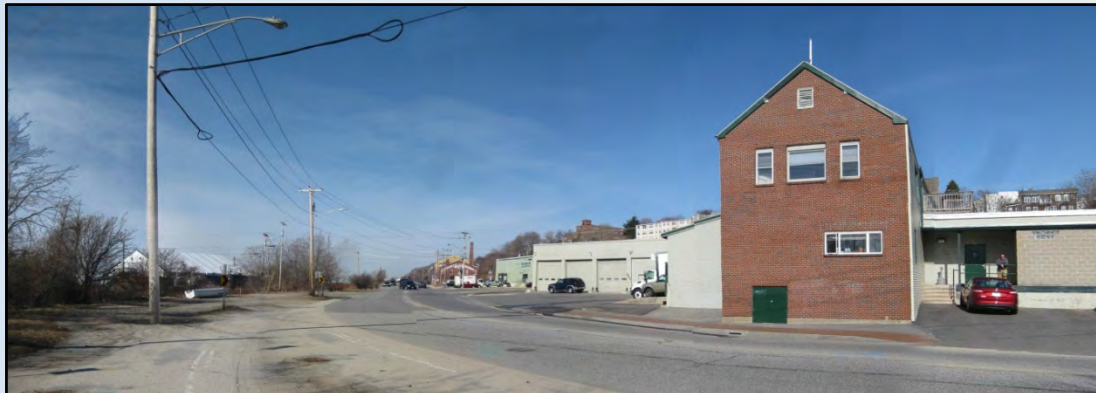
Proposed intersection at Beach Street and Commercial Street.

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

- Provide Rail Connection to the Terminal
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- **Commercials Street Improvements**



view west existing



view west proposed

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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- Provide Rail Connection to the Terminal
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view east existing



view east proposed

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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PORTLAND INTERNATIONAL MARINE TERMINAL

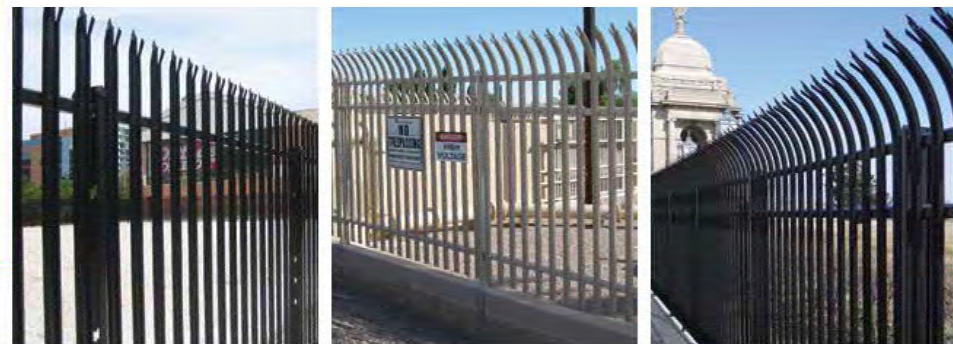
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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IMPASSE II®



HIGH SECURITY STEEL PALISADE FENCING

Maintaining a secure perimeter is your first line of defense against potential threats. Impasse II fence systems serve as a *visual deterrent backed with heavy steel components* that give a higher level of protection compared to the traditional chain link or architectural mesh fence alternatives. Impasse II is the *best choice for securing at risk facilities or protecting specific assets within a property.*

PORTLAND INTERNATIONAL MARINE TERMINAL

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Road Demarcation

- ▶ Sizes:
 - 0.8–2mm for Bike Lanes
 - 2–4mm for Bus Lanes
- ▶ Road and pathway demarcation creates a safe and long lasting alternative to traditional painting methods.



- 100% Recycled Glass
- Reflective Beauty of Glass
- Color Retention
- Epoxy Resin Binder
- Environmentally Friendly
- Variety of Colors
- Size Ranges

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Open Dialog

Questions & Answers

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

Miscellaneous Information

- Provide Rail Connection to the Terminal
- Land Acquisition
- Internal Operations
- Project Components
- Infrastructure Improvements
- **Commercials Street Improvements**



Mi-Jack Reach Stacker
(128-tons)



Kalmar Reach Stacker
(86-tons)

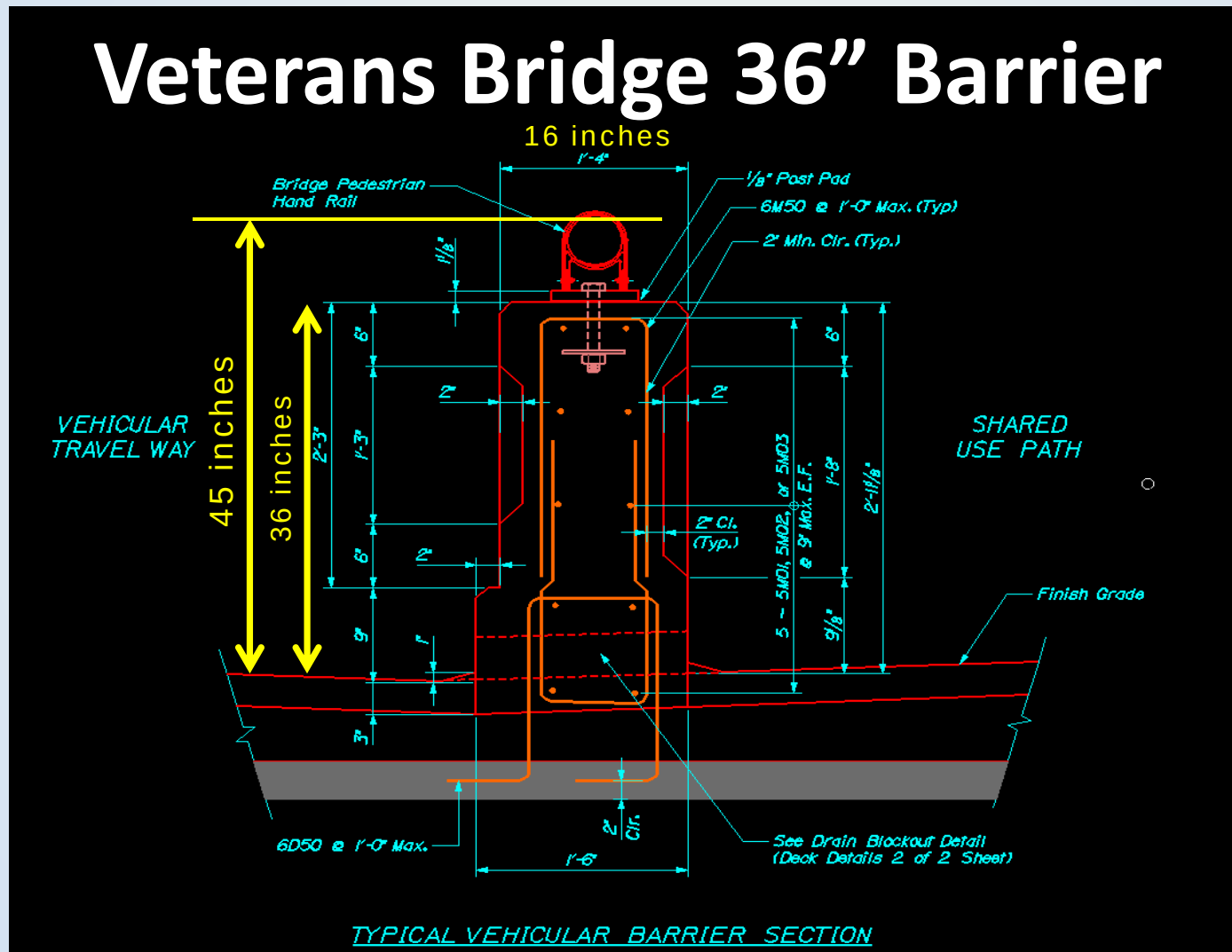
Passenger Vehicle:	2 tons
HS20 Highway Truck:	40 tons

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

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Veterans Bridge 36" Barrier



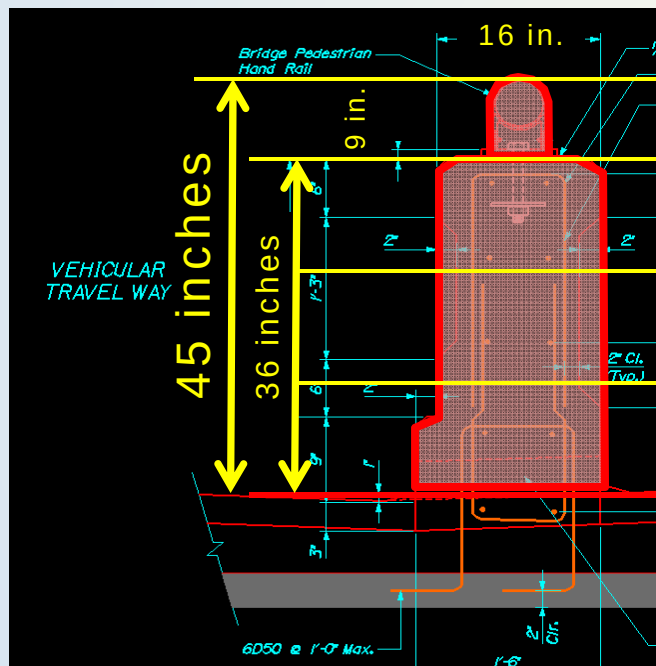
PORTLAND INTERNATIONAL MARINE TERMINAL

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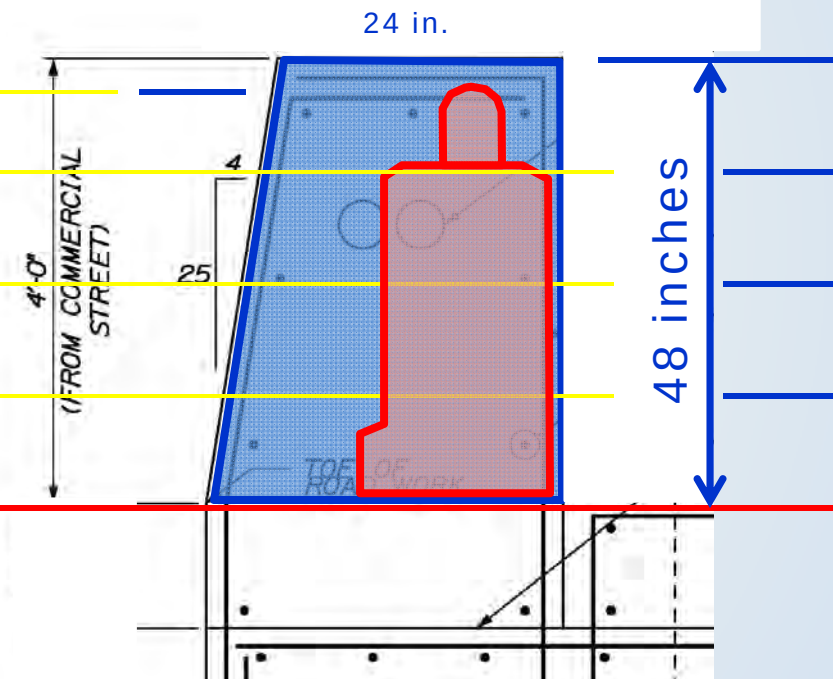
General Description of the Project

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Veterans Bridge 36" Barrier



Proposed Slab 48" Barrier

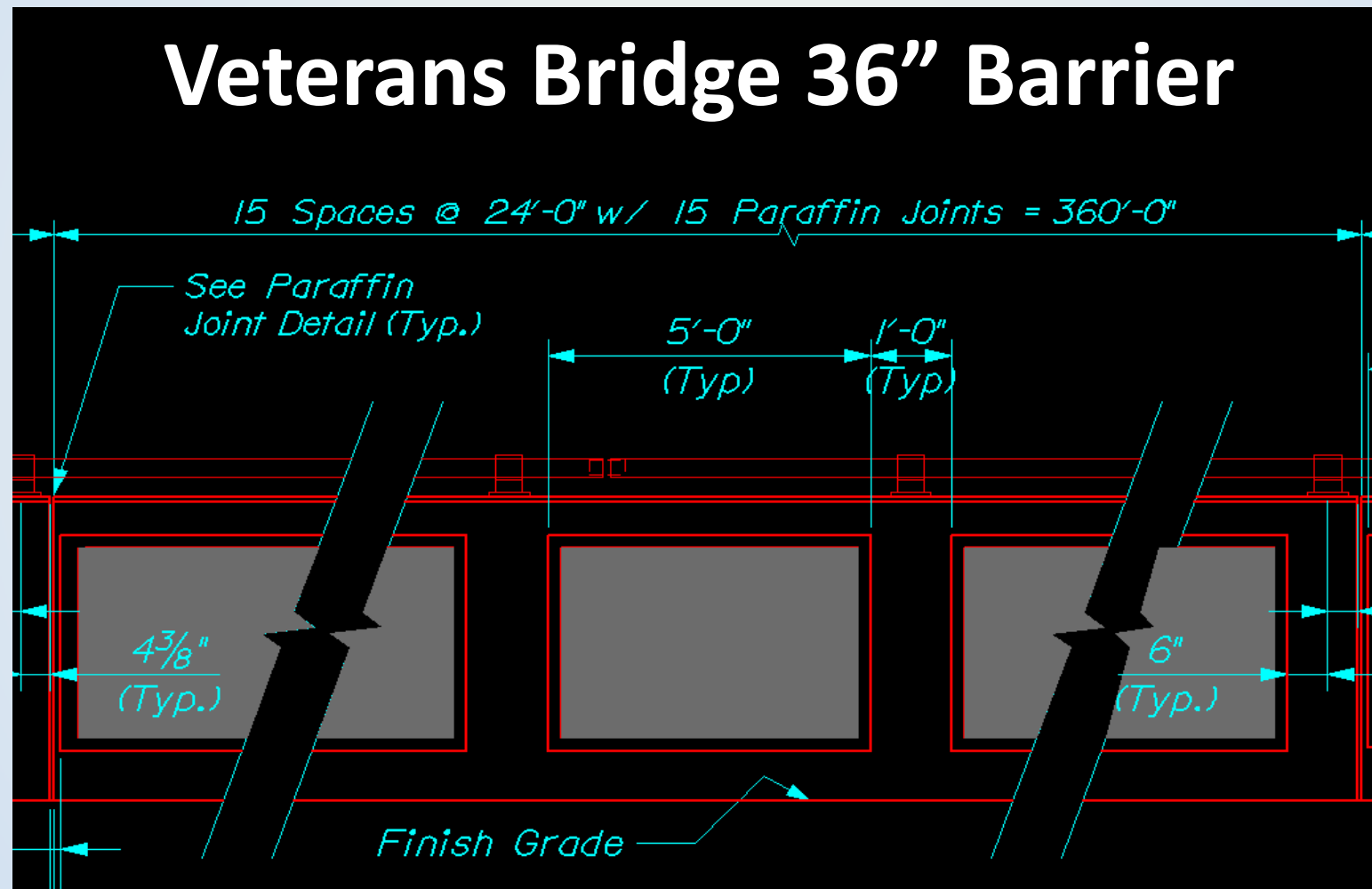


PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

General Description of the Project

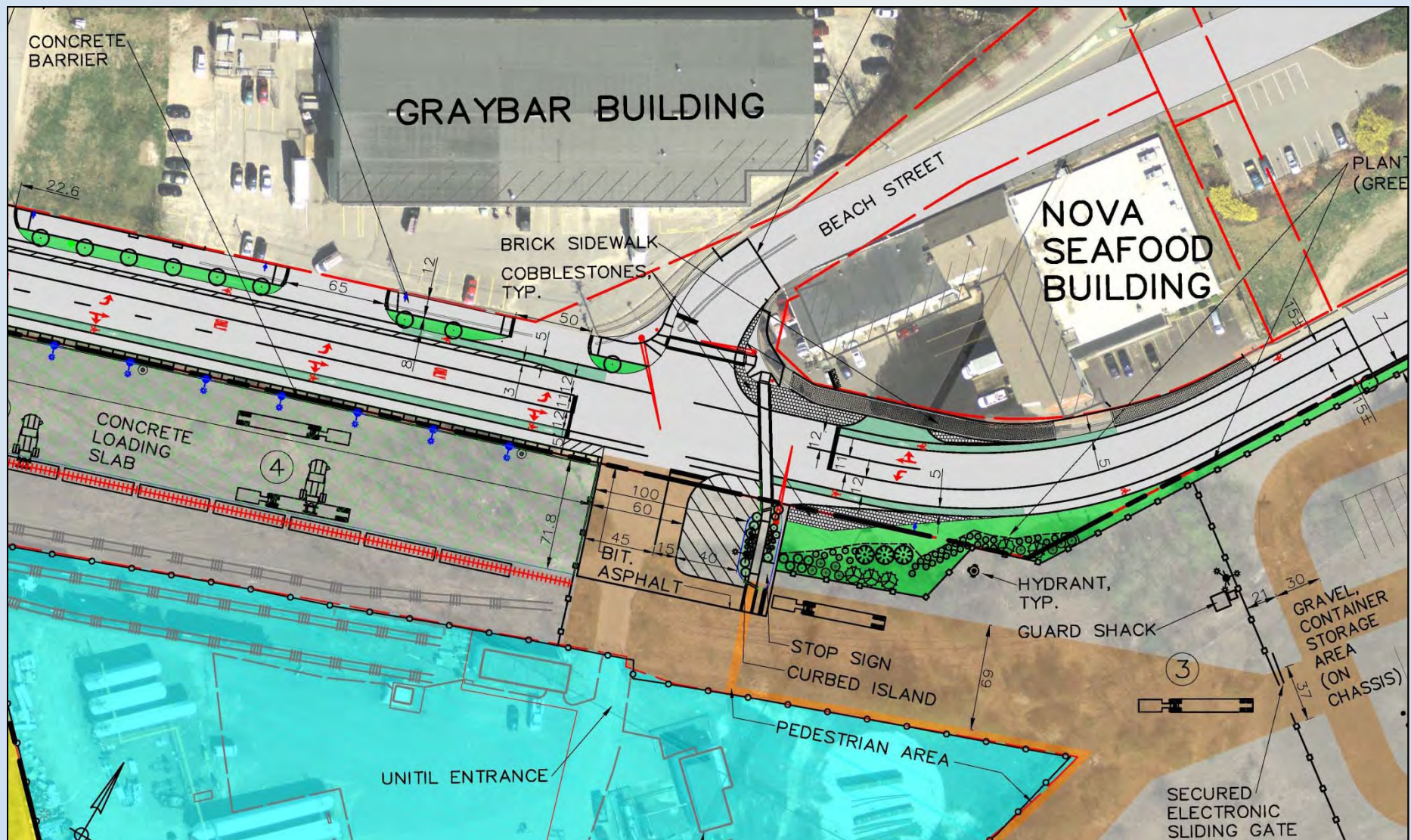
- Provide Rail Connection to the Terminal
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PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PROJECT

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HNTB Corporation
The HNTB Companies
Engineers Architects Planners

340 County Road, Suite 6-C
Westbrook, ME 04092

Telephone (207) 774-5155
Facsimile (207) 228-0909
www.hntb.com

June 27, 2014



Mr. Richard Knowland
Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

RE: Site Plan Application for Portland IMT, Existing Laydown and Connecting Corridor Connection
Amendment #6 and Revised Plans

Rick,

Please find attached responses to the City's latest questions, comments, and conditions received during the public hearing on June 24th. We have outlined the changes that have been performed to the drawing set; attached a revised set of plans hereto; and provided our responses to the latest general comments. We believe that our responses provided in Amendment #5 on June 23rd already addressed many of the City's comments; and therefore, have not been reiterated here. If there are any outstanding comments after your review of this amendment package, please let us know as soon as possible so that we may respond in a timely manner.

Also, the State is working diligently with New Yard to finalize the details of the supplemental agreement, and as such, the Boundary Survey sheets are scheduled to be finalized next week. Therefore, they are not presented in this plan set, but we will provide them to you as soon as they become available.

If you have any additional questions regarding these responses, please do not hesitate to contact me or our project liaison, Pat Carroll. We look forward to seeing you again on July 8th at the public hearing to complete the Site Plan process.

Regards,

A handwritten signature in blue ink, appearing to read "G.R.M.", is written over the typed name.

Craig R. Morin, P.E.
Project Manager

C: Joel Kittredge, Project Manager, MaineDOT (via email: Joel.C.Kittredge@maine.gov)
Pat Carroll, Carroll Associates (email: pcarroll@carroll-assoc.com)

Encl.: Summary of Drawing Updates
Response to Comments

HNTB File No.: 62506-DS-001-001

M:\jobs\62506 - Portland IMT Corridor Connection (Stage1)\Communications\Letters\
LTR 04 Plan Submittal to City 06-27-14.docx

SUMMARY OF DRAWING UPDATES:

SHEETS	DESCRIPTION
C06-C08 and R09-R10	<u>New Yard, LLC Accommodations:</u> The plans reflect the following changes to provide additional accommodations for New Yard, LLC at the request of New Yard, LLC and at the concurrence of the MaineDOT. These changes will be listed in the supplemental agreement with New Yard, the details of which will be submitted by the MaineDOT under separate cover. - Twelve 24-inch diameter RCP utility sleeves have been provided across the railroad corridor for planned and future use. - Electrical provisions have been added to provide permanent service once the temporary utility pole (located within the limits of the proposed slab) has been removed. - A new temporary accessway directly through the Unitil parcel has been added so that access from Commercial Street is more direct toward the New Yard, LLC property.
C06-C10 and R09-R10	<u>Utility and Other Accommodations:</u> The plans reflect the following existing and proposed utility easements and temporary accessways: - CMP easements for primary service. - New Yard accessways.
S01	<u>Structural Design:</u> The plans reflect the following changes to the concrete barrier: The façade of the concrete wall has been revised to provide a panel-like appearance which will consist of a recessed textured surface (similar to the one shown during the presentations) outlined by a flat perimeter of concrete.
C08-C09 and C13-C15	<u>Site Plan Information:</u> The plans reflect the following updates to the Site Plan drawings per City staff review comments: - Inclusion of width dimensions for driveway entrances. - Site grading and drainage has been updated along with sections.
H29-H36	<u>Highway and Traffic Information:</u> The plans reflect the following updates to the highway and traffic drawings per City staff review comments: - Additional signs added per Nova Seafood for trucks using the intersection. - Additional signs added per City for no parking 200-ft of the intersection. - The delay timing for the Nova Seafood signal phase has been adjusted to prevent consecutive calls when vehicles accidentally park within the video detection zone. - The sidewalk along Nova Seafood will be reconstructed. - The bike lanes through the intersection will have a dashed line treatment. - The bike lanes west of the project are now marked.
At End of the Drawing Set	<u>Boundary Survey Revisions:</u> The plans reflect the following changes to the Boundary Survey provided by Owen Haskell. - Scale of the drawings are 1 inch = 50 ft. - New Yard accessways and accommodations

COMMENTS FROM RICK KNOWLAND, SENIOR PLANNER (VIA PLANNING BOARD REPORT AND PUBLIC HEARING, JUNE 24, 2014) AND RESPONSES:

Comment 1

Please submit a revised plan reflecting a lower concrete wall along Commercial Street. Also, please consider an approach to provide a variable-textured façade to the concrete wall to enhance its aesthetic appeal.

Response: During the public hearing, we illustrated that the height of the concrete wall is necessary to protect the public against the risk of accidental operations of the reach stacker machine. The applicant also illustrated that the proposed 48-inch height of the concrete wall is only 3 inches higher than the 45-inch high concrete panels with steel railing used on Veteran's Bridge. We feel that safety is a paramount concern given the proximity of the reach stacker to the traveling motorist and queued trucks along Commercial Street. Therefore, on this topic, we kindly request that the Board remove this topic as a condition of site plan approval.

Comment 2

Please submit agreements, easements, and other relevant documents confirming appropriate easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road.

Response: The MaineDOT is developing these agreements and documents in a collaborative effort with New Yard, LLC and will provide copies of these documents in advance of the public hearing for the City's review.

Comment 3

Please submit a revised site plan with sufficient details and dimensions to clarify design.

Response: We have provided additional information on the site plan drawings to accommodate this request, but as you will note, the drawing has become congested with these callouts. On a multi-faceted and complex project such as this, the industry standard for drawing production is to show dimensions and information only the designated drawings per discipline. We have accommodated the City's request for additional information on the site plans. All other information is provided on the appropriate drawings by discipline. On this topic, we kindly request that the Board remove this topic as a condition of site plan approval

COMMENTS FROM STUART O'BRIEN, PLANNING BOARD CHAIRMAN (VIA PUBLIC HEARING, JUNE 24, 2014) AND RESPONSES:

Comment 1

Please evaluate the use of cobblestones along Commercial Street in lieu of paint lines to denote the "No Parking" zone along the concrete barrier near the intersection.

Response: We evaluated the use of cobblestones as well as landscaping elements in this area as a means to indicate "No Parking" within the 200-ft zone prior to the intersection. Upon our review, we concluded that the use of paint markings is an industry-standard method of denoting no parking zones which will be more prevalent to a truck driver when coupled with the no parking signs. The use of cobblestones on the east side of the intersection are areas where trucks are in fact permitted, and so the use of cobblestones on this side of the intersection could be interpreted to mean that only trucks are permitted to use the cobblestone region. We feel cobblestones would be used inconsistently at the intersection if installed in this no parking zone.

Landscaping was also considered for this area, but was deemed impractical for several reasons:

- *The use of trees or shrubs would interfere with cleaning efforts of the concrete pavers. The concrete pavers are typically cleaned with a vacuum truck that is required to have unobstructed access along the concrete wall.*
- *Snow plowing would be problematic and the landscaped area could become an area for snow pile-up which would damage the landscaping.*

Supplemental Agreement

This Supplemental Agreement is dated as of the _____ day of July, 2014, by and between the **STATE OF MAINE**, acting by and through its **DEPARTMENT OF TRANSPORTATION** ("MaineDOT"), and **NEW YARD, LLC**, a Maine limited liability company with an office in Portland, Maine ("New Yard").

1. Definitions.

(a) "Acquisition Agreement" means the Property Acquisition and Settlement Agreement dated March 11, 2014, between MaineDOT and New Yard, LLC.

(b) "New Yard" includes New Yard's successors in title to the Retained New Yard Parcel (or portions thereof).

(c) "Site Plan" means the site plan (consisting of Sheet Nos. C07 and C08) attached as Exhibit [INSERT] to this Supplemental Agreement.

(d) Capitalized terms not otherwise defined in this Supplemental Agreement have the same meanings as in the Acquisition Agreement.

2. Introduction.

(a) MaineDOT and New Yard are parties to the Acquisition Agreement. A copy of Section 3 of the Acquisition Agreement, which includes provisions pertaining to vehicular access and utilities access, is attached as Exhibit [INSERT] to this Supplemental Agreement. MaineDOT has completed the Acquisition, and the parties have now reached certain supplemental agreements regarding temporary vehicular access and regarding utilities and wish to document these supplemental agreements.

(b) New Yard has entered into an agreement to acquire the Additional New Yard Parcel. New Yard anticipates that it will close on the acquisition of the Additional New Yard Parcel by December 31, 2014.

(c) New Yard will be obtaining an easement from the owner of the Additional New Yard Parcel that will permit New Yard to undertake the utility installations described in this Supplemental Agreement prior to New Yard's acquisition of the Additional New Yard Parcel.

3. Temporary Vehicular Access.

(a) Section 3.3(b) of the Acquisition Agreement states:

Temporary Access over Fee Parcel and Inland Util Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular

driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Unitil Parcel currently occupied by Osterman Propane, LLC.

(b) The one driveway that New Yard may use for temporary access is depicted on Sheet No. C08 of the Site Plan.

(c) New Yard will cease using this temporary access driveway upon the earlier of: (i) New Yard's acquisition of the Additional New Yard Parcel (so long as the heavy/oversize vehicular driveway/crossing described in Section 3.3(c) of the Acquisition Agreement has been completed by that time), or (ii) (subject to Section 3(d) below) May 15, 2015.

(d) If, despite proceeding diligently and exercising its best efforts to do so, New Yard has not closed on the acquisition of the Additional New Yard Parcel by May 15, 2015, MaineDOT will select one of the following alternatives to provide for continued temporary access until New Yard closes on the acquisition of the Additional New Yard Parcel:

(i) MaineDOT may permit New Yard to continue to use the temporary access driveway depicted on Sheet No. C08 of the Site Plan; or

(ii) MaineDOT will facilitate with the owner of the Additional New Yard Parcel the establishment of an alternative temporary access driveway over the Additional New Yard Parcel.

If MaineDOT selects alternative (i) above, MaineDOT may at any time thereafter facilitate with the owner of the Additional New Yard Parcel the establishment of an alternative temporary access driveway over the Additional New Yard Parcel, after which New Yard will cease using the temporary access driveway depicted on Sheet No. C08 of the Site Plan.

4. Utilities Access.

(a) Section 3.4 of the Acquisition Agreement is amended to read as follows:

3.4 Utilities Access

New Yard, at its expense, may have underground utility crossings transversely across the MaineDOT Corridor Parcel through sleeves installed at the locations depicted on Sheet No. C07 of the Site Plan. These underground utility crossings will be in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

(b) The precise locations of these sleeves may vary slightly based on field conditions and on the final design of the track and other improvements depicted on these exhibits.

(c) These sleeves will be installed by New Yard's contractor in compliance with MaineDOT's specifications for such installations. New Yard will bear the cost of installing these sleeves; provided, however, that MaineDOT will bear the cost of installing one (1) sleeve, i.e. the sleeve for the fire water line referenced in Section 6(a) below, and will reimburse New Yard for the cost of installing this one (1) sleeve within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work.

(d) All installations of pipe lines carrying non-flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Non-Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(e) All installations of pipe lines carrying flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(f) Additional terms and conditions pertaining to underground utility crossings are set forth in Exhibit [INSERT] to this Supplemental Agreement.

5. Electric Service to Retained New Yard Parcel.

(a) Electric service to the Retained New Yard Parcel presently is provided through an electric line that extends from Commercial Street to a utility pole on the Retained New Yard Parcel.

(b) The present electric service to the Retained New Yard Parcel will be replaced (and thereupon discontinued) no later than August 31, 2014, by the new electric line from Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This new electric line will be installed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of an electric line that provides service that is equivalent to the present electric service to the Retained New Yard Parcel, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for any cost associated with any improvement to electric service beyond that which is provided by the present electric service to the Retained New Yard Parcel.

6. Water Service to Retained New Yard Parcel.

(a) The present interim water service to the Retained New Yard Parcel will be replaced no later than August 31, 2014, by the new water service from Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This new water service will be installed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of the fire water component of this new water service, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for the cost of any of the potable water components of this new water service.

(b) New Yard will work directly with the Portland Water District regarding the location and other arrangements for this new water service.

(c) As soon as this new water service is installed and operational, the present interim water service to the Retained New Yard Parcel will be discontinued.

7. Sewer Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a sewer line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This sewer line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with the City of Portland and the Portland Water District regarding the location and other arrangements for this sewer line.

8. Natural Gas Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a natural gas line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This natural gas line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with Unitil regarding the location and other arrangements for this natural gas line.

9. Surface Water Drainage.

(a) MaineDOT will install (at MaineDOT's expense) catch basins immediately adjacent to the MaineDOT Corridor Parcel at the locations depicted on Sheet No. C07 of the Site Plan.

(b) These catch basins will be for the drainage of surface water only and will be designed and installed in a manner that permits New Yard to tie into them (at New Yard's expense) for the purpose of surface water drainage. All discharges into these catch basins will be in compliance with MaineDOT's standard terms and conditions and applicable federal and state law.

(c) MaineDOT will not utilize any of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement for surface water drainage purposes.

10. Coordination With MaineDOT.

All work and other activities undertaken by New Yard on MaineDOT's property pursuant to this Supplemental Agreement will be undertaken only after coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with ongoing work and other activities being undertaken by MaineDOT.

11. Coordination With Pan Am Railways.

In addition to the coordination with MaineDOT required by Section 10 of this Supplemental Agreement, all work and other activities undertaken by New Yard within fifteen (15) feet of the outside rail of the existing railroad tracks that are used by Pan Am Railways to serve Osterman Propane, LLC will be undertaken only after coordination with Pan Am Railways. New Yard will bear the costs of all flagging, supervision, inspection, and other services required by Pan Am Railways.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF the parties have executed this Supplemental Agreement.

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

By: _____

Name: _____

Title: _____

NEW YARD, LLC

By: _____

Name: _____

Title: _____

SEEN AND AGREED TO:

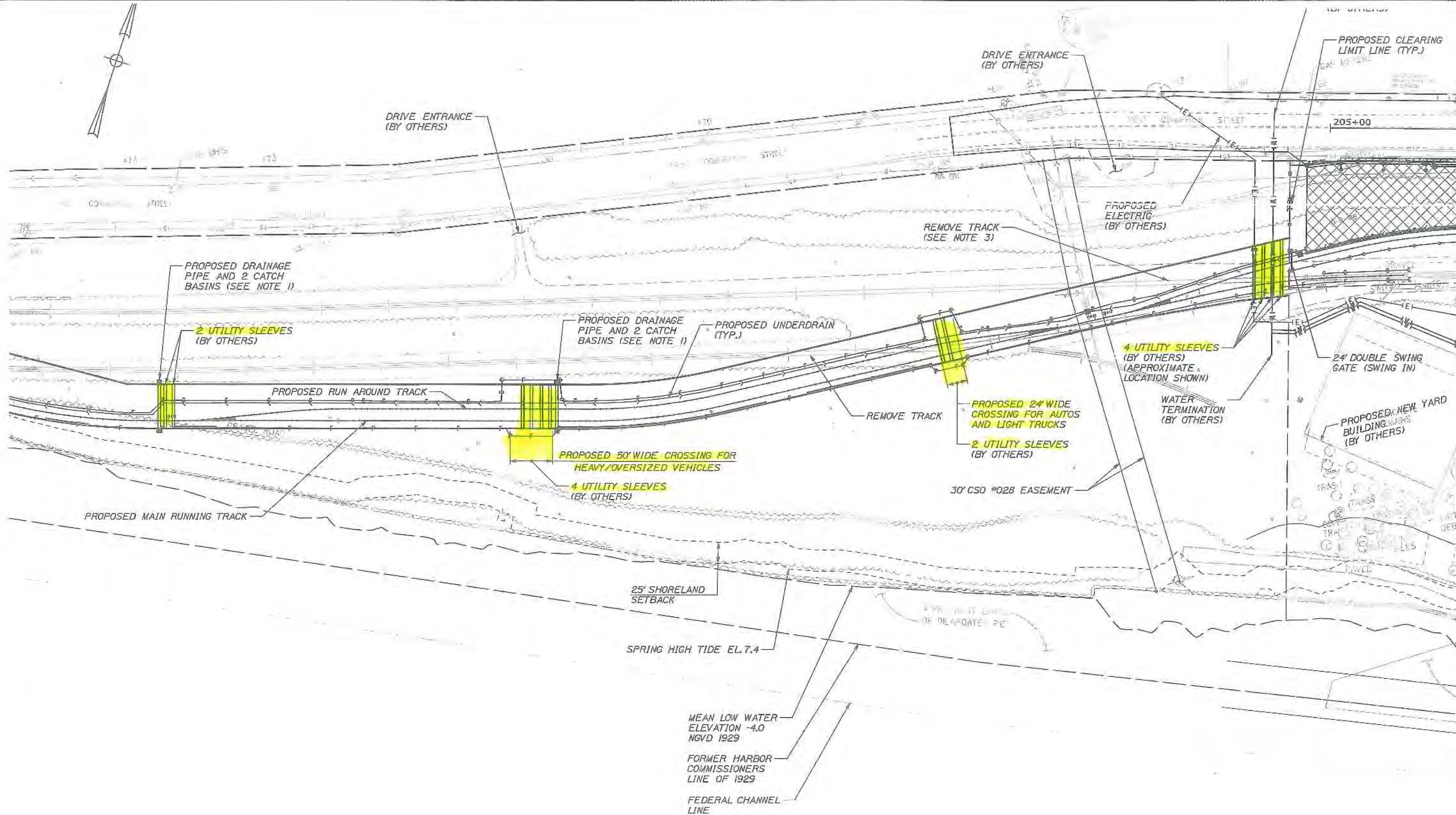
CANAL LANDING, LLC

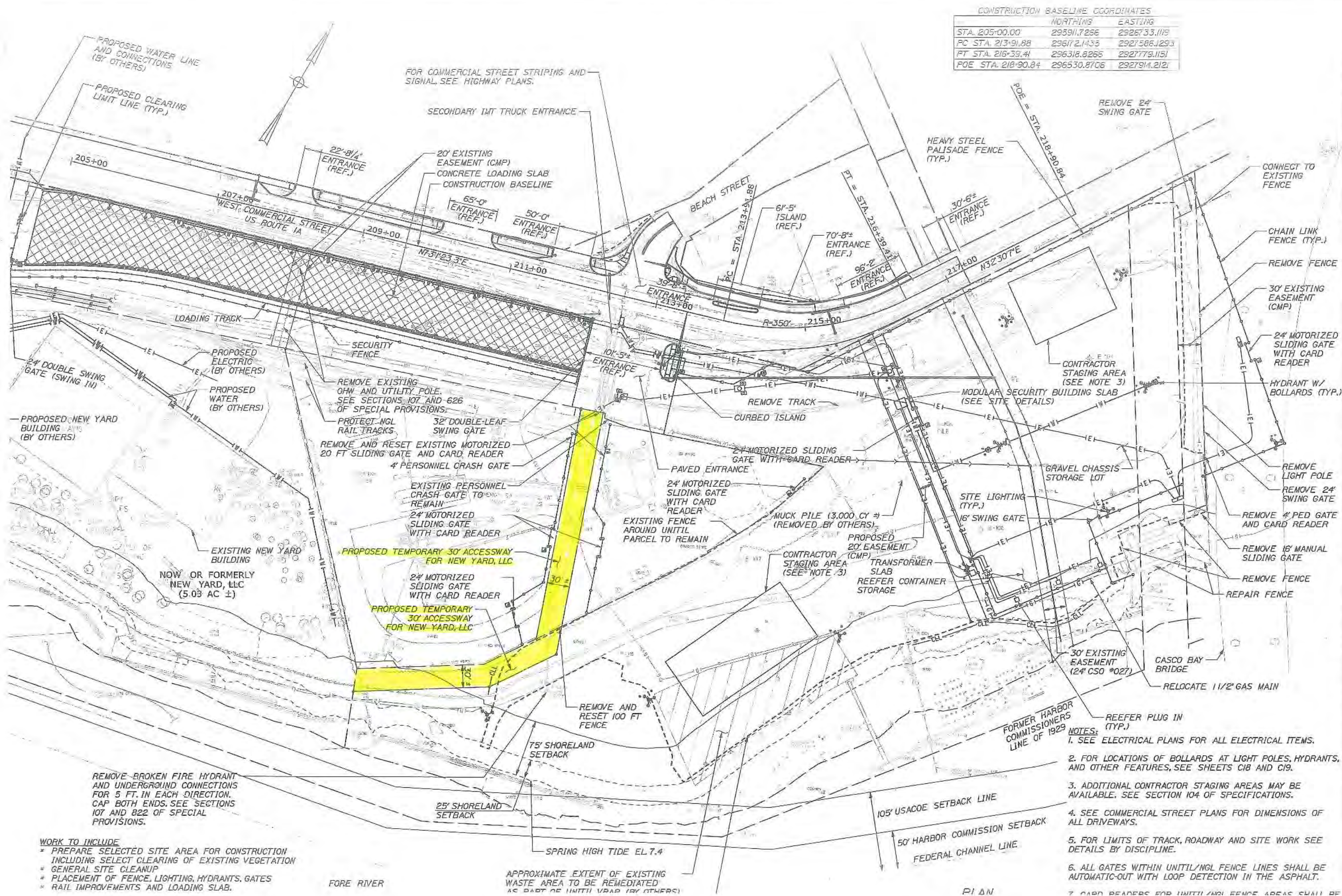
(successor in title to portion of Retained New Yard Parcel)

By: _____

Name: _____

Title: _____





**Section 3. IMPROVEMENTS; RETENTION AND REMOVAL OF PERSONAL
PROPERTY; VEHICULAR ACCESS; UTILITIES ACCESS;
DRAINAGE**

3.1 Improvements

The Acquisition will include all improvements, fixtures, trackage, and structures that are owned by New Yard and located on the Fee Parcel, as well as all improvements, fixtures, trackage, and structures that are owned by New Yard and located on either of the Unitil Parcels. For purposes of this Section 3.1, "trackage" includes tracks, rails, ties, signals, switches, grade crossing materials, warning devices,

ballast, subgrade, railroad communication and signal systems, wires, pipes, poles, and all other trackage appurtenances.

3.2 Retention and Removal of Personal Property

(a) Retained Items. The Acquisition will not include the following items that are owned by (or that are in the custody and control of) New Yard and that, on the Acquisition Date, are located on the Fee Parcel and/or on the Unitil Parcels: (i) piles of earth, gravel, fill, and borrow; (ii) construction-related materials; and (iii) construction-related personal property.

(b) Removal. New Yard will remove the retained items enumerated above no later than July 1, 2014. These items will be moved to another location in the Portland area acceptable to MaineDOT, after which MaineDOT (following receipt and review of invoices and other supporting documentation of actual costs incurred by New Yard) will pay New Yard's one-time Relocation Costs.

3.3 Vehicular Access

(a) Introduction. The Fee Parcel is part of a parcel of land acquired by New Yard by deed from Portland Terminal Company dated July 31, 2013, and recorded in the Cumberland County Registry of Deeds in Book 30887, Page 247. New Yard will retain the portion of that parcel of land that is not part of the Acquisition (the "Retained New Yard Parcel"). Furthermore, New Yard intends to acquire additional land westerly of the Retained New Yard Parcel (the "Additional New Yard Parcel"), while MaineDOT intends to acquire a strip of land, westerly of the Fee Parcel and the Unitil Parcels and roughly parallel to West Commercial Street, to be used as a transportation corridor (the "MaineDOT Corridor Parcel"), one segment of which will bisect longitudinally the

Additional New Yard Parcel. MaineDOT intends to construct a railroad track and a heavy haul road over the length of the MaineDOT Corridor Parcel that will connect, at the easterly end, with additional related infrastructure to be constructed on the Fee Parcel and/or the Utilil Parcels. The parties intend that New Yard will be able to gain vehicular access from West Commercial Street to the Retained New Yard Parcel, and to the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline: (i) first, by initially utilizing the temporary access arrangement described in Section 3.3(b), and (ii) thereafter, over the two driveways/crossings described in Sections 3.3(c) and 3.3(d), one intended for heavy/oversize vehicles (as well as for automobiles and light trucks) and the other intended only for automobiles and light trucks. The parties also intend that New Yard will be able to use MaineDOT's heavy haul road on a limited basis for specific purposes, as described in Section 3.3(e).

(b) Temporary Access over Fee Parcel and Inland Utilil Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Utilil Parcel currently occupied by Osterman Propane, LLC.

(c) Driveway/Crossing for Heavy/Oversize Vehicles. A driveway and private railroad at-grade crossing, up to fifty (50) feet wide, for heavy/oversize vehicles will be constructed and maintained across the MaineDOT Corridor Parcel to

specifications established by MaineDOT and at a location acceptable to MaineDOT. The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the south side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate such heavy/oversize vehicles as are required for the conduct of New Yard's business on the Retained New Yard Parcel and/or on the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline. Following the installation of the driveway and railroad at-grade crossing for heavy/oversize vehicles described in this Section 3.3(c), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(d) Driveway/Crossing for Automobiles and Light Trucks. A driveway and private railroad at-grade crossing will be constructed and maintained across the

MaineDOT Corridor Parcel or the Fee Parcel to specifications established by MaineDOT and at a location acceptable to MaineDOT easterly of the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c). The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the southerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate automobiles and light trucks. Following the installation of the driveway and railroad at-grade crossing for automobiles and light trucks described in this Section 3.3(d), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(e) Use of Heavy Haul Road. If New Yard has a specific need to use MaineDOT's heavy haul road to move oversize vehicles and/or cargo that cannot be accommodated elsewhere, New Yard may ask MPA for permission to use the heavy

haul road for that specific purpose. If such permission is granted, any such use of the heavy haul road will be on a supervised basis, for that specific purpose, and at New Yard's risk and expense, with access to/from the heavy haul road only at the following points (and not at any points in between): (i) the easterly end of the heavy haul road; (ii) the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c); and (iii) the westerly end of the heavy haul road.

3.4 Utilities Access

New Yard, at its expense, may install up to two (2) underground utility crossings transversely across the MaineDOT Corridor Parcel, at locations acceptable to MaineDOT, in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

3.5 Drainage

MaineDOT's project design for the MaineDOT Corridor Parcel includes drainage features sufficient to accommodate MaineDOT's planned development on that parcel. New Yard may propose to MaineDOT, for MaineDOT's consideration, adjustments to these drainage features in anticipation of New Yard's planned development of the Additional New Yard Parcel, provided that any such adjustments must be proposed to MaineDOT within thirty (30) days after the Acquisition Date. If any such adjustments are proposed to MaineDOT, MaineDOT will review them and will decide, in MaineDOT's sole discretion, whether to adopt any of them. If MaineDOT decides to adopt any of the proposed adjustments, New Yard will be responsible for the incremental costs of materials, installation, and maintenance associated with those adjustments.

EXHIBIT [INSERT]

Additional Terms and Conditions
Pertaining to Installation of Underground Utility Lines

#. Installation and Maintenance of Underground Utility Lines.

(a) New Yard will notify MaineDOT no less than thirty (30) days prior to the installation of any utility line across the MaineDOT Corridor Parcel. All such installations will be underground and will use the sleeves depicted on the Site Plan. No additional sleeves may be installed without MaineDOT's prior written permission.

(b) Following receipt of notice from New Yard, MaineDOT will determine the extent to which flag protection, inspection, and supervision are necessary in connection with installation. MaineDOT will arrange for this flag protection, inspection, and supervision at New Yard's expense, calculated at the rates prevailing at the time the work is performed.

(c) Installation of underground utility lines will proceed only in coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with railroad operations or other activities taking place on the MaineDOT Corridor Parcel.

(d) New Yard will install and maintain all underground utility lines in compliance with the design previously provided to, and approved by, MaineDOT and in compliance with applicable federal, state, and local law. In the event of a conflict between an approved design and an applicable law, the applicable law will govern.

(e) New Yard will be solely responsible, at its expense, for procuring and complying with all necessary federal, state, and local permits that are required.

(f) In the event of an emergency, New Yard will make every effort to inform MaineDOT of the emergency and steps being taken in light of the emergency.

(g) If New Yard fails to properly maintain an underground utility line, or if an underground utility line interferes with drainage or other uses of MaineDOT's property, then MaineDOT may order changes to the underground utility line at New Yard's expense or may (but will have no obligation to do so) make such repairs to the underground utility line at New Yard's expense as may be immediately necessary for the safety of rail operations or of MaineDOT's property.

#. Use.

Each underground utility line that is installed will be used solely for the purpose for which it was installed (i.e. the transmission of electricity, the transportation of

natural gas, or the transportation of water or sewage, as the case may be). Any change in use will be subject to the prior approval of the Director of MaineDOT's Office of Freight Transportation.

#. Protection of Other Utilities.

New Yard will protect any other power, communication, signal, or other utility lines on, over, or under MaineDOT's property from damage of any kind by or because of the construction, maintenance, or use of New Yard's underground utility lines, and New Yard will construct, maintain, and use its underground utility lines in such a manner as will not damage or adversely affect the use of power, communication, signal, or other utility uses of MaineDOT or other companies which may have under contract the right to maintain such utilities on MaineDOT's property.

#. Liability and Risk.

(a) All cost or expense resulting from any and all loss of life or property, or injury or damage to the person or property of any person, firm, or corporation (including the parties hereto and their respective officers, agents, and employees), and any and all claims, demands, or actions for such loss, injury, or damage, caused by or growing out of the installation, presence, use, maintenance, or removal of any of the underground utility lines, will be borne by New Yard. New Yard also will bear the cost of inspections performed by MaineDOT to determine whether New Yard is in compliance with its obligations hereunder.

(b) New Yard assumes all risk of loss or damage to the installed underground utility lines, however caused, and hereby releases MaineDOT from any and all liability on account of such loss or damage, regardless of any negligence on the part of MaineDOT.

#. Insurance.

Any contractor retained by New Yard to install underground utility lines will carry at all times while conducting the installation Public Liability Insurance covering bodily injury or death with limits of not less than \$1,000,000 for the injury or death of each person and \$3,000,000 for each single occurrence, and Property Damage Liability with limits of not less than \$3,000,000 for each single occurrence. These policies will provide that they will not be cancelled or amended without thirty (30) days written notice to the Director of MaineDOT's Office of Freight Transportation. A certified copy of these policies will be provided to the Director of MaineDOT's Office of Freight Transportation prior to the commencement of any installation work.

#. Discontinuance.

New Yard will, at its sole expense, upon the abandonment or discontinuance of use of any of its underground utility lines for twelve (12) consecutive months, promptly

remove the underground utility line and restore MaineDOT's property to a condition satisfactory to MaineDOT. If New Yard fails to do so, MaineDOT may do so, in which case New Yard will pay the bill(s) for such removal and restoration within thirty (30) days after presentation by MaineDOT.

#. No Warranty of Title.

MaineDOT gives no warranty of title to its property, and the permission herein given to New Yard is subject to all encumbrances, conditions, and reservations upon or under which MaineDOT holds its property. New Yard's rights are limited solely to that of a licensee, and New Yard does not hereby acquire any easement or other greater interest in MaineDOT's property.

#. Annual Fee.

New Yard will pay MaineDOT an annual fee for each installed underground utility line in accordance with MaineDOT's fee schedule for underground utility crossings of State-owned rail lines (as that fee schedule may be amended from time to time). This annual fee is payable, in advance, on the date of the Supplemental Agreement between the parties and thereafter on each anniversary of that date.

No Waiver.

No waiver by MaineDOT of any term or condition contained herein (or any breach of any such term or condition) will constitute a precedent, nor bind MaineDOT to waive such term or condition (or breach of such term or condition) in the future.

#. Notice.

All communications and notices required or permitted hereunder will be in writing and will be deemed sufficiently served if served in hand or by certified mail addressed as follows or to such other address as New Yard or MaineDOT may designate in writing from time to time:

MaineDOT: Director
Office of Freight Transportation
Maine Department of Transportation
Transportation Building
16 State House Station
Augusta, Maine 04333

New Yard: New Yard, LLC
c/o Phineas Sprague, Jr., Manager
58 Fore Street
Portland, Maine 04101

#. Successors and Assigns.

This Agreement will inure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; provided, however, that no assignment or other transfer of New Yard's rights or obligations hereunder will be effective without MaineDOT's prior written consent.

ATT 7.

Rick Knowland - RE: Concrete Wall Facade Alternatives (IMT)

From: Craig Morin <cmorin@HNTB.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 6/30/2014 4:12 PM
Subject: RE: Concrete Wall Facade Alternatives (IMT)
CC: Matthew Phillips <mphillips@carroll-assoc.com>, Patrick Carroll <pcarrol...>
Attachments: Capture- formliner 2.JPG; Capture3.JPG; Capture4.JPG; Capture5- large cut stone.JPG; 1117.pdf

Rick,

Here are some examples of the other form liners that can be used for the concrete wall. Most are stone patterns, but some are more unique. The point we would like to make is that we have many options for form liners, and it is simply a matter of picking the one that represents the City's preferred option. We would be happy to research this a little more if you would like to provide us some guidance based on your experience and successful examples within the city.

Craig

From: Craig Morin
Sent: Monday, June 30, 2014 3:59 PM
To: Rick Knowland
Cc: Matthew Phillips; Patrick Carroll; Mitch Elliott; Joel(Joel.C.Kittredge@maine.gov) Kittredge; Alex Jaegerman; Barbara Barhydt; Jeff Levine
Subject: FW: Revised Boundary Survey Plans (IMT)

Hello Rick,

As we just discussed, please find attached the electronic files associated with the Boundary Survey. Tomorrow morning I will hand-deliver the hard copies to the planning board office at City Hall.

In a separate email, I will forward graphics illustrating other options for the concrete wall façade.

If you have any questions or comments, please feel free to call me.

Craig

From: Rick Knowland [<mailto:RWK@portlandmaine.gov>]
Sent: Monday, June 30, 2014 10:04 AM
To: Craig Morin
Cc: Matthew Phillips; Patrick Carroll; Mitch Elliott; Joel(Joel.C.Kittredge@maine.gov) Kittredge; Alex Jaegerman; Barbara Barhydt; Jeff Levine
Subject: RE: IMT - Revised Plans and CD

Hi Craig, Thanks for submitting the material on Friday. The submission references a new surface treatment for the concrete wall. I did not find a graphic of this treatment in the submission. Could you forward me a copy of that graphic? Thanks.

>>> Craig Morin <cmorin@HNTB.com> Friday, June 27, 2014 >>>
 Good Morning, Rick,

High resolution photographs available upon request.



1106 Random Cut Stone (12in) 1



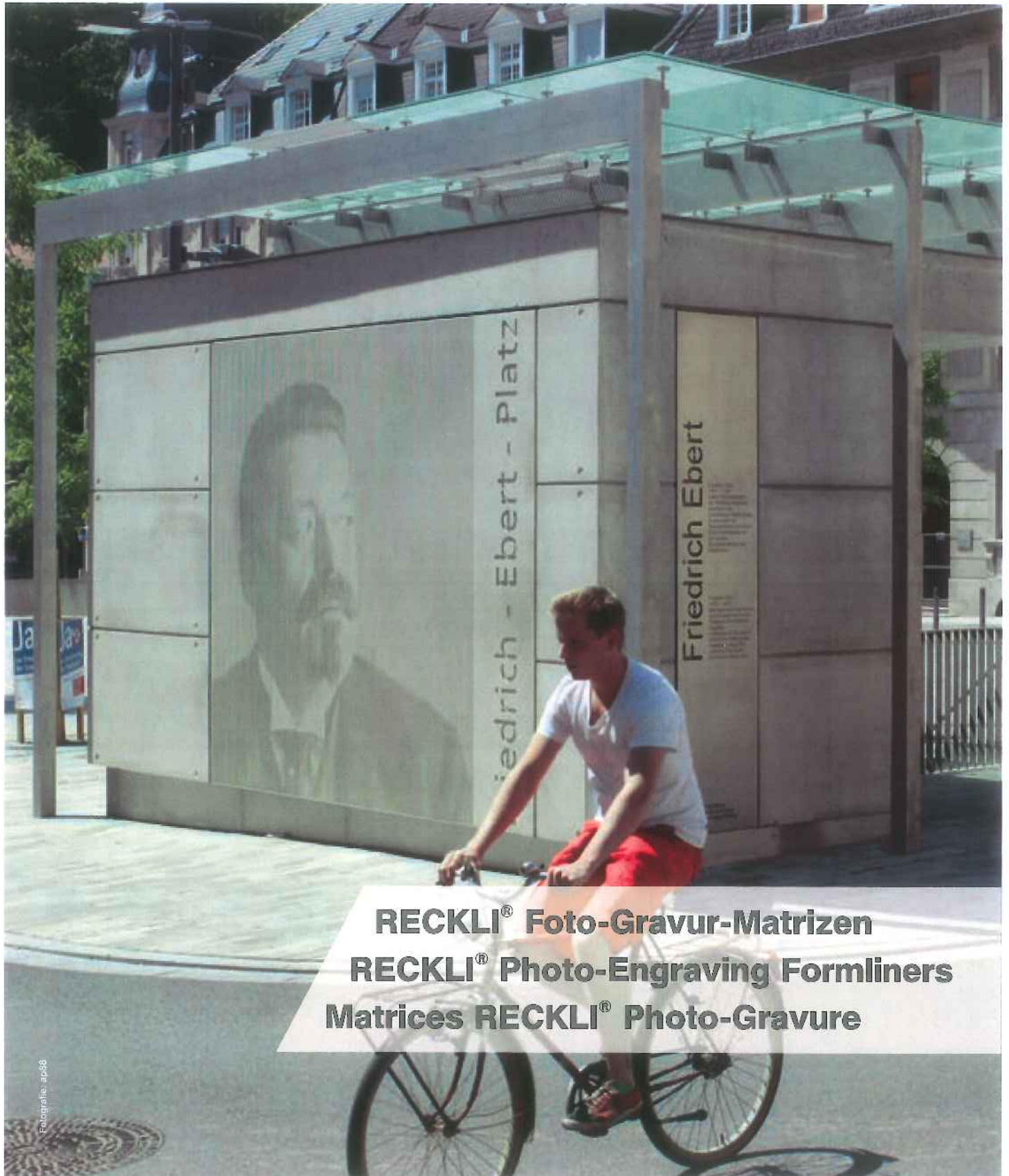






**Strukturmatrizen
Abformtechnik
Formen- und Modellbauharze
Betonveredelung**

DESIGN YOUR CONCRETE



**RECKLI® Foto-Gravur-Matrizen
RECKLI® Photo-Engraving Formliners
Matrices RECKLI® Photo-Gravure**



Ein Bild oder eine Struktur?

Die Fassade ist das Aushängeschild eines jeden Bauwerkes und bestimmt neben der Bauwerksgliederung in ganz entscheidender Weise seinen Gesamteindruck.

Eine Betonfassade bietet dem Architekten die Möglichkeit, durch die Strukturauswahl und -anordnung das natürliche Spiel von Licht und Schatten an der Wand zu beeinflussen und je nach Sonnenstand und Lichteinfall zu betonen oder dezent in den Hintergrund treten zu lassen.

Die Texturierung von Sichtbetonflächen durch den Einsatz elastischer RECKLI®-Strukturmatrizen hat sich qualitativ und wirtschaftlich millionenfach bewährt. Ihre Elastizität ermöglicht selbst bei komplizierten Strukturen mit Hinter- oder Unterschneldungen ein bruchfreies Entschalen sowohl des Betons als auch der Form.

RECKLI®-Strukturmatrizen bieten dem Architekten, Planer und Bauherrn durch Standardtexturen und Individualanfertigungen nahezu unbegrenzte Gestaltungsmöglichkeiten.

Die neuen RECKLI® Foto-Gravur-Matrizen erweitern diesen Gestaltungsspielraum in bisher nicht gekannter Weise.

Die Kombination aus dem RECKLI®-System und der Photo-Gravur-Technik erzeugen eine je nach Auflösung feine bis grobe reliefartige Oberflächenstruktur. Es entsteht der Eindruck eines auf die Betonfassade projizierten Fotos.

Bei der Photo-Gravur-Technik handelt es sich um ein computergestütztes Verfahren, Bildinformationen durch Frästechnik auf Plattenwerkstoffe zu übertragen. Dazu wird zunächst eine Bildvorlage eingescannt und in 256 Graustufen umgewandelt.

Für die Übertragung des Bildes auf den Werkstoff wird aus den ermittelten Grauwerten eine Bearbeitungsdatei generiert, die Fräsbefehle für eine spezielle CNC-Fräse enthält. Ein entsprechend gefrästes Modell dient dann als Vorlage für die Fertigung der elastischen RECKLI®-Matrizen. Deren Elastizität, Qualität und Reproduzierbarkeit machen das gesamte Verfahren ästhetisch und ökonomisch für eine bildähnliche Betonoberfläche umsetzbar.

Die Einsatzmöglichkeiten sind vielfältig, denn nahezu sämtliche Bildvorlagen, die in den gängigen Grafikformaten vorliegen, können verwendet werden. Die Skalierung der Vorlage erlaubt die Herstellung von Photo-Gravur-Matrizen jeder Größe.

Die Größe der Matrizen wird begrenzt durch die maximalen Maße des verfügbaren Plattenwerkstoffes und die maximale Bearbeitungsfläche der Fräsmaschine. Allerdings können mehrere Platten zu einem ganzen Bild oder Teilbildern zusammengesetzt werden. Beachten Sie aber bitte,

dass Stöße quer zum Verlauf der Gravur-Kannelüren stets als schwach sichtbare Naht erkennbar sein werden. Wir bitten Sie deshalb, von Fall zu Fall die maximalen Größen mit uns abzustimmen.

Wie jede Struktur lebt auch die Fotogravur vom Licht- und Schattenspiel an der Fassade. Streiflicht lässt deshalb das Foto im Beton deutlicher erscheinen als Frontallicht oder totaler Schatten. An der Fassade führt so das wandernde Sonnenlicht zu abwechslungsreichen Bildeffekten, während im Innenbereich der Effekt durch Kunstlicht akzentuiert werden kann.

Die reliefartige Oberfläche der Fotogravur erzeugt einzig durch Licht- und Schatteneffekte ein Abbild der Bildvorlage. Durch die Ausrichtung der V-förmigen Nuten zur (dynamischen) Lichtquelle und der jeweiligen Position des Betrachters ist der Grad der Erkennbarkeit des Motivs bestimmt. Bei schräg einfallendem Licht bilden sich die Schattenlängen analog zu den Nutentiefen aus. Sie erzeugen den Schwarz-Anteil des Bildes. Das Motiv ist dadurch aus lotrechter bzw. entgegengesetzter Betrachtungsposition gut erkennbar.

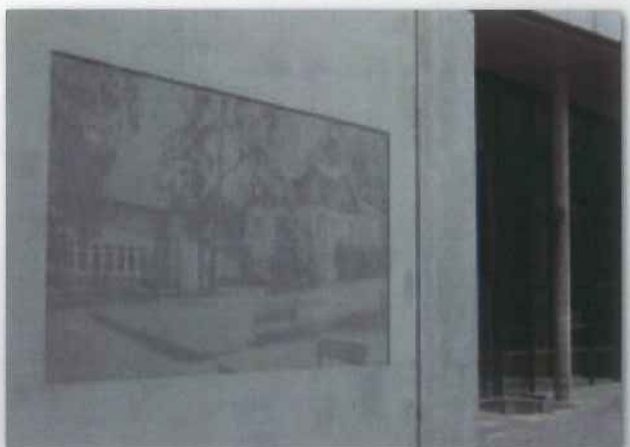


Aus einer dem Lichteinfall gleichgerichteten Betrachtungsposition verkürzen sich die erkennbaren Schattenbereiche. Das Motiv wird dadurch kontrastärmer. Ist der Betrachtungswinkel spitzer als der Lichteinfallswinkel, erscheint das Motiv „Negativ“.



Bei lotrechtem Lichteinfall zur Objektebene bilden sich in den Nuten keine Schatten aus – das Motiv ist aus keiner Betrachtungsposition erkennbar.







Original Porträtfoto der kleinen Lola
Original portrait photo of little Lola
Original du portrait photo de la petite Lola

Lola ist begeistert von ihrem Betonporträt
Lola is enthusiastic of her concrete portrait
Lola regarde avec enthousiasme son portrait en béton



An image or a pattern?

A building or structure facade is an advertisement for the designer or architect. It can also be a popular landmark and depending on the location of the building its initial visual impact can be considerable.

The use of a patterned or textured concrete facade allows the architect and designer to produce subtle nuances of light and shadow to the building.

The use of elastic RECKLI®-Formliners for texturing the exposed face of concrete surfaces has attained a high degree of acceptance in terms of quality, ease of use and economic efficiency. Many millions of square metres of this type of finished concrete are the proof of this. The elasticity of our formliners removes the risk of damage to the hardened concrete allowing intricate detail to be used.

This system has given architects, planners and designers the freedom to realize unlimited ideas in their designs for the past 35 years.

The new generation of RECKLI® Photo-Engraving Formliners expands these possibilities in a previously unknown way.

The combination of the RECKLI®-System and the Photo-Engraving Technology creates a surface pattern which can vary from fine to coarse depending on the resolution of the image used. This image can then be incorporated onto the finished concrete surface by using the RECKLI®-Formliner system.

The Photo-Engraving Process is a computer-based method for transferring image data onto sheet materials by means of milling technology. First an image template is scanned and converted into 256 grey scales. In order to transfer the image onto the sheet material, a machining file is generated from the identified grey values, whereby the file includes milling commands for a special CNC milling machine.

The milled model is used as a master for casting the elastic RECKLI®-Formliners. Their elasticity, quality and reusability contribute to the aesthetics and the economic efficiency of the whole process and make it possible to recreate the image onto the concrete surface.

The applications are almost unlimited because almost any image in standard graphic formats can be used. The templates are scalable, which allows the production of Photo-Engraving Formliners in any size.

The size of the formliners is limited by the maximum dimensions of the available sheet material and the maximum milling area of the CNC machine. Indeed it is possible to put more plates together to one common picture or to several parts of one picture. But please note that junctions cross to the vertical running engraving grooves will unavoidable

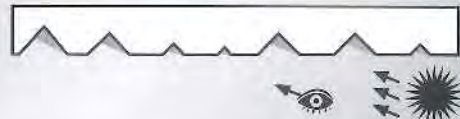
lead to barely visible joint lines. Therefore we ask you to contact us for a clarification of this question in advance.

Like for each pattern the intensity of the photo engraving effect is altered by the movement of the sun. It is more vivid when sun light is at 45° to the façade. The movement of the sun leads to various effects on a concrete panel. Inside a building you can intensify the visibility by means of artificial light.

The relief-like surface of the photogravure produces an image of the original solely as a result of light and shadow effects. The degree to which the motif is visible is determined by the orientation of the V-shaped grooves to the (dynamic) light source and the position of the observer. Where the light meets the image obliquely, the length of the shadows is proportional to the depth of the grooves. They generate the black portion of the image. The motif is therefore visible from a perpendicular position or a position away from the light source.

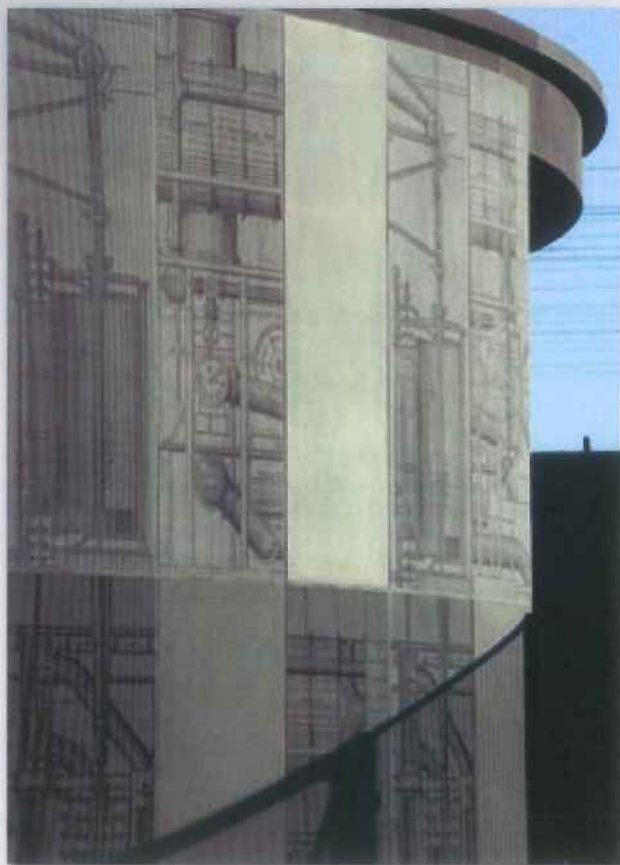


Viewed from a position close to the direction of incident light, the visible shadowed areas are shortened. The result is that the motif has less contrast. If the angle of observation is less than the angle of incidence of the light, the motif appears as a negative.



Where the incident light is perpendicular to the object plane, no shadows are formed in the grooves – the motif is not visible from any position.





Betonelement für die „Gutenberghöfe“, Heidelberg
Concrete panel for the „Gutenberghöfe“, Heidelberg
Élément béton pour la „Gutenberghöfe“, Heidelberg

Une image ou une texture ?

La façade donne l'image d'un bâtiment et détermine, en complément de la structure, le caractère de celui-ci.

Le parement béton offre à l'architecte la possibilité de souligner un élément en faisant participer les jeux d'ombre et de lumière en mettant en avant la façade de façon plus ou moins discrète selon la position du soleil.

La structuration des parements vus par l'utilisation de matrices structurées RECKLI®, a démontré à des milliers d'exemplaires, les résultats qualitatifs et économiques du procédé.

L'élasticité des matrices permet d'envisager des décoffrages sans dommage aussi bien pour le béton que pour les moules, même en présence de structures complexes ou de contre dépourilles.

Les matrices structurées RECKLI®, grâce à la gamme standard et aux fabrications personnalisées, offrent au concepteur des possibilités d'animation quasiment illimitées.

Les nouvelles Matrices RECKLI® Photo Gravure étendent ces possibilités de création d'une manière inconnue jusqu'alors.

La combinaison du système RECKLI® et du procédé Photo-Gravures permet de réaliser des effets de surface du plus fin au plus prononcé selon la définition de l'image choisie. La perception se rapproche alors de l'effet produit par la projection d'une photographie sur la façade béton.

La technique Photo-Gravures est un procédé qui consiste à transférer des informations graphiques par fraisage sur un support en stratifié. Une image est d'abord numérisée en 256 niveaux de gris. Un fichier de traitement est alors constitué pour commander une fraiseuse numérique qui va reproduire les nuances.

Le modèle gravé va ensuite servir à la fabrication des matrices RECKLI®. Leur élasticité et leur fidélité de reproduction rendent leur utilisation parfaitement adaptée à une transposition esthétique et économique de l'image sur le béton.

Les applications sont multiples. Presque tous les types de documents ou de fichiers image les plus courants peuvent être traités.

La taille maximale des matrices est liée à la dimension des planches usinables disponibles et à la course maximale de la machine CNC. Bien entendu, il est possible de fractionner une image en plusieurs plaques, ou de rassembler plusieurs fraisages en une seule image. Toutefois, veuillez noter qu'une jonction perpendiculaire aux rainures occasionne inévitablement une ligne légèrement visible. Contactez nous afin d'examiner ce point cas par cas.

A l'instar de tout autre relief, l'intensité de rendu du photo-gravé est fortement liée au ratio d'ombre et de lumière sur la façade. Une lumière latérale accentue la visibilité contrairement à un éclairage frontal ou à une situation à l'ombre. C'est la raison pour laquelle la course du soleil procure toute une variation d'effets sur la façade. En intérieur, on peut intensifier le rendu en utilisant un éclairage artificiel.

La surface en relief de la photogravure génère une image du motif unique avec ses effets d'ombre et de lumière. L'orientation des rainures en forme de V vers la source lumineuse (dynamique) et la position de l'observateur permettent de déterminer le degré selon lequel le motif est visible. Dans le cas d'une incidence oblique de la lumière, les longueurs d'ombre se forment en fonction des profondeurs des rainures. Elles génèrent la partie noire de l'image. Le motif est à cet effet bien visible à partir de la position perpendiculaire ou d'une position d'observation opposée.



À partir d'une position d'observation dans la même direction que l'incidence de la lumière, les zones d'ombre visibles sont diminuées. À cet effet, le motif est moins contrasté. Si l'angle d'observation est plus aigu que l'angle d'incidence de la lumière, le motif apparaît « négatif ».



En cas d'incidence de la lumière perpendiculaire au plan objet, aucune ombre ne se forme dans les rainures. Aucune position d'observation ne permet alors de voir le motif.





**Strukturmatrizen
Abformtechnik
Formen- und Modellbauharze
Betonveredelung**

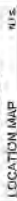
DESIGN YOUR CONCRETE

RECKLI GmbH

Adresse/Address: Eschstraße 30 44629 Herne Germany Tel. +49 2323 1706-0 info@reckli.de
Postadresse/Mailing Address: Postfach 10 13 29 44603 Herne Germany Fax +49 2323 1706-50 www.reckli.de







THE FOLLOWING ITEMS WERE EXCEPTED FROM THE STATE'S ACQUISITION AGREEMENT WITH CENTRA: 344,602
UNAPPORTIONED TREASURY COMPANY.

3. TERMS AND CONDITIONS OF POSSIBLE RIGHTS TO RESALE, MANUFACTURE, REFINISH AND/OR REPAIR A SERIES PIPE AS FURTHER DESCRIBED IN THE INSTRUMENT FROM PORTLAND TERMINAL COMPANY TO THE CITY OF PORTLAND, UNITED NOVEMBER 10, 1975 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 3703, PAGE 217.

[illegible]

- [illegible]

10.00% AND CREATIONS OF AN EASEMENT AND MORTGAGE TO WAY FOR THE PURPOSE OF MAINTAINING THROUGH, UPON, OVER AND ACROSS THE PROPERTY AN ACCESS WAY FOR INSTALLING AND MAINTAINING CONDUITS OR PIPES FOR CONVEYING DISTILLED WATER AND SEWER WATER AS MORE FULLY SET FORTH IN THE INSTRUMENT FROM NEW YORK, LLC TO THE CITY OF OREGON, DATED FEBRUARY 9, 2013, AND RECORDED IN THE CLATSOP COUNTY CLERK'S OFFICE OF THIS IN BOOK

TERMS AND CONDITIONS OF AN EASEMENT TO ENTER UPON THE PROPERTY FOR THE INSTALLATION, REPAIR, MAINTENANCE, AND MAINTENANCE OF GAS MAINS, ETC. IN THE OPERATION OF A GAS REGULATOR STATION AS SET FORTH IN THE INSTRUMENT FROM NEW YORK, LLC TO BOSTON UTILITIES, INC., D/B/A UNEL, DATED AUGUST 2, 2011 AND

A TOWNS AND SUBDIVISIONS OF NEARBY AND ADJACENT TO THE CONSTRUCTION OF UNDERGROUND ELECTRIC TRANSMISSION DISTRIBUTION AND COMMUNICATION LINES UNDER THE PREMISES AS FURTHER DESCRIBED IN THE HEREINFILE BETWEEN NORTHERN UTILITIES, INC. AND CENTRAL MARYLAND POWER COMPANY, DATED JULY 23, 1933 AND RECORDED IN SAC REGISTRY OF DEEDS IN BOOK 15037, PAGE 32.

1. TONES AND EQUIPMENTS OF RESIDES ARE USED BY THE FIRM TO LAY, CONSTRUCT, RECONSTRUCT, PREVENT, MAINTAIN, SEPARATE AND REMOVE LINES FOR THE TRANSMISSION OF TELEPHONE, INCLUDING UNDERGROUND CABLES, POWER, COALGAS, WATERS AND APPROPRIATIONS OVER AND UNDER THE PREMISES AS SET FORTH IN THE AGREEMENT FROM CHASE NATIONAL BANK AND STORAGE COMPANY TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, DATED

[illegible]

IS A THIRTY FOOT RIDE RIGHT OF WAY AND THE RIGHT TO ANY MANTION AND REPAIR GAS AND WATER PIPES AND MANTAIN GAS AND REPAIR A WELL AND AS FURTHER DESCRIBED IN THE RELEASE CERT FROM THE PORTLAND GAS COMPANY TO THE PORTLAND A HERMETIC BALL-BEAR COMPANY DATED NOVEMBER 5, 1964 AND INCORPORATED IN THE WASHINGTON AND COUNTY RECORDS OF DEEDS IN BOOK 414, PAGE 376.

RE: ALL EXISTING UTILITY COMPANY RIGHTS OF WAY AND/OR EASEMENTS TO THE CITY OF PORTLAND, CENTRAL WARE
QUIPAC COMPANY, NEW ENGLAND TELEPHONE AND TELEGRAPH, AND PORTLAND WATER DISTRICT, THEIR RESPECTIVE

TAX MAP 50, BLOCK A, LOTS 1, 2, 5, 7, 8, 9 & 10
 STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION
 RECORD, BOOK 31470 PAGE 131

BOUNDARY & TOPOGRAPHIC SURVEY

WEST COMMERCIAL STREET
PORTLAND, CUMBERLAND COUNTY, MAINE
MADE FOR

UNITED STATES DEPARTMENT OF TRANSPORTATION

OWEN HASKELL, INC.
500 U.S. ROUTE 152, PLYMOUTH, MI 48170 (313) 794-0324
Pneumatic Line Solutions

DATE OF FILING: APRIL 4, 2014

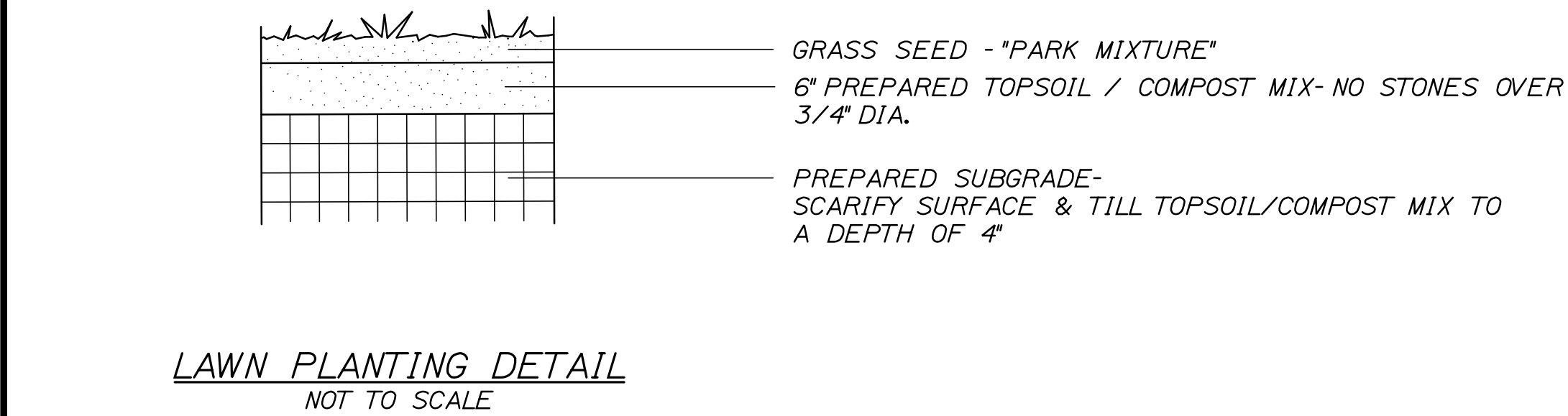
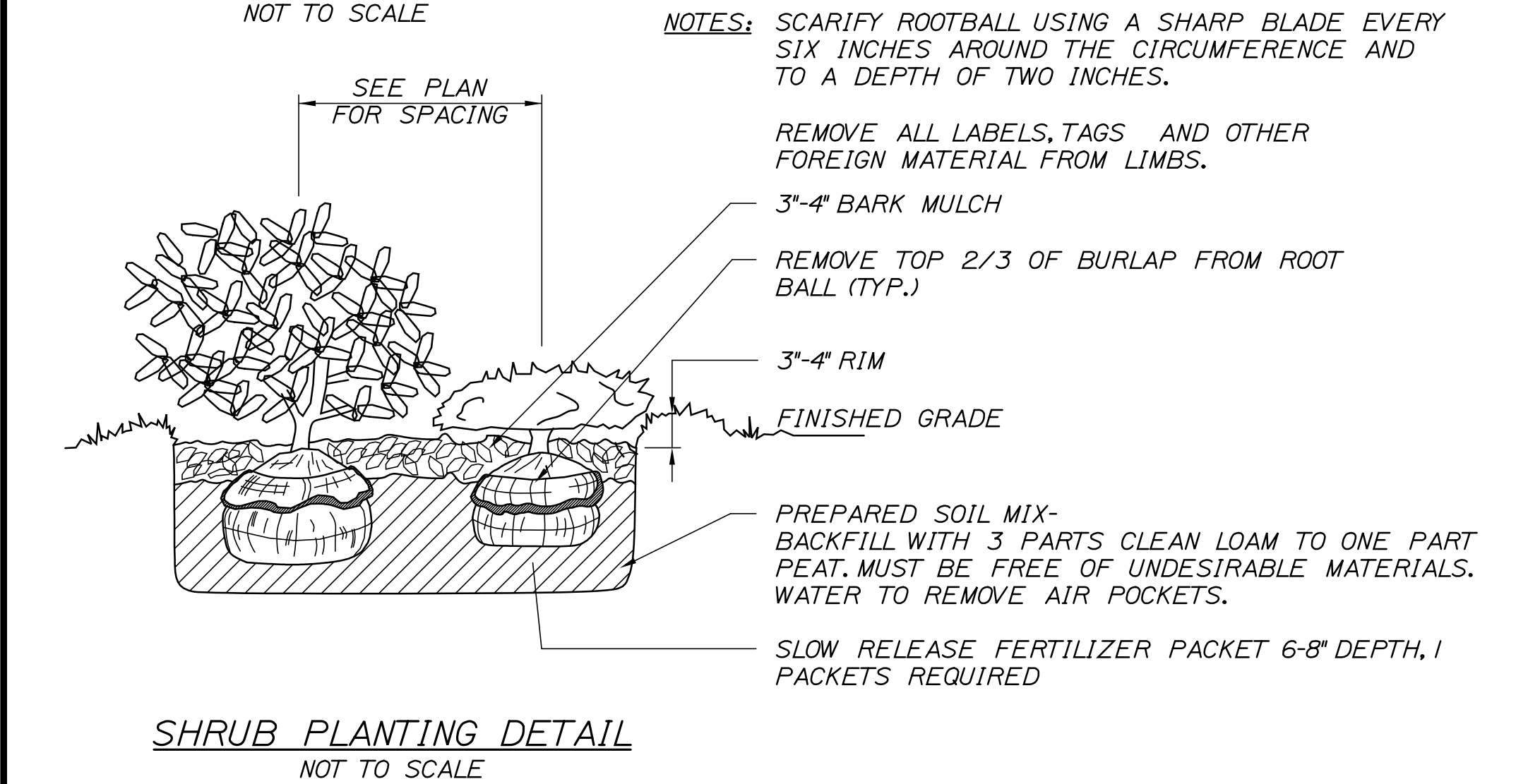
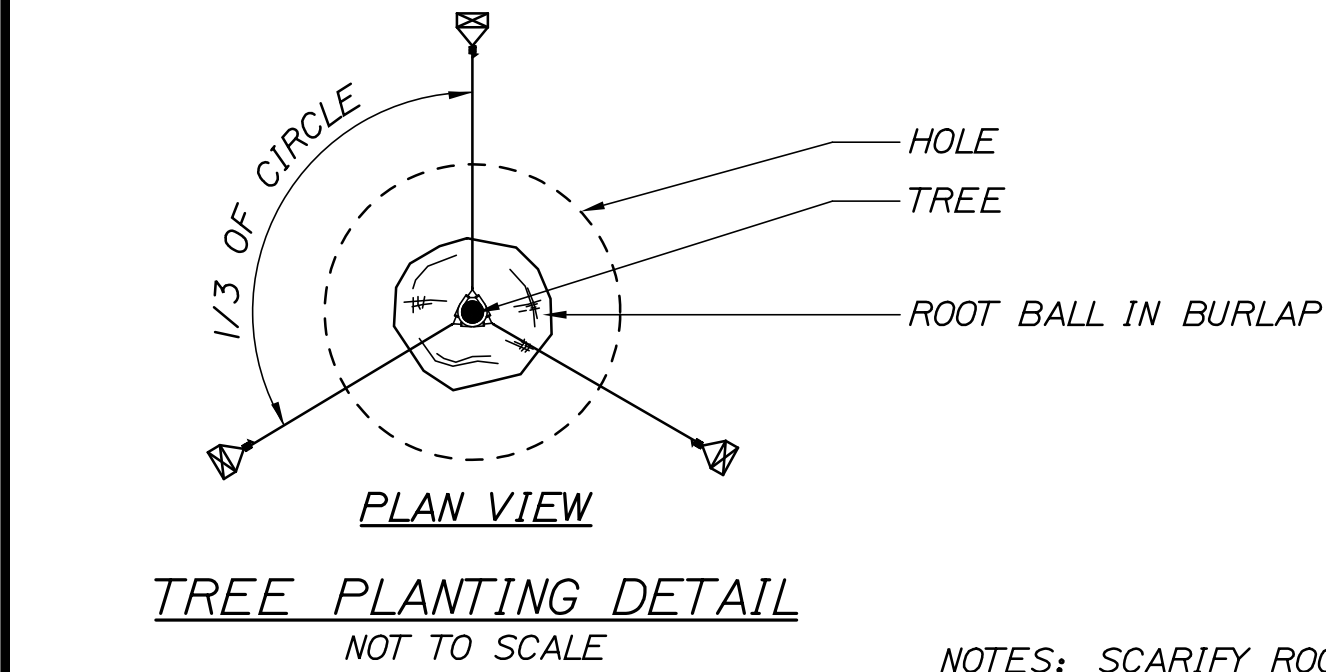
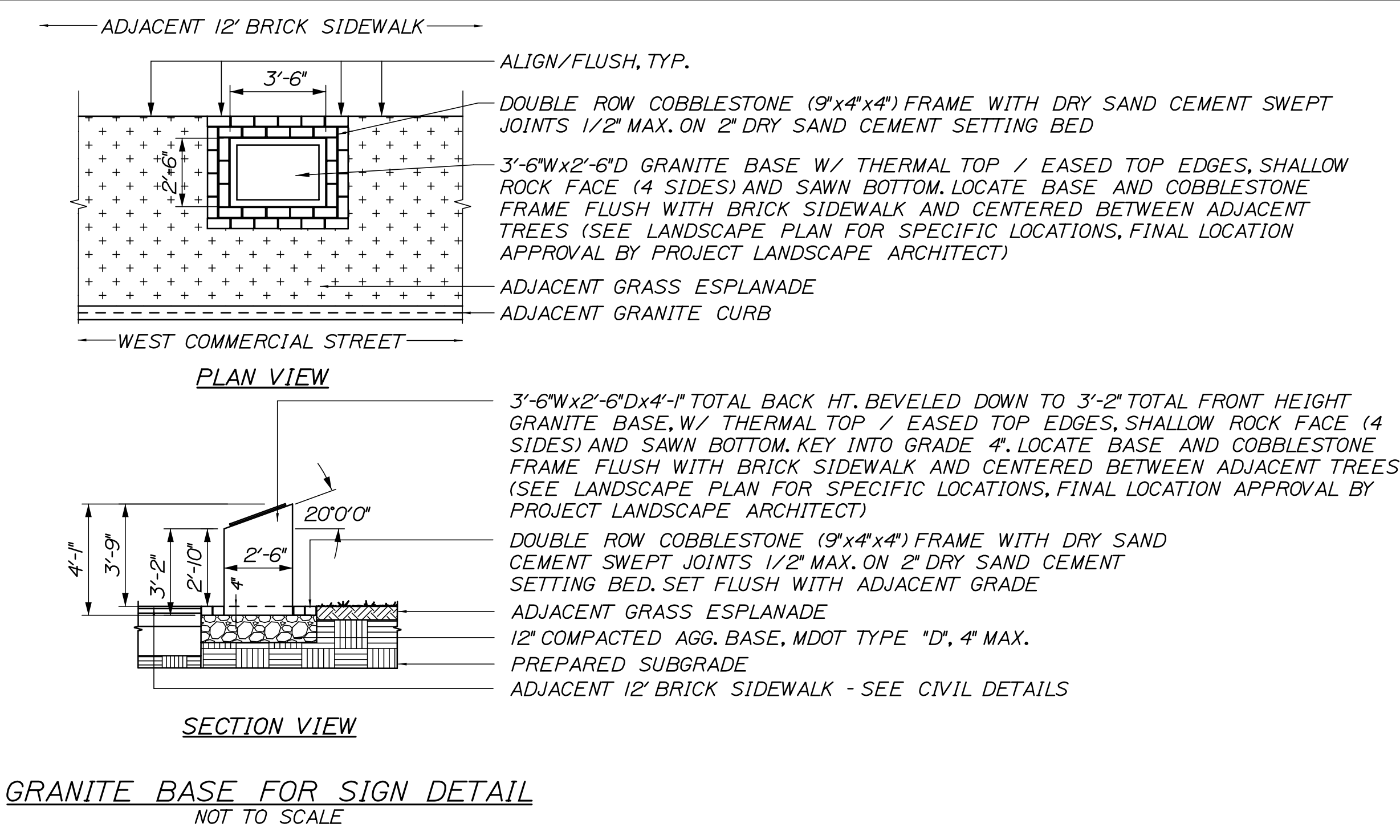
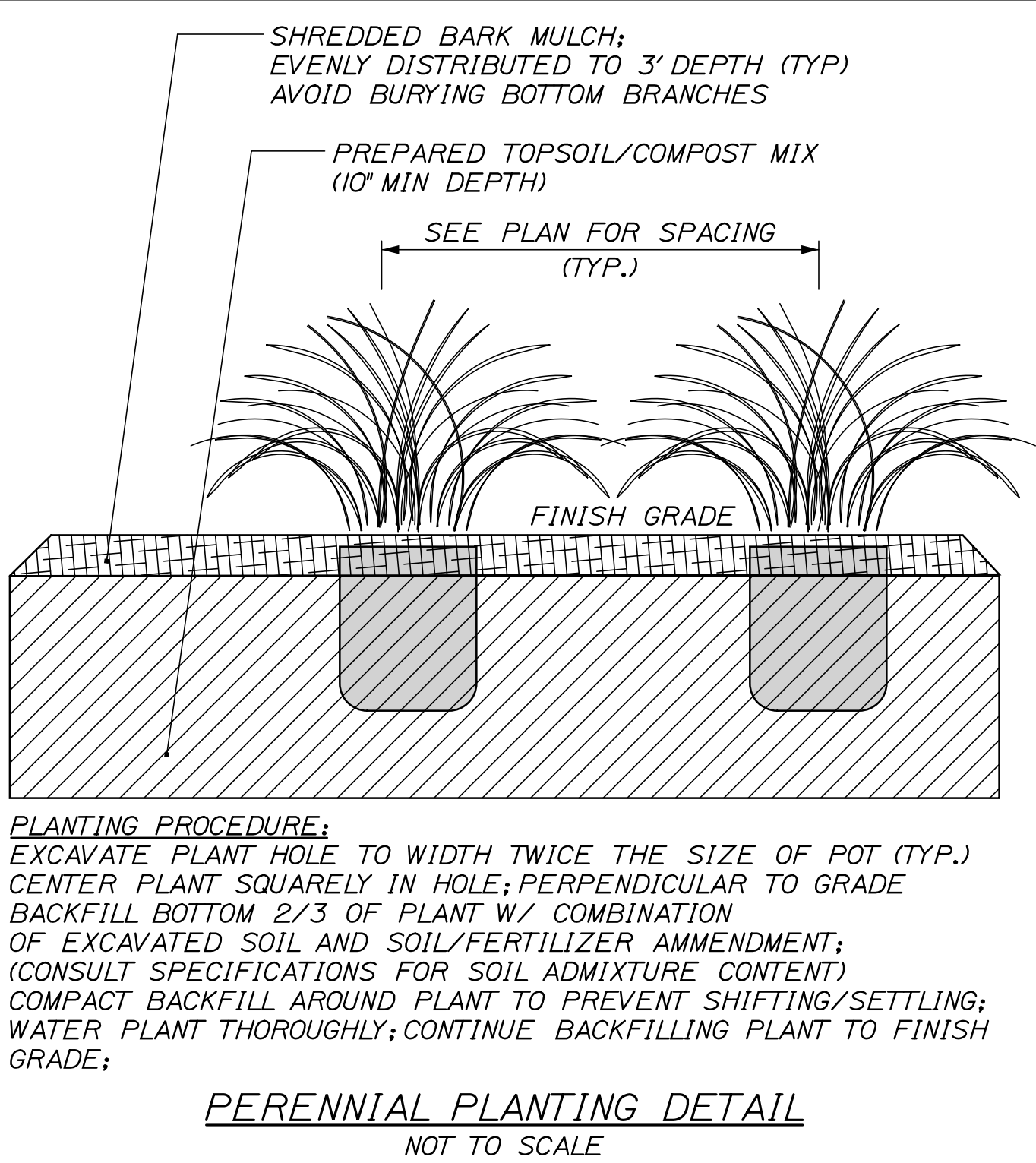
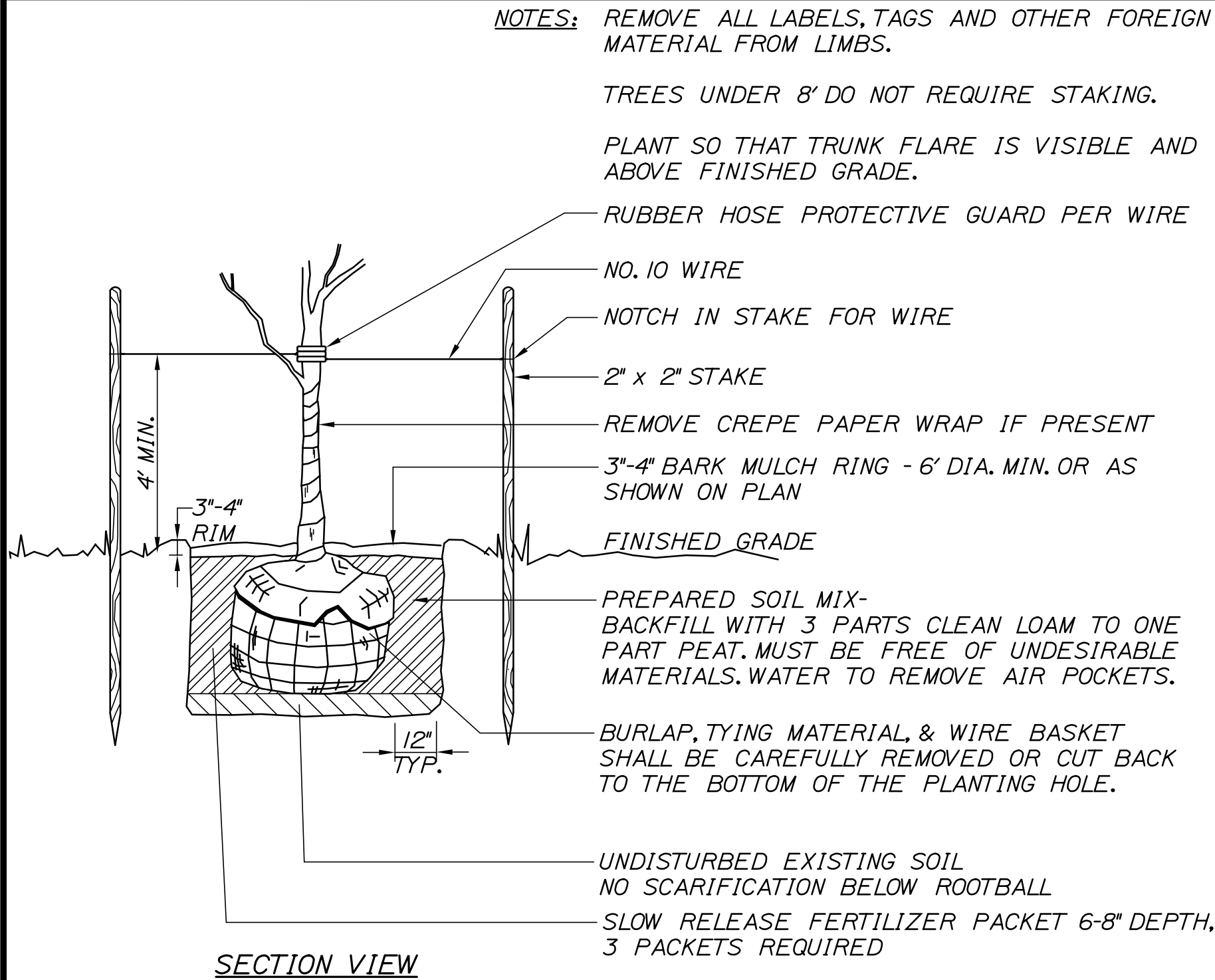
DATE OF FILING APRIL 4, 2014

Date:6/26/2014

Username:

Division:

Filename: 026_LandscapeDetails&Notes.dgn



PLANTING NOTES

1. CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF WATERING AND MAINTENANCE.
2. CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITIES SUFFICIENT TO COMPLETE WORK SHOWN ON THE PLAN. ANY DISCREPANCY BETWEEN THE QUANTITIES SHOWN IN THE PLAN SCHEDULE AND THOSE REQUIRED ON THE PLAN SHALL NOT ENTITLE THE CONTRACTOR TO ADDITIONAL RENUMERATION. ANY DISCREPANCIES SHALL BE CLARIFIED WITH THE LANDSCAPE ARCHITECT PRIOR TO ORDERING PLANT MATERIAL.
3. ALL MATERIALS SHALL CONFORM TO SPECIFICATIONS OF THE AMERICAN STANDARDS FOR NURSERY STOCK (LATEST EDITION) AS SET FORTH BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
4. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISH GRADE AS THE ORIGINAL GRADES BEFORE DIGGING.
5. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF SUBSTANTIAL COMPLETION.
6. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT AT THE NURSERY AND AT THE SITE.
7. ALL PLANT BEDS SHALL MEET MINIMUM TOPSOIL REQUIREMENTS (SEE SPECIFICATIONS).
8. NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRUBBING, BED PREPARATION, AND FINISH GRADING HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
9. ALL PLANTS BEDS AND TREE WELLS SHALL HAVE A MINIMUM OF 3" OF UNIFORMLY DISTRIBUTED, DARK, SHREDDED BARK MULCH.
10. CONTRACTOR SHALL SUBMIT SOIL SAMPLE AND TEST OF TOPSOIL TO LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. SOIL ADMIXTURE SHALL BE ADDED TO EXISTING SOIL (BY CONTRACTOR) IF DEEMED NECESSARY BY SOIL TEST RESULTS.
11. ROUGH GRADING AND BED PREPARATION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PLANT INSTALLATION. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO REQUIRED SITE VISIT.
12. ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN AS SPECIFIED. ALL ROOT WRAPPING AND CONTAINER MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT THE TIME OF PLANTING.
13. ALL BROAD LEAF EVERGREEN PLANTS SHALL BE SPRAYED WITH AN ANTI-DESSICANT AT THE BEGINNING OF THEIR FIRST WINTER.
14. ALL PLANTS SHALL BE INSTALLED AS PER DETAILS AND THE CONTRACT SPECIFICATIONS. THE LANDSCAPE CONTRACTOR SHALL REFER TO THE CONTRACT SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
15. CONTRACTOR SHALL STAKE TREES IF DEEMED NECESSARY BY LANDSCAPE ARCHITECT.
16. THE LANDSCAPE CONTRACTOR SHALL PROVIDE LOAM FILL AS PER THE CONTRACT SPECIFICATIONS.
17. ALL PLANTS SHALL THEN BE WATERED BY THE CONTRACTOR, AS NECESSARY TO INSURE HEALTH UNTIL FINAL ACCEPTANCE.
18. THE LANDSCAPE CONTRACTOR SHALL REFER TO THE PLANT LIST AND PLANTING SPECIFICATIONS FOR SEASONAL REQUIREMENTS AND OTHER RESTRICTIONS RELATED TO THE TIME AND SEASON OF PLANTING.

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY			PROJ. MANAGER	J. KITTEDGE	BY	DATE
LANDSCAPING DETAILS AND NOTES	DESIGN-DETAILED	PC	MPC	06/14		
	CHECKED-REVIEWED	-	-	06/14		
	DESIGN2-DETAILED2	-	-	-		
	DESIGN3-DETAILED3	-	-	-		
	REVISIONS 1	-	-	-		
	REVISIONS 2	-	-	-		
	REVISIONS 3	-	-	-		
	REVISIONS 4	-	-	-		
	FIELD CHANGES	-	-	-		

STATE OF MAINE DEPARTMENT OF TRANSPORTATION		
PROJECT NUMBER 022809.20		
WIN 022809.20		

SHEET NUMBER	
C23	
26 OF 116	

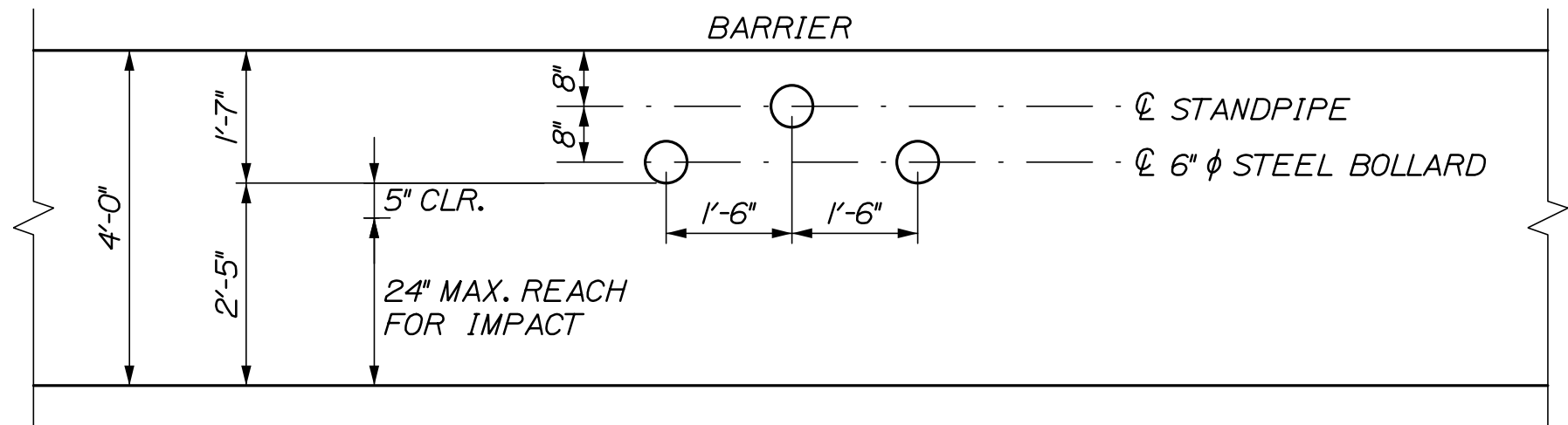
CONTROL POINTS FOR HYDRANTS AND STANDPIPES		
POINT NAME	X-COORD	Y-COORD
H1	2927070.7667	296041.4173
H2	2927667.2933	296139.0143
H3	2927978.0098	296208.7739
H4	2928113.9390	296386.8187
H5	2926863.4717	295907.1856
H6	2927150.3985	295994.7812
H7	2927410.1228	296074.0722
H8	2927433.2823	296081.1425

CONTROL POINTS FOR LIGHT POLES		
POINT NAME	X-COORD	Y-COORD
L1	2927547.8871	296081.2012
L2	2927581.4457	295562.6557
L3	2927756.6473	295689.1445
L4	2927929.9867	295890.3967
L5	2928033.5635	296059.2716
L6	2927824.5708	296220.0639
L7	2927907.8021	296362.3416
L8	2928007.3216	296492.6886
L9	2927981.6685	296213.5293
L10	2928110.2803	296382.0633
L11	2928151.6398	296213.1808
L12	2928297.8860	296404.6100

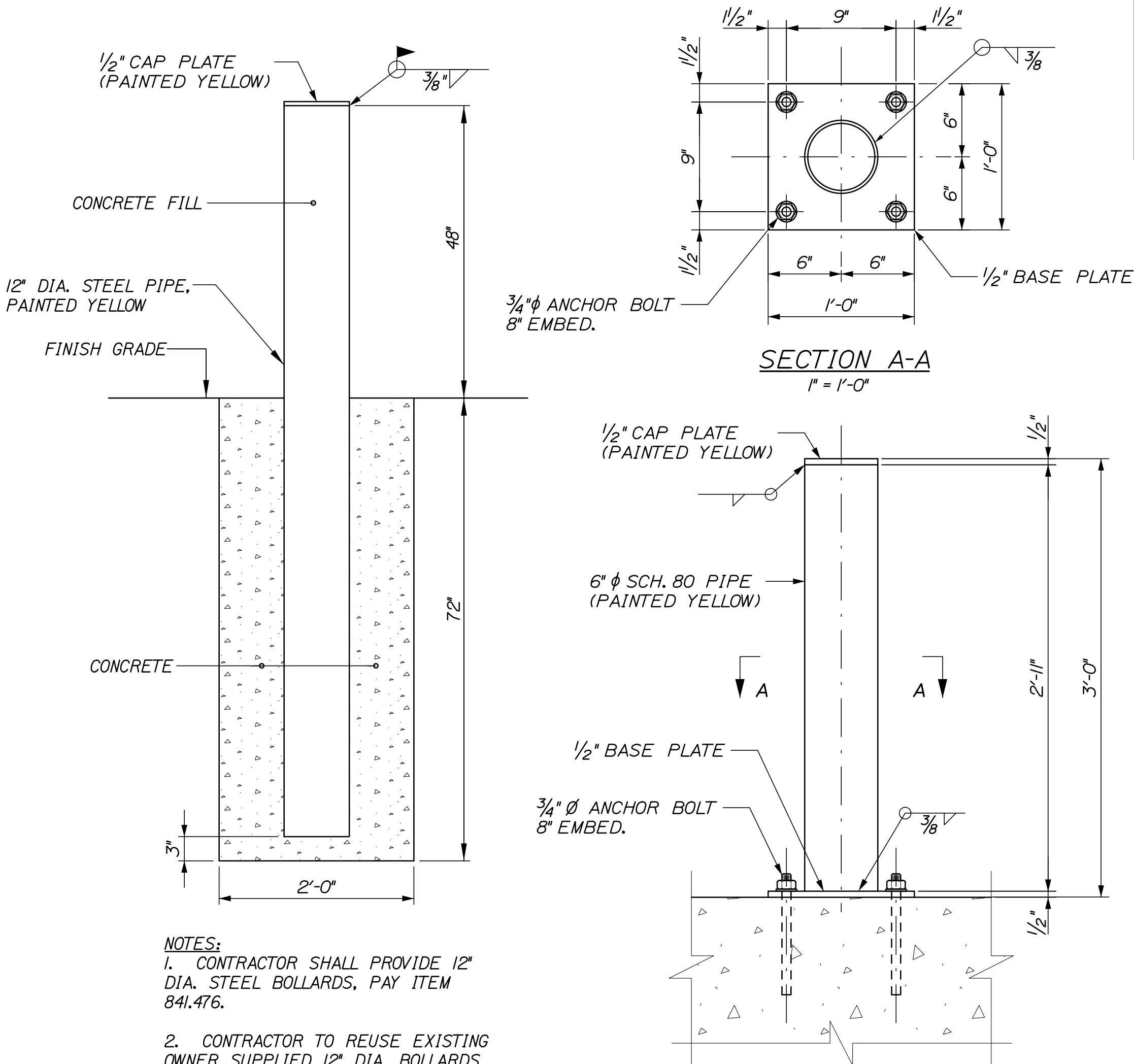
CONTROL POINTS FOR FENCING		
POINT NAME	X-COORD	Y-COORD
F1	**	2926700.7522
F2*	**	2926719.8806
F3		2926737.2248
F4		2926800.6334
F5		2926952.8639
F6		2927459.8466
F7*	**	2927434.3952
F8	**	2927569.2748
F9	**	2927639.9698
F10	**	2927670.1835
F11	**	2927716.0918
F12	**	2927775.5428
F13	**	2928022.2229
F14		2928198.4824
F15		2928216.8996
F16		2928307.0163
F17		2928236.2852
F18		2928218.1366
F19		2928146.5349
F20		2928136.8213
F21		2928187.6782
F22		2928204.1892
F23		2928222.8384
F24		2928092.5737
F25		2927879.1604
F26		2927860.1386
F27	**	2926730.1506
F28		2927455.1441
F29		2927445.8749
F30		2927482.5154
F31		2927493.9152
F32		2927489.2065
F33		2927532.5857
F34		2927540.6584
F35		2927556.7395
F36		2927533.9051
F37		2927540.8212
F38		2927557.4198
F39		2927574.1768
F40		2927526.2229
F41		2927564.5677
F42		2927586.2133
F43		2927592.9617
F44		2927600.9288
F45		2927626.2673
F46		2927782.4363
F47		2927787.3212

* SEE STRUCTURAL SLAB FOR EXACT LOCATION
** HEAVY STEEL PALISADE FENCE RUNS CONTINUOUSLY FROM F27-F1, F1-F2-F7, F8-F13. ALL OTHER SHALL BE CHAIN LINK FENCE.

CONTROL POINTS FOR BOLLARDS		
POINT LOCATION	X-COORD	Y-COORD
BOLLARDS AT L2	2927577.2808	295563.4644
	2927582.2544	295566.8205
BOLLARDS AT L3	2927752.4164	295688.8292
	2927756.3321	295693.3754
BOLLARDS AT L4	2927925.7558	295890.0814
	2927929.6714	295894.6276
BOLLARDS AT L5	2928034.1119	296055.0645
	2928029.3565	296058.7232
BOLLARDS AT L6	2927825.1191	296215.8569
	2927820.3637	296219.5156
BOLLARDS AT L7	2927908.3661	296358.1366
	2927912.0071	296362.9055
	2927907.2382	296366.5466
	2927903.5971	296361.7777
BOLLARDS AT L8	2928007.8856	296488.4836
	2928011.5266	296493.2525
	2928006.7577	296496.8936
	2928003.1166	296492.1247
BOLLARDS AT L9	2927978.5582	296204.5668
	2927982.2169	296209.3223
	2927985.8756	296214.0777
	2927981.1201	296217.7364
	2927977.4615	296212.9809
	2927973.8028	296208.2255
BOLLARDS AT L10	2928110.8287	296377.8562
	2928114.4874	296382.6117
	2928118.1460	296387.3671
	2928113.3906	296391.0258
	2928109.7319	296386.2703
	2928106.0733	296381.5149
BOLLARDS AT L11	2928147.4346	296212.6182
	2928151.0772	296217.3860
BOLLARDS AT L12	2928293.6808	296404.0474
	2928297.3235	296408.8151
BOLLARDS AT H6	2926862.2317	295906.1100
	2926865.1010	295906.9860
BOLLARDS AT H7	2927149.1586	295993.7057
	2927152.0278	295994.5816
BOLLARDS AT H8	2927408.8828	296072.9966
	2927411.7521	296073.8726
BOLLARDS AT H9	2927432.0423	296080.0670
	2927434.9116	296080.9429
ELECTRICAL	2928106.5515	296051.2208
PEDESTAL	2928142.1076	296099.2088
BOLLARDS	2928177.8041	296147.3863
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BOLLARDS	2927842.6862	296189.1497

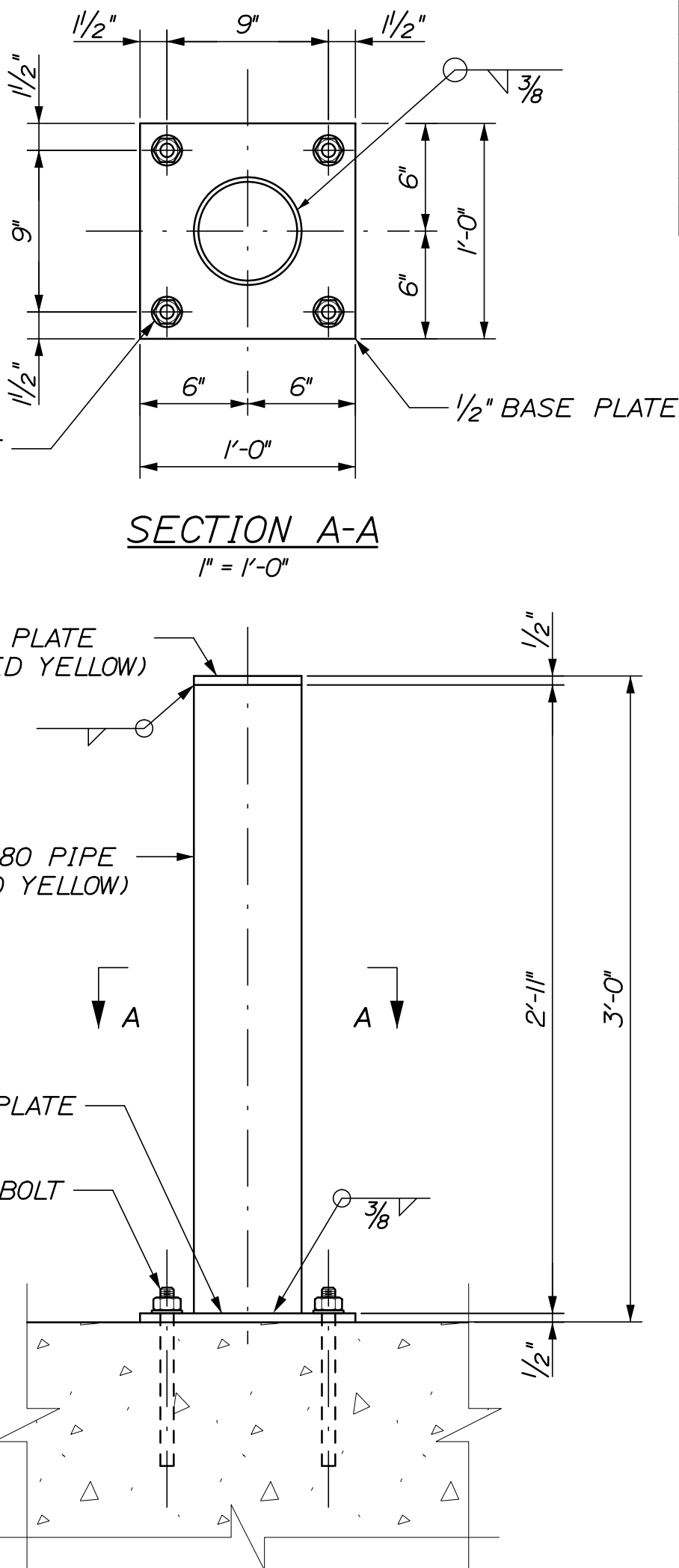


STANDPIPE

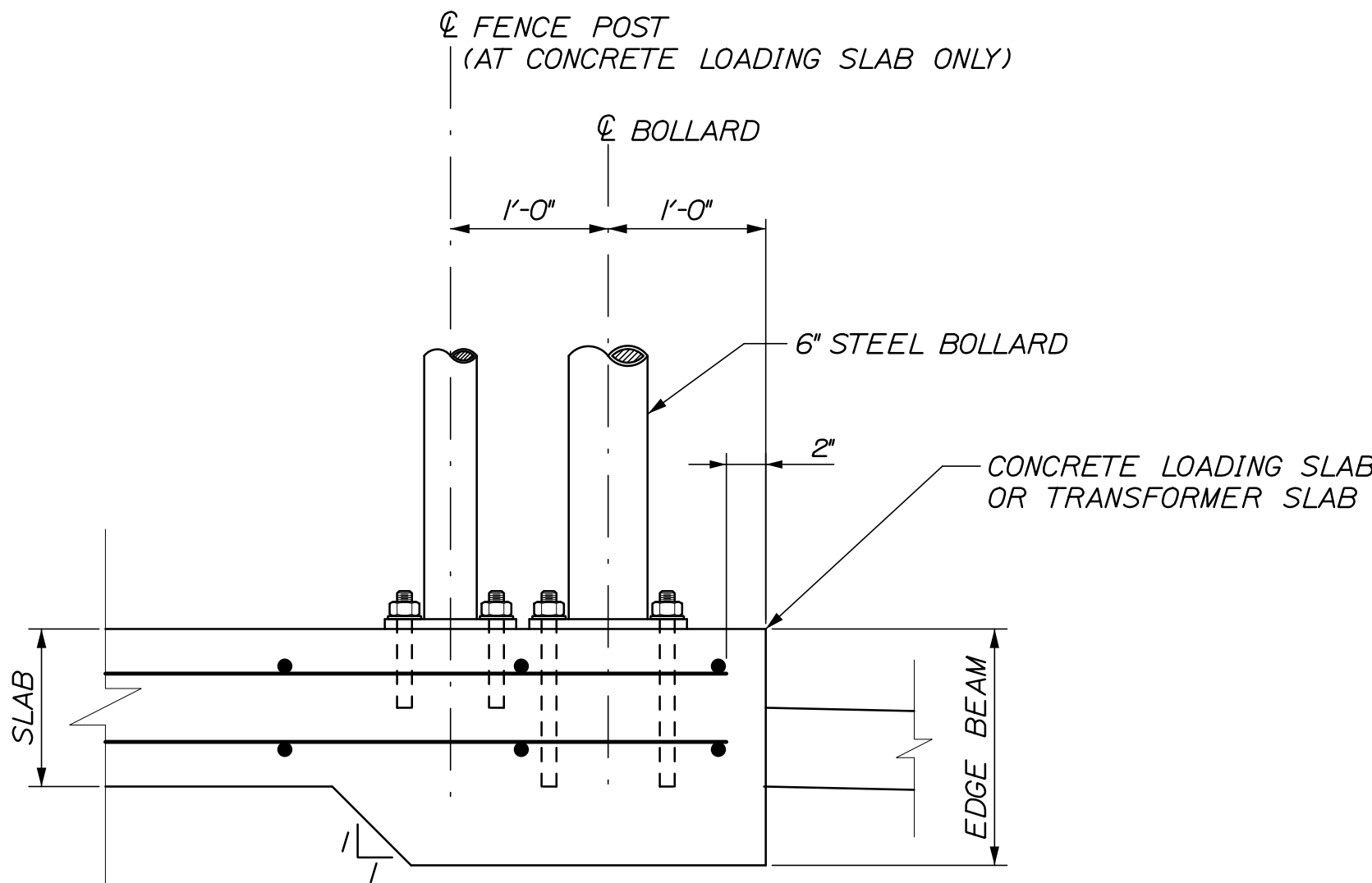


NOTES:
1. CONTRACTOR SHALL PROVIDE 12" DIA. STEEL BOLLARDS, PAY ITEM 841.476.
2. CONTRACTOR TO REUSE EXISTING OWNER SUPPLIED 12" DIA. BOLLARDS, PAY ITEM 841.477.

12" STEEL BOLLARD DETAIL
NOT TO SCALE

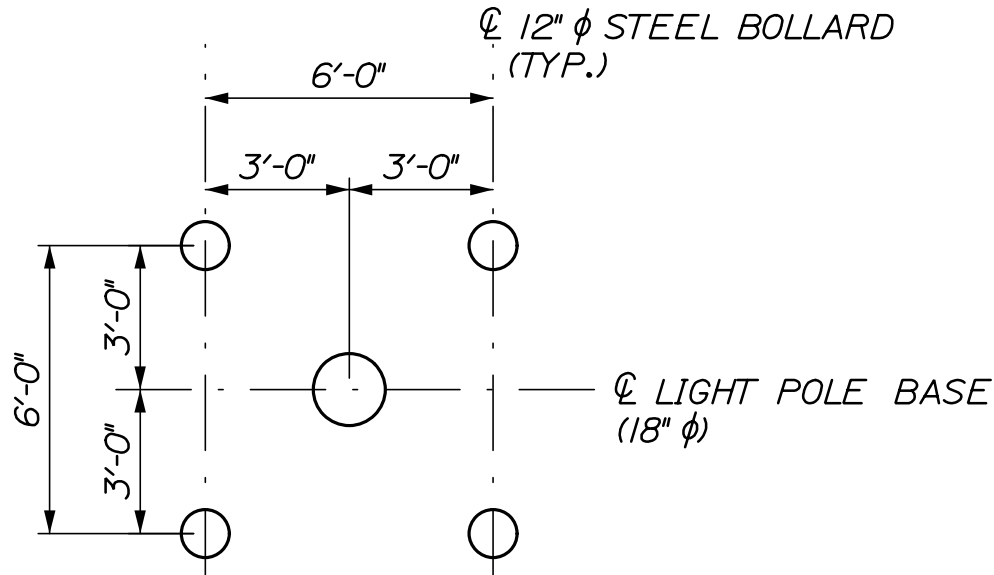


6" STEEL BOLLARD, PAD MOUNTED
1" = 1'-0"

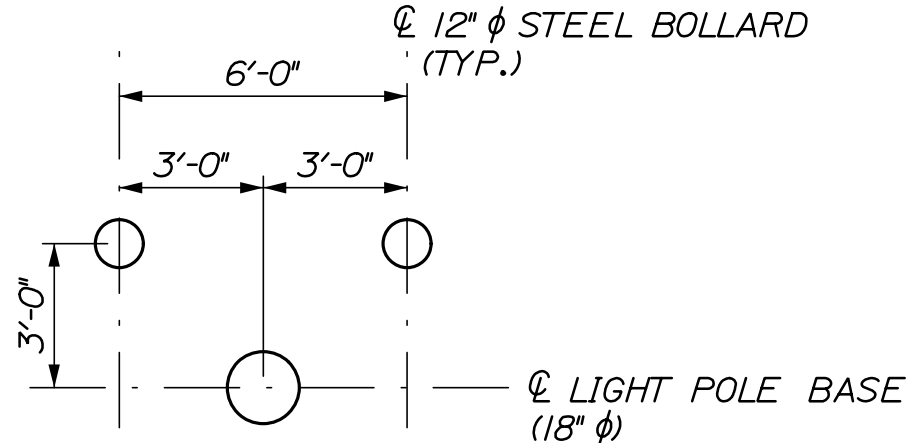


NOTE:
CONTRACTOR SHALL PROVIDE 6" DIA. STEEL BOLLARDS, PAY ITEM 841.475.

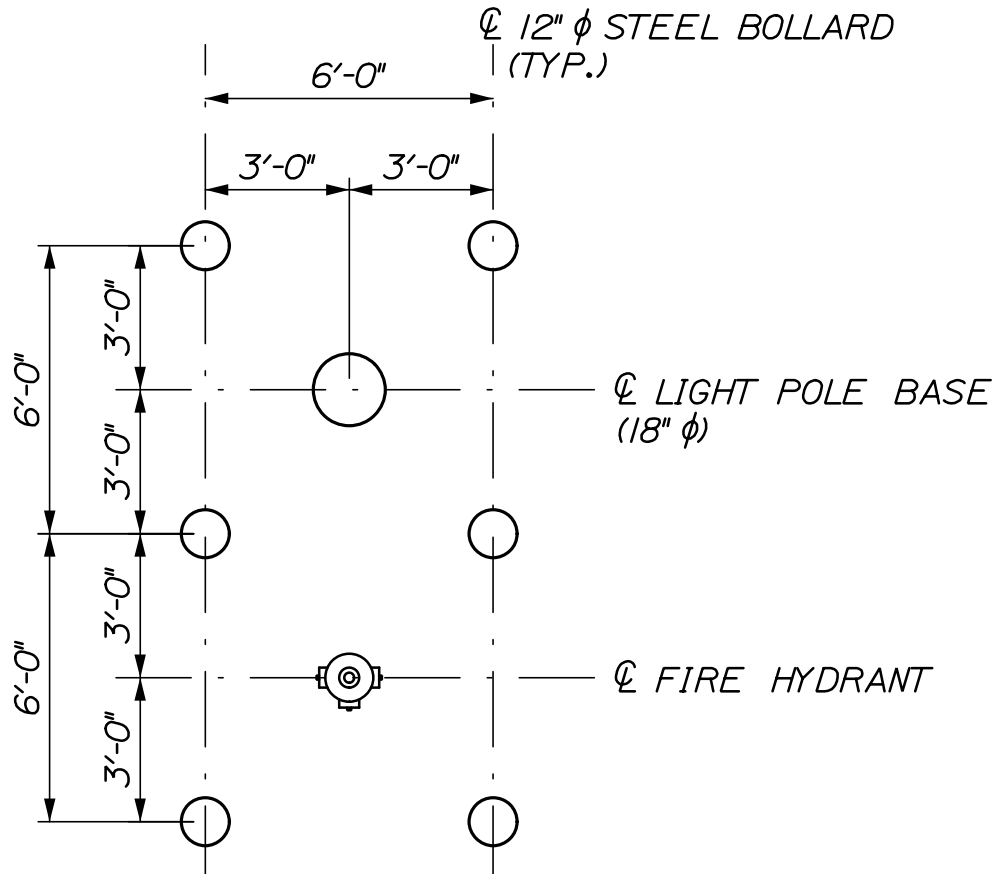
EDGE BEAM DETAIL
1" = 1'-0"



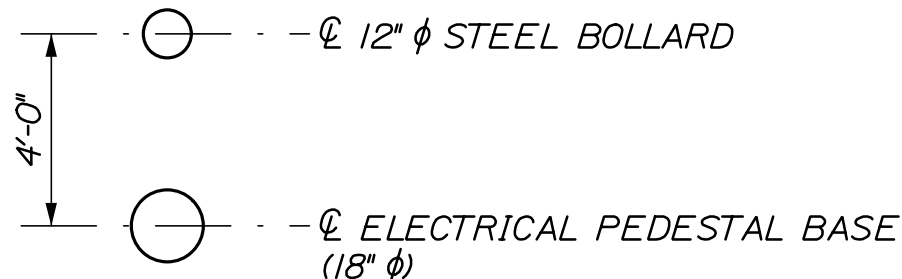
LIGHT POLE BASE WITH 4 BOLLARDS
AT LIGHTS L7 AND L8



LIGHT POLE BASE WITH 2 BOLLARDS
AT LIGHTS L2, L3, L4, L5, L6, L11 AND L12



LIGHT POLE BASE WITH FIRE HYDRANTS
AT LIGHTS L9 AND L10



ELECTRICAL PEDESTAL BASE (REEFERS)

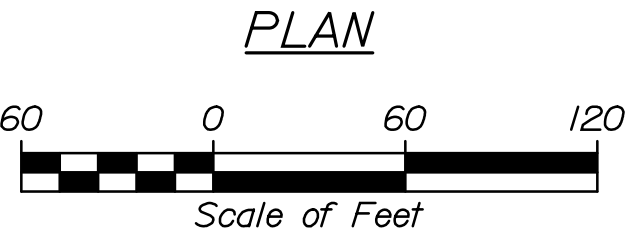
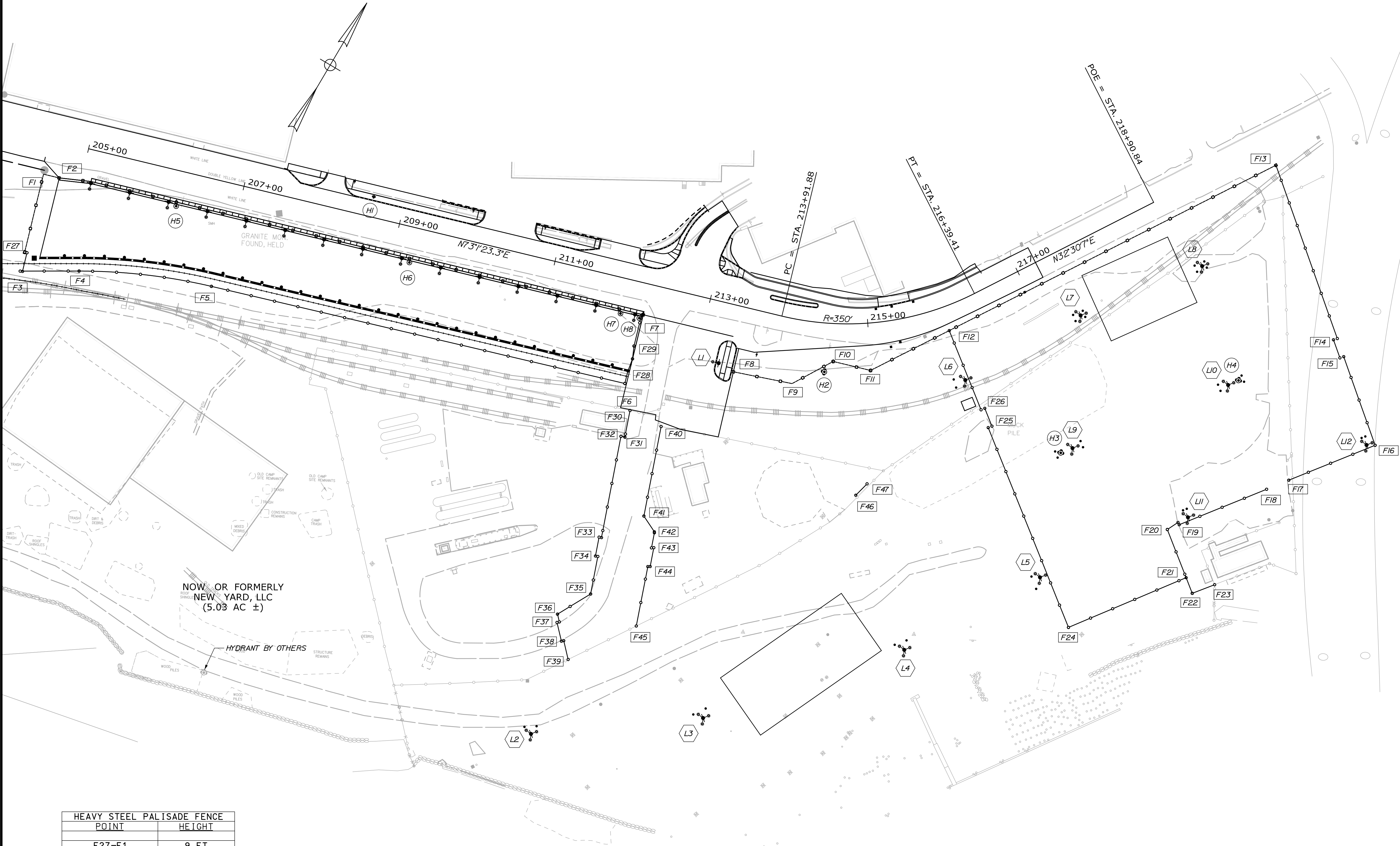
Date:6/26/2014

Username:

Division:

Filename: 021_SiteGeometricsPlan3.dgn

HEAVY STEEL PALISADE FENCE	
POINT	HEIGHT
F27-F1	9 FT
F1-F2	9 FT
F2-F7	5 FT
F8-F9	9 FT
F9-F10	9 FT
F10-F11	9 FT
F11-F12	9 FT
F12-F13	9 FT



PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	LINE	MPC	06/14
CHECKED-REVIEWED		CPM	06/14
DESIGNS-DETAILED			
DESIGNS-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

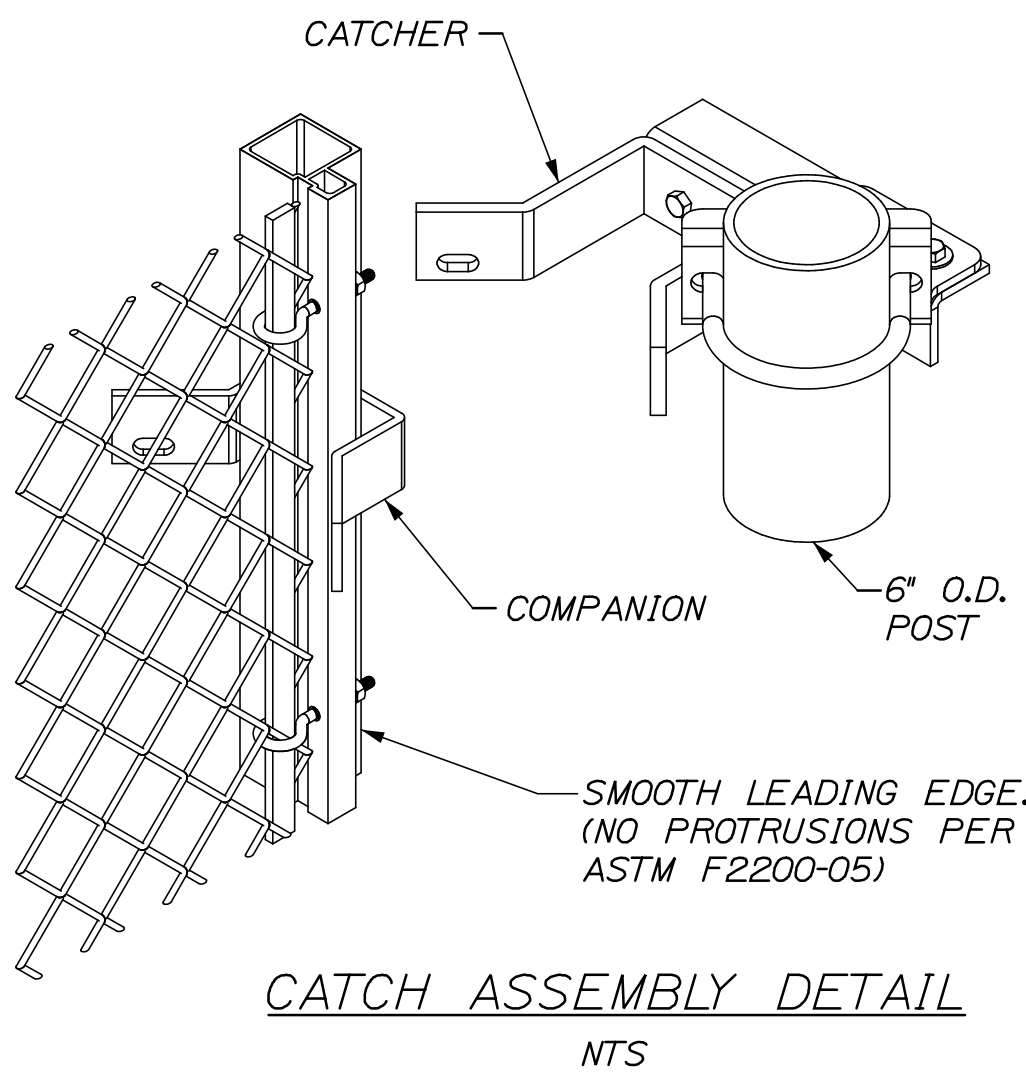
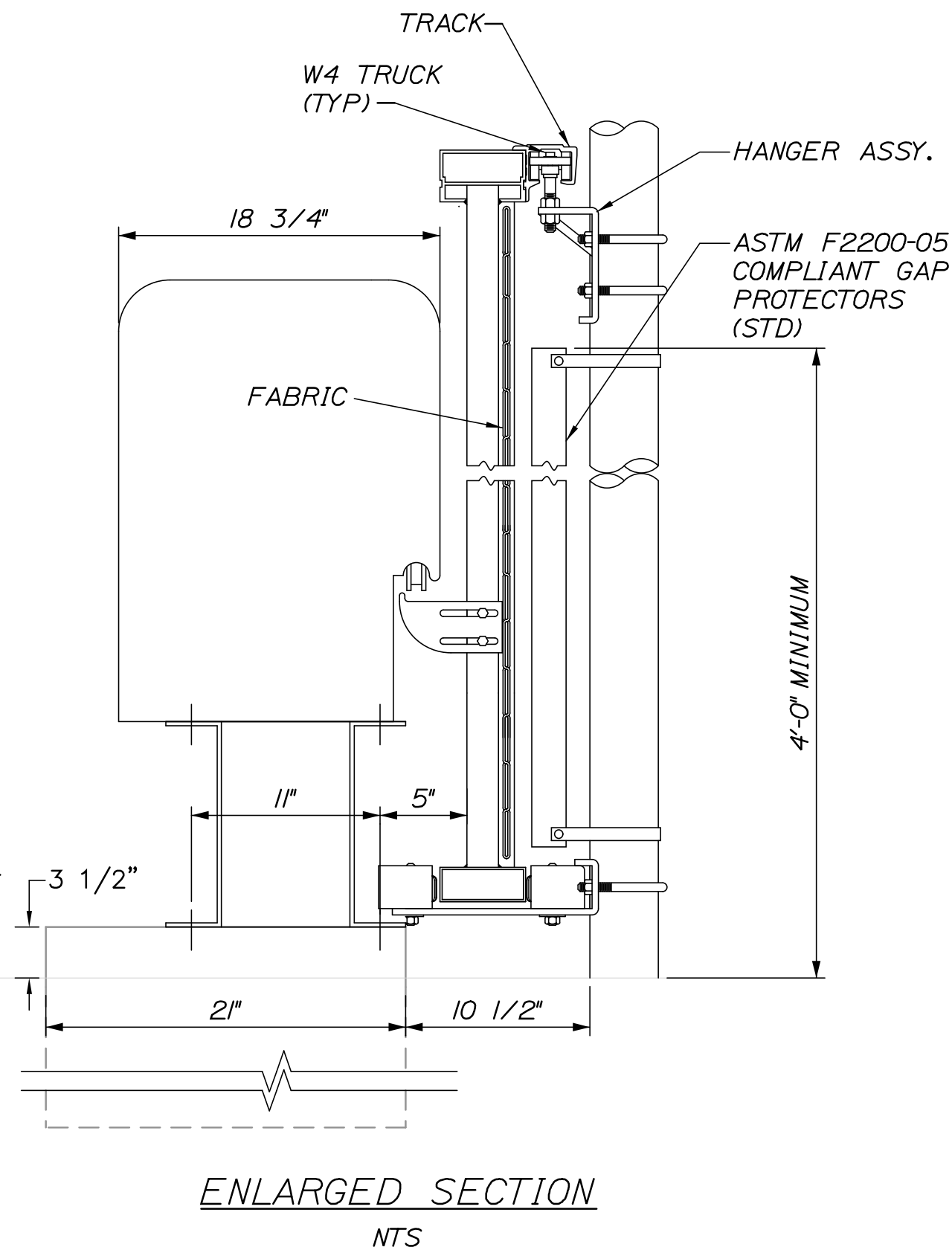
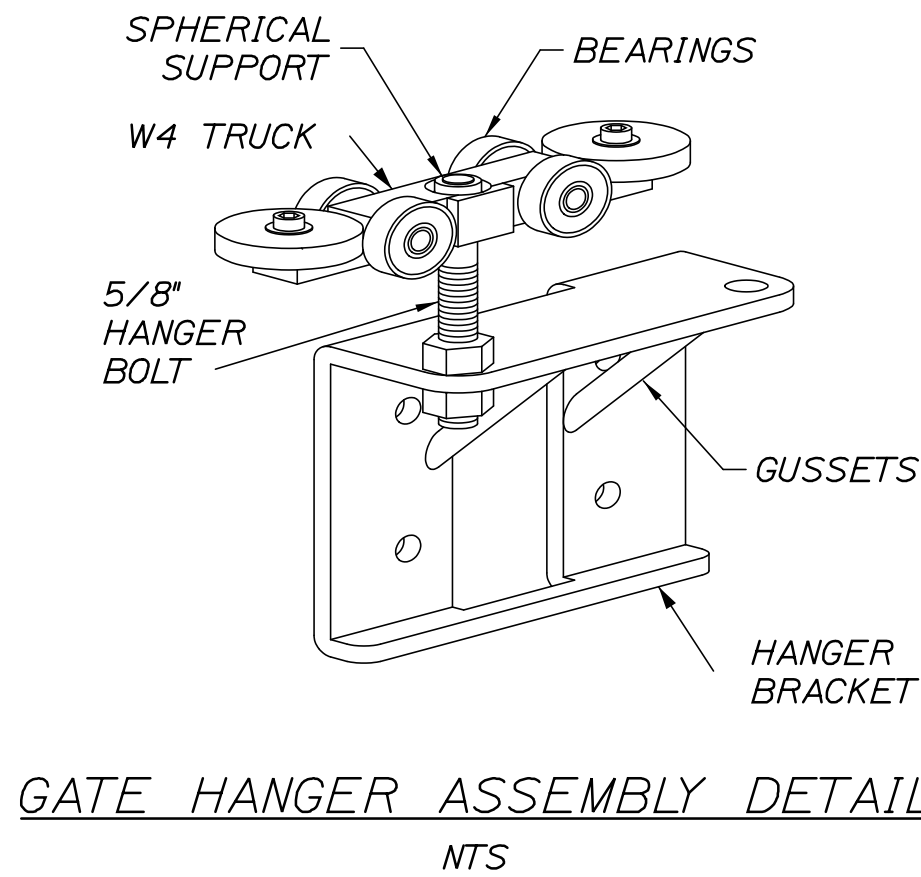
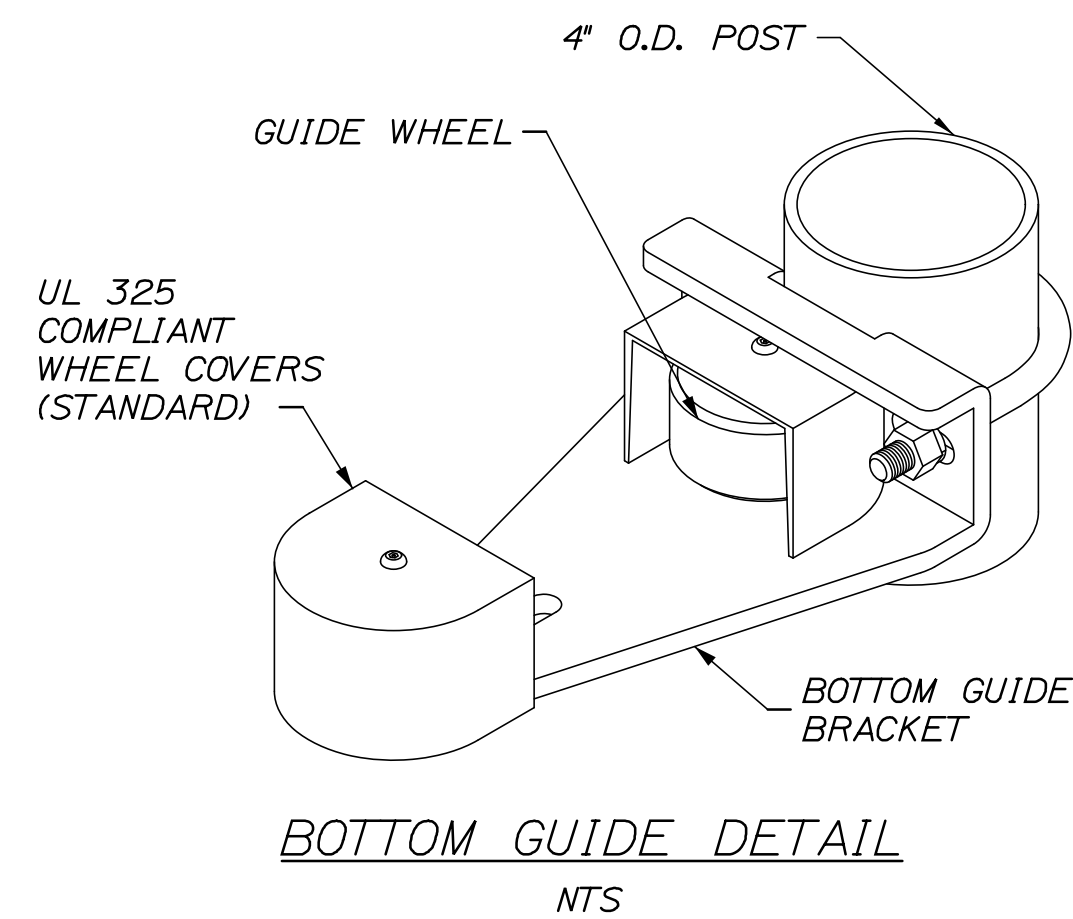
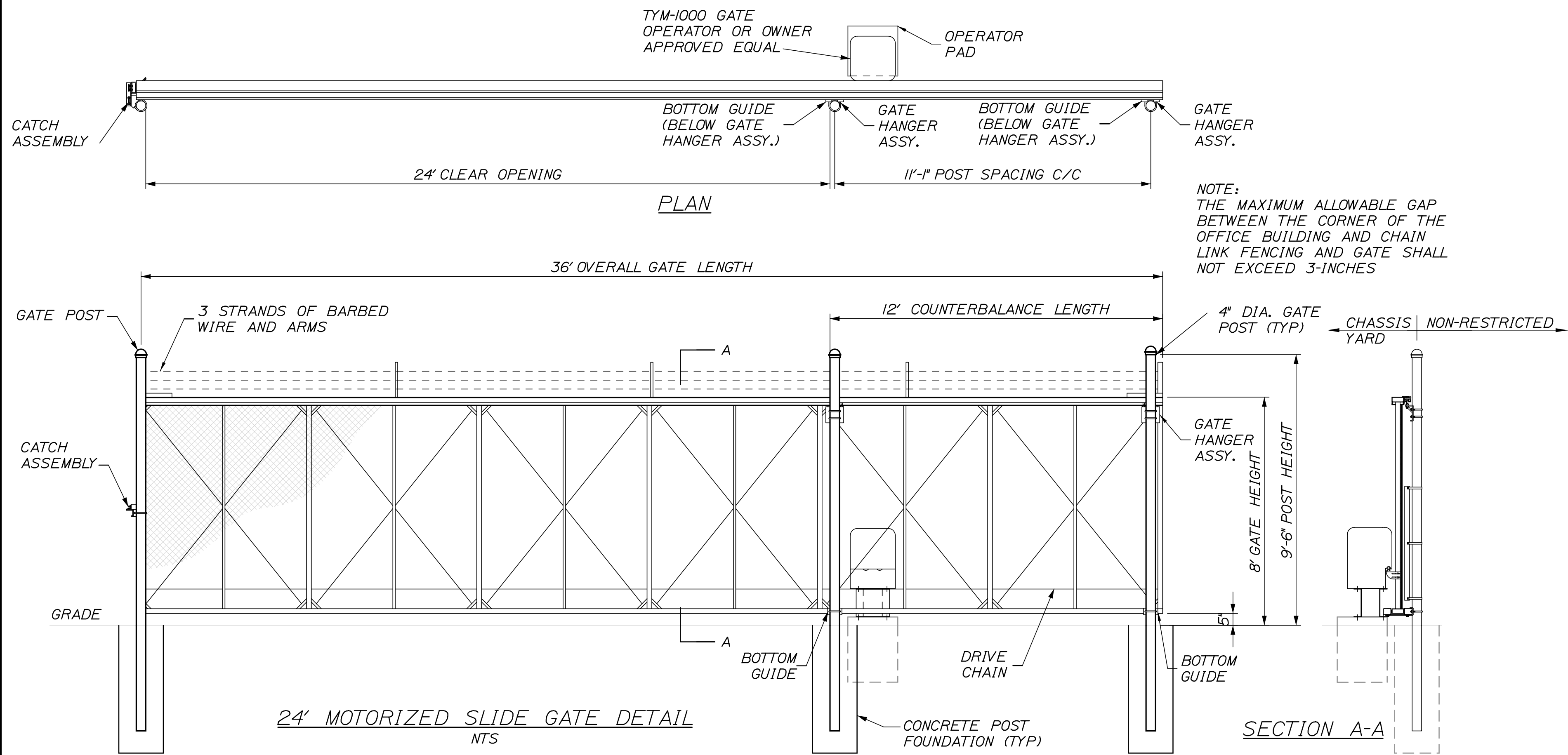
SIGNATURE	P.E. NUMBER	DATE

Date:6/26/2014

Username:

Division:

Filename: 020_FencingDets2.dgn



PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	HME	MPC	06/14
CHECKED-REVIEWED		CPM	06/14
DESIGN-DETAILED			
REVISIONS 1			
REVISIONS 2			
REVISIONS 3			
REVISIONS 4			
FIELD CHANGES			

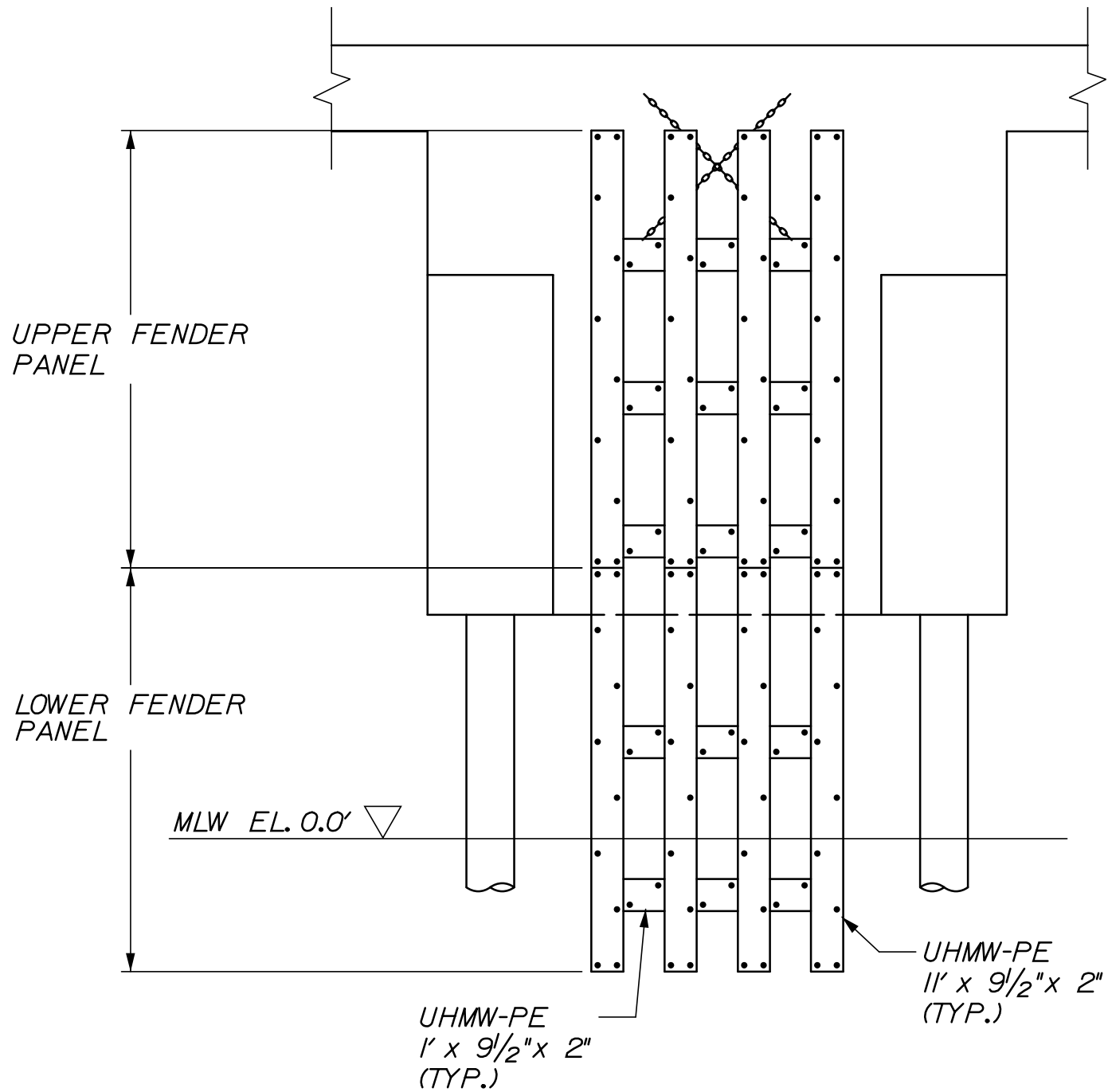
SIGNATURE	P.E. NUMBER	DATE

Date:6/26/2014

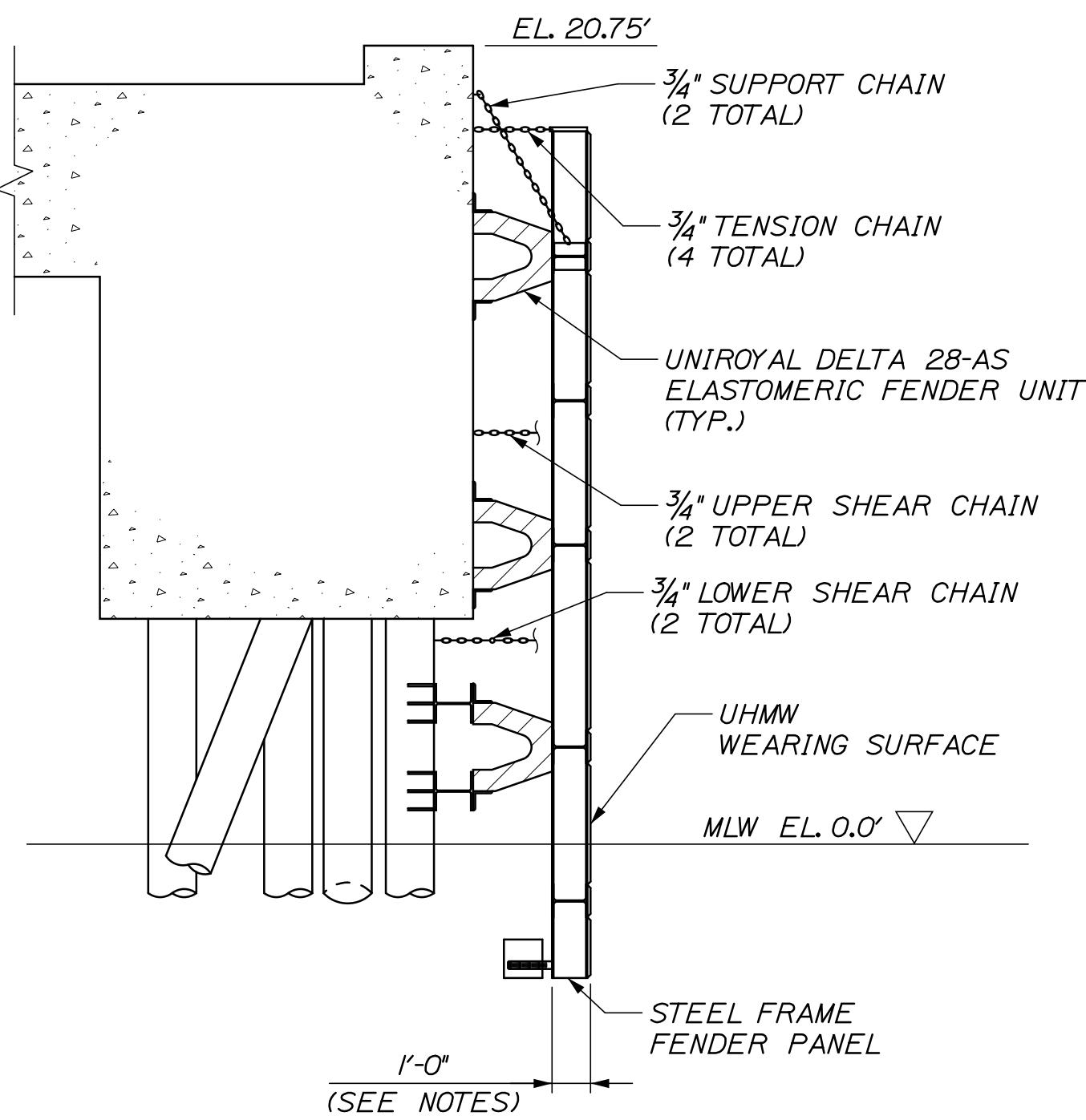
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Division:

Filename: 110_FenderRepairs.dgn

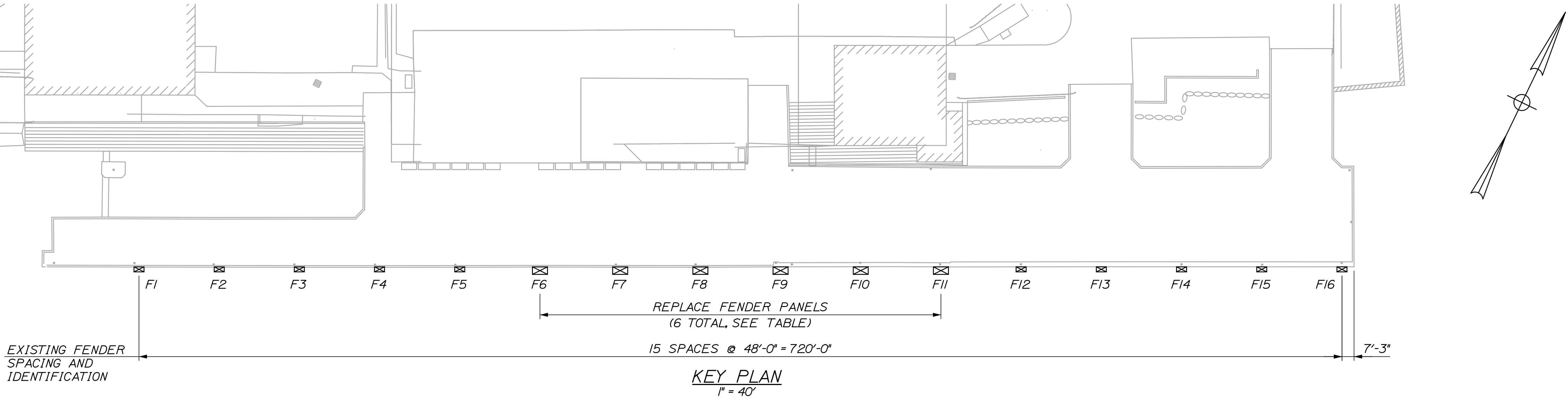


ELEVATION



SECTION

EXISTING FENDER ASSEMBLY
1/4" = 1'-0"



KEY PLAN
1" = 40'

SUMMARY OF REPAIRS/MODIFICATIONS					
FENDER PANEL	REMOVE STEEL FRAME FENDER PANEL	INSTALL STEEL BOX FENDER PANEL	REPLACE EXISTING UPPER & LOWER SHEAR CHAINS	INSTALL UHMW WEARING SURFACES ON LOWER FENDER PANEL	INSTALL UHMW WEARING SURFACES ON UPPER FENDER PANEL
F1			X	X	
F2			X	X	
F3			X	X	
F4			X	X	
F5			X	X	
F6	X	X	X		
F7	X	X	X		
F8	X	X	X		
F9	X	X	X		
F10	X	X	X		
F11	X	X	X		
F12			X	X	X
F13			X	X	X
F14			X	X	X
F15			X	X	X
F16			X	X	X

- NOTES:**
- THE CLOSED-BOX STEEL FRONTAL PANEL SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MAINE TO THE VESSEL DESIGN CRITERIA OUTLINED IN SPECIAL PROVISION 504, FENDER SYSTEMS. THE FENDER PANEL DESIGN SHALL BE SUBMIT FOR REVIEW AND APPROVAL. THE MAXIMUM WEIGHT OF THE FENDER PANEL INCLUDING ALL HARDWARE, OFFSET MATERIALS, AND WEARING SURFACES SHALL BE 6,000 LBS.
 - THE EXISTING STEEL FENDER PANELS REMOVED AS PART OF THIS PROJECT SHALL HAVE THEIR UHMW WEARING SURFACES REMOVED FOR REINSTALLATION ON THE EXISTING FENDER PANELS TO REMAIN. CARE SHALL BE USED WHEN REMOVING THE WEARING SURFACES. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING NEW CONNECTION HARDWARE WHEN REINSTALLING ALL WEARING SURFACES.
 - THE CONTRACTOR IS RESPONSIBLE TO MEASURE ALL EXISTING FIELD DIMENSIONS ASSOCIATED WITH THE FENDER PANELS TO ENSURE PROPER CONNECTION AND FIT UP OF THE NEW PANELS. THREADED RODS ON THE PROPOSED FENDER PANELS SHALL ALIGN WITH THE HOLES ON THE EXISTING ARCH FENDERS. THE CONTRACTOR SHALL SALVAGE AND REINSTALL THE 3" PLATE ON THE BACKSIDE OF THE ARCH FENDERS.
 - WHEN REMOVING THE EXISTING FENDER PANELS, THE CONTRACTOR SHALL CAREFULLY DISCONNECT THE SUPPORT CHAINS AND THE TENSION CHAINS FROM THE EXISTING PANELS FOR REUSE ON THE PROPOSED FENDER PANELS.
 - THE MINIMUM THICKNESS OF THE PROPOSED CLOSED-BOX STEEL FENDER PANEL SHALL BE AS SHOWN, WHICH SHALL BE A COMBINATION OF THE CLOSED-BOX PANEL, THE UHMW WEARING SURFACE, AND ANY OFFSET MATERIAL/DEVICES INSTALLED BETWEEN THE EXISTING RUBBER ARCH FENDERS AND THE PROPOSED FENDER PANEL.
 - SALVAGED UHMW WEARING SURFACE PIECES SHALL BE INSTALLED ON EXISTING FENDER PANELS TO REMAIN. NEW WEARING SURFACE PIECES MAY REQUIRE FIELD DRILLING TO ACCOMMODATE MISALIGNMENTS IN THE STEEL FENDER PANELS. THE CONTRACTOR SHALL QUANTIFY THE NUMBER OF SALVAGED WEARING SURFACE PIECES AND THE NUMBER OF PIECES REQUIRED ON THE EXISTING STEEL FENDER PANELS, AND NOTIFY THE RESIDENT IF THE QUANTITY DIFFERS FROM PAY ITEMS 504.633 AND 504.634.
 - APPROXIMATELY THREE EXISTING STEEL FENDER PANELS CONTAIN BENT FRAME MEMBERS (HPIOX42). THE BENT PORTIONS OF THE FRAME SHALL BE REMOVED BY FLAME CUTTING AT A BEVEL AND THE EDGES GROUND FLUSH. THE UHMW WEARING SURFACE SHALL BE MODIFIED TO ACCOMMODATE THE SHORTENED LENGTHS OF THE HPIOX42.

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

WIN 022809.20

DATE

06/14

BY

MPC

J. KITREDOE

CRM

PROJ. MANAGER

DESIGN-DETAILED

CHECKED-REVIEWED

DESIGN-DETAILED

DESIGN-DETAILED

DESIGN-DETAILED

REVISIONS 1

REVISIONS 2

REVISIONS 3

REVISIONS 4

FIELD CHANGES

DATE

06/14

SIGNATURE

P.E. NUMBER

DATE

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION

PORTLAND CUMBERLAND COUNTY

FENDER SYSTEM REPAIRS

SHEET NUMBER

M01

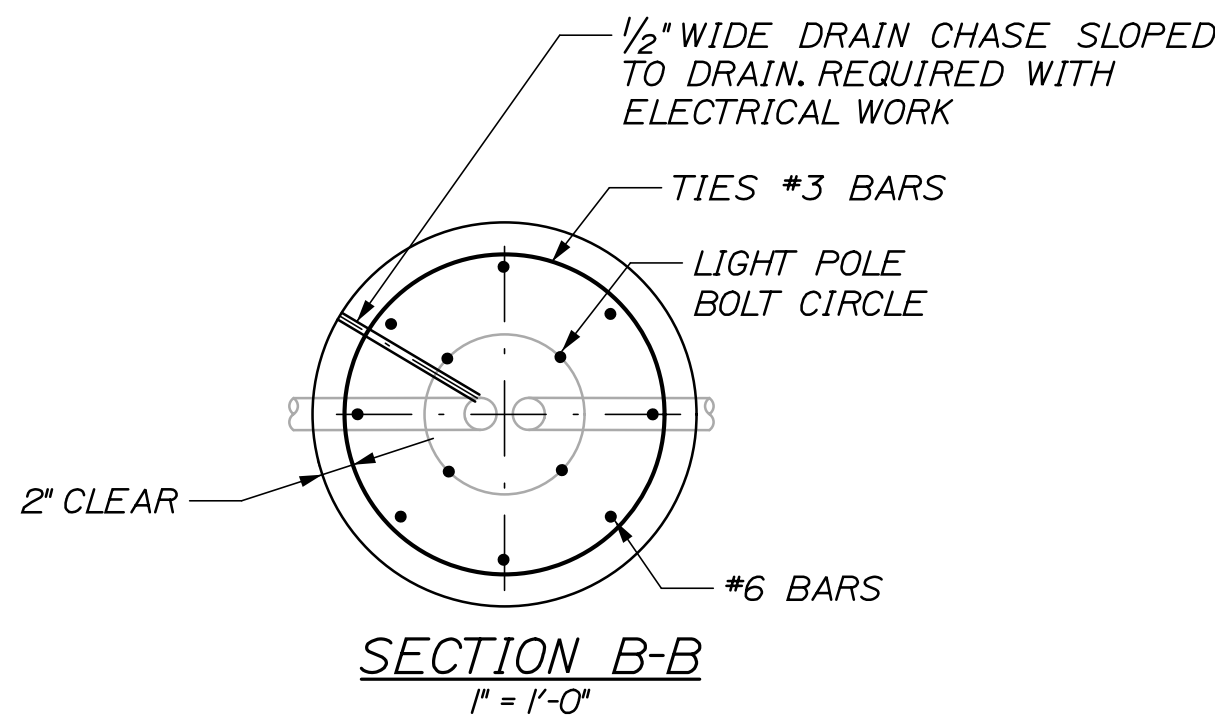
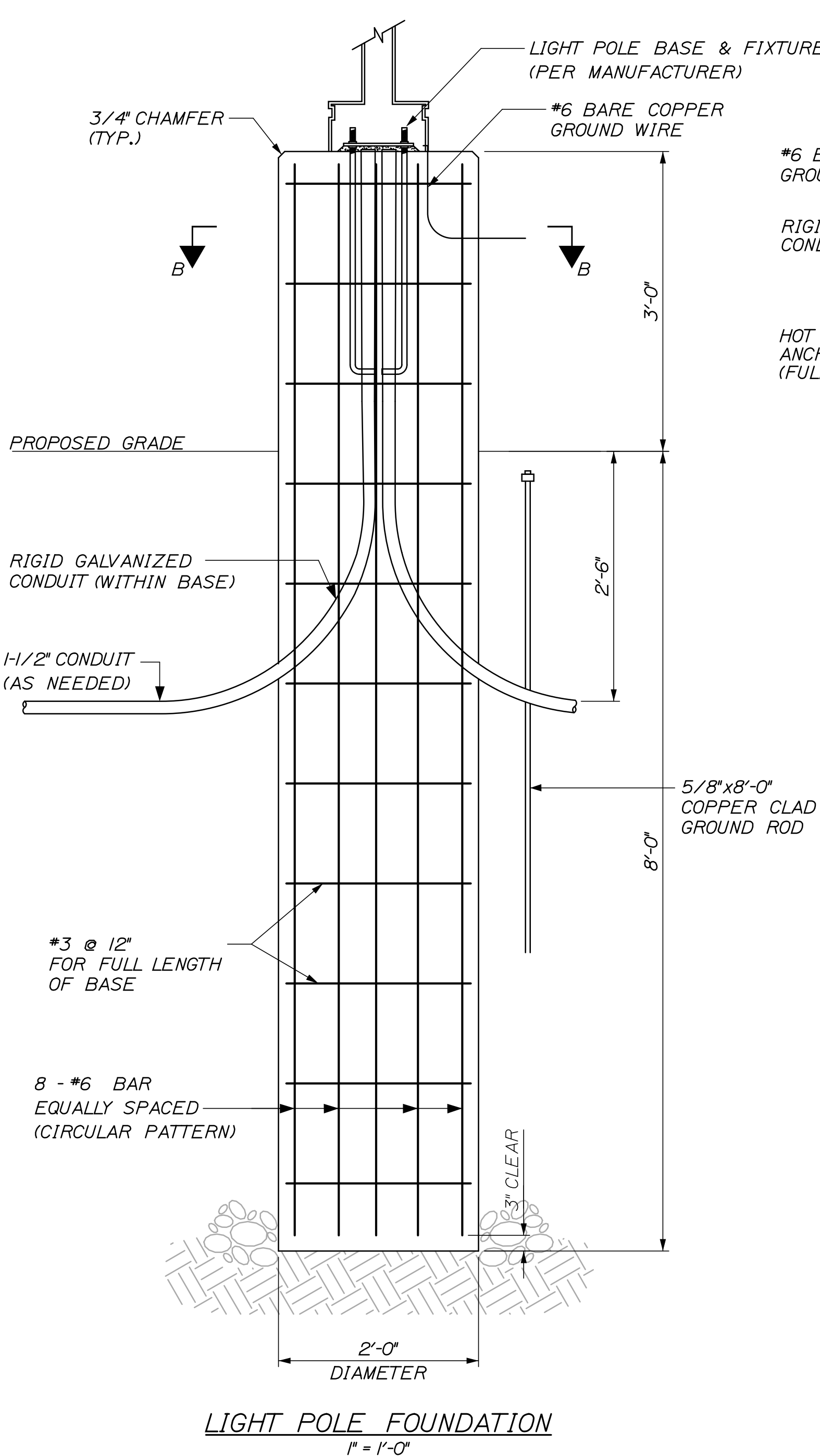
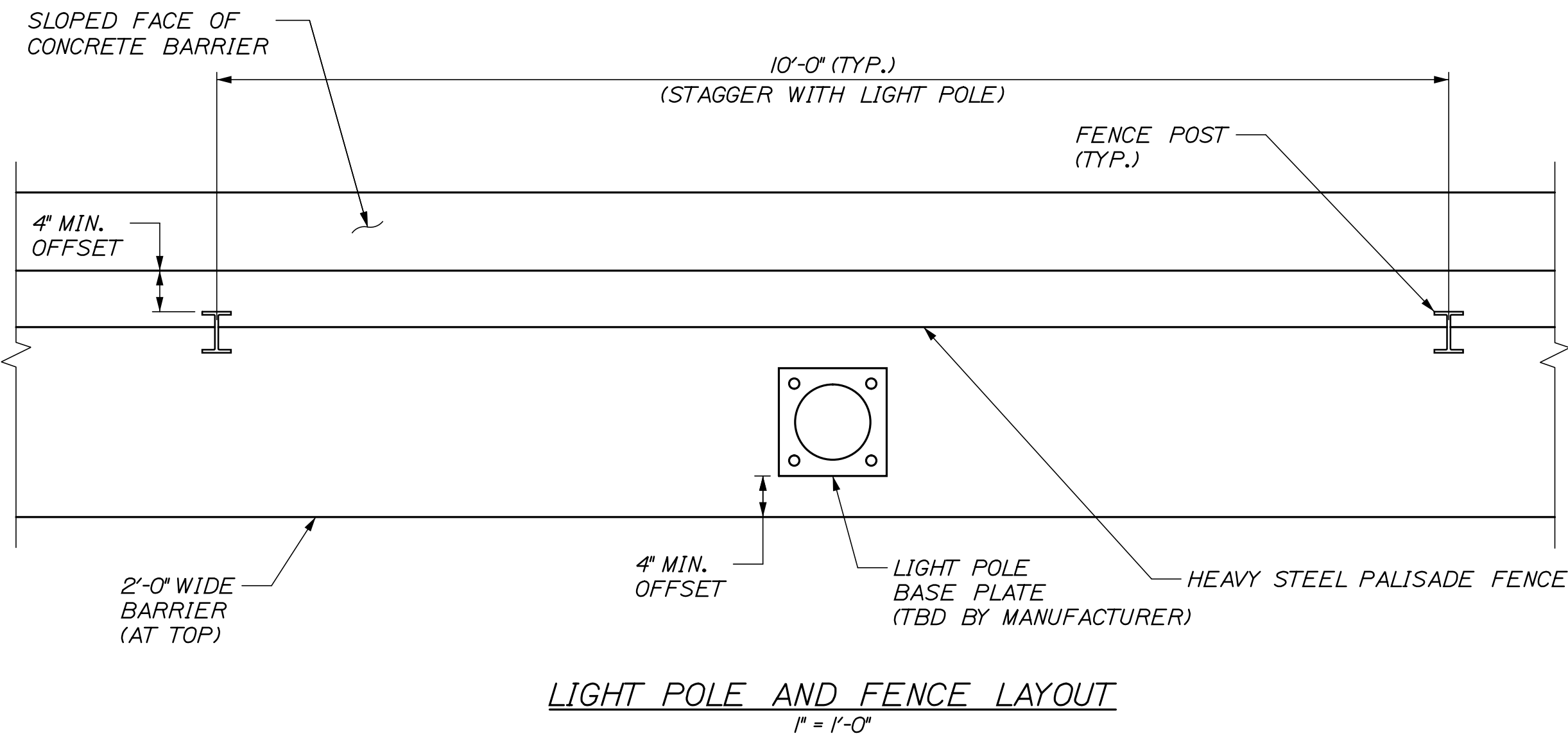
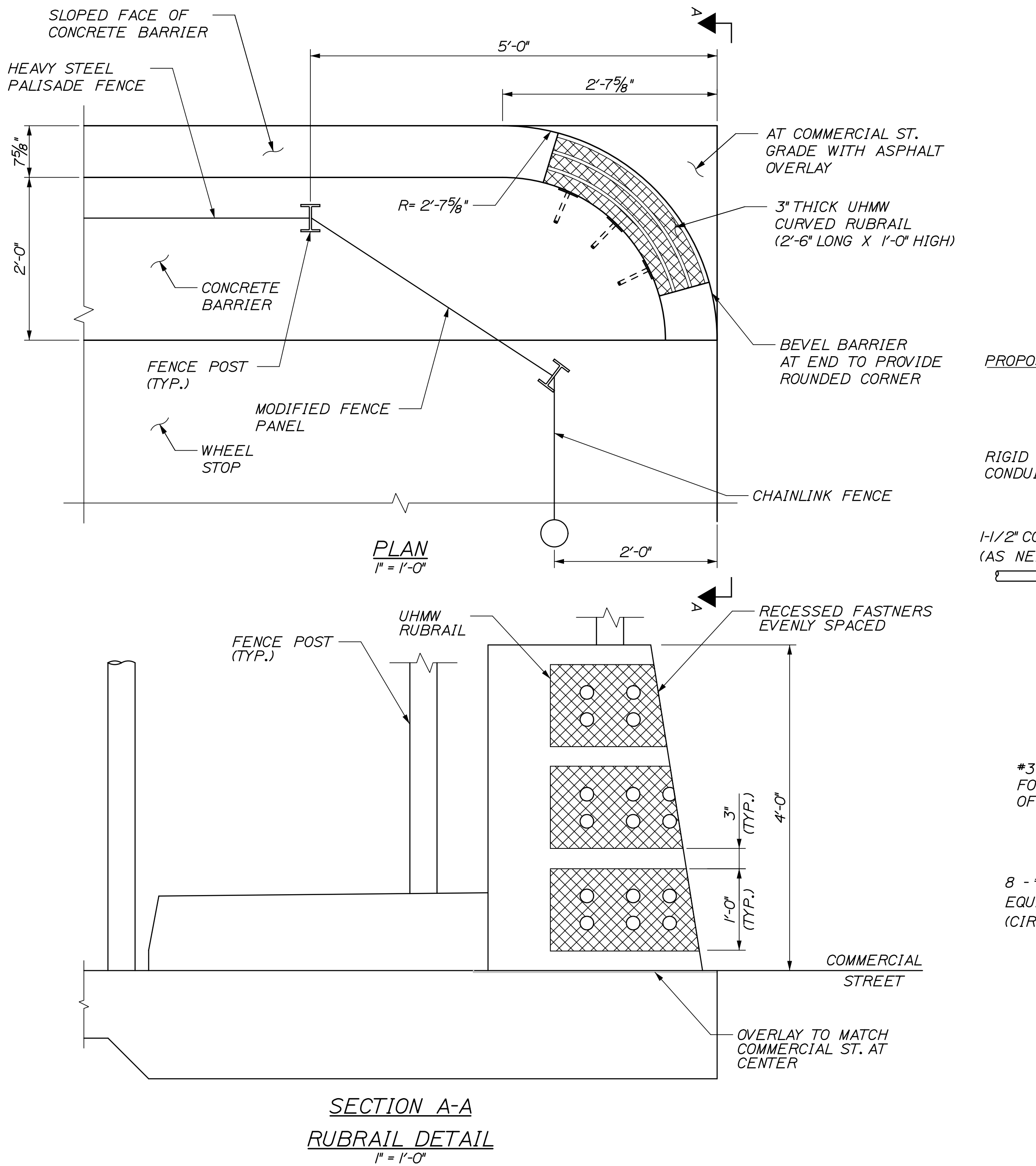
110 OF 116

Date:6/26/2014

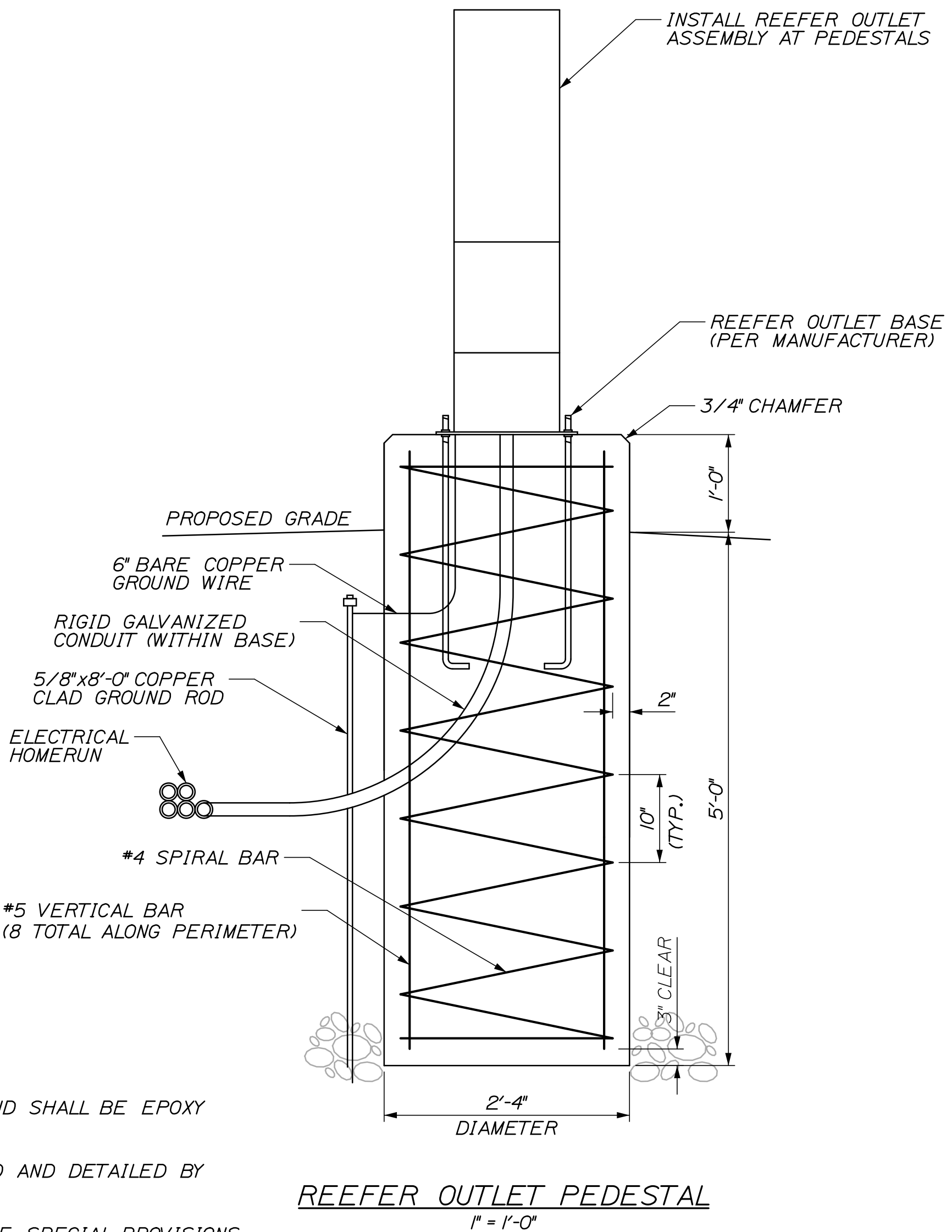
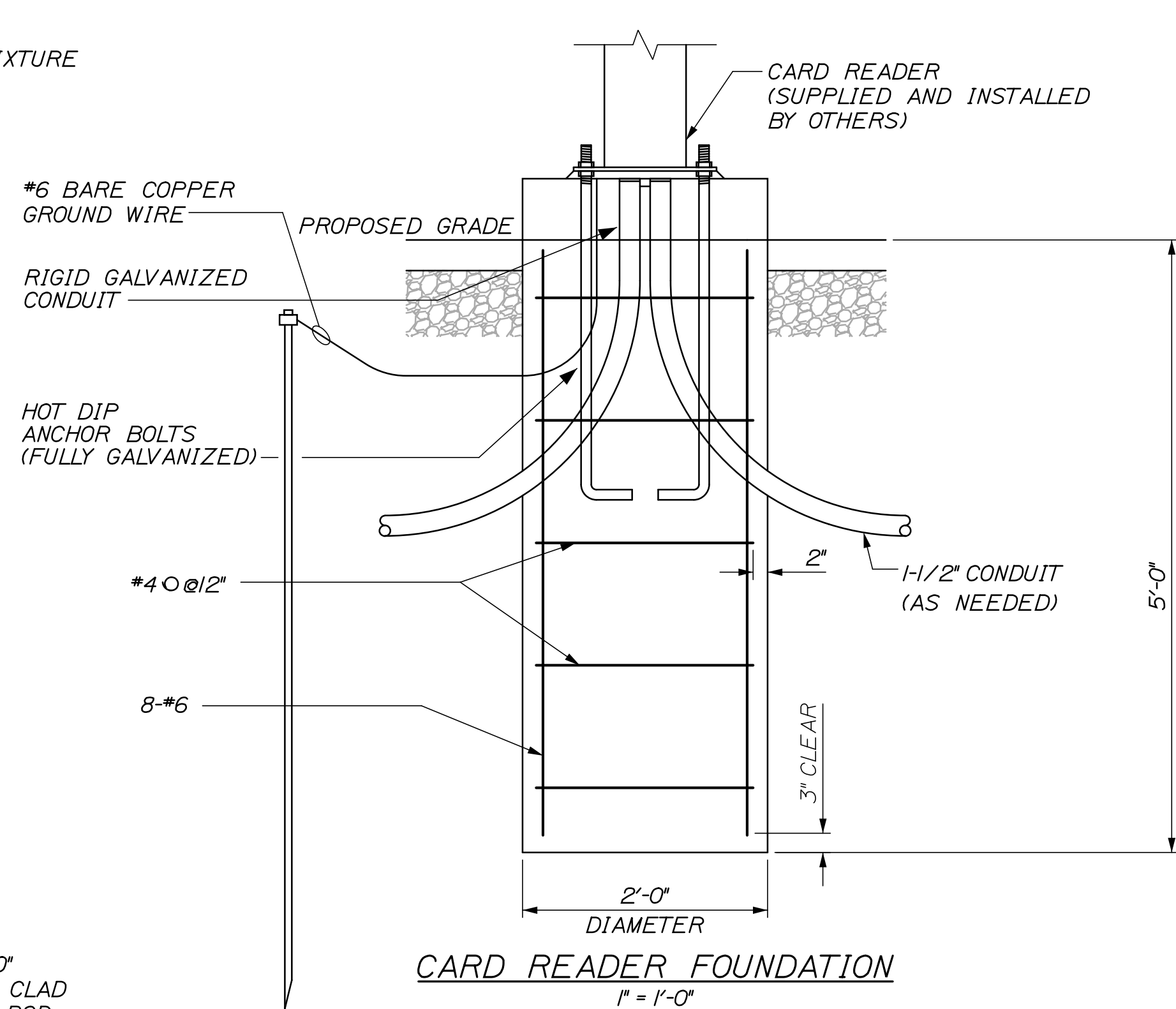
Username:

Division:

Filename: 033_Slab Details.dgn



- FOUNDATION NOTES:**
1. REINFORCEMENT SHALL CONFORM WITH ASTM A615, GRADE 60 AND SHALL BE EPOXY COATED.
 2. FIXTURES MOUNTED TO THE FOUNDATIONS SHALL BE DESIGNED AND DETAILED BY MANUFACTURER.
 3. FOR MAST ARM FOUNDATION DETAILS, SEE SECTION 626 OF THE SPECIAL PROVISIONS.



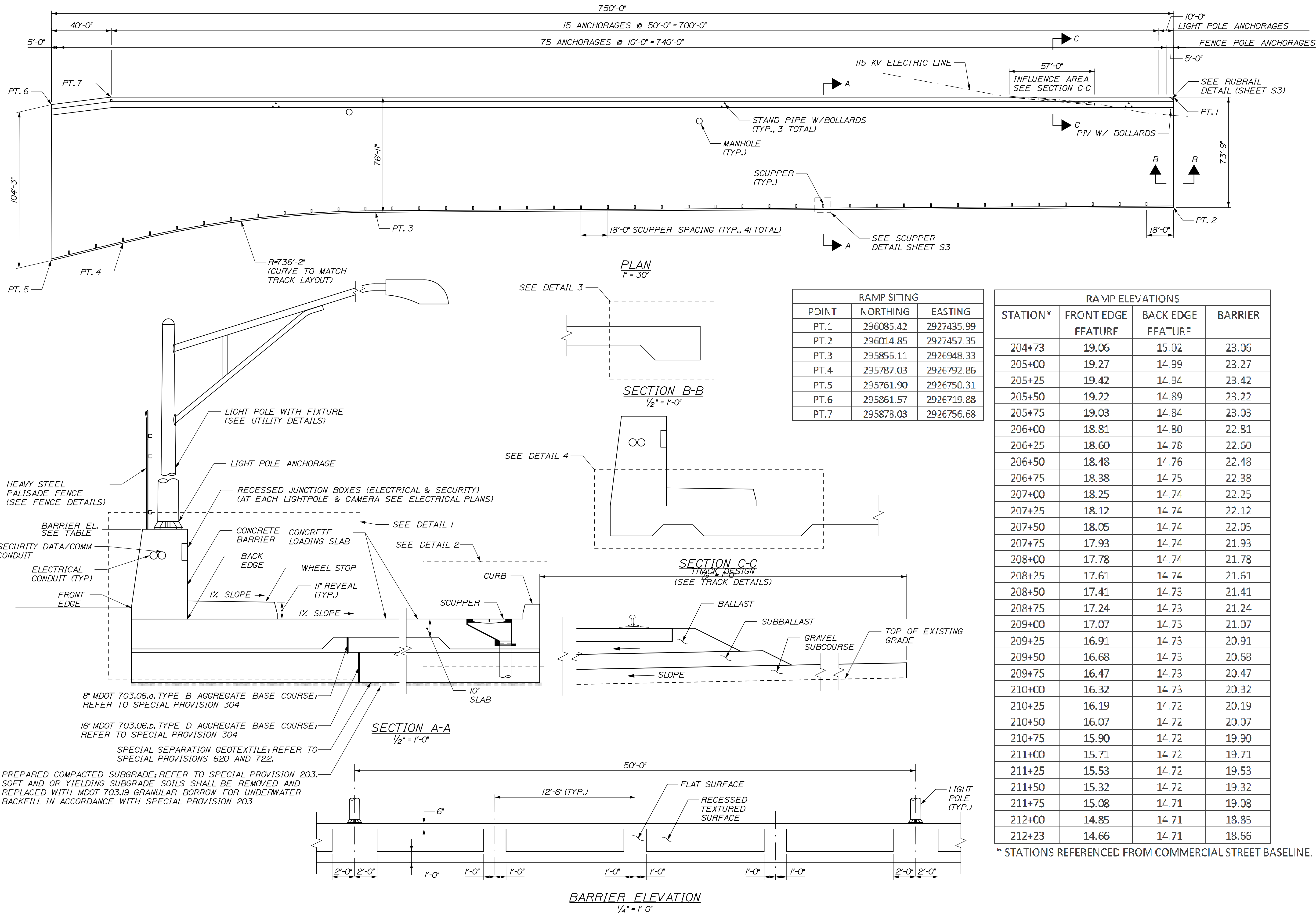
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PORTLAND INTERNATIONAL MARINE TERMINAL		EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		PORTLAND CUMBERLAND COUNTY		STRUCTURAL DETAILS	
PROJ. MANAGER	J. KITTREDE	BY	MPC	DATE	06/14	SIGNATURE	
DESIGN-DETAILED	KEB	DATE	06/14	DATE	06/14	P.E. NUMBER	
CHECKED-REVIEWED	CPM	DATE	-	DATE	-	DATE	-
DESIGN-DETAILED	-	DATE	-	DATE	-	DATE	-
REVISIONS 1	-	DATE	-	DATE	-	DATE	-
REVISIONS 2	-	DATE	-	DATE	-	DATE	-
REVISIONS 3	-	DATE	-	DATE	-	DATE	-
REVISIONS 4	-	DATE	-	DATE	-	DATE	-
FIELD CHANGES	-	DATE	-	DATE	-	DATE	-
SHEET NUMBER		S04		33 OF 116			

Date:6/26/2014

Username:

Division:

Filename: 030_Concrete Loading Slab.dgn



RAMP SITING		
POINT	NORTHING	EASTING
PT.1	296085.42	2927435.99
PT.2	296014.85	2927457.35
PT.3	295856.11	2926948.33
PT.4	295787.03	2926792.86
PT.5	295761.90	2926750.31
PT.6	295861.57	2926719.88
PT.7	295878.03	2926756.68

RAMP ELEVATIONS			
STATION*	FRONT EDGE FEATURE	BACK EDGE FEATURE	BARRIER
204+73	19.06	15.02	23.06
205+00	19.27	14.99	23.27
205+25	19.42	14.94	23.42
205+50	19.22	14.89	23.22
205+75	19.03	14.84	23.03
206+00	18.81	14.80	22.81
206+25	18.60	14.78	22.60
206+50	18.48	14.76	22.48
206+75	18.38	14.75	22.38
207+00	18.25	14.74	22.25
207+25	18.12	14.74	22.12
207+50	18.05	14.74	22.05
207+75	17.93	14.74	21.93
208+00	17.78	14.74	21.78
208+25	17.61	14.74	21.61
208+50	17.41	14.73	21.41
208+75	17.24	14.73	21.24
209+00	17.07	14.73	21.07
209+25	16.91	14.73	20.91
209+50	16.68	14.73	20.68
209+75	16.47	14.73	20.47
210+00	16.32	14.73	20.32
210+25	16.19	14.72	20.19
210+50	16.07	14.72	20.07
210+75	15.90	14.72	19.90
211+00	15.71	14.72	19.71
211+25	15.53	14.72	19.53
211+50	15.32	14.72	19.32
211+75	15.08	14.71	19.08
212+00	14.85	14.71	18.85
212+23	14.66	14.71	18.66

* STATIONS REFERENCED FROM COMMERCIAL STREET BASELINE.

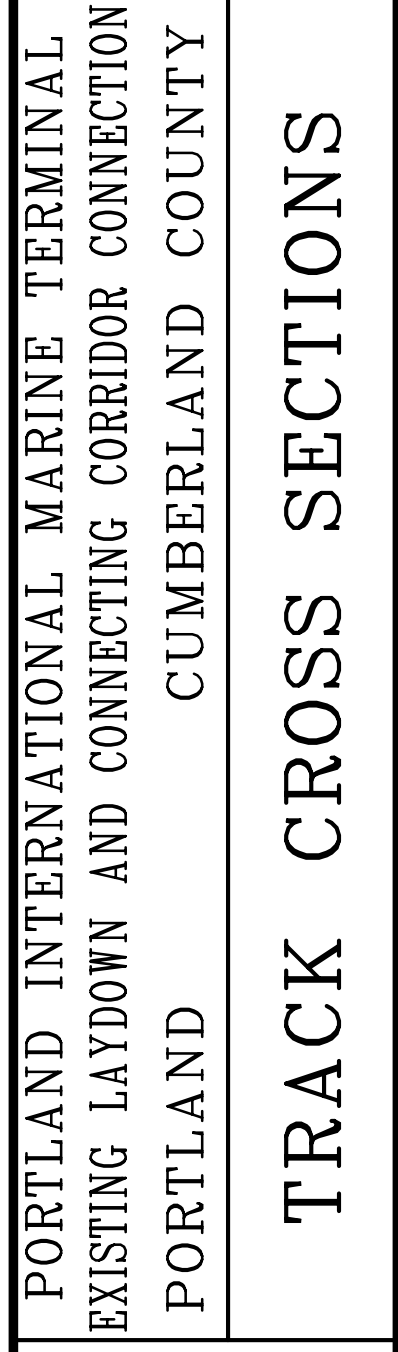
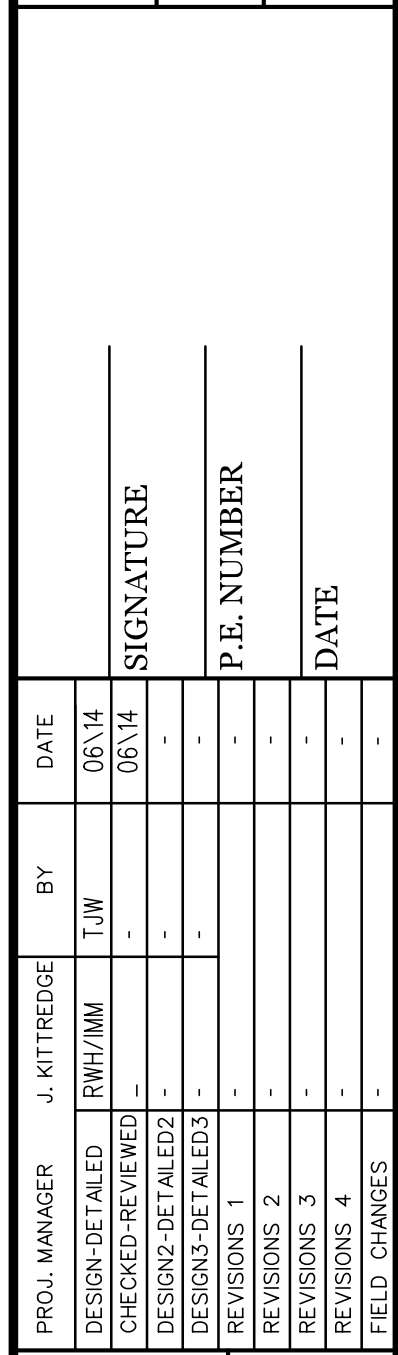
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND
CUMBERLAND COUNTY
CONCRETE LOADING SLAB

SHEET NUMBER
S01
30 OF 116

Filename: Xsect_track.dgn

STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
 PIN
 022809.20



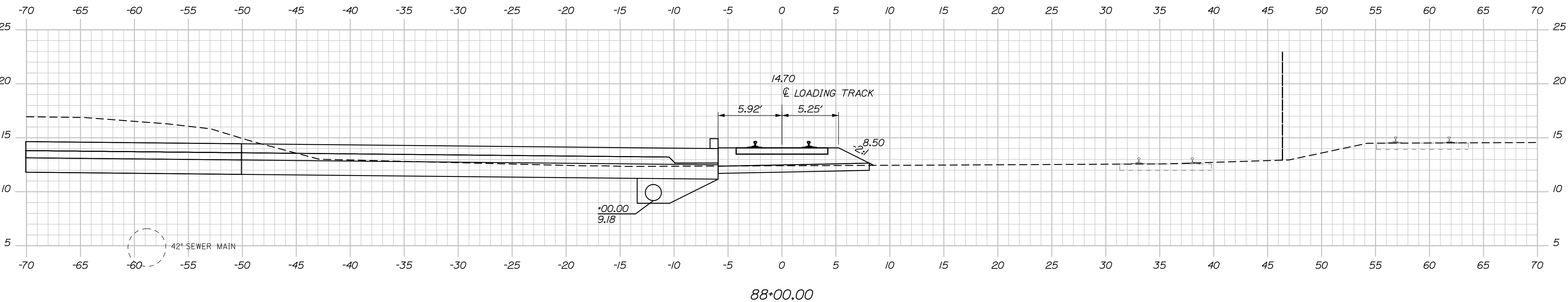
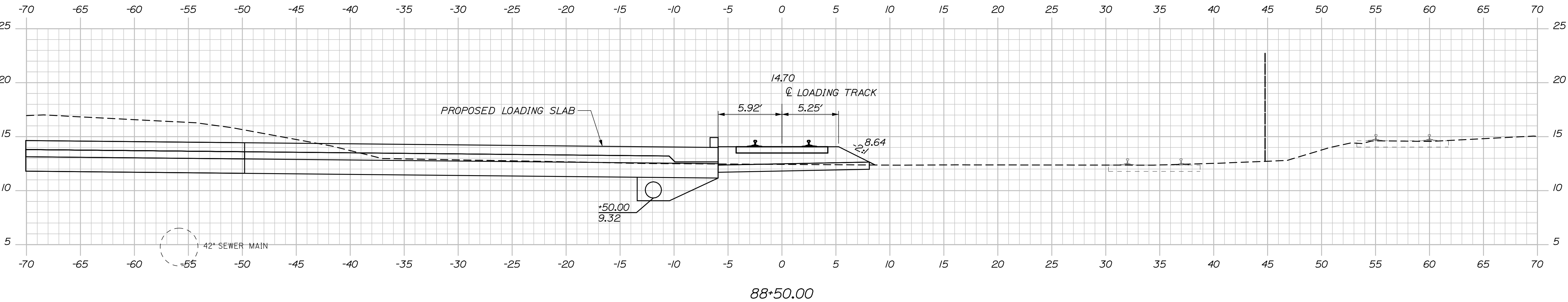
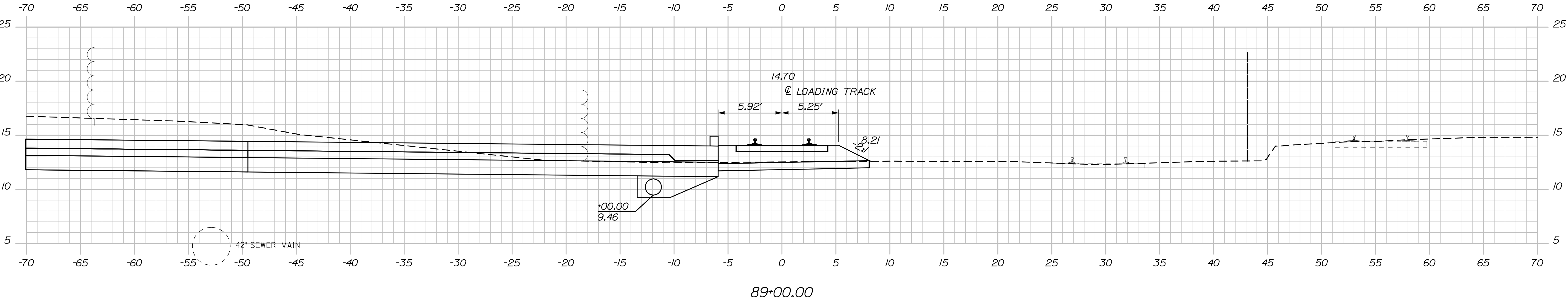
Sta. 89+50.00 to Sta. 90+20.35

Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn



NOTE:
EXISTING RAILROAD TRACKS, TIES, SWITCHES AND HARDWARE WITHIN THE PROJECT
RIGHT OF WAY SHALL BE REMOVED UNLESS OTHERWISE NOTED. TRACK OUTSIDE OF
THE PROJECT RIGHT OF WAY SHALL REMAIN IN PLACE. SEE SECTION 104 OF
SPECIAL PROVISIONS FOR TRACK REMOVALS. BALLAST AND SUBBALLAST SHALL
REMAIN. RAKE BALLAST SMOOTH. REMOVE TO PROPERTY LINE IN FULL SECTIONS IF
POSSIBLE. FOR SEGMENTS THAT EXTEND LESS THAN 4' BEYOND PROPERTY LINE,
COORDINATE WITH ADJACENT PROPERTY OWNER TO MAINTAIN FULL TRACK LENGTH IF
POSSIBLE.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	PROJECT NUMBER 022809.20	PIN 022809.20

SIGNATURE	P.E. NUMBER	DATE

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	1/WH/MM	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	TRACK CROSS SECTIONS
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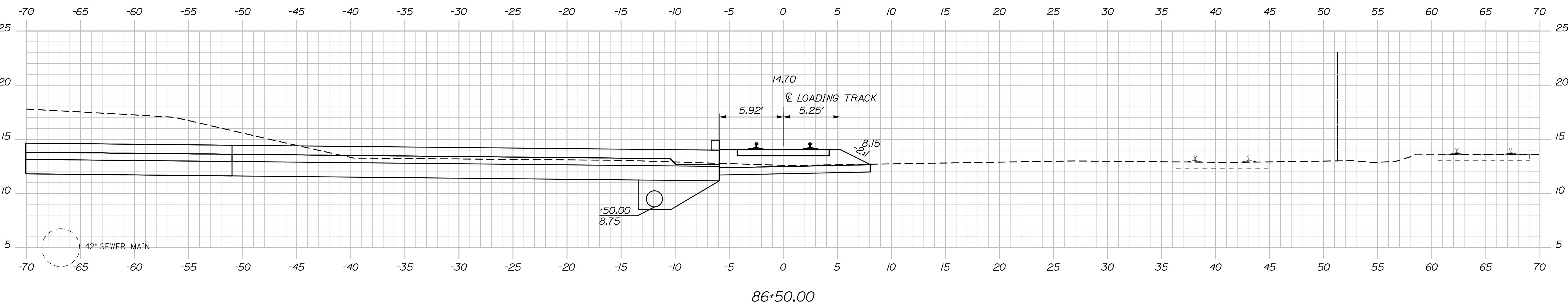
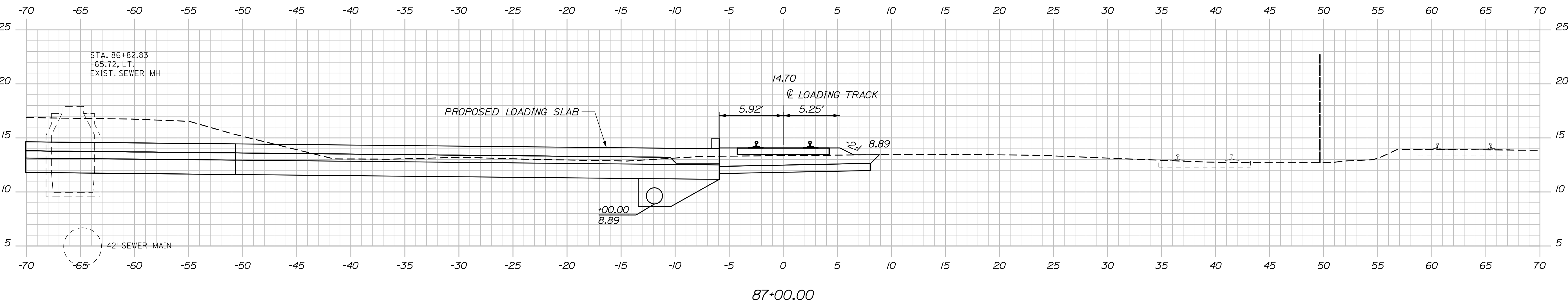
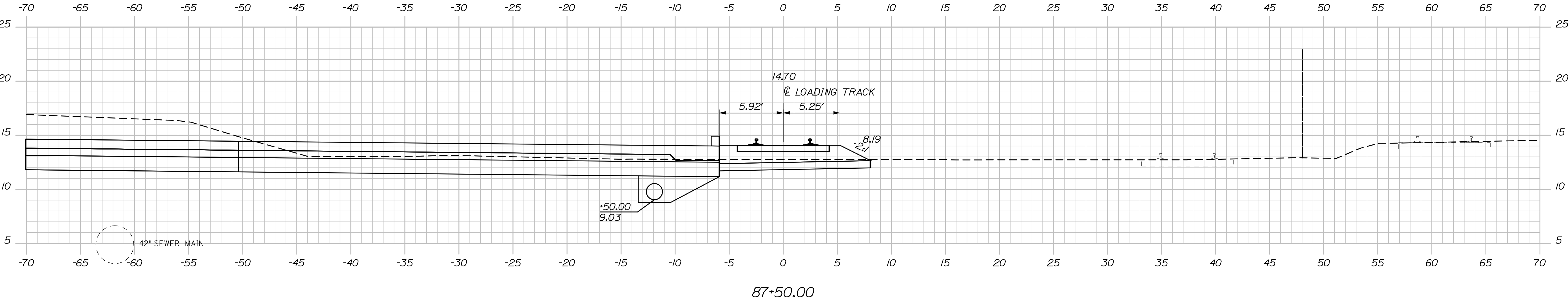
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Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn



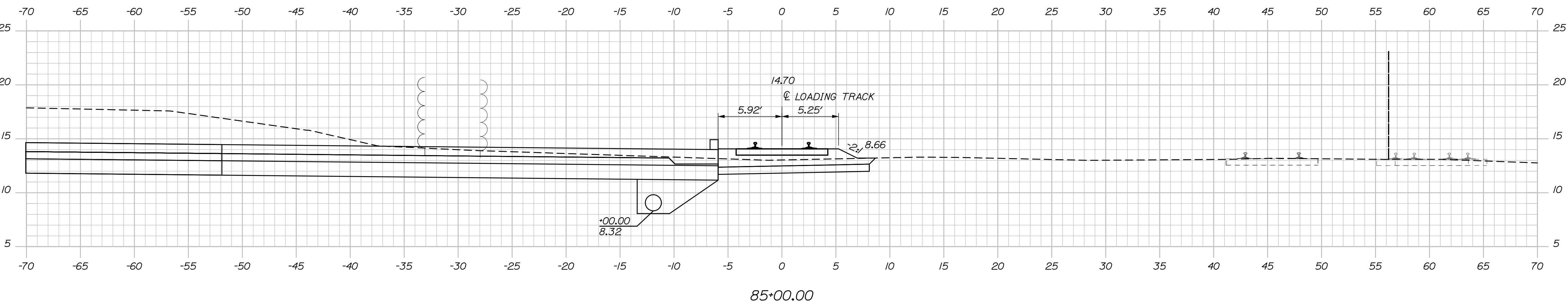
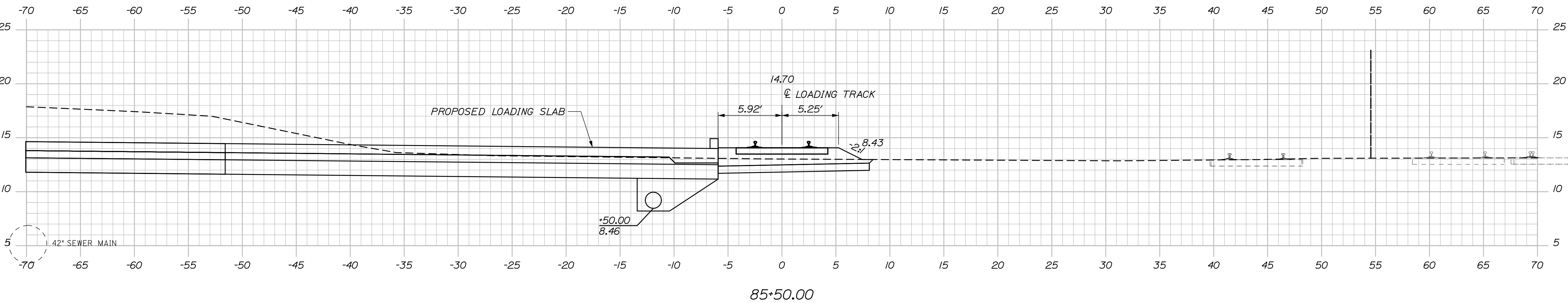
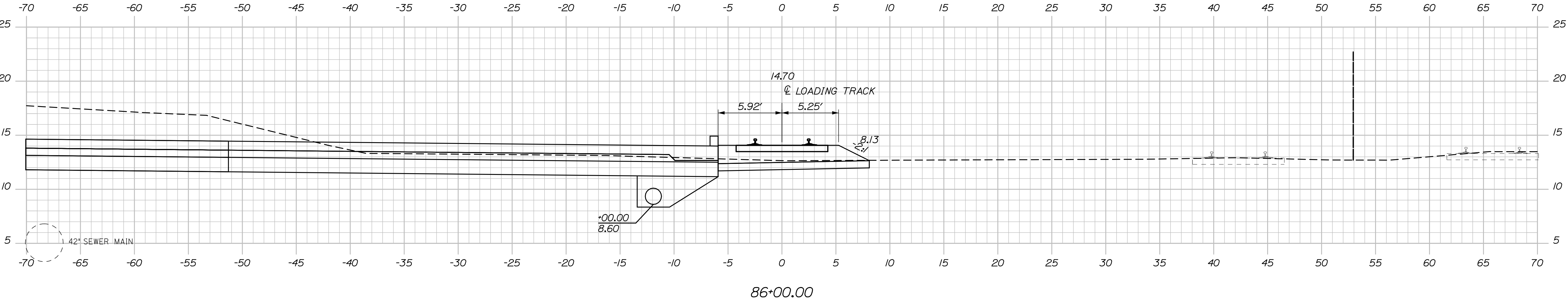
PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	1	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn



NOTE:
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POSSIBLE.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	PROJECT NUMBER 022809.20	PIN 022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	TJW	06/14	06/14
CHECKED-REVIEWED	-	-	-
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	TRACK CROSS SECTIONS
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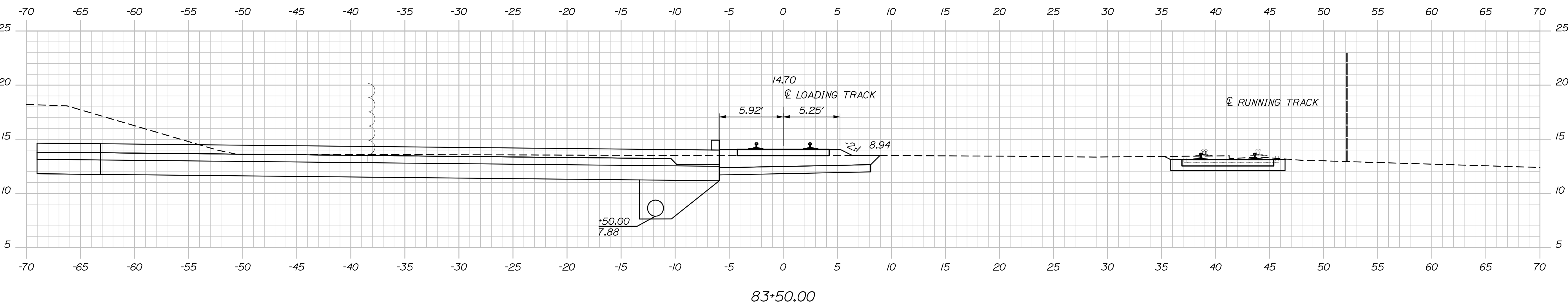
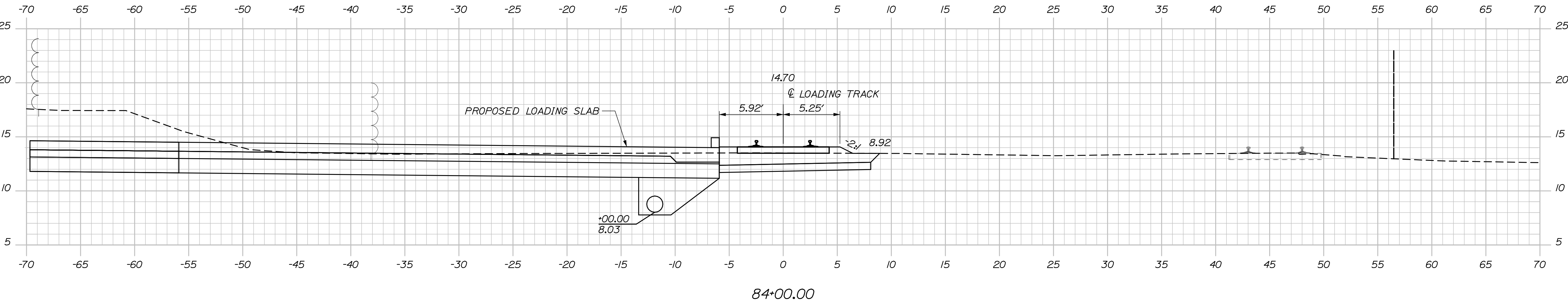
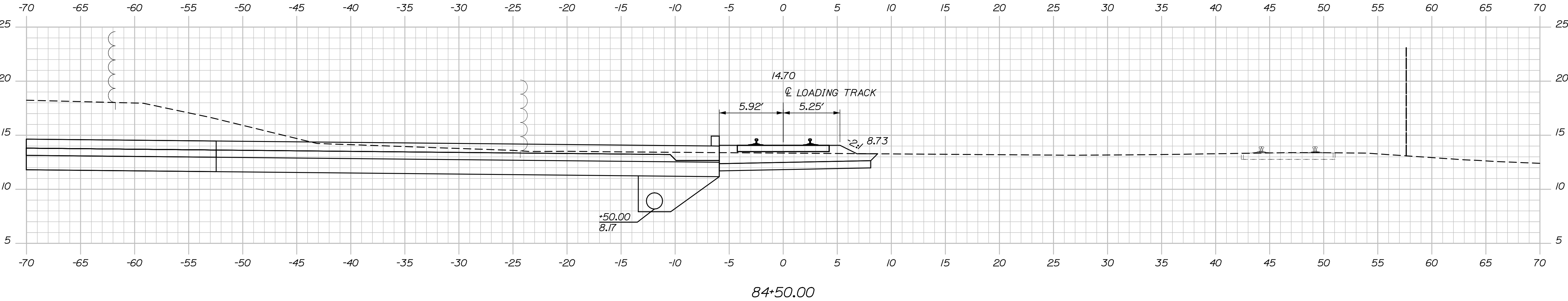
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Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn



NOTE:
EXISTING RAILROAD TRACKS, TIES, SWITCHES AND HARDWARE WITHIN THE PROJECT
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POSSIBLE.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

PIN
022809.20

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	TJW	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

TRACK CROSS SECTIONS

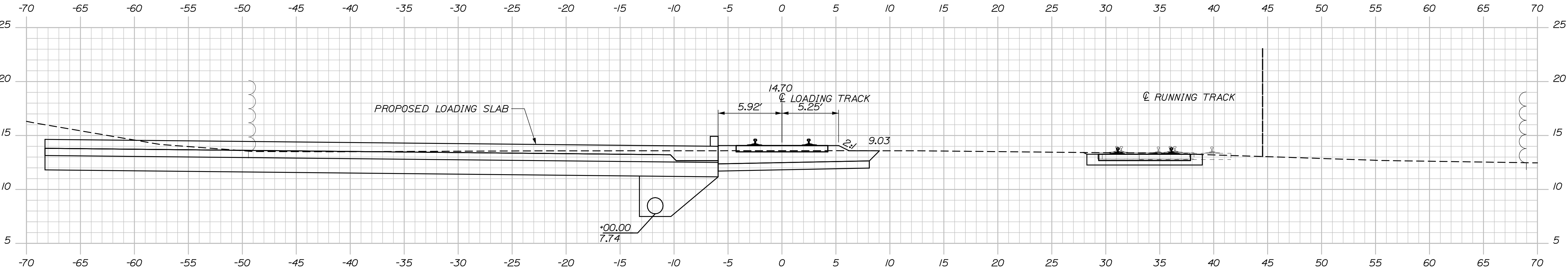
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R35
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Date:6/27/2014

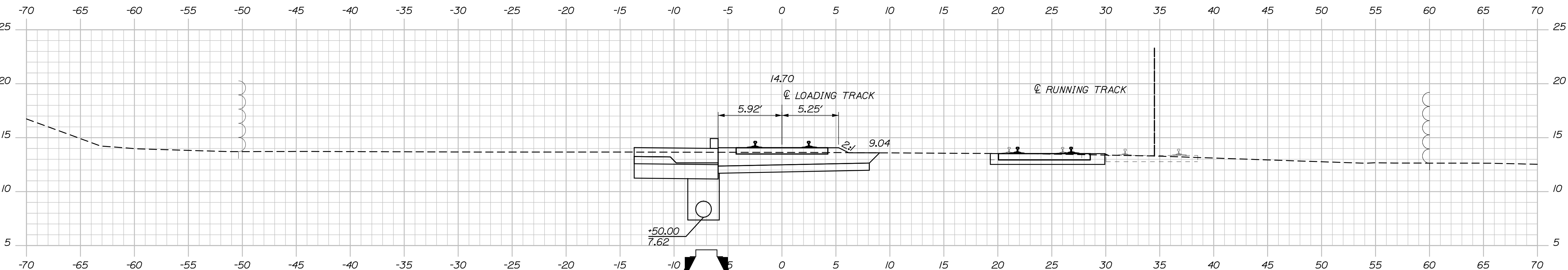
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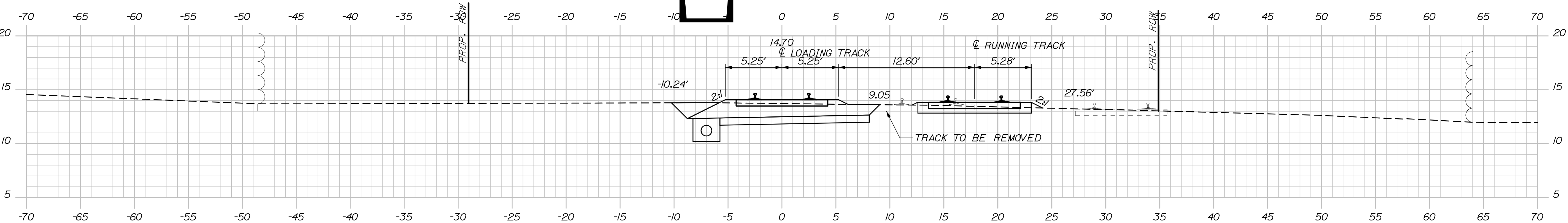
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83+00.00



82+50.00



82+00.00

NOTE:
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REMAIN. RAKE BALLAST SMOOTH. REMOVE TO PROPERTY LINE IN FULL SECTIONS IF
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COORDINATE WITH ADJACENT PROPERTY OWNER TO MAINTAIN FULL TRACK LENGTH IF
POSSIBLE.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	PROJECT NUMBER 022809.20	PIN 022809.20

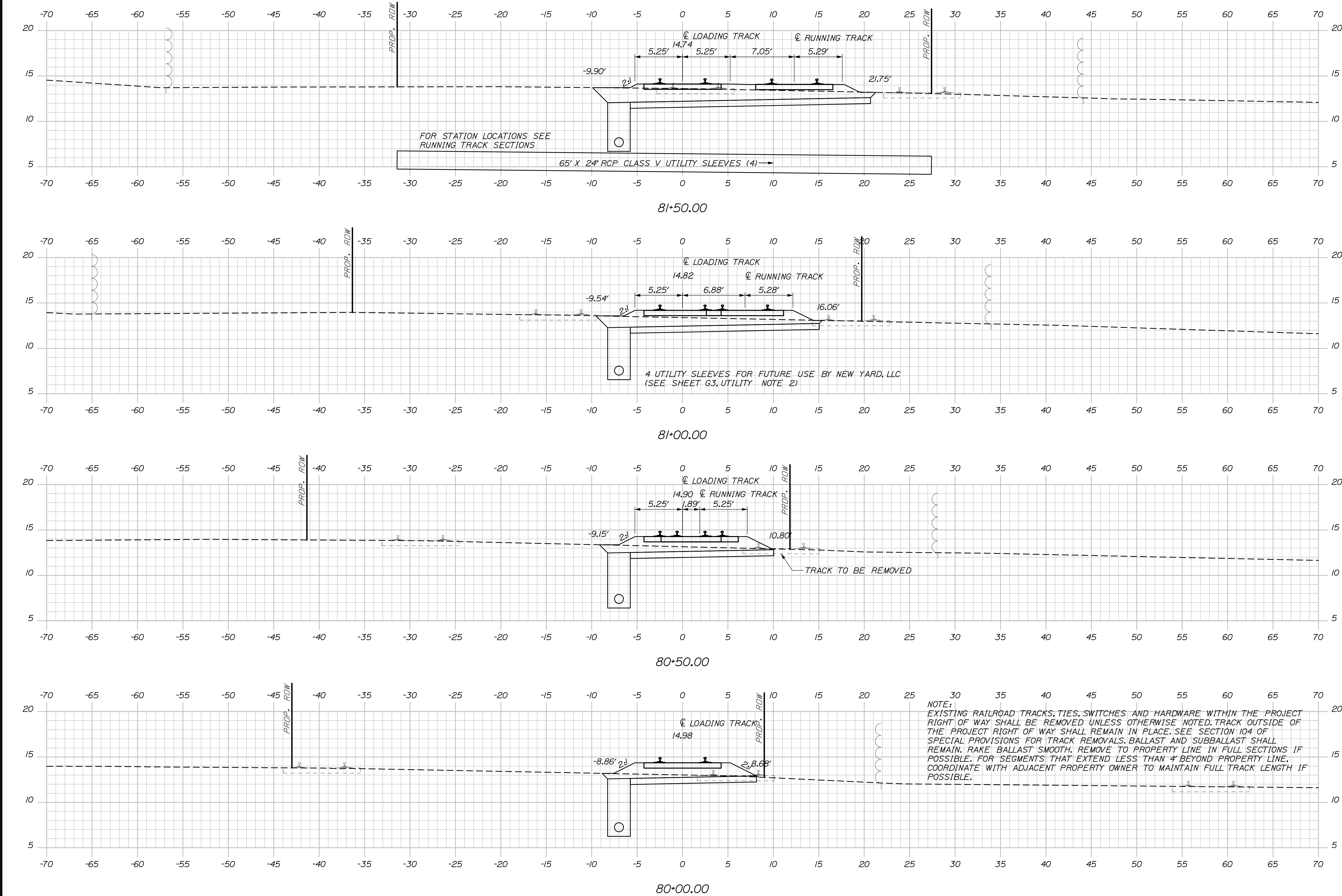
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	TRACK CROSS SECTIONS	PROJ. MANAGER	J. KITREDOE	BY	TJW	DATE	06/14
		DESIGN-DETAILED	1	CHECKED-REVIEWED	-	DATE	06/14
		DESIGN-DETAILED	-	DESIGN-REVIEWED	-	SIGNATURE	
		REVISIONS 1	-	REVISIONS 2	-	P.E. NUMBER	
SHEET NUMBER R34	104 OF 116	REVISIONS 3	-	REVISIONS 4	-	DATE	
		FIELD CHANGES	-		-		

Date:6/27/2014

Username:

Division:

Filename: Xsect_track.dgn

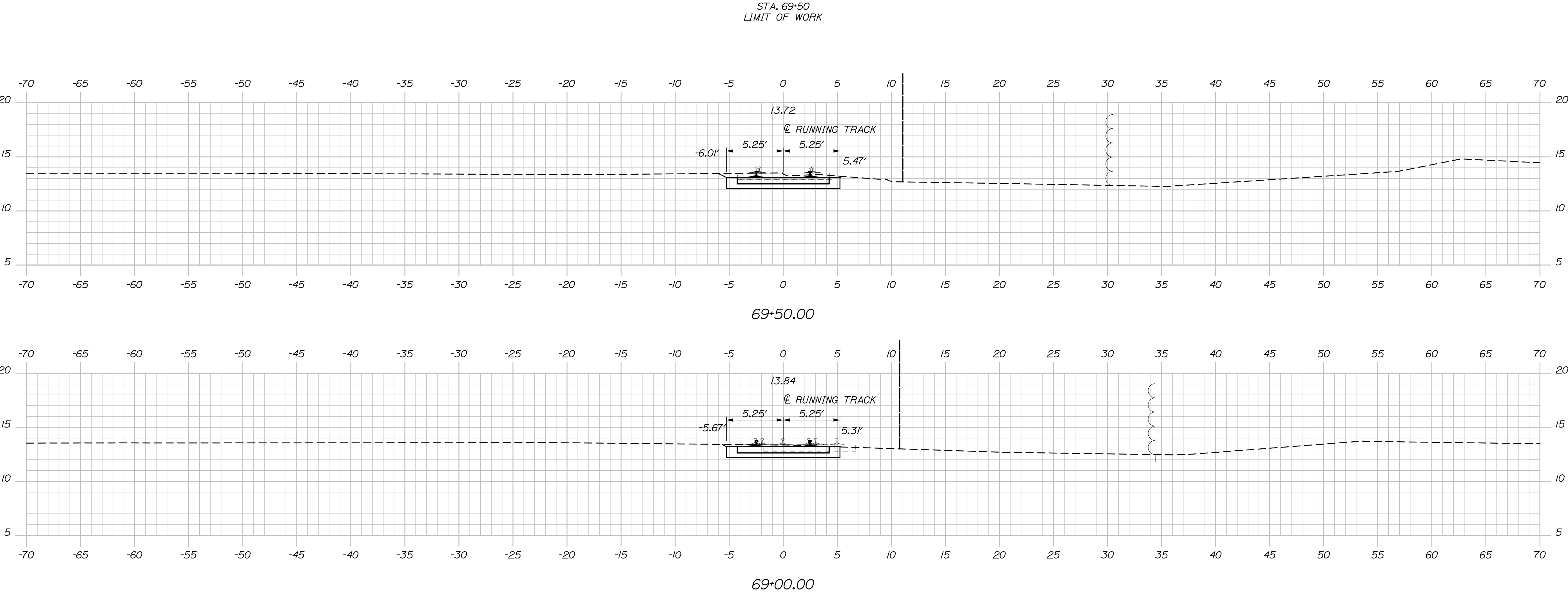


Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn



NOTE:
EXISTING RAILROAD TRACKS, TIES, SWITCHES AND HARDWARE WITHIN THE PROJECT
RIGHT OF WAY SHALL BE REMOVED UNLESS OTHERWISE NOTED. TRACK OUTSIDE OF
THE PROJECT RIGHT OF WAY SHALL REMAIN IN PLACE. SEE SECTION 104 OF
SPECIAL PROVISIONS FOR TRACK REMOVALS. BALLAST AND SUBBALLAST SHALL
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POSSIBLE. FOR SEGMENTS THAT EXTEND LESS THAN 4' BEYOND PROPERTY LINE,
COORDINATE WITH ADJACENT PROPERTY OWNER TO MAINTAIN FULL TRACK LENGTH IF
POSSIBLE.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20
PIN
022809.20

PROJ. MANAGER	J. KITTREDEE	BY	DATE
DESIGN-DETAILED	RWH/MM	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

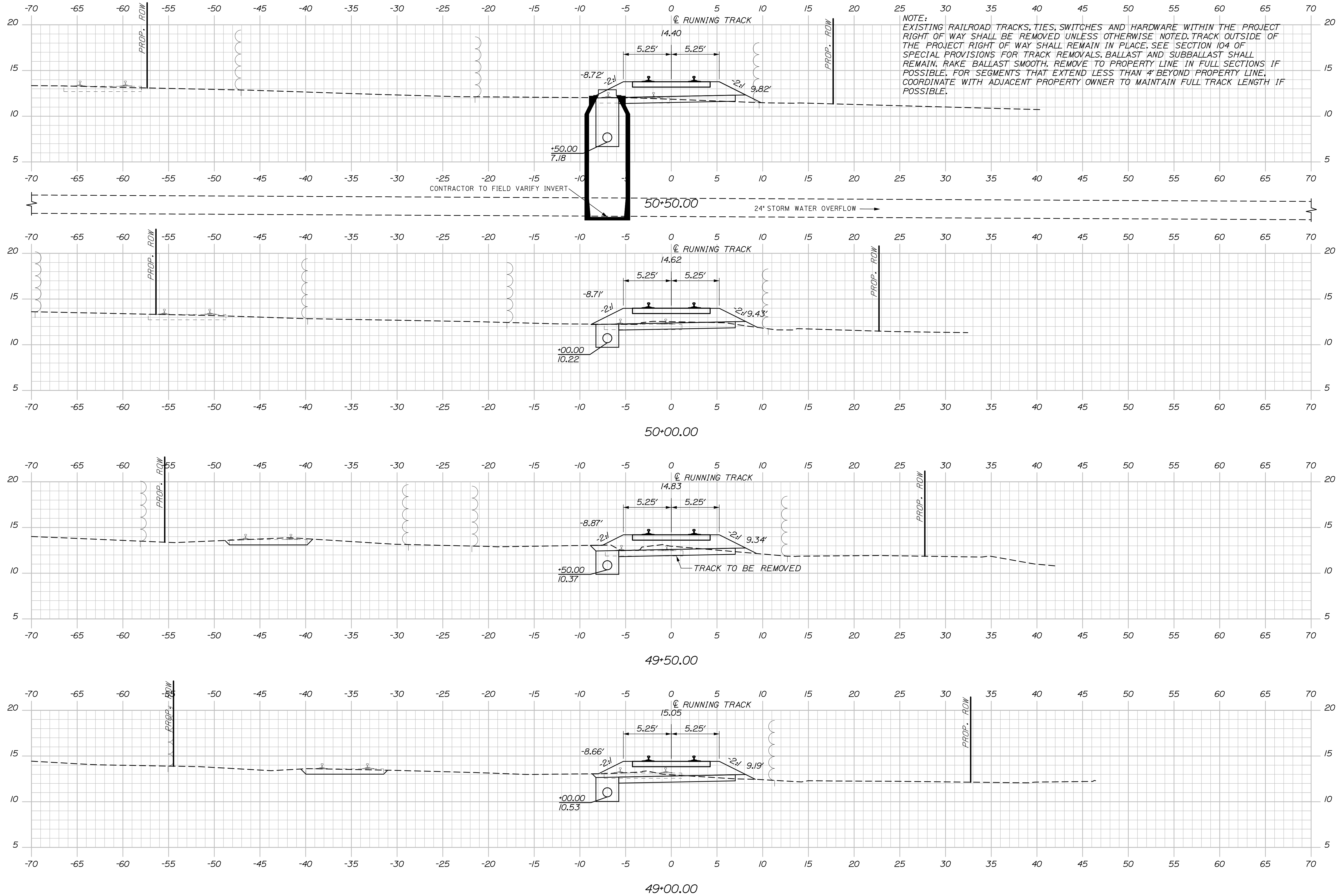
SIGNATURE
P.E. NUMBER
DATE

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

TRACK CROSS SECTIONS

SHEET NUMBER
R32
102 OF 116

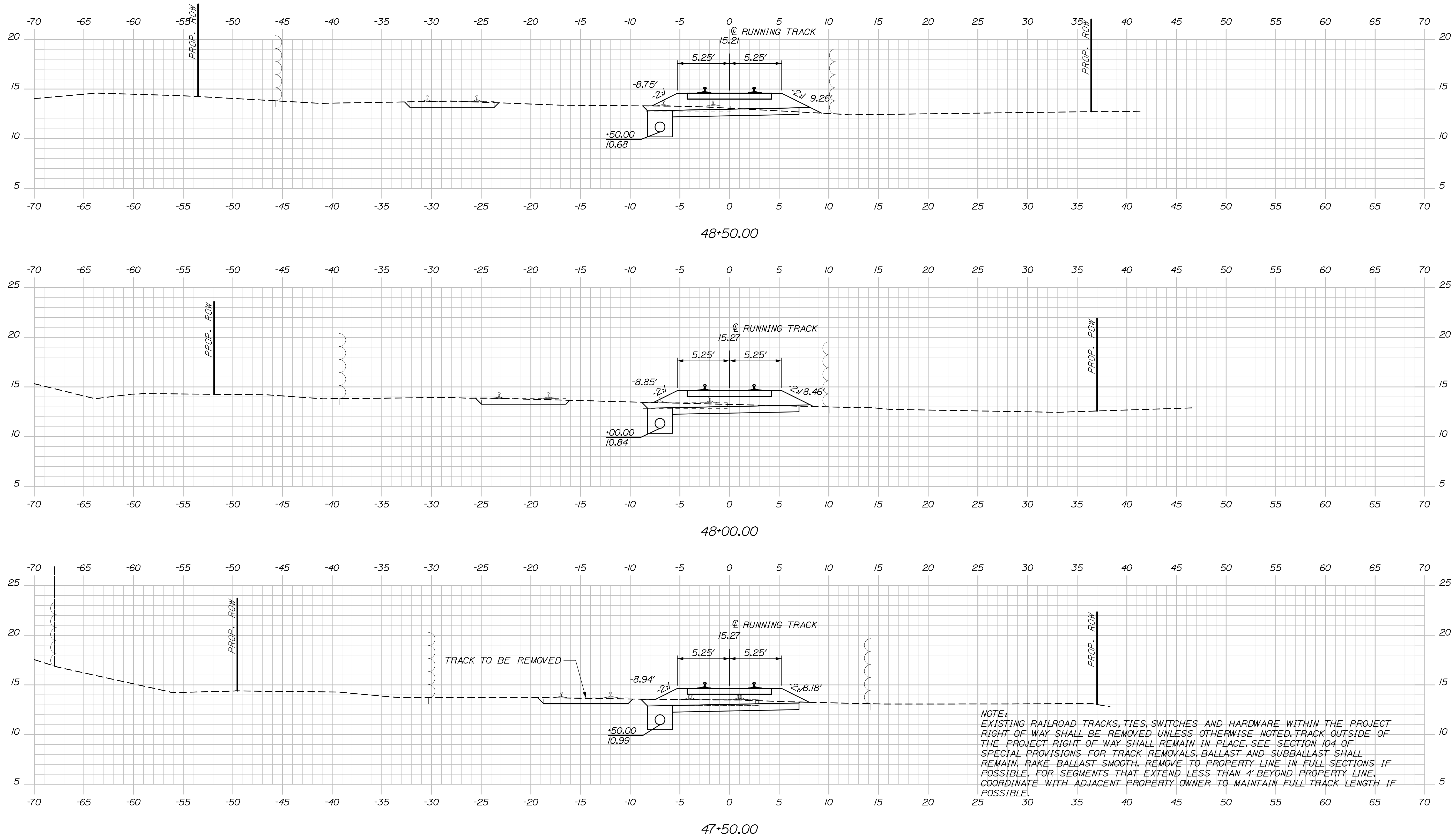
Filename: Xsect_track.dgn



STATE OF MAINE	
DEPARTMENT OF TRANSPORTATION	
PROJECT NUMBER 022809.20	
PIN	022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	SHEET NUMBER			
	R20			
	90 OF 116			
	PROJ. MANAGER	J. KITTREDGE	BY	DATE
	CHECKED-REVIEWED	RWH/MM	TJW	06/14
	DESIGN2-DETAILED2	-	-	06/14
	DESIGN3-DETAILED3	-	-	
	REVISIONS 1	-	-	P.E. NUMBER
	REVISIONS 2	-	-	
	REVISIONS 3	-	-	DATE
REVISIONS 4	-	-		
FIELD CHANGES	-	-		
SIGNATURE				

Filename: Xsect_track.dgn



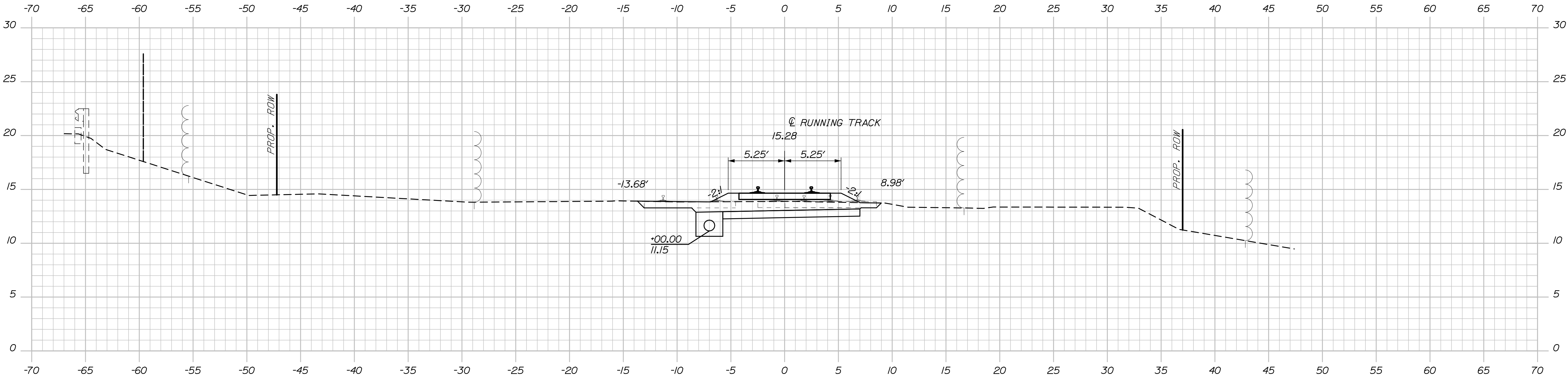
89 OF 116	SHEET NUMBER	PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION				PROJ. MANAGER	J. KITTREDGE	BY	DATE
		DESIGN-DETAILED				RWH/MM	TJM	06/14	
		CHECKED-REVIEWED				-	-	06/14	
		DESIGN2-DETAILED2				-	-	SIGNATURE	
		DESIGN3-DETAILED3				-	-	P.E. NUMBER	
PORTLAND CUMBERLAND COUNTY		REVISIONS 1				-	-	-	-
TRACK CROSS SECTIONS		REVISIONS 2				-	-	-	-
		REVISIONS 3				-	-	-	-
		REVISIONS 4				-	-	-	DATE
		FIELD CHANGES				-	-	-	-
						STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 PIN 022809.20			

Username:

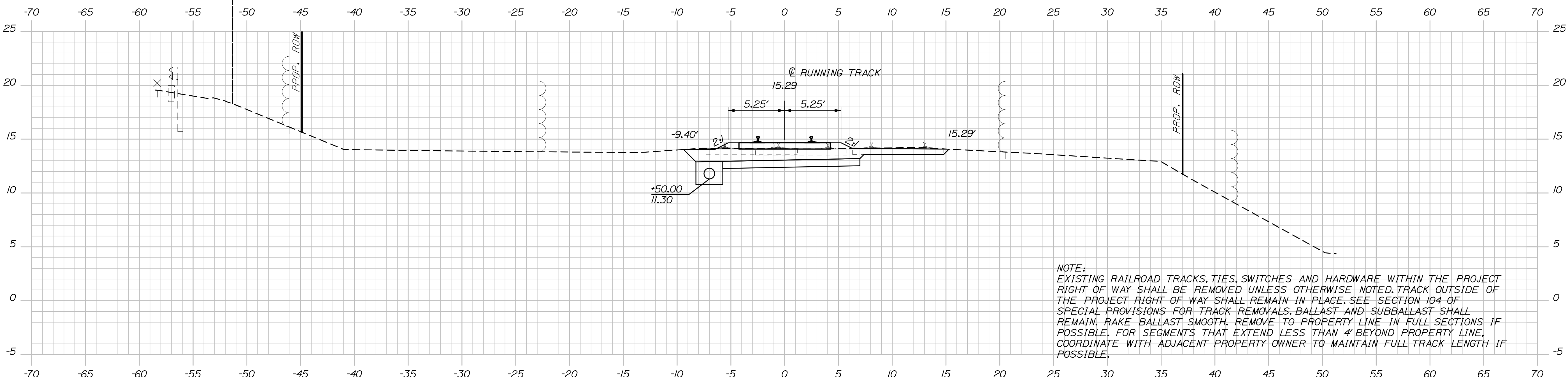
Date:6/26/2014

Division:

Filename: Xsect_track.dgn



47+00.00



46+50.00

NOTE:
EXISTING RAILROAD TRACKS, TIES, SWITCHES AND HARDWARE WITHIN THE PROJECT RIGHT OF WAY SHALL BE REMOVED UNLESS OTHERWISE NOTED. TRACK OUTSIDE OF THE PROJECT RIGHT OF WAY SHALL REMAIN IN PLACE. SEE SECTION 104 OF SPECIAL PROVISIONS FOR TRACK REMOVALS. BALLAST AND SUBBALLAST SHALL REMAIN. RAKE BALLAST SMOOTH. REMOVE TO PROPERTY LINE IN FULL SECTIONS IF POSSIBLE. FOR SEGMENTS THAT EXTEND LESS THAN 4' BEYOND PROPERTY LINE, COORDINATE WITH ADJACENT PROPERTY OWNER TO MAINTAIN FULL TRACK LENGTH IF POSSIBLE.

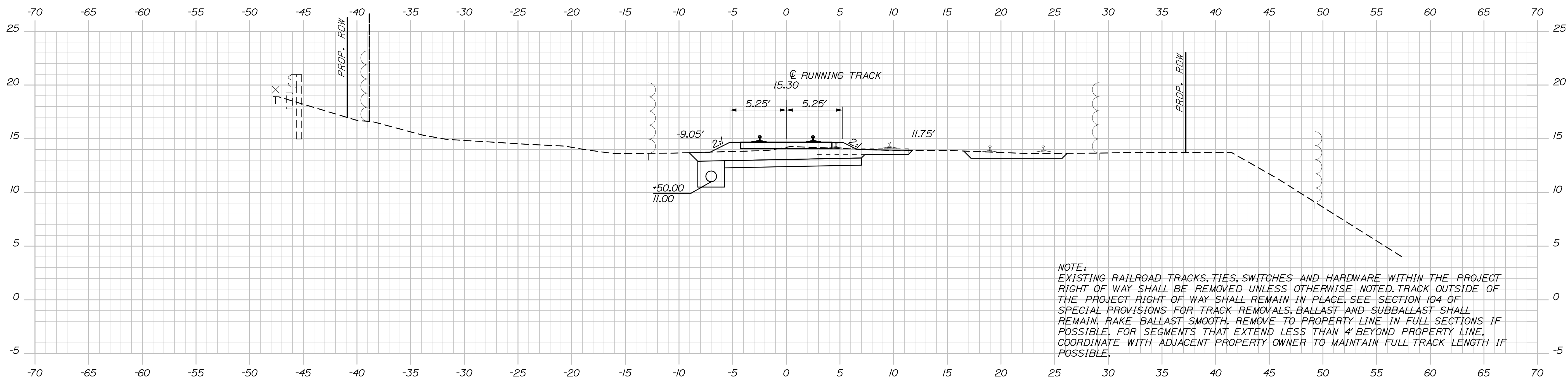
PROJ. MANAGER	J. KITTREDEE	BY	DATE
CHECKED-DETAILED	11/15	TJW	06/14
DESIGN-REVIEWED	-	-	06/14
DESIGNS-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

SIGNATURE

P.E. NUMBER

DATE

Filename: Xsect_track.dgn



SHEET NUMBER

R17

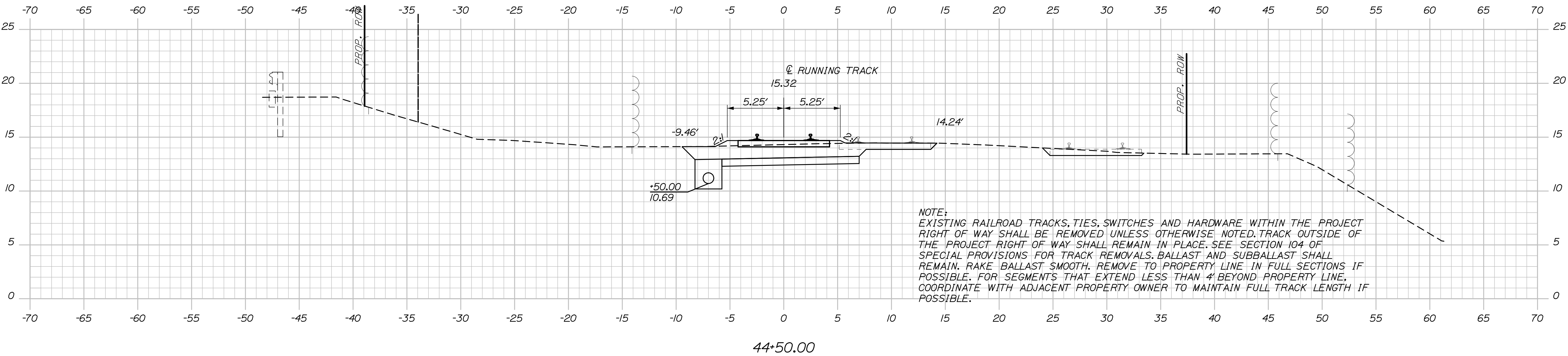
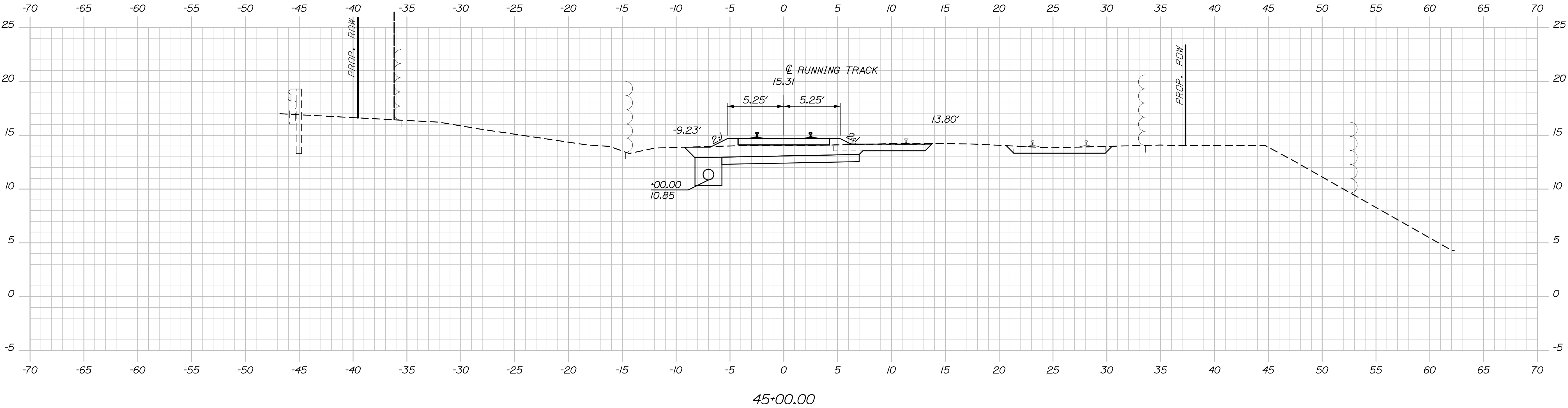
87 OF 116

Date:6/26/2014

Username:

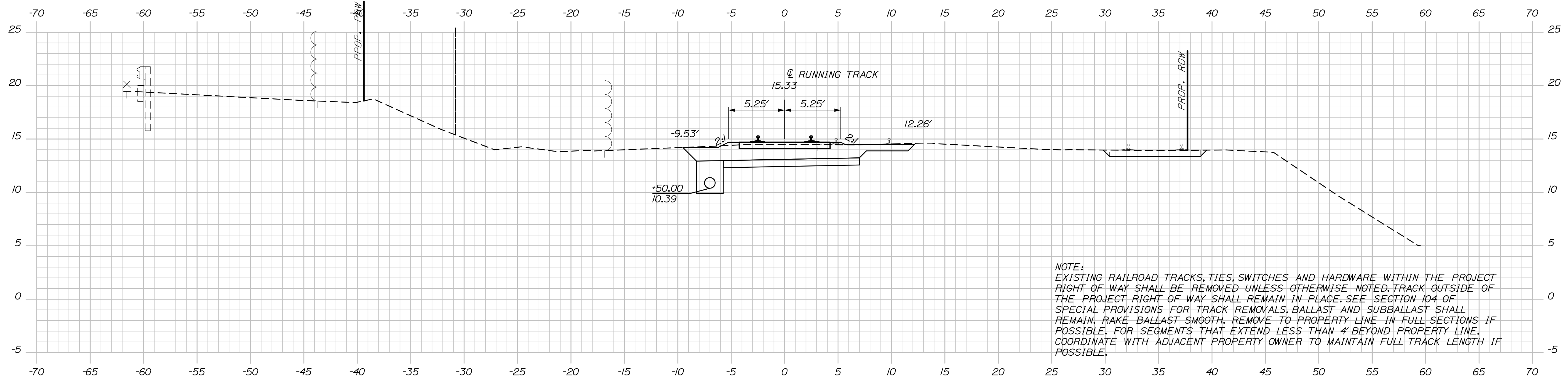
Division:

Filename: Xsect_track.dgn



PROJ. MANAGER	J. KITTREDEE	BY	DATE
DESIGN-DETAILED	RWH/MM	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

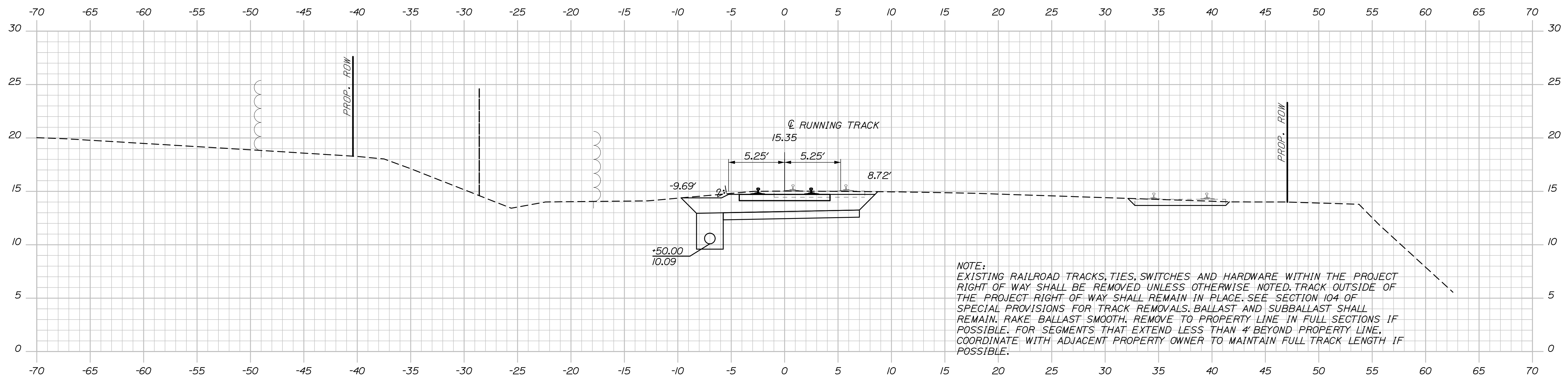
Filename: Xsect_track.dgn



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SHEET NUMBER
R15
85 OF 116

Filename: Xsect_track.dgn



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SHEET NUMBER
R14
84 OF 116

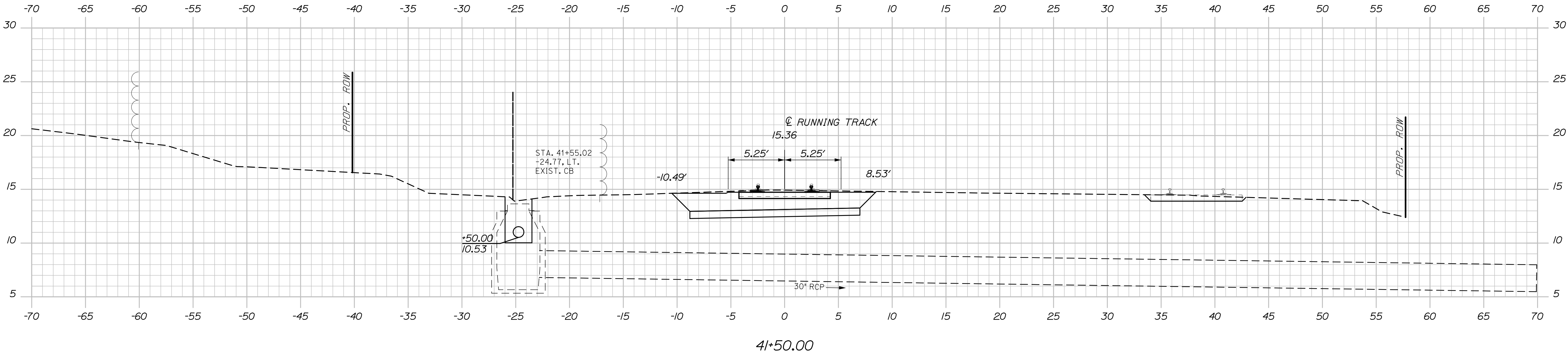
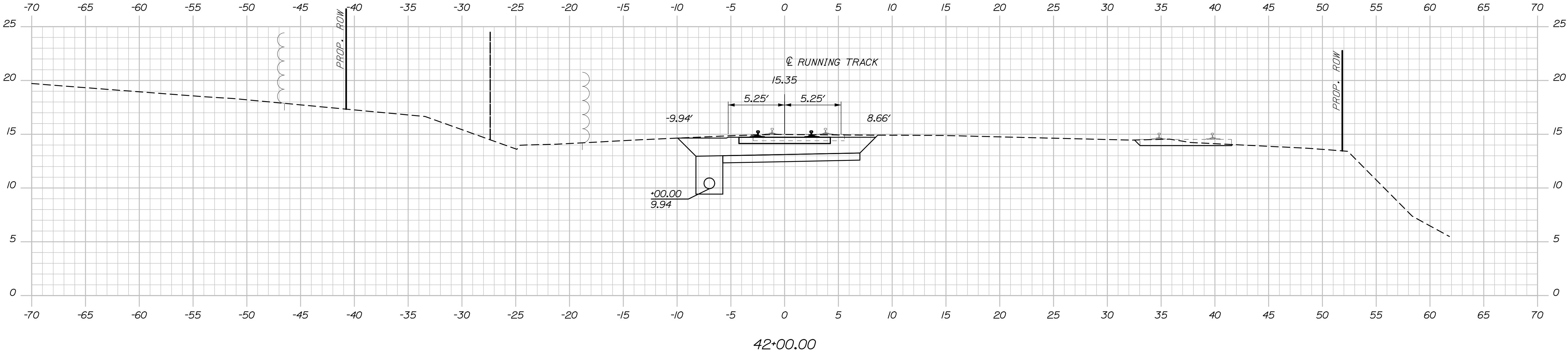
Date:6/26/2014

Username:

Division:

Filename: Xsect_track.dgn

NOTE:
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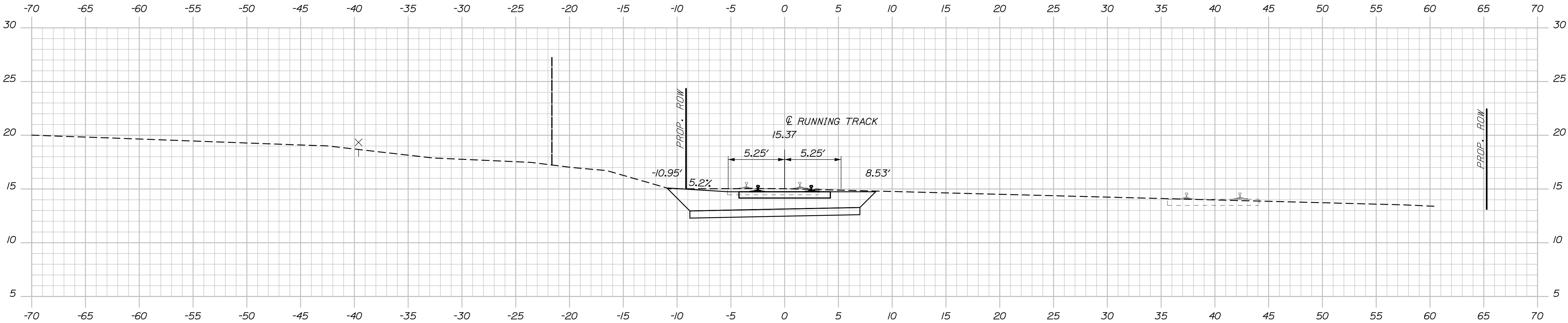
PROJ. MANAGER	J. KITTEDGE	BY	DATE	SIGNATURE
DESIGN-DETAILED	10/14	TJW	06/14	
CHECKED-REVIEWED	-	-	06/14	
DESIGN-DETAILED	-	-	-	
DESIGN-DETAILED	-	-	-	
REVISIONS 1	-	-	-	
REVISIONS 2	-	-	-	
REVISIONS 3	-	-	-	
REVISIONS 4	-	-	-	
FIELD CHANGES	-	-	-	

Date:6/26/2014

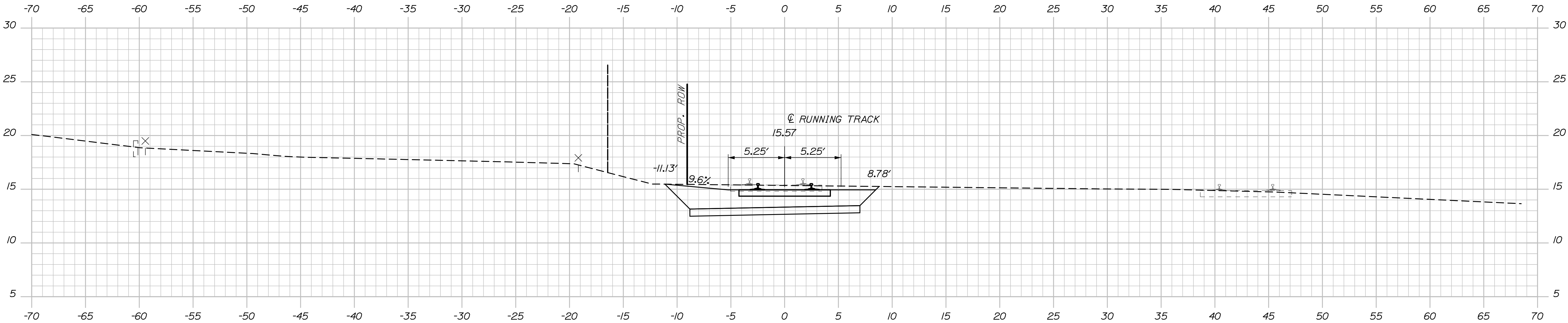
Username:

Division:

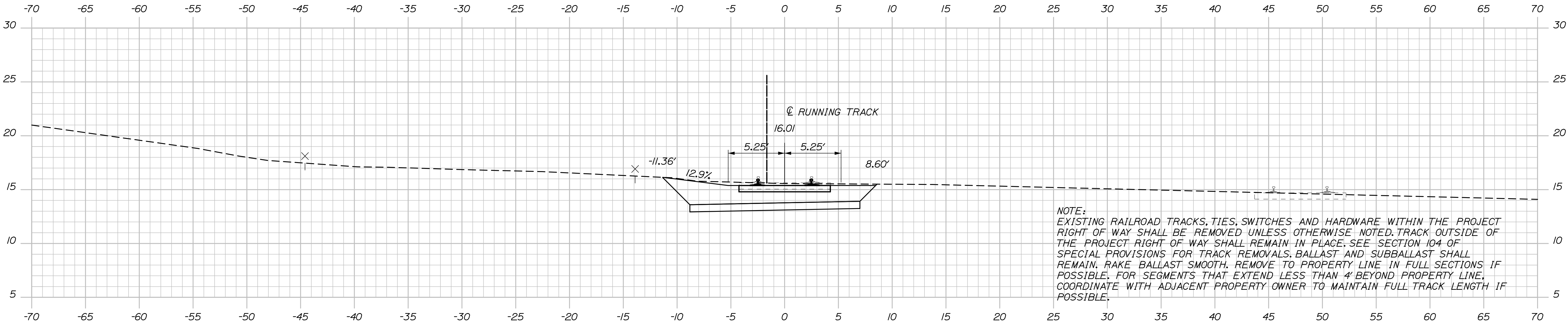
Filename: Xsect_track.dgn



41+00.00



40+50.00



40+00.00

NOTE:
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POSSIBLE.

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.20

PIN 022809.20

PROJ. MANAGER	J. KITTREDEE	BY	DATE
DESIGN-DETAILED	1/11/14	TJW	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

PORTLAND INTERNATIONAL MARINE TERMINAL

EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION

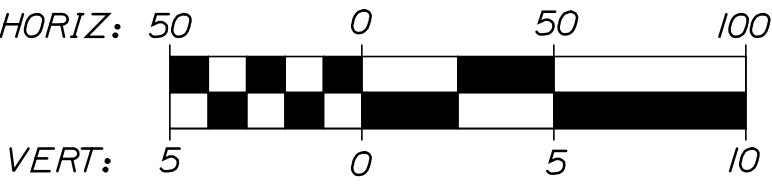
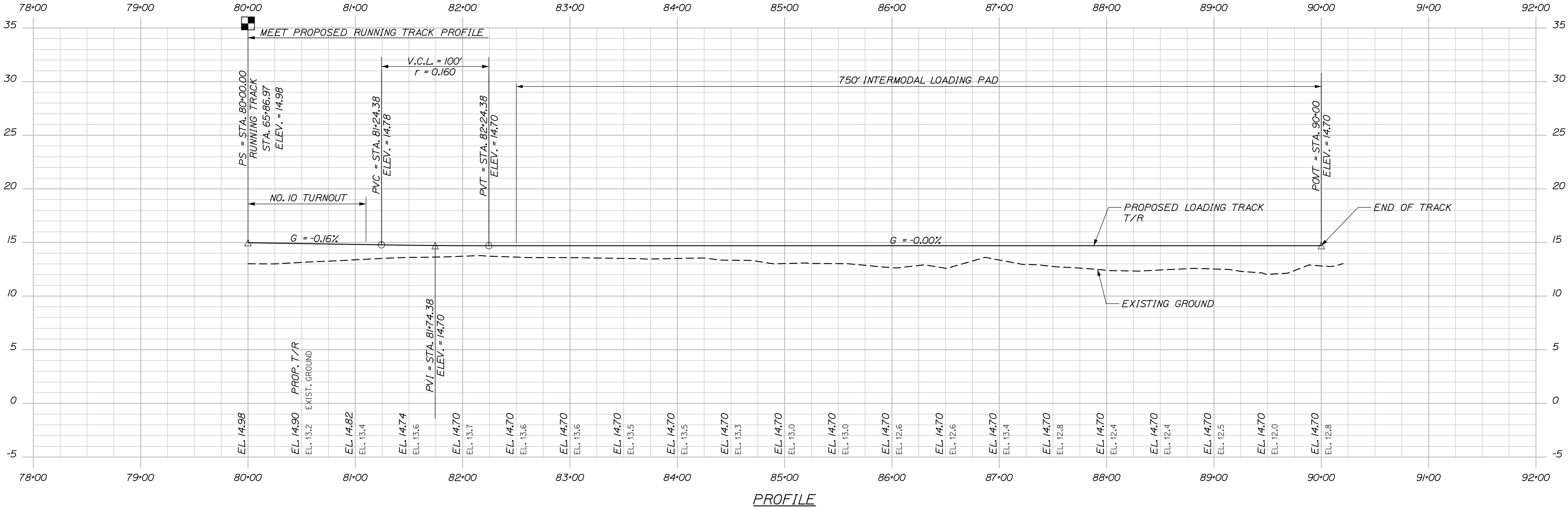
PORTLAND CUMBERLAND COUNTY

TRACK CROSS SECTIONS

SHEET NUMBER

R12

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STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20

WIN
022809.20

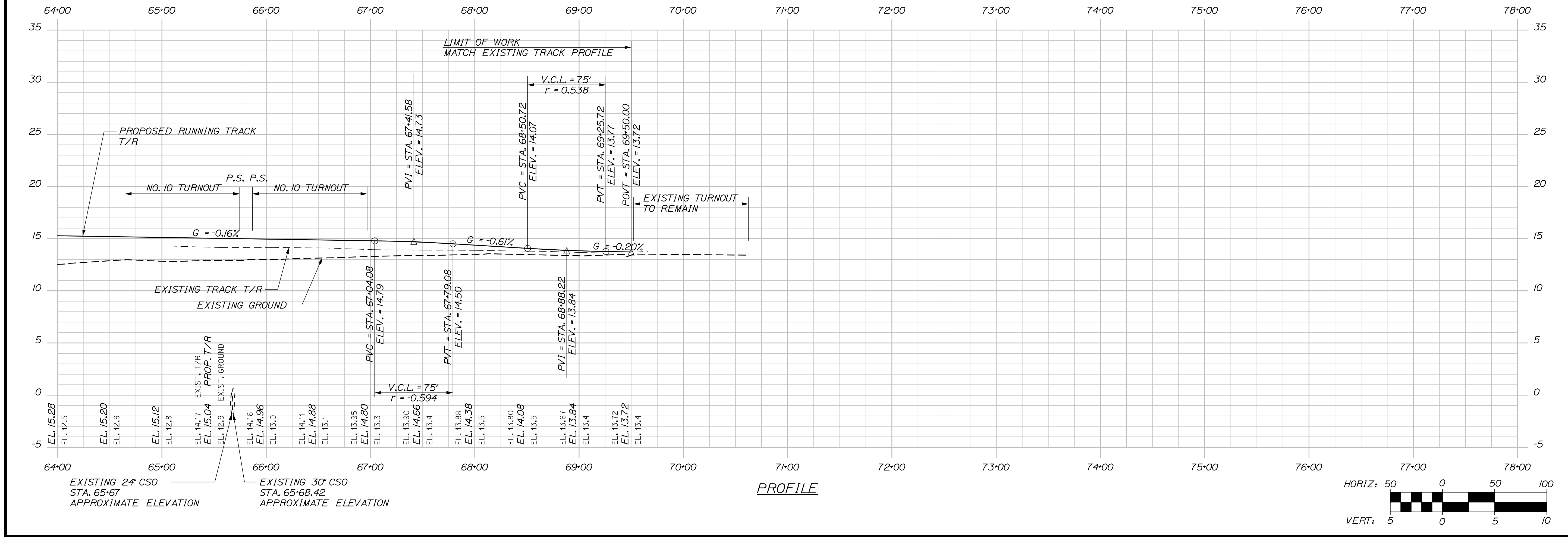
PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

LOADING TRACK PROFILE

PROJ. MANAGER	J. KITREDOE	BY	DATE
DESIGN-DETAILED	RWH/MM	MPC	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

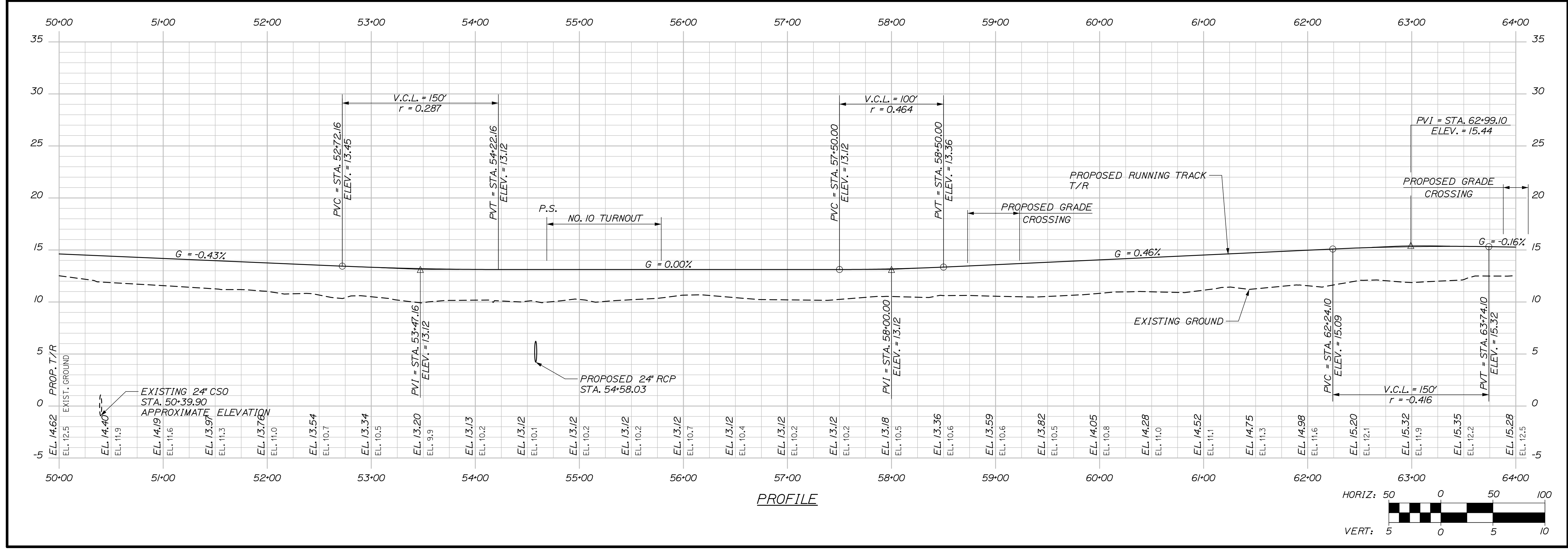
SIGNATURE
P.E. NUMBER
DATE

SHEET NUMBER
R11
81 OF 116

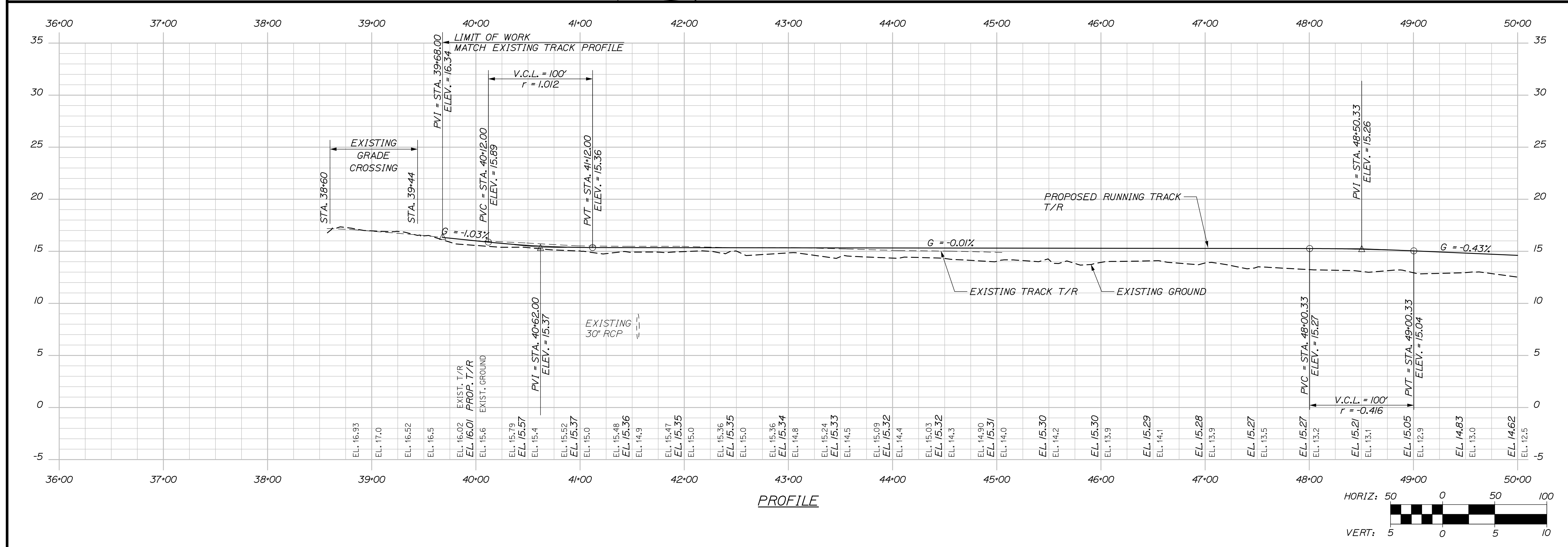


PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY TRACK PLAN/PROFILE	SHEET NUMBER				STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20					
	R10									
	80 OF 116									
	PROJ. MANAGER				J. KITTREDGE		BY		DATE	
	DESIGN-DETAILED				RWH/MM		TJW		06/14	
	CHECKED-REVIEWED								06/14	
	DESIGN2-DETAILED2								SIGNATURE	
	DESIGN3-DETAILED3								P.E. NUMBER	
	REVISIONS 1									
	REVISIONS 2									
REVISIONS 3										
REVISIONS 4								DATE		
FIELD CHANGES										

Filename: 079_TrackPlan-Profile_002.dgn



SHEET NUMBER		PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		PROJ. MANAGER	J. KITTEDGE	BY	DATE
R09		TRACK PLAN/PROFILE		DESIGN-DETAILED	RWH/MM	RWH	08/14
				CHECKED-REVISED	-	-	08/14
				DESIGN2-DETAILED2	-	-	
				DESIGN3-DETAILED3	-	-	
				REVISIONS 1	-	-	P.E. NUMBER
				REVISIONS 2	-	-	
				REVISIONS 3	-	-	
				REVISIONS 4	-	-	DATE
				FIELD CHANGES	-	-	
				STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20			



TRACK GEOMETRY DATA RUNNING TRACK							
ELEMENT	CURVE No.	POINT	STATION	BEARING	COORDINATES		DATA
					Northing	Easting	
CURVE	1A						MAINTAIN EXISTING HORIZONTAL ALIGNMENT Dc= 7°38'19.17" R= 750.6323' CC:N 295805.4469 E 2924087.9071
SPIRAL		CS	39+67.89		295056.6044	2924036.1015	θs = 3°21'26.92" Ls= 60.0000' LT= 33.6492' ST= 26.3676' X= 59.9715' Y= 1.5442' P= 0.1067' Xø= 16.0103'
		SC	40+27.89		295054.4323	2924096.0535	
CURVE	1B	SC	40+27.89		295054.4323	2924096.0535	Δc = 5°18'44.19" Dc= 3°33'33.00" R= 1610.0680' Lc= 149.2562' V = 15 MPH Ea = 0 Ee = 0.56" Eu = 0.56"
		PI			295041.4162	2924067.3993	Tc= 74.6936' Ec= 1.7316' CC:N 296664.4120 E 2924112.9136
SPIRAL		CS	41+77.15		295059.7863	2924245.1841	θs = 1°04'03.28" Ls= 60.0000' LT= 40.0007' ST= 20.0007' X= 59.9979' Y= 0.3726' P= 0.0932' Xø= 29.9997'
SPIRAL		CS	41+77.15		295059.7863	2924245.1841	
SPIRAL		ST	42+37.15		295065.4578	2924304.9145	
TANGENT				N 84°13'12.50" E			
CURVE	2	PC	43+50.11		295076.8338	2924417.3027	Δc = 2°54'25.52" Dc= 1°00'00.00" R= 5729.6507' Lc= 290.7088' V = 15 MPH Ea = 0 Ee = 0.16" Eu = 0.16"
		PI			295091.4753	2924561.9511	Tc= 145.3874' Ec= 1.8443' CC:N 289376.3117 E 2924994.3163
CURVE		PT	46+40.82		295098.7619	2924707.1558	
TANGENT				N 87°07'38.02" E			
CURVE	3	PC	52+61.57		295129.8730	2925327.1288	Δc = 14°37'53.51" Dc= 8°00'00.00" R= 716.7794' Lc= 182.8941' V = 15 MPH Ea = 0 Ee = 1.26" Eu = 1.26"
		PI			295134.4850	2925419.0351	Tc= 92.0220' Ec= 5.8829' CC:N 295845.7516 E 2925291.2050
CURVE		PT	54+44.47		295162.1631	2925506.7960	
TANGENT				N 72°29'44.52" E			
TANGENT	1	PS	54+69.00		295169.5413	2925530.1906	NO. 10 LH TURNOUT
				N 72°29'44.52" E			
TANGENT				N 72°29'44.52" E			
		PITO	55+00.41		295178.9908	2925560.1525	
CURVE	4	PC	59+63.54		295318.2891	2926001.8347	Δc = 13°03'34.04" Dc= 8°00'00.00" R= 716.7794' Lc= 163.2432' V = 15 MPH Ea = 0 Ee = 1.26" Eu = 1.26"
		PI			295342.9659	2926080.0790	Tc= 82.0434' Ec= 4.6801' CC:N 296001.8775 E 2925786.2436
CURVE		PT	61+26.78		295384.6847	2926150.7237	
TANGENT				N 59°26'10.47" E			
TANGENT	2			N 59°26'10.47" E			NO. 10 RH TURNOUT
		PITO	65+43.38		295596.5242	2926509.4424	
TANGENT				N 59°26'10.47" E			
		PS	65+74.80		295612.4995	2926536.4941	
TANGENT				N 59°26'10.47" E			
				N 59°26'10.47" E			
TANGENT	3	PS	65+86.97		295618.6867	2926546.9712	NO. 10 LH TURNOUT
				N 59°26'10.47" E			
TANGENT				N 59°26'10.47" E			
		PITO	66+18.38		295634.6619	2926574.0229	
TANGENT				N 59°26'10.47" E			
				N 59°26'10.47" E			
CURVE	5	PC	67+06.84		295679.6438	2926650.1930	Δc = 11°06'55.46" Dc= 7°00'00.00" R= 819.0204' Lc= 158.7915' V = 15 MPH Ea = 0 Ee = 1.10" Eu = 1.10"
		PI			295720.1686	2926718.8157	Tc= 79.6953' Ec= 3.8683' CC:N 294974.4149 E 2927066.6623
CURVE		PT	68+65.64		295746.7037	2926793.9637	
TANGENT				N 70°33'05.93" E			
TANGENT		POL	69+50.00		295774.7935	2926873.5148	LIMIT OF WORK

TRACK GEOMETRY DATA RUNAROUND TRACK							
ELEMENT	CURVE No.	POINT	STATION	BEARING	COORDINATES		DATA
					Northing	Easting	
TANGENT	1			N 72°29'44.52" E			NO. 10 LH TURNOUT
		PS	20+00.00		295169.5413	2925530.1906	
TANGENT				N 72°29'44.52" E			
		PITO	20+31.42		295178.9908	2925560.1525	
TANGENT				N 66°46'15.52" E			
CURVE	6	PC	21+30.82		295218.1956	2925651.4963	Δc = 5°43'29.00" Dc= 7°00'00.00" R= 819.0204' Lc= 81.7817' V = 15 MPH Ea = 0 Ee = 1.10" Eu = 1.10"
		PI			295234.3467	2925689.1271	Tc= 40.9504' Ec= 1.0231' CC:N 294465.5685 E 2925974.5241
CURVE		PT	22+12.60		295246.6636	2925728.1812	
TANGENT		PT	22+12.60	N 72°29'44.52" E	295246.6636	2925728.1812	
				N 72°29'44.52" E			
CURVE	7	PC	24+95.13		295331.6408	2925997.6237	Δc = 13°03'34.04" Dc= 8°09'34.66" R= 702.7800' Lc= 160.0497' V = 15 MPH Ea = 0 Ee = 1.29" Eu = 1.29"
		PI			2953355.8356	2926074.3399	Tc= 80.4411' Ec= 4.5887' CC:N 296001.8781 E 2925786.2434
CURVE		PT	26+55.17		295396.7396	2926143.6048	
TANGENT				N 59°26'10.47" E			
CURVE	8	PC	28+91.17		295516.7433	2926346.8131	Δc = 5°43'29.00" Dc= 7°00'00.00" R= 819.0204' Lc= 81.7817' V = 15 MPH Ea = 0 Ee = 1.10" Eu = 1.10"
		PI			295537.5664	2926382.0740	Tc= 40.9504' Ec= 1.0231' CC:N 294811.5144 E 2926763.2824
CURVE		PT	29+72.95		295554.7685	2926419.2361	
TANGENT				N 65°09'39.47" E			
TANGENT	2			N 65°09'39.47" E			NO. 10 RH TURNOUT
		PITO	30+72.36		295596.5242	2926509.4424	
TANGENT				N 65°09'39.47" E			
				N 59°26'10.47" E			
TANGENT		PS	31+03.77		295612.4995	2926536.4941	
				N 59°26'10.47" E			

TRACK GEOMETRY DATA LOADING TRACK							
ELEMENT	CURVE No.	POINT	STATION	BEARING	COORDINATES		DATA
					Northing	Easting	
TANGENT	3			N 59°26'10.47" E			NO. 10 LH TURNOUT
		PS	80+00.00		295618.6867	2926546.9712	
TANGENT				N 59°26'10.47" E			
		PITO	80+31.42		295634.6619	2926574.0229	
TANGENT				N 53°42'41.47" E			
				N 53°42'41.47" E			
CURVE	9	PC	81+35.93		295696.5185	2926658.2660	Δc = 5°43'29.00" Dc= 8°00'00.00" R= 716.7794' Lc= 71.5590' V = 15 MPH Ea = 0 Ee = 1.26" Eu = 1.26"
		PI			295717.7295	2926687.1534	Tc= 35.8384' Ec= 0.8954' CC:N 295118.7605 E 2927082.4926
CURVE		PT	82+07.49		295735.9532	2926718.0126	
TANGENT		PT	82+07.49	N 59°26'10.47" E	295735.9532	2926718.0126	
				N 59°26'10.47" E			
CURVE	10	PC	82+98.27		295782.1155	2926796.1815	Δc = 13°14'32.96" Dc= 7°51'07.70" R= 730.2550' Lc= 168.6481' V = 15 MPH Ea = 0 Ee = 1.24" Eu = 1.24"
		PI			295825.2196	2926869.1720	Tc= 84.7678' Ec= 4.9034' CC:N 295153.3193 E 2927167.5139
CURVE		PT	84+66.92		295850.4575	2926950.0956	
TANGENT				N 72°40'43.43" E			
TANGENT		POL	90+00.00		296009.1712	2927459.0012	LIMIT OF WORK

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PROJECT NUMBER 022809.20

WIN
022809.20

PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

TRACK ALIGNMENT DATA

SHEET NUMBER
R07

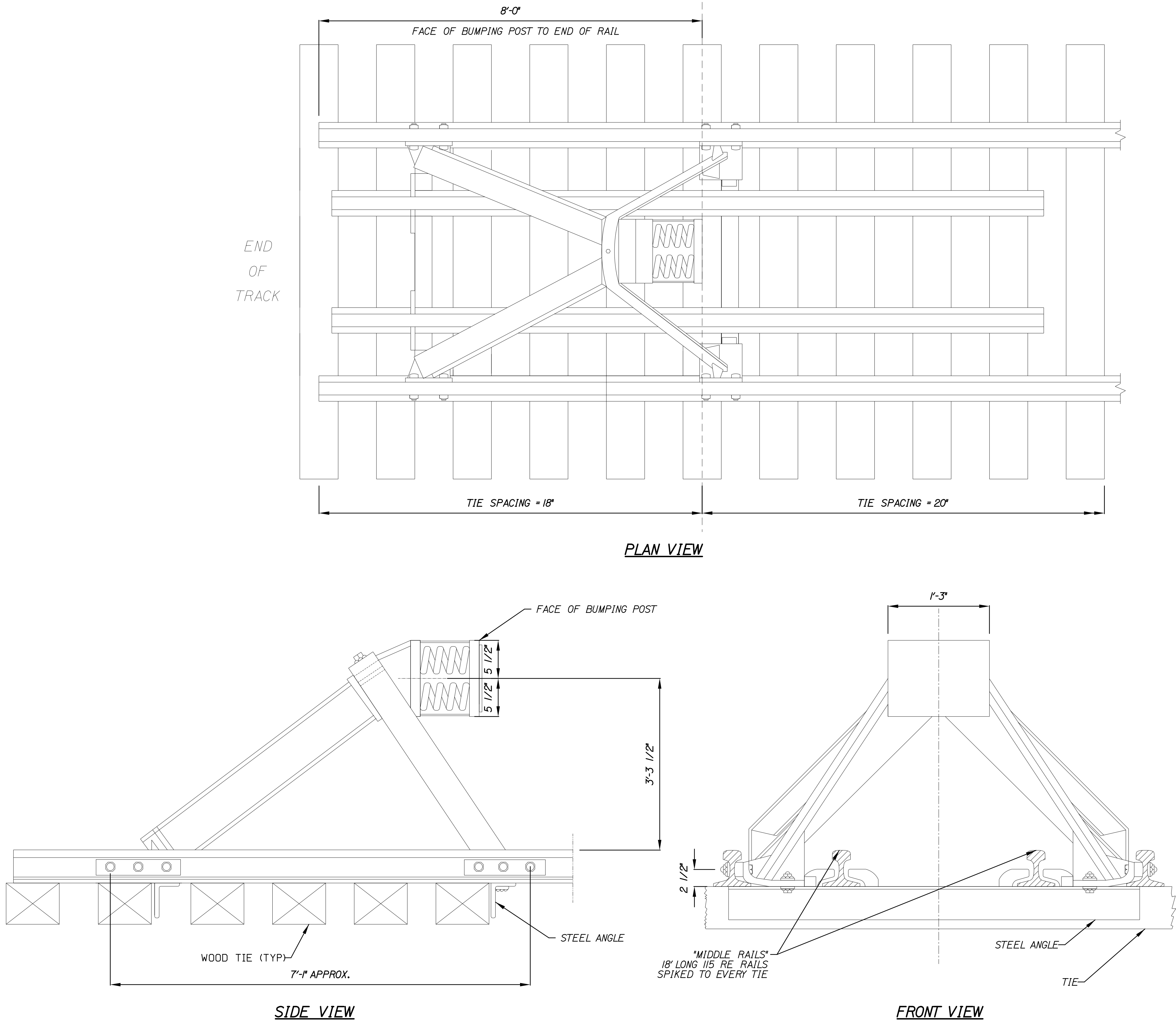
77 OF 116

PROJ. MANAGER	J. KITTREDEE	BY	DATE
DESIGN-DETAILED	EAH	MM	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-

SIGNATURE

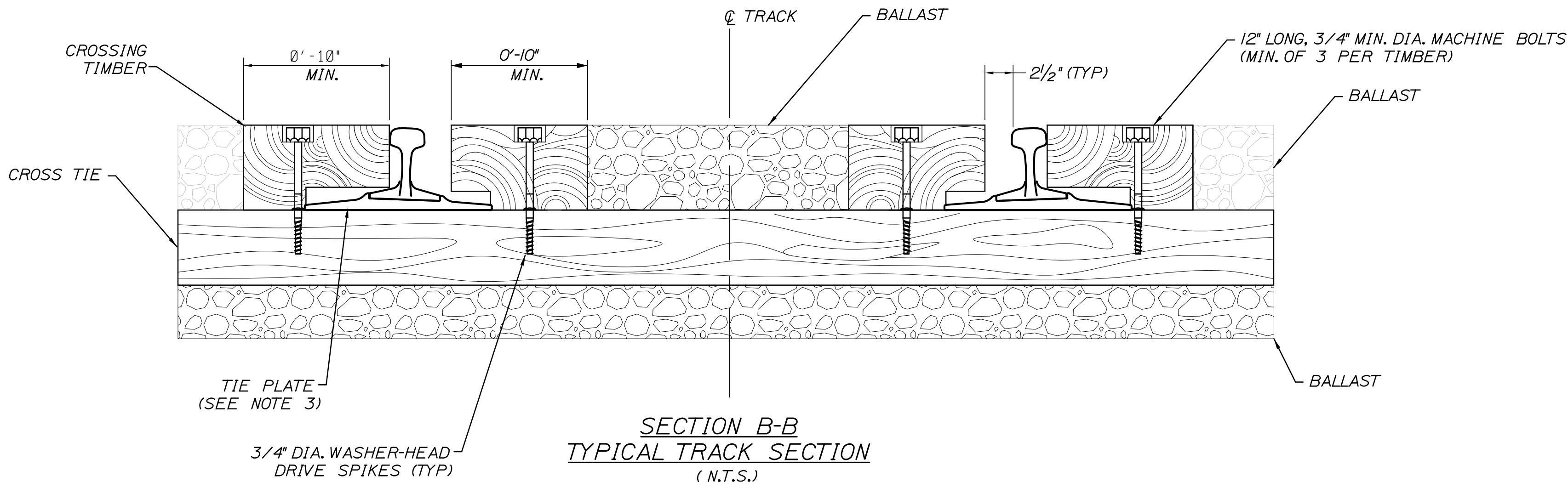
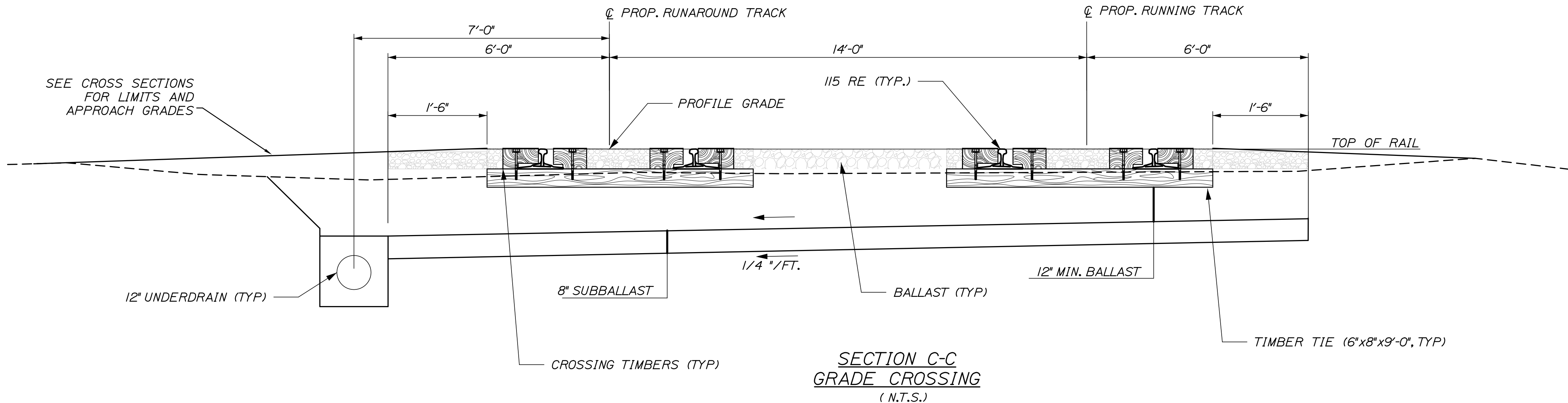
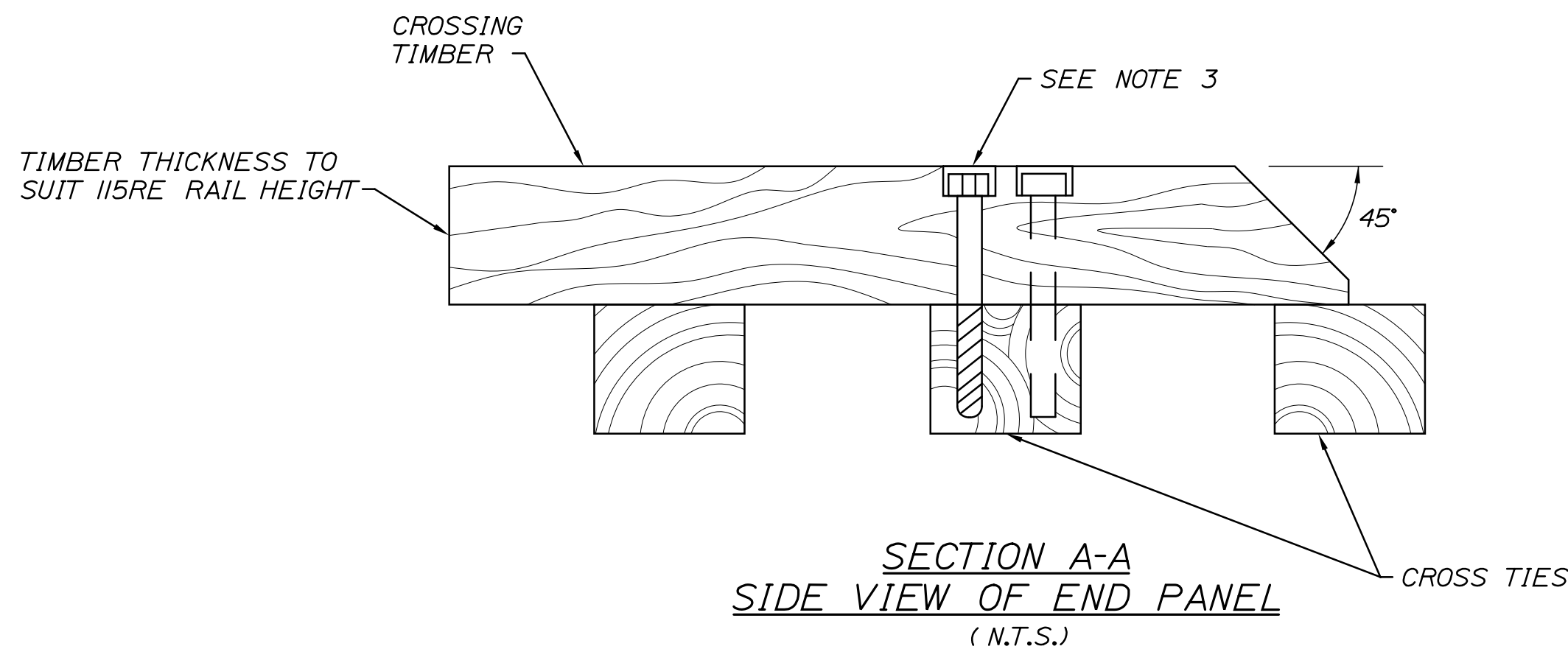
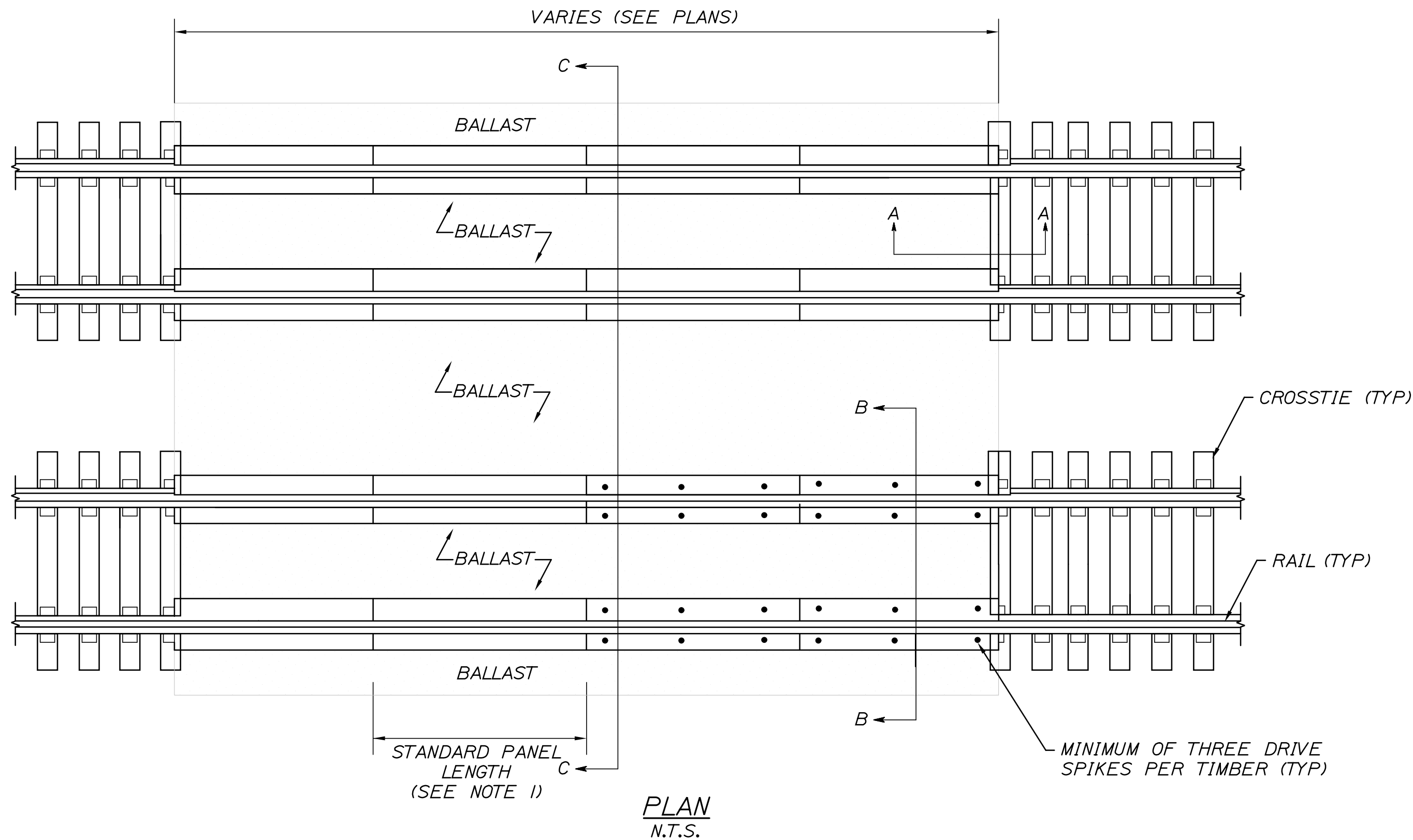
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DATE



BUMPING POST DETAIL
(N.T.S.)

STATE OF MAINE		DATE		BY		J. KITTEDGE		DATE	
DEPARTMENT OF TRANSPORTATION		06/14		MM		SMM		06/14	
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WIN		P.E. NUMBER		-		-		-	
022809.20		DATE		-		-		-	
PORTLAND INTERNATIONAL MARINE TERMINAL		PROJ. MANAGER		DESIGNED-DETAILED		CHECKED-REVIEWED		DESIGNED-DETAILED	
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION		J. KITTEDGE		SMM		-		-	
PORTLAND CUMBERLAND COUNTY		DESIGNED-DETAILED		-		-		-	
TRACK DETAILS		REVISIONS 1		-		-		-	
		REVISIONS 2		-		-		-	
		REVISIONS 3		-		-		-	
		REVISIONS 4		-		-		-	
		FIELD CHANGES		-		-		-	
SHEET NUMBER		R06							
76 OF 116									



- NOTES:
1. STANDARD TIMBER LENGTHS ARE 8'-0"
 2. CROSSING TIMBERS TO BE BORED TO FIT 20" TIE SPACING.
 3. CROSSING TIMBERS TO BE MANUFACTURED TO CLEAR TRACK FASTENING SYSTEM.
 4. CROSSING TIMBERS SHALL BE TREATED WITH CREOSOTE PRESERVATIVE AS PER AREMA CHAPTER 30.
 5. TIMBER SURFACE SHALL BE FLUSH WITH TOP OF RAIL.

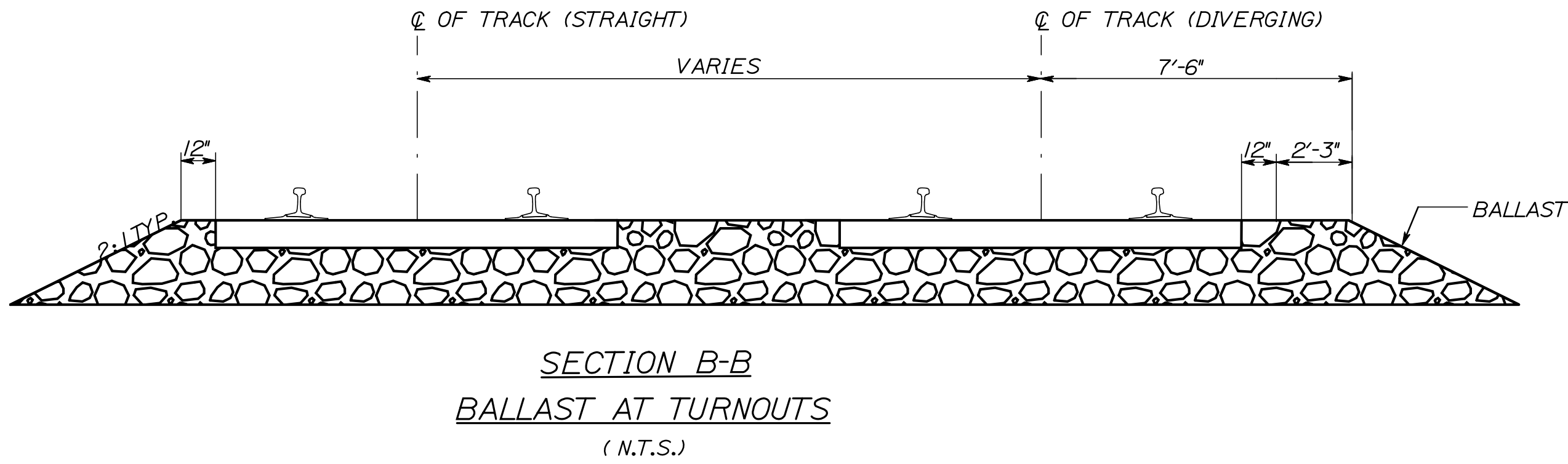
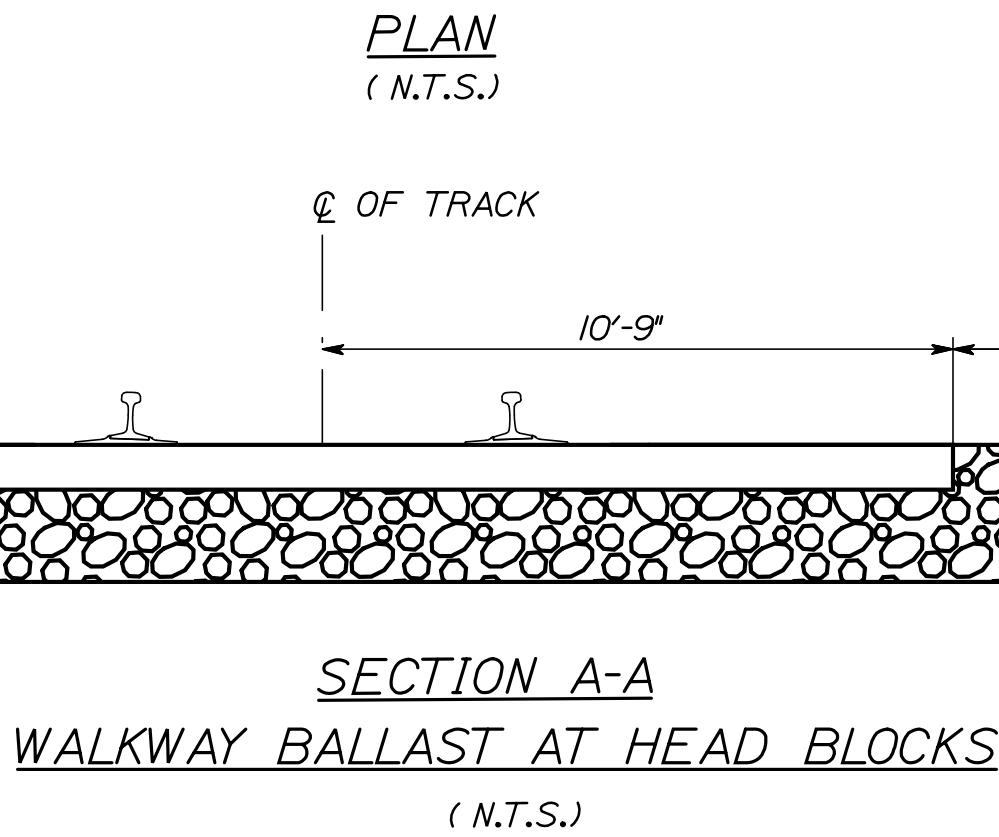
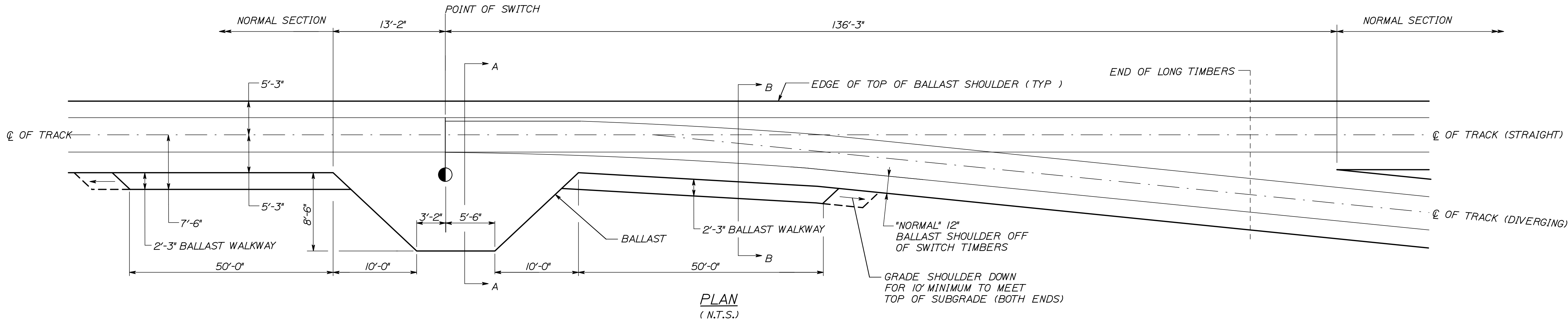
STATE OF MAINE		DATE		BY		J. KITTEDGE		PROJ. MANAGER		PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		SHEET NUMBER	
DEPARTMENT OF TRANSPORTATION		06/14		MM		EAH		DESIGN-DETAILED		DESIGN-REVIEWED		R05	
PROJECT NUMBER 022809.20		SIGNATURE		-		-		DESIGN-DETAILED		-		75 OF 116	
WIN 022809.20		P.E. NUMBER		-		-		REVISIONS 1		-			
		DATE		-		-		REVISIONS 2		-			
				-		-		REVISIONS 3		-			
				-		-		REVISIONS 4		-			
				-		-		FIELD CHANGES		-			

Date: 6/26/2014

Username:

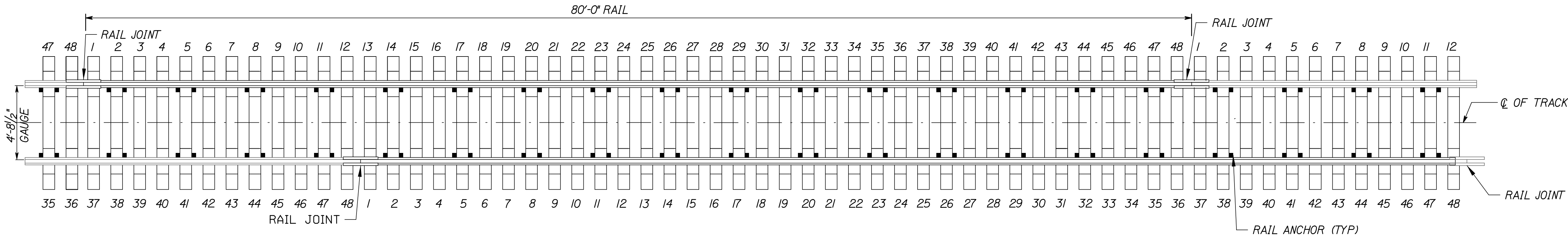
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NOTE:
 1. SEE CROSS SECTIONS FOR ACTUAL
 SUBGRADE SLOPES

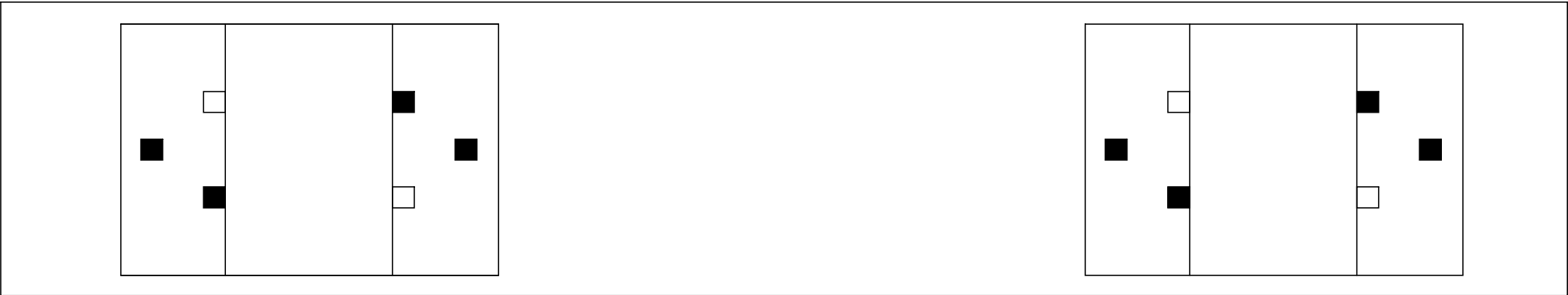
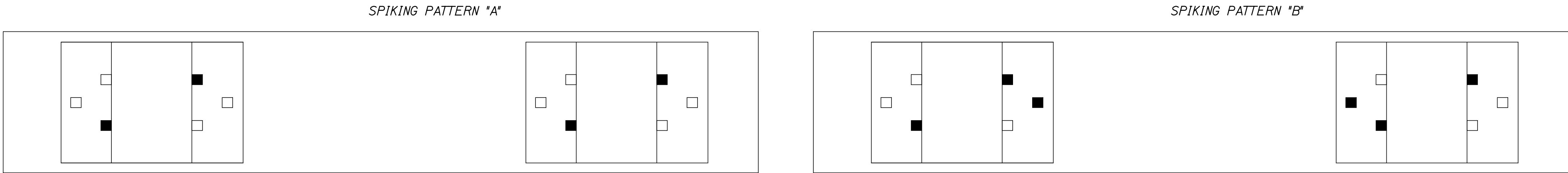
STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20	SIGNATURE		DATE
	P.E. NUMBER		DATE
	WIN 022809.20		DATE
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY		TRACK DETAILS	
SHEET NUMBER R04		74 OF 116	



64 ANCHORS PER 80'-0" IISRE RAIL LENGTH
(N.T.S.)

NOTES:

- BOX ANCHOR EVERY THIRD TIE, EXCEPT IN JOINT AREAS WHERE EVERY FOURTH TIE IS ACCEPTABLE.
- RAIL JOINTS SHALL NOT BE PLACED IN GRADE CROSSINGS OR WITHIN LIMITS OF SWITCH POINTS OR GUARD RAILS.



SPIKING PATTERNS
(N.T.S.)

NOTES:

- B-6 PUNCHING SHOWN.
- SPIKING PATTERN "A" TO BE USED FOR TANGENT TRACK AND CURVED TRACK UP TO 2'-00'-00".
- SPIKING PATTERN "B" TO BE USED FOR CURVED TRACK 2'-00'-00" TO 6'-00'-00".
- SPIKING PATTERN "C" TO BE USED FOR CURVED TRACK OF OVER 6'-00'-00".

STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20				
	SIGNATURE		P.E. NUMBER	
	DATE		DATE	
PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY TRACK DETAILS	PROJ. MANAGER	J. KITTREDEE	BY	DATE
	DESIGN-DETAILED	EAH	MM	06/14
	CHECKED-REVIEWED	-	-	06/14
	DESIGN-DETAILED	-	-	-
	REVISIONS 1	-	-	-
SHEET NUMBER R03 73 OF 116	REVISIONS 2	-	-	-
	REVISIONS 3	-	-	-
	REVISIONS 4	-	-	-
	FIELD CHANGES	-	-	-

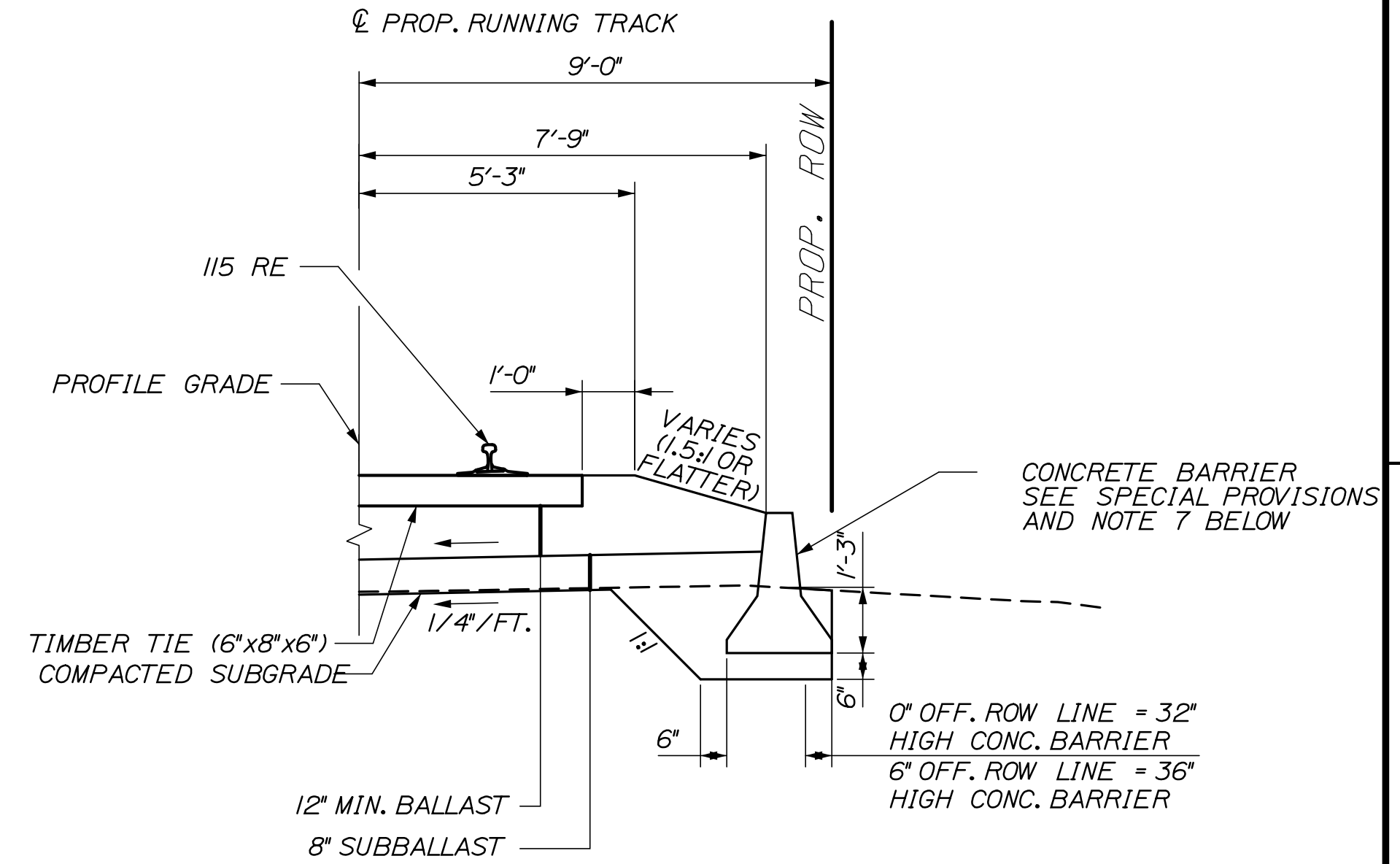
Diagram illustrating the cross-section of a turnout section, showing the mainline track, diverging track, and various layers (subballast, ballast, subgrade) and dimensions.

Key dimensions and components shown:

- 7'-0" (Mainline Track to Diverging Track Centerline)
- 5'-3" (Mainline Track to Centerline)
- VARIES (Centerline to Diverging Track)
- 5'-3" (Diverging Track to Edge)
- 2:1 (Slope Ratio)
- 115 RE (Reinforcing Element)
- 1/4" FT. (Layer Thickness)
- 8" SUBBALLAST (SEE NOTE 6)
- 12" MIN. BALLAST (SEE NOTE 6)
- UNDERDRAIN BACKFILL MATERIAL - SEE NOTE 4
- INSTALL DRAINAGE GEOTEXTILE AROUND UNDERDRAIN TRENCH IN SOFT SUBGRADE AREAS. SEE NOTE 5
- 12" UNDERDRAIN SEE CROSS SECTIONS FOR DEPTH REQUIREMENTS
- COMPACTED SUBGRADE
- TIMBER TIE (6"x8"x8'-6")

STATION RANGE	MAINLINE TRACK	DIVERGING TRACK
STA. 54+69.00 TO STA. 55+85.08	RUNNING TRACK	RUNAROUND TRACK
STA. 64+58.72 TO STA. 65+74.80	RUNNING TRACK	RUNAROUND TRACK
STA. 65+86.97 TO STA. 68+00.00	RUNNING TRACK	LOADING TRACK

TURNOUT SECTION



5'-3"

C PROP. RUNNING TRACK

5'-3"

115 RE

PROFILE GRADE

1'-0"

1'-0"

TOP OF RAIL

2:1

2:1

TIMBER TIE (6"x8"x8'-6")

5" MIN. BALLAST

EXISTING TRACK CONNECTION
STA. 68+00.00 TO STA. 69+50.00

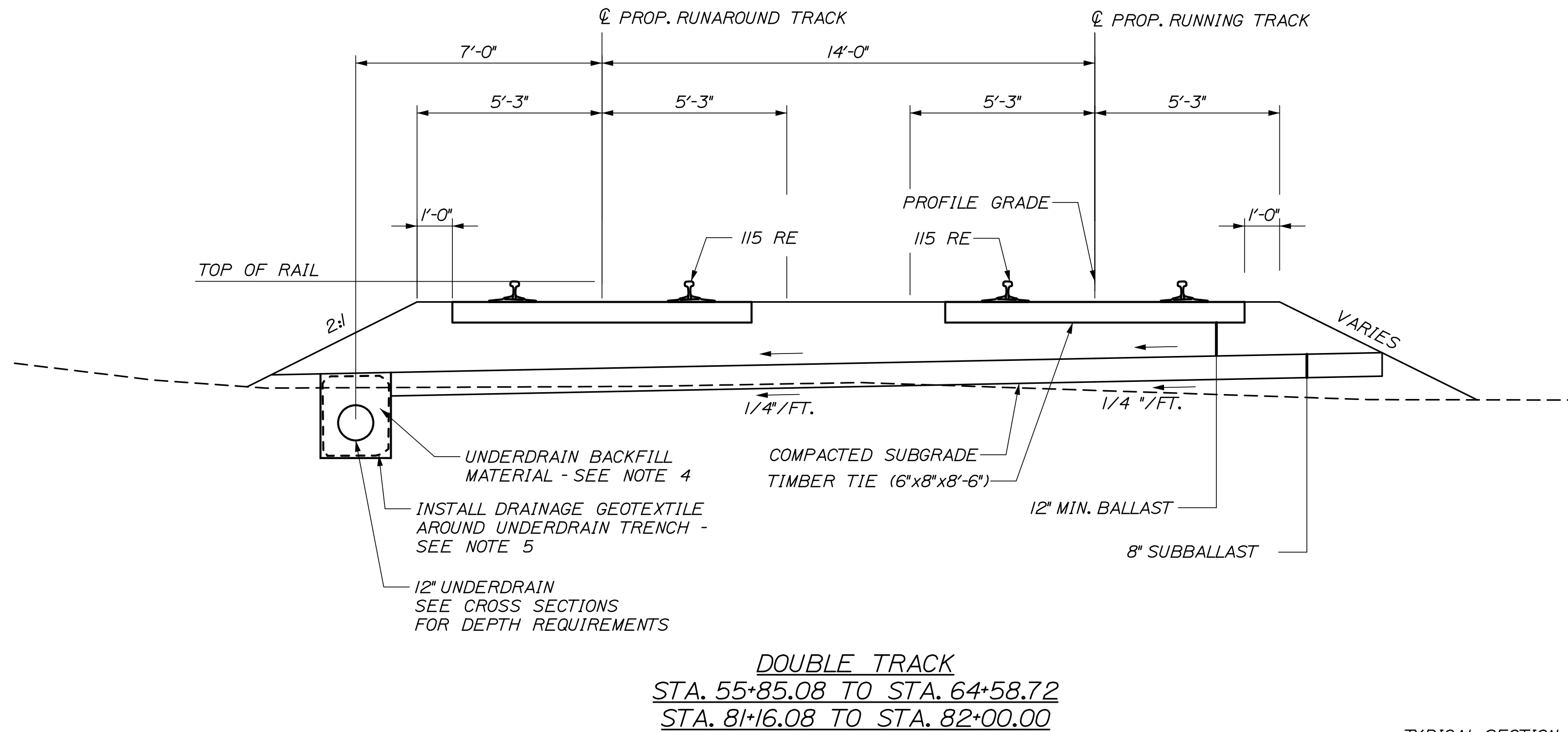
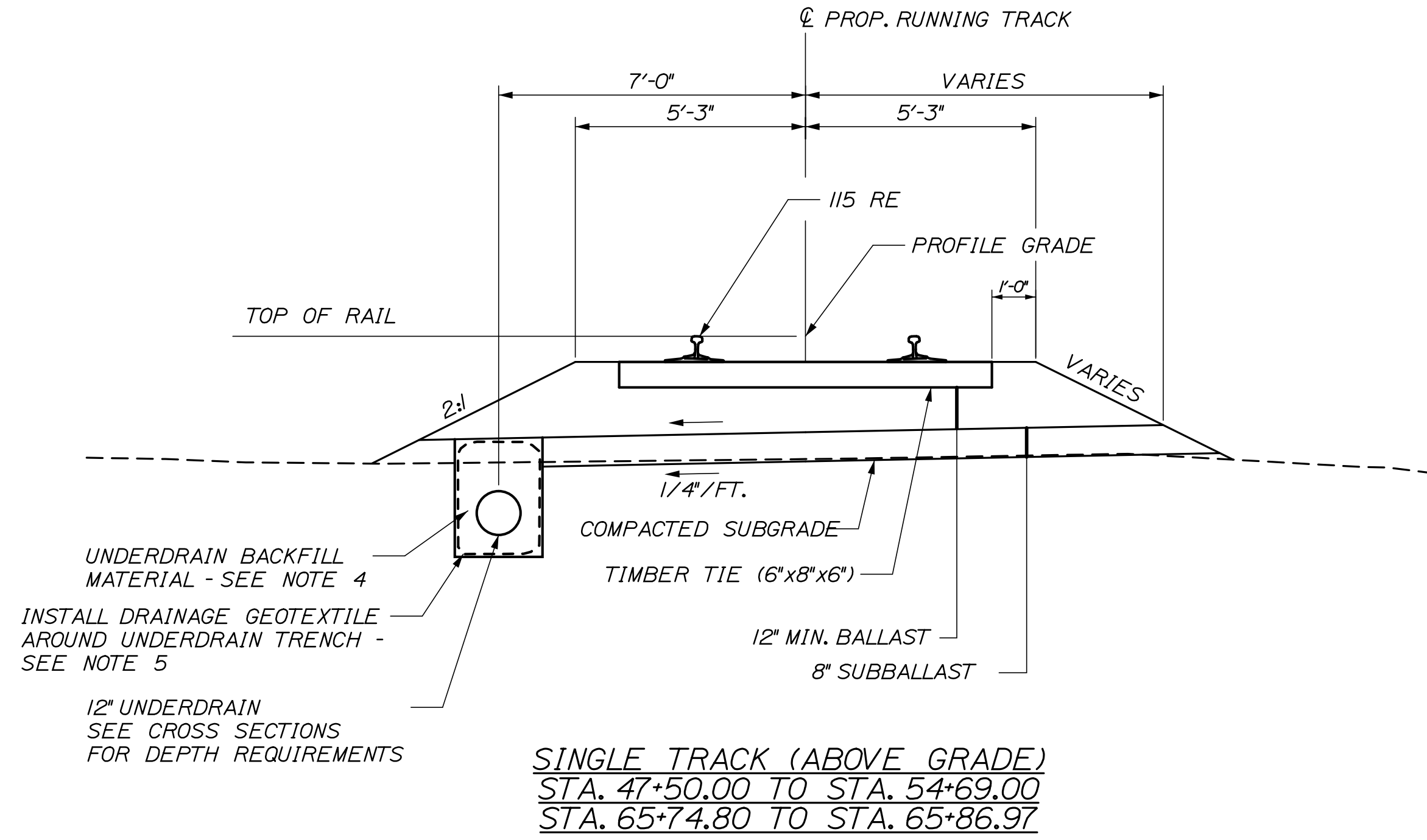
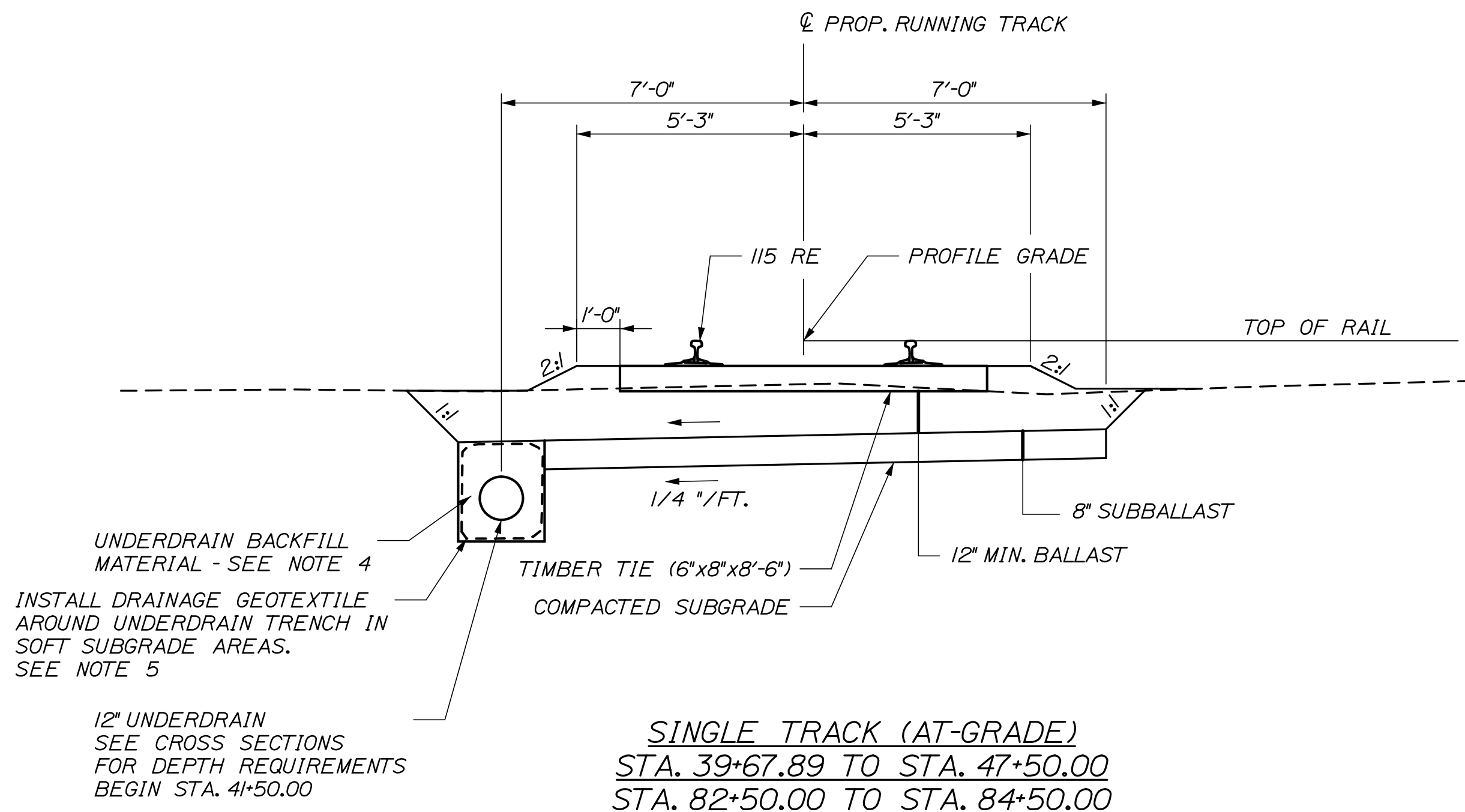
- TYPICAL SECTION NOTES:
1. SEE CROSS SECTIONS FOR ACTUAL UNDERDRAIN ELEVATIONS.
 2. CROSS SLOPES FOR BALLAST AND SUBBALLAST SHALL BE UNIFORM.
 3. SEE PLANS, CROSS SECTIONS AND SPECIAL DETAILS FOR TRANSITION REQUIREMENTS BETWEEN TYPICAL SECTIONS AND AT PROJECT LIMIT OF WORK.
 4. UNDERDRAIN BACKFILL MATERIAL SHALL CONFORM TO MAINEDOT 703.22, TYPE C (STONE; CRUSHED OR UNCRUSHED).
 5. PAYMENT FOR WORK, MATERIALS, AND EQUIPMENT ASSOCIATED WITH DRAINAGE GEOTEXTILE IN UNDERDRAIN TRENCH SHALL BE CONSIDERED INCIDENTAL TO THE 605 PAY ITEMS.
 6. BALLAST SHALL BE MDOT 703.33. SUBBALLAST SHALL BE BASED ON SPECIAL PROVISION 648.
 7. IMPACTS ON ADJACENT PROPERTY (OUTSIDE OF PROJECT SITE ROW) WILL NOT BE PERMITTED.

Date:6/26/2014

Username:

Division:

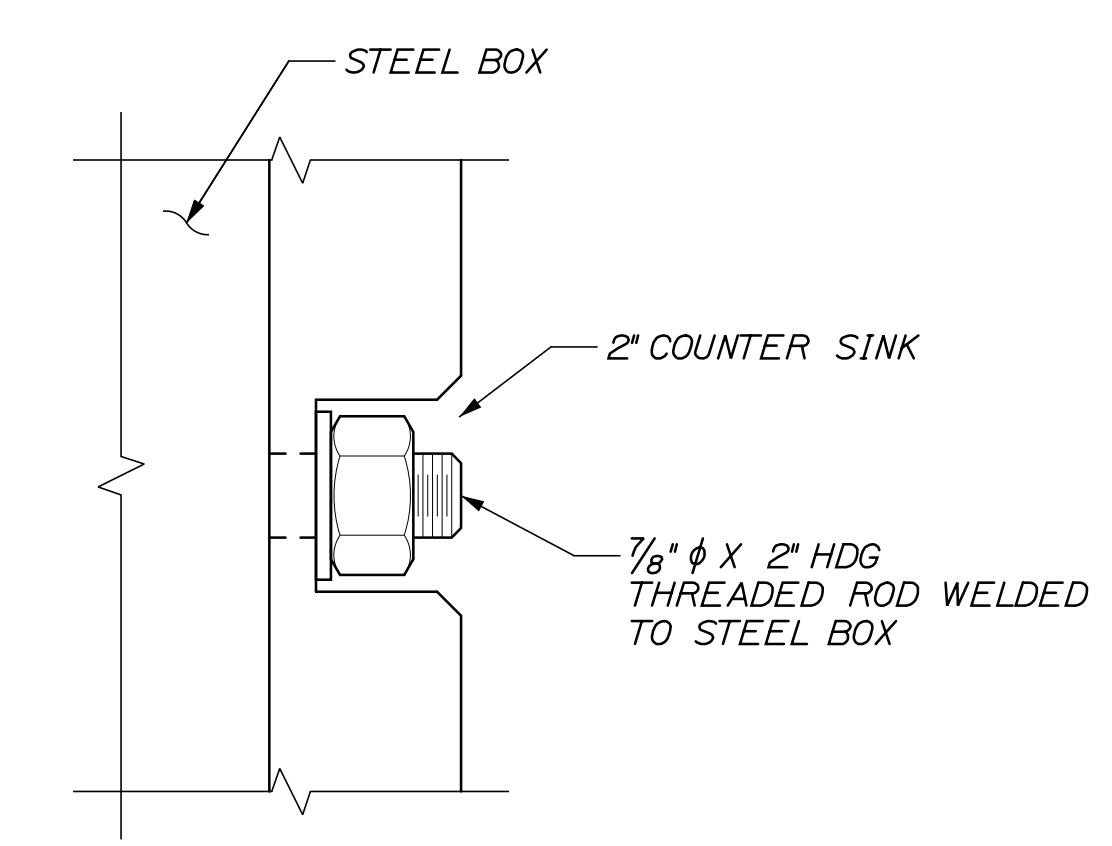
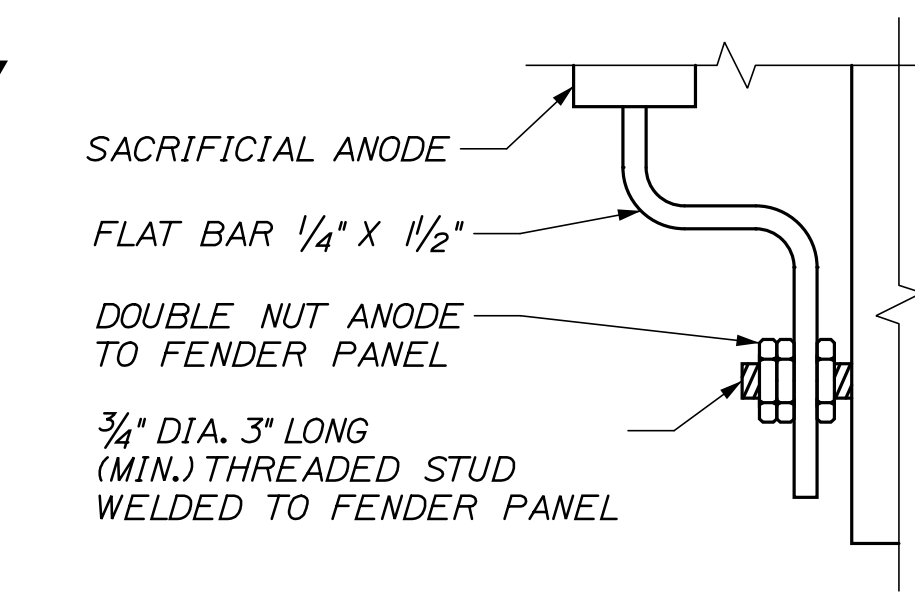
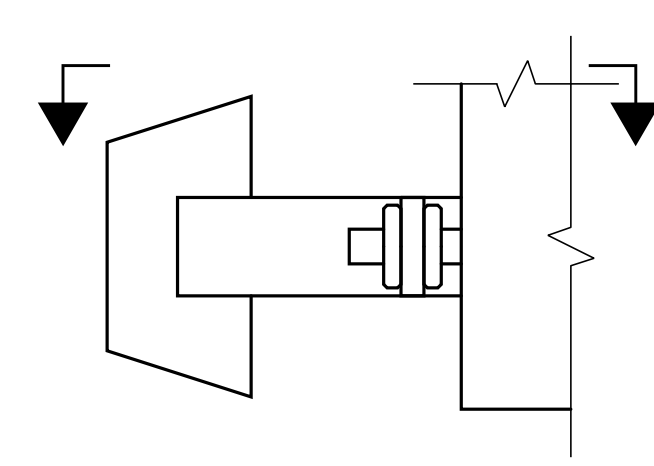
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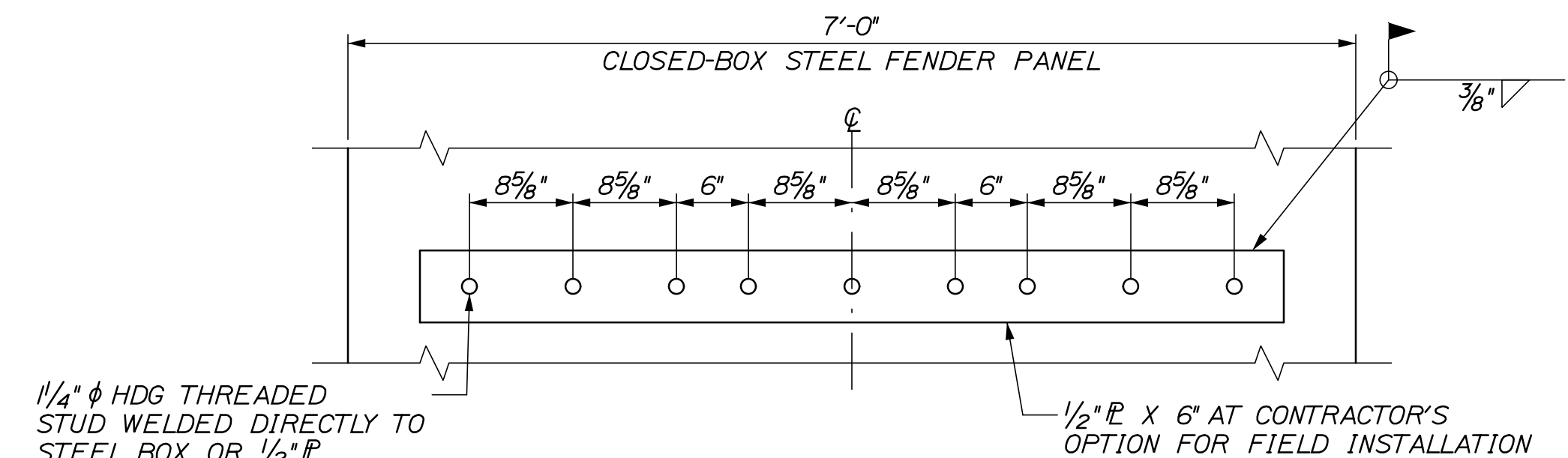
- TYPICAL SECTION NOTES:**
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 6. BALLAST SHALL BE MDOT 703.33. SUBBALLAST SHALL BE BASED ON SPECIAL PROVISION 648.

NOT TO SCALE

PROJ. MANAGER	J. KITTEDGE	BY	DATE
DESIGN-DETAILED	EAH	MM	06/14
CHECKED-REVIEWED	-	-	06/14
DESIGN-DETAILED	-	-	-
DESIGN-DETAILED	-	-	-
REVISIONS 1	-	-	-
REVISIONS 2	-	-	-
REVISIONS 3	-	-	-
REVISIONS 4	-	-	-
FIELD CHANGES	-	-	-



SECTION A-A
6" = 1'-0"



SECTION B-B
I" = I'-O"

- NOTES:
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS ASSOCIATED WITH THE EXISTING FENDER PANELS TO ENSURE PROPER SPACING OF HDG THREADED STUDS AND SHEAR CHAIN CONNECTORS.
 2. SACRIFICIAL ANODE SHALL BE BOLTED TO BACKSIDE OF FENDER PANEL. SEE SPECIAL PROVISION 655 FOR ADDITIONAL INFORMATION.
 3. SEE SPECIAL PROVISIONS 504 FOR STEEL FENDER PANEL REQUIREMENTS FOR SIZE, WEIGHT, AND THICKNESS.

111 OF 116 M02 SHEET NUMBER	PORTLAND INTERNATIONAL MARINE TERMINAL EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION PORTLAND CUMBERLAND COUNTY	PROJ. MANAGER J. KITTREDGE	BY MPC	DATE 06/14	STATE OF MAINE DEPARTMENT OF TRANSPORTATION PROJECT NUMBER 022809.20 WIN 022809.20
	FENDER SYSTEM REPAIRS	DESIGN-DETAILED CRM	06/14	SIGNATURE	
		CHECKED-REVIEWED -	06/14	SIGNATURE	
		DESIGN2-DETAILED2 -	-	-	
		DESIGN3-DETAILED3 -	-	-	
		REVISIONS 1 -	-	P.E. NUMBER	
		REVISIONS 2 -	-	-	
		REVISIONS 3 -	-	-	
		REVISIONS 4 -	-	DATE	
		FIELD CHANGES -	-	-	



PLANNING BOARD REPORT PORTLAND, MAINE

Seaport Lofts (Bay House Phase II)
101-121 Newbury Street and 40 Hancock Street
Level III Site Plan and Subdivision Review - Condition of Approval, Design Review
2013-179
113 Newbury Street, LLC, Applicant

Submitted to: Portland Planning Board Public Hearing Date: July 8, 2014	Prepared by: Nell Donaldson, Planner Date: July 3, 2-14 CBLs: 20-D-13, 14, 15, 32
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I. INTRODUCTION

On October 22, 2013, the City of Portland Planning Board held a final public hearing to review a 39-unit housing development, the Seaport Lofts, at the corner of Newbury and Hancock Streets in the Eastern Waterfront. The hearing followed a long series of discussions between board members, city staff, and the applicant regarding the building's architecture. Notwithstanding these discussions, significant design concerns remained at the October hearing. Referencing the B-2b design guidelines, Board members raised questions about the massing of the building, façade articulation (particularly with respect to the rear), and neighborhood compatibility. After considerable discussion, the Board approved the project on the condition that the applicant address outstanding design concerns and return to the Planning Board for additional design review.

In the intervening time, the applicant has elected to hire a new architect, met with city staff on several occasions to review potential design improvements, and made significant changes to the building architecture. This report describes those changes and presents the final design for Planning Board review.

A total of 133 notices were sent to property owners within 500 feet of the site and a legal ad ran on June 30 and July 1.

Applicant: 113 Newbury Street, LLC, Demetri Dasco

Consultants: Will Conway, Sebago Technics; Mark Mueller, Architect

II. DESIGN MODIFICATIONS

B-2b Design Standards

The city's site plan ordinance states that "development in the...B-2b business zone shall provide an established street wall with entrances and public portions of the building oriented to and directly accessible from the public sidewalk and shall be designed and scaled to be compatible with surrounding residential and commercial development as demonstrated by compliance with all applicable design standards listed in the Design Manual" (*Section 14-526(d)9.a(iii)*). The Design Manual's standards further require that buildings in the B-2b zone:

- create and preserve an urban street wall;
- be oriented toward the street;
- include windows along the street frontage;
- create an active presence along the sidewalk;
- be compatible with residential and commercial neighbors, including in terms of building materials; and
- include landscaping and buffers to protect neighboring properties.

October 2013 Design

The applicant's final site plan submission, considered by the Board in October, included a set of design drawings intended to meet the above standards (*Figures 2-5*). These drawings represented one in a series of iterations meant to respond to city and Board comments. However, as noted above, the Board expressed considerable outstanding concerns regarding the design as presented, particularly with respect to articulation and compatibility. Given these

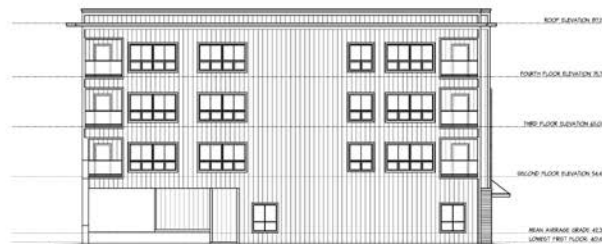


HANCOCK STREET ELEVATION
SCALE: 1/8" = 1' 0"



NEWBURY STREET ELEVATION
SCALE: 1/8" = 1' 0"

SEAPORT LOFTS
PORTLAND, MAINE



LEFT SIDE ELEVATION
SCALE: 1/8" = 1' 0"



REAR ELEVATION
SCALE: 1/8" = 1' 0"

SEAPORT LOFTS
PORTLAND, MAINE

Figures 2, 3, 4, and 5: October 2013 elevations.



Figures 6, 7, 8, and 9: Revised elevations.

O:\PLAN\Dev Rev\Newbury Street - 101-121 (Bay House Phase II)\planning board\hearing_design_7_8_14\PB Report_design review_7_8_14.docx

reservations, the Board crafted a condition of approval requiring additional design review. The condition of approval reads as follows:

The applicant shall provide revised elevations with emphasis on articulation of the rear elevations, overall building massing with emphasis on the rear of the building, renderings, details, and material samples addressing the recommendations of the Planning Board and staff on outstanding design issues (including but not limited to the treatment of proposed awnings, the proposed soldier course, metal screens, exterior lighting, and color and materials) in compliance with the Design Standards for review and approval by the Planning Board.

July 2014 Design

In an effort to meet this condition of approval, the applicant submitted working drawings in January of 2014 and again following a change of architect in early May. Staff reviewed these drawings, met with the applicant, and provided comments. The applicant submitted final floor plans, elevations, renderings, and samples the first week of July (Figures 6-9 and Plans 1-12). The changes in architecture include the following:

- *Awnings:* Responding to staff recommendations, the awning at Hancock Street has been redesigned to be consistent with that proposed at the Newbury Street entrance. Both entries are now depicted with a weathered copper awning hanging from stainless steel cables, a contemporary style requested by city staff.
- *Treatment of northwest corner:* The October 2013 design included an offset post at the northwest corner of the building which appeared unresolved. The applicant has modified the floor plan, adding area to the upper floor units, to eliminate this post and resolve this issue.
- *Soldier course:* At the October hearing, city staff recommended that the architect add a soldier course between the second and third floors of the Newbury Street façade in order to rationalize the change in composition there, where the townhouse units meet the upper story flats. The applicant considered this option, but elected not to introduce this soldier course and instead made other design changes to address massing and articulation concerns.
- *Windows & parapet:* The applicant has added windows and changed the window pattern on the Hancock Street, rear, and west facades, a modification meant to add visual interest and reduces the appearance of mass. The applicant has also introduced a parapet of varying heights on all facades. This feature is again intended to address concerns regarding massing and visual interest; the parapet helps to create the illusion of multiple distinct buildings rather than a single uniform one.
- *Articulation of the rear façade:* Maybe most significantly, and in response to Board concerns, the rear of the building is now articulated much like the front. In the October 2013 design, the rear elevation was entirely flat. This uniform wall has been replaced with an articulated one, which steps in and out as the Newbury Street one does. The architect has also added 4th story bay windows at the far ends of the rear façade, and a three story bay near the center of this elevation.
- *Materials & colors:* The applicant's final submittal also modifies the materials and colors of the previous design. The metal cladding originally proposed on the upper floors of the front façade and the entirety of the building's rear has been replaced with composite clapboards with a 5" reveal in two shades of gray. These two shades have been used in an alternating pattern in an effort to break up each façade. It should be noted that the applicant and architect expressed a preference for a typical Old Port red brick color; as such, the gray brick has been eliminated. Fiberglass windows are proposed with casing in black.

- *Metal screens:* Some additional detail has been provided on the composition of the metal screens on the Hancock and rear facades. These screens are shown in a grid pattern. Notes indicate that they will be metal painted black.
- *Exterior lighting:* Lastly, the applicant has provided cut sheets for a number of exterior lights, including sconces for the covered parking area, recessed downlights for the building entrances, and deck lights (*Attachment A*), as well as a lighting plan (*Plan 9*). As in prior submittals, updated site plans show sconces on the rear of the building as well, which are not depicted in this lighting plan. Revised cut sheets for these sconces have not been provided. A complete lighting submittal is outstanding. It is anticipated that lighting questions could be resolved under a further condition of approval, which has been proposed.

III. PUBLIC COMMENT

The Planning Division received no public comment on the revised drawings.

IV. PROPOSED MOTION

On the basis of the revised drawings, plans, and other information submitted by the applicant; findings contained in the Planning Board report for the public hearing on July 8, 2014 for application 2013-179 relevant to Portland's site plan ordinance, technical and design standards, and other regulations; and the testimony presented at the Planning Board hearing:

The Planning Board finds that the applicant **has/has not** met the condition of approval from the approval letter dated October 31, 2013 requiring that revised elevations, renderings, details, and material samples address the recommendations of the Planning Board and staff on outstanding design issues (including but not limited to the treatment of proposed awnings, the proposed soldier course, metal screens, exterior lighting, and color and materials) in compliance with the design standards, with the further condition that the applicant provide a complete lighting package meeting the standards of the city's Technical Manual for review and approval by the city's Planning Authority.

V. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Approval Letter (from City of Portland, 10-31-13)

APPLICANT'S SUBMITTALS

- A. Lighting Cut Sheets

C. PLANS

- Plan 1 1st Floor Plan
- Plan 2 2nd Floor Plan
- Plan 3 3rd Floor Plan
- Plan 4 4th Floor Plan
- Plan 5 Roof Plan
- Plan 6 Newbury Street Elevation
- Plan 7 South & Hancock Street Elevations
- Plan 8 West (Rear) Elevation
- Plan 9 Lighting Plan
- Plan 10 Rendering from Newbury Street looking northeast

- Plan 11 Rendering from Newbury Street looking southeast
- Plan 12 Rendering from rear

CITY OF PORTLAND, MAINE
PLANNING BOARD

Carol Morrisette, Chair
Stuart O'Brien, Vice Chair
Timothy Dean
Bill Hall
David Silk
Sean Dundon
Elizabeth Boepple

October 31, 2013

Demetri Dasco
Atlas Investment Group, LLC
35 Fay Street, 107B
Boston, MA 02118

Will Conway
Sebago Technics
75 John Roberts Road
South Portland, ME 04106

Project Name: Seaport Lofts (Bay House Phase II)
Address: 101-121 Newbury St./40 Hancock St.
Applicant: 113 Newbury Street, LLC

Project ID: 2013-179
CBLs: 20-D-13, 14, 15, 32
Planner: Nell Donaldson

Dear Mr. Dasco:

On October 22, 2013, the Planning Board considered your subdivision and Level III site plan application for the proposed Seaport Lofts development at 101-121 Newbury Street and 40 Hancock Street. The Planning Board reviewed the proposal for conformance with the subdivision and site plan standards of the city's land use code and voted to approve the application with the waivers and conditions presented below:

WAIVERS

The Planning Board voted (7-0) to grant the following waivers:

1. A waiver of the technical standard (*Section 1.7.2.7*) regarding the minimum separation between driveways to allow the driveway of Seaport Lofts within the 100-150 separation requirement of an adjacent driveway to the west, as shown on the final site plan.
2. A waiver of the technical standard (*Section 1.7.2.3*) regarding the minimum driveway width of 20 feet to allow a driveway of 19 feet as depicted on the final site plan.
3. A waiver of the technical standard represented in Figures I-27 to I-29 of the city's Technical Manual regarding the parking lot dimensional requirements to allow parking as designed on the final plans.
4. A waiver of the technical standard (*Section 1.14*) regarding the compact parking space limit to allow 12 compact parking spaces on site, comprising more than the standard 20% of total spaces.

5. A waiver of the site plan standard (Section 14-526(b)2.b(iii)) and Technical Manual *Section 4.6.1* regarding street trees due to site constraints. Technically, 39 street trees are required on site. Only 10 trees, a number proportionate with the site's frontage, are proposed. To compensate, the applicant shall contribute \$5,800 (for 29 street trees) to Portland's tree fund.

SUBDIVISION

The Planning Board voted (7-0) that the proposed plans are in conformance with the subdivision standards of the city's land use code, subject to the following conditions of approval, which must be met prior to the release of a recording plat, unless otherwise stated:

1. The subdivision plat shall be finalized for review and approval by the Planning Authority, Department of Public Services, and Corporation Counsel;
2. The following shall be provided for review and approval by Corporation Counsel prior to the release of the building permit:
 - a. Pedestrian access easement for the areas of the sidewalk that are not in the public right-of-way and
 - b. License agreement for the building foundation and/or awnings;
3. The Condominium Association documents, including provisions for the allocation of at least one parking space per unit, shall be provided for review and approval by the Planning Authority, Department of Public Services and Corporation Counsel prior to the issuance of a Certificate of Occupancy.

SITE PLAN REVIEW

The Planning Board voted (7-0) that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide application materials for proposed changes to the city's traffic schedule, for review and approval by the city's Department of Public Services prior to Certificate of Occupancy;
2. The applicant shall submit a revised construction management plan addressing the comments of Tom Errico and all phases of development for review and approval by the Planning Authority, the Department of Public Services, the city's Parking Manager, and the city's Fire Prevention Bureau prior to the issuance of any permit;
3. The applicant shall make financial contributions of \$1,200 towards improvements at the India/Middle Street intersection and \$1,200 towards the East End Traffic Monitoring Study, for review and approval by the city's Department of Public Services;

4. The applicant shall submit the HVAC system specifications meeting applicable standards for the Zoning Administrator's review and approval;
5. The applicant shall resolve addressing questions for fire and 911 purposes, for review and approval by the city's Fire Prevention Bureau;
6. The applicant shall provide revised elevations with emphasis on articulation of the rear elevations, overall building massing with emphasis on the rear of the building, renderings, details, and material samples addressing the recommendations of the Planning board and staff on outstanding design issues (including but not limited to the treatment of proposed awnings, the proposed soldier course, metal screens, exterior lighting, and color and materials) in compliance with the Design Standards for review and approval by the Planning Board;
7. The applicant shall provide a maintenance agreement for the subsurface stormwater detention system for review and approval by Corporation Counsel and the Department of Public Services; and
8. The applicant shall submit plans and supporting documentation which specify measures to be taken to protect abutting building foundations and retaining walls during construction, including actions outlined in the email from Sebago Technics dated October 21, 2013, for approval by the Planning Authority, Corporation Counsel, and the Department of Public Services prior to the issuance of any permit.

The approval is based on the submitted plans and findings related to subdivision and site plan review standards as contained in the Planning Board Report for application 2013-179, which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved subdivision and site plans:

1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20,

1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.

4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, an inspection fee payment of 2.0% of the guarantee amount, and seven (7) final sets of plans plus one final digital copy must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
10. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,



Carol Morissette, Chair
Portland Planning Board

Attachments:

1. Planning Board Report
2. Sample stormwater maintenance agreement

Electronic Distribution:

CC: Jeff Levine, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Matt Doughty, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Captain Chris Pirone, Fire Department
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Model: WL-LED100

LEDme® Step Light

WAC LIGHTING

Responsible Lighting®



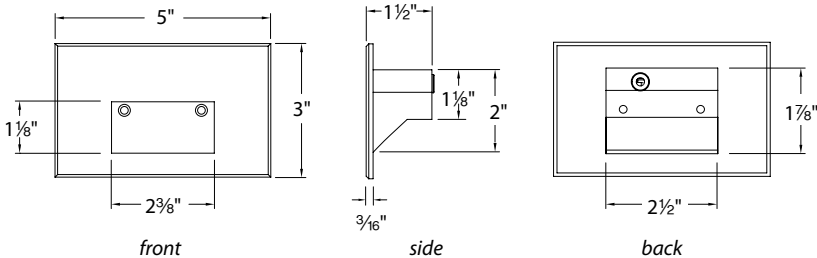
Fixture Type:

K

Catalog Number:

Project: Seaport Lofts

Location: 113 Newbury Street



PRODUCT DESCRIPTION

Horizontal rectangle LEDme® Step Light. Designed for safety and style on stairways, patios, decks, balcony areas, walkways and building perimeters. Features an architectural design. Energy efficient for long-lasting indoor and outdoor lighting solutions. Creates an attractive, romantic impression at night.

FEATURES

- 316 marine grade cast stainless steel (SS) available
- Direct wiring, no driver needed
- Low profile, flush to wall aesthetics with no visible hardware
- Turtle friendly (AM, RD colors)
- 40,000 hour rated life
- Balanced lighting, free of shadows with minimum glare
- Up to 200 fixtures can be connected in parallel
- Replaceable LED module
- 5 year WAC Lighting product warranty

SPECIFICATIONS

Construction: Die-cast aluminum or 316 marine grade cast stainless steel

Power: Direct wiring, no remote driver needed. Input voltage: 120V or 277V AC 50/60Hz

Light Source: 3000K CCT Samsung HV-AC High Power LED, CRI: 85
Optional color lenses. Total power consumption of 3.9W

Mounting: Fits into 2" x 4" J-Box with minimum inside dimensions of 3"L x 2"W x 2"H

Includes bracket for J-Box mount. See next page for spacing recommendations

Dimming: Dim to 10% with electronic low voltage (ELV) dimmer
Approved dimmers: Lutron Skylark SELV-300P-WH and Leviton Vizia VPE04

Standards: IP66, UL & cUL Listed for wet locations

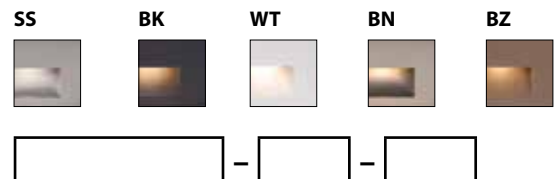
FIXTURE PERFORMANCE

Model #	Lm	Model #	Lm	Model #	Lm	Model #	Lm	Model #	Lm
WL-LED100-C-SS	45	WL-LED100-C-BK	31	WL-LED100-C-WT	68	WL-LED100-C-BN	31	WL-LED100-C-BZ	32
WL-LED100-AM-SS	28	WL-LED100-AM-BK	19	WL-LED100-AM-WT	38	WL-LED100-AM-BN	19	WL-LED100-AM-BZ	21
WL-LED100-RD-SS	3	WL-LED100-RD-BK	2	WL-LED100-RD-WT	4	WL-LED100-RD-BN	2	WL-LED100-RD-BZ	2
WL-LED100-BL-SS	5	WL-LED100-BL-BK	3	WL-LED100-BL-WT	8	WL-LED100-BL-BN	3	WL-LED100-BL-BZ	4
WL-LED100F-C-SS	37	WL-LED100F-C-BK	25	WL-LED100F-C-WT	58	WL-LED100F-C-BN	25	WL-LED100F-C-BZ	27
WL-LED100F-AM-SS	20	WL-LED100F-AM-BK	14	WL-LED100F-AM-WT	29	WL-LED100F-AM-BN	14	WL-LED100F-AM-BZ	15
WL-LED100F-RD-SS	2	WL-LED100F-RD-BK	1.5	WL-LED100F-RD-WT	3	WL-LED100F-RD-BN	1.5	WL-LED100F-RD-BZ	2
WL-LED100F-BL-SS	4	WL-LED100F-BL-BK	3	WL-LED100F-BL-WT	6	WL-LED100F-BL-BN	3	WL-LED100F-BL-BZ	3

ORDER NUMBER

Model #	Color	Finish
WL-LED100	C White 3000K	SS Stainless Steel
WL-LED100F	AM Amber 610nm	BK Black
	RD Red 640nm	WT White
	BL Blue 450nm	BN Brushed Nickel
		BZ Bronze

FINISHES



Example: WL-LED100F-BL-SS

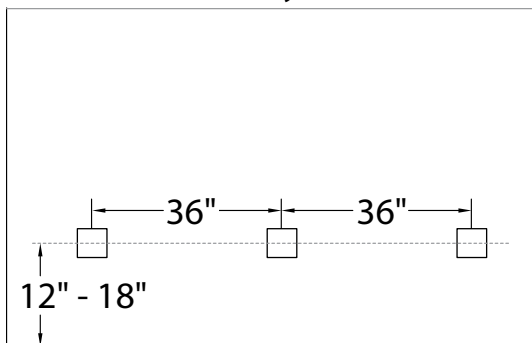
WAC Lighting
www.waclighting.com
Phone (800) 526.2588 • Fax (800) 526.2585

Headquarters/Eastern Distribution Center
44 Harbor Park Drive • Port Washington, NY 11050
Phone (516) 515.5000 • Fax (516) 515.5050

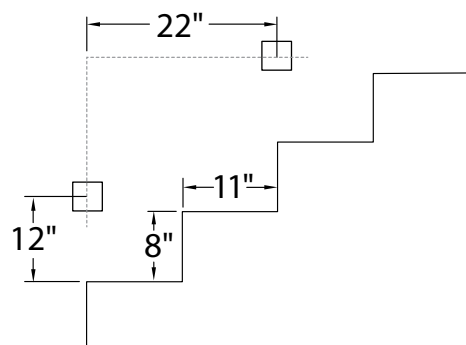
Western Distribution Center
1750 Archibald Avenue • Ontario, CA 91760
Phone (800) 526.2588 • Fax (800) 526.2585

Spacing Recommendations for Optimal Light Distribution

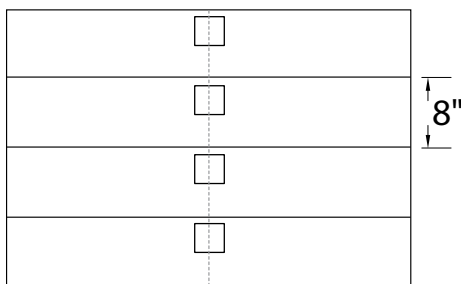
Corridors / Hallways



Stairs - Wall Mount



Stairs - Step Mount

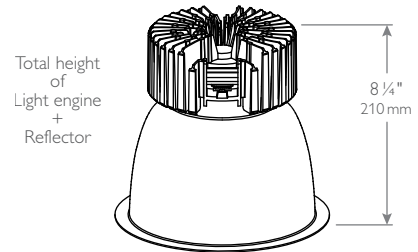


Mount in center of stair as close to the upper tread as possible.

For best results use one light per step for steps narrower than 5'.

Blend performance & comfort in a downlight.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT



Complete product = Frame-in kit + Trim kit
Lumen package for the frame-in kit must match the trim kit.

PHILIPS LIGHTOLIER, CALCULITE, PROFESSIONAL-GRADE DOWNLIGHTING, WHITE LED 7" ROUND APERTURE DOWNLIGHT, NARROW MEDIUM & WIDE 1500/2000/3500/6000LM, C7L-DL-VB

Calculite LED 7" features an LED array of high brightness white light LEDs. The new LED boards in Calculite LED ensure a less than 1-step SDCM color variation between luminaires.

Project: **Seaport Lofts**
Location: **113 Newbury Street**
Catalog No:
Fixture Type: **'L'**
Mfg: Lamps: Qty:
Notes:

Frame-in kit

example: C7L15NUVBZ10V

Series	Lumens	Installation	Input voltage	Version	Dimming	Options ¹
☐	☐	☐	☐	VB	☐	☐
C7L Calculite 7" LED round aperture	15 1500lm	N New construction R Remodeler	U Universal (120/277 V)	VB Version B	Z10V 0-10V dimming LD Lutron driver	EM Emergency ⁴ LC Chicago Plenum
	20 2000lm 35 3500lm	N New construction R Remodeler ²	1 120V 2 277V	VB Version B	Z10V 0-10V dimming LD Lutron driver	EM Emergency ⁴ LC Chicago Plenum ⁵
C7L Calculite 7" LED round aperture (347v configurations)	15 1500lm 20 2000lm 35 3500lm	N New construction R Remodeler	1 120V	VB Version B	Z10V 0-10V dimming	-347 347V ⁶
CUL Calculite LED Universal aperture	15 1500lm	J J-box mount retrofit	U Universal (120/277 V)	VB Version B	Z10V 0-10V dimming Existing wiring will determine if dimming is an option.	
	20 2000lm	J J-box mount retrofit	1 120V 2 277V	VB Version B	Z10V 0-10V dimming Existing wiring will determine if dimming is an option.	
	15 1500lm 20 2000lm	S Screw-in base retrofit	1 120V	VB Version B	Existing wiring will determine if dimming is an option.	

Trim kit

example: C7L1520DL35KWCCDPVB

Series	Lumens	Style	CCT	Beam	Reflector	Flange	Version ⁴
C7L	☐	DL	☐	☐	☐	☐	VB
C7L Calculite 7" LED round aperture	1520 1500, 2000, & 3500lm 50 6000lm	DL Downlight	27K 2700K 30K 3000K 35K 3500K 40K 4000K	N Narrow, 20° 0.3 s.c. ⁷ M Medium, 55° 0.8 s.c. W Wide, 70° 1.1 s.c.	CL Clear CCL Comfort clear CCD Comfort clear diffuse CCZ Champagne bronze WH White (painted)	W White (painted) P Polished (matches aperture) FT Flangeless (flush-mount) ^{1,3}	VB Version B

- Available for new construction (**N**) installation frame-in kits only.
 - Available for 2000 (**20**) lumen frame-in kits only.
 - Accessory **CA7FMR** required for gypsum applications (minimal 1/4" reflector flange).
 - Consult LED-EM spec sheet for **EM** option details and restrictions.
 - Chicago Plenum (**LC**) is not available for 6000 (**50**) lumen frame-in kits.
 - Consult factory for availability of other 347V (**-347**) fixture configurations.
 - Available for 6000 (**50**) lumen trim kits only.
- NOTE:** See page 3 for Energy Star® compatibility.



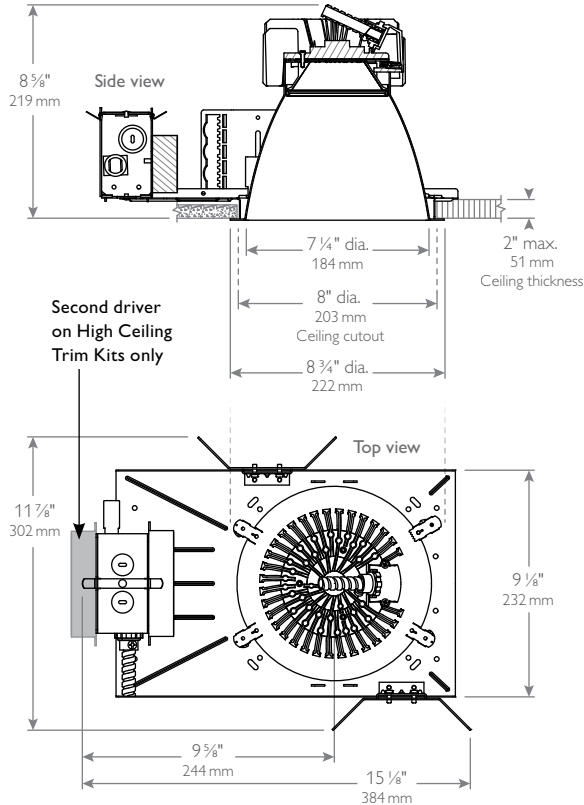
CA7FMR
Flangeless trim with plaster ring accessory.
(Recommended for gypsum installations)



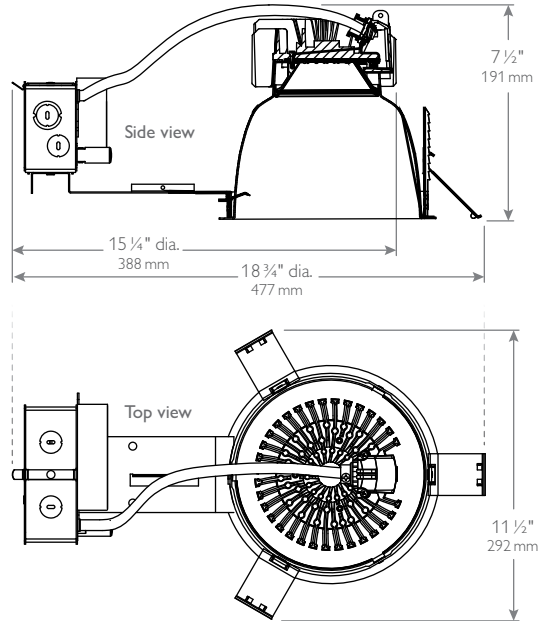
PHILIPS
LIGHTOLIER

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

New Construction



Remodeler



Frame-in kits

New construction

Mounting frame: Galvanized stamped steel for dry or plaster ceilings.

Vertical adjustment: Light engine adjusts in frame below ceilings up to 1 1/8".

Mounting brackets: Galvanized Steel. Adjustable through aperture. Use 3/4" or 1 1/2" lathing channel, 1/2" EMT or optional mounting bars.

Remodeler

Compatibility: Wide beam flanged downlight only.

Power pack: Swivel junction box for tight plenum spaces. Snap-off covers permits wiring from top.

Spring holder: Galvanized steel. Accepts up to 2 1/2" (64mm) ceiling thickness.

Retrofit

Compatibility: Wide beam downlight only.

Capability: Converts 6" (153mm) or 7" (178mm) Lightolier incandescent frame-in kit without additional wiring using existing Calculite E26 base.

Socket cup support: Spun steel. Holds Calculite incandescent socket cup.

Socket extender: Phenolic E26 base. Connect to existing lampholder.

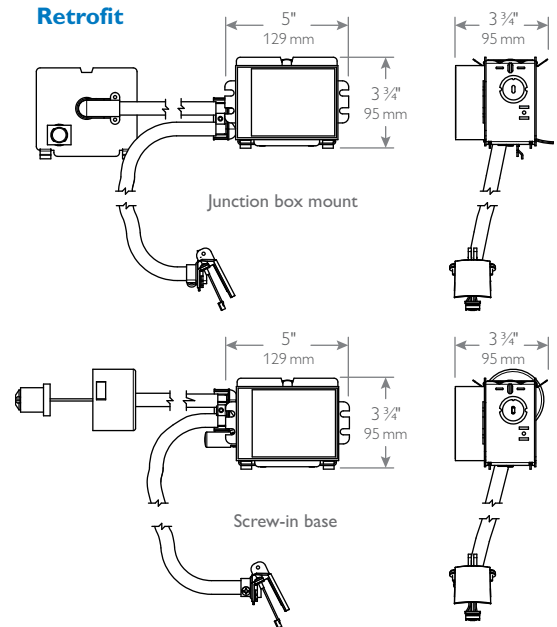
Quick-ship

Philips is committed to providing customers with the products they need when they need them.

Service Smart	Spec Smart
Two-day quick-ship	Two-week quick-ship
Frame-in kits	Frame-in kits
None available	C7L15NUVBZ10V C7L35N1VBZ10V
Trim kits	Trim kits
None available	C7L1520DL30KMCCLWVB C7L1520DL30KWCCCLWVB C7L1520DL35KMCCLWVB C7L1520DL35KWCCCLWVB

Quick-ship SKUs apply to the United States only.

Retrofit

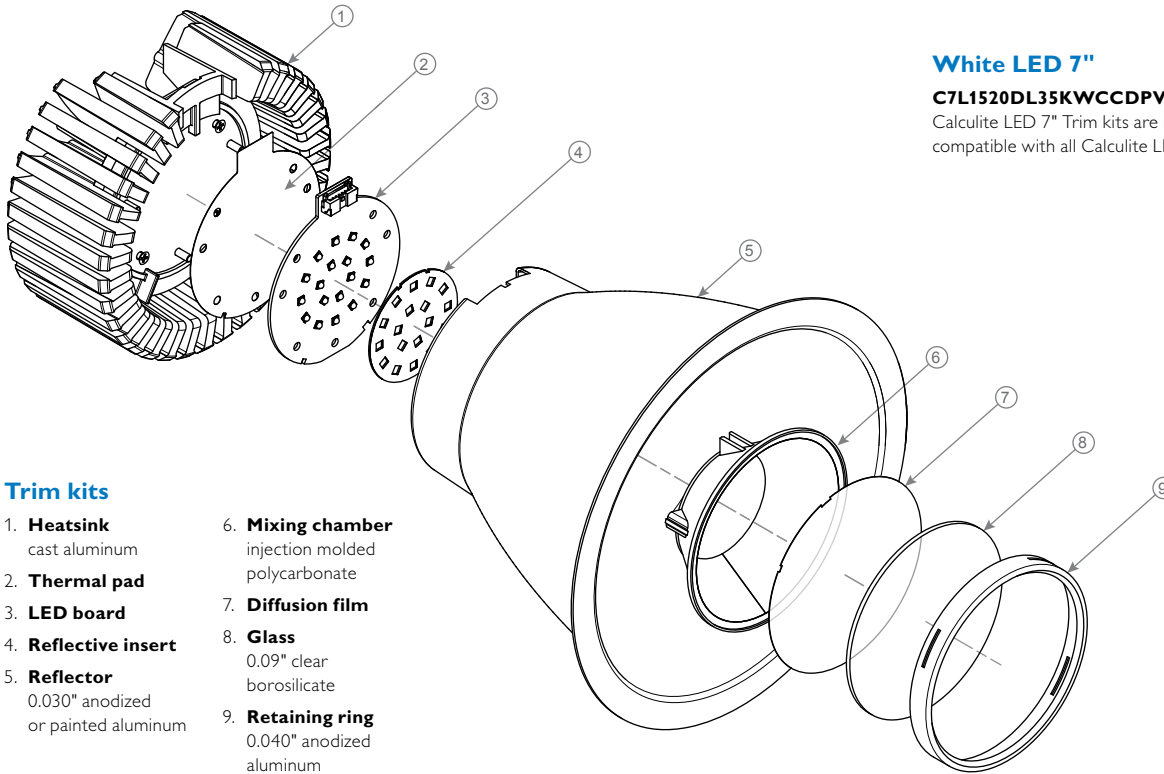


C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

White LED 7"

C7L1520DL35KWCCDPVB

Calculite LED 7" Trim kits are backwards compatible with all Calculite LED 7" Frame-in Kits.



Trim kits

1. **Heatsink**
cast aluminum
2. **Thermal pad**
3. **LED board**
4. **Reflective insert**
5. **Reflector**
0.030" anodized
or painted aluminum
6. **Mixing chamber**
injection molded
polycarbonate
7. **Diffusion film**
8. **Glass**
0.09" clear
borosilicate
9. **Retaining ring**
0.040" anodized
aluminum

Features

Ceiling cutout: 7" aperture; 8" (203mm).
Depth: 8 1/4" (210mm) including light engine.
Power connection: Attaches to light engine via push-in connector (on frame). Removable cover provides access.
Junction box: UL listed for 8 No. 12 AWG, 90°C through branch circuit connectors. Allows inspection from below.
Thermal protector: Meets NEC & UL requirements. Do not install insulation above or within 3" of luminaire.
Thermal Management: Heat sink and thermal design along with the clean room assembly process ensures specified performance levels are maintained.

Options and accessories

Dimming capability: 0-10V or Lutron dimming. See LED-DIM specification sheet.
Emergency capability: Inverter; See LED-LMI specification sheet. Integral; Add "EM" suffix. See LED-EM spec sheet.
Sloped ceilings: Compatible with slope ceiling adaptors. See specification sheet SCA. Round apertures require SCAHID accessory.
Mounting bars: 1950-18" (set of 2) 1951-27" (set of 2)
T-Bar anchor clips: 1956 (set of 4), for use with above.

Energy Star

All new construction (N) frame-in and trim kit configurations are Energy Star certified except for the following.
Trim Kits: Champagne bronze reflector finish configurations; C7L1520DL--KMCCZ..., C7L1520DL--KWCCZ..., All 3500 lumen configurations are NOT Energy Star certified. All EM option configurations are NOT Energy Star certified.

Electrical

Electronic power supply: 120 or 277V, 50/60Hz, encased, overload and short circuit protected, thermal regulation to protect against overheating, sound rating, "A", -20°C minimum starting temperature, 35°C maximum ambient environment.
Rated life: 1500lm and 2000lm are 60,000 hrs at 70% lumen maintenance based on IES LM-80-08 and TM-21-11.

Labels

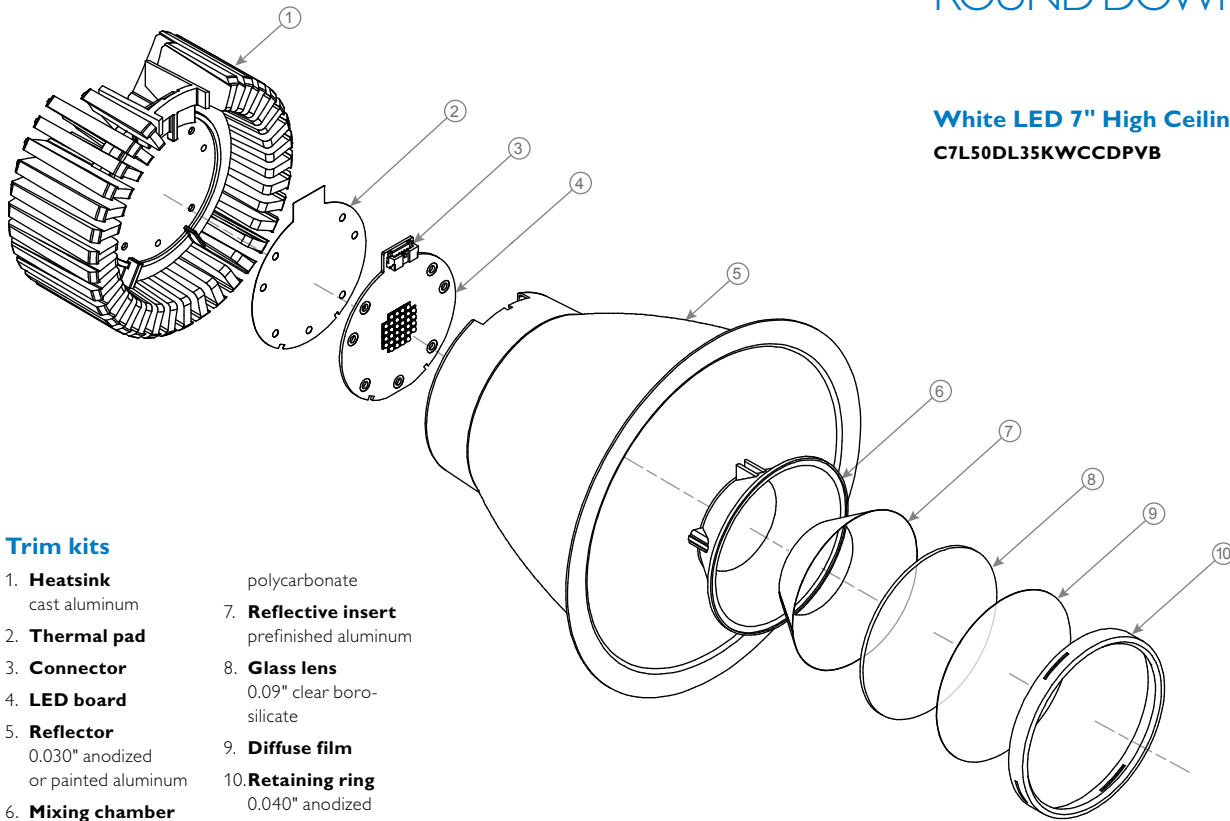
cULus, I.B.E.V.
Suitable for wet locations.
5 year warranty.
Energy Star certified (see above for exclusions).

Frame-In kit	Input volts	Input freq.	Input current	LED drive current	Input power*	LED power	THD factor	Power factor
C7L15_VBZ10V	120V	50/60Hz	0.17A	350mA	21W	18W	<20%	>0.9
1500lm w/0-10V dimming	277V	50/60Hz	0.08A	350mA	21W	18W	<20%	>0.9
C7L20_VBZ10V	120V	50/60Hz	0.26A	520mA	32W	26W	<20%	>0.9
2000lm w/0-10V dimming	277V	50/60Hz	0.12A	520mA	33W	26W	<20%	>0.9
C7L35_VBZ10V	120V	50/60Hz	0.43A	850mA	51W	41W	<20%	>0.9
3500lm w/0-10V dimming	277V	50/60Hz	0.19A	850mA	52W	41W	<20%	>0.9

* +/- 5%

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

White LED 7" High Ceiling
C7L50DL35KWCCDPVB



Trim kits

- | | |
|---|--|
| 1. Heatsink
cast aluminum | polycarbonate |
| 2. Thermal pad | 7. Reflective insert
prefinished aluminum |
| 3. Connector | 8. Glass lens
0.09" clear boro-silicate |
| 4. LED board | 9. Diffuse film |
| 5. Reflector
0.030" anodized
or painted aluminum | 10. Retaining ring
0.040" anodized
aluminum |
| 6. Mixing chamber
injection molded | |

Features

Ceiling cutout: 7" aperture; 8" (203mm).
Depth: 8 1/4" (210mm) including light engine.
Power connection: Attaches to light engine via push-in connector (on frame). Removable cover provides access.
Junction box: UL listed for 8 No. 12 AWG, 90°C through branch circuit connectors. Allows inspection from below.
Thermal protector: Meets NEC & UL requirements. Do not install insulation above or within 3" of luminaire.
Thermal Management: Heat sink and thermal design along with the clean room assembly process ensures specified performance levels are maintained.

Options and accessories

Dimming capability: 0-10V or Lutron dimming. See LED-DIM specification sheet.
Emergency capability: Inverter; See LED-LMI specification sheet. Integral; Add "EM" suffix. See LED-EM spec sheet.
Sloped ceilings: Compatible with slope ceiling adaptors. See specification sheet SCA. Round apertures require SCAHID accessory.
Mounting bars: 1950-18" (set of 2) 1951-27" (set of 2)
T-Bar anchor clips: 1956 (set of 4), for use with above.

Electrical

Electronic power supply: 120 or 277V, 50/60Hz, encased, overload and short circuit protected, thermal regulation to protect against overheating, sound rating. "A", -20°C minimum starting temperature, 35°C maximum ambient environment.
Rated life: 58,000 hrs at 70% lumen maintenance based on IES LM-80-08 and TM-21-11.

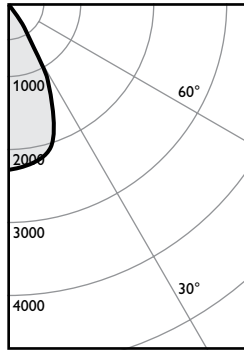
Labels

cULus, I.B.E.W.
 Suitable for wet locations.
 5 year warranty.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

21W LED, 3500K, 55° Medium 1500 lumen

Candela Curve



Frame: C7L15NUVBZ10V
Trim: C7L1520DL35KMCLWVB

CCT¹: 3500K
Output lumens: 1615 lms
Input watts²: 21.4 W
Efficacy: 75.2 lm/w
CRI: 80 min
Spacing Crit.: 0.8
Beam Spread: 55°
Report no³: 124GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	1371	85.2%
0-40	1580	98.1%
0-60	1609	99.9%
0-90	1610	100.0%

Angle	Mean CP	Lumens
0	2287	
5	2259	218
10	2213	
15	2096	574
20	1767	
25	1327	580
30	675	
35	318	209
40	119	
45	23	27
50	3	
55	2	2
60	1	
65	1	1
70	0	
75	0	0
80	0	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	91	4.0'
6'	64	4.8'
7'	47	5.6'
8'	36	6.4'
9'	28	7.2'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	74.8	0.95
6'	49.1	0.62
7'	35.1	0.44
8'	29.2	0.37
9'	23.4	0.30

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

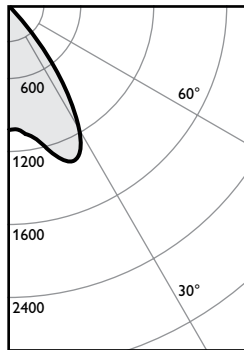
4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	114	112	109	107	109	105	105	105	102	102	99	95	102	99	95	95	95
2	109	105	101	98	103	97	100	95	97	97	93	89	97	93	89	89	89
3	104	99	94	91	97	90	95	88	92	87	84	84	92	87	84	84	84
4	100	93	88	84	92	84	90	83	88	82	79	79	88	82	79	79	79
5	95	88	83	79	87	78	85	78	84	77	75	75	84	77	75	75	75
6	91	83	78	74	82	74	81	73	80	73	71	71	80	73	71	71	71
7	87	79	74	70	78	70	77	69	76	69	67	67	76	69	67	67	67
8	84	75	70	66	74	66	73	66	72	65	64	64	72	65	64	64	64
9	80	71	66	62	71	62	70	62	69	62	61	61	69	62	61	61	61
10	77	68	63	59	68	59	67	59	66	59	58	58	66	59	58	58	58

21W LED, 3500K, 70° Wide 1500 lumen

Candela Curve



Frame: C7L15NUVBZ10V
Trim: C7L1520DL35KWCLWVB

CCT¹: 3500K
Output lumens: 1618 lms
Input watts²: 21.4 W
Efficacy: 75.5 lm/w
CRI: 80 min
Spacing Crit.: 1.1
Beam Spread: 70°
Report no³: 127GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	1053	65.2%
0-40	1530	94.7%
0-60	1612	99.8%
0-90	1615	100.0%

Angle	Mean CP	Lumens
0	1028	
5	1020	101
10	1081	
15	1206	347
20	1346	
25	1354	605
30	1155	
35	787	477
40	371	
45	39	79
50	6	
55	4	4
60	3	
65	2	2
70	1	
75	1	1
80	0	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	41	5.5'
6'	29	6.6'
7'	21	7.7'
8'	16	8.8'
9'	13	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	73.3	0.95
6'	48.1	0.62
7'	34.4	0.44
8'	28.6	0.37
9'	22.9	0.30

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

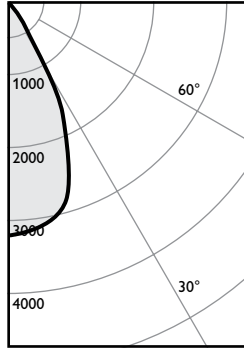
Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	113	110	108	106	108	104	104	101	100	98	93	93	100	98	93	93	93
2	107	102	98	95	101	94	97	92	94	90	86	86	94	90	86	86	86
3	102	95	90	86	94	85	91	84	88	82	79	79	88	82	79	79	79
4	96	88	82	78	87	78	85	77	83	76	73	73	83	76	73	73	73
5	91	82	76	71	81	71	79	70	78	70	68	68	78	70	68	68	68
6	86	76	70	66	76	65	74	65	73	64	63	63	73	64	63	63	63
7	81	71	65	60	71	60	69	60	68	60	58	58	68	60	58	58	58
8	77	67	60	56	66	56	65	56	64	55	54	54	64	55	54	54	54
9	73	62	56	52	62	52	61	52	60	51	50	50	60	51	50	50	50
10	69	58	52	48	58	48	57	48	56	48	46	46	56	48	46	46	46

1. Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.
2. Wattage controlled to within 5%.
3. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

32W LED, 3500K, 55° Medium 2000 lumen

Candela Curve



Frame: C7L20N1VBZ10V
Trim: C7L1520DL35KMCLWVB

CCT¹: 3500K
Output lumens: 2252 lms
Input watts²: 32.3 W
Efficacy: 69.5 lm/w
CRI: 80 min
Spacing Crit.: 0.8
Beam Spread: 55°
Report no³: 125GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	1913	85.2%
0-40	2204	98.1%
0-60	2245	100.0%
0-90	2246	100.0%

Angle	Mean CP	Lumens
0	3191	
5	3152	304
10	3089	
15	2925	801
20	2465	
25	1850	808
30	942	
35	443	291
40	166	
45	32	38
50	4	
55	3	2
60	2	
65	1	1
70	1	
75	0	0
80	0	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	128	4.0'
6'	89	4.8'
7'	65	5.6'
8'	50	6.4'
9'	39	7.2'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	104.3	1.43
6'	68.5	0.94
7'	48.9	0.67
8'	40.8	0.56
9'	32.6	0.45

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

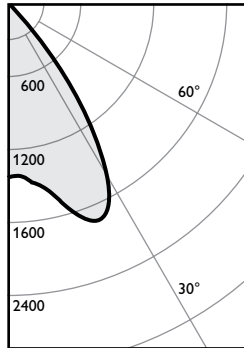
4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	114	112	109	107	109	106	105	102	102	99	99	95	102	99	95	95	95
2	109	105	101	98	103	97	100	95	97	93	89	97	93	89	89	89	89
3	104	99	94	91	97	90	95	88	92	87	84	92	87	84	84	84	84
4	100	93	88	84	92	84	90	83	88	82	80	88	82	80	80	80	80
5	95	88	83	79	87	78	85	78	84	77	75	84	77	75	75	75	75
6	91	83	78	74	83	74	81	73	80	73	71	80	73	71	71	71	71
7	87	79	74	70	78	70	77	69	76	69	67	76	69	67	67	67	67
8	84	75	70	66	75	66	73	66	73	65	64	73	65	64	64	64	64
9	80	71	66	63	71	62	70	62	69	62	61	69	62	61	61	61	61
10	77	68	63	59	68	59	67	59	66	59	58	66	59	58	58	58	58

32W LED, 3500K, 70° Wide 2000 lumen

Candela Curve



Frame: C7L20N1VBZ10V
Trim: C7L1520DL35KWCLWVB

CCT¹: 3500K
Output lumens: 2261 lms
Input watts²: 32.3 W
Efficacy: 69.9 lm/w
CRI: 80 min
Spacing Crit.: 1.1
Beam Spread: 70°
Report no³: 128GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	1472	65.2%
0-40	2138	94.7%
0-60	2253	99.8%
0-90	2257	100.0%

Angle	Mean CP	Lumens
0	1438	
5	1426	142
10	1511	
15	1687	485
20	1883	
25	1893	845
30	1614	
35	1099	666
40	517	
45	55	110
50	8	
55	6	5
60	4	
65	3	3
70	2	
75	1	1
80	0	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	58	5.5'
6'	40	6.6'
7'	29	7.7'
8'	22	8.8'
9'	18	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	102.4	1.43
6'	67.2	0.94
7'	48.0	0.67
8'	40.0	0.56
9'	32.0	0.45

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

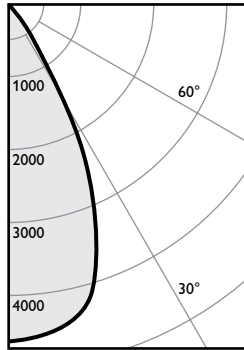
Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	113	110	108	106	108	104	104	101	100	98	93	100	98	93	93	93	93
2	107	102	98	95	101	94	97	92	94	90	86	94	90	86	86	86	86
3	102	95	90	86	94	85	91	84	88	82	79	88	82	79	79	79	79
4	96	88	82	78	87	78	85	77	83	76	73	83	76	73	73	73	73
5	91	82	76	71	81	71	79	70	78	70	68	78	70	68	68	68	68
6	86	76	70	66	76	65	74	65	73	64	63	73	64	63	63	63	63
7	81	71	65	61	71	60	69	60	68	60	58	68	60	58	58	58	58
8	77	67	60	56	66	56	65	56	64	55	54	64	55	54	54	54	54
9	73	62	56	52	62	52	61	52	60	51	50	60	51	50	50	50	50
10	69	58	52	48	58	48	57	48	56	48	46	56	48	46	46	46	46

1. Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.
2. Wattage controlled to within 5%.
3. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

51W LED, 3500K, 55° Medium 3500 lumen

Candela Curve



Frame: C7L35N1VBZ10V
Trim: C7L1520DL35KMCLWVB

CCT¹: 3500K
Output lumens: 3285 lms
Input watts²: 50.5 W
Efficacy: 64.9 lm/w
CRI: 80 min
Spacing Crit.: 0.8
Beam Spread: 55°
Report no³: 126GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	2791	85.2%
0-40	3217	98.2%
0-60	3274	99.9%
0-90	3276	100.0%

Angle	Mean CP	Lumens
0	4648	
5	4592	442
10	4502	
15	4263	1168
20	3597	
25	2702	1181
30	1381	
35	647	425
40	241	
45	46	55
50	6	
55	2	3
60	2	
65	1	1
70	1	
75	1	0
80	0	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	186	4.0'
6'	129	4.8'
7'	95	5.6'
8'	73	6.4'
9'	57	7.2'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	152.2	2.24
6'	99.9	1.47
7'	71.3	1.05
8'	59.4	0.87
9'	47.6	0.70

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

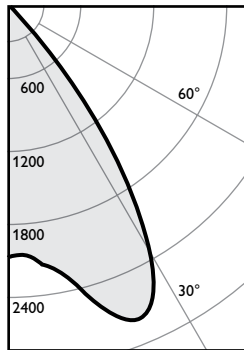
4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	114	112	109	107	109	106	105	102	102	99	99	95	102	99	95	93	89
2	109	105	101	98	103	97	100	95	97	93	88	92	97	93	89	87	84
3	104	99	94	91	97	90	95	88	92	87	84	80	92	87	84	82	80
4	100	93	88	84	92	84	90	83	88	82	80	77	88	82	80	77	75
5	95	88	83	79	87	78	85	78	84	77	75	72	84	77	75	72	71
6	91	83	78	74	83	74	81	73	80	73	71	68	80	73	71	69	67
7	87	79	74	70	78	70	77	69	76	69	67	64	76	69	67	65	64
8	84	75	70	66	75	66	73	66	73	65	64	61	73	65	64	62	61
9	80	71	66	63	71	62	70	62	69	62	61	58	69	62	61	59	58
10	77	68	63	59	68	59	67	59	66	59	58	55	66	59	58	56	55

51W LED, 3500K, 70° Wide 3500 lumen

Candela Curve



Frame: C7L35N1VBZ10V
Trim: C7L1520DL35KWCLWVB

CCT¹: 3500K
Output lumens: 3281 lms
Input watts²: 50.5 W
Efficacy: 64.9 lm/w
CRI: 80 min
Spacing Crit.: 1.1
Beam Spread: 70°
Report no³: 129GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	2135	65.2%
0-40	3102	94.7%
0-60	3270	99.8%
0-90	3276	100.0%

Angle	Mean CP	Lumens
0	2086	
5	2067	206
10	2191	
15	2446	703
20	2730	
25	2747	1227
30	2343	
35	1596	967
40	750	
45	81	160
50	11	
55	8	7
60	6	
65	4	4
70	3	
75	2	2
80	1	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	83	5.5'
6'	58	6.6'
7'	43	7.7'
8'	33	8.8'
9'	26	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	148.6	2.24
6'	97.5	1.47
7'	69.7	1.05
8'	58.1	0.87
9'	46.4	0.70

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

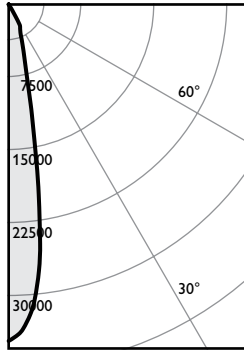
Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	113	110	108	106	108	104	104	101	100	98	93	94	99	98	93	90	86
2	107	102	98	95	101	94	97	92	94	90	86	88	92	87	84	82	79
3	102	95	90	86	94	85	91	84	88	82	79	80	87	82	79	76	73
4	96	88	82	78	87	78	85	77	83	76	73	74	81	76	73	70	68
5	91	82	76	71	81	71	79	70	78	70	68	69	77	70	68	65	64
6	86	76	70	66	76	65	74	65	73	64	63	65	73	64	63	61	60
7	81	71	65	60	71	60	69	60	68	60	58	60	68	60	58	56	55
8	77	67	60	56	66	56	65	56	64	55	54	56	64	55	54	52	51
9	73	62	56	52	62	52	61	52	60	51	50	52	60	51	50	48	46
10	69	58	52	48	58	48	57	48	56	48	46	48	56	48	46	44	43

1. Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.
2. Wattage controlled to within 5%.
3. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

69W LED, 3500K, 20° Narrow 6000 lumen

Candela Curve



Frame: C7L50N1VBZ10V
Trim: C7L50DL35KNCLWVB

CCT¹: 3500K
Output lumens: 6174 lms
Input watts²: 69.4 W
Efficacy: 89.0 lm/w
CRI: 80 min
Spacing Crit.: 0.3
Beam Spread: 20°
Report no³: 327GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	5902	95.6%
0-40	6133	99.3%
0-60	6169	99.9%
0-90	6174	100.0%

Angle	MeanCP	Lumens
0	34747	
5	30669	2475
10	16592	
15	6860	2151
20	4015	
25	2810	1276
30	1411	
35	146	231
40	100	
45	39	33
50	5	
55	2	3
60	3	
65	2	2
70	3	
75	1	2
80	0	
85	1	1
90	1	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	1390	1.5'
6'	965	1.8'
7'	709	2.1'
8'	543	2.4'
9'	429	2.7'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	294	3.08
6'	193	2.02
7'	138	1.44
8'	115	1.20
9'	92	0.96

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

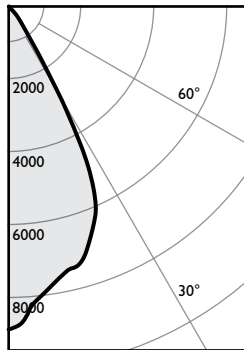
4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	115	113	111	109	111	108	107	104	103	101	100	97	103	101	97	94	94
2	111	108	105	102	106	101	103	99	100	97	94	91	100	97	94	91	91
3	108	103	100	97	102	96	100	95	97	93	91	88	97	93	89	84	83
4	105	99	95	92	98	92	96	91	94	90	88	85	92	88	85	80	80
5	102	96	92	89	95	88	93	88	92	87	85	83	89	85	81	76	76
6	99	93	88	85	92	85	91	85	89	84	83	80	86	82	78	73	73
7	96	90	86	83	89	82	88	82	87	82	80	77	84	79	75	70	70
8	93	87	83	80	86	80	86	80	85	79	78	76	83	77	73	68	68
9	91	84	80	78	84	78	83	77	81	75	74	72	80	74	70	65	65
10	89	82	78	76	82	76	81	75	81	75	74	72	80	74	70	65	65

69W LED, 3500K, 55° Medium 6000 lumen

Candela Curve



Frame: C7L50N1VBZ10V
Trim: C7L50DL35KMCLWVB

CCT¹: 3500K
Output lumens: 5963 lms
Input watts²: 69.2 W
Efficacy: 86.2 lm/w
CRI: 80 min
Spacing Crit.: 0.8
Beam Spread: 55°
Report no³: 329GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	5171	86.7%
0-40	5833	97.8%
0-60	5954	99.8%
0-90	5963	100.0%

Angle	MeanCP	Lumens
0	8911	
5	8195	770
10	7673	
15	7395	2052
20	6676	
25	5541	2348
30	2654	
35	839	662
40	421	
45	80	113
50	13	
55	10	8
60	7	
65	7	5
70	4	
75	3	4
80	1	
85	0	1
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	356	4.0'
6'	248	4.8'
7'	182	5.6'
8'	139	6.4'
9'	110	7.2'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	276	3.07
6'	181	2.01
7'	129	1.44
8'	108	1.20
9'	86	0.96

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

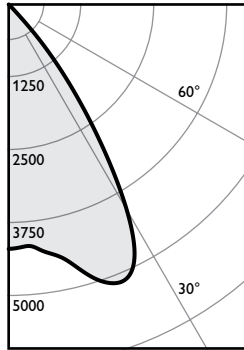
Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	106	106	100	100	100
1	114	111	109	107	109	105	105	102	102	99	95	93	102	99	95	91	91
2	109	105	101	98	103	97	100	95	97	93	89	86	97	93	89	84	84
3	104	98	94	90	97	90	95	88	92	87	84	81	92	88	84	79	79
4	100	93	88	84	92	84	90	83	88	82	79	76	88	82	78	73	73
5	95	88	83	79	87	78	85	78	84	77	75	72	83	77	73	68	68
6	91	83	78	74	82	74	81	73	80	73	71	68	80	74	70	65	65
7	87	79	73	70	78	69	77	69	76	69	67	64	77	71	67	62	62
8	83	75	69	66	74	66	73	65	72	65	64	61	73	67	63	58	58
9	80	71	66	62	71	62	70	62	69	62	60	57	70	64	60	55	55
10	77	68	63	59	67	59	67	59	66	59	57	54	67	61	57	52	52

1. Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.
2. Wattage controlled to within 5%.
3. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

C7L-DL-VB CALCULITE WHITE LED 7" ROUND DOWNLIGHT

69W LED, 3500K, 70° Wide 6000 lumen

Candela Curve



Frame: C7L50N1VBZ10V
Trim: C7L50DL35KWCLWVB

CCT¹: 3500K
Output lumens: 5889 lms
Input watts²: 69.2 W
Efficacy: 85.1 lm/w
CRI: 80 min
Spacing Crit.: 1.1
Beam Spread: 70°
Report no³: 328GFR

Zonal summary

Zone	Lumens	%Luminaire
0-30	4013	68.1%
0-40	5608	95.2%
0-60	5881	99.9%
0-90	5889	100.0%

Angle	Mean CP	Lumens
0	4197	
5	4120	404
10	4350	
15	4705	1348
20	5106	
25	5077	2261
30	4159	
35	2538	1595
40	1197	
45	150	265
50	11	
55	10	8
60	7	
65	4	5
70	3	
75	2	2
80	1	
85	0	0
90	0	

Single unit data

Height to lighted plane	Initial center beam foot-candles	Beam diameter (ft)*
5'	168	5.5'
6'	117	6.6'
7'	86	7.7'
8'	66	8.8'
9'	52	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq. ft.
5'	268	3.07
6'	176	2.01
7'	125	1.44
8'	105	1.20
9'	84	0.96

38'x38'x10' Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

Finish Adjust. factors

CL = 100%
CCL = 95%
CCD = 87%
CCZ = 63%
WH = 87%

CCT Adjust. factors

4000K = 103%
3500K = 100%
3000K = 97%
2700K = 87%

Coefficients of utilization

Ceiling	80%				70%				50%				30%				0%
Wall	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%																
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100	100	100	100	100	100
1	113	111	108	106	108	104	104	101	101	101	98	93	93	93	93	93	93
2	108	103	99	95	101	94	98	92	95	90	86	86	86	86	86	86	86
3	102	95	90	86	94	86	91	84	89	83	80	80	80	80	80	80	80
4	97	89	83	79	88	78	85	77	83	76	74	74	74	74	74	74	74
5	91	83	77	72	82	72	80	71	78	71	69	69	69	69	69	69	69
6	86	77	71	67	76	66	75	66	74	66	64	64	64	64	64	64	64
7	82	72	66	62	72	61	70	61	69	61	59	59	59	59	59	59	59
8	78	68	61	57	67	57	66	57	65	57	55	55	55	55	55	55	55
9	74	63	57	53	63	53	62	53	61	53	51	51	51	51	51	51	51
10	70	60	54	50	59	50	58	49	58	49	48	48	48	48	48	48	48

1. Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.
2. Wattage controlled to within 5%.
3. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.



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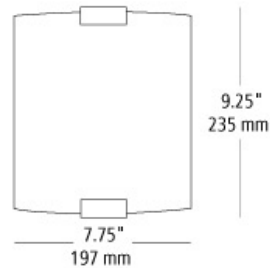
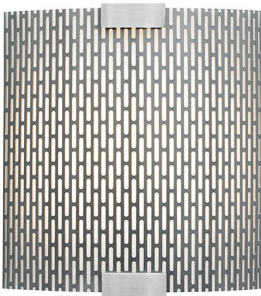
C7L-DL-VB 05/14 page 9 of 9

Philips Lighting
North America Corporation
200 Franklin Square Drive
Somerset, NJ 08873
Phone: 855-486-2216

Philips Lighting Company
281 Hillmount Road
Markham ON, Canada L6C 2S3
Phone: 800-668-9008

omni with cover small wall

DESCRIPTION
Minimal wall sconce with extruded aluminum housing and die-cast end caps. Features slumped glass, fabric, and metal shade options for optimal design flexibility. Mounts vertically only. Incandescent includes (1) E26 medium base 60 watt or equivalent BT15 halogen lamp; fluorescent includes (1) GX24Q-2 base 18 watt triple tube compact fluorescent lamp and electronic ballast; LED includes (1) replaceable 10 watt 2700K LED module. ADA compliant. 120 or 277v.



wall projection 3.9" / 99 mm

metal meta

COLOR OPTIONS



bubble glass blue bubble glass dark amber bubble glass opal fabric linen fabric pewter horizontal carved glass frost metal meta

ORDERING INFORMATION

type	model	color	finish	lamp
JW Incandescent	559	BBU bubble glass blue	BZ bronze	2D E26 BT15 60w 120v (JW only)
LW LED		BAM bubble glass dark amber	SI silver	CF1HE GX24Q-2 Triple Tube 18w 120v (PW only)
PW Compact Fluorescent		BOP bubble glass opal		CF2HE GX24Q-2 Triple Tube 18w 277v (PW only)
		FLI fabric linen		LED LED module 10w 120v (LW only)
		FPE fabric pewter		LED277 LED module 10w 277v (LW only)
		HFR horizontal carved glass frost		
		MET metal meta		

Horizontal Carved Glass and Metal not available with incandescent lamp.

FIXTURE TYPE:

'M'

JOB NAME:

K

NOTES:

Seaport Lofts

7400 Linder Avenue
Skokie, Illinois 60077
T 847.626.6300
F 847.626.6350
www.lblighting.com

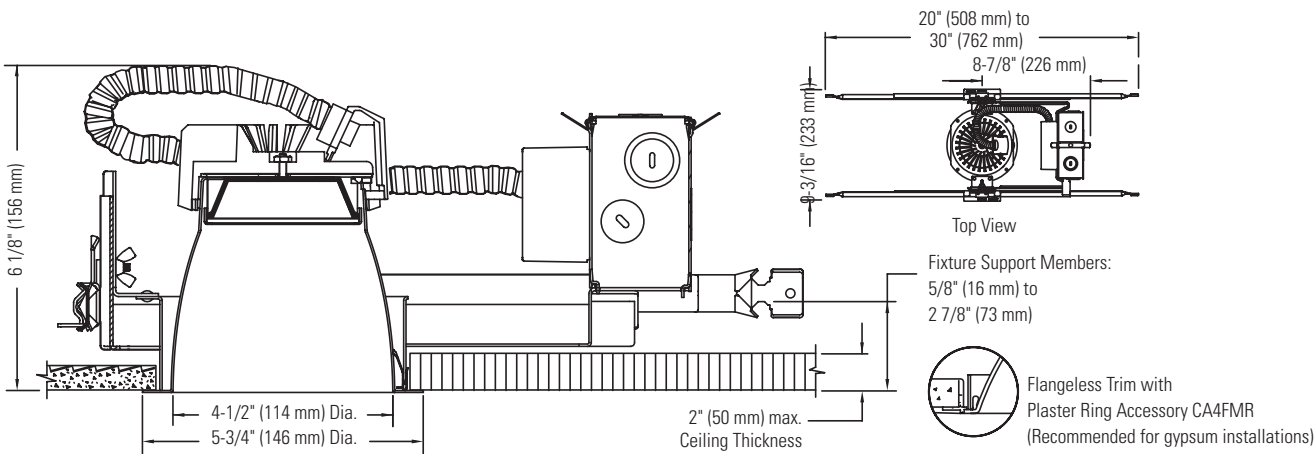


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C4L05DL

Calculite 4 1/2" LED Downlight

Page 1 of 6



Ordering Guide: Light Engines

Light Engine Series	Style	Color Temperature	Reflector Finish	Flange	Options
C4L05	DL (Downlight)	27K (2700K) 30K (3000K) 35K (3500K) 40K (4000K)	CL (Clear) CCL (Comfort Clear) CCD (Comfort Clear Diffuse) CCZ (Champagne Bronze) WH (Painted White)	W (Painted white) P (Aperture-matching/polished) FT (Flush-mount/flangeless) ¹	EM (Integral emergency test switch) ²

Example: C4L05DL35KCCLWEM
¹Accessory CA4FMR recommended for gypsum applications. Reflector flange is 1/4".
²See LED-EM for details and restrictions.

Ordering Guide: Frame-in Kits

Frame-in Kit Series	Installation Options	Input Voltage	Options
C4L05	N (New construction) R (Remodeler)	1 (120V) 2 (277V)*	Blank (Electronic low voltage dimming, 120V only) EM (Emergency) Z10V (0-10V dimming)
CUL05	J (J-box mount retrofit) S (Screw-in base retrofit (120V only))	1 (120V) 2 (277V)*	Blank (Electronic low voltage dimming) Z10V (0-10V dimming)

Example: C4L05N1EM

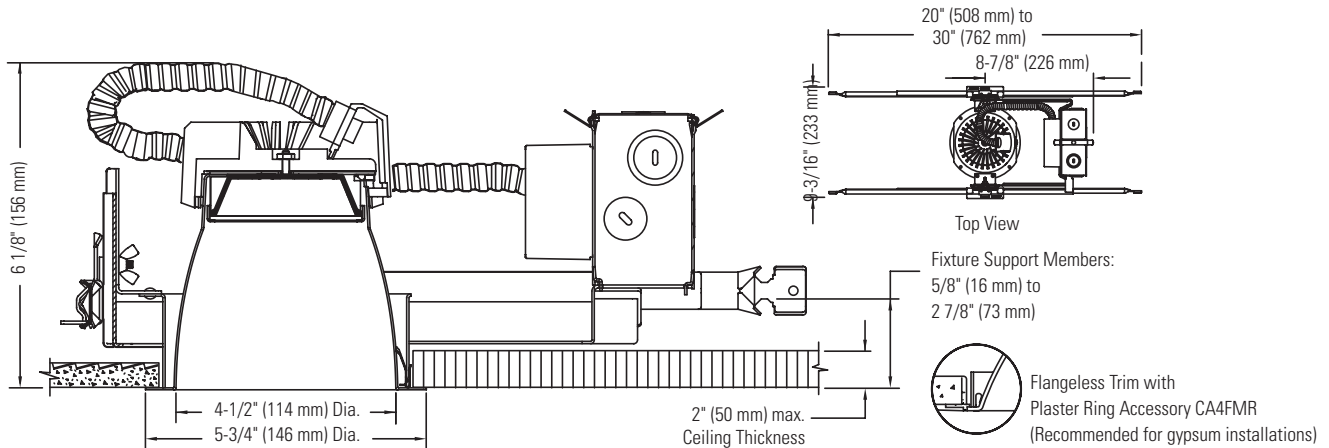
*277V dimming applications require Z10V option.

Job Information	Type: 'N'
Job Name:	Seaport Lofts
Cat. No.:	113 Newbury Street
Notes:	

PHILIPS
LIGHTOLIER

Calculite 4 1/2" LED Downlight

Page 2 of 6



Features

Aperture: 4 1/2" (114mm) I.D., 5 3/4" (146mm) O.D.

Input Wattage: 9W (+/- 5%)

Reflector Cone: Aluminum. Provides 50° cutoff to source & source image. Self-flanged.

Depth (including Frame-in kit): 6 1/8" (156mm)

Power Connection: Attaches to frame-in kit via push-in connector (on frame). Removable cover provides access.

Technology

LED Board: Array of high brightness royal blue LED's.

Remote Phosphor Technology: Remote phosphor technology provides increased efficiency and color consistency. Phosphor lens assembly positioned in front of LED array converts blue light to white. Color shift will not exceed +/- 100K over life.

Optical Mixing Chamber: Lightolier-specific mixing chamber redirects back-reflected light through aperture resulting in 20% increase in efficiency.

Thermal Management: Heat sink and thermal design along with clean room assembly ensures specified performance.

Rated Life: Based on IESNA LM-80-2008

50,000 hours at 70% lumen maintenance.

Photometric Performance: Tested in accordance to IESNA LM-79-2008

Technology (continued)

Options

Dimming Capability: See LED-DIM specification sheet

Emergency Capability (Integral): Add "EM" suffix. See LED-EM spec sheet.

Labels

UL (suitable for wet locations), cUL, I.B.E.W.

5 Year Warranty

Job Information

Type: 'N'

PHILIPS
LIGHTOLIER

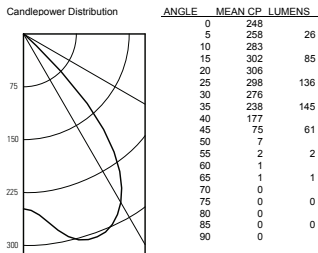
Calculite 4 1/2" LED Downlight

Page 3 of 6

Reflector Finish Multipliers

CL (x 1.00), **CCL** (x 0.94), **CCD** (x 0.93), **CCZ** (x 0.76), **WH** (x 0.82) — **CL** & **CCD** finishes are tested. **CCL**, **CCZ** & **WH** are calculated.

10W LED, 2700K, CL FINISH TRIM



Trim:
C410LEDDL27KCCLW

Output lumens:

Correlated Color Temp¹:

Input Watts²:

Efficacy:

CR³:

Spacing Criterion:

457 lm

2700K

8.7 w

52.5 lm/w

80

1.3

Single Unit Data

Height to

Initial

Footcandles

Beam

Diameter

5' 10' 7"

6' 10' 9"

7' 10' 12"

8' 10' 13"

9' 10' 13"

10' 10' 13"

11' 10' 13"

12' 10' 13"

13' 10' 13"

14' 10' 13"

15' 10' 13"

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213' 10' 13"

214' 10' 13"

215' 10' 13"

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218' 10' 13"

21

C4L05DL

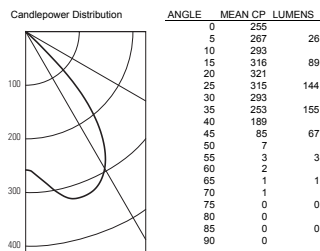
Calculite 4 1/2" LED Downlight

Page 4 of 6

Reflector Finish Multipliers

CL (x 1.00), **CCL** (x 0.94), **CCD** (x 0.93), **CCZ** (x 0.76), **WH** (x 0.82) — **CL** & **CCD** finishes are tested. **CCL**, **CCZ** & **WH** are calculated.

10W LED, 3000K, CL FINISH TRIM



Trim: C410LEDL30KCLW

Output lumens: 485 lm

Correlated Color Temp¹: 3000K

Input Watts²: 8.7 w

Efficacy: 55.7 lm/w

CRI³: 79

Spacing Criterion: 1.3

CEILING WALL	80%				70%				50%				30%				0%			
	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0	0	0	0
RCR	Zonal Cavity Method - Effective Floor Cavity Reflectance = 20%																			
0	119	119	119	119	116	116	111	111	106	106	100	100	106	106	100	100	100	100	100	100
1	113	110	107	105	108	103	104	100	100	97	92	88	93	88	84	80	77	73	69	65
2	107	101	97	93	99	92	96	90	93	85	81	77	87	80	77	70	66	61	57	53
3	100	93	88	83	92	82	89	81	87	80	77	70	80	73	70	63	59	54	50	46
4	94	86	80	75	85	74	82	74	80	73	70	63	74	67	64	57	53	49	45	41
5	89	79	73	68	78	68	76	67	75	66	64	57	69	61	59	52	48	44	40	36
6	83	73	67	62	72	61	71	61	69	61	59	52	64	56	54	47	43	39	35	31
7	78	68	61	56	67	56	66	56	65	56	54	47	59	51	49	42	38	34	30	26
8	74	63	56	52	62	52	61	51	60	51	49	42	54	46	44	37	33	29	25	21
9	69	59	52	47	58	47	57	47	56	47	45	38	50	42	40	33	29	25	21	17
10	66	55	48	44	54	44	53	44	52	43	41	34	46	38	36	29	25	21	17	13

¹ Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid-State Lighting Products.

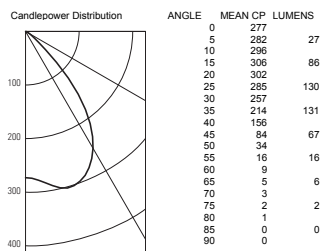
² Wattage controlled to within 5%.

³ Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

⁴ Color Rendering Index within +/- 2%.

CERTIFIED TEST REPORT NO. 15742³

10W LED, 3000K, CCD FINISH TRIM



Trim: C410LEDL30KCCDW

Output lumens: 467 lm

Correlated Color Temp¹: 3000K

Input Watts²: 8.7 w

Efficacy: 53.7 lm/w

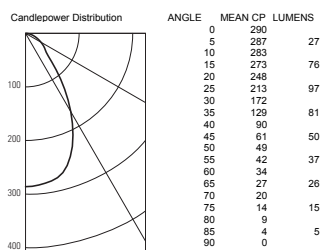
CRI³: 79

Spacing Criterion: 1.2

CEILING WALL	80%				70%				50%				30%				0%			
	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0	0	0	0
RCR	Zonal Cavity Method - Effective Floor Cavity Reflectance = 20%																			
0	119	119	119	119	116	116	111	111	106	106	100	100	106	106	100	100	100	100	100	100
1	112	109	107	104	107	102	103	99	99	96	92	87	92	87	83	78	75	71	67	63
2	106	100	96	92	98	91	95	89	92	87	83	78	87	80	77	70	66	61	57	53
3	99	92	86	82	90	81	88	80	85	78	75	69	80	73	70	63	59	54	50	46
4	93	84	78	73	83	73	81	72	79	71	68	61	74	66	63	56	52	48	44	40
5	87	78	71	66	77	66	75	65	73	65	62	55	68	60	57	50	46	42	38	34
6	82	72	65	60	71	60	69	59	68	59	57	50	62	54	51	44	40	36	32	28
7	77	67	60	55	66	55	64	54	63	54	52	45	57	49	46	39	35	31	27	23
8	73	62	55	50	61	50	60	50	59	50	48	41	53	45	42	35	31	27	23	19
9	69	57	51	46	57	46	56	46	55	46	44	37	49	41	38	31	27	23	19	15
10	65	54	47	43	53	43	52	42	51	42	40	33	45	37	34	27	23	19	15	11

CERTIFIED TEST REPORT NO. F09308³

10W LED, 3000K, WH FINISH TRIM



Trim: C410LEDL30KWHW

Output lumens: 413 lm

Correlated Color Temp¹: 3000K

Input Watts²: 8.7 w

Efficacy: 47.5 lm/w

CRI³: 78

Spacing Criterion: 1.0

CEILING WALL	80%				70%				50%				30%				0%			
	70	50	30	10	50	10	50	10	50	10	50	10	50	10	50	10	0	0	0	0
RCR	Zonal Cavity Method - Effective Floor Cavity Reflectance = 20%																			
0	119	119	119	119	116	116	111	111	107	107	100	100	107	107	100	100	100	100	100	100
1	111	107	104	101	105	96	101	96	97	93	89	84	97	93	89	84	78	75	71	67
2	103	97	91	86	95	85	91	84	88	82	78	73	87	80	77	70	66	61	57	53
3	96	87	81	76	86	75	83	74	81	73	69	62	76	68	65	58	54	50	46	42
4	90	80	72	67	78	67	76	66	74	65	62	55	69	61	58	51	47	43	39	35
5	84	73	66	60	72	60	70	59	68	59	56	49	62	54	51	44	40	36	32	28
6	79	67	60	54	66	54	65	54	63	53	51	44	57	49	46	39	35	31	27	23
7	74	62	55	50	62	49	60	49	59	49	47	40	53	45	42	35	31	27	23	19
8	70	58	51	46	57	45	56	45	55	45	43	36	49	41	38	31	27	23	19	15
9	66	54	47	42	53	42	52	42	51	42	40	33	45	37	34	27	23	19	15	11
10	62	51	44	39	50	39	49	39	48	39	37	30	41	33	30	23	19	15	11	7

Job Information Type: 'N'

CERTIFIED TEST REPORT NO. F09311³

38x38x10" Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

PHILIPS
LIGHTOLIER

Calculite 4 1/2" LED Downlight

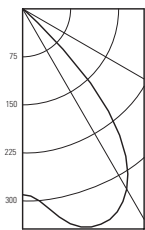
Page 5 of 6

Reflector Finish Multipliers

CL (x 1.00), **CCL** (x 0.94), **CCD** (x 0.93), **CCZ** (x 0.76), **WH** (x 0.82) — **CL** & **CCD** finishes are tested. **CCL**, **CCZ** & **WH** are calculated.

10W LED, 3500K, CL FINISH TRIM

Candlepower Distribution



ANGLE	MEAN CP	LUMENS
0	290	
5	301	30
10	330	
15	353	99
20	358	
25	350	160
30	325	
35	281	171
40	209	
45	89	72
50	9	
55	2	3
60	1	
65	1	1
70	0	
75	0	0
80	0	
85	0	0
90	0	

Trim:
C410LEDL35KCLW

Output lumens: 537 lm

Correlated Color Temp¹: 3500K

Input Watts²: 8.7 w

Efficacy: 61.7 lm/w

CRI³: 76

Spacing Criterion: 1.3

CEILING WALL	70	80%	50	30	10	70%	50	30%	10	0%
RCR	Zonal Cavity Method ~	Effective Floor Cavity Reflectance = 20%								
0	119	119	119	119	116	116	111	111	106	106
1	113	110	107	105	108	103	104	100	100	97
2	107	101	97	93	99	92	96	90	93	88
3	100	93	88	83	92	83	89	81	87	80
4	94	86	80	75	85	75	83	74	81	73
5	89	79	73	68	78	68	77	67	75	67
6	83	73	67	62	73	62	71	61	70	61
7	78	68	61	57	67	56	66	56	65	56
8	74	63	56	52	63	52	61	52	60	51
9	70	59	52	48	58	48	57	47	56	47
10	66	55	48	44	54	44	54	44	53	44

¹ Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid-State Lighting Products.

² Wattage controlled to within 5%.

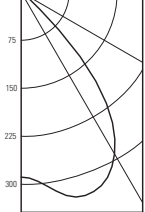
³ Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

⁴ Color Rendering Index within +/- 2%.

CERTIFIED TEST REPORT NO. F09951B³

10W LED, 3500K, CCL FINISH TRIM

Candlepower Distribution



ANGLE	MEAN CP	LUMENS
0	289	
5	296	29
10	316	
15	331	93
20	331	
25	319	146
30	292	
35	249	152
40	182	
45	83	67
50	18	
55	7	7
60	4	
65	2	2
70	1	
75	1	1
80	0	
85	0	0
90	0	

Trim:
C410LEDL35KCLW

Output lumens: 499 lm

Correlated Color Temp¹: 3500K

Input Watts²: 8.7 w

Efficacy: 57.4 lm/w

CRI³: 76

Spacing Criterion: 1.2

CEILING WALL	70	80%	50	30	10	70%	50	30%	10	0%	
RCR	Zonal cavity method - Effective Floor Cavity Reflectance =	50	30	10	50	10	50	10	50	10	0
0	119	119	119	119	116	116	111	111	106	106	100
1	113	110	107	105	108	103	104	100	100	97	92
2	106	101	97	93	99	92	96	90	93	88	84
3	100	93	87	83	92	82	89	81	86	80	77
4	94	86	79	75	84	74	82	73	80	72	70
5	88	78	72	68	78	67	76	67	74	66	64
6	83	73	66	62	72	61	71	61	69	60	58
7	78	68	61	56	67	56	66	56	64	55	54
8	74	63	56	52	62	51	61	51	60	51	49
9	69	59	52	47	58	47	57	47	56	47	45
10	66	55	48	44	54	44	53	44	53	43	42

ZONE	LUMENS	% LUMINAIRE
0-30	288	83.8%
0-40	420	84.3%
0-60	495	99.3%
0-90	499	100.0%

Height to Lighted Plane	Initial Footcandles	Beam Diameter
5'	12	7'
6'	8	8'
7'	6	9'
8'	5	10'
9'	4	12'

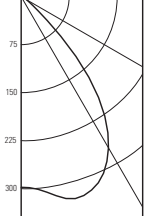
Spacing On Ctr.	Initial Footcandles	Watts/ Sq. Ft.
5'	22	0.39
6'	15	0.25
7'	11	0.18
8'	9	0.15
9'	7	0.12

38"x38"x10" Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

CERTIFIED TEST REPORT NO. F09952³

10W LED, 3500K, CCD FINISH TRIM

Candlepower Distribution



ANGLE	MEAN CP	LUMENS
0	298	
5	302	30
10	316	
15	327	92
20	322	
25	304	139
30	273	
35	228	139
40	165	
45	88	70
50	35	
55	17	17
60	10	
65	6	6
70	3	
75	2	2
80	1	
85	0	1
90	0	

Trim:
C410LEDL35KCCDW

Output lumens: 495 lm

Correlated Color Temp¹: 3500K

Input Watts²: 8.7 w

Efficacy: 56.9 lm/w

CRI³: 76

Spacing Criterion: 1.2

CEILING	70	80%	50	30	10	70%	50%	30%	10	0%
WALL	70	50	30	10	50	10	50	10	50	10
RCR	70	50	30	10	50	10	50	10	50	10
RCR = Ceiling Method Effective Floor Cavity Reflection = 20%										
0	119	119	119	119	116	116	111	111	106	106
1	113	109	107	104	107	102	103	99	99	96
2	106	100	96	92	99	91	95	89	92	87
3	100	92	86	82	91	81	88	80	85	78
4	93	85	78	73	83	73	81	72	79	71
5	88	78	71	66	77	66	75	65	73	65
6	82	72	65	60	71	60	70	60	68	59
7	77	67	60	55	66	55	65	54	63	54
8	73	62	55	50	61	50	60	50	59	50
9	69	58	51	46	57	46	56	46	55	46
10	65	54	47	43	53	43	52	43	52	42

ZONE	LUMENS	% LUMINAIRE
0-30	290	52.5%
0-40	400	80.7%
0-60	486	98.2%
0-90	495	100.0%

Height to Lighted Plane	Initial Footcandles	Beam Diameter
5'	12	7'
6'	8	8'
7'	6	9'
8'	5	10'
9'	4	12'

Spacing On Ctr.	Initial Footcandles	Watts/ Sq. Ft.
5'	22	0.39
6'	14	0.25
7'	10	0.18
8'	9	0.15
9'	7	0.12

38"x38"x10" Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

CERTIFIED TEST REPORT NO. F09953³

Job Information Type: 'N'

PHILIPS
LIGHTOLIER

C4L05DL

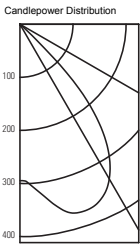
Calculite 4 1/2" LED Downlight

Page 6 of 6

Reflector Finish Multipliers

CL (x 1.00), **CCL** (x 0.94), **CCD** (x 0.93), **CCZ** (x 0.76), **WH** (x 0.82) — **CL** & **CCD** finishes are tested. **CCL**, **CCZ** & **WH** are calculated.

10W LED, 4000K, CL FINISH TRIM



ANGLE	MEAN CP	LUMENS
0	296	31
5	312	31
10	344	104
15	369	104
20	374	167
25	366	181
30	340	181
35	295	80
40	222	80
45	102	3
50	11	1
55	3	0
60	1	0
65	1	0
70	0	0
75	0	0
80	0	0
85	0	0
90	0	0

Trim:
C410LEDDL40KCLW

Output lumens: 568 lm
Correlated Color Temp¹: 4000K
Input Watts²: 8.7 w
Efficacy: 65.3 lm/w
CRI³: 76
Spacing Criterion: 1.3

CEILING	80%					70%			50%			30%		0%		
	70	50	30	10	0	70	50	30	10	0	70	50	30	10	0	
WALL	Zonal Cavity Method - Effective Floor Cavity Reflectance = 20%															
RCR	70	50	30	10	0	70	50	30	10	0	70	50	30	10	0	
0	119	119	119	119	119	116	116	111	111	111	106	106	100	97	92	
1	113	110	107	105	108	103	104	100	100	97	92	90	86	84	80	
2	106	101	97	93	99	92	96	90	93	88	83	80	77	75	72	
3	100	93	88	83	92	82	89	81	86	80	77	73	70	68	65	
4	94	86	80	75	85	74	82	73	80	73	70	67	64	62	60	
5	89	79	73	68	78	67	76	67	75	66	64	61	59	57	55	
6	83	73	66	62	72	61	71	61	69	60	58	56	54	52	50	
7	78	68	61	56	67	56	66	56	64	55	54	52	50	48	46	
8	74	63	56	52	62	51	61	51	60	51	49	47	45	43	41	
9	69	59	52	47	58	47	57	47	56	47	46	44	42	40	38	
10	65	55	48	44	54	44	53	43	52	43	42	40	38	36	34	

ZONAL LUMENS AND PERCENTAGES		
ZONE	LUMENS	%LUMINAIRE
0-30	302	53.5%
0-40	483	85.1%
0-60	567	99.8%
0-90	568	100.0%

Single Unit Data	Height to	Initial	Beam
Footcandles	Lighted Plane	Footcandles	Diameter
5'	12	7"	
6'	8	9"	
7'	6	10"	
8'	5	12"	
9'	4	13"	

Multiple Unit Data - RCR 2	Spacing	Initial	Watts/
On Ctr.	Footcandles	Sq. Ft.	
5'	25	0.39	
6'	17	0.25	
7'	12	0.18	
8'	10	0.15	
9'	8	0.12	

38"x38"x10" Room, Workplane 2 1/2' above floor, 80/50/20% Reflectances

CERTIFIED TEST REPORT NO. F09321³

¹ Correlated Color Temperature within specs as defined in ANSI_NEMA_ANSLG C78.377-2008: Specifications for the Chromaticity of Solid-State Lighting Products.

² Wattage controlled to within 5%.

³ Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.

⁴ Color Rendering Index within +/- 2%.



Philips Lightolier
e: lol.webmaster@philips.com
t: (508) 679-8131
w: www.lightolier.com

C4L05DL July 20, 2012

Specifications are subject to change without notice.
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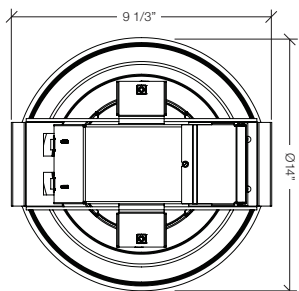
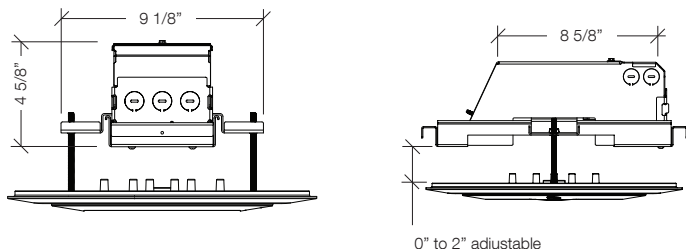
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Type: _____
Project Name: _____
Notes: _____

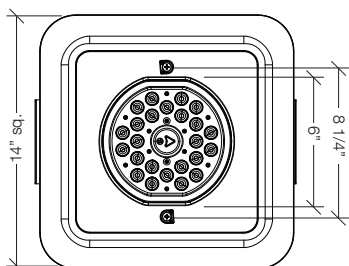
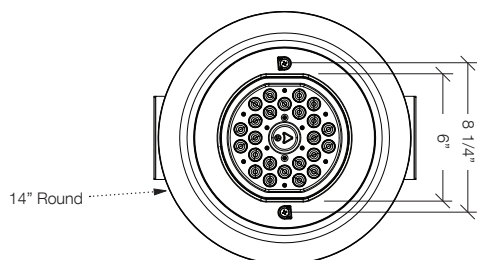
rev. 05.06.2014
Ceileo (LED)
Recessed Canopy Luminaire
Max Weight: 11 lbs

Sample	CLO	24NB-55	5K	T5W	UNV	RD	WHT
Ordering	☐	☐	☐	☐	☐	☐	☐
	A	B	C	D	E	F	G

HOUSING DIMENSIONS



STYLE DIMENSIONS



A. MODEL

CLO Ceileo

B. ENGINE-WATTS

24NB-55 55 Watts - LED array

C. CCT - COLOR TEMP

3K 3000K

4K 4200K

5K 5100K (std.)

D. OPTICS

5X5 aisle lighter

T5R type V, rectangular

T5QM type V, square medium

T5QN type V, square narrow

T5W type V, round wide

3x5 vertical flood

E. VOLTAGE

UNV 120-277V

F. STYLE OPTIONS

RD round

SQ square

G. COLOR

BBT basic black textured

BMT black matte textured

WHT white textured

MBT metallic bronze textured

BZT bronze textured

DBT dark bronze textured

GYS gray smooth

DPS dark platinum smooth

GNT green textured

MST metallic silver textured

MTT metallic titanium textured

OWI old world iron

RAL _____



APPLICATIONS: Ceileo is a commercial grade LED outdoor and indoor canopy downlight that utilizes high powered LEDs utilizing precise efficient optical control and on board wattage and lumen choices. Ceileo is designed to replace up to 175W and 250 Watt HID lamps with 55 watts, and at the same time reduce maintenance by delivery of over 200,000 hours of projected life.

HOUSING & LED THERMAL MANAGEMENT: The Beacon Ceileo luminaire consists of a cast aluminum external housing and recessed driver housing. The cast aluminum housing provides direct-heat exchange between the LED light engine and the cool outdoor air. LED drivers are thermally isolated from the main housing.

The driver and wiring compartments comprise a min 20 gauge corrosion protected steel platform utilizing a J-box with snap-on cover for easy access. Approved for 8 (4 in/4 out) No. 12 AWG conductors rated for 90°C through wiring. The LED cast housing is designed to be easily removed for access and replacement.

LED LIGHT ENGINE/BEZEL: Each Ceileo luminaire is supplied with an optical one piece cartridge system consisting of an LED engine, LED lamps, optics, gasket and stainless steel bezel. The cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one piece optical system. A die cut foam silicone gasket ensures a weather-proof seal around each individual LED. The cartridge assembly is available in various lighting distributions using TIR designed acrylic optical lenses over each LED.

The Ceileo uses a 24-LED engine that can be field adjusted to four wattages (55, 45, 30,15 watts) and four lumen outputs. The adjustments are made by removing a small screw and using a small screw driver. The light engine comes standard with 70 CRI in 5000k temperature. The Ceileo comes standard with 0-10 OV dimming capability, with flicker-free dimming to 10%.

INSTITUTE THERMAL TESTING: Independent insitute thermal testing shall confirm solder point temperatures not to exceed 55°C and driver case temperatures not to exceed 60°C at 55-watts input power. At 30-watts input power solder point temperature shall not exceed 40-C and driver case temperatures not to exceed 55°C.

PHOTOMETRICS: The luminaire efficiency rating (LER) shall be a minimum of 95. The luminaire BUG rating shall not exceed B3-U1-G1. Depending on the optic, the peak candle power shall occur at 71 degrees in the vertical shall be no less than 2104. The lumens between 80 to 90 degrees shall not exceed 6%.

THERMAL REGULATION CIRCUIT: Thermal circuit shall protect the luminaire from excessive temperature by interfacing with its 0-10V dimmable drivers to reduce drive current as necessary. The factory-preset temperature limits shall be designed to ensure maximum hours of operation to assure L70 rated lumen maintenance. The device shall activate at a specific, factory-preset temperature, and progressively reduce power over a finite temperature range in recognition of the effect of reduced current on the internal temperature and longevity of the LEDs and other components.

Operation shall be smooth and undetectable to the eye. Thermal circuit shall directly measure the temperature near the LED solder point. Thermal circuit shall consist of surface mounted components mounted on the LED engine (printed circuit board). For maximum simplicity and reliability, the device shall have no dedicated enclosure, circuit board, wiring harness, gaskets, or hardware. Device shall have no moving parts, and shall operate entirely at low voltage. The device shall be located in an area of the luminaire that is protected from the elements. Thermal circuit shall be designed to "fail on", allowing the luminaire to revert to full power in the event of an interruption of its power supply, or faulty wiring connection to the drivers.

Device shall be able to co-exist with other 0-10V current-sinking control devices (occupancy sensors, external dimmers, etc.). The device will effectively control the solder point temperature as needed; otherwise it will allow the other control device(s) to function unimpeded.

ELECTRICAL: Luminaires are equipped with an LED driver that accepts 100V through 277V, 50 Hz to 60 Hz (UNIV). Power factor is min .90 at full load. All electrical components are rated at 50,000 hours at full load and 40°C ambient conditions per MIL- 217F Notice 2. Component-to -component wiring within the luminaire will carry no more than 80% of rated current and is rated by UL for use at 600VAC at 90°C or higher.

SURGE PROTECTOR: The on-board surge protector shall be a UL recognized component for the United States and Canada and have a surge current rating of 20,000 Amps using the industry standard 8/20 pSec wave. The LSP shall have a clamping voltage of 825V and surge rating of 540J. The case shall be a high-temperature, flame resistant plastic enclosure.

FASTENERS: All fasteners shall be stainless steel. When tamper resistant fasteners are required, spanner HD (snake eye) style shall be provided (special tool required, consult factory).

Color Rendering Index (CRI): Luminaire shall have a minimum CRI of 70 at 5000K.

Finish: Finish shall be a Beacote V polyester powder-coat electro-statically applied and thermocured. Beacote V finish shall consist of a five stage iron phosphate chemical pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish. The finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pound.

AGENCY CERTIFICATION: The luminaire shall be listed to UL 1598 for use in wet locations.

WARRANTY: Beacon luminaires feature a 5 year limited warranty. Beacon LED luminaires with LED arrays feature a 5 year limited warranty covering the LED arrays. LED drivers are covered by a 5 year limited warranty. PIR sensors carry a 5 year limited warranty from the sensor manufacturer. See Warranty Information.

Power/Lumens & Distribution

Engine	Wattage	Delivered Lumens (varies by optic)	Delivered LPW	TM21 Calculated % Lumen Maint. at 100,000 hrs
24NB	55	5125-5615	93-100	96.19%

TM21 is the framework for taking LM-80 data and making useful LED lifetime projections. Reported and calculated lifetimes shown are based on hours at the time of this printing. For current reported and calculated hours please contact factory or Beacon's web-site.

CCT (COLOR TEMP)
Lumen Output
Multipliers

CRI
(Color Rendering)

5100K = 1.0 min 67 CRI
4200K = .92 min 70 CRI
3000K = .75 min 80 CRI

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

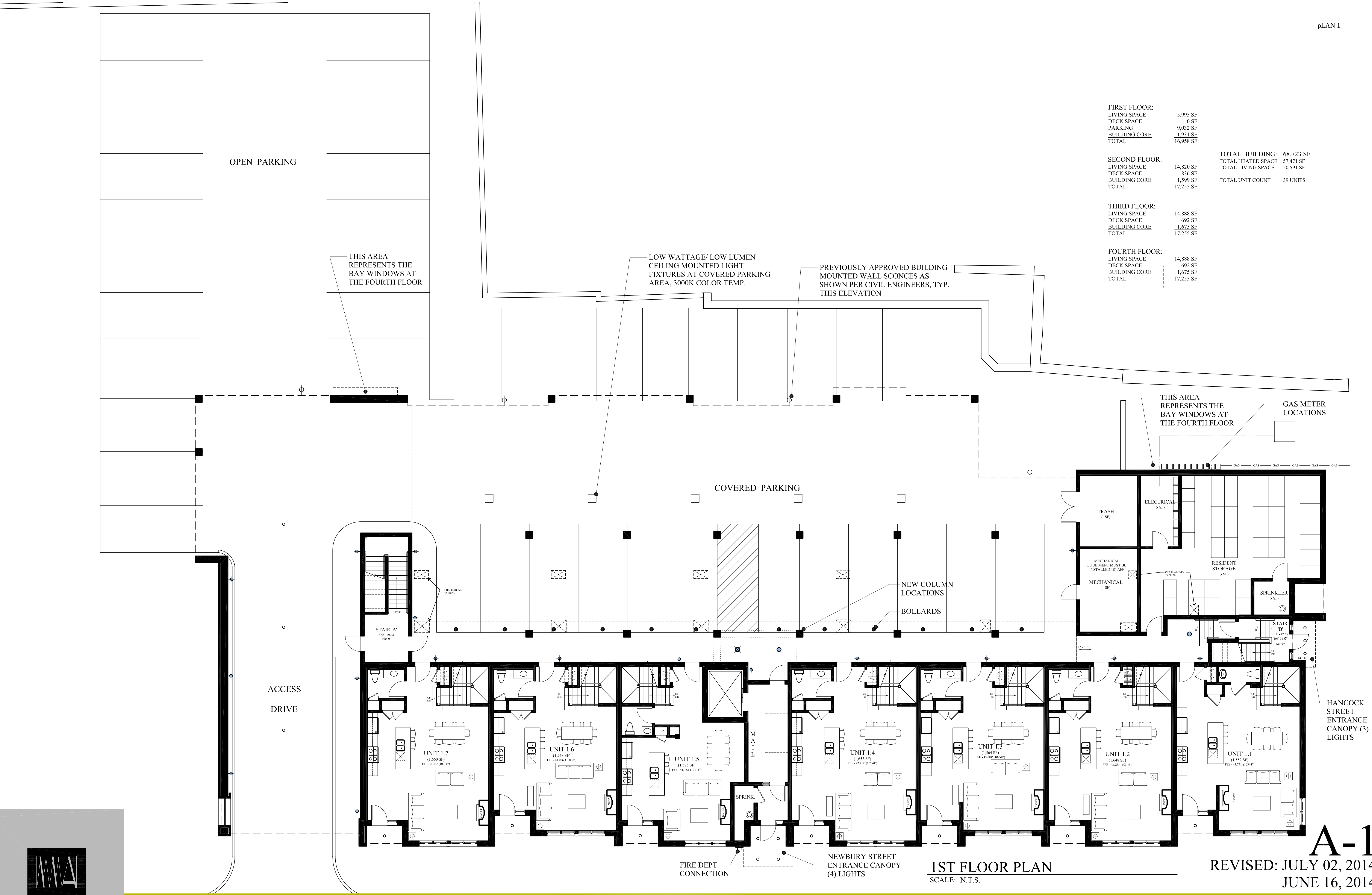
FIRST FLOOR:
LIVING SPACE 5,995 SF
DECK SPACE 0 SF
PARKING 9,032 SF
BUILDING CORE 1,931 SF
TOTAL 16,958 SF

SECOND FLOOR:
LIVING SPACE 14,820 SF
DECK SPACE 836 SF
BUILDING CORE 1,599 SF
TOTAL 17,255 SF

THIRD FLOOR:
LIVING SPACE 14,888 SF
DECK SPACE 692 SF
BUILDING CORE 1,675 SF
TOTAL 17,255 SF

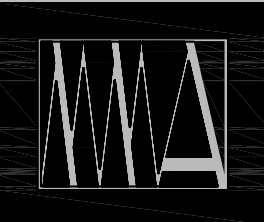
FOURTH FLOOR:
LIVING SPACE 14,888 SF
DECK SPACE 692 SF
BUILDING CORE 1,675 SF
TOTAL 17,255 SF

TOTAL BUILDING: 68,723 SF
TOTAL HEATED SPACE 57,471 SF
TOTAL LIVING SPACE 50,591 SF
TOTAL UNIT COUNT 39 UNITS



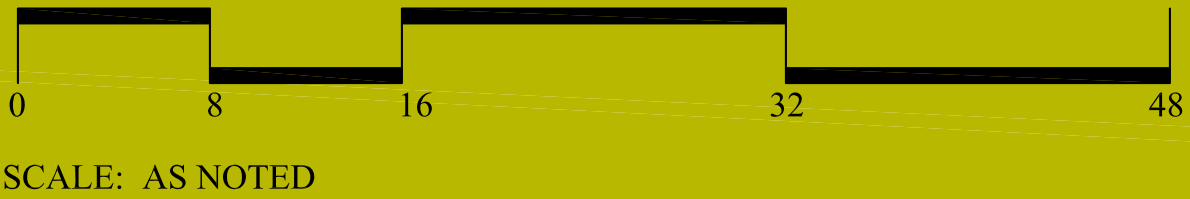
1ST FLOOR PLAN
SCALE: N.T.S.

A-1
REVISED: JULY 02, 2014
JUNE 16, 2014

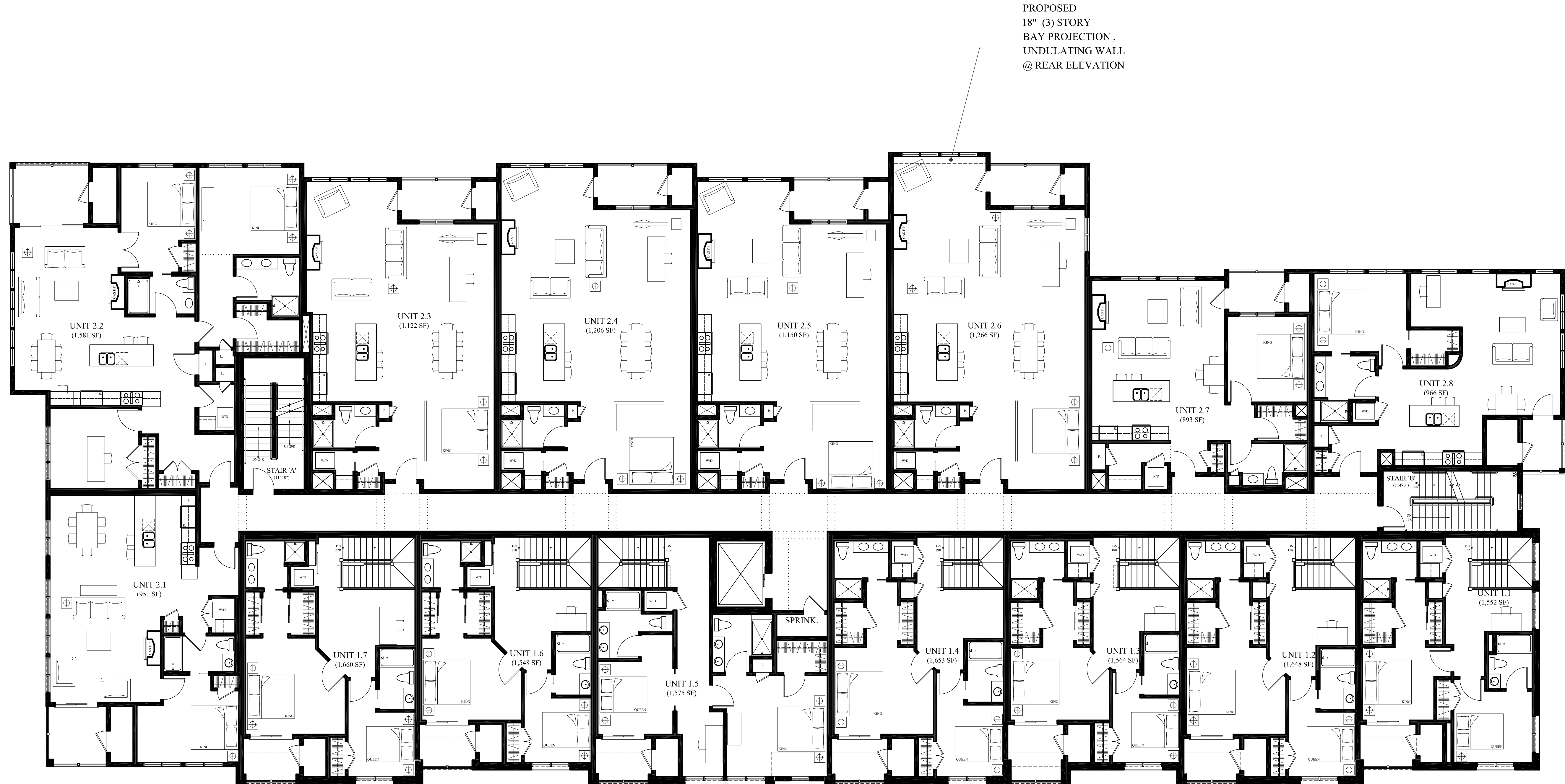


MARK
MUELLER
ARCHITECTS

2014 SITE PLAN REVIEW RE-SUBMISSION



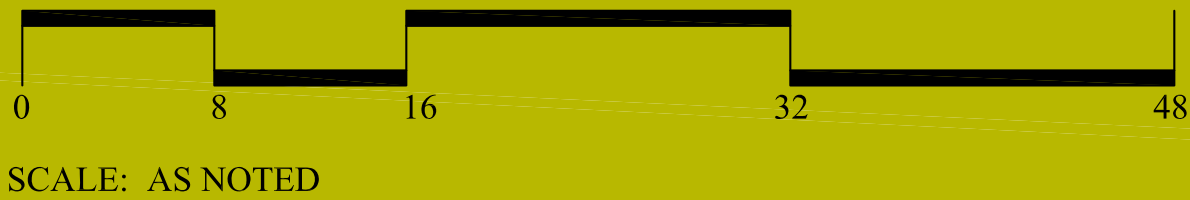
SEAPORT LOFTS
113 NEWBURY STREET



2ND FLOOR PLAN
SCALE: N.T.S.



2014 SITE PLAN REVIEW RE-SUBMISSION



SEAPORT LOFTS
113 NEWBURY STREET

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JUNE 16, 2014



3RD FLOOR PLAN
SCALE: N.T.S.



2014 SITE PLAN REVIEW RE-SUBMISSION



SEAPORT LOFTS
113 NEWBURY STREET

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REVISED: JULY 02, 2014
JUNE 16, 2014



4TH FLOOR PLAN
SCALE: N.T.S.

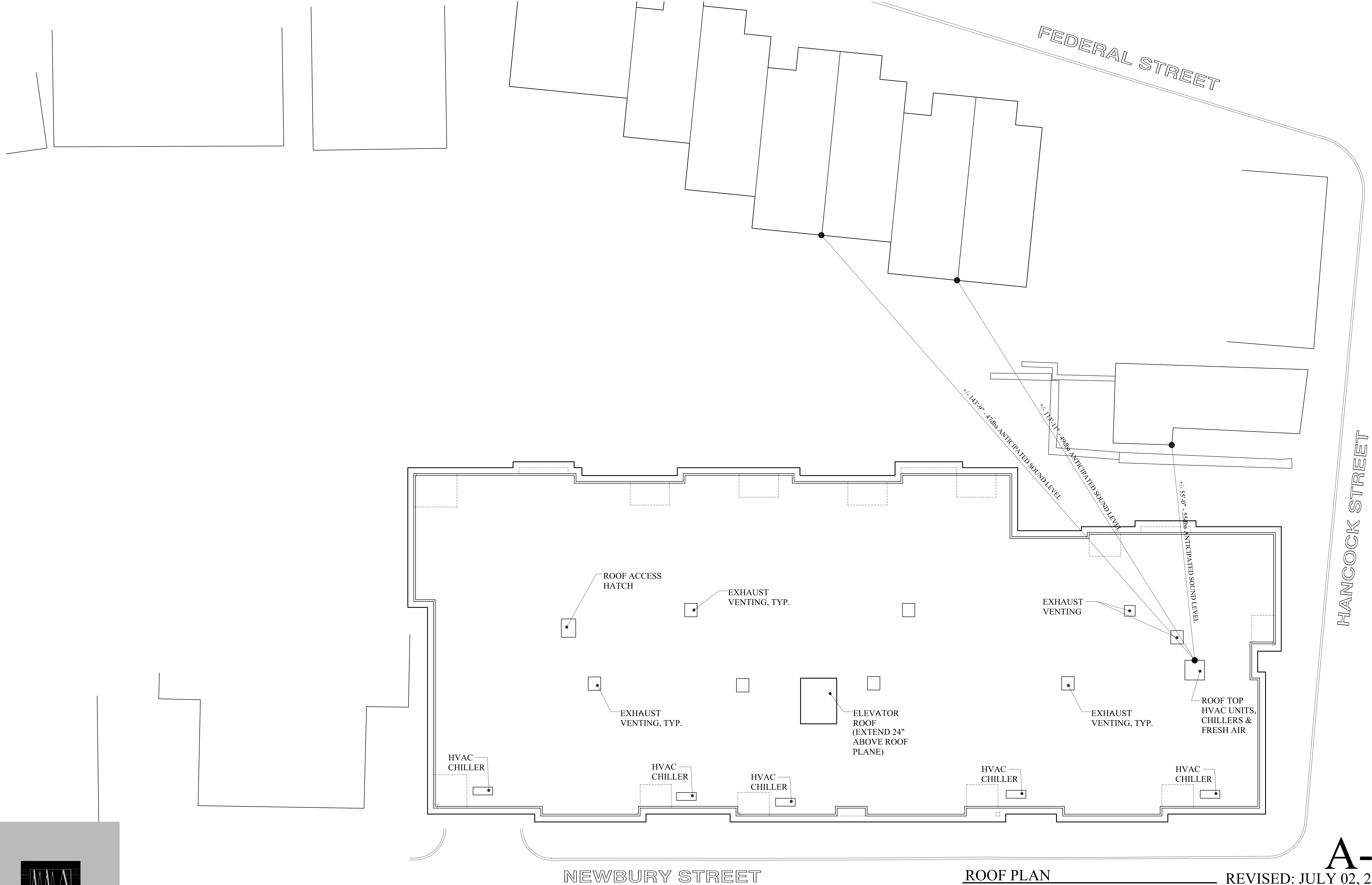


2014 SITE PLAN REVIEW RE-SUBMISSION



SEAPORT LOFTS
113 NEWBURY STREET

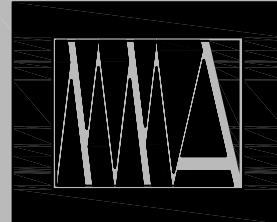
A-4
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JUNE 16, 2014



ROOF PLAN
SCALE: N.T.S.

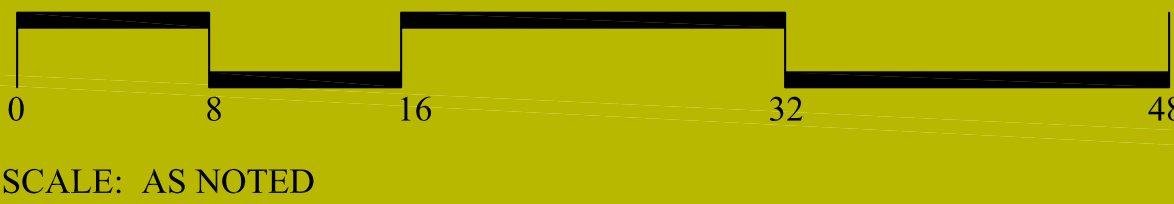
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MARK
MUELLER
ARCHITECTS

2014 SITE PLAN REVIEW RE-SUBMISSION



SEAPORT LOFTS

113 NEWBURY STREET

BUILDING HEIGHT @ ROOF
DEFINED AND MEASURED TO THE
TOP OF THE PLYWOOD ROOF
DECK. THE CORNICE SHOWN
VARIES IN RELATION TO THE
ROOF DECK.



EXTERIOR MATERIALS
LEGEND

- | | |
|--|---|
| [A.1] BRICK VENEER | [C] RUNNING METAL PROFILE AND TERMINATION AT BRICK TRANSITION |
| [A.2] BRICK SOLDIER COURSE OVER WINDOWS | [C.1] METAL FASCIA |
| [A.3] BRICK ROWLOCK SILLS | [C.2] METAL COPING |
| [B] CEMENTITIOUS CLAPBOARD 5" TO THE WEATHER | [D] ENTRANCE AWNINGS: WEATHERED COPPER SHEET WRAP W/ STAINLESS STEEL CABLE SUPPORTS |
| [B.1] 5/4" FIBER CEMENTITIOUS CORNER BOARDS, DOOR AND WINDOW TRIM, HORIZONTAL TRIM AND FRIEZE BOARDS | |
| [B.2] 5/4" FIBER CEMENTITIOUS PANEL/ FLUSH FINISH | |

NEWBURY STREET ELEVATION

SCALE: N.T.S.

EXTERIOR MATERIALS:

BRICK: "OLD PORT", NARROW RANGE COLOR BY MORIN BRICK, AUBURN, MAINE

SIDING: WOOD CLAPBOARD SIMULATED SIDING, MATERIAL; CEMENTIOUS HORIZONTAL APPLICATION 5" T.W.

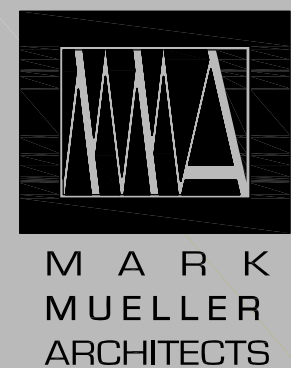
METAL PROFILES: ALUMINUM, PAINTED KYNAR FINISH, GREY TONE

PEDESTRIAN ACCESS TO LIVING UNITS: 3/4 LITE DOORS W/ OPAQUE PRIVACY SIDELIGHTS, RECESS LIGHT FIXTURES @ STREET LEVEL

WINDOWS: OPERABLE CASEMENTS OVER AWNING COMPOSITION OF FENESTRATION, BLACK SASH AND FRAME

VARIEGATED RAISED PARRAPETS AS MECHANICAL SCREENING (NOTE: ROOFTOP HVAC UNITS ARE NOT A PART OF THIS PROJECT)

UPPER LEVEL DECK LIGHTING: SHALL BE ILLUMINATED W/ (2) LOW MOUNT WALL FIXTURES, 15 WATT MAX.



MARK
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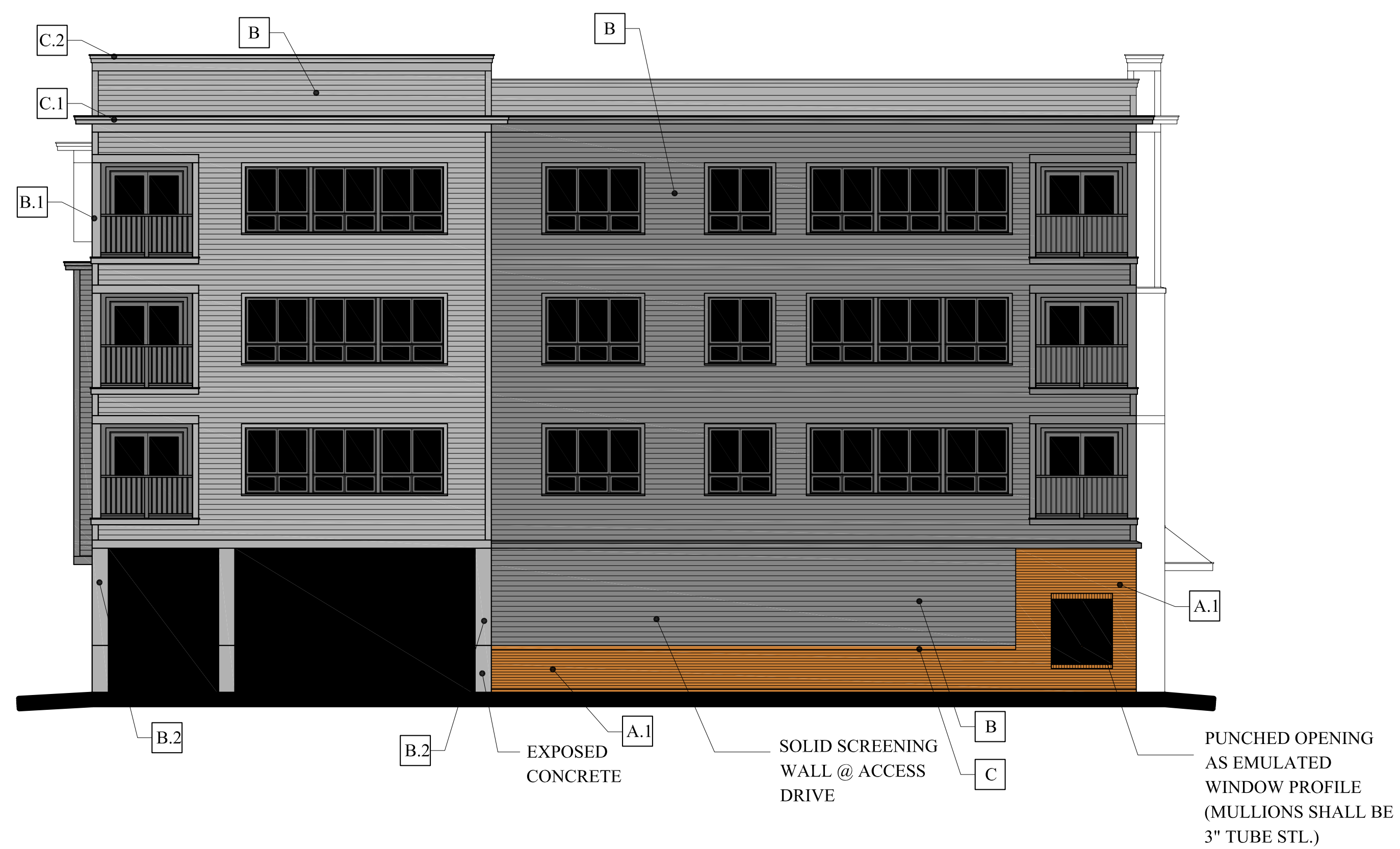
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SEAPORT LOFTS

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SOUTH ELEVATION
SCALE: N.T.S.



HANCOCK STREET ELEVATION
SCALE: N.T.S.



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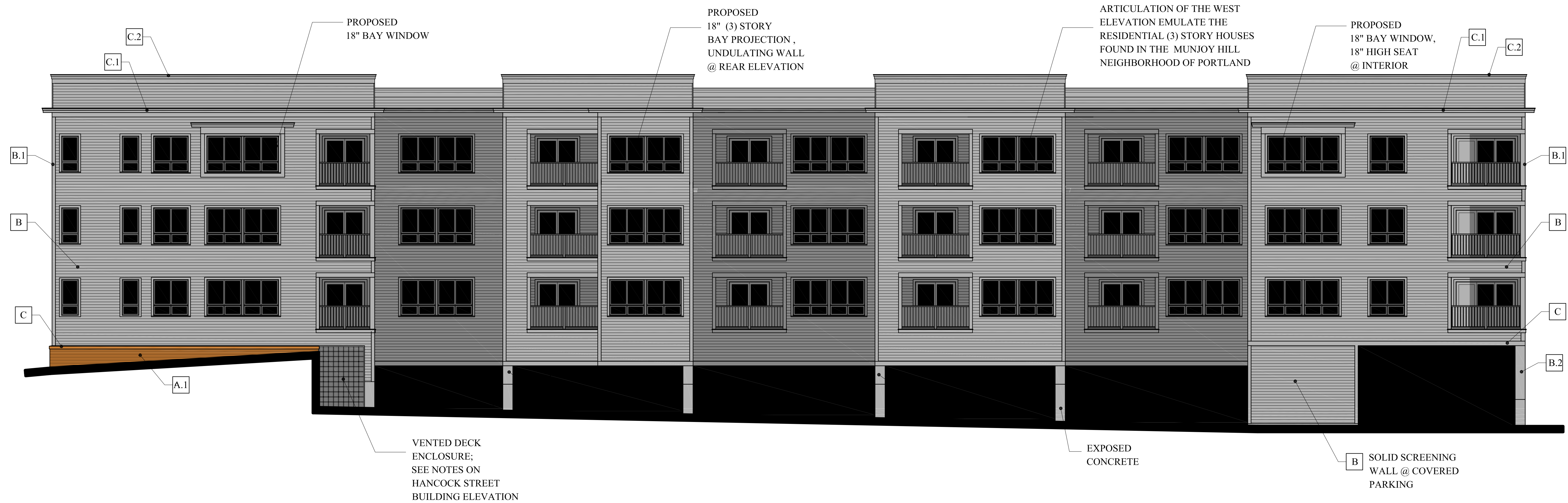
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SCALE: AS NOTED

SEAPORT LOFTS
113 NEWBURY STREET

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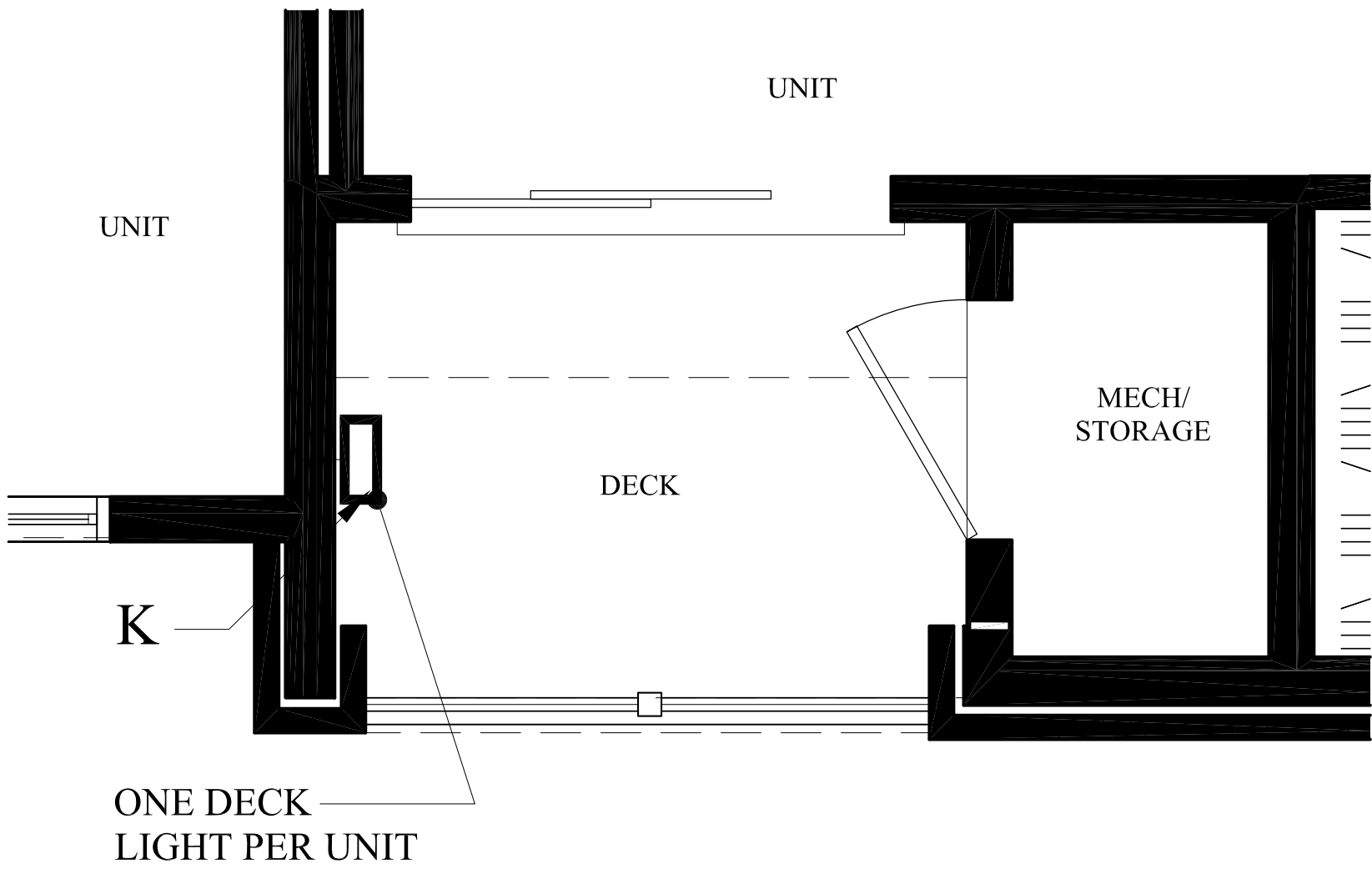
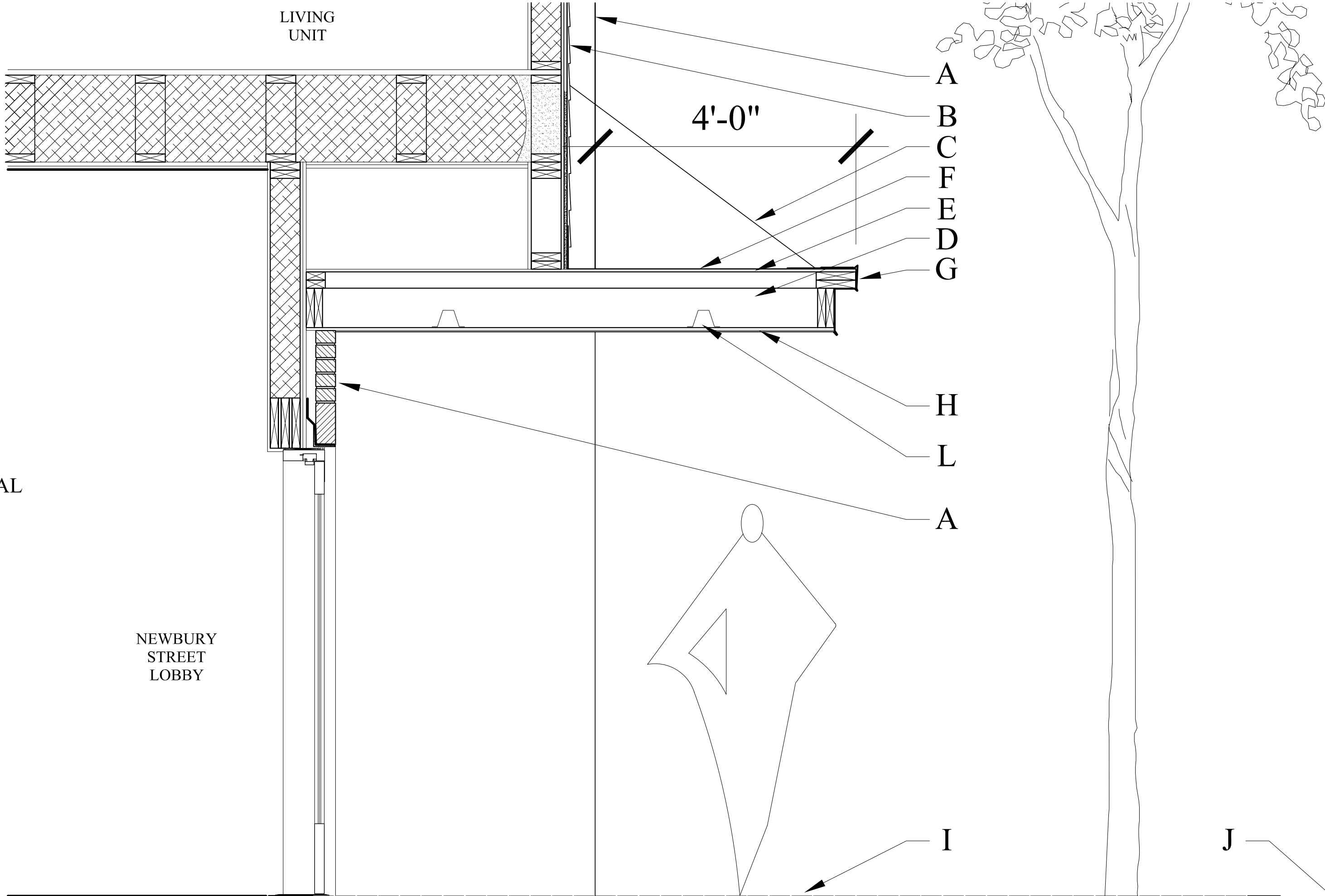


WEST ELEVATION
SCALE: N.T.S.

MATERIALS SCHEDULE:

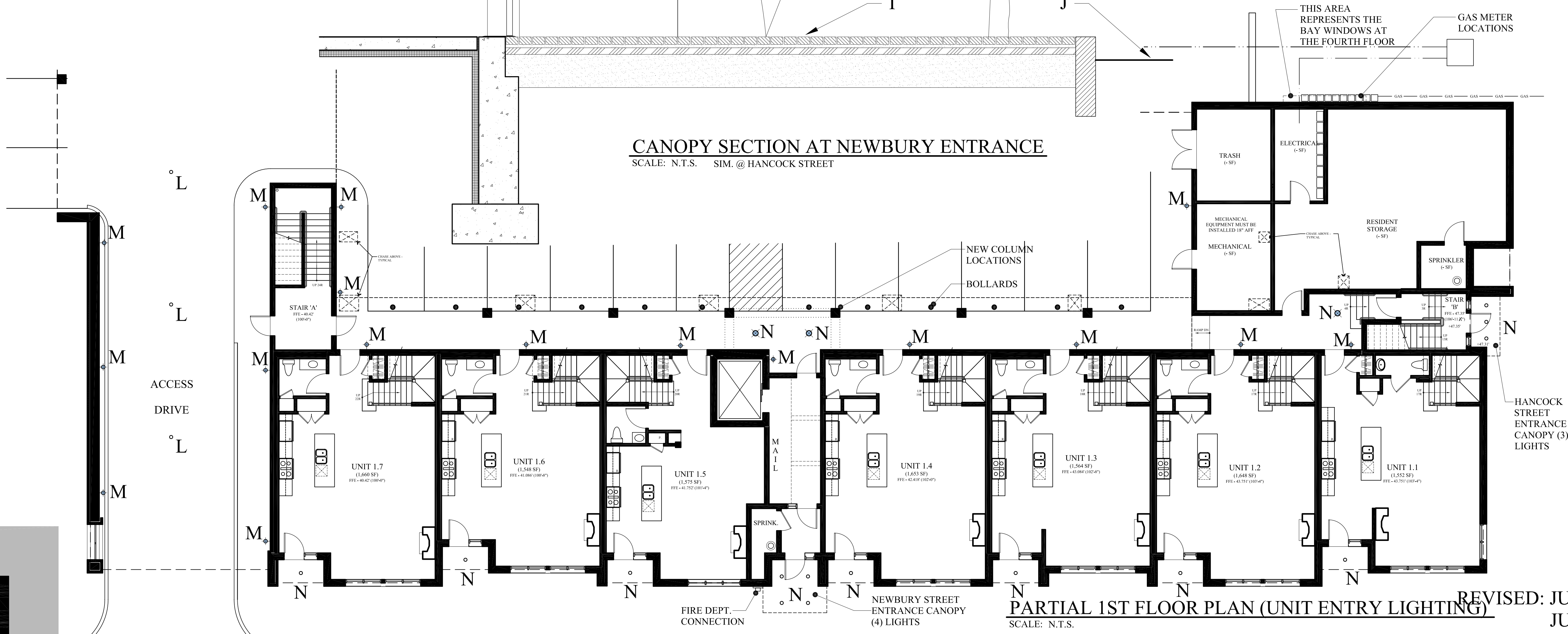
- A BRICK VENEER
- B CEMENTITIOUS CLAPBOARD 5" TO THE WEATHER
- C STAINLESS STEEL CABLES
- D WOOD FRAME CANOPY
- E STRUCTURAL SHEATHING
- F MEMBRANE ROOFING
- G ALUMINUM WRAP FASCIA
- H ALUMINUM CANOPY CEILING
- I BRICK SIDEWALK
- J NEWBURY STREET
- K 4 WATT WALL LIGHT @ DECKS 18" A.F.F
- L EXTERIOR 7" LED DOWNLIGHT @ PARKING ENTRY
- M LED WALL SCONCE
- N EXTERIOR 4" LED DOWNLIGHT @ UNIT ENTRY - TYPICAL

pLAN 9



TYPICAL UPPER LEVEL DECK LIGHTING PLAN
SCALE: N.T.S.

CANOPY SECTION AT NEWBURY ENTRANCE
SCALE: N.T.S. SIM. @ HANCOCK STREET



PARTIAL 1ST FLOOR PLAN (UNIT ENTRY LIGHTING)
SCALE: N.T.S.

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