

1. Legal Ad

Documents: [UPDATED PB LGL AD 11-12-14.PDF](#)

2. Agenda

Documents: [PB AGENDA 11-12-14.PDF](#)

3. Midtown Project - Somerset Street

3.I. Memo And Attachments

Documents: [SOMERSET ST. \(MEMO AND ATTACHMENTS\).PDF](#)

3.II. Applicants Submittal And Plans

Documents: [SOMERSET ST. \(APPLICANTS SUBMITTAL AND PLANS\).PDF](#)

4. 89 Anderson Street

4.I. Report And Attachments

Documents: [ANDERSON ST. - 89 \(REPORT AND ATTACHMENTS\).PDF](#)

4.II. Applicants Submittal

Documents: [ANDERSON ST. - 89 \(APPLICANTS SUBMITTAL\).PDF](#)

4.III. Public Comments

Documents: [ANDERSON ST. - 89 \(PUBLIC COMMENT\).PDF](#)

5. 777 Stevens Avenue

5.I. Memo And Attachments

Documents: [STEVENS AVE. - 777 \(MEMO AND ATTACHMENTS\).PDF](#)

5.II. Applicants Submittal

Documents: [STEVENS AVE. - 777 \(APPLICANTS SUBMITTAL\).PDF](#)

5.III. Plans

Documents: [STEVENS AVE. - 777 \(PLANS\).PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will hold a meeting on WEDNESDAY, NOVEMBER 12, 2014, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at the public hearing.**

The agenda includes the following items:

Workshop – 4:30 p.m.

- i. Midtown Project; Level III Subdivision and Site Plan; Somerset Street; Federated Companies, Applicant. The Board will consider an application for the "midtown" project, which is located in the B-7 zone. The 3.5 acres site is bounded by Somerset Street, Elm Street, the Bayside Trail and the extension of Pearl Street. The mixed-use proposal includes 440 residential units of efficiencies, one, and two bedroom units in four buildings with a maximum height of six stories. A seven story parking structure with 802 vehicle spaces is proposed. The total footprint of the buildings is 121,400 sf and the total floor area is 750,200 sf with 87,200 sf of retail space proposed.

Public Hearing – 7:30 p.m.

- i. 89 Anderson Street; R-6 to B-1b Map Amendment; Redfern Properties, Applicant. The Board will consider a proposal by the applicant to rezone 89 Anderson Street (the site has frontage along Anderson, Fox, and Everett Streets) from the Residential R-6 zone to the B-1b zone. The site is currently developed with a tire and auto service facility. The map amendment is proposed in order to enable a mixed use building at the site with ground floor commercial uses, including a restaurant, and with market-rate apartments on floors 2 through 4.

Workshop (immediately following the public hearing)

- i. 777 Stevens Avenue; Level III Site Plan and Subdivision; Park Danforth, Applicant. The Board will consider a Level III application for site plan and subdivision review for an addition to the facility at 777 Stevens Avenue. The proposal is to add 54 elderly independent living units at the site along with structure parking for 40 vehicles under the four and five story addition. The proposed building footprint is 21,777 sq. ft. with a total proposed floor area of 94,236 sq. ft. Surface parking lots are proposed along with access from Arbor Street, Forest Avenue and Stevens Avenue.

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

The Portland Planning Board will hold a meeting on Wednesday, November 12, 2014, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at this meeting.**

WORKSHOP – 4:30 p.m.

- i. Midtown Project; Level III Subdivision and Site Plan; Somerset Street; Federated Companies, Applicant. The Board will consider an application for the "midtown" project, which is located in the B-7 zone. The 3.5 acres site is bounded by Somerset Street, Elm Street, the Bayside Trail and the extension of Pearl Street. The mixed-use proposal includes 440 residential units of efficiencies, one, and two bedroom units in four buildings with a maximum height of six stories. A seven story parking structure with 802 vehicle spaces is proposed. The total footprint of the buildings is 121,400 sf and the total floor area is 750,200 sf with 87,200 sf of retail space proposed.

PUBLIC HEARING – 7:30 p.m.

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATIONS AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE FOLLOWING MEETING HELD ON OCTOBER 28, 2014:**

Workshop: O'Brien, Boepple, Hall, Dundon, Morrisette and Soley present. Dean absent.

Public Hearing: O'Brien, Boepple, Hall, Dundon, Morrisette and Soley present. Dean absent.

4. **REPORT OF DECISIONS AT THE MEETING HELD ON OCTOBER 28, 2014;**

- i. East Cove Townhomes, 145 Washington Avenue; Map Amendment; Ron Gan (Representing Munjoy Hill Homes – Sheridan LLC), Applicant. Hall moved and Morrisette seconded the motion that the proposed map amendment to Neighborhood Business B-1 as described in Option C is consistent with the Comprehensive Plan and recommends adoption of the proposed map amendment to the City Council. The Board voted 6-0, Dean absent.
- ii. Amended Conditional Rezoning Agreement; 76 Congress Street; St. Lawrence Arts, Applicant. Hall moved and Morrisette seconded the motion that the proposed First Amendment to the Conditional Rezoning Agreement for St. Lawrence Arts at 76 Congress Street is consistent with the Comprehensive Plan and is compliance with the standards of Section 14-60 and 14-62; therefore, the Board recommends adoption of the proposed amendment to the conditional agreement to the City Council. The Board voted 6-0, Dean absent.

5. NEW BUSINESS

- i. 89 Anderson Street; R-6 to B-1b Map Amendment; Redfern Properties, Applicant. The Board will consider a proposal by the applicant to rezone 89 Anderson Street (the site has frontage along Anderson, Fox, and Everett Streets) from the Residential R-6 zone to the B-1b zone. The site is currently developed with a tire and auto service facility. The map amendment is proposed in order to enable a mixed use building at the site with ground floor commercial uses, including a restaurant, and with market-rate apartments on floors 2 through 4.

WORKSHOP, CONTINUED

- i. 777 Stevens Avenue; Level III Site Plan and Subdivision; Park Danforth, Applicant. The Board will consider a Level III application for site plan and subdivision review for an addition to the facility at 777 Stevens Avenue. The proposal is to add 54 elderly independent living units at the site along with structure parking for 40 vehicles under the four and five story addition. The proposed building footprint is 21,777 sq. ft. with a total proposed floor area of 94,236 sq. ft. Surface parking lots are proposed along with access from Arbor Street, Forest Avenue and Stevens Avenue.

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: Richard Knowland, Senior Planner
Date: November 7, 2014
Re: Midtown; 59 Somerset Street, The Federated Companies
Project #: 2014-203 **CBL:** 34-B-2, 3, 4, 5; 34-D-3, 8
Meeting Date: November 12, 2014

1. INTRODUCTION

A workshop has been scheduled to consider a new site plan and subdivision for the midtown project located in the vicinity of Somerset Street, Chestnut Street and Elm Street. As the Board will recall, The Federated Companies midtown proposal received a number of Planning Board development approvals on January 14, 2014. Subsequently, a law suit challenging these approvals was filed and a settlement been reached between Federated and the plaintiff, which has resulted in significant changes to the development plan that are reflected in the new proposal.

The new application reduces the maximum residential height from 165 to 72 feet. The number of residential units has been reduced from 650 units to 440 units. The building footprints are virtually the same. The 700 space parking garage will add another level, bringing the total number of spaces to 800 spaces. The 400 space parking deck west of Chestnut Street has been eliminated. Retail remains a first floor use for all of the buildings.

Federated is not seeking an amendment to their original approval rather they are filing a new application (and related submissions) therefore the new submission must be reviewed in its entirety with all of the applicable ordinance review standards. This preserves their existing approval status intact for the January, 2014 plan until the new plan is approved and replaces the prior plan.

It is anticipated that a second workshop will be held on December 9th with a public hearing on January 13th. The submission in today's packet intends to address the preliminary submission requirements of the site plan ordinance. For the second workshop, a final site plan submission will be provided.

The original project incorporated three phases. The new application proposes to complete the project in one phase so the applicant is not seeking master development plan approval.

Notice for today's workshop consisted of a legal ad appearing in the Portland Press Herald on November 3rd and November 4th. Notices were also sent to 77 area property owners. A copy of the midtown application is on the Planning Division web site.

A. Development Reviews

A comparison of the Boards's January 14, 2014 approvals with the current submission is shown below. Two less approvals are required this round since the applicant no longer seeks a master development plan approval and a conditional use review for height is not necessary since all buildings are under 125 feet.

P.B. Jan. 14, 2014 Approval

Current Submission

Master Development Plan (all phases)

Applicant no longer seeking a Master Development Plan

Amend 2008 Subdivision Recording Plat

Amends the previously amended Subdivision Recording Plat

Conditional Use

Height exceeding 125 feet

Parking Garage

N.A., height less than 125 feet

Yes

Technical and Design Waivers

(requested waivers for all phases)

Waivers requested

B-7 Design Principles and Standards

(requested waivers for all phases)

Waivers requested

Subdivision (phase one only)

Covers entire site/project

Site Plan (phase one only)

Site Location of Development Law (Phase one)

Traffic Movement Permit (all three phases)

Covers entire site/project

Covers entire site/project

Covers entire site/project

B-7 Design Principles and Standards

(phase one except for granted waivers)

Covers entire site/project

B. Applicant and Consultant Team

The Federated Companies (developer)

FST (civil engineers)

CBT Architects (lead architect)

Shinberg Consulting (owner's representative)

Mitchell & Associates (landscape architect)

The Lewis Berger Group (traffic engineer)

Owen & Haskell (land survey)

II. PROJECT DATA

Zoning: B-7 Mixed Development District

Land Area: 3.49 acres

Existing Use: Vacant land plus a former scrap metal site

P.B. January 14, 2014 Approval Proposed Uses:

Current Submission

Housing

Phase One	(up to 235 units)	440 units (total)
All Phases	(650 to 850 units)	

Retail

Phase One	(43,617 sf)	87,200 sf (total)
All Phases	(100,000 sf)	

Parking Garage

Phase One	(700 spaces)	800 spaces (total in one garage)
Phase Two	(400 spaces)	

Buildings:	5 residential 1 parking garage plus parking in res. bldg.	4 residential 1 parking garage
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Building Height:

Tallest residential building	165 feet	72 feet
Parking garage	85 feet	92 feet

Impervious Area:

Entire site	151,769 sf	150,000 sf plus
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Building Footprint	124,570 sf	121,400 sf
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Building Floor Area	1,161,950 sf	750,200 sf
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Parking Spaces:	1,100 spaces	805 spaces
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Bicycle Spaces:	44 spaces on street/trail 154 internal bike room	176 spaces
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Estimated Project Cost:	\$150 to \$160 million \$ 45 to \$50 million (phase one)	\$85 million
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Subdivision:	Total Land Area	6.2 acres
	Existing Lots	9
	Proposed Lots	4 (plus 2 for Bayside Trail)
	Dwelling Units	440

III. DEVELOPMENT PROGRAM

The new midtown proposal has been downsized from the previously approved master plan in terms of dwelling units (650 units to 440 units), maximum residential building height (165 feet to 72 feet) and parking garage spaces (1100 spaces to 800 spaces). Total building square footage has been reduced to 750,200 sf.

First floor retail is proposed in all of the residential buildings as well as the parking garage. Rather than three phases, the development will be constructed in one. Individual building footprints are virtually identical to the previous plan. The only section of midtown previously receiving site plan and subdivision approval was the Chestnut Street to Pearl Street block. The entire site did receive a Master Development Plan approval but in the new application the developer is not seeking this approval.

The new application identifies four buildings: Midtown One (residential building by Pearl Street); Midtown Two (parking garage); Midtown Three (residential buildings between Somerset and Elm) and Midtown Four (residential building behind Trader Joes)

A. Chestnut Street to Pearl Extension Street Block

From a building layout perspective this section of the development appears identical to the original plan. A residential building and a parking garage are proposed in this block.

1. Midtown One

Residential Building - The residential building is located on the corner of Somerset Street and the projected footprint of Pearl Street extension. The building mass has been configured in a L-shape to avoid a large rectangle cube. The residential building is setback 10 feet from Somerset Street while the parking garage is proposed at the street line. A pedestrian access (mews) 30 feet wide has been sited between the parking garage and the residential building which provides a trail connection from Somerset Street. A plaza or court yard is proposed between the building and the Bayside Trail. Both spaces are privately owned but with public access.

There will be retail doors along Somerset Street. Rather than having 15 stories (165 feet) the residential building will have 6 stories (72 feet) with retail on the first floor and 5 residential floors above. Eighty residential units are now proposed in contrast to the previous 235 units.

The applicant is using the projected footprint of Pearl Street extension as a driveway for the residential building. The primary public pedestrian entrance to the residential building is along Pearl Street extension at the far end of the building where a drop off area has been created by the entrance.

2. Midtown Two

Parking Garage - The second building in this block is the parking garage (labeled Midtown Two) which occupies the space between the mews and Chestnut Street. The parking garage will be increased in height from 85 feet to 92 feet to accommodate an additional level of parking which will increase the parking garage capacity from 705 spaces to 800 spaces. The 400 space parking structure in the Chestnut to Elm block is proposed to be eliminated. The parking garage continues to have retail on the first floor. The garage is served by a single driveway on the far easterly side of the garage along Somerset Street.

The parking garage has 7 levels of parking but has a two story appendage about 10 feet in width that provides a retail presence and a stepped back building mass along Chestnut Street. The building is 320 feet long. Retail is proposed along the entire frontage of Somerset Street (except for the driveway opening and stair tower) and appears to cover a significant percentage of the garage's Bayside Trail frontage.

B. Chestnut Street to Elm Street Block

This block has the most significant changes from the original plan. The new Midtown Three and Midtown Four are located in this block. This section received master development plan review but did not receive subdivision and site plan approval.

Original Proposal - This section (Phase Two) originally included two residential towers and a 400 space parking garage sandwiched between the two residential buildings. The residential buildings occupied the corners of Chestnut Street and Elm Street. Retail is located on the first floor of all three buildings. An earlier submission projected 320 to 370 housing units and 44,000 sq. ft. of retail space for this phase. The residential buildings were 165 feet tall respectively while the parking garage was 82 feet high.

The earlier plan called for a Phase Three which is the building behind Traders Joes on Elm Street. The building had a projected 150 to 180 housing units and 12,400 sf of retail space. Building height was 165 feet.

1. Midtown Three

Midtown Three features a one story retail building that extends 430 feet along Somerset Street. Mounted on top of the base are two separate five story residential buildings containing a total of 260 housing units, one of which is oriented toward Somerset Street with the second oriented toward the Bayside Trail. The two buildings are configured with an interior court yard in which 16 units per floor (or 80 units) will have windows facing each other across a court yard that measures 18 feet 7 inches wide over a span of 260 feet. See Attachment Plans – A16. While there is no zoning requirement regarding minimum setbacks within court yards it does raise quality of life issues for future residents. For example, the Bayside Village student housing project has a similar court yard concept but the interior distance between the two buildings generally exceeds 30 feet (up to 50 feet) except for a small pinch point of 15 feet. We have suggested that the 430 foot long building profile along Somerset Street be split in two buildings which would improve the residential environment, reduce the apparent building mass and provide mid-block permeability. The project architect indicates that such a change would increase costs. (See further discussion of this issue in the B-7 Design Standards and Subdivision, below)

2. Midtown Four

Midtown Four incorporates a building on Elm Street behind Trader Joes. It is described as having first floor retail with 5 floors of residential above. The building will have 100 studio or loft apartments with a lobby entry facing Elm Street. Applicant is proposing to add new parking spaces on Preble Street along a curve which requires careful review of safety and circulation considerations.

IV. CIRCULATION AND STREET IMPROVEMENTS

A. Vehicle Circulation

The applicant will be submitting a full traffic analysis for the final site plan submission. Attachment H includes updated traffic generation data comparing the previous traffic study with the current development proposal.

Comments from Tom Errico, Traffic Review Consultant, on the preliminary application are shown below and on Attachment 2.

1. The applicant should provide a parking demand and supply analysis that demonstrates the adequacy of the proposed parking garage for the entire project.
2. A review of the parking garage layout and circulation will be reviewed upon receipt of that information.
3. A detail traffic operation analysis shall be provided at the garage entrance onto Somerset Street given that the size of the garage has increased and thus traffic volumes entering and exiting would also increase during peak hours.
4. The applicant shall detail pedestrian routings between the generators and the parking garage and note the adequacy of facilities for providing safe and direct accommodations.
5. A Traffic Movement Permit (TMP) that complies with MaineDOT Law was issued as part of the previous approval process. Given that the current development program is expected to generate less traffic, the applicant has two options for consideration. Option 1 would be for the applicant to retain the current TMP (and the trips levels) and meet all requirements as defined previously. A second option would be for the applicant to seek an amended or new TMP and follow all procedures and requirements as defined by MaineDOT. I would note that I am in the process of coordinating this issue with MaineDOT and will provide additional clarification as soon as possible.
6. I am concerned about the provision of on-street parking and truck delivery/loading on Elm Street next to the Midtown Four building. Elm Street has a very different transportation function as compared to Somerset Street and thus street cross-sectional elements must be carefully reviewed. I would further note that the horizontal curve on Elm Street also complicates traffic safety issues in this area. The applicant should provide specific information on the use and design of the curb-side cut-out areas (vehicle parking, deliveries, drop-offs, etc.).
7. The sidewalk system along Elm Street near the Midtown Four building will need to be closely reviewed for ADA compliance and general pedestrian needs given the ramping, steps, and retaining walls proposed.
8. It appears that pedestrian use easements would be required on the sidewalk in front of Midtown Four.
9. It would seem important that a formalized pedestrian crossing of Elm Street at Somerset Street be provided following the completion of this project.
10. If a modified or new TMP is not pursued, a reduced version traffic study would likely be

required as part of site plan approval, particularly given changes in parking facilities (origin/destination patterns).

I want to emphasize that additional comments can be expected when the full application is provided.

Vehicle circulation for Midtown One is defined by the projected footprint of Pearl Street extension as a driveway for the residential building. The driveway stops just south of the Bayside Trail and will have a minimum travel width of 24 feet. The primary public pedestrian entrance to the residential building is along Pearl Street extension at the far end of the building near the Bayside Trail. A drop off area has been created by the entrance. Pearl Street is not a dedicated street at this time. Long term Pearl Street extension requires a 50 foot right of way width but the City will need to acquire additional land from the property to the east for the full width. The applicant's plan is compatible with the future street extension and includes sidewalks and street lights on the westerly side of the driveway.

The plan indicates the parking garage will be served by one driveway located on the far easterly side of the building. There appears to be no other on-site driveways for the Midtown project with the exception of the Midtown One residential building as discussed in the previous paragraph.

Service deliveries for Midtown buildings (residential and retail uses) generally takes place along the street in parking spaces or designated delivery zones (if so designated) as there is no room onsite for such activities. The exception is the residential building in Midtown One which has a drop-off area along Pearl Street extension and presumably an internal loading zone within the building for small trucks. For Midtown Three there is door along Somerset Street in which trash/recycling can be wheeled to the curb. Likewise for Midtown Four, the plan notes a "8' service roll-up door" adjacent to the Bayside Trail in which presumably trash/recycling containers can be wheeled to the curb for a waiting truck. There might need to be a license agreement for this trail usage. Due to presence of ramps and stairs, the route from the building to the street for the rolling containers appears to be circuitous.

Midtown Four is proposing to introduce a 90 foot long strip of on-street parking (indented into the curb line) along Elm Street. Presumably these spaces would be used for drop-offs, parking and service deliveries. Unfortunately these spaces are located along a steep curve so comments from Mr. Errico on safety and circulation issues are in order. The original plan showed a driveway on the Trader Joes side of the property but that has apparently been eliminated in deference to its location along a curve.

B. Pedestrian Circulation

Brick sidewalks are proposed along the entire street frontage of the project. Sidewalk width varies depending on the location. In areas where there are significant grade issues such as the corner of Somerset/Pearl and Somerset/Elm the sidewalk is divided into two levels. Midtown One has a split sidewalk with a retaining wall/ramp in the middle with a 5 foot sidewalk along the curb and a 8 to 10 foot sidewalk along the building face. A sidewalk is provided along Pearl Street from Somerset to the project entrance and eventually connecting to the Bayside Trail. By the parking garage it is 14 feet while along Midtown Three 16 feet is provided except at the corner of Somerset and Elm where it is split by a retaining wall/ramp, the sidewalk is 10 feet along the building and 5 feet by the curb.

Along Elm Street there are several pedestrian challenges. The Bayside Trail enters the Elm Street walkway midblock between Midtown Three and Midtown Four. A retaining wall and steps (due to grade changes) hinders a smooth transition for the future Bayside Trail westerly extension that will cross Elm Street at

Somerset Street. By Midtown Four steps and retaining walls require a circuitous route for the Elm Street walkway which provides a connection to Back Cove and Marginal Way. Just a few feet to the north is an existing sidewalk “pinch point” by Trader Joes. The Trader Joes sidewalk can be widened by shifting the existing Elm Street curb alignment to the west since the existing pavement width of Elm Street is very wide.

All these considerations point to the need to address these issues as a whole given their close proximity and pending construction activity. We have requested the applicant submit a plan depicting Elm Street from Somerset Street to Marginal Way with the Midtown project and Trader Joes so that circulation improvements can be planned comprehensively for this area.

The Somerset Street extension project would extend Somerset Street and the Bayside Trail westerly from Elm Street to Forest Avenue. As part of that planning project an estimate was generated that would “lift” the grade of the Elm Street/Somerset Street intersection as logical transition between Somerset Street by Midtown and the new Somerset Street extension. An elevated Elm Street eliminates the need for a retaining wall, ramps, and steps near the Midtown Three corner at Somerset/Elm and provides a smoother connection for the Bayside Trail. As this grading would likely be extended further down Elm Street it could eliminate Midtown Four’s stairs and offer the opportunity to widen the Trader Joes pinch point sidewalk.

A full funding source to pay for the \$400,000 plus improvement has not been identified to date. Realigning the Elm Street curb line would be much less expensive.

Bayside Trail – The project accommodates connectivity to the Bayside Trail for Midtown One, but no access is proposed for Midtown Three. The Pearl Street sidewalk and the mews between Midtown One and the parking garage provides connectivity in the Pearl to Elm Street block. Unfortunately in the block between Chestnut Street and Elm Street there is no mid-block connection shown on the plans. Chestnut Street and Elm Street provide access at either end of the block but no mid-block connection.

The applicant plan continues to show an elevated Bayside Trail behind Midtown One which eliminates the need for stairs between the mews and the trail. The trail appears to retain the present minimum width of 16 feet throughout the midtown project. As discussed previously the proposed sidewalk along Elm Street does not provide a seamless transition for the trail as it approaches the corner of Elm Street and Somerset Street. A similar situation arises at Midtown Four where stairs and ramps occupy space that could ideally be flat space (assuming grade changes could be addressed) for trail users/pedestrians headed to Marginal Way and Back Cove.

The plan shows a bus shelter in front of Midtown Three on Somerset Street. The design of the bus shelter as well as the specific location of the shelter will be considered as part of the site plan review.

C. Raising Grade of Somerset Street and Somerset Street Improvements

As discussed during the previous review process, the developer plans to elevate Somerset Street so the first floor of all midtown buildings is above the flood hazard elevation of Back Cove. The Back Cove flood hazard zone elevation is 10 feet and although Bayside has a similar elevation, it is still classified by FEMA as outside the 100 year flood hazard area based on the latest FEMA maps. In the interests of addressing potential sea level rise and flood hazard concerns in the future, the applicant is proposing a first floor elevation of 12 feet for all the buildings. Since Somerset Street has an existing elevation in the 9 to 10 feet range there is a significant grade difference to overcome in providing handicap access into the first floor of each building thus the need to elevate the street.

During the initial review, the Planning Board approved the elevated Somerset Street design from Pearl Street to Chestnut Street which paralleled the first phase of the project. The street design between Chestnut and Elm proved to be more complicated. FST (applicant's engineer) submitted a number of proposals to address drainage and grading concerns expressed by the Noyes family who own the brick warehouse between Chestnut and Elm. Mr. Noyes' primary concern was that the new street elevation was higher than the current elevation which he believes increases the risk of flooding for his building although the first floor elevation will still be above the adjacent grade of the street. Mr. Noyes has requested that the street design consider ways to mitigate and lessen the risk of flooding.

Unfortunately, the FST design required certain waivers in street design standards (between Chestnut and Elm) such as location of the roadway crown, the roadway cross pitch, the curb reveal and the sidewalk cross pitch. The City during the original review was not comfortable supporting these waivers. Although the Pearl to Chestnut street design was approved by the Board, the Chestnut to Elm section was not.

The submission of the new application has now re-invigorated discussion of the street design. City staff met with Mr. Noyes including his attorney and engineer on October 30th to discuss his concerns as well as possible measures to address those concerns. On October 31st and November 4th, staff held internal meetings to discuss the Noyes concerns and street design issues. We anticipate further discussion of street design issues in arriving at an acceptable design. Needless to say a solution will not be in hand for Tuesday's workshop but we anticipate one will be identified well in advance of the public hearing.

One idea that emerged at one of our recent meetings was to install a larger storm drain pipe (24 inches or so in width) that would run from Somerset down Elm toward Marginal Way which would connect into a Back Cove stormwater outfall. This would provide a larger capacity pipe to drain stormwater from Somerset Street with an estimated cost of \$175,000 for this element of the project. With the work Midtown will be doing along Elm Street, the realignment of Elm Street to fix the sidewalk pinch point at Trader Joes, and the possible raising of Elm Street, there are a number of projects located in close proximity to one another that could enjoy a synergy of cost savings if planned and constructed together. At this time, no funding sources have been identified to elevate Elm Street or installing a new storm drain down Elm.

V. OTHER REVIEW ISSUES

A. Waivers

The applicant is requesting a number of waivers to the Technical and Design Standards as well as to the B-7 Design Standards. The waiver requests are similar to the waivers reviewed in the previous application although there may be some variation. The waiver requests are listed on Attachment J.

There are several waivers of note highlighted below.

B. B-7 Design Review

A waiver of mid-block permeability for the Chestnut to Elm block (Midtown Three) has been requested which is discussed below.

Although not listed as a waiver yet, we understand the applicant is likely to pursue a waiver of B-7 Design Standard E-12 Materials. Specifically the applicant is considering the use of exterior finish insulation systems (EFIS) and vinyl as the primary façade materials for the residential buildings. Such materials are specifically listed as prohibited under this standard since "facades visible from public rights of way shall use natural and authentic building materials that are expected to last at least 50 years." Staff would not be inclined to support such a waiver request. See Caitlin Cameron's preliminary design review comments below:

The following comments are preliminary design observations for the Midtown project with the understanding that a full B-7 design review will be conducted for the project when the revised documents are received.

Each of the four buildings proposed in this development has a large footprint, and in most cases, occupies a whole block. With that understanding, the design of the buildings at the street level becomes especially important - the buildings should engage with street as much as possible and provide for an enjoyable urban experience. The large-scale buildings currently have a very large amount of uninterrupted retail storefront and in many cases for the full length of the block. Aside from the concern whether there is the market demand for that much retail space, it would be preferable that there be more variation in those facades. This could be accomplished with a different treatment for the more public/commercial spaces and those that are more private and residential in use. There might be, for example, residential entrances and amenity spaces that are on the ground floors that want to take on a different character and articulation than commercial/retail spaces. Staff is advocating for prominent and emphasized building entrances that also take into consideration urban design and circulation implications - making it easy and desirable for bicyclists and pedestrians to traverse these blocks and access these buildings. The buildings should give back to the street and the public realm in as many ways as possible and staff is not convinced that storefront alone accomplishes that as presented in the current designs.

The facades generally show a good balance of composition - the concern is how to mitigate the impacts of such large forms. The design team has made a good start at providing articulated and balanced facades - achieved in some cases with the use of green walls, changes in material, varying of roof forms, and large percentage of fenestration. We encourage the designs to continue to be developed in this way, keeping in mind the importance of breaking up the large forms as much as possible and providing relief from their large scale.

There is an additional design concern from the staff regarding material quality and durability. Staff does not support any proposals in contradiction with the design standards on the quality, authenticity, and durability of material choices.

1. Mid-Block Permeability

The B-7 Design Standards require mid-block permeability as presented in Standard B-3 below.

Mid-Block Permeability. "Development shall incorporate mid-block permeability that is perpendicular to Marginal Way, and where feasible that is parallel to Marginal Way, in order to encourage building footprints that are in scale with the existing traditional pattern of development in Portland. These corridors shall be developed as street extensions, service alleys with public access, pedestrian corridors, trail access plazas and pocket parks. These corridors shall be designed for the pedestrian first, with limited vehicular accessibility..." This standard also anticipates mid-block permeability being within the interior of buildings as pass throughs.

Mid-block permeability was achieved in the Pearl to Chestnut block with the mews but it has not been provided in the Chestnut to Elm block. The present plan does not meet this standard. The applicant has requested a waiver from this standard for Midtown Three. See also the discussion below on subdivision access easements.

5. That the passage easement between Chestnut and Elm be removed on the Amended Overall Subdivision plat provided that a pedestrian passage be provided in Phase Two site plan between the two residential towers in Phase Two or through one of the residential structures.

In the earlier review the applicant requested a waiver and the Planning Board voted not to approve it for Phase Two.

Mid-block permeability achieves several critical urban design goals. As indicated above, passages help organize blocks to encourage building footprints in scale with the existing traditional development in Portland. They also support a pedestrian environment by enhancing the pedestrian network and opportunities for conductivity. As applied to Midtown Three, the subject building is 430 feet long, which we observed earlier in this memo, could benefit from a midblock split because of the internal court yard issue which is systematic of an overly long building footprint. A passage from Somerset Street connects to a significant destination, a public park (Bayside Trail). In a pyramid of reasons for mid-block permeability this would seem to be at the top. The Bayside Plan also envisions a lively pedestrian environment which needs to be supported by an enriched pedestrian network.

The northerly side of the building is adjacent to a berm which is part of the Bayside Trail open space. The berm contains contaminants from the Bayside Rail Yard and the Midtown Three site. The material is considered to be a lower level contaminant such that the material may be retained on the site as provided for in the approved Maine DEP VRAP (remediation plan). In order to provide mid-block permeability the berm would need to be opened for the connection point to the trail. The DEP would need to be informed of this change but this is not expected to be a hindrance in achieving a connection to the trail. The contaminants could be relocated on the site such as under the building foundation of Midtown Three or other areas requiring excavation.

2. Exterior Building Design

Concept images of the building facades for all Midtown buildings have been submitted. Detailed building elevations need to be submitted with labeled dimensions and exterior materials. Exterior materials requiring waivers was discussed above.

C. Stormwater

A summary of the stormwater plan for the site is shown as Attachment I. A complete drainage and stormwater analysis will need to be submitted for the next submission.

D. Subdivision Access Easements

Planning Staff has been requested to summarize the status the of midblock trail corridor easement between Chestnut Street and Elm Street. We have also provided a summary on pedestrian underpass easement at the corner of Somerset Street and Elm Street.

1. Mid-Block Trail Corridor Easement

The 2008 subdivision recording plat for the Bayside Rail Yard subdivision provided for a 20 foot wide-20 foot high-140 foot long **trail corridor easement** through lot 3. This easement was created in anticipation of a Maine Health office building and parking garage being built on the site. The subdivision plan was recorded but the Maine Health project was cancelled.

Midtown proposed to eliminate the **trail corridor easement** as part of the amended subdivision recording plat in the last review. Condition #5 of the Planning Board's approval (January 14, 2014) for the amended subdivision recording plat states: "That the passage easement between Chestnut and Elm be removed on the Amended Overall Subdivision plat provided that a pedestrian easement be provided in the Phase Two site plan between the two residential towers in Phase Two or through one of the

residential structures”. This condition allowed the **trail corridor easement** to be removed from the subdivision (for the time being) with the stipulation that an easement be provided when a new site plan was filed for the lot. Presumably integration of the easement into the site could be best planned when a specific development proposal came forward for the lot.

The most recent plan does not include a mid-block **trail corridor easement or any passage**.

2. Pedestrian Underpass Easement Near the Corner of Somerset Street and Elm Street

The 2008 Bayside Rail Yard Subdivision provided for a visual easement near the corner of Elm Street and Somerset Street. The easement was labeled on the subdivision plan as a “26’ high underpass easement” and was established to allow visual and pedestrian access in alignment with the straight portion of Elm Street. This would allow someone walking down Elm Street to see a portion of the Bayside Trail and plaza that might otherwise be blocked by a building. See Attachment C1.2A.

During the previous Midtown review the applicant wanted to extend the building into the easement that would have blocked part of the corridor. Later the plan was amended which pulled the building back and improved the sight lines into the trail plaza area. Concerns were expressed that if the **underpass easement** were compromised it could hinder efforts to route the trail from the trail plaza to a crossing at Elm Street and Somerset Street.

Condition #12 of the Planning Board’s approval (January 14, 2014) for the amended subdivision recording plat states: “The applicant shall revise the subdivision recording plat to remove the limited open space easement on lot 4, (adjacent and west of Lot 2) benefiting lot 2”.

The most recent submitted site plan indicates that the Midtown Three building has been pulled out of the Elm Street view corridor in line with the Noyes building footprint along Elm Street. However, one of the conceptual building plans (Plan A-3) seems to suggest a one-story building within a portion of the view corridor. Clarification of the currently proposed building footprint in this area, overlayed with the original underpass easement location, is requested to better evaluate this concern.

Next Steps

1. Applicant submits a final application.
2. Planning Board Workshop on December 9, 2014
3. Planning Board Public Hearing on January 13, 2015

STAFF ATTACHMENTS

1. Midtown Planning Board Approval Letter (for actions on January 14, 2014)
2. Memo from Tom Errico, Traffic Review Consultant (dated November 6, 2014)

APPLICANT ATTACHMENTS

Cover Letter

Application

- A. Project Description
- B. Title, Right and Interest
- C. Utilities narrative
- D. B-7 Land Use Assessment
- E. Easements
- F. Technical and Financial Capacity
- G. State & Federal Requirements
- H. Traffic Analysis
- I. Stormwater Summary
- J. Written Requests for Waivers from Site Plan or Technical Standards
- K. Building Code Review

Plans

- A1. Site Perspective View
- A2. Midtown One Ground Floor Plan
- A3. Midtown One Typical Floor Plan
- A4. Midtown One South Elevation
- A5. Midtown One North Elevation
- A6. Midtown One East Elevation
- A7. Midtown One West Elevation
- A8. Midtown One Perspective View
- A9. Midtown Two Ground Floor Plan
- A10. Midtown Two South Elevation
- A11. Midtown Two North Elevation
- A12. Midtown Two East Elevation
- A13. Midtown Two West Elevation
- A14. Midtown Two Perspective View
- A15. Midtown Three Ground Floor Plan
- A16. Midtown Three Typical Floor Plan
- A17. Midtown Three South Elevation
- A18. Midtown Three North Elevation
- A19. Midtown Three East Elevation
- A20. Midtown Three West Elevation
- A21. Midtown Three Perspective View
- A22. Midtown Four Ground Floor Plan
- A23. Midtown Four Typical Floor Plan
- A24. Midtown Four South Elevation
- A25. Midtown Four North Elevation
- A26. Midtown Four East Elevation
- A27. Midtown Four West Elevation
- A28. Midtown Four Perspective View
- C1.2 Amended Subdivision
- C1.2A Existing Conditions Survey
- C1.4 Topographic Survey
- C2.0A Overall Site

ATT 1

CITY OF PORTLAND, MAINE
PLANNING BOARD

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

January 28, 2014

The Federated Companies
Jonathan Cox
Suite M-302
3301 NE 1st Avenue
Miami, Florida 33137

Shinberg Consulting
Greg Shinberg
Suite 1012
477 Congress Street
Portland, Maine 04101

Project Name:	midtown	Project ID:	#2013-105
Address:	59 Somerset Street 10	CBL:	34-B-2, 3, 4, 5; 34-D-3, 8 and
Applicant:	Federated Companies		
Planner:	Richard Knowland		

Dear Mr. Cox,

On January 14, 2014, the Planning Board considered the midtown development application submitted by the Federated Companies (hereinafter, the "applicant."). The Planning Board reviewed the proposal for conformance with the standards, outlined in the City Code, for Conditional Use approval (Phase One); Master Development Plan approval (all phases); Subdivision approval; a Traffic Movement Permit; and Site Plan approval (Phase One), including Site Development of Location Act.

A. CONDITIONAL USE

On the basis of the applications (2013-105 and 2013-128), plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Reports #58-13 and the report for the January 14, 2014 public hearing, including but not limited to Section VIII of the January 14, 2014, relevant to Portland's B-7 zone, the City's Site Plan Ordinance, the City's Conditional Use Standards and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearing:

1. The Planning Board finds the proposed conditional use for the increase in building height to 165 feet does meet the standards of B-7 Conditional Use (Sec. 14-296), Site Plan Sec. 14-526 (d)(9) (viii), and City Code Section 14-474 (2), and therefore voted 7-0 to approve an increase in building height to 165 feet, subject to the following conditions of approval:

a. Wind Mitigation Condition for Phase One:

The applicant shall submit plans and specifications for all recommended wind mitigation measures contained in the RWDI wind study for the mews, the courtyard, and the residential entry area to achieve a condition comfortable for standing in the mews area and comfortable for sitting in the courtyard area, and comfortable for walking in the building entrance area, for review and approval by the Planning Board prior to issuance of a building permit. At the same time, the applicant shall submit a wind condition monitoring plan for Planning Board review and approval, which will specify how the wind conditions will be monitored and recorded over a twelve month period from the date of the Phase One residential building certificate of occupancy. A performance guarantee shall be retained at the time of issuance of a building permit to cover the estimated cost of constructing the potential wind mitigation measures, which shall remain at the full amount until the satisfactory completion of any required mitigation improvements, at which time it shall be reduced to a 10% defect guarantee.

After 12 months from the issuance of the Certificate of Occupancy (C of O), but not more than 15 months after the C of O is issued, the applicant shall submit the wind monitoring report to the Planning Board. If the comfort and safety level in the mews, courtyard, and/or entry area is not satisfactory in the judgment of the Planning Board, the applicant shall be required to implement and install some or all of the wind mitigation measures contained in the RWDI wind study within a time certain as directed by the Planning Board

b. Wind Mitigation Condition for Phases Two and Three:

At time of Level III Site Plan Review of Phase Two, the applicant shall submit a detailed wind study of Phases Two and Three, which shall include an instrumented physical model wind tunnel study and impact assessment for the Planning Board's review. The master development plan and site plan shall be revised to mitigate projected wind impacts to achieve a satisfactory level of comfort for standing or sitting in public places for a substantial majority of the time in all seasons, including but not limited to the trail corridor behind and between the buildings proposed in Phases Two and Three.

2. The Planning Board finds that the development meets the requirements for modifying the setback provisions of 14-296(a)(5)(b) relating to setbacks as required under sec. 14-526(9)(viii)(b) and therefore voted 6 to 1 (Morrisette) to approve such modification..

3. The Planning Board finds the proposed conditional use for the Phase One parking garage does meet the standards of B-7 Conditional Use, Sec. 14-296 (3) governing structured parking and Zoning Code Section 14-474 (2), and therefore voted 7 to 0 to approve the parking garage use.

B. MASTER DEVELOPMENT PLAN

On the basis of the applications (2013-105 and 2013-128), plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing for application for the Midtown Master Development Plan and Midtown Phase One relevant to the Site Plan and Subdivision ordinances and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

That the Master Development Plan is in conformance with the standards of the Master Development Plan provisions of the Site Plan Ordinance, and therefore voted 7 to 0 to approve the Master Development Plan for all three phases, subject to the following conditions of approval:

1. That a pedestrian passage be provided in the Phase Two site plan between the two residential towers in Phase Two or, the alternative, through one of the residential towers located in Phase Two, unless the Planning Board waives this requirement during the Phase 2 Level III site plan review process.
2. The final Master Development Plan shall be revised to reflect Planning Board decisions outlined herein that impact the overall Master Development Plan, including but not limited to waivers, conditional use review, subdivision review and site plan review.
3. For Phases Two and Three, include and install erosion control measures meeting best management practices and maintain the erosion controls for the site prior to mulching disturbed areas. The site shall be maintained clean and free of debris at all times. The City may request the applicant to conduct additional maintenance activities or grading corrections to Phase Two and Phase Three, if debris or sedimentation is found in the surrounding catch basins which diminishes the capacity or causes back-ups of the basins. All sidewalks shall be cleared of snow by the property owner, including sidewalks located in Phase Two and Phase Three.
4. The proposed Bus shelter location shown on Somerset Street in Phase Two shall be coordinated and further refined in the future during site plan review for Phase Two.

5. The Drop-off area, sidewalk ramps, sidewalks, and other features within the public right-of-way on Elm Street for Midtown Four, which is included in Phase Three, are not acceptable. Details of the sidewalk, curb line, and other features shall be revised and submitted for approval during future site plan reviews.

C. TECHNICAL AND DESIGN WAIVERS

On the basis of the applications (2013-105 and 2013-128) plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing, including but not limited to Section IX of the report for January 14, 2014 titled "Technical Waivers," the report and the reviews by Tom Errico, PE dated January 6, 2014 (Attachment 3) and David Margolis-Pineo, Deputy City Engineer dated January 9, 2014 (Attachment 4), for the Midtown Master Development Plan and Midtown Phase One relevant to Portland's Technical and Design Standards and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearings, the Planning Board voted 7 to 0 on the following findings:

Street Trees

1. The Planning Board finds that the applicant has demonstrated that site constraints prevent the planting of required street trees on the site and/or in the City right of way. The Planning Board voted 7 to 0 to waive Section 14-526 (b)(2)(b)(iii) Street Trees of the Site Plan Ordinance and concluded that the applicant shall make a financial contribution of \$5,000 to the tree fund, which amount takes into consideration the applicant's commensurate infrastructure investment in twenty-one (21) raised tree wells as presented in the application. This waiver applies to Phase One only.

Transportation and Street Design

2. The Planning Board finds, based, among other things, on Tom Errico's review (Attachment 3) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 to waive Section 1.4 Street Grades of the Technical Manual to modify the cross slopes as presented in the application for a local street from the 0.03 requirement. This waiver applies to Phase One only.

Section 1.4 Street Grades

3. The Planning Board does not find based upon the reviews by Tom Errico and David Margolis Pineo (Attachments 3 and 4) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted (7 to 0) not to waive Section 1.4 Street Grades of the Technical Manual to modify the cross slopes for a sidewalk as presented in the application from the 0.02 requirement.

Section 1.5 Vertical Alignment

4. The Planning Board finds based, among other things on Tom Errico's review (Attachment 3) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 to waive Section 1.5 Vertical Alignment of the Technical Manual to modify the K values as presented in the application. This waiver applies to Phase One only.

Section 1.7.2.5 Curbing of Driveways

5. The Planning Board finds based, among other things on Tom Errico's review (Attachment 3) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 waive Section 1.7.2.5 Curbing of Driveways of the Technical Manual to allow the tip down granite curbs rather than radius curbs at driveways, subject to the condition that the exact details of the aprons shall be provided for review and approval.

Section 1.7.1.9 Number of Driveways

6. The Planning Board finds based, among other things on the reviews by Tom Errico and David Margolis Pineo (Attachments 3 and 4) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 to waive Number of Driveway of the Technical Manual to allow the Master Development Plan project to have five (5) curb cuts: two (2) in Phase One; two (2) in Phase Two; and one (1) in Phase Three; with the condition that curb cuts in Phases Two and Three will be reviewed at the Level III site plan reviews and only the Phase One curb cuts will be installed with the Somerset reconstruction as presented on the applicant's Phase One plan.

Sanitary Sewer and Storm Drain Design

7. The Planning Board finds based, among other things, upon the review by David Margolis Pineo (Attachment 4) that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 to waive Section 2.7.8 Catch Basin of the Technical Manual to allow the connection of storm drain lines into a catch basin structure.

Stormwater Management Standards and ME DEP Stormwater Management

8. The Planning Board finds that the project conveys stormwater exclusively in a piped system directly into the ocean as confirmed by David Senus' review (Attachment 5) and therefore, extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. The Planning Board voted 7 to 0 to waive Chapter 5, Section E.2 Flooding Standard of the Technical Manual to allow the stormwater to be directly piped to the ocean.

Soil Survey Standards

9. The Planning Board finds based upon David Margois-Pineo's recommendation (Attachment 4) that greater than 50% of the site was developed on a filled site and remediated as a Brownfields site, which has had soil analysis done for the site and street right-of-way and therefore, extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance. . The Planning Board voted 7 to 0 waive Section 7.1 Soil Survey Standards of the Technical Manual related to the requirement for a high intensity soil survey.

D. B-7 WAIVERS

On the basis of the applications (2013-105 and 2013-128) plans, reports and other information submitted by the applicant, findings, recommendations, contained in the Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing, including but not limited to Section X, B-7 Design Standard Waivers of the January 14, 2014 report for the Midtown Master Development Plan and Midtown Phase One relevant to Portland's Design Manual, and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearings, the Planning Board finds the following:

1. Recognizing the existing blockage of the Cedar Street views and partial blockage of Myrtle Street view corridors, constraints relating to building design and block configuration, as well as other factors outlined in the applications and the Planning Board Report, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 waive B-7 Standard A-4, Views and Landmarks, to grant a partial waiver of the requirement that new development be sited so that it does not block view corridors, to allow the garages in Phases One and Two to partially obstruct the Myrtle Street and Cedar Street view corridor.
2. Recognizing that Cedar and Myrtle streets do not abut the subject property, and in consideration of the proposed mews providing an alternate access between Somerset Street and the trail, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive to B-7 Standard B-2, Street Connectivity, to grant a waiver of the requirement that the development be required to extend Cedar Street and Myrtle Street through the project.

3. Due to the proposed placement of the garage and buildings in Phase II, the Planning Board does not find that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 not to approve a waiver of B-7 Standard B-3, Mid-Block Permeability, for Phase Two development which requires mid-block permeability of the development between Chestnut and Elm Streets.
4. Recognizing that there is no other location for such entrances other than on Somerset Street due to block configuration, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard B-7, Continuity of Street Level Uses, to allow service entrances and vehicular entrances on Somerset Street.
5. In order to enable and enhanced retail and pedestrian sidewalk lighting conditions on Somerset Street, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard B-11, Lighting, to allow closer spacing of the street lights on Somerset Street as depicted on the submitted site plan._.
6. Recognizing the shallow lots and constrained garage layout, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard C-2 Parking Entrances, to allow the entry and exit of the garage entry to be combined on Somerset Street.
7. Recognizing the shallow lots and constrained garage layout, the Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard C-5, Decks and Ramps, to allow visible non-horizontal ramps on the north face of the garage.
8. Because this project has no rear elevation, the Planning Board therefore finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured with the variation, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard C-8, Service, Utility and Mechanical

Infrastructure, which requires all loading docks, delivery areas, truck parking shall be located at the rear or side of buildings and not along public ways.

9. Recognizing that the shadow study (Exhibits 20 and 20A) demonstrate that for half of the 12 time/seasons reported, a 65 foot tall building would impose a shadow impact on the trail and open space that subsumes the longer shadow of the taller building. Further, the six times that show increased shadow from the taller building, the shadow impact is limited in area and duration, therefore the overall increase in shadow created by the taller heights is not substantially more detrimental to the trail than would result from an as-of-right (65 foot tall) development, thus undue hardship may result from strict compliance with Standard E-19. The Planning Board finds that extraordinary conditions exist or undue hardship may result from strict compliance, substantial justice and the public interest are secured, and the variation is consistent with the intent of the ordinance, and therefore voted 7 to 0 to waive B-7 Standard E-19, Shadows, to allow an increase of more than 10% shadow on the Bayside Trail.

E. TRAFFIC MOVEMENT PERMIT

On the basis of the applications (2013-105 and 2013-128), plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing for application for the Midtown Master Development Plan and Midtown Phase One relevant to the Site Plan and Subdivision reviews and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

That the plan is in conformance with the standards of the Traffic Movement Permit, and therefore voted 7 to 0 to approve the Traffic Movement Permit, subject to the following conditions of approval to be met prior to the issuance of a building permit unless otherwise stated:

1. The applicant will be required to install a traffic signal at the Marginal Way/Chestnut Street intersection. This intersection currently meets signal warrants and accordingly this improvement shall be installed prior to certificate of occupancy of Phase One. It should be noted that the applicant will be responsible for the development of design plans and specifications for review and approval by the City.
2. The applicant shall install improvements to the Marginal Way eastbound approach at Franklin Street as documented in their traffic study. This improvement consists of changing the lane assignment on eastbound Marginal Way to a left-lane and a shared through/right lane (it current consist of a shared left/through lane and a right-turn lane). This improvement is to consist of pavement marking and signing changes only (signal head modifications may be required). No roadway widening is anticipated as part of this work. The improvement shall be installed prior to certificate of occupancy for Phase One. The applicant shall submit plans for review and approval.

3. The applicant shall develop updated traffic signal timing plans for Franklin Street for the three intersections with I-295 Northbound Ramps, Marginal Way, and Somerset Street/Fox Street. The timing plans shall be implemented within 6 months following certificate of occupancy. The applicant shall submit plans for review and approval.
4. The applicant shall make a \$32,000 contribution towards improvements to Franklin Street in the Somerset Street/Fox Street and Marginal Way intersection areas. This contribution is related to addressing sub-standard traffic conditions along Franklin Street. This contribution amount is for the full build project and may be proportioned according to traffic generation levels for each project phase.
5. The applicant shall make a \$30,000 contribution towards implementation of the Marginal Way Master Plan. This requirement is to address traffic issues at the Marginal Way intersections with Preble Street and Forest Avenue and general multi-modal improvements along the corridor. This contribution amount is for the full build project and may be proportioned according to traffic generation levels for each project phase.
6. The applicant shall make a \$51,000 contribution towards the implementation of the Somerset Street extension project. This requirement is to address traffic issues along Marginal Way, particularly at Forest Avenue, Preble Street, and Franklin Street. This contribution amount is for the full build project and may be proportioned according to traffic generation levels for each project phase.
7. Somerset Street/Pearl Street - This intersection was determined to operate at unacceptable conditions following project build-out. It is recommended that the applicant conduct a monitoring study following the construction of Phase One. The monitoring study would be required for Phase 2 of the project.

F. AMENDED OVERALL SUBDIVISION PLAT AND PHASE ONE SUBDIVISION PLANS:

On the basis of the applications (2013-105 and 2013-128), plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing for application for the Midtown Master Development Plan and Midtown Phase One relevant to the Site Plan and Subdivision ordinances and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

That the Amended Overall Subdivision plat (dated 12-20-2013) and the Phase One Subdivision Plans are in conformance with the subdivision standards of the City's Code, and therefore voted 5 to 2 (Hall and O'Brien opposed) to approve the subdivision plans, subject to the following conditions of approval to be met prior to the issuance of a building permit unless otherwise stated:

1. That the Phase One Subdivision Plan shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel, and Department of Public Services and include detailed references to labeling of easements, subdivision notes and other relevant conditions meeting the requirements for a recording plat as contained in Portland's Subdivision Ordinance and Maine State statute, and incorporating the phasing plan as described in condition 3, below.
2. That the Amended Overall Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel, and Department of Public Services including detailed references to labeling of easements, subdivision notes and other relevant conditions.
3. That Somerset Street improvements may be constructed in two phases with design details subject to review and approval by the City's Department of Public Services as further described in a letter from Michael Bobinsky, Director of Public Services, dated January 9, 2014, see Attachment 2. The construction of lot 6 and or lot 7 (Phase One) shall require the reconstruction of Somerset Street from Pearl Street to Chestnut Street along with necessary grade tapering west of Chestnut Street and additional related tapering on Chestnut Street, which shall be implemented in conjunction with Phase One of the Master Development Plan and Level III Site Plan review. Initiation of construction on lots 2, 3 and or 5 (Phase Two) requires reconstruction of the remainder of Somerset Street west of Chestnut Street to Elm Street, which shall be implemented in conjunction with development of Phase Two and/or Phase Three of the Master Development Plan, or at such earlier time as may be approved by the Department of Public Services and Planning Authority.
4. That all easements shall be submitted for Public Services, Planning Authority and Corporation Counsel review and approval. Easements shall specify the function, responsibility of maintenance and repair as well as ownership of all improvements.
5. That the passage easement between Chestnut and Elm be removed on the Amended Overall Subdivision plat provided that a pedestrian passage be provided in the Phase Two site plan between the two residential towers in Phase Two or through one of the residential structures.
6. The applicant shall be totally responsible for the reconstruction of the Bayside Trail to the satisfaction of the City.
7. That the applicant and all assigns shall comply with the conditions of Chapter 32 of the City Code governing Stormwater, including Article III, "Post-Construction Storm Water Management," which specifies the City's annual inspections and reporting requirements. The applicant/developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and

sediment & erosion control plan based on City standards and state guidelines. A maintenance agreement for the stormwater drainage system shall be submitted for review and approval by Corporation Counsel and the Department of Public Services, and submitted and signed prior to the issuance of a Certificate of Occupancy with a copy to the Department of Public Services; and

8. That the Subdivision Plat shall be revised to address the following review comments from the Department of Public Services:
 - a. Show property pins to be set at all locations to define the applicant's property.
9. That the Subdivision Plans shall be revised for review and approval by the Department of Public Services to address the Department of Public Services review of the subdivision plans as presented in a January 9, 2014 memo from David Margolis-Pineo, Deputy City Engineer.
10. In the event that the elevation of Somerset Street is raised east of Pearl Street, the applicant or successor shall be responsible for removing ramps, steps and other impediments in providing a continuous at-grade pedestrian access along the frontage of Phase One. Applicant or successor shall also be responsible for installing new streetscape materials and amenities that achieves a continuous at-grade sidewalk with review and approval by the Planning Authority. The applicant or its successor shall also be responsible for sidewalk and related improvements within their property line along Pearl Street extension should Pearl Street extension be reconstructed in the future.
11. The applicant and all assigns shall be responsible for the maintenance and upkeep of all ramps/stairs/planters in the sidewalk along Somerset Street in front of the residential tower, whether such ramps/stairs/planters are located within the street right of way or on private property.
12. The applicant shall revise the subdivision plat to remove the limited open space easement on lot 4, (adjacent and west of Lot 2) benefiting lot 2.

G. SITE PLAN REVIEW

On the basis of the applications (2013-105 and 2013-128), plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Reports # 58-13 and the report for the January 14, 2014 public hearing for application for the Midtown Master Development Plan and Midtown Phase One relevant to the Site Plan and Subdivision ordinance and other regulations, as well as the Planning Board deliberations and the testimony presented at the Planning Board hearings, the Planning Board finds the following:

That the plan is in conformance with the site plan standards of the Land Use Code, Site Location of Development review and DEP Stormwater Permit, and therefore voted 7 to 0 to approve the proposed site plan, subject to the following condition(s) of approval to be met prior to the issuance of a building permit unless otherwise stated:

1. The applicant shall submit revised plans that provide the details for the mountable curbs, and provide details of the driveway apron areas meeting City standards for review and approval by the Planning Authority for the proposed mountable curbs.
2. According to information provided by the applicant, large delivery vehicles cannot be accommodated in the proposed service entrances provided for the project. For Phase One the on-street parking spaces on Somerset Street shall be designated as a Loading Zone with Dual Rear Wheel vehicle use requirements. The site plan shall correctly indicate such signage along Somerset Street and the No Parking signs on Pearl Street shall be revised to add "Tow Away Zone" for review approval by Department of Public Services. A large delivery vehicle management plan for the site shall be submitted to the Traffic Engineer for review and approval. For other future phases, it is recommended that the details on large truck loading be determined during Site Plan review.
3. The City shall retain the opportunity for a 60-foot right-of-way on Pearl Street north of Somerset Street. Therefore, the applicant shall submit a revised plan for review and approval that shifts the right-of-way line to the west 5-feet in anticipation of the City acquiring 5 feet of right-of-way width in the future to the east as it intends to do.
4. The TDM Plan provides general information on strategies and notes requirements for conducting tenant surveys as required by the City's Code. Following the 6 month survey and monitoring report, the City may require the applicant to aggressively implement strategies such as METRO pass subsidies, if trip reduction targets contained in the TDM plan are not met.
5. The applicant has submitted a general Construction Management plan that primarily details how the Bayside Trail will be closed and temporarily relocated to Somerset Street. The applicant shall submit a more detailed plan for review and approval by the Department of Public Services that provides the specific details on the trail facility as well as general pedestrian circulation throughout the area. The applicant shall submit a fully detailed construction management plan with a timeline prior to obtaining any City permits.
6. Details of the sidewalk ramps adjacent to the proposed crosswalk on Pearl Street to the Whole Foods corner shall be revised to the satisfaction of Department of Public Services.

7. The applicant shall provide a plan that specifically documents the sidewalk compliance with maximum cross slope requirements and sidewalk ramps that meet City standards for review and approval.
8. The location of the on-street ticket dispenser and related signage shall be revised to the satisfaction of the City's Parking Division. Additionally, it is recommended that the ticket system include the parking spaces on the south side of Somerset Street so the applicant will be responsible for the foundation and signage changes.
9. Phase One includes a Turn-Out on Pearl Street at the Entrance to the residential building. The turn-out will function independently of public traffic without a Pearl Street connection to Marginal Way; however, the design does not function when Pearl Street is extended. When Pearl Street is connected to Marginal Way, the turn-out shall be eliminated and a standard curbside drop-off area shall be implemented. This should be noted as a future condition of approval.
10. A sidewalk ramp at the corner of Somerset Street and Elm Street may be necessary in conjunction with interfacing this project with the City's Somerset Street Extension project. The applicant shall be responsible for revising the plan accordingly.
11. That the signage depicted in the Master Plan shall be revised to meet zoning ordinance requirements and shall be subject to Planning Board review and approval.
12. That the lighting plan shall be subject to Planning Staff review and approval.
13. That the landscaping plan shall be subject to City Arborist review and approval.
14. That the site plan shall be revised to clarify the number and location of bicycle spaces subject to Planning Authority review and approval.
15. That the final height of the ornamental fence around the transformers shall be subject to Planning Authority review and approval.
16. That the site plan shall be revised to widen the Pearl Street extension sidewalk to a minimum of ten (10) feet.
16. That references to snow storage within the Bayside Trail corridor shall be removed from all site plans.
17. That the site plan and related documentation shall be revised reflecting the comments of Capt. Chris Pirone of the Fire Department, in a memo dated January 6, 2014.

18. That the site plan and related documentation shall be revised reflecting the comments of David Senus, Consulting Review Engineer, in a memo dated January 6, 2014.
19. That the site plan and related documentation shall be revised reflecting the comments of David Margolis-Pineo, in a memo dated January 9, 2014.
20. That the site plans shall be revised removing discrepancies and inconsistencies among plans for Planning Authority review and approval.
21. That the location of all exterior gas meters shall be reviewed and approved by the Planning Authority.
22. That the final design of the Bayside Trail shall be revised for review and approval by Public Services and Planning Authority reflecting a goal of eliminating a second fence/rail trail proposed along the northerly edge of the trail.
23. The applicant shall install a public entrance to the retail building space for the Phase One residential building and parking garage, adjoining the courtyard and trail respectively, if appropriate to the use, to the satisfaction of the Planning Authority.

The approval is based on the submitted plans and the findings related to the development review standards as contained in Planning Report for application #2013-105 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved development 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 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 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 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 approval.
7. **Master Development Plan Expiration** A master development plan is valid for up to six (6) years from the date of Planning Board approval with potential extension periods as provided for in Section 14-532(d).
8. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department 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.
10. **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. (If applicable)

11. **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.)
12. **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.
13. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted in 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. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Richard Knowland at (207) 874-8725.

Sincerely,



Stuart O'Brien
Portland Planning Board

Attachments:

1. (Insert applicable staff memos)
2. Planning Board Report
3. City Code: Chapter 32
4. Sample Stormwater Maintenance Agreement [if applicable]
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Rick Knowland, Senior Planner
Philip DiPiero, 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-Pinco, 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
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Portland, Maine



Yes. Life's good here.

Michael J. Bobinsky
Director of Public Services

January 9, 2014

Rick Knowland, Senior Planner
Department of Planning and Urban Development
City of Portland, Maine

Re: Midtown Development – Somerset St

Dear Rick:

The Department of Public Service appreciates being involved with the development review process of the Midtown Development project in Bayside. In addition, I am providing information regarding the Department of Public Services (DPS) position on a matter related to the Midtown development site in Bayside. Specifically, DPS has taken a joint position with your Department and the City's Economic Development office on the matter of how and therefore when to build a section of Somerset St from Chestnut to Elm Street.

Over the course of several months we have been engaged in the review of many details related to the Master Plan for Development and specific site plan for Phase I of the Midtown project. We have worked diligently to respond to each and every request and submittal from the applicant. In many, if not most, cases we have been able to reach either agreement or compromise on specific details necessary to build a site of this magnitude in an urban setting tightly bound by existing roads and trails. However – on the matter of the most current submitted design for Somerset St between Chestnut and Elm St, we are not able to support the design details and therefore unable to support the proposed construction timing.

We take the position that until such time as the City can support the design details for this "Phase II" section of Somerset St., authorizing its construction cannot occur. Instead, we expect the applicant to build only the Phase I section in the near term.

Phasing the project makes sense for the following reasons:

1. Delaying construction of Somerset Street Phase 2 until Phase 2 of the midtown project enables final design requirements of Phase 2 of the Somerset Street portion to best match Phase 2 midtown project final design plans.
2. It provides needed time to come to agreement with the Noyes family regarding street design for Somerset Street Phase 2. It is noted that several street design

Portland, Maine



Yes. Life's good here.

Michael J. Bobinsky
Director of Public Services

alternatives for Somerset Street Phase 2 have been discussed recently. However, these design alternatives do not meet city street design standards. The alternatives evaluated thus far require the City to compromise its design standards to accommodate the Noyes concern over drainage impacts to their abutting property. On behalf of the general public and future use of this urban area, the City cannot compromise to the extent requested these basic roadway safety, operation, and maintenance standards.

Thank you for your professional management of this significant development project proposal; we look forward to continuing to provide our assistance as this and future Phases of the Midtown site may occur.

Respectfully,

Michael Bobinsky
Director of Public Services

Cc: Jeff Levine, Director of Planning & Urban Development
Greg Mitchell, Economic Development Director
Alex Jaegerman, Director of Planning

Traffic Review Consultant Comments

Att. 1.b

January 9, 2014

Rick – The following represents my revised final comments based upon new materials submitted by the applicant on December 20, 2013. I have separated the comments into two sections, Traffic Movement Permit and Site Plan. I have underlined comments that have changed from my December 4, 2013 email. Otherwise, all other comments remain valid.

TRAFFIC MOVEMENT PERMIT / TRAFFIC STUDY

General Comments

1. An analysis of the adequacy of providing single parking garage entrances and exits was performed. The applicant has provided a simulation model of the single garage entrances and it indicates acceptable traffic conditions will be provided. I would also note that the applicant has provided a scenario with increased traffic volumes to account for traffic from the dedicated public parking spaces.
2. The applicant has provided information on when a traffic signal should be installed at the Marginal Way/Chestnut Street intersection. The applicant has indicated a traffic signal is currently warranted.
3. The trip generation calculations include a seven percent reduction in overall trips due to the use of transportation demand management (TDM) measures. The applicant submitted a TDM Plan which is discussed later. The trip generation estimate is reasonable.
4. The trip generation calculation describes an 18 percent reduction in PM peak hour trips, for example, due to the mixed-use nature of the project. While this is certainly expected to some extent, without any knowledge of specific tenancy on-site, this may be somewhat speculative. A detailed summary of the reduction method has been provided and I find it to be acceptable.
5. The report assumes that all trips to and from the site, including those to the retail component, will be primary in nature. This is atypical of retail facilities, and additional discussion as to the reasoning for not accounting for pass-by and/or diverted trips. The applicant has noted that this is a conservative approach and I find it to be acceptable.
6. Greater discussion needs to be provided as it relates to the trips assignment methods for documentation and approval purposes. This information has been provided and I have no further comment.
7. It was surprising to me that the Franklin Street intersection works as well as it does in the simulation model. I am skeptical that the model accurately reflects existing field conditions like unequal volume distribution. Details on model calibration shall be provided. The analysis assumes optimal traffic signal operations and operates better than what is seen in the field. I'm comfortable with the model calibration and results.
8. Traffic volumes at the Somerset Street/Elm Street intersection do not seem to account for a through connection towards Hanover Street. An explanation should be provided. The applicant has addressed this issue and I have no further comment.

9. The traffic signal at Marginal Way/Preble Street/Elm Street should be split phased. The applicant has addressed this issue and I have no further comment.
10. It is my expectation that a portion of the 514 left-turn vehicles from Preble Street extension onto Marginal Way will shift to Somerset Street via the new connection. The applicant has addressed this issue and I have no further comment.
11. The inbound left-turn from Forest Avenue onto Marginal Way does not work according to the simulation. Following project completion unacceptable traffic operating conditions will exist at the Forest Avenue/Marginal Way intersection during peak hours. Unacceptable vehicle queuing was reported in the simulation model. Further discussion on this location is documented later in this report.
12. Some intersections seem to use actual Peak Hour factors while others do not. Actual field factors should be used. I don't agree with the model factors, but in my professional opinion the conclusions would not change using revised factors. No further action is required.
13. Discussion on seasonal factors shall be provided. Details have been provided and I have no further comment.

Traffic Improvement Requirements / Conditions of Approval for the Traffic Movement Permit

The following summarizes the traffic recommendations for the project and therefore represent the requirements for issuances of a Traffic Movement Permit.

- The applicant will be required to install a traffic signal at the Marginal Way/Chestnut Street intersection. This intersection currently meets signal warrants and accordingly this improvement shall be installed prior to certificate of occupancy of Phase 1. It should be noted that the applicant will be responsible for the development of design plans and specifications for review and approval by the City.
- The applicant shall install improvements to the Marginal Way eastbound approach at Franklin Street as documented in their traffic study. This improvement consists of changing the lane assignment on eastbound Marginal Way to a left-lane and a shared through/right lane (it currently consists of a shared left/through lane and a right-turn lane). This improvement is to consist of pavement marking and signing changes only (signal head modifications may be required). No roadway widening is anticipated as part of this work. The improvement shall be installed prior to certificate of occupancy for Phase 1. The applicant shall submit plans for review and approval.
- The applicant shall develop updated traffic signal timing plans for Franklin Street for the three intersections with I-295 Northbound Ramps, Marginal Way, and Somerset Street/Fox Street. The timing plans shall be implemented within 6 months following certificate of occupancy. The applicant shall submit plans for review and approval.
- The applicant shall make a \$32,000 contribution towards improvements to Franklin Street in the Somerset Street/Fox Street and Marginal Way intersection areas. This contribution is related to addressing sub-standard traffic conditions along Franklin Street. This contribution amount is for

the full build project and may be proportioned according to traffic generation levels for each project phase.

- The applicant shall make a \$30,000 contribution towards implementation of the Marginal Way Master Plan. This requirement is to address traffic issues at the Marginal Way intersections with Preble Street and Forest Avenue and general multi-modal improvements along the corridor. This contribution amount is for the full build project and may be proportioned according to traffic generation levels for each project phase.
- The applicant shall make a \$51,000 contribution towards the implementation of the Somerset Street extension project. This requirement is to address traffic issues along Marginal Way, particularly at Forest Avenue, Preble Street, and Franklin Street. This contribution amount is for the full build project and may be proportioned according to traffic generation levels for each project phase.
- Somerset Street/Pearl Street – This intersection was determined to operate at unacceptable conditions following project build-out. It is recommended that the applicant conduct a monitoring study following the construction of Phase I. The monitoring study would be required for Phase 2 of the project.

SITE PLAN COMMENTS

1. The applicant has provided a parking analysis and sufficient parking will be provided for the proposed project.
2. The applicant shall remove all on-street handicapped parking spaces from the plans. A condition of approval should note this.

Status: The plans have been revised and I have no further comment.

3. The applicant is requesting a waiver from City standards as it relates to the number of curb cuts for the project. I support driveway curb cuts on Somerset Street for Phases 1 and 2, and access via the Pearl Street Extension. It is suggested that the curb cuts on Somerset Street between Chestnut Street and Elm Street not be constructed at this time and be implemented following site plan approval of Phase 2. I do not support the driveway configuration on Elm Street for Phase 3. I would suggest that the design of the driveway on Elm Street be reviewed during the Site Plan review process in the future.
4. According to information provided by the applicant, large delivery vehicles cannot be accommodated in the proposed service entrances provided for the project. For Phase 1 it is recommended that the on-street parking spaces on Somerset Street be designated as a Loading Zone with Dual Rear Wheel vehicle use requirements. For other future phases, it is recommended that the details on large truck loading be determined during Site Plan review.

Status: The above continues to remain valid. The plans incorrectly identify signs along Somerset Street . Plans shall be revised for review and approval by DPS. I would also note that the No Parking signs on Pearl Street Extension should be revised to add "Tow Away Zone".

5. Additional detail is need for approval for the mountable curb areas for the project. The applicant shall provide details for review and approval.

Status: Further detail is needed on the proposed location of flush/mountable curbing. For example the radii at the Somerset Street/Pearl Street note mountable curbing. The applicant shall provide information in support of mountable curbing for review and approval by DPS.

6. The City would like to allow of the opportunity for a 60-foot right-of-way on Pearl Street north of Somerset Street. The current plan illustrates a right-of-way of 50 feet. Two options are possible. Option 1 would consist of obtaining the additional 10-feet of width from the easterly property (in the future). This option would create an off-set typical section where 35 feet of right-of way width would be located to the east of the Pearl Street center line. Option 2 would be to shift the right-of-way line to the west 5-feet with the City acquiring 5 feet of right-of-way width in the future to the east. It is my recommendation that Option 2 be required. I would note that on Sheet C-7.0 the cross-section of Pearl Street is incorrectly detailed. The cross-section notes that Pearl Street will be constructed to 20 feet, when it will be 28 feet.
7. The TDM Plan provides general information on strategies and notes requirements for conducting tenant surveys as required by City Ordinance. I would note that the traffic impact study incorporates reductions in traffic generation estimates associated with TDM influences. Accordingly, it will be important that the project meet the trip reduction target used in the traffic impact study. Following the 6 month survey, the applicant may be required to aggressively implement strategies such as METRO pass subsidies, if trip reduction target is not met.
8. The applicant has submitted a general Construction Management plan that primarily details how the Bayside Trail will be closed and temporarily relocated to Somerset Street. Specific details on the facility will need to be reviewed and approved as well as general pedestrian circulation throughout the area. I would note that the plan does not indicate the need for any street closures or impacts. The applicant shall submit a fully detailed construction management plan with a timeline prior to obtaining any City permits.
9. A key pedestrian origin/destination pattern will be between the proposed project and the Whole Foods site. The current plans do not provide a safe ADA compliant connection and accordingly the plans should be revised to include sidewalk ramps and a crosswalk to accomplish this movement.

Status: The applicant has revised the plan to include a crosswalk on Pearl Street to the Whole Foods corner. In general I find the concept to be acceptable, although details of the sidewalk ramps will need adjustment. A condition of approval should be included that requires the plans to be revised to the satisfaction of the DPS.

10. All sidewalk cross slopes shall meet ADA standards and a waiver from this detail cannot be approved. The applicant has indicated that a portion of the sidewalk has been designed to meet this requirement. It is difficult to know exactly where slopes (both cross slope and running slope) do not meet standards for the entire sidewalk facility. As a condition of approval the applicant shall provide a plan that specifically highlights areas of the sidewalk that do not comply with maximum slope requirements for review and approval.

11. There are sidewalk ramps proposed for the project that do not meet City standards. It is my understanding that Bruce Hyman will be providing specific comments on this issue.

12. The on-street parking lines shall be deleted from the plans.

Status: A note has been added to the plans indicating they are only for illustrative purposes only. I have no further comment.

13. On-street parking will not have time-limit regulations. It will consist of a ticket system (specific ticket dispenser signs are installed) and the applicant will be responsible for provide the foundation system to mount the ticket dispenser. The parking signs noted on the plans will need to be revised. Final details on the ticket system shall be coordinated with the City's Parking Division.

Status: The plans illustrate a suggested location for a ticket dispenser. Signage and the ticket dispenser location will be need to be revised per the satisfaction of the Parking Division. Additionally, it is recommended that the ticket system include the parking spaces on the south side of Somerset Street (and so the applicant will be responsible for the foundation and signage changes).

14. The proposed project illustrates a Turn-Out on Pearl Street at the Entrance to the residential building. While the turn out will function independently of public traffic without a Pearl Street connection to Marginal Way, the design doesn't make sense when Pearl Street is connected. When Pearl Street is connected to Marginal Way, the turn-out will need to be eliminated and a standard curbside drop-off area shall be implemented. This should be noted as a future condition of approval.

15. A sidewalk ramp at corner of Somerset Street and Elm Street may be necessary in conjunction with interfacing this project with the City's Somerset Street Extension project. The applicant should be responsible for revising the plan accordingly.

16. The proposed Bus shelter location on Somerset shall be coordinated in the future during site plan review.

17. The Drop-off area, sidewalk ramps, sidewalks, and other features within the public right-of-way on Elm Street for Midtown Four are not acceptable. Details of the sidewalk, curb line, and other features shall be reviewed and approved during future site plan reviews.

18. I find the geometric design details (slope from crown and K Factor) of Somerset Street, Pearl Street, and Chestnut Street to be acceptable. I would note that slope details for Somerset Street is not provided for right of center line and therefore shall be provided before the design is approved. I would further note that some design elements exceed City standards for locally classified street and therefore I support waivers.

19. At driveway apron areas, the sidewalk shall remain flush for a minimum of 4 feet before tapering to the curb line. The exact details of the aprons shall be provided for review and approval.

Status: Details have been provided and I have no further comment.

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

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL

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~~XXXX~~

December 5, 2013

Revised comments as of January 9, 2014 – based on materials submitted Dec 23, 2013

Memo To: Rick Knowland
Barbara Barhydt
From: David Margolis-Pineo
Bruce Hyman
Re: Midtown Development - Final Comments – Federated Properties

As all parties are aware, this multi-phased project was delivered on Nov. 18, 2013 with so many details that not all of them can be thoroughly checked by City staff within three weeks. This is evident in the contradictions shown between the various sub-consultant's plans. This is understandable when considering the massive volume of information presented. We point this out to be clear there will need to be flexibility allowing for design changes during the construction of Phase 1 and during the review of site plans for future phases.

Staff at Public Services are in basic agreement with the overall concept of the master plan. But it must be understood that the details of this concept will change and there must be flexibility.

It is also understood that review comments are coming from a number of different sources. Where review comments contradict each other, the most stringent comment shall be expected to apply.

With that understanding, the Department of Public Services has the following comments.

1. The applicant shall be totally responsible for the reconstruction of the Bay Side Trail to the satisfaction of the City.
It is requested that this statement be made a condition of approval.

It is not the City's intent to be unreasonable in the applicant's requirement to rebuild this City owned trail as a result of the applicant developing of the abutting parcel of land. It will be necessary for the applicant to obtain a Temporary Construction Easement from the City to facilitate building this project. Due to the number of utility easements on City owned land requested by the applicant, at no cost to the applicant, the City does not feel it is unreasonable to make adjustments to elevation and location of the trail as it is being reconstructed to the satisfaction of the City.

2. This department is agreeable to the requested waiver to delete the high intensity soil survey and the requirements of 2.7.8. of the City of Portland's Technical Manual for connections into catchbasins.

No comment necessary.

3. This department is not agreeable to the requested waiver for Public Crosswalks. The Department of Public Services has the following comments regarding curb ramps and curb extensions:
 - a. For the curb ramps on the north side of Somerset St at Chestnut St please include a minimum 4' separation between the tipdown curbing at the corners as shown in your typical detail (Sheet C-7.1. , C). **Addressed**
 - b. Curb Extension detail (Sheet C-7.1. , J) shows 6' tipdowns whereas the drawings (Sheets C-2.1 to C-2.3) seem to show 7' tipdowns at the flares for the curb ramps. Please clarify. **No revised Curb Extension Detail drawing found – potentially unaddressed.**
 - c. The curb ramp at the end of Pearl St at the circular turnaround does not provide a 4' landing area at the top of the ramp. Please indicate how the sidewalk will achieve ADA compliance for the pedestrian access route along Pearl St. **Addressed**
 - d. The curb ramps on Somerset St at the corner of Elm St do not appear to provide a 4' landing area at the top of the ramp. Please indicate how the sidewalk will achieve ADA compliance for the pedestrian access route (Sheet C-2.2). **The curb ramp landing area is addressed but not in a way to create a continuous ADA-accessible route along the east side of Elm Street.**
4. The memoranda indicate that an 8' wide ADA compliant pedestrian access route is provided along Somerset St and to the crossings across Somerset St, Pearl St and Elm Street. Please indicate on the drawings the location of this compliant (in terms of cross-slope and running slope) pedestrian access route. **Addressed along Somerset St except for driveways, see Note 5 below; documentation of ADA accessible route on Sheet C2.0B raises additional questions of the width of the ADA accessible route along Chestnut Street (both sides - shown as only a very narrow band adjacent to the building) and how the accessible route would eventually extend across Elm Street.**
5. Please clarify the detail for the driveway for parking garage #1 on Somerset St. There does not appear to be an ADA-compliant pedestrian access route – the drawings seem to indicate tipdowns and sloped granite curb at the driveway edges (Sheet C-2.1). Similarly, please clarify the detail for the driveway for parking garage #2 on Somerset St. There does not appear to be an ADA-compliant pedestrian access route across the driveway along the sidewalk (Sheet C-2.2). **Did not find an updated Detail drawing; Sheet C1.5 (file name dated 12/19/13) continues to show 'mountable curb' where the ADA accessible route is shown on Sheet 2.0B.**
6. Please indicate/document the cross-slope across the driveway on Pearl St into Mid-town Phase I. Similarly, please indicate/document on the drawing the cross-slope across the driveway on Somerset St into Mid-town Phase III. **(should have been Phase II) Sheet C1.5 shows that it will have an acceptable cross-slope (2.0% maximum).**
7. This department is not agreeable to waive the required number on bike parking. The City will work with the applicant to meet the conditions of code. Due to snow plowing

requirements, all benches and bike hitches should be moved to the back of the street right of way. **Addressed; request for waiver eliminated.**

8. The applicant has submitted a construction management plan which is agreeable at this point in time. However, it must be understood that city reserves the right to modify this plan once construction commences.

This statement is still applicable. It is not necessary to include this as a condition of approval, however it is noted that upon application for a building permit the Department will expect a fully-prepared construction management plan for review prior to permit approval.

9. Easement Notes 1 & 2 on the Recording Plat shall be amended to state "if the easement changes are made, a new plan and if necessary, deed, shall be submitted for review and approval."

Comment addressed – Thank you

10. Provide radius/length, bearing/distance to the arc section of Elm Street as shown in the upper left hand corner of the Amended Subdivision/Recording Plat by Owen Haskell, Inc.

Issue Addressed

11. Show property pins to be set at all locations to define the applicant's property.

Property corner pins have not been set; statement remains applicable.

12. The proposed granite monument to be set at the intersection of Somerset and Chestnut St. is incorrectly located. Please correct.

Issued Addressed

13. This department does not fully understand or is necessarily supportive of all the applicant's requested easements shown of the Recording Plat. It is requested that the Recording Plat be accepted only after a separate meeting to review the reason and size of each easements being proposed and the city is agreeable to the reason and dimensions.

A meeting was held and these issues have been resolved.

14. Only the curb cuts approved for Phase I shall be installed at this time along Somerset St.

The City is agreeable to allowing a temporary curb cut along the proposed Phase II portion of Somerset Street with the understanding that the drive cut will be closed prior to the Certificate of Occupancy being granted for the Phase I development. The temporary curb cut proposal shall be subject to further review by DPS.

15. The proposed Phase II design of Somerset Street (Chestnut to Elm Street) is not acceptable to this Department and shall not be constructed as designed. It is understood that the Phase II portion of Somerset Street will NOT be constructed until such time as an alternative design has been approved by this Department.

16. The Recording Plat has not been stamped as required by a Registered Land Surveyor.



MEMORANDUM

TO: Rick Knowland, Planner
FROM: David Senus, P.E.
DATE: January 6, 2014
RE: Midtown Master Development Plan, Site Location of Development & Phase I Level III Site Plan Application

Woodard & Curran has reviewed the response to comments, attachments, and supplemental information provided by the Applicant for the Midtown Subdivision, Master Development Plan, Site Location of Development, and Phase I Level III Site Plan Application.

Documents Reviewed By Woodard & Curran

- Letter from FST Engineers dated December 9, 2013 responding to comments contained in the Woodard & Curran memorandum dated December 2, 2013.
- Application Materials and Revised Plans submitted under a cover letter from Shinberg Consulting, LLC dated December 23, 2013.
- Draft Motions for the Board to Consider – Revised December 10, 2013

Comments

1. All comments contained in the December 2, 2013 memorandum from Woodard & Curran, along with subsequent emails from Woodard & Curran on December 2, 2013 and December 5, 2013, have been adequately addressed. As noted by the Applicant, stormwater maintenance agreements will be drafted between Federated and the City; this appears to be adequately stated under a proposed Subdivision condition of approval (proposed Subdivision condition #5). We recommend eliminating proposed Site Plan condition of approval #20.
2. Sheet C-7.0A, "Modified Cross Section of Somerset Street from STA 3+25 to STA 7+20" proposes numerous deviations from City Standards to accommodate a specific elevation at the interface of the sidewalk and the face of the A&P Warehouse building. These deviations include the location of the roadway crown, the roadway cross pitch, the curb reveal, and the sidewalk cross pitch. We do not recommend approving this cross section as proposed. We recommend the Applicant work with the City and adjacent property owner to develop a cross section that meets City standards while accommodating the concerns of the abutting landowner.
3. Exhibit B: "Bayside Trail Treatment at Phase 1 Parking Garage" depicts a retaining wall and fence at the north edge of the Bayside Trail, with a narrow (>5 foot wide) "grassed zone" between the proposed fence/wall and the existing fence located at the property line. The site plans indicate that this narrow zone at the base of the retaining wall will be utilized as a swale for drainage with inlets at Chestnut Street and Pearl Street Extension. This narrow, fenced zone will present a problem for maintenance; we recommend revisiting the design to eliminate the need for parallel fences. The Grading and Drainage Plan (C-3.0) should also include more information regarding drainage in this area (notes or additional sections) to ensure that runoff from the Bayside Trail is collected in a swale and does not flow onto adjacent properties.

MEMORANDUM



TO: Rick Knowland, Planner
FROM: David Senus, P.E.
DATE: January 9, 2014
RE: Midtown Project - Letter from Pierce Atwood to Board dated January 8, 2014 representing affiliates of the Fore River Company

Woodard & Curran has reviewed the January 8, 2014 letter prepared by Pierce Atwood addressed to the Portland Planning Board presenting the concerns of abutting landowners who are affiliates of the Fore River Company. We have prepared this memorandum to specifically address the concerns stated in the letter regarding modifications to the Bayside Trail and the associated drainage impacts to the abutting properties. The letter references an email between myself (David Senus of Woodard & Curran) and you (Rick Knowland of the City of Portland) dated December 5, 2013, containing a quote stating "the project proposes adequate provisions for drainage of stormwater along areas of the trail that will be modified as a result of the project". This email was generated as follow-up to Woodard & Curran's December 2, 2013 review memorandum, and was specifically requested by Planning Staff to ensure that adequate drainage provisions were included along the trail. Our review comment was based on plans prepared by FST Engineers for the Midtown project with a revision date of November 18, 2013. On those plans, modifications to the Bayside Trail were proposed at the trail intersection with Pearl Street Extension, at the Chestnut Street crossing, and at the terminus of the trail at Elm Street. The concept of a retaining wall along the trail edge was not included in the design package. The majority of the trail was not proposed to be modified as a result of the project. Stormwater collection inlets were proposed along the trail in areas where existing drainage was impacted by the project and in areas where the project proposed modifications to the trail. Our review concluded that adequate provisions were included in the design for drainage collection and conveyance in accordance with the City's standards.

Following the Planning Board Public Hearing on December 10, 2013, the Applicant prepared and submitted a revised set of plans, along with associated letters, figures, and final submittal materials on December 23, 2013. In this submittal, the Applicant proposed modifications to the Bayside Trail in the Phase 1 project area, raising the trail to accommodate at-grade entrances along the rear of the garage and eliminating steps at the trail interface with the mews/courtyard. This revision included a small retaining wall along the north edge of the trail, adjacent to the property line of parcels located north of the Phase 1 project area. The plans submitted on December 23, 2013 do not adequately address drainage in this area. Woodard & Curran's review memo dated January 6, 2014 identifies concerns relative to access, maintenance, and drainage in this area, and requests additional information from the Applicant. The draft Motions for the Board to Consider for the January 14th Public Hearing includes a potential condition of Site Plan approval that requires the Applicant to revise the plans to address Woodard & Curran's review memo dated January 6, 2014.

Woodard & Curran has reviewed the overall project for conformance with the standards cited in the letter and has provided numerous review memorandums, along with participating in numerous meetings with Planning Staff and the Applicant's engineer. Our review and comments are summarized in our review memorandums, and recommended conditions of approval are contained within the Motions for the Board to Consider.

City Arborist Review Comments

January 9, 2014

Att. 6

~~ATTX~~

Hi Rick -

The most recent landscape plan revision addresses most of the points raised in our earlier tree & landscape review comments. Overall, the plant list and specifications meet the various landscape standards and requirements. Remaining tree & landscape questions / conditions include: (these may be addressed elsewhere)

a) Project street-trees; landscape on City Property - future care / maintenance of plant material located on city property including Bayside Trail, along Somerset & Pearl Streets, Chestnut Street island. Condition: easement & maintenance agreement on-going for project landscape on public property. Condition: in calculating the residential tree standard per unit and factoring in the added cost of the raised granite tree planters the project would contribute \$5,000. towards the 'Tree Fund' to plant additional trees near the project area.

b) The project team should ensure that tree & landscape planting can be constructed as shown given the various underground lighting & utilities. A recent project was unable to complete street tree planting due to underground utilities, thus we need to make sure that there are no underground conflicts.

c) Irrigation for planting beds requested for landscape beds within the project property.

d) General Planting Notes: clarification & condition:

Item 7: "Tree staking or guying wrapping..." clarify the use of, "tree staking, guying and wrapping", the preference from City of Portland is not to use staking unless necessary, no wrapping of the trunks unless specific reason.

Item 10: **No colored or dyed mulch is acceptable within the City of Portland 'Right of Way'**, thus the note mentioning "...3" clean shredded BLACK mulch:

Condition would be to revise note to:

Recommended: Dark Pine / Spruce / Hemlock Bark Mulch, all natural mulch with no colorant added. (*Previously called Dark Mix;)

NOT RECOMMENDED: Black Mulch a mixture of softwoods, including northern white cedar, tinted with black, environmentally safe colorant.

Overall, this is an extensive project with a complex tree & landscape planting, the success will require close monitoring of landscape elements during the construction phase.

Jeff

Portland, Maine



Yes. Life's good here.

Jerome F. LaMoria
Fire Chief, Fire Department

January 6, 2014

Fire Department Comments Midtown:

Hydrants

2009 NFPA 1 18.3 Water Supplies and Fire Hydrants

- If the building has a sprinkler system; fire hydrants must be within 100' but no closer than 40'.
- Fire Department Connections shall not be located where large diameter hose may block egress.

2009 NFPA 1 18.4 Fire Flow Requirements for Buildings

- may require additional installation of fire hydrants to meet fire flow requirements.

Fire Vehicle Access

Pearl Street Extension must maintain free and clear access for emergency responder's vehicles which will not permit any parking or loading/unloading except at the end where the turnaround is located.

Fire Department Access shall have an unobstructed vertical clearance of not less than 13 ft 6 in.

Public Trail shall maintain appropriate width and load requirements for emergency vehicles such as ambulances.

Exit Discharge

A Life Safety Evacuation Plan shall be submitted with the Building Permit detailing the exiting and waiting area for occupants.

Plan Review

At submitter's expense all building permits and fire protection systems design must be approved by the 3rd party fire protection engineer prior to submission for the required permits and is part of the required 3rd party review of the entire building. That would be a complete review with a stamped letter from the 3rd party fire protection engineer stating that the design has been reviewed for compliance with the pertinent codes, standards, and regulations, and submitted with an electronic copy of the approved plans and documents for permitting.

In addition we're asking for the 3rd party fire protection engineer to be present when the installing contractors perform the final commissioning (testing) of the fire protection systems and issue a second stamped letter that they observed the final commissioning of the systems and the systems are installed and function as required by the pertinent codes, standards, and regulations. Fire protection systems include, but are not limited to: fire alarm, sprinkler, standpipe systems and other suppression system equipment.

ATT. 2

Rick Knowland - Federated Midtown Project - Preliminary Traffic Comments

From: Tom Errico <thomas.errico@tylin.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 11/6/2014 4:17 PM
Subject: Federated Midtown Project - Preliminary Traffic Comments
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@port...

Rick – The following presents preliminary comments according to the site plan application dated October 17, 2014. It should be noted that these should be viewed as broad-level comments and not complete given the application details.

1. The applicant should provide a parking demand and supply analysis that demonstrates the adequacy of the proposed parking garage for the entire project.
2. A review of the parking garage layout and circulation will be reviewed upon receipt of that information.
3. A detail traffic operation analysis shall be provided at the garage entrance onto Somerset Street given that the size of the garage has increased and thus traffic volumes entering and exiting would also increase during peak hours.
4. The applicant shall detail pedestrian routings between the generators and the parking garage and note the adequacy of facilities for providing safe and direct accommodations.
5. A Traffic Movement Permit (TMP) that complies with MaineDOT Law was issued as part of the previous approval process. Given that the current development program is expected to generate less traffic, the applicant has two options for consideration. Option 1 would be for the applicant to retain the current TMP (and the trips levels) and meet all requirements as defined previously. A second option would be for the applicant to seek an amended or new TMP and follow all procedures and requirements as defined by MaineDOT. I would note that I am in the process of coordinating this issue with MaineDOT and will provide additional clarification as soon as possible.
6. I am concerned about the provision of on-street parking and truck delivery/loading on Elm Street next to the Midtown Four building. Elm Street has a very different transportation function as compared to Somerset Street and thus street cross-sectional elements must be carefully reviewed. I would further note that the horizontal curve on Elm Street also complicates traffic safety issues in this area. The applicant should provide specific information on the use and design of the curb-side cut-out areas (vehicle parking, deliveries, drop-offs, etc.).
7. The sidewalk system along Elm Street near the Midtown Four building will need to be closely reviewed for ADA compliance and general pedestrian needs given the ramping, steps, and retaining walls proposed.
8. It appears that pedestrian use easements would be required on the sidewalk in front of Midtown Four.
9. It would seem important that a formalized pedestrian crossing of Elm Street at Somerset Street be provided following the completion of this project.
10. If a modified or new TMP is not pursued, a reduced version traffic study would likely be required as part of site plan approval, particularly given changes in parking facilities (origin/destination patterns).

I want to emphasize that additional comments can be expected when the full application is provided. Please contact me if you have any questions.

Best regards,

Thomas A. Errico, PE
Senior Associate



October 17, 2014

Mr. Alexander Jaegerman, Senior Planner
Mr. Richard Knowland, Planner
City of Portland
389 Congress Street
Portland, ME 04101

**Subject: Subdivision and Preliminary Level III Site Plan and Development Review Applications
"midtown" Project
Somerset, Elm, Chestnut, and Pearl Streets**

Dear Alex and Rick:

On behalf of The Federated Companies, we are pleased to provide the accompanying package of submission materials related to the development of a mixed-use commercial complex. This submission package is intended to meet the City's Preliminary Submission Requirements as outlined in the Level III Application procedures. The proposed project is comprised of a parking garage for 800 vehicles, 440 residential apartments, and 87,200 SF of retail space on four lots totaling 3.50-acres of property.

The project will include two types of subdivisions. The first type of subdivision is an amended subdivision plan of the physical property into individual building lots. The existing subdivision plan (ref Sheet C-1.2A prepared by SGC) will be amended to the proposed subdivision presented on C-1.2 of the plan set. The second type of subdivision is to permit multiple residential housing units within the midtown buildings.

Accompanying this cover letter are the following materials:

- Subdivision and Preliminary Level III Site Plan and Development Review Applications
- Attachment A – Written Description of Project
- Attachment B – Evidence of Right, Title and Interest
- Attachment C – Utilities Narrative
- Attachment D – Written Assessment of Proposed Project's Compliance with Applicable Zoning and B-7 Land Use Requirements
- Attachment E – Summary of Proposed Easement, Covenants, Public or Private Rights of Way, or Other Burdens on the Site
- Attachment F – Technical and Financial Capacity
- Attachment G – Evidence of State and/or Federal Approvals
- Attachment H – Traffic Analysis
- Attachment I – Stormwater Management Summary
- Attachment J – Written Requests for Waivers from Site plan or Technical Standards

Mr. Alexander Jaegerman, Senior Planner
Mr. Richard Knowland, Planner
Page 2

- Attachment K – Preliminary Building Code Review
- Attachment L – Architectural Graphics
- Reduced Sized Plans
- CD of Complete Application and Plan Set

You will find in the accompanying materials, information including the Preliminary Site Layout Plan and various site plans that provide greater detail for the site development activities. We have also included preliminary building elevations for the proposed building. Preliminary information pertaining to the project's utilities needs and statements regarding compliance with the City's Standards are contained within this submission.

On behalf of the Design Team, we look forward to your assistance on the project and we look forward to the November 12, 2014 Workshop meeting with the Planning Board. Please find one (1) hard copy of the application materials including one set each of 11 x 17 and full size plans, along with a CD containing PDF files for all submitted materials.

If you have any questions regarding these materials, please contact our office.

Sincerely,

FAY, SPOFFORD & THORNDIKE



William G. Hoffman, P.E.
Vice President

WGH/cmd

Enclosure

THE FEDERATED COMPANIES



Jonathan Cox
Founder and Chairman



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:

William G. Hoffman, P.E.

I have provided digital copies and sent them on:

October 17, 2014

Date:

October 17, 2014

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: "midtown" Project

PROPOSED DEVELOPMENT ADDRESS:

Somerset Street between Elm and Pearl Street (northwesterly side) and Elm Street between Portland Trail and lot with Trader Joe's - mixed use.

PROJECT DESCRIPTION:

A 3.50 a.c. development with a parking garage up to 450 residential units and 90,000 s.f. of retail space.

CHART/BLOCK/LOT: 034/D009001; 025/A022001
034/D010001; 034/D003; 025/A022;
025/B002; 025/B003; 025/B004;
025/B005

PRELIMINARY PLAN 10/17/2014 (date)
FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Jonathan Cox Business Name, if applicable: The Federated Companies Address: P.O. Box 370008 City/State : Miami, FL Zip Code: 33137-4110	Applicant Contact Information Work # (305) 974-1454 Home# Cell # (978) 375-1414 Fax# e-mail: j_cox@federatedcompanies.com
Owner – (if different from Applicant) Name: City of Portland, Maine Address: 389 Congress Street City/State : Portland, ME Zip Code: 04101	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Greg Shinberg, Shinberg Consulting, LLC Address: 477 Congress Street, Suite 102 City/State : Portland, ME Zip Code: 04101	Agent/Representative Contact information Work # 207-772-7070 Cell # 207-653-7510 e-mail: gls@shinbergconsulting.com
Billing Information Name: SAME AS APPLICANT Address: City/State : Zip Code:	Billing Information Work # Cell # Fax# e-mail:

Engineer Name: William G. Hoffman, P.E. - FST, Inc. Address: 778 Main Street, Suite 8 City/State : South Portland, ME Zip Code: 04106	Engineer Contact Information Work # 207-775-1121 Cell # 207-329-9810 Fax# 207-879-0896 e-mail: whoffman@fstinc.com
Surveyor Name: Owen Haskell, Inc. - Ellen Brewer Address: 390 U.S. Route 1 City/State : Falmouth, ME Zip Code: 04105	Surveyor Contact Information Work # 207-774-0424 Cell # Fax# e-mail: ebrewer@owenhaskell.com
Architect David Hancock AIA LEED Name: CBT Architects Address: 110 Canal Street City/State : Boston, MA Zip Code: 02114	Architect Contact Information Work # 617-646-5353 Cell # Fax# e-mail: hancock@cbtarchitects.com
Attorney Name: Address: TO BE DETERMINED City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

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) X ___ 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) X ___ 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) X ___ Traffic Movement (\$1,000) ___ Stormwater Quality (\$250) X ___ Subdivisions (\$500 + \$25/lot) # of Lots <u>6</u> x \$25/lot = <u>150</u> ___ 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 *As indicated in previous conversations with City Staff and the Applicant, the Fees will be determined by City Staff corresponded directly to the applicant.
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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-Document-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:

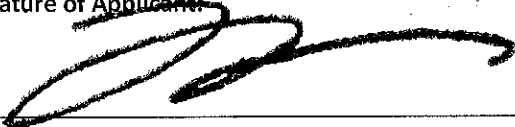
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence 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: October 17, 2014
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PROJECT DATA

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

Total Area of Site	152,296 sq. ft.
Proposed Total Disturbed Area of the Site	152,296 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)	Disturbed Site - >95% sq. ft.
Impervious Area (Total Proposed)	>150,000 sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	1,127 sq. ft.
Building Footprint (Total Proposed)	121,400 sq. ft.
Building Floor Area (Total Existing)	1,127 sq. ft.
Building Floor Area (Total Proposed)	750,200 sq. ft.
Zoning	
Existing	B-7
Proposed, if applicable	B-7
Land Use	
Existing	Unimproved Former Rail Yard and Metal Recycling
Proposed	Mixed Use
Residential, If applicable	
# of Residential Units (Total Existing)	0
# of Residential Units (Total Proposed)	440
# of Lots (Total Proposed)	8 (2 of which are retained by the City)
# of Affordable Housing Units (Total Proposed)	0
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	115
# of One-Bedroom Units (Total Proposed)	130
# of Two-Bedroom Units (Total Proposed)	195
# of Three-Bedroom Units (Total Proposed)	
Parking Spaces	
	On Street Garage
# of Parking Spaces (Total Existing)	65 0
# of Parking Spaces (Total Proposed)	49 802
# of Handicapped Spaces (Total Proposed)	0 20
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	176
Estimated Cost of Project	
	\$85 Million

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			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
X		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.



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207.775.1121
FAX 207.879.0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

May 23, 2013

Captain Chris Pirone
City of Portland Fire Department
380 Congress Street
Portland, ME 04101

**Subject: Proposed Federated midtown project
Fire Department Site Review Checklist**

Dear Captain Pirone:

In accordance with instructions in the City's Level III Site Plan Review packet, please find enclosed the drawings necessary for your review of the proposed amended project. We have listed each item in your checklist below, followed by our response.

1. *Name, address, telephone number of applicant.*

The Federated Companies
Attn: Matt Jeffries
3301 NE 1st Avenue, Suite M-302
Miami, FL 33137-4110

2. *Name, address, telephone number of architect.*

Project Architect: Perkins Eastman (Architect for the four office towers)
2121 Ward Court, 6th Floor
Washington, DC 20037
Attn: R. Douglas Smith, AIA
(202) 861-1325

CWS (Architect for the garages)
434 Cumberland Avenue
Portland, ME 04101
Attn: Ben Walter, AIA
(207) 774-4441

3. *Proposed uses of any structures.*

Parking Garages	IBC Code	NFPA Code	Sprinkler
First Floor Retail	Storage IIB	New Mercantile/II (000)	NFPA 13
Floors 2-7 Open Parking Structure	Storage IIB	Storage/II (000)	N/A

Residential Towers	IBC Code	NFPA Code	Sprinkler
First Floor Lobby & Leasing	Business/IA	New Business/II(030)	NFPA 13
First Floor Retail	Mercantile/IA	New Mercantile/II(030)	NFPA 13
Floors 2-15 Residential Apartments	R-2/IA	New Apartment/II(032)	NFPA 13

Captain Pirone
May 23, 2013
Page 2

4. *Square footage of all structures (total and per story).*

124,570 SF (Per Story – The four residential towers and garages)

1,161,950 SF Total

5. *Elevation of all structures.*

The finish floor for the buildings and parking garages will be Elevation 12. The four office towers will be about 165 feet in height; the garages are 4 to 6 stories.

6. *Proposed fire protection of all structures.*

The occupied spaces will all be sprinkled.

7. *Hydrant locations.*

Hydrant locations are shown on Drawing C-4.0. This includes a new hydrant on Pearl Street Extension and Elm Street.

8. *Water main(s) size and location.*

The Portland Water District maintains a 16-inch line in Somerset Street. An 8-inch line looped between the 16-inch main in Somerset Street and a 6-inch main in Preble Street.

9. *Access to all structures (min. 2 sides).*

The structure will be accessible from two sides except for Parking Garage #2, which will have major access from Somerset Street. Access for emergency vehicles could occur on the trail, which was designed with a 16-foot section and reportedly designed for fire apparatus loads. (Confirmation of the basis of design should be verified by the City of Portland and MDOT).

10. *A code summary shall be included referencing NFPA 1 and all fire department technical standards.*

NFPA 1 – Chapter 18 Fire Department Access and Water Supply

18.2 Fire Department Access:

The streets in the area have 12-foot travel lanes and a minimum pavement width of 24 feet. The pavement expands to 32 feet in areas with designated deliveries and parking. The applicant will be constructing a driveway from Somerset Street on Pearl Street Extension. The width of this driveway varies from 21 to 24 feet.

Per NFPA 1 – Chapter 18.2.3.2.2.1, all first story floors shall be located not more than 450 ft. from a Fire Department access road.

City of Portland Technical Manual – Section 3 Public Safety

3.4.1 Every dead-end roadway more than one hundred fifty (150') feet in length shall provide a turnaround at the closed end. Turnarounds shall be designed to facilitate future street connectivity and shall always be designed to the right (refer to Figure I-5).

Captain Pirone
May 23, 2013
Page 3

Supporting Evidence: The applicant is proposing Pearl Street Extension as a driveway. The City of Portland may construct this as a through street between Somerset and Marginal Way sometime in the future. The City would need to acquire additional property in the future in order to construct Pearl Street Extension as a public street.

3.4.2 Where possible, developments shall provide access for Fire Department vehicles to at least two sides of all structures. Access may be from streets, access roads, emergency access lanes, or parking areas.

Supporting Evidence: The buildings are accessible on two sides except for:

- midtown 1 which will have a 21 to 24 foot driveway in the Pearl Street Extension Right-of-Way and access for emergency vehicles along the trail;
- Parking Garage #2 which will have a rear face along the trail; and
- midtown 4 which has driveway or trail access on both sides of the building.

3.4.3 Building setbacks, where required by zoning, shall be adequate to allow for emergency vehicle access and related emergency response activities and shall be evaluated based on the following factors:

- *Building Height.*
- *Building Occupancy.*
- *Construction Type.*
- *Impediments to the Structures.*
- *Safety Features Provided.*

Supporting Evidence: Refer to the Site Plans, Utility Plans and information provided herein.

3.4.4. Fire Dept. access roads shall extend to within 50' of an exterior door providing access to the interior of the structure.

Supporting Evidence: The public streets and building locations will allow an emergency vehicle to pull within 19 feet of the structure.

3.4.5. Site access shall provide a minimum of nine (9) feet clearance height to accommodate ambulance access.

Supporting Evidence: There are no planned obstructions except for the possibility of an upper level connector between midtown 1 and Parking Garage #1. This would be elevated well above the height of any emergency vehicle.

3.4.6. Elevators shall be sized to accommodate an 80 x 24 inch stretcher.

Supporting Evidence: The building designs meet this requirement.

Captain Pirone
May 23, 2013
Page 4

3.4.7. All structures are required to display the assigned street number. Numbers shall be clearly visible from the public right of way.

Supporting Evidence: The applicant will work with the City's Public Services Division to assign street addresses and numbering to meet City Standards.

If you need any further information, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Will G. Hoffman', written over the printed name.

William G. Hoffman, P.E.
President

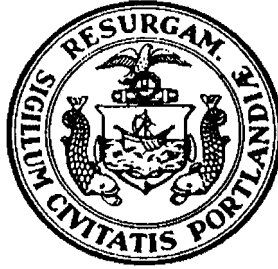
WGH/smk

Enclosure

c: Matt Jeffries
Greg Shinberg
Rick Knowland

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: November 12, 2012

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

Site Address: Lots located on Elm and Somerset Streets

(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Proposed Use: Please see attached sheet

Previous Use: Industrial

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

Description and location of City sewer, at proposed building sewer lateral connection:

Existing sewer is 36" to 72" diameter - See attached sketch

Chart Block Lot Number: 034 D003; D010; D009
025 A022; B002; B003;
B004; B005

Site Category	Commercial	<u>X</u>
	Industrial (complete part 4 below)	<u> </u>
	Governmental	<u> </u>
	Residential	<u> </u>
	Other (specify) (mixed-use)	<u>X</u>

Clearly, indicate the proposed connection, on the submitted plans.

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 170,000 GPD

Peaking Factor/ Peak Times: 3.5 - typical diurnal flow of residential uses

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

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

3. Please, Submit Contact Information.

Owner/Developer Name: The Federated Companies c/o Greg Shinberg

Owner/Developer Address: Shinberg Consulting-477 Congress Street, Suite 1012 Portland, Maine 04101

Phone: 207-653-7510 Fax: 207-772-7080 E-mail: gls@shinbergconsulting.com

Engineering Consultant Name: William G. Hoffman, P.E., DeLuca-Hoffman Associates, Inc.

Engineering Consultant Address: 778 Main Street, Suite 8, South Portland, ME 04106

Phone: 207-775-1121 Fax: 207-879-0896 E-mail: whoffman@delucahoffman.com

City Planner's Name: Rick Knowland Phone: 207-874-8725

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

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: GPD

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

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

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

Peaking Factor/Peak Process Times:

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:

The proposal is for mixed-use development with residential units above the first floor, retail or commercial uses on the ground floor, and off-street parking garages. The sanitary sewer along Somerset Street will be used for lateral connections. The applicant will use existing laterals for the connections to the extent possible and likely add two or three new services. Refer to Figures 1 and 2 for a schematic of the sewer system and lateral connections.

ATTACHMENT A

MIDTOWN PROJECT DESCRIPTION

The proposed project is a mixed-use residential/retail development in the Bayside area of Portland. It consists of four buildings designated “midtownOne”, “midtownTwo”, “midtownThree”, and midtownFour” further described below. The project will contribute about 87,200 square feet of direct street access retail space at the ground level, about 440 new apartments ranging from 400 square foot studios to 1,050 square foot two-bedroom units, and structured off street parking for about 800 vehicles.

The project site is bound on the north by the Bayside Trail, on the East by Pearl Street, on the South by Somerset Street, and on the West by Elm Street, Chestnut Street bisects the site. Immediately neighboring uses consist of Whole Foods to the southeast at Somerset and Franklin, warehousing and open land along Somerset Street opposite the project and low-rise retail and commercial development supported by surface parking extending from the Bayside Trail to Marginal Street to the North. Low and mid-rise residential development extends up the slope from Somerset Street to Portland’s downtown district along Congress Street.

The proponent’s intent is to lead the way in creating a compact walkable mixed-use residential “main street” anchoring the Bayside neighborhood with continuous retail frontage along Somerset Street, while also improving the trail.

Concurrent with the project, both Somerset Street and the Bayside Trail will be raised above flood level from Pearl Street to Elm Street. Future projects may be expected to raise this infrastructure to the East and West of the project site. Pearl Street to the north of Somerset Street has been designed in such a way as to allow its extension to Marginal Street in the future.

midtownOne and Two are located between Pearl and Chestnut Street. They are separated by a mews and courtyard providing public access between Somerset Street and the Bayside Trail. midtownOne will be a six-story building containing 80 dwelling units in a mix of studio, one, and two bedroom apartments with a main entrance on Pearl Street and a secondary entrance on the courtyard. The ground floor retail space is provided with frontage on Somerset Street, the mews, and the courtyard. midtownOne’s façade will be a mix of cement fiberboard and enameled metal panels.

midtownTwo is a seven story-parking garage. The entire ground floor is retail space accessible from Somerset Street, Chestnut Street, and the Trail. Elevator and stair cores are located in the northeast and southwest corners to provide access and egress to the mews/courtyard at one end and the corner of Somerset and Chestnut streets at the other. Garage vehicular entrance and retail service access is located at the eastern end to allow the greatest flexibility in retail leasing. Building B’s facades will consist of architectural precast concrete, painted railings, and “green screen” living plant panels.

The four buildings abut public space on all sides and therefore do not have “fronts” and “backs”. All facades of each building are composed of the same materials.

midtownThree is located between Chestnut Street and the Bayside Trailhead connection at the intersection of Elm and Somerset Streets. It consists of 260 apartments in a mix of one and two bedroom dwelling units in a pair of five story buildings over a continuous one-story retail base. The retail space has frontage on all four sides, although access to/from the trail is prevented by a six-foot high berm

containing contaminated soil abutting the building along most of its trailside facade. Apartments are accessed through a lobby and elevators on Chestnut Street. Service is located at a single point along Somerset Street contiguous with the apartment building cores. The unobstructed retail space west of these core functions allows the greatest possible flexibility to attract the variety and high quality of merchants who will make the project a success and contribute to the pedestrian desirability of Somerset Street.

midtownFour is of similar construction to midtownOne and Three; five stories of residential development over one story of retail space. This building will have 100 studio or loft apartment units with a lobby entry facing Elm Street near the trail. Retail frontage will face Elm Street and the trail. The buildings service entrance will be located to the east adjacent to the building's entrance. Move in/move out, delivery and trash/recycling vehicles will use the pull-off provided on Elm St for convenient access to these entrances. This building's façade will also be composed of a combination of enameled metal panels and cement fire boards constructed as an energy efficient "rain-screen" enclosure.

In total the project will consist of approximately 87,200 square feet of retail space in the four buildings, approximately 440 new apartments in three building to provide housing for 500-600 residents, and about 800 off-street parking spaces, providing one space per dwelling unit and four spaces per thousand square feet of retail space. The development of the midtown buildings will provide essentially continuous active street frontage along Somerset, Chestnut, Pearl, and Elm Streets and along the Bayside Trail. The height of the residential buildings at 72 feet, and of the parking garage at 92 feet, are substantially lower than the 105 and 125 foot heights allowed by the B-7 height overlay for these parcels. The design of the buildings will be in keeping with planning guidelines for the district. This project will bring great enhancement to Somerset Street, provide residential development immediately adjacent and overlooking the Bayside Trail, and will provide the catalyst for a walkable retail district from Whole Foods to Trader Joe's in the spirit of Portland's other great streets.

Prepared by

David Hancock
CBT Architects

ATTACHMENT B

EVIDENCE OF RIGHT, TITLE & INTEREST

CORPORATE GUARANTY AGREEMENT

^{15th} THIS CORPORATE GUARANTY AGREEMENT, (this "Guaranty"), is made as of the day of Oct, 2012, by **LEGACY PARK APARTMENTS, LLC**, a Florida limited liability company, with a principal place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131 ("Guarantor"), and, jointly and severally, by **THE FEDERATED COMPANIES LLC**, a Florida limited liability company, with a principal place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131, see below and **THE CITY OF PORTLAND, MAINE**, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101, ("City").

WHEREAS Guarantor is the assignee, by virtue of an Assignment and Assumption Agreement effective June 27, 2011, ("Assignment"), of a Purchase and Sale Agreement between The City of Portland, Maine, ("City"), effective June 23, 2011, ("Agreement"), as amended, for the purchase of certain blighted and brownfield real property located on Somerset Street, Portland, Maine known as Lots 1, 2, 3, 5, 6, 7,8 and a portion of Lot 9, (collectively, "the Land"), consisting of approximately 3.25 acres formerly known as the "Bayside Railyard";

WHEREAS City, in order to create jobs and economic growth for the Citizens of Portland, Maine, has agreed to make a \$9,007,000.00 contribution, ("City Grant Funds"), to Legacy Park Apartments, LLC from funds being provided to the City by the U.S. Department of Housing and Urban Development, ("HUD Funds"), toward the expense of the design, development and construction of a garage, with no fewer than 700 parking spaces on a portion of Lot 5 and all of Lots 6 and 7 and a portion of Lot 9, ("Garage"), pursuant to the terms of a Parking Garage Contribution and Funding Agreement of even or near date hereto between City and Guarantor. ("Parking Garage Agreement").

WHEREAS City, in order to induce Guarantor to enter into this Guaranty and a Job Creation Agreement, hereby agrees to pay the City Grant Funds to Guarantor, Legacy Park Apartments, LLC or its nominee ("Receiving Entity") in accordance with the terms of the Parking Garage Agreement.

WHEREAS Guarantor, contingent on receiving the City Grant Funds, hereby makes the following Guaranty, subject to the conditions contained herein.

NOW THEREFORE in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City hereby agrees to pay the City Grant Funds to the Receiving Entity and Guarantor guarantees to City that:

1. Guaranty: Guarantor shall construct and substantially complete Phase I of the Project, as more particularly described in the attached Phase I Site Plan, Design Guidelines, and Specifications Sheet, ("Exhibit 4," parts 1, 2, and 3), within three (3) years after the date of on which a total of \$1,000,000.00 in City Grant Funds has been requisitioned by the Receiving Entity and disbursed by the City to the Receiving Entity ("Guaranty Deadline"). The annual penalty for not meeting the Guaranty Deadline shall be limited to Guarantor paying to City, on an annual basis for a maximum term of 17 years, the annual difference between the actual tax revenue realized from Phase I, as constructed, and the Phase I tax revenue the City would have received had Phase I been substantially completed (The "Phase I Projected Value") by the Guaranty Deadline. The Phase I Projected Value shall be the City of Portland Asessor's estimated assessed value of the Phase I property (real and personal), made on the April 1 following the Guaranty Deadline, and based on the

description of Phase I in Exhibit 4, and the related specifications and design guidelines provided by the Guarantor on or about July 1, 2012. Notwithstanding anything in the forgoing, this Guaranty is contingent on the full \$9,007,000.00 in City Grant Funds being contributed to Guarantor for the construction of the Garage. Guarantor's aggregate, maximum penalty liability under this Guaranty shall not exceed \$9,007,000. Finally, regardless of when substantial completion of all buildings in Phase I is achieved, this Guaranty shall automatically terminate, Guarantor shall have zero financial liability under this Guaranty and City shall provide Guarantor with a release from any financial liability under this Guaranty effective as of the earlier of the date of substantial completion of Phase I or as of the date of the timely and valid exercise of the City's right of repurchase under Section 9 of the Parking Garage Agreement, as amended. For purposes of this Guaranty, "substantial completion" is deemed to mean a structure having received a Certificate of Occupancy from the City of Portland, and the complete 'fit-out' of all commercial portions of Phase I.

The rights and obligations under the Agreement between the parties hereto, and under the Parking Garage Contribution Agreement of near or even date, are cumulative and in addition to the rights described herein.

2. Warranties and Representations: In connection with the foregoing, City and Guarantor hereby make the following warranties and representations:

(a) The financial liability limitations of this Guaranty are intended by the parties to supersede and amend the defense and indemnification obligations of the Buyer/Guarantor to City in regard to the City Grant under Section 11 of the Agreement. Similarly, the provisions of the Job Creation Agreement are intended by the parties to supersede and amend the job creation duties and obligations of the Buyer/Guarantor to City under Section 11 of the Agreement. Accordingly, this Guaranty is contingent upon the City paying the City Grant Funds to Guarantor in accordance with the terms of the Parking Garage Agreement, irrespective of the source of funds utilized by the City for such City Grant Funds.

(b) Apart from the express modifications stated in this Guaranty, the Parking Garage Agreement and Job Creation Agreement, the Agreement for the purchase of the Land, as assigned and amended, remains in full force and effect and has not been otherwise modified, amended or terminated.

(c) Attached as Exhibit 1 to this Guaranty is a true, accurate and complete copy of the Purchase and Sale Agreement and First Amendment thereto.

(d) Attached as Exhibit 2 to this Guaranty is a true, accurate and complete copy of the Assignment.

(e) Attached to Exhibit 3 to this Guaranty is a true, accurate and complete copy of the Parking Garage Agreement.

(f) Attached as Exhibit 4 to this Guaranty is the, Phase I Site Plan, Design Guidelines, and Specifications Sheet.

(g) Attached as Exhibit 5 to this Guaranty is a true, accurate and complete copy of the Job Creation Agreement.

(h) Neither the Guarantor, nor the City is in default of the Agreement.

3. Successors and Assigns and Enforcement: This Guaranty shall be binding upon and inure to the benefit of the Guarantor's respective successors and assigns. Guarantor pledges that:

(a) it will not assign its rights hereunder without the City's consent, and only to a related entity;

(b) it will permit the City's Corporation Counsel, Manager, Director of Economic Development and Finance Director to review balance sheet, to satisfy themselves of the strong solvency and net worth of both the Guarantor and The Federated Companies LLC;

(c) it will not substantially change such strong solvency and net worth without notifying the City of such changes;

(d) it will not alter its corporate structure or transfer substantially all its assets without providing the City a replacement Guaranty from another entity with strong solvency and net worth, or in the alternative, a letter of credit for the obligations hereunder; and

(e) In any legal proceeding with respect to the obligations created by this Guaranty, all parties hereto waive jury trial, agree that the Maine Superior Court shall have exclusive jurisdiction, that the substantive and choice of law used shall be Maine law and that the prevailing party shall be awarded the reasonable attorneys' fees and costs incurred in regard to any legal proceeding arising out of the obligations created by this Guaranty, including, should the City prevail, a reasonable hourly fee for the services of the City's employee attorneys, that is, its Corporation Counsel.

(f) This Agreement and the performance hereof by Guarantor will not contravene any law, judgment, order, injunction, decree or any contractual restriction or arrangement binding on Guarantor, at the time execution hereof. All parties hereto acknowledge that this Agreement is a legally enforceable instrument and the obligations stated herein are likewise legally enforceable, and that at the time of execution hereof they have no reason to believe otherwise.

4. Counterparts: This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

5. Amendments: This Guaranty may not be amended in any respect whatsoever except by a further agreement, in writing, fully executed by each of the parties.

(Signature page follows on p. 4.)

September 6, 2012 by LCW

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives under seal as of October 19, 2012.

LEGACY PARK APARTMENTS LLC, a Florida limited liability company

By: _____

Jonathan Cox, Manager



Brett DePetrillo
COMMISSION # DD992811
EXPIRES: MAY 17, 2014
www.AARONNOTARY.com

CITY OF PORTLAND

By: _____

Mark H. Rees
City Manager

JOINDER

THE FEDERATED COMPANIES LLC, a Florida limited liability company, with a principal place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131, hereby joins in this Guaranty, agreeing that it is jointly and severally liable for, and hereby makes, the same guaranty and other obligations as described in the paragraphs numbered 1, 2 and 3 above, subject to the terms and conditions stated therein.

THE FEDERATED COMPANIES, LLC, a Florida limited liability company

By: _____

Jonathan Cox, Manager

Finance Director
City of Portland, Maine

APPROVED AS TO FORM: _____

CORPORATION COUNSEL'S OFFICE

September 6, 2012 by LCW

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EXHIBIT 1
[P&S]

September 6, 2012 by LCW

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EXHIBIT 2

[Assignment to Legacy Park]

September 6, 2012 by LCW

O:\Bayside - Federated Companies\Purchase and Sale Agreement\2final FIRST AMENDMENT TO PURCHASE AGREEMENT for Execution.doc

FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT, ("Amendment"), is entered into as of Oct. 15, 2012, by and between **THE CITY OF PORTLAND, MAINE**, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101 ("Seller") and **LEGACY PARK APARTMENTS LLC**, a Florida limited liability company with a place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131, or its nominee or assignee ("Buyer"). (Seller and Buyer are also hereinafter referred to individually as "party" or, collectively, "parties").

WHEREAS Buyer is the assignee, by virtue of an Assignment and Assumption Agreement, ("Assignment"), effective June 27, 2011 of a Purchase and Sale Agreement, effective June 23, 2011, between The Federated Companies LLC and Seller ("Agreement"). Assignment and Agreement are attached hereto and incorporated herein by reference, collectively, as Exhibit "A".

WHEREAS Section 11 of the Agreement requires that the Seller and Buyer enter into a formal agreement stipulating to the terms and conditions of the Seller's contribution of HUD Funds during the Inspection Period.

WHEREAS Section 11 of the Agreement provides that the Inspection Date shall be extended until the parties have reached agreement on the use of HUD Funds for the garage.

NOW THEREFORE for good and valuable consideration, including the mutual promises made below, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree that the Agreement is amended as follows:

A. Section 4 of the Agreement is amended by deletion of the original text of Paragraph 2 and insertion of the following text in its place:

"The term "Inspection Date" means midnight on the sixtieth (60th) day following full execution by the parties and HUD approval, if HUD approval is required, of the formal agreement stipulating the terms and conditions of the HUD Funds contribution identified under Section 11 of this Agreement."

B. Section 5 of the Agreement is amended by deletion of the original text and insertion of the following in its place:

C. Section 5. **Use Restrictions and Environmental Matters.** Buyer understands that lots 1, 2, 3, 5 and a portions of lot 6 and a portion of lot 9 were encumbered with deeds restrictions, including but not limited to a restriction on residential uses on a portion of the Property. Pan Am/Guilford, the holder of those restrictions has released these restrictions, and before the start of construction by Buyer the Seller will secure environmental liability insurance on the Railyard to protect Pan

September 6, 2012 by LCW

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Am/Guilford, which was a condition of its releasing these restrictions.

The Seller, through its consultant and others has undertaken a number of environmental studies which are referenced in Exhibit B to this Amendment. The Maine Department of Environmental Protection (hereinafter "DEP") has issued one or more letter(s) confirming their approval of a Voluntary Response Action Program ("VRAP") Plan for the former rail yard property which is contained within lots 1, 2, 3, 5 and a portion of lot 6 and a portion of lot 9 (hereinafter "Railyard"). The VRAP includes a remediation plan approved on the Railyard property by the DEP. As part of the development plan for the Railyard property, Buyer is responsible for complying with the remediation VRAP Plan for the Property. To the extent required by law, the approval of the U.S. Environmental Protection Agency shall also be obtained for both of these VRAP Plans.

The Seller has commenced review of the environmental conditions for on the portion of Property which is contained within a portion of Lot 6 and Lots 7, 8 and a portion of Lot 9, (hereinafter "Scrapyard"). The Seller will secure a VRAP for the Scrapyard (subject to Buyer's input and approval) and Buyer shall undertake remediation in accordance with the VRAP. The Seller will reimburse Buyer for its first Fifty Thousand Dollars (\$50,000.00) of actual expense for such remediation, and all other costs of remediation, which shall fully comply with such VRAP, shall be paid by the Buyer from City Grant Funds received from City. The Seller will work together with the Buyer to ensure the timely remediation in accordance with the Buyer's development plans.

Although Buyer is under no obligation to obtain such environmental liability insurance, should Buyer, at Buyer's sole election, secure environmental liability insurance on the Scrapyard and/or any other portion of the Property, Buyer will use best efforts to secure for the Seller the option to obtain coverage under such insurance policy(ies) as an Additional Insured, by endorsement in any other form; provided, however, that any additional cost for such additional coverage shall be paid by the Seller and shall not relieve Seller of the duty of providing the environmental liability insurance required to provide on the Railyard for the benefit of PanAm/Guilford described above.

D. Section 6 of the Agreement is amended by adding, at the end of the existing first sentence, "including but not limited to Site Plan approval from the City of Portland, Subdivision Approval Amendment(s) from the City of Portland, and any amendments to the Land Use Code of the City of Portland."

E. The first sentence of Section 11 of the Agreement is amended by deleting the existing text, and replacing it with the following:

Contingent on the full disbursement of \$9,007,000.00 in City Grant Funds from Seller to Buyer as provided in the Parking Garage Contribution Agreement, and as a condition of this sales transaction, the Buyer will construct, at its expense, a parking garage on (approximately, as the exact location is not yet set), a portion of Lot 5 and all

of Lots 6 and 7 and a portion of Lot 9 which shall contain not less than 700 parking spaces. ("Garage").

F. Section 11 of the Agreement is amended by deleting the original text of numbered Paragraph 4 and the insertion of the following text in its place:

"Buyer shall construct the Garage using sustainable and energy efficient construction methods, including, but not limited to, energy efficient lighting."

G. Section 15 of the Agreement is amended by deletion of the original text and insertion of the following in its place:

"Section 15. Rights of Seller to Repurchase Undeveloped Property.

(a) If three years after the substantial completion of the Garage, construction activity has not been commenced and diligently pursued on any other portions of the Property, the Seller shall have a one-time right to notify Buyer in writing of such default under this Section within thirty (30) days of such default and Buyer shall have ninety (90) days thereafter to cure such default. Provided, however, that there shall be no event of default by Buyer if the City is in default of any provision of the Parking Garage Contribution Agreement. If Seller fails to provide Buyer with written notice of default within thirty (30) days of such default, then the provisions of this Section shall be deemed waived by Seller.

(b) If the Garage does not reach substantial completion within three years after the date of closing on the purchase by Buyer of the Property related to the Garage then the Seller shall have a one-time right to notify Buyer in writing of such default under this Section within thirty (30) days of such default and Buyer shall have ninety (90) days thereafter to cure such default. If Seller fails to provide Buyer with written notice of default within thirty (30) days of such default, then the provisions of this Section shall be deemed waived by Seller.

If Buyer fails to cure a default under either 15(a) or 15(b) above, the Seller shall have the right or remedy, but not the obligation, which is described in this paragraph in concept: namely, to repurchase any or all such portions of the undeveloped Property at Buyer's Purchase Price (prorated with respect to the quantity of land, as necessary). Seller may, at the closing of such repurchase, use such consideration (that is, the prorated portion of Buyer's Purchase Price) to pay-off and remove any and all then existing mortgages, liens, assessments or other encumbrances on the undeveloped Property being repurchased. Any amounts by which such then existing mortgages, liens, assessments and other encumbrances exceed such consideration, shall continue to the obligations of Buyer, or its successors or assigns; and Buyer, its successors or assigns, shall indemnify Seller with respect to such excess amounts.

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The City acknowledges that Legacy Park will most likely use the entire Property as collateral for a construction loan for the purpose of developing and building all portions of the project. The City therefore agrees to work on documents at the time of such financing, with Buyer and its construction lender, to make it possible for the City to have the remedy described above in concept, and to also permit such construction financing. Buyer agrees that while this right or remedy exists as described in the paragraph above no portion of the Property will not be mortgaged for any purpose other than development and construction of the Project.

It is noted here that the 'Parking Garage Contribution Agreement' contains Seller's remedies with respect re-acquisition of the parking garage portion of the Property, and the Rights created by this Section do not pertain to that property." The rights and obligations under the Corporate Guaranty Agreement and the Parking Garage Contribution Agreement, both of near or even date are cumulative and in addition to the rights described herein.

H. The original description of the Land in the Purchase and Sale Agreement is hereby modified to include this conveyance a portion of Lot 9, and the "Exhibit ~~A~~⁸" to the Purchase and Sale Agreement is hereby replaced with the "Exhibit ~~A~~⁸ to the Purchase and Sale Agreement, [2012]" attached hereto.

Except as amended above, all other terms and conditions of the Agreement remain unaffected by this Amendment, are in full force and effect between the parties and are hereby ratified by the parties.

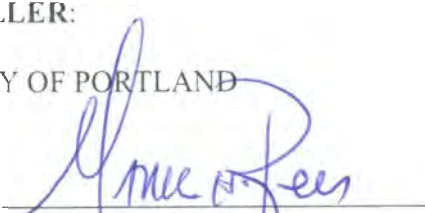
All terms capitalized herein shall have their original meaning as defined in the Agreement unless otherwise defined herein. In the event of conflicting provisions or language in this Amendment and the Agreement, this Amendment is intended to control.

This Amendment may be signed in counterparts, which shall be construed together as one document.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first written above.

SELLER:

CITY OF PORTLAND

By: 

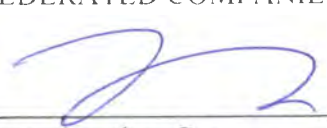
Name: Mark H. Rees

Title: City Manager

Date of Execution: 10-15-12

BUYER:

THE FEDERATED COMPANIES, LLC

By: 

Name: Jonathan Cox

Title: Manager

Date of Execution: 10/15/12

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Approved: Ellen Sanborn, Finance Director



Approved as to Form: Corp. Counsel

EXHIBIT "A"
TO FIRST AMENDMENT TO
PURCHASE AND SALE AGREEMENT

[insert Assignment AND P&S]

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Agreement") is made as of the 27th day of June, 2011, by and between **THE FEDERATED COMPANIES, LLC**, a Florida limited liability company, with an address of 404 Washington Avenue, Suite PH, Miami Beach, FL 33139 (together, the "Assignor") and **LEGACY PARK APARTMENTS LLC**, a Florida limited liability company, with an address of 404 Washington Avenue, Suite PH, Miami Beach, FL 33139 (the "Assignee").

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to it in hand paid by the Assignee to the Assignor and the mutual covenants herein contained, the receipt and sufficiency of the foregoing consideration being hereby acknowledged, the parties hereto agree as follows:

1. **ASSIGNMENT**: The Assignor hereby assigns, transfers, sets over and conveys to the Assignee all of the Assignor's right, title and interest in, to and under that certain Purchase and Sale Agreement by and between The City of Portland, Maine (the "City") and Assignor, with respect to certain real property described therein (the "Purchase Agreement").

2. **ASSUMPTION**: The Assignee does hereby assume and agree to perform all of the Assignor's obligations with respect to the Agreement accruing from and after the date hereof. Assignee acknowledges that Assignor has posted the required deposit under the Purchase Agreement and agrees that such deposit shall be refunded to Assignor upon Assignee's closing on the acquisition under the Purchase Agreement.

3. **WARRANTIES AND REPRESENTATIONS**: In connection with the foregoing assignment and assumption of the Purchase Agreement, the Assignor does hereby make the following warranties and representations:

(a) The Purchase Agreement remains in full force and effect and has not been modified, amended or terminated;

(b) Attached as Exhibit A to this Agreement is a true, accurate and complete copy of the Purchase Agreement; and

(c) Neither the Assignor nor, to the best of Assignor's knowledge without inquiry, the City is in default of the Purchase Agreement.

With the exception of the foregoing warranties, this Assignment is made without recourse or representation or warranty, express, implied or by operation of law, of any kind and nature whatsoever.

4. **SUCCESSORS AND ASSIGNS**: This Agreement shall be binding upon and inure to the benefit of the Assignor and the Assignee and their respective successors and assigns.

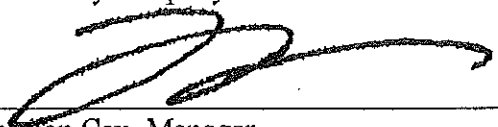
5. **COUNTERPARTS:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

6. **AMENDMENTS:** This Agreement may not be amended in any respect whatsoever except by a further agreement, in writing, fully executed by each of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives under seal as of June 27, 2011.

ASSIGNOR:

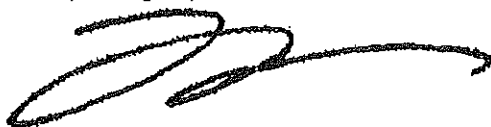
THE FEDERATED COMPANIES, LLC, a Florida
limited liability company

By: 

Jonathan Cox, Manager

ASSIGNEE:

LEGACY PARK APARTMENTS LLC, a Florida
limited liability company

By: 

Jonathan Cox, Manager

Exhibit A

PURCHASE AND SALE AGREEMENT

This Purchase Agreement (this "Agreement"), is entered into as of the *Effective Date*, as defined below, by and between The City of Portland, Maine a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101 ("Seller") and The Federated Companies LLC, a Florida limited liability company with a place of business at 404 Washington Avenue, Suite PH, Miami Beach, FL 33139 or its nominee or assignee ("Buyer").

WHEREAS, Seller is the Owner of a certain real property located on Somerset Street, Portland, Maine which contains approximately 3.25 acres and which is known as lots 1, 2, 3, 5, 6, 7 and 8, which land is further described in Exhibit A, attached hereto and incorporated herein (collectively "the Land") and

WHEREAS, Seller seeks to sell the Land for development purposes; and

WHEREAS, Buyer desires to acquire the Land from Seller, and Seller seeks to sell the same to Buyer on such terms as are set out herein,

Now Therefore, in consideration of the foregoing and for good and valuable consideration, the parties intend to be legally bound as follows:

Section 1. Property. The Land, all rights and privileges appurtenant to the Land and all improvements located on the land, are referred to collectively as the "Property." The Seller agrees to sell the Property to Buyer on the terms and conditions contained herein. The parties understand and agree that a portion of land representing a trail access from Somerset Street as shown on Exhibit A-1, may need to be adjusted depending on the nature and extent of development on Lots 6 and 7. The trail access adjustment shall be subject to the mutual agreement of the parties on the placement of the lot lines and the trail access

Section 2. Purchase Price and Deposit. The "Purchase Price" for the Property shall be Seven Hundred Thousand Dollars (\$700,000) per acre and shall be paid in cash (or by certified or bank check or federal funds wire transfer) at the Closing as defined in Section 8 of this Agreement subject to the adjustments described in this Agreement. The calculation of the acreage of the Property shall be made by the Seller providing, not later than forty-five (45) days after the Effective Date, an ALTA survey, satisfactory to Buyer and Buyer's lender, of the Property, excluding that portion of land utilized for trail access as described above. Within ten (10) business days after the Effective Date of this Agreement, Buyer shall deliver to a nationally-recognized title company ("Escrow Agent") the sum of Twenty Five Thousand Dollars (\$25,000) (the "Initial Deposit"), which shall be held in escrow in accordance with the terms of Section 14 of this Agreement. The Initial Deposit, and any other deposits made by Buyer under the terms of this Agreement shall be held by the Escrow Agent, and is referred to collectively as the "Deposit." The Deposit shall be

applied toward the Purchase Price at the Closing unless otherwise forfeited by the Buyer pursuant to the terms of this Agreement.

Section 3. Title.

(a) Seller shall convey its interest in the Property to Buyer by a good and sufficient quitclaim deed with covenant (the "Deed"). The Deed shall convey insurable title to the Property and be free of encumbrances except (i) zoning, environmental and subdivision laws, rules, regulations and restrictions and other land use matters; and (ii) any "Defects of Title" (as defined below) accepted or waived by Buyer pursuant to Section 3(b). Buyer acknowledges that: the deed of conveyance shall contain a restriction lasting for 30 years, including the 30th year, starting on the closing date, that, in the event that the property or any portion thereof shall be exempt from real and personal property taxes then a yearly payment by the then-owner of the exempt portion shall be made in lieu of taxes equivalent to the property taxes that would otherwise be paid on the exempt portion of the real and personal property situated on Property, which restriction shall also confirm that Buyer and its successors and assigns shall possess and be vested with all rights and privileges as to abatement and appeal of valuations, rates and the like as are accorded owners of real and personal property in Maine. For purposes of this Agreement, insurable title means title which an insurance company with a rating of B+ or better by Standard & Poor's (or other comparable rating by another rating organization) licensed to do business in Maine is willing to insure upon payment of a premium at customary and filed rates on a standard ALTA Form B Policy (rev. October 17, 1992) with no exceptions listed on Schedule B, Part I thereof, except for the standard exceptions and Defects of Title pursuant to paragraph 3(b) below, with no indemnification or legal opinion to be required from Buyer to issue such policy, and with the creditor's rights exception deleted.

(b) On or before the date that is forty-five (45) days after the Effective Date, Buyer shall notify Seller of any defects in title that would make Seller unable to give title to the Property as herein stipulated or which would otherwise adversely affect Buyer's intended development of the Land (any of which is called herein a "Defect of Title"). Buyer shall be deemed to have waived any objection to any Defect of Title that existed as of the Effective Date if Buyer fails to notify Seller of such Defect of Title on or before the end of such 45-day period. With respect to the existence of any Defect of Title that does not exist on the Effective Date but which arises prior to the Closing Date, Buyer shall notify Seller of any such Defect of Title on or prior to the Closing Date as defined in Section 8 hereof. Seller shall have, at its option, a period of not more than sixty (60) days after receipt of notice(s) of any defect in title within which to remedy or cure any Defect of Title and Seller agrees to use good faith efforts to cure such Defect of Title. If the Closing Date shall fall within the said 60-day period, it shall be extended to the date that is the date that is ten (10) business days after the expiration of such 60-day period or after the date such Defect of Title is cured to Buyer's reasonable satisfaction (but in no event shall the Closing Date be earlier than is otherwise provided herein). Buyer shall have ten (10) business days after receipt of notification by Seller that the Defect of Title has been cured to advise Seller whether it is satisfied with the title defect cure. If such Defects of Title are not corrected or remedied within such 60-day period, then Buyer shall elect by written notice to the Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the Property subject to the uncured Defects of Title without reduction of

the purchase price and without any right to damages and without any other liability on the part of Seller, or (ii) to terminate this Agreement, whereupon the Deposit shall be returned to Buyer and all obligations of the parties hereunder shall cease and neither party shall have any claim against the other by reason of this Agreement, except with respect to any provision hereof that expressly survives the termination of this Agreement. For purposes of this subsection (b), Seller may elect to cure or remedy any Defect of Title by providing Buyer with a binding commitment from a title insurance company licensed to do business in Maine committing to issue an endorsement to Buyer's owner's title insurance policy providing affirmative coverage for such Defect of Title at no additional premium to Buyer beyond any premium required for such title policy without such endorsement; and Buyer agrees to accept such affirmative coverage as a cure or remedy for such Defect of Title provided that the form and content of such affirmative coverage is satisfactory to Buyer and its advisors in their reasonable discretion; or the Seller may cure by other means satisfactory to the Buyer.

Any time taken to cure any defect in title shall extend by the same amount of time the Inspection Date described by section 4 of this Agreement.

(c) Seller represents and warrants to Buyer, effective as of the date of this Agreement and also effective as of the date of Closing, that: (i) Seller holds good and clear, record and marketable title to the Property in fee simple; (ii) there are no uncorrected violations of any laws or codes with respect to the Property, its condition, or use; (iii) no options, rights of first refusal, or other contracts have been granted or entered into which give any other party a right to purchase or acquire any interest in the Property or obligate the Seller in any respect; (iv) there are no leases, licenses, or other occupancy agreements in effect with respect to any part of the Property, other than a deed restriction preventing residential use and other uses as required which Seller shall seek to lift before Closing; (v) Seller has not received written notice of any planned or threatened condemnation or eminent domain proceedings with respect to the Property; (vi) the Property abuts a public way which imposes no access restrictions; (vii) this Agreement has been duly authorized by all requisite action and is not in contravention of any law or organizational documents and this Agreement has been duly executed by a duly authorized officer or official of Seller; (viii) Seller's execution of this Agreement does not violate any other contracts, agreements, or any other arrangements of any nature whatsoever that Seller has with third parties and (ix) the Seller shall seek to obtain, at its sole cost and expense, such environmental insurance as may be agreed upon by Seller and PanAm/Guilford, as a prior titleholder, that is sufficient to get PanAm/Guilford to lift the current deed restrictions on uses. Seller will not cause nor, to the best of Seller's ability, permit any action to be taken which would cause any of Seller's representations or warranties to be false as of Closing, and in any event shall notify Buyer of any change in these representations and warranties. Seller's representations and warranties shall survive the Closing and the delivery of the Deed.

Section 4. Inspection of Property. Buyer, and those parties controlled by Buyer or associated with Buyer, shall have the right to access the Property to inspect its condition, including, without limitation, making surveys, testing the geotechnical quality of soils and whether any Hazardous Materials exist (including sub-surface), and pursuing permits and approvals. Seller shall cooperate with Buyer, without material cost to Seller, in connection with all such inspections and

actions by Buyer, including without limitation, by delivering to Buyer within ten (10) days of the effective date of this agreement, copies of any and all surveys, permits, title reports, hazardous waste reports, environmental assessments, geotechnical reports, samplings and investigations, all contracts and leases affecting the Property, any documents relating to the physical condition of the Property (including, without limitation, any improvements located thereon) and the status of the Property's compliance with applicable building code, zoning, land use and environmental laws, rules and regulations, feasibility studies (including financing), building and site plans, floor plans, property inspections, elevation studies, appraisals or other such pertinent information Seller has compiled related to the property and/or the proposed development that is in the Seller's possession or control, and signing any consents or authorizations for permit applications that may be required. If Buyer does not purchase the Property for any reason then Buyer shall promptly repair any damage that it may have caused.

The term "Inspection Date" means midnight on the sixtieth (60th) day following the Effective Date.

If Buyer is not satisfied with the condition of the Property for any reason, or no reason, in its sole discretion, then Buyer may terminate this Agreement by delivering written notice of such termination to Seller no later than five (5) days after the Inspection Date, in which event the Escrow Agent shall immediately return the Initial Deposit to Buyer. However, if Buyer does not so terminate this Agreement, then the parties shall proceed forward in this transaction. Upon Buyer's election to move forward, the Buyer shall deposit, within five (5) days, an additional Twenty Five Thousand Dollars (\$25,000) in escrow with the Escrow Agent as Additional Earnest Money ("Additional Deposit"). Both the Deposit and the Additional Deposit shall be deemed non-refundable except in the event that the Seller fails to perform or the Buyer is unable to obtain the permits and approvals. The Deposit and the Additional Deposit shall be credited against the purchase price upon closing unless forfeited as otherwise provided in this Agreement.

Section 5. Covenants of the Seller. The Seller, through its consultant and others have undertaken a number of environmental studies which are referenced in Exhibit B to this agreement. The Maine Department of Environmental Protection (hereinafter "DEP") has issued one or more letter(s) confirming their approval of a Voluntary Response Action Program ("VRAP") Plan for the former rail yard property which is contained within lots 1, 2, 3, 5 and a portion of 6 (hereinafter "Railyard"). The VRAP includes a remediation plan approved on the Railyard property by the DEP. As part of the development plan for the Railyard property, Buyer shall be responsible for complying with the remediation plan for the property.

Buyer understands that lots 1, 2, 3, 5 and a portion of lot 6 are encumbered with deed restrictions, including but not limited to a restriction on residential uses on a portion of the Property. Pan Am/Guilford, a prior owner of the property has the sole discretion and is under no obligation to remove said deed restrictions. Provided that Pan Am/Guilford is in agreement with the insurance coverage provided by the Seller, the Seller will secure environmental liability insurance on the Railyard portion of the Property which will permit Pan Am/Guilford and the Seller to remove the deed restrictions on the property for residential and other uses, as required by Buyer.

The Seller has commenced review of the environmental conditions on the portion of the Property which is contained within a portion of Lot 6 and Lots 7 and 8 (hereinafter "Scrapyard"). The Seller will secure a VRAP for the Scrapyard (subject to Buyer's input and approval) and shall undertake remediation at its sole cost and expense in accordance with the VRAP. The Seller will work together with the Buyer to ensure the timely remediation in accordance with the Buyer's development plans. Buyer understands and agrees that no residential uses shall be approved on Lots 7 and 8 of the Scrapyard, even if such uses are allowed by the VRAP.

Section 6. Permit Period. Buyer shall have an additional One Hundred and Eighty (180) days following the Inspection Date (the "Permit Period") in which to obtain the permits and approvals that are necessary or desirable for Buyer's contemplated development of the Property for a mixed-use project including a parking garage as described in Section 11 of this Purchase Agreement. Buyer shall work with the City on the development of a master plan of all properties. Subject to the mutual agreement of the parties, the master plan may, but is not required to, include the elimination of the accessway from Somerset St to the Bayside Trail between Lots 6 and 7 or the 20ft wide accessway from Somerset St. to the Bayside Trail running through Lot 3, and the purchase of the underlying property in the accessway between Lots 6 and 7 by Buyer. It is the intent of the Buyer to build a mixed-use project which incorporates goals proposed by the City in its "A New Vision for Bayside", including, but not limited to, provide commercial and/or retail space on the first floor to allow for a user friendly neighborhood. If, by the end of the Permit Period, Buyer has not obtained all such permits and approvals, with all appeal periods with respect to such permits and approvals having expired with no appeal having been taken (or if taken, then with such appeal having been resolved to Buyer's satisfaction), then Buyer may terminate this Agreement by delivering written notice of such termination to Seller no later than five (5) business days after the end of the Permits Period, in which event the Deposit shall be returned to Buyer as provided in the Escrow Agreement. However, if Buyer does not so terminate this Agreement then the parties shall proceed forward in this transaction in accordance with the terms of this Agreement and the Deposit shall become non-refundable (except in the event of a Seller default, or because the Closing does not occur due to the failure of a condition precedent or as otherwise provided in this Agreement), but the Deposit shall always remain applicable to the Purchase Price unless otherwise provided by this Agreement.

During the Permit Period, as soon as practicable but no later than the same time as the Buyer presents its formal application for site plan approval, the Seller will present its plan for subdivision amendments to the Land consistent with the needs of the Buyer's site plan approval. The Seller shall be the applicant for the subdivision amendment, whether the review is done administratively or otherwise. Buyer shall provide, at its sole cost and expense, all required surveys in connection with the necessary subdivision amendments.

Notwithstanding anything in the foregoing to the contrary, Buyer shall have the right to extend the Permit Period up to three times, each extension for a period of thirty (30) days, by notifying Seller in writing of such extension within five (5) business days after the end of the then-current Permits Period, and depositing with Escrow Agent an additional deposit of Three Thousand Dollars (\$3,000) per extension (the "Permit Extension Deposit"). The Permit Extension Deposit shall be

considered part of the Deposit and shall non-refundable (except in the event of a Seller default, or because the Closing does not occur due the failure of a condition precedent or if Buyer/Seller is unable to obtain the permits and approvals or as otherwise provided in this Agreement), but the Deposit shall always remain applicable to the Purchase Price as provided herein. All references in this Agreement to the Permit Period shall mean the Permit Period as the same may be extended in accordance with the terms of this paragraph.

Section 7. Conditions Precedent to Closing. Seller and Buyer's obligation to Close hereunder are conditioned upon the satisfaction of the following conditions:

- (a) there shall be no pending or threatened action, suit, litigation, hearing or administrative proceeding relating to Seller, any entity comprising Seller, or to all or any portion of the Property;
- (b) the Property shall be free and clear of any leases, licenses, occupancy agreements, and any other parties in possession;
- (c) Seller shall have delivered to Buyer such documentary and other evidence as the Buyer's title company may reasonably require evidencing Seller's authority, the absence of mechanic's liens and parties in possession, and any other matters that the title company may reasonable require;
- (d) all of Seller's obligations under this Agreement shall have been performed and all its representations and warranties shall be true and correct;
- (e) the condition of the Property (including without limitation the condition of the Property with respect to title and survey matters, as well as the presence of fixtures, equipment, and other personal property that is to be transferred at the Closing as elected by Buyer) shall be as required by this Agreement and no changes shall have occurred to such condition of the Property since the date of this Agreement (Buyer shall have the right to re-inspect the Property prior to the Closing to confirm the foregoing);
- (e) notwithstanding anything in this Agreement to the contrary, Buyer shall have obtained any and all permits and approvals necessary or desirable for its contemplated development of the Property, with all appeal periods with respect to such permits and approvals having expired with no appeal having been taken (or if taken, then with such appeal having been resolved to Buyer's satisfaction);
- (f) any hazardous materials on the property shall be handled in accordance with the requirements of the applicable VRAP agreement and this Agreement;
- (g) Seller shall have paid, or will pay at or prior to Closing, all taxes, assessments, charges, fees, levies and impositions, coming due prior to the Closing Date;
- (h) if any subdivision or other governmental approval is required in order to convey the Property as a separate parcel or lot then Seller shall have obtained all such subdivisions and/or other governmental approvals and shall have recorded any and all required plans in connection with the same;
- (i) from and after the Effective Date, there shall have occurred no material adverse change to the Property (or any material portion thereof) which is continuing at the date and time scheduled for Closing which could have an adverse impact on Buyer's intended use of the Property; and
- (k) Buyer shall have secured all permits, licenses and approvals (not subject to further action) necessary to construct its proposed mixed-use facility and parking garage on the Property.

Section 8. Closing. The Closing shall be held and completed at 10:00 A.M. or at such other time as may be agreeable to the parties at the office of the Buyer's lender's counsel in Portland, Maine, or through electronic communication or by mail by agreement of the parties, on the date that is thirty (30) days (or such shorter period of time as Buyer may elect upon five (5) days written notice to Seller) following the end of the Permit Period, time being of the essence. Notwithstanding the foregoing, in no event shall Buyer be obligated to close sooner than the fifth (5th) day following the satisfaction of the conditions precedent set forth in this Agreement. At the Closing, Seller shall cause the release of the Property from all loans and other monetary encumbrances secured by the Property, including, without limitation, municipal liens and utility fees of all kinds, and Seller shall pay all prepayment penalties or fees assessed by the holders of such loans and encumbrances, if any.

Seller is exempt from real estate transfer tax pursuant to 36 M.R.S.A. § 651. Seller shall pay the brokerage commission due to the brokers(s) described below, and all of its costs incurred.

Buyer shall pay its share of the real estate transfer tax and for all recording costs, Buyer shall be responsible for all of its own costs incurred, including, without limitation, the cost of studies or inspections desired by Buyer. The real estate taxes and other customary items of proration and adjustment shall be computed as of the date of Closing and added to or deducted from the net proceeds as the case may be. In the event accurate prorations or other adjustments cannot be made at Closing because of the lack of necessary information, the parties shall prorate and adjust based on the best available information, subject to prompt modification upon the receipt of the necessary information. At the Closing, Seller shall deliver to Buyer: (i) a Quitclaim Deed with covenant (ii) releases of any real estate liens or other instruments or agreements to be cancelled pursuant to the terms of this Agreement, in form appropriate for recording; (iii) an updated certification of the warranties and representations contained herein; (iv) an assignment of permits and warranties; (v) a Bill of Sale (if applicable), in form and substance satisfactory to Buyer, transferring to Buyer, without additional charge, all fixtures, equipment, and other personal property located at the Property (except for any fixtures, equipment and other personal property that Buyer has directed Seller in writing to remove on or before the date of the Closing, which Seller shall so remove, without causing damage to the Property); (vi) an assignment, transferring ownership of all the permits, plans and approvals which are part of the Property and (vii) such other documents required under the terms of this Agreement or customarily delivered at closings in the State of Maine. On or before Closing, Seller shall terminate any contracts relating to the Property that Buyer has not agreed to assume and shall pay all costs associated with such contracts. On or before Closing, Seller will do, make, execute and deliver all such additional and further acts, instruments and documents as may be consistent with this Agreement and customarily and reasonably required by Buyer and/or the Buyer's title company to complete the transactions described in this Agreement.

Section 9. Condemnation and Casualty. If, prior to Closing, all or any part of the Property or access to the Property shall become subject to condemnation through eminent domain by governmental or other lawful authority, or should be subject to damage or destruction by fire or other casualty, then Buyer shall have the option of either (a) completing the purchase, in which event all condemnation proceeds or claims thereof (or, in the event of a fire or other casualty, all

casualty insurance proceeds, together with a credit against the Purchase Price for the amount of any insurance deductible) shall be assigned to Buyer, or (b) terminating this Agreement, in which event, notwithstanding any provision herein to the contrary, the Deposit shall be returned to the Buyer, and this Agreement shall have no further force or effect. Seller shall bear the risk of loss to the Property due to condemnation or casualty until the Closing and the recording of the Deed. Seller shall keep the Property insured at its presently insured levels from the date of this Agreement until the Closing and the recording of the Deed.

Section 10. Broker. At the Closing, Seller shall pay any and all fees or other commissions due and payable to CBRE| The Boulos Company (the "Broker"), pursuant to separate agreement. Except for the Broker, Seller and Buyer represent and warrant to each other that neither has dealt with any other real estate broker, agent, or salesperson. Seller agrees to defend, indemnify, and hold Buyer harmless from any claims, costs, judgments, or liabilities of any kind advanced by persons claiming real estate brokerage fees through Seller. Buyer agrees to defend, indemnify and hold Seller harmless from any claims, costs, judgments, or liabilities of any kind advanced by persons (other than the Broker) claiming real estate brokerage fees through Buyer. The indemnities set forth in this Section shall survive Closing.

Section 11. Conditions Which Survive Closing As a condition of this sales transaction, the Buyer will construct, at its expense, a parking garage on a portion of Lot 6 and all of Lots 7 and 8 which shall contain not fewer than 500 parking spaces. The Seller shall make a contribution to the cost of construction from the funds being provided to the Seller from the U.S. Department of Housing and Development (the "HUD Funds") in accordance with and to the extent allowed by federal law and regulations, including HUD's regulations. During the inspection period described in Section 4 above, the Seller and the Buyer shall enter into a formal agreement stipulating the terms of this contribution and the conditions of the contribution, which are expected to include the following:

1. The garage shall be open during reasonable hours 7 days per week subject to modification from time to time by buyer based on historical and projected volume of usage of the garage.
2. The garage shall have shared use with residents 7 days a week, 24 hours per day.
3. During snow bans, garage shall be available for snow ban parking and the overnight snow ban parking rate shall not exceed 50% of the then current daily maximum rate charged for parking at the garage.
4. The garage shall be made available for special event parking during off hours.
5. The garage shall provide turnover parking for the general public.
6. Rates shall be based upon market conditions.

7. The garage shall participate in the Park & Shop program.
8. The garage must accept both cash and credit card payments.
9. The garage must remain as a public parking facility for a minimum of 30 years.

The agreement referred to in this section shall further provide that Buyer shall comply with all the terms and conditions related to the use of HUD funds including, but not limited to, providing documentation of job creation. The Inspection Date shall be extended until the parties have reached agreement on these issues.

The agreement shall further provide that HUD has to approve the use of its funds for the garage and that if such approval is obtained, Buyer or any nominees, assigns or successors in interest shall be responsible for complying with any conditions required by HUD in addition to the conditions listed above and shall defend and indemnify Seller against any actions brought by HUD to enforce any HUD conditions and any sanction or fines resulting from an enforcement action.

In return for the use of HUD funds, the garage and any attached structures or units in it designed for non garage use shall comply with and be certified by the U.S. Green Building Counsel's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver Standard, and shall achieve the minimum LEED optimize energy performance points necessary to meet the targets of the 2030 challenge as published by Architecture 2030, pursuant to the City of Portland's City Code, Section 6, Article VII.

Section 12. Default.

(a) Buyer Default. If Buyer defaults and fails to perform its obligations under this Agreement under this Agreement, Seller, at no cost, shall receive the Deposit and all interest thereon, as well as the results and reports of all development studies, testing reports, construction and design documents related to the garage, and surveys of the Property completed by the Buyer. The parties agree that the Deposit and development studies and surveys are a reasonable liquidated measure of Seller's damages and not a penalty and shall be Seller's sole and exclusive remedy at law and in equity because of the difficulty in ascertaining the exact amount of damages sustained by Seller.

(b) Seller's Default. If Seller defaults and fails to perform its obligations under this Agreement, then Buyer may, without limitation of its other rights and remedies, terminate this Agreement upon written notice to Seller, upon which event the Deposit and all interest thereon shall be immediately refunded to Buyer, and/or exercise all of its available remedies at law or in equity, including, but not limited to, the right to seek a judgment compelling the specific performance of this Agreement and/or an action for damages.

(c) Attorney Fees. In the event of litigation, the substantially prevailing party shall be entitled to receive its reasonable legal fees and court costs from the other party. This provision shall survive the Closing and delivery of the Deed.

Section 13. Miscellaneous. This Agreement (i) constitutes the entire agreement between the parties hereto with respect to the transaction contemplated herein and it supersedes all prior discussions, undertakings or agreements between the parties; (ii) shall not be modified except by a written agreement executed by both parties; (iii) shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns; (iv) may be executed in counterparts; and (v) may be executed by facsimile signatures. This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Maine. Any notice by either party to the other party shall be in writing and shall be deemed to have been duly given when either delivered personally, or mailed by certified mail, return receipt requested, or sent by nationally recognized overnight courier, or sent by facsimile, or sent by e-mail addressed to Seller, at Portland City Hall, 389 Congress Street, Portland, Me 04101, Attn: City Manager facsimile 207-874-8669, email: pfinnigan@portlandmaine.gov, with a copy to , the Director of Economic Development facsimile 207-756-8217, email: gmitchell@portlandmaine.gov, and another copy to Corporation Counsel, at the same address (facsimile 207-874-8497), email: gary@portlandmaine.gov; and to Buyer c/o The Federated Companies, 404 Washington Ave, Floor 8, Miami Beach, FL 33139, Attn: Jonathan Cox, facsimile (800) 523-5931, email: j_cox@federatedcompanies.com with a copy to Marc Shandler, Esq., The Federated Companies, 404 Washington Ave, Floor 8, Miami Beach, FL 33139, facsimile (800) 523-5931, email: m_shandler@federatedcompanies.com.

In the event any one or more of the provisions contained in this Agreement shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Agreement.

The term "Effective Date" as used in this Agreement shall mean the first date upon which both Buyer and Seller have executed a final counterpart of this Agreement and delivered the same to the other party.

The term "day" or "days" as it relates to a time or timeline for performance shall mean business days and shall not include weekends or state or federal holidays.

Buyer shall be entitled without Seller's consent to assign all of its right, title and interest in and to this Agreement to any primary lender or to any entity in which Buyer maintains a controlling interest. Buyer shall also be entitled with Seller's consent, which shall not be unreasonably withheld, to assign all or part of its right, title and interest in and to this Agreement to any other entity. Buyer may also take title in the name of a nominee at the closing in which case the nominee shall be subject to all obligations of Buyer under this Agreement, and all rights of Seller. If the end of any time period herein, or if any specified date, falls on a weekend or state or federal holiday, then the end of such time period, or such date, as the case may be, shall be extended to the next business day thereafter. At the request of either party, Buyer and Seller agree to reasonably cooperate with the

other and Escrow Agent in structuring and documenting the sale of the Property to effect a tax deferred exchange in accordance with the provisions of Section 1031 of the Internal Revenue Code and its corresponding regulations. Such cooperation shall be at no cost to the other party. In no event shall such cooperation require a delay of the Closing. The Section headings as used in this Agreement are for convenience or reference only and shall not be deemed to vary the content of this Agreement.

Section 14. Escrow Provisions. As an inducement to Escrow Agent to act as escrow agent, Buyer and Seller agree that: (a) Escrow Agent will hold the Deposit in an interest-bearing account at a banking institution with which Escrow Agent has an established banking relationship, and such interest shall follow the disposition of the Deposit in accordance with the terms of this Agreement; (b) the Escrow Agent shall disburse the Deposit (and the interest earned thereon) only in accordance with this Agreement; (c) Escrow Agent will not be liable for any error or judgment, or for any act or omission under this Agreement made in good faith, except for Escrow Agent's own gross negligence or willful misconduct; (d) Buyer and Seller will jointly and severally indemnify and hold harmless Escrow Agent from and against any claim, costs, damages, attorneys' fees, expenses, obligations, or charges made against Escrow Agent by reason of its action or failure to act in connection with any of the transactions contemplated by this Agreement, unless caused by Escrow Agent's gross negligence or willful misconduct; (e) Escrow Agent will have no liability for any claim, costs, damage, attorneys' fees, expenses, obligations, or charges resulting from a delay in the electronic wire transfer of funds, unless such matters arise as a result of Escrow Agent's gross negligence or willful misconduct; and (f) in the event Escrow Agent receives or becomes aware of conflicting instructions, demands, or claims with respect to this Agreement or the Deposit, Escrow Agent may file a suit in interpleader, and upon the filing of such suit in interpleader and placing of the Deposit with a court of competent jurisdiction, Escrow Agent shall be fully released and discharged from all further obligations imposed by this Agreement with respect to the Deposit.

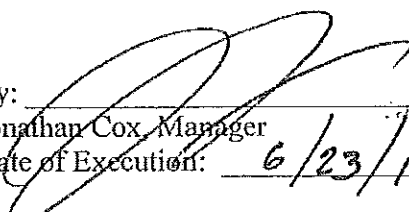
Section 15. Right of Seller to Repurchase the Property. If construction activity is not commenced and diligently pursued on any or all lots within two years of the date of receipt by the Buyer of final site plan approval, the Seller shall have the right, but not the obligation, to repurchase said lots at Buyer's purchase price

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year set forth next to their respective signatures below.

[Signature page to follow]

PURCHASER:

The Federated Companies LLC

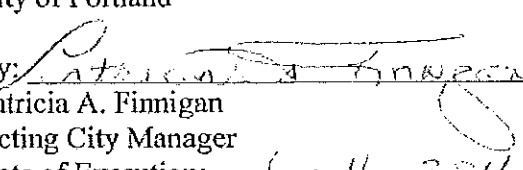
By: 

Jonathan Cox, Manager

Date of Execution: 6/23/11

SELLER:

City of Portland

By: 

Patricia A. Finnigan

Acting City Manager

Date of Execution: 6.16.2011

JOINDER OF ESCROW AGENT

Escrow Agent joins in the execution of this Agreement to acknowledge its agreement to act as escrow agent hereunder and to handle the Deposit in accordance with the terms and conditions set forth herein.

ESCROW AGENT:

By: _____

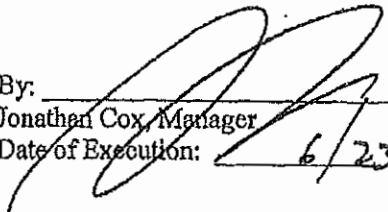
Name: _____

Title: _____

Date: _____

PURCHASER:

The Federated Companies LLC

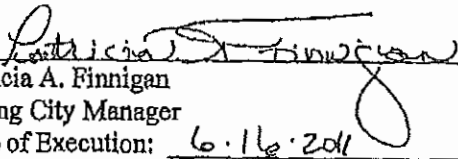
By: 

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Date of Execution: 6/23/11

SELLER:

City of Portland

By: 

Patricia A. Finnigan

Acting City Manager

Date of Execution: 6.16.2011

JOINDER OF ESCROW AGENT

Escrow Agent joins in the execution of this Agreement to acknowledge its agreement to act as escrow agent hereunder and to handle the Deposit in accordance with the terms and conditions set forth herein.

ESCROW AGENT:

Monument Title Company

By: 

Name: Karen L. Pelletier

Title: Managing Director/Exec VP

Date: July 1, 2011

EXHIBITS

A - Description of Land

A-1 Proposed Somerset Street Subdivison plan, showing possible trail access

B -- index of environmental studies

EXHIBIT A

Description of Land Being Purchased:

Lots 1,2, 3, 5, 6, 7 and 8 as shown on a subdivision plan entitled "Bayside Railyard Portland, Maine" prepared for the Downtown Portland Corporation by SGC Engineering, LLC as approved by the Portland Planning Board on December 9, 2008 and recorded in the Cumberland County Registry of Deeds on 1/27/09 in Book 209, Page 36.

Exhibit B

List of Bayside Rail Yard Related Environmental Reports

Site Assessment and Environmental Analysis: Phase I of the Portland Brownfields Project, Portland, Maine, Tewhey Associates, April 1999

Environmental Remediation Plan, Phase III of the Portland Brownfields Project, Portland, Maine, Tewhey Associates, Nov. 1998

Phase II Environmental Site Assessment, Union Branch Rail Line Property, Portland, Maine, Haley & Aldrich, Inc. Dec. 2000

Environmental Conditions at the Proposed DHS Building Land annex, Portland, Maine, Tewhey Associates, August 2003

Tewhey Associates Memo from J. Tewhey to M. Adelson of the City of Portland Re: Results of Testing of Excavated Soil at the Former Rail Yard Site in Bayside, Tewhey Associates, December 13, 2003

Subsurface Soil Observations and Testing at Northern End of Proposed Chestnut Street Extension, Tewhey Associates, Jan 2005

Phase I Environmental Site Assessment, Rail Yard Subdivision Lots 1,2,3,4 and 9 Somerset Street, Portland, Maine, Tewhey Associates, Dec. 2008

VRAP Completion Document, Bayside Trail Project, Former Union Branch Rail Line, Portland, Maine, Tewhey Associates, August 2010

Bayside Rail Yard DEP VRAP, July 2001

Bayside Rail yard DEP VRAP, November 2008

Chestnut Street Extension DEP VRAP, May 2005

DHS Annex Property DEP VRAP Certification, April 2004

Soil Remediation Consideration, Tewhey Associates, January 2002

Stockpiled Group 2 Soils at Brownfields Property Site, June 2005

NEMR Concrete Pad Sampling, September 2008

NEMR Phase I Environmental Site Assessment, February 2009

NEMR Phase II Soil Investigation, February 2007

NEMR Phase II Soil Investigation, July 2009

September 6, 2012 by LCW

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EXHIBIT "B"
TO FIRST AMENDMENT TO
PURCHASE AND SALE AGREEMENT

[insert Environmental Studies]

Exhibit B

List of Bayside Rail Yard Related Environmental Reports

Site Assessment and Environmental Analysis: Phase I of the Portland Brownfields Project, Portland, Maine, Tewhey Associates, April 1999

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September 6, 2012 by LCW

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Amended Exhibit ~~A~~^S to the Purchase and Sale Agreement
[2012]
Description of the Land Being Purchased

Lots 1, 2, 3, 5, 6, 7, 8 and a portion of Lot 9 as shown on a subdivision plan entitled "Bayside Railyard, Portland, Maine" prepared for Downtown Portland Corporation by SGC Engineering, LLC as approved by the Portland Planning Board on December 9, 2008, and recorded in the Cumberland County Registry of Deeds in on January 27, 2009, in Plan Book 209, Page 36; the portion of Lot 9 included is that portion which is within 120 feet of northwesterly sideline of Somerset Street.

September 6, 2012 by LCW

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EXHIBIT 3

[Parking Garage Agreement]

PARKING GARAGE CONTRIBUTION AND FUNDING AGREEMENT

This Parking Contribution and Funding Agreement (the "Parking Garage Agreement") is made this 15th day of October, 2012, by and between the **CITY OF PORTLAND, MAINE**, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine (hereinafter "City") and **LEGACY PARK APARTMENTS LLC**, a Florida limited liability company with a place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131 (hereinafter "Legacy Park").

WHEREAS Legacy Park is the assignee, by virtue of an Assignment and Assumption Agreement effective June 27, 2011, ("Assignment"), of a Purchase and Sale Agreement between The City of Portland, Maine, ("City"), effective June 23, 2011, ("Agreement"), for the purchase of certain blighted and brownfield real property located on Somerset Street, Portland, Maine known as Lots 1, 2, 3, 5, 6, 7, 8 and a portion of Lot 9, (collectively, "the Land"), consisting of approximately 3.25 acres formerly known as the "Bayside Railyard";

WHEREAS City, in order to create jobs and economic growth for the Citizens of Portland, Maine, has agreed to make a \$9,007,000.00 contribution, ("City Grant Funds"), to Legacy Park from funds being provided to the City by the U.S. Department of Housing and Urban Development pursuant to the Bayside Redevelopment Project, Maine BEDI Grant and Section 108 Loan Program, ("HUD Funds"), toward the expense of the construction of a garage, with no fewer than 700 parking spaces and at least thirty thousand square feet of retail space on the first floor on a portion of Lot 5 and all of Lots 6 and 7 and a portion of Lot 9, ("Garage");

WHEREAS Section 11 of the Agreement requires City and Legacy Park to enter into a formal Parking Garage Agreement stipulating the terms and conditions of the contribution of the City Grant Funds to Legacy Park for the construction of the Garage.

NOW THEREFORE, in consideration of the foregoing and for good and valuable consideration the parties covenant and agree in this Parking Garage Agreement as follows:

1. Garage Construction. Subject to the terms and conditions of this Parking Garage Agreement and the City contributing City Grant Funds as described below, Legacy Park or its nominee shall construct the Garage in the location depicted on the plan attached hereto and incorporated herein by reference as Exhibit "A". The Garage shall have reached "Start-up Phase" as defined below within two (2) years after the date on which a total of \$1,000,000.00 in City Grant Funds has been requisitioned by Legacy Park and disbursed by the City to Legacy Park. Notwithstanding the above, Legacy Park will diligently work to have constructed a sufficient percentage of the Garage so as to permit Legacy Park to requisition the City Grant Funds in full by November 31, 2014, so as to allow full disbursement of the City Grant Funds by December 31, 2014. If Legacy Park informs the City, in good faith, before October 1, 2014 that Legacy Park will not meet this requisition timetable, with evidence and reasons for this, the City will use its best

efforts to obtain an extension of this disbursement deadline for the HUD Funds from HUD, and if it obtains such an extension, it shall immediately transmit to Legacy Park evidence of this extension by HUD, and this timetable shall thereby be correspondingly changed, without further action of the parties hereto being required.

Legacy Park shall construct the Garage and any attached structures or units designed for non-garage use using sustainable and energy efficient construction methods, including, but not limited to, energy efficient lighting.

2. City Grant Funds. The City shall provide a grant to Legacy Park or its nominee of Nine Million Seven Thousand Dollars (\$9,007,000.00) in City Grant Funds for use by Legacy Park for the City Grant Funds Uses as defined below. This funding is being provided in part as an incentive to build the Garage which would otherwise not be commercially viable. Accordingly, the City agrees that the first \$9,007,000.00 of City Grant Funds Uses, disbursed in accordance with this Parking Garage Agreement, shall be City Grant Funds, but subject to and less the retainage described below. The City Grant Funds may be used for all purposes related to the Garage allowed with such HUD Funds, including but not limited to design, planning, permitting, environmental testing and remediation, and construction ("City Grant Funds Uses").
3. Legacy Park Contribution. Following the disbursement of City Grant Funds, less the retainage, Legacy Park shall provide sufficient additional funds for completion of the construction of the Garage, ("Legacy Park Contribution"). The Legacy Park Contribution shall either come from its own equity or financing from a construction lender. The Legacy Park Contribution, in addition to the City Grant Funds will cover the complete cost of constructing the Garage to completion.
4. Procedures for Making Disbursements (Payments). With respect to all requisitions for disbursements of the City Grant Funds, the City and Legacy Park agree as follows:
 - (a) Legacy Park shall deliver to the City a written request for payment (a "Requisition") which shall be in substantially the same form as AIA Forms G702 and G703. The Requisition shall be accompanied by: (i) a summary of all expenses requested, (ii) copies of invoices, bills, receipts and such other information as may be reasonable to document the expenditures described in the Requisition, (iii) mechanics' lien affidavits and/or written lien waivers from such contractors, laborers, subcontractors and materialmen for work done and materials supplied which were paid for pursuant to the immediately preceding Requisition, and (iv) a certified payroll in conformance with the requirements of the Davis-Bacon Act of 1931, as amended, for all contractors and subcontractors on site and for which invoices are included.

- (b) Requisitions shall be submitted by Legacy Park no more frequently than monthly. Prior to the disbursement by the City of any requested Requisition, City's construction inspector shall certify to City that the work for which a Requisition has been submitted has been completed and the City's Housing and Neighborhood Services staff will verify all workers are being paid the prevailing wage.
- (c) A copy of the construction schedule will be submitted to the City at the beginning of the project. Updates will be provided by Legacy Park as necessary to remain accurate.
- (d) City shall make disbursements to Legacy Park only after such certification and verification, and with a certified payroll, all the same must be correct and complete. Each Requisition for disbursement shall be submitted at least five (5) days before the date for which the disbursement is requested, and the City shall make such advancement no later than fifteen (15) days after receipt of each Requisition to make such disbursement. If the City fails to make any disbursement within fifteen (15) calendar days after such requisition with all required and correct and complete paperwork as delineated in this Parking Garage Agreement, such disbursement shall be paid with interest at a rate of one-quarter of one percent per month, from that date until the disbursement is in fact made ("Interest For Late Payment"). If any such Interest For Late Payment is owed then such amount shall be in addition to the City Grant Funds.
- (e) City shall retain ten percent (10%) of the City Grant Funds as retainage, which shall be disbursed to Legacy Park upon receipt of the Certificate of Occupancy for the Garage or as mutually agreed upon between the City and Legacy Park.

5. Garage Operations.

- (a) Key Card. The Garage shall be equipped with a "key card" system (or its equivalent) whereby weekly, monthly or longer term users shall have 24-hour access to the Garage 7 days a week, it being understood that certain users may only have access at certain hours based on contractual agreements with the owners of Garage. Legacy Park shall make the Garage available for public (hourly access) use during the "Start-Up Phase" at such times as established by Legacy Park during reasonable commercial business hours, which shall at a minimum be from 7 a.m. to 7 p.m., Monday through Saturday, and 10 a.m. to 7 p.m., Sundays and Holidays. The expression "Start-Up Phase" shall mean that period commencing when the Garage receives a Certificate of Occupancy allowing operation of the parking garage portion of the Garage facility and ending the date when the first other building (and not merely the retail portion within the parking garage structure) within the Project is issued a Certificate of Occupancy and that building starts using parking in the Garage. During and after

the Start-Up Phase the Garage shall be open during reasonable hours, seven days per week, subject to modification from time to time by Legacy Park based on historical and projected volume of usage.

(b) Additional Requirements:

(i) Hourly and monthly rates for the Garage shall be based upon prevailing market rates, defined as follows: in no event shall rates be greater than 110% of the average market rates charged by City at City-owned and operated garages or the average of the three highest rates charged by garages within the City, excluding any garages that may be owned by Legacy Park or any of its affiliates;

(ii) The Garage shall participate in the Park and Shop Program;

(iii) The Garage shall be available for City snow ban parking, and the overnight (i.e. 5:00 p.m. to 8:00 a.m.) snow ban parking rate per hour shall not exceed three times the then-current maximum hourly rate charged by the Garage;

(iv) Upon written request of the City in each such instance, the Garage shall be available at customary rates for parking for special events held on the Portland Peninsula after 5:30 pm on weekdays and if requested, at requested reasonable times on weekends.

(v) The Garage shall have shared use with the public 7 days a week, 24 hours per day.

(vi) The Garage shall provide a minimum of 200 hourly turnover parking to the general public, and will provide within 2 days upon request data and information, including the number of non-turnover parkers present in the Garage at any given time, in order for the City to verify compliance with this condition.

(vii) The Garage will accept both cash and credit card payments.

(viii) The Garage will be maintained so long as it is a public parking facility, in accordance with the then current edition of the National Parking Association's "Parking Garage Maintenance Manual (now in its Fourth Edition) , and in particular in accordance with the Recommended Maintenance Checklist contained therein.

(c) The Garage will remain a public parking facility for a minimum of thirty (30) years.

These requirements (a) through (c) shall be a covenant contained in the deed to Lots 6 and 7 and the covenant shall run with the Land for the stated thirty (30) year period from the date of

conveyance of Lots 6 and 7 from the City to Legacy Park and thereafter shall automatically expire.

7. Payments in Lieu of Taxes. In consideration of the City Grant Funds paid to Legacy Park by the City, Legacy Park agrees, for itself and its successors, assigns and lessees for a period of thirty (30) years starting on the closing date of the purchase of the Land, that in the event that any portion of the Land is ever exempt from real or personal property tax, then a yearly payment by the then owner of the exempt portion shall be made in lieu of taxes equivalent to the property taxes that would otherwise be paid on the exempt portion of the real and personal property situated on the property. This requirement shall be a covenant contained in the deed to the Land and the covenant shall run with the land for the stated thirty (30) year period.

8. Compliance with HUD requirements.

(a) Job Creation. HUD regulations require that the City, as the original grantee of the HUD Funds, document all jobs created through the use of HUD Funds disbursed to Legacy Park as City Grant Funds. Legacy Park recognizes that one of the primary goals of City's contribution of the City Grant Funds is the creation of jobs, and Legacy Park agrees to create the required number of jobs necessary for the City's use of the HUD Funds and to provide City with timely and complete documentation of all jobs created or caused to be created as a result of receiving the City Grant Funds, and requirements related to job creation shall be contained in a Job Creation Agreement to be entered into between the parties.

(b) Section 108 Compliance. Legacy Park, its employees, assigns, agents and subcontractors for this project, at all times shall comply with the requirements of the Section 108 Loan Guarantee and Brownfields Economic Development Initiative Grant program and Federal Labor Standards pursuant to Davis Bacon and related Acts, specifically including:

A. Davis-Bacon Act, as amended. (40 U.S.C 276a - 276a-5.) All laborers and mechanics employed by contractors or subcontractors, including employees of other governments, on construction work assisted under this contract, and subject to the provisions of the federal acts and regulations listed in this paragraph, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

B. Contract Work Hours and Safety Standards Act, as amended. (40 U.S.C. 327-333). All laborers and mechanics employed by contractors or subcontractors shall receive overtime compensation in accordance with

and subject to the provisions of the Contract Work Hours and Safety Standards Act, and the contractors and subcontractors shall comply with all regulations issued pursuant to these acts and with other applicable Federal laws and regulations pertaining to labor standards.

C. Copeland Anti-Kickback Act, as amended. (18 U.S.C. 874 and 40 U.S.C. 276c). This Act requires that workers be paid at least once a week, and without any deductions or rebates except permissible deductions.

9. Default. In the event that Legacy Park is in default of a material provision on any of the obligations contained in this Parking Garage Agreement, and Legacy Park fails to cure said default within ninety (90) days of receipt of written notice issued by the City, then Legacy Park shall, if requested to do so by the City, convey to the City the Garage and the related real property, on these terms and conditions:

- This conveyance to the City shall be without the requirement of further legal action by the City.
- The cost to the City for this purchase will, in concept, be the sum of the cost of construction of the Garage and all related improvements associated with the Garage, plus the cost to the cost to Legacy Park for the related land upon which the Garage sits (the "Garage Land"), less the amount of the City Grant Funds actually disbursed up to the time of this purchase.
- The City acknowledges that Legacy Park will most likely use the Garage and the Garage Land as collateral for a construction loan for the purpose of finishing the construction of the Garage and other costs and improvements related to the project. The City therefore agrees to work on documents at the time of such financing, with Legacy Park and its construction lender, to make it possible for the City to have the remedy described above in concept, and to also permit such construction financing.

The City agrees that Legacy Park's obligations under this Parking Garage Agreement are "non-recourse" and that any recovery by the City shall be limited to the Garage. None of Legacy Park, its officers, members, employees, attorneys, agents or affiliates (collectively, "Legacy Park Persons") shall be personally liable for the performance of this Parking Garage Agreement, and the City shall not commence or prosecute any action against any Legacy Park Person, for payment or performance of any obligations under this Parking Garage Agreement. The City shall not seek, obtain, or enforce a deficiency judgment against any Legacy Park Person. Notwithstanding this provision, the rights and obligations under the Agreement between the parties and the Corporate Guaranty Agreement of near or even date are cumulative and in addition to the rights described herein.

In the event of an alleged default by the City, Legacy Park, at its sole election, shall have the right to seek specific performance and any and all other relief to be provided

by a Court, at law or in equity, including, but not limited to, common law writs. City expressly consents to the jurisdiction of the Maine Courts in the event of an alleged City breach under this Parking Garage Agreement.

10. Assignment. Legacy Park shall be entitled, without the City's consent, to assign all of its right, title, interest and obligations in and to this Parking Garage Agreement to any lender or to any entity in which Legacy Park maintains a majority interest and management control. The City must be notified within thirty (30) days or Legacy Park will be in default of this Parking Garage Agreement as described in Section 9 of this Agreement.
11. Termination. In the event that the Parking Garage Agreement is terminated on account of Legacy Park's default, the obligation of the City to provide the City Grant Funds described herein is terminated.
12. Miscellaneous Provisions. In the event of litigation, the prevailing party shall be entitled to receive its reasonable legal fees and court costs from the other party. This provision shall survive the Closing and delivery of the Deed pursuant to the Agreement.
13. Entire Agreement. This Parking Garage Agreement (i) constitutes the entire agreement between the parties hereto with respect to the construction and operation of the Garage and it supersedes all prior discussions, undertakings or agreements between the parties in respect to the Garage; (ii) shall not be modified except by a written agreement executed by both parties; (iii) shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns; (iv) may be executed in counterparts; and (v) may be executed by facsimile signatures. This Parking Garage Agreement shall not confer any rights or remedies upon any third-party other than the parties to this Parking Garage Agreement and their respective successors and permitted assigns.
14. Notices. Any notice by either party to the other party shall be in writing and shall be deemed to have been duly given when either delivered personally, or mailed by certified mail, return receipt requested, or sent by nationally recognized overnight courier, or sent by facsimile, or sent by e-mail addressed to the City at Portland City Hall, 389 Congress Street, Portland, Maine 04101, Attn: City Manager facsimile 207-874-8669, email: MHR@portlandmaine.gov, with a copy to, the Director of Economic Development, facsimile 207-756-8217, email: gmitchell@portlandmaine.gov, and another copy to Corporation Counsel, at the same address, facsimile 207-874-8497, email: gary@portlandmaine.gov, and to Buyer c/o The Federated Companies, 801 Brickell Avenue, Suite 720, Miami, Florida 33131, Attn: Jonathan Cox, facsimile (800) 523-5931, email: j_cox@federatedcompanies.com
15. Severability. In the event any one or more of the provisions contained in this Parking Garage Agreement shall be for any reason held invalid, illegal or unenforceable in any

September 6, 2012, 2012 by LCW

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respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Parking Garage Agreement, and this Parking Garage Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Parking Garage Agreement.

In Witness Whereof, the parties have hereunto executed this Parking Garage Agreement as of the day and year set forth next to their respective signatures below.

LEGACY PARK APARTMENTS LLC



By: Jonathan Cox

Its: Member

Date of Execution: 10/15/12

CITY OF PORTLAND



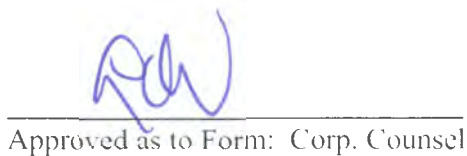
By: Mark Rees

Its: City Manager

Date of Execution: 10-15-12



Approved: Ellen Sanborn, Finance Director



Approved as to Form: Corp. Counsel

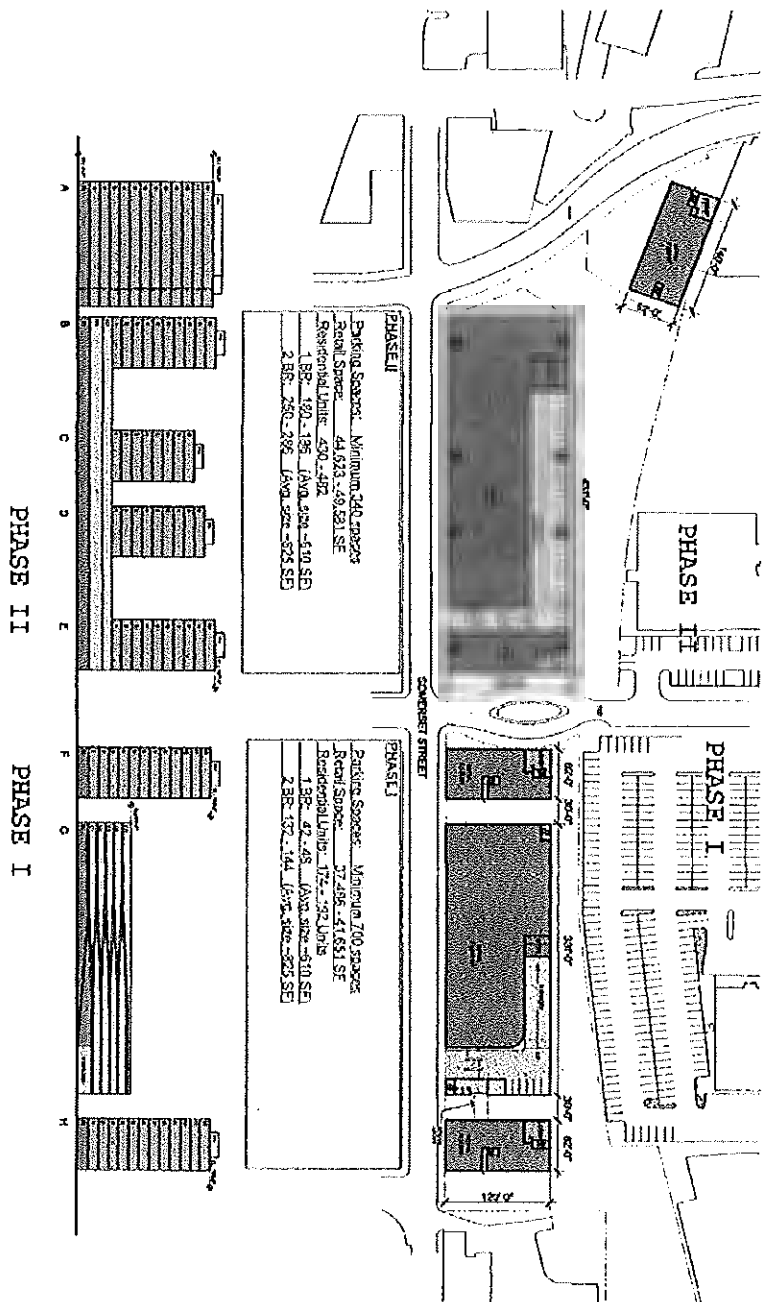
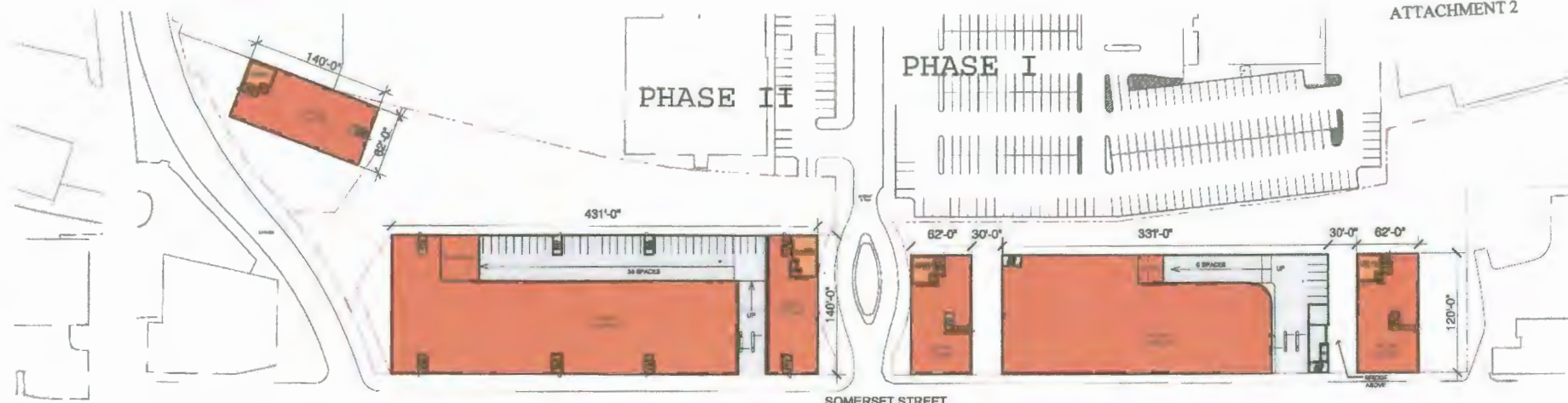


Exhibit A

September 6, 2012 by LCW

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EXHIBIT 4 (part 1 of 3)
[Phase I Site Plan]

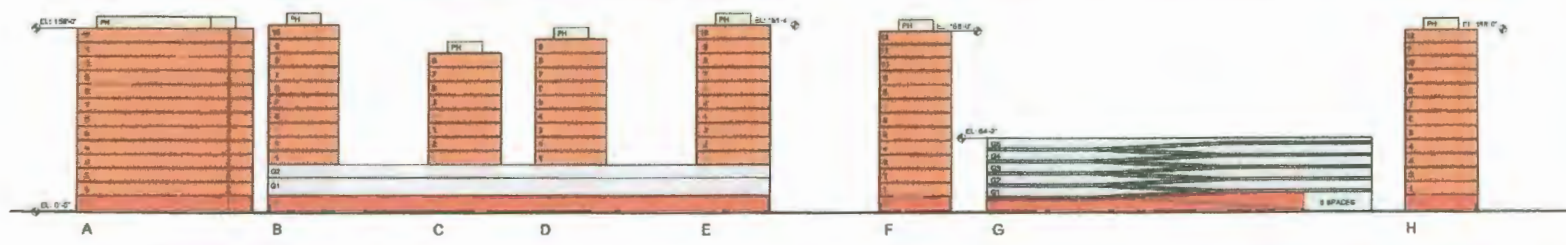


PHASE II

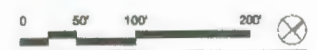
Parking Spaces: Minimum 340 spaces
 Retail Space: 44,623 - 49,581 SF
 Residential Units: 430 - 482
 1 BR: 180 - 196 (Avg. size ~610 SF)
 2 BR: 250 - 286 (Avg. size ~825 SF)

PHASE I

Parking Spaces: Minimum 700 spaces
 Retail Space: 37,486 - 41,651 SF
 Residential Units: 174 - 192 Units
 1 BR: 42 - 48 (Avg. size ~610 SF)
 2 BR: 132 - 144 (Avg. size ~825 SF)



PHASE II PHASE I



BAYSIDE DEVELOPMENT
 PORTLAND | MAINE

SITE DIAGRAM - GROUND FLOOR
 JULY 23, 2012
 SCALE: 1" = 100'-0"

EXHIBIT 4 (part 2 of 3)

[Phase I Design Guidelines]

1. Introduction

The emphasis of the Guidelines is on the public spaces. The goal of the Guidelines is to provide high quality, attractive and active spaces that employ contemporary techniques but connect to the unique history of the site and Portland, ME as a whole. To this end, the Guidelines are focused on the impact of buildings on the public environment. These Guidelines seek to create spaces, not projects. The goal is to create an ever-changing, lively atmosphere with visual appeal throughout (this is not a traditional business or residential district). The focus is on the pedestrian to provide a human scale, good way finding, and a comfortable walking environment. The Guidelines are also intended to create visual interest from near and far. Up close, ground level design standards produce comfortable, inviting, and stimulating environments. From afar, a variable skyline of roof edges, vertical shafts, and signage create interest.

2. Use

2.1 Active Ground Floor Uses

Active uses that engage pedestrians shall be located along all street frontages. Ground level land uses shall be established and designed to animate public sidewalks, the wharf and alleys/mews to provide visual appeal. In required active ground floor areas, the following uses are acceptable:

- Commercial uses, such as retail stores, retail service establishments, food and beverage establishments; and/or entertainment facilities, and
- Lobbies for above grade uses such as office, residential, and hotel with an emphasis on high quality design, visual transparency, and where possible, uses that engage the street.

3. Massing

The Guidelines describe the overarching design principles for all future construction in the Project Area. The Guidelines define the intended quality, characteristics and coherence of the urban elements, which regulate how the site shall be used for civic and commercial purposes. The Guidelines define building mass, street wall heights, and façade articulation necessary to create a lively urban waterfront environment.

Building setbacks above the lower levels should be employed to help limit the perceived mass of the structure and to insure that buildings maintain a human scale and a consistent street wall throughout. Setbacks for upper stories may vary in accordance with the Master Development Plan.

The buildings will have three basic components: base; middle; and top. The base will be designed in a scale and articulation that is related directly to the pedestrian. The middle portion of the building will provide scale to the buildings both horizontally and vertically. And finally, the top will be designed in a manner to provide unique articulation that visually terminates the top of the building.

3.1 Build-to-Lines

Street walls on public rights-of-way are encouraged to vary in height and express distinguishable facade types to evoke multiple buildings/uses. A minimum of 75% of the lineal length of the mandatory building frontage shall be set at the parcel boundary line or within 10 feet there from. The first two stories of a building are required to be set at this mandatory front parcel line. Variation in street wall facades is encouraged along upper levels and roof lines. In areas where active ground floor uses are required, building entrances should be located at least every 75 feet (preferably every 30-35 feet).

The character and scale of facades forming the street wall may involve the combined use of traditional and innovative materials to express a transition from a historical era to a more modern era design vernacular. The character, height and massing of street walls should include:

- Commercial uses, such as retail stores, retail service establishments, food and beverage establishments; and/or entertainment facilities, and
- Define a continuous street and highly articulated building by building wall mass along all build-to lines (i.e., zero front yard setbacks along public rights of way)
- Encourage projections, canopies, signage, lighting, and variation of building size
- Discourage projecting balconies
- Encourage balconies recessed within or integral with the façade wall where balconies are proposed.
- Encourage articulation of the façade that could include changing design treatment and/or materials to reduce the apparent mass of long building facades.

Encroachments on the sidewalk will be designed to encourage pedestrian activity and will be human scale. The encroachment will not impede the visual.

4.0 Circulation & Service.

Streetscapes in the Project Area are meant to be pedestrian friendly environments, featuring a consistent pallet of signage, lighting, paving, and furniture. Streets should be well lit, active, human scaled, and feel safe day and night.

The City's streetscape standards will be used for public sidewalks, streetlights, street furniture, fencing and walls, landscaping and signage in order to create a unified image of the neighborhood.

Street lighting shall comply with the *Technical and Design Standards and Guidelines*.

4.1 Parking

The provision of off-street parking within the Project Area will be as set forth in the approved planned unit development.

Parking structures will be designed to be compatible and integral to adjacent architecture in form, bulk, massing, articulation, and materials; incorporating design elements that provide visual interest on all sides visible from public rights of way.

Parking structures will be designed above grade and in a way to provide natural ventilation.

The entrance to parking structures will minimize impact on the pedestrian realm and be designed to maximize driver and pedestrian safety.

4.2 Refuse Collection

Refuse collection areas and dumpster locations shall be fully enclosed within portions of principal buildings for which they proposed to serve and shall be screened from view so as not to affect other views from around the site.

5. Architectural Features

Design references to Portland's are encouraged. The design of new buildings and structures should be timeless and enduring, seeking inspiration from the rich industrial and architectural precedents of Portland's downtown and waterfront and should seek to uphold its strong history.

5.1 Edges

Special care and design attention along with more decorative treatment and materials are desired for all edges of buildings. These are the most visible part of the urban scene. Edges include roof lines, canopies, cornices, and more prominent window openings and entrances.

5.2 Bases

Buildings should be articulated to respond to individual users. The diversity of storefront articulation will break down the scale of the overall project and street wall. The first level of buildings should be articulated by material change to express a building base and use other elements such as color, design detail, smaller scale, and higher quality materials to provide visual interest. Building ground floor bases, typically 25'x40', should emphasize the ground floor activity and provide the highest quality of pedestrian environment.

5.3 Storefront and Retail Facades

See Article 9.

5.4 Corners

Corners are particularly visible and are suggested to be made more noticeable. Changes in orientation, shapes, additional materials, colors, and projections are all favored means of adding special visual appeal to interesting streets, wharf, and public spaces.

5.5 Cornices

A crowning projection, or cornice, shall be encouraged at the top of a building along the street wall (top of the building for those under 60', and at the setback for those over). These elements can be very modest in detail.

5.6 Appurtenances

Canopies, awnings, and marquees are permitted and encouraged as they provide weather protection and provide visual interest and delight to the streetscape environment. These elements are to be decorative and light weight. Variety and non-repetitive design are desired. Canopies can be constructed of a variety of materials including both fabric and metal. Fabric awnings can be retractable.

Lettering and logos are permitted on the valence flap of the awning but lettering is generally discouraged on the main body of the awning. It is desirable for these projecting elements to incorporate outdoor heating systems to lengthen the comfortable use of outdoor spaces.

Backlit awnings and canopies are expressly prohibited. Awnings and canopies may be lit from the exterior.

5.7 Skyline

A goal for the project is to create a varied and highly decorative skyline as seen from afar. The varied rooflines can be achieved by changing heights, also by varying roof types, roof angles, and the addition of vertical elements to contrast with the roofs.

Rooftop terrace structures shall not be enclosed and are not considered an additional building level. Rooftop terraces are encouraged to take advantage of views.

All exposed mechanical equipment and bulkheads shall be mounted on roofs. Equipment should be integrated into the roof design and screened in a method that is integral to the architectural design of the building and adds visual interest to the skyline. All venting of HVAC equipment shall occur on the interior of development parcels. All venting runs for cooking fans shall be fully enclosed and incorporated into the interior of proposed buildings and vented through the highest roof of the building podium.

5.8 Back Sides of Buildings.

The back sides of buildings will be designed with high quality facade materials, transparent windows, operable building entrances, and other design features consistent with the primary facades of the building. Utility meters, exhaust vents, fire escapes etc. will be designed in a manner to be unobtrusive.

6. Materials

6.1 Building Materials and Color

Use of innovative building technologies is encouraged throughout the project and should be contrasted with traditional building materials that reference Portland's history.

Recent innovations in building materials can showcase advancements in environmentally conscious design and provide a sense of excitement for project visitors.

New buildings shall be constructed with materials common throughout the Portland's downtown and waterfront rich architectural history. Use of materials such as brick, stone, steel and wood is required for the first 40 vertical feet of a building's base, especially on pedestrian-oriented street wall facades. The use of these high-quality materials is intended to convey a solid, lasting look. Buildings should employ industrial materials as a way of visually and conceptually evoking the industrial/working heritage of Portland's downtown and waterfront. These include timber, forged and cast metals as well as rough hewn stone and metal cables.

The use of cement fiber shingles, imitation stone, imitation brick, stucco or exterior insulation finish systems will be considered on any building façade above the first 40 vertical feet of the buildings.

Facade coloration shall be achieved by use of the inherent color of building materials rather than the application of color to the surface of materials. Paint should be reserved for trims and accents on metal, wood, cornices, frames and the like. Use of material's inherent color sets a standard of authenticity associated with industrial structures. Examples of this type of façade coloration desired are a variety of earth tones achieved through the use of unglazed brick, wood, concrete and steel.

Masonry facades shall include the use of stone as architectural accents for lintels, sills, copings and keystones. Foundation bases, sills and lintels shall to the greatest extent possible use local (within 500 mile radius) stone or limestone. Masonry finishes are encouraged to be natural rather than highly finished or polished.

6.2 Glass and Fenestration

The base of buildings should feature the use of glass for the first story to emphasize the importance of the ground level active use (only one level of active use is required). Glazing and openings shall promote a flexibility of ground floor uses and the potential for change over time. Proportion of glazing to overall wall area shall be a minimum of 75% on ground level street wall frontages facing public rights-of-way. The first floor windows and storefronts will be transparent with active uses visible behind them. Opaque glass shall not be used at the first floor level. Window openings shall express sills and headers of metal or stone. Storefronts should be integrated into the design and materials of the entire building. The storefront's bulkhead/knee wall should be constructed of a durable and evocative material. Transoms are encouraged for larger window units. In all building facades windows are encouraged to be set back from the wall surface a minimum of six inches from the surface of masonry to the glazing. Tinted or reflective glass will not be utilized.

Window proportions, groupings and rhythms shall be integral elements of the design of each building facade and urban street-wall. Punched windows are desired above the 2nd floor. Curtain walls are discouraged unless used to define a vertical corner or other discreet architectural emphasis. Glazing systems shall be designed to promote area-wide visibility, accessibility and safety during evening hours and during the winter season. Well designed fenestration patterns that evoke historic fenestration are preferred over attempts to replicate historic patterns.

7. Signage

Signage lighting should come from direct shielded light sources and be carefully integrated into the overall design of the building so as to provide visibility and safety but avoid creating glare or light distribution that adversely affects motorists or pedestrians. Backlit signage is generally discouraged.

Neon signs may be allowed so long as they are carefully designed in size, shape and color that complement the architecture of the building and the district.

8. Lighting

The vision for Bayside seeks a maximum amount of light that creates a variety of environments and experiences. Lighting should be used for artistic purposes and carefully integrated with the architecture and buildings, such as to accent edges.

The commercial buildings are intended to be inviting to the public, to encourage visitors to enter the site from the city streets, to shop at the retail stores and eat at the restaurants, and to generally stay longer and take full advantage of the waterfront area. Balanced against an appropriate level of street illumination, there is a need to limit light that is cast up and into upper floors of buildings or the atmosphere. Lighting fixtures should be scaled to the pedestrian and have a distinctive industrial character. Architectural accent lighting should highlight corners and roof edges.

Storefront lighting is one of the best sources of sidewalk lighting in urban areas. It is warm and welcoming, and contributes to a sense of activity and watchfulness. It also generally provides a greater amount of light directly onto the sidewalk than do street-level luminaries. Retail storefronts are an effective way to provide lighting from the buildings.

The first four feet inside any retail or restaurant establishment shall have decorative lighting, preferably with visible point sources. Occupancies on the first floor that do not have active, bright window displays shall be designed to provide visual articulation from lighting at no greater than 25 feet intervals. This can be accomplished in a variety of ways, such as:

- Decorative luminaries mounted to walls, posts, brackets, etc.
- Lighting surfaces, textures and objects such as pilasters, wall features, banners, sculptures, graphics, etc.
- Internally lighted glowing architectural or graphic elements such as glass block, display cases, signage panels, canopies, transparencies, etc.
- Lighting at entryways (especially if they are recessed).
- Lighting property addresses.

9. Retail

9.1 Retail Storefront Requirements

All buildings with retail on the first floor shall incorporate a traditional storefront design with a large display window or windows of clear glass, bulkheads, recessed entries (where appropriate), transom windows, and suitable locations for signs at their ground levels. Blank walls should be minimized and static displays (including photographs) will be discouraged in display windows. Modern and creative design solutions may be employed as long as the traditional storefront proportions are referenced. Multiple storefronts within the same building should be visually compatible in terms of scale, alignment, color and materials. The intent is to encourage creativity by individual retailers to add to the character and place making of Bayside.

9.1.1 Storefront Character

Storefronts should be individual expressions of a tenant's identity; however, tenants will be discouraged from using national brand standard storefronts and/or representations of their identity in an effort to create a retail environment that is uniquely Bayside. Storefronts should be integral to the building design but should also provide a distinct retail identity at the ground level.

9.1.2 Storefront Entries and Doors

Door placement and design are an integral part of each storefront, as they are the prevalent method of entry into each space. Placement and design should provide a direct "connection" to the sidewalks and streets. Restaurant tenants are encouraged to provide a clear thru-way and a visual connection to exterior seating areas, if any.

9.1.3 Storefront Materials

The design, fit, and finish of all components for each storefront should be of the highest quality. Additional focus should be on window design to create a visual connection between the interior and exterior. Durable materials should be utilized for storefront construction as these are especially critical at street level where pedestrian contact will be considerable. Storefronts should be pre-dominantly glass to provide views into the store, but glass should not be the exclusive material.

9.1.4 Storefront Lighting

Night lighting of retail will help animate Bayside, prolong street life after business hours, and increase pedestrian safety. Storefront facades, recessed doorways, outdoor spaces and passageways should be well lit. Sign lighting, including flat-mounted signs, blade and banner signs, must be lit with concealed lighting or from above with down-lighting. Fixtures should be located and angled to ensure that they spotlight the tenant's merchandise and do not point toward the window or cause distracting reflections. Include "after hour" lighting within the front of stores to contribute to pedestrian lighting and provide for a comfortable night time strolling experience.

9.1.5 Storefront Canopies and Awnings

Design and placement should complement the scale of the store facade design. Collective placement of canopies and/or awnings along a street should maintain overall design integrity and avoid a uniform layout providing weather protection at a minimum of 20 feet at all storefront and building entrances. Canopies shall be constructed of permanent, durable materials, with glass and steel preferred. Awning material should be of a woven fabric or other material that projects the natural appearance of canvas, metal, glass, etc. Retractable or open side awnings are acceptable. Vinyl awnings and internally lit awnings are not allowed.

9.1.6 Storefront Signage

Creativity in signage design is encouraged and adds to the ground level experience at Bayside. Non-descript box signs are discouraged.

10. Sustainability

The project will be designed in accordance with the energy standards of the building codes and using new sustainability construction practices.

EXHIBIT 4 (part 3 of 3) **[Phase I Specifications Sheet]**

Standard Features

EXTERIOR FEATURES

- Pile / Grade Beam Foundation Construction
- Parapet roof design
- Multi-ply Insulated Roofing Membrane system
- Parking Garage access
- Direct access to ground floor retail
- Connecting walkways to Bayside trail
- Multi material exterior facade; brick, exterior insulated finish systems, glazing and metals

BATHROOMS

- 2- Bedroom Units shall have 2 baths; 1- Bedroom Units shall have 1 ½ baths
- Polished Brass/Chrome Fixtures & Accessories in Bathrooms
- Surface mount brushed nickel/brass vanity lights
- Half Baths/Powder rooms Pedestal Sink
- Full and ½ baths shall have White Laminate Cabinets and solid surface vanity tops with integral sink
- Baths shall have ceramic on floor and walls
- Elongated Commodes in all Baths
- Handicapped Units equipped per code
- Energy Star Rated Bathroom Fans per specification

KITCHEN

- Maple Cabinets with 30" – 42" Upper Wall Cabinets
- Premium grade Fornica Counter Tops with 3 ½" backsplash
- Single Bowl Stainless Steel Drop in Sink
- Garbage disposal
- Single Lever Polished Chrome Faucet with spray
- Energy Efficient Appliance Package to include: Dishwasher, Self-Cleaning Oven, Microwave with re-circulating exhaust fan, Side x Side Refrigerator
- Appliance Packages to be Profile or Stainless Steel
- Surface mount light in Kitchen and Dining areas

ENERGY EFFICIENCY

- Energy Star Forced Warm Air High Efficiency Electric Furnace with Central Air Conditioning per unit
- Energy Star Rated 45 Gallon Electric Hot Water Heater per unit
- Energy Star Rated Efficient Double Glazed Double Hung Vinyl Tilt Windows with Screens and Grilles
- Energy Star Rated Insulation in Attic ceiling areas and Interior Walls

FLOORING

- Vinyl Flooring in Foyer, Kitchen, Laundry and Baths
- Carpeting in Hallways, Bedrooms, Dining Room, Living Room and Closets

INTERIOR FEATURES

- Six Panel Masonite Interior Doors with Brushed Nickel/Brass Hardware
- All doors, windows and cased openings shall be trimmed with 2 ½" casing. Baseboard shall be 3 ¼"
- Walls are painted one prime and one matte flat finish Sherwin Williams Linen White; trim is painted one prime and two coats semi-gloss latex Sherwin Williams White. Ceilings are smooth finish and painted white
- Ventilated Shelving in closets
- Washer and Electric Dryer per unit
- Approximately 8' Ceiling Height on all levels
- Cable/Data/Telephone ports in all bedrooms and living areas
- Outlets per code

COMMON AREAS

- Vestibules and lobby areas shall have tile and carpet flooring and painted walls
- Common hallways shall have carpeting and painted walls
- Centralized elevator lobby location (pedestrian and service) per building
- Centralized mail center per building
- Fully furnished amenity areas
- Management/Leasing Office on-site
- Private ground floor door entry with security system

CONSTRUCTION FEATURES

- Type I Construction, steel and concrete frame
- Concrete/Metal decking Flooring system
- Panelized exterior wall system; EIFS, glazing, brick
- Concrete/Metal decking Flooring system
- Interior Walls and Ceilings are gypsum wall board per code
- Closed Loop Mechanical System
- 150 Amp Electrical Service per unit
- Hard wired smoke and heat detectors with battery backup and one combination smoke/carbon monoxide detector per code
- Ground Fault Interrupt (GFI) installed per code
- Fire Suppression designed per code
- STC Rating designed per code

August 20, 2012 by LCW

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EXHIBIT 5

[Job Creation Agreement]

JOB CREATION AGREEMENT

THIS JOB CREATION AGREEMENT made this 15th day of October between **LEGACY PARK APARTMENTS LLC**, a Florida limited liability company, with a principal place of business at 801 Brickell Avenue, Suite 720, Miami, Florida 33131, its nominee or assignee, ("Legacy Park"), and **CITY OF PORTLAND, MAINE** a municipal corporation located at 389 Congress Street, Portland, Maine 04101 ("City").

WHEREAS Legacy Park is the assignee, by virtue of an Assignment and Assumption Agreement effective June 27, 2011, ("Assignment"), of a Purchase and Sale Agreement between The City of Portland, Maine, ("City"), effective June 23, 2011, (collectively, "Agreement"), as amended, for the purchase of certain blighted and brownfield real property located on Somerset Street, Portland, Maine known as Lots 1, 2, 3, 5, 6, 7, 8 and a portion of Lot 9, (collectively, "the Land"), consisting of approximately 3.25 acres formerly known as the "Bayside Railyard";

WHEREAS City, in order to create jobs and economic growth for the Citizens of Portland, Maine, has agreed to make a \$9,007,000.00 contribution, ("City Grant Funds"), to Legacy Park from funds being provided to the City by the U.S. Department of Housing and Urban Development pursuant to the Bayside Redevelopment Project, Maine BEDI Grant and Section 108 Loan Program, ("HUD Funds"), toward the expense of the construction of a garage, with no fewer than 700 parking spaces and approximately thirty thousand square feet of commercial space on the first floor on a portion of Lot 5 and all of Lots 6 and 7 and a portion of Lot 9, ("Garage");

WHEREAS Section 11 of the Agreement requires Legacy Park to comply with all the terms and conditions related to the use of the HUD Funds contributed by the City as City Grant Funds to Legacy Park for the construction of the Garage related to providing documentation of job creation in accordance with the terms of this Job Creation Agreement.

NOW THEREFORE, in consideration of the foregoing and for good and valuable consideration the parties covenant and agree in this Job Creation Agreement as follows:

I. Job Creation Requirement:

- (a) Legacy Park shall create a minimum of 40 new¹ permanent, full-time or full-time equivalent jobs² in the Bayside neighborhood resulting from or related to the disbursement of the City Grant Funds for the construction of the Garage. ("Job Creation Requirement"). For the purpose of this Jobs Creation Agreement, Legacy Park may meet the Job Creation Requirement with jobs related to the operation of the Garage or jobs related to new or existing Bayside neighborhood business activity created or increased by the operation of the Garage. The new jobs may be, but are not required to be, employees of Legacy Park, or its lessees.

¹ In accord with HUD law and regulations, these must be new jobs, and not re-located jobs.

² Per currently applicable regulations, full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). An FTE can be defined as two part time jobs. Also or said another way, no more than two part-time jobs can equal one full-time job.

City agrees to assist Legacy Park with information required by Legacy Park to meet the Reporting Requirements of this Job Creation Agreement related to Job Creation Requirement. In particular, when 'countable' new jobs are created by businesses that are not lessees of Legacy Park, the City will use best efforts to assist Legacy Park to obtain the necessary documentation from such employers or otherwise, to 'count' these jobs to, in part, meet this Job Creation Requirement; Legacy Park, however, acknowledges that this Job Creation Requirement (and the related reporting) remains its obligation. The jobs must be created within two (2) years from the issuance of the Certificate of Occupancy for the Garage.

- (b) Legacy Park shall be deemed to have met the Job Creation Requirement and this Job Creation Agreement shall terminate upon submission to the City of a Position Summary Quarterly Report identifying the 40th full time or full time equivalent new job created in accordance with the provisions of Section I(a) of this Job Creation Agreement, and verification and approval of the same by the City.

2. Reporting Requirements:

Legacy Park shall submit a Position Summary Quarterly Report, (Attachment A), for all new jobs created under this Job Creation Agreement on a quarterly basis until the Job Creation Requirement is met:

- (a) total number of full time persons employed as a result of the completion of the Garage;
- (b) total number of part time persons employed as a result of the completion of the Garage; and
- (c) the employee name, job title, and average number of hours worked per week for the previous quarter.

AND EITHER (Choose 1 or 2 to be used for Legacy Park and it's Lessees reporting job creation):

- 1) Applicant/employer certifications (Attachment B) to be completed by all potential employees and the employer;

OR

- 2) A copy of the companies' payrolls. A baseline payroll must be submitted prior to the completion of the Garage.

- 3. Default. Legacy Park shall be deemed to be in default of this Job Creation Agreement if there is a failure to comply with any of the terms, conditions, provisions, or covenants of this Job Creation Agreement, or its obligations hereunder, including its obligation to meet

the Job Creation Requirement set forth herein. Any default will be considered a breach of this Job Creation Agreement and Section 9 of the Parking Garage Contribution Agreement. If Legacy Park informs the City, in good faith, at least 3 months before the deadline for its meeting this Job Creation Requirement that Legacy Park may not meet this deadline, with evidence and reasons for this, the City will use its best efforts to obtain an extension of this deadline from HUD or to otherwise change this requirement, such as a reduction in the number of required new jobs, and if it obtains such an extension or change, it shall immediately transmit to Legacy Park evidence of this extension or change by HUD, and this timetable shall thereby be correspondingly changed, without further action of the parties hereto being required.

4. Records. Legacy Park agrees to maintain a copy of all records related to the creation of jobs as required by this Job Creation Agreement for a period of four years after the creation of the 40th job. Legacy Park will, at any time during normal business hours, and as often as the City may deem necessary, permit the City, HUD or its designee to have full and free access to Legacy Park's records related to the new jobs identified in the Position Summary Quarterly Reports submitted under this Job Creation Agreement and to make copies of same at no cost or expense to the City. This right also extends to verification of the wages paid related to the new jobs. City agrees to review and maintain copies of such employment related records in complete confidentiality and in accordance with all State and Federal laws related to employment information and records.
5. Compliance with Laws and Regulations. Legacy Park, as the recipient City Grant Funds, shall comply with all applicable requirements of Federal laws related to the HUD Funds received by the City including, but not limited to, the applicable provisions of Title 24 Code of Federal Regulations, Section 570, state or local laws, regulations or ordinances and further agrees to abide by Title VIII of the Civil Rights Act of 1968 barring discrimination upon the basis of race, color, religion, familial status, sex or national origin, in the sale, lease, rental, use or occupancy of Legacy Park's property
6. Entire Agreement. This Job Creation Agreement and the Parking Garage Contribution Agreement constitute the entire agreement between the parties arising out of or related to Section 11 of the Agreement, as assigned and amended, and supersedes all prior representations and understandings of the parties. No modifications or amendments of the Job Creation Agreement shall be binding unless executed in writing by all the parties.
7. Waiver. No waiver of any of the provisions of this Job Creation Agreement shall be deemed, or shall constitute, a waiver of any other provisions, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.
8. Successors. This Job Creation Agreement shall be binding upon and shall inure to the benefit of, the parties, their respective personal representatives, heirs, successors and assigns.
9. Assignment. Legacy Park shall not have the right to assign this Job Creation Agreement, or any rights hereunder, to any person or entity without the express written consent of the City. Such consent by the City shall not be unreasonably withheld.

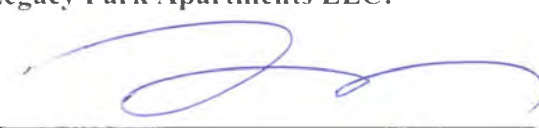
10. Governing Law. This Job Creation Agreement shall be governed by and construed in accordance with the State of Maine.
11. Notices. Any notice by either party to the other party shall be in writing and shall be deemed to have been duly given when either delivered personally, or mailed by certified mail, return receipt requested, or sent by nationally recognized overnight courier, or sent by facsimile, or sent by e-mail addressed to the City at Portland City Hall, 389 Congress Street, Portland, Maine 04101, Attn: City Manager facsimile 207-874-8669, email: MHR@a portlandmaine.gov, with a copy to, the Director of Economic Development, facsimile 207-756-8217, email: gmitchell@a portlandmaine.gov, and another copy to Corporation Counsel, at the same address, facsimile 207-874-8497), email: gary@a portlandmaine.gov , and to Buyer c/o The Federated Companies, 801 Brickell Avenue, Suite 720, Miami, Florida 33131, Attn: Jonathan Cox, facsimile (800) 523-5931, email: j_cox@a federatedcompanies.com.
12. Counterparts. This Job Creation Agreement may be executed in any number of counterparts, which together shall constitute one document.
13. Paragraph Headings. The paragraph headings hereof are for convenience only and shall not form a part of this Job Creation Agreement or be used in the interpretation hereof.

IN WITNESS WHEREOF, the parties have executed this Job Creation Agreement as of the date first written above.

Legacy Park Apartments LLC:



Witness

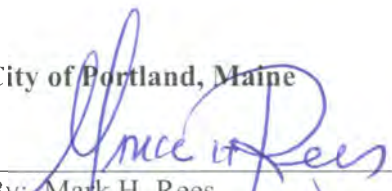


By: Jonathan Cox
Its: Member

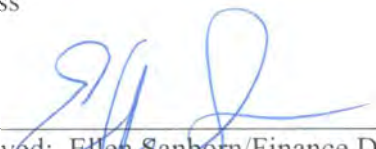


Witness

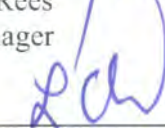
City of Portland, Maine



By: Mark H. Rees
Its: City Manager



Approved: Ellen Sanborn/Finance Director



Approved as to Form/Corp. Counsel

ATTACHMENT A

POSITION SUMMARY QUARTERLY REPORT

This report summarizes all the *new* employee information you have collected for new positions created since your last report. Please list all new employees hired. *Do not include new employees hired to fill job vacancies caused by an employee who left.* The report should be completed as of the last day of each quarter (March 31, June 30, September 30, and December 31) and submitted to avp@portlandmaine.gov by the 10th of the month following the quarterly period covered. The report is to be submitted by Legacy Park with either: 1) the Applicant/Employer Certifications (attachment B) or 2) a copy of the company's payroll, including all weeks in the quarter. If you decide to submit the company payrolls you will need to provide a baseline payroll prior to utilizing the garage. If you have any questions, please do not hesitate to call at 207-874-8731.

Date: _____

Company Name: _____

[illegible]

--	--	--

Number of Full Time Employees at End of Last Quarter _____

Number of Part Time Employees at End of Last Quarter _____

Number of New Full Time Positions Filled in this Quarter _____

Number of New Part Time Positions Filled in this Quarter _____

Total Full Time and Part Time Employees Ending this Quarter _____

(No more than two part time jobs can be added to create one full time equivalent.)

Employer Certification

To the best of my knowledge, I certify that the information contained in this position Summary Report is true and accurate.

Quarter Ending

Signature/Title

Date

Company

ATTACHMENT B
Applicant/Employer Certification

This employer has received funding from the City of Portland for business expansion that will create new jobs. The funding for this program comes from the U.S. Department of Housing and Urban Development. One of the requirements of this program is that we must report information about potential employees. Please complete the information requested below and return it to the employer. The information will not be used to evaluate you for this position.

Thank you in advance for your cooperation. If you have any questions about completing this form, please feel free to contact us at 207-874-8731.

APPLICANT CERTIFICATION

Name: _____ Address: _____

Employer: _____ Job Applied For: _____

How many persons live in your household? ____
The Head of Household is female ____ or male ____

Check all that apply. I am:

- _____ Hispanic or Latino
- _____ American Indian or Alaskan Native
- _____ Asian
- _____ Black or African American
- _____ Native Hawaiian or Other Pacific Islander
- _____ White

Date: _____ Signature: _____

EMPLOYER CERTIFICATION

Job Title: _____

Full Time _____ Part Time _____ # of Hours per Week _____

Starting Pay/Hourly Rate \$

Date Interviewed: ____ / ____ / ____ Date Hired: ____ / ____ / ____

Employer Name _____ Signature/Title _____

ATTACHMENT C

UTILITIES NARRATIVE

The public utility providers which will serve the project are as follows:

<u>Water</u> Attn: Rico Spugnardi Portland Water District 22 Douglas Street P.O. Box 3533 Portland, Maine 04104 207.761.8310	<u>Sewer</u> Attn: David-Margolis-Pineo, P.E. City Of Portland Public Services Engineering Dept. 55 Portland Street Portland, Maine 04102 207.87 4.8840
<u>Power</u> Attn: Jamie Cough Central Maine Power 162 Canco Road Portland, Maine 04103 207.791.1023	<u>Telephone</u> Attn: John Capnio Fairpoint Communications 5 Davis Farm Road Portland, Maine 04103 207.797.1842
<u>Cable</u> Attn: Andrew Trottier Time Warner Cable 118 Johnson Road Portland, Maine 04102 877.546.0962	<u>Natural Gas</u> Attn: Joe Render, Kelly Fowler Unitil (formerly Northern Utilities) 1075 Forest Avenue Portland, Maine 04103 207.541.2505

Previous but recent approvals for the midtown project demonstrated the utility infrastructure was adequate to serve the project. CMP cautioned the electrical demand was approaching a threshold wherein an upgrade to the substation behind the Portland Post Office would be required. This new application will place substantially less demand on the utility infrastructure than the previous plan. This is demonstrated by the following comparison of the scope of the project:

Previous	Proposed	Change
100,000 SF of Retail	87,200 SF of Retail	-12,800 SF of Retail
560 Apartments	440 Apartments	-120 Apartments
160 Condominiums	--	-160 Condominiums

For this new application, the applicant is proposing to rely upon the “ability to serve” letters that were secured from the various utilities for the prior project on file with the City. The exception to the ability to serve without any reservation concerned the capacity of the substation that provides power for the project. Jamie Cough of CMP had noted during utility coordination meetings for the project design that the substation would be adequate for phase 1 of the prior project but phase 2 and 3 might place an untenable load upon the substation. The applicant is confident the combination of the following will keep the electric demand levels below those which would exceed current capacity of the existing substation:

1. The substantial reduction in the size and scope of the project of this application compares with the prior application;
2. The use of highly efficient lighting and power equipment; and
3. The use of natural gas in lieu of electrical power, where appropriate, to reduce the electrical demand.

The precise method of avoiding a demand which exceeds CMP's substation capability at the Post Office will be part of the final building design of the mechanical and electrical engineers.

The applicant will coordinate with CMP during the design of the building.

The applicant will confirm with the City of Portland's Planning Staff to see if updated "ability to serve" letters are required for the new project.

PROJECT UTILITIES NARRATIVE

PREPARED BY FAY, SPOFFORD & THORNDIKE*

The applicant has investigated the availability of utility service in the area. Sketches showing the current sewer, water, storm drainage, gas, communications, and electrical services along the streets, which front the project, which initiated the utility, reviewed last fall are attached. Owen Haskell's Inc. existing conditions survey was updated following the area being Dig-Safed to assist in determining the location of the utilities in the area.

All utilities except a limited amount of storm drainage will come from services along Somerset Street. The exceptions are:

1. Sewer, power, and water services for midtown one will come from services connected to extensions of the mains on Pearl Street from Somerset Street;
2. midtown two and three will have sewer services from the Chestnut Street sewer;
3. Midtown four will have sewer, water, gas, power, and communications services from utility extensions along Elm Street; and
4. The distribution system for power and individual services to Phases 1, 2, and 3 of the midtown project will come from the northerly (public trail side) of the project.

Conservative assumptions were used to determine a flow rate for use in requesting the ability to serve the project with sewer and water. The flows used for this purpose were based upon a tabulation of flow for water and sewer based upon the Maine State Plumbing Code Part II and assumed uses within the project. This tabulation is attached and shows that a flow of about 170,000 gallons per day was used when the ability to serve letter was requested from both the City (sewer) and the Portland Water District.

The utility service adjustments, replacement, and design required numerous meetings with the utility providers, the City and the Federated team to insure the layout met the utility needs of the project, did not preclude future development in other portions of Bayside, to satisfy aesthetic concerns, and to avoid conflict with other project elements. Resolution of utility issues is also needed as part of the City's application to re-subdivide the property since the requirement to place the utilities underground is part of the subdivision. Federated will become the owner of the lots with the City retaining lots two and nine.

**DeLuca-Hoffman Associates, Inc. was acquired by Fay, Spofford & Thorndike. The two names are used interchangeably in portions of the midtown documents.*

WATER:

The Portland Water District's ability to serve letter for the project is enclosed with a schematic of the area showing hydrants and recent hydrant flow data. The data shows the 16-inch main on Somerset Street or is expected to have adequate fire flow capacity. Estimate of the available fire flow will consider a pressure reduction of about 75 psi to account for the elevation difference between the top and bottom floors of the building. Losses inside the building and the sprinkler distribution system will need to be computed by the designer of the sprinkler system. The Portland Water attended several of the utility coordination meetings. Their comments have been fully addressed except for a requirement to conduct test pits to allow the relative water main and lightweight concrete elevations to be confirmed such that adequate provisions are made to protect the main during construction.

SEWER:

The separated sewer along Somerset Street has stubs that were placed for serving the project site. Some of these existing stubs will be used but other new services will be required as shown on the utility plans that accompany this application. A wastewater capacity application was submitted and was acted upon in September. The ability to serve and capacity letter received from the City of Portland is enclosed. David Margolis-Pineo facilitated many of the utility coordination meetings as well as reviewed the sewer plans for the project.

Grease traps to permit potential restaurants to occupy portions of the project were recently added to the plans. Midtown 1, 2, 3, and 4 will have this capacity. The plans also include oil water separators and service connections for the internal decks of the parking garage with surface waters from the top deck being directed to the water quality pretreatment systems prior to discharge to municipal storm drains.

GAS:

Unitil has indicated they have the ability to serve the project but work will be required to permit the project to use gas as a major energy supplier for the project and will include replacement of the gas line along the portions of Somerset Street where reconstruction to raise the street elevation is proposed.

DRAINAGE:

The project site is served by a separated storm sewer, which was constructed as part of a sewer separation project in about 2003. The City's storm drain construction included drainage stubs to serve the project. A formal drainage study has been prepared to determine storm water generation for the project.

The project is required to meet water quality standards, which will need to be constructed on site. A series of options to meet the stormwater quality standards is provided in the stormwater management plan that accompanies this submission. The selected options are depicted on the plan set that accompanies this application.

POWER AND COMMUNICATIONS:

The existing electrical and communications lines are currently overhead along Somerset Street. The power includes a three-phase service. The overhead lines are on the opposite side of the street from Phase 1 but on the project side of Somerset Street for Phases 2 and 3. The telephone and communications lines will be placed underground on the northerly side of Somerset Street when it is reconstructed. Central Maine Power Company has issued an ability to serve letter for the project with financial obligations for the relocation and new services under discussion between the City (who is the subdivider of the property) and Federated (who plans to purchase lots 1, 2, 3, 4, 6, and 7) who will construct the midtown project.

Attachments:

- Portland Water District: Requests made by the applicant's engineers and letter of ability to serve from Portland Water District.
- Fairpoint Communications: Requests made by the applicant's engineers and letter of ability to serve from Fairpoint.
- Time Warner Cable Ability to Serve Request
- Central Maine Power: Requests made by the applicant's engineers and letter of ability to serve from CMP.
- City of Portland Wastewater Capacity Application submitted by the Applicant's agent and the City of Portland Approval.
- Sketches of Sewer, Water, Storm Drainage, Gas, Communications, and Electrical Services Along the Streets.

The utility plans (Drawings C-4.0 to C-4.4) show the utility extension and plans for the entire midtown project (i.e. phases 1, 2, and 3). Utility approval is a portion of the applicant's master plan requests.

R:\3062\Admin\Permitting\Local\Master Plan and Level III Site Plan App\Exhibit 4 Attach\Att D - Utilities Narrative.doc



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207.775.1121
FAX 207.879.0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

October 23, 2012

Revised October 26, 2012

Mr. Rico Spugnardi
Portland Water District
225 Douglass Street
PO Box 3553
Portland, ME 04104-3553

**Subject: Proposed Maritime Landing Project
Somerset Street – Portland, Maine
(Revised Usage)**

Dear Rico:

DeLuca Hoffman Associates, Inc. has been retained by The Federated Companies who plan on developing a mixed-use project on Somerset and Chestnut Street. Retail shops or restaurants are anticipated to occupy the ground floor level with about 12 stories of housing on each of the five buildings. An aerial photograph of the site and a survey are enclosed which identify the locus of the site. The development would include several multi level buildings and a parking garage.

The average daily consumptive flows are not expected to exceed 170,000 gallons per day, an average of 118 gallons per minute, and a peak flow of about 400 gallons per minute. There may be a small irrigation system for landscaping and the buildings will be sprinkled with fire services.

Our office is interested in the following information:

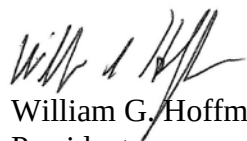
1. A map of the area bounded by and including Preble Street, Marginal Way, Franklin Arterial, and Somerset Street showing the existing water system in this area as well as records of hydrant tests.
2. If Portland Water District plans any construction projects in this area in the near or immediate future?
3. Can each building have its own service if there are multiple buildings even though there may be a single owner?
4. Verification that Portland Water District has the ability to provide water for the project.

Mr. Rico Spugnardi
October 23, 2012
Revised October 26, 2012
Page 2

If you have any questions with regards to this request, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Will G. Hoffman', is written over the printed name.

William G. Hoffman, P.E.
President

WGH/cmd

c: Matt Jefferies
Greg Shinberg
AP Means – Glissen Havu

Enclosure

R:\3062-Maritime Landing\Admin\Correspondence Out\3062 2012.10.26 PWD.doc



**Federated Maritime Landing
Portland, Maine
October 26, 2012**

The exact size and makeup of the mixed use development is unknown and subject to refinement.

A program that DeLuca-Hoffman Associates, Inc. would anticipate to be adequate and conservative for the "ability to serve" requests for water and sewer would be as follows:

Use	Number	Unit	Unit Flow (gpd)	Total Flow (gpd)
Residential	800	Units	180	144,000
Retail	8	Toilets	325	2,600
	75	Employees	12	900
Restaurants	900	Seats	25	22,500
Total				170,000

Basis:

Housing units with an average of two bedrooms.

Restaurants at two meals per day average.

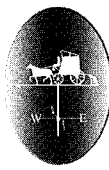
These flows are based upon the State of Maine Subsurface Disposal Rules.

Generally, DeLuca-Hoffman Associates, Inc. finds the rates in the Code to be about double average daily flows.

Peaking factor....flow of 170,000 is equal to a population equivalent of 2615.38

Per 10 State Standards, the peaking factor would be in the order of 3.5 (Page 2-3 Figure 1).

Actual flows may be substantially less. These data are for ability to serve request only, not for use computation.



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

November 19, 2012

DeLuca-Hoffman Associates, Inc.
778 Main Street, STE 8
South Portland, ME 04106

Attn: William Hoffman, P.E.
Re: Proposed Maritime Landing Project; Somerset Street, Portland
Ability to Serve with PWD Water

Dear Mr. Hoffman:

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on October 26, 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 1-inch diameter copper water service line at 25 Somerset Street, a ¾-inch diameter plastic water service line at 3 Somerset Street and a ¾-inch diameter copper water service line at 107 Somerset Street, located as shown on the attached water service cards, provide 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 16-inch diameter ductile iron water main on the north side of Somerset Street west of the Chestnut Street intersection and a 16-inch diameter ductile iron water main on the south side of Somerset Street east of the Chestnut Street intersection 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: Somerset Street opposite Pearl Street
Hydrant Number: POD-HYD01864
Last Tested: 6/22/2006
Static Pressure: 112 psi
Residual Pressure: 108 psi
Flow: 2,846 GPM



Public Fire Protection

You have not indicated whether this project will 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 ability to serve requested noted that the average daily consumptive flows are not expected to exceed 170,000 gallons per day (GPD), an average of 118 gallons per minute (GPM), and a peak flow of 400 GPM. The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project. 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

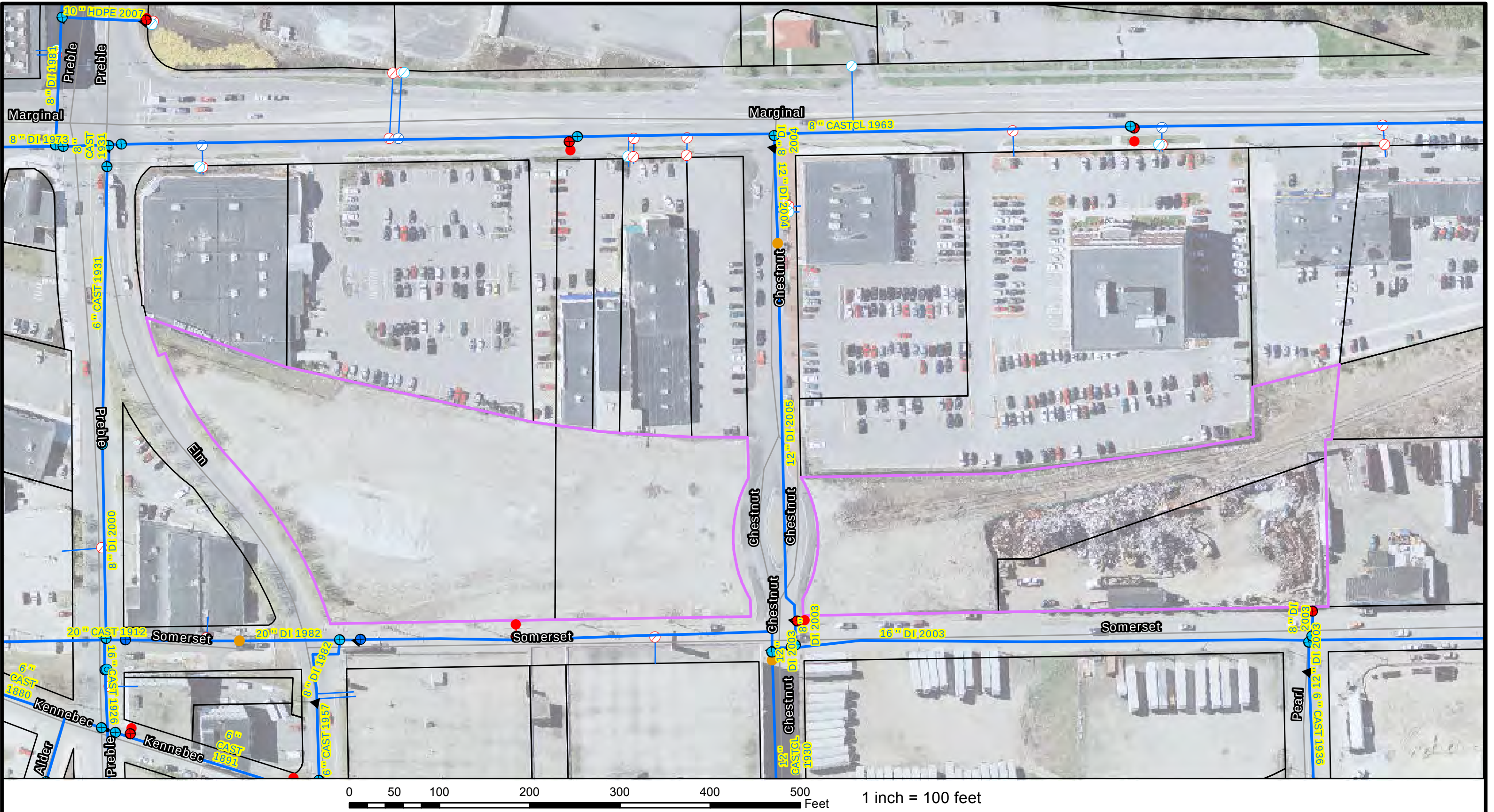
The District can confirm that the existing water system has the capacity to serve the proposed mixed use development on Somerset Street in Portland. If any of the existing services will no longer be used as a result of the development then they must be retired per PWD standards. This includes shutting the corporation valve and cutting the pipe from the water main (for 2-inch and smaller services) or removing the gate valve and capping the tapping sleeve (for 4-inch and larger services). New services may be installed from the water main in Somerset Street or Preble Street along the frontage of each respective parcel. Please note that only one meter and one bill will be associated to each domestic service line. This meter must be located in a common space that all tenants could gain access to if necessary. Multiple fire and domestic services may be installed to a single site if desired.

As your project progresses, we advise that you submit any preliminary design plans to the MEANS Division for review of the water service line configuration. We will work with you or your representative to ensure that the design meets our current standards. If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District



Rico Spugnardi, P.E.
Business Development Engineer





PORTLAND WATER DISTRICT

225 Douglass Street

Portland, ME 04104

Legend

● Air Valve	● Connection	⊕ Combined Service	● Manhole
⊕ Blow Off	● Attribute Change	⊕ Domestic Service	● CSO
⊕ By Pass	▲ Reducer	⊕ Fire Service	→ Gravity
⊕ Distribution	● Hydrant	● Private Hydrants	→ Force
⊕ Transmission	● Hydrant Control	⊕ Meter Pits	

Somerset Street

Portland



Disclaimer: This map is suitable for preliminary study and analysis and is based on PWD record information. PWD is not liable for any damages whatsoever resulting from inaccurate data or from errors made in the location and marking of its infrastructure.

Drawn By: GJH	Prepared For: DeLuca-Hoffman Associates
Scale: As Noted	Date: November 2, 2012



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207.775.1121
FAX 207.879.0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

November 12, 2012

Mr. Marty Pease
FairPoint Communications
5 Davis Farm Road
Portland, ME 04103

**Subject: Request for Ability to Serve
Proposed Maritime Landing Project
Somerset Street – Portland, Maine**

Dear Mr. Pease:

The Federated Companies intends to construct a mixed-use project on Somerset Street in Portland, Maine. A conceptual rendering of the proposal is enclosed. This will be changed as the design proceeds and may be further altered between the three phases of construction.

Our office has been retained by The Federated Companies to assist in the civil engineering and preparation of permit applications. The exact number of living units, retail, or commercial spaces will be better known in several months. However, we are confident the mix will not exceed the following:

- 800 residential dwelling units;
- Restaurants with a seating capacity of 900; and
- 100,000 square feet of retail or commercial space.

Parking garages will be constructed on site and will provide approximately 1,000 parking spaces.

On behalf of The Federated Companies, we are requesting the following information as soon as possible:

1. What facilities does FairPoint have on Somerset Street or in the vicinity of the project? (If mapping exists, please send us a copy.)
2. Does Fairpoint expect to have or expect to be able to provide communication systems in the vicinity and to support the project?
3. Will you be the point of contact at FairPoint for this project?

We are required to include ability to serve letters from all utility providers as part of our first technical submission for the City application which we would like to make around December 1, 2012.

Mr. Marty Pease
November 12, 2012
Page 2

If you have any questions or need further clarification of the project, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Will G. Hoffman', with a stylized flourish at the end.

William G. Hoffman, P.E.
President

WGH/cmd

Enclosure

c: Greg Shinberg
Matt Jefferies

Fairpoint Communications
Engineering Dept.
5 Davis Farm Rd
Portland, Me. 04103
November 26, 2012

William G. Hoffman
Deluca- Hoffman Associates Inc.
778 Main St
Suite 8
South Portland, Me. 04106

Bill,

Enclosed is the "Ability to Serve Letter" as requested for the Somerset St Project.
I have also enclosed info pertaining to the Somerset St project from 2003. What the City of Portland has actual constructed would need to be verified with the City. Fairpoint would also need as built plans if in fact the City has constructed the Manhole systems on Somerset St.

Regards

John R Caprio
Engineer
Fairpoint Communications
5 Davis Farm Rd
Portland, Me. 04103
jcaprio@fairpoint.com
207-797-1678

NOV 27 2012

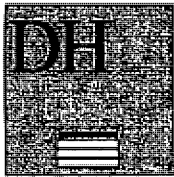
Fairpoint Communications
Engineering Dept.
5 Davis Farm Rd
Portland, Me. 04103
November 26, 2012

William G. Hoffman
Deluca- Hoffman Associates Inc.
778 Main St
Suite 8
South Portland, Me. 04106

To whom it may concern:

Fairpoint Communications does have the ability to service the proposed Maritime Landing Project located on Somerset St Portland, Me. per the Public Utilities Commission Tariff. Fairpoint would need a path from building to Fairpoint's manhole system.

Sincerely,
John Caprio
Engineer
Fairpoint Communications
jcaprio@fairpoint.com
207-797-1678



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207.775.1121
FAX 207.879.0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

November 12, 2012

Mr. Marty Pease
FairPoint Communications
5 Davis Farm Road
Portland, ME 04103

**Subject: Request for Ability to Serve
Proposed Maritime Landing Project
Somerset Street – Portland, Maine**

Dear Mr. Pease:

The Federated Companies intends to construct a mixed-use project on Somerset Street in Portland, Maine. A conceptual rendering of the proposal is enclosed. This will be changed as the design proceeds and may be further altered between the three phases of construction.

Our office has been retained by The Federated Companies to assist in the civil engineering and preparation of permit applications. The exact number of living units, retail, or commercial spaces will be better known in several months. However, we are confident the mix will not exceed the following:

- 800 residential dwelling units;
- Restaurants with a seating capacity of 900; and
- 100,000 square feet of retail or commercial space.

Parking garages will be constructed on site and will provide approximately 1,000 parking spaces.

On behalf of The Federated Companies, we are requesting the following information as soon as possible:

1. What facilities does FairPoint have on Somerset Street or in the vicinity of the project? (If mapping exists, please send us a copy.)
2. Does Fairpoint expect to have or expect to be able to provide communication systems in the vicinity and to support the project? *Yes*
3. Will you be the point of contact at FairPoint for this project? *SEE Business card*

We are required to include ability to serve letters from all utility providers as part of our first technical submission for the City application which we would like to make around December 1, 2012.

Mr. Marty Pease
November 12, 2012
Page 2

If you have any questions or need further clarification of the project, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.



William G. Hoffman, P.E.
President

WGH/cmd

Enclosure

c: Greg Shinberg
Matt Jefferies



CITY OF PORTLAND

January 27, 2003

Susan Sarrette, Engineer
VERIZON COMMUNICATIONS
5 Davis Farm Road, Floor 2
Portland, ME 04103

Re: Somerset Street Sewer Separation & City of Portland Future Technology/Business Park Development

Dear Sue:

The purpose of this letter is to summarize our discussions from Thursday, January 23, 2003, regarding the City's offer to install a duct bank to benefit Verizon Communications. As we discussed, it is our intention to install a duct bank, per your details and specification, in conjunction with the Somerset Street Sewer Separation project. The purpose of this duct bank is to support the anticipated future needs associated with the potential tenants of the City's Technology/Business Park. During our meeting, you indicated a preference for locating your facility on the southerly side of Somerset Street, outside of the paved roadway.

Our request is that you provide a preliminary duct bank layout that serves future needs for the development of this area. Your layout should include locations for the required manhole structures, as well as any "street crossings" that may be necessary to access the City land. As part of our construction plan set, we would appreciate construction details for the following:

1. Duct bank detail (include conduit size, spacing, number of conduits, etc.)
2. Manhole structure (include specifications for the access cover, steps, etc.)

Our hope is that you will be able to attend the February 4th "Utility Meeting" and can bring this preliminary design for discussion. Enclosed are the plans for your use.

We appreciate your efforts and cooperation with this project. We also look forward to working with you and providing a system that can accommodate your future needs for the development of the Bayside area.

If you have any questions during the interim, please do not hesitate to contact me by phone at 874-8848 or e-mail at awl@ci.portland.me.us.

Sincerely,

CITY OF PORTLAND

Anthony W. Lombardo, P.E., Project Engineer

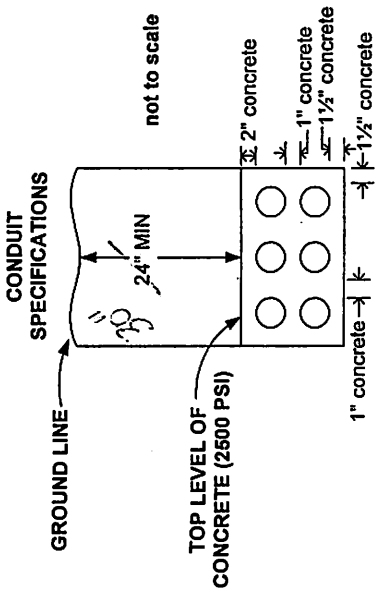
SOMERSET FUTURE TECHNOLOGY/BUSINESS PARK DEVELOPMENT



PREPARED BY SUE SARRETTE
OSP ENGINEER
207 797-1842
2/7/03

CONDUIT SPECIFICATION:

4" B PLASTIC DUCT
DUCT BANK DETAIL SEE BELOW



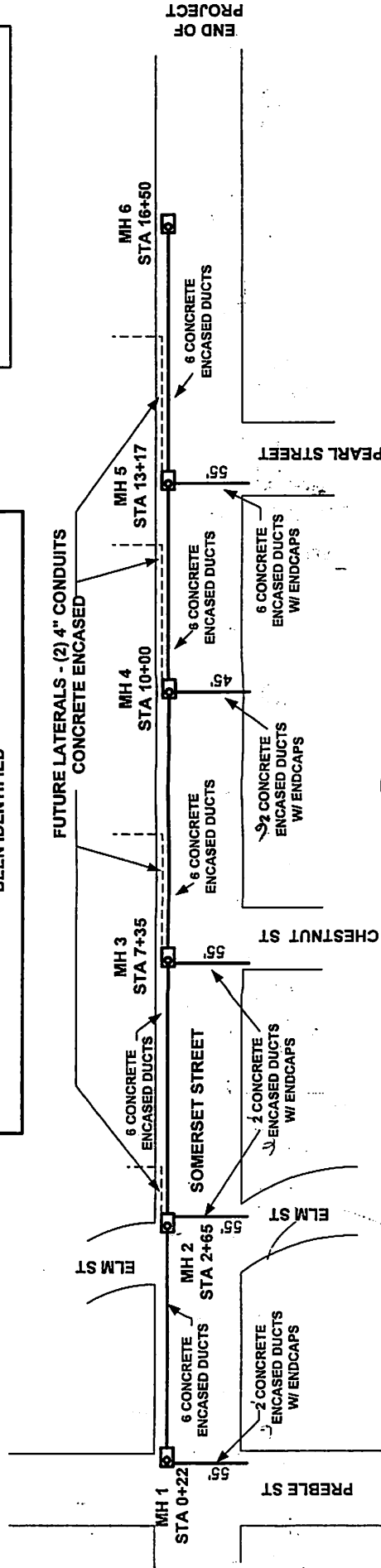
MANHOLE SPECIFICATION:

VERIZON'S STANDARD 4J MANHOLE - 6'-0"W X 12'-0"L X 7'-0"H
12 TERMINATORS ON EACH OF 4 WALLS- TOP SECTIONS. 11
PULLING EYES AND INSERTS REQUIRED. 30
SURFACE OF ROOF MUST HAVE A MIN OF 2" COVER.
ATTACHED FIND 2 QUOTES FROM SUPPLIERS VERIZON USES -
SUPERIOR CONCRETE & PRECAST CONCRETE PRODUCTS OF MAINE.
COVERS NEED TO HAVE BELL LOGO.
VERIZON TO PROVIDE RACKING AND STEEL LADDER ONCE CABLING NEEDED

VERIZON REQUIRES THEIR CONTRACT
WORK INSPECTOR TO BE PRESENT DURING
INSTALLATION

UNDERGROUND UTILITY SEPARATIONS :
SEE ATTACHMENT #1

NOTE: LATERALS WILL BE REQUIRED ONCE BUILDING LOCATIONS HAVE
BEEN IDENTIFIED



NOTE: PEARL STREET WILL BE
THE INITIAL FEED FOR THIS NEW
SYSTEM.

NOT TO SCALE

Visio Rld 2003 (Somerset)
h01b#

PLACEMENT

Duct Arrangements

Duct Arrangements are subject to trench width and/or depth constraints imposed by terrain, the presence of other structures, required workman space, etc. The arrangement of ducts in a conduit run should be compatible with the manhole cable racking arrangement. (Refer to "Manholes" later in this section.) Generally, 2-, 3-, or 4-wide arrangements are preferred for single- or double-wall racking. Where a large number of ducts or other circumstances require center racking as well as wall racking, wider duct arrangements may be appropriate.

Separation From Other Structures

Practices 622-100-010, 622-300-205, NESC Rule 320, 919-000-100

The following separations are required for safety of personnel and for protection of telephone equipment:

Structure	Minimum Separation
Power or other foreign conduit	3-inch concrete 4-inch masonry 12-inch earth
Pipes (gas, oil) water, etc.)	6 inches when crossing 12 inches when parallel
Power conduit terminated on poles	Separate poles, if possible. If same pole, preferably 180°, but, not less than 90° F.
Railroads (except street railways)	Crossing: 5 feet below top of rail.* Terminating on poles: 12 feet from nearest rail, except 7 feet as sidings
Street railways	3 feet below top of rail.*

*Exception: Where impractical, or for other reasons, these clearances may be reduced; however, the top of the conduit or conduit protection shall in no case extend above the bottom of the ballast section which is subject to working or cleaning. Local requirements will prevail.

Spacing and Backfill Requirements

622-020-020

914-240-100

Practice 919-240-400

The next three pages show spacing and backfill requirements for single-bore conduit. The volume of concrete or granular backfill will vary with the trench width and the degree of irregularity of the trench surfaces. Volumes given for each arrangement are for the minimum trench width consistent with the specified clearances. Volumes for sand or granular backfill include an allowance of about 1/12 for compaction.

Precast Concrete Products of Maine, Inc.

Topsham, Maine 04086

Tel: 207-729-1629 Fax 207-729-8710

Tel: 1-800-696-8265 (Maine)

QUOTATION

www.precastofmaine.com

TO: Verizon / Attn: Corey McDonald

BID DATE:

PROJECT: 38Y Telephone Manholes / ^{Somerset}Kennebec Street

LOCATION: Portland, ME.

Precast Concrete Products of Maine, Inc. proposes to furnish the following materials required for the above project, in accordance with the standards of the American Society for Testing Materials. The terms and provisions are agreed to and accepted by you upon acceptance of this proposal.

6 - 6' x 12' 38Y telephone manholes..... \$ 2300.00/ EA
Terminators, duct openings and pulling eyes cast in as required.
Cable racks provided by others.

6 - 32" diameter cast iron frames and covers marked TELEPHONE
..... \$ 425.00 / EA

SALES TAX: Prices Quoted Do Not Include Sales Tax.

RETURNS: All returned product will be subject to a 15% re-stocking fee.

TERMS: 100% net within 30 days of delivery; Finance Charge of 2% per month (24% APR) will be applied to overdue invoices. There is no retainage. These terms apply to approved credit accounts in good standing. Contracts with others may be subject to additional terms to be established at the time of order. Date of invoice shall be date of shipment. Precast Concrete Products of Maine, Inc. retains security interest in its delivered product until final payment. Acceptance of this quotation by you and our written approval shall constitute a binding contract. This quote is valid for 30 days.

THE ABOVE PROPOSAL IS ACCEPTED

Precast Concrete Products of Maine, Inc.

BY:

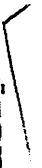
BY: Paul A. Beers

DATE:

Date: 2/4/03

Page 1 of 1

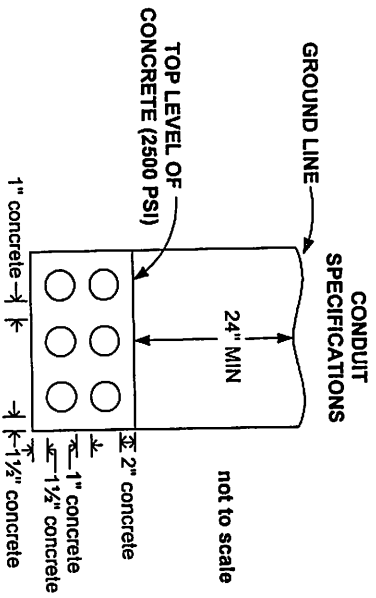
**SOMERSET FUTURE TECHNOLOGY/BUSINESS
PARK DEVELOPMENT**



PREPARED BY SUE SARRETTE
OSP ENGINEER
207 797-1842
2/7/03

CONDUIT SPECIFICATION:

4" B PLASTIC DUCT
DUCT BANK DETAIL SEE BELOW



MANHOLE SPECIFICATION:

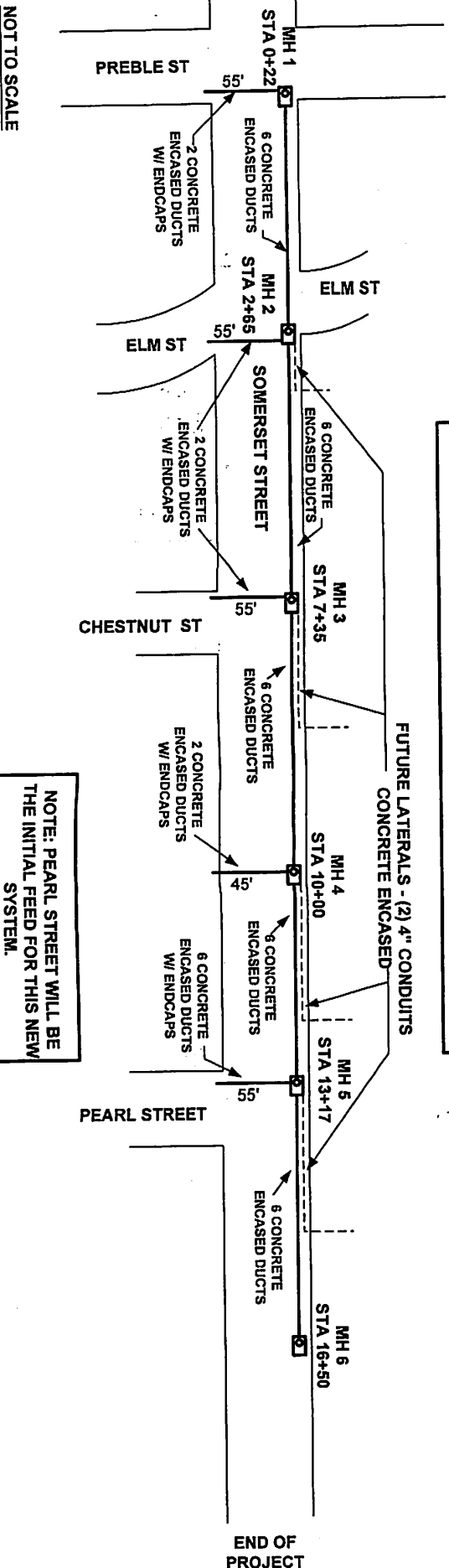
VERIZON'S STANDARD 4J MANHOLE - 6'-0"W X 12'-0"L X 7'-0"H
12 TERMINATORS ON EACH OF 4 WALLS- TOP SECTIONS.
PULLING EYES AND INSERTS REQUIRED.
SURFACE OF ROOF MUST HAVE A MIN OF 2' COVER.
ATTACHED FIND 2 QUOTES FROM SUPPLIERS VERIZON USES -
SUPERIOR CONCRETE & PRECAST CONCRETE PRODUCTS OF MAINE.
COVERS NEED TO HAVE BELL LOGO.
VERIZON TO PROVIDE RACKING AND STEEL LADDER ONCE CABLING NEEDED

VERIZON REQUIRES THEIR CONTRACT
WORK INSPECTOR TO BE PRESENT DURING
INSTALLATION

NOTE: LATERALS WILL BE REQUIRED ONCE BUILDING LOCATIONS HAVE
BEEN IDENTIFIED

UNDERGROUND UTILITY SEPARATIONS:
SEE ATTACHMENT #1

NOTE: PEARL STREET WILL BE
THE INITIAL FEED FOR THIS NEW
SYSTEM.



Underground Utility Separations

The minimum recommended separation between telephone conduit systems and structures are as follows:

From Telephone Conduit

- A. Electric power and other conduits - at least 3 inches of concrete, 4 inches of masonry or 12 inches of well tamped earth.
- B. Other pipes - at least 6 inches of clearance when crossing and 12 inches when paralleling.

From Telephone Manholes

- C. Power conduits - at least 3 inches of clearance from the outside surfaces of the manhole walls, floor or roof.
- D. Other pipes - at least 12 inches of clearance.

The clearances in B and D are required to allow for the maintenance of the foreign structures. If they have to be reduced, they should be discussed with a responsible representative of the owning company. When telephone conduit is being planned close to gas, steam or water mains, it is more desirable to cross under them so that adequate room is provided to maintain the foreign structures.

Attachment # 1



a division of Oldcastle Precast, Inc.

P.O. Box 223
Auburn, ME 04212

www.oldcastle-precast.com

Phone: (207) 784-9144
Fax: (207) 784-9647

Quotation Contract

February 5, 2003

Bid Date: February 5, 2003
Quote No: 11317-30131COREY MACDONALD
VERIZON of MAINE
5 DAVIS FARM ROAD
PORTLAND, ME 04103

Dear COREY MACDONALD:

Superior Concrete Company is pleased to provide your company with the following quotation for:

PORTLAND, ME., VERIZON MANHOLES,

7 EA	PRECAST CONCRETE TELEPHONE MANHOLES MEASURING 6'-0" WIDE, x 12'-0" LONG, x 7'-0" HIGH INSIDE. MANHOLES PROVIDED WITH 4" TERMINATORS, PULL EYES, INSERTS, AND JOINT SEALANT.	2,400.00 / EA	16,800.00
EA	PRECAST CONCRETE 38Y RISER MEASURING 3'-0" ID x 12" HIGH @ \$120.00/EA	/ EA	
EA	NEENAH MODEL R-1750-C TELEPHONE DESIGN LARGE MANHOLE FRAME & SOLID COVER WITH BELL LOGO @ \$555.00/EA	/ EA	
Total:			\$16,800.00

Delivery

- Product will be delivered and set in your excavation providing our trucks can set up within 15 feet of the center point of the structure. If additional crane rental is necessary, it will be provided by others and at the expense of others.
- Delivery on weekdays during normal daylight hours, excluding holidays.

Terms

- Taxes not included.
- No retainage shall be deducted from payment.
- All Invoices are due and payable within thirty (30) days from date of invoice, subject to purchaser's credit approval.
- This Proposal shall be valid for 90 days from the date hereof.
- We must have a signed proposal or purchase order before we release your order to production.

Excludes

- UNLESS SPECIFICALLY STATED ABOVE, THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING:
- Permits.
- All items not specifically listed in this quote.
- All frames and covers.
- Excavation, backfill or compaction.
- Racking and associated equipment.

Production

- We currently have all (7) seven manholes in stock.

Materials

- Concrete Minimum Strength: 5000 psi @ 28 days, standard grey cement with local sand and aggregates.
- Steel Reinforcing: ASTM-A-615-85, Grade 60, Black.
- Design Loading: AASHTO HS20-44

If you have any questions, please call me at (207) 784-9144.

Accepted By _____

Date _____

Matt Mosher
Matt Mosher

2/5/03
Date

Sincerely,

Matt Mosher



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207.775.1121
FAX 207.879.0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

November 12, 2012

Ms. Kelly Fowler, Sr. Business Development Rep.
Unitil
1075 Forest Avenue
P.O. Box 3586
Portland, Maine 04104

**Subject: Request for Ability to Serve
Proposed Maritime Landing Project
Somerset Street – Portland, Maine**

Dear Ms. Fowler:

The Federated Companies intends to construct a mixed-use project on Somerset Street in Portland, Maine. A conceptual rendering of the proposal is enclosed. This will be changed as the design proceeds and may be further altered between the three phases of construction.

Our office has been retained by The Federated Companies to assist in the civil engineering and preparation of permit applications. The exact number of living units, retail, or commercial spaces will be better known in several months. However, we are confident the mix will not exceed the following:

- 800 residential dwelling units;
- Restaurants with a seating capacity of 900; and
- 100,000 square feet of retail or commercial space.

Parking garages will be constructed on site and will provide approximately 1,000 parking spaces.

On behalf of The Federated Companies, we are requesting the following information as soon as possible:

1. Assuming the above are typical residential apartments, restaurants, and retail space, what would you expect the typical demand or range of demand would be:
 - Gas heat?
 - Gas heat with stove and clothes dryer?

Ms. Kelly Fowler
November 12, 2012
Page 2

2. What utility systems does Unitil have on Somerset Street or in close proximity to the project?
3. Does Unitil expect to have or expect to be able to provide natural gas service options for the project tenants?
4. Will you be the point of contact at Unitil for this project?

We are required to include ability to serve letters from all utility providers as part of our first technical submission for the City application which we would like to make around December 1, 2012.

If you have any questions or need further clarification of the project, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.



William G. Hoffman, P.E.
President

WGH/cmd

Enclosure

c: Greg Shinberg
Matt Jefferies



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
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November 12, 2012

Mr. Jamie Cough
Central Maine Power Company
162 Canco Road
Portland, ME 04103

**Subject: Request for Ability to Serve
Proposed Maritime Landing Project
Somerset Street – Portland, Maine**

Dear Jamie:

The Federated Companies intends to construct a mixed-use project on Somerset Street in Portland, Maine. A conceptual rendering of the proposal is enclosed. This will be changed as the design proceeds and may be further altered between the three phases of construction.

Our office has been retained by The Federated Companies to assist in the civil engineering and preparation of permit applications. The exact number of living units, retail, or commercial spaces will be better known in several months. However, we are confident the mix will not exceed the following:

- 800 residential dwelling units;
- Restaurants with a seating capacity of 900; and
- 100,000 square feet of retail or commercial space.

Parking garages will be constructed on site and will provide approximately 1,000 parking spaces.

On behalf of The Federated Companies, we are requesting the following information as soon as possible:

1. Does CMP expect to have or expect to be able to provide sufficient electrical power for the project?
2. Assuming the above are typical residential apartments, restaurants, and retail space, what would you expect the typical power demand or range of power demand would be:
 - With electric heat and appliances?
 - Without electric heat and major appliances but including electric stove and clothes dryers?

Mr. Jamie Cough
November 12, 2012
Page 2

- Without electric heat, stoves, or clothes dryers?

We recognize that actual loads will need to be provided to you as the design is developed. Therefore, the questions above request you provide a ballpark or range of consumption.

Follow-up Questions:

We have other questions and suggest that a meeting to discuss these may be in order.

1. A previous proposal for the westerly side of the site included removal of the overhead power line along the frontage and placing it underground. A copy of the utility plan for the prior proposal is included with this letter. Several questions relative to underground power as illustrated on the previous utility plan include:
 - Who is responsible for installation and the cost of the underground power system (How much does the developer pay for placement of the line underground?)?
 - Was CMP involved in the development and design of the previous proposal?
 - Does the previous proposal appear to be consistent with CMP design and related requirements?
2. Part of the street is below elevation 10 which is the current 100-year flood elevation in Back Cove. This project is hydraulically connected to Back Cove through the City's storm drain system:
 - Does CMP have concerns about the placement of underground duct banks below the 100-year flood plain in a saltwater environment?
 - If so, can this be mitigated through the use of watertight manhole covers, etc?
3. The site will be heavily developed with extremely limited open space.
 - Is it possible for transformers to be located within the parking garages?
4. Will you be the point of contact at CMP for this project?

We are required to include ability to serve letters from all utility providers as part of our first technical submission for the City application which we would like to make around December 1, 2012.

Mr. Jamie Cough
November 12, 2012
Page 3

If you have any questions or need further clarification of the project, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Will G. Hoffman', with a stylized flourish at the end.

William G. Hoffman, P.E.
President

WGH/cmd

Enclosure

c: Greg Shinberg
Matt Jefferies



9/11/2013

William Hoffman
778 Main Street
Suite 8
South Portland, ME 04106
Email: WHoffman@fstinc.com

RE: Ability to Serve Letter for Midtown Project, Somerset Street, Portland, ME

Dear Mr. Hoffman:

CMP has the ability to serve your proposed project located along Somerset Street in Portland, Maine, in accordance with our CMP Handbook (web link below). We can provide you the desired pad, submersible or pole mounted transformers per your request and city approval, in accordance with our CMP Standards Handbook. If you have any questions on the process, or need help in completion of the documents, please feel free to contact our Portland Service Center.

New Service Milestones

- Call 1-800-565-3181 to establish a new account and an SAP work order.
- Submit any electronic drawings (PDF (preferred) or DWG files) of the site layout and proposed electrical connections if you have them.
- Preliminary meetings with CMP to determine the details of job
- Field planner design appointment to cost out job and develop CMP Invoice.
- Submit invoice for payment.
- Easements signed and payment received. Please note that the customer is responsible for obtaining all easements necessary to complete the work.
- Job scheduled for completion after the electrical inspection has been received.

This process can take several months, depending upon several factors including transformer delivery, potential substation upgrades, return of completed paperwork, and other jobs in the system that may be ahead of yours. In addition, contact with the other utilities, including telephone and cable, should be commenced as soon as practical. They may have additional work or charges in addition to the CMP work required to bring your project on line.

For your convenience, here is a link to the CMP Website which contains our Handbook with details on most service requirements:

162 Canco Road Portland, ME 04103
Tel (800) 750-4000
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

www.cmpco.com



An equal opportunity employer



CMP Handbook of Standard Requirements

(<http://www.cmpco.com/MediaLibrary/3/6/Content%20Management/YourAccount/PDFs%20and%20Docs/handbook.pdf>)

If you have any questions, please contact CMP at 1-800-565-3181.

Regards,

A handwritten signature in black ink that reads "Jamie Cough".

Jamie Cough
Energy Services Advisor
Central Maine Power Company
162 Canco Road
Portland, ME 04103
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

162 Canco Road Portland, ME 04103
Tel (800) 750-4000
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

www.cmpco.com



An equal opportunity employer



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CONSULTING ENGINEERS

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 - PERMITTING
 - AIRPORT ENGINEERING
 - CONSTRUCTION ADMINISTRATION
-

November 12, 2012

Mr. Andrew Trottier
Time Warner Cable
118 Johnson Road
Portland, ME 04102

**Subject: Request for Ability to Serve
Proposed Maritime Landing Project
Somerset Street – Portland, Maine**

Dear Mr. Trottier:

The Federated Companies intends to construct a mixed-use project on Somerset Street in Portland, Maine. A conceptual rendering of the proposal is enclosed. This will be changed as the design proceeds and may be further altered between the three phases of construction.

Our office has been retained by The Federated Companies to assist in the civil engineering and preparation of permit applications. The exact number of living units, retail, or commercial spaces will be better known in several months. However, we are confident the mix will not exceed the following:

- 800 residential dwelling units;
- Restaurants with a seating capacity of 900; and
- 100,000 square feet of retail or commercial space.

Parking garages will be constructed on site and will provide approximately 1,000 parking spaces.

On behalf of The Federated Companies, we are requesting the following information as soon as possible:

1. What facilities does Time Warner have on Somerset Street or in close proximity to the project? (If mapping is available, please send us a copy for this area.)
2. What type of service do you anticipate being able to provide for the project?
3. Will you be the point of contact at Time Warner for this project?

We are required to include ability to serve letters from all utility providers as part of our first technical submission for the City application which we would like to make around December 1, 2012.

Mr. Don Trottier
November 12, 2012
Page 2

If you have any questions or need further clarification of the project, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Will G. Hoffman', with a stylized flourish at the end.

William G. Hoffman, P.E.
President

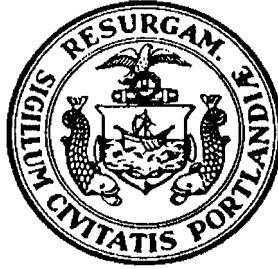
WGH/cmd

Enclosure

c: Greg Shinberg
Matt Jefferies

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: _____

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

Site Address: Lots located on Elm and Somerset Streets

(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Chart Block Lot Number: 034 D003; D010; D009
025 A022; B002; B003;
B004; B005

Proposed Use: Please see attached sheet

Previous Use: Industrial

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

Description and location of City sewer, at proposed building sewer lateral connection:

Existing sewer is 36" to 72" diameter - See attached sketch

Site Category	Commercial	<u>X</u>
	Industrial (complete part 4 below)	<u> </u>
	Governmental	<u> </u>
	Residential	<u> </u>
	Other (specify) (mixed-use)	<u>X</u>

Clearly, indicate the proposed connection, on the submitted plans.

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 170,000 GPD

Peaking Factor/ Peak Times: 3.5 - typical diurnal flow of residential uses

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

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

3. Please, Submit Contact Information.

Owner/Developer Name: The Federated Companies c/o Greg Shinberg

Owner/Developer Address: Shinberg Consulting-477 Congress Street, Suite 1012 Portland, Maine 04101

Phone: 207-653-7510 Fax: 207-772-7080 E-mail: gls@shinbergconsulting.com

Engineering Consultant Name: William G. Hoffman, P.E., DeLuca-Hoffman Associates, Inc.

Engineering Consultant Address: 778 Main Street, Suite 8, South Portland, ME 04106

Phone: 207-775-1121 Fax: 207-879-0896 E-mail: whoffman@delucahoffman.com

City Planner's Name: Rick Knowland Phone: 207-874-8725

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

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

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

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

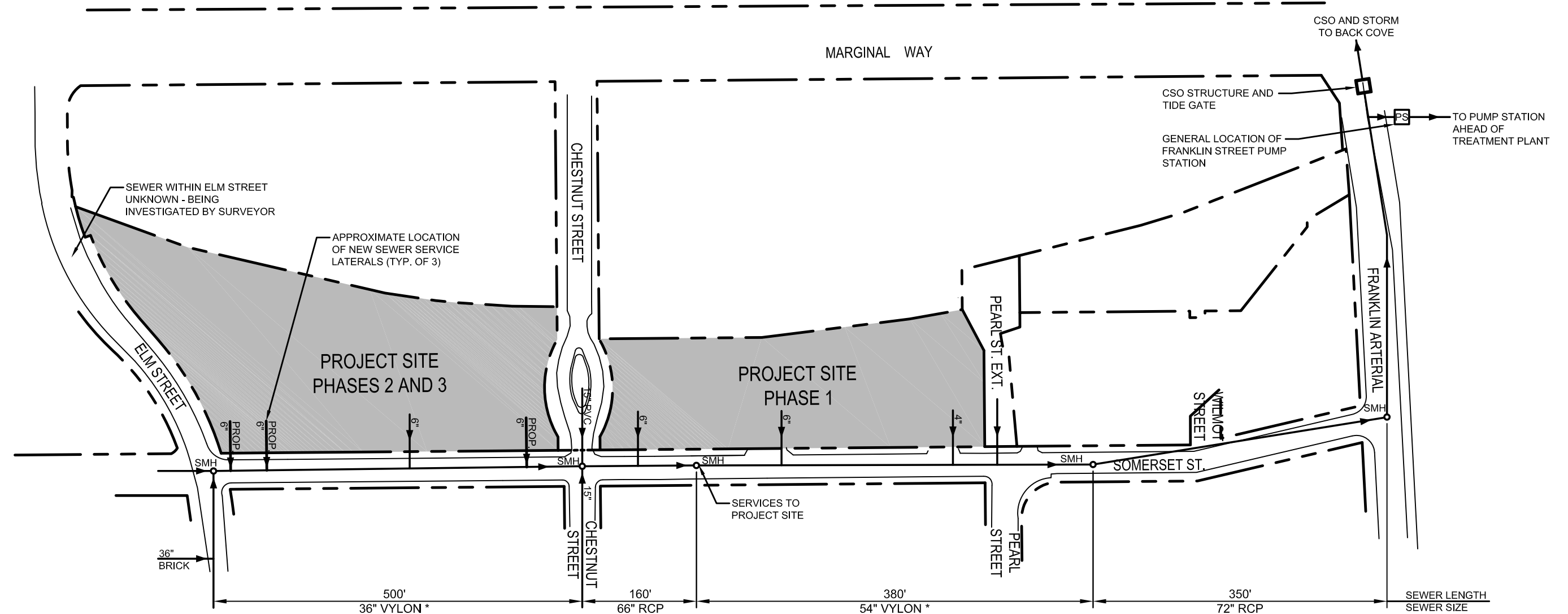
OSHA Standard Industrial Code (SIC): _____ (<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:

The proposal is for mixed-use development with residential units above the first floor, retail or commercial uses on the ground floor, and off-street parking garages. The sanitary sewer along Somerset Street will be used for lateral connections. The applicant will use existing laterals for the connections to the extent possible and likely add two or three new services. Refer to Figures 1 and 2 for a schematic of the sewer system and lateral connections.



THE 2003 CSO PROJECT INCLUDED THE INSTALLATION OF THREE 6" AND ONE 4" SEWER LATERALS TO SERVE THE PROJECT SITE

THREE NEW SERVICE LATERALS ARE PROPOSED

* INSTALLED IN 2003



DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
WWW.DELUCAHOFFMAN.COM

DRAWN:	LA	DATE:	10.26.12
DESIGNED:	WGH	SCALE:	N.T.S.
CHECKED:	WGH	JOB NO.	3062
FILE NAME:	3062-PERMITS		

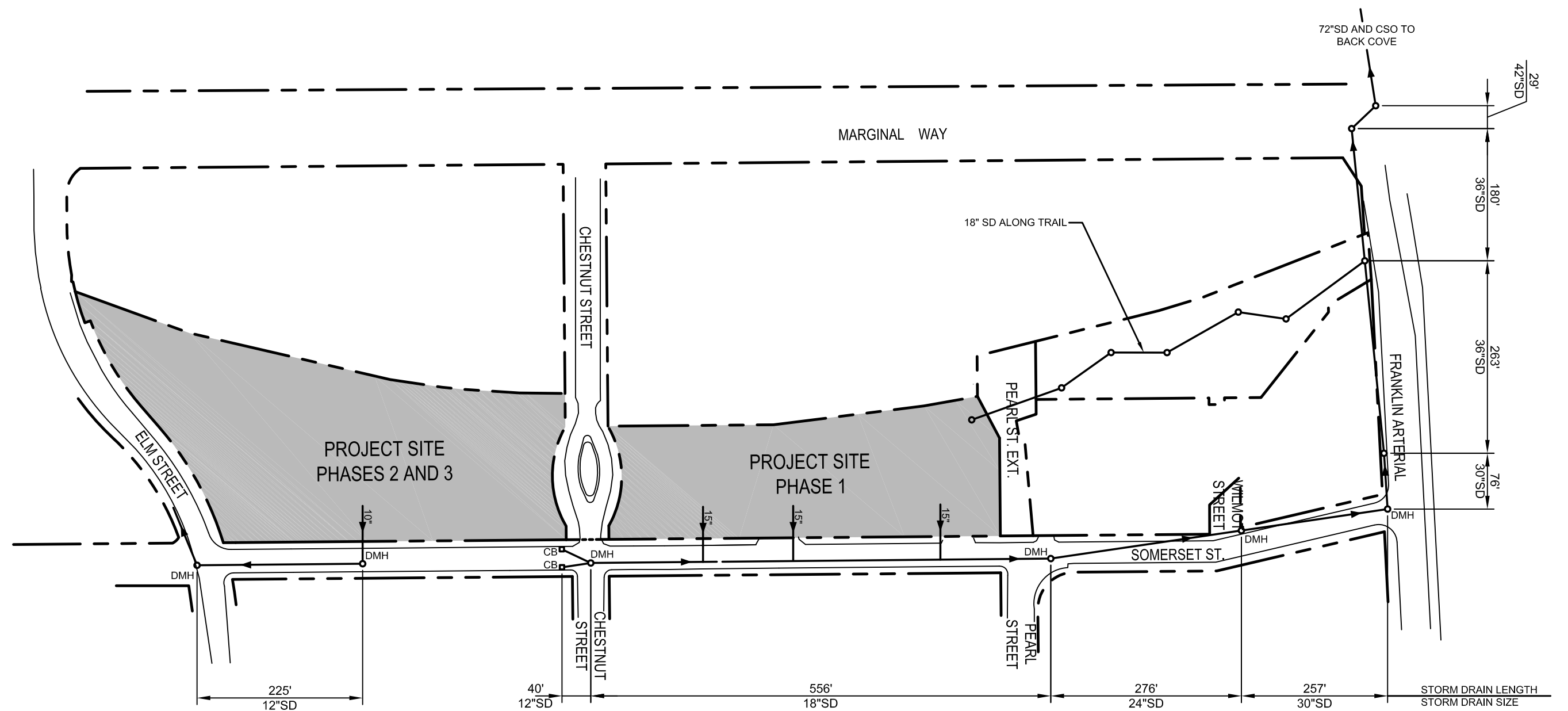
midtown
PROJECT

SANITARY SEWER SCHEMATIC
ALONG SOMERSET STREET

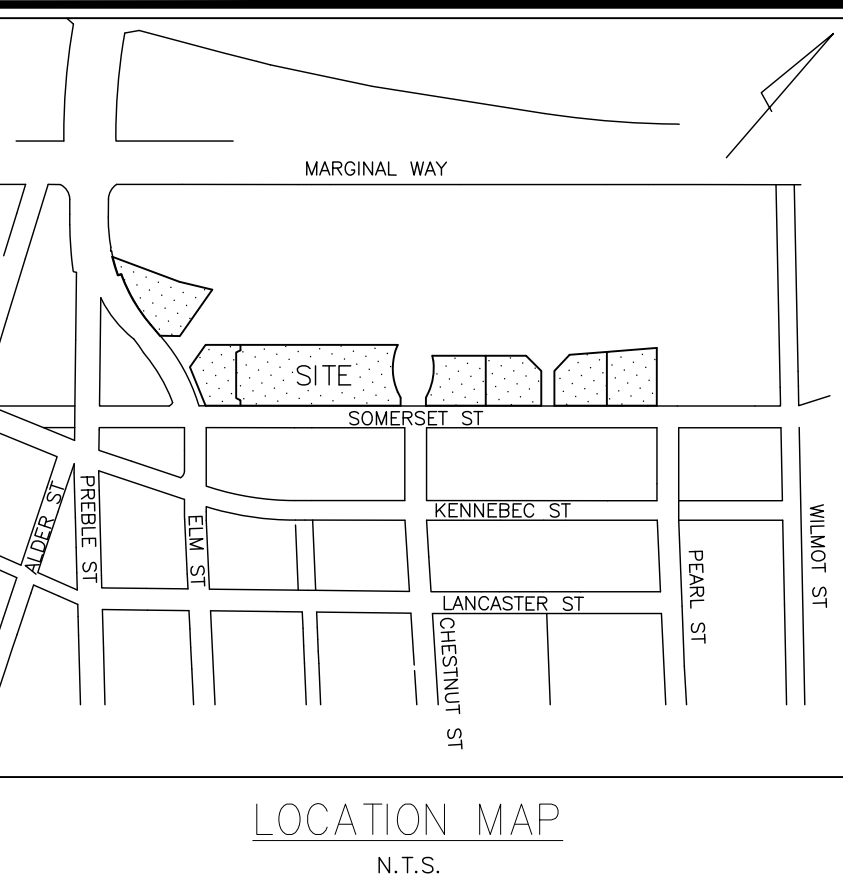
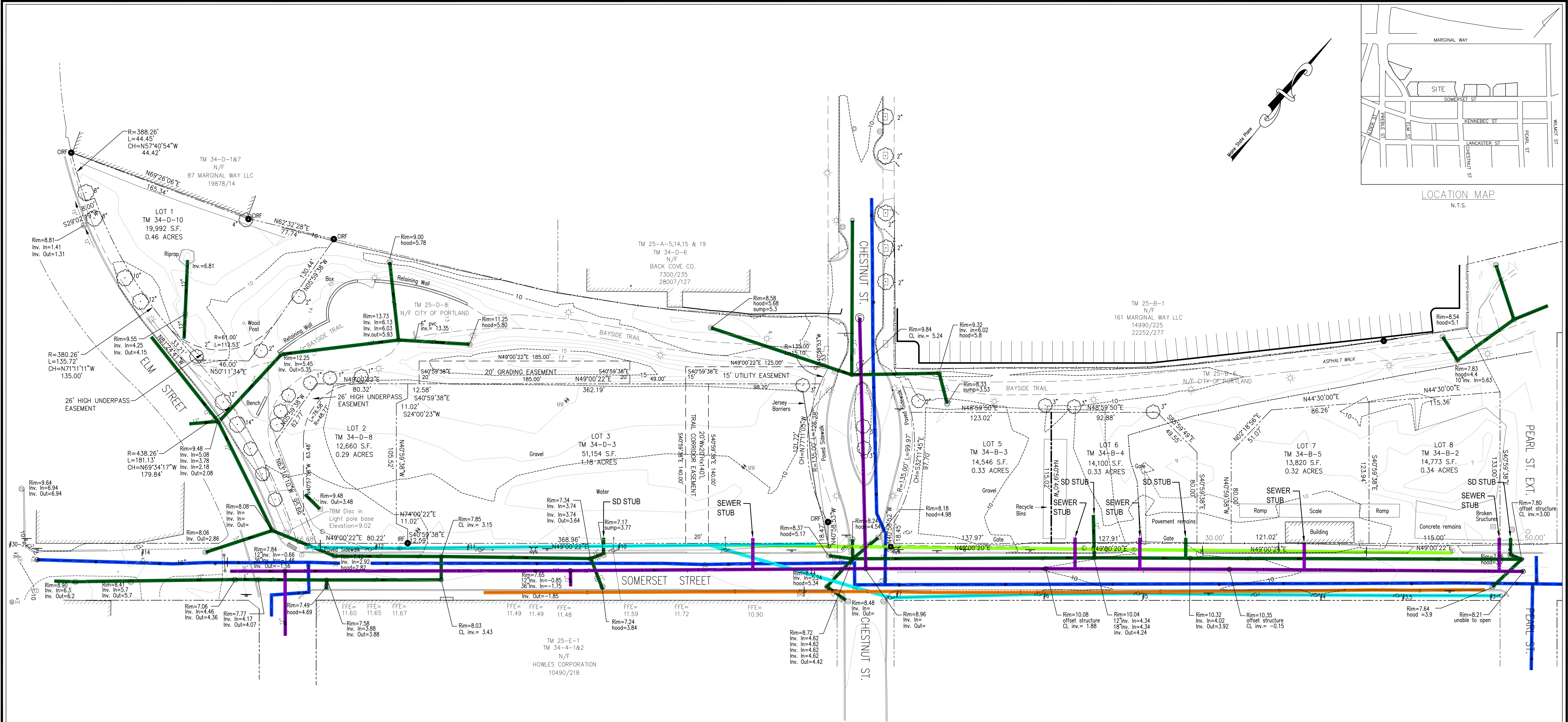
FIGURE

S-1

REVISED 12.20.12



 DeLuca-Hoffman Associates, Inc. 778 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 207.775.1121 WWW.DELUCAHOFFMAN.COM	DRAWN:	LA	DATE:	10.26.12	midtown PROJECT	STORM DRAIN SCHEMATIC ALONG SOMERSET STREET	FIGURE
	DESIGNED:	WGH	SCALE:	N.T.S.			S-2
	CHECKED:	WGH	JOB NO.	3062			
	FILE NAME:	3062-PERMITS		REVISED			



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-DISSAFE 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.

LEGEND

- MONUMENT FOUND
- IRON PIPE OR ROD FOUND
- HYDRANT
- WATER VALVE
- UTILITY POLE
- LIGHT POLE
- MANHOLE
- CATCH BASIN
- SIGN
- FENCE
- 1' CONTOUR
- OVERHEAD WIRES
- WATER LINE
- SEWER LINE
- DECIDUOUS TREE
- MONITORING WELL

PLAN REFERENCES:

- "SUBDIVISION RECORDING PLAT OF PROPERTY LOCATED ON BAYSIDE RAILWAY, PORTLAND, MAINE PREPARED FOR DOWNTOWN PORTLAND CORPORATION" DATED OCTOBER 30, 2008 REV. 3 1/13/09 BY SGC ENGINEERING, LLC RECORDED IN C.C.R.D. PLAN BOOK 209 PAGE 36.
- "EXISTING CONDITIONS SURVEY OF PROPERTY LOCATED ON SOMERSET STREET, PORTLAND, MAINE PREPARED FOR CITY OF PORTLAND" DATED OCTOBER 30, 2008, REV. 1 10/20/11 BY SGC ENGINEERING, LLC.
- "STANDARD BOUNDARY SURVEY FOR BAYSIDE TRAIL & PROPOSED SOMERSET STREET EXTENSION" DATED SEPTEMBER 2012 PREPARED BY CITY OF PORTLAND, MAINE PUBLIC SERVICES DEPARTMENT ENGINEERING DIVISION.

NOTES:

- OWNER OF RECORD: CITY OF PORTLAND, C.C.R.D. BOOK 27870 PAGE 299.
- BASIS OF BEARINGS: MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD83.
- ELEVATIONS ARE BASED ON CITY DATUM. BENCH MARK: MDOT DISK "612-(1)-10 1983"
- THIS PLAN IS THE RESULT OF A FIELD SURVEY CONDUCTED BY OWEN HASKELL, INC. NOVEMBER 2012 AND DATA TAKEN FROM PLAN REFERENCE 2 AS SHOWN ABOVE.

CERTIFICATE:

OWEN HASKELL, INC. 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 LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

DATE _____ JOHN W. SWAN, PLS NO. 1038

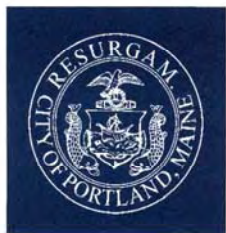
UTILITY LEGEND

- COMMUNICATIONS
- ELECTRICITY
- GAS
- SEWER
- STORM DRAIN
- WATER MAIN

BOUNDARY & TOPOGRAPHIC SURVEY
ON
SOMERSET STREET, PORTLAND, MAINE
MADE FOR
DELUCA HOFFMAN ASSOCIATES
MAIN STREET, SOUTH PORTLAND, MAINE

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	RS	Date	Job No.
Trace By	JLW	NOVEMBER 9, 2012	12012-180 P
Check By	JWS	Scale	Drwg. No.
Book No.	FILE	1" = 40'	1



PORTLAND MAINE

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

Public Services Department
Michael J. Bobinsky, Director

CORRECTED COPY

4 October 2013

Mr. William G. Hoffman, P.E.,
Fay, Spofford & Thorndike,
778 Main Street, Suite 8,
South Portland, Maine 04106

RE: The Capacity to Handle Wastewater Flows, from “midtown,” the Mixed Use (Residential, Retail, Parking Garage) Development Towers Proposed by Federated Companies, along The Northern Side of Somerset Street (23-63 Somerset), between Pearl Street Extension and Chestnut Street (Phase 1) and Continuing along The Northern Side of Somerset Street (69-105 Somerset), from Chestnut to Elm Street (Phases 2 and 3) including (127-161 Elm Street).

Dear Mr. Hoffman:

It has come to my attention that this project, formerly known as “Maritime Landing,” is now known as “midtown.” This letter corrects the name of the project and supercedes the letter of 2 October 2013.

The existing thirty-six inch, fifty-four inch, and sixty-six inch reinforced concrete sewer pipes, located in Somerset Street, have 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 **171,110 GPD**, from the proposed mixed use development towers.

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects. 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

**Anticipated Increase in Wastewater Flows from the Proposed
Residential, Retail, Restaurant and Parking Garage Units**

The Proposed Residential Units:

800 Proposed Units @ 180 GPD/Unit = 144,000 GPD

The Proposed Retail Outlets:

75 Proposed Employees @ 12 GPD/Employee = 900 GPD

8 Proposed Toilets @ 325 GPD/Toilet = 2,600 GPD

The Proposed Restaurants:

900 Proposed Seats @ 25 GPD/Seat = 22,500 GPD

The Proposed Parking Garages:

1,110 Proposed Spaces @ 1GPD/Space = 1,110 GPD

Total Wastewater Design Flow, from the Proposed Mixed Use Project: = 171,110 GPD

Total Anticipated Increase in Wastewater Flows for this Project = 171,110 GPD

CC: Jeffrey Levine, 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
Rick Knowland, City 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
John Emerson, Wastewater Coordinator, City of Portland
Rhonda Zazzara, Field Inspection Coordinator, City of Portland
Harold Downs, Senior Wastewater Technician, City of Portland
Jane Ward, Administrative Assistant, City of Portland

ATTACHMENT D

**WRITTEN ASSESSMENT OF PROPOSED PROJECT'S COMPLIANCE
WITH APPLICABLE ZONING AND B-7 LAND USE REQUIREMENTS**

Summary of B-7 Standards -- 17 October 2014

Principle A, Urban Design		Plan for midtown Development	midtown Preliminary Level III Design
Standard A-1	Sense of Place	■ <i>The identity and “sense of place” of Bayside is based on design elements that contribute to the character of the district.</i> The <u>Plan for midtown Development</u> responds to listed characteristics as follows: • Forms strong street edge as existing pattern development; • Extends the street grid at Pearl, Chestnut, and Elm streets; • Raises Somerset St in response to flood concerns (topography); • Maintains view corridors to and between Downtown, Back Cove, Deering Oaks and the East End; • Buildings are arranged to allow access to light and air; • Street extensions and Mews provide public connection to the pedestrian and bicycle network and other public spaces; • Access to the regional transportation system is provided via Somerset St to Franklin to I-295; and • Providing an opportunity for innovative architectural and landscape design. The <u>Plan for midtown Development</u> has characteristics which strengthen the identity of the Bayside district by: • Enhancing the artistic personality of Bayside in the future;	<u>midtown building designs respond</u> as follows: • Forms street edges at Somerset, Pearl, Chestnut and Elm Streets; • Mediates the grade change between the new elevation of Somerset Street and the Bayside Trail with gentle steps and ramps; • Public Mews between Garage midtownTwo and Apartment midtownOne provides pedestrian and visual continuity of Myrtle St; • The buildings have been designed in a modern or contemporary aesthetic using a muted range of warm natural neutral colors with vibrant accents <u>midtown building designs</u> support the intent of the Plan for Development by:

		• Respecting the industrial vernacular of existing buildings; • Encouraging innovative architectural design that expresses the aesthetic of the time in which it was built; • Strengthening the connections to adjacent neighborhoods of Bayside, Downtown, Back Cove, Deering Oaks, and the East End by providing one side of a dense pedestrian-oriented commercial spine along Somerset Street; • preserving views; • Mitigating traffic/pedestrian concerns across major streets through design of ADA access ramps and painted crosswalks; • Creating mixed retail and residential uses that have a neighborhood main street scale; • Creating neighborhood green spaces as places to gather; and • Utilizing native plant materials in landscaping. Characteristics in <i>The Vision for Bayside</i> that are not applicable to the <u>Plan for midtown Development</u>: • Encouraging adaptive reuse; • Respecting the “patina” of age and maintaining historic materials; • Mitigating the widths of the major arterials such as Marginal Way and Franklin Arterial which border the neighborhood because these arterials are not within the Development Plan area; and, • Highlighting Portland and Cumberland Streets as “Main Streets” to the traditional residential portions of the neighborhood, as these streets are not within the Development Plan area.	• Design in modern industrial style; • Innovative and contemporary use of materials and color; • Provides continuous retail frontage on Somerset and Elm Streets; • Provides mixed use of residential over retail; • Provides Mews and Courtyard; enhances the Bayside Trail; and • Design will utilize drought-tolerant native and non-invasive species • No buildings exist on site; • No historic materials exist on site; • Site does not border these streets; • Site does not border these streets
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Standard A-2	Edges and Transitions	■ <i>Transitions between larger scale mixed use buildings and smaller scale residential uses shall be designed so that there is a seamless connection.</i> The area planned for midtown Development does not directly abut smaller scale residential areas of Bayside. Its immediate neighbors are unbuilt land, an unredeveloped factory/warehouse across Somerset Street and commercial open parking lots with low-rise commercial development on the opposite side of the trail. The <u>Plan for midtown Development</u> therefore does not delineate transitions between the larger scale and the smaller scale elements of the Bayside zone. The <u>Plan for midtown Development</u> provides several open spaces that provide elegant transitions from the taller to the lower scale elements of the design (The Courtyard, The Mews, Chestnut Square, The Urban Trail).	midtown buildings One, Two, Three, and Four are designed so as not to have a “back”. Blank walls are avoided and services areas are internal to the buildings and screened from view. The same materials are used on all sides of each building and composed to provide an inviting contemporary appearance. midtown design includes The Mews and The Courtyard
Standard A-3	Gateways	<i>Gateways serve as landmarks signal arrival and promote district identity.</i> As a landmark, the buildings of midtown Development will be visible and identifiable to vehicular traffic. This visibility and identity of place is tempered by addressing the pedestrian scale along the trail and Somerset Street. The <u>Plan for midtown Development</u> is unique as the first extensive intervention to create a walkable main street; it will create an identifiable landmark within surrounding neighborhoods and district. This landmark status will be emphasized by distinctive paving patterns, landscaping,	The midtown Apartment buildings have been designed in a unique contemporary industrial aesthetic to mark the beginning of this important development in Bayside. No less important at street level, the Garage building will feature a maximum retail frontage on Somerset Street, Chestnut Street and the Bayside Trail, enhancing the pedestrian experience. Upper levels of the garage will be clad in architecturally detailed industrial

			accent lighting and way finding at the pedestrian scale.	materials in context with the Apartment buildings.
Standard A-4	Views and Landmarks	□ <i>New development shall be designed with consideration of views and view corridors shown on Downtown Height Study and Bayside Height Overlay Map and other important views.</i> <u>The Plan for midtown Development</u> includes important characteristics: · Massing articulation responds to view corridors with heights substantially less than allowed · Myrtle Street and Cedar Street are not through streets to Somerset Street and are presently partially obstructed by existing buildings. · New development does not block view corridors · Roof top appurtenances will be screened from view corridors, and will not obscure important landmarks;	<u>midtown building designs respond</u> to the intentions of the Plan for Development by: · Emphasizing in its materiality and techtonic articulation at the corners while de-emphasizing the other façades; · Pearl St Extension is designed with potential to extend street grid through to Marginal Street · While the Myrtle St view corridor will be partially blocked at lower levels, The Mews provides a continuity of the pedestrian realm which will be easily visible from the lower blocks of the street; · Mechanical equipment and elevator penthouses will be screened · Buildings are inset at ground level, meets the agreed 10’ setback distance from street line at second and third floors. A request for a partial waiver of Standard A-4 that requires that new development be sited so that it does not block existing view corridors, is required to allow the garage midtownTwo to partially obstruct the Myrtle Street view corridor.	

Standard A-5	Pedestrian Environment	■ <i>Development shall be human scale on public streets and enhance the pedestrian experience through details of design.</i> The Plan for midtown Development's public streets and public spaces will achieve a human scale at the pedestrian level through the use of: • Ground floor retail throughout; • Articulated retail façades; • High quality building materials; • Retail entries primarily oriented to the street; • Active windows and storefronts; • Awnings and weather protection; • Outdoor seating; • 'Bump outs' traffic calming; • Adequately sized sidewalks; • Appropriately scaled streetlights; • New public spaces and connection to trail; • New urban streetscape, furniture, landscaping and trees; and, • Provision for public art, by others. • Development Plan is seeking a waiver of the future extension of Cedar and Myrtle Streets.	midtown building designs respond to the Plan for Development intentions by providing: • Continuous retail frontage along Somerset St interrupted only by garage and service entries, and along Chestnut St and for more than half the length of the garage along the trail, and along Elm Street; • Retail façades which will be a majority clear vision glass with column and mullion articulation; • Entries will be from streets exclusively and will be protected with awnings; • Outdoor seating will be provided where space and tenant requirements allow; • Sidewalks are adequately sized and provide bump-outs at pedestrian crossings at Pearl and Chestnut streets; • Streetlights will be standard for the zone; • Connections to the trail are made at Pearl St, the Mews, Elm Street and Chestnut St; and • New paving, street furniture, landscape planting, and provision for public art will be provided
Standard A-6	Mix of Uses	■ <i>New development in Bayside shall incorporate a mix of residential, retail, commercial, and open space uses of various types and scales.</i> The Plan for midtown Development incorporates a mix of	The midtown buildings incorporate a mix of residential,

		residential, ground floor retail and open space uses of various types and scales. The plan is designed to allow adaptability and flexibility of use over time.	ground floor retail, and open space uses.
Standard A-7	Building Orientation	Buildings shall be located at the property street line to provide definition and character to the streets. The midtown Development buildings have been located near the property street line in order to provide very clear definition and character to the street. The primary façades and entrances of buildings are oriented to streets, major pedestrian routes, or open spaces in order to enhance the pedestrian-oriented environment.	midtownOne apartment building is oriented with continuous retail frontage on Somerset St and The Mews; the primary apartment entrance is on Pearl St near the trail and there are secondary entrances on Pearl St nearer Somerset St and from the Courtyard; service is confined to a narrow entrance on Pearl St; tenant amenities and the residential lobby have active windows facing the trail. midtownTwo garage building is built out to the street line and features continuous retail development along both Somerset and Chestnut streets. midtownThree apartment building is oriented with continuous retail frontage on Somerset St, windows along the trail, and at the corner of Somerset and Chestnut Streets, the building entrance faces Chestnut Street. midtownFour apartment building has retail frontage on Elm Street and facing the trail, with the apartment resident and service entries on Elm St. All buildings thus front on streets at property line and form a strong and active street edge.

Principle B, Access and Circulation			midtown Development Plan	midtown Level III Design Review
Standard B-1	Streets and Alleys	Streets and alleys shall be scaled for expected vehicle, pedestrian, bicycle and transit activity to support mixed use development. The Plan for midtown Development provides streets scaled for expected vehicle, pedestrian, bicycle, and transit activity; they support mixed use development and will be well landscaped and promote traffic calming. Somerset Street will allow for on-street parking and loading. The proposed street grid of the <u>Plan for midtown Development</u> will follow the existing scale and pattern of Portland's street grid and blocks. The plan incorporates provisions for the future extension of Pearl Street to Marginal Street.	midtownOne, Two, Three, and Four will include the development of streetscape to meet these standards along Somerset, Elm and Chestnut Streets. The full build-out of Pearl Street will require future property acquisition; the temporary construction of this first phase will provide a turn-around at the trail sufficient for emergency vehicles The immediate implementation will involve raising the grade of Somerset St (a B street on the <i>Bayside Street Hierarchy Map</i>), Chestnut St, and Pearl St (both C streets in the hierarchy). Temporary transition grades will be provided at the corner of Somerset and Pearl, and between at the west end of Somerset St. at Elm St.	
Standard B-2	Street Connectivity	The prevailing street grid of Portland (and Bayside particularly) should be extended to provide opportunities for sun and airflow. The <u>Plan for midtown Development</u> incorporates provisions for the future extension of Pearl Street. Small block size would make the provision of an efficient parking garage impractical (as the length of ramp is determined by slope limited by code), so the Development Plan is seeking a waiver for the future extension of Cedar and Myrtle Streets.	midtownOne apartment and garage building projects are designed to allow a public mews space to provide a pedestrian connection from a future Myrtle St extension to the Bayside Trail and to allow airflow and sunshine. Near Elm Street, the midtownThree building is held back from property line to provide a wide and clear	

				public trail connection to future redevelopment of the land to the north (currently fenced parking lots) Sunlight and air are well-provided to all façades of all buildings.
Standard B-3	Mid-Block Permeability	Development should incorporate mid-block permeability perpendicular (and where feasible, parallel) to Marginal Way through provision of alleys, pedestrian corridors, trail access, plazas, and pocket parks. The <u>Plan for midtown Development</u> incorporates provisions for a new public open space connecting Somerset Street to the Bayside Trail between the first apartment and garage buildings.		midtownOne apartment buildings and midtownTwo Garage building are sized to the block size typical of the Bayside neighborhood. midtownThree provides retail space fronting on Somerset St which is designed as “through space,” that is, allowing a visual connection through to the Bayside Trail beyond. It is noted that the building opposite this building on Somerset St. has no mid-block connector and the trail adjacent to the building’s north façade is defined by a berm containing stabilized contaminated soil which rises 6 feet above the floor level of the retail space. In addition there is a fenced parking lot on the north side of the trail. A mid-block connector in this instance would serve no real purpose as there would be no matching connector on the other side of Somerset St and no pedestrian connection to the trail or properties to the north – that is a connector by itself (even if it could overcome the topographic problem of the berm, would generate no foot traffic as it would not be part of a larger pattern of pedestrian movement. At such time in the future as these adjacent properties

				are redeveloped and a strong pedestrian desire to move north-south is established, the retail leasing may respond with a public passage providing additional store frontage – without such strong pedestrian movement, such additional frontage is of no value, and such a passage would be empty, uninviting, and potentially dangerous. The building design does, however, hold back from the property line at its west end allowing an expanded trail connection to Somerset and Elm Streets with easy and inviting access from Somerset Street.
Standard B-4	Sidewalks and Crosswalks	■ <i>All sidewalks and crosswalks shall conform to the intent of the City's Technical and Design Standards and Guidelines providing sidewalks of 12 - 15 ft width on A and B streets with bump-outs at pedestrian crossings.</i> The <u>Plan for midtown Development</u> incorporates new sidewalks which will be bifurcated by a grade change at Pearl and Somerset Streets as shown in the plans. However with the planned change in roadway elevation the majority of the Somerset frontage will be one continuous sidewalk without grade change. Somerset and Elm are designated 'B Streets' – the plan includes bump-outs and amenities such as tree wells, landscaping, café seating and provision for public art by others.		The <u>midtown Apartment and Garage buildings</u> will include development of detailed landscape areas on Pearl, Somerset, Chestnut, and Elm Streets, with new pavement, street furnishing and lighting.
Standard B-5	Green Streets	na		

Standard B-6	Multi-modality	■ <i>New development shall accommodate a full range of multi-modal transportation options including pedestrian, bicycle, private auto, delivery and pick-up vehicles, and transit users.</i> midtown Development incorporates plans for re-construction of Somerset, Pearl, Chestnut, and Elm streets to meet the City's standards and allow multi-modal use.	
Standard B-7	Continuity of Street Level Uses	■ <i>Development shall provide for the continuity of pedestrian-oriented uses along Somerset Street frontage.</i> Unavoidable entrances to the garage of the midtown Development are located on Somerset street; pedestrians will be given priority by requiring cars to enter the garage at sidewalk level via a short ramp at curb edge. Service entries to residential buildings midtownOne and midtownFour are planned at the cross streets to assure maximum retail frontage on Somerset St; the service entry for midtownThree retail and residences will be along Somerset St A waiver is requested	A service entrance for the midtownOne apartment building and its ground floor retail use is provided on Pearl Street; service entrance for midtownTwo retail space is provided adjacent to the garage entrance; service entrance for midtownThree retail and residences is provided on Somerset Street, and the service entrance for midtownFour is provided on Elm Street. These service entrance doors will be about seven feet wide, will be designed as an integral part of the modern industrial aesthetic of the buildings, and will be opened only to remove trash and recycling to vehicles parked in designated service spaces. Service for the ground floor retail use in the Garage building will be provided through the front door(s) of the retail spaces from loading zones along Somerset St. Loading dock or service vehicle facilities are not planned for these retail spaces; tenants will provide for trash and recycling facilities within their leased premises.

				Retail and apartment lobbies will form more than 90% of street frontages thus assuring the maximum frontage along Somerset Street.
Standard B-8	Traffic Calming	■ <i>New development shall provide traffic calming on Chestnut Street where the Bayside Trail crosses and shall provide neck-downs, trees and landscaping, and crosswalks as wide as the sidewalks they serve.</i> The <u>Plan for midtown Development</u> provides landscape treatment and sidewalk bump-outs (traffic neck-downs) along Somerset street at crosswalks, as well as traffic calming in the form of a central island in Chestnut street where the Bayside Trail crosses.		The intersections of Pearl, Elm and Chestnut Streets with Somerset St will be constructed to city standards as part of the midtown construction work.
Standard B-9	Streetscape Design	■ <i>New Development shall utilize the City's streetscape standards for Bayside to create a unified image for the neighborhood.</i> The new privately owned and developed open spaces provided by the <u>Plan for midtown Development</u> will be designed to coordinate with the City's standards for streetscape design elements.		The Mews and The Courtyard at midtownOne and Two have been designed with paving materials, lighting, street furniture, and plant species that have been coordinated to harmonize with the streetscape standards for Somerset Chestnut and Pearl Streets. The garage green screen is intended to bring the trail landscaping into the garage building façade.
Standard B-10	Encroachments	■ <i>Encroachments on the public sidewalk shall be sited and designed to encourage pedestrian activity.</i> No encroachments are planned in the <u>Plan for midtown Development</u>.		midtownOne, Two, Three, and Four do not include any encroachments in the public sidewalk.

Standard B-11	Lighting	□ <i>Street lights along public streets shall comply with the City's Technical and Design Standards and Guidelines and shall be scaled to the size and use typical for each street.</i> The <u>Plan for midtown Development</u> will utilize the standard type fixture for Somerset Street, Elm, Chestnut Street and Pearl Extension. Location and spacing may need a waiver. As well, higher intensity lighting is appropriate for the retail locations especially along Somerset St and to create a uniform appearance along the ground floor retail areas of the development which may require a waiver of some requirements. Pedestrian lighting will be provided by the streetscape lighting noted above together with 'spill' lighting from retail store fronts. Lighting for the mews and new public opens spaces will be designed to compliment these standards. A waiver is requested for higher intensity lighting to support retail activity.	As midtown is constructed Holophane street light model for Bayside at 19' – 3" height will be used in Silver Metallic Aluminum on Somerset St and in Tribo color on Pearl, Elm and Chestnut Streets. A waiver is requested of the lighting intensity and spacing requirements for midtown in that all ground floor uses on Somerset St, the Mews, the Courtyard, much of the Bayside Trail, Chestnut and Elm Streets will be retail. Higher intensity lighting is appropriate for such retail locations and the design seeks to create a bright and uniform appearance along the ground floor retail areas of the development.
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Principle C, Parking, Loading and Services Areas		midtown Development Plan	midtown Level III Design Review
Standard C-1	Parking Structures	■ <i>Parking structures shall be compatible with adjacent uses and architecture in form, bulk, massing, articulation, and materials.</i> The <u>Plan for midtown Development</u> will incorporate architectural design elements that provide visual interest on all sides of its two garages that are visible from public rights of way. The visual impact of parking garages along Somerset, Chestnut, the Mews and Bayside Trail will be mitigated through façade articulation and use of materials in harmony with the residential buildings. Internal lighting and the glare of headlights will be screened from view. Pedestrian level lighting will be provided on all public sides of the garages. Garages will provide facilities for Electric Vehicle recharging The Garages will provide space for public commercial car share services.	The midtownTwo Parking Garage will express a horizontal bay spacing of 12 ft similar to the proposed residential façades, and it will utilize a floor-to-floor dimension of 10 ft similar to the residential floors. Additionally, all buildings will take the form of predominant retail ground floor use with other uses on the upper floors. Materials for the garage will include architectural precast concrete, metal and colored accent features, all as illustrated in elevation drawings submitted. The Garage's internal lighting will be carefully designed to avoid spill and glare visible from public spaces, and pedestrian light levels along Somerset and Chestnut Streets, and along the Bayside Trail and the Mews, will be bright as detailed elsewhere. The Garage will provide 14 premium EV-ready spaces near the elevators. These spaces will include an outlet, pay station, and appropriate signage – they will be available on both short term and monthly lease basis. Space will be provided for public car sharing programs like ZipCar ,Enterprise, or u-car. These vehicles are provided with access key-cards to operate the garage

				access and egress gates, so can be parked near the public elevator on Somerset St and available to all neighbors at any time.
Standard C-2	Parking Entrances	□ <i>Parking garage automobile entrances shall respect the pedestrian realm; Pedestrian entry/exit points shall be enhanced; Visual impact shall be minimized through design elements</i> In the <u>Plan for midtown Development</u> garages will be designed to respect the pedestrian realm and minimize the visual impact of the garage entrance and exit by collocating the garage entrance and exit. These consolidated entry/exits will provide greater uninterrupted active retail use on the ground floor and will require a waiver from the requirement for separate entry/exit. Entry/egress gates will be located interior to the garages to allow entrance queuing internal to the structure minimizing back up onto Somerset St. A waiver is requested of the requirement that entrances and exits be physically separated.		The midtownTwo Parking Garage will require entering vehicles to rise onto the sidewalk via a curb ramp, and thus the entering driver will know that the vehicle is being driven in a pedestrian realm. The exit ramp will be clearly signed and well lighted to alert the exiting driver that s/he will be crossing a sidewalk where pedestrians have the right of way. Entry and exit revenue control gates are located well inside the garage. Three lanes are provided with the center lane being reversible so that two entry gates can be utilized during busiest ingress times and two exit gates during the busiest egress times. In this way the queue of entering vehicles can be maintained within the garage structure. By its nature, the queue of exiting vehicles will be within the structure; but important to the pedestrian realm, the exiting driver will have a clear view of the sidewalk and traffic in both directions along Somerset Street, and will remain stopped without blocking the sidewalk until it is safe to exit. Pedestrian access/egress towers at the corners of Somerset and Chestnut, and the Mews at the Bayside

				Trail will provide a lighted accent at these corners, and provide for public view of patrons in the staircases and waiting for the elevator
Standard C-3	Active Uses	■ <i>Parking Structures shall incorporate liner buildings, or enclosed active uses on the first floor of A and B streets with a min clear ceiling height of 10 ft and a minimum depth from street front of 25 ft.</i> The garages of the <u>Plan for midtown Development</u> will exceed this standard substantially by providing active retail uses on the ground floor with a minimum of 14 foot floor to ceiling clearance height and a column spacing that allows deep commercial uses to be developed in the structures.		The midtownTwo Parking Garage will feature retail frontage on Somerset and Chestnut Streets and along a substantial length of the Bayside Trail. This retail accommodation is the full 120 ft depth of the building, accessible on all sides, and built with a clear height from floor to underside of structure of not less than 14 ft (for more than two thirds of the space – lower ceilings will be necessary under the access ramp)
Standard C-4	Back of Parking Structures	□ <i>Parking Structures that have a rear or side elevation along a public right of way or ... trail... must incorporate standard E-9.</i> The garages of the <u>Plan for midtown Development</u> will incorporate design considerations of Standard E-9		The midtownTwo Parking Garage will not have a “back side” in the traditional sense of a building which utilizes a better material in a more articulated way for a primary façade and lesser materials with no articulation for others. Since the parking structure will form a façade on the Bayside Trail, and a street front on both the Mews and Chestnut St, these façades will be as articulated and be built of the same materials as the principle Somerset façade. The design for the parking garage retail façade facing the trail will provide for operable building entrances.

				The base building will provide clear glass at the retail frontage on the trail.
Standard C-5	Decks and Ramps	□ <i>Parking structures shall have horizontal decks on all levels where decks are visible from public rights of way. Sloped ramps shall be screened from visibility from public ways.</i> The garage decks of the <u>Plan for midtown Development</u> will be level on the Chestnut and Somerset St and the Mews façades, and will incorporate a parking ramp between parking levels along the Bayside Trail façade. The Plan seeks a waiver to allow these ramps to be expressed to the Trail and visible tangentially from streets and public rights of way.		The midtownTwo Parking Garage has been designed with ramps at the Bayside Trail façade supported on sloping structure between horizontal end bays. The end bays will be clad in architectural precast concrete with openings similar in size and spacing to the apartment building windows. The sloped structure between these will be minimized, cable rails will provide for pedestrian and auto safety, and the interior structure will be a dark color, all to minimize visibility of the sloping ramps. The façade will be covered above the retail ground floor with a green screen.
Standard C-6	Surface Lots	na	The <u>Plan for midtown Development</u> does not incorporate surface parking	
Standard C-7	Bike Racks	■ <i>Bike Racks shall be provided in a convenient location and in compliance with the City's parking standards at Chapter 14-332.1 et seq.</i> The <u>Plan for midtown Development</u> will incorporate bike racks conveniently located in the parking garages in compliance with the City's Off-street bicycle parking standards, that is 2 bicycle spaces for each 5 dwelling units, and 10 bicycle spaces for the first 100 non-residential car parking spaces and 1 bicycle parking space for each 20 additional car parking spaces.		Assuming 1.5 car parking spaces per dwelling unit and 440 dwelling units provided in the midtown apartment buildings, 660 of the Garage's 802 car spaces will be dedicated to residential uses and 142 spaces will be dedicated to non-residential uses. The development will therefor provide the following bike spaces: • Residential use: $(440/5) \times 2 = 176$ spaces • Non-residential use: $10 + (142/20) = 24$ spaces

			Total: 200 bicycle spaces These bicycle spaces are planned at ground level beside and beneath the access ramp accessible from the Courtyard via the pedestrian lobby. Signage will indicate this location from Somerset St. In addition space will be provided and designated for Bicycle Sharing programs such as Zagster, Decobike, or Alta Bicycle Share. These will be located on the Bayside Trail , and will be appropriately signed from Somerset Street.
Standard C-8	Service, Utility and Mechanical Infrastructure	<i>Service, Utility, and Mechanical Infrastructure (when installed at ground level) shall be located at the rear or side of buildings or interior to parking garages, and all such infrastructure shall not result in adverse visual, audible, or noxious impacts.</i> The <u>Plan for midtown Development</u> incorporates screening for infrastructure as follows: - service, utility and mechanical infrastructure will be located at the rear or sides of buildings, with underground connections; - all service, utility, and mechanical infrastructure will be visually screened; - roof equipment will be screened from street level visibility from public rights of way and from designated view corridors by parapets, roof screens or equipment wells; - roof equipment will be clustered to the extent practical; - residential building loading areas will be through	The design of the midtownOne, Three, and Four buildings will provides roof top screening of condensing units, ventilation fans and other rooftop equipment. A penthouse will be provided which will house elevator equipment, and electrical gear. As the garage will be a high-rise structure, there will be a small roof-top emergency generator sized to provide lighting, elevator, and fire pump power in the event of utility failure. This will be housed in a weather-protected acoustic enclosure to meet the city's technical requirements. Utility transformers to serve the midtownOne and Two buildings will be located in a corner of the land

			overhead doors, in colors and finish consistent with the exterior elevations of the overall building; • no exposed to view loading docks or ramps are anticipated; and, • no outdoor storage and trash collection or compaction is anticipated that would require screening. • As the buildings have no “sides” or “backs” a waiver is sought of requirement to have service access at side or back and to allow entrance from the public way	dedicated to the Bayside Trail; transformers to serve midtownThree and Four will be located on the proponent’s land north of the midtownFour building, all as shown on site plan. Transformers will be appropriately fenced for safety and screened with plant materials. Trash and recycling handling and storage at the midtown buildings will be entirely inside the buildings.
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Principle D, Open Spaces and the Public Realm			midtown Master Development Plan	midtown One Building Design
Standard D-1	Open Space Design	■ <i>New publicly-accessible open spaces shall be designed to allow views from the sidewalk, street, and surrounding buildings and shall provide views into the open space as well as outward from within the space.</i> New public open space meeting these criteria will be provided in the <u>Plan for midtown Development</u>		The Mews and the Courtyard of midtownTwo and Three are visible from Somerset St and the Bayside Trail and provide views outward to these public rights of way. The open spaces provided adjacent to midtownThree and Four buildings widen and enhance the trailhead at Elm Street. Importantly, the development of continuous low-rise residential frontage along both Somerset Street and the Bayside Trail provide “eyes-on-the-street” a component of making public spaces feel safe and welcoming at all hours of day and night. All open spaces have been designed with a view to enhance pedestrian comfort while providing a variety of sunny and shaded areas.
Standard D-2	Bayside Trail	□ <i>Buildings adjacent to the Bayside Trail shall be designed so that the façades along the trail incorporate design elements that enhance the trail use such as active doors into the building, plazas, outdoor seating, and food service.</i> The <u>Plan for midtown Development</u> incorporates provisions to enhance the Trail by incorporating design elements that include:		All the midtown buildings are designed façade elements adjacent to the Bayside Trail that enhance the trail experience. As noted above, these façades are not

			• new/enhanced lighting, hardscape and landscaping; • active uses/doors into the buildings, • new public spaces; • opportunities for outdoor active uses and seating; and, • new public accesses to the trail from Somerset Street via Pearl Street, the Mews, enhanced Chestnut St, and Elm St. • A partial waiver is sought on the requirement of having “active building ingress and egress” on the portion of midtownThree facing the trail due to natural changes in grade.	designed as “backs”, and they provide the important element of residential windows overlooking the trail. Food service establishments are the planned as part of the retail leasing program for the ground floors of the all buildings. This may provide some entrances and egresses facing the trail.
Standard D-3	Landscaping and Street Furniture	□ • <i>The design shall incorporate provisions for Landscaping and Street Furniture for public and private property that is compatible with the provisions set-forth in the City’s Technical and Design Standards and Guidelines. Submissions shall be reviewed by the City Arborist.</i> • The <u>Plan for midtown Development</u> will incorporate landscape improvements that will enhance the visual quality of the street presence and pedestrian activity zones including enhancement of the Bayside Trail that include urban compatible canopy trees, low maintenance shrub, perennials, grasses and ground cover plantings. • Plant selection will include native material where practical and appropriate and will include hardy urban material in response to the environmental conditions prevalent to the Bayside area, that include zone hardiness, soil conditions, potential tidal ground water influence, road salt conditions, low maintenance and drought tolerance	The midtown buildings and their site development will be designed to meet all the commitments of the approved Preliminary Site Plan	

			- Currently there is no plant palate for urban street trees in the project area, placement of street trees follow the recommendations of the Technical and Design Standards and Guidelines; planters will be incorporated where grading requirements have provided the opportunity to enhance the public activity zone and incorporate trees typical of other city streets; the new planting will establish a palate for subsequent street improvements by others. - Street planting will incorporate the city standard tree grate within the public sidewalk and along portions of the trail; this enhancement will provide for extended pedestrian circulation; planters will be raised to address the grade changes that occur in response to street improvements and will be detailed to provide visual enhancement; planted areas, including street tree plantings, will incorporate methods to provide for adequate water and air to support a healthy growing condition, and will include alternative soil mixture and or structural units to enhance root zone development; plant material will be selected in response to urban conditions that include drought tolerance - No irrigation system is proposed: however, during the period of establishment watering will be incorporated as part of the required maintenance plan. Drainage is not anticipated to be an issue with the proposed plantings - No accent lighting is being proposed for plantings in the public space or private space.	
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			• A maintenance plan will be provided that will establish a program for feeding, watering, pruning, damage repair, pest and weed control, and replacement of declining plant material.	
Standard D-4	Pedestrian Amenities	□ <i>Pedestrian amenities shall comply with the City's Technical and Design Standards and Guidelines at a minimum, and also with the streetscape standards selected for Bayside.</i> • Seating will be provided where appropriate in response to the provisions requiring one linear foot of seating for each 30 feet of street frontage; • Space has been allocated for a bus shelter within the <u>Plan for midtown Development</u>; • Trash receptacles and bicycle hitches will be located to maintain an unobstructed pedestrian route; at this time there are no plans to provide for mail boxes or newspaper boxes; • Following completion of the City's <i>Way finding Study</i> directional signage in compliance with the study's recommendations will be incorporated into the <u>Plan for midtown Development</u>, however pending completion of the study, the proponent requests a waiver of this provision; other signage shall conform with guidelines set-forth in Standard E-16,	Permanent seating will be provided along Somerset St; Additional loose seating will be provided controlled by the retailer at the Courtyard. Bicycle hitches will be provided along Somerset street for patrons of the retail merchants and undercover at the midtownTwo garage for visitors to the apartment tenants. Secure bicycle storage for employees of retailers and apartment tenants is provided in the garage (see Standard C-7 above) At a minimum midtown will provide street name signs at all intersections, and Bayside Neighborhood maps will be located at the Courtyard, at Chestnut Street, and along the Bayside Trail opposite the Garage building.	

Standard D-5	Public Art and other special features	Public Art shall be designed and implemented in accordance with the Guidelines for the City of Portland Public Art Program, shall complement the character of surrounding buildings, streets, and open spaces, and shall not obstruct pedestrian circulation. The <u>Plan for midtown Development</u> will incorporate this requirement and identify locations for public art by others.	The midtown development incorporates locations for provision of public art in several locations: sculpture space in the courtyard, potential for Mural development on the Garage façades facing the Mews and the Bayside Trail, in the Chestnut Street Island and at the space to the west of midtownFour along Elm St. It is anticipated that the public art will be designed and implemented by others in a manner that will complement the character of the buildings, streets and open space. The proponent will actively solicit appropriate public art as the project nears completion.
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Principle E, Architectural Design			midtown Development Plan	midtown Level III Design Review
Standard E-1	Architectural Design	■ <i>New development shall create a mixed-use, pedestrian-friendly setting that contributes to the neighborhood context of the surrounding urban fabric, contributes positively to a new identity for Bayside, and provides a sensitive transition to the adjacent residential community.</i> As noted above the <u>Plan for midtown Development</u> incorporates mixed residential and retail uses forming one side of what will eventually become a pedestrian oriented retail street linking Trader Joe's to Whole Foods. The residential density associated with this plan will assure success of the retail development, bring active life to the streets evenings and weekends, and provide added variety to residential offerings by providing for a contemporary urban lifestyle. Architectural design of all buildings will be “modern industrial” incorporating twentieth and twenty-first century materials and sensibilities derived from industrialized production and building techniques. The building designs are intended to be both of their time and timeless – to bridge the century from the neighborhood's railroad/industrial past to its mixed residential future.		The buildings of midtown are unambiguously modern buildings with an economy of expressive means using unadorned industrial materials to achieve great effect through judicious use of accent colors. These buildings, while be designed with a modern architectural vocabulary, and reflect their obligation to be ‘citizens of their own time and place.’ They are designed to be good neighbors, deferring to local vernacular architecture and, where appropriate, borrowing and taking fundamental design lessons in form, proportion, and fenestration rhythms.
Standard E-2	Height	■ <i>Building heights shall meet those approved in the Bayside Height Overlay Map as amended by any later regulations. Street wall heights shall be stepped back 15 feet above 4</i>		

		<i>stories. Roofline shall create visual interest on the skyline.</i> The buildings of <u>midtown Development Plan</u> will conform to the heights noted on the Bayside Height Overlay Map of 4/09/2006 (105 and 125 feet). The street wall on Somerset Street will be characterized by façades creating visual interest at the skyline. The low-rise buildings (midtownOne, Three, and Four) will not have upper level façade setbacks, however the ground floor façades of buildings One and Four will be inset slightly to provide wider sidewalks required by the grade changes to elevate Somerset Street between Pearl and Elm Streets. The midtownTwo garage building will not feature setbacks.	The buildings of midtown follow the development plan intentions directly. Both the apartment buildings and the garage will be articulated with vertical elements which will terminate at the roofline to provide interest at the skyline.
Standard E-3	Massing	□ <i>The composition of proposed building façades shall be defined by horizontal and vertical articulation with the vertical predominating; large expanses of undifferentiated uniform cladding are not allowed along public rights of way.</i> The residential buildings within the <u>Plan for midtown Development</u> along Somerset Street will feature a prominent, transparent, brightly lit retail use at ground level and cornice and parapet articulation at the roof line. Collectively these use differentiations, setbacks, and roofline articulations will support a reading of the massing as to having a base, middle and top.	The midtown buildings are characterized by not having “backs” – that is they will be seen equally from all directions. As such, careful attention has been paid to the composition of each façade to minimize or eliminate undifferentiated expanses of façade and to provide a degree of articulation in all façades. The organization of residential scale windows is presented in multiple ways reflecting the building orientation. For instance, views in the direction of the White Mountains can be captured by increasing the glass-to-wall ratio to greater than 50% The garage design supports a reading of the massing as to having a base (retail development) and top (through articulation of cornice elements). A waiver is sought for

				the garage to accept this definition. At the pedestrian level the garage is characterized as not having a back. The rhythm of retail use and its storefront will create a sense of vitality facing the Bayside Trail. The garage upper levels will be minimally articulated, including green screening, but using the logic of its structural system to express its quiet honesty in the use of architectural precast concrete.
Standard E-4	Articulation	□ <i>Façades visible from public rights of way shall incorporate design elements that break the façades into components scaled to the pedestrian, and shall not be blank, flat, unadorned, or repetitive.</i> Per Standards E-2 and E-3 above the building massing of the midtown Development will break down the scale into base, middle, and top by articulation of window detailing, wall color and material, and changes in pattern and texture. Reveals, expansion joints, trim and permanent artwork by others will contribute as well. The base of the buildings will be commercial retail use and will exhibit materials durable in nature and of high quality. Storefronts and weather protection for pedestrians will further accentuate these façades and reinforce the pedestrian scale. Transparent display windows will be used at the retail façades at the pedestrian level. Effort will be made to encourage retailers to maintain transparency inside the glass.		As designed, none of the façades of the midtown buildings can be characterized as “blank, flat, unadorned, or repetitive.”
Standard E-5	Flexibility of	■ <i>The first 40 feet of depth of floor area along street</i>		

	Interior Layout	<i>frontages shall be laid out to accommodate retail uses. Placement of permanent building elements at the ground level shall be designed to accommodate the broadest possible variety of layouts.</i> The <u>Plan for midtown Development</u> anticipates buildings that will have tall largely open retail spaces facing all public streets and the Bayside Trail. Access to upper levels (residential service, elevator, and lobby spaces, and garage entrance/exit gates and ramps) will be concentrated or clustered to provide the maximum of open leasable space within. Egress stairs from upper levels will be driven to non-storefront façades to the extent feasible.	midtown offers commercial interior layouts that are flexible and oriented to the sidewalk, mews courtyard, and trail. The residential buildings provide a retail storefront rhythm of 24 feet at its base allowing retailers a flexible module to merchandise their frontage. The garage has a structural bay spacing of 48 feet by 60 feet making it a unique high quality offering for commercial tenants. The vertical floor to floor dimension of the first floor of all buildings will 18 feet, a dimension matching and exceeding commercial market expectations.
Standard E-6	Entrances	■ <i>Buildings along public streets shall have their primary entrances oriented to the street.</i> Primary public entrances to the buildings proposed in the <u>Plan for midtown Development</u> will be on Somerset, Pearl, Chestnut, and Elm Streets. A second entrance to the garage will be located nearer the Bayside Trail open spaces.	The primary resident entrance to the midtownOne apartment building will be along the extension of Pearl Street, undercover, near the intersection of the Bayside Trail. A secondary key access entry will be located nearer to Somerset St for resident convenience. The primary resident entrance to the midtownThree apartment building will be along Chestnut Street and the resident entry to the midtownFour apartment building will be along Elm Street. The primary public egress from and access back to the parking levels of the midtownTwo parking garage will

			be at the corner of Chestnut and Somerset Streets. Secondary entrances to both garage and apartment buildings will be located at the Courtyard and along the trail.
Standard E-7	Windows	■ <i>Windows appropriate to the overall building style and scaled to overall massing shall be located on all façades visible from public rights of way. First floor visible light transmittance shall not be less than 0.7 and vision glass shall occupy at least 50% of the street frontage from 2 to 9 feet above the sidewalk. Upper floor windows shall likewise transmit at least 0.7 of visible light, and shall constitute 15 to 40 percent of façade surface area.</i> The retail frontage of all buildings in the midtown Development will comply with this requirement. The upper levels of the residential buildings will similarly comply. The garages will not have windows, but will be articulated with a window-like pattern of openings and screening designed to compliment the adjacent residential buildings.	The midtown apartment buildings have windows located on all façades with a ratio of 40% vision glass area. The retail frontage of the buildings between 2 and 9 feet above the floor is 80% vision glass. All vision glass facing public ways and the trail will be clear un-tinted non-reflective low-e coated insulating glass units with a visible light transmittance of over 70%
Standard E-8	Storefronts	■ <i>Storefronts shall be designed to accommodate doors at regular intervals to allow for flexibility over time.</i> The retail storefronts of the buildings in the midtown Development will have regularly spaced access door panels at each side of the columns along public streets.	The midtownOne building may have overhead glass doors along Somerset Street, the Mews, and the Courtyard to allow the space to open up when feasible in good weather. Regular side hinged doors will be provided beside each overhead door to allow access and egress when the larger doors are closed. Details of storefronts in the other three buildings are yet

				to be decided, but will feature wide clear storefront glazing and regularly spaced doorways.
Standard E-9	Back Sides of Buildings	□ <i>The back sides of buildings ... along the trail shall incorporate high quality materials, transparency, operable building entrances, and other design features consistent with the primary façades.</i> As noted elsewhere, the buildings constituting the midtown Development do not have “back sides” in the traditional sense; all sides of all buildings will be formed of the same palette of high quality materials incorporating a similar range of details and style. A partial waiver is sought on the requirement of having “operable building entrances” on the back portion of the midtownThree due to natural changes in grade and safety concerns.		midtown is characterized as a design without a back. Elevations not facing the street or other public ways or trail are designed to the same high quality standards as those facing streets. Utility meters, exhaust vents and other mechanical appurtenances will be screened from view.
Standard E-10	Rooftop Appurtenances	■ <i>Rooftop appurtenances shall not be visible along or block view corridors or views to specific landmarks.</i> Mechanical and other equipment on the residential building roofs in the midtown Development will be screened from view. Screens will be formed of the same palette of materials forming the primary façades of the buildings. Garage rooftop decks will be used for parking and will generally have no roof top appurtenances.		The roof top screen material for the three midtown apartment buildings follows the design logic of each building as a whole with the goal of presenting the “top” of the building as a unified design. The exterior appearance, scale, shape and material choice conforms and is consistent with the rest of the building.
Standard E-11	Fences and Walls	■ <i>Fences and walls along public ways shall be designed of high quality materials appropriate for the locations in which they are shown. Chain-link fences, plastic fences or fences rural in character are not allowed.</i> No fences are planned in the midtown Development area.		Walls at changes of grade at the public areas of

			Walls at changes of grade at the public areas will be of durable masonry materials. The required fence at the north side of the raised trail will not be chain link	midtown will be of durable masonry materials.
Standard E-12	Materials	□ <i>Façades visible from public rights of way shall consist of natural and authentic building materials that are expected to last 50 years.</i> The buildings in the midtown Development will be clad in precast concrete, cement fibre board, patterned and textured architectural metals, and enameled aluminum and glass window and louver systems. All materials will be chosen for durability and long service life. A partial waiver is being sought of Standard E-12 for the use of fiber cement panels for equipment screens above roofs. Fiber cement technology has evolved in recent years with offerings of higher strengths, color and pattern choices that have a handsome, elegant appearance which will compliment the precast and metal façades of the main buildings.	The four buildings of midtown are decidedly modern, expressive of the aspirations and ambitions of today’s urban citizen. The material choices are important, and sustain a cohesive, integrated image of the buildings while providing intrinsic differences between each. The midtown apartment buildings have been designed using high quality, durable materials that age and perform well and that are appropriate for a buildings of this low-rise scale. The midtownTwo garage building has been designed to be built of precast concrete structural and architectural cladding elements with detailing and accents in architectural metals consistent with the materials used elsewhere in the development and in the district.	
Standard E-13	Transparency	■ <i>Windows shall use untinted or lightly tinted glass.</i> The buildings in the midtown Development will use clear vision glass with high visible light transmittance for windows facing the street, trail, and other public ways.	As noted in standard E-7, the midtown apartment buildings will comply in that all windows facing public ways will be clear glass. The midtownTwo garage building has windows only in the retail storefront. These will also be clear glass. However, there are areas of storefront, particularly where the garage ramp rises along the Bayside Trail façade, in which opaque spandrel	

				glass will be employed to hide the sloped structure behind while maintaining the orthogonal fenestration pattern.
Standard E-14	Illumination	■ <i>Prominent façades shall be lit by carefully designed downwash systems consistent with the City's Revised Lighting Standards for Architectural Up-lighting and Standard B-12</i> The <u>Plan for midtown Development</u> may incorporate carefully designed façade lighting of appropriate color and intensity consistent with garage and residential buildings.		Architectural façade lighting at midtown will be confined to the garage façades, the retail façades, and the top unoccupied portion of the apartment buildings.
Standard E-15	Weather Protection	■ <i>Pedestrian sidewalks and walkways shall include weather protection at entrances appropriate for retail environment use.</i> The <u>Plan for midtown Development</u> will provide awnings along retail frontages and entrances on Somerset, Chestnut, Pearl, and Elm Streets.		The Somerset Street frontage of the midtownOne, Two and Three buildings will have awnings at the storefronts to provide weather protection. The apartment entrances on Pearl, Chestnut, and Elm Streets will be provided with a glass and aluminum canopies for protection. As there will be no doors to the open stairways, the garage auto entries will have small glass and aluminum canopies more to mark the entry point on the façade and support signage than to provide weather protection.
Standard E-16	Signage	■ <i>Signage should be related to and an integral part of the design of a building, composed of new materials; lighting techniques, and graphic images shall be allowed where it will not have a detrimental effect on the pedestrian</i>		

			<i>environment and character of surrounding buildings.</i> The Final Level III Site Plan for the midtown Development will contain a master signage plan submitted with the site plan approval package. Signage on buildings will be related to and be an integral part of the design they are part of.	The apartment Buildings and the garage of midtown will have building-integrated sign features incorporating graphics, color, and subtle lighting. A Sign Plan will be submitted showing and describing the location of building identity and address signs, and tenant signage. Limits on number and size of individual signs and total area per façade will be noted.
Standard E-17	Historic Buildings	na		
Standard E-18	Sustainable Design	■ <i>Property that is conveyed by the City shall be developed in a manner that is certifiable according to the current relevant standards for building and neighborhood development of the USGBC's LEED program.</i> The midtown Development will consist of buildings designed to meet LEED-NC requirements. These buildings, if registered, supervised, inspected, and administered correctly, and if built according to design, should be able to achieve certification.	A LEED checklist will be provided for each midtown apartment building showing how it would be able to achieve the necessary prerequisites and credits to achieve Certification	
Standard E-19	Shadows	□ <i>New development shall not increase the area of the Bayside trail in shadow by more than ten percent during the period from March 21 to September 21</i> A waiver is sought on this Standard E-19 for the buildings of the midtown Development. No buildings currently shade the Trail which lies to the north of the proposed buildings, therefore any building would cast shadow substantially in excess of the area currently shadowed.	An analysis showing the shadows at 9:00, 12:00 and 3:00 on the solstices and equinoxes will be prepared for midtown to show the extent and duration of shadows on the Bayside Trail and indicate the shadow in each instance which is in excess of a building 65 ft tall built at the property line. This analysis will provide commentary	

			The B-7 Zone is exempt from the requirements of Section 11 of the city's technical manual.	on any change to the usefulness of the Trail as a result of the new shade.
Standard E-20	Wind	■ <i>Consideration of wind impact relating to new construction shall establish and maintain a comfortable pedestrian environment.</i> As the buildings are all substantially lower than the limits of height prescribed for the project area, and are consistent with the height of other recent developments in the district that have not experienced uncomfortable winds, the proponent seeks clarification that a detailed professional wind study will not be required for Final Level III Site Plan review		Initial assessment of windroses and anecdotal reports suggest that winter winds from the North and Northwest might cause probable discomfort for sitting activities in the Courtyard if midtownOne were built to 165 feet tall. The building is proposed at 72 feet however, and the effects of wind would be attenuated substantially. It is therefore highly probable that users seated in the courtyard would find these winter winds uncomfortable. Summer winds from the South will be tempered by topography and existing construction south of the project site. The tendency for the south wind to concentrate in the Mews will be mitigated by the openness of the garage. Other uncomfortable winds previously predicted for walking at the Elm St end of the trail, predicated on a pair of 165 ft high buildings, would be similarly attenuated in the proponent's current proposal to build midtownThree and midtownFour as substantially lower 72 ft high buildings. It is highly improbable that pedestrians on the trail, Elm St, or Somerset St in this vicinity would experience any discomfort due to wind while sitting, standing still, walking, or jogging.

ATTACHMENT E

SUMMARY OF PROPOSED EASEMENTS, COVENANTS, PUBLIC OR PRIVATE RIGHTS OF WAY, OR OTHER BURDENS ON THE SITE

The project site is bisected by the Portland Trail and Chestnut Street. There are numerous easements required for the project. These are depicted graphically on Drawing C-1.2 which is included in the plan set with this Level III Preliminary Site Plan Application. The applicant has the benefit of having recently examined the necessary easements required for a mixed-use project at this site. Although this is a preliminary application, the City and the applicant are well versed in the easements necessary to integrate this project into the fabric of the trail and the public streets in this portion of the Bayside area of Portland.

ATTACHMENT F

TECHNICAL CAPACITY AND FINANCIAL CAPACITY

The applicant has assembled a highly qualified team of professionals to plan, permit, and develop construction documents for the project. The Team is working under the direction of Mr. Jonathan Cox, The Federated Companies as Project Developer.

The Team services will be provided by the following companies and their respective team leaders:

CONSULTANT TEAM

<i>Agent</i>	Greg Shinberg, Shinberg Consulting, Inc. 477 Congress Street, Suite 102 Portland, ME 04101 (207) 772-7070 – Work (207) 653-7510 – Cell gls@shinbergconsulting.com
<i>Civil Engineer</i>	William G. Hoffman, P.E. Fay, Spofford & Thorndike 778 Main Street, Suite 8 South Portland, ME 04106 (207) 775-1121 – Work (207) 879-0896 – Fax (207) 329-9810 – Cell whoffman@fstinc.com
<i>Architect</i>	David Hancock AIA LEED CBT Architects 110 Canal Street Boston, MA 02114 (617) 646-5353– Work Hancock@cbtarchitects.com
<i>Surveyor</i>	Ellen Brewer Owen Haskell, Inc. 390 US Route 1, Unit 10 Falmouth, Maine 04105 (207) 774-0424 – Work (207) 774-0511 – Fax ebrewer@owenhaskell.com
<i>Landscape Architect</i>	Robert Metcalf, RLA Mitchell & Associates 70 Center Street Portland, Maine 04101 (207) 774-4421 rmetcalf@mitchellassociates.biz

EXPERIENCE OF PROJECT TEAM

The team of consultants retained by developer has expertise and experience in the design of similar commercial projects. Resumes of key personnel for development team can be provided upon request.

The applicant also has significant experience in the development and management of large commercial projects as evidenced by information provided in this submission's cover letter. A listing of the additional real estate projects for which the Applicant's development team has been involved can be provided upon request.

FINANCIAL CAPACITY

The applicant has the means at its disposal for financing the proposed midtown project. A Financial Capacity letter is included at the end of this attachment.

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City of Portland Maine
City Planning Department
389 Congress Street
Portland, ME 04101

May 21, 2013

Re: The Federated Companies LLC financial capacity

To the representatives of the City Planning Department,

The following memorandum confirms HFF's long standing relationship with The Federated Companies LLC. HFF confirms that The Federated Companies has the financial capacity and relevant experience to acquire financing for Phase I of the 'midtown' project in Portland, ME, the estimated cost of which is +/- \$45M. Our firm has worked closely with The Federated Companies on a number of recent transactions including arranging financing for a variety of multi-housing and retail properties.

HFF is a leading mortgage banker in the U.S. whose extraordinary transaction volume provides the unparalleled capital markets knowledge necessary to develop the creative financing strategies, meeting and exceeding client expectations. Our long established relationships with insurance companies, investment banks, foreign and domestic banks, a Fannie Mae lender, Freddie Mac, and pension funds have allowed us to provide our clients with the most competitive terms and most reliable executions in the market.

Should you have any questions please feel welcome to contact us using the contact information provided below.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Scott Wadler'.

Scott Wadler

HFF | 1450 Brickell Avenue, Suite 2950 | Miami, FL 33131
tel 305.448.1333 | fax 305.448.9499 | www.hfflp.com
swadler@hfflp.com

ATTACHMENT G

STATE AND FEDERAL PERMIT REQUIREMENTS

Work in the project area will proceed after the City of Portland confirms environmental remediation plan conducted under the auspices of the State of Maine's Voluntary Remedial Action Plan (VRAP) is complete. The project will need to conform to the VRAP or modify it and secure regulation approval for any deviations.

The project will require an Amended Maine Department of Transportation Traffic Permit and a MeDEP Site Location of Development Permit (including the Stormwater Permit, and Maine General Construction Permit). The City of Portland has delegated review authority for projects which require Site Location of Development Permits from the MeDEP and the Traffic Permit from MDOT.

The project may also require a MeDEP Air Emissions Permit. The Owner's mechanical engineers have not yet developed the projection of BTU's which will be required to support the energy needs of this project. Once the projection of BTU's is made, the need for an air emissions permit can be assessed.

There are no federal permits identified by the City of Portland, the project team, or the owner as being required for the project. Copies of permits from State officials not issued under delegated review will be provided to the City Planning Staff upon receipt.

ATTACHMENT H

TRAFFIC ANALYSIS

A previous traffic study for the property was prepared by The Louis Berger Group, Inc. on April 22, 2013. This traffic study was based upon the proposed use of the site which included:

- 100,000 SF of Retail
- 560 Apartments
- 160 Condominiums

The trip generation for the previous project was estimated to be:

Table 1 – Trip Generation – Previous Traffic Study			
	Entering	Exiting	Total
Weekday AM Peak (7:00 – 9:00 a.m.)	108	208	316
Weekday PM Peak (4:00 – 6:00 p.m.)	209	183	392

For the smaller project associated with this application, the use has been reduced to:

- 87,200 SF of Retail Space
- 440 Apartments

The trip generation for the new project has been computed as follows:

Table 2 – Trip Generation – Current Development			
	Entering	Exiting	Total
Weekday AM Peak (7:00 – 9:00 a.m.)	80	123	203
Weekday PM Peak (4:00 – 6:00 p.m.)	140	135	276

Comparing the uses and the traffic generation show the association with the site plan developed will be less than was previously permitted for the project. The retail will be reduced by about 12,800 SF; the number of apartments will be reduced by 120, and the 160 condominiums will not be part of the new project. Peak hour trip ends generated by this project will be 113 fewer in the AM and 116 fewer in the PM.

A new traffic study will be provided with the Final Level III Site Plan Application and Traffic Permit Amendment Application. The primary purpose of the Traffic Study update will be to determine if the offsite improvements, which must be constructed by Federated, or the financial contribution for future traffic improvements in the Bayside area can be reduced to what is necessary to support the reduced traffic levels. The occupancy of the project will be adjusted in the new traffic study to reflect the later completion of this project as compared to the completion dates contemplated when the April 2013 Traffic Study was completed.

For this initial Level III Preliminary Application, FST recommends the City use the prior study on file at the City of Portland's Planning Office. As noted, a new study will be submitted with the Final Level III Site Plan Application submission.

ATTACHMENT I

STORMWATER SUMMARY

The new application for the midtown project will use the same water quality treatment and management systems as previously contemplated and approved by the City of Portland except for changes in the midtownThree block that affect stormwater. This narrative discusses the changes to the midtownThree block.

PRIOR APPROVALS

The midtown building roofs in the area between Chestnut Street and Elm Street were split into four quadrants of similar size. Two of the quadrants were from the top parking deck with runoff directed to two courtyards at the rear of the site. Water quality treatment was provided for the parking deck runoff directed to each courtyard as well as the courtyard surface. The other two quadrants made up the midtownTwo and Three building roofs. The roof drains serving these areas were discharged to the drainage system in Somerset Street without treatment. A simple schematic of the quadrants and the treatment strategy in this area is included as one of the figures provided at the end of this narrative.

Quadrants 2 and 3 of the parking deck (representing approximately 50 percent of the area) were to have water quality treatment under the prior design strategy. Quadrants 1 and 4 (the remaining 50± percent of the lot area) were not treated prior to discharge to the existing stormwater infrastructure.

Small areas of the rooftop associated with building step backs along the right of way (see footnote 1 at the end of this narrative) were directed to stormwater treatment systems on Somerset Street.

NEW APPLICATION

The new application will add rooftop surfaces where the two courtyards at the back of the building were located on the previous plan. Quadrants 1 and 4 will receive treatment in areas fronting Somerset Street. Quadrants 2 and 3 will not receive treatment. A schematic shows the new stormwater treatment plan for the midtownThree area and is provided at the end of this narrative.

- The four discharge locations will not change. The difference will be that the area which discharges to the rear of midtownThree (the trailside) will be untreated. Rooftops and the flows from midtownThree that discharge to Somerset Street will receive treatment.
- The rooftop area will be modified such that the physical area tributary to each of the four discharge locations will not change.
- New areas of water quality treatment will be provided to mitigate the loss of the rooftop areas associated with the “step backs” (see footnote 1 at end of narrative).

FST FINDINGS

- The amended water quality plan for the overall midtown project will treat the same physical area (3.5 acres) as approved for the prior midtown project using the same type and size of water quality treatment systems.
- The discharges from midtownThree will be located at the same four locations and each serve an area sized to exactly match what was previously approved for midtownTwo, parking garage 2, midtownThree, and the two courtyards (these are now consolidated to midtownThree).
- The area receiving water quality treatment will be identical.
- The two treatment systems (Systems B & C) that were in the courtyards will be moved to two locations in front of midtownThree.
- The loss of treatment previously provided to the building step back areas along the public streets will be mitigated (see footnote 1 at the end of this narrative).

IMPORTANT CONTEXT OF THE REGULATIONS

There have been no changes to the regulatory standards since the prior midtown approvals.

FST CONCLUSIONS

The modifications outlined above will be implemented in the project to maintain the stormwater provisions and exactly mimic the area which received water quality treatment for the former project (3.50 acres).

The hydrologic flow rates to each of the four discharge locations from midtownThree will be unchanged.

A comparative table is provided below:

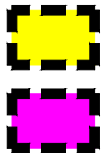
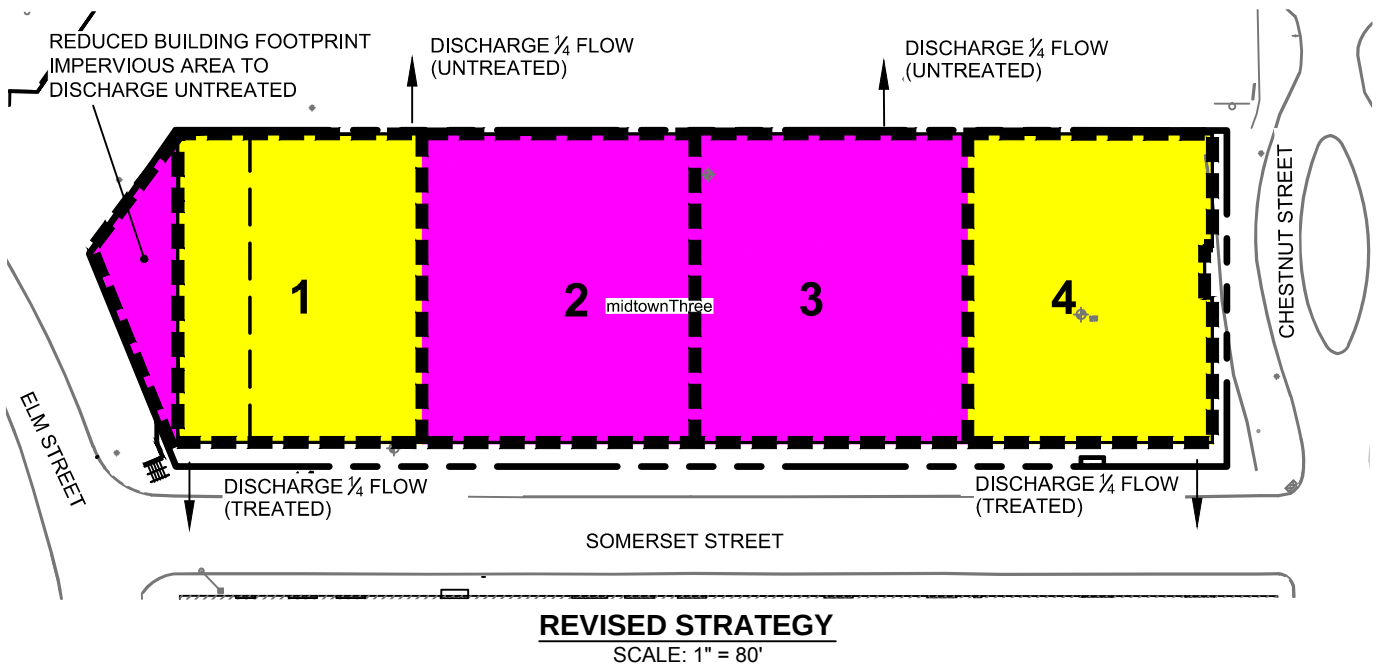
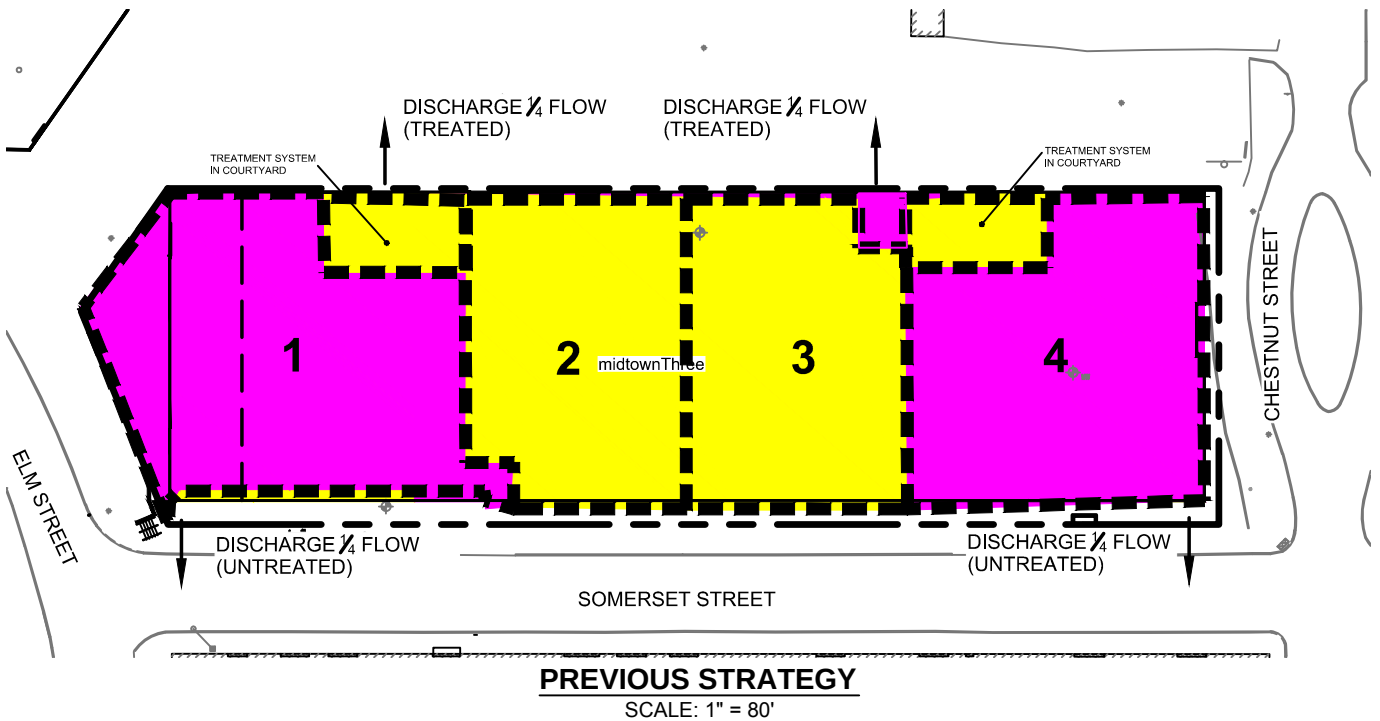
SUMMARY OF CHANGES IN WATER QUALITY TREATMENT midtownThree Area				
Quadrant	Previous Area (SF)	Previously Treated Area (SF)	New Area (SF)	New Treated Area
1	16,181.00	0	13,068.00	13,068.00
2	13,068.00	13,068.00	14,630.50	0
3	13,068.00	13,068.00	14,630.50	0
4	14,861.00	0	13,068.00	13,068.00
TOTALS	57,178.00	26,136.00	55,397.00	26,136.00

Footnote 1

The previous midtown plan also provided treatment for the step back roofs of the building using systems along Somerset Street. The step back and areas treated were as follows:

midtown	Approximate Step Back Area Treated (SF)
<i>1</i>	<i>1,700₊</i>
<i>2</i>	<i>2,250₊</i>
<i>3</i>	<i>1,250</i>
<i>4</i>	<i>0</i>
<i>Parking Garage 1</i>	<i>4,000₊</i>
<i>Parking Garage 2</i>	<i>1,600₊</i>
Total	10,800

The revised plan will not have the building step backs; these areas were previously treated. To mitigate this loss of treated area, the applicant will increase the area being treated by slightly increasing the size of the rooftop area's drainage to Treatment Systems B & C or by surface grading adjustments to increase areas receiving water quality treatment. The hydrologic shift of drainage area is not anticipated to be significant. This adjustment will be fully vetted before the final Level III Site Plan submission is made.



TREATED AREA

UNTREATED AREA

midtown
PORTLAND, MAINE

STORMWATER MANAGEMENT STRATEGY



FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: 10.17.14
DESIGNED: JP	SCALE: 1" = 80'
CHECKED: WGH	JOB NO. 3062B
FILE NAME: TREATED WATER EXHIBIT	

FIGURE

1

ATTACHMENT J

WRITTEN REQUESTS FOR WAIVERS FROM SITE PLAN OR TECHNICAL STANDARDS

PART 1 –WAIVER REQUEST FOR BUILDING AND B-7 STANDARDS PREPARED BY CBT ARCHITECTS

1. Proponent requests waiver from Standard B-3 requirement to provide mid-block permeability through **midtownThree** block between Chestnut and Elm Streets, connecting Somerset Street to the Bayside Trail.

midtownThree provides retail space fronting on Somerset Street which is designed as “through space”, that is, allowing a visual connection through to the Bayside Trail beyond. It is noted that the building opposite this building on Somerset Street has no mid-block connector and the trail adjacent to the building’s north facade is defined by a berm containing stabilized contaminated soil which rises 6 feet above the floor level of the retail space. In addition, there is a fenced parking lot on the north side of the trail. A mid-block connector in this instance would serve no real purpose as there would be no matching connector on the other side of Somerset Street and no pedestrian connection to the trail or properties to the north – that is a connector by itself (even if it could overcome the topographic problem of the berm, would generate no foot traffic as it would not be part of a larger pattern of pedestrian movement.

At such time in the future as these adjacent properties are redeveloped and a strong pedestrian desire to move north-south is established, the retail leasing may respond with a public passage providing additional store frontage – without such strong pedestrian movement, such additional frontage is of no value, and such a passage would be empty, uninviting, and potentially dangerous.

The building design does, however, hold back from the property line at its west end allowing an expanded trail connection to Somerset and Elm Streets with easy and inviting access from Somerset Street.

2. Proponent requests waiver from Standard B-7 requirement to provide continuity of street level uses along Somerset, Chestnut, and Pearl Streets.

A service entrance for the **midtownOne** apartment building and its ground floor retail use is provided on Pearl Street; service entrance for **midtownTwo** retail space is provided adjacent to the garage entrance; service entrance for **midtownThree** retail and residences is provided on Somerset Street, and the service entrance for **midtownFour** is provided on Elm Street.

These service entrance doors will be about seven feet wide, will be designed as an integral part of the modern industrial aesthetic of the buildings, and will be opened only to remove trash and recycling to vehicles parked in designated service spaces.

Service for the ground floor retail use in the Garage building will be provided through the front door(s) of the retail spaces from loading zones along Somerset Street.

Loading dock or service vehicle facilities are not planned for these retail spaces; tenants will provide for trash and recycling facilities within their leased premises.

Retail and apartment lobbies will form more than 90% of street frontages thus assuring the maximum frontage along Somerset, Chestnut, and Pearl Streets. Elm Street is planned to have continuous retail frontage.

3. Proponent requests waiver from Standard B-11 requirement to comply with City's Technical and Design standards for street lighting along Elm, Somerset, Chestnut, and Pearl Streets.

The Plan for **midtown** Development will utilize the standard type fixture for Somerset Street, Elm, Chestnut Street, and Pearl Extension. Location and spacing may need a waiver. As well, higher intensity lighting is appropriate for the retail locations especially along Somerset Street and to create a uniform appearance along the ground floor retail areas of the development which may require a waiver of some requirements.

Pedestrian lighting will be provided by the streetscape lighting noted above together with 'spill' lighting from retail store fronts.

Lighting for the mews and new public opens spaces will be designed to complement these standards.

4. Proponent requests waiver from Standard C-2 requirement to separate vehicular entrance and exit from parking garage.

In the Plan for **midtown** Development, garages will be designed to respect the pedestrian realm and minimize the visual impact of the garage entrance and exit by collocating the garage entrance and exit. These consolidated entry/exits will provide greater uninterrupted active retail use on the ground floor and will require a waiver from the requirement for separate entry/exit.

Entry/egress gates will be located interior to the garages to allow entrance queuing internal to the structure minimizing back up onto Somerset Street.

5. Proponent requests waiver from Standard C-5 requirement that garage decks shall be horizontal where visible from public ways.

The garage decks of the Plan for midtown Development will be level on the Chestnut and Somerset Street and the Mews facades, and will incorporate a parking ramp between parking levels along the Bayside Trail façade. The Plan seeks a waiver to allow these ramps to be expressed to the Trail and visible tangentially from streets and public rights of way.

The **midtownTwo** Parking Garage has been designed with ramps at the Bayside Trail façade supported on sloping structure between horizontal end bays. The end bays will be clad in architectural precast concrete with openings similar in size and spacing to the apartment building windows. The sloped structure between these will be minimized, cable rails will provide for pedestrian and auto safety, and the interior structure will be a dark color, all to minimize visibility of the sloping ramps. The façade will be covered above the retail ground floor with a green screen.

6. Proponent requests a partial waiver from Standard D-2 requirement that buildings adjacent to the trail have active doors into the building on facades facing the trail.

All the **midtown** buildings are designed with façade elements adjacent to the Bayside Trail that enhance the trail experience. As noted above, these facades are not designed as "backs", and they provide the important element of residential windows overlooking the trail. Food service establishments are the planned as part of the retail leasing program for the ground floors of the all buildings. This may provide some entrances and egresses facing the trail.

The partial waiver is sought on the requirement of having “active building ingress and egress” on the portion of **midtownThree** facing the trail because of natural changes in grade. The trail adjacent to the building’s north facade is defined by a berm containing stabilized contaminated soil which rises 6 feet above the floor level of the retail space. It would be impractical to create entrances from the berm, and a hardship to remove it.

7. Proponent requests a waiver from Standard E-19 requirement that proposed buildings not increase shadow more than 10% on the trail.

There are no existing buildings on the site of midtown now, therefore zero shadow. Any building will cast some shadow, any amount divided by zero is infinity and more than 10%. Alternatively, the Proponent will perform a shadow study showing that in aggregate the proposed buildings will not increase shadow more than ten percent when compared to buildings built to 65 ft. at the property line of the site.

8. Proponent requests clarification that a wind study will not be required under Standard E-20, or if required a waiver from such study.

As the buildings are all substantially lower than the limits of height prescribed for the project area, and are consistent with the height of other recent developments in the district that have not experienced uncomfortable winds, the proponent seeks clarification that a detailed professional wind study will not be required for Final Level III Site Plan review

Initial assessment of wind roses and anecdotal reports suggest that winter winds from the North and Northwest might cause probable discomfort for sitting activities in the Courtyard if midtownOne were built to 165 feet tall. The building is proposed at 72 feet however, and the effects of wind would be attenuated substantially. It is therefore highly probable that users seated in the courtyard would find these winter winds uncomfortable.

Summer winds from the South will be tempered by topography and existing construction south of the project site. The tendency for the south wind to concentrate in the Mews will be mitigated by the openness of the garage.

Other uncomfortable winds previously predicted for walking at the Elm Street end of the trail, predicated on a pair of 165 ft. high buildings, would be similarly attenuated in the proponent’s current proposal to build midtownThree and midtownFour as substantially lower 72 ft. high buildings. It is highly improbable that pedestrians on the trail, Elm Street, or Somerset Street in this vicinity would experience any discomfort due to wind while sitting, standing still, walking, or jogging.

PART 2 – WAIVER REQUEST FOR CIVIL DESIGN PREPARED BY FST ENGINEERS

9. 1.4 Street Grades (reference page 3 of Technical Standards)

- *The cross slope for local streets shall be 0.03. The cross slope for other street classifications shall be 0.02.*

The project will require the reconstruction of Somerset Street. The building will be set at elevation 12.0 to be 2 feet above the higher flood hazards anticipated to increase over time. There are existing buildings with finish floors, entrances, and exits at lower elevations. The Federated plan for the midtown project has extensive ground floor retail which requires flush accessible entrances. On the other hand, there are existing buildings across the street (most notably the “Noyes” property with existing floors and entrance elevations which will not be change. Because the buildings on either side of the street are near or on the right of way, some variation from transverse slopes and location of the street crown from the City’s typical cross section within the street right of way will be required.

10. 1.5 Vertical Alignment: Parabolas at grade changes (K values) (Reference Pages 3 & 4 of the Technical Standards)

The profiles for the reconstruction of Chestnut, Somerset, Elm and Pearl Streets will be provided with the final application. Minor variations from the City Standards for the “K” values (30 and 40 for crests and sags) will be requested.

It is anticipated, the variation of the K value for the sags on Chestnut Street is expected to have a “K” value of 37.50 and Elm Street is expected to have a value of 39.89.

11. Section 2 – Sanitary Sewer and Storm Drain Design Standards

2.7.8. No storm drain lines, with the exception of field inlets and underdrains, shall be connected into a catch basin structure (Reference Page 82 of the Technical Standards)

Representatives from the City of Portland have indicated the technical standards are being revised and will remove this restriction. If the standards are revised soon, this waiver will not be required. The waiver is very important to avoid excessive piping and appurtenances in the public streets.

12. Section 5

Portland Stormwater Management Standards and MaineDEP Chapter 500 Stormwater Management (Reference Page 149; Section E. 2 6 of this Chapter of the Technical Standards)

The requirements include stormwater detention for flood control. The applicant is requesting a waiver to the requirement for detention as part of the Stormwater Management Plan. The location of the site within the watershed results in a condition where passing flow from this area as soon as possible allows capacity to free up to receive and convey flows from upstream areas.

13. Section 7

Soil Survey Standards (Reference Page 209 of the Technical Standards)

The applicant is requesting a waiver from the City of Portland’s requirement to provide a high intensity soil survey. This request is made after considering that the site is on fill land, the site has been heavily disturbed as part of environmental cleanup measures over the past several years, the site will be nearly impervious after development such that hydrologic soils rating is not a significant issue.

**PART 3 – WAIVER REQUEST FOR LANDSCAPING AND LANDSCAPE PRESERVATION
PREPARED BY MITCHELL & ASSOCIATES**

14. 4.6 Street Trees:

The applicant is requesting a waiver of the requirement for providing one street tree per residential unit. The maximum number of units proposed for “midtown One” three and four is 440 units. A total of 100 trees are being provided along Elm Street, Chestnut Street, Somerset Street, Pearl Street and along the Bayside Trail. The request is based upon the enhanced planting method that includes 4 FT x 8 FT raised (granite curb) planting beds and a structural planting system below grade that provides for an expanded root zone that is approximately 60 % larger than typical street tree planting area. There will be 30 locations where this condition occurs.

B7 MIXED USE URBAN DISTRICT DESIGN PRINCIPALS AND STANDARDS

PRINCIPAL D OPEN SPACE AND PUBLIC REALM

15. Standard D-3 Landscaping and Street Furniture:

Planters, wells and tree grates: *The applicant is requesting a waiver for raised planting beds associated with the ramp system located within the right of way that occur along the Somerset Street sidewalk adjacent to Pearl Street extension and Elm Street as designed.*

Irrigation and Drainage: *The applicant is requesting a waiver of the requirement for an irrigation system. All plant material selected shall conform the city standards, be selected for drought tolerance in addition, will be located in larger raised planting areas.*

ATTACHMENT K

PRELIMINARY BUILDING CODE REVIEW

The proposed project consists of 4 buildings: a seven story parking garage consisting of six tiers of parking above a one story retail use, and 3 apartment buildings consisting of five stories or residential development over one story retail use. The buildings do not have basements.

The Garage will be a high-rise structure approximately 92 feet high to top parking tier, “Open Parking Garage” (S-2 per IBC, and Storage Use per NFPA); it will be naturally ventilated, unheated, and provided with standpipes in its two open stairwells. The ground floor level will be “Mercantile” use per both IBC and NFPA; the retail space will be provided with an NFPA 13 wet sprinkler system. Building will be designed as type IIB construction; the garage is allowed to be eight tiers in height.

The Apartment buildings will be low-rise structures “Multi-family Residential” and “Mercantile” (R-2 and M per IBC) and “Apartment Building” and “Mercantile” per NFPA. They will be enclosed, heated, and mechanically ventilated. These buildings will be designed as type IIIB construction for the apartment floors and type 1A for the ground floors. Height and area are modified by the following IBC code sections:

Section 504.2 allows one additional floor and 20 ft. height addition where the structure is protected throughout with an NFPA sprinkler and standpipe system; and

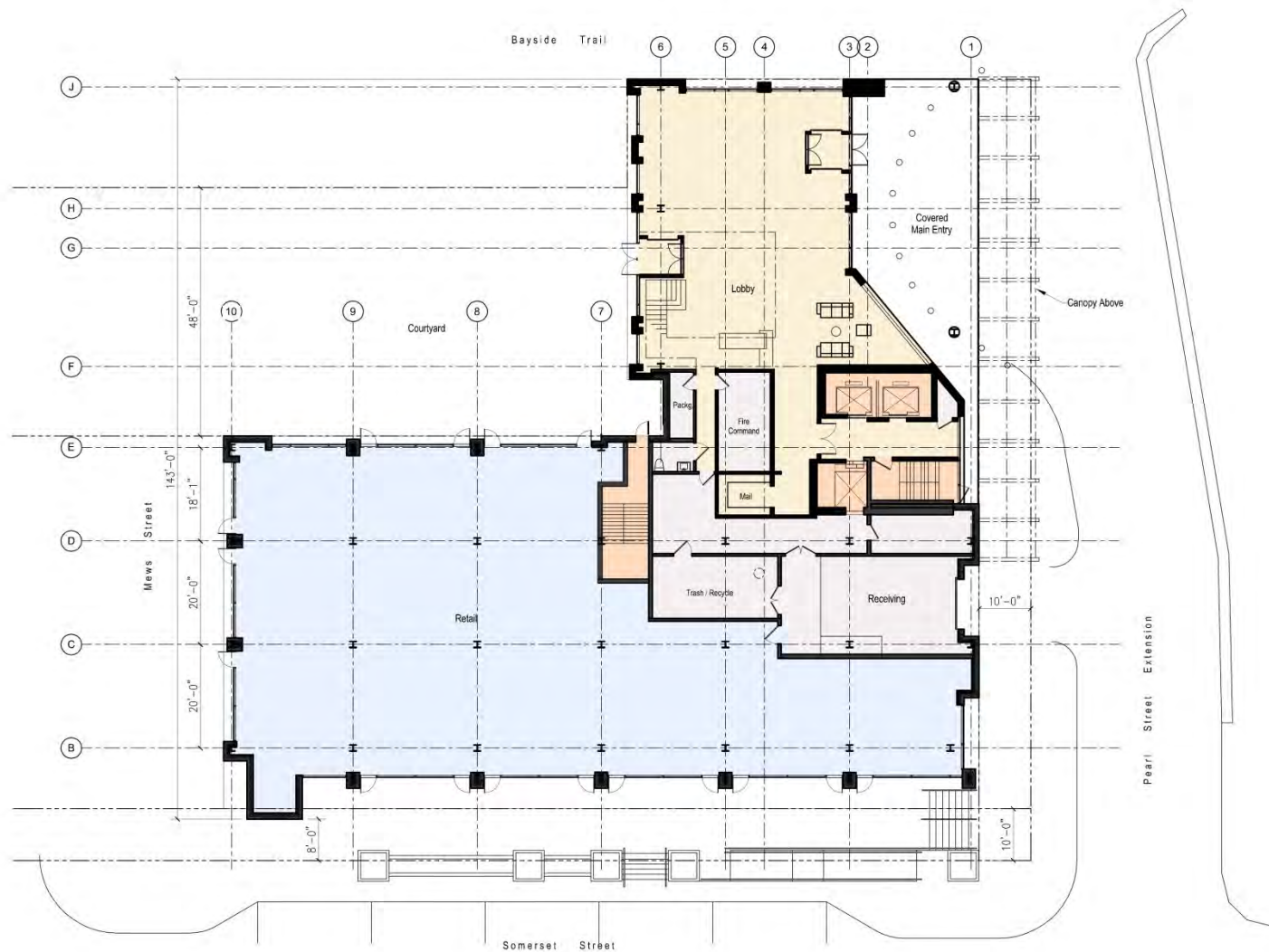
Section 509.2 allows treatment of a structure as two buildings where a vertical separation between the buildings has a three hour rating, the lower building is a mercantile use in type 1A construction, the upper use is residential, the structure is protected throughout with an NFPA 13 compliant sprinkler and standpipe system, and the total height is not greater than the height of the most restrictive use/construction type combination.

These residential buildings are therefore allowed to be six stories high (one retail plus five residential levels) and 75 feet high (55 plus 20 feet).

All buildings will have fire department hose connections located and sized as required by NFPA. A more detailed code analysis will be provided with the Final Site Plan Application.

PREPARED BY CBT ARCHITECTS





midtown
Portland, ME

midtown One ground floor plan

A2 16 October 2014 cbt





midtown
Portland, ME

midtown One typical floor plan

A3 16 October 2014 cbt





midtown
Portland, ME

midtown One south elevation

A4 16 October 2014 **cbt**





midtown
Portland, ME

midtown One north elevation

A5 16 October 2014 cbt





midtown
Portland, ME

midtown One east elevation

A6 16 October 2014 **cbt**





midtown
Portland, ME

midtown One west elevation

A7 16 October 2014 **cbt**



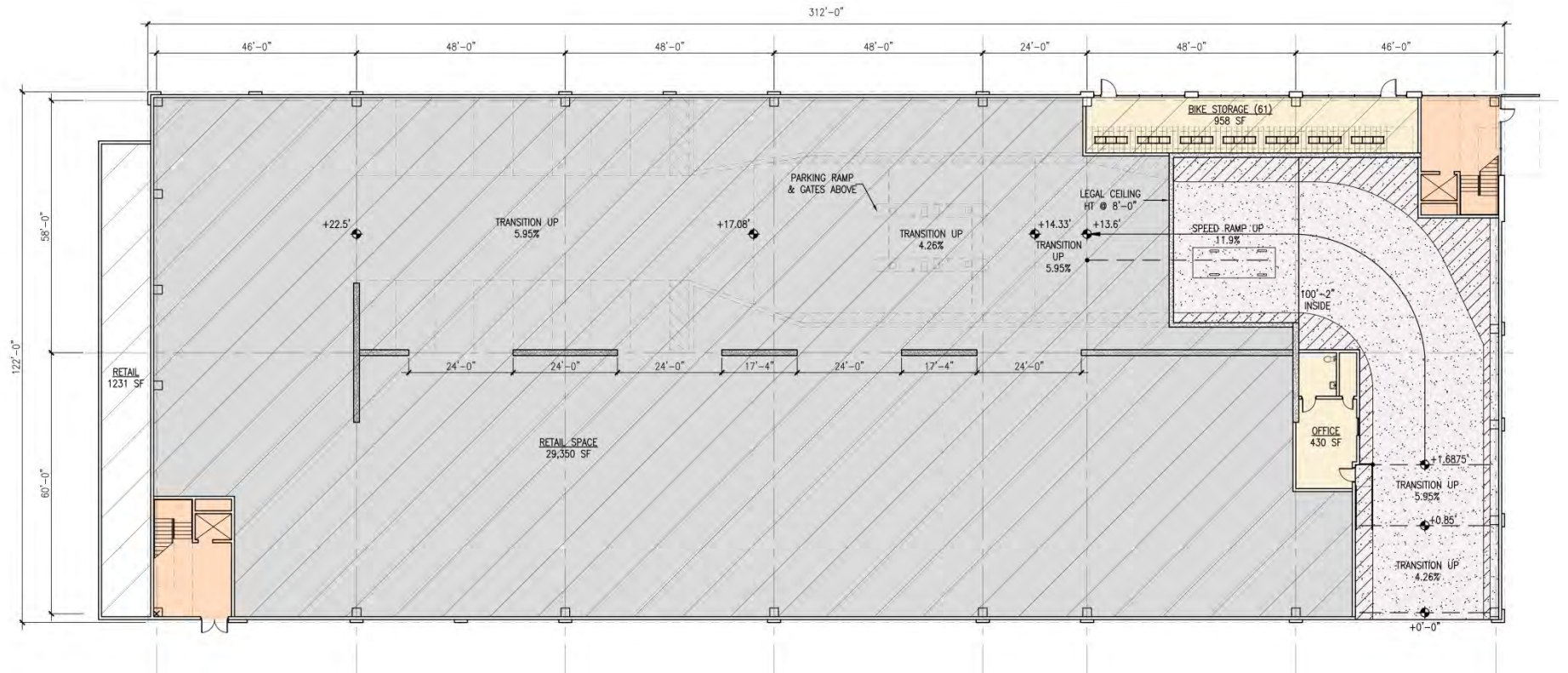


midtown
Portland, ME

midtown One perspective view

A8 16 October 2014 cbt







midtown
Portland, ME

midtown Two south elevation

A10 16 October 2014 cbt





midtown
Portland, ME

midtown Two north elevation

A11 16 October 2014 cbt





midtown
Portland, ME

midtown Two east elevation

A12 16 October 2014 cbt





midtown
Portland, ME

midtown Two west elevation

A13

16 October 2014 cbt



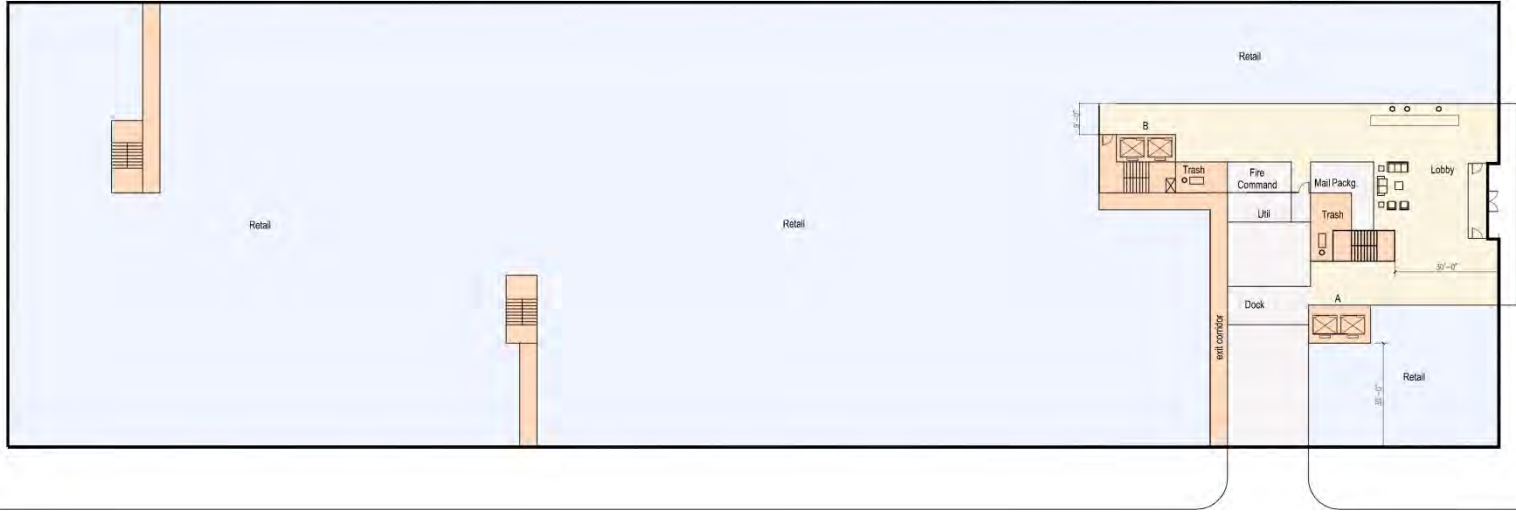


midtown
Portland, ME

midtown Two perspective view

A14 16 October 2014 cbt









midtown
Portland, ME

midtown Three south elevation

A17

16 October 2014 **cbt**





midtown
Portland, ME

midtown Three north elevation

A18

16 October 2014 **cbt**





midtown
Portland, ME

midtown Three east elevation

A19

16 October 2014 **cbt**





midtown
Portland, ME

midtown Three west elevation

A20

16 October 2014 **cbt**





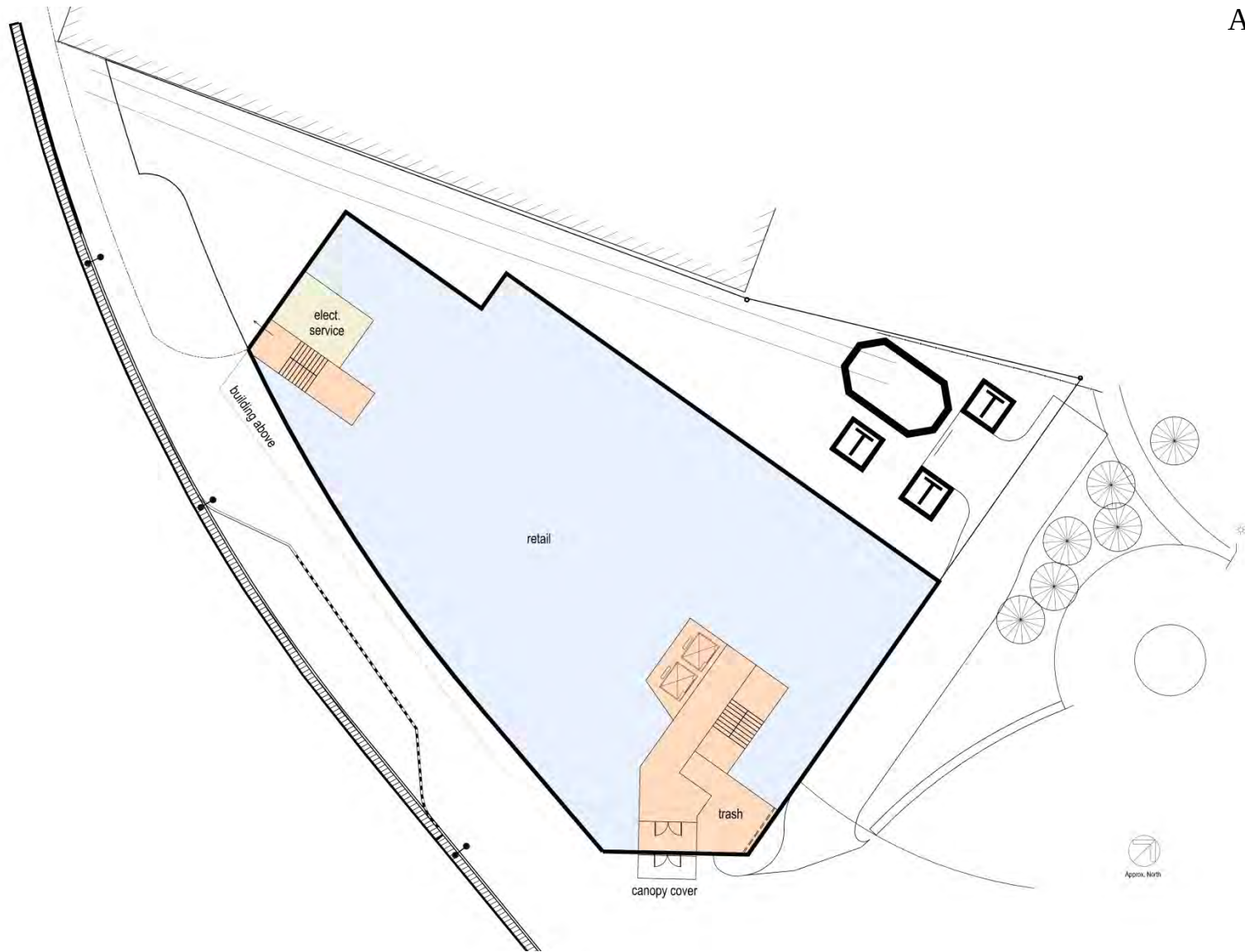
midtown
Portland, ME

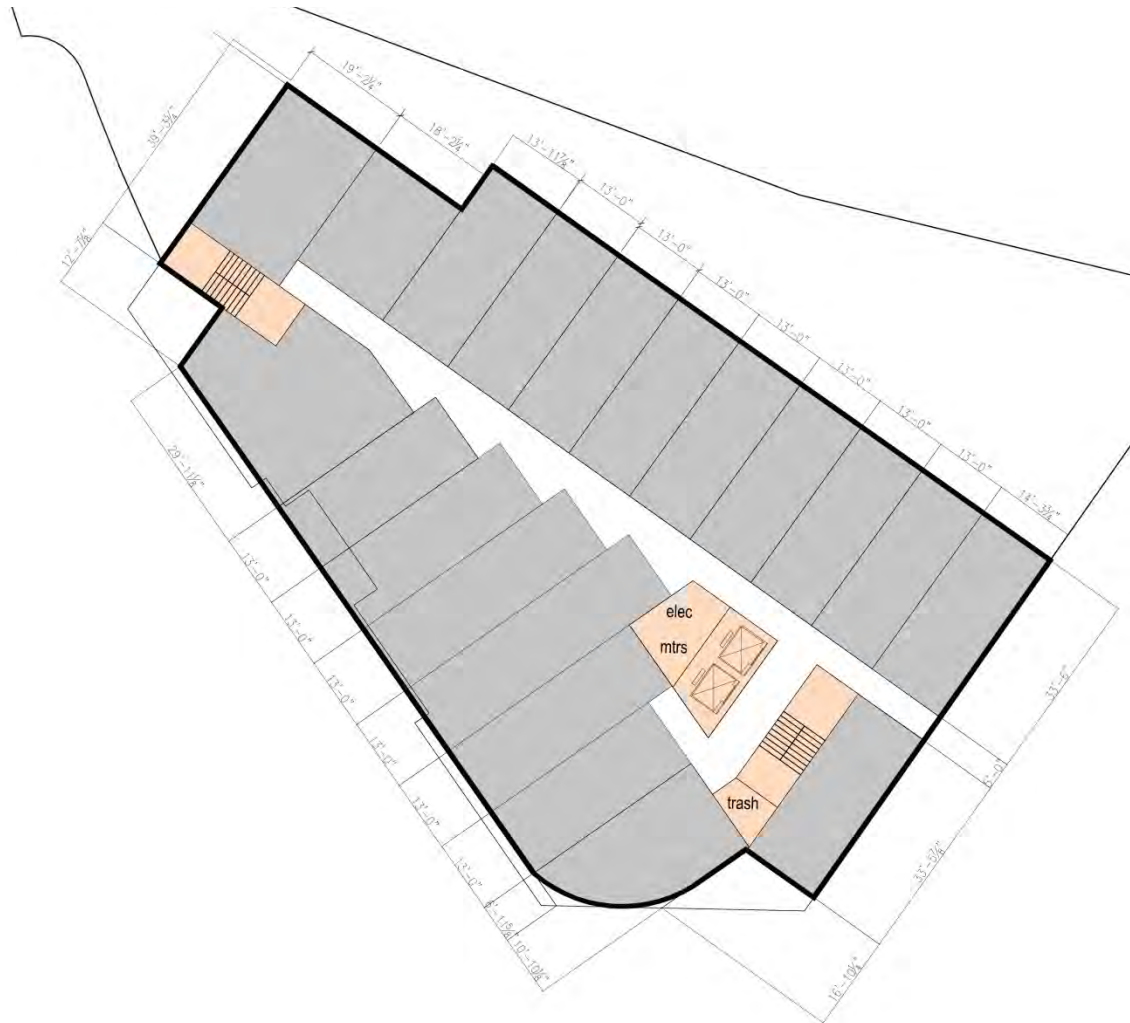
midtown Three perspective view

A21

16 October 2014 **cbt**









midtown
Portland, ME

midtown Four south elevation

A24

16 October 2014 cbt





midtown
Portland, ME

midtown Four north elevation

A25

16 October 2014 **cbt**





midtown
Portland, ME

midtown Four east elevation

A26

16 October 2014 cbt





midtown
Portland, ME

midtown Four west elevation

A27

16 October 2014 **cbt**





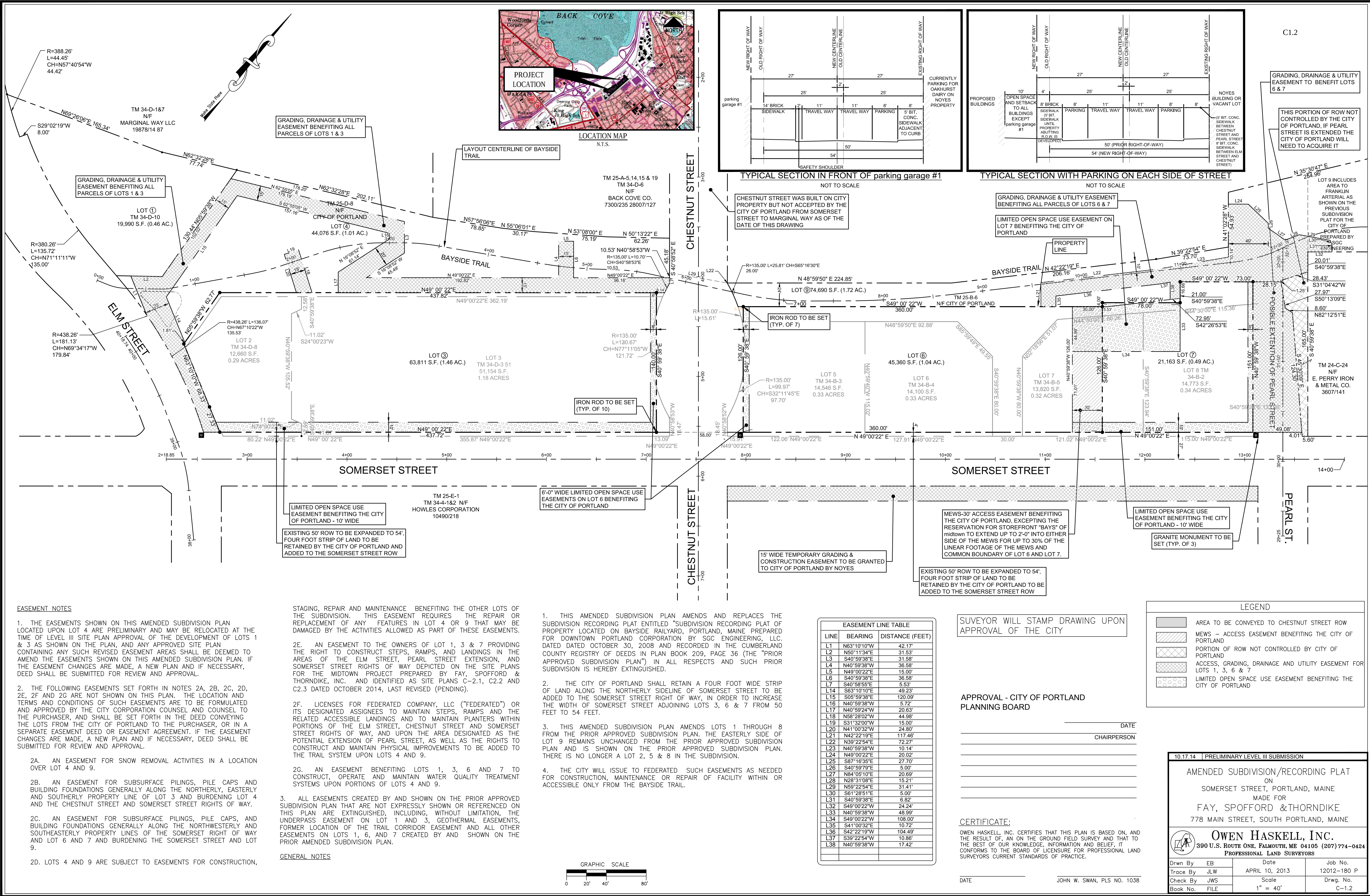
midtown
Portland, ME

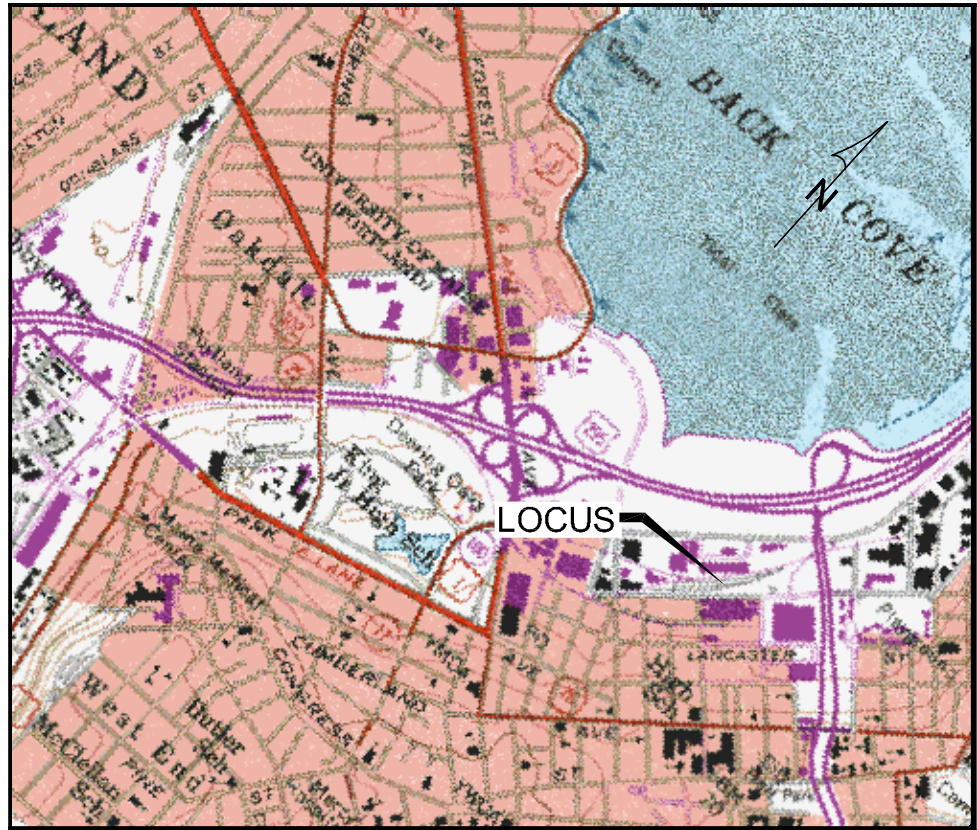
midtown Four perspective view

A28

16 October 2014 cbt







VICINITY MAP: (NOT TO SCALE)

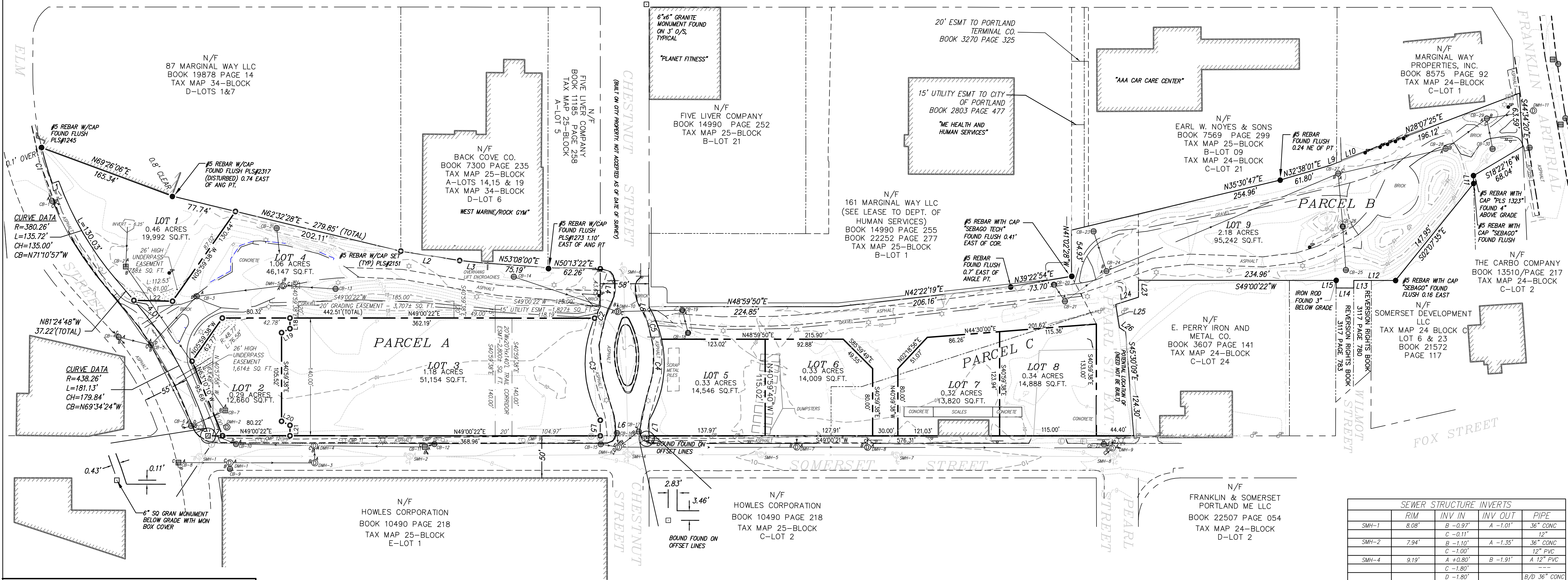
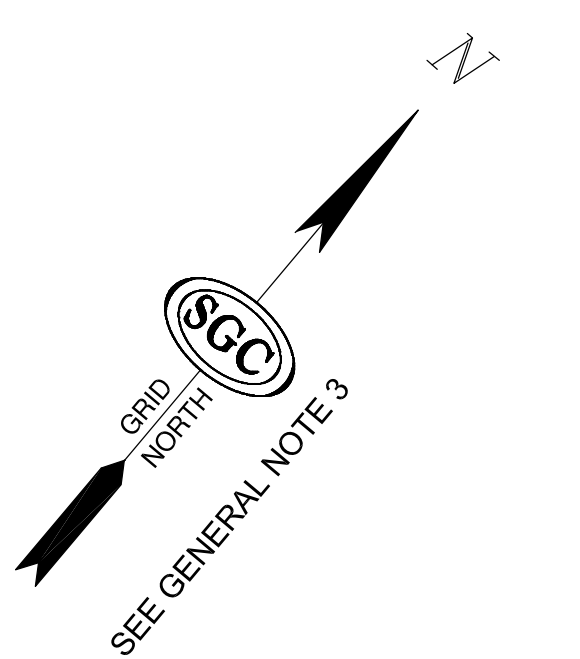
GENERAL NOTES:

- THIS PLAN AND ALL WORK ASSOCIATED WITH IT WAS PERFORMED BY SGC ENGINEERING, LLC PURSUANT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN THE WOODARD & CURRAN AND SGC ENGINEERING, LLC, AUTHORIZED SEPTEMBER 29, 2011.
- REFERENCE DEEDS FOR THE LOCUS PARCEL ARE:
PARCELS A AND B - THE DOWNTOWN PORTLAND CORPORATION TO CITY OF PORTLAND DATED JUNE 15, 2010 AND RECORDED IN DEED BOOK 27870, PAGE 299 AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
PARCEL C - CORRECTIVE DEED OF H. FINKELMAN, INC. TO THE CITY OF PORTLAND EXECUTED AUGUST 17, 2011 TO BE RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- THE BEARINGS SHOWN HEREON AND COORDINATES REFER TO THE MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD83). ELEVATIONS ARE BASED ON NGVD 1929 DATUM. ALL ARE BASED ON THE CITY OF PORTLAND CONTROL NETWORK. CONTROL POINT LOCATIONS AND COORDINATE VALUES WERE SUPPLIED BY PORTLAND DEPARTMENT OF PUBLIC WORKS.
- THE LOCUS PARCEL IS COMPRISED OF THE FOLLOWING MAPS BLOCKS AND LOTS: MAP 34-BLOCK D-LOT 3, MAP 26-BLOCK A-LOT 22 AND MAP 24-BLOCK C-LOT 10. ABUTTING PROPERTY OWNER INFORMATION REFERENCED HEREON WAS TAKEN FROM THE CITY OF PORTLAND ASSESSOR'S DATA AS OF THE DATE OF THIS SURVEY.
- THE SURVEYED PREMISES ARE LOCATED IN ZONE "C": "AREAS OF MINIMAL FLOODING," AS DEFINED ON FLOOD INSURANCE RATE MAP FOR THE CITY OF PORTLAND, COMMUNITY-PANEL NUMBER 230051 0013 B, WITH AN EFFECTIVE DATE OF JULY 17, 1986.
- THE SURVEYED PREMISES ARE LOCATED IN THE B-7 URBAN COMMERCIAL BUSINESS DISTRICT AS SHOWN ON THE OFFICIAL ZONING MAP FOR THE CITY OF PORTLAND PREPARED JUNE 2008.
- NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY SGC ENGINEERING, LLC. AT THE TIME OF THIS PLAN, SUBSURFACE UTILITY INFORMATION WAS COMPILED FROM MAP REFERENCE 1 AND 3. DIG-SAFE SHOULD BE CONTACTED PRIOR TO COMMENCING ANY EXCAVATION. (888-344-7233).

- THIS PLAN IS THE RESULT OF A COMPILATION OF MAP REFERENCES 1 THRU 3.
- THE ADDITIONAL PROPOSED EASEMENTS FOR LOTS 3 AND 4 SHOWN HEREON HAVE NOT BEEN CONVEYED TO SEPARATE PARTIES AND ARE BASED ON A SUBDIVISION RECORDING PLAT OF PROPERTY LOCATED ON BAYSIDE RAILYARD, PORTLAND MAINE, PREPARED FOR DOWNTOWN PORTLAND CORPORATION BY SGC ENGINEERING, LLC, APPROVED BY THE CITY OF PORTLAND PLANNING BOARD AND RECORDED AT SAID REGISTRY IN PLAN BOOK 209, PAGE 36.

MAP REFERENCES:

- A PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY, LOCATED ON SOMERSET STREET, PORTLAND, MAINE, PREPARED FOR DOWNTOWN PORTLAND COMPANY" BY SGC ENGINEERING, LLC, DATED 08-08-06, UNRECORDED.
- A PLAN ENTITLED "BOUNDARY RETRACEMENT SURVEY, LOCATED ON SOMERSET STREET, PORTLAND, MAINE, PREPARED FOR DOWNTOWN PORTLAND COMPANY" BY SGC ENGINEERING, LLC, DATED 08-17-06, UNRECORDED.
- A PLAN ENTITLED "BAYSIDE TRAIL, EXISTING CONDITIONS PLAN - PHASE 2, PREPARED FOR THE CITY OF PORTLAND PUBLIC WORKS" BY SGC ENGINEERING, LLC, DATED APRIL 2008, AND LAST REVISED R1 ON 05/08/08, UNRECORDED.
- A PLAN ENTITLED "BAYSIDE SURVEY, FORMERLY PORTLAND TERMINAL CO. RAIL YARD, SOMERSET ST. PORTLAND, MAINE," DATED AUGUST 28, 2002, PREPARED BY OEST ASSOCIATES AND ON FILE AT THE CITY OF PORTLAND DEPARTMENT OF PUBLIC WORKS, DPW FILE 878/17.
- A PLAN ENTITLED "161 MARGINAL WAY EXCHANGE PLAN OF CHESTNUT STREET EXT. AREA, CHESTNUT STREET, PORTLAND, MAINE," DATED JANUARY 20, 2004, PREPARED BY SEBAGO TECHINCS AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 205, PAGE 39.
- A PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY OF FOX STREET PROPERTY, FOX STREET, PORTLAND, MAINE," DATED JUNE 19, 2004, PREPARED BY SEBAGO TECHINCS AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 204, PAGE 507.
- A PLAN ENTITLED "STANDARD BOUNDARY SURVEY, SITE PLAN, MARGINAL WAY, PORTLAND, MAINE, MADE FOR SATCO" DATED JUNE 4, 1990, PREPARED BY TITCOMB ASSOCIATES AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 192, PAGE 337.
- A PLAN ENTITLED "STATE AID HIGHWAY NO. 15, PORTLAND (PREBLE-ELM STS.) CUMBERLAND COUNTY," DATED MARCH 1970, PREPARED BY STATE OF MAINE DEPARTMENT OF TRANSPORTATION AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 134, PAGES 18-20.
- A PLAN ENTITLED "LAND OF PORTLAND TERMINAL CO., SOUTH SIDE OF MARGINAL WAY, PORTLAND, MAINE" DATED APRIL 18, 1936 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 24, PAGE 48.
- A PLAN ENTITLED "CHESTNUT STREET EXTENSION, STREET CONSTRUCTION, UTILITY INSTALLATION & LANDSCAPING PLAN AND PROFILE" DATED 9-16-04, PREPARED BY CITY OF PORTLAND, DEPARTMENT OF PUBLIC WORKS, DPW FILE 1004/50.
- PLAN ENTITLED "SOMERSET STREET, FRANKLIN ARTERIAL AND MARGINAL WAY SEWER SEPARATION" DATED APRIL 2003, PREPARED BY THE CITY OF PORTLAND, DEPARTMENT OF PUBLIC WORKS, DPW FILE 970/15.
- PLAN ENTITLED "PROPOSED 16" D.I. WATER MAIN REPLACEMENT" DATED SEPTEMBER 2002, PREPARED BY PORTLAND WATER DISTRICT, DPW FILE 970/15.
- CITY OF PORTLAND DEPARTMENT OF PUBLIC WORKS FILE 933/4.
- PLAN ENTITLED "SOMERSET STREET OVERFLOW SEWER" DATED 6/15/1984, PREPARED BY CITY OF PORTLAND, DEPARTMENT OF PUBLIC WORKS, DPW FILE 647/4.



LEGEND:

3/4" REBAR W/CAP SET IN 2008	○	LIGHT POST	☆
IRON PIPE OR ROD FOUND	●	SQUARE CATCH BASIN	⊠
MONUMENT FOUND	□	ROUND CATCH BASIN	⊞
BOLLARD	⦿	DRAIN MANHOLE	⊙
SINGLE POST SIGN	⦿	SEWER MANHOLE	⊙
GATE POST	⦿	ELECTRIC MANHOLE	⊙
UTILITY POLE	⦿	COMMUNICATIONS MANHOLE	⊙
GUY POLE	⦿	HYDRANT	⊙
		WATER VALVE	⊙
MAJOR CONTOUR	---		
MINOR CONTOUR	---		
METAL FENCE	---		
EXTERIOR BOUNDARY	---		
SUBDIVISION LOT LINE	---		
ADJACENT PROPERTY LINE	---		
RECORD EASEMENT LINE	---		
PROPOSED EASEMENT LINE	---		

GRAPHIC SCALE: 1" = 60'

60 30 0 60 120 180

LINE TABLE		
LINE	BEARING	DISTANCE (FEET)
L1	S29°02'11"W	8.00'
L2	N57°56'06"E	70.85'
L3	N55°06'01"E	30.17'
L4	S40°58'52"E	45.18'
L5	S40°58'52"E	18.47'
L6	S49°00'22"W	58.00'
L7	N40°58'52"W	18.45'
L8	N40°58'52"W	0.25'
L9	N28°16'27"E	8.71'
L10	N28°04'50"E	36.22'
L11	S41°47'12"E	9.33'
L12	S49°00'22"W	49.60'
L13	S40°47'24"E	9.07'
L14	S49°12'36"W	21.00'
L15	N40°47'24"W	9.00'
L16	N49°00'22"E	30.00'
L17	N49°00'22"E	16.68'
L18	S40°59'38"E	12.58'
L19	S24°00'23"W	11.02'
L20	N74°00'22"E	11.02'
L21	S40°59'38"E	12.58'
L22	S50°11'34"W	46.00'
L23	S40°59'38"E	20.00'
L24	S31°04'42"W	28.47'
L25	S50°13'09"E	27.97'
L26	N82°12'51"E	8.60'

CURVE TABLE (ALL DISTANCES IN FEET)				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	388.26'	44.46'	44.44'	N57°39'47"W
C2	135.00'	15.10'	15.09'	S14°11'05"E
C3	135.00'	126.28'	121.72'	S44°11'05"E
C4	135.00'	99.97'	97.70'	N32°11'45"W
C5	135.00'	41.40'	41.24'	N62°11'44"W

ADDITIONAL PROPOSED EASEMENTS:

Easements Appurtenant to and Benefiting Lot 3:

- An easement for snow removal activities, in a location over Lot 4 as approved by the City, which shall contain terms and conditions drafted, reviewed, and approved by the City's Corporation Counsel Office.
- An easement for subsurface pilings, pile caps and building foundations generally along the northerly, easterly and southerly property lines of Lot 3 and burdening Lot 4 and the Chestnut Street and Somerset Street rights of way which easement shall contain terms and conditions drafted, reviewed, and approved by the City's Corporation Counsel Office.
- Geothermal easement, burdening Lot 4, for placement of subsurface geothermal wells and associated underground piping and equipment, with surface level manhole covers benefiting Lots 1, 2 and/or 3 which easement shall contain terms and conditions drafted, reviewed, and approved by the City's Corporation Counsel Office.

Easements Burdening Lot 3:

- Sidewalk easement for public in areas extending from the City right of way along Somerset Street and Chestnut Street to the edges of the sidewalks along the new Office Building and Garage as located once the buildings are constructed (post construction grant of easement) which easement shall contain terms and conditions drafted, reviewed, and approved by the City's Corporation Counsel Office.
- Public access, landscaping and walkway easement at the easterly and westerly ends of the Bayside Garage to permit incorporation of open areas into the Bayside trail for landscaping, walking, etc. (post construction grant of easement) which easement shall contain terms and conditions drafted, reviewed, and approved by the City's Corporation Counsel Office and as shown on the Approved Site Plan.
- Public Access Easement for a trail corridor 20' in width, 20' in height, and 140' in length extending from Lot 4 across Lot 3 to Somerset Street in the location shown on this Plat and to be granted to the City with terms and conditions satisfactory to, and approved by the City's Corporation Counsel Office.

Easements Burdening Lot 4 and Lot 9:

- Public trail easement to be granted to Portland Trails within Lot 4 and Lot 9.

DRAIN STRUCTURE INVERTS				
DMH-1	RIM	INV IN	INV OUT	PIPE
	7.82'	B +4.39'	A +4.13'	A 12" CONC
		C +4.19'		B/C 10/12" HDPE
DMH-2	ELECTRICAL			
	8.23'	B +3.70'	A +3.70'	---
DMH-3	8.13'	A +3.74'	C +3.63'	---
DMH-4		B +3.63'		PVC
	13.98'	B +6.29'	A +6.18'	PVC
DMH-5		C +5.71'		PVC
	8.91'	A +4.94'	C +4.86'	A/B 18" PVC
		B +5.07'		C 18" PVC
		D +5.21'		D/E 10" HDPE
		E +5.04'		C 15" PVC
DMH-6		B +4.48'	A +4.48'	A/B 18" PVC
	10.59'	C +4.26'	A +4.27'	---
DMH-7		C +4.51'		---
	8.09'	B +3.37'	A +3.16'	---
		C +3.30'		---
		D +3.59'		---
DMH-8		A +5.47'	B +5.61'	B 12" PVC
	10.01'	C +5.33'		A/C 10" PVC

CATCH BASIN INVERTS				
CB-1	RIM	INV IN	INV OUT	PIPE
	9.10'	B 1.85'	A 1.40'	A 18" STL
		C 1.25'		B/C 12"/15" STL
CB-2	9.71'	C 4.37'	B 4.31'	12" HDPE
CB-3	12.43'	A 5.63'	B 5.59'	12" PVC
CB-4	9.63'	B 4.97'	A 4.34'	A 12" CONC
		C 4.83'		B/C 6" STL
CB-5	9.74'	B 2.39'	A 2.56'	15" STL
		C 4.19'		12" CONC
CB-6	8.39'	B 3.00'	A 2.79'	B 10" PVC
		C 2.83'		A/C 12" STL/CONC
CB-7	9.64'	D 3.92'		10" HDPE
		A 3.76'	B 3.52'	A/B 12" HDPE
CB-8	8.00'	B 4.11'	A 4.41'	A 12" CONC
		C 4.55'		B/C 6" PVC/D
CB-9	8.00'	---	4.78'	10" HDPE
CB-10	7.63'	A 3.19'	B 2.90'	---
CB-11	7.52'	A 4.02'	C 3.93'	---
CB-12	7.47'	B 4.05'		---
CB-13	11.45'	NA	NA	TRAP

CATCH BASIN INVERTS CONT'D				
CB-14	RIM	INV IN	INV OUT	PIPE
	8.96'	NA	NA	TRAP
CB-15	8.63'	---	5.26'	10" HDPE
CB-16	8.48'	---	4.59'	10" HDPE
CB-17	8.39'	A 5.47'	B 5.04'	A/B 10"/6" PVC
CB-18	8.51'	NA	NA	TRAP
CB-19	9.54'	A 6.15'	NA	A 10" PVC/TRAP
CB-20	8.90'	NA	NA	TRAP
CB-21	8.08'	A 5.81'	NA	A 10" PVC/TRAP
CB-22	7.90'	---	4.16'	---
CB-23	8.05'	NA	NA	TRAP
CB-24	9.34'	A 4.61'	C 4.53'	18" PVC
		B 5.21'		10" PVC
CB-25	---	---	---	---
CB-26	10.52'	A 4.57'	NA	A 12" PVC/TRAP
CB-27	8.53'	A 4.46'	C 3.92'	A 12" PVC
		B 3.99'		B/C 18" PVC
CB-28	10.30'	A 2.42'	B 2.30'	18" PVC
CB-29	8.04'	A 1.69'	B 1.66'	A/B 18" PVC
		C 2.23'		C 10" PVC
CB-30	7.84'	NA	NA	TRAP
CB-31	8.95'	---	---	---

EXISTING CONDITIONS SURVEY
OF PROPERTY LOCATED ON
SOMERSET STREET
PORTLAND, MAINE

PREPARED FOR:
CITY OF PORTLAND
389 CONGRESS STREET, PORTLAND, MAINE 04101

SGC ENGINEERING, LLC
• Civil Design & Survey Engineering
• Environmental & Regulatory Permitting
• Electrical Power Systems Engineering

591 County Road
Westbrook, Maine 04092
Tel: 207-896-0571
Fax: 207-896-0571

SERVING OUR CLIENTS IN THE U.S.A. & CANADA

901 County Road
Trenton, New Jersey 08611
Tel: 609-876-0571
Fax: 609-876-0571

REVISIONS:

NO.	DATE	DESCRIPTION
1	10/20/11	APPROVED FOR SUBMITTAL

APPROVED FOR SUBMITTAL

Received: _____ at _____ h _____ m _____ Page _____ of _____

REGISTERED PROFESSIONAL ENGINEER
CUMBERLAND, SS
REGISTRY OF DEEDS

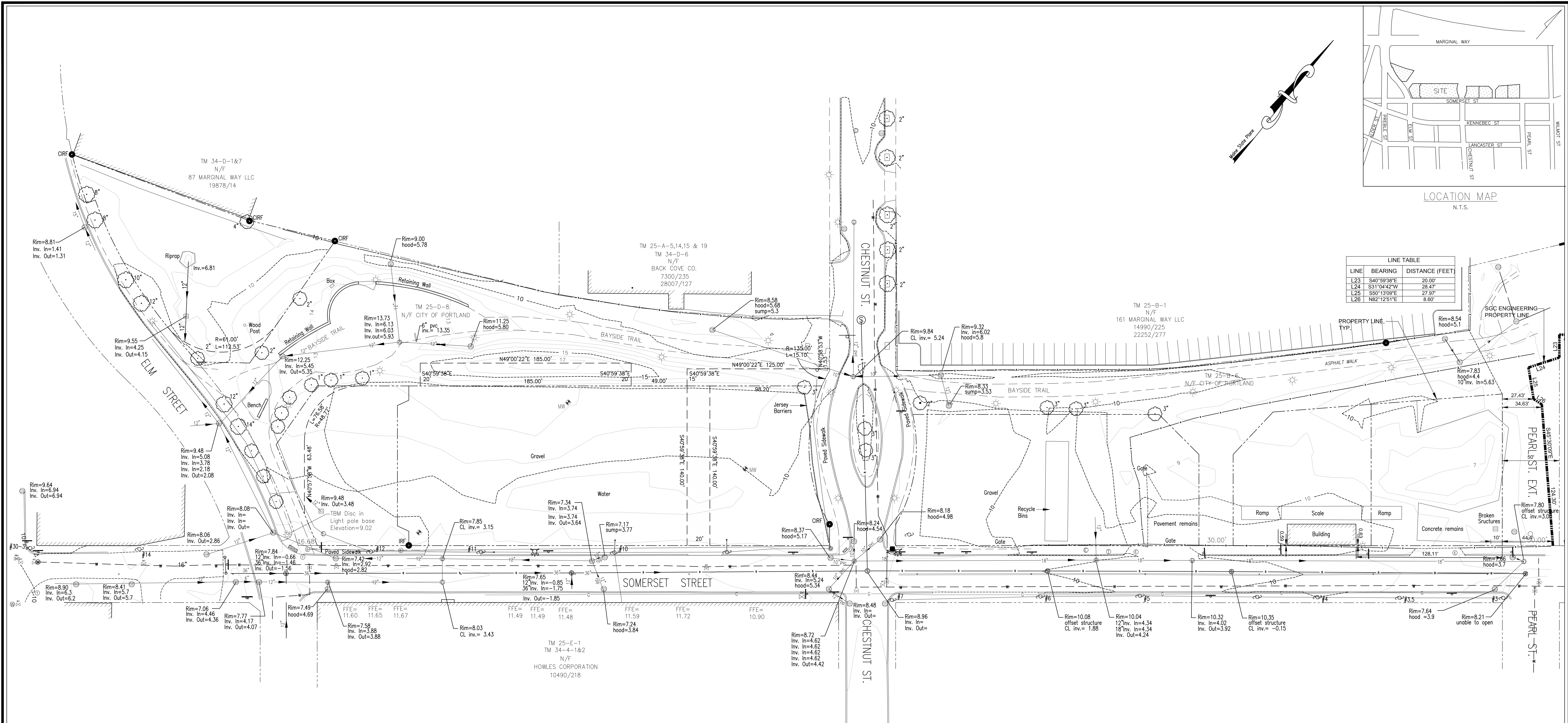
ATTEST:

ONLY VALID WITH ORIGINAL STAMP

SHEET 1 OF 1

DATE: 10/30/08
DRAWN: WRP
CHECK: SAM

CALC: BED
PROJECT: 559004
FILE: 55904E/CURATED.DWG



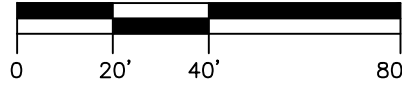
UTILITY NOTE:

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.

LEGEND

- MONUMENT FOUND
- IRON PIPE OR ROD FOUND
- HYDRANT
- WATER VALVE
- UTILITY POLE
- LIGHT POLE
- MANHOLE
- CATCH BASIN
- SIGN
- FENCE
- 1' CONTOUR
- OVERHEAD WIRES
- WATER LINE
- SEWER LINE
- DECIDUOUS TREE
- MONITORING WELL

GRAPHIC SCALE



PLAN REFERENCES:

- "SUBDIVISION RECORDING PLAT OF PROPERTY LOCATED ON BAYSIDE RAILWAY, PORTLAND, MAINE PREPARED FOR DOWNTOWN PORTLAND CORPORATION" DATED OCTOBER 30, 2008 REV. 3 1/13/09 BY SGC ENGINEERING, LLC RECORDED IN C.C.R.D. PLAN BOOK 209 PAGE 36.
- "EXISTING CONDITIONS SURVEY OF PROPERTY LOCATED ON SOMERSET STREET, PORTLAND, MAINE PREPARED FOR CITY OF PORTLAND" DATED OCTOBER 30, 2008, REV. 1 10/20/11 BY SGC ENGINEERING, LLC.
- "STANDARD BOUNDARY SURVEY FOR BAYSIDE TRAIL & PROPOSED SOMERSET STREET EXTENSION" DATED SEPTEMBER 2012 PREPARED BY CITY OF PORTLAND, MAINE PUBLIC SERVICES DEPARTMENT ENGINEERING DIVISION.

NOTES:

- OWNER OF RECORD: CITY OF PORTLAND, C.C.R.D. BOOK 27870 PAGE 299.
- BASIS OF BEARINGS: MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD83.
- ELEVATIONS ARE BASED ON CITY DATUM. BENCH MARK: MDOT DISK "612-(1)-10 1983"
- THIS PLAN IS THE RESULT OF A FIELD SURVEY CONDUCTED BY OWEN HASKELL, INC. NOVEMBER 2012 AND DATA TAKEN FROM PLAN REFERENCE 2 AS SHOWN ABOVE.

CERTIFICATE:

OWEN HASKELL, INC. 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 LAND SURVEYORS' CURRENT STANDARDS OF PRACTICE.

DATE

JOHN W. SWAN, PLS NO. 1038

ALTERED PLAN

10.17.2014

NOTE: THIS PLAN HAS BEEN ALTERED BY FAY, SPOFFORD & THORNDIKE. TO ADD THE PROPERTY LINE WITHIN THE PEARL STREET EXTENSION AREA AND TO PROVIDE DIMENSION TO EXISTING STRUCTURES

TOPOGRAPHIC SURVEY

ON PROPERTY IN THE VICINITY OF SOMERSET STREET, PORTLAND, MAINE

MADE FOR

FAY, SPOFFORD & THORNDIKE

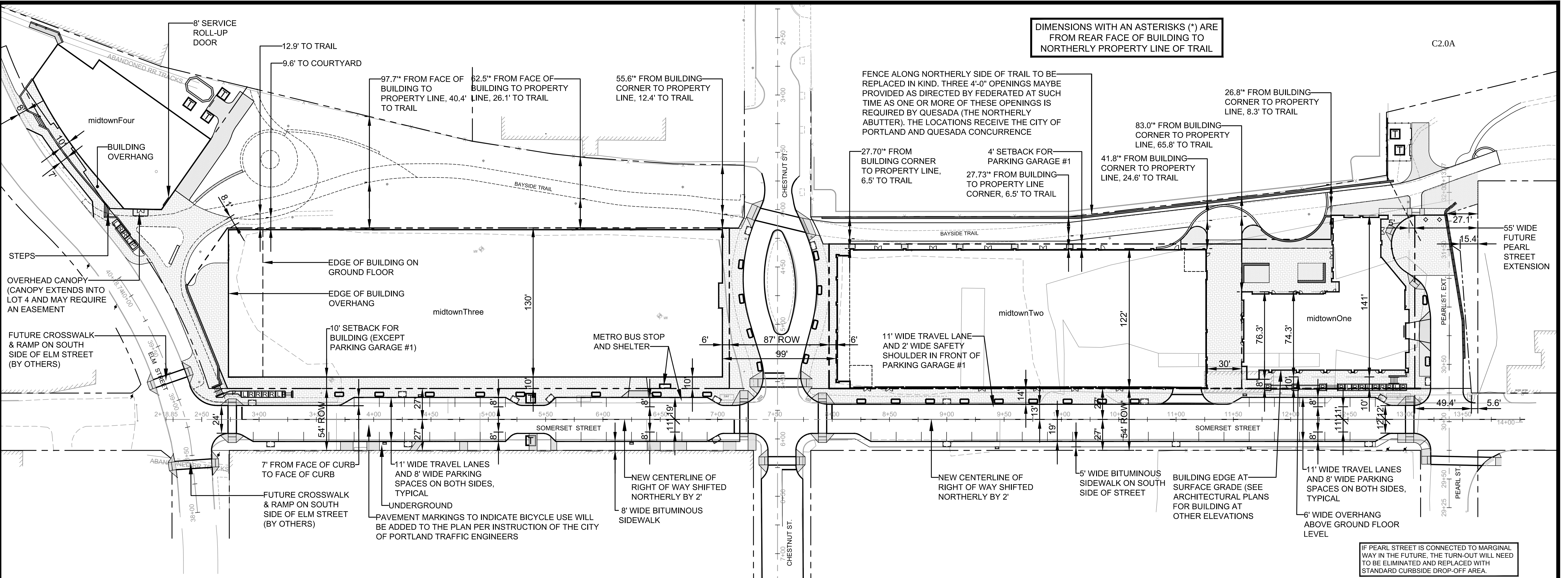
MAIN STREET, SOUTH PORTLAND, MAINE



OWEN HASKELL, INC.

390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	RS	Date	Job No.
Trace By	JLW	NOVEMBER 9, 2012	12012-180 P
Check By	JWS	Scale	Drwg. No.
Book No.	FILE	1" = 40'	1.4

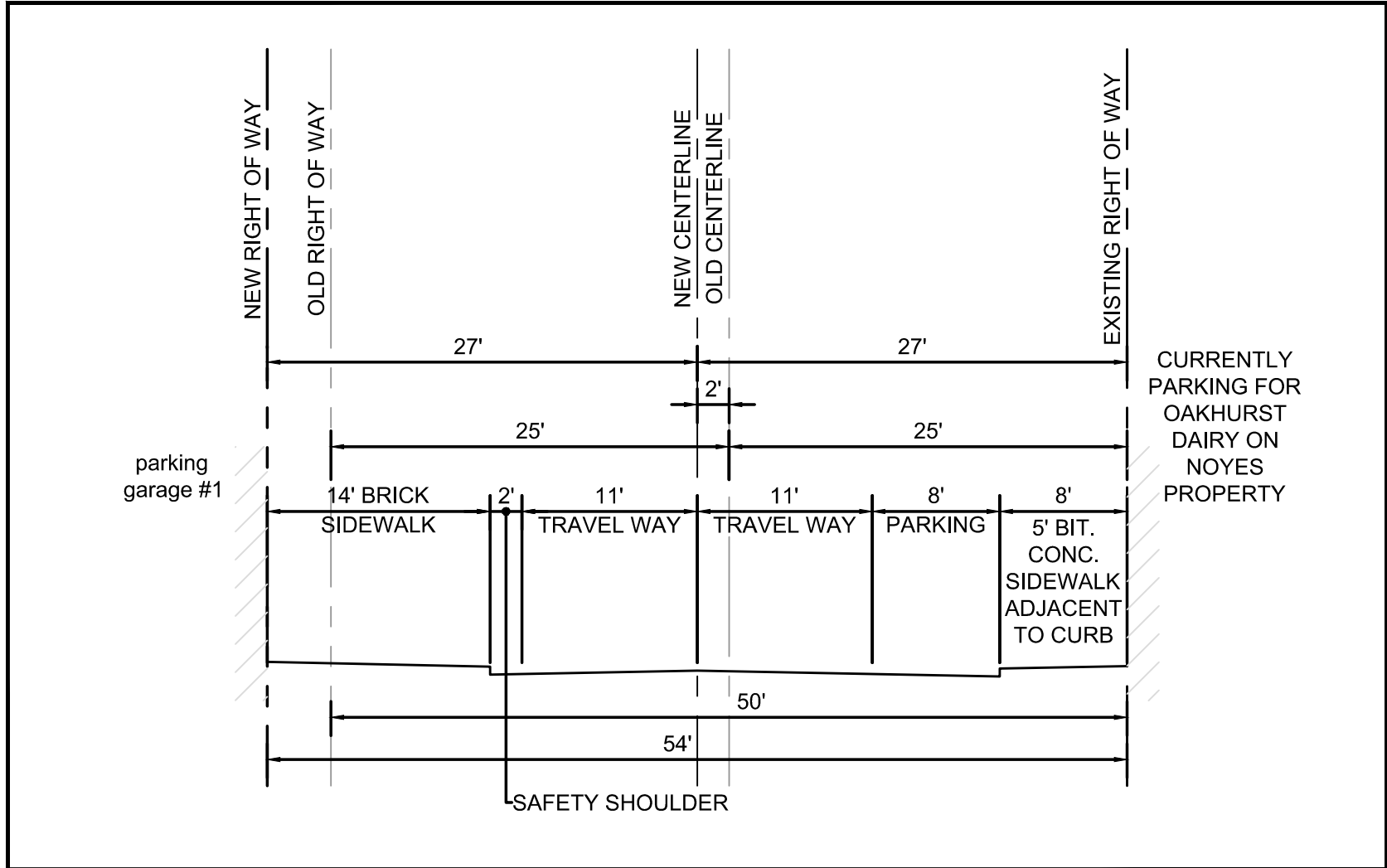


OVERALL SITE LAYOUT
SCALE 1" = 40'

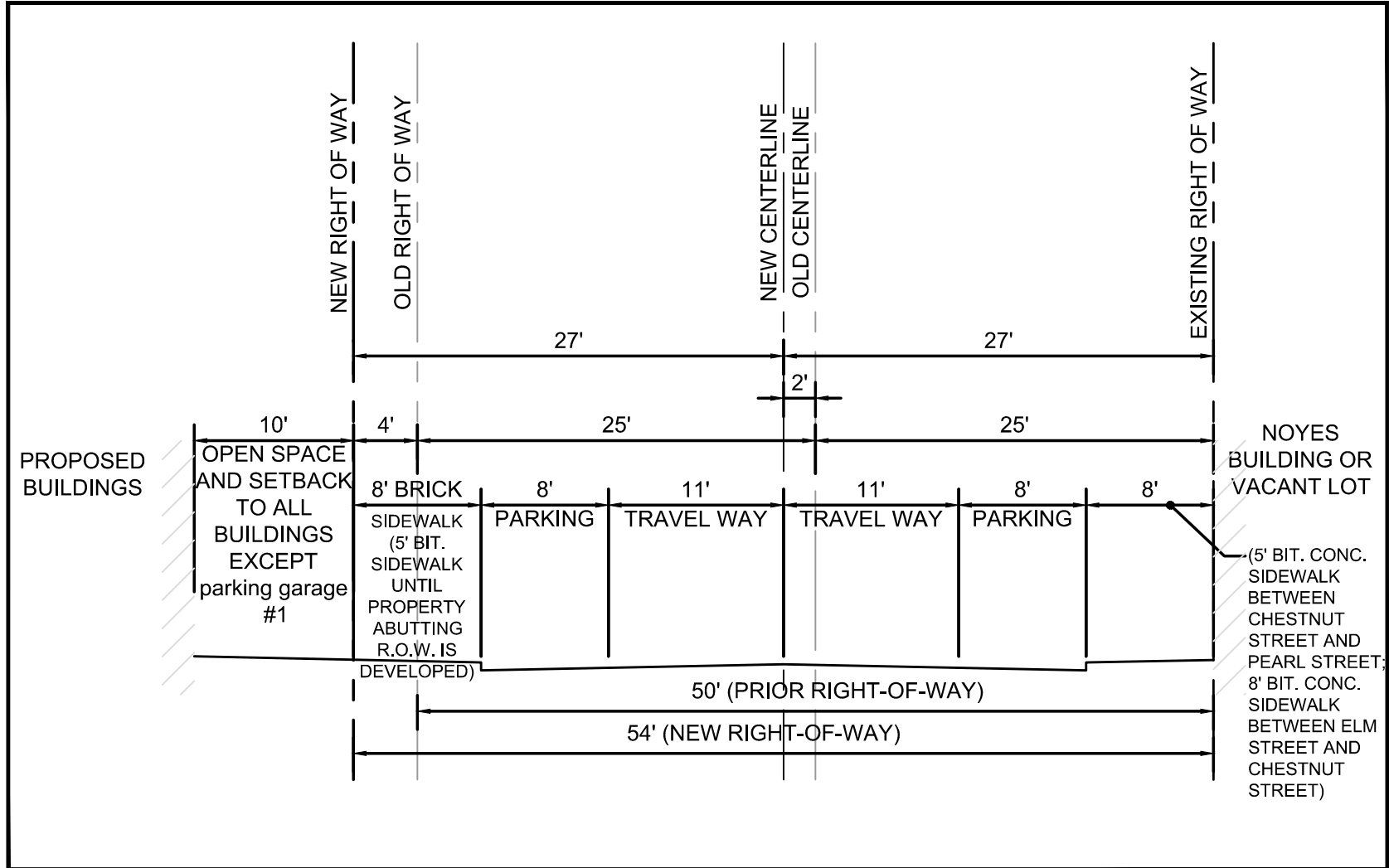
SOMERSET STREET PARKING COMPARISON		
DESCRIPTION	LOCATION	NO. OF SPACES
REVISED PLAN	SPACES TO NORTH OF CENTERLINE	13
	SPACES TO SOUTH OF CENTERLINE	36
	TOTAL SPACES	49

THE APPLICANT IS REQUESTING SOMERSET STREET PARKING BE 15 MINUTE SPACES TO BENEFIT GROUND FLOOR RETAIL PARKING. THIS WILL BE REVIEWED WITH THE CITY OF PORTLAND PARKING DIVISION.

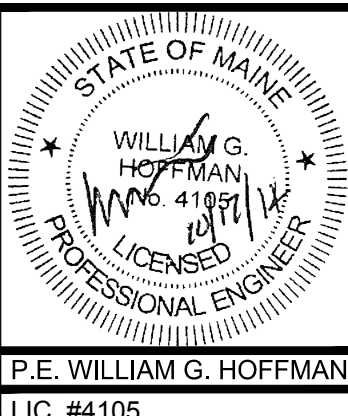
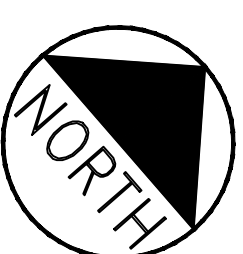
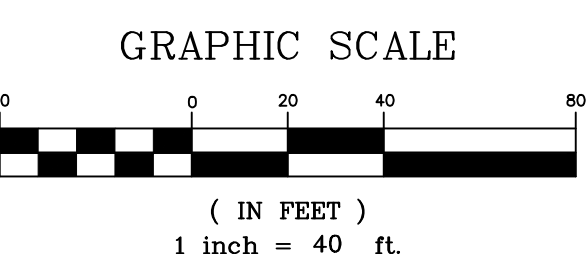
PARKING SPACES ARE DELINEATED ON THIS DRAWING FOR PLANNING STAFF REVIEW. THE SPACES WILL NOT BE DELINEATED OR PAINTED ON THE PAVEMENT WHEN THE PROJECT IS CONSTRUCTED (PER CITY STANDARDS).

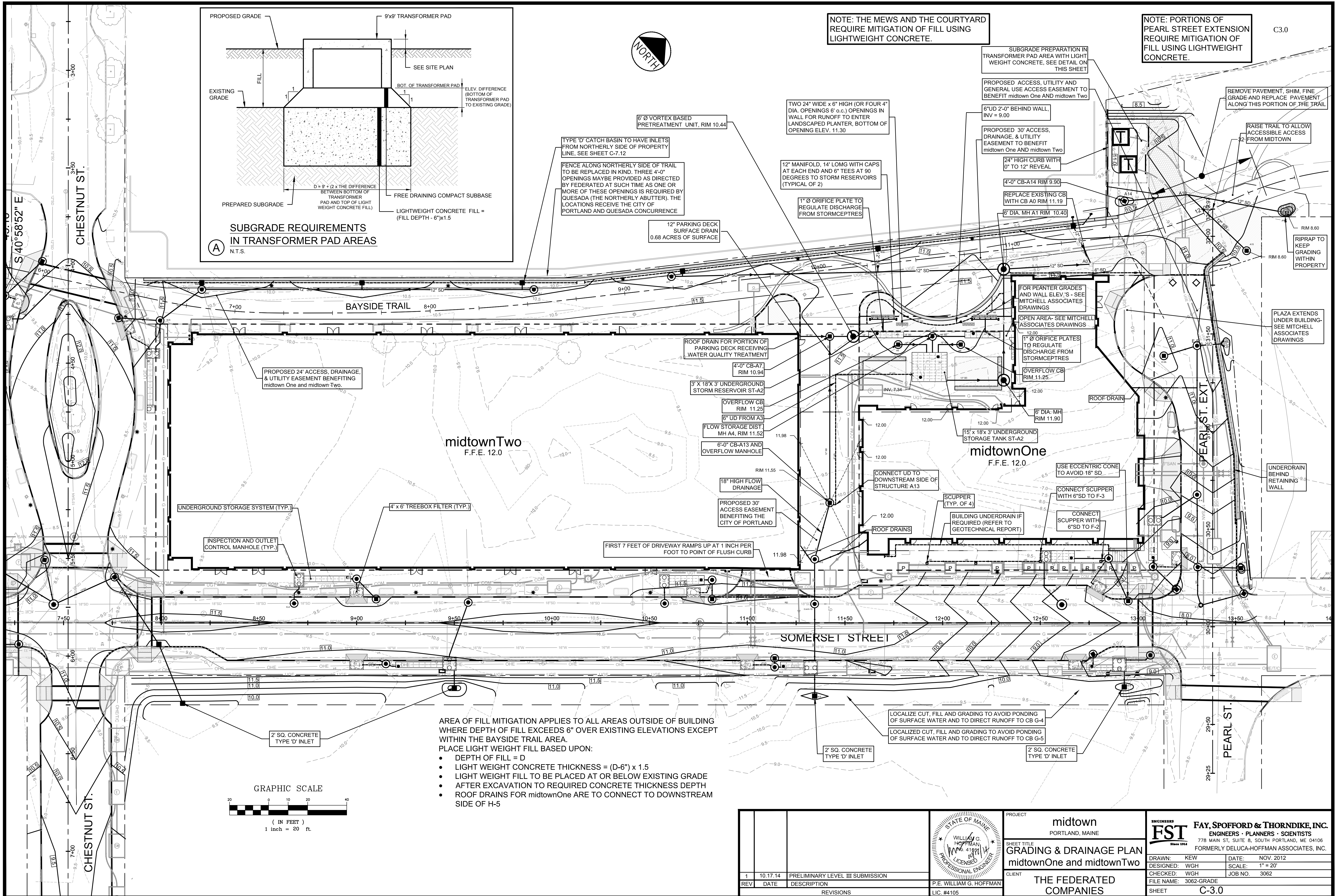


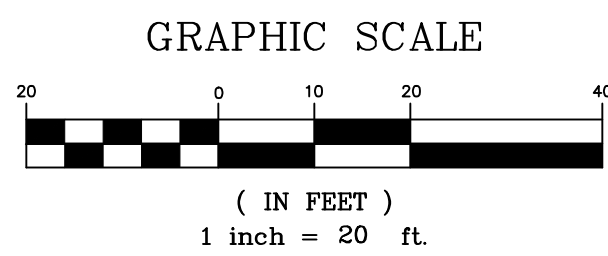
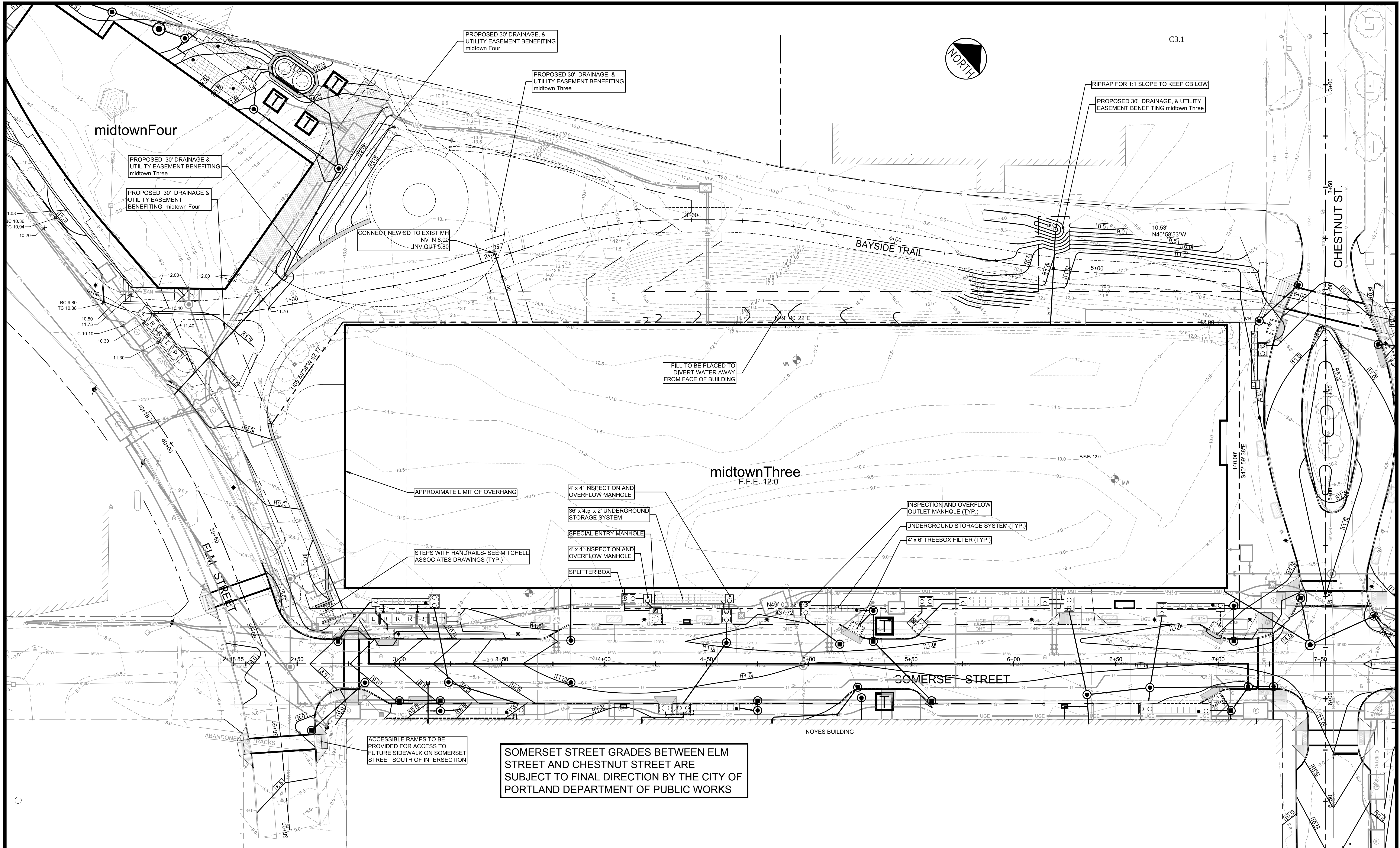
TYPICAL SECTION IN FRONT OF parking garage #1
NOT TO SCALE



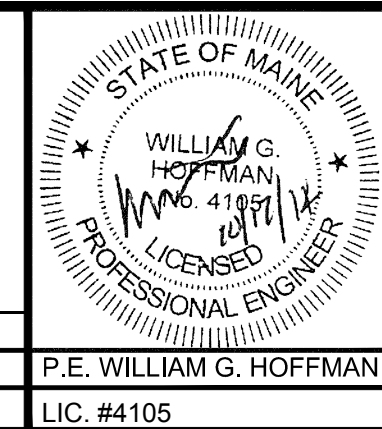
TYPICAL SECTION WITH PARKING ON EACH SIDE OF STREET
NOT TO SCALE





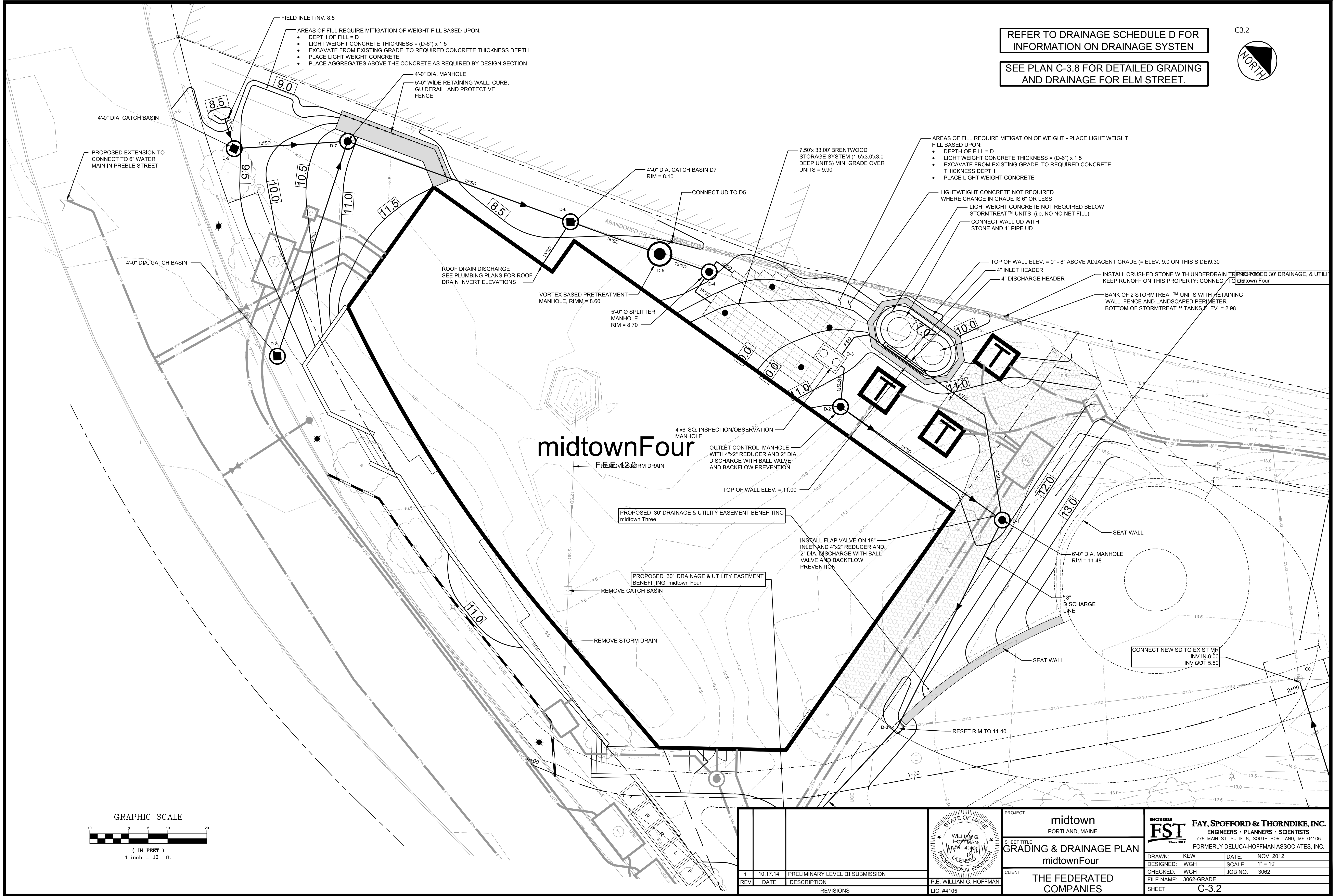


REV	DATE	DESCRIPTION
1	10.17.14	PRELIMINARY LEVEL III SUBMISSION
REVISIONS		



PROJECT	midtown PORTLAND, MAINE
SHEET TITLE	GRADING & DRAINAGE PLAN midtownThree
CLIENT	THE FEDERATED COMPANIES

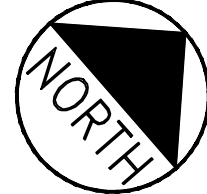
ENGINEERS FST Since 1954		FAY, SPOFFORD & THORNDIKE, INC. ENGINEERS • PLANNERS • SCIENTISTS 778 MAIN ST., SUITE 8, SOUTH PORTLAND, ME 04106 FORMERLY DELUCA-HOFFMAN ASSOCIATES, INC.	
DRAWN: KEW	DATE: NOV. 2012	DESIGNED: WGH	SCALE: 1" = 20'
CHECKED: WGH	JOB NO. 3062	FILE NAME: 3062-GRADE	
SHEET	C-3.1		



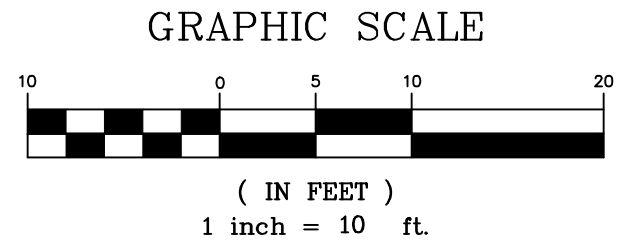
REFER TO DRAINAGE SCHEDULE D FOR
INFORMATION ON DRAINAGE SYSTEM

SEE PLAN C-3.8 FOR DETAILED GRADING
AND DRAINAGE FOR ELM STREET.

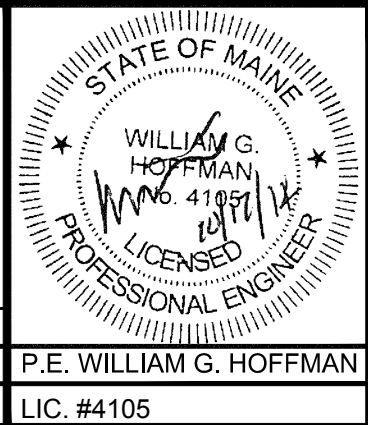
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midtownFour

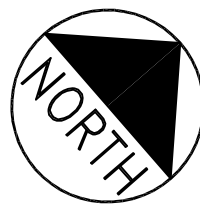


REV	DATE	DESCRIPTION
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REVISIONS		



PROJECT	midtown PORTLAND, MAINE
SHEET TITLE	GRADING & DRAINAGE PLAN midtownFour
CLIENT	THE FEDERATED COMPANIES

ENGINEERS FST Since 1954		FAY, SPOFFORD & THORNDIKE, INC. ENGINEERS • PLANNERS • SCIENTISTS 778 MAIN ST., SUITE 8, SOUTH PORTLAND, ME 04106 FORMERLY DELUCA-HOFFMAN ASSOCIATES, INC.	
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SHEET	C-3.2		

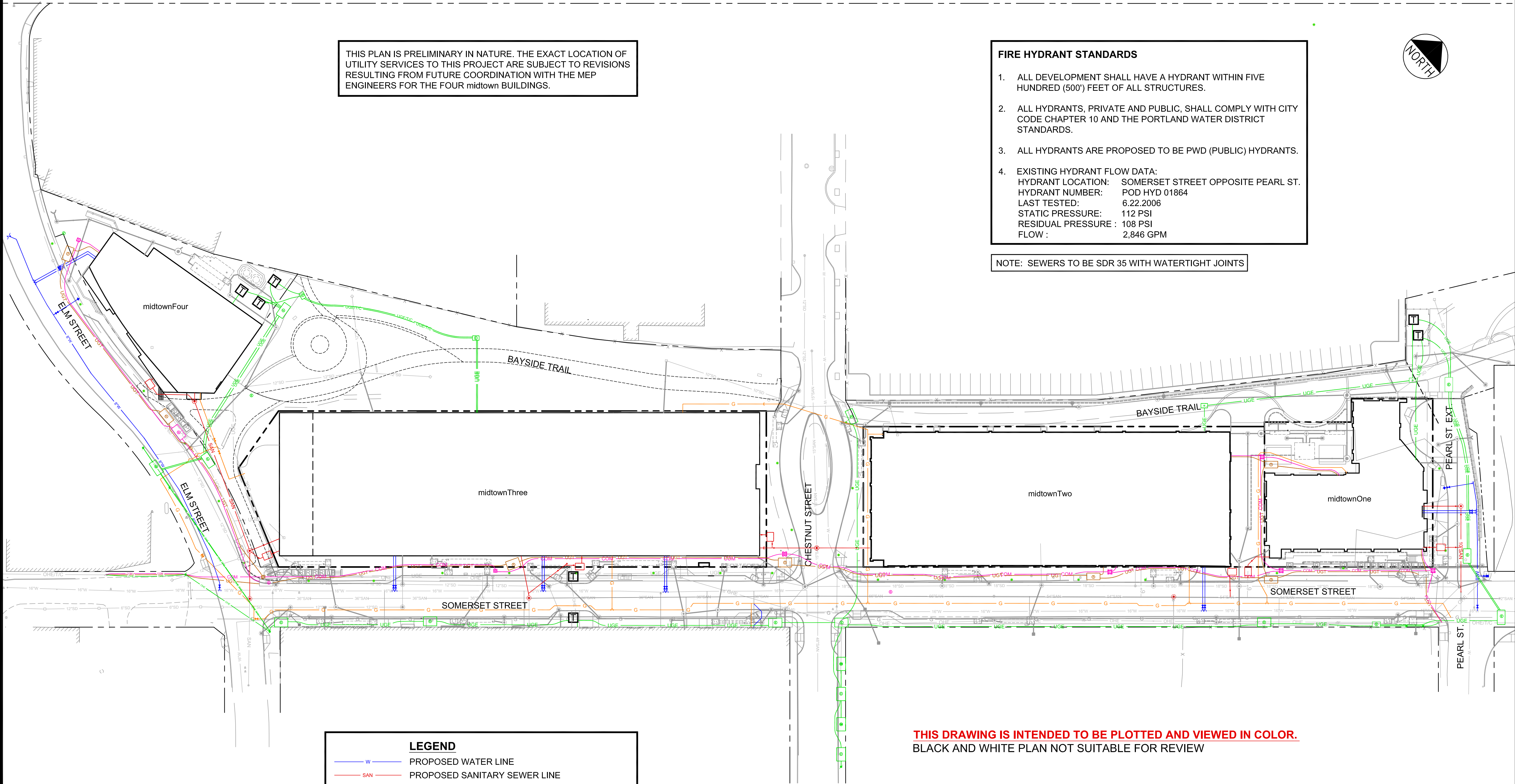


THIS PLAN IS PRELIMINARY IN NATURE. THE EXACT LOCATION OF UTILITY SERVICES TO THIS PROJECT ARE SUBJECT TO REVISIONS RESULTING FROM FUTURE COORDINATION WITH THE MEP ENGINEERS FOR THE FOUR midtown BUILDINGS.

FIRE HYDRANT STANDARDS

1. ALL DEVELOPMENT SHALL HAVE A HYDRANT WITHIN FIVE HUNDRED (500') FEET OF ALL STRUCTURES.
2. ALL HYDRANTS, PRIVATE AND PUBLIC, SHALL COMPLY WITH CITY CODE CHAPTER 10 AND THE PORTLAND WATER DISTRICT STANDARDS.
3. ALL HYDRANTS ARE PROPOSED TO BE PWD (PUBLIC) HYDRANTS.
4. EXISTING HYDRANT FLOW DATA:
HYDRANT LOCATION: SOMERSET STREET OPPOSITE PEARL ST.
HYDRANT NUMBER: POD HYD 01864
LAST TESTED: 6.22.2006
STATIC PRESSURE: 112 PSI
RESIDUAL PRESSURE : 108 PSI
FLOW : 2,846 GPM

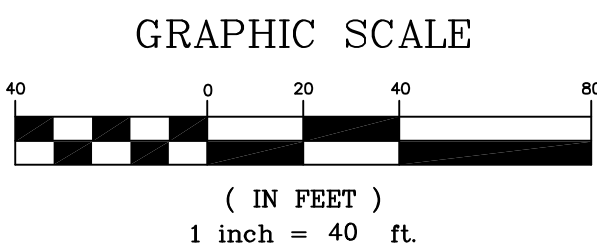
NOTE: SEWERS TO BE SDR 35 WITH WATERTIGHT JOINTS



LEGEND

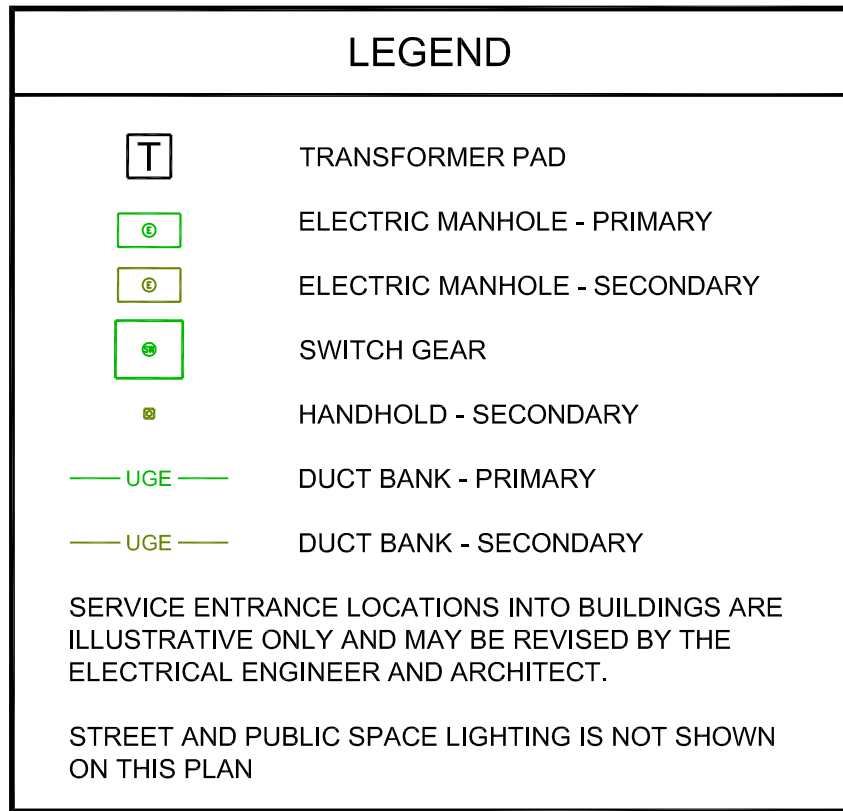
- W PROPOSED WATER LINE
- SAN PROPOSED SANITARY SEWER LINE
- G PROPOSED GAS LINE
- UGE PROPOSED UNDERGROUND ELECTRIC LINE
- UGT PROPOSED UNDERGROUND TELEPHONE LINE
- COM PROPOSED UNDERGROUND COMMUNICATION LINE

THIS DRAWING IS INTENDED TO BE PLOTTED AND VIEWED IN COLOR.
BLACK AND WHITE PLAN NOT SUITABLE FOR REVIEW



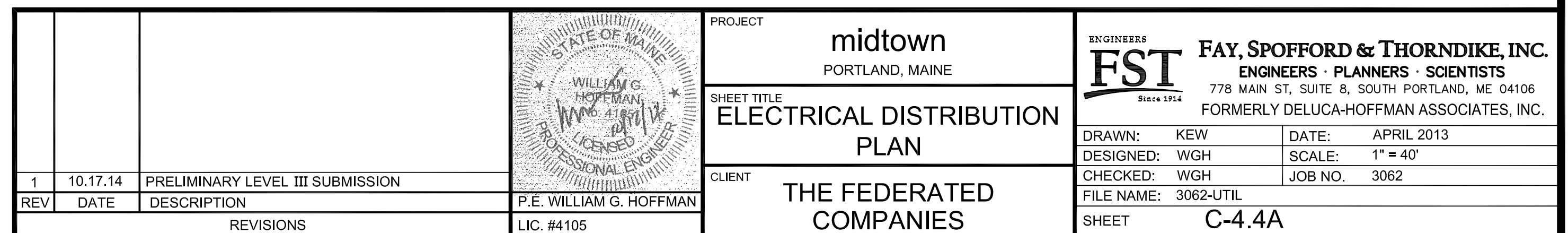
PRELIMINARY - NOT FOR CONSTRUCTION

				<table><tr><td>PROJECT</td><td>midtown PORTLAND, MAINE</td></tr><tr><td>SHEET TITLE</td><td>OVERALL UTILITY PLAN</td></tr><tr><td>CLIENT</td><td>THE FEDERATED COMPANIES</td></tr></table>	PROJECT	midtown PORTLAND, MAINE	SHEET TITLE	OVERALL UTILITY PLAN	CLIENT	THE FEDERATED COMPANIES	<table><tr><td colspan="2"></td><td>FAY, SPOFFORD & THORNDIKE, INC. ENGINEERS · PLANNERS · SCIENTISTS 778 MAIN ST., SUITE 8, SOUTH PORTLAND, ME 04106 FORMERLY DELUCA-HOFFMAN ASSOCIATES, INC.</td></tr><tr><td>DRAWN:</td><td>KEW</td><td>DATE:</td><td>APRIL 2013</td></tr><tr><td>DESIGNED:</td><td>WGH</td><td>SCALE:</td><td>1" = 40'</td></tr><tr><td>CHECKED:</td><td>WGH</td><td>JOB NO.</td><td>3062</td></tr><tr><td>FILE NAME:</td><td colspan="3">3062-UTIL</td></tr><tr><td>SHEET</td><td colspan="3">C-4.0</td></tr></table>			FAY, SPOFFORD & THORNDIKE, INC. ENGINEERS · PLANNERS · SCIENTISTS 778 MAIN ST., SUITE 8, SOUTH PORTLAND, ME 04106 FORMERLY DELUCA-HOFFMAN ASSOCIATES, INC.	DRAWN:	KEW	DATE:	APRIL 2013	DESIGNED:	WGH	SCALE:	1" = 40'	CHECKED:	WGH	JOB NO.	3062	FILE NAME:	3062-UTIL			SHEET	C-4.0		
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1	10.17.14	PRELIMINARY LEVEL III SUBMISSION																																
REV	DATE	DESCRIPTION	P.E. WILLIAM G. HOFFMAN LIC. #4105																															
REVISIONS																																		



THIS DRAWING HAS BEEN GENERATED FROM AN ELECTRICAL DISTRIBUTION PLAN PREPARED BY CENTRAL MAINE POWER CO. IN OCTOBER 2013 AND REVISED AFTER THE MEETING OF OCTOBER 29, 2013.

PRELIMINARY - NOT FOR CONSTRUCTION

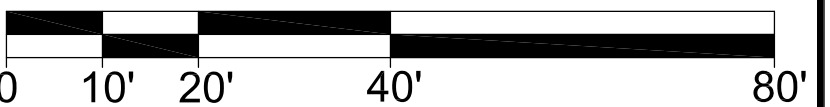
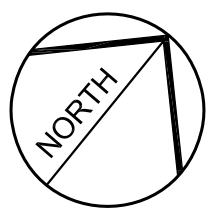


	EXISTING	PROPOSED		EXISTING	PROPOSED
PROPERTY LINE			PRECAST CONCRETE PAVERS		
MONUMENT FOUND			RETAINING WALL		
CATCHBASIN			STREET LIGHT FIXTURE		
MANHOLE			TRAIL LIGHT FIXTURE		
HYDRANT			SEATING		
WATER VALVE			CURB		
UTILITY POLE			BIKE HITCH		

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TREES					
Z.5ER	13	ZELKOVA SERRATA 'GREEN VASE'	ZELKOVA 'GREEN VASE'	3" CAL.	
G.TH	8	GLEDITSIA TRIANCANTHUS 'HALKA'	HALKA HONEY LOCUST	2 1/2" CAL.	
M.SNO	5	MALUS 'SNOWDRIFT'	SNOWDRIFT CRABAPPLE	2" CAL.	
C.WKJ	3	CRATAEGUS VIRIDIS 'WINTER KING'	WINTER KING HAWTHORN	2 1/2" CAL.	
C.AL.T	1	CORNUS ALTERNIFOLIA	PAGODA DOGWOOD	10 GAL.	SINGLE STEM
G.BIL	5	GINKGO BILOBA 'MAGYAR'	MAGYAR GINKGO	2" CAL.	
P.OMO	3	PICEA OMORIKA	SERBIAN SPRUCE	6' - 7'	
A.MAA	4	MAACKIA AMURENSIS	AMUR MAACKIA	2" CAL.	
C.VIR	5	CHIONANTHUS VIRGINICUS	FRINGETREE	6' - 7'	
M.JAD	3	MALUS 'RED JADE'	RED JADE CRABAPPLE	2" CAL.	
U.AMA	4	ULMUS AMERICANA 'VALLEY FORGE'	AMERICAN ELM 'VALLEY FORGE'	2.5" CAL.	
SHRUBS					
R.WIL	10	RHODODENDRON WILSONII	WILSON RODODENDRON	5 GAL.	
C.5ER	13	CORNUS SERICEA 'BAILEY'	RED TWIG DOGWOOD	5 GAL.	
R.ARO	53	RHUS AROMATICA 'GRO-LO'	'GRO-LO' SUMAC	3 GAL.	
V.LEN	5	VIBURNUM LENTAGO	NANNYBERRY	5 GAL.	
A.UVA	146	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY	3 GAL.	
A.MAM	10	ARONIA MELANOCARPA	ALTUMN MAGIC CHOKEBERRY	3 GAL.	
C.AC.V	10	CLETHRA ALNIFOLIA 'CALEB'	WILLOWA SPICE CLETHRA	3 GAL.	
V.CAS	10	VIBURNUM CASSINOIDES 'WITHEROD'	VANITEROD VIBURNUM	5 GAL.	
M.PEN	5	MYRICA PENNSYLVANICA	NORTHERN BAYBERRY	2.5" HT.	

KEY	QTY	BOTANICAL NAME	COMMON NAME	
PERENNIALS				
H.HRE	11	HEMEROCALLIS 'HAPPY RETURNS'	DAYLILY 'HAPPY RETURNS'	1 GAL.
H.BBA	16	HEMEROCALLIS 'BETH BARTH'	DAYLILY 'BETH BARTH'	1 GAL.
H.SGL	16	HEMEROCALLIS 'SUNDAY GLOVES'	DAYLILY 'SUNDAY GLOVES'	1 GAL.
P.ALO	23	PENNISTETUM ALOPEUROIDES	FOUNTAIN GRASS	1 GAL.
S.SCO	15	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM GRASS	1 GAL.
GREEN WALL CLIMBING VINES				
P.QUI	T.B.D.	PARTHENOCISSUS QUINQUEFOLIA	VIRGINIA CREEPER	2 YR. POT
C.PAN	T.B.D.	CLEMATIS PANICULATA	SWEET AUTUMN CLEMATIS	2 YR. POT

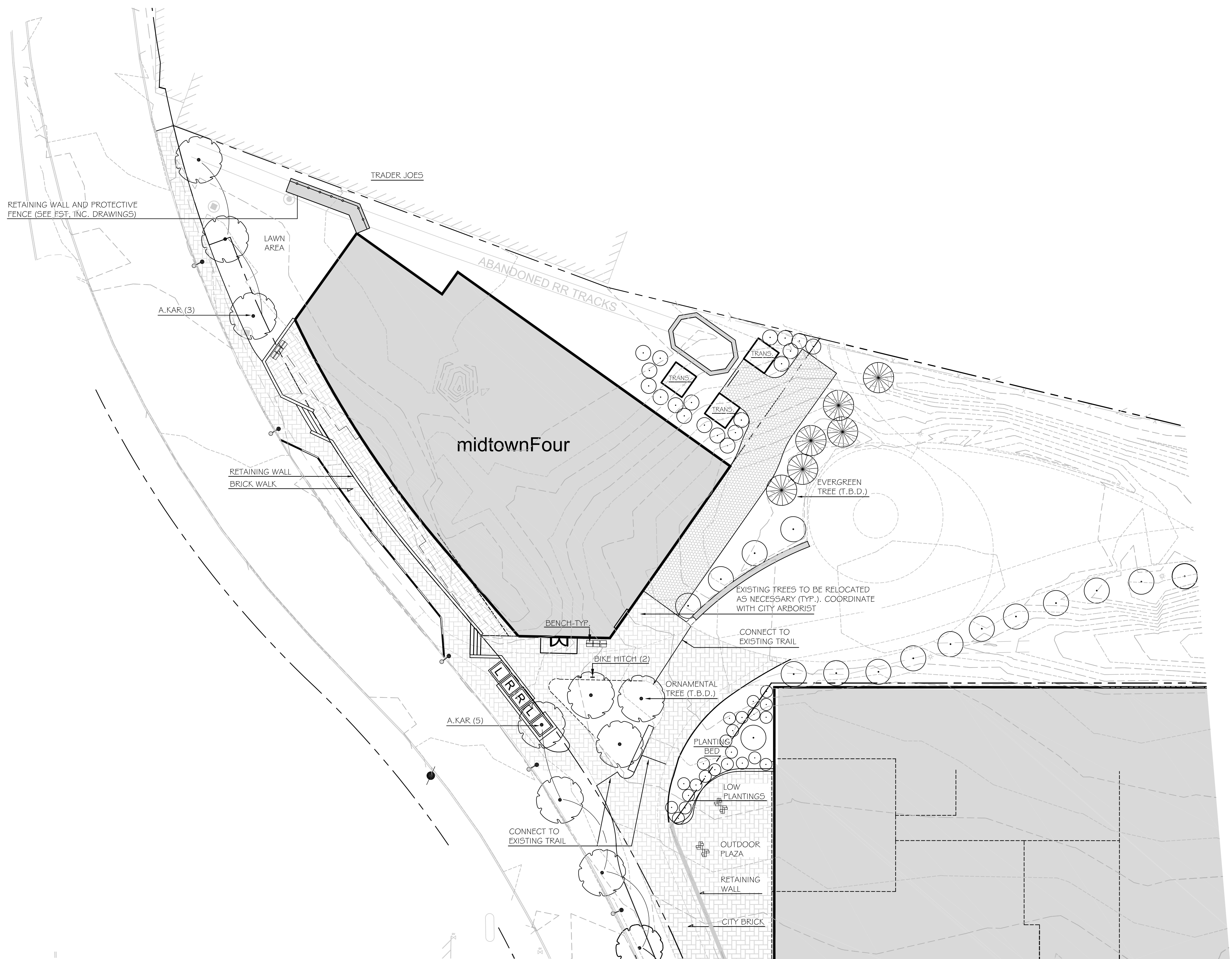
1. DRAWING MP-L1.0 IS SAME AS SHEET "L1.0 -- LANDSCAPE AND LIGHTING PLAN", WHICH IS PART OF THE NOVEMBER 18 2013 CITY OF PORTLAND RE-SUBMISSION DOCUMENTS.



				PROJECT	midtown PORTLAND, MAINE		Mitchell & Associates LANDSCAPE ARCHITECTS 70 Center Street Portland, Maine 04101 P: 207.774.4427 F: 207.674.2460	
				SHEET TITLE	LANDSCAPE AND LIGHTING PLAN		DRAWN: SM DATE: Oct. 17, 2014	
				CLIENT	THE FEDERATED COMPANIES		DESIGNED: RM SCALE: 1" = 20'	
	10.17.14	PRELIMINARY LEVEL III SUBMISSION					CHECKED: RM JOB NO.	
REV	DATE	DESCRIPTION	R.L.A. ROBERT METCALF				FILE NAME:	
		REVISIONS	LIC. #				SHEET L1	

KEY	QTY	BOTANICAL NAME	COMMON NAME
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[illegible]



LEGEND

	EXISTING	PROPOSED		EXISTING	PROPOSED
PROPERTY LINE			PRECAST CONCRETE PAVERS		
MONUMENT FOUND			RETAINING WALL		
CATCHBASIN			STREET LIGHT FIXTURE		
MANHOLE			TRAIL LIGHT FIXTURE		
HYDRANT			SEATING		
WATER VALVE			CURB		
UTILITY POLE			BIKE HITCH		
			FILTERRA UNIT WITH TREE OR SHRUB PLANTING		
			SAFETY BOLLARD (AT GARAGE)		

PLANTING SCHEDULE -- PHASE II AND III STREET TREES ONLY

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
TREES					
Z.SER	9	ZELKOVA SERRATA 'GREEN VASE'	ZELKOVA 'GREEN VASE'	3" CAL.	
U.AMA	4	ULMUS AMERICANA 'VALLEY FORGE'	AMERICAN ELM 'VALLEY FORGE'	2.5" CAL.	
A.KAR	8	ACER RUBRUM 'KARPICK'	KARPICK RED MAPLE	2.5" CAL.	
C.VIR	3	CHIONANTHUS VIRGINICUS	FRINGETREE	6' - 7'	FILTERRA UNITS



NOT FOR CONSTRUCTION

						PROJECT midtown PORTLAND, MAINE		Mitchell & Associates LANDSCAPE ARCHITECTS 70 Center Street Portland, Maine 04101 P: 207.774.4427 F: 207.874.2460	
						SHEET TITLE LANDSCAPE AND LIGHTING PLAN			
						CLIENT THE FEDERATED COMPANIES			
		10.17.14	PRELIMINARY LEVEL III SUBMISSION		R.L.A. ROBERT METCALF		DRAWN: SM		DATE: Oct. 17, 2014
REV	DATE	DESCRIPTION		LIC. #		DESIGNED: RM		SCALE: 1" = 20'	
		REVISIONS				CHECKED: RM		JOB NO.	
						FILE NAME:			
						SHEET		L3	



PLANNING BOARD REPORT PORTLAND, MAINE

Map Amendment for 89 Anderson Street
Rezone from R-6 to B-1b
Redfern Properties, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: November 12, 2014
Project #: 2014-113

Prepared by: Nell Donaldson, Planner
Date: November 7, 2014
CBLs: 12 I 001001, 005

I. INTRODUCTION

Redfern Properties appears before the Planning Board for a public hearing related to a proposed zoning map amendment for their property at 89 Anderson Street. The property lies at the corner of Anderson and Fox Streets in East Bayside and is currently zoned Residential R-6. The applicant's proposed amendment would



Figures 1(top) & 2: 89 Anderson Street from corner of Anderson and Fox; site from Anderson Street looking east.

change the zoning on the site to Neighborhood Business B-1b in order to allow them to develop a mixed use building, including 53 rental housing units. Redfern has argued that this rezoning is particularly appropriate for this location and that the proposed map amendment is consistent with the goals of the comprehensive plan.

It should be noted that Redfern's original application requested a zone change to Community Business B-2b for the site; Redfern modified the application after becoming aware of a separate city initiative to amend the dimensional standards of the B-1 zone. The board considered the zone change request at two previous workshops, where discussion centered largely

on the potential building scale and traffic impact implications of the amendment, as well as the affordability of the housing development project that provides the impetus for the zone change.

A legal ad for the board hearing was posted on the city's web page and appeared in the *Portland Press Herald* on November 3 and 4, 2014. Notices were also sent to 150 property owners within 500 feet of the site and to the interested citizen list.

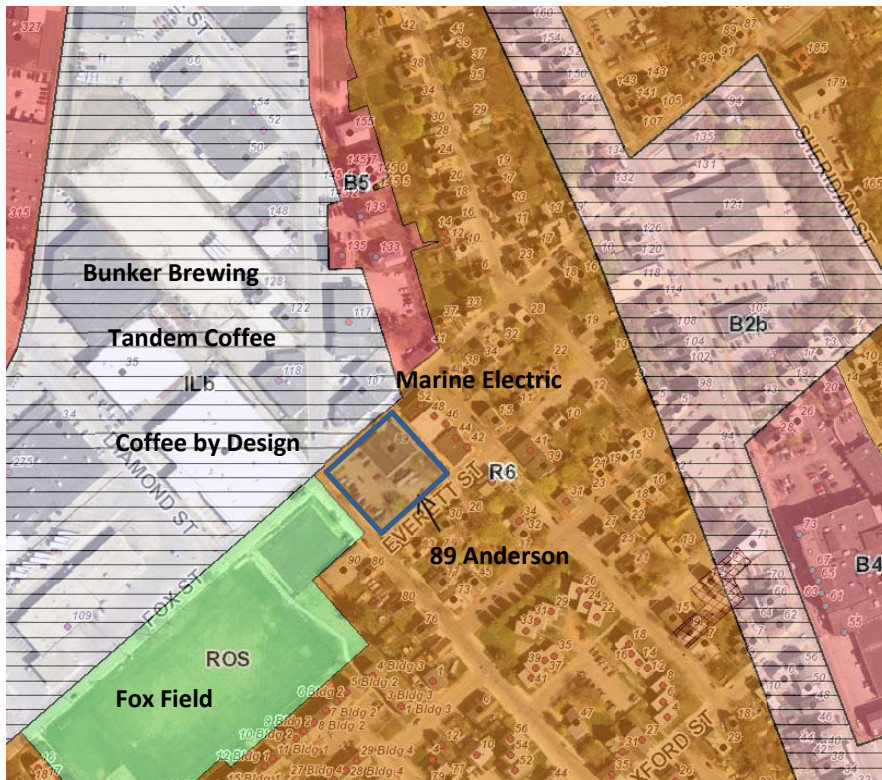


Figure 3: 89 Anderson zoning context

family housing to the east. Most of the adjacent housing is of a smaller scale, with a mix of single and two-family buildings characteristic of the city’s East End. A sizable Recreation Open Space (ROS) parcel, the site of the Kennedy Park basketball courts and Fox Field, sits directly to the southwest. An Industrial IL-b zone, with uses typical of the evolving East Bayside, including Coffee By Design’s roastery, Tandem coffee roasters, and Bunker Brewery, lies across Fox Street. The Urban Commercial Business B-5 zone is the nearest commercial zone; portions of Anderson Street north of Fox are zoned B-5. This B-5 zone is home to numerous multi-family properties, including a recent condominium development. There is a B-2b zone east of the site on Washington Avenue.

II. CONTEXT

89 Anderson Street, which consists of two parcels, is currently occupied by 3Gs Tire and Auto Service. The eastern half of the site houses a one-story brick garage building. The remainder of the site, including the corner at Anderson and Fox Streets, is dedicated to surface parking. There is some evidence that the site has long housed a garage; the tax records indicate this as the property’s use as far back as 1924.

The site lies at the intersection of several zones. The property itself is zoned R-6; as such, it is surrounded on two sides by mostly residential uses, including some large three-story multi-

III. PROPOSED MAP AMENDMENT

Current Zoning:	R-6 (Residential)
Proposed Zoning:	B-1b (Neighborhood Business)
Current Uses:	Auto repair
Proposed Uses:	Mixed-use with first floor commercial (restaurant and office) and upper floor residential
Parcel Area:	23,357 SF

IV. ZONING ANALYSIS

Redfern Properties proposes to develop 53 units of high-density, market rate rental housing on the site as well as first floor commercial space and, in particular, a restaurant. As noted previously, the underlying zone precludes this plan on at least two counts. The existing R-6 zoning allows a density of 1 unit/1,000 SF of lot area for the first three units and 1 unit/1,200 SF thereafter, a density that the applicant has stated is too low to support the project. Even under proposed amendments to the R-6 zone currently under consideration by the council, where a density of 1 unit/725 units might be permitted, the applicant has stated that the project is not feasible. Secondly, restaurants are not permitted in the R-6 zone, nor are other commercial establishments. Professional offices are listed as a conditional use.

City staff has previously provided a comprehensive analysis of potential zoning designations, including a comparison of purposes, permitted uses, and dimensional requirements under the existing R-6 zoning, proposed amendments to the R-6, the R-7, the existing B-1b, proposed amendments to the B-1b, and the B-

2b. At the board’s prior workshops, the R-7 and the B-2b were effectively eliminated as options. The analysis found that the R-7 does not permit the commercial uses envisioned under the amendment application and that the B-2b, while supportive of the density and desired development program, also permits a range of uses, including auto service stations and drinking establishments, widely considered too intense. There was considerable support for the B-1b zoning designation on the site and, as such, the board ultimately directed staff to advertise the zoning to B-1b as currently proposed by the applicant.

Purpose Statements

The existing R-6 zoning is designed to promote dense, urban housing characteristic of the city’s peninsula. The purpose of the R-6 zone, which can currently be found predominantly in the East and West Ends of the city, is to “set aside areas...for housing characterized primarily by multi-family dwellings at a high density” and to “conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.”

The proposed B-1b zoning designation, in contrast, is more explicitly designed for mixed-use development. The purpose statement reads, “[t]he purpose of the B-1b neighborhood business zone is to provide appropriate opportunities for the establishment of small-scale ground floor commercial uses in existing buildings, serving a local market, while preserving residential uses and character above the ground floor of structures.” While this portion of the purpose statement plainly references existing buildings, it should be noted that B-1b amendments recently recommended by the Planning Board to the council would eliminate this distinction in an effort to promote small-scale mixed use buildings whether existing or new. The purpose statement continues, “[t]he zone also provides the opportunity for mixed use and high residential density in on-peninsula locations.” Many of the city’s traditional, small-scale neighborhood commercial nodes lie in B-1 or B-1b zoning designations, including portions of Congress Street in Munjoy Hill and portions of Pine Street in the West End.

Table 1: Purposes

R-6 Residential	B-1	B-1b
To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses. In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.	To provide limited areas for the location of small-scale commercial establishments intended to serve a local market. As a result, uses shall be complimentary, quiet and generally do not disturb the comfort and enjoyment of the adjoining neighborhood environment. Uses shall be designed for the pedestrian scale and will provide convenient access for nearby residents and workers to walk in to purchase goods and services. Buildings and uses shall be designed with attractive storefronts or similar features, with windows and doors convenient to a public sidewalk. Building additions are encouraged but not required to meet the maximum setbacks of 14-165(c)(3). This zone shall encourage mixed use buildings such as commercial first floor with residential uses above or combined retail/office uses in a multistory structure. The zone also provides the opportunity for mixed use and high residential density in on-peninsula locations. Suitable locations for this zone may include street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses.	To provide appropriate opportunities for the establishment of small-scale ground floor commercial uses in existing buildings, serving a local market, while preserving residential uses and character above the ground floor of structures. The zone also provides the opportunity for mixed use and high residential density in on-peninsula locations. Building additions are encouraged but not required to meet the maximum setbacks of 14-165(c)(3). ¹

¹Reference to “existing buildings” to be eliminated under proposed amendments currently under consideration by the city council

Permitted Uses & Potential Impacts

In keeping with the intent to encourage high-density housing, the R-6 permits most housing types by right. Some institutional uses and professional offices are permitted conditionally, but otherwise the R-6 zone does not permit most non-residential uses, and commercial uses are excluded entirely. It should be noted that the auto repair use which currently occupies 89 Anderson is technically non-conforming.

The B-1 and B-1b zones, in contrast, permit commercial uses, including offices, personal services, business services, and retail establishments, by right. They also permit places of assembly, clinics, municipal uses, and schools. However, in the B-1b zone, these uses are permitted on the first floor only. Upper floor uses are limited exclusively to residential. In this way, the B-1b is intended to promote mixed-use buildings. Under the current ordinance, restaurants are permitted conditionally so long as their hours are limited to 6 a.m. to 11 p.m, food service and consumption are their primary functions, and there are no drive-throughs. The current ordinance also limits first floor area for use by the public in a restaurant in the B-1b zone to 1,000 SF. The board has recently recommended changes to the restaurant provisions of the B-1 and B-1b zones to the city council; these would make restaurants a permitted use in the B-1 and B-1b zones, and would increase the maximum floor area for use by the public to 2,000 SF.

Traffic Impacts

As has been discussed by the board at previous workshops, the change in permitted uses associated with the proposed map amendment poses the potential to generate new and different impacts on the neighborhood. In particular, over the course of the review, neighbors have repeatedly raised questions and concerns regarding the potential trip generation and traffic safety impacts of the proposed zone change.

In order to understand the impacts of a zone change in general terms, Tom Errico, the city's consulting traffic engineer, conducted a comparative trip generation analysis based on the potential buildout of the 89 Anderson site under each of the zoning designations under consideration (*Attachment 1*). This analysis shows approximately 30 more AM and PM peak hour trips could be generated under the proposed B-1b zoning than under the existing R-6. Mr. Errico writes,

I have conducted a trip generation comparison analysis between the existing and proposed zoning. Based upon information provided by you, the two zoning scenarios will consist of the following with the associated AM and PM peak hour traffic volumes (combined entering and exiting):

Existing Zoning – 20 Residential Units

- *AM Peak Hour – 10 vehicles*
- *PM Peak Hour – 12 vehicles*

Proposed Zoning – 53 Residential Units and 5,255 square feet of Office Space

- *AM Peak Hour – 37 vehicles*
- *PM Peak Hour – 43 vehicles*

Given the traffic-related concerns voiced repeatedly over the course of the review, the applicant has also elected to conduct a traffic analysis specific to the proposed buildout of their site. In early September, the applicant submitted a preliminary traffic impact study (*Attachment I*). The study, conducted by William Bray of Traffic Solutions, included summaries of existing bicycle and pedestrian volumes and safety trends at several locations near the 89 Anderson site; estimated trip generation from the proposed site uses; and existing and future anticipated levels of service at several nearby intersections, taking into account traffic to be generated by other approved projects in the vicinity. As noted in a prior memo, the traffic study and associated submittals generally found the following:

- There are “moderate” bicycle and pedestrian volumes through study area intersections, with higher volumes occurring in the PM peak hour than in the AM peak hour. Of the three intersections studied, the highest bicycle volumes were observed at the Washington Avenue/Fox Street intersection and the highest pedestrian volumes were observed at the Anderson Street/Cumberland Avenue intersection;

Table 2: Permitted Uses

		R-6	B-1/B-1b¹
Permitted	Residential	Single-family and two-family dwellings	Any use permitted in nearest residential zone; if commercial first floor multi-family permitted by right
		Multi-family dwellings	
		Handicapped family units	
		Single-family manufactured housing	
		Lodging houses	
	Institutional	Governmental buildings and uses/municipal uses	•
		Schools	•
		Clinics	•
		Places of assembly	•
		Nursery schools, kindergartens	•
		Day care facilities	•
	Business	Professional offices	• ²
		Personal services	•
		Business services	•
		Offices of building tradespeople	•
		Retail establishments	•
	Other	Accessory uses	•
		Hostels	•
		Wind energy systems	•
		Cemeteries	
		Parks	•
		Home occupation	•
		Special needs independent living units	•
		Conversion into bed and breakfast	•
		Utility substations	•
		Beverage dealers	•
		Bed and breakfasts	•
		Studios for artists and craftspeople	•
		Neighborhood center	•
Conditional	Institutional	Sheltered care group homes	•
		Schools	•
		Long-term and extended care facilities	•
		Intermediate care facility	•
		Places of assembly	•
		Hospitals	•
		Nursery schools and kindergartens	•
		Day care facilities	•
		College, university, trade schools	•
	Other	Restaurants	• ³
		Conversion into bed and breakfast (over 5 rooms)	•
		Utility substations	•
		Professional offices	•
		Chancellery	•
		Off-street parking	• ³
		Hostels	•
		Temporary wind anemometer towers	•
		Wind energy systems	•

¹ Permitted on ground floor of B-1b; above ground floor, only residential uses of 14-162(a), bed and breakfasts, hostels permitted

² Amendments to include business and general offices, excluding veterinarians, are currently under consideration by the council

³ Restaurants conditionally permitted, provided they meet the following requirements: max. floor area for use by public of 1,000 SF; hours limited to 6 am to 11 pm; food service and consumption is primary function; and no drive-throughs. Amendments which would make restaurants a permitted use and expand floor area maximum to 2,000 SF are currently under consideration by council.

Table 3: Dimensional Requirements¹

	R-6	Proposed R-6²	R-7	B-1/B-1b	Proposed B-1/B-1b²
Min. Lot Area per D.U.	1,000 SF; 1,200 SF after first three ³	725 SF	435 SF	<i>On-peninsula:</i> 435 SF	No change
Min. Lot Width	40 ft.	30 ft.		None	No change
Min. Front Yard	10 ft., except where average depth of adjacent front yards is less	5 ft., except where average depth of adjacent front yards is less	None		No change
Max. Front yard				10 ft., or average depth of nearest developed lots	No change
Min. Rear Yard	<i>Principal >100 SF footprint:</i> 20 ft.	<i>Principal >100 SF footprint:</i> 10 ft.	5 ft.	<i>Principal:</i> None; 20 ft. if abutting residential zone or use	<i>Principal:</i> None; 10 ft. if abutting a residential zone
	<i>Detached accessory < 144 SF footprint:</i> 5 ft.	No change		<i>Accessory:</i> None; 5 ft. if abutting a residential zone or use	<i>Accessory:</i> None; 5 ft. if abutting a residential zone
Min. Side Yard	1-3 stories: 10 ft. ⁴	5 ft.	5 ft.	<i>Principal:</i> None; 10 ft. if abutting residential zone or use	<i>Principal:</i> None; 5 ft. if abutting residential zone
	4 stories: 12 ft. ⁴			<i>Accessory:</i> None; 5 ft. if abutting a residential zone or use	<i>Accessory:</i> None; 5 ft. if abutting a residential zone
	5 stories: 15 ft. ⁴				
	Side yard on side street: 10 ft.			<i>Corner lot:</i> 10 feet max. ⁵	<i>Corner lot:</i> 10 feet max
Max. Structure Height	Principal: 45 ft.	No change	50 ft.	<i>On-peninsula:</i> 45 ft. ⁶	No change ³
	Accessory detached: 18 ft.				
Structure Stepbacks					Above 35 ft.: 10 ft. from side and 15 ft. from rear property line if abutting a residential zone
Max. Floor Area	See footnote ⁷			<i>Single-tenant:</i> 5,000 SF (first floor only)	<i>Total max. first floor area for non-residential uses per structure:</i> 10,000 SF
				<i>Multi-tenant:</i> 10,000 SF (first floor only)	<i>Total max. first floor area per retail estab.:</i> 5,000 SF
Max. Lot Coverage	> 20 units: 40%	60%	100%		
	< 20 units: 50%				
Open Space Ratio	< 20 units: 20% ⁶	20%			
	> 20 units: 30%				
Max. Impervious				90%	No change

¹ Table only includes relevant dimensional standards. Note that other dimensional standards apply.

² These amendments have yet to be brought to the Planning Board for review, and are subject to change.

³ Other restrictions apply for lodging houses, intermediate care facilities

⁴ The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. Other exceptions apply.

⁵ Except that for any new construction on a lot abutting more than two streets, the maximum setback shall not apply beyond the two most major streets.

⁶ Except 50 ft. along Congress Street if commercial first floor & residential upper floors. The commercial first floor uses shall utilize at least 75 percent of the first floor frontage along Congress Street and shall have an average depth of at least 20 feet.

⁷ Minimum/maximum gross floor area requirements exist for places of assembly and bed and breakfasts.

- Of the roadway segments and intersections studied, the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. Of the nine accidents observed at this location over a three year timeframe, the plurality involved vehicles heading eastbound on Fox Street turning left onto Washington Avenue;
- A trip generation analysis for the proposed development at 89 Anderson Street yielded a net change in estimated trip generation of 15 AM and 9 PM peak hour trips from the site (i.e. 15 more AM and 9 more PM peak hour trips than currently occur to/from the site under 3Gs ownership). Based on the gross estimated trip generation from the site¹, future traffic operations were not anticipated to experience significant degradation in service as a result of the proposed development. The study showed that the Fox Street approach to the Washington Avenue/Walnut Street/Fox Street intersection, which currently experiences a high level of delay, will continue to do so.

The study included a preliminary signal warrant analysis for the Washington Avenue/Walnut Street/Fox Street intersection, which found that, at least preliminarily, it was not expected to meet signal warrants.

Tom Errico, the city's consulting traffic engineer, reviewed the findings of the preliminary traffic impact study and provided comments prior to the board's previous workshop on the zone change request (*Attachment 1*). These comments included some technical concerns, including a request that the trip generation estimates be revised to include all land uses proposed for the site and that a full signal warrant analysis be conducted for the Washington Avenue/Walnut Street/Fox Street intersection. The comments also echoed traffic concerns voiced by neighbors regarding the comprehensiveness of the traffic counts, noting that volumes were counted when Unitil was completing work in the Anderson Street right-of-way and when school and community activities in the area were not in session.

In response, the applicant's traffic engineer provided a revised submittal on November 3, 2014 (*Attachment K*). This submittal included:

- Updated trip generation numbers that account for all proposed land uses on the site, as well as existing traffic generated from 3Gs, and an assessment of impacts on adjacent intersection levels of service. The revised totals show projected peak hour volumes of 27 AM and 41 PM trips from the site under the proposed buildout scenario, including the restaurant use. When existing trips from 3Gs are taken into account, the resulting net peak hour trip generation is reduced to 15 AM and 17 PM peak hour trips. Given these numbers, Mr. Bray writes that "new site generated peak hour values are lower than the volume of site generated trips utilized in the [original] traffic impact study completed...in August 2014. Therefore, the intersection levels of service summary...are conservative estimates of the project's impact on intersection operations." That LOS summary projected no significant degradation of service under the post-development condition (*Attachment I*).
- Updated traffic counts for the Washington Avenue/Walnut Street/Fox Street intersection, designed to coincide with a school day. The AM peak hour volumes observed in these counts, which were conducted in October, were generally higher than the volumes counted in late summer. The opposite was true of the PM counts, with the October volumes lower than those from August. It should be noted that Unitil was working in Anderson Street at the time of the counts.
- Updated counts for Fox Street/Anderson Street, reflecting a Friday schedule at the nearby mosque. It should be noted that these counts do not capture an event at Fox Field, as originally planned, as inclement weather resulted in the cancellation of events there on the day of the scheduled count. These counts showed a PM peak hour between 3:45 and 4:45 where 652 vehicles entered the intersection. This volume was actually slightly lower than the total PM peak hour volume recorded in August. Mr. Bray writes that, "although it would have been desirable to obtain traffic data for the intersection during scheduled field events at the East Bayside Field Complex, a high level of confidence remains in the validity of the conclusions of the traffic impact study...The noted intersection [Fox/Anderson] was projected to operate at the absolutely best level of service...under post-development conditions and...it is highly reasonable to assume that more than acceptable traffic operations would remain at the intersection even with the addition of significantly heavier peak hour

¹ The preliminary traffic impact study used gross trip generation estimates (27 AM and 33 PM peak hour trips) for the proposed use and did not account for existing traffic to/from the site.

the warrant analysis, a warrant is closely met, and in my professional opinion, given development growth activity in the area, a traffic signal is likely to be needed in the future. Given both safety and capacity needs at this location, the applicant will likely be required to make a monetary contribution to this intersection as part of Site Plan conditions of approval.

It was noted previously that traffic counts at the Washington Avenue/Walnut Street/Fox Street intersection should be conducted during school time periods. The applicant has updated counts and I have no further comment.

It was previously noted that the applicant should consider the traffic impact of the proposed commercial space on the area transportation system. The applicant conducted a trip generation analysis assuming the space is occupied by a Specialty Retail use and therefore would add approximately 8 vehicles to the road system during the PM Peak hour. If the 2,780 square foot space is assumed to be a High-Turnover restaurant, 32 additional PM peak hour trips can be expected. I would note that not all of this traffic would be new and in fact a reduction in trips is likely given the projects urban location. The applicant notes that the original traffic study did not account for a reduction of vehicle trips due to the elimination of the 3G's business. I concur with the applicant that when considering this trip credit, the level of service analysis conclusion should remain valid (that the intersection will operate at a very good level of service), even under a restaurant use assumption.

It was previously noted that the traffic counts consider the volume impact of recreation events at the East Bayside Athletic Facility. The applicant attempted to collect the requested information, but due to weather issues, was unable to capture traffic volumes that included field event motorists/pedestrians. I concur with the applicant that the level of service conditions at the Fox Street/Anderson Street intersection would not be expected to degrade substantially and acceptable levels of service would be expected with field activities.

Per previous comments, the applicant conducted a traffic count on a Friday to capture traffic and pedestrian demand from the Mosque located on Anderson Street north of Fox Street. I concur that based upon the count, the level of service conclusions provided in the original traffic study would not be substantially different given added Mosque related traffic. I would note that the applicants analysis did highlight the heavy pedestrian demand that travels through this intersection and I would note that Phase 1 of the City's Anderson Street Neighborhood By-Way project is proceeding with the project expected to begin before the end of the year. The Phase 1 project primarily consists of improving pedestrian facilities at the Fox Street/Anderson Street intersection.

I have reviewed the concept site plan graphic provided by the applicant and concur that it provides details that represent elements of the Anderson Street Neighborhood By-Way project. It should be noted that the By-Way project is not implementing any improvements to the 89 Anderson Street corner, with the assumption that a future project will be disturbing this corner. The details provided on the graphic for the 89 Anderson Street corner generally seem acceptable, but adjustments can be expected during the design and site plan approval process.

It should be reiterated that, under site plan review, the city routinely assesses traffic impacts and requires mitigation where necessary. The city is currently examining the Washington Avenue/Walnut Street/Fox Street intersection in an effort to address existing concerns there. A contribution or improvements relative to any impacts posed by the Redfern development would be identified at the time of site plan review. Mr. Errico writes,

Given that the Washington Avenue/Fox Street/Walnut Street intersection is a High Crash Location, the applicant should expect to participate in implementation of mitigation improvements at this location.



Figure 5: Conceptual diagrams depicting building envelopes under potential zoning designations, 89 Anderson Street site

It should also be reiterated that residents have raised concerns about volumes at the Fox Street/Anderson Street intersection, the existing geometry of this intersection, the profile of Fox Street, and pedestrian and vehicular safety more broadly in this area. In both written correspondence and at prior Planning Board workshops, Mr. Errico has stated that crash data does not indicate safety problems at Fox Street/Anderson Street, and that since the intersection is designed as a four-way stop, he does not have concerns about the existing geometry (*Attachment 1*). He has also noted that the capital investments associated with the Anderson Street Byway Project should improve the overall function of the Fox Street/Anderson Street intersection.

Other Potential Impacts

As noted previously, there are other potential impacts associated with the change in permitted uses under the proposed zone change. In that the B-1b allows ground floor retail and, with the amendments now under consideration by the council, restaurant uses, there is the potential for night time activity and the concomitant light and noise. It should be noted that, as with traffic impacts, the city regulates light and, to some extent, noise impacts through the site plan review process.

Dimensional Requirements and Form

The purpose of the existing R-6 zoning is to encourage high density housing. The R-6's basic control for density, the minimum requirement of 1,000 SF of lot area per dwelling unit for the first three units with 1,200 SF of lot area required per dwelling unit thereafter, would limit the residential buildout of the 89 Anderson parcel to 19 units. As previously noted, city staff is currently proposing text amendments to the R-6 which would allow it to more closely replicate the type of development that originated prior to zoning and can be found in many of the city's R-6 zones. Under the proposed amendments, a density of one unit/725 SF of lot area would be permitted. This would allow the development of 32 units on site. The current R-6 allows a lot coverage of 50% and poses setback requirements of 10 feet on the front yard, 20 feet on the rear yard, and 10-15 feet on the side yard, which guarantees that buildings will be separated both from each other and the street with a significant amount of open space. A height of 45 feet is allowed. The proposed R-6 dimensional requirements would increase the lot coverage to 60%, reduce the setbacks to 5 feet for the front yard, 10 feet for the rear yard, and 5 feet for the side yard. The height limit would not change.



ANDERSON STREETSCAPE



EVERETT STREETSCAPE

Figure 6: Proposed 89 Anderson Street elevation in context

The city's business zones generally encourage a more dense, urban form. The B-1b zone allows 90% impervious surface and permits a density of one unit/435 SF of lot area. A rezoning to B-1b would thus, as the applicant proposes, allow 53 units on site. As in the R-6, the maximum height allowed is 45 feet. Side setbacks of 10 feet and rear setbacks of 20 feet are required if abutting residential uses. There is a maximum 10 foot front yard setback. With amendments currently under consideration by council, side and rear yard setbacks would be reduced to 5 feet and 10 feet respectively if a property abuts a residential zone. It should be noted that the proposed B-1b zoning does include a stepback provision, which would require an increase in setback to 15 feet above 35 feet in height on the rear of the property if abutting a residential zone.

At prior workshops, neighbors have raised concerns regarding potential scale and massing under the zone change. It should be noted that the height limits of the R-6 and the B-1, even under proposed amendments, are the same at 45 feet, and that the B-1 has the added protection of a stepback when a building is greater than 35 feet in height. Regarding lot coverage, however, there is a significant difference between the existing and the proposed zoning. The proposed R-6 amendments allow a lot coverage of 60% and the B-1b effectively allows 90%. Staff has developed conceptual diagrams to depict the rough building envelope on the 89 Anderson Street site under the existing R-6, the proposed R-6, the existing B-1, and the proposed B-1 (*Figure 5*). In addition, the applicant has provided photosimulated elevations in an attempt to depict the proposed building under the dimensional requirements of the B-1b zone, as proposed (*Attachment H and Figure 6*). In response to questions raised by the public at the last workshop on the proposal, it should be noted that numerous other recently approved or constructed housing and mixed-use development projects, including the Chestnut Street Lofts (34 units), Pearl Place I and II (60 and 54 units respectively), the Avesta project at 409 Cumberland Avenue (57 units), the Seaport Lofts at 101-121 Newbury Street (39 units), and West End Place (39 units), are of similar scale and nature. Not all of these projects are located in the B-1 or B-1b zones.

It should also be reiterated that neighbors have raised particular concerns with regard to the setbacks under the proposed zoning, expressing a concern that sight lines will be obstructed and cause safety issues, particularly at the Fox Street/Anderson Street intersection. Mr. Errico was consulted regarding this concern and noted that, given that Fox Street/Anderson Street is a four-way stop, he finds the sight distance to be acceptable.

V. POLICY ANALYSIS

The applicant argues in their cover letter that the “site lies at the convergence of several zones and represents an opportunity to improve an underdeveloped property in a way that will contribute to the neighborhood and city” (*Attachment A*). In their submittals, Redfern includes a comprehensive plan analysis (*Attachment G*). In this analysis, they attest that the proposed zone change will meet numerous goals of the city’s comprehensive plan, most particularly those of the city’s housing plan, *Housing: Sustaining Portland’s Future*.

First in their analysis, Redfern argues that the proposed market-rate rental housing project which the proposed zone change will allow will help to meet the city’s goal of “[e]nsur[ing] that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.” They further elaborate that, by providing rental housing at projected rents below 30% of HUD’s median income for the Portland metro region, the zone change would allow the city to actualize an objective under this goal: “ensur[ing] the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.” Redfern also cites goals from *Housing: Sustaining Portland’s Future* related to “encourag[ing] higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation” and “increas[ing] Portland’s rental housing stock.”

More relevant to the rezoning request, Redfern cites objectives from *Housing: Sustaining Portland’s Future* related to “support[ing] Portland’s livable neighborhoods by encouraging a mix of uses that provide needed goods and services within walking distance of most residents,” writing that the B-1b zoning designation will encourage “uses and services compatible with residential neighborhoods, thus supporting the planning concept of ‘walkable neighborhoods.’” The applicant also quotes the objective regarding “encourag[ing] neighborhood business centers throughout the city to reduce dependence on the car and make neighborhood life without a car more practical,” writing that “the B-1b zone is designed to create neighborhood business centers. Mixed-use buildings...both provide residence and neighborhood business/services that create excellent ‘traditional’ neighborhoods less dependent on the automobile.”

As always when considering the rezoning of a residentially-zoned area, it should also be noted that *Housing: Sustaining Portland’s Future* advises against commercial encroachment with policies such as “[w]hile accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses.” In this regard, it should be noted that the B-1b provides for a fairly narrow range of commercial uses and further limits those uses to the ground floor only.

VI. PUBLIC COMMENT

Over the course of the review, the Planning Division received numerous public comments on the proposed zone change (*Attachments PC-1-17*). In general, many of the questions and concerns expressed in this correspondence focused on issues regarding traffic generation and impacts to Washington Avenue/Walnut Street/Fox Street, and Fox Street itself; geometry and sight lines at Fox Street/Anderson Street and Washington Avenue/Walnut Street/Fox Street, particularly with respect to pedestrian (but also vehicular) safety; and Fox Street width, in combination with the existing parking situation, grades, speeds, and snow. Nearby residents have called for traffic calming, pedestrian upgrades, signal improvements, and the elimination of tractor trailer parking along lower Fox as a way to mitigate some of these concerns. Safety is a general, overriding issue.

Residents have also continued to express opposition regarding the scale of the building allowed under the proposed zone change, both in terms of mass and in terms of units. Neighbors have stated that the eventual project will be out of context with the surrounding neighborhood. In conjunction with these concerns, residents have also expressed a desire for additional open space on the site.

Lastly, residents have consistently voiced concerns regarding the type of housing units likely to be developed under the proposed zone change, and what market rate housing might mean in terms of affordability for the surrounding neighborhood. These and other comments reflect a general concern about the changing nature

of East Bayside and the need to plan for these changes in a proactive manner.

It should be noted that there have also been numerous comments in support of the proposed zone change, citing the 89 Anderson site as an ideal location for mixed-use development.

VII. STAFF RECOMMENDATION

As is customary, staff considered whether the proposed designation makes rational sense for a broader area than the 89 Anderson Street site. In this instance, there is a compelling case that the surrounding zones should remain as they currently exist. The R-6 zone in this area of East Bayside is largely intact with residential properties, save for the 89 Anderson site, which houses a non-conforming auto repair use, and there are longstanding comprehensive plan policies which seek to limit commercial expansion into residential zones. With respect to the nearby IL-b, recent policy papers on the part of the city's Economic Development Division have strongly advocated for retaining industrially-zoned land in the city. Likewise, the ROS zone at Fox Field is clearly a valuable community resource that city policy would encourage to leave in its current state. Furthermore, it should be noted that the city's B-1 zones are generally small and circumscribed, part of makes them attractive as neighborhood retail and residential nodes.

Ultimately, staff's analysis found significant cause to support the proposed map amendment on the 89 Anderson Street parcel alone. The high visibility of the site on the corner of Fox Street/Anderson Street clearly presents some challenges for the ground floor residential uses promoted by the existing R-6 zone and, in turn, seems to provide a relatively ideal opportunity for first floor retail with residential above. Because of the mix of surrounding uses at Anderson Street/Fox Street, the site could function as a transitional parcel, tying the residential south of Fox with the industrial/commercial uses to the north and the open space to the west. In this vein, the B-1 purpose statement refers particularly to "street intersections and arterial streets

with existing or proposed traditional neighborhood retail and service uses" as suitable locations for the zone. Lastly and maybe most importantly, however, the policies of the comprehensive plan clearly support the proposed map change, in as much as they promote walkable neighborhoods with goods and services in close proximity (or even on the same lot) as residential uses. It should be noted that concerns regarding neighborhood traffic and building scale and design will require careful consideration under site plan review. Staff suggests that the Planning Board recommend the proposed map amendment to city council.

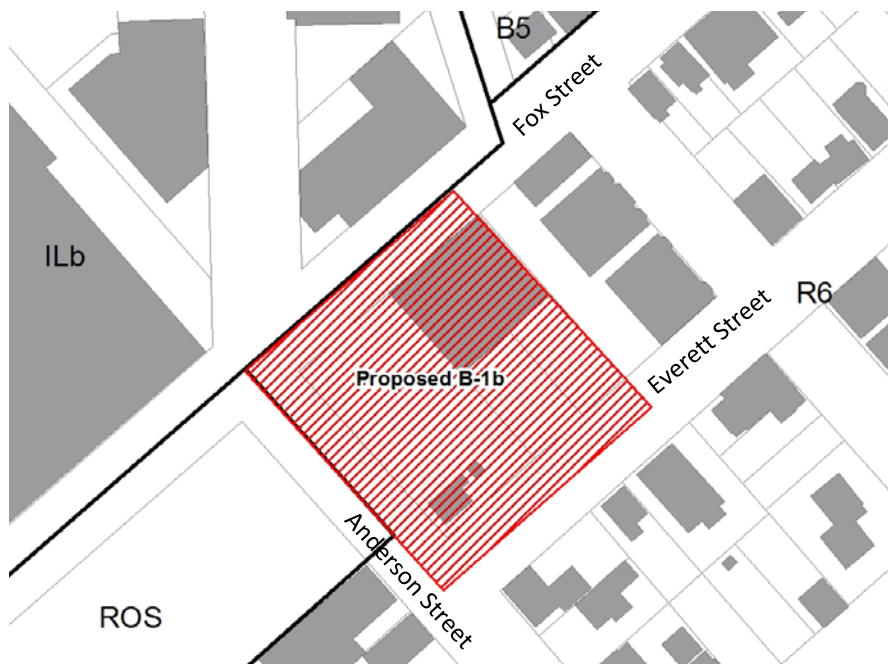


Figure 7: Proposed zone change, 89 Anderson Street

VIII. MOTION

Based on the material provided in this report, public testimony, a review of applicable policies, and other information, the Planning Board finds that the proposed map amendment to change the zoning for 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b, as shown in the map above, **is/is not** consistent with the comprehensive plan and **does/does not** recommend adoption of the proposed amendment to the city council.

IX. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Traffic engineer review (email from Tom Errico, 9/17/14)
2. Traffic engineer review (email from Tom Errico, 11/5/14)

APPLICANT'S SUBMITTALS

- A. Zoning Map Amendment Application (6/23/14)
- B. Vicinity Map
- C. Preliminary Site and Floor Plans
- D. Building Rendering
- E. Neighborhood Meeting Minutes
- F. Supplemental Cover Letter (from Jonathan Culley, 9/11/14)
- G. Comprehensive Plan Analysis
- H. Supplemental Drawings
- I. Preliminary Traffic Impact Study
- J. Traffic Study Revision
- K. Response to Comments (memo from Traffic Solutions, 10/30/14)
- L. Traffic Signal Warrant Assessment
- M. Intersection Improvements Plan

PUBLIC COMMENT

- PC-1. Email from Ellen Bailey, 7/17/14
- PC-2. Email from Chris Bruni, 7/18/14
- PC-3. Email from Jed Harris, 7/18/14
- PC-4. Email from Karen Snyder, 7/18/14
- PC-5. Email from Cynthia Cochran, 7/20/14
- PC-6. Email from Karen Snyder, 7/21/14
- PC-7. Email from Jeremy Benn, 7/23/14
- PC-8. Letter from Joe Flynn, undated
- PC-9. Emails from Ellen Bailey, 8/14/14 and 8/18/14
- PC-10. Email from Toby Rzepka, 8/21/14
- PC-11. Email from Karen Snyder, 9/10/14
- PC-12. Correspondence from Cynthia Cochran, 9/18/14
- PC-13. Letter from Ellen Bailey, 9/20/14
- PC-14. Email from Kathleen McKeon, 9/22/14
- PC-15. Letter from Michele Castner, 9/22/14
- PC-16. Email from Karen Snyder, 10/12/14
- PC-17. Email from Christian Milneil, 11/5/14

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 9/17/2014 7:09 PM
Subject: 89 Anderson Street - Preliminary Traffic Review

Hi Nell - I have reviewed the traffic study prepared by Bill Bray, P.E. for the project, responded to some neighborhood comments, and provided a trip generation comparison summary between the existing and proposed land use zones. The following presents my comments.

- The study collected traffic volumes at the Washington Avenue/Fox Street/Walnut Street intersection during the summer time period and not when area schools were in session. It is requested that the traffic counts be updated to include school activity.

- A estimated traffic signal warrant evaluation was conducted at the Washington Street/Fox Street/Walnut Street intersection and could not conclusively determine whether a traffic signal should be installed. The applicant should conduct a full comprehensive traffic signal warrant study and render a decision on traffic signalization.

- The traffic study should be revised to account for all development land uses. It is my understanding that a restaurant is being proposed and therefore should be included in the analysis.

- It should be noted that the traffic study assumed access and egress from the parking lot for the project is via a driveway on Everett Street. I find this to be acceptable.

- Given that the Washington Avenue/Fox Street/Walnut Street intersection is a High Crash Location, the applicant should expect to participate in implementation of mitigation improvements at this location.

- There have been concerns expressed regarding sight distance adequacy at the Fox Street/Anderson Street intersection. Given that all movements must stop, I find sight distance conditions to be acceptable.

- There have been concerns expressed regarding the geometric alignment of the Fox Street/Anderson Street intersection (the northerly Anderson Street approach) and that it is non-compliant from an intersection design perspective. The existing configuration of the intersection does make two specific movements difficult from a turning perspective. The right-turn movement from westbound Fox Street and the left-turn movement from southbound Anderson Street. Because these two movements are low volume turns, crash data has not identified any safety problems, and that it is a four-way STOP intersection, I do not find the geometry to be a concern.

- There have been concerns raised regarding the width of Fox Street and general overall safety given traffic volume increases, on-street parking, etc. Fox Street east of Anderson Street is approximately 30 feet wide. Parking is permitted on both sides of the street. Assuming parking lane widths of 7 feet, 16 feet of travel width would be available under a worst-case condition (where cars are parked opposite each other). This width issue should be reviewed further in respect the most appropriate layout of travel lanes and parking lanes for Fox Street.

- I have conducted a trip generation comparison analysis between the existing and proposed zoning. Based upon information provided by you, the two zoning scenarios will consist of the following with the associated AM and PM peak hour traffic volumes (combined entering and exiting):

§ Existing Zoning - 20 Residential Units

- o AM Peak Hour - 10 vehicles
- o PM Peak Hour - 12 vehicles

§ Proposed Zoning - 53 Residential Units and 5,255 square feet of Office Space

- o AM Peak Hour - 37 vehicles
- o PM Peak Hour - 43 vehicles

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
 Senior Associate
 Traffic Engineering Director
 [T.Y. Lin International]T.Y. Lin International
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 Falmouth, ME 04105
 207.781.4721 (main)
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Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 11/5/2014 4:27 PM
Subject: 89 Anderson Street

Nell - The following presents my comments as it relates to the analysis prepared by Bill Bray, P.E. transmitted to the City by email on Monday November 3, 2014.

* A detailed traffic signal warrant analysis was conducted at the Washington Avenue/Walnut Street/Fox Street intersection. The methods and analyses meet those contained in the Manual on Uniform Traffic Control Devices, Federal Highway Administration and I find them to be acceptable. The conclusion uses existing traffic volumes and concludes that a traffic signal is not warranted under current October 2014 traffic volume conditions. Based upon a detailed review of the warrant analysis, a warrant is closely met, and in my professional opinion, given development growth activity in the area, a traffic signal is likely to be needed in the future. Given both safety and capacity needs at this location, the applicant will likely be required to make a monetary contribution to this intersection as part of Site Plan conditions of approval.

* It was noted previously that traffic counts at the Washington Avenue/Walnut Street/Fox Street intersection should be conducted during school time periods. The applicant has updated counts and I have no further comment.

* It was previously noted that the applicant should consider the traffic impact of the proposed commercial space on the area transportation system. The applicant conducted a trip generation analysis assuming the space is occupied by a Specialty Retail use and therefore would add approximately 8 vehicles to the road system during the PM Peak hour. If the 2,780 square foot space is assumed to be a High-Turnover restaurant, 32 additional PM peak hour trips can be expected. I would note that not all of this traffic would be new and in fact a reduction in trips is likely given the projects urban location. The applicant notes that the original traffic study did not account for a reduction of vehicle trips due to the elimination of the 3G's business. I concur with the applicant that when considering this trip credit, the level of service analysis conclusion should remain valid (that the intersection will operate at a very good level of service), even under a restaurant use assumption.

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* I have reviewed the concept site plan graphic provided by the applicant and concur that it provides details that represent elements of the Anderson Street Neighborhood By-Way project. It should be noted that the By-Way project is not implementing any improvements to the 89 Anderson Street corner, with the assumption that a future project will be disturbing this corner. The details provided on the graphic for the 89 Anderson Street corner generally seem acceptable, but adjustments can be expected during the design and site plan approval process.

If you have any questions, 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.



P.O. Box 8816
Portland, ME 04104
Office: 207-776-9715
Fax: 207-221-2822
www.redfernproperties.com

June 23, 2014

Ms. Barbara Barhydt
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Dear Barbara:

Please find attached a Zoning Map Amendment Application related to 89 Anderson Street. Our current plans for 89 Anderson call for a mixed-use building with commercial uses on the ground floor, including a restaurant and residential rental apartments on upper floors.

Per the attached, the parcel sits at the convergence of several Zones and represents an opportunity to improve an underdeveloped property in a way that will contribute to the neighborhood and City. Per our typical standards, the new building will be constructed to a very high environmental standard. The Application and related development plans would support the City's goals as outlined in the comprehensive plan as follows:

- Create new housing on Portland's peninsula
- Encourage neighborhood business centers
- Maximize Development where public infrastructure and amenities already exist
- Locate and Design Housing to reduce impact on Environmentally Sensitive Areas
- Design Housing to use new technology and materials that reduce costs and increase energy efficiency

In addition, our development plans consider the 2010 report entitled "Creating a Sustainable Vision for Maine's Most Diverse Neighborhood". The report created by a Sustainable Design Assessment Team (SDAT), led by experts from the American Institute of Architects (AIA), and in consultation with local officials, community leaders, technical experts, non-profit organizations, and citizens (including many neighbors) takes a comprehensive look at the East Bayside neighborhood and makes recommendations for

a sustainable future. The intersection at Fox and Anderson Streets is called out as one of several "Places with Potential". The report calls out recommendations for creating "Sense of Place" at this corner and suggests "attracting neighborhood-serving uses, such as a coffee shop or deli", among other things. B-2b zoning would support such uses.

Please find attached the following in support of this application:

- 1. Zoning Map Amendment Application Form**
- 2. Copy of Purchase and Sale Agreement**
- 3. Vicinity Map Showing Current Zoning**
- 4. Rendering of Proposed Building**
- 5. Proposed Site Plan and Floor Plans**
- 6. Excerpt from report "Creating Sustainable Vision for Maine's Most Diverse Neighborhood" pages 60-62**

We are committed to creating a progressive and noteworthy project that will enhance an already diverse and dynamic neighborhood. Please do not hesitate to contact me.

Sincerely,



Jonathan Culley
Redfern Properties LLC



Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

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: _____

PROPOSED DEVELOPMENT ADDRESS:

_____ 89 Anderson Street, Portland _____

PROJECT DESCRIPTION:

_____ Mixed-use building with ground floor commerical and residential apartments on
floors 2-4. _____

CHART/BLOCK/LOT: _____ 12-I-1.5 _____

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Jonathan Culley Business Name, if applicable: Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04104	Applicant Contact Information Work # 207-221-5746 Home# Cell # 207-776-9715 Fax# 207-221-2822 e-mail: jonathan@redfernproperties.com
Owner – (if different from Applicant) Name: Perigee LLC Address: P.O. Box 4714 City/State : Portland, ME Zip Code: 04112	Owner Contact Information Work # 207-874-9569 Home# Cell # Fax# e-mail:
Agent/ Representative Name: Address: City/State : Zip Code:	Agent/Representative Contact information Work # Cell # e-mail:
Billing Information Name: Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04105	Billing Information Work # 207-221-5746 Cell # 207-776-9715 Fax# 207-221-5746 e-mail: jonathan@redfernproperties.com

Engineer Name: Will Savage, Acorn Engineering Address: 158 Danforth St. City/State : Portland, ME Zip Code: 04102	Engineer Contact Information Work # 207-775-2655 Cell # 207-317-1884 Fax# e-mail: wsavage@acorn-engineering.com
Surveyor Name: Nadeau Land Surveys Address: 918 Brighton Ave. City/State : Portland, ME Zip Code: 04103	Surveyor Contact Information Work # 207-878-7870 Cell # Fax# 207-878-7871 e-mail: jim@nadeaulandsurveys.com
Architect Name: Ryan Senatore Architecture Address: 565 Congress St., Suite 304 City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work # 207-650-6414 Cell # Fax# e-mail: ryan@senatorearchitecture.com
Attorney Name: Eben Adams, Pierce Atwood Address: 254 Commercial St. City/State : Portland, ME Zip Code: 04101	Attorney Contact Information Work # 207-791-1175 Cell # Fax# 207-791-1350 e-mail: eadams@pierceatwood.com

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

The Applicant, Redfern Properties LLC has entered into a Purchase and Sale

Agreement with the Owner, Perigee LLC. The Purchase and Sale Agreement

is 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:

The property is currently used as a Tire and Auto Service garage. This is

believed to be a non-conforming use.

Current Zoning Designation(s): R-6

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.

Redfern Properties intends to build a mixed-use building with ground floor

commercial uses, including a restaurant on the corner of Fox & Anderson.

Floors 2-4 will consist of market-rate rental apartments.

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 FEES:

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

Zoning Map Amendment <u> X </u> \$2,000.00 (from <u> R-6 </u> zone to <u> B-2b </u> zone) Zoning Text Amendment <u> </u> \$2,000,000 (to Section 14-<u> </u>) Combination Zoning Text Amendment and Zoning Map Amendment <u> </u> \$3,000.00 Conditional or Contract Zone <u> </u> \$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.)	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.
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APPLICATION SUBMISSION:

1. All 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 names 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-Document-Submittal>
2. **The submission shall include the following materials:**
 - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
 - b. 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.

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.

Signature of Applicant: 	Date: 6/23/2014
---	-------------------------------



Individual Member
Individual Membership



CBRE | The Boulos Company

CONTRACT FOR THE SALE OF REAL ESTATE

Date: 4/10/14

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

RECEIVED OF: Redfern Properties LLC and/or Assigns whose mailing address is PO Box 8816, Portland ME 04112, hereinafter called the Purchaser(s), the sum of [REDACTED] 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 25-37 Everett Street, 89-99 Anderson Street and 52-64 Fox Street being all the property owned by the Seller(s) at the above address, and described at said County's Registry of Deeds Book 24750, Page 045 and further described as: two parcels consisting of .469 +/- acre and .067 +/- acre improved by two single story commercial buildings and referenced by the City of Portland Assessor as aMap 12, Block I, Lots 1 and 5 as shown on the attached plan upon the terms and conditions indicated below:

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): n/a
2. PURCHASE PRICE: The TOTAL purchase price being [REDACTED] to be paid as follows: earnest money deposit to be paid into Escrow account upon full execution of the Contract, extension payments for Permitting and Approval, as outlined in paragraph 22, and the balance to be paid by bank check or wire transfer at Closing.
3. EARNEST MONEY/ACCEPTANCE: CBRE | The Boulos Company shall hold said earnest money in a non-interest bearing account and act as Escrow Agent until closing, unless otherwise noted in Contract; this offer shall be valid until April 10, 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 on or before forty five (45) days following successful completion of inspection period (paragraph 10) and Permitting and Approvals Period (Addendum A). Purchaser agrees to provide written notice to Seller that the conditions have been waived at least five (5) days prior to the first day of the month prior to Closing so the Seller(s) can provide adequate notice to Seller(s) tenant to vacate the premises prior to Closing. 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 warranty 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, and the property shall be conveyed free and clear of any tenants or 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. INSPECTION PERIOD: 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):

TYPE OF INSPECTION			RESULTS REPORTED	TYPE OF INSPECTION	Seller(s)		RESULTS REPORTED
	YES	NO			YES	NO	
a. General Building	☒	☐	Within 90 days	g. Lead Paint	☐	☒	Within ____ days
b. Utilities to site	☒	☐	Within 90 days	h. Pests	☐	☒	Within ____ days
c. Geotechnical	☒	☐	Within 90 days	i. ADA	☐	☒	Within ____ days
d. Survey	☒	☐	Within 90 days	j. Wetlands	☒	☐	Within 90 days
e. Curb Access	☒	☐	Within 90 days	k. Environmental Scan	☒	☐	Within 90 days
f. Access for utilities	☒	☐	Within 90 days	l. Other: <u>zoning</u>	☒	☐	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) and the earnest money deposit is paid to the Seller(s) and credited to the Purchase Price if a Closing occurs. In the event of a title defect or Seller(s) default, the Seller(s) shall pay the deposit amount back to 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 Purchaser(s) and that the Listing Licensee is acting as a Buyer's agent in this transaction and is representing the Purchaser(s). The Purchaser(s) is responsible for paying the brokerage commission. The Seller(s) shall have no responsibility to pay a brokerage commission. Furthermore, pursuant to Real Estate Commission requirements, the Purchaser(s) provides notice and the Seller(s) acknowledges that a potential partner of the purchasing entity, Drew Sigfridson, is a licensed real estate broker in the State of Maine with CBRE | The Boulos Company.

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 retain the earnest money as full and complete liquidated damages and shall have no further claims against the Purchaser. If Seller(s) fails to perform any of the terms of this Contract or is otherwise in default of any of its obligations, Purchaser(s) shall have the option of 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 telefacsimiled 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: The Seller(s) shall provide the Purchaser(s) with copies of all leases regarding the subject property within five (5) days of the effective date of this contract. Purchaser(s) shall have ten (10) days from such delivery to review leases and income & expense information regarding the property. If the result of the review is unsatisfactory to the Purchaser(s), in Purchaser(s) sole discretion, Purchaser(s) may declare the Contract null and void by notifying the Seller(s) in writing within the specified number of days set forth above, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that the review is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s).

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.

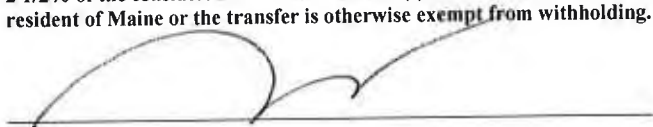
21. ADDENDA: This Contract has addenda containing additional terms and conditions: YES ☒ NO ☐

TC
Seller(s)

12/1
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.


Purchaser

Redfern Properties and/or Assigns

Name/Title

4/9/2014
Date

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.

Signed this _____ day of _____,

Effective date of Contract: April 10, 2014.

The Listing Licensee is Drew Sigfridson of CBRE | The Boulos Company (Company).

The Selling Licensee is Drew Sigfridson of CBRE | The Boulos Company (Company).


Seller

Perigee LLC

Name/Title

041014
Date

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:


Seller(s)


Purchaser(s)

Addendum A

I. PERMITTING AND APPROVALS PERIOD: The Contract shall be conditioned upon the Purchaser's receipt of permits and approvals for its planned development, including the expiration of any appeals period. Purchaser shall have **One Hundred Twenty (120) days** after the completion of the inspection period to attain permits and approvals for its planned development on the subject property. In addition, Purchaser shall have the right to **five (5), thirty (30) day** extensions of the Permitting and Approvals Period, upon payment on each occasion, prior to the end of the Permitting and Approvals Period (as the same may have been previously extended), of an additional [REDACTED]

[REDACTED] Dollars for extensions 4 and 5, if needed, (the "Extension Payments") to the Seller(s), which Extension Payments shall be non-refundable (except in the event of Seller's default under the Contract), but credited to the Purchase Price if a Closing occurs. If Purchaser elects to terminate the Contract within the Inspection Period, the Deposit shall be returned to Buyer; otherwise, the Deposit shall be nonrefundable and retained by Seller (except in the event of Seller's default under the Contract), provided that it shall be credited to the Purchase Price if a Closing occurs.

SEEN AND AGREED TO:



Purchaser

4/9/2014
Date



Seller

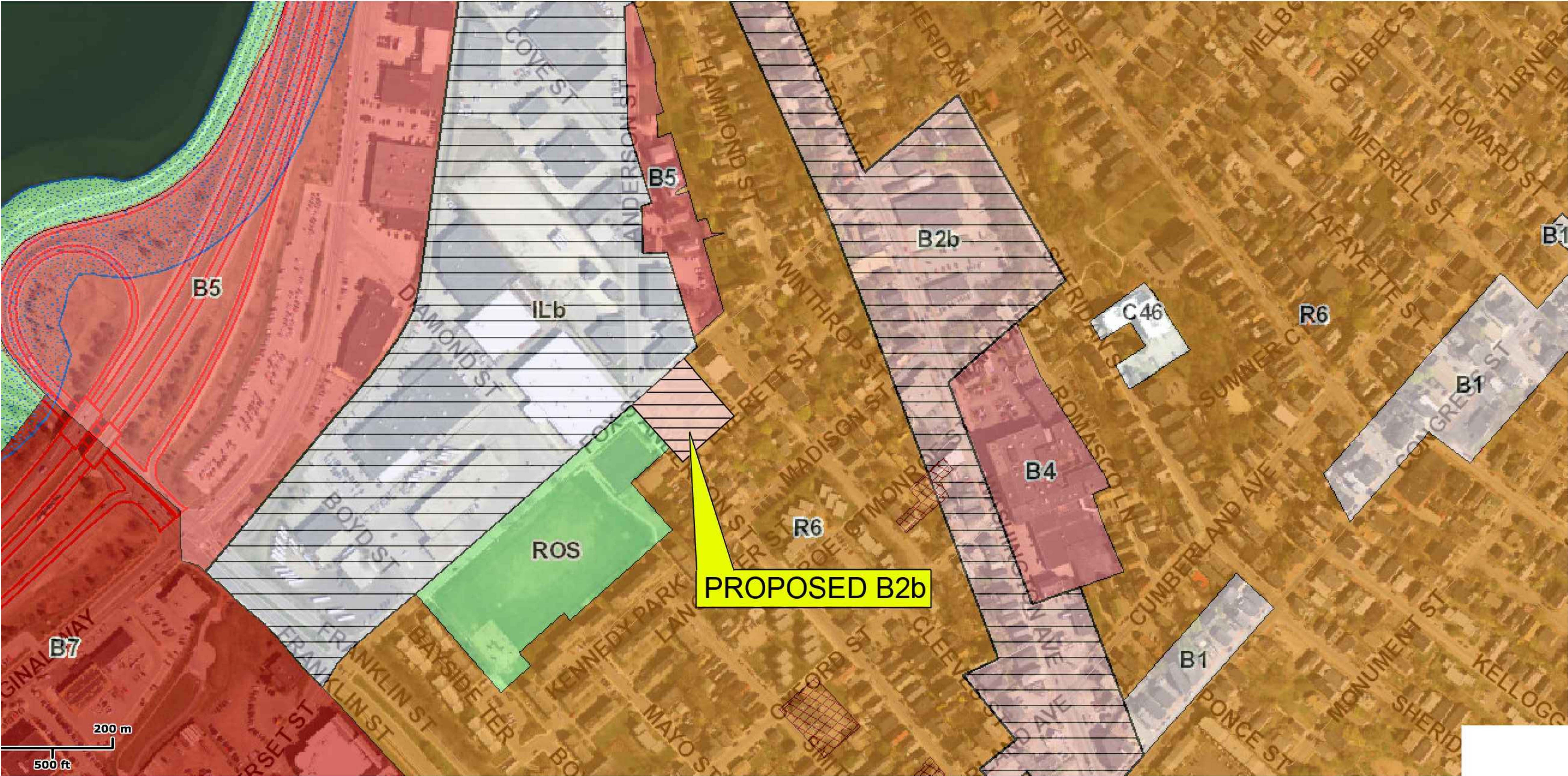
041014
Date

Seen and agreed to:

TC
Seller(s)

Purchaser(s)







FOX STREET

EVERETT STREET

ANDERSON STREET



SITE PLAN
SCALE 1/8" = 1'-0"



UNIT TABULATION		
UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	582	1 BEDROOM
204	616	1 BEDROOM
205	582	1 BEDROOM
206	667	1 BEDROOM
207	686	1 BEDROOM
208	396	STUDIO
209	418	STUDIO
210	894	2 BEDROOM
211	418	STUDIO
212	638	1 BEDROOM
213	418	STUDIO
214	582	1 BEDROOM
215	668	1 BEDROOM
216	582	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



Sergio Gaddar



Anthony Meunch



Pat Carroll



Anthony Meunch

PORTLAND, ME SDAT

Creating a Sustainable Vision for Maine's Most Diverse Neighborhood



Anthony Meunch

AIA Center for Communities by Design

PLACES WITH POTENTIAL

Place with Potential: Fox and Anderson

The intersection of Fox Street and Anderson Street is a community center both geographically and socially. It is at the juncture between the residential neighborhood and the light industrial/arts district. It includes Fox Field, which is the primary outdoor recreational facility in East Bayside and a gathering place for youth. There is potential for both creating a place where a broader spectrum of community members can gather and for building upon the improvements to Fox Field that the City and community are already making. Some ideas for how Fox and Anderson could be transformed over time as funding is found are listed below.

- Paint crosswalks at the 4-way stop.
- Install curb extensions (“bulb-outs”) to increase sidewalk area to emphasize the pedestrian orientation and channelize vehicular traffic. The sidewalk paving could be brick as shown in the adjacent sketches.



Top: Plan view of crosswalks, curb extension and a green space.

Bottom: Bird's eye sketch showing brick paving, street trees and a gateway.



Above: The intersection of Fox and Anderson Streets today.

Below: A sketch showing crosswalks, curb extensions, brick sidewalks, a pocket park, street trees and storm-water collection parkways.

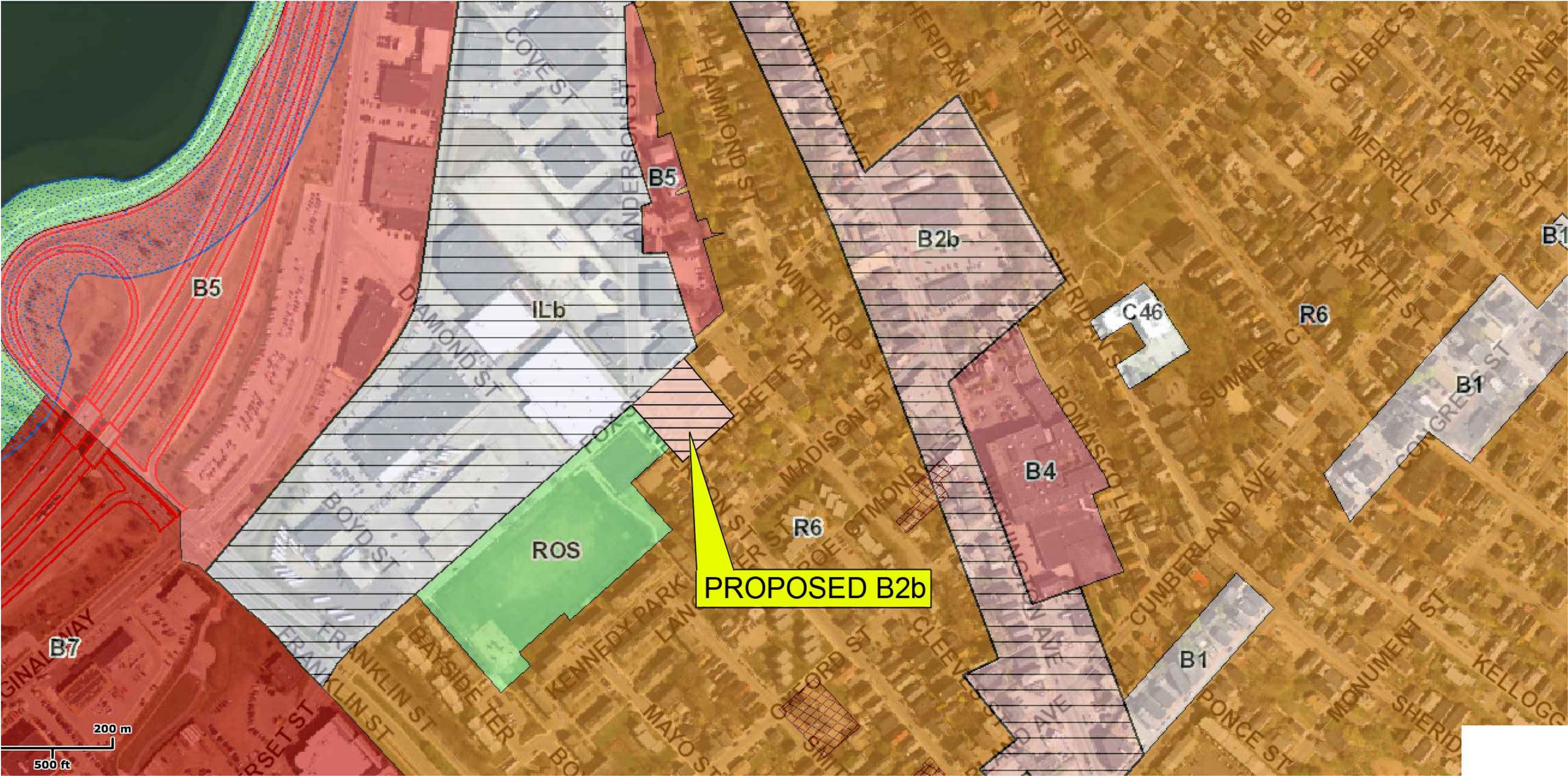
- Working with the property owner and tenant on the northeast corner, add a pocket park on the undeveloped triangle of land and the curb extension with facilities that would complement the uses at Fox Field and support commercial activity.
- Plant street trees in parkways, install pedestrian street lights, and other streetscape improvements.
- Attract neighborhood-serving uses, such as a coffee shop or a deli, to Anderson Street near its intersection with Fox Street.
- Continue to refine facilities around the edges of Fox Field to accommodate complementary park uses, including seating, picnicking, and other park uses. Close the street for special community events and turn the street into a outdoor room.
- Consider programming events at Fox Field.
- Expand the park as more facilities are needed.
- Add a recreation / community center near Fox Field.



Existing sidewalk on Fox Street adjacent to Fox Field.



Sketch of sidewalk with curb extension, storm water parkway and trees.



Att. C

FOX STREET

EVERETT STREET





UNIT TABULATION		
UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	582	1 BEDROOM
204	616	1 BEDROOM
205	582	1 BEDROOM
206	667	1 BEDROOM
207	686	1 BEDROOM
208	396	STUDIO
209	418	STUDIO
210	894	2 BEDROOM
211	418	STUDIO
212	638	1 BEDROOM
213	418	STUDIO
214	582	1 BEDROOM
215	668	1 BEDROOM
216	582	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



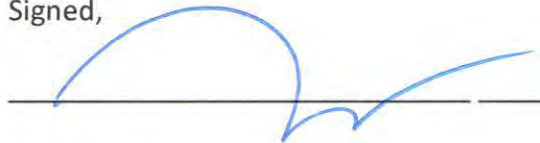
89 Anderson Street
Neighborhood Meeting Certification

I, Jonathan Culley of Redfern Properties LLC hereby certify that a neighborhood meeting was held on July 16, 2014 at our office at 178 Washington Avenue, Portland at 6:00pm.

I also certify that on July 1, 2014, 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 Jennifer Yeaton of the Planning Division at jmy@portlandmaine.gov and Nell Donaldson, the assigned planner, to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,



7/18/2014

Attached to this certification are:

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



P.O. Box 8816
Portland, ME 04104
Office: 207-221-5746
Fax: 207-221-2822
www.redfernproperties.com

July 1, 2014

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a new development at the corner of Fox and Anderson Streets (89 Anderson). The project consists of two commercial spaces on the ground floor and residential rental apartments on Floors 2-4. This meeting pertains to our Application for a Zoning Map Amendment. Should our project go forward, there will be additional meetings in the future that will pertain to a Site Plan review.

Meeting Location: Redfern Office, 178 Washington Ave, Portland
Meeting Date: Wednesday, July 16th
Meeting Time: 6:00pm

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 contact me at 207-221-5746 or jonathan@redfernproperties.com. I hope to see you at the meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Culley", is written over a light blue circular background.

Jonathan Culley
Redfern Properties LLC

SIGN-IN SHEET

89 Anderson Street

Neighborhood Meeting Zone Map Amendment Application

July 16, 2014, 6pm

Redfern Properties Office, 178 Washington Ave

Name

Address

Nell Donaldson

City of Portland

Cardyn Treat

41 Hammond St. ctreat5@yahoo.com

Wade R. Fleming

16 Hall St

Martie Voland

28 Hammond St.

Edie Woodward

28 Hammond St.

Jeel Fathbail

9 Everett St.

Cynthia Loring

15 Everett St. jlmikmi@maine.rr.com

Will Pratt

18 Marlison St. will@tandemcoffee.com

Wendy West

Resident 23 Fox St. / EBNO Board Member

Chris Brown

32 Everett cbrown@maine.rr.com

Timothy Poulson

11 Boynton St. infinitegoldkin@gmail.com

SIGN-IN SHEET

89 Anderson Street

Neighborhood Meeting Zone Map Amendment Application

July 16, 2014, 6pm

Redfern Properties Office, 178 Washington Ave

Name Olha DAVIS
BYRON DAVIS
Ellen Bailey
Cynthia Cochran
Christopher Teret
Heather Abt
SUSAN ABT
K. Snyder
COLE CASWELL
Sue Lippert
TIM LIPPERT
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5 Everett
51 HAMMOND
53 Hammond.
178 Washington AVE.
9 Apple Way Topsham.
23 FOX ST. PTLD reeman@gmail.com

SIGN-IN SHEET

89 Anderson Street

Neighborhood Meeting Zone Map Amendment Application

July 16, 2014, 6pm

Redfern Properties Office, 178 Washington Ave

Name

Karen Farber
Hope Churpaka

Address

Marine Craft Distilling 101 Fox St.
86 Anderson St hondahawk88@hotmail.com

89 Anderson Street

Neighborhood Meeting – Zoning Map Amendment Application

Meeting held July 16, 2014, 6pm at Redfern Properties Office, 178 Washington Ave, Portland

Meeting Minutes:

Please note that minutes are not verbatim, but we have made our best efforts to reflect meaning and intent.

The meeting began at 6:05pm. Jonathan Culley, principal of Redfern Properties introduced himself and Ryan Senatore, or Ryan Senatore Architecture. Jonathan Culley provided background on Redfern Properties, which has been developing real estate in Portland since 2005. Culley emphasized that Redfern is local, with its office in the East Bayside neighborhood. He described current projects Munjoy Heights and West End Place, and explained Redfern's core values of progressive, super energy-efficient infill developments. Culley explained Redfern's view that infill development and increasing urban density benefits our environment as well as our cultural institutions; that reversing 'suburban sprawl' is good for our society.

Culley explained City of Portland's approval process, that this evening's meeting is related to the Zoning Map Amendment Application and that if the Zone change is approved there will be a Site Plan review which is a more detailed process focusing on the more technical aspects of the project such as traffic, parking, stormwater, architectural design, landscaping, etc. Culley said there will be another neighborhood meeting related to Site Plan review if the Zone Change is approved.

Culley discussed why Redfern is pursuing B2B zoning, explaining that the R7 Zone would allow for the same building size and residential density, but would not allow for the ground floor commercial space. He referred to the 2010 AIA "A Vision for East Bayside" Study which recommended a community gathering space, such as a deli or coffee shop at the corner of Fox and Anderson, and that this is only feasible with Business Zoning. Culley described both ground floor commercial spaces and shared Redfern's vision for a community room, perhaps in cooperation with East Bayside Neighborhood Organization (EBNO) or some other non-profit, community based organization. Culley indicated Redfern's willingness to provide a 'no-cost' lease to a well-suited non-profit organization to use this space, and create a positive street presence on Anderson Street. Culley described how Redfern is engaged with Bruce Hyman of the City of Portland to improve the sidewalk/crosswalk design that the City if working on should the project go forward.

Culley presented a Zoning Map and showed how 89 Anderson street is at the convergence of a number of different zones, with R-6, R-7, ILB, B5, and B2B all within a few hundred feet of the property.

Ryan Senatore shared a preliminary rendering of the building and described the architectural elements of the current design. He discussed our architectural strategies to address scale and massing. He described the elements on the ground floor commercial spaces and how they are designed to interact with the street.

The presentation was concluded and the floor was opened for questions and comments. Questions and comments are in bold:

Q. Are you planning on green space in the back?

Culley described plans for strips of green space around the parking lot and for vegetative elements between the sidewalk and building, but explained that we do not have a final site plan.

Q. Where is the entrance to the garage? Several concerns were expressed about a potential vehicle entry on Fox Street, related to traffic patterns on Fox Street.

Culley responded that the site plan presented was preliminary and that we did not have strong views about whether the parking entrance was on Fox or Everett and that a traffic study would be commissioned later in the process that would inform those design decisions.

Q. Is the entire lot built? Avesta typically uses 80/20 providing for some green space.

Culley discussed the difference between lot coverage and green space, explaining that our lot coverage was less than 60%, and reiterated that % green space was to be determined.

Comment: I have a philosophical difference am not into density, it is not what I would choose for our City.

Q. What is the unit mix, will these support families.

Culley indicated that the current plan was for roughly 10 studios, 31 1-bedrooms, and 12 2-bedrooms, and that this was very preliminary and would be determined by market demand.

Q. How many total apartments?

The Zoning would allow for up to 53 apartments and that is the current plan.

Q. How much parking are you planning?

53 spots, one spot for each apartment.

Q. What if two people share an apartment and they each have two cars, where do they park?

Culley indicated that Redfern is seeing a number of situations where people living in Portland don't have cars and this may balance out, but that a parking and traffic study which be done later in the process.

Comment: My building has 3 units, and there are 5 cars.

Comment: My main concern is that there is a crisis of affordable housing and the neighborhood is becoming unaffordable.

Culley explained that his view is that this project will improve affordability and not hurt it. He explained his view that the best way to improve affordability is to introduce new supply to address the demand. By bring the apartment supply closer in line with apartment demand, affordability should improve.

Comment: I disagree with that response. The things that improve affordability are inclusionary zoning and rent control. It is irresponsible to be building housing without addressing affordability. The neighborhood is changing and some working people are being forced out.

Culley explains that these are not high-priced condominiums that they are more modest market-rate apartments, and would be significantly less expensive and downscale from the West End Place building we are doing on the West End.

Q. I have been studying zoning. Why not leave it R6? This could support 23 units, why wouldn't 23 units work?

To cover land and construction costs, if we were to build 23 units, they would need to be high-end condos for the project to be feasible and we don't want to do that. We believe that building modest, market-rate apartments for working people is better for this site.

Q. I was looking at B2C Zoning and wondering if that would provide more protection for the neighborhood?

Culley said he did not know what B2C zoning was but would look into it. Nell Donaldson, planner with City of Portland indicated that she was not overly familiar with B2C zoning.

Q. Will Redfern be managing the building?

We are not a property manager, but we do intend to own the building for a long time. We would hire a professional property management company.

Comment: Business on Fox in the ILB are worried that if residential development continues that the commercial/industrial district may be at risk and rents will rise.

Culley responded that he understands the City Council to be very protective of the ILB zone and he wouldn't expect residential development in the ILB anytime soon, but that is not something he is expert on, and that this would be a question for the City.

Q: 3Gs is providing a function for the area. Now we will have to drive to South Portland to get our cars serviced. Has there been any thought to a different type of business that would serve the community on the ground floor? The last thing we need is another restaurant.

We are not marketing the space and are not tied to a restaurant, but is largely in response to the AIA study. A grocery store wouldn't work well because of Whole Foods, but we don't know exactly what the commercial space would be, and we remain open minded.

Q. Did you consider a three-story building without the commercial space, but still 53 units.

This wouldn't work because we need parking on the ground floor. The building is largely above the parking. Culley referred again to the site plan and explained how the parking sits in relation to the commercial and residential spaces.

Q. Is there a plan for parking for the businesses?

Culley explained that the City would likely require some parking for the businesses, depending on the type of use, but he thought that a restaurant would require some parking. He suggested that this might be solved with leased parking off site.

Q. Is there anyplace else in the City that has something similar in scale within a R6?

Bayside Anchor was recently approved and is an excellent comparison, Walker Terrace and 53 Danforth are 2 R7 type buildings. Nell Donaldson, planner, City of Portland, explained that much of East End and West End is R6 and there are some big buildings.

Q. Can the neighborhood support this density?

Nell Donaldson reiterated that the Planning Board will take a general review of density during the Zoning review but will take a very detailed review during the Site Plan review and will consider traffic, stormwater, etc., all the things that determine whether the neighborhood can support this density.

Q. Is anyone taking a holistic view of growth and how Portland's overall growth impacts traffic? Traffic on Fox street is getting bad. It seems like no one is looking at the big picture.

Nell Donaldson explained that every site plan review requires a traffic engineer and that any traffic analysis should address 'background traffic assumptions' and all of the projects that have come before would be included in any traffic study. An open discussion about traffic on Fox Street ensued.

Q. You talked about the process for rezoning and then Site Plan review. The order seems backward. Can you explain the process again. If you get a zone change but not Site Plan review, would the zone revert back to R6?

Nell Donaldson explained the zoning process and the rationale for the process.

Q. You said that roughly 10% of the 300,000 Greater Portland population lives on Portland peninsula? How are you defining Greater Portland?

Culley apologized saying his numbers were approximate and not precise, but were meant to reflect his view that we have an opportunity to have a denser city and with increased urban density will come a lower carbon footprint, more vibrant neighborhoods, and more successful arts and cultural institutions.

Q. Is this building going flush with the sidewalk? Would the balconies overhang the sidewalk?

Ryan Senatore reviewed the Site Plan and showed how the building is at the sidewalk/property line on the corner of Fox and Anderson, but we are holding the façade 4' back from the sidewalk for most of the property. These balconies would not overhang.

Q. How do the apartments on Marginal Way do?

Culley explained that this was student housing, set up more as a dormitory than apartments, and that, he understood them to be successful, though had no first-hand knowledge.

Q. How many apartments are in your West End building?

Culley responded 39 units, that it was a similar building but on a slightly smaller lot.

Q. Are there any buildings going up that look similar to this?

Culley responded that he hoped the building was 'unique' but the West End Place building and the 118 Congress building were somewhat similar in scale, organization, etc.

Q. It sounds like you are thinking about a vision for a greener city, but I want to encourage you to think about where do the plumbers and electricians live? Where do the working class people live? Please think about the relationship between class and environment.

Culley: I appreciate these points. While it is certainly a question of numbers, I don't think that working class people will be excluded. These are not upscale units. While the term affordable is subject to some debate, we envision that this is a place that a school teacher could afford to live.

Comment: Several people weighed in on the question of what is affordable. One participant calculated that someone making \$12 an hour, which is above minimum wage, would have to exceed the recommended income as % of rent guidelines to live here. Another participant who was a teacher opined that a beginning teacher would have trouble paying \$1,000 per month in rent for a studio apartment. A number of neighbors expressed sincere concerns about affordability.

Culley again indicated that these are complex problems, and we share these concerns about housing affordability, but that we remain of the view that more supply of market rate apartments will increase overall affordability of housing in Portland.

Comment: In cities like New York and San Francisco, that have gotten bigger and more expensive, I wonder where the people who work in grocery stores live. Portland is growing now and it is very important that we get this right. I am very concerned about families and how they will be able to afford to live on the peninsula.

Culley, one more comment, as an owner of apartments, we will not set the market. It is possible that instead of getting \$1,000, we only get \$800 per month and we might lose money. The market will set the rents. People will only pay what they can afford to pay. It is a complex socio/economic discussion.

Q. You mentioned your unit mix. Was there any discussion of doing a 3-bedroom unit?

Culley: Our unit mix is not final, and will be driven by perceived market demand. The trend seems to be for smaller units, as opposed to bigger units, but we will keep looking to the market for information before we finalize our unit mix. Right now, the market seems to be for studio, 1 and 2 bedroom apartment.

Q. Question to Nell Donaldson: What kind of things are you as a planner and what is the Planning Board looking for to base you decision on the Zone Change request?

Nell Donaldson: The basic threshold is whether the Zone change is consistent with the Master Plan/Comprehensive Plan.

Q. Jonathan, what is your backup plan if you do not get the zone change?

We most likely would not go through with our purchase of the property. Our contract, as is typical, is contingent on getting our approvals.

Q. What is the Planning Board meeting schedule?

Nell Donaldson: The meeting is next Tuesday, July 22 at 4pm in room 209 at City Hall. The workshop starts at 4pm, but this is the 3rd item on the agenda so it likely won't be reviewed before 5pm. After the workshop, the Planning Board may request another workshop or they might schedule a public hearing at which they will take a vote. Public Comment will be taken at workshops and public hearings.

Q. Why does the City keep changing and relaxing ordinances in order to permit new developments? How do you protect the residents?

Nell Donaldson: This is complex, but we make zoning and ordinances and then things change, but zoning remains static. The City tries to adapt to emerging trends. The City is actively trying protect your interests, while responding to demands from many constituencies and demographics. East Bayside is changing and we want to protect the things that are good, while allowing for organic growth.

Comment: We feel like we are not being protected, like the sale of Congress Square Park and the way the mayor was robo-calling before the vote. We feel like it is pro-development.

Nell Donaldson: These are good concerns, and while you may feel like you are not being listened to, I can tell you that City Staff talks a lot about these issues and concerns. Please come to the Planning Board and express your opinions.

Comment: I am not sure the purpose of this meeting, but it seems like you are asking us for something, and you have a duty to consider our comments and make some structural changes to your proposal. It does not sound like you have agreed to any changes at this meeting, and so I will go to the Planning Board and say that I do not see any reason to allow for this Zoning change.

Culley: I am certainly listening to everyone's comments and concerns. I think the real purpose of this meeting is to share information, rather than to negotiate changes. We have tried to be very transparent in describing the project, and giving you the information you need to create some opinions. We have

tried to tell you why we think this is good for Portland. While I would like to get support of all neighbors, I understand if some of you don't support the project, and I certainly respect your opinions.

Q. Could this deal be viable for you if the building was smaller?

I don't think the project would be viable if it was materially smaller. I don't think we could get our Bank to fund the project.

Comment: I don't agree that this project will reduce rents in Portland I don't believe that if traffic is bad, it helps to build another lane.

Q. In the name of transparency will you share your financial figures that you have been showing the Bank?

We certainly have assumptions, and while I am not willing to share my personal financial details, I can share that we are currently projecting average rents of around \$1,200. Rents for studios would be lower and 2-bedrooms would be higher. These are the current directions.

Comment: I can't imagine that 53 units is a magic number.

Again, the deal would not be viable if there were many fewer than 53 units. I can't say whether the breakeven or viability threshold is 49,50,51, etc., but I can certainly say that this deal wouldn't work with 40 units. 53 is the allowable units per the zoning. We would need to be very close to 53 units to make this work.

Comment: The number one consideration is not the amount of profit you make, but the impact on the neighborhood.

Culley: I agree. As I stated, we work here and live here and will be living with and around our developments and we only want to do good development. The City process is there to protect the neighborhood. Also, I offer that we have built buildings in the past that people were against and then we built them and they decided they weren't so bad, maybe they even liked the change. Maybe some of the people who move into this building will be interesting people who add to the fabric of the neighborhood. Change and uncertainty are difficult for neighborhoods and we understand that.

Q: What is the market rate for a studio apartment?

Culley: I know of studio apartments on Congress Street that rent for around \$900. There are certainly units that rent for less, but for newer apartments, maybe \$900. We expect our studios to be between \$900-1000 per month. Again our assumptions are roughly \$900-1000 per month for studio apartments, \$1100-1200 for one bedrooms and slightly higher for two-bedrooms.

Comment: An \$1,000 studio apartment is really expensive. I am looking to pay about \$450 per month. Adding these apartments to East Bayside doesn't help.

Culley, I appreciate your point. I am not trying to define 'affordable'. We are only saying that adding to housing supply should improve affordability based on the law of supply and demand.

Comment: I am an electrician, and I have a family, and I own a house and my mortgage is \$760 per month and I am struggling to pay the bills. I am scraping by. This is real. Please be honest and look at the reality of how people are living. Face up to the reality that this is not affordable.

Comment: I just did some calculations. If you pay 40% of your income for housing, and work 40 hours per week, you would need to make \$12 an hour to afford one of these apartments. Minimum wage is nowhere near \$12 per hour. We would like to get minimum wage up to \$12 per hour in Portland.

Culley, I would be for it!

Q. What about the people who are living behind the parking lot. What is the rear setback?

Ryan Senatore: There is a 10' setback, but their building doesn't go to the property line. There is a parking lot for their building.

Culley: There will likely be a retaining wall between the properties.

Comment: It is important that people come to Planning Board meetings and speak up. Or email the City.

Nell Donaldson: Please come to the meeting or email me and your comments will be included in the Planning Board. My email is hcd@portlandmaine.gov

Q. How often do these projects get turned down by the Planning Board?

Nell Donaldson: Not very often. However many projects are changed. There is a Site Plan Ordinance that sets many criteria, including parking, stormwater, etc. When plans do not meet these standards, they must adapt to meet the criteria.

Comment: But the ordinances are being bent.

Nell Donaldson: The ordinance has a number of subjective criteria and the Planning Board has to make some decisions.

Q. How many citizens will it take to slow down the development happening in Portland? In 2012 there were 60 building permits, in 2013 there were 450.

Nell Donaldson: Yes, things have been busy. I encourage people to get involved and make comments and get involved. The Director of Planning is very interested in getting involvement from citizens and hearing people's opinions.

Q. Is the Comprehensive Plan available on the City website? Is there a plan for East Bayside?

Nell Donaldson: Yes it is. I am not sure exactly where it is but it is on the City web site. Comprehensive Plan is a collection of plans that have been developed over the years.

There is not necessarily a plan for each neighborhood.

Q. How does a parking/traffic study fit in to the Planning Board meeting?

Nell Donaldson: The Board may talk generally about parking and traffic, but the detailed discussion would happen later during Site Plan review.

Q. The Workshop is next Tuesday, do we know the next meeting would be?

Nell Donaldson: After the workshop the Board will either request another workshop or schedule a Public Hearing where they would take a vote on whether to recommend to the City Council. We do not have a date yet for any subsequent meetings.

The meeting was adjourned at 7:37pm.

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www.redfernproperties.com

September 11, 2014

Nell Donaldson
Planning Division, City of Portland
389 Congress Street, 4th Floor
Portland, ME 04101

Re: 89 Anderson Street, Zone Change Application

Dear Nell:

Please find attached revisions and supplemental materials related to our Zone Change Application for 89 Anderson Street.

First, please note that based on feedback from the Planning Board Workshop, and City Staff, we are prepared to revise our Zone Change Application to request B-1b (Neighborhood Business Zone), where we were previously seeking B-2b. This revision is conditioned upon text amendments to the B-1b that would reduce the 'rear yard' setback requirement to 10' or less, and any other required amendments arising from an interpretation by the Zoning Administrator. We understand that the process of making a series of text amendments to the B-1b is underway, and that 'rear yard' setback would be included in the proposed changes.

We agree with City Staff that the B-1b is, in many ways, a more appropriate zone for this neighborhood location, providing more security to neighbors in terms of potential business uses. Further, the zone appears to be designed specifically for locations such as 89 Anderson, per the following excerpt from the Zoning Ordinance (page 14-239 of the Land Use Code):

"The Zone also provides the opportunity for mixed-use and high residential density in on-peninsula locations....Suitable locations for this zone may include street intersections, arterial streets, and site with existing or traditional neighborhood retail and service uses"

Clearly 89 Anderson meets the criteria for B-1b suitability as stated in the Ordinance, as it is located at an intersection, on an arterial street (Fox Street), and the neighborhood has many existing businesses.

Also attached to this letter is a ***Traffic Impact Study***, prepared by William Bray, P.E. Though not typically required for a Zone Change application, we hope that the Traffic Impact Study can provide comfort to neighbors and the Planning Board that the proposed development will not create adverse impacts. The study concludes that:

“The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections.”

However, the study also identifies some problems on Fox Street that should be addressed. Should our project go forward, we would hope to work closely with the neighborhood and the City, to advocate for safety improvements along the Fox Street corridor, and particularly at the Fox/Washington intersection.

Please also find attached a more detailed ***Comprehensive Plan Analysis***. The analysis focuses on the City’s Housing Goals, and how the proposed project will have an important impact in meeting the stated Policy objectives. While the 2002 Comprehensive Plan document entitled *Housing: Sustaining Portland’s Future* emphasizes the need for new housing, it is important to note that this need has become far more pressing in recent years. Availability and affordability of housing in Portland is at or near crises levels. Experts generally agree that new housing supply is the best way to address these challenges. In particular, new market-rate rental housing, such as our proposed project is a vital component of any solution to Portland’s housing problems.

Finally, attached are a series of ***Architectural Renderings*** that show the proposed building in the context of the surrounding built environment. We believe that these images demonstrate a wide variety of forms and massings in the immediate neighborhood, and that the proposed building is appropriate in size and scale.

Please do not hesitate to contact me with any questions about the attached.

Sincerely,



Jonathan Culley
Redfern Properties LLC

Attachments: Traffic Impact Study (52 pages)
Comprehensive Plan Analysis (5 pages)
Architectural Renderings (9 pages)

89 Anderson Street Zone Change Application Comprehensive Plan Analysis

The City of Portland's Comprehensive Plan articulates goals for a denser, more populous, and more vibrant City. The proposed project at 89 Anderson is consistent with the Plan's goals and objectives in many ways, including those included in this document. This document demonstrates the 89 Anderson Street project's consistency with the document entitled *Housing: Sustaining Portland's Future* which was adopted as part of Portland's Comprehensive Plan in 2002. Please note that the Housing shortage in Portland has become far more pronounced since this Comprehensive Plan document was created in 2002. Relevant excerpts from the Comprehensive Plan document are shown in bold, while our responses are in regular (non-bold) type.

Document: *Housing: Sustaining Portland's Future* Adopted November 18, 2002

Portland Today: A Shortage of Housing

Condition One: Portland has a shortage of housing units because nearly two households were formed for every new housing unit created since 1990. (page 26)

The proposed development addresses the housing shortage by adding housing supply.

Condition Two: Lack of housing supply causes price increases for both renters and owners. (page 26)

The proposed project creates new housing supply which will contribute to improving housing affordability.

Condition Three: Portland has limited vacant land suitable for new development, thus infill sites and redevelopment options are the primary opportunities for creating new housing. (page 27)

The proposed project is the redevelopment of a currently underutilized site and with a non-conforming use.

Ensure and Adequate and Diverse Supply of Housing for All

Policy #1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future. (page 29)

The only way to ensure adequate housing supply is to create new housing. Further, the 89 Anderson project fulfills the currently unmet need for market-rate rental housing.

Housing development in Portland in the last several decades has been mostly either low-income subsidized housing or condominium housing, while the number of market-rate rental apartments has declined due to demolition or conversion to other ownership types.

Objective 1.a: Ensure construction of a diverse mix of housing types that offers a continuum of options across all income levels for both renter and owner-occupied. (page 29)

Per above, there has been very little new construction of market-rate rental apartments. The 89 Anderson project will meet the housing demand for renters who earn around the median income for the region.

Objective 1.b: A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing. (page 30)

Per above, there is ample supply of condominium homes in the Portland market, and there have been several hundred new subsidized units completed in the last several years (though there is still unmet demand), but almost zero new market-rate units. The projected (pro forma) rents for the 89 Anderson project are below 30% of the U.S. Government's established Median Income for the Portland ME HUD Metro FMR Area (source: <http://www.huduser.org/portal/datasets/il/il2014/2014summary.odn>). Per the 'huduser' website, the Median Incomes for various family sizes and 30% of income levels are as follows:

Family Size	Median Income (Per HUD)	30% Median Income	89 Anderson Projected Rent
1	\$54,200	\$1,355	\$1,000
2	\$61,900	\$1,548	\$1,300
3	\$69,600	\$1,740	\$1,600
4	\$77,300	\$1,933	\$1,750

Note: The 89 Anderson Projected Rent contemplates a 'Studio' apartment for the 1 person family, a 'one-bedroom' for the 2 person family, a smaller 'two-bedroom' for the 3 person family, and the largest 'two-bedroom' for the 4 person family.

The table above demonstrates that our projected rents are less than 30% of the Median Income as defined by HUD. So by definition, the 89 Anderson apartments would target those near the middle of the income strata.

Objective 1.c: Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation. (page 30)

The 89 Anderson project is located a short walk from downtown (about 13 minutes by foot), and near public transportation, grocery stores, schools (Portland High School, East End Community School), and other services. It represents an ideal location for higher density housing.

Objective 1.d: Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords. (page 31)

89 Anderson will increase the rental housing stock, providing new construction housing, with exceptional energy efficiency, and modern amenities, creating a new type of housing, not currently available.

Objective 1.g: Identify vacant land and redevelopment opportunities throughout the city to facilitate the construction of new housing. (page 33)

The proposed project is the redevelopment of a currently underutilized site and with a non-conforming use.

Objective 1.h: Promote Portland as a Pro-Housing Community. (page 33)

Providing Zoning that would make feasible a market-rate rental housing project would demonstrate that Portland is serious about addressing its Housing needs.

Neighborhood Stability and Integrity

Policy #3: 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. (page 43)

89 Anderson meets Portland's housing needs on neighborhood scale (i.e. without altering current block design). By adding ground floor commercial uses at a location on a key intersection and across from a major public park, 89 Anderson adds to 'sense of place' in the East Bayside neighborhood.

Objective 3.a: While accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses. (page 43)

The current use of 89 Anderson is non-conforming. B1-b Zoning limits the type of businesses to those that are compatible with residential neighborhoods.

Objective 3.b: Support Portland's livable neighborhoods by encouraging a mix of needed uses and services within walking distance of most residents. (Page 43)

The B1-b zone encourages uses and services compatible with residential neighborhoods, thus supporting the planning concept of 'walkable neighborhoods'.

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. (Page 44)

East Bayside is an eclectic neighborhood with a wide range of buildings ranging from large multi-family (Bayside East at Smith/Oxford St., Portland Housing Authority), mid-sized multi-family (Greenleaf Apartments abutting 89 Anderson), small multi-family and

single family homes, and large industrial buildings across Fox Street from 89 Anderson. The new building at 89 Anderson will be similar in scale and character to Bayside East and the recently approved Bayside Anchor, while creating a connection to the larger industrial buildings across Fox Street.

Objective 3.d: Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation. (Page 44)

89 Anderson is adjacent to a large public park/open space and is in close proximity to many services and bus routes.

Objective 3.e: Ensure the integrity and economic value of Portland's neighborhoods. (Page 45)

The substantial investment in the 89 Anderson project should serve to improve safety and security in the neighborhood, while potentially increasing the value of nearby properties.

Objective 3.g: Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse. (Page 46)

East Bayside is currently largely populated by owner-occupied homes and subsidized housing. New market-rate housing would add a new type of housing and increase economic diversity in the neighborhood.

Sustainable Development

Policy #5: Portland's Comprehensive Plan encourages a manageable level of growth that will sustain the City as a healthy urban center in which to live and work and to achieve a shared vision for Portland. Portland should encourage sustainable development patterns and opportunities within the City by promoting efficient land use, conservation of natural resources, and easy access to public transportation, services, and public amenities. (page 53)

The planning of 89 Anderson is based on the principles of 'smart growth' development. By creating high-density housing on the Portland peninsula in a previously developed, but non-conforming parcel, the project is consistent with sustainable development patterns.

Objective 5a: Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services, and an affordable tax rate. (page 53)

The mixed-use project at 89 Anderson will create a new type of housing choice (adding to diversity of housing options), close to employment centers and public transit. The project will provide substantial new tax revenue, likely with minimal associated expense.

Objective 5 b: Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines, and roads exist or may be expanded at minimal costs. (page 53)

89 Anderson Street is across the street from a large public park/open space, and is built on existing roads with existing utility infrastructure.

Objective 5.c.: Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing. (page 54)

By helping to alleviate Portland's housing crunch, 89 Anderson helps Portland become a more attractive home for employers.

Objective 5.d.: Encourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical. (page 54)

The B1-b zone is designed to create neighborhood business centers. Mixed-use buildings such as 89 Anderson, provide both residence and neighborhood business/services that create excellent 'traditional' neighborhoods less dependent on the automobile.

Objective 5.e: Locate and design housing to reduce impacts on environmentally sensitive areas. (page 54)

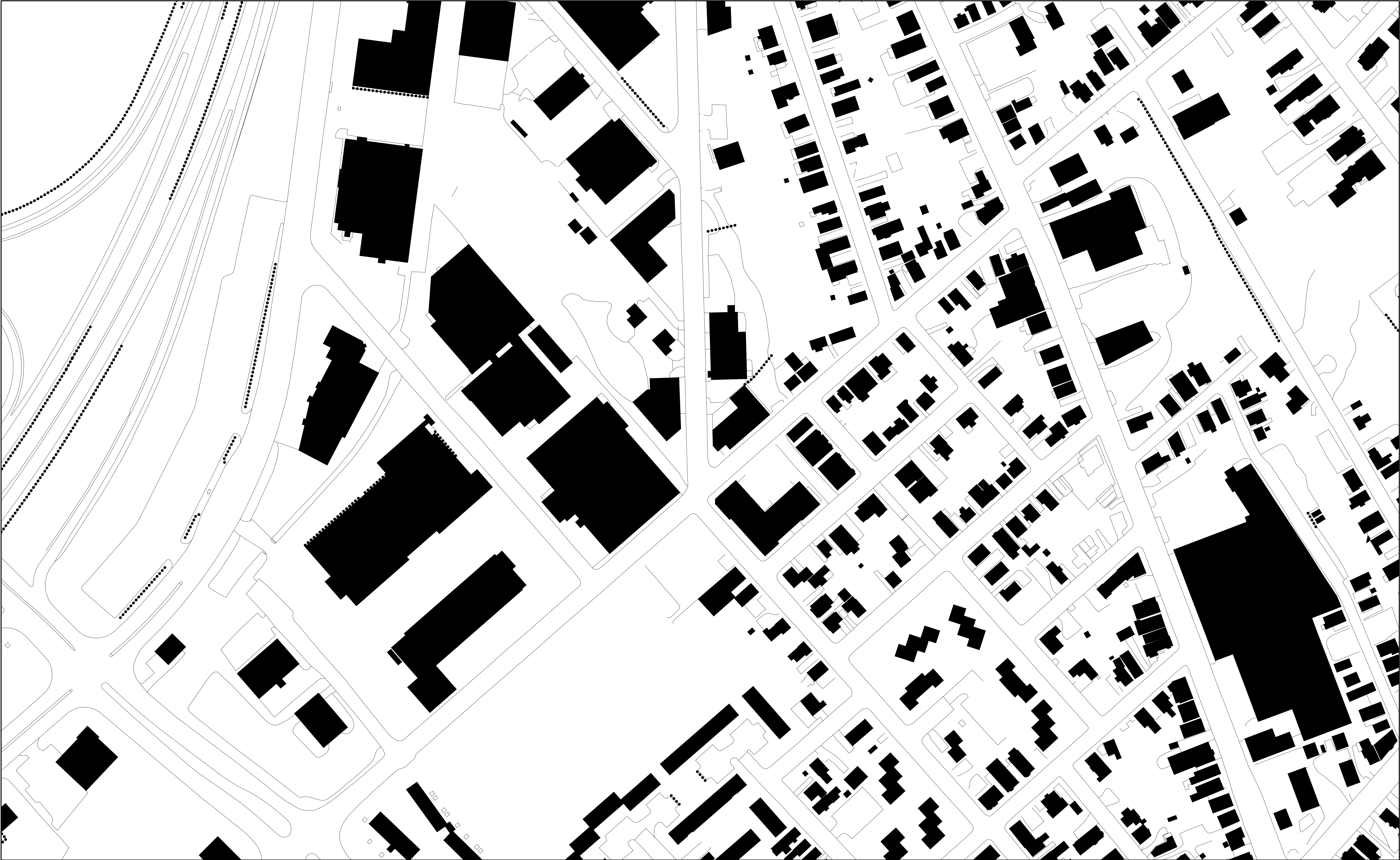
The 89 Anderson site is currently an auto garage with a large asphalt parking area, with little environmental value. Housing on such properties reduces the need to create housing on more environmentally sensitive areas.

Objective 5.f: Design housing using new technologies and materials that reduce costs and increase energy efficiency. (page 55)

Redfern Properties believes deeply in building the most energy efficient buildings possible. Some of our previous projects have won honors for energy efficiency and sustainability. Like our past and current projects, we plan to build 89 Anderson to an exceedingly high environmental standard.











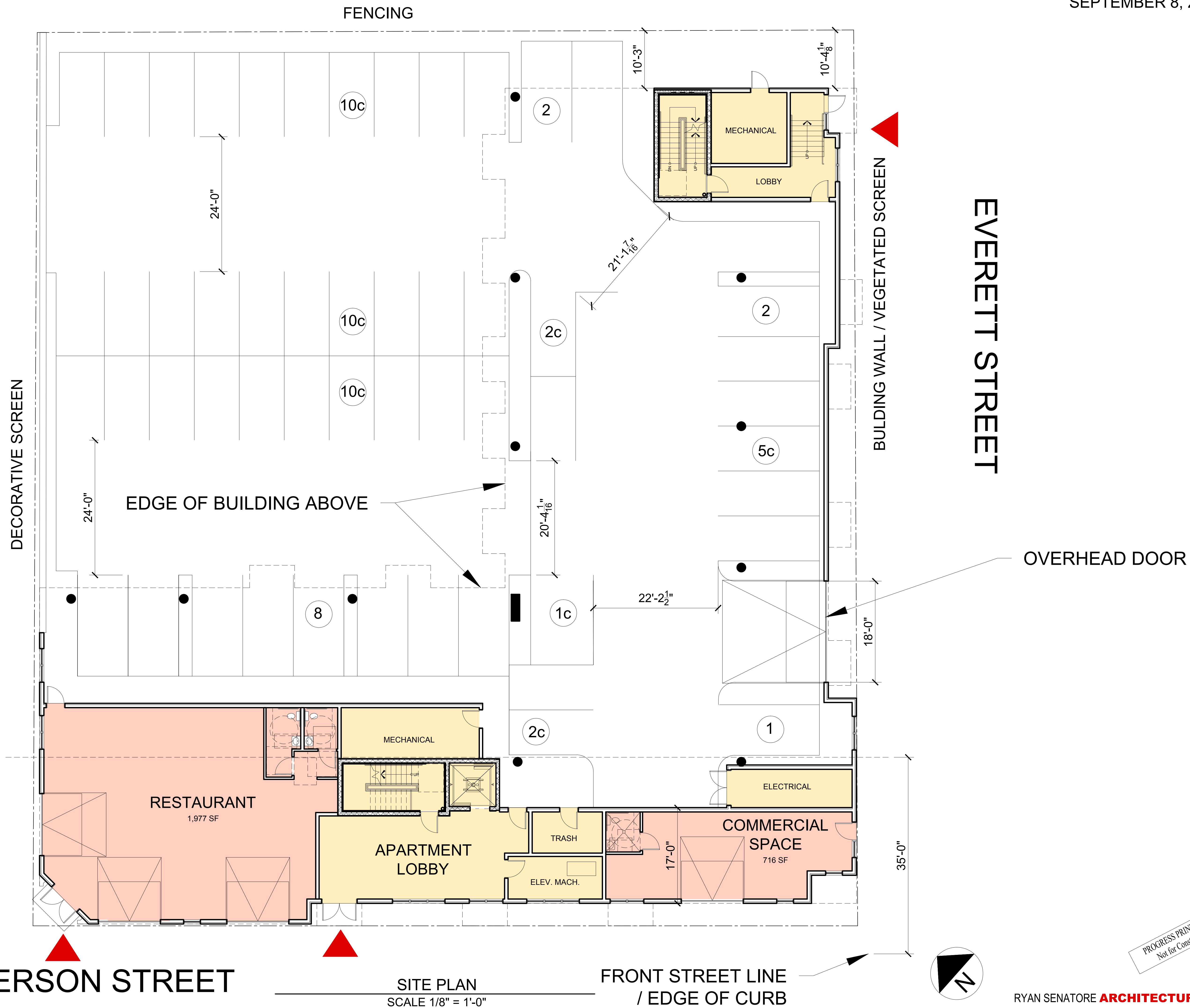


ANDERSON STREETSCAPE



EVERETT STREETSCAPE

FOX STREET



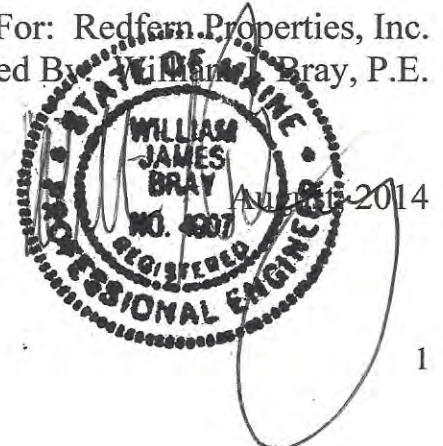
TRAFFIC IMPACT STUDY

FOR

PROPOSED

**89 Anderson Street
Apartment Complex**

Prepared For: Redfern Properties, Inc.
Prepared By: William James Bray, P.E.



INTRODUCTION

Redfern Properties, LLC is proposing to construct a 53-unit apartment building on a parcel of property located at 89 Anderson Street. A total of 53 parking spaces will be provided under the cover of the proposed apartment building. Access to the covered parking spaces will be provided through a single entrance located on Everett Street.

The purpose of this study is to examine existing traffic conditions in the general vicinity of the proposed project, estimate the total number of site trips generated by the project, and make a determination as to whether the existing transportation system can safely accommodate the added traffic demand generated by the project.

EXISTING CONDITIONS

Existing Traffic: Manual turning movement counts were conducted at three study area intersections per direction received from the City's Traffic Peer Review Consultant. The intersections included the following locations:

1. Anderson Street @ Fox Street
2. Washington Avenue/Fox Street/Walnut Street
3. Anderson Street @ Cumberland Avenue

All vehicular traffic entering each intersection was recorded in 15-minute intervals between the hours of 7:00 to 9:00 AM and between 3:00 to 6:00 PM (Copies of the field data summary sheets are attached). In addition, both pedestrian and bicycle data was gathered at each location both directionally and time of day. From a summary of the data, it was determined that the morning peak hour occurs between 8:00 and 9:00 AM at each study area location; the PM peak hour falls between 4:30 and 5:30 at each of the locations.

Bicycle and pedestrian volume totals recorded during the vehicular peak hour(s) at each study location are summarized in the following tables:

Bicycle Volumes **(Street Peak Hour)**

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Washington Avenue EB	1	9
- Washington Avenue WB	2	13
- Walnut Street	0	1
- Fox Street	2	2
Anderson St./Fox St.		
- Anderson Street EB	1	6
- Anderson Street WB	3	9
- Fox Street NB	0	11
- Fox Street SB	0	7
Anderson St./Cumberland Ave.		
- Anderson Street	1	0
- Cumberland Avenue NB	2	4
- Cumberland Avenue SB	5	5

Bicycle travel through the study intersections was somewhat moderate during the afternoon peak hour; volumes recorded in the morning peak hour were very low at each of the three study intersections. The highest volume of bicycle trips in the PM peak hour were recorded traveling along the Washington Avenue corridor (22

two-way trips) and a second predominate travel route was along Fox Street with a total two-way volume of 18 trips.

**Pedestrian Volumes
(Street Peak Hour)**

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Crossing Washington Ave. @ Walnut St.	2	0
- Crossing Washington Ave. @ Fox St.	6	8
- Crossing Walnut St.	5	4
- Crossing Fox St.	4	18
Anderson St./Fox St.		
- Crossing East Anderson St.	9	14
- Crossing West Anderson St.	4	2
- Crossing North Fox St.	12	6
- Crossing South Fox St.	7	9
Anderson St./Cumberland Ave.		
- Crossing Anderson St.	21	29
- Crossing Cumberland Ave. @ Anderson St.	14	30

The volume of pedestrian movements recorded at each of the three study intersections was highest at the Anderson Street/Cumberland Avenue intersection where a total of 35 pedestrian movements were recorded in the morning peak hour and 59 pedestrian movements were recorded in the afternoon peak hour.

Traffic data collected during the months of July and August are generally representative of “peak” travel conditions and further adjustment is not required. Figures 1 and 2 are “*line-diagrams*” presenting “*peak*” hour vehicular traffic volumes for the AM and PM peak hours, respectively, for the study area intersections.

Existing Safety Trends: The Maine Department of Transportation’s (MaineDOT) Accident Records Section provided the latest three-year (2011 through 2013) crash data for the following roadway segments:

1. Fox Street between Franklin Arterial and Washington Avenue
2. Washington Avenue/Fox Street/Walnut Street intersection
3. Anderson Street between Fox Street and Cumberland Avenue
4. Everett Street between Anderson Street and Greenleaf Street

Their report is summarized as follows and attached as an appendix to the report:

2011 -2013 Traffic Accident Summary

<u>Location</u>	<u>Total Crashes</u>	<u>Critical Rate Factor</u>
1. Fox Street @ Franklin Arterial	20	0.58
2. Fox Street and N. Boyd Street	3	1.03
3. Fox Street @ Diamond Street	1	0.34
4. Fox Street @ Anderson Street	2	0.73
5. Fox Street @ Greenleaf Street	2	0.98
6. Fox Street @ Winthrop Street	2	1.06
7. Washington Avenue/Fox Street/Walnut Street	9	1.98
8. Fox Street btw. Cove Street and Greenleaf Street	1	0.54
9. Fox Street btw. Winthrop Street and Washington Avenue	1	0.48
10. Anderson Street @ Madison Street	1	4.63
11. Anderson Street @ Oxford Street	1	4.09
12. Anderson Street @ Cumberland Avenue	2	0.71
13. Anderson Street btw. Fox Street and Everett Street	1	4.42
14. Anderson Street btw. E. Lancaster Street and E. Oxford Street	4	16.00
15. Anderson Street btw. E. Oxford Street and Cumberland Avenue	4	11.44

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- **8 or more accidents**
- **A Critical Rate Factor greater than 1.00**

As the data presented in the table shows (location highlighted in yellow), the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) Four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) A total of three collisions involved vehicles approaching Washington Avenue from the Walnut Street approach sliding through the intersection and striking a thru vehicle on Washington Avenue.

Implementation of one or more of the suggested remediation measures should help reduce the frequency of traffic crashes occurring at this "off-set" intersection:

- Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
- Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "Street Closed" beacon placed at the top of the Walnut Street "hill".
- Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.

In addition to the aforementioned recommendations, preliminary evaluation was given to full traffic signalization of the intersection; however, present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals.

SITE TRAFFIC

Site Trip Generation: The eighth edition of the Institute of Transportation Engineers (ITE) “**TRIP GENERATION**” manual was used to determine the volume of site traffic generated by the proposed 53-unit residential apartment complex project. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

Land Use #220 - Apartment

AM Peak Hour	= 0.51 trips per occupied unit
PM Peak Hour	= 0.62 trips per occupied unit.

Accordingly, the proposed 53-unit apartment complex can be expected to generate a total of 27 trips in the morning peak hour and 33 trips during the afternoon peak hour.

Site Trip Distribution: The Institute of Transportation Engineers handbook provides the following directional distribution rates for an apartment unit during the AM and PM peak hours:

AM Peak Hour	= 20% enter site and 80% exit site
PM Peak Hour	= 65% enter site and 35% exit site

Based upon the noted directional distribution patterns, 22 trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.

Site Trip Assignment: Vehicle trips generated by the proposed project were assigned through the three study intersections on the basis of existing travel patterns and the Consultants knowledge of travel patterns in the City of Portland. Figures 3 and 4 graphically depict the assignment for both peak commuter time periods.

FUTURE TRAFFIC

Other Development Traffic: Traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened, must be included in the estimate of pre-development traffic. At the direction of the City’s Development Review Services Manager, trips generated by the following projects were appropriately added to the base travel conditions at the site driveway intersections.

- Washington Avenue Efficiencies
- PHA Bayside Anchor Project
- Munjoy Heights
- Intermodal “Staging” Area

Figures 5 and 6 illustratively present the Other Development traffic assignment for the study intersections.

2014 Pre-Development Traffic: The 2014 Pre-Development traffic forecasts were prepared for the study intersections by combining the 2014 Design Hour traffic volumes shown on Figures 1 and 2 with the Other Development traffic values displayed on Figures 5 and 6. Figures 7 and 8 present the 2014 pre-development traffic forecasts at each of the three study intersections.

2014 Post-Development Traffic: Estimated 2014 Pre-Development traffic forecasts prepared for the study intersections, as depicted on Figures 7 and 8, were combined with the site traffic projections highlighted on Figures 3 and 4 to create estimated 2014 Post-Development traffic forecasts for the study intersections. Figures 9 (AM Peak Hour) and 10 (PM Peak Hour) are line diagrams that present the estimated 2014 Post-Development traffic conditions for the study intersections.

MOBILITY ANALYSIS

Capacity analyses of both 2014 Pre and Post-Development traffic conditions were performed for each of the three study intersections utilizing the Synchro and SimTraffic computer models. Levels of Service rankings are similar to the academic grading system, where an “A” is very good with little delay and “F” represents very poor conditions.

The following table summarizes the relationship between delay and Level of Service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

<u>Level of Service</u>	<u>Total Control Delay (sec/veh)</u>
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The result of the capacity analysis is presented in the following table:

Level of Service Summary **2014 Pre and Post-Development Conditions**

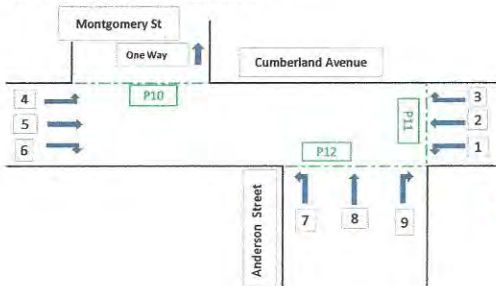
<u>Intersection/Approach</u>	<u>2014 Pre-Development</u>				<u>2014 Post-Development</u>			
	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>		<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>
1. Washington Ave./ Walnut St./Fox St.								
- Washington Ave. EB	1 sec.	A	2 sec.	A	1 sec.	A	2 sec.	A
- Washington Ave. WB	1 sec.	A	4 sec.	A	4 sec.	A	4 sec.	A
- Walnut St.	13 sec.	B	16 sec.	C	15 sec.	B	17 sec.	C
- Fox St.	11 sec.	B	27 sec.	D	13 sec.	B	27 sec.	D
2. Fox St. @ Anderson St.								
- Anderson St. EB	5 sec.	A	5 sec.	A	5 sec.	A	5 sec.	A
- Anderson St. WB	6 sec.	A	6 sec.	A	6 sec.	A	6 sec.	A
- Fox St. NB	6 sec.	A	7 sec.	A	6 sec.	A	7 sec.	A
- Fox St. SB	6 sec.	A	7 sec.	A	7 sec.	A	7 sec.	A
3. Anderson St. @ Cumberland Ave.								
- Anderson St.	4 sec.	A	3 sec.	A	4 sec.	A	3 sec.	A
- Cumberland Ave. NB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A
- Cumberland Ave. SB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A

As presented in the chart above, the proposed project has no measurable impact on traffic operations at any of the three study intersections. Each intersection was found to operate at acceptable levels of service under both pre-development and post-development conditions.

SUMMARY

1. The proposed 53-unit apartment complex can be expected to generate a total of 27 vehicle trips during the AM peak hour and a slight increase of 33 trips in the afternoon peak hour. Twenty-two (22) trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.
2. MaineDOT's Traffic Safety Bureau's latest three-year safety report for the identified portions of Washington Avenue, Fox Street, and Anderson Street shows that all roadway segments and intersections, with the exception of the Washington Avenue/Fox Street/Walnut Street intersection, experience fewer traffic crashes than the threshold criteria for identification of a high crash location. The noted traffic intersection, based upon the most recent three-year data, meets both of MaineDOT's criteria for identification of a high crash location. A total of 9 vehicle crashes were reported at the intersection during the study time period and the Critical Rate Factor, which compares operations at the intersection with a statewide average for similar locations, exceeds 1.00 at 1.98. Detailed vehicle collision diagrams were prepared for each of the reported 9 vehicle crashes to determine if a correctable pattern of vehicle crash is occurring at the intersection. The detailed analysis identified two crash patterns; four "angle" collisions involving vehicles entering Washington Avenue from Fox Street being struck by motorists traveling eastbound on Washington Avenue. The second pattern involved three crashes that resulted from vehicles approaching Washington Avenue on Walnut Street skidding, during inclement weather, into thru vehicles traveling west on Washington Avenue.
3. It would appear that all modes of transportation would benefit from full traffic signalization of the Washington Avenue/Fox Street/Walnut Street intersection; an abbreviated preliminary assessment of existing travel conditions was conducted and it was determined that prevailing traffic conditions at the noted intersection do not appear to meet the minimum travel conditions required for traffic signalization (Copy of abbreviated traffic signal warrant study is attached as an appendix to the report). The City may want to monitor traffic conditions on an annual basis to determine if prevailing conditions change meeting one or more of the warrants for traffic signalization. This report does identify three improvement strategies that, with implementation, should improve overall safety at the intersection, they include the following:
 - Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
 - Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "*Street Closed*" beacon placed at the top of the Walnut Street "hill".
 - Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.
4. The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections. Each study intersection was found to operate at acceptable levels of service during both the pre-development and post-development conditions.
5. Pedestrian crosswalk markings and stop bars should be installed at the Anderson Street/Fox Street intersection on all four approaches of the intersection.

**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
Intersection: Cumberland Ave./Anderson St./Montgomery St.
Date: 8/13/14
Day of Week: Wednesday
Weather: _____
Remarks: _____

Count Summary Movement

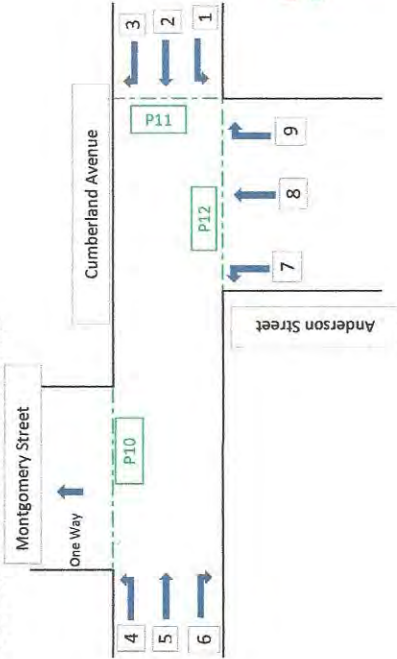
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C2	C4	C5	C6	C7	C9
7:00	7:15	1	16	0	0	29	0	1	0	3	0	0	0	50	0	0	3	0	1	1	0	0	1
Truck Count		0	1	1	0	1	0	0	0	1	0	0	0	4									
7:15	7:30	0	18	0	0	16	1	2	0	6	0	0	0	43	4	1	4	0	0	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1									
7:30	7:45	1	13	1	0	25	3	2	0	3	0	0	0	48	4	5	3	0	0	0	0	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1									
7:45	8:00	3	18	1	1	39	0	1	1	3	0	0	0	67	3	3	4	0	0	2	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0									
8:00	8:15	4	28	0	1	54	3	1	0	10	0	0	0	101	7	3	5	0	0	0	0	0	0
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4									
8:15	8:30	3	23	0	3	55	1	0	0	11	0	0	0	96	8	5	4	1	0	2	0	0	0
Truck Count		0	0	0	0	3	0	1	0	1	0	0	0	5									
8:30	8:45	1	16	0	1	59	1	0	0	10	0	0	0	88	2	0	9	1	1	2	0	1	0
Truck Count		1	3	0	0	1	0	0	0	1	0	0	0	6									
8:45	9:00	2	32	2	0	38	1	3	0	15	0	0	0	93	5	6	3	0	0	0	0	0	0
Truck Count		0	3	0	0	1	0	0	0	0	0	0	0	4									

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

11	107	2	5	213	6	5	0	48	0	0	0	397
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INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



Red = Bicycle Movement
Green = Pedestrian Movement

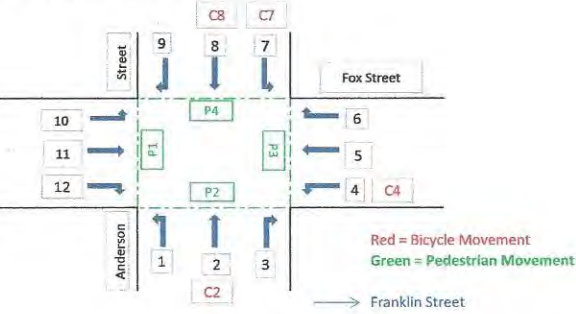
Portland
Intersection: Cumberland Ave/Anderson St/Montgomery St
Date: 8/13/14
Day of Week: Wednesday
Weather:
Remarks:

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C1	C2	C4	C5	C6
3:00	3:15	5	52	0	2	43	1	1	0	11	0	0	0	115	12	7	11	1	1	0	2	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
3:15	3:30	2	46	0	1	38	2	4	0	9	0	0	0	102	10	13	7	0	0	1	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
3:30	3:45	4	42	4	1	32	1	1	1	5	0	0	0	91	6	6	7	1	1	0	0	0
Truck Count		1	0	0	1	2	0	0	0	0	0	0	0	4								
3:45	4:00	5	68	2	2	43	3	3	0	13	0	0	0	139	12	5	12	0	0	0	1	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:00	4:15	7	40	2	0	28	4	3	0	4	0	0	0	88	3	3	11	0	0	0	0	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:15	4:30	5	64	0	1	32	3	3	0	11	0	0	0	119	6	8	7	0	1	0	0	0
Truck Count		0	1	0	0	1	0	0	0	0	0	0	0	2								
4:30	4:45	8	60	2	0	61	2	3	1	11	0	0	0	148	20	3	7	0	1	0	2	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
4:45	5:00	3	67	3	0	60	2	5	1	10	0	0	0	151	10	19	14	0	1	0	1	2
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4								
5:00	5:15	2	76	1	3	48	1	1	1	14	0	0	0	147	5	6	2	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:15	5:30	7	117	4	2	80	4	6	0	13	0	0	0	233	4	2	6	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
5:30	5:45	5	89	1	0	46	3	1	0	7	0	0	0	152	3	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:45	6:00	2	78	2	1	47	4	3	0	12	0	0	0	149	2	0	2	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								

PEAK HOUR COUNT										TIME:			TO:		
20	323	10	5	252	9	15	3	48	0	4:30	4:30	5:30	0	0	685

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:

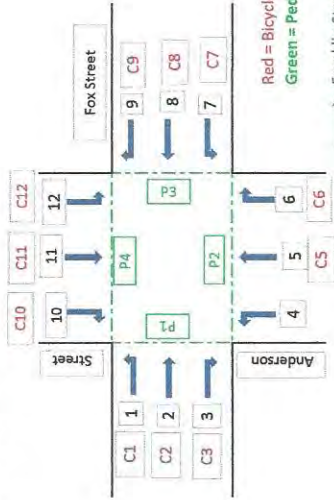


Portland
Intersection: Fox Street/Anderson Street
Date: 8/12/14
Day of Week: Tuesday
Weather: _____
Remarks: _____

Count Summary Movement																						
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C4	C7	C8
7:00	7:15	1	3	8	2	15	3	3	1	0	0	19	6	61	1	1	3	1	0	0	1	0
Truck Count		0	0	1	0	0	0	0	1	0	0	0	0	2								
7:15	7:30	1	1	3	1	12	3	9	3	1	0	25	1	60	1	0	0	2	0	1	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1								
7:30	7:45	6	8	15	1	16	1	7	4	1	0	33	3	95	0	0	0	0	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	1	0	4								
7:45	8:00	1	11	17	3	20	7	12	1	0	3	40	1	116	0	0	0	0	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:00	8:15	4	9	21	3	18	4	14	2	1	0	39	1	116	4	1	5	3	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:15	8:30	2	10	17	6	16	11	14	2	0	0	40	3	121	4	0	0	5	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	0	0	3								
8:30	8:45	3	12	35	3	20	8	20	0	1	1	29	2	134	4	3	0	0	1	0	0	0
Truck Count		0	0	2	0	1	0	0	0	0	1	1	0	5								
8:45	9:00	7	21	22	1	21	8	13	6	2	1	32	0	134	0	0	2	1	0	0	1	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								

PEAK HOUR COUNT											TIME:	8:00	TO:	9:00
16	53	99	13	77	31	61	10	4	3	141	6	514		

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Fox Street/Anderson Street

Date: 8/12/14

Day of Week: Tuesday

Weather:

Remarks:

Count Summary Movement

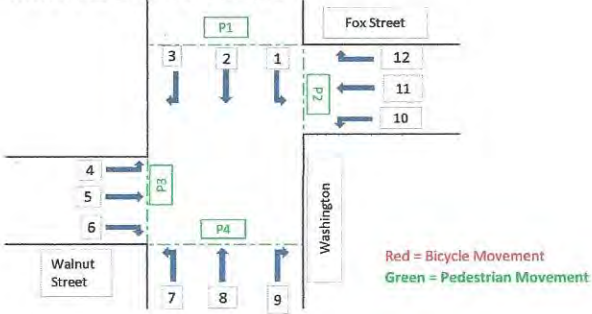
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P7	P8	P9	P4	C1	C2	C3	C5	C6	C7	C8	C9	C10	C11	C12
3:00	3:15	1	27	2	3	6	14	4	34	12	2	9	12	126	2	0	0	1	2	3	0	1	1	0	2	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
3:15	3:30	0	27	2	11	10	21	8	28	13	1	5	9	135	2	1	2	2	0	0	0	1	1	0	0	0	0	2	4
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
3:30	3:45	0	28	5	6	9	16	10	31	15	2	7	17	146	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	1	0	0	0	0	3															
3:45	4:00	1	36	3	6	8	13	5	29	18	3	4	10	136	3	2	2	0	0	2	0	0	0	1	0	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1															
4:00	4:15	3	26	0	6	11	16	9	34	15	1	4	10	135	1	1	0	3	0	0	0	0	1	2	0	0	0	0	0
Truck Count		0	0	0	1	0	1	0	0	0	0	0	0	2															
4:15	4:30	1	26	4	5	14	9	10	41	16	2	5	12	145	0	0	2	2	0	0	0	0	0	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
4:30	4:45	2	49	2	6	2	10	9	30	23	3	3	14	153	2	0	1	2	0	0	0	0	5	3	2	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
4:45	5:00	3	40	5	4	9	21	8	45	20	3	9	11	178	1	0	3	5	0	0	1	0	2	0	1	0	0	3	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:00	5:15	2	34	2	5	6	17	7	38	18	4	2	17	152	2	1	0	3	0	2	1	0	1	0	0	0	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:15	5:30	3	35	1	9	14	22	9	49	18	0	5	17	182	1	1	6	4	0	1	2	0	1	5	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:30	5:45	1	27	3	5	7	17	8	40	15	5	2	12	142	3	5	1	2	0	1	0	1	1	0	2	1	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
5:45	6:00	1	30	1	3	9	13	4	46	12	0	0	17	136	3	1	0	6	1	1	0	1	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

10	158	10	24	31	70	33	162	79	10	19	59	665
----	-----	----	----	----	----	----	-----	----	----	----	----	-----

**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Washington Ave./Fox St./Walnut St.
 Date: 8/14/14
 Day of Week: Thursday
 Weather:
 Remarks: Construction

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C8	C11	C12
7:00	7:15	7	24	1	2	6	3	6	74	1	5	7	5	141	1	1	2	0	0	0	0	0
Truck Count		0	1	0	0	0	0	1	6	0	0	0	0	8								
7:15	7:30	3	26	1	1	10	5	6	78	3	10	10	5	158	0	0	1	0	0	0	0	0
Truck Count		1	2	0	0	0	0	0	4	0	0	0	0	7								
7:30	7:45	9	36	2	4	14	4	2	85	12	1	5	9	183	0	1	0	1	0	0	0	0
Truck Count		0	5	0	1	0	0	0	3	0	0	0	0	9								
7:45	8:00	10	47	2	2	11	6	3	142	8	7	2	11	251	0	4	3	2	0	0	0	0
Truck Count		1	1	0	0	0	0	0	4	0	0	0	0	6								
8:00	8:15	10	39	2	3	11	9	2	159	19	10	4	9	277	4	1	1	1	1	0	0	1
Truck Count		0	3	0	0	0	0	0	1	0	0	0	0	4								
8:15	8:30	19	43	2	5	16	10	4	126	8	8	1	11	253	1	2	3	1	0	0	0	0
Truck Count		0	2	0	1	0	0	1	7	0	0	0	2	13								
8:30	8:45	15	40	2	1	13	2	2	114	9	8	2	15	223	1	0	1	0	0	1	0	0
Truck Count		0	2	0	0	0	0	0	1	1	1	0	0	5								
8:45	9:00	16	60	6	2	21	6	2	117	7	9	2	15	263	0	1	0	0	0	1	1	0
Truck Count		0	2	1	0	0	0	0	5	2	0	0	0	10								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

60	191	13	12	61	27	11	530	46	36	9	52	1,048
----	-----	----	----	----	----	----	-----	----	----	---	----	-------

INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



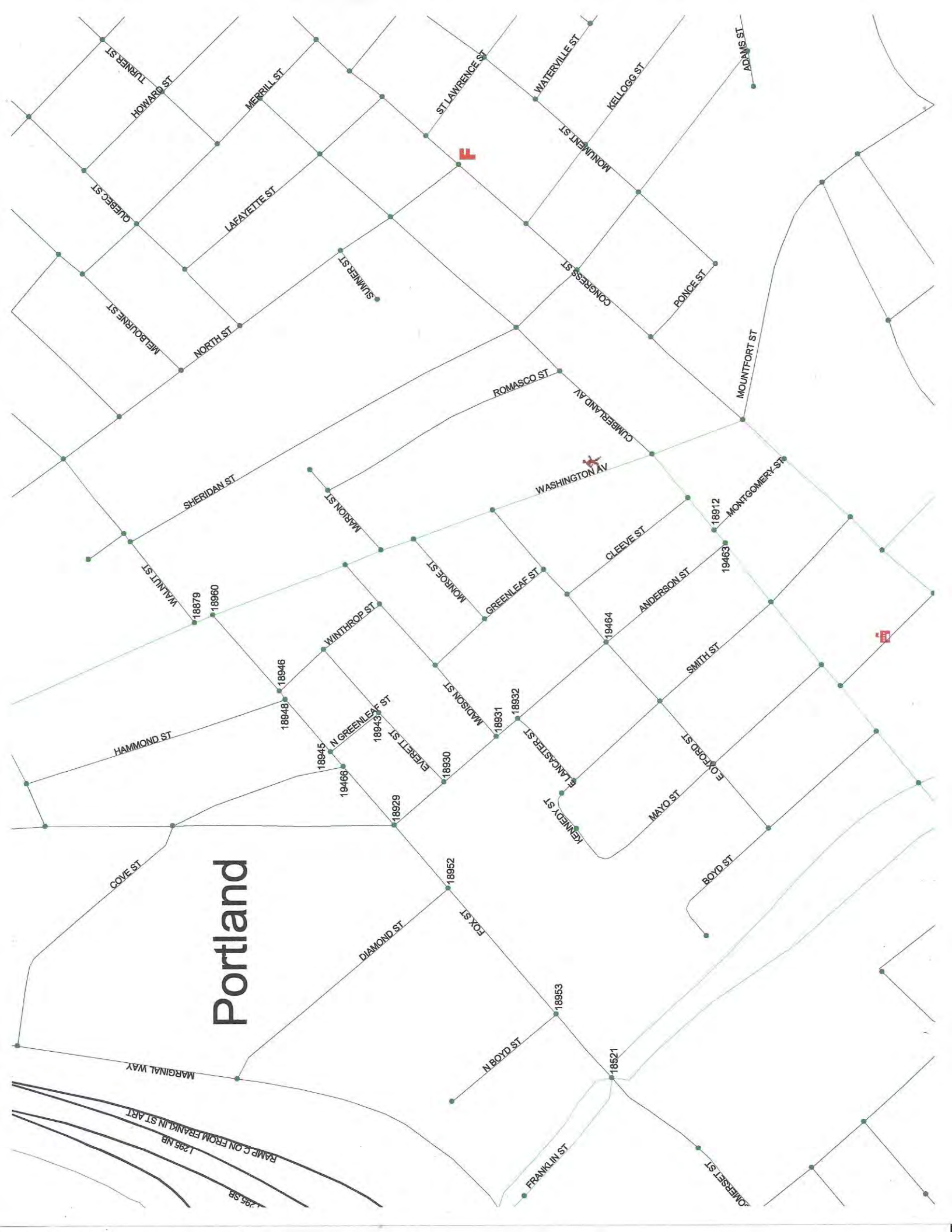
Portland
 Intersection: Washington Ave./Fox St./Walnut St.
 Date: 8/14/14
 Day of Week: Thursday
 Weather:
 Remarks:

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C1	C2	C4	C6	C8	C9	C11	C12
3:00	3:15	20	83	4	0	8	3	10	63	19	5	11	10	236	4	1	3	0	0	2	1	0	1	0	1	0
Truck Count		0	0	0	0	0	0	0	2	0	1	0	0	3												
3:15	3:30	14	57	1	4	9	5	4	58	6	11	15	13	197	0	3	2	1	0	0	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
3:30	3:45	21	110	6	0	13	11	2	66	13	9	22	15	288	3	4	1	0	0	1	1	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2												
3:45	4:00	19	68	3	3	10	0	3	67	8	9	6	8	204	1	4	2	1	0	0	0	0	2	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1												
4:00	4:15	36	108	6	0	6	3	5	90	8	15	18	17	312	0	2	0	1	0	1	0	0	0	0	0	0
Truck Count		0	3	0	0	0	0	0	0	0	0	0	0	3												
4:15	4:30	16	104	8	2	15	3	7	76	12	9	17	9	278	1	4	0	0	0	1	0	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	2	0	0	1	0	4												
4:30	4:45	23	136	7	2	14	11	3	73	19	11	9	16	324	0	3	1	0	0	4	0	0	2	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
4:45	5:00	16	139	4	2	14	9	7	81	6	5	17	23	323	2	3	1	0	0	3	0	1	4	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:00	5:15	22	148	8	1	7	3	7	83	6	12	19	8	324	2	3	1	0	1	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:15	5:30	15	154	7	2	11	1	9	76	12	15	14	11	327	4	9	1	0	0	4	0	0	1	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:30	5:45	30	130	8	5	13	4	5	93	8	9	21	15	341	1	4	0	1	0	2	0	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:45	6:00	9	84	3	0	9	3	8	75	9	6	14	7	227	3	2	4	1	1	2	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												

PEAK HOUR COUNT												TIME:				TO:			
76	579	26	7	46	24	26	313	43	43	58	1,300	4:30	5:30	58	1,300	5:30	58	1,300	5:30

Portland



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

#1

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560293

Start Node: 18521
End Node: 18960Start Offset: 0
End Offset: 0☐ **Exclude First Node**☐ **Exclude Last Node**

Route: 0026X

Start Node: 18960
End Node: 18879Start Offset: 0
End Offset: 0☒ **Exclude First Node**☐ **Exclude Last Node**

Crash Summary I

Nodes															
Node	Route - MP	Node Description	U/R	Total Crashes	K	A	B	C	PD	Injury	Percent Annual M Ent-Veh	Crash Rate	Critical Rate	CRF	
18521	0560293 - 0	Int of FOX ST, FRANKLIN ST	9	20	0	0	2	8	10	50.0	11.697	0.57	0.99	0.00	
18953	0560293 - 0.06	0509373 POR,N.BOYD,FOX ST.	2	3	0	0	0	0	3	0.0	2.209	0.45	0.44	1.03	
18952	0560293 - 0.16	0509372 POR,FOX,DIAMOND ST.	2	1	0	0	0	0	1	0.0	2.178	0.15	0.44	0.00	
18929	0560293 - 0.21	0509349 POR,ANDERSON,FOX ST.	2	2	0	0	0	0	2	0.0	1.996	0.33	0.45	0.00	
19466	0560293 - 0.25	0509888 POR,FOX STREET,COVE STREET	2	0	0	0	0	0	0	0.0	1.531	0.00	0.48	0.00	
18945	0560293 - 0.26	0509365 POR,FOX,N.GREENLEAF ST.	2	2	0	0	0	1	0	100.0	1.381	0.48	0.49	0.00	
A18948	0560293 - 0.30	0509368 POR,FOX,HAMMOND ST.	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
P18946	0560293 - 0.31	0509366 POR,FOX,WINTHROP ST.	2	2	0	0	0	0	2	0.0	1.248	0.53	0.50	1.06	
A18960	0560293 - 0.36	Int of FOX ST, WASHINGTON AV	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
P18879	0026X - 0.28	Int of WALNUT ST, WASHINGTON AV	2	9	0	0	0	2	7	22.2	4.034	0.74	0.38	1.98	
Study Years: 3.00			NODE TOTALS:											0.92	
				39	0	0	0	2	11	25	33.3	26.274	0.49	0.54	

Crash Summary I

Sections													
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	Section U/R	Total Crashes	K	A	B	C	PD	Percent Injury
Annual HMVM	Crash Rate	Critical Rate	CRF										
18521	18953	194034	0 - 0.06	0560293 - 0 RD INV 05 60293	0.06	2	0	0	0	0	0	0	0.0
		Int of FOX ST, FRANKLIN ST											0.00138
													Statewide Crash Rate: 346.84
18952	18953	194637	0 - 0.10	0560293 - 0.06 RD INV 05 60293	0.10	2	0	0	0	0	0	0	0.0
		0509372 POR, FOX, DIAMOND ST.											0.00201
													Statewide Crash Rate: 346.84
18929	18952	194603	0 - 0.05	0560293 - 0.16 RD INV 05 60293	0.05	2	0	0	0	0	0	0	0.0
		0509349 POR, ANDERSON, FOX ST.											0.00097
													Statewide Crash Rate: 346.84
18929	19466	194604	0 - 0.04	0560293 - 0.21 RD INV 05 60293	0.04	2	0	0	0	0	0	0	0.0
		0509349 POR, ANDERSON, FOX ST.											0.00061
													Statewide Crash Rate: 346.84
18945	19466	194628	0 - 0.01	0560293 - 0.25 RD INV 05 60293	0.01	2	0	0	0	0	0	0	0.0
		0509365 POR, FOX, N. GREENLEAF ST.											0.00015
													Statewide Crash Rate: 346.84
18945	18948	194627	0 - 0.04	0560293 - 0.26 RD INV 05 60293	0.04	2	1	0	0	0	0	1	0.0
		0509365 POR, FOX, N. GREENLEAF ST.											0.00049
													Statewide Crash Rate: 346.84
18946	18948	194629	0 - 0.01	0560293 - 0.30 RD INV 05 60293	0.01	2	0	0	0	0	0	0	0.0
		0509366 POR, FOX, WINTHROP ST.											0.00012
													Statewide Crash Rate: 346.84
18946	18960	194630	0 - 0.05	0560293 - 0.31 RD INV 05 60293	0.05	2	1	0	0	0	0	1	0.0
		0509366 POR, FOX, WINTHROP ST.											0.00058
													Statewide Crash Rate: 346.84
18879	18960	3123723	0 - 0.01	0026X - 0.27 ST RTE 26	0.01	2	0	0	0	0	0	0	0.0
		Int of WALNUT ST, WASHINGTON AV											0.00036
													Statewide Crash Rate: 186.16
Study Years: 3.00				Section Totals:	0.37		2	0	0	0	0	2	0.0
				Grand Totals:	0.37		41	0	0	0	2	11	31.7
													0.00666
													2050.99
													796.08
													2.58
													0.15

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

#3

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560847

Start Node: 18929
End Node: 19463

Start Offset: 0
End Offset: 0

☒ Exclude First Node
☐ Exclude Last Node

Route: 0561238

Start Node: 19463
End Node: 18912

Start Offset: 0
End Offset: 0

☒ Exclude First Node
☒ Exclude Last Node

Crash Summary I

Nodes															
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury Crashes			PD	Injury	Percent Annual M Ent-Veh	Crash Rate	Critical Rate	CRF	
18930	0560847 - 0.53	0509350 POR,ANDERSON,EVERETT ST.	2	0	0	0	0	0	0	0.0	0.159	0.00	0.49 Statewide Crash Rate: 0.14	0.00	
18931	0560847 - 0.56	0509351 POR,ANDERSON,MADISON ST.	2	1	0	0	0	1	0	100.0	0.153	2.18 Statewide Crash Rate: 0.14	0.47	4.63	
18932	0560847 - 0.59	0509352 POR,E,LANCASTER,ANDERSON ST.	2	0	0	0	0	0	0	0.0	0.133	0.00	0.41 Statewide Crash Rate: 0.14	0.00	
19464	0560847 - 0.65	0509886 POR,ANDERSON ST,E,OXFORD STR.	2	1	0	0	0	0	1	0.0	0.164	2.03 Statewide Crash Rate: 0.14	0.50	4.09	
19463	0560847 - 0.74	Int of ANDERSON ST CUMBERLAND AV	2	2	0	0	0	0	2	0.0	2.068	0.32 Statewide Crash Rate: 0.14	0.45	0.00	
Study Years: 3.00			NODE TOTALS:												
				4	0	0	0	0	1	3	25.0	2.677	0.50	0.42	1.19

Page 3 of 12 on 7/30/2014, 12:04 PM

COLLISION DIAGRAM

SHEET 1 OF 2

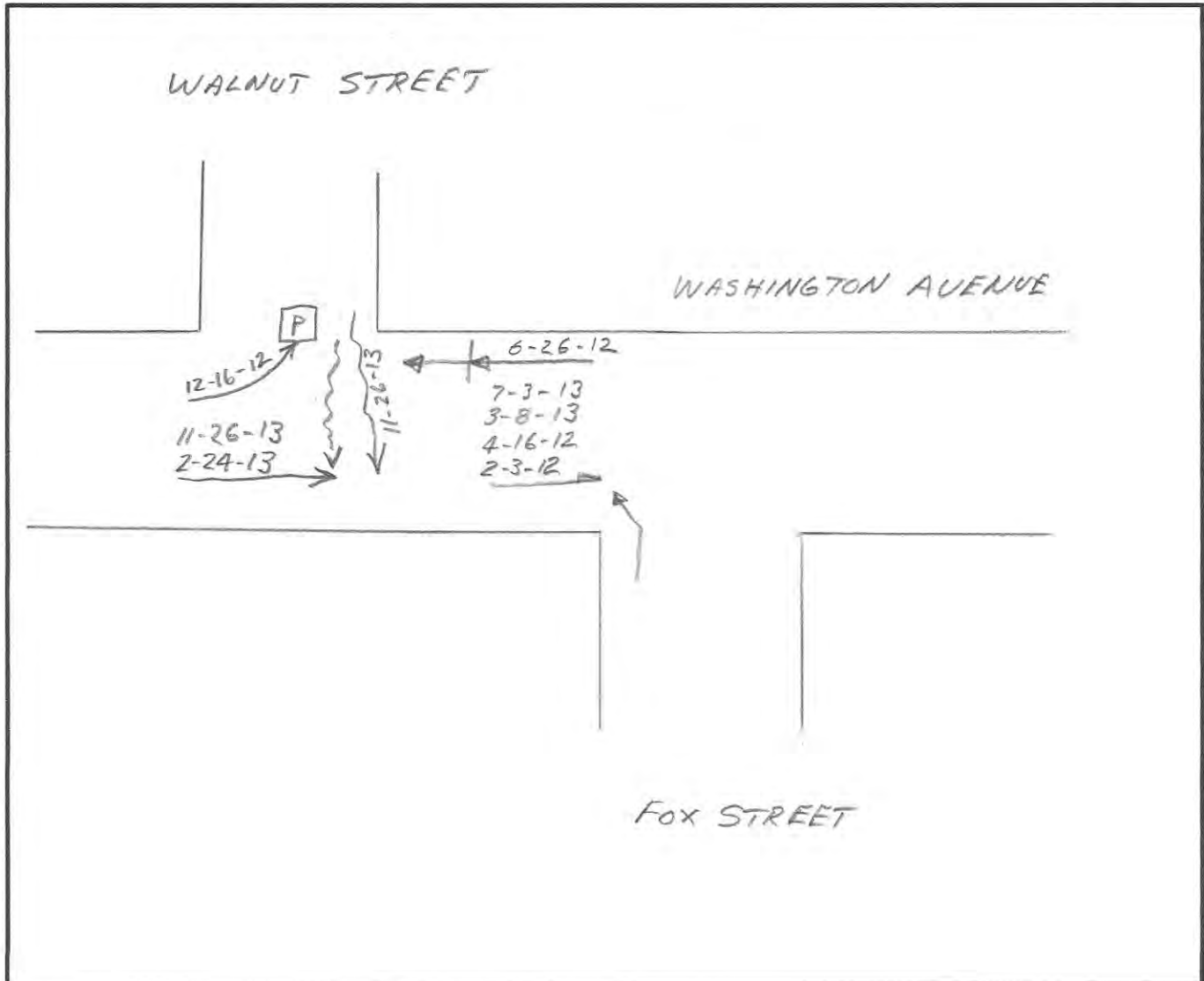
LOCATION WASHINGTON AVE./WALNUT ST./FOX ST.

TOWN PORTLAND

NODE NO(S) P18879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014



CRITICAL RATE FACTOR _____ EQUIV. PROP. DAMAGE ACC/YEAR _____ ACC/MEV _____

LIGHT

- | | | |
|-------------------------|-------------------------|--------------------------|
| 1. DAWN (MORNING) | 2. DAYLIGHT | 3. DUSK (EVENING) |
| 4. DARK (ST. LIGHTS ON) | 5. DARK (NO ST. LIGHTS) | 6. DARK (ST. LIGHTS OFF) |
| 7. OTHER | | |

ROAD SURFACE

- | | | |
|---------------------------|--------------------------|-----------------------------|
| 1. DRY | 2. WET | 3. SNOW/SLUSH-SANDED |
| 4. ICE/PACKED SNOW-SANDED | 5. MUDDY | 6. DEBRIS |
| 7. OILY | 8. SNOW/SLUSH-NOT SANDED | 9. ICE-PKD. SNOW-NOT SANDED |
| 10. OTHER | | |

APPARENT CONTRIBUTING FACTORS - HUMAN

- | | | |
|--------------------------------------|-------------------------------------|--------------------------------------|
| 1. NO IMPROPER ACTION | 2. FAIL TO YLD. RIGHT OF WAY | 3. ILLEGAL UNSAFE SPEED |
| 4. FOLLOW TOO CLOSE | 5. DISREGARD TRAFFIC CONTROL DEVICE | |
| 6. DRIVING LEFT OF CENTER-NO PASSING | 7. IMPROPER PASS-OVERTAKING | |
| 8. IMP. UNSAFE LANE CHANGE | 9. IMP. PARKING START/STOP | 10. IMPROPER TURN |
| 11. UNSAFE BACKING | 12. NO SIGNAL OR IMP. SIGNAL | 13. IMPEDING TRAFFIC |
| 14. DRIVER INATTENTION-DISTRACTION | 15. DRIVER INEXPERIENCE | |
| 16. PEDEST. VIOLATION ERROR | 17. PHYSICAL IMPAIRMENT | 18. VISION OBSCURED-WINDSHIELD GLASS |
| 19. VISION OBSCURED-SUN/HEADLIGHTS | 20. OTHER VISION OBSCUREMENT | 30. OTHER HUMAN VIOLATION FACTOR |
| 31. HIT AND RUN | 51. UNKNOWN | |

- VEHICULAR

- | | | |
|------------------------------------|----------------------------|--------------------------|
| 41. DEFECTIVE BRAKES | 42. DEFECTIVE TIRE/FAILURE | 43. DEFECTIVE LIGHTS |
| 44. DEFECTIVE SUSPENSION OR FACTOR | 45. DEFECTIVE STEERING | 50. OTHER VEHICLE DEFECT |
| | 51. UNKNOWN | |

SYMBOLS

- | | | | | | |
|----------------|---|----------------|-----|------------------|-----|
| ANGLE | ↓ | PEDESTRIAN | → P | FATAL ACCIDENT | ● |
| BACKING | ↔ | REAR END | → | | |
| FIXED OBJECT | → | SIDE SWIPE | → | VEHICLE (MOVING) | → |
| HEAD ON | ↔ | TURNING MOVE | ↗ | BICYCLE | → B |
| OVERTURN | ↻ | CHANGE LANE | ↗ | ANIMAL | → A |
| PARKED VEHICLE | □ | OUT OF CONTROL | → | SLED | → S |

C = CLEAR
SL = SLEET

WEATHER

F = FOG
S = SNOW

R = RAIN
CL = CLOUDY
XW = CROSS WINDS

INJURIES

K = FATAL
A = INCAPACITATING

B = NON-INCAPACITATING
C = POSSIBLE INJURY

COLLISION DIAGRAM

SHEET 2 OF 2

LOCATION WASHINGTON AVE. / WALNUT ST. / FOX ST.

TOWN PORTLAND

NODE NO(S) P18879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014

[illegible]

WALNUT STREET

27
61
12

WASHINGTON AVENUE

11
530
46

13
191
60

36
9
52

FOX STREET

SITE

ANDERSON STREET

ANDERSON STREET

CUMBERLAND AVENUE

16
53
99

4
10
61

5
48

6
213

13
77
3

11
109

2014 DESIGN HOUR TRAFFIC
AM PEAK HOUR
FIGURE 1

WALNUT STREET

24
46
7

WASHINGTON AVENUE

26
313
43

26
579
76

43
59
58

FOX STREET

10
158
10

SITE

ANDERSON STREET

24
31
70

10
19
59

ANDERSON STREET

18
48

9
252

33
162
79

20
333

CUMBERLAND AVENUE

2014 DESIGN HOUR TRAFFIC
PM PEAK HOUR
FIGURE 2

Project Name and Location

89 ANDERSON STREET APARTMENTS
PORTLAND, MAINE

DATE: AUGUST 14, 2014

C:\LAND PROJECTS\14000\144399 TRAFFIC SOLUTIONS\89 ANDERSON ST\PLANSET\09 ANDERSON STREET.DWG

TRAFFIC SOLUTIONS

235 BANCROFT STREET, PORTLAND, MAINE 04102-1720

FIGURE 2

WALNUT STREET

WASHINGTON AVENUE

FOX STREET

ANDERSON STREET

ANDERSON STREET

CUMBERLAND AVENUE

SITE

SITE TRAFFIC ASSIGNMENTS
AM PEAK HOUR
FIGURE 3

Project Name and Location 89 ANDERSON STREET APARTMENTS PORTLAND, MAINE		TRAFFIC SOLUTIONS 233 BACROFT STREET, PORTLAND, MAINE 04102-1720	
DATE: AUGUST 18, 2014		FIGURE: 3	

E:\LAND PROJECTS\4400\344289 TRAFFIC SOLUTIONS\89 ANDERSON ST\PLANSET\89 ANDERSON STREET.DWG

WALNUT STREET

WASHINGTON AVENUE

FOX STREET

ANDERSON STREET

ANDERSON STREET

CUMBERLAND AVENUE

SITE

1

1

2

2

3

1
2
7

3

18

2

13

3

SITE TRAFFIC ASSIGNMENTS PM PEAK HOUR

FIGURE 4

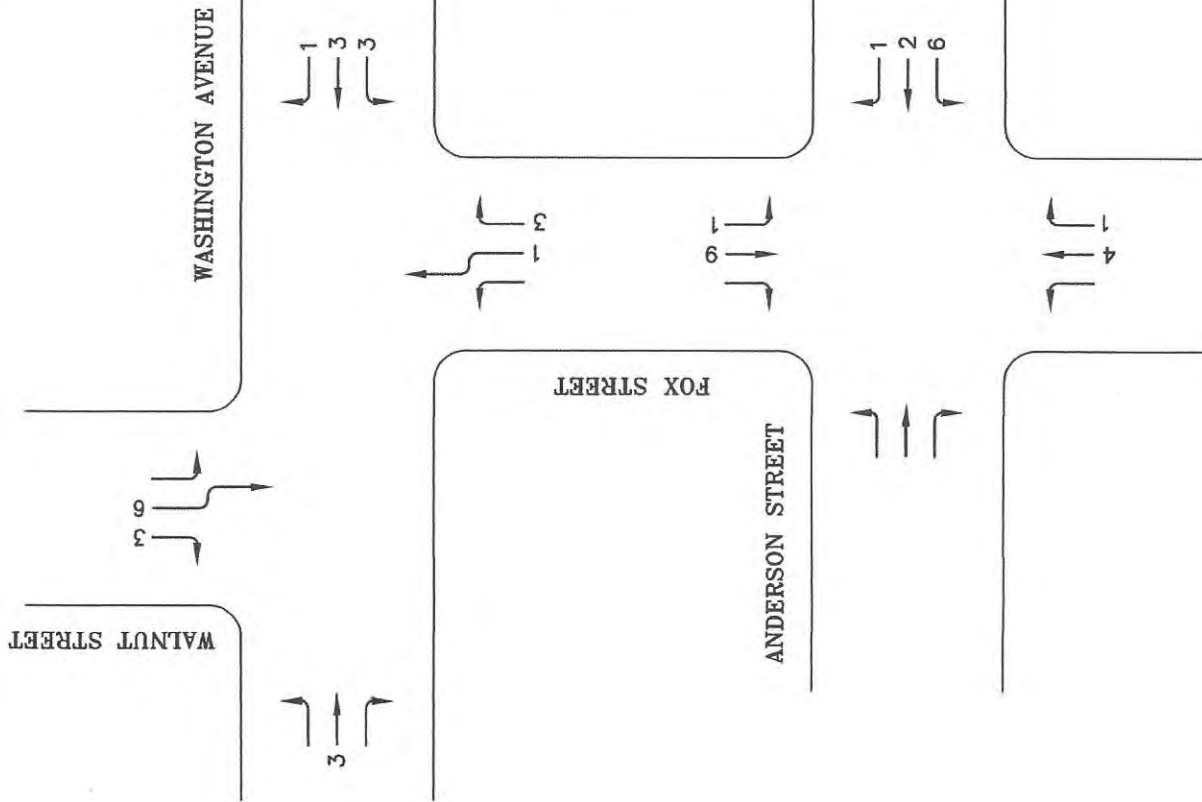
E:\LAND PROJECTS\4000\344389 TRAFFIC SOLUTIONS\08 ANDERSON ST\PLANSET\09 ANDERSON STREET.DWG

89 ANDERSON STREET APARTMENTS
PORTLAND, MAINE

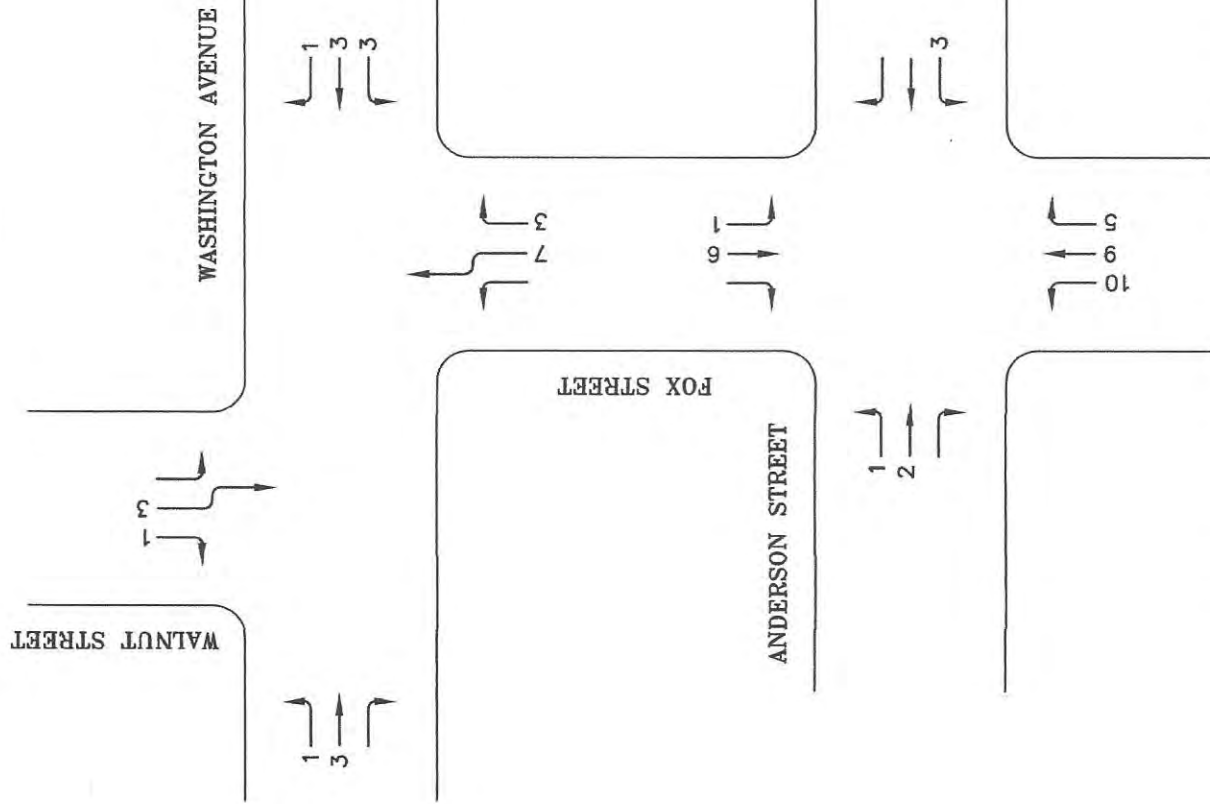
DATE: AUGUST 14, 2014

FIGURE: 4

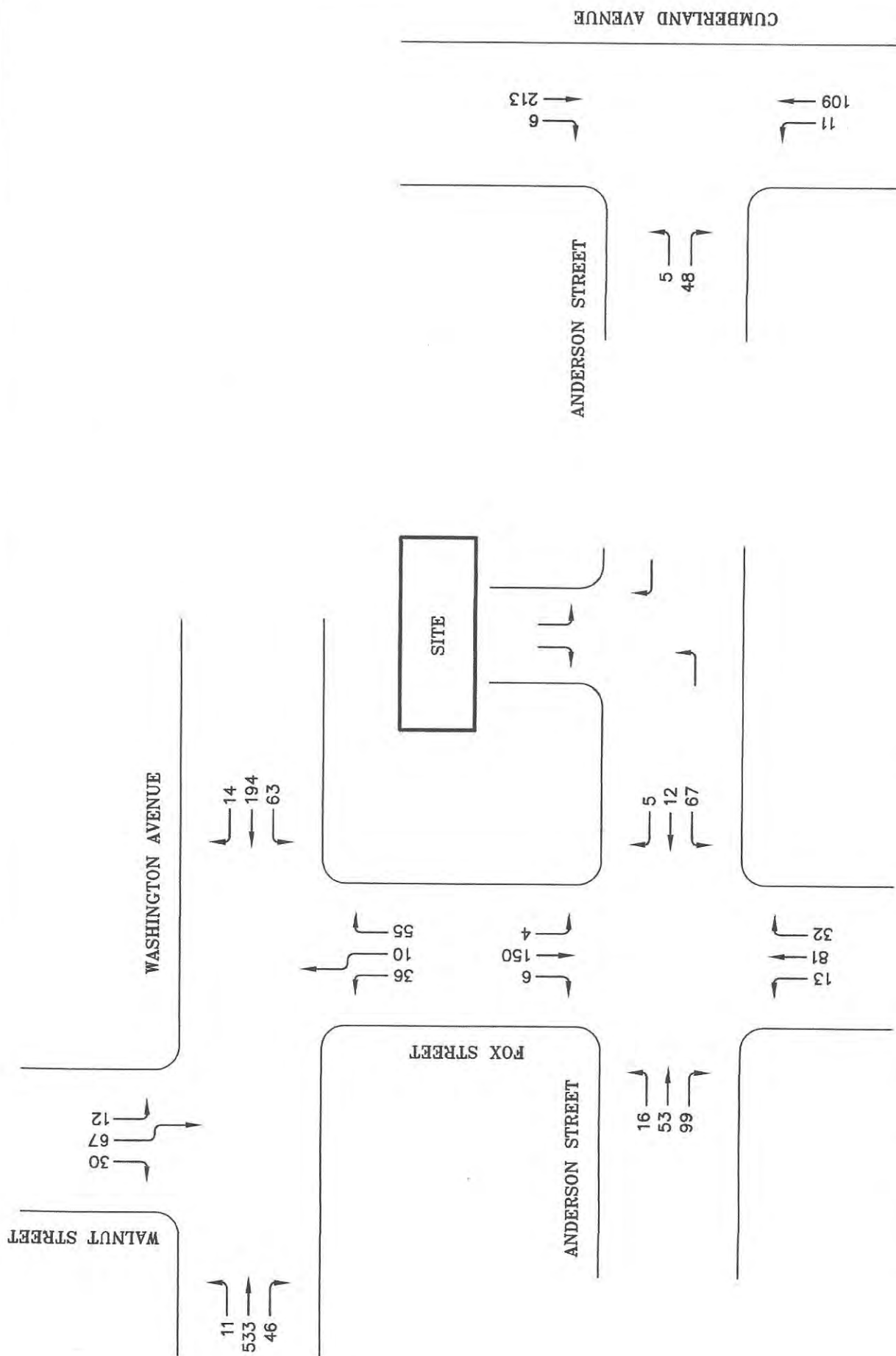
TRAFFIC SOLUTIONS
233 BACROFT STREET, PORTLAND, MAINE 04102-1720



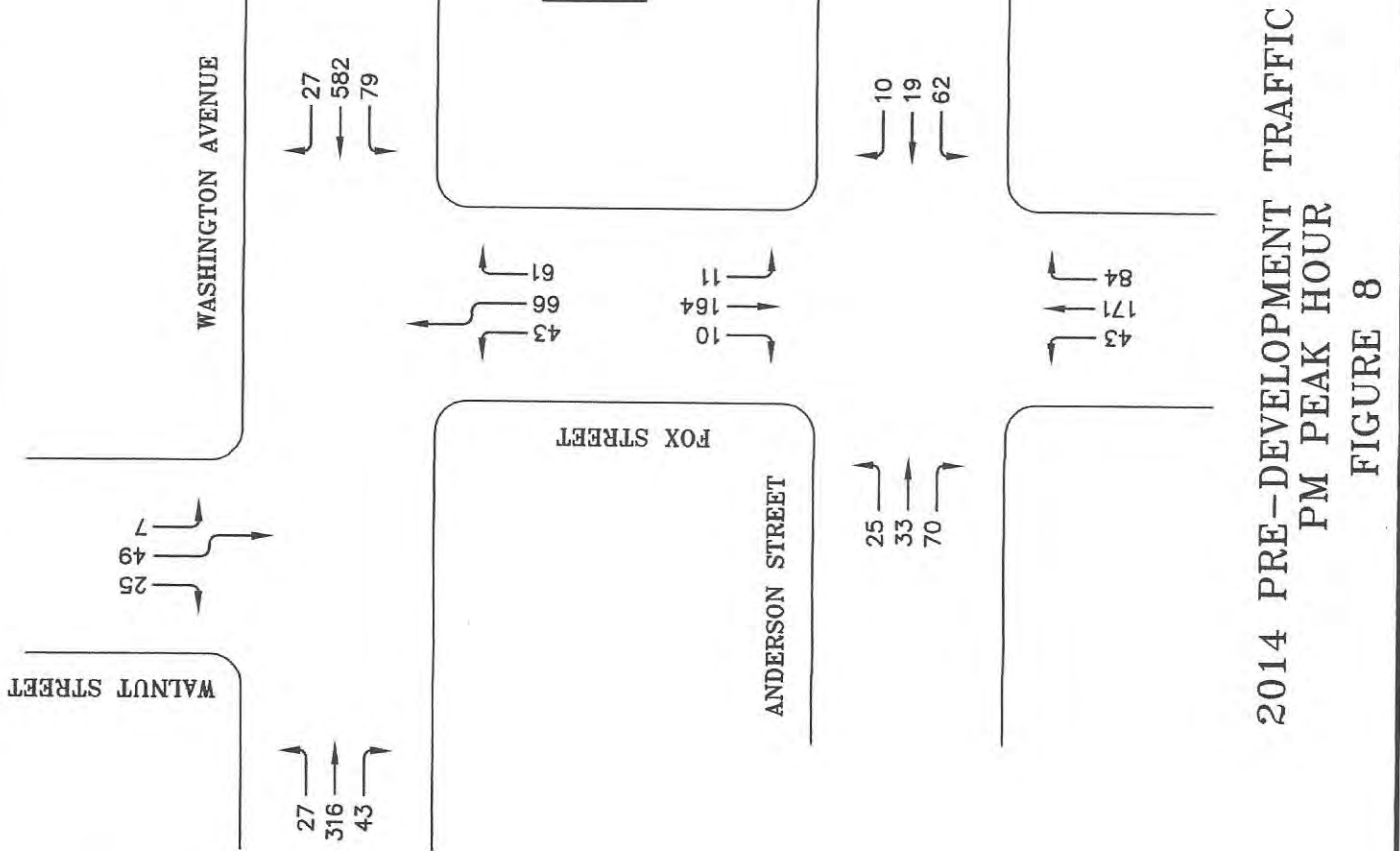
OTHER DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 5



OTHER DEVELOPMENT TRAFFIC
PM PEAK HOUR
FIGURE 6



2014 PRE-DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 7



2014 PRE-DEVELOPMENT TRAFFIC
PM PEAK HOUR
FIGURE 8

WALNUT STREET

WASHINGTON AVENUE

11
533
47

30
67
12

14
194
63

36
11
55

FOX STREET

6
150
5

SITE

18
4

ANDERSON STREET

16
54
99

6
14
82

1

4

ANDERSON STREET

5
52

6
213

13
81
34

12
109

CUMBERLAND AVENUE

2014 POST-DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 9

89 ANDERSON STREET APARTMENTS
PORTLAND, MAINE

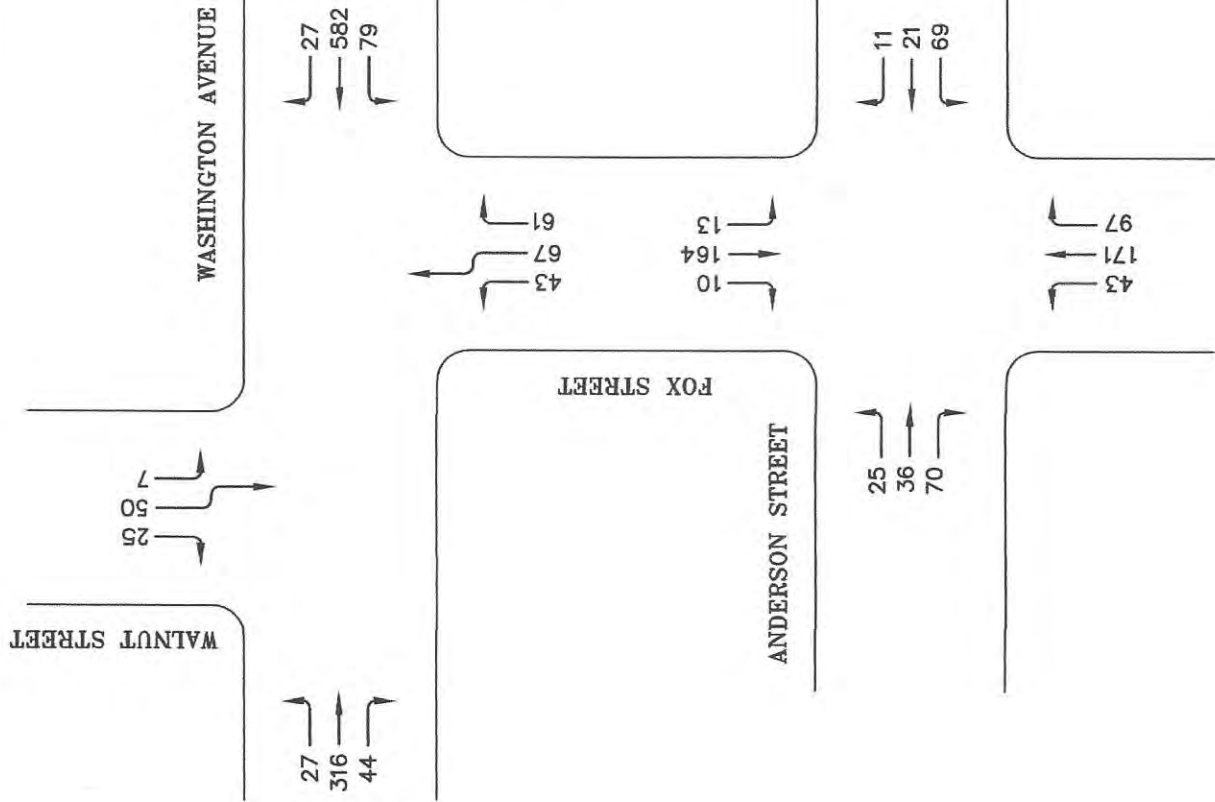
DATE: AUGUST 14, 2014

FIGURE 9

TRAFFIC SOLUTIONS

235 BACCHETT STREET, PORTLAND, MAINE 04102-1720

ES/LAND PROJECTS/44000/344328 TRAFFIC SOLUTIONS/89 ANDERSON ST/PLANSET/89 ANDERSON STREET.DWG



2014 POST-DEVELOPMENT TRAFFIC
PM PEAK HOUR
FIGURE 10

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.3	0.1
Total Del/Veh (s)	1.9	0.6	17.3	2.1

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.6	26.0	6.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	5.0	5.7	6.8	6.8	6.3

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.1	0.5	0.3	1.0

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.4	
Total Del/Veh (s)			7.7	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	122	38	113
Average Queue (ft)	23	8	43
95th Queue (ft)	75	30	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	33	146	179
Average Queue (ft)	4	41	81
95th Queue (ft)	22	112	152
Link Distance (ft)	12	1288	760
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	58	118	75
Average Queue (ft)	37	35	60	42
95th Queue (ft)	58	53	92	67
Link Distance (ft)	764	1258	282	760
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	56	45
Average Queue (ft)	31	6
95th Queue (ft)	52	29
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.2	0.1
Total Del/Veh (s)	1.7	0.6	16.0	2.0

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.8	27.0	6.5

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	4.6	5.6	6.8	6.7	6.2

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.3	0.5	0.3	0.9

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.3	
Total Del/Veh (s)			7.6	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	95	47	113
Average Queue (ft)	19	7	42
95th Queue (ft)	63	31	84
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	199	208
Average Queue (ft)	5	45	83
95th Queue (ft)	23	135	161
Link Distance (ft)	12	1288	737
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	55	107	72
Average Queue (ft)	22	33	57	35
95th Queue (ft)	45	50	89	57
Link Distance (ft)	662	1258	281	737
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	44
Average Queue (ft)	30	5
95th Queue (ft)	48	25
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 1

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.4	0.0	0.1	0.3
Total Del/Veh (s)	1.3	0.4	15.3	2.7

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.5	13.1	2.6

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.0	0.1
Total Del/Veh (s)	5.2	5.9	5.7	6.5	5.8

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.1	0.2	0.1
Total Del/Veh (s)	3.7	0.4	0.2	1.0

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.3	
Total Del/Veh (s)			6.3	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	62	24	112
Average Queue (ft)	4	1	50
95th Queue (ft)	27	12	95
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	112	92
Average Queue (ft)	8	37	41
95th Queue (ft)	30	89	71
Link Distance (ft)	12	1288	735
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	68	69	71	72
Average Queue (ft)	27	36	37	36
95th Queue (ft)	55	58	59	58
Link Distance (ft)	600	1258	281	735
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	63	34
Average Queue (ft)	28	3
95th Queue (ft)	50	19
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.5	0.0	0.2	0.3
Total Del/Veh (s)	1.2	0.4	13.2	2.4

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.3	11.3	2.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.2	0.0	0.1
Total Del/Veh (s)	4.7	5.5	5.5	6.0	5.4

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.2	0.2	0.1
Total Del/Veh (s)	3.5	0.3	0.2	0.9

Total Network Performance

Denied Del/Veh (s)		0.3
Total Del/Veh (s)		5.7

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	43	24	117
Average Queue (ft)	4	1	46
95th Queue (ft)	23	10	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	38	130	98
Average Queue (ft)	8	33	38
95th Queue (ft)	30	87	69
Link Distance (ft)	12	1288	740
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	61	57	74	56
Average Queue (ft)	25	31	36	31
95th Queue (ft)	49	51	60	46
Link Distance (ft)	647	1258	281	740
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	31
Average Queue (ft)	25	2
95th Queue (ft)	47	16
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

**Traffic Solutions***William J. Bray, P.E.*

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Portland, ME 04102

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August, 2014

Traffic Signal Warrant Assessment**Washington Avenue/Fox Street/Walnut Street Intersection
Portland, Maine****INTRODUCTION**

An abbreviated traffic signal warrant analysis was conducted for the Washington Avenue/Fox Street/Walnut Street intersection based upon traffic data gathered in the month of August 2014 between the hours of 7:00 to 9:00 AM and, again, between the hours of 3:00 to 6:00 PM. The traffic data was adjusted by a factor of 13%, which represents the approximate variation between “peak” traffic collected during the week of August 14 and “average” travel conditions during the month of November (Adjustment factor based upon MaineDOT’s Weekly Group Mean Factors; refer to attached copy of MaineDOT factors). The abbreviated or preliminary traffic signal warrant analysis is based upon a total of 5-hours of traffic data; a formal traffic signal warrant study is generally prepared based upon 12-hours of traffic data and traffic information.

TRAFFIC SIGNAL WARRANT ASSESSMENT

The abbreviated traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, “*the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal*”. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 “Average” Hourly Traffic Data

The presentation of the traffic volume data presented in Table 1 has been adjusted, as necessary, to project the hourly “major” and “minor” street volumes used in the conduct of the traffic signal warrant study.

Table 1
Abbreviated Traffic Signal Warrant Study
“Average” Conditions-Traffic Values⁽¹⁾
Washington Avenue/Fox Street/Walnut Street Intersection

<u>Time of Day</u>	Major Street Volume⁽²⁾ (Both Approaches) <u>Washington Avenue</u>	Minor Street Volume⁽³⁾ <u>Fox Street</u>	Minor Street Volume⁽³⁾ <u>Walnut Street</u>
7:00 - 8:00 AM	562	73	67
8:00 - 9:00 AM	740	87	84
3:00 - 4:00 PM	634	59	117
4:00 - 5:00 PM	867	71	145
5:00 - 6:00 PM	880	41	131

Notes:

⁽¹⁾ “Average traffic values were computed applying a 13% reduction of August 2014 Traffic Data (refer to copy of August traffic count cards for subject intersection), which is based upon the Maine Department of Transportation’s Weekly Group Mean Factors.

⁽²⁾ Washington Avenue has been defined as the “major” street.

⁽³⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT’s criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report). The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The evaluation was conducted for Warrants 1, 2, 3, and 7 and was based upon the 5-hours of traffic data presented in Table 1 only.

Each of the three traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Likely Not Satisfied

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 then warrant is met.

Warrant Likely Not Satisfied

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3 then warrant is met.

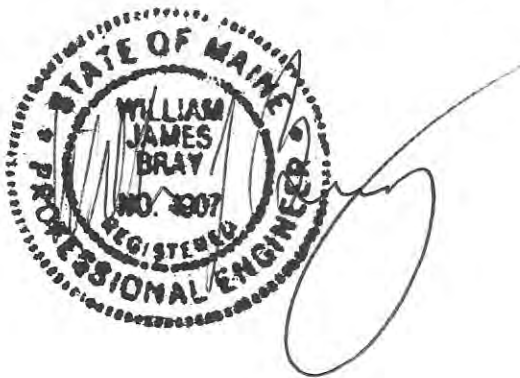
Warrant Likely Not Satisfied

Warrant 7: Crash Experience

Analysis based upon conclusions of safety evaluation conducted in Safety History Section above. Each of the following criteria must be met to consider the need for a traffic control signal:

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and
- C. For each of any 8 hours of an average day the vehicles per hour given in the 80% column for Condition A in Table 4C-1 or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Likely Not Satisfied



2012
Weekly Group Mean Factors
Average: 2009, 2010, 2011

Month	Start Date	Dates	Month	Urban	Arterial	Recreational	Group	Group	Group	Year
Month	Start Date	Dates	Week #	Group I	Group II	Group III	I + II	II + III	I + III	Week #
Jan	01	2,3,4,5,6	1	1.02	1.11	1.35	1.07	1.23	1.19	1
	08	9,10,11,12	2	1.09	1.21	1.50	1.15	1.36	1.30	2
	15	16,17,18,19	3	1.10	1.23	1.53	1.17	1.38	1.32	3
	22	23,24,25,26	4	1.05	1.18	1.46	1.12	1.32	1.26	4
	29	30,31,1,2,3	5	1.12	1.26	1.57	1.19	1.42	1.35	5
Feb	05	6,7,8,9,10	1	1.02	1.14	1.41	1.08	1.28	1.22	6
	12	13,14,15,16	2	1.02	1.12	1.36	1.07	1.24	1.19	7
	19	20,21,22,23	3	1.06	1.15	1.38	1.11	1.27	1.22	8
	26	27,28,29,30	4	1.06	1.17	1.38	1.12	1.28	1.22	9
Mar	04	5,6,7,8,9	1	1.06	1.16	1.39	1.11	1.28	1.23	10
	11	12,13,14,15	2	1.00	1.10	1.33	1.05	1.22	1.17	11
	18	19,20,21,22	3	1.02	1.13	1.35	1.08	1.24	1.19	12
	25	26,27,28,29	4	1.01	1.12	1.32	1.07	1.22	1.17	13
Apr	01	2,3,4,5,6	1	0.98	1.09	1.26	1.04	1.18	1.12	14
	08	9,10,11,12	2	0.97	1.08	1.22	1.03	1.15	1.10	15
	15	16,17,18,19	3	0.97	1.04	1.12	1.01	1.08	1.05	16
	22	23,24,25,26	4	0.97	1.05	1.17	1.01	1.11	1.07	17
	29	30,1,2,3,4	5	0.93	1.02	1.10	0.98	1.06	1.02	18
May	06	7,8,9,10,11	1	0.92	1.00	1.08	0.96	1.04	1.00	19
	13	14,15,16,17	2	0.92	0.98	1.04	0.95	1.01	0.98	20
	20	21,22,23,24	3	0.89	0.93	0.92	0.91	0.93	0.91	21
	27	28,29,30,31	4	0.90	0.94	0.96	0.92	0.95	0.93	22
Jun	03	4,5,6,7,8	1	0.89	0.93	0.91	0.91	0.92	0.90	23
	10	11,12,13,14	2	0.90	0.92	0.90	0.91	0.91	0.90	24
	17	18,19,20,21	3	0.90	0.89	0.81	0.90	0.85	0.86	25
	24	25,26,27,28	4	0.89	0.86	0.77	0.88	0.82	0.83	26
Jul	01	2,3,4,5,6	1	0.87	0.81	0.70	0.84	0.76	0.79	27
	08	9,10,11,12	2	0.88	0.83	0.71	0.86	0.77	0.80	28
	15	16,17,18,19	3	0.88	0.82	0.69	0.85	0.76	0.79	29
	22	23,24,25,26	4	0.88	0.81	0.67	0.85	0.74	0.78	30
	29	30,31,1,2,3	5	0.87	0.79	0.64	0.83	0.72	0.76	31
Aug	05	6,7,8,9,10	1	0.87	0.78	0.65	0.83	0.72	0.76	32
	12	13,14,15,16	2	0.87	0.79	0.66	0.83	0.73	0.77	33
	19	20,21,22,23	3	0.88	0.81	0.70	0.85	0.76	0.79	34
	26	27,28,29,30	4	0.88	0.85	0.78	0.87	0.82	0.83	35
Sep	02	3,4,5,6,7	1	0.89	0.88	0.86	0.89	0.87	0.88	36
	09	10,11,12,13	2	0.90	0.90	0.89	0.90	0.90	0.90	37
	16	17,18,19,20	3	0.91	0.91	0.92	0.91	0.92	0.92	38
	23	24,25,26,27	4	0.92	0.91	0.96	0.92	0.94	0.94	39
	30	1,2,3,4,5	5	0.91	0.89	0.98	0.90	0.94	0.95	40
Oct	07	8,9,10,11,12	1	0.92	0.90	0.98	0.91	0.94	0.95	41
	14	15,16,17,18	2	0.93	0.95	1.05	0.94	1.00	0.99	42
	21	22,23,24,25	3	0.95	1.00	1.12	0.98	1.06	1.04	43
	28	29,30,31,1	4	0.95	1.02	1.18	0.99	1.10	1.07	44
Nov	04	5,6,7,8,9	1	0.96	1.04	1.21	1.00	1.13	1.09	45
	11	12,13,14,15	2	0.97	1.04	1.23	1.01	1.14	1.10	46
	18	19,20,21,22	3	1.00	1.04	1.25	1.02	1.15	1.13	47
	25	26,27,28,29	4	0.97	1.03	1.24	1.00	1.14	1.11	48
Dec	02	3,4,5,6,7	1	1.00	1.13	1.32	1.07	1.23	1.16	49
	09	10,11,12,13	2	1.01	1.12	1.34	1.07	1.23	1.18	50
	16	17,18,19,20	3	0.98	1.08	1.30	1.03	1.19	1.14	51
	23	24,25,26,27	4	1.08	1.14	1.34	1.11	1.24	1.21	52

USE 0.13 Factor To Create "Average Conditions"



Traffic Solutions

William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

Att. J

September 17, 2014

Jonathan Culley
Redfern Properties, LLC
P.O. Box 8816
Portland, Maine 04104

RE: Portland Anderson Street Apartment Project – Trip Generation 3G's Garage

Dear Jonathan:

In an effort to accurately measure the existing volume of peak hour traffic generated by the 3G's auto repair garage, in-field traffic counts were conducted on Thursday, September 11 (Field data summary sheets from that effort are attached for documentation of the results). Manual traffic counts were conducted between the hours of 7:30 to 9:00 AM and again between 3:30 to 5:30 PM. From a summary of the data during each peak travel period, the total volume of trips entering or exiting the garage was determined. A total of 12 vehicle trips was recorded entering/exiting the garage during the morning peak hour (7:30 to 8:30 AM) and a total of 24 trips was measured in the evening peak hour of 3:30 to 4:30 PM.

Your proposed 53-unit apartment project, which will raze the existing 3G's garage, is projected to generate a total of 27 trips in the AM peak hour and 33 trips during the PM peak hour. Accordingly, the "net" increase in vehicle trips generated by the proposed 53-unit apartment project is 15 trips during the AM peak hour and 9 trips in the PM peak hour.

The Traffic Impact Study conducted for the proposed project by Traffic Solutions was prepared based upon the full vehicle trip generation of the 53-unit apartment project with no deduction applied for vehicle trips generated by the existing 3G's auto repair garage. The results presented in the noted report represent an extremely conservative assessment of the projects traffic impact.

I spoke to Tom Errico, P.E.; the City's Peer Traffic Consultant, yesterday and promised him a copy of this letter to further assist him in his review of the traffic impacts of the proposed project.

Very truly yours,

William J. Bray, P.E.

Cc: Thomas Errico, P.E.

I rewound each time

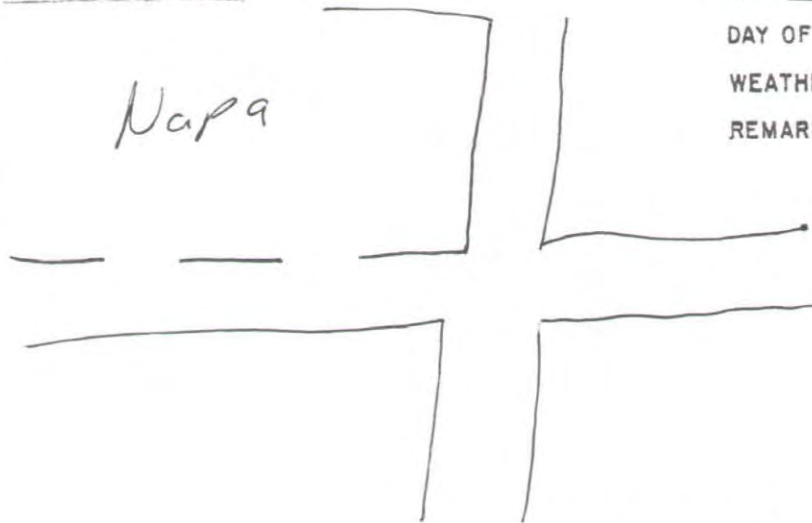
930-3909
Paddy & Camberant Inc.

JOB NO. _____

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:INTERSECTION Fox Napa AutocareDATE 7/11DAY OF WEEK Thursday

WEATHER _____

REMARKS:

COUNT SUMMARY
MOVEMENT

In Out

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
:00	5	4											
:15	5	4											
:15	2	4											
:30	2	4											
3 :30	5	4											9
3 :45	5	4											9
3 :45	5	4											9
4 :00	2	4											6
4 :00	2	4											6
4 :00	1	3											4
4 :15	1	3											4
4 :15	2	3											5
4 :30	2	3											5
4 :30	2	3											5
4 :45	2	3											5
4 :45	2	3											5
5 :00	2	1											3
5 :00	2	1											3
5 :00	—	1											1
5 :15	—	1											1
5 :15	—	2											2
5 :30	—	2											2
:30													
:45													
:45													
:00													

PEAK HOUR COUNT

11

TIME:

TO:

111

JOB NO.

INTERSECTION

Fox News Advocate

DATE 9/11

DAY OF WEEK

WEATHER

REMARKS:

- Nara cars delivering parts

Napa

COUNT SUMMARY
MOVEMENT
$$I_n \text{ out}$$
[illegible]

PEAK HOUR COUNT

TIME: 7:30 TO: 8:30

[illegible]



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Att. K

October 30, 2014

Thomas A. Errico, P.E.
Senior Associate
Traffic Engineering Director
T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105

RE: 89 Anderson Street East Bayside Lofts Project – Response to Comments Received September 17 and October 2, 2014

Dear Tom:

This letter formally addresses comments (requiring a response) presented in the noted documents identified above from your office, which I understand is based upon a preliminary review of the traffic materials previously submitted for the proposed East Bayside Lofts Project. Each comment is noted in italic print followed by an appropriate response in “bold” print.

September 17, 2014 E-Mail Document

1. The study collected traffic volumes at the Washington Avenue/Fox Street/Walnut Street intersection during the summer time period and not when area schools were in session. It is requested that the traffic counts be updated to include school activity.

A 12-hour manual traffic count was conducted at the noted intersection on Tuesday, October 28, 2014 with all vehicular, pedestrian and bicycle traffic approaching the intersection recorded in 15-minute intervals. From a summary of the data, a peak hour of traffic was determined for both the morning and afternoon peak time periods. The following table compares the peak hour data collected earlier on Thursday, August 14 with the most recent data collected on October 28.

**Traffic Volume Data Comparison
Washington Avenue/Fox Street/Walnut Street
(August 14 and October 28, 2014)**

Turning Movement	August 14, 2014		October 14, 2014		Difference	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Washington Ave. EB Left to Walnut St.	11	26	15	24	4	2
Washington Ave. EB Thru movement	530	313	605	253	75	60
Washington Ave. EB Right to Fox St.	46	43	38	35	8	8
Washington Ave. WB Left to Fox St.	60	76	69	76	9	0
Washington Ave. WB Thru movement	191	579	209	451	18	128
Washington Ave. WB Right to Walnut St.	13	26	8	15	5	11
Walnut St. Left to Washington Ave. EB	12	7	11	9	1	2
Walnut St. Left to Fox St.	61	46	66	30	5	16
Walnut St. Right to Washington Ave. WB	27	24	41	10	14	14
Fox St. Left to Washington Ave. WB	36	43	30	26	6	17
Fox St. Left to Walnut St.	9	59	29	51	20	8
Fox St. Right to Washington Ave. EB	52	58	35	36	17	22
TOTAL Volumes					108	284

Notes: Red highlighted numbers reflect the volume increase of August data compared to October data.

As presented in the table, the traffic data collected during the month of August is slightly lower than the data collected in the month of October during the morning peak hour and the August data is considerably greater in the PM peak hour.

2. An estimated traffic signal warrant evaluation was conducted at the Washington Avenue/Fox Street/Walnut Street intersection and could not conclusively determine whether a traffic signal should be installed. The applicant should conduct a full comprehensive traffic signal warrant study and render a decision on traffic signalization.

A detailed traffic signal warrant assessment has been completed and is attached as a separate document to the body of this letter. The traffic signal warrant assessment concluded that prevailing travel conditions at the noted intersection do not meet the warrants for signalization.

3. The traffic study should be revised to account for all development land uses. It is my understanding that a restaurant is being proposed and, therefore, should be included in the analysis.

Attached is a copy of the latest development proposal, dated October 17, 2014, which identifies a total of 2,780 square feet of commercial space proposed for the first floor of the development. At this time specific usage of this space remains undetermined. The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site traffic generated by the commercial space. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

**Land Use #814 – Specialty Retail Center
PM Peak Hour = 2.71 trips/1000 square feet**

Accordingly, the proposed 2,780 square feet of commercial space can be expected to generate a total of 8 additional site generated trips in the PM peak hour. The previous traffic impact study completed for the proposed 53-apartment units estimated that a total of 27 trips would be generated in the morning peak

hour and a total of 33 trips in the afternoon peak hour. The revised total volume of peak hour trips generated by the proposed 89 Anderson Street project is 27 trips in the morning peak hour and a total of 41 trips in the evening peak hour. As previously discussed with your office, the proposed East Bayside Lofts Project displaces the existing 3G's automobile repair center. Peak hour vehicle trips generated by the existing site should be appropriately deducted from the estimate of "new" site generated trips to forecast the "net" increase in site generated traffic. Attached is a copy of a letter, dated September 17, 2014, which was forwarded to your office that provides documentation on the volume of trips generated by the existing 3G's auto repair facility. The estimate of trips was determined based upon field counts conducted onsite on September 11, 2014. In summary, the existing 3G's auto repair facility generates a total of 12 trips in the morning peak hour and a total of 24 trips in the PM peak hour. Subtraction of these existing trips from the forecasted volume of trips generated by the proposed project results in a total volume of "new" trips generated by the proposed project of 15 trips in the AM peak hour and a total of 17 PM peak hour trips. Both "new" site generated peak hour values are lower than the volume of site generated trips utilized in the traffic impact study completed for the proposed project in August 2104. Therefore, the intersection levels of service summary, presented in the August traffic impact study, are conservative estimates of the project's impact on intersection operations.

October 2, 2014 E-Mail Document

4. Contact Ethan Owens from the City's Recreational Department and get a schedule of field events.

Please find attached copies of the City's fall schedule of events held at the East Bayside Athletic Facility. The majority of events scheduled for weekdays are between the hours of 5:00 and 8:00 PM. A traffic count was conducted at the Anderson Street/Fox Street intersection on Friday, October 24, 2014 between the hours of 12-Noon and 6:00 PM (Copy of traffic data is attached for reference) to measure the traffic impacts of the recreational uses at the East Bayside Field Complex. Two events were scheduled for the field complex that evening; unfortunately weather conditions required cancelation of both events. The scheduled count was completed anyway to measure the impact of the adjacent Mosque has on traffic operations at the intersection. The traffic data was summarized and it was determined that the peak hour at the intersection occurred between the hours of 3:45 and 4:45 PM when a total of 652 vehicles entered the intersection. The most recent traffic data was then compared with the traffic count data conducted on Tuesday, August 12, 2014, which was used in the conduct of the traffic impact study for the project to determine the validity of the earlier data. A total of 665 vehicles were recorded at the intersection in August, which represents a slightly higher volume than the October data. Although it would have been desirable to obtain traffic data for the intersection during scheduled field events at the East Bayside Field Complex; a high level of confidence remains in the validity of the conclusions of the traffic impact study even with omission of traffic data generated by the sports field complex. The noted intersection was projected to operate at the absolutely best level of service (Level of Service A) under post-development conditions and, based upon that determination, it is highly reasonable to assume that more than acceptable traffic operations would remain at the intersection even with the addition of significantly heavier peak hour volumes of traffic generated by the Sports fields.

5. Contact the Mosque and see what their schedule is.

A gentleman at the Mosque advised that the busiest time period at the religious facility occurs on a Friday between the hours of 12-Noon and 6:00 PM. A traffic survey was conducted at the Anderson Street/Fox Street intersection between the noted hours (Copy of the data summary is attached). From a summary of the data a peak hour was determined for the six hour manual traffic count. The highest volume of vehicles entering the intersection occurred between 3:45 and 4:45 PM when a total of 652 vehicles entered the intersection. The total volume of traffic recoded during this time period is slightly lower than the values measured during the month of August, when a total of 665 vehicles was recorded.

Pedestrian travel through the intersection was somewhat heavy between 12:00 and 1:30 PM, when more than 90 pedestrians walked through the intersection.

6. *Contact the North End School and see if they have any unusual days in the coming weeks.*

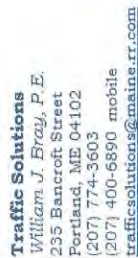
The school administrative office advised that the school has early discharge times on Wednesdays, while Tuesdays and Thursdays generally represent typical conditions.

Tom, your assistance and guidance in sorting through the myriad of traffic issues and determining the additional traffic data and analyses requirements is much appreciated. Please contact me with questions or clarification of the information enclosed.

Very truly yours,

WILLIAM
JAMES
BRAY
NO. 407
PROFESSIONAL ENGINEER

William J. Bray, P.E.



The diagram shows a traffic intersection with two main streets: Walnut Street and Fox Street. Walnut Street has a left-turn lane with a green arrow pointing left, a green arrow pointing right, and a green arrow pointing straight. Fox Street has a right-turn lane with a green arrow pointing right, a green arrow pointing left, and a green arrow pointing straight. The intersection is marked with a green 'X' and a green 'P'.

Portland
Intersection: Washington Ave/Fox St/Walnut St
Date: 10/28/14
Day of Week: Tuesday
Weather:
Remarks:

Red = Bicycle Movement
Green = Pedestrian Movement

Count Summary Movement														
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total
6:00	6:15	4	29	3	4	1	9	6	9	0	0	3	3	71
		Truck Count												
6:15	6:30	3	37	5	4	3	6	5	21	0	4	16	0	104
		Truck Count												
6:30	6:45	4	45	6	4	6	5	10	35	2	0	4	13	134
		Truck Count												
6:45	7:00	3	82	10	2	8	7	7	25	0	0	10	3	157
		Truck Count												
7:00	7:15	8	55	4	6	4	8	7	28	1	2	15	6	144
		Truck Count												
7:15	7:30	5	97	2	5	3	15	11	35	1	0	13	4	191
		Truck Count												
7:30	7:45	5	133	3	4	11	9	14	48	1	2	17	5	252
		Truck Count												
7:45	8:00	8	143	4	5	10	10	18	55	0	2	13	7	275
		Truck Count												
8:00	8:15	6	176	5	6	9	8	22	61	1	1	17	14	326
		Truck Count												
8:15	8:30	12	133	3	9	8	8	15	49	4	6	23	11	281
		Truck Count												
8:30	8:45	12	143	2	9	2	8	13	39	3	1	12	8	252
		Truck Count												
8:45	9:00	7	122	3	5	5	15	18	46	1	1	12	7	242
		Truck Count												
9:00	9:15	3	96	2	3	8	9	7	34	1	0	17	4	184
		Truck Count												
9:15	9:30	7	69	0	8	9	6	12	31	2	3	14	5	166
		Truck Count												
9:30	9:45	4	69	2	4	4	7	10	36	1	1	9	1	148
		Truck Count												
9:45	10:00	12	64	2	5	2	7	14	39	1	0	11	3	160
		Truck Count												
10:00	10:15	4	46	2	8	7	12	18	35	1	4	10	3	150
		Truck Count												
10:15	10:30	3	113	3	6	10	7	11	49	2	1	5	4	214
		Truck Count												

[illegible]



DRAWING NO.
C-11

ISSUED FOR	DATE
CONCEPT	DATE
REVISION	DATE

P.O. BOX 8816 PORTLAND, ME 04104

11



ACORN ENGINEERING, INC.
158 DANFORTH STREET, PORTLAND MAINE 04102
(207) 725-2655

DATE	10-17-20
IN:	100
SCALE:	1:1
DESIGNED BY:	WHS
DRAWN BY:	WJG
CHECKED BY:	WHS

**Traffic Solutions**

William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

September 17, 2014

Jonathan Culley
Redfern Properties, LLC
P.O. Box 8816
Portland, Maine 04104

RE: Portland Anderson Street Apartment Project – Trip Generation 3G's Garage

Dear Jonathan:

In an effort to accurately measure the existing volume of peak hour traffic generated by the 3G's auto repair garage, in-field traffic counts were conducted on Thursday, September 11 (Field data summary sheets from that effort are attached for documentation of the results). Manual traffic counts were conducted between the hours of 7:30 to 9:00 AM and again between 3:30 to 5:30 PM. From a summary of the data during each peak travel period, the total volume of trips entering or exiting the garage was determined. A total of 12 vehicle trips was recorded entering/exiting the garage during the morning peak hour (7:30 to 8:30 AM) and a total of 24 trips was measured in the evening peak hour of 3:30 to 4:30 PM.

Your proposed 53-unit apartment project, which will raze the existing 3G's garage, is projected to generate a total of 27 trips in the AM peak hour and 33 trips during the PM peak hour. Accordingly, the "net" increase in vehicle trips generated by the proposed 53-unit apartment project is 15 trips during the AM peak hour and 9 trips in the PM peak hour.

The Traffic Impact Study conducted for the proposed project by Traffic Solutions was prepared based upon the full vehicle trip generation of the 53-unit apartment project with no deduction applied for vehicle trips generated by the existing 3G's auto repair garage. The results presented in the noted report represent an extremely conservative assessment of the projects traffic impact.

I spoke to Tom Errico, P.E.; the City's Peer Traffic Consultant, yesterday and promised him a copy of this letter to further assist him in his review of the traffic impacts of the proposed project.

Very truly yours,

William J. Bray, P.E.

Cc: Thomas Errico, P.E.



JOB NO. _____

INTERSECTION Fox Napa Astor

DATE 9/11

DAY OF WEEK *Thurs day*

WEATHER /

REMARKS:

- Nara cars delivering parts

V a p a

COUNT SUMMARY
MOVEMENT

$$I_{in} \quad O_{out}$$
[illegible]

PEAK HOUR COUNT

TIME:

TO:

Just Pooty Felmore

930-3909
 P doody @ camdenational.com

JOB NO.

INTERSECTION Fox Napa Autocare
DATE 9/11
DAY OF WEEK Thursday
WEATHER _____
REMARKS:



In Out

[illegible]

TIME:

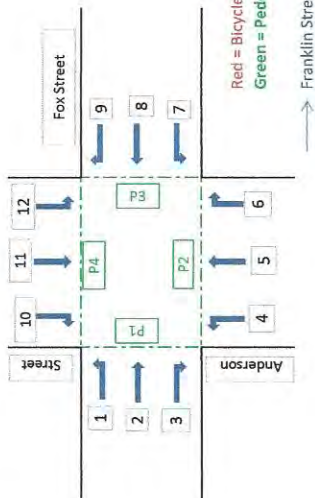
TO:

[illegible]



Traffic Solutions
William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
traffic@solutions@maine.rr.com

INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



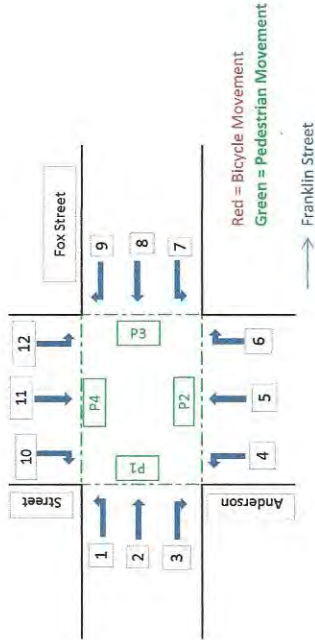
Portland
Intersection: Fox Street/Anderson Street
Date: 10/24/14
Day of Week: Friday
Weather: Cloudy
Remarks: School bus came btwn 3:15-3:30

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C3	C5	C6	C7	C8	C9	C11	C12
3:00	3:15	3	27	2	2	9	16	9	33	14	3	6	17	141	6	2	0	3	1	0	0	0	0	0	0	0	0
Truck Count		0	1	2	0	0	0	0	2	1	0	0	0	6													
3:15	3:30	3	40	2	8	9	16	11	24	10	5	8	12	148	10	0	3	11	0	1	1	0	1	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
3:30	3:45	1	42	1	2	7	19	7	30	22	2	10	7	150	0	0	2	0	0	0	0	0	0	0	0	1	0
Truck Count		0	1	0	0	0	0	1	0	0	0	0	0	2													
3:45	4:00	0	42	1	6	8	34	6	34	16	3	6	15	171	1	0	0	1	0	0	1	0	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	0	0	1	0	0	3													
4:00	4:15	3	38	8	3	13	20	10	29	13	0	8	22	167	0	0	1	0	1	0	0	0	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2													
4:15	4:30	1	34	1	4	6	18	7	31	25	3	3	12	145	0	1	1	2	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1													
4:30	4:45	2	47	5	4	14	12	11	38	10	1	5	14	163	1	0	0	2	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
4:45	5:00	0	48	5	9	3	7	0	42	12	2	1	11	140	0	1	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	0	1	1	0	0	0	0	1	0	0	0	3													
5:00	5:15	0	43	2	7	11	19	5	37	14	0	3	16	157	1	0	1	4	0	0	0	0	0	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
5:15	5:30	2	24	3	6	8	18	7	36	13	1	4	12	134	2	0	1	5	0	0	0	0	1	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
5:30	5:45	2	24	4	4	7	10	15	37	16	1	4	18	142	5	0	0	5	1	0	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	1	0	0	0	0	2													
5:45	6:00	1	14	2	6	3	12	3	32	12	1	4	9	99	1	0	7	3	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	1	0	0	1	0	2													

PEAK HOUR COUNT													TIME:		3:45 TO:		4:45	
6	163	15	18	41	85	34	133	64	8	22	63	652						

**INTERSECTION PLAN
 WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Fox Street/Anderson Street
 Date: 10/24/14
 Day of Week: Friday
 Weather: Cloudy
 Remarks:

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C4	C5	C6	C7	C8	C9	C11	C12
12:00	12:15	2	31	4	8	8	16	12	35	12	2	10	10	150	0	1	2	1	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	1	1	0	2	0	0	0	0	4													
12:15	12:30	0	28	3	6	11	17	16	30	16	2	5	13	147	5	0	2	1	0	0	0	1	0	0	0	0	0
Truck Count		0	2	0	1	1	0	0	1	0	0	0	1	6													
12:30	12:45	0	28	3	4	10	16	12	27	7	4	3	15	129	6	1	3	1	0	0	0	0	1	0	0	0	0
Truck Count		0	1	0	0	0	0	0	2	0	0	1	1	5													
12:45	1:00	1	28	7	8	10	18	7	27	16	2	8	11	143	4	1	8	0	0	0	0	0	0	0	0	0	0
Truck Count		0	2	0	0	1	1	0	2	1	0	0	0	7													
1:00	1:15	0	30	5	3	8	19	11	29	4	0	6	10	125	4	2	3	1	0	0	1	0	0	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	2	0	0	0	3													
1:15	1:30	0	39	3	14	20	48	7	32	9	3	3	21	199	23	1	19	3	2	1	1	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
1:30	1:45	0	37	3	4	13	32	10	23	12	1	1	13	149	1	1	0	1	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	4	1	0	0	0	0	0	6													
1:45	2:00	1	31	4	4	12	41	10	27	13	1	4	8	156	2	1	4	3	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	2	1	0	0	0	0	0	3													
2:00	2:15	0	33	5	4	5	12	5	16	12	1	4	17	114	0	0	0	0	0	0	0	0	0	0	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
2:15	2:30	0	34	3	4	6	2	10	25	8	1	6	13	112	1	2	2	4	0	0	0	1	1	0	0	0	0
Truck Count		0	0	0	0	0	2	0	0	0	0	0	0	2													
2:30	2:45	0	22	1	5	7	9	6	33	11	2	3	17	116	7	1	0	1	0	0	0	0	0	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
2:45	3:00	2	26	3	6	7	17	7	33	20	1	5	12	139	0	1	1	1	0	0	0	0	0	1	2	0	2
Truck Count		0	0	1	0	0	3	0	0	0	0	0	0	4													

PEAK HOUR COUNT													TIME:			1:00 TO: 2:00		
1	139	15	25	53	146	40	111	40	5	14	52	641						

September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
7	8	9	10	11	12	13
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
14	15	16	17	18	19	20
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
21	22	23	24	25	26	27
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch

For Facility: East Bayside Athletic Facility | For Room: Fox Multipurpose Field | From Date: 9/1/2014 |
Thru Date: 11/1/2014

Recreation & Facilities Management



September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
21	22	23	24	25	26	27
10:45 AM-1:15 PM	5:00 PM-8:00 PM	5:00 PM-8:00 PM	5:00 PM-8:00 PM	5:00 PM-8:00 PM	5:00 PM-8:00 PM	11:00 AM-3:00 PM
28	29	30				
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM				
The Plymouth House / John Buro 10:45 AM-1:15 PM						

October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 5:00 PM-8:00 PM Practice AF Field Rental	2 5:00 PM-8:00 PM Practice AF Field Rental	3 5:00 PM-8:00 PM Practice AF Field Rental	4 12:00 PM-4:00 PM Men's Rugby AF Game Field Prep
			PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
5 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep	6 5:00 PM-8:00 PM Practice AF Field Rental	7 5:00 PM-8:00 PM Practice AF Field Rental	8 5:00 PM-8:00 PM Practice AF Field Rental	9 5:00 PM-8:00 PM Practice AF Field Rental	10 5:00 PM-8:00 PM Practice AF Field Rental	11 12:00 PM-4:00 PM Men's Rugby AF Game Field Prep
The Plymouth House / John Buro 10:45 AM-1:15 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
12 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep	13 5:00 PM-8:00 PM Practice AF Field Rental	14 5:00 PM-8:00 PM Practice AF Field Rental	15 5:00 PM-8:00 PM Practice AF Field Rental	16 5:00 PM-8:00 PM Practice AF Field Rental	17 5:00 PM-8:00 PM Practice AF Field Rental	18
The Plymouth House / John Buro 10:45 AM-1:15 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
19 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep	20 5:00 PM-8:00 PM Practice AF Field Rental	21 5:00 PM-8:00 PM Practice AF Field Rental	22 5:00 PM-8:00 PM Practice AF Field Rental	23 5:00 PM-8:00 PM Practice AF Field Rental	24 5:00 PM-8:00 PM Practice AF Field Rental	25
The Plymouth House / John Buro 10:45 AM-1:15 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
26 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep	27	28	29	30	31	

October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	
The Plymouth House / John Buro 10:45 AM-1:15 PM						

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1

Traffic Signal Warrant Assessment Washington Avenue/Fox Street/Walnut Street Intersection Portland, Maine

TRAFFIC SIGNAL WARRANT ASSESSMENT

The traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, “*the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal*”. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 “Average” Hourly Traffic Data: The federal MUTCD publication specifically states that the determination of traffic signal justification must be based upon “average” travel conditions. MaineDOT provides weekly group mean factors for multiple roadway classifications for the full state highway system based upon their extensive annual traffic count program. MaineDOT has established that the section of Washington Avenue and both Walnut and Fox Streets at the noted intersection are Group I roadways, which are defined as urban roadways or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. MaineDOT’s annual count program suggests that the last week in October, during a typical year is generally representative of “average” travel conditions (MaineDOT’s weekly mean factor for the week of October 27 is 0.97).

Accordingly, a manual traffic turning movement count was conducted at the subject intersection on Tuesday, October 28, 2014. The traffic data survey recorded all vehicular and pedestrian traffic entering the intersection in 15-minute intervals between the hours of 6:00AM and 6:00PM consistent with the MaineDOT’s policy in the performance of a traffic signal warrant study (A copy of the data summary is

attached for reference). Table 1 below presents the collected data in a summary format for the traffic signal warrant assessment:

Table 1
Traffic Signal Warrant Study
“Average” Conditions - Vehicular and Pedestrian Volumes
(Washington Avenue/Fox Street/Walnut Street Intersection)

<u>Time of Day</u>	<u>Major Street Volume⁽¹⁾</u> <u>(Both Approaches</u> <u>Washington Avenue)</u>	<u>Minor Street</u> <u>Volume⁽²⁾</u> <u>Fox Street</u>	<u>Minor Street</u> <u>Volume⁽²⁾</u> <u>Walnut Street</u>	<u>Pedestrian Volumes</u> <u>Crossing Washington</u> <u>Avenue</u>
6:00 - 7:00AM	359	59	59	0
7:00 - 8:00AM	698	91	87	7
8:00 - 9:00AM	921	95	116	6
9:00 - 10:00AM	551	73	69	5
10:00 - 11:00AM	539	97	48	11
11:00 - 12:00PM	509	97	55	8
12:00 - 1:00PM	601	109	61	22
1:00 - 2:00PM	608	133	55	25
2:00 - 3:00PM	587	118	75	11
3:00 - 4:00PM	680	131	61	6
4:00 - 5:00PM	801	125	47	13
5:00 - 6:00PM	674	96	54	12

Notes:

⁽¹⁾ Washington Avenue has been defined as the “major” street.

⁽²⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT’s criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The assessment was conducted for Warrants 1, 2, 3, 4 and 7; the remaining warrants were considered not applicable for conditions found at the subject intersection. Each of the five traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Not Satisfied Condition A: Hourly volumes on either side street below minimum value of 150 vehicles for eight hour time period.

Warrant Not Satisfied Condition B: Hourly volumes on major street below minimum value of 775 vehicles for eight hour time period.

Warrant Not Satisfied Condition A+B: Hourly volumes on both major and minor streets below minimum values for eight hour time period.

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 (Refer to attached Figure 4C-1 with plotted points).

Warrant Not Satisfied: All points on Figure 4C-1 fall below applicable curve.

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3. (Refer to attached Figure 4C-3 with plotted points).

Warrant Not Satisfied: All points on Figure 4C-3 fall below applicable curve.

Warrant 4: Pedestrian Volume

The need for a traffic signal shall be considered if study finds that one of the following criteria is met:

A. For each of any 4 hours of an "average" day the volume of vehicles on major street and the volume of pedestrians crossing street all fall above curve in Figure 4C-5 or,

B. For 1 hour (any four consecutive 15-minute periods) of an "average" day the volume of vehicles on major street and the volume of pedestrians crossing major street falls above curve in Figure 4C-7.

Warrant Not Satisfied Condition A: All points on Figure 4C-5 fall below applicable curve.

Warrant Not Satisfied Condition B: All points on Figure 4C-7 fall below applicable curve.

Warrant 7: Crash Experience

Each of the following criteria must be met to consider the need for a traffic control signal:

A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and

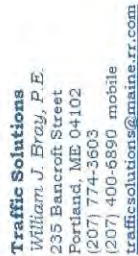
B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and

C. For each of any 8 hours of an average day, the vehicles per hour given in the 80% column for Condition A in Table 4C-1, or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Not Satisfied: Criteria B isn't met, only four crashes reported by MaineDOT meet standard. Criteria C traffic volume requirement of 80% of values for Condition A and B stated in Warrant 1 above are not met for eight hours of an average day.

In summary, based upon the presentation of facts stated above, sequenced traffic control signals are not warranted at the Washington Avenue/Fox Street/Walnut Street intersections.





The diagram illustrates a traffic intersection with the following details:

- Walnut Street (Left Side):**
 - Top lane: Vehicle 12 moving right, followed by vehicle 11 moving right, and vehicle 10 moving right.
 - Middle lane: Vehicle 17 moving right.
 - Bottom lane: Vehicle 2 moving right, vehicle 3 moving right, and vehicle 1 moving right.
- Fox Street (Right Side):**
 - Top lane: Vehicle 9 moving left, vehicle 6 moving left, and vehicle 7 moving left.
 - Middle lane: Vehicle 4 moving left, vehicle 5 moving left, and vehicle 8 moving left.
- Intersection Markings and Handwritten Labels:**
 - A dashed line separates the two streets.
 - Handwritten label **P2** is in the top-left quadrant.
 - Handwritten label **P3** is in the top-right quadrant.
 - Handwritten label **P4** is in the bottom-right quadrant.
 - Handwritten label **X** with an arrow pointing right is in the top-left quadrant.
 - Handwritten label **X** with an arrow pointing left is in the bottom-left quadrant.

Portland
Intersection: Washington Ave/Fox St/Walnut St
Date: 10/28/14
Day of Week: Tuesday
Weather:
Remarks:

Red = Bicycle Movement
Green = Pedestrian Movement

Count Summary Movement														
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total
6:00	6:15	4	29	3	4	1	9	6	9	0	0	3	3	71
		Truck Count	0	0	0	0	0	0	0	1	0	1	0	2
6:15	6:30	3	37	5	4	3	6	5	21	0	4	16	0	104
		Truck Count	0	3	0	0	0	0	0	0	0	0	0	3
6:30	6:45	4	45	6	4	6	5	10	35	2	0	4	13	134
		Truck Count	0	1	0	0	0	0	0	0	0	0	0	1
6:45	7:00	3	82	10	2	8	7	7	25	0	0	10	3	157
		Truck Count	0	1	0	0	0	0	1	0	0	1	1	4
7:00	7:15	8	55	4	6	4	8	7	28	1	2	15	6	144
		Truck Count	0	1	0	0	0	0	0	2	0	1	0	4
7:15	7:30	5	97	2	5	3	15	11	35	1	0	13	4	191
		Truck Count	0	3	0	0	0	0	0	2	0	0	0	5
7:30	7:45	5	133	3	4	11	9	14	48	1	2	17	5	252
		Truck Count	0	1	1	1	0	0	0	2	1	0	0	6
7:45	8:00	8	143	4	5	10	10	18	55	0	2	13	7	275
		Truck Count	0	2	0	0	0	0	0	0	0	1	0	3
8:00	8:15	6	176	5	6	9	8	22	61	1	1	17	14	326
		Truck Count	0	3	1	0	0	1	0	2	0	0	0	7
8:15	8:30	12	133	3	9	8	8	15	49	4	6	23	11	281
		Truck Count	0	2	0	1	0	0	0	1	0	0	1	5
8:30	8:45	12	143	2	9	2	8	13	39	3	1	12	8	252
		Truck Count	0	3	0	0	0	0	1	2	0	0	1	7
8:45	9:00	7	122	3	5	5	15	18	46	1	1	12	7	242
		Truck Count	0	3	0	1	0	1	6	0	1	0	0	13
9:00	9:15	3	96	2	3	8	9	7	34	1	0	17	4	184
		Truck Count	0	2	1	0	0	1	0	2	1	0	0	7
9:15	9:30	7	69	0	8	9	6	12	31	2	3	14	5	166
		Truck Count	2	3	1	0	0	0	1	2	0	0	0	9
9:30	9:45	4	69	2	4	4	7	10	36	1	1	9	1	148
		Truck Count	0	3	0	0	0	0	1	4	0	0	0	8
9:45	10:00	12	64	2	5	2	7	14	39	1	0	11	3	160
		Truck Count	0	5	1	0	0	0	0	4	1	0	0	11
10:00	10:15	4	46	2	8	7	12	18	35	1	4	10	3	150
		Truck Count	0	0	0	0	0	0	0	3	1	0	0	5
10:15	10:30	3	113	3	6	10	7	11	49	2	1	5	4	214
		Truck Count	0	3	0	0	0	0	0	1	1	0	0	5

[illegible]

COLLISION DIAGRAM

SHEET 1 OF 2

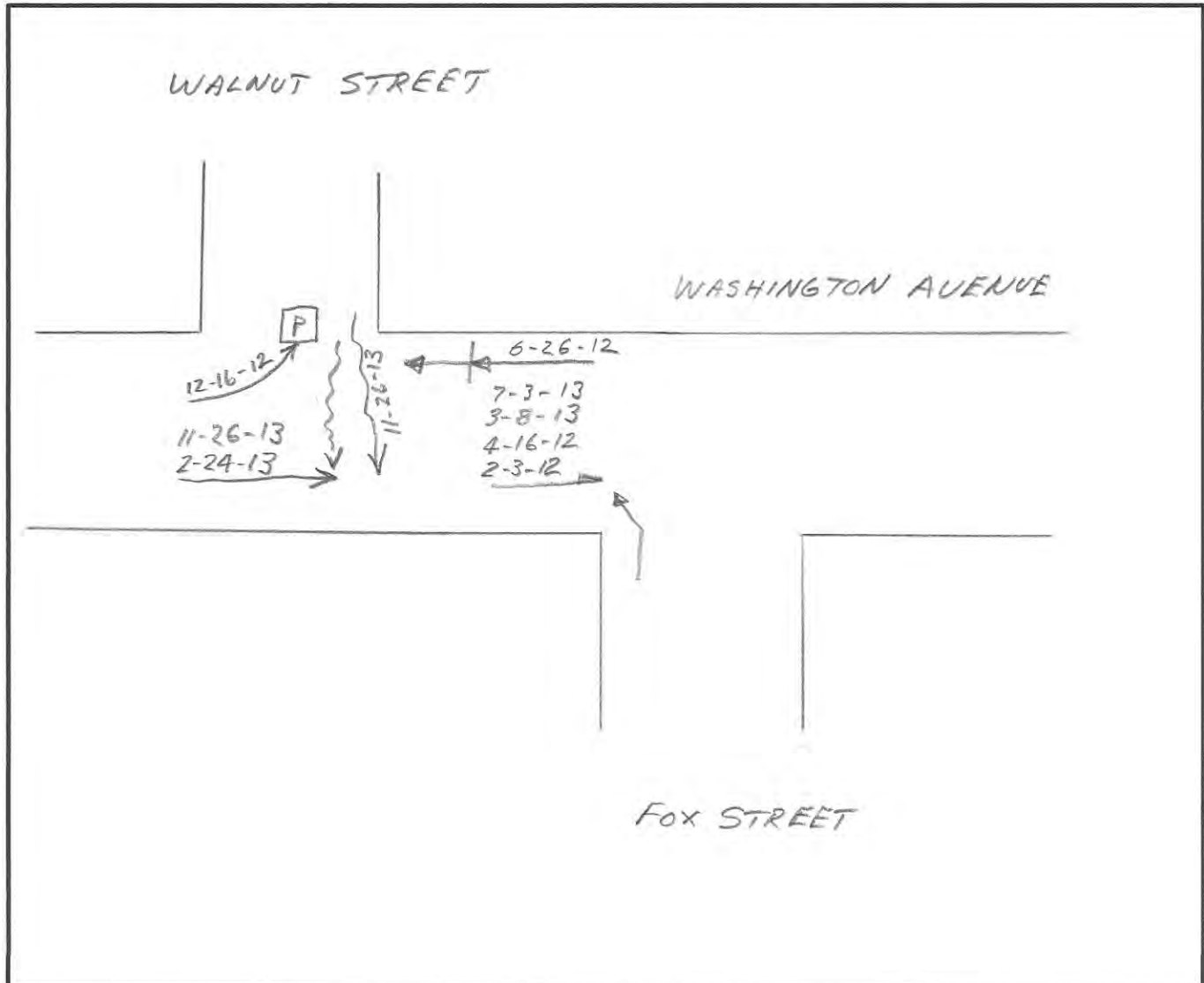
LOCATION WASHINGTON AVE./WALNUT ST./FOX ST.

TOWN PORTLAND

NODE NO(S) P18879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014



CRITICAL RATE FACTOR _____ EQUIV. PROP. DAMAGE ACC/YEAR _____ ACC/MEV _____

LIGHT

- | | | |
|-------------------------|-------------------------|--------------------------|
| 1. DAWN (MORNING) | 2. DAYLIGHT | 3. DUSK (EVENING) |
| 4. DARK (ST. LIGHTS ON) | 5. DARK (NO ST. LIGHTS) | 6. DARK (ST. LIGHTS OFF) |
| 7. OTHER | | |

ROAD SURFACE

- | | | |
|---------------------------|--------------------------|-----------------------------|
| 1. DRY | 2. WET | 3. SNOW/SLUSH-SANDED |
| 4. ICE/PACKED SNOW-SANDED | 5. MUDDY | 6. DEBRIS |
| 7. OILY | 8. SNOW/SLUSH-NOT SANDED | 9. ICE-PKD. SNOW-NOT SANDED |
| 10. OTHER | | |

APPARENT CONTRIBUTING FACTORS - HUMAN

- | | | |
|--------------------------------------|-------------------------------------|--------------------------------------|
| 1. NO IMPROPER ACTION | 2. FAIL TO YLD. RIGHT OF WAY | 3. ILLEGAL UNSAFE SPEED |
| 4. FOLLOW TOO CLOSE | 5. DISREGARD TRAFFIC CONTROL DEVICE | |
| 6. DRIVING LEFT OF CENTER-NO PASSING | 7. IMPROPER PASS-OVERTAKING | |
| 8. IMP. UNSAFE LANE CHANGE | 9. IMP. PARKING START/STOP | 10. IMPROPER TURN |
| 11. UNSAFE BACKING | 12. NO SIGNAL OR IMP. SIGNAL | 13. IMPEDING TRAFFIC |
| 14. DRIVER INATTENTION-DISTRACTION | 15. DRIVER INEXPERIENCE | |
| 16. PEDEST. VIOLATION ERROR | 17. PHYSICAL IMPAIRMENT | 18. VISION OBSCURED-WINDSHIELD GLASS |
| 19. VISION OBSCURED-SUN/HEADLIGHTS | 20. OTHER VISION OBSCUREMENT | 30. OTHER HUMAN VIOLATION FACTOR |
| 31. HIT AND RUN | 51. UNKNOWN | |

- VEHICULAR

- | | | |
|------------------------------------|----------------------------|--------------------------|
| 41. DEFECTIVE BRAKES | 42. DEFECTIVE TIRE/FAILURE | 43. DEFECTIVE LIGHTS |
| 44. DEFECTIVE SUSPENSION OR FACTOR | 45. DEFECTIVE STEERING | 50. OTHER VEHICLE DEFECT |
| | 51. UNKNOWN | |

SYMBOLS

- | | | | | | |
|----------------|---|----------------|-----|------------------|-------|
| ANGLE | ↓ | PEDESTRIAN | → P | FATAL ACCIDENT | ● |
| BACKING | ↔ | REAR END | → | | |
| FIXED OBJECT | □ | SIDE SWIPE | → | VEHICLE (MOVING) | → |
| HEAD ON | ↔ | TURNING MOVE | ↗ | BICYCLE | --- B |
| OVERTURN | ↻ | CHANGE LANE | ↗ | ANIMAL | --- A |
| PARKED VEHICLE | □ | OUT OF CONTROL | ↗ | SLED | --- S |

C = CLEAR
SL = SLEET

WEATHER

F = FOG
S = SNOW

R = RAIN
CL = CLOUDY
XW = CROSS WINDS

INJURIES

K = FATAL
A = INCAPACITATING

B = NON-INCAPACITATING
C = POSSIBLE INJURY

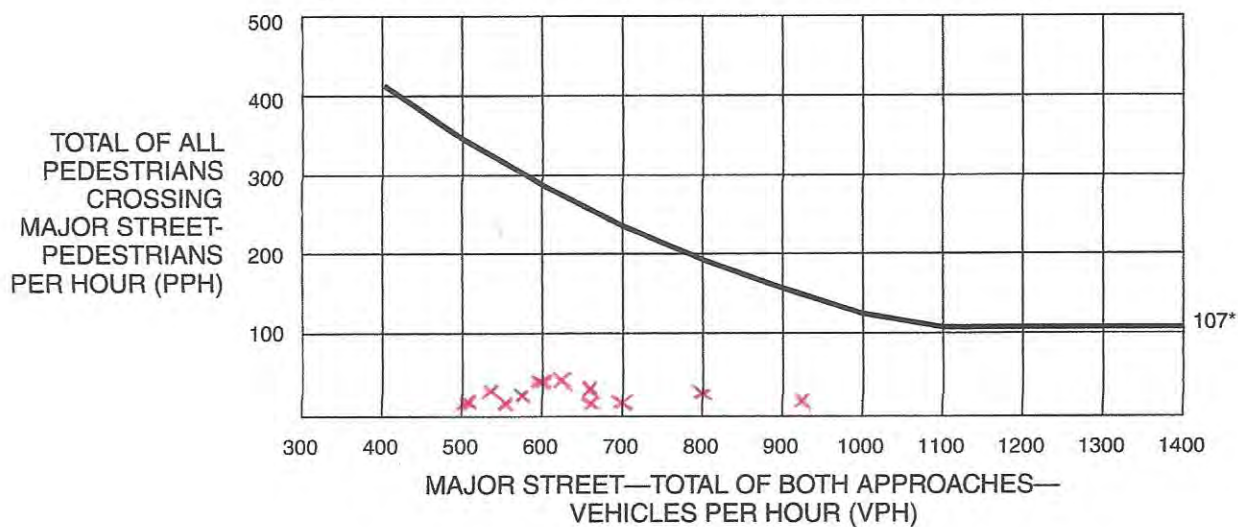
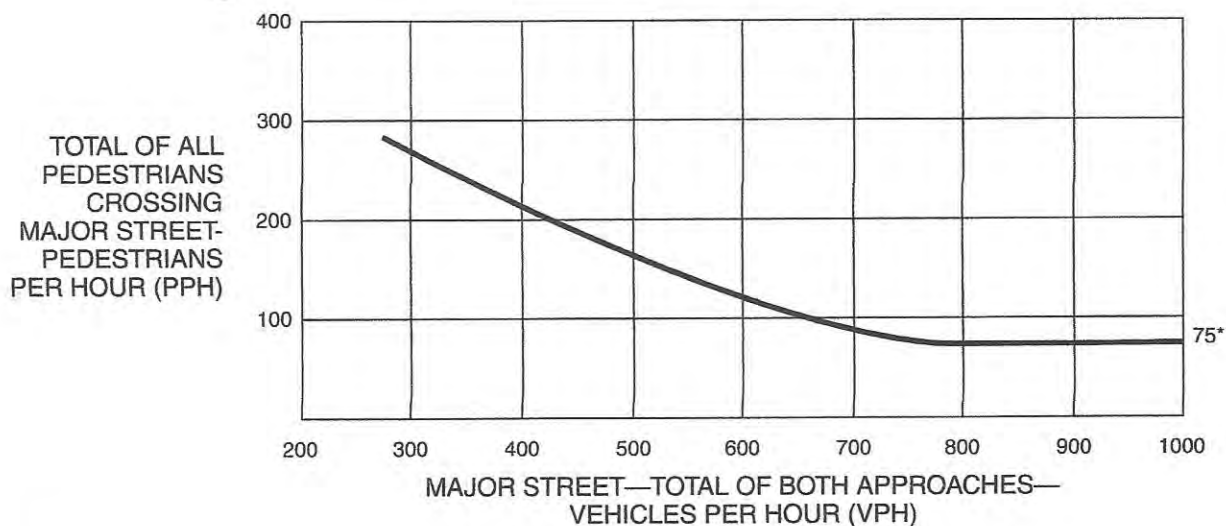
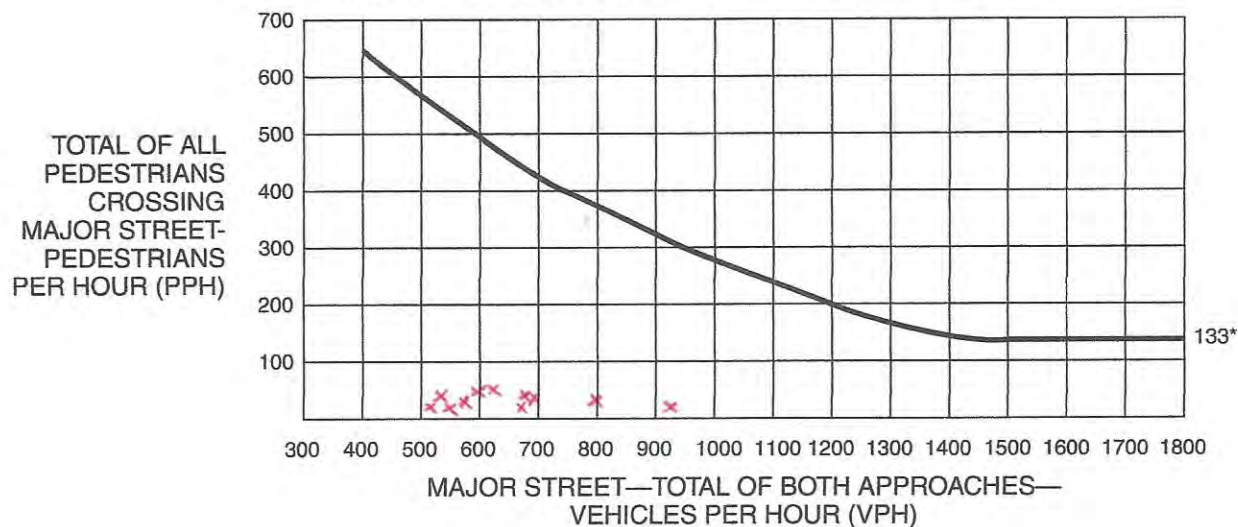
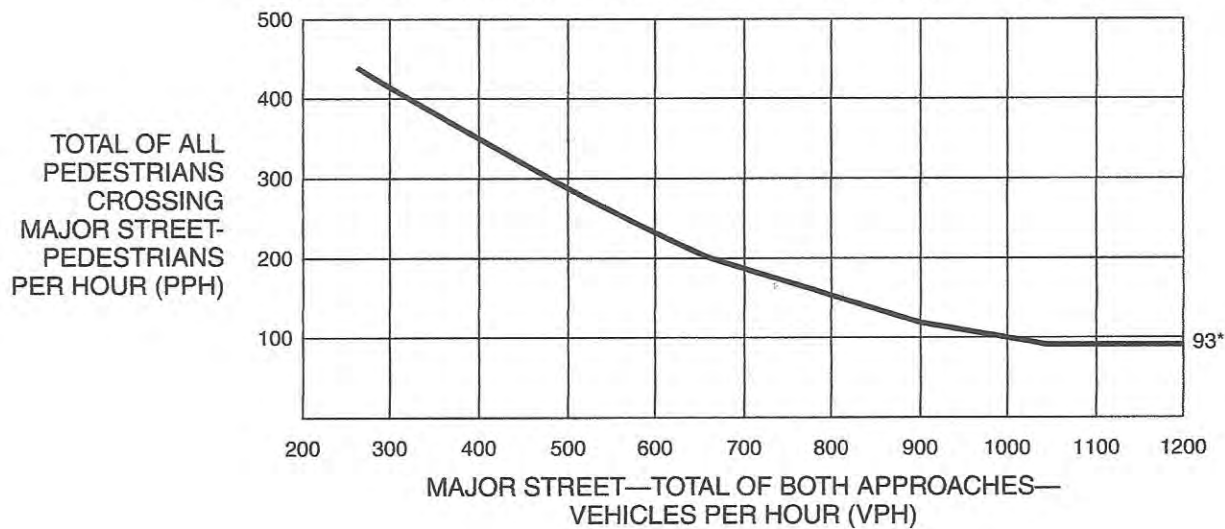
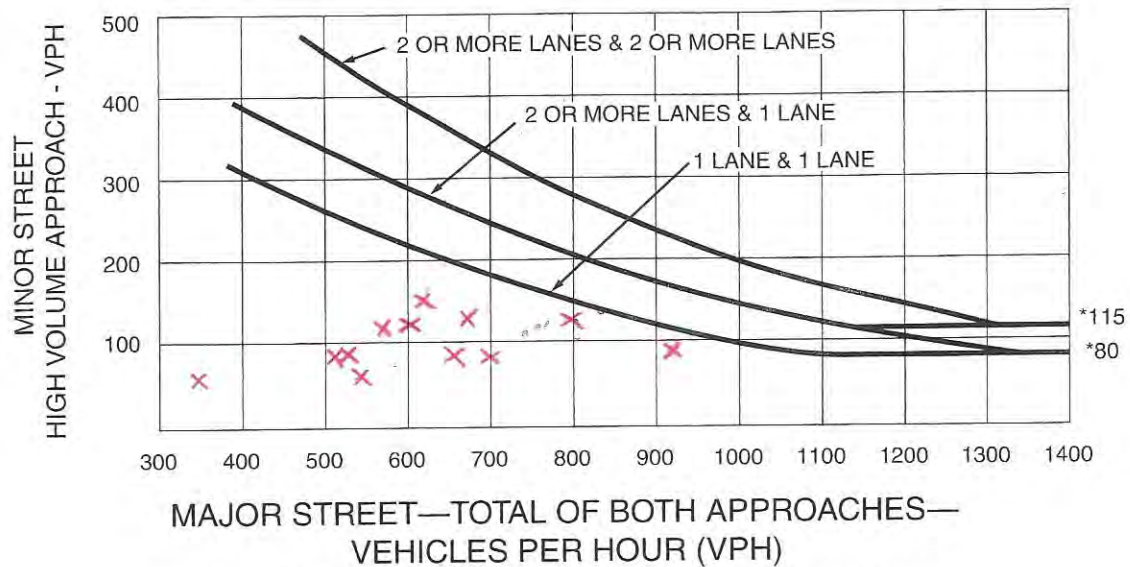
Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume**Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)**

Figure 4C-7. Warrant 4, Pedestrian Peak Hour

*Note: 133 pph applies as the lower threshold volume.

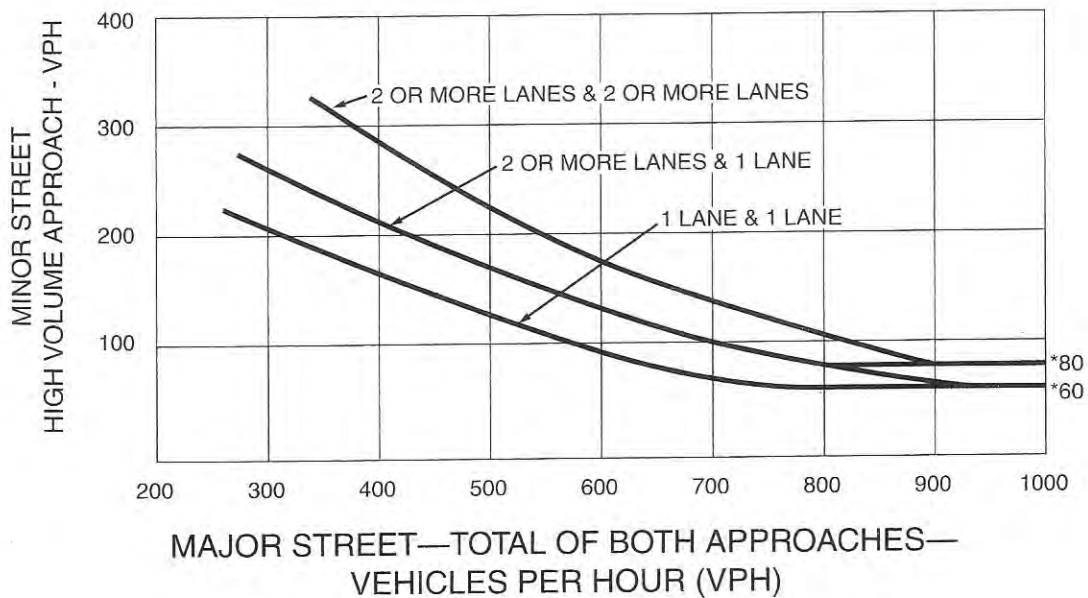
Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)

*Note: 93 pph applies as the lower threshold volume.

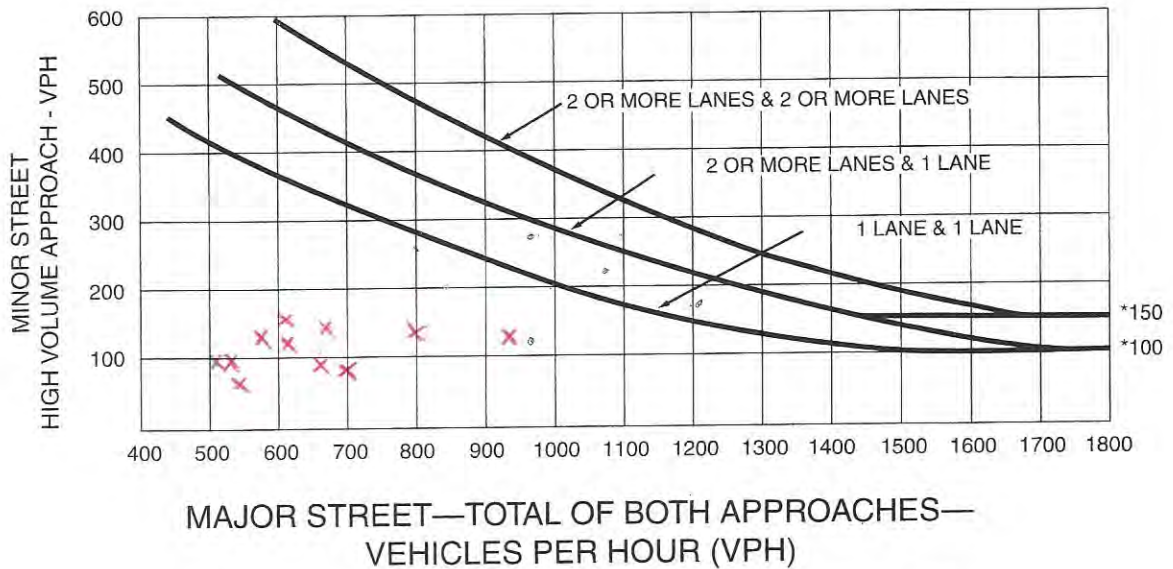
Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume

*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



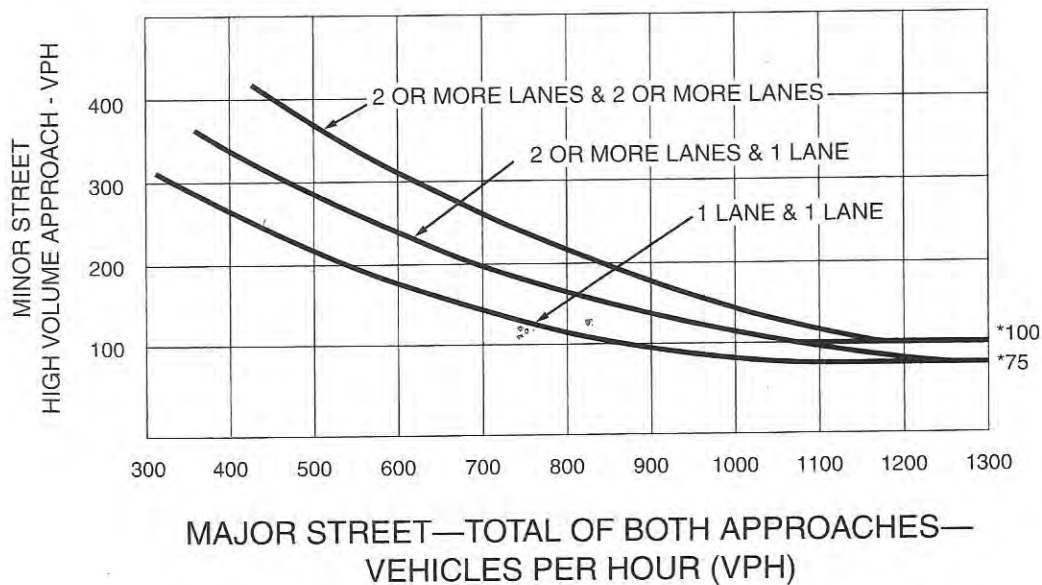
*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-3. Warrant 3, Peak Hour

*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

CONCEPT DRAWING

Anderson Street
(See Note 15)

Everett Street

PROJECT NAME: INTERSECTION IMPROVEMENTS PLAN

EAST BAYSIDE LOFTS

CLIENT: REDFERN PROPERTIES, LLC.
P.O. BOX 8816 PORTLAND, ME 04104

A C O R N ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION OF THE ENGINEER. NO PART OF THIS PLAN SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
15158 DANFORTH STREET, PORTLAND MAINE 04102
(207) 752-2655

DATE:	10-28-2014
TIME:	1053
SCALE:	1:20
DESIGNED BY:	WHS
DRAWN BY:	MAG
CHECKED BY:	WHS

DRAWING NO.
C-10

Jennifer Yeaton - Concerns about the Proposed Zoning Change for 89 Anderson Street

From: Ellen Bailey <efbailey66@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 7/17/2014 5:51 PM
Subject: Concerns about the Proposed Zoning Change for 89 Anderson Street

July 17, 2014

To Nell Donaldson (City Planner),

Thank you so much for your willingness to hear residents' concerns about the proposal submitted by Jonathan Culley of Redfern to rezone the property at 89 Anderson Street from an R-6 (residential) to a B-2b (community business) zone. I have a few concerns about this change that I will share and will reference a few city documents along with my concerns.

My first concern is the increase in traffic that will result at the corner of Fox and Anderson by putting in retail at that intersection. The intersection of Fox and Anderson is already a very difficult to negotiate and adding retail along with potentially 53+ new residents is going to cause a dangerous situation to become even more dangerous. This area is widely used by pedestrians, cyclists, and joggers. Because many people use this intersection, it becomes confusing and undermines everyone's safety. I am particularly concerned that adding a retail space to this intersection (like a restaurant) will just create an even more difficult, confusing and dangerous situations for drivers, pedestrians and residents.

There are also many children living near this location and I am concerned for their safety in particular, as they play in the vicinity and on occasion run out in to the street after a stray ball. This location is also a school bus stop where many children get on and off the bus. Adding a retail space here is going to increase the potential for accidents involving the children who live in the nearby buildings.

In addition, I am alarmed that the entrance and exit to this mixed use development is going to be located on Fox Street (according to the current plans). Fox Street is being used by an increasing number of cars and trucks every day and the intersection of Fox and Anderson is a particularly difficult one to navigate. Adding 53+ residents to Fox Street, who will most likely all own at least one car, is going to be yet another influx of traffic concerns, especially since residents will be trying to turn into and out of their apartment complex via Fox Street. When cars currently enter or exit the Three GGGs garage it creates quite a bit of confusion and undermines the safety of all who are trying to negotiate the intersection. I am of the opinion that the traffic in and out of a 53-unit building that also houses retail (such as a restaurant) is going to be higher than the current Three GGGs traffic, thus making that intersection even more active, more confusing and more dangerous.

My concerns here echo the concerns outlined in *Sustainable Portland: Final Report of the Mayor's Sustainable Portland Taskforce*. The taskforce outlined several challenges to the sustainability of

communities in Portland. Their number one concern was traffic. They state, "Portland has a deserved reputation for a high quality of life, but sustaining this quality requires constant vigilance given the numerous challenges facing our community. The Sustainable Portland Task Force highlighted several of these challenges: 1. Traffic – Existing neighborhood traffic conditions with high traffic volumes and excessive speeding on neighborhood streets result in excessive energy consumption and undermine neighborhood livability and 'sense of place'." (p. 26)

I am concerned that Fox Street traffic is already undermining the livability in East Bayside and adding retail spaces, along with a large number of new residents on Fox Street is going to make a bad traffic situation even worse. For this reason, I don't think 89 Anderson Street should be considered for any type of business zone, nor do I think the zoning should allow for such high residential density. This corner is too dangerous for this type of influx. I am of the opinion that this intersection should remain an R-6 zone for reasons of safety for all residents, drivers and pedestrians.

I have other concerns that are more related to a Site Level Review, but I would still like to mention them here as I believe they relate to the zoning change request. I am very concerned about the lack of affordable housing in Portland and based on the initial figures given for the cost of renting one of the apartments at this new development, I am quite sure the working people of Portland will not be able to live in this building. The rates I have heard are \$1,000 dollars per month for the cheapest apartments, the studios. The one and two-bedroom apartments will be even more expensive. This type of expensive housing is not in keeping with the current situation in East Bayside. We are largely what is called "working class" and need affordable "workforce housing" in our neighborhood. This also echoes goals outlined in the *Sustainable Portland* report. One of the benchmarks under the recommendations for maintaining and growing the economy of Portland is "availability and affordability of 'workforce housing'." (p. 22) East Bayside has long been an area where the workforce of Portland can afford to live. This building does not follow that desired goal, a goal which the city of Portland has set.

This difference in income needed to live in the proposed development also is in direct conflict with the section entitled *Sustainable Portland: The Community*. The second paragraph of a section entitled "Landlords, Tenants, and Developers as Partners in Sustainability states, "The City also needs to ensure that there are adequate opportunities for the sustainable development of new housing and business spaces that support transit use and walkability while promoting and preserving neighborhood viability and integrity." (p. 25)

This project fails in two of the objectives in that sentence. First, it will actually undermine walkability because it will increase the danger for pedestrians due to an increase in traffic. Secondly, this building and any sort of zoning change away from R-6 will undermine the integrity of the neighborhood. The rest of the neighborhood is R-6. Maintaining the integrity of the neighborhood means maintaining the R-6, family friendly zone.

Some have tried to make the argument to me that since there is an industrial zone across Fox Street, then this does not actually undermine the integrity of the neighborhood. I strongly disagree with this on two counts. One, retail and industrial zones are quite different. I am of the opinion that the B-2b retail zones should stay up on Washington Avenue, not leak down Fox Street. Equating industrial zoning to the type of retail zoning on Washington is not accurate. They are very different and create quite different traffic patterns. Second, it does not matter what is on the other side of Fox Street. The rest of the Fox –

Anderson- Everatt neighborhood is R-6, is designed for family dwellings and is dedicated to the working class of Portland. In order to maintain the integrity of that block, I am of the opinion that the zone should be consistent and that zone is R-6.

I would like to close by emphasizing that in the *Sustainable Portland* document, one of the main goals is to attract families to Portland. This quote comes from the section entitled "*Challenges to a Sustainable Community*". They state one of the challenges as being the perception of urban density and clarify with this statement: "If the city of Portland is to achieve a density that competes with sprawling suburbs and provides viable transit alternatives to single occupancy vehicles, the City must promote and protect the image and reality of urban living that attracts a wide range of current and future residents – especially families with children." (p. 27)

This project being proposed by Jonathan Culley of Redfern is the absolute opposite of what is stated in this document. His proposed development is certainly not inviting to families with children. In fact, such small residences really discourage families from moving to Portland. The goal of being family friendly further strengthens my view that East Bayside should remain R-6. East Bayside is a great area for families and we need to build dwellings for them, not tiny, little studio apartments in a B-2b or R-7 that are barely large enough for even two people.

Thank you for reading and considering my concerns on this zoning change.

To be very clear, I am not in favor of a B-2b zone at 89 Anderson Street. I am in favor of maintaining the current zone and that is an R-6 zone.

Sincerely,

Ellen Bailey (resident of Hammond Street, which is in East Bayside)

--

Ellen Bailey

From: Chris Bruni <Chris@portlandpottery.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 7/18/2014 4:18 PM
Subject: Everett Street Project

I own a garage across the street from the projected Redfern Project. I don't see a downside to the housing they are undertaking. A huge risk and investment in an up to recently ignored section of town, cannot be a bad thing. I wish them luck, and support. If you have any questions you can reach me at this email or my cell 232-0845

Chris Bruni
32 Everett Street

From: Jed Harris <jedtharris@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 7/18/2014 12:38 PM
Subject: Redfern 89 Anderson

Nell,

This keeps getting bounced back from my work email so I'm resending it from my personal email.

I'm writing in support of Redfern's proposed project and zone change at 89 Anderson Street in Portland. I was unable to make the community meeting the other night and I'm away for the workshop next week. My firm, Cotton Street Holdings, owns the former Nissen Bakery building at 75 Washington Ave along with the parking lot and State of Maine office building at 107 Washington, both located just up Fox Street from the proposed project. I think Redfern's project would be very beneficial to the East Bayside neighborhood and start to make a dent in the shortage of peninsula housing. In addition,

I think it would be very positive for E. Bayside to have new market rate housing to balance several of the more recent subsidized projects that have occurred in the neighborhood. Please feel free to contact me if you have any additional questions.

Regards,

Jed Harris

--

Managing Partner
80 Exchange Street, Suite 30
Portland, ME 04101
(207) 653-8262 (c)
(207) 747-4577 (o)

From: Karen Snyder <karsny@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 7/18/2014 11:44 AM
Subject: Fw: Notice - 89 Anderson St. Neighborhood Mtg.

Hi Nell,

Thank you for attending the 89 Anderson Meeting this past Wednesday, July 16, regarding Jonathan Culley's development proposal for 3G's property if the zoning is moved from an R6 to an R7.

As you witnessed in your attendance of the meeting, there were over 15 concerned local residents that voiced their disapproval of Jonathan's development. As a typical developer, Jonathan thought his opinion and unfounded statements were correct and the local residents were wrong in his push in trying to convince the local East Bay residents that his 89 Anderson development proposal is a good thing for the neighborhood. The local residents all know that the only thing Jonathan cares about is his profit margin and not truly concerned about how it affects the local residents and affordability since he doesn't live in the city of Portland but actually a suburb.

I am re-iterating mine and the other local East Bay residents concerns below with this development.

1) The proposed "market rate" rates are several hundred dollars higher than current market rights for studios. For example, on the East End, the market rate for a studio ranges from \$500 to \$650. Jonathan is proposing \$1,000/month for a studio. This means other residences will now "justify" upping their rents since this development has. Rents will NOT go down. They never do.

* I know this for a fact because I am also a property owner and I could raise my tenant's rent by several hundred dollars / month but I won't. Why? I want working class people to LIVE in this city and not only the subsidized or entitled rich people from away.

2) Who are going to afford these "market rates" apartments? It is definitely not the like minded hard working middle class local residents that live in East Bay but entitled rich kids from away which will change the dynamic of the neighborhood from a family environment to somewhat a party hard environment.

3) The current design of having the garage entrance of 53 parking spots entering off of Fox Street is ridiculous and will create an extreme traffic hazard and congestion more than it all ready does and especially during the winter.

4) Where is the overflow parking for the additional resident cars of these apartment residents suppose to park, besides parking for the restaurant?

5) Jonathan claims that his project will create urban in-fill and keep people from living in the suburbs. But yet, Jonathan doesn't really practice what he preaches because he lives in the suburbs of Falmouth so doesn't his claim ring false to you?

6) Jonathan claims that his project are environmentally friendly by just having a high R value on the roof and walls of around 32. But don't you think he has proven that this is a false claim since his 79 Walnut project clear cut the last remaining forested area of Munjoy hill to put 12 High end \$800,000 condos and gutted the side of Munjoy Hill? Putting solar panels, green roof, and creating green spaces is environmentally friendly.. not clearing cutting and put high R value rated condos/apartments. Therefore, this claim by Jonathan rings false.

7) Jonathan through out a number for the green space of his development is 12% but yet the entire plan from what I see is building or parking garage so how can there by 12% green space on this looming 4 story development?

8) The lack of open space. This development will be again "bending" the current city ordinances when it comes to building height, traffic regulations, and green space within this development.

Ultimately, how many local residents does it take that actually live in Portland that start protesting these developments from the get go will the City council members and planning board members starting taking notice that local residents are GREATLY displeased with the stance the city takes in being pro-development. The current impression is that the City is NOT respecting and protecting the hard working local residents that have been in this city for a long time and want their city to remain liveable? The city should be concerned in protection the survival of the local hard working residents that are NOT subsidized or NOT rich. The middle class is dying and they should be helped and protected.

Does the smell of out of state development money continue to trump the needs and desires of the current hard working local Portland city residents who actually make this city what it is or will the city make Portland another soulless center as Manhattan and San Francisco where working middle class can not live and enjoy the city they work in?

Additionally, I would hope you and the other City council and planning members take this into consideration in future developments and if anything put a moratorium (a stop) on building permits. A moratorium on building permits has happened before in city of Portland in the 70's and it should again be considered.

Regards,

Karen Snyder
 Munjoy Hill Property Owner

On Monday, June 30, 2014 1:27 PM, Jennifer Yeaton <JMY@portlandmaine.gov> wrote:

July 1, 2013

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a new development at the corner of Fox and Anderson Streets (89 Anderson). The project consists of two commercial spaces on the ground floor and residential rental apartments on Floors 2-4. This meeting pertains to our

Application for a Zoning Map Amendment. Should our project go forward, there will be additional meetings in the future that will pertain to a Site Plan review.

Meeting Location:	Redfern Office, 178 Washington Ave, Portland
Meeting Date:	Wednesday, July 16th
Meeting Time:	6:00 pm

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 contact me at 207-221-5746 or jonathan@redfernproperties.com. I hope to see you at the meeting.

Sincerely,

Jonathan Culley

Jonathan Culley
Redfern Properties LLC
Cell: 207-776-9715
Office: 207-221-5746
Fax: 207-221-2822
jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

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.

--

From: Karen Snyder <karsny@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 7/21/2014 11:17 AM
Subject: Re: Notice - 89 Anderson St. Neighborhood Mtg.

Hi Nell,

Per our discussion this morning, please add the below additional concerns regarding the 89 Anderson development when below points illustrate how this development actually goes against certain sections within the long term Portland comprehensive plan. There are 3 major points below that the City of Portland, ME really need to evaluate in regards to how this specific proposal does not represent or adheres to the Portland comprehensive plan:

Point 1: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 1: Build a Vibrant City, Build upon the distinctive fabric of Portland's built environment by rehabilitating historic resources and by developing new buildings that respect scale and character of traditional development patterns.

Concern: The 89 Anderson development is proposing putting a 4 story 53 apartment building where the entire lot is built upon with basically no setbacks besides this proposal being the only B2B 4 -tory commercial/apartment building in East Bay amongst single family home neighborhood. This proposal does not meet the Comprehensive plan which is to build new building that respect scale and character of traditional development patterns.

Point 2: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 2: Serve the People; Support and encourage the creation and preservation of an adequate supply of quality housing for all.

Concern: How is Portland city government protecting the middle class, blue collar, and hard working nurses, teachers, restaurant workers of Portland within the long range comprehensive plan? If all current housing projects are either for subsidized housing or for the wealthy people who will only live part-time in these high-end apartments or condos. How does this respect and preserve the middle class who are getting pushed out of Portland due to higher rents and that can't afford the high end condos? A vibrant city is where middle class families and people live full time and not subsidized people or wealthy people who live a couple months out of the year. What is Portland planning handling this middle class crises? The only time I believe the city helped the middle class was in 1999 where on Munjoy Hill, property owners who lived on their property got certain incentives to live there and do renovations.

Point 3: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 3: Provide High Quality Leadership; Create a sustainable community with vital neighborhoods, high quality infrastructure, a strong economy, healthy environment, while keeping municipal taxes affordable.

Concern: What is the definition of a vital neighborhood to the Portland city government? Is it where families live and build a community? How can 53 high end apartments in a 4 story commercial building suppose to achieve a strong community network if these residents do not own and there are constant influx of restaurant traffic? A neighborhood is where people want to go and decompress from work. Not have to fight traffic and hear restaurant noise. Additionally, how are municipal taxes suppose to remain affordable for the middle class if high end condos and high end apartments are being built within the city? How do all these concerns actually adhere to the long range comprehensive plan? Again, the middle class is being not represented in the Portland, ME comprehensive plan very effectively which these people are the heart and soul to a vital neighborhood.

The weblink to the above Portland Maine comprehensive plan that is referred to is below:

<http://www.portlandmaine.gov/DocumentCenter/Home/View/2959>

Thanks for your support.

Regards,
Karen Snyder
Munjoy Hill Property Owner

From: "Cynthia L. Cochran" <c Cochran@maine.rr.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
Date: 7/20/2014 10:18 PM
Subject: Concerns re Redfern's rezoning request for 89 Anderson Street

July 20, 2014

To Nell Donaldson (City Planner),

Thank you for the opportunity to submit comment on Redfern's rezoning request for 89 Anderson Street.

First, I want to express disappointment about the neighborhood meeting notes that you prepared and submitted with other documents for the planning board's review for this project. I attended that meeting and can attest to the omission of some important aspects of the discussions. I will address two points of discussion that were either omitted or extensively abbreviated in these notes.

·This proposal makes many substantive references to the _Portland, ME SDAT -- Creating a Sustainable Vision for Maine's Most Diverse Neighborhood_. At the neighborhood meeting, in response to my questions about this, Nell Donaldson stated that the City of Portland has not officially adopted this study, or any aspect of it. We discussed that the City has not adopted any plan at all, specific to the East Bayside Neighborhood. This discussion was not mentioned at all in the notes for the planning board.

·The discussion about traffic and safety impacts of this proposed project, added to the impact of previously approved projects, was abbreviated and summarized with the statement, "An open discussion about traffic on Fox Street ensued."

More pointedly, I wish to express my opinion that the citation of a few, selected, out-of context, pages from the _SDAT_ study of the East Bayside Neighborhood in Redfern's proposal is misleading and disrespectful to the overall integrity of this study and to its specific recommendations for this location. The study identified this location as a "Place of Potential" for service to our neighborhood and to support community connections. Redfern's primary objective, to provide 53 market-rate, individual housing units, is actually in opposition to the intentions of the study's recommendations for this location.

Traffic: It seems that it is never quite the right time or venue to talk about the traffic and safety issues being created by the development recommendations of the City's planning staff and board members. The entire length of Fox Street, especially the corners at Walnut/Washington/Fox and Fox/Anderson are already safety concerns for drivers, pedestrians, and bicyclists. The board has already approved developments on Sheridan, Walnut, and Washington that will substantially increase traffic at these corners and on Fox Street. There is also a proposal to house 30 or so tractor trailers for the Nova Star at 122 Anderson Street. This proposal would route 60 or so daily trips of tractor trailers through the same Fox/Anderson Street intersection where the Redfern project seeks to locate an additional 53+ new residents. All of these individual projects claim to have little to no impact on traffic or parking for the neighborhood in their individual zoning or site plan applications. The traffic and safety implications of the accumulated impact of these projects seems to have no venue for public feedback, consideration and discussion.

Second, I wish to express my disappointment that the City planning staff is once again seeking to expand upon the original proposal from the developer in order to meet its own, internally developed objectives for development in the East Bayside Neighborhood. Jonathan Culley has stated that he was encouraged by the City planners to seek the B-2b zoning, and Section VI of the Staff Memorandum includes discussion of extending the B-2b zoning further up Fox Street to include the adjacent, multi-family, residential, R-6 lots on the eastern third of the block. This is the

second attempt, this year, by City planners to rezone significant portions of East Bayside in support of a vision for development that has not been communicated to residents of this neighborhood.

All of that being said, here are my specific concerns with the Redfern rezoning/project proposal:

· _Proposed Housing Units_:

oNone for families with children.Same with Avesta's 134 Washington Avenue project (18 efficiencies only) which was previously approved.

oNone are affordable for Portland's working class

· _Traffic and Parking_:

oWill add substantially to the already dangerous amount of traffic on Fox Street (in addition to the already approved projects on Walnut Street, Sheridan Street, and Washington Avenue).

oPlacing the entry/exit to the building's parking area on Fox Street, unnecessarily, and substantially, increases the impact of these additional drivers on this already congested and dangerous street.

oFox Street is not wide enough to accommodate parking on two sides and two-way traffic currently, without adding 53+ more cars to the traffic flow, on top of the increase from previously approved projects.

oThe intersection at Fox/Washington/Walnut is one crash away from being designated a High Crash Area.The "jag" between Walnut/Washington/Fox, the slopes of the two streets and the amount of traffic moving both north/south and east/west at this spot makes it very dangerous to navigate for vehicles, pedestrians, and bicyclists.

oIn winter, accumulated snow makes Fox Street even more narrow, congested, slippery, and dangerous.

oThe intersection at Fox/Anderson is also "jagged" and although the 4-way stop signs have helped here, the addition of a 4-story building wall that lines up with the sidewalk on Fox and Anderson will significantly block the view of drivers coming down Fox Street from Washington Avenue and impair their ability to see cars, pedestrians, and bicyclists coming to this corner from the south-side, residential areas via Anderson Street.

oA restaurant at this location will also add traffic and create more parked car obstruction on Fox Street.

· _Community/Neighborhood uses/Retail Spaces:_

oThese spaces are not a meaningful contribution to our neighborhood.

o _Community space_:This 716 square feet space is 17 feet wide by 42 feet long.This is not sufficient for community gatherings.

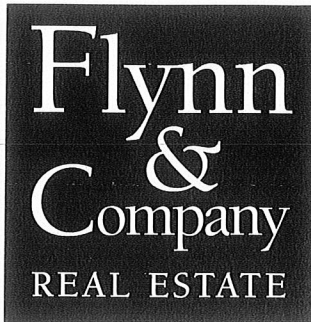
o _Restaurant:_ Why?To justify the B-2b zoning?To try to use a slice from the SDAT study report to create an appearance of community support?What other rationale could there be that we don't know about?

In summary, I do not support this proposal to rezone this or any other lots on Fox Street to B-2b.I am in favor of 89 Anderson Street and all other R-6 lots on Fox Street remaining R-6.

Thank you for your time and consideration of my comments.

Cynthia L. Cochran

17 Hammond Street



918 Forest Ave
Portland, ME
(207) 878-8800

Dear Mr Donaldson,

This letter is in regards to the requested zoning changes to 89 Anderson Street, Portland.

Joe Flynn of Flynn & Company Real Estate supports Jonathan Culley's proposed project at 89 Anderson St as we are neighbors owning an apartment building at 83 Anderson St and believe it is a wonderful concept to improve the neighborhood.

Thank you for your time.

Sincerely,

Joe Flynn

A handwritten signature in black ink, appearing to read "Joe Flynn", with a large, stylized loop at the end.

From: Jeremy benn <jbenn617@gmail.com>
To: <HCD@portlandmaine.gov>
Date: 7/23/2014 10:37 AM
Subject: Proposed zone change at 89 Anderson Street

Good Morning Mr Donaldson,

I just wanted to show my support for the proposed zone change at 89 Anderson Street by Mr Culley with Redfern. I own a handful of properties in the city and always hear the same complaint from prospective tenants, "It is so hard to get a rental in Portland". It is exciting to see new housing offered on the peninsula.

I am in favor of the zone change and overall project at 89 Anderson Street, it is good for the city and its residents.

Sincerely,

Jeremy Benn
807-9218

From: Ellen Bailey <efbailey66@gmail.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: Christine Grimando <CDG@portlandmaine.gov>
Date: 8/18/2014 12:01 PM
Subject: Re: Question about Sight Lines and How that Relates to Buildings and Parking in a B-1 Zone

Hi Nell,

Thank you for this message. I vaguely remembered that you are not in the office on Fridays, so no concerns and Christine did answer my initial questions. We did receive a notice from Jonathan that he is seeking B-1 zoning now and he is in the process of planning another neighborhood meeting. We haven't gotten a date for that meeting yet.

Mostly though, there are a number of us who live here in East Bayside who are becoming increasingly alarmed at what we are seeing, and experiencing on Fox Street. I was almost in an accident myself on Saturday (the 16th), pulling out of Hammond Street onto Fox because the cars parked on Fox blocked my view of those coming down the hill. The corners are confusing, visibility is poor already and there is a lot more traffic here. And we are looking at Nova Star conducting up to sixty tractor trailer trips through Fox/Anderson daily from May to November; looking at the Munjoy Heights development; at the Avesta development (134 Washington); the possible new townhouse development on 145-155 Washington; and then having 75 or so residents move in right on that corner (89 Anderson Street). What we would really like to see is Fox Street made safer BEFORE hundreds more people are using it. We would also like to have some assurance that someone is looking at these projects collectively rather than in isolation. We get the reply often that the city doesn't look at the big picture, that these concerns are only dealt with on a project-by-project basis.

I (and several of us who live here) am now getting a little clearer picture of some of the regulations that really need to be taken seriously on this corner, like the 200 feet of visibility (in a 25 mph zone) required by new streets and even driveways. So buildings certainly should not block a driver from seeing 200 feet down adjacent streets. That really means that no zoning change should be made that allows for building up to the street in that location. Building up to the street there is quite dangerous and the Maine DOT is verifying that.

There is another violation on that corner that I became aware of when reading the "Transportation Systems and Street Design Standards". The angle there does not meet the standards. Collector streets (which Fox Street should be changed to) are required to meet at 90 degree angles. Neighborhood streets should be meeting at an acute angle no less than 75 degrees and an obtuse angle no greater than 105 degrees. I measured the Fox/Anderson Street angle and got around a 55/125 degree angle there. So, the angle is 20 degrees away from what is considered safe on little neighborhood streets and 35 degrees away from what is considered safe on a collector. That is significant! So, I am seeing that our concerns are supported by the data.

If a building goes in that corner which limits sight view to less than 200 feet, then we will have two major violations of safety codes. The street angle and the sight view. Let's add the tractor trailer trucks; the pedestrians (including a lot of children); athletes and spectators using the fields and on street parking on Fox Street; business traffic for Rising Tide, Maine Crafts, etc.; tractor trailer trucks parking on Fox Street for days at a time; the through traffic; and a large number of new residents and we see (again, I am not alone here) some major congestion and accidents waiting to happen.

I am not against development. In fact, I really like the townhouse project I heard about for 145 Washington Avenue. It is only 17 units and there will be no problem with visibility there. It is a reasonable number of new residents, and there will be on-site parking, so there wouldn't be a huge impact on traffic. In contrast, this particular location at the Fox/Anderson Street intersection and the large number of people who will live in the proposed building directly on the intersection is a huge problem. We need to work on safety at this corner BEFORE we start bringing in a bunch of tractor trailer trucks and build a 53-unit apartment building, which translates to around 75 people living there. Of course, I don't really think it is an appropriate location to build such a large apartment complex or to have any zoning that is more permissive than what is already there (R-6). We want everyone to be safe and it's not even safe now.

I know we won't have a workshop for a bit, but this is about more than just the 89 Anderson Street project. Although this project will add significantly to the danger.

I really appreciate you reading this. I was wondering if you could pass this on to the appropriate people in Traffic. I am cc-ing Christine as well.

I was sad to hear there is not a committee working on Fox Street. I think there must have been some miscommunication somewhere along the line, because I was told that someone from Traffic said to a couple of our community members that a City Staff committee was working on Fox Street safety. People were told that Christine was coordinating it. I have tried to correct that misconception with a couple of people who told me about it. I think Fox Street needs some attention, so I was disappointed to find out there really isn't any committee looking at this street which already has six different zones on it (IL-B, B-5, R-OS, R-6, B-2b and a recent addition of R-7 for PHA).

Thank you for your time Nell (and Christine). I appreciate you keeping the residents "in the loop" about what is happening down here and paying attention to our increasing concern.

Ellen Bailey-resident of East Bayside

<<<On Mon, Aug 18, 2014 at 8:47 AM, Helen Donaldson HCD@portlandmaine.gov wrote:

Ellen,

I apologize that I wasn't in the office on Friday and so didn't respond. I trust that Christine's email addresses your questions, but if you have additional concerns, feel free to let me know.

We are waiting on more information from Jonathan before scheduling another planning board workshop. I will be sure to let you and others know as soon as that workshop date is set.

Best,
Nell

Nell Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101
874-8723
hcd@portlandmaine.gov

<<<Christine Grimando 8/15/2014 4:34 PM >>>

Hi Ellen,

In answer to your first question, parking standards are addressed in Division 20 of the Land Use Code. It sounds like you already found that document, but just in case, it can be accessed here: <http://www.portlandmaine.gov/DocumentCenter/Home/View/1080>. I've also attached Division 20 as a pdf. New residential development > on-peninsula, in the B-1 zone, has a requirement of a minimum of one space per dwelling unit, unless the application demonstrates it meets criteria for altering that 1 per unit number. Non-residential uses have different parking requirements which are listed by use and square footage, generally.

In answer to your second, I will answer broadly that the sight distance standard you reference does indeed apply to new driveways and new streets. I will forward your comments about the building's impact on sight distances to the City's Traffic Engineer, so that he can incorporate your questions and concerns in his overall traffic review of the proposal at 89 Anderson Street. After the recent Planning Board workshop the applicant is having additional traffic analysis completed for the proposal, and it has not yet been submitted for review by the consulting traffic engineer. Like all other application materials, it will be available to the public for review.

Nell Donaldson, Planner, is reviewing the proposal for 89 Anderson Street, so I will defer to her any other specific questions you might have about that application, and I have cc'd her on this email.

I was recently sent an email message that referenced my being Chair of a Parking Staff Committee, and I assume this is likely the reason these questions were directed to me. I want to clarify that there is no such official group, and that I have no overarching role in regard to parking and traffic in the neighborhood. I did recently engage City staff in a preliminary discussion about potential improvements to the Washington/Fox/Walnut intersection due to development proposals I am reviewing. There is no formal proposal as of this time.

Best,
Christine

Christine Grimando, AICP
Senior Planner
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

<<<Ellen Bailey <efbailey66@gmail.com> 8/14/2014 3:06 PM >>>

Hi Nell (and I was told Christine Grimando is also a person to send this to),

My name is Ellen Bailey and I am a resident of East Bayside. I have communicated with you before about Jonathan Culley's proposal to rezone 89 Anderson Street. He just recently sent out an e-mail letting us know that he is seeking B-1 zoning now.

I have been reading up on B-1 zoning, but am unclear about a couple of details. I was wondering if you could answer my questions and then let me know where I can find the information. I am looking for the correct document and the correct section.

1. My first question is about parking in a B-1 zone. It is not clear to me how many parking spaces must be provided for anyone. I was wondering if you could tell me how many on-site parking spaces are required for the residents and how many are required for whatever business is located on the first floor.

2. My second question relates to sight lines or what I have read in the "Transportation Systems and Street Design Standards" as Sight Distance. This document states, "Where driveways or new streets enter an existing street, vehicular sight-distance shall conform to standards established by the Maine DOT as contained in their publication, Chapter 299, Highway Driveway and Entrances Rules and noted below for entrances with standard vehicles." In the table referred to, it states that for a 25 mph speed limit, a sight-distance of 200 feet is required. My question is this: Do new buildings have to maintain this same guideline? Of course, it would make sense to me that they should, since the Maine DOT has determined the safest distances for sight distance, whether it be a new street, new driveway or new building. Specifically, I am very concerned that the building proposed at 89 Anderson Street will significantly limit drivers' sight-distances because the building will directly obstruct the driver's view. I pointed out the danger inherent in the Fox St./ Anderson St. intersection due to the angle at which the two streets meet in the last planning workshop for this proposal.

This is what I stated:

"Here is the situation: Anderson Street meets Fox Street at a fairly sharp angle on its north side and at a right angle on its south side. 89 Anderson Street is on the south side. Unfortunately, this means the four corners of this intersection are substantially out of alignment.

The lack of visibility will be most pronounced for people coming down Fox Street from Washington Avenue. To their right will be the angled part of the intersection and to their left, several feet beyond their stop sign will be the other part of Anderson Street. The fact that the left hand part of Anderson Street is several feet ahead of the stop sign is what creates the obstructed view. I actually measured the distance between the stop sign's location on Fox Street and the potential corner of the Redfern building. It is about 40 feet.

This lack of alignment means that if 45-50 walls are built flush with the sidewalk in that location, drivers coming down Fox from Washington will have a mostly obstructed view to their left. In fact, from what I have observed, only a portion of the first car will be visible. Nothing behind it will be visible, including pedestrians, cyclists and children. This lack of visibility will be even worse in the winter with the addition of snow banks."

If this building goes up as proposed, then drivers from the east side of Fox Street and the south side of Anderson will probably not even be able to see 30 feet down the adjoining street, let alone 200 feet. I am also concerned about allowing any zoning in there that allows the owner to build right up to the street because of this. I was wondering if you could clarify how far is required by law in terms of sight-distance and if it is legal for a building to obstruct the view of the driver sitting at the stop sign.

I am really trying to see the issues before they happen, as I use this intersection frequently, both as a driver and as a pedestrian.

Thank you for your help with these two questions Nell.

Sincerely,
Ellen Bailey (17 Hammond Street)

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. --

From: Kevin Donoghue <kjdonoghue@portlandmaine.gov>
To: Toby Rzepka <tobyrzezka@gmail.com>
CC: Lamm Rosalee <nosasaurus@hotmail.com>, Tom Errico <thomas.errico@tylin.com>, Jeff Levine <JLEVINE@portlandmaine.gov>, Mike Bobinsky <mbobinsky@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, John Peverada <jbp@portlandmaine.gov>, Helen Donaldson <HCD@portlandmaine.gov>, Bruce Hyman <BHYMAN@portlandmaine.gov>, Sheila Christian <SHC@portlandmaine.gov>
Date: 8/25/2014 10:47 PM
Subject: Re: Housing development and traffic in East Bayside

Hi Toby,

Thanks for your reply. You're correct to observe that a well-developed street grid helps spread traffic regardless of whether there are one-way streets, but is especially necessary in those instances. You're also correct that it is not as wide as Congress on the Hill, but the experience of narrower striped lanes may offer some options short of removing parking residents depend on. Absent a climbing bike lane, a center line yielding a broad climbing lane and a narrow coasting lane may well help address these concerns. A peer-reviewed traffic study has been commissioned by Jonathan Culley here and I will ask that his contracted engineer, or at least peer reviews on staff, consider this.

Thanks,
 Kevin

On Thu, Aug 21, 2014 at 10:47 AM, Toby Rzepka <tobyrzezka@gmail.com> wrote:

Dear Kevin,

This is Toby Rzepka, a resident of 13 Fox St. and husband of Rosalee Lamm, who emailed you a couple of days ago after the EBNO meeting--I could not attend because I was home with our 3-year old. We've been talking a lot with each other and with our neighbors about traffic issues and I wanted to join the conversation. I appreciated your thoughtful response to Rosalee's email and would like to express my concerns and hopes for the neighborhood.

I agree with the need for more housing on the peninsula, and have no objection to a higher density R6. But like Rosalee and many of our neighbors, I think the traffic situation needs to be sorted. While the intersection of Walnut/Washington/Fox is dangerous, I'm more concerned with the increased volume of traffic racing up Fox St. as much of the hill uses it as a connector to Franklin Art and 295. With both the Hill and East Bayside increasing in density, I believe there will be an eventual need to make Fox one-way. Obviously, this would require opening up other connectors, either by connecting Gould St. to Washington or connecting Marginal to Washington--but Fox St. is not wide enough to support the kind of traffic that will be using it after all the new (and future) developments go in. As the neighborhood increases in density, Fox St. will become congested and dangerous, not to mention frustrating for drivers, who often have to stop and pull over to allow oncoming vehicles to pass as it is. This street was clearly never meant for this kind of heavy traffic, especially considering the parking on both sides.

In the meantime, I love your idea about a yellow line and a bike lane--and we could even consider speed bumps, as people tend to tear down the street (especially motorcycles). But because cars often have to pull over to let each other pass, I'm not sure how there would be room for strict lanes plus a bike lane and two rows of parking. This illustrates the problem--the street's not big enough for what it is being asked to do and we need to spread the burden.

The other big issue potentially affecting Fox St. traffic is the Nova Star truck storage behind Bunker Brewing. I can't imagine how the feel of the neighborhood would change with a dozen large semis rolling through it daily. This neighborhood is currently a great place for families (and getting better!) and I'm worried that will change for the worse with more traffic and more industrial trucking. I realize that, as a brownfield site, the uses for the owner are limited, but surely the answer is not to further industrialize the street adjacent to the PHA complex where so many families with children live.

I am really excited for the Fox/Anderson intersection changes. If this could be combined with a ban on tractor trailer parking on lower Fox St., it has the potential to transform the area adjacent to the PHA housing complex from a gritty industrial-looking street to a lovely, park-side, pedestrian area. Though obviously the other side of Fox is de facto industrial, the businesses there are largely pedestrian/retail friendly as well (i.e. Coffee By Design, Rising Tide, Maine Craft Distilling, Tandem Coffee, etc.). If we can push toward the human scale and away from the industrial scale of lower Fox, we could draw more business, more tourism, and make East Bayside a better place to live.

To sum up: My vision for Fox St. is a densely populated, pedestrian-friendly street with sidewalks throughout and reduced traffic. This can be accomplished by:

1. Making Fox St. one way by connecting Gould St. or Marginal to Washington
2. Banning tractor trailer parking on lower Fox St.
3. Preventing the Nova Star trucking project from going forward
4. Installing sidewalks on lower Fox and Anderson

I hope you and others share my vision--with each meeting focusing on one specific issue, it's hard to lose site of the big picture.

All the best,

Toby Rzepka

From: Karen Snyder <karsny@yahoo.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
Date: 9/10/2014 3:49 PM
Subject: Re: Concerns for last July 22nd meeting and proposed map amendment, 89 Anderson Street

Hi Nell,

Firstly, the link you provided only got us to the front page of the Portland Planning web site. Were you trying to send us a link to Jonathon's last agenda? Secondly, Jonathon's traffic study which was scanned was partially cut off and not complete so one could not read it entirely.

I am sorry but I guess I am kind of confused by Jonathon's emails regarding latest traffic information for the intersection of Fox and Washington and his latest proposal of asking for zone B1B instead of B2B in a zone which is primarily zoned R6. It appears that Jonathon did not hear the concerns of the neighborhood residents as well as some of the planning board members concerns regarding the first planning meeting held on July 22, 2014.

Majority of the local residents that attended the July 22, 2014 meeting expressed their opinions and disagreed with Jonathon's proposal.

Point 1: Majority of the local residents in that neighborhood specifically expressed they zoning should be kept at R6 at 89 Anderson.
 Point 2: Even some of the planning board members, specifically Bill Hall, expressed that there should NOT be 'spot zoning' in neighborhoods where residential R6 zoning is the only zone.
 Point 3: Traffic congestion is all ready dangerous in this intersection (Fox & Anderson) but it is still workable. Any more complexity and traffic to this intersection and it will have to be reworked (Especially Jonathon's poor design of spilling out the apt garage onto Fox Street). Why should our tax payer/ property taxes monies be used to repair this traffic corner if this proposal is approved for some reason? It is an barely acceptable intersection now but if Jonathon builds on this site, Jonathon needs to be pay for this traffic intersection redesign and construction and NOT THE TAXPAYERS of the city of Portland.
 Point 4: The reason why Jonathon wants to have 89 Anderson zoned a B1 or R7 is based strictly on his profit margin even though the local residents want it kept as a R6. Because he wants the highest amount of apartments jammed into that space.

Some additional comments heard from the planning board member, Carol Morrisette kept on repeating the fact that she wants "diversity" in this neighborhood. I would like to specifically ask her what is she talking about? That East Bayside neighborhood has an amazing diversification of people all ready. There are blue collar workers, teachers, artists, electricians, nurses, immigrants from Africa and Asia, etc. What does she mean she wants diversity? It must be diversity of income since these are expensive apartments starting at 1,000/ month for a studio unit at this proposed development.

Ultimately, I think it comes down to accountability and living in these neighborhoods. The Portland Planning Board members and the developer, Jonathon Culley, spout "infill is good" yet they themselves do not live on the peninsula. Additionally, they really don't care about the ramifications of the development or if it hurts the quality of life for the current residents because it appears their primary concerns are the developer's profit margin and increased property taxes for the city. As a local resident of the City of Portland and multiple property owner, this is very disappointing to watch again and again by the current city of Portland establishment of planning board members and the developers with all these backdoor wheeling and dealing that is going on.

When will the local resident voices be heard and considered?

Regards,
 K. Snyder
 East End Resident

On Tuesday, September 9, 2014 9:21 AM, Helen Donaldson <HCD@portlandmaine.gov> wrote:

To Whom It May Concern,

Please be advised that the City of Portland has received additional materials related to the proposed zoning map amendment for 89 Anderson Street. These materials include a traffic impact analysis. The applicant has indicated the intent to provide further supplemental information, including an analysis of consistency with the Comprehensive Plan, in the coming days.

If you are interested in seeing these materials, please don't hesitate to contact me. I am happy to either send pdfs or provide an opportunity for you to view a paper copy in person.

We have tentatively scheduled this proposal for a second workshop with the planning board on September 23. You can follow the board's agenda and find workshop materials on the city's website: <http://www.portlandmaine.gov/211/Planning-Board>

As always, we appreciate your input on this and other projects.

Best,
 Nell Donaldson

September 18, 2014

To Nell Donaldson (City Planner)

Thank you for the opportunity to submit comment on Redfern's rezoning request for 89 Anderson Street.

I have previously submitted comment on this proposal (July 20). Since then, many things have occurred that have, or will have, impact on this area of East Bayside, as follows:

1. The intermodal transportation facility at 122 Anderson Street has been conditionally approved by the Planning Authority;
2. East Cove Townhomes proposal for rezoning/development at 145-155 Washington Avenue is under consideration by the Planning Board;
3. The Franklin Redesign Committee has unveiled proposals to help "fix" the Marginal Way/Franklin Arterial intersection;
4. I've become aware of yet another development in the works for 192 Washington Avenue for 15 market rate apartments;
5. Redfern has changed its rezoning request from B2-b to B1-b and conducted a traffic impact study;
6. I have taken the time to research, analyze, document, and discuss/share with City staff, City Councilors, East Bayside residents, business owners, and visitors to Fox Field (Kennedy Park), a number of safety concerns that relate to the entire length of Fox Street.

On the advice of City Councilor, Kevin Donoghue, I am submitting the most recent version of the research, referred to in #6 above, as part of my comments today regarding Redfern's proposal for rezoning 89 Anderson Street. It is my intention to make this information available to all of the Planning Board members for consideration at this time, and this is the method that Councilor Donoghue suggested to accomplish that goal.

Yesterday, I met with Jonathan Culley and William Bray, the traffic consultant hired by Redfern to conduct the Traffic Impact Study related to the rezoning request for 89 Anderson Street. At that meeting I was shown, and later emailed, an addition to the original study. This addendum provides traffic volume counts for the existing business (3G's), located at 89 Anderson Street, that should be subtracted from the traffic volume numbers, previously reported in the study, that will be generated by Redfern's proposed development of 53 housing units, in order to arrive at the net increase in traffic volume.

These are my comments about the Traffic Impact Study:

1. In paragraph one, on page one of the study, it is stated that "Access to the covered parking spaces will be provided through a single entrance located on Everett Street."

This statement indicates a change from the original plan to provide access from Fox Street. As this addresses one of my previously submitted concerns, I want to express my gratitude for this change.

2. It is my understanding that this traffic study was conducted at the same time as gas line upgrade construction was being conducted on Washington and Cumberland Avenue. This construction certainly would have impacted the traffic volumes counted at this time because traffic was diverted and drivers were likely to choose to “stay away” from this congestion.
3. It is also my understanding that the PM Peak Hour traffic counts did not include traffic volumes generated by athletic events, (i.e. games and/or practices of the Portland Youth Football League, Portland Area Youth Soccer, Portland Adult and Women’s Rugby, etc.) on Fox Field (Kennedy Park).
4. I appreciate that this traffic study included an analysis of “traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened.” However, the following proposals for development are not included, yet are most likely to be approved, and will impact this area, one of them (the “fix” for the Marginal Way/Franklin intersection), quite significantly:

- a. The option for “fixing” the Marginal Way/Franklin intersection that was “least hated” by East Bayside residents and business owners who attended a September 4 neighborhood meeting would bring a substantial amount of additional traffic volume to this area because:

Vehicles, driving west on Marginal Way, from East Bayside will not be able to go straight, or turn left, at the Franklin Street intersection; they will only be able to turn right, to access Rte. 295, north or south. Vehicles will still be able to enter East Bayside, turning right or left, from Franklin Street, or heading straight through on Marginal Way from Bayside. However, they must use connecting streets, through the industrial zone, to Fox Street, in order to leave.

- b. Additional traffic volume from East Cove Townhomes, the proposed rezoning/development at 145-155 Washington Avenue, also being considered at this Planning Board meeting, on September 23, 2014;
- c. Additional traffic volume from an upcoming development for 15 market-rate apartments at 192 Washington Avenue.
5. I also appreciate the attention paid in this traffic study to the intersection at Walnut/Washington/Fox Streets, including the updated designation of this intersection as a “high crash location,” and the suggested remediation measures for Walnut Street and the dysfunctional pedestrian crossing equipment at both existing Washington Avenue crosswalks. However, the preliminary traffic warrant evaluation for full traffic signalization at this intersection, conducted under this study concludes that:

“ . . . present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals.”

Perhaps a study done when there is no gas line construction along this section of Washington Avenue would produce a different result. However, even full signalization, at this intersection, would not adequately address the conditions that contribute to its designation as a high crash location. Parking restrictions along “upper” Fox Street, east of Anderson Street are needed, as well as suitable, and doable, remediation measures for Walnut Street.

6. In summary, about the traffic study: I greatly appreciate this effort to analyze the traffic impact of the proposed rezoning/development at 89 Anderson Street. However, this study, although conducted using current, applicable industry standards, is still simply a snapshot in time, and more art, than science. Yes, there are lots of numbers involved, but, my 28 year career as a public accountant has taught me that numbers, even though presented according to all professional compliance standards, are only representations, much like any piece of artwork. Human, common sense interpretation, and knowledge of the larger context within which they are presented, must be applied for these representations to be utilized as effective tools for decision-makers.

There are two more comments I wish to make today for this 2nd Planning Board Public Workshop on Redfern’s proposal for rezoning/development at 89 Anderson Street, as follows:

1. Sight-line issues at the Fox/Anderson Street corner would be caused by the building, as currently depicted in the architectural drawings presented at the July 16 neighborhood meeting, at this location. My research about this issue revealed that this corner does not meet the City of Portland’s Transportation Systems and Street Design Standards for the “Horizontal Alignment of Streets,” stated in Section 1.3 of the City of Portland Technical Manual, as:

“When two streets intersect and one street is an arterial or collector street, or both streets are arterial or collector streets, the angle of intersection shall be 90 degrees. When two streets intersect and neither street is an arterial or collector street, the angle of intersection shall be at least 75 degrees and no greater than 105 degrees.”

Streets are classified in accordance with the Federal Highway Administration Functional Classification Guidelines. Fox and Anderson Streets are currently classified as “Local Streets.” However, these classifications have not been updated since 2005. Fox Street has likely become a “Collector Street” since then. If it isn’t now, then it will be very soon.

Yesterday, when I met with Jonathan Culley and William Bray, I was informed that a different standard, than the one quoted above, applies to an intersection which has 4-way stop signs. Apparently, the intersection meets this different standard if a driver, stopped in-line with the stop sign, can see the cars, at all, that are also stopped in-line with the stop signs at any of the intersecting street segments. I can only assume that this same standard applies equally to 4-way stop intersections that meet at 90 degree

angles. I sincerely hope that the Planning Board will seriously question the applicability of this standard for this specific situation:

- a. The northern street segment of Anderson Street intersects Fox at roughly a 45 degree angle;
 - b. The stop sign on the eastern street segment of Fox Street is located approximately 35-40 feet from the right-angle line of intersection with the southern street segment of Anderson Street;
 - c. Currently, there are four different land use zones that converge at this corner: Residential Zone R-6; Recreation and Open Space Zone R-OS; Urban Commercial Business Mixed Use Zone B5; and Low Impact Industrial Zone IL-b. The convergence, at this corner, of all of these land use zones, already creates a challenging situation in regards to safeguarding residential, business, and industrial vehicular traffic and parking, as well as Fox Field visitor vehicular traffic and parking, and all pedestrian, and bicyclist traffic. Redfern's request to rezone 89 Anderson Street from R-6 to B1-b will certainly increase this challenge.
 - d. The community center/mosque, located within the IL-b zone, at this corner, conducts frequent, outdoor gatherings and activities for its members, families, and children, creating an additional safety consideration.
2. Why B1-b? I still do not understand the rationale for requesting this specific zone for a 53 unit housing development. As I stated in my previous comments to the Planning Board on July 20, the community space does not seem sufficient for anything other than an office; and the commercial space seems like an after-thought to justify the zone. Placing a restaurant, with its additional traffic and parking requirements at this corner does not make any sense in relation to the safety challenges already discussed and already present at this location. Therefore, I do not support this request for rezoning, and most certainly do not support any extension of the B1-b zone further east up Fox Street or in any direction along Anderson Street.

Thank you for your consideration of my comments. I hope you will take the time to look through the other documents I have submitted as comment, as well. I look forward to further discussions with you at the workshop on September 23.

Sincerely,

Cynthia L. Cochran
17 Hammond Street
Portland, ME 0410
(207) 773-0522
ccochran@maine.rr.com

Fox/Anderson Street Safety Concerns & Other Important Issues

Contents List

Street Design Issues

Traffic Lights & Traffic Calming Issues UPDATED!

Parking Issues UPDATED!

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Cardente's Land Use Proposal - 122 Anderson Street UPDATED!

**Franklin Street Redesign - Fix Marginal Way/Franklin Streets
Intersection – Impacts on East Bayside? UPDATED!**

Proposed Revision - Residential R-6 Zoning Ordinance

Other Issues for Discussion:

School Children - Traffic & Related Safety Issues

Multiple Zones/Land Uses along Fox Street

Does the IL-b Zoning Ordinance Need an Update?

WOW! There's an awful lot going on!

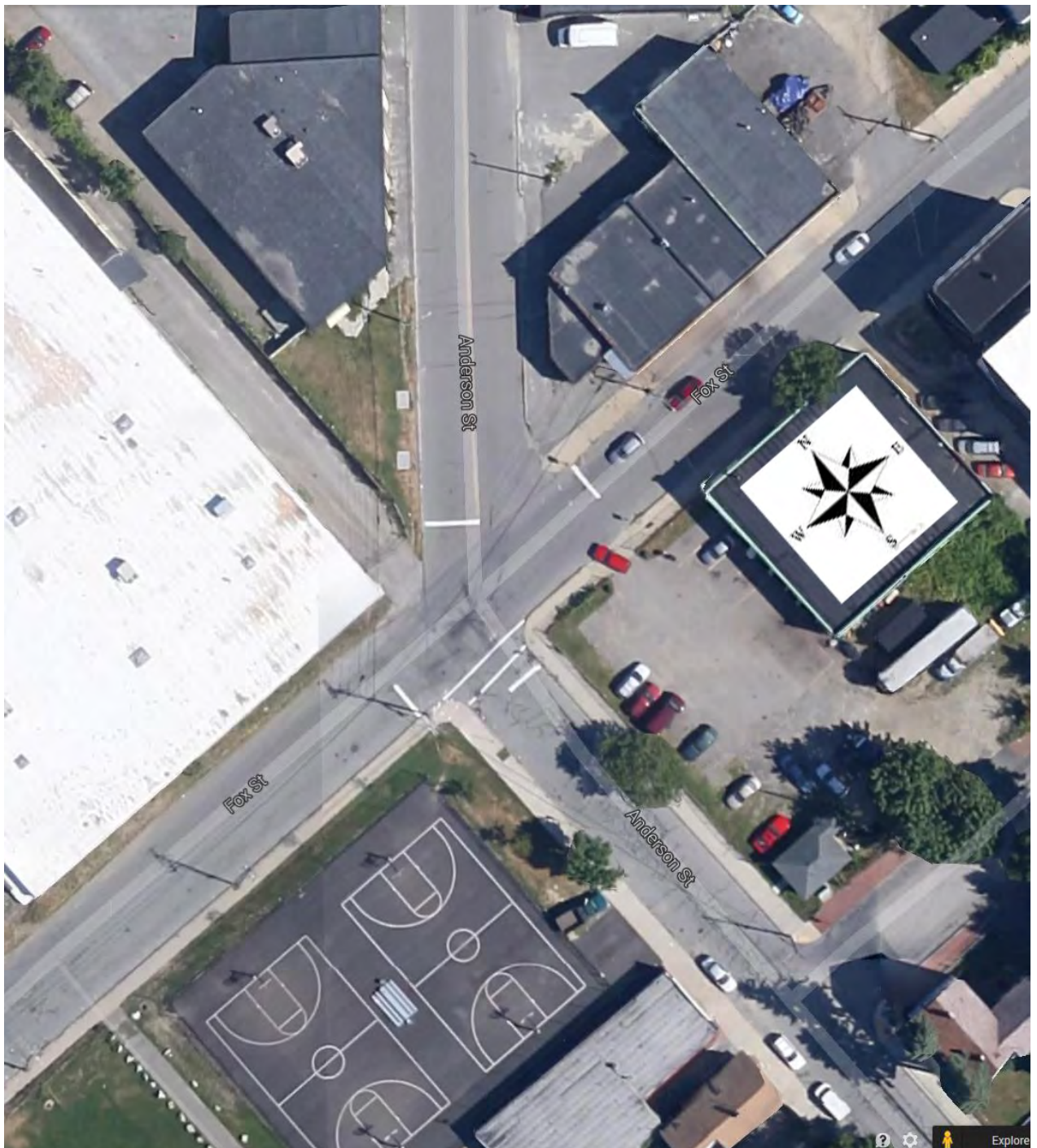
Contacts & Links

I. Street Design

A) Fox/Anderson Streets Corner

- 1) This corner does not meet the City of Portland's Transportation Systems and Street Design Standards for the "Horizontal Alignment of Streets," stated in Section 1.3 of the City of Portland Technical Manual, as:

"When two streets intersect and one street is an arterial or collector street, or both streets are arterial or collector streets, the angle of intersection shall be 90 degrees. When two streets intersect and neither street is an arterial or collector street, the angle of intersection shall be at least 75 degrees and no greater than 105 degrees."



- a) Streets are classified in accordance with the Federal Highway Administration Functional Classification Guidelines.
 - b) Fox and Anderson Streets are currently classified as “Local Streets.” However, these classifications have not been updated since 2005. Fox Street has likely become a “Collector Street” since then. If not now, then soon. **(See Attachment A)**
- 2) If Redfern’s proposals for rezoning and development of 89 Anderson Street are approved, this corner will not meet Maine DOT’s or the City of Portland’s Transportation Systems and Street Design Standards for “Sight Distance,” stated in Section 1.6 of the City of Portland Technical Manual, as a measured distance of 200 or 250 feet for speed limits of 25 or 30 mph, respectively. The walls of the proposed building will obstruct these required sight distances. **(See IV,A, 1-3 below and Photos at Attachment F).**

B) Fox Street/Washington Avenue Corner

- 1) This corner does not meet the City of Portland’s Transportation Systems and Street Design Standards for “Street Grades,” stated in Section 1.4 of the City of Portland Technical Manual, as follows:
- “Street grades at intersections shall not be more than three (3) percent for a distance of one hundred (100) feet from the center of the intersection.”**
- 2) Due to the downhill slope of Fox Street from its intersection with Washington Avenue, as well as allowed on-street parking, this corner does not meet Maine DOT’s or the City of Portland’s Transportation Systems and Street Design Standards for “Sight Distance,” stated in Section 1.6 of the City of Portland Technical Manual, as a measured distance of 200 or 250 feet for speed limits of 25 or 30 mph, respectively. **(See III,A,2 below)**

II. Traffic Lights & Traffic Calming Issues

A) Crosswalks/Curbs/Sidewalks UPDATES! (See #1-4 below) (See Larger Map of Area - Attachment B)

- 1) A request was sent on 9/11/2014, to Bruce Hyman and Tom Errico to provide the latest, detailed description and time-line projections for all phases of this long-awaited project.
- 2) Clarification received from Tom Errico, private consultant, thomas.errico@tylin.com on 9/10/2014.
 - a) Work this fall (Nov) will be sub-surface level (i.e. below ground level).
 - b) There are different phases to these planned improvements; details are dynamic.
 - c) We won’t see any sidewalks or curb extensions until next year.
- 3) Bruce Hyman, (Public Works, BHYMAN@portlandmaine.gov, 874-8833) projected earlier that:
 - a) New sidewalks on north side of Fox/west side of Anderson Streets and the west side of Anderson/ north side of Fox Streets (to just beyond the Community Center building) are scheduled to begin ~~(Oct)~~. **Updated date is next spring.**
 - b) Crosswalks and curb extensions on three sides of the Fox/Anderson Streets corner are scheduled to begin ~~(Oct)~~. **Updated date is next spring.**
 - c) Additional sidewalks on Anderson Street and curb extensions/crosswalks at the fourth corner (3Gs corner) at Fox/Anderson Streets will be scheduled for 2015.

- 4) Crosswalks (at least paint lines and related signage to restrict parking) are needed for corners of Diamond and Fox Streets. **Something like this is supposedly included in phase 2 of this project.**
 - a) Increased pedestrian patronage at Coffee By Design, Rising Tide Brewing Company, and other area business require safer passage across these streets.
 - b) Increased pedestrian and bicyclist traffic accessing the East Bayside portions of the Portland Trails.
- 5) Crosswalks (at least paint lines and related signage to restrict parking) are needed for corners of Anderson and Madison Streets. Many children cross at this location from PHA's Kennedy Park campus to attend activities at The Root Cellar on Washington Avenue.
- 6) Traffic Lights should be installed at corners of Fox/Anderson and Fox/Washington in light of the failures, cited above, to meet street design safety standards, and increased residential, recreational, commuter, pedestrian, and bicyclist traffic all along Fox Street.

III. **Parking Issues** (See Larger Map of Area - Attachment B)

A) Parking Along Fox Street from Anderson Street to Washington Avenue

- 1) Parking on both sides of "upper" Fox Street causes persistent obstruction to a safe flow of two way traffic. Winter snow and parked vehicles restrict traffic flow to one lane only.
- 2) Although parking is restricted as far down as 50 ft. from Washington Avenue on the South side of "upper" Fox Street, this is not the case for the North side, where parking is allowed for an additional 35 feet from the "No Parking from Here to Corner" sign. This contributes to the failure to meet Maine DOT's or the City of Portland's Transportation Systems and Street Design Standards for "Sight Distance," stated in Section 1.6 of the City of Portland Technical Manual at the corner of Fox and Washington Avenue. **(See I,B,2 above)**
- 3) The "No Parking – Here to Corner" signage is missing (i.e. not there) on Fox Street corners with Hammond and Winthrop Streets and on Hammond Street corners with Fox Street. Cars parked consistently within 25 ft. of these corners block drivers' vision as they pull out onto Fox Street, creating a safety hazard.

Recommendations:

- (a) Restrict parking further down the North side of Fox Street from its corner with Washington Avenue to the edge of the Gallery Parking Lot driveway.
- (b) Restricting parking to one side only of Fox Street, East of Anderson Street
- (c) Put up the missing "No Parking" signs

B) Parking Along Fox Field **UPDATE!** (See Recommendations, a-b below)

- 1) Up to 4-5 tractor trailers consistently park along Fox Field, often for 2-7 days at a time **(Photos at Attachment C)**
 - a) Greatly reduces availability of parking for participants in Fox Field activities
 - b) Greatly reduces safety due to decreased sightlines for all users on Fox Street (pedestrians, bicyclists, and vehicular traffic)
 - c) These tractor trailers do not belong to, nor conduct business for the industrial zone businesses across the street.

Recommendations:

- a) 3 hour limit on south side of Fox Street between Franklin and Anderson Streets. This allows adequate parking time for field event participants
 - b) Petitions and supportive signatures, in support of this proposal, were collected and submitted to Jeremiah Bartlett. These, along with Kevin Donoghue's sponsorship, will be reviewed by the Transportation, Sustainability, and Energy Committee (TSEC) at their Sept. 17 meeting
- 2) There is no off-street parking available for participants or spectators using the basketball courts and/or Fox Field. This situation results in cars parked illegally, as well as cars parked on the business lots across the street. The business lots are restricted for business patrons and are clearly marked as such. **(Photos at Attachment D1 and D2)**
- a) Fox Field is a City owned Recreation and Open Space (R-OS) Zone. Division 20, Sec 14-332.1 of City Zoning Code states:

"Recreation open space zone: Off-street parking adequate to serve projected employee and visitor needs shall be provided."
 - b) Fox Field use has increased substantially over the past few years.
 - c) Traffic volume on Fox Street has substantially increased over the past few years and will increase further due to current, and on-going housing developments in the area
 - d) Field users, opening driver-side doors to unload multiple passengers and athletic equipment, create numerous traffic hazards
 - e) Children and adults walking between vehicles into the Fox Street roadway create a safety hazards for all users on Fox Street due to the reduced sightlines between vehicles, and often, the sudden and unexpected nature of these movements.

Recommendations: **(Photos at Attachment E)**

- a) Create an off-street, parking area behind the facilities building and two residential properties at 80 - 90 Anderson Street with gated access from Fox Street, between the basketball courts and the athletic field.
- b) A locked gate should be installed to allow use only during athletic events. Discuss possibility with Ethan Owens, City's Athletic Facilities Manager, ewens@portlandmaine.gov.
- c) Use grasscrete instead of pavement to retain a permeable surface area. Keeps the grass growing! See description and examples of grasscrete [here](#).

IV. Redfern's Rezoning/Development at 89 Anderson Street

A) Restricted sight-lines at Fox/Anderson Street corner **(See I,A, 1-2 above and Photos at Attachment F)**

- 1) Architectural drawings presented at the Neighborhood Meeting on July 16 locate the building walls at the edges of the sidewalks along Fox and Anderson Streets
- 2) Due to the angle at which Anderson Street intersects Fox Street from the North, the Stop Sign at the foot of Fox, when headed west, is located 35-40 feet back from the location of the end of the sidewalk on the opposing corner.
- 3) 45-50 foot walls would obstruct the view of vehicles coming to Fox Street from the residential area south on Anderson Street, as well as those coming down the hill from Washington Avenue on Fox Street.

B) On-site parking to be accessed from Fox Street UPDATE! Access now from Everett Street! (See separate PDF file: Traffic Impact Study provided by Jonathan Culley on 9/9/2014)

- 1) Architectural drawings presented at the Neighborhood Meeting on July 16 locate the entrance/exit for the 53 proposed, on-site parking on Fox Street
- 2) This creates substantial, additional safety hazards for all users of Fox Street.
- 3) Locating the parking access on Everett Street is a reasonable alternative.

C) Overflow parking for residents and patrons of the proposed restaurant

- 1) This has not yet been addressed. At the Neighborhood Meeting on July 16, Jonathan mentioned the possibility of obtaining parking, directly across Fox Street, from same property owner (as 3Gs). However, it has become common practice for “on-peninsula” developers to take advantage of an option to pay fees to the City instead of providing the number of parking spaces required by zoning ordinances. (See City of Portland Code of Ordinances, Chapter 14 - Land Use, Division 20 – Off-Street Parking, Sec. 14-345).
- 2) Parking requirements for B1 zone: 1 for each residential unit; 12 for the restaurant space and 1-4 additional for other commercial space, depending on use of occupant, totaling 66-69.

D) Information Resources: UPDATE!

- 1) Planning Board Workshop #2: September 23, 2014, 7pm, City Council Chambers. Documents and materials have not yet been posted, but will be available from [here](#).
- 2) Email Update from Redfern’s Jonathan Culley on August 4, 2014 (Attachment G)
- 3) Architectural drawings presented at July 16 Neighborhood Meeting (Attached)
- 4) Proposal Documents for July 22 Public Workshop:
 - a) [Planning Staff Memo](#)
 - b) [Applicant's Submittal](#)
 - c) [Neighborhood Meeting Packet](#)
 - d) [Public Comment](#)

V. Cardente Realty’s Land Use Proposal for 122 Anderson Street

A) Intermodal Transportation Facility for staging up to 30 tractor trailers for the Nova Star Ferry operations from mid-May thru early November UPDATE! (See #1 below)

- 1) Clarification was obtained from Tom Errico regarding monitoring process outlined in Section B, iv of the conditional approval at 9/10 meeting with City staff.
 - a) Monitoring time-frames will be coordinated with information from Recreation & Facilities management to include days & times when Fox Field is in use.
 - b) Monitoring will be conducted within the two week period of commencement of operations (i.e. in Sept/Oct 2014) and will also be conducted during the 2015 season, once operations have become more established (i.e. July/August, 2015).
- 2) This land use proposal received conditional approval from the City Planning Authority on August 15, 2014. (See attached approval letter for waivers and conditions)
- 3) Only 15 tractor trailers are allowed during 2014.

- 4) It appears that each trailer will pass through the Fox/Anderson Street corner twice daily, on its journeys to and from this staging site (i.e. 15 trucks = 30 trips). **(See attached map)**

VI. Franklin Street Redesign – Impact on East Bayside? **UPDATE!**

A) Fixing the Marginal Way/Franklin Arterial intersection: **(See new attachments, #1-2 below)**

- 1) Meeting held Sept 4 at Zero Station, 222 Anderson Street:
 - a) Meeting flyer, meeting notes, and graphic illustrations of proposed solutions are presented in attachments. **(See attachments pages 22-28)**
 - b) **Please note:** The solution titled “Restricting Out-Movements from East Marginal Way,” that was “disliked the least,” will increase traffic volumes on Fox Street. **(See attach, page 25)**
- 2) **Follow up meeting to discuss these options further:** Franklin Street Public Workshop will be held on Wednesday, October 1 at Rines Auditorium/Portland Public Library from 5:30 to 7 pm.

B) Franklin Street Redesign Committee – City web site is [here](#).

C) Documents currently available from this site:

- 1) [Alternative Cross Sections](#)
- 2) [Station Graphics](#)
- 3) [Minutes of April 3, 2014 Meeting](#)
- 4) [Minutes of January 29, 2014 Public Workshop](#)

VII. Proposed Revision of Residential R-6 Zoning Ordinance

A) R-6 Zone changes web site: <http://www.portlandmaine.gov/1260/Amendments-to-the-R-6-Zone>

B) Cliff Notes (underlying details are not yet available): **(See attached City Zoning Map)**

Potential R-6 Amendments to Dimensional Requirements		
<i>Residential Dimensional Requirements</i>	<i>Existing</i>	<i>Proposed</i>
Lot Size	4,500 sf	2,500 sf
Min. Lot Area/Dwelling Unit	1,000-1,200 sf	725 sf
Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f
Street Frontage	40 feet	30 feet
Front Yard Setback	10 feet, or no more than average depths of adjacent front yards	5 feet, or no more than average depths of adjacent front yards
Rear Yard Setback	20 feet	10 feet
Side Yard Setback	10-15 feet, variable by height	5 feet
Side Yard on Side Street	10 feet	0 feet
Maximum Lot Coverage	40-50%, variable by # of dwelling units/lot	60%
Minimum Lot Width	40 feet	30 feet
Maximum Height	45 feet	45 feet
Landscaped Open Space	20-30%, variable by # of dwelling units/lot	20%
Parking	1 space/unit	1 space/unit, except none required for first 3 units

Date: June 17, 2014

VIII. Other Issues for Discussion

A) School Children - Traffic & Related Safety Issues.

- 1) Could this stop be relocated to a safer place? Greenleaf Street? Could the bus be re-routed down Madison, instead of stopping to let children off the bus on upper Fox Street?
- 2) Need for crossing guards at appropriate times and locations for East Bayside school children
- 3) What are the issues and needs for parents, children, bus drivers, etc.?

B) Multiple Zones/Land Uses along Fox Street (See attached City Zoning Map)

- 1) Six zones are currently represented on Fox Street:
 - a) Residential Zone R-6;
 - b) Residential Zone R-7;
 - c) Recreation and Open Space Zone [R-OS];
 - d) Community Business Zone B-1b;
 - e) Urban Commercial Mixed Use Zone B5;
 - f) Low Impact Industrial Zone IL-b
- 2) What opportunities and challenges does this convergence bring to our neighborhood?

C) Does the IL-b Zoning Ordinance Need an Update?

- 1) The purpose of this zoning is stated as follows in Chapter 14, Division 13 of the City of Portland Code of Ordinances:

“The low impact industrial zone is intended to provide areas in which low impact industrial uses and limited other uses serving employees and residents of the surrounding neighborhood will be compatible with adjacent residential uses, will provide a buffer between residential neighborhoods and the I-M or I-H industrial zones, or will stand alone as a smaller scale industrial district.”
- 2) Can permitted uses be updated and/or expanded to allow greater flexibility to property owners and tenants
- 3) Can additional “other uses serving employees and residents of the surrounding neighborhood” be identified and included?
- 4) Are certain currently permitted uses really “compatible” with the adjacent Recreation and Open Space (R-OS) and Residential R-6 and R-7 Zones?
- 5) Other issues and concerns?

IX. WOW! There’s an awful lot going on!

(See attached street map with known developments as of 8/31/2014)

Email Contact Information and Links to Information

City Web Site: <http://www.portlandmaine.gov/>

Portland's Comprehensive Plan: <http://me-portland.civicplus.com/562/Comprehensive-Plan>

Mayor: Michael Brennan, mfpb@portlandmaine.gov

Mayor's Office: <http://me-portland.civicplus.com/338/Mayors-Office>

District 1 City Councilor: Kevin Donoghue, kjdonoghue@portlandmaine.gov

At Large City Councilors: Jon Hinck, jhinck@portlandmaine.gov

Nicholas Mavodones, NMM@portlandmaine.gov

Jill Duson, jduson@portlandmaine.gov%20

Planning & Urban Development: <http://www.portlandmaine.gov/314/Planning-Urban-Development>

Department Head: Jeff Levine, jlevine@portlandmaine.gov

Planning Division Director: Alex Jaegerman, aqj@portlandmaine.gov

Traffic Engineer: Jeremiah Bartlett, JBartlett@portlandmaine.gov

Parking: <http://www.portlandmaine.gov/351/Parking>

Manager: John Peverada, jbp@portlandmaine.gov

Codes, Regulations & Ordinances: <http://www.portlandmaine.gov/756/Codes-Regulations-Ordinances>

Chapter 14 – Land Use: <http://www.portlandmaine.gov/DocumentCenter/Home/View/1080>

City Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2211>

Fox/Anderson Street Safety Concerns & Other Important Issues

Attachments List

- A - Street classification map
- B - Earth view map of Fox/Anderson Streets
- C - Photos of tractor trailers parking along Fox Field
- D1 - Photos of parking situation when Fox Field is in use
- D2 - Business parking lots filled with field use overflow
- E - Photos of possible area for off-street parking for Fox Field
- F - Photos of Fox/Anderson intersection **UPDATE!** Now shows building outline in red
- G - Email update on 89 Anderson Street proposal **UPDATE!** Emails and Traffic Study (See PDF file)

Architectural drawings of proposed building at 89 Anderson Street (3 pages)

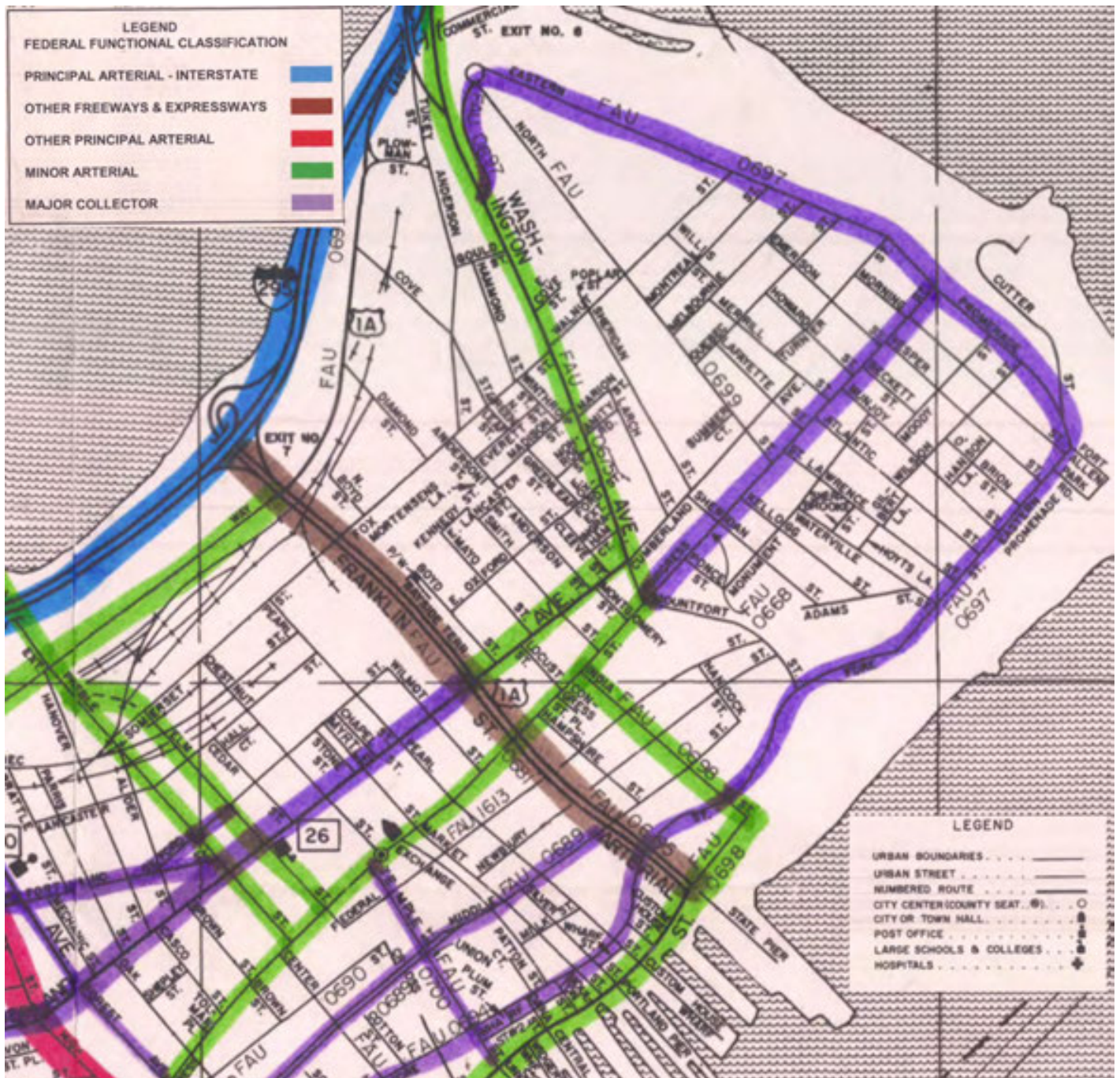
Conditional approval letter for intermodal staging at 122 Anderson Street (6 pages)

Map of Nova Star tractor trailer route through East Bayside

Franklin Redesign Committee meeting about fixing the Marginal Way/Franklin intersection **UPDATE!** (Now 7 pages)

Zoning Map of East Bayside/Munjoy Hill

East Bayside/Munjoy Hill street map showing known developments as of 8/31/2014







Tractor trailers
parked along
Fox Field





**Business
parking lots
filled with
overflow
parking during
field use**





Possible area for off-street parking for Fox Field users





Line of sight
issues at Fox/
Anderson Street
corner
(Redfern's
proposed
building site
outlined in red)



Subject: 89 Anderson - Update and Traffic Study
From: Jonathan Culley <jonathan@redfernproperties.com>
Date: 9/9/2014 9:03 AM
To: Jonathan Culley <jonathan@redfernproperties.com>

Last update received by neighborhood residents about Redfern's proposed rezoning/ development at 89 Anderson

Dear East Bayside Resident:

You are included on this email if you provided your email address on the sign-in sheet at the July 16th neighborhood meeting, or if I have otherwise communicated with you on the proposed 89 Anderson Street project.

To give you an update, we have been waiting for the results of a Traffic Study, which we have recently received and is attached. The Study took a comprehensive look at Fox Street from Franklin to Washington, looking at the three intersections (including Fox/Anderson). This is a far more comprehensive study that is required by the Zoning process, and is a response to concerns expressed by neighbors and the Planning Board. The study makes some important recommendations, that we intend to advocate for, should our project go forward. We understand that Tom Errico, the City's traffic engineer (actually employed by T.Y. Lin by contracts to the City) is conducting a peer review of this Study this week.

Second, we have decided to modify our Zoning request to ask for B1b as opposed to B2b Zoning, the rationale for which is discussed in the email below.

We have not yet scheduled a subsequent workshop with the Planning Board, but expect to do so soon. I will send a subsequent email when we have a workshop scheduled.

I would welcome additional discussion on the attached Traffic Study or any other matters that are of concern to you. Please do not hesitate to call or email me. Thanks!

Jonathan Culley
Redfern Properties LLC
 Cell: 207-776-9715
 Office: 207-221-5746
 Fax: 207-221-2822

jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

From: Jonathan Culley <jonathan@redfernproperties.com>
Sent: Monday, August 04, 2014 12:46 PM
To: Jonathan Culley <jonathan@redfernproperties.com>
Subject: 89 Anderson update

Dear East Bayside Resident:

You are included on this email if you provided your email address on the sign-in sheet at the July 16th neighborhood meeting, or if I have otherwise communicated with you on the proposed 89 Anderson Street project. I wanted to provide an update on our process. We have taken two meaningful steps since the July 22nd Planning Board meeting.

First, in response to what seemed like the loudest concerns during Public Comment at the July 22nd meeting, we have commissioned a traffic (and parking) study for the neighborhood including Fox Street from Franklin to Washington. Bill Bray of Traffic Solutions Inc. will be conducting the study; you may see him seeing his traffic counting equipment on Fox Street in the near future. We have asked the City to have their traffic engineer provide a 'peer review' of the study, once complete, and they have agreed. We hope to have some preliminary results by the 3rd week of August and I would

be pleased to host a meeting for concerned neighbors once we have a Draft of the report. I have asked Bill Bray to consider things like traffic lights and other traffic calming devices that could alleviate some of the pressure on Fox Street. My ultimate hope would be to go the City, in conjunction with you, the neighbors, to press for some changes that could dramatically improve the traffic situation.

Second, while our sense was that the Planning Board was generally supportive of the project, we sensed some hesitation about the B2b zone in this location. So we are working with City staff to potentially revise our request to ask for B1 Neighborhood Zone (instead of B2b). While this would allow our proposed building to go forward, it seems more appropriate for the neighborhood. In fact, this zone was written for situations such as this and it is considerably more restrictive on the types of allowable commercial uses on the ground floor, and thus would offer some additional protections for the neighborhood, preventing non-compatible uses. I will paraphrase from Section 14-161 of the Land Use Code - page 14-239 at <http://www.portlandmaine.gov/DocumentCenter/View/3430>

“The purpose of the B-1 neighborhood business zone is to provide limited areas for the location of small-scale commercial establishments intended to serve a local market. As a result, uses shall be complementary, quiet and generally do not disturb the comfort and enjoyment of the adjoining neighborhood environment....

This zone shall encourage mixed use buildings such as commercial first floor with residential uses above....The zone also provides the opportunity for mixed use and high residential density in on-peninsula locations.

Suitable locations for this zone may include street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses.”

We do not expect to have another Planning Board workshop until after we receive the Traffic Study, and make a final decision on whether we will seek B1 Neighborhood Zone (but it looks like it is going this way). So I am guessing the next workshop will not be until September.

As always, I welcome dialogue with all of you. Please call or email me anytime to share thoughts, ideas, and concerns. Otherwise, I will be back in touch once we have more information on the Traffic Study.

Jonathan Culley
Redfern Properties LLC
Cell: 207-776-9715
Office: 207-221-5746
Fax: 207-221-2822

jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

Architectural drawing's of Redfern's proposed development at 89 Anderson Street
presented at July 16 neighborhood meeting (3 pages)







UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	582	1 BEDROOM
204	616	1 BEDROOM
205	582	1 BEDROOM
206	667	1 BEDROOM
207	686	1 BEDROOM
208	396	STUDIO
209	418	STUDIO
210	894	2 BEDROOM
211	418	STUDIO
212	638	1 BEDROOM
213	418	STUDIO
214	582	1 BEDROOM
215	668	1 BEDROOM
216	582	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



Alex Jaegerman, FAICP
Division Director, Planning Division

**Conditional approval for
Intermodal Transportation
Facility at 122 Anderson
(pages 13-18)**

August 15th, 2014

Douglas Cardente
Anderson Street Realty, LLC
322 Fore Street, 3rd floor
Portland, ME 04101

Michael Cardente
322 Fore Street, 3rd floor
Portland, ME 04101

Project Name: **Change of use to Intermodal Transportation Facility for up to 30 vehicles**
Project ID: #2014-112 CBL: 10 H005001
Address: 122 Anderson Street, Portland
Applicant: Douglas Cardente, Anderson Street Realty LLC
Planner: Jean Fraser

Dear Messrs Cardente:

On August 15th, 2014, the Planning Authority approved, with waivers and conditions as listed below, a Level II site plan for the use of the site for Intermodal Transportation for up to 30 vehicles at 122 Anderson Street. The approval includes the use of the northernmost drive for trucks accessing the intermodal part of the site. The decision is based upon the application, documents and plans submitted by Anderson Street Realty LLC and shown on the attached plan submitted July 18, 2014. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance, particularly the Transportation Standards (see the Traffic Review Comments of August 4th, 2014 attached).

A. WAIVERS

1. Sidewalks

The Site Plan standards require a sidewalk along all frontages of the site. The Planning Authority has waived this requirement as the proposal meets two of the waiver criteria set out in section 14-506 (b):

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.
4. The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through an earlier CIP or through other sources.

The City's Anderson Street Neighborhood Byway Project is anticipated to commence in September 2014 and will include construction work to create sidewalks, permanent pedestrian crossings and utility upgrades at the Anderson Street/Fox Street intersection, including a sidewalk along the frontage of the proposal site and along Anderson Street.

2. Location and Spacing of Driveways

Section 1.7.1.7 of the City's Technical Manual establishes spacing requirements for driveways. These are not fully met by the proposals as they are utilizing the existing driveways and curb cuts that currently serve other users as well as the proposed use. The Planning Authority supports a waiver from these standards in view of the existing conditions and the constraint on any substantial modification, and subject to the conditions of approval for the site plan.

Next Page

B. SITE PLAN REVIEW

The Planning Authority finds the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval, and the standard conditions of approval, listed below:

- i. That this approval is for the use of the site for an intermodal transportation facility as presented in application #2014-112, ie for trucks waiting to load onto the Nova Star Ferry at Ocean Gateway (known as a staging area). Any other use of the site shall be subject to any city required reviews and approvals, licenses, and permits, as applicable; and
- ii. The trucks departing the site to go to the Ocean Gateway facility shall use the route from the site to Anderson Street to Fox Street to Franklin Street to Commercial Street; and
- iii. That the intermodal transportation facility trucks shall access the site only via the northernmost drive access, and that trucks entering or exiting the site over a delivery day time period (trucks arriving in advance of ship departure during the day and leaving the site to get to the ship) shall be limited to 15 trucks during 2014 operations. The applicant/operator shall be required to submit to the Planning Authority, on a monthly basis, a written record of the number of trucks using the site each day. Following the results of the monitoring study outlined in Condition iv., the number of trucks may be increased to a maximum number of 30 trucks either entering or exiting the site over a 24-hour period. Otherwise the maximum will remain 15 trucks at any one time; and
- iv. That the applicant shall fund a traffic and pedestrian monitoring study (maximum cost \$1500) to be conducted by the Planning Authority. The monitoring study shall be conducted within two weeks after operations begin and at a later date in the 2014 season. The monitoring study will ensure the conditions of this approval are being met and identify any issues that may need resolution. It should be noted that the monitoring study shall include all roadways / intersections between 122 Anderson Street and the Ocean Gateway site. If the monitoring study identifies safety concerns, the applicant shall be fully responsible for implementation of mitigation measures. It is anticipated that possible mitigation measures may include, but are not limited to, additional warning signs and pavement marking, traffic signal modifications at intersections along Franklin Street, truck arrival/departure management by personnel at the site, and route adjustments; and
- v. The applicant or operator shall implement, from the commencement of truck staging operations, a departure management plan that limits the truck departure rate to a maximum frequency of one truck per minute, to take place between the hours of 7:00pm and 9:30pm. The westbound Fox Street signal phase at Franklin Street will not likely be able to process more than one truck and therefore is currently a limiting factor. The departure management plan may be adjusted in agreement with the Planning Authority based on the monitoring study, which will review this departure rate and recommend adjustments, as necessary; and
- vi. That between the hours of 10pm and 7am no trucks shall access or leave the site, and any new lighting shall be turned off during these hours. Refrigerator trucks shall only utilize the site between 7am and 10pm, shall be parked as far as possible from Anderson Street and meet the sound standards of the ILb zone. All other trucks shall turn off their engines when on the site to minimize fumes; and

- vii. The applicant shall implement temporary pedestrian enhancements to the Anderson Street/Fox Street intersection to be implemented in advance of the commencement of the truck staging operation. These improvements shall include the following and be carried out in accordance with City standards:
- o A crosswalk shall be painted on the westerly Fox Street approach. The crosswalk shall be aligned with the apex on the southwest corner of the intersection and the Coffee By Design Driveway on the northwest corner (half of the crosswalk would be in the driveway).
 - o A crosswalk shall be painted on the easterly Fox Street approach. The crosswalk shall be aligned with each corner apex.
 - o STOP bars shall be re-painted on the eastbound Fox Street approach and the southbound Anderson Street approach.

It should be noted that the permanent improvements at this intersection are expected to be under construction beginning later this summer; if the temporary pedestrian enhancements are impacted by the construction activity, they will be reinstated per city requirements by the utility or city contractors until the permanent pedestrian measures are installed; and

- viii. That the monitoring study identified in Condition iv. shall include the driveway access/egress conditions for both site driveways. Currently, Tandem Coffee and Bunker Brewery use both driveways and this will continue in the future. If deemed necessary from the monitoring study, on-site circulation and access provisions will need to be formally regulated and controlled. An outcome of the monitoring study could be that the northerly driveway (with the truck scale) be used for trucks and employees only and the southerly driveway be used for Tandem Coffee and Bunker Brewery customers and the Community Center. Changes may require both regulatory and wayfinding signage and the applicant would be required to propose how to physically separate the two driveways, internally, so that vehicles are controlled; and
- ix. The applicant shall be responsible for providing a fully paved driveway of a minimum width of 22 feet wide from the right-of-way boundary extending into the site for 50 feet, prior to the commencement of the truck staging operation. A plan of the construction details for this improvement shall be provided for review and approval by the Planning Authority prior to installation. The remainder of the site shall be maintained with a surface that does not allow the creation of dust. In addition, the applicant shall install truck entering warning signs at the site driveway that are compliant with the Manual on Uniform Traffic Control Devices, Federal Highway Administration. Final details of signs shall be reviewed and approved by the Planning Authority; and
- x. That the applicant shall advise the lessees on the site and the Muslim Community Center in advance of the start date for the proposed truck staging operation, and provide details of the likely truck activity and a contact person if there are any problems on the site; and
- xi. That this approval is for an intermodal transportation facility based on the specific Nova Star operations as described in the submissions in July 2014 as part of #2014-112. Any proposed changes in the operator, timing of the truck departures or other operational characteristics shall be advised to the Planning Authority prior to commencement and may be subject to further review; and

- xii. That separate permits from the Inspections Division shall be required for any new or revised signage (except those meeting MUTCD as installed for traffic and pedestrian safety). Other required permits include a Street Opening Permit from the Department of Public Services for any work in the right of way (eg curb cuts); a Change of Use Permit from the Inspections Division; and a Building Permit for Site Work only from the Inspections Division.

The approval is based on the submitted site plan for application #2014-112. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The standard conditions of approval are listed below.

NOTE

The applicant and operator should note that the Anderson Neighborhood Byway Project is anticipated to commence in September 2014 and will include construction work to create sidewalks, permanent pedestrian crossings and utility upgrades at the Anderson Street/Fox Street intersection and along the frontage of the proposal site and Anderson Street. The construction will necessitate limitations on vehicle and pedestrian access to the site during the construction activities, such as single lane alternative flow scenarios. It is anticipated this would be less of an issue at the time of the trucks departure from the site in the evening, but would impact trucks arriving at the Intermodal Transportation facility as well as other users of the property.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **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 Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** A separate building permit for Site Work only is required from the Inspections Division, and permits for work in the right of way are required from the Department of Public Services. This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. **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.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount or a minimum of \$300. and four (4) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department 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.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. **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.
7. **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.)
8. **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.

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. Please schedule any property closing with these requirements in mind.

The proposals have been reviewed as a Level II Staff level review in accordance with the current ordinance requirements, as summarized in the attached "*Report of Findings*".

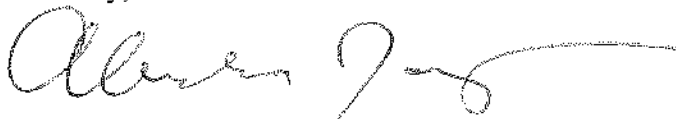
The site plan ordinance includes a provision regarding appeals of an administrative decision, as follows:

Sec. 14-529. Appeals.

(a) When the planning authority has approved, approved with conditions, or denied a site plan, or has approved a request to extend the expiration date of a Master Development Plan, any person aggrieved may appeal the decision to the planning board within thirty (30) calendar days of the date of the written decision of the planning authority. Upon the taking of such an appeal, the application or request for an extension shall be reviewed as a new application or request.

If there are any questions, please contact Jean Fraser at (207) 874- 8728.

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. Staff Report of Findings
2. Site Plan and narratives submitted July 2014
3. Traffic Review comments from Tom Errico dated August 4, 2014, as amended 8.11.2014

cc list below

Next Page

CC:

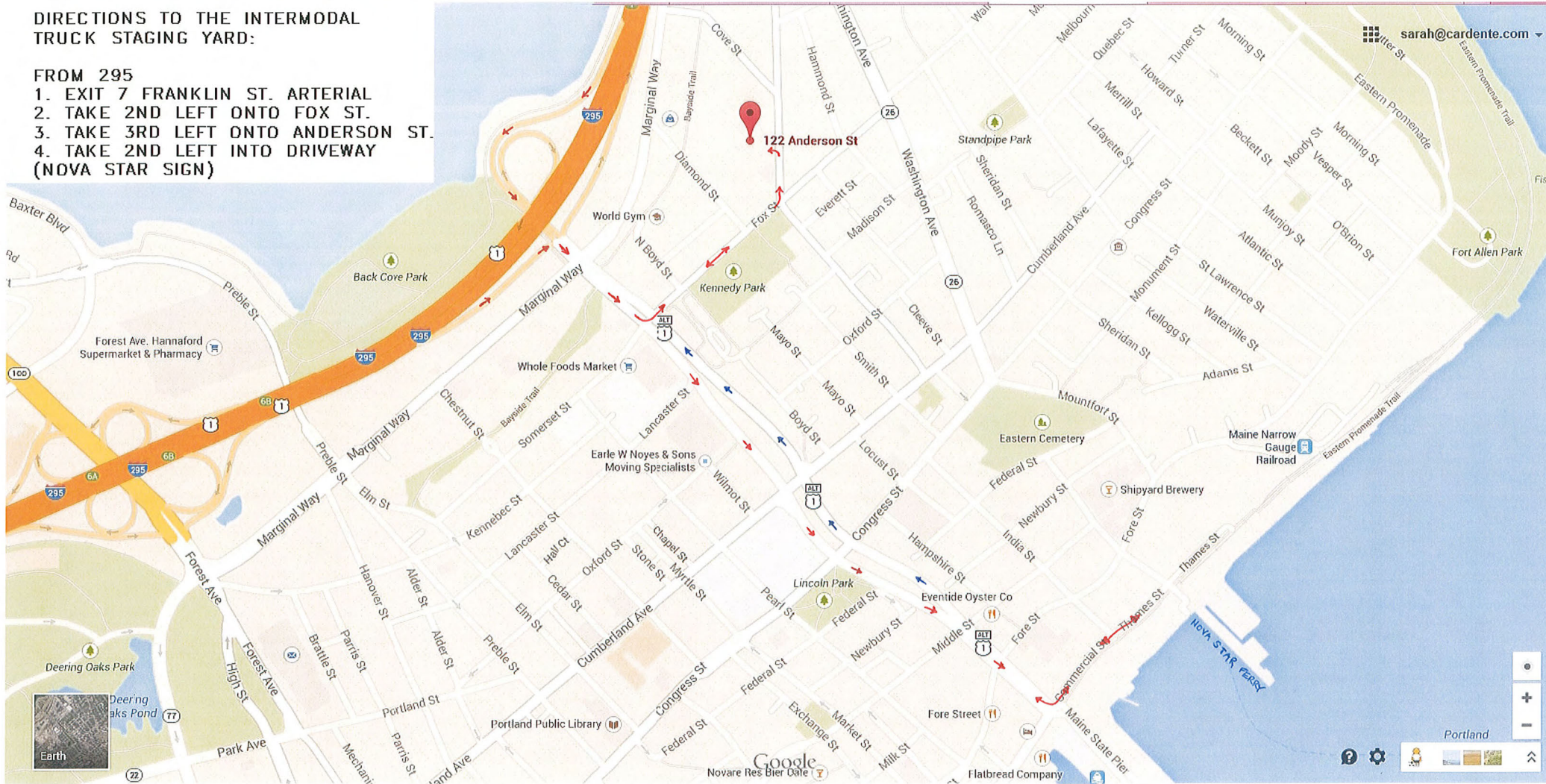
Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CIO, Inspections Division
Lannie Dobson, Administration, Inspections Division
Brad Saucier, 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
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chubta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Intermodal Transportation Facility at 122 Anderson Street - conditionally approved route for Nova Star tractor trailers to/from East Bayside to Ocean Gateway facility

DIRECTIONS TO THE INTERMODAL TRUCK STAGING YARD:

- FROM 295
1. EXIT 7 FRANKLIN ST. ARTERIAL
2. TAKE 2ND LEFT ONTO FOX ST.
3. TAKE 3RD LEFT ONTO ANDERSON ST.
4. TAKE 2ND LEFT INTO DRIVEWAY
(NOVA STAR SIGN)



(See related "Fact Sheet" on page 21)



Help us Fix the Marginal Way-Franklin St. Intersection!

- The intersection is choked with vehicles during peak travel times and is very uncomfortable for bicyclists and pedestrians to cross
- Traffic projections show that congestion at the intersection will get worse in coming years
- Moving around within East Bayside is not always easy for vehicles, bikes OR pedestrians!

Please come hear about possible solutions and tell the City of Portland representatives your thoughts on **how traffic affects customers, employees and residents.**

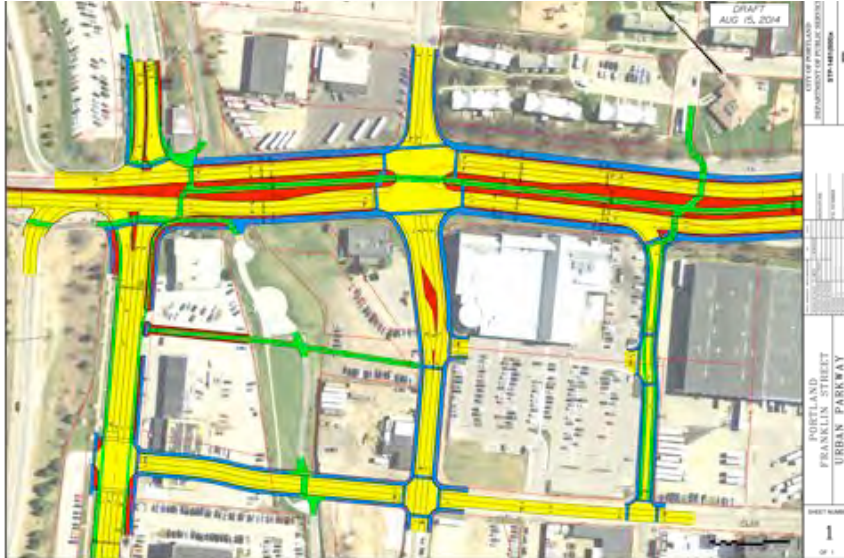
East Bayside
Neighborhood Meeting
Sept. 4, 5:30 pm at Zero Station

FMI Carol Morris/329-6502

See page 28 for more contact info for Carol Morris

- It was noted that the speed on Somerset is slated to be 30 mph and that does not make sense if Franklin is 25 mph. (*City staff to look into this.*)

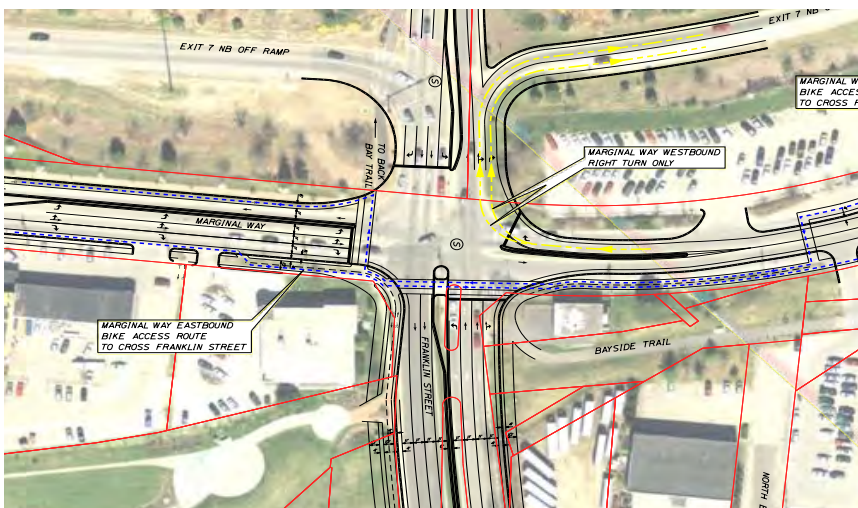
Comments on a Center Median on Franklin Blocking Marginal Way Through-Traffic



See #4 on related Fact Sheet - page 25

- This just moves the pain up the corridor.
- What will this do to all the new development in Bayside? Cuts off East Bayside.
- The traffic should be kept as close to the north end of the corridor as possible.
- This is not a safe solution for Bayside or East Bayside
- **Summary: Not a safe or useful solution**

Comments on Restricting Out-Movements from East Marginal Way



See #5 on related Fact Sheet - page 25

Further clarification about this option:

Vehicles, driving west on Marginal Way, from East Bayside will not be able to go straight, or turn left, at the Franklin Street intersection; they will only be able to turn right, to access Rt 295, north or south. Vehicles will still be able to enter East Bayside, turning right or left, from Franklin Street, or heading straight through on Marginal Way from Bayside. However, they must use connecting streets, through the industrial zone, to Fox Street, in order to leave.

- Generally, people disliked this solution the least. But if it is built, there MUST be improvements to Fox St. so people do not treat it as a raceway.
- The corner at Anderson and Washington is not safe now.
- Question about what changes on Fox might look like (*Answer: Not yet designed.*)
- ***Summary: Not wonderful but the best of the solutions as long as safety improvements are made to Fox Street as part of the mix - slowing down traffic and adding pedestrian amenities.***

Comments on Which Cross Street Traffic Should Use?

- Businesses will need to weigh in on this question.
- Diamond has increasing number of pedestrians, but is a loading zone for trucks – right now not safe
- Cove St. has an odd angle into Anderson Street.
- Boyd did not seem to be a popular choice as it is too narrow.
- ***But generally group not sure of best solution, but noted that the more sidewalks, the better in terms of safety and handling more through-traffic safely.***

Franklin Street/Marginal Way Intersection Fact Sheet

- Initial traffic analysis of Franklin Street, as part of the Franklin Street Redesign Study, showed serious problems with the Marginal Way intersection by 2035.
- We know this intersection is already congested during peak travel times and does not function well for bikes and pedestrians either.
- The challenge at the intersection is based partly on high traffic volumes (this is one of the highest traffic volume intersections in the state) and also on the number of conflicts, i.e., vehicles turning in multiple directions and the signal time needed to process them through the traffic movement.
- The below solutions have been analyzed:
 1. *A large-scale (2-3 lane) roundabout in one of two intersections (Marginal Way or Fox/Somerset)*
 2. *Relocating I-295 northbound off-ramps directly onto Marginal Way*
 3. *Retiming and rephasing traffic signals to move more traffic more efficiently on Franklin Street*
 4. *A raised center median on Franklin Street prohibiting through and left-turn access to Marginal Way*
 5. *Restricting left turn and through-movements out of east Marginal Way*
- Here is an overview of what we found:
 1. *A large-scale roundabout in one of two intersections (Marginal Way or Fox/Somerset):* This works from a traffic perspective. Traffic volumes are such that the roundabouts would be three lanes wide in some parts, which would impact adjacent properties and challenge bike and pedestrian safety.
 2. *Relocating the I-295 northbound off-ramps directly onto Marginal Way:* This worked very well to reduce traffic on Franklin but there is concern about the effects on I-295 as a result of shorter ramps: for example, inadequate deceleration and vehicles backed up onto the highway.
 3. *Retiming/rephasing of traffic signals to move more traffic on Franklin Street:* Due to the amount of traffic, this by itself did not make enough difference.
 4. *A raised center median on Franklin Street prohibiting access to Marginal Way:* This worked from a traffic perspective. It impeded access to/from East Marginal Way and diverted the traffic to areas such as the Fox/Somerset intersection).
 5. *Restricting left turn and straight-ahead movements out of East Marginal Way:* All vehicles *entering* east Marginal Way would get there the same way as now. Vehicles *leaving* East Marginal Way would still be able to make a right-hand turn to access I-295 north or south, but could not take a left to go up Franklin or continue straight onto West Marginal. Vehicles wanting to travel to another location on the peninsula would be re-routed to Fox Street. The traffic model shows only a small number of people travel in this direction. This works from a traffic perspective.
 6. **We want to hear from the businesses, customers and residents in the neighborhood regarding any changes.**

PLEASE JOIN US AT ZERO STATION, 222 ANDERSON STREET< ON SEPTEMBER 4 AT 5:30 PM TO HEAR DETAILS AND PROVIDE NEEDED FEEDBACK ON POTENTIAL SOLUTIONS!

[philosophy](#) [the company](#) [services](#) [case studies](#) [contact](#)



Photo by David A.
Rodgers:motate.com

MORRIS COMMUNICATIONS
PR ■ Public Involvement ■ Public Affairs

"Carol is one of the best team members I've ever worked with. She is always there for you, the perfect communications bridge between policy makers and citizens."

Evan Richert
AICP
Community Planner

contact

Carol Morris, President
Morris Communications
12 High Tide Road
Kennebunkport, ME 04046

Phone: 207-329-6502
Fax: 207-283-8433

Email: cmorris@morriscomm.net

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[Home](#) ▲

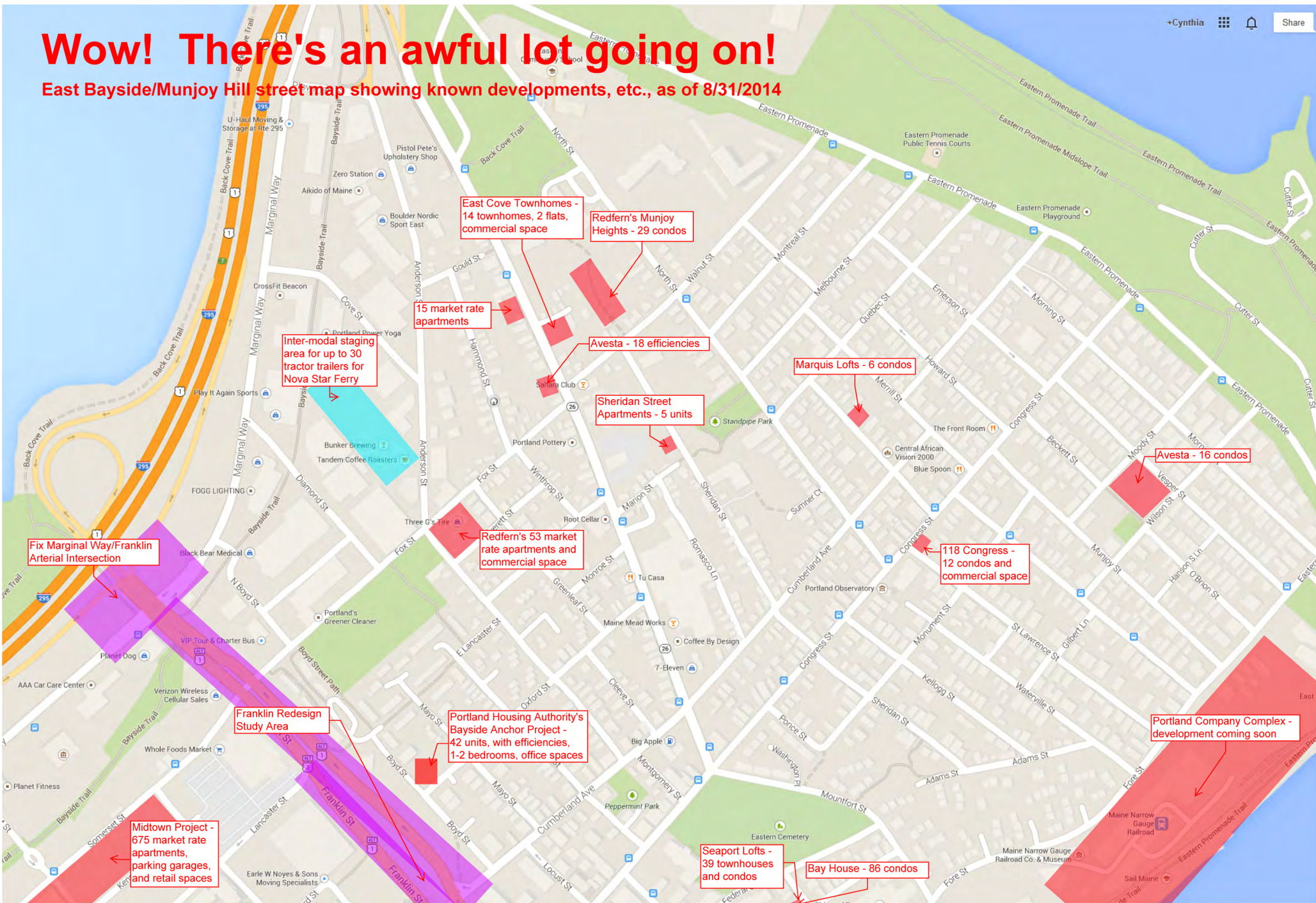
(with recent R-7 zone change outlined in blue)

-
- City's Zoning Map**
(with recent R-7 zone change outlined in blue)
- Legend:**
- R-3 Residential Zone
 - R-6 Residential Zone
 - R-7 Compact Urban Residential Overlay Zone
 - R-OS Recreation and Open Space Zone
 - B-1/B-1b Neighborhood Business Zone
 - B-2/B-2b Community Business Zone
 - B-4 Commercial Corridor Zone
 - B-5 Urban Commercial Mixed Use Zone
 - B-6 Eastern Waterfront Mixed Use Zone
 - IL-b Industrial Zone
 - WSUZ Waterfront Special Use Zone

Wow! There's an awful lot going on!

East Bayside/Munjoy Hill street map showing known developments, etc., as of 8/31/2014

+Cynthia [grid icon] [bell icon] Share



Please note: The map location of the 15 market rate apartments on Washington Avenue is incorrect. It should be located at 192 Washington Avenue, which is further north, past the blocked off Gould Street intersection.

TRAFFIC IMPACT STUDY

FOR

PROPOSED

Includes annotations added by
Cynthia Cochran on 9/11/2014

89 Anderson Street Apartment Complex

Please Note: This study does not address sight-line issues at any of the intersections identified as being impacted by the proposed development. Most specifically, it does not address the sight-line issues at the intersection of Fox/Anderson Streets, which will be created by the location of the building, planned for 89 Anderson Street, and shown on the developer's architectural site drawings.

Prepared For: Redfern Properties, Inc.
Prepared By: William James Bray, P.E.



INTRODUCTION

Redfern Properties, LLC is proposing to construct a 53-unit apartment building on a parcel of property located at 89 Anderson Street. A total of 53 parking spaces will be provided under the cover of the proposed apartment building. Access to the covered parking spaces will be provided through a single entrance located on Everett Street.

The purpose of this study is to examine existing traffic conditions in the general vicinity of the proposed project, estimate the total number of site trips generated by the project, and make a determination as to whether the existing transportation system can safely accommodate the added traffic demand generated by the project.

EXISTING CONDITIONS

Existing Traffic: Manual turning movement counts were conducted at three study area intersections per direction received from the City's Traffic Peer Review Consultant. The intersections included the following locations:

1. Anderson Street @ Fox Street
2. Washington Avenue/Fox Street/Walnut Street
3. Anderson Street @ Cumberland Avenue

All vehicular traffic entering each intersection was recorded in 15-minute intervals between the hours of 7:00 to 9:00 AM and between 3:00 to 6:00 PM (Copies of the field data summary sheets are attached). In addition, both pedestrian and bicycle data was gathered at each location both directionally and time of day. From a summary of the data, it was determined that the morning peak hour occurs between 8:00 and 9:00 AM at each study area location; the PM peak hour falls between 4:30 and 5:30 at each of the locations.

Bicycle and pedestrian volume totals recorded during the vehicular peak hour(s) at each study location are summarized in the following tables:

Bicycle Volumes **(Street Peak Hour)**

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Washington Avenue EB	1	9
- Washington Avenue WB	2	13
- Walnut Street	0	1
- Fox Street	2	2
Anderson St./Fox St.		
- Anderson Street EB	1	6
- Anderson Street WB	3	9
- Fox Street NB	0	11
- Fox Street SB	0	7
Anderson St./Cumberland Ave.		
- Anderson Street	1	0
- Cumberland Avenue NB	2	4
- Cumberland Avenue SB	5	5

Bicycle travel through the study intersections was somewhat moderate during the afternoon peak hour; volumes recorded in the morning peak hour were very low at each of the three study intersections. The highest volume of bicycle trips in the PM peak hour were recorded traveling along the Washington Avenue corridor (22

two-way trips) and a second predominate travel route was along Fox Street with a total two-way volume of 18 trips.

**Pedestrian Volumes
(Street Peak Hour)**

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Crossing Washington Ave. @ Walnut St.	2	0
- Crossing Washington Ave. @ Fox St.	6	8
- Crossing Walnut St.	5	4
- Crossing Fox St.	4	18
Anderson St./Fox St.		
- Crossing East Anderson St.	9	14
- Crossing West Anderson St.	4	2
- Crossing North Fox St.	12	6
- Crossing South Fox St.	7	9
Anderson St./Cumberland Ave.		
- Crossing Anderson St.	21	29
- Crossing Cumberland Ave. @ Anderson St.	14	30

The volume of pedestrian movements recorded at each of the three study intersections was highest at the Anderson Street/Cumberland Avenue intersection where a total of 35 pedestrian movements were recorded in the morning peak hour and 59 pedestrian movements were recorded in the afternoon peak hour.

Traffic data collected during the months of July and August are generally representative of “peak” travel conditions and further adjustment is not required. Figures 1 and 2 are “line-diagrams” presenting “peak” hour vehicular traffic volumes for the AM and PM peak hours, respectively, for the study area intersections. **PDF pages 23-24**

Existing Safety Trends: The Maine Department of Transportation’s (MaineDOT) Accident Records Section provided the latest three-year (2011 through 2013) crash data for the following roadway segments:

1. Fox Street between Franklin Arterial and Washington Avenue
2. Washington Avenue/Fox Street/Walnut Street intersection
3. Anderson Street between Fox Street and Cumberland Avenue
4. Everett Street between Anderson Street and Greenleaf Street

Their report is summarized as follows and attached as an appendix to the report:

It is not known if increased traffic volumes during athletic events on Fox Field (Kennedy Park) was included in this assessment.

Additional traffic volume due to the redesign of the Franklin/Marginal Way intersection was not included in this assessment.

Additional traffic volume from East Cove Townhomes development at 145-155 Washington Avenue was not included in this assessment.

Additional traffic volume from development at 192 Washington Avenue was not included in this assessment.

See "Future Traffic" section PDF page 5 below

2011 -2013 Traffic Accident Summary

<u>Location</u>	<u>Total Crashes</u>	<u>Critical Rate Factor</u>
1. Fox Street @ Franklin Arterial	20	0.58
2. Fox Street and N. Boyd Street	3	1.03
3. Fox Street @ Diamond Street	1	0.34
4. Fox Street @ Anderson Street	2	0.73
5. Fox Street @ Greenleaf Street	2	0.98
6. Fox Street @ Winthrop Street	2	1.06
7. Washington Avenue/Fox Street/Walnut Street	9	1.98
8. Fox Street btw. Cove Street and Greenleaf Street	1	0.54
9. Fox Street btw. Winthrop Street and Washington Avenue	1	0.48
10. Anderson Street @ Madison Street	1	4.63
11. Anderson Street @ Oxford Street	1	4.09
12. Anderson Street @ Cumberland Avenue	2	0.71
13. Anderson Street btw. Fox Street and Everett Street	1	4.42
14. Anderson Street btw. E. Lancaster Street and E. Oxford Street	4	16.00
15. Anderson Street btw. E. Oxford Street and Cumberland Avenue	4	11.44

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- **8 or more accidents**
- **A Critical Rate Factor greater than 1.00**

As the data presented in the table shows (location highlighted in yellow), the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) Four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) A total of three collisions involved vehicles approaching Washington Avenue from the Walnut Street approach sliding through the intersection and striking a thru vehicle on Washington Avenue.

Implementation of one or more of the suggested remediation measures should help reduce the frequency of traffic crashes occurring at this "off-set" intersection:

- Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
- Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "Street Closed" beacon placed at the top of the Walnut Street "hill".
- Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.

In addition to the aforementioned recommendations, preliminary evaluation was given to full traffic signalization of the intersection; however, present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals.

See PDF pages 49-52

SITE TRAFFIC

Site Trip Generation: The eighth edition of the Institute of Transportation Engineers (ITE) “TRIP GENERATION” manual was used to determine the volume of site traffic generated by the proposed 53-unit residential apartment complex project. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

Land Use #220 - Apartment

AM Peak Hour	= 0.51 trips per occupied unit
PM Peak Hour	= 0.62 trips per occupied unit.

Accordingly, the proposed 53-unit apartment complex can be expected to generate a total of 27 trips in the morning peak hour and 33 trips during the afternoon peak hour.

Site Trip Distribution: The Institute of Transportation Engineers handbook provides the following directional distribution rates for an apartment unit during the AM and PM peak hours:

AM Peak Hour	= 20% enter site and 80% exit site
PM Peak Hour	= 65% enter site and 35% exit site

Based upon the noted directional distribution patterns, 22 trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.

Site Trip Assignment: Vehicle trips generated by the proposed project were assigned through the three study intersections on the basis of existing travel patterns and the Consultants knowledge of travel patterns in the City of Portland. Figures 3 and 4 graphically depict the assignment for both peak commuter time periods.

PDF
pages
25-26

FUTURE TRAFFIC

Other Development Traffic: Traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened, must be included in the estimate of pre-development traffic. At the direction of the City’s Development Review Services Manager, trips generated by the following projects were appropriately added to the base travel conditions at the site driveway intersections.

- Washington Avenue Efficiencies
- PHA Bayside Anchor Project
- Munjoy Heights
- Intermodal “Staging” Area

See comments on PDF page 3 above

Figures 5 and 6 illustratively present the Other Development traffic assignment for the study intersections.

PDF pages
27-28

2014 Pre-Development Traffic: The 2014 Pre-Development traffic forecasts were prepared for the study intersections by combining the 2014 Design Hour traffic volumes shown on Figures 1 and 2 with the Other Development traffic values displayed on Figures 5 and 6. Figures 7 and 8 present the 2014 pre-development traffic forecasts at each of the three study intersections. PDF pages 29-30

2014 Post-Development Traffic: Estimated 2014 Pre-Development traffic forecasts prepared for the study intersections, as depicted on Figures 7 and 8, were combined with the site traffic projections highlighted on Figures 3 and 4 to create estimated 2014 Post-Development traffic forecasts for the study intersections. Figures 9 (AM Peak Hour) and 10 (PM Peak Hour) are line diagrams that present the estimated 2014 Post-Development traffic conditions for the study intersections. **PDF pages 31-32**

See comments at PDF page 3 above

MOBILITY ANALYSIS

Capacity analyses of both 2014 Pre and Post-Development traffic conditions were performed for each of the three study intersections utilizing the Synchro and SimTraffic computer models. Levels of Service rankings are similar to the academic grading system, where an “A” is very good with little delay and “F” represents very poor conditions.

The following table summarizes the relationship between delay and Level of Service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

<u>Level of Service</u>	<u>Total Control Delay (sec/veh)</u>
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The result of the capacity analysis is presented in the following table:

Level of Service Summary **2014 Pre and Post-Development Conditions**

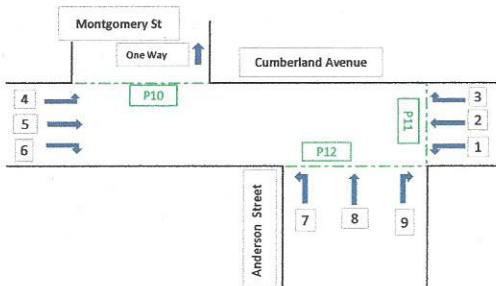
<u>Intersection/Approach</u>	<u>2014 Pre-Development</u>				<u>2014 Post-Development</u>			
	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>		<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>
1. Washington Ave./ Walnut St./Fox St.								
- Washington Ave. EB	1 sec.	A	2 sec.	A	1 sec.	A	2 sec.	A
- Washington Ave. WB	1 sec.	A	4 sec.	A	4 sec.	A	4 sec.	A
- Walnut St.	13 sec.	B	16 sec.	C	15 sec.	B	17 sec.	C
- Fox St.	11 sec.	B	27 sec.	D	13 sec.	B	27 sec.	D
2. Fox St. @ Anderson St.								
- Anderson St. EB	5 sec.	A	5 sec.	A	5 sec.	A	5 sec.	A
- Anderson St. WB	6 sec.	A	6 sec.	A	6 sec.	A	6 sec.	A
- Fox St. NB	6 sec.	A	7 sec.	A	6 sec.	A	7 sec.	A
- Fox St. SB	6 sec.	A	7 sec.	A	7 sec.	A	7 sec.	A
3. Anderson St. @ Cumberland Ave.								
- Anderson St.	4 sec.	A	3 sec.	A	4 sec.	A	3 sec.	A
- Cumberland Ave. NB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A
- Cumberland Ave. SB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A

As presented in the chart above, the proposed project has no measurable impact on traffic operations at any of the three study intersections. Each intersection was found to operate at acceptable levels of service under both pre-development and post-development conditions.

SUMMARY

1. The proposed 53-unit apartment complex can be expected to generate a total of 27 vehicle trips during the AM peak hour and a slight increase of 33 trips in the afternoon peak hour. Twenty-two (22) trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.
2. MaineDOT's Traffic Safety Bureau's latest three-year safety report for the identified portions of Washington Avenue, Fox Street, and Anderson Street shows that all roadway segments and intersections, with the exception of the Washington Avenue/Fox Street/Walnut Street intersection, experience fewer traffic crashes than the threshold criteria for identification of a high crash location. The noted traffic intersection, based upon the most recent three-year data, meets both of MaineDOT's criteria for identification of a high crash location. A total of 9 vehicle crashes were reported at the intersection during the study time period and the Critical Rate Factor, which compares operations at the intersection with a statewide average for similar locations, exceeds 1.00 at 1.98. Detailed vehicle collision diagrams were prepared for each of the reported 9 vehicle crashes to determine if a correctable pattern of vehicle crash is occurring at the intersection. The detailed analysis identified two crash patterns; four "angle" collisions involving vehicles entering Washington Avenue from Fox Street being struck by motorists traveling eastbound on Washington Avenue. The second pattern involved three crashes that resulted from vehicles approaching Washington Avenue on Walnut Street skidding, during inclement weather, into thru vehicles traveling west on Washington Avenue.
3. It would appear that all modes of transportation would benefit from full traffic signalization of the Washington Avenue/Fox Street/Walnut Street intersection; an abbreviated preliminary assessment of existing travel conditions was conducted and it was determined that prevailing traffic conditions at the noted intersection do not appear to meet the minimum travel conditions required for traffic signalization (Copy of abbreviated traffic signal warrant study is attached as an appendix to the report). The City may want to monitor traffic conditions on an annual basis to determine if prevailing conditions change meeting one or more of the warrants for traffic signalization. This report does identify three improvement strategies that, with implementation, should improve overall safety at the intersection, they include the following:
 - Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
 - Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "*Street Closed*" beacon placed at the top of the Walnut Street "hill".
 - Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.
4. The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections. Each study intersection was found to operate at acceptable levels of service during both the pre-development and post-development conditions.
5. Pedestrian crosswalk markings and stop bars should be installed at the Anderson Street/Fox Street intersection on all four approaches of the intersection.

**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
Intersection: Cumberland Ave./Anderson St./Montgomery St.
Date: 8/13/14
Day of Week: Wednesday
Weather:
Remarks:

Count Summary Movement

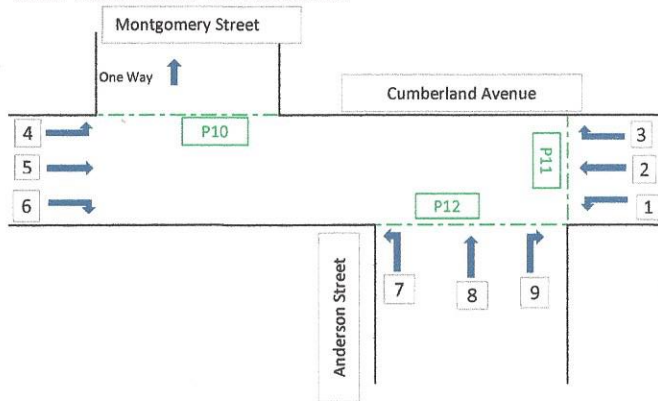
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C2	C4	C5	C6	C7	C9
7:00	7:15	1	16	0	0	29	0	1	0	3	0	0	0	50	0	0	3	0	1	1	0	0	1
Truck Count		0	1	1	0	1	0	0	0	1	0	0	0	4									
7:15	7:30	0	18	0	0	16	1	2	0	6	0	0	0	43	4	1	4	0	0	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1									
7:30	7:45	1	13	1	0	25	3	2	0	3	0	0	0	48	4	5	3	0	0	0	0	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1									
7:45	8:00	3	18	1	1	39	0	1	1	3	0	0	0	67	3	3	4	0	0	2	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0									
8:00	8:15	4	28	0	1	54	3	1	0	10	0	0	0	101	7	3	5	0	0	0	0	0	0
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4									
8:15	8:30	3	23	0	3	55	1	0	0	11	0	0	0	96	8	5	4	1	0	2	0	0	0
Truck Count		0	0	0	0	3	0	1	0	1	0	0	0	5									
8:30	8:45	1	16	0	1	59	1	0	0	10	0	0	0	88	2	0	9	1	1	2	0	1	0
Truck Count		1	3	0	0	1	0	0	0	1	0	0	0	6									
8:45	9:00	2	32	2	0	38	1	3	0	15	0	0	0	93	5	6	3	0	0	0	0	0	0
Truck Count		0	3	0	0	1	0	0	0	0	0	0	0	4									

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

11	107	2	5	213	6	5	0	48	0	0	0	397
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INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



Portland
Intersection: Cumberland Ave/Anderson St/Montgomery St
Date: 8/13/14
Day of Week: Wednesday
Weather: _____
Remarks: _____

Red = Bicycle Movement
Green = Pedestrian Movement

Count Summary Movement

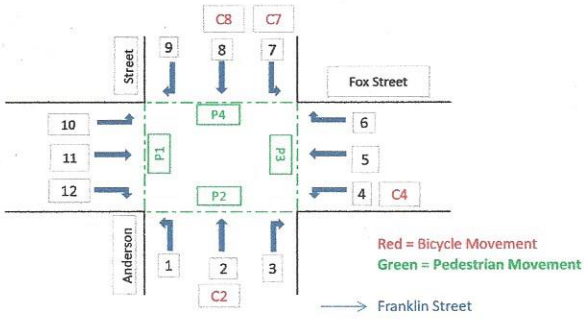
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C1	C2	C4	C5	C6
3:00	3:15	5	52	0	2	43	1	1	0	11	0	0	0	115	12	7	11	1	1	0	2	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
3:15	3:30	2	46	0	1	38	2	4	0	9	0	0	0	102	10	13	7	0	0	1	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
3:30	3:45	4	42	4	1	32	1	1	1	5	0	0	0	91	6	6	7	1	1	0	0	0
Truck Count		1	0	0	1	2	0	0	0	0	0	0	0	4								
3:45	4:00	5	68	2	2	43	3	3	0	13	0	0	0	139	12	5	12	0	0	0	1	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:00	4:15	7	40	2	0	28	4	3	0	4	0	0	0	88	3	3	11	0	0	0	0	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:15	4:30	5	64	0	1	32	3	3	0	11	0	0	0	119	6	8	7	0	1	0	0	0
Truck Count		0	1	0	0	1	0	0	0	0	0	0	0	2								
4:30	4:45	8	60	2	0	61	2	3	1	11	0	0	0	148	20	3	7	0	1	0	2	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
4:45	5:00	3	67	3	0	60	2	5	1	10	0	0	0	151	10	19	14	0	1	0	1	2
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4								
5:00	5:15	2	76	1	3	48	1	1	1	14	0	0	0	147	5	6	2	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:15	5:30	7	117	4	2	80	4	6	0	13	0	0	0	233	4	2	6	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
5:30	5:45	5	89	1	0	46	3	1	0	7	0	0	0	152	3	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:45	6:00	2	78	2	1	47	4	3	0	12	0	0	0	149	2	0	2	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

20	323	10	5	252	9	15	3	48	0	0	0	685
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**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Fox Street/Anderson Street
 Date: 8/12/14
 Day of Week: Tuesday
 Weather: _____
 Remarks: _____

Count Summary Movement

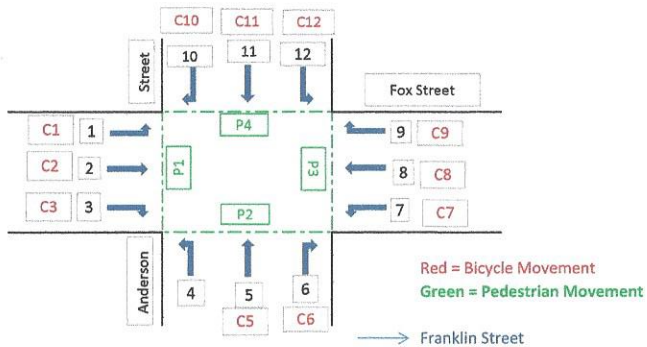
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C4	C7	C8
7:00	7:15	1	3	8	2	15	3	3	1	0	0	19	6	61	1	1	3	1	0	0	1	0
	Truck Count	0	0	1	0	0	0	0	1	0	0	0	0	2								
7:15	7:30	1	1	3	1	12	3	9	3	1	0	25	1	60	1	0	0	2	0	1	0	0
	Truck Count	0	0	1	0	0	0	0	0	0	0	0	0	1								
7:30	7:45	6	8	15	1	16	1	7	4	1	0	33	3	95	0	0	0	0	0	0	0	0
	Truck Count	0	1	2	0	0	0	0	0	0	0	1	0	4								
7:45	8:00	1	11	17	3	20	7	12	1	0	3	40	1	116	0	0	0	0	0	0	1	0
	Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0								
8:00	8:15	4	9	21	3	18	4	14	2	1	0	39	1	116	4	1	5	3	0	0	1	0
	Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0								
8:15	8:30	2	10	17	6	16	11	14	2	0	0	40	3	121	4	0	0	5	0	0	0	0
	Truck Count	0	1	2	0	0	0	0	0	0	0	0	0	3								
8:30	8:45	3	12	35	3	20	8	20	0	1	1	29	2	134	4	3	0	0	1	0	0	0
	Truck Count	0	0	2	0	1	0	0	0	0	1	1	0	5								
8:45	9:00	7	21	22	1	21	8	13	6	2	1	32	0	134	0	0	2	1	0	0	1	1
	Truck Count	0	0	0	0	1	0	0	0	0	0	0	0	1								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

16	53	99	13	77	31	61	10	4	3	141	6	514
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**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
Intersection: Fox Street/Anderson Street
Date: 8/12/14
Day of Week: Tuesday
Weather: _____
Remarks: _____

Count Summary Movement

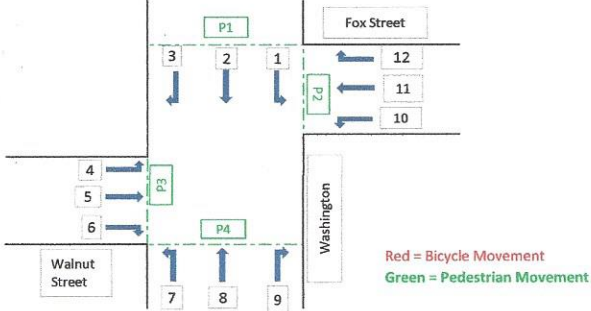
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P7	P8	P9	P4	C1	C2	C3	C5	C6	C7	C8	C9	C10	C11	C12
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Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
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Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
3:30	3:45	0	28	5	6	9	16	10	31	15	2	7	17	146	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	1	0	0	0	0	3															
3:45	4:00	1	36	3	6	8	13	5	29	18	3	4	10	136	3	2	2	0	0	2	0	0	0	1	1	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1															
4:00	4:15	3	26	0	6	11	16	9	34	15	1	4	10	135	1	1	0	3	0	0	0	0	1	2	0	0	0	0	0
Truck Count		0	0	0	1	0	1	0	0	0	0	0	0	2															
4:15	4:30	1	26	4	5	14	9	10	41	16	2	5	12	145	0	0	2	2	0	0	0	0	0	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
4:30	4:45	2	49	2	6	2	10	9	30	23	3	3	14	153	2	0	1	2	0	0	0	0	5	3	2	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
4:45	5:00	3	40	5	4	9	21	8	45	20	3	9	11	178	1	0	3	5	0	0	1	0	2	0	1	0	0	3	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:00	5:15	2	34	2	5	6	17	7	38	18	4	2	17	152	2	1	0	3	0	2	1	0	1	0	0	0	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:15	5:30	3	35	1	9	14	22	9	49	18	0	5	17	182	1	1	6	4	0	1	2	0	1	5	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:30	5:45	1	27	3	5	7	17	8	40	15	5	2	12	142	3	5	1	2	0	1	0	1	1	0	2	1	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
5:45	6:00	1	30	1	3	9	13	4	46	12	0	0	17	136	3	1	0	6	1	1	0	1	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

10	158	10	24	31	70	33	162	79	10	19	59	665
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**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Washington Ave./Fox St./Walnut St.
 Date: 8/14/14
 Day of Week: Thursday
 Weather: _____
 Remarks: Construction

Count Summary Movement

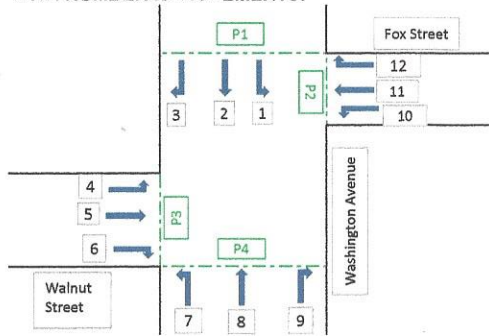
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C8	C11	C12
7:00	7:15	7	24	1	2	6	3	6	74	1	5	7	5	141	1	1	2	0	0	0	0	0
Truck Count		0	1	0	0	0	0	1	6	0	0	0	0	8								
7:15	7:30	3	26	1	1	10	5	6	78	3	10	10	5	158	0	0	1	0	0	0	0	0
Truck Count		1	2	0	0	0	0	0	4	0	0	0	0	7								
7:30	7:45	9	36	2	4	14	4	2	85	12	1	5	9	183	0	1	0	1	0	0	0	0
Truck Count		0	5	0	1	0	0	0	3	0	0	0	0	9								
7:45	8:00	10	47	2	2	11	6	3	142	8	7	2	11	251	0	4	3	2	0	0	0	0
Truck Count		1	1	0	0	0	0	0	4	0	0	0	0	6								
8:00	8:15	10	39	2	3	11	9	2	159	19	10	4	9	277	4	1	1	1	1	0	0	1
Truck Count		0	3	0	0	0	0	0	1	0	0	0	0	4								
8:15	8:30	19	43	2	5	16	10	4	126	8	8	1	11	253	1	2	3	1	0	0	0	0
Truck Count		0	2	0	1	0	0	1	7	0	0	0	2	13								
8:30	8:45	15	40	2	1	13	2	2	114	9	8	2	15	223	1	0	1	0	0	1	0	0
Truck Count		0	2	0	0	0	0	0	1	1	1	0	0	5								
8:45	9:00	16	60	6	2	21	6	2	117	7	9	2	15	263	0	1	0	0	0	1	1	0
Truck Count		0	2	1	0	0	0	0	5	2	0	0	0	10								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

60	191	13	12	61	27	11	530	46	36	9	52	1,048
----	-----	----	----	----	----	----	-----	----	----	---	----	-------

**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Washington Ave./Fox St./Walnut St.
 Date: 8/14/14
 Day of Week: Thursday
 Weather: _____
 Remarks: _____

Count Summary Movement

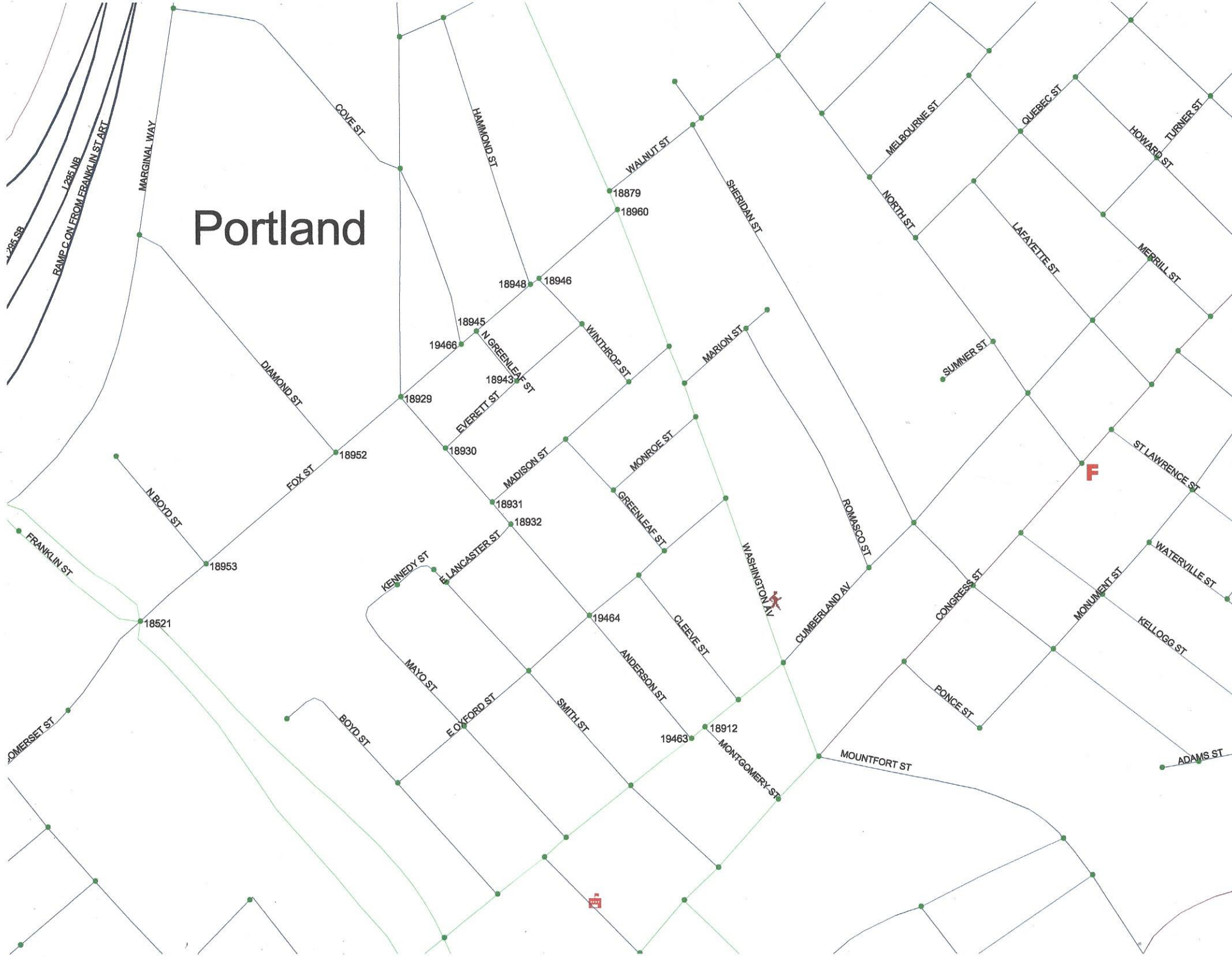
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C1	C2	C4	C6	C8	C9	C11	C12
3:00	3:15	20	83	4	0	8	3	10	63	19	5	11	10	236	4	1	3	0	0	2	1	0	1	0	1	0
Truck Count		0	0	0	0	0	0	0	2	0	1	0	0	3												
3:15	3:30	14	57	1	4	9	5	4	58	6	11	15	13	197	0	3	2	1	0	0	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
3:30	3:45	21	110	6	0	13	11	2	66	13	9	22	15	288	3	4	1	0	0	1	1	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2												
3:45	4:00	19	68	3	3	10	0	3	67	8	9	6	8	204	1	4	2	1	0	0	0	0	2	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1												
4:00	4:15	36	108	6	0	6	3	5	90	8	15	18	17	312	0	2	0	1	0	1	0	0	0	0	0	0
Truck Count		0	3	0	0	0	0	0	0	0	0	0	0	3												
4:15	4:30	16	104	8	2	15	3	7	76	12	9	17	9	278	1	4	0	0	0	1	0	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	2	0	0	1	0	4												
4:30	4:45	23	136	7	2	14	11	3	73	19	11	9	16	324	0	3	1	0	0	4	0	0	2	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
4:45	5:00	16	139	4	2	14	9	7	81	6	5	17	23	323	2	3	1	0	0	3	0	1	4	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:00	5:15	22	148	8	1	7	3	7	83	6	12	19	8	324	2	3	1	0	1	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:15	5:30	15	154	7	2	11	1	9	76	12	15	14	11	327	4	9	1	0	0	4	0	0	1	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:30	5:45	30	130	8	5	13	4	5	93	8	9	21	15	341	1	4	0	1	0	2	0	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:45	6:00	9	84	3	0	9	3	8	75	9	6	14	7	227	3	2	4	1	1	2	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												

PEAK HOUR COUNT

TIME: **4:30** TO: **5:30**

76	579	26	7	46	24	26	313	43	43	59	58	1,300
----	-----	----	---	----	----	----	-----	----	----	----	----	-------

Portland



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

#1

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560293	Start Node: 18521 End Node: 18960	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 0026X	Start Node: 18960 End Node: 18879	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

			Nodes													
Node	Route - MP	Node Description	U/R	Total Crashes	K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF		
18521	0560293 - 0	Int of FOX ST FRANKLIN ST	9	20	0	0	2	8	10	50.0	11.697	0.57	0.99	0.00		
												Statewide Crash Rate: 0.65				
18953	0560293 - 0.06	0509373 POR,N.BOYD,FOX ST.	2	3	0	0	0	0	3	0.0	2.209	0.45	0.44	1.03		
												Statewide Crash Rate: 0.14				
18952	0560293 - 0.16	0509372 POR,FOX,DIAMOND ST.	2	1	0	0	0	0	1	0.0	2.178	0.15	0.44	0.00		
												Statewide Crash Rate: 0.14				
18929	0560293 - 0.21	0509349 POR,ANDERSON,FOX ST.	2	2	0	0	0	0	2	0.0	1.996	0.33	0.45	0.00		
												Statewide Crash Rate: 0.14				
19466	0560293 - 0.25	0509888 POR,FOX STREET,COVE STREET	2	0	0	0	0	0	0	0.0	1.531	0.00	0.48	0.00		
												Statewide Crash Rate: 0.14				
18945	0560293 - 0.26	0509365 POR,FOX,N.GREENLEAF ST.	2	2	0	0	0	1	0	100.0	1.381	0.48	0.49	0.00		
												Statewide Crash Rate: 0.14				
A18948	0560293 - 0.30	0509368 POR,FOX,HAMMOND ST.	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00		
												Statewide Crash Rate: 0.14				
P18946	0560293 - 0.31	0509366 POR,FOX,WINTHROP ST.	2	2	0	0	0	0	2	0.0	1.248	0.53	0.50	1.06		
												Statewide Crash Rate: 0.14				
A18960	0560293 - 0.36	Int of FOX ST WASHINGTON AV	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00		
												Statewide Crash Rate: 0.14				
P18879	0026X - 0.28	Int of WALNUT ST, WASHINGTON AV	2	9	0	0	0	2	7	22.2	4.034	0.74	0.38	1.98		
												Statewide Crash Rate: 0.14				
Study Years: 3.00		NODE TOTALS:		39	0	0	2	11	25	33.3	26.274	0.49	0.54	0.92		

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Sections																
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
18521	18953	194034	0 - 0.06	0560293 - 0	0.06	2	0	0	0	0	0	0.0	0.00138	0.00	971.45	0.00
Int of FOX ST, FRANKLIN ST				RD INV 05 60293										Statewide Crash Rate: 346.84		
18952	18953	194637	0 - 0.10	0560293 - 0.06	0.10	2	0	0	0	0	0	0.0	0.00201	0.00	881.52	0.00
0509372 POR,FOX,DIAMOND ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18929	18952	194603	0 - 0.05	0560293 - 0.16	0.05	2	0	0	0	0	0	0.0	0.00097	0.00	1064.25	0.00
0509349 POR,ANDERSON,FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18929	19466	194604	0 - 0.04	0560293 - 0.21	0.04	2	0	0	0	0	0	0.0	0.00061	0.00	1195.29	0.00
0509349 POR,ANDERSON,FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18945	19466	194628	0 - 0.01	0560293 - 0.25	0.01	2	0	0	0	0	0	0.0	0.00015	0.00	1497.37	0.00
0509365 POR,FOX,N.GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18945	18948	194627	0 - 0.04	0560293 - 0.26	0.04	2	1	0	0	0	1	0.0	0.00049	681.12	1258.33	0.00
0509365 POR,FOX,N.GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18946	18948	194629	0 - 0.01	0560293 - 0.30	0.01	2	0	0	0	0	0	0.0	0.00012	0.00	1483.19	0.00
0509366 POR,FOX,WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18946	18960	194630	0 - 0.05	0560293 - 0.31	0.05	2	1	0	0	0	1	0.0	0.00058	575.63	1210.04	0.00
0509366 POR,FOX,WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84		
18879	18960	3123723	0 - 0.01	0026X - 0.27	0.01	2	0	0	0	0	0	0.0	0.00036	0.00	793.55	0.00
Int of WALNUT ST, WASHINGTON AV				ST RTE 26										Statewide Crash Rate: 186.16		
Study Years:		3.00	Section Totals:		0.37	2	0	0	0	0	2	0.0	0.00666	100.05	648.35	0.15
			Grand Totals:		0.37	41	0	0	2	11	27	31.7	0.00666	2050.99	796.08	2.58

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

#3

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560847	Start Node: 18929 End Node: 19463	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0561238	Start Node: 19463 End Node: 18912	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes																
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Percent Annual M C	Crash Rate PD	Critical Rate	CRF					
18930	0560847 - 0.53	0509350 POR,ANDERSON,EVERETT ST.	2	0	0	0	0	0	0.0	0.159	0.00	0.49	0.00			
										Statewide Crash Rate:	0.14					
18931	0560847 - 0.56	0509351 POR,ANDERSON,MADISON ST.	2	1	0	0	0	1	0	100.0	0.153	2.18	0.47	4.63		
											Statewide Crash Rate:	0.14				
18932	0560847 - 0.59	0509352 POR,E.LANCASTER,ANDERSON ST.	2	0	0	0	0	0	0	0.0	0.133	0.00	0.41	0.00		
											Statewide Crash Rate:	0.14				
19464	0560847 - 0.65	0509886 POR,ANDERSON ST,E.OXFORD STR.	2	1	0	0	0	0	1	0.0	0.164	2.03	0.50	4.09		
											Statewide Crash Rate:	0.14				
19463	0560847 - 0.74	Int of ANDERSON ST CUMBERLAND AV	2	2	0	0	0	0	2	0.0	2.068	0.32	0.45	0.00		
											Statewide Crash Rate:	0.14				
Study Years: 3.00				NODE TOTALS:		4	0	0	0	1	3	25.0	2.677	0.50	0.42	1.19

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
18929	18930	194602	0 - 0.04	0560847 - 0.49	0.04	2	1	0	0	0	0	1	0.0	0.00006	5272.76	1194.07	4.42
0509349 POR,ANDERSON,FOX ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18930	18931	194605	0 - 0.03	0560847 - 0.53	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	682.58	0.00
0509350 POR,ANDERSON,EVERETT ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18931	18932	194607	0 - 0.03	0560847 - 0.56	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	441.48	0.00
0509351 POR,ANDERSON,MADISON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18932	19464	194609	0 - 0.06	0560847 - 0.59	0.06	2	4	0	0	1	0	3	25.0	0.00007	19896.34	1243.30	16.00
0509352 POR,E.LANCASTER,ANDERSON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
19463	19464	195146	0 - 0.09	0560847 - 0.65	0.09	2	4	0	0	0	0	2	0.0	0.00008	15854.90	1385.36	11.44
Int of ANDERSON ST CUMBERLAND AV				RD INV 05 60847											Statewide Crash Rate: 346.84		
18912	19463	194577	0 - 0.01	0561238 - 0.98	0.01	2	0	0	0	0	0	0	0.0	0.00020	0.00	785.75	0.00
Int of CUMBERLAND AV, MONTGOMERY ST				RD INV 05 61238											Statewide Crash Rate: 186.16		
Study Years:		3.00		Section Totals:		0.26	9	0	0	1	0	6	11.1	0.00049	6102.75	1070.96	5.70
				Grand Totals:		0.26	13	0	0	1	1	9	15.4	0.00049	8815.08	1357.90	6.49

COLLISION DIAGRAM

SHEET 1 OF 2

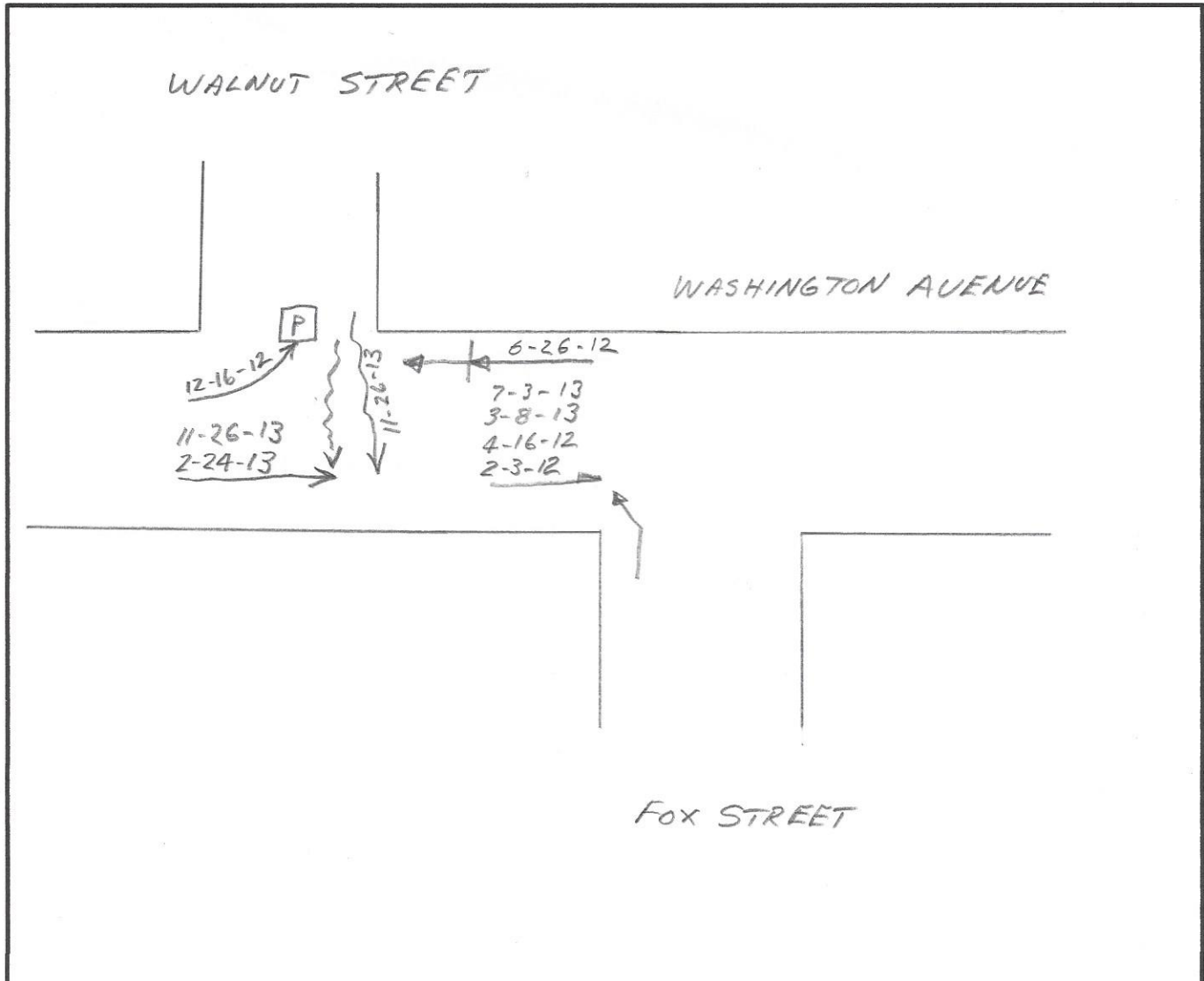
LOCATION WASHINGTON AVE./WALNUT ST./FOX ST.

TOWN PORTLAND

NODE NO(S) P18879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014



CRITICAL RATE FACTOR _____ EQUIV. PROP. DAMAGE ACC/YEAR _____ ACC/MEV _____

LIGHT

- | | | |
|-------------------------|-------------------------|--------------------------|
| 1. DAWN (MORNING) | 2. DAYLIGHT | 3. DUSK (EVENING) |
| 4. DARK (ST. LIGHTS ON) | 5. DARK (NO ST. LIGHTS) | 6. DARK (ST. LIGHTS OFF) |
| 7. OTHER | | |

ROAD SURFACE

- | | | |
|---------------------------|--------------------------|-----------------------------|
| 1. DRY | 2. WET | 3. SNOW/SLUSH-SANDED |
| 4. ICE/PACKED SNOW-SANDED | 5. MUDDY | 6. DEBRIS |
| 7. OILY | 8. SNOW/SLUSH-NOT SANDED | 9. ICE-PKD. SNOW-NOT SANDED |
| 10. OTHER | | |

APPARENT CONTRIBUTING FACTORS - HUMAN

- | | | |
|--------------------------------------|-------------------------------------|--------------------------------------|
| 1. NO IMPROPER ACTION | 2. FAIL TO YLD. RIGHT OF WAY | 3. ILLEGAL UNSAFE SPEED |
| 4. FOLLOW TOO CLOSE | 5. DISREGARD TRAFFIC CONTROL DEVICE | |
| 6. DRIVING LEFT OF CENTER-NO PASSING | 7. IMPROPER PASS-OVERTAKING | |
| 8. IMP. UNSAFE LANE CHANGE | 9. IMP. PARKING START/STOP | 10. IMPROPER TURN |
| 11. UNSAFE BACKING | 12. NO SIGNAL OR IMP. SIGNAL | 13. IMPEDING TRAFFIC |
| 14. DRIVER INATTENTION-DISTRACTION | 15. DRIVER INEXPERIENCE | |
| 16. PEDEST. VIOLATION ERROR | 17. PHYSICAL IMPAIRMENT | 18. VISION OBSCURED-WINDSHIELD GLASS |
| 19. VISION OBSCURED-SUN/HEADLIGHTS | 20. OTHER VISION OBSCUREMENT | 30. OTHER HUMAN VIOLATION FACTOR |
| 31. HIT AND RUN | 51. UNKNOWN | |

VEHICULAR

- | | | |
|------------------------------------|----------------------------|--------------------------|
| 41. DEFECTIVE BRAKES | 42. DEFECTIVE TIRE/FAILURE | 43. DEFECTIVE LIGHTS |
| 44. DEFECTIVE SUSPENSION OR FACTOR | 45. DEFECTIVE STEERING | 50. OTHER VEHICLE DEFECT |
| | 51. UNKNOWN | |

SYMBOLS

- | | | | | | |
|----------------|---|----------------|-----|------------------|-------|
| ANGLE | ↓ | PEDESTRIAN | → P | FATAL ACCIDENT | ● |
| BACKING | ↔ | REAR END | → | | |
| FIXED OBJECT | → | SIDE SWIPE | → | VEHICLE (MOVING) | → |
| HEAD ON | ↔ | TURNING MOVE | ↗ | BICYCLE | --- B |
| OVERTURN | ↻ | CHANGE LANE | ↗ | ANIMAL | --- A |
| PARKED VEHICLE | □ | OUT OF CONTROL | ↗ | SLED | --- S |

C = CLEAR
SL = SLEET

WEATHER

F = FOG
S = SNOW

R = RAIN
CL = CLOUDY
XW = CROSS WINDS

INJURIES

K = FATAL
A = INCAPACITATING

B = NON-INCAPACITATING
C = POSSIBLE INJURY

COLLISION DIAGRAM

SHEET 2 OF 2

LOCATION WASHINGTON AVE. / WALNUT ST. / FOX ST.

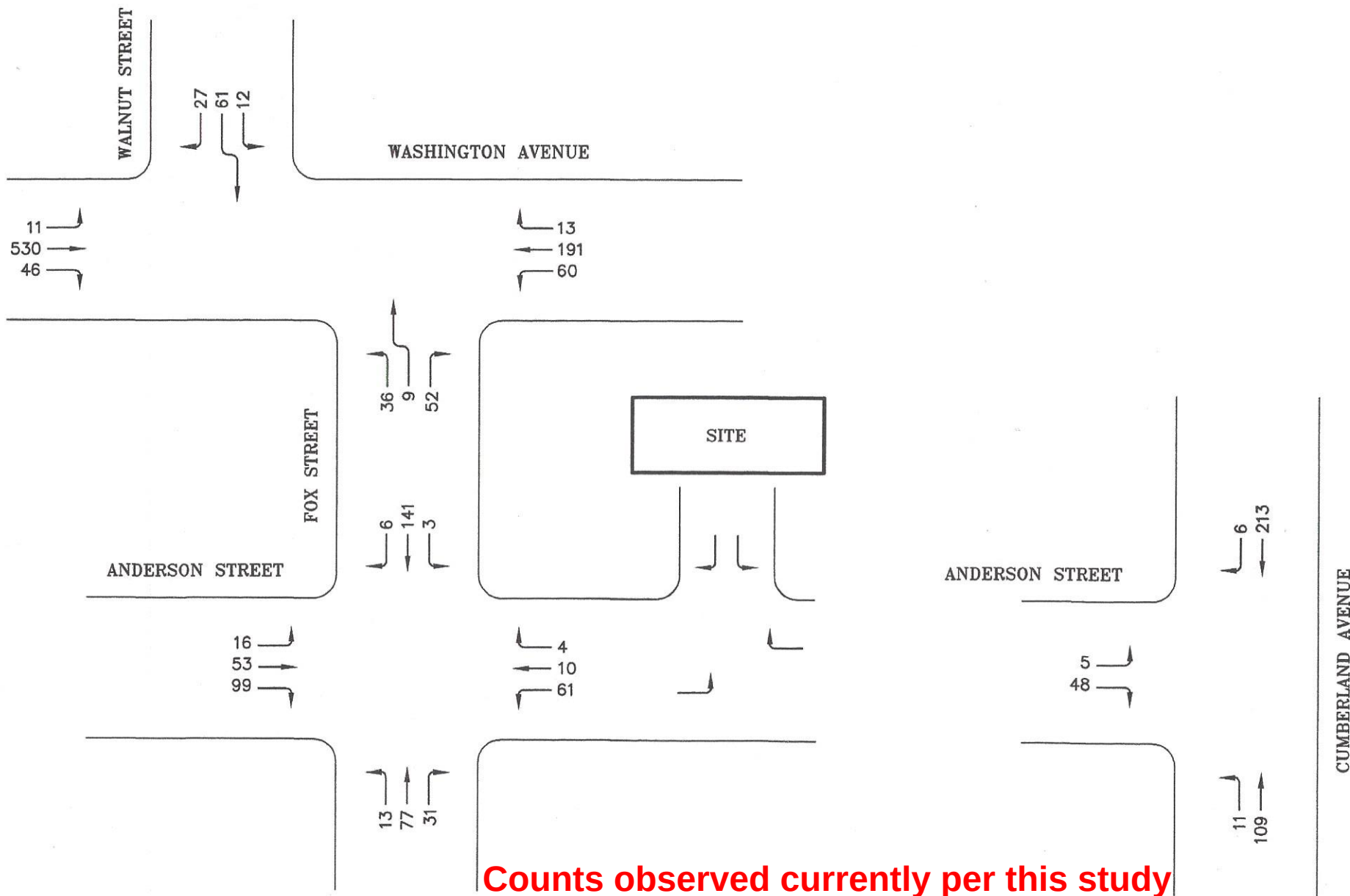
TOWN PORTLAND

NODE NO(S) P18879

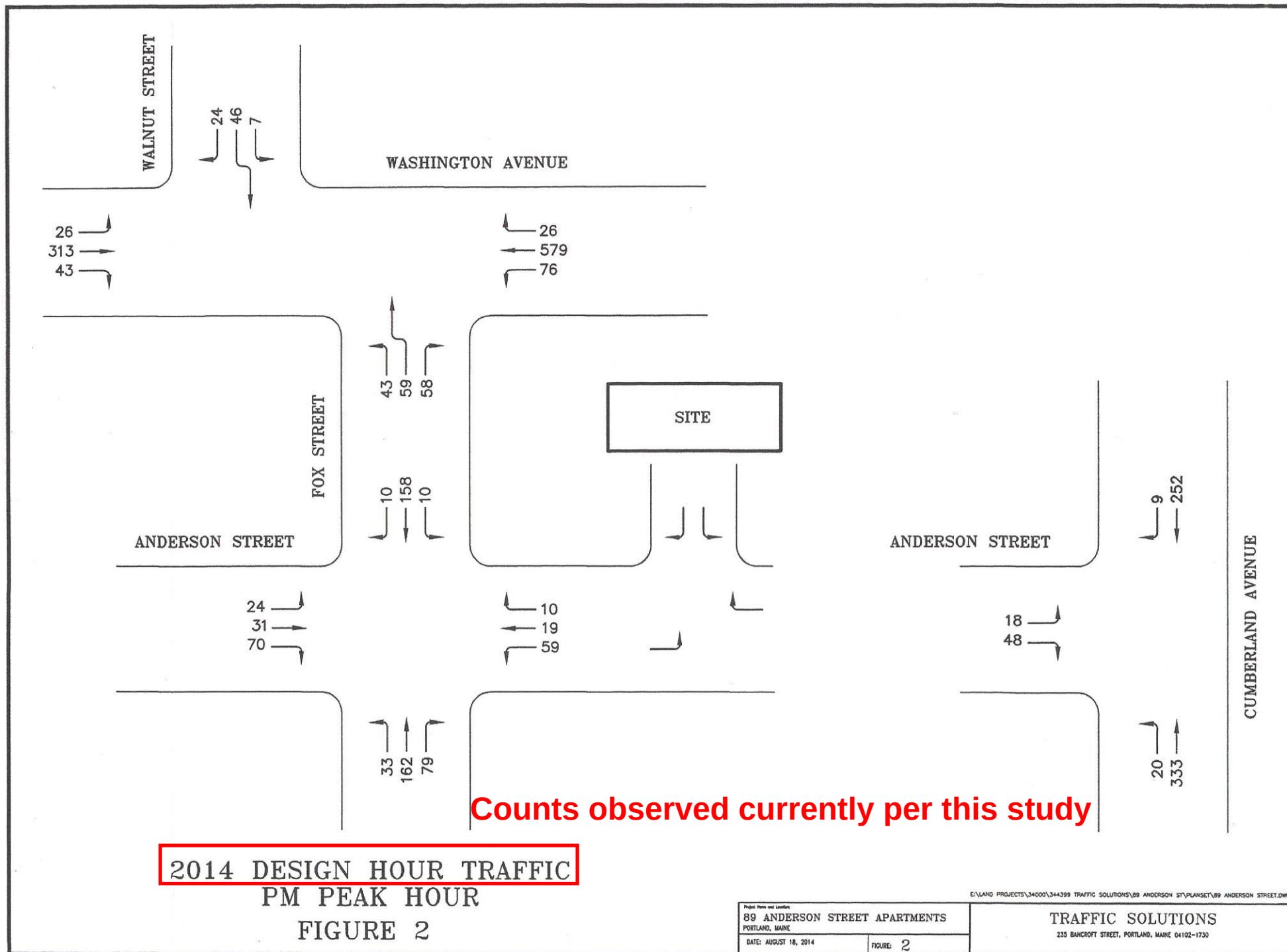
YEARS REVIEWED 2011-2014

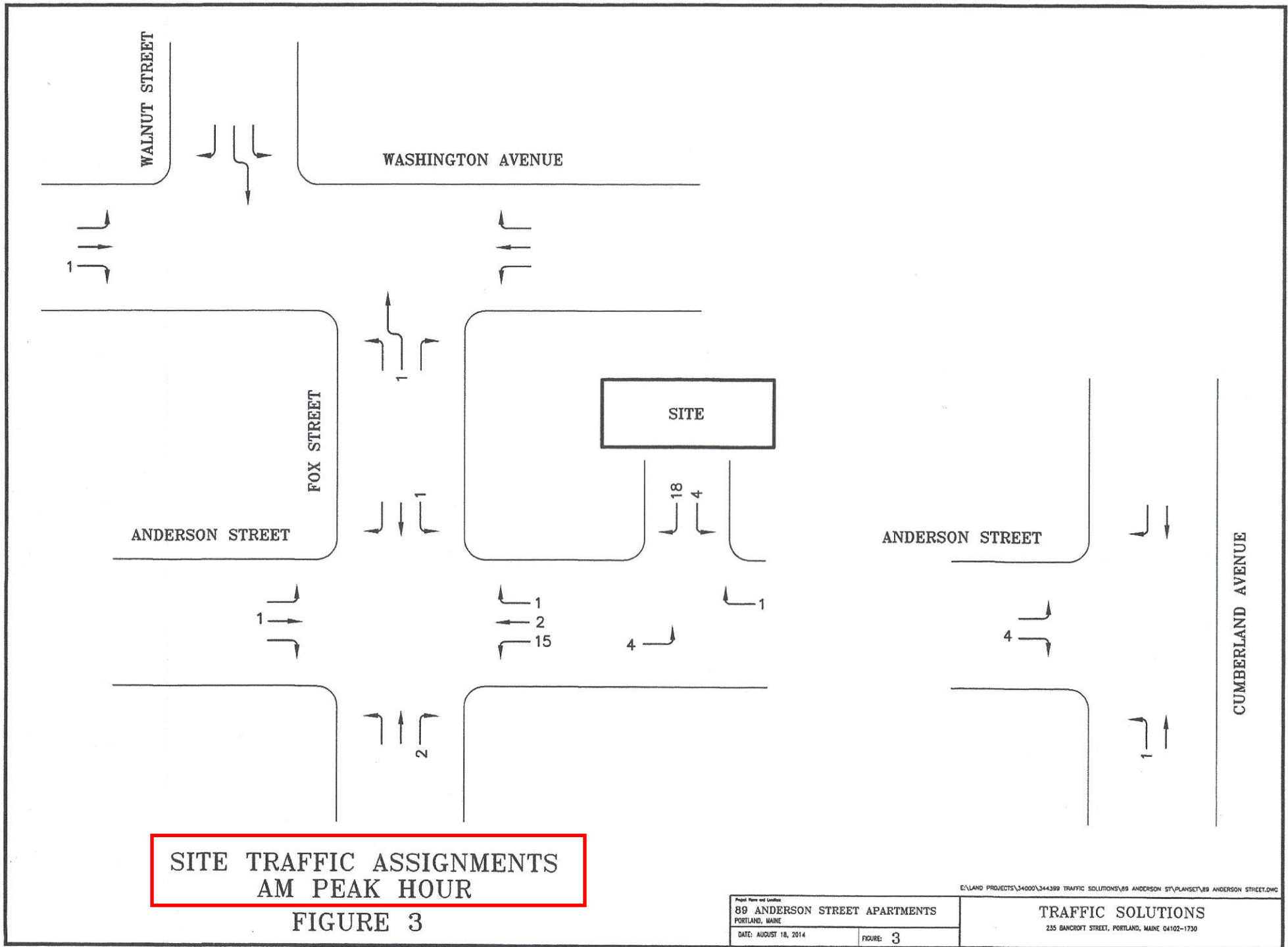
DATE PREPARED 8-23-2014

[illegible]



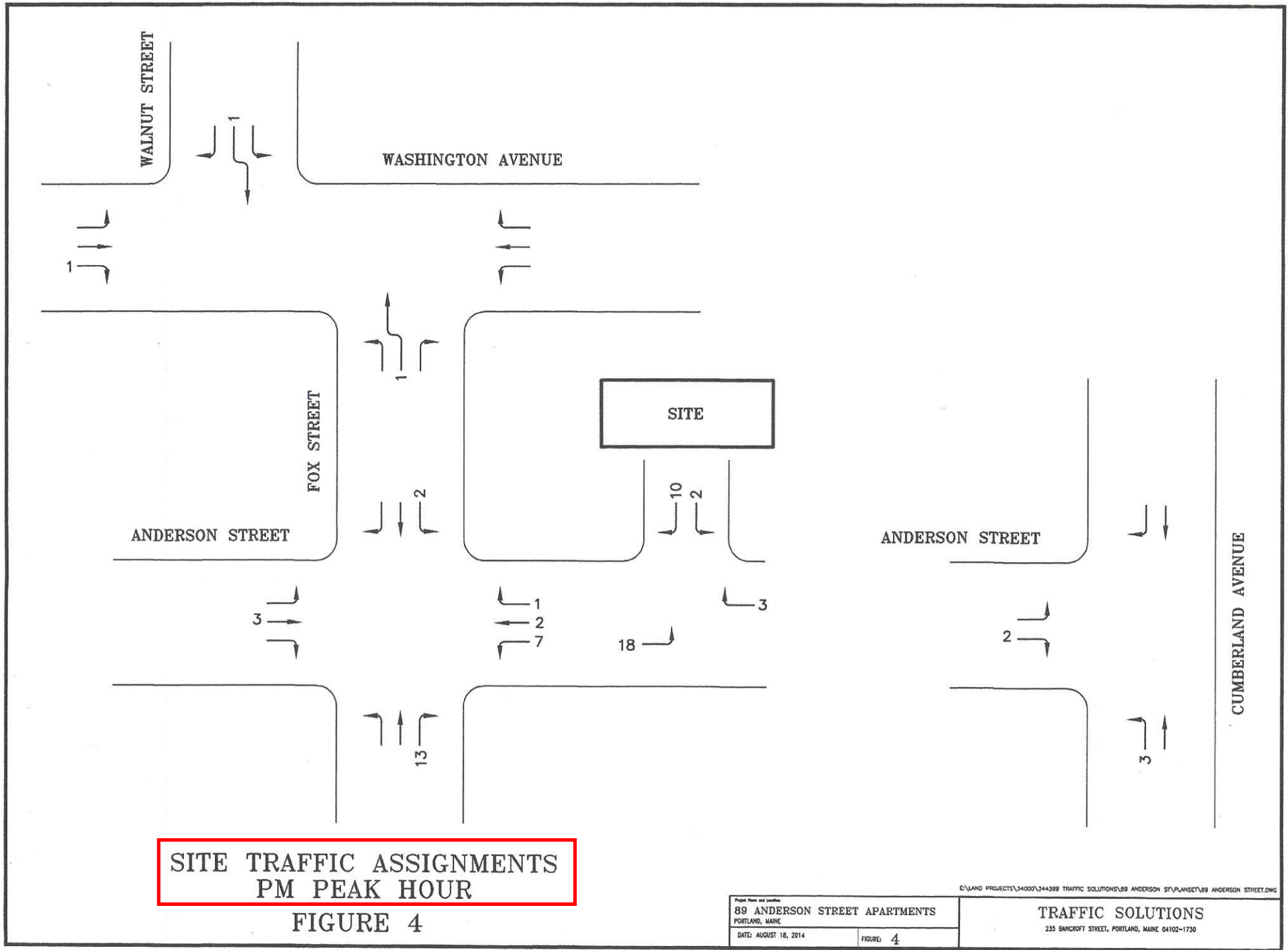
2014 DESIGN HOUR TRAFFIC
AM PEAK HOUR
FIGURE 1





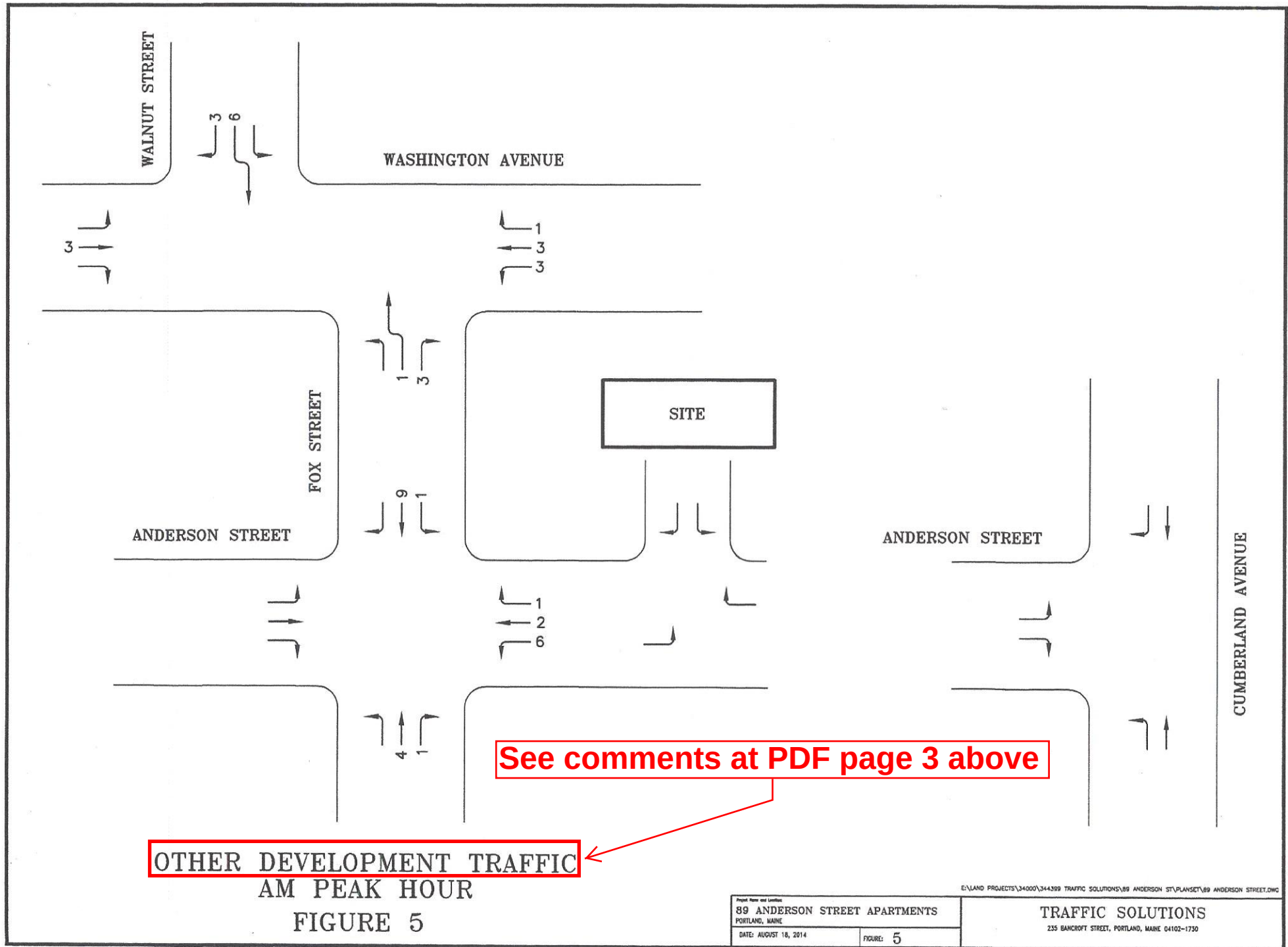
**SITE TRAFFIC ASSIGNMENTS
AM PEAK HOUR**

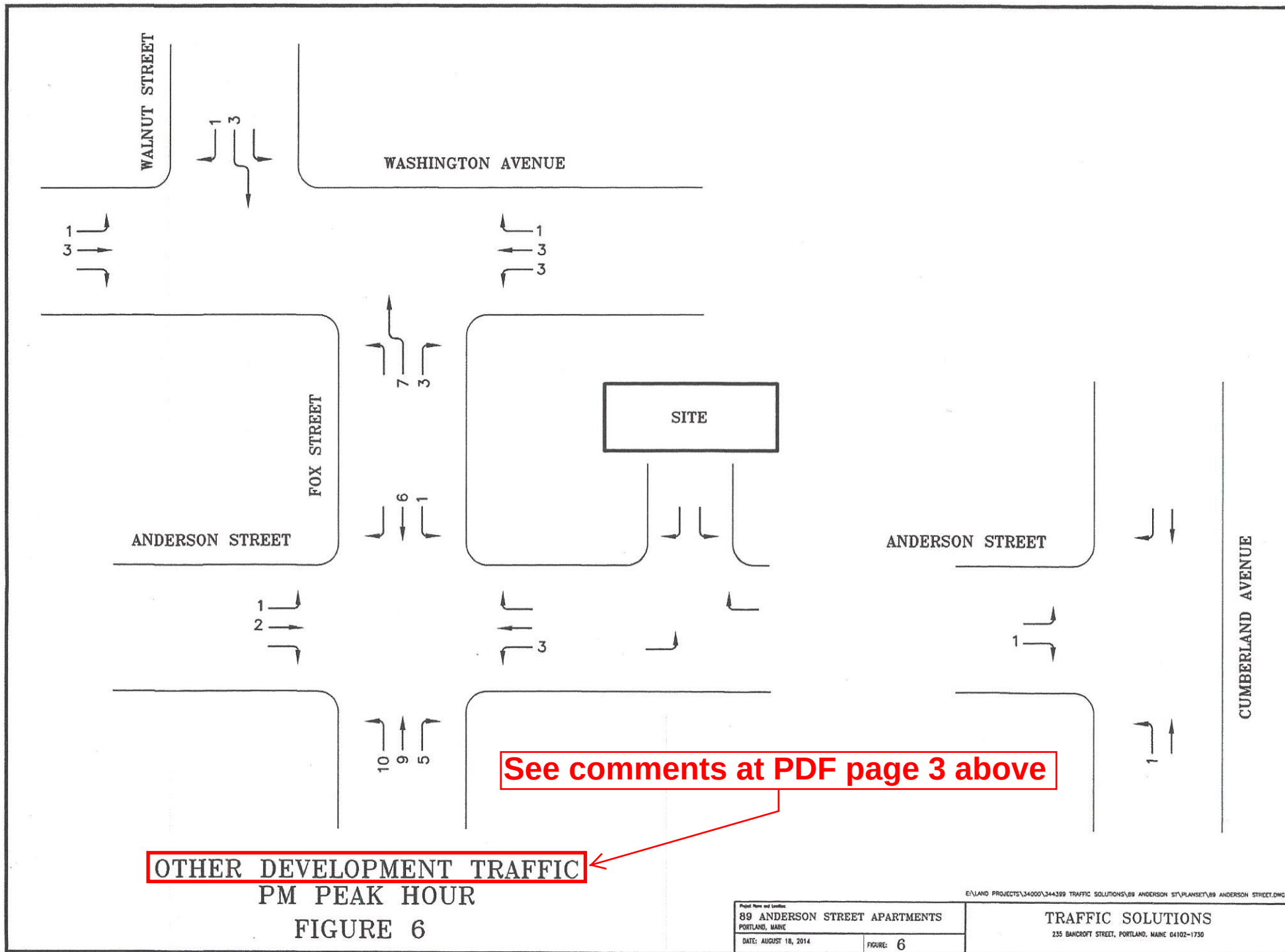
FIGURE 3



**SITE TRAFFIC ASSIGNMENTS
PM PEAK HOUR**

FIGURE 4



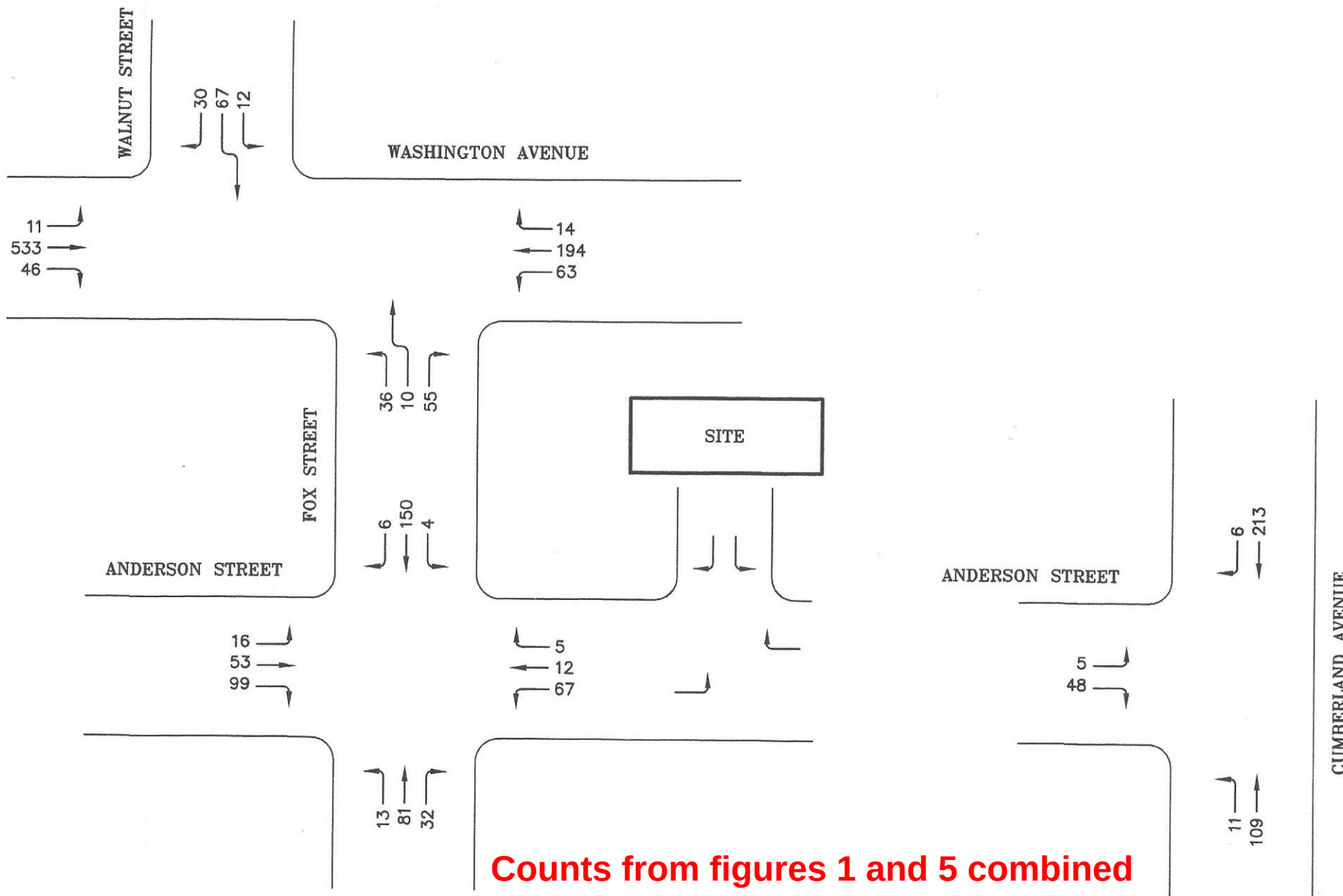


See comments at PDF page 3 above

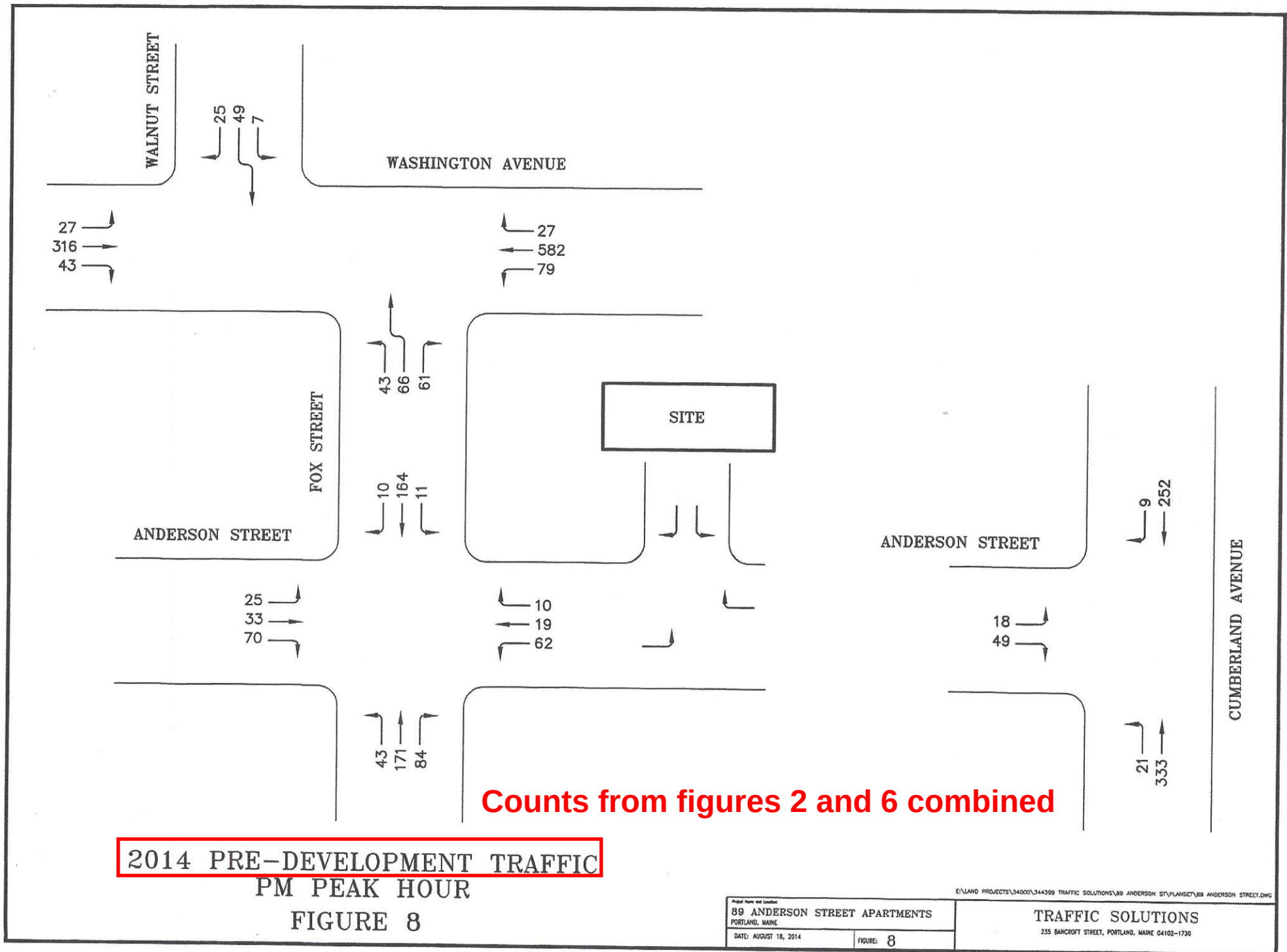
OTHER DEVELOPMENT TRAFFIC

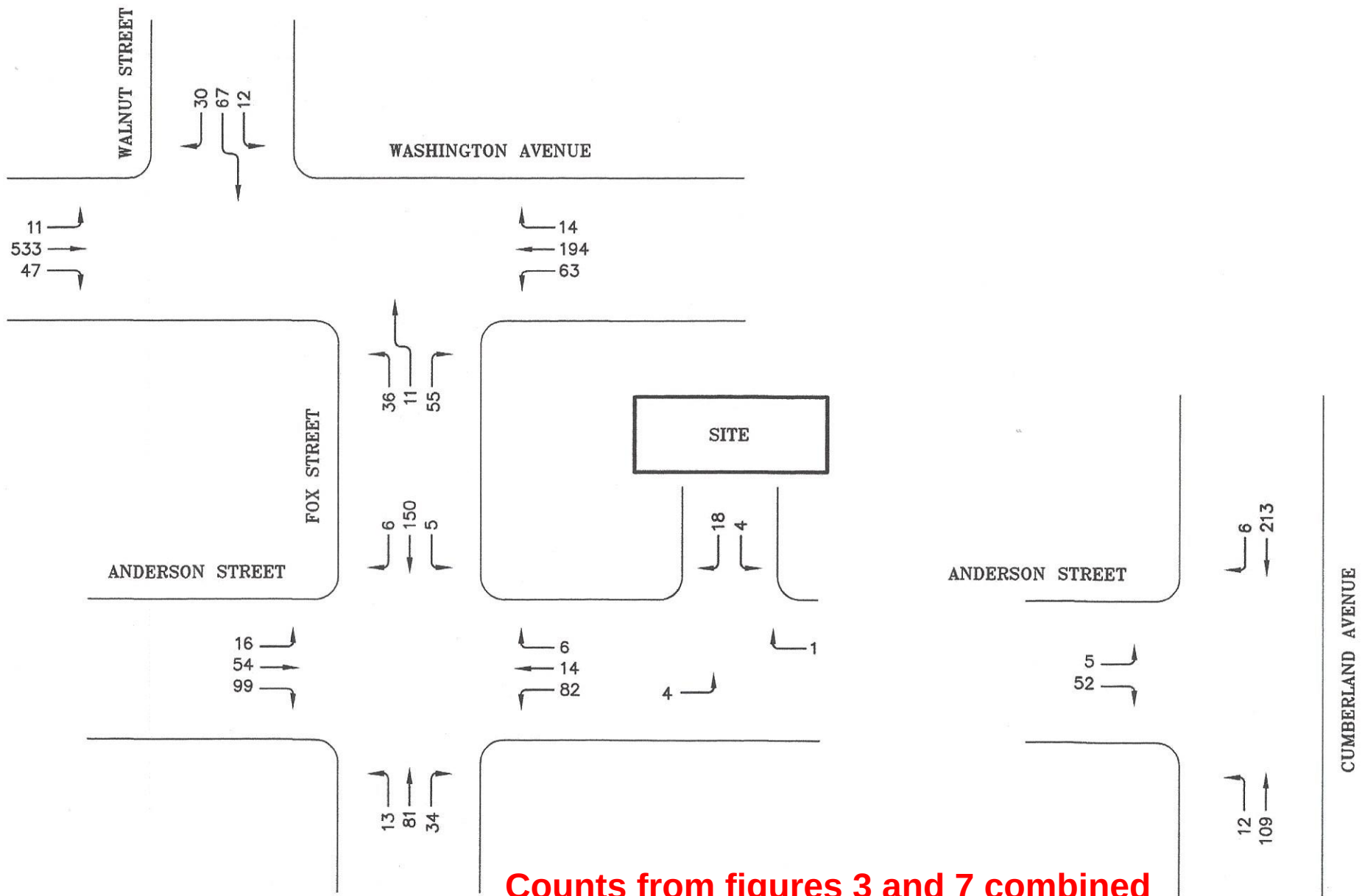
PM PEAK HOUR

FIGURE 6

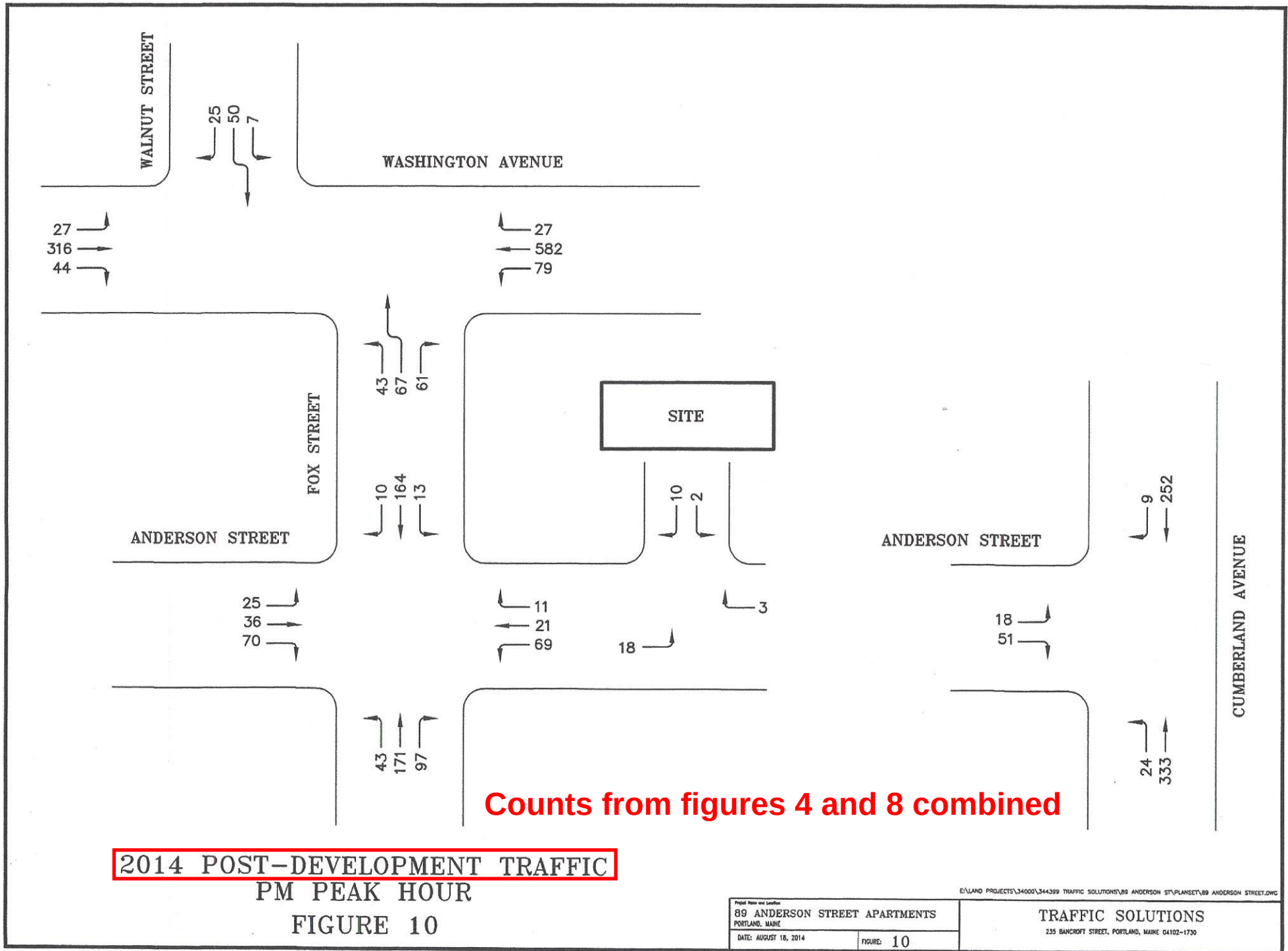


2014 PRE-DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 7





2014 POST-DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 9



Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.3	0.1
Total Del/Veh (s)	1.9	0.6	17.3	2.1

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.6	26.0	6.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	5.0	5.7	6.8	6.8	6.3

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.1	0.5	0.3	1.0

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.4	
Total Del/Veh (s)			7.7	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	122	38	113
Average Queue (ft)	23	8	43
95th Queue (ft)	75	30	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	33	146	179
Average Queue (ft)	4	41	81
95th Queue (ft)	22	112	152
Link Distance (ft)	12	1288	760
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	58	118	75
Average Queue (ft)	37	35	60	42
95th Queue (ft)	58	53	92	67
Link Distance (ft)	764	1258	282	760
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	56	45
Average Queue (ft)	31	6
95th Queue (ft)	52	29
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.2	0.1
Total Del/Veh (s)	1.7	0.6	16.0	2.0

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.8	27.0	6.5

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	4.6	5.6	6.8	6.7	6.2

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.3	0.5	0.3	0.9

Total Network Performance

Denied Del/Veh (s)			0.3	
Total Del/Veh (s)			7.6	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	95	47	113
Average Queue (ft)	19	7	42
95th Queue (ft)	63	31	84
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	199	208
Average Queue (ft)	5	45	83
95th Queue (ft)	23	135	161
Link Distance (ft)	12	1288	737
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	55	107	72
Average Queue (ft)	22	33	57	35
95th Queue (ft)	45	50	89	57
Link Distance (ft)	662	1258	281	737
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	44
Average Queue (ft)	30	5
95th Queue (ft)	48	25
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 1

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.4	0.0	0.1	0.3
Total Del/Veh (s)	1.3	0.4	15.3	2.7

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.5	13.1	2.6

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.0	0.1
Total Del/Veh (s)	5.2	5.9	5.7	6.5	5.8

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.1	0.2	0.1
Total Del/Veh (s)	3.7	0.4	0.2	1.0

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.3	
Total Del/Veh (s)			6.3	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	62	24	112
Average Queue (ft)	4	1	50
95th Queue (ft)	27	12	95
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	112	92
Average Queue (ft)	8	37	41
95th Queue (ft)	30	89	71
Link Distance (ft)	12	1288	735
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	68	69	71	72
Average Queue (ft)	27	36	37	36
95th Queue (ft)	55	58	59	58
Link Distance (ft)	600	1258	281	735
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	63	34
Average Queue (ft)	28	3
95th Queue (ft)	50	19
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60

Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.5	0.0	0.2	0.3
Total Del/Veh (s)	1.2	0.4	13.2	2.4

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.3	11.3	2.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.2	0.0	0.1
Total Del/Veh (s)	4.7	5.5	5.5	6.0	5.4

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.2	0.2	0.1
Total Del/Veh (s)	3.5	0.3	0.2	0.9

Total Network Performance

Denied Del/Veh (s)		0.3
Total Del/Veh (s)		5.7

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	43	24	117
Average Queue (ft)	4	1	46
95th Queue (ft)	23	10	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	38	130	98
Average Queue (ft)	8	33	38
95th Queue (ft)	30	87	69
Link Distance (ft)	12	1288	740
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	61	57	74	56
Average Queue (ft)	25	31	36	31
95th Queue (ft)	49	51	60	46
Link Distance (ft)	647	1258	281	740
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	31
Average Queue (ft)	25	2
95th Queue (ft)	47	16
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2



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August, 2014

Traffic Signal Warrant Assessment

Washington Avenue/Fox Street/Walnut Street Intersection Portland, Maine

INTRODUCTION

An abbreviated traffic signal warrant analysis was conducted for the Washington Avenue/Fox Street/Walnut Street intersection based upon traffic data gathered in the month of August 2014 between the hours of 7:00 to 9:00 AM and, again, between the hours of 3:00 to 6:00 PM. The traffic data was adjusted by a factor of 13%, which represents the approximate variation between “peak” traffic collected during the week of August 14 and “average” travel conditions during the month of November (Adjustment factor based upon MaineDOT’s Weekly Group Mean Factors; refer to attached copy of MaineDOT factors). The abbreviated or preliminary traffic signal warrant analysis is based upon a total of 5-hours of traffic data; a formal traffic signal warrant study is generally prepared based upon 12-hours of traffic data and traffic information.

TRAFFIC SIGNAL WARRANT ASSESSMENT

The abbreviated traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, ***“the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal”***. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 “Average” Hourly Traffic Data

The presentation of the traffic volume data presented in Table 1 has been adjusted, as necessary, to project the hourly “major” and “minor” street volumes used in the conduct of the traffic signal warrant study.

Table 1
Abbreviated Traffic Signal Warrant Study
“Average” Conditions-Traffic Values⁽¹⁾
Washington Avenue/Fox Street/Walnut Street Intersection

<u>Time of Day</u>	Major Street Volume⁽²⁾ (Both Approaches) <u>Washington Avenue</u>	Minor Street Volume⁽³⁾ <u>Fox Street</u>	Minor Street Volume⁽³⁾ <u>Walnut Street</u>
7:00 - 8:00 AM	562	73	67
8:00 - 9:00 AM	740	87	84
3:00 - 4:00 PM	634	59	117
4:00 - 5:00 PM	867	71	145
5:00 - 6:00 PM	880	41	131

Notes:

⁽¹⁾ “Average traffic values were computed applying a 13% reduction of August 2014 Traffic Data (refer to copy of August traffic count cards for subject intersection), which is based upon the Maine Department of Transportation’s Weekly Group Mean Factors.

⁽²⁾ Washington Avenue has been defined as the “major” street.

⁽³⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT’s criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report). The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The evaluation was conducted for Warrants 1, 2, 3, and 7 and was based upon the 5-hours of traffic data presented in Table 1 only.

Each of the three traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Likely Not Satisfied

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 then warrant is met.

Warrant Likely Not Satisfied

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3 then warrant is met.

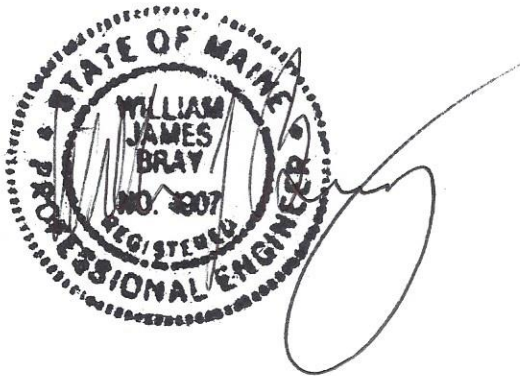
Warrant Likely Not Satisfied

Warrant 7: Crash Experience

Analysis based upon conclusions of safety evaluation conducted in Safety History Section above. Each of the following criteria must be met to consider the need for a traffic control signal:

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and
- C. For each of any 8 hours of an average day the vehicles per hour given in the 80% column for Condition A in Table 4C-1 or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Likely Not Satisfied



2012
Weekly Group Mean Factors
Average: 2009, 2010, 2011

Month	Start Date	Dates	Month	Urban	Arterial	Recreational	Group	Group	Group	Year
Month	Start Date	Dates	Week #	Group I	Group II	Group III	I + II	II + III	I + III	Week #
Jan	01	2,3,4,5,6	1	1.02	1.11	1.35	1.07	1.23	1.19	1
	08	9,10,11,12	2	1.09	1.21	1.50	1.15	1.36	1.30	2
	15	16,17,18,19	3	1.10	1.23	1.53	1.17	1.38	1.32	3
	22	23,24,25,26	4	1.05	1.18	1.46	1.12	1.32	1.26	4
	29	30,31,1,2,3	5	1.12	1.26	1.57	1.19	1.42	1.35	5
Feb	05	6,7,8,9,10	1	1.02	1.14	1.41	1.08	1.28	1.22	6
	12	13,14,15,16	2	1.02	1.12	1.36	1.07	1.24	1.19	7
	19	20,21,22,23	3	1.06	1.15	1.38	1.11	1.27	1.22	8
	26	27,28,29,30	4	1.06	1.17	1.38	1.12	1.28	1.22	9
Mar	04	5,6,7,8,9	1	1.06	1.16	1.39	1.11	1.28	1.23	10
	11	12,13,14,15	2	1.00	1.10	1.33	1.05	1.22	1.17	11
	18	19,20,21,22	3	1.02	1.13	1.35	1.08	1.24	1.19	12
	25	26,27,28,29	4	1.01	1.12	1.32	1.07	1.22	1.17	13
Apr	01	2,3,4,5,6	1	0.98	1.09	1.26	1.04	1.18	1.12	14
	08	9,10,11,12	2	0.97	1.08	1.22	1.03	1.15	1.10	15
	15	16,17,18,19	3	0.97	1.04	1.12	1.01	1.08	1.05	16
	22	23,24,25,26	4	0.97	1.05	1.17	1.01	1.11	1.07	17
	29	30,1,2,3,4	5	0.93	1.02	1.10	0.98	1.06	1.02	18
May	06	7,8,9,10,11	1	0.92	1.00	1.08	0.96	1.04	1.00	19
	13	14,15,16,17	2	0.92	0.98	1.04	0.95	1.01	0.98	20
	20	21,22,23,24	3	0.89	0.93	0.92	0.91	0.93	0.91	21
	27	28,29,30,31	4	0.90	0.94	0.96	0.92	0.95	0.93	22
Jun	03	4,5,6,7,8	1	0.89	0.93	0.91	0.91	0.92	0.90	23
	10	11,12,13,14	2	0.90	0.92	0.90	0.91	0.91	0.90	24
	17	18,19,20,21	3	0.90	0.89	0.81	0.90	0.85	0.86	25
	24	25,26,27,28	4	0.89	0.86	0.77	0.88	0.82	0.83	26
Jul	01	2,3,4,5,6	1	0.87	0.81	0.70	0.84	0.76	0.79	27
	08	9,10,11,12	2	0.88	0.83	0.71	0.86	0.77	0.80	28
	15	16,17,18,19	3	0.88	0.82	0.69	0.85	0.76	0.79	29
	22	23,24,25,26	4	0.88	0.81	0.67	0.85	0.74	0.78	30
	29	30,31,1,2,3	5	0.87	0.79	0.64	0.83	0.72	0.76	31
Aug	05	6,7,8,9,10	1	0.87	0.78	0.65	0.83	0.72	0.76	32
	12	13,14,15,16	2	0.87	0.79	0.66	0.83	0.73	0.77	33
	19	20,21,22,23	3	0.88	0.81	0.70	0.85	0.76	0.79	34
	26	27,28,29,30	4	0.88	0.85	0.78	0.87	0.82	0.83	35
Sep	02	3,4,5,6,7	1	0.89	0.88	0.86	0.89	0.87	0.88	36
	09	10,11,12,13	2	0.90	0.90	0.89	0.90	0.90	0.90	37
	16	17,18,19,20	3	0.91	0.91	0.92	0.91	0.92	0.92	38
	23	24,25,26,27	4	0.92	0.91	0.96	0.92	0.94	0.94	39
	30	1,2,3,4,5	5	0.91	0.89	0.98	0.90	0.94	0.95	40
Oct	07	8,9,10,11,12	1	0.92	0.90	0.98	0.91	0.94	0.95	41
	14	15,16,17,18	2	0.93	0.95	1.05	0.94	1.00	0.99	42
	21	22,23,24,25	3	0.95	1.00	1.12	0.98	1.06	1.04	43
	28	29,30,31,1	4	0.95	1.02	1.18	0.99	1.10	1.07	44
Nov	04	5,6,7,8,9	1	0.96	1.04	1.21	1.00	1.13	1.09	45
	11	12,13,14,15	2	0.97	1.04	1.23	1.01	1.14	1.10	46
	18	19,20,21,22	3	1.00	1.04	1.25	1.02	1.15	1.13	47
	25	26,27,28,29	4	0.97	1.03	1.24	1.00	1.14	1.11	48
Dec	02	3,4,5,6,7	1	1.00	1.13	1.32	1.07	1.23	1.16	49
	09	10,11,12,13	2	1.01	1.12	1.34	1.07	1.23	1.18	50
	16	17,18,19,20	3	0.98	1.08	1.30	1.03	1.19	1.14	51
	23	24,25,26,27	4	1.08	1.14	1.34	1.11	1.24	1.21	52

USE 0.13 Factor To Create "Average" Conditions

09/20/14

To Nell Donaldson,

Thank you for all your work posting relevant documents for the 89 Anderson Street rezoning proposal workshop scheduled for Tuesday, September 23rd. I just finished reading through the Memo, Staff Attachments and Public Comments. After reading these documents I have a few additional concerns and comments of my own. I know it is too late to have my comments published online, but I am hoping they will get to the Planning Board.

I read with interest the traffic study that was completed by William Bray and then the review of that study by Thomas Errico. I am very concerned about safety on Fox Street, particularly at the intersections of Fox/ Washington and Fox/ Anderson. I have seen increased traffic on Fox Street along with greater stress on the street due to more usage by Fox field users and tractor trailer trucks. Here are a few comments I have about the studies in particular.

1. The timing of William Bray's traffic analysis renders it inaccurate. When he completed this study, gas line upgrade work was occurring on Washington Avenue and Cumberland Avenue. Due to this work, traffic was diverted away from Fox Street, thus lowering the traffic volume. For this reason, I think this study cannot be used.

2. I agree with Tom Errico that another problem with the timing of this study is related to usage differences on Fox Street when school is in session and when it is not in session. I agree with Tom that another traffic count must occur when school is in session and traffic is at full volume.

3. I also think a traffic analysis must occur when there is an athletic event, such as a lacrosse game or a soccer game happening at Fox Field. The parking during an athletic event and the chaos that occurs at the location of Fox/ Anderson during a game needs serious consideration.

4. I did not see a significant analysis done of the impact that the intermodal transportation facility located at 122 Anderson Street will have on the Fox/ Anderson Street intersection. The tractor trailer trucks which will be parked at the facility will need to enter and exit East Bayside using the Fox/ Anderson Street intersection. The timing of the egress of the trucks will mean a steady flow of tractor trailer trucks at the same time games and other athletic are occurring at Fox Field. This warrants further study.

5. I think that more precise data is needed to account for all of the new traffic coming from the following:

- a. the proposal to re-route traffic from I-295 into East Bayside. The current proposal which the Franklin Street Redesign Committee is considering, will not allow drivers to leave East Bayside via Marginal Way unless they are taking a right onto 295. This will force drivers (myself included) to use Fox Street in order to get onto Marginal Way going toward Forest Avenue. I did not even see this proposal and its impact on Fox Street mentioned in the traffic analysis.

b. new developments (some approved, some still to be approved) which will house residents who will need to use Fox Street to leave the peninsula. These new developments include,

- i. 134 Washington Avenue (18 units)
- ii. Munjoy Heights (29 units)
- iii. 192 Washington Avenue (15 apartments)
- iv. Sheridan Street Apartments (5 units)
- v. East Cove Townhomes (14 units, plus a restaurant)
- vi. 89 Anderson Street (53 units, plus a restaurant)

* I include 89 Anderson Street because there is disagreement between Bill Bray's numbers and Tom Errico's numbers in terms of trips generated from 89 Anderson Street. It seems very clear from Errico's numbers that putting in a 53-unit apartment building on the intersection of Fox/ Anderson will indeed have a much greater impact than building an R-6 compliant building at that intersection. I think all of these developments and the resulting traffic on Fox Street must be considered in a traffic analysis.

6. I am one of the residents who raised the concern about the existing geometry of the Fox/ Anderson intersection and the resulting lack of visibility due to walls being built on that very intersection. Errico says in his report that since this is a four way stop, the lack of visibility is not of concern to him. I am still very concerned about the lack of visibility that will occur at that intersection. It may look fine on paper to say the intersection is a four way stop, thus it is fine if we cannot see anything except a portion of the first car (and I mean just a portion, the entire car length of a vehicle on Anderson will not be visible to a driver approaching from the Washington Avenue side of Fox Street). I submit that for those of us who are well acquainted with the mixed uses already occurring on the intersection that saying lack of visibility is not an issue, is irresponsible. There are many children who use that intersection on a regular basis, as well as cyclists, joggers and skateboarders. People (particularly children) do not always stop when crossing the intersection which means it is vital for drivers to have a good view of all streets on Fox/ Anderson. This needs more careful consideration which takes into account the many and varied uses of the intersection. The tremendous blocking of a driver's view due to the proposed building right up to the corner will be very dangerous. I still hold the view that no zoning should be allowed at this intersection which gives permission to build up to the sidewalk.

There is a glaring omission in the reports that I have read for September 23rd. That omission is a clear and adequate answer to a question asked at the last workshop. One planning board member asked for Jonathan to make it clear to all involved, why a business zone would be a good idea for the Fox/ Anderson Street intersection of East Bayside. The question was how this would be beneficial to our neighborhood. I have not read anything which gives me a clear response. From everything I read, the opposite appears to be the case. A business zone at that intersection would be harmful to the neighborhood by increasing the amount of vehicular traffic, reducing visibility, increasing the amount of

pedestrian traffic and just generally causing more confusion at an already chaotic spot of East Bayside. Jonathan states in his report that safety and security would be increased, but he does not give any specifics as to how safety and security would increase. It seems that more evidence is given to the contrary. Since no satisfactory answer is given as to how a B-1 or B-2 zone is better for this section of East Bayside than an R-6 zone, I am still in support of keeping this piece of property R-6.

I am concerned that comparisons are made between the Bayside Anchor Project, Bayside East (at the corner of Oxford and Smith) and the project being proposed for 89 Anderson. These projects cannot be compared for two reasons:

1. The issue here is location. Bayside Anchor and Bayside East have nowhere near the traffic that Fox/Anderson has and Fox/Anderson will have an increasing amount of traffic based on several decisions which have been made.

2. Bayside Anchor and Bayside East are not located in business zones. A business on the ground floor just adds to the chaos, something not included in Bayside Anchor and Bayside East.

I disagree with Jonathan Culley when he states that the rezoning from R-6 to B-1b is particularly appropriate for this location and that the proposed map amendment is consistent with the goals of the Comprehensive Plan. In fact, this rezoning is entirely inappropriate for Fox/ Anderson Street as this area is in an R-6 neighborhood with mostly single-family and two-family homes. Spot rezoning in an R-6 area to a business zone is not appropriate. It also is in violation of the pedestrian friendly, family friendly goals of the Comprehensive Plan. A B-1b zone here will create a dangerous situation for pedestrians (due to factors mentioned earlier in this letter) and is not conducive to family friendly housing. Contrary to Jonathan Culley's statement, this parcel remaining R-6 is particularly appropriate for this location and remaining R-6 is consistent with the goals of the Comprehensive Plan.

It would be a much healthier situation for this neighborhood to have a reasonable R-6 type residence built at this corner than a business. Many references were made to the current use being as a garage and somehow using that to justify rezoning to a business zone. I suggest that a garage at this location is nonconforming and inappropriate. Why then, are we talking about repeating this error by rezoning to a business zone? We need to be reducing traffic at Fox/Anderson, not increasing traffic. Therefore, since the property is being sold, I am of the opinion that we should be looking for a better situation with more visibility and less traffic. I think an R-6 type structure is plenty permissive without being overwhelming. Anything more permissive than an R-6 zone will just increase the chaos, the danger and the tension in this section of East Bayside.

Please do not allow for a change in zoning at 89 Anderson Street. We need to keep our neighborhood livable.

Thank you for your consideration,

Ellen F. Bailey (resident of East Bayside)

From: Kathleen McKeon <kmckeon@maine.rr.com>
To: <HCD@portlandmaine.gov>
Date: 9/22/2014 9:50 PM
Subject: 89 Anderson--9/23/14

Dear Helen,

I know it is late but am hoping that some of the planning board members will have a chance to review my letter about the proposed zone change.

Thanks,
 Kathleen

September 22, 2014

Dear Planning Board,

I am writing to express my concerns about the proposed development by Redfern at 89 Anderson Street and the request for a spot zoning change from R6 to B1-b. I believe it reflects the interests of the developer rather than the needs of the East Bayside community.

Both R6 and B1-b are high density zones and both types of development can help sustain the future growth of Portland. I believe that B1-b will strain the infrastructure and create higher density that which will have a negative impact on East Bayside when compared to R6. City planners must take into account that this is a neighborhood and an industrial zone. Residents have lived here since the 1800s and commercial business has been on the periphery. Spot zoning to B1-b creates a commercial zone in our residential area. Our neighborhood is bordered by B1-b and B2-b in other areas that provide ample opportunity for commercial businesses and housing ventures to develop. Presently, 89 Anderson Street is zoned R6 and this residential area should not be encroached upon for commercial development.

I am also concerned about Redfern's request for multiple zone changes during this process. City planning is complicated and proposing changing zones with each new meeting is confusing. It can also be educational. From my research I have learned that spot zoning is a micro approach to city planning that potentially favors individual developer requests over the needs and concerns of community residents. It often occurs in neighborhoods of lower socioeconomic status. It does not always increase property values for residents. Selective zone changes for individual developments can lead to projects being approved that are out of scale and style with the surrounding neighborhood. It also contributes to increased administrative costs, meetings, time and processes of workflow for planning board and city council members. Staying at the R6 zone promotes greater creative use of architectural space and provides an opportunity for development to better reflect the needs and style of our community.

Redfern has requested a zone change from R6 to B1-b with the premise that B1-b will be a better fit for the community. The proposal to put in a restaurant or store does not guarantee improvement to our neighborhood and may be difficult to lease as it is a busy street corner on the edge of an industrial zone. Similar style storefronts have been up for lease and vacant on Middle Street in the India Street neighborhood for years. The impacts of greater population density, 53 proposed units, increased traffic, questionable affordability, effect on neighborhood diversity and environmental concerns must be considered.

This year we have lost a great deal of green space because of development in our neighborhood and I am concerned how a spot zone change will impact the environment. Development within R6 (as currently zoned) allows for setbacks and landscaped open space of at least 20% of an existing lot and up to 60% of building maximum lot coverage. This allows for potential re-greening of this urban industrial area, presently an automotive garage. Transforming the lot into a greener space would be an opportunity for positive change for our community. Redfern's design builds up to the sidewalks with minimal green space (as proposed, approximately 12%.) Much of the allocated 12% green space would edge the parking areas on the inside of the buildings, less-accessible to the general public. Portland promotes its green open spaces as an enhanced quality of life. We must consider the impact of the loss of green space requirements and set backs when considering spot zone changes. It is important to set a precedent for the future of our city.

Traffic and pedestrian sidewalk safety are clearly neighborhood concerns. Can the infrastructure support this growth? Redfern did have a recent traffic survey performed with the suggestion to put in crosswalks and pedestrian safety signs at the corner of Fox and Anderson Street. Unfortunately during the days of the study, Unifit gas-line construction was occurring on Washington and Cumberland Avenues. This caused detours in traffic flow from residents of Munjoy Hill who often use Fox Street for their daily commutes and access to stores and highway. As the study was performed in August, children were not in school. Both of these reasons question the validity of the report as there are potentially statistically significant differences in pedestrian and traffic flow counts. Measuring traffic flow from 3G's also lacks relevance and validity as the project will be a commercial and residential use rather than an automotive garage.

As a method of predicting future trends, a traffic report is purely hypothetical and does not include the actual real flow of traffic from the many new developments that are under construction in the neighborhood. This includes future changes to Franklin Arterial and the as yet unknown effect of the Intermodal Trucking impact on this intersection. An additional traffic study during school days when Unifit is finished with the neighborhood is a reasonable request to help clarify present traffic flow and I believe this has already been requested by the planning board. Future traffic flow is more difficult to assess but all local residents will be directly affected and decisions must be made that protect the safety of our neighborhood.

East Bayside is rich in diversity and history. At the last planning board meeting, attendees were asked to consider the proposed development from a broader viewpoint of diversity of style. In my opinion, the project lacks architectural diversity and the height may have a negative impact for the surrounding tenement and colonial houses in the neighborhood due to shadow effect and scale. Planning board members should consider

maintaining the R6 zone at 89 Anderson with the purpose to enhance and honor the history of the housing style of the working class and immigrant families of Portland. There is potential to create a more interesting architectural project that would fit in better with East Bayside than the one proposed.

We must also consider the diversity of our community and existing barriers to city government processes. Kennedy Park is one of the lowest socioeconomic and highest culturally diverse areas of Portland. Many of the residents of our neighborhood are illiterate. Some are recent immigrants or refugees. People live in subsidized housing or rent and work more than one job. Many come from countries where they would go to jail or worse if they expressed differing views from the government or city planners. Notification via mail is ineffective if one cannot read. Work takes precedent over planning board meetings when one is trying to pay rent and feed the family. These are barriers to the participation of local residents in the city planning board process. We must consider socioeconomic disparity, cultural diversity and help educate residents to understand the city government and planning board processes. A zone change will impact all residents and this decision should not be fast-tracked for the needs of a developer. I ask that you as planning board members support the needs of all members of our community when considering spot zoning.

Finally, the cost of rentals for this development is higher than what the average working class person can afford. Marketed at 30% below the local income level, the proposed rates are beyond what anyone working in the service industry can afford. Thanks to Avesta and Portland Public Housing, Kennedy Park will continue to have subsidized housing, creating a "poverty island" in our changing neighborhood while the working middle class residents are forced to move to surrounding areas. Future development in Portland ought to consider the housing needs of the working class residents as priority. East Bayside has always been a haven for the working class families of Portland and would be an excellent area for a mixed income development project.

Clearly the East Bayside neighborhood is on the frontline of development in the city of Portland. This is unlikely to change. Is spot zoning the answer? A zone change from R6 to B1-b at the 89 Anderson Street proposed project is speculative and purely in the interest of the developer and does not support the vitality and future growth of our neighborhood. I question the objectivity and validity of the provided traffic study and believe it should be repeated. We must have the integrity to sustainably guide the growth and development of East Bayside to reflect the history and diversity of our community. I ask that you protect East Bayside from this zoning encroachment and consider my concerns when deciding on spot zoning for the 89 Anderson Street development.

Sincerely,

Kathleen McKeon
53 Hammond Street
Portland, ME 04101
kmckeon@maine.rr.com

Michele Castner
86 Anderson Street
Portland, Maine 04101

September 22, 2014

Helen Donaldson, Planner and Members of the Planning Board
Planning Division
City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

**RE: Redfern Properties: 89 Anderson Street Zoning Proposal,
Planning Board Workshop, September 23, 2014**

Dear Ms. Donaldson and Members of the Planning Board,

Thank you for the opportunity to share with you my thoughts about the above named applicant's proposal/request for a zoning change at 89 Anderson Street. I am particularly invested in this proposal as I reside across the street from this parcel at 86 Anderson Street. I am also very invested in the East Bayside Neighborhood and am currently a board member for East Bayside Neighborhood Organization (EBNO). I am writing to you, however, not in an official EBNO capacity but as a private citizen and resident of East Bayside.

I believe that the goal of creating more housing on the peninsula as noted in the Portland Council Common Goals (2014) to "provide increased availability in all segments of the housing market" can be achieved by keeping the 89 Anderson Street parcel as an R-6 zone. The City Council's Objective 3 to "complete draft rewrites of the R6" is near completion and could potentially accommodate 32 new residences at this parcel without disrupting the current R-6 zoning. Maintaining the integrity of this zoning is consistent with the residential neighborhood it abuts.

Maintaining the R-6 zoning at 89 Anderson Street also supports Portland's Comprehensive Plan, Housing: Sustaining Portland's Future goal 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". Upholding the R-6 zone, I believe, can address the need to provide more housing while also, "protect the stability of Portland's residential neighborhoods from excessive encroachment by inappropriately scaled" uses as noted in the City of Portland's housing policy.

The current building proposal from Redfern Properties for this parcel, if a zone change is granted, encompasses the entire block facing Anderson Street. The scale of this building is considerably larger and different than the neighboring R-6 homes.

The next block on Anderson Street, for example, which is a similar size, has 4 homes (i.e., 1 multi-unit, 3 single family). I urge the Planning Board to consider the City Councilor's objective to, "encourage innovative new housing development which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood" and protect and maintain the R-6 zoning for this parcel.

Thank you very much for your time and consideration. I am grateful for your service to the City of Portland and look forward to continuing to collaborate with you to ensure that East Bayside continues to be a thriving, vibrant wonderful neighborhood.

Sincerely,

Michele Castner

From: Karen Snyder <karsny@yahoo.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
CC: "Cynthia L. Cochran" <c Cochran@maine.rr.com>
Date: 10/12/2014 6:31 AM
Subject: 89 Anderson Planning Proposal

Hi Helen,

89 Anderson planning proposal is so against what the ordinances and zoning was suppose to protect against yet the planning board members especially Jack Soley and Carol Morrisette seem to vacillate back and forth trying to justify this planning proposal in some form or fashion.

This 89 Anderson proposal is SPOT ZONING!. Besides the fact that it is at the worst possible intersection in East Bayside to have a over developed lot with too much traffic congestion to further exacerbate the current intersection issues.

When will the planning board members stick to the current ordinances and zoning laws and not allow developers break or bend the ordinances? Isn't that what ordinances were to be for in the first place?

Additionally, I am deeply concerned about the conflict of interest that I see with certain planning board members and the developers.

After attending so many planning meetings this past year, I am quite concerned that there is an extreme amount of conflict of interest with the current planning board members and the developers. Even though the planning board positions are "volunteer", the current members are NOT altruistic or wanting to protect local citizens quality of life especially if the planning board members are property owners or lawyers in town.

I propose that certain planning board members need to step down from their current positions.

There is EXTREME dissatisfaction with how they are handling all these proposed development and allowing these developers to break ordinances or change them even though there is a large amount of opposition and inconvenience by local residents.

The current planning board members are effectively trying to PUSH out current local residents from their environment.

They should be ashamed of themselves.

Regards.
K. Snyder

From: Barbara Barhydt
To: Donaldson, Helen; Munson, Jennifer
Date: 11/5/2014 4:40 PM
Subject: Fwd: Comments re: 89 Anderson Street/East Bayside B1b rezoning

To the Portland Planning Board:

I'd like to express my support for the rezoning proposal and Redfern Properties' development proposal for 98 Anderson Street in East Bayside. I am a homeowner and landlord who resides at 45 Smith Street, a short walk away from the subject property. I'm also the current chair of the Portland Housing Authority board of commissioners, though these comments represent only my own opinions and not necessarily those of the PHA.

The proposed rezoning supports Portland's Comprehensive Plan in several ways. Most urgently, it supports the city's housing goals — currently one of the highest priorities for the city.

East Bayside likes to think of itself as an inclusive neighborhood, not an exclusionary one. Outside of our public housing, though, the few homes and apartments that come on the market each year in East Bayside go to the highest bidders, which are becoming an increasingly wealthy portion of the population (this problem also poses big challenges to the Portland Housing Authority's Section 8 housing choice voucher programs, which assist hundreds of low-income families in paying market rents to private-sector landlords).

The threat of gentrification requires us to work harder to accommodate the economically diverse mix of families who would like to live here, instead of trying to shut them out. The proposed project will provide much-needed relief in Portland's housing market by serving middle-income renters, and inviting new households to live here will also bring new vitality to our neighborhood's sidewalks and small businesses.

The rezoning also supports the city's sustainable transportation goals, by inviting new in-town housing and retail services to a walkable location near two bus routes. The site is also on the route of a planned and funded "neighborhood byway" — a street designed to prioritize and encourage travel by foot and by bike — on Anderson Street, with connections to regional bike routes via the new Tukey's Bridge path.

Some neighbors have expressed concerns about traffic. I'd like to point out that the current land use of the site — a car repair shop — is literally in the business of attracting cars to the site. The current use's site layout also causes significant safety problems, with its main driveway located in close proximity to the Fox/Anderson intersection. The Board should consider to the real-world examples of Walker Terrace in the West End, or Chestnut Street Lofts in Bayside, where the replacement of automobile-related land uses with new in-town housing actually helped calm traffic on Congress Street and Cumberland Avenue, respectively.

Finally, in 2010, a team of professionals from the American Institute of Architects assisted the East Bayside residents in producing a "Sustainable Vision for Maine's Most Diverse Neighborhood." That plan identified the corner of Fox and Anderson Street as a "place with potential" that should "attract neighborhood-serving uses, such as a coffee shop or a deli." (see page 62 (<http://www.aia.org/aiaucmp/groups/aia/documents/pdf/aia085786.pdf>)). While the current R6 zone prohibits this, the B1 designation would make this possible, and I'm encouraged to note that the applicant would like to build a corner retail space for precisely this purpose.

Thank you for considering these points, and for your service to the planning board.

Yours,
 Christian MilNeil
 45 Smith Street

<http://christianmilneil.com>

The Vigorous North:
 A field guide to the wilderness areas of American cities.
<http://www.vigorousnorth.com>

Memorandum
Planning and Urban Development Department
Planning Division



To: Stuart O'Brien, Chair, and Members of the Portland Planning Board
From: Shukria Wiar, Planner
Date: November 7, 2014
Re: 777 Stevens Avenue, The Park Danforth
Project #: 2014-202 **CBL:** 146 C005 001
Meeting Date: November 12, 2014

I. INTRODUCTION

The Park Danforth has submitted an application for site plan and subdivision review for their property at 777 Stevens Avenue (refer to Applicant's submission). The property is situated on a city block bounded by Forest and Stevens Avenues and Poland and Arbor Streets. The proposal is to construct a new building with fifty-four (54) senior independent living units that will be attached to the existing building with a one-story connector. The new building will be four stories along Arbor Street and Forest Avenue, with a fifth story corner projection and five stories facing a central garden courtyard between the two buildings. The initial project was approved and constructed in 1983 and underwent a major expansion in 1997. The site currently consists of 4.16 acres which includes the Goodwill site and three former house sites.

The site is located in the R-6A zone. This proposal is being reviewed as a final plan and subject to the Site Plan and Subdivision Ordinance of Land Use Code. The project will also be reviewed against the multiple-family housing of the Design Manual. Division 29 of the Land Use Code, the Housing Preservation and Replacement standards apply to this project as well.

The project was before the Planning Board for a map and text amendment to create a new zone, R-6A. The board forwarded a positive recommendation to the City Council for the map amendment and text amendments on September 9, 2014. The City Council approved the amendments on October 20, 2014.

Applicant Name	The Park Danforth at 777 Stevens Avenue
Consultants	Robert Metcalf of Mitchell & Associates

II. PROJECT REVIEW

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	14-526
Subdivision	14-491
Design Manual	(i) Two-Family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed And Breakfasts, And Emergency Shelters

III. PROJECT DATA

Existing Zoning	R-6A		
Existing Use	Special Needs Independent Living Units and Intermediate Care units		
Proposed Use	Independent Senior Housing		
Parcel Size	181,100 SF (4.16 acres)		
Number of Units to be Demolished	Two single family and a multi-family (demoed)		
Number of Affordable Units	For the existing units- 70 are HUD supported housing and 36 market rate. The proposed units will be market rate.		
	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Residential Data	160 dwelling units in the existing building, three residential homes, one of which is vacant.	54 dwelling units	
Building Footprint	31,181 SF	21,777 SF	9,404 SF
Building Floor Area	172,567 SF	94,236 SF	78,331 SF
Building Heights	Existing Building is 60'	Proposed Building is 60'	
Impervious Surface Area	3.22 AC	3.05 AC	0.17 AC
Parking Spaces	91	151	60
Bicycle Parking Spaces	None	8	8
Estimated Cost of Project	\$18 Million (Bath Saving Institution)		
Uses in Vicinity	Mixed commercial uses along Arbor Street, across the street on Stevens Avenue is the Maine State Armory and University of New England, on Poland Street there are residential use as well as offices, commercial uses along Forest Avenue.		

IV. EXISTING CONDITIONS/ BACKGROUND

a. Background

The applicant, Park Danforth, is an elderly residential housing entity that has roots in the City for over 130 years and is a not-for-profit corporation. Park Danforth originally was located at the corner of Park and Danforth Streets, hence the name Park Danforth, and it was a "Mercantile Home for Aged Men". Due to financial pressures, Danforth sold its property to 75 State Street and moved to their current location at 777 Stevens Avenue in 1985 with seventy (70) HUD supported apartments and thirty-six (36) market rate residential apartments for the elderly. The facility expanded again in 1999 to provide eighteen (18) new apartments and thirty-six (36) Assisted Living studios. Currently the building consists of 124 apartments and 36 Assisted Living studios.

The assisted living units at Park Danforth were developed as a special needs independent living units, which are a permitted use in the R-6 zone. It is defined in R-6 as follows:

Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of residential or other permitted uses. The owner of a special needs independent living unit building shall file in the Cumberland County

Registry of Deeds a statement under oath that the building is a special needs independent living unit building and that any future change of use to a permitted residential use shall require a change in use review by the City of Portland and a decrease in the number of units in the building in accordance with the Portland City Code, chapter 14. The owner shall file proof of such recording with the building inspections division prior to the issuance of any certificates of occupancy for the new uses.

The special needs independent living units (SNILU) are subject to the dimensional standards of the R-6 zone. The density provision does allow for a greater density for SNILUs as follows:

- a. Minimum area per dwelling unit: *One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.*

The proposed development is for market rate independent living units and is not proposed as a SNILU; thus the 20% density bonus would not apply.

b. Existing Conditions

The city block contains the existing Park Danforth building and associated parking, the Goodwill retail store on Forest Avenue, and three residential houses on Arbor Street. There are two single-family homes and a two-family. The two-family home, which is still shown in the aerial below, has been razed and the lot is now vacant. They recently acquired the one residential property at 24 Arbor Street and now the applicant owns the entire city block.



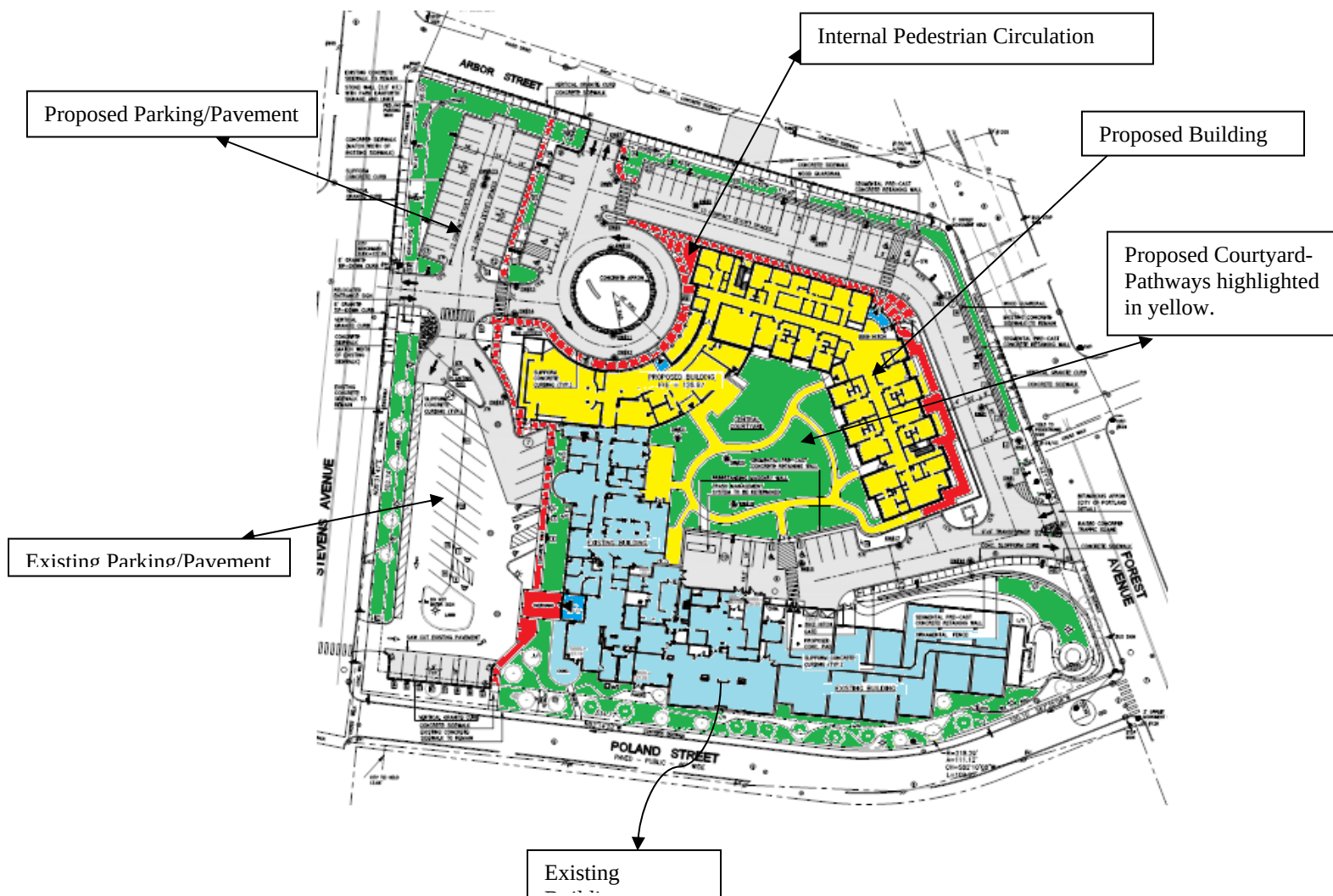
The Goodwill site is almost all impervious area (about 95%) with two buildings and paved parking on a lot area of 60,798 SF (1.40 acres).

IV. PROPOSED DEVELOPMENT

Park Danforth has developed a master plan for their campus at 777 Stevens Avenue. The total land area of the parcels making up the Park Danforth Campus is 181,100 SF or 4.16 acres. They would like to expand their current campus to provide for elderly housing that include “independent elderly housing” for a younger aging population. This includes people that do not need assistance with daily living but would like to be in an

interactive senior community with amenities and services. The main population being targeted is 75 years of age and plus.

According to the applicant's submission, the plan consists of open spaces, addresses street presence, and provides for pedestrian and vehicular circulation and safety. The applicant is proposing four driveways to this site. The two existing curb cuts on Steven Avenue's will remain with the driveway closest to Poland becoming a one-way entrance with exiting directed to the two-way driveway located closer to Arbor Street. This two-way drive will also access the new staff parking and the visitor entry. The Goodwill Store driveway on Forest Avenue will be removed. There are two other curb cuts on the remaining streets: one will be on Arbor Street proposed as the primary visitor entrance for the new building and one off Forest Avenue for access and service area functions. The latter driveway will be modified to have an island and will be right in and right out only. The campus will include two interior courtyard gardens and a central courtyard between the buildings to provide safe and functional open space for the residents. Other site improvements include landscaping and site features such as a retaining wall and fencing.



The main building on the Park Danforth campus consists of a seven-story building along Stevens Avenue and a three-story building along Poland Street. Along with the newly acquired parcels, Park Danforth wants to build a new structure along Arbor Street and Forest Avenue. The new building will contain one level of underground

parking for thirty-eight (38) cars and fifty-four (54) new “Independent Living” units on the upper four floors. The total building area will be about 64,000 SF, not including the parking level. The highest point of the building height is proposed at approximately 60 feet.

The building will be four-stories along Forest Avenue and Arbor Streets with a five-story element at the corner. The interior of the building facing the existing Park Danforth building will be five-stories. A single story building is proposed to connect the existing seven-story building with the new building at the new turn-around. This connector will serve as the main entrance to the building. It will also have an auditorium that has 107 seats, as well as a solarium, piano room, and a media room. Near the entrance will be a farmer’s porch. The campus will also have two interior courtyards, as well as a central courtyard located between the two buildings. Please refer to Attachment Plan2 for more details of the site plan for the campus.

The first floor of the existing building will be converted to a *Main Street* that will have services which include a boutique, ice cream parlor, bistro, and wellness center. This work to be done in the existing facility is independent of the proposed site plan application and will be done at a later date through the building permit process.

V. PUBLIC COMMENT

As of the writing of this memo, there were no public comments have been submitted.

VI. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY

a. The owner of the property is The Park Danforth. The applicant has provided a copy of warranty deed, quitclaim deeds, statutory warranty deed, and purchase and sale agreement recorded at the Cumberland County Registry of Deeds (Please see Attachment D for the Book and Page) which demonstrates their right, title and interest in the property.

b. The estimated cost of the development is \$ 18 Million. The applicant has submitted a letter from Bath Savings Institution, dated June 18, 2014, as demonstration of their financial and technical capacity to complete the proposed development.

VII. ZONING ASSESSMENT

A. ZONING REVIEW

Ann Machado, Zoning Specialist, has reviewed the site plan application. The development meets the dimensional standards but request further clarifying information. The following are Ms. Machado comments:

I need more information on the height of the building. I need to know what the average grade is for the building. The elevation drawings show the roof at 52' above Level 1. Parts of the roof go above this. I understand that some areas are the stair towers but what is the section above the roof on the Northeast elevation?

VIII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

a. Application completeness - Identify additional materials needed.

The applicant has submitted an application for a site plan and subdivision. The applicant has requested a “temporary” waiver of the following plans and documentation:

1. Construction Management Plan
2. Lighting Photometric Plans
3. Sign Plan
4. Waste Stream Management Plan
5. Manufacturer's Verification of Mechanical Systems

The above items need to be submitted for a full review of the application before the public hearing. As part of a complete application a boundary survey and a subdivision plat will also need to be submitted for review and approval prior to the public hearing.

B. SITE PLAN STANDARDS (Section 14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Transportation Standards

a. *Impact on Surrounding Street Systems*

The Park Danforth campus is a city block and is surrounded by four streets: Stevens Avenue (main entrance), Forest Avenue, Arbor Street, and Poland Street. There will be four curb cuts to the site: one on Arbor Street for visitor entrance and for the new building, one off Forest Avenue for service entrance and two on Stevens Avenue, of which one will be ingress only. In a very preliminary review during the map and text amendment review process, staff had recommended that the applicant consider reducing the number of curb cuts further and minimizing the pavement on the site. The proposed number of driveway cuts remain the same; however, the locations have been modified (the two-way curb cuts on Stevens Avenue and on Arbor Street) or improvements are proposed, such as the island for the Forest Avenue entrance.

b. *Access and Circulation*

The applicant intends to have residents, staff, and visitors utilize the driveways on Stevens Avenue and Arbor Street. One of the driveways on Stevens Avenue, near Poland Street, will be ingress only and dedicated for emergency vehicles only. Staff had asked the applicant to possibly close this curb cut due to its proximity to Poland St; however, the Fire Department wants the curb cut to remain open for emergency access. The existing driveway on Forest Avenue will remain but be modified right in/ right out only. This driveway will be used for service and delivery vehicles. According to the applicant there are seven existing curb cuts on this city block.

City staff and Tom Errico have reviewed the site plan application and are requesting more information regarding the curb cuts. The staff continues to recommend reducing the overall number of curb cuts for the site, particularly on Stevens Avenue or Arbor Street. It is understood that the curb cut on Forest Avenue is significant due to its use for deliveries and the existing curb cut on Stevens Avenue, near Poland Street, is required as an emergency ingress. In discussing this option with the Fire Department, Captain Petrucci stated that it is difficult for fire trucks to make a left on Stevens Avenue from Arbor Street.

On-site pedestrian circulation is proposed to all the main entrances; however, there is no pedestrian pathway from the buildings to Forest Avenue. Pedestrian connections to Forest Avenue are recommended. David Morgolis-Pineo, Deputy Engineer with the Department of Public Services has reviewed the site plans and has requested that the applicant install a concrete sidewalk with granite curb on Arbor Street and all four street corners of the block will be constructed with sidewalks ramps that are ADA compliant. Please see Attachment 2 for Mr. Margolis-Pineo's full review. There are two main crosswalks on Forest Avenue and Stevens

Avenue and the crosswalk on Stevens Avenue serves a bus stop. As part of this project, it is recommended that the crosswalk be upgraded to meet ADA standards.

c. *Public Transit Access*

The Park Danforth is on the Metro Line Route #2 and 3. City staff review is pending if this standard. Staff will assess the site to determine if bus shelters will be required.

d. *Parking*

As part of the project, there will be one hundred and fifty-one (151) new parking spaces being proposed. Thirty-eight (38) of these spaces will be in the garage under the new proposed building. There are ninety-one (91) existing parking spaces. The Zoning Ordinance requires fifty-four (54) spaces for the new building (one space per unit) and ninety-three (93) for the whole site. The rest of the parking spaces will be on surface parking lots around the buildings. The new building will be surrounded by surface parking. The staff surface parking lot at the corner of Stevens Avenue and Arbor Street will be compact spaces. The rest of the parking spaces are standard spaces. The aisle widths do not meet the City's technical standards. The applicant is encouraged to submit a waiver of the aisle width standards.

According to the traffic study the applicant submitted, there is a need for a parking ratio of 0.55 parking spaces per unit. The applicant is proposing to provide a ratio of 1.0 space per unit. City staff is requesting more information regarding the applicant's request for a higher on-site ratio.

Bicycle Parking

The applicant is proposing eight bicycle spaces; four of the spaces are located approximately 40 feet from the entrance of the new building and two are in the parking garage. The zoning ordinance requires two bicycle parking spaces for every five dwelling units. Therefore twenty-two spaces is required for the 54 unit building. The applicant has requested a waiver to have the required bicycle parking spaces to be reduced to six spaces because they believe that the residents and employee population will not use the required amount.

Tom Errico, Consulting Traffic Engineer, has reviewed the site plan and his comments are the following:

- *I have reviewed the traffic study for the project prepared by GPCEI and concur that the project will not have a significant impact on transportation capacity and does not require a Traffic Movement Permit.*
- *The traffic study did identify a High Crash Location at the Forest Avenue/Read Street intersection and I need to further investigate as it relates to this project.*
- *The Forest Avenue driveway configuration geometry does not prevent the suggested turn prohibitions and it is suggested that adjustments be incorporated. I would also noted that the GPCEI report notes the Stevens Avenue driveway will also have turn prohibitions. The geometry of driveways should reflect conditions that discourage the illegal turn movements.*
- *The one-way emergency entrance on Stevens Avenue should be designed such that it discourages general population usage and is supported by the fire department.*
- *The applicant should provide specific importation [information] that supports all proposed driveways, such that a waiver can be issued regarding the number of driveways as it exceeds City standards. The applicant should focus this response on why both the Stevens Avenue and Arbor Street driveways are both required.*

- *Several parking aisle widths do not meet City standards. The applicant should provide supporting waiver documentation for all substandard conditions.*
- *Pedestrian facility connections between the site and the public sidewalk system, particularly Forest Avenue should be clearly noted and provided.*
- *An ADA Ramp on the internal crosswalk at the Arbor Street driveway should to be provided.*
- *I support the proposed compact parking spaces and support a waiver from the City's dimensional standards for compact spaces.*
- *It is suggested that the crosswalk on Stevens Avenue at Poland Street be upgraded to be fully ADA compliant. This crosswalk is active and provides an important connection to the METRO bus service.*
- *A crosswalk is provided on Forest Avenue near the site driveway and I need to review improvement needs and will provide direction in the future.*

2. Environmental Quality Standards

a. *Preservation of Significant Natural Features*

There are no known significant natural features on the site.

b. *Landscaping and Landscape Preservation*

The applicant is requesting a waiver on the street tree provision of the site plan review ordinance because according to the applicant, there cannot place all the required trees on the site. There are a total of fifty-four (54) new units; therefore 54 street trees will need to be planted. The applicant is requesting a waiver of 26 trees and will contribute to the contribution of street tree fund. The Planning Staff will coordinate with Jeff Tarling, City Arborist on this waiver request.

c. *Water Quality, Storm Water Management and Erosion Control*

The total existing Park Danforth site includes 2.56 acres of land that is occupied by the existing elderly housing and associated pavement/ parking. The existing Goodwill and the three house lots are 1.60 acres. The majority of the stormwater runoff generated by the site will be treated by a stormwater infiltration system. A portion of the property will continue to be accommodated by the existing stormwater infrastructure.

The project will disturb and reconstruct more than one acre of land so a Department of Environmental Protection (DEP) stormwater Permit-by-Rule will be required, which the City has delegated review authority. The stormwater plans will have to comply with Chapter 500 of the City's Technical Standards.

David Senus of Woodard and Curran, Consulting Engineer, has reviewed the stormwater management plan and had preliminary comments but at the request of the applicant, there were changes being made to the plan. City staff met with the applicant and his consultants on October 31, 2014 to discuss the changes. The applicant has not yet resubmitted the information and therefore, review comments are not available at this time. Please see letter from Robert Metcalf as Attachment 5 and David Senus memo as Attachment 3.

3. Public Infrastructure and Community Safety Standards

a. *Public Safety and Fire Prevention*

The driveway on Stevens Avenue, near Poland Street, will be ingress only and used for emergency vehicles only. The site plan shows an "Emergency Vehicles Only" sign being posted

at this curb cut. In preliminary review, City staff had asked the applicant to possibly close this curb cut. The signage and configuration of the curb cut is being reviewed.

b. *Availability and Adequate Capacity of Public Utilities*

Water/ Sanitary Sewer/ Natural Gas:

The project will be served by the existing utility services located in Forest Avenue and Arbor Street. Water is available from an existing 12 inch water main located in Arbor Street. This will supply both fire suppression and domestic service. The proposed service connections include a 4 inch and 8 inch for domestic water and fire service, respectively. The sanitary sewer will also be supplied by an existing 10 inch sewer main in Arbor Street. The connection will be a 6 inch line, approximately in the same location as the existing one. Natural gas will be supplied by an existing line in Arbor Street. Installation of new or upgrades to existing sanitary sewers, storm drains, water lines or other utilities shall meet the provisions outlines in Section 2 and Section 9 of the Technical Manual. A note should be added to reference this on the site plan.

Electricity/ Telephone/ Cable TV:

The site plan shows a relocated utility pole that will be above ground. Electrical service shall be underground. The applicant will have to provide underground utilities or request a waiver of this standard. Telephone and cable TV will also be connected via the same route as the electricity connection.

Waste Management:

All residential development of 20 units or more will provide for the temporary storage and removal of all trash and recyclable materials. All exterior storage of trash and recyclables will need to be screened from view from public sidewalks, streets and adjacent properties. The applicant has requested a temporary waiver in providing this information. The documentation addressing waste management on site will need to submit.

4. Site Design Standards

a. *Snow and Ice Loading*

The applicant intends to contract for snow removal for large storm events that exceed three inches or as needed. According to the applicant, there are limited areas along the perimeter of the site that will be used as snow storage area. These areas will need to be shown on the site plan. A copy of the contract should be submitted to Planning staff.

b. *Exterior Lighting*

The applicant has requested a temporary waiver of the photometric and lighting plan. The plan will need to be submitted for review and approval by staff prior to the public hearing.

c. *Noise and Vibration*

All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will have to be shown on the plans and meet state and federal emissions requirements. These mechanical equipment should be located to the interior of the site, away from abutting residential properties and be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof. This information will have to be submitted for review.

d. *Signage and Wayfinding*

The applicant has requested a temporary waiver of the signage and wayfinding plan. The plan will need to be submitted for review and approval by staff prior to the public hearing.

e. Zoning Related Design Standards

A design review was completed for the proposed multi-family dwelling project against the standards of *City of Portland Design Manual*. The site plan and architectural renderings were reviewed by Caitlin Cameron, Urban Designer, Nell Donaldson, Planner, and Shukria Wiar, Planner. The project was reviewed against the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards* (Section (i) of the Design Manual). There are some comments and clarification questions—presented below:

- What is the proposed landscaping for the courtyard open space to be created? It is not clear from the Planting Plan provided what is intended there.
- Overall, the design review panel felt there is an imbalance between the amount of hardscape and landscape. There are additional opportunities for landscaping to mitigate the impact of the parking/drive aisles from the street and especially to improve the pedestrian experience.
- There was some question as to where pedestrians can access the street/sidewalk. It was not clear that residents coming and going from the building entrances would be able to easily access the public right-of-way on foot in easy and direct ways.

Please refer to the design memo ([Attachment 4](#)) for more in-depth review of the proposed plans. Staff has also requested renderings of the one-story connector.

C. **SUBDIVISION** (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. *Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)*
Staff finds the proposed project in conformance with this standard.
2. *Sufficient Water Available (Section 14-497 (a) 2 and 3)*
Please refer to the paragraph VIII (B) 3 (b), above.
3. *Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)*
The proposed project is not anticipated to have any significant adverse effect on regional traffic.
4. *Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)*
Please refer to the paragraph VIII (B) 3 (b), above.
5. *Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)*
The proposal site is not within an historic district and is in an urban neighborhood surrounded by a variety of residential building types. The proposed building does not impact the natural beauty of the area or adversely affect any significant wildlife habitat, rare or irreplaceable natural areas, or any public access to the shoreline.
6. *Easements*
There is a Central Maine Power easement on site. A boundary survey has not been submitted, therefore the location of the easement is not known to staff.

7. Comprehensive Plan (Section 14-497 (a) 9)

Goals and policies which are relevant to the proposed housing development have been included below:

Portland Housing Goal: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.

Policies

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied, including but not limited to the following:
 - ii. Housing units for decreasing household size, such as young professionals, empty nesters, single-parent households, and senior citizens.
 - viii. Housing with a range of services and medical support for the elderly and special needs population, including assisted living, congregate care, group homes and nursing homes;
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.
- Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.
- Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.

Portland Housing Goal: 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 respects neighborhood integrity.

Policies

- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
- Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.
- Ensure the integrity and economic value of Portland's neighborhoods.

Volume 2 Implementation

Housing Initiatives:

3. New Senior Citizen Housing: A variety of housing opportunities are needed to assist Portland's senior citizens, including subsidized apartments. (cites Peaks Island Housing) Longer Term Actions – 4-10 years
 - (b) Update zoning to encourage neighborhood livability with higher density multi-family and innovative mixed use projects that are along major public transportation routes, near service areas, in redevelopment (underutilized) or infill area, locations near downtown and in business zones.

8. Financial Capability (Section 14-497 (a) 10)

The estimated cost of the development is \$ 18 Million. The applicant has submitted a letter from Bath Savings Institution, dated June 18, 2014, as demonstration of their financial and technical capacity to complete the proposed development.

IX. Housing Preservation and Replacement (Section 14-483)

The purpose of this section is as follows:

- 1. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups;*
- 2. To limit the net loss of housing units in the city;*
- 3. To preserve housing in zones where housing is permitted for in the city for all residents in order to promote the health, safety and welfare of its citizens.*

In order to construct this development, two single-family homes and a two-family home were purchased. The applicant sought to demolish the two-family structure which did not trigger this division at that time and was razed in 2013. The demolition of the two single-family homes, as well the two-family building (demolished less than five (5) years ago) triggers housing replacement regulations. According to Section 14-483 (c) *Applicability*, that states:

Except as otherwise provided in this section, this section shall apply to the loss of three or more dwelling units in a five year period, provided that such dwelling units were a legally registered residential use as of July 1, 2002.

The applicant will need to submit documentation for all four units that meets the standards of this section. Section 14-483 (j), requires the applicant to post a performance guarantee for the units that is equivalent to the amount the applicant would have paid into the City's Housing Trust Fund prior to the release of any demolition or building permits.

X. Next Steps

- Address any additional information requested by the Planning Board.
- Address and finalize all staff comments before Public Hearing.
- A Neighborhood Meeting is required.

ATTACHMENTS:

Staff Review Comments and Background Information

1. Traffic Engineering Review (Tom Errico, T Y Lin), comments dated 11.05.2014
2. Department of Public Services Review, David Margolis-Pineo, dated 11.07.2014
3. Civic Engineer Review, David Senus, dated 11.07.2014
4. Urban Designer Review, Caitlin Cameron, dated 11.05.2014
5. Robert Metcalf Letter- Stormwater, dated 11.05.2014
6. Zoning Specialist Review, Ann Machado, 11.07.2014

Public comments (none at the time PB Memo completed)

Applicant's Submittal

- A. Cover Letter
- B. Application
- C. Project Description
- D. Right, Title, or Interest

- E. Permitting
- F. Compliance with Applicable Zoning
- G. Easements
- H. Technical Capacity and Financial Capacity
- I. Traffic and Parking Study
- J. Consistency with City's Master Plan and Conformity with Design Standards
- K. Public Utilities
- L. Solid Waste Disposal and Snow Removal
- M. Fire Department Checklist and HVAC Emissions Requirements
- N. Stormwater Management Plan
- O. Existing Soils Condition
- P. Waiver Request
- Q. Light Fixtures
- R. Construction Management Plan

Plans

- Plan1 Existing Conditions Plan
- Plan2 Layout and Materials Plan
- Plan3 Grading, Drainage, and Erosion Control Plan
- Plan4 Utilities Plan
- Plan5 Planting Plan
- Plan6 Site Details
- Plan7 Site Details
- Plan8 Site Details
- Plan9 Pre-Development Stormwater Plan
- Plan10 Post-Development Stormwater Plan
- Plan11 Stormwater Treatment Plan
- Plan12 Floor Plans
- Plan13 Architectural Renderings

From: Tom Errico <thomas.errico@tylin.com>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 11/5/2014 3:40 PM
Subject: The Park Danforth - Traffic Comments

Shukria - I have reviewed the site plan application materials and offer the following comments:

- * I have reviewed the traffic study for the project prepared by GPCEI and concur that the project will not have a significant impact on transportation capacity and does not require a Traffic Movement Permit.
- * The traffic study did identify a High Crash Location at the Forest Avenue/Read Street intersection and I need to further investigate as it relates to this project.
- * The Forest Avenue driveway configuration geometry does not prevent the suggested turn prohibitions and it is suggested that adjustments be incorporated. I would also noted that the GPCEI report notes the Stevens Avenue driveway will also have turn prohibitions. The geometry of driveways should reflect conditions that discourage the illegal turn movements.
- * The one-way emergency entrance on Stevens Avenue should be designed such that it discourages general population usage and is supported by the fire department.
- * The applicant should provide specific importation that supports all proposed driveways, such that a waiver can be issued regarding the number of driveways as it exceeds City standards. The applicant should focus this response on why both the Stevens Avenue and Arbor Street driveways are both required.
- * Several parking aisle widths do not meet City standards. The applicant should provide supporting waiver documentation for all substandard conditions.
- * Pedestrian facility connections between the site and the public sidewalk system, particularly Forest Avenue should be clearly noted and provided.
- * An ADA Ramp on the internal crosswalk at the Arbor Street driveway should to be provided.
- * I support the proposed compact parking spaces and support a waiver from the City's dimensional standards for compact spaces.
- * It is suggested that the crosswalk on Stevens Avenue at Poland Street be upgraded to be fully ADA compliant. This crosswalk is active and provides an important connection to the METRO bus service.
- * A crosswalk is provided on Forest Avenue near the site driveway and I need to review improvement needs and will provide direction in the future.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
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"One Vision, One Company"

Please consider the environment before printing.

MEMORANDUM

To: FILE
From: Shukria Wiar
Subject: Application ID: 2014-202
Date: 11/7/2014

Comments Submitted by: David Margolis-Pineo/Public Services on 11/6/2014

November 6, 2014

To:Shukria Wiar
Barbara Barhydt
From:David Margolis-Pineo
Re:777 Stevens Ave – Park Danforth

The Department of Public Services has the following preliminary comments on the above project.

- 1.All proposed stormwater drainage shall be directed to Forest Ave and Read St unless demonstrated not feasible.
- 2.The intersection of Forest Ave and Read Street is under a five year street moratorium until August 26, 2016.
- 3.Stormwater manholes do not have three foot sumps. Please provide correct detail on Sheet L6.2.
- 4.Applicant is proposing the installation of a grease interceptor. Sizing of this interceptor shall be determined and stated on the plans prior to final approval. Please contact Frank Brancely at 874-8832.
- 5.Provide a General Note on plans stating that "All proposed construction within the City street right of way shall meet City of Portland Design Manual standards." It appears some of the plan details do not reflect City Design Manual standards. Applicant may wish to cut and paste Design Manual detail to plan set to avoid construction confusion.
- 6.All plans are to be stamped by a professional engineer, except the survey plan which is to be stamp by a registered land surveyor.
- 7.Applicant shall install a concrete sidewalk with granite curb on Arbor St. Back of sidewalk shall be placed on the road right of way.
- 8.All four corners of this block, Forest at Arbor and Poland Street and Stevens Ave at Poland and Arbor St. shall be constructed with sidewalk ramps that are ADA compliant. All four crosswalks to the adjacent corners shall be painted with block style markings. The applicant shall submit details on how each corner is to be constructed with ramps and warning panels.
- 9.The applicant shall explain how snow removal will be handled.

This Department has no further comments at this time.

MEMORANDUM



TO: Shukria Wiar Planner
FROM: David Senus, P.E. & Ashley Auger, E.I.T.
DATE: November 7, 2014
RE: The Park Danforth, Final Level III Site Plan Review

Woodard & Curran has begun a review of the Final Level III Site Plan Application for the Park Danforth development located at 777 Stevens Avenue in Portland, Maine. The project will involve a significant addition to the existing Park Danforth facility, including building expansions and site work within the full block that is encompassed by Forest Ave, Arbor Street, Stevens Ave, and Poland Street.

Documents Reviewed by Woodard & Curran

- Level III Site Plan Application and Attachments, dated October 17, 2014, prepared by Mitchell & Associates, on behalf of The Park Danforth.
- Stormwater Management Report, dated October 2014, prepared by BH2M, on behalf of The Park Danforth.
- Plans, Sheets L1.0-L6.2, and D1.0-D3.0, dated October 17, 2014, prepared by Mitchell & Associates, on behalf of The Park Danforth.

Comments

1. At the request of the Applicant, representatives from the City's Planning Office, the City's Public Services Office, and Woodard & Curran met with the project's engineer and landscape architect on October 31st at City Hall to discuss possible changes proposed by the Applicant to the submitted stormwater management design. Specifically, the Applicant is considering designing several larger stormwater infiltration galleries on the site as an alternative to the numerous drywell catch basins proposed in the current submittal. At that meeting, the Applicant reviewed their current proposal, alternate proposal, and Woodard & Curran provided draft feedback to the Applicant based on our initial, preliminary review. The Applicant has indicated that they plan to resubmit their engineering plans, including revisions to the stormwater management design. Based on the discussions that took place with the Applicant on October 31st, Woodard & Curran would be supportive of the alternate design approach presented by the Applicant pending our detailed review of their future design plans and stormwater management report. We await a future submittal for our review.

Planning and Urban Development Department Planning Division



Subject: R-6 Design Review – 777 Stevens Avenue

Written by: Caitlin Cameron, Urban Designer

Date of Review: Wednesday, November 5, 2014

On Tuesday, November 4, a design review according to the *City of Portland Design Manual* standards was performed for the proposed new construction of a multi-family dwelling project at 777 Stevens Avenue. The review was performed by Caitlin Cameron, Urban Designer, Nell Donaldson, Planner, and Shukria Wiar, Planner, all within the Planning Division of the Department of Planning & Urban Development. The project was reviewed against the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards* (Section (i) of the Design Manual).

Findings of the Design Review:

There are some outstanding questions and comments – please refer to comments below.

Outstanding Questions/Comments:

- What is the proposed landscaping for the courtyard open space to be created? It is not clear from the Planting Plan provided what is intended there.
- Overall, the design review panel felt there is an imbalance between the amount of hardscape and landscape. There are additional opportunities for landscaping to mitigate the impact of the parking/drive aisles from the street and especially to improve the pedestrian experience.
- There was some question as to where pedestrians can access the street/sidewalk. It was not clear that residents coming and going from the building entrances would be able to easily access the public right-of-way on foot in easy and direct ways.

Design Review Comments (*red text denotes standards that are not met*):

Standard 1 – Met – The neighboring residential context is most directly impacted by the existing building. In the case of the new addition, the surrounding context tends to be more commercial and institutional in use and character. Additionally, the neighboring residential context is most often single-family or other small-scale buildings. Therefore, the multi-family, large-scale building proposed is not the same type of residential project and is therefore not able to have the same character. The project uses a mix of building materials which, in combination with the fenestration, the balconies, the varying forms and roof lines, and the strongly articulated cornice elements, provide positive visual interest as stipulated in the Standard.

Standard 2 – Not Met – The surrounding context is varied with regards to building relationship to the street. Although it is preferable for new construction to be built nearer the street than is proposed, we observed that quite a few buildings, especially on Forest Avenue do have front yard parking. Additionally, the setback from the streets does provide for more privacy from the busy streets for the residents. See comments below regarding landscaping and screening. **The aspect of the Standard that is not currently met is the relationship and emphasis of building entrances in relationship to the streets. The project is very vehicle-oriented and does not easily accommodate pedestrian circulation through the site or to and from the sidewalks. The building entrance on the North Elevation serves half of the building and is closest to Forest Avenue, and yet the desire lines for people coming and going from the entrance is not well-considered and the entrance is not prominent.**

Standard 3 – Met – The project provides a courtyard space and screening elements as required by the Standard. However, as articulated above in the outstanding questions and comments, it is unclear how the courtyard space is being landscaped and how it is intended to be used by residents/guests.

Standard 4 – Met – Overall the project has a high level of fenestration and the provision of balconies also contributes to residents' access to light and air. The only concern regarding windows was whether the windows on the Southeast Elevation could be larger.

Standard 5 – Not met – The current design does provide some screening between the parking and the street. **However, the review panel felt that more could be accommodated and should be provided to mitigate the large amount of parking and drive aisle.** For example, near the Forest Avenue vehicular entrance, a greater benefit could be derived from omitting the parallel parking spaces and instead providing more trees and landscaping along the Forest Avenue frontage. The corner of Forest and Arbor especially is dominated by parking – **more landscaping and screening elements are desired.**

Standard 6 – Not Applicable



The Staples School
70 Center Street
Portland, Maine 04101
P: 207.774.4427
F: 207.874.2460
www.mitchellassociates.biz

November 5, 2014

Ms. Shukria Wiar, Planner
Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

**RE: Level III Site Plan
The Park Danforth
777 Stevens Avenue**

Dear Shukria,

The following is in regards to our meeting last week with you, David Margolis-Pineo and David Senus to discuss an alternative design to accommodate stormwater management. As discussed, the intent to use stormwater infiltration remains as originally submitted, however the design is being modified to change from a catchbasin-drywell system to separate dry well chambers connected to the stormdrain infrastructure.

We are also looking at the options discussed to connect the stormdrain into the new separated service in Forest Avenue that was recently installed by the City. Our intention is to submit revised plans and updated stormwater report by the beginning of next week.

Should you or staff have any questions, please do not hesitate to contact me.

Sincerely,
Mitchell & Associates

A handwritten signature in black ink, appearing to read "R. B. Metcalf".

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect

cc: Denise Vachon
Ron Norton
Les Berry
David Margolis-Pineo
David Senus



MEMORANDUM

To: FILE
From: Shukria Wiar
Subject: Application ID: 2014-202
Date: 11/7/2014

Comments Submitted by: Ann Machado/Zoning on 11/5/2014

This property is located in the R-6A residential zone.

The proposed addition of 54 independent dwelling units is a permitted use in the zone.

The front, rear, and side setbacks are all being met for the proposed building.

The minimum lot size of 4 acres is being met.

The maximum lot coverage of 40% is being met.

The open space ration of 20% is being met.

93 parking spaces are required for the existing and proposed buildings (39 for existing building & 54 for new building). 151 spaces are being provided.

The minimum area per dwelling unit requirement is being met. For the 124 exsiting SNILUs , 99,200 sf of land area is required. For the 36 Intermediate Care units, 8,350 sf of land area is required. For the 54 independent units, 64,220 sf of land area is required. The total land area required for all the units is 171,750 sf. The lot is 181,100 sf.

I need more information on the height of the building. I need to know what the average grade is for the building. The elevation drawings show the roof at 52' above Level 1. Parts of the roof go above this. I understand that some areas are the stair towers but what is the section above the roof on the Northeast elevation?

The Park Danforth

777 Stevens Avenue



Site Plan and Subdivision Plan Application

October 17, 2014

APPLICANT:

The Park Danforth
777 Stevens Avenue
Portland, Maine 04103

AGENT:

MITCHELL & ASSOCIATES
70 Center Street
Portland, Maine 04101



The Staples School
70 Center Street
Portland, Maine 04101
P: 207.774.4427
F: 207.874.2460
www.mitchellassociates.biz

October 17, 2014

Ms. Barbara Barhydt
Development Review Services Manager
And Planning Board Members
City of Portland
389 Congress Street
Portland, Maine 04101

**RE: The Park Danforth
777 Stevens Avenue
Site Plan and Subdivision Review**

Dear Barbara and Board Members:

On behalf of "The Park Danforth", we are pleased to submit the following Site Plan and Subdivision Application for the proposed expansion of "The Park Danforth" located at 777 Stevens Avenue in Portland. This submission has been prepared in compliance with requirements of the City of Portland Zoning, Site Plan and Subdivision Ordinance. The project is intended to provide 54 new senior independent living units to the existing senior housing offered by The Park Danforth. The existing facility has 160 senior housing units consisting of 124 Special Needs Independent Living Units (SNILU) and 36 Intermediate Care units. Of these, 70 units are HUD supported.

The Park Danforth has developed a Master Development plan to expand their opportunities for providing elderly housing to include "independent senior housing" for a younger aging population including those that do not require assistance with daily living but who are looking for housing that provides opportunities for an interactive senior community with amenities and services for their choosing. The target market is 75 years of age plus.

Mission Statement

"The Park Danforth is a not-for-profit corporation dedicated to providing high quality housing and services to those 60 years of age or older. Our Mission is to provide housing and services to enhance a person's quality of life, respect personal dignity, and accommodate the need for privacy and self-determination. In doing so, we aim to respond to the individual's changing needs brought about through aging."

The Site

The Park Danforth over the previous 5 years has acquired the adjacent properties and currently controls the entire city block of 4.16 acres, bound by Stevens Avenue, Poland Street, Forest Avenue and Arbor Street. Since appearing before the Planning Board for the zone map change, The Park Danforth has a purchase and sale agreement for 24 Arbor Street that was the only parcel not owned. The majority of the Goodwill parcel is impervious, either building or pavement. There are two residential homes and one vacant lot where a two family residence was removed in 2013.

Project Description

The proposed project will create 54 new senior independent living units including relocated administrative offices, expand program opportunities and function spaces. The new building will be 4 stories along Arbor Street and Forest Avenue, with a fifth story corner projection and 5 stories facing toward a new central garden courtyard and the back of the existing building. The redevelopment of the site will also include improvements to enhance the campus, providing secure areas for outdoor activities for all levels of ability. The development will also provide for an enhanced visual street presence along Stevens Avenue, Forest Avenue and Arbor Street.

Submission

This submission includes the following information:

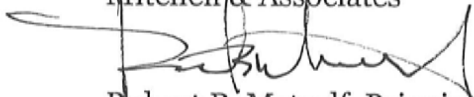
1. Cover letter, dated October 17, 2014
2. Site Plan and Subdivision Application & Checklist
3. Application Fee: \$3,000
4. Booklet of required exhibits
5. Stormwater Management Report
6. One set of plans (24" x 36")
7. One set of plans (11"x17")
8. One set of digital files

Ms. Barbara Barhydt, Development Review Coordinator
and Board Members

Page 3

We trust that the Planning Board will consider this a complete application for a workshop meeting. If you desire any additional information, please do not hesitate to contact us. We look forward to our meeting with the Board at its earliest convenience.

Sincerely,
Mitchell & Associates

A handwritten signature in black ink, appearing to read 'R. Metcalf', written over the printed name.

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect

Enclosures

cc: Denise Vachon, CEO
Robert Moore, CFO
Bill Shanahan

TABLE OF CONTENTS

EXHIBIT	1	Development Review Application, Letter of Authorization and Checklist
EXHIBIT	2	Project Description and Project Data
EXHIBIT	3	Right, Title or Interest
EXHIBIT	4	Permitting
EXHIBIT	5	Compliance with Applicable Zoning
EXHIBIT	6	Easements
EXHIBIT	7	Technical Capability and Financial Capability
EXHIBIT	8	Traffic and Parking Study
EXHIBIT	9	Consistency with City's Master Plan and Conformity with Design Standards
EXHIBIT	10	Public Utilities
EXHIBIT	11	Solid Waste Disposal and Snow Removal
EXHIBIT	12	Fire Department Checklist and HVAC Emissions Requirements
EXHIBIT	13	Stormwater Management Plan
EXHIBIT	14	Existing Soils Condition
EXHIBIT	15	Waiver Request
EXHIBIT	16	Light Fixtures
EXHIBIT	17	Construction Management Plan

PROJECT NAME: The Park Danforth**PROPOSED DEVELOPMENT ADDRESS:**777 Stevens Avenue, Portland, ME 04103**PROJECT DESCRIPTION:**Addition to the existing Park Danforth facility. Add an additional 54 elderly independent living units. See attached project description for additional information.CHART/BLOCK/LOT: 146/C/ lots 5-14

PRELIMINARY PLAN _____ (date)

FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: The Park Danforth, Denise Vachon, CEO Business Name, if applicable: Address: 777 Stevens Avenue City/State : Portland, ME Zip Code: 04103	Applicant Contact Information Work # 207.797.7710 Home# Cell # Fax# e-mail: vachond@parkdanforth.com
Owner – (if different from Applicant) Name: Home for the Aged & HFA Forest Avenue Properties LLC Address: 777 Stevens Avenue City/State : Portland, ME Zip Code: 04103	Owner Contact Information Work # 207.797.7710 Home# Cell # Fax# e-mail: vachond.parkdanforth.com
Agent/ Representative Name: Mitchell & Associates, Robert Metcalf 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: The Park Danforth, Denise Vachon Address: 777 Stevens Avenue City/State : Portland, ME Zip Code: 04103	Billing Information Work # Cell # Fax# e-mail: vachond@parkdanforth.com

Engineer Name: BH2M Engineers Lester Berry, PE Address: 28 State St, 04038 City/State : Gorham, ME Zip Code: 04038	Engineer Contact Information Work # 207.839.2771 Cell # Fax# e-mail: lberry@bh2m.com
Surveyor Name: Owen Haskell Surveyors, Inc. Address: 390 US Route 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: Joan Eagleson, Lavallee/Brensinger Architects Address: 155 Dow Street, Suite 400 City/State : Manchester, NH Zip Code: 03101	Architect Contact Information Work # 603. 622.5450 Cell # Fax# e-mail: joan.eagleson. lbpa.com
Attorney Name: Melissa Murphy, Perkins Thompson Address: 1 Canal Plaza City/State : Portland, ME Zip Code:	Attorney Contact Information Work # 207. 774. 2635 Cell # Fax# e-mail: mmurphy@perkinsthompson.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) <u>X</u> 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) <u>X</u> Stormwater Quality (\$250) <u>X</u> Subdivisions (\$500 + \$25/lot) # of Lots 54 x \$25/lot = \$1,350 ___ 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-Document-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:

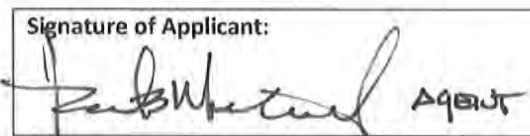
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence 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:  Robert Whetzel	Date: OCT 17, 2014
---	-----------------------

PROJECT DATA

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

Total Area of Site	181,100 sq. ft.
Proposed Total Disturbed Area of the Site	181,100 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)	3.22 AC sq. ft.
Impervious Area (Total Proposed)	3.05 AC sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	31,181 sq. ft.
Building Footprint (Total Proposed)	21,777 sq. ft.
Building Floor Area (Total Existing)	172,567 sq. ft.
Building Floor Area (Total Proposed)	94,236 sq. ft.
Zoning	
Existing	R6-A
Proposed, if applicable	
Land Use	
Existing	Elderly assisted living, commercial, residential
Proposed	Elderly assisted living & elderly independent living
Residential, If applicable	
# of Residential Units (Total Existing)	160
# of Residential Units (Total Proposed)	54
# of Lots (Total Proposed)	214
# of Affordable Housing Units (Total Proposed)	0
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	None
# of One-Bedroom Units (Total Proposed)	51
# of Two-Bedroom Units (Total Proposed)	3
# of Three-Bedroom Units (Total Proposed)	None
Parking Spaces	
# of Parking Spaces (Total Existing)	91
# of Parking Spaces (Total Proposed)	151
# of Handicapped Spaces (Total Proposed)	8
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	None
# of Bicycle Spaces (Total Proposed)	8
Estimated Cost of Project	\$18 million

PRELIMINARY PLAN (Optional) - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
		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 approvals, if applicable
		1	Written assessment of proposed project's compliance with applicable zoning requirements
		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
		1	Written requests for waivers from site plan or technical standards, if applicable.
		1	Evidence of financial and technical capacity
		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
		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)
			Proposed grading and contours;
			Existing structures with distances from property line;
			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;
			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
			Preliminary infrastructure improvements;
			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
			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);
			Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);
			Location , dimensions and ownership of easements, public or private rights of way, both existing and proposed;
			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)
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 permits
X		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
X		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
X		1	* Evidence of financial and technical capacity
*		1	Construction Management Plan
X		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
N/A		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
X		1	Stormwater management plan and stormwater calculations
X		1	Written summary of project's consistency with related city master plans
X		1	Evidence of utility capacity to serve
X		1	Written summary of solid waste generation and proposed management of solid waste
X		1	A code summary referencing NFPA 1 and all Fire Department technical standards
N/A		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.

* Temporary Waiver Request

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:
X			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
N/A			Existing and proposed structures on parcels abutting site;
X			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
X			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
X			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
X			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
X			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
X			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
X			Location of all snow storage areas and/or a snow removal plan;
N/A			A traffic control plan as detailed in Section 1 of the Technical Manual;
N/A			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
N/A			Location and proposed alteration to any watercourse;
N/A			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
N/A			Proposed buffers and preservation measures for wetlands;
X			Existing soil conditions and location of test pits and test borings;
X			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
X			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
X			Grading plan;
N/A			Ground water protection measures;
X			Existing and proposed sewer mains and connections;

* Temporary Waiver Request

- Continued on next page -

X		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
X		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
X		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;
X		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
N/A		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
N/A		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;
X		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.

* Temporary Waiver Request



**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



June 12, 2014

City of Portland
Attention: Planning Department
389 Congress Street
Portland, ME 04101

RE: Letter of Authorization

To Whom It May Concern:

This letter authorizes Mr. Robert Metcalf or Mr. John Mitchell, Mitchell & Associates to act as an agent on behalf of The Park Danforth, 777 Stevens Avenue, Portland, Maine for submission on any and all application materials that relate to the zoning and site plan permitting application(s) for the proposed zone map, text amendment and Level III Site Plan application (s) with the City of Portland Planning department.

Sincerely,

Denise M. Vachon
Chief Executive Officer

DMV/smc

EXHIBIT 2

PROJECT DESCRIPTION

History

The Park Danforth, a not-for-profit corporation, has been in existence for over a 130 years, evolving from the “Mercantile Home for Aged Men” located at the corner of Park and Danforth Streets. During the mid - 1970’s the facility model was expanded to provide a larger state-licensed and Medicaid supported residential care program coupled with internal subsidies as well. With financial pressures changing from both state reimbursements and increasing pressure for subsidies from its investments, The Park Danforth considered its options to continue its mission while remaining financially solvent. Making a bold move, The Park Danforth sold its program and property to 75 State Street – another strong not for profit provider – and moved its operations to the current 777 Stevens Avenue location in 1985 with 70 Section 8 apartments and 36 market rate residential apartments for the elderly in the mix. In 1999, to further its mission of service, The Park Danforth expanded the facility to provide 18 new apartments and 36 Assisted Living studios. The current makeup of The Park Danforth today consist of 124 apartments classified by the city as Special Needs Independent Living Units and 36 Assisted Living studios classified by the city as Intermediate Care units, 3 of which are licensed for double occupancy units.



Current location at 777 Stevens Avenue

Mission Statement

“The Park Danforth is a not-for-profit corporation dedicated to providing high quality housing and services to those 60 years of age or older. Our Mission is to provide housing and services to enhance a person’s quality of life, respect personal dignity, and accommodate the need for privacy and self-determination. In doing so, we aim to respond to the individual’s changing needs brought about through aging.”

Existing Conditions

The Park Danforth properties consist of 10 parcels identified on the Assessors maps as Map 146, Chart C, Lot's 5- 14. Over the past 5 years, The Park Danforth has negotiated the purchase of the adjacent parcels that include the Goodwill properties along Forest Avenue extending to Stevens Avenue and 3 existing residential properties (24 Arbor Street under contract), along Arbor Street and presently owns the entire city block.



Goodwill Property, Forest Ave. & Arbor St.



Goodwill entrance: view Stevens Ave south



The properties are bound by Stevens Avenue, Poland Street, Forest Avenue and Arbor Street. The Park Danforth, has recently requested and received a zoning map change to convert the entire block to R-6A. The total parcel area of The Park Danforth campus is 181,100 SF or 4.16 acres. The Goodwill site is almost entirely impervious (95% +/-) consisting of two buildings and paved parking with a lot area of 60,798 +/-SF or 1.40 acres. Of the three Arbor Street residential properties acquired, two have existing single family residences, one lot a formerly contained multi-family residence and is presently vacant.

Housing Objectives

The Park Danforth has developed a master development plan to expand their opportunities for providing elderly housing to include "independent elderly housing" for a younger aging population including those that do not require assistance with daily living but who are looking for housing that provides opportunities for an interactive senior community with amenities and services for their choosing. The target market is 75 years of age plus.

The Park Danforth development proposes to construct a new building addition with frontage along Forest Avenue and Arbor Street. The new building will add 54 elderly independent living apartments and a below ground level parking garage. The new building will be joined with the existing building by a single level connector that serves as the new main public entrance for the facility.

Proposed Development

The Park Danforth currently consist of a seven-story building along Stevens Avenue, and a three-story wing along Poland Street. With the acquired parcels along Arbor Street and Forest Avenue, The Park Danforth seeks to build a new structure along Arbor Street and Forest Avenue comprised of 54 new "Independent Living" units in four and five-story building with one level of underground parking for 38 cars. The building will be approximately 64,000 SF, excluding the parking level, and 60 feet tall at its highest point.

The majority of the building will be four-stories along Forest Avenue and Arbor Streets with a five-story element at the corner. The interior of the building that faces the existing Park Danforth building will be five-stories. The new building will connect to the existing seven-story building with a one-story structure at the new turn-around and be the new primary public entry. Refer to attached architecture description. The proposed campus Master Plan addresses functional open spaces, provides an opportunity to enhance the street presence, address pedestrian and vehicular circulation and safety. The total land area of the parcels making up The Park Danforth Campus is 181,100 +/-SF or 4.16 acres. Current residents will access by the modified Stevens Avenue entry, circulation for resident parking will remain as one-way, exiting from a modified existing driveway that will be two-way, providing access to new parking and the new visitor entry. The existing entry drive near Poland Street will be maintained as an emergency vehicle accessway. An existing curb cut along Forest Avenue serving the Goodwill is to be eliminated. A reconfigured drive on Arbor Street will be identified as the primary access to the new visitor entrance and for the proposed new elderly independent living units. The Forest Avenue service entrance will be modified to improve service vehicle/delivery truck access and accommodate for enhanced open space garden courtyards and to diminish the visual presence from Forest Avenue. Parking will be accommodated for by well distributed parking areas and proposed parking garage to minimize the presence of large areas of paved parking.

Site improvements will include enhanced street presence along Arbor Street and Forest Avenue through building architecture, extensive plantings and site features including retaining walls, fencing, lighting, buffering, and parking distributed in small lots. The campus will include two interior court yard gardens to provide safe and functional open space for the varied skill levels of the elderly resident population. Within the center of the campus an enclosed green space will provide outdoor access to garden spaces, outdoor game areas and outdoor

dining space. In addition to the outdoor experience, views into the courtyard will be considered for their beneficial effect on resident's well-being.

Building Program

The building program offers many services and amenities desired by the elderly population. In addition to the 54 independent living units, the building program includes developing a *Main Street* within the first floor of the existing facility with services that include a boutique, ice cream parlor, bistro, wellness center, auditorium and activity center. The shops and amenities centralized within the main corridor will serve to attract and encourage socialization between residents of the two buildings. The program changes being made in the existing building are independent of the proposed site application.

Stormwater Management

The current site is an entire city block that includes single family and multifamily family residences and commercial uses with approximately 85 percent of the lot impervious. The proposed building cover, parking and circulation, and site improvements will cover approximately 75 percent of the property. The majority of stormwater runoff generated by the site will be treated by a stormwater infiltration. A portion of The Park Danforth property will continue to be accommodated by the existing stormwater infrastructure. Refer to attached Stormwater Management Plan.

Snow Removal

Snow storage area is limited on-site for current and proposed improvements. The applicant intends to contract for snow removal for large storm events exceeding 3 inch events, or as needed. There is limited landscape/grass areas along the perimeter of the property where snow storage can be accommodated. Due to the age of the population of The Park Danforth snow removal and maintaining safe access and walking conditions have high priority.

The Park Danforth currently consists of a seven-story building along Stevens Avenue, and a three-story building along Poland Street. With the acquired parcels along Arbor Street and Forest Avenue, The Park Danforth seeks to build a new structure along Forest Avenue and Arbor Street comprised of 49 new Independent Living units on four and five floors with one level of underground parking for approximately 38 cars; there is the potential for a total of 54 new units to be determined based on construction costs and the owner's proforma. The building will be approximately 87,000 square feet excluding the parking level, and 60 feet tall.

The majority of the building will be four-stories along Forest Avenue and Arbor Streets with a five story element at the corner of Forest and Arbor Streets. The interior of the building that faces the existing Park Danforth building will be five-stories. The new building will connect to the existing seven-story Park Danforth building with a one-story structure at the new entry turn around. The building will feature varied window sizes, balconies, and materials, to coordinate and complement the existing Park Danforth building.

PROJECT DATA

Applicant	The Park Danforth 777 Stevens Avenue Portland, Maine 04103
Owner	Home for the Aged & HFA Forest Avenue Properties, L.L.C. 777 Stevens Avenue Portland, Maine 04103
Existing Zone	R6-A – Residential
Tax Map & Lot Number	Map 146, Block C, Lots 5-14
Land Area	4.16 Acres
Existing Land Use	Single Family Residential, Multifamily Residential & Commercial, Elderly Assisted Living
Proposed Land Use	Elderly Assisted Living and Independent Living Apartment Units
Water	12 inch main in Arbor Street
Sanitary Sewer	10 inch main in Arbor Street
Storm Drainage	15 in storm drain in Forest Avenue
Natural Gas	4 inch line in Arbor Street
Electric	Overhead Service on Forest Avenue
Telephone & Cable TV	Overhead services on Forest Avenue

EXHIBIT 3
RIGHT, TITLE OR INTEREST

Please see the following:

- Warranty Deed recorded in the Cumberland County Registry of Deeds, Book 30933, Page 330
- Quitclaim Deed recorded in the Cumberland County Registry of Deeds. Book 13485, Page 022
- Quitclaim Deed recorded in the Cumberland County Registry of Deeds. Book 31597, Page 247
- Quitclaim Deed recorded in the Cumberland County Registry of Deeds. Book 31525, Page 324
- Statutory Warranty Deed recorded in the Cumberland County Registry of Deeds. Book 29524, Page 325
- Purchase and Sale Agreement from the property owner at 24 Arbor Street to Home for the Aged, dated September 26, 2014.

WARRANTY DEED

MAINE INVESTMENT PROPERTIES, LLC, a Maine limited liability company with a place of business at 1651 Broadway, South Portland, Maine 04106, for consideration paid, grants to **HOME FOR THE AGED**, a Maine non-profit corporation with a place of business at 777 Stevens Avenue, Portland, Maine 04103, with WARRANTY COVENANTS, the following described land in Portland, County of Cumberland, and State of Maine:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS my hand and seal this 7 day of August, 2013.



Witness

MAINE INVESTMENT PROPERTIES, LLC



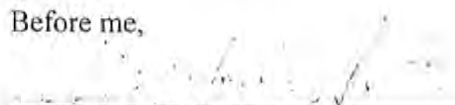
By: Timothy J. McGonagle
Its: Managing Member

State of Maine
County of Cumberland

August 7, 2013

Personally appeared before me Timothy J. McGonagle in his capacity as Managing Member for Maine Investment Properties, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,



Notary Public/Attorney at Law
Printed Name:
My Commission Expires:

MARJORIE A. JOHNSTON
Notary Public, Maine
My Commission Expires September 30, 2018

EXHIBIT A

A certain lot or parcel of land, with any buildings thereon, situated in the City of Portland, County of Cumberland, and State of Maine, being more particularly bounded and described as follows:

Commencing at a point on the southerly side of Arbor Street in said Portland at the northwesterly corner of land now or formerly of George H. Bangs; thence westerly along the said southerly side line of said Arbor Street fifty (50) feet to land now or formerly of William B. Barnett; thence southerly nearly at right angles to the southerly side line of Arbor Street, on line of said Barnett land, fifty-seven (57) feet to the Northerly side line of land now or formerly of D. Murphy heirs; thence easterly fifty (50) feet along the northerly side line of said Murphy land to land of said Bangs; thence northerly fifty-seven (57) feet along line of said Bangs land to the point of beginning.

Meaning and intending to convey the same property by deed from MECAP, LLC to Maine Investment Properties, LLC dated January 12, 2012 and recorded in the Cumberland County Registry of Deeds in Book 29305, Page 210.

Received
Recorded Registrar of Deeds
Aug 15 2013 01:31:26P
Cumberland County
Pamela E. Lovley

07-49

BK 13485PG022

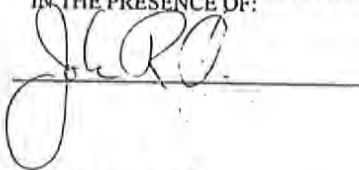
73649

QUITCLAIM DEED WITHOUT COVENANT
(Corporate)
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that The Park-Danforth, a non-profit corporation organized and existing under the laws of the State of Maine and having an address at 777 Stevens Avenue, Portland, Cumberland County, Maine, and Home for the Aged, a non-profit corporation organized and existing under the laws of the State of Maine and having an address at said 777 Stevens Avenue, Portland, Maine, for consideration paid, **RELEASE** to said Home for the Aged, those certain condominium units in Portland, County of Cumberland, and State of Maine, which are more particularly described in Exhibit A attached hereto and made a part hereof.

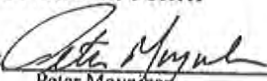
IN WITNESS WHEREOF, the said The Park-Danforth and Home for the Aged have caused this instrument to be duly executed by their duly authorized officer, this 8th day of December, 1997.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:



THE PARK-DANFORTH

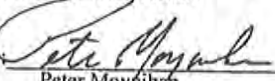
By:


Peter Moynihan
Its President



HOME FOR THE AGED

By:


Peter Moynihan
Its President

STATE OF MAINE
CUMBERLAND, SS.

December 8, 1997

Then personally appeared the above-named Peter Moynihan, President of said grantor corporations 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 corporations.

Before me,


Notary Public/Attorney at Law

Printed Name: Melissa H. Murphy

EXHIBIT A

Certain real estate located in Portland, Cumberland County, Maine, being Market Unit M and Assisted Living Unit A at Park-Danforth Condominium, a condominium established in accordance with the Maine Condominium Act, Chapter 31 of Title 33 of the Revised Statutes of Maine, 1964, as the same may be amended from time to time, together with said Units' percentage interests and other appurtenant rights in Common Elements and Limited Common Elements, all as more specifically described in The Park-Danforth Condominium Declaration, dated December 14, 1983, and recorded in the Cumberland County Registry of Deeds in Book 6354, Page 119, as amended by Amended and Restated Declaration of Condominium of Park-Danforth Condominium, dated November 19, 1997, and recorded in said Registry of Deeds in Book 13480, Page 187; and as delineated on the Plats and Plans of Park-Danforth Condominium recorded in said Registry of Deeds in Plan Book 140, Page 37, as amended by Amended Plats and Plans recorded in said Registry of Deeds in Plan Book 197, Pages 515 through 519.

RECEIVED
RECORDED REGISTRY OF DEEDS

1997 DEC -8 PH 3: 13

CUMBERLAND COUNTY

John B. O'Brien

4000 9-88 1000

KNOW ALL MEN BY THESE PRESENTS

That Albert A. Foy, married, of City of
Concord, County of Merrimack

and State of New Hampshire consideration of One Dollar and other valuable consideration (the sum being less than one hundred dollars) paid by CENTRAL MAINE POWER COMPANY, a Maine corporation and NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, a New York corporation, the receipt whereof is hereby acknowledged, does hereby give, grant, bargain, sell and convey unto the said Central Maine Power Company and New England Telephone and Telegraph Company, their successors and assigns, the right and easement to construct, erect, rebuild, operate, maintain and remove electric distribution and communication lines for the transmission of electricity and intelligence; together with the necessary poles, wires, cables, cross-arms, braces, anchors, guys and other electrical equipment and appurtenances connected therewith, over, along and across premises owned by the Grantor(s) in the City of Portland, County of Cumberland Town and State of Maine, along the route as now staked out, extending in a southwesterly direction from Forest Avenue to pole # 0128.3

Foy
to
Central
Maine Power
Co &
Ease

Also the right to cut down, trim and remove such trees, branches and underbrush as in the judgment of the Grantees interfere with or endanger the operation of the lines constructed along the above described location, together with the right to enter upon the Grantor's premises for any or all of the foregoing purposes.

It is understood and agreed that the rights and easements hereby conveyed are to be jointly owned by Central Maine Power Company and New England Telephone and Telegraph Company, their successors and assigns. If either Central Maine Power Company or New England Telephone and Telegraph Company, or the successors or assigns of either, shall relinquish or abandon the rights and easements hereby conveyed, the same shall become the sole property of the remaining company.

TO HAVE AND TO HOLD the above granted rights and easements to the said Central Maine Power Company and New England Telephone and Telegraph Company, their successors or assigns, to their own use and behoof forever.

IN WITNESS WHEREOF, the said Grantor(s) and Mildred B. Foy, wife
of the said Grantor

joining in this easement as grantor and relinquishing and conveying all her his rights by descent and all other rights in the above described rights and easements have hereunto set their hands and seals this twentieth day of September, 1957

Signed, Sealed and Delivered
in presence of

Walter E. Brothby
to both

Albert A. Foy
Mildred B. Foy

MAY 5 1958
STATE OF MAINE,

County of Cumberland

September 20, 1957

Personally appeared the above named Albert A. Foy
and acknowledged the foregoing instrument to be his free act and deed, before me,

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 9 H - M, and recorded in

BOOK 2407 PAGE 341

Walter E. Brothby
Justice of the Peace

Register

MHM
PERKINS THOMPSON
ONE CANAL PLAZA
P.O. BOX 426
PORTLAND, ME 04112-0426

QUITCLAIM DEED WITH COVENANT
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that **THE PARK-DANFORTH**, a Maine non-profit corporation with a mailing address of 777 Stevens Avenue, Portland, ME 04103, for consideration paid, GRANTS to **HFA HUD PROPERTIES, LLC**, a Maine limited liability company, with a mailing address of 777 Stevens Avenue, Portland, ME 04103, with QUITCLAIM COVENANT, certain real estate located in Portland, County of Cumberland and State of Maine, which is more particularly described in Exhibit A attached hereto and made a part hereof.

This conveyance is made pursuant to a merger transaction.

IN WITNESS WHEREOF, **THE PARK-DANFORTH** has caused this instrument to be executed on its behalf by its duly authorized undersigned representative to be effective as of June 30, 2014.

Witness

THE PARK-DANFORTH

By:

Printed Name: Michael Bevilacqua

Its: Vice President

STATE OF MAINE
County of Cumberland, SS.

June 26, 2014

Then personally appeared the above-named Michael Bevilacqua, Vice President of **THE PARK-DANFORTH**, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity, and the free act and deed of **THE PARK-DANFORTH**.

Before me,

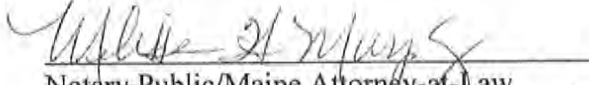

Notary Public/Maine Attorney-at-Law
Printed Name: Melissa H. Murphy

Exhibit A

All that certain premises and proportionate interest in The Park-Danforth Condominium, a condominium situated in Portland, Cumberland County, Maine more particularly described as follows:

The unit ("Unit") designated as HUD Unit H of The Park-Danforth Condominium located at 777 Stevens Avenue, Portland, Maine, as created pursuant to the provisions of the Maine Condominium Act, 33 M.R.S.A., Chapter 31 by Declaration of Condominium for Park-Danforth Condominium dated December 14, 1983 and recorded in Book 6354, Page 119, as affected by Certificate dated June 21, 1995, recorded in Book 11978, Page 253; as further affected by Amended and Restated Declaration dated November 19, 1997, recorded in Book 13480, Page 187 and First Amendment dated September 18, 2002 and recorded in Book 18699, Page 214, together with all limited common elements and other rights thereto and with an undivided interest in all common areas and facilities, and as delineated on the Park Danforth Condominium Plans dated December 7, 1983 and recorded in Plan Book 140, Page 37, as amended by Plat and Plans of The Park-Danforth Condominium dated September 23, 1997, recorded in the Cumberland County Registry of Deeds in Plan Book 197, Pages 515 through 519 (the "Plat and Plans").

Received
Recorded Register of Deeds
Jun 30 2014 09:47:01A
Cumberland County
Pamela E. Lavley

QUITCLAIM DEED
WITH COVENANT
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, That **Sarah A. Meyer** of Portland, County of Cumberland and State of Maine, for consideration paid, grants to **Home for the Aged**, a Maine non-profit corporation, whose mailing address is 777 Stevens Avenue, Portland, Maine 04103, with QUITCLAIM COVENANT, the real property situated in Portland, County of Cumberland and State of Maine more particularly described in Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this
27 of May, 2014.

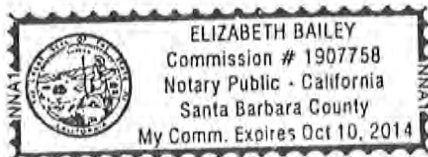
Witness

Sarah Meyer
Sarah A. Meyer

State of California,
County of Santa Barbara

May 27 2014

Personally appeared before me the above named **Sarah A. Meyer** and acknowledged the foregoing instrument to be her free act and deed.



Elizabeth Bailey
Notary Public

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Stevens Avenue, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on said side of Stevens Avenue at the northwesterly corner of land formerly of Murphy;

Thence northerly on the easterly line of Stevens Avenue a distance of 48 feet to the southerly line of Arbor Street;

Thence easterly on the southerly line of Arbor Street a distance of 93 feet, more or less, to land conveyed by William B. Barnett to the Trustees of Maple Lodge of Good Templars by deed dated August 11, 1913 and recorded in Cumberland County Registry of Deeds in Book 916, Page 445 (the Grantor's deed contained a scrivener's error which mistakenly referenced the foregoing recording information as Book 916, Page 443);

Thence southerly by said Lodge land a distance of 48 feet, more or less, to said former Murphy land;

Thence westerly by said Murphy land to said Stevens Avenue at the point of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to Sarah Meyer by deed of Stuart A. Anderson, Personal Representative of the Estate of Veronica M. Anderson dated March 19, 2010 and recorded in the Cumberland County Registry of Deeds in Book 27660, Page 339.

STATUTORY WARRANTY DEED

AJS Family Limited Partnership, a Maine limited partnership, with a principal place of business in the City of South Portland, County of Cumberland and State of Maine, and **Robert L. Adam**, an individual, of Westbrook, County of Cumberland and State of Maine,

For Consideration Paid, GRANT with WARRANTY COVENANTS TO:

HFA Forest Avenue Properties, LLC, a Maine limited liability company with a principal place of business in the City of Portland, County of Cumberland and State of Maine, with a mailing address of 777 Stevens Avenue, Portland, Maine 04103,

A certain lot or parcel of land, with the buildings and improvements thereon, situated on the westerly side of Forest Avenue, southerly side of Arbor Street, and easterly side of Stevens Avenue, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the westerly side of Forest Avenue at the northeasterly corner of land conveyed by George D. Little to the City of Portland by deed dated June 3, 1908 and recorded in Cumberland County Registry of Deeds, in Book 826, Page 132; thence northerly by Forest Avenue two hundred one and one tenth (201.1) feet to Arbor Street; thence westerly by Arbor Street, two hundred sixteen and twenty-five hundredths (216.25) feet to the easterly corner of land conveyed by George B. Bangs to William B. Barnett by deed dated May 10, 1892, and recorded in said Registry of Deeds, in Book 590, Page 353, now or formerly of Grenier; thence South 34° 30' West by said former William Barnett land, fifty-eight and thirteen hundredths (58.13) feet to the southeasterly corner of said Barnett land; thence North 51° 30' West by said Barnett land and by land formerly of Wright, et al., later of Lowery, and by land now or formerly of Walter Barnett, one hundred sixty-two and sixty-five hundredths (162.65) feet to Stevens Avenue; thence southwesterly by Stevens Avenue, eighty-eight and 46/100 (88.46) feet to a monument; thence South 63° 45' East by land of Westbrook Junior College, two hundred forty-two and seven-tenths (242.7) feet to an iron; thence South 16° 15' West by Westbrook Junior College, one hundred sixty-nine and ninety-three hundredths (169.93) feet to land now or formerly of the City of Portland; thence northeasterly by said City of Portland land, two hundred twenty-one and 81/100 (221.81) feet to Forest Avenue at the point of beginning.

For Grantors' source of title, reference is made to the following deeds recorded at the Cumberland County Registry of Deeds:

- 1) Warranty Deed from Pine State Beef Company to Lloyd B. Wolf dated November 21, 1972, and recorded in Book 3329, Page 17;

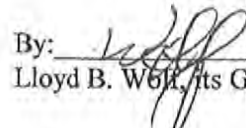
MAINE REAL ESTATE TAX PAID

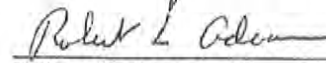
- 2) Warranty Deed from Lloyd B. Wolf to Lloyd B. Wolf and Robert L. Adam, dated February 3, 1986, and recorded in Book 7062, Page 48; and
- 3) Quitclaim Deed from Lloyd B. Wolf to AJS Family Limited Partnership (one-half interest) dated December 30, 1997, and recorded in Book 13529, Page 18.

IN WITNESS WHEREOF, the said AJS Family Limited Partnership, by and through its duly authorized General Partner, Lloyd B. Wolf, and Robert L. Adam, individually, have caused this instrument to be signed and sealed this 23rd day of April, 2012.

AJS Family Limited Partnership




By: 
Lloyd B. Wolf, its General Partner

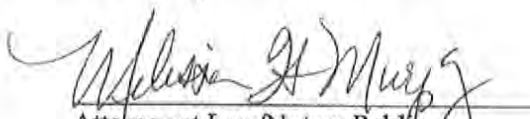

Robert L. Adam

STATE OF MAINE
CUMBERLAND, SS.

Date: April 23, 2012

Then personally appeared the above-named LLOYD B. WOLF, General Partner of said AJS Family Limited Partnership 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 partnership.

Before me,


Attorney at Law/Notary Public
Melissa H. Murphy

STATE OF MAINE
CUMBERLAND, SS.

Date: April 23, 2012

Then personally appeared the above-named ROBERT L. ADAM and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Attorney at Law/Notary Public
Melissa H. Murphy

Received
Recorded Register of Deeds
Apr 24, 2012 10:28:36A
Cumberland County
Pamela E. Lovley

Date: September 26, 2014

2. PURCHASE PRICE: The TOTAL purchase price being [REDACTED] Dollars (\$ [REDACTED]) to be paid as follows:

- (PD743192-1)

8. PRORATIONS: The following items shall be paid or prorated:

- Real Estate Taxes shall be prorated based on the City's tax year. Seller is responsible for any unpaid taxes for prior years.
- Fuel and metered utilities, such as water and sewer, shall be paid by Seller through date of Closing.
- Purchaser and Seller shall each pay its transfer tax at Closing as required by the State of Maine.
- Any other items that are customarily prorated between purchasers and sellers of real estate in the State of Maine shall be prorated at Closing.

9. INSPECTIONS: This Contract is subject to the following inspections and investigations, with the results being satisfactory to the Purchaser:

TYPE OF INSPECTION	YES	NO	RESULTS	TYPE OF INSPECTION	YES	NO	RESULTS
			REPORTED				REPORTED
u. General Building	x		Within 30 days	h. Pests		x	Within days
b. Sewage Disposal		x	Within days	i. Landlord Obligations		x	Within days
c. Water Quality		x	Within days	j. ADA		x	Within days
d. Radon Air Quality		x	Within days	k. Wetlands		x	Within days
e. Radon Water Quality		x	Within days	l. Environmental Phase I	x		Within 30 days
f. Asbestos	x		Within 30 days	m. Zoning and Land Use	x		Within 30 days
g. Lead Paint	x		Within 30 days	n. Survey	x		Within 30 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. If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser, in Purchaser's sole discretion, Purchaser may declare the Contract null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to the Purchaser. If the Purchaser does not notify the Seller that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser. In the absence of inspection(s) mentioned above, the Purchaser is relying completely upon Purchaser's own opinion as to the condition of the property.

- 10. DEFAULT:** If Purchaser fails to perform any of the terms of this Contract for any reason other than those that would permit Purchaser to terminate the Contract and receive refund of the earnest money deposit or is otherwise in default of any of its obligations, Seller's sole and exclusive remedy shall be to retain the earnest money as full and complete liquidated damages. If Seller fails to perform any of the terms of this Contract or is otherwise in default in any of its obligations, Purchaser may demand termination of this Contract and return of the earnest money deposit or exercise any other remedy available to it at law or in equity.
- 11. 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.
- 12. HEIRS/ASSIGNS:** Purchaser may assign its rights under this Contract. This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the respective parties.
- 13. COUNTERPARTS:** This Contract may be signed on any number of identical counterparts, including telefacsimile and pdf copies, with the same binding effect as if the signatures were on one instrument. Original, telefacsimiled or pdf signatures are binding.
- 14. BINDING CONTRACT:** This Contract is a binding contract when signed by both Seller and Purchaser 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.

15. NO BROKERS: Seller and Purchaser warrant and represent to each other that neither has employed or engaged any real estate broker or agent in connection with this transaction that could give rise to a lien against the property. Each party hereto agrees to hold the other party harmless from and against any and all costs, expenses, claims, losses, or damages, including reasonable attorneys' fees, resulting from a breach of such party's representation or covenant contained in this paragraph 15. The provisions of this paragraph 15 shall survive the Closing.

16. NOTICES. All notices and other communications required or permitted under this Contract must be in writing and shall be deemed duly served if sent by personal delivery and receipted for, sent by FedEx or other nationally recognized overnight courier service, or mailed by registered or certified mail, return receipt requested, addressed, if to Seller, at the address of Seller set forth below with a copy sent to the address below or such other address as Seller shall have last designated by notice in writing to Purchaser and, if to Purchaser, at the address of Purchaser set forth below with a copy sent to the address below or such other address as Purchaser shall have last designated by notice in writing to Seller. Any such notice shall be deemed effective when sent in accordance with this paragraph 16.

If to Seller: Michele A. McGeachey



with a copy to:

If to Purchaser

Home for the Aged
777 Stevens Avenue
Portland, ME 04103
Attn: Denise M. Vachon, Chief Executive Officer

with a copy to:

Melissa Hanley Murphy, Esq.
Perkins Thompson
One Canal Plaza
PO Box 426
Portland, ME 04112

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 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 furnishes to the Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of Maine or the transfer is otherwise exempt from withholding.

[Signatures to follow on next page]

Purchaser: Home for the Aged

By: [Signature]
Robert Moore/CFO

Date: 9/26/2014

Soc. Sec. # or Tax I.D. # [REDACTED]

The Seller accepts the offer and agrees to deliver the above-mentioned property at the price and upon the terms and conditions set forth above.

Signed this 1 day of October, 2014

Effective date of Contract:

Seller: [Signature]
Michele A/McGeachey

Date: 9/10/14

Soc. Sec. # or Tax I.D. # [REDACTED]

EXHIBIT 4

Permitting

The following permitting is required:

- Maine Construction General Permit (development over 1 acre)

EXHIBIT 5**COMPLIANCE WITH APPLICABLE ZONING REQUIREMENTS**

The proposed expansion of Park Danforth is located within the Residential 6-A Zone (R 6-A zone). The expansion will provide opportunity for aging residents of Portland and Greater Portland to remain in the city and have access to services, transportation and cultural activities. The property is in the heart of a diverse vibrant university community that provides for life-long learning opportunities through adult education programs and UNE offerings. Shopping and services are within walking distance of the campus.

The purpose of the R-6A zone as stated in the Land Use Ordinance, is to *'encourage neighborhood livability with higher density multi-family housing on large parcels located off-peninsula'*. The expanded Park Danforth campus will offer housing for 214 elderly residents. While some residents of the existing facility require assisted living services, the proposed project will add 54 independent living units, attracting residents who will benefit from the two Metro public bus stops (fronting along Stevens Avenue and Forest Avenue) at the perimeter of the campus and the wide range of retail, restaurants, and service businesses along Forest Avenue. The existing single family and two family residential properties adjacent to the large box Goodwill store creates an incompatible mix of uses. By combining the individual lots to create one campus, the site will become unified in scale, architecture and site elements. Aesthetically, the Forest Avenue corridor will benefit from the Park Danforth project with the creation of a seamless, attractive street presence along the entire block.

The lot size of 4.16 acres meets the minimum lot size requirements. Frontage and front setbacks are from Stevens Avenue, as confirmed by Marge Schmuckal. All setbacks meet or exceed the required minimum distances. The total site open space requirement of 20% minimum and maximum lot coverage of 40% maximum have been met.

EXHIBIT 6

Easements

The following easement is related to the property at 777 Stevens Avenue:

- CMP Easement recorded in the Cumberland County Registry of Deeds, Book 2407, Page 341

EXHIBIT 7
TECHNICAL CAPABILITY

The following firms and individuals have provided technical information contained in this application:

Mitchell & Associates

Landscape Architects and Site Planners

70 Center Street

Portland, Maine 04101

Telephone: (207) 774-4427

Contacts: Robert Metcalf, Maine licensed landscape architect #1815

Lavallee/Brensinger Architects

Architects

155 Dow Street, Suite 400

Manchester, NH 03101

Telephone: (603) 622-5450

Contacts: Joan Eagleson

Allied Engineering

Mechanical and Electrical Engineers

160 Veranda Street

Portland, Maine 04103

Telephone: (207) 221-2260

Contact: Ian MacDonald

BH2M Engineers

Civil Engineers

28 State Street

Gorham, Maine 04038

Telephone: (207) 839-2771

Contacts: Lester Berry, PE, Maine #3341

Owen Haskell

Land Surveyors

390 U.S. Route One, Suite 10

Falmouth, Maine 04105

Telephone: (207) 774-0424

Contact: John Swan, Maine #1314

Albert Frick Associates

Environmental Consultants

95A County Road

Gorham, Maine 04038

Telephone: (207) 839-5563

Gorrill-Palmer Consulting Engineers

15 Shaker Rd
Gray, ME 04039
(207) 657-6910

Transportation Engineers

S.W. Cole Engineering, Inc.

286 Portland Road
Gray, ME 04039
(207) 657-2866

Geotechnical Engineers



June 23, 2014

To: Interested Parties
From: Denise M. Vachon, CEO
Re: Statement of Technical Capability

The Park Danforth is a long-standing not-for-profit provider of housing and services to those 60 years of age and older, having served the greater Portland community since 1881. Once the Mercantile Home for Aged Men located at the corner of Park and Danforth Streets, The Park Danforth of today is located on Stevens Avenue and has evolved into a recognized leader in the field of aging services. Today, it provides a unique mix of federally-assisted and market rate housing, a combination that allows for and accommodates the changing financial conditions that some of its residents face. This financial safety net is the cornerstone of The Park Danforth's Mission. Additionally, Clark's Terrace at The Park Danforth, which opened its doors in 2000, offers Assisted Living studios and round-the-clock supports and services that create another safety net – one that provides for a higher level of catered service when living more independently is no longer practical or safe. All together these programs and offerings are the basis of the practice that embodies and manifests The Park Danforth's Mission "to provide high quality housing and services...(and to) accommodate changing needs brought about by aging."

The Park Danforth is governed by a 10-member volunteer Board of Trustees representing a variety of not-for-profit and proprietary businesses, as well as lending, investment and insurance businesses, health care and legal practices, and consumers. It is a single-site organization, with administrative offices embedded in the housing property and program. The Park Danforth currently serves 135 residents in 124 apartments, (70 of which are federally-assisted and available to eligible very-low and extremely-low income residents), and 36 residents in its Assisted Living program. It funds and provides approximately \$400,000 of unreimbursed services and supports to its residents each year. And, it is proud to employ 84 full- and part-time employees.

The Executive Team is made up of tenured and capable professionals:

- The CEO, Denise Vachon, has been the organization's leader since 1986, and successfully led the expansion project between 1997 to its completion in 2000, the Masonry remediation project completed in 2008, and is the licensed administrator for the organization's assisted living program.
- Robert Moore, its CFO, has extensive background in marketing and business development, and has been on the team for over two years.
- Lisa Noonan, its COO, has been in a management position with the organization for 14 years, and in this role for more than two years as well.

The Development Team is also seasoned. On team are

- Lavallee Brensinger Architects (Manchester NH), regional leaders in the design and development of senior housing, health care and behavioral health environments.
- Mitchell & Associates, highly recognized and reputable landscape architects, engaged to support the property development and to assist in the City approval process.
- Ron Norton, President, CMCS (Construction Management Consulting Services). Mr. Norton is engaged to advise the Board of Trustees, its Committees and staff and to assist in the navigation of the development process as well, with a focus on value-based construction design and design options.
- Melissa Murphy, Perkins Thompkins, is highly regarded in her work in Real Estate. She has served as Registered Agent for The Park Danforth for over a decade, and is The Park Danforth's primary legal counsel on this project.
- The Board of Trustees is Chaired by Catherine Lamson of MEMIC. Also in office are Michael Bevilacqua of John T Gorman Foundation, Erik Hayward of Libra Foundation and Dana Mitiguy of R.M. Davis, Inc. Chairing the Real Estate Committee is Bill Shanahan of Northern New England Housing Investment Fund.

Altogether, the history of this organization as a provider of senior housing and services in this community speaks to its ability to develop and successfully administer this expansion and renovation. Its leadership is unified and committed to creating new housing and a revitalized environment that will respond to the needs of a changing senior consumer, while remaining true and committed to its not-for-profit Mission and culture of service.

Thank you for your consideration.



Bath Savings Institution
Since 1852

June 18, 2014

The Park Danforth
777 Stevens Avenue
Portland, ME 04103

City of Portland
389 Congress Street
Portland, ME 04101

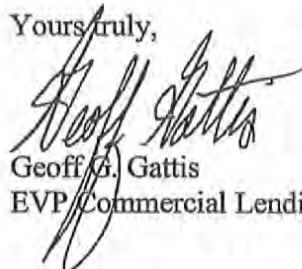
Re: City of Portland – The Park Danforth 1104 Forest Avenue Apartments Financial Capability Support Letter

To whom it may concern:

On behalf of Bath Savings Institution I am pleased to provide this letter in support of The Park Danforth for the above referenced project. Based on our prior experience with The Park Danforth in financing their current senior-living housing operations, and an understanding of the scope for the 1104 Forest Avenue project, we believe that the applicant has the ability to finance the projected costs and develop a project of similar type and scale from a fiscal perspective.

While this letter of support is not a commitment to lend, Bath Savings Institution would welcome the opportunity to be a resource to The Park Danforth for financing requirements as necessary in connection with this project. Our experience is that The Park Danforth is, in many ways, the premier senior housing development organization in Maine with a solid record of supporting healthy and inclusive neighborhoods and helping to build strong, affordable and sustainable senior living communities.

Yours truly,



Geoff B. Gattis
EVP Commercial Lending

EXHIBIT 8
TRAFFIC AND PARKING STUDY

**Traffic Forecast and Parking
Evaluation
The Park Danforth
Portland, Maine**

Prepared for:

**Mitchell Associates
70 Center Street
Portland, Maine 04101**

October 2014

Prepared by:



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

*PO Box 1237
15 Shaker Road
Gray, ME 04039*

*(207) 657-6910
Fax: (207) 657-6912
E-mail: mailbox@gorrillpalmer.com*

**Traffic Forecast and Parking Evaluation
The Park Danforth
Portland, Maine**

Index

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III.	Trip Generation	2
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Appendix

Trip Generation Calculations
Parking Summary Data
Maine DOT Crash Data

Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorrill-Palmer Consulting Engineers, Inc. was retained by Mitchell & Associates to prepare this traffic forecast and parking evaluation for the proposed expansion of The Park Danforth. The existing site is bounded by Arbor Street, Forest Avenue, Stevens Avenue and Poland Street. The Park Danforth currently has 124 special needs independent living (SNILU) units and 36 intermediate care units and the planned expansion will consist of 54 independent residential units. The site currently has 91 space on the site today which is planned to increase by 59 spaces from 91 to 150 spaces upon completion of the project. Access to the site has been carefully planned after discussions with the City's Planning staff, consulting traffic engineer and the fire department.

Our findings based on this study are summarized below:

1. The proposed development is forecast to generate 11 and 14 trip ends in the weekday AM and PM peak hours of the adjacent street traffic respectively (ie the peak commuting hours. Note: A trip end is either a trip in or out of the site. Thus a round trip would equal two trip ends). At this level of trip generation, this project does not require a Maine Department of Transportation (MaineDOT) Traffic Movement Permit as there has not been any other significant construction during the last ten years.
2. Gorrill-Palmer Consulting Engineers, Inc. referenced the MaineDOT collision records to determine if there were any high crash locations in the project vicinity. The intersection of Forest Avenue and Read Street was identified as a high crash location with 10 collisions and a critical rate factor of 1.34 for the three year period of 2011 thru 2013. A copy of the collision reports for this intersection are included in the Appendix to this report which shows rear end collisions involving both right and left turning vehicles onto Read Street as well as a collision involving a pedestrian and one involving a bicyclist.
3. Access to the site has been carefully planned after discussions with the City's Planning staff, consulting traffic engineer and the fire department resulting in the following changes; close the Stevens Avenue driveway closest to Arbor Street; restrict the (relocated) current middle driveway on Stevens Ave to right in and out only; restrict the driveway closest to Poland Street as Emergency Vehicle Only, restrict the current Forest Avenue driveway to right in and out only.
4. The current campus has 160 living units and 91 parking spaces for an existing parking ratio of 0.57. There are 59 additional parking spaces planned for the proposed 54 independent living units which yields a parking ratio of 1.09 spaces per unit increasing the overall parking ratio for the campus to 0.70 spaces per unit.

I. *Existing and Proposed Site*

The existing site is bounded by Arbor Street, Forest Avenue, Stevens Avenue and Poland Street. The Park Danforth currently has 124 special needs independent living (SNILU) units and 36 intermediate care units and the planned expansion will consist of 54 independent residential units. The site currently has 91 parking spaces on the site today which is planned to increase by 59 spaces from 91 to 150 spaces upon completion of the project.

II. *Background Conditions*

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by Mitchell & Associates.
- Crash data for 2011-2013 provided by the Maine Department of Transportation.
- Parking inventory performed at the existing Park Danforth completed for a two week period in September

III. *Trip Generation*

Gorrill-Palmer Consulting Engineers, Inc. used the Institute of Transportation Engineers (ITE) publication *Trip Generation*, 9th Edition Land Use Code 252, Senior Adult Housing to estimate the potential trip generation for the proposed 54 units of independent living. Using this information, the proposed housing is anticipated to generate the following trips (note- a trip end is a trip into or out of the site; thus a round trip is equal to two trip ends):

Weekday	186 trip ends
AM Peak Commuter Hour	11 trip ends
PM Peak Commuter Hour	14 trip ends
Peak hour for the units	21 trip ends
Peak hour for the units	19 trip ends

IV. *Crash Data*

In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define High Crash Locations (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual accident rate to the rate for similar intersections in the State. A CRF of less than 1.00 indicates a rate less than average) and:
2. A minimum of 8 crashes over a three-year period.

Our office reviewed the 2011-2013 crash data in this area and found the intersection of Forest Avenue and Read Street was identified as a high crash location with 10 collisions and a critical rate factor of 1.34 for the three year period of 2011 thru 2013. A copy of the collision reports for this intersection are included in the Appendix to this report which shows rear end collisions involving both right and left turning vehicles onto Read Street as well as a collision involving a pedestrian and one involving a bicyclist. The Park Danforth does not appear to be a contributing factor to these collisions, however restriction of the existing Forest Avenue driveway to right turns in and right turns out only should provide an incremental improvement to the safety of the corridor.

V. Proposed Access

The site currently has three full access driveways to Stevens Avenue, one full access driveway on Arbor Street and two full access driveways on Forest Avenue. These access driveways to the site have been carefully reviewed by the project team and discussed with the City's Planning staff, consulting traffic engineer and the fire department resulting in the following changes; close the Stevens Avenue driveway closest to Arbor Street; restrict the (relocated) current middle driveway on Stevens Ave to right in and out only; restrict the driveway closest to Poland Street as Emergency Vehicle Only, restrict the current Forest Avenue driveway to right in and out only.

VI. Parking Evaluation

While The Park Danforth wants to provide adequate parking for the project, parking results in loss of open space and increasing stormwater impacts, and uses valuable urban land. At the same time, providing too little parking would have adverse impacts on residents and the surrounding neighborhood. The applicant's goal through the parking demand analysis process is to find the appropriate ratio of parking spaces. Our office has data suggesting actual parking demand will be well below one space per unit. To estimate the parking demand for the proposed project, Gorrill-Palmer Consulting Engineers, Inc. consulted two sources; a parking use inventory completed by The Park Danforth personnel for the existing 160 residential units at The Park Danforth; and secondly, relevant parking studies we have completed at other locations in Portland. Each of these are summarized below:

Parking study of existing 160 Park Danforth residential units- The Park Danforth personnel completed an inventory of occupied parking spaces for the existing 160 residential units currently on the property from Wednesday September 10th 2014 through Wednesday September 24th from 9:00 AM to until 6:00 PM each day. The number of vehicles present on the site beginning at each hour was recorded for three existing parking areas; the Stevens Avenue resident and visitor lot; the staff parking lot; and the Forest Avenue resident and visitor lot. This represents the time periods during the day with the highest activity. A summary of the results is presented below and the complete parking survey is included in the Appendix of this report:

Parking Survey Results for the Existing 160 Residential Units

- Highest Demand observed in the Stevens Avenue Resident Lot- 46 spaces which occurred once during the two week period at 4:00 PM on the 10th.
- Highest Demand observed in the staff parking lot- 24 spaces which occurred twice, at noon on the 22nd and 1:00 PM on the 23rd.
- Highest Demand observed in the Forest Avenue resident and visitor lot- 18 spaces which occurred twice, on the 23rd at noon and the 24th at 10:00.

If each of these peak demands were to occur simultaneously, the total demand would be 88 spaces occupied of the 91 available spaces on site yielding a demand of 0.55 spaces per unit.

Other Relevant Parking Studies

Our office also reviewed data from other projects we have on file in our office in estimating an appropriate parking ratio for this project which is summarized below:

- As part of studies for similar projects in the past, our office examined the parking occupancy of apartment buildings in downtown Portland with dedicated parking lots, either behind or within the building as part of another application. Our office completed parking occupancy counts from 10-11 PM (within the peak period, based on ITE and ULI data) at 53 Danforth Street, 645 Congress Street, and Walker Terrace (at the corner of Congress and Walker Street) on Tuesday, October 26, 2010.

In addition, we referenced the parking supply for Franklin Towers and the recently-completed Oak Street Lofts. Franklin Towers has 200 units, and based upon aerial data, a parking supply of 58 spaces. Oak Street Lofts has 37 units, and 16 parking spaces, although it should be noted that half of these spaces (eight) are for motorcycles. For the purposes of this letter, it is assumed that peak demand at both of these facilities are at 100 percent occupancy.

Based on the occupancy counts, the following parking demand was determined:

53 Danforth:	43 units, 29 spaces occupied	=	0.67 spaces/unit
645 Congress:	56 units, 28 spaces occupied	=	0.50 spaces/unit
Walker Terrace:	40 units, 20 spaces occupied	=	0.50 spaces/unit
Oak Street Lofts:	37 units, 16 spaces occupied*	=	0.43 spaces/unit
Franklin Towers:	200 units, 58 spaces occupied**	=	0.29 spaces/unit
AVERAGE:			0.48spaces/unit

*Assumes 100% occupancy at Oak Street.

** Assumes 58 spaces based upon aerial imagery, and 100% occupancy at Franklin Towers.

- This information indicates an average need for 0.48 spaces per apartment within the Portland Peninsula.

While The Park Danforth is not located on the Peninsula, it is in close proximity and so the above information does provide a benchmark.

Proposed Parking Supply

The site currently has 91 parking spaces on the site today which appears to meet the demand for the facility based on the extended survey completed in September. The number of parking spaces is planned to increase by 59 spaces from 91 to 150 spaces upon completion of the project. This equates to an increase of 59 spaces for 54 units or a parking ratio of 1.09 per independent living unit. The Portland City Council is considering a text amendment to the current zoning to require 1 space per living unit, which is slightly exceeded with this proposal. With completion of the project, the overall parking ratio for the site will be 0.70 spaces per living unit.

JN:
 Project Description:
 Project Location:
 Date:

2892
 The Park Danforth
 Portland
 10/14/2014

Gorrill-Palmer Consulting Engineers, Inc.
 P.O. Box 1237
 15 Shaker Road
 Gray, Maine 04039

**Senior Adult Housing - Attached
 Land Use Code (LUC) 252**

Dwelling Units: 54

Average Rate

Time Period	ITE Trip Rate	Trip Ends	Directional Split *		Directional Distribution	
			IN	OUT	IN	OUT
Weekday	T = 3.44 (X)	186	50%	50%	93	93
Peak Hour of Adjacent Street Traffic 7-9 AM	T = 0.20 (X)	11	35%	65%	4	7
Peak Hour of Adjacent Street Traffic 4-6 PM	T = 0.25 (X)	14	60%	40%	8	6
AM Peak Hour of Generator	T = 0.39 (X)	21	50%	50%	11	10
PM Peak Hour of Generator	T = 0.35 (X)	19	55%	45%	10	9
Saturday	T = 2.61 (X)	141	50%	50%	71	70
Saturday Peak Hour	T = 0.31 (X)	17	50%	50%	9	8

* Percentages rounded to nearest 5%

14-day look-back	Stevens Avenue Resident and Visitor lot
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This study requires review of 14 consecutive days, to include 10 business days and 4 weekend days

Once started, this project must include all the consecutive days				
--	--	--	--	--

		# of vehicles in the lot resident and visitors			# of vehicles in the lot resident and visitors
Date			Date		
10-Sep	9:00 AM	38	13-Sep	9:00 AM	30
	10:00 AM	36		10:00 AM	32
	11:00 AM	35		11:00 AM	32
	12:00 PM	35		12:00 PM	34
	1:00 PM	39		1:00 PM	36
	2:00 PM	39		2:00 PM	41
	3:00 PM	39		3:00 PM	38
	4:00 PM	46		4:00 PM	37
	5:00 PM	43		5:00 PM	37
	6:00 PM	42		6:00 PM	35
11-Sep	9:00 AM	34	14-Sep	9:00 AM	35
	10:00 AM	35		10:00 AM	36
	11:00 AM	43		11:00 AM	39
	12:00 PM	41		12:00 PM	34
	1:00 PM	37		1:00 PM	39
	2:00 PM	39		2:00 PM	39
	3:00 PM	41		3:00 PM	36
	4:00 PM	38		4:00 PM	34
	5:00 PM	38		5:00 PM	37
	6:00 PM	37		6:00 PM	33
12-Sep	9:00 AM	31	15-Sep	9:00 AM	38
	10:00 AM	37		10:00 AM	38
	11:00 AM	30		11:00 AM	38
	12:00 PM	31		12:00 PM	37
	1:00 PM	39		1:00 PM	27
	2:00 PM	33		2:00 PM	26
	3:00 PM	39		3:00 PM	36
	4:00 PM	37		4:00 PM	39
	5:00 PM	38		5:00 PM	40
	6:00 PM	42		6:00 PM	40

# of vehicles in the lot resident and visitors			# of vehicles in the lot resident and visitors		
Date			Date		
16-Sep	9:00 AM	36	19-Sep	9:00 AM	32
	10:00 AM	39		10:00 AM	33
	11:00 AM	38		11:00 AM	33
	12:00 PM	39		12:00 PM	31
	1:00 PM	30		1:00 PM	34
	2:00 PM	36		2:00 PM	34
	3:00 PM	36		3:00 PM	38
	4:00 PM	34		4:00 PM	41
	5:00 PM	42		5:00 PM	39
	6:00 PM	38		6:00 PM	39
17-Sep	9:00 AM	33	20-Sep	9:00 AM	32
	10:00 AM	32		10:00 AM	31
	11:00 AM	38		11:00 AM	31
	12:00 PM	35		12:00 PM	30
	1:00 PM	34		1:00 PM	37
	2:00 PM	35		2:00 PM	36
	3:00 PM	38		3:00 PM	37
	4:00 PM	41		4:00 PM	40
	5:00 PM	42		5:00 PM	37
	6:00 PM	38		6:00 PM	39
18-Sep	9:00 AM	28	21-Sep	9:00 AM	32
	10:00 AM	31		10:00 AM	32
	11:00 AM	38		11:00 AM	31
	12:00 PM	39		12:00 PM	28
	1:00 PM	36		1:00 PM	31
	2:00 PM	36		2:00 PM	36
	3:00 PM	37		3:00 PM	39
	4:00 PM	40		4:00 PM	35
	5:00 PM	41		5:00 PM	36
	6:00 PM	39		6:00 PM	39

<u>Date</u>		# of vehicles in the lot resident and visitors
22-Sep	9:00 AM	36
	10:00 AM	37
	11:00 AM	41
	12:00 PM	40
	1:00 PM	36
	2:00 PM	31
	3:00 PM	35
	4:00 PM	40
	5:00 PM	34
	6:00 PM	38
23-Sep	9:00 AM	37
	10:00 AM	40
	11:00 AM	40
	12:00 PM	32
	1:00 PM	36
	2:00 PM	40
	3:00 PM	42
	4:00 PM	38
	5:00 PM	35
	6:00 PM	34
24-Sep	9:00 AM	35
	10:00 AM	37
	11:00 AM	39
	12:00 PM	30
	1:00 PM	38
	2:00 PM	32
	3:00 PM	36
	4:00 PM	38
	5:00 PM	37
	6:00 PM	35

Staff Parking Lot

Once started, this project must include all the consecutive days

<u>Date</u>			# of vehicles in the lot resident and visitors	<u>Date</u>			# of vehicles in the lot resident and visitors
16-Sep	9:00 AM		18	19-Sep	9:00 AM		17
	10:00 AM		20		10:00 AM		19
	11:00 AM		22		11:00 AM		19
	12:00 PM		21		12:00 PM		20
	1:00 PM		22		1:00 PM		19
	2:00 PM		21		2:00 PM		17
	3:00 PM		22		3:00 PM		17
	4:00 PM		19		4:00 PM		13
	5:00 PM		11		5:00 PM		9
	6:00 PM		9		6:00 PM		7
17-Sep	9:00 AM		19	20-Sep	9:00 AM		8
	10:00 AM		20		10:00 AM		8
	11:00 AM		22		11:00 AM		8
	12:00 PM		22		12:00 PM		8
	1:00 PM		21		1:00 PM		8
	2:00 PM		22		2:00 PM		9
	3:00 PM		22		3:00 PM		8
	4:00 PM		15		4:00 PM		3
	5:00 PM		12		5:00 PM		2
	6:00 PM		6		6:00 PM		2
18-Sep	9:00 AM		18	21-Sep	9:00 AM		8
	10:00 AM		19		10:00 AM		14
	11:00 AM		21		11:00 AM		18
	12:00 PM		20		12:00 PM		20
	1:00 PM		20		1:00 PM		22
	2:00 PM		17		2:00 PM		16
	3:00 PM		20		3:00 PM		15
	4:00 PM		14		4:00 PM		3
	5:00 PM		7		5:00 PM		2
	6:00 PM		7		6:00 PM		2

14-day look-back	Forest Avenue Resident and Visitor lot	
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This study requires review of 14 consecutive days, to include 10 business days and 4 weekend days

Once started, this project must include all the consecutive days				
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# of vehicles in the lot resident and visitors			# of vehicles in the lot resident and visitors		
Date			Date		
10-Sep	9:00 AM	12	13-Sep	9:00 AM	13
	10:00 AM	11		10:00 AM	13
	11:00 AM	10		11:00 AM	11
	12:00 PM	11		12:00 PM	10
	1:00 PM	9		1:00 PM	10
	2:00 PM	10		2:00 PM	9
	3:00 PM	11		3:00 PM	8
	4:00 PM	13		4:00 PM	11
	5:00 PM	12		5:00 PM	11
	6:00 PM	13		6:00 PM	11
11-Sep	9:00 AM	13	14-Sep	9:00 AM	missing data
	10:00 AM	12		10:00 AM	"
	11:00 AM	14		11:00 AM	"
	12:00 PM	12		12:00 PM	"
	1:00 PM	11		1:00 PM	"
	2:00 PM	13		2:00 PM	"
	3:00 PM	13		3:00 PM	"
	4:00 PM	14		4:00 PM	11
	5:00 PM	15		5:00 PM	12
	6:00 PM	15		6:00 PM	12
12-Sep	9:00 AM	10	15-Sep	9:00 AM	17
	10:00 AM	10		10:00 AM	17
	11:00 AM	12		11:00 AM	14
	12:00 PM	12		12:00 PM	11
	1:00 PM	9		1:00 PM	13
	2:00 PM	8		2:00 PM	13
	3:00 PM	10		3:00 PM	13
	4:00 PM	13		4:00 PM	13
	5:00 PM	15		5:00 PM	14
	6:00 PM	15		6:00 PM	12

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS☒ Crash Summary I☐ Section Detail☒ Crash Summary II☐ 1320 Public☐ 1320 Private☐ 1320 SummaryREPORT DESCRIPTION

Poland_Arbor

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560589

Start Node: 13199
End Node: 16866Start Offset: 0
End Offset: 0☐ Exclude First Node
☐ Exclude Last Node

Route: 0560016

Start Node: 13200
End Node: 16868Start Offset: 0
End Offset: 0☐ Exclude First Node
☐ Exclude Last Node

Route: 0302X

Start Node: 16866
End Node: 16868Start Offset: 0
End Offset: 0☒ Exclude First Node
☒ Exclude Last Node

Route: 0560678

Start Node: 13199
End Node: 13200Start Offset: 0
End Offset: 0☒ Exclude First Node
☒ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes														
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury Crashes			PD	Injury	Percent Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
13199	0560589 - 0	Int of POLAND ST STEVENS AV	2	0	0	0	0	0	0	0.0	3,774	0.00	0.38	0.00
16866	0560589 - 0.11	Int of FOREST AV POLAND ST	2	2	0	0	0	1	1	50.0	7,443	0.09	0.29	0.00
13200	0560016 - 0	Int of ARBOR ST STEVENS AV	2	2	0	0	0	1	1	50.0	3,729	0.18	0.38	0.00
16868	0560016 - 0.07	Int of ARBOR ST FOREST AV	2	3	0	0	0	0	3	0.0	8,953	0.11	0.27	0.00
16867	0302X - 2.02	Int of ADELAIDE ST FOREST AV READ ST	2	10	0	1	1	3	5	50.0	9,107	0.37	0.27	1.34
Study Years: 3.00				NODE TOTALS:										
				17	0	1	1	5	10	41.2	33,006	0.17	0.21	0.81

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

nd ode	Element	Offset Begin - End	Route - MP	Section Length	U/R	Sections							Annual HMVM	Crash Rate	Critical Rate	CRF
						Total Crashes	K	A	B	C	PD	Percent Injury				
866	187873 ST STEVENS AV	0 - 0.11	0560589 - 0 RD INV 05 60589	0.11	2	1	0	0	0	0	1	0.0	0.00007	5031.64 Statewide Crash Rate: 347.17	1235.99	4.07
868	187874 T STEVENS AV	0 - 0.07	0560016 - 0 RD INV 05 60016	0.07	2	0	0	0	0	0	0	0.0	0.00004	0.00 Statewide Crash Rate: 347.17	672.63	0.00
867	3131656 AV POLAND ST	0 - 0.04	0302X - 1.98 US 302	0.04	2	1	0	0	0	0	1	0.0	0.00300	110.94 Statewide Crash Rate: 172.78	473.95	0.00
868	3118708 E ST FOREST AV READ ST	0 - 0.03	0302X - 2.02 US 302	0.03	2	1	0	0	1	0	0	100.0	0.00267	124.81 Statewide Crash Rate: 172.78	488.66	0.00
200	3123933 ST STEVENS AV	0 - 0.09	0560678 - 0.26 RD INV 05 60678	0.09	2	4	0	0	0	0	4	0.0	0.00336	397.34 Statewide Crash Rate: 186.16	486.79	0.00
Section Totals:				0.34		7	0	0	1	0	6	14.3	0.00914	255.30	370.11	0.69
Grand Totals:				0.34		24	0	1	2	5	16	33.3	0.00914	875.30	518.84	1.69

∴ 3.00

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				
13199	16866	187873	0 - 0.11	0560589 - 0	1	0	0	0	0	1	2013-8510	04/02/2013	0.09	PD
13200	16868	187874	0 - 0.07	0560016 - 0	0	0	0	0	0	0				
16866	16867	3131656	0 - 0.04	0302X - 1.98	1	0	0	0	0	1	2011-1396C	01/25/2011	2.01	PD
16867	16868	3118708	0 - 0.03	0302X - 2.02	1	0	0	1	0	0	2013-21874	09/02/2013	2.03	B
13199	13200	3123933	0 - 0.09	0560678 - 0.26	4	0	0	0	0	4	2012-37814	09/06/2012	0.29	PD
											2012-44637	11/16/2012	0.31	PD
											2011-18118	12/07/2011	0.32	PD
											2011-8995C	06/14/2011	0.34	PD
Totals:					7	0	0	0	1	0	6			

Maine Department Of Transportation - Traffic Engineering, Crash Records Section
Crash Summary II - Characteristics

Crashes by Day and Hour

Day Of Week	Hour of Day												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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
MONDAY	0	0	0	0	0	0	0	0	0	0	3	2	0	1	0	0	0	0	0	0	0	0	0	0	0	6
TUESDAY	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	1	1	0	0	0	0	0	0	4
WEDNESDAY	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2
THURSDAY	0	0	0	0	0	0	0	1	0	0	1	0	0	0	2	0	0	0	0	0	0	0	0	0	0	4
FRIDAY	0	0	0	0	0	0	0	0	0	0	0	1	1	0	2	0	0	0	0	0	0	1	0	1	0	6
SATURDAY	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Totals	0	0	0	0	0	0	0	1	1	0	5	5	1	2	4	0	0	1	1	0	0	1	1	1	0	24

Vehicle Counts by Type

Unit Type	Total	Unit Type	Total
1-Passenger Car	27	23-Bicyclist	3
2-(Sport) Utility Vehicle	5	24-Witness	6
3-Passenger Van	3	25-Other	1
4-Cargo Van (10K lbs or Less)	1	Total	57
5-Pickup	4		
6-Motor Home	0		
7-School Bus	0		
8-Transit Bus	0		
9-Motor Coach	0		
10-Other Bus	0		
11-Motorcycle	0		
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	5		

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash							Crashes by Apparent Physical Condition And Driver								
Driver Action at Time of Crash	Dr-1	Dr-2	Dr-3	Dr-4	Dr-5	Other	Total	Apparent Physical Condition	Dr-1	Dr-2	Dr-3	Dr-4	Dr-5	Other	Total
No Contributing Action	12	5	0	0	0	0	17	Apparently Normal	24	18	0	0	0	8	50
Ran Off Roadway	0	0	0	0	0	0	0	Physically Impaired or Handicapped	0	0	0	0	0	0	0
Failed to Yield Right-of-Way	2	3	0	0	0	0	5	Emotional(Depressed, Angry, Disturbed, etc.)	0	0	0	0	0	0	0
Ran Red Light	0	0	0	0	0	0	0	Ill (Sick)	0	0	0	0	0	0	0
Ran Stop Sign	0	0	0	0	0	0	0	Asleep or Fatigued	0	0	0	0	0	0	0
Disregarded Other Traffic Sign	0	0	0	0	0	0	0	Under the Influence of Medications/Drugs/Alcohol	0	0	0	0	0	0	0
Disregarded Other Road Markings	0	0	0	0	0	0	0	Other	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	0	0	0	0	0	0	Total	24	18	0	0	0	8	50
Drove Too Fast For Conditions	0	0	0	0	0	0	0	Driver Age by Unit Type							
Improper Turn	0	1	0	0	0	0	1	Age	Driver	Bicycle	SnowMobile	Pedestrian	ATV	Total	
Improper Backing	1	0	0	0	0	0	1	09-Under	0	0	0	0	0	0	0
Improper Passing	1	0	0	0	0	0	1	10-14	0	0	0	0	0	0	0
Wrong Way	0	0	0	0	0	0	0	15-19	2	0	0	0	0	0	2
Followed Too Closely	2	5	0	0	0	0	7	20-24	7	0	0	0	0	0	7
Failed to Keep in Proper Lane	0	0	0	0	0	0	0	25-29	7	0	0	0	0	0	7
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	1	0	0	0	0	0	1	30-39	8	0	0	0	0	0	8
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	0	0	0	0	0	0	0	40-49	5	0	0	0	0	0	5
Over-Correcting/Over-Steering	0	0	0	0	0	0	0	50-59	6	0	0	0	0	0	6
Other Contributing Action	1	1	0	0	0	0	2	60-69	3	0	0	0	0	0	3
Unknown	0	0	0	0	0	0	0	70-79	0	0	0	0	0	0	0
Total	20	15	0	0	0	0	35	80-Over	4	0	0	0	0	0	4
								Unknown	1	3	0	5	0	0	9
								Total	43	3	0	5	0	0	51

Crash Summary II - Characteristics

Most Harmful Event			Injury Data		
Most Harmful Event	Total	Most Harmful Event	Severity Code	Injury Crashes	Number Of Injuries
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	K	0	0
2-Fire / Explosion	0	39-Unknown	A	1	1
3-Immersion	0	40-Gate or Cable	B	2	4
4-Jackknife	0	41-Pressure Ridge	C	5	9
5-Cargo / Equipment Loss Or Shift	0	Total	PD	16	0
6-Fell / Jumped from Motor Vehicle	0		Total	24	14
7-Thrown or Falling Object	0				
8-Other Non-Collision	0				
9-Pedestrian	0				
10-Pedalcycle	1				
11-Railway Vehicle - Train, Engine	0				
12-Animal	0				
13-Motor Vehicle in Transport	29				
14-Parked Motor Vehicle	2				
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	0				
25-Ditch	0				
26-Embankment	0				
27-Guardrail Face	0				
28-Guardrail End	0				
29-Concrete Traffic Barrier	0				
30-Other Traffic Barrier	0				
31-Tree (Standing)	0				
32-Utility Pole / Light Support	0				
33-Traffic Sign Support	0				
34-Traffic Signal Support	0				
35-Fence	0				
36-Mailbox	0				
37-Other Post Pole or Support	0				

Traffic Control Devices			Road Character		Total
Traffic Control Device	Total		Road Grade		
1-Traffic Signals (Stop & Go)	1		1-Level		23
2-Traffic Signals (Flashing)	0		2-On Grade		1
3-Advisory/Warning Sign	0		3-Top of Hill		0
4-Stop Signs - All Approaches	0		4-Bottom of Hill		0
5-Stop Signs - Other	4		5-Other		0
6-Yield Sign	0		Total		24
7-Curve Warning Sign	0				
8-Officer, Flagman, School Patrol	0				
9-School Bus Stop Arm	0				
10-School Zone Sign	0				
11-R.R. Crossing Device	0				
12-No Passing Zone	0				
13-None	19				
14-Other	0				
Total	24				

Light		Total
Light Condition		
1-Daylight		21
2-Dawn		0
3-Dusk		0
4-Dark - Lighted		3
5-Dark - Not Lighted		0
6-Dark - Unknown Lighting		0
7-Unknown		0
Total		24

Maine Department Of Transportation - Traffic Engineering, Crash Records Section
Crash Summary II - Characteristics

Crashes by Year and Month

Month	2011	2012	2013	Total
JANUARY	1	0	0	1
FEBRUARY	0	0	2	2
MARCH	0	0	1	1
APRIL	1	0	1	2
MAY	2	0	1	3
JUNE	1	0	0	1
JULY	1	0	0	1
AUGUST	1	0	2	3
SEPTEMBER	0	3	2	5
OCTOBER	0	0	0	0
NOVEMBER	1	1	0	2
DECEMBER	1	2	0	3
Total	9	6	9	24

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	0	0	0	0	0	0	0	0	0	0	0	0
Rear End / Sideswipe	5	0	6	4	0	1	0	0	0	0	0	0	0	16
Head-on / Sideswipe	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intersection Movement	0	0	2	0	0	1	0	0	0	0	0	0	0	3
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	0	0	0	0	0	0	0	0	0	0	0	0	0	0
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	0	0	0	3	0	0	0	0	0	0	0	0	0	3
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	6	0	8	8	0	2	0	0	0	0	0	0	0	24

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	3	0	0	0	0	0	0	0	0	0	0	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	0	0
Daylight	13	0	0	0	0	0	0	0	0	0	0	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
Cloudy												
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	2	0	0	0	0	0	0	0	0	0	1	3
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	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	4	4
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	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
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	1	0	0	0	1
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
TOTAL	18	0	0	0	0	0	0	1	0	0	0	24

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I -
Single Node

☐ Section Detail

☐ Crash Summary II

☐ 1320 Public

☐ 1320 Private

☒ 1320 Summary

REPORT DESCRIPTION

hcl

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0100X

Start Node: 16867

End Node: 16867

Start Offset: 0

End Offset: 0

☐ Exclude First Node

☐ Exclude Last Node

Maine Crash Report Summary

Crash Date: 4/21/2011

Time: 10:17

City: Portland

Street/Highway: ADELAIDE ST

Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

End Node: 0

Offset: 0

OE Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

OE End Node:

Type of Crash: 2 - Rear End / Sideswipe

Type of Location: 4 - Four Leg Intersection

Weather: 1 - Clear

Light: 1 - Daylight

Road Grade: 1 - Level

Surface Condition: 1 - Dry

Traffic Control: 13 - None

Cont. Circ. Env 1

Cont. Circ. Env 2

Cont. Circ. Road 1

Cont. Circ. Road 2

Narrative

Diagram

unit 1 was following roadway, making a right turn. unit 2 was following roadway. unit 1 said "i was going along and making a right turn. i turned right and there was a car there i did not see, they were passing on my right." unit 2 said "i was going along and went into the right lane, it appeared to be two lanes. i was passing the van and it turned into my lane." no injuries reported at scene. the roadway there is not marked, no lines to indicate lanes.



Unit: 1 Type: 3 - Passenger Van
Most Damaged Area: 1 - Front Passenger Corner
Pre-Crash Actions: 5 - Making right turn
Seq. Events 1:
Seq. Events 3:
Driver Distracted By:
Driver Action 1:

Veh. Travel Dir.: 1 - Northbound
Most Harmful Event:
Contrib Circ. - Vehicle: 1 - None
Seq. Events 2:
Seq. Events 4:
Cond. at Time Crash: 1 - Apparently Normal
Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	33	1 - Male	5 - No Injury

Unit: 2 Type: 1 - Passenger Car
Most Damaged Area: 11 - Front Driver Corner
Pre-Crash Actions: 1 - Following roadway
Seq. Events 1:
Seq. Events 3:
Driver Distracted By:
Driver Action 1: 3 - Failed to Yield Right-of-Way

Veh. Travel Dir.: 1 - Northbound
Most Harmful Event:
Contrib Circ. - Vehicle: 1 - None
Seq. Events 2:
Seq. Events 4:
Cond. at Time Crash: 1 - Apparently Normal
Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	49	1 - Male	5 - No Injury

Maine Crash Report Summary

Crash Date: 7/22/2011 Time: 23:45 City: Portland Street/Highway: FOREST AV
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

Type of Crash: 9 - Bicycle Type of Location: 4 - Four Leg Intersection
 Weather: 1 - Clear Light: 4 - Dark - Lighted
 Road Grade: 1 - Level Surface Condition: 1 - Dry
 Traffic Control: 13 - None
 Cont. Circ. Env 1 1 - None Cont. Circ. Env 2
 Cont. Circ. Road 1 5 - Work Zones (Construction / Maintenance /
 Utility) Cont. Circ. Road 2

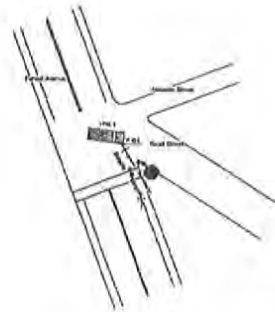
Narrative

Unit 1 driver stated that he was taking a left turn from Forest Avenue onto Read Street. Unit 1 driver stated that all of a sudden, the Bicycle collided with the front passenger quarter panel on Unit 1. Unit 1 driver stated that he never saw the Bicycle.

The Bicycle operator said he was traveling out-bound on the sidewalk of Forest Avenue approaching Read Street. The Bicycle operator said that he rode through a series of orange construction barrels on the sidewalk and into the intersection. The Bicycle operator said that Unit 1 did not have a blinker visible so he did not know it was turning.

For the report, the area was very dimly lit and the road is under construction (not active at the time of crash). The Bicycle or operator did not have any illuminating devices and operator was dressed in dark clothing (dark green shirt, dark pants). The Bicycle operator complained of shoulder pain from a previous injury and...

Diagram



Unit: 1 Type: 5 - Pickup Veh. Travel Dir.: 3 - Eastbound
 Most Damaged Area: 2 - Front Passenger Quarter Panel Most Harmful Event: 13 - Motor Vehicle in Transport
 Pre-Crash Actions: 6 - Making left turn Contrib Circ. - Vehicle: 1 - None
 Seq. Events 1: 21 - Motor Vehicle In Transport Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: 1 - Not Distracted Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 1: 1 - No Contributing Action Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	64	1 - Male	5 - No Injury

Unit: 50 Type: 23 - Bicyclist Veh. Travel Dir.:
 Most Damaged Area: Most Harmful Event:
 Pre-Crash Actions: Contrib Circ. - Vehicle:
 Seq. Events 1: Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: Cond. at Time Crash:
 Driver Action 1: Driver Action 2:

Person Type	Age	Sex	Injury Degree
7 - Bicycle	22	1 - Male	4 - Possible Injury

STATE OF MAINE CRASH REPORT

Report Number
11-002101

Narrative / Diagram Supplemental

Unit 1 driver stated that he was taking a left turn from Forest Avenue onto Read Street. Unit 1 driver stated that all of a sudden, the Bicycle collided with the front passenger quarter panel on Unit 1. Unit 1 driver stated that he never saw the Bicycle.

The Bicycle operator said he was traveling out-bound on the sidewalk of Forest Avenue approaching Read Street. The Bicycle operator said that he rode through a series of orange construction barrels on the sidewalk and into the intersection. The Bicycle operator said that Unit 1 did not have a blinker visible so he did not know it was turning.

For the report, the area was very dimly lit and the road is under construction (not active at the time of crash). The Bicycle operator did not have any illuminating devices and operator was dressed in dark clothing (dark green shirt, dark pants). The Bicycle operator complained of shoulder pain from a previous injury and refused multiple requests for an ambulance and rode away on his own accord.

Maine Crash Report Summary

Crash Date: 8/11/2011 Time: 14:12 City: Portland Street/Highway: FOREST AV
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

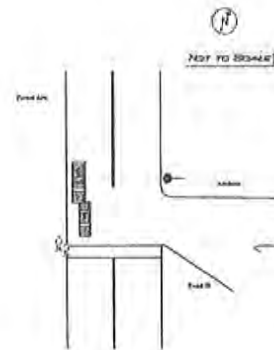
Type of Crash: 2 - Rear End / Sideswipe
 Weather: 1 - Clear
 Road Grade: 1 - Level
 Traffic Control: 5 - Stop Signs - Other
 Cont. Circ. Env 1 1 - None
 Cont. Circ. Road 1 1 - None

Type of Location: 4 - Four Leg Intersection
 Light: 1 - Daylight
 Surface Condition: 1 - Dry
 Cont. Circ. Env 2
 Cont. Circ. Road 2

Narrative

Unit 1 stopped in roadway for pedestrians, unit 2 was following unit 1. Driver of unit 2 stated that she looked over at the pedestrians on the side walk and when she looked back unit 1 had stopped. Vehicles collided in road way.

Diagram



Unit: 1 Type: 1 - Passenger Car
 Most Damaged Area: 8 - Rear Driver Quarter Panel
 Pre-Crash Actions: 1 - Following roadway
 Seq. Events 1: 21 - Motor Vehicle In Transport
 Seq. Events 3:
 Driver Distracted By: 1 - Not Distracted
 Driver Action 1: 1 - No Contributing Action

Veh. Travel Dir.: 2 - Southbound
 Most Harmful Event: 13 - Motor Vehicle in Transport
 Contrib Circ. - Vehicle: 1 - None
 Seq. Events 2:
 Seq. Events 4:
 Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	84	2 - Female	5 - No Injury
2 - Passenger	87	2 - Female	4 - Possible Injury

Unit: 2 Type: 2 - (Sport) Utility Vehicle
 Most Damaged Area: 1 - Front Passenger Corner
 Pre-Crash Actions: 1 - Following roadway
 Seq. Events 1: 21 - Motor Vehicle In Transport
 Seq. Events 3:
 Driver Distracted By: 5 - External Distraction (outside the vehicle)
 Driver Action 1: 14 - Followed Too Closely

Veh. Travel Dir.: 2 - Southbound
 Most Harmful Event: 13 - Motor Vehicle in Transport
 Contrib Circ. - Vehicle: 1 - None
 Seq. Events 2:
 Seq. Events 4:
 Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	27	2 - Female	5 - No Injury

Maine Crash Report Summary

Crash Date: 11/18/2011

Time: 14:57

City: Portland

Street/Highway: FOREST AV

Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

End Node: 0

Offset: 0

OE Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

OE End Node:

Type of Crash: 4 - Intersection Movement

Type of Location: 6 - Driveways

Weather: 1 - Clear

Light: 1 - Daylight

Road Grade: 1 - Level

Surface Condition: 1 - Dry

Traffic Control: 13 - None

Cont. Circ. Env 1 1 - None

Cont. Circ. Env 2

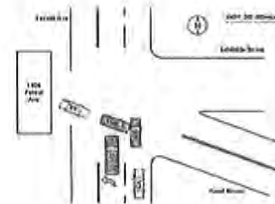
Cont. Circ. Road 1 1 - None

Cont. Circ. Road 2 1 - None

Narrative

Diagram

V1 was exiting the parking lot at 1104 Forest Ave and attempting to cross Forest Ave to Read Street. V2 was traveling north on Forest Ave in the right lane. An uninvolved vehicle was in the left turn lane, attempting to turn into the lot at 1104 Forest Ave. The uninvolved vehicle signaled for V1 to cross in front of them. V2 was continuing in the right lane and did not V1 crossing. V1 did see V2 approaching and struck V2 on the driver's side. V2 had the right of way.

**Unit: 1** Type: 1 - Passenger Car

Most Damaged Area: 11 - Front Driver Corner

Pre-Crash Actions: 30 - Other Vehicle Action

Seq. Events 1: 21 - Motor Vehicle In Transport

Seq. Events 3:

Driver Distracted By: 1 - Not Distracted

Driver Action 1: 3 - Failed to Yield Right-of-Way

Veh. Travel Dir.: 3 - Eastbound

Most Harmful Event: 13 - Motor Vehicle in Transport

Contrib Circ. - Vehicle: 1 - None

Seq. Events 2:

Seq. Events 4:

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	26	2 - Female	5 - No Injury

Unit: 2 Type: 1 - Passenger Car

Most Damaged Area: 10 - Front Driver Quarter Panel

Pre-Crash Actions: 1 - Following roadway

Seq. Events 1: 21 - Motor Vehicle In Transport

Seq. Events 3:

Driver Distracted By: 1 - Not Distracted

Driver Action 1: 1 - No Contributing Action

Veh. Travel Dir.: 1 - Northbound

Most Harmful Event: 13 - Motor Vehicle in Transport

Contrib Circ. - Vehicle: 1 - None

Seq. Events 2:

Seq. Events 4:

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	28	2 - Female	5 - No Injury

Maine Crash Report Summary

Crash Date: 9/2/2012 Time: 22:35 City: Portland Street/Highway: FOREST AV
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

Type of Crash: 2 - Rear End / Sideswipe Type of Location: 4 - Four Leg Intersection
 Weather: 1 - Clear Light: 4 - Dark - Lighted
 Road Grade: 1 - Level Surface Condition: 1 - Dry
 Traffic Control: 13 - None
 Cont. Circ. Env 1 1 - None Cont. Circ. Env 2
 Cont. Circ. Road 1 1 - None Cont. Circ. Road 2

Narrative

V-2 was driving north bound on Forest Ave. turning right onto Adeliane St. when V-1 was passing V-2 on the right side. Driver of V-2 stated his directional light was on, Driver of V-1 stated it was not.

Diagram



Unit: 1 Type: 1 - Passenger Car
 Most Damaged Area: 8 - Rear Driver Quarter Panel
 Pre-Crash Actions: 18 - Overtaking Passing
 Seq. Events 1: 21 - Motor Vehicle In Transport
 Seq. Events 3:
 Driver Distracted By: 1 - Not Distracted
 Driver Action 1: 12 - Improper Passing

Veh. Travel Dir.: 1 - Northbound
 Most Harmful Event: 13 - Motor Vehicle in Transport
 Contrib Circ. - Vehicle: 1 - None
 Seq. Events 2:
 Seq. Events 4:
 Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	55	1 - Male	5 - No Injury
2 - Passenger	26	1 - Male	5 - No Injury

Unit: 2 Type: 17 - Medium/Heavy Trucks (More than 10,000 lbs)
 Most Damaged Area: 1 - Front Passenger Corner
 Pre-Crash Actions: 5 - Making right turn
 Seq. Events 1: 21 - Motor Vehicle In Transport
 Seq. Events 3:
 Driver Distracted By: 1 - Not Distracted
 Driver Action 1: 1 - No Contributing Action

Veh. Travel Dir.: 1 - Northbound
 Most Harmful Event: 13 - Motor Vehicle in Transport
 Contrib Circ. - Vehicle: 1 - None
 Seq. Events 2:
 Seq. Events 4:
 Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	43	1 - Male	5 - No Injury

Maine Crash Report Summary

Crash Date: 9/24/2012

Time: 10:32

City: Portland

Street/Highway: FOREST AV

Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

End Node: 0

Offset: 0

OE Start Node: 16867

Int of ADELAIDE ST FOREST AV
READ ST

OE End Node:

Type of Crash: 9 - Bicycle

Weather: 1 - Clear

Road Grade: 1 - Level

Traffic Control: 13 - None

Cont. Circ. Env 1 1 - None

Cont. Circ. Road 1 1 - None

Type of Location: 4 - Four Leg Intersection

Light: 1 - Daylight

Surface Condition: 1 - Dry

Cont. Circ. Env 2

Cont. Circ. Road 2 1 - None

Narrative

Diagram

VEHICLE 1 WAS TRAVELING WESTBOUND ON FOREST AVENUE AT THE INTERSECTION OF READ STREET.

BILLIAN WAS ALSO TRAVELING WESTBOUND ON FOREST AVENUE DIRECTLY IN FRONT OF VEHICLE 1 ON HER BICYCLE. THERE WAS ANOTHER UNKNOWN VEHICLE IN FRONT OF BILLIAN.

THE VEHICLE IN FRONT OF BILLIAN WAS TAKING A LEFT HAND TURN ONTO READ STREET. BILLIAN THEN ATTEMPTED TO GO AROUND THE VEHICLE IN FRONT OF HER.

BILLIAN SWITCHED LANES WITHOUT LOOKING. VEHICLE 1 WAS NOT ABLE TO STOP IN TIME AND COLLIDED WITH BILLIAN. BILLIAN WAS THEN TRANSPORTED TO THE HOSPITAL BY AMBULANCE.



Unit: 1

Type: 1 - Passenger Car

Veh. Travel Dir.: 4 - Westbound

Most Damaged Area: 10 - Front Driver Quarter Panel

Most Harmful Event: 13 - Motor Vehicle in Transport

Pre-Crash Actions: 1 - Following roadway

Contrib Circ. - Vehicle: 1 - None

Seq. Events 1: 21 - Motor Vehicle in Transport

Seq. Events 2:

Seq. Events 3:

Seq. Events 4:

Driver Distracted By: 1 - Not Distracted

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 1: 1 - No Contributing Action

Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	25	2 - Female	5 - No Injury
2 - Passenger	3	2 - Female	5 - No Injury
2 - Passenger	2	1 - Male	5 - No Injury

Unit: 50

Type: 23 - Bicyclist

Veh. Travel Dir.:

Most Damaged Area:

Most Harmful Event:

Pre-Crash Actions:

Contrib Circ. - Vehicle:

Seq. Events 1:

Seq. Events 2:

Seq. Events 3:

Seq. Events 4:

Driver Distracted By:

Cond. at Time Crash:

Driver Action 1:

Driver Action 2:

Person Type	Age	Sex	Injury Degree
7 - Bicycle	27	2 - Female	2 - Incapacitating

Maine Crash Report Summary

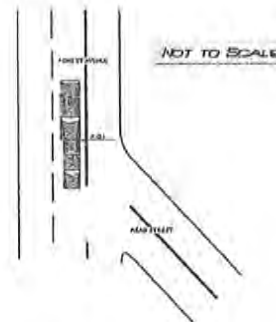
Crash Date: 2/1/2013 Time: 21:19 City: Portland Street/Highway: FOREST AV
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

Type of Crash: 2 - Rear End / Sideswipe Type of Location: 4 - Four Leg Intersection
 Weather: 1 - Clear Light: 4 - Dark - Lighted
 Road Grade: 1 - Level Surface Condition: 1 - Dry
 Traffic Control: 13 - None
 Cont. Circ. Env 1 1 - None Cont. Circ. Env 2
 Cont. Circ. Road 1 1 - None Cont. Circ. Road 2 1 - None

Narrative

V-1 ON INBOUND FOREST AVE, STOPPED TO MAKE LEFT TURN ONTO READ STREET. V-2 TRAVELING BEHIND V-1. DRIVER OF V-2 STATES A WATER BOTTLE SLID OFF OF SEAT ONTO FLOOR, SHE REACHED TO PICK IT UP AND MOMENTARILY AVERTED HER EYES OFF THE ROAD WHICH CAUSED HER TO NOT SEE V-1 HAD STOPPED TO TURN. V-2 COLLIDED WITH REAR OF V-1. NO INJURIES, NO CITATIONS, BOTH VEHICLES TOWED FROM SCENE. DRIVER OF V-2 AT FAULT FOR FAILING TO YIELD RIGHT OF WAY/DRIVER DISTRACTION..

Diagram

**Unit: 1** Type: 1 - Passenger Car

Most Damaged Area: 6 - Rear

Pre-Crash Actions: 6 - Making left turn

Seq. Events 1: 21 - Motor Vehicle In Transport

Seq. Events 3: 21 - Motor Vehicle In Transport

Driver Distracted By: 1 - Not Distracted

Driver Action 1: 1 - No Contributing Action

Veh. Travel Dir.: 3 - Eastbound

Most Harmful Event: 13 - Motor Vehicle in Transport

Contrib Circ. - Vehicle: 1 - None

Seq. Events 2: 21 - Motor Vehicle In Transport

Seq. Events 4: 21 - Motor Vehicle In Transport

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	31	1 - Male	5 - No Injury

Unit: 2 Type: 2 - (Sport) Utility Vehicle

Most Damaged Area: 12 - Front

Pre-Crash Actions: 1 - Following roadway

Seq. Events 1: 21 - Motor Vehicle In Transport

Seq. Events 3: 21 - Motor Vehicle In Transport

Driver Distracted By: 4 - Other Inside the Vehicle (Eating, Reading, Grooming, Smoking, Passengers, etc.)

Driver Action 1: 3 - Failed to Yield Right-of-Way

Veh. Travel Dir.: 3 - Eastbound

Most Harmful Event: 13 - Motor Vehicle in Transport

Contrib Circ. - Vehicle: 1 - None

Seq. Events 2: 21 - Motor Vehicle In Transport

Seq. Events 4: 21 - Motor Vehicle In Transport

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 2: 3 - Failed to Yield Right-of-Way

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	52	2 - Female	5 - No Injury

Maine Crash Report Summary

Crash Date: 8/5/2013 Time: 10:17 City: Portland Street/Highway: READ ST
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

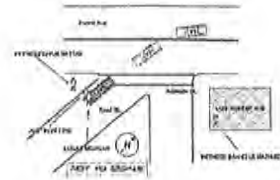
Type of Crash: 5 - Pedestrians Type of Location: 4 - Four Leg Intersection
 Weather: 1 - Clear Light: 1 - Daylight
 Road Grade: 1 - Level Surface Condition: 1 - Dry
 Traffic Control: 13 - None
 Cont. Circ. Env 1 1 - None Cont. Circ. Env 2
 Cont. Circ. Road 1 1 - None Cont. Circ. Road 2

Narrative

V1 WAS MAKING A LEFT TURN OFF OF FOREST AVENUE ONTO READ STREET [SOUTHBOUND.] 2 PEDESTRIANS (VICTIMS) WERE IN THE PROCESS OF CROSSING READ AND ADELAIDE STREETS AND 1 PEDESTRIAN (WITNESS) WAS ON THE SIDEWALK OF READ STREET AND PREPARING TO CROSS IN THE SAME MANNER AS THE OTHER 2 PEDESTRIANS. ALL PEDESTRIANS WERE WALKING OUTBOUND ON FOREST AVENUE WHILE TRAVELING TO AN ADDRESS ON ADELAIDE STREET. THE PEDESTRIAN VICTIMS FAILED TO USE THE CROSSWALK PROVIDED FOR THIS INTERSECTION.

A WITNESS WAS WORKING IN HER OFFICE AT THE SHALOM HOUSE BUILDING [1103 FOREST AVE] WHERE SHE HAD A VIEW OF THE ADELAIDE STREET, READ STREET AND FOREST AVENUE INTERSECTION. SHE WITNESSED THE LATER PORTION OF THE INCIDENT [I.E. V1 NEAR THE PEDESTRIAN VICTIMS AFTER CONTACT] BUT NOT THE BEGINNING OF THE...

Diagram



Unit: 1 Type: 1 - Passenger Car Veh. Travel Dir.: 2 - Southbound
 Most Damaged Area: 3 - Center Passenger Side Most Harmful Event: 13 - Motor Vehicle in Transport
 Pre-Crash Actions: 6 - Making left turn Contrib. Circ. - Vehicle: 1 - None
 Seq. Events 1: 21 - Motor Vehicle In Transport Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: 1 - Not Distracted Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 1: 16 - Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	82	1 - Male	5 - No Injury

Unit: 50 Type: 22 - Pedestrian Veh. Travel Dir.:
 Most Damaged Area: Most Harmful Event:
 Pre-Crash Actions: Contrib. Circ. - Vehicle:
 Seq. Events 1: Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: Cond. at Time Crash:
 Driver Action 1: Driver Action 2:

Person Type	Age	Sex	Injury Degree
3 - Pedestrian	17	1 - Male	3 - Non-Incapacitating

Unit: 50 Type: 22 - Pedestrian Veh. Travel Dir.:
 Most Damaged Area: Most Harmful Event:
 Pre-Crash Actions: Contrib. Circ. - Vehicle:
 Seq. Events 1: Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: Cond. at Time Crash:
 Driver Action 1: Driver Action 2:

Maine Crash Report Summary

Person Type	Age	Sex	Injury Degree
3 - Pedestrian	17	1 - Male	3 - Non-Incapacitating

STATE OF MAINE CRASH REPORT

Report Number
13-0002199

Narrative / Diagram Supplemental

V1 WAS MAKING A LEFT TURN OFF OF FOREST AVENUE ONTO READ STREET [SOUTHBOUND.] 2 PEDESTRIANS (VICTIMS) WERE IN THE PROCESS OF CROSSING READ AND ADELAIDE STREETS AND 1 PEDESTRIAN (WITNESS) WAS ON THE SIDEWALK OF READ STREET AND PREPARING TO CROSS IN THE SAME MANNER AS THE OTHER 2 PEDESTRIANS. ALL PEDESTRIANS WERE WALKING OUTBOUND ON FOREST AVENUE WHILE TRAVELING TO AN ADDRESS ON ADELAIDE STREET. THE PEDESTRIAN VICTIMS FAILED TO USE THE CROSSWALK PROVIDED FOR THIS INTERSECTION.

A WITNESS WAS WORKING IN HER OFFICE AT THE SHALOM HOUSE BUILDING [1103 FOREST AVE] WHERE SHE HAD A VIEW OF THE ADELAIDE STREET, READ STREET AND FOREST AVENUE INTERSECTION. SHE WITNESSED THE LATER PORTION OF THE INCIDENT [I.E. V1 NEAR THE PEDESTRIAN VICTIMS AFTER CONTACT] BUT NOT THE BEGINNING OF THE INCIDENT.

V1 CONTINUED THE LEFT TURN INTO THE INTERSECTION. THE OPERATOR FAILED TO NOTICE THE 2 PEDESTRIANS IN THE ROADWAY. V1 MADE CONTACT WITH THE PEDESTRIANS, CAUSING MINOR INJURY TO BOTH; AS WELL AS MINOR DAMAGE TO V1.

PEDESTRIAN VICTIMS WERE EXAMINED BY MEDCU UNITS AT THE SCENE.

Maine Crash Report Summary

Crash Date: 8/6/2013

Time: 13:37

City: Portland

Street/Highway: FOREST AV

Start Node: 16867

Int of ADELAIDE ST
FOREST AV
READ ST

End Node: 0

Offset: 0

OE Start Node: 16868

Int of ARBOR ST FOREST AV

OE End Node:

Type of Crash: 2 - Rear End / Sideswipe

Type of Location: 3 - Three Leg Intersection

Weather: 1 - Clear

Light: 1 - Daylight

Road Grade: 1 - Level

Surface Condition: 1 - Dry

Traffic Control: 13 - None

Cont. Circ. Env 1 1 - None

Cont. Circ. Env 2

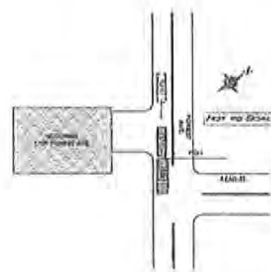
Cont. Circ. Road 1 1 - None

Cont. Circ. Road 2

Narrative

Diagram

U1 AND U2 WERE TRAVELING WESTBOUND ON FOREST AVENUE NEAR GOODWILL AT 1104 FOREST AVENUE. U2 STOPPED IN THE LANE OF TRAVEL BECAUSE A VEHICLE IN FRONT HER STOPPED. U1 WAS UNABLE TO STOP IN TIME AND REAR-ENDED U2. THERE WAS NO INJURIES AND MINOR DAMAGE TO BOTH VEHICLES.



Unit: 1

Type: 1 - Passenger Car

Veh. Travel Dir.: 4 - Westbound

Most Damaged Area: 12 - Front

Most Harmful Event: 13 - Motor Vehicle in Transport

Pre-Crash Actions: 10 - Slowing in traffic

Contrib Circ. - Vehicle: 1 - None

Seq. Events 1: 21 - Motor Vehicle in Transport

Seq. Events 2:

Seq. Events 3:

Seq. Events 4:

Driver Distracted By: 1 - Not Distracted

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 1: 14 - Followed Too Closely

Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	19	2 - Female	5 - No Injury

Unit: 2

Type: 1 - Passenger Car

Veh. Travel Dir.: 4 - Westbound

Most Damaged Area: 6 - Rear

Most Harmful Event: 13 - Motor Vehicle in Transport

Pre-Crash Actions: 10 - Slowing in traffic

Contrib Circ. - Vehicle: 1 - None

Seq. Events 1: 21 - Motor Vehicle in Transport

Seq. Events 2:

Seq. Events 3:

Seq. Events 4:

Driver Distracted By: 1 - Not Distracted

Cond. at Time Crash: 1 - Apparently Normal

Driver Action 1: 1 - No Contributing Action

Driver Action 2:

Person Type	Age	Sex	Injury Degree
6 - Driver/Owner	28	2 - Female	5 - No Injury

Maine Crash Report Summary

Crash Date: 9/19/2013 Time: 14:18 City: Portland Street/Highway: ADELAIDE ST
 Start Node: 16867 Int of ADELAIDE ST FOREST AV End Node: 0 Offset: 0
 READ ST
 OE Start Node: 16867 Int of ADELAIDE ST FOREST AV OE End Node:
 READ ST

Type of Crash: 9 - Bicycle Type of Location: 4 - Four Leg Intersection
 Weather: 1 - Clear Light: 1 - Daylight
 Road Grade: 1 - Level Surface Condition: 1 - Dry
 Traffic Control: 5 - Stop Signs - Other
 Cont. Circ. Env 1 1 - None Cont. Circ. Env 2
 Cont. Circ. Road 1 1 - None Cont. Circ. Road 2 1 - None

Narrative

V1 WAS STOPPED AT THE STOP SIGN AT THE INTERSECTION OF FOREST AVE AND ADELAIDE. V1 WAS TRYING TO MAKE A RIGHT TURN ONTO FOREST AVE. V1 PULLED OUT ONTO FOREST AVE AND HIT B1 AS B1 WAS PASSING IN FRONT OF V1. B1 WAS TRAVELING INBOUND ON FOREST AVE ON THE SAME SIDE OF THE ROAD AS ADELAIDE STREET. B1 WAS TRANSPORTED TO MAINE MEDICAL CENTER BY MEDCU FOR ARM PAIN.

pjk

Diagram



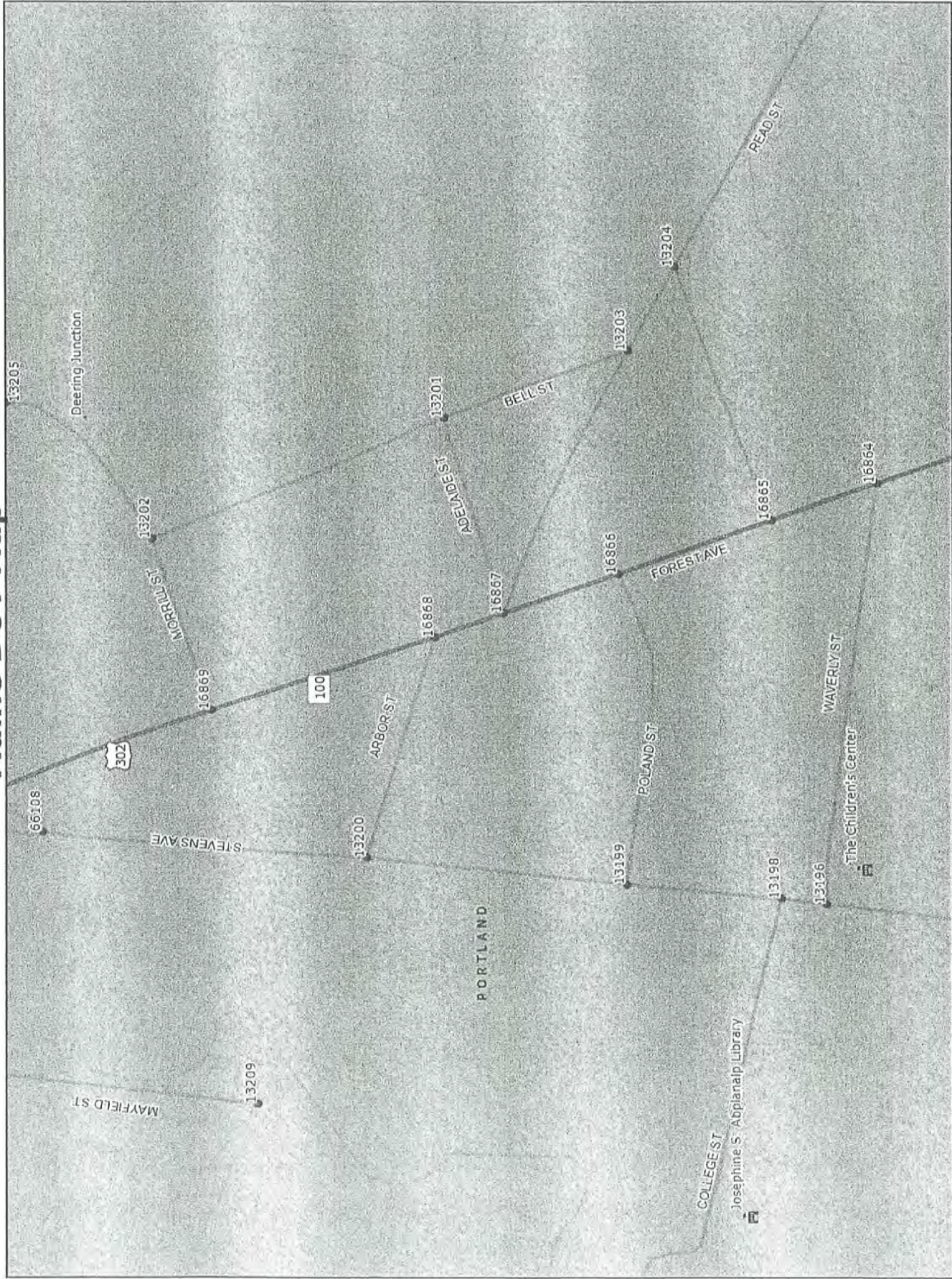
Unit: 1 Type: 5 - Pickup Veh. Travel Dir.: 4 - Westbound
 Most Damaged Area: Most Harmful Event: 10 - Pedalcycle
 Pre-Crash Actions: 5 - Making right turn Contrib Circ. - Vehicle: 1 - None
 Seq. Events 1: 18 - Pedalcycle Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: 1 - Not Distracted Cond. at Time Crash: 1 - Apparently Normal
 Driver Action 1: 1 - No Contributing Action Driver Action 2:

Person Type	Age	Sex	Injury Degree
1 - Driver	24	1 - Male	5 - No Injury

Unit: 50 Type: 23 - Bicyclist Veh. Travel Dir.:
 Most Damaged Area: Most Harmful Event:
 Pre-Crash Actions: Contrib Circ. - Vehicle:
 Seq. Events 1: Seq. Events 2:
 Seq. Events 3: Seq. Events 4:
 Driver Distracted By: Cond. at Time Crash:
 Driver Action 1: Driver Action 2:

Person Type	Age	Sex	Injury Degree
7 - Bicycle	15	1 - Male	4 - Possible Injury

Maine DOT Map



General Roads

-  Interstate
-  US Routes
-  State Routes
-  Public Roads

Nodes



MaineDOT Regions



State Urban



Water Bodies



Boundary Lines

-  coastline
-  county
-  state
-  town

Wetlands

Conserved Lands



EXHIBIT 9

CONFORMANCE WITH CITY

Conformance with Comprehensive Plan

The proposed expansion, density and target market support the goals set-forth in the City's Comprehensive Plan "Portland's Goals and Policies for the Future". The proposed expansion of The Park Danforth provides for the density and mix of housing opportunities identified in the following sections of the Comprehensive plan. The Park Danforth campus will provide for a strong transition between business community along Forest Avenue, with the residential community along Poland Street and the changing UNE campus along Stevens Avenue.

STATE GOAL A: To encourage orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services and preventing development sprawl;

I. HOUSING: SUSTAINING PORTLAND'S FUTURE – Nov. 18, 2002

Goal

Portland's Comprehensive Plan encourages a manageable level of growth that will sustain the city as a healthy urban center in which to live and work and to achieve a shared vision for Portland. Portland should encourage sustainable development patterns and opportunities within the city by promoting efficient land use, conservation of natural resources, and easy access to public transportation, services, and public amenities.

Policies

- Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services, and an affordable tax rate.
- Target Portland to achieve and maintain a 25% share of Cumberland County's population.
- Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines, and roads, exist or may be expanded at minimal costs.
- Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.
- Encourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical.
- Locate and design housing to reduce impacts on environmentally sensitive areas.
- Design housing to use new technologies and materials that reduce costs and increase energy efficiency.

The expansion of Park Danforth will provide the opportunity, for an aging population, a choice for residents of Portland and Greater Portland to remain in the city and have access to services, transportation and cultural activities. The property is in the heart of a diverse vibrant university

community that provides for life-long learning opportunities through adult education programs and UNE offerings. Shopping and services are within walking distance of the campus.

The proposed expansion will incorporate new building technologies and sustainability.

III. A TIME OF CHANGE: PORTLAND TRANSPORTATION PLAN - July 1993

Transportation Plan Guiding Principle

Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.

Land Use and Transportation Link

Link the transportation plan with land use planning policies in the City and region to guide decision-making for development and infrastructure investment.

- Ensure that future growth does not foster auto dependency.

Transportation Policies

- Vibrant neighborhoods include nearby, small-scale commercial areas that provide both convenient service and natural meeting places. Provide routine, daily services within walking distance of residents of all neighborhoods, as long as the businesses providing the services are small-scale, are designed compatibly with residences, and fit into the fabric of the neighborhood.
- Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.

Public transportation is available along Stevens and Forest Avenue with bus stop locations on both street frontages. The property is within walking distance of neighborhood services.

STATE GOAL D. To encourage and promote affordable, decent housing opportunities for all Maine citizens:

I. HOUSING: SUSTAINING PORTLAND'S FUTURE- Nov.18, 2002

Goal

Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.

Policies

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied, including but not limited to the following:
 - Affordable housing, including starter homes;
 - Housing units for decreasing household size, such as young professionals, empty nesters, single-parent households, and senior citizens;

- Housing for special markets, such as SRO's, student or dormitory housing, group homes, and artist housing including live/work opportunities;
- Higher density housing, such as row houses, small lots, reuse of nonresidential buildings, and mixed use buildings;
- Housing development that encourages community, such as co-op housing;
- Housing with a range of services and medical support for the elderly and special needs population, including assisted living, congregate care, group homes and nursing homes; and
- A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.
- Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.
- Increase home ownership opportunities for all types of households and all income levels.
- Ensure that a continuum of housing is available for people with special needs and circumstances ranging from emergency shelters and transitional housing to permanent housing (rental and homeownership), which offer appropriate supportive services.
- Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.

The Park Danforth will provide a higher density of development and address a growing sector of population, providing for a much needed rental housing for the elderly.

Goal

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.

Policies

- While accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses.
- Support Portland's livable neighborhoods by encouraging a mix of uses that provide goods and services needed and are within walking distance of most residents.
- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
- Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.

- Ensure the integrity and economic value of Portland's neighborhoods.
- Encourage Portland's neighborhoods to address the City's housing issues through the Neighborhood Based Planning Process.
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.

The Park Danforth provides an opportunity for affordable market rate elderly as well as subsidized (Section 8 HUD) housing for the aging population. A range of services provided supports the diverse needs of the aging elder population as needs increase, providing the opportunity for individuals to remain independent.

Campus improvements will enhance the character of the residential and university neighborhood providing street presence, incorporating green space and improved circulation.

To provide for the demand and growth of an aging population and maintain the sustainability of the Park Danforth Mission, the proposed master plan incorporates an expansion to include 46 elderly independent living housing units. The opportunity provided by controlling the majority of a city block, creates a campus that has a street presence along all frontages. The goal is to provide an opportunity for an active-wellness based community that provides for social interaction, functional outdoor green spaces, and addresses' security for a wide range of elderly skill levels.

EXHIBIT 10

PUBLIC UTILITIES

The Park Danforth expansion will be served by existing utility services located in Forest Avenue and Arbor Street. The following public utilities are available:

Water

Water for both fire suppression and domestic service will be supplied from an existing 12 inch water main located in Arbor Street. Proposed service connections include 4 inch domestic service and 8 inch fire service. Refer to the attached letter from the Portland Water District.

Sanitary Sewer

Sanitary sewer will be supplied from an existing 10 inch public sewer main located in Arbor Street. Proposed service connection will be a 6 inch line located within the same area as the existing service. A Wastewater Capacity Application has been filed with this Site Plan Application.

Natural Gas

Natural gas will be supplied from an existing 4 inch gas line located in Arbor Street. A 4 inch service will connect to the building. Refer to the attached letter from Unitil.

Electric

The existing service connects to The Park Danforth from a utility pole located on Forest Avenue. A new utility pole, required to accommodate the number of riser conduits for electric, telephone, and cable, will be set on-site. This connection will be maintained and the existing Park Danforth transformer will be upgraded and relocated adjacent to new expansion to accommodate the increased service. Refer to the attached letter from Central Maine Power.

Telephone and Cable TV

Telephone and cable TV will be connected along the same route as the proposed electric service.



10/1/2014

Sashie Misner
Maine Licensed Landscape Architect
Mitchell & Associates
70 Center Street, Portland, ME 04101
phone: 207-774-4427
Sent via email to: smisner@mittchellassociates.biz

RE: Ability to Serve Letter for Park Danforth expansion in Portland

Dear Ms. Misner:

CMP has the ability to serve the proposed Park Danforth expansion project located at 777 Stevens Avenue in Portland, Maine, in accordance with our CMP Handbook (web link below). We can provide you the desired pad or pole mounted transformers per your request and city approval, in accordance with our CMP Standards Handbook. Final layouts and locations will be determined after field visits. If you have any questions on the process, or need help in completion of the documents, please feel free to contact me.

New Service Milestones

- Call 1-800-565-3181 to establish a new account and an SAP work order. A new account may not be needed at this site.
- Submit any electronic drawings (PDF (preferred) or DWG files) of the site layout and proposed electrical connections if you have them.
- Submit Load information. Please complete this CMP spreadsheet using load information
- Submit the easement information worksheet. Please complete this CMP form and either email or fax back to us.
- Preliminary meetings with CMP to determine the details of job
- Field planner design appointment to cost out job and develop CMP Invoice.
- Submit invoice for payment.
- Easements signed and payment received.
- Job scheduled for completion after the electrical inspection has been received.

This process can take several months, depending upon several factors including transformer delivery, potential substation upgrades, return of completed paperwork, and other jobs in the system that may be ahead of yours. In addition, contact with the other utilities, including telephone and cable, should be commenced as soon as practical. They may have additional work or charges in addition to the CMP work required to bring your project on line.

162 Canco Road Portland, ME 04103
Tel (800) 750-4000
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

www.cmpco.com



An equal opportunity employer



For your convenience, here is a link to the CMP Website which contains our Handbook with details on most service requirements:

CMP Handbook of Standard Requirements

(<http://www.cmpco.com/MediaLibrary/3/6/Content%20Management/YourAccount/PDFs%20and%20Docs/handbook.pdf>)

If you have any questions, please contact me.

Regards,

Jamie Cough
Energy Services Advisor
Central Maine Power Company
162 Canco Road
Portland, ME 04103
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

162 Canco Road Portland, ME 04103
Tel (800) 750-4000
207-842-2367 office
207-458-0382 cell
207-626-4082 fax

www.cmpco.com



An equal opportunity employer



October 8, 2014

Sashie Misner
Mitchell & Associates
70 Center St.
Portland, ME 04101

Re: 22 Arbor St., Portland

Dear Sashie Misner,

Thank you for your interest in using natural gas for the above referenced project.

Unitil has natural gas in the vicinity of this project to provide service. I have submitted and received approval from gas engineering as shown below:

"Gas Engineering has approved a new load of up to 3000 scfh on a new 100 foot 4" IPS HDPE LP commercial service supplied by the existing 4" CI LP main on Arbor Street in Portland, ME. As with other commercial customers with similar load profiles, Gas Engineering requires a curb valve/box with the service installation. Gas Engineering has approved a 3M meter"

In order to complete our design, determine the costs to service and to determine if any customer contribution will be needed prior to being able to move to contract we will need the following:

1. BTU's of the gas load
2. The pressure required from our meter
3. A site plan showing the gas service coming to the building.

If you have any further questions or require additional information, please contact me directly at (207) 541-2543 or at carpenters@unitil.com.

Sincerely,

Scott Carpenter
Business Development Representative
Unitil Corporation
(o) 207-541-2543 (f) 207-541-2593

ME GAS CUSTOMER ENERGY SOLUTIONS
1075 Forest Avenue
Portland, ME 04103-3586

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: 10.1.14

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

Site Address: 777 Stevens Avenue,
Portland

(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Chart Block Lot Number: 146-C-5,6,7,8,9,
10,11,12,13,14

Proposed Use: 54 independent living apartment units
Previous Use: Multi lots: 2 Single & 1 multi-family
residences & 1 commercial building
Existing Sanitary Flows: 715.5 GPD
Existing Process Flows: 0GPD
Description and location of City sewer, at proposed building
sewer lateral connection:
10" sewer along Arbor Street

Site Category

Commercial
Industrial (complete part 4 below)
Governmental
Residential
Other (specify)

x

Clearly, indicate the proposed connection, on the submitted plans.

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 3240 GPD

Peaking Factor/ Peak Times: Peak flow 150-175 GPM (at meal times, three times per day. Estimated based on use group)

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, X Other (specify) **Maine Subsurface Wastewater Disposal Rules, Section 4.E.2**

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

3. Please, Submit Contact Information.

Owner/Developer Name: The Park Danforth/ Denise Vachon
Owner/Developer Address: 777 Stevens Avenue, Portland ME
Phone: 797-7710 Fax: E-mail: vachond@parkdanforth.com
Engineering Consultant Name: Mitchell & Associates, Sashie Misner/ Bob Metcalf
Engineering Consultant Address: 70 Center Street, Portland
Phone: 207.774.4427 Fax: 207.874.2460 E-mail: smisner@mitchellassociates.biz
City Planner's Name: xxx Phone:

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

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 3240 GPD

Do you currently hold Federal or State discharge permits?

Yes No

Is the process wastewater termed categorical under CFR 40?

Yes No

OSHA Standard Industrial Code (SIC):

(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times:

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:

PROPOSED NEW USAGE: 54 UNITS X 60 GPD = 3,240 GPD

FORMER TENANTS /PREVIOUS USAGE CALCULATIONS:

748 STEVENS AVENUE(26 ARBOR STREET):
CALCULATED AVG HCF/MONTH (PER 3 YEARS OF RECORDS)= 2.8 HCF/MONTH
DIVIDED BY DAYS (30)= 0.093 HCF/DAY X 748= **69.6 GPD**

24 ARBOR STREET:
AVG MONTHLY USAGE= 4.5 HCF DIVIDED BY DAYS (30) = .15 HCF/ DAY X 748= **112.2 GPD**

20 ARBOR STREET:
AVG MONTHLY USAGE= 13.13 HCF DIVIDED BY DAYS (30)= .437 HCF/DAY X 748= **327.5 GPD**

GOODWILL INDUSTRIES:
BUILDING 1: READING DATED 8/5/14 **152 HCF**- READING 8/2/13 **154 HCF**= 2 HCF/ YEAR X 748= **2992 GPY** DIVIDED BY 365= **8.2 GPD**

STORE: READING DATED 8/5/14 **513 HCF**- READING DATED 8/2/13 **417 HCF**= 96 HCF/YEAR X 748= 71,808 GPY
DIVIDED BY 365 DAYS= **198 GPD**

PREVIOUS USAGE: 69.6 GPD + 112.2 GPD+ 327.5 GPD + 8.2 GPD + 198 GPD= 715.50 GPD
PROPOSED USAGE: 3,240.00GPD
NET INCREASE= 2,524.50 GPD

EXHIBIT 11

SOLID WASTE DISPOSAL

The Park Danforth will contract with a private hauler for removal of solid waste generated within the building. A waste management room is located on the first floor of the building and accessible from an exterior door along the east side of the building. Currently all trash is accommodated for in exterior dumpsters. The Park Danforth is currently exploring options to eliminate external dumpsters and evaluating the use of a compactor unit. Additional information will be provided, including volume of waste stream and recycling.

SNOW REMOVAL

Snow storage area is limited on-site for current and proposed improvements. The applicant intends to contract for snow removal for large storm events exceeding 3 inch events, or as needed. There is limited landscape/grass areas along the perimeter of the property where snow storage can be accommodated. Due to the age of the population of The Park Danforth snow removal and maintaining safe access and walking conditions have high priority.



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



A separate drawing[s] shall be provided as part of the site plan application 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 or more structures shall be required to be sprinkled in compliance with NFPA 13D. (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.

3.	Joan Eagleson, Lavalée Brensinger Architects 155 Dow St, Manchester, NH 03101 (603) 622-5450
4. + 5.	IBC Type: I-B NFPA Type": II(222)
6.	Garage: 16,817 GSF Level 1: 14,975 + 3,848 Connector + 2,954 Auditorium GSF Level 2: 14,619 GSF Level 3: 14,619 GSF Level 4: 14,619 GSF Level 5: 11,785 GSF Total: 94,236 GSF
10.	8" water main
12.	See attached code summary

Some structures may require Fire flows using annex H of NFPA 1

Client: The Park Danforth

Structural Engineer: Becker Structural Engineers

FP / Plumbing / Mechanical Engineer: Allied Engineering

Electrical Engineer: Allied Engineering

Civil Engineer: Mitchell & Associates

Geotechnical Engineer:

Project Category(s):

Project Category	IBC 2009	NFPA 101 & 1 2009	IEBC 2009
New Construction	IBC applies with Amendments.	101: Chapters 1 thru 11 and new occupancy chapters as applicable. 1: All chapters as applicable.	
Major Rehab Modification Reconstruction	IBC applies as referenced in the IEBC with Amendments.	101: Chapter 43 applies. 1: Applies	IEBC applies.
Additions	IBC applies to new construction & 3403.1 height & area with Amendments.	101: Chapters 1 thru 11 and new occupancy chapters as applicable. Chapter 43.8 applies 1: Applies.	IEBC applies.
Change of Use Renovations	IBC applies as referenced in the IEBC with Amendments.	101: Chapter 43 applies. Existing Occupancy chapters apply to portions not being altered. 1: Applies	IEBC applies.

Existing Uses Assembly (A-2 & A-3), Institutional (I-1), Business (B), Storage (S-1)

Proposed Uses

Assembly: A-1 Theatre / A-2 Restaurant / A-3 Auditorium / A-3 Gym (Health & Wellness)

Business: B Professional – Administrative

Institutional: I-1 Residential Care/Assisted Living

Storage: S-1 Moderate Hazard / S-2 Low Hazard

Sprinkler System

Existing YES Proposed YES

Existing Compartmentation

Existing Fire Walls? NONE KNOWN

Existing Fire Barriers?

- Corridors: 1 hr.
- 1983 Building, 7 Story: 1 hr tenant demising walls.
- 1997 Building, 3 Story: 2 hr tenant demising walls.
- Shafts: 2 hr.

Existing Construction Type: IBC Type: I-B NFPA Type: II(222)

Existing Building Height

Existing Ht: 62 feet 10 inches Existing # of Stories: 7

Existing Building Area: 30,679 SF (roof coverage less courtyards)

Ex Floor Level 1: 30,679 SF

Ex Floor Level 2 & 3: 27,453 SF

Ex Floor Level 4 thru 7: 13,640 SF

Ex Total Building Area: 140,145 SF (sum of all floor plates)

Proposed Existing Building Work Areas

Floor Level 1 Work Area: 14,725 SF

Floor Level 2-7 Work Area: NO WORK.

Applicable Codes

Building Code: Maine Uniform Building & Energy Code:

IBC, 2009 Chapters 1-10; 12-27; 31-35 w/ amendments.

(Chapters on Accessibility, Mech, Plumbing, Elevator excluded)

Existing Building Code: IEBC 2009 w/ Maine amendments

Mechanical Code: IMC, 2009

Plumbing Code: Uniform Plumbing Code, 2009

Energy Code: IECC, 2009 w/ Maine amendments

Electrical Code: NEC – NFPA 80, 2011

Life Safety Code: NFPA 101, 2009

Fire Code: NFPA 1, 2009

Accessibility Standard: Maine Statue 5 MRS; 4594-G; ADAAG, 2010

Elevator Code: Maine Title 32 MRSA Chapter 133; ASME A17.1, 2007.

Code Analysis Issues for Resolution with AHJ:

- Review/confirm building construction type IB. Based on available construction documentation. Portions of Roof construction shown as bar joist framing with metal decking does not look to be rated per available documentation - not compliant with IBC Table 601 (1 hr required for Type IB typically).

FOR ALL PROJECTS:**Occupancy Classification & Occupancy Loads**

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 1: First Floor (EXISTING)							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total persons	
Resident Units	Residential	I-1	-	11,685 gross	200 gross	60	
Private Dining	Assembly	I-1	-	543 net	15 net	37	IBC 303.1 Exc 2
Dining waiting	Assembly	I-1	-	95 net	15 net	7	IBC 303.1 Exc 2
Main Lobby Lounge	Assembly	I-1	-	714 net	15 net	48	IBC 303.1 Exc 2
Boiler Room	Mechanical	I-1	S-1	459 gross	300 gross	2	IBC 508.2
Electrical Closet	Mechanical	I-1	S-1	35 gross	300 gross	1	IBC 508.2
Main Mechanical	Mechanical	I-1	S-1	1217 gross	300 gross	5	IBC 508.2
Laundry Room	Equipment	I-1	S-1	400 gross	300 gross	2	IBC 508.2
Garage/Maintenance	Storage	I-1	S-1	755 gross	300 gross	3	IBC 508.2
Staff Lounge	Assembly	B	-	245 gross	15 net	17	
Receptionist	Office	B	-	191 gross	100 gross	2	
Office Suite # 1	Office	B	-	1,546 gross	100 gross	16	
Office Suite # 2	Office	B	-	943 gross	100 gross	10	
Auditorium	Assembly	A-1	-	1,202	15 net	81	
Kitchen Suite	Kitchen	A-2	-	2,081	200 gross	11	
Main Dining	Assembly	A-2	-	2,355 net	15 net	157	
Activity/Multi-Purpose	Assembly	A-3	-	940 net	15 net	63	
TOTAL OCCUPANCY						522	

NOTE: THE FOLLOWING OCCUPANT LOAD CALCULATION HAS BEEN DERIVED UTILIZING THE OCTOBER 13, 2014 SCHEMATIC FLOOR PLAN SET. CURRENT FLOOR PLAN AREAS MAY FLUXUATE DURING THE DEVELOPMENT OF DESIGN. TO BE REVISED THROUGHOUT THE DEVELOPMENT OF THE PROJECT.

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS BUILDING 1: First Floor (Proposed with Additions) IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total persons	
Resident Units	Residential	I-1	-	11,685 gross	200 gross	60	
Private Dining	Assembly	I-1	-	543 net	15 net	37	IBC 303.1 Exc 2
Dining waiting	Assembly	I-1	-	95 net	15 net	7	IBC 303.1 Exc 2
Main Lobby Lounge	Assembly	I-1	-	714 net	15 net	48	IBC 303.1 Exc 2
Boiler Room	Mechanical	I-1	S-1	459 gross	300 gross	2	IBC 508.2
Electrical Closet	Mechanical	I-1	S-1	35 gross	300 gross	1	IBC 508.2
Main Mechanical	Mechanical	I-1	S-1	1217 gross	300 gross	5	IBC 508.2
Laundry Room	Equipment	I-1	S-1	400 gross	300 gross	2	IBC 508.2
Garage/Maintenance	Storage	I-1	S-1	755 gross	300 gross	3	IBC 508.2
Administrative Area	Business	B	-	811 gross	100 gross	9	
Administrative Conference	Assembly	B	-	137 net	15 net	9	
Ice Cream	Assembly	I-1	-	93 net	15 net	7	IBC 303.1 Exc 2
Bistro/Dining	Assembly	A-2	-	1537 net	15 net	103	
Kitchen Suite - Bistro	Kitchen	A-2	-	588 gross	200 gross	3	
Store	Mercantile	I-1	-	270 gross	60 gross	5	IBC 508.2
Wellness Center	Exercise	I-1	-	901 gross	50 gross	19	
Salon	Business	I-1	-	406 gross	100 gross	5	
Movie Room	Assembly	A-1	-	459 net	7 net	66	
Entry/Lounge	Assembly	I-1	-	376 net	15 net	25	IBC 303.1 Exc 2
Music Room	Assembly	A-1	-	632 net	7 net	91	
Break Room	Assembly	I-1	-	360 net	15 net	24	IBC 303.1 Exc 2
Kitchen Suite	Kitchen	A-2	-	2,081 gross	200 gross	11	
Main Dining	Assembly	A-2	-	2,355 net	15 net	157	
Activity/Multi-Purpose	Assembly	A-3	-	940 net	15 net	63	
Activity/Multi-Purpose	Assembly	A-3	-	458 net	15 net	31	Activity/Multi-Purpose
Auditorium	Assembly	A-1	-	1940 net	7 net	277	
Stage	Stage	A-3	-	946 net	15 net	64	
TOTAL OCCUPANCY						1,134	

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 2: Basement (Proposed)							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total person s	
Mechanical Room(S)	Mechanical	S-1	-	3,468	300 gross	12	
Parking Garage	Parking	S-2	-	13,764	200 gross	69	
TOTAL OCCUPANCY						81	

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 2: First Floor							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total person s	
Resident Units	Residential	I-1	-	11,094 gross	200 gross	56	
Board Room	Assembly	I-1	-	658 net	15 net	44	IBC 303.1 Exc 2
Administrative Area	Business	I-1	B	2504 gross	100 gross	26	IBC 508.2
Conference Room	Assembly	I-1	-	187	15 net	13	IBC 303.1 Exc 2
Activity Area	Assembly	I-1	-	533	15 net	36	IBC 303.1 Exc 2
TOTAL OCCUPANCY						175	

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 2: Second Floor							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total person s	
Resident Units	Residential	I-1	-	14,281 gross	200 gross	72	
Activity Area	Assembly	I-1	-	338 net	15 net	23	IBC 303.1 Exc 2
TOTAL OCCUPANCY						95	

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 2: Third & Fourth Floor							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total person s	
Resident Units	Residential	I-1	-	14,101 gross	200 gross	71	
Activity Area	Assembly	I-1	-	518 net	15 net	35	IBC 303.1 Exc 2
TOTAL OCCUPANCY						106	Each floor level.

OCCUPANCY CLASSIFICATION AND OCCUPANCY LOADS							
BUILDING 2: Fifth Floor							
IBC 1004 & NFPA 101 Table 7.3.1.2							
Room Name	Functional Use	Classification		Room Area (gross or net as noted)	Occupant Load		Notes
		Occupancy Group	Incidental Accessory Occupancy		Factor 1 Person/X sf Gr or net noted	Total person s	
Resident Units	Residential	I-1	-	7,770 gross	200 gross	39	
Activity Area	Assembly	I-1	-	231 net	15 net	16	IBC 303.1 Exc 2
Roof Garden 1	Assembly	A-3	-	938 net	15 net	63	
Roof Garden 2	Assembly	A-3	-	1,289 net	15 net	86	
Community Room	Assembly	A-3	-	1,320 net	15 net	88	
TOTAL OCCUPANCY						292	

FOR EXISTING BUILDINGS:**NFPA 101 – Chapter 43 Building Rehabilitation**

43.1.1 Work Categories: See 43.2.2 for definitions

Repair: Existing use chapters apply & 43.3

Renovation: Existing use chapters apply & 43.4

Modification: Existing use chapters apply, 43.4 and 43.5 and new use chapters for newly constructed elements.

Change of use or occupancy classification: Comply with 43.7

Addition: Comply with 43.8, existing use chapters for exist bldg and new use chapters for the addition.

43.1.3 Multiple work categories may be applied to different areas of the same project.

Renovation

43.4.1.3 All new work shall comply with applicable existing use chapters. (superseded by 43.5.1.3)

43.4.1.4 Work shall not make the building less conforming with other sections of the code.

43.4.1.5 Minor reductions in width due to door or window replacement shall be permitted, unless prohibited.

43.4.2 Capacity of means of egress per 7.3 shall be sufficient for load unless AHJ permits load based on capacity of egress or if capacity was previously approved.

43.4.3 Interior Finish: new finishes shall meet new construction requirements.

43.4.4 Reconfiguration of systems shall comply with 43.5

Modification

43.4.1.3 All new work shall comply with applicable existing use chapters. (superseded by 43.5.1.3)

43.4.1.4 Work shall not make the building less conforming with other sections of the code.

43.4.1.5 Minor reductions in width due to door or window replacement shall be permitted, unless prohibited.

43.4.2 Capacity of means of egress per 7.3 shall be sufficient for load unless AHJ permits load based on capacity of egress or if capacity was previously approved.

43.4.3 Interior Finish: new finishes shall meet new construction requirements.

43.4.4 Reconfiguration of systems shall comply with 43.5

43.5.1.3 Newly constructed elements, components, and systems shall comply with requirements of other sections of code for **new** construction.

43.5.2 See definition and requirements for Extensive Modifications.

Change of Use

43.7.1.1 Change of use that does not change occupancy classification or increase hazard meet applicable existing occupancy chapter.

43.7.1.2 Change of use that does not change occupancy classification but increases hazard meet applicable new occupancy chapter.

43.7.1.3 Repair, renovation, modification, or reconstruction with a change of use that does not change occupancy classification to meet 43.3, 43.4, 43.5 and 43.6.

43.7.2.1 Change of use & Occupancy Classification within same or lesser hazard class (Table 43.7.3), meet applicable existing occupancy chapters and sprinkler, detection, alarm system requirements of the applicable new occupancy chapters.

43.7.2.2 Change of use & Occupancy Classification to higher hazard class, meet applicable new occupancy chapters.

Additions

43.8.1.1 Addition shall comply with applicable new occupancy chapters and existing bldg. shall comply with applicable existing occupancy chapters.

43.8.1.2 Addition shall not create or extend any non-conformance regarding fire safety or means of egress.

43.8.2 No addition shall increase existing bldg. height beyond permitted for new.

43.8.3 Existing areas without sprinklers that are not separated from additions have to be sprinkled, if combined area has requirement for sprinklers under new occupancy chapter.

IEBC Compliance Method:

Work Area Compliance and Level 2 (Chapters 4 to 12)

IEBC – WORK AREA - ALTERATION LEVEL 2

Chapter 4 Classification of Work: Level 2 – Reconfiguration of space: See chapters 6 & 7.

Chapter 6:

New work shall meet new construction requirements of IBC, IECC, IMC, IPC.

Alterations shall protect and maintain the level of protection provided at means of egress.

Toilet rooms being altered shall be accessible to max extent possible.

Structural Alterations (606). Alterations comply with IECC, the entire building does not have to comply.

Chapter 7:

New work shall meet new construction requirements of IBC, IECC, IMC, IPC.

Existing vertical openings shall be not less than 1 hour rated.

See 704 for sprinkler system requirements.

See 707 for Structural alterations.

See 708 for Electrical alterations.

See 709 for Mechanical alterations.

See 710 for Plumbing alterations

See 711 for Energy Conservation alterations.

IEBC – WORK AREA - CHANGE OF USE

Chapter 9 Change of Use

901.3 Change of occupancy: provisions of 902 thru 912 apply.

902 - Not applicable

903 - 912 materials apply

904 - 912 fire protection applies

905 - 912 means of egress applies

906 - 912 accessibility applies; comply with 605, 706. and at least 1 accessible building entrance, at least one

- accessible route from entrance to primary function area, compliant signage, accessible parking, 1 passenger loading zone. Make accessible unless technically infeasible.
- 907 - Structural:
IBC 1604.5 Occupancy Category: Proposed Category II; Previous Use: II (I-1 Occupancy). Therefore thought of as "Standard Occupancy" building as evidenced by importance factors for earthquake, snow and wind that are all equal to 1.
- 908 - Electrical (Electrical system in work area is being replaced compliance with NEC)
- 909 - Mechanical (Mechanical system in work area is being replaced compliance with IMC)
- 910 - Plumbing (Plumbing system in work area is being replaced, compliance with IPC)
- 911 - Other Requirements: Light and ventilation shall comply with IBC for the new occupancy.
- 912 - Change of Occupancy Classification
New Occupancies Not Separated: If changed occupancies are not separated from existing unchanged occupancies, then Chapter 8 requirements shall apply to whole building for most restrictive occupancy. All alterations shall conform to the Int Energy Conservation Code.
Fire protection per 912.2: (Entire building will be sprinkled with fire alarm and detection systems)
Interior finish per 912.3: Finishes to comply with new construction requirements for each use.
- 912 - Hazard Class: Per Table 912.4, 5, 6:
Egress Hazard Category: Pre-existing: 3. Proposed B & S-1: 4; A & I-1: 3. Category is equal or of a lesser hazard, therefore means of egress doesn't have to comply with IBC, except for stair enclosure, handrails.
Heights and Areas Hazard Category: Pre-existing: 2 Proposed A & I: 2; B: 4 S-1: 3. Use is generally equal or of less hazardous, with assembly areas being of equal hazard. Therefore, per 912.5.2, height and area of existing building shall be deemed acceptable.
Exposure of exterior walls hazard Category: Pre-existing: 3 Proposed A, B: 3 S-1: 2. (S-1 considered an Incidental Accessory to the main Use) When equal hazard category, existing walls and openings are acceptable.
- 912.7 Enclosure of vertical shafts: per 912.7.1
Stairs: No higher hazard category, so no change in existing shaft protection is required.
Other shafts (Existing): 1 hour opening protection. Any new shafts shall meet IBC.

IEBC – WORK AREA - ADDITIONS

- Chapter 4 Classification of Work: Addition: See Chapter 10.
Chapter 10: Addition shall comply with building code for new construction. Impact on existing building shall conform to this chapter.
- 1001 Addition shall not create or extend any nonconformity of the existing building.
- 1002 Height and Area: Height and area limits in IBC apply to existing and addition.
Fire wall shall separate if nonconforming condition is created.
Increased fire areas must conform to IBC Chapter 9.
- 1003 Structural: Additional loads on existing structural members.
- 1005 Accessibility: Additions shall be accessible per building code.

FOR NEW BUILDINGS & ADDITIONS:

BUILDING HEIGHT - AREA & CONSTRUCTION TYPE ANALYSIS

Existing Building Size

Existing Gross Building Area: 30,679 SF (Roof plan less any open courtyards)
Existing Gross Floor Areas:
Ex Floor Level 1: 30,679 SF
Ex Floor Level 2 & 3: 27,453 SF
Ex Floor Level 4 thru 7: 13,640 SF
Ex Total Building Area: 140,145 SF (sum of all floor plates)

Proposed Building Size (before any firewalls or fire areas are established)

Gross Building Area: 22,538 SF (New Addition roof plan less any open courtyards)

Gross Floor Areas:

Garage Level:	17,232 SF (New addition – detached from existing)
Floor Level 1:	53,217 SF (Total existing and additions)
Floor Level 2, 3 & 4:	14,619 SF ea. (New addition – detached from existing)
Floor Level 5:	9,351 SF (New addition – detached from existing)
Total Building Area:	233,123 SF (sum of all floor plates, Existing and New Addition)

Proposed Compartmented Building Size: (Considering Fire Walls)

Building 1 (Original plus Additions): 147,707 SF (First floor portion: 38,241 SF)

Building 2 (New Addition): 85,416 SF (First floor portion: 14,976 SF)

Existing Height & Stories

Ex Building Height above 1st Floor: 64 feet 10 inches

Ex Grade Plane: 0 feet 0 inch (above / below 1st floor)

Ex Height above Grade Plane: 64 feet 10 inches

Is lowest level a Basement or a Story? Story

Ex Number of Stories: 7 stories.

Note: Existing Tower occupied floor is less than 75' above finish grade therefore the building is NOT defined as a High Rise per Section 202 IBC and 3.3.32.7 NFPA 101.

Proposed Height & Stories (New Addition)

Proposed Building Height above 1st Floor: 59 feet 0 inches

Proposed Grade Plane: 1 feet 6 inches (below 1st floor)

Proposed Building Height above Grade Plane: 60 feet 6 inches

Is lowest level a Basement or Story? Basement (Garage/Mechanical)

Proposed Number of Stories: 5

Basement (IBC 502, NFPA 101 3.3.28)

First Story Above Grade Plane (NFPA 101 3.3.115.1): entirely above grade plane, or if story above is more than 6' above grade plane or if story above is more than 12' above finished ground level at any point.

Penthouse (IBC 1509)

NFPA Stories in Height (4.6.3)

Equipment Platforms (IBC 505.5, NFPA 101 4.6.3(3))

Existing Construction Type

IBC: Type I-B (IBC 602)

NFPA: Type II(222) (101 Table A.8.2.1.2)

Proposed Construction Type

IBC: Type I-B (IBC 602)

NFPA: Type II(222) (101 Table A.8.2.1.2)

NFPA Height & Area Analysis

New Assembly Table 12.1.6 Proposed Type Allowed for Bldg Ht? Yes

Ex Assembly Table 13.1.6 Ditto

New Lrg Bd Care Table 32.3.1.3 Ditto

Ex Lrg Bd Care Table 33.3.1.3 Ditto

Business No requirement

Storage No requirement

Note: Under IBC the Occupancy is Institutional (Healthcare), Under NFPA it is a Residential Board and Care Occupancy.

IBC Height & Area Analysis See table below.**Height Modification Factor** (IBC 504.2)

Height Increase for Fully Sprinkled: 1 story and 20 feet

Area Modification Factors (IBC 506)

Sprinkler Area Increase (506.3 For fully sprinkled building): 200% for multi-story bldgs.

Street Frontage Increase (506.2) Open area is at least 30' wide.

Proposed Building Perimeter (P): (perimeter of box that fits the floor plate)

Building 1: 1,268 feet

Building 2: 758 feet

Proposed Building Accessible Perimeter (F):

Building 1: 1,218 feet

Building 2: 703 feet

Width of public way or open space (W): 30 feet (See 506.2.1 for limitations)

[F/P - 0.25]W/30 =

= Building 1: 71 Frontage area increase

= Building 2: 67 Frontage area increase

Total Area Increase Factor

(Tabular 100%) + (Sprinkler 200%) + (Frontage factor 75%) =

= 371% (Building 1)

= 367% (Building 2)

IBC ALLOWABLE ADJUSTED BUILDING HEIGHT & AREA SUMMARY**Building 1 - Type I-B**

Bldg #	Use Group	Tabular HT		+ Sprinkler Increase		= Allowable Adjusted Height		Tabular Area 503	Area Increase Factor	Allowable Adjusted Area
		Stories	Ft	Stories	Ft	Stories	Ft			
	A-1	5	160	1	20	6	180	UL	371%	UL
	A-2	11	160	1	20	12	180	UL	371%	UL
	A-3	11	160	1	20	12	180	UL	371%	UL
	B	11	160	1	20	12	180	UL	371%	UL
	I-1	9	160	1	20	10	180	55,000	371%	204,050
	S-1	11	160	1	20	12	180	48,000	371%	178,080
	S-2	11	160	1	20	12	180	79,000	371%	293,090

IBC ALLOWABLE ADJUSTED BUILDING HEIGHT & AREA SUMMARY**Building 2 - Type I-B**

Bldg #	Use Group	Tabular HT		+ Sprinkler Increase		= Allowable Adjusted Height		Tabular Area 503	Area Increase Factor	Allowable Adjusted Area
		Stories	Ft	Stories	Ft	Stories	Ft			
	A-1	5	160	1	20	6	180	UL	367%	UL
	A-2	11	160	1	20	12	180	UL	367%	UL
	A-3	11	160	1	20	12	180	UL	367%	UL
	B	11	160	1	20	12	180	UL	367%	UL
	I-1	9	160	1	20	10	180	55,000	367%	201,850

	S-1	11	160	1	20	12	180	48,000	367%	176,160
	S-2	11	160	1	20	12	180	79,000	367%	289,930

Notes: (Include any NFPA Assembly limitations that govern over IBC)

MULTIPLE OCCUPANCY ANALYSIS (IBC 508 & NFPA101, 6.1.14)

Accessory Occupancy Analysis (IBC 508.2 only Maine excludes NFPA 101- 6.1.14.1.3)

Aggregate area of all accessory occupancies / floor $\leq$ 10% of floor

Aggregate area of all accessory occupancies $\leq$ 503 tabular areas

Accessory areas shall be occupancy classed with their use group

Height of each accessory area shall not exceed 503 tabular heights.

No separation required between main use group and accessory uses (see 3 exceptions)

Storage uses shall be considered accessory (separation per hazard requirements)

Assembly can be Accessory use in Maine

Incidental Accessory Occupancies (IBC 508.2.5)

Furnace Rooms >400,000 Btu per hr input

Boiler Room >15 psi & 10 HP

Laundry Room >100 SF

Waste & Linen Collection >100 SF

Fire Pump room in high rise

Multiple Separated and Multiple Mixed/Non-separated Occupancies (IBC 508.3 & NFPA 101 6.1.14)

Multiple Mixed/Non-separated Occupancies

Non-separated occupancies shall be individually classed except most restrictive Section 403, Chapter 9 requirements and per NFPA 101, construction type, egress and other safeguards, apply to all occupancies.

Storage uses are still subject to separation by NFPA per hazard requirements.

Multiple Occupancy Analysis Conclusion

Multiple Mixed/Non-separated Occupancies with Accessory Occupancy to the main use I-1.

FIRE RESISTIVE CONSTRUCTION REQUIREMENTS

Separation of Occupancies

Incidental Accessory Occupancies (IBC 508.2.5 & NFPA 101 32.3.3.2.2)

<u>Room or Area:</u>	<u>Fire Barrier Separation and/or Protection:</u>
Boiler Room >15 psi & 10 HP	1 hr
Physical plant maintenance Shop	1 hr
Laundry Room >100 SF	1 hr
Waste & Linen Collection	1 hr
Storage rooms >50 SF	Smoke Partition
Storage rooms >100 SF	1 hr
Trash collection rooms	1 hr
Fire Pump room in high rise	2 hr

Hazardous Area Protection (NFPA 101 8.7 and occupancy chapters)

8.7.1 Areas of greater hazard than normal to the general occupancy. Require 1 hr fire barrier, or sprinkler with smoke partition (some exceptions), or both depending on hazard.

8.7.2 If explosion hazard, then explosion venting system or explosion suppression system required.

Control Areas (IBC 414.2.4)

8.7.3 Flammable liquids and gases: Per NFPA 30, 54, 58.

NFPA 75 Information Technology Equipment Rooms (ITE): 1 hr rated in buildings of Type I-A, I-B, II-A OR single story Type II-B OR fully sprinkled any construction type. Class A finish or Class B w/ sprinkler.

Special Occupancy Requirements:

Parking Garages in other occupancies (IBC 509 & 101 Use Chapters)

Stages and Platforms (NFPA 101 12.4.5.2 and .3 / IBC 410)

Fire Compartments (NFPA 101 8.2.2) as required by occupancy chapters with fire barriers per 8.3.

Residential Board and Care: See Smoke Barriers below.

Business, Storage, Mercantile: none

Smoke Barriers (IBC 710 & 101 8.5)

As defined in NFPA smoke barriers can be fire rated or not, per occupancy chapter requirements.

Residential Board and Care: Minimum 2 per floor; not to exceed 22,500 SF; 1 hr rated. (NFPA 101 32.3.3.7)

Vertical Openings:

Shaft Enclosures (IBC 708, 101-8.6.4)

Shaft Enclosures: (IBC 707.4 & 101 8.6.4, 8.6.5).

Shaft connecting 4 or more levels: 2 hour

Shaft connecting 2 and 3 levels: 1 hour

Exit Enclosures (101 7.1.3.2):

Connecting 2 and 3 stories: 1 hour

Connecting 4 and more stories: 2 hours

Elevators shall not open to an exit enclosure (101 9.4.7)

Floors constructed to block passage of smoke (101 8.6.1)

Openings must be protected by fire barrier unless otherwise allowed (101 8.6.2)

Chutes: (101 9.5) Enclose with fire barrier.

Unprotected Floor Openings

IBC 708.2 exception 7 Allowed to connect 2 stories, if not part of means of egress system; can NOT be open to corridors in I occupancies; must be separated by rated assemblies from other floor openings.
NFPA IS MORE RESTRICTIVE.

Convenience Openings (101 -8.6.8.2)

Project Applications:

Connecting 2 stories is allowed if:

Separated from openings to other floors,

Separated from corridors by smoke partitions.

Not a means of egress.

NFPA Exit access stairs: 2 story unenclosed allowed for stage stairs in A

Corridor Enclosure Requirements:

12.3.6 Assembly: 0 hr w/ sprinklers

32.3.3.6.3 Residential Board and Care: ½ hr smoke partition at sleeping areas (Doors not required to be rated 32.3.3.6.4, exceptions for closers 32.3.3.6.5) (1 hr corridor rating per IBC Table 1018.1 – most stringent applies)

38.3.6 Business: 0 hr w/ sprinkler

40.3.6 Storage: no requirements

Construction Type (IBC Table 601 and NFPA A.8.2.1.2)

Construction Classification: IBC Type I-B NFPA Type II(222)

Building Element Fire Resistive Rating Requirements:

Primary Structural Frame: 2 hrs (1 hr supporting roof only)

Bearing walls, exterior: 2 hrs (1 hr supporting roof only)

Bearing walls, interior: 2 hrs (1 hr supporting roof only)

Nonbearing walls & partitions - exterior: 0 hrs

Nonbearing walls & partitions - interior: 0 hrs

Floor construction & secondary members: 2 hrs

Roof construction & secondary members: 1 hr

Exterior Wall Fire Rating based on Fire Separation Distance (IBC Table 602)

Review plan and layout of proposed Fire Wall.

Fire Rating for applicable Use Group: 1 hrs

Marking & Identification (IBC 703.7)

Permanently sign or stencil fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions per requirements.

Fire Rating of Structural Members (IBC 704)

Exterior Walls (IBC 705)

Review plan and layout of proposed Fire Wall.

Fire Walls (IBC 706)

Separate construction into separate buildings and structurally independent to allow collapse on either side.

706.4: Fire Wall Rating:

Construction Type I-1, Use Groups I to I: 3 hours.

Where fire wall forms less than 180 degrees to exterior wall intersection:

Option 1: Fire rate ext wall for 1 hour on min 4 feet each side of fire wall with $\frac{3}{4}$ hr opening protection.

Note NFPA 101 requires 10 feet when wall is a horizontal exit. This governs.

Option 2: Establish imaginary line between buildings and comply with 705.5 and .8.

See requirements for top terminations, stepped buildings

Fire Barriers (IBC 707 & 101- 7.2.4.3, 8.3)

Fire Barriers used for shafts, exit enclosures, separation of occupancies, exit passageways, atriums, control areas, fire areas, incidental accessory areas and horizontal exits.

Fire rating of structure supporting Fire Barriers shall match the Fire Barrier (IBC 707.5.1)

1 hr fire barriers can be supported by structure rated to construction type only, except for exit enclosures and when protecting vertical openings (101 – 8.2.3.3) (As a Type II (222) we generally have a 2 hr protected structure.)

Shaft Enclosures

Exit Stairs, Elevator Shafts, Shafts: 2 hours

Fire Partitions (IBC 709)

1 hour, separate dwelling units; corridor walls; elevator lobbies (elevator lobbies 708.14.1 Exception 5 may be smoke partition unless otherwise required. If used as an evacuation component see NFPA).

Smoke Partitions: (IBC 711 & 101- 8.4)

As defined by IBC smoke partitions resist smoke with no fire rating (unless specified in occupancy sections – NFPA sleeping area protection); continuous from floor to deck above to smoke resistant ceiling system.

Doors UL 1784 tested and self-closing where required by other sections. Joints & penetrations sealed.

Horizontal Assemblies (IBC 712)

Floor and roof assemblies shall not less than rating per construction type, for separation of occupancies, for separating fire areas, or for separating dwelling units and sleeping units.

2 hr Horizontal Assembly can be a Horizontal Exit.

Penetrations (IBC 713)**Joint Protection (IBC 714 & 101- 8.3.5, 8.3.6)****Opening Protectives (IBC 715 & 101- 8.3.3, 8.3.4)**

Fire Door and Window Ratings: See Table 715.4 & 101 Table 8.3.4.2)

Ducts (IBC 716 & 101- 8.5.5)**Concealed Spaces (IBC 717 & 101- 8.6.10)****Thermal & Sound Insulation (IBC 719)****Prescriptive Fire-Resistance (IBC 720)****Calculated Fire-Resistance (IBC 721)****Horizontal Exits (IBC 1025 & 101- 7.2.4)**

Separation may be a fire wall, fire separation assembly or horizontal assembly of at least 2 hours. (Note fire wall requires 3 hrs per Use Group – see above)

INTERIOR FINISHES – (IBC Chapter 8 & 101- Occupancy Chapters)

IBC & NFPA 101 FINISHES FIRE RATING CLASS REQUIREMENTS						
USE GROUP	SPRINKLED					
	EXITS	CORRIDORS	ROOMS			
A	A	B	B >300P C <300P			
M	B	B	B			
B	B	C	C			
I-1	A	B	B			
S	B	C	C			

Combustible materials in Type I and II (IBC 805)

EGRESS REQUIREMENTS (IBC Chpter 10 & NFPA 101 applies)**General (IBC 1003, 101- 7.1)**

Min ceiling height, Projections, Floor surface, Elevation change.

Occupant Load (IBC 1004 & 101- 7.3.1.2) See worksheet table on page 2.**Egress Width (IBC 1005 & 101 Table 7.3.3.1.)**

Stairs: 0.3" / person

Doors/Corridors/Ramps: 0.2 inches /person

Minimum Stair Width: 44" min. see exceptions at 1003.3.3.3

Minimum Corridor & Ramp Width: 44" min. see exceptions at 1018.2 & 101)

Minimum Door Width: 34" clear (for accessibility)

No one egress shall provide more than half the required load.

Door Swing: Into corridors cannot reduce required corridor width by more than half during any part of the swing. Doors in fully open position can only extend 7" into corridor width.

Exit Remoteness: Check distances. See Code Plan.

Minimum # Exits per Floor (IBC 1021.1 & NFPA 101-7.4, Occupancy Chapters)

1-500 occupant load: Min 2/story

501-1,000 occupant load: Min 3/story More than 1000 occupant load: Min 4/story

PROJECT EXIT REQUIREMENT (New Addition)							
Floor Level	Total Occupant Load	Min # Exits Per story For Load	Exit Requirements				
			Exit Load	Door min clr width	Stair min width	Exit components	Exit Capacity Provided
B	81	2	41 ea	34" ea (170 load)	44" ea (146 load)	Stairs, Exits	34" door 48" stair
1	175	2	See Plan	See Plan 34" min	NA	Exits	See Plan
2	95	2	48 ea	34" ea (170 load)	44" ea (146 load)	Stairs, Exits	34" door 48" stair
3	106	2	53 ea	34" ea (170 load)	44" ea (146 load)	Stairs, Exits	34" door 48" stair
4	106	2	53 ea	34" ea (170 load)	44" ea (146 load)	Stairs, Exits	34" door 48" stair
5	292	2	146ea	34" ea (170 load)	44" ea (146 load)	Stairs, Exits	34" door 48" stair

Exit Access / Arrangement (101-7.5)

Limitations on travel thru other rooms

Common Path of Travel (101- A7.6)

A: 20 ft and see seating aisle requirements

B, S: 100 ft w/ sprinkler (exception for < 30 occup load)

Board and Care: 125 ft 75 ft per occupancy chapter code discrepancy 32.3.2.5.2

Travel Distance Limit (IBC Table 1016.1 & 101- A7.6) sprinkled

A 250 ft

B 300 ft

S-1 400 ft

Board and Care: 325 ft 250 ft per occupancy chapter code discrepancy 32.3.2.6
Dead End (101- A7.6)
A 20 ft
B, S 50 ft
Board and Care: 30 ft
Spaces requiring 2 exit access (Board and Care): 2000 SF
Exit & Exit Access Doors (IBC 1015)
2 doors required for occupancy load of 50 or more. Occupant load > 10 in I or > 50 in A, B or > 29 in S.
Remoteness 1/3 diagonal distance if sprinkled.
Boiler room exit access (101- 7.12)
Common path 100' w/sprinkler. Stories with only mech spaces may have 1 egress if travel distance to exit meets common path.
Stage egress: Required from both sides.
Auditorium aisle egress: See NFPA 101 Chapter 12

Corridors (101 Occupancy Chapters)

Foyers, lobbies or reception rooms can intervene in corridor continuity.
Min Corridor Width: 5 ft Board and Care

Exit Discharge (101- 7.7.2)

Up to half of exits may discharge thru the level of exist discharge in sprinkled buildings.

Accessible Egress (IBC 1007.2.1 & 101- 7.5.4)

In general, 2 accessible means of egress required; comply with ANSI A117.1. Can be:
Stairs, Elevator, Platform Lifts, Horizontal Exits, Ramps or Area of Refuge.
At least one accessible exit must be within travel distance to area of refuge or an accessible exit.
NFPA: Accessible egress not required in healthcare occupancies if sprinkled.
Remoteness (101 - 7.5.4.2), except if sprinkled.

Accessible Elevators (IBC 1007.2.1 & 101-7.2.13, 9.4)

Required for accessible floor 4 or more stories above LED, except if fully sprinkled with a horizontal exit (2 hr fire barrier creating 2 compartments on the floor) or a ramp (1007.2.1).
Required with standby power and emergency operation and signaling per ASME A17.1.
Accessed from an area of refuge or a horizontal exit except if sprinkled.
See (101 9.4.1, 7.2.12.2.4)
Shaft shall be a smoke proof enclosure, except if sprinkled. (101 - 7.5.4.7)

Platform Lifts (IBC 1007.5)

Allowed only in specific locations per 1109.7, with standby power.
Can NOT be in an enclosed in a hoistway.

Accessible Stairs (IBC 1007.3)

Min 48" wide between handrails with a) floor landing area of refuge OR b) stair accessed from areas of refuge OR c) stair accessed from a horizontal exit. Width and area of refuge is excepted if fully sprinkled (still need a compartmented floor).
Tactile Signage: 1022.8 at 4 story & higher stairs

Areas of Refuge (IBC 1007 & 101- 7.2.12) (one way of providing accessible egress)

Travel distance from accessible space to Area of Refuge within allowable Max Travel Distance.
Areas of Refuge shall directly connect with an accessible stair or elevator.
Requirements for smokeproof enclosures – review.
Size of Area of Refuge: 1 wheelchair space per 200 occupants.
Enclosure: Smoke barrier or horizontal exit (2 hr).

Multi-story Sprinkled Business Example: Entire floor is area of refuge. Need one room for sheltering that is

smoke resisting (NFPA definition of area of refuge), 2 way communication required at elevator entrances.
No fire ratings required. No enlarge stair landing required. (Confirmed with call to NFPA) This is an example of 7.2.12.1.1.

Project Accessible Egress Elements: Elevator.

Doors (IBC 1008 & 101- 7.2.1)

Min Door Width:

36" (to provide 32" min clear for accessibility) (101- 7.2.1.2.3.2)

Hardware clearance requirements (101- 7.2.1.2)

Doors swing in direction of egress for 50 and more people or high hazard contents (101- 7.2.1.4.2)

Door encroachment in corridors – check outswing doors! (101- 7.2.1.4.3)

Special locking situations (101- 7.2.1.5).

Doors must be side hinged except power operated doors.

Floor level at both sides of doors, except at exterior doors, pad may pitch ¼"/foot.

Panic devices: Required on doors serving ≥50 in A Groups (1008 & 101- 7.2.1.7 & Use Chapt)

Special locking requirements – review as applicable

Horizontal sliding doors (101- 7.2.14)

Stairs (IBC 1009 & 101- 7.2.2)

Geometry – new & existing, construction

Alternating tread, spiral,

Access for Unoccupied Low-pitch Roofs:

101- 7.2.8.3.4: Ladder per 7.2.9 or alternating tread device 7.2.11

Stair required for bldgs. 4 story & more unless pitched roof. IBC 1009.13

Elevator equipment must be accessed by stairs (not ladders).

Stair Signage (101- 7.2.2.5.4)

Ramps (IBC 1010 & 101- 7.2.5)

Ramp geometry new & existing (101-7.2.5.2)

Exit Signs (IBC 1011 & 101- 7.10)

Lighted exit signs at exits, exit access doors (except rooms with 1 door), doors in path of exit, 100 ft intervals.

Tactile exit sign required at door to area of refuge, exterior area of rescue assistance, exit stairs, exit ramps, exit passageway and exit discharge.

Handrails (IBC 1012 & 101- 7.1.8, 7.2.2.4)

Guards (IBC 1013 & 101- 7.2.2.4)

At open areas with 30" or greater drop; except: loading docks, audience side of stages & platforms.

Guards at roof hatches, paths of travel and roof mounted mechanical equipment within 10' of roof edge.

Minimum # Exits per Floor (IBC 1021.1 & 101-7.4, Occupancy Chapters)

1-500 occupant load: Min 2/story

501-1,000 occupant load: Min 3/story

More than 1000 occupant load: Min 4/story

Note IBC allows some conditions 1 exit / floor see table 1021.4.

Exit Passageways (IBC 1023 & 101- 7.2.6)

Horizontal Exits (IBC 1025 & 101- 7.2.4.3)

Up to half required exits may be Horizontal Exits

Refuge area must be provided on each side. See code for required area based on load and use group.

Exit Discharge (IBC 1027 & 101- 7.7.2)

Up to half of exits may discharge thru the level of exist discharge in sprinkled buildings

Assembly Occupancy Requirements (IBC 1028, 101 Use Chapters)

Emergency Escape (IBC 1029) Group I-1 Exception 1 Sprinkled building

ACCESSIBILITY ANSI A117.1; ADAAG 2010

Accessible Route: Site transport stops, parking, drop-off to bldg entrances, all public and student use spaces on all floors.

Not accessible: limited access mechanical spaces, elevator pits, etc.

ADAAG 802 Accessible assembly seating:

Auditorium seating: See ADA Table 221.2.1.1.

Accessible stage access from audience.

Cafeteria seating: See ADA Table 221.2.1.1. (adjustable ht tables)

Assisted listening system as part of PA system in auditorium.

All toilet rooms and bathing rooms shall be accessible.

In multi-user restrooms: At least one wheelchair stall and where more than 6 toilets/urinals, provide 1 ambulatory stall.

Drinking fountains shall be combination hi/low units.

See ADAAG 608.2.1 for accessible transfer shower and wheelchair area

Staff kitchenettes and breakrooms shall be accessible.

Elevator shall be on an accessible route.

Must comply with ADAAG 308 reach ranges.

Food serving lines: At least 1 shall be accessible. Queue lines shall be accessible.

Main office reception desk, library desk, shall be accessible.

Controls, operating mechanisms, hardware shall be accessible except those controlled by maintenance staff only.

Operable windows: At least one window shall be accessible in accessible rooms.

Signage.

Work surfaces: 34" AFF max.

Food service tray slides: 28 to 34" AFF

INTERIOR ENVIRONMENT IBC Chapter 12

Sound Transmission- Dwellings (1207)

Interior Habitable Space Dimension Minimums 7'-6" min ceiling ht.

Surrounding Materials: Toilet, bathing and shower room floors and walls shall be smooth, hard, non-absorbent with base of 4" min height. Walls and partitions within 2 feet of urinals and toilets shall be smooth, hard, non-absorbent to 4 feet high min. Accessories shall be sealed to moisture.

Shower compartments & walls shall extend to at least 70 inches above height of drain.

1210.5 Toilet rooms shall not open into rooms where food is prepared for the public.

ENERGY EFFICIENCY IBC Chapter 13 – See IECC

Project Location: Portland in Cumberland County, Maine: Climate Zone 6A

Exterior Walls: U: 0.064 or R: R-13 + R-7.5ci

Roof: U: 0.048 or R: 20ci

Below grade walls: R: 7.5ci

Swing doors: U: 0.70

Roll-up doors: U: 0.50

Fenestration: 40% max wall area; Metal framing: U: 0.45 Curtain Walls, U 0.80 Entrance Doors, U: 0.55 Others.

Skylight: U: 0.60

EXTERIOR WALLS IBC Chapter 14

- 1404.2 Water-resistive barrier flashed to exterior required behind all exterior wall veneer.
- 1404.5 and 1405.6 Anchored Masonry veneer
- 1404.10 and 1405.16 Fiber-cement siding veneer. Allowed on Type II construction meeting wind pressure/wind speed exposures as labeled by manufacturer.
- 1405.3 Vapor retarders:
 - Class I or II shall be installed on frame walls in Zone 6.
 - Class III is allowed in Zone 6 with vented cladding or insulated sheathing of R11.25 or more.
- 1405.15 Cement Plaster: meet Chapter 25 requirements.

ROOFS IBC Chapter 15

- 1503.4 Roof Drainage: Secondary drains or scuppers required if roof edge parapets entrap water if primary drain fails
- 1504.3 Roofing Wind Resistance: per Section 1609, including low slope roof edge metal work attachment.
- 1505: Fire Classification: Type I-B: Min Class B.
- 1507.12 Thermoset single-ply Membrane Roofing: Min pitch 1/4 inch per foot.

MATERIALS IBC Chapters 18 to 26

- 2509 Gypsum Board in Showers & Water Closets: Glass mat MR board, GMMB shall be used for wall tile substrate and ceiling panels in shower areas. MR gyp bd may be used for wall tile base at toilets

PLUMBING - See Uniform Plumbing Code

FOR ALL NEW BUILDINGS, ADDITIONS & EXISTING BUILDINGS W/ CHANGE OF USE:

ELEVATORS See ASME A17.1 2007 and Maine code.

- Firemen's key access required for elevators and LULA elevators with Yale 3502 keyway.
- Elevator car size required for 76" x 24" stretcher.

FOR NEW BUILDINGS, ADDITIONS TO EXIST BLDGS & SOME EXIST BLDG CHANGE OF USE:

SPECIAL REQUIREMENTS FOR USE GROUPS

- IBC Special Requirements for Use Groups (Chapter 4)
 - High Rise 403 **NOT APPLICABLE** – See Definition Section 202 IBC.
 - Motor Vehicle Related Occupancies IBC 406
 - Stages IBC 410
 - Live/Work Units 419, Group I-1, R 420

NFPA 101 – Chapter 12 New Assembly Occupancies

- 12.1 General
 - 12.1.2.2 Exits sized for simultaneous exiting with multiple use groups.
 - 12.1.6 Minimum Construction Requirements
- 12.2 Means of Egress
 - 12.2.2.2 Door requirements
 - 12.2.3 Stairs
 - 12.2.5 Arrangement of Egress: special requirements for aisle and seating
 - 12.2.11 Guards and Railings
- 12.3 Protection
 - 12.3.2 Protection of hazards
 - 12.3.4 Fire alarm system required for oc load of 300 and greater.
- 12.3.5 Requirements for sprinklers

101 – Chapter 32 New Residential Board & Care Occupancies

- 32.1.2 Multiple Occupancies
 - 32.1.2.3 No board and care occupancy shall have its sole means of egress or means of escape pass through any non-residential or non-healthcare occupancy in the same building.
 - 32.1.2.4 No board and care occupancy shall be located above a non-residential or non-healthcare

occupancy unless separated by construction having a minimum 2-hour fire resistance rating.

32.3.1.3 Minimum Construction Requirements: Table 32.3.1.3

32.3.2 Means of Egress

32.3.2.3.3 60" min corridors

32.3.2.5.2 Common path of travel shall not exceed 75 ft

32.3.2.5.4 Dead end corridors shall not exceed 30 ft

32.3.2.5.5 Any room or suite of rooms exceeding 2000 SF shall be provided with not less than two exits

32.3.2.6 Travel distance to exits shall not exceed 250 ft

32.3 Protection

32.3.3.2.2 Area protection per Table 32.3.3.2.2.

32.3.3.3.2 Interior Finishes

32.3.3.4.7 Smoke Alarms: Inside sleeping rooms, outside every sleeping room and on all levels within a resident unit

32.3.3.6 Corridors and Separation of Sleeping Rooms

32.3.3.7 Subdivision of building spaces.

101 - Chapter 38 New Business Occupancies

38.1 General

38.1.6 No construction type requirements.

38.1.7 Occupant load determined on characteristics of each space based on load table factors
(conference, training rooms are not accessed on basis of 1/100, but 1/15)

38.2 Means of Egress

38.2.2.13 If sprinkled, area of refuge

38.2.3.3 44" min corridors

38.2.3 Capacity of Egress

38.2.4 Number of Exits

38.2.5 Arrangement of Exits

32.3 Protection

32.3.4 Detection system required. Emergency lighting required.

32.3.6.1 No corridor fire rating required with sprinklers.

32.3.1.1(1) Convenience openings allowed.

32.2.2 Interior Finish

32.3.2.3 Cooking equipment – fire suppression needed except for food warming.

32.2.6 Corridors: no fire rating with sprinklers

101 – Chapter 42 Storage Occupancies

42.1 General

42.1.4 Determine hazard class

42.1.7 Occupant load determine by maximum probable population.

42.2 Means of Egress

42.2.5 Dead end: 100' common path: 100' Travel Distance: 400'

EXHIBIT 13
STORMWATER MANAGEMENT PLAN

Refer to Stormwater Management Plan.

Prepared by
BH2M Engineers



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Albert Frick, SS, SE
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Brady Frick, SE
Bryan Jordan, SE
William O'Connor, SE
Noel Dunn, Office Manager

September 27, 2014

Mr. Mike King
Mitchell Associates
70 Center Street
Portland, ME 04101

Re: The Park at Danforth, Stevens Avenue, Portland

Dear Mr. King:

We have revisited the above-referenced site to re-excavate soil test pits for stormwater design. Previously our test pits were dug by hand shovel and soil auger, and were not sufficiently deep to fully evaluate soil characteristics. Enclosed for your review and use are revised soil profile descriptions for TP1-6, based on excavations with backhoe, at the on-site locations previously identified by others.

Soil profiles observed in backhoe test pits exhibited similar conditions to those described with hand shovel test pits. These consist of fill soils of variable sandy textures, over original soils that are Croghan (Variant) soils, in that they are glacial outwash soils on nearly level to gently sloping landforms. The area has been developed for many years, with more than one project at this site.

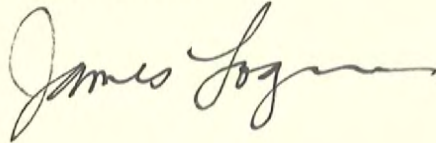
A subsurface layer of somewhat firm to firm, very gravelly loamy sand was observed in all test pits, which had evidence of slower internal drainage than those soil layers above and below this slightly cemented zone. Original soil data provided suggested the soils are "Skerry-like", but over –excavation/removal of the somewhat firm to firm subsurface layer would create soil conditions on-site that more closely resemble Croghan (Deerfield) soil as mapped originally in the USDA Natural Resource Conservation Service Soil Survey of Cumberland County.

While Croghan soils are generally moderately well drained (i.e. seasonal high water tables generally within 4' of the original soil surface), long term development of city streets/infrastructure has likely lowered the traditional water tables in the area. (It is my understanding that soil borings verified static water table levels approaching 20' in depth). A revised generic soil description for fill over Croghan soils is also now enclosed.

I trust you will find this enhanced investigation of soils on the project site will be helpful in redefining parameters and site limiting factors for sound stormwater design.

Otherwise, should you have further questions or matters for discussion regarding the site, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, reading "James Logan". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

James Logan
Certified Soil Scientist #213
Licensed Site Evaluator #237
Wetland Scientist

Cc. Lester Berry, P.E. (BH2M)

CROGHAN (Variant)

SETTING

Parent Material:	Derived from outwash or deltaic sand.
Landform:	Occupy outwash terraces and sand plains.
Position in Landscape:	Usually are found in intermediate positions in the landscape.
Slope Gradient Ranges:	(B) 3-8% (C) 8-20%

COMPOSITION AND SOIL CHARACTERISTICS

Drainage Class:	Generally moderately well-drained, with an apparent water table within 4' of the soil surface. On this specific site, city stormwater infrastructure in surrounding streets has likely lowered the water table.	
Typical Profile Description:	Surface layer:	Dark brown sand, 0-7"
	Subsurface layer:	Strong brown/yellowish brown, brown & pale brown sand with mottles below 13", 7-52"
	Substratum:	Grayish brown loose sand, 52-60"
Hydrologic Group:	Group B	
Surface Run Off:	Slow to medium	
Permeability:	Rapid to very rapid in the lower horizons.	
Depth to Bedrock:	Moderately deep, 20-40"	
Hazard to Flooding:	None	

INCLUSIONS

(Within Mapping Unit)

Similar:	Adams, Duane
Dissimilar:	Au Gres, Naumburg, Naskeag

USE AND MANAGEMENT

Development of stormwater management systems: The limiting factor for building site development is wetness due to the presence of a groundwater table. Proper foundation drainage or site modification is recommended. Croghan soils are suitable for creation of stormwater management structures, and permeability is 6"-20"/hr in the upper 7" of soil profile, and in excess of 20"/hr on subsoil.

Owner's Name
MITCHELL ASSOCIATES

Town, City, Plantation
PORTLAND

Street, Road Subdivision
THE PARK DANFORTH

Owner's Name
MITCHELL ASSOCIATES

ALL SOIL TEST PITS EXCAVATED BY BACKHOE

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 3 ☒ Test Pit ☐ Boring
" Depth of Organic Horizon Above Mineral Soil

Observation Hole TP 4 ☒ Test Pit ☐ Boring
" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
0	BARK			
10	MULCH (FILL)		BLACK	
20	SANDY LOAM	FRIABLE	DARK BROWN	
30	LOAMY SAND		DARK YELLOWISH BROWN	
40	MEDIUM & COARSE SAND		YELLOWISH BROWN	
50	GRAVELLY LOAMY SAND & SAND	FIRM IN PLACE	OLIVE BROWN	FEW FAINT
60	COARSE SAND & GRAVEL		YELLOWISH BROWN	NONE EVIDENT
70				
80				
90				
100				

Soil Classification
Profile Condition
Slope %
Limiting Factor 38 "
☐ Ground Water
☐ Restrictive Layer
☐ Bedrock
☐ Pit Depth

CROGHAN (VARIANT)

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
0	SANDY LOAM & LOAMY SAND (FILL)		BROWN	
10		FRIABLE		
20	LOAMY SAND		DARK BROWN	
30				
40	FINE & MEDIUM SAND		DARK YELLOWISH BROWN	
50	LOAMY SAND	FIRM IN PLACE	OLIVE BROWN	FEW FAINT
60	FINE SAND	FRIABLE	LIGHT OLIVE BROWN	NONE EVIDENT
70				
80				
90				
100				

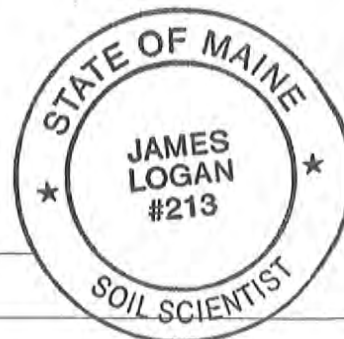
Soil Classification
Profile Condition
Slope %
Limiting Factor 43 "
☐ Ground Water
☐ Restrictive Layer
☐ Bedrock
☐ Pit Depth

FILL OVER CROGHAN (VARIANT)

James Logan
Site Evaluator/Soil Scientist Signature

237/243
SE/CSS "

9-25-14
Date



Town, City, Plantation
PORTLAND

Street, Road Subdivision
THE PARK DANFORTH

Owner's Name
MITCHELL ASSOCIATES

ALL SOIL TEST PITS EXCAVATED BY BACKHOE

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 5 ☒ Test Pit ☐ Boring
" Depth of Organic Horizon Above Mineral Soil

Observation Hole TP 6 ☒ Test Pit ☐ Boring
" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
	FRIABLE		
SANDY LOAM & LOAMY SAND (FILL) W/ BRICKS	SOMEWHAT FIRM	VARIABLE BROWN	
GRAVELLY LOAMY COARSE SAND	FIRM IN PLACE (SLIGHTLY CEMENTED)	OLIVE BROWN	COMMON FAINT
LIMIT OF EXCAVATION			

Soil Classification
Profile Condition
Slope %
Limiting Factor 34 "
☒ Ground Water
☐ Restrictive Layer
☐ Bedrock
☐ Pit Depth

FILL OVER CROGHAN (VARIANT)

Texture	Consistency	Color	Mottling
SANDY LOAM & LOAMY SAND (FILL)		BROWN	
LOAMY SAND	FRIABLE	DARK BROWN	
GRAVELLY LOAMY COARSE SAND		DARK YELLOWISH BROWN	
GRAVELLY COARSE SAND	SOMEWHAT FIRM IN PLACE	MIXED OLIVE BROWN	FEW FAINT
MEDIUM & COARSE SAND	FRIABLE	LIGHT OLIVE BROWN	NONE EVIDENT
LIMIT OF EXCAVATION			

Soil Classification
Profile Condition
Slope %
Limiting Factor 36 "
☒ Ground Water
☐ Restrictive Layer
☐ Bedrock
☐ Pit Depth

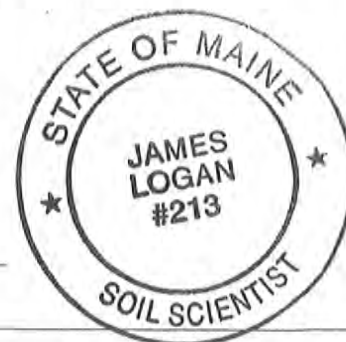
FILL OVER CROGHAN (VARIANT)

James Logan for AFA
Site Evaluator/Soil Scientist Signature

ALBERT FRICK ASSOCIATES - 95A COUNTY ROAD GORHAM, MAINE 04038 - (207) 839-5563

237/243
SE/CSS *

9-25-14
Date



REPORT

September 30, 2014
14-0065 S

Geotechnical Engineering Services

Proposed Senior Living Facility
The Park Danforth
Arbor Street & Forest Avenue
Portland, Maine

PREPARED FOR:

The Park Danforth
c/o Mitchell & Associates
Attention: Robert Metcalf
70 Center Street
Portland, Maine 04101

PREPARED BY:

S. W. Cole Engineering, Inc.
286 Portland Road
Gray, Maine 04039
207-657-2866



S.W.COLE
ENGINEERING, INC.

- *Geotechnical Engineering*
- *Construction Materials Testing*
- *GeoEnvironmental Services*
- *Ecological Services*

www.swcole.com

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Attachment A	Limitations
Sheet 1	Exploration Location Plan
Sheets 2 - 15	Exploration Logs
Sheet 16	Key to the Notes and Symbols
Sheets 17 – 21	Laboratory Gradation Testing
Sheets 22 & 23	Underdrain Details

14-0065 S

September 30, 2014

The Park Danforth
c/o Mitchell & Associates
Attention: Robert Metcalf
70 Center Street
Portland, Maine 04101

Subject: Geotechnical Engineering Services
Proposed Senior Living Facility
The Park Danforth
Arbor Street and Forest Avenue
Portland, Maine

Dear Bob:

In accordance with our Revised Proposal, dated February 21, 2014, we have performed subsurface explorations for the subject project. This report summarizes our findings and geotechnical recommendations and its contents are subject to the limitations set forth in Attachment A.

1.0 INTRODUCTION

1.1 Scope and Purpose

The purpose of our services was to obtain subsurface information at the site in order to develop geotechnical recommendations relative to foundations, earthwork and pavement associated with the proposed construction. Our scope of services included test boring explorations, soils laboratory testing, a geotechnical analysis of the subsurface findings and preparation of this report.

1.2 Site and Proposed Construction

The site is located southwest of the intersection of Arbor Street and Forest Avenue in Portland, Maine. The site is currently occupied by residential and retail development and improvements associated with the existing Park Danforth facility.

We understand development plans call for demolition of existing improvements and construction of a new four and five story apartment building with below grade parking for senior housing. The new apartment building is proposed in the northeast portion of the site in the vicinity of an existing one-story retail building that will be demolished. We understand typical column loads for the apartment building may range from 180 to 460 kips. We anticipate finish floor elevations will be within 2 feet of existing grades.

Development plans also include a one-story, on-grade addition to the northwest wing of the existing Park Danforth building. Paved parking and access drive areas are proposed around the north, east, and west peripheries of the site, adjacent to Forest Avenue, Arbor Street, and Stevens Avenue.

Proposed and existing site features are shown on the "Exploration Location Plan" attached as Sheet 1.

2.0 EXPLORATION AND TESTING

2.1 Explorations

Fourteen test borings (B-101 through B-114) were made at the site on May 22 and 23, 2014 by Great Works Test Boring, Inc. of Rollinsford, New Hampshire working under subcontract to S. W. Cole Engineering, Inc. (S.W.COLE). The exploration locations were selected by Mitchell & Associates and established in the field by S.W.COLE based on measurements from existing site features. The exploration program consisted of the following:

- Five test borings (B-104 through B-108) made for the proposed apartment building in the northeast portion of the site;
- Three test borings (B-111 through B-114) made for the proposed one-story Park Danforth building addition;
- Six test borings (B-101 through B-103 and B-109 and B-110) made for the proposed paved areas.

The approximate exploration locations are shown on the "Exploration Location Plan" attached as Sheet 1. Logs of the test borings are attached as Sheets 2 through 15. The elevations shown on the logs were estimated based on topographic information shown on Sheet 1. A key to the notes and symbols used on the logs is attached as Sheet 16.

2.2 Testing

The test borings were drilled using a combination of solid stem auger and hollow stem auger drilling techniques. The soils were sampled at 2 to 5 foot intervals using a split spoon sampler and Standard Penetration Testing (SPT) techniques. SPT blow counts are shown on the logs.

Soil samples obtained from the explorations were returned to our laboratory for further classification and testing. Laboratory testing included five gradation tests and five moisture content tests. Results of the gradation testing are attached as Sheets 17 through 21. Results of the moisture content tests are shown on the logs.

3.0 SITE AND SUBSURFACE CONDITIONS

3.1 Surficial

The site is currently occupied by residential and retail development and associated landscape and pavement areas. The site is relatively level and flat with existing grades generally dropping west to east from about elevation 127 to 120 feet. Existing site features are shown on Sheet 1.

It should be noted that the site is an urban site with likely previous development, including past structures that are not represented on Sheet 1.

3.2 Soil and Bedrock

Underlying a surficial layer of topsoil or pavement the borings encountered a subsurface profile generally consisting of a thin layer of uncontrolled granular fill overlying native outwash sands overlying refusal surfaces (probable bedrock). The principal soils encountered at the explorations are summarized below; refer to the attached logs for more detailed descriptions of the subsurface findings.

Uncontrolled Fill: The borings encountered uncontrolled fill consisting of loose to medium dense, brown and dark brown sand with varying portions of silt, gravel, and miscellaneous debris such as coal, porcelain, glass, and brick fragments. Rootlets were observed in the fill at some of the explorations. The fill was penetrated at depths varying from approximately 1.5 to 6 feet at the explorations.

Outwash Sands: Underlying the uncontrolled fill, the borings encountered native outwash sands consisting of stratified medium dense to very dense sand with varying portions of silt and gravel. The borings, with the exception of B-104 through B-108, were terminated in the outwash sands at depths varying from 9 to 21 feet.

Refusal Surfaces: Underlying the outwash sands, borings B-104 through B-108 encountered refusal surfaces (probable bedrock) at depths varying from 22 to 28 feet. A zone of probable weathered bedrock was penetrated by as much as approximately 2 feet by the augers before encountering refusal.

3.3 Groundwater

Free groundwater or saturated soils were encountered at depths varying from about 18 to 21 feet at borings B-105 through B-108. Free water was not encountered at the remainder of the borings. Long term groundwater information is not available. It should be anticipated that seasonal groundwater levels will fluctuate, especially during periods of snowmelt and precipitation.

3.4 Seismic and Frost

The 25-year Air Freezing Index for the Portland, Maine area is about 1,290-Fahrenheit degree-days, which corresponds to a frost penetration depth on the order of 4.5 feet. Based on the subsurface findings, we interpret the site soils to correspond to Seismic Soil Site Class C according to 2009 IBC.

4.0 EVALUATION AND RECOMMENDATIONS

4.1 General Findings

Based on the subsurface findings, the proposed construction appears feasible from a geotechnical standpoint. The principle geotechnical considerations are as follows:

- The site is an urban site likely with past structures and underground improvements that may not become apparent until construction. An assessment of past site uses including historical structures should be completed during the planning phase of the project to help understand the impact of past site development to the proposed construction.
- A 2 to 6 foot layer of uncontrolled granular fill exists within the proposed apartment building and Park Danforth building addition footprints. The uncontrolled fill should be removed and replaced below foundations and densified below on-grade floor slabs. Areas that become soft after densifying should be removed and replaced prior to installing slab base gravels. Provided the building pads are properly prepared, spread footing foundations and on-grade floor slabs appear suitable for the proposed construction.
- Native sand subgrades below foundations and on-grade floor slabs should be densified. Pavement subgrades consisting of uncontrolled granular fill or native sands should be proof-rolled and soft areas repaired prior to installing pavement gravels.
- Imported Granular Borrow, Structural Fill, and Crushed Stone will be needed for construction. Existing native outwash sands appear suitable for reuse as Granular Borrow.
- We recommend completing a historical mapping and records review of the site to explore the potential for buried structures and foundations which may be encountered during construction. S.W.COLE is available to complete this task.

4.2 Site and Subgrade Preparation

We recommend that site preparation begin with the construction of an erosion control system to protect adjacent drainage ways and areas outside the construction limits. As much vegetation as possible should remain outside the construction areas to lessen the potential for erosion and site disturbance. All topsoil and organics should be completely removed from areas of proposed construction. Final cuts to subgrade elevation should be made with a smooth edge bucket to lessen subgrade disturbance. We offer the following subgrade preparation recommendations for proposed building and paved areas.

Proposed Building Areas: In addition to grubbing all organics, all existing pavement, utilities, foundations, structures, and uncontrolled fill should be completely removed beneath proposed foundations until undisturbed native sands are encountered. The removal of unsuitable materials should extend outward 1 foot laterally from edge of footing for every foot of vertical depth below bottom of footing (1H:1V bearing splay). Overexcavations should be backfilled with compacted Structural Fill. The native sand footing subgrade soils should be densified with 3 to 5 passes of a vibratory plate compactor having a static weight of at least 600 pounds prior to placing new fill or concrete.

Following installation and backfilling of building foundations, we recommend on-grade floor slab subgrade be densified with 3 to 5 passes of a vibratory roller having a static weight of at least 5 tons. Floor slab areas that become soft or continue to yield after densifying should be removed and replaced with compacted Structural Fill prior to installing slab gravels.

Proposed Paved Areas: Following grubbing all organics, all pavement and deleterious materials should be removed beneath proposed paved areas. Existing utilities should be removed and existing foundations should be removed to at least 4.5 feet below finish grade and backfilled with compacted Granular Borrow. Pavement subgrades should be proof rolled and densified with 3 to 5 passes of a vibratory roller having a static weight of at least 10 tons. Pavement subgrade areas that become soft or continue to yield should be removed and replaced with compacted Granular Borrow prior to installing pavement gravels.

4.3 Excavation and Dewatering

Excavation work will generally encounter existing uncontrolled granular fill and native outwash sands. Care must be exercised during construction to limit disturbance of the native bearing soils. Earthwork and grading activities should occur during drier summer and fall seasons. Final cuts to subgrade should be performed with a smooth-edged bucket to help minimize soil disturbance.

We recommend that the construction documents contain unit pricing for removal and replacement of existing uncontrolled fills, structures, and other unsuitable materials as described herein.

Groundwater was encountered in the explorations at depths on the order of 20 feet. Sumping and pumping dewatering techniques should be adequate to control groundwater in excavations. Excavations must be properly shored or sloped in accordance with OSHA trenching regulations to prevent sloughing and caving of the sidewalls during construction. Care must be taken to preclude undermining adjacent structures, utilities and roadways. The design and planning of excavations, excavation support systems, and dewatering is the responsibility of the contractor.

4.4 Foundations

We recommend the proposed buildings be supported on spread footings founded on densified native outwash sands or properly compacted Structural Fill overlying densified native outwash sands. As presented herein, it will be necessary to remove and replace existing uncontrolled fills below foundations.

For foundations bearing on properly prepared subgrades, we recommend the following geotechnical parameters for design consideration:

- Design Frost Depth = 4.5 feet
- Net Allowable Soil Bearing Pressure = 4 ksf or less
- Base Friction Factor = 0.30 (concrete to sand)
- Total Unit Weight of Backfill = 130 pcf (compacted Structural Fill)
- At-Rest Lateral Earth Pressure Coefficient = 0.5 (compacted Structural Fill)
- Internal Friction Angle of Backfill = 30° (compacted Structural Fill)
- Seismic Soil Site Class = C (IBC 2009)

4.5 Foundation Drainage

The site soils consist of relatively dry, well-drained sands. However, it is good practice to provide perimeter underdrainage to help reduce the risk of frost heaving of entrance slabs and sidewalks. We recommend an underdrain system be installed along the outside edge the perimeter footings. The underdrain pipe should consist of 4-inch diameter, slotted foundation drain pipe bedded in Underdrain Sand. The underdrain pipe must have a positive gravity outlet protected from freezing, clogging and backflow. Surface grades should be sloped away from the building for positive drainage. General underdrain details are illustrated on Sheets 22 and 23.

4.6 Slab-On-Grade

On-grade floor slabs in heated areas may be designed using a subgrade reaction modulus of 100 pci (pounds per cubic inch) provided the slab is underlain by at least 12-inches of compacted Structural Fill placed over densified native sand subgrades or densified existing fill subgrades which have been repaired as necessary. On-grade slabs in the below grade parking garage should be underlain with at least 6 inches of Crushed Stone overlying a filter fabric. If the parking garage is unheated, we recommend floor slabs be underlain with at least 2 inches of foundation insulation for frost protection. The structural engineer or concrete consultant must design steel reinforcing and joint spacing appropriate to slab thickness and function.

We recommend a sub-slab vapor retarder particularly in areas of the building where the concrete slab will be covered with an impermeable surface treatment or floor covering that may be sensitive to moisture vapors. The vapor retarder must have a permeance that is less than the floor cover or surface treatment that is applied to the slab. The vapor retarder must have sufficient durability to withstand direct contact with the sub-slab base material and construction activity. The vapor retarder material should be placed according to the manufacturer's recommended method, including the taping and lapping of all joints and wall connections. The architect and/or flooring consultant should select the vapor retarder products compatible with flooring and adhesive materials.

The floor slab should be appropriately cured using moisture retention methods after casting. Typical floor slab curing methods should be used for at least 7 days. The architect or flooring consultant should assign curing methods consistent with current

applicable American Concrete Institute (ACI) procedures with consideration of curing method compatibility to proposed surface treatments, flooring and adhesive materials.

4.7 Entrance Slabs and Sidewalks

Entrance slabs and sidewalks adjacent to the building must be designed to reduce the effects of differential frost action between adjacent pavement, doorways, and entrances. We recommend that non-frost susceptible Structural Fill be provided to a depth of at least 4.5 feet below the top of entrance slabs. This thickness of Structural Fill should extend the full width of the entrance slab and outward at least 4.5 feet, thereafter transitioning up to the bottom of the adjacent sidewalk or pavement gravels at a 3H:1V or flatter slope. General details of this frost transition zone are attached as Sheets 22 and 23.

4.8 Backfill and Compaction

We recommend the following fill and backfill materials:

Granular Borrow: Sand or silty sand meeting the gradation requirements of MDOT Standard Specification 703.19 Granular Borrow. Granular Borrow is recommended for use as:

- Fill to raise site grades in proposed paved areas
- Backfill of overexcavations below proposed paved areas

Structural Fill: Clean, non-frost susceptible sand and gravel meeting the gradation requirements for Structural Fill as given below.

Structural Fill	
Sieve Size	Percent Finer by Weight
4 inch	100
3 inch	90 to 100
¾ inch	25 to 90
#40	0 to 30
#200	0 to 5

Structural Fill is recommended for use as:

- Backfill for overexcavations below footings and on-grade floor slabs

- Fill to raise grades in building areas
- Backfill against foundations
- Backfill within frost transition zones below entrances and sidewalks

Underdrain Sand: Underdrain Sand used around underdrain pipes should meet the gradation requirements of MDOT Standard Specification 703.22 "Underdrain Backfill Type B".

Crushed Stone: Crushed Stone used below the basement parking garage slab should consist of clean angular stone meeting the requirements of MDOT Standard Specification 703.22 "Underdrain Backfill Type C". A nominally sized 3/4-inch crushed stone typically meets this specification.

Reuse of Site Soils: The existing uncontrolled fills are unsuitable for reuse below proposed building areas, but may be suitable for reused in proposed pavement and landscape areas. The native sands appear suitable for reuse as Granular Borrow. The contractor should anticipate the need to moisture condition soils for reuse.

Placement and Compaction: Fill should be placed in horizontal lifts and compacted such that the desired density is achieved throughout the lift thickness with 3 to 5 passes of the compaction equipment. Loose lift thicknesses for grading, fill and backfill activities should not exceed 12 inches. We recommend that fill and backfill in building and paved areas be compacted to at least 95 percent of its maximum dry density as determined by ASTM D-1557.

4.9 Weather Considerations

Construction activity should be limited during wet and freezing weather and the site soils may require drying before construction activities may continue. The contractor should anticipate the need for water to temper fills in order to facilitate compaction during dry weather. If construction takes place during cold weather, subgrades, foundations and floor slabs must be protected during freezing conditions. Concrete and fill must not be placed on frozen soil; and once placed, the concrete and soil beneath the structure must be protected from freezing.

4.10 Paved Areas

We anticipate paved areas will be subjected primarily to passenger vehicle and light delivery truck traffic. Considering the site soils and proposed usage, we offer the following pavement section for consideration. Materials are based on Maine Department of Transportation Standard Specifications.

- 1 ¼ inches of 9.5 mm Hot Mix Asphalt (50 Gyrating Design)
- 2 ¼ inches of 12.5 mm Hot Mix Asphalt (50 Gyrating Design)
- 3 inches of MDOT 703.06 Type A, Crushed Aggregate Base
- 15 inches of MDOT 703.06 Type D, Crushed Aggregate Subbase

Pavement subgrades are anticipated to consist of densified existing fills, native sands or compacted Granular Borrow. The base and subbase materials should be compacted to at least 95 percent of their maximum dry density as determined by ASTM D-1557. Hot mix asphalt pavement should be compacted to 92 to 97 percent of its theoretical maximum density as determined by ASTM D-2041. A tack coat should be used between successive lifts of bituminous pavement.

It should be understood that frost penetration can be on the order of 4.5 feet in this area. In the absence of full depth excavation of frost susceptible soils below paved areas and subsequent replacement with non-frost susceptible compacted fill, frost penetration into the subgrade will occur and some heaving and distress of pavement must be anticipated.

4.11 Recommendation for Additional Study

Given the previously developed nature of the site, we recommend performing a historical mapping and records research review of the site. A review will help to establish the location of historical buildings and underground structures which could be encountered during construction. S.W.COLE is available to provide the historical research services.

4.12 Design Review and Construction Testing

S.W.COLE should be retained to review the civil and foundation construction documents to determine that our earthwork, foundation and pavement recommendations have been properly interpreted and implemented.

A soils and concrete testing program should be implemented during construction to observe compliance with the design concepts, plans, and specifications. S.W.COLE is available to provide subgrade observations for foundations as well as testing services for soils, concrete, asphalt, steel and spray-applied fireproofing construction materials.

5.0 CLOSURE

It has been a pleasure to be of assistance to you with this phase of your project. We look forward to working with you during the construction phase of the project.

Sincerely,

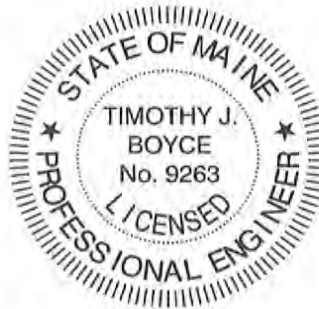
S. W. Cole Engineering, Inc.

Evan M. Walker, P.E.
Geotechnical Engineer



Timothy J. Boyce, P.E.
Senior Geotechnical Engineer

EMW: tjb



Attachment A Limitations

This report has been prepared for the exclusive use of The Park Danforth and Mitchell & Associates for specific application to the proposed Park Danforth Expansion in Portland, Maine. S.W.COLE has endeavored to conduct the work in accordance with generally accepted soil and foundation engineering practices. No warranty, expressed or implied, is made.

The soil profiles described in the report are intended to convey general trends in subsurface conditions. The boundaries between strata are approximate and are based upon interpretation of exploration data and samples.

The analyses performed during this investigation and recommendations presented in this report are based in part upon the data obtained from subsurface explorations made at the site. Variations in subsurface conditions may occur between explorations and may not become evident until construction. If variations in subsurface conditions become evident after submission of this report, it will be necessary to evaluate their nature and to review the recommendations of this report.

Observations have been made during exploration work to assess site groundwater levels. Fluctuations in water levels will occur due to variations in rainfall, temperature, and other factors.

S.W.COLE's scope of work has not included the investigation, detection, or prevention of any Biological Pollutants at the project site or in any existing or proposed structure at the site. The term "Biological Pollutants" includes, but is not limited to, molds, fungi, spores, bacteria, and viruses, and the byproducts of any such biological organisms.

Recommendations contained in this report are based substantially upon information provided by others regarding the proposed project. In the event that any changes are made in the design, nature, or location of the proposed project, S.W.COLE should review such changes as they relate to analyses associated with this report. Recommendations contained in this report shall not be considered valid unless the changes are reviewed by S.W.COLE.



BORING LOG

BORING NO.: **B-101**
 SHEET: **1 OF 1**
 PROJECT NO.: **14-0065**
 DATE START: **5/23/2014**
 DATE FINISH: **5/23/2014**
 ELEVATION: **127' ±**
 SWC REP.: **PJO**

PROJECT / CLIENT: **PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES**
 LOCATION: **ARBOR STREET & FOREST AVENUE, PORTLAND, ME**
 DRILLING CO.: **GREAT WORKS TEST BORINGS, INC.** DRILLER: **JEFF LEE**

CASING: **SSA 2 1/4"**
 SAMPLER: **SS 1 3/8" 140-LBS 30"**
 CORE BARREL:

WATER LEVEL INFORMATION
NO FREE WATER OBSERVED

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
										4" ASPHALT DARK BROWN GRAVELLY SAND, SOME SILT WITH ROOTLETS AND BRICK (FILL) ~MEDIUM DENSE TO LOOSE~
	1D	24"	18"	2.5'	9	7	5	5		
	2D	24"	12"	4.5'	4	4	5	4	5.0'	
	3D	24"	18"	7.0'	5	12	24	24		BROWN SAND AND GRAVEL, TRACE SILT ~DENSE~
	4D	24"	16"	9.0'	24	25	18	16		
										BOTTOM OF EXPLORATION AT 9.0'

SAMPLES:
 D = SPLIT SPOON
 C = 2" SHELBY TUBE
 S = 3" SHELBY TUBE
 U = 3.5" SHELBY TUBE

SOIL CLASSIFIED BY:

☐ DRILLER - VISUALLY
☒ SOIL TECH. - VISUALLY
☐ LABORATORY TEST

REMARKS:
 STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.

BORING NO.: **B-101**



BORING NO.:	B-102
SHEET:	1 OF 1
PROJECT NO.:	14-0065
DATE START:	5/23/2014
DATE FINISH:	5/23/2014
ELEVATION:	123' ±
SWC REP.:	PJO
ER LEVEL INFORMATION	
FREE WATER OBSERVED	

	TYPE	SIZE I.D.	HAMMER WT.	HAMMER FALL
CASING:	HSA	2 3/4"		
SAMPLER:	SS	1 3/8"	140-LBS	30"
CORE BARREL:				

SAMPLES: D = SPLIT SPOON C = 2" SHELBY TUBE S = 3" SHELBY TUBE U = 3.5" SHELBY TUBE	SOIL CLASSIFIED BY: X DRILLER - VISUALLY SOIL TECH. - VISUALLY LABORATORY TEST	REMARKS: STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.
		3 BORING NO.: B-102



BORING LOG

BORING NO.: **B-105**
 SHEET: **1 OF 1**
 PROJECT NO.: **14-0065**
 DATE START: **5/23/2014**
 DATE FINISH: **5/23/2014**
 ELEVATION: **124' ±**
 SWC REP.: **PJO**
 WATER LEVEL INFORMATION
 SOILS WET AT 21'

PROJECT / CLIENT: **PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES**
 LOCATION: **ARBOR STREET & FOREST AVENUE, PORTLAND, ME**
 DRILLING CO.: **GREAT WORKS TEST BORINGS, INC.** DRILLER: **JEFF LEE**

CASING: TYPE **HSA** SIZE I.D. **2 3/4"** HAMMER WT. **140-LBS** HAMMER FALL **30"**
 SAMPLER: **SS**
 CORE BARREL:

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
										3"± ASPHALT
	1D	24"	15"	2.5'	5	9	18	8	3.0'	BROWN SAND SOME GRAVEL, SOME SILT WITH CONCRETE FRAGMENTS (FILL) ~MEDIUM DENSE~
	2D	24"	16"	4.5'	5	6	6	8	5.0'	BROWN MEDIUM TO COARSE SAND, SOME GRAVEL, TRACE SILT ~MEDIUM DENSE~
	3D	24"	17"	7.0'	6	16	22	23		~DENSE~ BROWN GRAVELLY MEDIUM TO COARSE SAND, TRACE SILT ~VERY DENSE~
	4D	24"	19"	9.0'	16	20	22	24		
	5D	24"	20"	12.0'	15	23	29	49		
	6D	24"	20"	17.0'	16	23	31	38		
									21.0'	
	7D	18"	15"	21.5'	24	34	45		23.0'	BROWN GRAVELLY FINE TO MEDIUM SAND, TRACE SILT ~VERY DENSE~
										REFUSAL AT 23' (PROBABLE BEDROCK)

SAMPLES: D = SPLIT SPOON
 C = 2" SHELBY TUBE
 S = 3" SHELBY TUBE
 U = 3.5" SHELBY TUBE

SOIL CLASSIFIED BY:
☐ DRILLER - VISUALLY
☒ SOIL TECH. - VISUALLY
☐ LABORATORY TEST

REMARKS: STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.

6

BORING NO.: **B-105**



BORING LOG

BORING NO.: **B-106**
 SHEET: 1 OF 1
 PROJECT NO.: 14-0065
 DATE START: 5/22/2014
 DATE FINISH: 5/22/2014
 ELEVATION: 122' ±
 SWC REP.: PJO
 WATER LEVEL INFORMATION
 SOILS SATURATED AT 20'

PROJECT / CLIENT: PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES
 LOCATION: ARBOR STREET & FOREST AVENUE, PORTLAND, ME
 DRILLING CO.: GREAT WORKS TEST BORINGS, INC. DRILLER: JEFF LEE

CASING: TYPE HSA SIZE I.D. 2 3/4" HAMMER WT. HAMMER FALL
 SAMPLER: SS 1 3/8" 140-LBS 30"
 CORE BARREL:

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
										2 1/2" ± ASPHALT
	1D	24"	15"	2.5'	8	9	8	8	3.0'	DARK BROWN TO BROWN SAND, SOME GRAVEL, SOME SILT (FILL) ~MEDIUM DENSE~
	2D	24"	15"	4.5'	9	9	7	3	7.0'	BROWN FINE TO COARSE SAND, SOME GRAVEL, TRACE SILT ~MEDIUM DENSE~
	3D	24"	16"	7.0'	6	12	16	19	10.0'	w = 4.1% BROWN MEDIUM TO COARSE SAND, SOME GRAVEL, TRACE SILT ~DENSE~
	4D	24"	16"	9.0'	12	15	16	16		~DENSE~
	5D	24"	20"	12.0'	15	25	23	25		BROWN GRAVELLY MEDIUM TO COARSE SAND, TRACE SILT
	6D	24"	18"	17.0'	15	28	32	40		w = 2.4% ~VERY DENSE~
	7D	24"	22"	22.0'	15	17	24	30	21.2'	w = 19.5% BROWN FINE TO MEDIUM SAND SOME SILT ~DENSE~ ~ DENSE ~
									28.0'	REFUSAL 28.0' (PROBABLE BEDROCK)

SAMPLES: D = SPLIT SPOON
 C = 2" SHELBY TUBE
 S = 3" SHELBY TUBE
 U = 3.5" SHELBY TUBE

SOIL CLASSIFIED BY:
 DRILLER - VISUALLY
 SOIL TECH. - VISUALLY
 LABORATORY TEST

REMARKS:
 STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.

BORING NO.: **B-106**



BORING LOG

BORING NO.: **B-107**
 SHEET: **1 OF 1**
 PROJECT NO.: **14-0065**
 DATE START: **5/22/2014**
 DATE FINISH: **5/22/2014**
 ELEVATION: **121' ±**
 SWC REP.: **PJO**

PROJECT / CLIENT: **PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES**
 LOCATION: **ARBOR STREET & FOREST AVENUE, PORTLAND, ME**
 DRILLING CO.: **GREAT WORKS TEST BORINGS, INC.** DRILLER: **JEFF LEE**

CASING: TYPE **HSA** SIZE I.D. **2 3/4"** HAMMER WT. **30"** HAMMER FALL
 SAMPLER: **SS** **1 3/8"** **140-LBS**
 CORE BARREL:

WATER LEVEL INFORMATION
 SOILS SATURATED AT 18'

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
										3" ASPHALT
	1D	24"	14"	2.5'	6	9	9	9	2.5'	DARK BROWN SAND, SOME GRAVEL, SOME SILT (FILL) ~MEDIUM DENSE~
	2D	24"	15"	4.5'	12	8	7	6	4.5'	ORANGE-BROWN SAND SOME SILT ~MEDIUM DENSE~
	3D	24"	17"	7.0'	5	9	9	10		~MEDIUM DENSE~ LIGHT BROWN FINE TO MEDIUM SAND, TRACE SILT WITH OCCASIONAL SILT SEAMS BETWEEN 10-12' AND 10" SAND AND GRAVEL LAYER FROM 15.2-16.0'
	4D	24"	18"	9.0'	12	13	12	12		
	5D	24"	22"	12.0'	8	11	16	23		
	6D	24"	22"	17.0'	12	16	15	18		~DENSE~
	7D	24"	18"	22.0'	4	8	9	22	23.0'	~MEDIUM DENSE~
									24.0'	
										WEATHERED BEDROCK
										REFUSAL AT 24.0' (PROBABLE BEDROCK)

SAMPLES: D = SPLIT SPOON
 C = 2" SHELBY TUBE
 S = 3" SHELBY TUBE
 U = 3.5" SHELBY TUBE

SOIL CLASSIFIED BY:
☐ DRILLER - VISUALLY
☒ SOIL TECH. - VISUALLY
☐ LABORATORY TEST

REMARKS:
 STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.



BORING NO.:	B-108
SHEET:	1 OF 1
PROJECT NO.:	14-0065
DATE START:	5/22/2014
DATE FINISH:	5/22/2014
ELEVATION:	123' ±
SWC REP.:	PJO

ER LEVEL INFORMATION
OILS SATURATED AT 20'

	TYPE	SIZE I.D.	HAMMER WT.	HAMMER FALL
CASING:	HSA	2 3/4"		
SAMPLER:	SS	1 3/8"	140-LBS	30"
CORE BARREL:				

9



BORING LOG

BORING NO.: **B-109**
 SHEET: **1 OF 1**
 PROJECT NO.: **14-0065**
 DATE START: **5/22/2014**
 DATE FINISH: **5/22/2014**
 ELEVATION: **121' ±**
 SWC REP.: **PJO**

PROJECT / CLIENT: **PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES**
 LOCATION: **ARBOR STREET & FOREST AVENUE, PORTLAND, ME**
 DRILLING CO.: **GREAT WORKS TEST BORINGS, INC.** DRILLER: **JEFF LEE**

CASING: **SSA 2 1/4"**
 SAMPLER: **SS 1 3/8" 140-LBS 30"**
 CORE BARREL:

WATER LEVEL INFORMATION
 NO FREE WATER OBSERVED

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
										2 1/4" ± ASPHALT
	1D	24"	16"	2.5'	7	14	8	8	2.5'	BROWN GRAVELLY SAND, SOME SILT (FILL) ~MEDIUM DENSE~
	2D	24"	18"	4.5'	8	10	11	8	4.5'	BROWN FINE TO MEDIUM SAND, SOME GRAVEL, SOME SILT ~MEDIUM DENSE~
	3D	24"	18"	7.0'	3	5	5	5		LIGHT BROWN FINE TO MEDIUM SAND, TRACE SILT WITH COARSE SAND LAYERS BETWEEN 8-9' ~MEDIUM DENSE~
	4D	24"	17"	9.0'	6	9	9	12		
	5D	24"	16"	12.0'	7	11	14	15		
										BOTTOM OF EXPLORATION AT 12.0'

SAMPLES:
 D = SPLIT SPOON
 C = 2" SHELBY TUBE
 S = 3" SHELBY TUBE
 U = 3.5" SHELBY TUBE

SOIL CLASSIFIED BY:
☐ DRILLER - VISUALLY
☒ SOIL TECH. - VISUALLY
☐ LABORATORY TEST

REMARKS:
 STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.

BORING NO.: **B-109**



BORING LOG

BORING NO.: **B-110**
 SHEET: 1 OF 1
 PROJECT NO.: 14-0065
 DATE START: 5/22/2014
 DATE FINISH: 5/22/2014
 ELEVATION: 125' ±
 SWC REP.: PJO
 WATER LEVEL INFORMATION
 NO FREE WATER OBSERVED

PROJECT / CLIENT: PROPOSED SENIOR LIVING FACILITY / THE PARK DANFORTH c/o MITCHELL & ASSOCIATES
 LOCATION: ARBOR STREET & FOREST AVENUE, PORTLAND, ME
 DRILLING CO.: GREAT WORKS TEST BORINGS, INC. DRILLER: JEFF LEE

CASING: TYPE SSA SIZE I.D. 2 1/4" HAMMER WT. HAMMER FALL
 SAMPLER: SS 1 3/8" 140-LBS 30"
 CORE BARREL:

CASING BLOWS PER FOOT	SAMPLE				SAMPLER BLOWS PER 6"				DEPTH	STRATA & TEST DATA
	NO.	PEN.	REC.	DEPTH @ BOT	0-6	6-12	12-18	18-24		
	1D	12"	6"	1.5'	19	50			3.0'	2 1/2" ASPHALT DARK BROWN GRAVELLY SAND, SOME SILT (FILL) <<BLOW COUNT OVERSTATED - PUSHED GRAVEL>>
	2D	24"	15"	5.0'	4	5	5	4	5.0'	ORANGE-BROWN FINE TO MEDIUM SAND TRACE GRAVEL ~LOOSE TO MEDIUM DENSE~
	3D	24"	16"	7.0'	5	4	9	13		~MEDIUM DENSE~ BROWN FINE TO MEDIUM SAND, SOME GRAVEL, TRACE SILT <<BLOW COUNT OVERSTATED - PUSHED GRAVEL>>
	4D	24"	16"	9.0'	17	21	15	14		
	5D	24"	14"	12.0'	9	10	12	14		~MEDIUM DENSE~
										BOTTOM OF EXPLORATION AT 12.0'

SAMPLES: D = SPLIT SPOON C = 2" SHELBY TUBE S = 3" SHELBY TUBE U = 3.5" SHELBY TUBE
 SOIL CLASSIFIED BY: DRILLER - VISUALLY SOIL TECH. - VISUALLY LABORATORY TEST
 REMARKS: STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.
 BORING NO.: **B-110**



BORING NO.:	B-113
SHEET:	1 OF 1
PROJECT NO.:	14-0065
DATE START:	5/23/2014
DATE FINISH:	5/23/2014
ELEVATION:	125' ±
SWC REP.:	PJO
ER LEVEL INFORMATION	
FREE WATER OBSERVED	

	TYPE	SIZE I.D.	HAMMER WT.	HAMMER FALL
CASING:	HSA	2 3/4"		
SAMPLER:	SS	1 3/8"	140-LBS	30"
CORE BARREL:				

SAMPLES: D = SPLIT SPOON C = 2" SHELBY TUBE S = 3" SHELBY TUBE U = 3.5" SHELBY TUBE	SOIL CLASSIFIED BY: X DRILLER - VISUALLY SOIL TECH. - VISUALLY LABORATORY TEST	REMARKS: STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY BETWEEN SOIL TYPES AND THE TRANSITION MAY BE GRADUAL.	14 BORING NO.: B-113
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BORING NO.:	B-114
SHEET:	1 OF 1
PROJECT NO.:	14-0065
DATE START:	5/23/2014
DATE FINISH:	5/23/2014
ELEVATION:	126' ±
SWC REP.:	PJO
ER LEVEL INFORMATION	
FREE WATER OBSERVED	

	TYPE	SIZE I.D.	HAMMER WT.	HAMMER FALL
CASING:	HSA	2 3/4"		
SAMPLER:	SS	1 3/8"	140-LBS	30"
CORE BARREL:				

15

KEY TO THE NOTES & SYMBOLS

Test Boring and Test Pit Explorations

All stratification lines represent the approximate boundary between soil types and the transition may be gradual.

Key to Symbols Used:

w	-	water content, percent (dry weight basis)
q _u	-	unconfined compressive strength, kips/sq. ft. - laboratory test
S _v	-	field vane shear strength, kips/sq. ft.
L _v	-	lab vane shear strength, kips/sq. ft.
q _p	-	unconfined compressive strength, kips/sq. ft. – pocket penetrometer test
O	-	organic content, percent (dry weight basis)
W _L	-	liquid limit - Atterberg test
W _P	-	plastic limit - Atterberg test
WOH	-	advance by weight of hammer
WOM	-	advance by weight of man
WOR	-	advance by weight of rods
HYD	-	advance by force of hydraulic piston on drill
RQD	-	Rock Quality Designator - an index of the quality of a rock mass.
γ _T	-	total soil weight
γ _B	-	buoyant soil weight

Description of Proportions:

Trace:	0 to 5%
Some:	5 to 12%
"Y"	12 to 35%
And	35+%
With	Undifferentiated

Description of Stratified Soils

Parting:	0 to 1/16" thickness
Seam:	1/16" to 1/2" thickness
Layer:	½" to 12" thickness
Varved:	Alternating seams or layers
Occasional:	one or less per foot of thickness
Frequent:	more than one per foot of thickness

REFUSAL: Test Boring Explorations - Refusal depth indicates that depth at which, in the drill foreman's opinion, sufficient resistance to the advance of the casing, auger, probe rod or sampler was encountered to render further advance impossible or impracticable by the procedures and equipment being used.

REFUSAL: Test Pit Explorations - Refusal depth indicates that depth at which sufficient resistance to the advance of the backhoe bucket was encountered to render further advance impossible or impracticable by the procedures and equipment being used.

Although refusal may indicate the encountering of the bedrock surface, it may indicate the striking of large cobbles, boulders, very dense or cemented soil, or other buried natural or man-made objects or it may indicate the encountering of a harder zone after penetrating a considerable depth through a weathered or disintegrated zone of the bedrock.

Report of Gradation

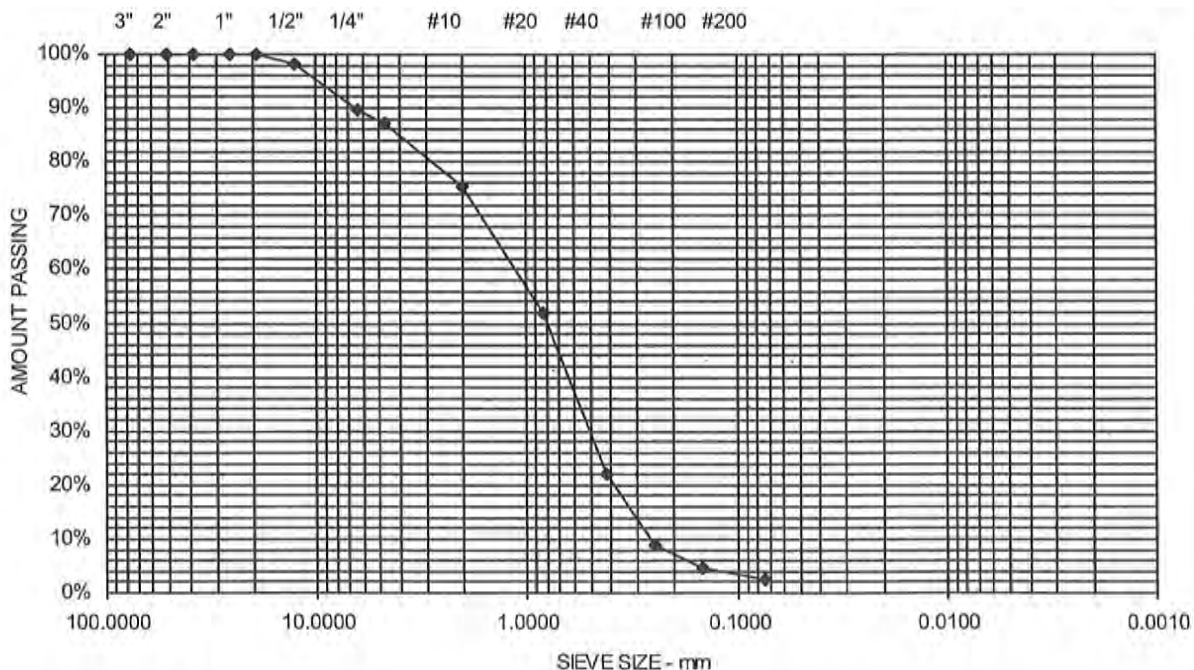
ASTM C-117 & C-136

Project Name PORTLAND ME - PROPOSED SENIOR LIVING - THE PARK
DANFORTH - GEOTECHNICAL ENGINEERING SERVICES
Client THE PARK-DANFORTH

Project Number 14-0065
Lab ID 18232G
Date Received 5/28/2014
Date Completed 5/30/2014
Tested By JUSTIN BISSON

Material Source **B-104 2D 2.5-4.5**

<u>STANDARD DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	100	
12.5 mm	1/2"	98	
6.3 mm	1/4"	90	
4.75 mm	No. 4	87	12.8% Gravel
2.00 mm	No. 10	75	
850 μm	No. 20	52	
425 μm	No. 40	22	84.8% Sand
250 μm	No. 60	9	
150 μm	No. 100	5	
75 μm	No. 200	2.4	2.4% Fines



Report of Gradation

ASTM C-117 & C-136

Project Name **PORTLAND ME - PROPOSED SENIOR LIVING - THE PARK DANFORTH - GEOTECHNICAL ENGINEERING SERVICES**

Client **THE PARK-DANFORTH**

Material Source **B-104 5D 10-12**

Project Number **14-0065**

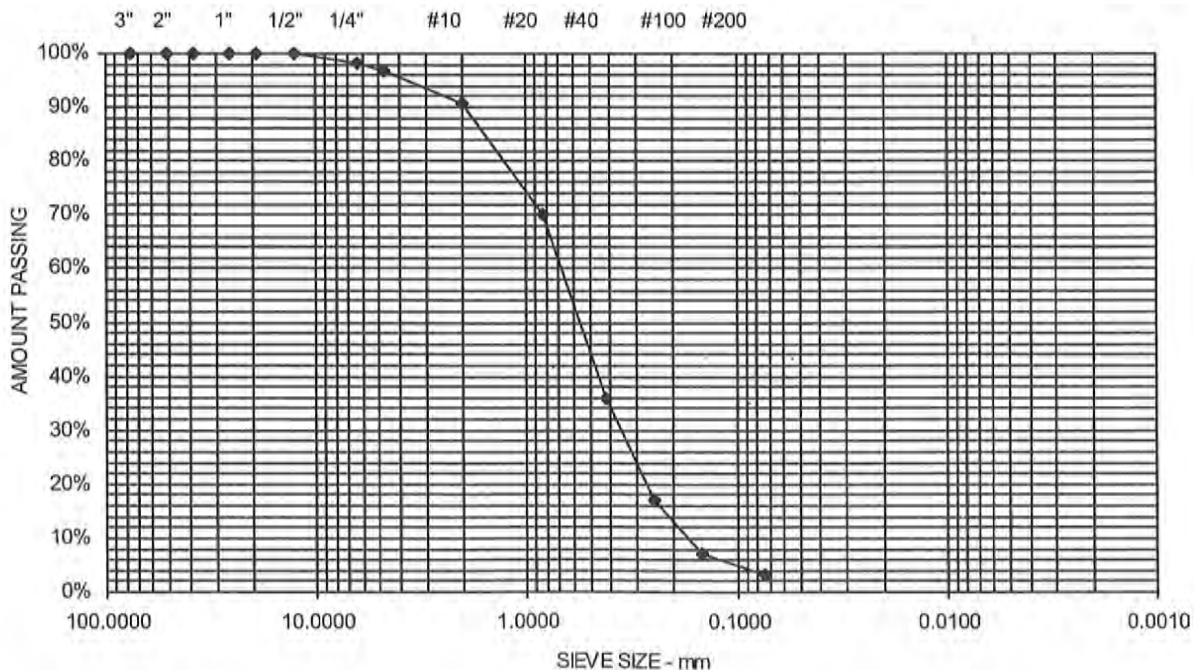
Lab ID **18233G**

Date Received **5/28/2014**

Date Completed **5/30/2014**

Tested By **JUSTIN BISSON**

<u>STANDARD DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	100	
12.5 mm	1/2"	100	
6.3 mm	1/4"	98	
4.75 mm	No. 4	97	3.2% Gravel
2.00 mm	No. 10	91	
850 μm	No. 20	70	
425 μm	No. 40	36	93.4% Sand
250 μm	No. 60	17	
150 μm	No. 100	7	
75 μm	No. 200	3.3	3.3% Fines



Report of Gradation

ASTM C-117 & C-136

Project Name PORTLAND ME - PROPOSED SENIOR LIVING - THE PARK
DANFORTH - GEOTECHNICAL ENGINEERING SERVICES

Client THE PARK-DANFORTH

Project Number 14-0065

Lab ID 18234G

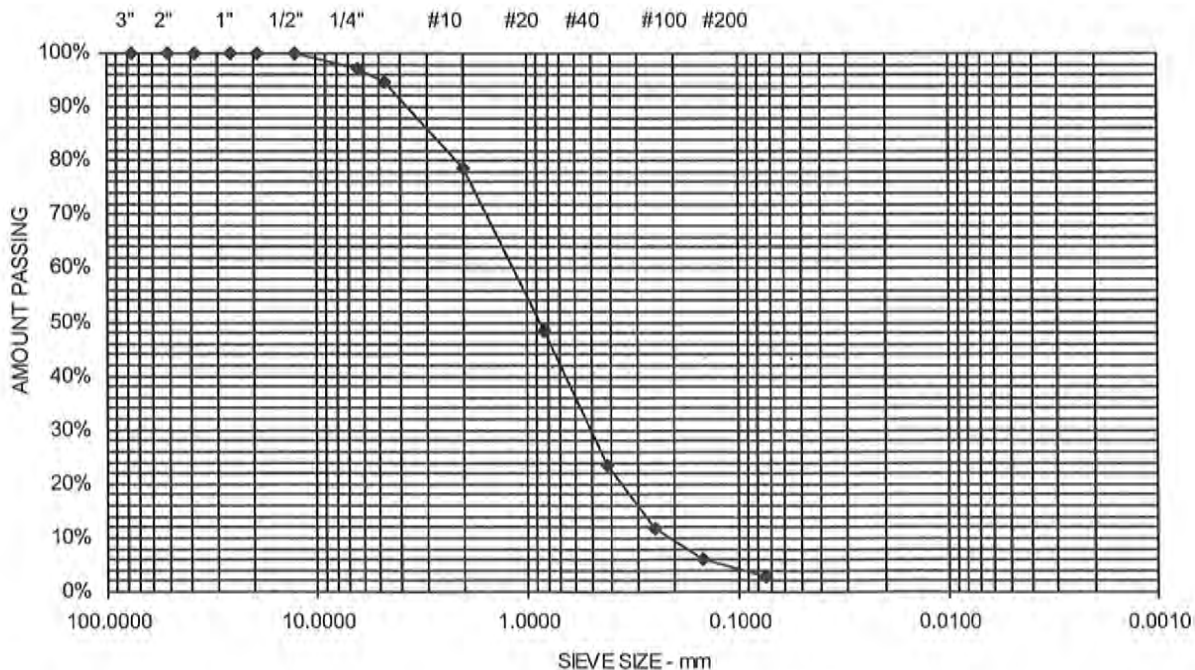
Date Received 5/28/2014

Date Completed 5/30/2014

Tested By JUSTIN BISSON

Material Source B-106 4D 7-9

<u>STANDARD DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	100	
12.5 mm	1/2"	100	
6.3 mm	1/4"	97	
4.75 mm	No. 4	95	5.4% Gravel
2.00 mm	No. 10	79	
850 μm	No. 20	48	
425 μm	No. 40	24	91.7% Sand
250 μm	No. 60	12	
150 μm	No. 100	6	
75 μm	No. 200	2.9	2.9% Fines



Report of Gradation

ASTM C-117 & C-136

Project Name **PORTLAND ME - PROPOSED SENIOR LIVING - THE PARK DANFORTH - GEOTECHNICAL ENGINEERING SERVICES**

Client **THE PARK-DANFORTH**

Material Source **B-106 6D 15-17**

Project Number **14-0065**

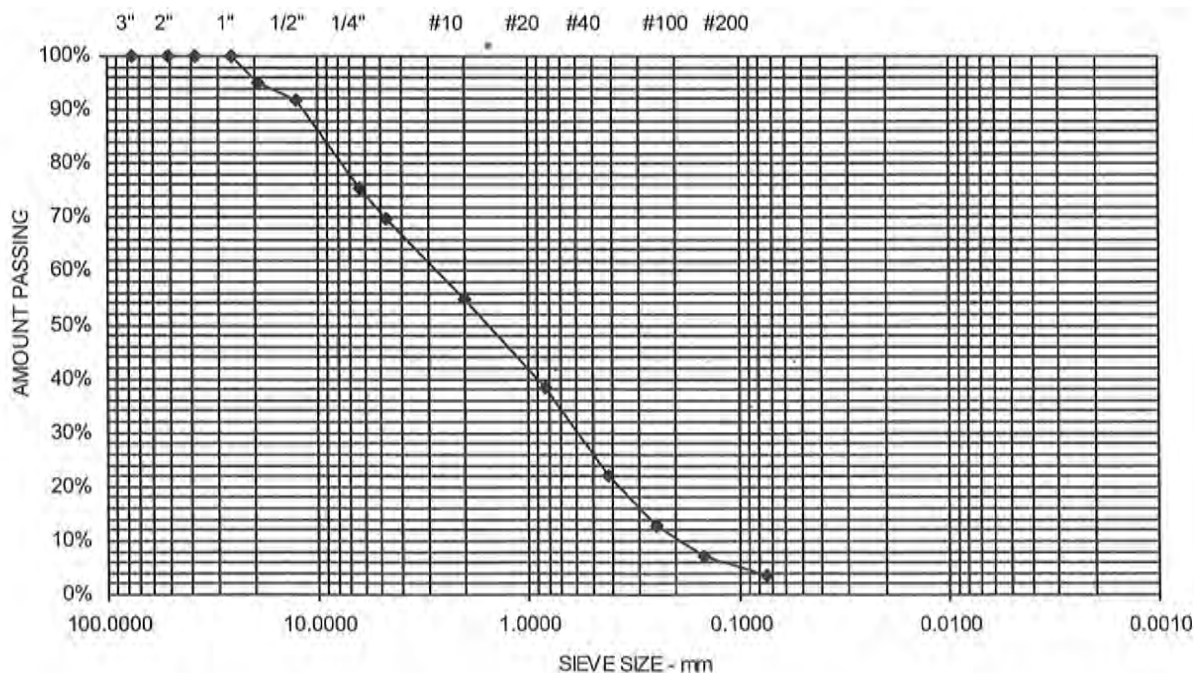
Lab ID **18235G**

Date Received **5/28/2014**

Date Completed **5/30/2014**

Tested By **JUSTIN BISSON**

<u>STANDARD DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	95	
12.5 mm	1/2"	92	
6.3 mm	1/4"	75	
4.75 mm	No. 4	70	30.3% Gravel
2.00 mm	No. 10	55	
850 μm	No. 20	39	
425 μm	No. 40	22	66.2% Sand
250 μm	No. 60	13	
150 μm	No. 100	7	
75 μm	No. 200	3.6	3.6% Fines



Report of Gradation

ASTM C-117 & C-136

Project Name **PORTLAND ME - PROPOSED SENIOR LIVING - THE PARK**
DANFORTH - GEOTECHNICAL ENGINEERING SERVICES

Client **THE PARK-DANFORTH**

Project Number **14-0065**

Lab ID **18236G**

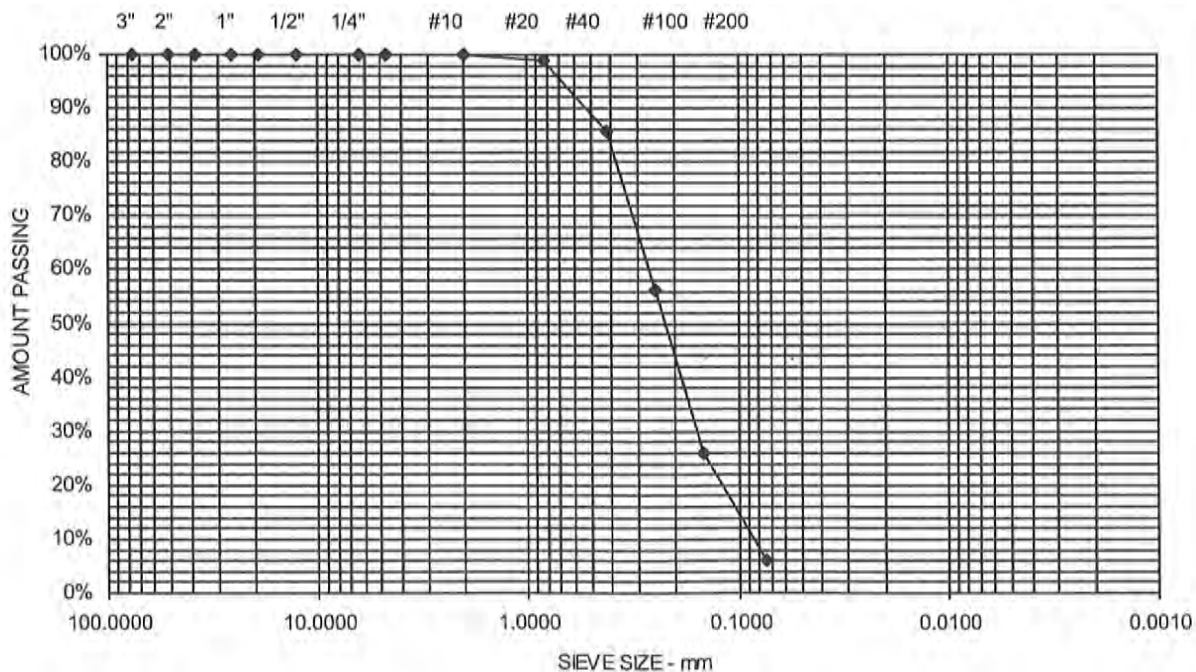
Date Received **5/28/2014**

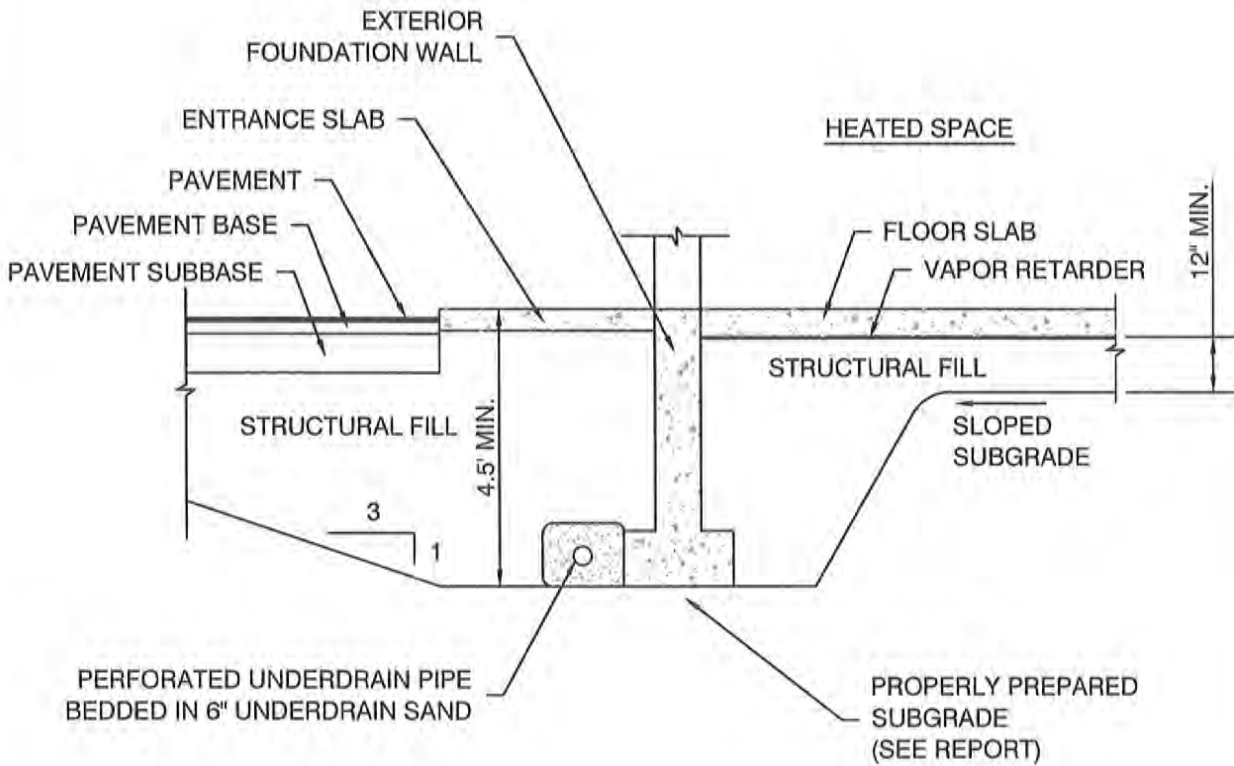
Date Completed **5/30/2014**

Tested By **JUSTIN BISSON**

Material Source **B-106 7D 20-22**

<u>STANDARD DESIGNATION (mm/μm)</u>	<u>SIEVE SIZE</u>	<u>AMOUNT PASSING (%)</u>	
150 mm	6"	100	
125 mm	5"	100	
100 mm	4"	100	
75 mm	3"	100	
50 mm	2"	100	
38.1 mm	1-1/2"	100	
25.0 mm	1"	100	
19.0 mm	3/4"	100	
12.5 mm	1/2"	100	
6.3 mm	1/4"	100	
4.75 mm	No. 4	100	0% Gravel
2.00 mm	No. 10	100	
850 μm	No. 20	99	
425 μm	No. 40	86	94.1% Sand
250 μm	No. 60	56	
150 μm	No. 100	26	
75 μm	No. 200	5.9	5.9% Fines





NOTE:

1. UNDERDRAIN INSTALLATION AND MATERIAL GRADATION RECOMMENDATIONS ARE CONTAINED WITHIN THIS REPORT.
2. DETAIL IS PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY, NOT FOR CONSTRUCTION.



S.W. COLE
ENGINEERING, INC.

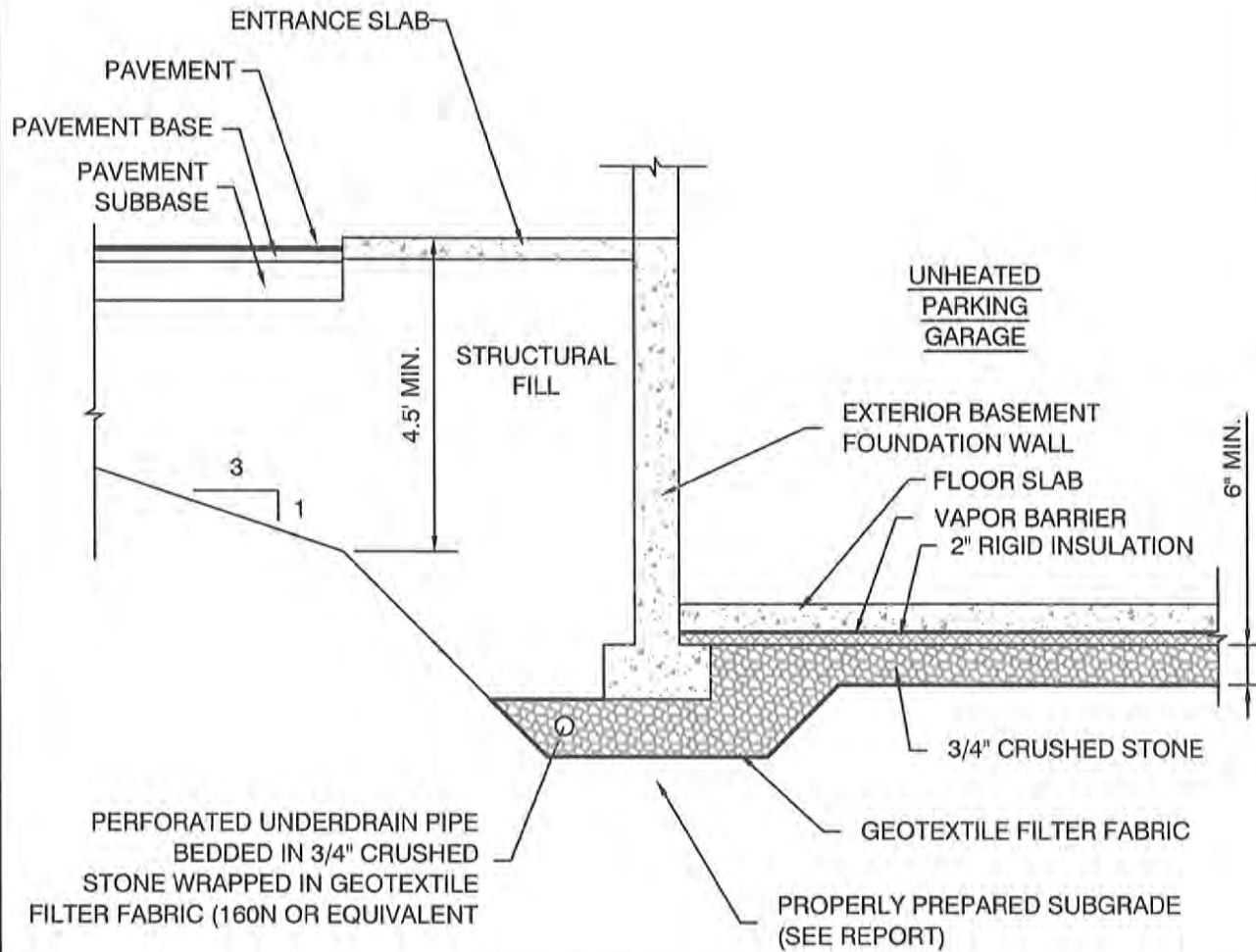
THE PARK DANFORTH
C/O MITCHELL & ASSOCIATES

UNDERDRAIN DETAIL

PROPOSED APARTMENT BUILDING
ARBOR STREET AND FOREST AVENUE
PORTLAND, MAINE

Job No.: 14-0065
Date : 09/30/2014

Scale: Not to Scale
Sheet: 22



BASEMENT AREA

NOTE:

1. UNDERDRAIN INSTALLATION AND MATERIAL GRADATION RECOMMENDATIONS ARE CONTAINED WITHIN THIS REPORT.
2. DETAIL IS PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY, NOT FOR CONSTRUCTION.



S.W. COLE
ENGINEERING, INC.

THE PARK DANFORTH
C/O MITCHELL & ASSOCIATES

UNDERDRAIN DETAIL

PROPOSED APARTMENT BUILDING
ARBOR STREET AND FOREST AVENUE
PORTLAND, MAINE

Job No.: 14-0065
Date : 09/30/2014

Scale: Not to Scale
Sheet: 23

EXHIBIT 15

WAIVER REQUESTS

The following waiver request are sought:

1. **Bicycle Parking [Sec. 14-526 a.4 b.(i) (a)]** The 54 elderly independent living units require twenty-two (22) bicycle parking spaces. The owner believes the resident and employee population will not require this amount. We request to reduce the requirement to 6 bicycle parking spaces. Four spaces located on the exterior of the building and two in the parking garage.
2. **Street Tree Requirement (Sec. 14-526 2.b. iii. a & Technical Design Manual 4.6)** The proposed 54 unit multi-family residential development expansion requires the planting of 54 trees (1 tree/unit). Due to the size of property and available street frontage, planting this quantity of trees is not feasible. The applicant requests a waiver for 26 trees and shall contribute to the street tree fund in an amount proportionate to the cost of the required trees.
3. **Driveway Location (Technical Design Manual 1.7.2.7)** Forest Avenue is a 30 mph road. The minimum spacing requirement for curb cuts in this location is 125 feet. The existing driveway for The Park Danforth is approximately 70 feet from the intersection of Read Street and Forest Avenue. The applicant is requesting a waiver from this requirement. This is an existing driveway location providing access to the service area and parking. The applicant is widening the driveway and adding ingress and egress lanes separated by a raised pedestrian mounbtable concrete median. The drive will be posted right turn in, right turn out.
4. **Number of Driveways (Technical Design Manual 1.7.2.8)** No more than two (2) ingress & egress driveways are permitted for commercial developments. The applicant is requesting a waiver to allow four driveways to serve the property which is an entire city block. The existing city block has seven (7) driveways serving the uses with three (3) along Stevens Avenue, three on Arbor Street, one (1) previously eliminated with the removal of a two-family residence in 2013, and two (2) on Forest Avenue. The applicant is reducing the amount of curb cuts on this block to four (4). Three of the proposed entrance drives (Stevens Avenue, Arbor Street and Forest Avenue) will be for daily use while, at the recommendation of the Portland Fire Department, one of the curb cuts will be for

Street will be posted as emergency vehicle access only. This was a request made by the Portland Fire Department during review of site circulation and current EMS history for The Park Danforth. The middle Stevens Avenue curb cut has been relocated to align with the new main entry and the two (2) current curb openings will be closed. This driveway will be posted as right-turn in, right-turn out only. The Arbor Street driveway aligns with the new building entry and is located where the former two-family residence was located. The existing driveway to the Park Danforth service area is being modified to improve delivery vehicle access and will be posted as right-turn in, right-turn out. The four (4) curb cuts will allow easier movement within the site, maintain access into an existing service area, and accommodate accessibility for emergency vehicles.

Temporary Waiver Request

The applicant requests the following temporary waivers:

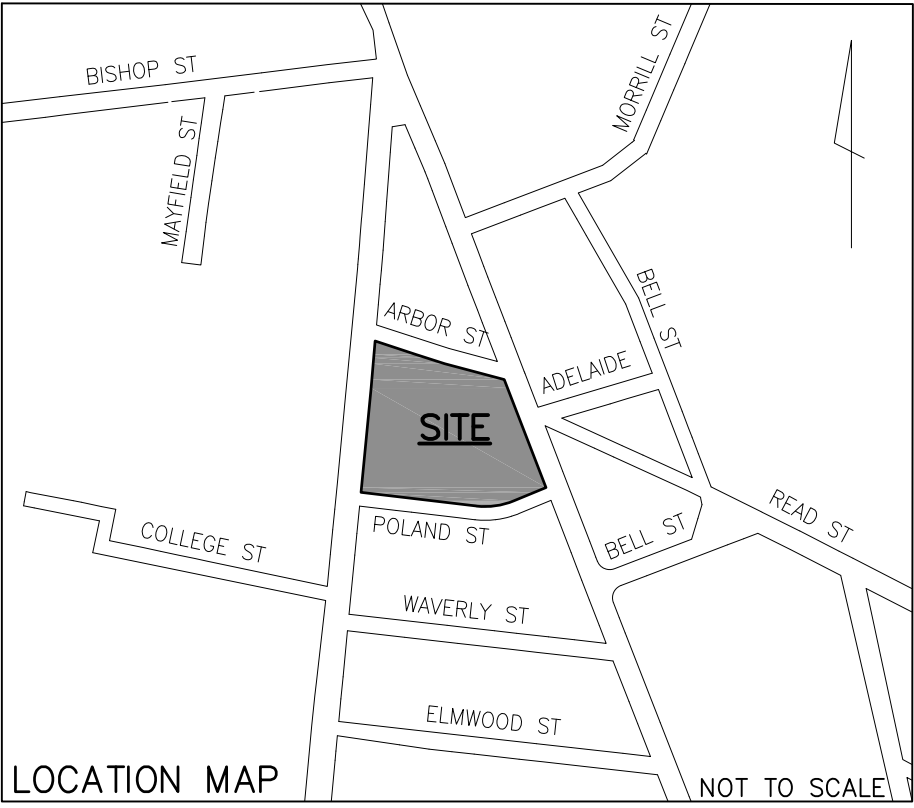
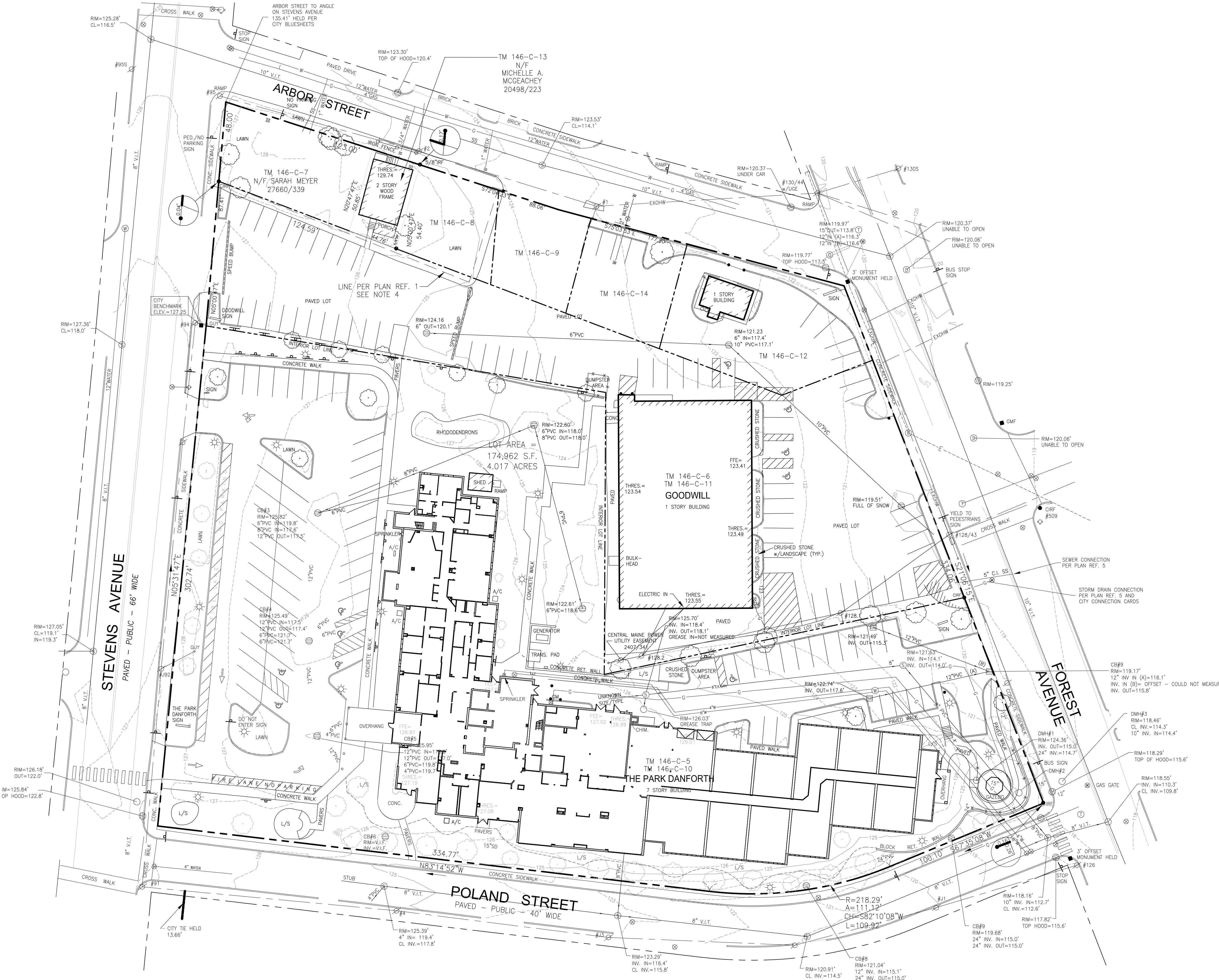
1. Construction Management Plan. At this stage in development we are unable to provide a detailed construction management plan. We request the ability to provide this at a later time.
2. Lighting Photometric Plan. We are currently working on selection of energy efficient fixtures for the site and building. We request the ability to provide this at a later time.
3. Sign Plan. The Sign Plan will be in conformance with city zoning. We request the ability to provide this at a later time for staff review
4. Waste Stream Management: Currently, The Park Danforth is in the process of evaluating the management to accommodate the waste stream in an effort to eliminate the current dumpster service. We request the ability to provide this at a later date.
5. Manufacturers' Verification of Mechanical Systems, HVAC, Emergency Generators, etc.: Emergency generator, HVAC equipment will be mounted on the roof. Sizing and selection of equipment is currently being developed. Appropriate documentation will be submitted for staff review. We request the ability to provide at a later date.

EXHIBIT 16
LIGHTING FIXTURES

Temporary waiver request for submission of Lighting Plan.

EXHIBIT 17
CONSTRUCTION MANAGEMENT PLAN

Temporary waiver request for submission of Construction Management Plan.



GENERAL NOTES

- OWNERS OF RECORD:
HEA FOREST AVENUE PROPERTIES, LLC LOTS 146-C-6, 146-C-9, 146-C-11, 146-C-12, 146-C-14 (ALL IN BOOK 29524 PAGE 325)
HOME FOR THE AGED LOTS 146-C-8 BOOK 30933 PAGE 330, 146-C-5, 146-C-10 BOOK 6354 PAGE 117.
- BEARINGS ARE BASED ON CITY DATUM, MAINE STATE PLANE WEST ZONE (NAD83).
- ELEVATIONS ARE ON CITY DATUM, BASED ON BENCH MARK AT 3' OFFSET MONUMENT UNDER COVER ON EASTERLY SIDE OF STEVENS AVENUE.
- THE LINES AROUND THE LAND OF MCGEACHEY ARE BASED ON THE DEED DIMENSIONS. THE DASHED LINES ARE AS SHOWN ON PLAN REFERENCE 1. A BOUNDARY AGREEMENT IS RECOMMENDED WITH MCGEACHEY AND MEYER.
- PLAN REFERENCES
1. "PLAN OF PROPERTY IN PORTLAND, MAINE FOR DR. LLOYD B. WOLF AUG. 1973 H.I. & E.C. JORDAN - SURVEYORS"
2. "PARK-DANFORTH CONDOMINIUM PLANS SITE PLAN HOUSING FOR THE ELDERLY, A CONDOMINIUM SITUATE AT: STEVENS AND FOREST AVENUES AT POLAND STREET, PORTLAND, CUMBERLAND, MAINE 12/7/83 LARRY SLAUGHTER -SURVEYOR" RECORDED IN PLAN BOOK 140 PAGE 37
3. "THE PARK-DANFORTH CONDOMINIUM 777 STEVENS AVE PORTLAND, MAINE RECORDING PLAT 09-23-97 LAND USE CONSULTANTS, INC." RECORDED IN PLAN BOOK 197 PAGE 515
4. BLUE BOOK SHEETS FOR STEVENS AVE., FOREST AVE., POLAND STREET, AND ARBOR STREET, FROM THE PORTLAND ENGINEERING DEPARTMENT
5. "FOREST AVENUE DEVELOPMENT PORTLAND MAINE SITE PLAN MADE FOR HANNAFORD BROS. CO. SOUTH PORTLAND, MAINE" BY E.C. JORDAN CO. CONSULTING ENGINEERS DATED JAN 6 1986.

UTILITIES NOTES
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 SURVEYOR 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 INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- ELECTRIC/GAS METER
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- IRRIGATION CONTROL VALVE
- BOLLARD
- DECIDUOUS TREE
- CONIFEROUS TREE
- INTERIOR LOT LINE
- FENCE
- CURB
- OVERHEAD WIRES
- UNDERGROUND ELECTRIC
- WATER LINE
- GAS LINE
- SS
- STORM DRAIN SANITARY
- SEWER
- 1' CONTOUR

Prepared For:
Owner:
Home For The Aged
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710
P1

Applicant:
The Park Danforth
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710

Prepared By:
MITCHELL & ASSOCIATES
Landscape Architects
The Staples School
70 Center Street
Portland, Maine 04101
Tel.: 207-774-4427

The Park Danforth

Portland, Maine

777 Stevens Avenue

Date:
OCTOBER 17, 2014

Issued For:
PERMITTING

Revisions:

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Title:
EXISTING
CONDITIONS PLAN

Scale: 1"=30'

0 10 20 30 60 ft.

North:

Sheet No.:
L1.0

SIGN SCHEDULE:

- [A] STOP SIGN
 [B] FIRE LANE 'NO PARKING'
 [C] EMERGENCY VEHICLES ONLY
 [D] RIGHT TURN ONLY
 [E] TIME RESTRICTED PARKING
 [F] VISITOR PARKING
 [G] EMPLOYEE PARKING
 [H] RESIDENT PARKING
 [I] HANDICAP PARKING
 [J] VENDOR PARKING
 [K] KEEP RIGHT SIGN

GENERAL NOTES:

- SITE AREA: 181,100 SF OR 4.16 ACRES
- APPLICANT: THE PARK DANFORTH
C/O DENISE VACHON C.E.O.
777 STEVENS AVENUE
PORTLAND, MAINE 04103
- OWNERS: HFA FOREST AVENUE PROPERTIES, LLC LOTS 146-C-6, 146-C-9, 146-C-11, 146-C-12, 146-C-14 (ALL IN BOOK 29524 PAGE 325)

HOME FOR THE AGED LOTS 146-C-8 (BOOK 30933, PAGE 330), 146-C-5, 146-C-10 (BOOK 6354 PAGE 117).

MICHELE A. MCGEACHY LOT 146-C-13 (BOOK 20498, PAGE 223)
- ZONING DISTRICT: R-6A RESIDENTIAL DISTRICT
- PARCELS ARE SHOWN AS LOTS 5, 6, 8, 9, 10, 11, 12, 13 AND 14, BLOCK C ON CITY OF PORTLAND ASSESSORS MAP 146.
- DEEDS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS: BOOK 29524, PAGE 325; BOOK 30933, PAGE 330; AND BOOK 6354, PAGE 117.
- SPACE AND BULK STANDARDS:

	REQUIRED	PROPOSED
MINIMUM LOT SIZE:	4 ACRES	4.16 ACRES
MINIMUM LOT WIDTH	40 FEET	380 FEET
MINIMUM STREET FRONTAGE:	40 FEET	389 FEET
FRONT YARD SETBACK	10 FEET	89 FEET
REAR YARD SETBACK	20 FEET	43 FEET
SIDE YARD SETBACK	15 FEET	55 FEET
SIDE YARD IN SIDE STREET	10 FEET	10 FEET
MAXIMUM LOT COVERAGE	40-50%	30%
MAXIMUM HEIGHT OF STRUCTURES:	65 FEET	60 FEET
LANDSCAPED OPEN SPACE	20%	26%

- EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY ON STEVENS AVE., ARBOR ST., FOREST AVE. AND POLAND ST., PORTLAND, MAINE, MADE FOR MITCHELL & ASSOCIATES', DATED JANUARY 3, 2014, PREPARED BY OWEN HASKELL INC., FALMOUTH MAINE
- ELEVATIONS ARE ON CITY DATUM, BASED ON BENCH MARK AT 3' OFFSET MONUMENT UNDER COVER ON EASTERLY SIDE OF STEVENS AVENUE.
- PROPOSED DWELLING UNITS: 54 INDEPENDENT LIVING UNITS (4 PHASE II)
EXISTING DWELLING UNITS: 160 (124 SNLU AND 36 INTERMEDIATE CARE)

REQUIRED		
SNLU UNITS (124)	1 SPACE/4 UNITS	31 SPACES
INTERMEDIATE CARE (36 UNITS)	1 SPACE/5 UNITS	8 SPACES
NEW UNITS (54)	1 SPACE/1 UNIT	54 SPACES
	TOTAL	93 SPACES

PROPOSED (PER PARKING ANALYSIS)

	VEHICULAR PARKING	138 SPACES
	HANDICAP PARKING	13 SPACES
	TOTAL	151 SPACES

- BICYCLE PARKING:
REQUIRED: 2 SPACES/5 DWELLING UNITS
22 SPACES (54 NEW DWELLING UNITS)
PROPOSED: 7 SPACES (5 EXTERIOR)

- EXISTING IMPERVIOUS: 3.22 ACRES (77.4% OF SITE)
PROPOSED IMPERVIOUS: 3.05 ACRES (73.3% OF SITE)

FLOOR AREA CALCULATIONS:	
GARAGE	16,817 G.S.F.
FIRST FLOOR:	14,975 G.S.F.
CONNECTOR:	3,848 G.S.F.
AUDITORIUM:	2,954 G.S.F.
SECOND FLOOR:	14,619 G.S.F.
THIRD FLOOR:	14,619 G.S.F.
FOURTH FLOOR:	14,619 G.S.F.
FIFTH FLOOR:	11,785 G.S.F.
TOTAL	94,236 G.S.F.

PARKING SUMMARY:	
BACK OF HOUSE LOT:	10 SPACES
FOREST AVENUE LOT:	7 SPACES
ARBOR STREET LOT:	23 SPACES
CENTRAL LOT (VISITOR):	9 SPACES
STEVENS AVENUE--SOUTH LOT:	39 SPACES
STEVENS AVENUE--NORTH LOT:	25 SPACES
GARAGE PARKING	38 SPACES
TOTAL	151 SPACES

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
SANITARY SEWER		
STORM DRAIN		
WATER		
TELEPHONE		
GAS		
OVERHEAD WIRES		
CMP CABLE LINES		
FOUNDATION DRAIN		
CLEAN OUT		
CURB		
FENCE		
SIGN		
DECIDUOUS TREE		
EVERGREEN TREE		
CONTOUR		
SPOT ELEVATION		
WALL MOUNTED LIGHT		
POLE MOUNTED LIGHT		

Prepared For:

Owner:
Home For The Aged
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710

P2

Applicant:
The Park Danforth
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710

Prepared By:

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

The Park Danforth

Portland, Maine
777 Stevens Avenue

Date:

OCTOBER 17, 2014

Issued For:

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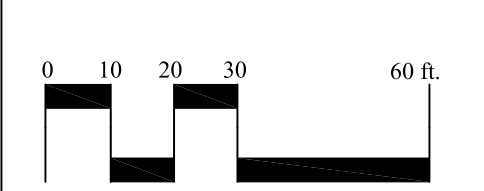
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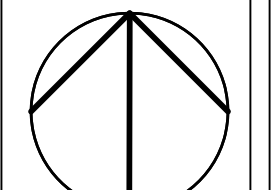
Title:

LAYOUT AND
MATERIALS PLAN

Scale: 1"=30'



North:



Sheet No.:

L2.0

DRAINAGE STRUCTURE SCHEDULE

CB#G100	
RIM	118.45
INV.OUT	116.72

CB#G101	
RIM	118.45
INV.IN	116.30
INV.OUT	116.20

CB#G102	
RIM	118.45
INV.IN	115.85
INV.OUT	115.75

CB#G103 (TRENCH DRAIN)	
RIM	118.72
INV.OUT	116.17

STORM DRAIN SCHEDULE

SD NO.	PIPE TYPE	LENGTH	SLOPE
SD-G1	12" PERF. HDPE	83 L.F.	0.005
SD-G2	12" PERF. HDPE	57 L.F.	0.006
SD-G3	12" PERF. HDPE	51 L.F.	0.006
SD-G4	12" PERF. HDPE	81 L.F.	0.005

GRADING NOTES:

- DO NOT SCALE THESE DRAWINGS. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, NOTES AND SPECIFICATIONS SHALL BE IMMEDIATELY REPORTED TO THE LANDSCAPE ARCHITECT FOR FURTHER DIRECTION AND RESOLUTION BEFORE ADDITIONAL WORK PROCEEDS.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES ON THE GROUND. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT FOR DIRECTION AND RESOLUTION PRIOR TO ANY FURTHER WORK.
- CONTRACTOR SHALL FIELD VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES WITH THE APPROPRIATE UTILITY COMPANIES PRIOR TO EXCAVATION OF OR INSTALLATION OF ANY PART OF THIS WORK.
- CONTRACTOR SHALL AVOID ALL AREAS NOT REQUIRING GRADING. CONTRACTOR SHALL NOT DISTURB THESE AREAS.
- 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 SURVEYOR 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 INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL DIGSAFE (1-888-344-7233) AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.
- CONTRACTOR SHALL CONDUCT TEST PIT EXCAVATION TO CONFIRM LOCATION OF EXISTING UTILITIES WHERE NEW BUILDING SANITARY SERVICE AND WATER SERVICE ARE PROPOSED.
- WHERE STORM DRAINS OR SEWER MAINS HAVE LESS THAN FOUR (4) FEET OF COVER BETWEEN TOP OF PIPE AND FINISH GRADE, INSULATE PIPE USING TWO (2) INCH THICK STYROFOAM INSULATION BOARD OVER AND ALONG SIDES OF THE PIPE.
- EXISTING DRAINAGE MANHOLES SHALL BE CORED TO ACCEPT NEW DRAINAGE PIPES AS NOTED.
- PIPE LENGTH EQUALS THE CENTER TO CENTER DISTANCES BETWEEN CATCH BASINS AND/OR MANHOLES MINUS ONE-HALF OF THE DIAMETER OF EACH CATCH BASIN OR MANHOLE.
- ROOF DRAIN CONNECTIONS SHALL BE CONFIRMED WITH FINAL BUILDING PLANS.
- ALL UTILITIES SHALL BE INSTALLED IN CONFORMANCE WITH INDIVIDUAL UTILITY DISTRICT REQUIREMENTS; CONTRACTOR SHALL COORDINATE INSTALLATION WITH APPROPRIATE UTILITY DISTRICT BEFORE INSTALLATION.
- ALL WORK WITHIN THE ROAD RIGHT-OF-WAY AND ALL UTILITIES CONNECTING TO INFRASTRUCTURE WITHIN THE ROAD SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
- ELEVATIONS ARE ON CITY DATUM, BASED ON BENCH MARK AT 3' OFFSET MONUMENT UNDER COVER ON EASTERLY SIDE OF STEVENS AVENUE. BENCHMARK = 127.25
- GRADING FOR THE A.D.A. COMPLIANT PARKING SPACES TO THE A.D.A. BUILDING ENTRANCES SHALL COMPLY WITH ACCESSIBILITY REQUIREMENTS INCLUDING MAXIMUM 2% SLOPE IN ANY DIRECTION AND SURFACE TREATMENT. ANY REPAIRS TO ACHIEVE COMPLIANCE SHALL BE COMPLETED AT NO EXTRA EXPENSE TO THE OWNER.

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
SANITARY SEWER		
STORM DRAIN		
WATER		
TELEPHONE		
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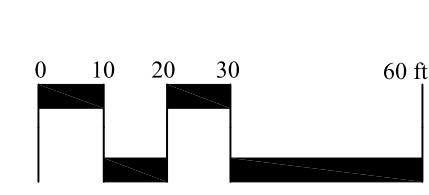
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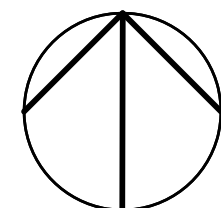
Title:

GRADING PLAN:
GARAGE LEVEL

Scale: 1"=30'



North:



Sheet No.:

L3.1



1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN ARE COMPLETELY ACCURATE UTILITIES IN THE AREA. UTILITIES EITHER IN SERVICE OR ABANDONED. THE SURVEYOR 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 INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL DIGSAFE (1-888-344-7233) AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.
2. DO NOT SCALE THESE DRAWINGS. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, NOTES AND SPECIFICATIONS SHALL BE IMMEDIATELY REPORTED TO THE LANDSCAPE ARCHITECT FOR FURTHER DIRECTION AND RESOLUTION BEFORE ADDITIONAL WORK PROCEEDS.
3. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES ON THE GROUND. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT FOR DIRECTION AND RESOLUTION PRIOR TO ANY FURTHER WORK.
4. CONTRACTOR SHALL FIELD VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES WITH THE APPROPRIATE UTILITY COMPANIES PRIOR TO EXCAVATION OF OR INSTALLATION OF ANY PART OF THIS WORK.
5. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. UTILITIES SHALL BE EXCAVATED IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF THE CITY OF PORTLAND AND AFFECTED UTILITY OWNERS. ALL UTILITIES SHALL BE INSTALLED IN CONFORMANCE WITH INDIVIDUAL UTILITY DISTRICT REQUIREMENTS; CONTRACTOR SHALL COORDINATE INSTALLATION WITH APPROPRIATE UTILITY DISTRICT BEFORE INSTALLATION.
6. LOCATION OF UTILITY STRUCTURES AND INVERTS OF PIPED UTILITIES MAY BE ADJUSTED TO MEET FIELD CONDITIONS ONLY AFTER PRIOR APPROVAL OF THE OWNER, THE AFFECTED UTILITY COMPANY, AND THE CITY OF PORTLAND.
7. CONTRACTOR SHALL CONDUCT TEST PIT EXCAVATION TO CONFIRM LOCATION OF EXISTING UTILITIES WHERE NEW BUILDING SANITARY SERVICE, GAS, WATER AND ELECTRIC SERVICE ARE PROPOSED AND WHERE STORMWATER OUTLETS INTO EXISTING STORM DRAIN.
8. WHERE STORM DRAINS HAVE LESS THAN FOUR (4) FEET OF COVER BETWEEN THE TOP OF PIPE AND FINISH GRADE, INSULATE PIPE USING TWO (2) INCH THICK STYROFOAM INSULATION BOARD AND INSULATE ALONG SIDES OF THE PIPE. ALL REQUIRED UTILITIES SERVING THE DEVELOPMENT SHALL BE COORDINATED AND CONSTRUCTED TO WITHIN 5 FEET OF THE BUILDINGS. AT A LOCATION COORDINATED WITH THE CONTRACTOR AND THE BUILDING PLANS. ALL REQUIRED CONNECTION FEES SHALL BE PAID BY CONTRACTOR.
9. ALL WATER UTILITY MATERIAL AND INSTALLATION METHODS SHALL CONFORM TO THE STANDARDS OF THE PORTLAND WATER DISTRICT. PORTLAND WATER DISTRICT CONTACT: JAMIE PASCHAL (207) 774-5961 x3051.
10. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF OVERHEAD AND UNDERGROUND TELEPHONE AND CABLE UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH FAIRPOINT COMMUNICATIONS. CONTACT: JOHN CAPRIO (207) 797-1678 AND TIME WARNER CABLE CONTACT: MARK PELLETIER (207) 253-2324.
11. DISCONTINUED UTILITY SERVICES INCLUDING SANITARY SEWER SHALL BE PERMANENTLY CAPPED CONFORMING TO CITY OF PORTLAND STANDARDS, CONTRACTOR SHALL COORDINATE WITH PUBLIC SERVICES.
12. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF OVERHEAD AND UNDERGROUND ELECTRIC WITH CENTRAL MAINE POWER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TOTAL INSTALLATION OF THE UNDERGROUND SERVICE INCLUDING, BUT NOT LIMITED TO, ALL TRENCHING, CONDUIT, PRIMARY AND SECONDARY CABLES, TERMINATORS, CONNECTORS, PULL WIRES, SPARE CONDUIT, ETC. CENTRAL MAINE POWER CONTACT: JAMIE COUGH, (207) 842-2367.
13. SANITARY SEWER PIPE SHALL BE POLYVINYL CHLORIDE PIPE MEETING THE REQUIREMENTS OF SDR-35 FOR GRAVITY PIPE, UNLESS OTHERWISE NOTED ON THE PLANS. ALL SEWER UTILITY MATERIALS AND INSTALLATION METHODS SHALL CONFORM TO STANDARDS OF THE CITY OF PORTLAND. COORDINATE WITH CITY OF PORTLAND DEPT. OF PUBLIC SERVICES. PORTLAND PUBLIC SERVICES CONTACT: DAVID MARGOUS-PINEDO, (207) 874-8850.
14. PIPE LENGTH EQUALS THE CENTER TO CENTER DISTANCES BETWEEN CATCH BASINS AND/OR MANHOLES MINUS ONE-HALF OF THE DIAMETER OF EACH CATCH BASIN OR MANHOLE.
15. ROOF DRAIN CONNECTIONS SHALL BE CONFIRMED WITH FINAL BUILDING PLANS.
16. THRUST BLOCKS OR LOCKING RETAINER GLANDS SHALL BE PLACED ON THE WATER DISTRIBUTION LINES AT ALL BENDS, TEES, FIRE HYDRANTS, VALVES, CHANGES IN DIRECTION, ETC. THE THRUST BLOCKS OR LOCKING RETAINER GLANDS SHALL MEET THE REQUIREMENTS OF THE PORTLAND WATER DISTRICT.
17. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE ONSITE NATURAL GAS SUPPLY SYSTEM WITH THE UNTIL. THE CONTRACTOR IS RESPONSIBLE FOR EXCAVATION AND BACKFILL OF THE GAS LINE. UNTIL CONTACT: BRIDGET MATHERS, (207) 541-2505.
18. ALL WORK WITHIN THE ROAD RIGHT-OF-WAY AND ALL UTILITIES CONNECTING TO INFRASTRUCTURE WITHIN THE ROAD SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.

LEGEND		
	EXISTING	PROPOSED
PROPERTY LINE		
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
SANITARY SEWER		
STORM DRAIN		
WATER		
TELEPHONE		
GAS		
OVERHEAD WIRES		
OMP CABLE LINES		
FOUNDATION DRAIN		
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POLE MOUNTED LIGHT		

777 Stevens Avenue
Portland, Maine

Landscape Architects
The Staples School
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Portland, Maine 04101
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L4.0

PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
A. FAR	5	ACER FREEMANI 'ARMSTRONG'	ARMSTRONG MAPLE	2.5" CAL
A. GRI	3	ACER GRISEUM	PAPERBARK MAPLE	2.5" CAL
C. JAP	3	CERCIDIPHYLLUM JAPONICUM	KATSURA TREE	2.5" CAL
C. KOU	7	CORNUS KOUSA	KOUSA DOGWOOD	2.5" CAL
C. KOW	1	CORNUS KOUSA 'WOLF EYES'	VARIEGATED KOUSA DOGWOOD	2" CAL
F. SYL	1	FAGUS SYLVATICA 'TRICOLOR'	TRICOLOR BEECH	2.5" CAL
M. ROR	12	MALUS 'ROYAL RAINDROPS'	ROYAL RAINDROPS' FLOWERING CRAB	1.75" CAL
T. COR	7	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2.5" CAL
S. PSE	1	STEWARTIA PSEUDOCAMELLIA	JAPANESE STEWARTIA	#15
T. OCC	6	THUJA OCCIDENTALIS 'DOUGLASH'	DOUGLAS ARBORVITAE	4'-5' HT.
T. OGG	8	THUJA OCCIDENTALIS 'GOLDEN GLOBE'	GLOBE ARBORVITAE	#3
U. AVF	6	ULMUS AMERICANA 'VALLEY FORGE'	VALLEY FORGE ELM	2.5" CAL
SHRUBS				
A. FIR	11	AZALEA 'FIRESTAR'	EVERGREEN FIRESTAR AZALEA	#3
C. ALN	6	CLETHRA ALNIFOLIA 'SIXTEEN CANDLES'	SIXTEEN CANDLES SUMMERSWEET	#3
D. BUR	9	DAPHNE BURKWOODII 'CAROL MACKIE'	CAROL MACKIE DAPHNE	#3
F. GAR	6	FOTHERGILLA GARDENII	DWARF BOTTLEBRUSH	#3
H. MAC	28	HYDRANGEA MACROPHYLLA 'ENDLESS SUMMER'	ENDLESS SUMMER HYDRANGEA	#3
H. PAN	1	HYDRANGEA PANCULATA 'LITTLE QUICKFIRE'	QUICKFIRE HYDRANGEA	#3
J. COM	4	JUNIFER COMMUNIS 'REFANDA'	REFANDA JUNIPER	#3
J. VIR	6	JUNIFER VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	#3
M. DDB	15	MICROBIOTA DECUSSATA 'DREW'S BLUE'	DREW'S BLUE CARPET CYPRESS	#3
P. JAP	3	PIERIS JAPONICA 'MT FIRE	MT FIRE ANDROMEDA	#3
R. KNO	12	ROSE 'KNOCK OUT'	KNOCK OUT ROSE	#3
R. BUB	7	RHODODENDRON 'BUBBLEGUM'	BUBBLEGUM RHODODENDRON	#3
R. OLM	24	RHODODENDRON 'OLGA MEZITT'	OLGA MEZITT RHODODENDRON	#3
S. FAT	6	SYRINGA PATULA 'MISS KIM'	MISS KIM LILAC	4'-5' HT.

GENERAL PLANTING NOTES

1. CALL DIG-SAFE (1-888-344-7233) PRIOR TO BEGINNING WORK. THE LANDSCAPE CONTRACTOR IS ADVISED OF THE PRESENCE OF UNDERGROUND UTILITIES AND SHALL VERIFY THE EXISTENCE AND LOCATION OF SAME BEFORE COMMENCING AND DIGGING OPERATIONS. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR UTILITIES PAVING, WALKS, CURBING, ETC. DAMAGED IN PERFORMANCE OF THIS JOB AT NO ADDITIONAL COST TO OWNER.
2. CONTRACTOR SHALL THOROUGHLY FAMILIARIZE HIMSELF WITH ALL SITE CONDITIONS PRIOR TO CONSTRUCTION BIDDING.
3. DO NOT SCALE FROM DRAWINGS. ANY OMISSIONS IN DIMENSIONING SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, NOTES AND SPECS SHALL BE IMMEDIATELY REPORTED TO THE LANDSCAPE ARCHITECT FOR FURTHER DIRECTION AND RESOLUTION BEFORE ANY ADDITIONAL WORK PROCEEDS.
4. PROVIDE SMOOTH TRANSITION WHERE NEW WORK MEETS EXISTING CONDITIONS.
5. CONTRACTOR SHALL FURNISH AND PLACE 12 INCHES OF LOAM IN ALL SHRUB BEDS, 30 INCHES IN ALL TREE PITS, AND 6 INCHES UNDER ALL TURF AREAS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE SUBGRADE PREPARATION WITH THE GENERAL CONTRACTOR PRIOR TO PLACING LOAM.
6. ALL PLANT MATERIAL INSTALLED SHALL MEET THE SPECIFICATIONS OF "AMERICAN STANDARDS FOR NURSERY STOCK BY THE AMERICAN ASSOCIATION OF NURSERMEN" LATEST EDITION.
7. ALL PLANT MATERIAL SHALL BE FREE FROM INSECTS AND DISEASE.
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES. THIS IS TO INCLUDE PROPER PLANTING MIX, PLANT BED AND TREE PIT PREPARATION, PRUNING, STAKING OR GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING AND ADEQUATE MAINTENANCE UNTIL ACCEPTANCE FROM THE OWNER.
9. ALL GRASS, OTHER VEGETATION AND DEBRIS SHALL BE REMOVED FROM ALL PLANTING AREAS PRIOR TO PLANTING.
10. EXISTING TREES TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
11. ALL SHRUB BEDS AND TREE PITS SHALL BE MULCHED WITH 3" CLEAN SHREDDED BLACK MULCH CDO NOT EXCEED 3" DEPTH.
12. ANY DEVIATION FROM THE LANDSCAPE PLAN, INCLUDING PLANT LOCATION, SELECTION, SIZE, QUANTITY, OR CONDITION SHALL BE REVIEWED AND APPROVED BY THE OWNER AND LANDSCAPE ARCHITECT (AND MUNICIPAL AUTHORITY, IF APPLICABLE) PRIOR TO INSTALLATION ON SITE.
13. WHERE INDICATED ON PLAN, PLANTING SOIL MIXTURE FOR GROUND COVER AND PERENNIAL BED AREAS SHALL CONSIST OF FOUR PARTS TOPSOIL, TWO PARTS SPHAGNUM PEAT MOSS, AND ONE PART HORTICULTURAL PERLITE BY VOLUME. PEAT MOSS MAY BE SUBSTITUTED WITH WELL-ROTTED OR DEHYDRATED MANURE OR COMPOST. ROTOTILL BEDS TO A DEPTH OF 8 INCHES.
14. DAMAGE TO EXISTING SITE IMPROVEMENTS DURING INSTALLATION OF LANDSCAPE MATERIAL SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

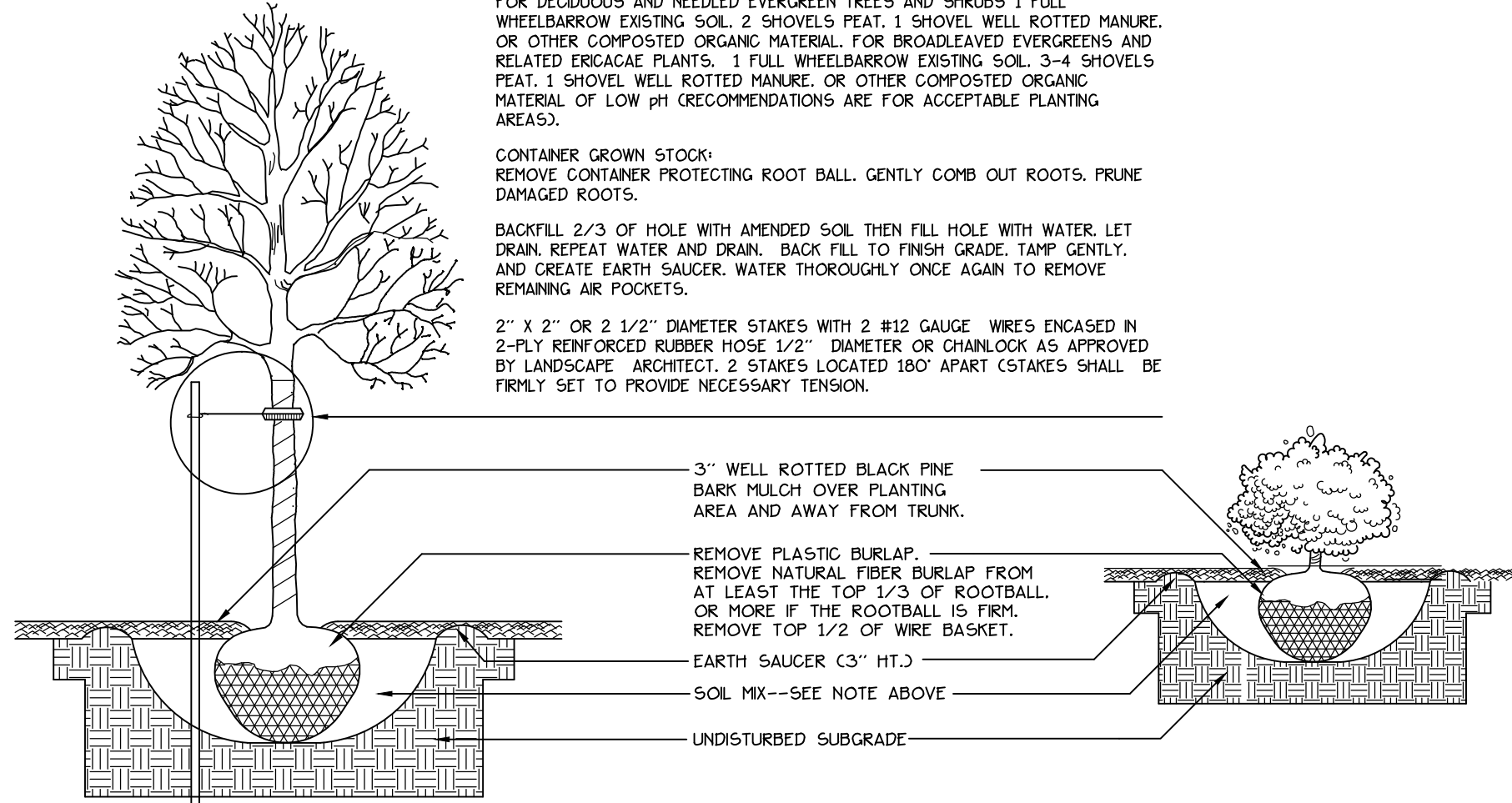
NOTES
DIG HOLE AT LEAST 2 TIMES THE WIDTH OF ROOT BALL AND AS DEEP AS THE ROOT BALL (NO DEEPER). SET ROOT BALL CENTERED, WITH TOP AT GROUND LEVEL OR SLIGHTLY HIGHER, CORRECT HOLE DEPTH AS NEEDED.

FOR DECIDUOUS AND NEEDLED EVERGREEN TREES AND SHRUBS 1 FULL WHEELBARROW EXISTING SOIL, 2 SHOVELS PEAT, 1 SHOVEL WELL ROTTED MANURE, OR OTHER COMPOSTED ORGANIC MATERIAL FOR BROADLEAVED EVERGREENS AND RELATED ERICACEAE PLANTS, 1 FULL WHEELBARROW EXISTING SOIL, 3-4 SHOVELS PEAT, 1 SHOVEL WELL ROTTED MANURE, OR OTHER COMPOSTED ORGANIC MATERIAL OF LOW pH (RECOMMENDATIONS ARE FOR ACCEPTABLE PLANTING AREAS).

CONTAINER GROWN STOCK:
REMOVE CONTAINER PROTECTING ROOT BALL. GENTLY COMB OUT ROOTS. PRUNE DAMAGED ROOTS.

BACKFILL 2/3 OF HOLE WITH AMENDED SOIL, THEN FILL HOLE WITH WATER. LET DRAIN, REPEAT WATER AND DRAIN, BACK FILL TO FINISH GRADE. TAMP GENTLY, AND CREATE EARTH SAUCER. WATER THOROUGHLY ONCE AGAIN TO REMOVE REMAINING AIR POCKETS.

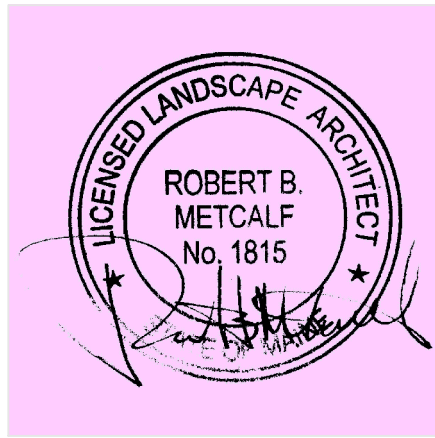
2" X 2" OR 2 1/2" DIAMETER STAKES WITH 2 #12 GAUGE WRES ENGAGED IN 2-PLY KENFORIZED RUBBER HOSE 1/2" DIAMETER OR CHAINLOCK AS APPROVED BY LANDSCAPE ARCHITECT. 2 STAKES LOCATED 180" APART (STAKES SHALL BE FIRMLY SET TO PROVIDE NECESSARY TENSION).



1 5 TREE AND SHRUB INSTALLATION
NOT TO SCALE

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
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The Staples School
70 Center Street
Portland, Maine 04101
Tel.: 207-774-4427

The Park Danforth

Portland, Maine

777 Stevens Avenue

Date:
OCTOBER 17, 2014

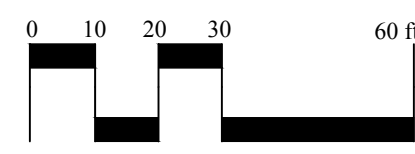
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Revisions:

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Title:
PLANTING PLAN

Scale: 1"=30'



Sheet No.:
L5.0

Prepared For:
Owner:
Home For The Aged
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710

P6

Applicant:
The Park Danforth
777 Stevens Avenue
Portland, Maine 04103
Tel.: 207-797-7710

Prepared By:
MITCHELL & ASSOCIATES
Landscape Architects
The Staples School
70 Center Street
Portland, Maine 04101
Tel.: 207-774-4427

The Park Danforth
777 Stevens Avenue
Portland, Maine

Date:
OCTOBER 17, 2014

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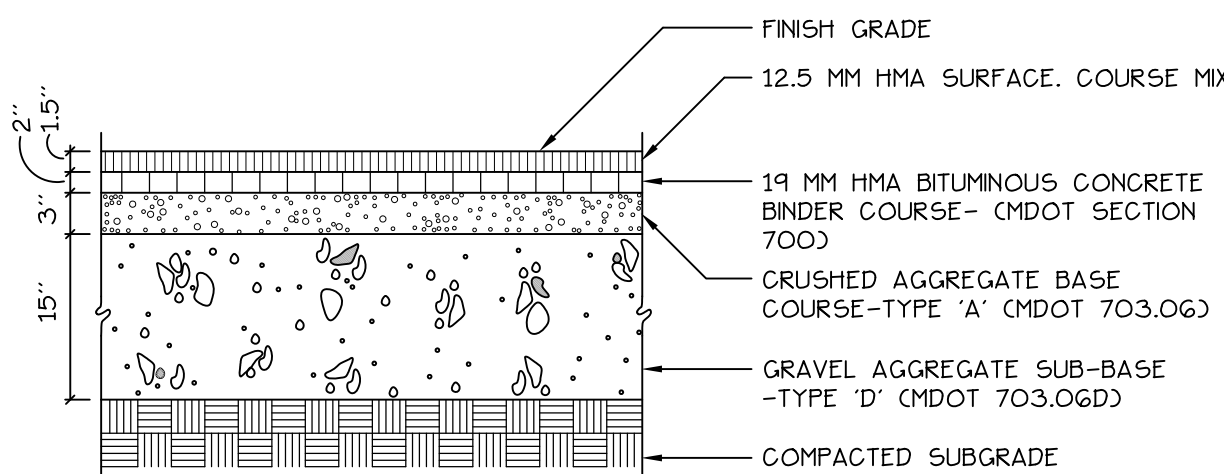
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SITE DETAILS

Scale: AS SHOWN

North:

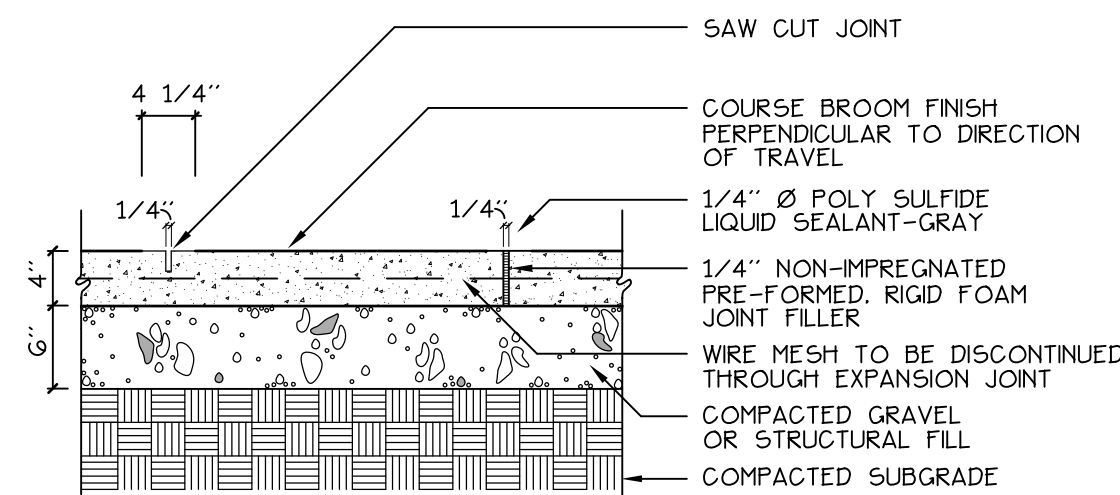
Sheet No.:

L6.0



1 BITUMINOUS PAVEMENT- PARKING LOT AND GARAGE

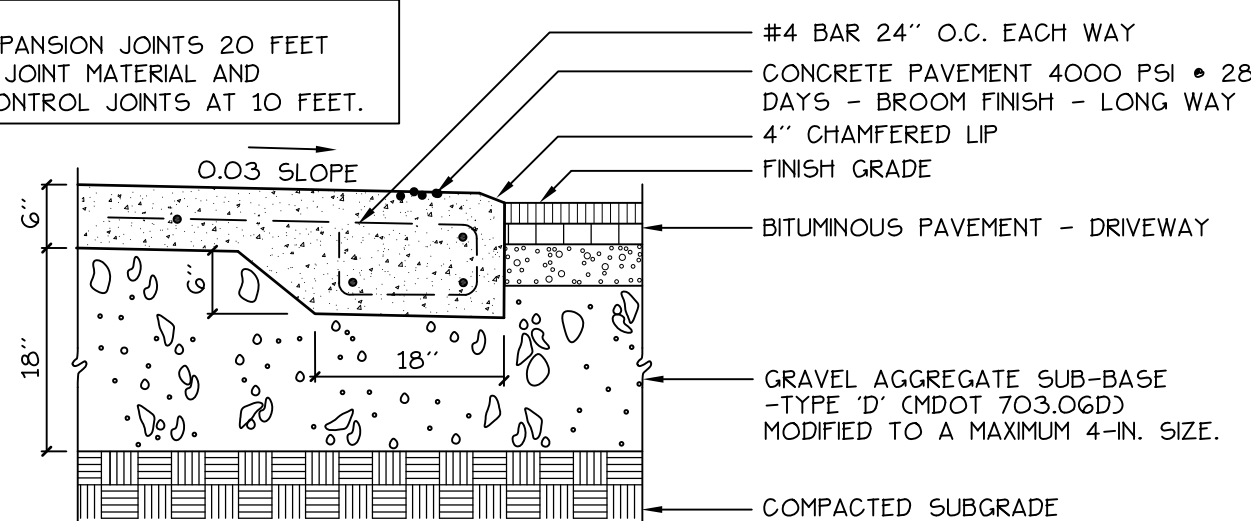
NOT TO SCALE



2 CONCRETE WALK

NOT TO SCALE

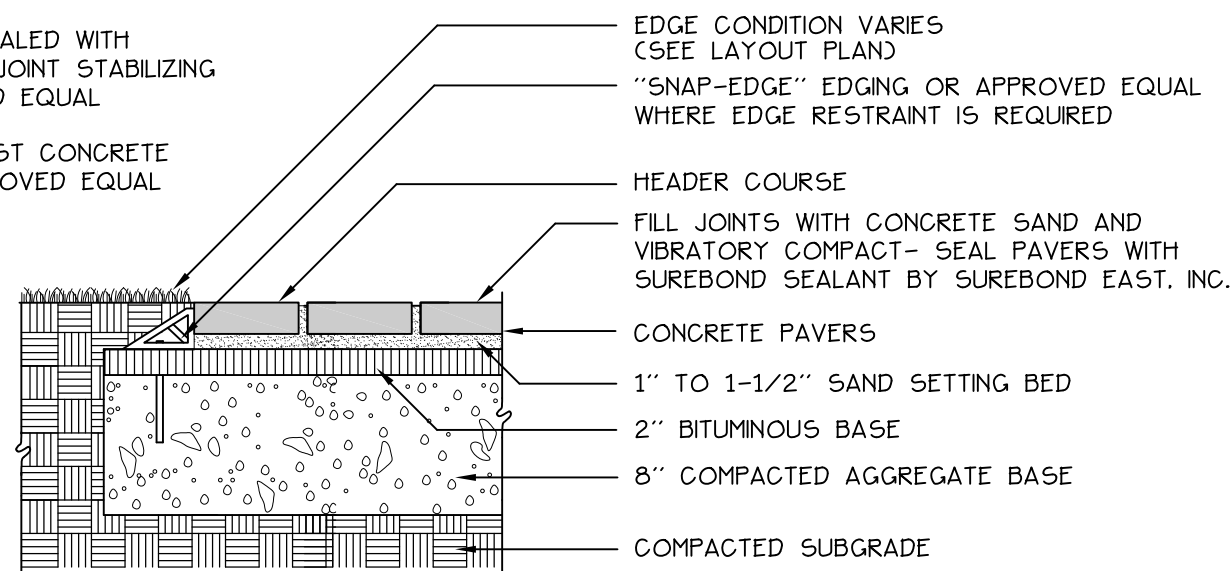
NOTE:
PROVIDE VERTICAL EXPANSION JOINTS 20 FEET
O.C. ADD EXPANSION JOINT MATERIAL AND
SEALANT. SAWCUT CONTROL JOINTS AT 10 FEET.



3 CONCRETE PAVEMENT - CENTER ISLAND AT ENTRANCE

NOT TO SCALE

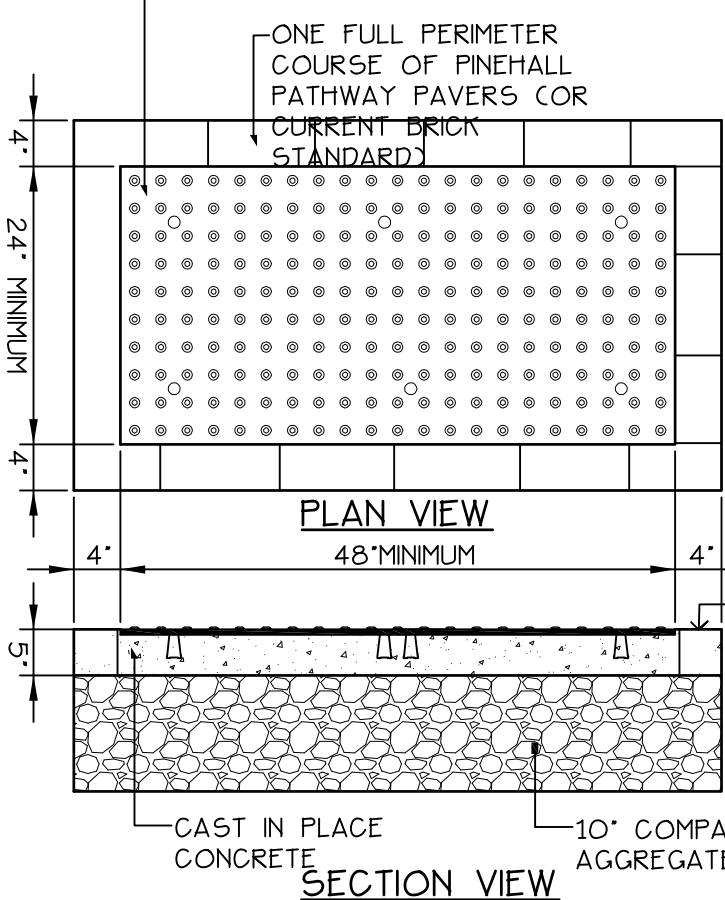
- NOTES:
- PAVERS SHALL BE SEALED WITH SUREBOND SB-1370 JOINT STABILIZING SEALER OR APPROVED EQUAL
 - MANUFACTURER: GENEST CONCRETE WORKS, INC. OR APPROVED EQUAL



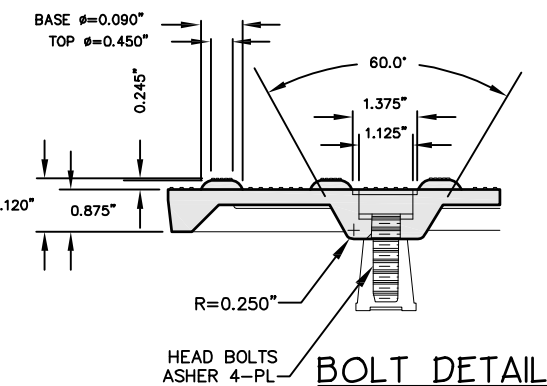
4 CONCRETE PAVERS

NOT TO SCALE

COMPOSITE WET SET
(REPLACEABLE) DETECTABLE
WARNING PANELS SET IN WET
CONCRETE PER MANUFACTURER'S
INSTRUCTIONS-DARK GRAY
(#36118).

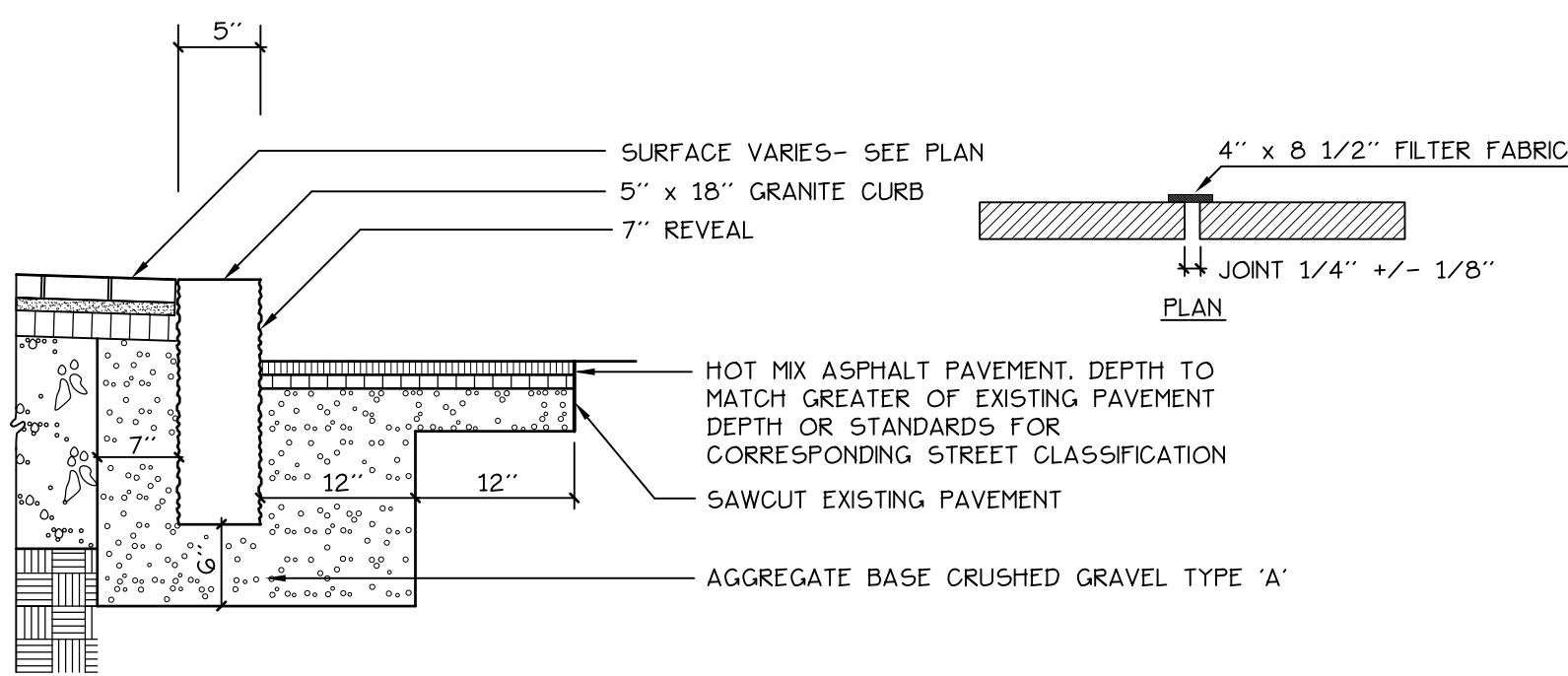


- NOTES:
- COMPOSITE WET SET (REPLACEABLE) DETECTABLE WARNING PANELS SHALL BE AS MANUFACTURED BY ADA SOLUTIONS, INC. (CADATLE.COM), OR APPROVED EQUAL.
 - CAST-IN-PLACE CONCRETE SHALL MEET SPECIFICATIONS FOR MAINE D.O.T. CLASS A STRUCTURAL CONCRETE. MINIMUM COMPRESSIVE STRENGTH 4,000 PSI. THE CONCRETE SHALL BE SEALED PRIOR TO SETTING PANEL. THE EXPOSED CONCRETE BORDER SHALL RECEIVE A GROOVED EDGE BETWEEN THE PANEL AND THE CONCRETE, ALONG WITH A UNIFORM BROOM FINISH PERPENDICULAR TO THE FLOW OF PEDESTRIAN TRAFFIC.
 - TRUNCATED DOMES SHALL BE ALIGNED IN ROWS, PARALLEL AND PERPENDICULAR TO THE PREDOMINANT DIRECTIONS OF TRAVEL. TRUNCATED DOME BRICKS AND GRANITE PAVERS ARE NOT ALLOWED.
 - FOR ALL DETECTABLE WARNING PANELS (EXCEPT AS SPECIFIED IN FIGURE 1-7A AND TECHNICAL MANUAL SECTION 1.8.4.3), GRAY COLORED PANELS SHALL BE USED. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR INSTALLATION.
 - SIZE: THE DETECTABLE WARNING PANEL(S) SHALL EXTEND 24-INCHES MINIMUM IN THE DIRECTION OF TRAVEL AND THE FULL WIDTH OF THE CURB RAMP, LANDING, OR BLENDED TRANSITION TO THE STREET.
 - ORIENTATION: THE DETECTABLE WARNING PANEL SHALL BE LOCATED SO THAT THE EDGE NEAREST THE CURB LINE IS 6-INCHES MINIMUM AND 8-INCHES MAXIMUM FROM THE CURB LINE. THE PANEL SHALL BE ORIENTED TO THE DIRECTION OF TRAVEL AS IDENTIFIED BY THE POINT OF EGRESS.



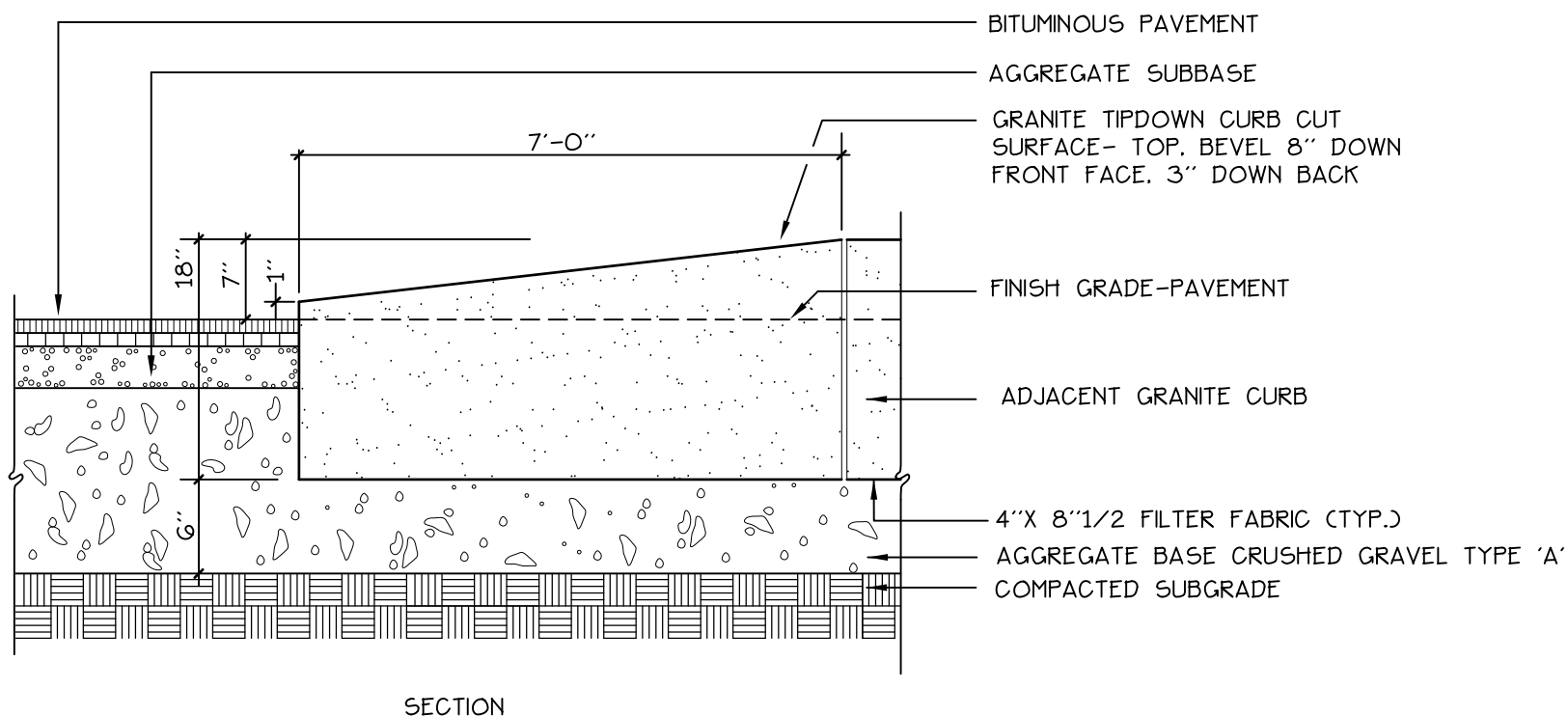
5 SIDEWALK RAMP DETECTABLE WARNING TILE

NOT TO SCALE



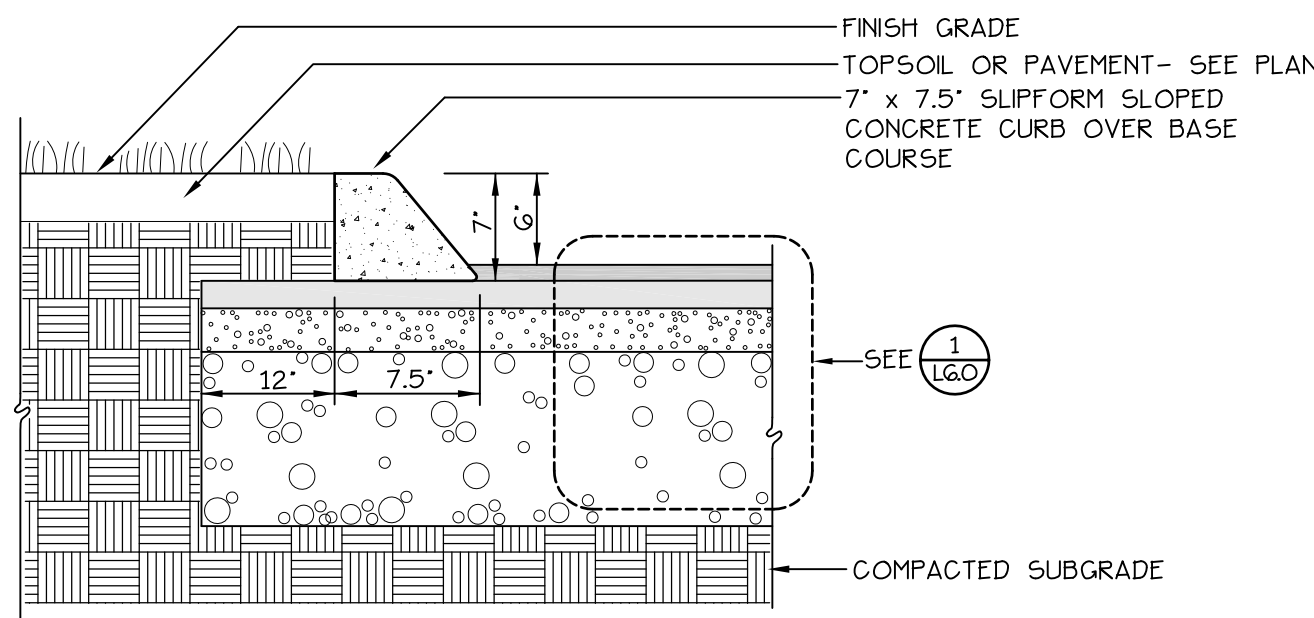
6 VERTICAL GRANITE CURB

NOT TO SCALE



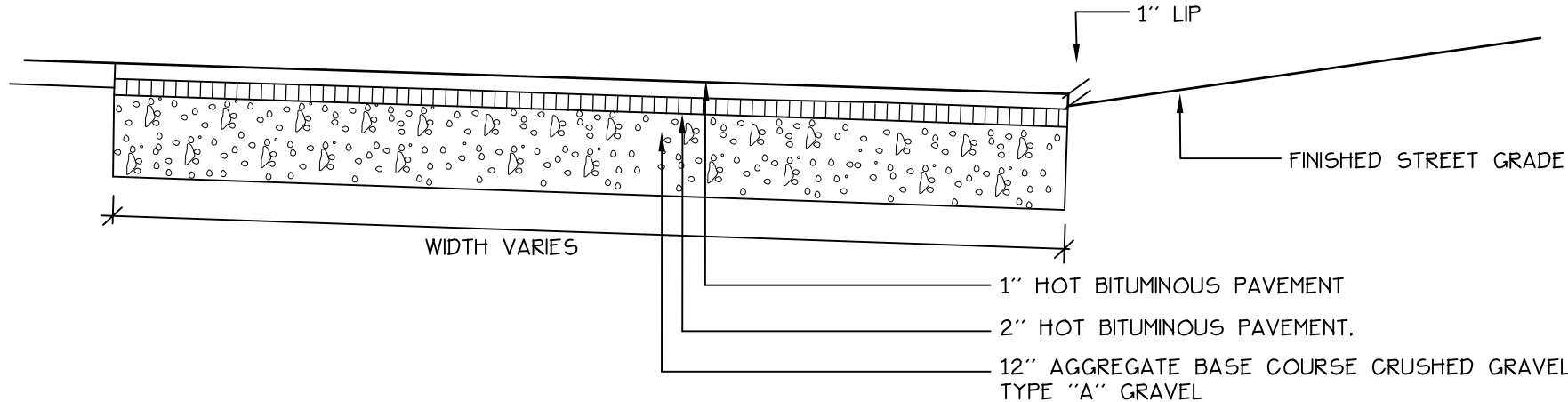
7 GRANITE TIP-DOWN CURB

NOT TO SCALE



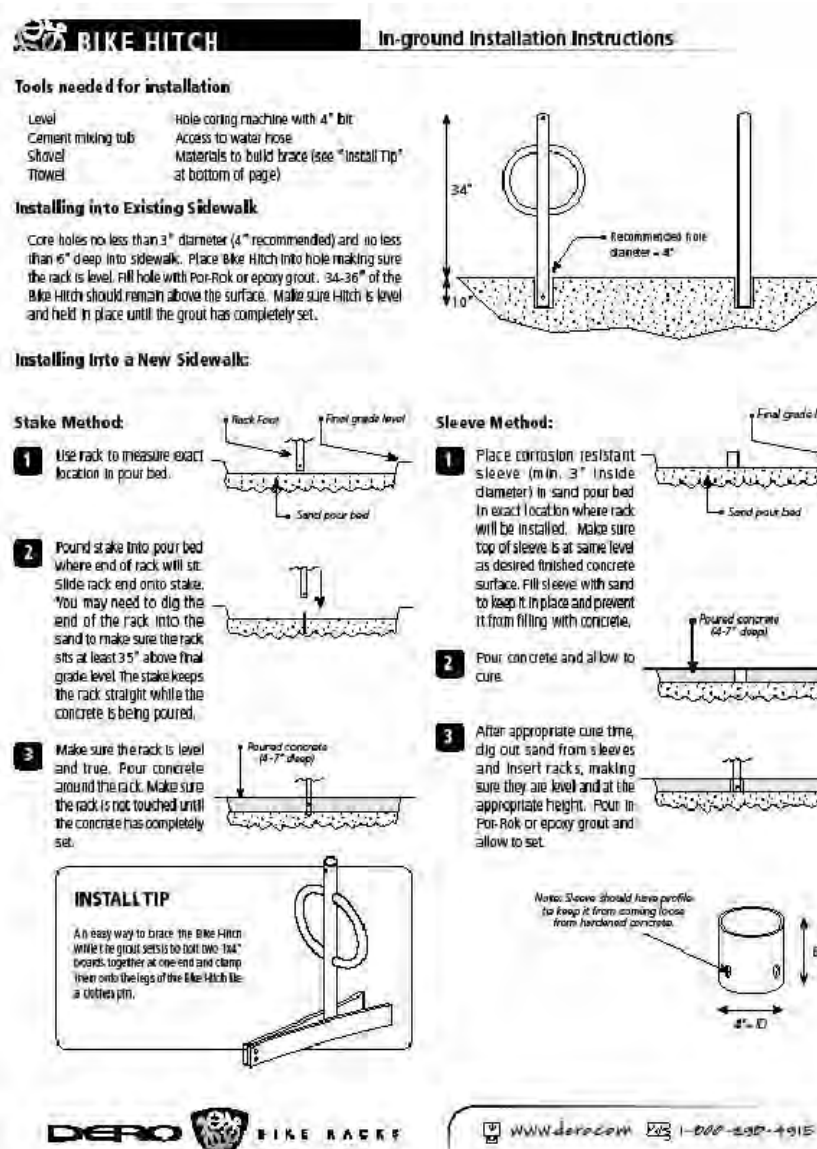
8 SLIPFORM CONCRETE CURB

NOT TO SCALE



9 BITUMINOUS DRIVEWAY APRON

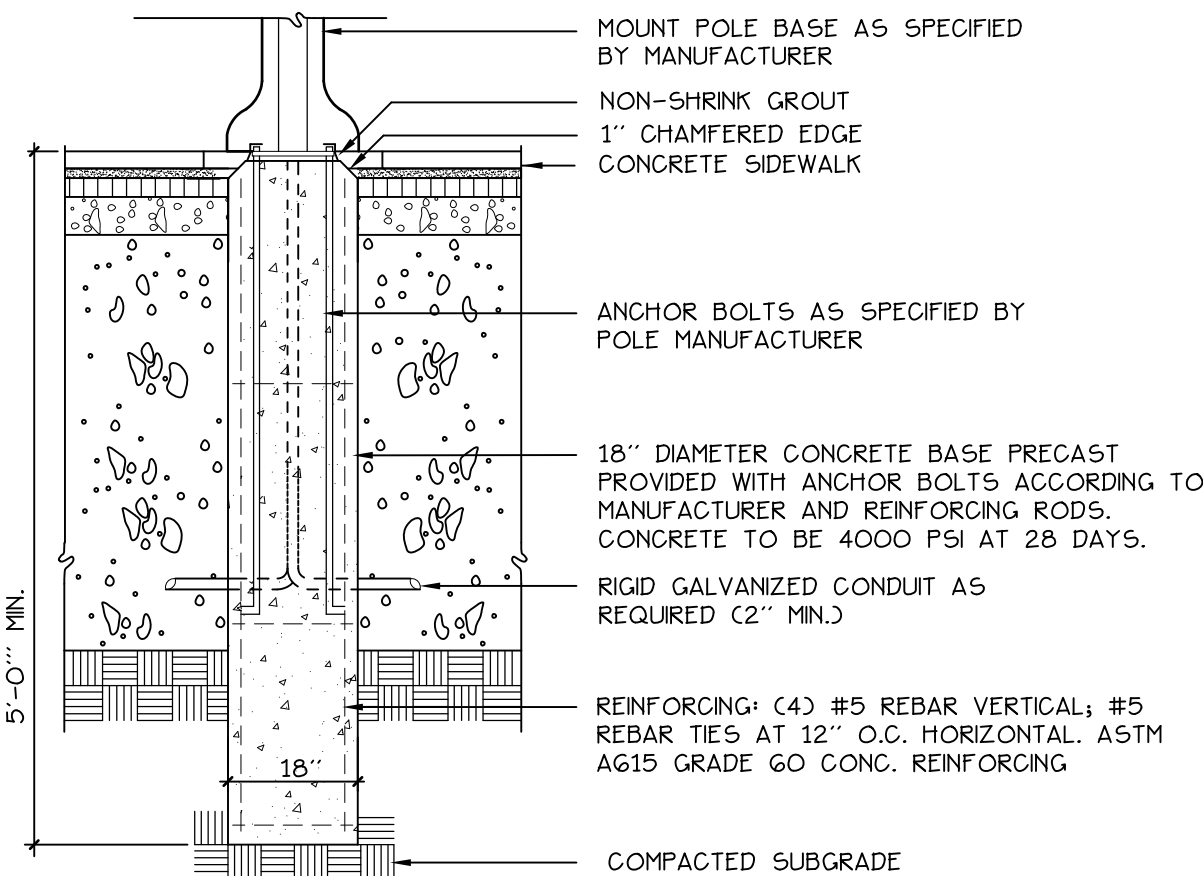
NOT TO SCALE



10 BIKE RACK

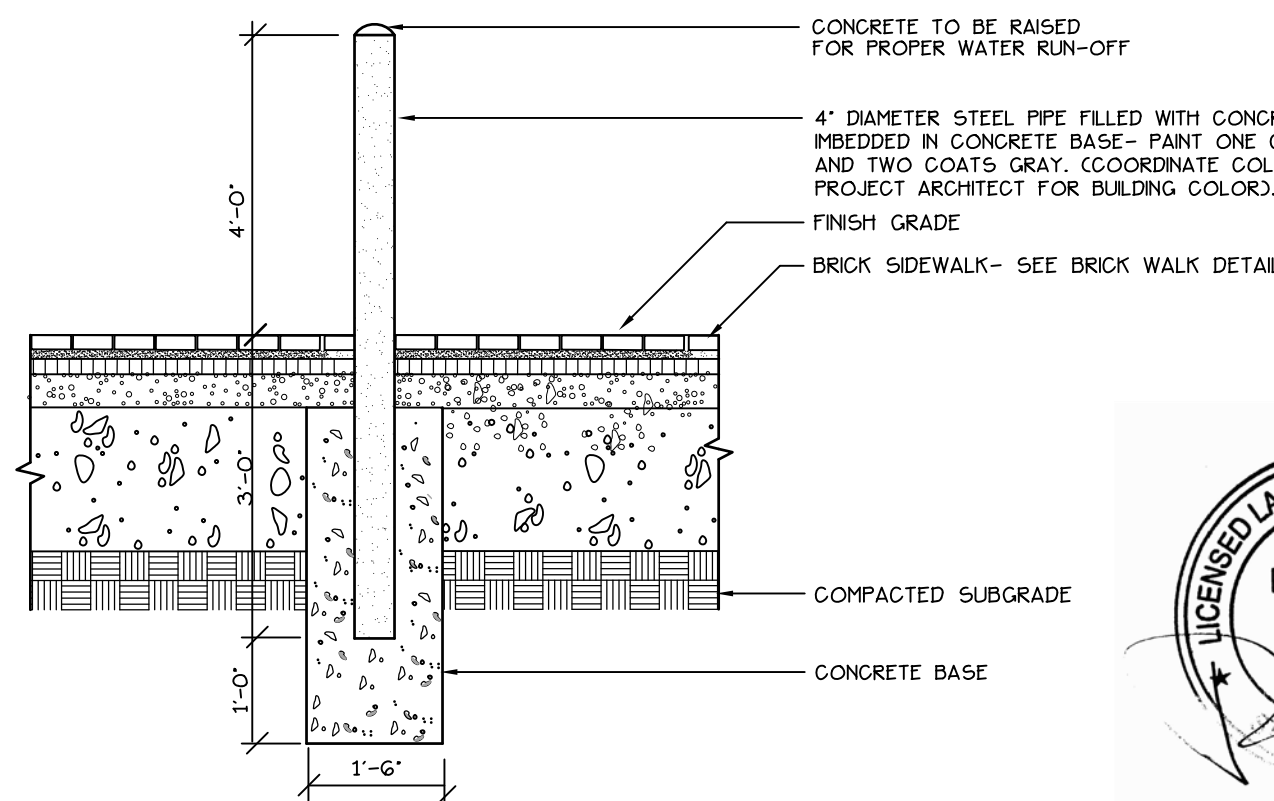
NOT TO SCALE

NOTE:
REFER TO UTILITIES PLAN AND SPECIFICATIONS FOR
LIGHTING FIXTURE INFORMATION, QUANTITIES, COLORS AND
LOCATIONS. COORDINATE INSTALLATION WITH CITY OF
PORTLAND TRAFFIC DIVISION.



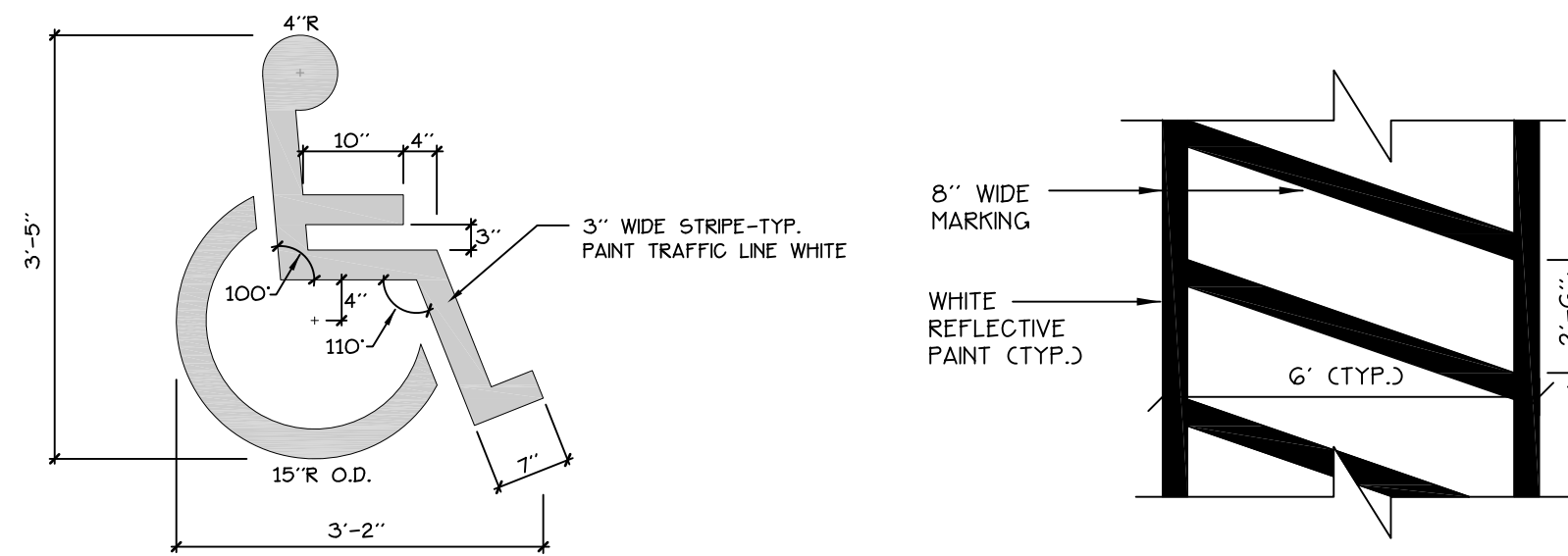
11 LIGHT POLE BASE

NOT TO SCALE



12 PIPE BOLLARD DETAIL

NOT TO SCALE

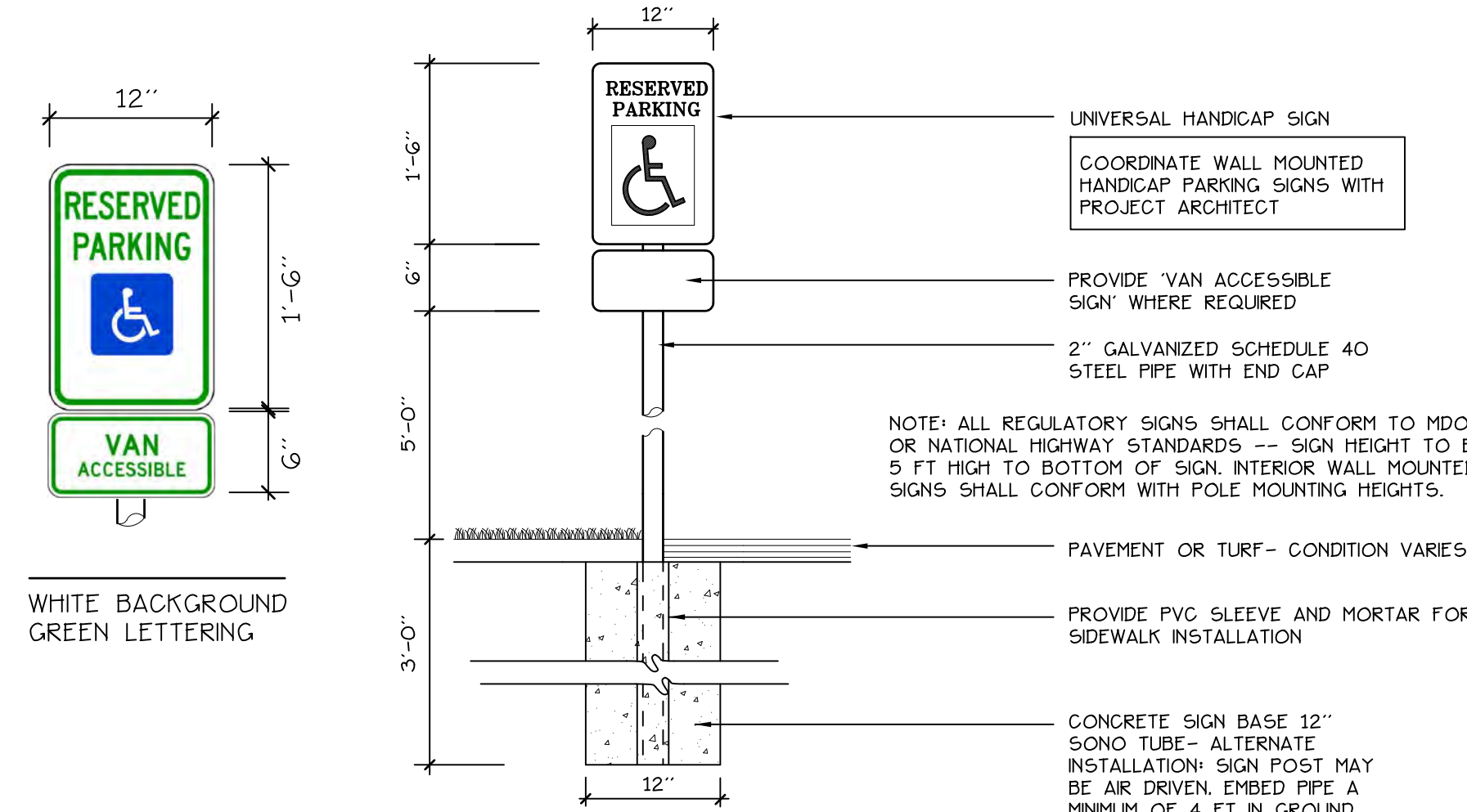


13 ACCESSIBLE SPACE MARKINGS

NOT TO SCALE

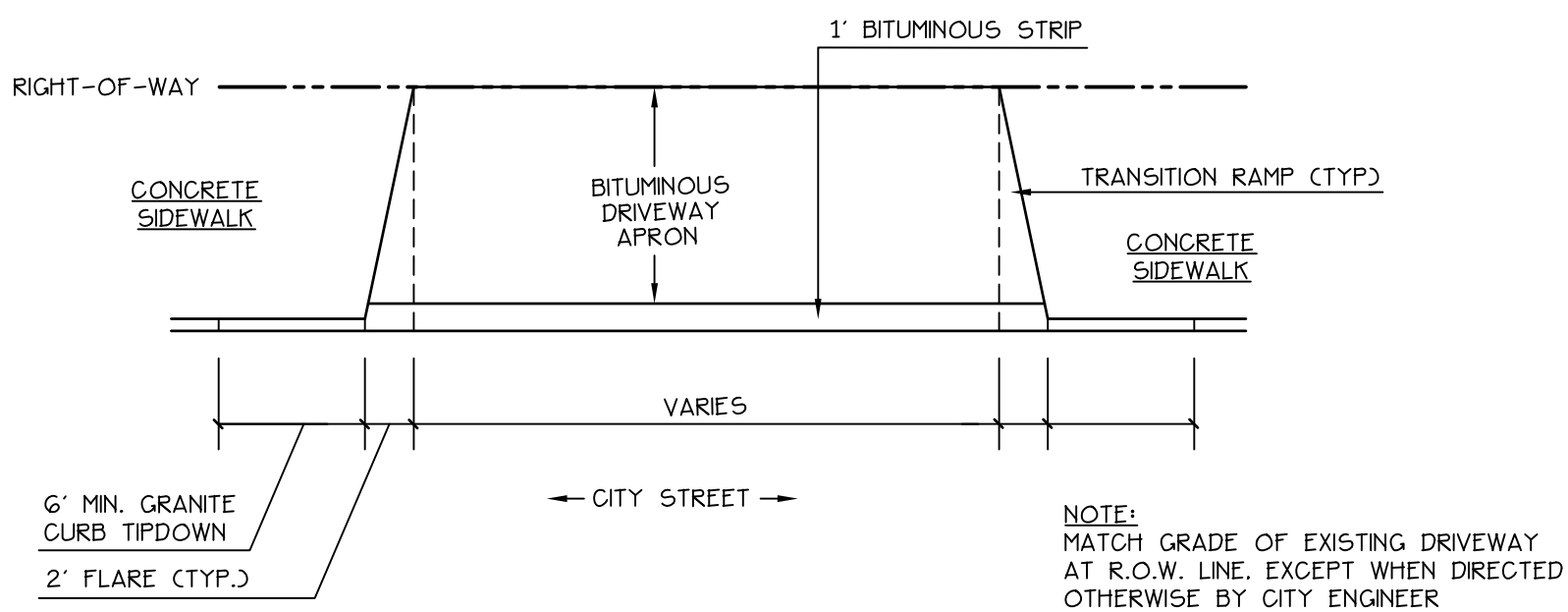
14 PAINTED CROSSWALK

NOT TO SCALE

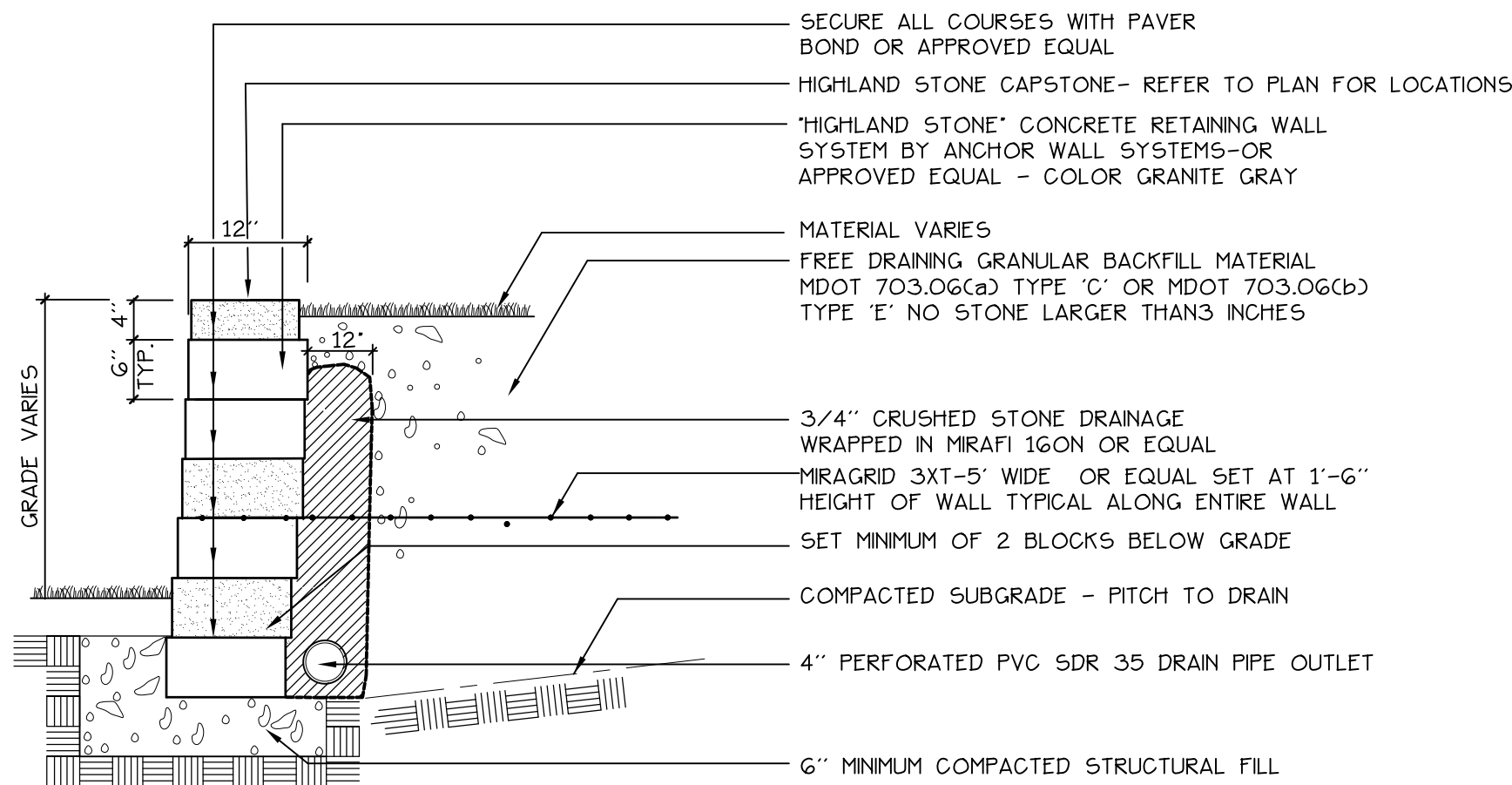


15 HANDICAP PARKING SIGNAGE AND REGULATORY SIGNS

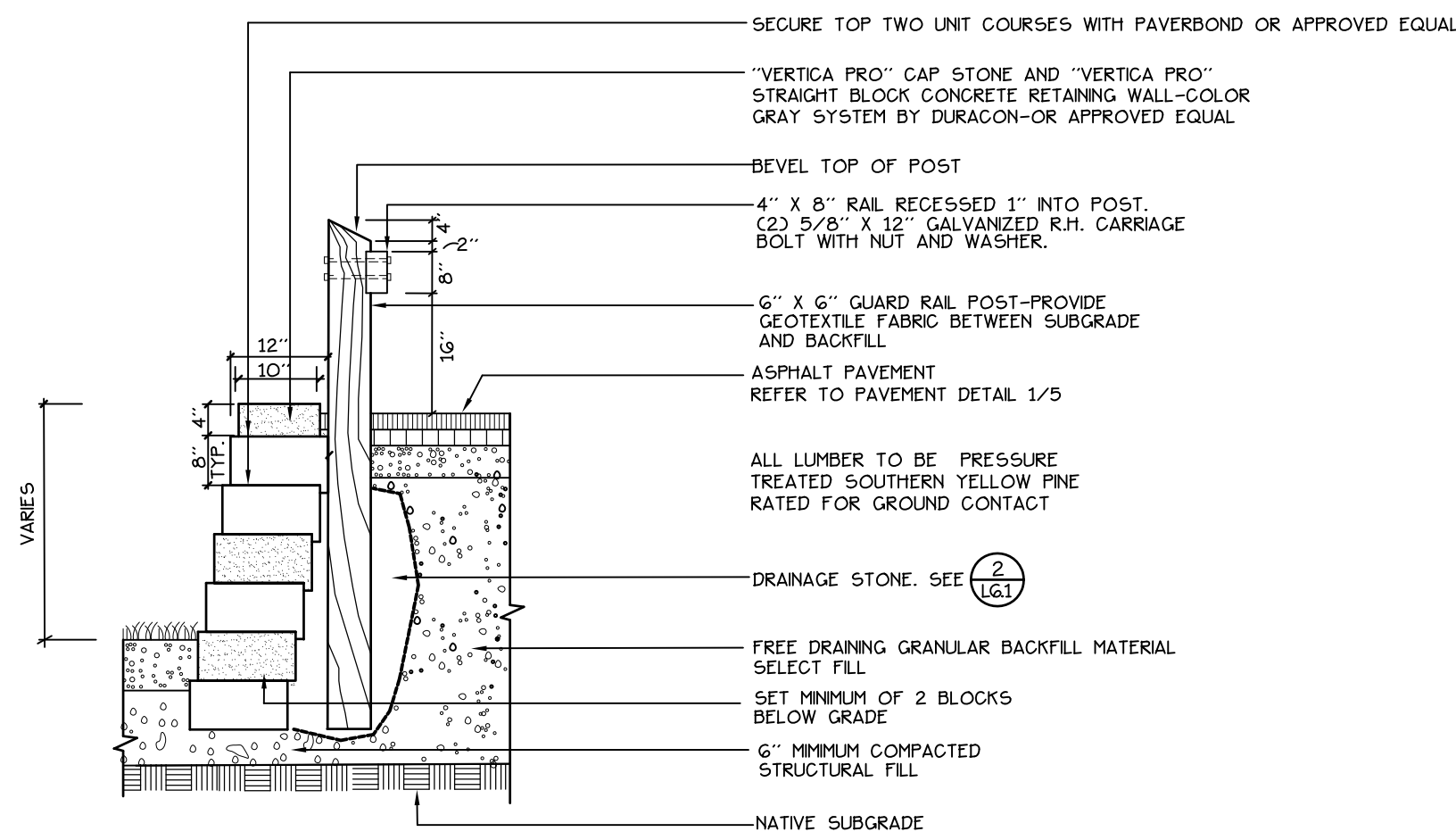
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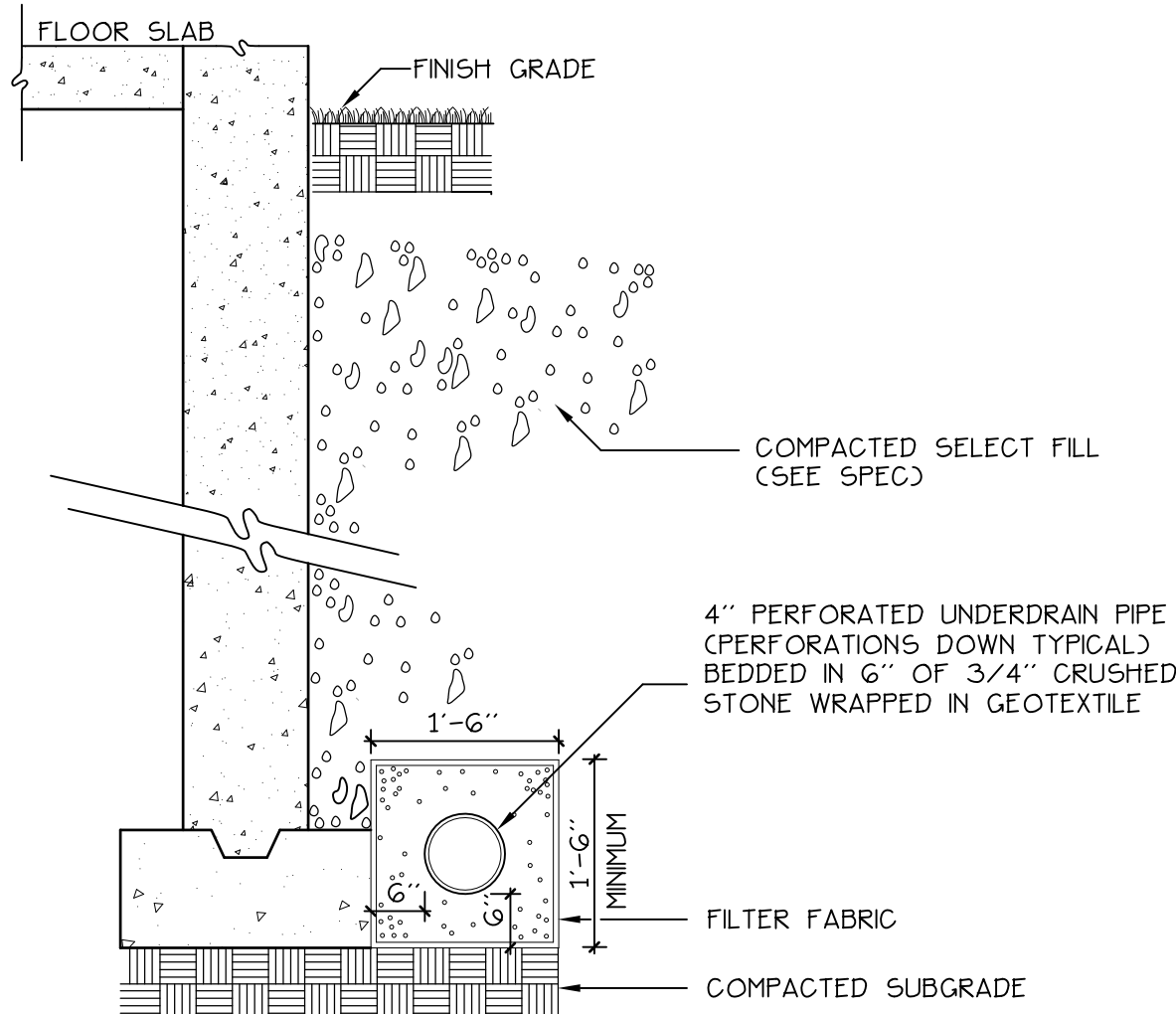
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LG1
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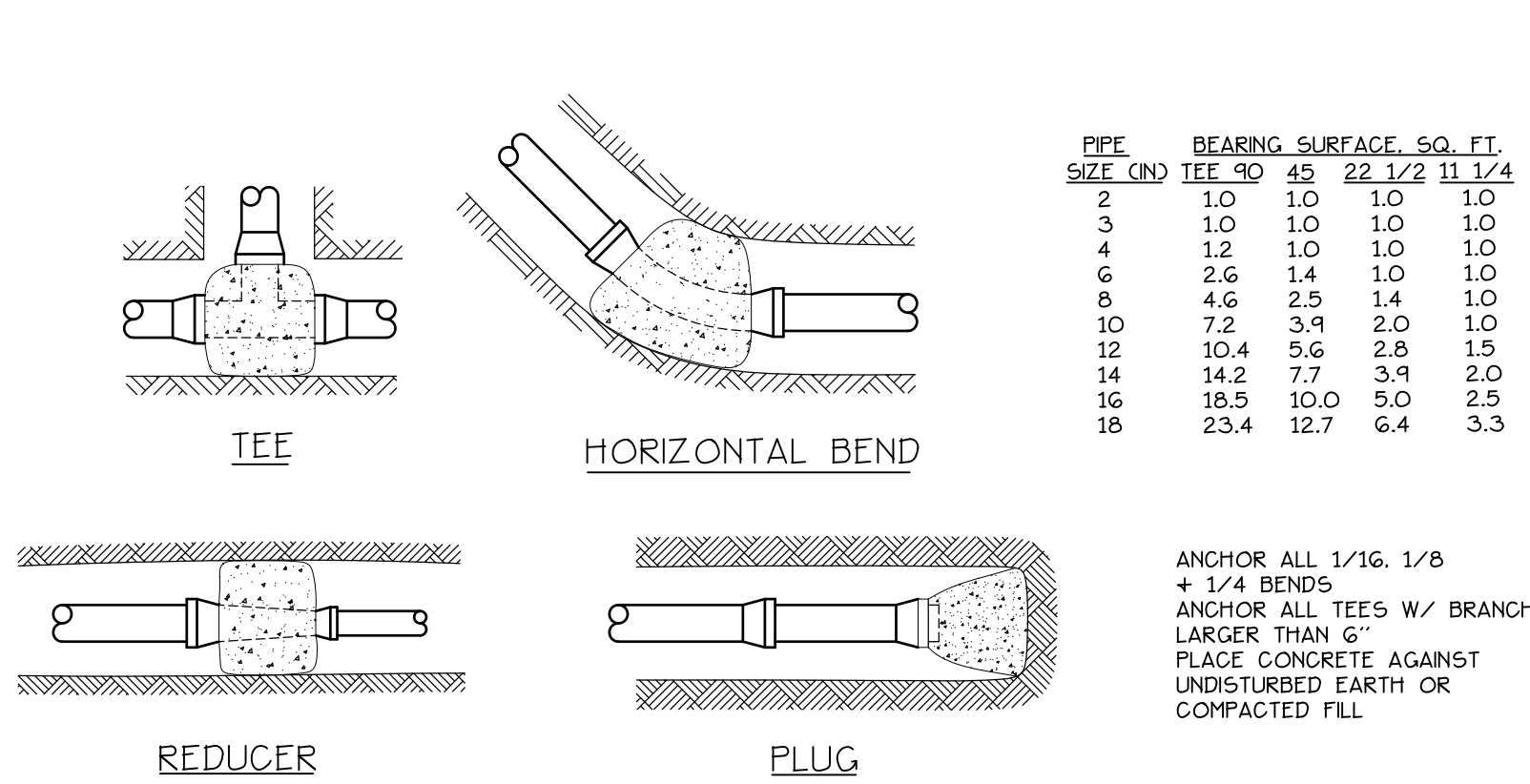
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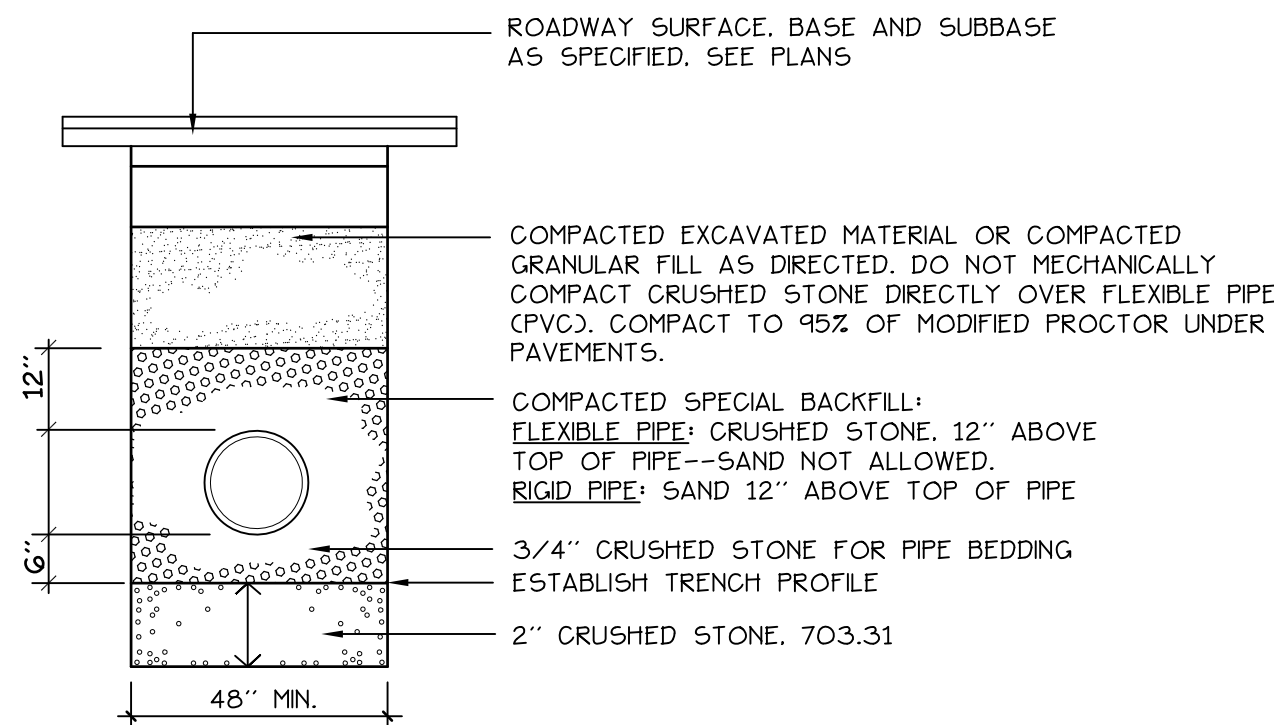
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LG1
NOT TO SCALE



4
LG1
NOT TO SCALE

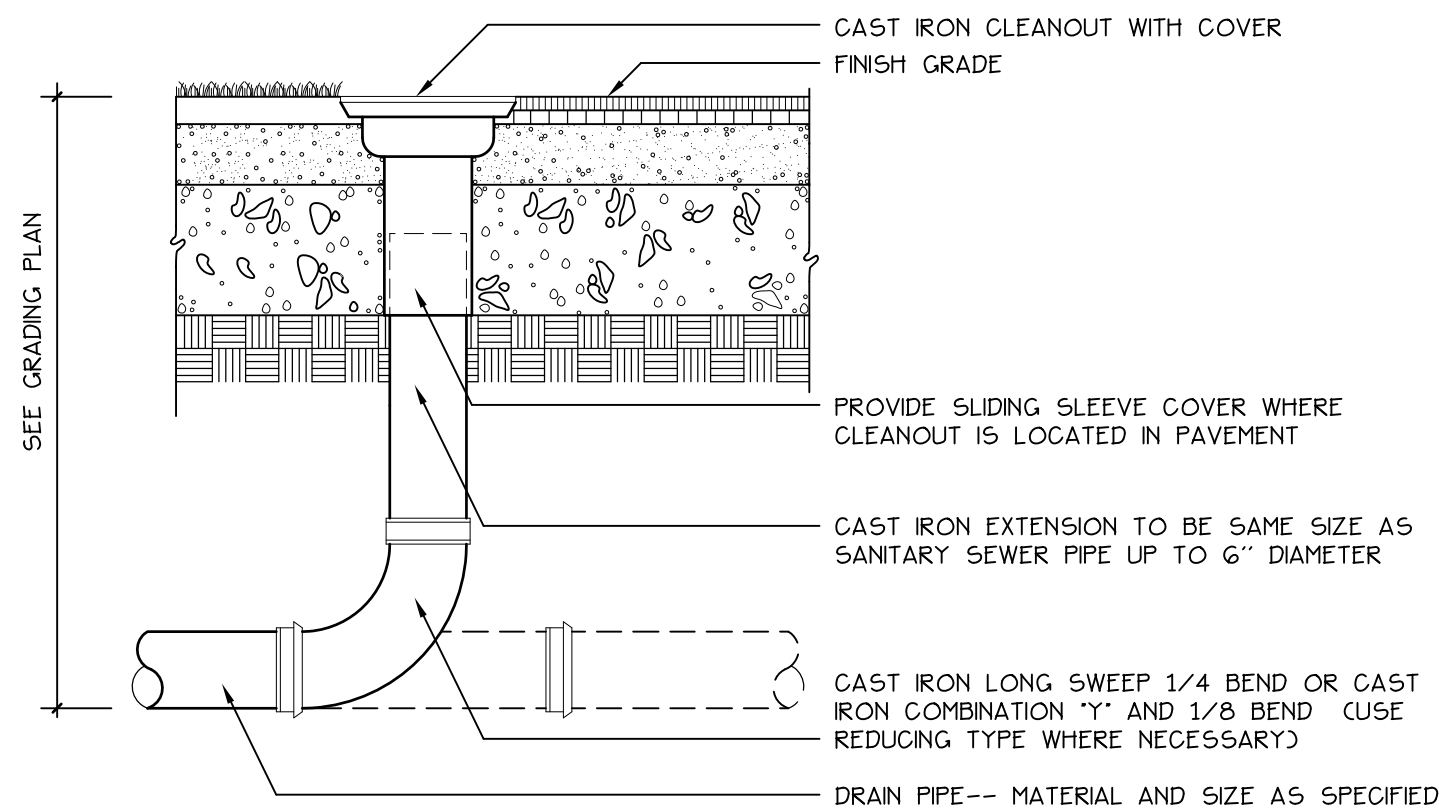


5
LG1
NOT TO SCALE

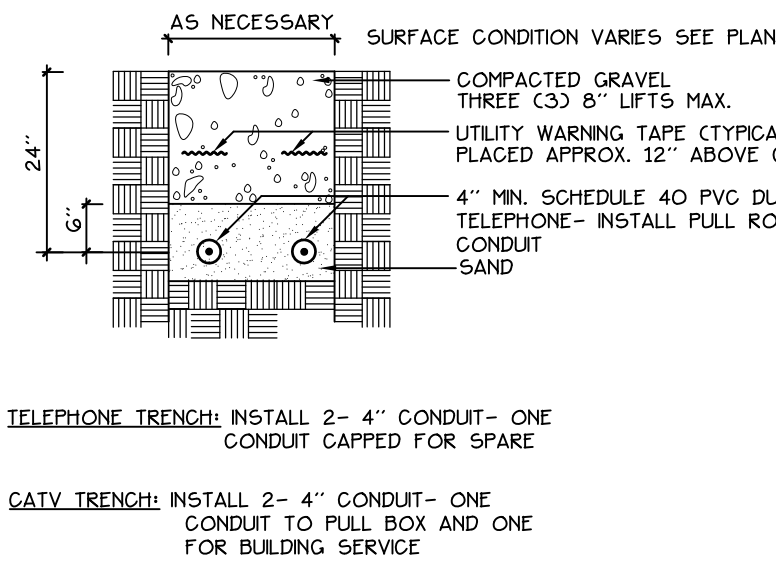


NOTES:
1. ANY ALTERNATE TRENCHING METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. ALL TRENCH DIMENSIONS SHALL BE IN CONFORMANCE WITH THE CITY OF PORTLAND'S DETAIL FIGURE II-12 OF THE TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.

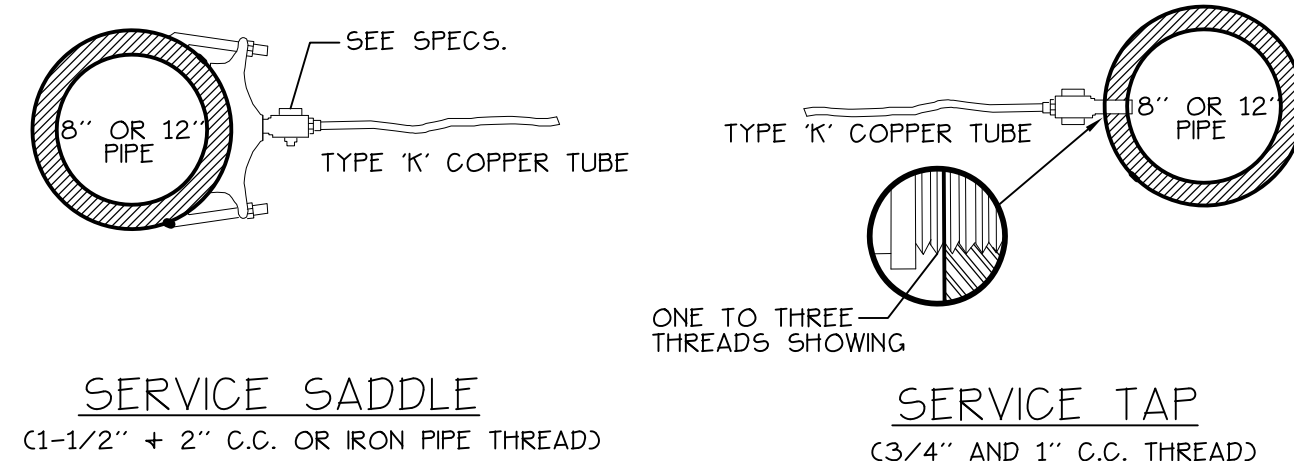
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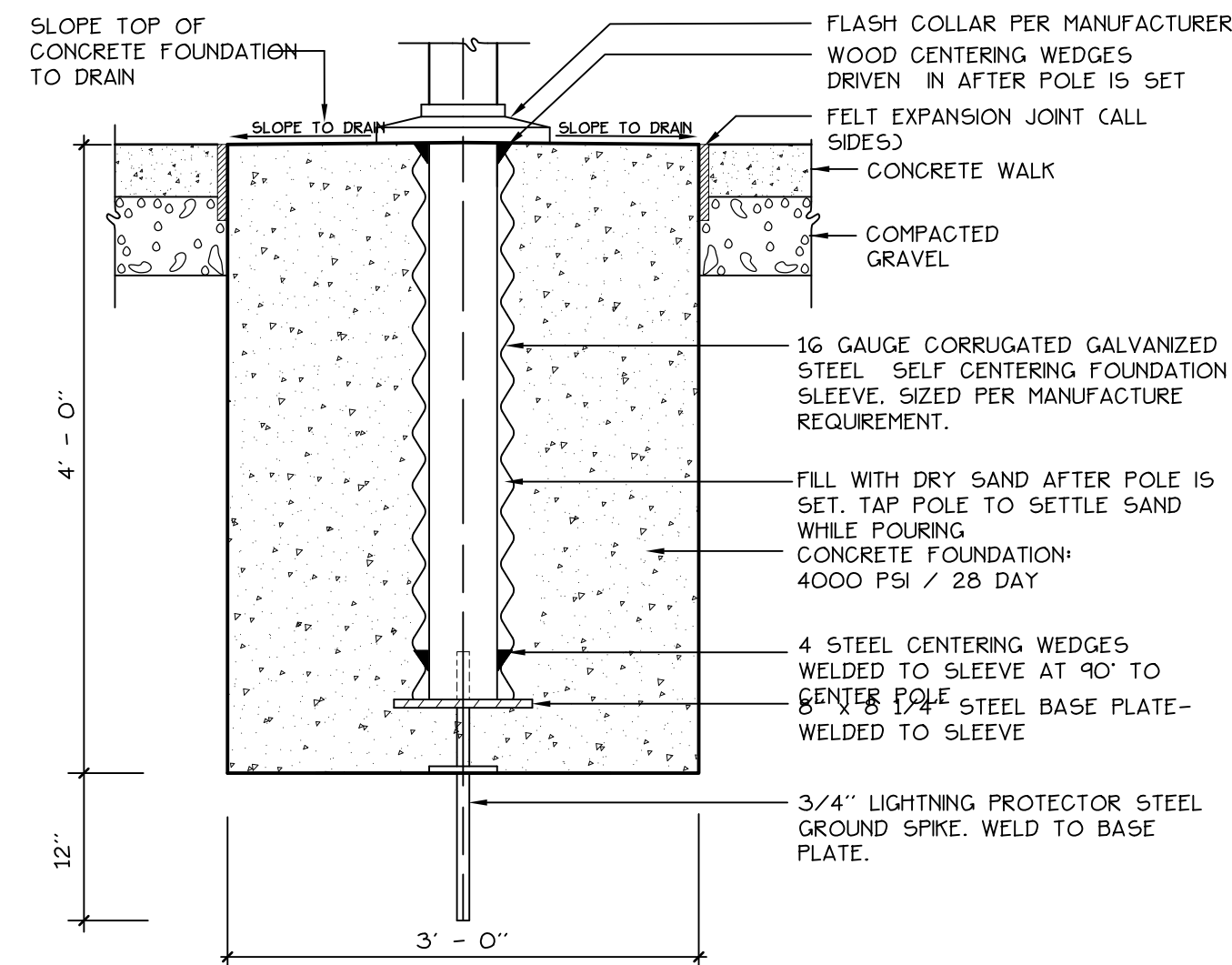
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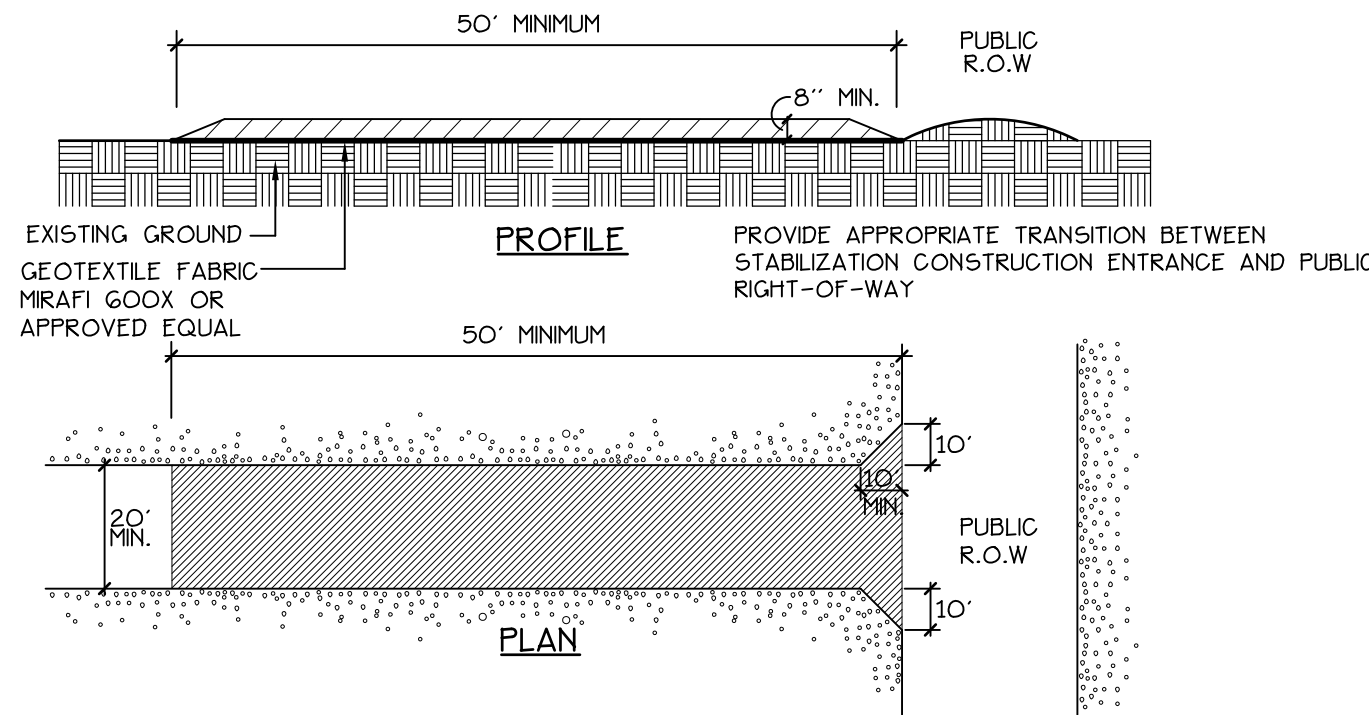
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LG1
NOT TO SCALE



9
LG1
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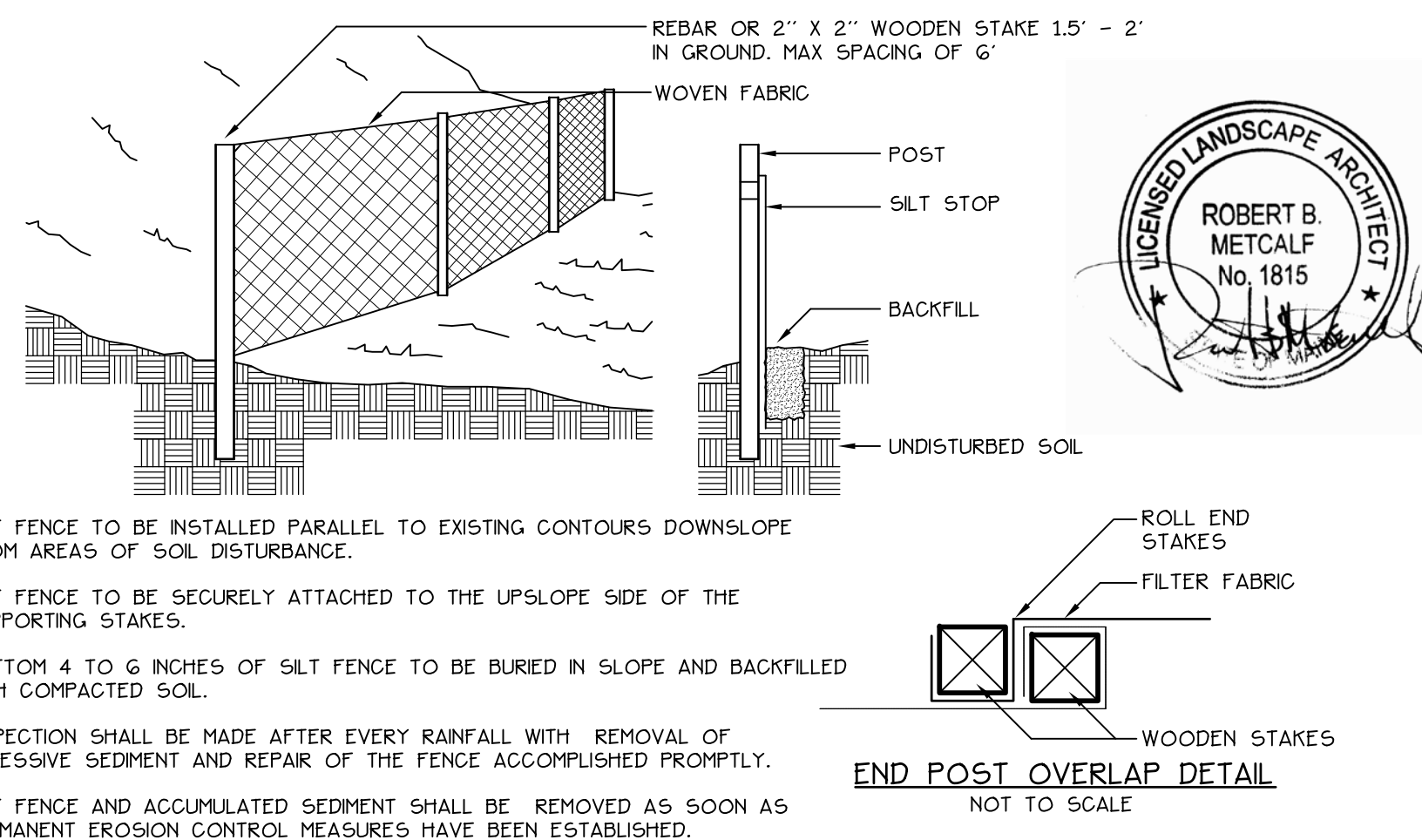


10
LG1
NOT TO SCALE



CONSTRUCTION SPECIFICATIONS:
1. STONE SIZE: AASHTO DESIGNATION M 43, SIZE NO. 2 (2.5\"/>

11
LG1
NOT TO SCALE



12
LG1
NOT TO SCALE

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Revisions:
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Title:
SITE DETAILS

Scale: AS SHOWN
North:
Sheet No.:
L6.1

The Park Danforth

Date:

OCTOBER 17, 2014

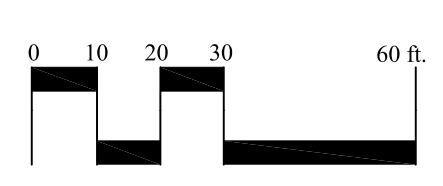
Issued For:

Revisions:

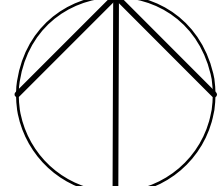
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Title:
PRE-DEVELOPMENT
STORMWATER PLAN

Scale: 1"=30'



North:



Sheet No.:

D1.0

REDEVELOPMENT PEAK FLOWRATE SUMMARY

Results @ DMH#1 (POND 9)

STORM	TOTAL	TO CITY SD	DISCARDED
2 YEAR	3.73 cfs	2.12 cfs	1.60 cfs
10 YEAR	5.57 cfs	2.16 cfs	3.40 cfs
25 YEAR	6.00 cfs	2.17 cfs	3.83 cfs

Results @ AP#1 (REACH 11)

STORM	PEAK
2 YEAR	2.77 cfs
10 YEAR	3.28 cfs
25 YEAR	3.52 cfs

Results @ AP#2 (POND 31)

STORM	PEAK FLOWRATE TO CITY STORM DRAIN
2 YEAR	2.94 cfs
10 YEAR	5.00 cfs
25 YEAR	5.59 cfs

STORM DRAINAGE NOTES:

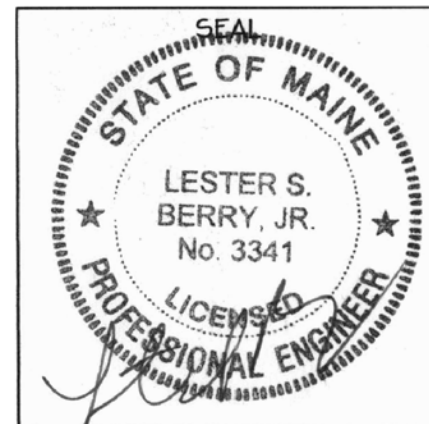
- EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY ON STEVENS AVE., ARBOR ST., FOREST AVE. AND POLAND ST., PORTLAND, MAINE, MADE FOR MITCHELL & ASSOCIATES', DATED JANUARY 3, 2014, PREPARED BY OWN HASKELL INC., FALMOUTH MAINE
- ELEVATIONS ARE ON CITY DATUM, BASED ON BENCH MARK AT 3' OFFSET MONUMENT UNDER COVER ON EASTERLY SIDE OF STEVENS AVENUE. BENCHMARK = 127.25.
- EXISTING SOIL INFORMATION IS TAKEN FROM CUMBERLAND COUNTY MEDIUM INTENSITY SOIL SURVEY MAPS, SOIL CONSERVATION SERVICE SOIL SURVEY, 1974.
- SOIL TEST PITS PERFORMED BY ALBERT FRICK ASSOCIATES, INC., GORHAM, MAINE, SEPTEMBER 2014.

WATERSHED LEGEND

- WATERSHED BOUNDARY
- SA-33 SUB-CATCHMENT AREA
- STORMWATER FLOW
- Tc SF = 70' TIME OC CONCENTRATION (SF=Sheet Flow / SC=Shallow Concentrated)
- R-2 REACH
- WmB De SOIL BOUNDARY (WmB = Windsor / De = Deerfield)
- 8" PVC STORM DRAIN
- AP#1 POINT OF ANALYSIS
- 1 STRUCTURE
- TEST PIT

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- ELECTRIC/GAS METER
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- IRRIGATION CONTROL VALVE
- BOLLARD
- DECIDUOUS TREE
- CONIFEROUS TREE
- INTERIOR LOT LINE
- FENCE
- CURB
- OVERHEAD WIRES
- UNDERGROUND ELECTRIC
- WATER LINE
- GAS LINE
- STORM DRAIN
- SANITARY SEWER
- 1' CONTOUR



REDEVELOPMENT PEAK FLOWRATE SUMMARY

Results @ DMH#1 (POND 9)			
STORM	TOTAL	TO CITY SD	DISCARDED
2 YEAR	3.35 cfs	2.12 cfs	1.70 cfs
10 YEAR	5.39 cfs	2.16 cfs	3.30 cfs
25 YEAR	6.06 cfs	2.17 cfs	3.88 cfs

Results @ AP#1 (REACH 11)			
STORM	PEAK	(PRE)	
2 YEAR	2.19 cfs	(2.77 cfs)	
10 YEAR	2.32 cfs	(3.28 cfs)	
25 YEAR	2.39 cfs	(3.32 cfs)	

Results @ AP#2 (REACH 100--MODEL II)			
STORM	PEAK FLOWRATE TO CITY STORMDRAIN	(PRE)	
2 YEAR	0.31 cfs	(2.94 cfs)	
10 YEAR	2.10 cfs	(5.00 cfs)	
25 YEAR	2.65 cfs	(5.59 cfs)	

DRAINAGE STRUCTURE SCHEDULE

WH#1	DMH#10
RIM	120.50
INV.IN	115.10
INV.OUT	115.00
(CONNECT TO EXISTING STORM DRAIN PIPE)	
DMH#11	125.65
RIM	121.04
INV.IN	120.94
INV.OUT	120.94
DMH#12	125.65
RIM	121.15
INV.IN	121.15
INV.OUT	121.15
DMH#13	127.30
RIM	120.90
INV.IN	120.80
INV.OUT	120.80
DMH#14	127.30
RIM	121.50
INV.IN(FD)	121.16
INV.OUT	121.06
DMH#15	126.20
RIM	122.0
INV.IN(RD)	121.70
INV.OUT	121.70
DMH#16	120.20
RIM	116.33
INV.IN	116.23
INV.OUT	116.23
DMH#17	121.50
RIM	116.67
INV.IN	116.57
INV.OUT	116.57
DMH#18	125.15
RIM	120.09
INV.IN	119.99
INV.OUT	119.99
DMH#19	126.15
RIM	120.78
INV.IN	120.68
INV.OUT	120.68
DMH#20	126.15
RIM	121.16
INV.IN	121.06
INV.OUT	121.06
DMH#21	126.00
RIM	121.50
INV.IN	121.50
INV.OUT	121.50

STORM DRAINAGE NOTES:

- EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY ON STEVENS AVE., ARBOR ST., FOREST AVE. AND POLAND ST., PORTLAND, MAINE, MADE FOR MITCHELL & ASSOCIATES', DATED JANUARY 3, 2014, PREPARED BY OWN HASKELL INC., FALMOUTH MAINE.
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- EXISTING SOIL INFORMATION IS TAKEN FROM CUMBERLAND COUNTY MEDIUM INTENSITY SOIL SURVEY MAPS, SOIL CONSERVATION SERVICE SOIL SURVEY, 1974.
- SOIL TEST PITS PERFORMED BY ALBERT FRICK ASSOCIATES, INC., GORHAM, MAINE, SEPTEMBER 2014.

STORM DRAIN SCHEDULE

SD NO.	PIPE TYPE	LENGTH	SLOPE
SD#1	18" PERF. HDPE	28 L.F.	0.005
SD#2	18" PERF. HDPE	54 L.F.	0.019
SD#3	18" PERF. HDPE	78 L.F.	0.01
SD#4	18" PERF. HDPE	90 L.F.	0.01
SD#5	18" PERF. HDPE	82 L.F.	0.01
SD#6	18" PERF. HDPE	55 L.F.	0.01
SD#7	12" PERF. HDPE	23 L.F.	0.01
SD#8	12" PERF. HDPE	87 L.F.	0.01
SD#9	12" PERF. HDPE	27 L.F.	0.01
SD#10	12" PERF. HDPE	73 L.F.	0.0092
SD#11	12" PERF. HDPE	16 L.F.	0.01
SD#12	12" PERF. HDPE	78 L.F.	0.01
SD#13	12" PERF. HDPE	14 L.F.	0.01
SD#14	12" PERF. HDPE	57 L.F.	0.01
SD#15	12" PERF. HDPE	11 L.F.	0.01
SD#16	12" PERF. HDPE	56 L.F.	0.013
SD#17	12" PERF. HDPE	48 L.F.	0.005
SD#18	12" PERF. HDPE	66 L.F.	0.050
SD#19	12" PERF. HDPE	59 L.F.	0.01
SD#20	12" PERF. HDPE	28 L.F.	0.01
SD#21	12" PERF. HDPE	34 L.F.	0.01

WATERSHED LEGEND

- WATERSHED BOUNDARY
- SUB-CATCHMENT AREA
- STORMWATER FLOW
- TIME OC CONCENTRATION (SF=Sheet Flow / SC=Shallow Concentrated)
- REACH
- STORM DRAIN
- POINT OF ANALYSIS
- STRUCTURE
- TEST PIT

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
SANITARY SEWER		
STORM DRAIN		
WATER		
TELEPHONE		
GAS		
OVERHEAD WIRES		
CMP CABLE LINES		
FOUNDATION DRAIN		
CLEAN OUT		
CURB		
FENCE		
SIGN		
DECIDUOUS TREE		
EVERGREEN TREE		
CONTOUR		
SPOT ELEVATION		
WALL MOUNTED LIGHT		

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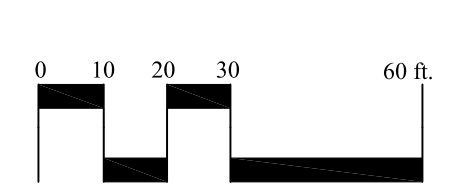
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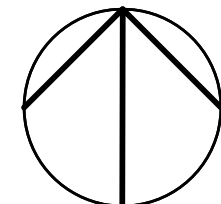
Title:

POST-DEVELOPMENT
DRAINAGE PLAN

Scale: 1"=30'



North:



Sheet No.:

D2.0

PROJECT AREA:	4.16 ACRES
TOTAL PROPOSED IMPERVIOUS AREA:	3.05 ACRES OR 133,033 S.F.
IMPERVIOUS AREA TREATED:	1.75 ACRES OR 76,237 S.F.
IMPERVIOUS AREA NOT TREATED:	1.30 ACRES OR 56,628 S.F.

1. EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY ON STEVENS AVE, ARBOR ST., FOREST AVE. AND POLAND ST., PORTLAND, MAINE, MADE FOR MITCHELL & ASSOCIATES', DATED JANUARY 3, 2014, PREPARED BY OWN HASKELL INC., FALMOUTH MAINE
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4. SOIL TEST PITS PERFORMED BY ALBERT FRICK ASSOCIATES, INC., GORHAM, MAINE, SEPTEMBER 2014.

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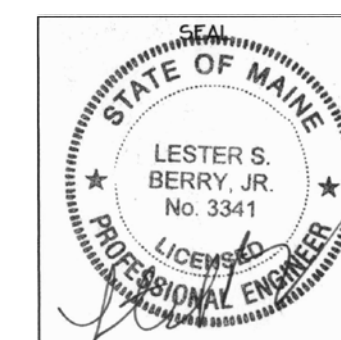
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Portland, Maine 04101
Tel.: 207-774-4427

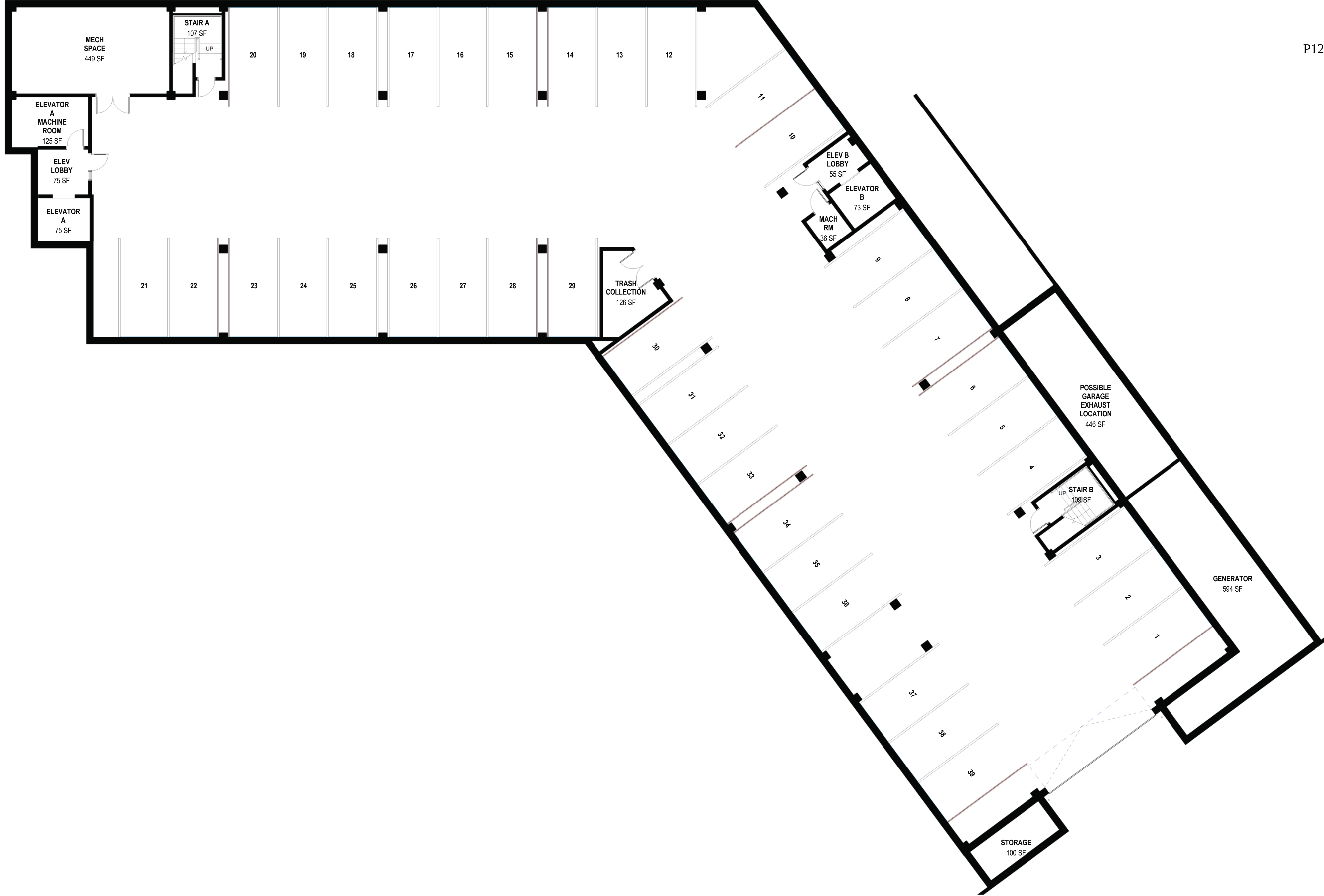
Diagram illustrating the components of a stormwater treatment area:

- WATERSHED BOUNDARY**: Indicated by a thick black curved line.
- SUB-CATCHMENT AREA**: Indicated by a red circle labeled "SA-33".
- STORMWATER FLOW**: Indicated by a red arrow pointing right.
- TIME OF CONCENTRATION (T_c)**: Indicated by a dashed red line labeled "T_c" and "SF = 70'".
- REACH**: Indicated by a red rectangle labeled "R-2".
- STORM DRAIN**: Indicated by a red rectangle labeled "SD#2".
- POINT OF ANALYSIS**: Indicated by a red rectangle labeled "AP#1".
- STRUCTURE**: Indicated by a red triangle labeled "1".
- TEST PIT**: Indicated by a yellow circle with a black crosshair.
- AREA OF STORMWATER TO BE TREATED (93,153 S.F.)**: Indicated by a hatched rectangular area.

PROPERTY LINE	EXISTING	PROPOSED
GRANITE MONUMENT		
CATCHBASIN		
MANHOLE		
HYDRANT		
UTILITY POLE		
WATER VALVE		
SANITARY SEWER		
STORM DRAIN		
WATER		
TELEPHONE		
GAS		
OVERHEAD WIRES		
CMP CABLE LINES		
FOUNDATION DRAIN		
CLEAN OUT		
CURB		
FENCE		
SIGN		
DECIDUOUS TREE		
EVERGREEN TREE		
CONTOUR		
SPOT ELEVATION		
WALL, MOUNTED LIGHT		

D3.0

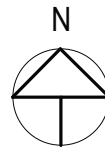




The Park Danforth

PROPOSED GARAGE LEVEL - NEW BUILDING

SCALE: 1/8" = 1'-0"



10/14/14

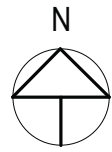
LAVALLEE BRENSINGER ARCHITECTS



The Park Danforth

PROPOSED LEVEL 1 - NEW BUILDING

SCALE: 1/8" = 1'-0"

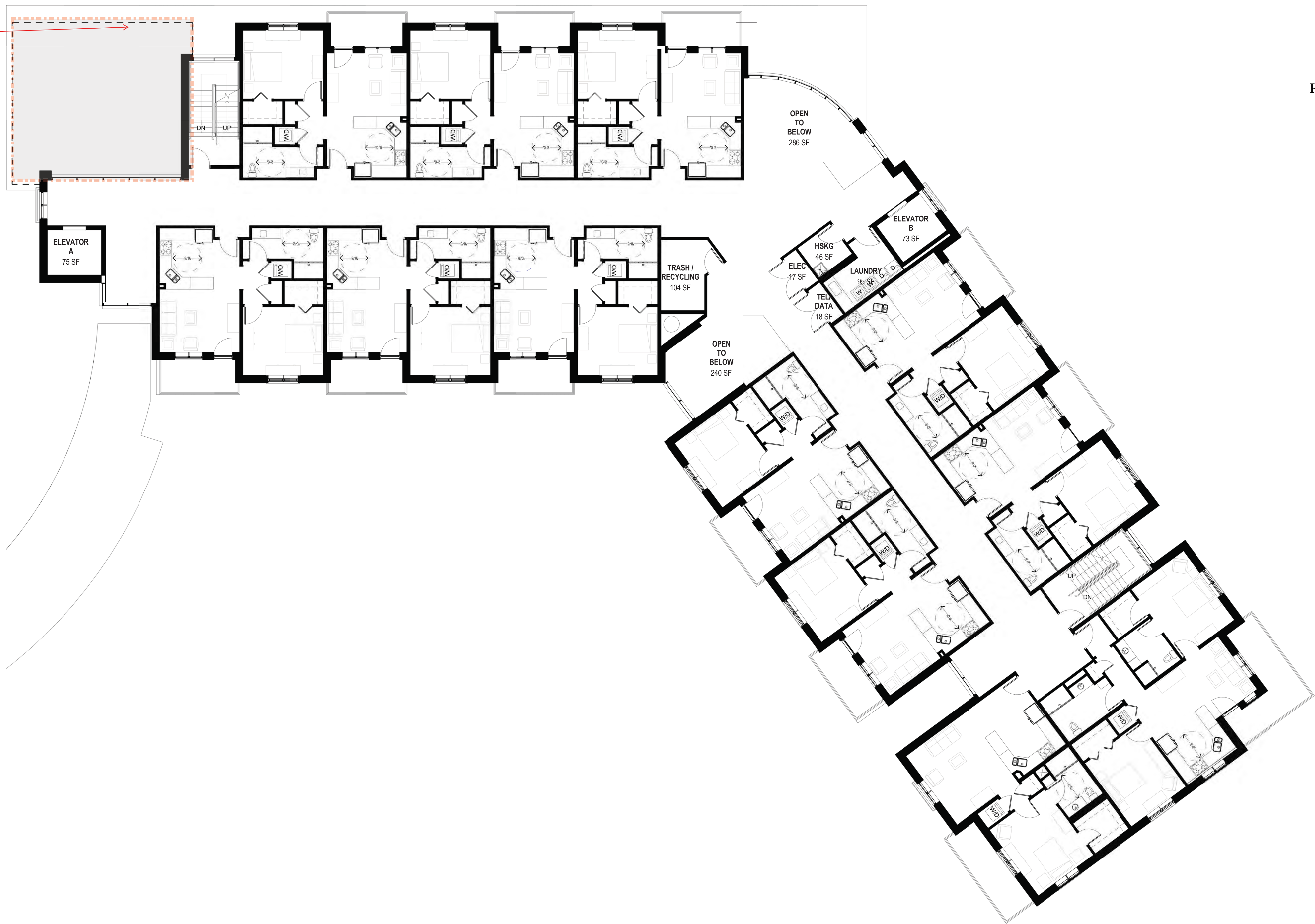


10/14/14

LAVALLEE BRENSINGER ARCHITECTS

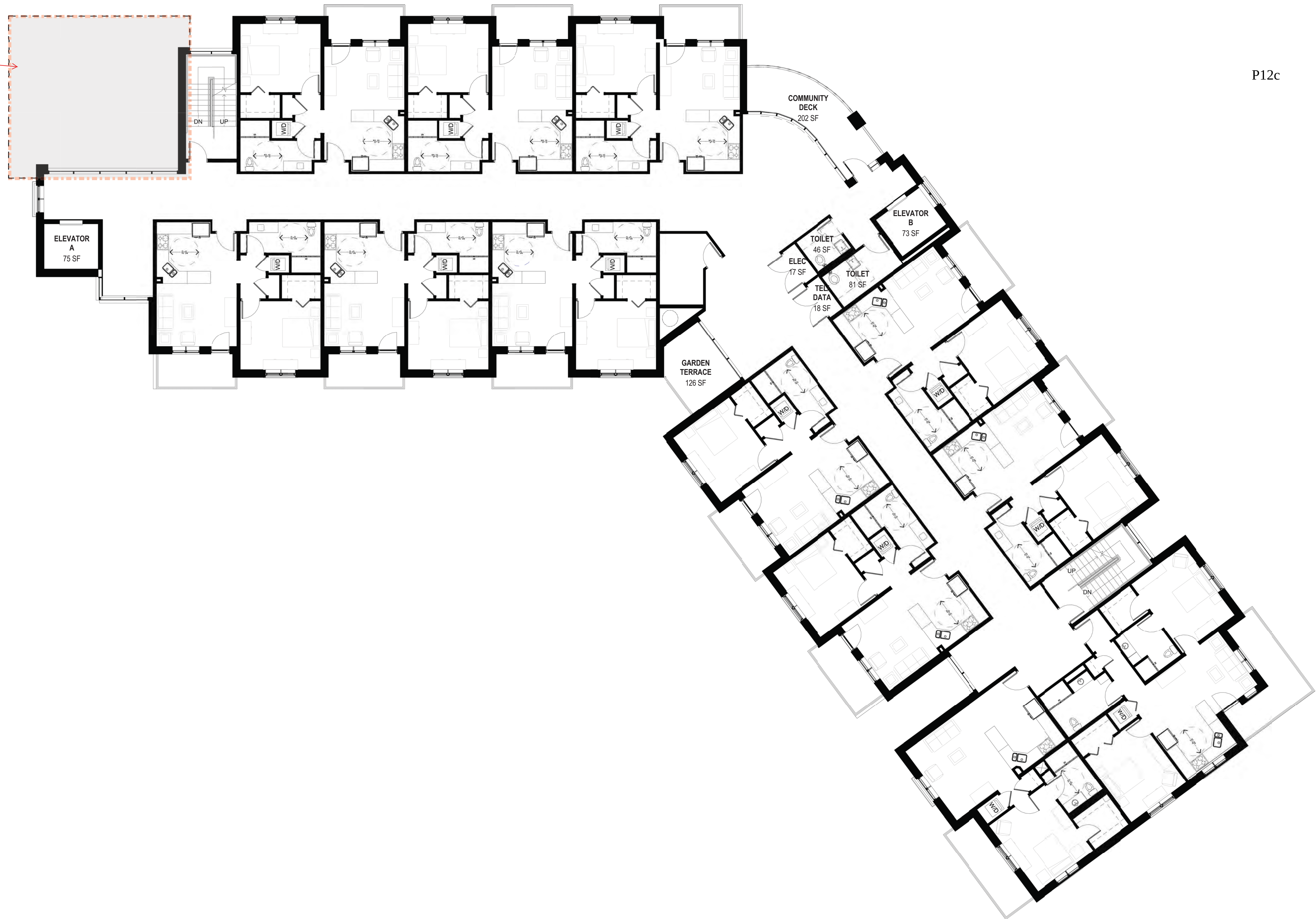
PROPOSED
LOCATION FOR 1
ADDITIONAL

P12b



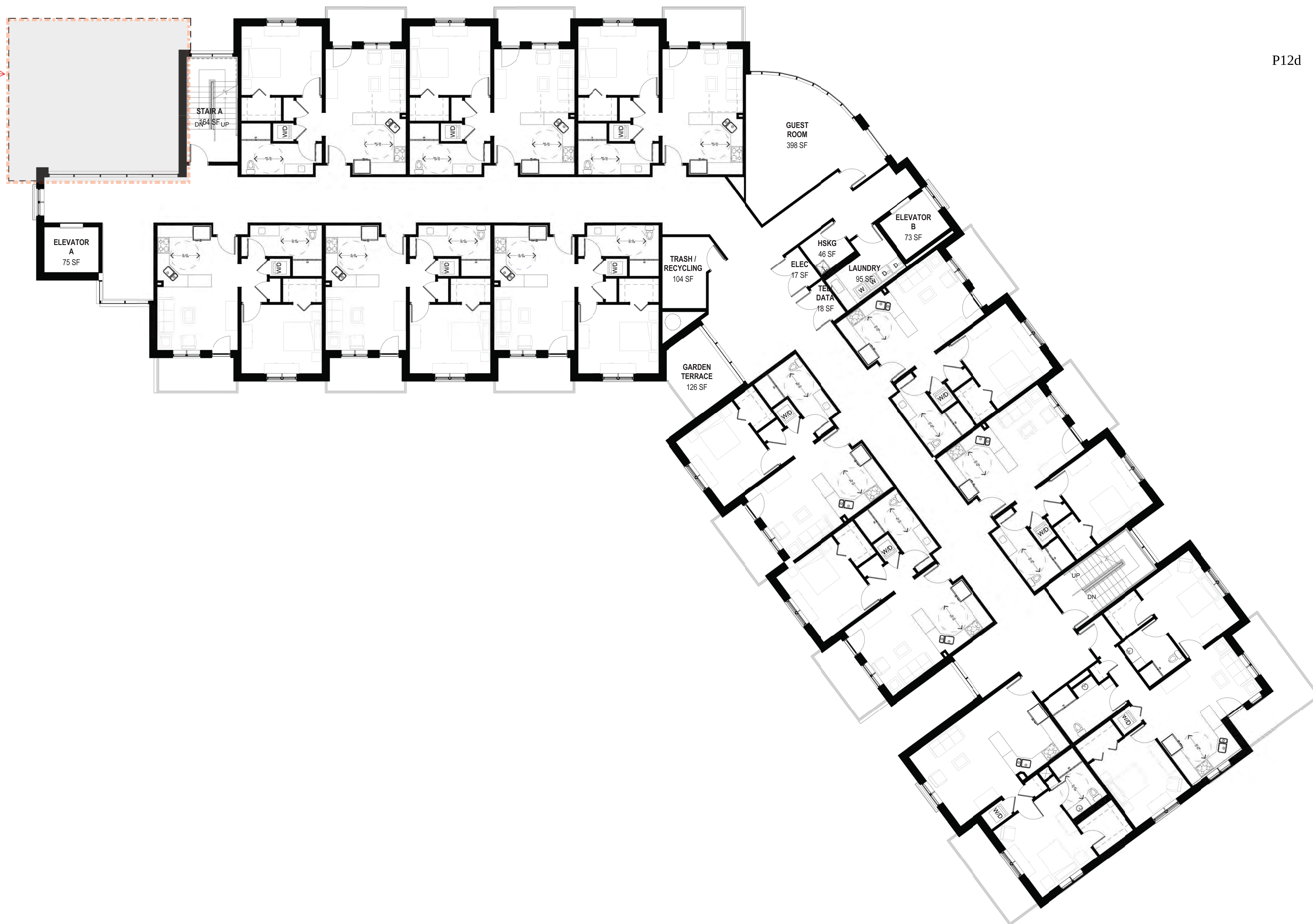
PROPOSED
LOCATION FOR 1
ADDITIONAL

P12c



PROPOSED
LOCATION FOR 1
ADDITIONAL

P12d



PROPOSED
LOCATION FOR 1
ADDITIONAL

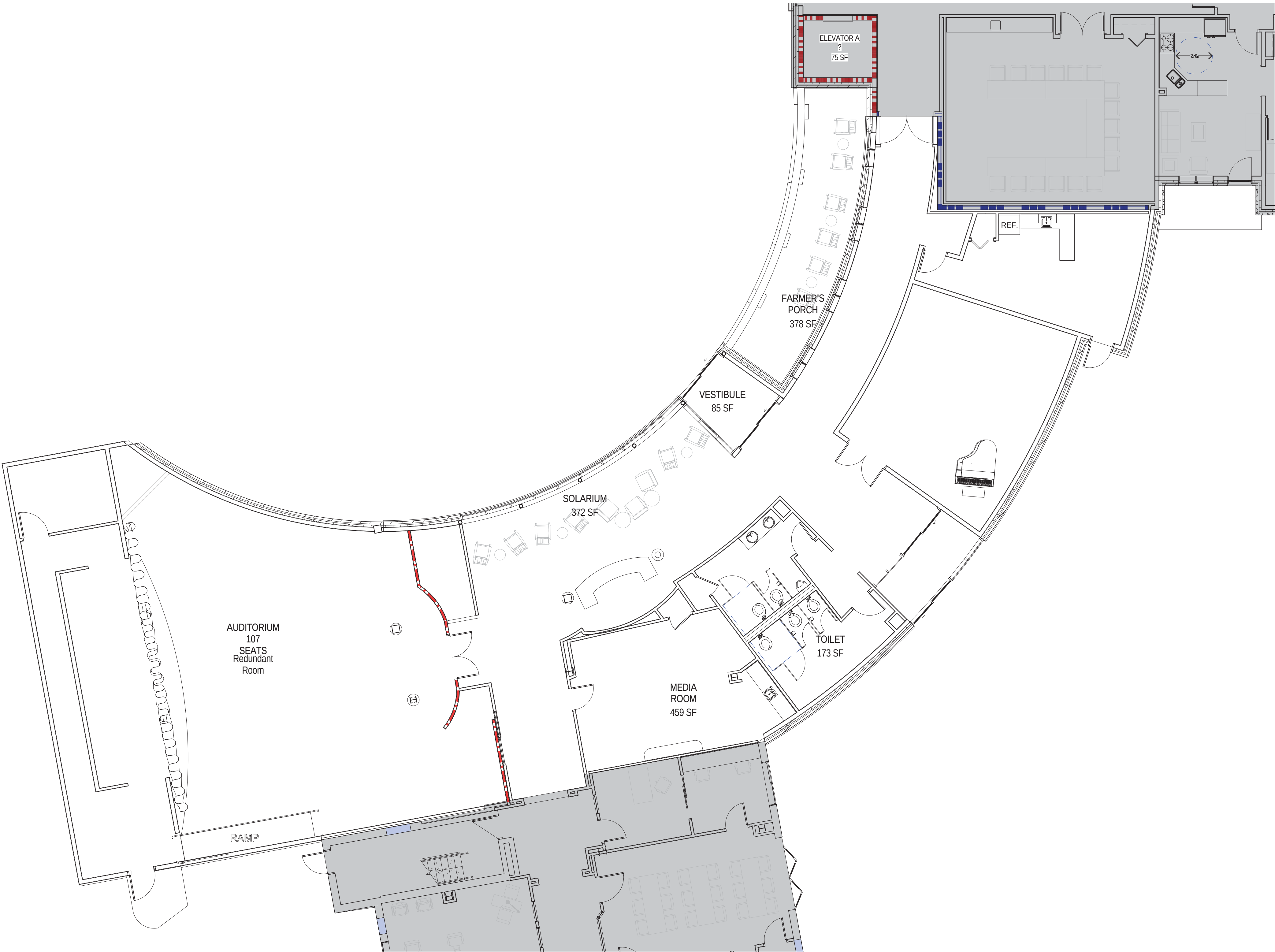
P12e



PROPOSED LOCATION FOR
ONE (1) ADDITIONAL UNITS;
FIFTH FLOOR ONLY.







PROPOSED LOCATION FOR ONE (1) ADDITIONAL UNITS; FIFTH FLOOR ONLY. SEE FLOOR PLANS FOR LOCATIONS.

PROPOSED LOCATION FOR FOUR (4) ADDITIONAL UNITS; ONE ON EACH OF FLOOR 2, 3, 4, & 5. SEE FLOOR PLANS FOR LOCATIONS.



A NEW BUILDING - NORTH ELEVATION
003 1/8" = 1'-0"

PROPOSED LOCATION FOR ONE (1) ADDITIONAL UNITS; FIFTH FLOOR ONLY. SEE FLOOR PLANS FOR LOCATIONS.

PROPOSED LOCATION FOR FOUR (4) ADDITIONAL UNITS; ONE ON EACH OF FLOOR 2, 3, 4, & 5. SEE FLOOR PLANS FOR LOCATIONS.



B NEW BUILDING - NORTHEAST ELEVATION
003 1/8" = 1'-0"

The Park Danforth

PROPOSED EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

10/14/14

LAVALLEE BRENSINGER ARCHITECTS



A NEW BUILDING - WEST ELEVATION
004 1/8" = 1'-0"



B NEW BUILDING - SOUTH ELEVATION
004 1/8" = 1'-0"



C NEW BUILDING - SOUTHWEST ELEVATION
004 1/8" = 1'-0"



D NEW BUILDING - SOUTHEAST ELEVATION
004 1/8" = 1'-0"

The Park Danforth

PROPOSED EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

10/14/14

LAVALLEE BRENSINGER ARCHITECTS



The Park Danforth

PROPOSED EXTERIOR ELEVATIONS-NEW CONNECTOR & AUDITORIUM

SCALE: 1/8" = 1'-0"



10/14/14

LAVALLEE BRENSINGER ARCHITECTS