1. Legal Ad

    Documents: PB LEGAL AD 7-28-15.PDF

2. Agenda

    Documents: PB AGENDA 7-28-15.PDF

3. 1945 CONGRESS STREET

    3.I. PB Memo

        Documents: CONGRESS ST. - 1945 (MEMO).PDF

    3.II. Report Attachments

        Documents: CONGRESS ST. - 1945 (REPORT ATTACHMENTS)PDF.PDF

    3.III. Applicants Submittal

        Documents: CONGRESS ST. - 1945 (APPLICANTS SUBMITTAL).PDF

    3.IV. Public Comment

        Documents: CONGRESS ST. - 1945 (PUBLIC COMMENT).PDF

        3.IV.i. Public Comment - Received After Memo Written

            Documents: STATEMENT FROM THE STROUDWATER VILLAGE ASSOCIATION REGARDING THE PROPOSED REZONING OF 1945 CONGRESS STREET-20150722.PDF

4. 74 WEST COMMERCIAL STREET

    4.I. PB Memo

        Documents: WEST COMMERCIAL (MEMO).PDF

    4.II. PB Staff Attachments

        Documents: WEST COMMERCIAL ST. - 74 (STAFF ATTACHMENTS).PDF

    4.III. Applicants Submittal

        Documents: WEST COMMERCIAL - 74 (APPLICANTS SUBMITTAL).PDF

    4.IV. Plans

        Documents: WEST COMMERCIAL - 74 (PLANS).PDF

5. RE-CERTIFICATION OF PORTLAND'S COMP PLAN

    5.I. Comprehensive Plan

        Documents: COMPREHENSIVE PLAN (COMMUNICATION).PDF

        5.I.i. Communication - Attachments

            Documents: COMPREHENSIVE PLAN (ATTACHMENTS).PDF

6. 5 BRIGGS STREET

6.I. PB Report

Documents: BRIGGS ST. - 5 (REPORT).PDF

6.II. Staff Comments

Documents: BRIGGS ST. - 5 (STAFF COMMENTS).PDF

6.III. Applicants Submittal

Documents: BRIGGS ST. - 5 (APPLICANTS SUBMITTAL).PDF

6.IV. Plans

Documents: BRIGGS ST. - 5 (PLANS).PDF

7. 58 FORE STREET

7.I. PB Memo

Documents: FORE STREET 58 (MEMO).PDF

7.II. Attachments

Documents: FORE STREET 58 (ATTACHMENTS).PDF

8. SUSTAINABLE TRANSPORTATION FUND

8.I. PB Memo - Sustainable Transportation

Documents: PB MEMO - SUSTAINABLE TRANSPORTATION.PDF

LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING

The Portland Planning Board will hold a meeting on Tuesday, July 28, 2015, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at this meeting.**

Workshop – 4:30 p.m.

i. Zoning Map Amendment from R-2 Residential to OP Office Park; 1945 Congress Street; Northland Enterprises, Applicant. (4:30 – 5:30 p.m. estimated time) The Board will hold a workshop to consider a zoning map amendment application by Northland Enterprises who are seeking the zone change in order to renovate the Elks building for use by the Elks and to develop 2 office buildings. The Board will consider the extent of the proposed zone change as well as potential alternative zoning designations.

ii. Level III Site Plan and Conditional Use; 74 West Commercial Street; Canal Landing, LLC., Applicant. (5:30- 6:30 p.m. estimated time) The Board will hold a workshop to consider the expansion of Canal Landing which will include a boat maintenance facility along with ancillary marine related development. The proposal includes 30,250 sq. ft. of new building space with a maximum height of 45 feet and stabilization of approximately 8 acres of the 17 acre site for a boat yard. The conditional use application is for the establishment of marine products, wholesaling and retailing uses on the site.

Public Hearing – 7:00 p.m.

Communications:

i. Re-Certification of Portland's Comprehensive Plan; A memo from Planning Staff and consultants that provides an overview of the timeline, the public engagement process, and the components of the Plan for recertification.

New Business

ii. Level III Site Plan; 5 Briggs Street; Briggs Street Property, LLC., Applicant. (7:00 – 8:00 p.m. estimated time) The Board will hold a public hearing on a proposed three unit residential building. Access to the site is from Salem Street and 2 parking spaces are proposed on the first level of the structure. A third space is proposed in an existing garage on the adjoining lot.

Evening Workshop (immediately following the Public Hearing)

i. Recommendation by Historic Preservation Board to Designate the Portland Company Complex; 58 Fore Street; City of Portland, Applicant. (8:00 -9:30 p.m.estimated time) The Board will hold a workshop to consider the recommendation of the Historic Preservation Board to designate the Portland Company complex at 58 Fore Street as a local historic district subject to the provisions of Portland Historic Preservation Ordinance.

ii. Proposed Amendments to the Sustainable Transportation Fund, City of Portland, Applicant. (9:30 p.m. estimated time). The Board will consider proposed text amendments to the Sustainable Transportation Fund, which address when and how the fee in lieu of parking assessments are made and the use and allocation of funds.

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

CITY OF PORTLAND, MAINE

PLANNING BOARD

Stuart G. O'Brien, Chair
Elizabeth Boepple, Vice Chair
Sean Dundon
Bill Hall
Carol Morrissette
Jack Soley
David Eaton

AGENDA
PORTLAND PLANNING BOARD MEETING

The Portland Planning Board will hold a meeting on Tuesday, July 28, 2015, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at this meeting.**

WORKSHOP – 4:30 p.m.

i. Zoning Map Amendment from R-2 Residential to OP Office Park; 1945 Congress Street; Northland Enterprises, Applicant. (4:30 – 5:30 p.m. estimated time) The Board will hold a workshop to consider a zoning map amendment application by Northland Enterprises who are seeking the zone change in order to renovate the Elks building for use by the Elks and to develop 2 office buildings. The Board will consider the extent of the proposed zone change as well as potential alternative zoning designations.

ii. Level III Site Plan and Conditional Use; 74 West Commercial Street; Canal Landing, LLC., Applicant. (5:30- 6:30 p.m. estimated time) The Board will hold a workshop to consider the expansion of Canal Landing which will include a boat maintenance facility along with ancillary marine related development. The proposal includes 30,250 sq. ft. of new building space with a maximum height of 45 feet and stabilization of approximately 8 acres of the 17 acre site for a boat yard. The conditional use application is for the establishment of marine products, wholesaling and retailing uses on the site.

PUBLIC HEARING – 7:00 p.m.

1. ROLL CALL AND DECLARATION OF QUORUM
2. COMMUNICATIONS AND REPORTS
3. REPORT OF ATTENDANCE AT THE FOLLOWING MEETINGS:
July 14th, 2015:
Workshop: O'Brien, Boepple, Dundon, Eaton, Hall, Morrissette, and Soley present.
Public Hearing: O'Brien, Boepple, Dundon, Eaton, Hall, Morrissette (left at 9 p.m.), and Soley (left at 10 p.m.) present.

4. REPORT OF DECISIONS AT THE MEETING HELD ON JULY 14th, 2015:

i. Level III Site Plan and Conditional Use; 20 Marginal Way; Bangor Savings Bank, Applicant. Boepple moved and Hall seconded a motion to waive the driveway spacing separation requirement. Board voted 7-0 to grant the waiver. Boepple moved and Hall seconded the motion to waive the bicycle rack separation from the building to allow 12 inches, subject to the required bicycle parking being met on the non-building side of the rack. Board voted 7-0 to grant the waiver. Boepple moved and Hall seconded a motion to waive the B-7 Design Standard E-16 Signage to allow 2 signs at the pedestrian level and 3 signs at the upper levels and to allow illuminated individual plastic letters. Board voted 7-0 to grant the waiver. Boepple moved and

Hall seconded a motion to find the proposed bank drive-through meets the standards for a conditional use. Board voted 7-0. Boepple moved and Hall seconded a motion to approve the site plan application with nine conditions of approval. Board voted 7-0.

ii. Level III Site Plan and Conditional Use; 1342 Congress Street; Jewish Community Alliance of Southern Maine, Applicant. Boepple moved and Hall seconded a motion to waive Section 1.7.1.3 to allow the proposed driveway to be 22.7 feet wide for one section near Congress Street. Board voted 6-0, Morrissette absent. Boepple moved and Hall seconded a motion to waive Section 7 soil survey as the applicant has soil borings from a previous environmental assessment. Board voted 6-0, Morrissette absent. Boepple moved and Hall seconded a motion to find the public assembly use meets the conditional use standards. Board voted 6-0, Morrissette absent. Boepple moved and Hall seconded a motion to approve the site plan with seven conditions of approval.

iii. Level III Site Plan and Subdivision; 72 Bishop Street; AVESTA 72 Bishop Street, LP, Applicant Boepple moved and Hall seconded a motion to waive Section 14-526 (b)(iii) requiring street trees with the financial contribution of $4,800 for 24 trees to Portland's Tree fund. Board voted 5-0, Morrissette and Soley absent. Bopple moved and Hall seconded a motion to approve the subdivision plan with one condition of approval. Board voted 5-0, Morrissette and Soley absent. Bopple moved and Hall seconded a motion to approve the site plan application with nine conditions of approval. Board voted 5-0, Morrissette and Soley absent.

5. COMMUNICATION:

i. Re-Certification of Portland's Comprehensive Plan. A memo from Planning Staff and consultants that provides an overview of the timeline, the public engagement process, and the components of the Plan for recertification.

6. NEW BUSINESS:

i. Level III Site Plan; 5 Briggs Street; Briggs Street Property, LLC., Applicant.
(7:00 – 8:00 p.m. estimated time) The Board will hold a public hearing on a proposed three unit residential building. Access to the site is from Salem Street and 2 parking spaces are proposed on the first level of the structure. A third space is proposed in an existing garage on the adjoining lot.

7. EVENING WORKSHOP (Immediately following the Public Hearing)

i. Recommendation by Historic Preservation Board to Designate the Portland Company Complex; 58 Fore Street; City of Portland, Applicant. (8:00 - 9:30 p.m. estimated time) The Board will hold a workshop to consider the recommendation of the Historic Preservation Board to designate the Portland Company complex at 58 Fore Street as a local historic district subject to the provisions of Portland Historic Preservation Ordinance.

ii. Proposed Amendments to the Sustainable Transportation Fund, City of Portland, Applicant. (9:30 p.m. estimated time). The Board will consider proposed text amendments to the Sustainable Transportation Fund, which address when and how the fee in lieu of parking assessments are made and the use and allocation of funds.

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

Memorandum
Planning and Urban Development Department
Planning Division

To: Chair O'Brien and Members of the Portland Planning Board
From: Nell Donaldson, Planner
Date: July 23, 2015
Re: 1945 Congress Street Map Amendment
CBLs: 216-A-6, 217-A-1
Meeting Date: July 28, 2015

I. INTRODUCTION

Northland Enterprises, LLC appears for their third workshop before the planning board for a zoning amendment request related to a property at 1945 Congress Street in Stroudwater. The property is currently zoned Residential R-2 and is occupied by Elks Lodge #188. The applicant proposes to rezone the lot to Office Park (O-P) in order to allow the development of medical and general office buildings on the site.

At previous workshops in January and May, the board engaged in substantial discussion surrounding the merits of an O-P zone change for this parcel and possible alternative zoning designations. The board heard a number of public concerns around questions of residential encroachment, the potential for precedent, traffic and visual impacts, and consistency with the comprehensive plan. Members of the Stroudwater Village Association requested that the proposal be held until a broader neighborhood planning process for this area could be completed. Some meeting attendees also expressed support for the proposal, arguing that the proposed uses are largely consistent with neighbors to the west and south and that residential redevelopment potential is limited. Ultimately, the board requested additional research into the planning context for the property, an assessment of the feasibility of residential development as an alternative to the office uses proposed, suggestions as to mitigating concerns about encroachment and precedent, and an additional workshop on the proposal. This memo describes the findings of this research and presents several options moving forward. The applicant has requested that this proposal be advanced to public hearing.

A legal ad for the planning board workshop on the proposal was posted on the city's web page and appeared in the *Portland Press Herald* on July 20 and 21, 2015. Notices were also sent to 70 property owners within 500 feet of the site and to the interested citizen list.

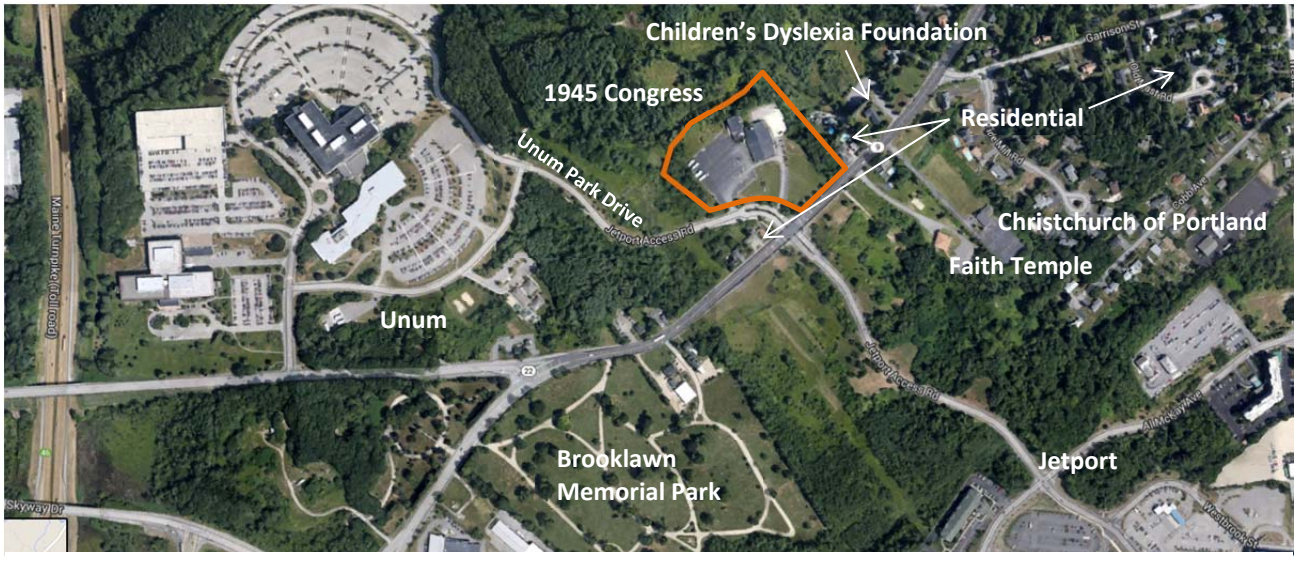


Figure 1: 1945 Congress Street in context.

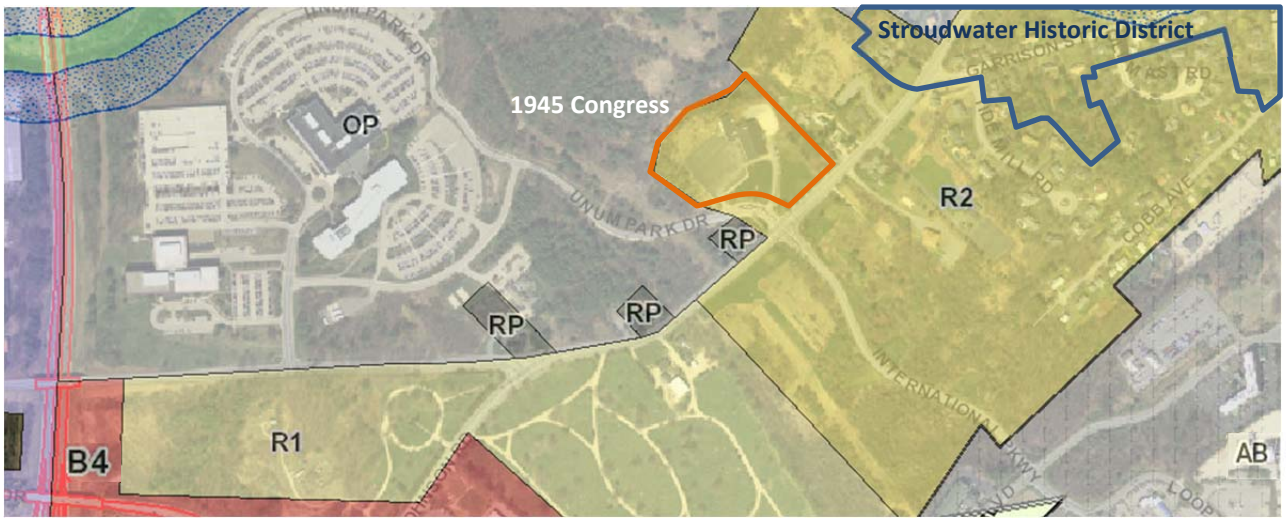


Figure 2: 1945 Congress Street, existing zoning

II. BACKGROUND

As has been previously noted, the 1945 Congress Street site is approximately 7 acres in size and has housed Lodge #188 of the Benevolent and Protective Order of Elks and their associated parking since the late 1960s. Although the site has frontage on Congress Street, access is from Unum Park Drive. Residential uses abut the site both to the northeast and southwest across Unum Park Drive. Unum lies directly to the west, the Jetport lies due south, and several places of assembly sit across Congress Street to the east.

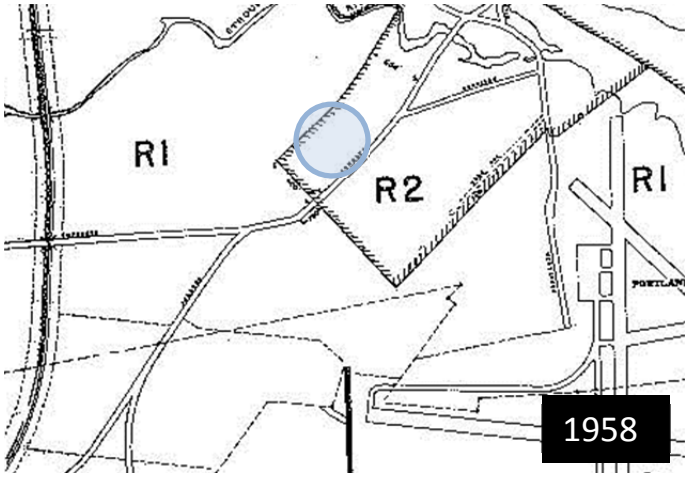
The site is currently zoned Residential R-2, as is the land to the south and east, which, again, is developed largely with single-family homes *(Figure 2)*. The residential neighborhood around Garrison Street, within this R-2 zone, is nationally designated as the Stroudwater Historic District. A Residential R-1 zone can be found to the west south of Congress Street; this zone houses the Brooklawn and Temple Beth El cemeteries. The Unum site lies in the nearest Office Park (O-P) zone, to the immediate west and north of the site. Several small Residence-Professional (R-P) zones can also be found to the west on Congress Street. The R-P zone immediately west of 1945 Congress houses several single family homes; the other R-P zones in this area generally house retail and personal service establishments in repurposed residential buildings.

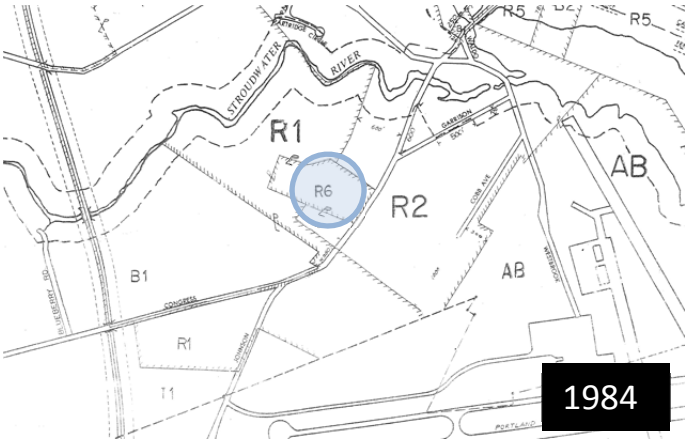
III. ZONING AND POLICY HISTORY

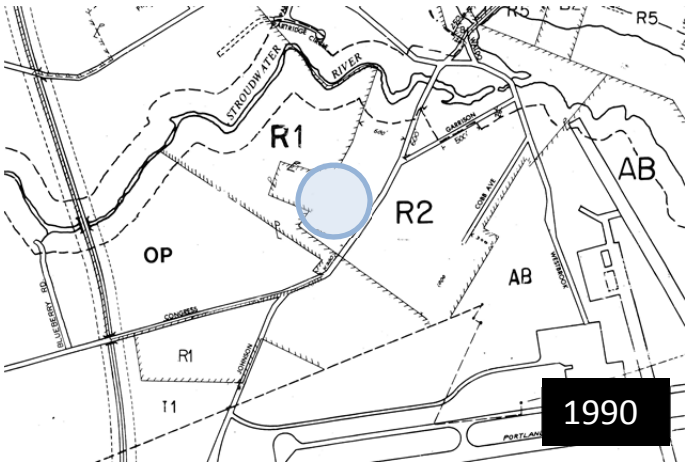
At the May workshop on this proposal, the board requested that staff further investigate the planning context surrounding Outer Congress Street in an effort to better understand the history of the city's land use policy in this part of the city. In response, staff attempted to piece together a cursory policy history of the area.

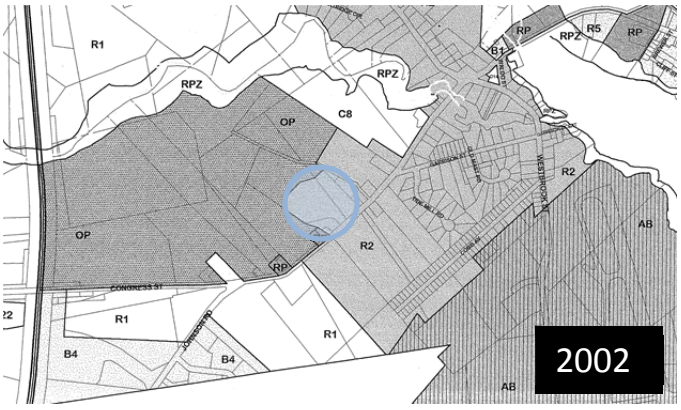
Early city zoning maps show the 1945 Congress Street property in residential (RA) zoning, reflecting the historic character of the area as farmland. Following a major initiative by the city to revise the zoning ordinance in the late 1950s, it appears that the 1945 Congress parcel and its surroundings were zoned to Residential R-2, the zoning designation that exists today. Records indicate that at some point in the mid- to late 1960s, the city council considered and approved a rezoning of the Elks' site to R-6 with the intent of allowing the Elks to develop, apparently under conditional status; the Elks appeared before the Board of Appeals in the late 1960s for an "exception" to the R-6 zoning in order allow the construction of their "club and lodge" and the "formation of a softball field." By the late 1970s, Unum had also relocated to outer Congress Street, where the zoning map had been altered to depict a B-1 zone.

The early 1980s saw an effort by the city to consider the economic development potential of a number of city neighborhoods and commercial centers. The resulting reports suggested that the city aggressively market the "Airport Development Area," and more specifically the end of Cobb Avenue/Westbrook Street, as a major manufacturing or office headquarters site. However, no rezoning of this area was ever completed, and









the zoning remained unchanged through the early 1980s.

In 1988, as part of a review of the city's commercial land use policy, the city's *Neighborhood Commercial Land Use Policies and Land Use Plan* created the Office Park (O-P) zone. The plan read, "[t]he need exists for a zone that would allow larger scale office development on larger lots in what could be considered more suburban locations. The parcels, while suburban in character, might have limited potential for residential development, due in part, for example, by [sic] proximity to the Jetport, or to the topography of the site, or its physical boundaries such as a busy arterial" (22). In a continuation of the economic development work conducted by the city in the early 1980s, the plan identified UNUM and Congress Street/Cobb Avenue (in conjunction with the Airport Business zone) as areas for potential rezoning to O-P. In the wake of this plan, the city modified the zoning map to show O-P at the UNUM site. However, none of the surrounding area was converted to O-P. By the late 1980s, the Elks Lodge had actually been rezoned back to R-2, and the area at the end of Cobb Avenue remained in R-2 as well. It should be noted that, through the 1990s, as UNUM grew, the O-P zone north of Congress Street did extend eastward, subsuming much of the R-1 residential zone south of the Stroudwater River.

In the early 1990s, the Portland International Jetport developed plans to relocate the airport access road from Westbrook Street to its current location. As part of the 1994 Airport Master Plan, the city generally considered land uses on airport land south of Congress Street in the location of the access road, ultimately suggesting that most of this property be held as open space/buffer, with small portion at the point of highest elevation to be used for "terminal support." While the road portion of the plan was realized, this land use recommendation was not, with the land around the access road remaining as a buffer in the R-2 zone. Similarly, Cobb Avenue has never been rezoned.

Figure 3: Zoning history, Outer Congress Street, with 1945 Congress highlighted

IV. REVIEW OF POTENTIAL ZONING DESIGNATIONS

Current Zoning:	R-2 (Residential)	**Proposed Uses:**	Elks Lodge; medical office; general office
Proposed Zoning:	O-P (Office Park)		
Current Uses:	Elks Lodge	**Parcel Area:**	304,892 SF (6.99 acres)
		Area to be Rezoned:	TBD

The applicant has requested a zoning map amendment to change the zoning at 1945 Congress from Residential R-2 to Office Park (O-P). Over the course of this zone change review, staff and the board have discussed the possibility of a variety of alternatives to this zoning designation, including the Office Park (O-P) zone with a text amendment to allow places of assembly as conditional uses, the Residence-Professional (R-P) zone, the Neighborhood Business (B-1) zone, and the Community Business (B-2) zone. More recently at the May workshop, in response to neighbors' concerns, the board expressed a desire to assess potential residential zoning designations for the site as well. All of these alternatives are briefly summarized below. Staff analysis comparing these designations in detail has been included in the previous memos *(Attachment A and B)* and in a zoning analysis which appears as *Attachment C.*

1. Existing Residential R-2

As noted above, the 1945 Congress Street site is currently zoned residential R-2. The existing R-2 zone is designed to encourage residential development. The zone permits a very limited range of uses by right. The applicant's desired use, medical and general office, is not permitted under the existing R-2 zoning. Given the existing zoning then, the redevelopment opportunities for the 1945 Congress site are largely confined to single-family residential. With a conditional use permit, the lot could be redeveloped as a university or school (as has been previously considered under a separate zoning amendment application related to Husson University), or as a long-term, extended care or day care facility, among other uses.

2. Office Park (O-P)

The applicant's original application requested a map change to rezone the property at 1945 Congress Street from R-2 to O-P. The O-P zone, as noted previously, is designed for office and associated uses in "a park- or campus-like setting which are of the highest quality, are well designed and maintained, and are compatible with their natural surroundings." The O-P zone requires a master plan which is subject to standards regulating the design, landscaping, sidewalks, screening, preservation of natural features, traffic, lighting, and signs of the development. The applicant has argued that the proposed O-P zone is a logical extension of the office uses to the west and that the proposed use is consistent with the city's comprehensive plan *(Attachment 3)*.

3. Office Park (O-P) with Text Amendment

At the first workshop on this zone change request, the board expressed concerns about the fact that an O-P zoning designation would render the Elks Lodge a non-conforming use. It should be noted that the January 20 staff memo included comments from Ann Machado, the city's acting zoning administrator, confirming that the Elks Lodge would become a *legal* non-conforming use *(Attachment D)*, and that the applicant has not indicated any concerns with the issue of non-conformity. However, at the board's request, the applicant submitted an application for a text amendment to the O-P zone, and staff presented several options for an O-P text change to make places of assembly a conditional use. At the May 21 workshop, these alternatives were largely dismissed given the desire to preserve O-P zones for the purposes of campus-like office uses.

4. Residence-Professional (R-P)

The R-P has also been examined as a potential option for the site, as this zone allows the proposed use and can be found proximate to the1945 Congress Street site. The R-P zone is written to function as a buffer between residential and more intensive non-residential areas and is often used to bookend business zones. Under a zone change to R-P, a broad array of uses would be permitted, including residential, professional office, and business services. As noted previously, the R-P does not provide for the master plan design control of the O-P zone. It also allows for much smaller lot size and minimal setbacks. For these reasons, it is generally considered a less desirable alternative than the O-P designation.

5. Neighborhood and Community Business B-1 and B-2
Similarly, staff previously presented the Neighborhood and Community Business B-1 and B-2 zones as options for the site. These zoning designations would allow a much broader range of uses than the R-2 or the O-P and would also allow much greater lot coverage on the site. For these reasons, these zoning designations were largely dismissed as well.

6. Residential R-3
At the last workshop, board members also requested that staff and the applicant pursue the question of higher density residential rezoning. The R-3 zone, for example, would permit planned residential unit developments (PRUDs) of a townhouse style at a density of one unit/6,500 SF of net land area. At this ratio, 30-40 units could theoretically be permitted on the 1945 Congress Street site. The R-3 would also conditionally allow sheltered care group homes, schools, extended care facilities, hospitals, and day care facilities. The R-3 would not accommodate the applicant's desire for office uses.

At the board's request, the applicant has submitted a housing feasibility analysis which examines the financial feasibility of residential development under the R-3 zone *(Attachment 9)*. This analysis examines a 40-unit multi-family housing scenario under the provisions for the R-3 zone, as well as higher density scenarios of 80 market rate or mixed income units under a theoretical zone, and generally finds all of these scenarios financially untenable. (It is worth noting that the study also tests the financial viability of 8- and 15- lot single-family subdivision scenarios (assuming that the developer would sell the buildable lots under the R-2 provisions) and likewise finds that development costs would necessitate sale prices out of line with the current market.) As a result, the concept of a residential rezoning has not been pursued here.

V. PUBLIC COMMENT
Over the course of the zone change review, the Planning Division has received a significant number of public comments related to the proposed zone change *(PC-1-22)*. These comments generally fall into several categories. A number express concerns about impacts of the proposed office development, which, it is worth noting, would be further examined under site plan review. These comments raise questions about potential traffic impacts; pedestrian safety in the area; building design, parking, and siting with respect to the O-P development standards; and buffering from adjacent residential properties. Other comments argue that the proposed zoning map amendment is inconsistent with the comprehensive plan. Most of these build cases on the housing objectives of the plan, raising concerns that land will be taken from the potential housing supply and that the zone change would eliminate the potential for single-family development on the site. Very recently, staff received a public comment from a neighbor which went so far as to develop a concept for residential redevelopment on the site *(PC-21)*. It should be noted that this comment did not include a market analysis. Last, a number of comments raise larger questions regarding "piecemeal zoning" and the need for a broader vision for Stroudwater and outer Congress; the potential for precedent and, as a result, encroachment, particularly to the east; and the importance of this intersection as a gateway with important open space attributes. The Stroudwater Village Association has requested that the board defer any zoning decision until a more comprehensive neighborhood planning effort can be undertaken *(PC-14)*. It should be noted that the city also received a number of letters from Elks Club members requesting that the board approve the plans.

VI. DISCUSSION ITEMS
As noted above, staff and the board have pursued a number of alternatives over the course of this review, most of which have been deemed unworkable due to potential adverse neighborhood or policy impacts or, per more recent assessment, the limited development potential of the site. In an effort to simplify the discussion for the board and thereby reach a conclusion with respect to the application at hand then, staff suggests that the board refocus the discussion on the original proposal. This reframing would present the boards with several options.

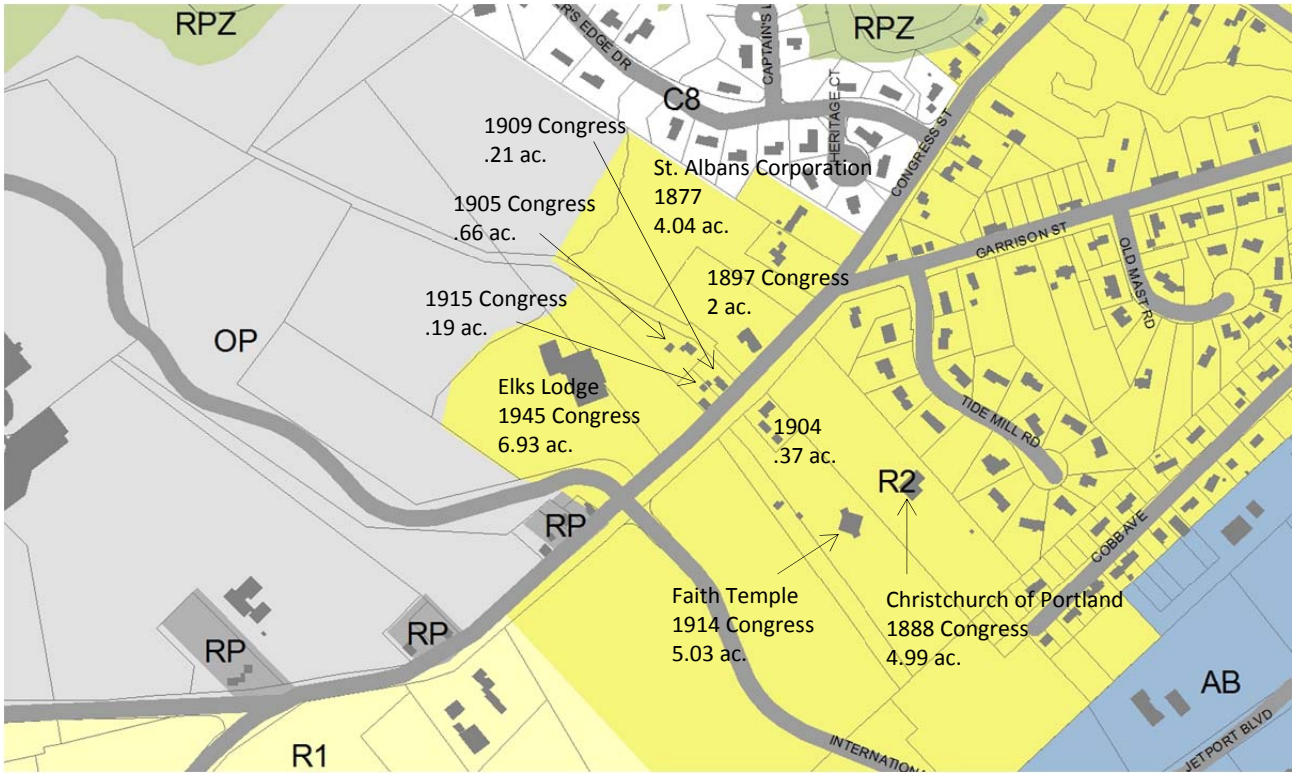


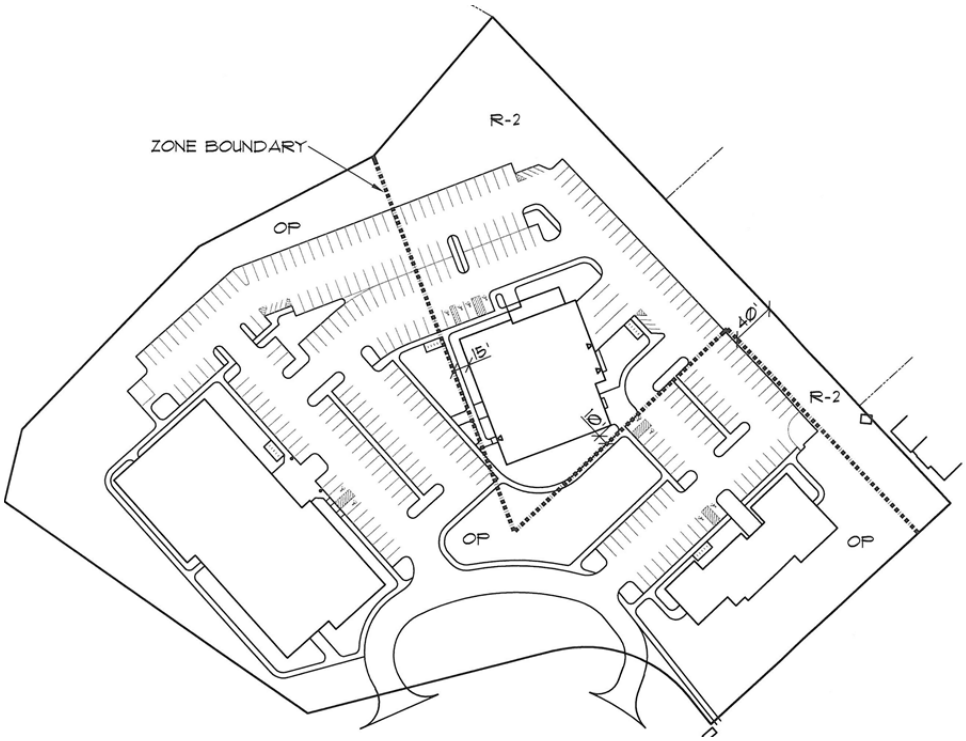
Figure 4: Parcel sizes and context in vicinity of 1945 Congress Street

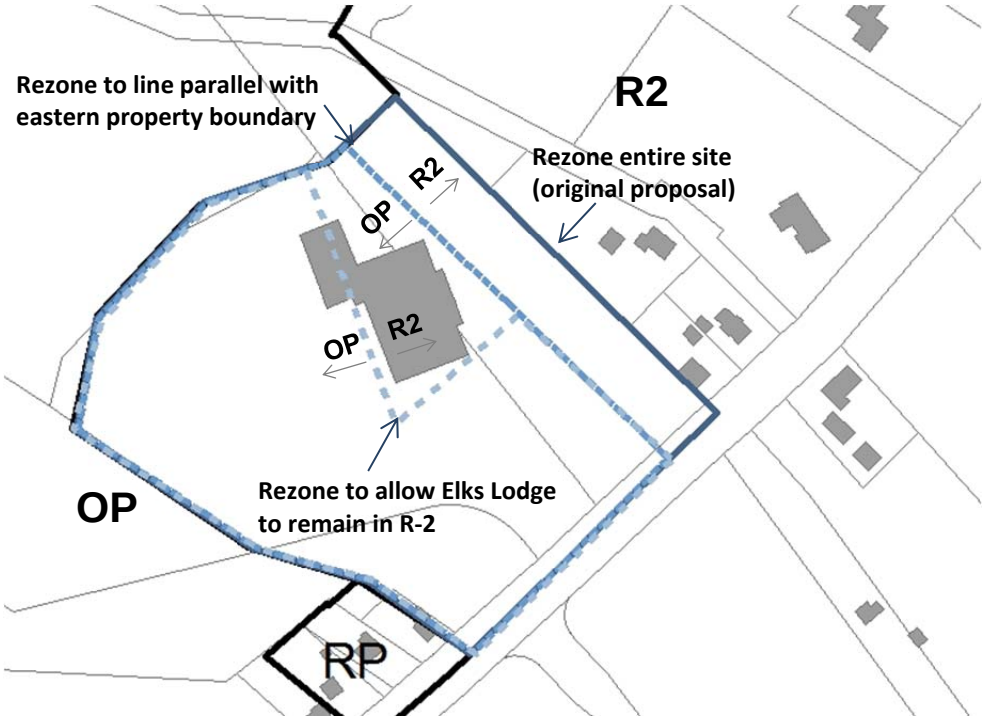
Option A: O-P Zoning

The applicant has argued that the O-P zoning conforms to the comprehensive plan and responds to existing policy in this area of Outer Congress Street *(Attachment 3)*. As previously noted, the O-P zone includes strong provisions related to buffering and open space which, in a modified site plan under site plan review, could serve to preserve or even enhance the Congress Street/Unum Park Drive intersection as a gateway and green entry to the city. However, if an argument is to be made that O-P is the appropriate designation for this site, concerns about encroachment and precedent will need to be addressed.

A closer examination of the characteristics of the surrounding lots may serve to alleviate some of these concerns. Several other places of assembly, including Faith Temple, Christchurch of Portland, and the Masons, lie directly to the east of the 1945 Congress site. These properties, much like the Elks', sit in the R-2 zone on large lots fronting Congress Street. In some cases, O-P zoning can be found immediately adjacent to these sites, and in at least one case, these sites are currently for sale.

Upon examination, however, there are several distinguishing factors which differentiate the Elks' site from these properties to the east *(Figure 4)*. The 1945 Congress parcel, which is almost seven acres in size, is larger than the easterly sites, which generally range from less than an acre to five acres in size. The Elks' site is contiguous with the O-P zone on two sides, while these other sites share one border with the O-P zone at most. Lastly, the 1945 Congress Street site has access from a secondary road with the benefit of a signalized intersection with Congress Street; all of the easterly sites would rely on access directly from Congress Street.





Figures 5 (top) and 6:1945 Congress, potential zone line as depicted by applicant (top); additional potential rezoning options

Even given these defining attributes of the 1945 Congress Street parcel, the board may wish to consider a more limited rezoning than was originally proposed in an effort to clearly demarcate the intended extent of the O-P zone and thereby address concerns regarding encroachment. In their most recent submittal, the applicant included a concept plan showing an O-P rezoning for a portion of their site only; in this proposal, the O-P zone line would run southward parallel with the western face of the Elks Lodge, jog towards the residential properties to the east along a line parallel with Congress Street, and then run southward again parallel to the eastern property line at an offset of 40 feet *(Figure 5)*. This would leave the Elks Lodge as a conforming conditional use in the R-2 zone and provide for some buffer for the adjacent residential, but allow the western and southern portions of the site to be developed under the O-P zone.

Under a second rezoning option, the board may wish to consider an O-P zone line that could be drawn parallel to the eastern property line along its entire length *(Figure 6)*. This approach has been used in limited instances elsewhere in the city, often with a zone line that parallels a street. This alternative would not resolve the issue of the Elks becoming a non-conforming use under the O-P zoning. It would, however, effectively create a buffer to the neighborhood to the east. Under either of these scenarios, additional zoning interpretation would be required as the site is developed.

Option B: Neighborhood Plan
As an alternative, and in the wake of public comment opposing this zone change, the board may also wish to defer a decision on the rezoning application in favor of a broader neighborhood planning effort. In this case, the board should not recommend rezoning to the City Council. It should be noted that the Department Director has indicated that the Division does not have sufficient resources to complete this type of neighborhood plan in the immediate future.

VII. NEXT STEPS

- Provide feedback on options as presented
- Schedule a public hearing

VIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

A. January 20 Workshop Memo
B. May 21 Workshop Memo
C. Zoning Alternatives Tables
D. Zoning administrator review
E. Traffic engineer review

APPLICANT'S SUBMITTALS

1. Applicant's cover letter
2. Zoning text amendment application
3. Comprehensive plan narrative
4. Buffering photos
5. Concept plan
6. Renderings
7. Neighborhood meeting packet
8. Purchase & sale agreement
9. Housing redevelopment feasibility analysis
10. Zoning concept plan

PUBLIC COMMENT

PC-1. Letter from Bill Linnell, Joyce Gauthier, and Janet Burns, 1/14/15
PC-2. Letter from David Silk, 1/14/15
PC-3. Letter from Bill Linnell, Joyce Gauthier, and Janet Burns, 1/16/15
PC-4. Letter from Lucie Tardif, 1/19/15
PC-5. Email from Joe and Carolyn Heasly, 1/19/15
PC-6. Letter from Dan Koloski, SVA President, 1/20/15
PC-7. Email from John Sommer, 1/20/15
PC-8. Email from Rob Rosenberg, 1/22/15
PC-9. Email from David Silk, 1/22/15
PC-10. Email from Bill Linnell, 1/23/15
PC-11. Email from Paul Dubois, 1/24/15
PC-12. Letter from Margaret Doyle, 1/30/15
PC-13. Letters from Elks Lodge Members, 3/15
PC-14. Email from SVA, 5/25/15
PC-15. Email from Angela Wheaton, 5/26/15
PC-16. Email from Charlton Smith, 5/26/15
PC-17. Email from Marc Hodroff, 5/26/15
PC-18. Letter from David Silk, 5/26/15
PC-19. Email from Elizabeth Hoglund, 5/26/15
PC-20. Letter from Mary Lou Kimball, 5/27/15
PC-21. Letter from Mitchell & Associates on behalf of Bill Linnell, 7/13/15
PC-22. Email from Paul Dubois, 7/22/15

Memorandum
Planning and Urban Development Department
Planning Division

To: Chair O'Brien and Members of the Portland Planning Board
From: Nell Donaldson, Planner
Date: January 16, 2014
Re: 1945 Congress Street Map Amendment
CBLs: 216-A-6, 217-A-1
Meeting Date: January 20, 2014

I. INTRODUCTION

Northland Enterprises, LLC has requested a zoning map amendment for a property at 1945 Congress Street in Stroudwater. The property is currently zoned Residential R-2 and is occupied by Elks Lodge #188. The applicant proposes to rezone the lot to Office Park (O-P) in order to allow the development of medical and general office buildings on the site.

A legal ad for the planning board workshop on the proposal was posted on the city's web page and appeared in the *Portland Press Herald* on January 12 and 13, 2015. Notices were also sent to 70 property owners within 500 feet of the site and to the interested citizen list.

II. BACKGROUND

The 1945 Congress Street site is approximately 7 acres in size and has housed Lodge #188 of the Benevolent and Protective Order of Elks and their associated parking since the late 1960s. Although the site has frontage on Congress Street, access is from Unum Park Drive. Residential uses abut the site both to the northeast and southwest across Unum Park Drive. Unum lies directly to the west, the Jetport lies due south, several places of assembly sit across Congress Street to the east, and generally residential uses (predominantly single-family homes) can be found to the north and northeast.

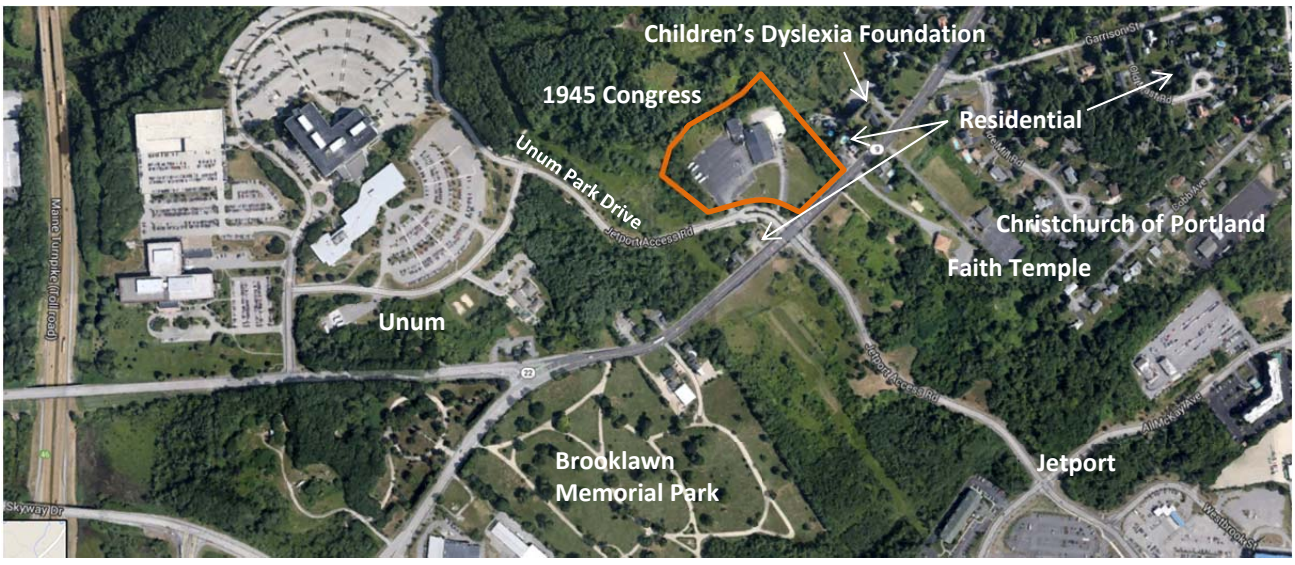
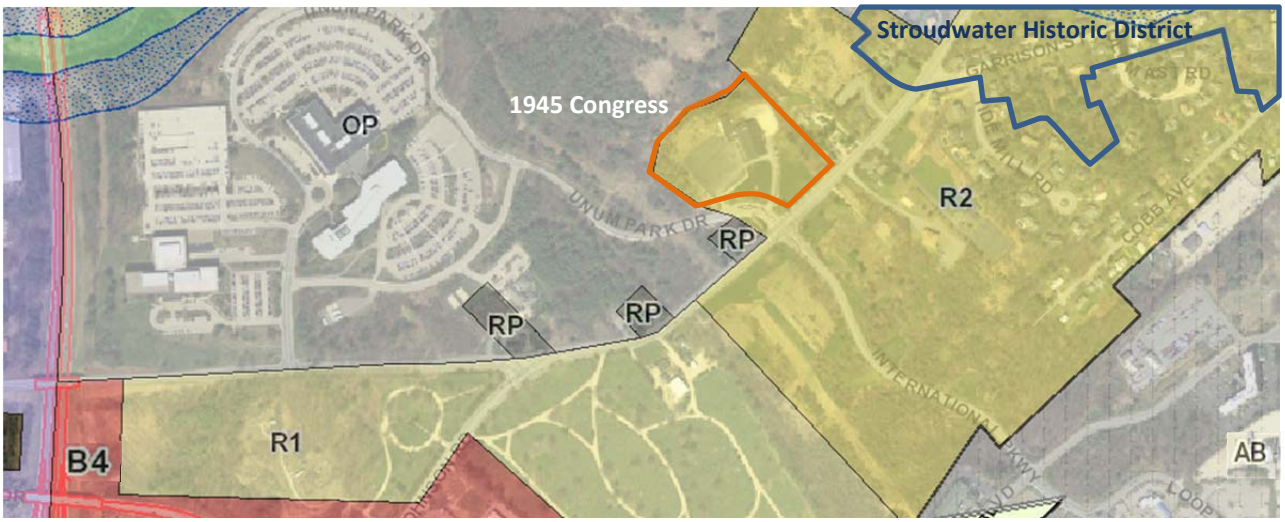
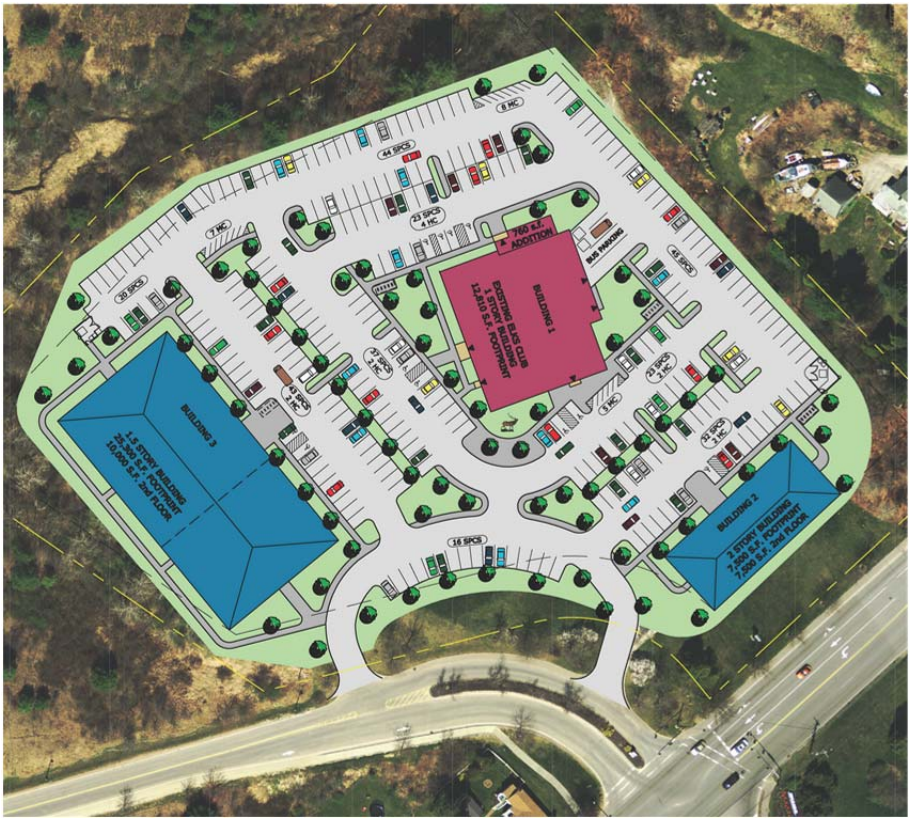


Figure 1: 1945 Congress Street in context.





Figures 2 and 3: 1945 Congress Street, existing zoning (top) and conceptual plan under proposed zone change (bottom)

The site is currently zoned Residential R-2, as is the land to the south and east, which, again, is developed largely with single-family homes. The residential neighborhood around Garrison Street, within this R-2 zone, is nationally designated as the Stroudwater Historic District. A Residential R-1 zone can be found to the west south of Congress Street; this zone houses the Brooklawn and Temple Beth El cemeteries. The Unum site lies in the nearest Office Park (O-P) zone, to the immediate west of the site. Several small Residence-Professional (R-P) zones can also be found to the west on Congress Street. The R-P zone immediately west of 1945 Congress houses several single family homes; the other R-P zones in this area generally house retail and personal service establishments in repurposed residential buildings.

It should be noted that the 1945 Congress site has been the subject of planning board deliberations as recently as 2012. At that time, Husson University proposed to develop the lot as part of their Southern Maine campus. In order to do so, they required a zoning text amendment to allow colleges, universities, and trade schools as conditional uses in the R-2 zone. Although the City Council adopted the text amendment, which went into effect in April of 2012, Husson ultimately elected to locate elsewhere, and the 1945 Congress site was never redeveloped.

III. PROPOSED MAP AMENDMENT

Current Zoning: R-2 (Residential)
Proposed Zoning: O-P (Office Park)
Current Uses: Elks Lodge
Proposed Uses: Elks Lodge; medical office; general office
Parcel Area: 304,892 SF (6.99 acres)
Area to be Rezoned: 304,892 SF *(to be confirmed)*

IV. ZONING ANALYSIS

Today, Northland Enterprises proposes to develop a 15,000 SF medical office building and a 35,300 SF general office building on the site, as well as renovate portions of the existing Elks Lodge for continued use by the Elks *(Figure 3, Attachment 1)*. The existing R-2 zoning does not currently allow office uses either by right or conditionally; hence the zone change. The applicant has proposed a map amendment to change the zoning on the site to Office Park (O-P), the zone found immediately west of the site. For purposes of comparison, staff has also assessed the potential of the Residence-Professional (R-P) zone, since that zone permits the desired use and can be found in the immediate vicinity as well. The applicant has indicated their preference for the O-P zone, due to differences in the sign ordinance.

Purpose and Context

The existing R-2 zoning is designed for low-density, single-family residential development on large lots. Generally, R-2 zones are thus found in the city's outskirts. The city's only two R-2 zones are in Stroudwater and North Deering. Both of these zones contain many newer subdivisions, although, as noted previously, Stroudwater also houses a historic district.

The O-P zone is designed for a decidedly different type of use, the office park. As office parks typically develop on greenfield sites, the O-P zone is, like the R-2, often found near the city limits. There are three existing O-P zones in the city – the Unum site adjacent to 1945 Congress and two zones east of Rand Road just north of Unum. One of these is the site of the city's technology park. The other covers land owned by Iberdrola USA. It is not developed.

The R-P zone is designed for professional office uses which are located on or near major transportation corridors and are "compatible in scale" with surrounding residential development. The zone is also written to function as a "buffer" between residential and more intensive non-residential zones. R-P zones in the city have traditionally served as 'bookends' for commercial development on arterials, and thus can be found adjacent to business districts along outer Congress Street, Brighton Avenue, Washington Avenue, and Auburn Street. In these locations, they serve as an intermediary between adjacent business and residential zones. Existing R-P zones are generally smaller than R-2 or O-P zones and are often characterized by converted residential buildings, as is the case on outer Congress near the site.

Permitted Uses

The R-2 zone is decidedly oriented toward residential uses, with single-family detached residential units the primary residential use. Other uses deemed generally compatible with residential development, including municipal uses, parks, and agriculture, are also permitted by right. Conditional uses include places of assembly, schools, colleges, day cares and long-term care facilities, cemeteries and utility substations, among others. The existing Elks Lodge qualifies as a conditional use.

Table 1: Purposes

Existing R-2	O-P	R-P
To provide for low-density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity.	To provide substantial areas for integrated development of professional offices in a park- or campus-like setting which are of the highest quality, are well designed and maintained and are compatible with their natural surroundings.	(a) To provide appropriate location[s] for the development and operation of low-intensity business uses, including professional offices on or near major arterials, that are compatible in scale, density and use with surrounding and adjacent residential neighborhoods; or (b) To serve as a transition or buffer zone between residential and more intensive nonresidential zones.

The O-P zone, in contrast, is designed for office parks, and thus professional offices and associated uses are permitted as part of an office park development by right. These associated uses could include day care facilities, research and development facilities, or printing and publishing facilities. High-tech manufacturing is permitted as a conditional use. Places of assembly are not permitted, meaning that the Elks Lodge would become a non-conforming use under this zoning designation. Ann Machado, in her review, has spoken to this issue. She writes,

> *The proposal is for a Map Amendment to change the zone for the property located at 1945 Congress Street from R-2 Residential to O-P Office Park Zone in order to build a 15,000 sf medical building and a 35,300 sf office building. These two proposed uses are permitted uses in the O-P zone. The Elks building is a conforming use in the R-2 zone as a place of assembly (fraternal organization). If the lot is changed to the O-P zone, the Elks building as a place of assembly would become a legal nonconforming use. The use could be maintained but the building could not be*

Table 2: Permitted Uses

		R-2	O-P	R-P
Permitted	Single-family dwellings	•		Any residential use permitted in the abutting (or nearest) residential zone
	Handicapped family units	•		
	Single-family manufactured housing	•		
	Municipal uses	•		
	Parks	•		
	Agriculture	•		
	Home occupations	•		
	Day care facilities		•[1]	
	Research & development establishments		•[1]	
	Printing and publishing establishments		•[1]	
	Uses subordinate to office park		•[1]	
	Professional offices[2]		•[1]	•
	Business services[3]			•
	Adult day care services			•
	Mortuaries or funeral homes			•
	Utility substations			•
	Accessory uses	•		•
	Wind energy systems	•	•[1]	•
Conditional	Sheltered care group homes	•		
	Alteration or construction of dwelling for accessory unit	•		
	Schools	•		
	College, university, trade schools	•		
	Long-term and extended care facilities	•		
	Intermediate care facilities for 13+ persons	•		
	Places of assembly	•		
	Cemeteries	•		
	Utility substations	•		
	Day care facilities	•		•
	Temporary wind anemometer towers	•	•	•
	Wind energy systems	•	•	•
	High-technology manufacturing		•	
	Other office uses			•
	Any conditional uses permitted in abutting residential zones			•

[1] Permitted in an office park with a minimum gross area of at least 3 acres of land, consisting of either an Office Park PUD on one lot or a subdivision.

[2] Professional offices are defined in Section 14-47 as "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer, or similar professional.

[3] Business services are defined in Section 14-47 as "establishments primarily engaged in rendering services to other business establishments on a fee or contract basis such as advertising, mailing services, building maintenance services, employment services, management and consulting services, protective services, personnel services, and similar business."

Table 3: Dimensional Requirements and Form

	R-2	O-P	R-P[1]
Min. Lot Size	Residential: 10,000 SF Long-term, extended, intermediate care: 3 ac. School: 2 ac. Places of assembly: see code Municipal: 10,000 SF College, university, or trade school: 2 ac. Other: 10,000 SF For all, see note[2]	1.5 ac.	6,000 SF
Min. Lot Area per D.U.	10,000 SF		
Min. Street Frontage	50 ft.	100 ft.	60 ft.
Min. Lot Width	80 ft.	150 ft.	60 ft.
Min. Front Yard	25 ft.	50 ft.[3]	20 ft., except that front yard need not exceed avg. depth of adjacent yards[4]
Min. Rear Yard	Principal or accessory >100 SF: 25 ft. Accessory detached <144 SF: 5 ft.	50 ft.[3]	Principal: 20 ft. Accessory detached: 7 ft.
Min. Side Yard	Principal or accessory >100 SF: 1 story: 12 ft.[5] 1 1/2 stories: 12 ft.[5] 2 stories: 14 ft.[5] 2 1/2 stories: 16 ft.[5] Accessory detached <144 SF: 5 ft. Side yard on side street: 20 ft.	25 ft., except 40 ft. where side yard abuts residential zone or use[3]	Principal: 1 story: 10 ft. 2 stories: 12 ft. 3+ stories: 14 ft.[6] Accessory detached: 7 ft. Side yard on side street: 1-2 stories: 15 ft. 3+ stories: 18 ft.
Max. Structure Height	Principal or attached accessory: 35 ft. Accessory detached: 18 ft.	55 ft., except 75 ft. on lots or within office-park subdivisions > 50 ac. if each min. yard dimension is increased by 1 ft. for each 1 ft. of height > 55 ft.	45 ft., except where the lot abuts an R-6 residential zone, the maximum permitted height shall be the maximum permitted height of the R-6 zone.
Max. Floor Area	See note[7]		See abutting or nearest residential zone.[8]
Max. Lot Coverage	20%		
Max. Impervious		60%	See abutting or nearest residential zone.[9]

[1] Residential uses permitted under section 14-147(a) shall meet the requirements of such abutting or nearest residential zone.

[2] Provided that for uses specified, no minimum lot area shall be required in the following cases:

a. Uses existing as of June 1, 1983;

b. Expansion onto land abutting the lot on which the principal use is located;

c. Expansion onto land other than the lot on which the principal use is located to the extent that such expansion consists of the reuse of surface parking area or nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;

d. Expansion onto land other than the lot on which the principal use is located of no more than 15% of the total contiguous land area of the existing use, or 1 acre, whichever is less, within any five-year period.

[3] The Planning Board can reduce by up to 50% the minimum yard setback if another yard within the lot is correspondingly increased so that the combined minimum setbacks on all 4 sides equal 150 ft. If 2 or more buildings are located on 1 lot, only the requirements of the front, rear or side yards that adjoin any external property boundary must be met, provided a sufficient fire line is provided.

[4] The front yard of a lot existing as of April 4, 1988, which lot is less than 100 ft. deep, need not be deeper than 10% of the depth of the lot.

[5] The width of 1 side yard may be reduced 1 ft. for every ft. that the other side yard is increased, but no side yard shall be less than 12 ft. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to 24 ft., but in no case shall the resulting side yards be less than 12 ft.

[6] The width of 1 side yard may be reduced 1 ft. for each ft. that the other side yard is increased, but no side yard shall be less than 7 ft.

[7] Minimum/maximum gross floor area requirements exist for particular uses, which may include places of assembly; beds and breakfasts; and colleges, universities, and trade schools. See code.

[8] Floor area ratios are as follows: R-1/R-2: .45; R-3: .55; R-4/R-5/R-5A/R-6: .65

[9] Impervious surface ratios as follows: R-1/R-2: .6; R-3: .7; R-4/R-5/R-5A/R-6: .8

expanded and the nonconforming use would be abandoned if the use as a place of assembly is discontinued for twelve months. The existing lot meets the minimum gross area requirement of three acres for an office park and it meets the minimum street frontage of one hundred feet.

The R-P zone also permits professional offices and some associated uses by right, but these uses are not confined to an office park development and no minimum office development size applies. The R-P zone permits any residential use permitted in the nearest residential zone. Any conditional uses permitted in an abutting residential zone are also permitted in the R-P. This means that, under an R-P map amendment for the 1945 Congress site, the Elks Lodge would remain a conditional use.

Dimensional Requirements and Form
The dimensional requirements of the R-2 are generally written for relatively large lot, single-family homes or other uses which require large sites. Thus there are fairly large minimum lot sizes of 10,000 SF or more, depending on the use, and fairly significant setbacks as well. Maximum structure height is 35 feet and maximum lot coverage is 20%.

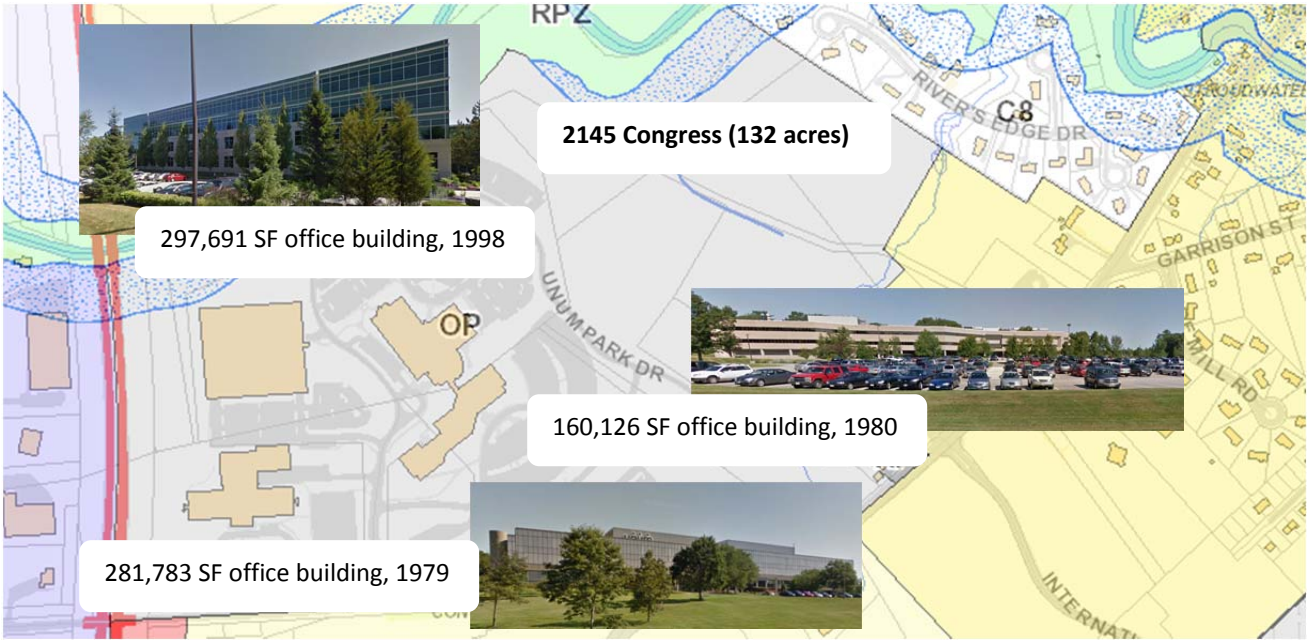
The O-P zone, in obvious contrast, is geared entirely toward office park development more likely to occur on greenfield sites. The O-P requires a planning board-approved master plan for all office park development, whether as part of a planned unit development or as a subdivision, and establishes review standards related to design, landscaping, preservation of natural features, traffic, lighting, and signs. The zone sets dimensional requirements more fitting of large scale, large lot office development. Thus all office development must occur on at least three acres of contiguous land, and there is a minimum lot size of 1.5 acres, a minimum street frontage of 100 feet, generous front and rear setbacks of 50 feet, and a side setback of 40 feet when, as in this case, a property abuts a residential zone. The height limits of the O-P are the most generous of the zones considered here at 55 feet by right. The maximum impervious surface is 60%. The O-P also includes performance standards related to noise, vibration, and smoke, among others.

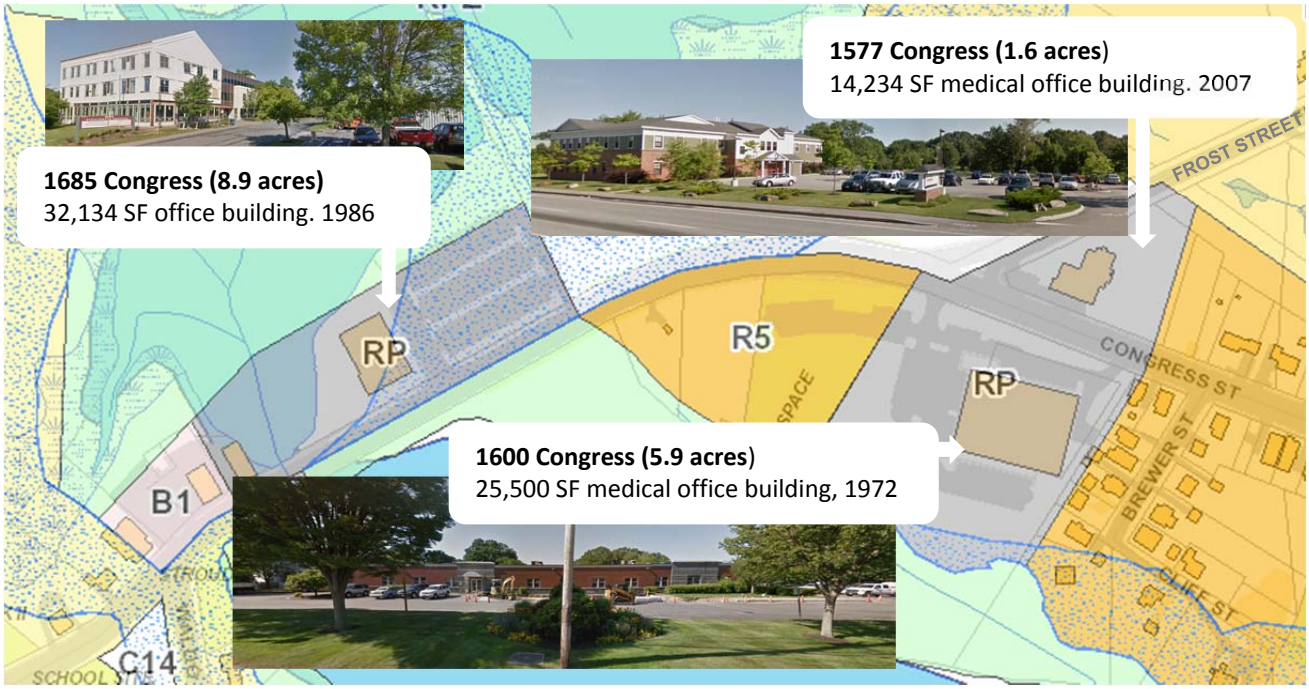
The R-P zone in some ways splits the difference between the two other zones here. Originally written to accommodate residence-to-office conversions, its dimensional requirements, in some ways, reflect a residential zone. The minimum lot size is lower than either of the two other zones under consideration here; the front, rear, and side setbacks are fairly similar to the R-2 zone. In other ways, however, the R-P also facilitates traditional office development. The height allowance, 45 feet, is greater than the R-2 but less than the O-P. There is a maximum impervious surface ratio determined by the nearest residential zone. In this case, the maximum impervious surface ratio would be .6, significantly greater than the lot coverage permitted in the R-2. The R-P zone also includes performance standards comparable to the O-P zone. It should be noted that no master planning is required.

V. POTENTIAL BUILDOUT, EXAMPLES

Existing Residential R-2
Under the existing R-2 zoning, then, there is a fairly limited range of redevelopment opportunities for the 1945 Congress site. As a corner location on a high volume street, residential development may be unlikely. With a conditional use permit, the lot could be redeveloped as a school (as has been previously considered), or as a long-term, extended care or day care facility, among other uses. Regardless of the use, non-residential buildout would basically be limited by the maximum lot coverage regulation of 20%, with floor area further restricted by maximums which would apply in the case of a college or university (24,000 SF) or place of assembly (5,000 – 9,000 SF for small or medium places of assembly).

Proposed Office Park (O-P)
Under the proposed zone change to O-P, a different type of buildout is permitted. In addition to office, some more industrial uses, such as printing and publishing establishments and high-technology manufacturing, would be permitted either by right or as conditional uses. The potential buildout of the lot is more significant, with 60% maximum impervious and a height limit of 55 feet. It should be reiterated that a master plan would be required under the O-P designation. This would provide some opportunity to consider the site, including form and open space, in a comprehensive manner.





Figures 4 and 5: Example of existing development in an O-P zone (top) and an R-P zone (bottom)

In terms of examples, the city's only development in an existing O-P zone is at the Unum site directly adjacent to 1945 Congress. Altogether, the Unum property is approximately 132 acres in size, and contains three office buildings in an office park setting. These buildings cumulatively approach 750,000 SF of office space. There are also associated day care and parking facilities on site (*Figure 4)*. As noted previously, there are two other O-P zones in the city, both off Rand Road. One is the site of the Portland Technology Park, which has some infrastructure, including a new road; a lot was recently put under contract. The other O-P site, separate from the Technology Park, is undeveloped.

Residence-Professional (R-P)

Under a zone change to R-P, perhaps the broadest array of uses would be permitted, including residential, professional office, and business services. Daycares, schools, places of assembly, and long-term care facilities would be permitted as conditional uses. The buildout of these uses would be tempered, much as they are in the O-P zone, by the .45 maximum floor area ratio and the 60% maximum impervious surface

limits established by the nearest residential zone. The height limit, at 45 feet, would be less than under the O-P. No master plan would be required.

Many of the city's existing R-P zones house converted residential buildings, as are found immediately west of the 1945 Congress site. There are also some examples of recent conventional office development in R-P zones, as can be found on Sewall Street, outer Congress at Frost Street, or at Martin's Point. At Frost Street, for example, there are several R-P zones of a size roughly similar to that which might be found at 1945 Congress. These house medical and general office buildings comparable to that envisioned by the applicant *(Figure 5)*.

VI. POTENTIAL IMPACTS

Given the potential uses and the dimensional requirements, none of the uses permitted either by right or conditionally under the existing R-2 zoning would likely have exceptionally deleterious environmental effects. If granted a permit by the Planning Board, some of the R-2's conditional uses, including schools or day care facilities, could, however, come with traffic, light, and noise implications.

Environmental, noise, and traffic impacts are likely to be greater under a zone change to O-P or R-P, given the greater buildout allowed and the broader range of uses. The O-P does require a master plan which could help mitigate any detrimental impacts. Both the O-P and the R-P also include performance standards for some external effects.

Given the likely interest in the traffic implications of the proposed zone change, staff requested trip generation estimates from Tom Errico, the city's consulting traffic engineer, based on the worst case buildout scenario under each of the zoning designations considered here. It bears repeating that the numbers presented in Mr. Errico's analysis repre sent a worst case scenario; they assume office development under an O-P or R-P zoning designation that maximizes the building envelope within height, impervious surface, and floor area ratio limits. The estimates show that considerably more traffic could be generated under the R-P or O-P zoning than could be generated under a residential redevelopment of the existing site (as would be permitted by right under the existing R-2 zoning).

It should be noted that the R-2 zone numbers cited here do not reflect actual trip generation numbers from the existing Elks Lodge. The 2012 Husson application for an R-2 text amendment the site does include some trip generation estimates for the current Elks Lodge use, based not on counts but on trip generation ratios from the Institute of Transportation Engineers. At the time, Husson's traffic engineer estimated 55-70 trips to/from the site during the AM and PM peak h urs. Review of the Elks website finds lodge hours from 9:30 a.m. to 9 p.m. and regular meetings on Monday nights at 7, suggesting that much of the existing traffic from the site would actually be off-peak. Anecdotally, there is some indication that most trips under the existing condition may occur once a week during daytime hours when a regular event is held at the lodge. For reference, there are approximately 200 parking spaces on site.

Mr. Errico writes,

> *I have conducted a preliminary trip generation analysis for the three development assumptions you have provided and the results are summarized in the following table. The trip generation estimates were computed for the Weekday AM and PM peak hours and were based on the Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.*

Zone	***Density***	***AM Peak Hour Traffic Volume Enter and Exiting***	***PM Peak Hour Traffic Volume Enter and Exiting***
Existing R-2	*14 Residential Units*	*10 Vehicles*	*14 Vehicles*
Office Park (OP)	*192,563 Square Feet of Office Space*	*302 Vehicles*	*288 Vehicles*
Residence Professional (RP)	*137,201 Square Feet of Office Space*	*214 Vehicles*	*204 Vehicles*

In subsequent correspondence, Mr. Errico adds,

> *I would like to note that based upon the trip generation levels noted in my previous email, a comprehensive traffic impact study would be required to assess impacts to the area roadway system. Please note the following:*
>
> - *The Congress Street/International Parkway/UNUM Drive intersection will serve as the primary access point for any development. Use of this existing signalized intersection seems appropriate, but any development application would be required to a[ss]ess the ability of this traffic signal to adequately accommodate the added traffic.*
> - *The Congress Street/Johnson Road intersection seems to operate at an acceptable level of service, but review of conditions would be required.*

In this vein, it should be noted that the city is currently in the process of a design project for outer Congress Street near this area. The plans include the creation of a center turn lane on the stretch of Congress Street immediately east of the site. The turn lane will take the place of one of the existing eastbound lanes. Pedestrian, bicycle, and transit improvements are a central component of the plan. Mr. Errico writes,

> *The City recently implemented Phase I of the Outer Congress Street Streetscape Study with the intent of providing a balanced multi-modal transportation street. Phase I primarily reduced the number of travel lanes on certain sections of Congress Street between Steven Avenue and International Parkway/UNUM Drive. The City continues to review conditions and will be implementing Phase II of the Plan this year which will seek to enhance the inbound merge area east of International Parkway/UNUM Drive, add a crosswalk near Garrison Street, and implement pedestrian and transit improvements at Westbrook Street.*
>
> *MaineDOT will be upgrading the traffic signal at the Congress Street/Westbrook Street intersection. This intersection currently experiences congestion problems, but it is unlikely any capacity enhancements will be possible given constraints.*

VII. COMPREHENSIVE PLAN ANALYSIS

The applicant's submittal includes a narrative regarding the conformity of the proposed zone change with the comprehensive plan. The applicant states that the proposed map amendment will achieve smart growth and economic development objectives of the comprehensive plan by facilitating redevelopment of an existing developed site on a major arterial and a public transit route (Metro's Route #5) and by "providing jobs for construction workers, office employees, and support services" *(Attachment 2).* As the applicant notes, the site is currently developed as a place of assembly, so no residential or greenfield conversion would occur. The site has the added benefit of proximity to the Jetport and a location at a heavily-trafficked intersection, which lends logic to the concept of non-residential development. Lastly, the site is located in close proximity to other major employers, including the Jetport and Unum.

In terms of comprehensive plan policy to support the zone change, perhaps the most applicable is the policy from the city's 1988 *Community Commercial Policies and Land Use Plan* which explicitly makes "[p]romot[ing] new office park development of high quality in outlying areas for development seeking a suburban-style setting" a goal. In a similar vein, the city's The 1993 *Portland Transportation Plan* includes policies designed to "[e]ncourage businesses to locate in established employment centers, including Downtown, that are served by public transportation or that have the critical mass necessary to support alternative modes of transportation."

It should also be noted that there is policy in the comprehensive plan that seeks to focus office development in the downtown core; the "Office Economy" goals from the 1991 *Downtown Vision* plan include "[s]trengthen[ing] and enhanc[ing] the Downtown as the prominent professional office center of the State and northern New England." In a similar vein, the city's *Industry and Commerce Plan* from 1994 includes goals related to "preserv[ing], protect[ing], and strengthen[ing] neighborhoods" and "protect[ing]…residential zones."

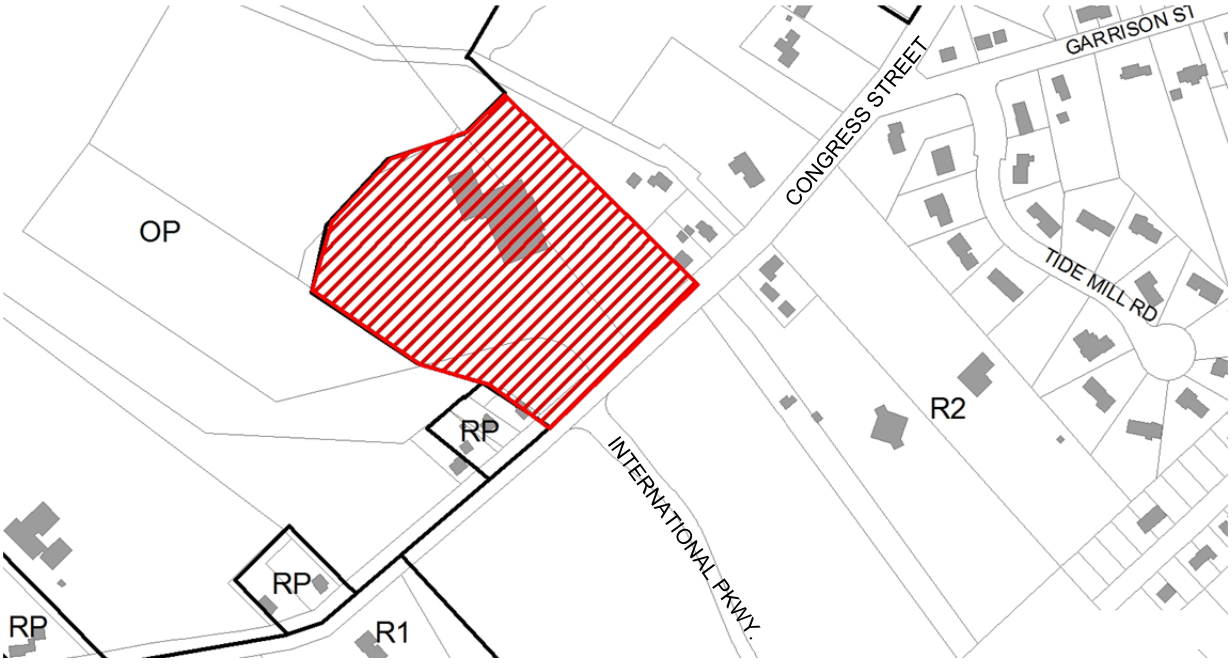


Figure 6: Area of proposed rezoning

VIII. PUBLIC COMMENT

As of the writing of this memo, the Planning Division had not received any public comments on the proposed zone change. However, the applicant held a neighborhood meeting on January 6, 2015. Comments at that meeting seemed to include questions about signs, parking requirements, stormwater management and environmental impacts, and lighting. Some neighbors expressed general opposition (*Attachment 3)*.

IX. DISCUSSION ITEMS

In addition to discussing the merits of the rezoning with respect to the comprehensive plan, the board may wish to weigh in on alternative zoning designations. The applicant submitted a proposal for a map amendment from Residential R-2 to Office Park (O-P) and has indicated their preference for the O-P designation. For purposes of comparison, however, the R-P zone has been included in this analysis.

Likewise, as is often the case, the board may wish to discuss the geographic scope of the proposed map amendment. Here, it seems that there is ample logic for circumscribing any zone change, in that any expansion would involve further encroachment into the Residential R-2 zone. Rezoning the 1945 Congress site to O-P would involve simply extending the adjacent O-P zone to cover an additional property. A zone change to R-P for this lot alone would replicate a condition found in other parts of the city, including on outer Congress near the site, where R-P zones are fairly limited in geography. There is an adjacent R-P zone just across Unum Park Drive.

X. NEXT STEPS

- Provide initial feedback on zone change request
- Schedule a public hearing or a second workshop

XI. ATTACHMENTS

1. Applicant's submittal
2. Comprehensive plan narrative
3. Neighborhood meeting packet
4. Zoning administrator review (Comments from Ann Machado, 12/2/14)
5. Traffic engineer review (Comments from Tom Errico, 1/5/15 and 1/9/15)

Memorandum
Planning and Urban Development Department
Planning Division

To: Chair O'Brien and Members of the Portland Planning Board
From: Nell Donaldson, Planner
Date: May 21, 2015
Re: 1945 Congress Street Map Amendment
CBLs: 216-A-6, 217-A-1
Meeting Date: May 26, 2015

I. INTRODUCTION

Northland Enterprises, LLC returns to the planning board for a second workshop on a zoning amendment request related to a property at 1945 Congress Street in Stroudwater. The property is currently zoned Residential R-2 and is occupied by Elks Lodge #188. The applicant proposes to rezone the lot to Office Park (O-P) in order to allow the development of medical and general office buildings on the site. In this most recent iteration of their application, Northland has paired the proposed map amendment with a request for a text amendment to the O-P zone.

The board previously met to discuss the proposed rezoning on January 20, 2015. At that meeting, the board heard a number of public concerns around questions of residential encroachment, consistency with the comprehensive plan, and precedent, as well as some support for the proposal. The board engaged in substantial discussion surrounding possible alternative zoning designations, the conceptual drawings for the site, and conformity with the comprehensive plan. The board requested that the applicant revise the application, rework the conceptual plan, and resubmit. In response, and in the time since, the applicant has met with the Stroudwater Village Association to discuss plans, revised the conceptual plan and developed renderings depicting the site, and submitted a second, more involved comprehensive plan analysis. This memo describes changes in the application, considers several other, alternative zoning designations, and presents possible options for the requested text amendment.

A legal ad for the planning board workshop on the proposal was posted on the city's web page and appeared in the *Portland Press Herald* on May 19 and 20, 2015. Notices were also sent to 70 property owners within 500 feet of the site and to the interested citizen list.

Figure 1: 1945 Congress Street in context.

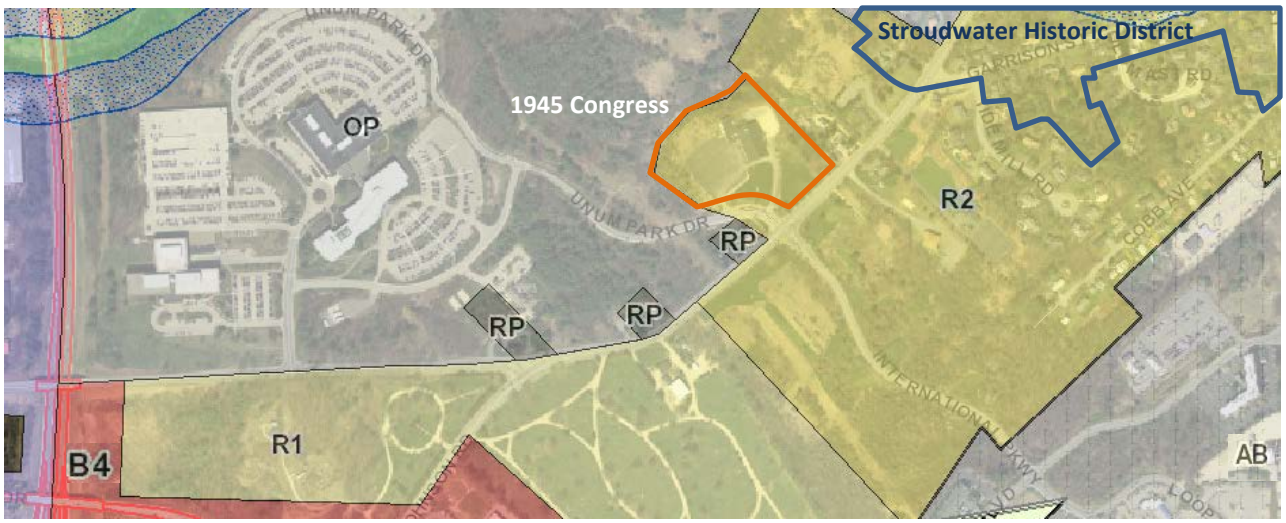


Figure 2: 1945 Congress Street, existing zoning

II. BACKGROUND

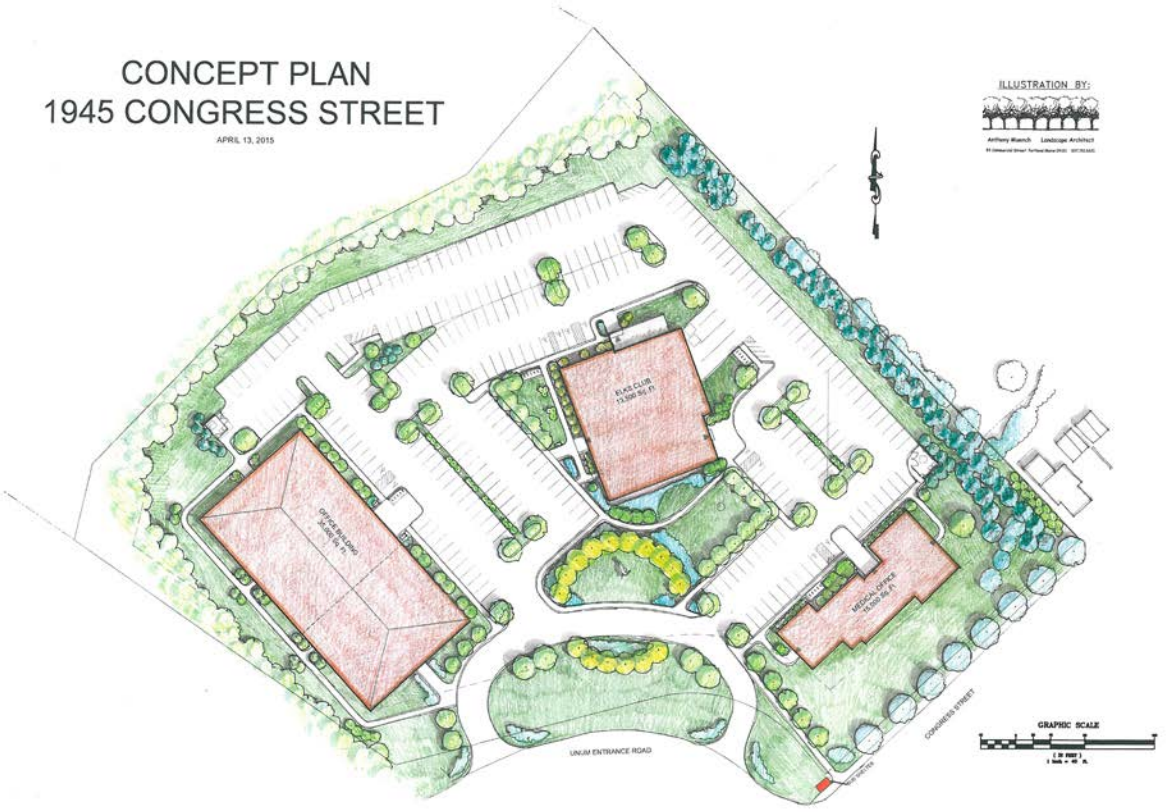
The 1945 Congress Street site is approximately 7 acres in size and has housed Lodge #188 of the Benevolent and Protective Order of Elks and their associated parking since the late 1960s. Although the site has frontage on Congress Street, access is from Unum Park Drive. Residential uses abut the site both to the northeast and southwest across Unum Park Drive. Unum lies directly to the west, the Jetport lies due south, and several places of assembly sit across Congress Street to the east.

The site is currently zoned Residential R-2, as is the land to the south and east, which, again, is developed largely with single-family homes. The residential neighborhood around Garrison Street, within this R-2 zone, is nationally designated as the Stroudwater Historic District. A Residential R-1 zone can be found to the west south of Congress Street; this zone houses the Brooklawn and Temple Beth El cemeteries. The Unum site lies in the nearest Office Park (O-P) zone, to the immediate west of the site. Several small Residence-Professional (R-P) zones can also be found to the west on Congress Street. The R-P zone immediately west of 1945 Congress houses several single family homes; the other R-P zones in this area generally house retail and personal service establishments in repurposed residential buildings.

III. CONCEPTUAL PLAN

As noted above, the applicant has provided revised drawings depicting the proposed development on the 1945 Congress site *(Attachments 5 and 6)*. The applicant's cover letter states, "the entrance to the site and the parking has been revised in an attempt to create more of a campus feeling. In addition, buffering between the subject site and adjacent residential neighbors has been increased" *(Attachment 1)*. The concept plan shows a landscaped focal area around the Elks statute at the entrance to the site, as well as additional landscaping directly around the Elks building and along the northeastern property line. Photos depicting a potential treatment for this property line show thick, naturalized evergreen landscaping *(Attachment 4)*.

The plan continues to include a significant amount of off-street parking, including bus and motorcycle parking spaces, although the degree of proposed parking was discouraged by both staff and the board at the workshop on January 20. The applicant writes, "[c]onsiderable thought has gone into the amount of and the layout of the parking areas. We have taken into consideration the future needs of our building owners and tenants, while attempting to keep the parking to the smallest practical amount. The current site has 205 lined parking spaces and a gravel parking area than accommodate an additional 45 parking spaces…The current plan is to increase the total amount of building square footage on the site by 40,442 SF and increase the number of parking spaces to a total of 282. This is an increase of 32 new parking spaces…a very reasonable increase." It should be noted that the original proposal included 305 parking spaces. The applicant also notes that a bus shelter has been added to the plans.



Figures 3, 4, and 5: revised conceptual plan and renderings of the 1945 Congress site

In addition to the revisions to the concept plan, the applicant has provided several renderings of the site, as envisioned under a zone change to the O-P, from the east and the west. These begin to depict the scale of the proposed buildings, the setbacks, and some of the buffering shown in the concept plan.

IV. PROPOSED MAP & TEXT AMENDMENTS

Current Zoning: R-2 (Residential)
Proposed Zoning: O-P (Office Park) with text amendment making places of assembly a conditional use
Current Uses: Elks Lodge
Proposed Uses: Elks Lodge; medical office; general office
Parcel Area: 304,892 SF (6.99 acres)
Area to be Rezoned: 304,892 SF *(to be confirmed)*

The current application requests both a map change to rezone the property at 1945 Congress Street from R-2 to O-P, as well as an associated text change. The map change is a function of the fact that the applicant's desired use, medical and general office, conflicts directly with the existing zoning; the R-2 zone does not allow office uses either by right or conditionally. The text amendment derives from discussion at the January 20 meeting, where a number of board members expressed concerns about the prospect of rezoning the 1945 Congress site to O-P given that places of assembly are not listed as permitted or conditional uses in the O-P zone (and thus the existing Elks Lodge would be rendered non-conforming). It should be noted that the January 20 staff memo included comments from Ann Machado, the city's acting zoning administrator, confirming that the Elks Lodge would become a legal non-conforming use under the map amendment. She wrote that "the use could be maintained but the building could not be expanded and the nonconforming use would be abandoned if the use as a place of assembly is discontinued for twelve months" *(Appendix A).*
In order to address the board's concern about the non-conforming use, and at the suggestion of the board, the applicant has modified the application to include a text amendment to make places of assembly a conditional use in the O-P zone.

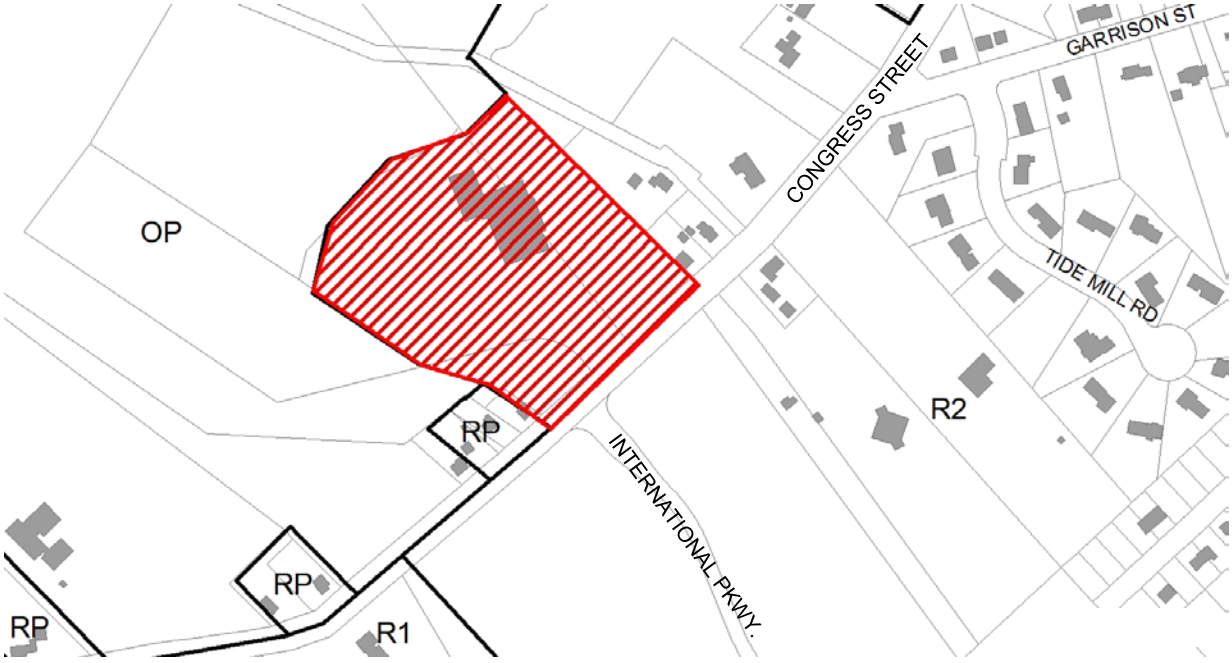


Figure 6: Area of proposed rezoning

V. ALTERNATIVE ZONING DESIGNATIONS

During the January 20 workshop, board members expressed a desire to review other possible zoning designations for the 1945 Congress site and the area. In addition to the O-P zone, the staff memo for that workshop included an assessment of the potential of the Residence-Professional (R-P) zone, since that zone permits the desired use and can be found in the immediate vicinity as well *(Appendix 1)*. For this memo, staff has also reviewed the purpose statements, dimensional requirements, and permitted uses of the Neighborhood Business (B-1) and Community Business (B-2) zones. Full comparative tables are included in Appendix B. It should be noted that the applicant has previously reiterated their preference for the O-P zone.

1. Existing Residential R-2

The existing R-2 zone is clearly designed to encourage residential development. The zone permits a very limited range of uses, including single-family homes, municipal uses, and home occupations, by right. As such, under the existing zoning, the redevelopment opportunities for the 1945 Congress site are fairly confined. With a conditional use permit, the lot could be redeveloped as a university or school (as has been previously considered under a separate zoning amendment application related to Husson University), or as a long-term, extended care or day care facility, among other uses. Residential buildout would be governed by a 10,000 SF minimum lot size and a street frontage requirement of 50 feet. Non-residential buildout would basically be limited by the maximum lot coverage regulation of 20%, with floor area further restricted by maximums which would apply in the case of a college or university (24,000 SF) or place of assembly (5,000 – 9,000 SF for small or medium places of assembly).

Some of the public comment received over the course of this review has suggested that the site might be developed as housing. A higher density zone could encourage this housing development, but the Elks have argued that their functions would be incompatible with residential uses on the site. Residential zones do not accommodate the applicant's desire for office uses.

2. Proposed Office Park (O-P)

The O-P zone is designed for a decidedly different type of use, the office park, in "a park- or campus-like setting which are of the highest quality, are well designed and maintained, and are compatible with their natural surroundings." Under the proposed zone change to O-P, in addition to office, some more industrial uses, such as printing and publishing establishments and high-technology manufacturing, would be permitted either by right or conditionally. The potential buildout of the lot is more significant, with 60% maximum impervious surface (which, it should be noted, includes building footprints and is meant to preserve some open space on site) and a height limit of 55 feet. The O-P zone requires a master plan, with parameters for the master plan established under the development standards of the zone. (This master plan requirement predates and is distinct from the recently adopted provisions under the site plan ordinance for master development plans.) Under the O-P zone's master plan requirement, any office park developed in the zone would be subject to development standards regulating the design, landscaping, sidewalks, screening, preservation of natural features, traffic, lighting, and signs of the development. The master plan review, in addition to site plan (as well as potentially subdivision) review, would provide the board a significant opportunity to guide the site's development.

The O-P provides the benefit of adjacency with the 1945 Congress Street site, as it lies directly to the west and to the north of the site. Thus, if rezoned to O-P, the rezoning would stand as a contiguous expansion of an existing zone. In terms of consistency with the application of the zone in other locations in the city, the O-P zone is clearly written for campus-style office developments in settings near the city's outskirts. As noted above, the O-P has the benefit of development standards, which could help to limit neighborhood impacts and the potential for neighborhood encroachment.

3. Residence-Professional (R-P)

The R-P zone, as previously presented to the board, is designed for professional office uses which are located on or near major transportation corridors and are "compatible in scale" with surrounding residential development. The zone is also written to function as a "buffer" between residential and more intensive non-

residential zones. Under a zone change to R-P, a broader array of uses would be permitted, including residential, professional office, and business services. Daycares, schools, places of assembly, and long-term care facilities would be permitted as conditional uses. The buildout of these uses would be tempered, much as they are in the O-P zone, by the .45 maximum floor area ratio and the 60% maximum impervious surface limits established by the nearest residential zone. The height limit, at 45 feet, would be less than under the O-P. No master plan would be required.

The R-P zone also provides the benefit of adjacency with the 1945 Congress site, as it borders the property to the southwest. For context, many of the city's existing R-P zones consist of small lots and house converted residential buildings, as are found immediately west of the 1945 Congress site. Many of these types of R-P zones are small in size and can be found as bookends to business zones, as was the original intent of the zone. There are also some examples of recent conventional office development on larger sites in R-P zones, as can be found on Sewall Street, outer Congress at Frost Street, or at Martin's Point. As noted at the January 20 workshop, the R-P does not provide for the master plan design control of the O-P zone.

4. Neighborhood Business B-1

In an effort to evaluate all possible zones for this area, staff also reviewed the potential of the Neighborhood Business B-1 zone. The B-1 is designed for "limited areas for the location of small-scale commercial establishments intended to serve a local market," and the B-1 language attempts to incentivize mixed-use development of a "pedestrian scale." B-1 zones are generally designed for small, corner locations on minor arterials and local streets. The zone allows general and professional offices as well as "places of religious assembly" by right. In addition, the zone allows residential, restaurants, and retail establishments. The dimensional standards are clearly written to cultivate a more urban form; there is a front yard maximum of 10 feet and a maximum side yard setback on a side street of 10 feet. The maximum impervious surface is 90%.

The B-1 can be found in small areas east of the site on Congress Street, including the area at Congress and Waldo Street in Stroudwater Village and at Congress and Massachusetts Avenue. Generally, the uses and form encouraged by the B-1 seems to fit neither the development envisioned by the developer nor, in many ways, the property in question. The applicant has shown single-use office buildings set far from the street with open areas surrounding them, matching the context of the Jetport and many of the neighbors and reflecting the lower density, more bucolic character promoted by the surrounding zoning. Likewise, one could argue that the pedestrian-oriented nodal, mixed-use development supported by the B-1 would be more appropriate for a smaller scale intersection with denser surrounding uses, such as can be found east of the site in Stroudwater Village proper.

5. Community Business B-2

As with the B-1 zone, staff reviewed the B-2 zone for potential application in this area. The B-2, in contrast to the B-1, is designed "[t]o provide location for the development and operation of community centers offering a mixture of commercial uses, housing and services serving the adjoining neighborhoods and the larger community." It thus tends to be found along major arterials and is decidedly more liberal in its permitted uses. The zone allows general and professional offices, as well as places of assembly. In addition, the zone permits colleges, universities, and trade schools, billiard parlors, drinking establishments, restaurant drive-throughs, health clubs, and hotels, among others. The dimensional standards have recently been rewritten to approximate those of the B-1; thus, there is a 10 foot maximum front yard setback and a maximum impervious surface of 80%.

The nearest B-2 zones can be found east of the site at Westgate Shopping Center, around Portland Gastroenterology and the Clarion Hotel, and at Pine Tree Shopping Center on Brighton Avenue. Given the high volumes on Congress Street, B-2 might serve as a better designation for this area than B-1. Further, a B-2 zoning amendment, with its opportunities for high-density housing and commercial, could provide the potential for transit-oriented development along what is one of the city's major commuter corridors. However, in many ways, again, this vision fails to mesh with that of the developer as well as the broader context, where a lower-density form has generally been encouraged at the airport, Unum, and the nearby

cemetery. In addition, the broad range of uses permitted in the B-2, while presenting an opportunity, could also generate greater negative impacts for neighboring residents and likely engender additional concerns regarding encroachment.

6. Conditional Zoning Agreement

Last, at the January 20 workshop, board members also raised the possibility of a conditional zoning agreement for the site, which could resolve issues of existing non-conformities as well as give the board design and buildout control. Per *Section 14-60*, a conditional zoning agreement is "authorized for rezoning of a property where, for reasons such as the unusual nature or unique location of the development proposed, the city council finds it necessary or appropriate to impose, by agreement with the property owner or otherwise, certain conditions or restrictions in order to ensure that the zoning is consistent with the city's comprehensive plan." Thus, the board would be required to make the argument that the site is of an unusual nature or unique location and, to comply with state statute, that the rezoned area is consistent with the existing and permitted uses of the R-2 zone. The R-2 zone does not permit office uses, even under conditional status. Given this, the question of consistency could be difficult to argue.

VI. O-P TEXT AMENDMENT ALTERNATIVES

The applicant has reiterated the preference for a rezoning to O-P, and, given the board's concerns about the existing non-conformity issue, they have amended their application to request an associated text amendment to make places of assembly a conditional use in the O-P zone. As noted above, they have not provided language to accompany their request. Should the board wish to continue to pursue an O-P map amendment, there are a number of ways that the code could be rewritten to include places of assembly as a use in the zone. Text amendment options drafted by staff include: 1) adding places of assembly as a conditional use in the O-P zone; 2) adding places of assembly as a conditional use with additional standards of review; 3) adding places of assembly as an accessory use. It should be noted that staff also considered adding institutional uses more broadly as conditional uses in the O-P zone to parallel the structure of the existing R-2, but chose not to draft this option due to concerns regarding economic development implications.

Section 14-47 Definitions
Place of Assembly: A building or portion of a building used as a community hall, neighborhood center, private and fraternal organization or place of religious assembly. This definition shall not include buildings or portions of buildings used as a community hall, neighborhood center, private and fraternal organization or place of religious assembly where fifteen (15) or fewer people, not including the permanent residents of a single family dwelling, assemble.

1. Option 1 – Places of Assembly as Conditional Use

At the very simplest, "places of assembly" could be added to the list of three other conditional uses permitted in the O-P zone. This would, in some ways, parallel the structure of business zones throughout the city, where places of assembly are simply listed as permitted uses outright. The language might read as follows:

Sec. 14-230.11.1. Conditional uses.
The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) High technology manufacturing of biotechnology, pharmaceutical, and nanotechnology products provided that:

…

(b) Temporary wind anemometer towers, as defined in section 14-47, are permitted provided the following standards are met in addition to Sec 14-430:

…

(c) Wind energy systems, as defined and allowed in Article X, Alternative Energy; and

(d) Places of assembly

Churches or community halls wishing to build in the O-P zone under this clause would be required to meet the provisions of *Section 14-474*, which include a broad analysis of potential adverse impacts, and to meet the development standards of the O-P zone, which would include an assessment of the design relationship to the site, landscaping, preservation of natural features, architecture, lighting, and signs. (It should be noted that text amendments may be required to clarify that the O-P's development standards apply to all permitted and conditional uses listed in the zone.) Places of assembly would also be required to meet the O-P dimensional standards and the site plan standards of the land use code.

2. Option 2 – Places of Assembly as Conditional Use with Additional Standards of Review

Alternatively, places of assembly might be listed as conditional uses with certain limiting parameters. This approach parallels the treatment of places of assembly in many of the city's residential zones. The language, adapted from that of the existing R-2 zone, might read as follows (Note that the R-2 requires that private clubs and fraternal organizations serving alcoholic beverages be built on "large lots," or lots of greater than 2 acres in size. The O-P includes a minimum lot size of 1.5 acres. As such, the 2 acre minimum has been added to this text. The implications of this requirement on the applicant remains to be reviewed.):

Sec. 14-230.11.1. Conditional uses.

The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) High technology manufacturing of biotechnology, pharmaceutical, and nanotechnology products provided that:

…

(b) Temporary wind anemometer towers, as defined in section 14-47, are permitted provided the following standards are met in addition to Sec 14-430:

…

(c) Wind energy systems, as defined and allowed in Article X, Alternative Energy; and

(d) Places of assembly, provided that, notwithstanding section 14-474 (conditional uses) of this article or any other provisions of this code, the planning board shall be substituted for the board of appeals as the reviewing authority, and such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

a. Any new place of assembly shall demonstrate that it has a lot size of sufficient area to accommodate all proposed and foreseeable future activities and programs, including parking, and to absorb the impacts and growth needs of the institution. Such new use established after April 19, 2012 shall not be

eligible for expansion under the provisions of paragraph b below;

b. In the case of expansion of existing places of assembly onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential area; and

c. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and

e. Article V (site plan) sections 14-522 and 14-523 notwithstanding, the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and

f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a lot of greater than 2 acres in size.

This option allows the benefit of some nominal additional control on the development of new places of assembly in the O-P zone, including the requirement that new places of assembly provide documentation around the sufficiency of the proposed lot and the institution of a larger minimum lot size for private clubs or fraternal organizations. As above, all new places of assembly would be subject to the development standards and dimensional requirements of the O-P zone, as well as site plan standards.

3. Option 3 – Places of Assembly as Accessory Use

Lastly, the code could be rewritten to include places of assembly as one of a number of accessory elements of an office park development. This approach would generally differ from the treatment of places of assembly in other zones. The language might read as follows:

Sec. 14-230.11. Permitted uses.

The following uses are permitted in the O-P zone:

Office park (O-P) with a minimum gross area, as defined in section 14-47 (definitions) of this article, of at least three (3) acres of contiguous land, consisting of either an Office Park Planned Unit Development (OPPUD) on one (1) lot with one (1) or more buildings and with driveways and open areas to be owned and maintained in common, or a subdivision (OPS) on one (1) parcel with two (2) or more lots intended for separate ownership, and including any of the following uses:

(a) Professional offices and office complexes;

(b) Research and development establishments;

(c) Printing and publishing establishments;

(d) Reserved;

(e) Day care facilities;

(f) Uses incidental and subordinate to the office park as a whole, which may include sales and services for employees and visitors, including, but not limited to: parking structures,

health clubs, gymnasiums and recreational facilities, day care centers, ~~and~~ cafeterias, and places of assembly.

This option would require that places of assembly be developed as part of a larger office park, as "incidental and subordinate" uses. It provides the benefit of simplicity, but would also be the most permissive way to address the place of assembly issue. Places of assembly would not be subject to provisions of *Section 14-474*, which require a broad analysis of potential adverse impacts. They would be subject to the development standards and dimensional requirements of the O-P zone.

VII. COMPREHENSIVE PLAN ANALYSIS

In making a recommendation to the City Council, the board is asked to determine if the proposed zoning map and text amendments are consistent with the adopted comprehensive plan. Consistency has been determined to mean "in basic harmony with" the comprehensive plan as a whole and not consistency with every provision of the comprehensive plan. The City Council, as the legislative body, balances all the provisions of the comprehensive plan and determines whether or not the proposed amendments are consistent with the plan as a whole. Following is an excerpt from an August 2013 memo by Jennifer Thompson, Associate Corporation Counsel, regarding the conditional rezoning agreement at 184 Auburn Street:

> *The Maine Law Court has interpreted the term consistent to mean that the proposed use/agreement must be "in basic harmony with . . ." the City's comprehensive plan (the "Plan") and existing and permitted uses in the original zone . Consistency does not mean, however, that a project has to be the "best possible use" for a site/location. See Vella v. Town of Camden, 677 A.2d 1051, 1053 (Me. 1996) (citing LaBonta, et al. v. City of Waterville, 528 A.2d 1262, 1265); see also City of Old Town v. Dimoulas, 2002 ME 133, ¶ 20, 803 A.2d 1018, 1024.*
>
> *First, as you are aware, the Plan outlines "a compilation of policy directives and goals" for the development of the City. Among other things, the policies outlined in the Plan address the City's infrastructure, commercial/business development, transportation resources, industry, and commerce and residential housing. See City of Portland Comprehensive Plan. Since these goals and policies can sometimes compete and/or conflict with one another, it is the Planning Board's/City Council's task to balance and accommodate the many goals/policies in a way that advances the City's overall best interests. See Adelman v. Town of Baldwin et al., 2000 ME 91, ¶ 24, 750 A.2d 577, 585-586 (citations omitted); see also LaBonta, 528 A.2d at 1265. In fact, such a balancing is exactly the type of flexibility that conditional zoning is meant to facilitate.*

In this light, the applicant's revised submittal includes a lengthy narrative regarding the consistency of the proposed zone change with the comprehensive plan *(Attachment 3)*. This narrative draws heavily from the *Community Commercial Policies and Land Use Plan* of 1987-88 which, among other goals, stated that the city should "[p]romote new office park development of high quality in outlying areas for development seeking a suburban-style setting" and "[a]ccommodate the city's commercial activity within a range of functionally and physically defined commercial centers." The narrative cites comprehensive plan policy around developing commercial centers on transit corridors. Maybe most convincingly, the submittal quotes the plan language creating the O-P zone, which explicitly noted the need for a "zone that would allow larger scale office development on larger lots in what could be considered more suburban locations. The parcels, while suburban in character, might have limited potential for residential development, due in part, for example, by proximity to the Jetport, or to the topography of the site, or its physical boundaries such as a busy arterial." The plan identifies Congress Street/Cobb Avenue, south of the site across Congress Street, as a potential O-P zone. The comprehensive plan more broadly identifies this part of the city as a growth area.

Regarding concerns about residential encroachment, the narrative also argues that Stroudwater has developed differently from other outer ring neighborhoods in the city, with significantly less of its land area developed for residential use, more of its land vacant, and more recent commercial and industrial development. The narrative further argues that, though the 1945 Congress site is currently zoned residential, the likelihood of residential redevelopment is small and that, since it is not currently residential, no residential conversion can occur.

With respect to the proposed text amendment, the applicant argues that "a place of assembly would be less intensive than most" of the other conditional uses of the O-P zone. Further, they argue that the code currently lists places of assembly as conditional uses in "virtually every residential district, including the R-2 zone in which the property is currently included," and that, if one subscribes to the concept of a hierarchy of uses, "it would be irrational to exclude such an activity from the list of conditional uses allowed in the more commercially-oriented O-P zone."

It should also be noted that there is policy in the comprehensive plan that counters some of these arguments. As previously noted, the comprehensive plan includes numerous goals and policies, many originating in the 1991 *Downtown Vision*, meant to concentrate office development in the city's downtown core and away from suburban locations. With respect to the loss of the R-2 zoning, in *Housing: Sustaining Portland's Future*, the city establishes a policy of protecting "the stability of Portland's residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses." In a similar vein, the city's *Industry and Commerce Plan* from 1994 includes goals related to "protect[ing]…residential zones." Neighbors of the proposal have noted these comprehensive plan policies, and have suggested that removing land from the R-2 stock and placing it in a zone where housing is prohibited would serve to eliminate the potential for additional housing, directly contradicting elements of the comprehensive plan.

VIII. PUBLIC COMMENT

At the time of the last workshop memo, the Planning Division had not received any public comments on the proposed zone change. However, a number of public comments have been received in the time since *(Attachment 8)*. These comments generally fall into several categories. A number express concerns about impacts of the proposed development. These neighbors raise questions about potential traffic impacts; pedestrian safety in the area; building design, parking, and siting with respect to the O-P development standards; and buffering from adjacent residential properties. Other comments argue that the proposed zoning map amendment is inconsistent with the comprehensive plan. Most of these build cases on the housing objectives of the plan, raising concerns that land will be taken from the potential housing supply and eliminate the potential for single-family development on the site. Last, a number of comments raise larger questions regarding "piecemeal zoning" and the need for a broader vision for Stroudwater and outer Congress; the potential for precedent and, as a result, encroachment, particularly to the east; and the importance of this intersection as a gateway with important open space attributes. It should be noted that the city also received a number of form letters from Elks Club members requesting that the board approve "plans we have to make some exciting changes to our building and property."

IX. DISCUSSION ITEMS

In sum, staff seeks the board's guidance on a policy direction with respect to both a potential zoning map designation for this area as well as, should the board wish to proceed with the Office Park zone, potential text amendments for that zone to make places of assembly a conforming use. Likewise, as is often the case, the board may wish to discuss the geographic scope of the proposed map amendment.

Throughout this zone change review, there has been concern about loss of residentially-zoned land and encroachment on the stable residential neighborhood to the east of the site. Given these concerns, there is some logic to circumscribing any rezoning of the sites around this intersection. Likewise, one could argue that the text amendments should be conservative, given that any change which makes the O-P zone more permissive with respect to permitted as conditional uses poses the potential to encourage further map amendment requests, particularly to the east, where several places of assembly and an office building are currently located. It also poses the potential for additional non-office development in the city's existing O-P zones, the Unum site and the Technology Park among them.

Over the course of the review, residents have also raised concerns about the encouragement of this intersection as a gateway to the city. In many ways, the rezoning of the area to O-P offers the best potential in this arena, where it would allow the board additional design control, further than that provided through

site plan (or potentially subdivision) review. The B-1 or B-2, through the design guidelines, would also allow additional design control in this location. As noted above, these zoning designations would encourage a very different form than that which currently exists on outer Congress Street. It should be noted that residents have expressed the value of the green space along the outer Congress corridor as an entry to Stroudwater Village.

X. NEXT STEPS

- Provide feedback on zone change request and associated text amendment
- Schedule a public hearing or a second workshop

XI. APPENDIX A – JANUARY 20, 2015 WORKSHOP MEMO

XII. APPENDIX B – ZONING ALTERNATIVES

XIII. ATTACHMENTS

1. Applicant's cover letter
2. Zoning text amendment application
3. Comprehensive plan narrative
4. Buffering photos
5. Concept plan
6. Renderings
7. Neighborhood meeting packet
8. Purchase & sale agreement
9. Public comments

Table 1: Comparison of Purpose Statements

att. C

R-2	R-3	B-1	B-2	O-P	R-P
To provide for low-density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity.	To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide for planned residential unit developments on substantially sized parcels. Such development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.	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 useand 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	1. To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses, housing and services serving the adjoining neighborhoods and the larger community. 2. The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1 neighborhood 3. The B-2 zone will provide a broad range of goods and services and general businesses with a mixture of large and small buildings such as grocery stores, shops and services located in major shopping centers and along arterial streets. Such establishments should be readily accessible by automobile, by pedestrians and by bicycle. Development in the B-2 zone should relate to the surrounding 4. The B-2 and B-2b will provide locations for moderate to high density housing in urban neighborhoods along arterials.	T provide substantial areas for integrated development of professional offices in a park- or campus-like setting which are of the highest quality, are well designed and maintained and are compatible with their natural surroundings.	To provide appropriate location for the development and operation of low-intensity business uses, including professional offices on or near major arterials, that are compatible in scale, density and use with surrounding and adjacent residential neighborhoods; or To serve as a transition or buffer zone between residential and more intensive nonresidential zones.

Table 3: Comparison of Permitted and Conditional Uses

	: Permitted Use	R-2	R-3	B-1/B-1b	B-2/B-2b/B-2c	O-P	R-P
	: Conditional Use						
Residential	Alteration or construction of single-family detached dwelling to accommodate accessory dwelling unit	4	4				
	Alteration of existing structure to accommodate 1+ dwelling units						
	Alteration of existing structure to accommodate 3+ dwelling units						
	Any residential use permitted in the abutting (or nearest) residential zone			8, 10			
	Attached single-family and two-family dwellings						
	Single-family detached dwellings						
	Two-family dwellings						
	Multi-family dwellings			8, 9, 10			
	Handicapped family units						
	Sheltered care group home	3	3				
	Special needs independent living units						
	Single-family single- or multiple-component manufactured housing	1	1				
	Combined living/working spaces			8, 10			
	Lodging houses (or conversion into)			8			
	PRUDs		4				
	Multiplex development						
Institutional	Elementary, middle, and secondary schools	5	5	8			
	Chancellery						
	Clinics			8, 4			
	College, university or trade schools	5					
	Day care facilities or home babysitting services	4	4	8		11	
	Governmental buildings and uses						
	Hospital		5				
	Intermediate care facilities for 13+ people	5	5				
	Long-term and extended care facilities	5	5				
	Municipal uses	2	2	8, 4			
	Nursery schools and kindergartens			8			
	Places of assembly	5	5	8, 4			
	Schools						
	Veterinary hospitals						
	Automobile dealerships				4		
	Banking services						
	Bed and breakfasts (or conversion into)			8, 10	4		
	Beverage dealers			8, 4			
	Billiard parlors						
	Business services			8, 4			
	Car washes				4		
	Conversion into bed and breakfast						
	Craft and specialty shops						
	Drinking establishments				4		
	Drive-throughs when accessory to a principal use on the same lot				B-2 only[4]		
	Exhibition halls						
	General offices			8, 4			
	Health clubs and gymnasiums						
	Home occupation	4	4				
	Hostels			8, 4, 10	4		
	Hotels				4		
	Laundry and dry cleaning services						
	Lumber and building materials dealers						
	Major and minor gasoline service stations				4		
	Meeting and convention halls						
	Miscellaneous repair services				4		
	Mortuaries or funeral homes						
	Motel						
	Museums and art galleries						
	Offices of building tradespeople			8, 4			
	Offices other than professional offices						
	Off-street parking lots and garages		4				
	Personal services			8, 4			
	Professional offices[12]			8, 4		11	
	Registered medical marijuana dispensaries						

Table 3: Comparison of Permitted and Conditional Uses

	: Permitted Use	R-2	R-3	B-1/B-1b	B-2/B-2b/B-2c	O-P	R-P
	: Conditional Use						
Business	Restaurants			8, 4	4		
	Retail establishments			8, 4			
	Theaters						
Industrial	Breweries, including associated bottling activities						
	Building contractors and construction and engineering services						
	Cabinet and carpentry shops						
	Cold storage facilities						
	Commercial kitchens or other food preparation						
	Communication studios or broadcast and receiving facilities						
	Correctional pre-release faciliites						
	Dairies and bakeries				4		
	Food processing						
	High-technology manufacturing						
	Intermodal transportation facilities						
	Low impact industrial uses						
	Lumber yards						
	Nurseries						
	Printing and publishing establishments				4	11	
	Recycling & solid waste disposal facilities						
	Research and development and back office uses				4	11	
	Studios for artists and craftspeople			8, 4	4		
	Temporary wind anemometer towers	4	4	4	4		
	Tow lots						
	Utility substations			8			
	Warehousing and wholesaling				4		
	Wind energy systems	6	6	6	6	11	
Marine	Boat repair yards						
	Boat storage facilities						
	Harbor and marine supplies and services and ship supply						
	Marine products wholesaling and retailing						
	Marine repair services and machine shops						
	Marine museums and aquariums						
	Seafood processing for human consumption						
	Seafood packing and packaging						
	Seafood distribution						
	Shipbuilding and facilities for construction, maintenance and repair of vessels						
Other	Accessory uses	4	4	8		11	
	Any conditional uses permitted in abutting residential zones						
	Agriculture						
	Parking and storage of agricultural equipment used on premises						
	Cemeteries						
	Parks						
	Raising of domestic animals for noncommercial purposes						
	Neighborhood center			8			

1 See applicable performance standards in code

2 Excluding those explicitly noted in the code.

3 For up to 12 individuals. See code for additional regulations

4 Subject to certain conditions. See code.

5 Subject to conditions of 14-474 as well as others under zoning designation.

6 Permitted or conditional depending on size. See code.

7 Permitted uses in the R-7 Compact Urban Residential Overlay Zone, shall be the uses permitted in the R-6 Zone, except that different dimensional requirements shall apply.

8 Permitted in the B-1 and on the ground floor of buildings in the B-1b

9 In any structure with commercial use on the first floor, multifamily dwellings are permitted above the first floor

10 Permitted in the B-1 and above the ground floor of buildings in the B-1b

11 Permitted in an office park with a minimum gross area of at least 3 acres of land, consisting of either an Office Park PUD on one lot or a subdivision.

12 Professional offices are defined in Section 14-47 as “the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer, or similar professiona

Table 2: Comparison of Dimensional Requirements

	R-2	R-3[20]	B-1/B-1b[12]	B-2/B-2b/B-2c	O-P	R-P[26]
Min. Lot Size	Residential: 10,000 SF Long-term, extended, intermediate care: 3 School: 2 ac. Municipal: 10,000 SF College, univ.: 2 ac. Other: 10,000 SF *For all, see note* [16]	Residential: 6,500 SF[3] Long-term, extended, intermediate care: 2 ac. Place of assembly: see code Municipal: 6,500 SF Hospital: 10 ac. PRUD: 3 ac.	School: 20,000 SF Place of Assembly: 10,000 SF Other Non-Res Uses: None Residential: None	None	1.5 ac.	6,000 SF
Min. Lot Area per D.U.	10,000 SF	PRUD: 6,500 SF net land area Other: 6,500 SF	On-peninsula: 435 SF Off-peninsula: min. lot area of nearest residential zone, except 1,000 SF for multi-family dwellings above first floor	On-peninsula: 435 SF Off-peninsula: 1,500 SF, or 435 SF if active street frontage		
Min. Street Frontage	50 ft.	50 ft.[17]	20 ft.	20 ft.	100 ft.	60 ft.
Min. Lot Width	80 ft.	65 ft.	None	None	150 ft.	60 ft.
Min. Front Yard	25 ft. (principal or accessory)	25 ft. (principal or accessory)[18]	None	None	50 ft.[25]	20 ft., except that front yard need not exceed avg. depth of adjacent yards[27]
Max. Front yard			10 ft., or the maximum front yard setback shall not exceed the average depth of nearest developed lots if that average depth is less than 10 ft.	No more than 10 feet, except that the Planning Board or Planning Authority may approve a different amount for irregularly shaped lots or lots with frontage less than 40 feet provided this standard is met to the maximum extent practicable.[15]		
Min. Rear Yard	Principal or accessory >100 SF: 25 ft. Accessory detached <144 SF: 5 ft.	Principal or attached accessory > 100 SF: 25 ft. Accessory detached <144 SF: 5 ft.	Principal: None, except 10 ft. if abutting a residential zone. Accessory: None, except 5 ft. if abutting a residential zone	Principal: 10 ft. Accessory: 5 ft.	50 ft.[25]	Principal: 20 ft. Accessory detached: 7 ft.
Min. Side Yard	Principal or accessory >100 SF: 1-1 1/2 stories: 12 ft.[30] 2 stories: 14 ft.[30] 2 1/2 stories: 16 ft.[30] Accessory detached <144 SF: 5 ft. Side yard on side street: 20 ft.	1 story: 8 ft.[19] 1 1/2 stories : 8 ft.[19] 2 stories : 14 ft.[19] 2 1/2 stories: 16 ft.[19] Accessory detached <144 SF: 5 ft. Side yard on side street: 20 ft.	Principal: None, except 5 ft. if abutting residential zone. Accessory: None, except 5 ft. if abutting a residential zone Side yard on side street: 10 ft. max (only applies to one side street in cases with more than one)	Principal: None Accessory: 5 ft. Side yard on side street: None	25 ft., except 40 ft. where side yard abuts residential zone or use[25]	Principal: 1 story: 10 ft. 2 stories: 12 ft. 3+ stories: 14 ft.[28] Accessory detached: 7 ft. Side yard on side street: 1-2 stories: 15 ft. 3+ stories: 18 ft.
Stepbacks			Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone.	Portions of a structure above 35 ft shall be no closer than 5 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone.		
Max. Structure Height	Principal or attached accessory: 35 ft. Accessory detached: 18 ft.	Principal or attached accessory: 35 ft. Accessory detached: 18 ft.	Off- peninsula: 35 ft., except where abutting R-6, where max. height shall be the max. height of R-6[13] On-peninsula: 45 ft. except 50 ft. along Congress Street if commercial first floor & residential upper floors.	45 feet except as provided for below: a. 50 feet if first floor is partially or wholly occupied by a commercial use. b. 65 feet in B-2 and B-2c zones on lots >5 acres provided that all setbacks, except for front yard setbacks and side yard on side street setbacks, increase by 1 foot for each foot of height over 45 feet. c. 65 feet within 65 feet of Franklin St.	55 ft., except that on lots or within office-park subdivisions which are > 50 ac., 75 ft. is permitted, including roof appurtenances, if each minimum yard dimension is increased by 1 ft. for each 1 ft. of height above 55 ft.	45 ft., except where the lot abuts an R-6 residential zone, the maximum permitted height shall be the maximum permitted height of the R-6 zone. If there is a difference in height between abutting R-6 zones, the least restrictive height limitation shall apply.
Max. Floor Area	See note[7]	See note[7]	Total maximum first floor area for non-residential uses per structure: 10,000 SF[14] Total maximum floor area per retail establishment: 5,000 SF	None		
Max. Floor Area Ratio						See abutting residential zone. If none, see nearest residential zone.[31]
Max. Lot Coverage	20%	35%		None		
Open Space Ratio				None		
Max. Impervious Surface			90%	Residential: None Other uses in B-2 and B-2c: 80% Other uses in B-2b: 90%	60%	See abutting residential zone. If none, see nearest residential zone.[29]

[1] except for front yard setbacks and side yard on side street setbacks, increase by 1 foot for each foot of height over 45 feet.

[2] See definition in 14-188

[3] except as provided for lots of record is section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article. A lot in an unsewered residential district shall meet the provisions of the state Minimum Lot Size Law, 12 M.R.S.A. Section 4807

[4] Other restrictions apply for lodging houses, intermediate care facilities

[5] 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. In the case of a lot of record existing as of June 5, 1957, and held under separate and disti

[6] Other restrictions apply for bed and breakfasts

[7] Minimum/maximum gross floor area requirements exist for particular uses, which may include places of assembly; beds and breakfasts; and colleges, universities, or trade schools. See code.

[8] Other dimensional standards apply for small residential lot development

[9] These amendments will be brought to the Planning Board in the fall of 2014 for review, and are still subject to change.

[10] for uses other than utility substations (B-4)

[11] The front yard of a lot existing as of May 23, 1988 and less than 100 ft. deep need not be3 deeper than 20% the depth of the lot

[12] 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.; residential uses off-peninsula under section 14-162(a) shall meet requirements of abutting or nearest re

[13] Except when B-1 properties abut an R-6A zone, the maximum height shall be 45 ft.

[14] Structures which existed prior to date of enactment of the B-1/B-1b zones are exempt.

[15] Building additions do not hve to meet this section; If a lot has less than 40 ft. of frontage and is more than 100 ft. deep, then no max. setback is required. If existing structures are within 20 ft. of the street or meet the front yard max. and the remainder of the lot has

16 Provided that for uses specified, no minimum lot area shall be required in the following cases:A. Uses existing as of June 1, 1983;B. Expansion onto land abutting the lot on which the principal use is located;C. Expansion onto land other than the lot on which the principal use is located to the extent tha

17 except that lots located in a subdivision approved after the effective date of Ord. No. 165-97 pursuant to section 14-497.5 shall meet the street frontage requirements approved as part of the subdivision plan under the terms of that section.

18 A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20%) percent of the depth of the lot.

19 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 eight (8) feet in width. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adja

20 See other dimensional requirements relating specifically to PRUDs

21 See other dimensional requirements for small residential lot development, which can be applied if a lot is vacant, used exclusively for parking, contains structures not used for residential purposes, or or created from a single lot division of a developed lot and results in a lot meeting the dimensional r

22 Maximum length of undifferentiated blank wall along a public street or publicly accessible pedestrian way: 15 ft. in PAD overlay zone; 30 ft. in all other areas

23 FARs for residential zones as follows: R-1/R-2: .45; R-3: .55; R-4/R-5/R-5A/R-6: .65

24 For parcels in B-5b on West Commercial south of Danforth and parcels on Thompson's Point, see code.

25 The Planning Board can reduce by up to fifty (50) percent the minimum yard setback if another yard within the lot is correspondingly increased so that the combined minimum setbacks on all four (4) sides equal one hundred fifty (150) feet. If two (2) or more buildings are located on one (1) lot, only

26 Residnetial uses permitted under section 14-147(a) shall meet the requirements of such abutting or nearest residential zone.

27 The front yard of a lot existing as of April 4, 1988, which lot is less than one hundred (100) feet deep, need not be deeper than ten (10) percent of the depth of the lot.

28 The width of one (1) side yard may be reduced one (1) foot for each foot that the other side yard is correspondingly increased, provided, however, no side yard shall be reduced to less than seven (7) feet in width.

29 Impervious surface ratios as follows: R-1/R-2: .6; R-3: .7; R-4/R-5/R-5A/R-6: .8

30 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 twelve (12) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent l

31 Maximum FARs are as follows: R-1/R-2: .45; R-3: .55; R-4/R-5/R-5A/R-6: .65

32 This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.

33 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. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots,

34 A side yard on a side street need not exceed the average depth of front setback directly abutting the lot.

35 except as described in section 14-201(b).

36 No structure may extend beyond the building line established for any runway or taxiway. If provided, rear yards must not be less than five (5) feet in width.

att. D

MEMORANDUM

To: FILE

From: Nell Donaldson

Subject: Application ID: 2014-227

Date: 12/17/2014

Comments Submitted by: Ann Machado/Zoning on 12/2/2014

The proposal is for a Map Amendment to change the zone for the property located at 1945 Congress Street from R-2 Residential to O-P Office Park Zone in order to build a 15,000 sf medical building and a 35,300 sf office building. These two proposed uses are permitted uses in the O-P zone. The Elks building is a conforming use in the R-2 zone as a place of assembly (fraternal organization). If the lot is changed to the O-P zone, the Elks building as a place of assembly would become a legal nonconforming use. The use could be maintained but the building could not be expanded and the nonconforming use would be abandoned if the use as a place of assembly is dicontinued for twelve months. The existing lot meets the minimum gross area requirement of three acres for an office park and it meets the minimum street frontage of one hundred feet.

att. E

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
Date: 1/5/2015 10:07 AM
Subject: RE: Fwd: Office Development at Elks Lodge Site off Unum Drive

Hi Nell – I have conducted a preliminary trip generation analysis for the three development assumptions you have provided and the results are summarized in the following table. The trip generation estimates were computed for the Weekday AM and PM peak hours and were based on the Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.

Zone	***Density***	***AM Peak Hour Traffic Volume Enter and Exiting***	***PM Peak Hour Traffic Volume Enter and Exiting***
Existing R-2	*14 Residential Units*	*10 Vehicles*	*14 Vehicles*
Office Park (OP)	*192,563 Square Feet of Office Space*	*302 Vehicles*	*288 Vehicles*
Residence Professional (RP)	*137,201 Square Feet of Office Space*	*214 Vehicles*	*204 Vehicles*

If you have any questions or need additional information, please contact me.

Best regards,

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

"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
Date: 1/9/2015 3:51 PM
Subject: RE: Fwd: Office Development at Elks Lodge Site off Unum Drive

Hi Nell – I would like to note that based upon the trip generation levels noted in my previous email, a comprehensive traffic impact study would be required to assess impacts to the area roadway system. Please note the following:

· The Congress Street/International Parkway/UNUM Drive intersection will serve as the primary access point for any development. Use of this existing signalized intersection seems appropriate, but any development application would be required to access the ability of this traffic signal to adequately accommodate the added traffic.

· The City recently implemented Phase I of the Outer Congress Street Streetscape Study with the intent of providing a balanced multi-modal transportation street. Phase I primarily reduced the number of travel lanes on certain sections of Congress Street between Steven Avenue and International Parkway/UNUM Drive. The City continues to review conditions and will be implementing Phase II of the Plan this year which will seek to enhance the inbound merge area east of International Parkway/UNUM Drive, add a crosswalk near Garrison Street, and implement pedestrian and transit improvements at Westbrook Street.

· MaineDOT will be upgrading the traffic signal at the Congress Street/Westbrook Street intersection. This intersection currently experiences congestion problems, but it is unlikely any capacity enhancements will be possible given constraints.

· The Congress Street/Johnson Road intersection seems to operate at an acceptable level of service, but review of conditions would be required.

If you have any questions, please let me know.

Best regards,

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

"One Vision, One Company"

Please consider the environment before printing.

From: Helen Donaldson [mailto:HCD@portlandmaine.gov]
Sent: Monday, January 05, 2015 10:27 AM
To: Tom Errico
Subject: RE: Fwd: Office Development at Elks Lodge Site off Unum Drive

Great. Thanks, Tom. There are likely to be questions about impacts to operations on Congress Street and the light at Unum Park Drive. Can you make any general statements on that? Maybe alluding to existing trips generated by the Elks?

Tell me if I'm asking you to go too far out on a limb here!

Nell

_____

Nell Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101
874-8723
hcd@portlandmaine.gov<mailto:hcd@portlandmaine.gov>
>>> Tom Errico <thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>> 1/5/2015 9:54 AM >>>
Hi Nell – I have conducted a preliminary trip generation analysis for the three development assumptions you have provided and the results are

summarized in the following table. The trip generation estimates were computed for the Weekday AM and PM peak hours and were based on the Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.

Land Use Zone

Density

AM Peak Hour Traffic Volume Enter and Exiting

PM Peak Hour Traffic Volume Enter and Exiting

Existing R-2

14 Residential Units

10 Vehicles

14 Vehicles

Office Park (OP)

192,563 Square Feet of Office Space

302 Vehicles

288 Vehicles

Resource Protection (RP)

137,201 Square Feet of Office Space

214 Vehicles

204 Vehicles

If you have any questions or need additional information, please contact me.

Best regards,

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

"One Vision, One Company"

Please consider the environment before printing.

From: Helen Donaldson [mailto:HCD@portlandmaine.gov]
Sent: Monday, January 05, 2015 8:22 AM
To: Tom Errico
Subject: RE: Fwd: Office Development at Elks Lodge Site off Unum Drive

Thanks, Tom. This is helpful.

I'm trying to get a draft of this memo to Barbara this week, as I'm out for some of next and the workshop is on the 20th. Can you take a look at those buildout calculations when you get a chance (attached again here) and let me know what you think in terms of a general comparison of trip generation?

Thanks, Tom.

Nell

>>> Tom Errico <thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>> 12/31/2014 3:59 PM >>>
Hi Nell – Attached is a concept plan set that is still evolving, so please note that it will be changing. Thanks and let me know if you have any questions.

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

"One Vision, One Company"

Please consider the environment before printing.

From: Helen Donaldson [mailto:HCD@portlandmaine.gov]
Sent: Wednesday, December 31, 2014 11:09 AM
To: Tom Errico
Subject: Re: Fwd: Office Development at Elks Lodge Site off Unum Drive

Thanks, Tom. I can't think of anything else in terms of development out there, but Barbara may know of something.

I'm looking forward to seeing the outer Congress plans when you get a chance. I didn't even realize anything was happening there.

Nell

>>> Tom Errico <thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>> 12/31/2014 9:48 AM >>>

Sent from my iPhone

Begin forwarded message:
From: "Diane W. Morabito" <mtrdwm@myfairpoint.net<mailto:mtrdwm@myfairpoint.net>>
Date: December 29, 2014, 1:09:18 PM EST
To: 'Barbara Barhydt' <BAB@portlandmaine.gov<mailto:BAB@portlandmaine.gov>>
Cc: Tom Errico <thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>>
Subject: Office Development at Elks Lodge Site off Unum Drive
Hi Barbara,
I am writing regarding the proposed medical and general offices at the Elks Lodge site off Unum Drive (off Congress Street). We are doing the traffic study and traffic permitting for the office development. Are there any other development projects approved but not constructed, or pending approval, that will impact Congress Avenue volumes in that area that I should consider in my traffic analysis?
As always, thanks for your assistance and Best Wishes for the New Year.
Diane

Diane W. Morabito, P.E. PTOE

President

Maine Traffic Resources

25 Vine Street

Gardiner, ME 04345

(O) 207-582-5252

(M) 207-441-0703

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. --

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

File: 13151

April 13, 2015

Att. 1

Ms. Helen Donaldson, Planner-Planning & Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

RE: REQUEST FOR ZONE CHANGE, 1945 CONGRESS STREET
NORTHLAND DEVELOPMENT

Dear Helen,

Based on the input from the Planning staff and Board as well as from the public, we have modified the site design of 1945 Congress Street. The current re-development plans proposes the following:

- The Elks Club building will remain on site, and their building will be reduced from 23,204 sq/ ft. to 13,646 sq. ft. The developer will make improvements to the exterior of the building and Elks Club officials have stated they intend to make substantive improvements to the interior of the building.
- The medical building of 15,000 sq. ft. is included as a separate stand-alone building placed along Congress Street.
- The third building on the campus will be a two-story building with a 25,000 sq. ft. footprint and 10,000 sq. ft. on the 2nd floor. This building will be utilized for general office.
- Attached is a revised Zone Map and Text Application.

The two new buildings relate to each other physically. The renovated Elks club is set back from the street and is the less dominate architecture of the campus. The campus is tied together with its master plan and circulation pattern.

Our request to the City has two components:

1. We request the 7.01 acre property be rezoned from Residential (R2) to Office Park (OP); the same zone that abuts 2 sides of the subject property to include the adjacent Unum site.
2. We request that "places of assembly" be added to the OP Zone as a *conditional* use. This is consistent with what we believe the Planning Board has recommended.

As part of the submission, please find attached a letter from our attorney, Mr. John Bannon of Murray Plumb & Murray which addresses why the proposed project and the request for zone change of the subject property to O-P and a zoning text amendment to allow *places of assembly* to be a conditional use is consistent with the intent of the City of Portland Comprehensive Plan.

PINKHAM & GREER
CIVIL ENGINEERS

Attached is a revised Illustrative Site Plan prepared by Tony Muench, RLA Landscape Architect. The entrance to the site and the parking has been revised in an attempt to create more of a campus feeling. In addition, buffering between the subject site and the adjacent residential neighbors has been increased. See attached photographs of the current screen and what a proposed screen would look like. It will create a full screen when mature.

David Lloyd AIA, of Archetype, has done further work on the architectural design which illustrate street views of the 3 buildings.

Considerable thought and has gone into the amount of and the layout of the parking areas. We have taken into consideration the future needs of our building owners and tenants, while attempting to keep the parking to the smallest practical amount. The current site has 205 lined parking spaces and a gravel parking area that can accommodate an additional 45 parking spaces (a total of 250 current parking spaces). The current plan is to increase the total amount of building square footage on the site by 40,442 SF and increase the number of parking spaces to a total of 282 parking spaces. This is an increase of 32 new parking spaces, or less then 1 new parking space per 1,000 SF of new building SF. We believe this is a very reasonable increase. Based on the condominium plan, and resulting 3 distinct condo units, we feel that the city's initial parking & traffic impact study should be revised.

We have also added a bus shelter at the Congress Street stop. This should encourage the use of public transportation.

We believe the current re-development plan for the Elks site addresses buffering concerns of abutter's; has attempted to give the site a more campus like feel and has provided for adequate parking for the owners and tenants while addressing the Planning Board request to reduce parking spaces, from the original proposal of 305 parking spaces. We believe with Attroney Bannon's letter we have addressed the fact that this project is consistent with the City's Comprehensive Plan.

Thank you in advance for your consideration.

Sincerely,

PINKHAM & GREER
CIVIL ENGINEERS

Thomas S. Greer, P.E.

cc: File

Enclosures

TSG/rjs

PROJECT NAME: 1945 Congress Street

PROPOSED DEVELOPMENT ADDRESS:

1945 Congress Street

PROJECT DESCRIPTION:

The project renovates the Elks building and adds a 15,000 sq. ft medical building and a 35,300 sq. ft. general office buiding.

CHART/BLOCK/LOT: 216-A-6 / 217-A-1

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Josh Benthien & Rex Bell Business Name, if applicable: Northland Enterprises, LLC Address: 17 South Street City/State : Portland, ME Zip Code: 04101	**Applicant Contact Information** Work # 207.780.0223 Home# Cell # Fax# e-mail: josh@nortlandus.com rex@northlandus.com
Owner – (if different from Applicant) Name: Portland Lodge #188 BPOE of USA Address: 1945 Congress Street City/State : Portland, ME Zip Code: 04102	**Owner Contact Information** Work # Home# Cell # Fax# e-mail:
Agent/ Representative Pinkham & Greer, Civil Engineers Name: Thomas S. Greer, P.E. Address: 28 Vannah Avenue City/State : Portland, ME Zip Code: 04103	**Agent/Representative Contact information** Work # 207.781.5242 Cell # e-mail: tgreer@pinkhamandgreer.com
Billing Information Josh Benthien & Rex Bell Name: Northland Enterprises, LLC Address: 17 South Street City/State : Portland, ME Zip Code: 04101	**Billing Information** Work # 207.780.0223 Cell # Fax# e-mail: josh@nortlandus.com rex@northlandus.com

Engineer Pinkham & Greer Civil Engineers Name: Thomas S. Greer, P.E. Address: 28 Vannah Avenue City/State : Portland, ME Zip Code: 04103	**Engineer Contact Information** Work # 207.781.5242 Cell # Fax# 207.781.4245 e-mail: tgreer@pinkhamandgreer.com
Surveyor Maine Survey Consultants, Inc Name: Del Maxfield Address: PO Box 485 City/State : Harrison, ME Zip Code: 04040	**Surveyor Contact Information** Work # 207.583.6159 Cell # Fax# e-mail: dmaxfield@mainesurveyconsultants.com
Architect Archetype Architects Name: David Lloyd Address: 48 Union Wharf City/State : Portland, ME Zip Code: 04101	**Architect Contact Information** Work # 207.772.6022 Cell # Fax# e-mail: lloyd@archetypepa.com
Attorney Murray, Plumb & Murry Name: Drew Anderson Address: PO Box 9785 City/State : Portland, ME Zip Code: 04104	**Attorney Contact Information** Work # 207.773.5651 Cell # Fax# e-mail: DAA@mpmlaw.com

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

We have a Purchase and Sales Agreement.

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

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

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

The existing property is used by the Elks as a place of assembly.

Current Zoning Designation(s): Residential 2

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.

The existing Elks use will continue. We are adding a general office use and a medical office use.

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 X $2,000.00 (from R2 zone to OP zone) **Zoning Text Amendment** X $2,000.00 (to Section 14-_____) 230.11.1 **Combination Zoning Text Amendment and Zoning Map Amendment** X $3,000.00 **Conditional or Contract Zone** ___ $3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	The City invoices separately for the following: • Notices ($.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.

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:
AGENT	4/13/15

Att. 3

April 16, 2015

Helen Donaldson, Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Application of Northland Enterprises, LLC for Zoning Map Amendment and Zoning Text Amendment for 1945 Congress Street / Consistency with the Comprehensive Plan

Dear Nell:

This office represents Northland Enterprises, LLC (hereafter "Northland"), which has applied to the Planning Board for review and approval of a zoning map amendment for the Elks Club property located at 1945 Congress Street (hereafter the "Property") as well as a zoning text amendment to LUO § 14-230.11.1 to add "places of assembly" as a conditional use within the O-P Office Park District. I am writing today to explain why amending the official zoning map to change the Property's zoning designation from the R-2 Residential District to the O-P Office Park District, and adding places of assembly as conditional uses in the O-P Office Park District, would be consistent with the City's Comprehensive Plan.

I. ZONING MAP AMENDMENT

A. The Meaning of "Consistency with the Comprehensive Plan."

In *Remmel v. City of Portland*, 2014 ME 114, ¶ 13-14, 102 A.3d 1168, 1172, the Maine Supreme Court recently summarized the City's broad discretion to determine when a proposed rezoning is consistent with the Comprehensive Plan. It is unnecessary that a proposed zoning map amendment comply strictly with every portion of the Plan. Rather, when a court reviews the City's decision to rezone a property, the scope of the court's inquiry is limited to determining whether the City Council could have, from the evidence before it, found that the rezoning was in "*basic harmony*" with the Comprehensive Plan:

> A zoning or rezoning action need not perfectly fulfill the goals of a comprehensive plan; it may be in basic harmony with the plan so long as it "strikes a reasonable balance among the municipality's various zoning goals" or "overlap[s] considerably" with the plan.

Id. In addition, because the Comprehensive Plan consists of numerous different land use policies, adopted at different times, that sometimes conflict, whether a proposed rezoning is "consistent" with the Comprehensive Plan can only be determined by examining the Plan as a whole. *Id.* "A municipality may conclude that a rezoning action is consistent with a comprehensive plan when it is in harmony with *some* provisions of the plan, even if the action appears *inconsistent* with *other* provisions of the plan." *Id.* (emphasis added).

B. The Property and Its Context

The Property is an approximately 7-acre parcel that has been the site of Elks Lodge #188 (hereafter the "Lodge") since the late 1960's. The Lodge is a "place of assembly" as defined in LUO § 14-47. The zoning districts in the Property's immediate vicinity are shown in Figure 1 below:

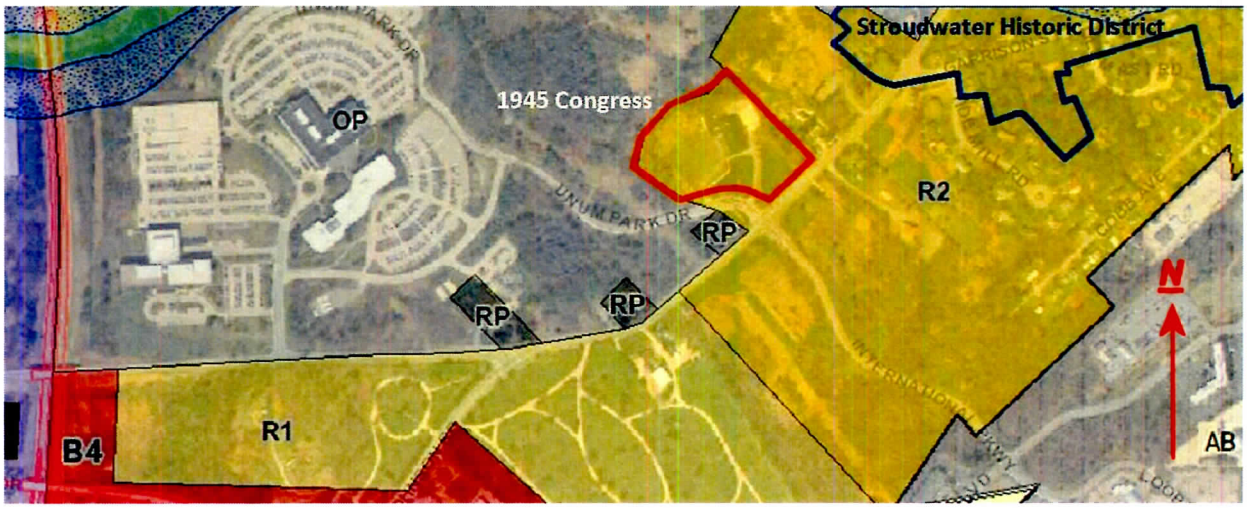


Figure 1
Zoning Districts in the Vicinity of the Property[1]

[1] Figure 1 appears as "Figure 2" in the Planning Board Memorandum by Nell Donaldson, Planner, dated January 20, 2014 (hereafter the "Donaldson Memorandum").

The Property is bounded on the northwest and west by the existing OP District occupied by Unum. Although a small portion of the westerly boundary abuts an area within the R-2 District, that area is consumed by the entrance and exit of Unum Park Drive, which also serves as the sole access to the Property. Likewise, although the Property's southeasterly boundary abuts a portion of the R-2 District, the closest portion of that R-2 District is occupied by the right-of-way of outer Congress Street. Only on the northeast is the Property directly abutted by land within the R-2 District that is substantially devoted to residential purposes.

Some of the actual land uses in the Property's immediate vicinity are shown in Figure 2 below:

Figure 2
Actual Land Uses in the Vicinity of the Property[2]

It is apparent from Figure 2 that a majority of the land area in the Property's immediate vicinity is put to non-residential uses. Directly opposite the Property on the southeast is a large tract of R-2 District land which is owned by the Jetport and bisected by Jetport Access Road/International Parkway. Much of the R-1 District to the southwest side of the Jetport land is occupied by Brooklawn Memorial Park. Although a significant amount of residentially-used

[2] Figure 2 appears as "Figure 1" in the Donaldson Memorandum. Note that, although the lot just south of the entrance/exit from the Unum campus is indicated in Figure 2 above as being a residential *structure*, is – as shown in Figure 1 on the previous page of this letter – *zoned* within a Residence-Professional (RP) District.

R-2 District land can be found to the north and east of the Property, even that area is punctuated by non-residential establishments permitted as a conditional use in the R-2 District: for example, The Children's Dyslexia Foundation, Christ Church of Portland, and Faith Temple.

Northland understands and respects the desires expressed by local residents that the residential portions of the Stroudwater neighborhood be protected as much as is reasonable. However, it is unrealistic to expect that the Property itself can feasibly be devoted to residential uses. The Property is now, and for half a century has been, the site of a large Lodge building and a correspondingly expansive, paved parking lot. Significantly, Northland's proposed redevelopment of the Property would require no significant increase in the number of parking spaces on the Property. As currently laid out, the Property includes 204 marked parking spaces plus a gravel parking area large enough to accommodate 45-50 additional parking spaces. The most recent Project design calls for a total of 256 parking spaces plus 26 handicapped and compact size parking spaces.

The area surrounding the Property has evolved in a manner that is predominantly commercial and institutional rather than residential. Because of, among other things, (a) its location between the Unum campus, Faith Temple, and the rapidly-expanding International Jetport; (b) its placement directly opposite the intersection of Congress Street and the Jetport Access Road/ International Parkway; and (c) the fact that its only access will for the indefinite future be shared by a multitude of Unum employees and customers, the Property can never be developed as a desirable residential neighborhood. The Property's future has been determined, not by the aims of the applicants, but by the course of adjacent development.

C. To Rezone the Property from R-2 to O-P is Consistent With the Comprehensive Plan

To rezone the Property from R-2 to O-P is in basic harmony with the Comprehensive Plan because it would promote the goals of:

1. Strengthening and diversifying the City's economy

"Portland is the largest city in Maine and is the economic and service center for the region. Portland continues to attract people of workforce age due to diverse job opportunities (particularly in business and

technology), quality employment, and a stable economy." [3] *(emphasis added)*

***

"Portland's future will...[c]apitalize on Portland's economic assets and develop a strong economy based upon traditional industries, a strong retail and office center, and emergent opportunities in industry, business, and coastal commerce."[4] *(emphasis added)*

***

"[The City should:]

- *Accommodate the City's commercial activity within a range of functionally and physically defined commercial centers.*

- *Promote preservation and revitalization of its existing commercial centers and maintain a scale within them that is compatible and integrated with other land use.*

- *Encourage the development of new commercial enterprises within the existing neighborhood centers and CBD.... [and]*

- *Promote new office park development of high quality in outlying areas for development seeking a suburban-style setting."*[5] *(emphasis added)*

---

[3] II. PORTLAND'S COMMUNITY VISION FOR THE FUTURE / Distinctive Features to Value, Preserve and Build Upon And Future Directions for Portland / A COMMUNITY VISION FOR PORTLAND / DISTINCTIVE FEATURES OF PORTLAND TO VALUE, PRESERVE & BUILD UPON / I. A City That Provides For People

(unnumbered page near beginning of the Comprehensive Plan) [Throughout this analysis citations to the Comprehensive Plan will be made with reference both to the specific section/subsection of the Plan as well as the page number, where available]

[4] II. PORTLAND'S COMMUNITY VISION FOR THE FUTURE / Distinctive Features to Value, Preserve and Build Upon And Future Directions for Portland / A COMMUNITY VISION FOR PORTLAND / FUTURE DIRECTIONS FOR PORTLAND / I. Build a Vibrant Small City

(unnumbered page near beginning of the Comprehensive Plan)

[5] VII. COMMUNITY COMMERCIAL POLICES AND LAND USE PLAN - September 1987-1988 / Development Goals

***

"[The City should:] [p]rovide for economic growth and development in the City as set forth in the Comprehensive Plan."[6] *(emphasis added)*

***

"[The City should:]

Strengthen and Diversify the Economic Base

- *create a variety of job opportunities for the full spectrum of the labor pool which:*
  - *are appropriate to our current and potential skills*
  - *provide good pay and benefits - a living wage*
  - *are rewarding/satisfying ... [and]*
  - *"strengthen and diversify the tax base.*

Improve the Quality of Life

- *recognize that jobs and prosperity improve the standard of living for residents ...*
- *reduce tax burden on residential property owners."*[7] *(emphasis added)*

(Comprehensive Plan, page 28)

[6] STATE GOAL B: To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development;

I. PORTLAND CAPITAL IMPROVEMENT PLAN — 2001-2010

Capital Improvement Goals

(Comprehensive Plan, page 29)

***

"[Portland should:]

Target Specific Opportunities

- *capitalize on location/telecommunications/transportation infrastructure, port, airport, highways, etc."*[8]

***

"A positive trend of late has been the development of offices above retail uses which has helped to enhance the character of commercial development. An office's image is often very important to the business person and more effort toward property maintenance and site planning is evident. Such efforts can send a positive message to residential property owners that commercial and residential uses can coexist."[9] *(emphasis added)*

***

" Coupled with the existing centers, office parks on carefully selected sites can help improve the City's economic base by offering developers a choice of development opportunities." [10]*(emphasis added)*

***

---

[7] STATE GOAL C. To promote an economic climate which increases job opportunities and overall economic well-being;

II. PORTLAND INDUSTRY AND COMMERCE PLAN – 1994

(Comprehensive Plan, page 37)

[8] STATE GOAL C. To promote an economic climate which increases job opportunities and overall economic well-being;

II. PORTLAND INDUSTRY AND COMMERCE PLAN – 1994

(Comprehensive Plan, page 38)

[9] *Community Commercial Policies and Land Use Plan* (1988), page 14

[10] *Id.*

2. Acknowledge that Stroudwater has evolved differently from other neighborhoods

B. Off-Peninsula - Outer Ring Neighborhoods — Existing Land Uses

The outer ring neighborhoods grew significantly with residential development, but the percentage of land devoted to residential uses is less than found in the inner neighborhoods. It is important to note that vacant land accounts for a larger share of each neighborhood's total land area. Over 77% of North Deering is developed in residential use followed by Riverton with 71%, Nason's Corner with 63% and Riverside with 44%. Stroudwater has only 17.5% of its land area developed in residential use. ...Vacant land in the outer ring neighborhoods has declined to less than half of its 1978 share. Stroudwater has the largest percentage of vacant land (24%) and Riverton has the least with 2%.

Commercial uses have remained relatively stable in the outer ring neighborhoods, except for Stroudwater where commercial uses grew by 9% in 1989 and 23% in 1999. A new airport access road and a new Maine Turnpike Interchange have spurred new business development within Stroudwater....The industrial uses in Nason's Corner, North Deering, and Riverton remained constant or declined slightly during the 20-year time frame. Industrial uses expanded in Riverside and Stroudwater to 21% and 10.4% of the total neighborhood land area, respectively. Tax-exempt property declined as a percentage of the total land area in all of these neighborhoods, except Stroudwater. [11] *(emphasis added)*

In sum, the Comprehensive Plan confirms that less than 20% of the Stroudwater neighborhood is devoted to residential uses; that nearly a quarter of the total land mass is vacant; that Stroudwater has experienced a higher rate of commercial development than any other outer-ring-neighborhood, and ranks second only to Riverside in industrial development; and that Stroudwater is the only such neighborhood in which the percentage of the total land mass devoted

---

[11] EXISTING LAND USE / Inventory and Analysis / EXISTING LAND USE AND DEVELOPABLE LAND / ... III. EXISTING LAND USE BY NEIGHBORHOODS

(Comprehensive Plan, page EX-6)

to tax-exempt uses has increased. A rezoning of the Property from R-2 to O-P is, relative to parcels in other outer-ring neighborhoods, particularly appropriate.[12]

3. Facilitate integration of the City's land use patterns with the development of a modern, multi-modal transportation system

Although traffic-management considerations might not initially seem to interact with land use policy, the Comprehensive Plan sees them as being inextricably linked:

> *Issues of transportation cannot be resolved unless the use of land is organized in a way that allows them to be resolved. It's been said that the best way to solve problems of congestion and pollution caused by autos is to build cities that don't need them. That is no longer realistic. But the Plan recognizes that there must be fundamental change in land use regulations: from a code of land use patterns that leave no choice but the single-occupant auto to a code of patterns that give other modes a fighting chance. The new patterns must phase away from separating the elements that make up a community (like homes, schools, churches, and small businesses) and allow a mixing and proximity of such uses where it seems natural to do so.[13] (emphasis in original)*

In other words, a philosophy of maintaining strict separation between residential and business uses within the City is not only outdated, but undesirable.

The Property is located on one of the most heavily-traveled bus routes within the Greater Portland Transit District.[14] The City has already identified the

---

[12] Some neighbors have critiqued the proposed rezoning because it would eliminate the *potential* for the Property to be converted from use as a place of assembly to a residential use. It is true that one policy of the Comprehensive Plan is to "establish a standard of 'no net loss of housing' for all proposed development." I. Housing: Sustaining Portland's Future –November 18, 2002 /Goal/ Policies (Comprehensive Plan, page 45). However, that policy does not advocate that land, such as the Property, which has never been put to residential purposes, be converted to housing. There can be no "net loss" of housing that has never existed. As noted elsewhere in this analysis, the Comprehensive Plan recognizes that factors such as proximity to the Jetport and to busy arterial and collector streets renders residential development infeasible on the Property.

[13] *A Time of Change: Portland Transportation Plan* (1993), page 2

[14] *Id.* at page 27.

Outer Congress Street area, which includes the Property, as the location for a pilot project for "a package of measures for 'travel demand management,'" including "strong intermodal design at the Jetport." [15] Stroudwater/Libbytown has been identified as one of the City's eight "transportation districts."[16] The Comprehensive Plan advocates that transportation districts serve as centers for the integration of the diverse land uses needed to serve the needs of the residents of those districts:

> *The City should promote a land use pattern that allows for opportunities for people to work and meet a larger share of their everyday needs within or adjacent to their transportation district.*
>
> *The City should continue to encourage businesses to locate in established employment centers, including Downtown, that are served by public transportation or that have the critical mass necessary to support alternative modes of transportation.*
>
> *The City should 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.*[17]*(emphasis added)*
>
> ***
>
> *[The City should] [e]ncourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical.*[18] *(emphasis added)*

---

[15] *Id.* at pages 9-10, 70.

[16] *Id.* at page 23

[17] *Id.* at page 24

[18] -- PORTLAND'S GOALS AND POLICIES FOR THE FUTURE

> 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 — November 18, 2002
>
> ...Policies

***

"[Portland should] [c]reate local multi-modal centers for the City's commuters and mass transit passengers, building on the presence of existing centers of activity, connected with each other and with regional transport centers."[19] *(emphasis added)*

***

"The City should continue to develop an interconnected and seamless transportation system encompassing both local and regional transportation centers."[20]

4. Achieve the City's original goals for creating the O-P Zone in general, and near the Jetport in particular.

The City created the O-P Zone in 1988 because of concern that the existing Residence-Professional (RP) District was being used to develop office complexes that were too large to serve as a transition between residential and business uses:

Historically there has been one zone (R-P) in the City which permits, almost exclusively, professional offices and residential uses. Originally, the R-P Zone developments in the City were small-scale, and met the intent of the zone as a transitional or buffer district. Recently, however, approximately half the developments on the sites zoned to R-P are bigger in size (two acres or more) and scale than what was originally intended for the zone.[21] *(emphasis added)*

(Comprehensive Plan, page 22)

[19] -- III. A TIME OF CHANGE: PORTLAND TRANSPORTATION PLAN - July 1993 / Transportation Policies

(Comprehensive Plan, p. 24)

[20] II. A TIME OF CHANGE: PORTLAND TRANSPORTATION PLAN - July 1993 ....Transportation Policies

(Comprehensive Plan, page 31)

[21] Neighborhood Commercial Land Use Policies and Land Use Plan (1988), page 22

Thus the Property, which is 7 acres in size, is more than three times larger than the largest site the City had intended to be zoned within the R-P District.[22]

Moreover, the Property is the very type of area where the Comprehensive Plan considers the O-P Zone to be most appropriate: one that has limited potential for residential development because of proximity to the Jetport and adjacency to a busy thoroughfare such as outer Congress Street:

> *The need exists for a zone that would allow larger scale office development on larger lots in what could be considered more suburban locations. The parcels, while suburban in character, might have limited potential for residential development, due in part, for example, by proximity to the Jetport, or to the topography of the site, or its physical boundaries such as a busy arterial. ...[23] (emphasis added)*

Indeed, the creators of the O-P District could have had the Property in mind when they wrote:

> *Land is more plentiful in these outlying locations, which may be a critical factor if a significant amount of parking is required for the development.... These settings provide a suitable location for a company headquarters or complex of office buildings serving several tenants. Access to the office parks is primarily from major arterials, although secondary roads may also provide access....* [24]

To be sure, the City established a quid pro quo for developers who seek to develop land in an O-P Zone:

> *Developments in the O-P zone are to be characterized by spacious and high quality development. Large lots, relatively low building coverage, low impervious surface area, significant open space and landscaping,*[25] *and*

---

[22] Presently, the minimum lot size within the R-P Zone is a mere 6,000 sq. ft. LUO § 14-149(a).

[23] *Neighborhood Commercial Land Use Policies and Land Use Plan* (1988), page 22

[24] *Id.*

[25] Northland acknowledges the ambitious design standards intended for O-P office complexes and intends to create a suitably high-quality development. However, it is important to recall that the Property is not a vacant lot with significant amounts of vegetation or other natural

> *thoughtful building design are exemplary characteristics of O-P developments which are appropriate and beneficial to the City of Portland.*[26]

However, contrary to what some critics of this proposal evidently believe, the O-P Zone was not intended to be reserved only for extraordinarily large or topographically complex parcels such as the UNUM site. Recall that the O-P Zone is intended to be only one step up from the R-P District, in which the City considered the largest suitable lot to be about *two* acres in size. Under the LUO, an Office PUD or Office Subdivision may be built on a parcel with a minimum gross area of only *three* acres. LUO § 14-230.11. Significantly, three of the seven areas that the Plan drafters specifically mentioned as potential candidates for O-P Zoning are in close proximity to the Property: UNUM (directly adjacent to the Property), "Congress Street/Cobb Avenue (in conjunction with AB zone)" (almost directly across Congress Street from the Property), and the "Northwest corner of Congress Street and Frost Street" (about 4,000 linear feet from the nearest corner of the Property, and half that distance from the Stroudwater Historic District). [27] Neither were the buildings considered suitable for an O-P District limited to those of a modest size or simple configuration: *"This type of zone can accommodate single or multiple buildings on a site. Large scale or tall buildings are also appropriate."*[28] (emphasis added) Thus, although the O-P District is plainly intended to encourage high-quality office development, it is also intended to accommodate a wide variety of potential design approaches to such development.

II. ZONING TEXT AMENDMENT

Northland will not repeat here the portions of the above discussion that are already pertinent to the proposed zoning text amendment to LUO § 14-230.11.1 to add places of assembly as a conditional use in the O-P Zone. The purpose of that zoning text amendment is to prevent the existing Elks' Lodge from being reduced to the status of a legally nonconforming use if the zoning of the Property is changed from the R-2 Zone to the O-P Zone.

---

features. Rather, it is occupied by a large building, extensive areas of impervious parking space, and mowed lawns.

[26] *Id.*

[27] *Id.*

[28] *Id.*

A. The Context of Uses Allowed in the O-P Zone.

Under LUO § 14-230.11, the O-P Zone allows, as expressly-permitted uses, office parks containing professional offices and office complexes, research and development establishments, printing and publishing establishments, day care facilities, and wind energy systems. In addition, LUO § 14-230.11.1 authorizes, as conditional uses, "high technology manufacturing of biotechnology, pharmaceutical, and nanotechnology products;" temporary wind anemometer towers; and free-standing wind energy systems. A place of assembly would be less intensive than most of those uses.

B. The Context of "Places of Assembly" as Conditional Uses.

For several decades, the LUO has allowed "places of assembly" as a conditional use in virtually every residential district, including the R-2 Zone in which the Property is currently included:

R-1 Zone	LUO § 14-68(b)(3)
R-2 Zone	LUO § 14-78(b)(3)
R-3 Zone	LUO § 14-88(b)(3)
R-4 Zone	LUO § 14-103(b)(2)
R-5 Zone	LUO § 14-118(b)(3)
R-6/6A Zone	LUO § 14-137(b)(4)
IR-1 Zone	LUO § 14-145.3(b)(2)
IR-2 Zone	LUO § 14-145.9(b)(2)

Because places of assembly such as the Elks Lodge are deemed compatible with such a wide variety of residential uses, it would be irrational to exclude such an activity from the list of conditional uses allowed in the more commercially-oriented O-P Zone. In the context of the Property in particular, the proposed zoning text amendment would limit places of assembly to the same conditional status they have under the present R-2 Zoning.

C. The Proposed Zoning Text Amendment Adding Places of Assembly as a Conditional Use in the O-P Zone is Consistent with the Comprehensive Plan.

The Comprehensive Plan does not specifically address the subject of "places of assembly." However, because "places of assembly" are classified in all zoning districts as a species of "institutional" use, it is useful to review how the Comprehensive Plan describes the City's policies toward institutional uses.

The Comprehensive Plan discusses institutional uses only in connection with their suitability for inclusion in residential zones. The Plan evidently has identified no problems associated with institutional uses in business or commercial zones such as the O-P Zone. Even in the context of residential zones, the Comprehensive Plan says only the following:

> ▪ *Institutional uses, where they are to be allowed in residential zones, should be designated conditional uses with review before the Planning Board.*
>
> ▪ *Any new institutional use should be required to have a lot size of sufficient area to accommodate all activities, including parking and to absorb impacts and growth needs of the institution.*
>
> ▪ *Reasonable expansion of existing institutions should be accommodated, but effective use of existing lot area should be required.*
>
> ▪ *For both new development and expansion of existing institutions, the displacement or conversion of existing dwellings should be avoided, and that an institutional development proposal that causes significant residential displacement should be cause for denial of conditional use approval.*[29]
>
> *At the same time, concerns have been raised about institutional expansions, which have converted or demolished housing or purchased residential structures only to neglect them until they are a blight on the neighborhood. Housing is a critical component of the city's infrastructure. Any redevelopment initiatives, commercial or residential, should result in a no "net loss" of housing for the city as a whole.*[30]

---

[29] STATE GOAL D: To encourage and promote affordable, decent housing opportunities for all Maine citizens: ...

V. REGULATION OF INSTITUTIONAL USES IN RESIDENTIAL ZONES – 1983 (Planning Board Report #46-83)

(Comprehensive Plan, page 48)

[30] HOUSING AND POPULATION –Inventory and Analysis

II. PORTLAND HAS AN AGING HOUSING STOCK WORTH PRESERVING

The proposed zoning text amendment to add "places of assembly" as a conditional use in the O-P Zone is in basic harmony with the above principles because it would apply only to the O-P Zone, not to any residential zone. The proposed zoning text amendment allows "places of assembly" in the O-P Zone only as a conditional use, and all Office Park Planned Unit Developments and Subdivisions are further subject to mandatory Planning Board Site Plan Review. LUO § 14-230.11.

The proposed zoning text amendment does not, by itself, increase the likelihood that the building or expansion of institutional uses in O-P Zones would cause unreasonable displacement of existing housing. That issue can be adequately addressed by the Board of Appeals during Conditional Use Review and by the Planning Board under Site Plan review of any particular development proposal. In the context of the proposed Project, however, that issue cannot arise, because the Property has not been in the past, and cannot realistically be in the future, used for residential housing that could be displaced by institutional uses.

CONCLUSION

Although the proposed rezoning of 1945 Congress Street and zoning text amendment may not simultaneously satisfy *every* policy goal expressed in the Comprehensive Plan, they are not legally required to do so. All that the law mandates is that the proposals be in "basic harmony" with the Comprehensive Plan either by striking "a reasonable balance among the municipality's various zoning goals" or by "overlap[ping] considerably" with the Plan.

> A municipality may conclude that a rezoning action is consistent with a comprehensive plan when it is in harmony with *some* provisions of the plan, even if the action appears *inconsistent* with *other* provisions of the plan.

Remmel v. City of Portland, 2014 ME 114, ¶ 13-14, 102 A.3d 1168, 1172. Under that liberal standard, Northland's proposals are consistent with the Comprehensive Plan.

(Comprehensive Plan, page H-7)

Thank you for your attention to this letter.

Respectfully submitted,

John C. Bannon

JCB/kpm

cc: Rex Bell
Josh Benthian
Alex Jaegerman, Director, Planning Division

Att. 4

1945 CONGRESS St. – Existing Conditions

1945 CONGRESS St. – Existing Conditions

1945 CONGRESS St. – Conceptual Buffer Conditions

1945 CONGRESS St. – Conceptual Buffer Conditions

Att. 5

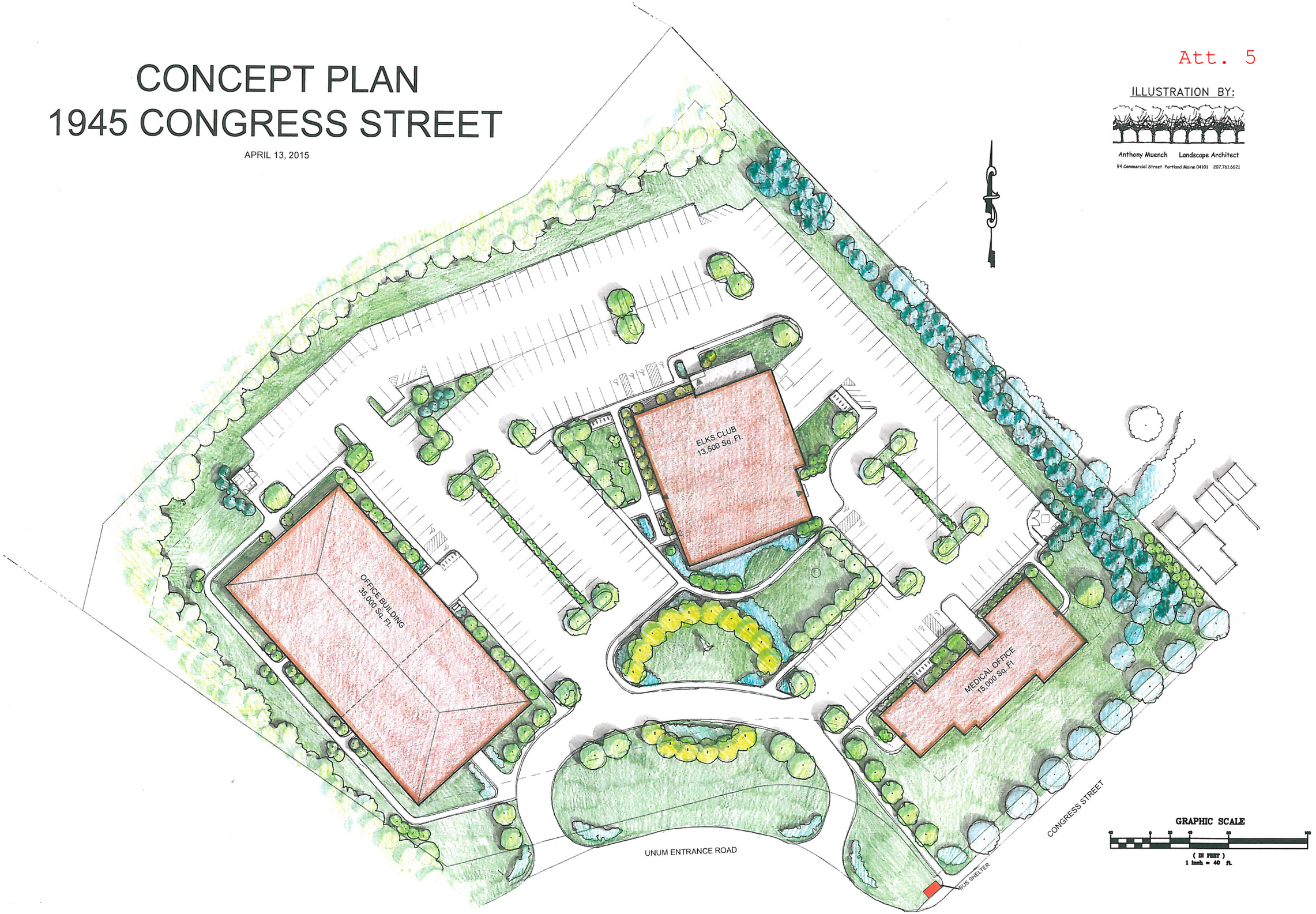
CONCEPT PLAN
1945 CONGRESS STREET

APRIL 13, 2015

ILLUSTRATION BY:

Anthony Muench Landscape Architect

94 Commercial Street Portland Maine 04101 207.761.6621



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

Att. 7

Neighborhood Meeting Certification

I, Thomas S. Greer, P.E., Pinkham & Greer, Civil Engineers hereby certify that a neighborhood meeting was held on January 5, 2015 at 1945 Congress Street at 5:00 pm.

I also certify that on December 22, 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 the Planning Division (jmy@portlandmaine.gov and ldobson@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Thomas S. Greer, P.E.

1/7/15
(date)

Attached to this certification are:

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

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

You are Invited to a Neighborhood Meeting

December 22, 2014

Dear Neighbor:

The team at Northland Enterprises, LLC is working with the Elks' to create a new look and use of the site. The Elks' building will be downsized and renovated to give it a fresh look and become more functional for their use.

The additions to the site will include a 15,000 sq. ft. medical building along Congress Street and a 35,000 sq. ft. building along the UNUM side of the site. These changes will allow the site to be brought up to current environmental standards.

This meeting is for a Zone Change for the property. As part of the City's approval process, we will hold two public informational meetings which you are invited to attend. The first meeting will be:

Meeting Location:	1945 Congress Street, the Elks Building
Meeting Date:	Monday, January 5, 2015
Meeting Time:	5:00 pm

The City code requires that property owners within 500 feet of the proposed development and residents on the "interested parties list" be invited to participate in the neighborhood meeting. A sign in sheet will be circulated and minutes of the meeting will be taken. Both the sign up sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call Tom Greer @ 207-781-5242.

Sincerely,

PINKHAM & GREER
CIVIL ENGINEERS

Thomas S. Greer

Applicant: Northland Enterprises, LLC (Josh Benthien & Rex Bell)
17 South Street
Portland, ME 04101

Owner: Portland Logde #188 BPOE of USA
1945 Congress Street
Portland, ME 04102

NOT FOR CONSTRUCTION

03	1945 CONGRESS STREET ELKS LODGE, PORTLAND, MAINE SITE PLAN	NORTHLAND ENTERPRISES, LLC 17 SOUTH STREET PORTLAND, MAINE 04101 SCALE: AS SHOWN DRN BY: JDC DATE: DESG BY: TSG PROJECT: 13151 CHK BY:	REV / DATE / DESCRIPTION		PINKHAM & GREER CIVIL ENGINEERS 28 VANNAH AVE, PORTLAND, ME, 04103 TEL: 207.797.5242 FAX: 207.797.4245

NEIGHBORHOOD MEETING ATTENDEE LIST
1945 Congress Street
January 5, 2015

TOM GREEN FINKHAM & COLEEN 23 VANMAH AVE PORTLAND, ME.	DAN KOLOSKI (SVA PRESIDENT) 1296 WESTBROOK ST PORTLAND STROUDWATERVILLAGEASSOCIATION@GMAIL.COM
Tim Smith 1945 Congress St Portland ME.	Anita B Jones 35 Old Mast Rd. Portland, ME 04102
[illegible] 1945 Congress St Portland ME 04102	BILL LINNELL + JOYCE BARTHIER 1905 CONGRESS ST PORTLAND, ME 04102
James Casterella 1967 Congress St Portland, 04102	Josh Benthien - Northland 9 Rocky Hill Road Cape Elizabeth, 04107
BRAD FRIES 17 SOUTH ST, 3RD FL PORTLAND, ME 04101	Rex Bell - Northland 40 Wood Road Cape Elizabeth, ME 04107
Maryfoa Kimball 49 Vindale St. Scarborough, ME 04074	CATHERINE ALEXANDER UNUM 2211 congress st Portland, ME 04122
PAT ADRIANCE 16 LONGFELLOW ROAD GORHAM, ME 04038	JOE Winschel 1945 Congress St Portland, ME
RON ADRIANCE SAME AS ABOVE	MICHAEL ROGERS 66 RIVER'S EDGE DR PORTLAND
Dennis S. Rickett 20 Woodbury St. Portland. Me.	Joan & Sandy Boal 3704 Mast Rd. Portland. Me.
Carol Burchill 194 Elbor St Scarborough Me 04074	ERIC GRIFFIN 42 PENRITH RD PORTLAND ME 04102

CAPTLINNELL@YAHOO.COM

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

Neighborhood Meeting Summary
1945 Congress Street
January 5, 2015

The meeting started at 5:10pm and concluded around 5:45pm. It seemed to be well attended. The Attendance List is attached. Several people showed up during the meeting but did not sign in.

- A presentation by Thomas Greer was made highlighting the location of the project and noting the process for the zone change, the site plan and subdivision approvals. This is the first of two public information meeting to be held for this project.
- The features of the site were noted, including removing a section of the Elk's building, and renovating the remainder of the building. A new 15,000 sq. ft. medical office building will be constructed along Congress Street and a 25,000 to 35,000 sq. ft. building will be constructed on the west side of the existing parking lot.

In response to questions the following responses were made:

- The entrances to the site will remain in the same locations.
- A pylon sign will likely be placed out at the Congress Street entrance and some type of signage will be on the buildings. Way finding signs and parking signs will be thoughout the parking fields.
- Bike racks, motorcycle, and scooter parking is provided and sidewalks for pedestrian connections are provided. No trail network is included.
- The parking meets or exceeds the City's requirements. On Tuesday's, Bingo at the Elk's will create the maximum demand. A parking study will be part of the submittals to the City.
- The site will have improved stormwater management. It will include treatment and flow control. A final selection of the treatment system has not been made.
- The site will have new lighting, meeting current standards. It will be computer controlled so it can be limited in the time it is on. It will be shielded and at lower levels than older parking lots. It will be LED lights.

The schedule for the project includes:

- Zone Change in the next 2 months.
- Site Plan and Subdivision Approval by May.

- Start Construction on the Elk's in June.
- Medical Building construction in June.

The general office building will be constructed when a tenant/owner is confirmed.

- The preliminary elevation views of the Elk's building and the general office building were shown. No drawings of the medical office were shown.
- Our neighbor, adjacent Congress Street, Bill Linnell, noted he was opposed to the project and thought a housing project would meet the Comprehensive Plan better. We noted we had sent a brief summary of how this project conforms to the Comprehensive Plan to the staff already. He will get a copy of that.
- There was general discussion about the bus route and if the rerouting of the line would impact this project. We did not think it would have much impact on the project.

The above summary of the meeting is respectfully prepared and submitted by:

Thomas S. Greer, P.E.

REAL ESTATE PURCHASE AND SALE AGREEMENT

This Agreement, dated the 11th day of June, 2014 (the "Contract Date"), is between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America ("Seller"), having a place of business at 1945 Congress Street, Portland, Maine, and Dr. Michael Bedecs having a place of business at 1375 Congress Street, Portland, ME and Northland Enterprises, LLC, or its permitted assignee (collectively, "Purchaser"), having a place of business at 17 South Street, 3rd floor, Portland, Maine 04101. The parties agree as follows:

1. Purchase and Sale of Property; Condominium Conversion.

(a) Subject to the terms and conditions set forth herein, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, the following described property owned by Seller (collectively, the "Property"):

(i) That certain lot or parcel of real property known as 1945 Congress Street, Portland, Maine, being a portion of the property described in a deed from Elks Home, Portland, Maine, Lodge No. 188 Benevolent and Protective order of Elks to Seller, and recorded in the Cumberland County Registry of Deeds at Book 6157, Page 37, provided that the conveyance shall not include the retained portion of the Seller's building (being approximately 13,000 square feet of the total usable footprint of such building including the storage area) (the "Seller's Retained Building"). The property to be conveyed is generally identified on the Concept Plan attached to and made a part hereof as Exhibit A.

(ii) A portion of the existing building on the real property shall be removed and demolished by Buyer and a new interior and exterior wall installed, with all of the foregoing in a manner acceptable to the parties as set forth in Section 5.1, and the configuration of the Seller's Retained Building to be as shown on the sketch plan attached to and made a part hereof as Exhibit B. All fixtures and improvements situated on the real property owned by Seller are to be retained by Seller and shall be part of Seller's Retained Building.

(iii) For sake of clarity, Seller is retaining the Seller's Retained Building, an Elk statue and flag and flagpole as well as an Elks sign (such statue, flagpole and sign to be limited common elements under the condominium documents) to be located near Congress Street entrance at the general location designated on Exhibit C (such location to be subject to requirements that may be set out in any permits and approvals for the property and state and local sign ordinances), together with a pro rata

interest in the parking areas and common areas of the real property, all to be set forth in the condominium documents (more fully described below) to be prepared and recorded immediately following recording of the Deed (defined below). Purchaser agrees to cause a Maine Licensed Professional Surveyor to prepare and provide to Seller a metes and bounds description of the Property (including the property to be conveyed by Seller and the property to be retained) within ninety (90) days after the date the Lodge Approvals are obtained.

(b) Contemporaneously with the delivery and recording of the Deed, Purchaser shall cause to be recorded a Declaration of Condominium whereby the Property is converted to condominium ownership. The Condominium documents shall be prepared at Purchaser's cost and expense, shall be delivered in complete form to Seller on or before thirty (30) days after the Zoning Contingency expiration date and shall be subject to Seller's approval, not to be unreasonably withheld, delayed or conditioned. The Condominium documents shall, among other things, create a separate unit for the Seller's Retained Building ("Seller's Unit"), which shall include as limited common elements at a minimum the required number of parking spaces for Seller's Unit to satisfy all applicable zoning requirements, but at a minimum five (5) parking spaces per 1,000 square feet (Purchaser acknowledges, however, Seller's need for additional parking spaces on certain days and on weekends), and a pro-rata share of the common elements of the condominium, as well as provide a budget including anticipated condominium fees that will be due to the Condominium Association. Purchaser shall, as soon as practicable after the Closing and in consultation with Seller as to the schedule of work, perform the work necessary to reduce the size of the Seller's existing building to the Seller's Retained Building and erect a code-compliant exterior wall in form and substance acceptable to Seller as part of Seller's Unit. Purchaser shall also construct a new façade on all sides of Seller's Unit building and separate the utilities so that Seller's Unit is a separate and distinct Unit. Purchaser's work, the new building configuration and the location of the wall shall be more specifically identified in scope and cost as set forth in this Purchase and Sale Agreement (detail attached as Addendum #1).

Purchaser shall submit plans and specifications to Seller with respect to the foregoing work prior to submission to the City of Portland or its lender, which plans and specifications shall be subject to Seller's approval, not to be unreasonably withheld, delayed or conditioned. Purchaser will construct the improvements to Seller's Unit in accordance with the plans and specifications. Purchaser shall conduct such work in such a manner as to minimize as much as possible any disruption to Seller's use and enjoyment of Seller's Unit, in particular at times when any banquets, weddings, or similar revenue producing events are taking place. Work shall be conducted between the hours of 7:00 AM and 5:00 PM, Monday through Friday. Purchaser shall minimize any weekend or night construction activities, and if work is required during those times, Purchaser will notify Seller and to help minimize the impact to Seller's business, Seller's approval shall

be required prior to the performance of any such work. Without limiting the general nature of the foregoing, no blasting, pile driving or similarly loud work shall be performed on Tuesdays between 10:00 am and 4:30 pm [when bingo operates] or on weekends from Friday at 5:00 pm until Monday morning at 7:00 am.

c) Seller shall give Purchaser a right of first refusal to purchase Seller's Unit at Purchaser's option if at any time Seller decides to sell the Seller's Unit. Purchaser shall pay the amount set forth in any written offer made in a purchase and sale agreement Seller receives from a bona fide arms-length third party, minus a credit equal to an amount to be determined (either a dollar amount or a manner for calculating a dollar amount) by the parties in accordance with Section 5.1 of this Agreement ("Purchaser's Improvement Credit"). Without limiting the foregoing, Purchaser's Improvement Credit shall be calculated based upon the costs that Purchaser anticipates it shall pay for work on the common area infrastructure and other common area improvements to the Property, together with the cost of renovations to Seller's Retained Building including erection of new exterior wall and re-skinning of Seller's Retained Building, pro-rated based on the ownership interests allocated to Seller's Unit under the condominium documents. The dollar amount of Purchaser's Improvement Credit shall be reduced by equal 10% increments upon each anniversary of the date Purchaser's renovations to Seller's Retained Building are completed, with the manner of establishing such date to be determined by the parties in accordance with Section 5.1 of this Agreement (such date, the "Completion Date"), such that Purchaser's Improvement Credit shall be reduced to zero upon the tenth anniversary of the Completion Date. Seller and Purchaser agree to enter into a Right of First Refusal Agreement at the Closing in recordable form, containing terms and conditions reasonably satisfactory to the parties.

2. Purchase Price. The agreed purchase price for the Property is One Million Two Hundred Fifty Thousand Dollars ($1,250,000.00) (the "Purchase Price"), payable as follows:

(a)(1) Fifty Thousand Dollars ($50,000) has been paid into escrow prior to the date hereof, and an additional Fifty Thousand Dollars ($50,000), for a total deposit of One Hundred Thousand Dollars ($100,000.00) shall be paid within two (2) business days of the later to occur of (i) the Additional Contingencies Expiration Date (as defined in Paragraph 5.1) or (ii) the date the Lodge Approvals (as defined in Section 8(a)) are obtained, which amount shall be held by Malone Commercial Brokers ("Escrow Agent") as earnest money deposit hereunder and shall be applied as part payment of the purchase price (the "Deposit"). Purchaser may terminate this Agreement only based upon the grounds set forth below in paragraphs 5, 5.1 and 8, and only prior to the Zoning Contingency Expiration Date (defined below). Upon a timely, valid termination, the refundable portion of the Deposit shall be promptly returned to Purchaser. Nothing herein shall be deemed to limit Purchaser's right to terminate this Agreement pursuant to paragraph 6.

(a)(2)(i) Sixty (60) days after both the Lodge Approvals and UNUM Release as set forth in Paragraph 8 have been obtained (provided this Agreement has not been terminated in accordance with its terms by either party prior thereto), Five Thousand Dollars ($5,000.00) of the Deposit shall become non-refundable notwithstanding anything in this Agreement to the contrary.

(ii) The remainder of the Deposit shall become non-refundable upon the Zoning Contingency Expiration Date (as defined below) provided this Agreement has not been terminated in accordance with its terms by either party prior thereto, and except for Seller's default under this Agreement or Seller's inability to convey title in accordance with Paragraph 4 of this Agreement; and

(b) The balance of the Purchase Price of $1,150,000.00 shall be paid at the time of delivery of the deed in good certified or bank check(s), or by wire transfer.

The Deposit shall be placed in a non-interest-bearing escrow account.

3. Adjustments. Real estate taxes for the then current tax period shall be apportioned as of the day of closing under this Agreement and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the Purchaser at the time of delivery of the Deed.

4. Conveyance: Title.

(a) Seller shall convey the Property to Purchaser by good and sufficient quitclaim deed with covenant (the "Deed"). Title to the Property shall be good and marketable and shall be free and clear of all liens and encumbrances except (i) zoning restrictions, building laws and land use matters, provided same do not prevent or unreasonably interfere with Purchaser's intended use and development of the Property; (ii) easements and restrictions of record; (iii) current taxes and assessments; (iv) any liens for municipal betterments assessed after the date of the Closing under this Agreement; and (v) any "Defects of Title" (defined below) as accepted or waived by Purchaser pursuant to Section 4(b).

(b) Purchaser shall notify Seller of any and all defects in title which are of record, or which would otherwise make Seller unable to give title to the Property as herein stipulated, including, without limitation as provided in Section 4(a) (any of which is called herein a "Defect of Title") within forty-five (45) days of the later to occur of the receipt of the Lodge Approvals or UNUM Release. With respect to the existence of any Defect of Title that does not exist on the date of this Agreement, but which arises prior to Closing, Purchaser shall notify Seller of any such Defect of Title which arises six (6) or more days prior to closing, at least five (5) days prior to closing, and any other defects

arising thereafter, on or prior to the Closing. If Purchaser notifies Seller of any Defects in Title, then the Seller shall use diligent efforts to remove any such Defects in Title (but shall not be required to expend in excess of $10,000 to remove any such defect which shall be exclusive of any mortgages or liens which may be discharged by the payment of money only), in which event the time for performance hereof shall be extended for a period of time reasonably sufficient to permit the Seller to perform hereunder, not to exceed sixty (60) days in any event. Seller may also elect to use funds from the Closing under this Agreement to remove any Defects in Title, which shall be sufficient to correct such defects and satisfy its obligations under this paragraph. If such Defects of Title are not corrected or remedied as provided herein within such additional 60-day period, then Purchaser shall elect, either (i) to accept title to the Property subject to the uncured Defects of Title, or (ii) to terminate this Agreement, whereupon, notwithstanding Paragraph 2(a)(2)(ii) the entire Deposit, except for the $5,000 described in Section 2(a)(2)(i) shall be returned to Purchaser 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.

5. ~~Due Diligence Period, Materials Delivered by Seller, Inspections and Right to Terminate~~.

(a) Seller shall provide to Purchaser copies of such surveys and plans, and engineering reports (including environmental reports, studies or evaluations) of the Property that Seller may have in its control or possession within seven (7) business days of the Contract Date.

(b) Purchaser and others whom Purchaser may designate may, at Purchaser's option and at its sole risk and expense, retain a person or persons to examine the Property and prepare mechanical, structural, environmental or physical reports of the Property, including without limitation surveying, conducting test borings, wetlands analysis, groundwater sampling, and in general conducting all other tests, analysis and studies of the Property which Purchaser deems prudent in connection with Purchaser's intended use and development of the Property. Purchaser and such designees shall have the right to enter the Property at all reasonable times during normal business hours with at least twenty four (24) hours prior notice to Seller to conduct such tests, studies and investigations. Purchaser shall not interrupt nor unreasonably interfere with Seller's business. Purchaser shall at its own expense restore the Property to its present condition, and agrees to hold Seller harmless and indemnify Seller from any loss or liability resulting from or arising out of the entrance by Purchaser, its agents, members, managers, officers, agents, subcontractors or employees upon the Property for the purposes set forth herein or for any other purpose, including, without limitation, any of their acts or omissions while on or about the Property, and this indemnity provision shall survive the Closing hereunder, or if the Closing does not occur, the termination of this Agreement.

All such inspections shall be done by qualified inspectors chosen and paid for by Purchaser.

(c) At any time on or prior to the date that is 30 days after the Contract Date (the "Due Diligence Period Expiration Date"), Purchaser shall have the right to terminate this Agreement if Purchaser determines, in its sole discretion, that it is not satisfied with (i) the material delivered to Purchaser pursuant to subsection (a) hereof; or (ii) any of the inspections set forth in subsection (b) above, by giving written notice to Seller on or before the end of the Due Diligence Expiration Date. If Purchaser timely gives notice of such dissatisfaction, then the Deposit shall be returned to Purchaser 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. If Purchaser fails to give such written notice on or before the end of the Due Diligence Expiration Date, Purchaser shall be deemed to have waived its right to terminate this Agreement pursuant to this Section.

(d) Purchaser agrees that all information made available to Purchaser (all of which is referred to herein as "Confidential Information"), will be kept confidential and will be disclosed only to professional advisors engaged in connection with the proposed transaction. Purchaser agrees that it is Purchaser's responsibility to ensure that such advisors shall agree to and shall keep such information confidential. Any provisions herein to the contrary notwithstanding, the provisions of this Section 5(d) shall survive the Closing of this Agreement or if the Closing does not take place, the termination of this Agreement.

(e) For the purposes of this Section 5, the term "Property" shall be deemed to include Seller's Retained Building.

5.1 Seller and Purchaser Additional Contingencies. Seller and Purchaser agree that to expedite the execution of this Agreement, there are certain matters upon which the parties shall work to reach agreement within sixty (60) days of the Contract Date (the "Additional Contingencies Expiration Date") and if the parties are unable to reach such agreement, then either Purchaser or Seller may terminate this Agreement by notice in writing to the other party on or before the Additional Contingencies Expiration Date.

The matters which are to be agreed upon prior to the Additional Contingencies Expiration Date are:

1. The specifications of, and the work to be performed with respect to, the code compliant exterior wall and façade listed in Section 1(b) of the Agreement as well as the specific configuration of the Seller's Retained Building, including the location of the end of Seller's Retained Building;

2. The primary components of the condominium documents described in Section 1(b) of this Agreement, including, without limitation, the composition of ownership, voting and expenses (including the allocation of and responsibility for expenses with respect to buildings, the parking lot, common areas and limited common elements);
3. Purchaser's work schedule and limits on the same to accommodate Seller's business and event schedule;
4. The Right of First Refusal requested by Purchaser, including without limitation agreement on what a "bona fide arms-length third party" means and a mechanism to resolve any dispute over whether a party is a "bona fide arms-length party"; either a dollar amount or a manner for calculating the dollar amount of Purchaser's Improvement Credit; and the manner in which the Completion Date is to be established; and
5. The number of parking spaces to be allocated to Seller, or to which Seller has right to use, under the condominium documents or otherwise and their location.
6. The future retail uses of the Property.

6. Zoning and Land Use Contingency. Except to the extent expressly provided herein, including, without limitation, with respect to the non-refundable character of some of the Deposit as set forth in Section 2 of this Agreement, Purchaser's obligations under this Agreement are subject and conditioned upon the Purchaser's ability to obtain all required local, state and federal permits and approvals, including without limitation FAA approval if required (including expiration of all applicable appeal periods with no appeal having been made) to construct an additional 55,000 square feet (or more if zoning and permitting allow) of commercial space (including but not limited to office, retail (subject to agreement of the parties in accordance with Section 5.1) and medical office space) on the Property (in one or more newly constructed buildings), such approvals to be satisfactory to Purchaser in its sole discretion, within 180 days after the date the Lodge Approvals have been obtained (the "Zoning Contingency Expiration Date"). Such approvals shall include a change in zoning classification to an office park or "O-P" classification. All costs associated with permitting and approvals to be at Purchaser's sole expense. Seller agrees to cooperate and participate in the approval process by attending meetings or causing its legal counsel or other representatives to attend such meetings as shall be reasonably requested by Purchaser, at Seller's reasonable cost and expense (Seller recognizing that all such permits and approvals are to Seller' s benefit as well). Seller shall not be required to incur any costs other than those associated with attending such meetings. Purchaser agrees to provide Seller with copies of its development plans and any concept plans, as they may be amended or revised during the permitting process, for Seller's review and approval, such approval not to be unreasonably withheld, delayed or conditioned. Seller's approval to any such development plans shall be deemed granted if Seller has not responded to a request for approval within twenty (20) business days from the date of Purchaser's submission to

Seller. In the event this permit and approval condition is not satisfied by the Zoning Contingency Expiration Date, and provided Purchaser is using diligent good faith efforts to satisfy same, Purchaser shall have the right to extend that deadline by up to an additional ninety (90) days by written notice of extension to Seller, in which event the Zoning Contingency Expiration Date shall be extended to include such 90 day period. If Purchaser for any reason has not obtained all required local, state and federal permits and approvals, including, without limitation site plan approval, and expiration of all applicable appeal periods with no appeal having been made, by the Zoning Contingency Expiration Date, then Purchaser may terminate this Agreement by written notice to Seller within such period (as it may be extended), whereupon the refundable portion of the Deposit shall returned to Purchaser and this Agreement shall be of no further force and effect.

7. Purchaser's Financial Capacity. Purchaser shall provide to Seller by on or before fifteen (15) days after the Contract Date with documentation reasonably satisfactory to Seller regarding Purchaser's financial capability to pay the Purchase Price and fund the cost of construction as contemplated in this Agreement. If Seller is not reasonably satisfied with Purchaser's evidence of financial capability, then Seller shall have the right to terminate this Agreement, whereupon the Deposit shall be returned to Purchaser 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.

8. Seller's Authority to Convey; Release of Right of First Refusal.

(a). Seller's obligations under this Agreement are subject and conditioned upon Seller (i) obtaining the consent and approval of the transaction described herein from the members of its Lodge (the "Members' Approval"), and (ii) the Elks Club's Grand Lodge ("the Grand Lodge Approval") (collectively the "Lodge Approvals"). Seller agrees to seek to obtain the Members' Approval within sixty (60) days from the Contract Date and agrees to seek to obtain Grand Lodge Approval within ninety (90) days from Contract Date, provided however that Seller shall have the option by notice to Purchaser to extend each of the Lodge Approval deadlines by up to thirty (30) additional days if it determines such extension to be necessary. If both Lodge Approvals are not obtained within ninety (90) days from the Contract Date (or within such longer period as Seller shall elect as set forth above), Seller and Purchaser shall have the right at any time thereafter to terminate this Agreement, whereupon the Deposit shall be immediately returned to Purchaser 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.

(b). Seller's obligations under this Agreement are also subject to and conditioned upon Seller obtaining from UNUM a release of its Right of First Refusal (the "UNUM

Release") within sixty (60) days from the Contract Date. If such Right of First Refusal is not obtained within such 60 day period, Seller and Purchaser shall have the right at any time thereafter to terminate this Agreement, whereupon the Deposit shall be immediately returned to Purchase 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.

(c). Intentionally Omitted.

9. Time for Performance; Delivery of Deed. The transfer of title (the "Closing") shall take place on a date that is thirty (30) days after the Zoning Contingency Expiration Date at ten a.m. at the offices of Murray, Plumb & Murray or at such other place as shall be mutually agreed to by Purchaser and Seller, unless extended as provided herein. TIME IS OF THE ESSENCE.

10. Use of Purchase Money to Clear Title. To enable the Seller to make conveyance as herein provided, the Seller may at the time of delivery of the Deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of the Deed.

11. Possession and Condition of Property. Full possession of the Property (subject to Seller's retained ownership and rights set forth herein, including, without limitation, under any condominium documents) free of all tenants and occupants (except for Seller and its members, employees, affiliates and the like) is to be delivered at Closing.

12. Representations.

(a) Seller represents, covenants and warrants to and agrees with Purchaser as follows:

(1) Seller is the current owner of the Property, and except for the approvals and releases that must be obtained as provided herein (including, without limitation, member approval) and to which its obligations hereunder are subject, has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Seller of its obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Seller is a party or by which it is bound.

(2) There are no tenancies, occupancies or licenses affecting the Property, except as set forth explicitly in this Agreement.

(3) Intentionally Omitted.

(4) No work has been done on the Property which could give rise to any liens on the Property, except those for which Seller intends to pay in the ordinary course of business and no contracts are outstanding or in effect with respect to the doing of any such work except those for which Seller intends to pay in the ordinary course of business.

(5) To the best of Seller's knowledge there is no notice, suit, order, decree, claim, writ, injunction, or judgment relating to material violations of any laws, ordinances, codes, regulations or other requirements with respect to the Property (or any portion thereof) in, of or by any court or governmental authority having jurisdiction.

(6) To the best of Seller's knowledge there is no condemnation proceeding pending or threatened against any portion of the Property.

(7) During the period of Seller's ownership and to the best of Seller's knowledge prior to its ownership of the Property, there has been no leakage, seepage or other release or discharge of any hazardous waste or matter, toxic substance, pesticide or petroleum product or derivative on the Property. The Property has not been used during Seller's ownership, or to Seller's knowledge during any prior period of ownership, for the storage, collection or depositing, whether intentional or unintentional, of any hazardous waste, toxic substance, pesticide or petroleum product or derivative, except for an underground storage tank or to the extent oil or gas products have been stored for heating, cooking or other use by Seller. There are no underground storage tanks located at the Property that have not been removed or filled and Seller is not aware of any underground storage tanks at the Property placed there by Seller or anyone else that have not been removed or filled. If the existing underground storage tank(s) must be removed for any reason, Purchaser shall remove the tank at its cost and expense, but the cost of such removal shall be included in Purchaser's Improvement Credit.

(b) Purchaser represents, covenants and warrants to and agrees with Seller that Purchaser has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Purchaser of its obligations hereunder (i) have been duly authorized by all requisite organizational action; and (ii) will not conflict with, or result in a breach of, any of the terms, covenants and provisions of the by-laws or articles of

organization of Purchaser or any law or any regulation, order, judgment, writ, injunction or decree of any court or governmental authority, or any agreement or instrument to which Purchaser is a party or by which it is bound.

13. Affirmative Covenants of Seller. Seller agrees, pending closing, that:

(a) Unless disputed by Seller, Seller shall pay, when due, all taxes and assessments of every type or nature levied or assessed against the Property of which Seller has actual notice, and unless disputed by Seller, any claim, lien or encumbrance of which Seller has actual notice against the Property that might materially affect Seller's ability to fulfill its obligations hereunder. To the extent Seller disputes such a tax, assessment, claim, lien or encumbrance, Seller agrees to take reasonable steps to contest the same.

(b) Seller (i) shall not commit or suffer waste and (ii) shall comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the Property and will not suffer or permit any violation thereof.

14. Broker's Commissions. If this transaction closes, Seller shall be responsible for the payment of a brokerage commission to Malone Commercial Brokers. Seller shall have no obligation to make any payment to the The Boulos Company which Purchaser agrees shall obtain any commission which it may claim solely from Malone Commercial Brokers. If either Seller or Purchaser have employed or engaged any other broker or agent in connection with this transaction or have incurred any other obligation, contingent or otherwise, for a broker's or finder's fee with respect to the matters provided for in this Agreement, the party incurring any such obligation shall be solely responsible therefor. Each party agrees to indemnify and hold the other party harmless from and against any and all costs, expenses, claims, losses or damages, including reasonable attorneys and paralegal fees, resulting from a violation of the representations, warranties and covenants set forth in this Section and this agreement to indemnify and hold harmless shall survive the Closing hereunder, or if the Closing does not occur, the termination of this Agreement.

15. Default.

(a) If Purchaser fails to perform its obligations as set forth in this Agreement, then Seller as its sole remedy at law or in equity shall be entitled to retain the Deposit as liquidated damages as a result of such failure to perform and this Agreement shall be deemed terminated. Purchaser acknowledges that Seller's damages because of Purchaser's failure to perform are difficult to ascertain and agree that the amount of the Deposit represents a reasonable estimate of the minimum amount of Seller's damages as a result thereof.

(b) If Seller fails to perform its obligations as set forth in this Agreement, Purchaser shall, in addition to its remedies in equity to which it is otherwise limited (including the right to specific performance), be entitled to receive the Deposit together with reimbursement for expenses incurred by Purchaser in obtaining the reports referred to in Paragraph 5 which shall not exceed $5,000. Except for such reimbursement for expenses which shall not exceed $5,000, Purchaser shall not be entitled to any damages of any kind whatsoever.

(c) In the event either Purchaser or Seller is alleged to have failed to perform its obligations hereunder, the party so claiming shall give notice in writing to the allegedly breaching party and the party shall have ten (10) days following the receipt of such notice in which to cure the alleged breach.

16. Purchaser's Conditions. The obligation of Purchaser to close under this Agreement is subject to the following conditions precedent:

(a) The representations and warranties of Seller shall be materially true in all respects, and Seller shall so certify, unless an event has occurred which makes such representation untrue, in which case Seller shall give notice of the same to Purchaser prior to closing.

(b) Seller shall have performed and complied with all the terms and conditions required by this Agreement to be performed and complied with by Seller at or prior to Closing.

17. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. Copies of all notices to Purchaser shall be sent to Murray, Plumb & Murray, 75 Pearl Street, Portland, Maine 04101, Attention: Drew A. Anderson, Esq. Copies of all notices to Seller shall be sent to Exalted Ruler Timothy Smith, Elk's Lodge, Portland Lodge 188, 1945 Congress Street, Portland, Maine 04103, with a copy to counsel, William H. Leete, Jr., Esq., Leete & Lemieux, P.A., P.O. Box 7740, Portland, Maine 04112. All notices shall be effective upon hand delivery, receipt or two (2) business days after date of mailing, whichever first occurs. The respective attorneys for the parties are authorized to give and receive notices with the same effect as if given or received by the parties hereto.

18. Further Assurances. The parties agree that up to and after the date of Closing, they shall do such things and execute, acknowledge and deliver any and all

additional instruments, documents and materials as either party may reasonably request to fully effectuate the purposes of this Agreement.

19. Construction of Agreement. This instrument, executed in duplicate, is to be construed as a Maine contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the Seller and Purchaser. If two or more persons are named herein as Purchaser and Seller their obligations hereunder shall be joint and several. The captions are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it. This Agreement may not be recorded by Purchaser, and any such recording shall be deemed to automatically terminate this Agreement.

20. Risk of Loss. The risk of loss shall remain on Seller at all times until closing except for loss or damage to the extent either caused by or arising from the act or omission of Purchaser, its members, managers, officers, agents, subcontractors or employees.

21. Miscellaneous:

(a) Seller and Purchaser shall each pay their portion of the Maine State Transfer Tax.

(b) Seller hereby certifies that Seller is a resident of the State of Maine. Seller hereby acknowledges Purchaser's requirement to withhold 2½% of the purchase price pursuant to 36 M.R.S.A. §5250-A if Seller is not a resident of the State of Maine, unless Seller presents to Purchaser at closing a Certificate of Exemption or Certificate of Reduction from the State of Maine Bureau of Taxation.

(c) By signing this Contract, Purchaser acknowledges that Purchaser has been notified of the State of Maine's withholding tax requirement pursuant to 36 M.R.S.A. §5250-A.

(d) Seller hereby certifies that Seller is a resident of the United States of America and is not subject to the 10% withholding tax imposed upon "foreign persons" by Section 1445(a) of the Internal Revenue Code of 1954.

(e) This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, personal representatives, successors in interest and assigns. Purchaser shall be entitled to assign its right, title and interest herein to any limited liability company, partnership or other entity, whether now existing or hereafter

formed, controlled by, controlling or under common control with Purchaser or its principals. Any assignee shall expressly assume all of Purchaser's duties, obligations and liabilities hereunder. No such assignment shall release the named Purchaser from its obligations hereunder.

(f) It is understood and agreed that all understandings, agreements, warranties or representations, either oral or in writing, including without limitation any letters of intent or prior agreements, heretofore between the parties hereto are merged in and superseded by this Agreement, which document alone fully and completely expresses the parties' agreement with respect to the transactions covered hereby. This Agreement may not be modified in any manner except by a subsequent instrument in writing signed by Seller and Purchaser.

(g) This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be an original; but such counterparts shall constitute but one and the same instrument.

(h) If the date for performance of any obligation hereunder, or the giving of any notice hereunder, falls on a Saturday, Sunday or a legal holiday in the State of Maine, the period for such performance, or the giving of any notice hereunder, shall be extended to the next business day.

(i) This Agreement shall be construed and enforced in accordance with and governed by the laws of the State of Maine.

[Signatures on following page]

IN WITNESS WHEREOF, the parties have executed this Agreement as a sealed instrument as of the date set forth below their respective signatures, to be effective as of the Contract Date.

SELLER:
Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

Dated: June 9, 2014

By: Exalted Ruler
_____, _____

PURCHASER:
Northland Enterprises, LLC

Dated: June 11th 2014

By: _____
JOH BENTHIEN, MANAGER

_____
Dr. Michael Bedecs

ACKNOWLEDGEMENT

The undersigned acknowledges receipt of the $100,000.00 Deposit and a copy of this Agreement and agrees to hold, account for and deliver the Deposit in accordance with the terms of this Agreement.

Malone Commercial Brokers

By: _____
_____, _____

FIRST AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("First Amendment") is dated as of August ___, 2014 by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine ("Buyer").

R E C I T A L S

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, (the "Purchase Agreement").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including September 30, 2014 and Buyer and Seller shall have until September 30, 2014 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate as set forth more fully in Paragraph 5.1.

2. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this First Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent
and Protective Order of Elks of the United
States of America

By: _____
Name: Timothy Smith
Title: Exalted Ruler

BUYER:

Northland Enterprises, LLC

By: _____
Name: _____
Title: _____

_____
Dr. Michael Bedecs

SECOND AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("Second Amendment") is dated as of September 25, 2014 by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine ("Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, (the "Purchase Agreement").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including November 8, 2014 and Buyer and Seller shall have until November 8, 2014 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate as set forth more fully in Paragraph 5.1.

2. Buyer and Seller agree that Seller has obtained Member approval and that the deadline for Seller to obtain Grand Lodge approval has been extended to October 9, 2014.

2. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Second Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Second Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: Timothy Smith
Title: Exalted Ruler

BUYER:

Northland Enterprises, LLC

By: _____

Name: Rex Beck

Title: Partner

9/22/14

_____ 9/23/14

Dr. Michael Bedecs

THIRD AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("Third Amendment") is dated as of November 7, 2014, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, and that certain Second Amendment dated September 22, 2014 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including November 25, 2014 and Buyer and Seller shall have until November 25, 2014 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Third Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: Timothy Smith
Title: Exalted Ruler

BUYER:

Northland Enterprises, LLC

By: _____

Name: JOSH BENTHIEN

Title: MEMBER

_____

Dr. Michael Bedecs

FOURTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("Fourth Amendment") is dated as of November 24, 2014, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, and that certain Third Amendment dated November 7, 2014 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including December 4, 2014 and Buyer and Seller shall have until December 4, 2014 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Future extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," may be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and any such extension agreement shall be binding on Buyer and Seller.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Fourth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: Timothy Smith
Title: Exalted Ruler

BUYER:

Northland Enterprises, LLC

By: _____
Name: Rex Bell
Title: Partner

_____
Dr. Michael Bedecs

FIFTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("Fifth Amendment") is dated as of December 4, 2014, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, that certain Third Amendment dated November 7, 2014 and that Fourth Amendment dated November 24, 2014 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree to amend the Purchase Agreement as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended as follows:

    a. the "Additional Contingencies Expiration Date" is hereby extended, up to and including December 19, 2014 with respect to all matters listed in Paragraph 5.1 except for the matters described in Paragraph 5.1(1) and Buyer and Seller shall have until December 19, 2014 to agree upon all matters listed in Paragraph 5.1 (except for the matters described in Paragraph 5.1(1) which shall have a later date and are addressed below) or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

    b. the "Additional Contingencies Expiration Date" is hereby extended, up to and including December 31, 2014 with respect to all matters described in Paragraph 5.1(1) including all matters relating to the specifications of, and the work to be performed with respect to, the code compliant exterior wall and façade listed in Paragraph 1(b) of the Purchase Agreement as well as the specific configuration of the Seller's Retained Building, including the location of the end of Seller's Retained Building, and including agreement on plans drafted with respect to such work (all of which hereinafter is referred to as the "Building Specification Contingency") and Buyer and Seller shall have until December 31, 2014 to agree upon all matters relating to the Building

Specification Contingency or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Buyer and Seller have authorized extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," to be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and accordingly this Fifth Amendment has been agreed upon and shall be executed by the attorneys for Buyer and Seller pursuant to such authorization.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Fifth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: William H. Leete, Jr., Esq.
Title: Its Attorney

BUYER:

Northland Enterprises, LLC and Dr. Michael Bedecs

By: _____
Name: Drew A. Anderson, Esq.
Title: Its Attorney

SIXTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Sixth Amendment to Purchase and Sale Agreement ("Sixth Amendment") is dated as of December 18, 2014, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, that certain Third Amendment dated November 7, 2014, that certain Fourth Amendment dated November 24, 2014 and that certain Fifth Amendment dated December 4, 2014 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to further extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including January 9, 2015 and Buyer and Seller shall have until January 9, 2015 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Buyer and Seller have authorized extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," to be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and accordingly this Sixth Amendment has been agreed upon and shall be executed by the attorneys for Buyer and Seller pursuant to such authorization.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Sixth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: William H. Leete, Jr., Esq.
Title: Its Attorney

BUYER:

Northland Enterprises, LLC and Dr. Michael Bedecs

By: _____
Name: Drew A. Anderson, Esq.
Title: Its Attorney

SEVENTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Seventh Amendment to Purchase and Sale Agreement ("Seventh Amendment") is dated as of January 8, 2015, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, that certain Third Amendment dated November 7, 2014, that certain Fourth Amendment dated November 24, 2014, that certain Fifth Amendment dated December 4, 2014, and that certain Sixth Amendment dated December 18, 2014 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to further extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including January 23, 2015 and Buyer and Seller shall have until January 23, 2015 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Buyer and Seller have authorized extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," to be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and accordingly this Seventh Amendment has been agreed upon and shall be executed by the attorneys for Buyer and Seller pursuant to such authorization.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Seventh Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: William H. Lecte, Jr., Esq.
Title: Its Attorney

BUYER:

Northland Enterprises, LLC and Dr. Michael Bedecs

By: _____
Name: Drew A. Anderson, Esq.
Title: Its Attorney

EIGHTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Eighth Amendment to Purchase and Sale Agreement ("Eighth Amendment") is dated as of January 20, 2015, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, that certain Third Amendment dated November 7, 2014, that certain Fourth Amendment dated November 24, 2014, that certain Fifth Amendment dated December 4, 2014, that certain Sixth Amendment dated December 18, 2014, and that certain Seventh Amendment dated January 8, 2015 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to further extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including January 30, 2015 and Buyer and Seller shall have until January 30, 2015 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Buyer and Seller have authorized extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," to be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and accordingly this Eighth Amendment has been agreed upon and shall be executed by the attorneys for Buyer and Seller pursuant to such authorization.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Eighth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: William H. Leete, Jr., Esq.
Title: Its Attorney

BUYER:

Northland Enterprises, LLC and Dr. Michael Bedecs

By: _____
Name: Drew A. Anderson, Esq.
Title: Its Attorney

NINTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Ninth Amendment to Purchase and Sale Agreement ("Ninth Amendment") is dated as of January 30, 2015, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, that certain Third Amendment dated November 7, 2014, that certain Fourth Amendment dated November 24, 2014, that certain Fifth Amendment dated December 4, 2014, that certain Sixth Amendment dated December 18, 2014, that certain Seventh Amendment dated January 8, 2015, and that certain Eighth Amendment dated January 20, 2015 (hereinafter the "Purchase Agreement").

WHEREAS, the parties wish to further extend the date for certain contingencies under the Purchase Agreement to permit adequate time to complete them.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 5.1 of the Purchase Agreement "Seller and Purchaser Additional Contingencies" is hereby amended so that the "Additional Contingencies Expiration Date" is hereby extended, up to and including April 10, 2015 and Buyer and Seller shall have until April 10, 2015 to agree upon all matters listed in Paragraph 5.1 or to exercise their right to terminate the Purchase Agreement as set forth more fully in Paragraph 5.1.

2. Buyer and Seller have authorized extensions of deadlines contained in the Purchase Agreement, including, without limitation, with respect to the "Additional Contingencies Expiration Date," to be agreed upon by the attorneys for the parties (Drew Anderson for Buyer, William H. Leete, Jr. for Seller) by electronic mail, and accordingly this Ninth Amendment has been agreed upon and shall be executed by the attorneys for Buyer and Seller pursuant to such authorization.

3. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Ninth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: William H. Leete, Jr., Esq.
Title: Its Attorney

BUYER:

Northland Enterprises, LLC and Dr. Michael Bedecs

By: _____
Name: Drew A. Anderson, Esq.
Title: Its Attorney

TENTH AMENDMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT

This Amendment to Purchase and Sale Agreement ("Tenth Amendment") is dated as of April __, 2015, by and between Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America (collectively "Seller"), having a place of business at 1945 Congress Street, Portland, Maine and Dr. Michael Bedecs, having a place of business at 1375 Congress Street, Portland, Maine and Northland Enterprises, LLC, and/or its assigns, having a place of business at 17 South Street, 3rd floor, Portland, Maine (collectively "Buyer").

RECITALS

WHEREAS, Seller and Buyer entered into a certain Purchase and Sale Agreement dated as of June 11, 2014, as amended by that certain First Amendment dated August 5, 2014, that certain Second Amendment dated September 22, 2014, Third Amendment dated November 7, 2014, Fourth Amendment dated November 24, 2014, Fifth Amendment dated December 4, 2014, Sixth Amendment dated December 18, 2014, Seventh Amendment dated January 8, 2015, Eighth Amendment dated January 20, 2015, and Ninth Amendment dated January 30, 2015 (hereinafter the "Purchase Agreement"); and

WHEREAS, Seller and Buyer acknowledge and agree that there are certain outstanding contingencies with respect to title, and the zoning and land use contingency set forth in Section 6 of the Purchase Agreement, and certain of the Seller and Purchaser Additional Contingencies set forth in Section 5.1 of the Purchase Agreement as further described in this Amendment; and

WHEREAS, Seller and Buyer wish to confirm Buyer's exercise of it right to extend the Zoning Contingency Expiration Date by 90 days as provided in Section 6 of the Purchase Agreement;

WHEREAS, Seller and Buyer have agreed upon certain of the Seller and Purchaser Additional Contingencies as set forth in Section 5.1(2), (3), (4) and (6) as set forth herein.

WHEREAS, Seller and Buyer wish to extend the date upon which the Seller and Purchaser Additional Contingencies set forth in Section 5.1 (1) and (5) and related matters shall be satisfied and make the Additional Contingencies Expiration Date with respect to those contingencies contemporaneous with the Zoning Contingency Expiration Date;

WHEREAS, Pursuant to paragraph 5.1 of the Purchase Agreement, "Seller and Purchaser Additional Contingencies", the parties have agreed upon extending certain of the Additional Contingencies, and wish to memorialize those agreements in this Amendment; and

WHEREAS, Seller and Buyer acknowledge and agree that all contingency provisions and time periods set forth in the Purchase Agreement other than those set forth above or otherwise preserved under this agreement have expired and that neither Seller nor Buyer have any rights to terminate the Purchase Agreement pursuant thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Attached to and made a part of this Amendment are certain additional agreements of Buyer and Seller as follows:

a. Schedule A – Primary Components of Condominium Documents.
b. Schedule B – Work Schedule and Property Use.
c. Schedule C – Form of Right of First Refusal.

Seller and Buyer hereby acknowledge and agree that Schedules A, B and C need not be separately executed, that Buyer and Seller agree to their terms, and further that the signatures of Seller and Buyer on this Tenth Amendment are intended to be and shall be deemed to be effective as though Seller's and Buyer's signatures each appeared upon Schedules A, B and C, and further that such schedules shall be incorporated into this Tenth Amendment as though fully set forth.

Buyer and Seller further agree that Schedules A, B and C satisfy the Additional Contingencies set forth in subparagraphs 2, 3, 4 and 6 of Paragraph 5.1 of the Purchase Agreement and represent the agreement of the parties with respect to such Additional Contingencies.

2. Seller and Buyer confirm Buyer's election to extend the Zoning Contingency Expiration Date by ninety (90) days as provided in Section 6 of the Purchase Agreement, which Zoning Contingency Expiration Date is now June 22, 2015.

3. Seller and Buyer acknowledge and agree that the Seller and Purchaser Additional Contingencies set forth in Section 5.1 (1) (specifications and work to be performed on Seller's Retained Building) and (5) (number of parking spaces to be allocated to Seller) are very likely to be determined only in connection with, and as a part of, Buyer's zoning, permitting and approval process set forth in Section 6 of the Purchase Agreement. Therefore, the parties hereby amend the Purchase Agreement so that the Additional Contingencies Expiration Date with respect to the Section 5.1 (1) and (5) matters (the "Remaining 5.1 Matters") shall be the same as the Zoning Contingency Expiration Date, as extended and modified pursuant to this Amendment.

4. Seller and Buyer further agree that the "Remaining 5.1 Matters" shall be interpreted broadly as follows:

a) The matters to be agreed upon under Section 5.1(1) shall include all work to be performed with respect to the Elks' Building together with all work to be performed relating to the Building and the area surrounding the Building, including, without limitation the form and location of any sewer, water, or other utility connections in addition to the matters expressly set forth in 5.1(1) and other matters set forth in the Purchase Agreement.

b) The matters to be agreed upon under Section 5.1(5) shall include the total number, configuration, size, ownership, location, appearance and maintenance of parking spaces, in addition to the matters expressly set forth in 5.1(5) and other matters set forth in the Purchase Agreement.

Nothing in this paragraph is intended to, nor shall be deemed to, terminate or waive any rights either Seller or Buyer have to terminate the Purchase Agreement pursuant to Section 5.1.

5. Buyer agrees to keep Seller apprised of the process of obtaining approvals and shall promptly notify Seller's counsel of any filings with the City of Portland, with any municipal agency or any court filing or appeal.

6. The Purchase Agreement shall remain in full force and effect, except as expressly amended hereby. Without limiting the general nature of the foregoing, any paragraphs of the Purchase Agreement amended by this Tenth Amendment, shall remain unchanged, except for the expressly stated amendments contained herein. Any capitalized terms not defined in this Amendment shall have the meaning given them in the Purchase Agreement.

IN WITNESS WHEREOF, Seller and Buyer have executed this Amendment as of the date first set forth above.

SELLER:

Portland Lodge No. 188, of the Benevolent and Protective Order of Elks of the United States of America

By: _____
Name: Timothy Smith
Title: Exalted Ruler

BUYER:

Northland Enterprises, LLC

By: _____
Name: Eric Beck
Title: Managing Member

_____
Dr. Michael Bedecs

Att. 9

NORTHLAND

July 8, 2015

Via email

Helen Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

RE: Housing redevelopment feasibility for 1945 Congress Street

Nell,

At the May 26th Planning Board workshop, the Board requested that we provide an analysis of the feasibility of single family and low density multifamily housing on the Elks Site. Members of the Stroudwater Village have suggested that such a use would be more consistent with the Comprehensive Plan, but have failed to test the fiscal reality and sustainability of such a redevelopment.

Single Family Home Development Experience:

While one of our principals has significant firsthand experience, Northland as a company has never undertaken a single family subdivision project, so our analysis of that option has been limited to pricing out a subdivision with buildable lots that would be sold for housing construction, rather than incorporating assumptions regarding the costs associated with building and selling single family homes.

Multifamily Development Experience:

Northland has developed and owned over 400 units of multifamily housing projects. Those properties include those financed with Low Income Housing Tax Credits, backed by Section 8 Contracts and "market rate" conventionally financed complexes. It is with this institutional knowledge and understanding of the costs associated with their respective developments and operations that we have developed our analysis regarding multifamily housing feasibility.

Single Family Analysis:

Based on the current R2 Zone and the required minimum lot size, eight lots could be created if the Elks remained on site, and fifteen lots could be created if the Elks were to leave the site. In both scenarios, two lots would require curb cuts on Congress

Street, the others would utilize a shared interior road within the development. In our analyses we used the current purchase price in the eight-lot scenario, and for the fifteen-lot scenario, we used the previous contract price when the Elks had contemplated leaving the site when Husson College was the prospective buyer. We asked an experienced construction estimator to come up with the costs associated with both subdivision scenarios to include all paving, stubbing of utilities and landscape buffering. We applied estimates for soft costs for the two scenarios that averaged under 8% of the total deal size. Finally, we estimated the carrying costs associated with the construction financing and equity raise that would be required to fund the development and projected that it would take twelve months to sell eight lots, and a total of sixteen months to sell out the entire fifteen lots.

In the eight-lot scenario we are assuming the purchase price of the land is equal to our current contract price approved by the Portland Elks and the Grand Lodge. In the Fifteen Lot scenario we have assumed a purchase price of $2.5 million, which is equal to the price that the Elks have previously agreed to for an outright sale. These purchase price assumptions aside the feasibility of either scenario does not change if the site were sold for $1.

Based on these assumptions, the following sale prices for buildable lots would need to be achieved for the project to be viable *(Note that we have backed into a break-even sale price, not accounting for profit to the Developer or Equity Investors).*

Eight Lot Scenario:

Total Development Costs:	$2,891,566
Price per lot:	**$385,000**
Less Sales Cost:	-$184,800
Net Profit:	$3,634

Fifteen Lot Scenario:

Total Development Costs:	$4,496,606
Price per lot:	**$319,000**
Less Sales Cost:	-$287,100
Net Profit:	$1,294

There have been two sales of housing lots within the last year within a one mile radius, neither of which justify the pricing that would be required of either the eight or fifteen lot development scenarios. The comps are:

House Lots w/in 1 mile in 12 last months	Comp #1	Comp # 2
Address	*15 Riverview St.*	*1331 Westbrook St.*
Size (acres):	.14 Acre	1.48 Acre
Lot Square Footage:	6,098	64,469
Sale Price:	$44,000	$92,625
Price Per SF:	$7.22	$1.44
Equivalent price for a 10,000sf lot:	$72,200	$14,440
Sale Date:	9/22/14	10/17/14

In our opinion, based on these recent sales, and the price required to break even on selling single family house lots, the redevelopment of the Elks site into single family housing lots would not be feasible under the current market conditions. See attached Appendix A for a more detailed list of currently listed and recently sold land parcels within one mile of the Elks Site.

Multifamily Housing Analysis:

Income Assumptions:

For our multifamily feasibility analysis we used rental rate assumptions based on a Portland wide market study that we commissioned for a downtown project that we are planning to begin later this year. In April 2015 Northland hired the Signal Group of South Portland to determine the current market rate rents for 1 and 2 bedroom units, and compare those to the rents that someone making 100% of the Area Median Income (AMI) could afford. The resulting $1,460 per-month suggested market rents for 2bdrm units were used in our analysis. For vacancy loss we used 5% annually, which is consistent with larger scattered site off-peninsula apartments.

Expense Assumptions:

Our annual apartment expense assumptions were based on our historical per/unit expenses across our five apartment complexes in Southern Maine. We also utilized the 2013 Institute of Real Estate Management (IREM) income and expense analysis for garden style apartments in our region (attached as Appendix B). The expense ratio in IREM is listed as between 36.5% of Revenue on the low side, and 53.2% on the high side; for this analysis we used 37.1% as a target; a percentage which in our opinion is quite aggressive.

Scenarios:

We tested three "market rate" apartment scenarios. The first scenario is based on the unit count for a multifamily development that would be allowed if the zone is changed to R3, ***as it is important to note that under the current R2 Zoning, no multifamily housing would be legally permissible***. The other two scenarios were analyzed after the first scenario proved financially unfeasible, and both of these scenarios would require further zone changes to allow for even more density.

Scenario #1 – 40 market rate units at market rents per the Signal Group study
Scenario #2 – 80 market rate units at market rents per the Signal Group study
Scenario #3 – 80 luxury rental units at rents required to make project feasible.

Summary:

Scenario	#1	#2	#3	Notes
# of units	40	80	80	

Monthly Rent	$1,460	$1,460	$1,920	
P/Unit Cost	250,000	$198,568	$205,078	Includes acquisition and all site and soft costs
P/Unit appraised value	$139,917	$139,917	$205,352	Based on 7.25% Cap Rate
Funding Gap (difference between appraised value and total costs of the development)	-$4,403,310	-$4,692,037	+$21,888	

The funding gap resulting in both the 40 and 80 unit market rate complexes is not unusual for this market, but does render both of those scenarios unfeasible. In our experience for a new construction market rate housing to make financial sense, rents need to be greater than $1,650 per month for a one-bedroom apartment.

This analysis assumes that the Elks leave the site, and are justly compensated for the land, but even if they sold the land for $1, the result of the analysis for the first two scenarios would be the same; neither scenario would be feasible with funding gaps over $2million.

Low Income Housing Scenario:

Northland has completed multifamily projects utilizing both the competitive 9% Low Income Housing Tax Credit ('LIHTC') and the 4% Tax Exempt Bond Financing. The 9% LIHTC program is a competitive program utilizing a finite amount of scarce resources from the Maine State Housing Authority ('MSHA"). Every year, developers apply for this credit with specific projects in mind, and MSHA reviews the application and scores the project based on a number of qualitative criteria.

Based on the profile of this project, and the current scoring guidelines, there is little chance that it would qualify for the 9% LIHTC credit, therefore the only possible LIHTC financing that we have analyzed is the 4% Tax Exempt Bond financing which is considered "as of right" and administered without the competitive scoring associated with the 9% credit.

The construction costs of this type of development are slightly lower than a conventional market rate apartment complex, and we have taken that into account, but the soft costs associated with the bond financing are significantly higher than those associated with market rate complexes. The program requires that a minimum of 40% of the units are limited to tenants who make less than 60% of Area median Income ("AMI") and those rents are limited to $1,041 per month (see Appendix C for detail on Tax Credit income and rent limits). The remainder of the units would be leased without income restriction at the previously noted $1,460 per month market rate. The assumption for land costs in this scenario is the aforementioned $2.5million purchase price.

The summary of the 4% LIHTC scenario is as follows:

Total Number of Units	80
60% AMI units ($1,041)	32
Market rate units ($1,460)	48
Expense Ratio	39%
Construction Cost Per Unit	$120,000
Total Development cost per Unit	$211,224
Total Gross Development cost	$16,897,959
Conventional Debt and Equity	-$10,641,655
Tax Credit Equity & Deferred Fee	$1,888,818
Resulting Funding Gap	-$4,367,486

As the above gap demonstrates, even utilizing the 4% Low Income Housing Tax Credit in conjunction with bond financing does not solve for the funding gap that exists. The lower rents required under the LIHTC program reduces the resulting appraised value, as the $10,641,655 valuation ($133,021 Per Unit) would be developed utilizing using the net income of the property, and the lower rents reduce that annual income.

It should be noted that even if the Elks sold the site for $1, the funding gap would be nearly $1.8 million in this scenario.

SUMMARY:

Based on our experience in developing multifamily housing, both market rate and affordable, and our understanding of the costs associated with creating lots for single family housing, and the realities of the current rental market and the demand and prices paid for housing lots, neither scenarios are feasible development alternatives for 1945 Congress Street.

Despite the desire of those who want to see this developed for housing, the reality is that without a zone change allowing for a commercial use, this property will not be redeveloped until rents rise significantly (32%) in Portland or the price paid for housing lots quadruple.

Sincerely,

Josh Benthien
Partner
Northland Enterprises

CMA 1 - Line

Prepared By: Conor R Beliveau

Listings as of **07/07/15 at 1:17 pm**

Property Type is 'Land' **Status** is 'Active' **Status** is 'Sold' **Status Contractual Search Date** is 07/07/2015 to 07/07/2014 **Latitude, Longitude** is within 1.00 mi of 1945 Congress St, Portland Maine

Land

Active Properties

MLS #	Address		Town	Acres	$/Acre	Lot SqFt	$/Lot SqFt	List Price				DOM
1145603	1877 Congress Street		Portland	4.04		175,982	$2.16	$380,000				
	# LISTINGS:	1	Medians:			175,982	$2.16	$380,000				462
			Minimums:			175,982	$2.16	$380,000				462
			Maximums:			175,982	$2.16	$380,000				462
			Averages:			175,982	$2.16	$380,000				462

Sold Properties

MLS #	Address		Town	Acres	S$/Acre	Lot SqFt	S$/Lot SqFt	List Price	Sold Price	Sold Date	SP%LP	DOM
1148877	15 Riverview Street		Portland	0.14	$314,285.71	6,098	$7.22	$54,900	$44,000	09/22/2014	80.15	
1123502	1331 Westbrook Street		Portland	1.48	$62,584.46	64,469	$1.44	$109,000	$92,625	10/17/2014	84.98	
	# LISTINGS:	2	Medians:		$188,435.09	35,284	$4.33	$81,950	$68,313		82.56	13
			Minimums:		$62,584.46	6,098	$1.44	$54,900	$44,000		80.15	3
			Maximums:		$314,285.71	64,469	$7.22	$109,000	$92,625		84.98	23
			Averages:		$188,435.09	35,284	$4.33	$81,950	$68,313		82.56	13

Quick Statistics (3 Listings Total)

	Min	Max	Average	Median
List Price	$54,900	$380,000	$181,300	$109,000
Sold Price	$44,000	$92,625	$68,313	$68,313

Appendix A1

Copyright: MREIS 2015 All rights reserved.

This is a broker price opinion or comparative market analysis and should not be considered an appraisal. In making any decision that relies upon my work, you should know that I have *not* followed the guidelines for development of an appraisal or analysis contained in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.

'Appendix B'

Regions

	LOW RISE OVER 24 UNITS							GARDEN TYPE BUILDINGS						
	64 BUILDINGS 7,818 APARTMENTS 7,776,570 RENTABLE SQUARE FEET							91 BUILDINGS 22,295 APARTMENTS 20,974,345 RENTABLE SQUARE FEET						
	BLDGS.	----% OF GPI----			----$/SQ.FT.----			$/UNIT	BLDGS.	----% OF GPI----			----$/SQ.FT.----			$/UNIT
		MED	LOW	HIGH	MED	LOW	HIGH	MED		MED	LOW	HIGH	MED	LOW	HIGH	MED
INCOME																
RENTS-APARTMENTS	(64)	97.2 %	95.8%	98.4%	16.07	12.22	18.93	13748	(91)	96.6 %	94.5%	98.5%	14.96	12.83	17.99	13205
RENTS-GARAGE/PARKING	(16)	.4	.2	.8	.10	.02	.13	72	(20)	.8	.3	1.2	.16	.06	.25	154
RENTS-STORES/OFFICES	(2)	17.9			2.73			2996	(1)	2.5			.47			327
GROSS POSSIBLE RENTS	(64)	97.5 %	96.2%	98.6%	16.07	12.22	19.25	13912	(91)	96.9 %	94.8%	98.7%	14.96	12.83	18.20	13205
CONCESSIONS	(26)	.9	.5	1.3	.13	.08	.25	107	(55)	.8	.4	1.3	.13	.04	.22	122
VACANCIES/RENT LOSS	(64)	4.8	2.7	6.4	.76	.45	1.17	633	(89)	5.4	4.1	9.2	.92	.63	1.31	766
TOTAL RENTS COLLECTED	(64)	92.0	88.7	93.9	14.90	11.23	17.92	13131	(91)	89.1	85.4	92.0	13.76	11.50	16.67	12328
OTHER INCOME	(57)	2.7	1.8	3.9	.46	.27	.79	409	(78)	4.0	2.0	5.6	.62	.26	1.01	558
GROSS POSSIBLE INCOME	(64)	100.0 %	100.0%	100.0%	16.55	12.31	19.69	14279	(91)	100.0 %	100.0%	100.0%	15.59	13.23	19.04	13848
TOTAL COLLECTIONS	(64)	95.0	92.8	96.4	16.17	11.29	18.52	13499	(91)	94.2	89.3	95.7	14.60	11.99	17.50	12928
EXPENSES																
MANAGEMENT FEE	(61)	4.8	4.0	6.1	.71	.55	.96	627	(87)	4.4	3.2	4.9	.64	.52	.78	634
OTHER ADMINISTRATIVE.**	(64)	8.1	5.6	11.8	1.27	.99	1.68	1097	(87)	5.1	2.7	7.6	.81	.41	1.24	708
SUBTOTAL ADMINIST.	(64)	13.6 %	9.8%	17.0%	2.11	1.58	2.43	1782	(91)	8.2 %	6.5%	11.7%	1.41	1.02	1.88	1364
SUPPLIES	(59)	.4	.1	.8	.07	.02	.14	59	(81)	.3	.1	.8	.05	.01	.13	47
HEATING FUEL-CA ONLY*	(20)	1.3	.4	3.1	.13	.05	.35	157	(30)	.4	.2	1.2	.06	.03	.18	45
CA & APTS.*	(30)	3.7	2.4	5.5	.62	.35	1.05	483	(43)	4.6	2.9	7.2	.72	.43	1.00	572
ELECTRICITY--CA ONLY*	(43)	1.5	.9	1.7	.19	.11	.28	165	(74)	1.1	.4	1.6	.17	.06	.25	140
CA & APTS.*	(19)	2.8	1.9	3.8	.44	.29	.54	363	(9)	2.1			.34			290
WATER/SEWER--CA ONLY*	(17)	3.4	1.8	5.0	.67	.27	.97	609	(27)	1.9	.9	3.1	.34	.20	.55	365
CA & APTS.*	(44)	3.5	2.6	5.1	.57	.33	.74	483	(59)	3.9	2.7	5.2	.65	.44	.80	554
GAS----------CA ONLY*	(12)	.7	.5	.8	.12	.07	.17	95	(19)	.2	.1	.3	.03	.01	.05	27
CA & APTS.*	(20)	3.9	.6	4.5	.52	.06	.81	488	(9)	5.5			.92			762
BUILDING SERVICES	(58)	1.4	.7	2.0	.19	.13	.35	177	(82)	1.3	.7	3.2	.21	.11	.59	181
OTHER OPERATING	(47)	.3	.2	.8	.04	.02	.13	33	(47)	.9	.3	1.9	.15	.05	.45	140
SUBTOTAL OPERATING	(64)	11.8 %	8.4%	15.3%	1.72	1.23	2.61	1498	(91)	10.4 %	6.0%	16.9%	1.67	1.08	2.54	1384
SECURITY**	(26)	.2	.0	.5	.03		.09	26	(26)	.2	.1	.3	.03	.01	.07	22
GROUNDS MAINTENANCE**	(60)	1.6	.9	2.3	.27	.15	.35	235	(87)	1.8	1.1	2.5	.32	.16	.40	266
MAINTENANCE-REPAIRS	(64)	2.6	1.6	3.9	.43	.28	.58	370	(91)	2.6	1.2	3.8	.33	.18	.55	294
PAINTING/DECORATING**	(59)	1.2	.7	1.4	.20	.07	.25	189	(86)	1.2	.8	1.6	.21	.13	.29	184
SUBTOTAL MAINTENANCE	(64)	5.8 %	4.5%	7.3%	.88	.66	1.29	778	(91)	5.7 %	4.1%	6.9%	.87	.64	1.16	762
REAL ESTATE TAXES	(64)	9.6	6.8	13.0	1.41	1.13	2.01	1203	(89)	9.8	7.6	13.3	1.61	1.17	2.17	1385
OTHER TAX/FEE/PERMIT	(33)	.2	.1	1.5	.04	.01	.20	27	(38)	.2	.1	1.1	.03	.01	.15	30
INSURANCE	(64)	2.5	1.7	3.7	.38	.30	.49	320	(87)	2.1	1.4	2.9	.35	.26	.43	286
SUBTOTAL TAX-INSURANCE	(64)	12.7 %	9.4%	15.7%	1.81	1.57	2.63	1710	(89)	12.9 %	10.0%	15.9%	1.97	1.62	2.57	1702
RECREATNL/AMENITIES**	(37)	.5	.4	.7	.08	.06	.13	71	(44)	.2	.1	.3	.03	.01	.05	32
OTHER PAYROLL	(60)	6.1	4.1	7.8	.92	.58	1.22	749	(67)	4.5	3.6	6.1	.72	.60	1.04	649
TOTAL ALL EXPENSES	(64)	51.5 %	44.4%	60.9%	7.59	6.51	9.98	6723	(91)	43.8 %	36.5%	53.2%	6.96	5.83	8.40	6283
NET OPERATING INCOME	(64)	42.3 %	33.3%	51.4%	6.37	4.50	9.59	6271	(91)	49.2 %	37.2%	55.4%	7.13	4.68	10.46	6652
PAYROLL RECAP**	(47)	9.4	6.7	11.7	1.30	1.01	1.59	1188	(62)	7.9	5.7	10.5	1.32	.93	1.77	1169

FOOTNOTE: For a description of Utility Expense (*) and Payroll Cost (**) reporting and an explanation of the report layouts and method of data analysis, refer to the sections entitled *Guidelines for the Use of this Data and Interpretation of a Page of Data.* For definitions of the income and expense categories, refer to the Appendix. Copyright © 2013, Institute of Real Estate Management.

Regions 1 & 2

NOVOGRADAC & COMPANY LLP®
CERTIFIED PUBLIC ACCOUNTANTS

Rent & Income Limit Calculator ©

If you would like to engage Novogradac & Company LLP to calculate the rent & income limits for your property, please contact Thomas Stagg at thomas.stagg@novoco.com.

You can view demographic information and a detailed list of affordable housing properties in compsMART+.

Click on the icons below to view historical charts.

Program and Location Information

Affordable Housing Program	**IRS Section 42 Low-Income Housing Tax Credit (LIHTC)**
Year (1)(2)	2015 (effective 03/06/15)
State	ME
County	Cumberland County
MSA	Portland, ME HUD Metro FMR Area
Persons / Bedroom	1.5 Person / Bedroom
4-person AMI	$77,100
National Non-Metropolitan Median Income (3)(4)	$54,100
HERA Special (5)	Not eligible
Hold Harmless (6)	You have indicated that your project was placed in service on or after 03/06/2015 and is therefore eligible to have its income and rent limit held harmless beginning with the 2015 limits.
Placed in Service Date (7)	On or after 03/06/2015.
Rent Floor Election (8) (9)	Effective on or after 03/06/2015.

HUD Published Income Limits for 2015 (with no adjustments)

○ Display Income Limits ● Hide Income Limits

LIHTC Income Limits for 2015
(Based on 2015 MTSP Income Limits)

	Charts	60.00%	140.00%
1 Person		32,400	45,360
2 Person		37,020	51,828
3 Person		41,640	58,296
4 Person		46,260	64,764
5 Person		49,980	69,972
6 Person		53,700	75,180
7 Person		57,420	80,388
8 Person		61,080	85,512
9 Person		64,740	90,636
10 Person		68,460	95,844
11 Person		72,180	101,052
12 Person		75,840	106,176

LIHTC Rent Limits for 2015
(Based on 2015 MTSP/VLI Income Limits)

Bedrooms (People)	Charts	60.00%	FMR
2 Bedrooms (3.0)		1,041	1,074

Before using the numbers from the Rent & Income Limit Calculator©, we strongly recommend that you check with the applicable state housing agency to verify that the state agrees with the numbers. The numbers round down to the nearest $1.

This Rent & Income Limit Calculator© does not calculate low-income housing tax credit (LIHTC) limits greater than 50% LIHTC or 60% LIHTC limits, depending on the minimum set-aside elected with the IRS on Form 8609 in accordance with Internal Revenue Code Section 42(i)(3)(A). In other words, if the 20/50 minimum set-aside was elected then 50% LIHTC is the maximum rent calculated and allowed to qualify as a tax credit unit; or if the 40/60 minimum set-aside was elected then 60% LIHTC is the maximum allowed to qualify as a tax credit unit.

Revenue Ruling 89-24 require that the LIHTC rent & income levels start their calculations with the HUD published very low-income (VLI) amounts because the HUD published VLI amounts include certain HUD adjustments, such as high housing cost for high FMR areas to increase income, and state non-metropolitan median income to provide a floor for income limits. The result is that many counties have VLI amounts that are different than 50% of the AMI published by HUD (the 4-person AMGI we have shown above). The Novogradac Rent & Income Calculator© starts by default with the HUD published VLI amounts in accordance with Revenue Ruling 89-24.

(1) The rent and income limits for each year are effective beginning with the effective date shown above. There is a grace period for 45 days to implement the new rent and income limits, which means that the old limits can be relied upon for 45 days after the effective date of the new limits. For example income limits effective 12/04/2012, can be relied on until 1/17/2013. For more information, see Revenue Ruling 94-57.

IRS LIHC Newsletter #48 and IRS LIHC Newsletter #50 clarify that for projects placed in service during the 45-day grace period, the owner may choose the new or the old income limits. For example, if a project was placed in service on 1/8/2013 and the 2012 income limits are higher than the 2013 income limits, an owner may use the higher income limits from 2012 to income qualify tenants and set rents accordingly because the project was placed in service with the 45-day grace period.

Please note, the Rent & Income Limit Calculator© does not apply a 45-day grace period automatically. The user needs to indicate that the placed in service date and/or gross rent floor date occurred 45 days earlier (in the prior HUD Fiscal Year) if they want to apply the 45-day rule under Revenue Ruling 94-57 that allows owners to rely on the prior year. Therefore, projects that were placed in service during the 45-day grace period, and want to use the prior year, should select that they were placed in service as of the prior year. For example, if a project placed in service on 1/8/2013, and the project wanted to use the 45-day grace period, the user should select that their project was in service prior to 12/4/2012. Similarly, projects that have a gross rent floor effective as of the carryover allocation date (or reservation letter date for bond projects) during the 45-day grace period, and want to use the prior year, should select that the gross rent floor was effective as of the prior year. For example, if a project received a carryover allocation letter on 1/8/2013, and the owner did not elect placed in service date as the gross rent floor, and the project wanted to use the 45-day grace period, the user should select that their gross rent floor was effective prior to 12/4/2012.

(2) For HUD FY 2013 HUD originally issued income limits on December 4, 2012 then issued revised income limits on December 11, 2012. In IRS LIHC Newsletter #50, the IRS has stated that the effective date for the revised FY 2013 income limits is December 4, 2012. Based on this guidance, the Rent & Income Limit Calculator© uses December 4, 2013 for the effective date for the revised FY 2013 limits. Please see IRS LIHC Newsletter #50 for more detail.

(3) An area may lose its rural area status. There is no clear guidance that a project is held harmless at the national non-metropolitan income limits when an area loses its rural status. The Rent & Income Limit Calculator© assumes that a project that is not indicated as rural in the current year was also not rural in the prior year, and therefore, does not receive hold harmless treatment based on the prior year national non-metro amount.

Please consult your state agency and tax advisor for further clarification.

(4) USDA may change their determination of what projects qualify as rural during the course of a year. Please periodically check with USDA to determine the continued rural eligibility of your project.

The national non-metropolitan median income has been adjusted for household size based on the family size adjustments outlined in the HUD Briefing Materials and as shown in each year's HUD FAQ. The IRS did not specify whether or not to round to the nearest $50, however, the Rent & Income Limit Calculator© will round to the nearest $50 in accordance with the methodology referenced in HUD Briefing Materials.

(5) A project uses HERA Special if income was determined prior to 1/1/2009 and the project is in a HERA Special county. A project's income limits are held harmless at the prior year income limits if income was determined in the prior year or earlier and the income limits have decreased. Please note that the IRS has informally indicated that the definition of "determined" for purposes of the HERA Special and MTSP Hold Harmless income limits means that a project was placed in service. Please see IRS LIHC Newsletter #35 for more information about "determined" and projects with buildings that were placed in service before and after HUD income limit effective dates. Therefore, projects placed in service prior to 1/1/2009 are generally eligible for HERA Special. Please see footnote 7 for information about acquisition/rehabilitation projects.

(6) Internal Revenue Code Section 142(d)(2)(i) indicates that hold harmless applies on a calendar year. The Rent & Income Limit Calculator© assumes that "calendar year" in the hold harmless rule means the HUD Fiscal Year. For example, the 2009 calendar year means the HUD Fiscal Year from 3/19/2009 through 5/13/2010. In other words, the Rent & Income Limit Calculator© assumes that "calendar year" in the hold harmless rule means the highest income level achieved during any HUD Fiscal Year.

The Rent & Income Limit Calculator© assumes that a rural project will receive hold harmless treatment at the national non-metro amount based on the prior year national non-metro amount if the national non-metro median income were to fall from year to year. If a rural project qualifies for HERA Special and the HERA Special is higher than the national non-metro, then the HERA Special amount will be used. Please note that the IRS has not issued guidance that specifically allows hold harmless treatment at the national non-metro amount for rural projects, however, Internal Revenue Code 42(g)(4) by reference to Internal Revenue Code 142(d)(2)(E) implies that hold harmless treatment would apply at the national non-metro amount for rural projects. Please consult your tax advisor for further clarification.

(7) Please note that for acquisition/rehabilitation projects, the IRS guidance indicates that income and rent limits are determined at the later of the acquisition date or when management begins income-qualifying households in the project. For example, if a project was acquired in 2011, the rehabilitation was placed-in-service in 2012, and management began income-qualifying households in 2011 then the project would be considered placed in service in 2011 for income and rent purposes. If a project was acquired in 2011, the rehabilitation was placed-in-service in 2012, and management began income-qualifying households when the rehabilitation placed-in-service in 2012, then the project would be considered placed in service in 2012 for income and rent purposes. Please see IRS LIHC Newsletter #35 for more detail. Please consult your tax advisor for further clarification.

(8) Revenue Procedure 94-57 gives guidance on the gross rent floor election.

Tax credit projects without bond financing:
"The Internal Revenue Service will treat the gross rent floor in section 42(g)(2)(A) as taking effect on the date an Agency initially allocates a housing credit dollar amount to the building [generally referred to as the 42M letter] under section 42(h)(1). However, the Service will treat the gross rent floor as taking effect on a building's placed in service date if the building owner designates that date as the date on which the gross rent floor will take effect for the building. An owner must make this designation to use the placed in service date and inform the Agency that made the allocation to the building no later than the date on which the building is placed in service."

Tax credit projects with bond financing:
"The Service will treat the gross rent floor as taking effect on a building's placed in service date if the building owner designates that date as the date on which the gross rent floor will take effect for the building. An owner must make this designation to use the placed in service date and inform the Agency that issued the determination letter to the building no later than the date on which the building is placed in service."

(9) The Rent & Income Limit Calculator© assumes all buildings in a project have a rent floor effective date under Revenue Procedure 94-57 in the same HUD Fiscal Year. However, if your buildings have rent floor effective dates under Revenue Procedure 94-57 in different HUD Fiscal Years, then you should run the calculator separately for each group of buildings in a particular HUD Fiscal Year.

The Rent & Income Limit Calculator© assumes that different AMGI limits (40%, 35%, 30%, etc.) chosen by the user will also have a rent floor election under Revenue Procedure 94-57 from the same HUD Fiscal Year that applies to the federal level of 50% or 60%.

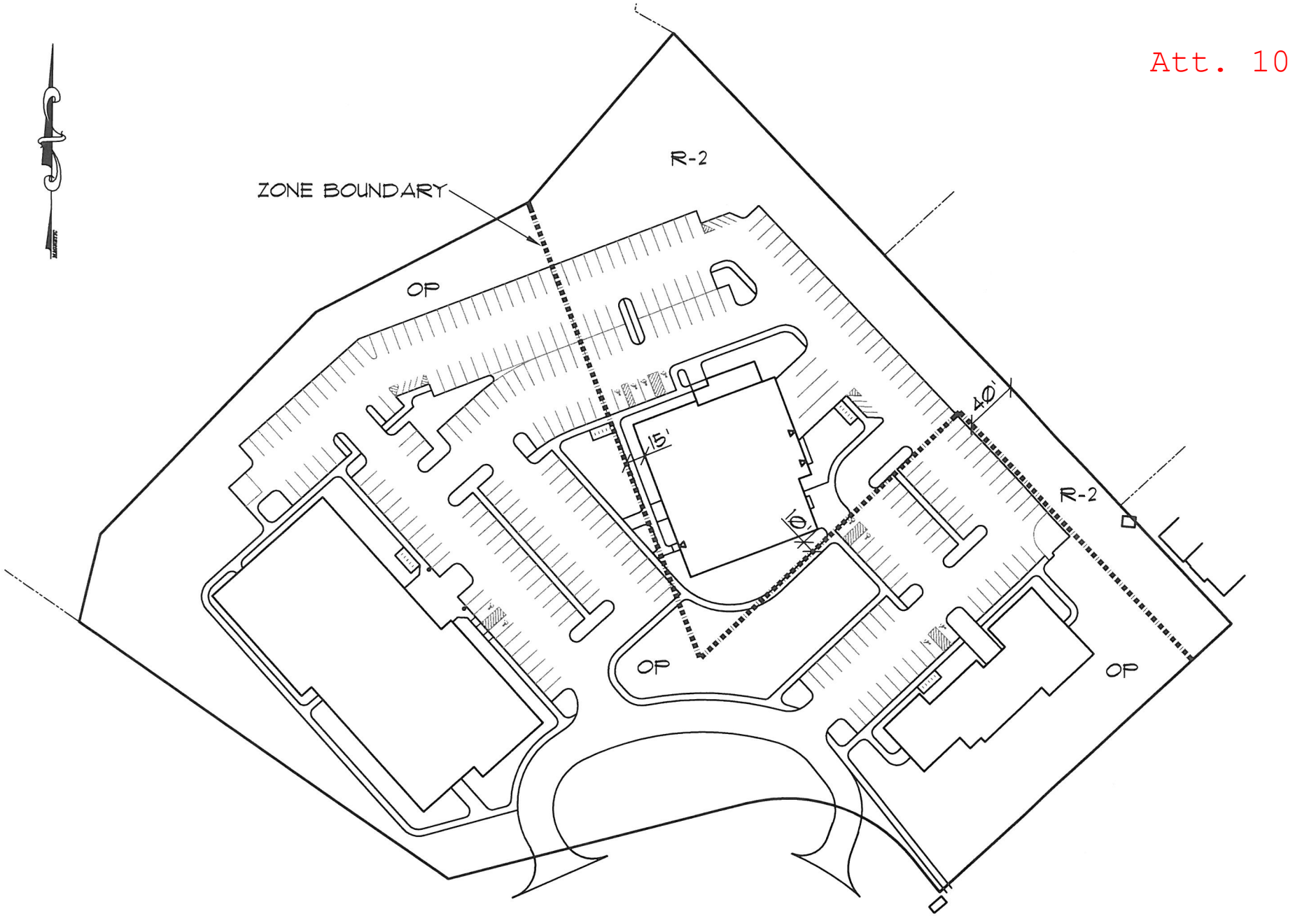
(10) The Consolidated Appropriations Act of 2014 changed how the 30% income limits is calculated. The 30% limit,

which is now called the extremely low income limit, is determined by taking the greater of the 30% income limit as calculated by HUD or the poverty level as determined by the Department of Health and Human Services, which is then capped at the 50% Very Low Income Limit ('VLI') published by HUD. HUD has only published the data up to 8 people. For household sizes above 8 people please visit the following website:
http://www.huduser.org/portal/datasets/il/il14/index_il2014.html

Terms of Use:
Utility allowances are inputted by the user and are not reviewed or verified by Novogradac & Company LLP. Novogradac & Company LLP provides no assurance of the accuracy of the particular results you may obtain from the Rent & Income Limit Calculator©; which is designed only to be a quick reference tool and is no substitute for professional tax and accounting advice. The Rent & Income Limit Calculator© should not be used for any final financial decisions. IRS guidelines and actual HUD amounts should be used for any final decisions. Novogradac & Company LLP does not guarantee the accuracy of the amounts shown above. As consideration for your use of this tool, free of any requirement to pay any related monetary compensation to Novogradac & Company LLP, you agree to hold Novogradac & Company LLP harmless from any damages and claims related to use of the Rent & Income Limit Calculator©. If you do not agree with the terms of this paragraph, you may not use the Rent & Income Limit Calculator©.

© 1996-2015 Novogradac & Company LLP - All Rights Reserved.

Att. 10



SCALE: 1"=100'

JUNE 30, 2015

ZONE BOUNDARY OPTION

William S. Linnell, et al,

1905 Congress Street

Portland, ME 04102-1903

January 14, 2015

Ms. Helen Donaldson,

Planning and Urban Development Department

City of Portland

389 Congress Street

Portland, ME 04101

RE: Elks Club Property Zone Change Application, 1945 Congress Street

Dear Ms. Donaldson:

We are abutters to the proposed development. We believe that, to be consistent with the City's stated goals, zoning ordinances, and the Comprehensive Plan, the Planning Board should not recommend to the Council their approval of Northland Enterprise's proposed zoning change from R-2 to OP. Please share this letter with the Planning Board so that they may read it before the workshop on the 20th.

First: Taking this land out of R-2 forever reduces the opportunity for more single-family housing which is a major city goal. This proposal is in total opposition to the Comprehensive Plan, and the purpose of the R-2 zone which is "To provide for low-density residential development in outlying areas of the city and along traffic corridors with limited additional traffic capacity."(Code of Ordinances Sec. 14-76) .

The Comprehensive Plan states that the housing goal is to "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 43. Emphasis added.) To change the zoning would therefore be in direct contradiction to stated policies of providing housing including single family detached residential units, for the future. That goal is to help stop sprawl. Further, there is still an increasing demand for housing in the city; that has not changed, and neither have these policies.

Second: When the Elks bought this land, they knew there were limits to its uses, just as we did when we bought the abutting property. Instead of following the limitations of the zone in which they settled, they are asking the board to change the rules for maximum profit. They could follow the existing rules and develop the land for housing, which we would welcome, just as two fairly recent developments have done nearby, namely, at Rivers' Edge and Tide Mills. That would be consistent with current, established rules and policies. It's nice for developers to increase their profits, but their profits should not dictate public policy, nor circumvent the rules and reasons for zoning.

Third: The developer seems to want to create a brand new zone, where two different, mutually exclusive, zones can exist. The current zone allows for the Elks Club to exist (meeting places). But such meeting places are not allowed in the proposed OP zone. Yet the developer wants to change the zone AND keep the Elks Club there. It seems that this approach is asking too much of the Planning Board. It is certainly a radical notion, which would result in the back-door creation of a bizarre new zone.

Fourth: If approved, the proposal would be zoned OP, but would really just look like they stuck in a couple of office buildings, oversized for the area, and then paved the rest of the lot. A few scattered shrubs and a bike rack by no sense of the imagination meet the OP standards for a "park or campus like setting". This lot is not very big. Adding the needed elements such as open space, preserving natural features, trails, sidewalks, gardens, and setbacks with full buffering is not be possible given the size of the buildings they are trying to cram into this lot. To allow this project to proceed would be to ignore the intent and purpose of the OP zone.

Fifth: Traffic is already heavy on Congress Street. Adding more office buildings instead of single family homes would make traffic much worse, not better. The current zoning properly recognizes that single family homes work better on (repeated from above) "outlying areas of the city and long traffic corridors with limited additional traffic capacity." If there's a better example of an 'outlying traffic corridor with limited additional traffic capacity' than the area around 1945 Congress Street, we'd like to know what it is.

Sixth: No developer should be able to achieve, by Planning Board vote, what the City's ordinances and policies clearly don't allow. To create a bizarre new zone at the expense of the integrity of the zoning process would be a mistake. The developer would enjoy the windfall, and the tax base would admittedly increase from what it is today, but nearby and recent developments attest to the viability of neighborhood housing development on outer Congress Street, without sacrificing the protection of the zoning policies and process. Throwing two multi-story office buildings with an ocean of parking into the neighborhood will only lead to a deterioration of the neighborhood., a neighborhood that has been recently improved by the traffic movement changes and will be enhanced with the proposed cross walk at the end of Garrison Street and a lower speed limit. There is a neighborhood here even if you do not see it when you head out to SOPO to shop. The tax base can be increased without shortchanging the process.

Finally, for the above reasons, we ask that the Planning Board to vote not to recommend the proposed zoning change for 1945 Congress Street to the City Council.

Sincerely,

William S. Linnell & Joyce Gauthier 1905 Congress Street

Janet Burns 1904 Congress Street (diagonally across Congress Street from the site)

January 14, 2015

David P. Silk
1187 Westbrook Street
Portland, ME 04102-1928

Ms. Helen Donaldson
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, ME 04101

RE Elks Club Property Zone Change Application, 1945 Congress Street

Dear Neil:

I live in the Stroudwater neighborhood and I am a member of the Stroudwater Village Association. I write in my own individual capacity to express my view as to why the Planning Board should not recommend to the City Council approval of Northland Enterprises, Inc.'s application to rezone the Elks Club property at 1945 Congress Street from R-2 to OP. Can you please forward this letter to the Board as part of the packet of information the Board is to receive on the applicant's proposal.

As an initial matter, in the applicant's material you were kind enough to send to me, I did not see anywhere the applicant's explanation on how the proposed zone change is consistent with the Comprehensive Plan. Unless and until the applicant attempts to explain how it's parcel specific zone change application is consistent with the Comprehensive Plan, and makes that information timely available to the public prior to any Planning Board meeting, the Board should defer hearing the proposal.

I am not aware of any proposed one parcel only zone change (as opposed to a large area with multiple parcels) that sought to change an existing and to be continued use on the property from legally conforming to legally nonconforming but that is what the applicant seeks here. The applicant represents that with the proposed parcel zone change the Elks Club will continue to be used as a place of

assembly. Application at 4. A place of assembly is a conditional use in the R-2 zone because it is viewed as typically harmonious with residential uses. Places of assembly are not permitted, either by right or as a conditional use, in the OP zone. I cannot think of any zoning justification for a parcel only zone change that has the effect of converting an existing and to be continued use from legally conforming to legally nonconforming. I am not aware of anywhere in the Comprehensive Plan where it is a planning goal of the City through a parcel only zone change to convert a legally conforming use that is to be continued to nonconforming. By definition if the change is approved, the City would be permitting a nonconforming use to continue. But the goal of zoning is to eliminate over time nonconforming uses, not to convert legal uses into to a use prohibited in the proposed zone. It cannot be consistent with the Comprehensive Plan to approve a parcel only zone change that makes an existing lawful use nonconforming.

Continuing on the issue of consistency with the Compressive Plan, the City has a very clear goal of creating more housing, all kinds of housing. As a R-2 zone, permitted uses include single family detached residential housing. The area of the City zoned R-2 is finite and located in the outlying areas (off of outer Auburn Street, outer Washington Ave, outer Allen Ave, outer Westbrook Street and outer Congress Street). Most of these streets are major traffic carrying arterials and have limited additional capacity for traffic.

The purpose of R-2 is to "provide for low-density residential development characterized by single-family home on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity." Looking at the zoning map one can see that much of the R-2 has been built out over the last twenty to thirty years consistent with the standards in the R-2. But some open areas remain including areas along outer Congress Street. I am not aware of any reason why the stated policy of the R-2 zone remains less vibrant today. In contrast to the applicant's proposed multi-story professional office buildings, single family detached residential uses in these areas would cause less of an impact on already overburdened roads.

Conditional uses in the R-2 include places of assembly. In the R-2 over the last 30 years several places of assembly located to the R-2 zone. That can be seen on outer Congress Street (as well as outer Washington Ave., outer Allen Ave. and

outer Westbrook Street). On outer Congress Street there are two places of assembly (churches) located almost across the street from the Elks Club. When these places of assembly located to outer Congress Street they knew of the limited uses in the R-2 zone. Because of the limitation on use, they knew if they ever decide to sell, the market would be quite limited. That limitation on use has served the conditional uses quite well as the uses have been established in a residential zone in a manner consistent with the characteristics of the area. The two churches and the Elks Club are situated with significant open space facing Congress Street with the building to hold the assembly and parking set back quite a distance from Congress Street, all to preserve the open space characteristics of outer Congress Street and to be compatible with the permitted R-2 uses. The proposed zone change will destroy this balance.

A zone change should not be approved simply to accommodate the financial goals of a property owner especially when the owner developed the property aware of the limitations on use. Unlike the Williston West Church, the Elks Club building lacks any unique historical features. It is not a landmark structure and need not be preserved if its location interferes with the development of residential subdivision which means more housing for the City in an area zoned for housing.

Also relative to outer Congress Street, in the last 20 years two significant single family residential subdivisions (Tide Mills and River's Edge) have been built out directly off of Congress Street in very close proximity to the Elks Club as contemplated by the R-2 zone. River's Edge was built as a contract zone (conditional R-3) but is fully consistent with the policy and permitted uses in the R-2. They are both very close to Congress Street and are fully built out as there is a demand for single family detached housing within the City.

The Comprehensive Plan has as a goal of no net loss of housing for all development. That goal is incorporated into the Land Use Code. While there is no existing housing on the Elks Club property, changing the zone from R-2 to OP removes the land from the R-2 capable of being developed for residential housing. Residential uses are prohibited in the OP zone. Rezoning land to eliminate residential uses like removing dwelling units with no replacement of those units is clearly not consistent with the Comprehensive Plan's goal of creating more housing in the City.

While the Board is not acting on any site plan application at this time, the applicant's proposed site plan visual shows that the applicant is proposing two multi-story generic commercial/medical office buildings with lots of parking and nothing close to what meets the OP purposes and standards.

The purpose of the OP is to "provide substantial areas for integrated development of professional offices in a park-or campus-like setting which are of the highest quality, are well maintained and are compatible with their natural surroundings." One is hard pressed to see in the visual any park or campus like setting compatible with the natural surroundings. The 1945 Congress Street lot is not a "substantial area." If Board members are not familiar with an OP zone, they should ride by and through UNUM's campus. That will show that there is little if any parking visible from the street, significant natural features remain between the street and improvements, open space remains and is visible from the public way, trails and sidewalks are available, and the site clearly has a park or campus like feel. Compare UNUM's development to the OP policies and standard and you will see UNUM fits. The applicant's proposal absolutely does not.

In reality, the applicant's proposal is a run of the mill multi-story professional office structure that pretty much consumes most of the site. It is clearly not a campus. It clearly does not create a park like setting. Unlike the UNUM campus, and the places of assembly along outer Congress Street and near the site, one of the two proposed multi-story office buildings fronts immediately on Congress Street. It is not set back from Congress Street with an open space and natural vegetation buffer between the development and the street. It is not compatible with the natural surroundings and with the existing development pattern created by the nearby homes and places of assembly.

The OP standards call for a Master Plan of the office park that shall include a design relationship to the site to show integration of open space and the natural features. That integration "shall be achieved by incorporation of outdoor amenities for the benefit of users of the site, such as jogging and walking trails, gardens and benches." None of that can be included on the proposed site given the proposed building envelopes and parking. One cannot shoehorn the features of an OP zone into this site and legitimately call what is proposed within the realm of what the OP zone envisions.

On the visual there are no internal sidewalks that take advantage of the "topography and natural features of the site." There is a mass of parking being proposed right next to what will still be a R-2 zone with little preserved of the natural features. Because of the lack of a campus setting and retention of natural features, the proposed multi-story buildings will loom large over the abutting residential dwelling units. I see no buffer and screening of the type called for by the OP standards which shall be of a "dense and continuous nature and shall incorporate trees, shrubs, fencing, berms and related elements." I do not see any preservation of natural features which includes existing vegetation. It appears it will be mostly paved over. To call this site suitable for OP designation based on the proposed plan is not possible.

In sum, it appears to me the only reason for the zone change is to accommodate the applicant and to maximize the financial return to the Elks Club. The proposed zone change permits broader uses, professional offices, which makes the land more valuable. But the standard to judge the merits of a zone change is not whether the owner, a place of assembly that is often a non-profit and not subject to property tax, should be able to maximize the return on its investment when the assembly loses critical mass. Otherwise we might as well not have zoning. Having located in the R-2 zone as a place of assembly the owners were on notice that permitted and conditional uses are quite limited. The zone should not be changed simply to broaden the market and/or increase the return for the owners.

Both Tide Mill and River's Edge are successful residential subdivisions located on outer Congress Street on the same block as 1945 Congress. The purpose of the R-2 zone is to direct the placement of additional residential subdivisions in the area. That has occurred. There remains demand for single family detached residential housing in the City. Such development increases the population of the City which is also a goal of the Comprehensive Plan (helps reverse the urban flight). The land is clearly suitable for residential development as it is similar in kind and location to the land that has been recently developed for residential uses. The land should not be removed from the inventory of land available to serve that need simply to maximize the Elks Club's return.

Throughout the City, many places of assembly are conditional uses in residential zones located on major arterials in zones that do not allow for office complexes or other commercial developments. As noted above see outer Washington Ave.,

Allen Ave. and Westbrook Street for recent (last 30 years) examples of development of places of assembly in residential zones. Permitting those conditional uses in otherwise residential zones was not an invitation once the assembly's financial health changes to throw away the limitations on uses in the residential zones. When it purchased the 1945 Congress Street property and located to outer Congress Street, presumably the price the Elks Club paid recognized the then limitation on uses. There is nothing unfair or unwise here in affirming the value of the R-2 zone.

The R-2 zone was created consistent with the Comprehensive Plan. As stated in the overall purpose of the Land Use Ordinance, section 14-46: "This article is made with reasonable consideration, among other things, to the character of each zone and its peculiar suitability for particular uses and with a view to conserving and stabilizing the value of property and encouraging the most appropriate use of land throughout the community."

In light of the above, I respectfully request the Board vote not to recommend to the City Council the proposed parcel only zone change for 1945 Congress Street. It is entirely consistent with the Comprehensive Plan for the property to remain R-2 as it will conserve and stabilize the value of property and encourage the use of the property in the manner consistent with the R-2 zone.

Thanks for reading this letter and your service to the City.

Sincerely

David P. Silk

PC3

William S. Linnell & Joyce Gauthier, et al,

1905 Congress Street

Portland, ME 04102-1903

January 16, 2015

Mr. Alex Jaegerman

Director,

Planning and Urban Development Department

City of Portland

389 Congress Street

Portland, ME 04101

RE: Elks Club Property Zone Change Application, 1945 Congress Street

Dear Alex:

In addition to the comments we sent along Wednesday, please distribute and post these comments describing our concerns regarding the proposed zoning change.

First: There have been comments suggesting that instead of changing the zoning to OP, that there may be interest in changing the zoning to R-P. We believe that R-P zoning would be equally inappropriate for this project, as the ordinance states that the purpose of the R-P zone is for ***low-intensity*** business use.

Section 14-146 of the code reads:

"The purposes of the R-P residence-professional zone are:

(a) To provide appropriate location for the development and operation of low-intensity business uses, including professional offices on or near major arterials, that are compatible in scale, density and use with surrounding and adjacent residential neighborhoods; or

(b) To serve as a transition or buffer zone between residential and more intensive nonresidential zones. "

This project, by no stretch of the imagination, can be legitimately called "low-intensity". It actually calls for a high-intensity build out, traffic, and use of the property. Indeed, the submittal calls for 45,310 square feet of building footprint, with 137,201 square feet of office space. Further, nearly every available square inch of remaining land is to be paved, with capacity for some three hundred cars. The city's traffic analysis estimates that during peak hours, traffic volume entering and leaving would be 214 cars *per hour* in the morning, and 204 cars *per hour* in the evening.

In reality, this project simply cannot be deemed low-intensity, and therefore it cannot meet the very definition of the purpose of the R-P zone. To vote in support of a change to R-P would be to declare open season on Portland's zoning laws.

Second: The heavy traffic expected with this project, as mentioned above, would seriously compromise all the efforts, planning, and resources that the city has expended in traffic calming in this very location from Westbrook Street to the Airport. To add this onslaught of traffic to this area of limited additional capacity, would be at cross purposes to all that has been done, and is still planned. In stark contrast, keeping the lot zoned R-2 would have little increase in traffic.

Third: There are three churches in the area which may follow the Elks' lead if these zoning changes are approved. Their membership could either increase or decline, resulting in their desire to sell, and apply for the same zoning changes as the Elks. The Planning Board, and particularly those who live near these churches would be faced with a dramatic change in the character of the neighborhood.

Fourth: As staff has noted in their comments on this project , (see Memorandum dated 1-16, section VII, Comprehensive Plan Analysis) the Comprehensive Plan calls for directing office development to the downtown area.

The Planning staff says, "It should also be noted that there is policy in the comprehensive plan that seeks to focus office development in the downtown core; the "Office Economy" goals from the 1991 Downtown Vision plan include "[s]trengthen[ing] and enhanc[ing] the Downtown as the prominent professional office center of the State and northern New England." In a similar vein, the city's Industry and Commerce Plan from 1994 includes goals related to "preserv[ing], protect[ing], and strengthen[ing] neighborhoods" and "protect[ing]…residential zones."

The proposed plan to increase office development out of the downtown area is in direct contradiction to the Comprehensive Plan. For this reason also, the Planning Board should reject the zone change.

Fifth: I also note that the staff analysis of the Comprehensive Plan mentioned in section VII would benefit from more discussion of the Comprehensive Plan's stated goals to create all kinds of housing. Page 43 of the Comprehensive Plan is devoted to housing goals, yet the staff analysis is practically silent on the issue. I quote at length from page 43 of the comprehensive Plan because it is unequivocally adamant about creating housing:

Page 43 reads, ". . . **Portland has a long history of planning for its housing needs and programs . . .**

I. HOUSING: SUSTAINING PORTLAND'S FUTURE- November 18, 2002

Overall Goal

Portland, as Maine's largest city, will strive to provide a sufficient supply of quality housing commensurate with a manageable level of growth to sustain the city as a healthy urban center in which to live and work, and its position as a growing regional economic and service center.

The existing housing stock will be enhanced and preserved, **and a wide variety of housing will be designed and created** to support Portland's continued economic development, insure the safety of its citizens, and **maintain its vibrant and stable neighborhoods**.

When seeking solutions to Portland's housing needs and issues, the city will strive for innovation and creativity in the areas of urban design, **expenditure of its financial resources** , and **the use and reuse of land** and buildings to ensure that residential development fits within Portland's unique living environment.

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." (emphasis added)

It is hard to imagine that the Comprehensive Plan could be any clearer or stronger in calling for more housing. This imperative for more housing should be recognized by planning staff and Planning Board members, and applied in consideration of this proposal. The Elks Club proposal is 180 degrees contrary to the Comprehensive Plan.

Sixth: I would like to straighten out a disconnect in the staff report on the January 5th neighborhood meeting. In the Memorandum to the Planning Board dated January 16 , section VIII, "Public Comment," the staff report states that

"Comments at that meeting seemed to include questions about signs, parking requirements, stormwater management and environmental impacts, and lighting. Some neighbors expressed general opposition (Attachment 3). (emphasis added)

Please contrast that assessment of "general opposition" with the developer's report of the meeting:

"Our neighbor, adjacent Congress Street, Bill Linnell, noted he was opposed to the project and thought a housing project would meet the Comprehensive Plan better. We noted we had sent a brief summary of how this project conforms to the Comprehensive Plan to the staff already. He will get a copy of that."

-I, the undersigned Bill Linnell, was the one who expressed opposition, speaking also for Joyce Gauthier, who was present, and Janet Burns, who was not. My opposition was specific in challenging the plan as "grossly inconsistent with the Comprehensive Plan."

I would like those who read about that neighborhood meeting to know that from day one, I expressed, on behalf of myself, a neighbor across the street, and another abutter, an unambiguous challenge to the

proposal with respect to its inconsistency with the Comprehensive Plan, namely that the proposed zone change is grossly inconsistent with the clear, stated, unmistakable policy goal of creating more housing in the future. I compared the Comprehensive Plan's focus on housing to the new Meghan Trainor song "All About that Bass," saying that "the Comprehensive Plan is **all about housing**." I said further that 'When you remove land from R-2 to OP, you are eliminating the possibility for housing. The City's Comprehensive Plan is all about creating new housing—all kinds of housing, including single family. In fact, if you knock down an existing apartment building to be replaced with non-residential uses, the developer has to contribute money for replacement housing. In this instance, the City would be totally eliminating land zoned for housing, and changing it to a zone that does not allow for housing."

In short, the neighborhood meeting included specific, pointed opposition to the proposal as it contradicts the Comprehensive Plan's mandate of creating more housing. I ask that this opposition be recorded in the staff's comments.

Finally: For all the reasons listed above, we continue to respectfully ask the Planning Board to recommend to the City Council that the proposed zoning changes be denied.

Sincerely,

William S. Linnell & Joyce Gauthier 1905 Congress Street

Janet Burns 1904 Congress Street

PC4

From: "Lucie Tardif" <ltardif1@maine.rr.com>
To: <aqj@portlandmaine.gov>
Date: 1/19/2015 6:27 PM
Subject: Zoning change proposal for 1945 Congress Street

Dear Mr. Jaegerman,

I am a resident of the Stroudwater are and have been made aware of the Elks Club's application for a zoning change at their property on outer Congress Street.

If the Elks succeed in their application, the zoning change proposed would have serious implications to the area and Stroudwater residents' way of life. Lack of a car warrants that I travel mostly by bus to and from work at the Jetport Plaza or downtown. In order to commute to work, I must cross Congress Street near the light just above Stroudwater Crossing in the wake of southbound (toward the Mall) traffic at a very busy time of the morning.

Should the Elks achieve their desired result, that traffic will increase substantially, particularly if they erect two professional office buildings (and keep the current Elks Club building) with space for up to 300 cars. If traffic is increased further, I'll never get across the street! I am in my late 50s, but I know some elderly who take the bus and must make that trek across the street. Since they cannot move very fast, they are taking their very lives into their hands.

This zoning change which would allow for two buildings as well as increased traffic (at high speeds, despite posted limits) would raise the risk level for accidents and loss of life. It would also fly in the face of traffic calming plans for the area. You cannot allow the construction of professional office buildings and expect to calm the increased traffic. Outer Congress Street is already a speedway!

I also find it disturbing that an area with lots of green space and lush growth right now, complementing the historic neighborhood it abuts, would be eliminated by further construction. That area is a welcome break to the eyes after one leaves behind dense residential area and approaches a busy commercial area at the other end (the airport, shopping centers, the Mall, etc.). It is relaxing to travel through that area right now and creates a calming effect on its own. New professional buildings will reduce the beauty of nature that exists there now, exacerbating traffic and increasing the number of drivers and therefore the level of tension already present in drivers anxious to get to work and eager to leave at the end of the day.

I understand the Elks Club's request will also violate the city's Comprehensive Plan. What was the point of the Plan if the City does not intend to enforce it? Portland has already come precariously close to doing that with the Midtown project, and were it not for some savvy and watchful citizens, the City just might have gotten away with pushing it past Portland residents.

Please pay attention to your own policies and consider the detrimental effect the Elks Club's proposal will have on the area. Do not allow them the ability to push this through.

Thank you for your attention.

Sincerely,
Lucie Tardif
13 Brewer Street
Portland

PC5

From: Joe Heasly <jheasly1@maine.rr.com>
To: <hcd@portlandmaine.gov>
CC: <stroudwatervillageassociation@gmail.com>, <captlinell@yahoo.com>, Carolyn Heasly <caroalic@maine.rr.com>
Date: 1/19/2015 9:33 PM
Subject: 1945 Congress St (Elks Club) Proposal comment

Hello Ms Donaldson,

My wife and I live at 1832 Congress St, and have recently become aware of the Elks Club's proposal for their parcel at 1945 Congress St. We'd like to offer our thoughts on the project as we understand it, which is to create an 'office condominium' of three buildings (two new, one a smaller incarnation of the current Elks building) if the current R-2 zoning can be changed to OP.

We prefer that the parcel remain residential. There are two nearby 'assembly' uses on outer Congress St; we don't want a precedent set in this instance that would increase the pressure for non-residential uses bordering Stroudwater Village.

We are concerned about how this project will impact the traffic-calming efforts that the city has underway for this stretch of Congress St. Additional offices on the site will certainly generate a small but steady increase in the number of vehicles traveling to and from the site.

We'd like a chance to hear more from the Elks and their partners in this exercise abut their plans. It may have gotten lost in the holiday shuffle, but I don't recall getting any notice of the neighborhood meeting that was apparently held recently. I understand that the Stroudwater Village Association has a community meeting coming up in February and that they are willing to host a meeting of the Elks, et al, with the community. Is it possible for the board to defer any decisions until that to happen before the board makes its decision?

We will not be able to attend the Board's workshop tomorrow afternoon, would you please convey our thoughts to the Board?

Finally, would you please added us to the 'interested parties' list for this project?

Thank you,
Joe Heasly
Carolyn Heasly
1832 Congress St

PC7

From: John Sommer <john@svindulgence.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>, "edsuslovic@portlandmaine.gov" <edsuslovic@portlandmaine.gov>
Date: 1/20/2015 8:46 AM
Subject: 1945 congress street proposed zoning change

Hello Nell, I live on Garrison Street, nearby to the proposed changes. I am writing to provide some comments regarding the proposed zoning change at 1945 congress street. My concerns follow below:

- This change is in direct opposition to the city's comprehensive plan and zoning rules. Avoiding a piecemeal approach to zoning (what this change represents) is the underlying objective to the comprehensive plan.
- Would help establish the precedent for creeping changes....I notice the there is an abutting parcel up for sale (behind the mason's school)...will the changes be applied to that parcel as well?
- At present there is a "buffer between the residential areas of Stroudwater and the commercial areas; that area is the R2 zone on both sides of Congress Street (elks and churches across the street). This zoning change would effectively end that "buffer".

Thank you for your consideration. John Sommer51 Garrison StreetPortland, ME04102

PC8

From: Rob Rosenberg <robkellyrosenberg@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 1/22/2015 7:59 AM
Subject: RE: Elks Club Property Zone Change Application, 1945 Congress Street

Mr. Alex Jaegerman

Planning and Urban Development Department

City of Portland

389 Congress Street

Portland, ME 04101

Dear Mr. Jaegerman,

We live at 1859 Congress Street, near the Elks Club and abutters to the Masonic Learning Center. We are across from the top of Garrison Street, where the new traffic light and crosswalk will make it easier to cross Congress Street and walk to the dam. The historic district starts with our property, but does us little good if the current zoning laws and the Comprehensive Plan are scuttled.

The zoning change is not what the Comprehensive Plan dictates. The significant traffic impact would undo what we've achieved in restoring the neighborhood which has been spit by Congress Street for too long.

The proposed change would also set a precedent for the Masons, whom we abut, as well as the four or five churches in the area.

Please ask the Planning Board to follow the Comprehensive Plan and recommend that the City Council leave the zoning for 1945 Congress Street as it is, with no changes.

Sincerely,

Rob Rosenberg robkellyrosenberg@gmail.com

1859 Congress St 409-9652

PC9

From: David Silk <DSilk@curtisthaxter.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
Date: 1/22/2015 9:38 AM
Subject: RE: 1945 Congress

Hi Nell: Thanks for the update. I understand there will be another workshop. Can you let me know when that will be? In the interim can I get a copy of the recording of Tuesday's workshop. I am happy to pay whatever cost are incurred in making a copy of the recording.

You saw by my letter that I fail to see how this project fits within either the OP or RP zone. I just do not see it. My main issue is that the project should not drive the zoning. The land in the area is zoned R-2. Maybe it should remain residential with options for more dense residential uses such as apartments. If the City does not want the land used for residential development, then maybe the zoning should be changed but it should be done with a vision to what the area should become, one that should insure it is compatible with the area and effort to calm traffic. Area wide rezone could incorporate design standards for commercial uses. Piece meal parcel specific zone changes to accommodate an individual property owner's needs (and a particular buyer's needs) of the moment will only lead to hodgepodge of uses and designs that will not create any continuity in the area that is on the edge of a historic district. I am not sure folks understand the positive image the open space creates to those new to Portland when exiting the JetPort onto Congress Street. If that is to be changed I would think the City wants to see what comes in its place maintains that positive experience. It is a gateway.

David

-----Original Message-----
From: Helen Donaldson [mailto:hcd@portlandmaine.gov]
Sent: Tuesday, January 20, 2015 9:45 AM
To: David Silk
Subject: RE: 1945 Congress

David,

I'm back in the office now and have had a chance to read your letter. I appreciate your thoughts, and I will make sure that the Board is aware of your correspondence at the workshop this afternoon.

The date of a hearing will depend on how the conversation goes at the workshop. I will be sure to let you know when a date is set.

Best,
Nell

Nell Donaldson
Planner, City of Portland
874-8723
hcd@portlandmaine.gov

>>> David Silk 01/14/15 11:57 AM >>>
Hi Neil:

I have some concerns on the 1945 Congress Street parcel zone change application and have put them in the attached letter. Can you include the letter in the PB packet for the upcoming workshop scheduled on the 20th. I may not be able to make the workshop because of a work commitment but let me know when the public hearing occurs as I hope I can attend that hearing. I assume the packet for the workshop will be available on line prior to the workshop but if not, could you send it to me when it is publically available. Thanks for your help and have a great day. David

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.

PC10

From: <captlinnell@yahoo.com>
To: Helen Donaldson<hcd@portlandmaine.gov>
Date: 1/23/2015 9:01 AM
Subject: Food for thought

Nell,

Please include these sentiments in the discussion on the Elks Club Property:

How about this approach: What if the city looked at the Elks parcel from the point of view of the Comprehensive Plan: plan it to be truly compatible with the existing neighborhood, with historic- compatible single-family-looking houses near Congress street, appropriate for this gateway location coming into the city, and address housing needs as outlined in the Comprehensive Plan- a development with apartments, including some handicapped accessible, some suited for large families. Maybe a community building with a basketball court; a soccer field, garden space, and parking in the center. More density for the developer, but traffic would be much less intense. Housing needs are improved.

Bill Linnell

Sent from Windows Mail

>>> Paul Dubois <pdubois1915@yahoo.com> Saturday, January 24, 2015 10:00 PM >>>

Our property is a single family home abutting the Elks club property. After listening to the board, we feel strongly that the board should consider the Elk's application for a zoning change very carefully. We have a wonderful home in a residential area adjacent to Stroudwater Village and cannot begin to tell you how fantastic it is to live on outer Congress. We get to live in Portland but have off street parking. We have immediate access to the Stroudwater Trail, easy kayak access to the Fore River, Casco Bay and Stroudwater River. We have enough room for raised bed gardens and compost all our green waste on site. We have great access to the city bus system and the Jetport (literally walking distance). I can sit in my recliner and occasionally see deer that live in the area. Last year we were visited by a family of wild turkeys on a daily basis. My wife works 3 miles up Congress Street and I get to my job in 12 minutes every morning. The City's Comprehensive Plan directed the Board to facilitate new residential housing opportunities and I can't think of a better neighborhood to build a home. Changing the zoning for over 7 acres of potential housing is inconsistent with that mandate. The Elk's claim that they will never sell or in no possible scenario would they ever allow residential development on the property seems ridiculous especially in light of the fact that they have entered into several contract over that last few years to do just that. The reason they are asking for a zone change is to maximize the sale or development potential for their property. We all know that the financial potential of selling or developing commercial property far out ways that of residential ,this is why the City's Comprehensive Plan had to address the matter specifically. If the Elks want to further develop their property then they can do so by providing up to 14 new fantastic housing lots. Their contention that residential homes cannot be near the Elk's property (because they sell alcohol) falls flat on our ears. We have lived here and raised our children here with no negative impacts from the private and locked club. If the Board approves this application then we will never get to know if in fact the Elks will sell and move (opening up a wonderful opportunity for new housing for Portland). Even if they stay, there is a chance that future members will decide to sell several housing lots-the truth is that we don't know, and definitely the Elk's don't know, what a future membership will or won't do. The Elk's bought the property at a significant discount as compared to buying similar property in a commercial zone and they have reaped the benefits of lower valuation resulting in lower property taxes for all these years- they got what they paid for. If the Board approves this zoning change they will increase the value of the Elk's property substantially but only by devaluing the abutters properties-where is the fairness in that.

Having said all that, it seemed clear at the workshop that the board members were intent on going through with a zoning change even if it meant changing the text (once again for this property) of the zoning ordinance. We are extremely concerned about maintaining or creating the maximum buffer possible especially in light of the fact that we have a nonconforming lot with inadequate set backs all along the abutting property line. The Elks have been very poor at maintaining their property and despite our best efforts we have been unable to get them to do so (trees have actually fallen and damaged our house). We heard the developer say that their intent is to maintain the existing tree line as a buffer and implied they would somehow enhance it. Well, our property is not at all protected by a tree line. Our house is 6 ft from the Elk's line which gives us absolutely no room to create our own buffer. We have asked the Elk's to sell us a small piece of land (about .10 acre) to allow us to conform with set backs. They could not come to consensus. Transferring this small amount of land would allow us to maintain our own buffer in the likely event the Elk's fail to follow through over time. The land we're talking about is currently part of a bamboo growth that is very unique and provides a perfect green barrier. The Elks have (at least once in the past) considered destroying this buffer and creating a "park". We feel this would be terrible and could preserve this truly unique ecological treasure if they would only allow this small concession. I believe that this is a fair request and ask that the Board make it a condition of the zoning change approval that the Elks sell us enough land to at least have the recommended setback of 15 feet from our house as a buffer.

We do thank the Board for your efforts to maximize the tax base but this particular zoning change with the implied text changes discussed is at the least impulsive and at worst in complete violation of the intent of the City's Comprehensive Plan. If you are intent on proceeding then please consider the impact on our property and neighborhood and act to minimize those impacts that are negative. If you approve this zoning change then the Elk's will realize a significant windfall and should be required to share that windfall by minimizing the negative effects on abutters and the neighborhood. Wouldn't it be nice to have an public access to the Stroudwater trails with a few parking spaces or a kayak and canoe access to the Stroudwater River?

Thank you in advance for your diligent consideration.

Paul And Kimberly Dubois
1915 Congress Street
Portland Maine 04102
(207)899-2599

PC12

188 Whitney Avenue
Portland, Maine 04102
January 30, 2015

RECEIVED
FEB - 3 2015
City of Portland
Planning Division

Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Elks Club Property Zone Change Application, 1945 Congress Street

To Whom It May Concern:

I frequently travel outer Congress Street along the route of the Elks Club and the Portland Airport. It seems to me that a number of drivers using that route ignore the traffic laws that are in place along that section of the Stroudwater neighborhood.

If a change must be made in the zoning from R-2 to OP, I hope you would decide that a better plan would follow existing zoning already in place in Portland .

The area needs more opportunities for family housing units to help stop sprawl. The city is in desperate need of affordable housing for the middle class workers who work here and would like to be able to live in Portland.

I think the Stroudwater neighborhood and other residents of Portland deserve a safe thoroughfare through that outlying area of the city.

Very truly yours,
Margaret C. Doyle
(Mrs. Leonard F. Doyle)

PC13

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Joanne Lagnon

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Lucille Lussy

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Marlene Hamden

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3-26-13

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Harold D. Chadbourne

Date: March 6, 2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Earl C Tuckett Jr.

3-6-2015
Date:

Member 01088/12

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Thank you so much!

Respectfully,

Kathryn Mullen Cripps

Date: 3/

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Vassar C Houghton

Date: 3-6-2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Robert J. Pomerleau

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/6/2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Maureen Wilkes

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Ronald Laughlin

Date: 3-06-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

M L Moschetto

Date: March 6, 2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 6 March 15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Joseph Winnicki, Treasurer

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Louise Ericsson

Date: 3-6-2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Arthur Spinks

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Geraldine D. Pomerleau

Date: March 6, 2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Renee DeLong

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Dean C. Nero

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Lester L Wonnette

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Warren Gilman

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Allan Smith

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3-6-15

Mason

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Dennis S. Rechtt

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Irene Mulkern

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Louis Champagne

Date: 3/6/15

Champagne

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Phillip Adamson

Date: 3-6-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Timothy Smith

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Thomas Grey

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

John Budroe

Date: 3/6/15

Budroe

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Carole Gillespie

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Andrea Richards

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

John P Garhar Jr

Date: 3-C-15

Garhar

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/6/15

Smith

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date:

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project" which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Martha Boutte

Scholarship Chair

Date: 03/07/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Carol A Burchill

Date: 3/7/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Dolores Leighton

Date: 3-8-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 4/8

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Edward D Corey

Date: 3/8/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3-8-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Karen R. Pacillo

Date: 3/8/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Loretta Allen

Date: 3-8-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Norma Pacillo

Date: 3/8/15

Pacillo

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Dan Roberts

Date: 3-8-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Barbara E Brown

Date: Mar 8 2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Nancy Berry

Date: 03-08-2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Walter J. Young

Date: 3/8/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 12/8/2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Judith Von Thelen

Date: 3/6/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Annette Thompson

Date: 3/9/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Janice Parker

Date: 3-9-15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Bruce M. Jordan

Date: 3/9/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/9/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Maureen Lovett

Date: 3/9/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/12/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Francis H. Butler #11571

Date: 3/12/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Margaret Cooper

Date: March 12, 2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Marc Levesque

Date: 3/13/15

Levesque

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

John Clark

Date: 3/13/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/13/15

Doughty

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Victoria A. Doughty

Date: 3/13/2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Ronald L Theriault

Date: 3-13-14

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

George E. Walker

Date: 3/13/2015

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Sharon Castellucci

Date: 3/13/15

To: Planning Board

Portland, Maine

389 Congress Street

Portland, Maine 04101

Dear Board Members,

I am a member of the Portland Elk's Lodge #188. As a member, I am aware of the plans we have to make some exciting changes to our building and property.

For those of you who are unaware of what the Elk's Lodge does for the community that embraces them, the following is only an example of the community support that we provide;

Annually;

We give (2) $1,000 scholarships to Portland area high school seniors to begin their college life.

We participate in a "Hoop Shoot" which is a statewide event for children of all ages. To that end, before they go to the final contest, we serve them breakfast, prepared by our volunteers.

We have a "Drug Awareness" program that we offer to educate our Portland youth.

We raise funds for the Maine Children's Cancer Program

We present dictionaries to several of Portland's 3rd graders.

We raise funds to distribute to several of Portland soup kitchens.

We do multiple things for the veteran's of Maine, not the least of which is to support what is known as the annual "Stand Down". The "Stand Down" provides a hot meal, change of clothes, medical and dental exams as well the opportunity for housing, to all of our homeless Veterans in the State.

We provide breakfast for the now "2nd Annual Summit Project which honors our fallen Vet's.

As you see, I could go on for pages but you get the idea. We are very proud of our substantial contribution to our community.

I am aware that this type of venture was attempted a few years ago to no avail. We would hope that you would consider moving somewhat faster this time. We feel this is a win/win for the neighborhood as a whole.

Notification from your Board to our Lodge of an actual date that you are ready to review our request would be so appreciated.

Please give this request your immediate attention and to that end, we thank you in advance

Respectfully,

Date: 3/12/15

From: Stroudwater Village Association Board of Trustees <stroudwatervillageassociation@gmail.com>
To: <hcd@portlandmaine.gov>
CC: Edward Suslovic <edsuslovic@portlandmaine.gov>, Mike Murray <msm@portlandmaine.gov>
Date: 1/20/2015 11:49 AM
Subject: Stroudwater Village Association Letter to Planning Board RE: 1945 Congress Street (Elks Club)

TO: Nell Donaldson, Planner, Planning Division
FROM: Stroudwater Village Association
RE: 1945 Congress Street. (Elks Club) rezoning request from Northland Enterprises
DATE: January 20, 2015

*The Stroudwater Village Association requests a tabling of the zoning decision requested by Northland Enterprises for the Elks property at 1945 Congress Street until residents can understand more specifics about the proposed project and the wider implications for the neighborhood. *

Specifically, we would like to invite the developers and city staff to present to area residents in person at the SVA's annual pancake breakfast event, to be held on Saturday, February 14th at 8:30-10:00AM at the Stroudwater Baptist Church. We suggest this event as we believe it will provide a good representative turnout from area residents, though another public meeting would also be possible.

Many neighborhood residents have reported to the SVA that they have only been recently made aware of the project, and those who have been made aware of it are very divided in their reactions.

Some residents have viewed the proposal as a general improvement to the existing site usage, even while expressing concerns about the details, building locations, aesthetics and environmental impact of the proposed development. Those residents expect to work with the developers to assuage their concerns before providing support to such a project.

Other residents, in clear opposition to the overall development, have expressed a preference for residential (as opposed to commercial) development on the site, referencing incompatibility with the residential nature of the neighborhood, increased traffic flows, impact on abutting property owners, that the current proposal does not comply with the City's Comprehensive Plan, as well as concern about setting precedent for other similar sites within our neighborhood.

In any case, it's clear that more information is needed in order for residents to assess the impact of this zoning change and project. As such, we request the decision be tabled until further information about the project can be provided.

-Dan Koloski, SVA President
On behalf of the Stroudwater Village Association

The Stroudwater Village Association is a Maine Non-Profit corporation. All residents of Stroudwater are members and invited to participate in all of our activities.

Find us on the web at http://www.livinginportland.org/stroudwater.htm
Find us on Facebook at
https://www.facebook.com/StroudwaterVillageAssociation

From: Stroudwater Village Association Board of Trustees <stroudwatervillageassociation@gmail.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
CC: Edward Suslovic <edsuslovic@portlandmaine.gov>, Paul Bradbury <phb@portlandmaine.gov>, Jeff Levine <Jlevine@portlandmaine.gov>, Mike Murray <msm@portlandmaine.gov>
Date: 5/25/2015 5:25 PM
Subject: Statement from the Stroudwater Village Association regarding proposed rezoning of 1945 Congress Street

May 25, 2015

*TO: *Helen Donaldson, Portland Planning Office

*CC: *Ed Suslovic, Jeff Levine, Paul Bradbury, Mike Murray

Statement from the Stroudwater Village Association regarding proposed rezoning of 1945 Congress Street

The SVA has been actively conversing with residents and SVA members regarding the proposed rezoning and redevelopment of the Elks Club property at 1945 Congress Street. Based on the feedback we have received over several meetings, *the SVA recommends the city deny the request for zoning conversion at this time and instead undertake a comprehensive planning process* *for the intersection and contiguous properties as a whole* rather than just this one single property.

Specifically:

- The intersection in question (Congress and International Parkway) represents a gateway intersection to Portland and to the Jetport, and redevelopment of this parcel provides an opportunity to shape many visitors' first impression of our city.
- Many Stroudwater residents desire to see the specific property remained zoned as residential, in anticipation of potential residential development similar to the River's Edge and Tide Mill neighborhoods, which would also be in keeping with the city's Comprehensive Plan.
- Almost all Stroudwater residents are concerned about the precedent a potential zoning conversion establishes for numerous other similar properties within the neighborhood.
- There is concern about the visual effect the specific proposed building along Congress Street would have on traffic/speeding as well as on abutting property owners, especially as we complete the Phase II Outer Congress St. traffic and safety improvements in partnership with the City.
- Residents very much appreciate the openness with which the proposed developers and buyer have shared information and we note and applaud their attempts to incorporate some of our feedback into the proposal. On the other hand, it should be noted that the seller (Elks Club), who will be remaining on site, has shown no interest in engaging with the neighborhood in the past or regarding this latest proposal.

To sum up, residents have meaningful concerns about some aspects of the specific development proposal, but our larger concerns relate to the overall zoning conversion and implications for the intersection and the neighborhood. Given the importance of this intersection to the neighborhood, the Jetport, UNUM and the City,*the SVA recommends the city deny the request for zoning conversion at this time and instead undertake a comprehensive planning process* *for the intersection and contiguous properties as a whole* rather than just this one single property.

- The Stroudwater Village Association Board of Trustees

The Stroudwater Village Association is a Maine Non-Profit corporation. All residents of Stroudwater are members and invited to participate in all of our activities.

Find us on the web at http://www.livinginportland.org/stroudwater.htm
Find us on Facebook at
https://www.facebook.com/StroudwaterVillageAssociation

PC15

From: "Angela J. Wheaton" <angelajwheaton@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
CC: "stroudwatervillageassociation@gmail.com" <stroudwatervillageassociation@gmail.com>
Date: 5/26/2015 10:18 AM
Subject: Deny Stroudwater Zoning Conversion Proposal

Dear Portland Planning Board,As a resident of the Stroudwater neighborhood, I would like to ask that you deny the zoning conversion request re: the Elks Club site.
I greatly appreciate your thoughtful review and consideration of this proposal as well as your inclusion of current residents in the process. I strongly urge you to deny this request in favor of a more comprehensive plan that would take the entire area into consideration.
Thanks for your time and consideration. Sincerely, AJW

Angela J. Wheaton
30 Partridge Rd.
Portland, ME 04102

PC16

From: Charlton Smith <charltonsmith@mac.com>
To: <hcd@portlandmaine.gov>
Date: 5/26/2015 10:38 AM
Subject: Elk's Club zoning change question

Dear Ms. Donaldson,

I live at 85 River's Edge Drive off Congress St. between the airport entrance and Westbrook St.

The traffic on Congress St. at commuting times is extremely heavy now and will be overwhelmed by the addition of the number of cars that will result from the commercial development that has been proposed for the Elk's Club property.

Residents of River's Edge Drive already have difficulty getting on to Congress St. and sometimes we must resort to turning right (when we want to turn left) and driving to the intersection where the Elk's Club is located to turn around by using the entrance road to the Elk's Club and then returning to the streetlights opposite the airport entrance road in order to turn left. If more cars are forced to use this method to get to downtown Portland from River's Edge Drive the congestion at the Elk's Club entrance will be even more extreme than the Planning Department perhaps realizes.

There are presently 26 homes at River's Edge Drive many with 2 or more cars coming and going at typical commuting times. It is important that the Planning Department takes into account these cars when determining how much traffic Congress St. can accommodate, especially when some of the traffic from River's Edge Drive will be forced to use the entrance to the Elk's Club property as a means for getting from River's Edge Drive to downtown Portland.

Thank you for your consideration.

Charlton Smith

PC17

From: Marc Hodroff <marchodroff@yahoo.com>
To: <hcd@portlandmaine.gov>
CC: "stroudwatervillageassociation@gmail.com" <stroudwatervillageassociation@gmail.com>
Date: 5/26/2015 12:34 PM
Subject: 1945 Congress Street (Elks Club Property)

To whom it may concern:

I will not currently be able to attend the meeting for 5/26/15. I appreciate the opportunity to provide feedback. For the current time I would not be in favor of rezoning the area to an office park from its current residential status.
In review, this would have an impact on the area and adjacent residential areas including the potential impact on the river and environment. Noise and traffic will also have an impact on the current residents.
I think a big impact will be traffic management. Currently as a resident in the Stroudwater area, I know that outer Congress in that area is already too busy and becomes bottle necked in that area across from the Elks Club at commute times. I have seen several accidents in that area and have a concern it is already not able to accommodate the current traffic load.
Sincerely,
Marc Hodroff48 Partridge CirclePortland

To: Planning Board Members:

RE: Portland Elks Lodge -1945 Congress Street -Rezone Proposal

From: David Silk, 1187 Westbrook St.

Dated: May 26, 2015

Sorry I could not be present at today's workshop to speak to the Portland Elks Lodge ("Lodge") revised rezone application that if approved would allow for the addition of construction of two large medical office buildings on the Lodge's property at 1945 Congress Street currently zoned as R-2 and allow in a Office Park zone places of assembly. I previously expressed my concerns with the proposal which in my mind are not resolved simply by making places of assembly permitted uses in the Office Park zone. That just raises more red flags. In sum, there is no good reason to approve the rezone request. That the Lodge does not want to sell its land to a residential developer is not a valid reason to grant the Lodge's application. Unlike the recently granted Williston West rezone, the Lodge's building is not a historic structure. There is no compelling reason to rezone the Lodge's property because the building is not worth preserving. The Lodge has not suggested as much. Also unlike Williston West, the Lodge has not demonstrated residential development of the parcel is not feasible.

Rezoning should not be about maximizing the economic return to the property owner. The Lodge wants the rezone as it will get paid a lot more money for commercial development than for a residential development. With an aging membership, the payment will go a long way to help the Lodge continue. But that is not the reason the rezone. Otherwise every place of assembly with excess land located as a conditional use in a residential zone will be looking to enrich its treasury through a rezone to permit a commercial use on the property together with a place of assembly. Just in this area there are several other places of assembly with open space fronting on Congress Street that could be rezoned to allow on the front portion of the parcel commercial or retain use. The places of assembly were located at the back end of the properties to preserve the open space and residential characteristics of the area. With the added funds from a rezone, those places of assembly could extend their lives and I expect will be next in line.

The fact that the place of assembly has been permitted as a conditional use in a residential zone should not be used as shoehorn to add to the conditional use prohibited commercial uses once the organization no longer can sustain itself. Places of assembly do have a limited life and as the Board has seen throughout the City, they close. Most recently last month the Methodist church off of Forest Ave was placed on the market because membership declined so that the assembly could not be maintained. It happened with Williston West. It happened with the Chestnut Street church and St. Patrick's Church. It is a common occurrence in Maine. http://www.pressherald.com/2013/07/31/here-is-the-church-___-where-are-the-people__2013-07-31/ As society changes, it will happen elsewhere in the City. Absent compelling needs to say save a historic structure, the answer when a place of assembly no longer economically can work is not to rezone to allow commercial uses in a residential zone but to allow the conditional use to revert to its residential status so residential development consistent with the underlying zone can occur. If that means the building is demolished so be it.

So I respectfully request that the Board not support the Lodge's rezone application. Instead, the Board should encourage the City to develop a vision for outer Congress Street (between Garrison Street and Johnson Street) and for International Pkwy and determine whether all or some of that area should remain zoned R-2 and if not, what uses should be permitted and what design standards should be adopted to ensure if any housing complex, commercial or retail development is to be permitted, that that development occur in this area is compatible with the existing residential uses and historic nature of SVA. The vision should also include the JetPort as the drive from the JetPort on International Pkwy to Congress Street is a gateway into the City.

Background

The Lodge was built in the late 1960s on a 7 acre parcel located on outer Congress Street in the R-2 zone. The R-2 zone is a residential zone intended primarily for single family homes. As a place of assembly the Lodge is a conditional use in the R-2 zone. Single family homes abut the Club property. Almost next door to the Lodge property is property owned by the Masonic Lodge, also is a conditional use in the R-2 zone. Single family homes also abut the Masonic property. On the opposite side of the street, the land is also zoned R-2

with single family homes and churches (places of assembly) permitted as a conditional use. Commercial uses such as three or four story medical office buildings and retail uses are prohibited in the R-2 zone.

According to the City's Land Use Ordinance (LUO) the purpose of the R-2 zone is to "provide for low-density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity." That describes outer Congress Street between Garrison Street and Johnson Street quite accurately.

In the last few years, the City has invested money to slow traffic as it moves through outer Congress Street into the City. The City plans to install a cross walk from Garrison Street across Congress Street in order to make pedestrian movements safer. The hope is to eliminate or minimize the canyon like effect Congress Street has on the Stroudwater neighborhood.

Lodge looking to sell

The Lodge has been looking to sell and/or develop its property for some time. Art one point the Lodge intended to sell all of its land to Husson College and relocate to Warren Ave. So there is a market short of permitting commercial uses.

Per statements made by Lodge representatives at a recent Planning Board workshop, apparently the Lodge is adamant it will not sell its property for residential development as the Lodge would not realize any return on its building (it would likely be removed) which has been partially exempt from property taxes for many years. Instead, the Lodge wants to maximize its return by getting money for the building and the land believes it can with a zone change to allow for commercial uses. The Lodge's proposal would max out development on the lot. The Lodge would stay on the lot and two new multi-story medical office buildings with a parking lot for over 200 cars would be installed. More traffic on Congress Street would be added at the peak times. The Lodge needs a zone change to make this happen.

The Masonic property just down the street is also for sale. It is not clear if the Lodge gets a zone change, whether the Masons will be next in line. I surmise they would be. Both churches across the street would see the value of their tax

exempt property increase significantly if rezoned to commercial uses. Like the Lodge, they too could become interested in permitting development on that portion of their property along Congress Street to reap the gains from a zone change.

These areas are all in close proximity to International Pkwy, which is also zoned on either side as R-2. Many commercial and retail operations, super gas stations, hotels, coffee and doughnut shops, convenient stores, etc. would jump at the opportunity to have a place of business along outer Congress Street between Garrison and Johnson Streets or along International Pkwy. With piece meal rezoning, the intersection of International Pkwy at Congress Street could resemble say the corner of Auburn Street and Allen Ave. Not my vision for the area but a good possibility with what I call Let's Make a Deal piece meal zoning. The traffic calming measures recently added could be eliminated to handle the resulting increased traffic demands. Congress Street could be widened more.

There are other uses residential in nature that would be much more compatible with the area and serve the Comprehensive Plan. Located on a bus line close, the site would be a great site for senior citizen housing. For the last 20 years, I have served on the board of a not for profit corporation that develops rent restricted senior housing. The location of the Lodge's property along a bus line and a short bus ride to needed services is ideal location for senior housing. Rezoning the property to allow for senior housing would be much more consistent with the Comprehensive Plans number one goal of creating more housing for all of Portland's citizens.

Why the Board should not support the Lodge's rezone application.

The Board should not support the Club's rezone application. On a broad scale, given the City's most prominent zoning goal is to create more housing, all kinds of housing, throughout the City, why the City would ever want to rezone land from residential to commercial or retail so as to eliminate the possibility of residential development is beyond me.

There are those who believe commercial development is needed in order to increase property tax revenue. The City needs more money or tax rates will be even higher. If the Board's view is that any land should be rezoned at any owner's

behest regardless of the underlying zone so as to increase the tax base, then the Board should support the rezone. Just be aware that rezone applications that will soon follow not only for land along outer Congress Street between Garrison and Johnson Street and International Pkwy also perhaps outer Westbrook Street and/or where uses can be changed from say a conditional use (say an existing church) to a commercial or retail use. You will end up with a hodgepodge of commercial and retail development that fits the needs of the particular developer. A four-story medical building for one, a doughnut/coffee shop for another. A super gas/food-stop for another. Greater tax revenue for sure. So much for the existing folks who live in the single family homes as they will eventually find living in their homes intolerable. Those houses can be torn down (loss of housing for the City). In its place the City will have a helter-skelter retail/commercial development right on the edge of Stroudwater that makes for a bright neon gateway into the City.

Personally, I think rezoning simply to boost the economic return to an existing property owner is about the worst reason to justify any rezone of a property. Regardless of how bad the City needs more property tax revenues, zoning in the City is intended to direct and guide suitable development and at the same time provide stability to neighborhoods. Neighborhoods should not be sold down the river simply based on the latest and greatest development plan that needs a contract or rezone to happen. So I suggest the first question to ask is not how the City can find a way for the Lodge to increase its return on property the Lodge bought knowing it was zoned residential. It is not finding a shoe horn to fit the Lodge's particular proposal under the OP or RP zone when clearly the proposed development is totally inconsistent with those zones.

The first question to ask I suggest is whether the underlying area zoned as R-2, not just the specific parcel, but all of the area mentioned above, should be changed in the first instance. Given the City's housing goals and recent efforts to change the LUO to make it easier to create more housing, and given the recent (in the last 15 years) full build out of the River's Edge and Tide Mills residential subdivisions, I have a hard time seeing any legitimate justification to change from a residential zone as it will make less housing. Sure, the Lodge may not make as much money and the Mason's buyer's pool may be smaller, but it is entirely consistent with the Comprehensive Plan to keep the area zoned R-2 or similar residential use. With 7 acres of land, and a minimum lot size of 10,000 square

feet, the property could be developed with a number of homes. Or it could be developed into senior housing.

But others may disagree on what the area should become. Change is constant whether we like it or not. I respect that and that leads to the second question. What do the neighborhood and the City want the area from Johnson Street to Garrison Street inclusive of International Pkwy to become? What type of uses should be permitted? What types of design standards should be developed? What heights and massing should be permitted? What is the vision for the area all now zoned as R-2? We need a vision to guide any rezoning. We should rely on the whims of any particular property owner's self-interest.

Need for a Vison

That vision creating process should include not only the area from Johnson Street to Garrison Street inclusive of International Pkwy but also JetPort Blvd. International Parkway runs from Congress Street almost to the JetPort Blvd and as noted above is zoned R-2 on both sides. It serves as the gateway into the City and is located in the shadows of a historic district. For many visitors to Maine it is the first site they see on exiting the JetPort.

That portion of the JetPort Blvd in Portland is zoned Airport Business (an area intended to provide for the development of airport-related development). Just over the line in South Portland on JetPort Blvd an office building (for DHS) was located, clearly not an airport-related development. With only so much land available to meet future needs, the vision process should include the JetPort and the City of South Portland relative to zoning along all of JetPort Blvd so as to be consistent with any common goals.

The vision needs to account for traffic demands both now and projected in the future as it is the JetPort's goal to serve more and not less. Both the City and South Portland have shared traffic issues which are impacted by the uses permitted.

In sum, the vision creating process would include all of the stakeholders in the area including the owners and residents of the homes to be greatly impacted by any change. A vision creating process can examine existing zoning, possible uses, and design standards that are compatible with the existing uses and the historic

nature of Stroudwater. Sure, a vision creating process takes time but in the last decade the City has found the resources to engage in a vision creating process for such places as India Street, Bayside, East End Waterfront, USM, outer Brighton Ave, etc.

The Lodge's property should not be rezoned until the vision process is completed. That is not an unjust result. The Lodge property is a conditional use in a residential zone and commercial uses are not allowed. Over the years and today it has received a substantial property tax break because it is considered a fraternal society with the land assessed based on other than a commercial use. The Lodge can sell today at a price that recognizes the legal uses applicable today if need be. Sure, it may not maximize its return but rezoning should not be about maximizing the owners return. The Lodge's needs should not trump the needs of the local community to decide whether the R-2 no longer makes sense for the area, and if so what uses permitted and what design standards should be adopted to ensure development occurs in a cohesive pattern respectful of existing uses and limited road capacity.

There is no reason simply to rezone to meet the needs of a particular buyer who has a development plan, a plan that in no uncertain terms can be called consistent with the standards for an Office Park zone (the rezone it wants) or Residence-Professional (a fall back rezone). The Office Park zone is intended to create a campus type setting with lots of open space among other features. The Lodge's development plan is anything but that. The Residence-Professional zone allows for existing residential structures or structures of similar size and scale to be used for professional offices. The Lodge's development plan is also anything but that. The closest business zones, at Westgate, are B-1 and B-2, and those zones would allow for a multitude of commercial and retail uses. The Lodge's development plan fits like a glove into the B-2 zone except for the fact it abuts single family residences.

In sum, I ask that the Board decline to recommend to the City Council the Lodge's rezone application and instead recommend the City initiate a master planning process for the area. That way a vision can be created that will be inclusive of all the stakeholders, resulting in development compatible with the existing residential uses and a great gateway into historic Stroudwater and the City.

PC19

From: Elizabeth Hoglund <eahoglund1@gmail.com>
To: <hcd@portlandmaine.gov>
CC: Ed Suslovic <edsuslovic@portlandmaine.gov>, Stroudwater Village Association Board of Trustees <stroudwatervillageassociation@gmail.com>
Date: 5/26/2015 1:56 PM
Subject: Re1945 Congress Street Zone Change

Please present the contents of this email to the Planning Board

I write to opine on the matter of rezoning 1945 Congress Street. I have reviewed the materials, attending some meetings and draw on my past experiences regarding this parcel and the neighborhood.

I do not accept the point that the zone has to be changed to make the property marketable or that it is valueless unless it can be used as proposed. The property can be used as currently zoned; the impediment to the sale is price and the desires of the sellers. While the Elks have not been able to lure a buyer for residential use, it does not mean that the parcel cannot so be used. Until recently, as I am sure you are aware, the development of such parcels was weak. The market has changed and if the price fit the market it would be desirable. The Stroudwater neighborhood is a very desirable neighborhood and will remain so unless it gets undermined by zone changes allowing commercial, including large medical buildings, development.

In sum, zones should not be changed simply to allow the seller to obtain a better price, especially when the parcel is well suited for the existing zone.

A second concern is the size and location of the proposed development. The essence of Stroudwater is not tall buildings on the edge of the street. Such a structure would visually change the neighborhood. The requirement that buildings are of the same size and nature of neighbors would not be met. The small, lovely residences abutting this parcel do not look like tall office complexes. The visual impact would be to negate the traffic problems by sending a message this is not a residential neighborhood. The city and state have spent many hours and dollars trying to preserve this aspect while moving traffic. More importantly, the remaining residences could then build similar structures to match this proposed building.

The proposed zone change a few years ago to aloo for an educational use is different from the current request. The sale of the property to Husson University, a few years ago was acceptable because of the nature and size of the building, its location on the property and the overall use of the property as an educational facility. It was Not a number of medical and other use buildings on the edge of the street. These uses can be built elsewhere in an appropriately zoned area.

Please recognize the serious negative impact this zone change would have on the neighborhood and therefore the city.

I am a resident of 138 Stroudwater Road, and have many years of experience in trying to balance the needs of development with the preservation of the neighborhood. Many projects and proposals have been endorsed because they fit the needs of the land owner and the neighborhood. This one does not.

Thank you for your consideration of these points.

PC20

Mary Lou Kimball
49 Vindale Street

Scarborough, ME 04074

207-232-1613

marylou@canfieldsystems.com

May 27, 2015

City Planning Board
City of Portland
389 Congress St.
Portland, ME 04101

Dear Sirs and Madame;

I would like to start my letter today by apologizing for standing at an inappropriate time in your workshop last night. I know and understand protocol and procedure and do respect your need to follow them. I am a member of the Portland Elk's Lodge #188 and would like to add comments that I only seem to have after listening to the Board's discussion.

My reason for standing was the hope to add to your summary a reminder of the comment that Carol, and again I apologize for the familiarity, made with regard to when the R2 zone was put in place. She suggested that if she felt that the City had forced that zoning on The Elk's, that she might be more sympathetic to our quest. I had hoped to get that question into your charge to your staff for the next workshop. I was told by Northland and by the Exalted Ruler that they individually would get the answer and present it to you.

Since I have further comments, I thought that I would take this opportunity to add a bit more information, as your chairman did comment that in this case, more is better. One of the Board members, and I think it was David, said that you need to think about "What we would want for this area if we set the Elk's Lodge aside?". I believe that's smart thinking because if we weren't in the picture, I believe you would see the value in making this Gateway to the City an Op or RP zone. As the chairman said you have the authority to then consider the inclusion of the Portland Elk's Lodge as a non-conforming entity.

A comment I heard repeated last night from the Board that I heard in January, really bothers me and I would like to speak to it at this time. "The Portland Elk's Lodge bought their own problem when they came to this location.". Well, here's the thing; we came to this location in 1968 and I am reasonable confident that we were in that location before any of our neighbors could have "bought their problem". They knew we were there, just like they knew the airport was here. Whenever I hear a comment about "our problem", financial or otherwise, I am disturbed and I'd like to tell you why. Granted we have a need to downsize as membership has dropped off for many fraternal organizations but we all believe that we can continue to aid the people in our community, in a better way with more resources. Our finances should not enter into your decision at all. WE DO CARE about our neighbors, in fact, we invited them to meet with us at the lodge at the outset of this endeavor. We don't view ourselves as a problem but are eager to be a part of the solution.

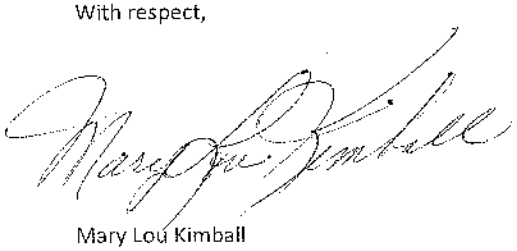
But, as long as we are on the subject of our finances, please allow me to plant another thought in your discussion. Since we arrived at this location in Portland, we have been paying property tax on 7 acres currently in excess of $25,000 and that is with a non-profit discount. Why do I mention that? Because if this project goes through the discount will only apply to our footprint of approx. 12,000 sq. ft. and the city will realize a greater tax revenue, as I see it.

Last night was the first I heard of the Clark Insurance Co. joining in the development of this project. I was thrilled to hear it for a variety of reasons, not the least of which is traffic and parking. As the gentleman said, the traffic pattern would go virtually unaltered as they are currently just a few hundred feet down the road, now. This is largely, I believe, an office for corporate work and is predominantly housing employees not a "large insurance selling outlet". The parking would be used predominately for their employees. I see us; The Elk's, Dr. Bedec, and the Insurance Company as good neighbors.

I am curious, on a side note, and I will ask the question of others. One neighbor commented that a taller building would encourage speed. I may not be the sharpest knife in the drawer but I am hard pressed to get that. And Dr. Bedec's building is no taller that the neighbor's house. My curiosity is such that I think I would like to see that in a study.

I have taken up enough of your time and will close by saying that, I personally recognize that your task for the City is a daunting one. It's a large old City that has evolved rapidly over the last century. I wish you best of luck in your efforts.

With respect,



Mary Lou Kimball

Member Portland Elk's Lodge #188

PC21

Mitchell
&Associates
LANDSCAPE ARCHITECTS

The Staples School
70 Center Street
Portland, Maine 04101
P:207.774.4427
F:207.874.2460
www.mitchellassociates.biz

July 13, 2015

Ms. Nell Donaldson, Planner
and Planning Board Members
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 1945 Congress Street

Dear Nell and Planning Board Members,

On behalf of the Stroudwater neighbors, Mitchell & Associates has prepared the enclosed concept residential development plan based on an R3 zoning change and using the PRUD provisions of the Land Use Ordinance. The proposed concept is for 32 dwelling units in four (4) unit townhouse style residential housing. Based on our understanding of the site, the calculations for determining density used a conservative number for stormwater management and the 20% deduction for the remaining land area. The net density, using these calculations would allow 33 dwelling units. The layout has been designed to provide adequate buffering along Congress Street and the adjacent residential neighborhood, create usable open space and safe access for residents and emergency vehicles.

This plan has been prepared to demonstrate an alternative development proposal that is more in keeping with the Comprehensive Plan, current zoning, the Stroudwater neighborhood and provide a reasonable expectation of a viable use of the property. Enclosed for your review is a copy of the concept site plan. We would be happy to respond to any questions or comments you may have.

Sincerely,

Mitchell & Associates

Robert B. Metcalf; Principal

Maine Licensed Landscape Architect

Enclosure

Cc Janet Burns

Bill Linnell

From: Paul Dubois <pdubois1915@yahoo.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
Date: 7/22/2015 9:28 AM
Subject: 1945 Congress zoning change submittal response from Dubois, 1915 Congress St

Nell, I'm so sorry for the confusion but I've received differing info from the neighbors about the proposal. Once I had a opportunity to read it for myself, I realized that I needed to correct some of the statements that were in the email I submitted yesterday. Is it possible to disregard or delete that response and submit this one instead. Thanks again for your help and sorry for the extra work.

July 28th will be the 4th time I have had to take a day off from work to speak at a workshop about this property development. Despite the fairly significant loss of income and the scrambling I have to do to find someone to replace me at work, we will come to speak because my wife, Kiki and I feel we have to do whatever we can to preserve the home we have made here in Portland. We are very fortunate to have created a great home bordering Stroudwater Village that is both relatively private yet convenient to all the amenities that this great city has to offer. We bought this distressed and non-conforming property (at the height of a real estate boom) because we knew with enough blood sweat and tears that we could build a home that we can afford while still being located in what is arguably the best city in the US. The biggest benefit to living at 1915 Congress is the privacy we enjoy especially at the property line bordering the Elks. For the last 14 years the city has enjoyed accepting about 3 times the taxes they would have received if we had not renovated this property. In that same period, the Elks have enjoyed reduced taxes due to their R2 residential zoning and have neglected their property to the point that they are once again in front of the Board, hat in hand, looking for a bailout claiming they can't afford to keep their property. If this proposal is passed, they get to sell their property for almost twice it's value while the best feature of our property (the privacy we enjoy) will be destroyed. Let's be clear, this proposal is specifically a way for the Elks to maximize the profitability of their real estate. By their own admission they point out that the property is only worth maybe $1.5 million in a residential zone while a change in zoning may bring the value to 2.5 million. This is at least $1,000,000 that they have to gain. That is a great incentive for the Elks to influence this Board. The neighboring property owners do not have these resources and we rely primarily on this Board and City Council to provide some balance. We have banded together in our opposition and even are providing some plans that support our position that this zoning change, if approved, 1) will be detrimental to the surrounding properties and is inherently unfair to those families that live in this area 2) is without question too large and intrusive a build out of the property and 3)will forever eliminate the opportunity for this property to be used for what it is best suited -residential development. The Elks have no right to maximize every last cent from the development of their property but all the incentives are there- 1 million of them.
Each time we are asked to return to review additional submittals, I am dismayed to find that they lack any substantive changes reflecting the suggestions from the neighbors. They have 7 acres to work with but still seem to insist on placing a huge and unattractive building as close to the corner of Congress St and the closest residential property-my house. The latest submittal , proposing a 40 ft preservation of the R2 zone, is a step in the right direction but once again we are looking at virtually the same plan. I cannot blame the developer for trying to develop this property to it's fullest potential but the Board should not let this happen. Maintaining the R2 zone for the Elks building while sacrificing the most visible (and most proximal area to the existing residential structure) is really insufficient to minimize the impact on the neighboring properties. Please do not reward the Elks for their neglect and poor judgement while penalizing those of us that have acted prudently and improved our properties for the benefit of our families and the community. Every neighbor (except for one property hoping to be included in the zoning change) is telling you that this proposal is ill advised. Don't be confused, this proposal is all about greed and the proponents have one million reasons to influence your decision. Paul and Kiki Dubois
1915 Congress Street
Portland Maine 04102
(207)899-2599

STATEMENT from the Stroudwater Village Association regarding the proposed rezoning of 1945 Congress Street (Elks Club Property). stroudwatervillageassociation@gmail.com

This statement specifically references updates to the rezoning proposal in July, 2015 and should be considered in addition to our prior letters to the Planning Board from January 2015 and May 2015.

The Stroudwater Village Association remains opposed to any one-off rezoning of the parcel at 1945 Congress Street, or for that matter any other individual parcel in the neighborhood area, until a comprehensive visioning process for the neighborhood is undertaken. Such a visioning process should involve all stakeholders, including but not limited to residents, the City of Portland, the Portland Jetport, MDOT, UNUM and other businesses and organizations in the neighborhood such as the Elks Club, the Tate House, area places of assembly and the several businesses on Congress Street near the Fore River. **The Planning Board has been reticent to undertake such a process, but the latest zoning map submitted by the applicant (Fig 1) illustrates perfectly why such a visioning process is critical before any decisions are made.**

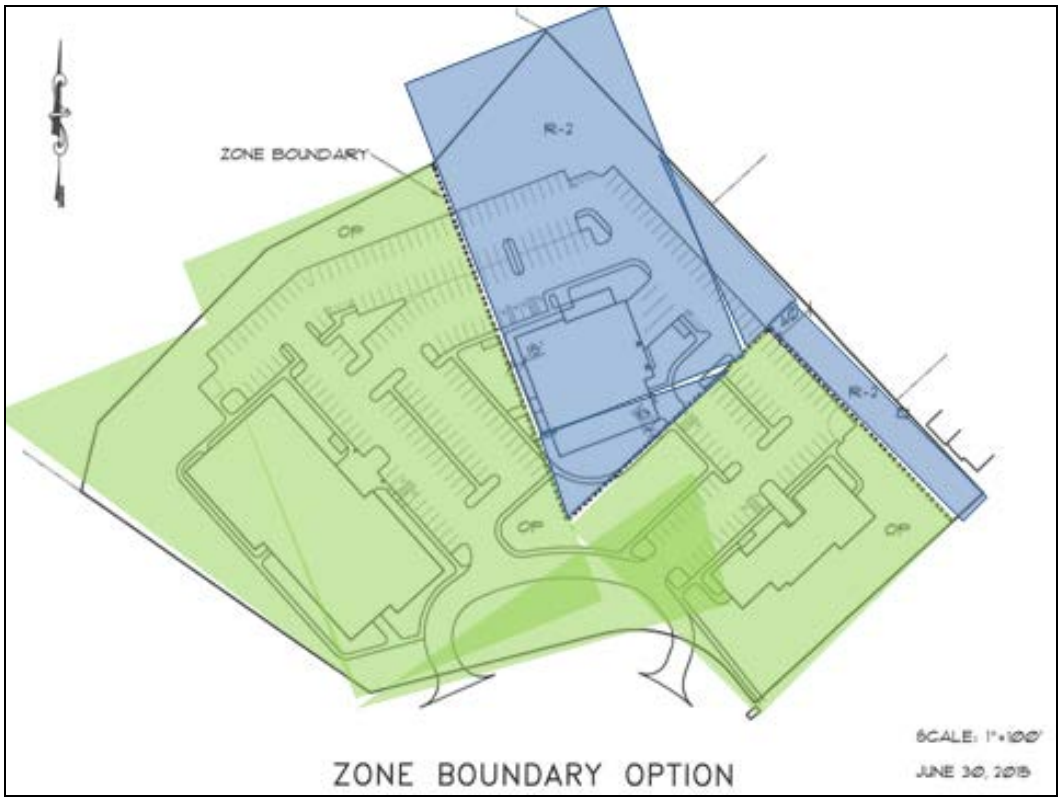


Figure 1. Zone Boundary Option submitted by Applicant, showing the small amount of R-2 zoning remaining (blue) that would allow a tax-exempt, conditional-use seller to stay on the land in comparison with the large amount of land (green) allowed to the seller to "cash out" to a commercial developer.

Put simply, the zoning proposal allows an existing tax-exempt, conditional-use organization to simply draw a box around itself and then carve up and "cash out" the rest of its land at maximum market value for commercial development, regardless of the will of other area stakeholders. Clearly a great deal for

the seller/organization and commercial developers, but a bad deal for the City and for the neighborhood – not to mention probably not the intent of conditional use zoning and tax exemption in the first place.

Far more ominous and concerning to the SVA than just this one parcel is the precedent this would establish for similar would-be sellers in the area. Figure 2 shows the potential "domino effect" of the potential rezoning gift from the city to other would-be sellers. Once the Elks (blue circle) are allowed to do this, why wouldn't any responsible board member of other similar organizations (churches, Masons, the Tate House), consider "cashing out" their land? We know that Congress Street and Westbrook Street frontage would be very attractive to gas stations, donut and coffee shops, etc. On what leg would the city or neighborhood stand to prevent that kind of future activity when we are allowing it now?

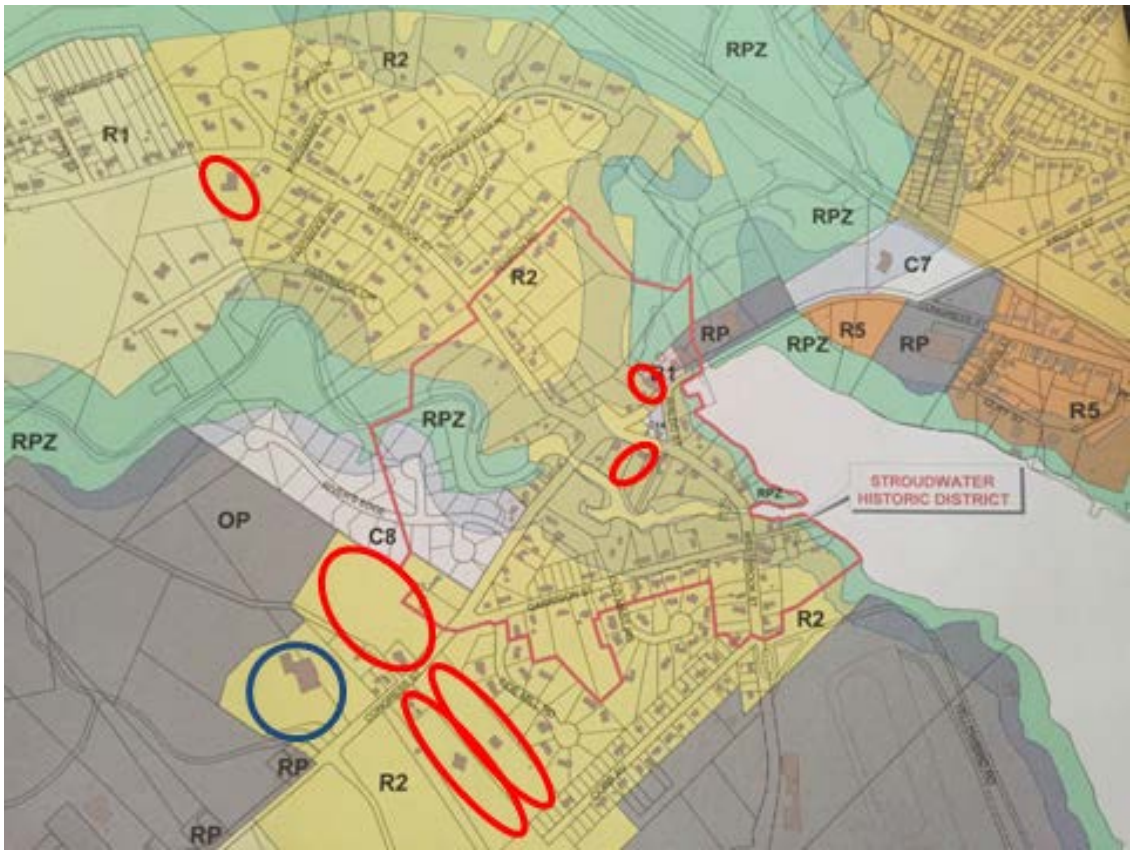


Figure 2. Stroudwater Village neighborhood zoning map highlighting potential sellers in red who are similar to the Elks (in blue). "Similar" in this case means tax-exempt, conditional use organizations sitting on large amounts of land that may be attractive to "cashing out" via piecemeal development.

Stroudwater residents, and the SVA, are not opposed to all change in principle. If the City would like to have a conversation about how to incorporate more mixed-use activity into Stroudwater, by all means, let's have it. But let's have it with all stakeholders, and think about the big-picture effects, not just parcel-by-parcel. To restate, **the Stroudwater Village Association remains opposed to any one-off rezoning of the parcel at 1945 Congress Street, or for that matter any other individual parcel in the neighborhood area, until a comprehensive visioning process for the neighborhood is undertaken.**

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: July 24, 2015

Re: Canal Landing/New Yard Phase III, 400 West Commercial Street, Canal Landing, LLC.

Project #: 2015-101 CBL: 059-A-003

Meeting Date: July 28, 2015

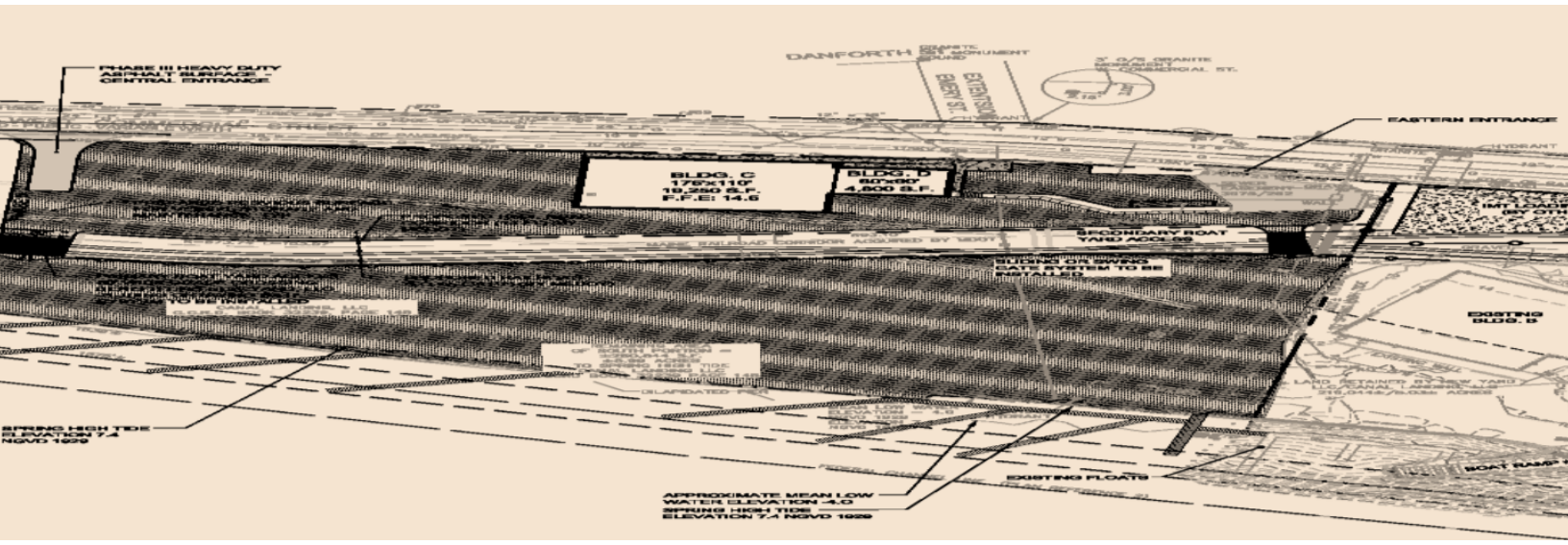
I. INTRODUCTION

A workshop has been scheduled to consider a proposal by Canal Landing, LLC for an expansion of their boat maintenance and repair facility in the vicinity of 400 West Commercial Street. The development involves construction of a new building along Commercial Street and expansion of their existing boat yard storage area. The proposed development is described as phase III reflecting earlier construction activity approved by the Planning Board on the site.

For simplicity the development is referred to as New Yard in this memo.

The development is subject to site plan, site location of development law, traffic movement permit, conditional use (marine products, wholesaling and retailing), and shoreland review. Applicant is also requesting a number of waivers.

Notice of this meeting consisted of 92 notices sent to area property owners as well as notices to the interested parties list. A notice appeared in the July 20, 2015 and July 21, 2015 editions of the Portland Press Herald.



II. FINDINGS

Zoning: Waterfront Port Development Zone (WPDZ)

Land Area: 17.22 acres

Existing Use: Boat maintenance and undeveloped rail yard

Proposed Use: Boat maintenance/marine retail

Proposed Building Floor Area: 31,250 SF (total)
19,250 SF (Building C excluding mezzanine)
12,000 SF (Building D)

Building Floor Area (site total): 80,000 SF

Building Footprint (site total): 74,050 SF

Parking: Described as “undefined >100 spaces”

Estimated Project Cost: $2.5 to $6 million

III. BACKGROUND

Since the Board’s August 12, 2014 site plan approval there have been several noteworthy events regarding this site. The addition to the boat repair building approved by the Board last year has been constructed. New Yard has purchased additional land (12.77 acres) from the rail road which extends their

land holdings further to the west. Applicant now has just over 1,700 of street frontage along Commercial Street in contrast to the previous site plan which did not have any street frontage.

The New Yard land holdings are split by the MDOT rail corridor that runs from the IMT to Cassidy Point. MDOT is nearing completion of two rail crossings allowing New Yard access from their Commercial Street frontage to waterfront land along the Fore River. Presently New Yard uses a driveway at the Beach Street intersection on a temporary basis until new driveways along their Commercial Street frontage are approved as part of the present review process.

MDOT has recently informed New Yard that they may no longer use the Beach Street driveway as of August 2nd since construction of Beach Street intersection improvements will require this driveway be closed. With their site access ending and no other option apparently available to them, New Yard has requested administrative permission to use two on-site driveways in advance of Board site plan review. Staff has reviewed this request and is inclined to approve it but on a temporary basis until the Planning Board has completed their review of the New Yard site plan.

<u>August 12, 2014 Planning Board Approval</u>
Planning Board approves a 27,600 SF addition to the existing 19,200 square boat maintenance repair building. Site plan is on a smaller lot (5 acres) reflecting land acquired by MDOT to facilitate IMT expansion.

<u>July 8, 2014 Planning Board Approval (IMT)</u>
Planning Board approves an expansion of the IMT facility. The IMT site plan includes approximately 17 acres previously controlled by New Yard. New Yard's remaining land (5 acres) contains their newly constructed 19,200 SF building.

<u>October 22, 2013 Planning Board Approval</u>
Planning Board approves a revised site plan shifting two buildings shown in phase 1 to the far westerly end of the site. This change avoids buildings being located on land which would later be acquired for IMT expansion. The first building is labeled as phase 1b "proposed tension fabric building" with a footprint of 19,200 SF.

<u>August 27, 2013 Planning Board Approval</u>
Applicant requests and receives Planning Board approval for an amendment to the previous site plan allowing a phased development.

<u>December 8, 2012 Planning Board Approval</u>
Planning Board approves a boat yard and service yard on a 22 acre site just west of the Casco Bridge. The approved site plan includes a 42,000 SF boat repair building with regrading up to 7 acres of the site for boat storage and circulation. The site improvements include two boat ramps, a travel lift basin, floating docks,

significant fill and grading, stormwater improvements, utility work, lighting and landscaping.

Applicant also submits an initial master plan depicting 7 buildings ranging from 10,800 sf (retail and warehouse) to 30,000 SF (storage and maintenance) for future review.

IV. PROPOSED DEVELOPMENT

The proposed New Yard site plan sheets includes the site features listed below.

- Two new driveways are proposed. The primary driveway is located west of the proposed Commercial Street building and approximately 1,500 LF from the Beach Street intersection. A secondary access is proposed east of the Commercial Street building near the IMT property line. The two driveways have a separation distance of 750 feet. Both driveways line up with recently installed rail grade crossings. The primary driveway grade crossing is 50 feet wide while the secondary grade crossing is 25 feet wide.

- Site clearing, stabilization and general clean-up.

- Construction of a 19,250 sf individual metal building (Building C) along Commercial Street for marine retail and boat maintenance operations (conditional use). An attached 12,000 sf wood frame building (2 ½ stories) will serve as offices for Portland Yacht Services (Building D).

- Construction of a second concrete boat ramp along the shorefront.

- A 20’ by 120’ storage building along the waterfront is proposed for storage of racing shells.

- Establishment of yard areas and surfaces for heavy equipment travel lift trucks and boat storage repair.

- Rehabilitation of former pier pilings for use as part of a new dock system along the waterfront. Custom floating docks are proposed to tie into the existing system of pilings and dolphins located along the waterfront. About 10 floats are proposed along the shore frontage most extending to the edge of the 50 foot Harbor Commission setback.

- Installation of utilities for building use and future phase activities.

- Temporary facilities including one or more portable trailers and storage buildings for Sailboat masts and related boat equipment.

Future Phase Concept Plan
Sheet C-2.3 is labeled as a "Future Phase Concept Plan" which depicts future improvements that are not part of the present application (and thus not listed above). Future building pads are shown in dotted rectangles. This is helpful in understanding the intended future development program for the site. Five future buildings are shown with a total building footprint of about 100,000 SF. A future third driveway is shown on the far westerly end of the site. These pads and the driveway are not before the Board for review at this time.

Other Required Reviews
Applicant lists the following approvals as necessary for this project:

- City of Portland Planning Board Level III amended Site Plan, Conditional Use, and Shoreland
- Site Location of Development Act…Staff is awaiting confirmation whether this project given its size qualifies for local delegated review
- Maine DEP Natural Resource Protection Act (NRPA)
- U.S. ACOE Water Quality Certification/Federal Channel Review
- State of Maine Submerged Lands Lease
- Harbor Commissioner's Review
- Traffic Movement Permit…Subsequent submission of site traffic generation data indicates this project qualifies for a Traffic Movement Permit. Applicant indicates that a Traffic Movement Permit application will be filed shortly.

V. STAFF COMMENTS

Circulation

Traffic Overview
Preliminary comments from Tom Errico, Traffic Review Consultant are shown below and on Attachment 4.

- Based upon the trip generation estimate conducted by the applicant, a Traffic Movement Permit is required for the project. The applicant shall submit a Traffic Movement Permit Application, that meets MaineDOT requirements, to the City so that a Scoping Meeting can be scheduled.
- The Phase III site plan should provide specific dimensions for parking spaces, aisle width, driveway, radii, and other relevant geometric details.

Vehicle turning templates shall be provided to support the design, particularly if waivers are required.

- If required by City Ordinance, the applicant should provide information in support of the noted parking supply.

- The Phase III plan appears to provide a concrete sidewalk on their property. The location of the sidewalk - not within the public right-of-way - and that sidewalk material policy for this location is brick needs to be reviewed. I would note that the City is currently conducting a West Commercial Street Study that will make recommendations as it relates to cross-sectional elements of the street including travel lanes, on-street parking, sidewalks, planted esplanade areas, truck staging areas, etc. The noted study is on-going and will not likely have recommendations until later in the year. How the applicant builds out their frontage should be discussed with other City Departments and could include an interim implementation by the applicant, with full implementation in the future.

Driveway Access

Two driveways are proposed on Commercial Street replacing their present access near Beach Street which is shared with the IMT (MDOT). As discussed during the 2014 New Yard site plan review, the Beach Street access is intended to be temporary until New Yard is able to establish their own separate access on Commercial Street. The agreement between MDOT and New Yard regarding temporary access is shown on Attachment G-6.

MDOT has recently informed New Yard that use of the Beach Street driveway must be terminated by August 2nd since construction of Beach Street intersection improvements will require this driveway be closed. With their site access ending and no other option apparently available, New Yard has requested permission to use two proposed driveways in advance of Board site plan review. Staff has reviewed this request and is inclined to approve it but on a temporary basis until the Planning Board has made a decision on the New Yard site plan. The thought is that the approval for the temporary driveway would allow full access for the main driveway while the secondary driveway would serve as an emergency vehicle access lane with some type of barrier to exclude regular traffic.

The driveways line up with 2 rail crossings that are in the process of being completed by MDOT. The main driveway is to the west of the proposed building on Commercial Street and is intended to be the primary boat yard access. The driveway is 30 feet wide while the grade crossing will be 50 feet wide. The driveway is about 750 feet from the easterly driveway which will serve as a secondary access for the boat yard and the 14 space parking lot adjacent to building D. The easterly driveway rail crossing is 25 feet wide.The easterly

driveway is about 850 feet from the new Beach Street intersection which will have a traffic signal.

Parking
Applicant should provide a break down of building use and floor area so that the zoning requirement for parking can be determined for the site. Applicant has a site in excess of 17 acres so there should be plenty of room for parking. Understanding that the site is a boat yard and that by necessity boats may be moved around the site impacting parking location, applicant should provide a bubble diagram (with parking space dimensions and aisle widths) showing how the number of parking spaces can be accommodated on the site. Fourteen spaces are shown next to Building D which is served by the easterly driveway.

Relationship of Commercial Street Edge to Site
Applicant is requesting a sidewalk and curb waiver along the entire street frontage. Sheet C-2.3 indicates that a future curb will be placed in front of building C/D as well as an adjacent future building pad area. The specific time frame for these improvements is not indicated. The proposed sidewalk is located in front of the buildings but outside the street right-of-way. While this may be an appropriate long term treatment a few questions arise. What will be the interim surface treatment between the street edge and the building frontage? Also what measures will be taken to separate parking, boat storage and other activities from Commercial Street? A curb or guard rail? Similarly how are the driveway openings (apparently without curb) demarcated so that they don't become oversized and/or functionally undefined?

As discussed above in Mr. Errico's comments, a study of West Commercial Street is underway which will help inform appropriate vehicle, pedestrian and bicycle treatments for this corridor. The study is not expected to have recommendations till later this year so a plan for interim and long term improvements should be considered.

Surface Treatment/Site Stabilization
Except for black top at the two driveway entrances and a 14 space parking lot near Commercial Street, the entire site is covered by crushed stone. This is the same material that was used in the previous phase. Based upon current experience this material appears to provide a stable base for the boat yard.

Applicant is proposing a number of measures to stabilize the shoreline of the property. Along the sea wall, the plan notes that "1 or 2 courses of 2'x2'x8' concrete blocks to be added to the top of the existing granite revetment and geotextile fabric with stone wall shall be placed behind the wall."

Engineering Comments
Comments from David Senus, Development Engineering Consultant, are highlighted below. His full comments are shown on Attachment 5.

- MaineDEP Chapter 500 Stormwater Management Rules.:

  Basic Standard: Plans have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500; however, the wood waste compost/bark filter berm detail should comply with the MaineDEP Erosion & Sediment Control BMP Manual.

  General Standard: The Applicant has proposed a porous crushed stone yard surface to infiltrate stormwater to meet the quality requirements associated with the General Standards; this approach is in-line with the previously approved practices on the adjacent sites, and is generally considered acceptable as presented. A formal stormwater management plan demonstrating compliance with the General Standard should be submitted as part of the Final submission package. The stormwater management plan should detail how roof drainage and runoff from the paved driveway entrances will be addressed.

  Flooding Standard: Some of the runoff from the Site is proposed to discharge to a City-owned pipe that conveys combined sewer overflows (CSOs) to the Fore River from a CSO control structure in Commercial Street (Emery Street combined sewer overflow). Applicant has requested a waiver from the Flooding Standard given the proximity to the Fore River. The Applicant should obtain approval from the City Department of Public Services for the proposed connection to the City-owned overflow. If this connection is acceptable to the City, we would support the requested waiver from the flooding standard.

- Additional details should be provided for the storm drain pipe connection to the Emery Street Combined Sewer Overflow. As the pipe connection is shown within the rail road right of way, applicant should confirm whether they have an easement or rights to install the pipe.

- A retaining wall is proposed near Building D over the top of the 30” brick Emery Street Combined Sewer Overflow pipe; the Applicant should seek approval from the City Department of Public Services to place the retaining wall structure at this location.

- The Stormwater Management Plan should include a stormwater inspection and maintenance plan.

- Proposed project will disturb more than one acre, a Maine Construction General Permit (MCGP) will be required. The Applicant should clarify whether a Notice of Intent to comply with MCGP was submitted for the requested after-the-fact authorization for several site improvement activities.

- Several plan sheets (demolition, utility profiles, and lighting plan) are not included in this submission set; these plans should be provided as part of the final submission package.

- The plans should note a location for snow storage. The snow storage location should be sited outside of existing and proposed drainage courses.

Utilities
Submission of ability to serve letters from utilities should be provided.

Lighting Plan
A lighting and photometric plan along with catalog cuts needs to be submitted

Landscaping
A landscaping plan needs to be submitted. Applicant has requested a waiver of the tree preservation site plan requirement. All significant vegetation appears to be removed as part of the site plan. Given the function of the site, new landscaping should be focused along or near Commercial Street side of the property.

VI. OTHER APPROVALS

Applicant is requesting a number of approvals including site plan, site location of development location act, traffic movement permit and shoreland related reviews. WPDZ conditional use review standards and a list of requested waivers are provided below.

WPDZ Conditional Use Standards
Applicant is proposing a marine retail and wholesale use which is a conditional use in the WPDZ. Aside from the normal conditional use standards of sec. 14-474, applicant must also meet the special conditional standard of sec. 14-320.1. which states: "such uses shall not impede or preclude existing or potential water-dependent development on other lots, will allow for adequate right-of-way access to the water, are compatible with marine uses, and are physically adaptable or relocatable to make way for future development for water-dependent uses". This standard needs to be addressed by the applicant for the final submission.

Waivers
Applicant is requesting a number of waivers including the following.

- Sidewalk and curb requirement along the entire property frontage.
- Bicycle parking standard
- Motorcycle/scooter parking standard
- Landscape preservation standard
- Parking lot landscaping standard

VII. Next Steps

1. Applicant submits necessary information and details for site plan, traffic movement permit, site location of development act (including determination of DEP or local review), and other regulatory submissions for final review.

2. Scheduling of a public hearing for final Planning Board review.

Staff Attachments:

1 Vicinity Map
2 Planning Board Approval Letter for Canal Landing/New Yard (August 12, 2014)
3. Planning Board Report for Canal Landing/New Yard (August 12, 2014) Excerpt
4. Tom Errico (Traffic Review Engineer) Memo dated July 21, 2015
5. David Senus (Development Review Consultant) Memo dated July 22, 2015

Applicants Submittal:

A-1 Cover Letter and Application

B-1 Development Description
1.1 Project Overview

1.2 Site Ownership
1.3 Project Purpose and Need
1.4 Existing Conditions
1.5 Access Conditions
1.6 Site Utilities
1.7 Topography and Drainage
1.8 Soils Conditions
1.9 Proposed Development
1.10 Land Ordinance Review
1.11 Brightwork Manual Overview
1.12 Traffic
1.13 Natural Features
1.14 Noise/Vibration
1.15 Lighting
1.16 Solid Waste
1.17 Stormwater Management
1.18 Erosion and Sediment Control
1.19 Flooding
1.20 Blasting
1.21 Air Emissions/Odors/Vapors
1.22 Sunlight
1.23 Approval Requirements
1.24 Attachments

C-2 Right, Title and Interest
2.1 Overview
2.2 Attachments

D-3 Technical and Financial Capacity
3.1 Technical Capacity
3.2 Consultant Team
3.3 Experience of Project Team
3.4 Financial Capacity
3.5 Construction Cost Estimate

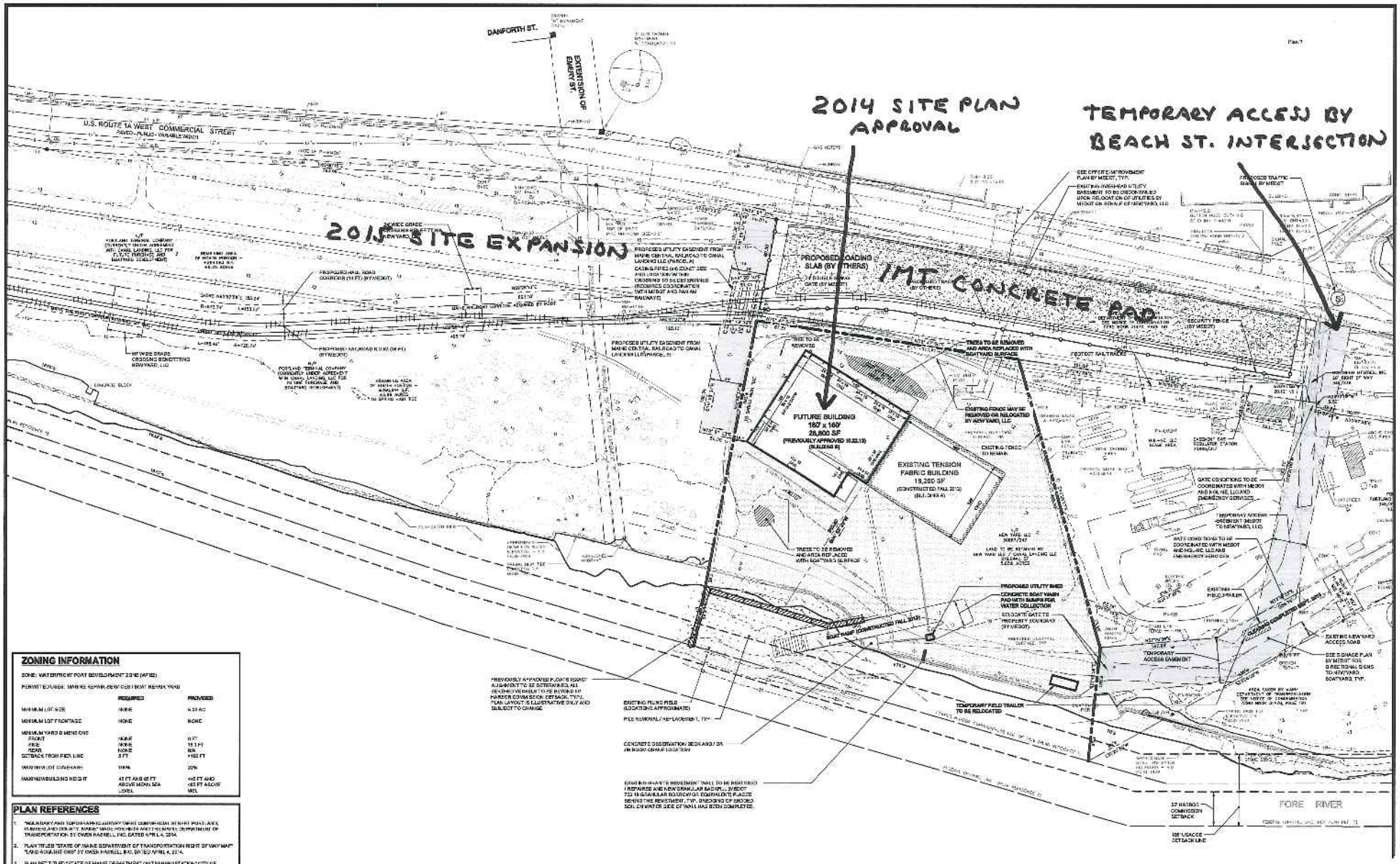
E-4 Fire Safety
4.1 Overview
4.2 Attachments

F-5 Conformity with Applicable Design Standards
5.1 Overview

G-6 Traffic
6.1 Driveway Info. (7-1-15)
6.2 Traffic Info. and Access (7-12-15)
6.3 Traffic/Driveway Info (7-22-2015 and 7-16-2015)

Plans

P1 Cover Sheet
P2 General Notes and Legend
P3 Boundary Survey
P4 Boundary and Topographic Survey 1 of 2
P5 Boundary and Topographic Survey 2 of 2
P6 Existing Conditions Plan
P7 Phase III Site Layout Plan
P8 Amended Phase III Overall Project Plan
P9 Future Phase Concept Plan
P10 Phase III Grading and Drainage Plan
P11 Phase III Utility Plan
P12 Phase III Erosion and Sediment Control Plan
P13 2015 Spring/Summer Surface Restoration and Erosion Control Plan
P14 Erosion and Sediment Control Details
P15 Erosion and Sediment Control Narrative
P16 Erosion and Sediment Control Narrative
P17 Site Details 1 of 2
P18 Site Details 2 of 2
P19 Water System Details
P20 Utility Details
P21 Storm Drain System Details
P22 Shorefront Element Details



ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	4.53 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT.
SIDE	NONE	18.1 FT.
REAR	NONE	N/A
SETBACK FROM HIGH LINE	0 FT.	+100 FT
MAXIMUM LOT COVERAGE	100%	20%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	+45 FT AND +65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY MAP, COMMERCIAL STREET, PORTLAND, CUMBERLAND COUNTY, MAINE" MADE NOVEMBER AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITION" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LANDTOWN AND DRAINAGE IMPROVEMENTS" DATED MAY 2008.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-525 E FLOOD PLAIN MANAGEMENT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE

REV	DATE	DESCRIPTION
2	12.05.14	REVISED AND RESUBMITTED TO CITY / DRAB
1	12.02.14	AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

P.E. STAMP: 10/24/14

LIC. #7433

PROJECT: CANAL LANDING AMENDED SITE PLAN

SHEET TITLE: AMENDED SITE LAYOUT PLAN

OWNER: NEW YARD LLC

55 FORE STREET

PORTLAND, ME 04101

FST — FAY, SPOFFORD & THORNDIKE

ENGINEERS - PLANNERS - SCIENTISTS

778 MAIN ST., SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DMW
DESIGNED:	RAB
CHECKED:	DRB
FILE NAME:	3001-03-SITE LAYOUT
DATE:	JUNE 2014
SCALE:	1" = 50'
JOB NO.:	3001.03
SHEET:	C-2.1

Att. 1

Att. 2

CITY OF PORTLAND, MAINE
PLANNING BOARD

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

August 20, 2014

Mr. Phineas Sprague, Jr.
New Yard, LLC. – Canal Landing, LLC.
58 Fore Street
Portland, ME 04101

Mr. Steve Bushey
Fay, Spofford & Thorndike
778 Main Street, Suite 8
So. Portland, ME 04106

Project Name:	Canal Landing/New Yard
Address:	100 West Commercial Street
Applicant:	New Yard, LLC. – Canal Landing, LLC.
Project ID:	#2014-123
CBL:	59-A-1
Planner:	Rick Knowland, Senior Planner

Dear Mr. Sprague:

On August 12, 2014, the Planning Board considered a development proposal by New Yard, LLC./Canal Landing, LLC. to amend their previously approved site plan for a boat repair and service facility. The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use Standards, Shoreland Zoning Regulations and Site Plan Ordinance. The Planning Board voted 5-0 (Boepple and Dean absent) on all of the motions to approve the application with the following waivers and conditions as presented below.

A. **CONDITIONAL USE**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-123 relevant to the Conditional Use Standards of the Waterfront Port Development Zone for *marine product sales and boat storage*, and Section 14-474 of Land Use Code and other regulations, and the testimony presented at the Planning Board hearing that the plan is in conformance the conditional use standards of the land use code.

B. **WAIVERS**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations, contained in the Planning Board Report for application #2014-123 relevant to Portland's

Technical and Design Standards and other regulations, and the testimony presented at the Planning Board hearing:

1. The Planning Board finds that the applicant has demonstrated that existing trees on the site cannot be preserved on the site and the Board finds undue hardship may result from strict compliance with these regulations and that the public interest is secured with the variation. The Planning Board waives Section 4.3 (Preservation of Existing Vegetation) of the Technical Manual provided the applicant submits a revised landscaping plan for new vegetation for review and approval by the City Arborist.

2. All waivers granted as part of the Planning Board's December 18, 2012 decision for Canal Landing are retained for the amended application (#2014-123), except that the waiver of curbs and sidewalks along Commercial Street is rescinded, as the modified parcel is 5.03 acres and no longer has frontage along West Commercial Street.

C. SHORELAND ZONING

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-123 relevant to Division 26, Shoreland Zone Regulations, of the Land Use Code, and the testimony presented at the Planning Board hearing the Planning Board finds the plan in conformance with the Shoreland Zone regulations.

D. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-123 relevant to the Site Plan Ordinance and other regulations, and the testimony presented at the Planning Board hearing the Planning Board finds that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

1. That the applicant shall submit updated letters from Portland Water District (water), Central Maine Power (electricity), Unitil (gas) and City of Portland (sanitary waste) regarding their ability to serve the project.

2. Prior to the issuance of a building permit, a revised landscaping plan shall be submitted for review and approval by the City Arborist.

3. Prior to the issuance of a building permit a revised site plan shall be submitted for review and approval by David Senus (Development Review Engineer) reflecting the following revisions. The plans shall include details for work within the City ROW, including a City standard trench repair detail (Figure II-12). Applicant shall document that they have submitted a Notice of Intent to Comply with the Maine Construction General Permit to the Maine DEP.
4. That the development shall comply with the review comments of Tom Errico (Traffic Review Engineer) as follows. The approval assumes that access and egress for the project will be via the existing driveway near the Casco Bay Bridge during IMT construction. A construction management plan shall be provided that illustrates how access will occur during IMT construction. This approval does not include new driveways on West Commercial Street.

5. Prior to the issuance of a building permit the site plan shall be revised for review and approval by Chris Pirone (Fire Department) reflecting the 30 foot wide access around the site for Fire Department vehicles. Applicant shall also confirm the address of the property.

6. Prior to the issuance of a building permit an executed copy of an easement agreement with the Maine Central Railroad Company for the utility corridor serving the New Yard site shall be submitted for Corporation Counsel review and approval.

7. Prior to the issuance of a building permit applicant, applicant shall notify the Maine Historic Preservation Commission of the projected site excavation schedule in the event the Commission wishes to observe the excavation in the old glass works area or Oxford Cumberland Canal area. A copy of the notice to the Commission shall be forwarded to the Planning Office. If evidence of these sites are discovered during subsurface work, the applicant shall contact the Planning Authority and make reasonable efforts to document any resource discovered.

8. Prior to the issuance of a building permit, applicant shall submit a revised site plan providing a total of 5 bicycle spaces for Planning Staff review and approval. (Note: December 12, 2012 Planning Board review approved a waiver of one-half of the normal requirement. Size of building has increased so rather than 4 spaces, 5 spaces are required.

The approval is based on the submitted plans and the findings related to site plan, conditional use and shoreland review standards as contained in Planning Report for application #2014-123 which is attached.

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** 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 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.

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. (If applicable)

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.

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

Sincerely,

Stuart O'Brien, Chair
Portland Planning Board

Attachments:
1. Planning Board Report
2. City Code: Chapter 32
3. Sample Stormwater Maintenance Agreement
4. Performance Guarantee Packet

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: August 8, 2014

Re: Canal Landing/New Yard; 100 West Commercial Street; New Yard, LLC / Canal Landing, LLC.

Project #: 2014-123 **CBL:** 59-A-001

Meeting Date: August 12, 2014

I. INTRODUCTION

A public hearing has been scheduled to consider a development proposal by New Yard, LLC./Canal Landing, LLC. to amend their previously approved site plan for a boat repair and service facility located in the vicinity of 100 West Commercial Street. The revised site plan reflects a new boat maintenance building on a smaller site reflecting a loss of land from the IMT expansion. The Board reviewed the initial New Yard site plan in December 2012 as well as two amended site plans in 2013.

The plan is subject to site plan, conditional use and shoreland review. Applicant is requesting several waivers to the Technical Standards.

The revised site plan is entitled "Amended Development Plans for Canal Landing New Yard Post Land Taking By Maine Department of Transportation 100 West Commercial Street".

A workshop was not scheduled for this item because of the applicant's stated need to construct this building by December and the Board's familiarity with New Yard site which has included two other public hearings within the past year.

Notice of this public hearing consisted of a legal ad item appearing in the Portland Press Herald on August 4 and August 5. Notices were sent to 125 area property owners.

II. FINDINGS

Zone:	Waterfront Port Development Zone
Total Site Acreage:	5.03 acres
Existing Uses:	Boat repair and service yard facility
Proposed Uses:	Operation areas for vessel repairs, materials, ancillaries and related office space.
Building Footprint (proposed):	26,600 sf
Building Footprint (existing):	19,200 sf
Total Building Footprint:	45,800 sf
Building Floor Area:	50,000 sf
Building Height:	
Impervious Area (existing):	50,000 sf
Impervious Area (proposed):	50,000 sf
Parking Spaces (required):	50
Parking Spaces (proposed):	(described as “unspecified up to 50”)

The existing building is described as a tension fabric building while the second building is a prefabricated metal building. Elevations of the metal building are shown as Attachment 7. The two buildings abut one another and will be connected by an internal access. A portion of the metal building apparently has a second floor. The building has a height of just under 44 feet which is below the maximum zoning height of 45 feet.

Applicant held a neighborhood meeting on August 4, 2014. The notice, meeting notes and list of attendees is shown as Attachment 14.

III. REVISIONS TO APPROVED PLAN

Applicant proposes a number of revisions to the site plan. A complete list of revisions is shown as Attachment 1 while a summary is provided below.

- Site is now 5.03 acres compared to 22 acres previously.

- Current proposal is a 27,600 sf building while the previous submission indicated a future (second) building of 21,600 sf.

- Temporary access is from an easement from MDOT to New Yard and will extend from the Beach Street intersection through the NGL yard area into the southeast corner of the New Yard site. New Yard will be returning to the Planning Board at a later for review of two driveway locations along Commercial Street to the west of this site.

- The majority of the New Yard site area is completed including grading and placement of boat surface materials (stone and granular materials) but there are several existing areas that have not received this surface material. These areas will be improved with the boat yard surface as New Yard equipment will operate and vessel storage will occur around the perimeter of the proposed building.

- As part of an agreement with MDOT, New Yard was granted utility crossing rights under the MDOT rail line including 4 utility casing pipes which are shown on the plan. The site plan indicates water, gas, and sewer lines connecting into the New Yard site through these pipes. New Yard which has an agreement to purchase additional land from Guilford has an easement to run these utilities across their property in advance of the property purchase. These permanent utilities replace temporary utility arrangements currently in use.

- Applicant is proposing overhead power from Commercial Street through the utility corridor discussed above. A new overhead power line is also proposed from the northerly side of Commercial Street. The previous plan showed an overhead power line but in a different location. Power lines on the New Yard site are underground.

- A new fire hydrant is proposed adjacent to the new building.

- New lighting will be mounted on the second building.

- A small building (about 150 sf) was added near the shore for power, potable water supply and sewage pump to floats.

IV. BACKGROUND

In order to provide some context to the applicant's current proposal a chronology of Planning Board site plan reviews for this property is provided below.

<u>December 8, 2012 Planning Board Approval</u>
Planning Board approves a boat yard and service yard facility on a 22 acre site just west of the Casco Bay Bridge. The approved site plan includes a 42,000 sf boat repair building with re-grading up to 7 acres of the site for boat storage and circulation. The site improvements include two boat ramps, a travel lift basin, floating docks, significant fill and grading, stormwater improvements, utility work, lighting and landscaping.

Applicant also submits an initial master plan depicting 7 buildings ranging from 10,800 sf (retail and warehouse) to 30,000 (storage and maintenance) for future review.

A number of waivers to the Technical Standards were granted by the Planning Board. See Attachments A and D.

<u>August 27, 2013 Planning Board Approval</u>
Applicant requests and receives Planning Board approval for an amendment to the previous site plan allowing a phased development.

With this revised application, a new "Phase 1a" allows the applicant to provide only minimal improvements to support the launching, hauling and storage of vessels along with conducting limited associated repairs. No permanent buildings were proposed in this phase. "Phase 1b" comprising two buildings totaling 42,000 sf was shown on the plan.

The phasing plan is in reaction to MDOT plans to expand the IMT facility in a westerly direction on New Yard's property. This allows New Yard time to gauge this expansion so they may avoid placing buildings in areas MDOT will likely acquire through eminent domain.

October 22, 2013 Planning Board Approval
Planning Board approves a revised site plan that shifts the two buildings shown in phase 1 to the far westerly end of the site. The first building is labeled as phase 1b "proposed tension fabric building" with a footprint of 19,200 sf. The second building is labeled as "future". This change avoids the buildings being located on land which would later be acquired for IMT expansion.

July 8, 2014 Planning Board Approval
Planning Board approves an expansion of the IMT facility. The IMT site plan reflects approximately 17 acres previously controlled by New Yard. New Yard's remaining land (5 acres) contains their newly constructed 19,200 sf building.

August 12, 2014 Planning Board Review
New Yard requests site plan review for a new 27,600 sf building just west of the existing building.

V. STAFF REVIEW

The application and supporting documents have been reviewed by City staff from the Departments of Planning and Urban Development, Fire Safety, and Public Services. The plans have also been reviewed by consulting engineers for civil engineering and traffic.

a. Zoning Review: WPDZ, Flood Plain

i. Waterfront Port Development Zone

Use: The project is located in a WPD Zone. The proposed boat repair yard uses are permitted uses in this zone. In the December 2012 review, boat storage and sales (yacht brokerage) were both approved as conditional uses in the WPDZ.

No Adverse Impact on Marine Use: The WPDZ includes a provision for protecting access function of water dependent uses in the form of "Sec. 14-318.5. No adverse impact on marine uses." The No Adverse impact provision could be construed to apply to boat storage use as this use does not necessarily require direct water access (though water access may be a component through launching and hauling.) While applicability of the provision could be argued, no portion of the proposed development appears to create an adverse impact as described in the Sec. 14-318.5 and quoted below:

Sec. 14-318.5

(a) The proposed nonwater-dependent use will displace an existing water-dependent use;

(b) The proposed use will reduce existing commercial vessel berthing space;

(b) The proposed nonwater-dependent use, structure or activities, including but not limited to access, circulation, parking, dumpsters, exterior storage or loading facilities, and other structures, will unreasonably interfere with the activities and operation of existing water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses; or

(d) The siting of a proposed nonwater-dependent use will substantially reduce or inhibit existing public access to marine or tidal waters.

Dimensional Requirements:
The development meets all provisions of the WPDZ dimensional requirements.

Parking:
Parking within the WPDZ is at 1 space per 1000 square feet of building (+/50 spaces required.) The applicant indicates that parking for +/-50 employees will be provided . While a formalized parking area is not identified, it is assumed that employees and clients using the site will find more than adequate parking to fill both the zoning requirements and functional needs of the use.

It is not clear what the applicant is proposing in terms of bike parking. During the first review in December 18, 2012, the applicant requested a waiver on all required bike spaces. The Planning Board partially approved that waiver but stipulated that one-half (4) of the required 8 bicycle spaces shall be provided. Consistent with that waiver and the larger size of the new building, 5 spaces should be provided. That figure is based on a total floor area of 50,000 sf for both building with a normal bike space requirement of ten spaces or 5 spaces for one-half the requirement.

iii. Flood Plain Management:

.
The current plan does not place buildings within the identified Flood Plain and meets applicable management standards, as previously approved.

iv. Vehicle Loading, Division 21: NA

v. Signage:
Separate permits are required for any new signage prior to installation.

b. Conditional Use Review for Boat Storage and Yacht Brokerage in the WPDZ

As noted above, boat storage and a yacht brokerage are a conditional use in the WPDZ. Although the prior project received this approval, we are recommending this review for the proposed project to erase any doubt or ambiguity about the current review process. Conditional Uses in the WPDZ are subject to the following provisions:

> ***Sec. 14-320. Conditional uses.***
> *…such uses will not impede or preclude existing or potential water-dependent development on other lots, will allow for adequate right-of-way access to the water, are compatible with marine uses, and are physically adaptable or relocatable to make way for future development for water-dependent uses, and meet any additional standards set forth below:*

While the proposed development's two buildings are considered permanent, they are designed and intended to serve the permitted uses of boat repair and maintenance in addition to the conditional use of boat storage. Given the intended uses, the "adaptable" provision of the standard appears to be met.

All conditional uses are subject to the provisions of Section 14-474, Conditional Use, as recently amended:

> *Standards.* The Board shall, after review of required materials, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:
>
> a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and
>
> Staff Review: Tom Errico, Consulting Traffic Engineer, found the following:
>
> > Traffic levels from the project are expected to be low, as documented by the applicant, and therefore the project is not expected to create any safety or operational problems.
>
> The proposal is in conformance with this criteria.

b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

Staff Review: The proposed use for boat storage and yacht brokerage is not expected to produce any of these impacts, thus it is in conformance with this standard.

c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

Staff Review: The proposed boat yard uses will not differ from any other boat yard facility in this zone, thus it is in conformance with this standard subject to the Site Plan condition of additional landscaping.

The Staff recommend that the Planning Board find the proposed use is in conformance with the Conditional Use Standards.

c. Site Plan Review.

Attachments A, B and C of this report includes the full text of the December 2012, August 27, 2013 and October 23, 2013 Planning Board Reports, which provides a description and analysis of all applicable review standards. This report will concentrate on standards impacted by the present proposal.

Site Plan Standards Review, Sec. 14-526

The site plan standards language is summarized below in *italics*, with planning staff comment and analysis in regular font.

(a) Transportation

The original approval provided for a primary site access just west of the Casco Bay Bridge. This driveway has been used by the applicant since the inception of the project. With the MDOT's purchase of 17 acres from New Yard vehicle access has changed. As the Board is aware the IMT expansion incorporates a fully improved signalized intersection at Beach Street and Commercial Street with a driveway at that location. As provided for in the "Supplemental Agreement" between MDOT and New Yard, New Yard has the right to use to use this driveway on an interim basis until they have received approval for new driveways further west along Commercial Street. The present New Yard site plan shows access from the proposed IMT driveway. At a later date New Yard will be back before the Planning Board for a request to construct two new driveways further west along Commercial Street as part of a master development plan

for the remaining Guilford property west of the New Yard parcel for which New Yard has an agreement to purchase.

For the record the two future driveways planned west of the site along Commercial Street are not part of this application nor has staff conducted any review or analysis of the driveway's location. The specific location and number of driveways for the site will be reviewed at a later date when the applicant formally applies for review.

The IMT project has just gone out to bid so it is unclear when the contractor will be completing the IMT traffic light and street improvements at Beach Street and Commercial Street. Applicant indicates New Yard must have their second building up and ready by December 2014. Using a driveway across from Beach Street is not advisable without a traffic light in place so staff is recommending New Yard continue to use the existing driveway closest to the bridge until the other driveway has a functional street light and related roadway improvements are completed.

Comments from Tom Errico (Traffic Review Engineer) are summarized below and shown in their entirety on Attachment G.

- Traffic levels from the project are expected to be low, as documented by the applicant, and therefore the project is not expected to create any safety or operational problems.

- The approval assumes that access and egress for the project will be via the existing driveway near the Casco Bay Bridge and impacts during construction of the IMT Expansion Project can be expected. A construction management plan should be provided that illustrates how access will occur during the IMT construction.

- This approval does not include new driveways on West Commercial Street.

(b) Environmental Quality Standards

1. and 2. Preservation of Significant Natural Features:

The original site plan anticipated substantial vegetation being preserved between the development and Commercial Street. With MDOT's acquisition of land between New Yard and Commercial Street, this vegetation will be eliminated with the construction of the 740 foot long IMT concrete ramp.

The 5 acre site currently has several pockets of existing trees (primarily birch) just north and south of the new building. A note on the plan indicates "trees to be removed and area replaced with boat storage". The previous landscape plan (dated 12-13-2013) showed clusters of existing trees being preserved on site but the new plan eliminates those trees. New vegetation was shown along a portion of the easterly property line but this is inadequate for the entire site. See Attachment I. Applicant has requested a

waiver from landscape preservation of the Technical Standard.

The applicant states “the applicant intends to plant new trees to offset the loss of some trees which need to be cleared to allow for boatyard operations and to buffer the property from IMT operations.” A revised landscaping plan has not been submitted. Landscaping is recommended to be a condition of approval with review and approval by the City Arborist.

3. Water Quality, Stormwater Management and Erosion Control:

As with the original approval, stormwater management is primarily proposed to utilize a gravel surface that is designed to hold and treat stormwater prior to exiting the site to the Fore River. During the first phase a boat yard gravel surface material was spread over much of the site which will be extended to other areas of the site in this next phase. Given the industrial history of the site, its flat grades, and well-drained soils, the limited construction activity proposed is not anticipated to cause stormwater quality issues in the Fore River.

The erosion and sedimentation controls approved in December 2012 are still in effect and will need to be adhered to through construction of all phases of development.

Reviewing Engineer, Dave Senus, PE, Woodard and Curran, has reviewed revised plan and his comments are shown F and below.

- This project received a Site Plan approval in January of 2013, with amendments to the original approval in August and December 2013. Woodard & Curran performed a review of the original application and each subsequent amendment application. As noted in the current amendment application, only small changes are proposed from prior approvals to the boat yard surface and proposed building limits. Based on prior approvals and the information submitted in this amendment application, the proposed amendment is in conformance with the Basic Standards, General Standards, and has been granted and still qualifies for a waiver from the Flooding Standard.

- The plans should include details for work within the City ROW, including a City standard trench repair detail (Figure II-12)

- The original application noted that the project was subject to the requirements of the Maine Construction General Permit. The Applicant should verify that they have submitted a Notice of Intent to Comply with the Maine Construction General Permit to the Maine DEP.

(c) Public Infrastructure and Community Safety Standards.

1. Consistency with City Master Plans:

The proposal appears consistent with applicable approved master plans. The IMT project helped frame and coordinate future bicycle and pedestrian improvements on Commercial Street in the vicinity of the site.

2. Public Safety and Fire Prevention:

(a) Natural surveillance that promotes visibility of public spaces and areas.

All of the principle open spaces on the development are visible with clear lines of site from multiple vantage points and/or buildings with windows.

(b) Access control that promotes authorized and/or appropriate access to the site. The site appears to sufficient access control through fencing, entry gates, and its location on the water.

(c) Territorial reinforcement that promotes a sense of ownership and responsibility through environmental design.

The use and maintenance of the facility as designed should sufficiently reinforce the site's identity as an active boat yard.

*(d) Provide adequate emergency vehicle access to the site in accordance with City standards for street widths and turning radii, as described in Section 1 of the Technical Manual.*A revised fire access and circulation plan C-11.1 has been submitted. The applicant has also submitted an updated assessment from Fire Risk Management Inc (dated July 16, 2014) of fire protection issues on the site. See Attachment 10. Although the Fire Risk Management memo references a minimum 30 foot clear width for fire access (at all times) this should be more definitively labeled on the plan. The 30 foot clear width was intended to address the shifting nature of a boat yard in which boats and materials are not stationary and often move across the site to address operational needs. Capt. Chris Pirone of the Fire Department indicates the 30 foot clear width access for fire trucks should be labeled on the plan. Also the applicant should confirm the address of the building.

(e) Be consistent with City public safety standards, Section 3 of the City of Portland Technical Manual, including but not limited to availability and adequacy of water supply and proximity of fire hydrants to structures.

The site is currently served by two fire hydrants on West Commercial Street but more importantly two additional hydrants will be available on the site. The

proposed utility plan, Attachment P10, (excerpted above) shows additional hydrant locations within blue buffer circles.

3. Availability and Adequate Capacity of Public Utilities:

The site is served by all public utilities. Application states "the applicant will secure letters from all applicable utilities stating their ability to serve this project". Such letters were submitted during the previous review but the locations of such utilities has changed so updated letters should be provided.

As part of their agreement with MDOT, New Yard was granted utility crossing rights under the MDOT rail line including 4 utility casing pipes which are shown on the plan. The site plan indicates water, gas, and sewer lines connecting into the New Yard site through these pipes. This utility corridor abuts the westerly boundary of the New Yard parcel. New Yard which has an agreement to purchase additional land from Guilford (Maine Central Railroad) has an easement to run these utilities across their property in advance of the property purchase. A draft copy of the Guilford/New Yard agreement is shown on Attachment 2. An executed copy of this agreement should be submitted. These permanent utilities replace temporary utility arrangements currently in use through MDOT property per prior agreement.

The amended plan shows more details than the original plan in terms of utility lines serving the floats including water, power and sanitary waste force mains.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact: NA

2. Shadows: NA

3. Snow and Ice Loading: NA

4. View corridors: NA

5. Historic Resources:

The site does have historic and archeological resources. The 19th century seawall is currently being restored in conjunction with the proposed marine improvements. The location of a 19th century glass works is known to exist on site as well as the Cumberland Oxford Canal. While the IMT will be excavating for a 740 foot long concrete pad and a new rail line, New Yard's excavation activities are more modest. New Yard will be excavating a 50 foot by 300 foot utility corridor from Commercial Street to the New Yard site. The larger size building will also require additional excavating. IMT (MDOT) has informed the Maine State Historic Preservation Committee of these excavation activities and

has offered them the opportunity to view the excavating. The same opportunity should also apply to the New Yard site.

6. Exterior Lighting:

Applicant has submitted an updated photometric plan and a catalogue cut of exterior lighting fixtures. See Attachment 4. The plan indicates all fixtures will be mounted with on the existing building (8) and on the proposed building (19). The fixtures will be mounted at various heights. The fixture is a Spaulding Laredo series which is described as full cut-off. The lighting plan appears to meet all ordinance requirements.

7. Noise and Vibration:

Based on the current Portland Yacht Services activities, exterior noise levels are anticipated to be within zoning requirements for sound levels.

8. Signage and Wayfinding:

Signage plans have not been provided, but will be reviewed and approved with the building permit applications for the site. No signage may be installed without such approval.

9. Zoning Related Design Standards NA

10. Financial and Technical capacity

For prior reviews applicant submitted a letter from Norway Savings Bank dated July 2012 to document financial capacity. An updated letter in support of financial capacity from RBC Wealth Management has been submitted dated August 6, 2014. See Attachment 15.

(c) ***Shoreland Review Standards***

The Planning Board or planning authority shall approve a site plan located within a shoreland zone if it finds that the following standards, in addition to the standards set forth in section 14-526, are met.

1. The proposal will maintain safe and healthy conditions;

There are no known safety or health conditions associated with this project.

2. The proposal will not result in water pollution, erosion, or sedimentation to surface waters;

See Stormwater management section of this report. See also above paragraph.

3. The proposal will adequately provide for disposal of all wastewater;

This phase will have a direct connection to the city sewer system which will replace a temporary storage tank for the existing building.

4. The proposal will have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

The proposed improvements are on land. The property is a former industrial site in a previously disturbed site with no known bird or other wildlife habitat.

5. The proposal will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;

The site is a former industrial site that is being redeveloped for a boat repair facility. Due to the nature of the facility, active public access to the shore is not proposed. The treatment of groundcover within the shoreland zone will be stable to avoid erosion and sedimentation issues.

6. The proposal will protect archeological and historic resources

See Site Plan Section, Historic Resources.

7. *The proposal will not adversely affect existing commercial fishing or maritime activities;*

   There are no existing commercial fishing on this site. This proposal supports the existing New Yard ship repair facility.

8. *The proposal will avoid problems associated with flood plain development and use;*

   The proposed building is proposed at a first floor elevation of 15 well above the flood hazard elevation.

9. *The proposal is in conformance with the standards set forth in this section.*

   The proposal is in conformance with the standards of this section.

VI. WAIVERS AND CONDITIONS OF APPROVAL

The previous approval(s) included waivers and conditions of approval.

The three prior site plan approval letters included a number of conditions of approval. See Attachments A, B and C. While many of the previous conditions of approval were satisfied prior to the beginning of construction, several prior conditions of approval are still appropriate. Rather than referencing conditions from prior letters of approval, today's report lists applicable prior and new conditions together in the Motions section. This avoids redundant and outdated conditions and having to hunt them down.

Previous Waivers
The approved waivers are summarized in a table shown as Attachment D. The waivers were granted as part of the December 2012 approval which are assumed to remain in effect unless specifically amended or rescinded by the Board.

New Waiver
Applicant has requested a new waiver regarding preservation of existing vegetation.

VII. MOTIONS FOR THE BOARD TO CONSIDER

a. Waiver

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations, contained in the Planning Board Report for application #2014-123 relevant to Portland's Technical and Design Standards and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board **(finds/does not find)** that the applicant has demonstrated that existing trees on the site cannot be preserved on the site and the Board **(finds/does not find)** undue hardship may result from strict compliance

with these regulations and that the public interest is secured with the variation. The Planning Board **(waives/does not waive)** Section 4.3 (Preservation of Existing Vegetation) of the Technical Manual provided the applicant submits a revised landscaping plan for new vegetation for review and approval by the City Arborist.

b. Conditional Use in the WPDZ

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-123 relevant to the Conditional Use Standards of the Waterfront Port Development Zone for *marine product sales and boat storage*, and Section 14-474 of Land Use Code and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **(is/is not)** in conformance with conditional use standards of the land use code.

c. Site Plan

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application #2014-123 relevant to the Site Plan Ordinance and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **(is/is not)** in conformance with site plan standards of the land use code, subject to the following conditions of approval.

1. That the applicant shall submit updated letters from Portland Water District (water), Central Maine Power (electricity), Unitil (gas) and City of Portland (sanitary waste) regarding their ability to serve the project.

2. Prior to the issuance of a building permit, a revised landscaping plan shall be submitted for review and approval by the City Arborist.

3. Prior to the issuance of a building permit a revised site plan shall be submitted for review and approval by David Senus (Development Review Engineer) reflecting the following revisions. The plans shall include details for work within the City ROW, including a City standard trench repair detail (Figure II-12). Applicant shall document that they have submitted a Notice of Intent to Comply with the Maine Construction General Permit to the Maine DEP.

4. That the development shall comply with the review comments of Tom Errico (Traffic Review Engineer) as follows. The approval assumes that access and egress for the project will be via the existing driveway near the Casco Bay Bridge during IMT construction. A construction management plan shall be provided that illustrates how access will occur during IMT construction. This approval does not include new driveways on West Commercial Street.

5. Prior to the issuance of a building permit the site plan shall be revised for review and approval by Chris Pirone (Fire Department) reflecting the 30 foot wide access around the site for Fire Department vehicles. Applicant shall also confirm the address of the property.

6. Prior to the issuance of a building permit an executed copy of an easement agreement with the Maine Central Railroad Company for the utility corridor serving the New Yard site shall be submitted for Corporation Counsel review and approval.

7. Prior to the issuance of a building permit applicant, applicant shall notify the Maine Historic Preservation Commission of the projected site excavation schedule in the event the Commission wishes to observe the excavation in the old glass works area or Oxford Cumberland Canal area. A copy of the notice to the Commission shall be forwarded to the Planning Office. If evidence of these sites are discovered during subsurface work, the applicant shall contact the Planning Authority and make reasonable efforts to document any resource discovered.

8. Prior to the issuance of a building permit, applicant shall submit a revised site plan providing a total of 5 bicycle spaces for Planning Staff review and approval. (Note: December 12, 2012 Planning Board review approved a waiver of one-half of the normal requirement. Size of building has increased so rather than 4 spaces, 5 spaces are required.

Attachments:

Staff Attachments:

A. Planning Board Approval Letter (Dec. 18, 2012) and Staff Report
B. Planning Board Approval Letter (Aug 27, 2013) and Staff Report
C. Planning Board Approval Letter (Oct 22, 2013) and Staff Report
D. List of Waivers from Dec, 2012 Planning Board Report
E. Ann Machado (Zoning Specialist) Memo dated Aug 5, 2014
F. David Senus (Development Review Consultant) Memo dated July 30, 2014
G. Tom Errico (Traffic Review Consultant) Memo dated
H. Chris Pirone (Fire Department) Memo dated
I. David Margolis Pineo (Deputy City Engineer)
J. New Yard Landscape Plan dated Dec 13, 2013

Applicant Submissions

Submission Dated July 2, 2014

1. Cover Letter and Description of Revisions
2. Application

Submission Dated July 29, 2014

3. Cover Letter
4. Site Lighting Info
5. Original Approved Site Plan (Dec 18, 2012); Last Amended Approved Site Plan (Oct 22,2014
6. Financial Capacity Letter (July 2, 2012)
7. Building Elevations
8. Conformity with Applicable Standards
9. Survey Plan
10. Updated Canal Landing Fire Review Assessment (dated July 16, 2014, received July 30, 2014)

Submission Dated Aug 5, 2014

11. Cover Letter
12. Updated Site Plan
13. Float Layout Plan
14. Neighborhood Meeting Info
15. Updated Financial Capacity (August 6, 2014)

Plans

P1 Site Plans and other Drawings

Att. 4

Rick Knowland - Canal Landing Project -- Preliminary Traffic Comments

From: Tom Errico <thomas.errico@tylin.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 7/21/2015 9:55 PM
Subject: Canal Landing Project -- Preliminary Traffic Comments
CC: "Margolis-Pineo, David" <DMP@portlandmaine.gov>, Katherine Earley <KAS@p...

Rick – I have reviewed the project application and offer the following preliminary traffic comments.

- Based upon the trip generation estimate conducted by the applicant, a Traffic Movement Permit is required for the project. The applicant shall submit a Traffic Movement Permit Application, that meets MaineDOT requirements, to the City so that a Scoping Meeting can be scheduled.
- The Phase III site plan should provide specific dimensions for parking spaces, aisle width, driveway, radii, and other relevant geometric details. Vehicle turning templates shall be provided to support the design, particularly if waivers are required.
- If required by City Ordinance, the applicant should provide information in support of the noted parking supply.
- The Phase III plan appears to provide a concrete sidewalk on their property. The location of the sidewalk – not within the public right-of-way – and that sidewalk material policy for this location is brick needs to be reviewed. I would note that the City is currently conducting a West Commercial Street Study that will make recommendations as it relates to cross-sectional elements of the street including travel lanes, on-street parking, sidewalks, planted esplanade areas, truck staging areas, etc. The noted study is on-going and will not likely have recommendations until later in the year. How the applicant builds out their frontage should be discussed with other City Departments and could include an interim implementation by the applicant, with full implementation in the future.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TY 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
Visit us online at www.tylin.com
Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

Please consider the environment before printing.

COMMITMENT & INTEGRITY
DRIVE RESULTS

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Att. 5

MEMORANDUM

TO: Rick Knowland, Senior Planner
FROM: David Senus, P.E.
DATE: July 22, 2015
RE: Canal Landing, Preliminary Level III Site Plan Application

---

Woodard & Curran has reviewed the Preliminary Level III Site Plan Application for the proposed Phase III of the Canal Landing New Yard located at 400 West Commercial Street in Portland, Maine. The project involves the construction of approximately 30,250 SF of new building space and restoration/stabilization of boat yard areas across approximately eight acres of the former rail yard. The Applicant is also seeking pre-approval to relocate their access to the two proposed locations identified as the Central and Easterly entrances, as current access granted by the MaineDOT will cease in July.

Documents Reviewed by Woodard & Curran

- Preliminary Level III Site Plan Application and attachments, dated June 15, 2015, prepared by FST, on behalf of Canal Landing, LLC.
- Engineering Plans, Sheets C-1.0 through C-8.5 dated June 15, 2015, prepared by FST, on behalf of Canal Landing, LLC.

Comments

1) In accordance with Section 5 of the City of Portland Technical Manual, a Final Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
   a) Basic Standard: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500; however, the wood waste compost/bark filter berm detail should comply with the MaineDEP Erosion & Sediment Control BMP Manual.
   b) General Standard: The Applicant has proposed a porous crushed stone yard surface to infiltrate stormwater to meet the quality requirements associated with the General Standards; this approach is in-line with the previously approved practices on the adjacent sites, and is generally considered acceptable as presented; however, the Applicant has noted that additional information relating to the development's overall stormwater strategies will be provided in subsequent submissions. A formal stormwater management plan demonstrating compliance with the General Standard should be submitted as part of the Final submission package. The stormwater management plan should address how roof drainage and runoff from the paved driveway entrances will be managed in accordance with the General Standards.
   c) Flooding Standard: Some of the runoff from the Site is proposed to discharge to a City-owned pipe that conveys combined sewer overflows (CSOs) to the Fore River from a CSO control structure in Commercial Street (Emery Street combined sewer overflow). This area of the Fore River is a tidal waterbody. As such, the Applicant has requested a waiver from the Flooding Standard. The Applicant should obtain approval from the City Department of Public Services for the proposed connection to the City-owned overflow. If this connection is acceptable to the City, we would support the requested waiver from the flooding standard.
2) Additional details should be provided for the storm drain pipe connection to the Emery Street Combined Sewer Overflow. This pipe connection is shown within the railroad right of way. The Applicant should clarify whether they have an easement or rights to install pipe within this railroad right of way location.

3) A retaining wall is proposed near Building D over the top of the 30" brick Emery Street Combined Sewer Overflow pipe; the Applicant should seek approval from the City Department of Public Services to place the retaining wall structure at this location.
4) The Stormwater Management Plan should include a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
5) The Applicant has noted that evidence of state and federal approvals (including MaineDEP NRPA Amendment, US ACOE Water Quality Certification, and State of Maine Submerged Lands Lease, Harbor Commissioner) is pending; copies of all permits should be forwarded to the City upon receipt.
6) FST has noted that they have contacted various resource agencies regarding the site's potential to contain significant wildlife habitat, historic, or archaeological resources, and that findings from each of the agencies will be provided to the City upon receipt.
7) FST has noted that they will contact the MaineDEP regarding the proposed project for a determination regarding the applicability of the City of Portland Delegated Authority to grant Site Law approval; the Applicant should provide the City with an update on these communications.
8) The Applicant should note that, because the proposed project will disturb more than one acre, a Maine Construction General Permit (MCGP) will be required. The Applicant should clarify whether a Notice of Intent to comply with MCGP was submitted for the requested after-the-fact authorization for several site improvement activities.
9) The Applicant has noted that several plan sheets (demolition, utility profiles, and lighting plan) are not included in this submission set; these plans should be provided as part of the final submission package.
10) The Applicant has sent letters to the Portland Water District and the City of Portland Public Services requesting ability to serve for the project; responses confirming ability to serve and approving the proposed utility design should be provided upon receipt.
11) The plans should note a location for snow storage. The snow storage location should be sited outside of existing and proposed drainage courses.

June 15, 2015

Ms. Barbara Barhydt
Development Review Manager
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Preliminary Site Plan and Conditional Use Application
Applicant: Canal Landing, LLC

Dear Barbara:

On behalf of Canal Landing, LLC, we are pleased to provide the accompanying package of submission materials related to the proposed Phase III Canal Landing New Yard development off West Commercial Street. This submission package is intended to meet the City's Preliminary Submission Requirements as outlined in the Level III Application and Conditional Use Application procedures.

The applicant has completed the initial phases of development consisting of two buildings constructed since late 2013 on their 5.03-acre remainder property positioned just to the southeast corner of the IMT Expansion project. The Portland Planning Authority previously approved these activities beginning in the fall of 2013. The applicant has recently acquired 12.74 acres of additional land from the Portland Terminal Company located west of the original Canal Landing site. This current application is for the next phase of development activity that is expected to extend across this additional acreage. As outlined in the accompanying plans, the Canal Landing development will include multiple new buildings to be constructed along the Commercial Street frontage as well as shorefront areas. It is expected that all uses will be marine related and thus compliant with the WPDZ zoning either as permitted or conditional uses. The Phase III development activity includes the construction of approximately 30,250 SF of new building space and restoration/stabilization of boat yard areas across approximately 8 acres of the former rail yard. The Canal Landing New Yard Phase III activities include uses that are identified as Conditional uses under the WPDZ zone and therefore the appropriate supporting information is contained within this submission. These uses include:

1. Marine Products, Wholesaling and Retailing (per Section 14-320.1.a).

The following additional information is provided in accordance with Section 14-474 of the Ordinance. Specifically, the Planning Authority may issue a Conditional Use Permit unless it so determined that:

778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and

b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

In support of the project, we offer the following statements addressing each of the aforementioned criteria:

a. The proposed marine retail use will involve activities that are consistent with the surrounding area including uses within the Star Match Building as well as other retail sales uses along Commercial Street. The trip generation is expected to be less than 50 trip ends during the peak hour and the hours of operations will be during normal daytime hours of 7:00 am to 6:00 pm. The marine retail use will require limited parking based on the tenant's operations at their existing facility located at another site in the City.

b. The proposed conditional land uses will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter as they involve non-intrusive activities that are common within a waterfront and/or industrial setting. The marine retail activity includes a traditional building style, similar to those existing in the vicinity.

c. The proposed conditional use will not result in substantially different changes to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage than what may be expected normally from permitted uses in the zone. In general, the Portland waterfront contains various marine related sales services as well as the storage of industrial and marine related materials. The proposed marine retail use will involve primarily inside display and sale of marine/boat related products. These activities are considered complementary to many of the existing uses along Commercial Street. The yard improvements and waterfront activities for Phase III will support the New Yard Boat Maintenance Facility.

Further, part of the Phase III building will be ancillary to the operations of the Canal Landing Boat Maintenance Facility. As outlined further in this submission, the applicant continues to cooperate with the MaineDOT as they complete expansion of the IMT facility.

Accompanying this cover letter are the following materials:

- Site Plan Application and Conditional Use Application
- Section 1: Written Description of Project
- Section 2: Evidence of Right, Title and Interest, Technical Capacity and Financial Capacity

- Section 3: Written Assessment of Proposed Project's Compliance with Applicable Zoning and Land Use Requirements
- Section 4: Contact with State and Federal Agencies
- Reduced Sized Plans

You will find in the accompanying materials, information including the Preliminary Phase III Site Layout Plans. Also included in the plans is a Future Phase Concept Plan that depicts the layout of several additional buildings and site development as may occur in subsequent phases. Building elevations for the Phase III buildings are currently being prepared and will be provided to the Planning Board once completed. Preliminary information pertaining to the project's utilities needs and statements regarding compliance with the City's Standards are contained within this submission.

In accordance with Section 14-532 (e) 2 & 3, the applicant requests after the fact authorization for several site improvement activities in advance of the Amended Site Improvement and Conditional Use Permit approvals. Specifically, New Yard LLC has completed clearing and ground stabilization of approximately 6 acres of the recently acquired site area. These preliminary activities involve some vegetation and stump removal, leveling of existing ground and placement of a thin layer (<2") of stone over the ground surface as a short-term stabilization measure. In addition, the applicant is seeking advance approval to park boats, boat trailers and employee vehicles in this area. As City Staff is aware, the IMT expansion project and MaineDOT land taking effectively left New Yard with about 5 acres of development area. Having now constructed Buildings A & B, the applicant has incurred the short-term disadvantage of reduced yard area for their business operations, so they desperately need additional physical area in which to conduct their business. Their ability to use this new area is imperative to their business. In addition, the applicant has also been advised that their current access conditions from the Beach Street intersection through the IMT yard expansion is tentatively set to cease in mid-July per the MaineDOT. For this reason, the applicant is also seeking pre-approval to relocate their access to the two proposed locations identified as the Central and Easterly entrances on the accompanying plans. By mid-July, the MaineDOT is scheduled to complete the new at grade crossings of the new rail tracks, thus allowing New Yard the opportunity to construct the new driveways for access into the 5-acre remainder land and the newly acquired parcels. This would also relieve New Yard traffic from having to use the Beach Street Intersection location.

We look forward to the Planning Authority's consideration of this request and if necessary, any establishment of Performance Guarantee funds to cover this activity, prior to Site Plan approval.

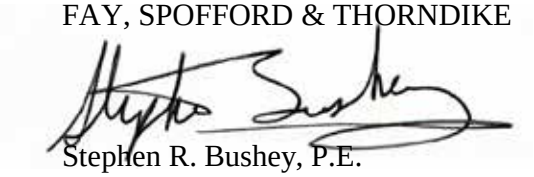
On behalf of New Yard, FST will also contact the MaineDEP regarding the project and for a determination regarding the applicability of the City of Portland Delegated Authority to grant Site Law approval. This correspondence will be handled under separate cover.

On behalf of the Canal Landing Team, we look forward to your continued assistance on the project and we look forward to a July 2015 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 this office.

Sincerely,

FAY, SPOFFORD & THORNDIKE



Stephen R. Bushey, P.E.
Associate

SRB/cmd

Attachments – As listed above

c: Phineas Sprague, Jr. – New Yard LLC
Peter Plumb – Murray, Plumb, and Murray

R:\3091.04-Canal Landing-Phase 2\Admin\Permitting\Level III - Preliminary Site Plan Application\Level III Preliminary Site Plan Application Resubmission\3091.04 2015.06.15 Barhydt-Cover Letter.docx

Portland, Maine — Yes. Life's good here.

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.

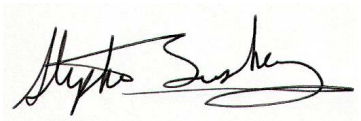
By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a ***legal signature*** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

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:

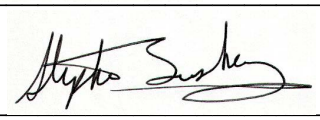
☐ Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.

☐ 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~~. with my application.



Applicant Signature: _____ Date: June 15, 2015



I have provided digital copies and sent them on: _____ Date: June 15, 2015

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.

PROJECT NAME: Canal Landing, LLC

PROPOSED DEVELOPMENT ADDRESS:

400 West Commercial Street, Portland, Maine 04101

PROJECT DESCRIPTION:

Phase III development of Canal Landing, a boat maintenance facility, along with an ancillary marine related development.

CHART/BLOCK/LOT: 59-A-3, 4
60-F-1, 2, 3, 4
71-F-2, 4, 5, 6

PRELIMINARY PLAN June 2015 (date)
FINAL PLAN _____ (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Canal Landing, LLC - Attn: Phin Sprague Business Name, if applicable: Address: 400 West Commercial Street City/State : Portland, ME Zip Code: 04101	**Applicant Contact Information** Work # 207-774-1067 Home# Cell # 207-653-1414 Fax# 207-774-7035 e-mail: phin@portlandyacht.com
Owner – (if different from Applicant) Name: Address: SAME AS ABOVE City/State : Zip Code:	**Owner Contact Information** Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Stephen R. Bushey, P.E. Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : So. Portland, ME Zip Code: 04106	**Agent/Representative Contact information** Work # 207-775-1121 Cell # 207-756-9359 e-mail: sbushey@fstinc.com
Billing Information Name: c/o Portland Yacht Services Address: 400 West Commercial Street City/State : Portland, ME Zip Code: 04101	**Billing Information** Work # 207-774-1067 Cell # Fax# 207-774-7035 e-mail:

Engineer Name: Stephen R. Bushey, P.E. Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : So. Portland, ME Zip Code: 04106	**Engineer Contact Information** Work # 207-775-1121 Cell # 207-756-9359 Fax# 207-879-0896 e-mail: sbushey@fstinc.com
Surveyor Name: Owen Haskell Inc. - Attn: John Swan Address: 390 US Route 1, Unit 10 City/State : Falmouth, ME Zip Code: 04105	**Surveyor Contact Information** Work # 207-774-0424 Cell # Fax# 207-774-0511 e-mail: jswan@owenhaskell.com
Architect Name: NOT APPLICABLE Address: City/State : Zip Code:	**Architect Contact Information** Work # Cell # Fax# e-mail:
Attorney Name: Murray, Plumb and Murray Peter Plumb, Esq. Address: 75 Pearl Street, Suite 300 City/State : Portland, ME Zip Code: 04101	**Attorney Contact Information** Work # 207-773-5651 Cell # Fax# 207-773-8023 e-mail: pplumb@mpmlaw.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)

_X_ Less than 50,000 sq. ft. ($500.00)
___ 50,000 - 100,000 sq. ft. ($1,000)
___ 100,000 – 200,000 sq. ft. ($2,000)
___ 200,000 – 300,000 sq. ft. ($3,000)
___ over $300,00 sq. ft. ($5,000)
_X_ 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)
_X_ Stormwater Quality ($250)
___ Subdivisions ($500 + $25/lot)
# of Lots ___ x $25/lot = _____
___ Site Location ($3,000, except for residential projects which shall be $200/lot)
# of Lots ___ x $200/lot = _____
___ Other _____
___ Change of Use
___ Flood Plain
_X_ 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:

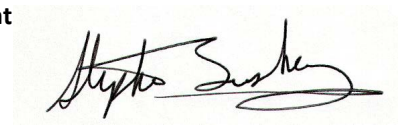
1. **One (1) full size site plans** that must be **folded.**
2. One (1) copy of all written materials or as follows, unless otherwise noted:
   a. Application form that is completed and signed.
   b. Cover letter stating the nature of the project.
   c. All Written Submittals (Sec. 14-525 2. (c), including 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 	**Date:** June 15, 2015

PROJECT DATA

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

Total Area of Site	17.22 ac. ~~sq. ft.~~
Proposed Total Disturbed Area of the Site	12.70+/- ac. ~~sq. ft.~~
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.	
Impervious Surface Area	
Impervious Area (Total Existing)	<40,000 sq. ft.*
Impervious Area (Total Proposed)	sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	48,000 sq. ft. **
Building Footprint (Total Proposed)	74,050 sq. ft.
Building Floor Area (Total Existing)	48,000 sq. ft. ***
Building Floor Area (Total Proposed)	80,000+/- sq. ft. ***
Zoning	
Existing	WPDZ
Proposed, if applicable	WPDZ
Land Use	
Existing	Undeveloped - Rail Yard
Proposed	Boat Maintenance/Marine Retail
Residential, If applicable	
# of Residential Units (Total Existing)	N/A
# of Residential Units (Total Proposed)	
# of Lots (Total Proposed)	
# of Affordable Housing Units (Total Proposed)	
Proposed Bedroom Mix	N/A
# of Efficiency Units (Total Proposed)	
# of One-Bedroom Units (Total Proposed)	
# of Two-Bedroom Units (Total Proposed)	
# of Three-Bedroom Units (Total Proposed)	
Parking Spaces	
# of Parking Spaces (Total Existing)	0
# of Parking Spaces (Total Proposed)	Undefined >100 spaces
# of Handicapped Spaces (Total Proposed)	4 spaces
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	TBD
# of Bicycle Spaces (Total Proposed)	TBD
Estimated Cost of Project	Phase III - $2.5 to $6 million

*Does not include rail tracks and other yard areas, but does include gravel roads and related surfaces. Historically, the site was a former rail yard with tracks essentially across nearly the entire areas.

**Existing Building A - 19,200 SF; Existing Building B - 28,800 SF

***Subject to mezzanine design which is currently under review by owner. Building C - 19,250 SF plus mezzanine; Building D - 4,800 SF x 2.5 floors

Updated: April 23, 2014

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
Pending		1	Evidence of state and/or federal approvals, if applicable
X		1	Written assessment of proposed project's compliance with applicable zoning requirements
X		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
X		1	Written requests for waivers from site plan or technical standards, if applicable.
X		1	Evidence of financial and technical capacity
Pending		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
Applicant Checklist	Planner Checklist	# of Copies	**SITE PLAN SUBMISSIONS CHECKLIST**
X		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	**Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)**
X		Proposed grading and contours;	
X		Existing structures with distances from property line;	
X		Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;	
X		Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);	
X		Preliminary infrastructure improvements;	
X		Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;	
N/A		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);	
N/A		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.

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for Phase III of the Canal Landing Marine Maintenance Facility project which is a redevelopment of a former industrial site into a boat and ship repair and maintenance facility, and related marine mixed-use activities located at 400 West Commercial Street in Portland, Maine.

Meeting Location: **TO BE DETERMINED – WILL BE SCHEDULED WITHIN THE NEXT MONTH**

Meeting Date: _____

Meeting Time: _____

The City Code requires that property owners within 500 feet (except notices must be sent to property owners within 1,000 feet for industrial zoning map amendments and industrial subdivisions) of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please feel free to contact me at 207-775-1121.

Sincerely,

FAY, SPOFFORD & THORNDIKE

Stephen R. Bushey, P.E.
Associate

SRB/cmd

R:\3091.04-Canal Landing-Phase 2\Admin\Permitting\Level III - Preliminary Site Plan Application\3091.04 Neighborhood Meeting Notice.docx

---

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

778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

Conditional Use for Planning Board Review
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 Conditional Use where the Planning Board is listed as the reviewing authority rather than the Zoning Board of Appeals. 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.

A. Conditional Use: Standards and Criteria – Section 14-474 and Zone Related Criteria

Conditional uses are listed in the Zoning Ordinance for each zone and these proposed uses must address the criteria contained in Section 14-474 in the written application. In addition to the criteria in Section 14-474, each application must address any applicable conditional use standards contained in the applicable zone and the proposed specific use. The Zoning Ordinance specifies when the Planning Board is designated as the reviewing authority rather than the Zoning Board of Appeals. This application is for Planning Board reviews only.

Upon showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and

b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

B. Site Plan Application: <u>Please submit the Conditional Use Application in addition to the applicable Site Plan Application.</u>

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: Canal Landing LLC

PROPOSED DEVELOPMENT ADDRESS:

Phase III development of Canal Landing, a boat maintenance facility, along with an ancillary marine related development.

ASSESSOR'S CHART/BLOCK/LOT (s): 59-A-3, 4; 60-F-1, 2, 3, 4; 71-F-2, 4, 5, 6

Applicable Zone: WPDZ
Waterfront Port Development Zone

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Phin Sprague Business Name, if applicable: Canal Landing, LLC Address: 400 Commercial Street City/State : Portland, ME Zip Code: 04101	**Applicant Contact Information** Work # 207-774-1067 Home# Cell # 207-653-1414 Fax# 207-774-7035 e-mail: phin@portlandyacht.com
Owner – (if different from Applicant) Name: SAME AS APPLICANT Address: City/State : Zip Code:	**Owner Contact Information** Work # Home# Cell # Fax# e-mail:
Billing Information Name: c/o Portland Yacht Services Address: 400 West Commercial Street City/State : Portland, ME Zip Code: 04101	**Billing Information** Work # 207-774-1067 Cell # Fax# 207-774-7035 e-mail:

RIGHT, TITLE OR INTEREST:

Please see attached Release Deed included with this submission.

(Please identify the status provide documentary evidence, attached to this application, of the applicant's right, title, or interest in the subject property (ex: deed, option or contract to purchase or lease the property.)

VICINITY MAP: (Please attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.)

EXISTING USE: Describe the existing use of the subject property.

Former industrial site which has fallen into non-use except for low frequency rail yard activities.

PROPOSED USE: Describe the proposed use of the subject property

Expansion of Canal Landing Boat Yard which includes a boat maintenance and repair yard. This includes multiple buildings, a second boat ramp, revetment improvements, docks, new or reconstructed piers and improved boatyard area.

TYPE OF CONDITIONAL USE PROPOSED (Refer To Specific Provisions Of Land Use Code Authorizing The Proposed Conditional Use).

Marine products, wholesaling and retailing

SITE PLAN: Submit a separate site plan application for the proposal that provides a site plan for the property, showing existing and proposed improvements, which meets the submission requirements of the applicable level of site plan review.

CONDITIONAL USE STANDARDS AND CONDITIONS – 14-474

Address the following criteria in your written application and any applicable conditional use standards contained in the zoning code for the specific use. Upon showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and

b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

CONDITIONAL USE AUTHORIZED BY: SECTION 14- 320

Address any specific conditional use standards for the specific use contained in the zoning code in the written submission. Please See Submission Cover Letter

APPLICATION FEES:

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

X Conditional Use Review ($100.00) (Please submit a separate application for the applicable site plan review. Fees and charges are listed within the application)	The City invoices separately for the following: • Notices ($.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.

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.**
3. **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:

Applicant Checklist	Planner Checklist	# of Copies	
X		1	Application form that is completed and signed.
X		1	Cover letter stating the nature of the project.
X		1	Evidence of right, title and interest.
X		1	Written Submittals that address the conditional use standards of Sec. 14-474.
X		1	Written submittals that address any applicable standards of review contained in the zoning code for the specific use.
X		1	A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet and containing the information required for the applicable level of site plan review.
X		1	An accompanying site plan application, as applicable.

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 Conditional Use 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.

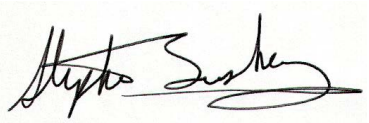
Signature of Applicant: 	**Date:** June 15, 2015

TABLE OF CONTENTS

SECTION **PAGE**

1. DEVELOPMENT DESCRIPTION 1-1
   - 1.1 PROJECT OVERVIEW 1-1
   - 1.2 SITE OWNERSHIP 1-1
   - 1.3 PROJECT PURPOSE AND NEED 1-2
   - 1.4 EXISTING CONDITIONS 1-2
   - 1.5 ACCESS CONDITIONS 1-3
   - 1.6 SITE UTILITIES 1-3
   - 1.7 TOPOGRAPHY AND DRAINAGE 1-4
   - 1.8 SOILS CONDITIONS 1-5
   - 1.9 PROPOSED DEVELOPMENT 1-5
   - 1.10 LAND ORDINANCE REVIEW 1-7
   - 1.11 BRIGHTWORK MANUAL OVERVIEW 1-8
   - 1.12 TRAFFIC 1-9
   - 1.13 NATURAL FEATURES 1-9
   - 1.14 NOISE/VIBRATION 1-10
   - 1.15 LIGHTING 1-11
   - 1.16 SOLID WASTE 1-11
   - 1.17 STORMWATER MANAGEMENT 1-12
   - 1.18 EROSION AND SEDIMENT CONTROL 1-12
   - 1.19 FLOODING 1-12
   - 1.20 BLASTING 1-12
   - 1.21 AIR EMISSIONS/ODORS/VAPORS 1-12
   - 1.22 SUNLIGHT 1-13
   - 1.23 APPROVAL REQUIREMENTS 1-13
   - 1.24 ATTACHMENTS 1-13

2. RIGHT, TITLE AND INTEREST 2-1
   - 2.1 OVERVIEW 2-1
   - 2.2 ATTACHMENTS 2-1

3. TECHNICAL AND FINANCIAL CAPACITY 3-1
   - 3.1 TECHNICAL CAPACITY 3-1
   - 3.2 CONSULTANT TEAM 3-1
   - 3.3 EXPERIENCE OF PROJECT TEAM 3-2
   - 3.4 FINANCIAL CAPACITY 3-2
   - 3.5 CONSTRUCTION COST ESTIMATE 3-2

4. FIRE SAFETY 4-1
   - 4.1 OVERVIEW 4-1
   - 4.2 ATTACHMENTS 4-1

5. CONFORMITY WITH APPLICABLE DESIGN STANDARDS 5-1
   - 5.1 OVERVIEW 5-1

LIST OF ATTACHMENTS

Section 1: Attachment A – Figures 1-12

Attachment B – Ability to Serve Letters to Portland Water District and the City of Portland Public Services (Pending)

Section 2: Attachment A – Release Deed

Section 4: Attachment A – Portland Fire Department Site Review Checklist & NFPA 1 Review

LIST OF PLANS

SHEET #	TITLE
C-1.0	COVER SHEET
C-1.1	GENERAL NOTES AND LEGEND
C-1.2	BOUNDARY SURVEY
C-1.2A	BOUNDARY AND TOPOGRAPHIC SURVEY 1 OF 2 (MDOT PLANS)
C-1.2B	BOUNDARY AND TOPOGRAPHIC SURVEY 2 OF 2 (MDOT PLANS)
C-1.3	EXISTING CONDITIONS PLAN
C-1.4*	PHASE III DEMOLITION AND REMOVALS PLAN
C-2.1	PHASE III SITE LAYOUT PLAN
C-2.2	AMENDED PHASE III OVERALL PROJECT PLAN
C-2.3	FUTURE PHASE CONCEPT PLAN
C-3.1	PHASE III GRADING AND DRAINAGE PLAN
C-4.1	PHASE III UTILITY PLAN
C-4.2*	UTILITY PROFILES
C-6.1	PHASE III EROSION AND SEDIMENT CONTROL PLAN
C-6.1A	2015 SPRING/SUMMER SURFACE RESTORATION AND EROSION CONTROL PLAN
C-6.2	EROSION AND SEDIMENT CONTROL DETAILS
C-6.3	EROSION AND SEDIMENT CONTROL NARRATIVE
C-6.4	EROSION AND SEDIMENT CONTROL NARRATIVE
C-7.0*	LIGHTING PLAN
C-8.0	SITE DETAILS 1 OF 2
C-8.1	SITE DETAILS 2 OF 2
C-8.2	WATER SYSTEM DETAILS
C-8.3	UTILITY DETAILS
C-8.4	STORM DRAIN SYSTEM DETAILS
C-8.5	SHOREFRONT ELEMENT DETAILS
C-11.0*	FIRE PROTECTION PLAN PHASE III

*Not Included in this Submission Set

1. DEVELOPMENT DESCRIPTION

1.1 PROJECT OVERVIEW

Canal Landing, LLC proposes to construct an expansion to their boat maintenance and repair yard within approximately 17.77 acres of land located prominently along the West Commercial Street waterfront. This land area includes 5.03 acres of remainder land that the Applicant retained after the MaineDOT acquired nearly 18 acres of land from New Yard, LLC for the IMT Expansion project. The Applicant has recently completed the acquisition of 12.74 acres from Portland Terminal Company to fulfill their goals for a full-scale boat maintenance and marine related activities facility. The project represents an ideal reuse of a former highly industrialized property that over the years has fallen into non-use except for low frequency rail yard activities. The property maintained a prominent role in the City's Waterfront District for well over a century and a half as the Maine Central Railroad operated active business interests up until at least the 1970's. In more recent times, the site has been undeveloped except for the limited ongoing rail operations.

The proposed project includes multiple buildings to be constructed over multiple phases along with expanded shorefront uses including a second boat ramp, docks, new or reconstructed piers and a travel lift basin. The Applicant's plans include up to three buildings constructed to support the boat maintenance and repair operations. Additional future buildings are also contemplated to support marine related operations including retail/warehouse space, yacht brokerage/sales, marine product processing, and the potential of large vessel berthing. The current Site Plan approval request is only for Phase III activities which are listed in Section 1.9.1 of this section.

The project includes site development activities involving earthwork, grading, shorefront stabilization, pier rehabilitation, boat ramps, building construction, utilities, and overall site stabilization.

The following sections provide greater detail regarding the site's existing conditions and the proposed development program.

1.2 SITE OWNERSHIP

According to the ALTA/ACSM Survey completed by Owen Haskell, Inc. in April 2015, the development site contains multiple parcels as identified in the City of Portland Tax Assessor's maps. These parcels are more fully described as follows:

TABLE 1 – Land Ownership

Chart-Block-Lot	Owner	Description
59-A-3 & 4	New Yard, LLC CCRD Book 30887; Page 2	Consists of 5.03 acres.
60-F-1, 3 &4 71-F-2	Canal Landing, LLC CCRD Book 32239; Page 148	Consists of a 6.75-acre area between the IMT rail track and the street; also consists of 5.99 acres of area along the waterfront.

Figures 1-12 included in Attachment A of this section depict the project location on various available resource maps. As shown, the site location is on West Commercial Street just west of the Casco Bay Bridge and between Commercial Street and the waterfront. The combined parcels have approximately 2,159.55 LF of frontage along Commercial Street. The development site is identified on the U.S.G.S Portland West 7.5 Minute Quadrangle Map.

1.3 PROJECT PURPOSE AND NEED

The proposed project is considered a unique opportunity to transform an underutilized, yet prominent property, into water dependent maritime use as significantly contemplated within the City's zoning and comprehensive plans. The project's community benefits include:

- Enhanced commercial/marine related opportunity and rehabilitation of a deteriorated, older industrial property.

- Rehabilitated waterfront including new/renovated pier(s), boat ramp(s) and shoreline stabilization.

- Various remedial activities related to recognized environmental conditions on the properties will be performed, thus addressing several long-standing environmental issues.

- Revitalization of an important waterfront property that has excellent access to deep water, various utilities, City services, and related shorefront amenities.

- Furtherance of the purposes of the Waterfront Port Development zone as articulated in the Land Use Ordinance to "*ensure the continued viability of the Port of Portland*" by limiting use to "*those uses which are dependent upon deep water and which contribute to port activity*".

- Creation of new buildings and site use consistent with waterfront activities in a gateway location along the busy West Commercial Street corridor. The cleanup of dilapidated piers and remnant industrial infrastructure associated with the former Portland Gas Works is especially worthwhile.

1.4 EXISTING CONDITIONS

The site consists of approximately 17.77 acres of land that is composed of three primary areas described as follows:

1. **Retained Parcel (Map 59A, Lots 3 & 4)**: Consists of the retained 5.03-acre area owned by New Yard, LLC and it represents the retained land originally permitted by the Applicant during late 2012 – 2013. Within this land area New Yard, LLC has constructed Building A and Building B amounting to approximately 48,000 SF of building space. This parcel contains a new boat ramp and boat yard area currently in use by Portland Yacht Services.

2. **Shorefront Parcel (Map 60F, Lots 3 & 4)**: This area is irregularly shaped and contains approximately 1,581 LF of waterfront. The site area is approximately 5.99 acres. This area is currently undeveloped except for the granite revetment wall that historically supported the former waterfront pier.

3. **Street Front Parcel (Map 60F, Lot 1)**: This 6.75-acre area contains approximately 2,160 LF of street front. The property is generally unoccupied although there is an existing rail tracks that provides access to the remaining NGL Distribution facility within what will be IMT expansion area in the future.

Existing development in the area includes the following:

- The City of Portland Marine Terminal and expansion area is located to the east of the site.
- Commercial activity including Nova Seafood and Graybar Electric operate out of buildings on the north side of Commercial Street.
- The Portland Star Match Co. building lines up opposite the site.
- The Pan Am Railway operates rail tracks into the propane storage yard. These rail tracks are expected to continue in operation temporarily until mid-summer 2015 and then the new tracks will be installed as part of the IMT Expansion project will come online.

1.5 ACCESS CONDITIONS

The site currently has two uncontrolled access points off Commercial Street. The most westerly access is a simple gravel turn out allowing vehicular access into the former rail yard. The easterly access is a poorly defined gravel lot opposite the west end of the Star Match Building Complex. For much of the property frontage there is ongoing use by area businesses, particularly fisherman and other related marine activity for parking vehicles, equipment, etc. Much, if not all, of this activity is unauthorized, even though quite common.

Future site access will consist of the following:

- A driveway is proposed at the westerly access point. This driveway will allow access to both the street side parcel and the shorefront parcel.
- A driveway is proposed at the easterly end of the site near the IMT expansion.
- A future driveway is proposed at the westerly side of the site.

1.6 SITE UTILITIES

The site contains numerous active and non-active utility lines. The primary utilities are identified as follows:

- The Portland Water District maintains a 48” sanitary sewer interceptor sewer along the site’s entire Commercial Street frontage. A portion of this sewer is located within the site within a utility easement. The District/City also maintain two CSO lines that discharge out to the Fore River. There are no sanitary sewer service lines serving the site to the best of our understanding. The previously completed Buildings A and B discharge to an onsite private pump station that ultimately discharges to the 48" interceptor sewer. The proposed Phase III building's sanitary sewer will also connect to the existing 48” sewer interceptor.

- The Portland Water District maintains a water main in Commercial Street that varies from 12" to 16". The Applicant has previously installed a fire line and fire line meters to supply water to allow for both fire and domestic water supply service into the site. This system will be used for the remaining future shorefront buildings. New fire and domestic water supply lines will be installed from the Commercial Street main to serve the Phase III buildings.

- Unitil maintains a high-pressure natural gas line along Commercial Street. The Applicant continues to investigate service connections for natural gas supply to the property. Currently, Buildings A and B are served by onsite LP fuel storage tanks.

- Power to the site is supplied by Central Maine Power. Currently, there is an overhead service crossing Commercial Street to a pole from which underground facilities extend to Buildings A and B. CMP also maintains an underground transmission cable along most of the site's Commercial Street frontage. It is the Applicant's intent to extend new overhead primary power service from Commercial Street into the site and then underground to pad-mounted transformer(s). New underground secondary service runs will extend to various locations on the property including the boat ramps and storefront area.

Letters have been sent to the following companies requesting ability to serve for the project:

- Portland Water District (water supply)
- City of Portland Public Services (sanitary sewer)

Copies of these letters are included as Attachment B. These letters provide anticipated consumption and anticipated flow data for the site.

Plan C-4.1 shows the proposed utilities for Phase III.

1.7 TOPOGRAPHY AND DRAINAGE

Owen Haskell, Inc. has completed a topographic survey of the property. The site is relatively flat with the highest points along the Commercial Street frontage, sloping to the waterfront. Site elevations along Commercial Street trend down from east to west from Elevation 18' (NGVD 1929) to Elevation 16'. The site's low areas are near elevation 9'-10' while most of the waterfront top of revetment is near elevation 9' or 10'. The High Annual Tide Line (HAT) for the Fore River is elevation 7.4' and mean low water is approximately Elevation -4.0'. The Federal Channel is also represented on the project drawings and it is generally located 60' to 120' off the shorefront. No activities are proposed beyond the Federal Channel line.

Generally speaking, the site's runoff drains directly to the Fore River via overland flow. There are very few drainage measures on site except for several old catch basins, although there is a closed storm drainage system within Commercial Street. The Commercial Street drainage system ultimately ties into several existing CSO outfalls. The CSO outfalls will remain and be used as outfalls for site generated runoff. It is noted that these CSO outfalls are also used for discharge of runoff associated with the IMT expansion and new rail corridors.

Due to the site's historic industrial condition much of the surface consists of sand and gravel fill, asphalt or otherwise sparsely vegetated ground surface. Future ground activities include improved surfaces to support boatyard activities, however it is contemplated that much of the yard area will be improved by the placement of the "Boatyard Surface" consisting of new gravel

and crushed stone surfacing thereby aiding stormwater control and treatment. This "Boatyard Surface" treatment has been widely placed throughout the 5 acre remainder land and it has been found effective in handling the site's runoff conditions.

1.8 SOILS CONDITIONS

- 10 to 15 feet of sand and gravel fill – there is little to no organic surface layer throughout the site.
- 5 to 10 feet of silt and sand.
- 10 to 40 feet of gray clay identified as the Presumpscot formation.
- 30 to 40 feet of dense silty marine sands.
- An undetermined thickness of dense silty sand and gravel identified as glacial till overlaying bedrock.

Observed soils conditions at the ground surface include fill material containing coal with scarified sand and gravel. Eroded soils conditions have been observed along the shoreline in and behind the existing granite revetment wall and remnant pier areas. The project's Phase I/II site development activities included restoration and rehabilitation of these areas. Additional restoration along the recently acquired westerly land will continue.

According to various investigation data, depth to groundwater varies from 3 to 7 feet and this likely varies with tidal conditions in the Fore River. Generally speaking, the groundwater flows from the northwest to the southeast across the site.

1.9 PROPOSED DEVELOPMENT

The Applicant proposes to redevelop the property in a manner consistent with the WPDZ Standards. The development program includes the following components:

1.9.1 ONSITE

The development program includes continued phased development of boat maintenance facilities and future ancillary marine related uses. Phase III and future Concept Plan development activities are summarized as follows:

Phase III – Will Include (For Which Approval Is Requested):

- Site clearing, stabilization and general clean-up.
- Construction of a 19,250 SF individual metal building for marine retail and boat maintenance operations. (This requires a Conditional Use Approval).
- Construction of a second concrete boat ramp along the shorefront.
- Establishment of yard areas and surfaces for heavy equipment travel lift trucks, and boat storage repair. (Repair and maintenance often takes place outside, particularly if the vessel is large and does not fit into a building. Boats that are out of the water for the winter season all need to have work done on them to prepare them for re-launching.)

- Installation of utilities for building use as well as future phase activities.
- Rehabilitation of former pier pilings for use as part of a new dock system along the waterfront. Custom Floating docks are proposed to tie into the existing system of pilings and dolphins located along the waterfront.
- A 20' x 120' storage building along the waterfront is proposed for storage of racing shells.
- Temporary facilities including one or more portable trailers and storage buildings for sailboat masts and related boat equipment.
- A 60’ x 80’ wood framed multi story structure is proposed as an office space for Portland Yacht Services.

Future Development – May Include (Require Future Approvals):

- The location of a 1,500 ton dry dock.
- A travel lift basin to be constructed of sheet piling within the westerly shoreline. The travel lift basin will allow larger vessels to be removed from the water for repairs and maintenance.
- Construction of a 10,800 to 11,200 SF tension fabric building for boat repair operations including painting and fiberglass work.
- Construction of up to 40,800 SF metal framed structure that will include more boat repair space, operations areas and administrative support area.
- Continued expansion of the yard area and surface for boat storage and repair.
- Construction of ancillary systems including boat wash areas with water recycling systems, peripheral stormwater systems, landscaping and overall site stabilization.
- Marine retail and warehouse space within up to 36,000 to 41,625 SF in one or two buildings located in the westerly Commercial Street frontage. This space may consist of a combination of permitted and conditional uses.
- Construction of a parking area containing 80-90 parking spaces along the Commercial Street frontage just west of the proposed entrance off Commercial Street.
- Marine related uses, including, but not limited to, seafood processing and storage within one or more structures to be located on the site’s far westerly side.
- Commercial street improvements for parallel or angled parking. These improvements are subject to compatibility with existing utilities including underground gas and electric. These improvements are also subject to coordination with the City’s West Commercial Street planning.
- Large vessel berthing alongside and within the rehabilitated pier area.

It is the Applicant’s intent to show these future activities on the Future Phase Concept Plan; however, current Site Plan and Conditional Use approvals are only being sought for the Phase III activities.

1.9.2 OFFSITE

Site access is proposed via Commercial Street as well as from the Fore River. The Phase III primary site entrance is proposed at the existing gravel drive located approximately 1,500 LF west of the Beach Street intersection.

A second driveway is also proposed approximately 700 feet west of the Beach Street intersection generally opposite the Star Match Co. building complex. Again, placement of this driveway requires coordination with the City's and MaineDOT's plans for the Beach Street signal. Finally, the Applicant is interested in a third entrance further west off Commercial Street. This entrance would be primarily used for the future marine retail/warehouse in a manner to provide separation of these patrons from the operations of the boat yard, and off hour security. Approval of the driveway is subject to future activity site plan review and approval.

1.10 LAND ORDINANCE REVIEW

1.10.1 OVERVIEW

The property currently lies within the City of Portland Waterfront Port Development Zone (WPDZ). Within the WPDZ district the following uses are permitted or conditioned:

Permitted Uses

- Marine repair services and machine shops
- Tug boat, fire boat, pilot boat and similar services
- Boat repair yard

Conditional Uses

- Marine products, wholesaling and retailing
- Boat storage facilities excluding rack storage
- Seafood processing
- Seafood packing and packaging
- Off-street parking lots, excluding parking structures

The following dimensional requirements apply in the WPDZ District:

Dimensional Standard	Requirement
Minimum Lot Size	None
Minimum Frontage	None
Front Yard Setback	None
Side Yard Setback	None
Rear Yard Setback	None
Setback from Pier Line	5 feet for structures
Maximum Lot Coverage	100%
Maximum Building Height	45 feet/65 feet above mean sea level

With regard to building height compliance, the proposed finished floor elevation of the Phase III buildings is 14.50 feet. While the specific building vendor has not been selected yet, it is understood that the total height of the buildings will not exceed the Code Standards. This is similar to the previously constructed Buildings A & B, each of which comply with the WPDZ height requirements.

In accordance with Section 14-318.5 (no adverse impact on marine uses) the following statements support the project intentions:

Ø *Criteria 1 – The proposed non-water dependent use will not displace an existing water-dependent use.*

Supporting Evidence: In fact the proposed project is a water dependent use and it is not displacing any existing water related use.

Ø *Criteria 2 – The proposed use will not reduce existing commercial vessel berthing spaces.*

Supporting Evidence: In fact the project includes measures to improve and increase commercial vessel berthing space as the project activities contemplate pier rehabilitation and the installation of berthing spaces for vessels including tug boats or similar sized vessels.

Ø *Criteria 3 – The proposed non-water dependent use, structure or activities, including but not limited to access, circulation, parking, dumpsters, exterior storage or loading facilities, and other structures, will unreasonably interfere with the activities and operation of existing water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses.*

Supporting Evidence: The proposed uses are water-dependent and do not interfere with any existing water dependent uses or activities on the site.

Ø *Criteria 4 – The siting of a proposed non-water dependent use will substantially reduce or inhibit existing public access to marine or tidal waters.*

Supporting Evidence: The project is not non-water dependent and it will not reduce or inhibit existing public access to marine or tidal waters. It is expected that waterfront access will be improved as a result of the installation of a proposed boat ramp(s) and floating dock facilities.

Performance Standard Compliance

The Applicant will comply with all items listed and described in the performance standards for the WPDZ in the development of the proposed Phase III project as well as through the day to day operational activity at the site once construction of Phase III is complete.

The off street parking and loading requirements will not be applicable to this project until future phases of the project are developed. Generally speaking, the project involves employee parking which will vary within the yard area to allow flexibility for boat storage.

See Section 1.14 of the report for information on noise and vibration generated by the regular operations of the site. See Section 1.15 of this report for a discussion on proposed lighting for Phase III of the project. Section 1.17 provides an overview of solid waste for the project is discussed below.

1.11 BRIGHTWORK MANUAL OVERVIEW

In 2005, the Maine Department of Environmental Protection released "*Brightwork -- A Best Management Practices Manual for Maine's Boatyards and Marinas "*. The goal of the manual is

to help site owners and operators of marinas and boatyards to reduce pollution from their facilities by providing environmental compliance benchmarks, common sense practices that enable the benchmarks to be met, a list of regulatory references that form the basis of the benchmarks, and a series of tools to enable easier benchmark progress measuring.

The manual describes in detail, the types of toxic pollutants generated by boatyard and marina sites and the resulting environmental and economic impacts.

The manual provides guidance on how to carry out typical jobs and practices associated with boatyards and marinas and the associated benchmarks, best management practices, clean up and waste disposal, customer relations, legal requirements, etc.

The practices described include:

- Hull Preparation
- Sandblasting
- Painting
- Boat Washing
- Engine Repair and Maintenance
- Stormwater Planning
- Fueling and Fuel Storage
- Waste Management

The manual provides best management practices for each practice including containment, indoor vs. outdoor recommendations, dust emissions, managing spills, storage, labeling and disposal of various waste products.

The Applicant currently complies with the Brightwork practices within their new facilities at the Canal Landing Yard. They will continue to utilize the Brightwork Manual as a reference and adhere to the requirements set forth for all activities at the proposed site.

1.12 TRAFFIC

The proposed project will not result in significant impacts to the surrounding street system. The project's Phase III conditions will result in fewer than 100 new peak hour trips. Given the upcoming signalization of the Beach Street intersection, the development team has not pursued further traffic analysis at this time. At this time, a full Traffic Impact Study or Traffic Movement Permit for Phase III activities is not contemplated. The Phase III proposal includes two driveways into Commercial Street each of which has sufficient sight distances and separation from adjacent driveways to meet the City's Technical Standards.

1.13 NATURAL FEATURES

The development site does not contain any significant natural features including wetlands, vernal pools or other protected resources except for the shorefront edge adjacent the Fore River. The site has been developed for a period greater than 150 years and there is generally no land area that has not been disturbed or otherwise developed. FST has contacted various resource agencies regarding the site's potential to contain significant wildlife habitat, historic or archaeological resources. Findings from each of the agencies will be provided to the City upon receipt.

1.14 NOISE/VIBRATION

The WPDZ has the following standards for noise and vibration:

"Noise:

1. *The level of sound, measured by a sound level meter with frequency weighting network, inherently and recurrently generated within the WPDZ between the hours of 7.00 p.m. and 7.00 a.m. from industrial facilities or operation commenced on or after July 1, 1988, shall not exceed 55 dB on the A scale at or within the boundaries of any residential zone, except for sound from construction activities, sound from traffic on public streets, sound from temporary activities such as festivals, and sound created as a result of, or relating to, an emergency, including sound from emergency warning devices.*
2. *In measuring sound levels under this section, sounds with a continuous duration of less than 60 seconds shall be measured by the maximum reading on a sound level meter set to the weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of 60 seconds or more shall be measured on the basis of the energy average sound level over a period of 60 seconds (LEQ_1).*
3. *In addition to the sound level standards otherwise established, facilities or operations established or built in the waterfront port development zone on or after July 1, 1988, shall employ best practicable sound abatement techniques to prevent tonal sounds and impulse sounds or, if such tonal and impulse sounds cannot be prevented, to minimize the impact of such sounds in residential zones. Tonal sound is defined as a sound wave usually perceived as a hum or which because its instantaneous sound pressure varies essentially as a simple sinusoidal function of time. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one second."*

"Vibration:

Vibration inherently and recurrently generated shall be imperceptible without instruments at lot boundaries. This shall not apply to vibration resulting from activities aboard a vessel or from railroad vehicle activities, or from activities on a pile supported pier."

It is the Applicant's intention to comply with the noise and vibration standards above. Night time activity will be minimal. Typical sources of noise from routine boat yard jobs and practices include hull preparation, sandblasting, painting, boat washing, engine repairs and maintenance and transportation of vessels throughout the site. All these practices will be performed in accordance with the MeDEP Brightwork Manual. Temporary noise sources during construction will include pile driving, pavement grind, dump trucks delivering gravel/fill to the site.

The site is well separated from noise sensitive sites with no direct abutting impacts to abutting residential neighborhoods. The nearest residential building is approximately 800' away from the edge of the proposed buildings and is located along the Beach Street ramp connection to the Casco Bay Bridge.

The site is surrounded by commercial/industrial uses including the International Marine Terminal to the east, Commercial activity including Nova Seafood and Graybar Electric operate out of buildings on the north side of Commercial Street. Other adjacent noise generating sources including the Casco Bay Bridge and the flight path of the Portland International Jetport.

1.15 LIGHTING

The primary purpose for site lighting for Canal Landing is for security in the vicinity of the buildings and to provide lighting at key operational access points to the Fore River. Nighttime operations for the boatyard are atypical, particularly at this early phase of development. Security at the site will be supplemented by infrared cameras mounted on the buildings. With future development, and potentially increased nighttime activities, additional pole and wall-mounted full cutoff fixtures with LED lamps will be proposed.

It is important to note that light sources from abutting properties cast direct and indirect illumination onto the currently undeveloped property. The adjacent light sources include cobra head sodium lights on utility poles along Commercial Street.

Additional lighting information for the proposed Phase III buildings will be provided to the City once completed by the building designer.

Based upon the existing ambient light levels and the proposed lighting, the Applicant is comfortable that adequate lighting will be present at the property for the proposed uses. Comments from the residential neighbors during the previous review periods indicate that additional lighting to raise the overall level of light at the property is not desired.

The Applicant is requesting that the Planning Staff support a waiver by the Planning Board of the lighting standards of Section XV 4.A. Uniformity and 4.B. Illumination Levels, based upon the following:

1. Existing ambient light levels at the property are between 0 and 0.3 foot-candles at the interior and 0.8 to 1.5 fc at the edges of the lot;
2. Proposed lighting will raise the light levels needed for safe access and egress in and out of the property onto Commercial Street to reasonable average levels of 1.25; and
3. Proposed lighting will provide for security, safety, and nighttime use of the new buildings and work yards;
4. Illumination of the property to the levels required by the City Ordinance will impact the residences located uphill from the proposed project.

1.16 SOLID WASTE

The proposed boatyard use will generate two types of solid waste: regular waste and hazardous waste.

Regular non-hazardous waste will be stored on site in a dumpster(s) and collected by a local solid waste company who the Applicant will form an annual contract.

Hazardous waste will be stored in accordance with the requirements of the Brightwork Boatyard Manual and collected, transported and disposed of by ENPRO Services, Inc. or another similar company. We have previously provided a letter from ENPRO identifying the most common drummed wastes generated by the Applicant's former facility on Fore Street in Portland, how they are tracked, where they are transported to and how they are disposed of. No further information related to solid waste will be provided unless requested by City Staff.

1.17 STORMWATER MANAGEMENT

The development will rely on the placement of boatyard surface materials consisting of crushed stone aggregate and subbase gravels similar to what has been placed on the 5.03 acre remainder parcel. A series of catch basins will be installed to tie into the drainage system installed as part of the IMT rail construction. These systems tie into the existing CSO outfalls that discharge into the river. Additional information relating to the developments overall stormwater strategies will be provided in subsequent submissions. Generally speaking, the Applicant will be requesting a waiver from the City's Flooding Standards due to the site's proximity to Tidal Conditions in the Fore River. We propose the placement of the "Boatyard Surface" as the primary means of water quality treatment for the site.

1.18 EROSION AND SEDIMENT CONTROL

A temporary Erosion and Sediment Control Plan is included as part of the plan documents.

1.19 FLOODING

The project site has been depicted graphically on a portion of the FEMA Flood Insurance Rate Map and is attached as Figure 7 and provided at the end of this section. The Phase III buildings will be constructed with a finish floor elevation of 14.5 feet, which is 4.5 feet higher than the 100-year flood elevation of 10.0 feet.

1.20 BLASTING

Based on previous soil investigation at the site, blasting is not anticipated for construction of the project. If blasting or rock removal is required, the contractor will be required to prepare a Blasting Plan and preblast survey prior to any rock removal.

1.21 AIR EMISSIONS/ODORS/VAPORS

Air emissions expected to occur as a result of, or within the project area, are as follows:

- Temporary emissions associated with construction vehicles and construction of project.
- Temporary emissions associated with vehicular travel of employees, delivery vehicles, travel lift, etc.
- Emissions associated with the heating systems for the brokerage building and tension fabric building.
- Emissions related to boat repair activity.

Odors will be generated during the construction phase of the development and during day to day operation of the proposed boatyard facility.

Short term odors or odors generated during construction include the following:

- Organic odors from earth moving during construction.
- Petroleum odors from construction equipment and vehicles used during construction for the project.

- These odors will emanate from the site and may be detectable in the immediate vicinity of the development but will dissipate through the air into the atmosphere in negligible amounts.

Long term odors or odors generated during day to day operation of the facility such as that proposed include:

- Petroleum odors from vehicles/travel lift.
- Solid Waste odors.
- Odors from boatyard activities such as painting, etc.

These odors are not likely to be offensive, as they are of low intensity and the site is not in a densely developed area. Therefore no provisions for odor control are planned. However appropriate ventilation procedures will be utilized on site for health and safety of staff during certain boat repair activities.

Large Scale water vapor emissions are not anticipated as part of this project.

1.22 SUNLIGHT

The proposed buildings at the site will not cast significant shadows onto neighboring properties, or block access to direct sunlight for structures utilizing solar energy. The Site Layout Plan and Grading and Drainage Plan show the proposed site improvements and their relationships to property lines. The grading plan shows the relative elevations of the buildings with respect to elevations along the property lines.

1.23 APPROVAL REQUIREMENTS

The following permits are anticipated:

- City of Portland Planning Board Level III Amended Site Plan Approval, Conditional Use Approval and Shoreland Zoning Approval
- City of Portland Building Permit(s)
- MeDEP Natural Resource Protection Act (NRPA) – Amended
- City of Portland Delegated Review of the Site Location of Development Act (SLDA)
- U.S. ACOE Water Quality Certification/Federal Channel Review
- State of Maine Submerged Lands Lease
- Harbor Commissioner's Review

1.24 ATTACHMENTS

Attachment A – Figures 1-12

Attachment B – Ability to Serve Letters to Portland Water District and the City of Portland Public Services (PENDING)

ATTACHMENT A

Figures 1 – 12

N
W E
S

LOCATION MAP
CANAL LANDING - NEW YARD EXPANSION
PORTLAND, MAINE

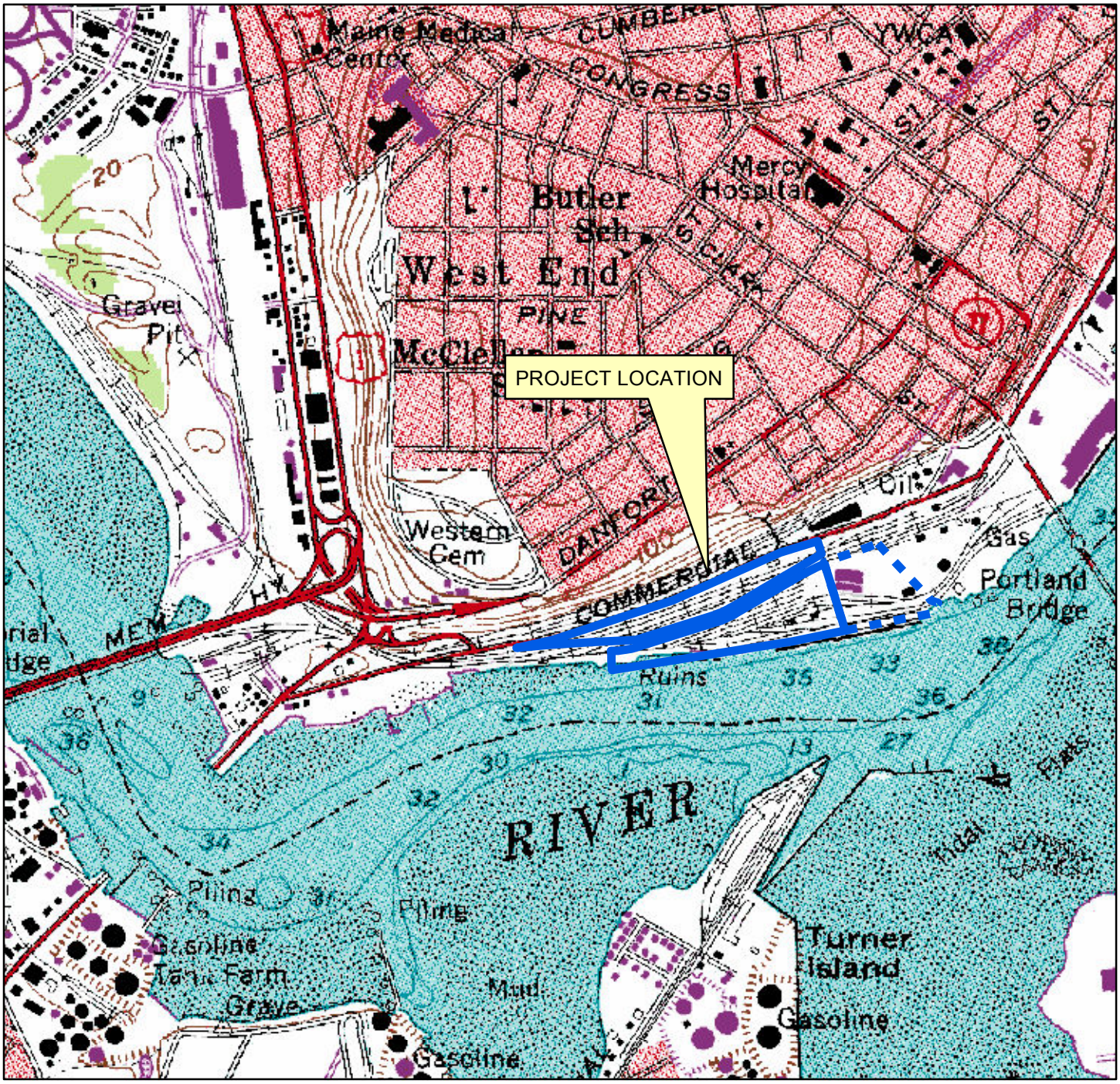
SOURCE: DELORME STREET ATLAS USA 5.0

FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	FEB 2015
FILENAME:	3091.04 LOCMAP
SCALE:	1" = 1000'

FIGURE
1



N
W E
S

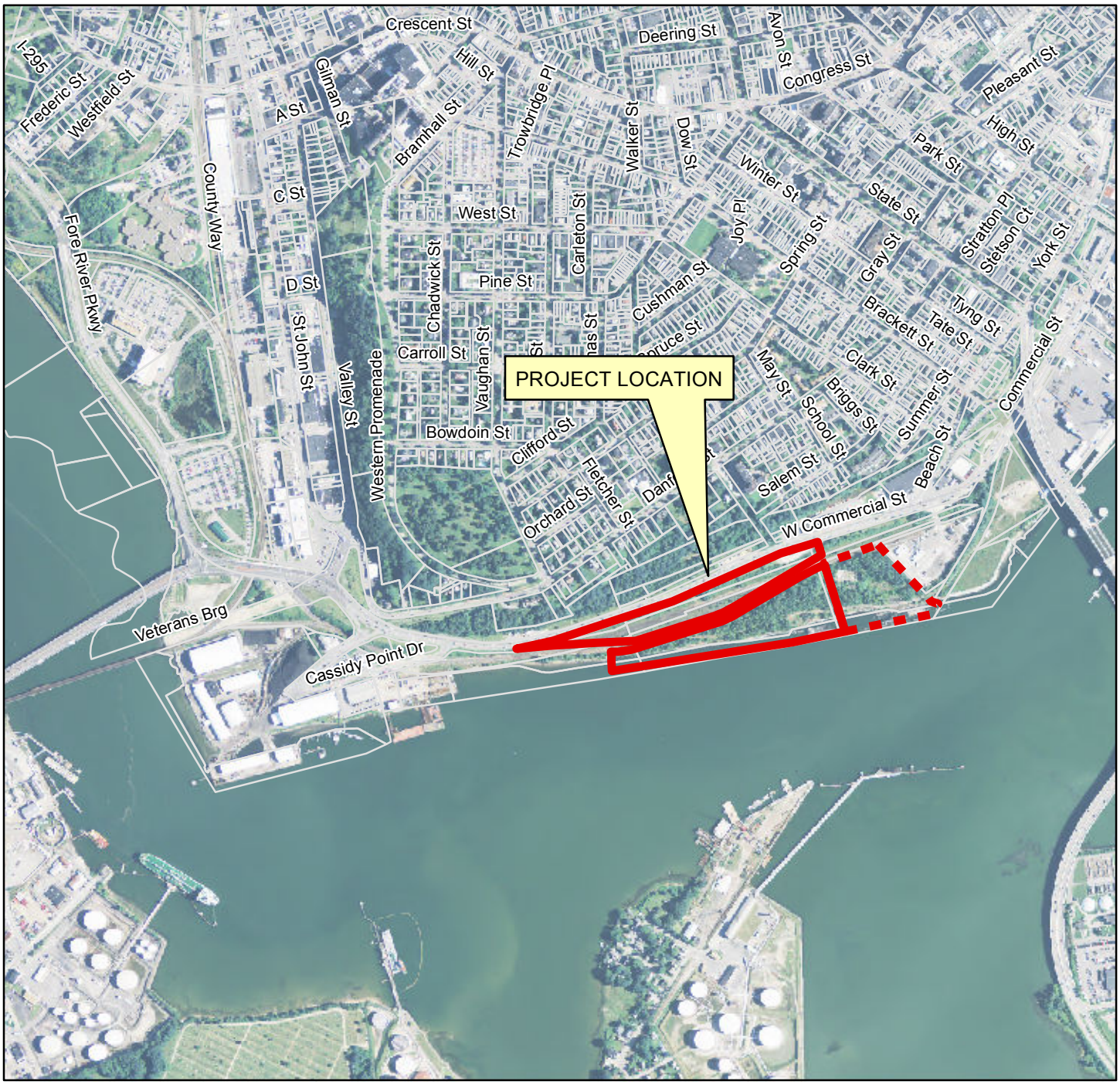
USGS LOCATION MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-USGS
SCALE:	1 inch = 1,000 feet

FIGURE
2



N
W E
S

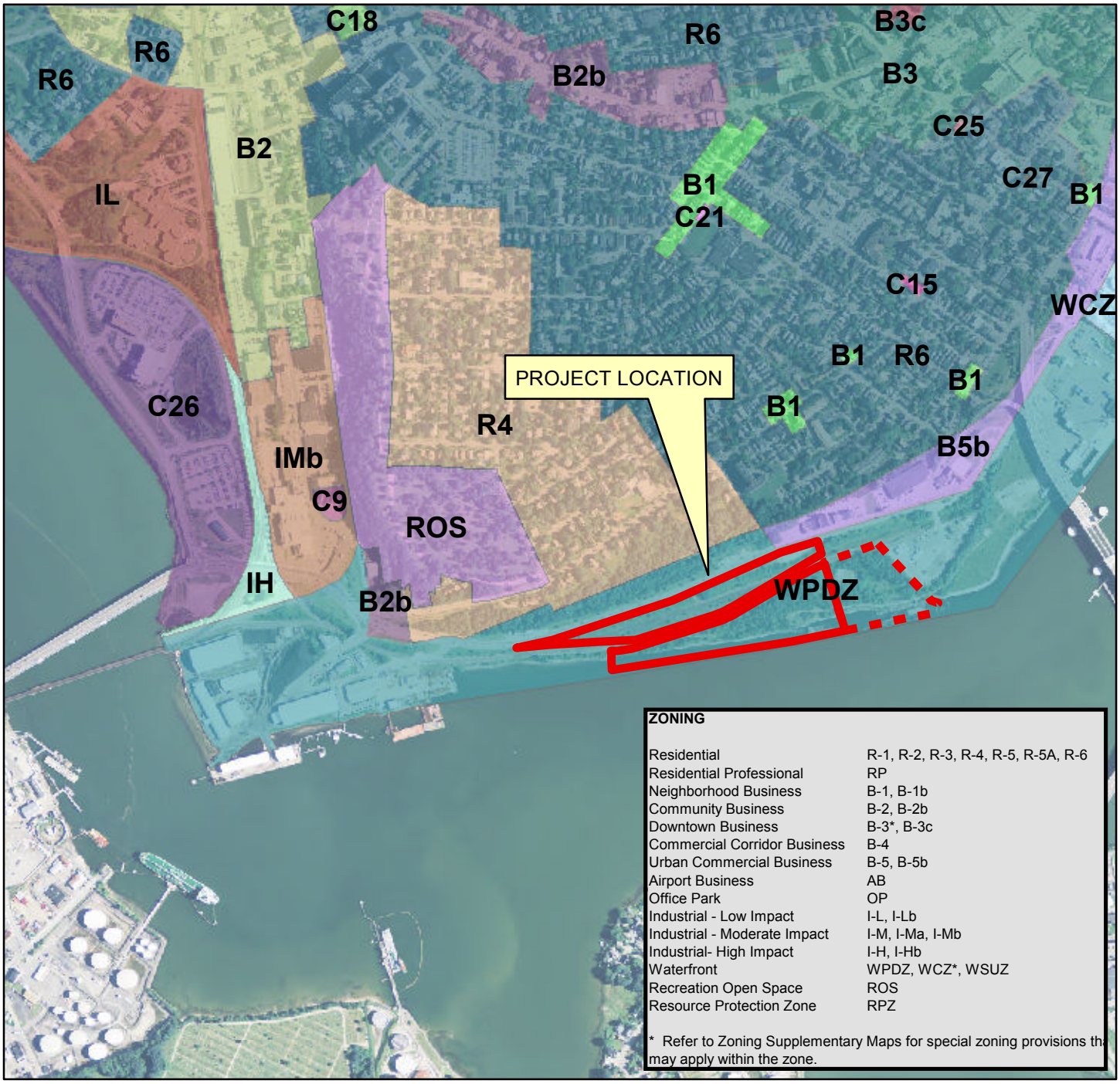
TAX MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-TAX MAP
SCALE:	1 inch = 1,000 feet

FIGURE
3



N
W E
S

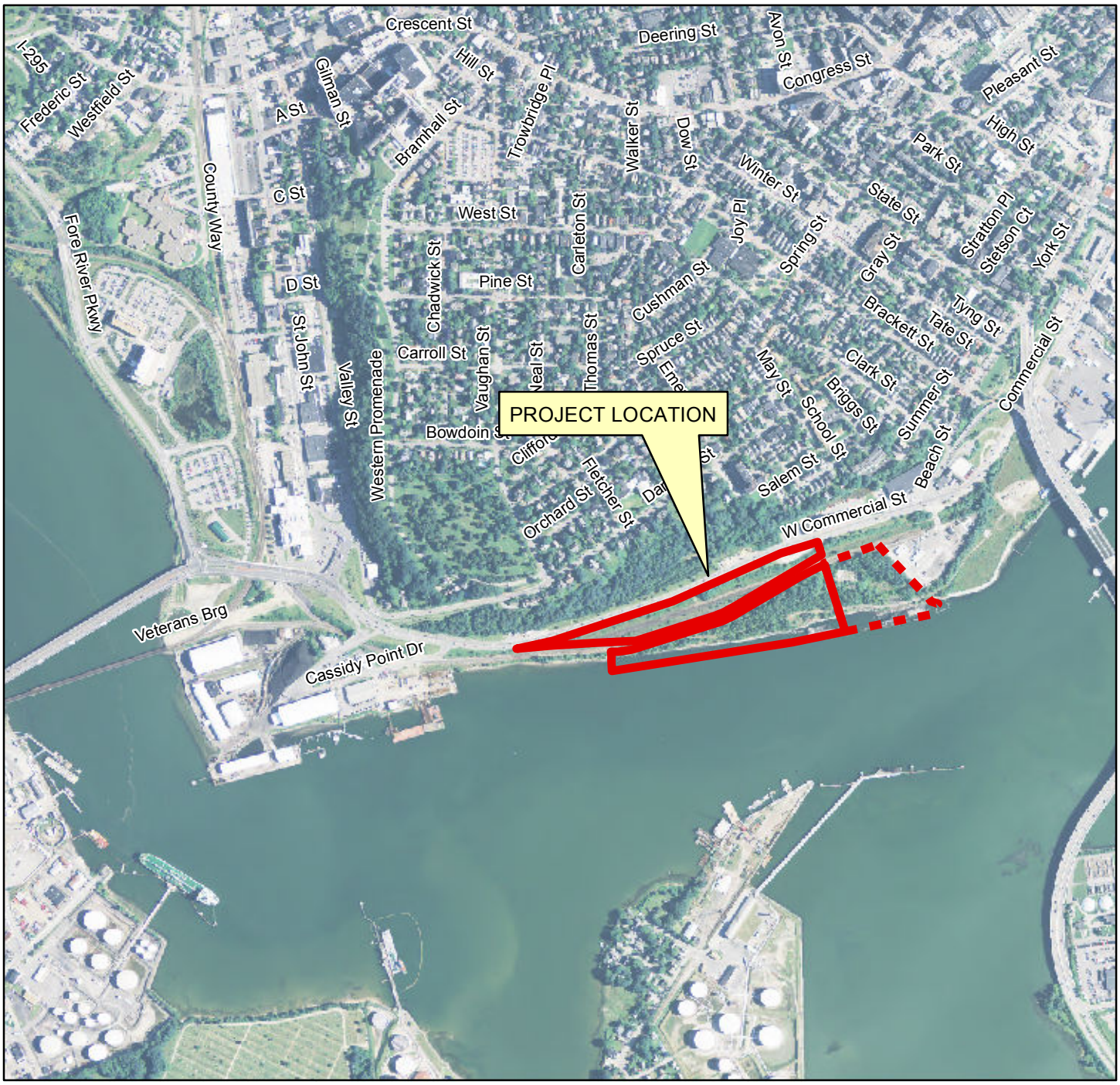
ZONING MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-ZONING
SCALE:	1 inch = 1,000 feet

FIGURE
4



N
W E
S

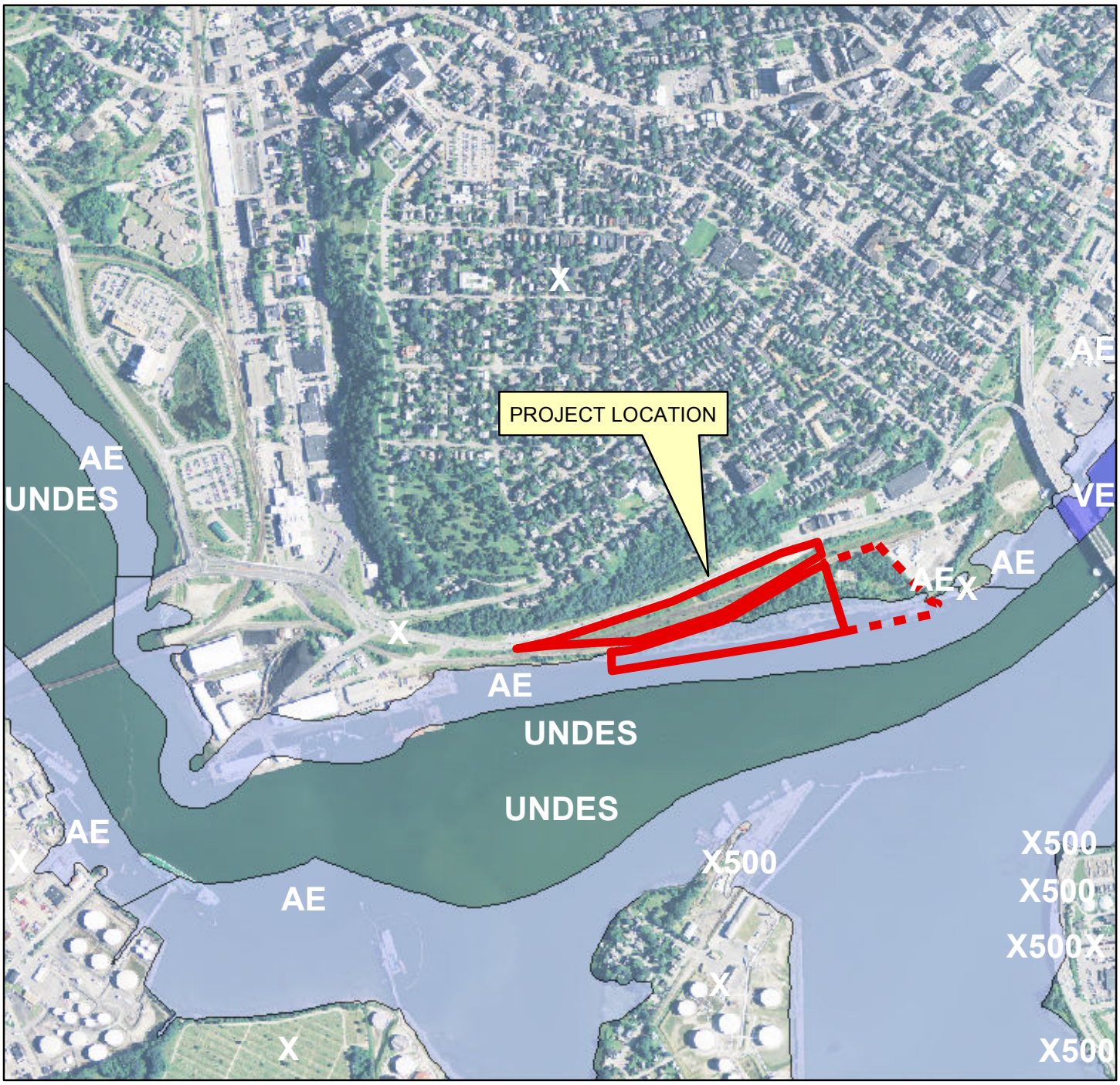
AERIAL PHOTOGRAPH
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-AERIAL
SCALE:	1 inch = 1,000 feet

FIGURE
5



N
W E
S

FLOOD MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

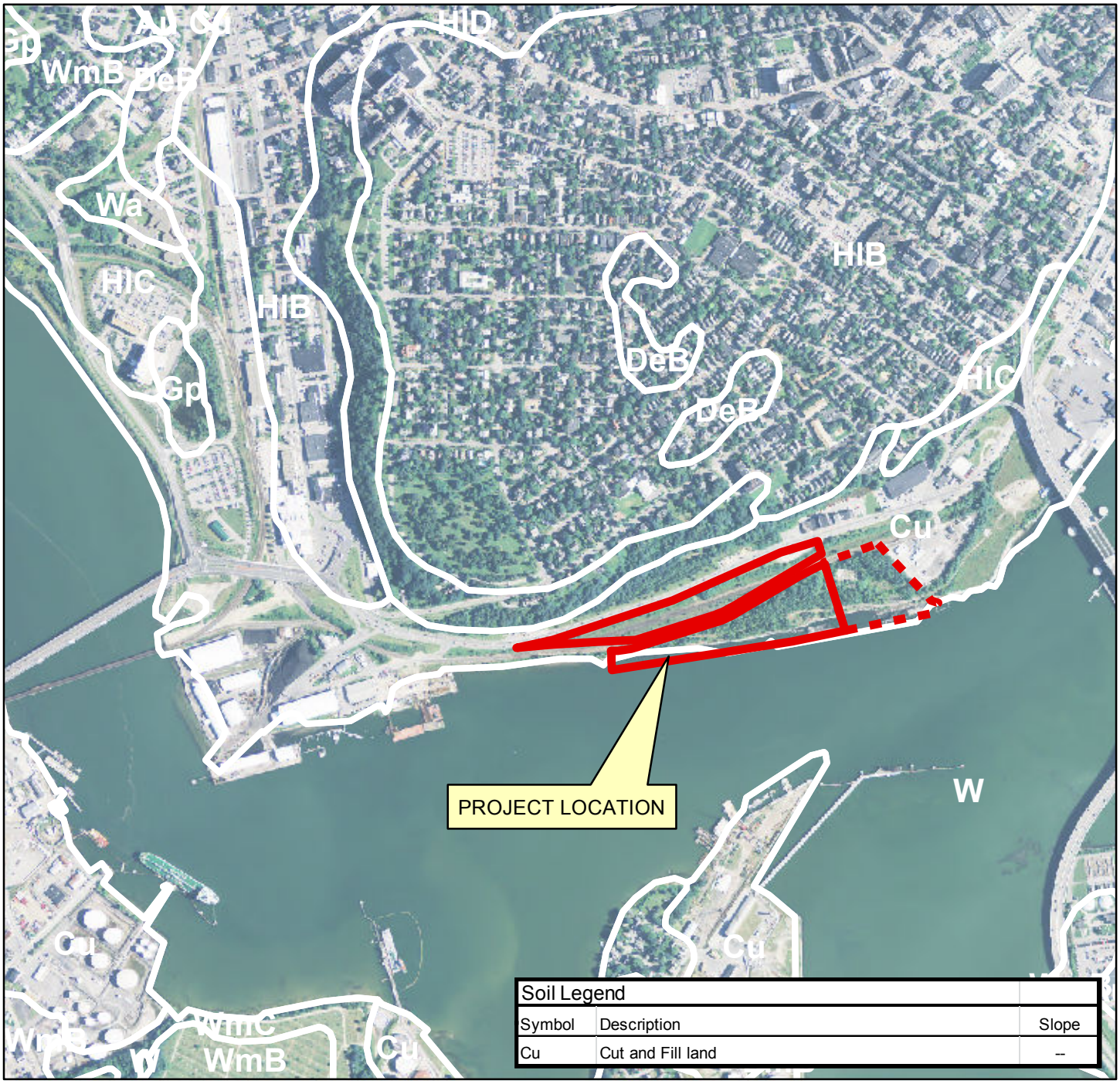
FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-FLOOD
SCALE:	1 inch = 1,000 feet

FIGURE

7



N

W E

S

SOILS MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

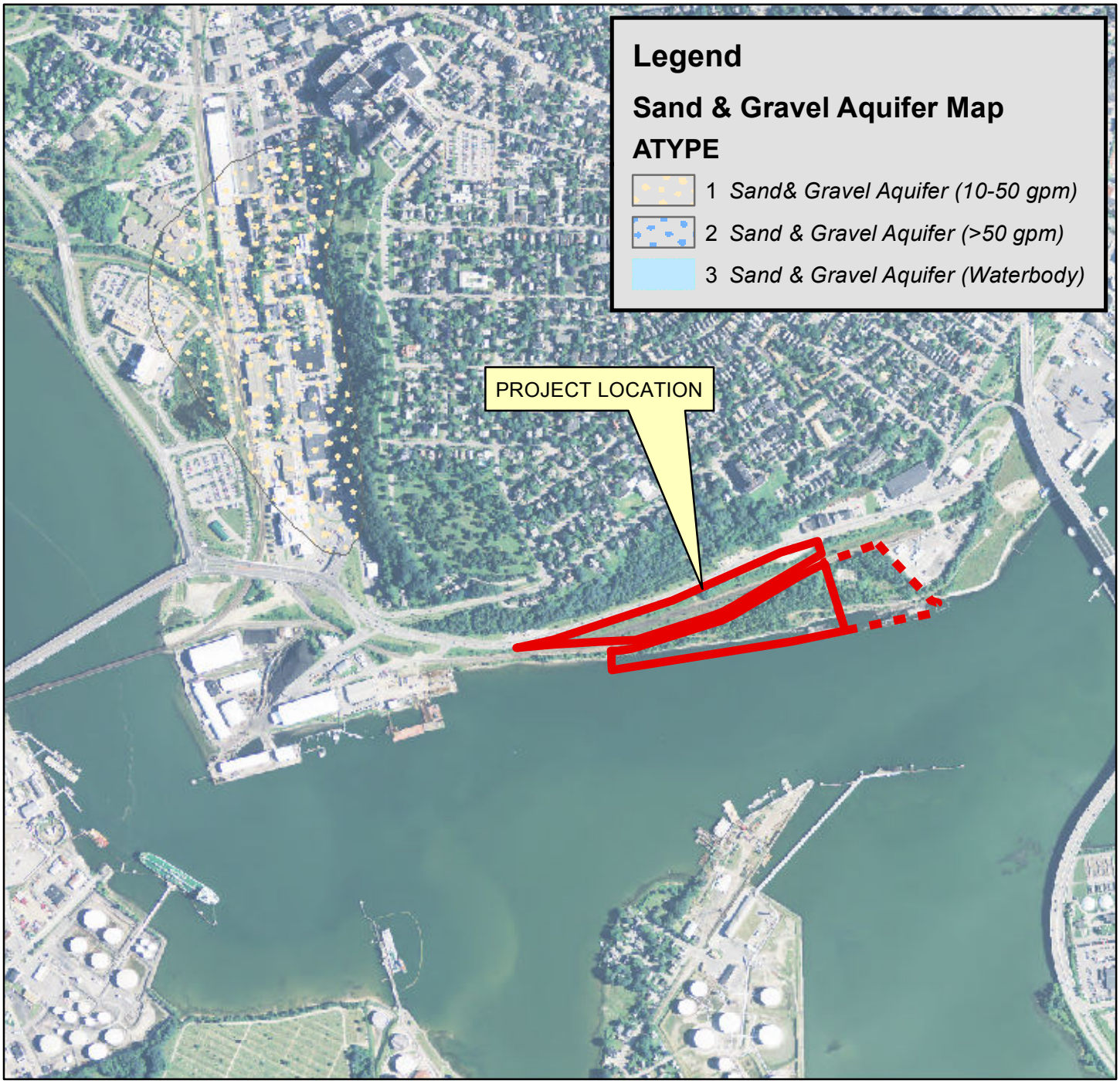
FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-SOILS
SCALE:	1 inch = 1,000 feet

FIGURE

8



N
W E
S

SAND GRAVEL AQUIFER MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-AQUIFER
SCALE:	1 inch = 1,000 feet

FIGURE
9

N
W E
S

SURFICIAL GEOLOGY MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

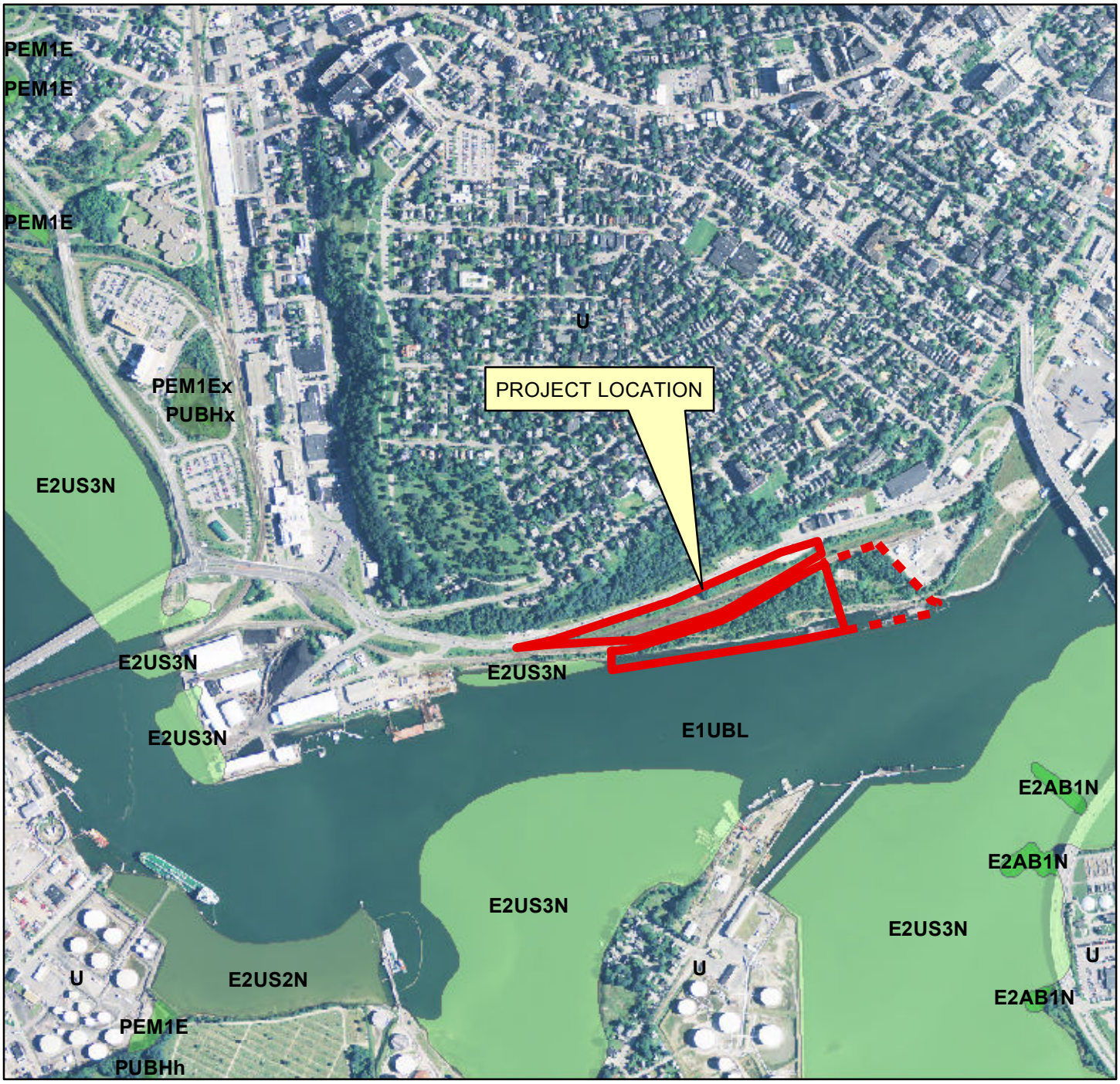
SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-GEOLOGY
SCALE:	1 inch = 1,000 feet

FIGURE
10



N
W E
S

NWI MAP
CANAL LANDING - NEW YARD EXPANSION
WESTBROOK, MAINE

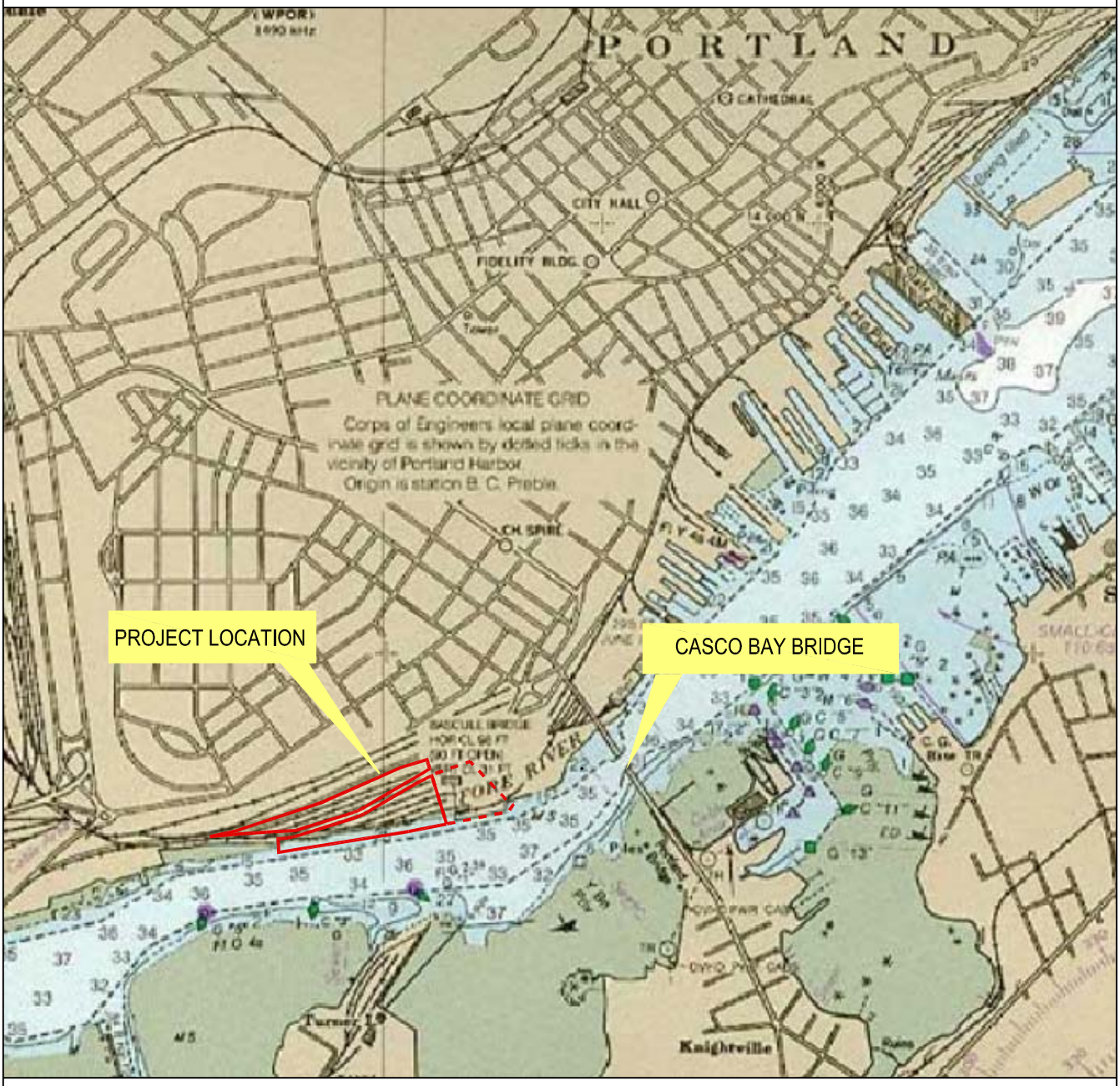
SOURCE: MAINE OFFICE OF GIS

FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	SRB
DATE:	MAY 2015
FILENAME:	3091.04-NWI
SCALE:	1 inch = 1,000 feet

FIGURE
11



N
W E
S

PORT OF PORTLAND - HARBOR CHART
CANAL LANDING - NEW YARD EXPANSION
PORTLAND, MAINE

SOURCE: PORT OF PORTLAND HARBOR CHART

FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	DED
CHECKED:	WGH
DATE:	FEB 2015
FILENAME:	3091.04 HARBOR
SCALE:	1" = 1000'

FIGURE
12

ATTACHMENT B

Ability to Serve Letters to Portland Water District and The City of Portland Public Services

May 21, 2015

MEANS Group
Portland Water District
225 Douglass Street
P.O. Box 3553
Portland, Maine 04104-3553

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Ability to Serve Project with Water Supply & Wastewater Collection/Treatment

Dear Coordinator:

On behalf of Canal Landing, LLC we would like to verify the Portland Water District's ability to provide domestic and fire supply water and wastewater capacity for their project at 400 West Commercial Street in Portland. The project site is located on all or a portion of Map 59, Block A Lots 3 & 4; Map 60, Block F, Lots 1, 2, 3 & 4; Map 71, Block F, Lots 2, 4, 5 & 6.

The project will consist of two buildings with size and use summarized as follows:

Building	Use	Size (SF)
C	Marine Retail	19,250
D	Marine Office	11,000 to 12,000
Total		30,250 to 31,250

FST has developed a projected flow based on the existing Portland Yacht Services water and wastewater consumption records at the former Fore Street Complex, for the period August 2011 to August 2012. These flows are summarized as follows:

Description	Per PWD Records	Conversion to GPD
Average Monthly Water Consumption	121 HCF	3,106 gpd
Average Monthly Wastewater Flow	105 HCF	2,618 gpd

Water demand for domestic consumption is expected to be similar to wastewater demands or as observed at the PYS center on Fore Street, water consumption will be slightly more than wastewater flow. We do not anticipate the use of irrigation at this time. The fire demand is unknown at this time.

We are in the process of completing the Site Plan Application for a submission to the City of Portland Planning Staff and would appreciate your response to the Planning Department.

778 Main Street, Suite 8
South Portland, ME 04106
T: 800.835.8666
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

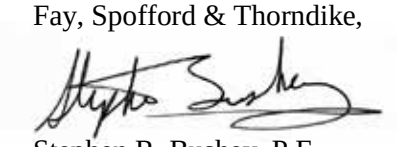
Specifically, our office is interested in a letter from you indicating the following:

- The ability of the Portland Water District's pump stations and Treatment Facilities to serve the project.
- Any other factors which may affect the water and sewer service to this site.
- The ability of the collection system to accept this flow.
- Any connection service or impact fees.
- The ability of the Portland Water District to provide domestic and fire water supply to the development.

If you have any questions regarding this letter, please contact our office.

Sincerely,

Fay, Spofford & Thorndike,



Stephen R. Bushey, P.E.
Associate

SRB/cmd

c: Phin Sprague, Portland Yacht Services

Attachment

R:\3091.04-Canal Landing-Phase 2\Admin\Correspondence Out\Ability to Serve\2015.05.22 Means-PWD ABS.doc

May 22, 2015

Mr. Frank Brancely
City of Portland
Department of Public Services
55 Portland Street
Portland, Maine 04101-2991

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Applicant: Canal Landing LLC
Wastewater Capacity Application

Dear Mr. Brancely:

Our office is working as a consultant to Canal Landing, LLC on the site planning and permitting associated with the proposed Phase III of the Canal Landing New Yard Development. The project site is located on all or a portion of Map 59, Block A Lots 3 & 4; Map 60, Block F, Lots 1, 2, 3 & 4; Map 71, Block F, Lots 2, 4, 5 & 6.

The project will consist of two buildings with size and use summarized as follows:

Building	Use	Size (SF)
C	Marine Retail	19,250
D	Marine Office	11,000 to 12,000
Total		30,250 to 31,250

FST has developed a projected flow based on the existing Portland Yacht Services water and wastewater consumption records at the former Fore Street Complex, for the period August 2011 to August 2012. These flows are summarized as follows:

Description	Per PWD Records	Conversion to GPD
Average Monthly Water Consumption	121 HCF	3,106 gpd
Average Monthly Wastewater Flow	105 HCF	2,618 gpd

Water demand for domestic consumption is expected to be similar to wastewater demands or as observed at the former PYS center on Fore Street, water consumption will be slightly more than wastewater flow. We do not anticipate the use of irrigation at this time. The fire demand is unknown at this time.

Based on this modest amount of domestic flow, we trust that the City's wastewater collection and treatment system has adequate capacity to serve this project. We are in the process of completing the Amended Site Plan Application for Canal Landing Phase III for a submission to the City Planning Staff and would appreciate your response to the Planning Department.

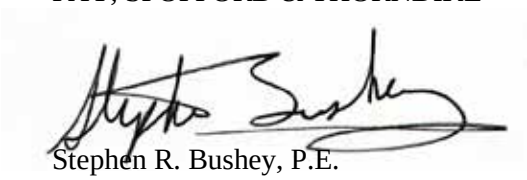
778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

If you have any questions concerning this request, please contact me.

Sincerely,

FAY, SPOFFORD & THORNDIKE



Stephen R. Bushey, P.E.
Associate

SRB/cmd

Enclosure

R:\3091.04-Canal Landing-Phase 2\Admin\Correspondence Out\Ability to Serve\3091.04 2015.05.22 Brancely-WW.doc

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: May 22, 2015

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

Site Address: 400 West Commercial Street

Chart Block Lot Number: 59-A-3, 4
60-F-1, 2, 3, 4
71-F-2, 4, 5, 6

Proposed Use: Boat Maintenance/Marine
Previous Use: Rail Yard
Existing Sanitary Flows: 0 GPD
Existing Process Flows: 0 GPD
Description and location of City sewer that is to receive the proposed building sewer lateral.

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

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

2. Please, Submit Contact Information.

City Planner's Name: Rick Knowland Phone: 207-874-8725
Owner/Developer Name: Canal Landing LLC
Owner/Developer Address: 400 West Commercial Street
Phone: 207-774-1067 Fax: E-mail: phin@portlandyacht.com
Engineering Consultant Name: Stephen Bushey, P.E.
Engineering Consultant Address: FST - 778 Main Street Suite 8, So. Portland, ME 04106
Phone: 207-775-1121 Fax: 207-879-0896 E-mail: sbushey@fstinc.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 2,600 to 3,000 GPD
Peaking Factor/ Peak Times: Not Applicable
Specify the source of design guidelines: *(i.e._"Handbook of Subsurface Wastewater Disposal in Maine,"*
__ "*Plumbers and Pipe Fitters Calculation Manual,"* x *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)

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: Not Applicable

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: Not Applicable 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 where the building's domestic sanitary sewer laterals, as well as the building's industrial-commercial process wastewater sewer laterals exits the facility. Also, show where these building sewer laterals enter the city's sewer. Finally, show the location of the wet wells, control manholes, or other access points; and, the locations of filters, strainers, or grease traps)

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

Notes, Comments or Calculation

2. RIGHT, TITLE AND INTEREST

2.1 OVERVIEW

The Applicant has completed the acquisition of the property with Portland Terminal Company as evidenced by the Release Deed contained in Attachment A to this section.

2.2 ATTACHMENTS

Attachment A – Release Deed

ATTACHMENT A

Release Deed

RELEASE DEED

MAINE CENTRAL RAILROAD COMPANY, a corporation duly organized and existing under the laws of the State of Maine, with offices at 1700 Iron Horse Park, North Billerica, Middlesex County, Massachusetts 01862 (the "Grantor") in consideration of [redacted] Dollars paid to it by **CANAL LANDING, LLC,** with a mailing address of 400 West Commercial Street, Portland, Maine 04101 (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portland, County of Cumberland, State of Maine (the "Premises") described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND
MADE A PART HEREOF BY THIS REFERENCE.

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor.

2. ~~The Grantor hereby reserves a permanent, exclusive right of way and easement in, on, over, under, across and through the Premises for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing a telecommunications system or other system for transmission of intelligence or information by any means, whether now existing or hereafter devised, including such poles, pipes, wires, fibers, fiber optic cables, repeater stations, attachments, appurtenances, structures or other equipment and property of any description necessary or useful for the same (the "Telecommunications Easement"). The Grantor further reserves the right to freely lease, license, mortgage, assign, pledge and otherwise alienate the Telecommunications Easement. The Grantee hereby covenants with the Grantor to recognize the Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the registry of deeds as the Grantor may reasonably require to acknowledge title to the Telecommunications Easement in the Grantor. The Grantor covenants to reasonably repair and restore the surface of the easement area after any work.~~

MAINE REAL ESTATE TAX PAID

3. The Grantor excepts from this conveyance any and all railroad tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast) and/or related equipment of any description located in whole or in part within the Premises.

4. ~~The Grantor excepts from this conveyance any and all advertising signs and/or billboards located upon the Premises which are not owned by the Grantor. Furthermore, this conveyance is subject to the right of the owners of said signs and/or billboards to go upon the Premises and remove them within ninety (90) days from the date of delivery of this deed.~~

5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.

6. By the acceptance of this deed and as part consideration therefore, the Grantee agrees to indemnify, defend and hold harmless the Grantor (including its officers, employees, agents, directors, shareholders and affiliates) from and against any and all loss, liability, damage, cost and expense (including reasonable attorneys' fees) occasioned by or associated with any claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

7. ~~By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer.~~

8. This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.

9. ~~By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant.~~

10. ~~The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities.~~

11. Whenever used in this deed, the term "Grantor" shall not only refer to the **MAINE CENTRAL RAILROAD COMPANY**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case may be.

12. The several exceptions, reservations, conditions, covenants and agreements contained this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining in its execution.

WITNESS WHEREOF, the said **MAINE CENTRAL RAILROAD COMPANY** has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its President, thereunto duly authorized this 27th day of April, 2015.

GRANTOR:
MAINE CENTRAL RAILROAD COMPANY

Witness

By: David G. Fink
David A. Fink, President

Witness

GRANTEE:
CANAL LANDING, LLC

SEAL

By: Phineas Sprague Jr
Phineas Sprague, Jr., Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. April 27, 2015

On this 27th day of April, 2015, before me, the undersigned notary public, personally appeared the above-named David A. Fink, the President of the **MAINE CENTRAL RAILROAD COMPANY** as aforesaid, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires: FEB 24 2017

STATE OF MAINE

Cumberland, ss. May 1, 2015

On this 1st day of May, 2015, before me, the undersigned ~~notary public,~~ attorney at law personally appeared the above-named Phineas Sprague, Jr., Manager of Canal Landing, LLC, as aforesaid, proved to me through satisfactory evidence of identification, which was personal recognizance, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

~~Notary Public~~ Attorney-at-Law: Drew H. Arde
My Commission Expires: Ind

EXHIBIT "A"

MAINE CENTRAL RAILROAD COMPANY
TO
CANAL LANDING, LLC
RAILROAD LAND
IN
PORTLAND, MAINE

A certain lot or parcel of land situated on the southerly side of West Commercial Street in the City of Portland, County of Cumberland and State of Maine as shown on a plan entitled "Land on West Commercial Street, Portland, Maine, Maine Central Railroad Company to Canal Landing, LLC, dated April 30, 2015 to be recorded in the Cumberland County Registry of Deeds in Plan Book 215, Page 157 (the "Plan"), bounded and described as follows:

Beginning at a point on the southerly sideline of West Commercial Street at the northwesterly corner of land now or formerly of New Yard, LLC recorded in the Cumberland County Registry of Deeds in Book 30887, Page 247;

Thence, S 16°58'37" E along the westerly line of land of said New Yard, LLC 90.30 feet to the northerly line of land now or formerly of the State of Maine Department of Transportation recorded in said Registry of Deeds in Book 31408, Page 301;

Thence, the following courses and distances along the northerly line of land of said State of Maine:

S 59°26'10" W 693.10 feet;

Thence, along a curve to the right with a radius of 673.74' feet, having an arc length of 153.57 feet, having a chord bearing of S 65°57'58" W and chord length of 153.24 feet;

S 72°29'45" W 542.24 feet;

S 87°07'38" W 273.21 feet;

S 86°01'33" W 312.82 feet;

S 84°41'57" W 219.48 feet to the southerly sideline of said West Commercial Street;

Thence the following courses and distances along the southerly sideline of West Commercial Street:

N 77°41'31" E 248.67 feet;

N 71°39'48" E 854.33 feet;

N 66°06'18" E 793.06 feet;

N 73°01'23" E 263.49 feet to the point of beginning. Containing 294,083 S.F. or 6.75 acres, more or less.

Also another certain lot or parcel of land situated on the southerly side but not adjacent to West Commercial Street in the City of Portland, County of Cumberland and State of Maine as shown on the Plan, bounded and described as follows:

Commencing at a point on the southerly sideline of West Commercial Street at the northwesterly corner of land now or formerly of New Yard, LLC recorded in said Registry of Deeds in Book 30887, Page 247;

Thence, S 16°58'37" E along the westerly line of land of said New Yard, LLC 158.20 feet to the point of beginning at the southerly line of land now or formerly of the State of Maine Department of Transportation recorded in said Registry of Deeds in Book 31408, Page 301;

Thence, S 16°58'37" E continuing along the westerly line of New Yard, LLC 503 feet, more or less, to the spring high tide line of the Fore River;

Thence, westerly along the spring high tide line of the Fore River 1659 feet, more or less, to land of the State of Maine;

Thence, the following courses and distances along the southerly line of land of said State of Maine:

N 02°52'22" W 26 feet, more or less;

N 87°07'38" E 21.45 feet;

Thence, along a curve to the left with a radius of 725.78 feet, having an arc length of 185.34 feet, having a chord bearing of N 79°48'41" E and chord length of 184.84 feet;

N 72°29'45" E 519.07 feet;

Thence, along a curve to the left with a radius of 725.74 feet, having an arc length of 165.42 feet, having a chord bearing of N 65°57'58" E and chord length of 165.07 feet;

N 59°26'10" E 495.19 feet;

N 62°41'27" E 125.13 feet;

N 66°19'39" E 57.45 feet to the point of beginning. Containing 260,844 S.F. or 5.99 acres, more or less.

Together with all right, title and interest that this grantor may have in the intertidal and submerged lands abutting the above described parcel.

The property is subject to a Deed of Easement from Maine Central Railroad Company to Canal Landing, LLC, dated August 7, 2014 and recorded in said Registry of Deeds in Book 31723, Page 95.

MAINE CENTRAL RAILROAD COMPANY was f/k/a Maine Central Road Company, Portland and Ogdensburg Railroad Company and Boston and Maine Railroad.

Meaning and intending to convey and hereby conveying a portion of the premises conveyed to Maine Central Railroad Company, a/k/a Maine Central Road Company by deed of Portland Terminal Company, dated December 30, 1985 and recorded in said Registry of Deeds in Book 7026, Page 187.

Received
Recorded Register of Deeds
May 01,2015 11:27:57A
Cumberland County
Nancy A. Lane

3. TECHNICAL AND FINANCIAL CAPACITY

3.1 TECHNICAL 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. Phineas Sprague, Jr. as Project Developer.

The Team services will be provided by the following companies and their respective team leaders.

3.2 CONSULTANT TEAM

Civil Engineer	Stephen R. Bushey, P.E. Fay, Spofford & Thorndike 778 Main Street, Suite 8 South Portland, ME 04106 (207) 775-1121 – Work (207) 879-0896 – Fax (207) 756-9359 – Cell sbushey@fstinc.com
Surveyor	John Swan, P.L.S. Owen Haskell, Inc. 390 US Route 1, Unit 10 Falmouth, ME 04105 (207) 774-0424 – Work (207) 774-0511 – Fax jswan@owenhaskell.com
Attorney	Peter Plumb, Esq. Murray Plumb & Murray 75 Pearl Street Portland, ME 04104 (207) 773-5651 – Work (207) 773-8023 – Fax pplumb@mpmlaw.com
Geotechnical	Tim Boyce, P.E. S. W. Cole Engineering 286 Portland Road Gray, ME 04039 (207) 657-2866 – Work (207)657-2840 TBoyce@SWCole.com
Environmental	Rip Patten, P.E. Credere Associates, LLC 776 Main Street Westbrook, ME 04092 (207) 828-1272 – Work (207) 887-1051 – Fax rpatten@crederellc.com
Structural Engineering	Roger Gagnon Gagnon Engineering 10 Solomon Drive Gorham, ME 04038 (207) 839-8085 – Work roger@gagnonengineering.com

Traffic Engineering	Thomas Gorrill Gorrill-Palmer Consulting Engineers, Inc. 15 Shaker Road Gray, ME 04039 (207) 657-6910 – Work (207) 657-6912 – Fax tgorrill@gorrillpalmer.com
Electrical Design	Larry Bartlett Bartlett Design 942 Washington Street Bath, ME 04530 (207) 443-5447 – Work bartlettdesigninc@comcast.net

3.3 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 having managed Portland Yacht Services at 58 Fore Street for many years.

3.4 FINANCIAL CAPACITY

The Applicant has the means at its disposal for financing the proposed Canal Landing project. A letter from Norway Savings Bank was supplied previously indicating their support of the project. They remain actively involved and supportive of the Phase III and future phase activities. An updated letter from Norway Savings can be supplied upon request.

3.5 CONSTRUCTION COST ESTIMATE

A breakdown of the preliminary project cost for Phase 1 includes the following:

- Phase III Site work $300,000 to $500,000
- Structures $1 million - $3 million

These values are considered preliminary and approximate and are subject to change as building design and project layout is refined.

4. FIRE SAFETY

4.1 OVERVIEW

FST has completed the Fire Department checklist and will continue to perform ongoing coordination with Fire Department representatives and City Planning officials. The accompanying memorandum outlines our findings with respect to compliance with the City's Public Safety Standards as set forth in the City's Technical Manual, Section 3 – Public Safety Standards.

Generally, the site provides access from Commercial Street and will allow access to two or more sides of each building. Numerous hydrants will be placed around the site. All buildings will be fully sprinkled and code compliant to current applicable standards.

Additional fire safety review and evidence of building related fire code compliance will be provided as part of the Building Permit process.

4.2 ATTACHMENTS

Attachment A – Portland Fire Department Site Review Checklist & NFPA 1 Review

ATTACHMENT A

Portland Fire Department Site Review Checklist & NFPA 1 Review

May 22, 2015

Keith Gautreau, Assistant Chief
City of Portland Fire Department
380 Congress Street
Portland, ME 04101

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Applicant: Canal Landing LLC
NFPA 1 Review to Access and Other Fire Department Issues

Dear Assistant Chief Gautreau:

In accordance with instructions in the City's Site Plan Review packet, please find enclosed the drawing necessary for your review of the Canal Landing site at 400 West Commercial Street project. We have listed each item in your checklist below, followed by our response:

Ø **Fire Department Checklist:**

1. Name, address, telephone number of applicant:

   Canal Landing, LLC
   400 West Commercial Street
   Portland, Maine 04101
   Cell: 207-653-1414
   phin@portlandyacht.com

2. Name address, telephone number of architect:

   David Lloyd
   Archetype PA
   48 Union Wharf
   Portland, ME 04101
   Phone: 207-772-6022
   Lloyd@archetypepa.com

3. Proposed uses of any structures [NFPA and IBC classification]:

   The following IBC and NFPA classifications will apply to the Phase III development:

IBC	NFPA Classification
2B	II (000)
5B	V (000)

778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

4. Square footage of all structures [total and per story]:

BUILDING PROGRAM		
Structure	**Total (SF)**	**Per Story ±**
Marine Retail (Building C)	19,250	same
Operations	11,000-12,000	4,800± SF

5. Elevation of all structures:

   Building elevations are currently being prepared and will be provided to the Fire Department upon completion.

6. Proposed fire protection of all structures:

   All of the structures are proposed to have a sprinkler system. Fire protection is currently provided by an existing onsite hydrant and hydrants within Commercial Street in the vicinity of the site.

7. Hydrant locations:

   Multiple new hydrants are identified on the preliminary Utility Plan. The Fire Department should review and provide any additional information necessary regarding placement and locations of fire hydrants on the site. All hydrants to be installed shall comply with the Portland Water District and Portland Fire Department standards pertaining to manufacturer, style, and installation specifications.

8. Water main[s] size and location:

   The site will be served by an 8" water main that will extend off the 12" main in Commercial along the east end of the site. There is an existing fire line supply meter serving the property. Below the meter pit, the project water main size will be a minimum of 6" to serve the development site.

9. Access to all structures [min. 2 sides]:

   The accompanying site plan depicts the site's access conditions that include access to two or more sides of the buildings.

10. A Code Summary shall be included referencing NFPA 1 and all Fire Department Technical Standards.

Ø **NFPA 1 – Chapter 18 Fire Department Access and Water Supply**

18.2 Fire Department Access

The project access conditions for east to west include an entrance at the eastern side of the site generally in the location of an existing graveled lot opposite the Star Match Building. A primary access will be available from the existing driveway in the middle of the property. A third, secondary driveway is proposed at the west end of the site off Commercial Street. The separation between all driveways will be at least 700 feet. The driveways will be greater than 24 feet in width which satisfies NFPA 1 18.2.3.4.1.1 that requires a minimum width of 20 ft.

Per NFPA 1 Chapter 18.2.3.2.1 the interior site access conditions will extend to within 50 ft. of at least one exterior door of all structures. This is satisfied on the site plan.

Per NFPA 1 Chapter 18.2.3.2.2 all first story floors shall be located not more than 150 ft. from the Fire Department access road. This is satisfied on the site plan.

NFPA 1 18.2.3.3 pertains to the number of access roads required and states that this determination is subject to the Authority Having Jurisdiction (AHJ).

69. 3.3.4 Minimum Separation Distances

Fay, Spofford & Thorndike reviewed NFPA 1 pertaining to separation distances between LP gas storage containers and buildings. In conducting this review, we contacted NGL Energy to determine the storage tank sizes currently on their property. NGL has two 30,000 gal. tanks, one 45,000 gal. tank and two 60,000 gal. tanks on the property. Per Section 69.3.3.1 and Table 69.3.3.1 of NFPA 1 the required building setback from these tanks is 75 feet, hence we see no issue with the placement of the proposed Phase III and future Canal Landing buildings with respect to setbacks from aboveground LP storage tanks on the NGL site. These findings are subject to review and concurrence from the Portland Fire Department.

Ø **City of Portland Technical Manual Section 3 – Public Safety**

Part 3.4 Site Access Standards

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).

Supporting evidence: The development site is located along Commercial Street which is accessible from either direction. A minimum of three points of access will be provided into the site.

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: As depicted on the site plans, the proposed building layout provides for a minimum two-sided access to all structures.

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: The proposed development layout has contemplated emergency access conditions and provided for safe and efficient access for emergency vehicles.

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: All buildings will be provided with an exterior entrance door that will be within 50' of a Fire Department access route.

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

Supporting Evidence: A minimum 9 ft. vertical clearance will be provided below any overhead signage or utilities entering the site. Generally speaking, all utilities will be underground.

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

Supporting evidence: There are no elevators proposed for the project.

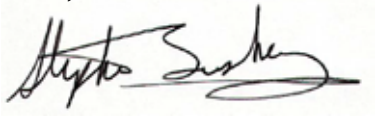
3.4.7. All structures are required to display the assigned street number. Numbers shall be clearly visible from the public right of way.

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 have any questions with the information submitted, please contact our office.

Prepared By:

FAY, SPOFFORD & THORNDIKE



Stephen R. Bushey, P.E.
Associate

SRB/cmd

Attachments: Amended Fire Protection Plan

R:\3091.04-Canal Landing-Phase 2\Admin\Correspondence Out\Ability to Serve\3091.04 2015.05.22-Gautreau (Fire Dept).doc

5. CONFORMITY WITH APPLICABLE DESIGN STANDARDS

The following statement is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-526.

5.1 OVERVIEW

This project conforms with all the applicable design standards of Section 14-526 as demonstrated in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

   The development will fit in with the existing street system, as it will use improved access locations off Commercial Street. Based on the limited intensity of use, the project is expected to have an insignificant impact on traffic in the neighborhood, particularly if/when the traffic signal is installed at the Beach Street intersection by the City.

2. Access and Circulation:

   a. Site Access and Circulation.

      (i) The development provides access via Commercial Street. Ample turning movement is provided at each street entrance. Internal circulation has been reviewed and designed to accommodate the typical use of semi-trailers and boat trailers.

      (ii) Access and egress have been designed to avoid conflict with existing turning movements and traffic flows.

      (iii) The site does not feature drive up services as mentioned in this requirement.

      (iv) Site access has been designed so as not to impede potential future connection to adjacent streets.

   b. Loading and Servicing.

      (i) The site layout has been configured to accommodate the typical movements of large boat delivery vehicles and access to the boat ramps.

   c. Sidewalks.

      (i) The Applicant is requesting a waiver to provide a sidewalk along the full property frontage. Currently, the Site Plans contemplate a future curb and sidewalk in front of the proposed Phase III Buildings between the primary entrance at the middle of the site and the secondary entrance at the east end of the site.

      In accordance with Sec 14-506 of the City Code, the Applicant is requesting a waiver of provisions pertaining to the construction of curb and sidewalk based on the following conditions which exist for the boatyard site.

Of the six waiver criteria pertaining to sidewalks, the following two exist:

1. There is no sidewalk in existence or expected within 1,000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure.

2. 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.

With respect to the five criteria pertaining to curbing, the following exist:

1. The cost to construct the curbing, including any applicable street opening fees and repairs, is expected to be in excess of 5% of the overall Phase III project costs.

2. Runoff from the development site or within the street does not require curbing for stormwater management.

3. Public Transit Access:

   a. The development contains no residential uses therefore Public Transit Access is not applicable.

   b. A new Transit stop is not proposed.

   c. A new Transit stop is not proposed.

   d. Waiver: The Applicant requests a waiver of the transit facility requirement.

4. Parking:

   a. Location and Required Number of Vehicle Parking Spaces:

      (i) The Applicant is providing parking for their employees within the boat parking area around the site. The Applicant is seeking flexibility to move vehicular parking around the site to meet variable vessel parking demand therefore no specific vehicular spaces are identified on the initial phase plans.

      (ii) The Applicant has not prepared a TDM strategy, as it is not applicable to the intended uses.

      (iii) The Applicant proposes the amount of parking which is appropriate for the anticipated uses of this site.

      (iv) Parking spaces and aisles have been designed to meet the dimensional requirements of the Technical Manual.

      (v) Vehicle and vessel parking areas have been designed to withstand site conditions.

b. Location and Required Number of Bicycle Parking Spaces:

(i) The Applicant is requesting a waiver of the bicycle parking requirements based on the site use.

c. Motorcycles and Scooter Parking:

(i) The Applicant is requesting a waiver of the motorcycle/scooter parking requirements based on the site use.

d. Snow Storage:

(i) Snow storage management will employ two strategies:

1. On-site snow storage around the perimeter of the site.

2. Snow removal and off-site storage. Generally speaking the nature of the proposed site use precludes the need for significant snow removal.

5. Transportation Demand Management (TDM):

a. A TDM plan is not required for the project.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

a. The existing site retains no prominent significant natural features therefore no issue related to the preservation of these features applies.

b. The Applicant is not requesting a waiver from this standard.

2. Landscaping and Landscape Preservation:

a. Landscape Preservation.

(i) There site's existing tree population is limited and the City's Shoreland Zoning vegetation management provisions do not require tree protection in the Waterfront Post Development Zone.

(ii) Not applicable.

(iii) Not applicable.

(iv) The Applicant will request a waiver from this standard.

b. Site Landscaping.

(i) Landscaped Buffers:

(a) There are no service or loading areas observable from nearby sidewalks or residential properties.

(b) The development is not subject to zoning setbacks or buffering requirements.

(c) Not applicable.

(d) Not applicable.

(ii) Parking Lot Landscaping:

a) thru d) The applicant is requesting a waiver of the landscape requirements based on the proposed boatyard use and the need for flexibility with respect to boat parking and heavy vehicle maneuvering.

(iii) Street Trees:

(a) The applicant would like to work with City Staff on the placement of street trees along Commercial Street.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

(i) The site's runoff conditions are primarily self-contained and runoff sheets to the Fore River; therefore, issues related to offsite or downstream flooding are not applicable.

(ii) All stormwater runoff is proposed to discharge to the Fore River. The project will not adversely impact adjacent lots or the City street system.

(iii) All stormwater runoff is proposed to discharge to the Fore River. The project will not adversely impact adjacent lots or the City street system.

(iv) All stormwater runoff is proposed to discharge to the Fore River. The project will not adversely impact adjacent lots or the City street system.

b. The Stormwater Management Plan will meet the requirements and goals stated in Section 5 of the Technical Manual.

c. The project is not located in a watershed of an urban impaired stream as listed by the MeDEP.

d. Not applicable.

e. The project is serviced by both a public wastewater and public water supply systems. The project will not pose a risk of groundwater contamination.

f. The project will be connected to the public sanitary sewer system which is adequately sized for the project flows.

(c) Public Infrastructure and Community Safety Standards.

1. Consistency with City Master Plans:

    a. The project has been designed to be consistent with the City's Zoning Ordinance and off-site infrastructure plans.

    b. The Applicant will coordinate with utility representatives for the continuation of easements related to utility infrastructure crossing the site.

2. Public Safety and Fire Prevention:

    a. The site has been designed to promote a safe and inviting customer access. Controlled access into the interior parking spaces may ultimately be designed into the site plan through the use of emergency ready gates particularly at the land crossings. The MaineDOT is currently responsible for the construction of the two rail crossings as shown on the plans.

    b. No changes to emergency access conditions within the surrounding streets is proposed.

    c. Fire hydrants are located within the adjacent street system. Additional fire hydrants are proposed within the site.

3. Availability and Adequate Capacity of Public Utilities:

    a. The Applicant will secure letters from all applicable utilities stating their ability to serve the site. The project will require new utility service infrastructure to serve the new buildings.

    b. All on site electrical lines will be underground.

    c. All new utility infrastructures will meet the provisions of the Technical Manual.

    d. The project will require a new service connection to the sewer system that crosses the site.

    e. The sanitary sewer collection system will be designed to meet all applicable sections of the Technical Manual.

    f. Not applicable.

(d) Site Design Standards.

1. Massing, Ventilation and Wind Impact:

    a. The bulk, location and height of the proposed building will have been designed to not result in adverse impacts to abutting properties.

    b. The bulk location and height of the proposed building is consistent with the WPDZ requirements and there are no nearby developed lots that may be negatively impacted. The IMT expansion area is an industrial waterfront use. There is currently no development on the opposite side of Commercial Street. Land to the west includes more waterfront industrial land uses and buildings.

c. HVAC venting, if necessary, will be directed through rooftop units and will not impact any adjacent public spaces.

2. Shadows:

   a. The development is located in the WPDZ Zone and this standard is not applicable.

3. Snow and Ice Loading:

   a. The proposed buildings will be designed and located such that accumulated snow and ice will not fall onto adjacent properties or public ways.

4. View Corridors:

   a. The project site is located outside the Downtown Vision View Corridor Protection Plan.

5. Historic Resources:

   a. The development is not located in a historic district, historic landscape district or City designated landmark.

   b. The development is not located adjacent to or within 100 ft. of a designated landmark, historic district, or historic landscape district.

   c. There are no known archaeological resources on the site except for the location of the former Cumberland and Oxford Canal and the former Portland Glassworks. There are no known aspects of the Canal visible at the site. The Applicant has been cooperating with officials from MHPO as they conducted an archaeological investigation of the Glass Works site. Their findings can be provided under separate cover, if necessary. The Applicant will seek guidance from Planning Staff as to any additional investigation that may be warranted for this element of the site.

6. Exterior Lighting:

   a. Site Lighting

      (i) Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual.

   b. Architectural and Specialty Lighting

      (i) Not applicable to the project.
      (ii) Not applicable to the project.

   c. Street Lighting

      (i) There are existing street lights along Commercial Street. No changes are currently contemplated to the existing street light conditions.

7. Noise and Vibration:

   The project noise levels will be designed to meet the permitted levels as outlined in the WPDZ Zone. All HVAC and mechanical equipment is proposed to be mounted on the roof, or otherwise ground mounted and concealed from nearby properties.

8. Signage and Wayfinding:

   a. All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

      (i) The project is not located in a historic district or subject to Article IX.

      (ii) Proposed commercial signage is still being designed and subject to a condition of approval.

      (iii) All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

9. Zoning Related Design Standards:

   a. The project is within the WPDZ and zoning related design standards are not applicable.

Rick,

As we discussed yesterday, Canal Landing has been given a directive by the MeDOT requesting that Canal Landing/New Yard traffic be rerouted off the existing temporary access at the Beach St/Commercial St intersection to one or more new driveway entrances further west off Commercial Street. The MeDOT will be commencing full scale reconstruction of the intersection and they need to move the New Yard traffic. The MeDOT will also be completing the two proposed rail crossings that benefit New Yard (expected by July 24th), so they are expecting New Yard to start using those crossings soon. We have advised the MeDOT that the site plan approval for the Phase 3 Amended New Yard plans have not yet been approved by the City. So, New Yard is now seeking an early approval for constructing the two entrances depicted on the site plans (identified as the Central and Eastern driveways). We would appreciate your review and consideration of this request along with a full discussion with others including Tom Errico etc. We have reviewed the sight distances at the central and eastern driveways and find that they are greater than 600 feet or more in each direction. There are some existing bushes just west of the eastern driveway that need to be removed to improve the sight line.

Please accept this email as our request for this early driveway development.

Stephen R. Bushey, P.E. | Associate & Vice President
Branch Manager

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
Celebrating a Century of Engineering Excellence

778 Main Street, Suite 8 | South Portland, ME 04106
T: 207-775-1121 x4112 | F: 207-879-0896
sbushey@fstinc.com | www.fstinc.com |

760' ±

825'±

WESTERN ENTRANCE
FUTURE ACCESS DRIVEWAY
EXACT LOCATION TO BE
DETERMINED

FUTURE BUILDING PAD, TYP

CENTRAL ENTRANCE

WIDTH VARIES
FUTURE 10' x 22'
PARKING

FUTURE PROPOSED
GRANITE CURB
FUTURE CONCRETE
WALK

EXTENTS OF ROAD
IMPROVEMENT TO
BE DETERMINED

Bushes to be removed/trimmed

EASTERN ENTRANCE

WEST COMMERCIAL STREET

U.S. ROUTE 1A WEST COMMERCIAL STREET
PAVED - PUBLIC - VARIABLE WIDTH

DANFORTH ST.

EXTENTION OF EMERY ST.

GRANITE "M" MONUMENT FOUND

3' O/S GRANITE MONUMENT W. COMMERCIAL ST.

FUTURE PAD
AREA
300'x120'

FUTURE PAD
AREA
75'x75'

FUTURE PAD
AREA
120'x60'

STAIRS

MONOLITHIC SIDEWALK
CONCRETE WALK

BLDG. C
175'x110'
19,250 S.F.
F.F.E: 14.5

BLDG. D
80'x60'
4,800 S.F.

20' x 120'
SHELL STORAGE
BLDG. (RUBB STYLE)

FUTURE PAD
AREA
340'x120'

FOR BOATYARD

FUTURE PAD
AREA
90'x120'
FOR BOATYARD

FUTURE TRAVEL LIFT BASIN -
SHEET PILE WALLS WITH
CONCRETE WHEEL DECK
EACH SIDE (TYP)

to be completed
by July 24th

to be completed
by July 24th

MAINE RAILROAD CORRIDOR ACQUIRED BY MDOT

DILAPIDATED PIER

FORE RIVER

(CONSTRUCTED FALL 2013)

ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	5.03 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT
SIDE	NONE	18.1 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	22%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-450.8 FLOOD PLAIN MANAGEMENT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING (PHASE III)
- PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE
- PROPOSED BUILDING - FUTURE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.05.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — No. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
FUTURE PHASE
CONCEPT PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	1" = 50'
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-SITE LAYOUT		
SHEET	C-2.3		

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04-SITE LAYOUT.dwg fillie_p 6/6/2015 10:12 AM

July 12, 2015

Mr. Rick Knowland
Planner
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Traffic generation

Dear Rick:

On behalf of Canal Landing, LLC, we are providing the following assessment of traffic volume projections for the existing boatyard and proposed Phase 3 expansion. We also offer an assessment of possible future traffic generation based on our current understanding of future phase activities.

The existing boatyard consists of two buildings totaling 48,000 SF of boat storage/maintenance space. There are approximately 50 employees at the site at various times. The proposed Phase 3 activities include the construction of a third building that will include the following uses:

- An approximately 20,350 SF marine retail store
- Approximately 12,000 SF of office space

Trip Generation

The following trip generation values have been estimated using the 7th Edition of the Institute of Transportation Engineers, Inc. publication, Trip Generation. Average rates have been used to calculate the estimated trip generation in each category:

Phase 3 Land Uses – Trip Generation

Land Use	AM Peak	PM Peak	Sat Peak
Existing			
48,000 SF Warehouse (LUC 150)	27	29	6
Proposed			
20,350 SF marine retail*	70	70	70
12,000 SF Office (LUC 710)	19	18	28
Total	116	117	104

* Based on prospective tenant's typical daily transaction count. In the interest of confidentiality any further data regarding their business transaction history can be discussed directly with City staff or peer reviewers.

778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

Future Uses – Trip Generation

Land Use	AM Peak	PM Peak	Sat Peak
Future			
51,600 SF New Yard Warehouse (LUC 150)	29	31	63
16,800 SF marine retail**	50	50	50
41,625 SF tenant warehouse (LUC 150)	24	25	51
Total	103	106	164

**Estimated – No specific tenants identified at this time

We note that the majority of the Phase 1-3 traffic associated with these businesses represents trips already on the Portland street network i.e. the New Yard activities are simply a relocation of historical activity from their former Fore Street site. The proposed retail represents traffic already affiliated with an existing Fore Street retail tenant, who is contemplating relocation to the Commercial Street site.

As we have discussed, New Yard is seeking to establish two driveways on Commercial Street as depicted on the Site Plans. New Yard has been requested by the Maine Department of Transportation to begin using these driveways as soon as the end of the month, as the MDOT will be ramping up the improvements to the Beach Street intersection, thus they are seeking to shift the entering/exiting New Yard traffic away from that existing location. In accordance with the accompanying Supplemental Agreement New Yard will have the right to cross the rail tracks at each of the crossings that the MDOT is constructing for them.

On behalf of the Canal Landing Team, we look forward to your continued assistance on the project and we look forward to a July 2015 workshop meeting with the Planning Board.

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

Sincerely,

FAY, SPOFFORD & THORNDIKE

Stephen R. Bushey, P.E.
Associate

SRB/cmd

Attachments – As listed above

c: Phineas Sprague, Jr. – New Yard LLC
Peter Plumb – Murray, Plumb, and Murray

Supplemental Agreement

This Supplemental Agreement is dated as of the 8th day of July, 2014, by and between the **STATE OF MAINE**, acting by and through its **DEPARTMENT OF TRANSPORTATION** ("MaineDOT"), and **NEW YARD, LLC,** a Maine limited liability company with an office in Portland, Maine ("New Yard").

1. Definitions.

(a) "Acquisition Agreement" means the Property Acquisition and Settlement Agreement dated March 11, 2014, between MaineDOT and New Yard, LLC.

(b) "New Yard" includes New Yard's successors in title to the Retained New Yard Parcel (or portions thereof).

(c) "Site Plan" means the site plan (consisting of Sheet Nos. C07 and C08) attached as Exhibit 1 to this Supplemental Agreement.

(d) Capitalized terms not otherwise defined in this Supplemental Agreement have the same meanings as in the Acquisition Agreement.

2. Introduction.

(a) MaineDOT and New Yard are parties to the Acquisition Agreement. A copy of Section 3 of the Acquisition Agreement, which includes provisions pertaining to vehicular access and utilities access, is attached as Exhibit 2 to this Supplemental Agreement. MaineDOT has completed the Acquisition, and the parties have now reached certain supplemental agreements regarding temporary vehicular access and regarding utilities and wish to document these supplemental agreements.

(b) New Yard has entered into an agreement to acquire the Additional New Yard Parcel. New Yard anticipates that it will close on the acquisition of the Additional New Yard Parcel by May 15, 2015.

(c) In order to accommodate the respective requirements and construction schedules of the parties, New Yard will be obtaining an easement from the owner of the Additional New Yard Parcel that will permit New Yard to undertake the utility installations described in this Supplemental Agreement prior to New Yard's acquisition of the Additional New Yard Parcel.

3. Temporary Vehicular Access.

(a) Section 3.3(b) of the Acquisition Agreement is amended to read as follows:

Temporary Access over Fee Parcel and Inland Unitil Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Unitil Parcel currently occupied by Osterman Propane, LLC. This temporary access driveway will comply with the dimensional requirements of the Portland Fire Department.

(b) The one driveway that New Yard may use for temporary access is depicted on Sheet No. C08 of the Site Plan. This temporary access driveway will be ready for use by December 1, 2014. New Yard will start using this temporary access driveway as soon as MaineDOT notifies New Yard that this temporary access driveway is ready for use. Prior to (but only until) such notice, New Yard may continue to access the Retained New Yard Parcel in the same manner that New Yard has been accessing the Retained New Yard Parcel since the Acquisition Date.

(c) New Yard will cease using the temporary access driveway depicted on Sheet No. C08 of the Site Plan upon the earlier of: (i) one hundred twenty (120) days after New Yard's acquisition of the Additional New Yard Parcel (so long as the heavy/oversize vehicular driveway/crossing described in Section 3.3(c) of the Acquisition Agreement has been completed by that time), or (ii) (subject to Section 3(d) below) May 15, 2015.

(d) If, despite proceeding diligently and exercising its best efforts to do so, New Yard has not closed on the acquisition of the Additional New Yard Parcel by May 15, 2015, MaineDOT will select one of the following alternatives to provide for continued temporary access until New Yard closes on the acquisition of the Additional New Yard Parcel:

(i) MaineDOT may permit New Yard to continue to use the temporary access driveway depicted on Sheet No. C08 of the Site Plan; or

(ii) MaineDOT will facilitate with the owner of the Additional New Yard Parcel, and pay for, the establishment of an alternative temporary access driveway over the Additional New Yard Parcel from Commercial Street. This temporary access driveway will comply with the dimensional requirements of the Portland Fire Department.

If MaineDOT selects alternative (i) above, MaineDOT may at any time thereafter facilitate with the owner of the Additional New Yard Parcel the establishment of an alternative temporary access driveway over the Additional New Yard Parcel from Commercial Street as set forth in alternative (ii) above, after which New Yard will cease using the temporary access driveway depicted on Sheet No. C08 of the Site Plan.

4. Utilities Access.

(a) Section 3.4 of the Acquisition Agreement is amended to read as follows:

3.4 Utilities Access

New Yard, at its expense, may have underground utility crossings transversely across the MaineDOT Corridor Parcel through sleeves installed at the locations depicted on Sheet No. C07 of the Site Plan. These underground utility crossings will be in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

(b) The precise locations of these sleeves may vary slightly based on field conditions and on the final design of the track and other improvements depicted on the Site Plan.

(c) These sleeves will be installed by New Yard's contractor in compliance with MaineDOT's specifications for such installations. New Yard will bear the cost of installing these sleeves; provided, however, that MaineDOT will bear the cost of installing two (2) sleeves, i.e. one (1) sleeve for the electric service referenced in Section 5(b) below, and one (1) sleeve for the fire water line referenced in Section 6(a) below, and will reimburse New Yard for the cost of installing these two (2) sleeves within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work.

(d) All installations of pipe lines carrying non-flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Non-Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(e) All installations of pipe lines carrying flammable substances will comply with MaineDOT's Specifications for the Construction of Pipe Lines Carrying Flammable Substances on State-Owned Railroad Land, a copy of which has been provided to New Yard.

(f) Additional terms and conditions pertaining to underground utility crossings are set forth in Exhibit 3 to this Supplemental Agreement.

(g) Except as set forth in Section 4(h) below, New Yard intends to complete all of the utilities work described in this Supplemental Agreement by August 31, 2014, and the parties will cooperate and coordinate schedules to that end. However, MaineDOT will not delay commencing construction of the improvements depicted on the Site Plan (or delay completing those improvements) due to any failure by New Yard to complete all of the utilities work described in this Supplemental Agreement by August 31, 2014. Furthermore, New Yard acknowledges that New Yard's cost of utilities work

will increase substantially if that work is performed after the installation on the MaineDOT Corridor Parcel of the track infrastructure depicted on the Site Plan (due, in part, to the fact that after the installation of this track infrastructure utilities work can be accomplished only by directional boring and not by the use of open trenches).

(h) New Yard will complete the installation of the eight (8) westerly underground utility crossing sleeves (with prior notice to MaineDOT) no later than October 15, 2014; provided, however, that if New Yard requests an extension of this date, and the later date requested by New Yard will not interfere with MaineDOT's construction schedule, MaineDOT will agree to the requested extension. The installation of these underground utility sleeves will not delay, or interfere with, MaineDOT's construction activities.

5. Electric Service to Retained New Yard Parcel.

(a) Electric service to the Retained New Yard Parcel presently is provided through an electric line that extends from Commercial Street to a utility pole on the Retained New Yard Parcel.

(b) The present above-ground electric service to the Retained New Yard Parcel will be relocated no later than August 31, 2014 (or the earliest date thereafter that can be accommodated by Central Maine Power) to the new electric line from Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This relocation will be performed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of an electric line that re-energizes New Yard's existing transformer (which currently services the building presently existing on the Retained New Yard Parcel) and provides service that is equivalent to the present electric service to the Retained New Yard Parcel, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for any cost associated with any improvement to electric service beyond that which is provided by the present electric service to the Retained New Yard Parcel.

(c) It is the intent of the parties that there will be no interruption of electric service to the Retained New Yard Parcel during the course of this relocation. As soon as this relocation has been accomplished, MaineDOT may remove the old electric lines and related infrastructure that formerly served the Retained New Yard Parcel.

6. Water Service to Retained New Yard Parcel.

(a) The present interim water service to the Retained New Yard Parcel will be replaced no later than August 31, 2014 (or the earliest date thereafter than can be accommodated by the Portland Water District), by the new water service from

Commercial Street that is depicted on the Site Plan (running through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement). This new water service will be installed by New Yard's contractor. MaineDOT will reimburse New Yard for the cost allocable to the installation of the fire water component of this new water service, including the meter, and MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work. MaineDOT will not be responsible for the cost of any of the potable water components of this new water service.

(b) New Yard will work directly with the Portland Water District regarding the location and other arrangements for this new water service.

(c) As soon as this new water service is installed and operational, the present interim water service to the Retained New Yard Parcel will be discontinued. It is the intent of the parties that there will be no interruption of water service to the Retained New Yard Parcel.

7. Sewer Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a sewer line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This sewer line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with the City of Portland and the Portland Water District regarding the location and other arrangements for this sewer line.

8. Natural Gas Service to Retained New Yard Parcel.

(a) New Yard will install (at New Yard's expense) a natural gas line from Commercial Street over the Additional New Yard Parcel to serve the Retained New Yard Parcel. This natural gas line will run through one of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement.

(b) New Yard will work directly with Unitil regarding the location and other arrangements for this natural gas line.

9. Surface Water Drainage.

(a) MaineDOT will install (at MaineDOT's expense) catch basins immediately adjacent to the MaineDOT Corridor Parcel at the locations depicted on Sheet No. C07 of the Site Plan.

(b) These catch basins will be for the drainage of surface water (including run-off from the rooftops of buildings) and will be designed and installed in a manner that

permits New Yard (at New Yard's expense) to tie foundation drains (but not floor drains) into them. All discharges into these catch basins will be in compliance with MaineDOT's standard terms and conditions and applicable federal and state law.

(c) MaineDOT will not utilize any of the underground utility crossing sleeves described in Section 4 of this Supplemental Agreement for surface water drainage purposes.

10. Coordination With MaineDOT.

All work and other activities undertaken by New Yard on MaineDOT's property pursuant to this Supplemental Agreement will be undertaken only after coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with ongoing work and other activities being undertaken by MaineDOT.

11. Coordination With Pan Am Railways.

In addition to the coordination with MaineDOT required by Section 10 of this Supplemental Agreement, all work and other activities undertake by New Yard within fifteen (15) feet of the outside rail of the existing railroad tracks that are used by Pan Am Railways to serve Osterman Propane, LLC will be undertaken only after coordination with Pan Am Railways. New Yard will bear the costs of all flagging, supervision, inspection, and other services required by Pan Am Railways.

12. Emergency Gate for Fire Department Use.

The fence that will be located on or just northerly of the northerly boundary line of the Retained New Yard Parcel will include a three-foot wide locked gate, in the location depicted on the Site Plan, for use by the Portland Fire Department in the event of a fire on the Retained New Yard Parcel.

13. Fairpoint Communications and Time Warner Cable Services to Retained New Yard Parcel.

New Yard will arrange for the utility lines of Fairpoint Communications and Time Warner Cable Services serving the Retained New Yard Parcel to be relocated at the same time, and in the same configuration, as the relocated electric service described in Section 5 of this Supplemental Agreement. MaineDOT will reimburse New Yard for this cost within thirty (30) days after receiving the contractor's invoice (and supporting documentation) for this work.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF the parties have executed this Supplemental Agreement.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

By:_____

Name:_____

Title:_____

NEW YARD, LLC

By: Phineas Sprague Jr

Name: PHINEAS SPRAGUE Jr

Title: MANAGER

SEEN AND AGREED TO:

CANAL LANDING, LLC
(successor in title to portion of Retained New Yard Parcel)

By: Phineas Sprague Jr

Name: PHINEAS SPRAGUE Jr

Title: Manager

EXHIBIT 1

Site Plan

[SITE PLAN FOLLOWS THIS COVER SHEET]

EXHIBIT 2

Section 3 of Acquisition Agreement

[SECTION 3 OF ACQUISITION AGREEMENT FOLLOWS THIS COVER SHEET]

Section 3. **IMPROVEMENTS; RETENTION AND REMOVAL OF PERSONAL PROPERTY; VEHICULAR ACCESS; UTILITIES ACCESS; DRAINAGE**

3.1 Improvements

The Acquisition will include all improvements, fixtures, trackage, and structures that are owned by New Yard and located on the Fee Parcel, as well as all improvements, fixtures, trackage, and structures that are owned by New Yard and located on either of the Unitil Parcels. For purposes of this Section 3.1, "trackage" includes tracks, rails, ties, signals, switches, grade crossing materials, warning devices,

ballast, subgrade, railroad communication and signal systems, wires, pipes, poles, and all other trackage appurtenances.

3.2 Retention and Removal of Personal Property

(a) Retained Items. The Acquisition will not include the following items that are owned by (or that are in the custody and control of) New Yard and that, on the Acquisition Date, are located on the Fee Parcel and/or on the Unitil Parcels: (i) piles of earth, gravel, fill, and borrow; (ii) construction-related materials; and (iii) construction-related personal property.

(b) Removal. New Yard will remove the retained items enumerated above no later than July 1, 2014. These items will be moved to another location in the Portland area acceptable to MaineDOT, after which MaineDOT (following receipt and review of invoices and other supporting documentation of actual costs incurred by New Yard) will pay New Yard's one-time Relocation Costs.

3.3 Vehicular Access

(a) Introduction. The Fee Parcel is part of a parcel of land acquired by New Yard by deed from Portland Terminal Company dated July 31, 2013, and recorded in the Cumberland County Registry of Deeds in Book 30887, Page 247. New Yard will retain the portion of that parcel of land that is not part of the Acquisition (the "Retained New Yard Parcel"). Furthermore, New Yard intends to acquire additional land westerly of the Retained New Yard Parcel (the "Additional New Yard Parcel"), while MaineDOT intends to acquire a strip of land, westerly of the Fee Parcel and the Unitil Parcels and roughly parallel to West Commercial Street, to be used as a transportation corridor (the "MaineDOT Corridor Parcel"), one segment of which will bisect longitudinally the

Additional New Yard Parcel. MaineDOT intends to construct a railroad track and a heavy haul road over the length of the MaineDOT Corridor Parcel that will connect, at the easterly end, with additional related infrastructure to be constructed on the Fee Parcel and/or the Unitil Parcels. The parties intend that New Yard will be able to gain vehicular access from West Commercial Street to the Retained New Yard Parcel, and to the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline: (i) first, by initially utilizing the temporary access arrangement described in Section 3.3(b), and (ii) thereafter, over the two driveways/crossings described in Sections 3.3(c) and 3.3(d), one intended for heavy/oversize vehicles (as well as for automobiles and light trucks) and the other intended only for automobiles and light trucks. The parties also intend that New Yard will be able to use MaineDOT's heavy haul road on a limited basis for specific purposes, as described in Section 3.3(e).

(b) Temporary Access over Fee Parcel and Inland Unitil Parcel. From the Acquisition Date until the completion of the heavy/oversize vehicular driveway/crossing described in Section 3.3(c), New Yard may use, in common with others, the driveway from West Commercial Street currently used by Osterman Propane, LLC, as well as a driveway to be delineated by MaineDOT or MPA around the southerly bound of the portion of the Inland Unitil Parcel currently occupied by Osterman Propane, LLC.

(c) Driveway/Crossing for Heavy/Oversize Vehicles. A driveway and private railroad at-grade crossing, up to fifty (50) feet wide, for heavy/oversize vehicles will be constructed and maintained across the MaineDOT Corridor Parcel to

specifications established by MaineDOT and at a location acceptable to MaineDOT. The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the south side of, the MaineDOT Corridor Parcel, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate such heavy/oversize vehicles as are required for the conduct of New Yard's business on the Retained New Yard Parcel and/or on the portion of the Additional New Yard Parcel that is located between the MaineDOT Corridor Parcel and the shoreline. Following the installation of the driveway and railroad at-grade crossing for heavy/oversize vehicles described in this Section 3.3(c), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(d) Driveway/Crossing for Automobiles and Light Trucks. A driveway and private railroad at-grade crossing will be constructed and maintained across the

MaineDOT Corridor Parcel or the Fee Parcel to specifications established by MaineDOT and at a location acceptable to MaineDOT easterly of the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c). The respective responsibilities of the parties for such construction and maintenance is as follows: (i) northerly of, and on the northerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to MaineDOT's heavy haul road up to four (4) feet from the northerly edge of MaineDOT's heavy haul road; (ii) southerly of, and on the southerly side of MaineDOT's property, New Yard, at its expense, will construct and maintain the driveway and approach to the railroad at-grade crossing up to four (4) feet from the nearest rail; and (iii) between these two limits, MaineDOT, at its expense, will install and maintain the immediate approach to MaineDOT's heavy haul road, the railroad at-grade crossing, and the immediate approaches to the railroad at-grade crossing. The railroad at-grade crossing will be a licensed crossing subject to MaineDOT's standard terms and conditions for private railroad at-grade crossings (including the payment of annual fees and insurance) and will be constructed and maintained to accommodate automobiles and light trucks. Following the installation of the driveway and railroad at-grade crossing for automobiles and light trucks described in this Section 3.3(d), MaineDOT may relocate this driveway and railroad at-grade crossing as MaineDOT may deem necessary, provided that MaineDOT will bear all costs associated with any such relocation (including the cost of new approaches).

(e) Use of Heavy Haul Road. If New Yard has a specific need to use MaineDOT's heavy haul road to move oversize vehicles and/or cargo that cannot be accommodated elsewhere, New Yard may ask MPA for permission to use the heavy

haul road for that specific purpose. If such permission is granted, any such use of the heavy haul road will be on a supervised basis, for that specific purpose, and at New Yard's risk and expense, with access to/from the heavy haul road only at the following points (and not at any points in between): (i) the easterly end of the heavy haul road; (ii) the driveway/crossing for heavy/oversize vehicles described in Section 3.3(c); and (iii) the westerly end of the heavy haul road.

3.4 Utilities Access

New Yard, at its expense, may install up to two (2) underground utility crossings transversely across the MaineDOT Corridor Parcel, at locations acceptable to MaineDOT, in compliance with MaineDOT's standard terms, conditions, and specifications for underground utility crossings.

3.5 Drainage

MaineDOT's project design for the MaineDOT Corridor Parcel includes drainage features sufficient to accommodate MaineDOT's planned development on that parcel. New Yard may propose to MaineDOT, for MaineDOT's consideration, adjustments to these drainage features in anticipation of New Yard's planned development of the Additional New Yard Parcel, provided that any such adjustments must be proposed to MaineDOT within thirty (30) days after the Acquisition Date. If any such adjustments are proposed to MaineDOT, MaineDOT will review them and will decide, in MaineDOT's sole discretion, whether to adopt any of them. If MaineDOT decides to adopt any of the proposed adjustments, New Yard will be responsible for the incremental costs of materials, installation, and maintenance associated with those adjustments.

EXHIBIT 3

Additional Terms and Conditions
Pertaining to Installation of Underground Utility Lines

1. Installation and Maintenance of Underground Utility Lines.

(a) New Yard will notify MaineDOT no less than thirty (30) days prior to the installation of any utility line across the MaineDOT Corridor Parcel. All such installations will be underground and will use the sleeves depicted on the Site Plan. No additional sleeves may be installed without MaineDOT's prior written permission.

(b) Following receipt of notice from New Yard, MaineDOT will determine the extent to which flag protection, inspection, and supervision are necessary in connection with installation. MaineDOT will arrange for this flag protection, inspection, and supervision at New Yard's expense, calculated at the rates prevailing at the time the work is performed.

(c) Installation of underground utility lines will proceed only in coordination with MaineDOT's project manager and only at such times and under such conditions that will not interfere with railroad operations or other activities taking place on the MaineDOT Corridor Parcel.

(d) New Yard will install and maintain all underground utility lines in compliance with the design previously provided to, and approved by, MaineDOT and in compliance with applicable federal, state, and local law. In the event of a conflict between an approved design and an applicable law, the applicable law will govern.

(e) New Yard will be solely responsible, at its expense, for procuring and complying with all necessary federal, state, and local permits that are required.

(f) In the event of an emergency, New Yard will make every effort to inform MaineDOT of the emergency and steps being taken in light of the emergency.

(g) If New Yard fails to properly maintain an underground utility line, or if an underground utility line interferes with drainage or other uses of MaineDOT's property, then MaineDOT may order changes to the underground utility line at New Yard's expense or may (but will have no obligation to do so) make such repairs to the underground utility line at New Yard's expense as may be immediately necessary for the safety of rail operations or of MaineDOT's property.

2. Use.

Each underground utility line that is installed will be used solely for the purpose for which it was installed (i.e. the transmission of electricity, the transportation of natural gas, or the transportation of water or sewage, as the case may be). Any change in use will be subject to the prior approval of the Director of MaineDOT's Office of Freight and Business Services.

3. Protection of Other Utilities.

New Yard will protect any other power, communication, signal, or other utility lines on, over, or under MaineDOT's property from damage of any kind by or because of the construction, maintenance, or use of New Yard's underground utility lines, and New Yard will construct, maintain, and use its underground utility lines in such a manner as will not damage or adversely affect the use of power, communication, signal, or other utility uses of MaineDOT or other companies which may have under contract the right to maintain such utilities on MaineDOT's property.

4. Liability and Risk.

(a) All cost or expense resulting from any and all loss of life or property, or injury or damage to the person or property of any person, firm, or corporation (including the parties hereto and their respective officers, agents, and employees), and any and all claims, demands, or actions for such loss, injury, or damage, caused by or growing out of the installation, presence, use, maintenance, or removal of any of the underground utility lines, will be borne by New Yard. New Yard also will bear the cost of inspections performed by MaineDOT to determine whether New Yard is in compliance with its obligations hereunder.

(b) New Yard assumes all risk of loss or damage to the installed underground utility lines, however caused, and hereby releases MaineDOT from any and all liability on account of such loss or damage, regardless of any negligence on the part of MaineDOT.

5. Insurance.

Any contractor retained by New Yard to install underground utility lines will carry at all times while conducting the installation Public Liability Insurance covering bodily injury or death with limits of not less than $1,000,000 for the injury or death of each person and $3,000,000 for each single occurrence, and Property Damage Liability with limits of not less than $3,000,000 for each single occurrence. These policies will provide that they will not be cancelled or amended without thirty (30) days written notice to the Director of MaineDOT's Office of Freight and Business Services. A certified copy of these policies will be provided to the Director of MaineDOT's Office of Freight and Business Services prior to the commencement of any installation work.

6. Discontinuance.

New Yard will, at its sole expense, upon the abandonment or discontinuance of use of any of its underground utility lines for twelve (12) consecutive months, promptly remove the underground utility line and restore MaineDOT's property to a condition satisfactory to MaineDOT. If New Yard fails to do so, MaineDOT may do so, in which case New Yard will pay the bill(s) for such removal and restoration within thirty (30) days after presentation by MaineDOT.

7. No Warranty of Title.

MaineDOT gives no warranty of title to its property, and the permission herein given to New Yard is subject to all encumbrances, conditions, and reservations upon or under which MaineDOT holds its property. New Yard's rights are limited solely to that of a licensee, and New Yard does not hereby acquire any easement or other greater interest in MaineDOT's property.

8. No Waiver.

No waiver by MaineDOT of any term or condition contained herein (or any breach of any such term of condition) will constitute a precedent, nor bind MaineDOT to waive such term or condition (or breach of such term or condition) in the future.

9. Notice.

All communications and notices required or permitted hereunder will be in writing and will be deemed sufficiently served if served in hand or by certified mail addressed as follows or to such other address as New Yard or MaineDOT may designate in writing from time to time:

MaineDOT: Director
Office of Freight and Business Services
Maine Department of Transportation
Transportation Building
16 State House Station
Augusta, Maine 04333

New Yard: New Yard, LLC
c/o Phineas Sprague, Jr., Manager
58 Fore Street
Portland, Maine 04101

10. Successors and Assigns.

This Agreement will inure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; provided, however, that no assignment or other transfer of New Yard's rights or obligations hereunder will be effective without MaineDOT's prior written consent.

G6.3

From: "Stephen Bushey" <SBushey@fstinc.com>
To: "Rick Knowland" <RWK@portlandmaine.gov>
Date: 7/22/2015 7:15 AM
Subject: Canal Landing
Attachments: 3091.04 2015.07.16 Knowland-LOR #2.pdf; C-2.4 - PHASE III TEMPORARY ACCESS PLAN.pdf

Rick,

I got your message late and will be working feverishly to provide a response letter to your 7/9/2015 email comments today. I had sent along the attached letter and plan last week I thought to you with some additional info related to the driveways. I spoke with Tom Errico yesterday and agreed that we will pursue a Traffic Movement Permit ASAP. I've edited the attached plan based on a discussion with Phin Sprague. He would like the access route to his existing buildings to be located on the Commercial St. side of the tracks so that customers will actually cross the tracks on the easterly end of the site. I'll be updating the plan today. In addition, Phin as agreed that the installation of the floats along the waterfront will be shifted to a subsequent phase, so we will remove that activity from the current Phase 3 programming. He just doesn't foresee that work happening now for awhile.

Stephen R. Bushey, P.E. | Associate & Vice President
Branch Manager
FST FAY, SPOFFORD & THORNDIKE
Celebrating a Century of Engineering Excellence
778 Main Street, Suite 8 | South Portland, ME 04106
T: 207-775-1121 x4112 | F: 207-879-0896
sbushey@fstinc.com | www.fstinc.com |

The information transmitted in this electronic communication is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this information in error, please contact IT Services at 800-835-8666 and properly dispose of this information.

Please consider the environment before printing this email.

July 16, 2015

Mr. Rick Knowland
Senior Planner
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

Subject: Canal Landing New Yard – Phase III
400 West Commercial Street
Letter of Response #2 – City Staff Review Comments Dated July 15, 2015
Applicant: Canal Landing, LLC

Dear Rick:

On behalf of Canal Landing, LLC, we are pleased to provide the following information in response to your email transmittal of July 15, 2015 with City Staff Review Comments. For ease of reference, we have repeated the comments below (*italics*) followed by our response.

Comment 1:

What will be the level of improvements proposed for the driveway entrances including surface treatment to the rail road crossings? The permanent improvements I assume are on the site plan submission but what will be the level of improvements proposed for the temporary improvements?

a. *What will be the width of the driveway? The emergency access lane driveway will need to be a minimum of 16 feet wide.*

   Response:

   The main entrance (central entrance on site plan) will be 30' wide with radial shoulders at the interface with Commercial Street. The temporary emergency access lane to the east will be 24' wide.

b. *Information on surface material including the depth of any material added to the driveway footprint (it is recommended that some pavement be installed at the driveway apron to minimize impact of dirt from the site migrating into the road).*

778 Main Street, Suite 8
South Portland, ME 04106
T: 207.775.1121
F: 207.879.0896
www.fstinc.com

FAY, SPOFFORD & THORNDIKE
Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York

Response:

The proposed driveways will consist of the following sections:

Paved

- 1 ½" Hot Bituminous Asphalt Surface 12.5 mm
- 2 ¼"Hot Bituminous Asphalt Binder 19.0 mm
- 4" Base Course Aggregate (MDOT Type A)
- 15" Subbase Course Aggregate (MDOT Type B)

Unpaved

- 2" to 4" of 3/4" Crushed Stone over proof-rolled native subgrade. Generally speaking the native ground surface throughout most of the site is relatively firm and stable given the site's history as a former rail yard. The placement of some stone simply helps with dust control and avoidance of rutting. Within the areas previously cleared, there has been no issues with ground stability or drainage, given the porosity of the underlying material and general background conditions. For these reasons we are confident that an adequate route will be maintained for all emergency vehicles as well as site traffic in general.

c. *Some type of simple gate/fence needs to be shown for the fire lane.*

Response:

A 6' high chain link fence with a double swing gate or equal is shown on the plan. The Applicant can coordinate with the Fire Department for the placement of a Knox box if necessary.

d. *Above info should be provided in a narrative and shown on a plan.*

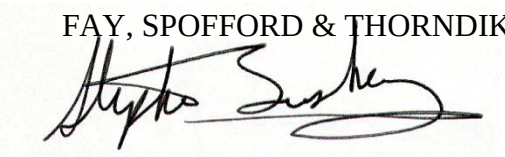
Response:

This letter and the supporting plans are provided as evidence to address the Staff's comments.

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

Sincerely,

FAY, SPOFFORD & THORNDIKE



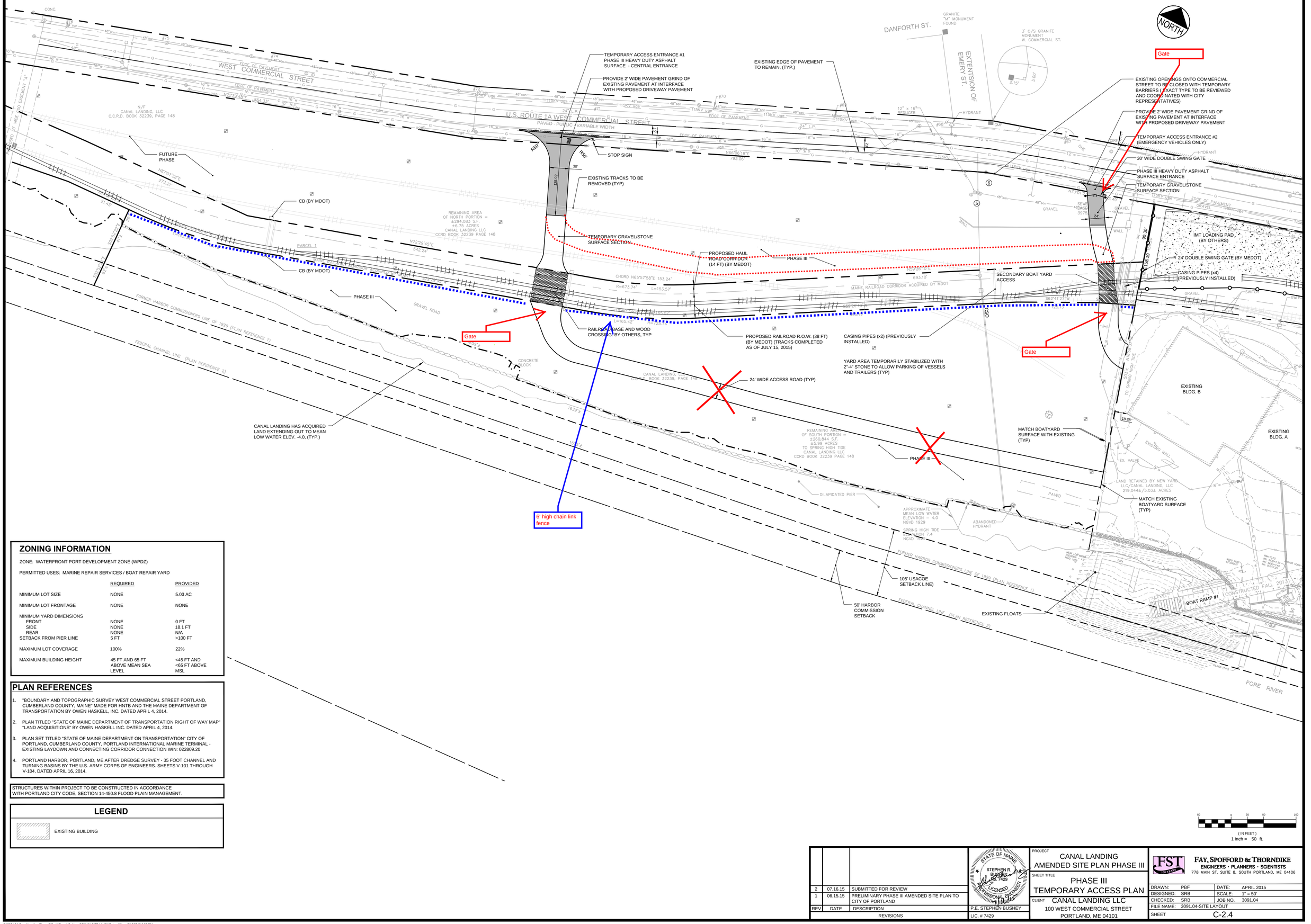
Stephen R. Bushey, P.E.
Associate

SRB/smk

Attachments – As listed above

c: Phineas Sprague, Jr. – New Yard LLC
Peter Plumb – Murray, Plumb, and Murray
Tom Errico – T.Y. Lin

R:\3091.04-Canal Landing-Phase 2\Admin\Permitting\Level III - Preliminary Site Plan Application\3091.04 2015.07.16 Knowland-LOR #2.docx



ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	5.03 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT
SIDE	NONE	18.1 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	22%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-450.8 FLOOD PLAIN MANAGEMENT.

LEGEND

EXISTING BUILDING

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
2	07.16.15	SUBMITTED FOR REVIEW
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE STEPHEN R. BUSHEY 7429 LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
PHASE III
TEMPORARY ACCESS PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	1" = 50'
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-SITE LAYOUT		
SHEET	C-2.4		

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04-SITE LAYOUT.dwg fillie_p 7/16/2015 5:26 PM

PHASE III SITE DEVELOPMENT PLANS

FOR

CANAL LANDING
NEW YARD EXPANSION

PORTLAND, MAINE

PRELIMINARY PLAN SUBMISSION

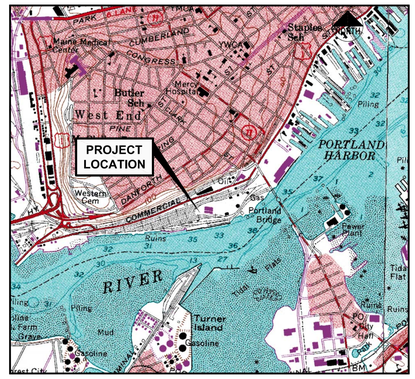
JUNE 2015

PROJECT PARCEL SITE			
ZONING: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)			
PORTLAND TAX ASSESSOR'S MAP AND LOT NUMBERS			
MAP	BLOCK	LOTS	OWNER
59	A	1, 2, 5, 6, 7,8, 9, 10, 11	MAINE DEPARTMENT OF TRANSPORTATION
59	A	3, 4	NEW YARD LLC
60	F	1,2,3, 4	CANAL LANDING, LLC
71	F	2,4,5,6	CANAL LANDING, LLC

OWNER / APPLICANT:
CANAL LANDING, LLC
101 WEST COMMERCIAL STREET
PORTLAND, ME 04101
ATTN; PHINEAS SPRAGUE, JR

REFERENCE PLANS:
1. STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP "LAND ACQUISITIONS" BY OWEN HASKELL, INC. DATED APRIL 2014. D.O.T. FILE No. 3-595.
2. "BOUNDARY AND TOPOGRAPHIC SURVEY - WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB & THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014. D.O.T. FILE NO. 3-595.
3. "LAND ON WEST COMMERCIAL STREET, PORTLAND, MAINE
MAINE CENTRAL RAILROAD, CO. TO CANAL LANDING LLC" BY OWEN HASKELL, INC. DATED APRIL 29,2015.

NOTES
1. IN ACCORDANCE WITH A SETTLEMENT AGREEMENT THE MAINE DEPARTMENT OF TRANSPORTATION ACQUIRED BY EMINENT DOMAIN TAKING APPROXIMATELY 17.9 ACRES OF LAND FORMERLY CONTROLLED BY NEW YARD, LLC AND AS DEPICTED ON SITE DEVELOPMENT PLANS ORIGINALLY APPROVED AND SUBSEQUENTLY AMENDED AND LAST APPROVED ON OCTOBER 22, 2013.
2. SEE DEVELOPMENT PLANS FOR PORTLAND INTERNATIONAL MARINE TERMINAL BY HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION FOR INFORMATION RELATED TO IMT EXPANSION AND SITE DEVELOPMENT ACTIVITY.
3. THE AMENDED DRAWINGS AS INDICATED IN THE INDEX BELOW ARE INTENDED TO SUPERCEDE THE APPROVED PLANS DATED 09.20.2013. PREVIOUSLY APPROVED SHEETS, NOT OTHERWISE CONTAINED IN THIS SUBMISSION WILL CONTINUE TO APPLY.



LOCATION MAP
N.T.S.

INDEX

C-1.0 COVER SHEET
C-1.1 GENERAL NOTES AND LEGEND
C-1.2 BOUNDARY SURVEY
C-1.2A BOUNDARY AND TOPOGRAPHIC SURVEY 1 OF 2 (MDOT PLANS)
C-1.2B BOUNDARY AND TOPOGRAPHIC SURVEY 2 OF 2 (MDOT PLANS)
C-1.3 EXISTING CONDITIONS PLAN
* C-1.4 PHASE III DEMOLITION AND REMOVALS PLAN
C-2.1 PHASE III SITE LAYOUT PLAN
C-2.2 AMENDED PHASE III OVERALL PROJECT PLAN
C-2.3 FUTURE PHASE CONCEPT PLAN
C-3.1 PHASE III GRADING AND DRAINAGE PLAN
C-4.1 PHASE III UTILITY PLAN
* C-4.2 UTILITY PROFILES
C-6.1 PHASE III EROSION AND SEDIMENT CONTROL PLAN
C-6.1A 2015 SPRING/SUMMER SURFACE RESTORATION AND EROSION CONTROL PLAN
C-6.2 EROSION AND SEDIMENT CONTROL DETAILS
C-6.3 EROSION AND SEDIMENT CONTROL NARRATIVE
C-6.4 EROSION AND SEDIMENT CONTROL NARRATIVE
* C-7.0 LIGHTING PLAN
C-8.0 SITE DETAILS 1 OF 2
C-8.1 SITE DETAILS 2 OF 2
C-8.2 WATER SYSTEM DETAILS
C-8.3 UTILITY DETAILS
C-8.4 STORM DRAIN SYSTEM DETAILS
C-8.5 SHORE FRONT ELEMENT DETAILS
* C-11.0 FIRE PROTECTION PLAN PHASE III

* NOT INCLUDED IN THIS SUBMISSION SET

UTILITIES

WATER
ATTN: GLISSEN HAVU
PORTLAND WATER DISTRICT
225 DOUGLAS STREET
P.O. BOX 3533
PORTLAND, MAINE 04104
207.761.8310

SEWER
ATTN: DAVID-MARGOLIS-PINEO, P.E.
CITY OF PORTLAND
PUBLIC SERVICES ENGINEERING DEPT.
55 PORTLAND STREET
PORTLAND, MAINE 04102
207.874.8840

POWER
ATTN: PAUL DUPERRE
CENTRAL MAINE POWER
162 CANCO ROAD
PORTLAND, MAINE 04103
207.828.2882

TELEPHONE
ATTN: SUE SERRETTE
FAIRPOINT COMMUNICATIONS
ONE DAVIS FARM ROAD
PORTLAND, MAINE 04103
207.797.1842

CABLE
ATTN: ANDREW TROTTIER
TIME WARNER CABLE
118 JOHNSON ROAD
PORTLAND, MAINE 04102
877.546.0962

NATURAL GAS
ATTN: KELLY FOWLER
UNITIL / FORMERLY NORTHERN UTILITIES
1075 FOREST AVENEUE
PORTLAND, ME 04103
207.541.2505

CALL BEFORE YOU DIG:
1,888.DIGSAFE (1.888.344.7233)
DIG SAFE MAINE

PERMITS / APPROVALS

LOCAL	GOVERNING BODY	STATUS
SITE PLAN, SHORELAND ZONING AND SUBDIVISION REVIEW CONDITIONAL USE PERMIT	CITY OF PORTLAND PLANNING AUTHORITY CITY HALL 389 CONGRESS STREET PORTLAND, MAINE 04101 207.874.8725 CONTACT: RICK KNOWLAND	PRELIMINARY PLAN SUBMISSION 08.21.12 FINAL PLAN APPROVED 12.18.12 AMENDED SITE PLAN SUBMISSION 08.27.13 AMENDED SITE PLAN APPLICATION FOR PHASE 1B 10.22.13 AMENDED SITE PLAN APPLICATION FILED 06.27.14 (APPROVED 08.12.14) PRELIMINARY PHASE III AMENDED SITE PLAN APPLICATION FILED 06.15.15
BUILDING AND DEMOLITION PERMITS	CITY OF PORTLAND CODE ENFORCEMENT OFFICE CITY HALL 389 CONGRESS STREET PORTLAND, MAINE 04101 207.874.8703	TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR
STREET OPENING PERMIT	CITY OF PORTLAND PUBLIC SERVICES DIVISION 55 PORTLAND STREET PORTLAND, MAINE 04101 207.874.8801	TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR
PORTLAND HARBOR COMMISSIONER REVIEW	BOARD OF HARBOR COMMISSIONER 2 PORTLAND FISH PIER (SUITE 105) MARINE TRADE CENTER PORTLAND, MAINE 04101 207.772.8121 CONTACT: JEFF C. LIICK	APPROVED 01.10.13 AMENDED APPLICATION AND HCR PENDING AS OF 06.15.15

STATE	GOVERNING BODY	STATUS
SITE LOCATION OF DEVELOPMENT	CITY OF PORTLAND PLANNING AUTHORITY DELEGATED REVIEW AUTHORITY CITY HALL, 389 CONGRESS STREET 207.874.8722 CONTACT: RICK KNOWLAND	FILED UNDER CITY OF PORTLAND DELEGATED REVIEW
NATURAL RESOURCES PROTECTION ACT (NRPA) / MAINE CONSTRUCTION GENERAL PERMIT	MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION 312 CANCO ROAD PORTLAND, MAINE 04103 207.822.6300 CONTACT: MARYBETH RICHARDSON	FILED NOVEMBER 2012 APPROVED PERMIT ORDER #L-25823-4E-A-N AMENDED APPLICATION MeDEP PENDING AS OF 06.15.15
SUBMERGED LANDS LEASE	DEPARTMENT OF CONSERVATION BUREAU OF PARKS AND LANDS 22 STATE HOUSE STATION AUGUSTA, MAINE 04333 CONTACT: CAROL DIBELLO	FILED NOVEMBER 2012 APPROVED 03.01.13 FOR ORIGINAL PHASEI/II SHOREFRONT ACTIVITIES PHASE III APPLICATION SUBMISSION PENDING AS OF 06.15.15

FEDERAL	GOVERNING BODY	STATUS
U.S. ARMY CORPS OF ENGINEERS SECTION 404 PERMIT	U.S. ARMY CORPS OF ENGINEERS RR2 BOX 1855 MANCHESTER, MAINE 04351 207.623.8367 CONTACT: JAY CLEMENT	FILED NOVEMBER 2012 APPROVED PERMIT ORDER #NAE-2012-02469 FOR ORIGINAL PHASEI/II SHOREFRONT ACTIVITIES PHASE III APPLICATION SUBMISSION PENDING AS OF 06.15.15

CONSULTANT LIST

CIVIL ENGINEER:
Fay, Spofford & Thorndike
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
ATTN: STEPHEN BUSHEY, P.E.
www.fstinc.com

LANDSCAPE ARCHITECT:
Mohr and Seredin
18 PLEASANT STREET
PORTLAND, ME 04101
207.871.0003
ATTN: SHELLEY BRUNELLE, R.L.S.
www.mohrseredin.com

TRAFFIC ENGINEER:
Gorrill-Palmer Consulting Engineers, Inc
P.O. BOX 1237
GRAY, ME 04039
207.657.6910
ATTN: THOMAS GORRILL, P.E.
www.gorrillpalmer.com

SURVEYOR:
Owen Haskell, Inc
390 U.S. ROUTE 1, UNIT 10
FALMOUTH, ME 04105
207.774.0424
ATTN: JOHN SWAN, P.L.S.
www.owenhaskell.com

GEOTECHNICAL:
S.W. Cole Engineering, Inc
286 PORTLAND ROAD
GRAY, ME 04039
207.657.2866
ATTN: TIM BOYCE, P.E.
www.swcole.com

ENVIRONMENTAL:
Credere Associates, LLC
776 MAIN STREET
WESTBROOK, ME 04092
207.828.1272
ATTN: RIP PATTEN
www.crederellc.com

STRUCTURAL:
Baker Design Consultants
11 STONY BROOK LANE
YARMOUTH, ME 04096
207.846.9724
ATTN: BARNEY BAKER, P.E.

Gagnon Engineering, Inc.
10 SOLOMON DRIVE
GORHAM, ME 04038
207.839.8085
ATTN: ROGER GAGNON, P.E.

ATTORNEY:
Murray, Plumb & Murray
P.O. BOX 9785
PORTLAND, ME 04104
207.773.5651
ATTN: MICHAEL TRAISTER
www.mpmlaw.com

ELECTRICAL DESIGN:
Bartlett Design
942 WASHINGTON STREET
BATH, ME 04530
207.443.5447
ATTN: LARRY BARTLETT

ACHITECT:
ARCHETYPE PA
48 UNION WHARF
PORTLAND, ME 04101
207.772.6022
ATTN: DAVID LLOYD

I HEREBY ACKNOWLEDGE THAT THESE PLANS AND SPECIFICATIONS WERE PREPARED UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MAINE AND THAT I AM COMPETENT TO PREPARE THIS DOCUMENT.

ALL PERMITS ARE ANTICIPATED TO HAVE CONDITIONS ATTENDANT WITH THEIR APPROVAL. THE CONTRACTOR SHALL REVIEW ALL PERMITS AND THE CONDITIONS ATTENDANT WITH APPROVALS PRIOR TO THE START OF THE WORK. UNLESS OTHERWISE STIPULATED BY THE CONTRACT DOCUMENTS, THE CONTRACTOR IS REQUIRED TO COMPLY AND FULFILL ALL CONDITIONS OF APPROVAL.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT: CANAL LANDING AMENDED SITE PLAN PHASE III
SHEET TITLE: COVER SHEET
CLIENT: CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST — FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: AS NOTED
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 3091.04-COV	
SHEET	C-1.0

GENERAL NOTES

1. IN ADDITION TO THESE PLANS AND NOTES, THE CONTRACTOR SHALL REFER TO THE PROJECT MANUAL OR MOST CURRENT MDOT SPECIFICATIONS FOR CONSTRUCTION SPECIFICATIONS AND BIDDING PROCEDURES.

2. THIS PROJECT WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF ALL PERMITS ISSUED BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE U.S DEPARTMENT OF THE ARMY CORPS OF ENGINEERS, LOCAL UTILITY COMPANIES AND THE CITY OF PORTLAND.

3. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCE, PAVING, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS. ENTRANCES IN MOST LOCATIONS REQUIRE STRUCTURAL SLABS. REFER TO THE ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR INFORMATION ON THE STRUCTURAL SLAB ENTRANCES.

4. ALL REQUIRED AND NECESSARY INSPECTIONS AND OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSIONS AND THE FINAL SERVICE CONNECTIONS.

5. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS, AT ITS SOLE COST.

6. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE APPLICANT AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ONSITE INSPECTIONS OF THE OWNER, THEIR REPRESENTATIVES, OR THE CITY, AT NO ADDITIONAL COST TO THE OWNER.

7. ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.

8. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE PROJECT SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SHALL APPLY AT NO EXTRA COST TO THE OWNER.

9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RECORD DRAWINGS THROUGHOUT THE PROJECT AND PROVIDING THE OWNER WITH A SET OF ELECTRONIC FINAL RECORD DRAWINGS WHEN THE PROJECT IS COMPLETE.

10. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AND ALL ADJACENT PROPERTIES INCLUDING NGL-NE SITE AND MDOT MAINTENANCE BUILDING AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH OUT THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACT OR CHANGES TO SITE ACCESS CONDITIONS.

11. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMANCE OF WORK IN ACCORDANCE WITH ALL AREMA SAFETY STANDARDS AND SHALL COOPERATE FULLY WITH REPRESENTATIVES OF PAN AM RAILWAYS, MDOT, AND UNITIL AS MAY BE REQUIRED.

PERMITTING NOTES

1. THIS PROJECT WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF A MAINE DEP NATURAL RESOURCES PROTECTION ACT PERMIT AS AMENDED FOR ACTIVITIES WITHIN 75' OF THE RIVER, WHICH WILL BE MADE A PART OF THE CONTRACT BID DOCUMENTS.

2. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE AMENDED SITE PLAN REVIEW PERMIT FROM THE CITY OF PORTLAND WHICH WILL BE MADE A PART OF THE CONTRACT BID DOCUMENTS. THE CONSTRUCTION WILL BE GOVERNED BY THE ZONING ORDINANCES WHICH ARE AVAILABLE FOR VIEWING AT THE OFFICE OF THE ENGINEER OR THE MUNICIPAL OFFICE.

3. THE PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE PORTLAND HARBOR COMMISSION APPROVAL AS AMENDED WHICH WILL BE MADE PART OF THE CONTRACT BID DOCUMENTS.

4. THE CONTRACTOR SHALL REVIEW THE ABOVE-REFERENCED PERMITS PRIOR TO SUBMITTING A BID FOR THIS PROJECT, AND INCLUDE COSTS AS NECESSARY TO COMPLY WITH THE CONDITIONS OF THESE PERMITS.

5. THE PROJECT CONSTRUCTION IS SUBJECT TO ALL REQUIREMENTS OF THE VOLUNTARY RESPONSE ACTION PLAN AS PREPARED BY AMEC ON BEHALF OF UNITIL FOR THE NORTHERN UTILITIES PROPERTIES. CREDERE ASSOCIATES IS RESPONSIBLE FOR ENVIRONMENTAL CONSULTATION FOR NEW YARD, LLC AND WILL BE PREPARING ENVIRONMENTAL REPORTS RELATED TO THE PAN AM PROPERTIES FOLLOWING THE PROPERTY TRANSFER AND APPROVED BY THE MAINE DEP. SEE SEPARATE DOCUMENTS PREPARED BY CREDERE ASSOCIATES WHICH ARE TO BE CONSIDERED PART OF THE CONTRACT DOCUMENTS.

SITE LAYOUT NOTES

1. BITUMINOUS CONCRETE CURB, SLIPFORM CONCRETE CURB AND GRANITE CURB SHALL MEET THE REQUIREMENTS OF MDOT 702.001, 703.07 AND 609.04.

2. ALL DIMENSIONING, UNLESS NOTED OTHERWISE, IS TO THE FACE OF CURB OR THE FACE OF THE BUILDING.

3. EXCEPT WHERE INDICATED OTHERWISE, THE PAVEMENT IS TO BE HEAVY DUTY PAVEMENT.

4. ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS & STANDARDS OF THE MAINE DEPARTMENT OF TRANSPORTATION, AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITIONS AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.

GRADING & DRAINAGE NOTES:

1. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF N = 0.012 OR LESS.

2. AN "AS-BUILT" CERTIFICATION AND PLANS OF THE STORMWATER DRAINAGE SYSTEM IS REQUIRED PRIOR TO THE OWNER ACCEPTING ANY BUILDINGS AND PROPERTY. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT ANY DEVIATION FROM THE PLANS MAY DELAY THE ACCEPTANCE OF THE PROJECT, WITH CONTRACTOR RESPONSIBLE FOR ANY ASSOCIATED COSTS.

3. A DETAILED O&M MANUAL FOR STORMWATER MANAGEMENT SYSTEMS IS (WILL BE) FILED WITH THE CITY OF PORTLAND DURING THE PERMIT REVIEW PROCESS. A SPECIFIC MANUAL HAS BEEN PREPARED FOR O&M OF THE DRAINAGE SYSTEM.

4. SEE EXISTING CONDITIONS FOR BENCHMARK INFORMATION.

5. SEE GRADING, DRAINAGE AND EROSION/SEDIMENT CONTROL FOR PROPOSED GRADING AND EROSION CONTROL MEASURES.

6. ALL DISTURBED AREAS NOT TO BE PAVED, GRAVELED, SODDED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED, FERTILIZER AND MULCH.

7. COMPACTION REQUIREMENTS:

LOCATION	MINIMUM COMPACTION*
SUBBASE AND BASE GRAVEL BELOW PAVED OR CONCRETE AREAS	95%
SUBGRADE FILL BELOW PAVED AREAS	90%
TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL	95%
BELOW LOAM AND SEED AREAS	90%
STRUCTURAL FILL WITHIN PROPOSED BUILDING AREA	95%
SELECT FILL ADJACENT BUILDING FOUNDATIONS, EXTERIOR FOUNDATIONS AND WITHIN 8 INCHES OF THE SLAB-ON-GRADE	95%

*ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM-D-1557.

8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.

9. CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. CRITICAL AREAS INCLUDE BUILDING ENTRANCE AND EXIT RAMPS ADJACENT TO THE BUILDING AND ALONG NEW CURBED AREAS.

10. PROVIDE STABILIZATION OR SEPARATION GEOTEXTILE FABRIC OVER UNSTABLE SOILS AS DIRECTED BY THE OWNER'S REPRESENTATIVE AND IN ACCORDANCE WITH THE FINAL GEOTECHNICAL RECOMMENDATIONS.

11. NATIVE SOILS RANGE FROM GRANULAR TO CLAYEY AND SILTY. CARE MUST BE EXERCISED TO LIMIT DISTURBANCE OF THE BEARING SOILS. THE NATIVE CLAYEY OR SILTY SOILS SHOULD NOT BE PROOF-ROLLED. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, DISTURBED AREAS SHOULD BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO EXTRA EXPENSE TO THE OWNER. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER.

LOCAL APPROVALS, WAIVERS AND VARIANCES

THE CONSTRUCTION PLANS ARE TO BE SUBMITTED TO THE CITY OF PORTLAND FOR THEIR REVIEW, APPROVAL AND RECORDS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

PENDING SITE PLAN CONDITIONS OF APPROVAL

STANDARD CONDITIONS OF APPROVAL

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: 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 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.

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 (IF APPLICABLE).

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.

9. STORMWATER MANAGEMENT: THAT THE 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; THAT THE OWNER/OPERATOR OF THE APPROVED STORMWATER MANAGEMENT SYSTEM AND ALL ASSIGNS SHALL COMPLY WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORMWATER MANAGEMENT, WHICH SPECIFIES THE ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS; AND THAT A MAINTENANCE AGREEMENT FOR THE STORMWATER DRAINAGE SYSTEM, AS ATTACHED, OR IN SUBSTANTIALLY THE SAME FORM WITH ANY CHANGES TO BE APPROVED BY CORPORATION COUNSEL, SHALL BE SUBMITTED AND SIGNED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY WITH A COPY TO THE DEPARTMENT OF PUBLIC SERVICES.

PENDING WAIVERS (SUBJECT TO AMENDED SITE PLAN REVIEW)

UTILITY NOTES

1. ALL REQUIRED UTILITIES SERVING THE PROJECT SHALL BE COORDINATED AND CONSTRUCTED BY THE SITE CONTRACTOR TO WITHIN 5 FEET OF THE BUILDINGS, AT A LOCATION COORDINATED WITH THE MEP CONTRACTOR(S) AND THE BUILDING PLANS. SITE WORK WITHIN 5 FEET OF UNDERSLAB UTILITIES SHALL CONSIST OF TRENCHING AND BACKFILLING. ACTUAL UTILITY INSTALLATION SHALL BE BY THE MEP CONTRACTOR. ALL REQUIRED CONNECTION FEES SHALL BE PAID BY THE GENERAL CONTRACTOR.

2. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF AND/OR RELOCATION OF OVERHEAD AND UNDERGROUND TELEPHONE WITH FAIRPOINT COMMUNICATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR CONDUITS, PULL WIRES, TRENCHING AND BACKFILLING NECESSARY TO COMPLETE THE WORK.

3. ALL SANITARY SEWER WORK SHALL MEET THE STANDARDS OF THE MAINE STATE PLUMBING CODE AND CITY OF PORTLAND PUBLIC SERVICES DIVISION. CONNECTIONS TO THE 42" SAN. SEWER AND 24" CSO LINE SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF PORTLAND PUBLIC SERVICES DIVISION RECOMMENDATIONS AND REGULATIONS.

4. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ELECTRIC SERVICE WITH CENTRAL MAINE POWER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRENCHING, CONDUIT AND BACKFILLING ASSOCIATED WITH UNDERGROUND POWER, COMMUNICATIONS AND CABLE.

5. COORDINATE ALL OTHER UTILITY WORK WITH THE APPROPRIATE UTILITY COMPANY. ALL UTILITY WORK SHALL CONFORM TO THE STANDARDS OF THE UTILITY COMPANY AND PROJECT SPECIFICATIONS, WHICHEVER IS MORE STRINGENT, AT NO EXTRA EXPENSE TO THE OWNER.

6. THE LOCATIONS OF THE NEW UTILITY SERVICES AND CONNECTIONS SHALL BE COORDINATED WITH THE SERVING UTILITY COMPANY, PROJECT ARCHITECTS AND MEP DESIGNERS.

7. UNDERGROUND ELECTRICAL, CONDUIT MATERIAL AND INSTALLATION SHALL CONFORM TO CENTRAL MAINE POWER STANDARDS AND PROJECT SPECIFICATIONS, WHICH EVER IS MORE STRINGENT. THE EXISTING 115KV TRANSMISSION LINE SHALL BE MARKED/FLAGGED AND PROTECTED DURING CONSTRUCTION. WORK ADJACENT TO THE UNE SHALL BE MONITORED BY CENTRAL MAINE POWER.

8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OR WORK TO FINISH GRADE.

9. ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES.

10. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL INSPECTIONS, AND SUBMIT COPIES OF ACCEPTANCE CERTIFICATES TO THE OWNER PRIOR TO COMPLETION OF THE PROJECT.

11. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL BOXES, FITTINGS, CONNECTORS, COVER PLATES AND OTHER MISCELLANEOUS ITEMS NOT NECESSARILY DETAILED ON THE DRAWINGS TO RENDER INSTALLATION OF UTILITIES COMPLETE AND OPERATIONAL, AT NO EXTRA EXPENSE TO THE OWNER.

12. A 10 FOOT MINIMUM EDGE TO EDGE HORIZONTAL SEPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND SANITARY SEWER LINES. AN 18 INCH OUTSIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT ALL WATER AND SANITARY SEWER CROSSINGS.

13. THE CONTRACTOR SHALL PHASE UTILITY CONSTRUCTION AND PROVIDE TEMPORARY SERVICES AS REQUIRED TO PROVIDE CONTINUOUS SERVICE TO THE JOB SITE. TEMPORARY SERVICES SHALL COMPLY WITH ALL FEDERAL, STATE, LOCAL AND UTILITY COMPANY STANDARDS. COORDINATE ALL TEMPORARY SERVICES WITH UTILITY COMPANY, OWNER AND AFFECTED BUSINESSES.

14. REMOVAL AND RELOCATION OF THE EXISTING GAS RELATED FACILITIES SHALL BE COORDINATED WITH UNITIL AND THEIR ASSIGNS. CONTRACTOR TO COORDINATE WITH UNITIL'S CONTRACTOR FOR RELOCATION OF THE 8" GAS LINE AND INSTALLATION OF VAULT (SEE UTILITY PLAN FOR LOCATION).

EROSION CONTROL NOTES:

1. PRIOR TO BEGINNING ANY LAND DISTURBING ACTIVITIES, CLEARING AND GRADING LIMITS SHALL BE STAKED BY THE CONTRACTOR BASED ON THE LIMITS OF GRADING SHOWN ON THE DRAWINGS AND ACCEPTED BY THE OWNER'S REPRESENTATIVE IN THE FIELD. AFTER THE CLEARING AND GRADING LIMITS HAVE BEEN ACCEPTED, THE CONTRACTOR SHALL INSTALL THE PERIMETER SILT FENCES, SEDIMENT BARRIERS AND THE CONSTRUCTION ENTRANCES ASSOCIATED WITH THE PROJECT.

2. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCHED AS SOON AS POSSIBLE. TEMPORARY/PERMANENT SEED MIXTURES SHALL CONFORM TO THE SEEDING PLAN CONTAINED IN THE EROSION CONTROL PROJECT PREPARED FOR THIS PROJECT.

3. PRIOR TO PAVING OR GRAVEL PLACEMENT, THE CONTRACTOR SHALL REMOVE SILT FROM ALL STORM LINES AND APPURTANCES.

4. ALL STORM DRAIN INLETS AND OUTLETS NOT IN PAVED AREAS ARE TO RECEIVE RIPRAP PROTECTION APRONS DURING CONSTRUCTION.

5. SILT BARIRIERS SHALL BE INSPECTED, REPAIRED AND CLEANED AS NOTED IN THE EROSION CONTROL NOTES SHOWN ON THE EROSION CONTROL DETAIL SHEET.

6. THE CONTRACTOR SHALL REPAIR AND ADD STONE TO THE CONSTRUCTION ENTRANCES AS IT BECOMES SATURATED WITH MUD TO ENSURE THAT IT FUNCTIONS TO CAPTURE MUD FROM THE TIRES OF CONSTRUCTION VEHICLES DURING CONSTRUCTION. THE PURPOSE OF THE CONSTRUCTION ENTRANCE IS TO KEEP ADJACENT STREETS CLEAR OF DIRT AND MUD. SWEEPING OF THE ROADWAYS SHALL BE PERFORMED BY THE CONTRACTOR ON AN AS NEEDED BASIS, BUT AT A MINIMUM ONCE A WEEK.

7. SILT REMOVED FROM AROUND INLETS AND BEHIND THE SILT FENCES SHALL BE PLACED ON A TOPSOIL STOCKPILE AND MIXED INTO TOPSOIL FOR USE IN LANDSCAPING OPERATIONS.

8. LAND DISTURBING ACTIVITIES SHALL BE ACCOMPLISHED IN A MANNER AND SEQUENCE WHICH CAUSE THE LEAST PRACTICAL UNPROTECTED DENUDED AREAS ON THE SITE DURING CONSTRUCTION.

9. THE CONTRACTOR IS CAUTIONED THAT FAILURE TO COMPLY WITH THE SEQUENCE OF CONSTRUCTION, EROSION/SEDIMENT CONTROL PLAN, AND OTHER PERMIT REQUIREMENTS MAY RESULT IN MONETARY PENALTIES AS ENFORCED BY THE MEDEP OR LOCAL AGENCIES. THE CONTRACTOR SHALL BE ASSESSED ALL SUCH PENALTIES AT NO COST TO THE OWNER OR PERMITTEE.

10. A FULL EROSION/SEDIMENTATION CONTROL PLAN ACCOMPANIES THIS DRAWING SET AND IS ALSO CONTAINED IN THE DIV 312513 SPECIFICATIONS.

11. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS AS SHOWN AND MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED.

12. INSPECT EROSION AND SEDIMENT CONTROL DEVICES AFTER EACH RAIN STORM OF 0.25 INCHES OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE FILTER EFFICIENCY. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 OF THE STRUCTURE HEIGHT.

13. INSTALL CURLEX EROSION CONTROL MAT OR EQUAL ON ALL SLOPES STEEPER THAN 4:1. TURF REINFORCEMENT (NORTH AMERICAN GREEN OR EQUAL) SHALL BE USED ON SLOPES STEPPER THAN 3:1 IF NOT CALLED OUT FOR RIPRAP STABILIZATION.

14. THE CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES, CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003".

ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

CONDITIONAL USE PERMIT: MARINE RETAIL

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	17.77 AC
MINIMUM LOT FRONTAGE	NONE	<1,910 FT
MINIMUM YARD DIMENSIONS		
FRONT	NONE	FT
SIDE	NONE	FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	FT
MAXIMUM LOT COVERAGE	100%	<20 %
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

EXISTING

- IRON PIPE OR ROD FND
- MONUMENT FOUND
- GAS VALVE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- LIGHT POLE
- COMMUNICATION MANHOLE
- DRAINAGE MANHOLE
- ELECTRIC MANHOLE
- SEWER MANHOLE
- CATCH BASIN
- SIGN
- FENCE
- EDGE OF PAVEMENT
- CURB
- OHW — OVERHEAD WIRES
- UGE — UNDERGROUND ELECTRIC
- T — TELEPHONE
- W — WATER LINE
- G — GAS LINE
- SS — SANITARY SEWER
- SD — STORM DRAIN
- 50 — 1' CONTOUR
- MONITORING WELL
- + ~10.00 — ELEVATIONS DERIVED FROM SOUNDING ON PLAN REF. 7
- × ~10.00 — ELEVATIONS DERIVED FROM
- TREE
- BUILDING
- RAIL TRACKS
- RIPRAP

PROPOSED

- BARRIER FREE SYMBOL
- SIGN
- SIGN LABEL
- GUIDERAIL - METAL
- GUIDERAIL - TIMBER
- FENCE - CHAINLINK
- FENCE - WOOD
- BUILDING / BUILDING ACCESS
- RETAINING WALL
- PEDESTRIAN CROSSWALK
- BOLLARD
- VERTICAL GRANITE CURB
- SLOPED GRANITE CURB
- CATCH BASIN
- 100 — CONTOUR LABEL
- DMH — DRAIN MANHOLE
- RIPRAP INLET APRON
- RIPRAP OUTLET APRON
- 2 / 1 2:1 — SLOPE DESIGNATION
- SPOT GRADE
- TC 92.5 / BC 92.0 — SPOT GRADE AT CURB (TC = TOP / BC = BOTTOM)
- WATER MARK
- 10"UD — UNDERDRAIN
- 12" SD L = 188' S = 0.005 — STORM DRAIN
- TREE LINE OR LIMIT OF CLEARING
- CURB STOP
- HYDRANT
- LIGHT POLE WITH FIXTURE(S)
- JERSEY BARRIER
- SMH — SANITARY SEWER MANHOLE
- TEST PIT
- T — TRANSFORMER PAD
- UTILITY POLE
- VALVE
- 6" SAN — SANITARY SEWER
- 6"W — WATER MAIN
- 2"G — GAS MAIN
- UGE — UNDERGROUND ELECTRIC
- OHE — OVERHEAD ELECTRIC
- RAIL TRACKS
- STONE BASE AT RAILROAD CROSSING
- TIMBERS AT RAILROAD CROSSING
- CONCRETE
- BOATYARD SURFACE

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
GENERAL NOTES AND LEGEND

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: N.T.S.
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 3091.04-GENERAL NOTES	
SHEET	C-1.1

CASSIDY POINT ROAD

TAX MAP 72
LOT B2
N/F
CMP CO.
21648/106

CASSIDY POINT ROAD
PAVED-PUBLIC-30' WIDE

TRANSFORMER SHED

BUILDING

GRAVEL

TAX MAP 71 LOT F7
N/F
CIANBRO CORP.
3424/116,
3707/802 &
32199/285

CHAIN LINK FENCE ON JERSEY BARRIERS

BLOCK WALL

30"RCP
INV.=5.48

15"RCP
INV.=13.77

WALL

N/F
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
31408/301

SPRING HIGH TIDE
ELEVATION 7.4
NGVD 1929

APPROXIMATE
MEAN LOW WATER
ELEVATION = 4.0
NGVD 1929

PROPOSED RAILROAD R/W
(60 FT.)

PAVED WALK

SIGNAL POLE

CONTROL BOX/PED.

SIGNAL VAULT
SIGNAL POLE

RR CROSSING SIGN

RIPRAP (TYP.)

CMP MH

GAS WIT.

WAT. MH

CHAIN LINK FENCE

RETAINING WALL

CONC.

CMP MH'S

DROP INLET

WEST COMMERICAL STREET
A.K.A. U.S. ROUTE 1A
PAVED - PUBLIC - VARIABLE WIDTH

N77°41'31"E 248.67'

N71°39'48"E 854.33'

N66°06'18"E 793.06'

N73°01'23"E 263.49'

S32°36'10"W 86.41'

1353.20'

L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11

C1 C2 C3

24" BRICK STORM WATER OVERFLOW INV. = -1.4

S02°52'22"E 62'± 41'± 26'±

1659'±

1639'±

1575'±

FORMER HARBOR COMMISSIONERS LINE OF 1929 (PLAN REFERENCE 1)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

FEDERAL CHANNEL LINE

FORE RIVER

PROPOSED HAUL ROAD R/W (30 FT.)

PROPOSED RAILROAD R/W (38 FT.)

PROPOSED 30' WIDE CSO EASEMENT "A"

B5b ZONE

PROPOSED PRIMARY RAILROAD GRADE CROSSING BENEFITING NEW YARD, LLC / CANAL LANDING, LLC

AREA =
±294,083 S.F.
±6.75 ACRES

N/F
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
31408/301

AREA =
±260,844 S.F.
±5.99 ACRES
TO SPRING HIGH TIDE

PROPOSED 30' WIDE CSO EASEMENT "B"

PROPOSED HAUL ROAD R/W (14 FT.)

PROPOSED RAILROAD R/W (38 FT.)

DANFORTH ST.

GRANITE "M" MONUMENT FOUND

EXTENSION OF EMERY ST.

3" O/S GRANITE MONUMENT W. COMMERCIAL ST.

PROPOSED SECONDARY RAILROAD GRADE CROSSING BENEFITING NEW YARD, LLC / CANAL LANDING, LLC

GAS METERS

GRANITE MON FOUND, HELD

UTILITY EASEMENT
31723/95

AREA OF TAKING BY
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
SEE NOTICE OF CONDEMNATION
31470/191

UTILITY EASEMENT
31723/95

N/F
NEW YARD LLC
30887/247

S16°58'37"E 503'± TO SPRING HIGH TIDE

DILAPIDATED PIER

PAVED

38'±

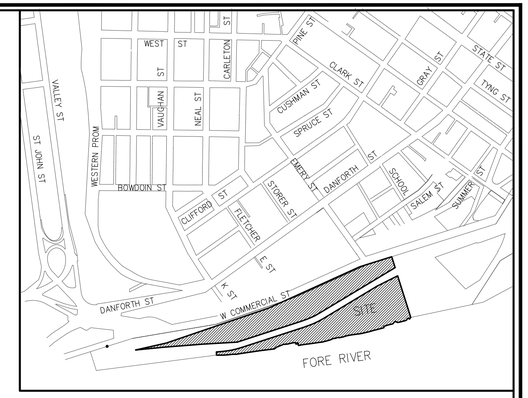
88'±

APPROXIMATE
MEAN LOW WATER
ELEVATION = 4.0
NGVD 1929

SPRING HIGH TIDE
ELEVATION 7.4
NGVD 1929

LOCATION MAP

N.T.S.



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	725.74'	165.42'	165.07'	S65°57'58"W
C2	725.78'	185.34'	184.84'	S79°48'41"W
C3	673.74'	153.57'	153.24'	N65°57'58"E

LINE TABLE

LINE	BEARING	DISTANCE
L1	S16°58'37"E	67.90'
L2	S66°19'39"W	57.45'
L3	S62°41'27"W	125.13'
L4	S59°26'10"W	495.19'
L5	S72°29'45"W	519.07'
L6	S87°07'38"W	21.45'
L7	N84°41'57"E	219.48'
L8	N86°01'33"E	312.82'
L9	N87°07'38"E	273.21'
L10	N72°29'45"E	542.24'
L11	N59°26'10"E	693.10'

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.

LEGEND

- IRON PIPE OR ROD FND
- MONUMENT FOUND
- GAS VALVE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- LIGHT POLE
- MANHOLE
- CATCH BASIN
- SIGN
- FENCE
- OHW — OVERHEAD WIRES
- G — GAS LINE
- S — SANITARY SEWER
- SD — STORM DRAIN
- SEAWALL
- MONITORING WELL
- GW — GAS WITNESS

GRAPHIC SCALE

0 50' 100' 200' 400'

PLAN REFERENCES

1. HARBOR LINES, PORTLAND HARBOR, MAINE U.S. ENGINEER OFFICE, BOSTON, MASS. JUNE 30, 1939.

2. PORTLAND HARBOR, PORTLAND, MAINE CONDITION SURVEY, 35 AND 45-FOOT CHANNELS, 45-FOOT ANCHORAGE, 35-FOOT TURNING BASINS, DATED SEPT. 13, 2011 U.S. ARMY CORPS OF ENGINEER NEW ENGLAND DISTRICT SHEET ID. NO. V-105.

3. COMMERCIAL STREET DRAINAGE AND TRAFFIC IMPROVEMENTS CIVIL PLAN MADE BY CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED JUNE 2007.

4. ALTA/ACSM LAND TITLE SURVEY ON WEST COMMERCIAL STREET, PORTLAND, MAINE, MADE FOR NEW YARD LLC, 98 FORE STREET, PORTLAND, MAINE DATED JULY 2, 2013, REVISED THROUGH SEPT. 23, 2013 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 213 PAGE 352 AND 353.

5. "ALTA/ACSM LAND TITLE SURVEY AT WEST COMMERCIAL STREET, PORTLAND, MAINE MADE FOR BINGHAM MCCUTCHEN LLP" BY OWEN HASKELL, INC. DATED DEC. 18, 2006.

6. "LAND TITLE SURVEY ON DANFORTH AND WEST COMMERCIAL STREETS, PORTLAND, MAINE MADE FOR MERRILL INDUSTRIES, INC." BY OWEN HASKELL, INC. DATED JAN. 27, 2003 REVISED THROUGH AUGUST 30, 2005.

7. "STANDARD BOUNDARY SURVEY FOR PROPOSED ELECTRIC SUBSTATION WEST COMMERCIAL STREET PORTLAND, MAINE." MADE FOR CMP. CO. BY TITCOMB ASSOCIATES. RECORDED IN PLAN BOOK 204 PAGE 571.

8. "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP LAND ACQUISITIONS DOT FILE NO 3-595" BY OWEN HASKELL, INC. DATED APRIL 2014.

9. "LAND ON WEST COMMERCIAL STREET PORTLAND, MAINE, MAINE CENTRAL RAILROAD CO. TO CANAL LANDING, LLC" BY OWEN HASKELL, INC. DATED APRIL 30, 2015. RECORDED IN PLAN BOOK 215, PAGE 157.

GENERAL NOTES

1. OWNER OF RECORD:
CANAL LANDING, LLC
C.C.R.D. BOOK 32239 PAGE 148

2. BEARINGS ARE BASED ON STATE PLANE COORDINATES NAD 83 MAINE WEST.

3. THE FEDERAL CHANNEL LINE TAKEN FROM PLAN REFERENCE NO. 2 USING COORDINATES IN THE DIGITAL FORMAT OF SAID PLAN.

4. THE SEWER LINE SHOWN IS BASED ON THE LOCATION OF SEWER MANHOLES AND A PLAN TITLED "PORTLAND WATER DISTRICT PORTLAND, MAINE POLLUTION ABATEMENT FACILITIES CONTRACT NO. 3 LOWER FORE RIVER INTERCEPTOR SHEETS 23-28" BY CAMP DRESSER & MCKEE INC. DATED APRIL, 1963.

5. THE SUBJECT PARCEL IS IN THE DIVISION 18.5 WATERFRONT PORT DEVELOPMENT ZONE & DIVISION 26 SECTION 14-446 SHORE LAND REGULATION ZONE PER THE CITY OF PORTLAND CODE OF ORDINANCES LAND USE CHAPTER 14.

6. THE SUBJECT PARCEL IS IN ZONE C & ZONE A2 (ELEV. 10) AS SHOWN ON THE FLOOD INSURANCE RATE MAP 230051 0016B WITH AN EFFECTIVE DATE OF JULY 17, 1986.

CERTIFICATE

OWEN HASKELL, INC. HEREBY 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.

JUNE 2, 2015
DATE

RANDY R. LOUBIER, PLS NO. 2407

STATE OF MAINE
RANDY R. LOUBIER
2407
PROFESSIONAL LAND SURVEYOR

BOUNDARY SURVEY

ON

WEST COMMERCIAL STREET, PORTLAND, MAINE

MADE FOR OWNER OF RECORD

CANAL LANDING, LLC

10 WEST COMMERCAIL STREET, PORTLAND, ME 04101

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	RRL	Date	Job No.
Trace By	JLW	JUNE 2, 2015	2012-051 P
Check By	JWS	Scale	Drwg. No.
Book No.	FILE	1" = 100'	C-1.2

CASSIDY POINT ROAD

TUNNEL

PAVED WALK

TAX MAP 72
LOT B2
N/F
CMP CO.
21648/106

CASSIDY POINT ROAD PAVED-PUBLIC-80' WIDE

5/8"RF

EMH

CMP MH

#95

#94

#93

GRAVEL

RR CROSSING SIGN

SIGNAL POLE

CONTROL BOX/PED

5.62'

5.46'

5/8"RF

TRANSFORMER

SHED

N16°59'42"W 53.00'

N73°00'18"E 263.93'

RIPRAP (TYP.)

SIGNAL VAULT

SIGNAL POLE

CMP MH

GAS WIT.

WAT. MH

#92

#91

#90

#89

#88

#87

TBM PK NAIL SET IN UP #895 ELEV.=14.50

PAVED WALK

N:2949942.219
E:2923875.102

BUILDING

347.84'
S79°48'18"W

CHAIN LINK FENCE

N82°56'03"E 543.92'

GRAVEL

TAX MAP 71 LOT F7
N/F
CIANBRO CORP.
3424/116 & 3707/802

30"RCP INV.=5.48

15"RCP INV.=13.77

CHAIN LINK FENCE ON TOP OF BARRIERS

171.32'
N16°59'42"W

BLOCK WALL

16'±

8'±

WEST COMMERCIAL STREET

A.K.A. U.S. ROUTE 1A

N77°41'17"E 16.88'

N84°41'52"E 219.48'

N77°41'31"E 265.55'

PAVED - PUBLIC - VARIABLE WIDTH

CMP MH

TBM ROAD SIDE BONNET BOLT ELEV.=20.67

CONC.

#77

#76

#75

PROPOSED 30' WIDE CSO EASEMENT

DROP INLET

CB

CMP MH

N71°39'48"E 854.33'

N85°01'33"E 312.85'

PROPOSED HAUL ROAD R/W (30 FT.)

PROPOSED RAILROAD R/W (38 FT.)

N87°07'38"E 273.21'

21.45'

S87°07'38"W

AREA BETWEEN PROPOSED RAILROAD R/W & SPRING HIGH TIDE LINE=0.5± ACRES

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

SWITCH

TIE LINE S74°55'10"W 1075.68'

1316'±

PROPOSED RAILROAD R/W (60 FT.)

APPROXIMATE MEAN LOW WATER ELEVATION = -4.0 NGVD 1929

FORMER HARBOR COMMISSIONERS' LINE OF 1929 (PLAN REFERENCE 1)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

1159'±

1054'±

PARCEL 2

24" BRICK STORM WATER OVERFLOW INV. = -1.4

FORE RIVER

PARCELS 1 & 2

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
PARCEL 1 = UP-LANDS ACQUIRED IN FEE ±5.0 ACRES
PARCEL 2 = ALL RIGHT, TITLE AND INTEREST TO INTERTIDAL AND SUBMERGED LANDS ADJOINING PARCEL 1

CURVE TABLE

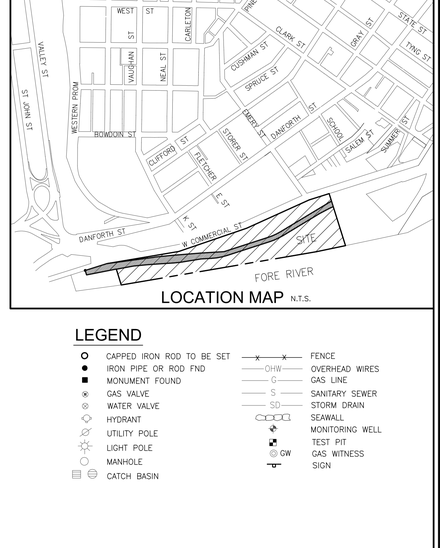
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	725.74'	165.42'	165.07'	S65°57'58"W
C2	725.78'	185.34'	184.84'	S79°48'41"W
C3	673.74'	153.57'	153.24'	N65°57'58"E

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.

EXCEPTIONS

- TERMS AND CONDITIONS OF RIGHTS AND EASEMENTS TO MAINTAIN A DRAIN OR SEWER AS SET FORTH IN THE INSTRUMENT FROM JOHN B. BROWN, HORATIO N. JOSE AND PORTLAND GLASS COMPANY TO THE CITY OF PORTLAND, DATED JANUARY 11, 1867 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 348, PAGE 337.
- TERMS AND CONDITIONS OF POSSIBLE RIGHTS TO INSTALL, MAINTAIN, REPAIR, OPERATE, REPLACE AND/OR IMPROVE A SEWER PIPE AS FURTHER DESCRIBED IN THE INSTRUMENT FROM PORTLAND TERMINAL COMPANY TO THE CITY OF PORTLAND, DATED NOVEMBER 10, 1975 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3793, PAGE 217.



LOCATION MAP N.T.S.

LEGEND

- CAPPED IRON ROD TO BE SET
- IRON PIPE OR ROD FND
- MONUMENT FOUND
- GAS VALVE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- LIGHT POLE
- MANHOLE
- CATCH BASIN
- FENCE
- OVERHEAD WIRES (OHW)
- GAS LINE (G)
- SANITARY SEWER (S)
- STORM DRAIN (SD)
- SEAWALL
- MONITORING WELL
- TEST PIT
- GAS WITNESS (GW)
- SIGN

PLAN REFERENCES

1. HARBOR LINES, PORTLAND HARBOR, MAINE U.S. ENGINEER OFFICE, BOSTON, MASS. JUNE 30, 1939.
2. PORTLAND HARBOR, PORTLAND, MAINE CONDITION SURVEY, 35 AND 45-FOOT CHANNELS, 45-FOOT ANCHORAGE, 35-FOOT TURNING BASINS, DATED SEPT. 13, 2011 U.S. ARMY CORPS OF ENGINEER NEW ENGLAND DISTRICT SHEET ID. NO. V-105.
3. COMMERCIAL STREET DRAINAGE AND TRAFFIC IMPROVEMENTS CIVIL PLAN MADE BY CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED JUNE 2007.
4. ALTA/ACSM LAND TITLE SURVEY ON WEST COMMERCIAL STREET, PORTLAND, MAINE, MADE FOR NEW YARD LLC, 98 FORE STREET, PORTLAND, MAINE DATED JULY 2, 2013, REVISED THROUGH SEPT. 23, 2013 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 213 PAGE 352 AND 353.
5. "ALTA/ACSM LAND TITLE SURVEY AT WEST COMMERCIAL STREET, PORTLAND, MAINE MADE FOR BINGHAM MCCUTCHEN LLP" BY OWEN HASKELL, INC. DATED DEC. 18, 2006.
6. "LAND TITLE SURVEY ON DANFORTH AND WEST COMMERCIAL STREETS, PORTLAND, MAINE MADE FOR MERRILL INDUSTRIES, INC." BY OWEN HASKELL, INC. DATED JAN. 27, 2003 REVISED THROUGH AUGUST 30, 2005.
7. "STANDARD BOUNDARY SURVEY FOR PROPOSED ELECTRIC SUBSTATION WEST COMMERCIAL STREET PORTLAND, MAINE." MADE FOR CMP CO. BY TITCOMB ASSOCIATES. RECORDED IN PLAN BOOK 204 PAGE 571.

GENERAL NOTES

1. OWNER OF RECORD:
   STATE OF MAINE DEPARTMENT OF TRANSPORTATION
   TAX MAP 60, BLOCK F, PART OF LOTS 2 & 3
   TAX MAP 71, BLOCK F, LOTS 4, 5 & 6
   C.C.R.D. BOOK 31408 PAGE 301
2. BEARINGS ARE BASED ON STATE PLANE COORDINATES NAD 83 MAINE WEST.
3. THE FEDERAL CHANNEL LINE TAKEN FROM PLAN REFERENCE NO. 2 USING COORDINATES IN THE DIGITAL FORMAT OF SAID PLAN.
4. VERTICAL DATUM IS NGVD 1929 BASED UPON MAINE DEPARTMENT OF TRANSPORTATION DISK L 5 (NGS) RESET 1997 FOUND SET IN CONCRETE BRIDGE ABUTMENT THAT SUPPORTS THE BEACH STREET ON RAMP WHERE IT CONNECTS TO THE CASCO BAY BRIDGE.
5. THE SEWER LINE SHOWN IS BASED ON THE LOCATION OF SEWER MANHOLES AND A PLAN TITLED "PORTLAND WATER DISTRICT PORTLAND, MAINE POLLUTION ABATEMENT FACILITIES CONTRACT NO. 3 LOWER FORE RIVER INTERCEPTOR SHEETS 23-28" BY CAMP DRESSER & MCKEE INC. DATED APRIL, 1963.
6. THE SUBJECT PARCEL IS IN THE DIVISION 18.5 WATERFRONT PORT DEVELOPMENT ZONE & DIVISION 26 SECTION 14-446 SHORE LAND REGULATION ZONE PER THE CITY OF PORTLAND CODE OF ORDINANCES LAND USE CHAPTER 14.
7. THE SUBJECT PARCEL IS IN ZONE C & ZONE A2 (ELEV. 10) AS SHOWN ON THE FLOOD INSURANCE RATE MAP 230051 0016B WITH AN EFFECTIVE DATE OF JULY 17, 1986.

SCALE : 1" = 50'

0' 25' 50' 100'

CERTIFICATE

OWEN HASKELL, INC. HEREBY 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

RANDY R. LOUBIER, PLS NO. 2407

SHEET 1 OF 2

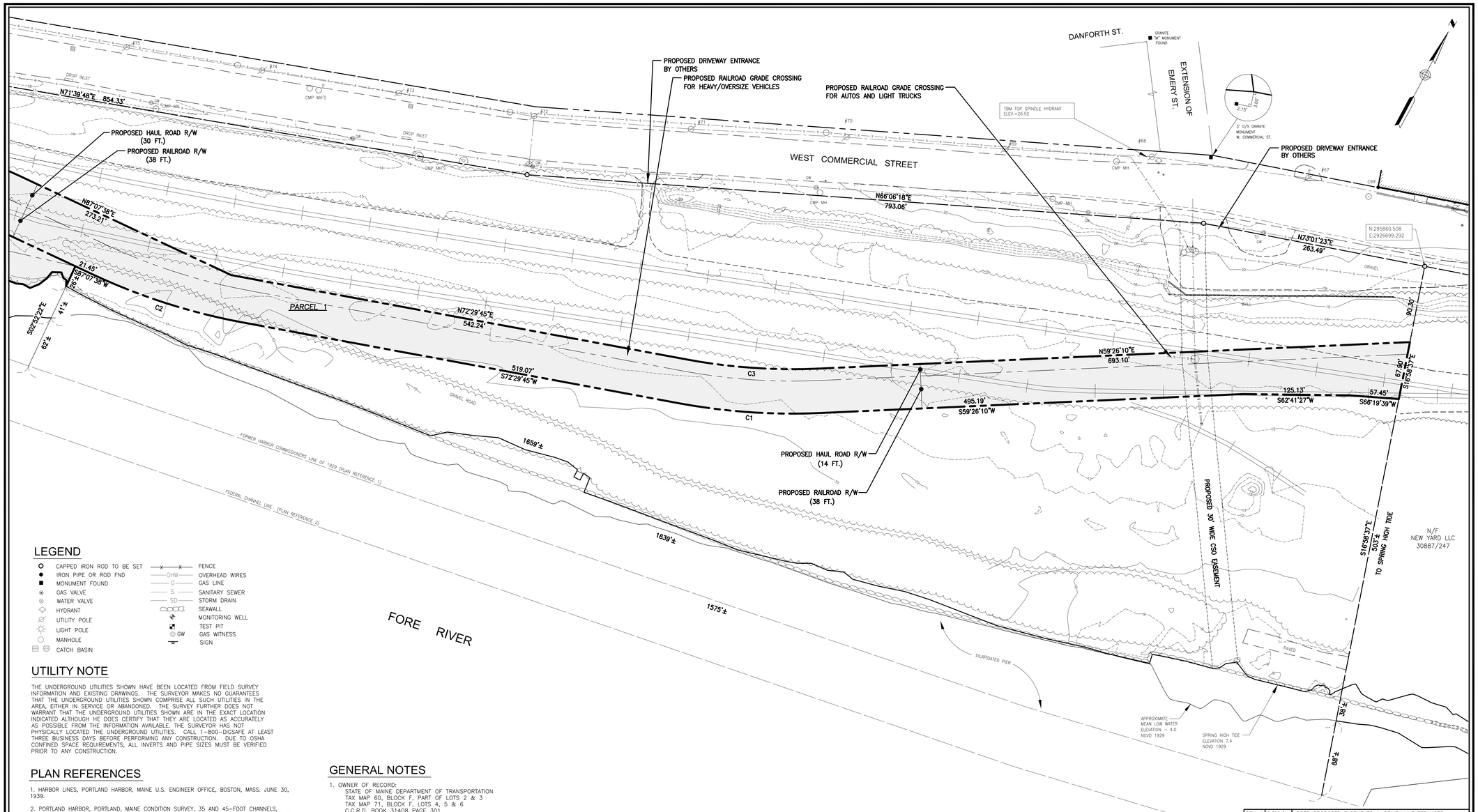
REV.	1	6/26/14	ADDED PROPOSED EASEMENTS & DRIVEWAY ENTERANCES

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP
16 STATE HOUSE STATION AUGUSTA, MAINE 04333-0016
"BOUNDARY & TOPOGRAPHIC SURVEY"
WEST COMMERCIAL STREET, PORTLAND, CUMBERLAND COUNTY, MAINE

Date:	Scale	D.O.T. FILE NO. 3-595
APRIL 2014	1" = 50'	

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS



LEGEND

CAPPED IRON ROD TO BE SET	FENCE
IRON PIPE OR ROD FND	OVERHEAD WIRES
MONUMENT FOUND	GAS LINE
GAS VALVE	SANITARY SEWER
WATER VALVE	STORM DRAIN
HYDRANT	SEAWALL
UTILITY POLE	MONITORING WELL
LIGHT POLE	TEST PIT
MANHOLE	GAS WITNESS
CATCH BASIN	SIGN

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.

PLAN REFERENCES

1. HARBOR LINES, PORTLAND HARBOR, MAINE U.S. ENGINEER OFFICE, BOSTON, MASS. JUNE 30, 1939.

2. PORTLAND HARBOR, PORTLAND, MAINE CONDITION SURVEY, 35 AND 45-FOOT CHANNELS, 45-FOOT ANCHORAGE, 35-FOOT TURNING BASINS, DATED SEPT. 13, 2011 U.S. ARMY CORPS OF ENGINEER NEW ENGLAND DISTRICT SHEET ID. NO. V-105.

3. COMMERCIAL STREET DRAINAGE AND TRAFFIC IMPROVEMENTS CIVIL PLAN MADE BY CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED JUNE 2007.

4. ALTA/ACSM LAND TITLE SURVEY ON WEST COMMERCIAL STREET, PORTLAND, MAINE, MADE FOR NEW YARD LLC, 98 FORE STREET, PORTLAND, MAINE DATED JULY 2, 2013, REVISED THROUGH SEPT. 23, 2013 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 213 PAGE 352 AND 353.

5. "ALTA/ACSM LAND TITLE SURVEY AT WEST COMMERCIAL STREET, PORTLAND, MAINE MADE FOR BINGHAM MCCUTCHEN LLP" BY OWEN HASKELL, INC. DATED DEC. 18, 2006.

6. "LAND TITLE SURVEY ON DANFORTH AND WEST COMMERCIAL STREETS, PORTLAND, MAINE MADE FOR MERRILL INDUSTRIES, INC." BY OWEN HASKELL, INC. DATED JAN. 27, 2003 REVISED THROUGH AUGUST 30, 2005.

7. "STANDARD BOUNDARY SURVEY FOR PROPOSED ELECTRIC SUBSTATION WEST COMMERCIAL STREET PORTLAND, MAINE." MADE FOR CMP CO. BY TITCOMB ASSOCIATES. RECORDED IN PLAN BOOK 204 PAGE 571.

GENERAL NOTES

1. OWNER OF RECORD:
   STATE OF MAINE DEPARTMENT OF TRANSPORTATION
   TAX MAP 60, BLOCK F, PART OF LOTS 2 & 3
   TAX MAP 71, BLOCK F, LOTS 4, 5 & 6
   C.C.R.D. BOOK 31408 PAGE 301

2. BEARINGS ARE BASED ON STATE PLANE COORDINATES NAD 83 MAINE WEST.

3. THE FEDERAL CHANNEL LINE TAKEN FROM PLAN REFERENCE NO. 2 USING COORDINATES IN THE DIGITAL FORMAT OF SAID PLAN.

4. VERTICAL DATUM IS NGVD 1929 BASED UPON MAINE DEPARTMENT OF TRANSPORTATION DISK L 5 (NGS) RESET 1997 FOUND SET IN CONCRETE BRIDGE ABUTMENT THAT SUPPORTS THE BEACH STREET ON RAMP WHERE IT CONNECTS TO THE CASCO BAY BRIDGE.

5. THE SEWER LINE SHOWN IS BASED ON THE LOCATION OF SEWER MANHOLES AND A PLAN TITLED "PORTLAND WATER DISTRICT PORTLAND, MAINE POLLUTION ABATEMENT FACILITIES CONTRACT NO. 3 LOWER FORE RIVER INTERCEPTOR SHEETS 23-28" BY CAMP DRESSER & MCKEE INC. DATED APRIL, 1963.

6. THE SUBJECT PARCEL IS IN THE DIVISION 18.5 WATERFRONT PORT DEVELOPMENT ZONE & DIVISION 26 SECTION 14-446 SHORE LAND REGULATION ZONE PER THE CITY OF PORTLAND CODE OF ORDINANCES LAND USE CHAPTER 14.

7. THE SUBJECT PARCEL IS IN ZONE C & ZONE A2 (ELEV. 10) AS SHOWN ON THE FLOOD INSURANCE RATE MAP 230051 0016B WITH AN EFFECTIVE DATE OF JULY 17, 1986.

EXCEPTIONS

- TERMS AND CONDITIONS OF RIGHTS AND EASEMENTS TO MAINTAIN A DRAIN OR SEWER AS SET FORTH IN THE INSTRUMENT FROM JOHN B. BROWN, HORATIO N. JOSE AND PORTLAND GLASS COMPANY TO THE CITY OF PORTLAND, DATED JANUARY 11, 1867 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 348, PAGE 337.

- TERMS AND CONDITIONS OF POSSIBLE RIGHTS TO INSTALL, MAINTAIN, REPAIR, OPERATE, REPLACE AND/OR IMPROVE A SEWER PIPE AS FURTHER DESCRIBED IN THE INSTRUMENT FROM PORTLAND TERMINAL COMPANY TO THE CITY OF PORTLAND, DATED NOVEMBER 10, 1975 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3793, PAGE 217.

SCALE : 1" = 50'

0' 25' 50' 100'

CERTIFICATE

OWEN HASKELL, INC. HEREBY 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

RANDY R. LOUBIER, PLS NO. 2407

SHEET 2 OF 2

REV.	6/26/14	ADDED PROPOSED EASEMENTS & DRIVEWAY ENTERANCES

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP

16 STATE HOUSE STATION AUGUSTA, MAINE 04333-0016

"BOUNDARY & TOPOGRAPHIC SURVEY"

WEST COMMERCIAL STREET, PORTLAND, CUMBERLAND COUNTY, MAINE

Date:	Scale	D.O.T. FILE NO. 3-595
APRIL 2014	1" = 50'	

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS

NORTH

DANFORTH ST.

GRANITE "M" MONUMENT FOUND

EXTENSION OF EMERY ST.

3' O/S GRANITE MONUMENT W. COMMERCIAL ST.

WEST COMMERCIAL STREET

EDGE OF PAVEMENT

U.S. ROUTE 1A WEST COMMERCIAL STREET
PAVED - PUBLIC - VARIABLE WIDTH

B2b ZONE

WPDZ ZONE

EXISTING TRACKS TO BE REMOVED AND RELOCATED BY OTHERS

PROPOSED RELOCATED TRACK LOCATION (UNDER CONSTRUCTION MAY 2015)

REMAINING AREA OF NORTH PORTION = ±294,083 S.F. ±6.75 ACRES CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

PARCEL 1

PARCEL 2

MAINE RAILROAD CORRIDOR ACQUIRED BY MDOT

EXISTING TREES TO BE REMOVED

EXISTING TREES TO BE REMOVED

ALL EXISTING TREES TO BE REMOVED

UTILITY EASEMENT FROM PORTLAND TERMINAL COMPANY TO CANAL LANDING, LLC

TRACKS TO BE REMOVED

REMAINING AREA OF SOUTH PORTION = ±260,844 S.F. ±5.99 ACRES TO SPRING HIGH TIDE CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

PIER TO BE REMOVED

DILAPIDATED PIER

EXISTING GRANITE REVETMENT WALL TO BE RESTORED / REPAIRED AND NEW GRANULAR BACKFILL (MDOT 703.19 GRANULAR BORROW OR EQUIVALENT) PLACED BEHIND THE REVETMENT, TYP. SOME DREDGING OF ERODED SOIL ON WATER SIDE OF WALL MAY BE REQUIRED. THIS MATERIAL WILL BE RE-DEPOSITED FOLLOWING INSTALLATION OF A GEOTEXTILE FABRIC (MIRAFI FN300 OR EQUAL) BEHIND WALL.

EXISTING CSO OUTFALL

EXISTING FLOATS (INSTALLED SUMMER 2014)

BOAT RAMP

BUILDING B (COMPLETED WINTER 2014/2015)

IMT LOADING SLAB (UNDER CONSTRUCTION MAY 2015)

GAS METERS

SIGN BASE

ABANDONED WATER

SEWER EASEMENT 3975/262

24" BRICK STORM WATER OVERFLOW INV. = -1.4

EX. SAN MH INV. 5.3'±

EX. SAN MH INV. 5.10'±

EX. SAN MH INV. 4.71'±

EX. SAN MH INV. 4.3'± 12" x 16" REDUCER

CMP MH'S

DROP INLET

STORM MH

APPROX. GAS

APPROX. WATER

SMH RIM=13.66 CL INV.=5.2 12" INV. IN=6.2

RIM=20.62 INV. IN=3.8

RIM=20.60 INV. NOT VISIBLE

RIM=20.61 INV. OUT=4.21 TOP OF BRICK PIPE UNKNOWN SIZE=9.6"

RIM=20.21

N71°01'23"E 263.49'

N66°06'18"E 793.06'

N59°26'10"E 693.10'

S59°26'10"W 685.19'

S62°41'22"W 125.13'

S66°18'39"W 37.45'

N71°39'48"E 854.33'

N80°01'33"E 312.82'

N87°07'38"E 273.21'

S87°07'38"W 21.45'

S02°52'22"E 61.4'

CHORD S76°48'41"W 164.84'
L=165.42'
R=725.74'

CHORD N65°57'58"E 153.24'
L=153.57'
R=673.74'

CHORD S65°57'58"W 165.07'
L=165.42'
R=725.74'

N72°29'45"E 542.24'

S72°29'45"W 487.07'

1659'±

1639'±

1679'±

N13°58'37"W 503'± TO SPRING HIGH TIDE

EDWARD HARBOR COMMISSIONERS LINE OF 1929 (PLAN REFERENCE 3)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

SUMMER HARBOR COMMISSIONERS LINE OF 1929 (PLAN REFERENCE 3)

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

NOTE

THE APPLICANT IS REQUESTING AFTER - THE FACT APPROVAL FOR CLEARING, GROUND STABILIZATION, INITIAL WALL REPAIRS AND SITE USE FOR PARKING AND STORAGE OF BOATS, TRAILERS, EMPLOYEE VEHICLES (NO OVERNIGHT) AND RELATED MATERIALS ANCILLARY TO NEW YARDS BUSINESS OPERATIONS IN ADVANCE OF THE AMENDED PHASE III APPROVAL IN ACCORDANCE WITH SECTION 14-532 (e)2 AND (e)3 OF THE CODE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE · STEPHEN R. BUSHEY · 7429 · LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
EXISTING CONDITIONS PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	1" = 50'
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04 - EXISTING CONDITIONS		
SHEET	C-1.3		

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04-EXISTING CONDITIONS.dwg davis_d 6/16/2015 2:13 PM

NORTH

WEST COMMERCIAL STREET

U.S. ROUTE 1A WEST COMMERCIAL STREET
PAVED - PUBLIC - VARIABLE WIDTH

DANFORTH ST.

EXTENSION OF EMERY ST.

GRANITE "M" MONUMENT FOUND

3' O/S GRANITE MONUMENT W. COMMERCIAL ST.

N/F CANAL LANDING, LLC C.C.R.D. BOOK 32239, PAGE 148

FUTURE PHASE

20' x 120' SHELL STORAGE BLDG. (RUBB STYLE)

CB (BY MDOT)

PROPOSED PIER EXTENSION

PHASE III HEAVY DUTY ASPHALT SURFACE - CENTRAL ENTRANCE

EXISTING EDGE OF PAVEMENT TO REMAIN, (TYP.)

REINFORCED CONCRETE SIDEWALK (TYP.)

CIP CONCRETE WALL

BUILDING ROOF OVERHANG

LANE MARKINGS TO TRANSITION TO MARKINGS ESTABLISHED AS PART OF IMT EXPANSION PROJECT BY MaineDOT.

EASTERN ENTRANCE

2' GRIND

PHASE III HEAVY DUTY ASPHALT SURFACE ENTRANCE

BLDG. C
175'x110'
19,250 S.F.
F.F.E: 14.5
MARINE RETAIL/NEW YARD ADMINISTRATION

ENTRY
F.F.E.: 23.75

BLDG. D
80'x60'
4,800 S.F.
ENTRY

RAMP

ENTRY

OVERHEAD DOOR

LOADING ZONE

PREFAB OR CIP STAIRS

CIP CONCRETE WALL

UPPER PARKING

TEMP. RELOCATED 52'x12' TRAILER

LARGE BLOCK RETAINING WALL

IMT LOADING PAD (BY OTHERS)

24' DOUBLE SWING GATE (BY MEDOT)

CASING PIPES (x4)

SECONDARY BOAT YARD ACCESS

SLIDING OR SWING GATE SYSTEM TO BE INSTALLED

CASING PIPES (x2)

6' HIGH CHAIN LINK FENCE

PROPOSED HAUL ROAD CORRIDOR (14 FT) (BY MEDOT)

PROPOSED RAILROAD R.O.W. (38 FT) (BY MEDOT)

PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE, TYP.

FUTURE PHASE
PHASE III

PHASE III

REMAINING AREA OF NORTH PORTION = ±294,083 S.F. ±6.75 ACRES CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

PARCEL 1

MAINE RAILROAD CORRIDOR ACQUIRED BY MDOT

PROPOSED CONCRETE RAMP #2

SLIDING OR SWING GATE SYSTEM TO BE INSTALLED

RAILROAD BASE AND WOOD CROSSING. BY OTHERS, TYP.

PRIMARY BOAT YARD ACCESS 50' WIDE GRADE CROSSING BENEFITTING NEW YARD, LLC -SLIDING OR SWING GATE SYSTEM TO BE INSTALLED

PREFABRICATED CONCRETE SUPPORT SHED (APPROX. 12'x20')

N/F CANAL LANDING, LLC C.C.R.D. BOOK 32239, PAGE 148

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

PROPOSED FLOATS AND GANGWAY

GANGWAY SYSTEM TO BE INSTALLED FOR ACCESS TO FLOAT SYSTEM (TYP.)

FORMER HARBOR COMMISSIONERS LINE OF 1929 (PLAN REFERENCE 1)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

CANAL LANDING HAS ACQUIRED LAND EXTENDING OUT TO MEAN LOW WATER ELEV. -4.0, (TYP.)

PROPOSED FLOATS - EXACT LIMITS TO BE DETERMINED AND SUBJECT TO PHASING

PILINGS SET FOR PROPOSED FLOATS SHALL BE BEYOND THE 50' HARBOR COMMISSION SETBACK

1 OR 2 COURSES OF 2'x2'x8' CONCRETE BLOCKS TO BE ADDED TO THE TOP OF THE EXISTING GRANITE REVETMENT AND GEOTEXTILE FABRIC WITH STONE SHALL BE PLACED BEHIND THE WALL

REMAINING AREA OF SOUTH PORTION = ±260,844 S.F. ±5.99 ACRES TO SPRING HIGH TIDE CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

MATCH BOATYARD SURFACE WITH EXISTING (TYP.)

PHASE III

DILAPIDATED PIER

APPROXIMATE MEAN LOW WATER ELEVATION -4.0 NGVD 1929

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

105' USACOE SETBACK LINE)

50' HARBOR COMMISSION SETBACK

EXISTING FLOATS

APPROXIMATE MEAN LOW WATER ELEVATION -4.0

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

EXISTING BLDG. B

EXISTING BLDG. A

LAND RETAINED BY NEW YARD LLC/CANAL LANDING, LLC 219,044±/5.03± ACRES

BOAT RAMP #1 (CONSTRUCTED FALL 2013)

FORE RIVER

ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	5.03 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT
SIDE	NONE	18.1 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	22%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-450.8 FLOOD PLAIN MANAGEMENT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING (PHASE III)
- PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE
- PROPOSED BUILDING - FUTURE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
PHASE III
SITE LAYOUT PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: 1" = 50'
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 3091.04-SITE LAYOUT	
SHEET	C-2.1

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04-SITE LAYOUT.dwg davis_d 6/16/2015 9:58 AM

NORTH

PHASE III HEAVY DUTY ASPHALT SURFACE - CENTRAL ENTRANCE

EASTERN ENTRANCE

20' x 120' SHELL STORAGE BLDG. (RUBB STYLE)

FUTURE PHASE III

PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE, TYP

PROPOSED HAUL ROAD CORRIDOR (14 FT) (BY MEDOT)

BLDG. C
175'x110'
19,250 S.F.
F.F.E: 14.5

BLDG. D
80'x60'
4,800 S.F.

IMT LOADING PAD (BY OTHERS)

SECONDARY BOAT YARD ACCESS

SLIDING OR SWING GATE SYSTEM TO BE INSTALLED

PROPOSED PIER EXTENSION

PROPOSED CONCRETE RAMP #2

PRIMARY BOAT YARD ACCESS 50' WIDE GRADE CROSSING BENEFITTING NEW YARD, LLC -SLIDING OR SWING GATE SYSTEM TO BE INSTALLED

PROPOSED RAILROAD R.O.W. (38 FT) (BY MEDOT)

PROPOSED FLOATS AND GANGWAY

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

PARCELS 1&2
MAINE CENTRAL RAILROAD COMPANY
PORTLAND TERMINAL COMPANY
PARCEL 1 = UP-LANDS ACQUIRED IN FEE ±5.0 ACRES
PARCEL 2 = ALL RIGHT, TITLE AND INTEREST TO INTERTIDAL AND SUBMERGED LANDS ADJOINING PARCEL 1
TEMPORARY CONSTRUCTION RIGHTS ACQUIRED ON REMAINING ADJACENT LANDS

EXISTING BLDG. B

EXISTING BLDG. A

EXISTING FLOATS

BOAT RAMP #1

APPROXIMATE MEAN LOW WATER ELEVATION -4.O

50' HARBOR COMMISSION SETBACK

EXISTING FIELD TRAILER TO BE RELOCATED

105' USACOE SETBACK LINE

ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	5.03 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT
SIDE	NONE	18.1 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	22%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-450.8 FLOOD PLAIN MANAGEMENT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING (PHASE III)
- PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE

80 0 40 80 160
(IN FEET)
1 inch = 80 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE · STEPHEN R. BUSHEY · NO. 7429 · LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

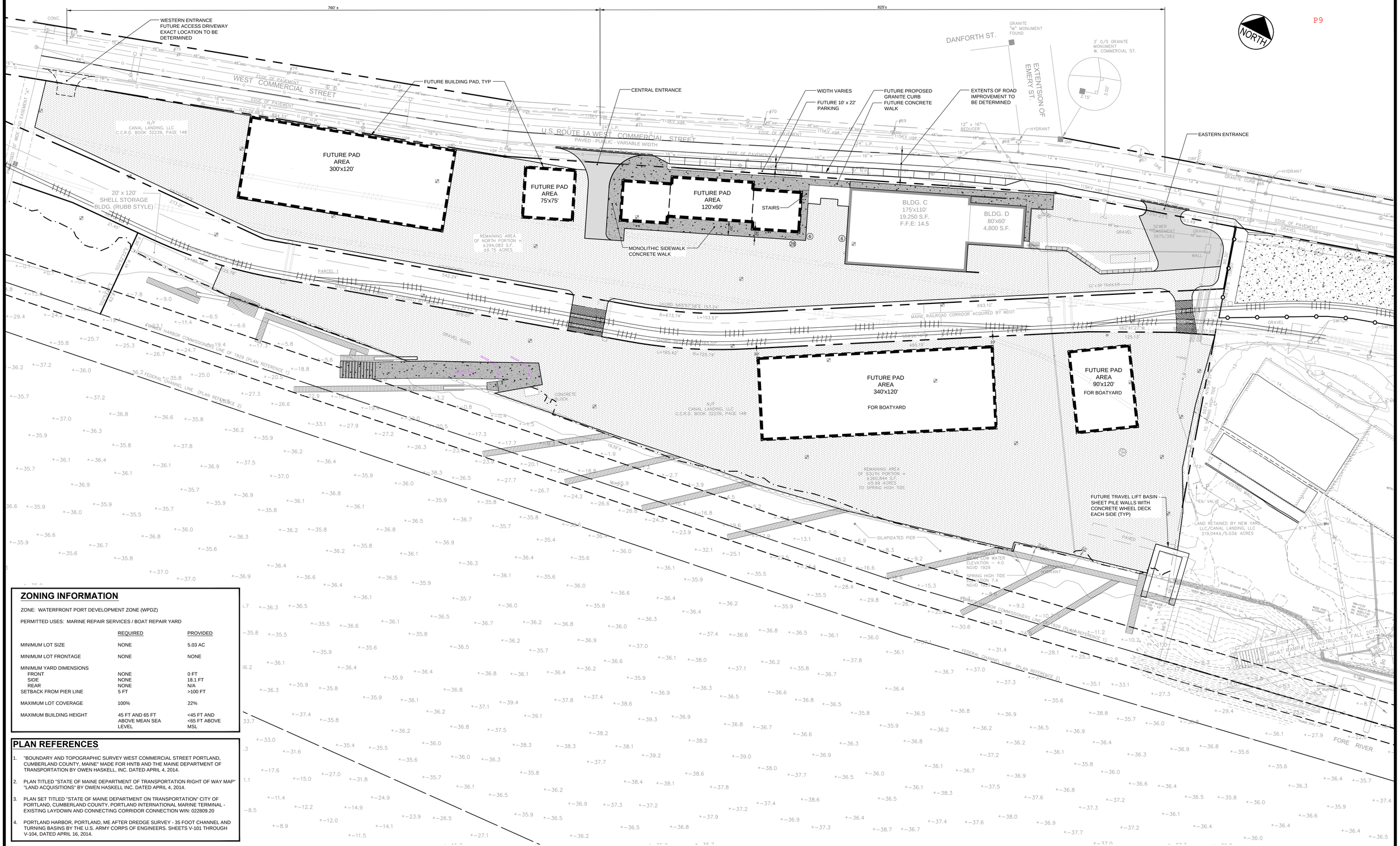
SHEET TITLE
AMENDED PHASE III
OVERALL PROJECT PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST EST 1983
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	1" = 80'
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-SITE LAYOUT		
SHEET	C-2.2		

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04-SITE LAYOUT.dwg davis_d 6/16/2015 9:54 AM



ZONING INFORMATION

ZONE: WATERFRONT PORT DEVELOPMENT ZONE (WPDZ)

PERMITTED USES: MARINE REPAIR SERVICES / BOAT REPAIR YARD

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	NONE	5.03 AC
MINIMUM LOT FRONTAGE	NONE	NONE
MINIMUM YARD DIMENSIONS		
FRONT	NONE	0 FT
SIDE	NONE	18.1 FT
REAR	NONE	N/A
SETBACK FROM PIER LINE	5 FT	>100 FT
MAXIMUM LOT COVERAGE	100%	22%
MAXIMUM BUILDING HEIGHT	45 FT AND 65 FT ABOVE MEAN SEA LEVEL	<45 FT AND <65 FT ABOVE MSL

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

STRUCTURES WITHIN PROJECT TO BE CONSTRUCTED IN ACCORDANCE WITH PORTLAND CITY CODE, SECTION 14-450.8 FLOOD PLAIN MANAGEMENT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING (PHASE III)
- PREPARED PERVIOUS SURFACE FOR VESSEL STORAGE AND MAINTENANCE
- PROPOSED BUILDING - FUTURE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.05.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — No. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
FUTURE PHASE
CONCEPT PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

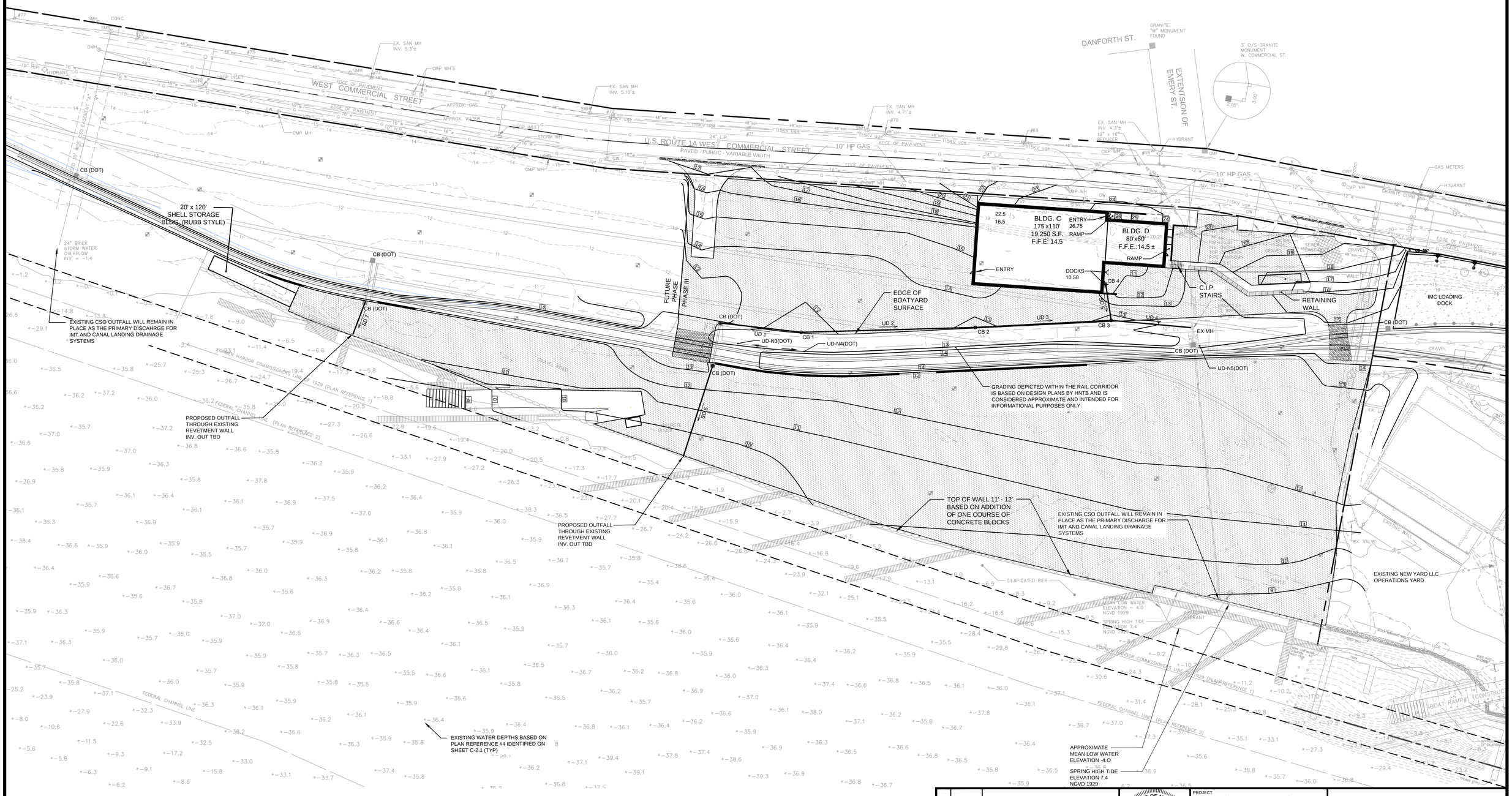
FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: 1" = 50'
CHECKED: SRB	JOB NO.: 3091.04
FILE NAME: 3091.04-SITE LAYOUT	
SHEET	C-2.3

NORTH

STORM DRAIN APPURTENANCE SCHEDULE						
ID	RIM	SIZE	INV. IN / SIZE / FROM	INV. OUT / SIZE / TO	NORTHING	EASTING
CB 1	12.40	4 ft Ø		10.25 / 15" / CB 2 10.25 / 15" /	295390.70	2926055.20
CB 2	12.60	4 ft Ø	9.09 / 15" / CB 1	9.00 / 15" / CB 3	295504.46	2926257.36
CB 3	12.60	4 ft Ø	6.84 / 15" / CB 2 6.84 / 12" / CB 4	6.74 / 15" / EX MH	295597.01	2926413.05
CB 4	10.40	TBD		7.06 / 12" / CB 3	295636.34	2926384.18
EX MH	13.66	4 ft Ø	6.20 / 15" / CB 3 6.20 / 30" / INTERCEPTOR		295638.52	2926512.83

STORM DRAIN PIPE SCHEDULE			
ID	SIZE	LENGTH	SLOPE
SD 5	12"	45'	0.0050
SD 6	15"	127'	0.005 (MIN)
SD 7	15"	45'	0.005 (MIN)
UD 1	15"	106'	0.1044
UD 2	15"	228'	0.0051
UD 3	15"	177'	0.0122
UD 4	15"	104'	0.0052



GRAPHIC SCALE

50 0 20 50 100

(IN FEET)

1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — No. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

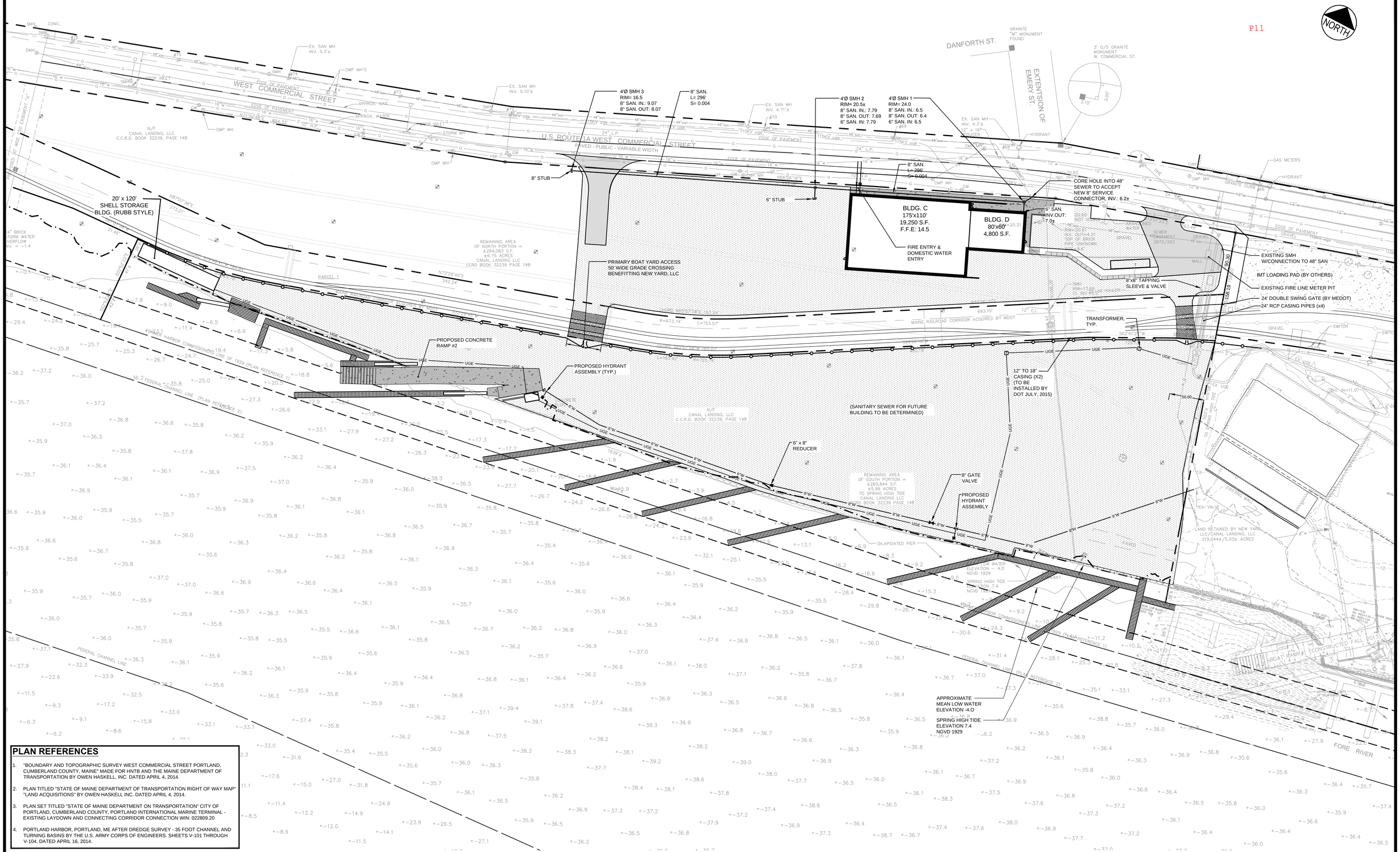
PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
PHASE III GRADING AND DRAINAGE PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

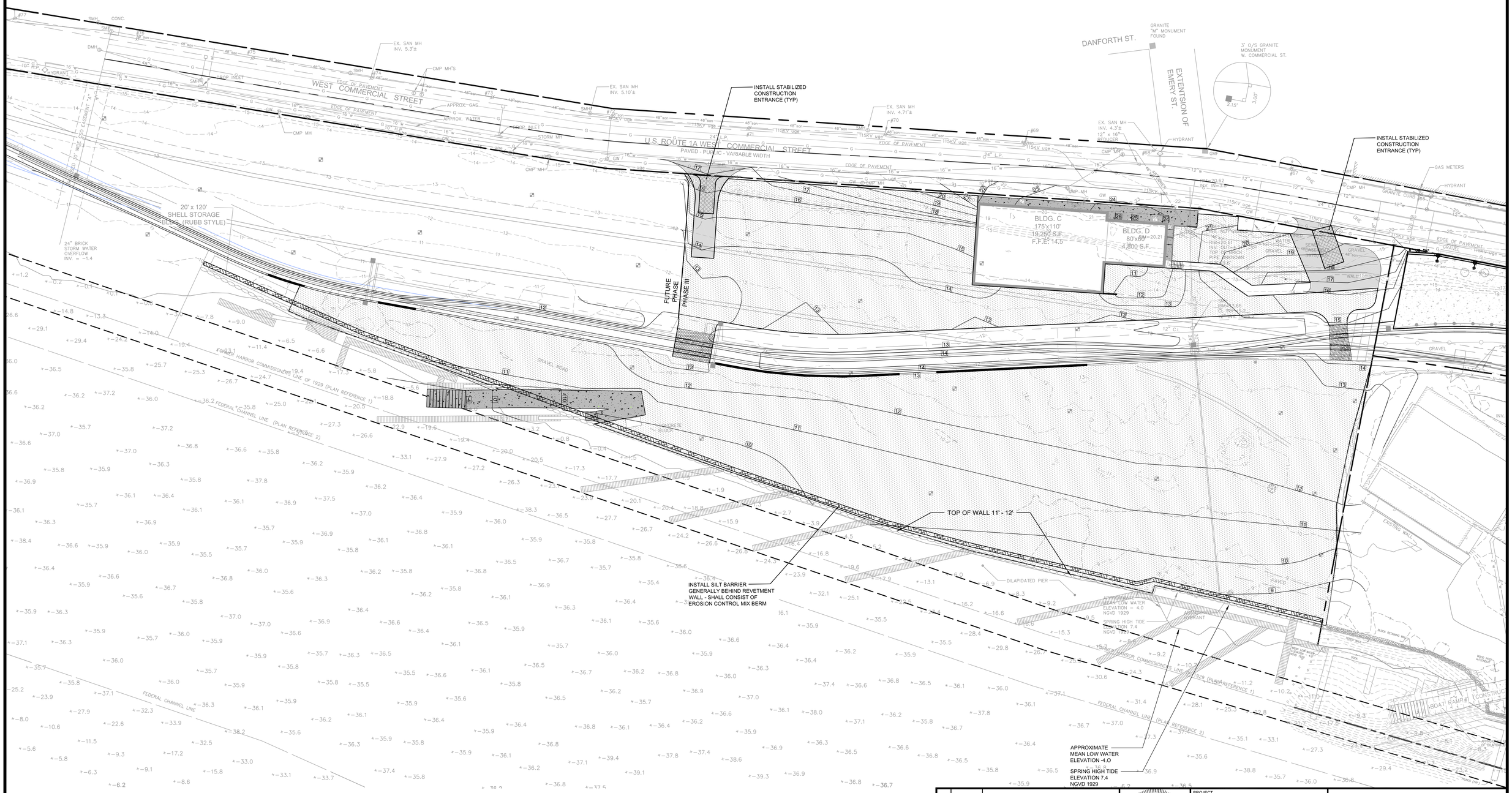
DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS NOTED
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-CONCEPT GRADING		
SHEET	C-3.1		


NORTH
WEST COMMERCIAL STREET
U.S. ROUTE 1A WEST COMMERCIAL STREET
PAVED - PUBLIC - VARIABLE WIDTH
DANFORTH ST.
EXTENTSION OF EMERY ST.
GRANITE "M" MONUMENT FOUND
3' O/S GRANITE MONUMENT W. COMMERCIAL ST.
EX. SAN MH INV. 5.3'±
EX. SAN MH INV. 5.10'±
EX. SAN MH INV. 4.71'±
EX. SAN MH INV. 4.3'±
CMP MH'S
CMP MH
STORM MH
CATCH BASIN
HYDRANT
4'Ø SMH 3
RIM= 16.5
8" SAN. IN.: 9.07
8" SAN. OUT: 8.07
8" SAN.
L= 296'
S= 0.004
4'Ø SMH 2
RIM= 20.5±
8" SAN. IN.: 7.79
8" SAN. OUT: 7.69
6" SAN. IN: 7.79
4'Ø SMH 1
RIM= 24.0
8" SAN. IN.: 6.5
8" SAN. OUT: 6.4
6" SAN. IN: 6.5
8" STUB
6" STUB
BLDG. C
175'x110'
19,250 S.F.
F.F.E: 14.5
BLDG. D
80'x60'
4,800 S.F.
FIRE ENTRY & DOMESTIC WATER ENTRY
CORE HOLE INTO 48" SEWER TO ACCEPT NEW 8" SERVICE CONNECTOR, INV.: 6.2±
6" SAN. INV.OUT: 7.0±
20' x 120' SHELL STORAGE BLDG. (RUBB STYLE)
PRIMARY BOAT YARD ACCESS 50' WIDE GRADE CROSSING BENEFITTING NEW YARD, LLC
PROPOSED CONCRETE RAMP #2
PROPOSED HYDRANT ASSEMBLY (TYP.)
6" x 8" REDUCER
8" GATE VALVE
PROPOSED HYDRANT ASSEMBLY
8"x8" TAPPING SLEEVE & VALVE
EXISTING SMH W/CONNECTION TO 48" SAN
IMT LOADING PAD (BY OTHERS)
EXISTING FIRE LINE METER PIT
24' DOUBLE SWING GATE (BY MEDOT)
24" RCP CASING PIPES (x4)
TRANSFORMER, TYP.
12" TO 18" CASING (X2) (TO BE INSTALLED BY DOT JULY, 2015)
(SANITARY SEWER FOR FUTURE BUILDING TO BE DETERMINED)
REMAINING AREA OF NORTH PORTION = ±294,083 S.F. ±6.75 ACRES CANAL LANDING LLC CCRD BOOK 32239 PAGE 148
REMAINING AREA OF SOUTH PORTION = ±260,844 S.F. ±5.99 ACRES TO SPRING HIGH TIDE CANAL LANDING LLC CCRD BOOK 32239 PAGE 148
N/F CANAL LANDING, LLC C.C.R.D. BOOK 32239, PAGE 148
PARCEL 1
MAINE RAILROAD CORRIDOR ACQUIRED BY MDOT
PORT HARBOR COMMISSIONERS LINE OF 1939 (PLAN REFERENCE 1)
FEDERAL CHANNEL LINE (PLAN REFERENCE 2)
FEDERAL CHANNEL LINE (PLAN REFERENCE 2)
APPROXIMATE MEAN LOW WATER ELEVATION -4.0 NGVD 1929
SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929
DILAPIDATED PIER
LAND RETAINED BY NEW YARD LLC/CANAL LANDING, LLC 219,044±/5.03± ACRES
EXISTING WORK
EX. VALVE
EX. UGE
EX. OHW
EX. 8"W
EX. 12"W
EX. 6"W
EX. 12"D
EX. 24"D
EX. 24" L.P.
EX. 48"SDH
EX. 48"SMH
EX. 16"W
EX. 12"W
EX. 8

NORTH

STORM DRAIN APPURTENANCE SCHEDULE						
ID	RIM	SIZE	INV. IN / SIZE / FROM	INV. OUT / SIZE / TO	NORTHING	EASTING
CB 1	12.40	4 ft Ø		10.25 / 15" / CB 2 10.25 / 15" /	295390.70	2926055.20
CB 2	12.60	4 ft Ø	9.09 / 15" / CB 1	9.00 / 15" / CB 3	295504.46	2926257.36
CB 3	12.60	4 ft Ø	6.84 / 15" / CB 2 6.84 / 12" / CB 4	6.74 / 15" / EX MH	295597.01	2926413.05
CB 4	10.40	TBD		7.06 / 12" / CB 3	295636.34	2926384.18
EX MH	13.66	4 ft Ø	6.20 / 15" / CB 3 6.20 / 30" / INTERCEPTOR		295638.52	2926512.83

STORM DRAIN PIPE SCHEDULE			
ID	SIZE	LENGTH	SLOPE
SD 5	12"	45'	0.0050
SD 6	15"	127'	0.005 (MIN)
SD 7	15"	45'	0.005 (MIN)
UD 1	15"	106'	0.1044
UD 2	15"	228'	0.0051
UD 3	15"	177'	0.0122
UD 4	15"	104'	0.0052



GRAPHIC SCALE

50 0 20 50 100

(IN FEET)

1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — NO. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
PHASE III EROSION AND SEDIMENT CONTROL PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: AS NOTED
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 3091.04-CONCEPT GRADING	
SHEET	C-6.1

R:\3091.04-Canal Landing-Phase 2\Cadd\Permit Set\dwg\3091.04_CONCEPT B_GRADING.dwg davis_d 6/16/2015 2:17 PM

NORTH

WEST COMMERCIAL STREET

U.S. ROUTE 1A WEST COMMERCIAL STREET
PAVED - PUBLIC - VARIABLE WIDTH

DANFORTH ST.

EXTENTSION OF EMERY ST.

GRANITE "M" MONUMENT FOUND

3' O/S GRANITE MONUMENT W. COMMERCIAL ST.

N/F
CANAL LANDING, LLC
C.C.R.D. BOOK 32239, PAGE 148

REMAINING AREA OF NORTH PORTION = ±294,083 S.F. ±6.75 ACRES CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

REMAINING AREA OF SOUTH PORTION = ±260,844 S.F. ±5.99 ACRES TO SPRING HIGH TIDE CANAL LANDING LLC CCRD BOOK 32239 PAGE 148

PARCEL 1

PARCEL 2

FUTURE PHASE III

MAINE RAILROAD CORRIDOR ACQUIRED BY MDOT

EXISTING TRACKS TO BE REMOVED AND RELOCATED BY OTHERS

PROPOSED RELOCATED TRACK LOCATION (UNDER CONSTRUCTION MAY 2015)

EXISTING TREES TO BE REMOVED (TYP)

TRACKS TO BE REMOVED (BY NEW YARD LLC)

ALL EXISTING TREES TO BE REMOVED

TEMPORARILY STABILIZE GROUND WORK WITH 2" LAYER OF STONE

CLEARING AND MINOR GROUND LEVELING WORK IN SHOREFRONT AREAS

OWNER TO COMPLETE SURFACE RESTORATION ACTIVITIES INCLUDING GEOTEXTILE FABRIC PLACEMENT, GRANULAR FILL AND OR CRUSHED STONE FILL REPLACEMENT TO STABILIZE ERODED GROUND SURFACES.

GRANITE REVITMENT WALL REPAIRS TO INCLUDE REPLACEMENT AND RESETTING OF GRANITE AND CONCRETE BLOCKS, TYP.

INSTALL SILT BARRIER GENERALLY BEHIND REVETMENT WALL - SHALL CONSIST OF EROSION CONTROL MIX BERM

IMT LOADING SLAB (UNDER CONSTRUCTION MAY 2015)

BUILDING B (COMPLETED WINTER 2014/2015)

BOAT RAMP #1

EXISTING FLOATS

DILAPIDATED PIER

ABANDONED HYDRANT

APPROXIMATE MEAN LOW WATER ELEVATION = 4.0 NGVD 1929

SPRING HIGH TIDE ELEVATION 7.4 NGVD 1929

FEDERAL CHANNEL LINE

PORTLAND HARBOR COMMISSIONERS LINE OF 1929 (PLAN REFERENCE 1)

FEDERAL CHANNEL LINE (PLAN REFERENCE 2)

PLAN REFERENCES

1. "BOUNDARY AND TOPOGRAPHIC SURVEY WEST COMMERCIAL STREET PORTLAND, CUMBERLAND COUNTY, MAINE" MADE FOR HNTB AND THE MAINE DEPARTMENT OF TRANSPORTATION BY OWEN HASKELL, INC. DATED APRIL 4, 2014.
2. PLAN TITLED "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" "LAND ACQUISITIONS" BY OWEN HASKELL INC. DATED APRIL 4, 2014.
3. PLAN SET TITLED "STATE OF MAINE DEPARTMENT ON TRANSPORTATION" CITY OF PORTLAND, CUMBERLAND COUNTY, PORTLAND INTERNATIONAL MARINE TERMINAL - EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION WIN: 022809.20
4. PORTLAND HARBOR, PORTLAND, ME AFTER DREDGE SURVEY - 35 FOOT CHANNEL AND TURNING BASINS BY THE U.S. ARMY CORPS OF ENGINEERS. SHEETS V-101 THROUGH V-104, DATED APRIL 16, 2014.

50 0 25 50 100
(IN FEET)
1 inch = 50 ft.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

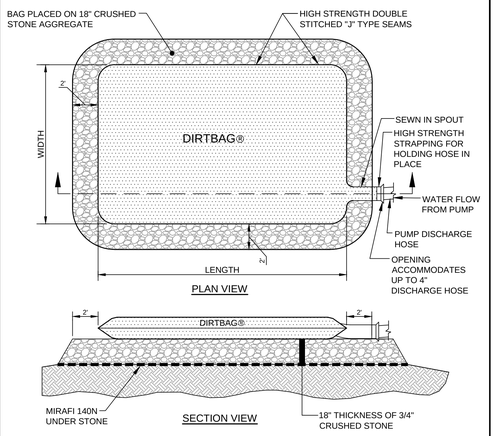
SHEET TITLE
2015 SPRING/SUMMER TEMPORARY SURFACE RESTORATION & EROSION CONTROL PLAN

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: 1" = 50'
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 2015 TSREC	

SHEET C-6.1A



NOTE:
LOCATION OF DIRTBAGS TO BE SELECTED BY THE CONTRACTOR BUT SHALL NOT BE SITED IN THE CRITICAL AREAS.

SPECIFICATIONS AND REQUIREMENTS FOR DEWATERING

THIS PROJECT WILL REQUIRE THE DISCHARGE OF CONSTRUCTION DEWATERING AND TURBID LADEN RUNOFF FROM THE SITE TO BE DIRECTED AND DISCHARGED THROUGH A DIRTBAG. THIS DESCRIPTION ALSO CONTAINS APPENDED MATERIALS DESCRIBING THE **DIRTBAGS** REFERRED TO IN THIS NARRATIVE.

OVERVIEW:

THE PROJECT WILL USE SHALLOW SWALES AS SEDIMENTATION BASINS DURING CONSTRUCTION. HOWEVER, IT IS RECOGNIZED THAT WEATHER CONDITIONS ARE NOT ALWAYS PREDICTABLE; THERE MAY BE EXCEPTIONAL PERIODS WHEN CONSTRUCTION ACTIVITY RESULTS IN HIGHLY TURBID WATER WHICH IS NOT CONSIDERED DESIRABLE TO DISCHARGE TO THE SWALES, OR LIMITED ACTIVITY IS REQUIRED THAT MAY NOT BE EASILY ACCOMMODATED BY THE SWALES. TRADITIONALLY, MEDEP PERMITS HAVE HAD A STANDARD CONDITION WHICH STATES:

"THE APPLICANT SHALL TAKE ALL NECESSARY ACTIONS TO ENSURE THAT ITS ACTIVITIES OR THOSE OF ITS AGENTS DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS ON THE SITE DURING THE CONSTRUCTION AND OPERATION OF THE PROJECT COVERED BY THIS APPROVAL."

THESE SPECIFICATIONS HAVE BEEN DEVELOPED FOR THE PURPOSE OF ADDRESSING CONSTRUCTION-DEWATERING ACTIVITIES WITH THE CONTINGENCY THAT UNPREDICTABLE WEATHER CAN CREATE. THE SPECIFICATION IS INTENDED TO "SHARE THE RISK" BETWEEN THE CONTRACTOR AND OWNER. IT IS ANTICIPATED THAT THIS METHOD WILL ALLOW THE BASE BID FOR THE PROJECT TO HAVE A REDUCED BUILT-IN CONTINGENCY COST FOR CERTAIN WEATHER-RELATED FACTORS.

THIS SPECIFICATION IS NOT INTENDED TO DIMINISH THE RECOGNIZED AND POTENTIAL AID OF THE PROPOSED SEDIMENT SWALES TO ACT AS THE PRIMARY DEVICE TO CAPTURE AND RETAIN SUSPENDED SEDIMENT. THIS BENEFIT IS A PRINCIPAL REASON WHY THE CONSTRUCTION OF THE SWALES EARLY IN THE PROJECT IS SO IMPORTANT.

ACCEPTABLE METHODS OF DISCHARGING CONSTRUCTION SITE RUNOFF:

DEWATERING OF THE CONSTRUCTION SITE SHALL BE ACCOMPLISHED USING ONE OF THE FOLLOWING MEASURES:

· THE DIRECTION OF THE RUNOFF TO SEDIMENTATION SWALES BY SHEET FLOW.

· THE PUMPING OF DIRTBAGS WITH A DISCHARGE TO THE SWALES OR MUNICIPAL DRAINAGE SYSTEM.

· THE PUMPING OF CONSTRUCTION SITE WATER AND COLLECTED RUNOFF TO A **DIRTBAG** (PATENTED PRODUCT BY ACF ENVIRONMENTAL PRODUCTS) WITH RELEASE THROUGH A VEGETATED BUFFER AT LEAST 50 FEET UPGRADIENT OF SHOREFRONT.

REQUIREMENTS FOR DIRTBAGS:

THE SITE CONTRACTOR SHALL INCLUDE THE PRICE OF INSTALLING, OPERATING, AND REMOVAL AND DISPOSAL OF FOUR **DIRTBAG 55'S** AS PART OF THE BASE BID. A UNIT PRICE SHALL BE PROVIDED FOR ADDITIONAL **DIRTBAGS.**

AT ALL TIMES THERE MUST BE AN UNUSED DIRTBAG AVAILABLE FOR EMERGENCY USE.

AT ALL TIMES (AFTER INITIAL SITE PREPARATION), THE CONTRACTOR SHALL HAVE ONE **DIRTBAG** ACTIVE OR READY FOR USE. THE **DIRTBAGS** SHALL BE FIELD LOCATED BY THE CONTRACTOR BUT ARE NOT TO BE INSTALLED IN ANY "**CRITICAL**" AREA. (THE SITE CRITICAL AREAS ARE SHOWN ON THE EROSION-SEDIMENT CONTROL PLAN.) THE **DIRTBAG** SHALL BE INSTALLED ON A PREPARED SUBGRADE. THIS SUBGRADE SHALL CONSIST OF THE INSTALLATION OF A LAYER OF MIRAFI 600X, AND 18 INCHES OF ¾ INCH CRUSHED STONE. THE PLAN DIMENSION OF THE CRUSHED STONE PAD SHALL EXCEED THE PLAN AREA OF THE **DIRTBAG** BY AT LEAST TWO FEET IN ALL DIRECTIONS. THE **DIRTBAG** SHALL NOT BE INSTALLED ON AN UNDERLYING SLOPE OF GREATER THAN 15 PERCENT.

CONSTRUCTION DEWATERING OPERATIONS:

ALL CONSTRUCTION-DEWATERING OPERATIONS ARE THE RESPONSIBILITY OF THE SITE CONTRACTOR. IT SHALL BE THE SITE CONTRACTOR WHO IS RESPONSIBLE FOR SELECTING THE SITE FOR THE **DIRTBAG.** THE SELECTION OF THE USE OF THE **DIRTBAG** OR THE SEDIMENTATION BASIN FOR DIRECTING DEWATERING, EXCEPT THAT THE OWNER MAY DIRECT THE SITE CONTRACTOR TO ALTER THE SELECTED OPERATION IF TURBID DISCHARGE TO THE WATER FRONT IS OBSERVED.

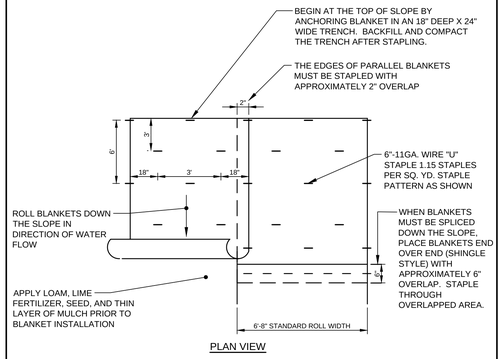
WINTER OPERATIONS:

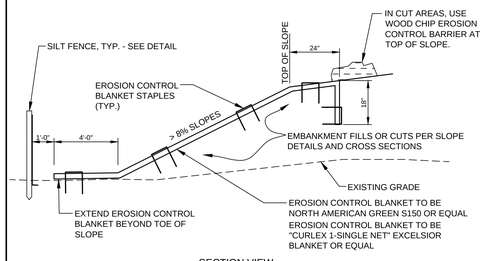
IN THE EVENT THAT WINTER OPERATIONS ARE REQUIRED, THE CONTRACTOR SHALL "POLY", ENCLOSE, AND PROVIDE TEMPORARY HEAT TO PREVENT THE **DIRTBAG** FROM SUBSTANTIAL FREEZING.

RECORD KEEPING

THE WEEKLY EROSION-SEDIMENT CONTROL REPORTS PREPARED IN ACCORDANCE WITH THE MAINE CONSTRUCTION GENERAL PERMIT SHALL MAINTAIN A LOG OF THE LOCATION, USE, AND REMOVAL OF **DIRTBAGS.** IN THE EVENT THAT THE STONE UNDER THE **DIRTBAG** BECOMES HIGHLY CONTAMINATED WITH FINES, THE NEXT **DIRTBAG** SHALL BE INSTALLED IN A DIFFERENT LOCATION.

(A) DIRTBAG® DETAIL AND SPECIFICATIONS
N.T.S.

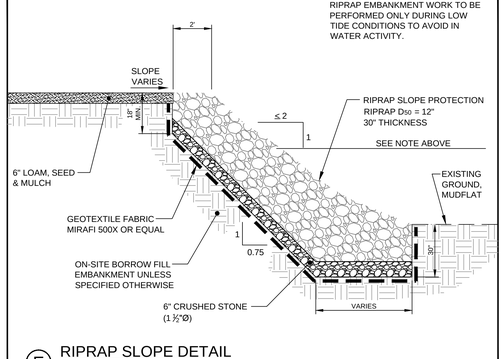




NOTE:
EROSION CONTROL BLANKET STAPLE SIZE AND DISTRIBUTION PER MANUFACTURER'S SPECIFICATIONS.

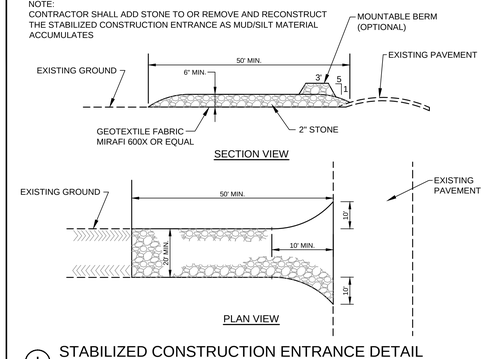
NOTES:
1. IF GRASS CATCH IS NOT 75% BY SEPTEMBER 1, ADD #4 REBARS @ 3'-0" ROWS @ 3' CENTERS. REMOVE OR DRIVE REBARS 3" BELOW GRADE IN SPRING FOLLOWING TURF ESTABLISHMENT.
2. MULCH RATE TO BE 1/2 THE RATE OTHERWISE SPECIFIED.

(D) EROSION CONTROL BLANKET SLOPE STABILIZATION DETAIL
N.T.S.

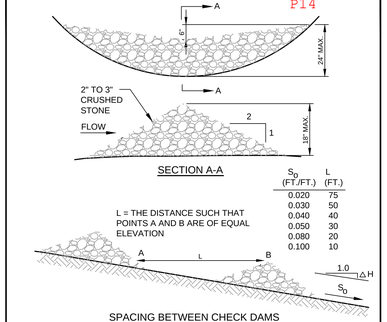


RIPRAP EMBANKMENT DESIGN SUBJECT TO GEOTECHNICAL REVIEW AND MODIFICATION

(E) RIPRAP SLOPE DETAIL
N.T.S.



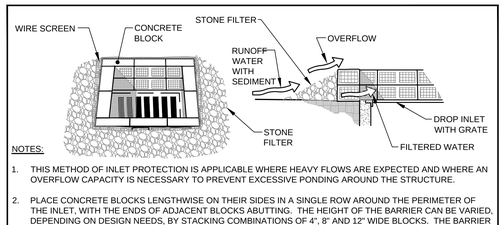
(I) STABILIZED CONSTRUCTION ENTRANCE DETAIL
N.T.S.



S_D (FT./FT.)	L (FT.)
0.020	75
0.030	50
0.040	40
0.050	30
0.080	20
0.100	10

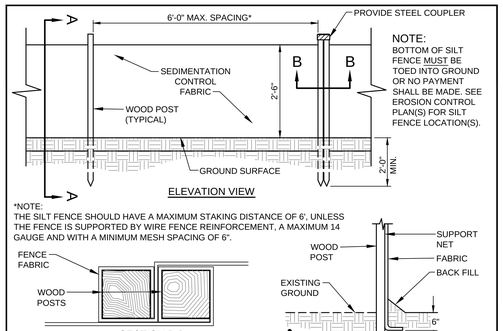
(M) STONE CHECK DAM DETAIL
N.T.S.

NOTE:
CHECK DAM LOCATIONS TO BE DETERMINED IN THE FIELD BY THE QUALIFIED EROSION AND SEDIMENT CONTROL REPRESENTATIVE.

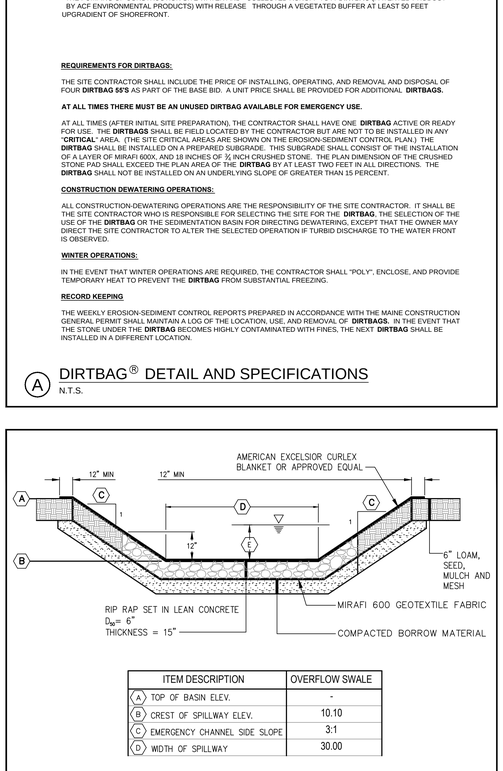


NOTES:
1. THIS METHOD OF INLET PROTECTION IS APPLICABLE WHERE HEAVY FLOWS ARE EXPECTED AND WHERE AN OVERFLOW CAPACITY IS NECESSARY TO PREVENT EXCESSIVE PONDING AROUND THE STRUCTURE.
2. PLACE CONCRETE BLOCKS LENGTHWISE ON THEIR SIDES IN A SINGLE ROW AROUND THE PERIMETER OF THE INLET, WITH THE ENDS OF ADJACENT BLOCKS ABUTTING. THE HEIGHT OF THE BARRIER CAN BE VARIED, DEPENDING ON DESIGN NEEDS, BY STACKING COMBINATIONS OF 4", 8" AND 12" WIDE BLOCKS. THE BARRIER OF BLOCKS SHALL BE AT LEAST 12 INCHES HIGH, AND NO GREATER THAN 24" HIGH.
3. WIRE MESH SHALL BE PLACED OVER THE OUTSIDE VERTICAL FACE (WEBBING) OF THE CONCRETE BLOCKS TO PREVENT STONE FROM BEING WASHED THROUGH THE HOLES IN THE BLOCKS. HARDWARE CLOTH OR COMPARABLE WIRE MESH WITH ½" OPENINGS SHALL BE USED.
4. STONE SHALL BE PILED AGAINST THE WIRE TO THE TOP OF THE BLOCK BARRIER, AS SHOWN IN DETAIL. THE STONE FILTER SHALL BE 3/4" CRUSHED STONE.
5. IF THE STONE FILTER BECOMES CLOGGED WITH SEDIMENT SO THAT IT NO LONGER ADEQUATELY PERFORMS ITS FUNCTION, THE STONE MUST BE PULLED AWAY FROM THE BLOCKS, CLEANED AND REPLACED.
6. ALL INLETS ALSO REQUIRE SILT SACKS AS SHOWN ON THE DETAIL SHEET.

(F) CATCH BASIN STONE SEDIMENT BARRIER DETAIL
N.T.S.



(J) SILTATION FENCE DETAIL
N.T.S.



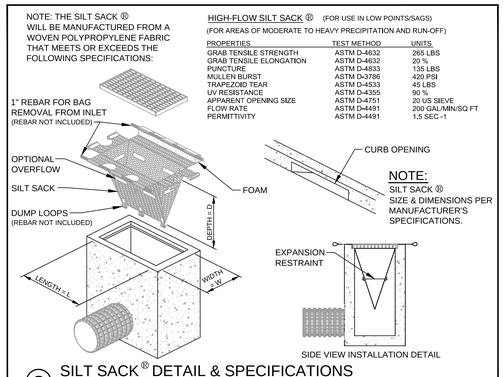
ITEM DESCRIPTION	OVERFLOW SWALE
(A) TOP OF BASIN ELEV.	-
(B) CREST OF SPILLWAY ELEV.	10.10
(C) EMERGENCY CHANNEL SIDE SLOPE	3:1
(D) WIDTH OF SPILLWAY	30.00

(B) TYPICAL WATER QUALITY FILTER OVERFLOW CHANNEL
N.T.S.

NOTE: THE SILT SACK ® WILL BE MANUFACTURED FROM A WOVEN POLYPROPYLENE FABRIC THAT MEET'S OR EXCEEDS THE FOLLOWING SPECIFICATIONS:

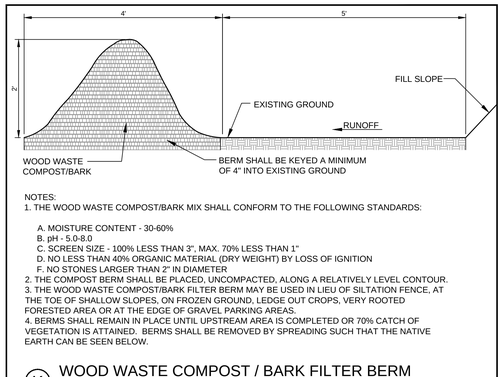
HIGH-FLOW SILT SACK ® (FOR USE IN LOW POINTS/SAGS)
(FOR AREAS OF MODERATE TO HEAVY PRECIPITATION AND RUN-OFF)

PROPERTIES	TEST METHOD	UNITS
GRAB TENSILE STRENGTH	ASTM D-4632	265 LBS
GRAB TENSILE ELONGATION	ASTM D-4632	20 %
PUNCTURE	ASTM D-4833	135 LBS
MULLEN BURST	ASTM D-3786	420 PSI
TRAPEZOID TEAR	ASTM D-4533	45 LBS
UV RESISTANCE	ASTM D-4355	90 %
APPARENT OPENING SIZE	ASTM D-4751	20 US SIEVE
FLOW RATE	ASTM D-4491	200 GAL/MIN/SQ FT
PERMITTIVITY	ASTM D-4491	1.5 SEC -1



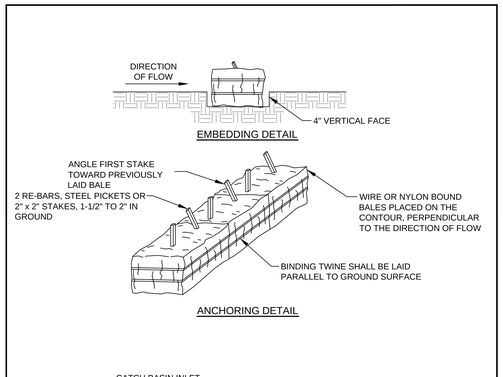
NOTE:
SILT SACK ® SIZE & DIMENSIONS PER MANUFACTURER'S SPECIFICATIONS.

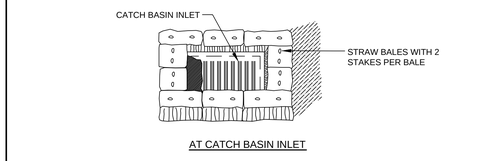
(G) SILT SACK® DETAIL & SPECIFICATIONS
N.T.S.



NOTES:
1. THE WOOD WASTE COMPOST/BARK MIX SHALL CONFORM TO THE FOLLOWING STANDARDS:
   A. MOISTURE CONTENT - 30-60%
   B. pH - 5.0-8.0
   C. SCREEN SIZE - 100% LESS THAN 3", MAX. 70% LESS THAN 1"
   D. NO LESS THAN 40% ORGANIC MATERIAL (DRY WEIGHT) BY LOSS OF IGNITION
   F. NO STONES LARGER THAN 2" IN DIAMETER
2. THE COMPOST BERM SHALL BE PLACED, UNCOMPACTED, ALONG A RELATIVELY LEVEL CONTOUR.
3. THE WOOD WASTE COMPOST/BARK FILTER BERM MAY BE USED IN LIEU OF SILTATION FENCE, AT THE TOE OF SHALLOW SLOPES, ON FROZEN GROUND, LEDGE OUT CROPS, VERY ROOTED FORESTED AREA OR AT THE EDGE OF GRAVEL PARKING AREAS.
4. BERMS SHALL REMAIN IN PLACE UNTIL UPSTREAM AREA IS COMPLETED OR 70% CATCH OF VEGETATION IS ATTAINED. BERMS SHALL BE REMOVED BY SPREADING SUCH THAT THE NATIVE EARTH CAN BE SEEN BELOW.

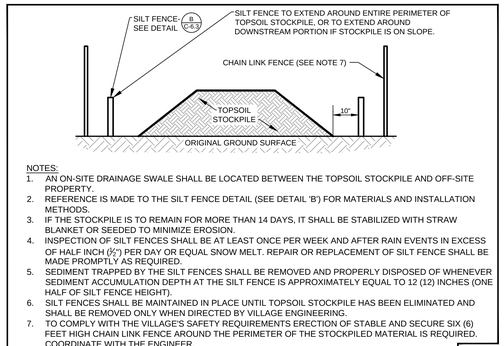
(K) WOOD WASTE COMPOST / BARK FILTER BERM
N.T.S.





CONSTRUCTION SPECIFICATIONS
1. BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4".
3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE WAS ANGLED TOWARD PREVIOUSLY LAID BALE TO FORCE BALES TOGETHER.
4. INSPECTION WILL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MAKE PROMPTLY AS NEEDED.
5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

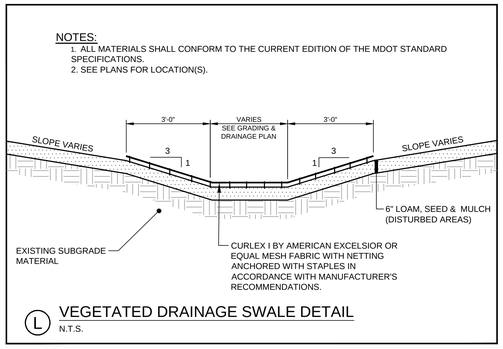
(D) STRAW OR HAY BALE BARRIER
N.T.S.



NOTES:
1. AN ON-SITE DRAINAGE SWALE SHALL BE LOCATED BETWEEN THE TOPSOIL STOCKPILE AND OFF-SITE PROPERTY.
2. REFERENCE IS MADE TO THE SILT FENCE DETAIL (SEE DETAIL 'B') FOR MATERIALS AND INSTALLATION METHODS.
3. IF THE STOCKPILE IS TO REMAIN FOR MORE THAN 14 DAYS, IT SHALL BE STABILIZED WITH STRAW BLANKET OR SEEDED TO MINIMIZE EROSION.
4. INSPECTION OF SILT FENCES SHALL BE AT LEAST ONCE PER WEEK AND AFTER RAIN EVENTS IN EXCESS OF HALF INCH (½") PER DAY OR EQUAL SNOW MELT. REPAIR OR REPLACEMENT OF SILT FENCE SHALL BE MADE PROMPTLY AS REQUIRED.
5. SEDIMENT TRAPPED BY THE SILT FENCES SHALL BE REMOVED AND PROPERLY DISPOSED OF WHENEVER SEDIMENT ACCUMULATION DEPTH AT THE SILT FENCE IS APPROXIMATELY EQUAL TO 12 (12) INCHES (ONE HALF OF SILT FENCE HEIGHT).
6. SILT FENCES SHALL BE MAINTAINED IN PLACE UNTIL TOPSOIL STOCKPILE HAS BEEN ELIMINATED AND SHALL BE REMOVED ONLY WHEN DIRECTED BY VILLAGE ENGINEERING.
7. TO COMPLY WITH THE VILLAGE'S SAFETY REQUIREMENTS ERECTION OF STABLE AND SECURE SIX (6) FEET HIGH CHAIN LINK FENCE AROUND THE PERIMETER OF THE STOCKPILED MATERIAL IS REQUIRED. COORDINATE WITH THE ENGINEER.

(H) TEMPORARY TOPSOIL STOCKPILE DETAIL
N.T.S.

NOTES:
1. ALL MATERIALS SHALL CONFORM TO THE CURRENT EDITION OF THE MDOT STANDARD SPECIFICATIONS.
2. SEE PLANS FOR LOCATION(S).



(L) VEGETATED DRAINAGE SWALE DETAIL
N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT: CANAL LANDING AMENDED SITE PLAN PHASE III

SHEET TITLE: EROSION AND SEDIMENT CONTROL DETAILS

CLIENT: CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 6, SOUTH PORTLAND, ME 04106

DRAWN:	LA	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091-DET-EROS		
SHEET	C-6.2		

A. INTRODUCTION

CANAL LANDING, LLC PROPOSES TO CONSTRUCT, OWN, AND OPERATE A NEW BOAT MAINTENANCE AND REPAIR YARD WITHIN APPROXIMATELY 19 ACRES OF LAND LOCATED PROMINENTLY ALONG THE WEST COMMERCIAL STREET WATERFRONT. THE PROJECT REPRESENTS AN IDEAL REUSE OF A FORMER HIGHLY INDUSTRIALIZED PROPERTY THAT OVER THE YEARS HAS FALLEN INTO NON-USE. THE PROPERTY MAINTAINED A PROMINENT ROLE IN THE CITY'S WATERFRONT DISTRICT FOR WELL OVER A CENTURY AND A HALF AS THE MAINE CENTRAL RAILROAD OPERATED ACTIVE BUSINESS INTERESTS UP UNTIL AT LEAST THE 1970'S. IN MORE RECENT TIMES, THE SITE HAS BEEN UNDEVELOPED EXCEPT FOR THE ONGOING RAIL ACTIVITIES.

THE PROPOSED PROJECT INCLUDES MULTIPLE BUILDINGS TO BE CONSTRUCTED OVER MULTIPLE PHASES ALONG WITH NEW SHOREFRONT USES INCLUDING ONE OR MORE BOAT RAMPS, DOCKS, NEW OR RECONSTRUCTED PIERS AND A TRAVEL LIFT BASIN. THE APPLICANT'S PLANS INCLUDE UP TO THREE BUILDINGS CONSTRUCTED TO SUPPORT THE BOAT MAINTENANCE AND REPAIR OPERATIONS. ADDITIONAL FUTURE BUILDINGS ARE ALSO CONTEMPLATED TO SUPPORT MARINE RELATED OPERATIONS INCLUDING RETAIL/WAREHOUSE SPACE, YACHT BROKERAGE/SALES, MARINE PRODUCT PROCESSING AND THE POTENTIAL OF LARGE VESSEL BERTHING. THE APPLICANT IS CURRENTLY SEEKING PHASE III APPROVAL FOR THE CONSTRUCTION OF ADDITIONAL BUILDINGS, RELATED YARD IMPROVEMENTS, BOAT RAMPS, AND SURFACE STABILIZATION.

THE PROJECT INCLUDES SITE DEVELOPMENT ACTIVITIES INVOLVING EARTHWORK, GRADING, SHOREFRONT STABILIZATION, PIER REHABILITATION, BOAT RAMPS, BUILDING CONSTRUCTION, UTILITIES AND OVERALL SITE STABILIZATION. THIS WORK WILL BE COMPLETED COOPERATIVELY WITH THE LANDOWNERS, AND IN ACCORDANCE WITH SITE REMEDIAL ACTIVITIES TO BE ACCOMPLISHED BY EXISTING LANDOWNERS UNDER THE STATE'S VOLUNTARY RESPONSE ACTION PROGRAM (VRAP).

THIS SECTION OF THE PERMIT APPLICATION PRESENTS THE EROSION SEDIMENT CONTROL PLAN DESIGNED FOR THE PROJECT. THE EROSION CONTROL PLANS WILL BE CONTAINED IN THE CONTRACT DOCUMENTS FOR IMPLEMENTATION BY THE CONTRACTOR WHO IS AWARDED THE BID FOR THE PROJECT. SIMILARLY, THE APPLICANT'S OWN WORK FORCE WILL ALSO COMPLY WITH THESE REQUIREMENTS. THE CONSTRUCTION OF THE PROJECT WILL BE PHASED. THIS PROJECT IS COORDINATED WITH THE MEDEP EROSION CONTROL REQUIREMENTS. THE CONTRACT DOCUMENTS WILL REQUIRE THAT TURBID DISCHARGES FROM THE SITE DO NOT OCCUR (MEASURED BY NTU WITH NON-TURBID RUNOFF DEFINED BY REPRESENTATIVE SAMPLES WITH TURBIDITY BELOW 280 NTU AT ANY DISCHARGE LOCATION), FUGITIVE DUST EMISSIONS WILL BE CONTROLLED. THE REQUIREMENTS OF THIS EROSION CONTROL PLAN, AND ALL PERMIT REQUIREMENTS WILL BE FULFILLED. WINTER CONSTRUCTION WILL BE REQUIRED. SPECIFIC EROSION CONTROLS STIPULATED BY THE PLAN AND THIS REPORT ARE MINIMUM REQUIREMENTS.

B. EXISTING CONDITIONS

THE SITE CONSISTS OF APPROXIMATELY ____ ACRES OF LAND THAT IS COMPOSED OF TWO PRIMARY AREAS DESCRIBED AS FOLLOWS:

OWEN HASKELL, INC. HAS COMPLETED A TOPOGRAPHIC SURVEY OF THE PROPERTY. THE SITE IS RELATIVELY FLAT WITH THE HIGHEST POINTS ALONG THE COMMERCIAL STREET FRONTAGE, SLOPING TO THE MIDDLE OF THE SITE. SITE ELEVATIONS ALONG COMMERCIAL STREET TREND DOWN FROM WEST TO EAST FROM ELEVATION 23' (NGVD 1929) TO ELEVATION 15'. THE SITE'S LOW AREAS ARE NEAR ELEVATION 9-12' WHILE MOST OF THE WATERFRONT TOP OF BANK IS NEAR ELEVATION 9'. THE HIGH ANNUAL TIDE LINE (HAT) FOR THE FORE RIVER IS ELEVATION 7.4' AND MEAN LOW WATER IS APPROXIMATELY ELEVATION -4.0'. OWEN HASKELL, INC. HAS ALSO COMPLETED BATHYMETRIC SURVEY DATA COLLECTION AND FOUND WATER DEPTHS WITHIN 50' OF THE LOW WATER LINE TO BE 10' TO 30'. THE FEDERAL CHANNEL IS ALSO REPRESENTED ON THE PROJECT'S PRELIMINARY DRAWINGS AND IT IS GENERALLY LOCATED 60' TO 120' OFF THE SHOREFRONT. NO ACTIVITIES ARE PROPOSED BEYOND THE FEDERAL CHANNEL LINE.

GENERALLY SPEAKING, THE SITE'S RUNOFF INFILTRATES INTO THE GROUND OR DRAINS DIRECTLY TO THE FORE RIVER VIA OVERLAND FLOW. THERE ARE NO DRAINAGE SYSTEMS ON SITE, ALTHOUGH THERE IS A CLOSED STORM DRAINAGE SYSTEM WITHIN COMMERCIAL STREET. THE COMMERCIAL STREET DRAINAGE SYSTEM ULTIMATELY TIES INTO THE SEVERAL INTERCEPTOR SEWER.

DUE TO THE SITE'S HISTORIC INDUSTRIAL CONDITION MUCH OF THE SURFACE CONSISTS OF SAND AND GRAVEL FILL, ASPHALT OR OTHERWISE SPARSELY VEGETATED GROUND SURFACE.

OBSERVED SOILS CONDITIONS AT THE GROUND SURFACE INCLUDE FILL MATERIAL CONTAINING COAL, COAL ASH, CLINKER, BRICK, DEGRADED ASPHALT, AND HARDENED TAR COMINGLED WITH SCARIFIED SAND AND GRAVEL. ERODED SOILS CONDITIONS HAVE BEEN OBSERVED ALONG THE SHORELINE IN AND BEHIND THE EXISTING GRANITE REVETMENT WALL AND REMNANT PIER AREAS. THE PROJECT'S SITE DEVELOPMENT ACTIVITIES INCLUDE RESTORATION, REHABILITATION, AND STABILIZATION OF THESE AREAS.

ACCORDING TO VARIOUS INVESTIGATION DATA, DEPTH TO GROUNDWATER VARIES FROM 3 TO 7 FEET AND THIS LIKELY VARIES WITH TIDAL CONDITIONS IN THE FORE RIVER. GENERALLY SPEAKING, THE GROUNDWATER FLOWS FROM THE NORTHWEST TO THE SOUTHEAST ACROSS THE SITE.

C. PROPOSED PROJECT

THE APPLICANT PROPOSES TO REDEVELOP THE PROPERTY IN A MANNER CONSISTENT WITH THE WPDZ STANDARDS AS WELL AS VRAP REQUIREMENTS. THE DEVELOPMENT PROGRAM INCLUDES THE FOLLOWING COMPONENTS:

ONSITE

IN ADDITION TO THE REMEDIAL ACTIVITIES, THE DEVELOPMENT PROGRAM INCLUDES PHASED DEVELOPMENT OF BOAT MAINTENANCE FACILITIES AND FUTURE ANCILLARY MARINE RELATED USES. PHASE 1 AND FUTURE MASTER PLAN DEVELOPMENT ACTIVITIES ARE SUMMARIZED AS FOLLOWS:

PHASE 1 - WILL INCLUDE:

- SITE CLEARING, STABILIZATION AND GENERAL CLEAN UP.
- CONSTRUCTION OF A 19,200 SF BUILDING FOR STORAGE AND BOAT MAINTENANCE OPERATIONS.
- CONSTRUCTION OF TWO CONCRETE BOAT RAMPS ALONG SHOREFRONT. ONE AT THE EAST END OF THE SITE AND THE SECOND TOWARDS THE WEST.
- ESTABLISHMENT OF YARD AREAS AND SURFACES FOR HEAVY EQUIPMENT INCLUDING TRAVEL LIFT, TRUCKS, AND BOAT REPAIR. (REPAIR AND MAINTENANCE OFTEN TAKES PLACE OUTSIDE, PARTICULARLY IF THE VESSEL IS LARGE AND DOES NOT FIT INTO A BUILDING.) BOATS THAT ARE OUT OF THE WATER FOR THE WINTER SEASON ALL NEED TO HAVE WORK DONE ON THEM TO PREPARE THEM FOR RE-LAUNCHING.)
- INSTALLATION OF UTILITIES FOR INITIAL BUILDING USE AS WELL AS FUTURE PHASE ACTIVITIES.
- SHORE FRONT IMPROVEMENTS INCLUDING REVETMENT REPAIRS AND GROUND SURFACE STABILIZATION WITH RIPRAP AND STABILIZED FILL.
- REHABILITATION OF FORMER PIER PILINGS FOR USE AS PART OF A NEW DOCK SYSTEM ALONG THE WATERFRONT. CUSTOM FLOATING DOCKS ARE PROPOSED TO TIE INTO THE EXISTING SYSTEM OF PILINGS AND DOLPHINS LOCATED ALONG THE WATERFRONT.
- A 20' X 36' WOOD FRAMED SINGLE STORY STRUCTURE IS PROPOSED AS AN OFFICE SPACE FOR A YACHT BROKERAGE OPERATION. THE BUILDING AND DISPLAY OF VESSELS ARE PROPOSED ALONG THE COMMERCIAL STREET FRONTAGE.
- THE LOCATION OF A 1,500 TON DRY DOCK.
- A TRAVEL LIFT BASIN TO BE CONSTRUCTED OF SHEET PILING WITHIN THE WESTERLY SHORELINE. THE TRAVEL LIFT BASIN WILL ALLOW LARGER VESSELS TO BE REMOVED FROM THE WATER FOR REPAIRS AND MAINTENANCE.
- REMEDIAL ACTIVITIES PERFORMED BY CONTRACTORS UNDER THE DIRECTION OF NORTHERN UTILITIES/UNITIL.

OFFSITE

SITE ACCESS IS PROPOSED VIA COMMERCIAL STREET AS WELL AS FROM THE FORE RIVER. A PRIMARY SITE ENTRANCE IS PROPOSED AT THE SITE'S FAR EASTERLY FRONTAGE. THIS ENTRANCE WILL BE SHARED WITH THE MDOT FOR THEIR OCCASIONAL ACCESS TO A MAINTENANCE BUILDING. THIS PRIMARY ACCESS IS PROPOSED DURING PHASE 1 DEVELOPMENT.

D. OVERVIEW OF SOIL EROSION AND SEDIMENTATION CONCERNS

THE PRIMARY EMPHASIS OF THE EROSION AND SEDIMENTATION CONTROL PLAN TO BE IMPLEMENTED FOR THIS PROJECT IS AS FOLLOWS:

- **TEMPORARY MEASURES:** PLANNING THE PROJECT TO HAVE EROSION RESISTANT MEASURES IN PLACE BY IMPLEMENTING MEASURES INTENDED TO PREVENT EROSION FROM OCCURRING.
- **PHASING SEQUENCING:** THE PLAN INCLUDES MEASURES TO INTERCEPT AND CONVEY RUNOFF TO TEMPORARY SEDIMENT SUMPS AS THE CONSTRUCTION OF THE PROJECT OCCURS. THE USE OF SMALL TEMPORARY COLLECTION SUMPS WITH A CLEAN SAND FILTER ABOVE AN UNDERDRAINED DISCHARGE IS RECOMMENDED TO SUPPLEMENT THE PRINCIPAL SUMPS TO HELP REDUCE TURBIDITY.
- **USE OF TYPE 1 SETTLING:** INSTALLING SEDIMENT SUMPS AND SWALES EARLY IN THE CONSTRUCTION SEQUENCE TO PROVIDE SECONDARY RELIEF FOR EROSION CONTROL MEASURES WITHIN THE SITE UNTIL LATE IN THE PROJECT WHEN THE SEDIMENTATION AREAS NEED TO BE REMOVED FOR FINAL RESTORATION.
- **REVEGETATION:** STABILIZATION OF AREAS DENUDED TO UNDERLYING PARENT MATERIAL MUST OCCUR WITHIN STIPULATED TIME FRAME TO MINIMIZE THE PERIOD OF SOIL EXPOSURE AND STABILIZATION OF DRAINAGE PATHS TO AVOID RILL AND GULLY EROSION.
- **INTERIM ENTRAPMENT:** THE USE OF ON-SITE MEASURES TO CAPTURE SEDIMENT (HAY BALES/SILT FENCE, ETC.) BEFORE IT IS CONVEYED TO SEDIMENT SUMPS.
- **LONG TERM SITE PROTECTION:** THE IMPLEMENTATION OF LONG-TERM MEASURES FOR EROSION/SEDIMENT AND POLLUTANT TREATMENT THROUGH THE CONSTRUCTION OF PERMANENT WATER QUALITY MEASURES.
- **SPECIAL WINTER CONSTRUCTION MEASURES:** THESE WILL BE REQUIRED FOR WORK BETWEEN SEPTEMBER 15 AND APRIL 15.

E. DESCRIPTION AND LOCATION OF LIMITS OF ALL PROPOSED EARTH MOVEMENTS

THE CONSTRUCTION OF THE PROJECT WILL DISTURB ABOUT ___ ACRES OF LAND. THE LIMIT OF DISTURBANCE IS GENERALLY COINCIDENT WITH THE LIMIT OF GRADING.

THE EARTH MOVING WILL INCLUDE TRENCHING FOR UNDERGROUND UTILITIES, EARTHWORK TO RESHAPE THE SITE AND CONSTRUCT TRENCHES ALONG THE EASTERLY EDGE, EARTHWORK TO PREPARE AND SHAPE THE PREPARED BOATYARD SURFACE, AND EXCAVATION ATTENDANT WITH THE BUILDINGS AND EXCAVATION AND BORROW FOR THE PROJECT IMPROVEMENTS. ACTIVITIES RELATED TO PILE REMOVAL/REPLACEMENT WILL OCCUR BELOW THE MEAN LOW WATER MARK AND THESE ACTIVITIES MAY RESULT IN A TEMPORARY REDUCTION IN WATER QUALITY DUE TO SUSPENDED SOLIDS/SEDIMENTS AND ARE CONSIDERED AN UNAVOIDABLE IMPACT.

F. CRITICAL AREAS

CRITICAL RESOURCE AREAS INCLUDE THE FORE RIVER AND ASSOCIATED SHORELINE STABILIZATION. NO SPECIAL SPECIES HABITATS HAVE BEEN IDENTIFIED. IT IS NOTED THAT STORMWATER SYSTEM CONSISTING OF A INFILTRATION THROUGH THE PROPOSED PREPARED BOATYARD STONE SURFACE SHALL NOT BE ACTIVATED UNTIL THE TRIBUTARY AREAS HAVE BEEN STABILIZED.

G. EROSION/SEDIMENTATION CONTROL DEVICES

AS PART OF THE SITE DEVELOPMENT, THE CONTRACTOR WILL BE OBLIGATED TO IMPLEMENT THE FOLLOWING EROSION AND SEDIMENT CONTROL DEVICES. THESE DEVICES SHALL BE INSTALLED AS INDICATED ON THE PLANS OR AS DESCRIBED WITHIN THIS REPORT. FOR FURTHER REFERENCE ON THESE DEVICES, SEE THE *MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION EROSION AND SEDIMENT CONTROL BMPS MANUAL (MARCH, 2003)*.

1. SILTATION BARRIER SHALL BE INSTALLED DOWN SLOPE OF ANY DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL THE SITE IS REVEGETATED. THE SILT BARRIER SHALL BE INSTALLED PER THE DETAIL PROVIDED IN THE PLAN SET AND INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. THE CONTRACTOR SHALL MAKE REPAIRS IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE BARRIER LINE. IF SUCH EROSION IS OBSERVED, THE CONTRACTOR SHALL TAKE PROACTIVE ACTION TO IDENTIFY THE CAUSE OF THE EROSION AND TAKE ACTION TO AVOID ITS REOCCURRENCE. TYPICALLY, THIS REQUIRES THAT STABILIZATION MEASURES BE UNDERTAKEN. PROPER PLACEMENT OF STAKES AND KEYING THE BOTTOM OF THE SILT BARRIER FABRIC INTO THE GROUND IS CRITICAL TO THE BARRIER'S EFFECTIVENESS. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE BARRIER, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM AND MEASURES TAKEN TO AVOID THE CONCENTRATION OF FLOWS NOT DIRECTED TO THE SILT BARRIER.
2. SILT BARRIER IS SHOWN BY THREE TYPES, DEPENDING UPON THE TIMING AND INTENT, AS FOLLOWS:

SCHEDULE OF SILT BARRIER REQUIREMENTS

Silt Barrier	Type/Purpose	Time of Installation
Condition 1	To trap sediment along the grading edge where the new contours nearly parallel existing contours.	At initial site preparation, prior to other work.
Condition 2	To trap sediment from the work area; install in short sections parallel to existing contour; typically occurs where proposed and existing contours form a "V" shape.	At initial site preparation, prior to other work. On occasion, this needs to be deferred until the area for the silt barrier installation can be reached.
Condition 3	To trap sediment along the base of proposed contours, typically in cut areas.	During construction after new grade is shaped. Time between work in area and shaping new grade to allow silt barrier to be installed shall be minimized.

SCHEDULE OF SILT BARRIER REQUIREMENTSSILT BARRIERTYPE/PURPOSETIME OF INSTALLATIONCONDITION 1TO TRAP SEDIMENT ALONG THE GRADING EDGE WHERE THE NEW CONTOURS NEARLY PARALLEL EXISTING CONTOURS.

AT INITIAL SITE PREPARATION, PRIOR TO OTHER WORK.CONDITION 2TO TRAP SEDIMENT FROM THE WORK AREA; INSTALL IN SHORT SECTIONS PARALLEL TO EXISTING CONTOUR; TYPICALLY OCCURS WHERE PROPOSED AND EXISTING CONTOURS FORM A "V" SHAPE.AT INITIAL SITE PREPARATION, PRIOR TO OTHER WORK. ON OCCASION, THIS NEEDS TO BE DEFERRED UNTIL THE AREA FOR THE SILT BARRIER INSTALLATION CAN BE REACHED.CONDITION 3TO TRAP SEDIMENT ALONG THE BASE OF PROPOSED CONTOURS, TYPICALLY IN CUT AREAS.DURING CONSTRUCTION AFTER NEW GRADE IS SHAPED. TIME BETWEEN WORK IN AREA AND SHAPING NEW GRADE TO ALLOW SILT BARRIER TO BE INSTALLED SHALL BE MINIMIZED.

CONDITIONS 2 AND 3 SILT BARRIER MAY BE USED BETWEEN PROJECT PHASES. IN THE EVENT OF FROZEN GROUND WHERE SILT BARRIER CANNOT BE INSTALLED, A WOOD WASTE BERM MAY BE USED AS A SUBSTITUTE.

3. STRAW OR HAY MULCH INCLUDING HYDROSEEDING IS INTENDED TO PROVIDE COVER FOR DENUDED OR SEEDED AREAS UNTIL REVEGETATION IS ESTABLISHED. MULCHING SHOULD BE OCCURRING SEVERAL TIMES PER WEEK WHEN THE SITE CONSTRUCTION ACTIVITY IS HIGH AND AT SUFFICIENT INTERVALS TO REDUCE THE PERIOD OF EXPOSURE OF BARE SOILS TO THE TIME LIMITS SET FORTH IN THIS PLAN. MULCH PLACED ON SLOPES OF LESS THAN 10 PERCENT SHALL BE ANCHORED BY APPLYING WATER; MULCH PLACED ON SLOPES STEEPER THAN 10 PERCENT SHALL BE COVERED WITH FABRIC NETTING AS IMMEDIATELY AFTER MULCHING AS PRACTICABLE AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. PROPOSED DRAINAGE CHANNELS, WHICH ARE TO BE REVEGETATED, SHALL RECEIVE CURLEX BLANKETS BY AMERICAN GREEN SELECTED FOR THE SLOPE, VELOCITY, AND WHETHER THE MEASURE IS TEMPORARY OR INTENDED TO BE IN PLACE FOR A SUSTAINED PERIOD. MULCH APPLICATION RATES ARE PROVIDED IN APPENDIX A OF THIS SECTION. HAY MULCH SHALL BE AVAILABLE ON SITE AT ALL TIMES IN ORDER TO PROVIDE IMMEDIATE TEMPORARY STABILIZATION WHEN NECESSARY. WHERE NECESSARY, A WINDROW OF CRUSHED STONE AND/OR GRAVEL SHALL BE PLACED AT THE TOP OF THE SLOPE AND DIRECTED TO A TEMPORARY STONE CHANNEL OR PIPE SLUICE TO CONVEY RUNOFF DOWN SLOPES. A DISSIPATION DEVICE SUCH AS STONE OR A PLUNGE POOL SHOULD BE INSTALLED AT THE BASE OF THE SLOPE AND SLUICE OUTLET TO DISSIPATE THE ENERGY OF THE WATER FROM THE SLUICE OR CHANNEL.
4. TEMPORARY SEDIMENT SUMPS WILL PROVIDE SEDIMENTATION CONTROL FOR STORMWATER RUNOFF FROM DISTURBED AREAS DURING CONSTRUCTION UNTIL STABILIZATION HAS BEEN ACHIEVED. THE SEDIMENT SUMPS NEED TO INCLUDE A SAND FILTER ABOVE AN UNDERDRAIN OR A CHEMICAL COAGULANT TO REMOVE FINE-GRAINED SEDIMENT. APPROPRIATE MEASURES TO REDUCE SEDIMENT SUSPENDED IN DISCHARGES TO LESS THAN 280 NTU'S WILL BE REQUIRED.
5. RIPRAP SLOPES, DITCH LININGS, STONE CHECK DAMS, HAY BALE BARRIERS, AND CULVERT OUTLET APRONS ARE INTENDED TO STABILIZE AND PROTECT DENUDED SOIL SURFACES OR DISSIPATE THE ENERGY AND EROSIVE FORCES FROM CONCENTRATED FLOWS. INSTALLATION DETAILS AND STONE SIZES ARE PROVIDED IN THE CONSTRUCTION PLAN SET ON THE EROSION CONTROL DETAIL SHEETS.
6. A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED AT ALL ACCESS POINTS ONTO THE SITE TO PREVENT TRACKING OF SOIL ONTO ADJACENT LOCAL ROADS AND STREETS. ROUTINE PAVEMENT SWEEPING WILL BE NECESSARY DURING CONSTRUCTION AND AS PART OF REGULAR OPERATIONS.
7. STONE SEDIMENT TRAPS OR A PREMANUFACTURED SILTSACK™ AND A SEDIMENT BAG WILL BE INSTALLED AT CATCH BASIN INLETS TO PREVENT SILT FROM ENTERING THE STORM DRAIN SYSTEM. INSTALLATION DETAILS ARE PROVIDED IN THE PLAN SET ON THE EROSION CONTROL DETAIL SHEETS.
8. DIRTBAGS™ WILL BE REQUIRED TO BE ON SITE AND AVAILABLE FOR CONSTRUCTION DEWATERING. THE CONTRACTOR WILL BE REQUIRED TO PROVIDE FOUR DIRTBAGS™ WITH ONE PREPARED FOR OPERATION PRIOR TO COMMENCING ANY TRENCHING OPERATIONS. DIRTBAGS™ WILL NEED TO BE INSTALLED ABOVE FILTER SAND AND CRUSHED STONE IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLAN SET WILL NEED TO BE INSTALLED.
9. LOAM AND SEED IS INTENDED TO SERVE AS THE PRIMARY PERMANENT REVEGETATIVE MEASURE FOR ALL DENUDED AREAS NOT PROVIDED WITH OTHER EROSION CONTROL MEASURES, SUCH AS RIPRAP OR MANMADE PERVIOUS SURFACE. APPLICATION RATES ARE PROVIDED IN APPENDIX A OF THIS SECTION FOR TEMPORARY AND PERMANENT SEEDING. IT IS ANTICIPATED THERE WILL BE A LIMITED AREA OF GRASS ESTABLISHMENT BEYOND WHAT CURRENTLY EXISTS BASED ON THE PROJECT'S NEEDS FOR BOAT STORAGE.
10. STONE CHECK DAMS WILL BE INSTALLED IN AREAS NOTED ON THE PLAN OR AS WARRANTED, BASED UPON OBSERVATIONS DURING CONSTRUCTION OF THE SITE.
11. SILT LOGS ARE AN OPTION FOR STONE CHECK DAMS AND MAY BE SUBSTITUTED PROVIDED THE DEVICES ARE WELL ANCHORED.
12. SORBENT BOOMS ARE INTENDED TO CAPTURE OILS AND THE ASPHALT SHEEN FROM PAVED SURFACES AND SHALL BE INSTALLED IN ALL CATCH BASINS ADJACENT TO PAVED DRIVES PRIOR TO PAVEMENT BEING INSTALLED.
13. DIRTGLUE™ IS AN ACCEPTABLE MEANS OF TEMPORARY STABILIZATION AND IS INTENDED TO FORM A "CRUST" ON THE SURFACE THAT IS RESISTANT TO EROSION. HOWEVER, APPLICATIONS WHERE DIRTGLUE™ IS USED MUST BE PROTECTED FROM TRAFFIC THAT WOULD CRACK THE "CRUST" AND THE DIRTGLUE™ HAS TEMPERATURE LIMITATIONS THAT RESTRICT THE PERIODS OF USE. USE OF THIS MATERIAL SHALL CONFORM TO THE REQUIREMENTS OF APPENDIX D.

H. TEMPORARY EROSION/SEDIMENTATION CONTROL MEASURES

THE FOLLOWING ARE PLANNED AS TEMPORARY EROSION/SEDIMENTATION CONTROL MEASURES DURING CONSTRUCTION:

1. CRUSHED STONE-STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT ANY CONSTRUCTION ACCESS POINTS FROM ADJACENT STREETS OR THE EXISTING PARKING LOT. THE LOCATIONS OF THE CONSTRUCTION ENTRANCES SHOWN ON THE DRAWINGS SHOULD BE CONSIDERED ILLUSTRATIVE AND WILL NEED TO BE ADJUSTED AS APPROPRIATE AND LOCATED AT ANY AREA WHERE THERE IS THE POTENTIAL FOR TRACKING OF MUD AND DEBRIS ONTO EXISTING ROADS OR STREETS. STONE STABILIZED CONSTRUCTION ENTRANCES WILL REQUIRE THE STONE TO BE REMOVED AND REPLACED, AS IT BECOMES COVERED OR FILLED WITH MUD AND MATERIAL TRACKED BY VEHICLES EXITING THE SITE.
2. CONDITION 1 AND 2 SILT BARRIER SHALL BE INSTALLED ALONG THE DOWNGRADIENT SIDE OF THE PROPOSED IMPROVEMENT AREAS. THE SILT BARRIER WILL REMAIN IN PLACE AND PROPERLY MAINTAINED UNTIL THE SITE IS ACCEPTABLY RE-VEGETATED. CONDITION 3 SILT BARRIER IS TO BE USED ALONG THE CONTOUR OF SIGNIFICANT FILL SLOPES AS ILLUSTRATED ON THE EROSION CONTROL PLAN SITE DRAWINGS. SILT BARRIER NEEDS TO BE CHECKED TO INSURE THE BOTTOM IS PROPERLY KEYED IN AND INSPECTED AFTER SIGNIFICANT RAINS. WOOD CHIPS OR EROSION CONTROL MIX IS OFTEN USED ON THE CONSTRUCTION SIDE OF THE SILT BARRIER TO PROVIDE AN EXTRA MARGIN OF SAFETY AND SECURITY FOR THE SILT BARRIER. THIS PRACTICE IS ENCOURAGED, PROVIDED THE CHIPS ARE REMOVED WHEN THE BARRIER IS REMOVED.
3. DIRTBAGS™ SHALL BE USED IN ACCORDANCE WITH THE DETAILS IN THE PLAN SET. THE PURPOSE OF THE DIRTBAGS™ IS TO RECEIVE ANY WATER PUMPED FROM EXCAVATIONS DURING CONSTRUCTION. A DIRTBAG™ SHALL BE INSTALLED AND PREPARED FOR OPERATION PRIOR TO ANY TRENCHING ON SITE. WHEN DIRTBAGS™ ARE OBSERVED TO BE AT 50% CAPACITY, THEY SHALL BE CLEANED OR REPLACED. STONE AND FILTER SAND UNDER THE DIRTBAG™ SHALL BE REMOVED AND REPLACED CONCURRENTLY WITH THE REPLACEMENT OF THE DIRTBAG™.
4. TEMPORARY STOCKPILES OF COMMON EXCAVATION WILL BE PROTECTED AS FOLLOWS:
   a) TEMPORARY STOCKPILES SHALL NOT BE LOCATED AT LEAST 50 FEET UPGRADIENT OF THE PERIMETER SILT BARRIER.
   b) INACTIVE STOCKPILES SHALL BE STABILIZED WITHIN 5 DAYS BY EITHER TEMPORARILY SEEDING THE STOCKPILE WITH A HYDROSEED METHOD CONTAINING AN EMULSIFIED MULCH TACKIFIER OR BY COVERING THE STOCKPILE WITH MULCH. IF NECESSARY, MESH SHALL BE INSTALLED TO PREVENT WIND FROM REMOVING THE MULCH.
5. ALL DENUDED AREAS EXCEPT GRAVEL AREAS SHALL RECEIVE MULCH, EROSION CONTROL MESH FABRIC, OR OTHER APPROVED TEMPORARY EROSION SEDIMENT MEASURE WITHIN 7 DAYS OF INITIAL DISTURBANCE OF SOIL OR BEFORE A PREDICTED RAIN EVENT OF >1/2" UNLESS PERMANENT MEASURES ARE INSTALLED.
6. ALL SOILS DISTURBED BETWEEN SEPTEMBER 15 AND APRIL 15 WILL BE COVERED WITH MULCH WITHIN 5 DAYS OF DISTURBANCE, PRIOR TO ANY PREDICTED STORM EVENT OF THE EQUIVALENT OF ½" OF RAINFALL IN A 24-HOUR PERIOD, OR PRIOR TO ANY WORK SHUTDOWN LASTING MORE THAN 35 HOURS (INCLUDING WEEKENDS AND HOLIDAYS). THE MULCH RATE SHALL BE DOUBLE THE NORMAL RATE.

   FOR WORK THAT IS CONDUCTED BETWEEN SEPTEMBER 15 AND APRIL 15 OF ANY CALENDAR YEAR, ALL DENUDED AREAS WILL BE COVERED WITH HAY MULCH, APPLIED AT TWICE THE NORMAL APPLICATION RATE, AND (IN AREAS OVER 10% GRADE) ANCHORED WITH A FABRIC NETTING. THE TIME PERIOD FOR APPLYING MULCH SHALL BE LIMITED TO 5 DAYS FOR ALL AREAS, OR IMMEDIATELY IN ADVANCE OF A PREDICTED RAINFALL EVENT.
7. STONE CHECK DAMS, SILT LOGS, OR HAY BALE BARRIERS WILL BE INSTALLED AT ANY EVIDENT CONCENTRATED FLOW DISCHARGE POINTS DURING CONSTRUCTION AND EARTHWORK OPERATIONS.
8. SILT FENCING WITH A MAXIMUM STAKE SPACING OF 6 FEET SHOULD BE USED, UNLESS THE FENCE IS SUPPORTED BY WIRE FENCE REINFORCEMENT OF MINIMUM 14 GAUGE AND WITH A MAXIMUM MESH SPACING OF 6 INCHES, IN WHICH CASE STAKES MAY BE SPACED A MAXIMUM OF 10 FEET APART. THE BOTTOM OF THE FENCE SHOULD BE PROPERLY ANCHORED A MINIMUM OF 6" PER THE PLAN DETAIL AND BACKFILLED. ANY SILT FENCE IDENTIFIED BY THE OWNER OR REVIEWING AGENCIES AS NOT BEING PROPERLY INSTALLED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPAIRED IN ACCORDANCE WITH THE INSTALLATION DETAILS.
9. STORM DRAIN CATCH BASIN INLET PROTECTION SHALL BE PROVIDED THROUGH THE USE OF STONE SEDIMENT BARRIERS OR A PREMANUFACTURED SILTSACK™. STONE SEDIMENT BARRIER INSTALLATION DETAILS ARE PROVIDED IN THE PLAN SET. THE BARRIERS OR SILTSACKS™ SHALL BE INSPECTED AFTER EACH RAINFALL AND REPAIRS MADE AS NECESSARY, INCLUDING THE REMOVAL OF SEDIMENT. SEDIMENT SHALL BE REMOVED AND THE BARRIER OR SILTSACK™ RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO ONE-HALF THE DESIGN DEPTH OF THE BARRIER. SEDIMENT SHALL BE REMOVED FROM SILTSACKS™ AS NECESSARY. INLET PROTECTION SHALL BE REMOVED WHEN THE TRIBUTARY DRAINAGE AREA HAS BEEN STABILIZED.
10. ALL SLOPES STEEPER THAN 4:1 SHALL RECEIVE EROSION CONTROL MESH.
11. SLOPES STEEPER THAN 3:1 SHALL RECEIVE REINFORCED TURF.
12. CONDITION 3 SILT BARRIERS SHALL BE INSTALLED AS CONSTRUCTION PROGRESSES.
13. AREAS OF VISIBLE EROSION AND THE TEMPORARY SEDIMENT SUMPS SHALL BE STABILIZED WITH CRUSHED STONE. THE SIZE OF THE STONE SHALL BE DETERMINED BY THE CONTRACTOR'S DESIGNATED REPRESENTATIVE IN CONSULTATION WITH THE OWNER.
14. ALL CATCH BASINS, WHICH RECEIVE RUNOFF FROM CURRENT OR PAVED AREAS BEING CONSTRUCTED AS PART OF THIS PROJECT, SHALL HAVE A SORBENT BOOM INSTALLED PRIOR TO PLACING THE BASIN IN OPERATION INSTALLING BINDER PAVEMENT, OR OVERLAYS. THESE SORBENT BOOMS SHALL BE CHECKED WEEKLY FOR THE THREE WEEKS FOLLOWING PAVING AND REPLACED AS NECESSARY WITH THE BOOMS DISPOSED OF IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS.
15. ANY FLOW FROM THE SITE THAT IS CONCENTRATED MUST BE DIRECTED TO A SUMP WITH SAND FILTER AND UNDERDRAINED DISCHARGE.
16. CONCENTRATED RUNOFF SHALL BE DIVERTED AWAY FROM SLOPES OF OVER 10 PERCENT UNLESS THE SLOPE IS ARMORED WITH STONE.
17. UNDERGROUND UTILITIES MUST BE INSTALLED IN COMPLIANCE WITH THE FOLLOWING STANDARDS AND OTHER REQUIREMENTS OF THIS EROSION CONTROL PLAN:

- NO MORE THAN 500 LINEAR FEET OF TRENCH MAY BE OPENED AT ONE TIME;
- EXCAVATED MATERIALS SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES;
- DEWATERING OF THE TRENCH SHALL BE PUMPED THROUGH A DIRTBAG™ AND APPROPRIATE SEDIMENT CONTROL FACILITIES TO AVOID A TURBID DISCHARGE; AND
- STABILIZATION SHALL OCCUR AS SOON AS PRACTICABLE.

18. RICE STRAW WATTLES SHALL BE USED TO CONTROL LOCALIZED EROSION.
19. MAINTENANCE OF THE EROSION CONTROL, SEDIMENTATION FACILITIES, AND CONTROL OF FUGITIVE DUST MUST OCCUR UNTIL THE SITE IS STABILIZED WITH PERMANENT EROSION CONTROL MEASURES.

I. STANDARDS FOR STABILIZING SITES FOR THE WINTER

THE CONSTRUCTION OF THE PROJECT MAY REQUIRE WINTER CONSTRUCTION. THE PROJECT IS ANTICIPATED TO REQUIRE ABOUT 6 MONTHS TO CONSTRUCT. FOR PERMITTED WINTER CONSTR

N. **CONTRACTING PROCEDURE**

THE ONSITE COMPONENTS OF THE PROJECT WILL BE CONSTRUCTED BY A GENERAL CONTRACTOR UNDER CONTRACT TO THE APPLICANT. THE CONTRACTOR SHALL SUBMIT A SCHEDULE FOR THE COMPLETION OF THE WORK, WHICH WILL SATISFY THE FOLLOWING CRITERIA:

1. THE CONSTRUCTION SEQUENCE OF SECTION M SHOULD GENERALLY BE COMPLETED IN THE SPECIFIED ORDER; HOWEVER, SEVERAL SEPARATE ITEMS MAY BE CONSTRUCTED SIMULTANEOUSLY. WORK MUST ALSO BE SCHEDULED OR PHASED TO PREVENT THE DURATION OF AREAS EXPOSED OR SUSCEPTIBLE TO EROSION AS SPECIFIED BELOW. THE INTENT OF THIS SEQUENCE IS TO PROVIDE FOR EROSION CONTROL AND TO HAVE STRUCTURAL MEASURES SUCH AS SILT BARRIERS AND CONSTRUCTION ENTRANCES IN PLACE BEFORE LARGE AREAS OF LAND ARE DENUDED.

2. THE WORK SHALL BE CONDUCTED IN SECTIONS WHICH WILL:
   a) LIMIT THE AMOUNT OF EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE PRECEDING 30 DAYS.
   b) REVEGETATE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING AND TEMPORARILY STABILIZED WITHIN 7 DAYS OF INITIAL DISTURBANCE OR BEFORE A PREDICTED STORM EVENT OF OVER ½" OF RAIN.
   c) INCORPORATE PLANNED INLETS AND DRAINAGE SYSTEM AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE. THE DITCHES SHALL BE IMMEDIATELY LINED OR REVEGETATED AS SOON AS THEIR INSTALLATION IS COMPLETE.

3. ONCE FINAL GRADE HAS BEEN ESTABLISHED, THE CONTRACTOR MAY CHOOSE TO DORMANT SEED THE DISTURBED AREAS PRIOR TO PLACEMENT OF MULCH AND PLACEMENT OF FABRIC NETTING ANCHORED WITH STAPLES.
   a) IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 6" OF LOAM AND SEED AT AN APPLICATION RATE OF 5#/1,000 S.F.
      ALL AREAS SEEDED DURING THE WINTER MONTHS WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 75 PERCENT CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED, AND MULCH.
   b) IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED IN THE SPRING.

4. THE AREA OF DENUDED, NON-STABILIZED CONSTRUCTION SHALL BE LIMITED TO THE MINIMUM AREA PRACTICABLE. AN AREA SHALL BE CONSIDERED TO BE DENUDED UNTIL THE SUBBASE GRAVEL IS INSTALLED IN PARKING AREAS, OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED, AND MULCHED. THE MULCH RATE SHALL BE TWICE THE RATE SPECIFIED IN THE SEEDING PLAN. [FOR EXAMPLE, 115#/1,000 S.F. X 2 = 230#/S.F.]

5. WITHIN THE EXPOSED WORK AREA, TEMPORARY SEDIMENTATION SUMPS SHALL BE PROVIDED IN ANY CONCENTRATED FLOW AREA WITH A SAND FILTER OR CHEMICAL COAGULATION. ADDITIONAL INFORMATION IS PROVIDED IN PRIOR SECTIONS OF THIS NARRATIVE AND ON THE EROSION CONTROL DETAILS OF THE PLAN SET. ALONG THE SEDIMENTATION SUMPS, BARRIERS SHALL BE PROVIDED AT SUFFICIENT INTERVALS TO PERMIT RUNOFF TO BE ACCUMULATED TO A MINIMUM DEPTH OF 12" BEFORE OVERFLOWING.

6. THE SCHEDULE SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER.

7. THE CONTRACTOR MUST MAINTAIN AN ACCURATE SET OF RECORD DRAWINGS INDICATING THE DATE WHEN AN AREA IS FIRST DENUDED, THE DATE OF TEMPORARY STABILIZATION, AND THE DATE OF FINAL STABILIZATION.

8. THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION AND FUGITIVE DUST EMISSIONS FROM THE SITE, WITH ADJUSTMENTS MADE DEPENDENT UPON FORECASTED AND ACTUAL SITE AND WEATHER CONDITIONS.

9. THE CONTRACTOR SHALL NOTE THAT NO AREA WITHIN 50 FEET OF A SLOPE WITH A VERTICAL DROP OF MORE THAN 3' IN 50 FEET SHALL REMAIN DENUDED FOR A PERIOD OF OVER 5 DAYS BEFORE IT IS TEMPORARILY STABILIZED. TEMPORARY STABILIZATION SHALL BE THE INSTALLATION OF MULCHING. ALL OTHER AREAS SHALL BE STABILIZED WITHIN 7 DAYS OR BEFORE A PREDICTED RAIN EVENT. FOR CONSTRUCTION BETWEEN SEPTEMBER 15 AND APRIL 15 OF ANY CALENDAR YEAR, ALL AREAS SHALL BE TEMPORARILY STABILIZED AT THE EARLIER TIME FRAMES SPECIFIED ABOVE.

10. THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) IS DEFINED TO CONSIST OF THE EROSION CONTROL REPORT, THE STORMWATER MANAGEMENT PLAN, AND THE STORMWATER O&M PLAN. THE SWPPP SHALL BE MAINTAINED AT A SECURE LOCKED LOCATION AT THE CONTRACTOR'S FIELD TRAILER FROM COMMENCEMENT OF THE PROJECT. THESE DOCUMENTS SHALL BE MOVED TO A DESIGNATED LOCKED LOCATION INSIDE THE BUILDING(S) AT THE PERIOD WHEN THE CONTRACTOR'S TRAILERS ARE REMOVED AND MAINTAINED UNTIL THE NOTICE OF TERMINATION HAS BEEN FILED BY THE OWNER.

    A NOTICE AND POINT OF CONTACT WITH CELL PHONE NUMBER SHALL BE POSTED AT THE TRAILER TO PERMIT ACCESS TO THE RECORDS DURING NORMAL WORK HOURS AND IN CASE OF EMERGENCY AT OTHER TIMES. ALL ADDITIONS AND CONSTRUCTION RECORDS SHALL BE COPIED VIA E-MAIL TO THE FOLLOWING ADDRESSES:

    SBUSHEY@FSTINC.COM
    PHIN@PORTLANDYACHT.COM

    THE OWNER RESERVES THE RIGHT TO ADD ADDITIONAL PERSONNEL TO THIS LIST AT THE PRE-CONSTRUCTION CONFERENCE OR AT REASONABLE INTERVALS DURING THE PROJECT.

11. THE OWNER WILL PROVIDE A COPY OF THE NOI ACCEPTANCE LETTER TO THE CONTRACTOR. THIS LETTER SHALL BE MAINTAINED AT THE SITE WITH THE SWPPP.

12. ANY REVISIONS TO THE SWPPP MUST BE AUTHORIZED IN WRITING BY THE PREPARER OF THE PLAN (DELUCA-HOFFMAN ASSOCIATES, INC.) THE PREPARER OF THE PLAN SHALL BE PERMITTED REASONABLE TIME TO REVIEW AND NOTIFY THE CITY AND OTHER AGENCIES OF SAID CHANGES. REVISIONS TO THE SWPPP WILL BE REQUIRED:
    a. WHENEVER THE CURRENT PROVISIONS PROVE TO BE INEFFECTIVE IN MINIMIZING POLLUTANTS IN STORMWATER *DISCHARGES* FROM THE SITE;
    b. WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OR OPERATION AT THE CONSTRUCTION SITE THAT HAS OR COULD HAVE AN EFFECT ON THE DISCHARGE OF POLLUTANTS; AND
    c. TO ADDRESS ISSUES OR DEFICIENCIES IDENTIFIED DURING AN INSPECTION BY THE *QUALIFIED REPRESENTATIVE*, THE DEPARTMENT, OR OTHER REGULATORY AUTHORITY.

13. SHOULD THE OWNER NOTIFY THE CONTRACTOR THAT THE ACTIVITY ON THE SITE IS IN VIOLATION OF THE SWPPP, THE CONTRACTOR SHALL AT ITS SOLE COST CORRECT THE DEFICIENCIES AND FILE A PHOTOGRAPHIC LOG WITH A LIST OF CORRECTIVE ACTIONS WITH THE OWNER WITHIN 7 DAYS OF NOTIFICATION BY THE OWNER.

14. THE PROJECT IS CURRENTLY UNDERGOING ENVIRONMENTAL STUDY. THE RESULTS OF THIS STUDY WILL BE PROVIDED AS PART OF THE VRAP PLAN AND AS AN APPENDIX TO THE SWPPP PLAN PRIOR TO THE PRECONSTRUCTION CONFERENCE, AND SHALL BE INCORPORATED BY REFERENCE WHEN APPENDED.

15. THE CONTRACTOR SHALL ENGAGE A QUALIFIED REPRESENTATIVE TO MONITOR THE WORK. THIS REPRESENTATIVE SHALL BE APPROVED BY THE OWNER PRIOR TO THE INDIVIDUAL BEING ENGAGED ON THE PROJECT. THIS INSPECTION SHALL BE A PART OF THE CONTRACTOR'S QUALITY CONTROL PLAN FOR THE PROJECT BY THE CONTRACTOR. THE REPRESENTATIVE'S QUALIFICATIONS AND DUTIES THAT HE SHALL PERFORM ARE AS FOLLOWS:
    a. LICENSED PROFESSIONAL ENGINEER OR CERTIFIED PROFESSIONAL IN EROSION CONTROL`
    b. COVERED BY WORKMAN'S COMPENSATION INSURANCE
    c. EXPERIENCED IN THIS TYPE OF WORK, THE SPECIFIC EROSION CONTROLS APPLICABLE TO THIS PROJECT WITH A RESUME APPROVED BY THE ENGINEER
    d. COMPENSATED ON A UNIT RATE BASIS WITH NO INCENTIVES FOR REDUCED COSTS OR SUBJECT TO ANY TYPE OF COMPENSATION FOR PASSING INSPECTIONS
    e. APPROVED BY THE OWNER AND THE PREPARER OF THIS PLAN

    THE *QUALIFIED REPRESENTATIVES* SHALL CONDUCT SITE INSPECTIONS IN ACCORDANCE WITH THE FOLLOWING TIMETABLE:

    a. WHERE SOIL DISTURBANCE ACTIVITIES ARE ON-GOING, THE QUALIFIED REPRESENTATIVE SHALL CONDUCT A SITE INSPECTION AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS.
    b. WHERE SOIL DISTURBANCE ACTIVITIES HAVE BEEN TEMPORARILY SUSPENDED (E.G. WINTER SHUTDOWN) AND TEMPORARY STABILIZATION MEASURES HAVE BEEN APPLIED TO ALL DISTURBED AREAS, THE QUALIFIED REPRESENTATIVE SHALL CONDUCT A SITE INSPECTION AT LEAST ONCE EVERY THIRTY (30) CALENDAR DAYS. THE OWNER OR OPERATOR SHALL NOTIFY THE CITY'S STORMWATER CONTACT PERSON OR, IN AREAS UNDER THE JURISDICTION OF A REGULATED TRADITIONAL LAND USE CONTROL MS4, THE MS4 (PROVIDED THE MS4 IS NOT THE OWNER OR OPERATOR OF THE CONSTRUCTION ACTIVITY) IN WRITING PRIOR TO REDUCING THE FREQUENCY OF INSPECTIONS.
    c. WHERE SOIL DISTURBANCE ACTIVITIES HAVE BEEN SHUT DOWN WITH PARTIAL PROJECT COMPLETION, THE QUALIFIED REPRESENTATIVE CAN STOP CONDUCTING INSPECTIONS IF ALL AREAS DISTURBED AS OF THE PROJECT SHUTDOWN DATE HAVE ACHIEVED FINAL STABILIZATION AND ALL POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES REQUIRED FOR THE COMPLETED PORTION OF THE PROJECT HAVE BEEN CONSTRUCTED IN CONFORMANCE WITH THE SWPPP AND ARE OPERATIONAL. THE OWNER OR OPERATOR SHALL NOTIFY THE CITY'S STORMWATER CONTACT PERSON IN WRITING PRIOR TO THE SHUTDOWN. IF SOIL DISTURBANCE ACTIVITIES ARE NOT RESUMED WITHIN 2 YEARS FROM THE DATE OF SHUTDOWN, THE CONTRACTOR SHALL HAVE THE QUALIFIED REPRESENTATIVE PERFORM A FINAL INSPECTION AND CERTIFY THAT ALL DISTURBED AREAS HAVE ACHIEVED FINAL STABILIZATION, AND ALL TEMPORARY, STRUCTURAL EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN REMOVED, AND THAT ALL POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES HAVE BEEN CONSTRUCTED IN CONFORMANCE WITH THE SWPPP BY SIGNING THE "FINAL STABILIZATION" AND "POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICE" CERTIFICATION STATEMENTS ON THE NOTICE OF TERMINATION. THE OWNER OR OPERATOR SHALL THEN SUBMIT THE COMPLETED NOTICE OF TERMINATION FORM TO THE CITY OF PORTLAND.

    AT A MINIMUM, THE *QUALIFIED REPRESENTATIVE* SHALL INSPECT ALL EROSION AND SEDIMENT CONTROL PRACTICES TO ENSURE INTEGRITY AND EFFECTIVENESS, ALL POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES UNDER CONSTRUCTION TO ENSURE THAT THEY ARE CONSTRUCTED IN CONFORMANCE WITH THE SWPPP, ALL AREAS OF DISTURBANCE THAT HAVE NOT ACHIEVED *FINAL STABILIZATION*, ALL POINTS OF DISCHARGE TO NATURAL SURFACE WATER BODIES LOCATED WITHIN, OR IMMEDIATELY ADJACENT TO, THE PROPERTY BOUNDARIES OF THE CONSTRUCTION SITE, AND ALL POINTS OF DISCHARGE FROM THE CONSTRUCTION SITE.

    THE *QUALIFIED REPRESENTATIVE* SHALL PREPARE AN INSPECTION REPORT SUBSEQUENT TO EACH AND EVERY INSPECTION. AT A MINIMUM, THE INSPECTION REPORT SHALL INCLUDE AND/OR ADDRESS THE FOLLOWING:

    a. DATE AND TIME OF INSPECTION;
    b. NAME AND TITLE OF PERSON(S) PERFORMING INSPECTION;
    c. A DESCRIPTION OF THE WEATHER WHICH SHALL BE CONSISTENT WITH THE NATIONAL WEATHER SERVICE FORECAST OFFICE, PORTLAND-GRAY, ME AND SOIL CONDITIONS (E.G. DRY, WET, SATURATED) AT THE TIME OF THE INSPECTION;
    d. A DESCRIPTION OF THE CONDITION OF THE RUNOFF AT ALL POINTS OF DISCHARGE FROM THE CONSTRUCTION SITE. THIS SHALL INCLUDE IDENTIFICATION OF ANY DISCHARGES OF SEDIMENT FROM THE CONSTRUCTION SITE. INCLUDE DISCHARGES FROM CONVEYANCE SYSTEMS (I.E. PIPES, CULVERTS, DITCHES, ETC.) AND OVERLAND FLOW;
    e. A DESCRIPTION OF THE CONDITION OF ALL NATURAL SURFACE WATER BODIES LOCATED WITHIN, OR IMMEDIATELY ADJACENT TO, THE PROPERTY BOUNDARIES OF THE CONSTRUCTION SITE WHICH RECEIVED RUNOFF FROM DISTURBED AREAS. THIS SHALL INCLUDE IDENTIFICATION OF ANY DISCHARGE OF SEDIMENT TO THE SURFACE WATER BODY;
    f. IDENTIFICATION OF ALL EROSION AND SEDIMENT CONTROL PRACTICES THAT NEED REPAIR OR MAINTENANCE;
    g. IDENTIFICATION OF ALL EROSION AND SEDIMENT CONTROL PRACTICES THAT WERE NOT INSTALLED PROPERLY OR ARE NOT FUNCTIONING AS DESIGNED AND NEED TO BE REINSTALLED OR REPLACED;
    h. DESCRIPTION AND SKETCH OF AREAS THAT ARE DISTURBED AT THE TIME OF THE INSPECTION AND AREAS THAT HAVE BEEN STABILIZED (TEMPORARY AND/OR FINAL) SINCE THE LAST INSPECTION;
    i. CURRENT PHASE OF CONSTRUCTION OF ALL POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES AND IDENTIFICATION OF ALL CONSTRUCTION THAT IS NOT IN CONFORMANCE WITH THE SWPPP AND TECHNICAL STANDARDS;
    j. CORRECTIVE ACTION(S) THAT MUST BE TAKEN TO INSTALL, REPAIR, REPLACE OR MAINTAIN EROSION AND SEDIMENT CONTROL PRACTICES; AND TO CORRECT DEFICIENCIES IDENTIFIED WITH THE CONSTRUCTION OF THE POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICE(S); AND
    k. DIGITAL PHOTOGRAPHS, WITH DATE STAMP, THAT CLEARLY SHOW THE CONDITION OF ALL PRACTICES THAT HAVE BEEN IDENTIFIED AS NEEDING CORRECTIVE ACTIONS. THE QUALIFIED REPRESENTATIVE SHALL ATTACH PAPER COLOR COPIES OF THE DIGITAL PHOTOGRAPHS TO THE INSPECTION REPORT BEING MAINTAINED ONSITE WITHIN SEVEN (7) CALENDAR DAYS OF THE DATE OF THE INSPECTION. THE QUALIFIED REPRESENTATIVE SHALL ALSO TAKE DIGITAL PHOTOGRAPHS, WITH DATE STAMP, THAT CLEARLY SHOW THE CONDITION OF THE PRACTICE(S) AFTER THE CORRECTIVE ACTION HAS BEEN COMPLETED. THE QUALIFIED REPRESENTATIVE SHALL ATTACH PAPER COLOR COPIES OF THE DIGITAL PHOTOGRAPHS TO THE INSPECTION REPORT THAT DOCUMENTS THE COMPLETION OF THE CORRECTIVE ACTION WORK WITHIN SEVEN (7) CALENDAR DAYS OF THAT INSPECTION.

    WITHIN ONE BUSINESS DAY OF THE COMPLETION OF AN INSPECTION, THE *QUALIFIED REPRESENTATIVE* SHALL NOTIFY THE OWNER THE APPROPRIATE CONTRACTOR OR SUBCONTRACTOR OF ANY CORRECTIVE ACTIONS THAT NEED TO BE TAKEN. THE CONTRACTOR OR SUBCONTRACTOR SHALL BEGIN IMPLEMENTING THE CORRECTIVE ACTIONS WITHIN ONE BUSINESS DAY OF THIS NOTIFICATION AND SHALL COMPLETE THE CORRECTIVE ACTIONS IN A REASONABLE TIME FRAME, AT ITS SOLE COST.

    ALL INSPECTION REPORTS SHALL BE SIGNED BY THE *QUALIFIED REPRESENTATIVE*. THE INSPECTION REPORTS SHALL BE MAINTAINED ON SITE WITH THE SWPPP AND DISTRIBUTED VIA EMAIL AT THE TIME OF FILING.

16. THE OWNER RESERVES THE RIGHT TO HAVE QUALITY ASSURANCE MONITORING OF THE WORK. THE CONTRACTOR SHALL, AT ITS SOLE COST, COOPERATE WITH THE OWNER AND THEIR QUALITY ASSURANCE MONITORING OF THE WORK INCLUDING MAINTAINING AN ACCURATE SCHEDULE FOR PERFORMING THE WORK. THE OWNER WILL NOTIFY THE CONTRACTOR IF ANY PARTICULAR ELEMENTS OF THE WORK SHOULD BE UNCOVERED OR AVAILABLE FOR OBSERVATION BY THE QUALITY ASSURANCE MONITOR SELECTED BY THE OWNER. THE OWNER RESERVES THE RIGHT TO CONDUCT THE QUALITY ASSURANCE MONITORING DURING WORKING HOURS AT ANY TIME DURING THE PROJECT.

N. **PROVISIONS FOR MAINTENANCE OF THE EROSION/SEDIMENTATION CONTROL FEATURES**

THE PROJECT WILL BE CONTRACTED TO A GENERAL CONTRACTOR. THE PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE LOCAL PERMITS, AND A STATE REGULATED CONSTRUCTION GENERAL PERMIT AND SITE LOCATION OF DEVELOPMENT PERMIT (ADMINISTERED BY THE CITY OF PORTLAND).

THIS PROJECT REQUIRES THE CONTRACTOR TO PREPARE A LIST AND DESIGNATE BY NAME, ADDRESS AND TELEPHONE NUMBER ALL INDIVIDUALS WHO WILL BE RESPONSIBLE FOR IMPLEMENTATION, INSPECTION, AND MAINTENANCE OF ALL EROSION CONTROL MEASURES IDENTIFIED WITHIN THIS SECTION AND AS CONTAINED IN THE EROSION AND SEDIMENTATION CONTROL PLAN OF THE CONTRACT DRAWINGS. SPECIFIC RESPONSIBILITIES OF THE QUALIFIED REPRESENTATIVE(S) WILL INCLUDE:

1. EXECUTION OF THE CONTRACTOR/SUBCONTRACTOR CERTIFICATION CONTAINED IN APPENDIX B BY ANY AND ALL PARTIES RESPONSIBLE FOR EROSION CONTROL MEASURES ON THE SITE AS REQUIRED BY THE PERMIT AUTHORITIES.
2. ASSURING AND CERTIFYING THE OWNER'S CONSTRUCTION SEQUENCE IS IN CONFORMANCE WITH THE SPECIFIED SCHEDULE OF THIS SECTION. A WEEKLY CERTIFICATION STATING COMPLIANCE, ANY DEVIATIONS, AND CORRECTIVE MEASURES NECESSARY TO COMPLY WITH THE EROSION CONTROL REQUIREMENTS OF THIS SECTION SHALL BE PREPARED AND SIGNED BY THE QUALIFIED REPRESENTATIVE(S).
3. IN ADDITION TO THE WEEKLY CERTIFICATIONS, THE REPRESENTATIVE(S) SHALL MAINTAIN WRITTEN REPORTS RECORDING CONSTRUCTION ACTIVITIES ON SITE WHICH INCLUDE:
   - DATES WHEN MAJOR GRADING ACTIVITIES OCCUR IN A PARTICULAR AREAS.
   - DATES WHEN MAJOR CONSTRUCTION ACTIVITIES CEASE IN A PARTICULAR AREA, EITHER TEMPORARILY OR PERMANENTLY.
   - DATES WHEN AN AREA IS STABILIZED.
4. INSPECTION OF THIS PROJECT WORK SITE ON A WEEKLY BASIS AND AFTER EACH SIGNIFICANT RAINFALL EVENT (0.5 INCH OR MORE WITHIN ANY CONSECUTIVE 24-HOUR PERIOD) DURING CONSTRUCTION UNTIL PERMANENT EROSION CONTROL MEASURES HAVE BEEN PROPERLY INSTALLED AND THE SITE HAS BEEN STABILIZED. INSPECTION OF THE PROJECT WORK SITE SHALL INCLUDE:
   - IDENTIFICATION OF PROPER EROSION CONTROL MEASURE INSTALLATION IN ACCORDANCE WITH THE EROSION CONTROL DETAIL SHEET OR AS SPECIFIED IN THIS SECTION.
   - DETERMINE WHETHER EACH EROSION CONTROL MEASURE IS PROPERLY OPERATING. IF NOT, IDENTIFY DAMAGE TO THE CONTROL DEVICE AND DETERMINE REMEDIAL MEASURES.
   - IDENTIFY AREAS WHICH APPEAR VULNERABLE TO EROSION AND DETERMINE ADDITIONAL EROSION CONTROL MEASURES WHICH SHOULD BE USED TO IMPROVE CONDITIONS.
   - INSPECT AREAS OF RECENT SEEDING TO DETERMINE PERCENT CATCH OF GRASS. A MINIMUM CATCH OF 90 PERCENT IS REQUIRED PRIOR TO REMOVAL OF EROSION CONTROL MEASURES.
   - ALL EROSION CONTROLS SHALL BE REMOVED WITHIN 30 DAYS OF PERMANENT STABILIZATION EXCEPT FOR MULCH AND NETTING NOT DETRIMENTAL TO THE PROJECT. REMOVALS SHALL INCLUDE BUT NOT BE LIMITED TO ALL SILT FENCE OR BARRIER, HAY BALES, INLET PROTECTION, AND STONE CHECK DAMS.
   - ACCUMULATED SILT/SEDIMENT SHOULD BE REMOVED WHEN THE DEPTH OF SEDIMENT REACHES 50 PERCENT OF THE BARRIER HEIGHT. ACCUMULATED SILT/SEDIMENT SHOULD BE REMOVED FROM BEHIND SILT FENCING WHEN THE DEPTH OF THE SEDIMENT REACHES 6 INCHES.
   - SILT SACKS SHOULD BE REMOVED AND REPLACED AT LEAST EVERY THREE MONTHS AND AT ANY TIME WHERE THE WEEKLY INSPECTION REVEALS THAT SILTATION HAS SIGNIFICANTLY RETARDED THE RATE OF FLOW THROUGH THE SILT SACK.
   - DISCHARGES SHOULD BE MEASURED DURING STORM EVENTS TO DOCUMENT THE TURBIDITY OF STORMWATER DISCHARGE IS <280 NTU.
5. IF INSPECTION OF THE SITE INDICATES A CHANGE SHOULD BE MADE TO THE EROSION CONTROL PLAN, TO EITHER IMPROVE EFFECTIVENESS OR CORRECT A SITE-SPECIFIC DEFICIENCY, THE REPRESENTATIVE SHALL IMMEDIATELY IMPLEMENT THE CORRECTIVE MEASURE AND NOTIFY THE OWNER OF THE CHANGE.
6. ARRANGING FOR AN ON-SITE MEETING PRIOR TO COMMENCING WINTER CONSTRUCTION TO ASSURE THAT ALL SPECIAL WINTER CONSTRUCTION MEASURES WILL BE IMPLEMENTED AND TO REVIEW THE SPECIFIC REQUIREMENTS OF THIS PLAN FOR WINTER CONSTRUCTION.

ALL CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS PREPARED BY THE QUALIFIED REPRESENTATIVE(S) SHALL BE FILED WITH THE OWNER, AND THE PERMIT FILE CONTAINED ON THE PROJECT SITE. ALL WRITTEN CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS MUST BE FILED WITHIN ONE (1) WEEK OF THE INSPECTION DATE.

THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION/SEDIMENT CONTROL REPORT, INCLUDING CONTROL OF FUGITIVE DUST, AND SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

ONCE CONSTRUCTION HAS BEEN COMPLETED, LONG-TERM MAINTENANCE OF THE STORMWATER MANAGEMENT SYSTEM WILL BE THE RESPONSIBILITY OF THE APPLICANT. INSPECTION AND MAINTENANCE ITEMS WITH A LIST OF MAINTENANCE REQUIREMENTS AND FREQUENCY ARE DESCRIBED IN A SEPARATE DOCUMENT. IN THE EVENT OF DEFECTIVE WORKMANSHIP OR ANY FAILURE BY THE CONTRACTOR AND ITS SUBCONTRACTORS TO ADHERE TO THE STANDARDS SET FORTH IN THESE DOCUMENTS, THE CONTRACTOR SHALL BE RESPONSIBLE TO CORRECT, AT ITS SOLE COST, ANY LATENT DEFECTS TOGETHER WITH REIMBURSEMENT OF OWNER FOR ANY EXPENSES BORNE BY THE OWNER UP TO THE TIME OF SAID CORRECTION. THIS PROVISION SHALL REMAIN IN EFFECT BEYOND ANY STATED OR IMPLIED WARRANTY PERIOD.

P16

P. **PRECONSTRUCTION CONFERENCE**

PRIOR TO ANY CONSTRUCTION AT THE SITE, REPRESENTATIVES OF THE CONTRACTOR, THE OWNER, THE CITY OF PORTLAND, AND THE SITE DESIGN ENGINEER AND ANY PERSONNEL IDENTIFIED IN THE PERMIT CONDITIONS SHALL MEET TO DISCUSS THE SCHEDULING OF THE SITE CONSTRUCTION AND THE DESIGNATION OF THE RESPONSIBLE PARTIES FOR IMPLEMENTING THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING THE MEETING. PRIOR TO THE MEETING, THE CONTRACTOR WILL PREPARE A DETAILED SCHEDULE AND A MARKED-UP SITE PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL CONDUCT A MEETING WITH EMPLOYEES AND SUB-CONTRACTORS TO REVIEW THE EROSION CONTROL PLAN, THE CONSTRUCTION TECHNIQUES WHICH WILL BE EMPLOYED TO IMPLEMENT THE PLAN, AND PROVIDE A LIST OF ATTENDEES AND ITEMS DISCUSSED AT THE MEETING TO THE OWNER. THREE COPIES OF THE SCHEDULE, THE CONTRACTOR'S MEETING MINUTES, AND MARKED-UP SITE PLAN SHALL BE PROVIDED TO THE OWNER.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — No. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

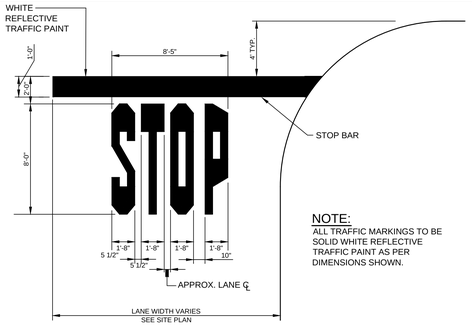
PROJECT: CANAL LANDING AMENDED SITE PLAN PHASE III

SHEET TITLE: EROSION AND SEDIMENT CONTROL NARRATIVE

CLIENT: CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

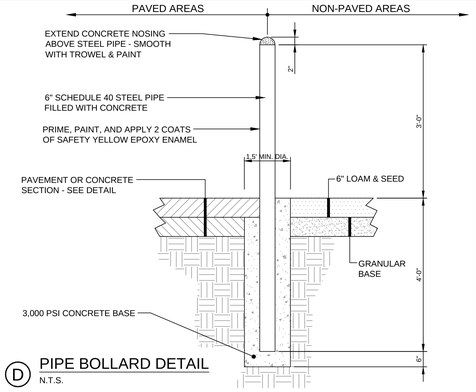
FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	LA	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091-DET		
SHEET	C-6.4		

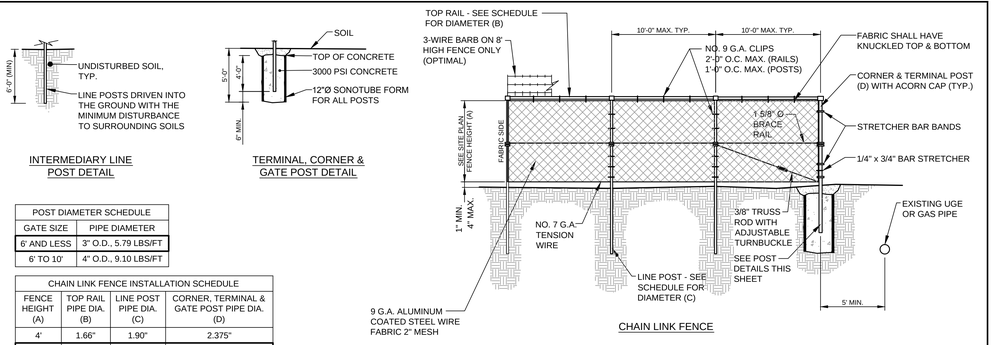


NOTE:
ALL TRAFFIC MARKINGS TO BE SOLID WHITE REFLECTIVE TRAFFIC PAINT AS PER DIMENSIONS SHOWN.

A TYPICAL PAVEMENT MARKINGS
N.T.S.



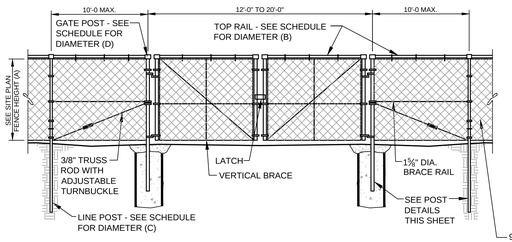
D PIPE BOLLARD DETAIL
N.T.S.

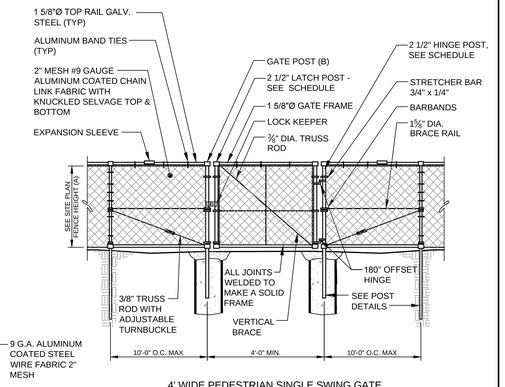


POST DIAMETER SCHEDULE	
GATE SIZE	PIPE DIAMETER
6' AND LESS	3" O.D., 5.79 LBS/FT
6' TO 10'	4" O.D., 9.10 LBS/FT

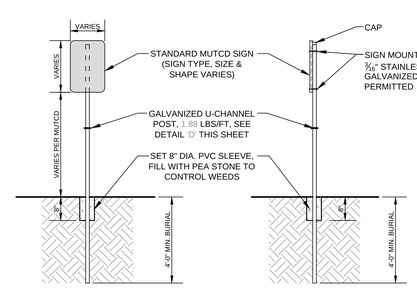
CHAIN LINK FENCE INSTALLATION SCHEDULE			
FENCE HEIGHT (A)	TOP RAIL PIPE DIA. (B)	LINE POST PIPE DIA. (C)	CORNER, TERMINAL & GATE POST PIPE DIA. (D)
4'	1.66"	1.90"	2.375"
6'	1.66"	1.90"	2.375"
8'	1.66"	2.375"	2.875"
10'	1.66"	2.875"	2.875"

NOTES:
1. DIMENSIONS FOR PIPE DIAMETERS ARE NOMINAL OUTSIDE DIAMETERS.
2. REFER TO PLANS FOR LOCATION & HEIGHT OF FENCES TO BE INSTALLED.
3. REFER TO PLANS FOR GATE WIDTH AT EACH INSTALLATION.
4. ALL FENCE FABRIC, POSTS AND HARDWARE SHALL BE GALVANIZED.
5. THE CONTRACTOR IS CAUTIONED THAT THE SITE CONTAINS UNDERGROUND POWER AND GAS FACILITIES AND THAT ALL POST LOCATIONS SHALL BE REVIEWED AND APPROVED BY THE SERVING UTILITY COMPANIES PRIOR TO INSTALLATION. ALL COORDINATION EFFORTS SHALL BE AT NO EXTRA EXPENSE TO THE OWNER.

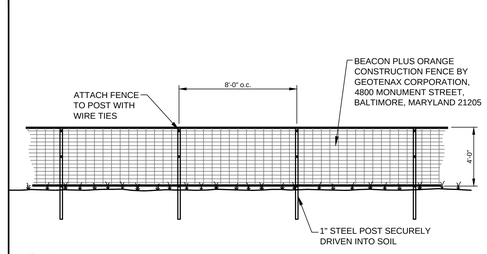




G CHAIN LINK FENCE AND GATES
N.T.S.

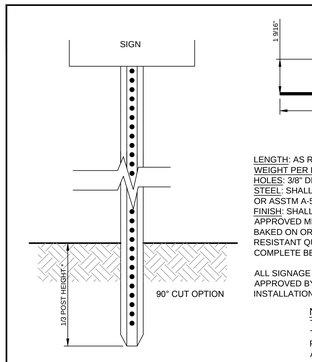


B TRAFFIC SIGN
N.T.S.



NOTE:
THE CONTRACTOR IS CAUTIONED THAT THE SITE CONTAINS UNDERGROUND POWER AND GAS FACILITIES AND THAT ALL POST LOCATIONS SHALL BE REVIEWED AND APPROVED BY THE SERVING UTILITY COMPANIES PRIOR TO INSTALLATION. ALL COORDINATION EFFORTS SHALL BE AT NO EXTRA EXPENSE TO THE OWNER.

E ORANGE CONSTRUCTION FENCE
N.T.S.

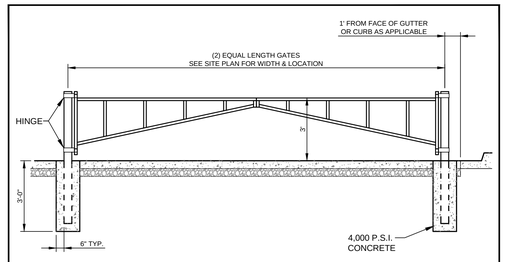


LENGTH: AS REQUIRED
WEIGHT PER LINEAR FOOT: 2.50 LBS. (MIN.)
HOLES: 3/8" DIAMETER, 1" C-C FULL LENGTH
STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASSTM A-576 (GRADE 1070 - 1080)
FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED MEDIUM GREEN
BAKED ON OR AIR DRIED, PAINT OF WEATHER RESISTANT QUALITY. ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.

ALL SIGNAGE POST LOCATIONS TO BE REVIEWED AND APPROVED BY UTILITY PROVIDERS PRIOR TO INSTALLATION.

NOTE:
THE CONTRACTOR IS CAUTIONED THAT THE SITE CONTAINS UNDERGROUND POWER AND GAS FACILITIES AND THAT ALL POST LOCATIONS SHALL BE REVIEWED AND APPROVED BY THE SERVING UTILITY COMPANIES PRIOR TO INSTALLATION. ALL COORDINATION EFFORTS SHALL BE AT NO EXTRA EXPENSE TO THE OWNER.

C U-CHANNEL METAL SIGN POST
N.T.S.



NOTE:

1. THIS DETAIL IS FOR REFERENCE ONLY. CONTRACTOR SHALL COORDINATE WITH OWNER AND MANUFACTURER FOR DESIGN OF GATES.
2. ASSEMBLY TO BE PAINTED OSHA YELLOW.
3. PROVIDE PADLOCK BY KNOX COMPANY IF REQUIRED BY FIRE DEPARTMENT.

F BREAK AWAY GATE
N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — No. 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

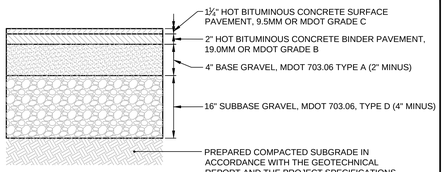
PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
SITE DETAILS
1 OF 2

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST 100 YEARS
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-DET		
SHEET	C-8.0		

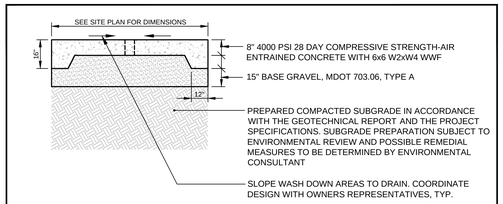


NOTES:

1. APPLY TACK COAT BETWEEN BINDER AND SURFACE COURSES.
2. ALL MATERIALS SHALL CONFORM TO MDOT SPECIFICATIONS, LATEST REVISION. COMPACTION OF ALL MATERIALS TO BE IN ACCORDANCE WITH THE SPECIFICATIONS AND THE GEOTECHNICAL RECOMMENDATIONS.

A HEAVY DUTY BITUMINOUS CONCRETE PAVEMENT SECTION

N.T.S.



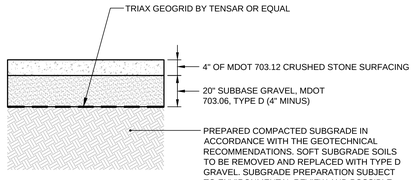
NOTE:

ALL MATERIALS SHALL CONFORM TO MDOT SPECIFICATIONS, LATEST REVISION. COMPACTION OF ALL MATERIALS TO BE IN ACCORDANCE WITH THE SPECIFICATIONS AND THE GEOTECHNICAL REPORT. (PENDING)

*DUMPSTER PAD AREAS AND WHERE RCCP (REINFORCED CONCRETE PAVEMENT) IS NOTED ON SITE PLAN.

B PORTLAND CEMENT CONCRETE SECTION FOR WASHDOWN AREAS

N.T.S.

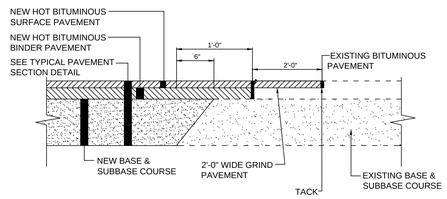


NOTES:

ALL MATERIALS SHALL CONFORM TO MDOT SPECIFICATIONS, LATEST REVISION. COMPACTION OF ALL MATERIALS TO BE IN ACCORDANCE WITH THE SPECIFICATIONS AND GEOTECHNICAL RECOMMENDATIONS.

C BOAT YARD SURFACE SECTION

N.T.S.

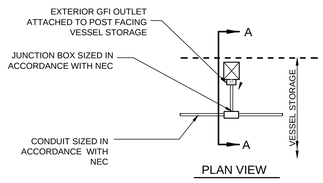


NOTES:

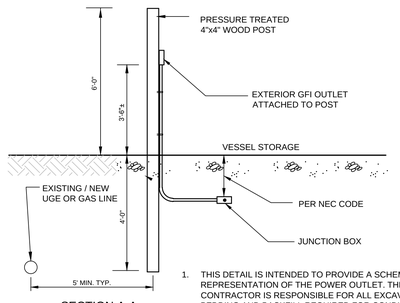
1. USE THIS DETAIL FOR THE RADIUS FILLET AT THE DRIVEWAY ENTRANCE TO THE PUBLIC STREETS OR TO MATCH PARKING LOT/DRIVE PAVEMENTS WHERE WIDENING OF EXISTING PAVEMENT AREA IS REQUIRED.
2. WHERE SURFACE PAVEMENT HAS NOT BEEN INSTALLED THE 2'-0" WIDE GRIND IS NOT REQUIRED.

D PAVEMENT SAWCUT SECTION

N.T.S.



PLAN VIEW



SECTION A-A

1. THIS DETAIL IS INTENDED TO PROVIDE A SCHEMATIC REPRESENTATION OF THE POWER OUTLET. THE CONTRACTOR IS RESPONSIBLE FOR ALL EXCAVATION BEDDING AND BACKFILL REQUIRED FOR CONDUIT INSTALLATION. THE CONTRACTOR SHALL ALSO EXCAVATE AND BACKFILL FOR PRESSURE TREATED POST FOR THE POWER OUTLET. ADDITIONAL PANEL BOARD SHUT OFFS AND SUB PANELS MAY BE PROVIDED BY THE OWNER AS NECESSARY.
2. THE CONTRACTOR IS EXPECTED TO COORDINATE AND WORK COOPERATIVELY WITH THE OWNER AND OWNER'S ELECTRICIAN FOR THE PLACEMENT AND INSTALLATION OF ALL ONSITE ELECTRICAL COMPONENTS.

E POWER OUTLET DETAIL

N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY

LIC. # 7429

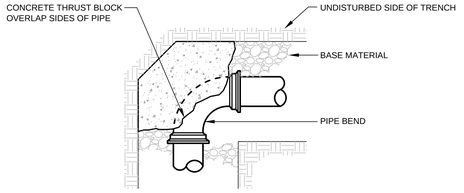
PROJECT: CANAL LANDING AMENDED SITE PLAN PHASE III

SHEET TITLE: SITE DETAILS 2 OF 2

CLIENT: CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

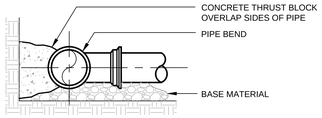
FST FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-DET		
SHEET	C-8.1		



PLAN

NOTE:
KEEP CONCRETE CLEAR OF PIPE JOINT, NUTS AND BOLTS



SECTION

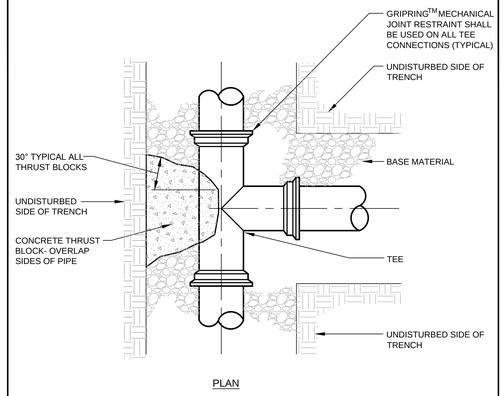
THRUST/RETAINER GLAND SCHEDULE		
¼ BEND	(90°)	USE POURED-IN-PLACE THRUST BLOCK WITH GRIPRING™ MECHANICAL JOINT RESTRAINT
⅛ BEND	(45°)	THRUST BLOCK W/ GRIPRING™
1/16 BEND	(22 ½°)	THRUST BLOCK W/ GRIPRING™
1/32 BEND	(11 ¼°)	THRUST BLOCK W/ GRIPRING™

THE ABOVE SCHEDULE IS SUBJECT TO THE APPROVAL OF THE ON-SITE INSPECTOR DUE TO SOILS AND WORKING PRESSURES IN THE AREA.

NOTES:

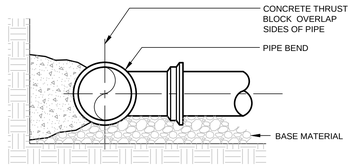
1. THE PORTLAND WATER DISTRICT MAY HAVE INSPECTION FEES AND REQUIRE OBSERVATION OF ALL PIPING INSTALLATION BEFORE BURIAL. REFER TO SPECIFICATIONS.
2. REFER TO SPECIFICATIONS FOR TESTING AND CHLORINATION REQUIREMENTS.
3. ALL HYDRANTS AND VALVES TO BE EPOXY COATED, NUTS & BOLTS TO BE STAINLESS STEEL.
4. SERVICE RODS FOR DOMESTIC SERVICE OR AIR VALVES TO BE STAINLESS STEEL.

(A) TYPICAL THRUST BLOCK PLACEMENT ON BENDS DETAIL
N.T.S.



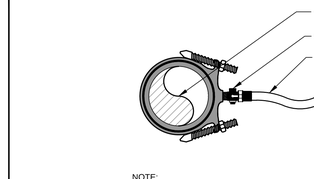
PLAN

NOTE:
KEEP CONCRETE CLEAR OF PIPE JOINT, NUTS AND BOLTS



SECTION

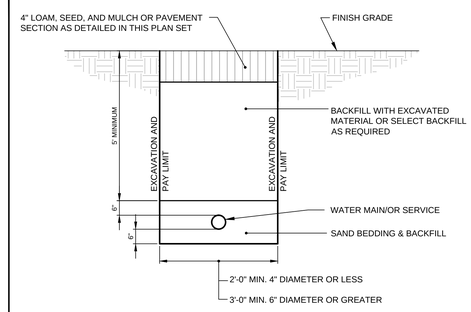
(C) TYPICAL THRUST BLOCK PLACEMENT ON TEES DETAIL
N.T.S.



NOTE:
SERVICE CONNECTIONS (DIRECT TAPS AND SERVICE CLAMPS) WILL BE INSTALLED SO THAT THE OUTLET IS AT AN ANGLE OF NOT MORE THAN 45° ABOVE THE HORIZONTAL. ALWAYS PUT A BEND OR 'GOOSENECK' IN THE SERVICE LINE PRIOR TO CONNECTING TO PROVIDE FLEXIBILITY AND 'GIVE' TO COUNTERACT THE EFFECTS OF A LOAD DUE TO SETTLEMENT OR EXPANSION AND/OR CONTRACTION.

SEE NOTE 3 IN THRUST BLOCK NOTES DETAIL (D)

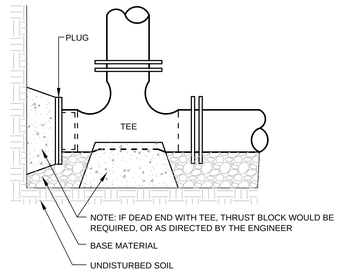
(E) WATER SERVICE DETAIL
N.T.S.



SEE NOTE 3 IN THRUST BLOCK NOTES DETAIL (D)

(F) WATER SERVICE TRENCH SECTION
N.T.S.

NOTE: KEEP CONCRETE CLEAR OF PIPE JOINT, NUTS AND BOLTS



USE GRIPRINGS™ AT ALL RESTRAINED JOINTS

SEE NOTE 3 IN THRUST BLOCK NOTES DETAIL (D)

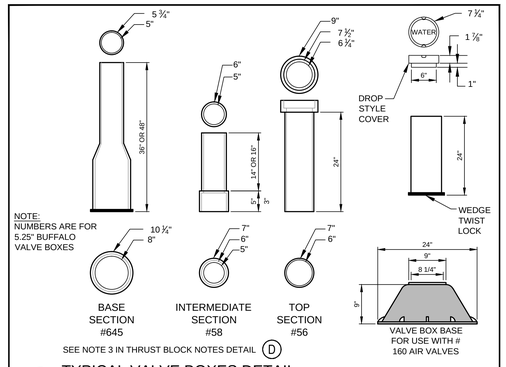
(B) STANDARD TEE BLOCKING DETAIL
N.T.S.

1. INSTALL POLY BARRIER BETWEEN PIPE AND ALL THRUST BLOCKS.
2. ANY MODIFICATION TO THRUST BLOCK SIZING OR PIPE RESTRAINT REVISIONS SHALL BE APPROVED IN WRITING BY THE ENGINEER PRIOR TO IMPLEMENTATION IN THE FIELD.
3. ANY WORK RELATING TO WATER PIPING OR DETAILS SHALL BE IN ACCORDANCE WITH THEPORTLAND WATER DISTRICT SPECIFICATIONS.
4. ALL RESTRAINED JOINTS MUST HAVE GRIPRING™.

BEARING SURFACE REQUIRED IN SQUARE FEET

PIPE SIZE	1/32 BEND	1/16 BEND	⅛ BEND	¼ BEND	TEES/CAPS
6" / 8"	5.0	5.0	5.0	6.5	5.0
12"	11.5	11.5	11.5	20.0	22.0

(D) THRUST BLOCK NOTES
N.T.S.



NOTE:
NUMBERS ARE FOR 5.25" BUFFALO VALVE BOXES

SEE NOTE 3 IN THRUST BLOCK NOTES DETAIL (D)

(G) TYPICAL VALVE BOXES DETAIL
N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

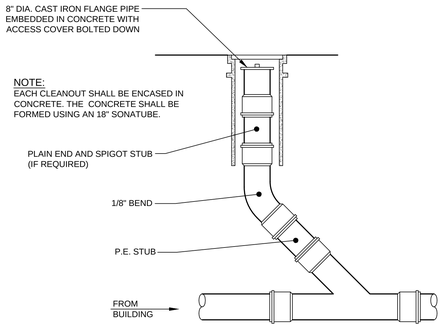
PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
WATER SYSTEM DETAILS

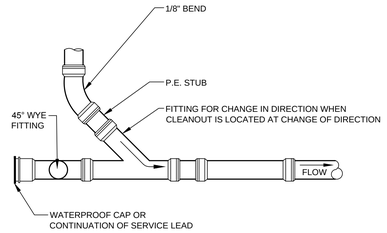
CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN: PBF	DATE: APRIL 2015
DESIGNED: SRB	SCALE: AS SHOWN
CHECKED: SRB	JOB NO. 3091.04
FILE NAME: 3091.04-DET	
SHEET C-8.2	

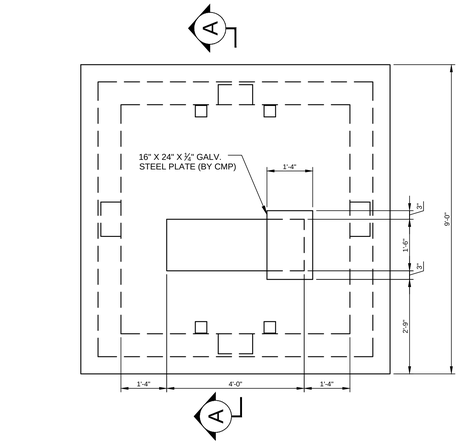


A PVC CLEANOUT DETAIL
N.T.S.



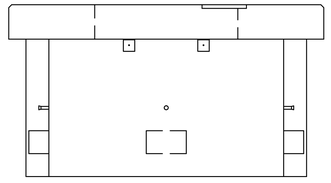
ELEVATION VIEW

C CLEANOUT DETAIL BELOW WYE FITTING OF CLEANOUT
N.T.S.



PLAN VIEW

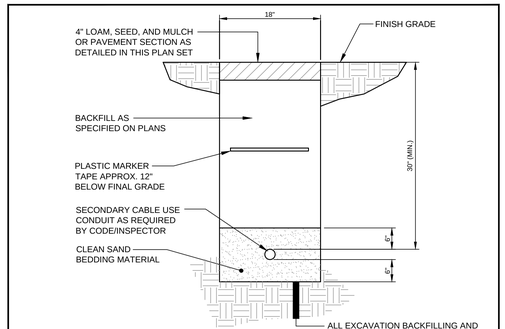
SECTION VIEW



END VIEW

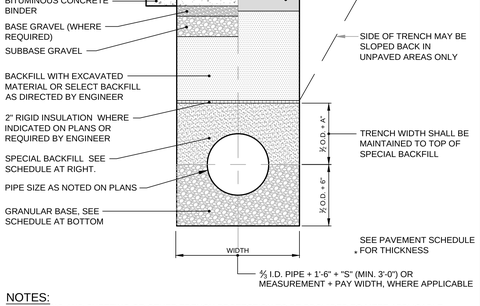
NOTES:
1. CONCRETE MINIMUM COMPRESSIVE STRENGTH 4,000 PSI @ 28 DAYS WITH STEEL REINFORCEMENT.
2. AS PER CENTRAL MAINE POWER COMPANY SPECIFICATIONS.
3. ONE 8" x 24" KNOCKOUT PROVIDED EACH WALL.
4. FOR 750 - 5000 KVA THREE PHASE TRANSFORMER.
5. FINISH GRADE SHALL BE GRADED TO ALLOW SURFACE WATER TO FLOW AWAY FROM THE PAD.

F 9'-0" TRANSFORMER PAD
N.T.S.



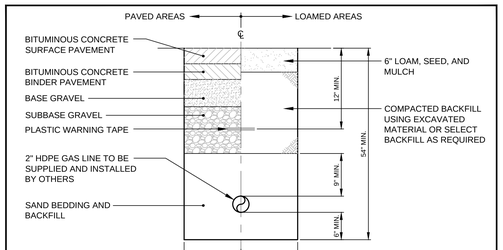
G SECONDARY ELECTRICAL TRENCH DETAIL
N.T.S.

TRENCH SECTION BACKFILL SCHEDULE				
TYPE OF PIPE	GRANULAR BASE MATERIAL	SPECIAL BACKFILL	SPECIAL BACKFILL COVER "A" (IN)	SELECT BACKFILL
CONCRETE	GRANULAR AASHTO M145-49 A-3 OR BETTER	GRANULAR AASHTO M145-49 A-3 OR BETTER	12"	GRANULAR AASHTO M145-49 A-3 OR BETTER
PVC	3/4" CRUSHED STONE	GRANULAR AASHTO M145-49 A-3 OR BETTER	6"	GRANULAR AASHTO M145-49 A-3 OR BETTER
DUCTILE IRON	GRANULAR AASHTO M145-49 A-3 OR BETTER	GRANULAR AASHTO M145-49 A-3 OR BETTER	6"	GRANULAR AASHTO M145-49 A-3 OR BETTER
UNDER-DRAINS	3/4" CRUSHED STONE	3/4" CRUSHED STONE	6"	GRANULAR AASHTO M145-49 A-3 OR BETTER



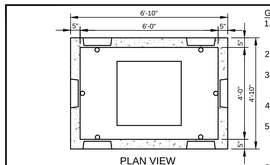
NOTES:
1. BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. WHERE APPLICABLE, SERVICES TO BE SIMILAR EXCEPT MINIMUM PAY WIDTH IS 2 1/2 FT.

B TYPICAL UTILITY PIPE TRENCH SECTION DETAIL
N.T.S.



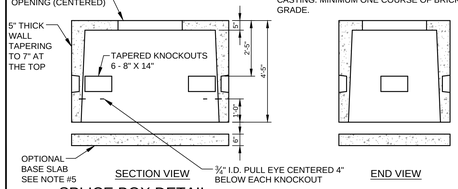
NOTE:
THE CONTRACTOR IS RESPONSIBLE FOR EXCAVATION AND BACKFILL OF UNDERGROUND GAS LINE TRENCH. IN ADDITION, THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION WITH GAS SUPPLIER FOR THE INSTALLATION OF THE GAS LINE. CONTRACTOR SHALL BE RESPONSIBLE FOR INITIAL REVIEW AND CONSTRUCTION COSTS FOR GAS LINE INSTALLATION; UPON FINAL DETERMINATION OF COSTS BY THE UTILITY COMPANY, CONTRACTOR SHALL BILL OWNER FOR ACTUAL COST. TRENCH REQUIREMENTS ARE SUBJECT TO VRAP AS DETERMINED BY UNITIL REPRESENTATIVE. CONTRACTOR SHALL COORDINATE WITH UNITIL/ENVIRONMENTAL CONSULTANTS FOR PLACEMENT OF SEPARATION LAYERS INCLUDING GEOTEXTILE FABRICS AND CLEAN BACKFILL.

D UNDERGROUND GAS LINE TRENCH DETAIL
N.T.S.



PLAN VIEW

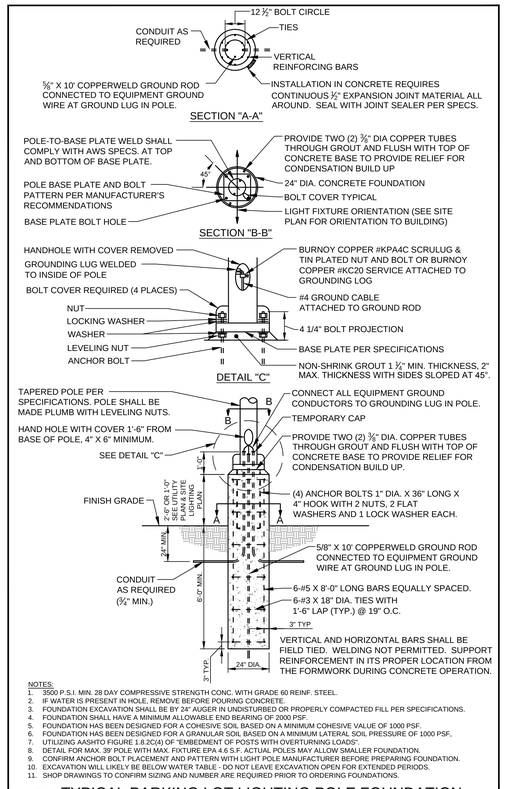
GENERAL NOTES
1. CONCRETE MINIMUM COMPRESSIVE STRENGTH 5000 PSI @ 28 DAYS WITH STEEL REINFORCEMENT
2. OPENINGS SIZED FOR 4" & 6" CONDUITS.
3. MEETS ALL CENTRAL MAINE POWER CO.SPECIFICATIONS.
4. SUITABLE FOR PRIMARY CABLE INSTALLATIONS.
5. IF INSTALLED IN A PAVED AREA, ORDER PRECAST SLAB FOR USE UNDER HANDHOLE FOR H-20 LOADING.
6. ORDER 3 PIECE ETHERIDGE FOUNDRY "TYPE B" CASTING. MINIMUM ONE COURSE OF BRICK TO GRADE.



SECTION VIEW

END VIEW

E SPLICE BOX DETAIL
N.T.S.



NOTES:
1. 3500 P.S.I. MIN. 28 DAY COMPRESSIVE STRENGTH CONC. WITH GRADE 60 REINF. STEEL.
2. IF WATER IS PRESENT IN HOLE, REMOVE BEFORE POURING CONCRETE.
3. FOUNDATION EXCAVATION SHALL BE BY 24" AUGER IN UNDISTURBED OR PROPERLY COMPACTED FILL PER SPECIFICATIONS.
4. FOUNDATION SHALL HAVE A MINIMUM ALLOWABLE END BEARING OF 2000 PSF.
5. FOUNDATION HAS BEEN DESIGNED FOR A COHESIVE SOIL BASED ON A MINIMUM COHESIVE VALUE OF 1000 PSF.
6. FOUNDATION HAS BEEN DESIGNED FOR A GRANULAR SOIL BASED ON A MINIMUM LATERAL SOIL PRESSURE OF 1000 PSF, UTILIZING AASHTO FIGURE 1.8.2C(4) OF "EMBEDMENT OF POSTS WITH OVERTURNING LOADS".
7. DETAIL FOR MAX. 39' POLE WITH MAX. FIXTURE EPA 4.6 S.F. ACTUAL POLES MAY ALLOW SMALLER FOUNDATION.
8. CONFIRM ANCHOR BOLT PLACEMENT AND PATTERN WITH LIGHT POLE MANUFACTURER BEFORE PREPARING FOUNDATION.
9. EXCAVATION WILL LIKELY BE BELOW WATER TABLE - DO NOT LEAVE EXCAVATION OPEN FOR EXTENDED PERIODS.
10. SHOP DRAWINGS TO CONFIRM SIZING AND NUMBER ARE REQUIRED PRIOR TO ORDERING FOUNDATIONS.

H TYPICAL PARKING LOT LIGHTING POLE FOUNDATION
N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE — STEPHEN R. BUSHEY — 7429 — LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

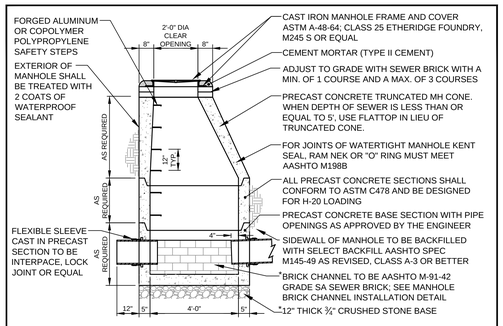
PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
UTILITY DETAILS

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

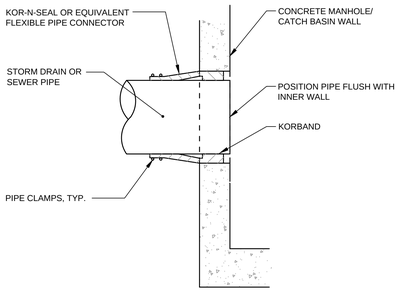
DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-DET		
SHEET	C-8.3		



A 4'-0" DIA. PRECAST SEWER & STORM DRAIN MANHOLE DETAIL

N.T.S.

*NOTE:
CHANNEL MAY ALSO BE A PREFABRICATED FIBERLINER 2000 CHANNEL AS FABRICATED BY GDT, INC. OF ESSEX, CT OR EQUAL



D PIPE CONNECTION TO PRECAST CONCRETE SANITARY SEWER AND STORM DRAINAGE STRUCTURES

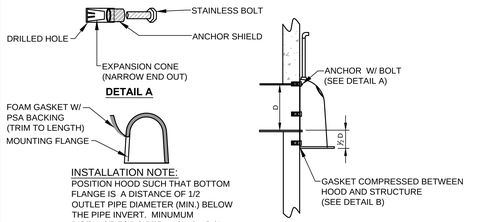
N.T.S.

NOTES:

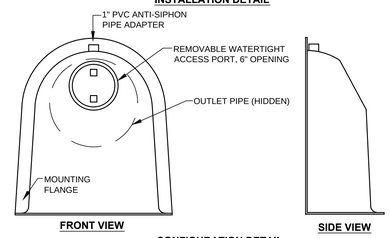
1. ALL HOODS AND TRAPS FOR CATCH BASINS AND WATER QUALITY STRUCTURES SHALL BE AS MANUFACTURED BY BEST MANAGEMENT PRODUCTS, INC. TOLL FREE: (800) 504-8008 OR (888) 354-7585 WEB SITE: www.bmpinc.com OR PRE-APPROVED EQUAL.
2. ALL HOODS SHALL BE CONSTRUCTED OF A CLASS REINFORCED RESIN COMPOSITE WITH ISO GEL COAT EXTERIOR FINISH WITH A MINIMUM 0.125" LAMINATE THICKNESS.
3. ALL HOODS SHALL BE EQUIPPED WITH A WATERTIGHT ACCESS PORT, A MOUNTING FLANGE, & AN ANTI-SIPHON VENT AS DRAWN. (SEE CONFIGURATION DETAIL)
4. THE SIZE AND POSITION OF THE HOOD SHALL BE DETERMINED BY OUTLET PIPE SIZE IN ACCORDANCE WITH THE FOLLOWING TABLE:

STRUCTURE OUTLET HOLE SIZE	SNOUT SIZE
11.9" O.D. OR LESS	12 F or R
12.0"-17.9" O.D.	18 F or R
18.0"-23.9" O.D.	24 F or R
24.0"-29.9" O.D.	30 F or R
30.0"-47.9" O.D.	48 F
48.0"-95.9" O.D.	96 F

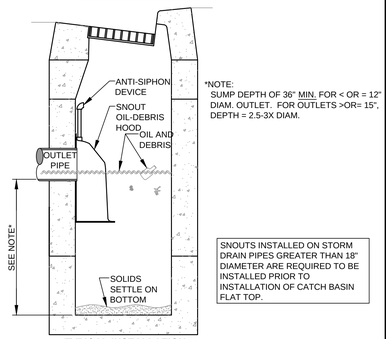
5. THE BOTTOM OF THE HOOD SHALL EXTEND DOWNWARD A DISTANCE EQUAL TO 1/2 THE OUTLET PIPE DIAMETER WITH A MINIMUM DISTANCE OF 6" FOR PIPES <12" I.D.
6. THE ANTI-SIPHON VENT SHALL EXTEND ABOVE HOOD BY MINIMUM OF 3" AND A MAXIMUM OF 24" ACCORDING TO STRUCTURE CONFIGURATION.
7. THE SURFACE OF THE STRUCTURE WHERE THE HOOD IS MOUNTED SHALL BE FINISHED SMOOTH AND FREE OF LOOSE MATERIAL.
8. THE HOOD SHALL BE SECURELY ATTACHED TO STRUCTURE WALL WITH 3/8' STAINLESS STEEL BOLTS AND OIL-RESISTANT GASKET AS SUPPLIED BY MANUFACTURER. (SEE INSTALLATION DETAIL)
9. INSTALLATION INSTRUCTIONS SHALL BE FURNISHED WITH MANUFACTURER SUPPLIED INSTALLATION KIT, WHICH INCLUDES:
   A. INSTALLATION INSTRUCTIONS
   B. PVC ANTI-SIPHON VENT PIPE AND ADAPTER
   C. OIL-RESISTANT CRUSHED CELL FOAM GASKET WITH PSA BACKING
   D. 3/8" STAINLESS STEEL BOLTS
   E. ANCHOR SHIELDS



INSTALLATION DETAIL



CONFIGURATION DETAIL



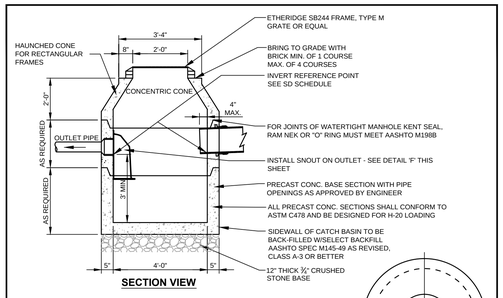
*NOTE:
SUMP DEPTH OF 36" MIN. FOR < OR = 12" DIAM. OUTLET. FOR OUTLETS >OR= 15", DEPTH = 2.5-3X DIAM.

SNOUTS INSTALLED ON STORM DRAIN PIPES GREATER THAN 18" DIAMETER ARE REQUIRED TO BE INSTALLED PRIOR TO INSTALLATION OF CATCH BASIN FLAT TOP.

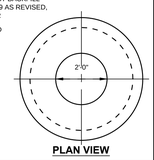
TYPICAL INSTALLATION

F SNOUT OIL-WATER-DEBRIS SEPARATOR DETAIL

N.T.S.



SECTION VIEW

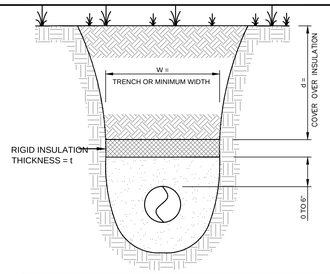


PLAN VIEW

NOTE:
WHERE DEPTH OF COVER IS NOT SUFFICIENT TO USE CONCENTIC OR TRUNCATED CONE, A FLAT TOP MAY BE USED. SHOP DRAWINGS REQUIRED FOR ALL STRUCTURES PRIOR TO CASTING.

B 4'-0" PRECAST CATCH BASIN

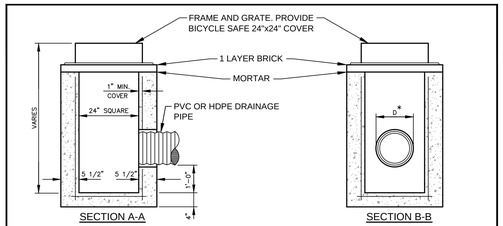
N.T.S.



COVER OVER PIPELINE CROWN (d)			MINIMUM WIDTH OF INSULATION	MINIMUM THICKNESS OF INSULATION
SEWER	WATER	STORM DRAIN		
<5'	<6'	<4'	PIPE OD + 4'	1"
<4'	<5'	<3'	PIPE OD + 6'	2"
<3'	<4'	<2.5'	PIPE OD + 8'	3"

E RIGID INSULATION DETAIL

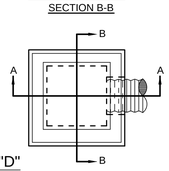
N.T.S.



NOTES:

1. ENTIRE CATCH BASIN WITH EXCEPTION OF LEVELING BRICK FRAME AND GRATE TO BE PRECAST AS SINGLE PORTLAND CEMENT CONCRETE UNIT.
2. ACCEPTABLE FOR MINOR INLETS WHERE TRIBUTARY AREA IS LESS THAN 10,000 S.F.

* DIAMETER OF HOLE (D) TO BE 3" LARGER THAN THE INSIDE DIAMETER OF FLEXIBLE PIPE OR THE OUTSIDE DIAMETER OF RIGID PIPE.



PLAN VIEW

C 2'-0" SQUARE CATCH BASIN TYPE "D"

N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE · STEPHEN R. BUSHEY · NO. 7429 · LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

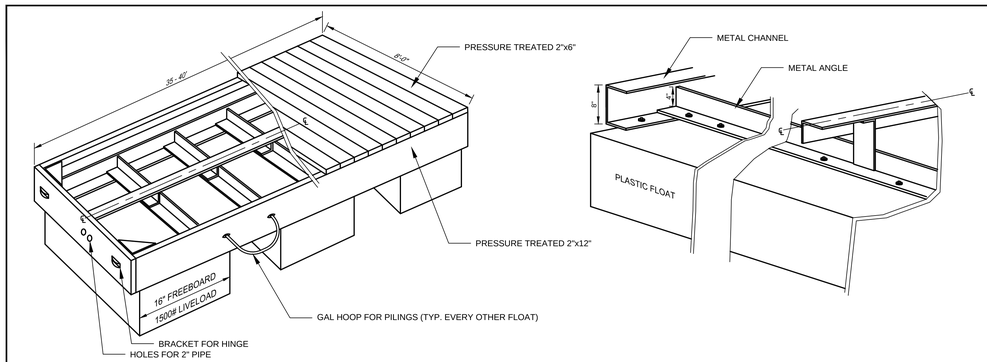
PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
STORM DRAIN SYSTEM DETAILS

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-DET		
SHEET	C-8.4		



A FLOAT SCHEMATIC
N.T.S.

REV	DATE	DESCRIPTION
1	06.15.15	PRELIMINARY PHASE III AMENDED SITE PLAN TO CITY OF PORTLAND

REVISIONS

STATE OF MAINE
STEPHEN R. BUSHEY
No. 7429
LICENSED PROFESSIONAL ENGINEER

P.E. STEPHEN BUSHEY
LIC. # 7429

PROJECT
CANAL LANDING
AMENDED SITE PLAN PHASE III

SHEET TITLE
SHOREFRONT ELEMENT DETAILS

CLIENT
CANAL LANDING LLC
100 WEST COMMERCIAL STREET
PORTLAND, ME 04101

FST
FAY, SPOFFORD & THORNDIKE
ENGINEERS · PLANNERS · SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	PBF	DATE:	APRIL 2015
DESIGNED:	SRB	SCALE:	AS SHOWN
CHECKED:	SRB	JOB NO.	3091.04
FILE NAME:	3091.04-DET		
SHEET	C-8.5		

Memorandum
Planning and Urban Development Department
Planning Division

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

From: Christine Grimando, Senior Planner

Date: July 22, 2015

Re: Comprehensive Plan Recertification

Meeting Date: July 28, 2015

Portland has undertaken the recertification of its Comprehensive Plan. Having a Comprehensive Plan consistent with the guidelines of the Growth Management Act (Title 30-A M.R.S.A. §§4312-4350) is a requirement for any municipality which as enacted zoning in the State of Maine. At the time of Portland's original certification of its Comprehensive Plan, in 2003, there was no expiration date for certified plans. Subsequently, adopted plans were deemed valid for twelve years, which meant that Portland's certification expired in early 2015. The state has affirmed that the City still has a valid Comprehensive Plan – there is nothing in the expiration that automatically makes our adopted plan inconsistent with state guidelines. However, the plan's current standing is "Unknown". Since both zoning amendments and development proposals are reviewed for consistency with the Comprehensive Plan, and the status of that plan is in question, it behooves the City to seek re-certification as soon as possible so that Planning Board and City Council decisions are made from a secure position. An email and memo from Jeff Levine on the implications of not having a certified plan is included as Attachment 1.

Planning & Urban Development has contracted with Greater Portland Council of Governments to work on completing the process of recertifying a new plan. Rebeccah Schaffner is the lead planner from GPCOG dedicated to this project, and is working in close conjunction with this department. The sections below are meant to convey key information on the public process and contents of the plan.

Responsibility of Planning Board

The Planning Board is the responsible for overseeing the update to the Comprehensive Plan. This includes public hearings and other forums that encourage citizen input, as well reviewing the plan itself and making recommendations on adoption. The City Code, §14-30, places responsibility for the plan in the *Planning Board's jurisdiction: In addition to the jurisdiction conferred on it by other provisions of state law and the ordinances of the city and in accordance therewith, the*

planning board shall have the following jurisdiction and authority:(a) To prepare and recommend a comprehensive plan to the city council, which plan, upon its adoption by the city council, shall be known as the "Land Development Plan of the City of Portland"; (b) To prepare and recommend to the city council changes in and amendments to the land development plan;..

Plan Components

Maine specifies required elements for Comprehensive Plans. These include a list of topic areas that must be addressed in terms of existing conditions and trends, state goals, policies to address these goals, and strategies for implementation. Additionally, there are requirements that the plan address opportunities for regional cooperation, and what is called Future Land Use Areas. In the case of Portland, Future Land Use areas will take the form of neighborhood-specific recommendations. Topic Areas include *Historic and Archeological Resources, Water Resources, Natural Resources, Agricultural and Forest Resources, Marine Resources, Population and Demographics, Economy, Housing, Recreation, Transportation, Public Facilities and Services, Fiscal Capacity and Capital Investment Plan, and Existing Land Use.* State Goals are broadly stated, and serve as minimum policy thresholds. The state goal for *Housing*, for instance, is *To encourage and promote affordable, decent housing opportunities for all Maine citizens.* There is some flexibility in the structure and organization of these topics – the memo from Rebbecah Schaffner included as Attachment 2, for instance, suggests thematic groupings, such as the *Built Environment*, and *Economy* to organize the document by.

Since the 2003 adoption of the Comprehensive Plan, Portland has adopted 31 studies and policy documents as additional plan elements. For the next generation of the Comprehensive Plan, this is not being proposed or recommended. Any adoption of a new, substantive portion of a certified plan would require a new review for consistency by the State to maintain the document in good standing. This offers a practical, logistical deterrent to continuing our current practice. At least as critically, for the plan to remain an optimally effective tool for the next twelve years, it is best served by broad principles that offer support for the specificity and detail of long range planning initiatives, but doesn't involve appending all reports/studies upon completion. The City Council may endorse a study and its recommendations without incorporating it into the plan, so that there is no practical loss in this shift to a leaner format.

This process presents an opportunity to affirm the substantial portions of the current Comprehensive Plan – all of which are the products of extensive professional and citizen contributions - that are still germane to Portland's future. A recertified plan, in addition to providing a solid legal basis for the work of the Planning Board, will support major planning initiatives for years to come, from streamlining the land use code to implementing complete streets policies.

Public Process

A robust public process is required in the adoption of a Comprehensive Plan, though the contents of the process are not prescribed in great detail. Title 30-A , M.R.S.A. §4312 states that municipalities must provide a range of opportunities for public review and comment, including broad dissemination of information, the opportunity for comment and discussion, and consideration of public comment before adoption. All meetings of the Planning Committee must be open to the public. A single public hearing held by the Planning Committee is required before

final recommendation for adoption can be made to the City Council, with notice posted 30 days in advance of the hearing, and the draft plan available for review by the public during those 30 days.

The introduction of an expiration date for Comprehensive Plans is meant to compel Maine municipalities to remain engaged in policy and planning with the community, as well is to ensure that that planning is based on the most up-to-date data available. For many communities, the Comprehensive Plan is the primary policy initiative they will undertake. In contrast, Portland is engaged in a plethora of policy initiatives at any given time, each of which incorporates an extensive public process. Some of the feedback received for recent studies, whether it be the Transforming Forest Avenue study, or the abundant public input received for the Congress Square Redesign initiative, will be incorporated into respective document sections, in addition to public engagement specific to the new Comprehensive Plan planned for this fall.

To provide a range of opportunities for public input we propose the following:

- Two city-wide public forums are being planned for early fall, where the public will have a chance to weigh in on the primary topic areas of the plan and have their opinions inform the final document.
- An online survey will be rolled out to coincide with the public forums.
- Planning staff will attend a meeting of any neighborhood organization wishing to have us attend to discuss the plan content and process.
- A page will be established on the City's website to profile drafts, progress updates, meeting announcements and related information, and provide contact details for anyone wishing to submit written comments, or contact Planning with requests for more information.

Planning Board workshops, with public comment periods, will be scheduled to discuss the resulting document and make adjustments as needed.

Next Steps

The anticipated timeline is shown in Attachment 2, and is a good reflection of the workflow for the project, with a goal of having a draft completed by the end of 2015. The coming month will be primarily focused on preparation for public forums, as well as assembling and analyzing up-to-date data on the various focus areas (transportation, housing, marine resources, etc.). Planning staff will provide regular updates to the Planning Board in the coming months, and welcomes any feedback the Board may have at the July 28th workshop and throughout the process.

Attachments

1. Jeff Levine email to Board and memo to Council
2. GPCOG Scope

att. 1

Christine Grimando - Portland Comprehensive Plan Process

From: Jeff Levine
To: Boepple, Elizabeth; Dundon, Sean; Eaton, David; Hall, Bill; Morrisse...
Date: 5/26/2015 4:39 PM
Subject: Portland Comprehensive Plan Process
CC: Alex Jaegerman; Barbara Barhydt; Christine Grimando; rschaffner@gpcog...
Attachments: Memorandum re Comp Plan to Council_1.pdf

To the Planning Board-

I want to update you on where we are with the recertification of the Portland Comprehensive Plan by the state. We have the Greater Portland Council of Governments under contract for this project, and are working on a detailed scope of work. Christine Grimando will be the project manager for the City.

We will present an overview of the planned process to you in the next month or so. Attached is a memo we sent to the City Council with some additional details.

Based on direction given to us by the state, we view this as an opportunity to prepare a more accessible and policy-level Comprehensive Plan that citizens can understand more easily. This approach doesn't mean that we won't continue to have more detailed plans for certain areas or subjects, but they may not be adopted formally as part of the Comprehensive Plan in the future.

As always, please let me know if you have any questions. Thanks for all your work on behalf of the City.

best,

Jeff

Jeff Levine, AICP
Director
Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, Maine 04101
Phone (207)874-8720
Fax (207)756-8258
http://www.portlandmaine.gov/planning
@portlandplan

Portland, Maine Yes. Life's good here.

Portland, Maine Yes. Life's good here.

Jeff Levine, AICP
Director, Planning & Urban Development Department

Memorandum

To: City Council

From: Jeff Levine, Director

Date: April 27, 2015

Re: Comprehensive Plan Recertification Process

As you know, the state certification of Portland's Comprehensive Plan expired in February. This expiration was due to a change in state law regarding Plan certification in 2008 that retroactively set a 12 year timeframe on certification for Plans. Our Plan was originally certified in 2003, and at the time was not set to expire. This change in the state law meant that our Plan expired in 2015. While we had been notified of this change in state law in 2008, we did not receive any formal notification of this expiration until it had already occurred.

The state has indicated to us in writing that the certification of our Plan, while desirable from their perspective, is not directly linked to the Council's ability to enact new zoning or the Planning Board's ability to conduct Site Plan Review. I have mapped out a strategy to get a Plan submitted to the state for certification by the end of 2015. This process would include public outreach as well as updates to the current plan, but not at the level that might be undertaking on a wholesale effort to develop an entirely new Comprehensive Plan. My rationale for this approach is outlined below.

What does it mean not to have a "certified" Plan?

We have a set of responses to questions to the state's Municipal Planning Assistance Program (MPAP) regarding this issue. A summary of their responses follows, affirming our understanding to date. Note that when we refer to "the state" we are referring to the MPAP staff, who are careful to note "*[w]hile we are knowledgeable about the relevant statute, we are not attorneys, so our answers are not legal opinions*":

1. Are we required to have a current finding of consistency for our Comprehensive Plan? *No*

2. What does the expiration of the consistency finding for our Comprehensive Plan mean in terms of our subsequent planning documents adopted by the City Council since the 2003 consistency finding?

> *The expiration of Portland's consistency finding simply means that the state cannot attest to the consistency of the 2003 plan. Neither the expiration of a plan's consistency finding, nor the adoption of a plan amendment without a consistency finding, necessarily cause a plan to be inconsistent with the Growth Management Act. In such cases, the state would report a*

plan's consistency status as "unknown".

3. Do we have to stop doing all development review and rezoning efforts until our plan has been reviewed and a consistency finding has been issued by your office? What is the impact of not having a comprehensive plan with a current consistency finding on the validity of any rezoning or development review permits issued?

> *Not having a comprehensive plan with a current consistency finding does not impact on the validity of any rezoning or development review permits, however, it can complicate efforts to defend the validity of a zoning ordinance, zoning amendments and permits that are based on a zoning ordinance. MRSA 30-A §4352.2 stipulates that a "….zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body…" According to MRSA 30-A§4301.3, a comprehensive plan is, by definition, one that is consistent with the state's Growth Management Act (the Act). It is the state's understanding that when a plan's consistency with the Act is the subject of a legal challenge, the Court typically accepts a current finding from our office as conclusive evidence of consistency or inconsistency. If, as in Portland's case, a finding has expired, the state would report the plan's consistency status as "unknown" (not "inconsistent"), leaving the Court to make its determination without the state's input.*

We have asked the state about the rate of Comprehensive Plan certification. Of the 461 municipalities in Maine, 207 have a Comprehensive Plan that has been certified as consistent by the state. In Cumberland County, 19 of 28 municipalities have plans that have been certified as consistent. Statewide, 68 Comprehensive Plans are designated as "inconsistent" and 119 are designated as "unknown" (including Portland.)

Attached is a background piece from the Municipal Planning Assistance Program on this issue that may be helpful. I also attach a copy of the email I received from the MPAP regarding these questions.

Next Steps

Portland has viewed Comprehensive Planning as an ongoing effort rather than a process that we go through every 10-20 years. The City updated the Comprehensive Plan in 2005, and has continued to work on updating elements of the Plan since that time. For example, the *Transforming Forest Avenue* plan and the Bicycle/Pedestrian Chapter of the Comprehensive Plan were adopted by Council as additional elements of the Comprehensive Plan after 2005. The India Street Sustainable Neighborhood Plan is proposed for adoption as well.

Given the City's ongoing efforts in Comprehensive Planning, and the desire to reestablish formal state certification of the Plan swiftly, as well as limited staff and financial resources available for this effort, we have determined that the best course is to update our current Plan as a "new" certifiable document. We will update the plan as required by state regulations, providing some current demographic data and updating any material that did not go through a previous public process, as well as providing a new summary document to make the Plan more accessible to the public.

I have spoken to the Greater Portland Council of Governments and they have provided me with a scope of work for completing this process in the next six months consistent with state requirements for submitting a Plan for certification. This effort would cost about $25,000, which will be funded from a contingency account.

As I have said before, the City of Portland needs to entirely rewrite and simplify its Land Use Code. Doing so is not a small endeavor, and would best be taken in the context of a new City-wide Comprehensive Planning effort. I understand that such efforts are beyond the City's current budget capacity and would like to move them forward in the next few years as part of a future work plan for the Department of Planning & Urban Development. However, in the meantime, it is important to regain our certification in a timely manner.

The state rules regarding submitting a certified Comprehensive Plan require that the process be overseen by a planning committee. Portland Code of Ordinances Section 14-30(a) and (b) say that the Planning Board shall "prepare and recommend a comprehensive plan to the city council, which plan, upon its adoption by the city council, shall be known as the 'Land Development Plan of the City of Portland,'" and shall also "prepare and recommend to the city council changes in and amendments to the land development plan." Given this statutory authority, we recommend that the Planning Board be the "planning committee" for this process. I have spoken to the Planning Board chair and he agrees that this makes sense.

SPO Maine State Planning Office
Executive Department

PAUL R. LEPAGE
Governor

Darryl Brown
Director

The 2012 Comprehensive Plan Deadline

Q: I have been told that my comprehensive plan will expire in 2012. Why?

A: A comprehensive plan generally sets out recommendations for ten years into the future. Beyond that period, not just the recommendations but community attitudes and concerns may shift and condition and trends analysis loose relevancy. The original Growth Management Act provided no "expiration date," but the legislature amended it in 2008 to say that the State Planning Office finding that a comprehensive plan is "consistent with the law" will expire after 12 years. For plans adopted prior to 2001, the grace period was extended to December 31, 2012.

Q: Will our plan become invalid if it is no longer consistent?

A: The way the law is written, it is not the plan itself that expires; it is the finding by the State Planning Office that the plan is consistent with the law. A consistency finding which has expired ("expired finding") does not invalidate a locally adopted plan, nor any of the recommendations that the plan carries.

Q: Why should we care if the state no longer finds the plan consistent?

A: The SPO finding of consistency triggers a number of state actions and benefits. Since passage of the Growth Management Act, various state agencies have tied their growth-related programs to it. The most well-known is the CDBG program, which will not award grant funding for growth-related capital investments to a town without a consistent plan. Other grant programs award point priorities to towns with consistent plans. Some state agencies, such as the MaineDOT, give priority in funding their own projects to towns with consistent plans.

Q: What about our zoning ordinance? I understand a zoning ordinance must be based on a consistent plan.

A: The law says that zoning ordinances (as defined), impact fees and rate-of-growth ordinances (building permit caps) must conform to a plan which meets the requirements of the Growth Management Act (Refer to 30A M.R.S.A. §4314 (3)). An expired finding does not invalidate these ordinances. It does, however, provide an opening for a party affected by the ordinance to challenge it in court. Consultation with legal counsel is recommended.

OFFICE LOCATED AT: 19 UNION STREET, 38 STATE HOUSE STATION, AUGUSTA MAINE
PHONE: (207) 624-7660 internet: www.maine.gov/spo FAX: (207) 287-6489

Q: Can't the SPO just "re-affirm" our old plan?

A: No. Should a community choose to submit a plan to the SPO, it would have to be reviewed for completeness with the current standards. Among other things, data has to be refreshed, conclusions based on that data re-examined, and implementation strategies bought up to date. SPO makes updated data for plans available to communities to insure the use of current data available from State agencies. If the plan meets the threshold of the review standards it is accepted for consistency review. Until a plan is reviewed for consistency, its status would remain "unknown" in SPO records.

Q: What about plans that have been fixed after a SPO finding of inconsistency? Can these still be found consistent?

A: There is some latitude depending on the nature of what's 'fixed' to respond to a finding of inconsistency on a plan prepared under the old rule (Chapter 202). Issues identified in a finding or inconsistency must be addressed within two years of the date of the finding. After that period of time, the plan must be resubmitted to SPO under the new rule.

Jeff Levine - RE: Re: Draft Questions

From: "Hertz, Elizabeth" <Elizabeth.Hertz@maine.gov>
To: Jeff Levine <JLEVINE@portlandmaine.gov>
Date: 4/10/2015 9:24 AM
Subject: RE: Re: Draft Questions
CC: Alex Jaegerman <AQJ@portlandmaine.gov>, "Carey, Phil" <Phil.Carey@maine....

Hi Jeff,

Answers to the questions you submitted earlier this week follow. The questions have been modified to reflect correct language from the applicable statute and rule. While we are knowledgeable about the relevant statute, we are not attorneys, so our answers are not legal opinions.

1. Are we required to have a current finding of consistency for our Comprehensive Plan? No

2. What does the expiration of the consistency finding for our Comprehensive Plan mean in terms of our subsequent planning documents adopted by the City Council since the 2003 consistency finding?

   The expiration of Portland's consistency finding simply means that our office cannot attest to the consistency of the 2003 plan.

   Neither the expiration of a plan's consistency finding, nor the adoption of a plan amendment without a consistency finding necessarily cause a plan to be inconsistent with the Growth Management Act – the result of either situation is that we can no longer attest to the validity of the plan's consistency. In such cases, our office would report a plan's consistency status as "unknown".

3. Do we have to stop doing all development review and rezoning efforts until our plan has been reviewed and a consistency finding has been issued by your office?

   No, see answer below.

4. What is the impact of not having a comprehensive plan with a current consistency finding on the validity of any rezoning or development review permits issued?

   Not having a comprehensive plan with a current consistency finding does not impact on the validity of any rezoning or development review permits, however, it can complicate efforts to defend the validity of a zoning ordinance, zoning amendments and permits that are based on a zoning ordinance.

   MRSA 30-A §4352.2 stipulates that a "….zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body…"

According to MRSA 30-A§4301.3, a comprehensive plan is, by definition, one that is consistent with the state's Growth Management Act (the Act). It is our understanding that when a plan's consistency with the Act is the subject of a legal challenge, the Court typically accepts a current finding from our office as conclusive evidence of consistency or inconsistency. If, as in Portland's case, a finding has expired, we would report the plan's consistency status as "unknown" (not "inconsistent"), leaving the Court to make its determination without our input.

Let me know if I can be of further assistance.

Best,

Liz

Elizabeth Hertz
Director, Municipal Planning Assistance Program
Department of Agriculture, Conservation and Forestry
22 SHS /Augusta, ME 04333

Phone: 207-287-8061

From: Jeff Levine [mailto:JLEVINE@portlandmaine.gov]
Sent: Wednesday, April 08, 2015 11:58 AM
To: Hertz, Elizabeth
Cc: Alex Jaegerman; Carey, Phil
Subject: Fwd: Re: Draft Questions

Liz-

As discussed, here are the questions it would be very helpful if your office could answer for us:
1. Are we required to have a certified plan?
2. What does the expiration of certification of our Comprehensive Plan mean in terms of our subsequent planning documents adopted by the City Council since the 2003 certification?
3. Do we have to stop doing all development review and rezoning efforts until our plan has been reviewed and certified by your office?
4. What is the impact of not having a certified plan on the validity of any rezoning or development review permits issued?

Please let me know if you need any additional information or clarifications.

best,

Jeff

Jeff Levine, AICP
Director
Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, Maine 04101
Phone (207)874-8720
Fax (207)756-8258
http://www.portlandmaine.gov/planning
@portlandplan

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.

Memorandum

Date: June 19, 2015
To: Jeff Levine, AICP, Director of Planning and Urban Development, City of Portland
Christine Grimando, AICP, Senior Planner, City of Portland
From: Rebeccah Schaffner, AICP, Greater Portland Council of Governments
Re: Comprehensive Plan Recertification Process & Schedule

Per our discussion, the following outlines for Planning Board members the tasks and a schedule for completing the comprehensive plan recertification process.

Task 1: People
Description: Addresses population and demographics, including consideration of daytime versus nighttime population, seasonal population, and refugee and immigrant population. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 2: Natural Environment
Description: Addresses topography, soils and water; habitats and other critical natural resources (such as wetlands, endangered species, and shoreland areas); climate change; and hazard mitigation (prevention of development in areas such as steep slopes or prone to flooding); including consideration of point source and nonpoint source pollution, scenic resources, sea level rise, storm surge, increased storm intensities, and storm water. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 3: "Built" Environment
Description: Addresses historic and archaeological resources, housing, transportation, and recreation and open space, including consideration of quality of housing, vacancy rates, affordability, housing choice, parking, ride sharing, transportation for visitors, pedestrians, water access for recreation, and proximity to open spaces. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 4: Economy
Description: Addresses general economy, agriculture and forestry, and marine resources, including consideration of regional economy, sharing and e-economy, land side needs of marine industries, water access, and harbor management. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 5: The Future
Description: Addresses current land use patterns and lays out a future land use plan, including consideration of individual neighborhoods. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 6: Public Facilities and Services
Description: Addresses sewer, drinking water, waste water, energy, public service departments (such as police, fire & rescue, public works, social services), and schools. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 7: Regional Picture
Description: Addresses regional efforts and collaborations. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; and policy and strategy development.

Task 8: Government and Fiscal Capacity
Description: Addresses assessed value, operating expenditures and revenues, and borrowing capacity, including consideration of impact fees and capital improvement planning. Elements include review of the existing comprehensive plan; review of other relevant plans, studies, and documents; inventory and analysis of data; and policy and strategy development.

Task 9: Miscellaneous
Description: Addresses plan introduction and background, use of the plan, graphics, and other layout/publishing considerations.

Task 10: Public Engagement
Description: Gathers public input into development of plan. Elements include electronic survey, neighborhood meetings, and public hearing.

Task Schedule

	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Task 1: People							
Task 2: Natural Environment							
Task 3: "Built" Environment							
Task 4: Economy							
Task 5: The Future							
Task 6: Public Facilities & Services							
Task 7: Regional Picture							
Task 8: Government & Fiscal Capacity							
Task 9: Miscellaneous							
Task 10: Public Engagement							
Survey							
Neighborhood Meetings							
Public Hearing							

PLANNING BOARD REPORT
PORTLAND, MAINE

Briggs Street Subdivision: Three Units Apartments
5 Briggs Street
Level III Subdivision and Site Plan Review
2015-097
Briggs Street Property, Applicant

Submitted to: Portland Planning Board: Public Hearing Date: July 28, 2015	Prepared by: Shukria Wiar, Planner Date: July 24, 2015

I. INTRODUCTION

Nickolas Burnett on behalf of Briggs Street Property, LLC has submitted a Level III Site Plan and Subdivision application for the construction of a three-unit residential building on a 4,366 square feet "urban infill" site at 5 Brigg Street in the West End. The site is currently vacant. The site face Briggs Street and access to the site is behind an existing two-family building at 55 Salem Street. It is surrounded by single and multifamily houses. The site is in the Residential R-6 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 *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) and the *Two-Family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards* (Sections (d) and (I), and Appendix 2 of the Design Manual).

One hundred and sixty-nine (169) notices were sent to area residents within 500 feet of the site and the interested party list. A notice also appeared in the July 20th and 21st editions of the *Portland Press Herald.*

Applicant Name	Briggs Street Property, LLC
Consultants	
Engineer	Tom Greer of Pinkham and Greer
Surveyor	Mark Carpenter of Nadeau Land Surveys
Architect	John Whipple of Whipple Callendar Architects

Project Review

Review	*Applicable Standards*
Site Plan	14-526
Subdivision	14-491
Design Manual	R-6 Small Infill Development Design Principles & Standards (Appendix 7 of the Design Manual) and the Two-Family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards (Sections (d) and (I), and Appendix 2 of the Design Manual)

II. PROJECT DATA

Existing Zoning	R-6 Residential
Tax Map	CBL: 057 J029 and 031
Existing Use	Vacant Lot

Proposed Use	Apartments for Rental
Parcel Size	4,366 SF
Number of Units to be Demolished	None- An existing garage will be razed on the property.
Number of Affordable Units	The proposed units will be market rate.
Proposed Bedroom Mix	Three two-bedroom apartments
Building Footprint	1,409 SF
Building Floor Area	4,251 SF
Impervious Surface Area	1,409 SF
Parking Spaces	3 spaces
Bicycle Parking Spaces	2 spaces
Estimated Cost of Project	$ 550,000

III. EXISTING CONDITIONS

Currently the parcel is vacant and surrounded by single-family and multifamily homes. The existing site is developed with lawn, patio, and a garage. The site has an existing garage that serves the home at 55 Salem Street and is mostly open space. The property does not have a curb cut on Briggs Street. There are paved areas that include the driveway from Salem Street and walkways. Brigg Street is a one-way street, with on-street parking on the east side of the street that stretches from Danforth Street to Salem Street.

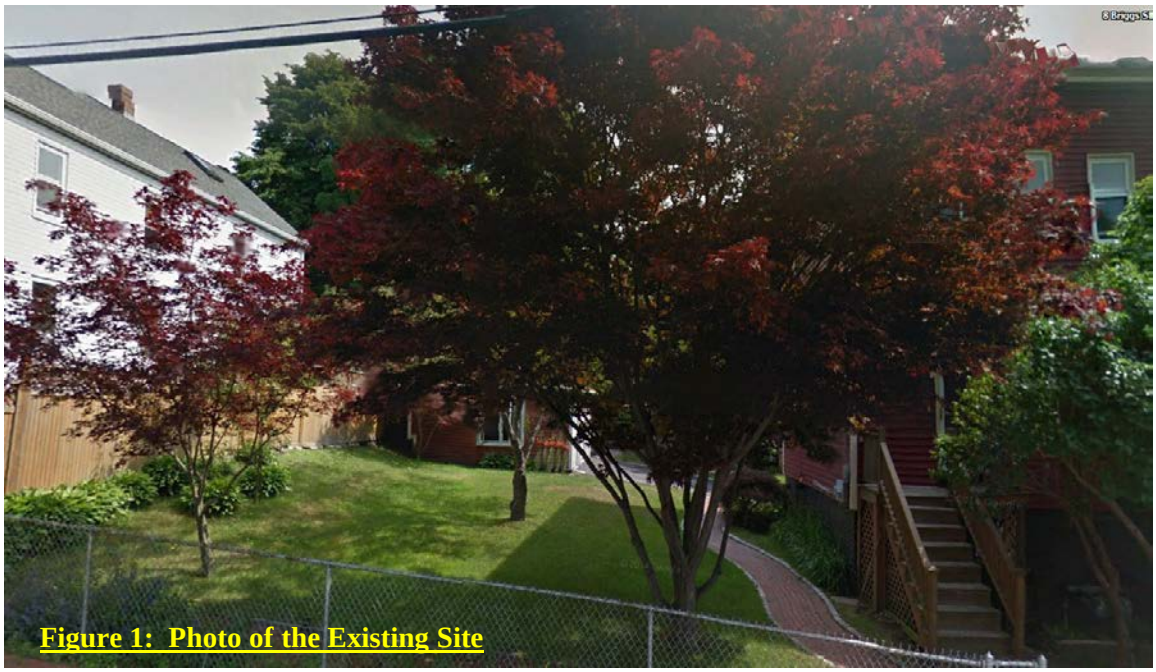


Figure 1: Photo of the Existing Site

IV. PROPOSED DEVELOPMENT

The proposal, including floor plans and elevations, are included in the final plan set and have been revised to address staff concerns. The development project is proposed as new construction of a three-unit apartment building with each unit having living space and two bedrooms. The building will be three stories high with a building height of 35 feet and 1,409 SF footprint. At three stories high, the scale of this apartment building will be in balance the residential uses of the street and neighborhood.

The new R-6 text amendments do not require parking spaces for the first three units. However, the applicant is proposing three parking spaces. The building will have two parking spaces under the building and one at the

garage on the abutting lot at 55 Salem Street. Vehicle access is proposed from Salem Street via an existing 10 foot wide drive. This driveway will be shared by this property and the property at 55 Salem Street. The parking area is not visible from the street since it is tucked-away in in the building and away from any public streets. Two bicycle parking spaces are also proposed as part of this project. A fence is propsed that surrounds the property. A designated area for snow storage is located adjacent to the proposed building.

The building is not proposed at the sidewalk but the building will have a walkway and steps that will lead to the front façade. These features articulate the main façade of the building.

Figure 2: View of the Proposed Building from Briggs Street

Figure 3: View of the Proposed Building from Briggs St

Figure 4: Elevation View of Building from

V. PUBLIC COMMENT

As of the writing of this report, there have been no comments submitted.

The applicant did not hold a neighborhood meeting since the subdivision is for three units only; project developments that have five or greater units or lots are required to hold a neighborhood meeting.

VI. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY

a. The owner of the property is Briggs Street Property, LLC. The applicant has provided a copy of a deed of sale, recorded at the Cumberland County Registry of Deeds (Book 46240 Page 151), which demonstrates their right, title and interest in the property.

b. The estimated cost of the development is $550,000. The applicant has submitted a letter from Morgan Stanley, dated July 22, 2015, as demonstration of their financial and technical capacity to complete the proposed development.

VII. ZONING ASSESSMENT

The proposed three unit apartment building is a permitted use in the Residential R-6 zone. Under the R-6 zone all of the dimensional requirements are being met. For off street parking, Division 20 requires no parking for the first three units and one parking space per unit for residential uses after the first three in the R-6 zone. Even though parking is not required, the applicant is proposing three parking spaces as shown on the site plan.

Under external effects, section 14-167(b), the maximum noise requirement of 55 decibels at lot boundaries shall be maintained.

VIII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The applicant has submitted a recording plat. The plat will need to note the number of proposed units and associated parking on site. The final plat will need to be revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within 90 days of a Planning Board decision. As writing of this report, there are no waivers requested.

B. 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)*
   David Senus, P.E. with Woodard and Curran Engineering, has reviewed the erosion and sediment control plan and is satisfied with the proposed plans. Confirmation of ability to serve from PWD for water should be forwarded to the Planning Authority upon receipt.

2. *Sufficient Water Available (Section 14-497 (a) 2 and 3)*
   The project will be served by the existing utility services located in Briggs Street. The Applicant has contacted the Portland Water District and the City Department of Public Services requesting ability to serve letters for water and sewer demand, and awaits responses. Confirmation of ability to serve from DPS for the sewer should be forwarded to the Planning Authority upon receipt.

A potential condition of approval:

Confirmation of ability to serve letters for water and sewer from PWD and DPS shall be submitted to the Planning Division prior to the issuance of a building permit.

3. *Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)*
Briggs Street is a one-way street, with on-street parking on the east side, which stretches from Danforth Street to Salem Street. The site will be accessed by an existing shared driveway and curb cut on Salem Street. Tom Errico, P.E. Ty Lin reviewed the proposal's details including the access, parking, and vehicle circulation (Attachment 1). Mr. Errico finds the project to be acceptable.

The proposed project is not anticipated to cause unreasonable traffic congestion. The staff finds the proposed project is in conformance with this standard.

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 Paragraph VIII (B) 2, above.

5. *Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)*
The proposal site is not within an historic district. It 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. The staff finds the proposal in conformance with this standard.

6. *Comprehensive Plan (Section 14-497 (a) 9)*
The applicant has submitted their analysis of the projects conformance with the Comprehensive Plan (refer to Attachment C).The staff has identified the following goals and policies which are relevant to the proposed housing development and finds the proposal in conformance with the Comprehensive Plan:

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.
- 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 respect 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.

7. Financial Capability (Section 14-497 (a) 10)

The estimated cost of the development is $550,000. The applicant has submitted a letter from Morgan Stanley, dated July 22, 2015, as demonstration of their financial and technical capacity to complete the proposed development.

C. 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 and Access and Circulation- see Subdivision, Paragraph VIII (B) (3), above.

b. Construction Management Plan

A construction management plan has been submitted by the applicant for review. All the construction is proposed within the limits of the property lines.

c. Sidewalks

The applicant is proposing to install new brick sidewalk along their frontage on Briggs Street. This site is in the brick district.

d. Public Transit Access

The public transit requirements do not apply to this project.

e. Parking

There are three parking spaces and these are located in inside the building property and away from the street.

f. Bicycle Parking

The proposals include 2 bicycle parking spaces at the rear of the building, which meets the ordinance standard of 2 bicycle spaces per 5 vehicle spaces.

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 proposing three street trees on Briggs Street, in front of the building and is meeting the street tree requirement. The site will have landscaping along the front of the building as well as on the side (which faces Salem Street) of the property.

c. Water Quality, Storm Water Management and Erosion Control

Currently the stormwater runoff from the site drains across the site, across the existing lot at the

corner of Briggs and Salem Streets to the City's combined sewer system through a catch basin at that corner. The proposed flows will follow the same pattern. In this area, there is no separated stormdrain system.

According to Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. Given the size of the proposed development and the de minimis increase in impervious area (less than 1,000 sq ft), no formal stormwater management plan submittal will be required. The Applicant should note that any future proposed increases in impervious area on the site may be considered cumulative to the current proposed increase of 982 square feet, and requirements for stormwater management may be required at that time.

3. Public Infrastructure and Community Safety Standards

a. Consistency with Master Plans

See Subdivision, Paragraph VIII (B)6 above.

b. Public Safety and Fire Prevention

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime.

The applicant has introduced recess lights at the entrance way and along the balcony of each unit. Wall mounted lighting will also be provided for the area by the entrance and parking garage.

c. Availability and Adequate Capacity of Public Utilities

The project will be served by the existing utility services located in Briggs Street. The Applicant has contacted the Portland Water District and the City Department of Public Services requesting ability to serve letters for water and sewer demand, and awaits responses. Confirmation of ability to serve letters for water and sewer from PWD and DPS should be forwarded to the Planning Authority upon receipt.

4. Site Design Standards

a. Snow and Ice Loading

The applicant is proposing on-site snow storage. The two areas for storage is around either side of the building, see Site Plan (Attachment P5).

b. View Corridors

This site is not within a Protected View Corridor as per the "View Corridor Protection Plan" approved by the Portland City Council in 2001.

c. Historic Resources

The site is outside the 100 foot setback of the West End historic district, therefore the project does not have to be reviewed by Historic Preservation.

d. Exterior Lighting

The proposal has noted recess lighting under the front door canopy and at the balconies. A lighting and photometric plan has not been submitted for review. According to the applicant, any proposed lighting will meet the City's Technical Standards:

> *All exterior site lighting including lighting of building entrances will be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets.*
>
> *Illumination levels will be adequate but not excessive for the safety, comfort and convenience of occupants and user of the site and will conform to all applicable standards of Section 12 of the Technical Manual.*

e. 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.

f. Signage and Wayfinding

This standard does not apply to the proposal.

g. Zoning Related Design Standards

On Tuesday, July 21, a design review according to the *City of Portland Design Manual* Standards was performed for the proposed new construction of a three-family dwelling at 5 Briggs Street. The review was performed by Caitlin Cameron, Urban Designer and Shukria Wiar, Planner, within the Planning Division of the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) and also the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters* (Section I of the Design Manual).

Design Review Criteria:

The project was reviewed with the *R-6 Alternative Design Review* which has the following criteria:

a. Proposed design is consistent with all of the Principle Statements
b. The majority of the Standards within each Principle are met
c. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two-block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
d. The design plan is prepared by an architect registered in the State of Maine.

The project must also meet the design standards of the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters.*

Findings of the Design Review:

The proposed design **passes** all of the criteria of the *R-6 Alternate Design Review.*
The proposed design **passes** all of the *Multi-family design standards.*

Comments for the specific standards are provided in Attachment 4.

IX. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed development.

X. PROPOSED MOTIONS

Subdivision Plat

On the basis of the application, plans, reports, and other information submitted by the applicant, findings and recommendations contained in Planning Board Report for application 2015-097 relevant to the 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/is not)** in conformance with the subdivision standards of the land use code, subject to the following conditions:

1. The Applicant shall note on the subdivision plat that any future proposed increases in impervious area on the site shall be considered cumulative to the current proposed increase of 982 square feet, and requirements for stormwater management shall be required at that time.

2. The final boundary survey, subdivision plat, and site plans shall be stamped by a registered professional land surveyor and registered engineer.

3. The recording plat shall be revised noting all waivers and conditions for review and approval by the Planning Authority prior to recording. All waivers shall be recorded within 90 days of the Planning Board approval.

Level III Site Plan

On the basis of the application, plans, reports, and other information submitted by the applicant, findings and recommendations contained in Planning Board Report for application 2015-097 relevant to the Site Plan 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/is not)** in conformance with the site plan standards and all other applicable provisions of the land use code, subject to the following conditions:

1. The applicant shall submit confirmation of ability to serve letters for water and sewer from Portland Water District and Department of Public Service, respectively, to the Planning Division prior to the issuance of a building permit.

2. All exterior site lighting including lighting of building entrances shall be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets. Illumination levels shall be adequate but not excessive for the safety, comfort and convenience of occupants and user of the site and shall conform to all applicable standards of Section 12 of the Technical Manual. The external lighting specification shall be submitted for review and approval by the Planning authority prior to the issuance of a building permit.

3. Storm Water Management Condition of Approval- The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved

stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form with any changes to be approved by Corporation Counsel, shall be submitted, signed, and recorded prior to the issuance of a building permit with a copy to the Department of Public Services.

4. The proposed specifications for the mechanical equipment shall be reviewed and approved by the Planning Authority and Acting Zoning Administrator prior to the issuance of a building permit.

ATTACHMENTS:

Staff Review Comments and Background Information

1. Traffic Engineering Review (Tom Errico, T Y Lin), comments dated 07.14.2015
2. Department of Public Services Review, David Margolis-Pineo, dated 07.07.2015
3. Civic Engineer Review, David Senus, dated 07.06.2015 and 07.17.2015
4. Urban Designer Review, Caitlin Cameron, dated 07.21.2015
5. Fire Department Review, Capt. Keith Gautreau, dated 07.09.2015

Applicant's Submittal

A. Application Cover
B. Level III Application updated 6-1-14_20150610838120054(2)-signed
C. 1.1Table of Contents
D. 1.2 Development Review Application
E. Project Description
F. Project Summary
G. Right Title and Interest
H. Lesniewski deed
I. Adams Deed
J. 3.3 Determination Letter
K. Compliance
L. 4.1Zoning Summary
M. Financial and Technical Capacity
N. 5.3 HVAC
O. Utility Capacity
P. 7.1 PWD capacity0001
Q. 7.2 Unitil capacity0001
R. Stormwater Management
S. Solid Waste
T. Construction Management Plan
U. 10.0Construction Management Plan
V. Drawings
W. A0.1 Construction Management Plan
X. C_Drainage Analysis D1.0
Y. C_Housekeeping Report
Z. C_Stormwater Maintenance Agreement
AA. C_SW I&MF
BB. C_SW Narrative

CC. C_Treatment Calculation
DD. Notification Map (500 feet) 7-1-15
EE. Response Letter from Pinkham and Greer, dated 07.14.2015
FF. Financial Capacity Letter

Plans

Plan1 A-0 TITLE SHEET
Plan2 Boundary Survey
Plan3 Subdivision Recording Plat
Plan4 Site Plan
Plan5 Existing Conditions and Demolition Plans
Plan6 Grading and Utilities Plans
Plan7 Erosion Control and Landscaping Plans
Plan8 Details
Plan9 Details
Plan10 Details
Plan11 Renderings
Plan12 A-1 B'MT AND FIRST PLANS
Plan13 A-2 2ND AND 3RD PLANS
Plan14 A-3 ELEVATIONS
Plan15 A-4 SECTIONS
Plan16 A-5 DETAILS
Plan17 S0.0 Structural Notes
Plan18 S1.0 Foundation Plan
Plan19 S1.1 First and Second Floor Framing Plan
Plan20 S2.1 Typ. Concrete Details and Sections
Plan21 S3.1 Drawing Details

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>, "Tarling, Jeff" <JST@portlandmaine.gov>
Date: 7/14/2015 12:00 PM
Subject: 5 Briggs Street - Traffic Review

Hi Shukria - I have reviewed the site plan for the project and find conditions to be acceptable. I have no comments.

Please contact me if you have any questions.

Best regards,

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

"One Vision, One Company"

Please consider the environment before printing.

From: David Margolis-Pineo
To: Shukria Wiar
CC: Barbara Barhydt; DEVELOPMENT REVIEW GROUP
Date: 7/7/2015 3:55 PM
Subject: Development Review Comments for Five Briggs St

Comments have also be added to Urban Insight.

July 7, 2015

Memo To: Shukria Wiar
Barbara Barhydt
From: David Margolis-Pineo
Re: 5 Briggs Street – Three Unit Apartment Building 2015-097

The Department of Public Services has the following preliminary review comments on the above proposed project

1. Both the Survey and Plat plans require a stamp by a registered professional land surveyor.
2. Please indicate that the proposed sewer lateral within the street right of way shall be SDR-35 PVC. Also please be aware that a sewer connection fee of one to two thousand dollars will be required.
3. Add note to Sheet C1.1 that all work within the road right of way shall meet City of Portland Technical Manual standards.

We have no further comments at this time.

COMMITMENT & INTEGRITY
DRIVE RESULTS

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

MEMORANDUM

TO: Shukria Wiar, Planner
FROM: David Senus, P.E.
DATE: July 6, 2015
RE: Briggs Street Apartments, Final Level III Site Plan Application

---

Woodard & Curran has reviewed the Final Level III Site Plan Application for the proposed apartment building located at 5 Briggs Street in Portland, Maine. The project involves the demolition of an existing garage and the construction of a three unit rental apartment residential structure in the West End.

Documents Reviewed by Woodard & Curran

- Level III Site Plan Application and attachments, dated June 9, 2015, prepared by Nicholas Burnett, on behalf of Briggs Street Property, LLC.
- Boundary Survey, dated January 12, 2012, prepared by James D. Nadeau, LLC, on behalf of Nicholas Burnett.
- Engineering Plans, Sheets C1.0-C1.4, and C2.1-C2.4, dated May 20, 2015, prepared by Pinkham & Greer Civil Engineers, on behalf of Briggs Street Property, LLC.

Comments

1) Per Section 13 of the City's Technical Manual, the Applicant is required to submit a Boundary Survey that has been Stamped by a Maine Licensed Professional Surveyor; the Boundary Survey has not been stamped at this time.
2) The Applicant should provide letters from the Portland Water District and the City Department of Public Services confirming capacity to serve the proposed development and approving the design of the proposed utilities.
3) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
   a) Basic Standards: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500; however, the plans should specify catch basin inlet protection devices for the existing catch basin at the corner of Salem Street and Briggs Street; applicable notes and details should be provided for this inlet protection.
   b) General Standard: The project will result in an increase in impervious area of approximately 1,168 square feet. As such, the project is required to include stormwater management features for stormwater quality control. The Applicant has noted that an Underdrained Soil Filter (UDSF) is proposed. The Applicant should address the following comments:
      i. The Applicant should clarify whether runoff from the patio is intended to infiltrate into the stormwater management system.
      ii. It appears that the design intent is for an Underdrained Subsurface Sand Filter (USSF) system, and not an Underdrained Soil Filter; the filter material type should correspond to the sand material identified in Chapter 7.3 of Volume III. of the BMP Technical Design Manual.
      iii. The inspection and maintenance plan refers to replacing the top layer of the soil filter when water ponds on the surface of the bed; however, the project does not propose to collect and filter runoff through a vegetated soil filter. Inspection & maintenance requirements should correspond to the requirements outlined in Chapter 7.3 of Volume III. of the BMP Technical Design Manual.

iv. The inspection and maintenance plan should identify the reporting requirements outlined in Chapter 32 of the City of Portland Code of Ordinances.

c) Flooding Standard: The project will result in an increase in impervious area of approximately 1,168 square feet. As such, the project is required to include stormwater management features to control the rate or quantity of stormwater runoff from the site. The Applicant has proposed plastic chambers (StormTech) for water storage under the patio system and above the proposed sand filter. Although no model analysis was provided, given the small proposed increase in impervious area on the site, we feel the proposed system will adequately reduce peak flows from the site and comply with the intent of the Flooding Standard.

4) The design intent of the overflow outlet from the stormwater management system is unclear. If outletting onto a landscaped area, some form of stabilization should be provided. Landscape stone or other products could be considered acceptable in lieu of traditional rip-rap if preferred for aesthetic reasons.

COMMITMENT & INTEGRITY
DRIVE RESULTS

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

MEMORANDUM

TO: Shukria Wiar, Planner
FROM: David Senus, P.E.
DATE: July 17, 2015
RE: Briggs Street Apartments, Final Level III Site Plan Application – Response to Comments

---

Woodard & Curran has reviewed the response to comments submittal for the Final Level III Site Plan Application for the proposed apartment building located at 5 Briggs Street in Portland, Maine. The project involves the demolition of an existing garage and the construction of a three unit rental apartment residential structure in the West End.

Documents Reviewed by Woodard & Curran

- Response to comments letter dated July 14, 2015, prepared by Pinkham & Greer Civil Engineers on behalf of Briggs Street Property, LLC.
- Engineering Plans, Sheets C1.0-C1.4, and C2.1-C2.2, REV dated July 14, 2015, prepared by Pinkham & Greer Civil Engineers on behalf of Briggs Street Property, LLC.

Comments *(Previous comments in italics)*

1) Per Section 13 of the City's Technical Manual, the Applicant is required to submit a Boundary Survey that has been Stamped by a Maine Licensed Professional Surveyor; the Boundary Survey has not been stamped at this time.

2) The Applicant should provide letters from the Portland Water District and the City Department of Public Services confirming capacity to serve the proposed development and approving the design of the proposed utilities.

3) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. Given the size of the proposed development and the de minimis increase in impervious area (less than 1,000 sq ft), no formal stormwater management plan submittal will be required. The Applicant should note that any future proposed increases in impervious area on the site may be considered cumulative to the current proposed increase of 982 square feet, and requirements for stormwater management may be required at that time. We offer the following comments:
   a) Basic Standard: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500.
   b) General Standard: The project scope has been revised from earlier submittals and will result in a de minimis increase in impervious area of approximately 982 square feet. As such, the project is not required to include any stormwater management features for stormwater quality control.
   c) Flooding Standard: The project scope has been revised from earlier submittals and will result in a de minimis increase in impervious area of approximately 982 square feet. As such, the project is not required to include any stormwater management features to control the rate or quantity of stormwater runoff from the site.

Planning and Urban Development Department
Planning Division

Subject: R-6 Small Infill & Multi-family Design Review – 5 Briggs Street

Written by: Caitlin Cameron, Urban Designer

Date of Review: Tuesday, July 21, 2015

On Tuesday, July 21, a design review according to the *City of Portland Design Manual* Standards was performed for the proposed new construction of a three-family dwelling at 5 Briggs Street. The review was performed by Caitlin Cameron, Urban Designer and Shukria Wiar, Planner, within the Planning Division of the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) and also the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters* (Section I of the Design Manual).

Design Review Criteria:
The project was reviewed with the *R-6 Alternative Design Review* which has the following criteria:

A. Proposed design is consistent with all of the Principle Statements
B. The majority of the Standards within each Principle are met
C. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two-block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
D. The design plan is prepared by an architect registered in the State of Maine.

The project must also meet the design standards of the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters.*

Findings of the Design Review:
The proposed design **passes** all of the criteria of the *R-6 Alternate Design Review* – some comments are provided below.

The proposed design **passes** all of the *Multi-family design standards* – see comments below.

Design Review Comments *(red text denotes principles or standards that are not met)**:***

Principle A Overall Context – Not met – while the mass and height of the proposal is consistent and compatible with the surrounding residential context, the extent of the massing recess is not.

- *A-1 Scale and Form:* The scale of the project is compatible with the existing context. The building form is a variation on a typical triple-decker typology. Rather than use a bay, the project uses the stair tower as a building projection.
- *A-2 Composition of Principal Facades:* The composition of the front facades is more contemporary than the traditional building fabric but has a vertical proportion, is balanced, and uses local symmetry. The stair tower is treated similarly to a bay by providing a projection on the front façade.
- *A-3 Relationship to the Street:* An adequate proportion of the front façade is set near the street and is placed consistently with the street wall on the block.

Principle B Massing – Met – Most aspects of the building reflect the principle and the majority of the Standards are met by the proposed design.

- *B-1 Massing:* The proposed massing is generally consistent with the neighborhood using a vertical proportion and a projection on the front façade, However, the recessed portion of the building is setback much further than is found in any other building in the neighborhood.
- *B-2 Roof Forms:* The proposed roof form is consistent with the surrounding context and the building type.
- *B-3 Main Roofs and Subsidiary Roofs:* There is a clear main roof form.
- *B-4 Roof Pitch:* Not applicable
- *B-5 Façade Articulation:* The project employs balconies and a covered entry.
- *B-6 Garages:* Not applicable

Principle C Orientation to the Street – Met – The project appropriately reflects the private/public relationship of residential buildings in this neighborhood.

- *C-1 Entrances:* The main entry is emphasized with the canopy, stoop, and material/color articulation. **The access to the principal building entry was revised to provide direct access from the street to the building stoop. See additional drawings received 7.21.15**
- *C-2 Visual Privacy:* Visual privacy is adequately addressed; all ground floor windows appear to be higher than 48" above adjoining sidewalk grade.
- *C-3 Transition Spaces:* A front porch/stoop is provided. See comments below about revisions.

Principle D Proportion and Scale – Met – While the proportions and scale of the building overall are harmonious and human-scaled, the fenestration on May Street is problematic.

- *D-1 Windows:* The majority of windows are rectangular with vertical proportion.
- *D-2 Fenestration:* The percent of fenestration on the front façades appear to meet the minimum 12% requirement.
- *D-3 Porches:* Balconies and porch exceed 20% of front façade length and meet minimum depth and square footage requirements.

Principle E Balance – Met – The building façade composition creates a sense of balance with good use of overall and local symmetry and articulation of façade materials.

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.

- *E-3 Symmetricality:* Primary window compositions are arranged symmetrically around discernable vertical axes.

Principle F Articulation – Met – The project employs visually interesting and well-composed facades.

- *F-1 Articulation:* Project employs a cornice, expression lines, materials with texture and scale, and details that provide shadow lines.
- *F-2 Window Types:* There are many window types used in the project.
- *F-3 Visual Cohesion:* The visual cohesion of the façade is good; materials are appropriately placed.
- *F-4 Delineation between Floors:* Floors are delineated with expression lines and balconies.
- *F-5 Porches, etc.:* The balconies are well integrated into the overall design.
- *F-6 Main Entries:* The main entry is emphasized with a canopy with placement near the street. **The access to the main entry was revised to provide a direct access from the sidewalk.**
- *F-7 Articulation Elements:* Project includes offsets in the building faces and a pronounced cornice.

Principle G Materials – Met – The dominant neighborhood material is clapboard

- *G-1 Materials:* The clapboards and board and batten are in keeping with the residential context. The use of panels, though not common in this neighborhood, is minimal and is broken up with detailing of each floor.
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature.
- *G-3 Chimneys:* Not applicable
- *G-4 Window Types:* There are many window types used in this project.
- *G-5 Patios and Plazas:* Proposed porch/balconies use concrete and metal.

(i) Two-family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters:

Standard 1 – Met – The street-facing façade provides a high level of visual interest with variations in massing, material changes, balconies. The form, scale, roof line, and building orientation are consistent with and complement the surrounding residential context. The building height is one story above neighboring buildings but the height is not overwhelming and is mitigated by the slope of the street and the setback of building mass. The principal entrance, while side-facing, is close to the street and is emphasized with a canopy.

Standard 2 – Met – The front-most portion of the street-facing façade has a relationship to the street consistent with the surrounding building context. Preferably, the rest of that front façade would not be set back so far from the street. **The relationship of the main entry to the street was revised to provide a configuration that creates a more direct pedestrian path from the sidewalk to the door and that makes the front porch more comfortable and useable.**

Standard 3 – Met – The project provides balcony space for each dwelling unit.

Standard 4 – Met – The project has a high level of fenestration and the provision of balconies also contributes to residents' access to light and air. Storage is provided within each unit as well as the basement.

Standard 5 – Met – Garage doors and drive are located on side of building and away from the street.

Standard 6 – Not Applicable

MEMORANDUM

To: FILE

From: Shukria Wiar

Subject: Application ID: 2015-097

Date: 7/23/2015

Comments Submitted by: Keith Gautreau/Fire on 7/9/2015

Site access is okay considering the existing conditions. Hydrant locations are good for the proposed 3 unit sprinkled building.

Comments Submitted by: Keith Gautreau/Fire on 7/9/2015

All construction shall comply with City Code Chapter 10.
http://www.portlandmaine.gov/citycode/chapter010.pdf

Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer. Contact Michelle Sweeney at 874-8682 for further information.

Comments Submitted by: Keith Gautreau/Fire on 7/9/2015

The new building shall not affect the egress or required Fire Department access for the neighboring building.

A. Application Cover

5 BRIGGS STREET
PORTLAND, MAINE

Application for:
Final Site Plan Level III Review

Submitted by:
Nicholas Burnett
55 Salem St. Unit B
Portland, ME 04102

For:
Briggs Street Property, LLC
55 Salem Street, Unit B
Portland, ME 04102

Submission date:
June 9 , 2015

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.

Updated: June 1, 2015

PROJECT NAME: 5 Briggs Street Apartments

PROPOSED DEVELOPMENT ADDRESS:

5 Briggs Street, Portland, ME

PROJECT DESCRIPTION:

Three unit rental apartment residential structure at 5 Briggs St. in the West End

CHART/BLOCK/LOT: 57 J 31 / 57 J 29

PRELIMINARY PLAN _____ (date)
FINAL PLAN 6/10/2015 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Nicholas Burnett Business Name, if applicable: Briggs Street Property , LLC Address: 55 Salem St. City/State : Portland, ME Zip Code: 04102	**Applicant Contact Information** Work # Home# Cell # 207.272.4956 Fax# e-mail: nick3ddesign@gmail.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	**Owner Contact Information** Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: same Address: City/State : Zip Code:	**Agent/Representative Contact information** Work # Cell # e-mail:
Billing Information Name: same Address: City/State : Zip Code:	**Billing Information** Work # Cell # Fax# e-mail:

Engineer Tom Greer Name: Pinkham & Greer, Civil Engineers Address: 28 Vannah St. City/State : Portland, ME Zip Code: 04103	**Engineer Contact Information** Work # 207.781.5242 Cell # Fax# 207.781.4245 e-mail: tgreer@pinkhamandgreer.com
Surveyor Mark CVarpenter Name: Nadeau Land Surveys Address: 918 Brighton Ave City/State : Portland, ME Zip Code: 04102	**Surveyor Contact Information** Work # 207.878.7870 Cell # Fax# 207.878.7871 e-mail: mark@nadeaulandsurveys.com
Architect John Whipple Name: Whipple Callendar Architects Address: 136 Pleasant Ave. City/State : Portland, ME Zip Code: 04103	**Architect Contact Information** Work # 207.775.2696 x104 Cell # 207.807.6997 Fax# 207.775.3631 e-mail: john@whipplecallendar.com
Attorney Susan Logiudice Name: Preti Flaherty Address: One City Center PO Box 9546 City/State : Portland, ME Zip Code: 04112-9546	**Attorney Contact Information** Work # 207.791.3218 Cell # 207.233.5184 Fax# 207.233.0937 e-mail: sel@preti.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)

_X_ Less than 50,000 sq. ft. ($500.00)
___ 50,000 - 100,000 sq. ft. ($1,000)
___ 100,000 – 200,000 sq. ft. ($2,000)
___ 200,000 – 300,000 sq. ft. ($3,000)
___ over $300,00 sq. ft. ($5,000)
___ Parking lots over 11 spaces ($1,000)
___ After-the-fact Review ($1,000.00 plus applicable application fee)

Plan Amendments (check applicable reviews)

___ Planning Staff Review ($250)
___ Planning Board Review ($500)

The City invoices separately for the following:

- Notices ($.75 each)
- Legal Ad (% of total Ad)
- Planning Review ($40.00 hour)
- Legal Review ($75.00 hour)

Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.

Other Reviews (check applicable reviews)

___ Traffic Movement ($1,000)
_X_ Stormwater Quality ($250)
___ Subdivisions ($500 + $25/lot)
# of Lots ___ x $25/lot = _____
_X_ Site Location ($3,000, except for residential projects which shall be $200/lot)
# of Lots _2_ x $200/lot = _400_
___ 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:

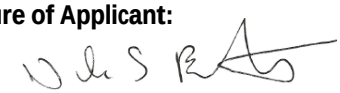
1. **One (1) full size site plans** that must be **folded.**
2. One (1) copy of all written materials or as follows, unless otherwise noted:
   a. Application form that is completed and signed.
   b. Cover letter stating the nature of the project.
   c. All Written Submittals (Sec. 14-525 2. (c), including 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 III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:	**Date:**
	6/10/2015

PROJECT DATA

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

Total Area of Site	4419 sq. ft.
Proposed Total Disturbed Area of the Site	4419 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)	378 sq. ft.
Impervious Area (Total Proposed)	1409 sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	378 sq. ft.
Building Footprint (Total Proposed)	1409 sq. ft.
Building Floor Area (Total Existing)	378 sq. ft.
Building Floor Area (Total Proposed)	4251 sq. ft.
	(plus 1409 s.f. unfinished basement)
Zoning	
Existing	
Proposed, if applicable	R-6
Land Use	
Existing	2 car garage
Proposed	residence
Residential, If applicable	
# of Residential Units (Total Existing)	0
# of Residential Units (Total Proposed)	3
# of Lots (Total Proposed)	1
# of Affordable Housing Units (Total Proposed)	0
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	
# of One-Bedroom Units (Total Proposed)	3
# of Two-Bedroom Units (Total Proposed)	
# of Three-Bedroom Units (Total Proposed)	
Parking Spaces	
# of Parking Spaces (Total Existing)	2
# of Parking Spaces (Total Proposed)	2
# of Handicapped Spaces (Total Proposed)	0
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	2
Estimated Cost of Project	550,000

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
na		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
		1	* Evidence of financial and technical capacity
x		1	Construction Management Plan
na		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
na		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
x		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
x		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)**
x		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);
x			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;
na			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
na			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;
na			A traffic control plan as detailed in Section 1 of the Technical Manual;
na			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
na			Location and proposed alteration to any watercourse;
na			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
na			Proposed buffers and preservation measures for wetlands;
na			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;
x			Ground water protection measures;
x			Existing and proposed sewer mains and connections;

- 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;
na		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
na		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;
na		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
na		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;
x		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
x		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
na		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.

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
   Nicholas Burnett, 55 Salem St. Portland, ME 207.272.4956
3. Name address, telephone number of architect
   John Whipple, Whipple Callendar Architects, 36 Vannah St. Portland, ME 207. 775.2696 x104
4. Proposed uses of any structures [NFPA and IBC classification]
   NFPA- Single Family Residential, IBC R-2
6. Square footage of all structures [total and per story]
   1417 per story, 5660 total, including basement
7. Elevation of all structures
   +/- 35'-0"
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
   Approx. 96'-0" from the structure, located at the NW corner of Briggs St. and Salem St.
10. Water main[s] size and location
    Please refer to the Grading and Utilities Plan
11. Access to all structures [min. 2 sides] Yes, primary access at south and west sides of the building.
    West access through gated path , south access using 10'-0" driveway
12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards. Enclosed

Some structures may require Fire flows using annex H of NFPA 1

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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

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

Date: May 28, 2015

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

Site Address: 5 Briggs Street

Chart Block Lot Number: 57 /J / 29 & 31

Proposed Use: Apartment Building

Previous Use: Open lot

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

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

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

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

2. Please, Submit Contact Information.

City Planner's Name: Helen Donaldson Phone: 207.874.8723

Owner/Developer Name: Briggs Street Property, LLC (Nick Burnett)

Owner/Developer Address: 55 Salem St. Portland, ME 04102

Phone: 207.272.4956 Fax: E-mail: nick3ddesign@gmail.com

Engineering Consultant Name: Pinkham & Greer Civil Engineers (Thomas S. Greer, P.E.)

Engineering Consultant Address: 28 Vannah Avenue, Portland, ME 04103

Phone: 207.781.5242 Fax: 207.781.4245 E-mail: tgreer@pinkhamandgreer.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 900 GPD

Peaking Factor/ Peak Times: typical residential am & pm peaks

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

Based on EPA standards water use per person 60 gpd / criteria

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: not required
Size of External Grease Interceptor: _____
Retention Time: _____
Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 0 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): *ttp://www.osha.gov/oshstats/sicser.html*
Peaking Factor/Peak Process Times: _____

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

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

Notes, Comments or Calculation

This is a standard residential building with 1 bedroom apartments. The total number of units is 3.

Table of Contents

Final Development Review Application 1
Table of Contents
Project Description 2
Project Summary
Consistency with City Master Plans
Significant Natural Features Statement
Site Lighting
Right, Title and Interest 3
Deed 47 Salem St. & 5 Briggs St.
Release Deed 55 Salem, Exhibit A excepting and reserving right of way
Determination Letter from Marge Schmuckal, April 3,2012
Compliance 4
Zoning Summary
Building Code and Use Summary
NFPA 1 & Fire Department Technical Standards
Financial and Technical Capacity 5
Solid Waste 6
Evidence of Utility Capacity to Serve 7
Stormwater Management 8
Housekeeping Report
Drainage Analysis
Stormwater Narrative
Treatment Calculation
Stormwater Drainage System Maintenance Agreement
Inspection and Maintenance of Stormwater Management Facilities
HVAC 9
Construction Management Plan 10
Drawings (reduced to 11 x 17) 11

	Standard Boundary Survey
C1.0	Subdivision Recording Plat
C1.1	Site Plan
C1.2	Existing Conditions & Demolition Plans
C1.3	Grading & Utilities Plan
C1.4	Erosion Control & Landscape Plans
C2.1	Details
C2.2	Details
C2.3	Details
C2.4	Details

A-0	Title Sheet
A-1	Basement & 1st Floor Plans
A-2	2nd & 3rd Floor Plans
A-3	Elevations
A-4	Sections
A-5	Details
S0.0	New Building
S1.0	Foundation Plan
S1.1	1st & 2nd Floor Framing Plans
S1.2	3rd Floor & Roof Framing Plans
S2.1	Typ. Concrete Details & Sections
S3.1	Framing Details

DEVELOPMENT REVIEW APPLICATION

U

Construction Management Plan Notes

Temporary fencing will be erected on the west side of the property where existing fence is located. The opening of the right of way onto Salem Street will also have temporary fencing.

When sidewalks on Briggs or Salem Street are removed or under construction then signage will be placed at the head of Briggs St., at the junction of Salem and Briggs and to the east on Salem St., directing pedestrians to use the sidewalk on the opposite side of the streets. Barriers and warning tapes will also be utilized. Additional signage and barriers will be employed to direct traffic when utility work requires excavation and repaving of Salem Street.

All work shall conform to applicable city codes and ordinances.

The contractor shall clean and remove debris and sediment, or other public waste due to construction, deposited on public streets, sidewalks and adjacent areas.

No holes, trenches or structures shall be left open overnight in any excavation accessible to the public or in a public right of way.

Construction waste will be sorted on site and will either be recycled or legally disposed of by the general contractor.

Construction Management Plan

Temporary fencing will be erected on the west side of the property where existing fence is located. The opening of the right of way onto Salem Street will also have temporary fencing.

When sidewalks on Briggs or Salem Street are removed or under construction then signage will be placed at the head of Briggs St., at the junction of Salem and Briggs and to the east on Salem St., directing pedestrians to use the sidewalk on the opposite side of the streets. Barriers and warning tapes will also be utilized. Additional signage and barriers will be employed to direct traffic when utility work requires excavation and repaving of Salem Street.

All work shall conform to applicable city codes and ordinances.

The contractor shall clean and remove debris and sediment, or other public waste due to construction, deposited on public streets, sidewalks and adjacent areas.

No holes, trenches or structures shall be left open overnight in any excavation accessible to the public or in a public right of way.

Construction waste will be sorted on site and will either be recycled or legally disposed of by the general contractor.

10

DRAWINGS

2

PROJECT DESCRIPTION

F

Project Summary

Existing:
5 Briggs Street currently has a two car, single story garage built on it. There are no existing easements, covenants, rights of way or other burdens on the property.

Proposed:
Briggs Street Project is the demolition of the existing garage and the new construction of a 3-unit
apartment building located in the West End. One apartment will comprise each of three stories.

The architectural features of the building will fit very well into the neighborhood. There will be ample decks on the top two floors, visible from Briggs street. The first floor unit will have direct access to a garden terrace. The Briggs St. facade of the building will feature the decks, a vertical row of fenestration defining the stairwell and a protected entry with stairs leading from a walkway. The South facade, at a remove from Salem Street, is broken up by a two foot setback and a stairwell tower set behind the decks and entry doorway. At three stories high with a flat roof, the scale will complement the the neighborhood, where three-story flat-roofed buildings predominate.

The site is sloped, allowing a 2-car garage to be built into the daylight basement facing South. It is in roughly the same location, but at a lower elevation, than the existing garage. The stormwater treatment system, located to the East of the building, consists of a stormdrain infiltration and underdrained soil filter system under seeded loam and pavers. A trench drain and gutter will divert stormwater from the roof and neighboring property into the system.

Parking for two vehicles in the garage, and an additional parking spot will be provided. A designated parking area is available for two bicycles. The driveway will follow the same path as the existing drive, on an existing 10’ right-of-way through the adjacent Salem Street property owned by Nicholas Burnett. Areas for snow removal will be located adjacent to parking.

Consistency with City Master Plans
The 5 Briggs Street Project is consistent with the City’s Comprehensive Plan Housing Goal to provide a sufficient supply of quality housing, “support Portland’s economic development, insure the safety of it’s citizens and maintain stable neighborhoods.”

This project will add three residential units to an underutilized lot. This new development will help increase adjacent property values and help better maintain a stable neighborhood.

Natural Features Summary
There are no significant natural features on the site. The site is moderately sloped. There is one mature tree that will need to be removed, as well as three decorative maples and a crab apple..

A small peach tree will be moved if necessary and possible.Existing plantings and lawn will be restored.

Site Lighting

Tall exterior site lighting including lighting and building entrances will be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets.

Illumination levels will be adequate for the safety, comfort and convenience of occupants and users of the site and will conform to all applicable standards of Section 12 of the Technical Manual.

G

3

Right, Title and Interest

Deed of Sale for 47 Salem Street and 5 Briggs Street

Release Deed for 55 Salem Street , EXHIBIT A excepting and reserving right of way

Determination letter from Marge Shmuckal, dated April 3, 2012

H

DEED OF SALE BY PERSONAL REPRESENTATIVE
(INTESTATE)
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, that **Daniel P. Barrett**, duly appointed and acting Successor Personal Representative of the **Estate of Ilon J. Lesniewski,** deceased (intestate), as shown by the probate records of the Cumberland County Probate Court, Portland, Maine and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grant to **Briggs Street Property, LLC**, the real properties on 47 Salem Street, and 5 Briggs Street, City of Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and fully incorporated herein by reference.

WITNESS his hand and seal this 8th day of September, 2011.

Signed, Sealed and Delivered
in the presence of

Witness

Daniel P. Barrett, Personal Representative
Ilon J. Lesniewski Estate

STATE OF MAINE,
Cumberland , ss. September 8, 2011

Then personally appeared the above named Daniel P. Barrett in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public

Type or Print Name

C. TRENT GRACE
Notary Public, Maine
My Commission Expires February 2, 2015

MAINE REAL ESTATE TAX PAID

C(1-191C

Doc#: 46240 Bk:28950 Pg: 152

EXHIBIT 'A'
47 SALEM STREET AND 5 BRIGGS STREET
PORTLAND, MAINE

Two certain lots or parcels of land, with the buildings thereon, situated on the northeasterly side of Briggs Street in said City of Portland, the first being bounded and described as follows:

Beginning at a drill hole in the cement side walk on the northeasterly side line of Briggs Street distant forty-six (46) feet in a northwesterly direction for the stone monument with marks the northeasterly side line of Briggs Street with the northwesterly side line of Salem Street; thence in a northeasterly direction and making an angle of ninety-five (95) degrees with the northeasterly side line of Briggs Street (on the Salem Street side of the angle) and running parallel with and two (2) feet northerly of the brick foundation of the building at the northeasterly corner of Salem and Briggs Streets a distance of forty-nine and 58 one hundredths (49.58) feet to an iron pipe; thence deflecting to the left by an angle of ninety-one degrees and forty-two minutes (91.42) and running in a northwesterly direction a distance of forty-one and thirty-five one-hundredths (41.35) feet to an iron pipe in the southeasterly line of land now or formerly on one Willis; thence in a southwesterly direction by said Willis land a distance of forty-four and ninety-five one-hundredths (44.95) feet to an iron pipe in the northeasterly side line of said Briggs Street; thence in a southeasterly direction by said northeasterly line of Briggs Street a distance of forty-one and fifty-five one-hundredths (41.55) feet to the point of the beginning.

Also another certain lot or parcel of land with the buildings thereon, situated northwesterly of Salem Street, in said City of Portland, bounded and described as follows:

Beginning at the northeasterly corner of land conveyed by Albin Spiridovicz to Leopad Tarazewski and Orzula Tarazewski by deed dated November 12, 1932 and recorded in the Cumberland County Registry of Deeds in Book 1409, Page 414, which corner is forty-four and ninety-five one-hundredths (44.95) feet northeasterly from Briggs Street; thence southeasterly by said Tarazewicz land, formerly of Francis E. Eltman, forty-one and thirty-five one-hundredths (41.35) feet to an iron pipe at land conveyed by Albin Spiridovicz to Joseph T. Lesniewski et al by deed dated May 13, 1933 and recorded in said Registry of Deeds in Book 1420, Page 210; thence northeasterly by said Lesniewski land fifty-five and fifteen one-hundredths (55.15) feet to an iron pipe at land now or formerly of Symonds; thence northwesterly by said Symonds land forty (40) feet, more or less, to land formerly of Willis; thence southwesterly by said Willis land fifty-five (55) feet, more or less, to the point of the beginning, together with the right of way to Salem Street ten (10) feet wide as excepted and reserved in said deed to Lesniewski.

Being the same premises conveyed to Ilon Lesniewski by Earl Brand et al by deed dated January 4, 1968 and recorded in the Cumberland County Registry of Deeds, Book 3036, Page 427.

Received
Recorded Register of Deeds
Sep 09,2011 03:49:41P
Cumberland County
Pamela E. Lovley

I

RELEASE DEED (LONG FORM)

KNOW ALL BY THESE PRESENTS,

THAT I, **ROBERT ADAMS,** of Portland, Cumberland County, Maine in consideration of ONE DOLLAR and other valuable consideration paid by **NICOLAS S. BURNETT** , of Portland, Cumberland County, Maine, and whose mailing address is PO Box 7693, Portland ME 04112, the receipt whereof I do hereby acknowledge, do hereby REMISE, RELEASE and FOREVER QUITCLAIM unto Nicolas S. Burnett, his heirs and assigns forever, the land and buildings in Portland, Cumberland County, Maine, more fully described on Exhibit A attached to this instrument.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to Nicolas S. Burnett, his heirs and assigns, to him and their use and behoof forever.

IN WITNESS WHEREOF, Robert Adams has hereunto set his hand and seal this _____.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF:

_____ (Witness)

Robert Adams
ROBERT ADAMS

STATE OF MAINE
CUMBERLAND, ss.

8-31, 20 11

Then personally appeared Robert Adams and acknowledged the foregoing instrument to be his free act and deed.

Before me: _____
Notary Public/Attorney at Law

NOTARY PRINT NAME: _____

C. TRENT GRACE
Notary Public, Maine
My Commission Expires February 2, 2015

EXHIBIT A

Property Location: 55 Salem Street, Portland, Cumberland County, Maine

Municipal Assessor's Map 57 Block J Lot 20

Beginning at a stone monument which marks the intersection of the northerly side line of Salem Street with the easterly side line of Briggs Street, thence northerly by said easterly line of Briggs Street a distance of forty-six (46) feet to a drill hole in the cement sidewalk, thence deflecting to the right by an angle of eighty-five (85) degrees a distance of forty-nine and fifty-eight hundredths (49.58) feet to an iron pipe, thence continuing the same course a distance of fifty-five and fifteen hundredths (55.15) feet to an iron pipe in the line of land now or formerly of one Simonds, thence deflecting to the right by an angle of eighty-eight degrees and fifty-one minutes (88° 51'), and running in a southerly direction by said Simonds land a distance of thirty-nine and twenty-four hundredths (39.24) feet to a stone monument in the northerly side line of Salem Street, thence in a westerly direction and by the northerly line of Salem Street a distance of fifty-five (55) feet to an iron pipe, thence continuing the same course a distance of nine and four tenths (9.4) feet to an angle in said street line, thence deflecting to the right and by said line of Salem Street a distance of forty-five and sixth tenths (45.6) feet to the stone monument at the point of beginning.

Excepting and reserving therefrom a certain right of way to be used in common with others, leading from Salem Street to a lot in the rear of the premises above described. Said right of way to be ten (10) feet wide, and to lie on the easterly side of a line drawn between the two iron pipes mentioned in the second and forth courses of the above description, that is, the northerly pipe is forty-nine and fifty-eight hundredths (49.58) feet from Briggs Street measured along the northerly line of above piece, and the southerly pipe is fifty-five (55) feet from the stone monument at the Simonds corner measured along Salem Street

Being the same premises conveyed to Robert Adams by Deed of Distribution by Personal Representative of Philip L. King, duly appointed and acting personal representative of the Estate of Robert M. Koulovatos, deceased (testate), as shown by the probate records of the County of Cumberland, State of Maine, being Docket No. 2006-1460, dated September 20, 2007 and recorded in the Cumberland County Registry of Deeds in Book 25494, Page 237.

J

PORTLAND MAINE

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

Greg Mitchell - Acting Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator

April 3, 2012

James D. Nadeau, P.L.S., C.F.M.
James D. Nadeau, LLC Professional Land Surveyors
918 Brighton Avenue
Portland, Maine 04102

RE: 55 Salem Street – 057-J-20 & 22 (called parcel "A")
5 Briggs Street – 057-J-29 & 31 (called parcel "B")

Dear Jim,

I am in receipt of your request for a determination letter concerning the properties located at 55 Salem Street (parcel "A") and 5 Briggs Street (parcel "B"). Both properties are located in an R-6 residential zone with no other overlay zones.

My determination is based upon a survey prepared by James D. Nadeau of James D. Nadeau, LLC Professional Land Surveyors, sign, sealed and dated 2-13-12. It is important to observe that the Assessors maps have not accurately depicted the deeds in its map rendering. The 10' right-of-way over parcel "A" has been inaccurately shown as separate property and part of parcel "B". It is my understanding that the underlying ownership of the property of the 10' right-of-way is part of parcel "A".

The proposal is to convey 53 square foot of property from the owner of parcel "A" to the owner of parcel "B" as shown on the given survey. The proposal does not violate any zoning requirements of either property, including setbacks and lot coverage. Parcel "A" would maintain more than the minimum R-6 lot size at 4,701 square feet after the conveyance of 53 square feet.

Parcel "B" is currently 4,366 square feet in size, essentially vacant with a garage to be demolished. The proposed conveyance would increase the lot size to 4,419 square feet. The R-6 zone has a minimum lot size of 4,500 square feet. Because the current lot is under the minimum lot size, the owner of parcel "B" has two options prior to developing the lot. The owner may prove the property is a lot of record as defined under 14-433 showing this office a chain of title since 1957 and use the dimensional requirements of section 14-139(1). Or the owner of parcel "B" may be able to show compliance with the R-6 "Small residential lot development" requirements of section 14-139(2).

Parcel "A" is considered to be a legal two (2) residential dwelling unit constructed prior to the basis of the current Land Use Zoning Ordinance.

This determination is not permission to begin construction. Separate reviews and permits are required through the Planning and Inspection Services Division prior to any construction.

If there are any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

4

COMPLIANCE

L

ZONING SUMMARY

Chapter 14

Project Address	5 Briggs St, Portland, ME 04102
Project type	Multi-family Residential > 3 units
City Zone	R-6
Legal ID	57 J 29 & 31
Lot Area	4419 SF
Permitted Uses	Multiple uses
Existing Uses	Garage
Proposed Use	Multi-family Residential
Guidelines	NA

R-6 Sect. 14-139 (b) Small residential lot development

Dimension Requirements	**Required/Allowed**	**Provided**
Min. Lot Size	None	4419 SF
Max Lot Size	10,000 SF	4419 SF
Min Front Yard	Max. 10'-0"	10'-0"
Min Rear Yard	rear or side yard at least 15'	15"
Side Yard	Min 10' set back between buildings	10'
Min Princ Structure Height	2 Stories above grade	3 stories
Max Princ Structure Height	45'	<40'
Open Space Requirement	Each unit provide deck, porch, patio or balcony; or 10% lot open space	2 balconies & patio
Min Lot Width	none	40'
Min Area per Dwelling Lot	725 SF	1473 s.f.
Other Requirements		
Off-street Auto Parking	1 space per Unit	3
Off-street Bicycle Parking	2 spaces per 5 units	2

Building Code and Use Summary

Applicable Codes	IBC 2009 IECC 2009 R-6 CBL 57 J 29 & 31 NFPA 101/2009 Maine State Internal Plumbing Code (Ref. Uniform Plumbing Code 2009)
Building Use	Three-unit residential. Rental Properties
Occupancy Classification	IBC R2 NFPA 101: Residential

Fire Department Technical Standards:

The project will be sprinkled in compliance with NFPA 13R 2010

Hydrant location: Approx. 96' from new structure. (at the corner of Briggs St. and Salem St.)

All details will be reviewed with the Portland Fire Department as required.

Fire Resistant Construction IBC 2009 VB

Sound Transmission

IBC 2009 1207.2 ""assemblies separating dwelling units from each other… shall have an STC of not less than 50"

1207.3 "Floor/ceiling assemblies between dwelling units... shall have an IIC rating of not less than 50"

FINANCIAL AND TECHNICAL CAPACITY

Technical Capacity

Architect: Whipple Callendar Architects is a leader in Maine in building residences, educational and commercial structures.Whipple Callendar is the lead designer on the project.

Other consultants will be retained in an as-needed basis.

Pinkham and Greer, Civil Engineers is responsible for design of the stormwater drainage system and all civil plans

N

9

HVAC

All HVAC equipment in this project will meet all applicable state and federal emissions requirements.

The HVAC equipment will meet the requirements of ASHRAE 90.1-2007 Energy Efficiency Standard and the IECC 2009.

Primary HVAC equipment will be located in each unit. A condenser for each unit will be located on the NW building elevation. The equipment will be screened from view by the property fence.

Noise levels generated by site equipment will not exceed City standards,

7
EVIDENCE OF UTILITY CAPACITY TO SERVE

P

Gmail by Google

nicholas burnett <nick3ddesign@gmail.com>

CMP New Service Installation - Notif # 10300121038

1 message

cmpservicecoordination@cmpco.com <cmpservicecoordination@cmpco.com> Wed, May 27, 2015 at 8:17 PM

To: NICK3DDESIGN@gmail.com

CENTRAL MAINE POWER

www.cmpco.com

DEAR NICHOLAS S BURNETT,

Welcome to CMP! We look forward to serving you throughout your new service installation project.

The notification number referenced in the subject line of this email is unique to your project. Please reference this number when you contact us.

Please view Getting Connected on our internet site. The information contained on the website is designed to help you understand the steps involved in establishing electricity service.

There are forms required for your new service installation. You may print out the necessary forms at the link below:
Simple Service Forms

Throughout this process, the CMP Service Coordination Team will work with you to complete your project. We are available Monday through Friday from 7:30 am to 4:00 pm. Please don't hesitate to e-mail us at cmpservicecoordination@cmpco.com with any questions. We'll keep you informed every step of the way with e-mails sent out as each milestone is completed.

We look forward to meeting your electricity delivery needs!

Sincerely,

Your CMP Service Coordination Team
Contact us at:cmpservicecoordination@cmpco.com
For more information: http://www.cmpco.com/YourAccount/GetConnected/default.html

Your New Electric Service Connection

==========

Unitil

Q

May 28, 2015, 2015

Re: 5 Briggs Street, Portland Maine

Dear Mr. Burnett:

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 additional gas service. The evaluation to complete the design, costs and determining what the customer contribution may be, if any, can be completed once Unitil receives the completed design and load information.

Unitil welcomes the opportunity for further discussions regarding this project.

If you have any further questions or require additional information, please contact me directly at (207) 541-2536 or at Harmon@unitil.com.

Sincerely,

Bridget L. Harmon
Business Development Representative, Customer Energy Solutions

Unitil

1075 Forest Ave.
Portland, ME 04103 T 207.541.2536 E mathers@unitil.com www.unitil.com

R

8
STORMWATER MANAGEMENT

6

Solid Waste

The building owner will contract with the City of Portland Public Works Authority for the collection of solid waste and recyclables.

Building tenants will be provided with suitable recycling containers obtained from the Public Works Authority. Tenants will also be instructed to use City of Portland designated biodegradable bags for non-recyclable solid waste.

Construction waste will be sorted on site and either recycled or legally disposed of by the General Contractor.

T

Construction Management Plan Notes

Temporary fencing will be erected on the west side of the property where existing fence is located. The opening of the right of way onto Salem Street will also have temporary fencing.

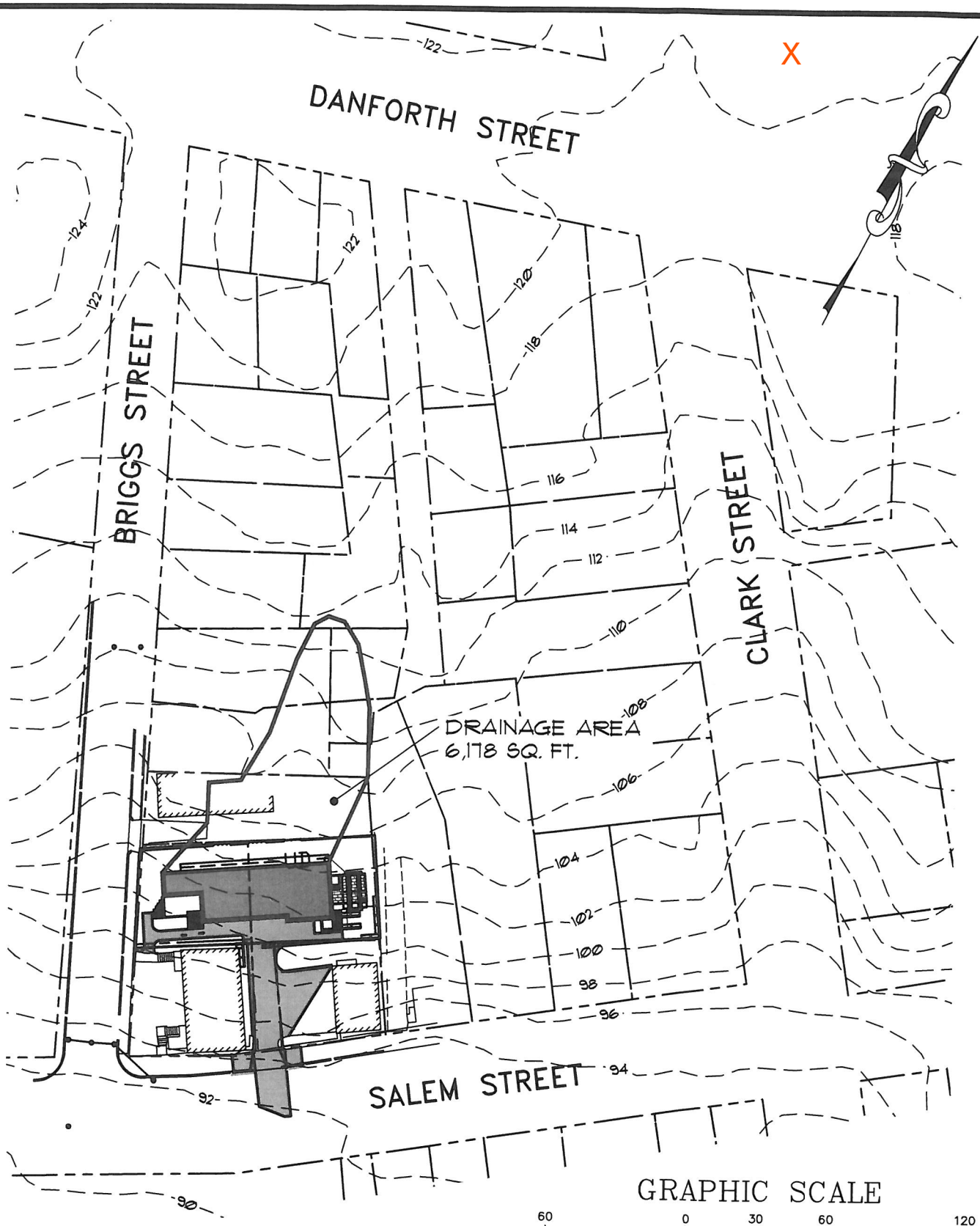
When sidewalks on Briggs or Salem Street are removed or under construction then signage will be placed at the head of Briggs St., at the junction of Salem and Briggs and to the east on Salem St., directing pedestrians to use the sidewalk on the opposite side of the streets. Barriers and warning tapes will also be utilized. Additional signage and barriers will be employed to direct traffic when utility work requires excavation and repaving of Salem Street.

All work shall conform to applicable city codes and ordinances.

The contractor shall clean and remove debris and sediment, or other public waste due to construction, deposited on public streets, sidewalks and adjacent areas.

No holes, trenches or structures shall be left open overnight in any excavation accessible to the public or in a public right of way.

Construction waste will be sorted on site and will either be recycled or legally disposed of by the general contractor.



DRAINAGE ANALYSIS

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103

BRIGGS STREET PROPERTY, LLC
5 BRIGGS STREET
PORTLAND, MAINE

D1.0

SCALE: AS SHOWN DATE: MAY 20, 2015 CHK BY: TSG PROJECT: 14164

Y

HOUSEKEEPNG REPORT

5 BRIGGS STREET
PORTLAND, MAINE

May 20, 2015

Housekeeping:

This project is located in a stream watershed. Protection of the groundwater quality is ensured by having good housekeeping practices and maintenance of the stormwater systems. Spill prevention must be incorporated into the plan. The project should follow the following steps:

1. Homeowners should be made aware of possible groundwater and surface water contamination based on their actions. The spilling of products such as small engine fuel, cleaning products and paints need to be cleaned up. The use of fertilizers and pesticides should be done cautiously and in accordance with manufacturers recommendations.

The maintenance of the landscaping and parking lots should include the sweeping of the parking lots and removal of the materials that may cause dust.

During construction follow the erosion control measures outlined on the plans.

During construction, develop a waste handling program that identified potential contaminates that could be introduced to the aquifer. Follow hazardous waste rules if any items used are considered a hazardous waste. It is critical to the site that uncontrolled releases be prevented.

Oil absorbent pads should be used while refueling equipment.

This site may require dewatering of trenches. During construction, monitor stormwater runoff from the equipment and ground areas to minimize contamination of groundwater.

Z

STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

For SUBDIVISIONS

IN CONSIDERATION OF the site plan and subdivision approval granted by the Planning Board of the City of Portland to the proposed 5 Briggs Street shown on the Subdivision Recording Plat (Exhibit A) recorded in Cumberland Registry of Deeds in Plan Book ____, Page ____ submitted by Briggs Street Property, LLC, and associated Grading & Utilities Plan (Exhibit B) prepared by Pinkham & Greer, Civil Engineers of 28 Vannah Avenue, Portland, Maine 04103 dated May 7, 2015 and pursuant to a condition thereof, Briggs Street Property, LLC, a Maine limited liability company with a principal place of business in Portland, Maine, and having a mailing address of 55 Salem Street #B, Portland, Maine, 04102, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

Maintenance Agreement

That it, its successors and assigns, will, at its own cost and expense and at all times in perpetuity, maintain in good repair and in proper working order the underdrained soil filter, (hereinafter collectively referred to as the "stormwater system"), as shown on the Grading & Utilities Plan in Exhibit B and in strict compliance with the approved Inspection and Maintenance of Stormwater Management Facilities, prepared for the Owner by Pinkham & Greer, Civil Engineers attached in Exhibit C and Chapter 32 of the Portland City Code.

Owner of the subject premises further agrees, at its own cost, to keep a Stormwater Maintenance Log. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request.

Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland and said persons in lawful possession may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a stated time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to, enter upon said premises to maintain, repair, or replace said stormwater system in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon written demand. Any funds owed to the City under this paragraph shall be secured by a lien on the property.

This Agreement shall also not be construed to allow any change or deviation from the requirements of the subdivision and/or site plan most recently and formally approved by the Planning Board of the City of Portland.

This agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon the Owner's successors and assigns as their interests may from time to time appear.

The Owner agrees to record a copy of this Agreement in the Cumberland County Registry of Deeds within thirty (30) days of final execution of this Agreement. The Owner further agrees to provide a copy of this Agreement to any successor or assign and to forward to the City an Addendum signed by any successor or assign in which the successor or assign states that the successor or assign has read the Agreement, agrees to all its terms and conditions and the successor or assign will obtain and forward to the City's Department of Public Services and Department of Planning and Urban Development a similar Addendum from any other successor or assign.

For the purpose of this agreement and release "Owner" is any person or entity who is a successor or assign and has a legal interest in part, or all, of the real estate and any building. The real estate shown by chart, block and lot number in the records on file in the City Assessor's office shall constitute "the property" that may be entered by the City and liened if the City is not paid all of its costs and charges following the mailing of a written demand for payment to the owner pursuant to the process and with the same force and effect as that established by 36 M.R.S.A. §§ 942 and 943 for real estate tax liens.

Any written notices or demands required by the agreement shall be complete on the date the notice is attached to one or more doors providing entry to any buildings and mailed by certified mail, return receipt requested or ordinary mail or both to the owner of record as shown on the tax roles on file in the City Assessor's Office.

If the property has more than one owner on the tax rolls, service shall be complete by mailing it to only the first listed owner. The failure to receive any written notice required by this agreement shall not prevent the City from entering the property and performing maintenance or repairs on the stormwater system, or any component thereof, or liening it or create a cause of action against the City.

Dated at Portland, Maine this _____ day of _____, 2015.

_____
Briggs Street Property, LLC

_____
Nicholas Burnett

STATE OF MAINE
CUMBERLAND, ss. Date: _____

Personally appeared the above-named _____(*name and title*), and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

_____
Notary Public/Attorney at Law

Print name: _____

Exhibit A: Subdivision Recording Plat as recorded (C1.0)

Exhibit B: Approved Grading & Utilities Plan (C1.3)

Exhibit C: Approved Inspection and Maintenance of Stormwater Management Facilities

5 Briggs Street
PORTLAND, MAINE

May 20, 2015

INSPECTION AND MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES

The project developer is Briggs Street Property, LLC, 55 Salem St. #B, Portland, ME 04102. The developer will be responsible for the inspection and maintenance of all stormwater management facilities, the establishment of any contract services required to implement the program, and the keeping of records and maintenance log book as described herein. At a minimum, the appropriate and relevant activities for each of the stormwater management facilities should be performed on the prescribed schedule. Periodic inspection and maintenance of these site features and devices is necessary to prevent erosion and remove pollutants from stormwater runoff.

SWALES, DITCHES AND PAVED SURFACES:

Swales, ditches and paved surfaces are easily inspected during a site walk or even a ride-by. Since visual inspection is easy, their condition should be assessed during and/or after significant rainfall events such as thundershowers and periods of heavy or extended rainfall and during periods of significant snowmelt. Any damage or unusual condition such as sedimentation of a ditch, erosion, damaged pavement or dying vegetation should be recorded, dated and initialed by the inspector when observed. Even if there is no damage, the inspector should make record of these inspections at least twice annually.

Paved surfaces should be visually inspected monthly during the winter. The inspector should pay particular attention to the build up of ice and sand along the edge of the road and remove accumulations that block the free flow of surface runoff to the catch basins. Paved areas should be swept at least once annually. The date and initials of the inspector should be recorded on the forms provided as well as a notation of any cleanup effort that was made.

DRAIN PIPES:

Drain pipes connect catch basins and field inlets. Inspect drain pipes when inspecting other stormwater maintenance facilities. At least annually make a visual inspection of the pipe. During the daylight you should be able to see light through most pipes as they have been laid to a straight line and grade. In some cases (e.g. pipe runs to a catch basin, or is blocked) you will need a light to inspect pipes.

Clean pipes as necessary. Record inspections on the forms provided noting condition of pipe and any maintenance procedures implemented.

UNDERDRAINED SOIL FILTERS:

There is an underdrained soil filter located under the patio on the east end of the building. It consists of an underdrain layer of sand with sand media over it. There are plastic chambers in stone over that with insulation and the patio on top. It is connected to the roof drain and drip strip

Soil Filter Inspection: The soil filter should be inspected after every major storm in the first few months to ensure proper function. Thereafter, the filter should be inspected at least once every six months to ensure that it is draining within 48 hours; and that, after storms that fill the system to overflow, it drains in no less than 24 hours. If the system drains too fast, the orifice on the underdrain outlet may need to be modified. An inspection port is provided for this use.

Soil Filter Replacement: The top several inches of the filter shall be replaced with fresh material when water ponds on the surface of the bed for more than 72 hours. The removed sediments should be disposed in an acceptable manner.

Sediment Removal: Check the roof gutter system to ensure debris is not reaching the filter.

Record all maintenance on forms provided.

5 BRIGGS STREET PORTLAND, MAINE			
INSPECTION / MAINTENANCE LOG			
SWALES, DITCHES, PAVED SURFACES AND OUTLET CONTROL STRUCTURE			
I: INSPECTED - C: CLEANED - R: REPAIRED			
DATE	**INITIALS**	**ACTION**	**COMMENT**
5/14/15	ABC	I, C	EXAMPLE: Remove sand deposits and debris as necessary.

5 BRIGGS STREET
PORTLAND, MAINE

INSPECTION / MAINTENANCE LOG

DRAIN PIPES

I: INSPECTED - C: CLEANED - R: REPAIRED

DATE	INITIALS	ACTION	COMMENT
5/14/15	DEF	I, C	EXAMPLE: Cleared debris from ends of pipes. Called ACME to clean debris from field inlets.

5 BRIGGS STREET PORTLAND, MAINE			
INSPECTION / MAINTENANCE LOG			
UNDERDRAINED SOIL FILTERS			
I: INSPECTED - C: CLEANED - R: REPAIRED			
DATE	**INITIALS**	**ACTION**	**COMMENT**
5/14/15	GHI	I, C	EXAMPLE: Units cleaned by ACME, 2 truckloads to Pike.

STORMWATER MANAGEMENT SYSTEM
MAINTENANCE PROGRAM
SUMMARY CHECKLIST

Item	Commentary	Frequency			
		Month	Semi-Annual	Annual	Long-Term
Open Swale, Ditches & Inlet Structures	Inspect for debris accumulation, erosion and excessive vegetation. Mow monthly, remove debris, repair and revegetate any area of erosion	**X Mow**		**X**	
Pavement	Review for damage and buildup of debris and sand.	**X**	**X Sweep**		
Pipelines	Inspect for sediment build-up in pipe. Flush and remove as required.			**X**	
Underdrain Soil Filter	Review Inspection Port		**X**		

PINKHAM & GREER CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

STORMWATER MANAGEMENT REPORT
5 BRIGGS STREET
PORTLAND, MAINE

May 20, 2015

Project Description:

This project is the construction of a three unit residential structure located on Briggs Street. The existing site is developed with lawn, patio, and a garage. The new structure will be three stories with a 1,409 sq. ft. footprint. The access to the site will be from Salem Street. Parking is under the first floor.

The sewer, water, and gas utilities will be from Salem Street. The electrical and cable services will be from Briggs Street.

Stormwater Controls:

The existing site has sheet and concentrated drainage from the area above. The surface water flows across the site, across the existing lot at the corner of Briggs and Salem to the stormdrain system at that corner. The future flows will do the same thing.

The existing site has 1,276 sq. ft. of impervious cover. The developed site will have 2,444 sq. ft. of impervious cover. This increase of 1,168 sq. ft. requires the installation of a stormwater control and treatment system.

Treatment System:

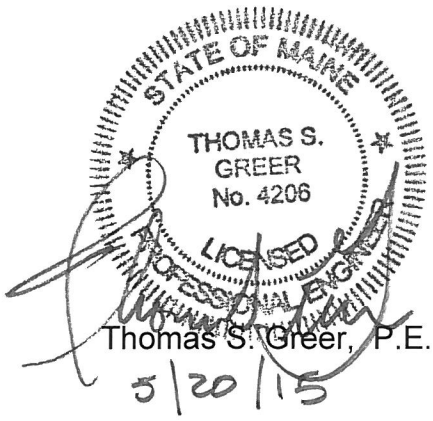
The site will include an Underdrained Soil Filter (UDSF) system to treat the runoff from the roof of the building. The roof will have a single pitch from the downhill side to the uphill side. A gutter system will collect the water and convey it to the UDSF under the patio. A screen system in the downspout of the gutter will remove leaves and debris from the system. Also connected to the system will be a drip strip along the building. This will collect any stormwater from the uphill side of the site and overflow from the gutter system.

The treatment system will consist of a filter media underlain by underdrain pipes. Over the media will be plastic chambers for water storage all under the patio system. The chambers will have an inspection overflow port. This will be for the observation of standing water over the filter media, venting of the system and over flow of excess flow. The discharge from the system will be by the underdrain pipes to daylight just below the filter. This recreates the existing surface water flow.

The system will also provide some peak flow controls. The first inch of runoff from the roof will be captured and discharged over a 24 to 48 hour time frame.

Results:

The use of the Underdrained Soil Filter to capture and treat runoff from the roof will control peak flows and treat the stormwater. No unreasonable impacts from stormwater should occur to downstream properties or environments as a result of this project.



Thomas S. Greer, P.E.

5/20/15

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

JOB 5 Briggs St. 14164
SHEET NO. 1 OF 1
CALCULATED BY TSC DATE 5/20/15
CHECKED BY _____ DATE _____
SCALE _____

THIS PROJECTS HAS 1,276 SQ FT of EXISTING IMPERVIOUS COVER. THE DEVELOPED PROJECT WILL HAVE 2,444 SQ FT OF IMPERVIOUS COVER. THE ADDITIONAL 1,276 SQ FT REQUIRES TREATMENT. TO MEET THIS STANDARD, AN UNDERDRAINED SOIL FILTER WILL BE USED TO TREAT THE RUNOFF FROM THE ROOF.

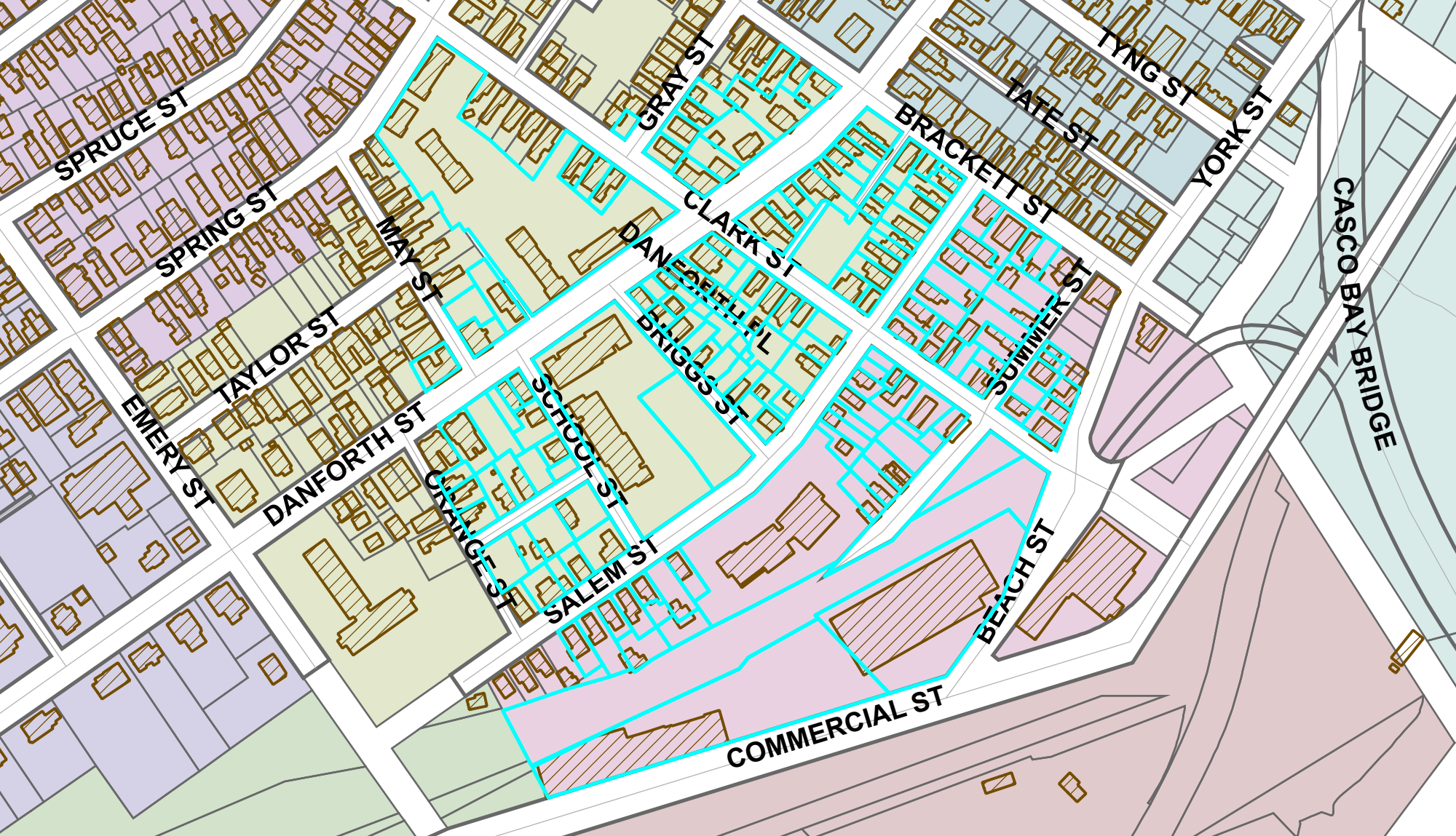
REQUIRED TREATMENT VOLUME

$$1{,}276 \times 1''/12''/ft = 106 \text{ CF}$$

VOLUME OF THE STORAGE OVER THE FILTER MEDIA

$$15' \times 14' \times \frac{22''}{12} \times .35 = 134 \text{ CF}$$

134 > 106 STANDARDS ARE MET.


SPRUCE ST
SPRING ST
MAY ST
GRAY ST
CLARK ST
DANFORTH ST
BRIGGS ST
TAYLOR ST
EMERY ST
SCHOOL ST
ORANGE ST
SALEM ST
BRACKETT ST
TATE ST
TYNG ST
YORK ST
SUMMER ST
BEACH ST
COMMERCIAL ST
CASCO BAY BRIDGE

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

File: 14164

July 14, 2015

Ms. Shukria Wiar, Planning Department
City of Portland
389 Congress Street, 4th Floor
Portland, ME 04101

RE: 5 BRIGGS STREET

Dear Shukria,

Attached are revised plans for 5 Briggs Street. Through some value engineering we have made some changes that are reflected on the plans. These include:

1. Revised the front steps and walkway to consolidate the steps leading to the front door.
2. Removed the rear patio and provided a flat grass area.
3. Removed the retaining walls in the rear yard.
4. Removed the Stormwater Treatment System as the total increase in impervious surface is less that 1,000 sq. ft. It will go from 1,276 sq. ft. to 2,258 sq. ft.
5. The utilities are now located off Briggs Street in conformance with the utility standards. No work on Salem Street is required.
6. We have added catch basin erosion control for the catch basin at the corner of Briggs and Salem.
7. The site has been re-graded to reflect the changes.

Let me know if you have any questions.

Sincerely,

PINKHAM & GREER

Thomas S. Greer, P.E.

Enclosures

cc: John Whipple, Nick Burnett, File

TSG/rjs

Wealth Management
100 Middle Street 3rd Floor
Portland, ME 04101
tel 207 771 0800
fax 207 771 0870
toll free 800 442 6722

Morgan Stanley

July 22, 2015

Shukria Wiar, Planner
Planning Division, City of Portland
389 Congress Street
Portland, ME 04101

Re: Nicholas Burnett and Leslie Berne, TTEEs of the Madeline A. Burnett Living Trust U/A/D 4/7/2010

Dear Ms. Wiar:

Please be advised that Nicholas Burnett and Leslie Berne, as the Trustees of the Madeline A. Burnett Living Trust U/A/D 4/7/2010 (the "Trust"), maintain a brokerage account for the Trust at Morgan Stanley Smith Barney LLC ("Morgan Stanley") which contain assets, including cash and marketable securities, valued at $1,221,431.70 as of the close of business on July 21, 2015. This account is currently being used to collateralize a PLA line of credit issued by Morgan Stanley Bank, N.A.

We are presenting the information contained herein pursuant to our clients' request. It is valid as of the date of issuance. Morgan Stanley does not warranty or guaranty that such identified securities, assets or monies will remain in the clients' account. The trustees have the power to withdraw assets from this account at any time and no security interest or collateral rights are being granted to any party other than Morgan Stanley.

Thank you for your time and consideration in this matter.

Sincerely,

Margaret Pease

Margaret Pease
Vice-President
Business Service Manager

Cc: Nicholas Burnett and Leslie Berne

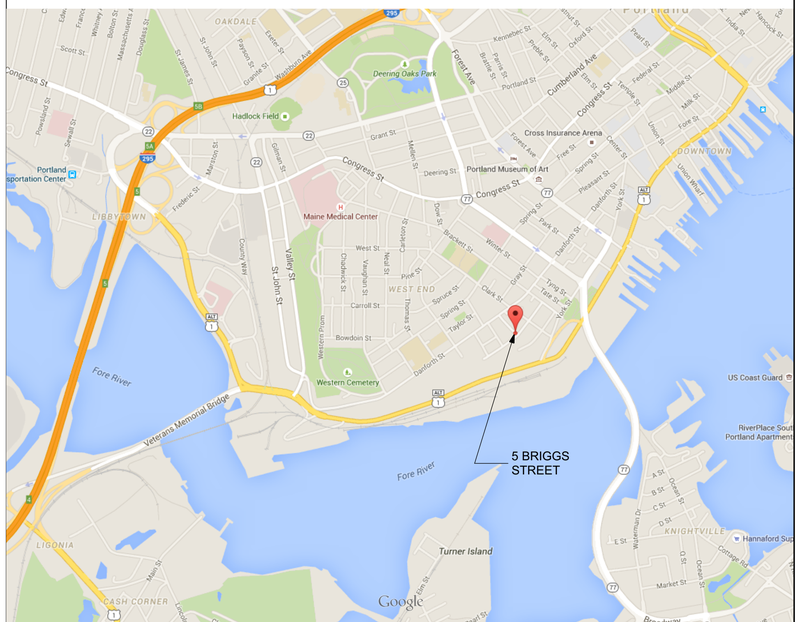
Morgan Stanley Smith Barney LLC. Member SIPC.

BRIGGS STREET APARTMENTS

5 BRIGGS STREET PORTLAND,MAINE

VICINITY MAP

1" = 1000'



ZONING

Project Address:

5 Briggs St
Portland, ME 04102

Legal ID 57 J 29 & 31

City Zone: R6
Sect. 14139 (b)
Small residential lot development

Permitted Uses: Multiple uses
Existing Use: Garage
Proposed Use: Multifamily Residential
Min. Lot Size None /provided: 4419 SF
Max Lot Size 10,000 SF /provided: 4419 SF
Min Front Yard Max. 10'0"/provided: 10'0"
Min Rear Yard rear or side yard at least 15' /provided:15'
Side Yard Min 10' set back between buildings/provided:10'
Min Princ Structure Height 2 Stories above grade /provided: 3 stories
Max Principal Structure Height 45' /provided:40'
Open Space Requirement Each unit provide deck, porch, 2 balconies & patio or balcony; or 10% lot patio open space/ provided: 2 balconies + patio
Min Lot Width none/provided: 40'
Min Area per Dwelling Lot 725 SF /provided:1473 SF

Other Requirements
Offstreet Auto Parking 1 space per Unit /provided:3
Offstreet Bicycle Parking 2 spaces per 5 units /provided:2

APPLICABLE CODES

MUBEC 2009 / IBC 2009
NFPA 101 - 2009
NEC 2011 ELECTRICAL CODE
MAINE STATE PLUMBING CODE
ASHRAE 62.1 FOR HVAC
TOWN OF PORTLAND ZONING ORDINANCE

Building Code and Use Summary

Applicable Codes:

IBC 2009 MUBEC
NFPA 101/2009
Maine State Internal Plumbing Code
Uniform Plumbing Code 2009
NEC 2007

Building Use: Three unit residential. Rental Properties
Occupancy Classification
IRC 2009: R-2 and U
NFPA 101: New Apartments
Number of stories:3
Area per floor: 1425 s.f.

Fire Department Technical Standards:

The project will be sprinkled in compliance with NFPA 13R 2010
Hydrant location: Approx. 96' from new structure.
(at the corner of Briggs St. and Salem St.)

Fire Resistant Construction
IBC 2009 VB
NFPA 2009 V000
Separation between garage and 1st floor: 2hr
Separation between stair well and apartments: 1 hr, 20 min doors

All codes referenced are to be used as amended by the state of Maine and local jurisdiction.

This building exceeds the following:

Thermal envelope requirements per IBC 2009 and ASHRAE 90.1:

Fenestration U-factor 0.35
Skylight U-factor .060
Ceiling R value: 41
Walls R-Value 20 or 13+5

PROJECT TEAM

OWNER:
NICHOLAS BURNETT
47 SALEM ST.
PORTLAND, ME 04102

ARCHITECT:
WHIPPLE | CALLENDER ARCHITECTS
P.O. BOX 1276
PORTLAND, ME 04101
207-775-2696

CIVIL ENGINEERING:
PINKHAM AND GREER CIVIL ENGINEERS
26 VANNAH AVE
PORTLAND, ME 04103

STRUCTURAL ENGINEER:
CASCO BAY ENGINEERING
424 FORE STREET
PORTLAND, ME 04101
207-842-2800

CONSTRUCTION MANAGER:
NICK BURNETT
3D DESIGN
47 SALEM ST.
PORTLAND, ME 04102
207-272-4956

SCOPE OF WORK

DEMOLISH EXISTING GARAGE

BUILD NEW APARTMENT BUILDING

SHEET INDEX

SHEET INDEX	
ID	Name
A-0	TITLE SHEET
A-1	B'MT AND FIRST PLANS
A-2	2ND AND 3RD PLANS
A-3	ELEVATIONS
A-4	SECTIONS
A-5	DETAILS

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS.
IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED

BRIGGS STREET APARTMENTS
PORTLAND, MAINE
5 BRIGGS STREET

WHIPPLE | CALLENDER ARCHITECTS
136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15
CHECKED BY: JWW/CAC
DRAWN BY: JWW/CAC
JOB: BSA
SHEET TITLE: TITLE SHEET

A-0

Locus Deed References:

Parcel A

Robert Adams

To

Nicolas S. Burnett

dated August 31, 2011 and recorded September 2, 2011 at the Cumberland County Registry of Deeds in Book 28937, Page 294.

Parcel B

Estate of Ilon J. Lesniewski

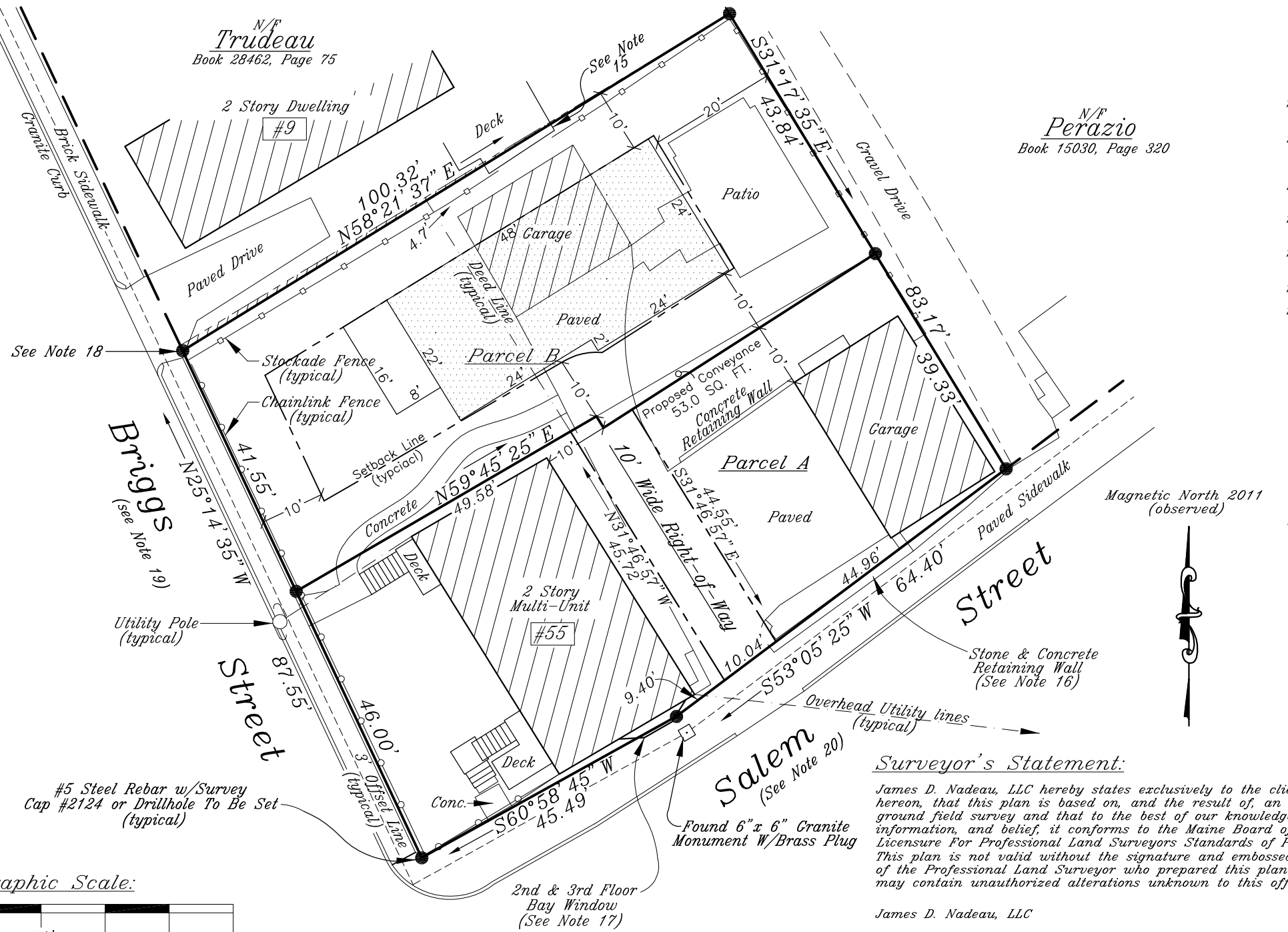
To

Briggs Street Property, LLC

dated September 8, 2011 and recorded September 9, 2011 at the Cumberland County Registry of Deeds in Book 28950, Page 151.

Plan References:

1. "Plan Of Danforth, Salem, May, School & Briggs Streets In Portland, Maine", dated December 4, 1974, by Owen Haskell, Inc., City of Portland Plan 674/2.
2. City of Portland Engineering Street Notes, Danforth, Salem, Bond, Orange, School, & Briggs Streets, dated January 1926, City of Portland Vol. 2, No. 160.
3. City of Portland Engineering Street Notes, Salem Street, City of Portland Vol. 1, No. 22.
4. "Plan Of Briggs Street And Showing Change In Line Of Salem Street", dated October 7, 1857, by Charles Edwards, City of Portland Plan 359/10.
5. City of Portland Engineering Street Notes, Danforth Street, revised December 15, 2009, sheet 2 of 4, City of Portland Vol. 1, No. 83.
6. City of Portland Engineering Street Notes, Clark Street, dated September 1925, sheet 1 of 2, City of Portland Vol. 1, No. 68.
7. "Plan Of Division Of Brackett Estate", dated September 1857, by Charles H. Howe, C.E., recorded June 4, 1859 in CCRD Plan Book 2, Page 8.
8. "Plan Of Property In The City Of Portland", dated June 1854, by Wm. Anson, C.E., copied by W.S. Edwards, recorded June 21, 1858 in CCRD Plan Book 2, Page 5.



Graphic Scale:

0' 10' 20' 30' 40'

General Notes:

1. This plan is not intended to depict limits or extent of fee title ownership. An opinion of title should be rendered by a title attorney.
2. This office reserves the right to be held harmless by all 3rd party claims.
3. This survey does not purport to reflect any of the following:
   a. easements other than those that are visible or specifically stated in the referenced documents.
   b. building setback compliance or restrictive covenants.
   c. zoning or other land use regulations.
   d. the location of any underground utilities or structures.
4. This office reserves the right to be held harmless for unknown or unobtainable private records which could affect the results of this survey.
5. Reference is made to "Contract For Land Surveying Services" between James D. Nadeau, LLC and the below listed client(s), which shall be considered an integral part of this survey.
6. N/F is an abbreviation for Now or Formerly.
7. All deeds referenced on this plan are recorded at the Cumberland County Registry of Deeds (CCRD).
8. This office does not accept any liability for errors in the Plan References listed hereon.
9. Locus Parcel A is shown on the City of Portland Assessor's Map 57, Block J, as Lot 20, listed as 55 Salem Street & Lot 32, listed as 45 Salem Street. Locus Parcel B is shown on the City of Portland Assessor's Map 57, Block J, as Lot 31, listed as 5 Briggs Street & Lot 29, listed as 47 Salem Street.
10. Area of Locus Parcel A is 4,754 square feet (0.11 acre), Locus Parcel B is 4,366 square feet (0.10 acre).
11. The apparent right of way lines depicted on this plan are based on the Plan References listed hereon and monumentation found in the field, and City of Portland Engineering Street Notes.
12. All building corner offsets to boundary lines are from cornerboards and not building foundation.
13. Call 1-888-DIGSAFE at least three business days before performing ANY excavation.
14. Locus Parcel falls in the R-6 Zoning District. See City of Portland Zoning Ordinance for regulations and restrictions.
15. Abutter's deck appears to encroach on Locus Parcel B by 1.2'.
16. Stone and concrete retaining wall on Locus Parcel A appears to encroach in the Salem Street right of way.
17. 2nd & 3rd story bay window of multi-unit on Locus Parcel A appears to encroach in the Salem Street right of way by 0.5'±.
18. This office has created this northwesterly corner based on a 268' call from Danforth Street to the northwesterly corner of land now or formerly Trudeau per Book 295, page. 486, dated 09/10/1859 which best fits a circa. 1932 survey performed on the surveyed parcels. The purpose of this note is to acknowledge a previous deed call of 267' from Danforth Street per Book 113, page 222, dated 05/06/1828. The hatched area depicts the difference in these deeds call.
19. Briggs Street was accepted November 11, 1859 per City of Portland records Vol. 11, Page 177. The width varies from 28' along Danforth Street to 32' along Salem Street.
20. Salem Street was accepted as 3 rods (49.5') December 6, 1848 per City of Portland records Vol. 6, Page 538. A portion of Salem Street was altered at the intersection of Briggs Street November 11, 1859 per City of Portland records Vol. 11, Page 180.

Surveyor's Statement:

James D. Nadeau, LLC hereby states exclusively to the client listed hereon, 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 Maine Board of Licensure For Professional Land Surveyors Standards of Practice. This plan is not valid without the signature and embossed seal of the Professional Land Surveyor who prepared this plan as it may contain unauthorized alterations unknown to this office.

James D. Nadeau, LLC

James D. Nadeau, P.L.S. #2124 (agent) Date:

FOR REVIEW

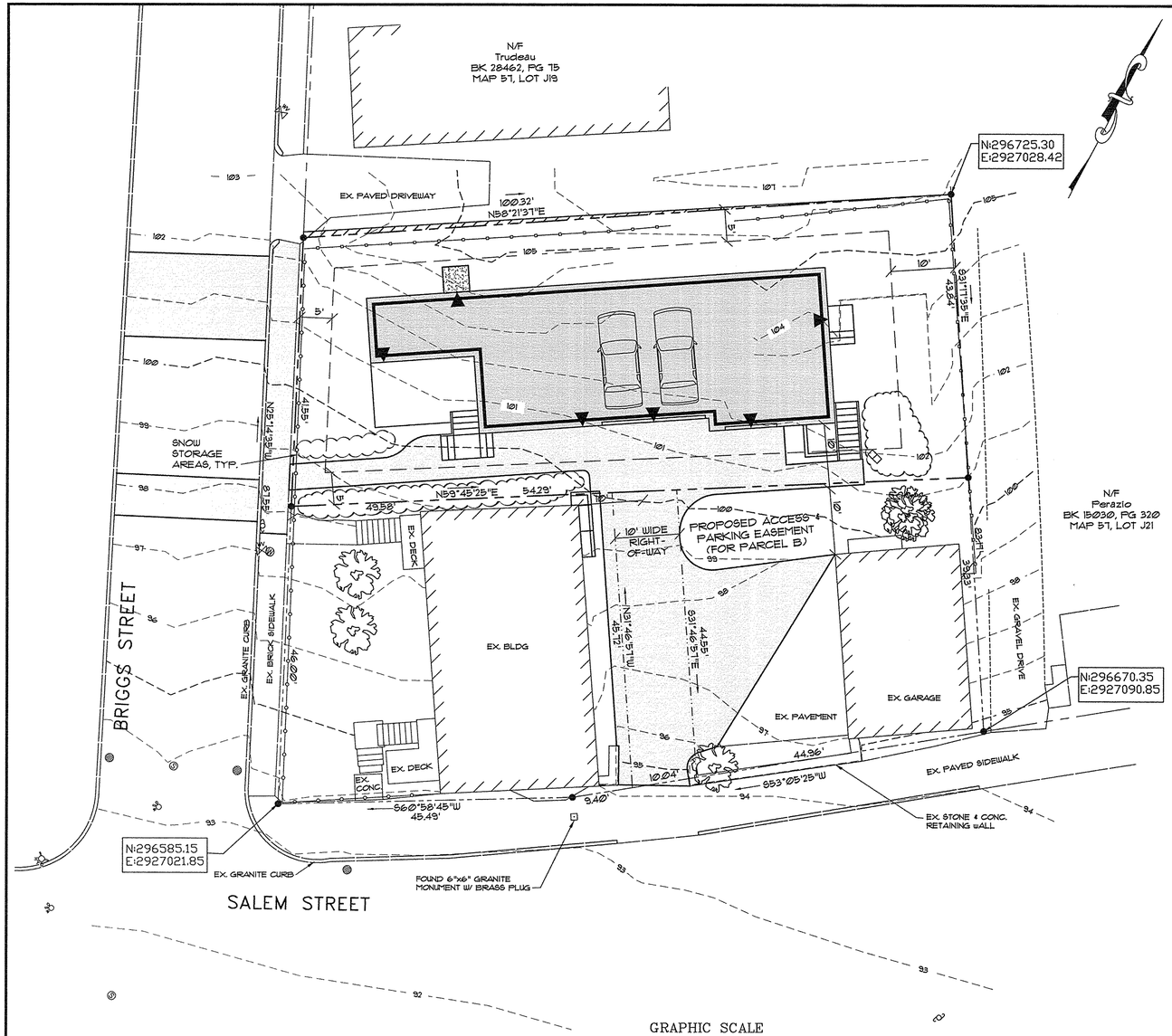
Boundary Survey
Made For
Nicholas Burnett
Salem Street & Briggs Street
Portland, Maine

MADE BY:

James D. Nadeau, LLC

Professional Land Surveyors
Certified Floodplain Managers
918 BRIGHTON AVE. PORTLAND, ME. PH.(207)878-7870

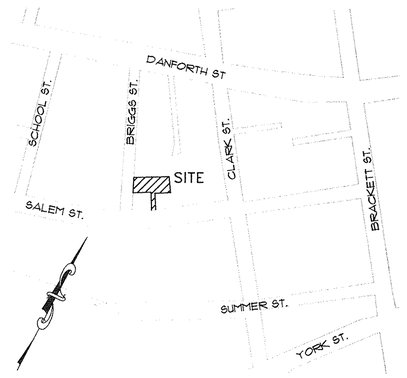
DATE: 01/12/2012 DRAWN BY: MLC
SCALE: 1"= 20' FILE#: 2111259B



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.



LOCATION PLAN

SCALE: 1"=200'±

ZONE INFORMATION

ZONE: R-6, RESIDENTIAL
PERMITTED USE: MULTI-FAMILY DWELLING

SPACE STANDARDS	REQUIRED	PROVIDED
MINIMUM LOT SIZE	2,000 SQ. FT.	4,366 SQ. FT.
MINIMUM AREA PER DWELLING UNIT	725 SQ. FT.	750 SQ. FT.
MINIMUM STREET FRONTAGE	20 FEET	41.55 FEET
MINIMUM FRONT YARD	5 FEET	5 FEET
MINIMUM REAR YARD	10 FEET	10 FEET
MINIMUM SIDE YARD	5 FEET	5 FEET
MAXIMUM LOT COVERAGE	60%	37%
MINIMUM LOT WIDTH	20 FEET	41 FEET
MAXIMUM BUILDING HEIGHT	45 FEET	35 FEET
OPEN SPACE RATIO	20%	55%
OFF STREET PARKING	0 SPACE PER UNIT	0.66 PER UNIT

GENERAL NOTES

1. OWNER: BRIGGS STREET PROPERTY, LLC, PO BOX 7693, PORTLAND MAINE 04112. DEEDS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS BK. 28950, PG. 151, DATE SEPTEMBER 9, 2011.
2. ENGINEER: PINKHAM & GREER CIVIL ENGINEERS, 28 VANNAH AVENUE, PORTLAND, MAINE, 04103.
3. ARCHITECT: WHIPPLE / CALLENDER ARCHITECTS, 136 PLEASANT AVENUE, PORTLAND, MAINE 04103.
4. BOUNDARY INFORMATION PROVIDED BY JAMES D. NADEAU, LLC. 918 BRIGHTON AVENUE, PORTLAND, MAINE. REFERENCE IS MADE TO "BOUNDARY SURVEY MADE FOR NICHOLAS BURNETT, SALEM STREET & BRIGGS STREET PORTLAND, MAINE" DATED 1/12/12.
5. SOILS MAPPING TAKEN FROM SOIL CONSERVATION STUDY OF CUMBERLAND COUNTY AND CLASSIFIED AS HINCKLEY (HLB), GENERALLY SANDY LOAM, 3-8% SLOPES, HYDROLOGICAL GROUP "A".
6. ZONE: R-6, RESIDENTIAL, PROPOSED USE: MULTIFAMILY DWELLING
7. TAX MAP REFERENCE: MAP 57 / BLOCK J / LOTS 29 & 31.
8. TOTAL PARCEL = 0.10 acres
9. UNITS TO BE SERVICED BY PUBLIC WATER, SEWER, AND GAS FROM SALEM STREET. THESE SERVICES, INCLUDING HYDRANTS, ARE AS SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
10. POWER, TELEPHONE AND CABLE SERVICES ARE TO BE UNDERGROUND FROM BRIGGS STREET. THESE SERVICES ARE SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
11. EXISTING UTILITIES, INCLUDING SIZE AND VERTICAL AND HORIZONTAL LOCATIONS, ARE SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
12. ALL WORK WITHIN THE RIGHT OF WAY IS TO MEET CITY OF PORTLAND STANDARDS.
13. PROPOSED PARKING SPACES: 2 SPACES.
14. THE SUBJECT PARCEL SHOWN AS 5 BRIGGS STREET IS SUBJECT TO A CITY OF PORTLAND LEVEL III SITE PLAN AND SUBDIVISION PERMIT.
15. DETAILS OF STREET TREES ARE INCLUDED ON THE LANDSCAPE PLAN AS PART OF THE APPROVAL FOR 5 BRIGGS STREET SITE PLAN.
16. FLOODPLAIN: THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 230051 0013 B, EFFECTIVE DATE JULY 17, 1986. IT IS NOT IN A SPECIAL FLOOD HAZARD ZONE.
17. SNOW REMOVAL REQUIREMENTS ARE AS NOTED ON THIS SHEET UNDER OFFSITE SNOW REMOVAL NOTES.
18. NEW PROPERTY PINS TO BE SET AT THE EXPENSE OF THE DEVELOPER AT THE END OF CONSTRUCTION.
19. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMPS" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION, MARCH 2003.

SUBDIVISION CONDITIONS OF APPROVAL

1. THAT THE APPLICANT AND ALL ASSIGNS SHALL COMPLY WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORM WATER MANAGEMENT, WHICH SPECIFIES THE ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS. THE 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 AS DESCRIBED IN OF THIS REPORT, SHALL BE APPROVED BY CORPORATION COUNSEL AND 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.

SURVEY PLAN REFERENCES

2015 SURVEY PLAN REFERENCE:

1. "BOUNDARY SURVEY MADE FOR NICHOLAS BURNETT SALEM STREET & BRIGGS STREET PORTLAND, MAINE", REVISED FEBRUARY 9, 2012, BY JAMES D. NADEAU, LLC, PROFESSIONAL LAND SURVEYORS.

2015 SURVEY GENERAL NOTES:

1. REFERENCE IS MADE TO "LETTER OF AGREEMENT" DATED JANUARY 7, 2015 BETWEEN NADEAU LAND SURVEYS AND NICHOLAS BURNETT, WHICH SHALL BE CONSIDERED AN INTEGRAL PART OF THIS SURVEY.
2. CITY OF PORTLAND VERTICAL BENCHMARK: 3' OFFSET MONUMENT AT SOUTHEAST CORNER OF BRIGGS STREET & DANFORTH STREET, CITY DATUM (NGVD29) ELEVATION 122.465'.
3. CITY OF PORTLAND HORIZONTAL DATUM, MAINE STATE PLANE COORDINATE, WEST ZONE, NAD83. GPS BASE POINT DPS T124-24-1210, N:296616.159, E:2927055.553, GPS AZIMUTH POINT DPS L747-14-1, N:296871.237, E: 2926754.706, AZIMUTH BETWEEN GPS POINT USED FOR BASIS OF BEARING N49°42'23"W, COMPUTED DISTANCE 394.43'.
4. THE ABOVE GROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY AND EXISTING DRAWINGS PERFORMED BY OTHERS. THIS OFFICE MAKE NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE APPARENT UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. SINCE NO UNDERGROUND UTILITIES WERE EXPOSED, THIS OFFICE HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.
5. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY EXCAVATION.

OFFSIGHT SNOW REMOVAL NOTES:

1. SNOW MAY BE STORED WITHIN THE TEMPORARY SNOW STORAGE AREAS ONLY.
2. SNOW SHALL BE PHYSICALLY REMOVED AND TRANSPORTED OFFSITE WITHIN 24 TO 48 HOURS FOLLOWING A SNOW STORM.
3. SNOW TRANSPORTED OFFSITE SHALL BE BROUGHT TO A MAINE DEP APPROVED "SNOW DUMP" OR MEET THE EXEMPTION REQUIREMENTS SPECIFIED WITHIN CHAPTER 573 WHEN THE ABOVE REQUIREMENTS CANNOT BE MET DUE TO AN ABUNDANCE OF SNOW.
4. THE SNOW CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO VEGETATION, LANDSCAPING, CURBING, LIGHTING, FENCING ETC. RESULTING FROM THEIR ACTIVITIES.
5. THE SNOW CONTRACTOR SHALL USE SALT OR CHLORIDE SUBSTITUTE TO DEICE THE PARKING LOT.
6. THE CONDOMINIUM ASSOCIATION IS RESPONSIBLE FOR SNOW REMOVAL BEING UNDERTAKEN IN A TIMELY FASHION.

LEGEND

EXISTING

- PROPERTY LINE
- BUILDING SETBACK
- ABUTTERS PROPERTY
- EASEMENT
- EDGE OF PAVEMENT
- CONTOURS
- BUILDING
- EDGE OF GRAVEL
- CURB
- GAS LINE
- SANITARY SEWER
- STORMDRAIN
- OVERHEAD UTILITY
- WATER LINE
- CATCH BASIN
- SEWER MANHOLE
- MANHOLE
- WATER METER
- UTILITY POLE
- TREE
- STOCKADE FENCE
- CHAINLINK FENCE
- BENCHMARK
- FOUND MONUMENT
- #5 STEEL REBAR W/SURVEY CAP #2124 SET
- FIRE HYDRANT
- WATER SHUTOFF
- WATER VALVE
- GAS VALVE

PROPOSED

- EDGE OF PAVEMENT
- BUILDING
- BUILDING ENTRY/EGRESS
- BUILDING HATCH

SUBDIVISION PLAT, APPROVED BY THE CITY OF PORTLAND PLANNING BOARD

DATE

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE. PORTLAND, ME. 04103
TEL: 207.781.3242 FAX: 207.781.4245

STATE OF MAINE · THOMAS S GREER No. 4206 · LICENSED PROFESSIONAL ENGINEER

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REVD PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

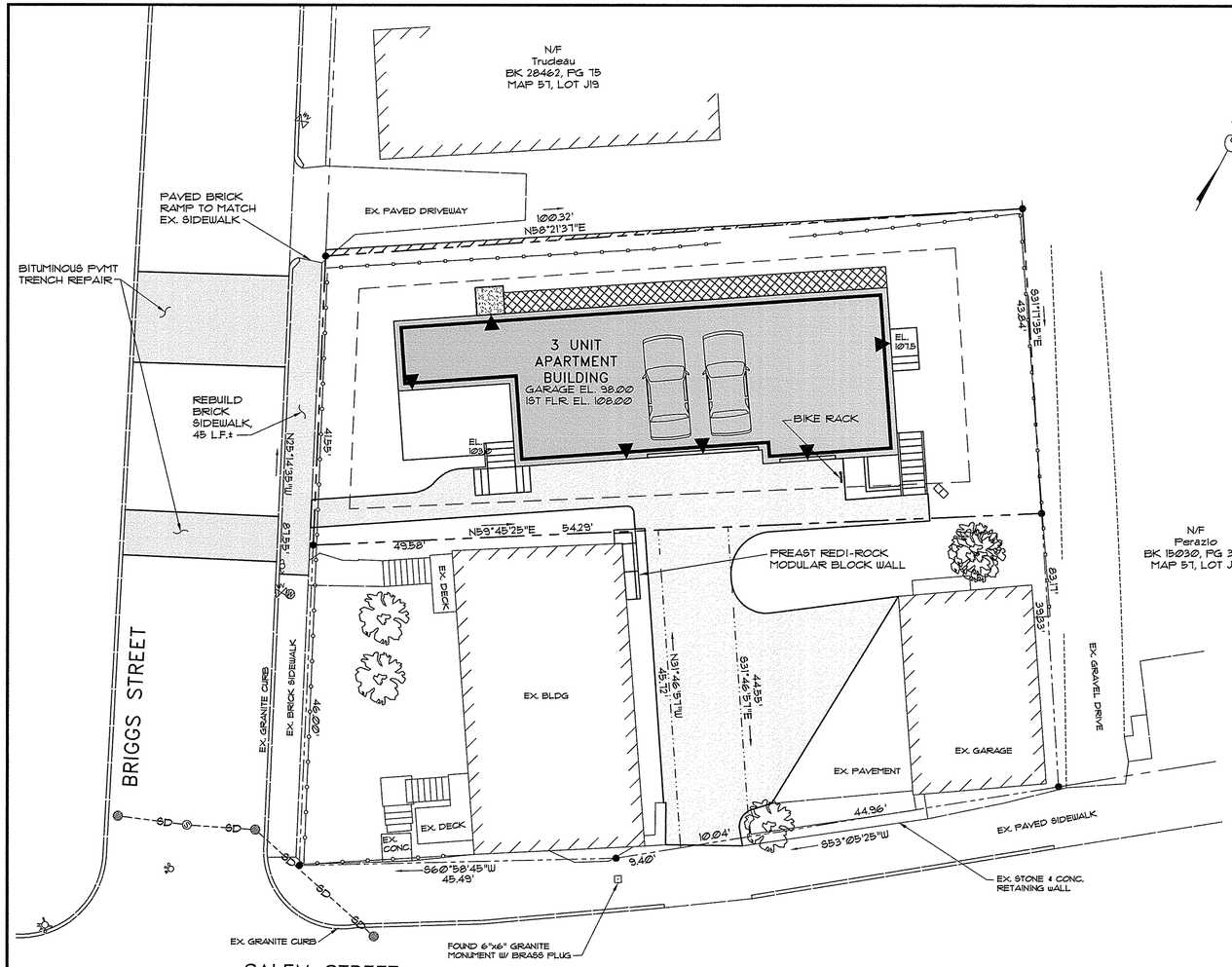
SCALE: AS SHOWN
DATE: MAY 7, 2015
PROJECT: 14164
DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

SUBDIVISION RECORDING PLAT

C1.0

MAP/LOT 57/J/29 & 57/J/31



GENERAL NOTES

1. OWNER: BRIGGS STREET PROPERTY, LLC, PO BOX 7693, PORTLAND MAINE 04112. DEEDS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS BK. 28950, PG. 151, DATE SEPTEMBER 9, 2011.
2. ENGINEER: PINKHAM & GREER CIVIL ENGINEERS, 28 VANNAH AVENUE, PORTLAND, MAINE, 04103.
3. ARCHITECT: WHIPPLE / CALLENDER ARCHITECTS, 136 PLEASANT AVENUE, PORTLAND, MAINE 04103.
4. BOUNDARY INFORMATION PROVIDED BY JAMES D. NADEAU, LLC. 918 BRIGHTON AVENUE, PORTLAND, MAINE. REFERENCE IS MADE TO "BOUNDARY SURVEY MADE FOR NICHOLAS BURNETT, SALEM STREET & BRIGGS STREET PORTLAND, MAINE" DATED 1/12/12.
5. SOILS MAPPING TAKEN FROM SOIL CONSERVATION STUDY OF CUMBERLAND COUNTY AND CLASSIFIED AS HINCKLEY (HLB), GENERALLY SANDY LOAM, 3-8% SLOPES, HYDROLOGICAL GROUP "A".
6. ZONE: R-6, RESIDENTIAL, PROPOSED USE: MULTIFAMILY DWELLING
7. TAX MAP REFERENCE: MAP 57 / BLOCK J / LOTS 29 & 31.
8. TOTAL PARCEL = 0.10 acres
9. UNITS TO BE SERVICED BY PUBLIC WATER, SEWER, AND GAS FROM SALEM STREET. THESE SERVICES, INCLUDING HYDRANTS, ARE AS SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
10. POWER, TELEPHONE AND CABLE SERVICES ARE TO BE UNDERGROUND FROM BRIGGS STREET. THESE SERVICES ARE SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
11. EXISTING UTILITIES, INCLUDING SIZE AND VERTICAL AND HORIZONTAL LOCATIONS, ARE SHOWN ON SHEET C1.3, GRADING AND UTILITIES PLAN.
12. ALL WORK WITHIN THE RIGHT OF WAY IS TO MEET CITY OF PORTLAND STANDARDS.
13. PROPOSED PARKING SPACES: 2 SPACES.
14. THE SUBJECT PARCEL SHOWN AS 5 BRIGGS STREET IS SUBJECT TO A CITY OF PORTLAND LEVEL III SITE PLAN AND SUBDIVISION PERMIT.
15. DETAILS OF STREET TREES ARE INCLUDED ON THE LANDSCAPE PLAN AS PART OF THE APPROVAL FOR 5 BRIGGS STREET SITE PLAN.
16. FLOODPLAIN: THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 230051 0013 B, EFFECTIVE DATE JULY 17, 1986. IT IS NOT IN A SPECIAL FLOOD HAZARD ZONE.
17. SNOW REMOVAL REQUIREMENTS ARE AS NOTED ON THIS SHEET UNDER OFFSITE SNOW REMOVAL NOTES.
18. NEW PROPERTY PINS TO BE SET AT THE EXPENSE OF THE DEVELOPER AT THE END OF CONSTRUCTION.
19. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMPS" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION, MARCH 2003.

LEGEND

EXISTING

- PROPERTY LINE
- BUILDING SETBACK
- ABUTTERS PROPERTY
- EASEMENT
- EDGE OF PAVEMENT
- 200 CONTOURS
- BUILDING
- EDGE OF GRAVEL
- CURB
- G GAS LINE
- S SANITARY SEWER
- SD STORMDRAIN
- OHU OVERHEAD UTILITY
- W WATER LINE
- CATCH BASIN
- S SEWER MANHOLE
- W MANHOLE
- WATER METER
- UTILITY POLE
- TREE
- STOCKADE FENCE
- CHAINLINK FENCE
- BENCHMARK
- FOUND MONUMENT "5 STEEL REBAR W/SURVEY CAP "2124 SET
- FIRE HYDRANT
- WATER SHUTOFF
- WATER VALVE
- GAS VALVE

PROPOSED

- EDGE OF PAVEMENT
- BUILDING
- BUILDING ENTRY/EGRESS
- BUILDING HATCH

CITY OF PORTLAND SITE PLAN AND SUBDIVISION NOTES

1. LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
2. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND SURFACING OF PARKING AREAS AND LOCATION AND SIZE OF BUILDINGS.
3. ALL POWERLINE UTILITIES SHALL BE UNDERGROUND.
4. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIPDOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BMPS PUBLISHED BY THE BUREAU OF LAND AND QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003.
6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
7. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (SEE ABOVE).
8. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORK'S REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
9. EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL, GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DRIP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DRIP-LINE OF TREES TO BE PRESERVED.
10. SUBDIVISION AT THE TIME OF APPROVAL IS DEFINED AS "SUBDIVISION SHALL MEAN THE DIVISION OF A LOT, TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE LOTS, INCLUDING LOTS OF FORTY (40) ACRES OR MORE, WITHIN ANY FIVE-YEAR PERIOD WHETHER ACCOMPLISHED BY SALE, LEASE, DEVELOPMENT, BUILDINGS OR OTHERWISE AND AS FURTHER DEFINED IN 30-A M.R.S.A. SECTION 4401. THE TERM SUBDIVISION SHALL ALSO INCLUDE THE DIVISION OF A NEW STRUCTURE OR STRUCTURES ON A TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD AND THE DIVISION OF AN EXISTING STRUCTURE OR STRUCTURES PREVIOUSLY USED FOR COMMERCIAL OR INDUSTRIAL USE INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD. THE AREA INCLUDED IN THE EXPANSION OF AN EXISTING STRUCTURE IS DEEMED TO BE A NEW STRUCTURE FOR THE PURPOSE OF THIS PARAGRAPH. A DWELLING UNIT SHALL INCLUDE ANY PART OF A STRUCTURE WHICH, THROUGH SALE OR LEASE, IS INTENDED FOR HUMAN HABITATION, INCLUDING SINGLE-FAMILY AND MULTIFAMILY HOUSING CONDOMINIUMS, TIME-SHARE UNITS AND APARTMENTS."

PROJECT DRAWINGS

C1.0	SUBDIVISION RECORDING PLAT
C1.1	SITE PLAN
C1.2	EXISTING CONDITIONS AND DEMOLITION PLAN
C1.3	GRADING AND UTILITIES PLAN
C1.4	EROSION CONTROL AND LANDSCAPE PLAN
C2.1	DETAILS
C2.2	DETAILS
C2.3	DETAILS
A-1	FLOOR PLAN - PLANS
A-3	FLOOR PLAN - EXTERIOR ELEVATIONS
A-4	FLOOR PLAN - INTERIOR ELEVATIONS
	BOUNDARY SURVEY

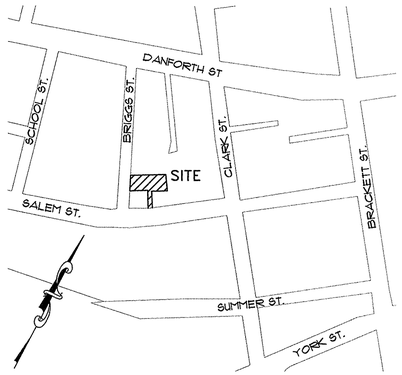
SITE PLAN AND SUBDIVISION PLAT, APPROVED BY THE CITY OF PORTLAND PLANNING BOARD

_____ DATE

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.



LOCATION PLAN

SCALE: 1"=200'±

ZONE INFORMATION

ZONE: R-6, RESIDENTIAL
PERMITTED USE: MULTI-FAMILY DWELLING

SPACE STANDARDS	REQUIRED	PROVIDED
MINIMUM LOT SIZE	2,000 SQ. FT.	4,366 SQ. FT.
MINIMUM AREA PER DWELLING UNIT	725 SQ. FT.	750 SQ. FT.
MINIMUM STREET FRONTAGE	20 FEET	41.58 FEET
MINIMUM FRONT YARD	5 FEET	5 FEET
MINIMUM REAR YARD	10 FEET	10 FEET
MINIMUM SIDE YARD	5 FEET	5 FEET
MAXIMUM LOT COVERAGE	60%	37%
MINIMUM LOT WIDTH	20 FEET	41 FEET
MAXIMUM BUILDING HEIGHT	45 FEET	35 FEET
OPEN SPACE RATIO	20%	55%
OFF STREET PARKING	0 SPACE PER UNIT	0.66 PER UNIT

PINKHAM & GREER CIVIL ENGINEERS
28 VANNAH AVE, PORTLAND, ME. 04103
TEL: 207.781.5242 FAX: 207.781.4245

STATE OF MAINE — THOMAS S. GREER No. 12628 — REGISTERED PROFESSIONAL ENGINEER — LICENSED

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REV'D PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

SCALE: AS SHOWN
DATE: MAY 7, 2015
PROJECT: 14164
DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

SITE PLAN

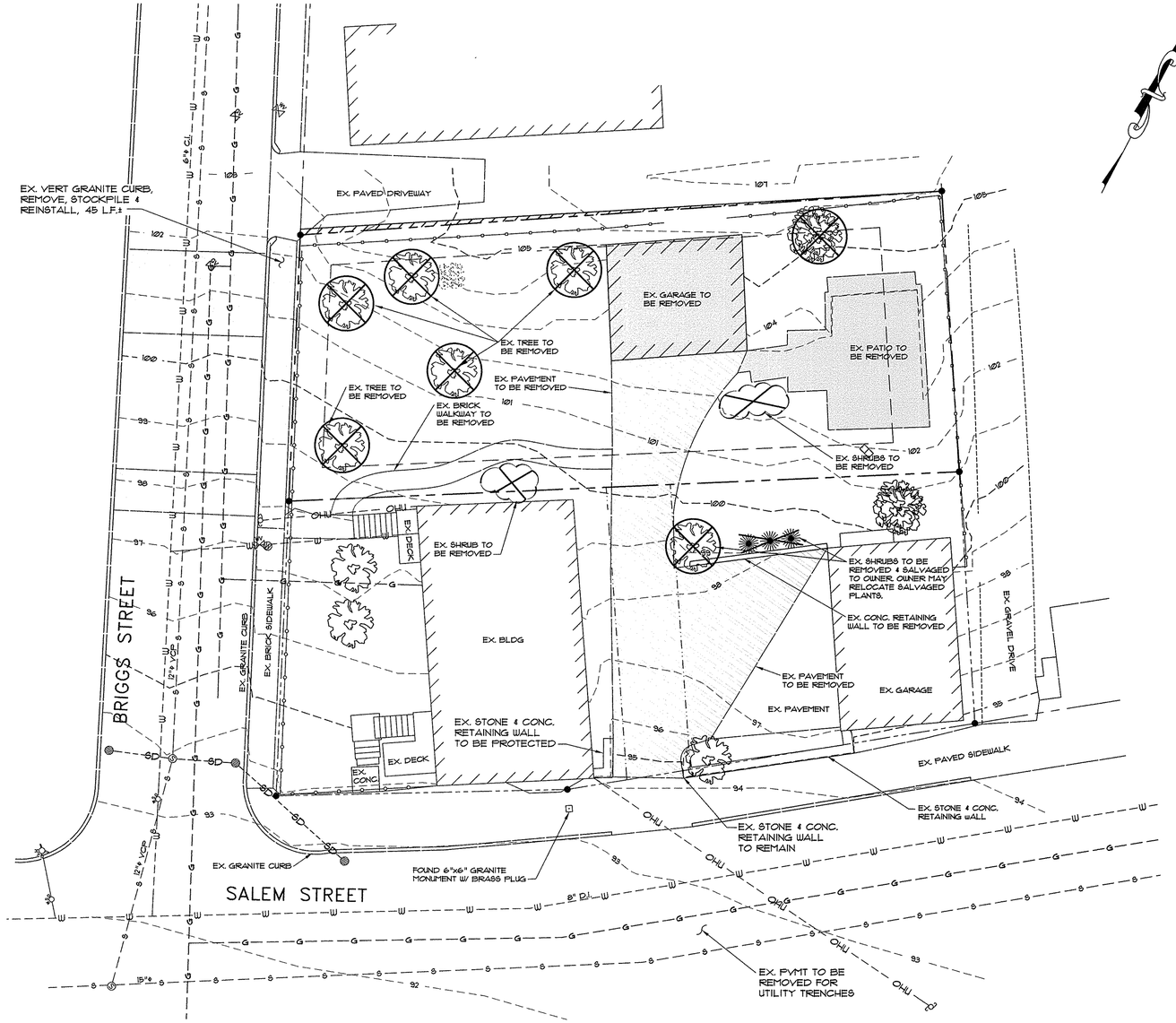
C1.1

MAP/LOT 57/J/29 & 57/J/31

LEGEND

EXISTING

- PROPERTY LINE
- BUILDING SETBACK
- ABUTTERS PROPERTY
- EASEMENT
- EDGE OF PAVEMENT
- CONTOURS
- BUILDING
- EDGE OF GRAVEL
- CURB
- GAS LINE
- SANITARY SEWER
- STORMDRAIN
- OVERHEAD UTILITY
- WATER LINE
- CATCH BASIN
- SEWER MANHOLE
- MANHOLE
- WATER METER
- UTILITY POLE
- TREE
- STOCKADE FENCE
- CHAINLINK FENCE
- BENCHMARK
- FOUND MONUMENT
- #5 STEEL REBAR W/SURVEY CAP #2124 SET
- FIRE HYDRANT
- WATER SHUTOFF
- WATER VALVE
- GAS VALVE



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

PINKHAM & GREER
CIVIL ENGINEERS
28 VAUGHAN AVE., PORTLAND, ME. 04103
TEL: 207.781.3242 FAX: 207.781.4245

STATE OF MAINE
THOMAS S GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REV'D PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

SCALE: AS SHOWN
DATE: APRIL 22, 2015
PROJECT: 14164

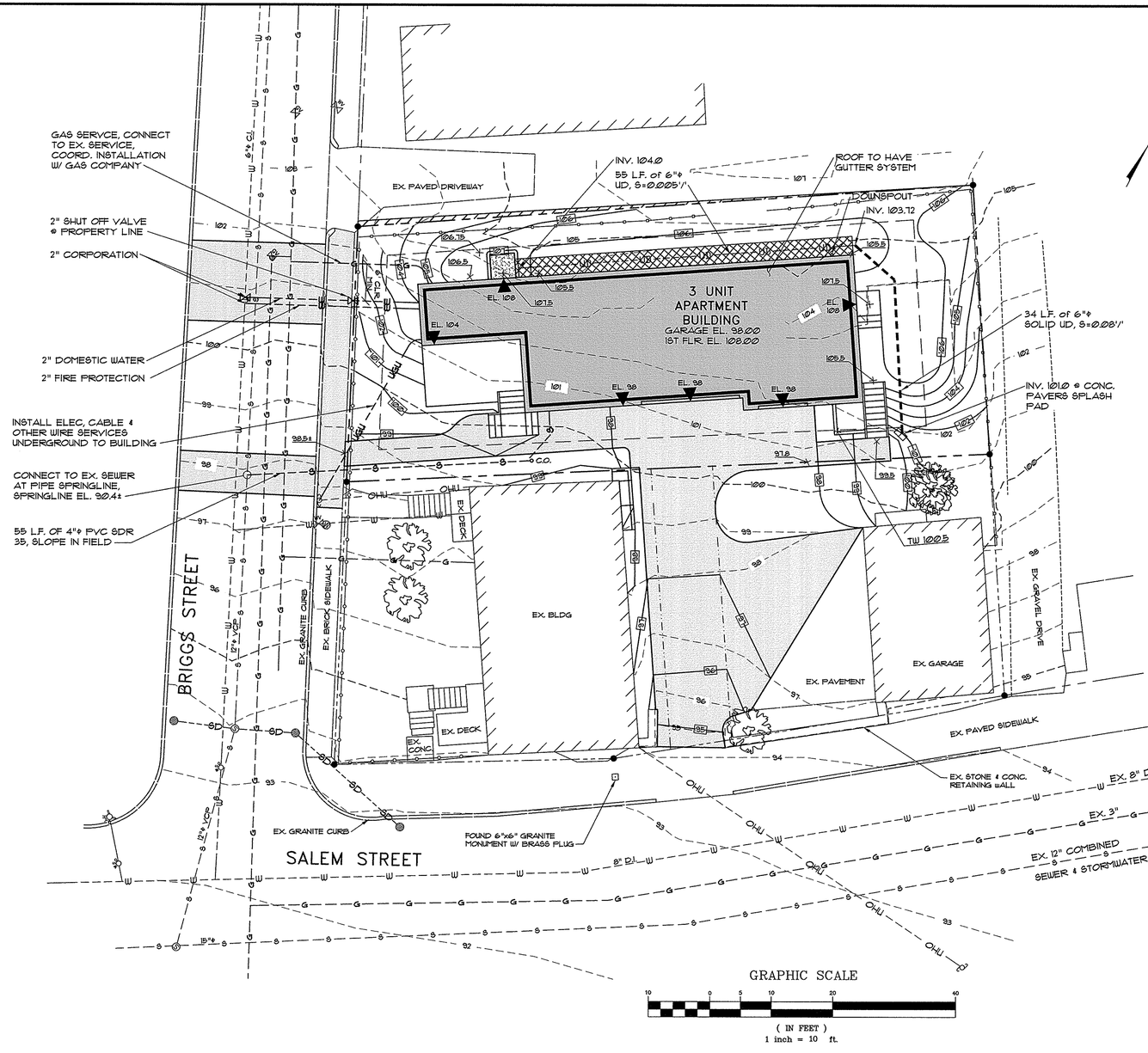
DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

EXISTING CONDITIONS & DEMOLITIONS PLANS

C1.2

MAP/LOT 57/J/29 & 57/J/31



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

LEGEND

EXISTING

- PROPERTY LINE
- BUILDING SETBACK
- ABUTTERS PROPERTY
- EASEMENT
- EDGE OF PAVEMENT
- CONTOURS
- BUILDING
- EDGE OF GRAVEL
- CURB
- GAS LINE
- SANITARY SEWER
- STORMDRAIN
- OVERHEAD UTILITY
- WATER LINE
- CATCH BASIN
- SEWER MANHOLE
- MANHOLE
- WATER METER
- UTILITY POLE
- TREE
- STOCKADE FENCE
- CHAINLINK FENCE
- BENCHMARK
- FOUND MONUMENT
- ⅝ STEEL REBAR W/SURVEY CAP "2124 SET
- FIRE HYDRANT
- WATER SHUTOFF
- WATER VALVE
- GAS VALVE

PROPOSED

- EDGE OF PAVEMENT
- VERTICAL GRANITE CURB
- CONTOURS
- BUILDING
- BUILDING ENTRY/EGRESS
- GAS LINE
- SANITARY SEWER
- UGW UNDERGROUND CABLE UTILI
- WATER LINE
- UD UNDERDRAIN
- DRIPSTRIP W/ UNDERDRAIN
- SPOT GRADE
- TOP OF WALL
- WATER SHUT OFF
- WALL MOUNTED LIGHT
- BUILDING HATCH
- CONCRETE PAD

PINKHAM & GREER
CIVIL ENGINEERS
28 WAYMAN AVE., PORTLAND, ME. 04103
TEL: 207.781.5242 FAX: 207.781.4245

STATE OF MAINE
THOMAS GREER No. 4206
LICENSED PROFESSIONAL ENGINEER

5/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REVD PER STAFF COMMENTS
1	5/28/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

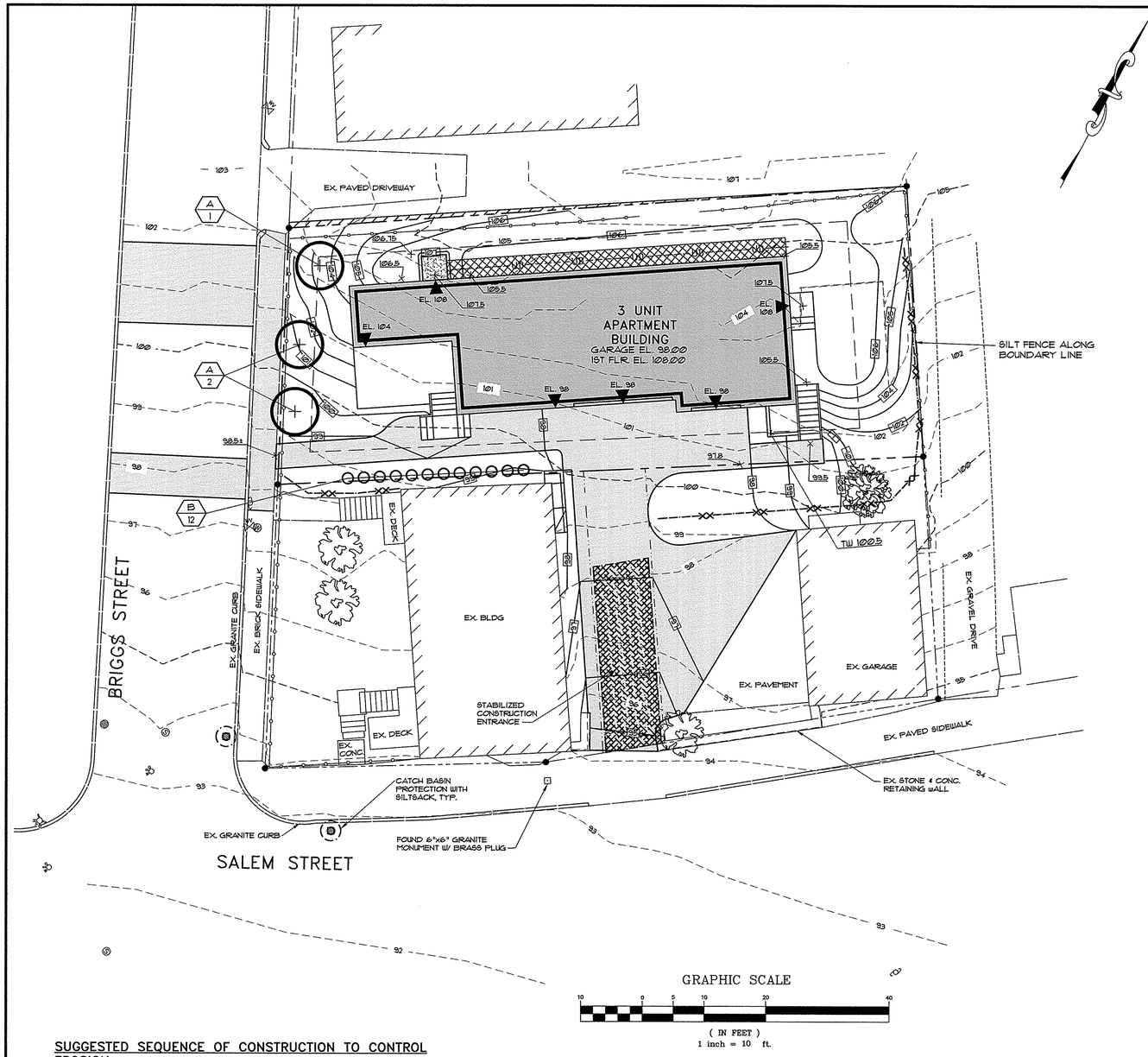
SCALE: AS SHOWN
DATE: MAY 7, 2015
PROJECT: 14164
DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

GRADING & UTILITIES PLAN

C1.3

MAP/LOT 57/J/29 & 57/J/31



SUGGESTED SEQUENCE OF CONSTRUCTION TO CONTROL EROSION:

THIS SEQUENCE OF CONSTRUCTION IS A GENERAL GUIDE TO THE CONTRACTOR. ACTUAL CONSTRUCTION PRACTICES WILL DICTATE VARIATIONS IN THE ORDER OF MAJOR EVENTS.

1. INSTALL ALL PERIMETER SILT FENCE AND HAY BALE PROTECTION.
2. INSTALL SILTATION BASINS. (PRIOR TO ANY STRIPPING OF TOPSOIL OR OTHER EARTHWORK)
3. CLEAR AND GRUB WORK AREAS. TEMPORARILY SEED AREAS NOT TO BE WORKED ON WITHIN 14 DAYS.
4. STRIP AND STOCKPILE ON-SITE TOPSOIL. SEED STOCKPILES WITH TEMPORARY SEED MIX.
5. SUBMIT SAMPLES OF TOPSOIL/LOAM FOR LAB WORK. ADJUST LIME AND FERTILIZER ACCORDINGLY.
6. BEGIN EARTHWORK FOR PARKING AND BUILDING FOUNDATION.
7. STABILIZE AREAS DRAINING TO UNDERDRAINED SOIL FILTER.
8. INSTALL AND PROTECT STORM DRAINAGE SYSTEM.
9. BEGIN BUILDING CONSTRUCTION.
10. ROUGH GRADE PARKING AREAS.
11. FINE GRADE ALL PARKING AND DRIVEWAY SIDE SLOPES AND ROUGH GRADE REMAINDER OF SITE.
12. RESEED OR TEMPORARILY SEED ANY AREA WHICH WILL BE LEFT UNDISTURBED FOR MORE THAN 14 DAYS.
13. COMPLETE FINE GRADING AND PAVING OF WALKS AND PARKING AREAS.
14. FINE GRADE, LOAM SEED AND FERTILIZE REMAINDER OF SITE.
15. REMOVE TEMPORARY SOIL EROSION MEASURES.

EROSION CONTROL LEGEND

- SILT FENCE
- STABILIZED ENTRANCE
- CATCH BASIN PROTECTION WITH SILTSACK

PLANT LIST

(A / 12 = SYMBOL / QUANTITY)

SYMBOL	COMMON NAME/BOTANICAL NAME	SIZE	QUANTITY	ROOT
A	ARMSTRONG RED MAPLE / acer freemanii	2" cal.	3	B&B
B	BOXWOOD / boxus sempervirens "Suffruticosa	18"-24" TALL	5	POTTED

LANDSCAPE NOTES

GENERAL:

1. SAVE EXISTING TREES AS SHOWN. DO NOT CUT OR CLEAR ANY VEGETATION BEYOND THE IMPACT LIMIT LINE.
2. ALL PLANT MATERIALS INSTALLED ARE TO MEET THE SPECIFICATIONS OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
3. ALL PROPOSED PLANT LOCATIONS SHALL BE AS SHOWN ON PLANS. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO PLANTING AND WILL NOTIFY OWNER'S REPRESENTATIVE IN THE EVENT OF CONFLICTS.
4. PLANT LOCATIONS ARE TO BE SCALED FROM THELANDSCAPE PLAN UNLESS NOTED OTHERWISE.
5. NO PLANT MATERIAL SHALL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
6. FINAL QUANTITY FOR EACH PLANT TYPE IS NOTED IN THE PLANT LIST. THIS NUMBER SHALL TAKE PRECEDENCE IN THE CASE OF ANY DISCREPANCY BETWEEN QUANTITIES SHOWN IN THE LIST AND ON THE PLAN.
7. ANY PROPOSED SUBSTITUTIONS MUST BE APPROVED BY THE OWNER OR THE OWNER'S REPRESENTATIVE.
8. ALL DISTURBED AREAS TO BE LOAMED AND SEEDED.

MAINTENANCE:

1. LAWNS: SHALL BE WATERED, FERTILIZED AND MOWN ON A REGULAR BASIS ACCORDING TO SEASON AND RAINFALL, TO PRODUCE A STRONG TURF OF 80% MIN. COVERAGE WITHIN THE FIRST YEAR, FREE FROM SIZABLE THIN OR BARE SPOTS. REGRADING AND RESEEDING WILL BE PERFORMED ON BARE SPOTS UNTIL COVERAGE IS COMPLETE.
2. TREES & SHRUBS: THE ESTABLISHMENT PERIOD SHALL BE TWO CALENDAR YEARS FROM THE DATE OF FINAL ACCEPTANCE. DURING THE ESTABLISHMENT PERIOD THE OWNER OR OWNER'S CONTRACTOR SHALL WATER, CULTIVATE AND PRUNE AS REQUIRED TO MAINTAIN A HEALTHY GROWING CONDITION.
3. AT THE END OF THE ESTABLISHMENT PERIOD AND UPON SUBSEQUENT ANNUAL INSPECTIONS, PLANTS WHICH HAVE DIED OR FAILED TO THRIVE SHALL BE REPLACED WITH EQUIVALENT SIZE AND SPECIES. AFTER THE CONTRACTOR'S GUARANTEE PERIOD HAS ENDED, IT IS THE OWNER'S RESPONSIBILITY TO MAINTAIN AND REPLACE PLANTINGS.
4. TREES, SHRUBS AND LAWNS WHICH ARE NOT IRRIGATED WITH AN AUTOMATIC SPRINKLER OR DRIP SYSTEM SHALL BE THOROUGHLY WATERED ON A REGULAR BASIS DURING PERIODS OF BELOW AVERAGE RAINFALL. SOIL SHOULD BE SAMPLED AT A DEPTH OF 12" AND IF DRY, WATER TO DEPTH OF 24".
5. MULCH IS TO BE MAINTAINED AT A DEPTH TO COMPLETELY COVER THE SOIL AND TO PRESERVE MOISTURE AND MINIMIZE WEEDS.
6. TREES, SHRUBS AND LAWNS SHALL BE FERTILIZED ANNUALLY AND TREATED WITH INSECTICIDES AND/OR FUNGICIDES AS REQUIRED FOR CONTINUED HEALTHY GROWTH.
7. SUCKERS, WEEDS, AND DEAD WOOD SHALL BE REMOVED ON A SEASONAL BASIS, AND SHRUBS SHALL BE PRUNED TWICE A YEAR ACCORDING TO THE REQUIREMENTS OF EACH SPECIES (I.E. SOME SPECIES SHOULD NOT BE PRUNED AT ALL). SHRUBS SHALL NOT BE PRUNED INTO INDIVIDUALS BUT ALLOWED TO GROW INTO A MASS.
8. WHERE TREES ARE LOCATED NEAR SIDEWALKS OR PARKING LOTS, THE CANOPY SHALL BE LIMBED UP TO PROMOTE SAFE CLEARANCE TO 8' ABOVE GRADE.
9. LAWN AREAS SHALL BE MOWN AS OFTEN AS NECESSARY TO KEEP LAWNS TO A 2 1/2 - 3" HEIGHT, AND AERATED ON A SEASONAL BASIS.
10. BEDS AND LAWN EDGES SHALL BE REGULARLY TRIMMED AND EDGED.
11. PERENNIAL AND ANNUAL BEDS SHALL BE DESIGNED, PLANTED AND MAINTAINED FOR SEASONAL COLOR AND INTEREST. ANNUALS MAY BE INCORPORATED TO A MAXIMUM LIMIT OF 25% OF THE BED AREA OF MAINTAINED BEDS FROM MAY 15 THROUGH NOVEMBER 15. PERENNIAL BEDS SHALL BE WATERED AS REQUIRED FOR HEALTHY PLANT GROWTH, AND WEEDED AND DEADHEADED ON A MONTHLY BASIS.

LEGEND

EXISTING

- PROPERTY LINE
- BUILDING SETBACK
- ABUTTERS PROPERTY
- EASEMENT
- EDGE OF PAVEMENT
- 100 CONTOURS
- BUILDING
- EDGE OF GRAVEL
- CURB
- G GAS LINE
- S SANITARY SEWER
- SD STORMDRAIN
- OHU OVERHEAD UTILITY
- W WATER LINE
- CATCH BASIN
- S SEWER MANHOLE
- M MANHOLE
- W WATER METER
- UTILITY POLE
- TREE
- STOCKADE FENCE
- CHAINLINK FENCE
- BENCHMARK
- FOUND MONUMENT
- "S STEEL REBAR W/SURVEY CAP "2124 SET
- FIRE HYDRANT
- WATER SHUTOFF
- WATER VALVE
- GAS VALVE

PROPOSED

- 104 EDGE OF PAVEMENT
- CONTOURS
- BUILDING
- BUILDING ENTRY/EGRESS
- UD UNDERDRAIN
- DRIPSTRIP W/ UNDERDRAIN
- × 104.0 SPOT GRADE
- TW 105.0 TOP OF WALL
- WALL MOUNTED LIGHT
- SURFACE DRAINAGE
- BUILDING HATCH

PINKHAM & GREER
CIVIL ENGINEERS
28 WANNAN AVE. PORTLAND, ME. 04103
TEL: 207.781.3242 FAX: 207.781.4245

STATE OF MAINE — THOMAS S. GREER No. 4208 — LICENSED PROFESSIONAL ENGINEER

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REVD PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

SCALE: AS SHOWN
DATE: MAY 7, 2015
PROJECT: 14164

DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

EROSION CONTROL & LANDSCAPE PLANS

C1.4

MAP/LOT 57/J/29 & 57/J/31

EROSION CONTROL NOTES

GENERAL:

THE DRAWINGS DEPICT THE REQUIRED SOIL EROSION CONTROL MEASURES. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE CONSTRUCTION SITE IN SUCH A MANNER THAT:

1. SOIL EROSION IS KEPT TO A MINIMUM.
2. NO SEDIMENT LEAVES THE CONSTRUCTION SITE PROPER.
3. ALL POSSIBLE MEASURES ARE EMPLOYED TO PREVENT SEDIMENT FROM ENTERING DRAINAGE COURSES AND WETLANDS EVEN BEYOND THE DETAILS SHOWN ON THIS PLAN IF NECESSARY.

1. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BMPS PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003.

2. THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATERBODIES, OR WETLAND AS A RESULT OF THIS PROJECT.

3. LOAM AND SEED ALL DISTURBED AREAS AS SOON AS POSSIBLE AFTER DISTURBANCE, BUT NO LONGER THAN 7 DAYS. LOAM AND SEED ANY DISTURBED AREA WITHIN 75' OF WETLANDS OR WATERBODIES WITHIN 48 HOURS OR PRIOR TO AND STORM EVENT. USE WINTER SEED RATES AND SPECIFICATIONS IF APPROPRIATE.

4. INSPECT SOIL EROSION MEASURES WEEKLY AND AFTER SIGNIFICANT STORM EVENTS. MAKE ALL NECESSARY REPAIRS TO FACILITIES AS SOON AS POSSIBLE, BUT NO LONGER THAN 2 DAYS. CLEAN AND RESET SILT FENCES AND STONE CHECK DAMS WHICH ACCUMULATE SEDIMENT AND DEBRIS.

5. PROTECT AND STABILIZE ALL AREAS NOT SCHEDULED FOR EROSION PREVENTION OR STABILIZATION BUT THAT SHOW SIGNS OF EROSION. NOTIFY OWNER OF ANY SIGNIFICANT EROSION PROBLEM.

6. APPLY MULCH TO BARE SOILS WITHIN 7 DAYS OF INITIAL DISTURBANCE OF SOILS, WITHIN 48 HOURS IF WITHIN 75' OF WETLAND OR WATERBODY, PRIOR TO ANY RAIN EVENT, OR PRIOR TO ANY WORK SHUTDOWN LASTING MORE THAN ONE DAY.

7. TEMPORARILY SEED WITHIN 7 DAYS ANY AREA WHICH WILL BE LEFT DISTURBED AND UNWORKED FOR MORE THAN 14 DAYS WITH THE TEMPORARY SEED MIX LISTED BELOW. IF AREA IS WITHIN 75' OF A WETLAND OR WATERBODY, SEED WITHIN 48 HOURS. PERMANENTLY SEED ANY AREA WHICH CAN BE LOAMED AS SOON AS POSSIBLE WITH THE PERMANENT SEED MIX LISTED BELOW. DO NOT USE PERMANENT SEED MIX AFTER SEPTEMBER 15.

8. MULCH ALL AREAS SEEDED SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE. DURING THE GROWING SEASON (APRIL 15 - SEPT. 30) USE EROSION CONTROL MESH (OR MULCH AND NETTING) ON:
   - THE BASE OF GRASSED WATERWAYS
   - SLOPES STEEPER THAN 15%
   - WITHIN 100 ft. OF STREAMS AND WETLANDS

   BETWEEN OCT. 1 AND APRIL 14 USE EROSION CONTROL MESH (OR MULCH AND NETTING) ON:
   - SIDE SLOPES OF GRASSED WATERWAYS
   - SLOPES STEEPER THAN 8%

9. INSTALL EROSION CONTROL MESH IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS. MESH TO BE EQUAL TO NORTH AMERICAN GREEN PRODUCT C125BN.

10. FOLLOW SILT FENCE MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS FOR INSTALLATION OF SILT FENCE. SECURE ENTIRE BOTTOM OF FENCE EITHER BY BURYING BOTTOM OF FENCE IN A TRENCH OR BERMING WITH SOIL OR CHIPPED GRUBBINGS. REFER TO SILT FENCE DETAILS.

11. PLACE AND GRADE LOAM IN A REASONABLY UNIFORM MANNER. WORK LIME AND FERTILIZER INTO THE SOIL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM SEED BED IS PREPARED. REMOVE FROM SURFACE ALL STONES LARGER THAN 2" AND ALL OTHER UNSUITABLE MATERIAL. LIME AND FERTILIZER SHOULD BE MIXED INTO SOIL PRIOR TO ROLLING EXCEPT IF INCLUDED IN HYDROSEED MIXTURE. PERMANENT STABLILIZATION OF REVEGETATED AREAS IS CONSIDERED AS 90% CATCH.

12. ALL CULVERT OR PIPE OUTFALL PROTECTION MUST BE INSTALLED WITHIN 48 HOURS OF INSTALLING NEW PIPE OR CULVERT.

13. DITCHES AND CHANNELS DESIGNATED TO BE LINED WITH RIPRAP AND/OR EROSION CONTROL MESH MUST BE INSTALLED WITHIN 48 HOURS OF COMPLETING THE GRADING OF THAT SECTION OF DITCH OR CHANNEL.

14. ALL CATCH BASINS, NEW OR EXISTING, THAT MAY RECEIVE RUNOFF FROM DISTURBED AREAS MUST BE PROTECTED BY INSTALLING AND MAINTAINING SILT SACKS DURING CONSTRUCTION.

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

TOPSOIL:

1. SUITABLE TOPSOIL SALVAGED FROM SITE OR SCREENED, LOOSE AND FRIABLE SANDY LOAM OR LOAM AS DEFINED BY THE USDA SOIL CONSERVATION SERVICE CLASSIFICATION SYSTEM, FREE FROM ADMIXTURE OF SUBSOIL, REFUSE, LARGE STONES, CLODS, ROOTS, WEEDS, RHIZOMES OR OTHER UNDESIREABLE FOREIGN MATTER AS DETERMINED BY THE INSPECTING AUTHORITY. CONTRACTOR SHALL SUBMIT REPORTS OF LOAM TEST RESULTS PERFORMED BY AN INDEPENDENT TESTING LABORATORY FOR TOPSOIL FROM DIFFERENT SOURCES PRIOR TO PLACING. THE COST OF TESTING SHALL BE INCIDENTAL TO THE COST OF TOPSOIL. TOPSOIL SHALL MEET THE FOLLOWING SPECIFICATIONS:

2. MATERIAL

   SAND - 0.08 IN. TO 0.002 IN. DIAMETER (% BY VOLUME) ..... 45 - 75
   SILT - 0.002 IN. TO 0.000008 IN. DIAMETER (% BY VOLUME) ... 20 - 40
   CLAY - LESS THAN 0.000008 IN. DIAMETER (% BY VOLUME) .... 5 - 15

   ORGANICS (SHALL MEET THE REQUIREMENTS OF MDOT STANDARD SPECIFICATION 717.09 PEAT HUMUS) (% BY VOLUME) . 10 - 20

   NUTRIENTS:
   CALCIUM (CA) (% SATURATION) ..... 60 - 80
   MAGNESIUM (MG) (% SATURATION) ..... 10 - 25
   POTASSIUM (K) (% SATURATION) ..... 2.1 - 3.0
   PHOSPHORUS (P) (POUNDS/ACRE) ..... 10 - 40
   PH ..... 6.0 - 6.5

   PERMEABILITY (INCHES PER HOUR) ..... 3 - 10

   MAXIMUM STONE SIZE (INCHES) 3/4

SEEDING:

USE PERMANENT SEED MIXES AND RATES BETWEEN 5/15 AND 9/30.
USE TEMPORARY SEED MIXES FOR PERIODS LESS THAN 12 MONTHS. IF USING TEMPORARY SEED MIXES AND RATES BETWEEN 10/1 AND 5/14, RE-SEED WITH PERMANENT SEED MIX AFTER 5/15.

PERMANENT SEED:

MDOT 717.03(a) METHOD NUMBER 3

TEMPORARY SEED:

OATS	80.00 LBS/ACRE	4/01 - 5/14
ANNUAL RYEGRASS	40.00 LBS/ACRE	
SUDANGRASS	40.00 LBS/ACRE	5/15 - 8/14
ANNUAL RYEGRASS	80.00 LBS/ACRE	5/15 - 9/14
WINTER RYE	112.00 LBS/ACRE	9/15 - 9/30
WINTER RYE (W/ MULCH COVER)	112.00 LBS/ACRE	10/01 - 3/31

LIME AND FERTILIZER:

APPLY GROUND LIMESTONE (EQUIVALENT TO 50% CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF 3 TONS PER ACRE (138 POUNDS PER 1000 SQUARE FEET). APPLY FERTILIZER (10-20-20) AT A RATE OF 800 POUNDS PER ACRE (18.4 POUNDS PER 1000 SQUARE FEET).

MULCH:

STRAW OR HAY (ANCHORED)	70 - 90 LBS	PROTECTED AREAS
STRAW OR HAY (ANCHORED)	185 - 275 LBS	WINDY AREAS
SHREDDED OR CHOPPED	185 - 275 LBS	
JUTE MESH	AS REQUIRED	MODERATE TO HIGH VELOCITY AREAS &
EXCELSIOR MAT	AS REQUIRED	STEEP SLOPES

MULCH ANCHORING

PEG AND TWINE	LIQUID ASPHALT
MULCH NETTING	WOOD CELLULOSE FIBER
ASPHALT EMULSION	CHEMICAL TACK

WINTER CONSTRUCTION:

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIP RAP BY NOVEMBER 15 THEN THE SITE NEEDS TO BE PROTECTED WITH OVER-WINTER STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT; VEGETATION, MULCHING, EROSION CONTROL MATS, RIP RAP OR GRAVEL BASE ON A ROAD. WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SUCH THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. ALL AREA SHALL BE CONSIDERED TO BE DENUDED UNTIL THE SUBBASE GRAVEL IS INSTALLED IN ROADWAY AREAS OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH RATE SHALL BE A MINIMUM OF 150 LBS/1000 S.F. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED.
THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS.
CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

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

2. NATURAL RESOURCES PROTECTION
ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 75% MATURE VEGETATION CATCH, SHALL BE MULCHED BY DECEMBER 1 AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS.
DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (I.E. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA.
PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

3. SEDIMENT BARRIERS
DURING FROZEN CONDITIONS, SEDIMENT BARRIERS SHALL CONSIST OF EROSION CONTROL MIX SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES AND SEDIMENT SILT FENCES.

4. MULCHING
ALL AREA SHALL BE CONSIDERED TO BE DENUDED UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LBS/1000 S.F. OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75 LBS/1000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE INCH DEPTH OR LESS PRIOR TO APPLICATION.
AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING.
AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN MULCHED WITH STRAW OR HAY AT A RATE OF 150 LBS/1000 SF. (3 TONS/ACRE) AND ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THOUGH THE MULCH.

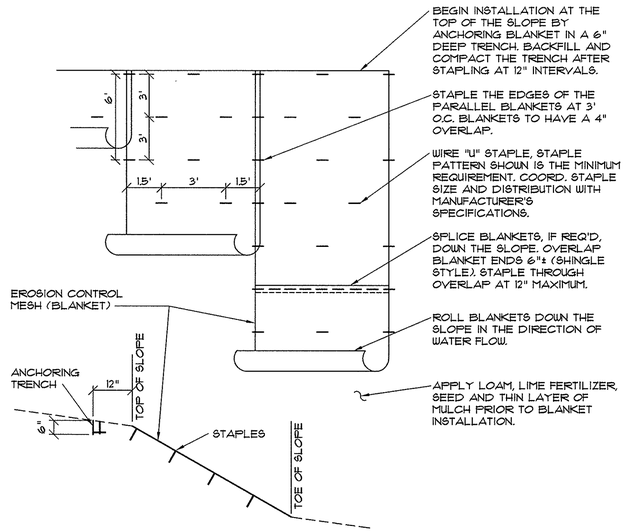
BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER PEG LINE, MULCH NETTING, ASPHALT EMULSION CHEMICAL TACK, OR WOOD CELLULOSE FIBER. WHEN GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH THEN COVER IS SUFFICIENT.
AFTER NOVEMBER 1, MULCH AND ANCHORING OF ALL BARE SOIL SHALL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

5. MULCHING ON SLOPES AND DITCHES
SLOPES SHALL NOT BE LEFT EXPOSED FOR ANY EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY MULCHED AND ANCHORED WITH PEG AND NETTING OR WITH EROSION CONTROL BLANKETS.
MULCHING SHALL BE APPLIED AT A RATE OF 230 LBS/1000 SF. ON ALL SLOPES GREATER THAN 8%. MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAT 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 8%.
EROSION CONTROL BLANKETS SHALL BE USED IN LIEU OF MULCH IN ALL DRAINAGE WAYS WITH SLOPE GREATER THAN 8%.
EROSION CONTROL MIX CAN BE USED AS A SUBSTITUTE FOR EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

6. SEEDING
BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. AFTER NOVEMBER 1 IF THE EXPOSED AREA HAS BEEN LOAMED AND FINAL GRADED WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED.
DORMANT SEEDING MAY BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES.
IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND BE SEEDED AT AN APPLICATION RATE OF 5 LBS/1000 SF. ALL AREAS SEEDED DURING THE WINTER WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 75 % CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH.
IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL AREAS DISTURBED IN THE WINTER SHALL BE VEGETATED IN THE SPRING.

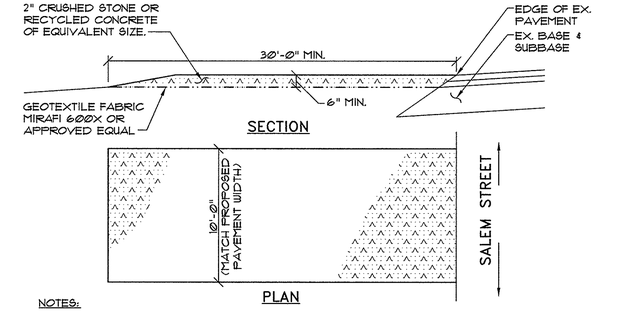
7. TRENCH DEWATERING AND TEMPORARY STREAM DIVERSION
WATER FROM CONSTRUCTION TRENCH DEWATERING OR TEMPORARY STREAM DIVERSION WILL PASS FIRST THROUGH A FILTER BAG OR SECONDARY CONTAINMENT STRUCTURE (E.G. HAY BALE OR EROSION CONTROL MIX LINED POOL) PRIOR TO DISCHARGE. THE DISCHARGE SITE SHALL BE SELECTED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

8. INSPECTION AND MONITORING
MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION SEASON. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, THE SITE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES AND PERFORM REPAIRS AS NEEDED TO INSURE THEIR CONTINUOUS FUNCTION. FOLLOWING THE TEMPORARY AND/OR FINAL SEEDING AND MULCHING, THE CONTRACTOR SHALL, IN THE SPRING, INSPECT AND REPAIR ANY DAMAGED AND/OR UNESTABLISHED SPOTS. ESTABLISHED VEGETATIVE COVER MEANS A MINIMUM OF 85 TO 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH.



1 EROSION CONTROL MESH INSTALLATION DETAIL

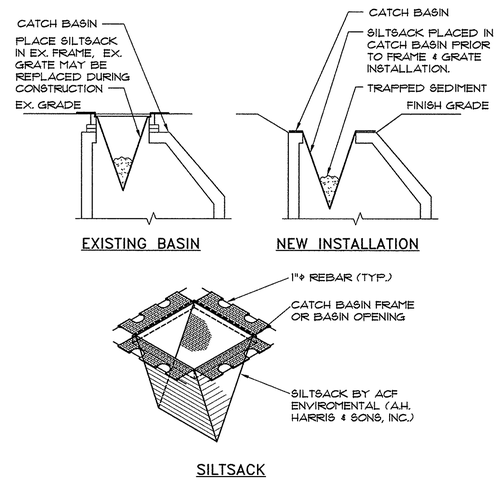
NOT TO SCALE



NOTES:
1. MAINTAIN ENTRANCE IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. IF WASHING IS REQUIRED PREVENT SEDIMENT FROM ENTERING WATERWAYS, DITCHES OR STORM DRAINS.
2. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO FINISH ROAD CONSTRUCTION & PAVING.

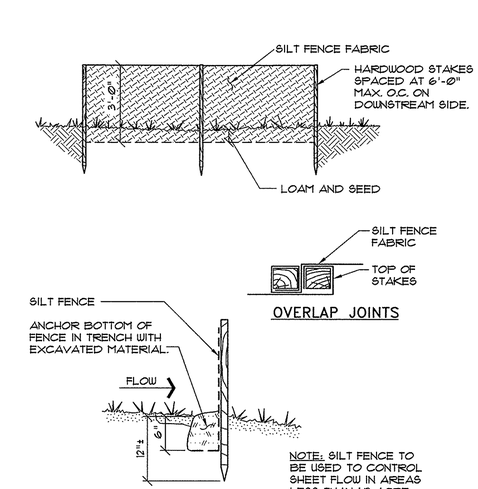
2 STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE



4 CATCH BASIN PROTECTION

NOT TO SCALE



NOTE: SILT FENCE TO BE USED TO CONTROL SHEET FLOW IN AREAS LESS THAN 1/2 ACRE.

3 SILT FENCE DETAIL

NOT TO SCALE

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE, PORTLAND, ME. 04103
TEL: 207.781.5242 FAX: 207.781.4245

STATE OF MAINE — THOMAS S. GREER — No. 12265 — REGISTERED PROFESSIONAL ENGINEER — LICENSED

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REV'D PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

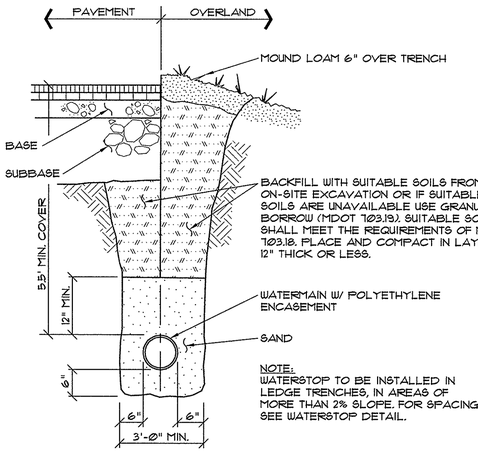
SCALE: AS SHOWN — DRN BY: JDC/RJS
DATE: APRIL 7, 2015 — DESG BY: TSG
PROJECT: 14164 — CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

DETAILS

C2.1

MAP/LOT 57/J/29 & 57/J/31

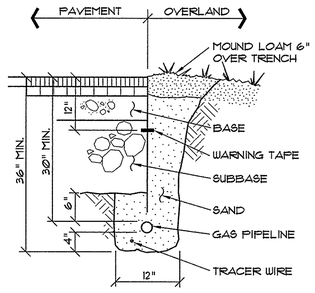


POLYETHYLENE ENCASEMENT GENERAL SPECIFICATIONS

1. TUBE TYPE POLYETHYLENE ENCASEMENT SHALL BE INSTALLED ON ALL DUCTILE IRON PIPE AND FITTINGS IN ACCORDANCE WITH AWWA STANDARD C105 - LATEST REVISION, METHOD A.
2. POLYETHYLENE ENCASEMENT SHALL BE EITHER LINEAR LOW-DENSITY POLYETHYLENE (LLDPE) FILM WITH A MINIMUM THICKNESS OF 8-MIL OR HIGH-DENSITY, CROSS-LAMINATED POLYETHYLENE (HDCLPE) FILM WITH A MINIMUM THICKNESS OF 4-MIL.
3. CIRCUMFERENTIAL WRAPS OF TAPE OR PLASTIC TIE STRAPS SHALL BE PLACED AT 2-FT. INTERVALS ALONG THE BARREL OF THE PIPE.
4. THE POLYETHYLENE ENCASEMENT SHALL PREVENT CONTACT BETWEEN THE PIPE AND THE SURROUNDING BACKFILL AND BEDDING MATERIAL BUT IS NOT INTENDED TO BE A COMPLETELY AIRTIGHT OR WATERTIGHT ENCLOSURE. ALL LUMPS OF CLAY, MUD, CINDERS, AND SO FORTH, ON THE PIPE SURFACE SHALL BE REMOVED PRIOR TO INSTALLATION OF THE POLYETHYLENE ENCASEMENT. DURING INSTALLATION, CARE SHALL BE EXERCISED TO PREVENT SOIL OR EMBANKMENT MATERIAL FROM BECOMING TRAPPED BETWEEN THE PIPE AND THE POLYETHYLENE.
5. THE POLYETHYLENE FILM SHALL BE FITTED TO THE CONTOUR OF THE PIPE TO EFFECT A SNUG, BUT NOT TIGHT, ENCASEMENT WITH MINIMUM SPACE BETWEEN THE POLYETHYLENE AND THE PIPE. SUFFICIENT SLACK SHALL BE PROVIDED IN CONTOURING TO PREVENT STRETCHING THE POLYETHYLENE WHERE IT BRIDGES IRREGULAR SURFACES, SUCH AS BELL-SPIGOT INTERFACES, BOLTED JOINTS, OR FITTINGS, AND TO PREVENT DAMAGE TO THE POLYETHYLENE DUE TO BACKFILLING OPERATIONS. OVERLAPS AND ENDS SHALL BE SECURED WITH ADHESIVE TAPE, STRING, PLASTIC TIE STRAPS, OR ANY OTHER MATERIAL CAPABLE OF HOLDING THE POLYETHYLENE ENCASEMENT IN PLACE UNTIL BACKFILLING OPERATIONS ARE COMPLETE.
6. THREE LAYERS OF POLYETHYLENE ADHESIVE TAPE SHALL BE WRAPPED AROUND ANY POLYWRAPPED PIPE WHERE A TAPPING MACHINE WILL BE PLACED. ALL COPPER SERVICES CONNECTED TO A PIPE WRAPPED IN POLYETHYLENE ENCASEMENT SHALL BE WRAPPED WITHIN THREE FEET OF THE PIPE.

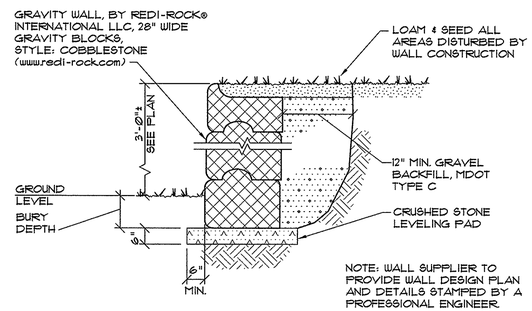
4 TYPICAL WATER MAIN SECTION ON-SITE

NOT TO SCALE



6 GAS PIPING TRENCH SECTION

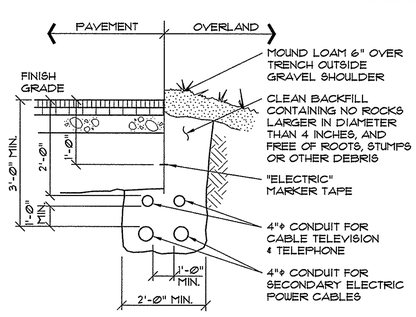
NOT TO SCALE



NOTE: WALL SUPPLIER TO PROVIDE WALL DESIGN PLAN AND DETAILS STAMPED BY A PROFESSIONAL ENGINEER.

5 MODULAR BLOCK WALL

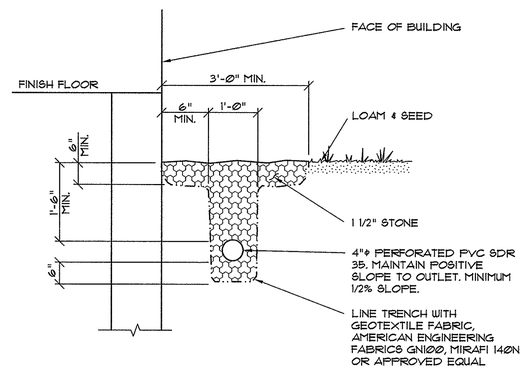
NOT TO SCALE



NOTES:
1. INSTALLATION SHALL NOT ALLOW INTER-TWINING OF CABLES.
2. DIRECT BURY CABLES EXCEPT UNDER PAVED AREAS. PROVIDE SCH. 40 PVC CONDUIT UNDER PAVED AREAS, EXTEND CONDUIT 5'-0" BEYOND EDGE OF PAVEMENT.

8 CABLE TRENCH SECTION

NOT TO SCALE



7 STONE DRIPSTRIP SECTION

NOT TO SCALE

UNDERGROUND UTILITIES WARNING TAPE

IDENTIFICATION TAPE TO BE INSTALLED ABOVE ALL NEW UNDERGROUND UTILITIES AND ABOVE ANY EXISTING UTILITIES THAT MAY BE EXPOSED BY THIS CONSTRUCTION.

DETECTABLE UNDERGROUND MARKING TAPE TO BE PERMANENT, BRIGHT-COLORED, CONTINUOUS-PRINTED PLASTICIZED ALUMINUM TAPE, INTENDED FOR DIRECT-BURIAL SERVICE NOT LESS THAN 3" WIDE x 5 MILS THICK. PROVIDE TAPE WITH BLACK PRINTING IDENTIFYING THE UTILITY. DETECTABLE WARNING TAPE REQUIRED OVER ALL WATER, SEWER, DRAINAGE, OR GAS UTILITIES. TAPE TO BE TERRA TAPE BY REEF INDUSTRIES, INC., www.reefindustries.com, OR EQUAL.

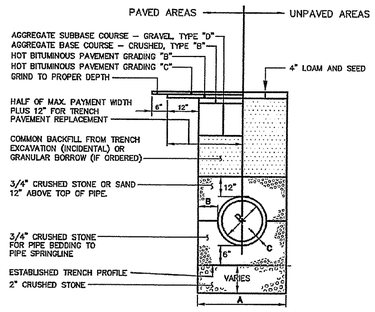
APWA UNIFORM COLOR CODE:

WHITE	PROPOSED EXCAVATION
PINK	TEMPORARY SURVEY MARKINGS
RED	ELECTRIC POWER LINES, CABLES, CONDUIT AND LIGHTING CABLES
YELLOW	GAS, OIL, STEAM, PETROLEUM OR GASEOUS MATERIALS
ORANGE	COMMUNICATION, ALARM OR SIGNAL LINES, CABLES OR CONDUIT
BLUE	POTABLE WATER
PURPLE	RECLAIMED WATER, IRRIGATION AND SLURRY LINES
GREEN	SEWERS AND DRAIN LINES

1 UNDERGROUND UTILITIES WARNING TAPE

NOTES:
DEPTH OF BITUMINOUS PAVEMENT AND AGGREGATE COURSES SHALL BE DETERMINED BY STREET CLASSIFICATION.

ANY ALTERNATE TRENCHING OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES..



NOTES:
1. ALTERNATIVE CONSTRUCTION METHODS OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. IN PAVED AREAS, DEPTHS OF GRAVEL AND HOT MIX ASPHALT PAVEMENT SHALL MATCH THE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
3. DIMENSION **B** SHALL BE SUFFICIENT TO ALLOW CRUSHED STONE BEDDING TO BE PLACED AND COMPACTED UNDER THE HAUNCHES OF THE PIPE, BUT IN ALL CASES DIMENSION **B** SHALL BE AT LEAST 8".
4. DIMENSION **A** IS THE MAXIMUM WIDTH ALLOWED FOR CALCULATING PAY QUANTITIES UNDER GRANULAR BORROW, CRUSHED STONE, STRUCTURAL EARTH EXCAVATION, AND STRUCTURAL ROCK EXCAVATION. DIMENSION **A** SHALL BE BASED ON PIPE DIAMETER **D**, AS SET FORTH IN THE FOLLOWING TABLE.

PIPE DIAMETER, D (INCHES)	MAX. TRENCH WIDTH, A (FEET)
4 – – – –	4.0
6	4.0
8	4.0
10	4.0
12	5.0
15	5.0
18 – – – –	5.0
21	5.0
24	6.0
27	6.0
30	6.0
36 – – – –	6.0
42	7.0
48	7.0

3 TYPICAL PIPE TRENCH INSTALLATION (11-12)

PINKHAM & GREER
CIVIL ENGINEERS
28 MARKET ST., PORTLAND, ME. 04103
TEL: 207/761-2272 FAX: 207/761-2375

STATE OF MAINE
THOMAS S. GREER
No. 4206
REGISTERED PROFESSIONAL ENGINEER
7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REV'D PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

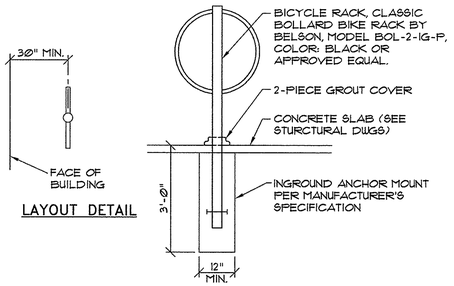
SCALE: AS SHOWN
DATE: APRIL 7, 2015
PROJECT: 14164
DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

DETAILS

C2.2

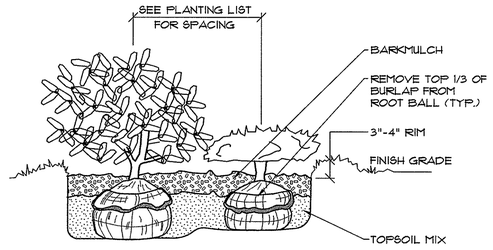
MAP/LOT 57/J/29 & 57/J/31



LAYOUT DETAIL

7 BIKE RACK DETAIL

NOT TO SCALE



5 SHRUB PLANTING DETAIL

NOT TO SCALE

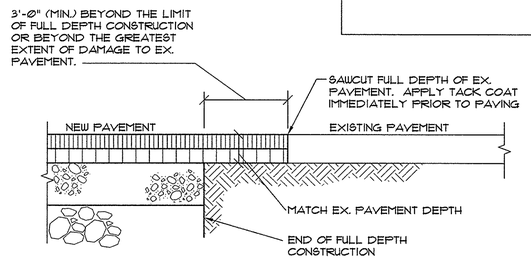
CONSTRUCTION	USE
1 1/4" HMA MDOT 9.5mm 2 1/4" HMA MDOT 19.0mm 4" COMPACTED AGGREGATE BASE, MDOT 703.06(a) TYPE A 15" COMPACTED AGGREGATE SUBBASE, MDOT 703.06(b) TYPE D COMPACTED SUBGRADE	BITUMINOUS FULL DEPTH CONSTRUCTION
4" TOPSOIL, NO STONES OVER 3/4" DIA. GRANULAR MATERIAL IN FILL AREAS COMPACTED SUBGRADE	GRASS ALL DISTURBED AREAS
3" BARKMULCH PREPARED SUBGRADE	PLANT BED BARKMULCH

NOTES:

1. HMA = HOT MIX ASPHALT.
   MDOT = MAINE DEPARTMENT OF TRANSPORTATION.
2. ALL COURSE THICKNESS AFTER FINAL COMPACTION.

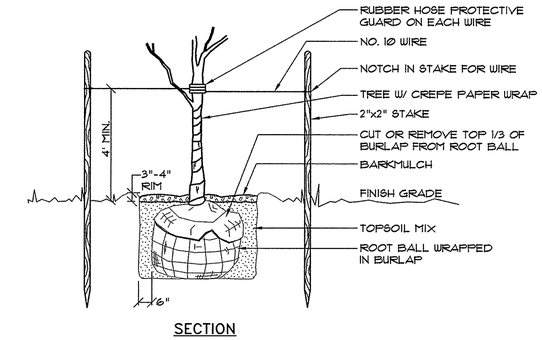
2 SCHEDULE OF SURFACE FINISHES ON-SITE

NOT TO SCALE



1 PAVEMENT CUTTING & MATCHING SECTION

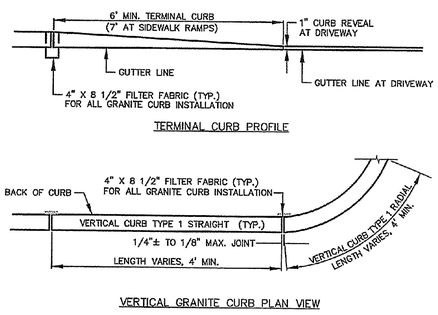
NOT TO SCALE



NOTE:
TREES UNDER 8' DO NOT REQUIRE STAKING.

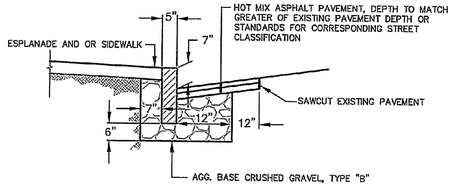
6 TREE PLANTING DETAIL

NOT TO SCALE



TERMINAL CURB PROFILE

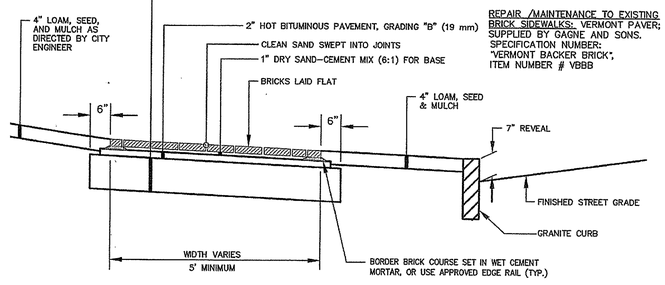
VERTICAL GRANITE CURB PLAN VIEW



VERTICAL GRANITE CURB CROSS SECTION

4 VERTICAL GRANITE CURB INSTALLATION IN EXISTING STREET (I-17)

NOT TO SCALE



BRICKS TO BE USED:

NEW CONSTRUCTION:
4"x8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM # 193623, PINE HALL PATHWAY PAVER BRICK.

REPAIR /MAINTENANCE TO EXISTING BRICK SIDEWALKS: VERMONT PAVER; SUPPLIED BY GAGNE AND SONS. SPECIFICATION NUMBER: "VERMONT BACKER BRICK"; ITEM NUMBER # VBBB

3 BRICK SIDEWALK WITH BITUMINOUS BASE (I-10)

NOT TO SCALE

PINKHAM & GREER
CIVIL ENGINEERS
28 VANNAH AVE, PORTLAND, ME. 04103
TEL: 207.781.5242 FAX: 207.781.4245

STATE OF MAINE — THOMAS S GREER — 10121 — REGISTERED PROFESSIONAL ENGINEER

7/14/15

REV.	DATE	DESCRIPTION
2	7/14/15	REV'D PER STAFF COMMENTS
1	5/20/15	FOR CITY SUBMITTAL

BRIGGS STREET PROPERTY, LLC
55 SALEM ST #B
PORTLAND, ME. 04102

SCALE: AS SHOWN
DATE: APRIL 7, 2015
PROJECT: 14164

DRN BY: JDC/RJS
DESG BY: TSG
CHK BY: TSG

5 BRIGGS STREET
PORTLAND, MAINE

DETAILS

C2.3

MAP/LOT 57/J/29 & 57/J/31

SOFFIT AND FASCIA

LP Smartside Panel painted BM james river gray AC-23

SIDING 1 @ all but entry

LP Smartside clapboards exposed 7" painted Ben Moore HC-159 blue

SIDING 2 @ entry notch

LP Smartside Panels 2 x 4 and 2 x 8 sizes painted Ben Moore James River Gray AC-23 framed w/ mill finish alum molding

WINDOWS

Matthews Brothers Starrett Adobe color

RAILINGS, BEAMS + POSTS

Painted steel w/ trap wire mesh. Color: BM 1301

DECKING

Aeratis synthetic gray t + g boards

BASEMENT LEVEL SIDING

LP Smartside reverse board and batten panels w/ grooves 8" oc, BM north hampton beige (similar to window color)

STOOP AND STAIRS

Concrete

MATERIALS

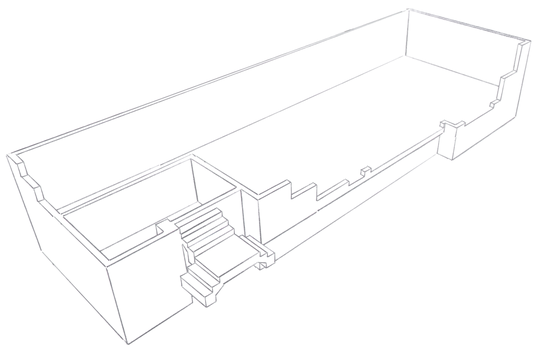
STREET VIEWS

BRIGGS STREET APARTMENTS

5 BRIGGS STREET, PORTLAND MAINE

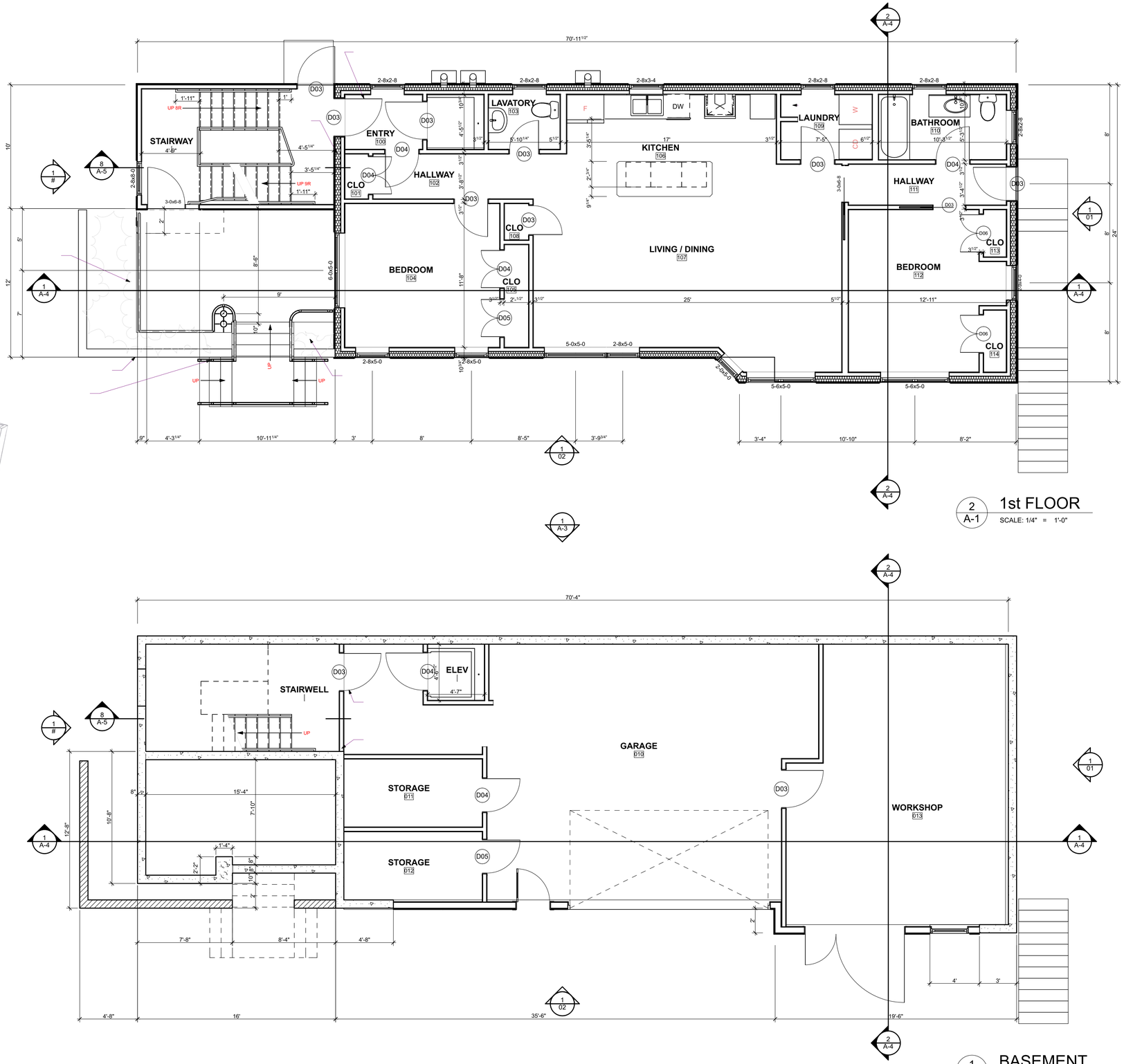
WHIPPLE - CALLENDER ARCHITECTS

136 PLEASANT AVE, PORTLAND, ME 04103 207-775-2696



4 A-1 FOUNDATION PERSPECTIVE

NOT TO SCALE



THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS. IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED

BRIGGS STREET APARTMENTS

PORTLAND, MAINE

5 BRIGGS STREET

WHIPPLE | CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15

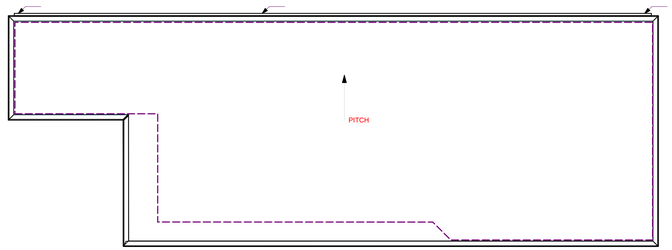
CHECKED BY: JWW/CAC

DRAWN BY: JWW/CAC

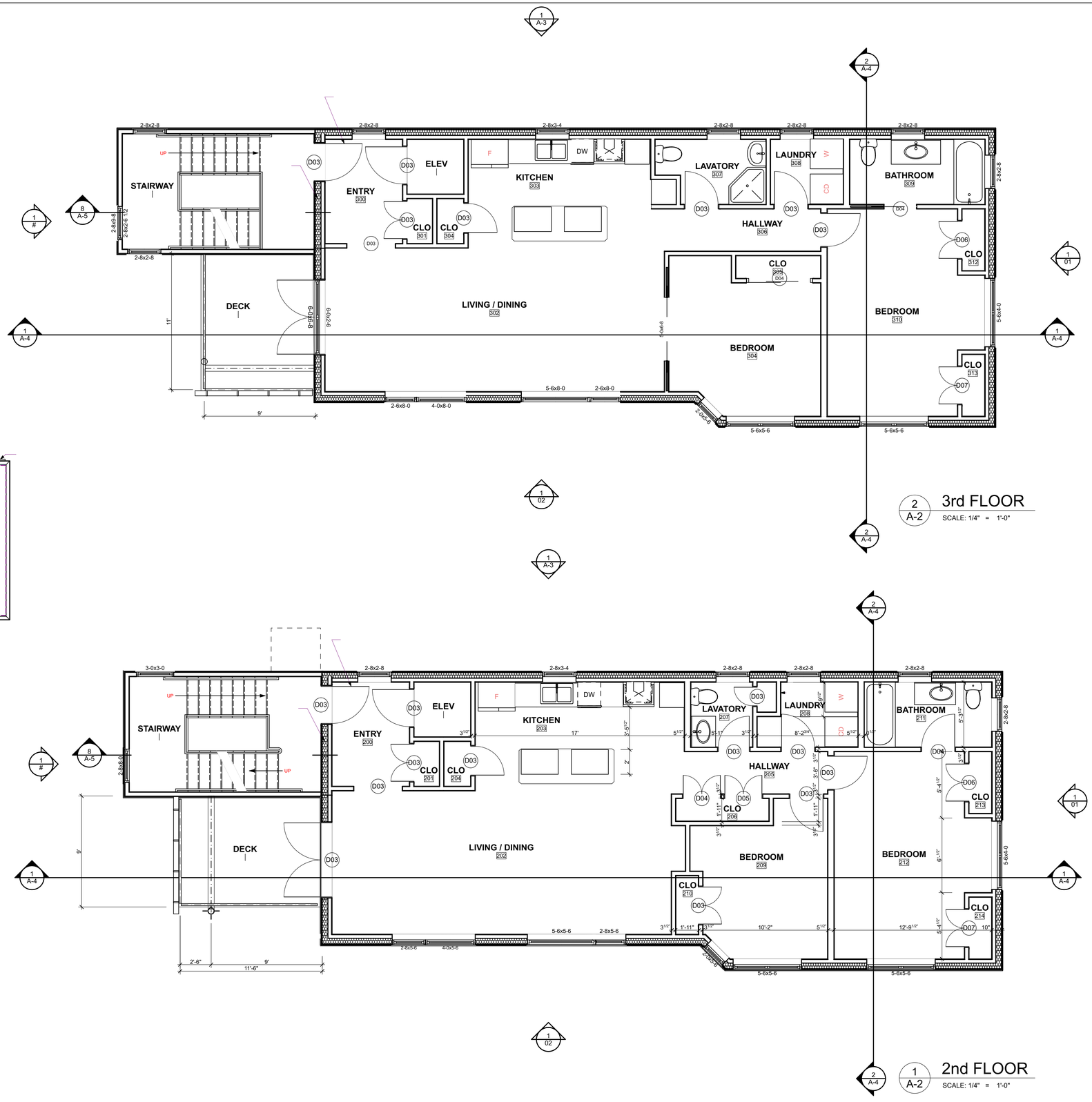
JOB: BSA

SHEET TITLE:

A-1



3 A-2 ROOF
SCALE: 1/8" = 1'-0"



BRIGGS STREET APARTMENTS
PORTLAND, MAINE
5 BRIGGS STREET

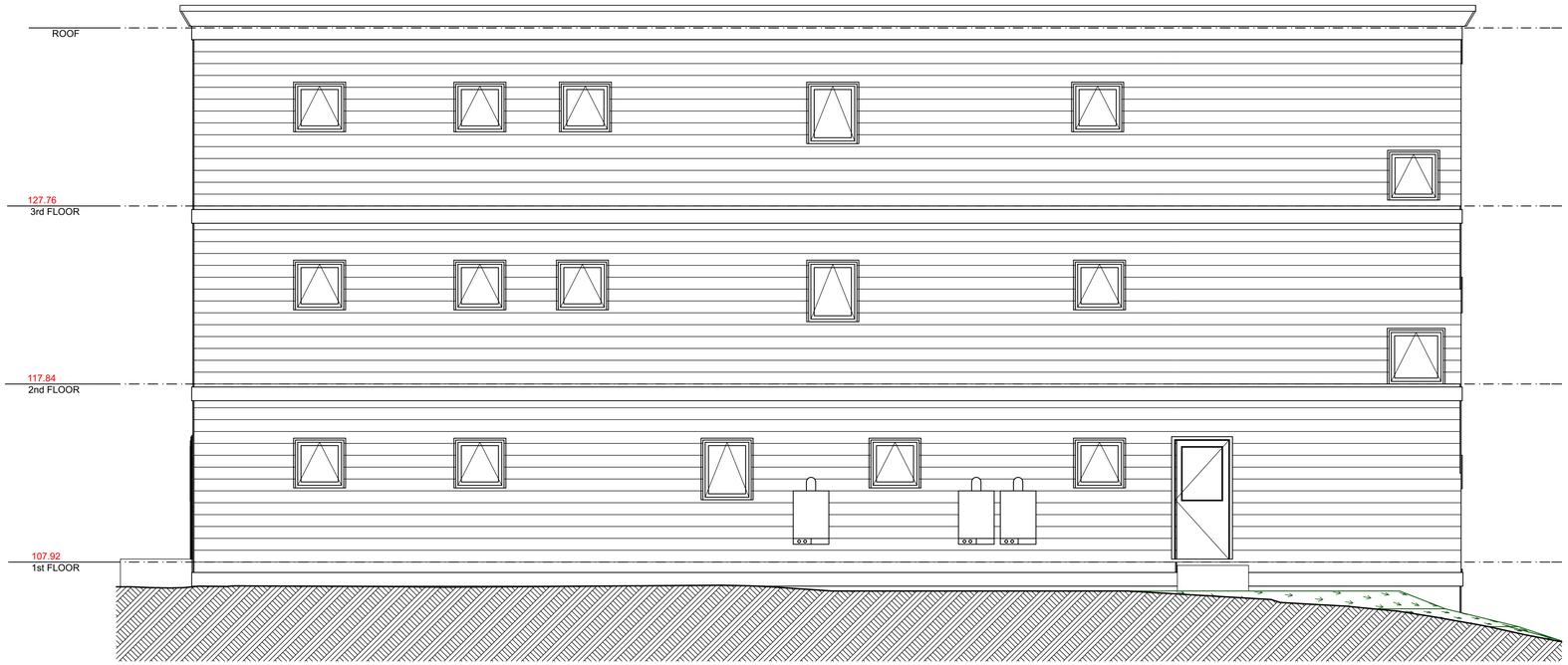
WHIPPLE | CALLENDER ARCHITECTS
136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15
CHECKED BY: JWW/CAC
DRAWN BY: JWW/CAC
JOB: BSA
SHEET TITLE:

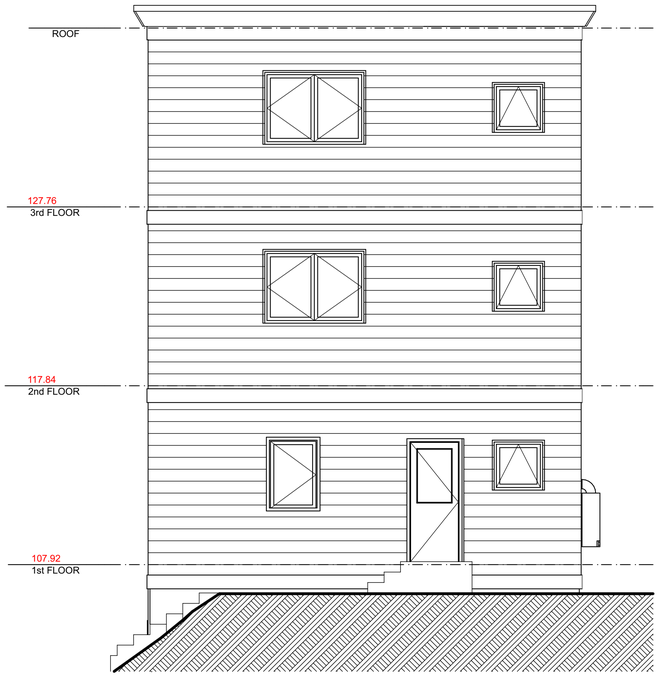
A-2

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS. IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED



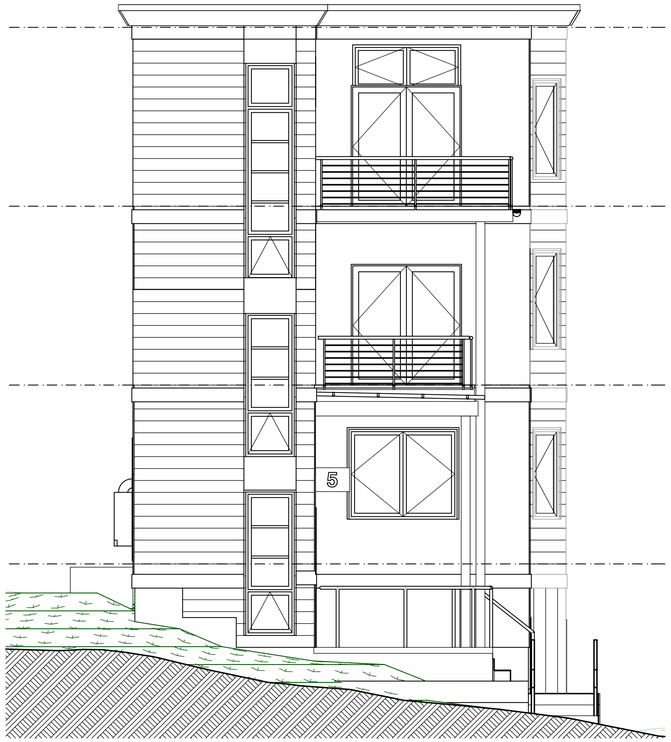
1 A-3 NORTH ELEVATION

SCALE: 1/4" = 1'-0"



2 A-3 EAST ELEVATION

SCALE: 1/4" = 1'-0"



4 A-3 WEST ELEVATION

SCALE: 1/4" = 1'-0"

3 A-3 SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS.
IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED

BRIGGS STREET APARTMENTS

PORTLAND, MAINE

5 BRIGGS STREET

WHIPPLE | CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15

CHECKED BY: JWW/CAC

DRAWN BY: JWW/CAC

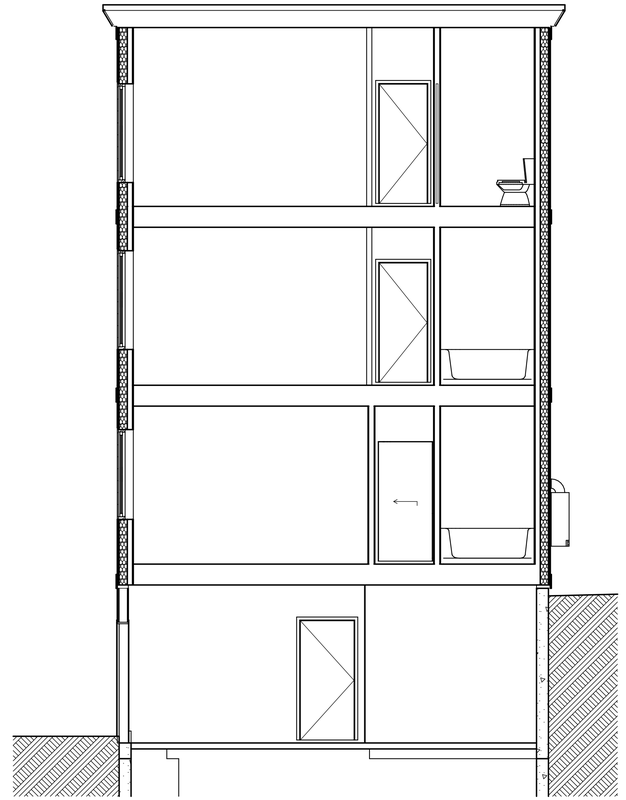
JOB: BSA

SHEET TITLE:

A-3

1 A-4 SECTION

SCALE: 1/4" = 1'-0"



2 A-4 SECTION

SCALE: 1/4" = 1'-0"

BRIGGS STREET APARTMENTS

PORTLAND, MAINE

5 BRIGGS STREET

WHIPPLE | CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15

CHECKED BY: JWW/CAC

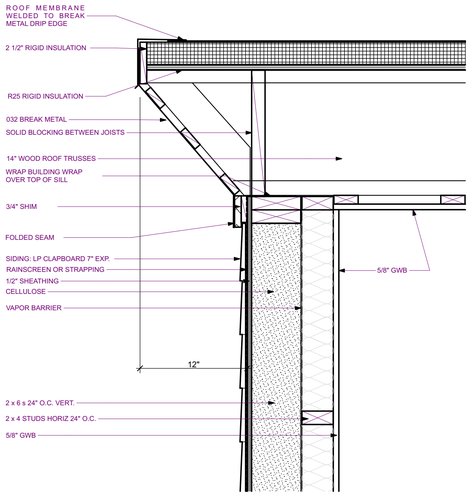
DRAWN BY: JWW/CAC

JOB: BSA

SHEET TITLE:

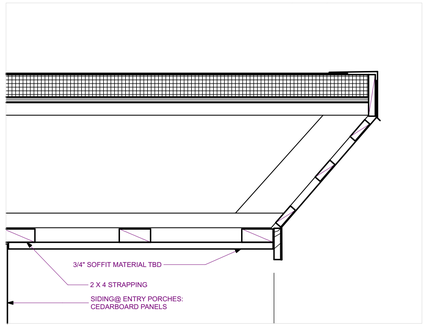
A-4

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS.
IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED



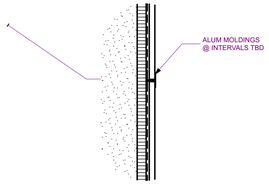
1 A-5 TYPICAL EXTERIOR WALL & ROOF DETAIL

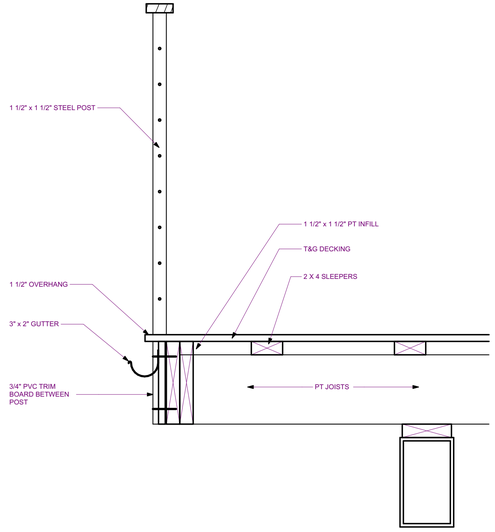
SCALE: 1 1/2"= 1'-0"



2 A-5 EAVE DETAIL

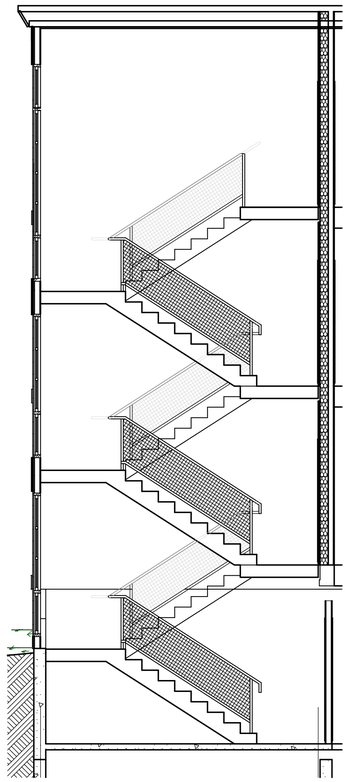
SCALE: 1 1/2"= 1'-0"





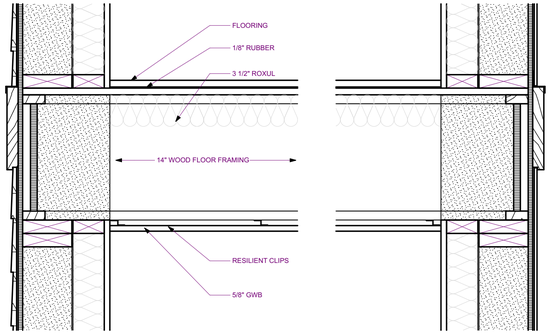
4 A-5 DECK DETAIL

SCALE: 1 1/2"= 1'-0"



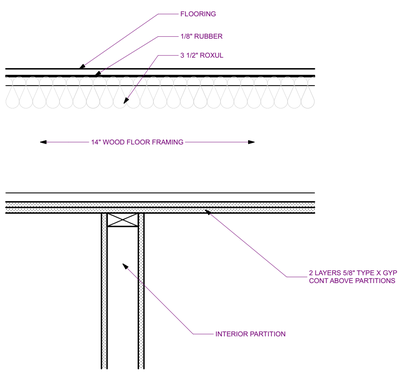
8 A-5 STAIRWELL SECTION

SCALE: 1/4" = 1'-0"



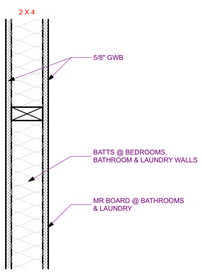
3 A-5 TYP. FLOOR DETAIL BETWEEN UNITS

SCALE: 1 1/2"= 1'-0"



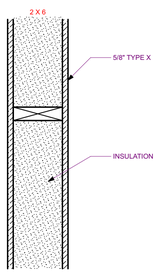
5 A-5 2HR FLOOR CONSTRUCTION - GARAGE TO 1ST FLOOR

SCALE: 1 1/2"= 1'-0"



6 A-5 TYP. INTERIOR PARTITION

SCALE: 1 1/2"= 1'-0"



7 A-5 TYP. INTERIOR PARTITION @ STAIRWELL

SCALE: 1 1/2"= 1'-0"

BRIGGS STREET APARTMENTS

PORTLAND, MAINE

5 BRIGGS STREET

WHIPPLE | CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 6/9/15

CHECKED BY: JWW/CAC

DRAWN BY: JWW/CAC

JOB: BSA

SHEET TITLE:

A-5

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS. IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED

PRINTED: Jun 02, 2015

GENERAL NOTES:

1. REFERENCE ARCHITECTURAL PLANS FOR DIMENSIONS NOT SHOWN. REFERENCE MECHANICAL, ELECTRICAL, AND ARCHITECTURAL PLANS FOR SIZES AND LOCATIONS OF WALL AND SLAB OPENINGS, DUCTS, PIPING, CURBS, AND EQUIPMENT PADS. IN THE EVENT OF A CONFLICT BETWEEN THE DRAWINGS, SPECIFICATIONS, OR NOTES ON THE DRAWINGS, THE ENGINEER SHALL BE NOTIFIED PRIOR TO CONSTRUCTION.
2. EXISTING DIMENSIONS AND CONDITIONS ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL EXISTING CONSTRUCTION AND DIMENSIONS IN THE FIELD PRIOR TO CONSTRUCTION OR FABRICATION. ALL DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER PRIOR TO COMMENCING WORK.
3. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF DEVIATIONS OR CHANGES ARE REQUIRED TO THE CONTRACT DOCUMENTS OR APPROVED SHOP DRAWINGS DUE TO INTERFERENCES, FABRICATION ERRORS, OR OTHER CAUSES.
4. THE STRUCTURE IS SELF-SUPPORTING AND STABLE AFTER THE ENTIRE BUILDING IS COMPLETELY CONSTRUCTED. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ERECTION PROCEDURES AND SEQUENCING DURING CONSTRUCTION AND ERECTION TO PROVIDE AND ENSURE LOCAL AND OVERALL STABILITY OF THE BUILDING AND ITS COMPONENTS DURING CONSTRUCTION AND ERECTION. THE CONTRACTOR SHALL RETAIN A LICENSED STRUCTURAL ENGINEER TO DESIGN TEMPORARY BRACING/SHORING AND DETERMINE WHERE THE TEMPORARY BRACING/SHORING IS NEEDED.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ERECTION PROCEDURES, SEQUENCING AND FOR COMPLYING WITH ALL APPLICABLE SAFETY REGULATIONS DURING THE WORK.
6. ONE ELECTRONIC COPY OR TWO SETS OF HARD COPIES OF SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER. ONE HARD COPY WILL BE RETURNED TO THE CONTRACTOR AND ONE HARD COPY WILL BE RETAINED BY THE ENGINEER.
7. REFERENCE THE PROJECT SPECIFICATIONS FOR MATERIAL, WORKMANSHIP AND ADDTIONAL INFORMATION NOT COVERED IN THESE NOTES (WHERE APPLICABLE)

DESIGN CRITERIA:

1. BUILDING CODES:
   INTERNATIONAL BUILDING CODE (IBC), 2009 EDITION
   ASCE 7-05 MINIMUM DESIGN LOADS FOR BUILDING AND OTHER STRUCTURES
   MAINE UNIFORM BUILDING AND ENERGY CODE
2. LIVE LOADS:
   FLOOR LIVING AREAS = 40 PSF
3. SNOW LOADS:
   GROUND SNOW LOAD (Pg) = 60 PSF
   SNOW EXPOSURE FACTOR (Ce) = 1.0
   SNOW LOAD IMPORTANCE FACTOR (Is) = 1.0
   THERMAL FACTOR (Ct) = 1.1
   FLAT ROOF SNOW LOAD (Pf) = 46 PSF + DRIFT
4. WIND LOADS:
   BASIC WIND SPEED = 100 MPH
   IMPORTANCE FACTOR (Iw) = 1.0
   WIND EXPOSURE C
   MAIN WINDFORCE-RESISTING SYSTEM (INCLUDES WINDWARD + LEEWARD) = 22 PSF
   COMPONENTS & CLADDING - PER ASCE 7-05
5. SEISMIC CRITERIA:
   BASED ON EQUIVALENT LATERAL FORCE PROCEDURE
   OCCUPANCY CATEGORY II
   SOIL SITE CLASSIFICATION = D
   SEISMIC IMPORTANCE FACTOR (Ie) = 1.0
   DESIGN SPECTRAL RESPONSE ACCELERATION PARAMETER:
   Sds = .371
   Sd1 = .160
   SEISMIC DESIGN CATEGORY C
   RESPONSE MODIFICATION COEFFICIENT (R) = 6.5 (WOOD FRAMED SHEAR WALLS)
   SEISMIC RESPONSE COEFFIENT (Cs) = 0.057

FOUNDATION NOTES:

1. FOUNDATIONS HAVE BEEN DESIGNED USING A PRESUMED ALLOWABLE BEARING PRESSURE PER TABLE 1806.2 OF THE INTERNATIONAL BUILDING CODE BASED ON TYPICAL SOILS FOUND IN THIS AREA. IF CLAY, MUD, ORGANIC SILT, PEAT OR UNPREPARED FILL IS FOUND DURING CONSTRUCTION, NOTIFY ENGINEER IMMEDIATELY, AS THE ALLOWABLE LOADS USED IN DESIGN WILL NEED TO BE VERIFIED BY A GEOTECHNICAL ENGINEER. CASCO BAY ENGINEERING RECOMMENDS PROCURING A GEOTECHNICAL ENGINEER TO VERIFY EXISTING SOIL CONDITIONS.
2. ALLOWABLE SOIL BEARING CAPACITY USED IN DESIGN = 2,000 PSF
3. MINIMUM FROST DEPTH COVER = 4'-6" FOR EXTERIOR FOOTINGS BELOW FINAL EXTERIOR GRADE.
4. EXCAVATION, BACKFILL, COMPACTION, GRADATION REQUIREMENTS, FOUNDATION DRAINAGE AND PERMANENT DEWATERING REQUIREMENTS SHALL BE PROVIDED BY A GEOTECHNICAL ENGINEER.
5. CONCRETE SLABS ON GRADE SHALL BE CONSTRUCTED ON A MINIMUM 12" THICK LAYER OF PROPERLY COMPACTED STRUCTURAL FILL, UNLESS OTHERWISE DIRECTED BY A GEOTECHNICAL ENGINEER.
6. FOUNDATIONS SHALL BEAR ON UNDISTURBED NATIVE SOIL, UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL NOTIFY THE GEOTECHNICAL AND STRUCTURAL ENGINEER IF ANY UNSUITABLE SOILS ARE ENCOUNTERED PRIOR TO PLACING FOUNDATIONS.
7. FOUNDATION WALLS AND SLAB-ON-GRADES SHALL REACH THEIR FULL 28 DAY COMPRESSIVE STRENGTH PRIOR TO BACKFILLING. THE CONTRACTOR SHALL PROVIDE TEMPORARY SHORING/BRACING FOR WALLS WHEN BACKFILL IS PLACED PRIOR TO CONCRETE ACHIEVING ITS FULL 28 DAY STRENGTH. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING/BRACING FOR WALLS AND OTHER STRUCTURAL ELEMENTS PRIOR TO INSTALLATION OF PERMANENT BRACING/FLOOR/STRUCTURE.
8. PROTECT FOUNDATIONS FROM FROST AND KEEP BOTTOM OF TRENCH DRY DURING CONSTRUCTION. IF GROUNDWATER IS ENCOUNTERED NEAR OR ABOVE THE BASE OF THE FOOTINGS, EXCAVATIONS SHALL BE DEWATERED DURING CONSTRUCTION. SURFACE WATER SHALL BE DIVERTED AWAY FROM EXCAVATIONS.
9. DO NOT UNDERMINE EXISTING FOUNDATIONS OF ADJACENT STRUCTURES. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SHORING, BRACING AND UNDERPINNING OF EXISTING STRUCTURES DURING EXCAVATION, BACKFILLING, AND CONSTRUCTION. CONTRACTOR SHALL SLOPE EXCAVATIONS TO ACHIEVE SOIL STABILITY.

CONCRETE NOTES:

1. ALL WORK SHALL CONFORM TO IBC 2009 REFERENCED EDITIONS OF "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" (ACI 318) AND "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS" (ACI 301).
2. REQUIRED CONCRETE PARAMETERS ARE AS FOLLOWS:

LOCATION	MAX W/C RATIO	f'c	AIR-ENTRAINMENT
INT. WALLS/ELEV. SLABS	.52	3,000 PSI	2% ± 1½%
FOUNDATIONS, FOOTINGS, & FOUNDATION WALLS	.45	4,500 PSI	6% ± 1½%
INT. SLAB-ON-GRADE	.45	4,500 PSI	2% ± 1½%
EXT. SLAB-ON-GRADE	.45	4,500 PSI	6% ± 1½%

   WHERE: W/C = WATER TO CEMENT RATIO AND
   f'c = COMPRESSIVE STRENGTH OF CONCRETE AT 28 DAYS

   USE PORTLAND CEMENT TYPE II, IN CONFORMANCE WITH ASTM 150
   AIR ENTRAINING ADMIXTURES SHALL CONFORM TO ASTM C 260
   ADMIXTURES SHALL CONFORM TO ASTM C 494
   FLY ASH USED AS ADMIXTURES SHALL CONFORM TO ASTM C 618
3. MAXIMUM AGGREGATE SIZE SHALL BE ¾", IN CONFORMANCE WITH ASTM C33.
4. CALCIUM CHLORIDE OR ADMIXTURES CONTAINING CALCIUM CHLORIDE IS NOT PERMITTED.
5. MAXIMUM SLUMP AFTER THE ADDITION OF A WATER-REDUCING ADMIXTURE IS 6 INCHES.
6. CONTRACTOR SHALL NOT PLACE CONCRETE ON FROZEN GROUND OR IN WATER. ADEQUATE EQUIPMENT SHALL BE PROVIDED FOR HEATING CONCRETE MATERIALS AND PROTECTING CONCRETE DURING NEAR-FREEZING OR FREEZING WEATHER. REFERENCE ACI 306, AS NOTED ABOVE, FOR RECOMMENDATIONS FOR COLD WEATHER CONCRETING.
7. VERTICAL CONSTRUCTION JOINTS IN WALLS SHALL NOT EXCEED A SPACING OF 40 FEET, U.N.O.
8. ANCHOR BOLTS SHALL BE HEADED RODS AND CONFORM TO ASTM F1554, GRADE 36 KSI WELDABLE STEEL, U.N.O. ON DRAWINGS. PROVIDE GALVANIZED ANCHOR BOLTS WHERE IN CONTACT WITH PRESSURE TREATED LUMBER.
9. REINFORCING BARS SHALL CONFORM TO ASTM A615, GRADE 60, DEFORMED BARS.
10. WELDED WIRE FABRIC (WWF) SHALL CONFORM TO ASTM A185 AND BE PROVIDED IN FLAT SHEETS. PROVIDE ADEQUATE SUPPORT FOR WWF TO ENSURE PROPER LOCATION WITHIN SLAB DURING CONCRETE PLACEMENT.
11. MINIMUM CONCRETE COVER FOR REINFORCEMENT SHALL BE AS FOLLOWS:
    A. CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH — 3 INCHES
    B. FORMED CONCRETE IN CONTACT WITH EARTH OR EXPOSED TO WEATHER — 2 INCHES
    C. CONCRETE NOT EXPOSED TO EARTH OR WEATHER IN SLABS & WALLS — 1½ INCHES
12. WELDING OF REINFORCEMENT IS NOT PERMITTED.
13. PROVIDE NON-SHRINK GROUT BENEATH LEVELING PLATES & BEARING PLATES w/ MINIMUM COMPRESSIVE STRENGTH OF 7,000 PSI AT 28 DAYS.
14. PROVIDE CONTINUOUS REINFORCEMENT AT ALL CORNERS AND INTERSECTIONS, SEE TYPICAL FOUNDATION WALL DETAILS ON FOUNDATION DETAILS SHEET.
15. REINFORCING BARS AND ALL EMBEDDED ITEMS, INCLUDING ANCHOR BOLTS, MUST BE ACCURATELY PLACED AND ADEQUATELY SECURED BEFORE CONCRETE IS PLACED. "WET SETTING" OF EMBEDDED ITEMS INTO CONCRETE IS STRICTLY PROHIBITED.
16. UNLESS NOTED ON DRAWINGS, FOLLOW ACI STANDARDS FOR LAP SPLICE LENGTHS OF REINFORCING BARS.

REBAR LAP SPLICE TABLE							
BAR SIZE	#3	#4	#5	#6	#7	#8	#9
3000 PSI CONCRETE	18"	24"	30"	36"	48"	56"	64"
4500 PSI CONCRETE	16"	20"	24"	30"	40"	48"	54"

STRUCTURAL STEEL NOTES:

1. STRUCTURAL STEEL WORK SHALL CONFORM TO IBC 2009 REFERENCED EDITIONS OF AISC "SPECIFICATION FOR THE DESIGN FABRICATIONS, AND ERECTION OF STRUCTURAL STEEL" AND THE "CODE OF STANDARD PRACTICE"
2. STRUCTURAL STEEL MEMBERS SHALL BE IN CONFORMANCE WITH THE FOLLOWING:

WIDE FLANGE SHAPES AND TEES	ASTM A992
ANGLES, PLATES, CHANNELS	ASTM A36, Fy=36 KSI (U.N.O.)
SQUARE/RECTANGULAR HSS	ASTM A500, GRADE B, Fy=46 KSI
ROUND HSS	ASTM A500, GRADE B, Fy=42 KSI
STEEL PIPE	ASTM A53, TYPE E OR S, GRADE B, Fy=35 KSI

3. SHOP DRAWINGS SHALL BE SUBMITTED TO THE STRUCTURAL ENGINEER FOR REVIEW PRIOR TO COMMENCING FABRICATION.
4. FIELD CONNECTIONS SHALL UTILIZE MINIMUM ¾" DIAMETER A325 HIGH STRENGTH BOLTS, U.N.O. BOLTED CONNECTIONS SHALL BE SLIP CRITICAL AT ALL MOMENT FRAMES, BRACED FRAMES, AND AT ADDITIONAL LOCATIONS INDICATED "SC" IN THE DRAWINGS. SLIP CRITICAL CONNECTIONS SHALL UTILIZE LOAD INDICATOR WASHERS OR TENSION CONTROL BOLTS. USE A490 BOLTS WHERE INDICATED ON DRAWINGS.
5. CONTRACTOR IS RESPONSIBLE FOR DESIGN OF CONNECTIONS NOT ALREADY DETAILED ON STRUCTURAL DRAWINGS. CONTRACTOR SHALL SUBMIT DESIGN STAMPED BY A STRUCTURAL ENGINEER LICENSED IN THE STATE WHERE PROJECT IS LOCATED PRIOR TO COMMENCING FABRICATION.
6. WELDING SHALL CONFORM TO AWS D1.1. USE LOW-HYDROGEN SMAW ELECTRODES WITH MINIMUM TENSILE STRENGTH OF 70 KSI.
7. PROVIDE ¼" LEVELING PLATES UNDER ALL COLUMN BASE PLATES, U.N.O. LEVELING PLATES SHALL BE SET AND GROUTED PRIOR TO COLUMN ERECTION.
8. ALL STRUCTURAL STEEL NOT EXPOSED TO WEATHER SHALL RECEIVE ONE COAT OF STANDARD SHOP PRIMER, U.N.O.
9. SEE DRAWINGS AND CONCRETE NOTES FOR ANCHOR BOLT INFORMATION.

WOOD NOTES:

1. ALL TIMBER FRAMING SHALL BE IN ACCORDANCE WITH IBC 2009 REFERENCED EDITIONS OF THE AITC TIMBER CONSTRUCTION MANUAL AND AF&PA NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION (NDS).
2. ALL FRAMING SHALL BE SPRUCE-PINE-FIR, No.2 OR BETTER U.N.O. AND HAVE A MAXIMUM MOISTURE CONTENT OF 19%.
3. ALL WOOD IN CONTACT WITH MASONRY OR CONCRETE OR EXPOSED TO WEATHER SHALL BE PRESSURE TREATED (PT) SOUTHERN YELLOW PINE.
4. WHERE "LVL" IS NOTED ON DRAWINGS, PROVIDE LAMINATED VENEER LUMBER, WHICH HAS THE FOLLOWING MINIMUM ALLOWABLE STRESSES:

   Fb = 2600 PSI Fc = 2510 PSI (PARALLEL TO GRAIN)
   Fv = 285 PSI Fc = 750 PSI (PERPENDICULAR TO GRAIN)
   Ft = 1555 PSI E = 2,000,000 PSI
5. WHERE "PSL" IS NOTED ON DRAWINGS, PROVIDE PARALLAM STRAND LUMBER, WHICH HAS THE FOLLOWING MINIMUM ALLOWABLE STRESSES:

   Fb = 2900 PSI Fc = 2900 PSI (PARALLEL TO GRAIN)
   Fv = 290 PSI Fc = 750 PSI (PERPENDICULAR TO GRAIN)
   Ft = 2025 PSI E = 2,000,000 PSI
6. ALL ENGINEERED LUMBER THAT IS EXPOSED TO WEATHER SHALL BE WOLMANIZED.
7. ALL FLOOR SHEATHING SHALL BE ¾" TONGUE AND GROOVE, GLUED AND NAILED TO FLOOR FRAMING WITH 8d RINK SHANK NAILS AT 6" o.c. AT SUPPORTED PANEL EDGES, 12" o.c. AT INTERMEDIATE SUPPORTS UNLESS NOTED OTHERWISE ON DRAWINGS.
8. ALL ROOF SHEATHING (5/8") AND WALL SHEATHING (1/2") SHALL BE APA PERFORMANCE-RATED. ATTACH TO SUPPORTED PANEL EDGES WITH 8d NAILS AT 6" o.c. AND AT INTERMEDIATE SUPPORTS WITH 8d NAILS AT 12" o.c. U.N.O. SEE DRAWINGS FOR MORE STRINGENT NAILING REQUIREMENTS AT WOOD SHEAR WALLS.
9. SHEATHING SHALL BE ORIENTED WITH LONG DIMENSION PERPENDICULAR TO THE SUPPORTS AND BE CONTINUOUS OVER TWO OR MORE SUPPORTS. STAGGER ALL JOINTS & PROVIDE ADEQUATE JOINT SPACING (1/8" TYP) AS RECOMMENDED BY MANUFACTURER.
10. PROVIDE FULL DEPTH BLOCKING AT ENDS AND INTERIOR SUPPORTS OF ALL JOISTS AND RAFTERS WHERE JOISTS AND RAFTERS FRAME OVER SUPPORTS. PROVIDE 1x3 DIAGONAL BRIDGING OR FULL DEPTH SOLID BLOCKING FOR EACH 8'-0" OF SPAN FOR ALL JOISTS AND RAFTERS.
11. WHERE BEAMS ARE LABELED ON PLAN, DO NOT SPLICE BEAM NOR ANY PLY OF BEAM BETWEEN SUPPORTS.
12. ALL CONNECTION HARDWARE SHALL BE BY SIMPSON STONG-TIE (OR APPROVED EQUIVALENT) AND SHALL BE HOP-DIPPED GALVANIZED. HARDWARE IN CONTACT WITH PRESSURE TREATED (PT) LUMBER SHALL BE GALVANIZED G185 (ZMAX). REFER TO MANUFACTURERS LITERATURE FOR PROPER INSTALLATION GUIDELINES.
13. FASTENERS USED IN CONTACT WITH PRESSURE TREATED (PT) LUMBER SHALL BE HOT-DIPPED GALVANIZED, STAINLESS STEEL, OR OTHER FINISH APPROVED BY ENGINEER.
14. ALIGN COLUMNS SUCH THAT COLUMNS BEAR CONTINUOUSLY TO FOUNDATION SUPPORT. INSTALL ADDITIONAL SOLID BLOCKING WITHIN FLOOR PACKAGE TO PROVIDE CONTINUITY OF LOAD PATH.
15. PROVIDE HORIZONTAL BLOCKING FOR ALL LOAD BEARING WALLS AT 4'-0" O.C. VERTICAL, MAXIMUM.
16. SUBMIT SHOP DRAWINGS FOR ALL PREFABRICATED WOOD JOISTS AND WALL PANELS TO ENGINEER FOR REVIEW PRIOR TO CONSTRUCTION.

ABBREVIATION:

AB	ANCHOR BOLT	L	ANGLE
ADDL	ADDITIONAL	LL	DOUBLE ANGLE
ARCH	ARCHITECT	LB	POUND
&	AND	LF	LINEAR FOOT
		LLH	LONG LEG HORIZONTAL
B/FTG, BOF	BOTTOM OF FOOTING	LLV	LONG LEG VERTICAL
BLDG	BUILDING		
BM	BEAM	MAX	MAXIMUM
BOT	BOTTOM	MECH	MECHANICAL
BRG	BEARING	MFR	MANUFACTURER
BTWN	BETWEEN	MIN	MINIMUM
		MISC	MISCELLANEOUS
C	STRUCTURAL STEEL CHANNEL		
CANT	CANTILEVER	NF	NEAR FACE
CIP	CAST-IN-PLACE CONCRETE	NO	NUMBER
CJ	CONTROL JOINT	NS	NEAR SIDE
CL	CENTERLINE	NTS	NOT TO SCALE
CLR	CLEAR		
CMU	CONCRETE MASONRY UNIT	OC	ON CENTER
CNJ	CONSTRUCTION JOINT	OF	OUTSIDE FACE
COL	COLUMN	OPNG	OPENING
CONC	CONCRETE	OPP	OPPOSITE
CONN	CONNECTION		
CONT	CONTINUOUS	P	PIER DESIGNATION
CONTR	CONTRACTOR	PL	PLATE
CP	COMPLETE PENETRATION WELD	PP	PARTIAL PENETRATION WELD
CY	CUBIC YARD	PREFAB	PREFABRICATED
		PSF	POUNDS PER SQUARE FOOT
DIA	DIAMETER	PSI	POUNDS PER SQUARE INCH
DIM	DIMENSION		
DISCONT	DISCONTINUOUS	REINF	REINFORCING STEEL
DWG	DRAWING	REQ, REQD	REQUIRED
		RD	ROOF DRAIN
(E), EX, EXIST	EXISTING		
EA	EACH	SC	SLIP CRITICAL
EF	EACH FACE	SECT	SECTION
EL, ELEV	ELEVATION	SHEATH	SHEATHING
EQ	EQUAL	SIM	SIMILAR
EQUIP	EQUIPMENT	SOG	SLAB-ON-GRADE
ES	EACH SIDE	SPAC	SPACING
EW	EACH WAY	SPECS	SPECIFICATIONS
EXP	EXPANSION	SS	STAINLESS STEEL
EXT	EXTERIOR	STD	STANDARD
		STIFF	STIFFENER
F	FOOTING DESIGNATION	STL	STEEL
FDN	FOUNDATION	STR	STRAIGHT
FF	FINISH FLOOR	STRUCT	STRUCTURAL
FLG	FLANGE		
FLR	FLOOR	T	TOP
FT	FOOT	T&B	TOP AND BOTTOM
FTG	FOOTING	TOC, T/CONC	TOP OF CONCRETE
FV	FIELD VERIFY	T/FTG, TOF	TOP OF FOOTING
		TEMP	TEMPERATURE
G	GAGE	T/SHELF	TOP OF SHELF
GALV	GALVANIZED	T/SLAB	TOP OF SLAB
		T/STL	TOP OF STEEL
HOR, HORIZ	HORIZONTAL	T/WALL	TOP OF WALL
HSS	HOLLOW STRUCTURAL SHAPE	TS	STRUCTURAL TUBING
HT	HEIGHT	TYP	TYPICAL
IF	INSIDE FACE	UNO	UNLESS NOTED OTHERWISE
IN	INCH		
INFO	INFORMATION	VER, VERT	VERTICAL
		VIF	VERIFY IN FIELD
JT	JOINT		
		W	STRUCTURAL STEEL WIDE FLANGE
K	KIP (1 KIP = 1,000 LBS)	w/	WITH
KSI	KIPS PER SQUARE INCH	w/O	WITHOUT
		WP	WORK POINT
		WT	WEIGHT
		WWF	WELDED WIRE FABRIC

LEGEND:

SLOPE DESIGNATION — SLOPE
ELEVATION MARK
ROOF PITCH — 12 / 8
SPAN DIRECTION
SECTION MARK — X/XX — SECTION No. — DWG. WHERE SHOWN

UNDISTURBED EARTH
LEDGE
COMPACTED STRUCTURAL FILL
CONCRETE
GROUT
BRICK
CMU

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET
PORTLAND, MAINE
NEW BUILDING

ISSUED

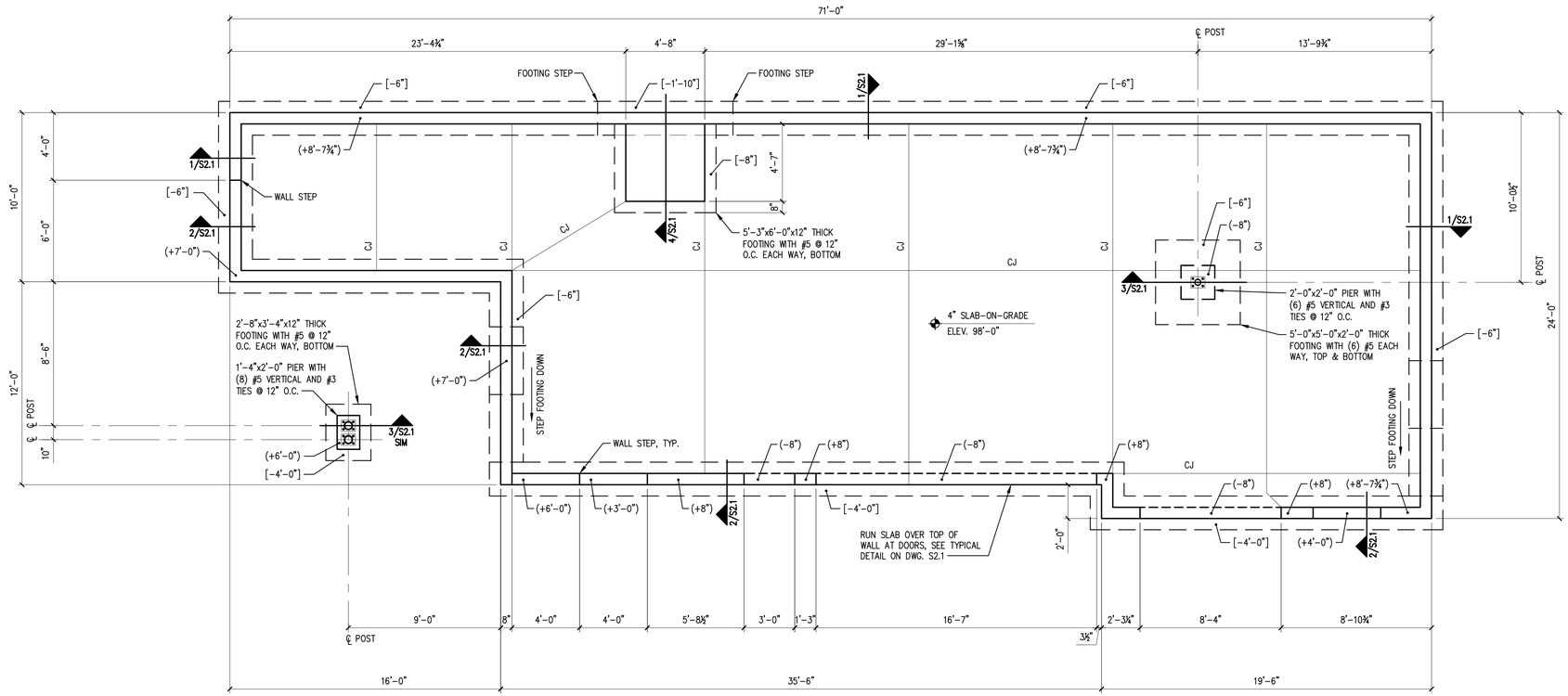
No.	DESCRIPTION	DR. BY	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:
STRUCTURAL NOTES

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

S0.0

PLAN
NORTH



NOTES:

1. SEE S2.1 FOR TYPICAL SLAB-ON-GRADE, FOOTING AND WALL REINFORCING DETAILS.
2. REFERENCE FINISH FLOOR ELEVATION = 98'-0"
3. TOP OF CONCRETE ELEVATIONS ARE NOTED (±X'-X") FROM SLAB-ON-GRADE ELEVATION.
4. TOP OF FOOTING ELEVATIONS ARE NOTED [±X'-X"] FROM SLAB-ON-GRADE ELEVATION.
5. CJ = CONTROL OR CONSTRUCTION JOINT

PLAN LEGEND

- BEARING WALL
- SHEAR WALL
- BEAM
- HSS COLUMN
- COLUMN FROM ABOVE
- COLUMN BELOW
- COLUMN ABOVE AND BELOW
- HOLD-DOWN

FOUNDATION PLAN

SCALE: 1/4"=1'-0"

PRINTED: Jun 02, 2015

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET
PORTLAND, MAINE
NEW BUILDING

ISSUED

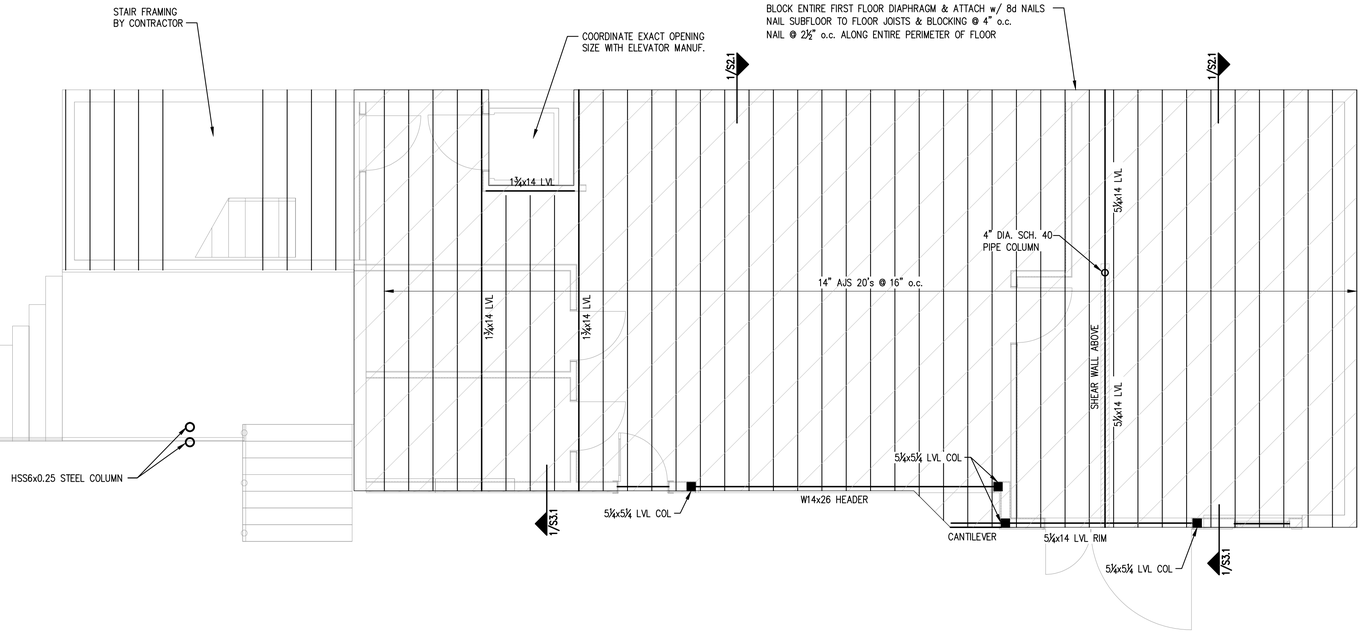
No.	DESCRIPTION	DR. BY	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:
FOUNDATION PLAN

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

S1.0

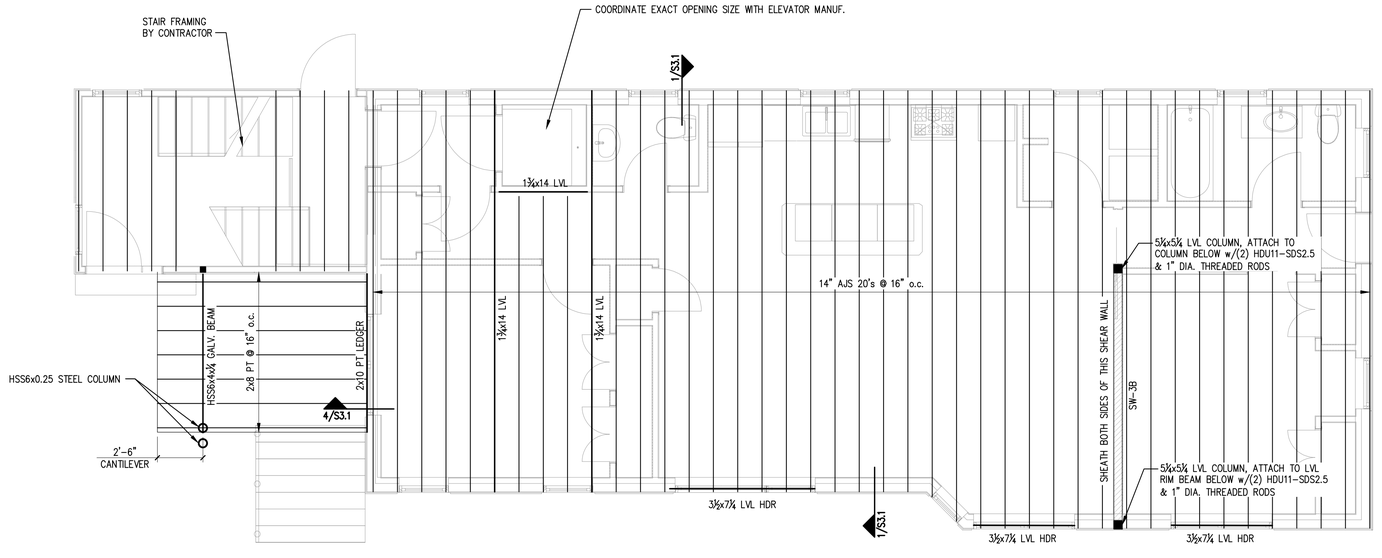
PLAN NORTH



SHEAR WALL SCHEDULE BETWEEN FLOOR DIAPHRAGMS			
GRID	SHEATHING REQUIREMENTS	NAILING AT PANEL EDGES	REMARKS
SW-3	ONE SIDE	3" o.c.	
SW-3B	BOTH SIDES	3" o.c.	
SW-4	ONE SIDE	4" o.c.	
SW-4B	BOTH SIDES	4" o.c.	
SW-6	ONE SIDE	6" o.c.	
SW-6B	BOTH SIDES	6" o.c.	

NOTES FOR SHEAR WALL SCHEDULES:
1. PLYWOOD SHEATHING SHALL BE ½" APA RATED SHEATHING.
2. DO NOT COUNTERSINK NAILS INTO PLYWOOD SHEATHING.
3. BLOCK ALL PANEL EDGES
4. SPACE NAILS 12" o.c. AT INTERMEDIATE SUPPORTS.
5. SHEAR WALLS SHALL EXTEND UP TO DIAPHRAGM ABOVE.

FIRST FLOOR FRAMING PLAN — SCALE: 1/4"=1'-0" | 1



NOTES:
1. PROVIDE SIMPSON JOIST HANGERS AT ALL JOIST ENDS, TYP.
2. WINDOW HEADERS SHALL BE (3)-2x10's w/ ½" PLYWOOD LAMS, U.N.O.
3. PROVIDE (3)-2x6'S AT ALL COLUMNS, CORNERS AND HOLD DOWN LOCATIONS, U.N.O.
4. "SW-x" DENOTES SHEAR WALL TYPE. SEE SHEAR WALL SCHEDULE THIS DWG FOR NAILING REQUIREMENTS AND ADDITIONAL INFORMATION.

PLAN LEGEND
- BEARING WALL
- SHEAR WALL
- BEAM
- HSS COLUMN
- COLUMN FROM ABOVE
- COLUMN BELOW
- COLUMN ABOVE AND BELOW
- HOLD-DOWN

SECOND FLOOR FRAMING PLAN — SCALE: 1/4"=1'-0" | 2

PRINTED: Jun 02, 2015

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET PORTLAND, MAINE

NEW BUILDING

ISSUED

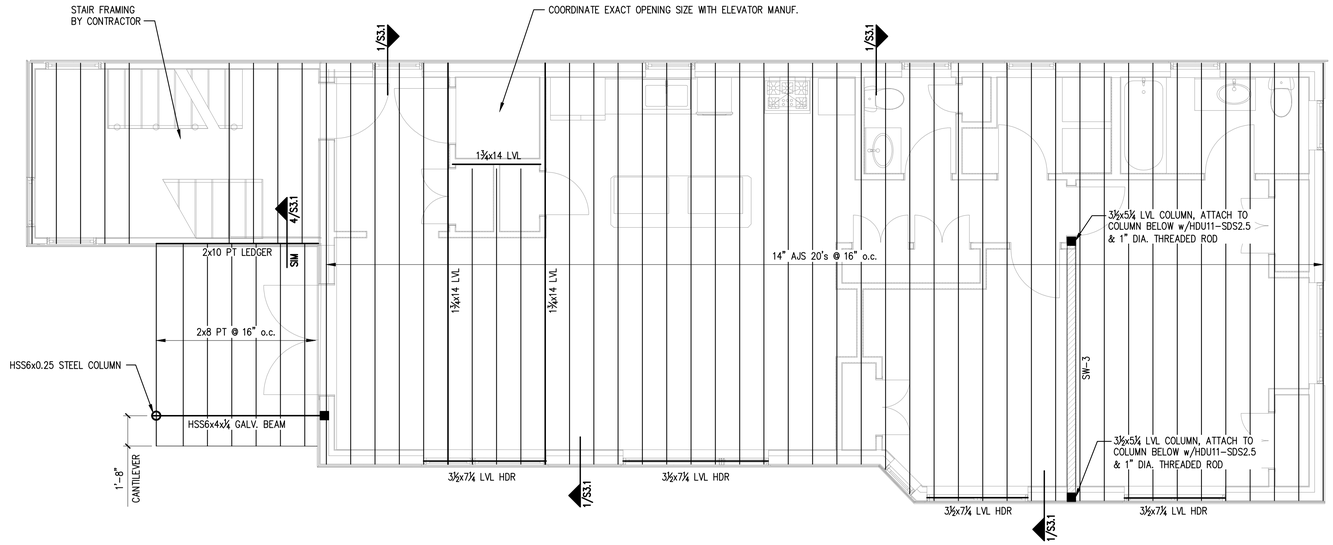
No.	DESCRIPTION	DR. BY	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:
FIRST AND SECOND FLOOR FRAMING PLANS

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

S1.1

PLAN
NORTH

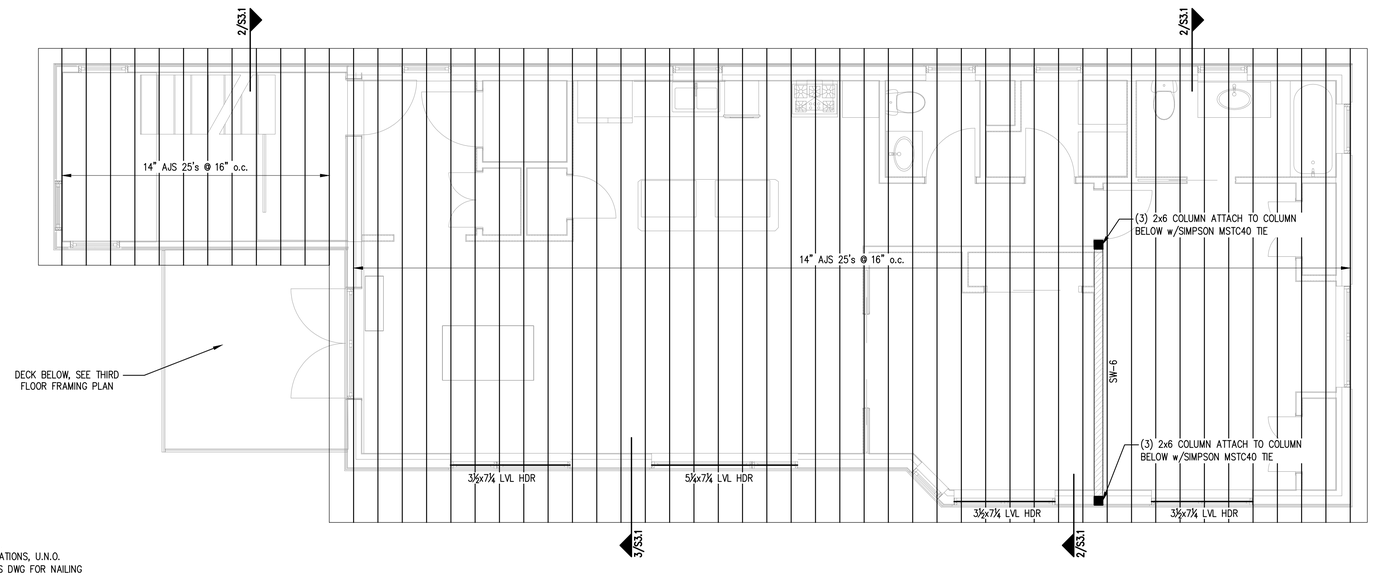


SHEAR WALL SCHEDULE BETWEEN FLOOR DIAPHRAGMS			
GRID	SHEATHING REQUIREMENTS	NAILING AT PANEL EDGES	REMARKS
SW-3	ONE SIDE	3" o.c.	
SW-3B	BOTH SIDES	3" o.c.	
SW-4	ONE SIDE	4" o.c.	
SW-4B	BOTH SIDES	4" o.c.	
SW-6	ONE SIDE	6" o.c.	
SW-6B	BOTH SIDES	6" o.c.	

NOTES FOR SHEAR WALL SCHEDULES:
1. PLYWOOD SHEATHING SHALL BE ½" APA RATED SHEATHING.
2. DO NOT COUNTERSINK NAILS INTO PLYWOOD SHEATHING.
3. BLOCK ALL PANEL EDGES
4. SPACE NAILS 12" o.c. AT INTERMEDIATE SUPPORTS.
5. SHEAR WALLS SHALL EXTEND UP TO DIAPHRAGM ABOVE.

THIRD FLOOR FRAMING PLAN

SCALE: 1/4"=1'-0" | 1



NOTES:
1. PROVIDE SIMPSON JOIST HANGERS AT ALL JOIST ENDS, TYP.
2. WINDOW HEADERS SHALL BE (3)-2x10's w/ ½" PLYWOOD LAMS, U.N.O.
3. PROVIDE (3)-2x6'S AT ALL COLUMNS, CORNERS AND HOLD DOWN LOCATIONS, U.N.O.
4. "SW-X" DENOTES SHEAR WALL TYPE. SEE SHEAR WALL SCHEDULE THIS DWG FOR NAILING REQUIREMENTS AND ADDITIONAL INFORMATION.

PLAN LEGEND
- BEARING WALL
- SHEAR WALL
- BEAM
- HSS COLUMN
- COLUMN FROM ABOVE
- COLUMN BELOW
- COLUMN ABOVE AND BELOW
- HOLD-DOWN

ROOF FRAMING PLAN

SCALE: 1/4"=1'-0" | 2

PRINTED: Jun 02, 2015

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET PORTLAND, MAINE
NEW BUILDING

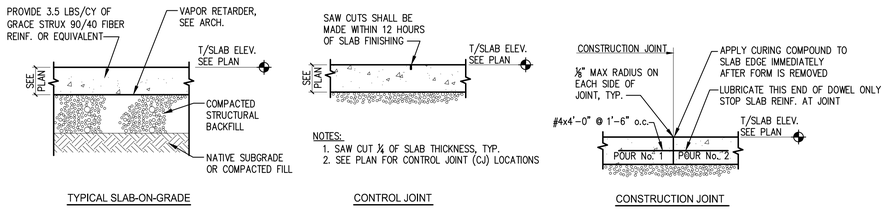
ISSUED

No.	DESCRIPTION	DR. BY	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:
THIRD FLOOR AND ROOF FRAMING PLANS

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

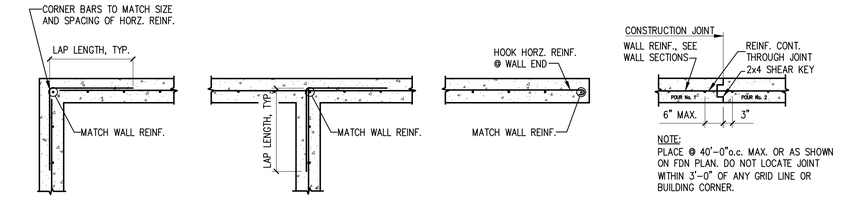
S1.2



TYPICAL SLAB-ON-GRADE | CONTROL JOINT | CONSTRUCTION JOINT

TYPICAL SLAB-ON-GRADE DETAILS

SCALE: NTS



DETAIL @ WALL CORNER
W/ SINGLE ROW OF WALL REINFORCING

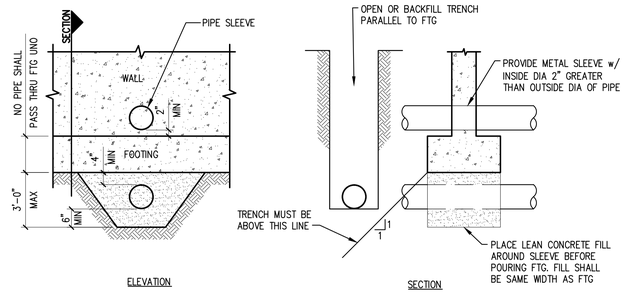
DETAIL @ WALL INTERSECTION
W/ SINGLE ROW OF WALL REINFORCING

DETAIL @ WALL END
W/ SINGLE ROW OF WALL REINFORCING

CONSTRUCTION JOINT DETAIL
W/ SINGLE ROW OF WALL REINFORCING

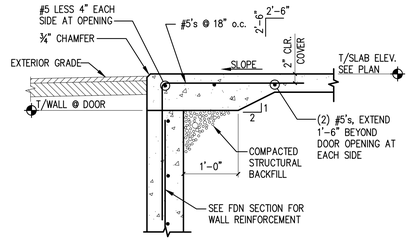
TYPICAL FOUNDATION WALL DETAILS

SCALE: NTS



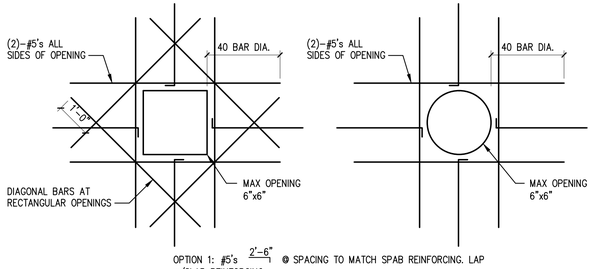
TYPICAL THROUGH WALL PENETRATION DETAIL

SCALE: NTS



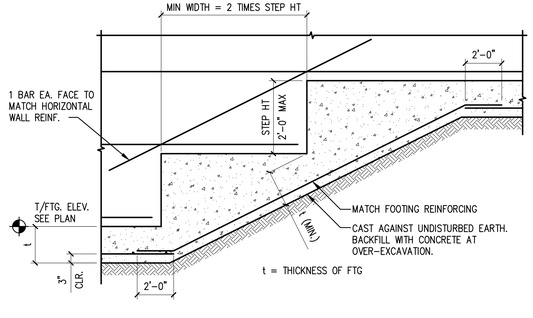
TYPICAL SLAB DETAIL AT DOOR

SCALE: NTS



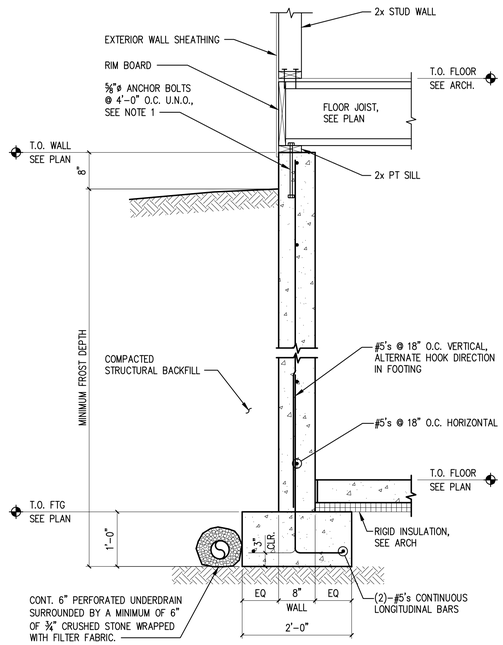
TYPICAL OPENING IN WALL OR SLAB DETAIL

SCALE: NTS



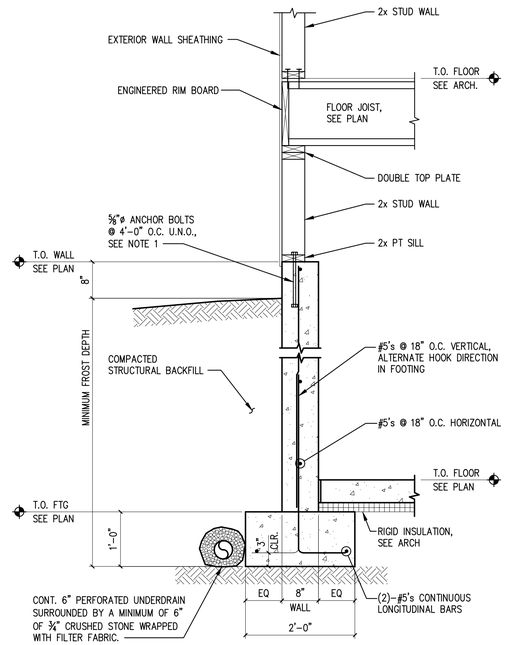
TYPICAL STEPPED FOOTING DETAIL

SCALE: NTS



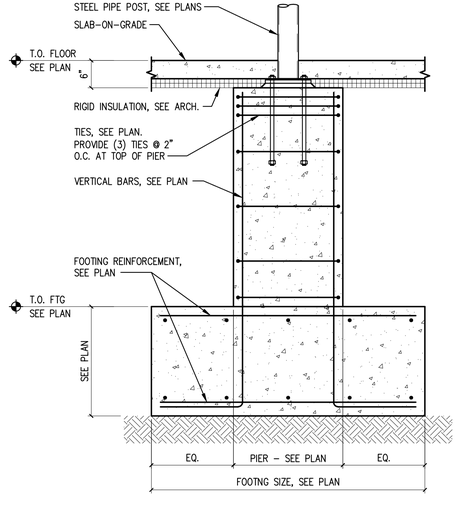
NOTE:
SEE SILL PLATE ATTACHMENT SCHEDULE ON DWG. S1.1 FOR ANCHOR BOLT SPACING @ SHEAR WALLS.

1 SECTION
3/4" = 1'-0"

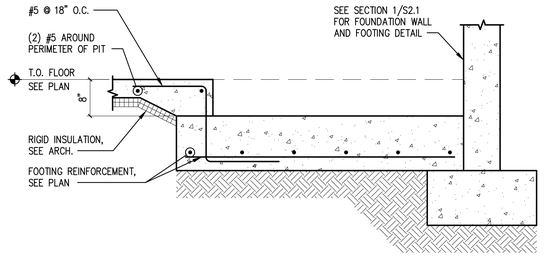


NOTE:
SEE SILL PLATE ATTACHMENT SCHEDULE ON DWG. S1.1 FOR ANCHOR BOLT SPACING @ SHEAR WALLS.

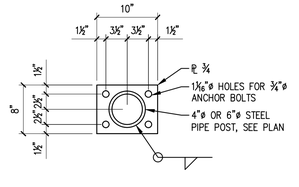
2 SECTION
3/4" = 1'-0"



3 SECTION
3/4" = 1'-0"



4 SECTION
3/4" = 1'-0"



TYPICAL BASEPLATE DETAIL

SCALE: 1" = 1'-0"

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET PORTLAND, MAINE
NEW BUILDING

ISSUED

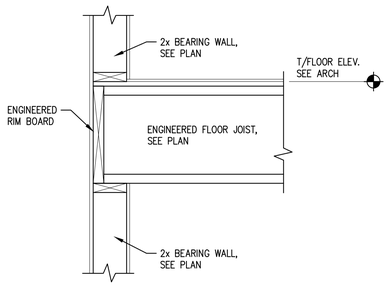
No.	DESCRIPTION	DR. BY	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:
TYP. CONCRETE DETAILS AND SECTIONS

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

S2.1

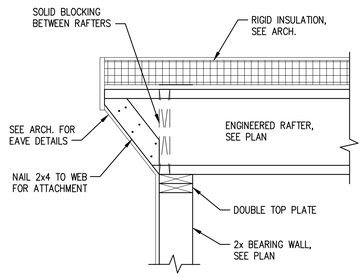
PRINTED: Jun 02, 2015



NOTE: BLOCK BEARING WALLS @ 4'-0"o.c., VERT., TYP.

1 SECTION

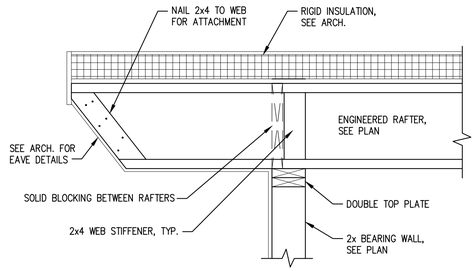
1" = 1'-0"



NOTE: BLOCK BEARING WALLS @ 4'-0"o.c., VERT., TYP.

2 SECTION

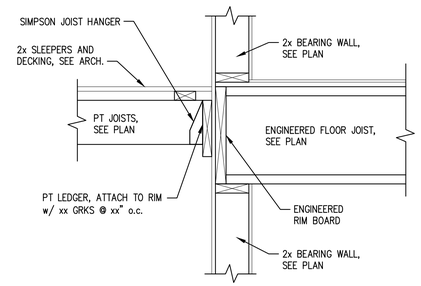
1" = 1'-0"



NOTE: BLOCK BEARING WALLS @ 4'-0"o.c., VERT., TYP.

3 SECTION

1" = 1'-0"



4 SECTION

1" = 1'-0"

PRINTED: Jun 02, 2015

CASCO BAY ENGINEERING
424 Fore Street
Portland, ME 04101
Phone 207.842.2800
Fax 207.842.2828
www.cascobayengineering.com

CLIENT:
WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE
PORTLAND, ME 04103

PRELIMINARY
NOT FOR CONSTRUCTION

BRIGGS STREET APARTMENTS
SALEM STREET PORTLAND, MAINE

NEW BUILDING

ISSUED

No.	DESCRIPTION	DR. BY:	CKD. BY	DATE
A	ISSUED FOR PERMIT - NOT FOR CONSTRUCTION	TD	PR	5-29-15

SHEET TITLE:

FRAMING DETAILS

DESIGNED:	TD
DRAWN:	TD
DATE:	4-23-15
PROJECT NUMBER:	15-052

S3.1

Memorandum
Planning and Urban Development Department
Planning Division

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

From: Deborah Andrews, Historic Preservation Program Manager

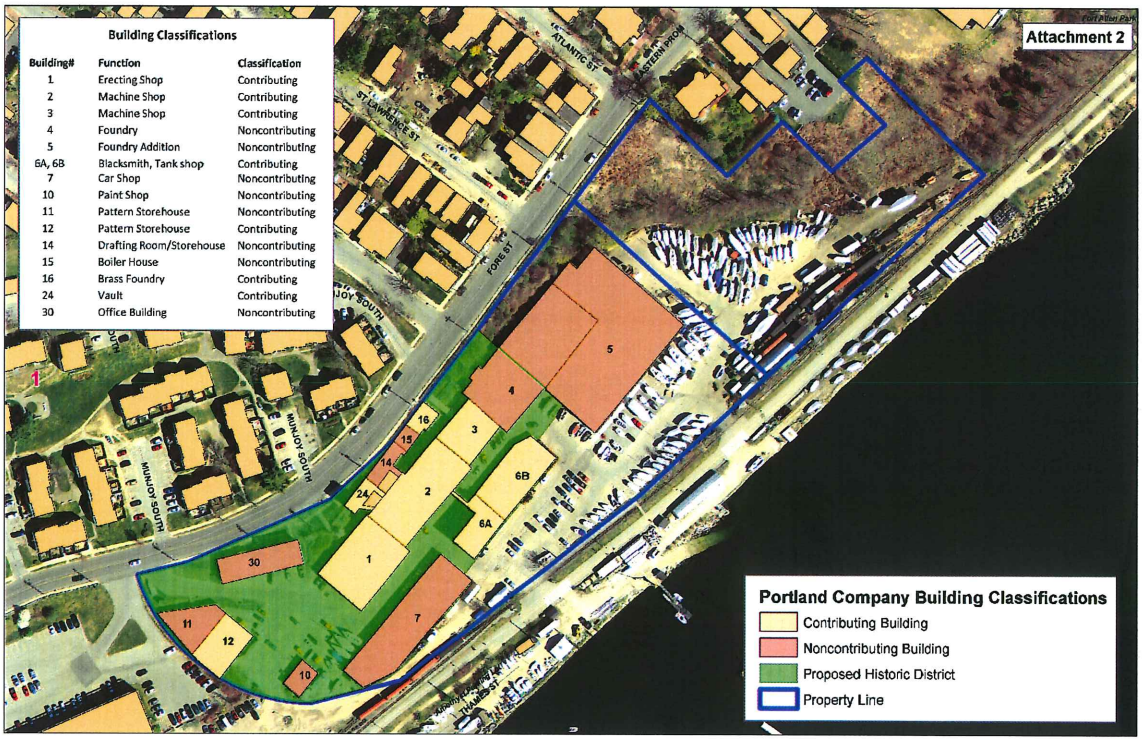
Date: July 22, 2015

Re: Workshop on Historic Preservation Board Recommendation to Designate Portland Company Complex as a Local Historic District

Mtg. Date: July 28, 2015

I. Introduction

On June 24, 2015, the Historic Preservation Board voted 7-0 to recommend to the Planning Board and City Council that the Portland Company complex at 58 Fore Street be designated a local historic district as delineated below and as further defined/described in the attached Portland Company Historic District Designation Report—see **ATTACHMENT 2**. The Historic Preservation Board's recommendation was based on findings that the proposed district meets the designation criteria in Division 3 (Categories and Criteria for Designation) of the historic preservation ordinance (Article IX of the Land Use Code).



See **ATTACHMENT 1** for larger version of this map.

Now that the HP Board has completed its deliberations and made a formal recommendation, a workshop has been scheduled to brief Planning Board members on the HP Board's review process and findings, as well as the basis for the historic district boundary as proposed and the classifications (i.e. "contributing", "noncontributing") assigned to each building within the proposed district boundary.

II. Role of the Historic Preservation Board in the Designation Process

As outlined in Portland's historic preservation ordinance, the Historic Preservation Board's role in the designation of landmarks and historic districts is to review the merits of the nomination and, based on findings as to whether or not the nominated resource meets the ordinance's designation criteria, forward a recommendation regarding designation to the Planning Board and Council for their consideration. The ordinance requires that the Historic Preservation Board's recommendation be accompanied by a report which includes the following information (see Sec. 14-617):

- Explanation of the significance or lack of significance of the nominated district as it relates to the ordinance's criteria for designation.
- Explanation of the integrity or lack of integrity (as defined in the ordinance) of the nominated historic district.
- Any proposed design guidelines for review of alterations or construction in the proposed historic district
- Explanation of the relationship of the nominated district to the ongoing effort by the Historic Preservation Board to identify and nominate potential areas, sites and structures that meet the criteria for designation.
- A map showing the boundaries of the nominated district.
- A list of every site, structure and object in the nominated historic district indicating their degree of cultural, historic, architectural or archaeological significance by classification as of a landmark or contributing significance.

The formal Portland Company Historic District Designation Report, including map and building classifications, is enclosed as **ATTACHMENT 2**. The report reflects the findings of the Historic Preservation Board and is informed by documentation and analysis provided in two consultant reports commissioned by the Portland Planning Department for the City's evaluation of a potential Portland Company historic district. These include *The Portland Company: Historic Significance and Integrity*, prepared by Sutherland Conservation & Consulting (**ATTACHMENT 4**) and *Portland Company Complex General Building Condition Report,* prepared by Resurgence Engineering and Preservation Inc. (**ATTACHMENT 5**).

III. Role of the Planning Board in the Designation Process

In the case of a recommendation for historic district designation, the Historic Preservation Board forwards its recommendation to the Planning Board for its review and recommendation to the City Council. (Recommendations for individual landmark designations are forwarded directly to the City Council.) Like the Historic Preservation Board, the Planning Board must determine whether the Portland Company complex as defined and delineated in the Designation Report meets the designation criteria set forth in Division 3 of the historic preservation ordinance (See

ATTACHMENT 3 and in Section VII of this report.) The Planning Board shall also consider the effect of such designation on other aspects of the comprehensive plan.

IV. Background--Documentation and Assessments Commissioned by Planning Department

In preparation for the Historic Preservation Board's consideration of the proposed designation, the Planning Department commissioned two detailed reports to provide the level of documentation and assessment needed to fairly evaluate the nominated resource and its eligibility for local historic district designation. Mindful of the fact that the Maine Historic Preservation Commission identified the Portland Company as eligible for listing in the National Register of Historic Places as early as 1976 but that the detailed documentation required for nomination had never been prepared, the Planning Department contracted with Sutherland Conservation & Consulting to document the history of the company (which remained in continuous operation on Fore Street from 1847to 1982) and to assess its place in the history of Portland and its significance in the history of manufacturing and transportation at the local, state and national levels. The Sutherland report provides a detailed description of the development history of the complex itself as the company evolved to accommodate changes and expansion in production over time. The report also provides a description and assessment of the individual extant historic structures within the complex, describing their respective role in the Portland Company's operations and their level of historic and architectural integrity. Finally, the Sutherland report provides an analysis of the visual character of the overall building complex. See **ATTACHMENT 4** for a copy of the Sutherland report.

The Planning Department also commissioned a building condition report on the individual structures within the complex. A condition report was important in this instance given the fact that the historic structures within the Portland Company complex appear not to have received any significant level of maintenance, repair or rehabilitation in recent decades and given that the historic preservation ordinance requires that a nominated district not only meet the ordinance's designation criteria related to *significance,* but also a separate criterion related to the *integrity* of the resource. In order to designate a landmark or historic district, the nominated resource must be found to have sufficient integrity of location, design, *condition*, materials and workmanship to make it worthy of preservation (see Sec. 14-611). The Sutherland report provided adequate information to assess the question of several other relevant aspects of integrity, but it did not address the question of condition.

Although the owners of the property had retained Becker Structural Engineers to provide a condition assessment for their own planning purposes and had provided a copy of the report to the City (see **ATTACHMENT 6**), Planning and Historic Preservation staff determined that an independent condition assessment would be important to the Board's deliberations. Resurgence Engineering & Preservation, a structural engineering firm with expertise and experience in historic rehabilitation, was hired by the City to conduct the assessment. It should be noted that the Resurgence report, like the Becker report, was necessarily limited in scope and taken from a "30,000-foot view". Given the number of buildings to be assessed, the limited budget for the report and the fact that no specific use had yet been identified for any of the buildings which would inform a full assessment of applicable building code, life safety and other requirements, the review was limited to the current condition of the building envelope and structural systems.

(The limited parameters of the assessments were acknowledged in both reports.) Additionally, neither consulting firm was asked to explore or recommend specific solutions to address identified building envelope and structural deficiencies.

Although the two condition reports include a fairly detailed written narrative for each building that describes the building envelope and structural system and include observations and identification of issues, both reports also summarize their findings in a rating system for ease of reference—with 1 representing very poor condition and 5 representing a good structural condition. Although the Resurgence report, which came after the Becker report, used the same rating system for ease of comparison, Resurgence provided an alternative rating system as well. As stated in the Resurgence report, "REP believes there is a more accurate and further defined way to classify the buildings in terms of condition."

In addition to the condition index, both reports provide a "relative structural renovation cost index". As stated in the Becker report, the cost index was prepared "in an effort to quantify what a renovation might cost". An inverse rating system was used here—with 1 representing a relatively low renovation cost and 5 representing a relatively high renovation cost.

A copy of Resurgence Engineering's *Portland Company Complex General Building Condition Report* is enclosed as **ATTACHMENT 5**. An excerpted chart from the Resurgence Report **(ATTACHMENT 7)** provides a building-by-building comparison of Resurgence Engineering's findings as regards condition and relative rehab cost with those of Becker Structural Engineers.

V. Summary of Preliminary Historic Preservation Board Review Sessions

As noted in the introduction, the Historic Preservation Board held four preliminary workshops on the proposed historic district designation, as well as two site walks.

Workshop and Site Visit to Review History and Significance of Complex

The first workshop, held on September 24, 2014, followed the completion of the Sutherland report. Sutherland's Scott Hanson made a detailed, illustrated presentation on the history of the Portland Company itself, explaining that it was built in conjunction with construction of the Atlantic & St. Lawrence Railroad and was the first complex in the country built specifically for the manufacture of railroad equipment where the foundry and all of the necessary related shops were located on a single site. He reviewed the extraordinary range of machines, engines and products related to the fields of railroad and marine transportation, industry, manufacturing, and architecture that were produced over the company's 135-year history, as well as the distribution of its products to industries and municipalities throughout the country. Mr. Hanson also described the pivotal role the Portland Company played in the city of Portland's development and economy (it was the single largest business in the City in the mid-19th century), as well as that of the state of Maine.

Mr. Hanson also discussed the Portland Company's "period of significance", noting that National Register listing requires the identification of a period of significance. (Portland's ordinance does not specifically require the identification of a period of significance.) The Maine Historic Preservation Commission had determined a period of significance extending from the

company's founding in 1847 to its closing in 1982. Within that period, however, Sutherland found that there are more specific (and more limited) periods of significance for key aspects of the Portland Company's production. Mr. Hanson indicated that as of the end of World War II, most of the Portland Company's marine and transportation-related work--the type of engines, machinery and products the company had been founded to produce--had ended and it had diversified its operations to produce a wide range of architectural, industrial and other products. The last building constructed for the express purpose of serving the company's marine and transportation-related work was the Erecting Building, built in 1918.

In his presentation, Mr. Hanson described the specific role each of the extant buildings played in the overall manufacturing process and the sequence in which products moved throughout the complex—from the initial drawing and pattern-making stage onto the foundry and machine shops and finally, onto assembly in the Erecting Building or Car Shop. Mr. Hanson explained that while some of the Portland Company's original buildings were lost due to fires or were replaced or expanded over time to respond to changing production needs, the historic buildings that remain on the site today collectively encompass the complete historic manufacturing process of the Portland Company. In this respect alone, the Portland Company complex as it exists today is highly significant and underscores Sutherland's finding that *the Portland Company property derives its significance as a complex of related, interdependent structures.* Collectively, the buildings provide a substantially complete record of the type of industry that was located at this site and of the specific functions or steps involved in its fabrication process. The number and size of extant buildings on the site also convey the company's scope and scale of operations during the 19th and 20th centuries.

Mr. Hanson also reviewed Sutherland's findings regarding the historic integrity of each of the extant buildings on the Portland Company property. As Mr. Hanson explained, historic integrity, as defined by the National Register," is based on the retention of sufficient essential physical features from the historic period, including location, design, setting, materials, workmanship, feeling, and/or association, to convey the significance of a property." Sutherland found that all of the buildings retained sufficient historic integrity to convey the significance of the property. Most of the buildings were found to retain a high degree of historic integrity.

Finally, Mr. Hanson reviewed the visual character of the Portland Company site and described how the complex's visual character contributed to the overall significance of the historic property. Contributing elements to the complex's visual character are the primary entrance drive into the site from Fore Street, which has been the entrance since 1847, as well as the entrance yard which serves the function of entranceway to the linear manufacturing paths of circulation. The entrance yard is also the point from which one can best appreciate the linear alignment of the manufacturing complex. The historic functional organization and placement of the Portland Company buildings in linear proximity to each other is also a major visual characteristic of the site and is unique to Portland in the way that the industrial buildings form private streets or alleys. The overhead pedestrian bridges spanning these private streets were also found to be unique in Portland and contribute to the visual character of the site. As summarized in the Sutherland written report, "to a large degree, the architectural significance of the Portland Company exists in the relationship of the buildings to each other within the complex. The proximity and orientation of the buildings to each other permitted related manufacturing

processes to take place in a way that allowed for the efficient progress of stages in the production of the company's products."

Except for a follow-up site walk of the complex in December led by Mr. Hanson, the Historic Preservation Board's consideration of potential historic district designation of the Portland Company was temporarily suspended until April of 2015. Board review was suspended at the request of the Planning Director in order to allow the property owners' pending rezoning request for the property to proceed through review by the Planning Board and Council to conclusion and provide for a sequential review process. Rezoning was felt to be a threshold issue for any potential redevelopment of the site and that consideration of potential historic district designation would appropriately follow.

Formal District Nomination

On February 23, 2015, Board members John Turk and Ted Oldham submitted a formal letter to the Planning Department nominating the Portland Company complex as a local historic district, consistent with the requirements for nomination and designation set forth in the preservation ordinance. While the previous workshops had been conducted in anticipation of/preparation for the formal designation review process, the nomination letter set the formal process into motion. The letter of nomination was filed as the Planning Board was concluding its review of the rezoning request and the matter was being sent to the City Council for final action.

Workshops and Site visit to Review Building Condition

On April 1, 2015, Al Hodson, principal of Resurgence Engineering, presented his analysis and findings regarding building condition in a detailed workshop session. Like Mr. Hanson, Mr. Hodson provided a building-by-building analysis, describing each building's original structural system and building envelope as well as any modifications which had affected the structural system over time. He reviewed his general observations of condition and highlighted specific areas of concern. He also presented the ratings he had assigned to each building based on his analysis and explained that he had adopted the same rating system used in the Becker report for ease of reference and comparison, while noting that perhaps a more nuanced rating system would provide a more accurate summary of the condition and potential of the buildings. An alternative building condition index was offered for consideration.

Mr. Hodson explained that while all of the buildings had suffered some level of deterioration due to years of deferred maintenance, three buildings stood out as presenting the greatest structural and building envelope challenges. Of the buildings his firm evaluated, three buildings were found to be in the most compromised condition. These were Building #7 (Car Shop), Building #10 (Paint Shop), and Building #11 (Pattern Storehouse). (*Resurgence Engineering's report is enclosed as* **ATTACHMENT 5**. *See pg. 2 of Executive Summary; pgs. 25-28 for written condition analysis of each building; pg. 1 of Appendix A for assigned condition and cost rating; and pg. 6 for an explanation of the basis for cost opinion conclusions for these 3 buildings.)*

Mr. Hodson also identified Building #4 as having unique condition issues with an exterior brick masonry wall system that is integrated with built-up iron or steel structural columns, which columns are exposed to weather and in an advanced state of disrepair. The columns at the

building exterior would require replacement as part of any rehabilitation program. Detailing for replacement would need to consider both improved performance as well as preservation of historic integrity, including degree of replacement of original material. Like the roof structures at Buildings #1, #2, and #3, Mr. Hodson noted that the roof structure at Building #4 will need to be evaluated for snow load capacity, the decking above the beams will need to be replaced at deteriorated areas and all of the roof sheathing may need replacement. Recognizing these issues, Mr. Hodson's report also noted that the large and consistently framed building has fewer variations in its framing than many other structures on the Portland Company site and this repetition in detailing along with open access to structural members may serve to simplify necessary structural repairs. *(See pg. 1 of Executive Summary, pgs. 19-22 for written condition analysis of Building #4, pg. 1 of Appendix A for assigned condition and cost rating, and pg. 6 of Appendix A for an explanation of the basis for cost opinion conclusions for Building #4.)*

In preparation for the April 1 workshop, Board members were provided copies of the Resurgence Engineering report as well as the Becker Structural Engineers report, which had been produced for the current property owner. During the workshop session, Mr. Hodson made frequent reference to the findings of the Becker report as well as his own. Based on Resurgence's written report and Mr. Hodson presentation, it appeared that the findings of the two reports were quite similar. (A comparison chart of the summary rankings for building condition and relative cost to address condition was provided in Mr. Hodson's report (Appendix A, pg. 1) and is enclosed with this report as a separate attachment – **ATTACHMENT 7.**

On May 20, a second site walk was conducted of the Portland Company complex, this walk focusing on the issue of condition. Both Mr. Hodson and Paul Becker of Becker Structural Engineers provided commentary, summarizing their findings relative to each building. Given the constraints of a site visit in terms of providing opportunity for Board discussion or public comment, a follow-up workshop session was scheduled for May 27th in City Hall. At the May 27 workshop, Board members shared their observations from the site visit. Staff also provided information about the requirements of the federal and state historic tax credit program and summarized discussions held with staff of the Maine Historic Preservation Commission (MHPC) regarding potential access to tax credits.

As the availability of historic tax credits can be a significant factor in the feasibility of an historic rehabilitation project, staff and the HP Board had identified early on in the review process that it would be important to learn more about what might affect the property owners' eligibility for the tax credits. Staff explained that distinctions between Portland's local designation criteria and National Register designation criteria (especially as regards the issue of building condition) made the question of whether current or future owners of the property would be able to take advantage of tax credits fairly complicated. Eligibility for tax credits might be particularly challenging if several buildings were determined under Portland's designation criteria to be noncontributing by virtue of condition. MHPC staff had indicated, however, that if a strong case could be made that the *local* Portland Company Historic District was clearly based on and supported by its local designation criteria, it might be approved as a "Certified Local Historic District" and thereby make the project eligible for federal and state tax credits. A clear and rational basis would have to be demonstrated for the boundaries of the local district and the assigned classifications of individual buildings (landmark, contributing, and noncontributing).

Final Workshop – Preliminary Board Deliberations

On June 10th, the Historic Preservation Board held a final workshop to synthesize the information provided in the various consultant reports, staff reports, site visits and preliminary workshop sessions. While each of the previous workshops had focused on a specific aspect of the Board's overall deliberations, the June 10 session was the first opportunity for Board members to consider the various applicable designation criteria in the aggregate and begin to assign a net "preservation value" for each structure within the complex. The Board also took up the question of appropriate, defensible district boundaries. Chair Benson organized the discussion, focusing on the specific designation criteria (Sec. 14-610 and 611) that must be met in the ordinance and the questions that must be addressed in the designation report that accompanies the Board's recommendation to the Planning Board and City Council (Sec. 14-617).

Following discussion of the significance and integrity of the complex as a whole, the Board spent considerable time discussing the integrity (*historic/architectural* as well as *condition)* of each building and assigned a preliminary classification to each. In taking up each building, Chair Benson summarized the salient findings for each structure included in each of the consultants' reports.

The assignment of a classification is required by the ordinance as part of the designation process. A list of every building, object or site within a nominated historic district must be included in the designation report and assigned a classification of "landmark", "contributing" or "noncontributing" indicating its degree of significance and that a list of structures.

The ordinance's definitions for these terms are instructive in assigning a classification:

> *Landmark: A property, site, structure or object designated by the Council as having a high degree of historical, cultural and/or architectural significance.*
>
> *Contributing: A classification applied to a site, structure or object within a historic district signifying that it contributes generally to the qualities that give the historic district cultural, historic, architectural or archaeological significance as embodied in the criteria for designating an historic district, but without being itself a landmark.*
>
> *Noncontributing: A classification applied to a site, structure, object, or portion thereof within a historic district signifying that 1) it does not contribute generally to the qualities that give the district...significance as embodied in the criteria for designating a historic district; 20 was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the location, design, setting, materials, workmanship and association have been so altered or have so deteriorated that the overall integrity of the site, structure or object has been irretrievably lost. A portion of an otherwise contributing or landmark structure may be determined by the historic preservation board to be noncontributing if it meets one or more of the above conditions.*

The Board's June 10 preliminary deliberations informed its formal findings and vote on June 24, a summary of which is provided Section VI of this report.

VI. HP Board Public Hearing—Board Findings and Formal Recommendation

A formal public hearing on the nomination was held on June 24, 2015. Following the hearing and review of letters submitted by the property owner and interested parties (see **ATTACHMENT 8**), the Board conducted its formal deliberations. Following are the Board's formal findings:

CRITERIA FOR DESIGNATION

Sec. 14-610 (a) Minimum Criteria for Designation (*Note: nominated districts must satisfy a minimum of one of the following criteria*)

1. Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.

HP Board Finding: the Portland Company complex exhibits local, state *and* national significance, as described in detail in the Sutherland report, *The Portland Company: Historic Significance and Integrity.* The Board identified the following major areas of significance:

National significance

- Research suggests that the Portland Company was the first complex in the country built specifically for the manufacture of railroad equipment with all necessary shops and foundry on a single site.
- Rare surviving example of a pre-civil War foundry, machine shop and car shop complex, and apparently the only surviving plant in the nation where locomotives were built for the US Government as part of the war effort.

Significance to the State of Maine

- Contributed significantly to the development of Maine's railroads and maritime industries through manufacture of locomotives, railroad cars, marine engines and boilers.
- Played a significant role in the development of Maine's paper-making, textile and canning industries.
- The state's largest 19th century foundry/machine shop

Local significance

- Founding was directly tied to the establishment of the Atlantic & St. Lawrence Railroad. Company was founded to manufacture railroad locomotives for the railroad.

- Company's founding was directly associated with the creation of Commercial Street and filling of Broad and Clay Coves, as well as the organization of rail service throughout the City
- Only intact 19th and early 20th century industrial complex remaining in the city.
- Largest 19th century employer in the city.

2. Its location as a site of significant historic or prehistoric activity which may have taken place within or which involved the use of any existing structure on the property.

   HP Board Finding: The Portland Company complex was the site of significant industrial activities of local, state and national importance, as detailed in #1 above, which took place within extant structures on the property.

3. Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.

   HP Board Finding: The Portland Company was founded by John Poor, director of the Atlantic and St. Lawrence Railroad and the person most responsible for Portland's successful bid over Boston to become Montreal's winter port via rail. Other stockholders in the company included noted industrialist, developer and civic leader J.B. Brown and U.S. Secretary of the Treasury William Pitt Fessenden. William Chapman, electrical engineer in charge of the company's research department, did important work in the research that led to the development of microwave technology as well as experimentation and invention related to the use of electricity in manufacturing. Chapman's inventions were used in mills and factories throughout the state.

4. Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship.

   HP Board Finding: The building complex as a whole, and the individual structures included in it express the evolution of construction techniques developed for industrial building types as was required to enclose increasingly complex and large scale manufacturing processes. Located within the complex are substantially unaltered examples of several distinctive industrial building types constructed between 1847 and 1920. The Portland Company buildings from the 1840's and 50's are the only industrial buildings of that period remaining in the city today.

5. Its identification of the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England Region or the United States.

HP Board Finding: Although noted Portland architect Frederick Tompson was responsible for the design of the projecting shed dormers that were added to the roof of Building # 2 (Machine Shop), this designation criterion is not applicable for the Portland Company.

6. Its representation of a significant cultural, historic, architectural or related theme expressed through distinctive areas, site, structures or objects that may or may not be contiguous.

HP Board Finding: The Portland Company complex is representative of Portland's role as a major center of rail and maritime transportation for Maine and northern New England as described in detail in the Sutherland report.

Sec. 14-610 (b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, site, structures or objects have a high degree of cultural, historic, architectural or archaeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties site, structures or objects, which while not of such cultural,....significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites structures or objects located within it.

HP Board Finding: The Board found that the Portland Company complex meets this requirement. Given the high degree of significance of the district as a whole and the interrelated role each building plays within the district, the Board discussed the possibility of designating it as "landmark district", however this designation type is not included in the preservation ordinance. Also discussed was the possibility of classifying each building as a landmark. Ultimately, the Board determined that the individual buildings are appropriately characterized as "contributing" structures to the overall complex, which is highly significant.

Sec. 14-611 Integrity of landmarks and historic districts.
Any area structure or object that meets the criteria in Section 14-610 must also have sufficient integrity of location, design, condition, materials and worksmanship to make it worthy of preservation or restoration. *(Note that this integrity standard applies to the district as a whole; the question of integrity also applies in the assignment of a classification or "preservation value" to each individual building or structure within the nominated district boundary.)*

HP Board Finding: As described in the Sutherland report, the complex as a whole retains a high degree of *historic and architectural integrity* to the identified period of significance (identified for local designation purposes as the period of 1847 (when the first building was constructed) to 1920, when the last building associated with the Portland Company's core transportation and/or marine-related business had been completed.

Note that Portland's ordinance does not require a determination of period of significance, but the Board discussed the question as it related to determining a "preservation value" for the more recent extant structures on site.

As regards the question of *integrity of condition*, the Board found that although a number of the 16 extant structures have become so deteriorated due to deferred maintenance as to make their rehabilitation infeasible (see following assessment of individual structures), the complex as a whole retains sufficient integrity of condition to make it worthy of preservation and rehabilitation. This finding was based on assessments provided in two separate condition reports prepared by Resurgence Engineering & Consulting and Becker Structural Engineers.

HP Board Assigned Classifications to Individual Structures within the Proposed District

Building 1	Erecting Shop	1918	Contributing
Building 2	Machine Shop	c. 1847	Contributing (a)
Building 3	Machine Shop	c. 1847	Contributing
Building 4	Foundry	1895	Contributing (b)
Building 5	Foundry Addition	c. 1980's	Noncontributing (c)
Building 6A, 6B	Blacksmith & Tank Shop	1883, 1896-1904	Contributing
Building 7	Car Shop	1873, 1904	Noncontributing (d)
Building 10	Paint Shop	c. 1873	Noncontributing (e)
Building 11	Pattern Storehouse	1885	Noncontributing (f)
Building 12	Pattern Storehouse	1895	Contributing
Building 14	Drafting Rm/Storehouse	1858-64	Contributing
Building 15	Boiler House	1848-64	Noncontributing (g)
Building 16	Brass Foundry	1864-71	Contributing
Building 24	Vault	c. 1905	Contributing
Building 30	Office Building	1950	Noncontributing (h)

Notes:

(a) Cantilevered roof addition noncontributing due to structural instability
(b) Noncontributing due to condition, inherent flaws in bldg's original structural system
(c) Constructed in 1980's; outside the period of significance
(d) Noncontributing due to severely deteriorated condition
(e) Noncontributing due to severely deteriorated condition
(f) Noncontributing due to significant structural instability
(g) Noncontributing due to severely deteriorated condition
(h) Constructed in 1956, outside the period of significance

DESIGN GUIDELINES

In the report which is required to accompany the Historic Preservation Board's recommendation regarding designation, the Board may recommend specific design guidelines for the review of

alterations or new construction within the proposed district—See Sec. 14-617-(c). Following discussion, the Board elected not to recommend specific design guidelines for the Portland Company district, but to include in the designation report a description of the complex's major visual characteristics that contribute to the district's significance and should be recognized in evaluating future proposals for alterations and infill construction within the district. (See pages 8-10 of Designation Report, **ATTACHMENT 2**.) The visual character of the site is also described in the Sutherland report (see pg. 4). Major visual characteristics include the presence of a major entrance off Fore Street at the west end of the complex; the open entrance yard; the linear alignment and east-west orientation of the buildings; the separation of connected buildings by private streets and alleys; the presence of overhead pedestrian bridges; the predominance of brick and granite building exteriors; and large scale windows typical of industrial structures.

DISTRICT BOUNDARY DELINEATION and ASSIGNED BUILDING CLASSIFICATIONS

Taking into consideration the documented significance of the Portland Company complex as a whole, the assessment of the complex's extant historic structures in terms of their significance and current condition, and in consideration of the identified visual character of the Portland Company complex, which was determined by the Board to contribute significantly to one's understanding of and appreciation of the historic resource, the Board determined that the district boundary and building classifications as delineated on **ATTACHMENT 1** should be recommended to the Planning Board and Council.

Although several of the buildings included within the recommended district boundary were determined by the Board to be noncontributing due to condition or date of construction, Board members expressed the view that the boundary should include the footprint of most of these noncontributing buildings. In coming to this conclusion, the Board noted that the placement, alignment and relationship of the extant structures is key to conveying the Portland Company's history and significance and is an important character-defining element of the complex. They also noted that whatever is built in close proximity to the remaining historic structures has the potential to either reinforce or undermine the remaining buildings and one's appreciation of this historic complex. Acknowledging that noncontributing buildings may be demolished as of right under the provisions of Portland's historic preservation ordinance and that new construction within the district is likely, including the footprints of most of the historic extant structures within the district boundary will ensure that whatever new construction is introduced within the historic core of the complex will be reviewed for general compatibility with the abutting or adjacent contributing structures. They also noted that district designation would not preclude future adjustments or alterations to buildings or site features within the district boundaries.

In response to the property owner's request to classify additional buildings as noncontributing (i.e. Buildings 1 and 16)—see **ATTACHMENT 9**-- Board members found these buildings to be important contributing structures to the overall complex, as documented in the preservation consultant's report, and that their condition did not warrant their removal. Board members also expressed the view allowing the removal of additional historic structures from the property would materially affect one's ability to understand and appreciate the history, significance and scale of operations of the former Portland Company complex.

VII. Final Historic Preservation Board Vote on Proposed District Designation

Based on the above findings, the Board voted 7-0 to recommend to the Planning Board and City Council that the former Portland Company complex be designated as a local historic district as delineated in the map enclosed as **ATTACHMENT 1**.

Note: Following the Historic Preservation Board's formal vote on June 24, staff prepared a draft designation report for the Board's review and comment. The draft designation report was reviewed on July 15. Following an opportunity for public comment, the Board confirmed the content of the report with minor clarifications and amendments.

Attachments

1. Proposed Historic District Map with Boundaries and Individual Building Classifications
2. Portland Company Historic District Designation Report
3. Excerpts from Portland's historic preservation ordinance (Article IX of the Land Use Code).
4. *The Portland Company: Historic Significance and Integrity*, prepared for City of Portland by Sutherland Conservation & Consulting
5. *Portland Company Complex General Building Condition Report,* prepared for City of Portland by Resurgence Engineering and Preservation Inc.
6. Evaluation of *Existing Buildings at the Portland Company Property,* prepared for CPB2 by Becker Structural Engineers
7. Appendix A: Comparative Condition/Cost Analysis (excerpted from Resurgence report)
8. March 31, 2014 Letter from Maine Historic Preservation Commission regarding eligibility of Portland Company Complex for Listing in the National Register of Historic Places
9. Letters from interested parties

Fort Allen Park

Attachment 1

Building Classifications

Building#	Function	Classification
1	Erecting Shop	Contributing
2	Machine Shop	Contributing
3	Machine Shop	Contributing
4	Foundry	Noncontributing
5	Foundry Addition	Noncontributing
6A, 6B	Blacksmith, Tank shop	Contributing
7	Car Shop	Noncontributing
10	Paint Shop	Noncontributing
11	Pattern Storehouse	Noncontributing
12	Pattern Storehouse	Contributing
14	Drafting Room/Storehouse	Noncontributing
15	Boiler House	Noncontributing
16	Brass Foundry	Contributing
24	Vault	Contributing
30	Office Building	Noncontributing

ATLANTIC ST

EASTERN PROM

ST LAWRENCE ST

FORE ST

MUNJOY SOUTH

MUNJOY SOUTH

MUNJOY SOUTH

THAMES ST

Amethyst Parking Lot

1

2

3

4

5

6A

6B

7

10

11

12

14

15

16

24

30

Portland Company Building Classifications

- Contributing Building
- Noncontributing Building
- Proposed Historic District
- Property Line

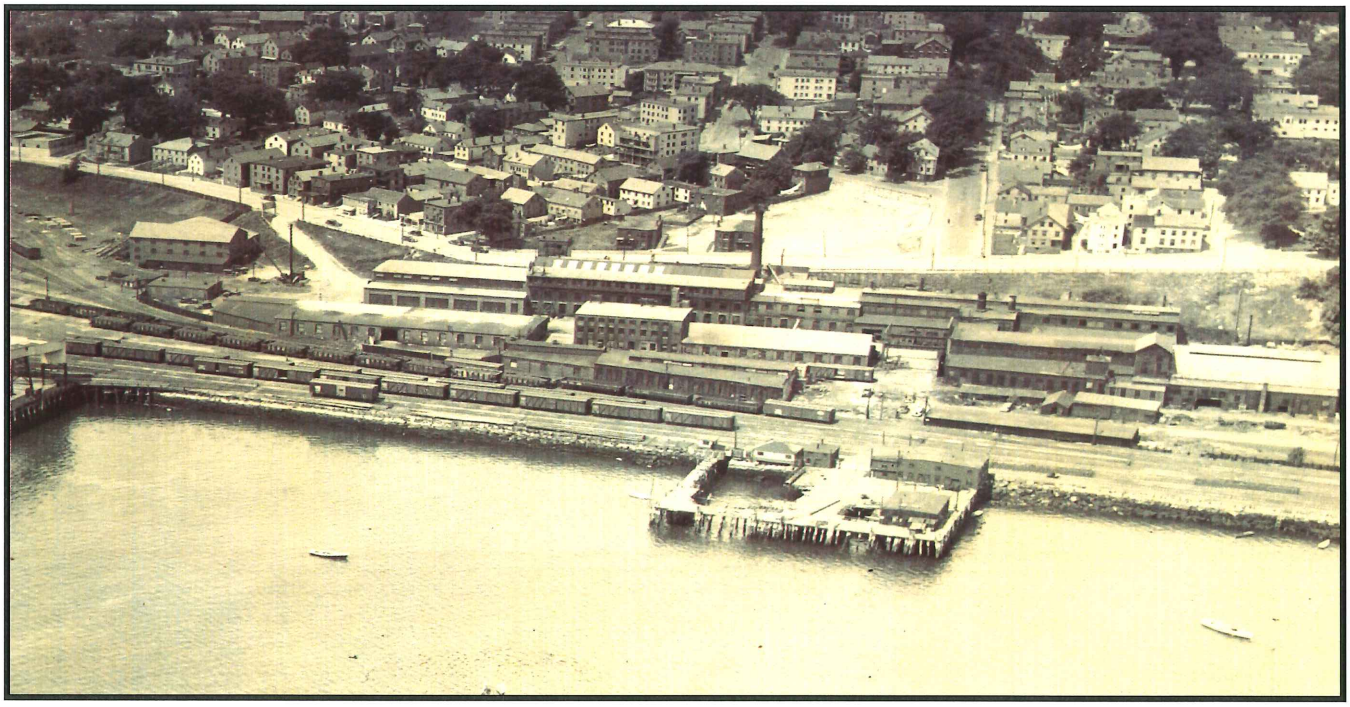
1A.

ATTACHMENT 2

Att.2

Portland Company Historic District

Designation Report



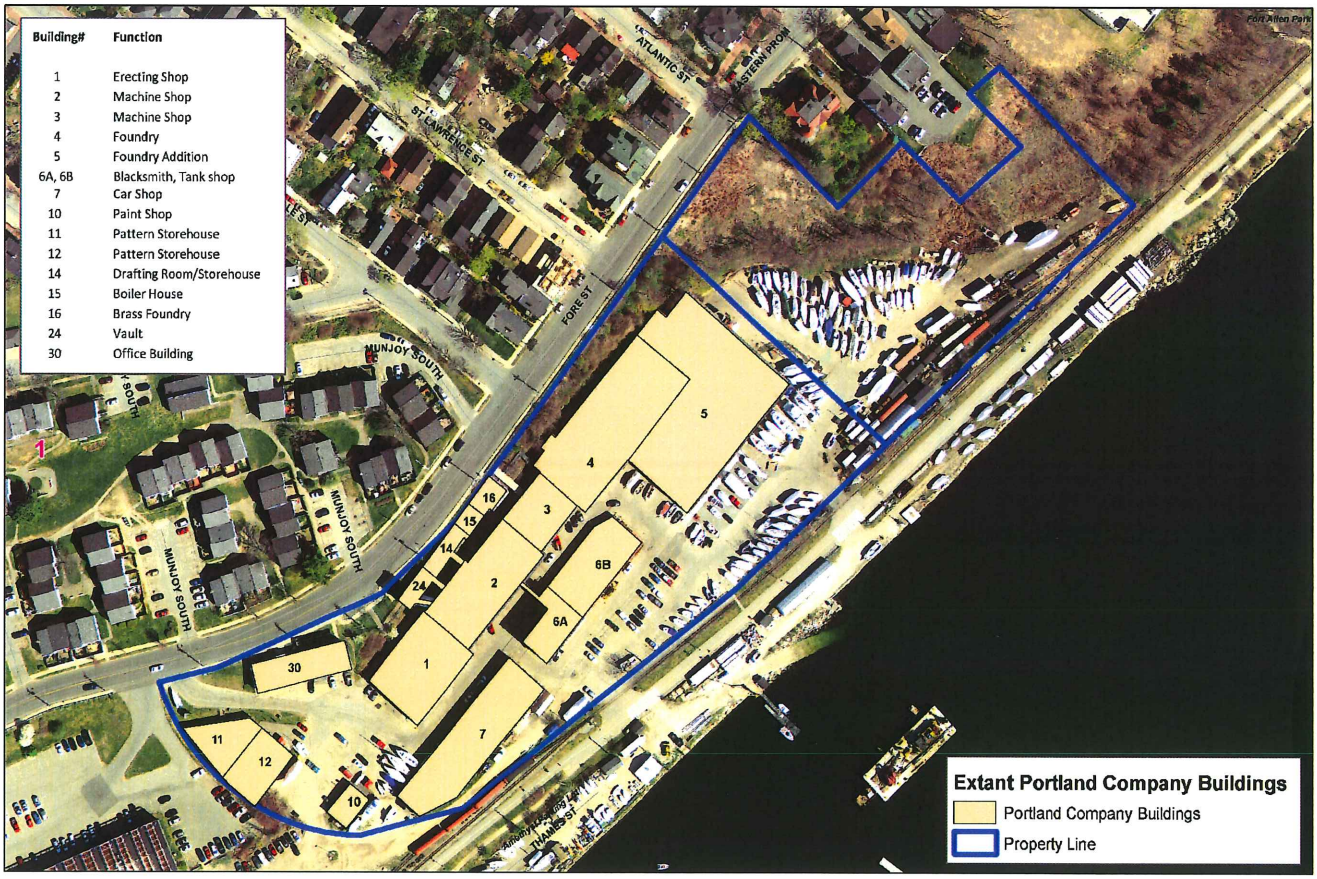
Portland Company circa 1938

Portland Company Historic District

Designation Report

General Description of Complex

The Portland Company complex today is comprised of 16 extant structures occupying approximately 4.3 acres of a 9.93 acre parcel. The complex is located below the original shoreline along Fore Street on filled land that was created to accommodate the construction of the St. Lawrence and Atlantic Railroad.



With the exception of an office building constructed in 1950, all of the buildings within the complex are industrial structures built to house a specific function within the Portland Company's overall manufacturing process. These include both the core production buildings where the company's diverse line of cast metal products were fabricated and assembled (i.e. the principal foundry, a brass foundry,

two machine shops, an erecting building, blacksmith shop, tank shop, and car shop) as well as various accessory structures that housed functions or materials important to the overall operations of the industrial complex. Accessory structures include two pattern storehouses, a paint shop, a drafting room/storehouse and vault. The pattern storehouses and paint shop were purposefully sited well away from the core production buildings to keep flammable materials such as pattern molds and paints away from production areas.

The construction date of the extant buildings ranges from 1847, shortly after the Portland Company was founded, to a large metal building addition constructed circa 1968. Most of the extant structures, however, and *all* of the structures specifically associated with the company's significant railroad- and marine-related work, were constructed before 1920. With the growth of the company and the need to accommodate the changing demands of the various manufacturing processes that took place in the plant, additional buildings, replacement buildings, and building additions were introduced in the 1870's, 1880's, 1890's and 1910's. As such, the Portland Company complex exhibits several industrial building types, each representative of its respective era in terms of design and structural system. Although the buildings have suffered from decades of deferred maintenance and expedient repairs since the Portland Company closed its doors in 1982, most remain in remarkably unaltered condition from the time of the company's occupation.

Most of the buildings on the site are organized in a linear alignment, running more or less parallel to the water's edge. During the Portland Company's tenure, multiple rail lines ran between the southern edge of the manufacturing complex and the water's edge; the locomotives and thousands of other items produced by the company were loaded onto these rails. Today, the number of tracks is significantly reduced. The individual buildings within the manufacturing core (on the east side of the entrance yard) are physically connected at their end walls to allow for the efficient movement of products from one stage of the manufacturing process to the other. This manufacturing core of includes three "rows" of buildings separated by private "streets" or alleys. (The northwest row of buildings is actually built against the Fore Street retaining wall. The retaining wall forms the rear wall of these buildings; the side walls of the buildings form buttresses that help support the retaining wall.) Overhead pedestrian bridges span the private alleyways to provide upper floor access between building rows.

Virtually all of the extant buildings within the complex are brick. (While some of the early buildings were wood, they were typically replaced with brick, in some cases due to fire.) Another consistent feature in all of the core manufacturing structures is the presence of large multi-light windows, which were needed to maximize the amount of daylight reaching the interior of these buildings.

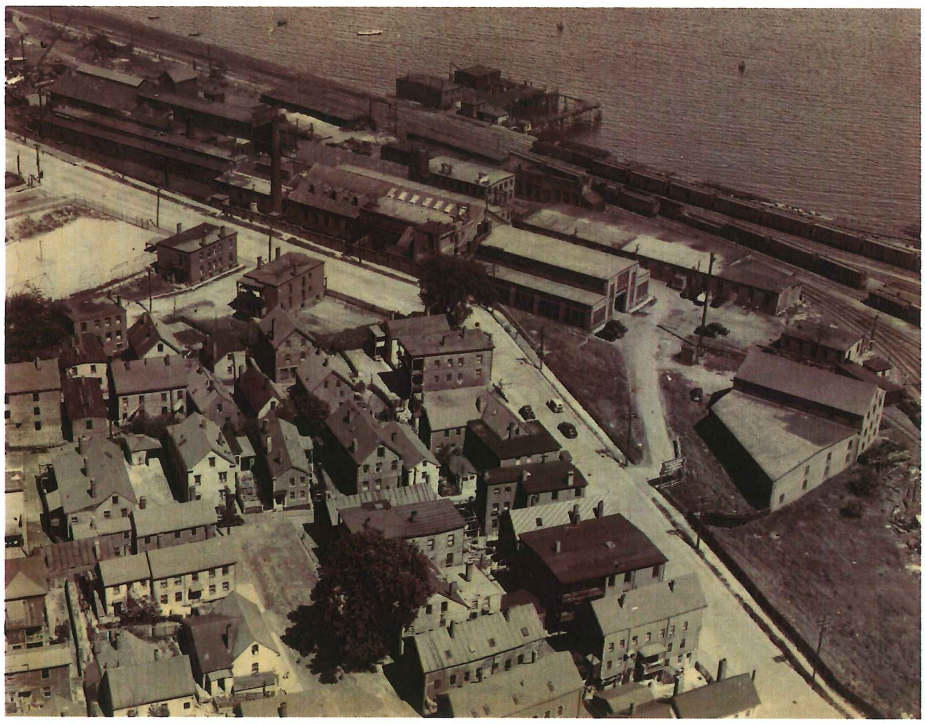
The industrial complex is approached from a curving entrance drive off Fore Street, near the western end of the property. The drive leads to a wide entrance yard which separates the manufacturing facilities to the east from the paint shop and pattern storage buildings to the west.

History of the Portland Company

Following is a brief history of the Portland Company. For more detailed and illustrated history of the company, see the Sutherland report or The Portland Company 1846-1982 by David H. Fletcher.

The Portland Company was founded as the Portland Iron Manufacturing Company in 1845 on filled land on Portland's eastern waterfront. The name was changed to the Portland Company in 1846 and the company remained in operation at its 58 Fore Street location for 137 years, until 1982.

The Portland Company was established in conjunction with the construction of the Atlantic & St. Lawrence Railroad which was built to connect Portland to Montreal. John A. Poor, the individual most responsible for Portland's successful bid over Boston to become Montreal's winter port via rail, was a Director of the Atlantic & St. Lawrence and became to Portland Company's first president. The company was founded primarily to build steam railroad locomotives for the newly formed railroad and was sited to be convenient to it, as the railroad's mail line ran between the shop buildings and the waterfront and down Commercial Street.



This 1938 view illustrates the scale and scope of the industrial complex. The Portland Company was the city's largest employer in the 19th century and spurred residential development on Munjoy Hill and in the India Street neighborhood.

The first locomotive produced by the company, the *Augusta*, was completed in 1848. For the next 60 years, the manufacturing facility turned out a total of 630 steam locomotives in at least five different gauges. The company built locomotives for Boston & Maine, Maine Central, Northern Pacific, Panama Railroad, Mexican Central, Sandy River, Wiscasset and Quebec, Portland & Rochester, as well as many other railroad lines.

The Portland Company was the only locomotive works in the country to be established specifically to produce locomotives, as most of the other builders had their start as general machine shops. Here, all of the necessary shops, as well as two foundries to pour both iron and bronze castings, were brought together in a single facility. The use of cast metals, particularly iron, was central to the rapid industrialization and expansion of the United States in the nineteenth century and the use of it at the

scale undertaken during the period the Portland Company was founded was unprecedented. Cast iron has been called "the plastic of the nineteenth century" for the way it transformed production and expanded the range of products available to industry and the public. Putting all of the stages of production for large machines in one place was a radical advance over traditional practices.

In addition to the hundreds of railroad-related engines, cars and other items it produced, the Portland Company manufactured and installed marine engines and boilers, aids, and other equipment for hundreds of vessels constructed at shipyards throughout Maine. It also shipped marine equipment to other shipyards throughout the country. The Portland Company also produced numerous vessels from the keel up, including tugboats, fishing vessels, yachts, dredges, freighters, fireboats and ferries. Also significant was the Portland Company's production of lighthouse components and navigation buoys. "Bug Light" at the entrance to Portland Harbor was entirely produced by the Portland Company.

Beyond these two core areas of focus, the Portland Company produced equipment for Maine's paper, textile and canning industries, as well as other industries throughout the region. Its extraordinary range of manufactured products included freight and passenger cars, fire engines, heavy snowplows, cast iron storefronts, elevators, light poles, manhole covers, and even neutron reactor shells for nuclear power plants late in the company's existence.

Areas of Significance

As documented in the report prepared for the Portland Planning Department by Sutherland Conservation & Consulting, the Portland Company complex is significant at the local, state and national level. At the local level, the complex exhibits both historic *and* architectural significance.

The Portland Company has national historic significance because it appears to have been the first complex in this country built specifically for the manufacture of railroad equipment with all of the necessary shops and a foundry on a single site. The Portland Company complex as it stands today is a rare surviving example of a pre-Civil War foundry, machine shop, and car shop complex because it retains a number of its original and early buildings, whereas most, if not all, other pre-Civil War complexes have been substantially or wholly demolished. As such, the Portland Company complex contains the oldest surviving railroad shop buildings in the nation still within their historic manufacturing complex context. Recent research indicates the Portland Company appears to be the only surviving pre-Civil War locomotive manufacturing plant in the nation, making it the only one surviving where locomotives were built for the U.S. Government as part of that war effort.

The Portland Company has statewide historic significance because the company made a significant contribution to the development of Maine's railroads (including the state's iconic two-foot gauge lines) and maritime shipping industry. The locomotives, railroad cars, marine engines and boilers, and maritime navigation aids produced entirely or in part at the Portland Company were important to the development of rail and maritime transportation in the State of Maine from the middle of the nineteenth

century into the twentieth century. Industrial expansion, natural resource extraction, commerce, and tourism all benefited from improved transportation made possible by products of the Portland Company.

The Portland Company was the state's largest nineteenth century foundry-machine shop, with those two shops combined in a way that was unprecedented in Maine. The company grew to be the state's most substantial engineering and machine manufacturing business, employing 150 of the 500 machinists in the state at one point. The Portland Company also played a significant role in the development of many important industries in Maine including the paper-making, textile, and canning industries. A number of industrial processes likewise benefitted from the research and development of electrical engineer and inventor William Chapman for the Portland Company and through the Chapman Electric Neutralizer Company at the Portland Company.

The Portland Company has local historic significance because it is the only intact nineteenth and early twentieth century industrial complex remaining in the city. Thirty-three manufacturing plants can be identified in the 1876 Bird's Eye View of Portland. Only the Portland Company complex remains largely intact 139 years later. Portland had 60 sizable companies engaged in industrial production of various sorts in 1924, occupying more than 85 buildings. Of these 85 buildings, fewer than a dozen survive outside the Portland Company, none as complexes.

The Portland Company also has local historic significance for its direct association with several major nineteenth century planning and development initiatives within the city of Portland. As part of John A. Poor's vision for creating a modern international port at Portland, he conceived of a wide new street along the waterfront which would contain railroad tracks to connect the Atlantic & St. Lawrence Railroad on the east end of the city to the Portland, Saco & Portsmouth Railroad on the west end while providing both railroads access to the numerous wharves between their terminals. The narrow original waterfront street, Fore Street, followed the natural landform, snaking along the shore around Clay and Broad coves. The new street would be built by filling between the existing wharves below Fore Street, far enough out into the harbor to allow the construction of large new warehouse buildings along the land side of the street. Broad Cove would be filled for construction of the Atlantic & St. Lawrence Railroad terminal and for the Portland Company works and Clay Cove would be filled for the street and new buildings. The Portland Company site alone was originally almost seven acres, the majority of it made by filling the mud flats and cove. This project was undertaken cooperatively by the two railroads, the Portland Company, and the City of Portland, with the railroads paying the cost of filling between the wharves and the City paying wharf owners for the value of their properties seized through eminent domain. The mile-long and one hundred foot wide street would be named Commercial Street. This project was the largest urban planning initiative undertaken in the city of Portland in the nineteenth century and was transformative in its effects.

The buildings of the Portland Company complex have historic architectural significance because they remain substantially unaltered from the time of their original construction or enlargement during the company's occupancy and consequently show clearly the distinguishing characteristics (design and structural system) of several distinctive types of industrial buildings constructed between 1847 and 1920. Additionally, the Portland Company buildings from the 1840s and 1850s are the only industrial buildings of that period remaining in the city of Portland today.

The buildings of the Portland Company also have historic architectural significance because each of the remaining buildings served distinctive function(s) within the overall manufacturing process. Collectively, the existing buildings encompass the complete historic manufacturing process of the Portland Company.

National Register Eligibility: In 1976 the Portland Company complex was identified by the Maine Historic Preservation Commission as being eligible for listing in the National Register of Historic Places. The fact that the historic industrial complex was recognized as being highly significant as early as the 1970's is noteworthy, as the buildings and neighborhoods identified as National Register-eligible during that time period were typically landmark structures or neighborhoods with concentrations of high-style, architecturally notable buildings. Just like vernacular buildings or early working class neighborhoods, industrial sites were slower to gain recognition for their historic or architectural significance. It was the Portland Company's significant role in transportation and marine history at the local, state and national level, as well as its extraordinary importance to the history and economic growth of the City of Portland and the State of Maine that led to its early recognition as a National Register-eligible site.

Integrity of Portland Company Complex

As documented in the Sutherland report, the extant historic structures within the Portland Company complex retain a high degree of historic integrity. Historic integrity is based on the retention of sufficient essential physical features from the historic period, including location, design, setting, materials, workmanship and/or association, to convey the significance of a property. Except for some reversible alterations (e.g. infilled or enlarged window openings), most of the buildings remain substantially unchanged from the time of their original construction or alteration during the Portland Company's period of significance. For local designation purposes, the complex's *period of significance* has been defined as extending from 1847 (when the first building was constructed) until 1920, when the last purpose-built structure for the company's marine- and transportation-related work had been constructed.

As regards integrity of condition, six of the fourteen extant historic structures within the complex have been determined to be so deteriorated as to make their rehabilitation infeasible. Accordingly, these buildings have been classified as "noncontributing" structures due to their condition. (See map

and list of buildings with classifications in ATTACHMENTS 2 and 3. The assignment of this classification was based on applicable ordinance definitions and the professional assessment of two independent structural engineering firms. This level of deterioration is due primarily to a lack of maintenance and necessary repairs in recent decades. In the case of Buildings 4 and 11, however, other complicating factors have accelerated their deterioration. In the case of Building 11, the siting of the building against the Fore Street slope has undermined its structural integrity. In the case of Building 4, its exposed-to-the-weather structural system, which was experimental at the time the building was constructed, has failed.

Notwithstanding the finding as regards these six structures, the complex as a whole retains sufficient integrity of condition to make the remaining buildings and contributing site features worthy of preservation and feasible to rehabilitate. As has been demonstrated in numerous historic rehabilitation projects since Portland's historic preservation ordinance went into effect in 1990, once-significantly deteriorated buildings such as the former Cumberland Cold Storage Building on Merrill's Wharf, the Tracy-Causer Building at 507 Fore Street and the Portland Packing Company Building at 14-26 York Street, have been successfully rehabilitated and creatively adapted to new uses. Additionally, state and federal historic tax credits are available to offset the costs of challenging historic rehabilitation projects.

Visual Character of the Portland Company Site

One's ability to understand and appreciate of the Portland Company as an historic industrial site relies in great measure on the *relationship* of the buildings to each other within the complex. Indeed, the Portland Company derives its significance *as a complex*. Unlike most of Portland's other historic districts which are comprised of individual, often unrelated, structures that were sited according to a pre-established street grid, the Portland Company buildings were sited to perform a specific function within a larger manufacturing process. The proximity and orientation of the buildings to each other permitted related manufacturing processes

The linear alignment of the buildings east of the entrance yard creates a series of private streets or alleys. The distance between building rows allows one to observe the connected nature of the buildings and appreciate the scale of the historic complex.

to take place in a way that allowed for efficient progression of stages in the overall production process. Not only does this functional organization and placement of buildings in linear proximity to each other convey the history of this particular property, it also creates a visual character for the site that is unique for Portland. Also unique to this district is the way that the spacing between individual rows of connected buildings forms private streets or alleys. The overhead pedestrian bridges spanning these private alleyways also contribute to the district's distinct visual character.

A unifying characteristic of the industrial buildings within the Portland Company complex is their simplicity of form and repetition of detail. Most buildings are brick with granite or concrete window lintels and sills.

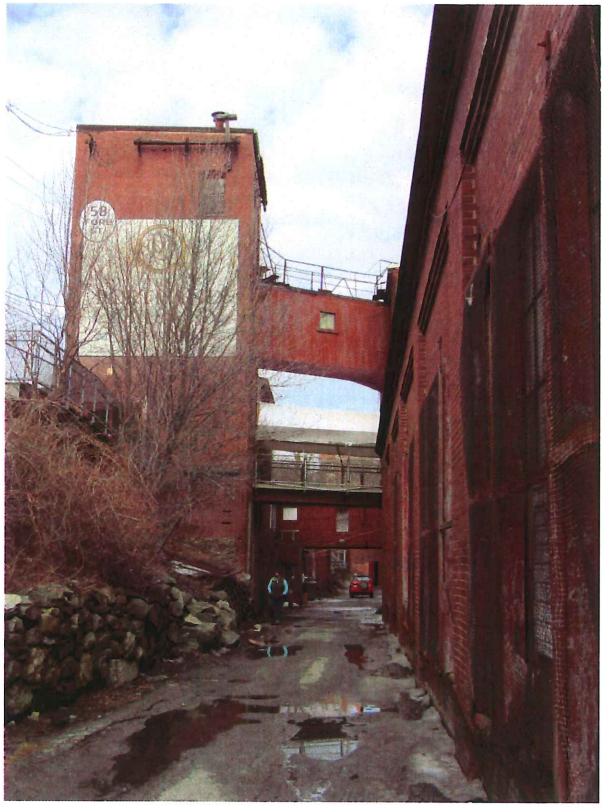
A number of architectural characteristics serve to unify the individual buildings within this district. These include a shared material palette (mostly brick with granite or concrete window lintels and sills), a simplicity of form and a linear nature generally associated with industrial architecture. The repetitive nature of the buildings' fenestration is also a unifying characteristic.

Other important visual characteristics of the Portland Company site include the presence of a major entrance at the west end of the property that follows the grade between the original shoreline at Fore Street and the complex below. (The current driveway has been the primary entrance to the complex since 1847.)

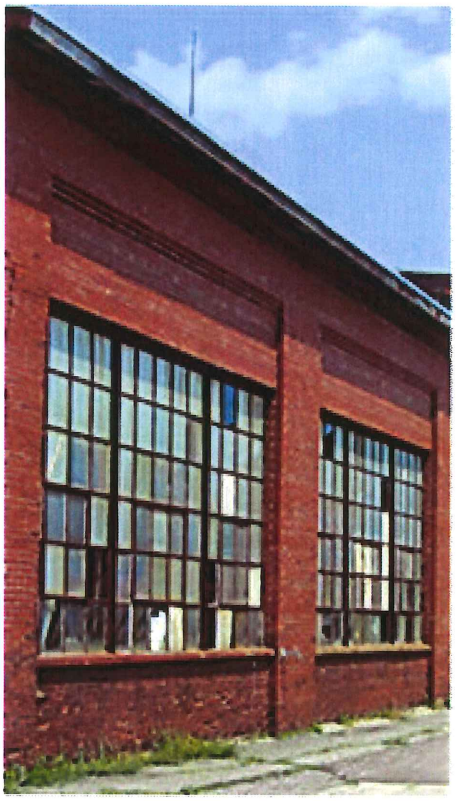
Important site characteristics include a major entrance into the complex from Fore Street near the west end of the district and a generous open space between Building 12 and the historic manufacturing rows. It is from this open yard that the original alignment of the production buildings is observed and the alleys are accessed.

character-defining feature of the property. The yard has been, and continues to be, an open space serving the function of entranceway to the linear manufacturing paths of circulation. It is the point from which the streets or alleys of the complex are accessed. Historically, the entrance yard also served as a fire break between the manufacturing facilities to the east and the pattern and paint storage buildings to the west. The entrance yard has been in its current configuration since 1918.

While specific design guidelines have not been proposed for this district, it is important that these strong and identifiable visual characteristics be considered in the review of future infill development, new construction and site improvements within the district boundaries. New construction within the district should be a clear product of its own time but should also respect and reinforce the industrial architectural vocabulary, site organization and features that are unique to this historic property.



The pedestrian bridges connecting the manufacturing rows at the upper floor level are character-defining features of the industrial complex.



Windows within the manufacturing rows, whether on mid-19th century structures or this 1918 Erecting Building, are typically large and multi-lite.

Proposed Historic District Boundary

The land area encompassed by the proposed historic district is approximately 3.45 acres. Given that much of Building 4 and all of Building 5 are not included within the proposed boundary, the area of the proposed district is smaller than the area occupied by the current building complex (approximately 4.3 acres). The size of the entire property is 9.93 acres.

The district boundary has been drawn to encompass most of the extant historic structures on the Portland Company property, as well as site features and areas that are original to the complex and which contribute to its visual character. Although some of the historic structures within the boundary have been classified as non-contributing and may therefore be demolished as of right, any new development that might occupy the area of the demolished structures will likely affect one's appreciation and understanding of the remaining historic buildings and the complex as a whole. Accordingly, the boundary includes (almost) all of the extant historic structures. The one exception to this rule is the way the boundary is drawn in the vicinity of Building 4 (the 1895 foundry). Here, the boundary encompasses about one third of the length of the original structure. Given Building 4's classification as a noncontributing structure (due to its structural condition), its considerable length and its distance from several major view corridors within the site itself, including its entire footprint within the district boundary was determined to be unwarranted. Including a portion of the footprint, however, ensures that whatever is built adjacent to the remaining historic core of manufacturing buildings (Buildings 1-3) will be generally compatible with this historic core.

On the upland side of the district, the boundary extends to Fore Street. On the water's edge of the district, the boundary is held to the edge of the historic buildings themselves.

See ATTACHMENT 1 for district boundary map.

Structures Included Within Proposed Historic District Boundary

See ATTACHMENT 3 for a list of individual structures within the proposed district, together with their assigned classification (i.e. Contributing or Noncontributing). ATTACHMENT 2 is a color-coded map showing the buildings by classification.

Note: The findings in this designation report are based in part on documentation and professional assessments provided in two studies commissioned by the Portland Planning Department. These include *The Portland Company: Historic Significance and Integrity* prepared by Sutherland Conservation & Consulting and *Portland Company Complex General Building Condition Report* prepared by Resurgence Engineering and Preservation, Inc. Copies of the full reports are available in the Portland Planning Office.

ATTACHMENTS

1. Proposed District Boundary
2. District Boundary with Building Classifications Shown
3. List of Individual Buildings within Proposed District

Attachment 1

WATERVILLE ST
ST LAWRENCE ST
ATLANTIC ST
EASTERN PROM
FORE ST
KELLOGG ST
ADAMS ST
MUNJOY SOUTH
MUNJOY SOUTH
MUNJOY SOUTH
MUNJOY SOUTH
1
Text
THAMES ST
Amethyst Parking Lot

N

Proposed Portland Company Historic District
Property Line

0 70 140 280 420 560
Feet

Attachment 2

Building Classifications

Building#	Function	Classification
1	Erecting Shop	Contributing
2	Machine Shop	Contributing
3	Machine Shop	Contributing
4	Foundry	Noncontributing
5	Foundry Addition	Noncontributing
6A, 6B	Blacksmith, Tank shop	Contributing
7	Car Shop	Noncontributing
10	Paint Shop	Noncontributing
11	Pattern Storehouse	Noncontributing
12	Pattern Storehouse	Contributing
14	Drafting Room/Storehouse	Noncontributing
15	Boiler House	Noncontributing
16	Brass Foundry	Contributing
24	Vault	Contributing
30	Office Building	Noncontributing

Fort Allen Park

ATLANTIC ST

EASTERN PROM

ST LAWRENCE ST

FORE ST

MUNJOY SOUTH

THAMES ST

Amethyst Parking Lot

1 2 3 4 5 6A 6B 7 10 11 12 14 15 16 24 30

Portland Company Building Classifications

- Contributing Building
- Noncontributing Building
- Proposed Historic District
- Property Line

List of Portland Company District Buildings, with Classifications

Building 1

Erecting Shop, 1918

CONTRIBUTING

Building 2

Machine Shop, 1847

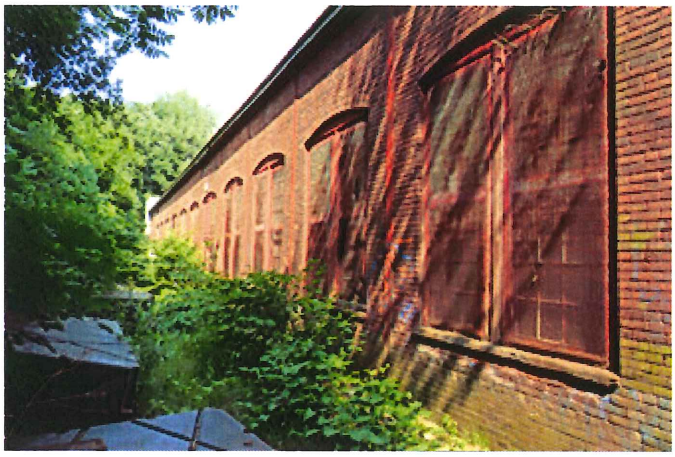
CONTRIBUTING*

*shed dormer noncontributing based on structural condition

Building 3

Machine Shop, ca. 1847, addition ca 1895

CONTRIBUTING



Building 4

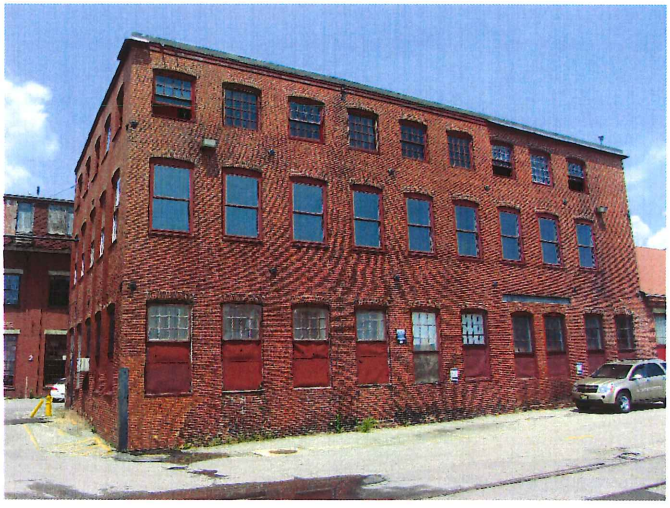
Foundry, 1895, addition 1904-1909

NONCONTRIBUTING based on structural condition

Building 5

Circa 1968 Addition to Foundry

NONCONTRIBUTING (outside the period of significance)



Buildings 6A

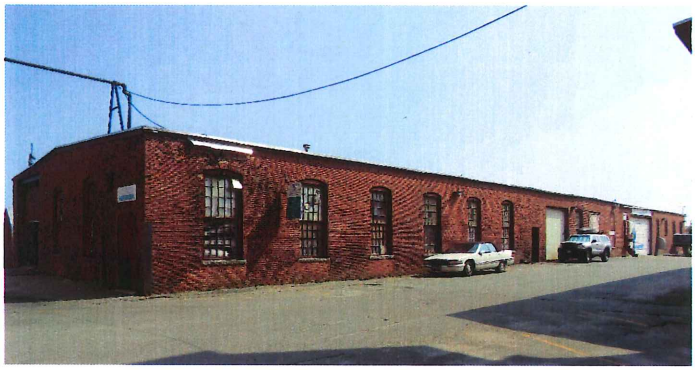
Chapman Electric Company building, 1896-1904

CONTRIBUTING

Building 6B

Blacksmith & Tank Shop, 1883

CONTRIBUTING



Building 7

Car Shop, c. 1873, addition 1904

NONCONTRIBUTING based on overall condition

Building 10

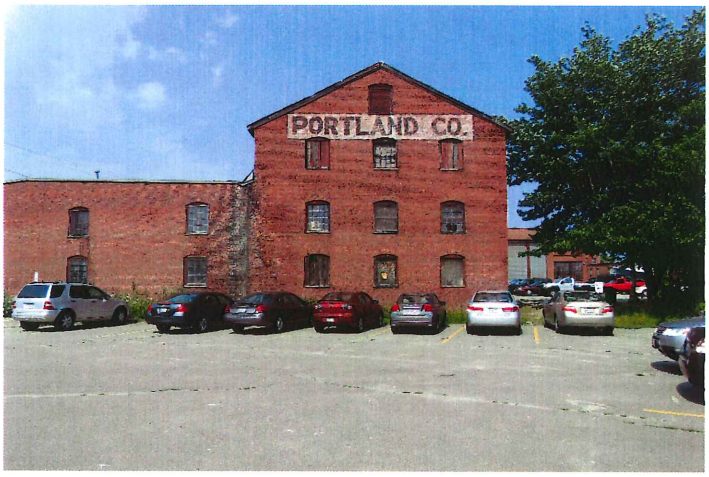
Paint Shop, c. 1873

NONCONTRIBUTING based on overall condition

Building 11

Pattern Storehouse, c. 1885, 1895 addition

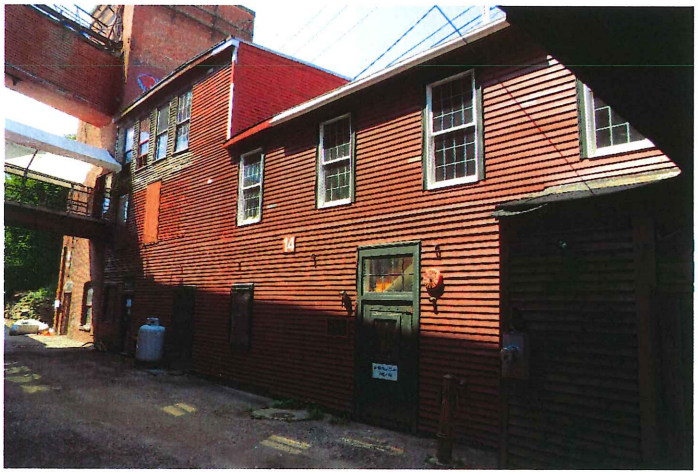
NONCONTRIBUTING based on structural condition



Building 12

Pattern Storehouse, 1895

CONTRIBUTING



Building 14

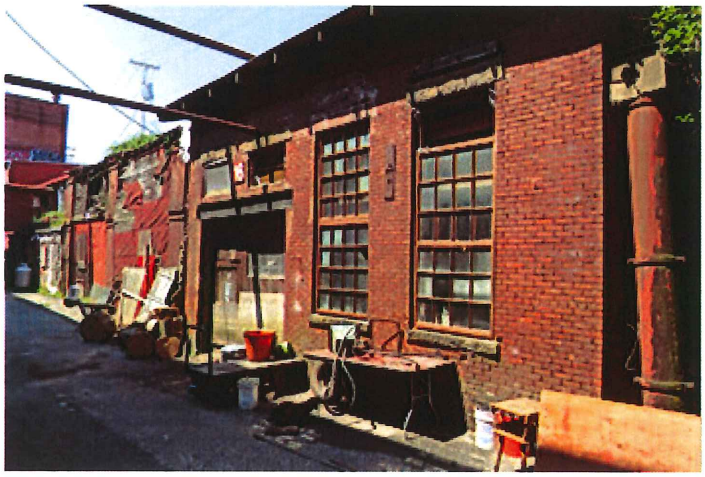
Drafting/Storehouse, ca. 1858-64

NONCONTRIBUTING based on condition, alterations

Building 15

Boiler, 1858-1864

NONCONTRIBUTING based on condition



Building 16

Brass Foundry, 1864-1871

CONTRIBUTING

Building 24

Vault Storage, ca. 1905

CONTRIBUTING

Building 30

Office Building, 1950

NONCONTRIBUTING (outside period of significance)

ATTACHMENT 3

(s) To annually report to the council with following matters:

1. Survey work in progress or completed;

2. The number of projects reviewed (by type);

3. How many certificates of each type were issued.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

DIVISION 3. CATEGORIES AND CRITERIA FOR DESIGNATION

Sec. 14-610. Minimum criteria for designation.

(a) The historic preservation board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure or object for designation by ordinance as a landmark or district:

(1) Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States;

(2) Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property;

(3) Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States;

(4) Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship;

(5) Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States; or

(6) Its representation of a significant cultural, historic,

architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

(c) In the case of a nominated historic landscape district, the historic preservation board shall also consider its significance as a geologic, natural or man-made landscape feature associated with the development, heritage or culture of the City of Portland, State of Maine, New England region, or the United States.

(d) The planning board and council shall apply the criteria of subsections (a), (b) and (c) but shall also consider the effect of such designation on other aspects of the comprehensive plan of the city.
(Ord. No. 235-90, 2-26-90)

Sec. 14-611. Integrity of landmarks and historic districts.

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.
(Ord. No. 235-90, 2-26-90)

Sec. 14-612. Designation of historic landscape districts.

An historic landscape district may be nominated and considered for designation only if the entire area of the district is owned by a unit of federal, state or local government, or any combination of such ownership.
(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 2, 5-17-93)

Sec. 14-613. Reserved.

DIVISION 4. NOMINATION, CONSIDERATION AND DESIGNATION

Sec. 14-614. Procedure.

The provision of this division shall govern the nomination, consideration and designation of landmarks and districts.
(Ord. No. 235-90, 2-26-90)

Sec. 14-615. Initiation of nomination.

(a) Nomination of an area, site, structure or object for consideration of designation as a landmark, historic district or historic landscape district shall be submitted to the department, on a form provided by the department, by the following:

(1) Any two (2) members of the historic preservation board on their own initiative, by written notice to the department; or

(2) By written petition of any owner, in the case of a landmark; or

(3) By written petition of one (1) or more owners of affected property in the case of a district; provided two (2) members of the historic preservation board must sponsor the petition.

(b) A nomination shall be completed and filed with the department with all required signatures and any fees specified therefore for the nomination to be pending.

(c) Upon nomination, the department shall notify the owner or owners of the nomination and shall transmit the nomination to the historic preservation board for its consideration at its next scheduled meeting, which in no event shall be held later than thirty (30) days following nomination.

(d) At any time after a complete nomination is filed for an historic district, the owner of a structure who seeks a permit for demolition may apply to the historic preservation board for a determination that the structure to be demolished is noncontributing and eligible for a demolition permit. The determination of the historic preservation board that the structure is eligible for a permit shall be conclusive.
(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

Sec. 14-616. Notification of nomination and public hearing.

(a) A public hearing on the nomination shall be held by the historic preservation board within thirty (30) days following the first scheduled meeting referred to in section 14-615(c), but in no event later than sixty (60) days following receipt of the completed nomination form by the department. Notice of the nomination and of the public hearing shall be in accordance with the procedures for public hearings before the planning board for site plan approval.

(b) The hearing shall be conducted in accordance with procedures adopted by the historic preservation board. The historic preservation board shall consider all testimony or evidence relating to the designation criteria in division 3 from any person who makes written submissions or appears at the public hearing. Historic preservation board members may also present testimony or make submissions. The owner of a nominated landmark or of property within a nominated district shall be allowed reasonable opportunity to present testimony or evidence concerning the applicability of the designation criteria in division 3.
(Ord. No. 235-90, 2-26-90)

Sec. 14-617. Recommendation by historic preservation board.

Within thirty (30) days following the close of the public hearing, the historic preservation board shall make recommendation to the council in the case of a landmark, or to the planning board in the case of a district, upon the evidence as to whether the nominated landmark or district meets the criteria for designation in division 3. Such recommendation shall be approved by at least four (4) members of the historic preservation board and shall be accompanied by a report to the council or planning board containing the following information:

(a) Explanation of the significance or lack of significance of the nominated landmark or district as it relates to the criteria for designation.

(b) Explanation of the integrity or lack of integrity of a nominated landmark or historic district.

(c) Proposed design guidelines for review of alteration or construction. The specific design guidelines may provide explanation by text and/or schematic examples of visual compatibility for purposes of division 7.

(d) Relationship of the nominated landmark or district to the ongoing effort by the committee to identify and nominate

department evidencing a determination that specific plans for alteration of a structure or new construction on a site do not require approval under this article.

Contributing: A classification applied to a site, structure or object within a historic district signifying that it contributes generally to the qualities that give the historic district cultural, historic, architectural or archeological significance as embodied in the criteria for designating an historic district, but without being itself a landmark.

Council: The city council.

Demolition: Any act or process that partially or totally destroys a structure or object.

Department: The department of planning and urban development.

Design guidelines: Any design standard specified for alteration or new construction which is unique to a particular landmark, historic district or historic landscape district.

Design manual: The historic resources design manual described in section 14-675.

District: An historic district or historic landscape district.

Historic district: An area designated as an "historic district" by the council.

Historic landscape district: An area designated as an "historic landscape district" by the council.

Landmark: A property, site, structure or object designated as a "landmark" by the council as having a high degree of historical, cultural and/or architectural significance.

Major development: As defined in article V of this chapter.

Minor development: As defined in article V of this chapter.

New construction: The adding to a structure by an addition; the erection or placement of any new structure on a lot or property; or the comprehensive redesign/renovation of an existing structure.

Noncontributing: A classification applied to a site, structure, object, or portion thereof, within a historic district signifying that 1) it odes not contribute generally to the qualities that give the historic district cultural, historic, architectural or archaeological significance as embodied in the criteria for designating a historic district; 2) was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the location, design, setting, materials, workmanship and association have been so altered or have so deteriorated that the overall integrity of the site, structure or object has been irretrievably lost. A portion of an otherwise contributing or landmark structure may be determined by the historic preservation board to be non-contributing if it meets one or more of the above conditions.

Object: Anything constructed, fabricated or created, the use of which does not require permanent or semi-permanent location on or in the ground.

Open space: Any park and any other area outside of a building open to the public.

Ordinary maintenance: Acts of maintenance or repair which do not include a change in the design, material or outer appearance of a structure, including without limitation repainting, replacement of materials or windows of the same scale, texture and color, and landscaping other than within an historic landscape district.

Owner: The person or persons holding record title to the building, site or property; provided, however, the last previous tax roll in the records of the city assessor's office may be relied upon as showing record ownership in the absence of substantial evidence to the contrary.

Property: Land and improvements identified as a separate lot for purposes of subdivision, site plan, or zoning regulation.

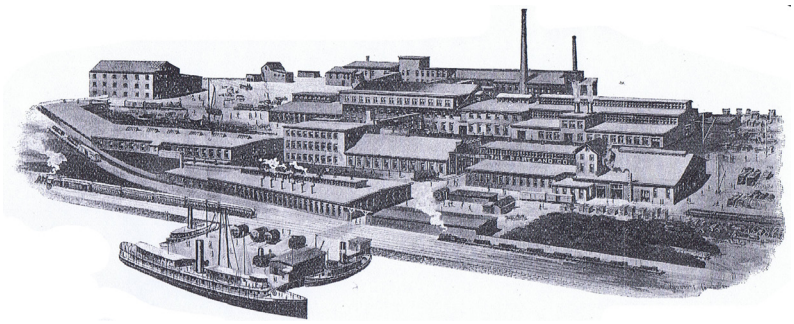
Relocation: Any removal or relocation of a structure on its site or to another site.

Restoration: Any act which returns a structure or a feature of a structure to a prior state of historic significance.

Sign: As defined in section 14-47.

Site: The location of an event, activity, structure or object.

Att. 4



The Portland Company
Historic Significance and Integrity

Sutherland Conservation & Consulting
2014

Scott T. Hanson
Amy Cole Ives
Matthew Corbett

The Portland Company: Historic Significance and Integrity

Introduction 1
Methodology 1
Executive Summary 2

SECTION I: Historic Significance of the Portland Company
National Historic Significance 9
State Historic Significance 10
Local Historic Significance 12
Historic Architectural Significance 15

SECTION II: Integrity of the Existing Portland Company Resources
Individual Buildings 21
Portland Company Site 34

SECTION III: Appendices
Appendix A: History of the Establishment of the Portland Company 49
Appendix B: Additional Information on John A. Poor 53
Appendix C: Railroads for which the Portland Company produced Locomotives 57
Appendix D: Timeline of Development 59
Appendix E: Other Manufacturers of Locomotives 61
Appendix F: Production 63
Appendix G: National Register of Historic Places Criteria for Evaluation of Significance and Integrity as Applied to the Portland Company (National Register Bulletin 15) 73
Appendix H: Tremont Preservation Services Building Descriptions with Additional Information 77

Bibliography 93

Introduction

Sutherland Conservation & Consulting (SCC) has been retained by the City of Portland to research, document and analyze the historic and architectural significance of the Portland Company complex. The historic assessment report is intended to address the place and significance of the Portland Company within the city of Portland, the state of Maine, and beyond; especially in the context of national trends in manufacturing and transportation during the company's years of operation (1847-1982).

This historic assessment report will:

- identify the areas of historic significance for the complex at the National, State, and Local levels
- identify the historic period(s) of significance for the complex
- use developmental modeling to analyze and assess the relative historic significance of the individual structures as well as the role each structure played in the manufacturing processes of the Portland Company and within the complex as a whole, and how each contributes to the ability to understand and appreciate the evolution of complex over time.

Additionally, SCC has been asked to assess the historic integrity of the individual buildings and the complex as a whole. Historic integrity is distinct from structural integrity. Historic integrity is based on the retention of sufficient essential physical features from the historic period, including location, design, setting, materials, workmanship, feeling, and/or association, to convey the significance of a property.

The work of this report does not duplicate the Inventory of Historic Buildings by Tremont Preservation Services dated January, 2014 or the Evaluation of Existing Buildings at the Portland Company Property by Becker Structural Engineers dated March 28, 2014, but it does utilize the same numbering system for the buildings in the complex to the greatest extent possible to facilitate cross-referencing the reports. The text of the Tremont report has been included as an appendix to this report with annotations that have been added to provide additional information and clarifications based on research completed by Sutherland Conservation & Consulting.

A summary history of the Portland Company has not been included in the body of this report because the Historical Context section of the Tremont report (pages 44-51) provides this information.

Methodology

Primary and secondary sources were reviewed and utilized including extensive research in the Portland Company records at the Maine Historical Society and in depth research into the early history of railroad locomotive manufacturing in the United States. Using historic maps, site plans, building plans and numerous historic photographs, the historic development and evolution of the buildings of the Portland Company complex have been documented and compiled in a series of site plans and developmental models to illustrate how the complex has changed over time. A site visit was completed on July 23, 2014 to inspect and photo-document the interiors and exteriors of all the existing buildings to assess how much of the original design and materials remain intact for the buildings individually and the complex collectively.

The historic photographs and developmental models were compared to the existing conditions photographs to evaluate the historic integrity and significance of the buildings individually and the complex as a whole. The historic and architectural significance and integrity of the Portland Company complex has been assessed utilizing the criteria of the National Register of Historic Places, which is recognized as the standard for determining historic and architectural significance in the United States and is also the basis for the City of Portland's Designation Criteria.

Executive Summary

The Portland Company was established in 1846 in conjunction with construction of the Atlantic & St. Lawrence Railroad which was built to connect Portland to Montreal. John A. Poor, the individual most responsible for Portland's successful bid over Boston to become Montreal's winter port via rail, was a Director of the Atlantic & St. Lawrence Railroad and became the first President of the Portland Company.[1] Other Atlantic & St. Lawrence Directors were also stockholders in the Portland Company, including Portland's wealthiest individual John Bundy Brown, who would become President of the company in 1864; Congressman and later Senator and U. S. Secretary of the Treasury William P. Fessenden; and Captain George Turner, who was given a seat on the railroad's Board between the regular annual Director's elections, shortly after selling property to the Portland Company for their works.

The period of significance for the Portland Company complex begins with the start of operations in 1847 and extends to the end of foundry work at the Portland Company in 1982. Within this period, specific periods of significance are identified for different areas of significance in Appendix G. During the period of significance, the plant experienced several substantial expansions and numerous small alterations. In 1873, fire destroyed several buildings at the south end of the property which were then rebuilt. No substantial changes have been made since 1920 except for the demolition of the wooden blacksmith and tin shop and the replacement of the late-19th century wooden boiler shop by a large modern steel building in the second half of the 20th century. A modern brick and wood office building was built on the site of earlier stables circa 1950. Through all of this, a number of the pre-Civil War buildings have remained largely intact and would be easily recognizable to John A. Poor and the original company directors and employees of the Portland Company.

The use of cast metals, particularly iron, was central to the rapid industrialization and expansion of the United States in the nineteenth century. Although the technology was ancient, the use of it at the scale undertaken during the period the Portland Company was founded was unprecedented. Cast iron has been called, "the plastic of the nineteenth century" for the way it transformed production and expanded the range of products available to industry and the public. Putting all of the stages of production for large machines, like steam locomotives, in one place was a radical advance over traditional practices. Combined with the use of patterned cast iron parts, as opposed to individually hand-crafted unique parts, this advance laid the foundation for Henry Ford's next step in the progression of efficient production, the assembly line. The Portland Company complex represents an important advance in this process and is possibly the only surviving example of such a complex documenting this stage of industrial production in the United States. Its survival in largely intact condition in 2014 is noteworthy and remarkable.

National, State and Local Historic Significance

The Portland Company has national historic significance because it appears to have been the first complex in this country built specifically for the manufacture of railroad equipment with all of the necessary shops and a foundry on a single site. The Portland Company complex as it stands today is a rare surviving example of a pre-Civil War foundry, machine shop, and car shop complex because it retains a number of its original and early buildings, whereas most, if not all, other pre-Civil War complexes have been substantially or wholly demolished. As such, the Portland Company complex contains the oldest surviving railroad shop buildings in the nation still within their historic manufacturing complex context. Recent research indicates the Portland Company appears to be the only surviving pre-Civil War locomotive manufacturing plant in the nation, making it the only one surviving where locomotives were built for the U.S. Government as part of that war effort.

The Portland Company has statewide historic significance because the company made a significant

1 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

contribution to the development of Maine's railroads (including the state's iconic two-foot gauge lines) and maritime shipping industry. The locomotives, railroad cars, marine engines and boilers, and maritime navigation aids produced entirely or in part at the Portland Company were important to the development of rail and maritime transportation in the state of Maine from the middle of the nineteenth century into the twentieth century. Industrial expansion, natural resource extraction, commerce, and tourism all benefited from improved transportation made possible by products of the Portland Company.

The Portland Company was the state's largest nineteenth century foundry-machine shop, with those two shops combined in a way that was unprecedented in Maine. The company grew to be the state's most substantial engineering and machine manufacturing business, employing 150 of the 500 machinists in the state at one point. The Portland Company also played a significant role in the development of many important industries in Maine including the paper-making, textile, and canning industries. A number of industrial processes likewise benefitted from the research and development of electrical engineer and inventor William Chapman for the Portland Company and through the Chapman Electric Neutralizer Company at the Portland Company.

The Portland Company has local historic significance because it is the only intact nineteenth and early twentieth century industrial complex remaining in the city. Thirty-three manufacturing plants can be identified in the 1876 Bird's Eye View of Portland. Only the Portland Company complex remains largely intact 138 years later. Portland had 60 sizable companies engaged in industrial production of various sorts in 1924, occupying more than 85 buildings. Of these 85 buildings, fewer than a dozen survive outside the Portland Company, none as complexes.

The Portland Company has local historic significance for its association with several significant 19th century planning and development initiatives within the city of Portland. As part of John A. Poor's vision for creating a modern international port at Portland, he conceived of a wide new street along the waterfront which would contain railroad tracks to connect the Atlantic & St. Lawrence R. R. on the east end of the city to the Portland, Saco & Portsmouth R. R. on the west end while providing both railroads access to the numerous wharves between their terminals. The narrow original waterfront street, Fore Street, followed the natural landform, snaking along the shore around Clay and Broad coves. The new street would be built by filling between the existing wharves below Fore Street, far enough out into the harbor to allow the construction of large new warehouse buildings along the land side of the street. Broad Cove would be filled for construction of the Atlantic & St. Lawrence Railroad terminal and for the Portland Company works and Clay Cove would be filled for the street and new buildings. The Portland Company site alone is seven acres, the majority of it made by filling the mud flats and cove. This project was undertaken cooperatively by the two railroads, the Portland Company, and the city of Portland, with the railroads paying the cost of filling between the wharves and the City paying wharf owners for the value of their properties seized through eminent domain. The mile-long and one hundred foot wide street would be named Commercial Street.[2] This project was the largest urban planning initiative undertaken in the city of Portland in the nineteenth century and was transformative in its effects.

Historic Architectural Significance

The buildings of the Portland Company complex have historic architectural significance because they remain substantially unaltered from the time of their original construction and consequently show clearly the distinguishing characteristics (design and construction materials) of several distinctive types of industrial buildings constructed between 1847 and 1920. Additionally, the Portland Company buildings from the 1840s and 1850s are the only industrial buildings of that period remaining in the city of Portland today.

---

2 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890.
Records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

The buildings of the Portland Company also have historic architectural significance because each of the remaining buildings served distinctive function(s) in the historic manufacturing process. Collectively, the existing buildings encompass the complete historic manufacturing process of the Portland Company.

Historic Significance and Visual Character of the Portland Company Site

The primary entrance to the site off Fore Street is a curving roadway that follows the grade between the original shoreline at Fore Street and the filled mudflat land on which the complex is built. This has been the entrance to the property since 1847 and is historically significant as an original site feature that has not been substantially altered. This curving roadway leads to the historic entrance yard of the complex.

The entrance yard has historically been, and continues to be, an open space serving the function of entranceway to the linear manufacturing paths of circulation. It is the point from which these streets and alleys of the complex are accessed. Historically, it also served as a fire break between the manufacturing facilities, the paint shop and the pattern storage buildings. At different points in time a car shop and other buildings have projected into this space, especially prior to the construction of the much larger erecting shop (building 1) in 1918. The entrance yard has been in its current configuration for nearly 100 years.

The historic functional organization and placement of the Portland Company buildings in linear proximity to each other creates a visual character for the site that is unique for Portland in the way that the industrial buildings form private streets or alleys. The overhead pedestrian bridges spanning these private streets are also unique in Portland and contribute to the visual character and historic significance of the site.

To a large degree, the architectural significance of the Portland Company exists in the relationship of the buildings to each other within the complex. The proximity and orientation of the buildings to each other permitted related manufacturing processes to take place in a way that allowed for the efficient progression of stages in the production of the company's products.

Findings:

- The Portland Company complex is historically significant within local, state and national historic contexts related to industry, transportation, community planning and architecture.
- The buildings individually and the complex as a whole retain a high degree of architectural integrity to the period of significance for the complex (Portland Company production 1847 – 1982).
- All of the buildings of the complex constructed over 50 years ago contribute to the historic significance and integrity of the Portland Company complex.
- Collectively, the existing buildings encompass the complete historic manufacturing process of the Portland Company with the exception of one shop for the construction of boilers.
- Together, the historic significance and historic integrity of the Portland Company complex make it one of the most historically important sites in the city of Portland.
- The removal of any of the historic buildings existing in the complex will diminish the ability of the complex to demonstrate the historic manufacturing process of the Portland Company.
- The Portland Company was the largest business in the city in the mid-nineteenth century and is the only remaining intact nineteenth and early twentieth century industrial complex in the city of Portland today.
- The Portland Company buildings remaining from the 1840s and 1850s are the only industrial buildings of that period surviving in the city of Portland.

- The outstanding nature of the architectural integrity of the complex and exceptional historic value of the Portland Company as the first self-contained complex in the nation built specifically for the manufacture of railroad equipment may make it a strong candidate for National Historic Landmark eligibility consideration.

- The historic Portland Company complex is a compact manufacturing facility characterized by two distinct areas, the entrance yard and the manufacturing corridors.

- The historic functional organization and placement of the Portland Company buildings in linear proximity to each other along the manufacturing corridors creates a visual character for the site that is unique for Portland in the way that the industrial buildings form private streets or alleys. This is similar to the character found in large textile mill complexes in Maine cities like Lewiston, Biddeford, and Sanford but not found elsewhere in Portland.

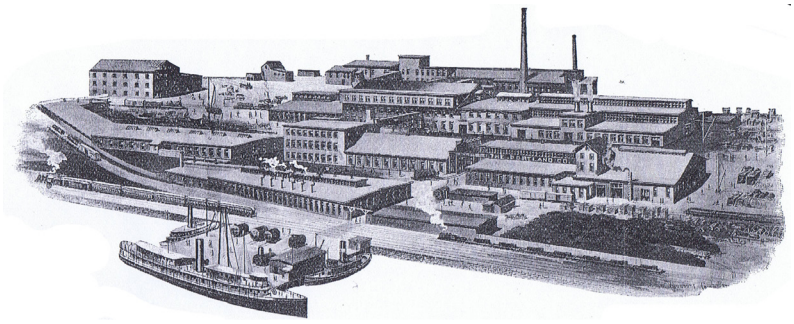
- The compact nature, visual continuity and circulation routes of the historic manufacturing facility of the Portland Company are significant character defining features of the site. The removal of any contributing building would adversely impact the historic significance and character of the whole complex.

- Currently the only modern intrusion into the visual continuity of the complex is building 5, located on the northeast side of the foundry building (building 4).

- In considering the redevelopment of the property for new uses while retaining the essential physical features that give it integrity, a large city-owned vacant parcel to the southwest of the site might provide an opportunity for a connection from the site to Thames Street, allowing enhanced access without altering the historic entrance to the site or the visual character of the entrance yard and "streets" between the historic buildings.

- A large area of vacant land on the east end of the site abuts the largest building on the property, the not-historically-significant modern building wrapping around the two sides of the Foundry. Removal of the modern building could allow access to new development at the east end of the site in a way that maintains the visual character of the "street" between the Erection Shop, Machine Shop, and Foundry and the Car Shop and Blacksmith Shop.

- Compatible new buildings on the sites of the demolished Boiler Shop and Tin and Smith Shop could reinforce the historic character of the site's "streets."

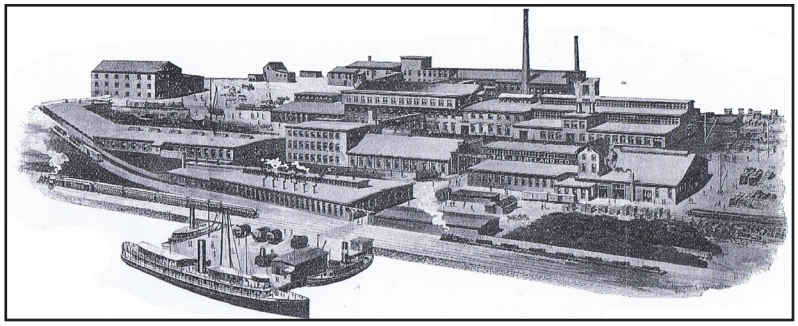


Section I:
Historic Significance of the Portland Company

National Historic Significance of the Portland Company

The Portland Company complex is a rare surviving example of a pre-Civil War foundry, machine shop, and car shop complex built for the manufacture of railroad equipment in 1847. It appears to have been the first such self-contained complex in the nation built specifically for that purpose, with all of the necessary shops and a foundry on a single site. It also contains the oldest surviving railroad shop buildings in the nation.

The first companies to produce railroad locomotives in the United States beginning in 1830 were existing machine shops and/or foundries which adapted existing machinery and practices to build steam locomotives. The few companies established specifically to produce locomotives in the 1830s and early 1840s used outside foundries for the necessary castings. This included the Norris Steam Carriage Company (later Norris Locomotive Works) in Philadelphia and the Baltimore & Ohio Railroad shops at Mount Clare, Maryland, which were begun in 1829. The first foundry at the Mount Clare Shops, now a National Historic Landmark, was not constructed until after the Civil War. The earliest surviving shop building at Mount Clare dates from 1869-70. A number of early locomotives were manufactured by the West Point Foundry in New York, established after the War of 1812 to produce armaments and ammunition for the American forces. This plant exists now only as fragmentary ruins in a state park Baldwin Locomotive Works, which would become America's largest producer of steam locomotives, began when former watchmaker Mathias Baldwin built a working model steam locomotive for the Peale Museum in Philadelphia in 1831. Baldwin and a partner had established a machine shop in 1825 to manufacture bookbinding tools and textile printing cylinders. In 1832, they built the first full scale Baldwin locomotive, again using an outside foundry. The original Baldwin works were demolished in 1937, after a new plant was built at another location. The neighboring Norris Locomotive Works buildings had been demolished in 1896. Surviving railroad locomotive foundries and shops from before the Civil War are extremely rare today. It appears from recent research that except for a possible few individual buildings that were once part of locomotive manufacturing complexes, the pre-1860 Portland Company buildings are the only ones remaining. As mentioned above, the Portland Company complex was apparently the first fully self-contained complex built specifically for locomotive construction. It is also the only surviving plant where locomotives were built for the U.S. Government for the use of the Union Army as part of the Civil War effort.[1]



Sketch of the Portland Company c. 1910. Courtesy of the Maine Historic Preservation Commission.

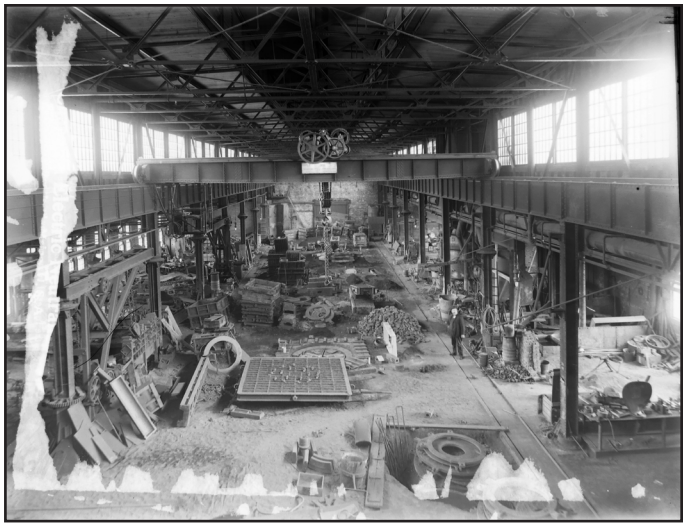
Locomotive rendering, 1851. Courtesy of the Maine Historical Society.

1 Information contained in this paragraph was compiled from numerous sources, the most important being:
Meyer, David R. *Networked Machinists: High-Technology Industries in Antebellum America*.
Converse, John H. "Locomotive Building in the United States," *Cassier's Magazine*, Volume 20, 1901. 221-237.
Colburn, Zerah. *The Locomotive Engine: Including a Description of Its Structure, Rules for Estimating Its Capabilities, and Practical Observations on Its Construction and Management*, 1851.
Lamb, J. Parker. *Perfecting the American Steam Locomotive*, 2003.
Simmons-Boardman Publishing Company. "The Norris Locomotive Works," *Railway Age and Railway Review*,

The use of cast metals, particularly iron, was central to the rapid industrialization and expansion of the United States in the nineteenth century. Although the technology was ancient, the use of it at the scale undertaken during the period the Portland Company was founded was unprecedented. Cast iron has been called, "the plastic of the nineteenth century" for the way it transformed production and expanded the range of products available to industry and the public. Putting all of the stages of production for large machines, like steam locomotives, in one place was a radical advance over traditional practices. Combined with the use of patterned cast iron parts, as opposed to individually hand-crafted unique parts, this advance laid the foundation for Henry Ford's next step in the progression of efficient production, the assembly line. The Portland Company complex represents an important advance in this process and is possibly the only surviving example of such a complex documenting this stage of industrial production in the United States. Its survival in largely intact condition in 2014 is noteworthy and remarkable.

State Historic Significance of the Portland Company

The Portland Company made a significant contribution to the development of Maine's railroads (including the state's iconic two-foot gauge lines) and maritime shipping industry. The locomotives, railroad cars, marine engines and boilers, and maritime navigation aids produced entirely or in part at the Portland Company were important to the development of rail and maritime transportation in the state of Maine from the middle of the nineteenth century into the twentieth century. Industrial expansion, natural resource extraction, commerce, and tourism all benefited from improved transportation made possible by products of the Portland Company. The Portland Company was the state's largest nineteenth century foundry-machine shop, with those two shops combined in a way that was unprecedented in Maine. The company grew to be the state's most substantial engineering and machine manufacturing business, employing 150 of the 500 machinists in the state at one point.[2] The Portland Company also played a significant role in the development of many important industries in Maine including the paper-making, textile and canning industries. A number of industrial processes likewise benefitted from the research and development of electrical engineer and inventor William Chapman for the Portland Company and through the Chapman Electric Neutralizer Company located at the Portland Company.



Interior view of the Foundry Building, c. 1880. Courtesy of the Maine Historical Society.

Railroads

The Portland Company was created as an adjunct to the Atlantic & St. Lawrence Railroad shortly after

Volume 47, 1909. 231-236.
Swank, James Moore. *History of the Manufacture of Iron in All Ages: And Particularly in the United States from Colonial Time to 1891*.
White, John H. *A History of the American Locomotive: Its Development, 1830-188*0.
A. Sinclair Company. *Railway and Locomotive Engineering: A Practical Journal of Railway Motive Power and Rolling Stock*, Volume 16, 1903.
Solomon, Brian. *American Steam Locomotive*, 1998.
Kinert, Reed. *Early American Steam Locomotives*, 2012.

2 Rivard, Paul E. *Made in Maine: From Home and Workshops to Mills and Factories*, 2007, 144.

that line was chartered to run from Portland to Montreal. The principal proponent of the Atlantic & St. Lawrence Railroad, John A. Poor, was the first president of the Portland Company as well as a director of the railroad company.

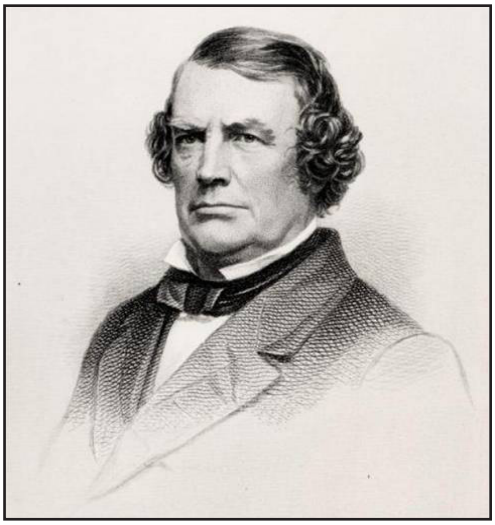
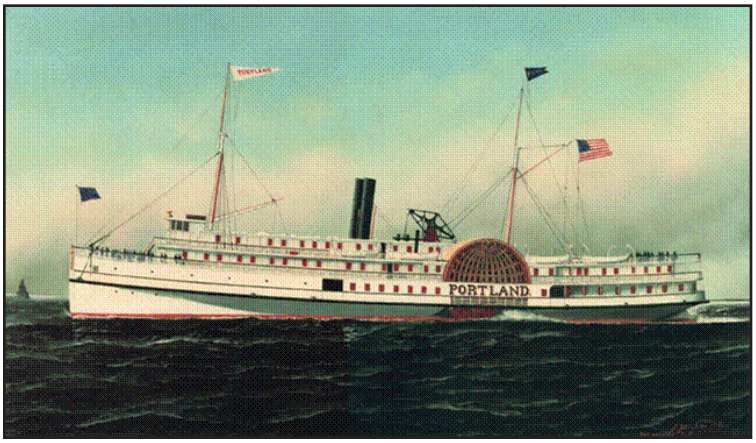


Illustration of John A. Poor. Courtesy of the Maine Historical Society.

Maine railroads that used Portland Company produced locomotives and cars included the Atlantic & St. Lawrence, the Grand Trunk, the Portland, Saco & Portsmouth, Portland & Kennebec, Portland & Rochester, Portland & Ogdensburg, Eastern, Maine Central, Boston & Maine, and Rumford Falls & Buckfield railroads. A number of locomotives were built for Maine's iconic two-foot gauge railroads including the Phillips & Rangely, Sandy River, Kennebec Central, Bridgton & Saco River, and the Wiscasset & Quebec. Maine's logging railroads also used Portland Company equipment, including geared locomotives to run on the rough temporary tracks of logging railroads and log bunks to transport logs on. In addition to locomotives, the Portland Company manufactured passenger and freight cars, wheels, and rail components including switch frogs.

Portland Company locomotives were also built for many out-of-state railroads. One hundred locomotives were manufactured for the Northern Pacific Railroad, with half delivered overland and half loaded on ships and sent around Cape Horn to the West Coast. Locomotives were also built for Canadian railroads including the New Brunswick & Canada and the Quebec, Montreal, and the Ottawa, & Occidental, as well as for the Panama Railroad in Central America. Appendix C contains a list of all the railroads named in the records of the Portland Company at the Maine Historical Society.[3]



Courtesy of the Maine Historical Society.

Maritime Transportation

The directors of the new Portland Company received the first request for the company to build a boiler for a steam ship before the first buildings were completed or operations begun. During the course of its history, the Portland Company manufactured and installed boilers, marine engines and other equipment for hundreds of vessels constructed at shipyards from Kennebunkport to Lubec, as well as its own shipyard in South Portland. Outside of Maine, Portland Company supplied boilers, engines, and other equipment to hundreds of vessels built at yards as close as Massachusetts and as far away as Oregon. Vessels included massive passenger steamers like the *Portland* (280' long), trawlers and porgy boats for commercial fishing, freighters, passenger ferries, tow and tug boats, private yachts, and the 205' long steam gun ships *Agawam* and *Pontoosuc*, built for the U. S. Navy during the Civil War.[4]

3 Records of the Portland Company, Maine Historical Society.
Fletcher, David H. *The Portland Company, 1846-1982*, 2002.

4 Records of the Portland Company, Maine Historical Society.
Fletcher, David H. *The Portland Company, 1846-1982*, 2002.

Also significant to marine transportation was the Portland Company's production of lighthouse components and navigation buoys. Drawings at the Maine Historical Society from the late 1860s through the late 1890s include cast iron parts such as lanterns, lamp decks, spiral stairways, doors, sashes, walkways, railings, and other parts for lighthouses in Maine, New Hampshire and Massachusetts. In some cases, such as "Bug Light" at the entrance to Portland Harbor, they manufactured the entire Greek Revival style cast iron structure. They also produced elaborate fog signal whistles which included a boiler, timer, and whistle for installation at light stations and fog signal stations.

Other Maine Industries

Maine companies that used Portland Company equipment include the Burnham & Morrill and Portland Packing Company canning companies, S. D. Warren Paper Company, and Sanford Mills. Specialized equipment for the paper industry included chipper discs and massive debarking drums, washing drums, and sulphite digesters. Numerous large industrial plants and mills were heated and powered by Portland Company steam boilers. In the mid-twentieth century the Portland Company produced parts for rotary welding inside pipes used in nuclear power plants and manufactured neutron reactor shells for those plants. They also manufactured machinery for forming and extruding plastics.

View of a Portland Company digester sitting between the Blacksmith & Tank shop and Boiler Shop. Courtesy of the Maine Historical Society.

William H. Chapman

In the early twentieth century, inventor and electrical engineer William H. Chapman (1860 - 1944) was in charge of the Portland Company's research department and did important work in the basic research that led to the development of microwave technology as well as experimentation and invention related to the use of electricity in manufacturing.[5] Portland Company voltage regulators were used in mills and factories throughout Maine and beyond. Chapman also invented the Chapman Electric Neutralizing Machine while at the Portland Company in 1906.[6] This device removed static electricity during the manufacturing process and was critical to the paper and textile industries of Maine. *Who's Who in New England*, 1909, lists Chapman as electrical engineer for the Portland Company and also as director and electrical engineer for Chapman Electric Neutralizer Company, with an office at 58 Fore Street – indicating that Chapman had his own company within the complex of the Portland Company while working for the company. Chapman received a second patent for improvements to the original electric neutralizing design in 1916, the same year he patented an elevator brake.

Local Historic Significance of the Portland Company

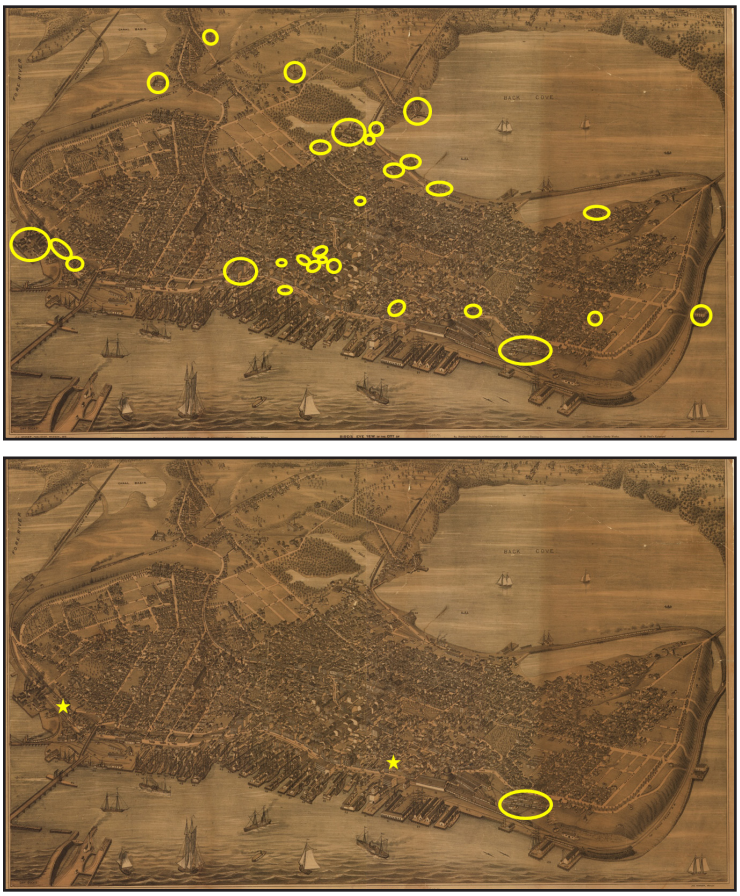
Portland Company is the only intact 19th – early 20th century industrial complex in the city of Portland

The Portland Company has local historic significance as the largest business in the city in the mid-nineteenth century and the only remaining intact nineteenth and early twentieth century industrial complex in the city of Portland. Virtually all evidence of Portland's nineteenth century industrial history has been lost with the exception of the Portland Company complex. In *Portland Maine, Its Representative Business Men and Points of Interest*, author George F. Bacon wrote of the Portland Company in 1891, "Since the

5 Sprague, Phineas. Society for Industrial Archaeology conference tour of the Portland Company complex, June 16, 2014.

6 US Patent #878273 A, filed May 25, 1906, granted February 4, 1908.

incorporation of the Portland Company about 45 years ago it has done more than any other one corporation or firm to make the name of the city well and favorably known throughout the United States, and if there is one enterprise entitled above all others to be classed as representative it is that conducted by the company in question, for this is a Portland undertaking, has always been conducted by Portland men, is located on Portland territory, and by distributing about a quarter of a million of dollars in wages annually has been and is a most powerful factor in attracting skilled workmen to and otherwise promoting the growth of the city."[7]



Top: view showing 1876 aerial drawing with industrial complexes circled in white. Below: similar view with remaining industrial sites highlighted.

Thirty-three manufacturing plants can be identified in the 1876 Bird's Eye View of Portland. Of the thirty-three, which include Portland Stove Foundry, J. B. Brown & Son's Sugar Refinery, Forest City Sugar Refining Company, Eagle Sugar Refining Company, Portland Packing Company, and Portland Stoneware Company, only three complexes survive to any extent in 2014. Two of these have only a single surviving building, one from the Star Match Factory on West Commercial Street and one from the original Burnham & Morrill Cannery complex on Franklin Street (yellow stars at left). Only the Portland Company complex remains largely intact 138 years later. In 1924 Portland had 60 sizable companies engaged in industrial production of various sorts, occupying more than 85 buildings. Of these individual buildings, fewer than a dozen survive outside the Portland Company. Six companies had large complexes of buildings, including the E. T. Burrowes Company, Thomas Laughlin Company, and Southworth Machine Company.[8] Fragmentary remains of some of these complexes, such as the early twentieth century Thomas Laughlin Company foundry building on Hampshire Street now used by Shipyard Brewery, only hint at the history of these sites where hundreds of Portland residents made their livings over many decades.

Portland Company development associated with the creation of Commercial Street

The Portland Company has local historic significance for its association with several significant 19th century planning and development initiatives within the city of Portland. As part of John A. Poor's vision for creating a modern international port at Portland, he conceived of a wide new street along the waterfront which would contain railroad tracks to connect the Atlantic & St. Lawrence R. R. on the east end of the city to the Portland, Saco & Portsmouth R. R. on the west end while providing both railroads access to the numerous wharves between their terminals. The narrow original waterfront street, Fore Street, followed the natural landform, snaking along the shore around Clay and Broad coves. The new street would be built by filling between the existing wharves below Fore Street, far enough out into the harbor to allow the construction of large new warehouse buildings along the land side of the street. Broad Cove would be filled

7 Bacon, George F. *Portland Maine, Its Representative Business Men and Points of Interest*, 1891, 156.

8 Compiled from the City of Portland 1924 Tax Records.

for construction of the Atlantic & St. Lawrence Railroad terminal and for the Portland Company works and Clay Cove would be filled for the street and new buildings. The Portland Company site alone is seven acres, the majority of it made by filling the mud flats and cove. This project was undertaken cooperatively by the two railroads, the Portland Comapny, and the city of Portland, with the railroads paying the cost of filling between the wharves and the City paying wharf owners for the value of their properties seized through eminent domain. The mile-long and one hundred foot wide street would be named Commercial Street.[9]

This project was the largest urban planning initiative undertaken in the city of Portland in the nineteenth century and was transformative in its effects. Before arrival of the Atlantic & St. Lawrence Railroad and Portland Company with the related construction of Commercial Street, Portland had a waterfront infrastructure left over from the eighteenth century that was inefficient and ill suited to the age of steam. Shipyards building wooden sailing vessels still launched into Broad Cove. The last vessel launched from these, on November, 9, 1847, was the *Lemuel Dyer*, which struck the railroad trestle then under construction across Broad Cove during its launching.[10] Following the construction of Commercial Street, wharves were extended and directly accessible by rail. Goods could be efficiently transferred between ships and trains, connecting industry and agriculture in interior Maine, New Hampshire, and Vermont to ports in America and Europe via sail and steam ships. With the completion of the Atlantic & St. Lawrence Railroad to Montreal, and subsequent leasing of the line to the Canadian and British owned Grand Trunk Railroad, all of the wharves on the Portland waterfront were connected to interior Canada. As the Grand Trunk extended westward in Canada, eventually reaching the Mid-West of both countries, the Portland waterfront had a direct connection to the agricultural products of the Mid-West and to cities such as Detroit and Chicago with Portland Company-built locomotives pulling Portland Company freight and passenger cars. Direct service between Portland and Chicago began in 1889. The massive grain elevators that would rise over the Grand Trunk yard where Broad Cove had been were the result of this connection. Trans-Atlantic passenger steamship service was instituted the year the railroad to Canada was completed, turning Portland into an international port of entry. This direct connection between Portland and Europe resulted in the immigration of people of numerous nationalities and ethnicities to Portland, diversifying and expanding the population of the city.

The cooperation between the City of Portland in the planning and implementation of the various components of Poor's modernization plan can clearly be seen in the City's investment of $2 million dollars in the construction of the railroad to Canada, approved by the legislature and funded through municipal bonds approved by the City Council and voters.[11] Existing plans for the first stone retaining wall for the Portland Company along Fore Street, in the collections of the Maine Historical Society, were drawn for the company by City Engineer William Goodwin. This wall was constructed in the 1870s to allow room for the company to expand on its increasingly tight site between Munjoy Hill and the Grand Trunk Railroad tracks. It stood on Portland Company property but was rebuilt by the City of Portland in the 1890s, when the original wall developed structural issues[12].

Residential development of the portion of Munjoy Hill across Fore Street from the Portland Company was clearly triggered by the opening of the plant in 1847. Atlantic, St. Lawrence, Sherbrooke, and Waterville streets were laid out opposite the site while the original Portland Company buildings were under construction. The city directory from 1850 shows a heavy concentration of Portland Company employees residing on these streets, including 12 machinists, 6 blacksmiths, a boiler maker, a "car builder." Sixty-five additional Portland Company workers lived on other nearby streets including Fore, Adams, India,

9 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890.
Records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

10 Thurston & Company. ***The Portland Reference Book and City Directory, 1850-1851*, 221.**

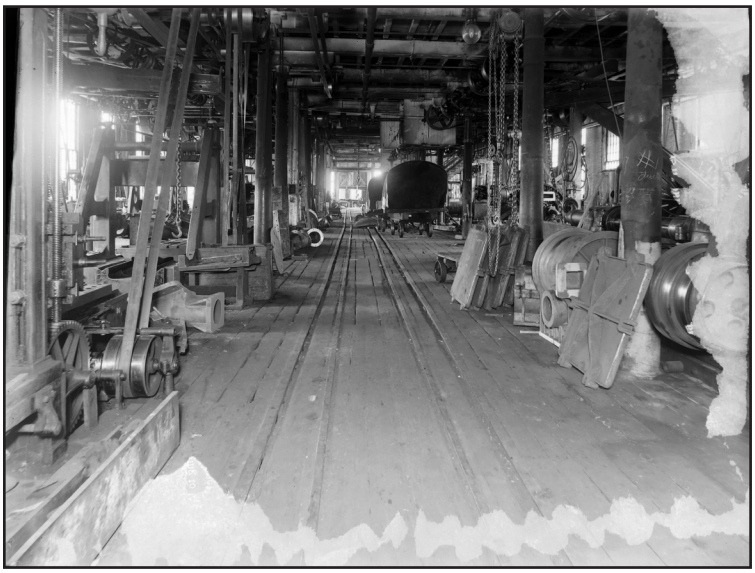
11 Records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

12 Drawings in City of Portland Public Service vault. 55 Portland Street, Portland, ME.

Sumner, Mountfort, Hancock, Hampshire, and Federal. Nine "steam engineers" were also residing in the neighborhood but it is unclear whether they were involved with the Portland Company or Atlantic & St. Lawrence Railroad locomotive engineers, possibly some of each.[13] By 1858, another street, called Warren Street (now Kellogg), had been extended from Adams, parallel with Waterville, Atlantic, and St. Lawrence. The 1876 Bird's Eye View illustration of Portland shows two rows of five identical two-story buildings. Such a development pattern suggests housing built for employees of an industrial concern. The Portland Company was the only major industry near the site and one of its original directors was George Warren, suggesting a possible connection between the housing and the company. Minutes of the Director's meeting held August 3, 1866, record a vote of the Board authorizing the Treasurer to lease unoccupied lands of the company across Fore Street for the erection of temporary housing for employees of the company made homeless by the Great Fire. The buildings in the Bird's Eye View are likely the result of this action. At a meeting of the Board in 1871 the Directors authorized the sale of the company's lands north of Fore Street, which may have included the temporary housing built after the fire. The Portland 1924 tax record photos indicate that all of those buildings were gone by that date, replaced by three story "triple-decker" tenement housing facing onto Kellogg and Sheridan streets. Most of the triple-deckers were replaced by contemporary multiunit housing in the 1960s, but several houses of the 1860s period remain on the opposite side of the street that was home to the displaced Portland Company workers in 1866.

Historic Architectural Significance of the Portland Company Buildings and Site

The buildings of the Portland Company complex have historic architectural significance because they remain substantially unaltered from the time of their original construction and consequently clearly show the distinguishing characteristics (design and construction materials) of several distinctive types of industrial buildings built between 1847 and 1920.



Interior view of the Machine Shop. Courtesy of the Maine Historical Society.

The Portland Company buildings remaining from the 1840s and 1850s are the only industrial buildings of that period surviving in the city of Portland.

The buildings of the Portland Company also have historic architectural significance because each of the remaining buildings served distinctive function(s) in the historic manufacturing process. Collectively, the existing buildings encompass the complete historic manufacturing process of the Portland Company.

The earliest buildings constructed by the Portland Company were typical of industrial buildings of the period, with brick walls, granite lintels, and slate roofs. Projecting pilasters on the exterior walls provided a suggestion of the Greek Revival style then dominant while adding strength to the walls. The large multi-light wood double-hung windows were also typical of the period, when it was essential to maximize the amount of daylight reaching the interior of the building. The additional buildings constructed for the complex between the 1850s and the 1880s are in the same architectural vocabulary and use the same materials as the 1840s buildings.

13 Thurston & Company. ***The Portland Reference Book and City Directory, 1850-1851.***

As the company grew rapidly in the early years, some buildings or building additions were constructed of wood for the sake of speed and cost. Many of these were replaced with brick buildings, sometimes after being destroyed by fire.[14] Alterations were made to the buildings over time to accommodate the changing needs of the manufacturing processes that took place in the plant, as is typical of industrial buildings. One of the more interesting alterations was the early twentieth century addition of projecting shed dormers to the 1847 Machine Shop building designed by Portland architect Frederick A. Tompson to create space for the company's offices and drafting department as well as the research and development laboratory of inventor/ engineer William H. Chapman. The vault in the "tower" along Fore Street was part of this same project by Tompson for which the blueprints survive.[15] The Foundry building of 1895 and Erecting Shop of 1918 are typical of industrial buildings built after the introduction of structural steel for this type of building. This change in technology allowed for the creation of much larger open floor spaces with over-head traveling cranes to facilitate more efficient production.

View of the Portland Company yard. Courtesy of the Maine Historical Society.

The buildings of the complex retain a high degree of architectural integrity to the period of significance for the complex (Portland Company production 1847 – 1982). While much of the manufacturing machinery has been removed, evidence of industrial uses can be found throughout the buildings, such as overhead shafting for operating machinery, and wood and iron cranes attached to support columns. Overhead traveling cranes remain in the Foundry and Erecting Shop. The most significant loss to the architectural integrity of the complex was the demolition of the boiler shop building (1858, 1890) in the late-20th century and its replacement by a larger modern metal building that abuts two sides of the foundry building. The one story Tin and Smith Shop (1882), which stood to the southeast of the Blacksmith Shop, was removed before 1949. The attached timeline (Appendix D) details the construction and alteration dates for the buildings of the complex.

The various buildings of the complex contain examples of a wide variety of building construction engineering techniques employed to increase the strength or functionality of the buildings. These include a number of wood and metal roof truss systems; large floor areas hung from wooden roof truss systems; brick barrel vaulting; cast concrete and steel beam vaulting; cantilevered shed dormers; and single and double trussed girders used to increase the load carrying capacity of upper floors without obstructing the lower floors with posts. The earliest buildings are of load- bearing masonry wall construction with internal timber framing and later buildings utilize steel framing systems. The 1895 Foundry uses an unusual integrated steel column and brick exterior wall system. This was a comparatively early use of structural steel in Maine and represents a transitional phase in the construction technology as large buildings moved from load-bearing masonry walls to steel skeleton framing.

Historic Significance and Visual Character of the Portland Company Site

The primary entrance to the site off Fore Street is a curving roadway that follows the grade between the original shoreline at Fore Street and the filled mudflat land on which the complex is built. This has been the

14 See attached Developmental Timeline and Development Modeling.
15 Portland Company Records, Maine Historical Society.

Historic view of the lab/office space, third floor of the machine shop. Courtesy of the Maine Historical Society.

Current view of the lab/office space.

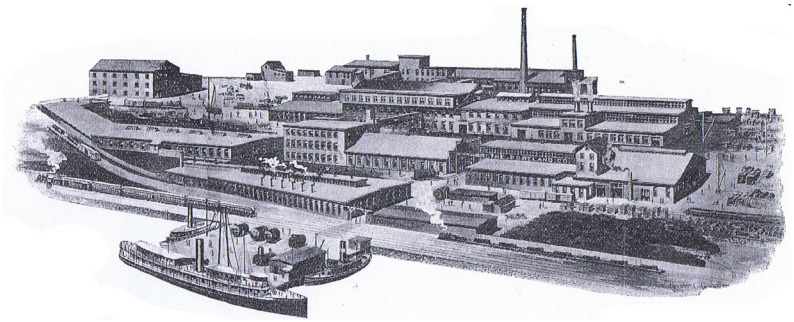
entrance to the property since 1847 and is historically significant as an original site feature that has not been substantially altered. This curving roadway leads to the historic entrance yard of the complex.

The entrance yard has historically been, and continues to be, an open space serving the function of entranceway to the linear manufacturing paths of circulation. It is the point from which these streets and alleys of the complex are accessed. Historically, it also served as a fire break between the manufacturing facilities, the paint shop and the pattern storage buildings. At different points in time a car shop and other buildings have projected into this space, especially prior to the construction of the much larger erecting shop (building 1) in 1918. The entrance yard has been in its current configuration for nearly 100 years.

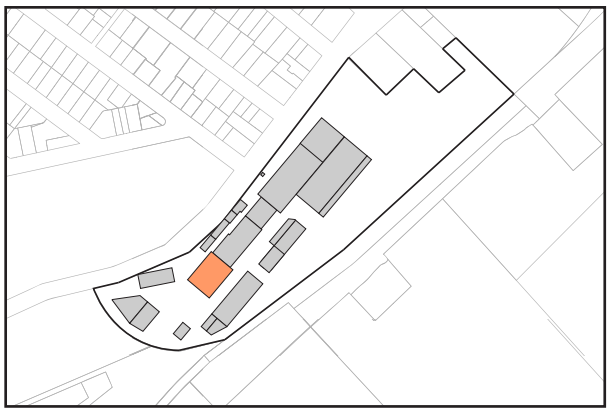
The historic functional organization and placement of the Portland Company buildings in linear proximity to each other creates a visual character for the majority of the site that is unique for Portland in the way that the industrial buildings form private streets or alleys. This is similar to the character found in large textile mill complexes in Maine cities like Lewiston, Biddeford, and Sanford but not found elsewhere in Portland. The overhead pedestrian bridges spanning these private streets are also unique in Portland and contribute to the visual character of the site. Although the railroad tracks that once served many of these buildings have been removed or buried under pavement, the arrangement of the buildings retains a lineal character that resulted from that historic infrastructure serving the buildings. The placement of several buildings outside these rows of buildings also documents considerations for their historic uses. Both the Pattern Storage buildings and the Paint Shop were placed away from other buildings to reduce the risk of fire spreading to them or from them. This was important for the Pattern buildings because they contained very valuable wood patterns for all of the products made by the Portland Company and for the Paint Shop because of the flammable nature of oil paints. The only significant fire at the complex started in the previous Paint Shop and spread to other nearby wooden buildings, destroying several.

Also unique in Portland is the manner in which the Fore Street retaining wall forms the rear wall of the buildings along the northwest side of the alley, with the side walls of the buildings forming buttresses to help support the retaining wall. The brick barrel vaults of the Boiler House support the retaining wall above and allow the space to project under the Fore Street sidewalk.

To a large degree, the architectural significance of the Portland Company exists in the relationship of the buildings to each other within the complex. The proximity and orientation of the buildings to each other permitted related manufacturing processes to take place in a way that allowed for the efficient progression of stages in the production of the company's products. Certain buildings focused on the later stages of manufacturing for particular categories of product, such as the Erecting Shop, Car Shop or Boiler Shop, with the earlier stages of production for all categories of product undertaken in the Foundry and Machine Shop. Research and development, design/drafting, drawing storage, pattern making, pattern storage, and paint storage buildings also served all of the product categories collectively.



Section II:
Integrity of the Existing Portland Company Resources

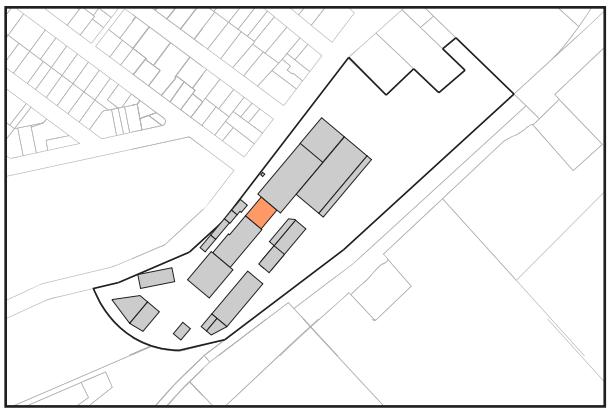


Building 1: Erecting Shop
Construction Date: 1918

The Erecting Shop was built to replace an earlier wooden erecting shop, built between 1871 and 1880 on the same site. The Foundry, Machine Shop, and Erecting Shop were closely related in the production process, and were aligned so the steps of the work could flow from the Foundry, through the Machine Shop, and into the Erecting Shop, where a locomotive or other large piece of machinery could be assembled above railroad tracks that led from the building to the Grand Trunk rail yard. The brick wall construction relates it to earlier buildings on the site, but its steel truss roofing system, electric overhead traveling crane, clerestory, and large steel framed windows provided maximum utility with a large open floor space and considerable natural light for the assembly process. The building retains a very high degree of integrity to the time of its construction with some alterations to the south and east elevations. These involve increasing the size of the bay doors on the south elevation, likely during the period of significance; and infilling two windows on the east elevation with modern siding material. The remainder of original windows are intact, with some limited areas of deterioration to the frames.

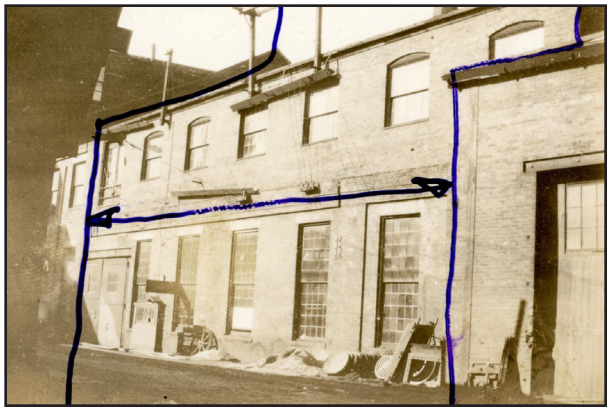
Building 2: Machine Shop
Construction Date: c. 1847

The Machine Shop is one of the first buildings constructed on the site and was one of the key buildings in the production process of locomotives. It is where castings made in the Foundry were finished and prepared for installation. Prior to the construction of the first Erecting Shop (c. 1880) locomotive assembly took place in the Machine Shop. The boilers for the earliest locomotives were also assembled here, before the Boiler Shop was built. Post-mounted cranes and carts were used to move heavy items within the shop, with smaller items moved to the second floor for machining. A truss system allowed the second floor to hang from the roof, leaving the first floor largely open. Some wooden posts have been added in the first floor, to meet modern code requirements for the second story to function as a public assembly space. The building retains a high degree of integrity to the time of its construction with early 20th century alterations to the roof and attic. The c. 1905 Frederick A. Tompson designed offices, drafting room, and electrical laboratory at the attic level are intact, including beadboard office partitions, drafting tables, desks drawing storage drawer units, and electrical equipment in the laboratory. The apparatus used to reflect sunlight from a skylight to develop blueprints remains in place below the roof. Historic plans show tables for 17 draftsmen; desks for 21 clerks and assistant clerks; bookkeeper; purchasing agent; and office boy; with cubicles for the assistant electrical engineer, assistant elevator engineer, assistant mechanical engineer, assistant manager, sales manager, superintendant, and manager; with a private office for the general manager and three additional private offices. An upper attic level above the laboratory contains a walkway lined with storage bins for wooden casting patterns, still full of patterns. The original wood and wrought iron Queen Post Truss roof system remains in place with the second floor suspended from it. The use of iron rods for the Queen Posts in the trusses represents an advance in technology from the all-wood trusses common in New England in the 18th and early 19th centuries, as America's increased industrialization made the use of structural metals possible.

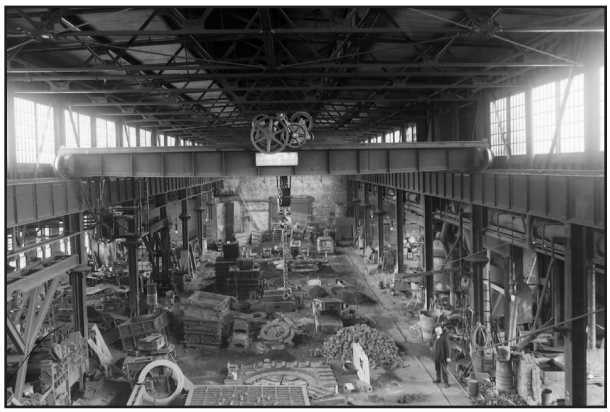


Building 3: Machine Shop
Construction Date: c. 1847

This section of the Machine Shop was built in 1847 as a one story blacksmith shop. When the second story was added, c. 1895, the original wood and wrought iron Queen Post Truss roof system was left in place and the floor hung from it with iron rods and double-strut trussed girders. The added wall height essentially creates full-length shed dormers on each side of the original roof and a double-pitched roof with the original gable peak remaining above the much shallower pitch of the shed dormers on either side. Because both ends of the building abut other buildings, this unusual roof form is not visible from the ground. A monitor, probably dating from the original construction, extends along the center portion of the ridge. The ingenious approach taken to expanding this building allowed a second story to be added while retaining the original roof truss structure and the open first floor it made possible. This section of the Machine Shop retains a very high degree of integrity to the period of its expansion into a two story building, c. 1895, while retaining nearly all of the materials from its original 1847 construction. Some wooden posts have been added in the first floor, to meet modern code requirements for the second story to function as a public assembly space. The second floor was the pattern shop, where wooden patterns were made for the iron castings made in the Foundry.



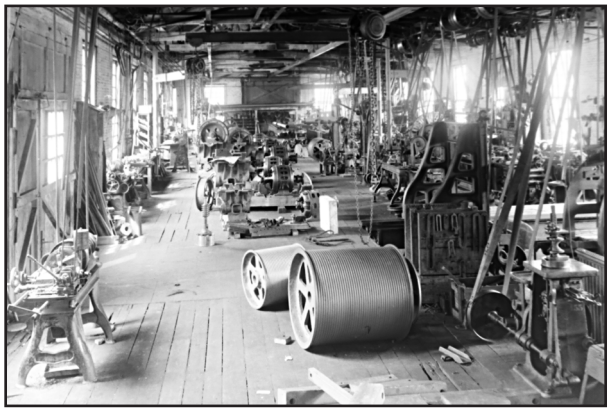
Building 4: Foundry and Acetylene House
Construction Date: 1895; 1904-09



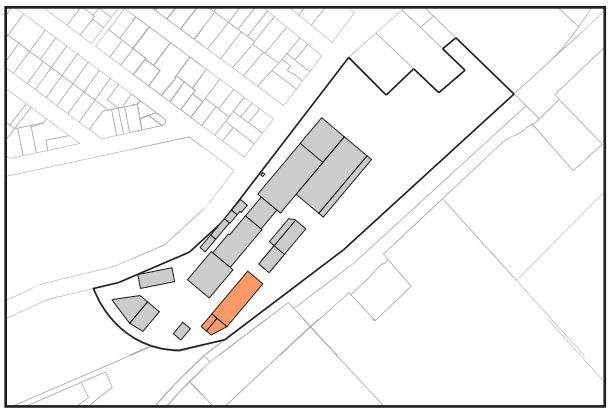
The Foundry was the most important building in the production process, being the space where molten iron and steel were cast in sand molds to produce the parts for the various machines and engines made by the company. Using then cutting-edge technology, it was built in the late 19th century to replace the original 1847 foundry and additions on the same site. The 1896 foundry features a steel truss roof system and could be wider and taller than the earlier building, with a tall clerestory for lighting the center of the building and a modern electric overhead traveling crane to move cauldrons of molten metal and heavy castings. The building utilizes an unusual transitional construction system in its exterior walls. The riveted steel roof trusses were erected on posts formed of back-to-back U channel steel with spacers between them to allow the roof truss gusset plate to be riveted in place between the two U channels at the top. Once the roof system was erected, the spaces between the posts were filled with brick laid up in common bond and engaging with the posts by extending into the recess of the U channel. Above the tops of the posts, the brick wall encased and engaged the steel trusses to the eaves. It appears that once the brick was in place, the roof trusses were supported primarily by the brick walls, not by the steel posts. The Foundry building retains a high degree of integrity to the period of significance and stands largely as built in 1895 except for the northeast end, which was removed entirely when the building was extended in the mid-20th century. Much of the southeast elevation is now contained within the abutting modern metal building and its windows have been infilled. There is some infill construction along this side for offices and storage areas. The original exterior wall and roof system appear to be intact within the later building addition.

The Acetylene House, located on the terrace below the upper retaining wall to the west of the foundry, was a simple brick box, approximately eight feet square. Its roof has failed, and the masonry arch over the door has collapsed. Original drawings for the acetylene house show a shed roof.

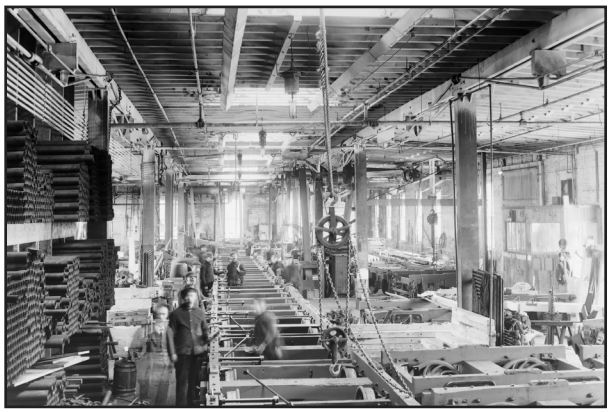
Building 6: Blacksmith & Tank Shop
Construction Date: 1883; 1896-1904



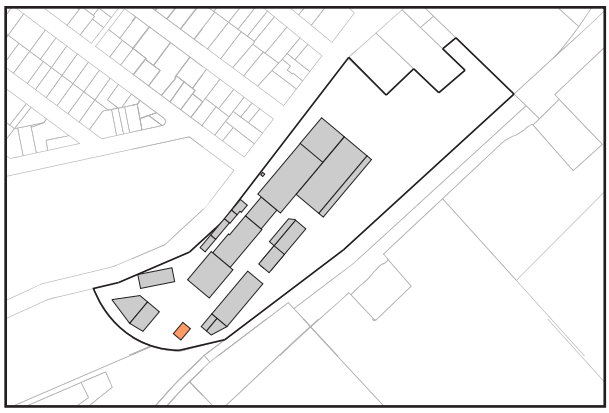
As the plant expanded during the 19th century, additional blacksmith shops were constructed to serve different areas of production. Originally freestanding and serving both the machine shop and car shop, this blacksmith shop later served the attached tank shop, where the company produced tanks for various uses from industrial water tanks to municipal standpipes. This building replaced an earlier and wider blacksmith shop on the same site and was likely built reusing the brick and granite of the earlier shop. Its design and use of materials are more like the 1840s and '50s buildings on the site than the 1860s and '70s buildings that followed. It is unclear why the building was rebuilt, but its change in width increased the clearances between the blacksmith shop and the machine shop and foundry, which had additions made to their width during this period. This may have been the reason for rebuilding. The Blacksmith & Tank Shop retains a high degree of integrity to the period of significance. The former Tank Shop now contains the Maine Narrow Gauge Railroad Museum with exposed structural framing and brick walls. Original drawings for the building show it to be longer than it currently exists. A portion of it was likely demolished for the construction of the three story block between 1896 and 1904. This portion of the building contained the Chapman Electric Company, a subsidiary of the Portland Company run by the company's electrical engineer, William Chapman. The Portland Company's electric elevator production also occurred in this building, starting in the early 20th century. The three-story block retains integrity to the period of significance with some alterations to the interior spaces to create offices on the third floor and a meeting room on the second floor. The elevator tower, with historic machinery remains attached to the north side of the building. Many original windows in the three-story block have been replaced.



Building 7: Car Shop
Construction Date: c. 1873; 1904

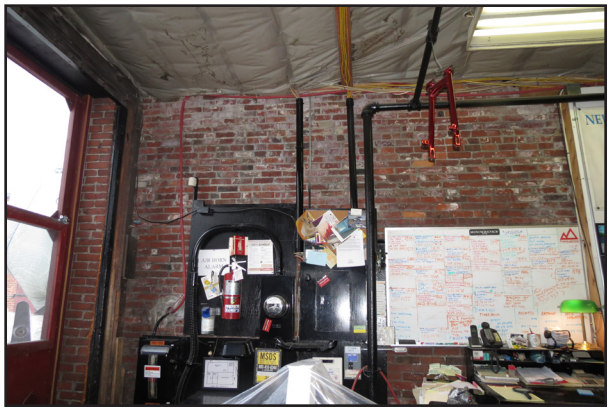


The Portland Company was founded to manufacture railroad passenger and freight cars as well as locomotives and other equipment. The first wooden car shop was built south of the blacksmith shop around 1847-48. A second car shop was constructed between 1858 and 1864 just slightly to the southwest of the first car shop. Both buildings were destroyed by fire in 1873, and replaced by this brick building. Like the Pattern Storage Building and its additions from the same period, this building uses segmental brick arches over the windows in place of the granite lintels on the earlier buildings. The placement of this building was dictated by the need to have railroad tracks enter the building from the south end. Railroad cars of the period were largely of wood construction with cast and wrought iron fittings, hence the 1904 lumber storage addition to the building. Prior to the construction of the lumber sheds, the car shop had an open car shed adjacent to the original 50' x 21' painting and erecting area of the car shop (projecting from the south end). Like the Foundry/Machine Shop/Erecting Shop, the Car Shop was aligned with the Blacksmith Shop, allowing ironwork for the cars to be efficiently transported into the car shop. It is possible that the car frames and wheel sets were assembled in the blacksmith shop and then rolled over to the Car Shop for construction of the superstructure and finishing. After the Portland Company ceased production of railroad cars, around 1900, the Car Shop was used as a showroom and repair shop for automobiles produced by the Knox Automobile Co. and others and sold by the Portland Company. Subsequently, the Car Shop was used for steel fabrication and had a related sandblasting room built into it. The Car Shop retains a high level of integrity with some alterations to openings to create additional garage bay entry doors. Some easily reversible modern finishes have been installed on the interior. The Lumber Shed addition at the southeast corner is largely intact from construction, with exposed wood framing.



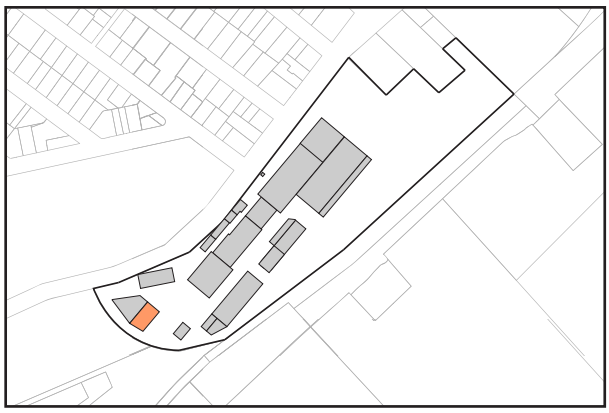
Building 10: Paint Shop
Construction Date: c. 1873

An earlier wood paint shop (likely one of the earlier car shops, converted for use) was destroyed by fire in 1873, taking the car shop and several other buildings with it. It was rebuilt in brick, probably to be less flammable, and was originally located at some distance from other buildings, likely to limit the possibility of fire spreading. Fires in paint shops were quite common, given the highly flammable nature of the paints and solvents used. At the other end of Portland, the railroad shops at Thompson's Point were destroyed in 1903 by a fire that started in the paint shop there. The Paint Shop retains integrity as a simple brick structure with a wood-framed roof. In 1904, the large lumber shed connected to the east elevation of the Paint Shop and extended down to connect to the Car Shop. The portion of the lumber shed connecting to the Paint Shop has since been demolished. The south wall has been partially reconstructed and the interior features many modern surfaces to create various ventilated painting areas. Original wood structural members are visible throughout the building, though most of the original window openings have been infilled with brick.



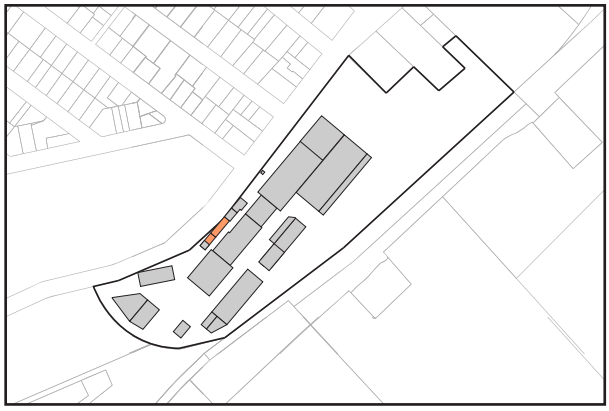
Building 11: Pattern Storehouse
Construction Date: 1885; 1895

The design and production of the hand-made wood patterns that were used for casting iron and steel in sand molds was central to the functioning of the Portland Company, and represented a large capital investment for the company. Patterns were reused over long periods of time and their preservation was of critical importance. Documentation indicates that patterns were stored in several locations, including the attic of the Machine Shop, for the first several decades of operation. In 1885, a separate Pattern Storehouse was constructed for their storage. It is not coincidental that it was located at some distance from the other buildings and was built of brick with a slate roof. It was also placed up-wind from the prevailing breezes. This provided additional protection for the company's large investment in flammable wooden patterns if other buildings in the complex caught fire. The Pattern Storehouse retains a high level of integrity to the period of significance. The interior still has an exposed wood structural system and brick walls. The first floor has been fitted for a retail space, though original materials are still exposed. The second floor has a modern drop ceiling and carpet installed over the originally exposed elements.



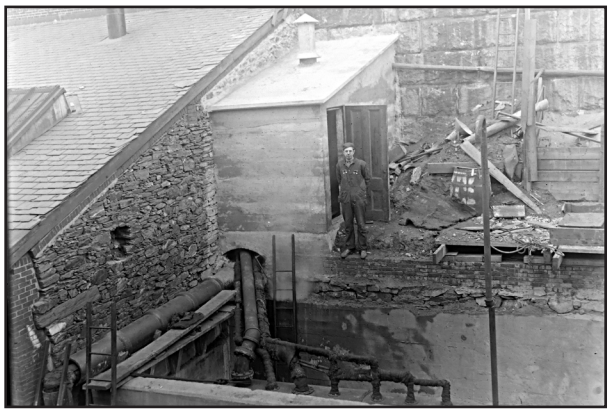
Building 12: Pattern Storehouse Addition
Construction Date: 1895

The Pattern Storehouse Addition was built immediately adjacent to the original storehouse, built a decade earlier, using the same materials and technology. From an early date, this building has had "PORTLAND CO." painted across its south elevation, making the complex immediately recognizable from Fore Street and the waterfront. The Pattern Storehouse Addition has a high level of integrity to the period of significance. The building has had no alterations to the interior and still contains many patterns used by the Portland Company.



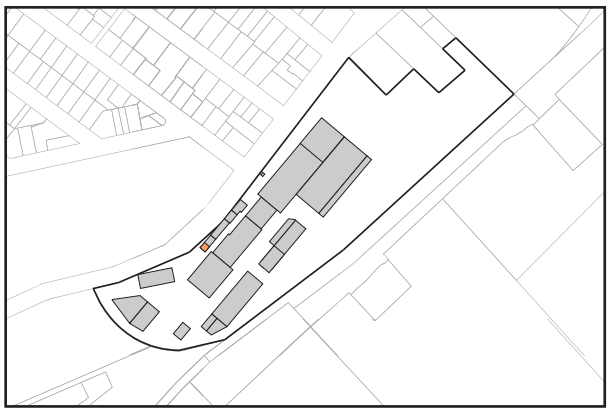
Building 14: Drafting Room and Storehouse
Construction Date: 1858-64

The Portland Company constructed a variety of smaller service structures along the Fore Street retaining wall during the 19th century, and made alterations to many of them to adapt them to differing uses into the 20th century. The masonry side walls of all the spaces along the north side of the alley, including the Boiler House and Brass Foundry, serve as buttresses for the stone retaining wall along Fore Street. The spaces were created by roofing over the recesses between the buttresses and building a wall along the alley. The placement of the Drafting Room and Storehouse, separate from the manufacturing buildings and adjacent to the original office building, is both functionally and symbolically relevant. As the company grew, the drafting department outgrew the space, and was moved to the new offices on the expanded third floor of the Machine Shop around 1905. The old drafting room was then used for drawing storage, with a new vault for drawings constructed above it (See Building 24 – Vault Storage). The Drafting Room and Storehouse retain integrity and has had little alterations over their history. The south portion of the original Drafting Room became part of the Vault upon its construction in the beginning of the 20th century. Numerous labeled wooden bins that were used for storage of parts during the Portland Company's operation remain in several of the spaces.



Buildings 15 & 16: Boiler House and Brass Foundry
Construction Date: 1858-64; 1864-71

Based on maps and plans of the complex, it appears the existing Boiler House was constructed between 1858 and 1864; the Brass Foundry was constructed between 1864 and 1871. The 1858 plan of the complex (in the collection of the Maine Historical Society) shows a brick building in this general location, though it is not likely either of the extant buildings. The 1886 Sanborn Map of the Portland Company does not show another Boiler House as suggesting in the Tremont Report. There is a Boiler Shop, where boilers were fabricated, in the northeast quadrant of the complex which may have led to the confusion. The side walls of these buildings, and of the small storage spaces to their west, serve as buttresses for the granite retaining wall the supports Fore Street as it climbs Munjoy Hill adjacent to the complex. The conversion of these voids between the structural buttresses into functional spaces for the complex is an example of ingenuity and determination to utilize every available space on the increasingly crowded site with Fore Street and Munjoy Hill containing one side of the property and the Grand Trunk Railroad properties containing the others. The Boiler House has suffered the loss of a majority of its façade, though remnants illustrate key architectural features that were included in the original construction. The interior, however, retains a remarkable pair of tall brick barrel vaults on stone walls that extend the space under the Fore Street esplanade and sidewalk. The Brass Foundry retains a high degree of integrity on the exterior. The interiors of both buildings appear to retain integrity. The Boiler House still contains the boilers and machinery used by the Portland Company. At the north side of the Brass Foundry, exposed piping and valves remain from a small shed once attached to the Brass Foundry.



Building 24: Vault
Construction Date: c. 1905

As noted with Building 14 – Drafting Room/ Storehouse, the Vault was added on top of one end of the original drafting room when the new drafting room was constructed c. 1905. It was connected to that space on the top floor of the Machine Shop by an overhead pedestrian bridge. With brick walls and vaulted iron beam and concrete floors, the space was intended to protect paper drawings in case of fire. An additional story was added at some point by 1924 to contain the electrical transformers for the plant. The Vault retains a high degree of integrity as it has undergone very few changes over time. The top floor continues to be used for electrical transformers. The c. 1905 vault containing Portland Company drawings (assumed) is not accessible due to safety concerns with the bridge that supplies access from the office and drafting room in the attic of the Machine Shop.

Building 30: Office
Construction Date: 1950

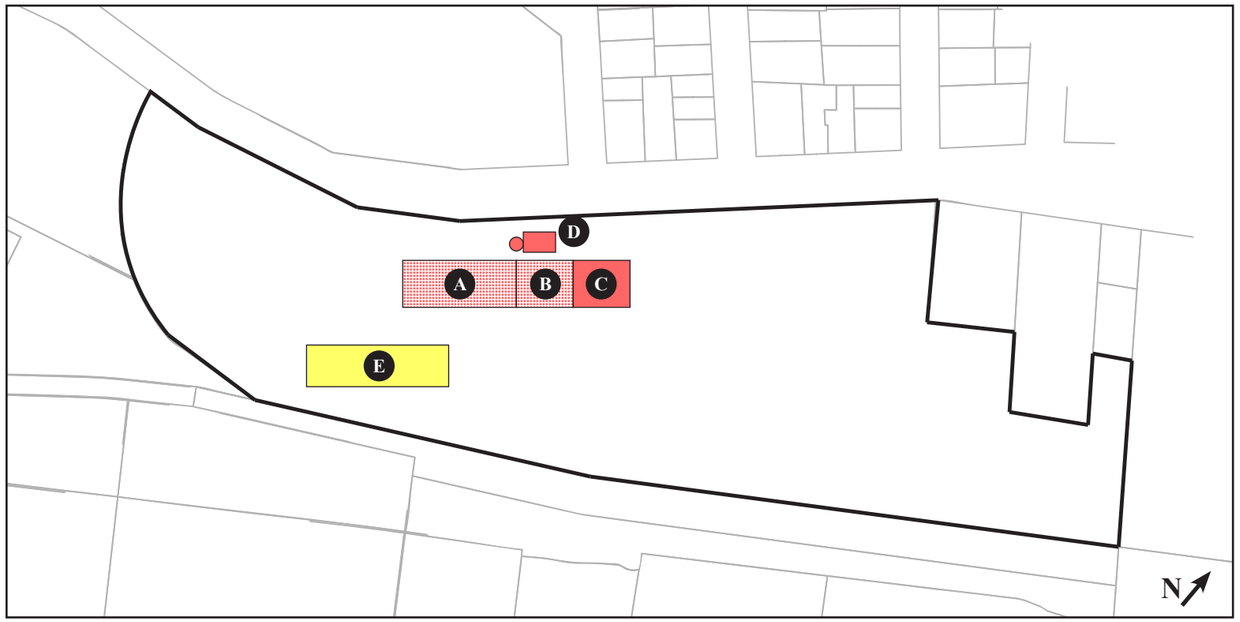
Like most of the earlier buildings at the Portland Company, the 1950 Office Building was representative of architecture and technology of the time of its construction. It was located just to the southwest of the site of the original wood office building, retaining access to the offices from Fore Street without entering the manufacturing complex itself. This building was built after the company had ceased its transportation related work and it is not associated with that area of significance. At an earlier date, sheds and stables for the company were located on the site. It is a modern building, clad in a combination of wood siding and brick. The interiors contain typical features of the period such as pressed-paper acoustical tile ceilings, fluorescent lighting, and aluminum Venetian blinds on the windows. A (non-functional) period office kitchen with built-in dishwasher, range, and refrigerator remains in its original location. The Office Building retains a relatively high degree of integrity. Relatively minor alterations to the interior of the space do not detract from the minimal detail of the mid-century architectural style, much of which still exists. Although built more recently than the other contributing buildings, the Office Building helps to maintain a sense of enclosure for the entrance yard that had previously been provided by the sheds, stables, and fencing that occupied this site. This sense of enclosure is important to the integrity of the entrance yard, a primary feature of the site.

The Portland Company site retains a high level of historic integrity. The property has been the site of the company since its founding in 1846. Located north of the former Grand Trunk Railroad site, the Portland Company retains its feeling as a complex significant for its association with industrial manufacturing. The site features parallel rows of buildings aligned with the former Grand Trunk Railroad tracks with interiors of large, open spaces for heavy manufacturing. The Portland Company was largely built on filled land on the former site of Broad Cove with a large two-tiered retaining wall along Fore Street. Across the street is a residential neighborhood where many of the Portland Company workers lived historically. To the south of the site, modern commercial buildings are located on the former Grand Trunk Railroad yard site on the east side of Fore Street. Within the Portland Company complex, the proximity of the buildings to each other documents how each building played an important role in the production process. Catwalks connect buildings over the private streets of the complex and the historic function of individual buildings relates to that of adjacent buildings.

The individual buildings of the Portland Company generally retain a high level of integrity as they illustrate typical design and construction technologies of industrial buildings between the mid-19th century and early-20th century. The Portland Company complex as a whole also has a high degree of integrity through the retention of essential physical features related to its significance in the areas of industry, transportation, and architecture. Over the history of the Portland Company site, some important buildings were lost to fire (particularly a large conflagration in 1873 that destroyed several buildings at the southeast corner of the property). Other buildings were replaced with new over time, as is common in industrial complexes. The majority of these changes occurred within the period of significance. Of the three original brick buildings built in 1847, two remain. All of the other buildings except two predate 1920. The most recent construction appears to be the addition at the north end of the foundry and the replacement of the boiler shop, both of which occurred between 1951 and 1980. These two buildings were later connected with infill construction. Small secondary buildings were located around the property and had different uses during the history of the complex. Most of these wooden buildings are no longer present, leaving the primary industrial structures to illustrate the manufacturing industry of locomotives, railroad cars, marine, boilers, etc.

The following maps and models illustrate the evolution of the site from 1847 until 2014.

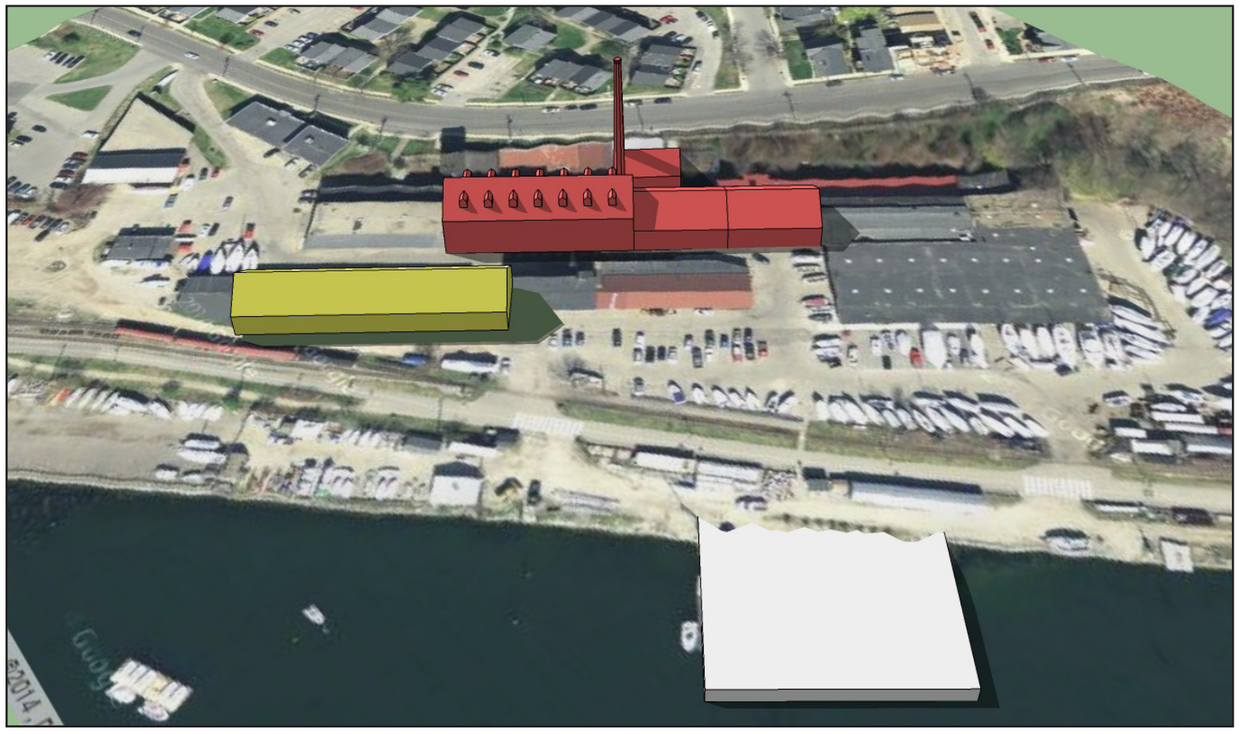
See Appendix E for listing of Portland Company's contemporaries and their current significance, configuration and integrity.

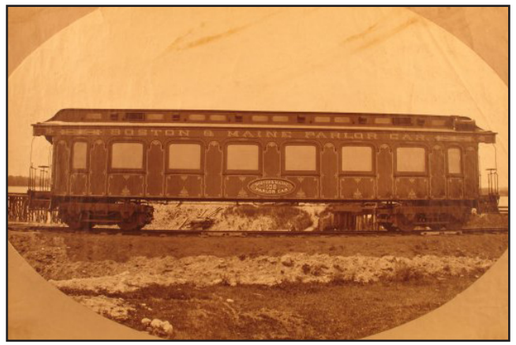


The Portland Company
1847

- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

A: Machine Shop
B: Smith Shop
C: Foundry
D: Boiler House
E: Car Shop

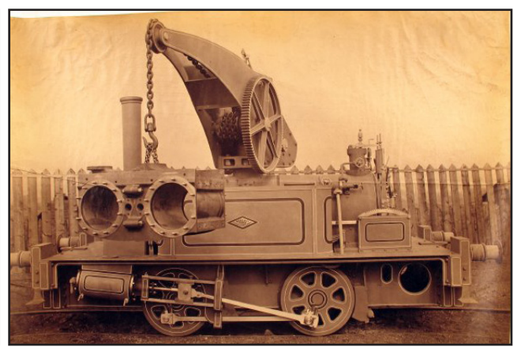




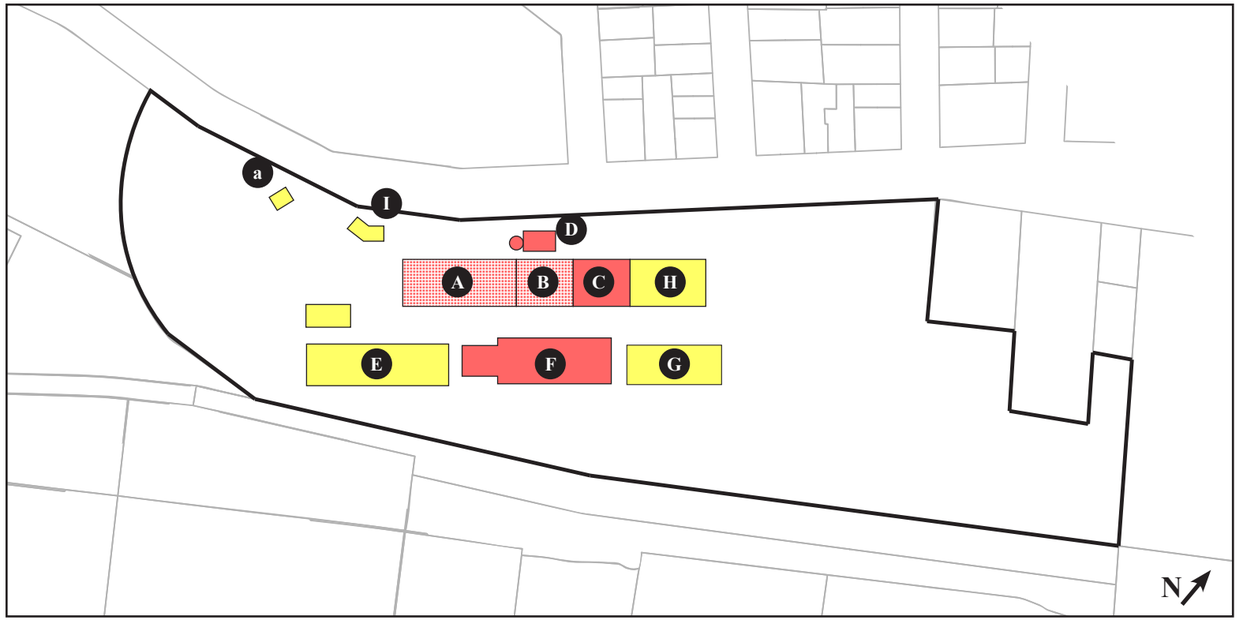
Boston & Maine parlor car. Courtesy of the Maine Historical Society.

Locomotive from the Portland Company. Courtesy of the Maine Historical Society.

1851 drawing of a locomotive. Courtesy of the Maine Historical Society.



Locomotive crane. Courtesy of the Maine Historical Society.

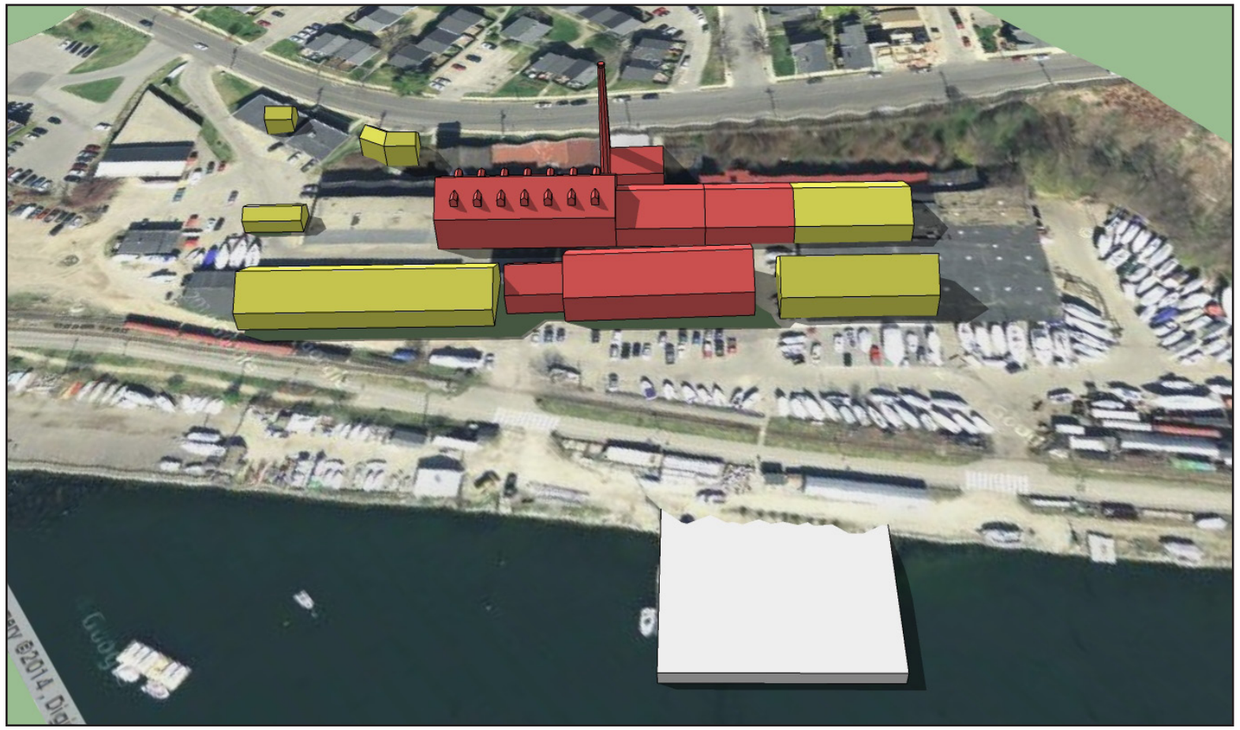


The Portland Company
1858

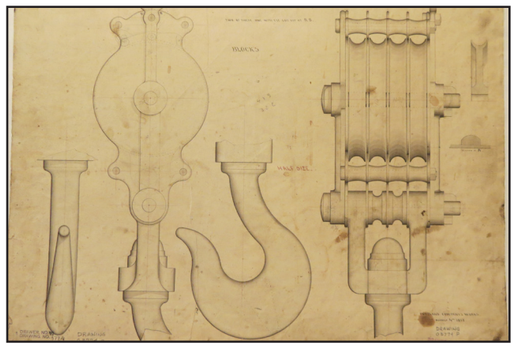
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:
A: Machine Shop
B: Smith Shop
C: Foundry
D: Boiler House
E: Car Shop
F: Blacksmith Shop
G: Boiler Shop
H: Foundry Expansion
I: Office Building

SECONDARY:
a: Stable

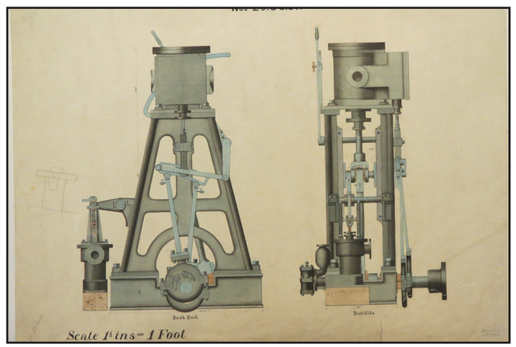


Colon railroad engine. Courtesy of the Maine Historical Society.

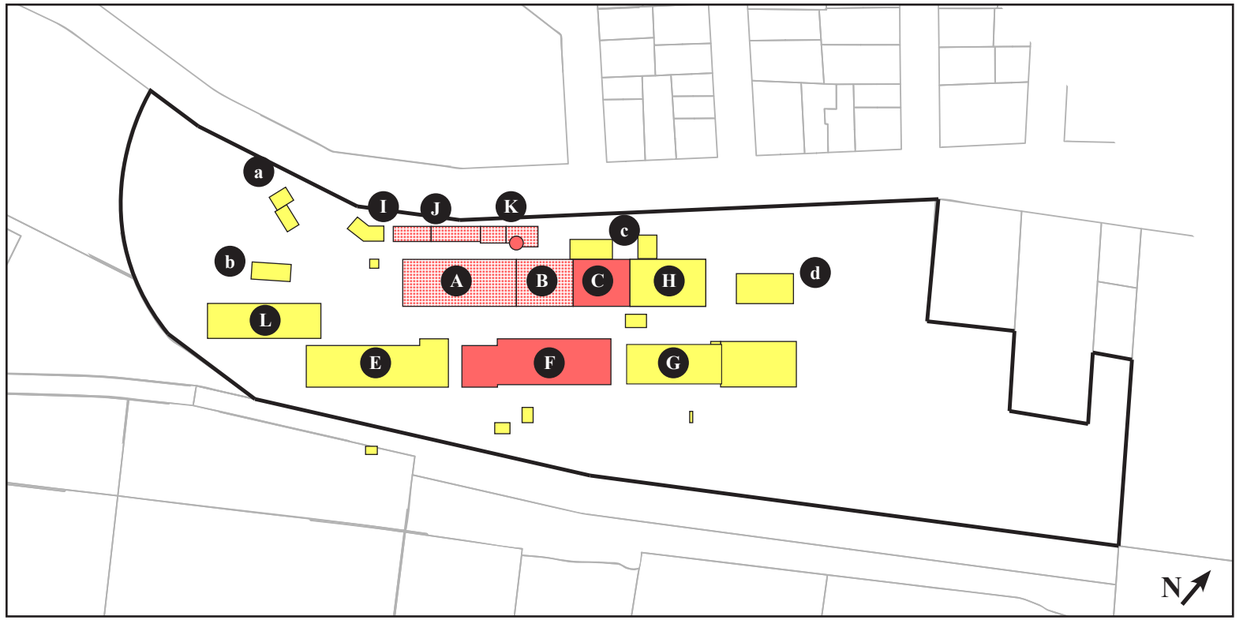


"Blocks" drawing from the Portland Company. Courtesy of the Maine Historical Society.

Portland & Ogdensburg locomotive. Courtesy of the Maine Historical Society.



Propeller Engines. Courtesy of the Maine Historical Society.



The Portland Company
1871

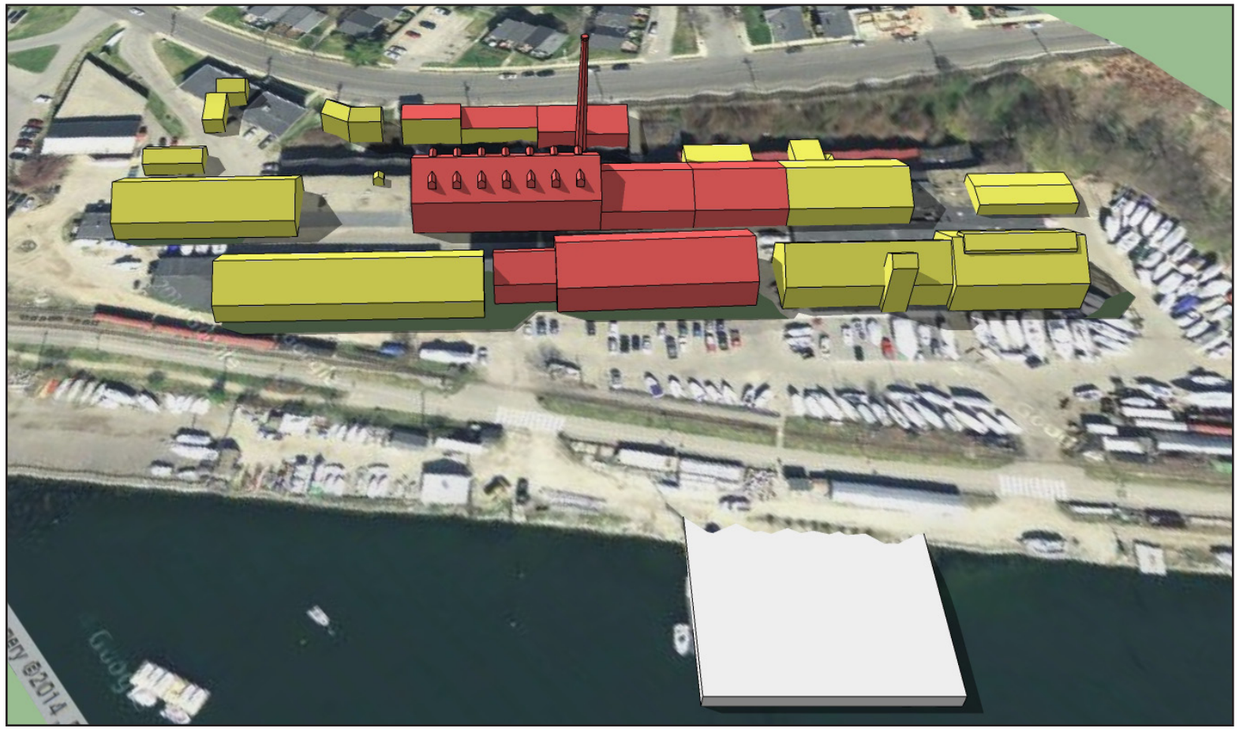
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

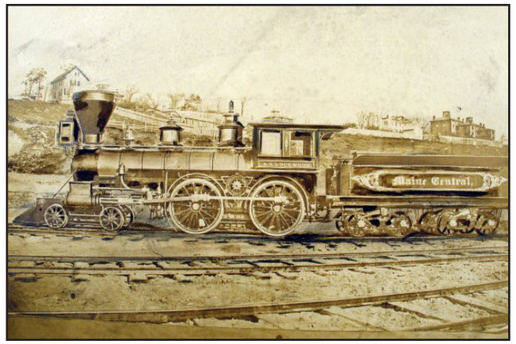
PRIMARY:

A: Machine Shop
B: Smith Shop
C: Foundry
E: Car Shop
F: Blacksmith Shop
G: Boiler Shop
H: Foundry Expansion
I: Office Building
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
L: Car Shop

SECONDARY:

a: Stable
b: Babbitt Shop
c: Air Furnace & Core Shop
d: Scratch House



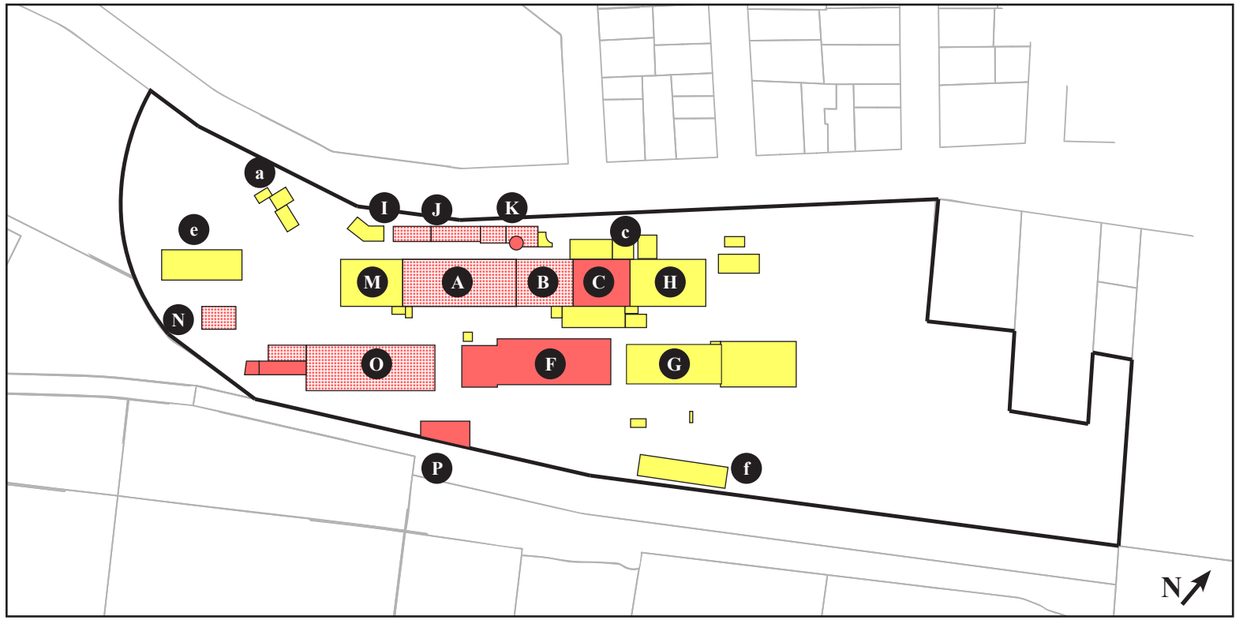


Portland Company locomotive. Courtesy of the Maine Historical Society.

Locomotive south of the Machine Shop. Courtesy of the Maine Historical Society.

Locomotive with office building at rear. Courtesy of the Maine Historical Society.

View of the Portland Company yard from the north. Courtesy of the Maine Historical Society.



The Portland Company
1880

- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:

A: Machine Shop
B: Smith Shop
C: Foundry
F: Blacksmith Shop
G: Boiler Shop
H: Foundry Expansion
I: Office Building
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
M: Erecting Shop
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop

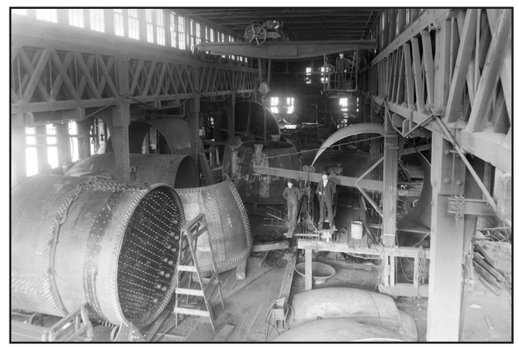
SECONDARY:

a: Stable
c: Air Furnace, Foundry Expansion & Core Shop
d: Scratch House
e: Storehouse
f: Sand Shed

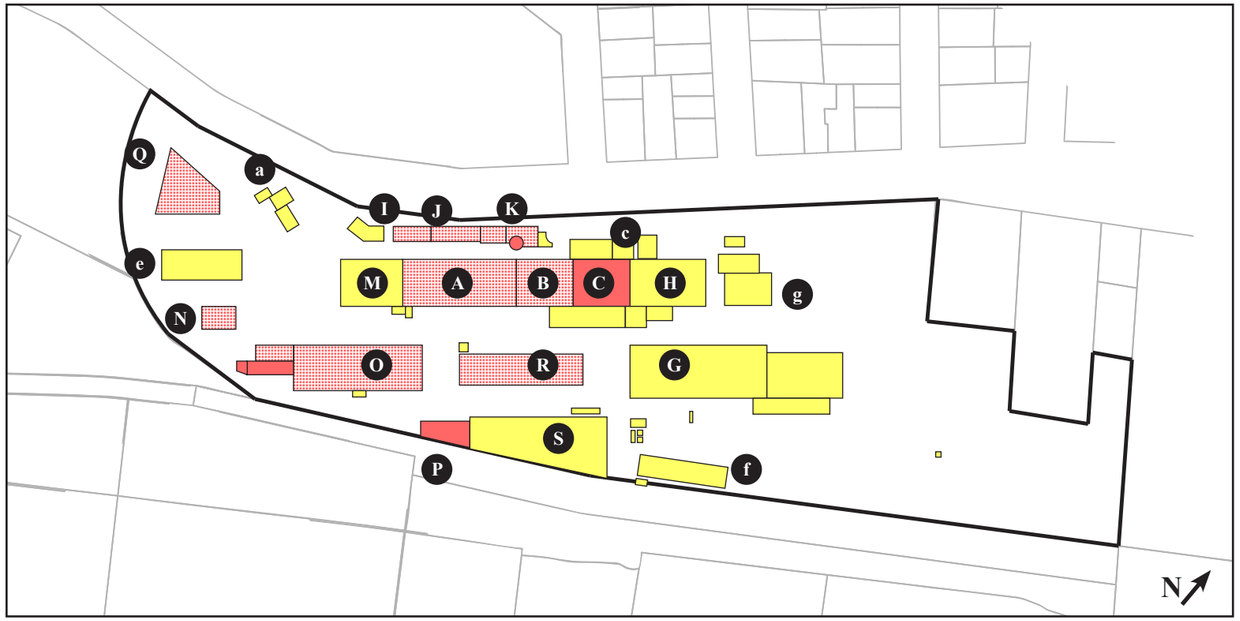
View of the Portland Company yard. Courtesy of the Maine Historical Society.

Portland Company works. Courtesy of the Maine Historical Society.

Interior of the machine shop. Courtesy of the Maine Historical Society.



Interior of the boiler shop. Courtesy of the Maine Historical Society.



The Portland Company
1890

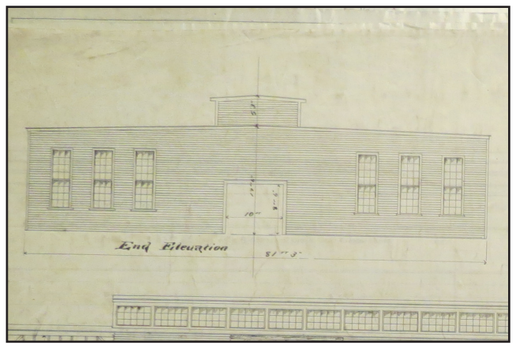
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:

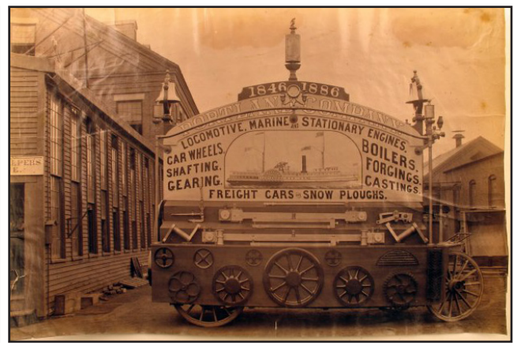
A: Machine Shop
B: Smith Shop
C: Foundry
F: Blacksmith Shop
G: Boiler Shop
H: Foundry Expansion
I: Office Building
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
M: Erecting Shop
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
S: Blacksmith & Tank Shop

SECONDARY:

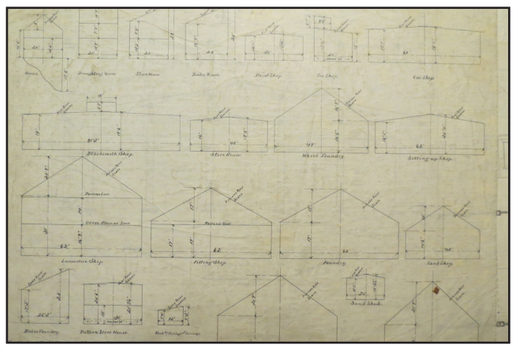
a: Stable
c: Air Furnace, Foundry Expansion & Core Shop
d: Scratch House
e: Storehouse
f: Sand Shed
g: Wheel Foundry



Drawing for new blacksmith and tin shop. Courtesy of the Maine Historical Society.

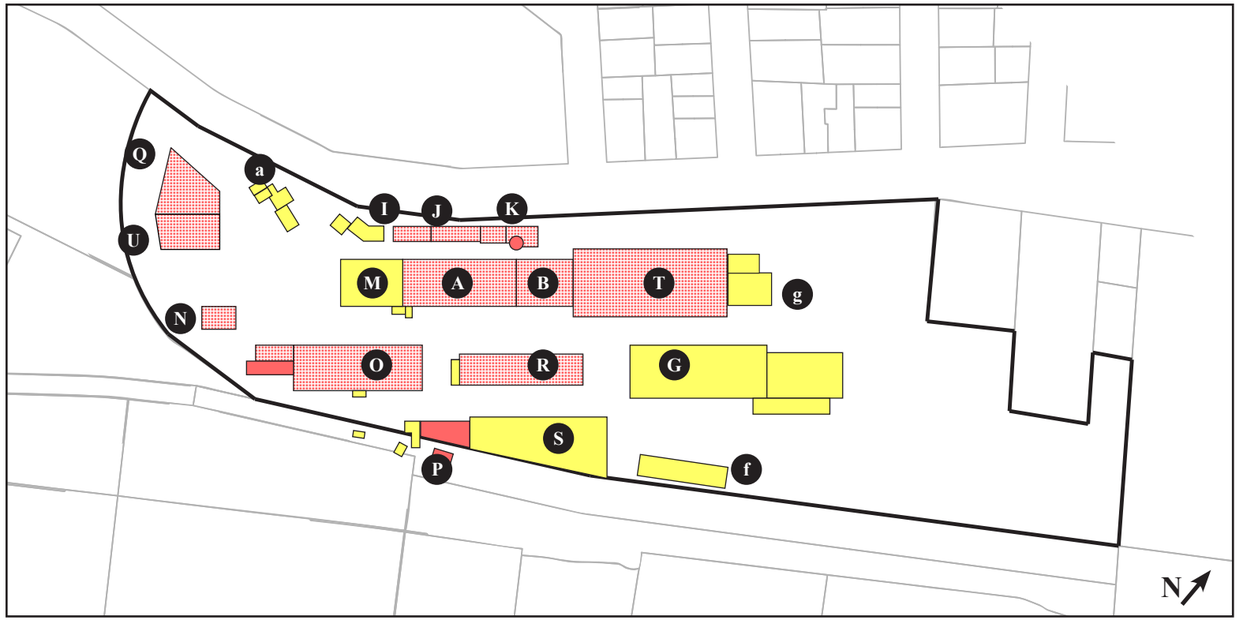


View from the Portland Company erecting shop. Courtesy of the Maine Historical Society.



Various Portland Company buildings in section. Courtesy of the Maine Historical Society.

North end of the Portland Company yard. Courtesy of the Maine Historical Society.



The Portland Company
1896

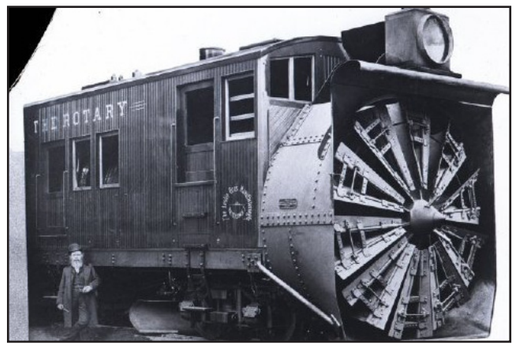
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:

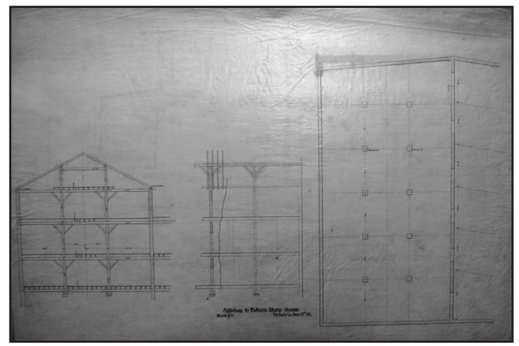
A: Machine Shop
B: Smith Shop
F: Blacksmith Shop
G: Boiler Shop
I: Office Building
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
M: Erecting Shop
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
S: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition

SECONDARY:

a: Stable
d: Scratch House
f: Sand Shed
g: Wheel Foundry



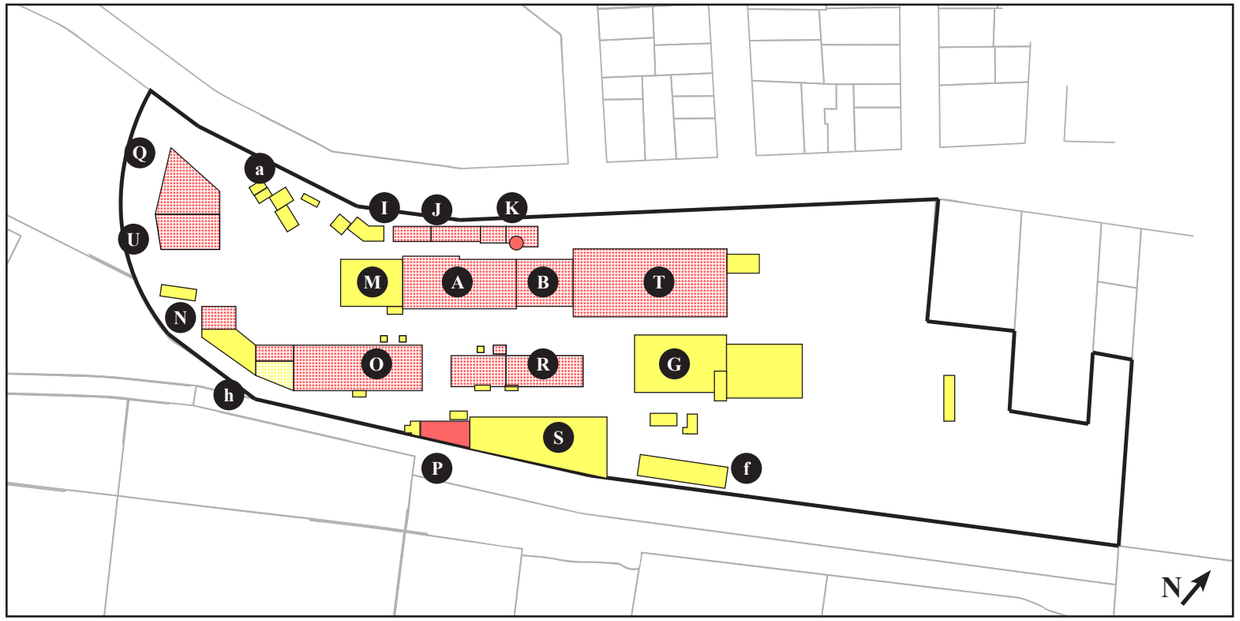
Courtesy of the Maine Historical Society.



Drawings for the Pattern Storehouse addition. Courtesy of the Maine Historical Society.

View of the Portland Company entry yard. Courtesy of the Maine Historical Society.

View of the Portland Company works. Courtesy of the Maine Historical Society.



The Portland Company
1909

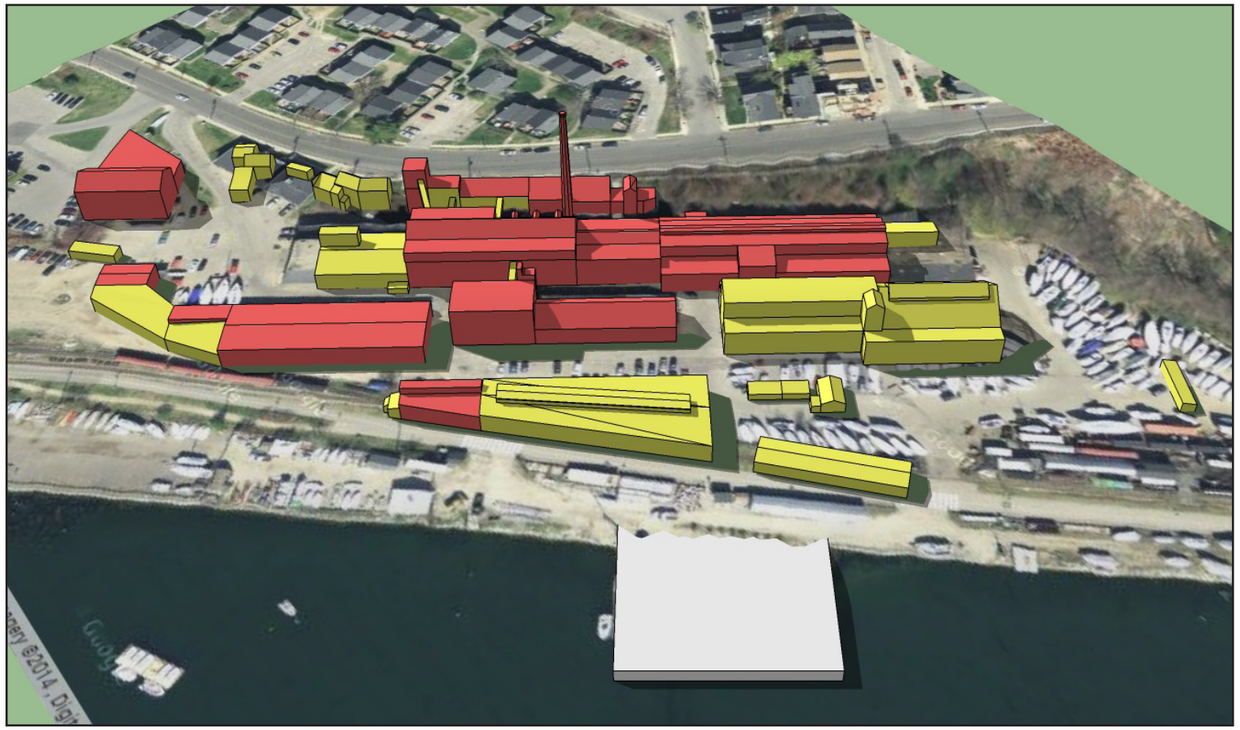
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:

A: Machine Shop
B: Smith Shop
F: Blacksmith Shop
G: Boiler Shop
I: Office Building
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
M: Erecting Shop
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
S: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition

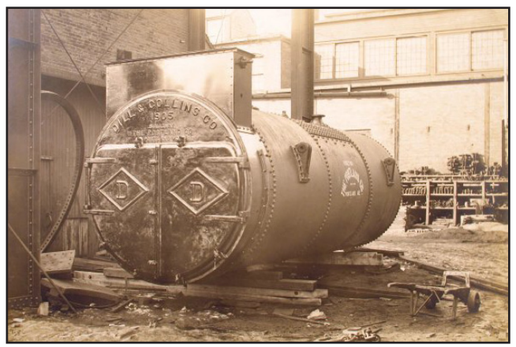
SECONDARY:

a: Stable
d: Scratch House
f: Sand Shed
h: Lumber Sheds



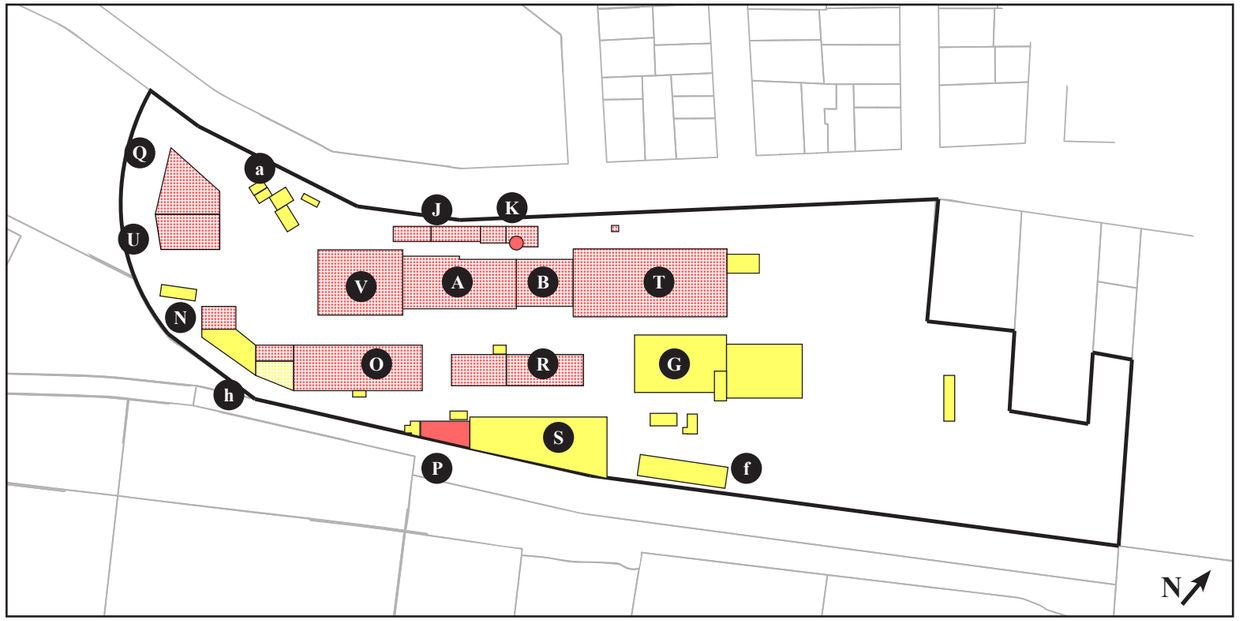
Interior view on the third floor of the machine shop. Courtesy of the Maine Historical Society.

Knox automobile at the Portland Company. Courtesy of the Maine Historical Society.



Large boiler outside the tank shop. Courtesy of the Maine Historical Society.

Knox automobile at the Portland Company. Courtesy of the Maine Historical Society.



The Portland Company
1918

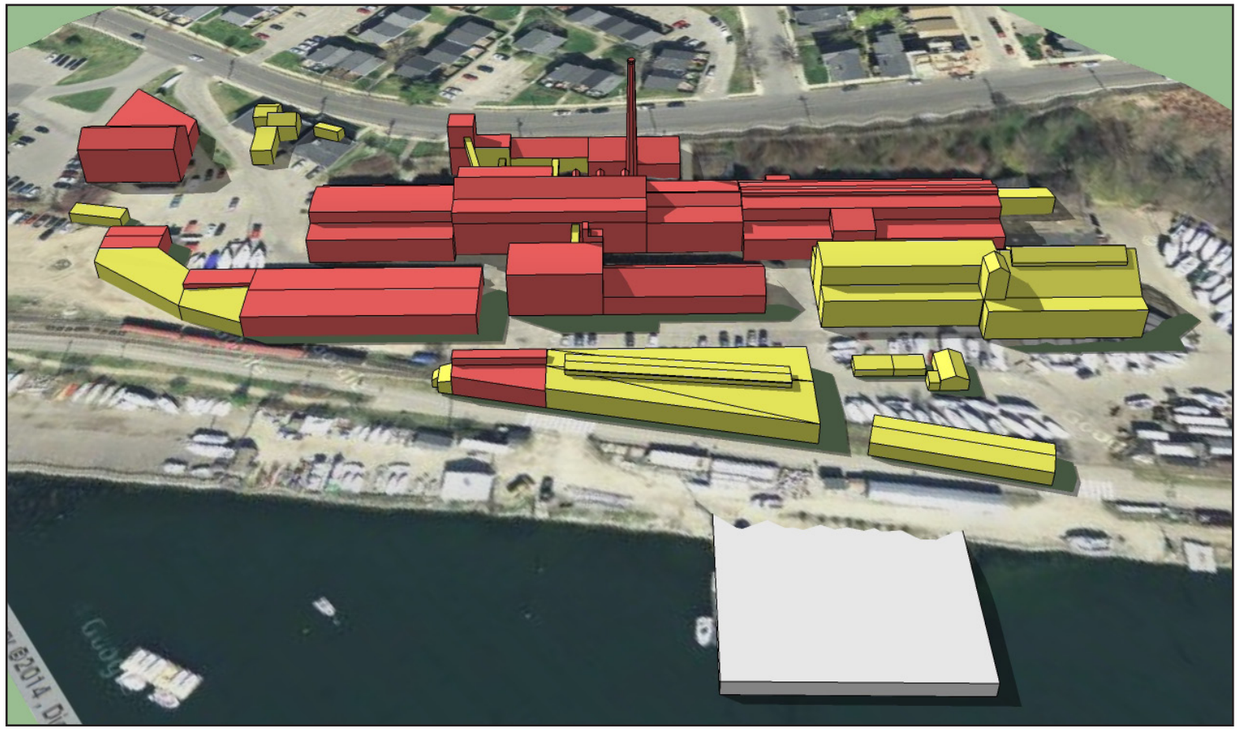
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

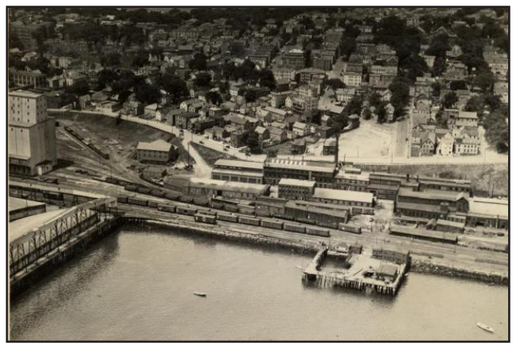
PRIMARY:

A: Machine Shop
B: Smith Shop
F: Blacksmith Shop
G: Boiler Shop
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
S: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition
V: Erecting Shop

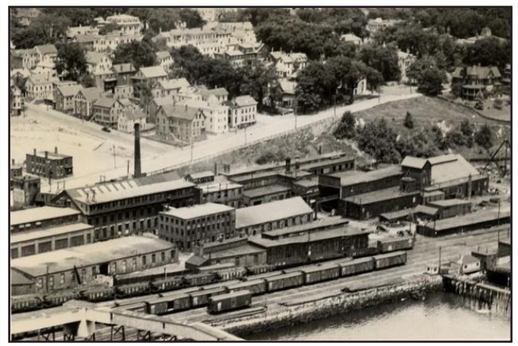
SECONDARY:

a: Stable
f: Sand Shed
h: Lumber Sheds

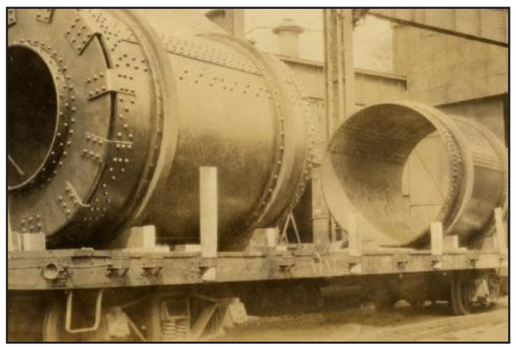




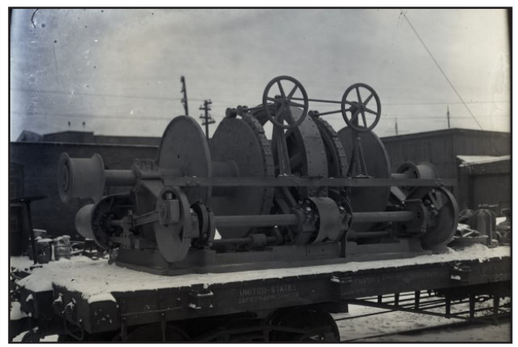
Aerial of the Portland Company. Courtesy of the Maine Historical Society.



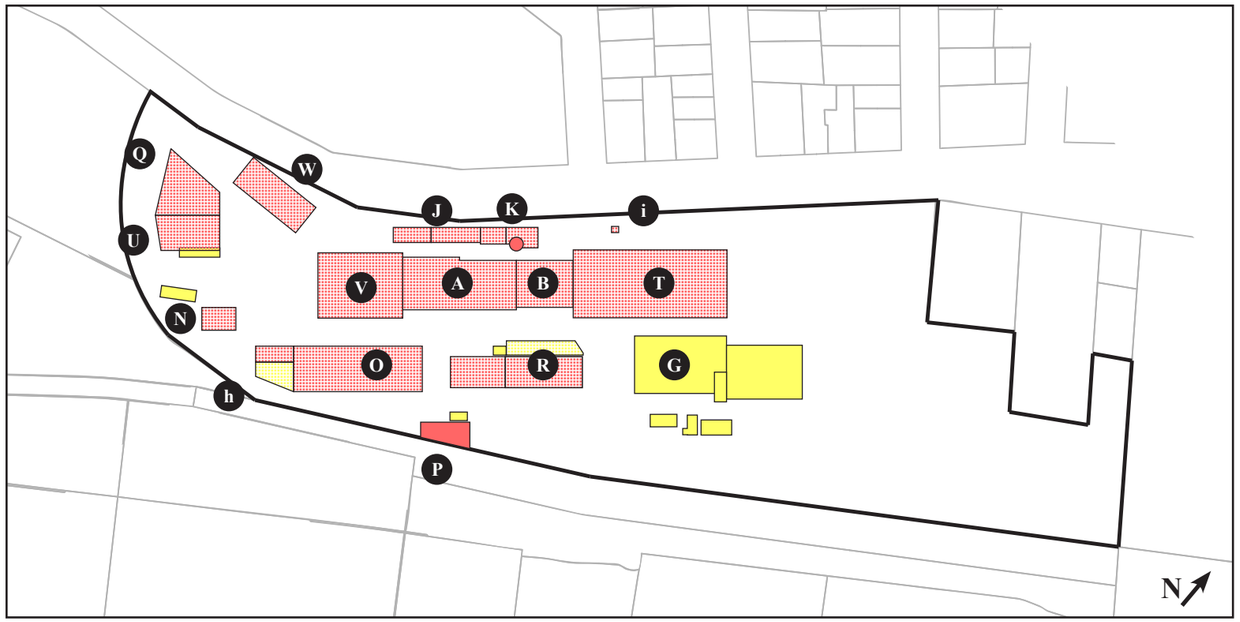
Aerial of the Portland Company. Courtesy of the Maine Historical Society.



Large debarking drums. Courtesy of the Maine Historical Society.



Courtesy of the Maine Historical Society.



The Portland Company
1951

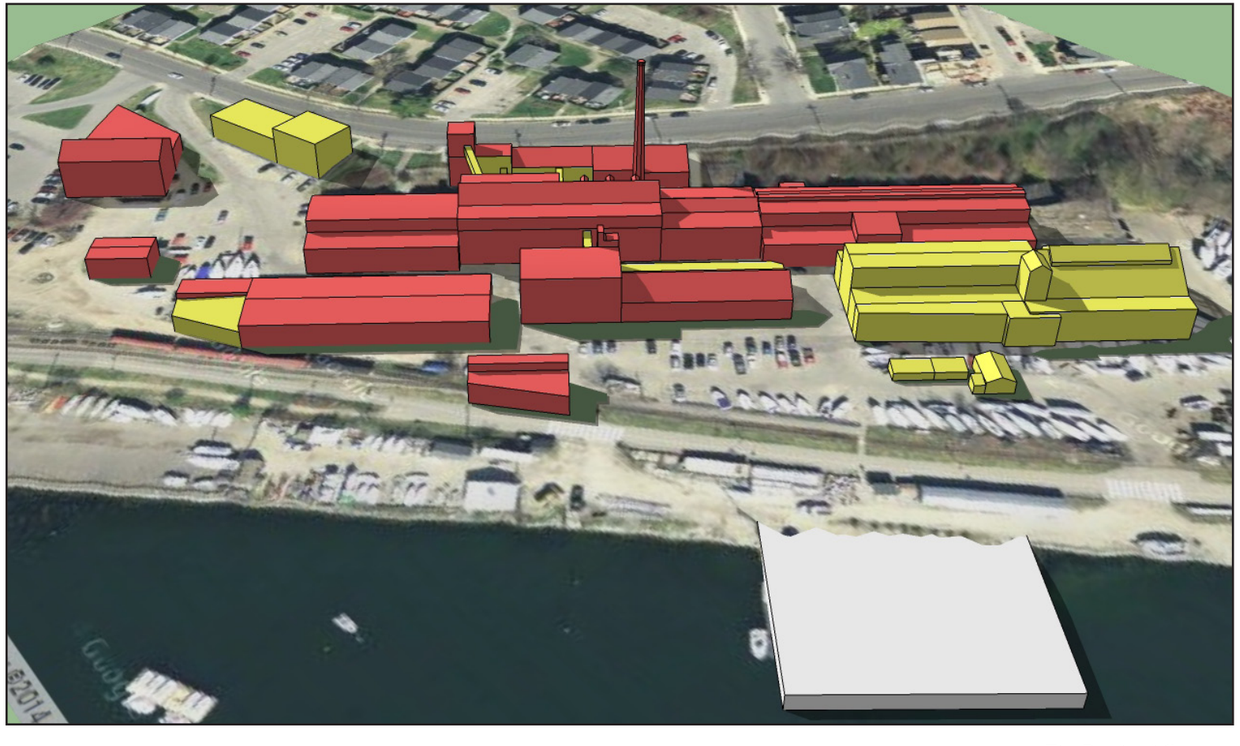
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

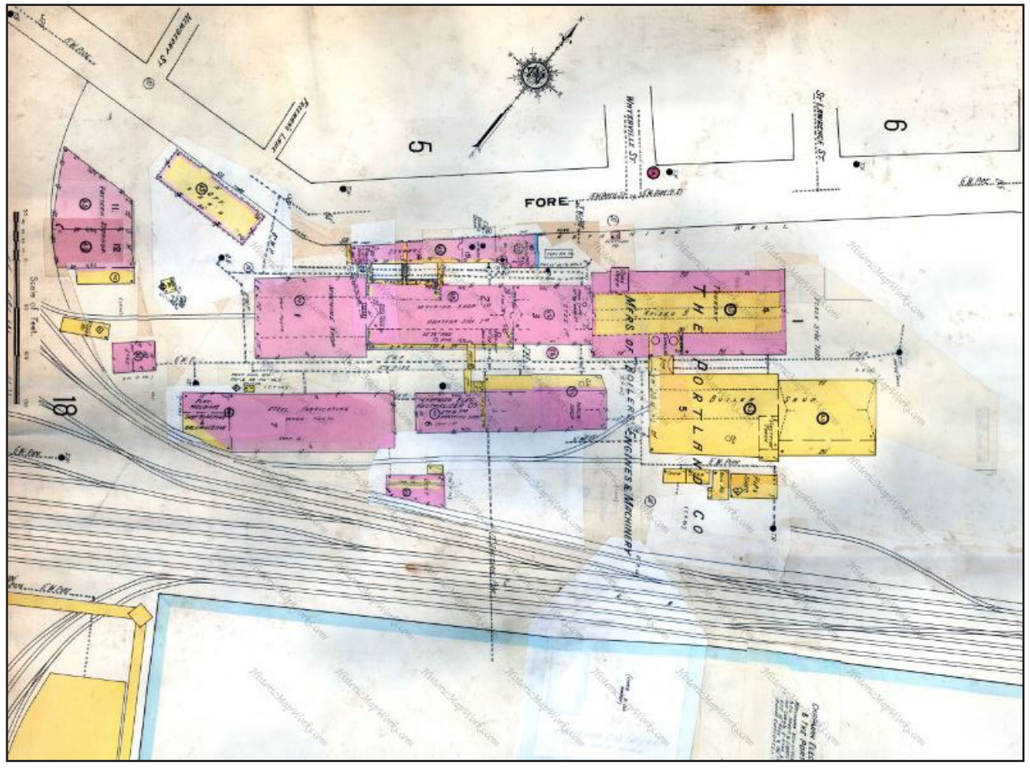
PRIMARY:

A: Machine Shop
B: Smith Shop
F: Blacksmith Shop
G: Boiler Shop
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
N: Paint Shop
O: Car Shop
P: Tin & Babbitt Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition
V: Erecting Shop
W: Office Building

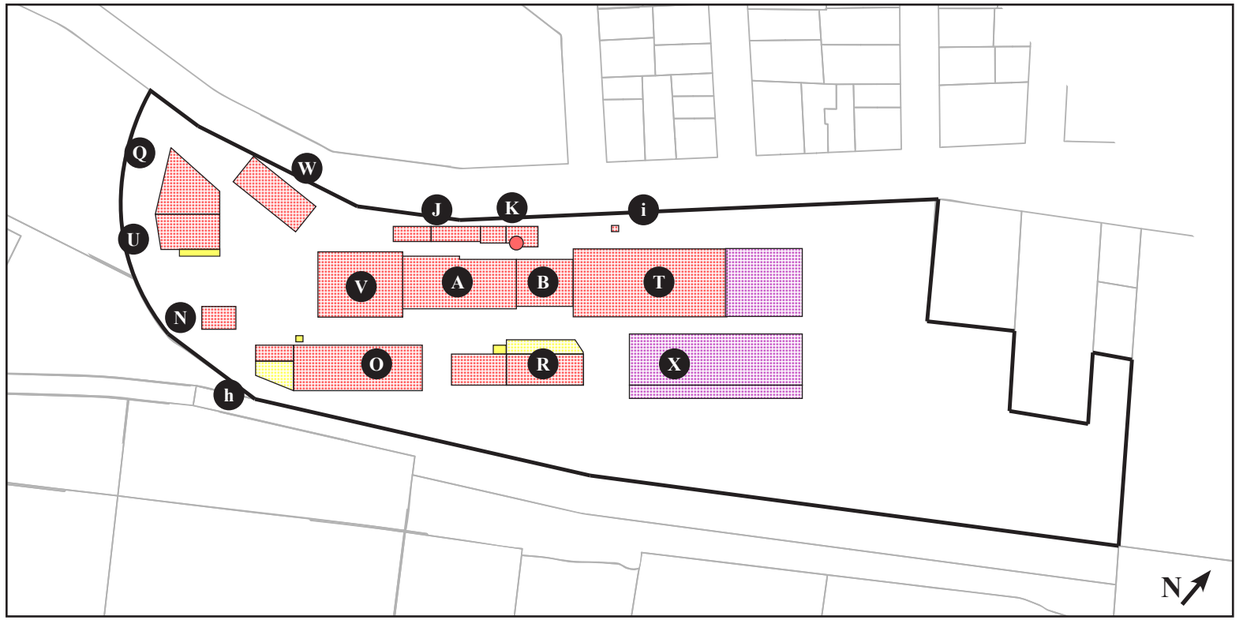
SECONDARY:

h: Lumber Sheds
i: Acetylene House





1951 Sanborn Map for the Portland Company.



The Portland Company
1986

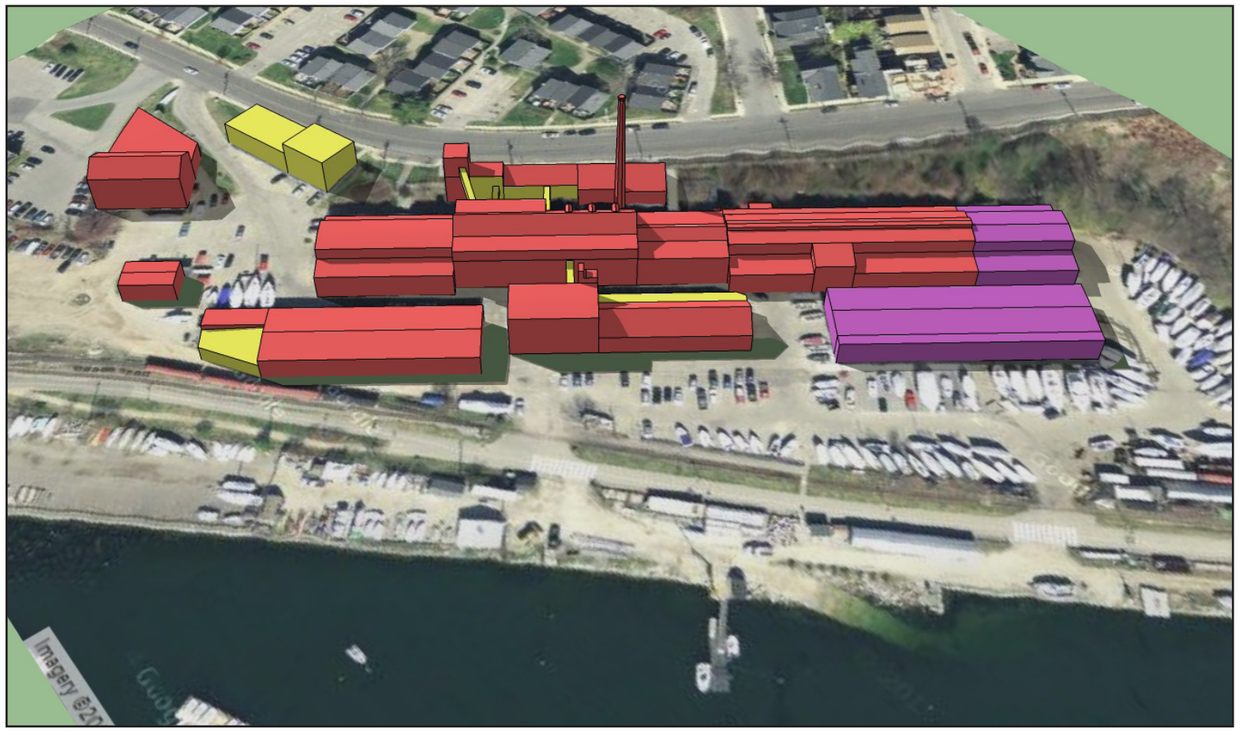
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

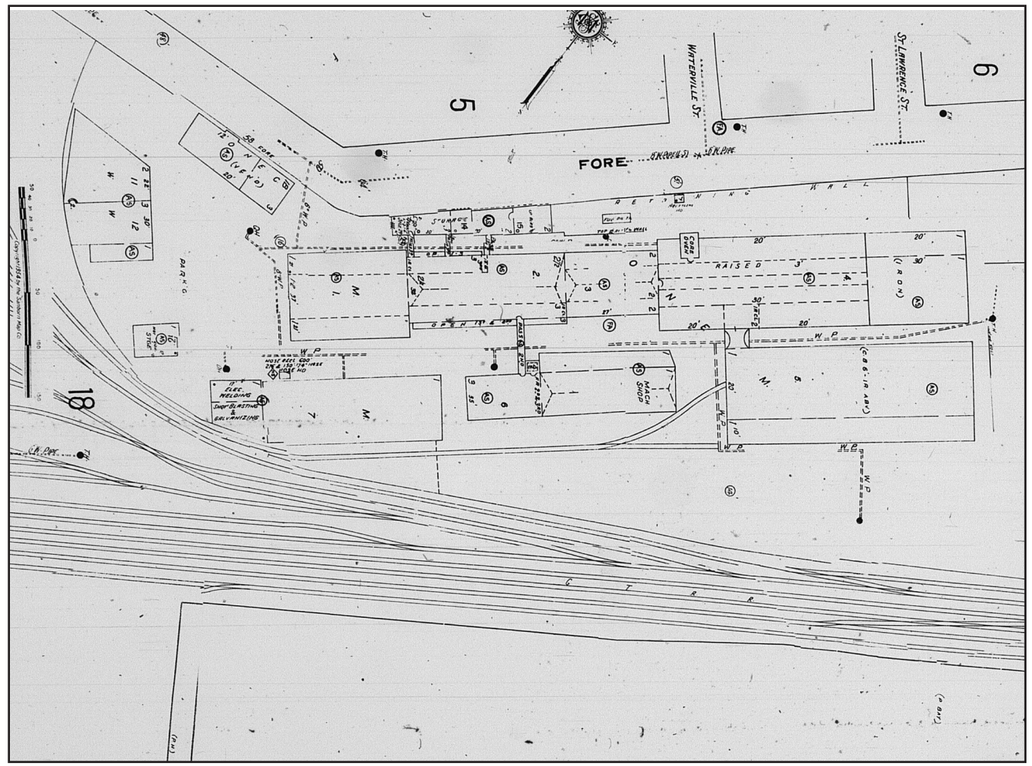
PRIMARY:

A: Machine Shop
B: Smith Shop
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
N: Paint Shop
O: Car Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition
V: Erecting Shop
W: Office Building
X: Modern Construction

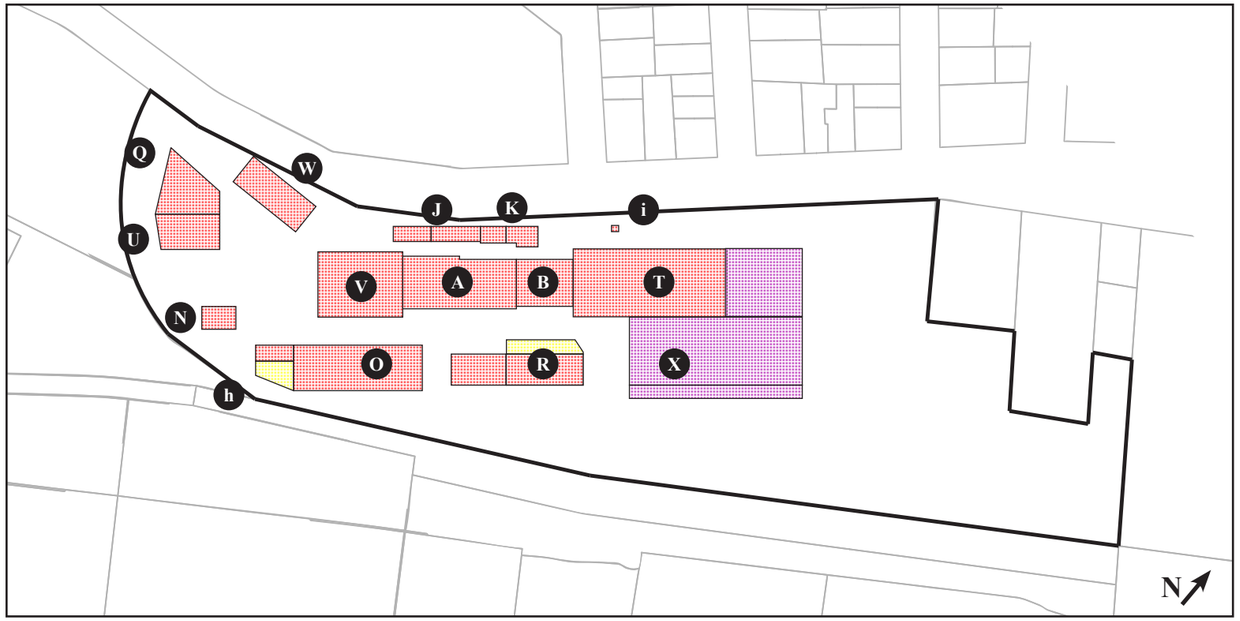
SECONDARY:

h: Lumber Sheds
i: Acetylene House





1986 Sanborn Map for the Portland Company.



The Portland Company
2014

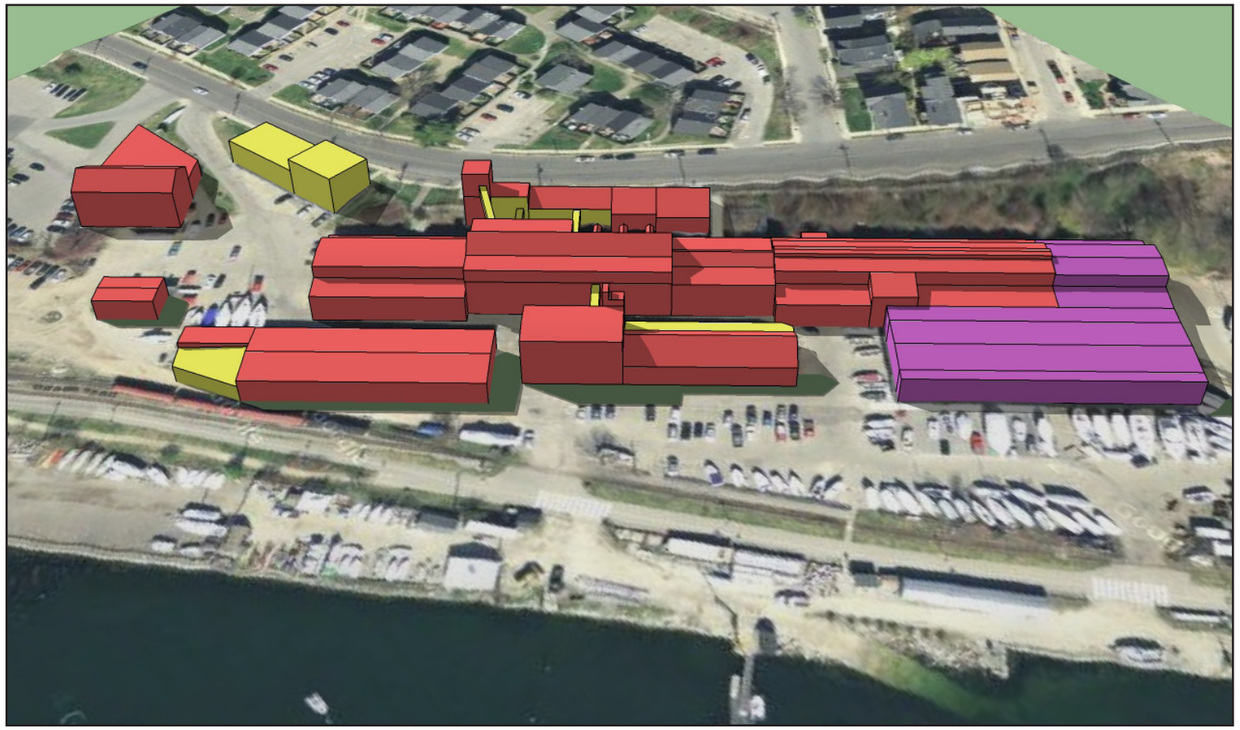
- Masonry
- Wood
- Metal
- Extant Masonry
- Extant Wood
- Extant Metal

PRIMARY:

A: Machine Shop
B: Smith Shop
J: Drafting Room & Storehouse
K: Boiler House & Brass Foundry
N: Paint Shop
O: Car Shop
Q: Pattern Storehouse
R: Blacksmith & Tank Shop
T: Foundry
U: Pattern Storehouse Addition
V: Erecting Shop
W: Office Building
X: Modern Construction

SECONDARY:

h: Lumber Sheds
i: Acetylene House

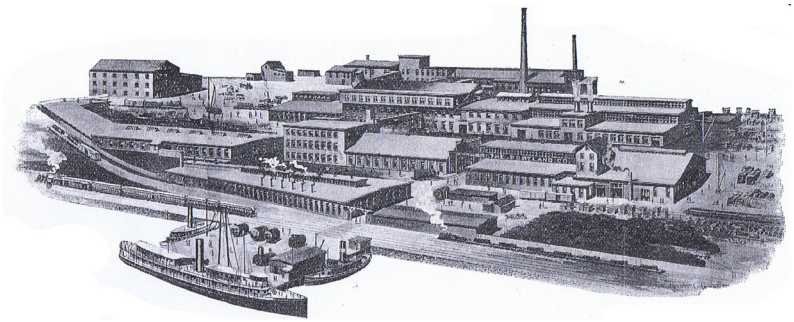


Current view north of the Portland Company.

View north in the alley at the west end of the complex.

View east between the car shop and electric company building.

View north between the machine shop and blacksmith and tank shops.



Section III:
Appendices

APPENDIX A: HISTORY OF THE ESTABLISHMENT OF THE PORTLAND COMPANY

The Portland Company was established in conjunction with construction of the Atlantic & St. Lawrence Railroad which was built to connect Portland to Montreal. John A. Poor, the individual most responsible for Portland's successful bid over Boston to become Montreal's winter port via rail, was a Director of the Atlantic & St. Lawrence Railroad and became the first President of the Portland Company.[1] Other Atlantic & St. Lawrence Directors were also stockholders in the Portland Company, including Portland's wealthiest individual John Bundy Brown, who would become President of the company in 1864; Congressman and later Senator and U. S. Secretary of the Treasury William P. Fessenden; and Captain George Turner, who was given a seat on the railroad's Board between the regular annual Director's elections shortly after selling property to the Portland Company for their works. In October 1846, the Directors of the Atlantic & St. Lawrence Railroad contracted with established Philadelphia locomotive builder Septimus Norris to produce locomotives, cars, wheels, rail, and other necessary castings for the construction and operation of the line with the stipulation that these be manufactured in Portland. Septimus Norris was one of eight brothers who were pioneers in the development and fabrication of steam locomotives in the U. S. No facilities existed in Portland to undertake this contract and Norris partnered with several prominent Portland residents, including John A. Poor, as the "Portland Company" in 1846, to undertake this work. The partners appear to have purchased a charter that had been granted by the Maine legislature for the Portland Iron Manufacturing Company in 1845, five days after the charter for the Atlantic & St. Lawrence Railroad was granted. In August 1846, the legislature approved an act changing the name of the corporation to the Portland Company and increasing the allowed capital of the company from fifty-thousand dollars to two-hundred-and-fifty thousand dollars. The act specified that the Portland Company would manufacture locomotive engines, railroad cars, machinery and implements of all kinds, which had not been mentioned in the original charter.[2]

The first meeting of the Directors of the Portland Company was held on November 11, 1846, at the Exchange Street office of Attorney John A. Poor. John Fox was chosen chairman, and A. W. H. Clapp, Secretary. Other Directors present included Septimus Norris, James C. Churchill, and George Warren. John A. Poor was elected President, Woodbury Storer elected Treasurer, Septimus Norris was elected Chief Engineer, and Horace Felton Superintendent. Horace Felton was an experienced superintendent from the Norris locomotive works in Philadelphia. All of the directors except Norris and Felton were Portland residents. At this first meeting, the Chief Engineer and Superintendent were requested to report as soon "as may be" what buildings would be required and also engines and tools for the company. Norris submitted a list of tools "to be purchased of Norris & Brothers Locomotive Builders, Philadelphia", totaling $13,500 which were "required to commence our business." These were part of a longer list included all tools, machines, and equipment needed to set up fully operational shops, with a total cost of $46,955. Additionally, Norris submitted a list of ten men to fill the positions of Foreman, Draftsman, Foreman Finisher, Foreman Foundry, Foreman Pattern Shop, Clerk, Time Keeper, Foreman Boiler Shop, Foreman Putting Shop, and Foreman Smith. All these men, "who understand fully the whole detail of this particular branch of mechanics," apparently having worked at the Norris shops in PA. Also at this meeting, Directors Fox, Warren, Churchill, and Clapp were appointed to a committee to "negotiate with Capt. George Turner and other individuals in relation to a site for the necessary works of the Company." Turner owned land, mud flats, and a wharf along Fore Street at the base of Munjoy Hill. Later the same day, the committee reported that Capt. Turner wanted $8,500 for his property.[3]

Five days later the committee had a verbal agreement with Turner to sell a portion of his land below Fore Street for $4,750 with his consent to move the line of Fore Street and place water reservoirs for the works

1 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

2 Records of the Portland Company and records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

3 Records of the Portland Company, Maine Historical Society.

on land owned by Turner across the street. The Board approved the agreement and Turner signed it within several days. On the same day, the company President was requested to "make application to the City Government for leave to erect stationary engines and whatever else may be necessarily connected with the Company Works and requiring such licenses," and Directors Fox, Churchill, and Clapp to, "be a Committee on that part of this Board to confer with the President and Directors of the Atlantic & St. Lawrence Railroad Company on the subject of the location of the works of the Portland Company, with power to negotiate with said Railroad Company, or any committee thereof, touching their right of way, in front of or upon the land of the Portland Company: and all questions that may arise requiring the mutual and concurring action of this Board and said Rail Road Company, prior to the erection of the works of this Company, with a view to such mutual and reciprocal arrangements as may be found advantageous to both parties." In 1846, the legislature had granted the railroad the right to claim by eminent domain, "so much of the lands, flats, and other real estate … lying within the City of Portland, and adjoining the navigable waters of Portland harbor," (essentially within the area bounded by India Street, Fore Street to the point where the street is closest to the harbor, then southeast to the navigation channel of the Fore River and back to India Street) as required for a railroad terminus at Portland including a depot, wharves, docks, etc. The Turner property purchased by the Portland Company was a short distance east of the railroad's boundary with a lot retained by Turner between them. The fact that the railroad's eminent domain boundaries did not include the Portland Company property when established by the legislature suggests that space for an adjoining locomotive manufacturer may have been part of the railroad's plan from the outset. Much of the "property" of both companies was comprised of the mud flats and waters of Broad Cove. The Portland Company directors immediately undertook to plan and contract for a stone sea wall, filling, and grading their site to create sufficient level land for their works.[4]

By late December 1846, less than six weeks after the first meeting of the Board of Directors, tensions had appeared between the Portland Directors and Septimus Norris, brought to a head on December 21, when the Board voted not to pay an invoice for $138 drawn in the name of President Poor by Norris for drawings for buildings, locomotives, and cars because Norris had no authorization to do so and because Norris had failed to pay an assessment of $5.00 per share on the 1000 shares of company stock he controlled. Within a short time, the shares had been transferred back to the corporation and Norris was fired as Chief Engineer. There is no documentation that the company purchased the recommended tools and machinery from Norris Locomotive Works of Philadelphia before the ouster of Septimus Norris. Eventually, Norris would settle with the company, receiving $400 to renounce any claims on the company while allowing them the non-exclusive use of all the patents he controlled for the manufacture of railroad equipment, which he had previously assigned to the company. Horace Felton was also fired briefly but apparently determined he had a better future with the Portland Company than Norris Locomotive Works. Shortly after letting him go, the Board appointed him General Superintendent and he was primarily responsible for making the works operational during the following year and a half.[5]

A seriously complicating factor in the removal of Septimus Norris was his contract with the Atlantic & St. Lawrence Railroad to produce locomotives and other equipment for that company. Norris attempted to retain the contract, offering to lease of buy property from the Portland Company on which to erect shops, but ultimately the contract was canceled by the railroad and the work assigned to the Portland Company. Negotiating the complex legal and practical issues involved with the Norris contract appears to have been helped by John A. Poor's presence on both Boards. It is clear that the Directors of the railroad were determined to have a manufacturing plant for locomotives and other railroad equipment in Portland and it isn't surprising that they worked to insure it would happen under local control once Norris proved unable to fulfil his obligations as a stockholder in the Portland Company. Further close cooperation between the companies was required in the building of the shops and establishment of a rail connection to them, as well as construction of a wharf for the Portland Company on the harbor side of the railroad's trestle from Fish

4 Records of the Portland Company and records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

5 Records of the Portland Company, Maine Historical Society.

Point to the depot at India Street. Eventually the Portland Company would expand, filling all the water between their first sea wall and the railroad, which would fill around its trestle and build a stone sea wall along the harbor edge.[6]

Beginning in April 1847, the foundry, smith shop, and machine shop, were constructed of brick using plans by Felton. The company contracted with Thomas Cummings as Master Carpenter at $2.50 per day and Lorenzo D. Mason as Master Mason or Bricklayer at $2.00 per day. Both were "encouraged to employ carpenters and masons who are stockholders in the company at the same rates as other mechanics." A cargo of stone then in the harbor was purchased for the buildings from Mr. Littlefield. The stone was used for stone for foundations, underpinning, and window caps. John Soule of Freeport supplied 175,000 bricks at $5.25 per thousand delivered and Dennison & Kelsey of Freeport supplied two kiln of bricks (approx. 250,000) at $5.00 per thousand delivered, "to be hard burnt and merchantable." The foundry was 75' x 62', smith shop 75' x 62', and machine shop 150' x 62' with slate roofs. Fenton was authorized to contract for tools and machinery up to $8,000 and President Poor contracted with Hinckley & Egery of Bangor for a stationary engine with two boilers 20' long by 40" diameter to power the machinery of the plant. It was to be installed and operational by August 1. The President and General Supervisor also began to look for a pattern maker and foreman to hire while the shops were under construction. Two additional lots were purchased from Capt. George Turner in November 1847, one to the east of the first lot purchased for $1,550 and one to the west for $1,350. The sea wall was extended and a wooden car shop was built on the west lot. The boundaries were apparently not clear as the car shop was built partially on Atlantic & St. Lawrence Railroad land west of the new lot. The railroad sold a piece of property to the company so the car shop was entirely on their own land. The railroad would sell additional land for further expansion of the complex in the early twentieth century. The company's shops began operation in October 1847, with the first locomotive, the "Augusta," completed in July 1848. The Augusta was built for the Portland, Saco & Portsmouth Railroad, not the Atlantic & St. Lawrence Railroad. The first locomotive for that line, the "Montreal," was completed in September 1848. The Portland Company would manufacture a total of 628 locomotives between 1848 and 1909 in addition to hundreds of marine and industrial boilers and numerous other products.[7]

6 Records of the Portland Company and records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

7 Records of the Portland Company, Maine Historical Society.

APPENDIX B: ADDITIONAL INFORMATION ON JOHN A. POOR

John Alfred Poor was born in Andover, Maine, to Dr. Silvanus and Mary Merrill Poor in January 1808. He spent part of his boyhood with an uncle in Bangor where he attended school at an academy. In 1827, he began the study of law in Bangor. He was admitted to the bar on his 24th birthday and opened a practice in Old Town. In 1833, he returned to Bangor and married Elizabeth Adams Hill, going into partnership with his uncle, also a lawyer. Upon the retirement of his uncle, Poor and his brother, Henry Varnum Poor, also a lawyer, established a partnership. John A. Poor practiced law in Bangor for fourteen years before moving to Portland to pursue other interests, principally railroads.[1]

Poor had been present in Boston in April 1834 when the first steam locomotive ran in New England. He later wrote of that experience: "It gave me such a shock that my hair seemed to start from the roots rather than to stand on end; and as I reflected in after years, the locomotive engine grew into a greatness in mind that left all other created things far behind it as marvels and wonders." In a speech given in Bangor in 1869, Poor described how he came to become the leading proponent of railroad building in Maine:

> From 1830, onward, I watched with eager curiosity the development of the railway, its mysterious workings and marvelous power; and I sighed and longed for the introduction of railroads into Maine. I saw how the railroad, wherever introduced, attracted capital and industry. As early as 1835, I perceived that the tide of immigration into Maine, from other parts of New England gradually diminished, and finally was checked completely by the growth of manufactures. I could not help seeing that a time of emigration from Maine was rolling on; for in 1843, on a visit to my native town with less than seven hundred people, eighty young persons had been drawn from it to the workshops and factories of Massachusetts. I felt irresistibly impelled to an effort to resist if possible this state of things. I tried in 1843, as a citizen of Bangor, to move in a plan for a railway east, toward St. John and Halifax, but the time had not come, and I threw my energies into the project of a line from Portland to Montreal, as the great section to begin upon.[2]

In 1844, Poor wrote a letter to the *Portland Advertiser* outlining his plan for a rail line from Portland to Montreal. His biographer states, "His letter created a profound sensation in Portland … compared to 'an alarm bell in the night struck by the hand of a stranger.'" A short time later, Poor relocated to Portland and began organizing the effort to secure a charter from the legislature for the railroad. John A. Poor's role in the creation of the line from Portland to Montreal is well documented – from his speaking tours through Maine and Quebec, promoting the plan, to his frantic journey from Portland to Montreal by sleigh in a blizzard to head off efforts by Boston to secure the proposed line for their city, and subsequent his efforts to get the railroad financed, built, and equipped.[3] Shortly after the line was completed to Montreal, it was leased to the Grand Trunk Railroad, which operated it until the 1980s.[4]

In 1846, a committee of Directors of the Atlantic & St. Lawrence Railroad, which included Poor, negotiated an agreement with the railroads connecting Portland to Portsmouth and Boston which would allow the transfer of passengers and freight between the lines without unnecessary delay or cost. According to Poor's biography, "The idea itself originated with Mr. Poor, who thus early recognized the impolicy of placing any restriction upon railway transit. To carry it out, he suggested the building of a new street, extending across a part of the city from the station of the Atlantic and St. Lawrence Railway to that of the Boston roads, on

---

1 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

2 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

3 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

4 Records of the Atltantic & St. Lawrence Railroad, Maine Historical Society.

which a railway track should be laid."[5] This would be built several years later and be named Commercial Street. The effect of Poor's railroad related developments on Portland and Maine cannot be over stated. On a state-wide level, Poor's efforts greatly increased international trade with both Canada and Europe, provided the state with direct trans-Atlantic passenger ship service, and facilitated the immigration of thousands of French-Canadian families to work in the mills made possible by the improved transportation network.

Poor was also President of the Portland Gas Light Company, incorporated in 1849, which began to supply gas for domestic and street lighting in 1850. In 1849, he purchased the *American Railway Journal* and made his brother, Henry Varnum Poor manager and editor. H. V. Poor later owned the publication and expanded into compiling statistical information on the financing and operation of railroads in the U. S., establishing the foundation of the Standard and Poor's financial services company. In 1851, he was elected President of the York and Cumberland (later Portland and Rochester) Railroad and conceived of the route of that line over the mud flats of Back Cove in Portland, to connect with the Atlantic & St. Lawrence near that line's Back Cove Bridge. Kennebec Street and a portion of the Bayside Trail follow this right of way today. Poor established *The State of Maine* newspaper in Portland in 1853 and was its owner and editor until it merged with the *Daily Advertiser* in 1859. The newspaper was devoted to the advocacy of the development of the state and particularly, his own scheme for building the European and North American Railway. In the late 1860s and early 1870s, he was President of the Portland, Rutland, Oswego, and Chicago Railway, a never-built line that was to have replaced the Grand Trunk Railroad in his transcontinental plan, after that railroad declined to become involved in the plan.[6]

The European and North American Railway was John A. Poor's great dream, of which the Atlantic & St. Lawrence Railroad was to be merely a part. He wanted to create a railroad line that would run from Halifax, Nova Scotia, through New Brunswick and into Maine at Calais, then run to Bangor and on to Auburn, where it would connect with the Atlantic and St. Lawrence line to Montreal. From Montreal, Poor envisioned a line that would run to the Great Lakes and ultimately to the West Coast, serving both the United States and Canada. His vision was for this grand trunk line to connect with trans-Atlantic steam ships at Halifax, providing the shortest possible route from "British America" (the U.S. and Canada) to England and Europe and from the West Coast to Asia. In 1869, he wrote, "For more than thirty years I have contemplated as a certainty the completion of a line of railway across the continent of North America, at its widest part, as the means of securing the shortest possible transit of passengers, mails, and valuable merchandise between the centers of Europe and Asia." His great concept ran into competition from another plan for a railroad from the Canadian Maritime Provinces to Montreal that stayed entirely within Canada, and resistance from his Atlantic & St. Lawrence partners in Portland, who saw no advantage to the plan, fearing a line from Halifax would make Portland redundant. Poor believed there would be enough business for both. His advocacy for the European & North American Railroad scheme would lead to his failing to be reelected to the Atlantic and St. Lawrence Board of Directors in 1849 and to his disassociation with the Portland Company Board in 1851. Portions of the E. & N. A. Railway in New Brunswick were built between 1851 and 1869, ending at the U. S. Border at St. Croix, N. B. The American European & North American, chartered in 1850, was built from Bangor to Vanceboro, opposite St. Croix, between 1868 and 1871. U.S. President Ulysses S. Grant and Canadian Governor General Lord Lisgar attended the ceremony to open the boundary bridge crossing the St. Croix River and connecting the two parts of the E. & N. A. R. R. in 1871. From Bangor southward, The Penobscot & Kennebec and Androscoggin & Kennebec railroads (later merged at the Maine Central) provided a link to Portland. Poor was still working on his westward dream, via the proposed Portland, Rutland, Oswego, and Chicago Railway when he died, six weeks before the opening of the European & North American bridge over the St. Croix.[7]

5 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890. 49, 50.

6 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

7 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New Eng-*

Poor spent much of the 1860s in Washington, D. C., advocating and lobbying for his international railroad scheme as well as other projects related to Maine. Among other things, he was the principal proponent for the construction of Fort Popham at the mouth of the Kennebec River during the Civil War. When much of Portland was destroyed in the Great Fire of 1866, Poor undertook to raise funds for the relief of the residents of the city in Washington, where he was residing at the time.[8]

For many years, Poor was an active supporter of the Maine Historical Society, which had accepted him as a member in 1846 (membership of the organization was then limited to 100 persons). Poor devoted much of his leisure time to researching and writing about the early history of New England. In 1859, he read his first paper, "English Colonization in America" to both the Maine Historical Society and the New York Historical Society. Upon his death, the Society held a special meeting and passed a series of resolutions, "expressing a sense of deep obligation to Mr. Poor for his great services in the department of history, as well as in behalf of the material interests of the state, and declaring that he is entitled to be considered a public benefactor, and to be held in grateful remembrance by his fellow-citizens."[9]

land, Life and Writings of John Alfred Poor, 1890.

8 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890.

9 Baxter, James P. "Reminiscences of a Great Enterprise," 1890. Maine Historical Society.

Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890.

APPENDIX C: RAILROADS FOR WHICH THE PORTLAND COMPANY PRODUCED LOCOMOTIVES

Alabama & Chattanooga RR
Androscoggin & Kennebec RR
Annapolis & Elk Ridge RR
Aroostook Valley RR
Atlantic & St. Lawrence RR
Bangor & Piscataquis RR
Bangor, Oldtown, & Milford RR
Bartlett & Albany RR
Black Rock and Salisbury Beach RR
Boston & Maine RR
Bridgton & Saco River RR
Brockville & Ottawa RR
Calais & Baring RR
Canadian Pacific RR
Central Mexicano RR
Chicago, Alton, & St. Louis RR
Complete Combustion Boiler Co.
Dominion of Canada RR
E. M. Boynton Bicycle Railway
Eastern RR
European & North American RR
Fredericton Branch RR
Galveston, Houston & Henderson RR
Grand Trunk RR
Hanover Branch RR
Inter-Colonial RR
John Wood Co.
Kennebec & Portland RR
Kennebec Central RR
Kilkenny Lumber Co.
Lake Shore & Michigan RR
Lexington & Danville RR
Logansport, Peoria & Burlington RR
Mad River & Lake Erie RR
Maine Central RR
McKean & Buffalo RR
Midland RR
Milwaukee & Mississippi RR
Milwaukee & St. Paul RR
Milwaukee, Lake Shore & Western RR
New Brunswick & Canada RR
New York & Boston RR
New York City & Northern RR
Northern Pacific RR
Nova Scotia RR
Ogdensburg & Lake Champlain RR
Ontario, Simcoe & Lake Huron RR
Panama RR
Penobscot & Kennebec RR
Peoria & Pekin Union RR
Peoria, Pekin and Jacksonville RR
Phillips & Rangeley RR
Port Hope, Lindsay, & Beaverton RR
Portland & Kennebec RR
Portland & Ogdensburg RR
Portland & Rochester RR
Portland Saco & Portsmouth RR
Quebec Central RR
Quebec, Montreal, Ottawa & Occidental RR
Richmond & Danville RR
Rumford Falls & Buckfield RR
Rutland & Washington RR
Sandy River RR
Sawyer River RR
Scioto Valley RR
Spartenburg & Union RR
St Lawrence & Atlantic RR
St. Francis & Megantic International RR
St. Johnsbury & Lake Champlain RR
St. Lawrence & Ottawa RR
St. Stephens Branch RR
Steel Co. of Canada RR
Toledo, Peoria & Burlington RR
Toledo, Peoria & Warsaw RR
U. S. Government
Utica, Ithaca & Elmira RR
Vale Coal Co. RR
Western Counties RR
Whitby & Port Perry RR
Whiteby, Port Perry & Lindsay RR
Windsor & Annapolis RR
Wiscasset & Quebec RR
Wood & Black Co.
Worcester & Nashua RR
York & Cumberland RR

APPENDIX D: TIMELINE OF DEVELOPMENT

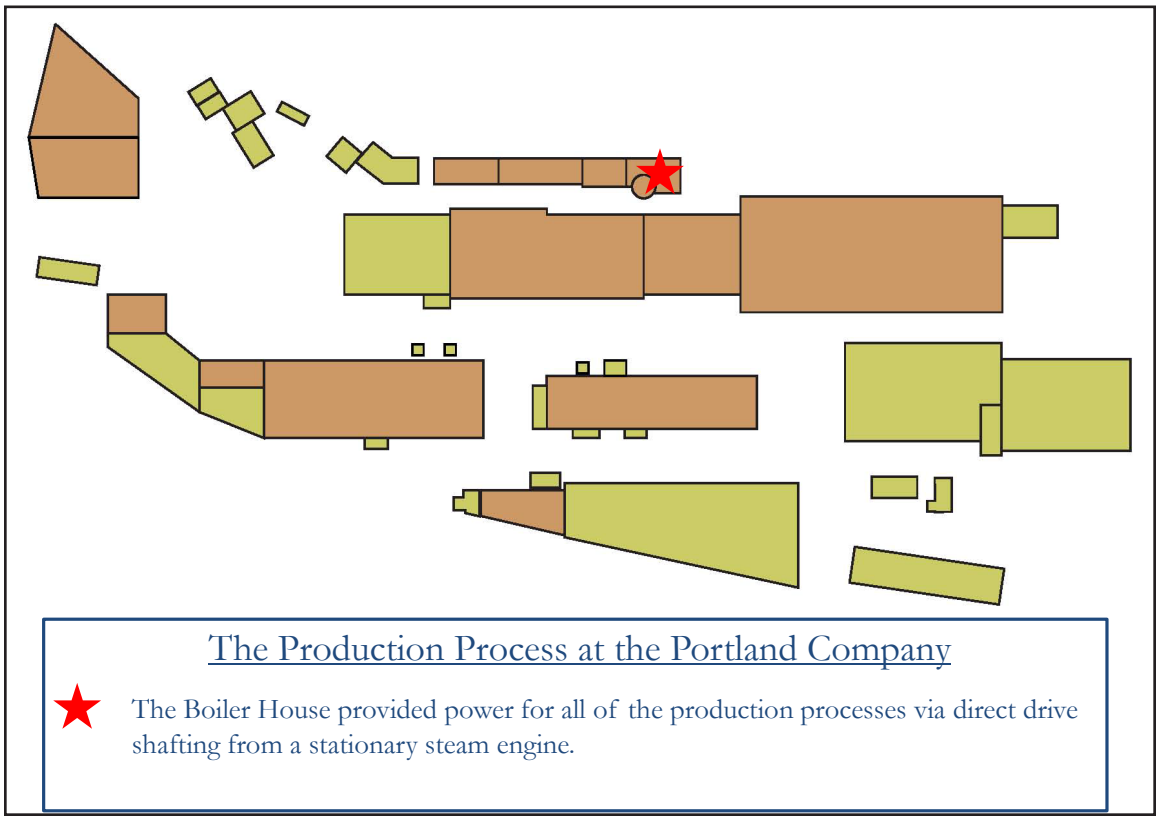
DATE	ITEM
1847	Construction of Machine Shop
1847	Construction of Smith Shop
1847	Construction of Foundry
1847 c.	Construction of Blacksmith Shop
1847 c.	Construction of Car Shop
1847-1858	Construction of Boiler House and 110' Chimney
1847-1858	Construction of Boiler Shop
1847-1858	Construction of Stable
1847-1858	Construction of Office Building
1848	Construction of Foundry Expansion
1858-1864	Large Addition to north end of Boiler Shop
1858-1864	Addition to east end of Stable
1858-1864	Construction of Drafting Room
1858-1864	Construction of Storehouse
1858-1864	Construction of new Boiler House
1858-1864	Addition of Core House to Foundry
1858-1864	Construction of Babbitt Shop at south end of lot
1858-1864	Construction of New Car Shop
1858-1864	Construction of Timekeeper Office
1858-1864	Construction of Scratch House north of Foundry
1862	Construction of Air Furnace east of Foundry
1864-1871	Small addition to southeast end of Blacksmith Shop
1864-1871	Replacement of Boiler House
1864-1871	Construction of Brass Foundry
1871-1880	Addition to west end of Stable
1871-1880	Removal of Timekeeper Office
1871-1880	Construction of Setting-Up Shop
1871-1880	Construction of Sand Shed
1871-1880	Construction of Flask House over Reservoir
1871-1880	Construction of Foundry Expansion
1871-1880	Construction of various additions to Foundry
1873	Destruction of Babbitt Shop by fire
1873	Destruction of New Car Shop by fire
1873	Construction of Car Shop with car shed at south end
1873	Construction of Tin and Babbitt Shop
1873	Construction of Wood Storehouse
1873 c.	Construction of Paint Shop
1880-1886	Three story tower addition to Boiler Shop
1880-1886	Air Furnace addition used for patterns

1881	Construction of Wheel Foundry
1882	Construction of Blacksmith and Tank Shop
1883-1884	Reconstruction of Blacksmith Shop
1885	Construction of Pattern Storehouse
1890	Reconstruction of south end of Boiler Shop
1891	Addition to Office Building
1894-1895	Removal of Core House
1894-1895	Removal of Air Furnace addition
1894-1895	Removal of Foundry Expansion
1894-1895	Removal of Wood Storehouse
1895	Construction of New Foundry
1895	Construction of Pattern Storehouse Addition
1896 c.	Second Floor added to Smith Shop
1896-1904	Small additions to east side of Office Building
1896-1904	Construction of three-story section of Blacksmith shop
1896-1904	Removal of Wheel Foundry
1896-1904	Construction of Coke Shed
1904	Construction of Lumber Shed
1904-1909	Brass Foundry used for Storage
1904-1909	Drafting Room used as Storage
1904-1909	Construction of Vault
1909 c.	Expansion of Machine Shop third floor
1909-1914	Removal of Office Building
1914-1924	Removal of Coke Shed
1914-1949	Removal of Stable
1918	Construction of Erecting Shop
1918 c.	Removal of Setting-Up Shop
1918 c.	Construction of Erecting Shop
1924-1949	Removal of Sand Shed
1924-1949	Removal of Blacksmith and Tank Shop
1932	Removal of south portion of Lumber Shed
1949-1951	Removal of Flask House
1949-1951	Construction of Office Building
1951-1980	Removal of 110’ Chimney
1951-1980	Removal of Boiler Shop
1951-1980	Construction of large addition at north end of Foundry
1980-1986	Removal of Tin and Babbitt Shop

APPENDIX E: OTHER MANUFACTURERS OF LOCOMOTIVES

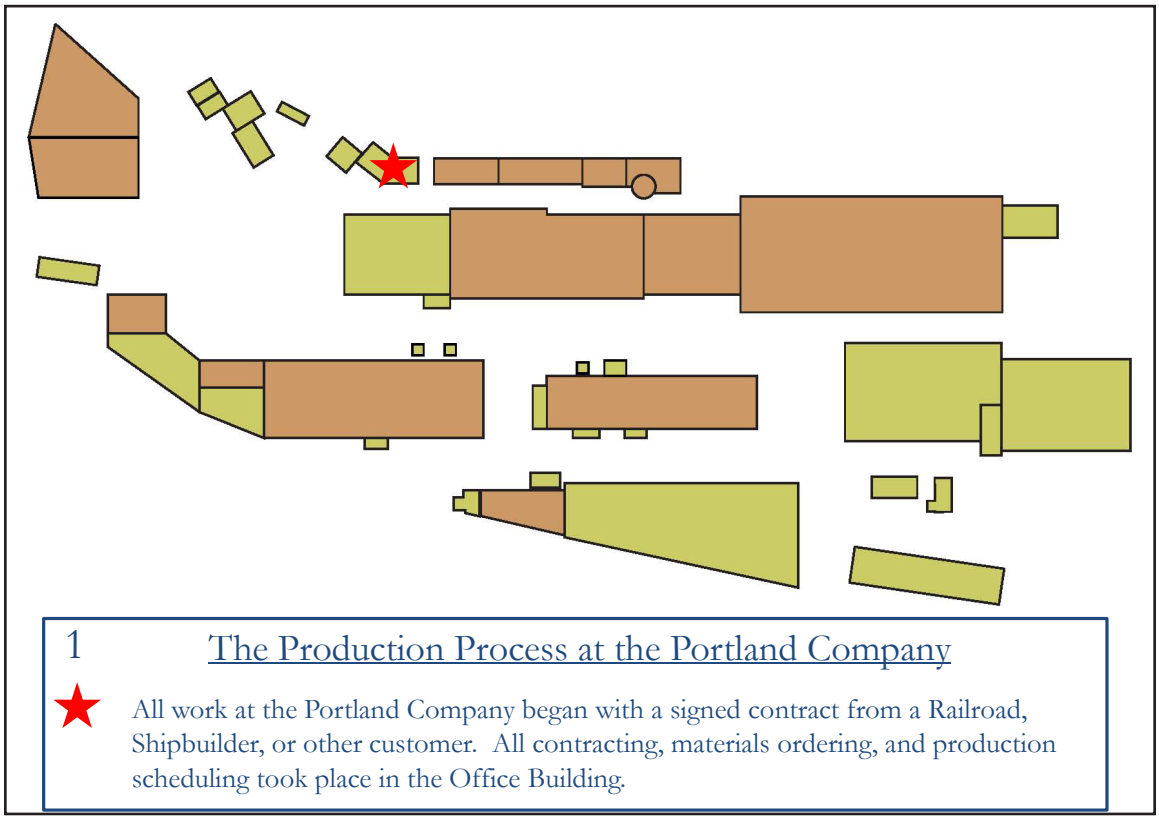
Year Locomotive Production Started	Company Name	Location	Pre-existing Company?	Extent of Facilities – Dates	Surviving Buildings? Dates?
1829	B&O Mt. Clare Shops	Baltimore, MD	No	Car Shops - 1829-30 Ironworks - 1850 Engine service shop and more car shops -1850s Foundry, blacksmith – post- Civil War Circ. Car shop – 1884 Loco., machine, & tender shops and saw mill – 1900-1920	Erecting shop destroyed by fire – 1961 Most remaining buildings demolished – 1976 Surviving: Passenger Car works – 1869-70 Circular Car Shop and Annex – 1884 Freight Car Repair Shop (ruin) – 1919 B&O Passenger Depot (not shop related) - 1851
1830	Canton Locomotive Works – Peter Cooper	Baltimore, MD	Est. 1828 to manuf. Rail for the B&O RR.	1st loco. Built of scavenged parts, including rifle barrels for boiler tubes. No loco shops built.	No surviving buildings
1831	West Point Foundry	West Point, NY	Est. 1817 to manuf. armaments	Best Fried of Charleston built for the S. Carolina RR	Closed 1911, site now a state park with limited ruins of the manufacturing buildings.
1832	Wm. Norris – Norris Locomotive Works	Philadelphia, PA	Est. 1832 as American Steam Carriage Co.	First loco built in small shop with power from adjacent wheelwright shop. Used Pheonix Foundry for castings	Full set of shops by 1857. Closed 1866. Buildings demolished 1896.
1832	Mattias Baldwin -Baldwin Locomotive Works	Philadelphia, PA	1825 machine shop to manufacture bookbinding machinery and textile printing cylinders	Model loco. For Peale Museum in 1831. First real loco, 1832, using outside foundry	Original site abandoned in 1928 for a new plant in Eddystone, PA. All buildings at first plant demolished 1937.
1834-35	Lowell Machine Shops	Lowell, MA	Est. 1814 (Boston Manuf. Co.) for manuf. Of textile machinery. Moved to Lowell 1824.	Extensive shops for textile machinery production. Locos made in Locks and Canal Shop, 1834-1861	Closed 1928. Site now a parking lot.
1834	Mill Dam Foundry	Boston	Est. 1832	Built first loco. in New England, no others	Buildings in use by other companies by 1838. Current state unknown.
c. 1835	Matteawam Company	New York	Est. 1814. To produce machinery for cotton and sugar mills, etc. Foundry by 1834.	Built two locos c. 1835 for Hudson River RR.	No information found.
1836	Eastwick & Harrison	Philadelphia, PA	Est. 1835 as as Garrett & Eastwick. Former watchmaker, making stat. steam engines	First loco, 1838, apparently in a small shop using an outside foundry. Built a total of 17 locos.	Firm moved to Russia in 1843. No buildings appear to survive.
1837	Rogers Locomotive Works	Patterson, NJ	Est. 1831 to produce textile machinery	First loco 1837, also cast tires for Norris and Baldwin	Became one of the "big three" with Norris and Baldwin. Patterson Museum occupies the 1873 Erecting shop, all other buildings demolished.
1840	Hinckley	Boston, MA	Est. 1831 as small machine shop, later Boston Machine Works. Built 1st stationary steam engine in MA.	1st loco 1840, numerous name changes.	Closed 1889. Property and buildings bought by Boston Elevated RR Co., used one building for temp power plant and demolished remainder to clear site for new power plant. The Hinckley building appears not to survive in 2014.
1845	Boston & Providence RR Shops	MA/RI	B&P chartered 1831, const. started 1832, opened 1834.	1st loco 1845. Used Geo. Griggs Foundry	Railroad absorbed into Old Colony RR and then into New York, New Haven, and Hartford. Location of B&P shops undetermined.
1848	Portland Company	Portland, ME	Est. 1845 to build locomotives and other railroad equipment	Foundry, Machine Shop, and Blacksmith shop built 1847, car shop in 1848, later additions 1850s, 1880s, 1890s, 1918.	2 of 3 pre-Civil War brick buildings are extant along with many other buildings from period of locomotive construction.

APPENDIX F: PRODUCTION



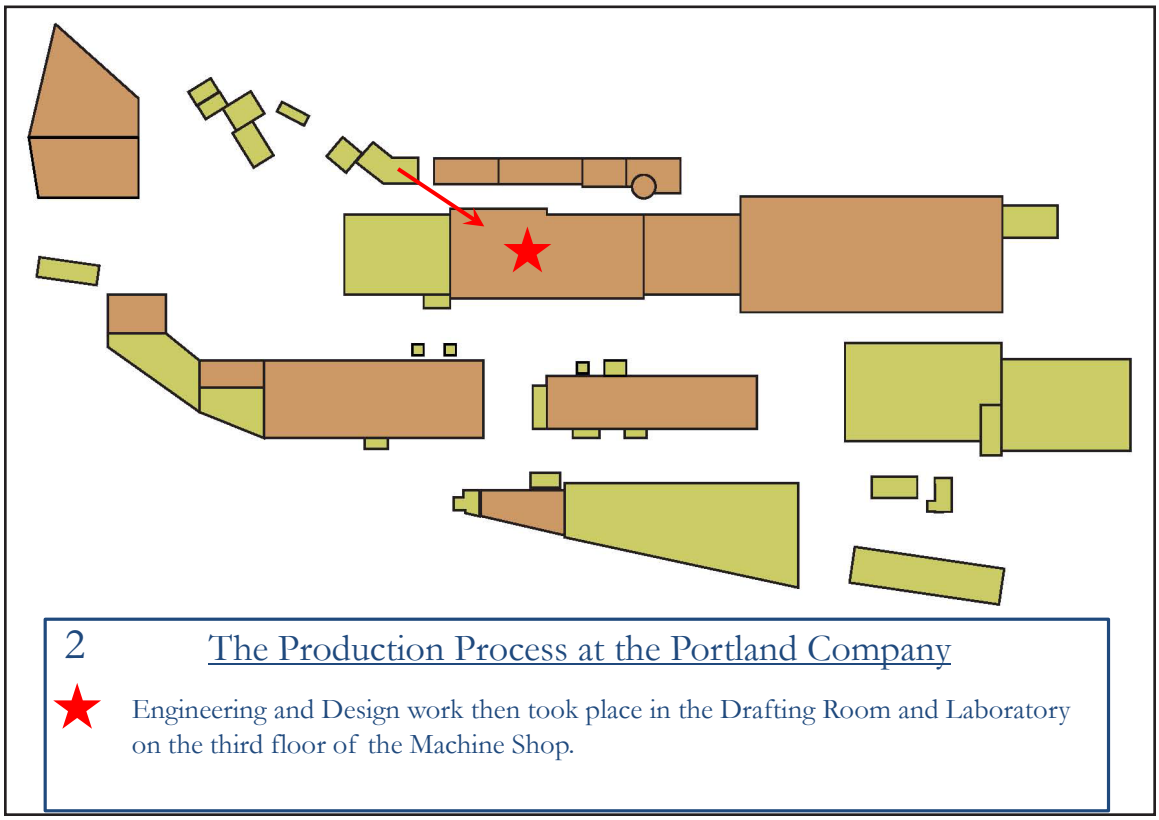
The Production Process at the Portland Company

★ The Boiler House provided power for all of the production processes via direct drive shafting from a stationary steam engine.



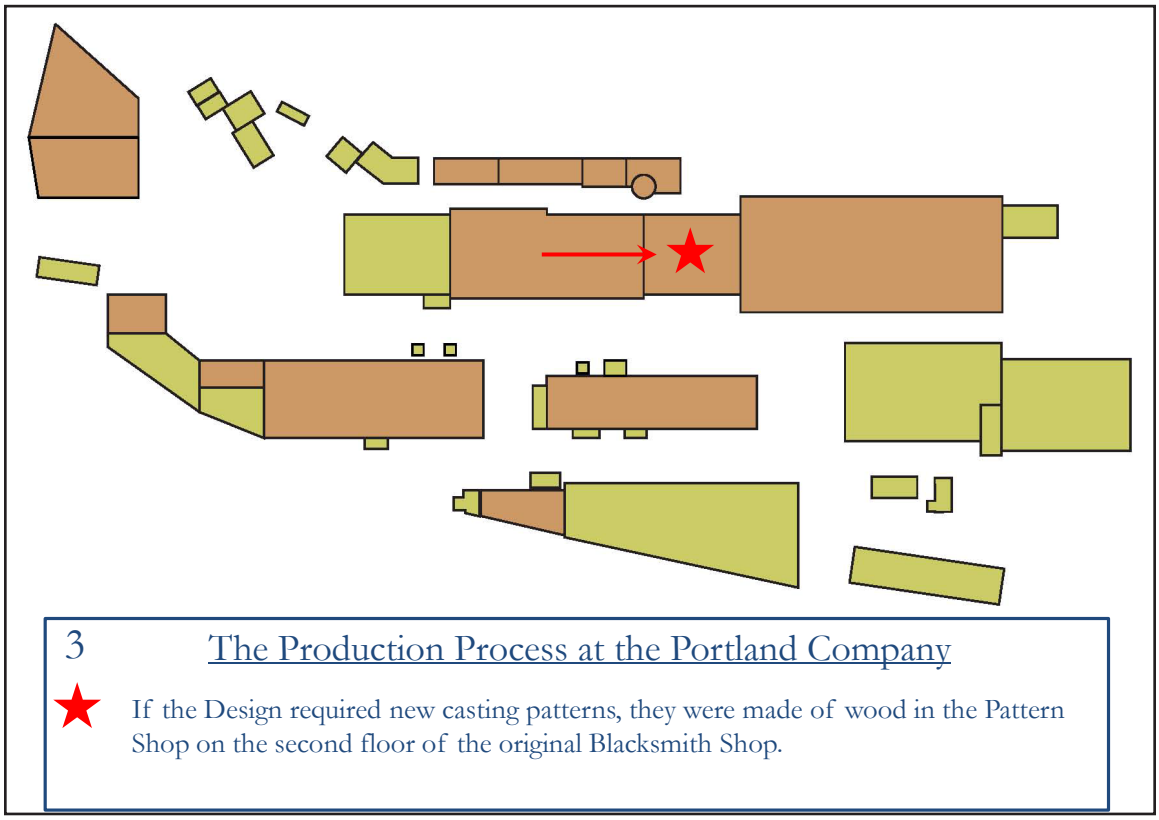
1 The Production Process at the Portland Company

★ All work at the Portland Company began with a signed contract from a Railroad, Shipbuilder, or other customer. All contracting, materials ordering, and production scheduling took place in the Office Building.



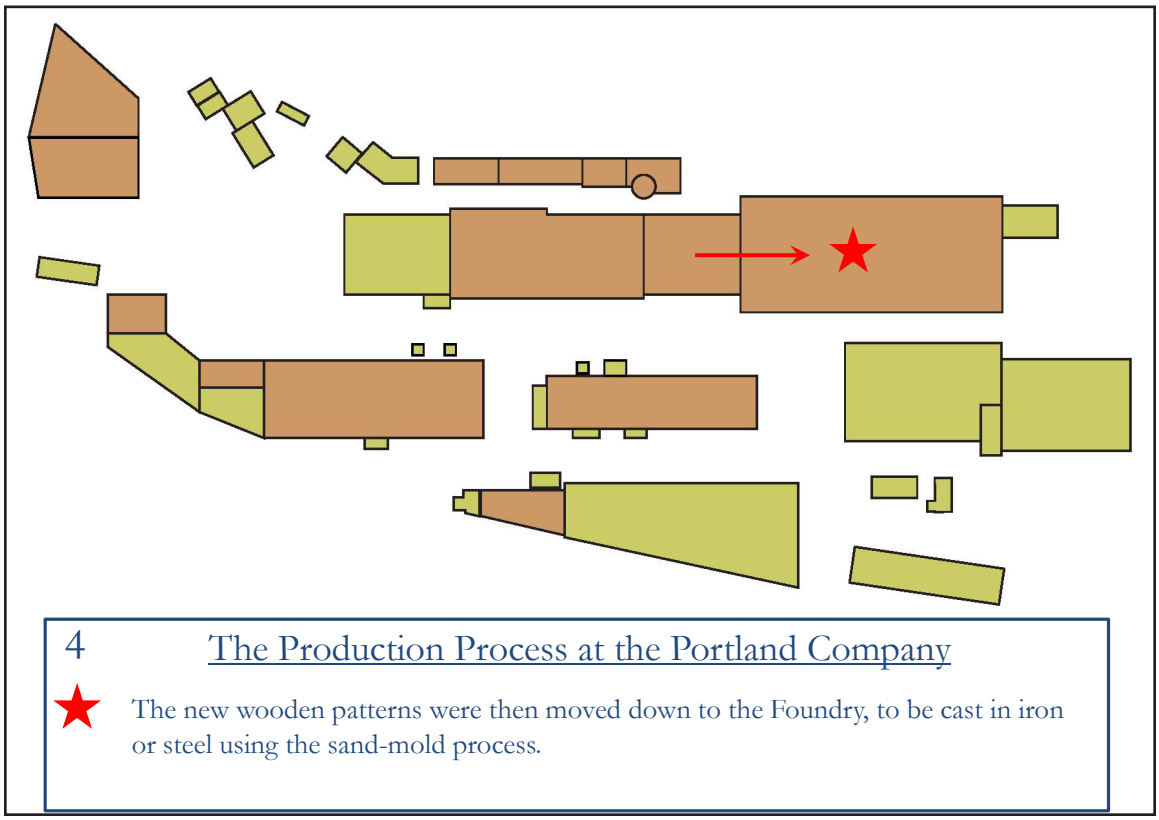
2 The Production Process at the Portland Company

★ Engineering and Design work then took place in the Drafting Room and Laboratory on the third floor of the Machine Shop.



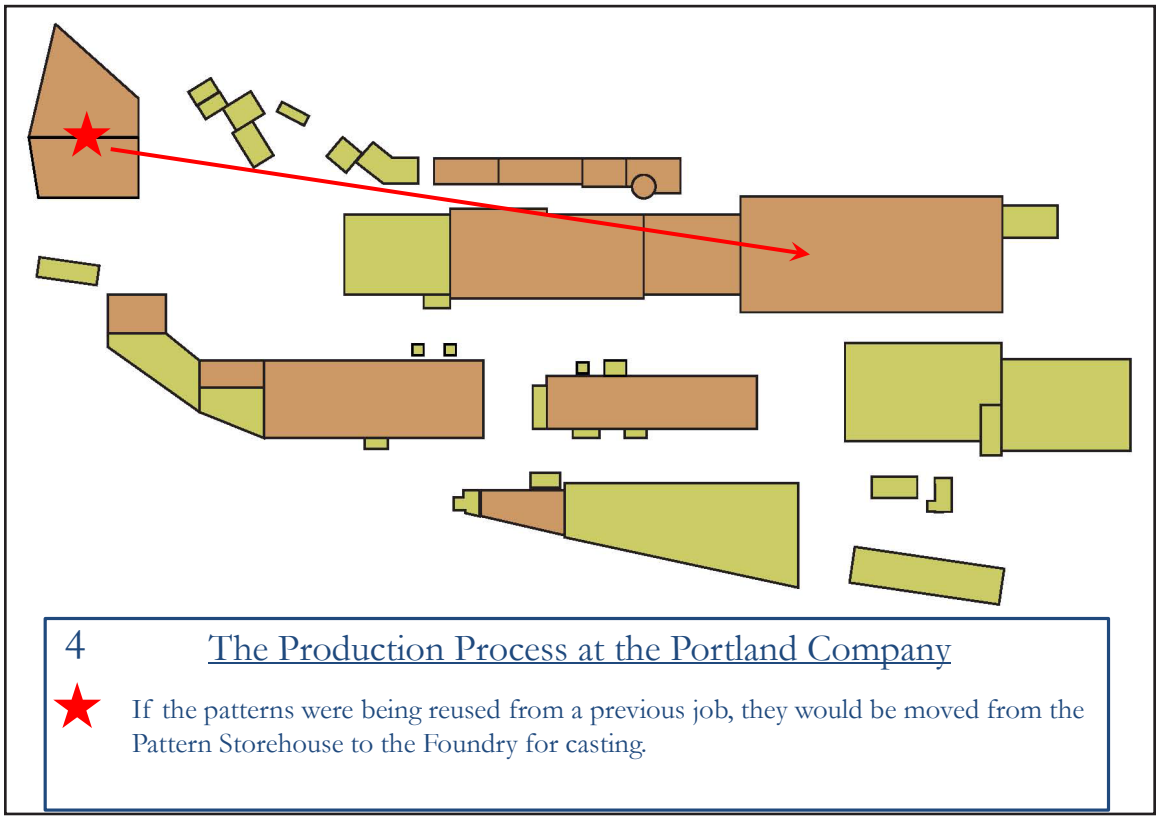
3 The Production Process at the Portland Company

★ If the Design required new casting patterns, they were made of wood in the Pattern Shop on the second floor of the original Blacksmith Shop.



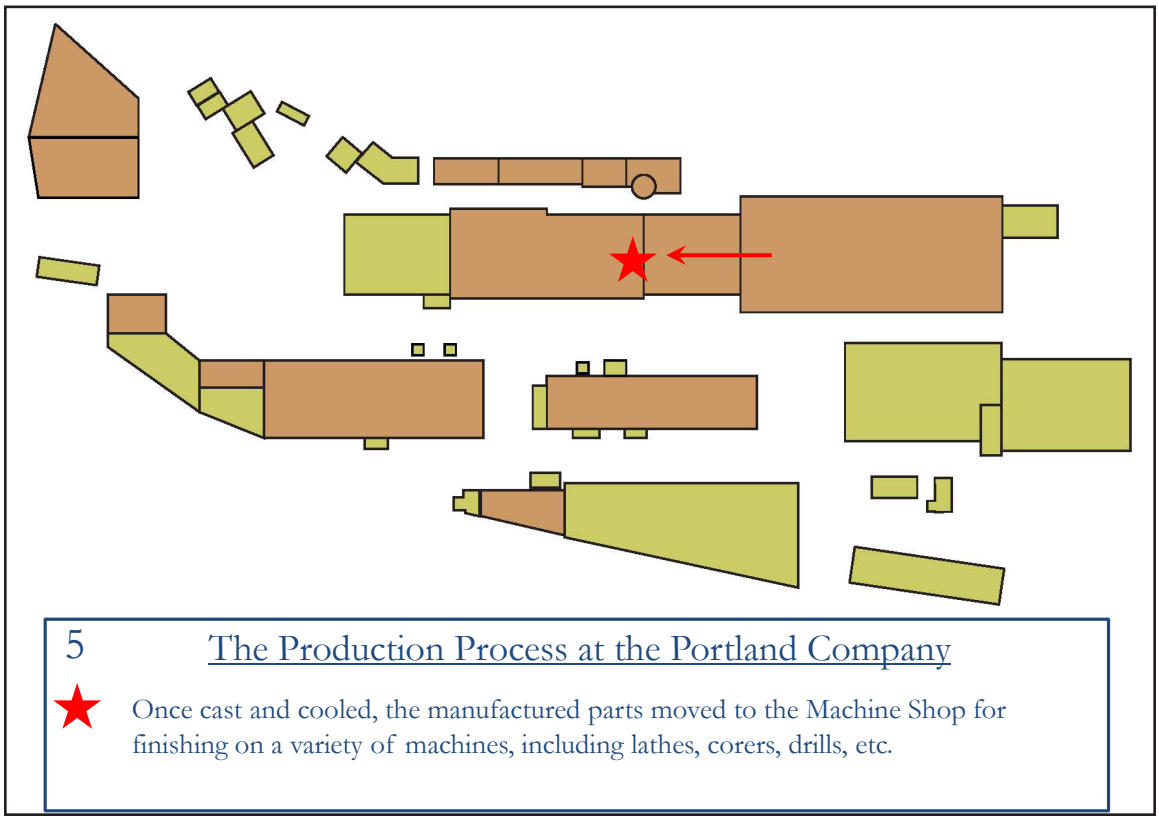
4 The Production Process at the Portland Company

★ The new wooden patterns were then moved down to the Foundry, to be cast in iron or steel using the sand-mold process.



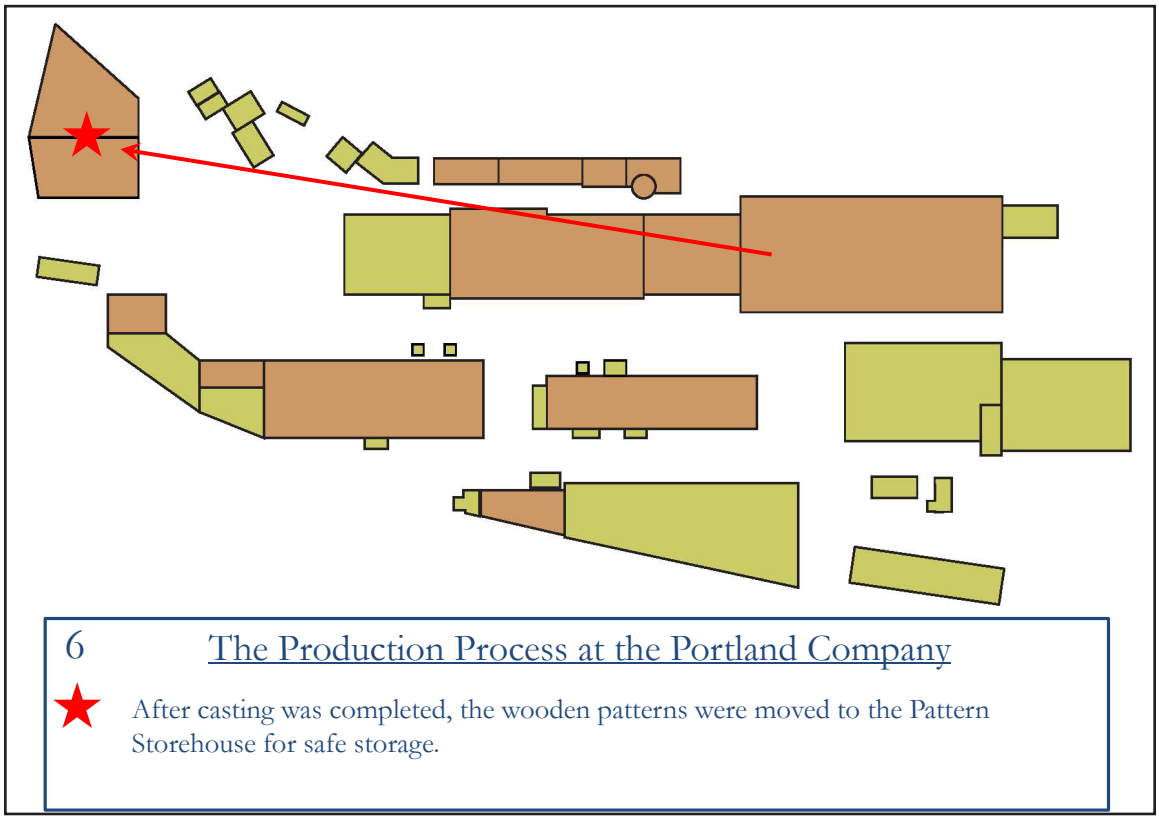
4 The Production Process at the Portland Company

★ If the patterns were being reused from a previous job, they would be moved from the Pattern Storehouse to the Foundry for casting.



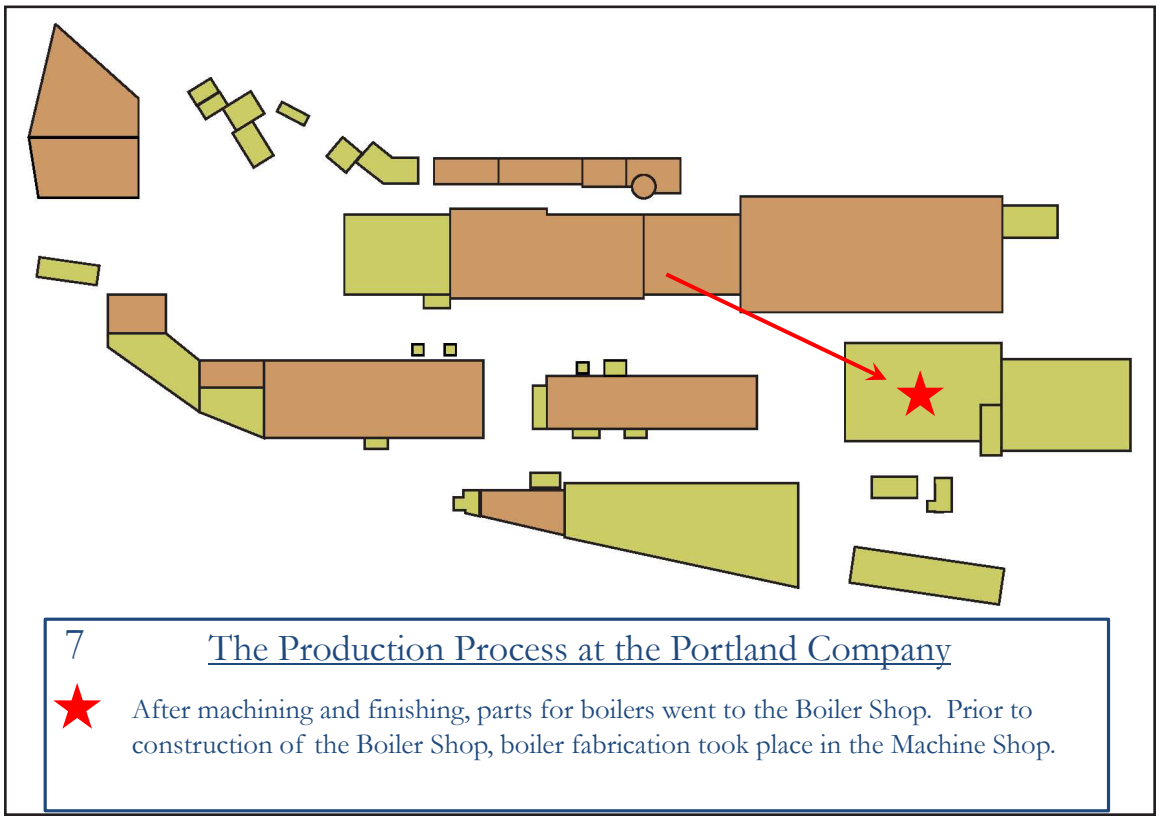
5 The Production Process at the Portland Company

★ Once cast and cooled, the manufactured parts moved to the Machine Shop for finishing on a variety of machines, including lathes, corers, drills, etc.



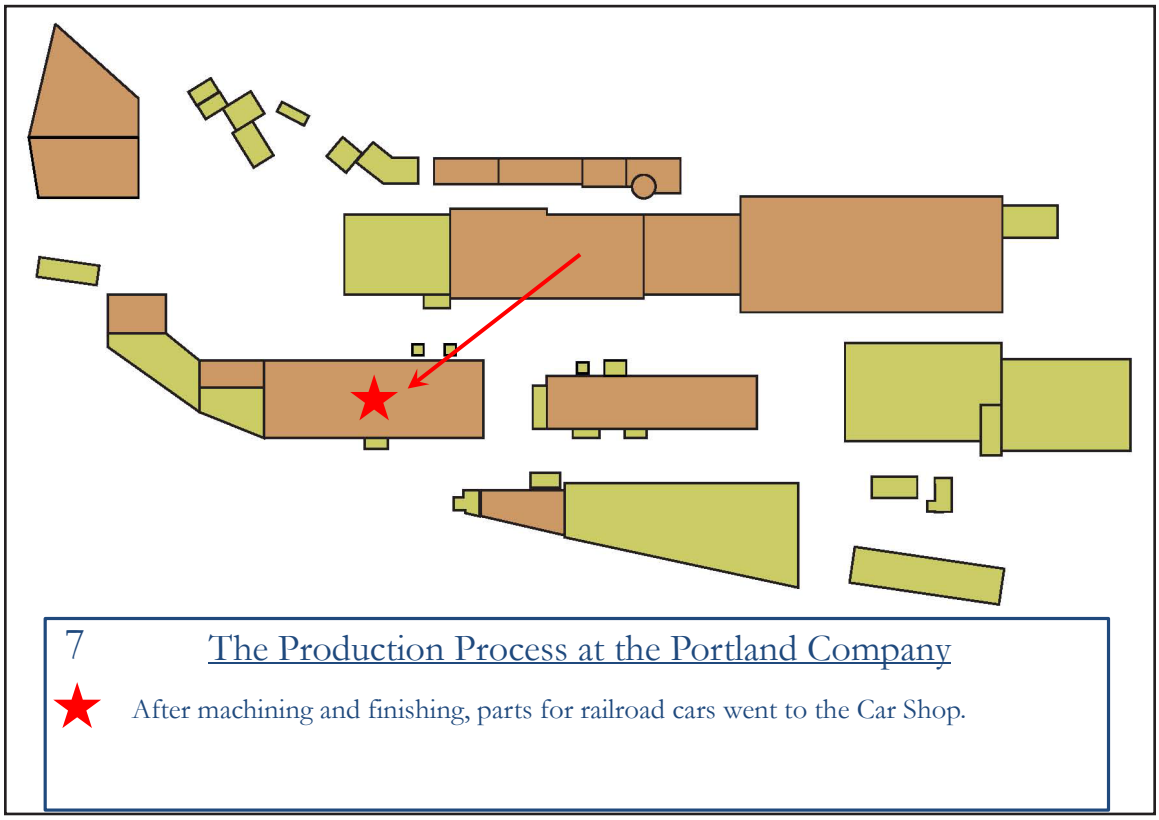
6 The Production Process at the Portland Company

★ After casting was completed, the wooden patterns were moved to the Pattern Storehouse for safe storage.



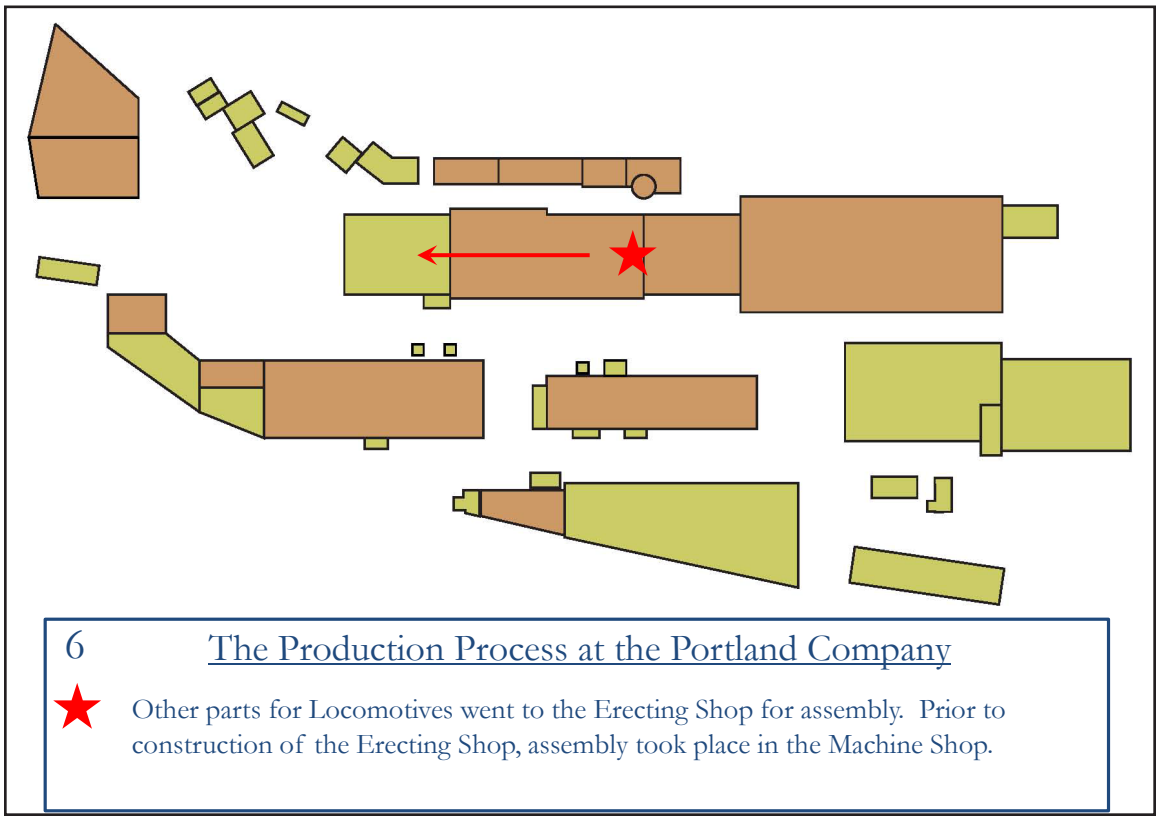
7 The Production Process at the Portland Company

★ After machining and finishing, parts for boilers went to the Boiler Shop. Prior to construction of the Boiler Shop, boiler fabrication took place in the Machine Shop.



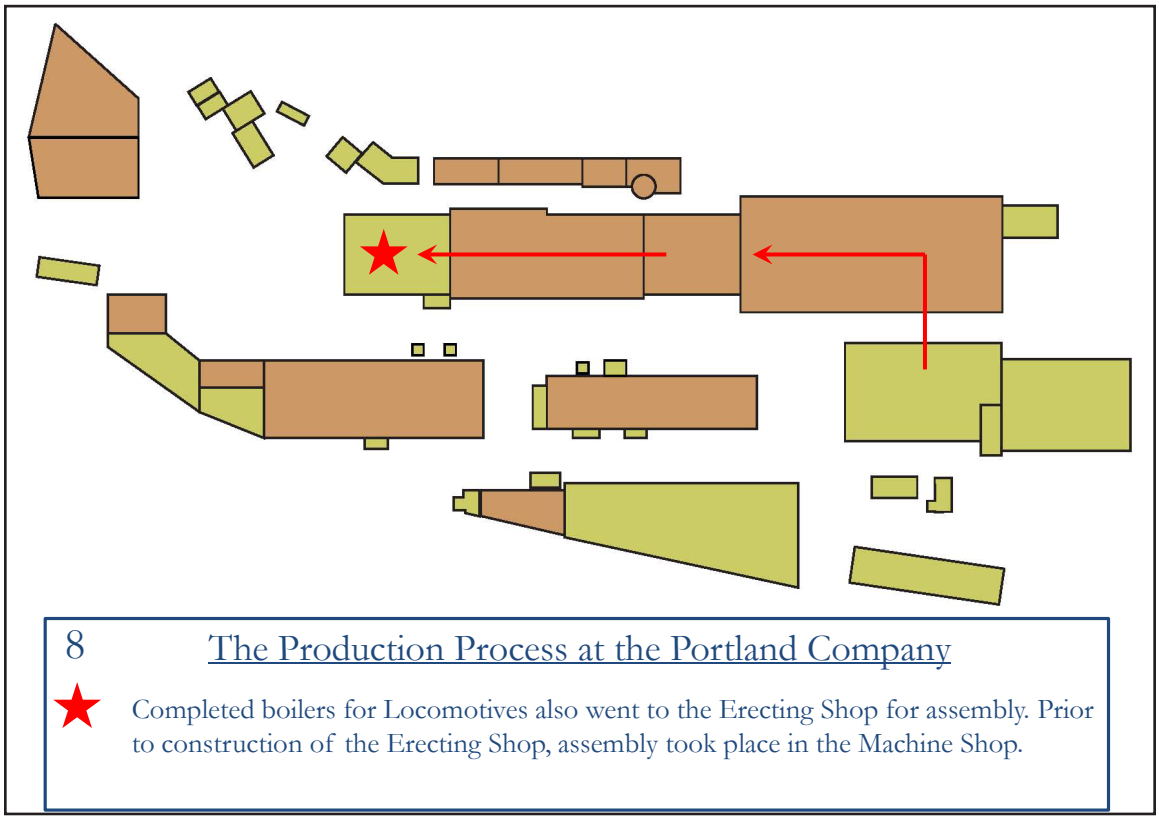
7 The Production Process at the Portland Company

★ After machining and finishing, parts for railroad cars went to the Car Shop.



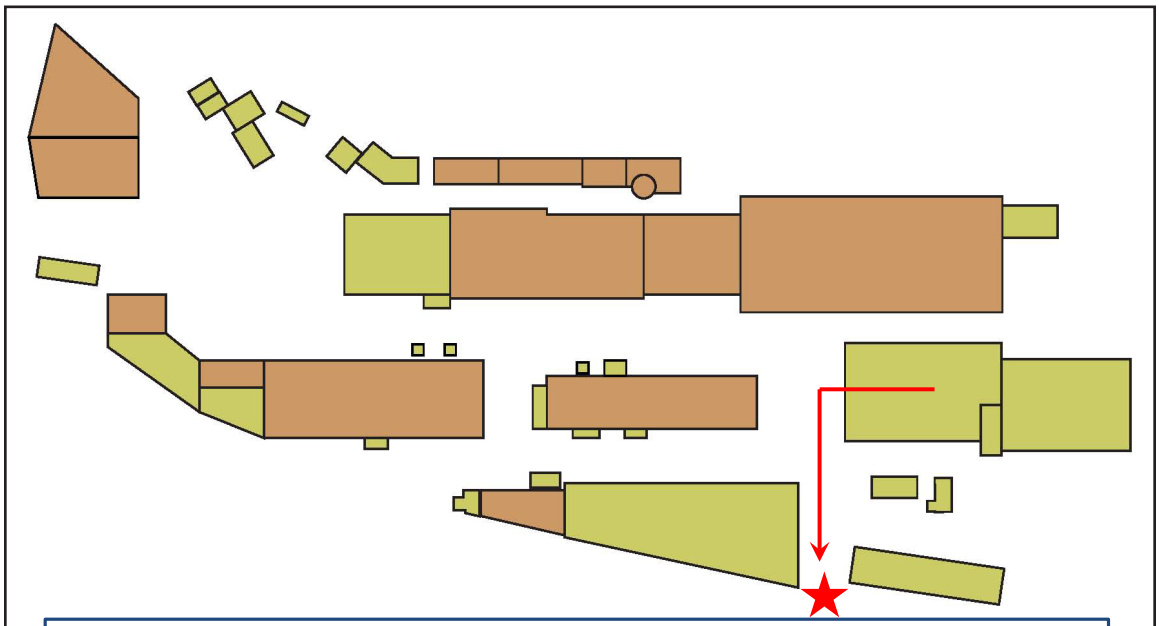
6 The Production Process at the Portland Company

★ Other parts for Locomotives went to the Erecting Shop for assembly. Prior to construction of the Erecting Shop, assembly took place in the Machine Shop.



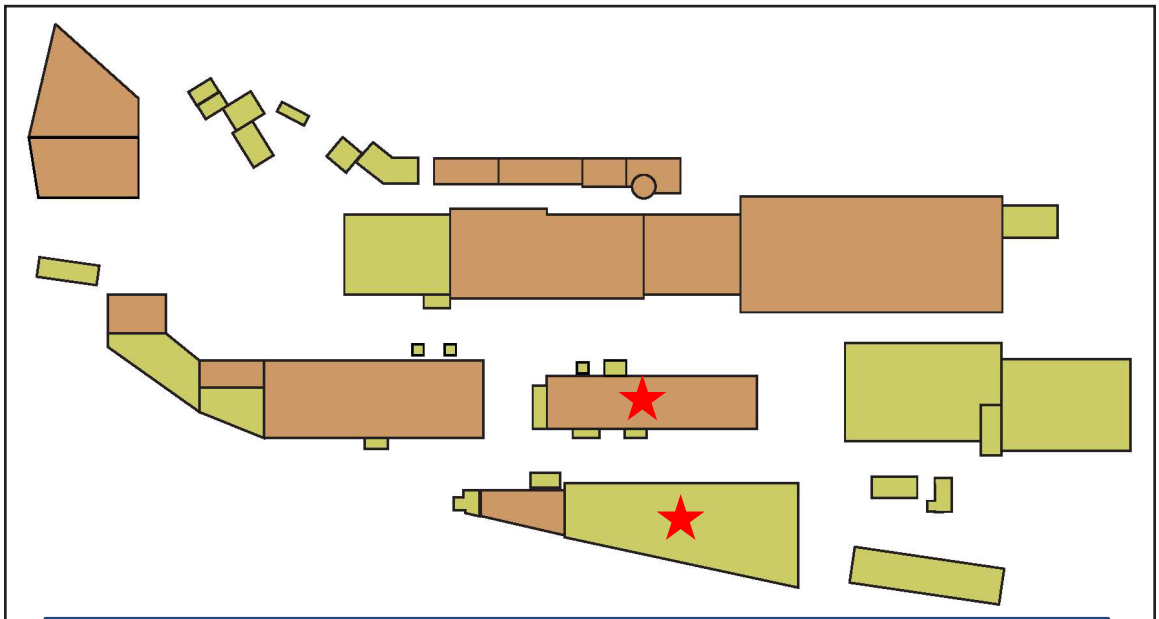
8 The Production Process at the Portland Company

★ Completed boilers for Locomotives also went to the Erecting Shop for assembly. Prior to construction of the Erecting Shop, assembly took place in the Machine Shop.



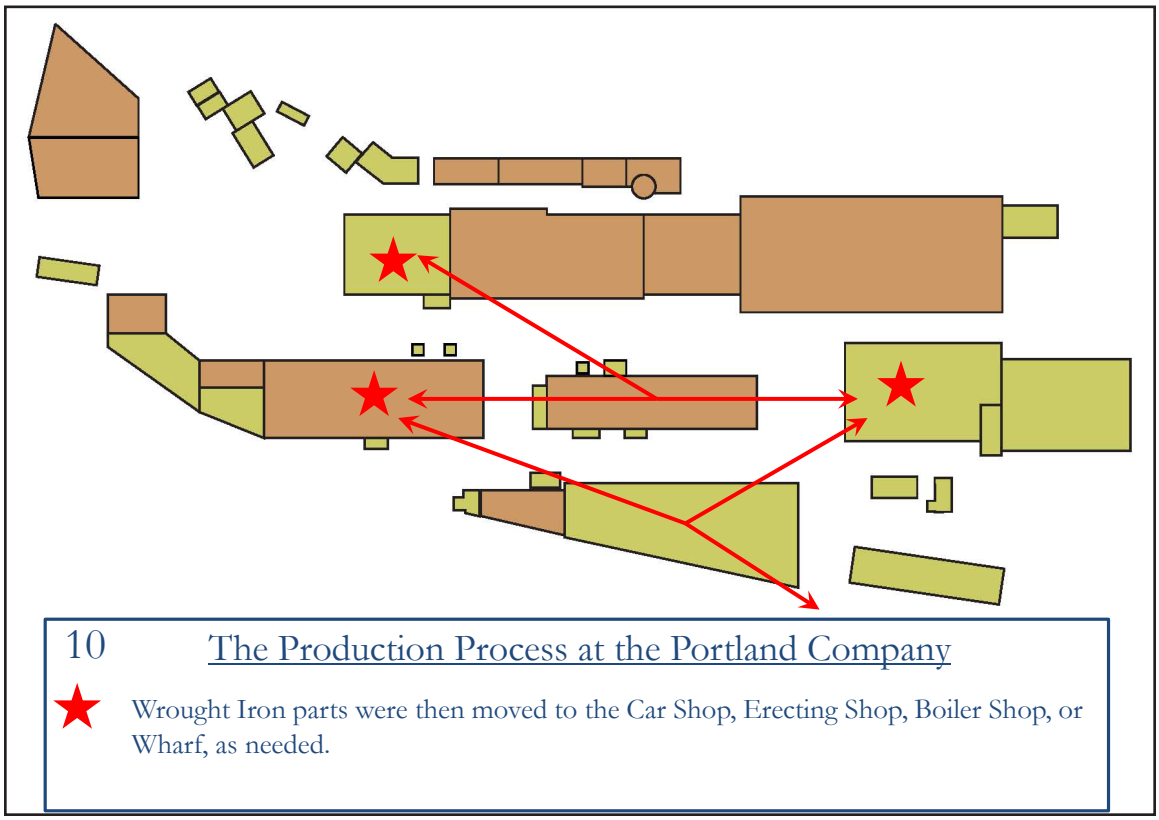
8 The Production Process at the Portland Company

★ Completed boilers for Ships went to the Wharf for installation or transfer to the company shipyard on Spring Point.



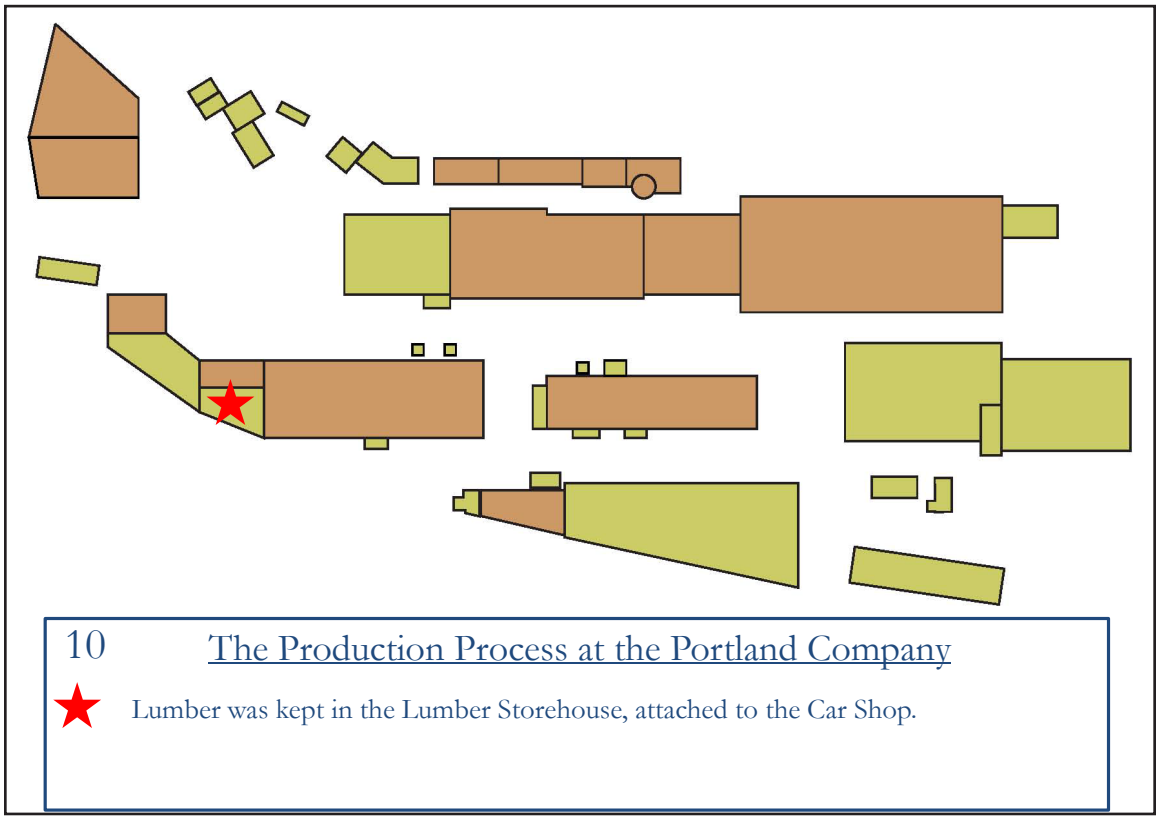
9 The Production Process at the Portland Company

★ Wrought Iron parts were made in one of the Blacksmith Shops.



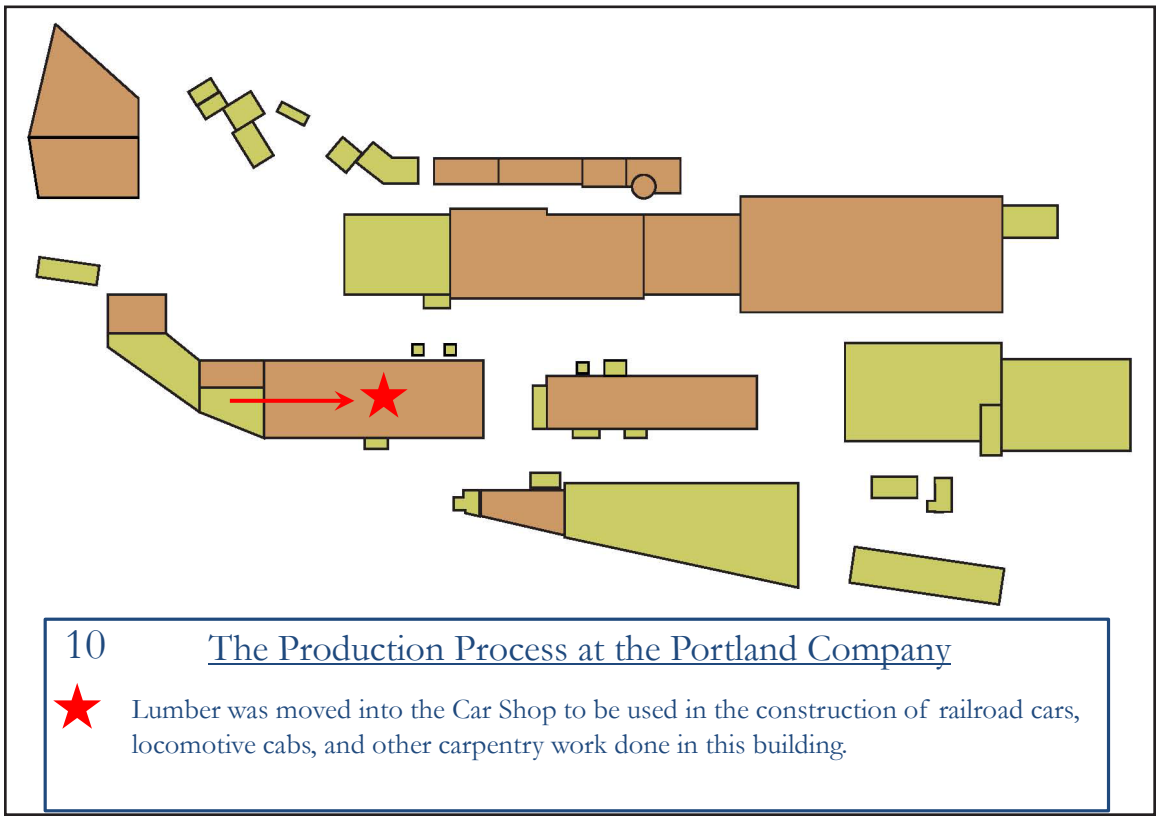
10 The Production Process at the Portland Company

★ Wrought Iron parts were then moved to the Car Shop, Erecting Shop, Boiler Shop, or Wharf, as needed.



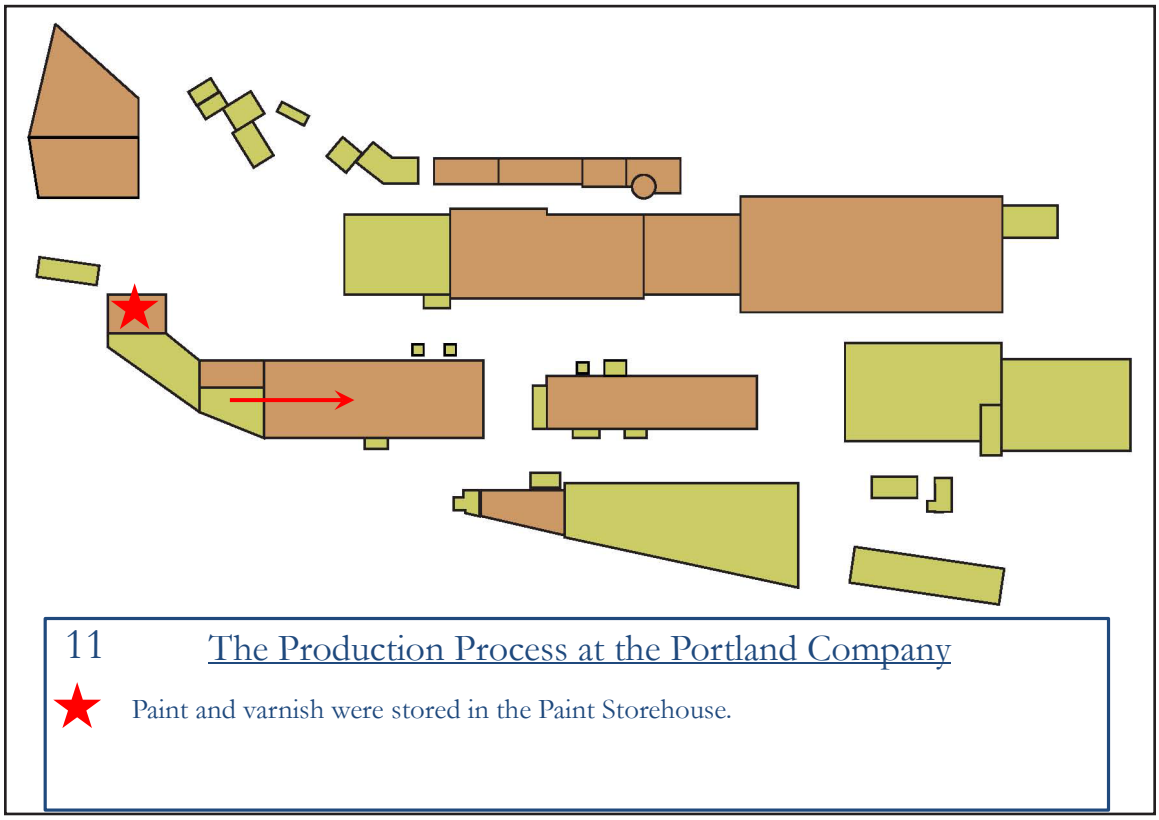
10 The Production Process at the Portland Company

★ Lumber was kept in the Lumber Storehouse, attached to the Car Shop.



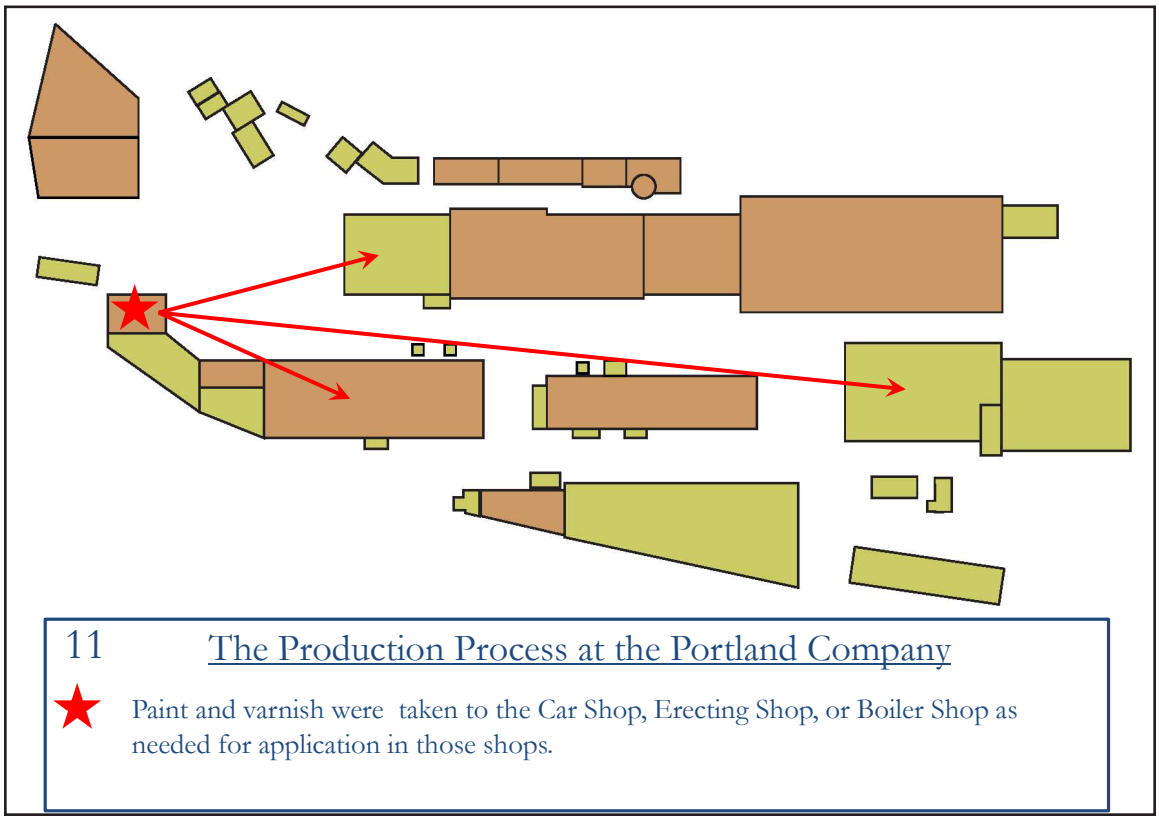
10 The Production Process at the Portland Company

★ Lumber was moved into the Car Shop to be used in the construction of railroad cars, locomotive cabs, and other carpentry work done in this building.



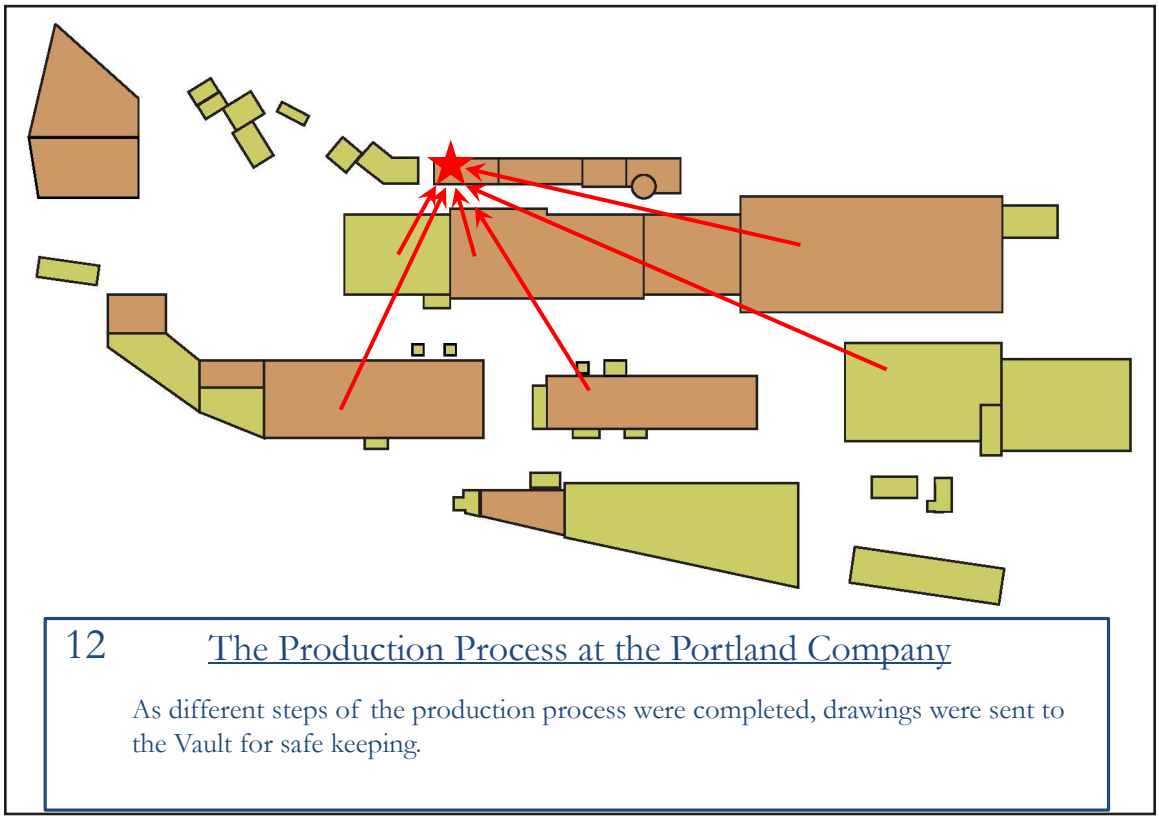
11 The Production Process at the Portland Company

★ Paint and varnish were stored in the Paint Storehouse.



11 The Production Process at the Portland Company

★ Paint and varnish were taken to the Car Shop, Erecting Shop, or Boiler Shop as needed for application in those shops.



12 The Production Process at the Portland Company

As different steps of the production process were completed, drawings were sent to the Vault for safe keeping.

APPENDIX G: NATIONAL REGISTER OF HISTORIC PLACES CRITERIA FOR EVALUATION OF SIGNIFICANCE AND INTEGRITY AS APPLIED TO THE PORTLAND COMPANY (National Register Bulletin Number 15)

For a property to qualify for the National Register it must meet one of the National Register Criteria for Evaluation by:

- Being associated with an important historic context *and*
- Retaining historic integrity of those features necessary to convey it significance.

The significance of a historic property can be judged and explained only when it is evaluated within its historic context. Historic contexts are historical patterns that can be identified through consideration of the history of the property and the history of the surrounding area. Historic contexts are found at a variety of geographical levels or scales.

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history (Criterion A); or
- That are associated with the lives of persons significant in our past (Criterion B); or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or
- That have yielded, or may be likely to yield, information important in prehistory or history (Criterion D).

The Portland Company complex is associated with important historic contexts at the National, State and Local levels as delineated in the historic context summary paragraphs below, and retains historic integrity of those features necessary to convey its significance at the National, State and Local levels.

National Level of Significance

National Register Criterion A: Industry (1847 - 1865)

The Portland Company complex is associated with events that have made a significant contribution to the broad patterns of our history at the national level as a rare surviving example of a pre-Civil War foundry, machine shop, and car shop complex built for the manufacture of railroad equipment in 1847. It appears to have been the first such self-contained complex in the nation built specifically for that purpose, with all of the necessary shops and a foundry on a single site. It also contains the oldest surviving railroad shop buildings in the nation. Locomotives, gunships, and cannon were manufacured here for the Union forces during the Civil War.

State Level of Significance

National Register Criterion A: Industry (1847 – 1982)

The Portland Company complex is associated with events that have made a significant contribution to the broad patterns of our history in the area of industry within the city of Portland, Maine. In addition

to the national industrial significance of the Portland Company as the first complete locomotive works built in the United States and a rare surviving pre-Civil War railroad equipment manufacturing plan, the Portland Company played a significant role in the development of many important industries in Maine. These include the paper-making industry, textile industry, canning industry, commercial fishing, and many smaller industries.

National Register Criterion A: Transportation (1847 – 1945)

The Portland Company is associated with events that have made a significant contribution to the broad patterns of our history for its critical role in the development of Maine railroads, including the state's iconic two-foot gauge lines, and also built boilers, marine engines, and other equipment for steam ships, including the famed "Portland." The company was created as an adjunct to the Atlantic & St. Lawrence Railroad shortly after that line was chartered to run from Portland to Montreal. The principal proponent of the Atlantic & St. Lawrence Railroad, John A. Poor, was the first president of the Portland Company as well as a director of the railroad company.

National Register Criterion B: Association with John A. Poor (1847 – 1851)

The Portland Company complex includes the most important surviving buildings associated with John A. Poor (1808-1871), a person significant to the past of the state of Maine. John A. Poor was significant to the past of Maine in numerous areas, but particularly in the areas of transportation and industry. Like the Atlantic & St. Lawrence Railroad, the Portland Company was part of a plan devised by Bangor Attorney John A. Poor to make Portland the winter port for eastern Canada during the months in which the St. Lawrence River was frozen. Starting in 1844, Poor actively promoted his vision for the continent's first international railroad and attracted others to help make it a reality in the 1840s and '50s. Construction of the 250 mile long railroad, estimated to cost ten million dollars, began on July 4, 1846 and the line to Montreal was completed in July 1853. As a director of the Atlantic & St. Lawrence Railroad and President of the Portland Company, Poor was instrumental in ensuring that a locomotive manufacturing plant would be built in Portland.[1]

While Poor's success in creating the Atlantic & St. Lawrence Railroad was perhaps his most significant achievement, none of the associated buildings or structures built in Portland during the period of his activity with the railroad survive. Only one Atlantic & St. Lawrence Railroad building from the same period has been identified elsewhere in Maine, a small wooden freight house built in Gilead in 1851 and moved to Auburn after 1968. The few other surviving buildings on the line date from after 1853, when the Grand Trunk Railroad leased the entire Atlantic & St. Lawrence line.[2] The original buildings of the Portland Company are the most significant surviving buildings associated with John A. Poor, who was President of the company during the period of their construction. The Portland Company Board of Director's meeting minutes from 1847 document that he had a direct role in acquiring materials for their construction and served with General Superintendent Horace Felton as the Building Committee.

Local Level of Significance

National Register Criterion A: Industry (1847 – 1982)

The Portland Company is also significant for industry at the local level, as the largest business in the city in the mid-nineteenth century and only intact nineteenth and early twentieth century industrial complex in the city of Portland. Virtually all evidence of Portland's nineteenth century industrial history has been lost with

1 Records of the Portland Company and records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.
Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890

2 Mohney, Kirk F. *Along the Rails, a Survey of Maine's Historic Railroad Buildings*. 2000.

the exception of the Portland Company complex. Thirty-three manufacturing plants can be identified in the 1876 Bird's Eye View of Portland. Of the thirty-three, which include Portland Stove Foundry, J. B. Brown & Son's Sugar Refinery, Forest City Sugar Refining Company, Eagle Sugar Refining Company, Portland Packing Company, and Portland Stoneware Company, only three complexes survive to any extent in 2014. Two of these have only a single surviving building, one from the Star Match Factory on West Commercial Street and one from the original Burnham & Morrill Cannery complex on Franklin Street. Only the Portland Company complex remains largely intact 138 years later. In 1924 Portland had 60 sizable companies engaged in industrial production of various sorts, occupying more than 85 buildings. Of these individual buildings, fewer than a dozen survive outside the Portland Company. Six companies had large complexes of buildings, including the E. T. Burrowes Company, Thomas Laughlin Company, and Southworth Machine Company.[3] Fragmentary remains of some of these complexes, such as the early twentieth century Thomas Laughlin Company foundry building on Hampshire Street now used by Shipyard Brewery, only hint at the history of these sites where hundreds of Portland residents made their livings over many decades.

Criterion A: Community Planning and Development (1847 – 1853)

The Portland Company is associated with events that have made a significant contribution to the broad patterns of our history in the area of community planning and development. It is associated with and/or responsible for several significant planning and development initiatives within the city of Portland. As part of John A. Poor's vision for creating a modern international port at Portland, he conceived of a wide new street along the waterfront which would contain railroad tracks to connect the Atlantic & St. Lawrence R. R. on the east end of the city to the Portland, Saco & Portsmouth R. R. on the west end while providing both railroads access to the numerous wharves between their terminals. The narrow original waterfront street, Fore Street, followed the natural landform, snaking along the shore around Clay and Broad coves. The new street would be built by filling between the existing wharves below Fore Street, far enough out into the harbor to allow the construction of large new warehouse buildings along the land side of the street. Broad Cove would be filled for construction of the Atlantic & St. Lawrence Railroad terminal and for the Portland Company works and Clay Cove would be filled for the street and new buildings. The Portland Company site alone is seven acres, the majority of it made by filling the mud flats and cove. This project was undertaken cooperatively by the two railroads and the city of Portland, with the railroads paying the cost of filling between the wharves and the City paying wharf owners for the value of their properties seized through eminent domain. The mile-long and one hundred foot wide street would be named Commercial Street.[4]

This project was the largest urban planning initiative undertaken in the city of Portland in the nineteenth century and was transformative in its effects. Before arrival of the Atlantic & St. Lawrence Railroad and Portland Company with the related construction of Commercial Street, Portland had a waterfront infrastructure left over from the eighteenth century that was inefficient and ill suited to the age of steam.

National Register Criterion C: Architecture (1847 – 1951)

The buildings of the Portland Company complex embody the distinctive characteristics of a type, period, or method of construction, specifically several types of industrial buildings built between 1847 and 1920. The Portland Company buildings from the 1840s and 1850s are the only industrial buildings of that period remaining in the city of Portland. The buildings of the complex retain a high degree of architectural integrity to the period of Portland Company production (1847 – 1982). While much of the machinery of the complex has been removed, evidence of industrial uses can be found throughout the buildings, such as overhead shafting for operating machinery, and wood and iron cranes attached to support columns.

3 Compiled from the City of Portland 1924 Tax Records.

4 Poor, Laura Elizabeth, John A. Poor. *The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor*, 1890.
Records of the Atlantic & St. Lawrence Railroad, Maine Historical Society.

Overhead traveling cranes remain in the Foundry and Erecting Shop.

The various buildings of the complex contain examples of a wide variety of building construction engineering techniques employed to increase the strength or functionality of the buildings. These include a number of wood and metal roof truss systems; large floor areas hung from wooden roof truss systems; brick barrel vaulting; cast concrete and steel beam vaulting; cantilevered shed dormers; and single and double trussed girders used to increase the load carrying capacity of upper floors without obstructing the lower floors with posts. The earliest buildings are of load- bearing masonry wall construction with internal timber framing and later buildings utilize steel framing systems. The 1895 Foundry uses an unusual integrated steel column and brick exterior wall system. This was a comparatively early use of structural steel in Maine and represents a transitional phase in the construction technology as large buildings moved from load-bearing masonry walls to steel skeleton framing.

APPENDIX H: TREMONT PRESERVATION SERVICES BUILDING DESCRIPTIONS WITH ADDITIONAL INFORMATION

SITE OVERVIEW

The former Portland Company site encompasses a 9-acre parcel at 58 Fore Street, situated on filled land along the eastern waterfront of Portland, Maine, bordering the Fore River to the east. The Portland Company site is located at the northern end of a long stretch of industrial and commercial buildings that line the Portland waterfront. The property directly to the south was formerly the Grand Trunk Railway Company site but the historic buildings of the rail company were replaced by modern industrial structures by subsequent owners. To the northeast of the Portland Company site are six residential buildings (from the late 19th and early 20th centuries), a modern apartment building, and the 68-acre Fort Allen Park and Eastern Promenade beyond. The Munjoy Hill neighborhood, largely developed in the 19th century, lies to the northwest of the Portland Company site, where the land slopes sharply upward from the waterfront and to the south by the Casco River. A section of the 2.1 mile Eastern Promenade Walking Trail and a set of railroad tracks run through the property near the water's edge.

The property comprises a complex that includes 13 historic buildings and one large modern building on a paved lot with minimal vegetation (except for a cluster of trees at the northeast corner). There are also about a dozen scattered smaller sheds and outbuildings that all appear to post-date the 1980s. The historic buildings on the site range in age from about 1845 to 1950, as described below.

Additional information:

Dates for the extant buildings range from 1847 to the late-20th century.

BUILDING DESCRIPTIONS

Building 1 - Erecting Building

Construction Date: 1914 (according to Portland 1924 tax assessment)

Description: Rectangular in plan, Building 1 measures roughly 80 feet by 113 feet and joins the south elevation of Building 2, leaving exposed elevations facing west, south and east. It is a single-story building with a taller central bay lit by a roof monitor. The building is constructed of red brick and has little in the way of architectural ornamentation aside from corbeling around the window bays. Brick piers separate the elevations into large window bays that hold the original tripartite multi-pane steel windows. Window openings include concrete sills. The brick roof monitor retains the original multi-pane steel sash running along the entire west and east sides (Photos 7 & 8). The principal elevation (south) features a tall central entry bay that is divided into two asymmetrical openings by a vertical steel beam; each bay holds a modern overhead metal door (Photo 2). Historic photos show that this opening was originally only about half the height it is currently and it was topped by a large panel of windows. A pedestrian entry just west of center holds a modern door as well. In addition to the installation of replacement doors, alterations include infilling of two window bays at the east elevation (Photo 3). The interior is a single open space with utilitarian finishes, including exposed brick walls and exposed steel framing.

Uses: Building 1 was constructed as the Erecting Shop to replace an earlier one-story wood building from the 1870s that was used for the same purpose. By 1949 Building 1 was used as a machine shop.

Additional Information:

Drawings in the collection of the Maine Historical Society date the Erecting Shop to 1918.

Building 2 - Machine Shop

Construction Date: c. 1845

Description: Building 2 is rectangular in plan and measures roughly 150 feet by 62 feet. It joins Building 2 to the south and Building 3 to the north, leaving fully exposed elevations on the east and west sides. The south elevation was fully exposed until about 1875 when a single-story wood frame building was constructed, to be replaced by the existing Building 1 around 1914. Only the brick gables are visible at the north and south elevations today. The 2 *1/2* story brick Building 2 was designed in the Greek Revival style, with pedimented gables, tall compound cornices, and symmetrical fenestration, all hallmarks of the style. The building is enclosed by a gabled roof to which were added two wide overhanging she-d dormers, one along the entire east side and another along the southern half of the west side (added between 1896 and 1909 - Photo 1). The roofline is defined by a tall compound brick cornice. The exposed side elevations (east and west) feature regularly spaced window openings with rough-cut granite sills and lintels and double-hung wood windows in a *25/25* configuration at the first floor and *15/15* at the second floor. The existing sashes appear to be a mix of original and replacements. Enclosed bridges from the late 19th and early 20th centuries connect the second floor of Building 2 to neighboring structures (Photos 1 & 4). The interior is divided into three levels and is typical of mill construction of the mid-19th century, with exposed brick walls and exposed wood framing. There have been a number of partitions added to the interior over the years.

Uses: Building 2 is the earliest surviving structure of the Portland Company complex. Built as the original machine shop. When originally constructed the south elevation was exposed and a rail spur ran from the mill yard directly into the building through a tall opening at the center of the south elevation. Prior to the 1890s there was also an office at the attic level. The attic level was later used for pattern storage.

Additional Information:

The Machine Shop was built in 1847 with projecting shed dormers added to the attic story by architect Frederick A. Tompson in 1904. This alteration created a new company drafting room and the laboratory of William H. Chapman, the Portland Company's electrical engineer.

Building 3 - Machine Shop

Construction Date: Constructed in two phases. The first floor appears to have been part of the earliest construction in the mill yard, in the late 1840s or early 1850s. The second floor was added in 1895 (according to map research).

Description: Building 3 is rectangular in plan and measures roughly 80 feet by 62 feet. It joins Building 2 to the south and Building 4 to the north, so that only the east and west elevations are fully exposed. Both the first and second floors are constructed of red brick that is consistent in color, although the two floors were built at different times (Photo 1). The first floor is the earliest construction and features detailing similar to that of Building 2, including a tall compound brick cornice, rough-cut granite window sills and lintels (flat heads), and double-hung wood windows. Most windows at the first floor appear to be original and have a 25/25 pane configuration, except three windows at the east elevation, which have an unusual 35/15 configuration. Several window openings at the first floor of the west elevation have been infilled with brick. The east elevation features a wide double doorway at its south end (holding replacement doors: Photos 1 & 2).

The second story was built in the 1890s and is typical of late 19th century construction, with its segmental arched windows with brick heads. Window openings hold what appear to be the original wood double-

hung sashes, in an 8/8 pane configuration. The second floor is enclosed by a pitched roof on which has been placed a temporary storage enclosure. The roofline is defined by simple wood fascia boards. A loading bay with glazed infill, that does not appear to be original but has been in place since at least the early 20th century, is located at the south end of the east elevation (Photo 2). A relatively recent bridge joins the second floor of Building 3 at the west elevation to the neighboring Building 16 (Photo 4).

The utilitarian interior of the building is divided into two levels and is typical of 19th century mill construction, with exposed brick walls an exposed wood framing.

Uses: Building 3 was used as a machine shop into the early 20th century. By 1924 it was set up as a carpentry shop and by mid-20th century was storage space.

Additional Information:

This section of the Machine Shop was built in 1847 as a one story blacksmith shop. When the second story was added, c. 1895, the original wood and wrought iron Queen Post Truss roof system was left in place and the floor hung from it with iron rods and double-strut trussed girders. The added wall height essentially creates full-length shed dormers on each side of the original roof and a double-pitched roof with the original gable peak remaining above the much shallower pitch of the shed dormers on either side. Because both ends of the building abut other buildings, this unusual roof form is not visible from the ground. A monitor, probably dating from the original construction, extends along the center portion of the ridge.

Building 4 – Foundry

Construction Date: 1895 (according to map research)

Description: Building 4 is the largest of the historic buildings in the complex, with a long rectangular plan measuring roughly 203 feet by 87 feet. The building was originally fully exposed at three elevations (north, west, and east). Today it joins Building 3 to the south and is surrounded on its north and east sides by modern structures. Constructed of brick, Building 4 is a single-story structure with three central raised bays, creating a two-tiered monitor along the center of the roof and a tall open span on the interior. Two large vents protruded from the roof at the east side of the building; they are no longer extant but the two-story brick section of the building along the east wall toward the south end marks their location; window openings in this two-story block were infilled with brick (visible in Photo 1). A brick ell off the south end of the west elevation was originally the location of the core oven for the foundry (Photo 7). Although this building has been altered considerably on the exterior, the west elevation remains largely intact, with paired segmental arched windows with brick heads and a simple box cornice defining the roofline (Photo 5). Windows hold original *16/16* wood double-hung sashes. The lower level walls are reinforced with what appears to be vertical steel strapping. Walls of the raised monitor have been inconsistently covered with modern materials and siding so that few windows are visible, especially along the east side (Photo 8). The long band of multi-pane windows can still be seen along the west side of the monitor (historic sashes remain but are in poor condition). A large loading bay at the south end of the east elevation holds a modern garage door. The adjacent window was modified to hold a pedestrian door (visible in Photo 1). The interior is a large open utilitarian space with exposed brick walls and exposed framing.

Uses: Building 4 was historically used as the main foundry for the Portland Company. This use did not change throughout the company's occupancy.

Additional Information:

The Foundry utilizes an unusual transitional construction system in its exterior walls. The riveted steel

roof trusses were erected on posts formed of back-to-back U channel steel with spacers between them to allow the roof truss gusset plate to be riveted in place between the two U channels at the top. Once the roof system was erected, the spaces between the posts were filled with brick laid up in common bond and engaging with the posts by extending into the recess of the U channel. Above the tops of the posts, the brick wall encased and engaged the steel trusses to the eaves. It appears that once the brick was in place, the roof trusses were supported primarily by the brick walls, not by the steel posts.

Building 6 - Blacksmith/Tank Shop; Machine Shop

Construction Dates: northern half - c. 1850; southern half - c. 1900

Description: The freestanding Building 6 was constructed in two distinct rectangular sections. The northern portion was the earliest and measures roughly 120 feet by 41 feet, while the southern section measures approximately 70 feet by 41 feet. The north block is a one-story brick structure enclosed by a gable roof (Photo 2). The construction is consistent with the earliest buildings on the site and it was likely built in the late 1840s. Regularly spaced window openings line the east elevation, while the west elevation is covered by a one-story addition that was built between 1914 and 1949 (today covered by recent siding - Photo 9). Original window openings have rough-cut granite sills and lintels and hold original wood double-hung sashes in a 20/20 pane configuration. Window bays are separated by shallow brick piers. A simple brick fascia defines the roofline. The gabled north elevation features a large central entryway holding a modern overhead door (Photo 4). A diamond-shaped window (now blocked) is located above the central doorway. Brick piers with simple corbeled capitals flank the lower level at the north elevation. The interior of the northern block is divided into large utilitarian spaces with exposed brick walls and exposed framing.

The southern portion of the building was constructed around 1900 and is a three-story brick block with evenly spaced segmental arched window openings (Photo 5). Otherwise, architectural ornamentation is limited to a corbelled brick cornice. There are a number of the original wood double-hung windows remaining (12/12 at the first floor, 8/12 at the second floor, and 8/8 at the third floor. Many of the windows at the second floor were replaced with 1/1 windows. Most of the first floor windows have the lower half of the sash blocked. The west elevation includes a tall tower (original to the south block) with modern siding and added exterior stairs that lead up to the third floor of the south block (Photo 8). An enclosed bridge (that appears to be an original feature - was there by 1906) extends from the second floor of the west elevation to Building 2 (Photo 7). The interior is divided into floor levels and spaces are utilitarian, with exposed brick walls and exposed framing.

Uses: The earlier northern portion was built at a “black smith and tank” shop according to historic maps. When the southern section was erected around 1900, the building shifted to use as a machine shop. By 1949 the southern portion was occupied by Chapman Electric Neutralizer Company, who had an office on the first floor and machine shops above (here until at least 1980). It appears that the northern portion of the building continued in use as a machine shop for the Portland Company.

Additional Information:

Drawings in the collection of the Maine Historical Society show the plans for the one-story tank shop, drawn in 1883. The three-story section of the building was constructed between 1896 and 1904 according to map research.

Building 7 - Carpentry-& Woodworking Shop

Construction Date: c. 1870, with c. 1900 addition

Description: Building 7 is a freestanding one-story brick building. It appears that it was originally constructed with a rectangular main block (170 feet by 60 feet) and a small brick ell off the southwest corner (roughly 50-feet by 21 feet). A small one-story wood-frame addition was constructed off the south end of the main block around 1900 (Photo 5). The building was constructed with evenly-spaced windows with segmental arched brick heads and rough-cut granite sills. Although many windows have been blocked with plywood, original sashes with a 20/20 pane configuration remain in a number of openings. There are several original segmental arched doorways as well, including a large loading door on the east elevation (Photo 4). Only one of the doorways (north elevation-west end) appears to hold the original double doors. Fenestration on Building 7 has been substantially altered over the years. A number of windows have been infilled with brick or partially blocked, while another on the west elevation was infilled and a pedestrian door was created (Photo 7). Several wide loading doors with steel lintels were added, at both the west and .east elevations (Photos 3 & 7). A modern temporary storage shed was erected near the northeast corner of the building but it is freestanding (Photo 3).

Uses: The building was constructed for use as the carpentry and woodworking shop. By 1896 the main block was a "car shop" and also held the woodworking department. The woodworking shop remained as late as 1909, at which time the building also functioned as a garage and auto repair shop. By 1949 the space had been given over to steel fabrication (continued into the 1980s). Historic maps indicate that the rear ell was originally used for "printing and erecting," and later for "printing." By 1909 it was used for pattern storage. The wood-frame addition just east of the ell was added around 1900 along with a second wood addition further to the south that connected Building 7 to Building 10. The two wood additions were used for storage. The southern addition was removed by 1949, by which time the ell and the northernmost addition were occupied by an electric welding shop (remained into the 1980s).

Additional Information:

The car shop was constructed c. 1873 following a large fire that destroyed many buildings at the southeast corner of the complex. Drawings in the collection of Maine Historical Society include plans for the addition (former lumber shed) dating to 1904.

Building 10 - Paint Shop

Construction Date: c. 1885

Description: Building 10 is a small single-story brick building measuring roughly 46 feet by 30 feet. This freestanding rectangular structure has a shallow pitched roof and little in the way of architectural ornamentation, aside from segmental arched window opening with brick heads and rough-cut granite sills. Window openings along the east elevation have been infilled with brick (Photo 2), while those at the west and north elevations are blocked with plywood. It appears that the original wood double-hung windows (in *12/12* pane configuration) remain beneath the plywood (Photo 4). The principal elevation (north) is dominated by a large loading bay that may have been an added feature (Photo 1), although it was in place as early as 1924 (now infilled with modern materials). Secondary access to the building is currently provided by means of an added doorway on the west elevation - holding a modern flush door (Photo 4). The interior has been finished with modern materials.

Uses: When first constructed around 1885 the building was used as a paint shop. By 1909 auto painting was undertaken here. In the mid-20th century it served as a storage shed (into the 1980s).

Additional Information:

Additional research shows the Paint Shop to have been constructed c. 1873, following the fire at the

southeast corner of the complex.

Building 11 - Pattern Storehouse

Construction Date: c. 1885

Description: Building 11 is a two-story brick building with an irregular footprint, a quadrilateral measuring 30 feet along the north wall, 85 feet along the east wall, 90 feet along the south wall and 89 feet along the northwest wall. It joins Building 12 to the east and is constructed into the side of a hill so that an areaway runs along the northwest wall to expose the lower level windows. Typical of many of the buildings in the complex from the late 19th century, Building 11 is enclosed by a shallow pitched roof and has little architectural ornamentation, aside from segmental arched window openings with brick heads. Unlike most of the other buildings, window here have wood sills and 16-pane wood sashes that appear to be casements (Photo 3). The principal elevation (north) features a large loading bay that is now infilled with two recent doorways (Photo 1). A third doorway is located just to the west (a doorway in this location appears in historic images). A secondary entry was added to the northwest elevation in a former window location, together with a wood pedestrian bridge (Photo 3). The interior is divided into two floors and has been updated somewhat with the addition of carpeting, suspended panel ceilings, and a small number of recent partitions. The brick walls and wood framing remain exposed on the interior.

Uses: Building 11 was used as a pattern warehouse throughout the occupation by the Portland Company.

Building 12 - Pattern Storehouse

Construction Date: Map research indicates that Building 12 was constructed in 1895.

Description: Rectangular in plan, Building 12 measures roughly 40 feet by 80 feet and joins Building 11 to the west. Building 12 is constructed of red brick and, like the other late 19th century buildings in the complex, has little in the way of architectural ornamentation, aside from segmental arched window openings with brick heads. One notable difference from other buildings of the period is that Building 12 has a gable roof (rather than a low-pitched roof), a treatment more typical of the early to mid-19th century buildings of the Portland Company. The rooflines are trimmed with simple unadorned rake boards. While many of the evenly-spaced window opening (with wood sills) are now blocked with plywood, a number retain the original 16-pane wood sashes that appear to function as casements (Photo 3). The principal elevation (north) has two large loading bays with steel lintels (likely original, as they appear in historic photos) flanking an added (post 1988) central brick entry enclosure (Photo 1). The south elevation features a sign painted directly onto the brick wall reading "PORTLAND CO." (appears in early images of the building - Photo 3). The interior is divided into three principal floors, which remain utilitarian spaces with exposed brick walls, wood plank flooring, and exposed wood framing.

Uses: Building 12 was used as a pattern storage warehouse throughout occupancy by the

Portland Company.

Additional Information:

The Pattern Storehouse Addition was constructed in 1895, according to drawings in the collection of the Maine Historical Society. At one time, a one-story shed addition was constructed along the east elevation, but it has since been removed.

Building 14 - Drafting Room/Storage

Construction Date: c.1875

Description: Building 14 is rectangular in plan and has two distinct sections, both of which appear to have been built about the same time. The northern section is two stories tall and measures roughly 85 feet by 20 feet (Photo 2), while the southern portion is three stories and measures approximately 30 feet by 20 feet (Photo 1). The building includes a combination of brick and wood-frame construction. The south elevation was originally exposed but now joins Building 24. The north wall abuts Building 15. Building 14 is built up against a retaining wall so that only the upper level, a simple paneled brick wall, is visible from Fore Street (west elevation - Photo 5). The east elevation is sided with clapboards and trimmed with flat wood stock. This facade has been substantially altered, with multiple changes in fenestration, inconsistent window and door replacement, and a small shed addition at the north end. Building 14 is joined to Building 2 by an enclosed walkway at the second floor (extant as early as 1886 - Photo 3). The interior has been altered extensively and finishes are largely modern.

Uses: The southern portion of Building 14 served as a drafting room until about 1895, while the northern portion was always used as a storage facility. By 1896 the southern end of the building was also used for storage and also held an office on the third floor. During the 20th century the building remained in use by the Portland Company as a storehouse.

Additional Information:

The Drafting Room and Storehouse were constructed sometime between 1858 and 1864 according to map research.

Building 15 & 16 - Boiler House/Brass Foundry

Construction Date: c.1850s (based on 1858 plan)

Description: Buildings 15 and 16 appear to have been constructed together and may have been part of the earliest construction on the site (likely late 1840s or early 1850s). Building 15 has been so heavily altered that it is impossible to know for certain what its original appearance may have been. It has a rectangular plan measuring roughly 35 feet by 20 feet and is built up against a stone retaining wall that runs along the Fore Street (west) side of the building. This one story brick building abuts Building 14 to the south and Building 16 to the north. All that remains evident of the historic east elevation (the only exposed elevation) are several wide brick piers between which has been added infill of various types (all in poor condition - Photo 2). The piers are decorated by string courses with corbels and dentils (Photo 3). The same detailing also appears along the cornice line and carries over across the face of Building 16. The rafters of both buildings are currently exposed but appear to have originally been covered by simple fascia boards.

Building 16 is a bit more intact than Building 15 but has also been altered. It is a one-story rectangular brick structure measuring roughly 41 feet by 27 feet. The north elevation abuts a concrete retaining wall, leaving only the east elevation exposed. There were originally four large window openings along the east elevation, trimmed with rough-cut granite sills and lintels; two still retain the original *16/16* wood double-hung sashes (Photo 4). The two southernmost windows were modified when a large loading bay with a steel lintel was installed (now infilled with added materials). Where Building 15 joins Building 16 are the remnants of a brick smoke stack (the base of it is still visible - Photo 5). (No access to interior due to dangerous conditions.)

Uses: Research indicates that Buildings 15 and 16 were constructed as the boiler house for the complex. A brick building appears in this location as early as 1858 and the design details, window in particular with their flat granite heads, are consistent with the earliest construction in the complex. The boilers were held

in what is today Building 15. It is likely that the mill quickly outgrew this relatively small boiler house; by 1886 a much larger boiler building had been constructed elsewhere on the site (no longer extant) and Building 16 was being used as a brass foundry; there were boilers still located in Building 15. This use continued until at least 1924 but had ceased by 1949. The buildings were later used by the Portland Company for storage.

Additional Information:

Based on maps and plans of the complex, it appears the Boiler house was constructed between 1858 and 1864; the Brass Foundry was constructed between 1864 and 1871. The 1858 plan of the complex (in the collection of the Maine Historical Society) shows a brick building in this general location, though doesn't appear to be the existing buildings. Research into the 1886 Sanborn Map of the Portland Company do not show an alternative Boiler House as previously determined. A Boiler Shop is present in the northeast quadrant of the complex.

Building 24 - Vault Storage

Construction Date: between 1896 and 1909

Description: Building 24 is a four-story utilitarian brick structure with minimal fenestration. It is built into a hill and thus has three exposed floors at the west and south elevations and four at the east (Photo 1). It is joined to Building 14 to the north and linked to Building 2 by an older enclosed bridge at the third floor (from c. 1900) and a more recent open bridge sheltered by an awning at the second floor (visible in Photo 1); the latter leads to an entry on the east elevation in the former location of a window. Many of the original windows have been infilled with brick, particularly at the second floor. The few historic window openings that remain (one at the south elevation and three at the east elevation) have segmental arched brick heads and rough-cut granite sills. One at the west elevation was converted to a doorway (second floor) and now holds a flush metal door. Also at the west elevation, an original loading door with historic glazed wood double doors survives at the fourth floor (Photo 4). An entry was added at the second floor of the south elevation (prior to 1924) and today holds recent double doors (Photo 2). The south elevation also features a sign painted directly onto the brick - the existing sign replaced an earlier painted sign of the Portland Company. The north elevation is void of fenestration (Photo 3). The interior is utilitarian (exposed brick walls) with no notable architectural features.

Uses: Building 24 was constructed for vault storage and remained in that use during occupancy by the Portland Company.

Additional Information:

The construction of the Vault dates from between 1904 and 1909 as evidenced by historic maps. It appears that a floor was added before 1924, though it is unclear when or why the Vault was expanded.

Building 30 – Office

Construction Date: 1950

Description: Building 30 is a freestanding Modern office building with a rectangular plan measuring roughly 32 feet by 120 feet. Typical of the style, there is little in the way of ornamentation. The northern third of the building stands three stories, while the southern portion is only two stories (Photo 1). It is built into a hillside so that only the second and third floors are visible from Fore Street (west elevation - Photo 2). The building is enclosed by a shallow shed roof with deep overhanging eaves. It rises from a red brick base that steps up at irregular intervals into the second and third floors. The upper portion of the building

is sheathed with wide clapboard siding. Bands of asymmetrical windows light the second and third floors, while openings at the first level are more evenly-spaced single windows. All sashes were replaced in the 1970s when a major renovation was undertaken. A brick entry shelter was also added to the east elevation as part of the 1970s work. There are two simple entrances off the Fore Street (west) elevation, both holding what appear to be replacement doors. The more prominent of the two is recessed within and entry shelter (Photo 4). The interior was heavily renovated in the 1970s.

Uses: The building was constructed as offices for the Portland Company and has remained in use as office space.

Acetylene House

Construction Date: c. 1909

Description: A small brick Acetylene House measuring approximately 8 feet square is located atop the first tier of the retaining wall to the east of the Foundry's Coke Oven. With no roof, the acetylene house is nearly in ruins, including a severely rotted door frame on the east elevation. Access to the structure is limited by overgrowth of vegetation.

Uses: The Acetylene House was used as the source of acetylene for welding and metal work.

HISTORICAL CONTEXT

Overview

The Portland Company was founded in 1845 as the Portland Iron Manufacturing Company. The name was shortened almost immediately in 1846; its new name has endured since, although operations ceased in 1981. During its nearly 140 year history, the Portland Company manufactured (or outfitted) steam locomotives, passenger cars, vessels, fire engines, elevators, lamp posts, lighthouse segments, ornate architectural elements, manhole covers, and more.

The history of the Portland Company and its associated buildings represent 19th and 20th century national trends in manufacturing and transportation, Portland's position as a seaport and transportation center, and the impact of industrialization on Portland.

Additional Information:

The charter for the Portland Iron Manufacturing Company was granted to individuals not associated with the Portland Company, suggesting that the charter was purchased from the original grantees by John A. Poor and associates, who then requested that the legislature change the name to the Portland Company in 1846.

Portland - 17th Century Settlement and Growth as a Seaport

Portland is located on a peninsula in Casco Bay and is well-known for its advantageous deep water port, its hilly topography, and varied street pattern. Portland has a predominance of 19th century buildings, representing its prosperity as an industrial era seaport and transportation center.

The earliest settlers came to the peninsula by 1628 to fish, trap, and trade. By the mid-1700s, Portland (then known as the Neck and part of Falmouth) was experiencing the wealth and population growth that came with having the "best natural harbor on the eastern seaboard." Lumber was prolific and Portland's main commodity; it was processed and shipped to Boston, England, and the West Indies. Settlers clustered along Fore Street (then at the water's edge) and the base of King Street (renamed India Street).

A period of recovery and rapid growth followed the Civil War and the Neck separated from Falmouth to become Portland. Capitalizing on her natural resources -deep water port, lumber, and fish - Portland thrived during the late 1700s and into the early 1800s.

Additional Information:

The period of recovery and rapid growth followed the Revolutionary War, not the Civil War.

Early 19th Century: Development as a Transportation Center

Portland's population more than doubled between 1800 and 1820 to over 8,500, and by 1832, the population reached over 13,000. Commercial activity was centered along streets familiar today - Fore, Middle, Market, State - and along wharves in the general location they exist today. Homes were built along the base of Munjoy Hill and a new, fashionable neighborhood in the western part of the city.

Portland continued to exploit its abundance of lumber and fish and participated in the booming shipbuilding

and maritime trade industries. By the 1830s, Portland's harbor had the largest commercial fleet on the eastern seaboard. While shipbuilding was at its peak during this time, the U.S. canal system was exploding. A group of Portland businessmen took notice and in 1825 financed the Cumberland and Oxford Canal. Completed in 1830, the canal connected Portland to the Sebago Lake region and provided a new means to transport Maine timber. Moreover, Montreal used the canal system and the St. Lawrence River to transport agricultural products to Portland for export, except during the winter months when the river iced over.

Additional Information:

The Cumberland & Oxford Canal only reached Long Lake in Harrison, Maine, approximately 50 miles from Portland. Its termination was nearly 200 miles from Montreal and it was not used for transportation between Montreal and Portland.

Mid 19th Century: Industrialization, the Railroad, & the Founding of the Portland Company

Nineteenth century advances in transportation and industry, particularly the railroad, brought Portland her greatest growth and prosperity yet and by mid-century, precipitated businesses like the Portland Company. Portland's first railroad, the Portsmouth, Saco, & Portland Railroad, arrived in the city by 1842 and connected southern Maine with Boston. Soon after, in 1845, attorney and savvy businessman, John A. Poor, with engineer, Septimus Norris, founded the Portland Iron Manufacturing Company to produce locomotives for the growing railroads. Furthermore, through Poor's vision and determination, Portland won the bid, over Boston, for the much coveted Atlantic & St. Lawrence Railway terminal in 1847 (later taken over by the Grand Trunk). The Atlantic & St. Lawrence Railway connected Portland with Canada and the west, making Portland Canada's primary port in the northeast, even during the winter.

All three were located on the waterfront: the Portsmouth, Saco, & Portland Railroad terminus was located just southwest of the commercial center, at the base of State Street; the Atlantic & St. Lawrence Railway was located further east, at the base of India and Hancock Streets; and the Portland Iron Manufacturing Co. (by 1846 known simply as the Portland Company) was located on filled land at the base of Waterville Street and just across a small cove from the Atlantic & St. Lawrence Railway. Initially, there was no direct link by railroad between them. To connect the three properties, another stretch of the waterfront was filled, upon which railroad tracks and• Commercial Street were constructed; the project was completed by 1853. Now, well situated with a direct link to the railroad (which eventually included a network of six railroads and several steamship routes), a wharf on Casco Bay, and an indirect link to the canal system, the Portland Company was part of a thriving commercial and transportation network.

Additional Information:

As noted above, the Portland Iron Manufacturing Company was founded by individuals not connected with the Portland Company. John A. Poor and others appears to have purchased the charter for that company from the grantees and had the legislature change the name to the Portland Company in 1846.

The involvement of Septimus Norris in the Portland Company was very brief. The Portland Company Director's meeting minutes for 1846, located at the Maine Historical Society, show that Norris was only associated with the company for approximately 6 weeks in November and December of that year. There is no indication that the Portland Company purchased tools and machinery from the Norris Brothers Locomotive Builders in Philadelphia, as recommended by Norris, nor hired any of the ten men he recommended. Horace Fenton, who had come with Norris from Philadelphia, was retained as General Superintendent by the Portland Company directors after Norris was removed from the board. Following legal action, the

Portland Company paid Septimus Norris $400 for the non-exclusive use of patents he had transferred to the Portland Company during the six weeks he was a director.

Before Broad Cove was filled for the railroad yard between the Portland Company and the Atlantic and St. Lawrence RR depot at India Street, the railroad crossed the cove on a timber trestle, with a siding on another trestle to the Portland Company Works, providing a rail connection to the plant from the outset of operations in 1847.

The Portland Company: Mid-19th Century Manufacturing

The Portland Company was the only company in the U.S. founded for the sole purpose of manufacturing locomotives; others were originally machine shops, adapted for their new purpose. Its complex was a nearly self sufficient operation, able to produce almost every part needed in the manufacturing process. Their buildings evolved with their operations – as industrial and transportation innovation dictated, they redesigned their old shops and added new shops. The Portland Company complex included three buildings as early as 1851-a foundry, a counting room, and a "car house" (Building 2 -machine shop). By the century's end there were roughly two dozen buildings and sheds supporting their operations and the company was manufacturing a range of products, as follows.

Additional Information:

In 1847, a foundry, machine shop, and blacksmith shop were constructed of brick and a car shop built of wood. The original office, or "counting room" may have been an existing building on the site, as the director's records do not show any reference to its construction.

Locomotives. Fire Engines. Steamships

Locomotives
1848 - c.1900

The railroad brought economic vitality to Portland and served as the impetus for the founding of the Portland Company. The Portland Company's first locomotive, the Augusta, was completed in 1848 for the Portland, Saco, & Portsmouth Railroad. Over the next 60 years, 630 more steam locomotives (and hundreds of freight and passenger cars) were constructed for, among others, the Boston & Maine, Maine Central, Northern Pacific, Panama, Mexican Central, Sandy River, Wiscasset, and Quebec Railroads. The Portland Company also built locomotives for the U.S. Government during the Civil War.

Following the war, the railroad (and steamboats) served Maine's burgeoning tourism industry. As the wealthier looked to escape the heat of the cities, railroads and steamships connected cities with rustic coastal communities and inland areas like Rangeley Lakes. By 1872, 65 trains a day stopped in Portland. Six railroads eventually served the city; the Grand Trunk alone had direct lines to New Hampshire, Vermont, Montreal, and the West.

While railroad track gauge is of standard dimension nationwide today, up to six different dimensions were used until the 1870s. This meant that the Portland Company built locomotives and cars to fit varied width tracks.

Fire Engines
c.1860 - 1870s

The Portland Company manufactured the first of its horse drawn steam fire engines, the "Greyhound," in 1860. It was used by the Portland Company and the adjacent Grand Trunk Railway as well as being loaned to the City of Portland. The Portland Company subsequently produced at least seven steam engines for the Portland Fire Department. Several more steam fire engines were built during the 1860's and into the 1870s.

No event made the need for fire engines more evident than the fire that swept through Portland on July 4,1866. The fire burned the commercial center to the base of Munjoy Hill, stopping just short of the Portland Company but destroying 1500 buildings and leaving ten thousand homeless.

Steamships and Other Vessels
c.1860 - c.1920

The advent of steamboat transportation translated to additional business for the Portland Company. The Portland Company built over 350 steam engines and boilers for marine, as well as, industrial uses. They outfitted towboats, fishing vessels, yachts, dredges, freighters, fireboats, and ferries. Some of these vessels were built elsewhere and others were fully constructed at the Portland Company's boatyard across the harbor in South Portland. Once launched, the vessel would be towed to the Portland Company wharf to be outfitted. For example, the side-wheel passenger steamer, the "Bay State," was built in Bath, Maine, and then towed to Portland to be outfitted by the Portland Company in 1890.

The Portland Company: Late 19th/Early 20th Century Diversification

Portland's economy-and the Portland Company's portfolio-diversified as industrialization progressed. The Portland Company began manufacturing elevators, cast iron elements, and paper industry equipment, and for WWI, they produced brass shell casings. They even distributed automobiles and trucks, making good use of their existing large buildings, expansive property, and proximity to rail transportation.

Elevators
early 20th century

The Portland Company manufactured passenger and freight elevators, at first hydraulically powered and later electrically. Most elevator cars were built of solid oak with an iron and steel framework. The Portland Company manufactured three elevators for the Fidelity Trust building. One of them survives in the building today, now known as the Maine Bank and Trust Co. building on Congress St. The Portland Company also produced the elevators for the Portland City Hall.

Cast Iron
Late 1800s

During the 19th century, cast iron could be produced cheaply and in vast quantities. It could be cast in a variety of forms and painted different colors making it a desirable alternative to carved stone and wooden architectural elements. Cast iron production was prolific late in the century; whole streetscapes can be found dating from this period, lined with cast iron facades.

The Portland Company cast storefronts, man hole covers, parts for lighthouses (lanterns, lamp decks, spiral stairways, doors and sashes, walkways, railings, vents, spindles and markers, upper sections of light tower), lamp posts, ornate gates, and industrial boilers. They also operated a bronze and brass foundry.

Paper Industry
Late 1800s - 1900s

By the 1870s, Maine's lumber supply, namely desirable pine, was becoming depleted. Spruce and fir were plentiful, however, and ideal for the paper industry. Between 1880 and 1900 about 40 mills were built in Maine. Processing moved right to the source, creating small industrial centers in towns like Rumford, Millinocket, Berlin Mills, Sprague's Falls, and Westbrook.

The Portland Company manufactured equipment used in the paper industry including ,pulp digesters, boilers, tanks, steam accumulators, chippers and debarkers, vomit stacks, turbines, penstocks, water-control gates, and gate-hoisting equipment. Equipment, some of which measured as large as 15' in diameter, was transported by rail directly from the Portland Company to many of the mills.

The advent of electricity meant convenience and new challenges, like the heavy static charge that can be produced during the manufacturing process, causing problems in paper and textile mills. The remedy came in the form of an electric neutralizing machine, patented by electrical engineer, William Chapman, in 1908. The Chapman Corporation operated as a subsidiary of the Portland Company in Building 6 at the waterfront mill yard.

Automobile Sales
c1907 - c1914

The Portland Company served as Maine's exclusive distributor of the high-end Knox automobiles, trucks, firetrucks, and three-wheeled tractors which were manufactured in Springfield, Massachusetts. In 1910, they added the Brush, Cole, and Thomas automobile line to appeal to middle and lower income buyers. The Portland Company used their garage for auto and truck repairs, and snowplow fittings.

Brass Howitzer Shell Casings for the War
1917 – 1918

The onset of WWI prompted the need for further diversification and brought a brief respite to the regional decline in manufacturing. Tens of thousands of brass shell casings were produced by the Portland Company, packed in pairs, and shipped to another factory to be filled before being sent to the US Army between 1917 and 1918. Women replaced men, who were overseas serving in the military, in this, and other factories.

Bibliography

BIBLIOGRAPHY

American Railroad Journal and General Advertiser. Volume 18. New York, New York:
Bacon, George F. Portland Maine, Its Representative Business Men and Points of Interest, Newark, NJ: Glenwood Publishing, 1891.

Bauman, John F. Gateway to Vacationland. Amherst, Massachusetts: University of Massachusetts Press, 2012.

Charter and By-Laws of the Atlantic and St. Lawrence Railroad Company: Lease to the Grand Trunk Railroad of Canada, and Other Documents, Portland, ME, Bearch, Starbird, Rich, & Co., 1855.

Historic drawings in City of Portland Public Service vault, c. 1850 – c. 1920. 55 Portland Street, Portland, ME.

Elwell, Edward H. Portland and Vicinity, Providence, RI: J.A. & R.A. Reid and Portland, ME: Loring, Short & Harmon, 1881.

F. W. Beers & Co. City of Portland, Parts of 1 & 2 Wards [Map]. Scale: 150 Feet to an inch. In: F. W. beers & Co. Cumberland County, 1871.

Fletcher, David H. The Portland Company, 1846-1982, Charleston, SC: Arcadia Press, 2002.

Garrison, William L. and David M. Levinson. The Transportation Experience: Policy, Planning, and Deployment. New York, New York: Oxford University Press, 2006.

Gordon, Robert B. American Iron, 1607-1900. Baltimore, Maryland: The Johns Hopkins University Press, 1996.

"The Grand Trunk Railway Company of Canada." Library and Archives Canada. [http://www.collections-canada.gc.ca/confederation/023001-3010.25-e.html] December 14, 2001 (accessed July 14, 2014).

Heald, Bruce D. A History of the Boston & Maine Railroad. Charleston, South Carolina: The History Press, 2007.

Kinert, Reed. Early American Steam Locomotives. Courier Dover Publications, 2012.

Kyriakodis, Harry. "Along the City Branch, The Forgotten Norris Locomotive Works." Hidden City Philadelphia. [http://hiddencityphila.org/2012/11/along-the-city-branch-the-forgotten-norris-locomotive-works/] November 21, 2012 (accessed July 14, 2014).

Larry, Julie and Gabrielle Daniello. "History of Portland's India Street Neighborhood," for the City of Portland's Historic Preservation Office, 2013.

Mallery, Timothy J. "Early Locomotives." Catskill Archive. [http://www.catskillarchive.com/rrextra/ABRW13.Html] 1996-2010. (accessed July 14, 2014).

Parker, Robert. "The Portland Company – Its Architectural Legacy," Draft MS, University of Southern Maine, Portland, ME, 1990.

Plan of Portland. 1866 [Map]. Boston, Massachusetts: J. H. Bufford & Sons, lith. In 1866 Portland, Maine directory

Poor, Laura Elizabeth, John A. Poor. The First International Railway and the Colonization of New England, Life and Writings of John Alfred Poor, New York, NY: G. P. Putnam & Co., 1890.

Records of the Atlantic & St. Lawrence Railroad Company 1846 –c. 1900, Maine Historical Society, 489 Congress St., Portland ME.

Records of the Portland Company 1846 - 1902, Maine Historical Society, 489 Congress St., Portland, ME.

Records of the Stockholders of the Portland Company 1846 - 1902, Maine Historical Society, 489 Congress St., Portland, ME.

Rivard, Paul E. Made in Maine: From Home and Workshops to Mills and Factories, Charleston, SC: The History Press, 2007.

Rusfell, B. B. Portland, ME. From the Latest Surveys. 1879 [Map]. Scale: 40 Rods to 1 inch. In: Portland, 1879 Atlas.

Secretary of State. Acts and Resolves Passed by the Twenty-Fifth Legislature of the State of Maine, A.D. 1846, Augusta, ME: William T. Johnson, 1845.

Secretary of State. Acts and Resolves Passed by the Twenty-Sixth Legislature of the State of Maine, A.D. 1846, Augusta, ME: William T. Johnson, 1846.

Sinclair, Angus. Development of the Locomotive Engine. New York, New York: Angus Sinclair Publishing Company, 1907.

Solomon, Brian. American Steam Locomotive. Osceola, Wisconsin: MBI Publishing Company, 1998.

Swank, James Moore. History of the Manufacture of Iron in all Ages. New York, New York: Cambridge University Press, 2011.
The Cassier Magazine Company. Cassier's Magazine, Volume XX, May-October 1901. New York, New York: Louis Cassier & Company, 1901.

Thurston & Company. The Portland Reference Book and City Directory, 1850-1851, Portland, ME: Thurston & Co., 1850.

White, John H., Jr. A History of The American Locomotive, Its Development: 1830-1880. Mineola, New York: Courier Dover Publications, 1979.

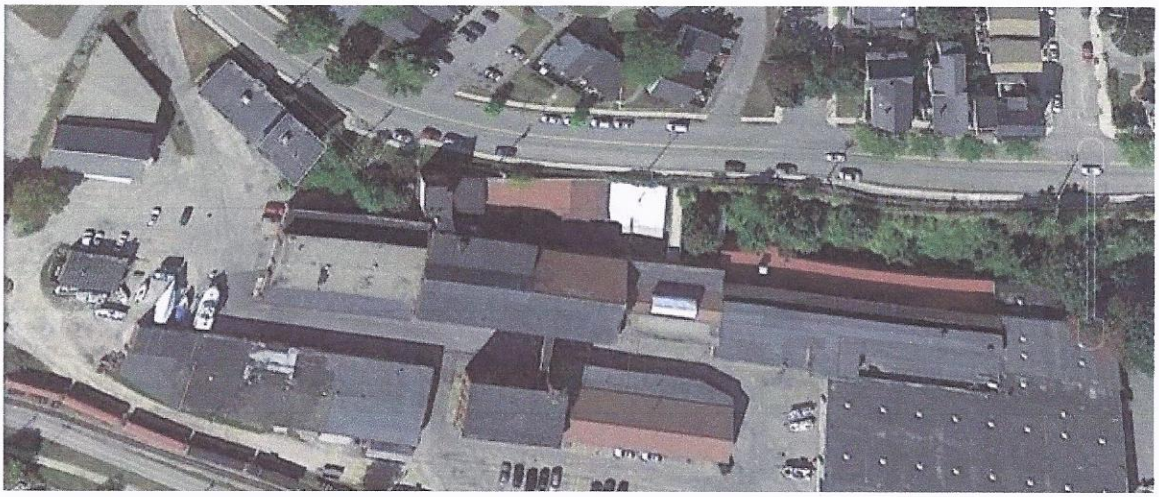
Young, Brian G. "Poor, John Alfred." Dictionary of Canadian Biography (University of Toronto). [http://www.biographi.ca/en/bio/poor_john_alfred_10E.html] (accessed July 14, 2014).

Att. 5

PORTLAND COMPANY COMPLEX
GENERAL BUILDING CONDITION REPORT

PERFORMED FOR
CITY OF PORTLAND, MAINE PLANNING DEPARTMENT
389 CONGRESS STREET
PORTLAND, ME 04101

MARCH 26, 2015
SUPERSEDES REPORT DATED MARCH 11, 2015



Richard P. Curtis, AIA
Richard Curtis & Associates
862 Washington Avenue
Portland, ME 04103

RESURGENCE
ENGINEERING AND PRESERVATION, INC
ALFRED H. HODSON III, P.E.
132 BRENTWOOD STREET
PORTLAND, MAINE 04103
V/F (207) 773-4880
WWW.RESURGENCEENGINEERING.COM

Ivan Myjer
Building and Monument Conservation
83 School Street
Arlington, Ma 02476

STATE OF MAINE
ALFRED H. HODSON III
No. 9246
LICENSED PROFESSIONAL ENGINEER

3-26-15

TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY **2**

2.0 INTRODUCTION **4**

3.0 DOCUMENT REVIEW **6**

3.1 ORIGINAL CONSTRUCTION DOCUMENTS 6
3.2 PREVIOUS STUDIES AND HISTORIC RESEARCH 6

OBSERVATION, EVALUATION, RECOMMENDATIONS **7**

4.0 GENERAL OBSERVATIONS AND EVALUATIONS 7
4.1 BUILDING 1 – ERECTING BUILDING, 1918 11
4.2 BUILDING 2 – MACHINE SHOP, 1847, 1905 (3D FLOOR) 14
4.3 BUILDING 3 – MACHINE SHOP, 1847 17
4.4 BUILDING 4 – FOUNDRY, 1895 19
4.5 BUILDING 6B – BLACKSMITH SHOP, C. 1896-1904 23
4.6 BUILDING 7 – CAR SHOP, C. 1873, 1904 25
4.7 BUILDING 10 – PAINT SHOP, 1873 26
4.8 BUILDING 11 – PATTERN STOREHOUSE, 1885 26
4.9 BUILDING 14–DRAFTING ROOM & STOREHOUSE, 1858-64 29
4.10 BUILDING 15/16 – BOILER HOUSE/BRASS FOUNDRY, 1858,1864 31

5.0 RECOMMENDATIONS AND CONCLUSION **32**

APPENDIX A - RELATIVE STRUCTURAL CONDITION AND RELATIVE REHABILITATION COSTS

BECKER STRUCTURAL ENGINEERS AND RESURGENCE ENGINEERING AND PRESERVATION

APPENDIX B - PHOTOGRAPHS

APPENDIX C - BIBLIOGRAPHY

- March 26 revisions include edits to Executive Summary, Introduction, Recommendations and Conclusion to reflect comments from March 18, 2015 meeting with City of Portland, Greater Portland Landmarks, and CPB2.
- March 26 revisions also include renumbering of Appendix A, Appendix B, and Appendix C. Appendix A edits further compare Becker Structural Engineers and Resurgence Engineering and Preservation rating systems.

1.0 EXECUTIVE SUMMARY

The individual structures within the Portland Company complex that were included in the project scope are in generally poor condition due to deferred maintenance and, in some cases, inherent but correctable lack of stability against lateral forces and snow loads. The severity of deterioration varies from building to building; it also varies within any given building. In some cases, significant deterioration is quite localized; in other cases, the overall structure is in a state of significant disrepair.

Buildings in poor condition do not necessarily warrant demolition. The fact that a number of the buildings within the Portland Company Complex continue to be occupied – some by large assemblies for special events and some by business tenants – attests to the fact that most of the buildings are still serviceable and are in salvageable condition.

In our opinion, it is possible to address the identified structural and building envelope conditions in ways that retain each building's historic character and that are feasible from a cost perspective. To do so, however, will require case-by-case assessment, creative design solutions, and the involvement of consultants and contractors experienced in historic building rehabilitation.

At this site, business and assembly occupancies can continue as long as structural conditions are monitored while the owners develop their plans for the site. Structure and building envelope rehabilitation will be expensive, but may still be cost-competitive with new construction of the same volume and footprint within the existing framework. Historic rehabilitation tax credits could likely make rehabilitation costs more competitive with new construction. Whether one is building anew or rehabilitating the existing buildings, quality materials, detailing, and craftsmanship must be employed to withstand the formidable climatic conditions that occur on the waterfront.

Structural work needs to be performed on the roof and floor structures to increase snow and live load capacity, and to increase lateral stability. Building envelope improvements are necessary to create viable rehabilitated shells that can ward off the elements for decades to come. Other masonry rehabilitation strategies will be required to provide the structural continuity between roof, wall and foundation of the buildings.

After the buildings were assessed by Resurgence Engineering and Preservation in late December 2014, snow loads took a toll on two buildings, causing localized roof truss failure and roof rafter failure in Buildings 4 and 7, respectively. Prior to scheduled public events, the current owners stabilized these deficiencies, and in the case of Building 4, corrected or mitigated them.

We concur with many of the primary findings of Becker Structural Engineers' report as to the current condition of the individual buildings. However, the simplified construction techniques that characterize Buildings 1 and 4, together with the repetitive nature of many of the required repairs, make possible a relatively straightforward rehabilitation project for those two structures. Buildings 2 and 3 are more complicated and careful assessment will be necessary to deal with their structural complexities.

The linear, connected nature of Buildings 1 through 4 also presents an opportunity to improve lateral stability of the buildings within contemporary code requirements while making other repairs. The simple,

modular nature of these long buildings allows for replication of the individual structural repair details. The exposed floor and roof structures provide easy access to make repairs. After additional structural inspection is completed, the limited hidden conditions lower the need to include large cost contingency factors for structural upgrades.

In summary, most of these exposed-frame industrial structures, with the exception of Buildings 2 and 3, are not that complicated when compared to many other historic commercial building rehabilitation projects undertaken in Portland and in Maine during the last quarter century.

In our opinion, three structures stand out as buildings presenting the greatest structural and building envelope challenges. The buildings in the most compromised condition include:

Building 7 (Car Shop)
Building 10 (Paint Shop) and
Building 11 (Pattern Storehouse).

We recommend that Building 11 remain unoccupied until the north (Fore Street) wall can be stabilized. The immediate safety concerns identified by Becker Structural Engineers at the wall between buildings 6A/6B, and of the overall condition of Building 10, are valid concerns and should be addressed as soon as possible, if they have not been already. Stabilizing the wall and roof framing between 6A and 6B can be performed as a stand-alone project prior to other rehabilitation of these buildings.

In any rehabilitation project, it is important to match existing buildings with compatible uses. Existing volumes, architectural complexity, and inherent structural limitations should all be considered to place proper occupancy types within any given building. Higher-risk occupancies (such as schools or other uses anticipating large assemblies) should be matched with buildings that can be strengthened to withstand increased structural loading factors with the least amount of structural intervention.

For purposes of this report we assume that the existing structures would be rehabilitated according to the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. These Rehabilitation standards allow considerable leeway to perform less expensive repair or replacement, rather than strict – and more costly - restoration or conservation, of deteriorated structural framing elements, thereby making projects more economically feasible. The property's eligibility for the *National Register of Historic Places* also allows access to State and Federal Historic Preservation Tax credits, which can total up to 45% of qualified rehabilitation expenditures.

Building code advances in recent years have come to recognize that deficiencies in historic structures can be individually and specifically repaired, as opposed to replacing entire structural components. These advances can make structural rehabilitation easier and less expensive than comprehensive replacement.

2.0 INTRODUCTION

In November 2014, the City of Portland Planning Department solicited qualification submittals to provide a general building condition report for eight extant structures within the former Portland Company industrial complex at 58 Fore Street. Subsequently, the City increased the number of buildings to be studied to ten, adding Building 3 and Building 14. For each of the structures, the qualified team was asked to assess and provide a written report on the current conditions of the buildings' exterior envelope, structural systems(s) and potential for adaptive reuse, with a preliminary assessment of the relative expense to address current deficiencies in the building envelope and structural systems.

Alfred H. Hodson III, P.E. of Resurgence Engineering and Preservation, Inc. (RE&P) performed a structural evaluation of the Portland Company Complex. Richard Curtis, AIA performed additional building envelope assessment, and Ivan Myjer of Building and Monument Conservation performed masonry assessment. These three individuals completed the work required to inspect the identified buildings. The work scope did not include evaluation of any mechanical or electrical systems, accessibility issues, or life safety code requirements. Specific Buildings in the inspection scope include:

Building 1	Erecting Building	c.1918
Building 2	Machine Shop	c.1847
Building 3	Machine Shop	c.1847
Building 4	Foundry	c. 1895
Building 6B	Tank Shop	c. 1896-1904
Building 7	Car Shop	c. 1873,1904
Building 10	Paint Shop	c. 1873
Building 11	Pattern Storehouse	c. 1885
Building 14	Drafting Room and Storehouse	c. 1858-64
Building 15/16	Boiler House and Brass Foundry	c. 1858, 1864

Assessment of the majority of the buildings occurred on December 29 and 30, 2014. On subsequent return visits, Mr. Hodson and Mr. Curtis visited the site to confirm and discuss items following completion of a draft report, and Mr. Hodson assessed the remaining two buildings.

The intent of the evaluation and this report, for each building within the scope, is to:

a. Assess and provide a written report on the current condition of the building's individual exterior envelope, the current condition of the building's structural systems, and the building's potential for adaptive re-use.
b. Provide a preliminary budget of the relative expense to address current building envelope and structural system, including structural alterations and upgrades per IEBC 2009 requirements for a change of use, including the provisions included in Chapter 11 (Historic Structures), as well as upgrades to lateral force resisting systems and diaphragms for wind and seismic loads.
c. Review previous reports to understand past determinations of conditions, to compare them to current structural conditions. In particular, we reviewed a report prepared by Becker Structural Engineers (BSE) for the current property owners in March 2014, and worked both parallel and independent of their assessment to compare our findings with theirs;

Reporting Requirements in the Project Scope included:

d. Meet with the Planning Department and the city Historic Preservation Board to describe our findings *(not performed yet)*, and;
e. Submit a final report to City of Portland, Maine Planning Department.

Appendix A of this report provides tables and narrative explaining the rating systems used by Becker Structural Engineers and Resurgence Engineering and Preservation. Appendix B of this report provides photographs documenting the individual buildings and site. The report and appendices should be read in their entirety. Some photos shown in the appendices may indicate damage not specifically mentioned in the report. Appendix C includes a bibliography of sources used as part of this project.

Working within the same parameters as BSE did during their study, we did not consider building code requirements, egress, accessibility, flooding, ventilation, hazardous materials, fire safety and energy code. We did not perform invasive testing or formal structural analysis. We understand that more comprehensive structural and building envelope assessment, including invasive and nondestructive testing, is necessary to perform schematic design, understand building code requirements, and provide more refined cost opinions. Other conditions may exist beneath concealed surfaces that appeared sound or in areas that were not visible during the inspection. This is typical of any older building or complex of buildings facing potential rehabilitation.

For purposes of this report, the long axis of the Portland Company Complex faces north toward Fore Street, and south toward the waterfront. The west side faces the Hamilton Marine complex, and the east side faces the adjacent wooded hillside. This orientation is in keeping with the BSE and SCC reports.

Also for purposes of this report it is assumed that the existing structures would be rehabilitated according to the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. These Rehabilitation standards allow considerable leeway to perform replacement, rather than strict restoration or conservation, of deteriorated structural framing elements, thereby making projects more economically feasible. (The property's eligibility for the National Register also allows for use of historic preservation tax credits. Preservation tax credits, which can total up to 45% of qualified expenditures, are intended to encourage investment in the rehabilitation of historic structures.)

We have not attended any presentations by Sutherland Conservation and Consulting or CPB2 Management, LLC, in order to retain objectivity in this study.

3.0 DOCUMENT REVIEW

3.1 Original Construction Documents

We were unable to review original construction documents of the Portland Company Complex. However, we understand some documents are available at Maine Historical Society. Any further assessment of the buildings should include review of these documents in order to compare specified materials with field conditions. This is important for any building rehabilitation project, in order to compare a designer's intent with what was constructed. Occasionally, archived drawings include notes made during construction to document specific construction changes and to provide insight into why those changes occurred.

3.2 Previous Studies and Historic Research

In accordance with the Request for Qualifications, we were provided access to two previous reports about the structural condition and history of the buildings in question, including the following:

- Evaluation of Existing Buildings at the Portland Company Property, March 28, 2014, by Becker Structural Engineers(BSE) Paul Becker, P.E., and Ethan Rhile, P.E.
- The Portland Company Historic Significance and Integrity; 2014, by Sutherland Conservation and Consulting (SCC), Scott T. Hanson, Amy Cole Ives, Matthew Corbett. We have not attended any of the presentations about the site that have been occurred since the report's publication.

We reviewed the BSE report to help understand their specific report format, narrative, and scope for purposes of defining our work scope. We worked both independently and in parallel with the BSE report. We reviewed the SCC report primarily to develop an understanding of the site's evolution and to gain an understanding of the relative age of the individual structures within the work scope.

We also performed a brief literature search to better understand some of the construction techniques used in several of the longer mill buildings. References reviewed included texts about late 19th and early 20th century construction design, materials, methods, and techniques. Appendix B lists a full bibliography of materials researched or reviewed for this report, including site surveys and maps available on the Maine Memory Network.

We viewed several historic maps online to view general conditions and layouts of the site, understanding that such maps included some artistic license and potential inaccuracies not found in formal survey maps or photographic images.

OBSERVATION, EVALUATION, RECOMMENDATIONS

4.0 General Observations and Evaluations

Site Considerations and Conditions:

The site surrounding the buildings in the work scope is an essentially flat, mostly paved site, with the exception of the north section of the site facing Fore Street. A steep drop from Fore Street to the ground level of the buildings rises from the west end of the site toward the east end, as Fore Street ascends Munjoy Hill toward the Eastern Promenade. This steeply-sloped topography has a direct impact upon Buildings 1 through 4 and Buildings 11 through 16 as stormwater runoff flows off the hillside toward these structures. The first floor of Building 11 sits below the exterior grade of the north wall of that structure. Buildings 14, 15 and 16 share a rubble stone masonry north wall that primarily serves as the Fore Street retaining wall.

The majority of the site surrounding the studied buildings is paved right up to the building perimeter walls. Perimeter site drainage around the buildings is likely not present or operational. We observed only a few catch basins near the buildings, but snowfall hampered a more comprehensive assessment.

At a site with buildings that predate sophisticated topographical surveys and largely available commercial photography, historic maps are often a key resource to determining site conditions. However, one must take into consideration any "artistic license" taken by the cartographer. An 1837 map by James Hall shows the site without any of the Portland Company structures. An 1851 map by H.F. Walling shows the ocean extending up to near the location of Buildings 6 and 7. The present-day Hamilton Marine site was a small cove. By 1857, the site is largely filled in, and several parallel rail tracks are shown extending eastward across the site along the present Eastern Promenade Trail and East Coast Greenway.

Beginnings of the Portland Company Complex indicated in an 1851 map by H.F. Walling. Note the cove area to the southwest of the complex, now filled in and occupied by Hamilton Marine and other structures.

Siting of the buildings with a generally east-west orientation creates shade on north-facing roof surfaces during the winter months. While south-facing roofs absorb sun and melt snow, north-facing roofs tend to keep snow longer, creating potential uneven snow loading conditions. Uneven snow loading is a cause of many winter roof failures, when the building is not able to sustain thrust loads created on the structure.

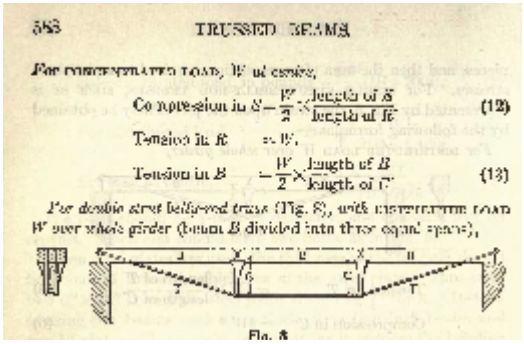
While the orientation would have minimal effect upon structures that generate their own heat, such as the Building 4 foundry, orientation would create more likely drift conditions on other buildings, as well as Building 4 since its closing as a foundry.

Structural Framing:

The structural framing of the different buildings provides insight into several generations of industrial construction. Heavy timber framing, cast iron hardware and loadbearing masonry walls support the oldest structures that date between 1847 and 1900. The heavy industrial truss construction in the timber-framed structures utilizes Queen Rod trusses (Queen Post trusses using two vertical iron rods to support the tie beam, instead of timber material) to create long, open spans in the work areas of Buildings 2, 3, and 6B. The shallow-pitched roofs of timber-framed Buildings 7, 10, and 11 used more standard post-and-beam techniques. Nineteenth-century builders already knew to use simpler, less efficient King Post trusses in smaller spans, such as in the roof of Building 14.

Queen Rod Truss in Building 6B (left); King Post Truss in Building 14 (right)

Building 2 and Building 3 utilize a 19th-century technique of suspending the second floor from the roof trusses to create more open space at that level. This technique has been observed in several buildings in Maine, and is a visual structural indicator of how the buildings have evolved over time as the Portland Company grew. Other structural features, such as the use of trussed girders (seen in Buildings 2 and 3) were commonly used to strengthen longer framing spans in accordance with formulas from handbooks.



583 TRUSSED BEAMS

For concentrated load, W at centre,

$$\text{Compression in } S = \frac{W}{2} \times \frac{\text{length of } S}{\text{length of } R} \quad (12)$$

$$\text{Tension in } R = \frac{W}{2}$$

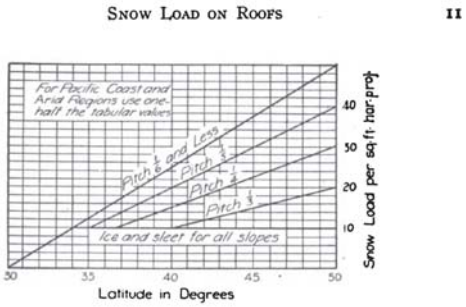
$$\text{Tension in } B = \frac{W}{2} \times \frac{\text{length of } B}{\text{length of } C} \quad (13)$$

For double strut belly-rod truss (Fig. 8), with intermediate load W over wheel girder (beam B divided into three equal spaces),

Fig. 8

Illustration of "Double Strut Belly Rod Truss" from Architects and Builders Pocket Book, 14th ed. 1905.

Construction techniques changed with the advent of more readily available wrought iron and later, steel, toward the end of the 19th century. The buildings examined in this project scope illustrate the overlapping technological use of iron or steel structural framing beginning with the 1895 replacement Foundry (Building 4) and the 1918 replacement Erecting Building (Building 1). Each of these buildings is an example of steel (or iron) mill building construction, featuring a wide center bay supporting a rail crane, and side bays for other work processes.



1895 Steel Mill Building Construction in Building 4 (left) and c.1904 snow loading diagram from Ketchum text. Snow loading diagram in this text is based upon latitude in degrees, and upon roof pitch.

Windows and Doors:

Overview:

Buildings 1-4 have a very large proportion of glazed openings to the wall surfaces, likely due to the desire for abundant natural light and ventilation opportunities in these industrial/manufacturing buildings. The windows in the walls and clerestories are important architectural components of the complex, and should be maintained or replicated. Almost all of the windows have single pane glass, and due to the high proportion of glazed openings, they afford very little in terms of energy conservation. While there are fewer original, existing windows in the remaining buildings, they too are important architectural components of the complex and of the individual structures. The conditions of the windows vary from fair to very poor, and will demand attention to make the buildings usable for new purposes.

The many sizes and functions of doors in the complex reflect the varied requirements for the different manufacturing processes. Unfortunately, many of the larger original doors have been replaced with more recent doors after the site's period of significance. Like the windows, remaining doors from the period of significance for the site are important architectural components, and should be maintained, if possible, or recreated in kind to meet Park Service standards.

Energy Conservation:

Overview:

Section 101.4.2 (Historic buildings) of the 2009 International Energy Conservation Code (IECC) specifically states that: *"Any building that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, are exempt from this code."*

This could seem to imply that the buildings at the Portland Company complex are totally exempt from any requirements for insulation, heating system performance and electricity use. However, the Commentary on the IECC makes it clear that if any additions, alterations or renovations are undertaken that are not

classified as “historic” they should comply with Section 101.4.3 (Additions, alterations, renovations or repairs). This section requires that additions, alterations, renovations or repairs conform to the new construction requirements of the IECC. It further requires that additions, alterations, renovations or repairs not overload existing building systems.

What this all means for the Portland Company complex is that there are portions of the building envelope that may be affected by these provisions. For example, in the discussion on exemptions to the requirements, Section 101.4.3 requires that during reroofing activities, roofs without insulation where the sheathing is exposed during reroofing shall be insulated either above or below the sheathing.

Most of the buildings in the complex have no insulation at the walls or roofs. If reroofing is undertaken, it would be rational and more code compliant to add insulation to the roofs. By installing insulation on top of the roof decks, the existing framing could remain exposed on the interior. The requirement for roof insulation in Table 502.2(1) for insulation above the deck is R20, which could be achieved with about 3” of rigid insulation, which should not seriously alter the historic appearance of the exterior.

All of the buildings have solid brick exterior walls, with the brick exposed both inside and out. Insulation of these walls could only be accomplished by covering up the brick on the interior, which may or may not be desired, depending on the final uses. Section 101.4.3 does not require that mass exterior walls such as those in this property be insulated.

Brick Masonry Construction:

The brick masonry at the Portland Company is typical of 19th and early 20th-century construction. The masonry is unreinforced multi-wythe brick construction primarily bonded by lime-rich mortar. As masonry construction changed in the early 20th century, stronger mortar mixes using Portland cement became a preferred construction material. Cement-rich mortar bonds the bricks in Building 1, the most recent structure. Cement-rich mortar is less flexible than lime-rich mortar. This property may have contributed to the cracking visible at the masonry piers in Building 1.

Loadbearing masonry supports most of the structures within the complex. However, the brick masonry in Building 4 serves only to enclose the structural steel frame that supports the roof.

All of the buildings suffer the effects of long-deferred maintenance. Roofs, gutters, flashings, downspouts and brick mortar joints generally require rehabilitation.

At all of the buildings suffer from deterioration of the brick masonry caused by rising damp related to poor site drainage and hardscape. The hardscape, in particular, often directs water towards the masonry rather than away from it, and traps water running down the building walls in the joint between the pavement and the foundation. Opening the pavement joints along the buildings may help the soil ventilate, if used in conjunction with gutters, downspouts, and catch basins in strategic locations.

4.1 Building 1 – Erecting Building, 1918

Building 1 – Erecting Shop, west Elevation

Structure and Building Envelope Description:

- 9,400 square foot footprint, single story with high center bay and clerestory (Photo #1.1)
- Five interior bays with an additional smaller bay near Building 2 west wall (Photo #1.2)
- Unreinforced multi-wythe brick masonry perimeter bearing walls on three sides
- A shared end wall with the older Building 2 brick masonry end wall
- Flat Warren steel roof trusses and steel I-beam purlins with wood board sheathing at high roof
- Flush-framed steel I-beam roof beams and purlins with wood board roof sheathing at low roofs
- Interior steel columns that support both the high bay and the low bay framing, typical of steel mill building construction
- Extensive steel-framed window glazing on west, north, and south walls
- Ballasted rolled asphalt (high roof) membrane roofing (low roofs)

Observations and Evaluation:

- Upper roof surfacing consists of ballasted rolled asphalt, in good to fair condition (Photo #1.3). On lower roofs, a membrane surface covers the roof. We could not determine if it was insulated, or to what extent. Insulation would likely be required on the roofs, especially if there is a goal to retain the visible structure inside the building.
- Roof framing consists of steel trusses and intermediate beams at the clerestory (Photo #1.4). The beams and trusses will need to be analyzed for snow load capacity, and the decking above the beams will need to be replaced at deteriorated areas. The existing board sheathing is a combination of edge bead and edge-and-center bead. We were not able to measure the sheathing thickness. The sheathing does not provide an adequate diaphragm to transfer lateral loads, and it likely does not have sufficient nailing to resist code-required wind uplift forces.
- At the high/low roof intersection, the steel columns are offset, effectively placing an eccentric load on the lower column. This construction technique was typical of mill building construction when travelling cranes occupied the center bay of the structure. The columns, and their connection details, will need to be analyzed to confirm stability in conformance with current codes.
- Large-scale steel frame windows allow significant natural light into the building. The single-pane glazing lacks significant thermal resistance, and would likely need to be replaced with more energy-efficient glazing to keep heat in during the colder months and to keep heat out during the warmer months. Most of the windows are in poor condition and would require extensive rehabilitation or replacement regardless of energy efficiency concerns. As the windows are an important architectural feature of the building, they will need to be rehabilitated to National Parks Service Standards.

- Many of the steel window lintels and precast concrete window sills (Photo #1.6) are damaged and will require replacement. Steel lintels may need to be enlarged to carry loads imposed by current building codes. If replaced, the lintels should be galvanized prior to installation and painted as historically appropriate.
- The building has three load-bearing masonry walls. At the east end of the building the structure ties into the older (c. 1847) end wall of Building 2, transferring both gravity and lateral loads into that wall and building. An additional partial shear wall could help transfer lateral loads at the end of Building 1, and keep the more ornate Building 2 wall gable end wall visible.
- Unreinforced brick masonry walls are in good to fair condition. The bricks are hard, well-fired, and set in a cement rich mortar. Much of the masonry requires repointing, particularly near the south elevation ground level.
- Large cracks exist in the north and south wall masonry near the west end of the building, most likely due to thermal expansion on the long structure (Photo #1.7). The walls at the northwest and southwest corners will need to be rebuilt to tie the three walls back together. Smaller cracks occur in the intermediate piers between the windows, where the side bay framing bears on steel lintels. The cement rich mortar may have induced some of this cracking if it was stronger than the surrounding brick masonry, and the building was restrained from thermal expansion.
- The bottom masonry on the north side of the building is in poor condition due to raised grade and likely saturation from snow accumulation, rising damp, and poor site drainage.

Adaptive Reuse Potential:

- The tall center structure provides opportunity to insert an independent structure inside to provide additional floor space while maintaining some of the open qualities of the building. Another option could be to insert a floor structure inside the building that helps to transfer gravity and lateral loads from the original building into engineered frames and foundations.
- Ground-level access provides potential to sustain a wide range of occupancies, including large-scale assembly, with minimal egress and accessibility issues.
- Space is relatively straightforward to subdivide. Subdividing the space could also improve the lateral rigidity of the structure.
- Reconstruction of the west elevation to its original appearance (Photo #1.8) would address identified deficiencies in the masonry and improve the overall lateral stability of the building.
- Open access to the structural components permits relatively simple structural strengthening techniques that will be repetitive in nature. Much of the structure is well exposed, which should allow for straightforward assessment for corrosion, rot or other potential structural damage.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing.
- Strengthen existing roof structure as required, particularly near potential drift areas.
- Strengthen existing roof structure as required to provide wind uplift resistance and to transfer lateral loads through roof.
- Repair or replace existing steel windows with thermally efficient units that meet National Park Service Standards.
- Repair or replace existing steel lintels with properly galvanized and painted or prepared and painted steel.
- Repair or replace precast concrete window sills.

- Rebuild the west elevation, wrapping around to the north and south elevations, to match period of historic significance and to strengthen lateral capacity of west end wall.
- Provide shear wall at east end of building as necessary.
- Provide lateral bracing as required to resist code-required lateral loads.

4.2 Building 2 – Machine Shop, 1847, 1905 (3d floor)

Structure and Building Envelope Description:

- 11,300 square foot footprint, three stories with overhanging third floor added in 1905 (above).
- Third floor overhangs for nearly the entire building length on the south side, and approximately half the building length on the north side. Cantilevered floor has little backspan.
- Building may have originally had gutters and downspouts (Photo #2.3), which were rendered obsolete when the third floor was added.
- Building has fifteen window bays and structural bays. Other supplemental columns, girders, and trusses have been added, likely to provide additional upper-floor and roof support as the third floor was added and the building responded to additional loads.
- Unreinforced multi-wythe brick masonry perimeter bearing walls on four sides
- A shared end wall with Building 1 and with Building 3. The west gable wall (Photo #2.6 through Photo #2.8) is a significant architectural feature of the building.
- Two rows of large iron columns and timber posts create 15 structural bays on the first-floor.
- Second floor framing is suspended from original roof framing, which later became the third floor (Photo #2-13).
- Fourteen rows of iron hanger rods pass through the third floor framing to the second floor framing. A few of the hanger rods have been relocated or are missing.
- Timber and iron or steel queen rod roof trusses support raised roof above the 1905 drafting offices. (Photo #2-20, #2-11, and #2-12). The third-floor office spaces extended beyond the masonry wall of the original structure, cantilevered from the first interior (former) attic joist and spanning over the masonry walls.
- Third-floor shed dormer cladding at north elevation consists of stamped metal sheeting in a clapboard pattern (Photo #2.6), while red rolled asphalt clads the South dormer. Areas of missing cladding exist all along the dormers.
- Extensive wood window glazing exists on north and south walls at bottom two stories; with wood windows boarded up on third floor. First floor windows are 25/25 divided light, second floor windows are 15/15 divided light, and third floor windows may have been 2/2 divided light, more common to the early 1900s.
- Roof surfacing partially observed, appears to be rubber membrane as visible from satellite photos and site observations.

Observations and Evaluation:

- Upper roof surfacing appears to consist of membrane. We could not access the upper roof.
- Roof framing consists of queen rod wooden trusses, with a single purlin that carries the junction of the sloped and shed roofs. The beams and trusses will need to be analyzed for snow load capacity, and the vertically-sawn, wide-board decking above the beams will need to be replaced at deteriorated areas. We were not able to measure the sheathing thickness. The sheathing does not provide an adequate diaphragm to transfer lateral loads, and it likely does not have sufficient nailing to resist code-required wind uplift forces.
- The roof structure originally supported the second floor with iron suspension rods to create wide-open first floor and second-floor space. At some point, possibly when the third floor was added, additional timber and iron posts were installed to provide additional second floor support.
- While the structure itself is somewhat regular, many variations in the framing details will require detailed assessment to adequately confirm the integrity of existing load paths. The building has undergone many subtle framing modifications as the building evolved.
- Large wood frame windows allow significant natural light into the building. The single-pane glazing lacks significant thermal resistance, and would likely need to be replaced with more energy-efficient glazing to keep heat in during the colder months and to keep heat out during the warmer months. Most of the windows are in poor condition and would require extensive rehabilitation or replacement regardless of energy efficiency concerns. As the windows are an important architectural feature of the building, they will need to be rehabilitated to National Parks Service Standards.
- Granite headers over the first and second floor windows are mostly in good condition. Several are cracked, and will require either epoxy-dowel repair or in-kind replacement.
- The building has four load-bearing masonry walls. At the east end of the building the structure ties into the end wall of Building 3, transferring both gravity and lateral loads into that wall and building. A roof truss near the west gable end carries much of the gravity load of the roof, but part of the Building 1 roof ties into the wall in other locations.
- The brick masonry exterior of the machine shop is constructed from well-fired bricks set in a mid-19th century lime mortar. The multi-wythe brick walls double in thickness on the interior to form piers that support the second floor beams. The masonry of Building 2 is in very good condition suffering only from the effects of deferred maintenance and poor site drainage. There are some areas of brick replacement that were completed with bricks and mortar that do not match the originals very well.
- It does not appear that the masonry exterior was ever completely repointed in the 20th century. The extremely weathered original lime mortar is visible in almost all of the joints. At the top of the building, there is very little mortar left between the bricks that form the outer wythe of the cornice. There is a real danger that bricks may start to fall out of the upper wall if remedial steps such as repointing and rebuilding of these areas are not undertaken in the near future.
- As with the other buildings at the complex there is a problem with site drainage that is affecting the first ten to twelve courses of brick above the foundation.
- On the east and west elevations, the brickwork starts to corbel outward in increments starting at one brick above the second floor lintels to form a cornice that is 20 courses high. On the north and south gable ends the brickwork corbels out to form a cornice that is 13 courses high.
- Additional openings at the first floor may have been punched into the south elevation of Building 2 when Building 1 was constructed. The original second floor windows of Building 2 are visible from inside Building 1, indicating that the wall between Buildings 1 and 2 is the original exterior wall of Building 2.
- Diamond shaped iron brick ties are visible at the location of the second floor beams on the east and west elevations.
- The top portion of the granite foundation is visible on the exterior, but not interior, of the building.

Adaptive reuse potential:

- This building is the most complex structure of all the buildings we assessed. Its size and height provide the most interesting options and potential views of the water in the complex.
- Second-floor open floor plan provides excellent assembly space, assembly occupancy (or educational occupancy), but assembly occupancy increases load factors on the existing structure. Supplemental posts on the first floor and improved lateral bracing can mitigate the increased load factors resulting from more intense occupancies.
- Ground-level access provides potential to sustain a wide range of occupancies, including large-scale assembly, with minimal egress and accessibility issues.
- Space is relatively straightforward to subdivide.
- Open access to the structural components permits relatively simple structural strengthening techniques that will be repetitive in nature. Structural strengthening will require the analysis of many different isolated framing conditions created as the building was modified over time.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing.
- Strengthen existing roof structure as required, particularly near potential drift areas. Provide wind uplift resistance and transfer lateral loads through the roof to the walls.
- Repair or replace existing steel windows with thermally efficient units that meet NPS Standards.
- Strengthen cantilevered third floor framing to adequately support contemporary code required loads and wind uplift resistance.
- Repair/replace existing steel lintels with properly galvanized and painted/prepared and painted steel.
- Repair or replace cracked granite window sills.
- Repair the bearing wall between Building 1 and Building 2, and Building 2 and Building 3.
- Test a sample of the original brick setting mortar to determine what kind of lime was used in the original mortar and if additives, such as natural cement, were used to make the mortar hydraulic.
- Repoint 100% of the exterior brickwork using a mortar that replicates the binder and aggregate in the original mortar as closely as possible.
- Remove and reset bricks that are loose at the cornice.
- Modify site drainage to drain water away from the base of the building.

4.3 Building 3 – Machine Shop, 1847

Structure and Building Envelope Description:

- 4,900+/- square foot footprint, two stories with second floor added sometime around 1895, according to the SCC report.
- Second floor walls constructed of multi-wythe brick masonry, and roof trusses supplemented with additional framing to create shallow pitched continuous shed dormers while maintaining the original monitor roof (Photo #3.7).
- Building has seven window bays and six interior structural bays. Supplemental columns, girders, and trusses have been added, likely to provide additional upper-floor and roof support as the second floor was added and the building responded to additional loads (Photo #3.5, Photo #3.6).
- Unreinforced multi-wythe brick masonry perimeter bearing walls on four sides, including the shared end walls with Building 4 and with Building 2.
- Timber and iron or steel roof trusses support additional lumber and rafter framing to support the raised roof above the second floor.
- Wood windows on north and south walls. First floor windows are 25/25 divided light, second floor windows are 10/10 divided light. These windows comprise a comparable surface area to wall ratio as those in the bottom two floors of Building 2, but less area than those in Building 1 and Building 4. Windows on first floor have granite lintels, while those at second floor have shallow arch brick masonry lintels.
- Roof surfacing partially observed, appears to be rubber membrane as visible from satellite photos and site observations.

Observations and Evaluation:

- Upper roof surfacing appears to consist of membrane. We could not access the upper roof.
- Similar to Building 2, roof framing consists of queen rod wooden trusses. The building was added onto by raising the second floor roof and landing on the existing bearing wall, unlike Building 2, which relied on cantilevered floor framing over the top of the bearing wall.
- The beams and trusses will need to be analyzed for snow load capacity, and the vertically-sawn, wide-board decking above the beams will need to be replaced at deteriorated areas. We were not able to measure the sheathing thickness. The sheathing does not provide an adequate diaphragm to transfer lateral loads, and it likely does not have sufficient nailing to resist code-required wind uplift forces.
- While the structure itself is somewhat regular, some variations in the framing details will require detailed assessment to adequately confirm the integrity of existing load paths. There are fewer structural bays and trusses, which means fewer potential differences in truss conditions. Techniques used in modifying the structure included the use of double strut belly-rod trusses, which stiffened the second floor girders.
- Wood frame windows allow significant natural light into the building. The single-pane glazing lacks significant thermal resistance, and would likely need to be replaced with more energy-efficient glazing to keep heat in during the colder months and to keep heat out during the warmer months. Most of the windows are in poor condition and would require extensive rehabilitation or replacement regardless of energy efficiency concerns. As the windows are an important architectural feature of the building, they will need to be rehabilitated to NPS Standards.
- Granite headers over the first floor windows are mostly in good condition. Several are cracked, and will require either epoxy-dowel repair or in-kind replacement. Arched masonry openings over second floor windows also require spot repairs and repointing.
- The building has four load-bearing masonry walls. At the east end of the building the structure ties into the end wall of Building 4, transferring both gravity and lateral loads into that wall and building.

A roof truss near the west gable end carries much of the gravity load of the roof, but part of the Building 2 roof ties into the wall in other locations.

- The brick masonry exterior is in fair condition, in need of widespread repointing and repair of loose and missing brick. Rising damp is a problem at Building 3, as it is at all structures.
- As with the other buildings at the complex there is a problem with site drainage that is affecting the first ten to twelve courses of brick above the foundation.

Adaptive reuse potential:

- This building is the second-most complex structure of all the buildings assessed in this project scope. The later addition of another floor to the building creates more discontinuities that need to be repaired. It's much smaller size and more "in-line" load path at the north and south walls makes it less complicated to rehabilitate than Building 2.
- Second-floor floor plan provides less than optimal assembly space because existing roof trusses interrupt each bay near the sides of the building. Office space could be a possible occupancy, with individual offices or rooms placed within each truss bay and a wider, open central space.
- Ground-level access provides potential to sustain a wide range of occupancies, including components large-scale assembly combined with the other adjacent buildings, with minimal egress and accessibility issues. This structure could perhaps serve as auxiliary space to neighboring Buildings 2 and 4, potentially including service and egress functions.
- Space is relatively straightforward to subdivide, if necessary on the upper floor.
- Open access to the structural components permits relatively simple structural strengthening techniques that will be repetitive in nature. Structural strengthening will require the analysis of many different isolated framing conditions created as the building was modified over time.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing.
- Strengthen existing roof structure as required, particularly near potential drift areas, and to resist wind uplift.
- Repair or replace existing wood windows with thermally efficient units that meet National Park Service Standards.
- Strengthen second floor framing to adequately support contemporary code required loads for the intended occupancy, if required.
- Repair or replace existing granite lintels at first floor level as required, and Repair or replace granite window sills (first floor) and wood sills (second floor).
- Repair the bearing wall between Building 2 and Building 3, and Building 3 and Building 4.
- Provide lateral bracing or reinforcement as required.
- Rehabilitate the masonry, paying specific attention to details between the first and second floors, and at the top plate of the second floor.

4.4 Building 4 – Foundry, 1895

Structure and Building Envelope Description:

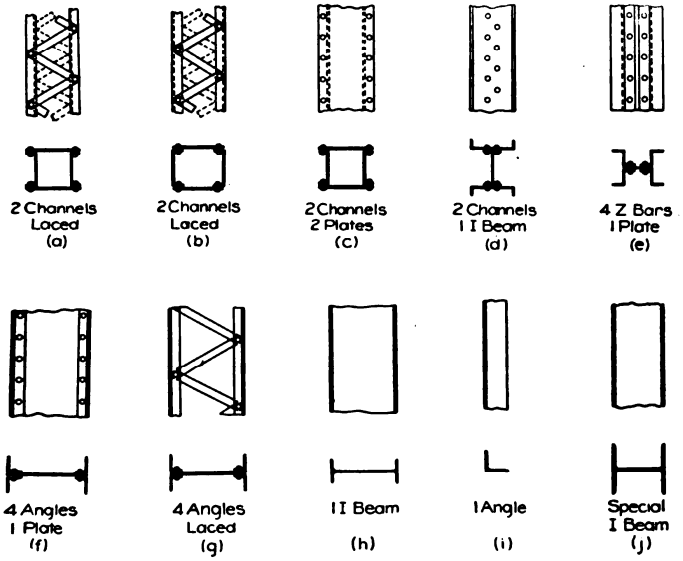
- 16,500+/- square foot footprint, single story structure with center clerestory and continuous rooftop monitor. A part of the south part of the building is two stories, and ties into the more recent Building 5 along the east and south elevations.
- Building is a relatively early example of "steel mill building construction", and served the purpose as a foundry. Second floor walls along the south side of the building are constructed of multi-wythe brick masonry.
- Two rows of steel or iron columns support the side bay roofs and a continuous crane rail. A spliced upper column, outboard of the crane rail, is tied into longitudinal metal trusses.
- Building has unreinforced multi-wythe brick masonry perimeter screen (not bearing) walls on the north and south sides.
- A concrete masonry block wall replaced the brick masonry wall at building's east end. The east end was removed and replaced with a more recent extension incorporated into Building 5.
- North and south wall columns are partially exposed on the interior and exterior. The columns consist of four angles joined together with steel lacing bars.
- Extensive wood window glazing on north and south walls, clerestory, and monitor allow significant natural light into the building. First floor windows are double-width, with shallow arch tops and 16/16 light sash. Clerestory window sash are 30-light, single-sash windows that were likely operable
- Roof surfacing partially observed, appears to be metal roofing along the north side bay and rubber membrane on the upper bays and south side, as visible from satellite photos and site observations.

Observations and Evaluation:

- The building is a relatively early example of "steel mill building" construction, in which steel or iron becomes the primary roof support material. Texts written in that time period detail that the four-angle, laced lower columns are intended for "light loading" which would certainly be the case in a hot foundry structure.

COLUMNS.—The common forms of columns used in mill buildings are shown in Fig. 98. For side columns where the loads are not excessive, column (g) composed of four angles laced is probably the best. In this column a large radius of gyration about an axis at right angles to the direction of the wind is obtained with a small amount

of metal. The lacing should be designed to take the shear, and should be replaced by a plate, (f) Fig. 98, where the shear is excessive, or where the bending moment developed at the base of the column requires the use of excessive flanges. The I beam column (h) makes a good side column where proper connections are made, and is commonly used for end columns (see Fig. 81). The best corner column is made of an equal legged angle with 4, 5 or 6-in. legs, (i) Fig. 98. Details for the bases of the three columns above described are shown in Fig. 99.



Types of Mill Building Columns form Milo Ketchum Text "The Design of Steel Mill Buildings". Column "g" (bottom row, second from left) is the type of column used in Building 4.

- The building design is similar in design to Building 1, if not completely similar in framing. Both buildings feature large banks of window glass to allow in natural light and provide ventilation. Building 1 relies upon interior bearing on masonry walls at the side bays, rather than on an iron or steel column exposed to external elements and rising damp. Later steel mill buildings, like Building 1, likely evolved from structural designs of earlier steel mill buildings, like Building 4, using more durable structural details.
- The laced angle side bay columns are in poor condition and have failed from a structural standpoint. They will need to be substantially repaired, or likely replaced. The columns are likely realizing some remaining axial capacity due to friction and incidental bond between the corroded steel and the masonry bed joints.
- The condition of the structure, particularly of the partially-exposed, corroded columns presents a complex preservation problem. Should one re-create a building detail that is faulty by design and

ill-suited for a marine-industrial environment, in the interest of authenticity and preservation? Or should a stronger structural column be placed within a new economical curtain wall built of concrete masonry, insulated appropriately, and clad on the interior and exterior with bricks? Could a less thermally-conductive substitute material fill the vertical control joints between the bricks on both faces of the wall to match the appearance of the original column? National Parks Service Preservation Brief 16, *The Use of Substitute Materials on Historic Building Exteriors* addresses some of these concerns. While the repair and conservation of original fabric is of utmost importance in preservation practice, certain building conditions and costs can justify the use of substitute materials.

- Responsible preservation practice also requires design professionals to consider the longevity of any repair or rehabilitation techniques that they specify. Future environmental exposure (marine environment atmosphere, splashback from de-icing salts) maintenance considerations (snow plowing, leaf or sand-blowing) could all undermine a designer's decision to use, for example, galvanized steel columns that replicate the original. One only needs to think about the considerable painting maintenance that all steel-framed parking structures need to undergo to understand the effects of the environment. Re-creating a failed structural detail that provides no true access to maintenance could be considered a failure of preservation to address practicality.
- The double-wide, shallow arch windows illustrate that the north and south walls were not intended to be significant load bearing elements. The side bay trusses bear directly onto plates supported by the tops of the laced angle columns, and the masonry between them was infilled. This construction technique was a major selling point of the steel mill building companies, many of which were major bridge companies. Bridge companies that branched out into steel mill building construction included American Bridge Company and the Pittsburg Bridge Company. The American Bridge company had a sales office in Portland in 1904 (as advertised in Kidder's Handbook), but we have yet to determine if they were present in 1895. In fact, at the time of publication of his *Steel Mill Buildings* text, Milo Ketchum served as the Contracting Manager for American Bridge Company's Kansas City office.
- The beams and trusses must be analyzed for snow load capacity, and the vertically-sawn, wide-board decking above the beams will need to be replaced at deteriorated areas, especially along the eaves. We were not able to measure the sheathing thickness, but its deteriorated appearance and frequent visible instances of failure causes us to believe that it does not provide an adequate diaphragm to transfer lateral loads, and it likely does not have sufficient nailing to resist code-required wind uplift forces. It is possible that all of the roof sheathing in this building may need to be replaced. Salvageable sheathing could be milled into finish trim lumber or reinstalled on shorter spans below the structural diaphragm sheathing above.
- The structure is one of the more consistently framed buildings in the complex, aside from the large concrete block wall that supports Building 5. There are fewer variations in the framing as the uniform steel components were economically mass fabricated.
- Wood frame windows allow significant natural light into the building. The single-pane glazing lacks significant thermal resistance, and would likely need to be replaced with more energy-efficient glazing to keep heat in during the colder months and to keep heat out during the warmer months. Most of the windows are in poor condition and would require extensive rehabilitation or replacement regardless of energy efficiency concerns. As the windows are an important architectural feature of the building, they will need to be rehabilitated to NPS Standards.
- Shallow arch headers over the first floor windows should be spot repaired.
- The brick masonry exterior is in fair to poor condition, in need of widespread repointing and removal at the deteriorated columns. Rising damp is a problem at Building 4, as it is at all structures, especially along the north wall.

- As with the other buildings at the complex there is a problem with site drainage that is affecting the first ten to twelve courses of brick above the foundation.

Adaptive reuse potential:

- It appears that much of the concrete masonry wall and Building 5 extension could be removed if the goal were to preserve Building 4. This would require temporary shoring of Building 4 and rebuilding the south wall to resemble the original south wall (or modified new south wall)
- Ground-level access provides potential to sustain a wide range of occupancies, including large-scale assembly, with minimal egress and accessibility issues.
- Space is relatively straightforward to subdivide, if necessary.
- Like Building 1, an infill floor could be installed independent of or in support of the existing structure to add space or lateral support.
- Open access to the structural components permits relatively simple structural strengthening techniques that will be repetitive in nature. Structural strengthening will require the analysis of many different isolated framing conditions created as the building was modified over time.

Recommended Building Envelope and Structural Rehabilitation Scope:

- As a first step, explore the feasibility of making structural modifications that meet Historic Tax Credit criteria by consulting with the National Park Service.
- Shore and stabilize the structure as required to address south and north wall column deficiencies. Shore and stabilize building as required to replace concrete masonry walls at the east end of the building, and to rebuild the east gable wall to resemble conditions from the period of historic significance.
- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing.
- Strengthen existing roof structure as required, particularly near potential drift areas, and to resist wind uplift.
- Repair or replace existing wood windows with thermally efficient units that meet National Park Service Standards.
- Repair the bearing wall between Building 3 and Building 4, and the curtain walls on the north and south sides of the building.

4.5 Building 6B – Blacksmith Shop, c. 1896-1904

Structure and Building Envelope Description:

- 6,500+/- square foot footprint, single story structure with relatively steep timber-framed roof and trapezoidal wood-framed shed addition at north side. We did not access the north side addition.
- Timber frame structure has nine interior roof bays along the length of the building (Photo #6B7). Building has ten interior bays spaced at regular intervals.
- Main part of structure lacks interior timber columns. All queen-rod trusses bear on masonry piers or upon timber plates on masonry.
- Exterior masonry features brick piers that extend one wythe beyond the primary masonry field, creating a rhythmic façade that illustrates the pattern of the structural roof framing.
- Large, tall windows, fairly low to the ground, provide excellent natural light. Most windows on the south elevation have been boarded over.
- Three-tab brick-colored asphalt shingles clad the roof, and appear to be in good condition.
- Fiberboard eave trim has completely failed.

Observations and Evaluation:

- We concur with the BSE assertion that repairs need to be performed to temporarily support the wall framing at the Building 6 and Building 6B intersection.
- Extensive water infiltration at the top of the wall is resulting in the degradation of the setting mortar and loose bricks. The brick has widespread open and failed mortar joints.
- The treatment of the masonry is tied to correcting defects in the roofing. The mortar in the courses directly below the roof is deteriorated from water infiltration and as a result the upper courses of brick are loose. Resetting the upper courses of brick may be required.
- Trusses appear to be generally in good to fair condition. However, the bearing conditions at the ends are questionable, due to the eave conditions that have caused significant water infiltration onto the upper masonry. Truss ends and bearing points should be assessed individually to confirm that no rot is present.
- Roof rafters and purlins are undersized. Supplemental rafters are required, and purlins should be intermediately supported to shorten their span. If excessive deflection has already occurred in the rafters, it will be more complex, but not insurmountable, to sister the rafters. A longitudinal bracing system, made clearly distinctive from the original structure, could transfer loads from the center of the purlins to the bottom chord of the queen rod trusses, leaving the purlins in place.

Adaptive reuse potential:

- The building is a short, easily accessed structure with a sloped roof that could easily be repaired. The ample windows allow significant natural light, and the long, regular structure could easily be converted into multiple units.
- Ground-level access provides potential to sustain a wide range of occupancies, including large-scale assembly, with minimal egress and accessibility issues.
- Space is relatively straightforward to subdivide, if necessary.
- Open access to the structural components permits relatively simple structural strengthening techniques that will be repetitive in nature. Structural strengthening will require the analysis of many different isolated framing conditions, particularly at the truss eaves.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Make necessary temporary and permanent stabilizations and repairs at the wall between Building 6 and Building 6B.

- Investigate the top of the brick walls to determine extent of mortar deterioration.
- Investigate the end bearing of the trusses and the top plate of the wall to determine if replacement is needed.
- Strengthen roof rafters, as is likely necessary.
- Analyze the original mortar to determine the type of binder and ratio of aggregate used.
- Remove and reset loos sections of brick.
- Repoint 100% of the exterior walls with a mortar that matches the properties and appearance of the original mortar.
- Replace non-matching modern granite sills with sills that match the existing.
- Perform necessary structural upgrades.

4.6 Building 7 – Car Shop, c. 1873, 1904

Structure and Building Envelope Description:

- The building appears to have been originally a long rectangular structure (Photo #7.1 and Photo #7.2), supplemented later on by a shed addition on the south side (Photo #7.5). We did not access the south side addition, which apparently served as a lumber shed.
- The single-story building has perimeter loadbearing masonry walls, and some interior loadbearing masonry partition walls.
- Shallow brick arch lintels top the windows, and granite sills are located at the base of the openings.
- The interior timber frame supports a low-pitched roof. The roof rafters at the center of the structure are rectangular rafters topped with a sloped shim piece (Photo #7.5). The rafters have long spans placing substantial weight on the masonry side walls.
- A combination of membrane and asphalt roofing covers the structure (Photo #7.9).
- Many large openings have been cut into the side bearing walls (Photo #7.1, #7.2, and #7.3).

Observations and Evaluation:

- There appears to have been significant water infiltration from defects in the roof into the brickwork at the top of the wall. The mortar in the upper courses, just below the shallow eaves, is deteriorated as a result of the water infiltration. A similar condition exists at the bottom of the wall where rising damp has deteriorated the mortar in the brick courses just above grade.
- The outer wythes are bowing and detached from the inner wythes at the brick panels between the windows on the south elevation (Photo #7.8, Photo #7.10).
- There are a significant number of cracked and damaged bricks as well as bricks that have been repaired in the past with the same cement rich pointing mortar used to point the bricks.
- There is some corrosion and brick jacking at the steel lintels installed at the newer openings into the building.
- The roof framing is in poor condition and is undersized. In many locations, water infiltration appears to have caused framing rot, and there is likely significant top wall plate rot at the eaves (Photo #7.7). In a few places, we could see daylight through the rotted roof sheathing and failed surfacing.
- The finish grade around the shed addition (Photo #7.4) appears to direct roof runoff back to the base of the south wall.

Adaptive Reuse Potential:

- The building is in poor condition. While its spaces could be rehabilitated and converted to a wide variety of uses, it would likely need to be almost completely rebuilt. The overall condition of the structure would likely dictate that it be placed on new foundations.

Recommended Rehabilitation Scope:

- Comprehensive rebuilding of the existing perimeter loadbearing walls, roof surface and sheathing removal and replacement, significant roof framing strengthening and/or replacement; essentially demolition and reconstruction on the same footprint.

4.7 Building 10 – Paint Shop, 1873

Structure and Building Envelope Description:

- 1,350 square foot footprint, single story (Photo #10.1);
- Unreinforced multi-wythe brick masonry perimeter bearing walls;
- Numerous infilled brick windows and enlarged door openings (Photo #10.3, #10.6, #10.8);
- west masonry wall has been partially rebuilt and is currently structurally unstable (Photo #10.3, #10.9);
- Some wood-framed window glazing on north and west walls;
- Battened membrane roof with numerous patches and ponding (Photo #10.2), indicating that the rafters have sagged significantly or rotted near the eaves.

Observations and Evaluation:

- We were unable to access the building interior.
- Upper roof surfacing consists of battened roof membrane, in fair to poor condition. The roof appears to be insulated, judging from conditions viewed through one of the windows.
- The masonry walls are in poor condition, with the west wall in unstable condition. This wall is in sufficiently unstable condition to warrant vacating the building, as stated in the Becker report.
- Roof framing was not visible but reportedly consists of wood rafters. It is possible that the rafters have tapered wedges placed atop each joist to create the very shallow roof pitch, as was done in Building 7 (see Photo #7.5), built around the same time.

Adaptive Reuse Potential:

- The building has a little adaptive reuse potential, due to its overall poor condition. Rehabilitating the structure would require significant time and effort, which may not be economically feasible when compared to a rebuilt structure on the same footprint.
- If the building were rebuilt, it would have to thoroughly comply with all contemporary code requirements for new construction, including foundation design.
- Reconstructing a new building to match the building during its period of historical significance is possible, depending upon future site use.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Demolish and rebuild existing walls, roof, and foundation.
- Rebuild structure to match period of historic significance, using windows that meet National Park Service Standards and building systems complying with building codes for new construction.

4.8 Building 11 – Pattern Storehouse, 1885

Structure and Building Envelope Description:

- Irregularly shaped, approximately 4,600 square foot footprint, two stories (Photo #11.1)
- Timber-framed interior with reported four-foot deep crawl space below first floor.
- Unreinforced multi-wythe brick masonry perimeter bearing walls on four sides. Building 12 upper wall appears to have been built on top of Building 11 South wall.
- Nearly-flat roof framing, pitched to the south and the north by stacking timber crib pieces beneath roof rafters (Photo #11.7 through #11.10)
- Roof appears to pitch two ways, to the east and to the west, at the intersection with the upper wall of Building 12.
- Relatively little number of wood window openings per square foot of wall.
- Climbing hillside at Fore Street drains runoff to the base of the north wall, several feet above the first floor (Photo #11.3).

Observations and Evaluation:

- We did not access the reported crawl space below the first floor. Given our experience working on structures with significant quantities of runoff pitched toward them, combined with the significant bow in the north wall, we believe that the first floor framing is probably rotting near the north wall, and no longer bracing it.
- The north masonry wall has failed (Photo #11.3, #11.5). Lateral earth pressures and possible first floor framing rot have caused the wall to bulge inward several inches. We believe that this condition creates as significant concern as the wall conditions at Building 10, and that the building should be vacated until this condition is evaluated and repaired.
- We observed evidence of a perimeter drain along the north elevation, but we were unable to confirm if it is operable.
- Roof framing consists of timber framing. The roof framing members are cribbed off of the columns at various heights to create a central ridge and adjacent slopes. This roofing system cannot transfer diaphragm loads from the roof into the timber frames below.
- The west and north unreinforced brick masonry walls are in good to fair condition. Much of the masonry requires repointing, particularly near the west elevation ground level.
- We observed active roof leaking into barrels placed on the second floor (Photo #11.8).
- The bottom masonry on the north side of the building is in poor condition due to raised grade and likely saturation from snow accumulation, rising damp, and poor site drainage.
- There appears to have been some relatively structural reinforcement to a girder tying into the common wall between Building 11 and Building 12 (Photo #11.10).
- The high roof of building 12 presents a significant potential for snow drifting (Photo #11.1, #11.2) Runoff from both roofs drains from the wall at the building junction (Photo #11.2). Previous masonry repointing repairs attempted to solve the problem, but only temporarily eliminated the symptoms.

Adaptive Reuse Potential:

- The building has a relatively short floor-to floor height between the first and second floors. Combined with the lack of windows, the ground floor space feels confining and may not be suitable for occupancies that require substantial daylight. It could become a future tenant storage area if structural concerns are addressed.
- The lack of windows results from the use as a pattern storehouse, to minimize potential draft situations in the event of a fire.
- The second floor space, despite the relative lack of windows, appears to be brighter and amenable to different commercial occupancies, if the egress were improved.

- The structural failure of the north wall presents a significant economic concern that could be an obstacle to building rehabilitation.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Shore building and rebuild north masonry wall. This will likely require excavation along the base of the north wall, and slope stabilization further back toward Fore Street. Additional work will likely be required to confirm condition of first floor framing.
- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking. Provide legitimate connections to transfer forces from upper roof through cribbing to the tops of posts, and to the tops of walls.
- Insulate roof, and resurface with proper edge flashing and counterflashing. Reconsider relationship of roof against Building 12, because splashing and snow drift will likely continue to cause structural problems along this wall.
- Strengthen existing roof structure as required, particularly near potential drift areas.
- Strengthen existing roof structure as required to provide wind uplift resistance and to transfer lateral loads through roof.
- Repair or replace existing wood windows with thermally efficient units that meet National Park Service Standards.

4.9 Building 14—Drafting Room & Storehouse, 1858-64

Structure and Building Envelope Description:

- Undetermined square foot footprint, two story (Photo #14.1)
- A shared end wall with Building 15/16.
- Wood construction at south-facing wall; use of site retaining wall buttresses for lower side walls at east and west ends (Photo #14.3, Photo #14.4).
- The wood-framed façade has more recently been re-sided, and the some windows replaced.
- A bridge leads from Building 14 to the second floor of Building 3 is in poor condition, but not assessed as part of this survey. (Photo #14.1). A bridge between Building 2 or Building 58 connects the second floor "Map Room" to the Building third floor drafting shop (Photo #14.2).

Observations and Evaluation:

- Upper roof surfacing consists of ballasted rolled asphalt, in good to fair condition. The roof is possibly insulated in some areas, but we could not determine the extent.
- Roof framing consists of timber king post trusses, purlins, and rafters. The rafters, purlins, and trusses must be analyzed for snow load capacity, and the decking above the beams will need to be replaced at deteriorated areas.
- We were not able to measure the sheathing thickness, but it likely does not provide an adequate diaphragm to transfer lateral loads, and it likely does not have sufficient nailing to resist code-required wind uplift forces.
- The current tenant reports that warm-weather condensation is prevalent, as the heat in the building rises to the peak at the Fore Street masonry wall. The condition at the top of the Fore Street wall should be assessed to provide appropriate insulation and weather protection.

Adaptive Reuse Potential:

- Ground-level access to second floor (from 58 Fore St.) and from alleyway provides potential to sustain a wide range of business occupancies, including mercantile, office, and artists' studios, with some thought to egress and accessibility issues. This structure, along with that of Building 15/16 presents a configuration almost unique within the City of Portland. While the structures do not engage Fore Street, they create a unique alleyway on the north side of the site. Properly secured and lighted, it could present unique occupancy opportunities.
- Lateral stone walls provide fire separation between individual units if second-floor walls above are outfitted with appropriate fire-rated doors.
- Reconstruction of the south elevation to its original appearance would address identified deficiencies in the wood façade and improve the overall lateral stability of the building.
- Exposed rubble stone walls, if properly repaired, could become a unique architectural feature of the interior spaces.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing. Develop a method to insulate the uppermost wall near Fore Street to protect against water and air infiltration.
- Strengthen existing roof structure as required.
- Strengthen existing roof structure as required to provide wind uplift resistance and to transfer lateral loads through roof.

- Repair/ replace existing wood windows with thermally efficient units that meet National Park Service Standards.
- Rebuild the south first-floor elevation to match period of historic significance and to strengthen lateral capacity of south wall.

4.10 Building 15/16 – Boiler House/Brass Foundry, 1858,1864

Structure and Building Envelope Description:

- Small (unknown area), two-story structure with conventional lumber framing (15) and unreinforced multi-wythe brick masonry bearing wall (16) along the south (alley) elevation. Building 16 also has an infill wooden partition below a steel beam that previously created a large door opening. Refer to photos #16.1 and #16.2.
- Brick vaults reportedly extend from Building #15 beneath the Fore Street sidewalk. We did not observe these vaults.
- Rubble dry-stacked retaining walls exist at north, west and east elevations. At Building 16, it appears that water penetrates the wall or has in the past.
- Back wall (north wall) is large stone masonry retaining wall supporting hillside at Fore Street.
- Mono-pitch wood-framed roof slopes down toward the south (alley-facing) wall.
- Two-wythe brick masonry front wall features a mixture of granite (likely original) brick, and steel or iron headers on the window and door openings.
- The remnants of the Boiler House chimney base remain between Building 15 and Building 16.
- A large standpipe at east end of building.

Observations and Evaluation:

- The wooden and brick masonry walls of both buildings are in poor condition.
- The chimney base bricks should be checked and stabilized in place.
- Timber and lumber roof framing at Building 16 is undersized for contemporary snow loads.

Adaptive Reuse Potential:

- The building's current use is as a blacksmith's forge, a use not dissimilar to its original purpose as a brass foundry. It may be necessary to rebuild most of the Building 15 framing. In that case, Building 15 would likely need to conform to contemporary code requirements for new structures. From a preservation standpoint, the blacksmith occupancy is likely to be considered as the best and highest use of the structure.
- Open access to framing in Building 16 permits relatively simple structural strengthening techniques. We assume that much of the Building 15 structure will need to be rebuilt.
- As discussed in the Building 14 section, this structure provides opportunities for unique occupancies if properly secured and lighted.

Recommended Building Envelope and Structural Rehabilitation Scope:

- Strip existing roofing, repair damaged sheathing, and add a structural diaphragm, consisting either of plywood sheathing or metal decking above the interior exposed roof decking.
- Insulate roof, and resurface with proper edge flashing and counterflashing.
- Strengthen or rebuild existing roof structure as required, particularly near potential drift areas.
- Strengthen existing roof structure as required to provide wind uplift resistance and to transfer lateral loads through roof.
- Repair or replace existing doors and windows with thermally efficient units that meet National Park Service Standards.
- Repair/replace existing steel lintels with properly galvanized, painted or prepared/painted steel.
- Rebuild the south elevation and Building 15 timber or lumber structures as required.
- Rehabilitate brick masonry front wall of Building 16, to match period of historic significance.
- Improve site drainage and grading around the alley and hillside.

5.0 RECOMMENDATIONS AND CONCLUSION

The individual structures within the Portland Company complex that were included in the project scope are in generally poor condition due to deferred maintenance and, in some cases, inherent but correctable lack of stability against lateral forces and snow loads. The severity of deterioration varies from building to building; it also varies within any given building. In some cases, significant deterioration is quite localized; in other cases, the overall structure is in a state of significant disrepair.

Buildings in poor condition do not necessarily warrant demolition. The fact that a number of the buildings within the Portland Company complex continue to be occupied—some by large assemblies for special events and some by business tenants--attests to the fact that most of the buildings are still serviceable and are in salvageable condition.

In our opinion, it is possible to address the identified structural and building envelope conditions in ways that retain each building's historic character and that are feasible from a cost perspective. To do so, however, will require case-by-case assessment, creative design solutions, and the involvement of consultants and contractors experienced in historic building rehabilitation.

We concur with many of the primary findings of the Becker Structural Engineers report as to the current condition of the individual buildings. We believe, however, that the simplified construction techniques that characterize these buildings together with the repetitive nature of many of the required repairs make possible a relatively straightforward rehabilitation project. These attributes also present an opportunity to improve lateral stability of the building within contemporary code requirements while making other repairs. The simple, modular nature of the long buildings allows for replication of the individual structural repair details. The exposed floor and roof structures provide easy access to make repairs. The limited hidden conditions lower the need to include large cost contingency factors for structural upgrades. In summary, most of the building structures are not that complicated when compared to many other historic commercial building rehabilitation projects undertaken in Portland and in Maine during the last quarter century. With proper planning, specification, and construction administration, most of the existing structures can be rehabilitated by contractors trained in preservation work, primarily in masonry rehabilitation and timber framing. Appropriate planning, engineering, and site inspection will need to occur to ensure the proper execution of the repairs.

In our opinion, three structures stand out as buildings presenting the greatest structural and building envelope challenges. The buildings in the worst condition include Building 7 (Car Shop) #10 (Paint Shop), and 11 (Pattern Storehouse). The immediate safety concerns identified by Becker Structural Engineers at the wall between buildings 6A/6B, and of the overall condition of Building 10, are valid concerns and should be addressed as soon as possible. Stabilizing the wall and roof framing between 6A and 6B can be performed as a stand-alone project prior to other rehabilitation of these buildings. Additionally, Building 11 should not be occupied due to lateral pressures exerted by soil and snow against the north wall.

It has been a pleasure to assist you with this project. If you have any further questions about the content of this report, please feel free to contact me at your convenience.

Sincerely,

Alfred H. Hodson III, P.E.
Resurgence Engineering and Preservation, Inc.

C:\2014jobs\14-032 Portland Company Complex\0326 14-032 Portland Company Complex report.doc (pdf)
© 2015 RESURGENCE ENGINEERING & PRESERVATION, INC.

APPENDIX A

RELATIVE STRUCTURAL CONDITION AND RELATIVE REHABILITATION COSTS RESURGENCE ENGINEERING AND BECKER STRUCTURAL ENGINEERS

APPENDIX A
Portland Company Complex – March 2015
Relative Condition and Rehabilitation Cost Comparison

BUILDING NUMBER – NAME DATE	RELATIVE STRUCTURAL CONDITON			RELATIVE REHABILITATION COST	
	BECKER	RESURGENCE /BECKER SCALE	RESURGENCE SCALE	BECKER	RESURGENCE
BUILDING 1 - ERECTING BUILDING 1918	2.0	2.5 (REPETITIVE DTLS)	P2	4.0	3.5 (REPETITIVE DTLS)
BUILDING 2 - MACHINE SHOP 1847	2.5	2.5	P2+	4.5	4.5
BUILDING 3 - MACHINE SHOP 1847	3.0	3.0	P2+	3.0	3.0
BUILDING 4 – FOUNDRY/ACETYLENE HS 1895, 1904-09	1.5	1.5	VP2	4.5	4.0 (REPETITIVE DETAILS, CUSTOM REHABILITATION)
BUILDING 6B - TANK SHOP 1896-1904	3.0	3.0	P2+	3.5	3.5
BUILDING 7 - CAR SHOP 1873,1904	2.0	1.5 (BOWED WALLS)	VP1	5.0	5.0
BUILDING 10 - PAINT SHOP 1873	1.0	1.0	VP1	4.5	4.0 (REBUILD IN KIND)
BUILDING 11 - PATTERN STOREHOUSE 1885	2.5	2.0 (NORTH WALL)	VP2	4.5	4.5
BUILDING 14 – DRAFTING ROOM AND STOREHOUSE 1858,1864	NOT INSPECTED	2.0	VP3	NOT INSPECTED	3.5
BUILDING 15/16 (NO ACCESS TO B15) BOILER HOUSE/BRASS FOUNDRY 1858, 1864	1.5	1.5	VP3	3.0	3.0
Averages of common buildings inspected (excluding Building 14)	2.11	2.06		4.06	3.89

SEE FOLLOWING PAGES FOR EXPLANATION OF BECKER STRUCTURAL ENGINEERS AND RESURGENCE ENGINEERING RATING SYSTEMS

Notes:

1. Coordinate this document with “Portland Company Complex General Building Assessment” prepared by Resurgence Engineering et al, March 2015, and “Evaluation of Existing Buildings at the Portland Company Property” prepared by Becker Structural Engineers, March 28, 2014.
2. Further discussion about relative rehabilitation costs related to these structures, by Resurgence Engineering, follows this page.

APPENDIX A
EXPLANATION OF BECKER AND RESURGENCE RATING SYSTEMS

Becker Structural Engineers' (BSE) Rating System

The relative structural conditions rating system used in the Becker Structural Engineers Report is shown below:

1 = Very poor/unsafe/demolition likely
2 = Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition
3 = Poor/requires substantial structural work to elements and systems
4 = Fair/requires nominal structural work to elements
5 = Good condition/minor structural work required

Becker's relative rehabilitation cost rating system is based upon structural complexity and size of building, using a scale of 1 to 5 -- 1 being relatively low costs and 5 being relatively high costs. BSE gives no specific definitions of the relative costs, simply a numerical grading system. Such an approach appears to be reasonable, given the preliminary nature of assessment that both firms were instructed to provide.

Resurgence Engineering and Preservation's (REP) Rating System

For ease of comparison, REP used the same relative structural conditions rating system as BSE in the summary chart. However, REP believes there is a more accurate and further defined way to classify the buildings in terms of condition. *See chart on following page for REP's proposed rating system as regards condition.*

REP has used the same relative rehabilitation cost rating system as BSE. The BSE report provided no specific definition of cost for each rating category.

RESURGENCE ENGINEERING RELATIVE STRUCTURAL CONDITION SCALE OF EXISTING BUILDINGS IN POOR CONDITION

BSE condition #	REP NUMBER	DESCRIPTION OF CONDITION, PRE AND POST MITIGATION	LOCAL/MAINE BUILDING EXAMPLES PRE AND POST MITIGATION
(n/a)	VP1 (very poor, not salvageable)	PRE: Immediate widespread public safety threat and site/occupant safety threat if not barricaded and structurally shored; evacuate nearby buildings, streets, sidewalks, block off parking spaces. Potential for widespread debris field in event of collapse; Building cannot be re-occupied following triggering event. POST: Condemn and demolish building.	Buildings with extensive fire damage
1	VP2 (very poor but salvageable, expensive to rehabilitate, i.e. approx.. BSE cost #4 to #5)	PRE: Immediate widespread public safety threat and site/occupant safety threat if not barricaded and structurally shored; evacuate nearby buildings, streets, sidewalks, block off parking spaces. Potential for widespread debris field in event of collapse; Building cannot be re-occupied following triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots remain blocked off. Building itself cannot be occupied after stabilization. Unsafe for rescue personnel to enter if trespassers are inside. Shored and secured structure relatively expensive, but feasible, to rehabilitate.	PRE: Norway Opera House, 2007-09 POST: Norway Opera House, 2010+
1	VP3 (very poor but salvageable, moderately expensive to rehab, i.e. BSE cost #3 to 4)	PRE: *Immediate* site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; Block off streets, sidewalks, and parking spaces. Potential for localized debris field in event of collapse; Building can be occupied following the triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots can remain blocked off or reopened following mitigation. Building itself can be occupied.	PRE: Buildings with widespread loose façade components. i.e. Masonic Temple Localized structural failures i.e. Portland Company Complex Building 4 POST: Stabilized structures, removing loose components or installing covered sidewalk and blocked off parking spaces.
2	P1 (very poor but salvageable, less expensive to rehab; i.e. BSE cost #2)	PRE: *Likely* site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; Block off streets, sidewalks, and parking spaces. Potential for localized debris field in event of element failure; Building can be occupied following the triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots can remain blocked off or reopened following mitigation. Building itself can be resume occupancy.	PRE: Buildings with a few loose façade components that can easily be removed or snow and ice buildup that can easily and quickly be removed, POST: Stabilized structures, removing loose components or installing covered sidewalk and blocked off parking spaces.
3	P2	PRE: *Possible* site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; No triggering event causing distress; possible change of use makes economics questionable. POST: Rehabilitation Feasibility Study considering economics for specific buildings and structures.	PRE: Portland Company Building Complex Building #1

Most of REP's condition and cost ratings align with those of BSE. Using our own rating system, however, REP's conclusions are slightly different, especially in regards to the potential for rehabilitating buildings in distress (i.e. Buildings with a "1" to "2" condition ranking). We would not have necessarily characterized these buildings as unsalvageable, as Becker suggests. Our justification for this would be to consider the cost benefits that could be realized using historic preservation tax credit incentives, along with the added flexibility afforded historic structures under the IEBC. Tax credit incentives could offset the costs of more custom-designed engineering and building envelope rehabilitation solutions. They would also offset the cost of higher-quality, longer lasting building materials necessary for the marine climate.

Our primary departures from BSE exist in Building 1, Building 4, Building 7, Building 10, and Building 11. We downgraded the relative structural condition of Building 7 and Building 11, while we upgraded the relative structural condition of Building 1. We lowered the relative rehabilitation costs of Building 1, Building 4, and Building 10. The paragraphs that follow explain the reason for our departure at each building.

For Building 1 we believe that the more recent construction date (1918), combined with the repetitive nature of the building elements, can allow for a slightly less expensive rehabilitation than indicated in the BSE report.

Building 4 could yield a relatively less expensive rehabilitation if a customized approach to reframing the edge columns and rebuilding the masonry could be achieved economically. Such an approach would have to be understood and approved in advance by the National Park Service if tax credits were desired on this building project. If historic preservation tax credits can be used on this project using a different approach to reframing the edge columns and rebuilding the masonry, while strengthening the existing structure, we disagree that this building is a likely candidate for demolition.

In our opinion, the condition of Building 7 is slightly worse than considered in the BSE report, because of the poor condition of the loadbearing masonry at the north elevation. We concur with the relative rehabilitation costs for the building.

We depart from the BSE cost condition assessment of Building 10, only in the sense that it may make the most economic sense to demolish the existing structure.

The compromised north wall at Building 11 necessitates downgrading its condition from 2.5 to 2.0 in comparison to the BSE report. We recommend that the building remain unoccupied until the north wall is stabilized. Demolition of this structure may be warranted pending further understanding of the roof framing and first floor framing conditions.

As stated in the BSE report, immediate safety concerns need to be addressed, whether as isolated repairs (Building 6A/6B common wall and truss) or comprehensive measures (vacancy of Building 11).

Basis for Cost Opinion Conclusions for Each Building

Building 1 - Erecting Building, c.1918

Relative rehabilitation costs for this structure and building envelope are based primarily upon the fact that the structure is repetitive in construction technique, offset by the likely reconstruction of the front masonry (west) wall. The staging and access cost required to perform clerestory rehabilitation from interior and exterior will be an increasing cost factor in building rehabilitation. A significant amount of steel-framed window glazing would require repair or replacement. Since this is the most recent building in the study, existing steel materials may be of higher quality and some understanding of snow loading requirements was incorporated into the design.

Building 2 – Machine Shop, c.1847

This building, the most structurally complicated and tallest within the buildings studied, would likely cost the most to rehabilitate, but could present the greatest risk/reward. The structure itself will likely take the most time to thoroughly assess from a structural and building envelope standpoint, given the number of changes that occurred over the years and the addition of the third floor. The large wooden windows on the first and second floors would be very labor intensive to rehabilitate, given the large number of individual panes. Third floor windows might not be as expensive to rehabilitate or replace, because they may have been 2:2 light sash, which were common in the early 20th century. A well thought-out temporary shoring plan is necessary to tie the cantilevered third-floor framing further back into the existing building. Third floor cladding, though high up, could be replaced relatively simply. At approximately 45 feet high and three stories, this building will be subjected to the greatest wind and seismic forces of all the buildings studied.

Building 3 – Machine Shop, c.1847

Building 3 is the second most structurally complicated building within the complex, but is not as relatively expensive to rehabilitate as Building 2. The additional floor support structure is less complicated than Building 2, lacking the cantilever framing existing at that neighboring building. The second floor also provides interior access to the much smaller clerestory, facilitating any structural work required there. The smaller overall footprint and lower percentage of glazing helps contain rehabilitation costs.

Building 4 – Foundry, c.1895

The Foundry rehabilitation work likely involves wholesale rethinking of the structure and building envelope along the exterior walls. Structural upgrades and replacement of an existing structural system that was improper for its marine, cold-weather climate may actually simplify the rehabilitation by permitting a complete column removal and replacement with contemporary steel columns, not exposed to the exterior elements. However, this more significant structural change may require the longest lead time to confirm whether the structure and building envelope modifications would be eligible to receive historic tax credits.

Building 6B – Tank Shop, c.1896-1904

Tank Shop rehabilitation is simplified because of its relatively short height, simple gable roof, and relatively small windows. Added longitudinal roof bracing can support the intermediate roof purlins between trusses and stiffen the roof against wind and seismic forces. The low roof height will likely keep the building from experiencing significant wind load increases due to height. Each one of the trusses will require further inspection, nondestructive testing and/or invasive inspection to confirm that end bearing conditions are structurally sound.

Building 7 – Car Shop, c. 1873, 1904

Although the Car Shop is a single-story structure, rehabilitation becomes complicated and more costly due to the overall poor condition and insufficient depth of the roof framing and because of the poor condition of the existing exterior masonry. The existing roof framing has such a low slope that it likely has permanent deflection "set", which will complicate efforts to strengthen the framing by sistering. Significant roof leaks in the structure have likely rotted sheathing and possibly framing, in more areas than are visible due to penetrating sunlight. The windows are not large or great in area relative to the total façade area, which would diminish the rehabilitation costs somewhat. However, the existing loadbearing masonry would likely require complete rebuilding because it is in such poor condition.

Building 10 – Paint Shop, c. 1873

Originally isolated by the remaining structures for safety purposes, the paint shop stands alone as the most significantly altered structure in the worst overall condition. Building rehabilitation is hard to justify, given the small size and poor condition. Rebuilding the structure to resemble the original during the site's period of significance, in conformance with contemporary codes, would be a more straightforward option, despite the likely required foundation upgrades.

Building 11 – Pattern Storehouse, c. 1885

The Pattern Storehouse carries with it the greatest uncertainty about rehabilitation costs. It is the only building studied that has a wood-framed first floor situated over an earthen crawl space, and it is the only structure that had the majority of its roof framing concealed by ceilings. The low-slope roof, pitching partially toward Building 12, creates drift conditions and roof runoff that are detrimental to both buildings.

Building 14 – Drafting Room and Storehouse, c. 1858-64

Tucked in between buttresses of the Fore Street retaining wall, Building 14, like the Boiler House and Brass Foundry to the immediate north, contains relatively limited floor space in a structure that is practically unique. The existing timber frame purlin and rafter system needs to be carefully assessed near the peak, as that area is vulnerable to condensation and leakage due to snow buildup and insufficient insulation.

Building 15/16 – Boiler House and Brass Foundry c.1858, 1864

We did not enter Building 15, but the visible condition of the second floor framing means the structure would likely need to be rebuilt. Building 16, the Brass Foundry, requires several of the same structural assessments and likely upgrades that Building 14 requires, as well as the rehabilitation of the small south façade.

APPENDIX B

PHOTOGRAPHS

APPENDIX C

BIBLIOGRAPHY

Advertisement, American Bridge Company of New York, in Kidder, Frank E. (below). Advertisement lists branch office in Portland, ME.

Hall, James, C.E. Dearborn, W.L., and Quinby, T. Map entitled, "Plan of the City of Portland from a survey made under the direction of the City Council by James Hall, C.E. Drawn by W.L. Dearborn & T. Quinby, 1837.

Ketchum, Milo S., C.E. The Design of Steel Mill Buildings and the Calculation of Stresses in Framed Structures. New York, The Engineering News Publishing Co. 1904. (Google Books, Accessed March 1, 2015).

Kidder, Frank E., C.E., Ph.D. The Architect and Builder's Pocket-Book – A Handbook for Architects, Structural Engineers, Builders, and Draughtsmen. New York, John Wiley and Sons, 1905. (Accessed from the collection of the University of California, Berkeley).

Tucker, Edward A, S.B. Steel Construction – A Practical Treatise on the Modern Use of Steel in the Erection of Fireproof Buildings, and its Applications to Structural Work in General. Chicago, American School of Correspondence, 1908.

Walling, H.F. Map of the City of Portland, Cumberland County, Maine, from Original Surveys, Henry F. Walling, Civil Engineer, 1851.

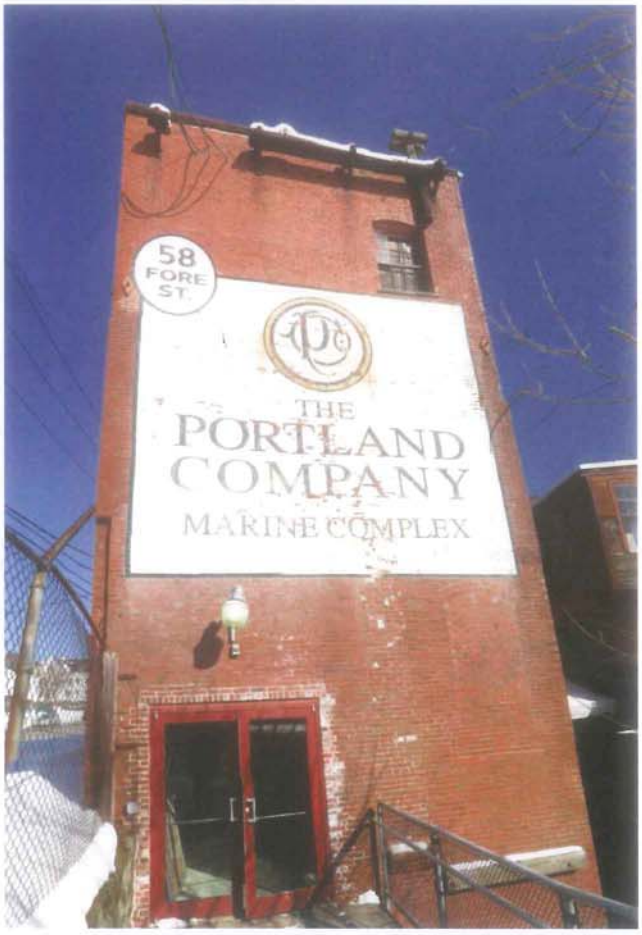
© 2015 RESURGENCE ENGINEERING & PRESERVATION, INC.

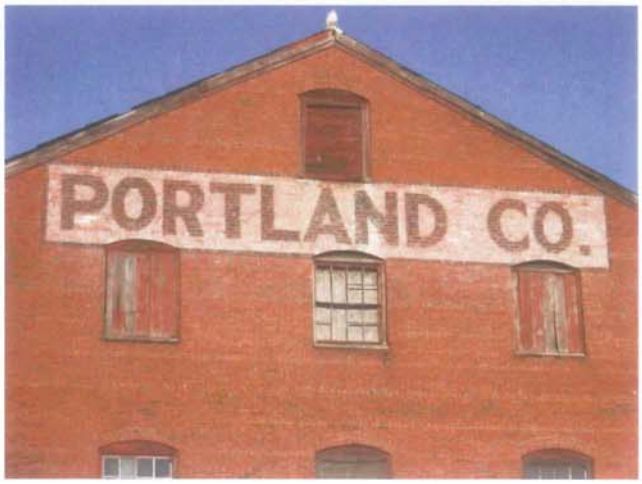
ATTACHMENT 6

Evaluation of Existing Buildings
at the
Portland Company Property
58 Fore Street
Portland, Maine

March 28, 2014

Prepared for:
CPB2 Management LLC
Portland Maine





STATE OF MAINE
PAUL B.
BECKER
NO. 6554
LICENSED
PROFESSIONAL ENGINEER
3.28.14

Prepared by:
BECKER
STRUCTURAL ENGINEERS

Book 1 of 2

Evaluation of Existing Buildings at the Portland Company Property
58 Fore Street, Portland, Maine
March 28, 2014

Table of Contents:

Book 1

Section	Pages
Structural Code Overview	1-3
Immediate Safety Concerns	3
Building Review Notes	4
Individual Building Evaluations	
Building 1	5-10
Building 2	11-16
Building 3	17-19
Building 4	20-25
Building 6A	26-32
Building 6B	33-35
Building 7	36-38
Building 10	39-40
Building 11	41-45
Building 12	46-50
58 Fore Vault/Tower	51-55
Blacksmith Shop/Building 16	56-57
Building 30	58-60

Book 2

Appendix A – Building Drawings

BECKER
STRUCTURAL ENGINEERS

BECKER
STRUCTURAL ENGINEERS

March 28, 2014

CPB2 Management LLC
P. O. Box 7519
Portland, Maine 04112
Attn: Kevin Costello

The Portland Company
58 Fore Street
Portland, Maine

Dear Kevin:

Per our agreement, Becker Structural Engineers, Inc. performed a review of the buildings associated with the property at the Portland Company complex located at 58 Fore Street in Portland, Maine. We visually reviewed the building exteriors and interior spaces that were reasonably accessible to provide CPB2 with a general understanding of the condition of the existing buildings on the property.

Structural Code Overview

The City of Portland, Maine enforces the Maine Uniform Building and Energy Code (MUBEC) which is an amended version of the 2009 Edition International Code Series prepared and published by the International Code Council (ICC). The International Existing Building Code (IEBC) specifically governs existing construction.

In considering the structural impacts of the redevelopment of the Portland Company property, the chapters of the IEBC discussing Repairs (Chapter 5), Alterations (Chapters 6 to 8), Change of Occupancy (Chapter 9), Additions (Chapter 10), and Historic Buildings (Chapter 11) will need to be addressed if the buildings are to be maintained in the redevelopment plan. Likely impacts of these code sections are discussed below.

Repairs (IEBC Chapter 5)

Due to the observed condition of the buildings at the Portland Company, we anticipate that of repairs will be necessary in all of the buildings. Certain conditions that can be considered dangerous were observed as part of our field investigation, and are detailed later in this report. IEBC requires that dangerous conditions shall be remedied. Repairs are permitted to be made with any material permitted by current code. In most cases repairs are permitted to be made so as to restore the elements to pre-damaged conditions. In the case of substantial structural damage, defined by a 20 percent reduction or greater in critical elements, the repair must meet the requirements of the International Building Code which governs new construction.

Alterations (IBC Chapters 6 to 8)

We anticipate that building alternations may be desired as part of the redevelopment of the Portland Company property. The IBC defines three levels of alteration. Since each redeveloped building will likely encompass a total building work area of more than 50 percent of the building aggregate area, the alterations will be defined as a Level 3 Alteration. Note that the IEBC requirements for alterations are cumulative, and a Level 3 Alteration will be required to meet the requirements of Level 1 & 2 Alterations. Critical components are as follows:

- New Elements: New structural elements are required to meet the requirements of the International Building Code governing new construction (reference IEBC Section 707.2).
- Gravity Modifications: With some code exceptions, alteration shall not reduce the capacity of the existing load capacity of gravity load carrying elements more than 5 percent of their current capacity and loads shall not be increased by more than 5 percent on existing structure members (reference IEBC 707.4). We anticipate that re-roofing will be necessary and that the addition of insulation will likely be required as part of the State Energy Code. The addition of insulation will increase snow loading on roofs and will require that roofs be analyzed for current snow loads which will likely lead to structural strengthing. In addition, several of the structures have high-low roof conditions which introduce snow drifting from aerodynamic shade. In our experience, building design of this era did not consider these drifting loads and thus we anticipate that roof reinforcing will likely be required in these conditions.
- Lateral Load Force Resisting System: The evaluation of the structure for the resistance of wind and seismic loads per the IEBC requires an evaluation of the lateral load resisting system. The level to which the building will require upgrading is determined by the level to which the structure is involved with the alteration. Where more than 30 percent of the total floor and roof area of the building is involved in structural alterations, the altered building must comply with IBC 2009 for wind loads and 75 percent of IBC 2009 for seismic forces. Below the 30 percent structural alteration threshold, the overall system only needs to meet the requirements from the time of original construction, but if alterations increase the stresses by more than 10 percent in a component or element, then the component or element must be upgraded to IBC 2009 wind forces or reduced seismic forces. In general, if wall sections are to be removed or if dead weight is added to the building as part of the redevelopment, the stresses in the existing lateral load resisting system will need to be evaluated. If the resulting stresses as a result of the redevelopment increase by greater than 10 percent then upgrades will be required.

Change of Occupancy (IEBC Chapter 9)

If maintained as part of the redevelopment, the existing buildings at the Portland Company property will be utilized in a different manner than their current use as industrial buildings. The structural portion of the building code defines four occupancy categories, the least stringent being assigned to agricultural and minor storage buildings, and the most stringent being assigned to facilities considered to be essential such as emergency response facilities and hospitals. Based on our code review the current use of these buildings would be assigned to Occupancy Category II which is the default category. We anticipate that the future use of these buildings will be of the same category, and thus the anticipated work will likely not trigger modifications or upgrades per this chapter. The exception would be in the case where a building may be used as an assembly space, education facility or medical facility. In these cases upgrades to the building's lateral load resisting system and roof structure to support snow loadings would be required.

Additions (IEBC Chapter 10)

If additions are part of the redevelopment at the Portland Company, they will be governed by Chapter 10 of the IEBC. Additions must comply with the International Building Code for new construction. If an addition is tied to or built on top of an existing building, then all or a portion of the existing building must meet the requirements of the International Building Code for new

construction. Due to the age and construction of the existing buildings it is unlikely that additions tied to the existing building can be considered without significant structural system upgrades. Thus in our experience it is generally more cost effective to keep additions structurally independent of existing building structures. This would include floor mezzanines within an existing building.

Historic Structures (IEBC Chapter 11)

Understanding the age and history of the buildings at the Portland Company, the provisions of Chapter 11 of the IEBC may apply. Historic buildings must comply with the other sections of the IEBC, except that at the discretion of the local building code official certain exceptions may be permitted. Specifically, a floor not meeting live loading requirements may be accepted provided operational controls are put in place to limit occupancy or access. Additionally, repairs to dangerous conditions may be repaired only such that the specific component or portion need be repaired rather than the entire assembly.

Additional Considerations and Limitations

Our review of the buildings within the Portland Company Complex is limited to the structural systems. Other requirements building code requirements, including but not by limitation, egress, accessibility, flooding, ventilation, fire safety and energy code requirements will need to be addressed as part of redevelopment plans. Also note our review was limited to conditions that were readily visible and accessible. There were spaces that were not safe to access as part of our review. No formal structural analysis was performed as part of this work, and material testing was not performed.

Immediate Safety Concerns

In reviewing the buildings at on the Portland Company property, we identified the following safety concerns:

Building 6A/6B: The east wall of Building 6A is supported by a timber truss at the first floor level. The truss end at the south bearing condition was found to be severely deteriorated and is considered unsafe. Temporary shoring is recommended until such time that permanent repairs can be made.

Building 10: Building 10 exterior masonry walls are severely distress and it unclear if brick wythes are still bonded together. Interior or exterior wall facing could peel off without warning. There is evidence of creep deflection at roof and concerns over ponding roof loads. It is recommended that this building not be occupied.

Building Review Notes

The following pages summarize the observed structural condition of the building in the Portland Company complex. To aid the reader we have assigned a number rating between 1 and 5 to each building. The intent is to provide within that number a summary of its structural condition with 1 representing a very poor/unsafe condition and 5 representing a good structural condition. This rating is based on our visual observation and professional opinion of costs to repair, stabilize and remediate the structural issues noted.

A more specific description of the structural rating system is as follows:

1. Very poor/unsafe/demolition likely
2. Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition
3. Poor/requires substantial structural work to elements & systems
4. Fair/requires nominal structural work to elements
5. Good Condition/minor structural work required.

We have also assigned a relative structural renovation cost index to each building in an effort to quantify what a renovation may cost. The cost rating on a similar scale, with 1 representing the least cost to renovate and 5 representing a major reconstruction. Note the cost rating is scaled to the size of the building in addition to the complexity of the repair.

Included on the following pages are high level review notes for the buildings on the Portland Company property. A more detailed review including structural analysis can be completed if requested.

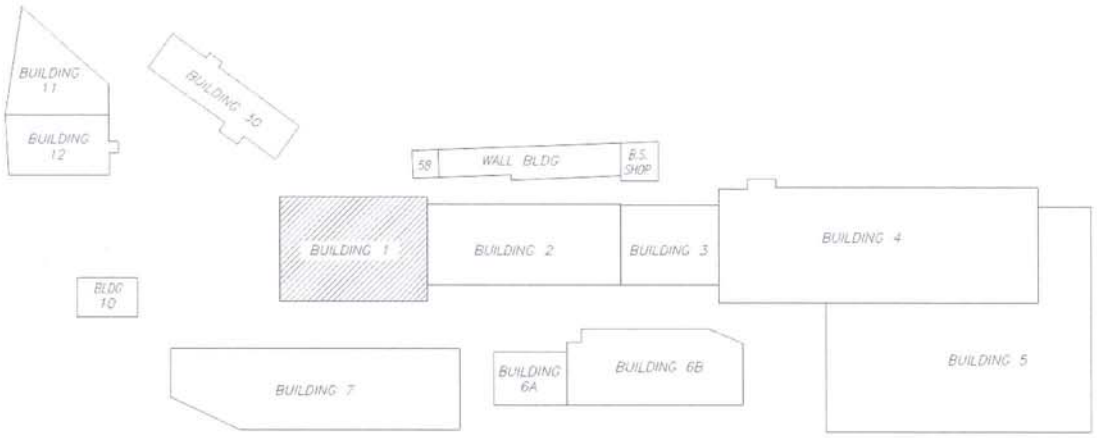
We trust this information meets your needs at this time. If you have any questions, please feel free to contact us at any time.

Sincerely,
BECKER STRUCTURAL ENGINEERS, Inc.

Paul B. Becker, P. E.
President

Ethan A. Rhile, P. E.
Associate

Building Number: 01



Location Plan

Description, Condition and Assessment:

- Building 1 features a central, longitudinal clerestory high bay space with low "saddle bag" roofs to each side (Photo 1-1).
- The high bay space has bridge crane rails with dual bridge & trolley systems.
- High bay is a steel frame with bridge crane girders at elevation of low "saddle bag" roofs. High bay is framed with clear span steel trusses and decked with wood board sheathing.
- Low roofs are framed with steel beams and girders, and decked with wood board sheathing.
- Low bay exterior walls are multi-wythe unreinforced brick masonry bearing walls.
- The steel frame high roof structure is likely not rated for snow loadings and the low bay roofs are likely not designed for snow drifting due to the high-low roof condition. Both conditions will likely cause overstresses in framing and decks.
- Wood plank roof decking was rotting in several locations, particularly at eaves due to leaking roofs (Photo 1-2). In general, roof appears to have leaks throughout. Wood deck not effective as diaphragm to transfer lateral loads.
- Wooden roof eaves with missing pieces and rot.
- Masonry piers along south elevation had large vertical cracks, likely a result of thermal stresses in the brick and discontinuity of steel lintels. Steel lintel framing over large windows cause disruption of brick piers and cause structural instability of piers with a hinge type condition. Crack allows water infiltration which causes further structural damage (Photo 1-4).
- The lintel flanges exposed over windows at the exterior are rusted with expansion causing rotation and masonry damage.
- Windows are archaic with steel frames, single pane glazing, no thermal break, poor glazing seals, broken panes and corrosion.
- Concrete window sills are spalled and cracked with exposed reinforcing in many locations.
- Many brick masonry joints have missing mortar, particularly at eave drip line below window sills. Moss was noted to be growing in masonry joints at and above the pavement

line. Masonry also has wide spread areas of distress including loose and missing mortar, cracks and spalls. (Photo 1-3)

- South high bay windows have been covered with opaque corrugate panels indicating poor condition.
- South low roof appears to have been overframed to enhance slope.
- Upper roof appears to be an out of date tar and chip roof.
- No definable lateral load resisting system in either principal direction.
    - Limited frame action in high bay of transverse direction. Offset column splices at low/high roof transition and crane girder create a stiffness discontinuity (Photo 1-5).
    - No method to transfer clerestory loads to lower level in longitudinal direction.
    - End wall and side walls have large openings; unreinforced masonry bearing walls known to have poor performance in seismic events.
    - Wood diaphragms likely inadequate to transfer diaphragm shears to exterior walls.

Anticipated Structural Outcomes for Renovation/Restoration:

- Replace roof decking with metal deck along with new roofing and insulation. Establish diaphragm connections to existing walls.
- Reinforce roof to meet snow loading requirements.
- Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry and rebuild certain areas as required. Extensive rebuilding will be necessary to address cracked masonry pier conditions. Clean masonry.

Structural Condition Rating	*2.0*
Structural Renovation Cost Rating	*4.0*

Rating Justification:
All major structural systems are affected in a renovation. Exterior masonry piers have major vertical cracks. Steel lintels create a hinge condition in exterior masonry piers and therefore their stability is questionable. End bay has large masonry openings that are not original to construction and seismic performance of system is very questionable. Rehabilitation of open one story space would have high unit costs considering necessary investment in structure verse net usable space.

Photo 1-1: General View, Building 1

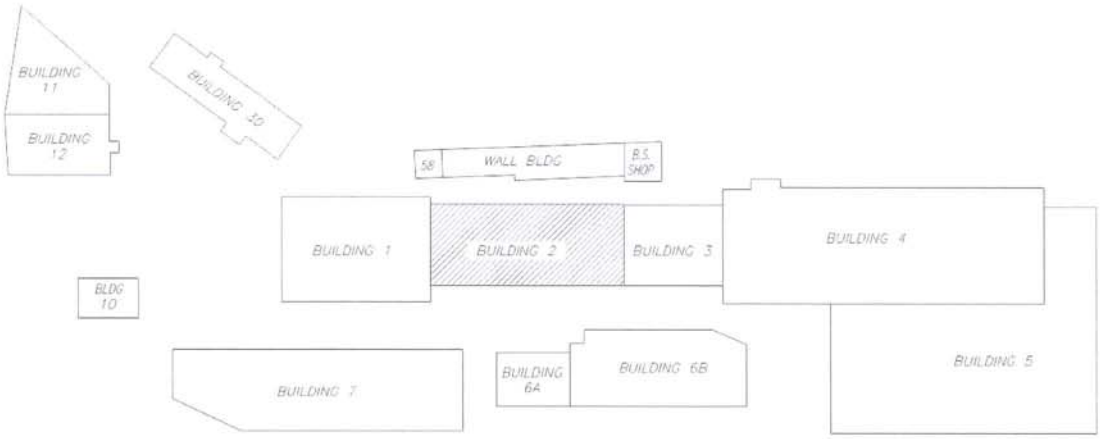
Photo 1-2: Wood deck condition at eave.

Photo 1-3: Building 1 at eave drip line. Note sill condition, window condition, moss and missing mortar.

Photo 1-4: Vertical brick masonry crack at southwest pilaster.

Photo 1-5: Column discontinuity at low-high roof condition.

Building Number: 02



Location Plan

Description, Condition and Assessment:

- Building 2 features open bay ground floor, second floor hung from timber trusses/loft area above (Photo 2-1). Loft area has overhanging shed roof structure that appears to been added after the original construction. Exterior brick masonry walls are load bearing.
- Several timber posts have been added between the ground floor and second floor for supplemental support. Hanger rods from above were removed in several locations and it is likely these posts were provided to supplement the structure (Photo 2-2).
- Second floor and loft show evidence of significant permanent creep deflection.
- Queen and king post trusses rods, steel beams and other methodology have been utilized to supplement the second floor framing in an inconsistent manner (Photo 2-2).
- Modified hangers were noted extending from the loft trusses to the second floor framing.
- At the roof and loft level, charring and fire damage of truss members and wood decking was noted. Several members had substantial charring damage (Photo 2-3).
- Evidence of roof leaking was prevalent.
- At the trusses, broken truss cast iron hanger saddles were noted in several locations (Photo 2-4).
- At the trusses, separation at member compression joints was noted suggesting overstresses and/or broken connection (Photo 2-5).
- A double truss diagonal was replaced with a single, undersized diagonal in one location.
- The roof rafters appeared undersized by current standards.
- The loft overhangs appear to have an insufficient back span on cantilever members.
- Exterior asphalt siding of loft overhangs is in poor condition with large area missing. Windows are covered with plywood panels. Underside of overhang appears to be covered with metal corrugated panels. Some panels appear loose.
- Exterior masonry has open joints and wide spread areas of distress including missing mortar and missing bricks.
- Windows are archaic with wood frame double hung sashes, single pane glazing, no thermal break, and poor glazing seals. Some windows have been replaced.
- Windows in loft area covered with plywood.
- Granite windows sills cracked in several locations.

- Loft level is sided with asphalt shingle siding. Siding in poor condition with pieces falling off.
- No definable lateral load resisting system in either principal direction.
    - Open space with no cross walls in transverse direction.
    - Wood diaphragms likely inadequate to transfer diaphragm shears to exterior walls.

Anticipated Structural Outcomes for Renovation/Restoration:

- Reinforce roof rafters to meet snow loading requirements.
- Reinforce and repair timber roof trusses to address charring, broken and ineffective connections.
- Introduce lateral load resisting system with wall shotcrete or steel frame.
- Reinforce floor sheathing and establish diaphragm connections at second floor and loft level.
- Level and strengthen floors with new vertical load carrying elements and isolated horizontal framing.
- Repair exterior masonry and rebuild certain areas as required. Clean masonry.
- Remove loft cantilevers and restore historic dormer framing and detailing.
- Introduce permanent columns at lower level to relieve truss loads.

Structural Condition Rating	*2.5*
Structural Renovation Cost Rating	*4.5*

Rating Justification:
Existing roof trusses have broken hanger connections, separated joints and some fire damage. Hanger rods extending to from the roof to the second floor structure have been removed. Re-establishment of load paths is necessary to correct these conditions and will require extensive rework including the establishment of alternate load paths. Loft overhangs will likely be replaced with dormer to match historic conditions which will require extensive reframing. Exterior masonry is in need of wide repointing. Structural repair/alteration cost is high, but costs are distributed over a large area reducing unit costs. Basic "bones" of building are good. It has a permanent "set" to many floors and framing members, and appears to have been heavily loaded in its lifetime and yet remains structural "significant". There is much to work with.

Photo 2-1: Building 2 exterior south elevation.

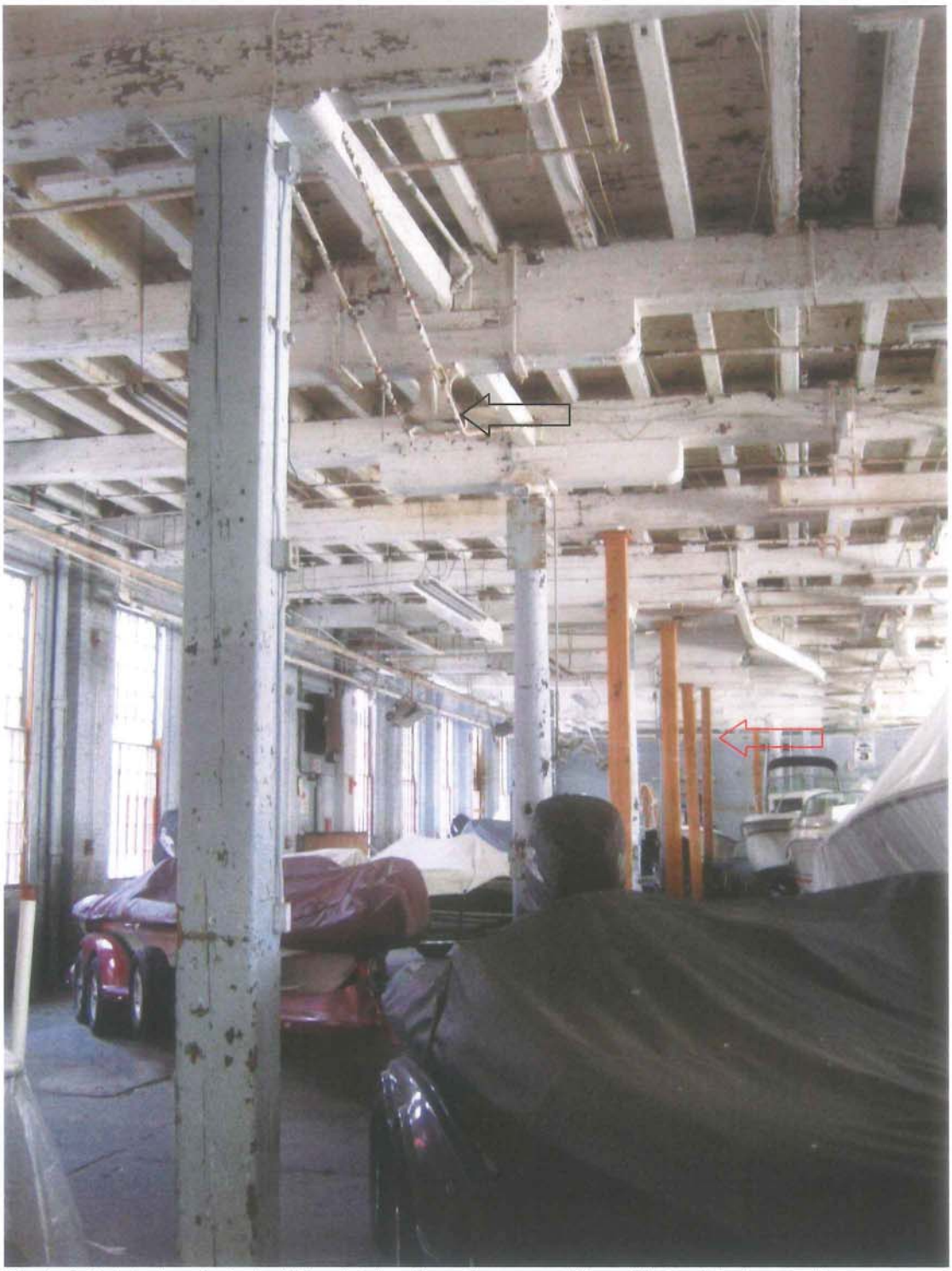


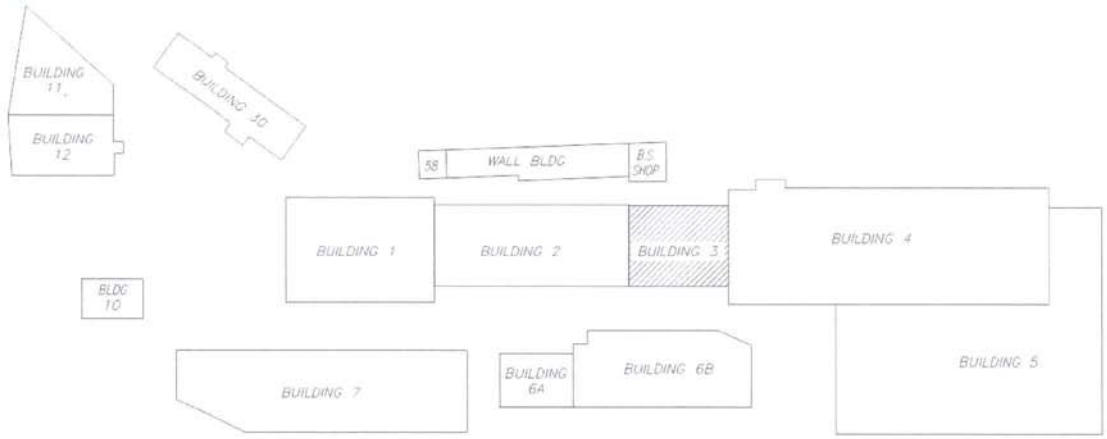
Photo 2-2: Interior photo, building 2 taken from the ground floor. Note added posts, king post truss.

Photo 2-3: Charring of truss top chord.

Photo 2-4: Broken truss hanger saddle hanger.

Photo 2-5: Timber truss joint separation.

Building Number: 03



Location Plan

Description, Condition and Assessment:

- Building 3 is two stories with a flat roof with a center bay popup. Second floor is constructed with timber queen post trusses with intermediate timber support posts. Exterior brick masonry walls are load bearing.
- Several timber posts have been added between the ground floor and second floor for supplemental support. Hanger rods from above were removed in some locations and it is likely these posts were provided to supplement the structure (Photo 3-2).
- Second floor show evidence of permanent creep deflection.
- A steel "T" column was added in one location presumably to eliminate an interference. Unbalanced loading on the cantilevered ends of the "T" beam may not be rationally stable (Photo 3-2).
- Evidence of roof leaking was prevalent.
- Shrink wrap covered "shed" area is located on high roof.
- The roof rafters appeared undersized by current standards.
- Wooden arch trim and window trim loose and rotting in several locations.
- Wooden eave trim missing in some locations.
- Exterior masonry has open joints and wide spread areas of distress. We noted vegetation on corbelled bricks, loose bricks, loose and missing mortar.
- Windows are archaic with wood frame double hung, single pane glazing, no thermal break, and poor glazing seals. Some windows have been replaced.
- Exterior unreinforced masonry walls are the lateral system of the building.
    - Open space with no cross walls in transverse direction.
    - unreinforced masonry bearing walls known to have poor performance in seismic events.
    - Wood diaphragms likely inadequate to transfer diaphragm shears to exterior walls.

Anticipated Structural Outcomes for Restoration:

- Reinforce roof rafters to meet snow loading requirements.
- Introduce lateral load resisting system with wall shotcrete or steel frame.

- Reinforce floor sheathing and establish diaphragm connections at second floor and loft level.
- Level and strengthen floors with new vertical load carrying elements and isolated horizontal framing.
- Repair exterior masonry and rebuild certain areas as required. Clean masonry.

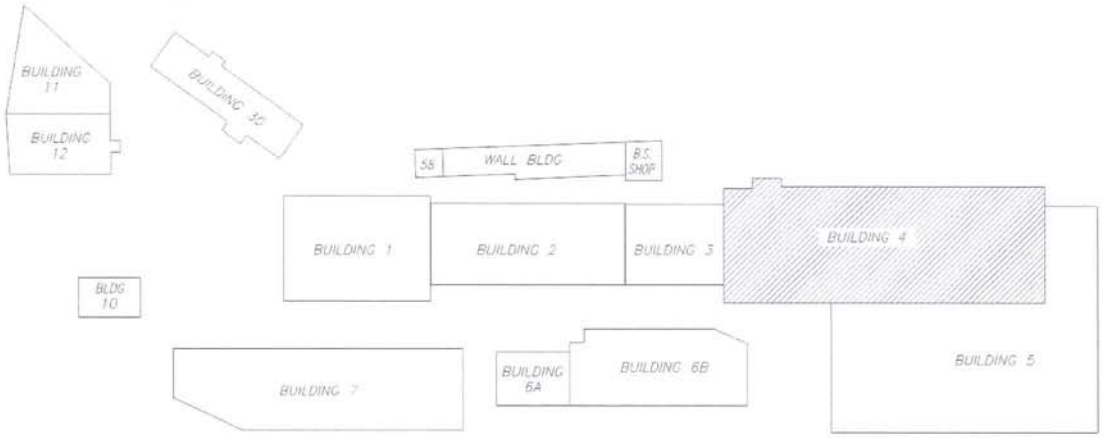
Structural Condition Rating	*3.0*
Structural Renovation Cost Rating	*3.0*

Rating Justification:
Leveling and strengthening of floors will require extensive re-work of floor framing. Roof framing will require reinforcing throughout the roof for strengthening to meet IBC snow loading requirements. Exterior masonry is in need of wide spread repointing/repair. Building has no "deal breakers".

Photo 3-1: Exterior view of Building 3

Photo 3-2: Interior view of Building 3. Note supplemental post, "T" column, queen post trusses.

Building Number: 04



Location Plan

Description, Condition and Assessment:

- Building 4 features a central, longitudinal double clerestory high bay space with low "saddle bag" roofs to each side [configuration similar to building 1] (Photo 4-1 & 4-2).
- The high bay space has bridge crane.
- High bay is a steel frame with bridge crane girders at elevation of low roofs. High bay is framed with clear span steel trusses and decked with wood board sheathing (Photo 4-3).
- Low roofs are framed with steel trusses, and decked with wood board sheathing.
- Exterior lattice steel columns were intended to support low roofs at exterior brick walls. In most instances, the steel lattice columns are corroded at ground level to the point that the columns are no longer effective and the only remaining support is the exterior masonry wall (Photos 4-4 & 4-5). Relying on a secondary load such as these unreinforced brick infill walls is not structural sound. Shoring of building exterior steel frame where columns are deteriorated is advised.
- Low bay exterior walls are multi-wythe unreinforced brick masonry, originally intended as non-loadbearing infill between steel columns.
- The steel frame high roof structure is likely not rated for snow loadings and the low bay roofs are likely not designed for snow drifting due to the high-low roof condition. Both conditions will likely cause overstresses in framing and decks.
- Wood plank roof decking was rotting in several locations, particularly at eaves due to leaking roofs (Photo 4-2). In general, roof appears to have leaks throughout. Wood deck not effective diaphragm to transfer lateral loads.
- Wood window trim with missing and rotten pieces.
- Siding at high bay area covered with an asphalt roofing material appears in poor condition.
- Windows are archaic with wood frames, single pane glazing, no thermal break, and poor glazing seals.
- Wood window sills rotting and in poor condition.
- Concrete window sills are spalled and cracked in many locations.
- Masonry also has wide spread areas of distress. Many open joints, spalls and cracked bricks and diagonal cracking are noted, particularly at base of building (Photo 4-5).
- No definable lateral load resisting system in either principal direction.

- Limited frame action in high bay of transverse direction. Compromised exterior columns render frame action ineffective.
- Trussing of clerestory in longitudinal direction provides method of transferring high roof shears to low roof. Resolution of this shear to the exterior masonry walls would require transfer across wood, board sheathed diaphragm and this diaphragm is likely ineffective.

Anticipated Structural Outcomes for Restoration:

- Lattice columns are compromised and will require complete replacement if structure is to be maintained. Replacement would require substantial reconfiguration of exterior wall system in order to remove and replace existing columns.
- Replace roof decking with metal deck along with new roofing and insulation. Establish diaphragm connections to existing walls.
- Reinforce roof to meet snow loading requirements.
- Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry and rebuild certain areas as required. Extensive rebuilding will be necessary to address deteriorated steel columns. Clean masonry.

Structural Condition Rating	*1.5*
Structural Renovation Cost Rating	*4.5*

Rating Justification:
In order to repair exterior severely corroded columns embedded in exterior masonry walls, the entire exterior masonry façade will need to be deconstructed, the columns repaired and the exterior masonry reconstructed. Many of the original relic bricks will likely be destroyed in this process. If original foundation is to be reutilized, façade will need to be reconfigured to protect columns from corrosion. Given the large open volume of this building, the required structural repairs identified in the above sections have a high unit cost.

Photo 4-1: Exterior of Building 4. Note a majority of the south and east faces of the building are wrapped by Building 5.

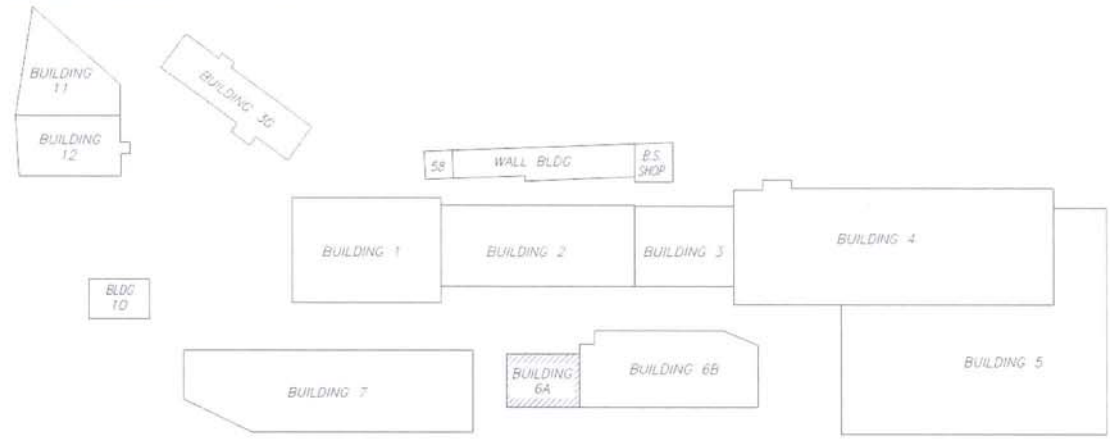
Photo 4-2: Exterior of Building 4, North Side.

Photo 4-3: View of Building 4 interior looking east. Note plastic leak catch.

Photo 4-4: Column at exterior wall embedded in masonry. Note column section completely deteriorated.

Photo 4-5: Column at exterior wall embedded in masonry. Note column section completely deteriorated. Also note open masonry joints, cracked bricks.

Building Number: 6A



Location Plan

Description, Condition and Assessment:

- Building 6A is a 3-story building with centerline timber beam and column line supporting rough sawn floor and roof joists. Exterior walls are load bearing multiwythe brick masonry. Note first floor open space that is part of Building 6B extends below building 6A (Photo 6A-1).
- Floors have slope to center beam bearing line. It is suspected that the center bearing line has either settled or timber column bases have deteriorated (Photo 6A-2). Timber column bases were surrounded by a concrete slab-on-grade and could not be observed.
- The east wall of Building 6A is supported by a timber truss at the first floor level. The truss end at the south bearing condition was found to be severely deteriorated and is considered unsafe. Temporary shoring is recommended until such time that permanent repairs can be made.
- Several floor joists have longitudinal splitting and may have been overstressed (Photo 6A-3 & 4).
- Visual evidence of prior leaking was visible at the roof level, but leaks did not appear to be active (Photo 6A-5).
- Some roof rafters appeared to be out of plumb. Stabilization means to prevent rotation such as wood blocking was not present (Photo 6A-5).
- Masonry also has wide spread areas of distress. Areas of missing mortar, areas of bulging noted. Southeast corner appears to have been repaired from either a drainage issue or a vehicle impact. Open joints noted in various locations particularly at window heads. Spalled bricks were noted. Moss was noted to be growing in masonry joints at and above the pavement line (Photo 6A-6).
- Rotting wood noted at window sills and at roof eaves (6A-6).
- First and third floor windows constructed of wood and are in poor conditions. Replacement windows noted at second floor.
- Elevator shaft present, but elevator removed.
- Lateral Load Resisting System relies on un-reinforced exterior masonry walls.
    - Unreinforced masonry bearing walls known to have poor performance in seismic events.

- The east wall of building 6A appears to be wood framed and bears on a truss above the first floor level and does not extend to the ground floor. This results in a stiffness discontinuity for the lateral force resisting system which may amplify seismic loads in other portions of the system.

Anticipated Structural Outcomes for Restoration:

- Center bearing foundations may require rework; additional investigation will be required to understand cause of column settlement.
- Lateral load resisting system will require retrofit to address stiffness discontinuity. Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry including repointing, rebuilding bulged areas, cleaning.
- Replace first and third floor windows.
- Replace wood elements and repaint.

Structural Condition Rating	*3.5*
Structural Renovation Cost Rating	*3.0*

Rating Justification:
Basic building structure was well built and is in fair condition. Building masonry will require repairs and rebuilding in several locations, but extent is limited. Upgrades in roof insulation will likely require an upgrade of the roof structure to support additional snow load, but this is very accessible and of limited area. Unsafe condition of building east wall/truss will require shoring and repair. Foundation work inside an existing building, if required, will add to cost. An elevator may need to be added and shaft may need to be expanded to support elevator of sufficient size per current IBC and Maine State requirements. Nature of upgrades is not daunting.

Photo 6A-1: Building 6A exterior view.

Photo 6A-2: General view of center bearing line of Building 6A at second floor level.

Photo 6A-3: Floor joist splitting.

Photo 6A-4: Floor joist splitting.

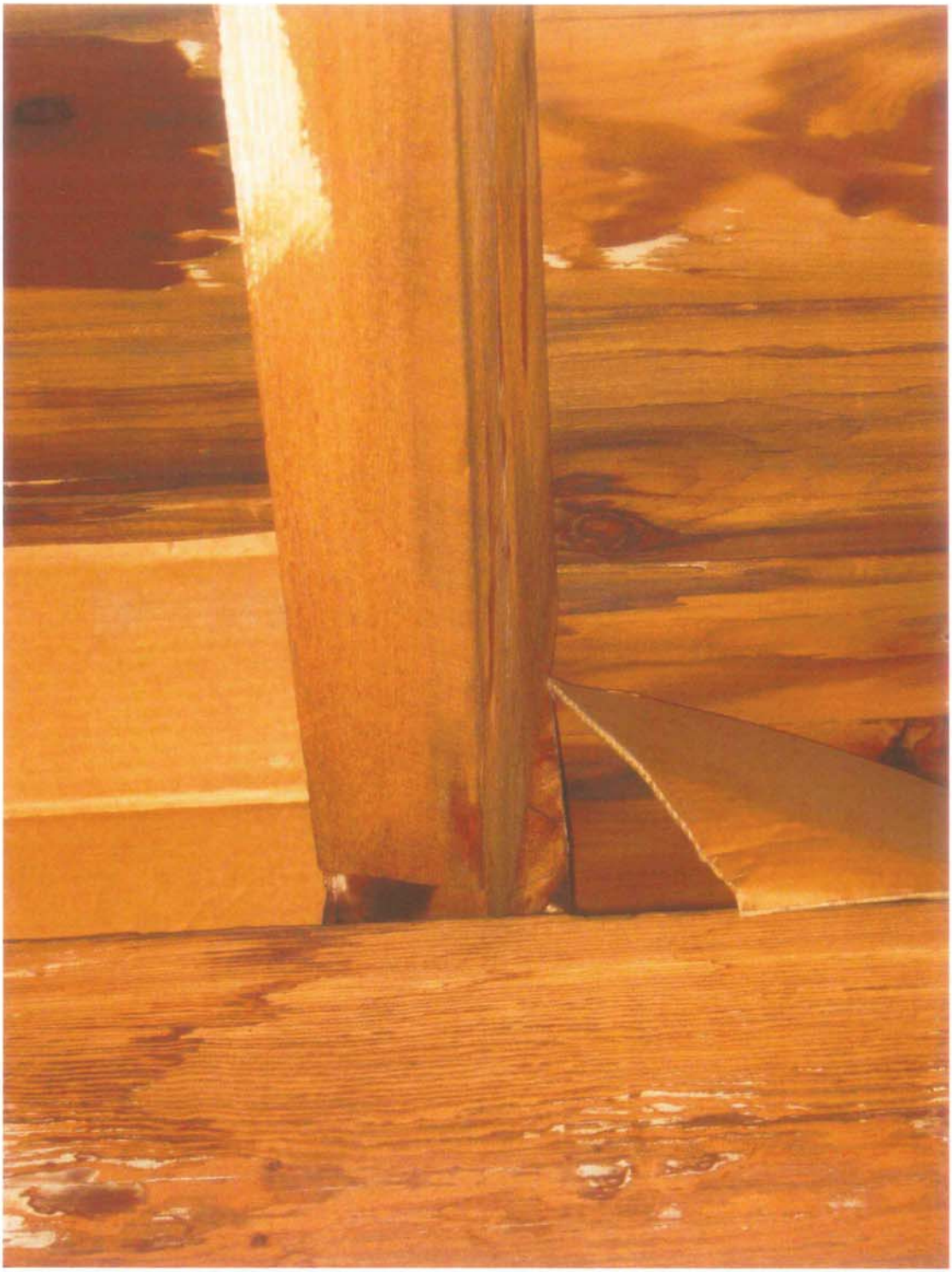
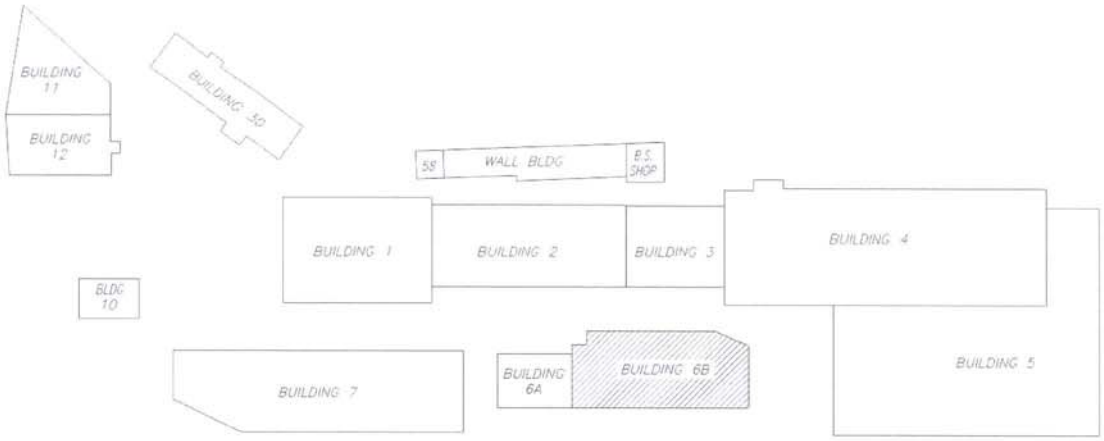


Photo 6A-5: Rotated roof rafter and evidence of prior leaking.

Photo 6A-6: Moss, spalled bricks, open masonry joints and rotting wood sill at Building 6A.

Building Number: 6B



Location Plan

Description, Condition and Assessment:

- Building 6B is a 1-story building with timber gable roof trusses spanning the space. The open floor space extends under building 6A.
- The east wall of Building 6A (visible in 6B space) is supported by a timber truss at the first floor level. The truss end at the south bearing condition was found to be severely deteriorated and is considered unsafe. Temporary shoring is recommended until such time that permanent repairs can be made.
- Roof rafters supported by truss/purlin system appear undersized for snow load.
- Roof trusses appear well built but are likely not designed for current snow loads.
- Visual evidence of prior leaking was visible at the roof level, but leaks did not appear to be active (Photo 6A-5).
- Masonry also has wide spread areas of distress. Areas of missing mortar noted.
- Wood eave trim in poor condition and peeling off the building.
- Several windows are covered with asphalt roofing material. Remaining wood windows are in good to fair condition.
- Lateral Load Resisting System relies on un-reinforced exterior masonry walls.
    - Unreinforced masonry bearing walls known to have poor performance in seismic events.
    - The east wall of building 6A appears to be wood framed and bears on a truss above the first floor level and does not extend to the ground floor. This results in a stiffness discontinuity for the lateral force resisting system which may amplify seismic loads in other portions of the system.
    - Wood diaphragms likely inadequate to transfer diaphragm shears to exterior walls.

Anticipated Structural Outcomes for Renovation/Restoration:

- Repair timber roof truss supporting the exterior wall of Building 6A.
- Lateral load resisting system will require retrofit to address stiffness discontinuity. Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry including repointing, cleaning.
- Reinforce existing roof rafters and existing wood trusses.
- Replace wood elements and repaint.

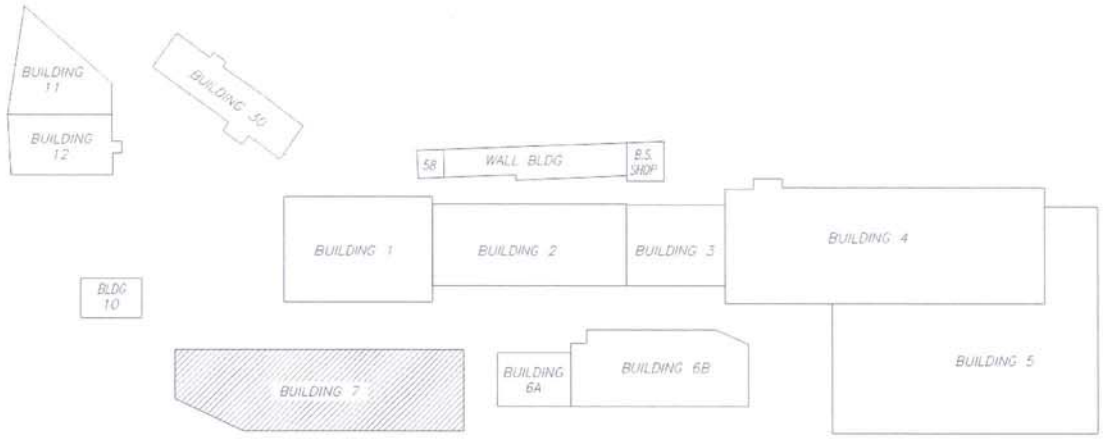
Structural Condition Rating	*3.0*
Structural Renovation Cost Rating	*3.5*

Rating Justification:
Building masonry will require repairs and rebuilding in many locations. Upgrades in roof insulation will likely require an upgrade of the roof structure, including roof rafters and timber trusses to support additional snow load. Truss upgrades may be costly. Unsafe condition of truss supporting Building 6A will require shoring and repair.

Photo 6B-1: Buildings 6A (left) and 6B (right).

Photo 6B-2: Failed (deteriorated) end of timber truss supporting exterior wall of Building 6A.

Building Number: 7



Location Plan

Description, Condition and Assessment:

- Building 7 is a 1-story building flat roof building with an addition at the west end, south side.
- Roof is wood framed. Roof framing is undersized. Portions of roof have been covered with bituthane and appear to be in poor condition. Roof has many leaks causing deterioration of wood. Daylight visible through roof in at least one condition.
- A small portion of the roof was repaired from a previous failure.
- Eaves appear to be in poor condition with rotting and loose wood, and loose flashing.
- Exterior brick masonry south wall has significant sweep to the north.
- Windows appear to be original wood windows, appear to be in poor condition with missing panes, covered in rigid insulation in many areas.
- Brick masonry has bulging, numerous open joints, spalled bricks and cracking at steel lintels.
- Wood frame shed in the southeast portion of the building is in poor condition with roof sagging and uneven/bowed walls.

Anticipated Structural Outcomes for Renovation/Restoration:

- Reinforce or replace all roof framing
- Repair all column rot.
- Replace/repair/patch/overlay existing wood decking.
- Reconstruct, repair and strengthen masonry bearing walls.
- Remove existing wood framed shed.

Structural Condition Rating	*2.0*
Structural Renovation Cost Rating	*5.0*

Rating Justification:
Building masonry walls are in poor condition and in most cases will require rebuilding with new bearing structure meeting current IBC code requirements. Foundation condition is unknown and may require upgrade to current IBC code requirements as a result of reconstruction. Roof framing is in poor condition and extensive replacement would be necessary. Exterior masonry walls require strengthening with any renovation. Essentially rebuilding entire framings system and lateral system.

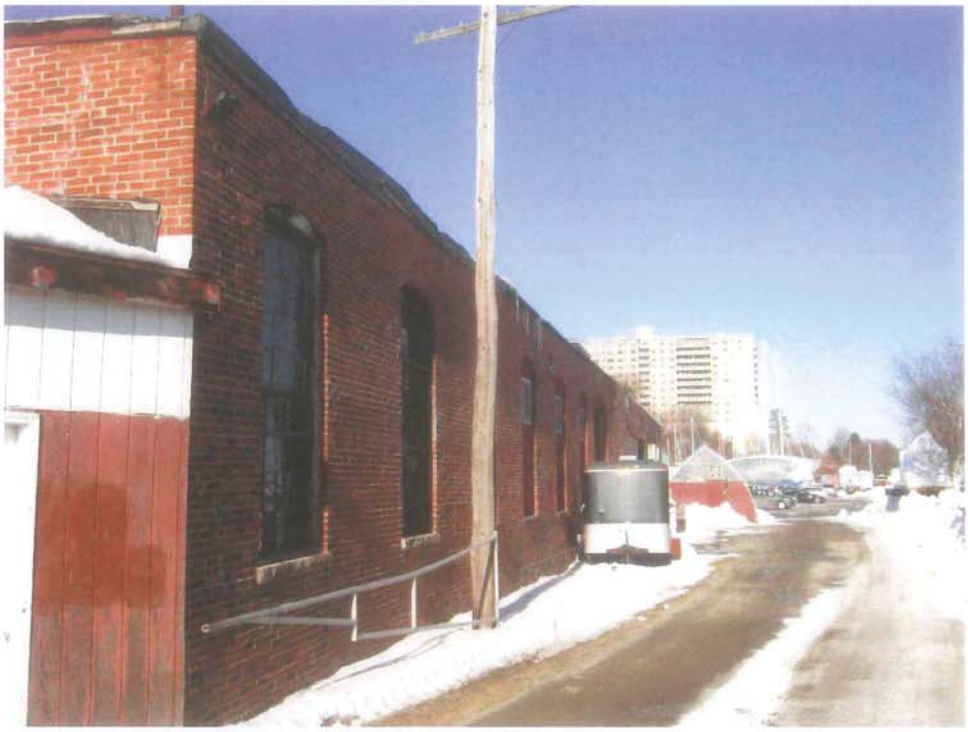
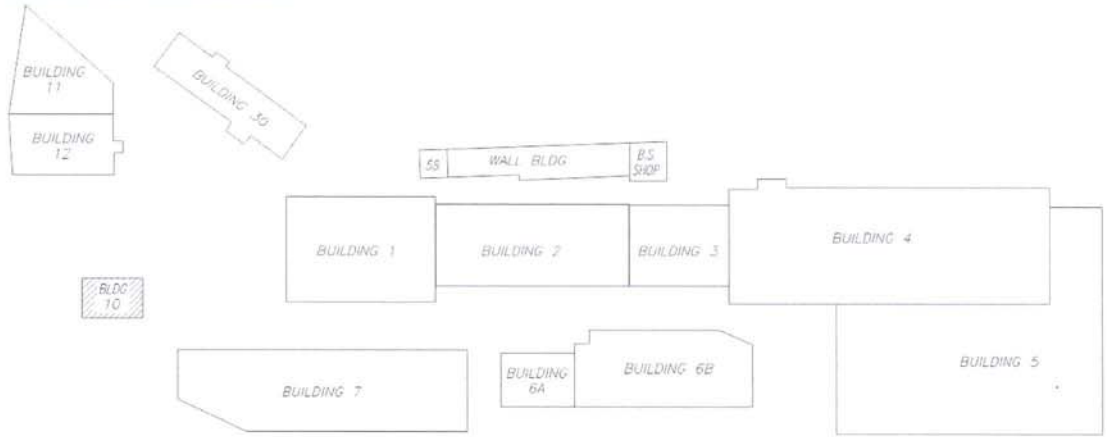


Photo 7-1: South elevation of Building 7.

Photo 7-2: North elevation of Building 7.

Building Number: 10



Location Plan

Description, Condition and Assessment:

- Building 10 is a 1-story building flat roof building.
- Based on operations we did not enter this building.
- Roof is presumed to be wood framed. From exterior the roof appears to be sagging.
- Eaves appear to be in poor condition with rotting and loose wood, and loose flashing.
- Exterior brick masonry walls have sweep, large bows and evidence of settlement, numerous open joints, repairs without toothing, loose and spalled bricks.
- A majority of the original brick masonry window openings have been filled with brick or wood infill panels.
- Windows appear to be original wood windows, appear to be in poor condition.
- Building 10 exterior masonry walls are severely distress and it unclear if brick wythes are still bonded together. Interior or exterior wall facing could peel off without warning. Evidence of creep deflection at roof and concerns over ponding roof loads. It is recommended that this building not be occupied

Anticipated Structural Outcomes for Renovation/Restoration:

- Reconstruct and repair masonry bearing walls
- Reinforce or reconstruct all roof framing
- Replace/repair/patch/overlay existing wood decking.

Structural Condition Rating	*1.0*
Structural Renovation Cost Rating	*4.5*

Rating Justification:
Building masonry walls are in poor condition and in most cases will require rebuilding with new bearing structure meeting current IBC code requirements. Foundation condition is unknown and may require upgrade to current IBC code requirements as a result of reconstruction. Roof framing is in poor condition and extensive or complete replacement would be necessary.

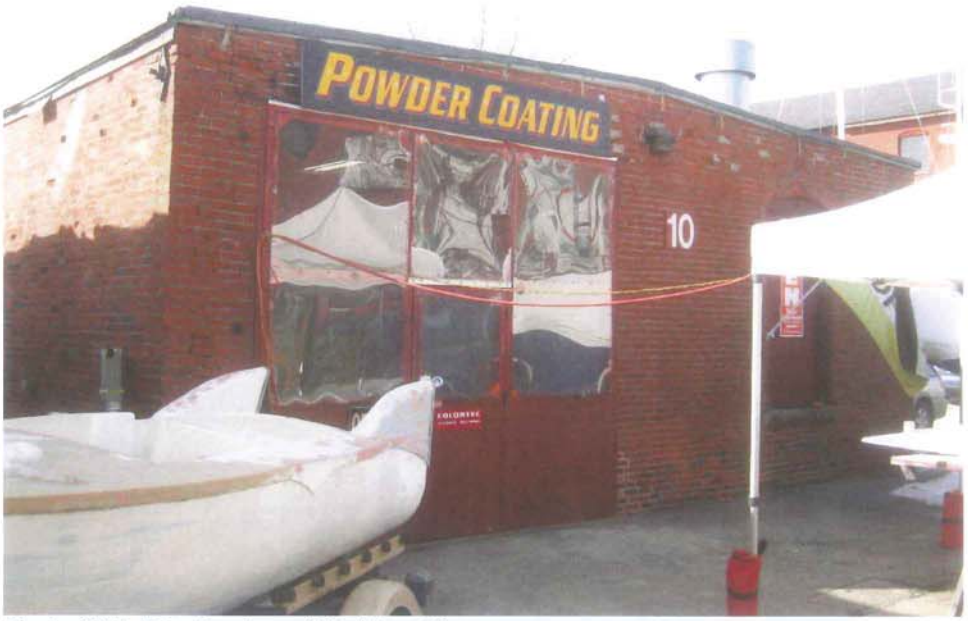


Photo 10-1: Exterior view of Building 10.

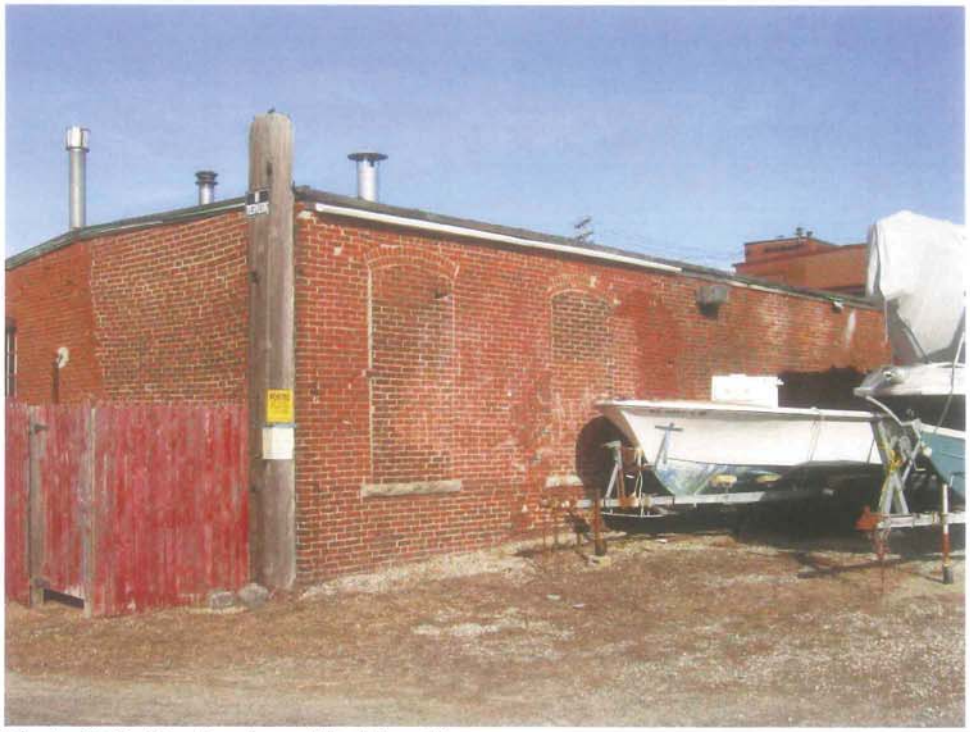
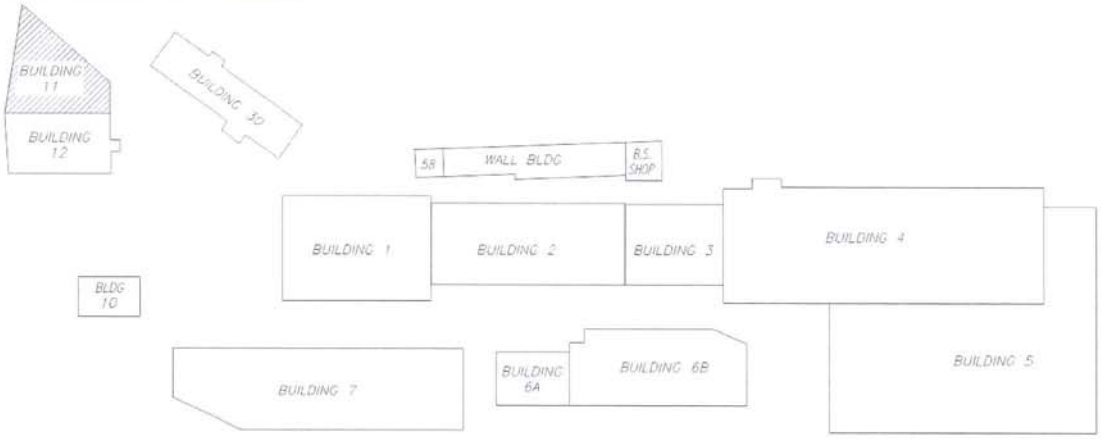


Photo 10-2: Exterior view of Building 10.

Building Number: 11



Location Plan

Description, Condition and Assessment:

- Building 11 story is a two story building with a shallow pitch roof (Photos 11-1 & 2).
- South half of roof pitches into wall of building 12 and is a poor drainage condition. Building 12 roof also drains into the same area. The resulting drain water runs down the back wall of the building. It is evident that the masonry in this area has been repaired previously. The wall is stained and continues to suffer damage from water (Photo 11-2).
- Roof is likely not designed for sliding and drifting snow coming from adjacent Building 12 pitched roof.
- The exterior ground floor wall to north is retaining an embankment and is severely bowed inward from the window sill line up (Photo 11-3). Window wells in this area provide avenue for water entry (Photo 11-4).
- The ground floor dips suggesting there may be deterioration of wood joists and sills below the floor, similar to Building 12. The floor has been decked over with plywood and painted so examination of columns and framing was not possible.
- Second floor framing is rough saw wood joist framing with timber beams and posts. Beam checking was noted, perhaps due to drying from unit heaters.
- Roof framed utilizing timber girders supporting rough sawn wood joists and decking. Acoustic ceiling conceals roof framing; catch buckets were spread throughout and staining indicates roof actively leaks (Photo 11-5).
- Roof framing utilizes stacked system to create pitch. There is no bracing present to stabilize stacked wood and prevent roll-over (Photo 11-5).
- Tar and chip roof system is beyond design life and leaks.
- Lap jointed framing showed cracking extending from tension corner.
- Exterior brick masonry bearing walls show distress over windows, wide spread open joints. Open joints at eave noted and some small areas of bulging. Open joints noted at drip lines.
- Corroded steel lintels.
- West elevation wall is swept inward to the east. East wall also noted as swept.
- Bow noted over main entry.

Structural Condition Rating	*2.5*
Structural Renovation Cost Rating	*4.5*

Rating Justification: Exterior grade retained by north wall has created severe bow in exterior wall. Fore Street right-of-way is well established and unlikely to be modified, and therefore retaining condition will remain. Roof pitching toward Building 12 with drainage water running down the west wall constantly jeopardizes the envelope of Building 12. Roof framing is undersized. Repitching roof would require complete upgrade to address drifting and sliding snow from adjacent Building 12 Roof.

Photo 11-1: Buildings 11 (right) and 12 (left) looking at southeast corner.

Photo 11-2: West elevation of Building 11. Note drainage condition where building 11 meets building 12.

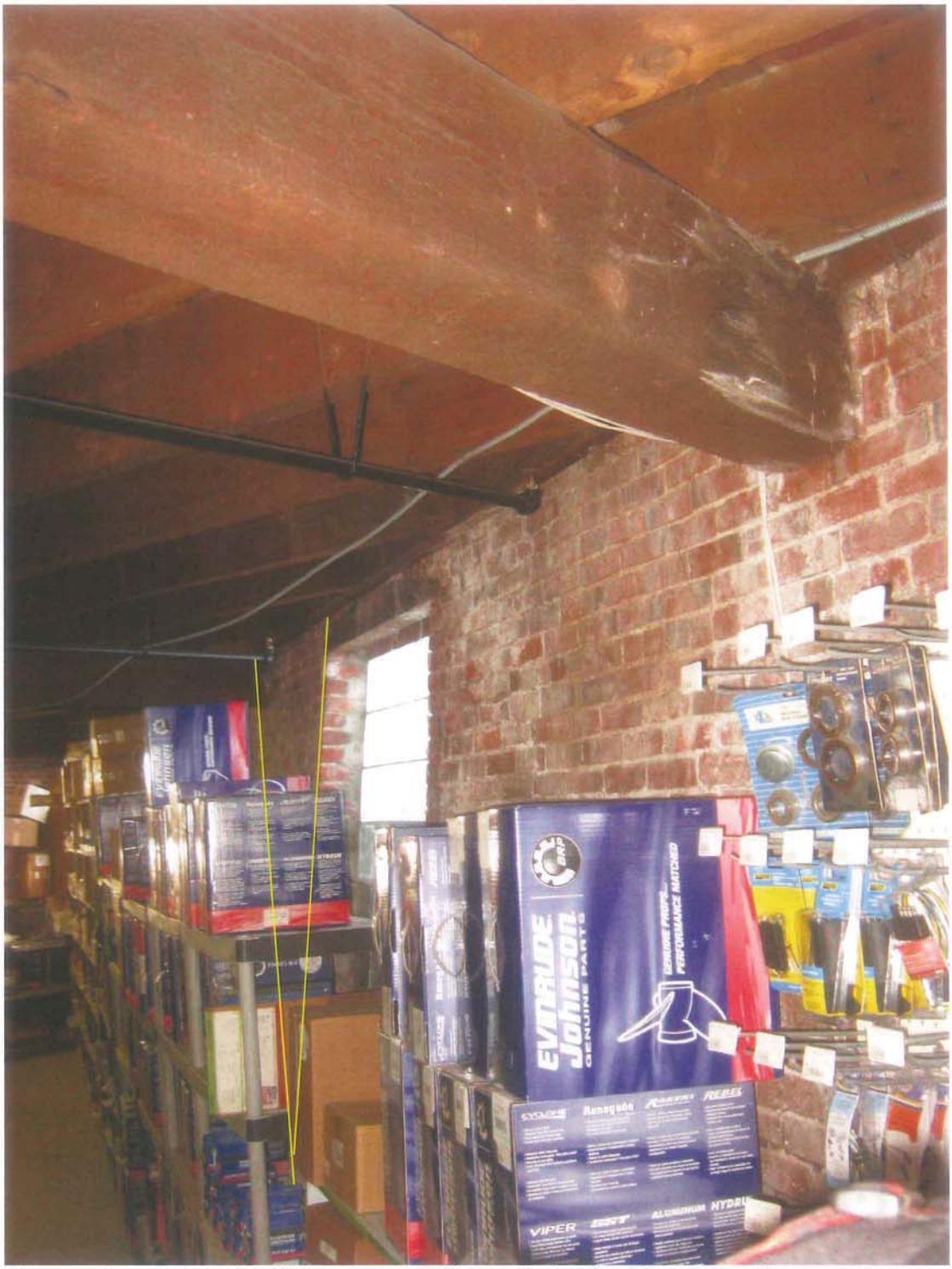
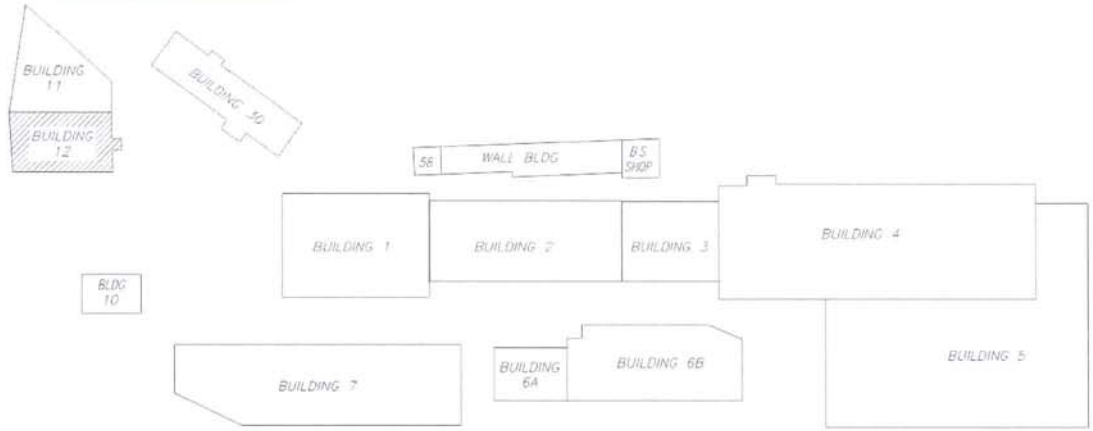


Photo 11-3: Bowed north wall retaining embankment (lines added for emphasis).

Photo 11-4: Window wells and embankment at north wall.

Photo 11-5: Stacked framing system for Building 11 roof. Note leak catch bucket behind column.

Building Number: 12



Location Plan

Description, Condition and Assessment:

- Building 12 story is a three story building with gable roof and mezzanine space in gable.
- Slate roof materials are loose and missing in many locations, particularly at corners. North half of gable drains onto the roof of Building 11. Wood roof eave trim rotten loose or missing in several locations (Photo 12-2). Some rafter tails appear rotten in some locations. Daylight visible through roof on the east side and rotten sheathing noted in many locations. Roof rafter framing appeared undersized.
- Roof has sag along the longitudinal axis.
- Third floor deck and joists rotten in areas below leaking roofs.
- The ground floor dips to the center. Wood sills bearing on grade and columns bearing on grade were observed to be rotten. In one location the post supporting from the structure above was actually hanging from the floor beam due to the deterioration of the column base (Photo 12-4).
- Note that foundation drains are visible along the west side of the building and that wall appears to be in a low spot. It is likely that the ground floor wood sills and wooden column bases are frequently exposed to wetting.
- Second floor framing is rough saw wood joist framing with timber beams and posts. In general, framing appeared to be in good condition with framing practices consistent of the period. A joist at the northwest corner of the building had the end completely rotted off, possibly from a roof leak running down the face of the wall.
- Separation was noted at the diagonal beam supports at the columns extending from the first to second floor.
- Exterior brick masonry bearing walls show distress and are in fair condition- Distress noted included:
    - Arching & diagonal cracks over windows that extend through the entire width of the masonry (Photo 12-5).
    - Open joints in many locations.
    - Bulging in some locations.
    - Rust jacking at steel lintel on the east side.
    - Walls bowed inward on south and west elevations.

- Evidence of previous shed roof removal- Bulging and slip plane from flashing left in place.
- Entry shed masonry in poor condition.
- Open joints noted in west gable (east gable appears to have been repointed).
- Wooden lintels noted at interior rotting and sagging.

- Wooden window and sills in poor condition with broken and missing panes, rotting wood (Photo 12-1, 2 & 5).

Structural Condition Rating	*3.0*
Structural Renovation Cost Rating	*4.0*

Rating Justification: The roof of building 12 is in poor condition and has been letting water into the building for an extended duration. Roof, upper floor and columns of building will require repairs or reconstruction. Masonry damage is significant and portions of masonry walls will need to be rebuilt. Building is located at a low point on the site and drainage condition at crawlspace will need to be resolved. Despite issues, structural "bones" of building are substantial and it was well constructed in its day.

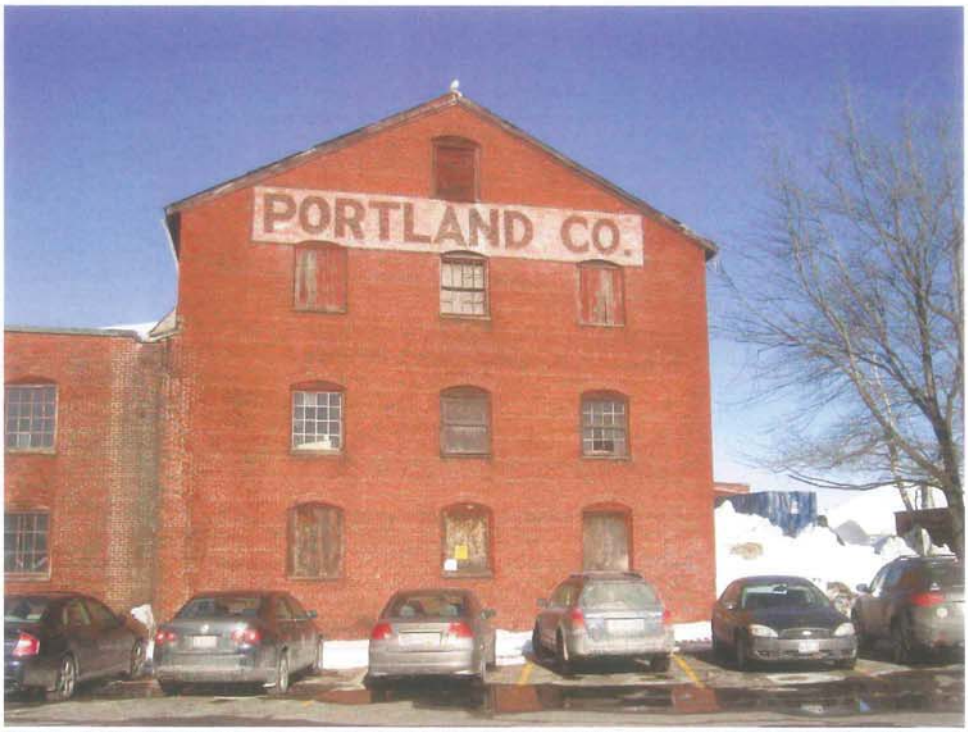


Photo 12-1: West elevation of building 12. Note windows with missing and broken panes, loose slates at eaves.

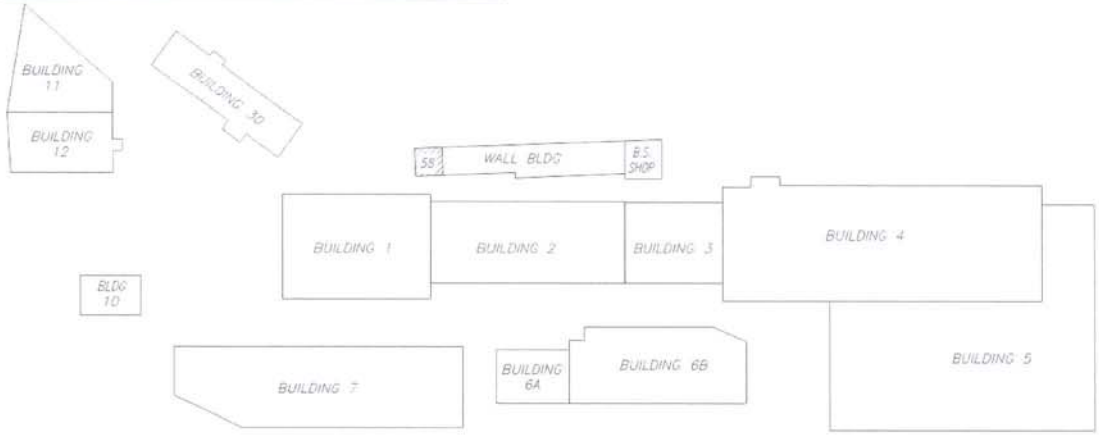
Photo 12-2: Eave with loose slates, missing eave trim, masonry cracking and broken windows.

Photo 12-3: Daylight visible at through roof sheathing. Condition is at both ends of roof.

Photo 12-4: Rotting column bottom, floor joists and sills at ground floor.

Photo 12-5: Diagonal masonry cracking over window opening, open joints, rotting window sill.

Building Number: 58 Fore Vault/Tower



Location Plan

Description, Condition and Assessment:

- Brick masonry vault tower structure with concrete and steel beam floors. Upper floor was inaccessible due to poor condition of connecting bridge.
- Interior walls were wet and growing moss indicating substantial water penetration or condensation within space.
- Rust flaking where steel beams entered wall may indicate damage to beam end at penetration.
- Exterior brick masonry had joints missing mortar, missing bricks, staining.
- Roof not reviewed.
- Windows broken with missing panes.

Anticipated Structural Outcomes for Restoration:

- Exterior masonry repointing, replacement of bricks and small areas of rebuild. Clean all brick surfaces and apply breathable masonry sealer.
- Remove brick around beams ends, repair beams end and rebuild brick.
- Seismic upgrade may be necessary depending on final use.
- Roof condition unknown, but based on condition of roofs on other buildings in complex, assume roof may be leaking.

Structural Condition Rating	*3.5*
Structural Renovation Cost Rating	*2.5*

Rating Justification: Moisture transmission through masonry must be stopped to prevent further degradation of this structure. In order to do so, exterior masonry walls will need to be repaired and repointed, and a breathable sealant applied to the building. Air exchanges and ventilation must be provided on the interior to help dry the structure. Steel beam ends may be compromised requiring repairs. Extensive shoring will be required to repair beam ends.

Photo 58-1: 58 Fore Street Vault/Tower structure viewed from Fore Street.

Photo 58-1: Moss growing on interior walls.

Photo 58-3: Beam end condition with flaking rust.

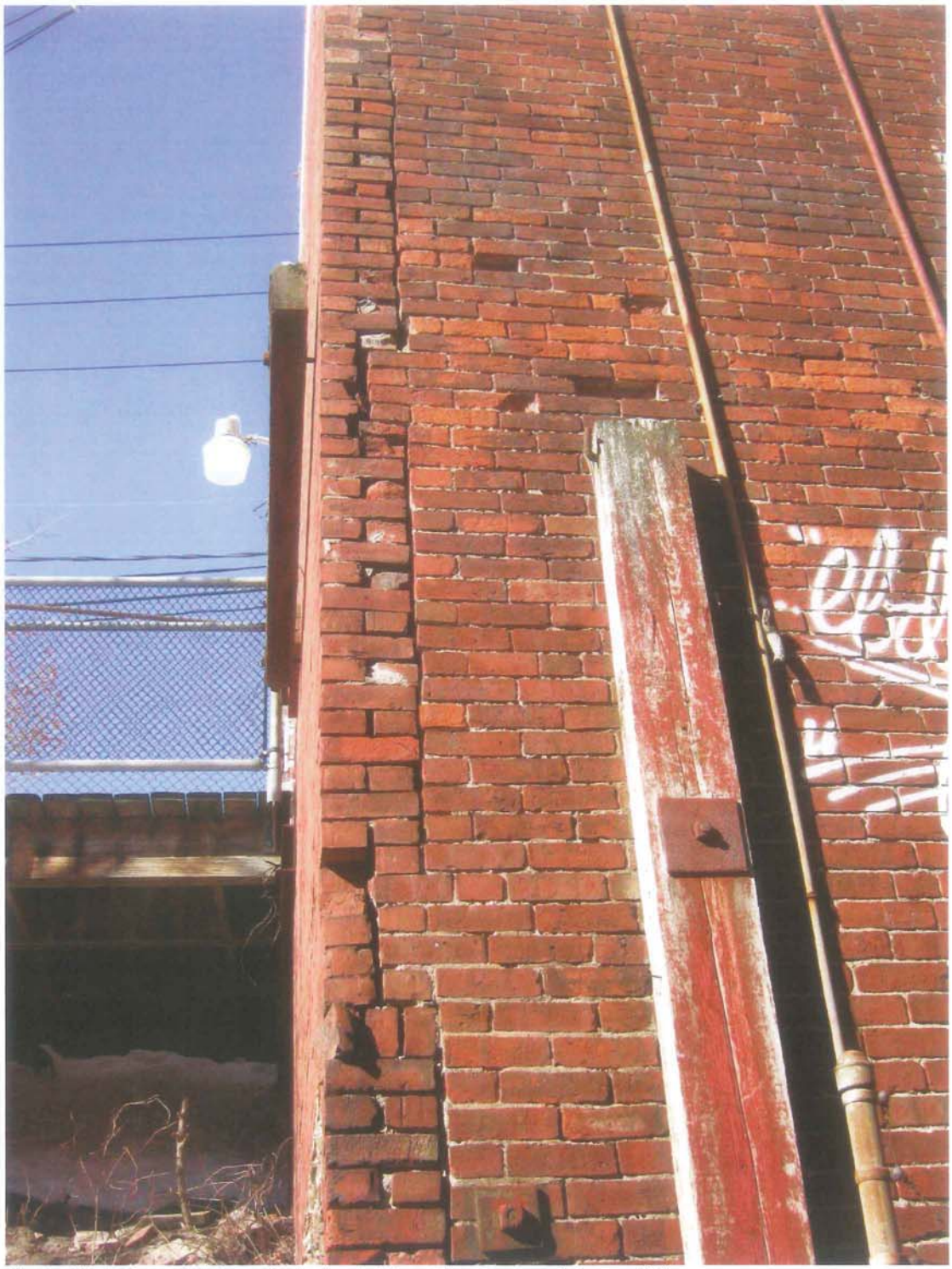
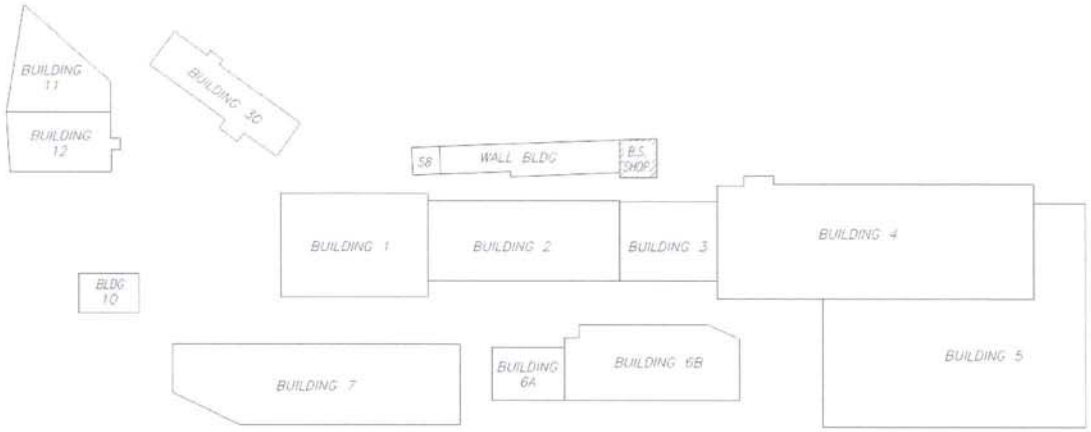


Photo 58-4: Open joints and missing bricks at the corner of the vault/tower.

Building Number: Blacksmith Shop (Building 16)



Location Plan

Description, Condition and Assessment:

- Wood rafter framed roof, back wall and side walls are stone retaining wall for embankment, brick masonry front wall (Photo 16-1).
- Fore Street stone retaining wall at is dry stacked. It was apparent that water travels through the wall.
- North stone walls may be buttressing Fore Street retaining wall.
- Brick masonry had numerous open joints, missing bricks, bulging and moss growth near drip line.
- East side stone wall butts brick masonry front wall to the south; condition is poorly bonded with an open joint.
- Roof rafters appeared to be in good condition, but daylight was visible through roof around chimney penetration.
- Roof eave has been redecked with OSB at eave; roof is covered with shrink wrap.
- Entry did not meet code due to door height.
- Wood windows have broken panes and missing sashes.
- No eave board, building generally not weather tight.
- It is believed that groundwater penetrates this building through the retaining wall.

Anticipated Structural Outcomes for Restoration:

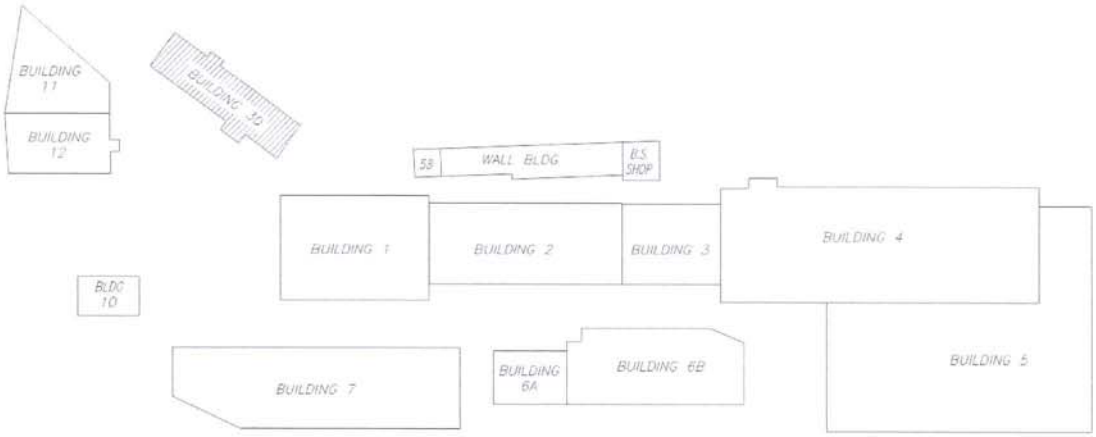
- Repair exterior masonry including extensive repointing and rebuilding to creating contiguous wall conditions.
- Replace windows.
- Create accessible entrance and incorporate 2 means of egress.
- Roof reinforcing to support snow load of properly insulated roof.

Structural Condition Rating	*1.5*
Structural Renovation Cost Rating	*3.0*

Rating Justification:
Building currently is not weather tight and extensive work will be necessary address this condition. Entry conditions will need to be brought up to current code for fire and egress compliance. Roof likely not framed to address drifted snow from adjacent high roof/street and will require reinforcement.

Photo 16-1: Exterior view of blacksmith shop/Building 16.

Building Number: 30



Location Plan

Description, Condition and Assessment:

- Building 30 is a two story building with a third story roof pop up area to the east.
- Review as limited- Hard ceilings were in place at time of review and spaces were occupied.
- Peeling paint was noted particularly at the high roof eave (Photo 30-2).
- Siding was uneven and may suggest underlying issues (Photo 30-2).
- Evidence of leaking was noted in several locations on the fixed ceiling adjacent to the southwest wall (Photo 30-3).
- On the south face open joints were noted with horizontal steel protruding. The steel was corroded. Other open joints and missing bricks were noted.
- Window lintels were rusted with mortar separation from the horizontal leg.
- Building exterior sealants are past design life.
- Downspout were leaking and frozen.
- Entry step heights do not meet code requirements.

Anticipated Structural Outcomes for Restoration:

- Repaint existing building.
- Repair exposed lintel conditions with replacement, hot dipped galvanized steel lintels.
- Consider residing and updating air vapor barrier systems.
- Isolate leaking and repair condition with flashing, replacement siding and/or masonry sealing.
- Replace building sealants

Structural Condition Rating	*5.0*
Structural Renovation Cost Rating	*1.0*

Rating Justification:
Building is considerably more modern than other structures reviewed on property; majority of repairs will be cosmetic or performed to improve energy efficiency/weather tightening.

Photo 30-1: Southwest elevation of building 30.

Photo 30-2: Peeling paint at roof eave, uneven siding.

Photo 30-3: Leaking noted at ceiling adjacent to southwest wall.

Photo 30-4: Mortar falling from joint with steel protruding; corroded steel lintel and broken mortar adhesion.

End of Book 1

BECKER
STRUCTURAL ENGINEERS

APPENDIX A

RELATIVE STRUCTURAL CONDITION AND RELATIVE REHABILITATION COSTS RESURGENCE ENGINEERING AND BECKER STRUCTURAL ENGINEERS

APPENDIX A
PORTLAND COMPANY COMPLEX – MARCH 2015
RELATIVE CONDITION AND REHABILITATION COST COMPARISON

BUILDING NUMBER – NAME DATE	RELATIVE STRUCTURAL CONDITON			RELATIVE REHABILITATION COST	
	BECKER	RESURGENCE /BECKER SCALE	RESURGENCE SCALE	BECKER	RESURGENCE
BUILDING 1 - ERECTING BUILDING 1918	2.0	2.5 (REPETITIVE DTLS)	P2	4.0	3.5 (REPETITIVE DTLS)
BUILDING 2 - MACHINE SHOP 1847	2.5	2.5	P2+	4.5	4.5
BUILDING 3 - MACHINE SHOP 1847	3.0	3.0	P2+	3.0	3.0
BUILDING 4 – FOUNDRY/ACETYLENE HS 1895, 1904-09	1.5	1.5	VP2	4.5	4.0 (REPETITIVE DETAILS, CUSTOM REHABILITATION)
BUILDING 6B - TANK SHOP 1896-1904	3.0	3.0	P2+	3.5	3.5
BUILDING 7 - CAR SHOP 1873,1904	2.0	1.5 (BOWED WALLS)	VP1	5.0	5.0
BUILDING 10 - PAINT SHOP 1873	1.0	1.0	VP1	4.5	4.0 (REBUILD IN KIND)
BUILDING 11 - PATTERN STOREHOUSE 1885	2.5	2.0 (NORTH WALL)	VP2	4.5	4.5
BUILDING 14 – DRAFTING ROOM AND STOREHOUSE 1858,1864	NOT INSPECTED	2.0	VP3	NOT INSPECTED	3.5
BUILDING 15/16 (NO ACCESS TO B15) BOILER HOUSE/BRASS FOUNDRY 1858, 1864	1.5	1.5	VP3	3.0	3.0
Averages of common buildings inspected (excluding Building 14)	**2.11**	**2.06**		**4.06**	**3.89**

SEE FOLLOWING PAGES FOR EXPLANATION OF BECKER STRUCTURAL ENGINEERS AND RESURGENCE ENGINEERING RATING SYSTEMS

Notes:

1. Coordinate this document with "Portland Company Complex General Building Assessment" prepared by Resurgence Engineering et al, March 2015, and "Evaluation of Existing Buildings at the Portland Company Property" prepared by Becker Structural Engineers, March 28, 2014.
2. Further discussion about relative rehabilitation costs related to these structures, by Resurgence Engineering, follows this page.

APPENDIX A
EXPLANATION OF BECKER AND RESURGENCE RATING SYSTEMS

Becker Structural Engineers' (BSE) Rating System

The **relative structural conditions** rating system used in the Becker Structural Engineers Report is shown below:

1 = Very poor/unsafe/demolition likely
2 = Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition
3 = Poor/requires substantial structural work to elements and systems
4 = Fair/requires nominal structural work to elements
5 = Good condition/minor structural work required

Becker's **relative rehabilitation cost rating system** is based upon structural complexity and size of building, using a scale of 1 to 5 -- 1 being relatively low costs and 5 being relatively high costs. BSE gives no specific definitions of the relative costs, simply a numerical grading system. Such an approach appears to be reasonable, given the preliminary nature of assessment that both firms were instructed to provide.

Resurgence Engineering and Preservation's (REP) Rating System

For ease of comparison, REP used the same **relative structural conditions rating system** as BSE in the summary chart. However, REP believes there is a more accurate and further defined way to classify the buildings in terms of condition. *See chart on following page for REP's proposed rating system as regards condition.*

REP has used the same **relative rehabilitation cost rating system** as BSE. The BSE report provided no specific definition of cost for each rating category.

RESURGENCE ENGINEERING RELATIVE STRUCTURAL CONDITION SCALE OF EXISTING BUILDINGS IN POOR CONDITION

BSE condition #	REP NUMBER	DESCRIPTION OF CONDITION, PRE AND POST MITIGATION	LOCAL/MAINE BUILDING EXAMPLES PRE AND POST MITIGATION
(n/a)	VP1 (very poor, not salvageable)	PRE: Immediate widespread public safety threat and site/occupant safety threat if not barricaded and structurally shored; evacuate nearby buildings, streets, sidewalks, block off parking spaces. Potential for widespread debris field in event of collapse; Building cannot be re-occupied following triggering event. POST: Condemn and demolish building.	Buildings with extensive fire damage
1	VP2 (very poor but salvageable, expensive to rehabilitate, i.e. approx.. BSE cost #4 to #5)	PRE: Immediate widespread public safety threat and site/occupant safety threat if not barricaded and structurally shored; evacuate nearby buildings, streets, sidewalks, block off parking spaces. Potential for widespread debris field in event of collapse; Building cannot be re-occupied following triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots remain blocked off. Building itself cannot be occupied after stabilization. Unsafe for rescue personnel to enter if trespassers are inside. Shored and secured structure relatively expensive, but feasible, to rehabilitate.	PRE: Norway Opera House, 2007-09 POST: Norway Opera House, 2010+
1	VP3 (very poor but salvageable, moderately expensive to rehab, i.e. BSE cost #3 to 4)	PRE: ***Immediate*** site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; Block off streets, sidewalks, and parking spaces. Potential for localized debris field in event of collapse; Building can be occupied following the triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots can remain blocked off or reopened following mitigation. Building itself can be occupied.	PRE: Buildings with widespread loose façade components. i.e. Masonic Temple Localized structural failures i.e. Portland Company Complex Building 4 POST: Stabilized structures, removing loose components or installing covered sidewalk and blocked off parking spaces.
2	P1 (very poor but salvageable, less expensive to rehab; i.e. BSE cost #2)	PRE: ***Likely*** site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; Block off streets, sidewalks, and parking spaces. Potential for localized debris field in event of element failure; Building can be occupied following the triggering event. POST: Building assessed, barricaded, structurally shored; nearby buildings deemed safe for return; streets, and/or sidewalks and parking spots can remain blocked off or reopened following mitigation. Building itself can be resume occupancy.	PRE: Buildings with a few loose façade components that can easily be removed or snow and ice buildup that can easily and quickly be removed, POST: Stabilized structures, removing loose components or installing covered sidewalk and blocked off parking spaces.
3	P2	PRE: ***Possible*** site/occupant safety threat and localized public safety threat if not if not barricaded and structurally shored; No triggering event causing distress; possible change of use makes economics questionable. POST: Rehabilitation Feasibility Study considering economics for specific buildings and structures.	PRE: Portland Company Building Complex Building #1

Most of REP's condition and cost ratings align with those of BSE. Using our own rating system, however, REP's conclusions are slightly different, especially in regards to the potential for rehabilitating buildings in distress (i.e. Buildings with a "1" to "2" condition ranking). We would not have necessarily characterized these buildings as unsalvageable, as Becker suggests. Our justification for this would be to consider the cost benefits that could be realized using historic preservation tax credit incentives, along with the added flexibility afforded historic structures under the IEBC. Tax credit incentives could offset the costs of more custom-designed engineering and building envelope rehabilitation solutions. They would also offset the cost of higher-quality, longer lasting building materials necessary for the marine climate.

Our primary departures from BSE exist in Building 1, Building 4, Building 7, Building 10, and Building 11. We downgraded the relative structural condition of Building 7 and Building 11, while we upgraded the relative structural condition of Building 1. We lowered the relative rehabilitation costs of Building 1, Building 4, and Building 10. The paragraphs that follow explain the reason for our departure at each building.

For Building 1 we believe that the more recent construction date (1918), combined with the repetitive nature of the building elements, can allow for a slightly less expensive rehabilitation than indicated in the BSE report.

Building 4 could yield a relatively less expensive rehabilitation if a customized approach to reframing the edge columns and rebuilding the masonry could be achieved economically. Such an approach would have to be understood and approved in advance by the National Park Service if tax credits were desired on this building project. If historic preservation tax credits can be used on this project using a different approach to reframing the edge columns and rebuilding the masonry, while strengthening the existing structure, we disagree that this building is a likely candidate for demolition.

In our opinion, the condition of Building 7 is slightly worse than considered in the BSE report, because of the poor condition of the loadbearing masonry at the north elevation. We concur with the relative rehabilitation costs for the building.

We depart from the BSE cost condition assessment of Building 10, only in the sense that it may make the most economic sense to demolish the existing structure.

The compromised north wall at Building 11 necessitates downgrading its condition from 2.5 to 2.0 in comparison to the BSE report. We recommend that the building remain unoccupied until the north wall is stabilized. Demolition of this structure may be warranted pending further understanding of the roof framing and first floor framing conditions.

As stated in the BSE report, immediate safety concerns need to be addressed, whether as isolated repairs (Building 6A/6B common wall and truss) or comprehensive measures (vacancy of Building 11).

Basis for Cost Opinion Conclusions for Each Building

Building 1 - Erecting Building, c.1918

Relative rehabilitation costs for this structure and building envelope are based primarily upon the fact that the structure is repetitive in construction technique, offset by the likely reconstruction of the front masonry (west) wall. The staging and access cost required to perform clerestory rehabilitation from interior and exterior will be an increasing cost factor in building rehabilitation. A significant amount of steel-framed window glazing would require repair or replacement. Since this is the most recent building in the study, existing steel materials may be of higher quality and some understanding of snow loading requirements was incorporated into the design.

Building 2 – Machine Shop, c.1847

This building, the most structurally complicated and tallest within the buildings studied, would likely cost the most to rehabilitate, but could present the greatest risk/reward. The structure itself will likely take the most time to thoroughly assess from a structural and building envelope standpoint, given the number of changes that occurred over the years and the addition of the third floor. The large wooden windows on the first and second floors would be very labor intensive to rehabilitate, given the large number of individual panes. Third floor windows might not be as expensive to rehabilitate or replace, because they may have been 2:2 light sash, which were common in the early 20th century. A well thought-out temporary shoring plan is necessary to tie the cantilevered third-floor framing further back into the existing building. Third floor cladding, though high up, could be replaced relatively simply. At approximately 45 feet high and three stories, this building will be subjected to the greatest wind and seismic forces of all the buildings studied.

Building 3 – Machine Shop, c.1847

Building 3 is the second most structurally complicated building within the complex, but is not as relatively expensive to rehabilitate as Building 2. The additional floor support structure is less complicated than Building 2, lacking the cantilever framing existing at that neighboring building. The second floor also provides interior access to the much smaller clerestory, facilitating any structural work required there. The smaller overall footprint and lower percentage of glazing helps contain rehabilitation costs.

Building 4 – Foundry, c.1895

The Foundry rehabilitation work likely involves wholesale rethinking of the structure and building envelope along the exterior walls. Structural upgrades and replacement of an existing structural system that was improper for its marine, cold-weather climate may actually simplify the rehabilitation by permitting a complete column removal and replacement with contemporary steel columns, not exposed to the exterior elements. However, this more significant structural change may require the longest lead time to confirm whether the structure and building envelope modifications would be eligible to receive historic tax credits.

Building 6B – Tank Shop, c.1896-1904

Tank Shop rehabilitation is simplified because of its relatively short height, simple gable roof, and relatively small windows. Added longitudinal roof bracing can support the intermediate roof purlins between trusses and stiffen the roof against wind and seismic forces. The low roof height will likely keep the building from experiencing significant wind load increases due to height. Each one of the trusses will require further inspection, nondestructive testing and/or invasive inspection to confirm that end bearing conditions are structurally sound.

Building 7 – Car Shop, c. 1873, 1904

Although the Car Shop is a single-story structure, rehabilitation becomes complicated and more costly due to the overall poor condition and insufficient depth of the roof framing and because of the poor condition of the existing exterior masonry. The existing roof framing has such a low slope that it likely has permanent deflection "set", which will complicate efforts to strengthen the framing by sistering. Significant roof leaks in the structure have likely rotted sheathing and possibly framing, in more areas than are visible due to penetrating sunlight. The windows are not large or great in area relative to the total façade area, which would diminish the rehabilitation costs somewhat. However, the existing loadbearing masonry would likely require complete rebuilding because it is in such poor condition.

Building 10 – Paint Shop, c. 1873

Originally isolated by the remaining structures for safety purposes, the paint shop stands alone as the most significantly altered structure in the worst overall condition. Building rehabilitation is hard to justify, given the small size and poor condition. Rebuilding the structure to resemble the original during the site's period of significance, in conformance with contemporary codes, would be a more straightforward option, despite the likely required foundation upgrades.

Building 11 – Pattern Storehouse, c. 1885

The Pattern Storehouse carries with it the greatest uncertainty about rehabilitation costs. It is the only building studied that has a wood-framed first floor situated over an earthen crawl space, and it is the only structure that had the majority of its roof framing concealed by ceilings. The low-slope roof, pitching partially toward Building 12, creates drift conditions and roof runoff that are detrimental to both buildings.

Building 14 – Drafting Room and Storehouse, c. 1858-64

Tucked in between buttresses of the Fore Street retaining wall, Building 14, like the Boiler House and Brass Foundry to the immediate north, contains relatively limited floor space in a structure that is practically unique. The existing timber frame purlin and rafter system needs to be carefully assessed near the peak, as that area is vulnerable to condensation and leakage due to snow buildup and insufficient insulation.

Building 15/16 – Boiler House and Brass Foundry c.1858, 1864

We did not enter Building 15, but the visible condition of the second floor framing means the structure would likely need to be rebuilt. Building 16, the Brass Foundry, requires several of the same structural assessments and likely upgrades that Building 14 requires, as well as the rehabilitation of the small south façade.

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

PAUL R. LEPAGE
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

31 March 2014

Deborah Andrews
Historic Preservation Program Manager
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101

Re: Portland Company, 58 Fore Street

Dear Deb:

As per our phone conversation of March 28, 2014, I am writing to confirm the findings of the Maine Historic Preservation Commission with regard to the National Register of Historic Places eligibility for the former Portland Company complex at 58 Fore Street. Staff of the Commission reviewed the historic photographs and maps you sent, as well as three reports on the complex (Robert Parker, 1990; Max Yeston, 2012; Tremont Preservation Services, 2014), and it is our opinion that this property is eligible for listing in the National Register as a relatively intact foundry with over a 130 year history.

This property meets National Register Criterion A, in the areas of *Industry, Engineering and Transportation*, with a period of significance that commences with the erection of the first building in 1845/6 and ends with the closing of the foundry in 1982. It is also eligible under Criterion C, as a historic district. All the extant buildings in the complex (1-7, 10-12, 14-16, and 24) are contributing resources. We were not provided information on Building 5 to review, presumably because it constructed recently.

Please do not hesitate to contact me if you need any additional information at this time.

Sincerely,

Christi A. Mitchell

Christi A. Mitchell
Architectural Historian

PHONE: (207) 287-2132

FAX: (207) 287-2335

Att. 9

Maine Preservation
Our Heritage, Our Legacy

233 West Main Street • Yarmouth, Maine 04096
Tel (207) 847-3577 • info@mainepreservation.org
www. mainepreservation.org

July 15, 2015

Members of the Portland Historic Preservation Board:

On behalf of Maine Preservation, the statewide nonprofit historic preservation organization, I am writing to reiterate our support and clarify our position for designation of The Portland Company complex site on Fore Street as a Local Historic District.

The Portland Company complex has local, statewide and national historic significance, yet years of deferred maintenance have left the complex buildings in serious disrepair. As noted in the memo to the HP Board by Deborah Andrews dated June 19, 2015, the preservation ordinance requires the nominated resource to have sufficient integrity of location, design, *condition*, materials and workmanship to make it worthy of preservation. Maine Preservation (MP) concurs with the HP Board assessment that several of the buildings are noncontributing because of their severely deteriorated condition, including buildings Nos. 7, 10 and 11, and 14.

Maine Preservation shares the opinion that Building No. 4 is a key historic element of the complex core. But based on the Resurgence Engineering and Becker Structural Engineers assessments of the complex, the structural design of the building is inherently flawed. As such, the building requires demolition in whole or major part and reconstruction with a different structural design, which is not historic preservation. We urge the HP Board to thus determine this historically important building noncontributing due to condition.

MP in several conversations with the principals of CPB2, LLC has shared the goal of helping the project pursue historic tax credits, which will greatly improve the economic feasibility of the project as well as ensure rehab to preservation standards. Based on our conversation with Maine Historic Preservation Commission, we believe that a strong and unified case must be made to the National Park Service (NPS) to allow for certain buildings within the District to be determined noncontributing.

MP support buildings numbered 1, 2, 3, 6A, 6B, 12 and 24 as contributing to a district. Building No. 16 is not in good condition, but it has much of its original architectural design in its façade intact. MP requests that a determination of contributing be made for Building 16 for local review purposes only. We do not think that this local designation should apply at the federal level, which has a different legal meaning for the term "contributing." This is based on its deterioration as well as the prohibition by the NPS for tax credit projects with rooftop additions visible from the street.

While Building No. 1 may be close to the boundary of the period of significance that the Portland HP Board has determined, it is well beyond the 50 year threshold of significance for the National Register of Historic Places, and is just shy of 100 years old. While it has incongruous large doors installed on the front façade, the remainder of this and its other two façades, with banks of large metal windows is arguably much more intact than that of Building No. 2, with most of its front façade missing and its upper floor substantially altered. Buildings No. 1, 2, 3 and 4 form the core of the historic complex, and with Building No. 4 structurally unable to be rehabilitated, it makes Building No. 1 even more significant. In our judgment, Building No. 1 will be required to make a creditable case in applying for historic tax credits, which could produce a win-win for the owners and preservation.

Officers
James H. Schwartz, *President*
Cape Elizabeth
Lucy Foster Flight, *Vice President*
Portland
Holly Mitchell, *Vice President*
Raymond
Cynthia Taylor, *Vice President*
Scarborough
R. Tobey Scott, *Treasurer*
South Freeport
Anne F. Niles, *Secretary*
South Freeport
John L. Carpenter, *Clerk*
North Yarmouth

Trustees
Judith E. Barrington
Bath
Paul B. Becker
Yarmouth
Andrea Hurd Burns
Norway
Susan E. Burns
Falmouth
Pauline Dion
East Boothbay
Omerod Duckworth
North Yarmouth
Lorain Frances
Union
Christopher Glass
Camden
Alison Prawer
Cumberland Foreside
Bruce Snider
Belfast
Arron J. Sturgis
Berwick
Hans Underdahl
Yarmouth

Advisory Trustees
Eleanor G. Ames, *Portland*
Deborah Andrews, *Yarmouth*
Nancy L. Barba, *Portland*
Leonard Brooks, *New Gloucester*
Richard M. Candee, *York*
J. Donald Cyr, *Lille-sur-St. Jean*
James M. Day, *Castine*
Marylee Dodge, *Rockport*
Harland Eastman, *Springvale*
Les Fossel, *Alna*
Hugh French, *Eastport*
William Hall, *Peaks Island*
Thomas L. Hinkle, *Portland*
Edward Hobler, *Portland*
Amy Cole Ives, *Hallowell*
Thomas Johnson, *Portland*
Erik Jorgensen, *Portland*
Kurt Klebe, *Falmouth*
Theodore S. Koffman, *Portland*
John C. Leeke, *Portland*
Marc Liberman, *Bryant Pond*
Carolyn Lockwood, *Bath*
Sara K. Martin, *Bangor*
Ann Miller, *Castine*
William Murtagh, *Penobscot*
Sally Oldham, *Portland*
Michael Pullen, *Hampden*
Sally W. Rand, *South Freeport*
John Rohman, *Bangor*
David Shaub, *Union*
Earle Shettleworth, Jr, *Hallowell*
Susan Snead, *Camden*
Nathan Szanton, *Portland*
Deborah Thompson, *Bangor*
Matthew Tonello, *Scarborough*
Cynthia Wheelock, *Portland*

With the possibility of acquiring historic tax credits, Portland has an opportunity for a rehabilitated complex to become once again a vital community asset. We hope the preservation community and the owners can come to a consensus around the rehabilitation of these key buildings in order to preserve and enhance the architectural integrity, feel and spirit of the complex as a whole.

Thank you for your service.

Sincerely,

Greg Paxton
Executive Director

Greater Portland Landmarks, Statement for Historic Preservation Board July 15, 2015

Greater Portland Landmarks supports the Historic Preservation Board's recommendation to create the Portland Company Historic District as documented in the July 15th draft historic district designation report. The key recommendations we support are as follows:

The complex is significant on the local, state and national level

The buildings retain a high degree of historical integrity.

The period of significance is identified as the period from the beginning of the foundry in 1847 through the end of World War II. The period of significance for the architecture of the buildings is identified as through 1920, since the last major building in the complex was completed in 1918.

The structural condition of several of the buildings, as identified in the report, is such that they warrant a classification as non-contributing: these buildings are Building 4 (due to the construction techniques of the metal supports embedded in the masonry, and the inadequate truss system supporting the roof); Building 7, 10, and 11 (identified in 2 structural engineering studies as structurally deficient and in very poor overall condition), and Buildings 14 and 15 (due to poor condition and alterations).

Two additional buildings, Building 5 and Building 30 are rated non-contributing, as outside the period of significance. The total number of buildings rated non-contributing is 8.

Contributing buildings include: Buildings 1, 2, 3, 6A and 6B, 16 and 24, and Building 12. These buildings retain the character defining arrangement that reflects the manufacturing process at the Portland Company complex. Buildings 1-3, Buildings 6A and 6B, and Buildings 16 and 24, which bookend and define the row along the Fore Street retaining wall, set up the linear arrangement that is characteristic of the site. Building 12, set apart to protect the pattern storage from fire danger, establishes the western edge of the complex and defines the entrance yard in front of Building 1. The total number of buildings rated contributing is 8.

We support the proposed boundaries of the district, which encompass 3.45 acres of the 10 acre site. These boundaries allow the historic preservation board to review changes and new construction that impacts the character defining elements of the complex, including the entrance yard, skybridges, and the sites of any non-contributing buildings that may be demolished.

We believe that the proposed district is a fair balance of the community's proven desire to preserve the authentic places that tell its history and make it unique, with the developers desire to create a new mixed-use development on the site. The board has made it clear that it is open to new construction within the district, including additions to the historic buildings. As is demonstrated in a variety of projects in existing districts such as the Old Port and Congress Street, they have a track record of working with property owners to find creative solutions that support contemporary uses of historic buildings and approving innovative new architecture in historic contexts.

We urge you to adopt the designation report and to forward it to the planning board and council for their deliberation and approval.

Hilary Bassett
Executive Director

Comments of Barbara Vestal, 7 Fore St., Portland submitted to Portland's Historic Preservation Board, July 15, 2015

I would like to raise one question about the designation report. 14-617 says that your designation report will contain "proposed design guidelines for review of alteration or construction." However on page 8, it says that specific design guidelines will not be proposed for the district.

There is a lot in the report that is very much like design guidelines. Could they be recast as design guidelines? The photos illustrate some key visual characteristics. The report says that it is import that these strong visual characteristics be considered in future infill development, new construction and site improvements. Would it take much more work to affirmatively state these as design guidelines? I think it would help future Boards to have that as a reference.

Having design guidelines in the district designation report is important. The Design Guidelines for the Eastern Waterfront are not very detailed. The B-6 design guidelines are written so they apply to structures along public streets. The internal circulation pattern may be private ways rather than public streets. In that case, they will not apply.

Even if you do not propose overall design guidelines, I would encourage you in the designation report to consider the "Portland Company Alignment". That appeared as a "no build area" as part of the 2004 Eastern Waterfront Building Height Study. (Copy attached.) In this Illustration 33, the building envelope of the building to the south is pulled back so from Thames St, one would have a view into the alley between the buildings.

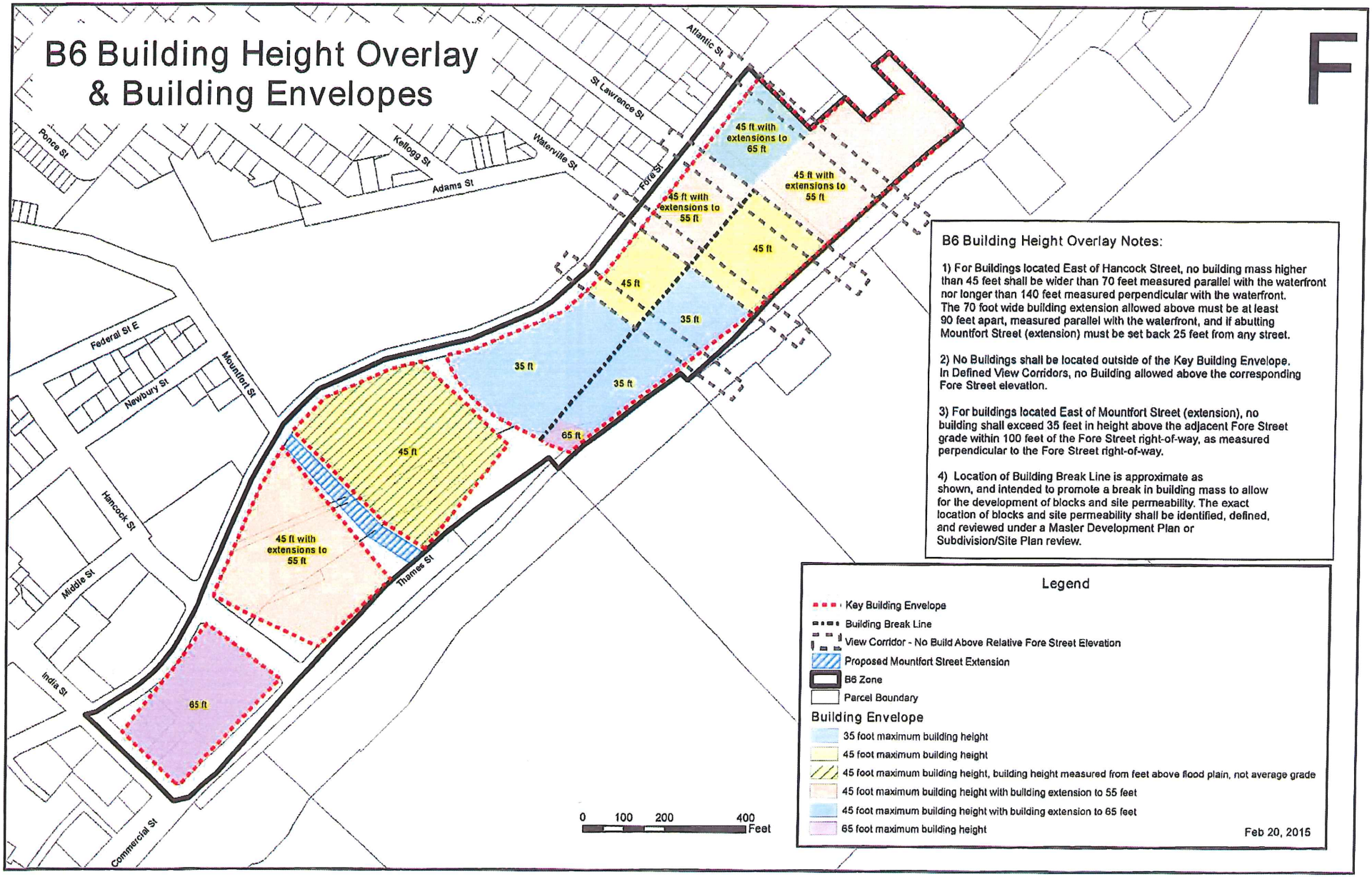
By the time the application got out of the Planning Board, the "no build zone" Portland Company alignment had turned into a "building break line." Note #4 addresses it. Instead of a 50' or so break between buildings, it has no particular width. If you think it is important to maintain the alley pattern in this location, that should be addressed in a design guideline.

I understand you have been asked to agree that the maximum building heights by zoning should trump the ability of HP to ask for any lower heights for purposes of meeting the historic preservation standards. This would be unusual, and is only done in Portland in the Congress St. District. It made some sense in the Congress St. district because it applied to existing buildings with a wide variety of heights. Here there is a basic fabric of 2-3 story buildings.

It seems like the designation report should say that you do not feel that it is appropriate to tie your hands like this. It could be particularly relevant along Fore Street, where the Planning Board approved heights being measured from average grade, and allowed buildings along Fore St. to go up to 35' above the grade of Fore St. Depending on the grade measurements, this height calculation might allow buildings to be constructed on top of buildings 16 and 24. Under some interpretations, if you have no option but to defer to the zoning heights, you might not be able to prevent that even if it violates many of your review standards.

B6 Building Height Overlay & Building Envelopes

F



B6 Building Height Overlay Notes:

1) For Buildings located East of Hancock Street, no building mass higher than 45 feet shall be wider than 70 feet measured parallel with the waterfront nor longer than 140 feet measured perpendicular with the waterfront. The 70 foot wide building extension allowed above must be at least 90 feet apart, measured parallel with the waterfront, and if abutting Mountfort Street (extension) must be set back 25 feet from any street.

2) No Buildings shall be located outside of the Key Building Envelope. In Defined View Corridors, no Building allowed above the corresponding Fore Street elevation.

3) For buildings located East of Mountfort Street (extension), no building shall exceed 35 feet in height above the adjacent Fore Street grade within 100 feet of the Fore Street right-of-way, as measured perpendicular to the Fore Street right-of-way.

4) Location of Building Break Line is approximate as shown, and intended to promote a break in building mass to allow for the development of blocks and site permeability. The exact location of blocks and site permeability shall be identified, defined, and reviewed under a Master Development Plan or Subdivision/Site Plan review.

Legend

- Key Building Envelope
- Building Break Line
- View Corridor - No Build Above Relative Fore Street Elevation
- Proposed Mountfort Street Extension
- B6 Zone
- Parcel Boundary

Building Envelope

- 35 foot maximum building height
- 45 foot maximum building height
- 45 foot maximum building height, building height measured from feet above flood plain, not average grade
- 45 foot maximum building height with building extension to 55 feet
- 45 foot maximum building height with building extension to 65 feet
- 65 foot maximum building height

Feb 20, 2015

STUDY AREA (3 STORY MINIMUM)

KEY BUILDING ENVELOPES BY HEIGHT

NO BUILD ABOVE RELATIVE FORE STREET ELEVATION

GENERAL NOTES:

1. FOR BUILDINGS EAST OF HANCOCK STREET OR ITS EXTENSION, BUILDING MASS ABOVE 4 FLOORS (45 FEET ABOVE THE AVERAGE GRADE) SHALL NOT BE WIDER THAN 70 FEET PARALLEL WITH THE WATERFRONT NOR LONGER THAN 140 FEET PERPENDICULAR WITH THE WATERFRONT.

2. THE HEIGHT OF BUILDINGS AND TOWER MASSES EAST OF MOUNTFORT STREET OR ITS EXTENSION SHALL BE MEASURED FROM 2' ABOVE THE FLOOD PLAIN ELEVATION FOR THE SITE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM. WHERE ALLOWED, BUILDING MASS ABOVE 4 FLOORS SHALL NOT BE WIDER THAN 70 FEET PARALLEL WITH THE WATERFRONT NOR LONGER THAN 140 FEET PERPENDICULAR WITH THE WATERFRONT.

3. THE 70' WIDE TOWERS, AS DEFINED ABOVE, MUST BE AT LEAST 140 FEET APART, MEASURED PERPENDICULAR WITH THE WATERFRONT.

4. NO BUILD FLOATING ZONES ARE VIEW CORRIDORS WITH NO BUILDING ABOVE THE CORRESPONDING FORE STREET ELEVATION.

5. NO BUILDINGS SHALL BE LOCATED OUTSIDE OF THE KEY BUILDING ENVELOPES.

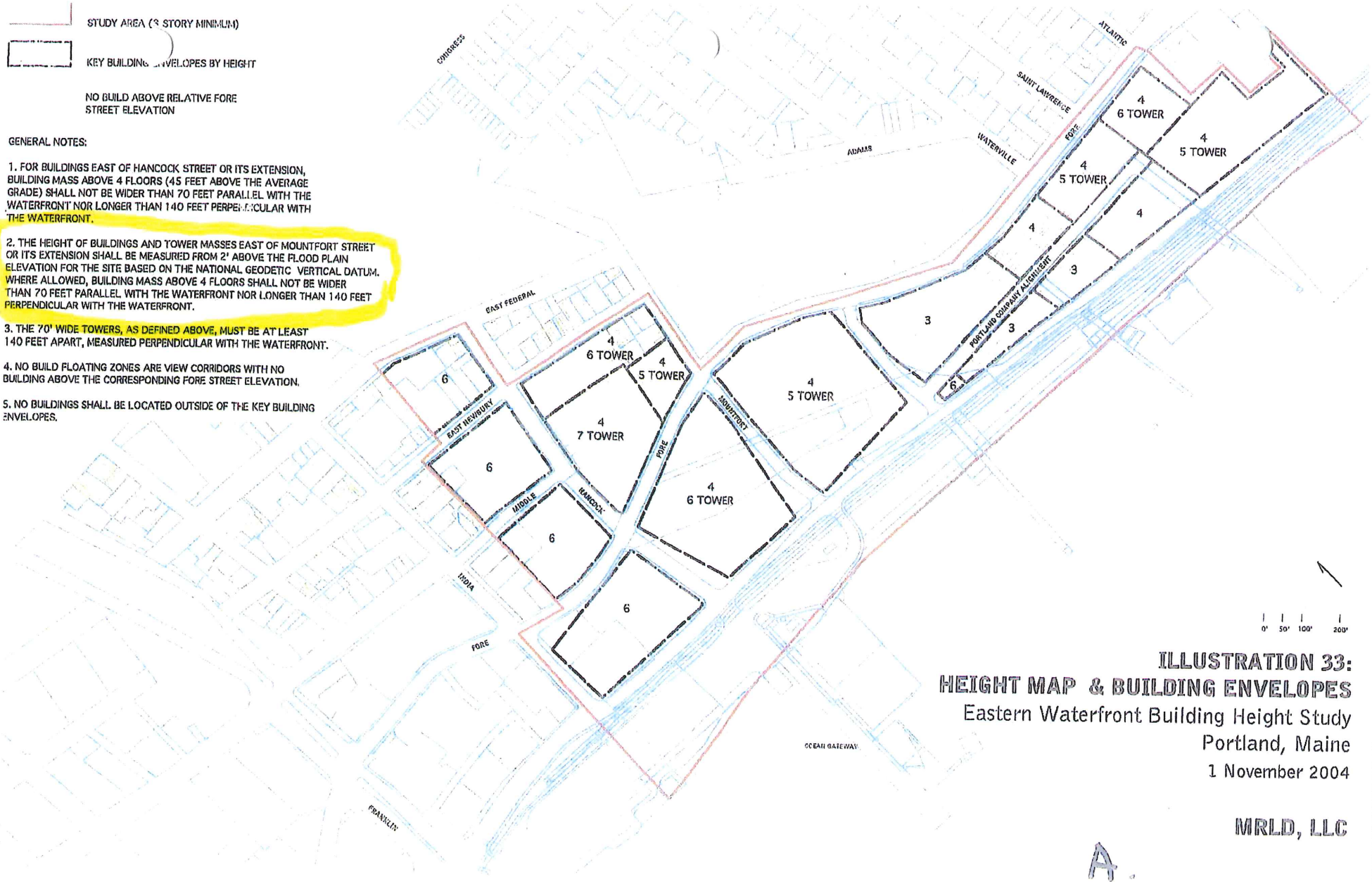


ILLUSTRATION 33:
HEIGHT MAP & BUILDING ENVELOPES
Eastern Waterfront Building Height Study
Portland, Maine
1 November 2004

MRLD, LLC

A.

BERNSTEIN SHUR
COUNSELORS AT LAW

207-774-1200 main
207-774-1127 facsimile
bernsteinshur.com

100 Middle Street
PO Box 9729
Portland, ME 04104-5029

Mary E. Costigan
207 228-7147 direct
mcostigan@bernsteinshur.com

June 24, 2015

Portland Historic Preservation Board
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Nomination of Portland Company Historic District

Dear Members of the Historic Preservation Board:

Please accept this letter in response to the Board's preliminary deliberations regarding the nomination of the Portland Company property as a historic district submitted on behalf of CPB2, the owner of the property. CPB2 is committed to preserving the significant historic core of the Portland Company complex. While we agree with some of the preliminary conclusions of the Board, we are concerned with the inconsistent application of the Historic Preservation Ordinance that led the Board to conclude that Buildings 1, 4, 14 and 16 are all contributing buildings. Our comments on the Board's preliminary deliberations are summarized as follows: We agree with the Board's proposed designation of buildings 2, 3, 6A, 6B, 12 and 24 as contributing buildings and buildings 7, 10, 11, 15 and 30 as non-contributing. However, we believe that the record and the Ordinance support a finding that buildings 1, 4, 14, and 16 are non-contributing for the reasons set forth below.

Introduction

Our comments and proposal are strongly supported by the conclusions of both structural engineers, one commissioned by the City, Greater Portland Landmarks and CPB2, and the other solely by CPB2. Both reports align exceptionally well with each other. The combination of the consultant fees approached $30,000 and this expenditure aimed to provide the Board with an analysis of the structural integrity of the majority of the buildings on the site. On the whole, across all of the buildings reviewed, the average rating was 2.0: Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition. The overall structural condition of the buildings makes it infeasible to preserve all of the buildings on the site. However, we believe that it is feasible to preserve and restore the significant historic core of the complex in a manner that celebrates its history to be enjoyed by future generations.

Restoration of any of the buildings on the property will require a significant investment of both time and money. CPB2 encourages the Board to approach the designation with a balanced approach, abiding strictly to the Historic Preservation Ordinance with regard to

structural integrity. It is imperative to select the most historically significant structures worthy of preservation so that the necessary investment can be made to do it the right way. An imbalanced approach may very well lead to a designation that endangers the financial viability and overall quality of the redevelopment. Specifically with regard to Buildings 1 and 4, the Board should be mindful of the additional costs associated with the reuse of large volume buildings that require additional floors to adapt to a modern use that is economically viable.

There has been some discussion by the Board regarding the impact of designation on the ability of CPB2 to obtain historic tax credits for work on the property. It is our understanding that as long as the district boundaries and building classifications are established in accordance with and supported by a certified ordinance, like Portland's, there is no adverse impact upon a property owner's ability to obtain tax credits, if otherwise eligible.

Building Classification

As you are aware, the Ordinance defines non-contributing as: "A classification applied to a site, structure, object, or portion thereof, within a historic district signifying that 1) it does not contribute generally to the qualities that give the historic district cultural, historic, architectural or archaeological significance as embodied in the criteria for designating a historic district; 2) was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the location, design, setting, materials, workmanship and association have been so altered or have so deteriorated that the overall integrity of the site, structure or object has been irretrievably lost." The structural reports and the report from Sutherland Conservation and Consulting all support our proposal below to classify a few additional buildings as non-contributing due to either their structural integrity, lack of historic significance, or both.

Building 1: Built in 1918

Building 1 was built over 70 years after the founding of the Portland Company in 1847. It was built in the year that has been determined by the Board to be the end of the period of significance. The current Building #1 replaced an earlier, smaller building, estimated to have been built between 1871 and 1880 (see attached photo). Building 1 was built as an erecting shop, which was the same process that took place next door in Building 2 prior to the construction of the original building 1. Because Building 1 was built at the end of the period of significance, it necessarily follows that the building and the activities that occurred within it do not have a high degree of significance. In addition, as noted in the Sutherland Report and by the Board, the south elevation has been significantly altered with the increase in the size of the bay doors.

The construction of Building 1 masked the architecturally significant façade of Building 2 as seen the attached photo. The removal of Building 1 would reveal the original façade of the 1847 building, as well as the original yard and allow for a truer restoration to the original Portland Company.

Finally, the structural integrity of Building 1 was rated a 2.0 by Becker Structural Engineers and a 2.5/P2 by Resurgence Engineering & Preservation in accordance with the following scale:

2. Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition
3. Poor/requires substantial structural work to elements & systems

In its report, Becker justifies its rating with the following: "All major structural systems will be affected in a renovation. Exterior masonry piers have major vertical cracks. Steel lintels create a hinge condition in exterior masonry piers and therefore their stability is questionable. End bay has large masonry openings that are not original to construction and seismic performance of system is very questionable. Rehabilitation of open one story space would have high unit costs considering necessary investment in structure verse net usable space."

The anticipated work necessary for renovation/restoration of Building 1 noted by Becker and Resurgence are:

- Replace roof decking with metal deck along with new roofing and insulation.
- Establish diaphragm connections to existing walls.
- Reinforce roof to meet snow loading requirements.
- Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry and rebuild certain areas as required. Extensive rebuilding will be necessary to address cracked masonry pier conditions. Clean masonry.
- Repair or replace steel windows and window sills
- Rebuild the west elevation, wrapping around to the north and south elevations
- Provide a shear wall at the east end of the building as necessary

Based on the above information, we propose that Building 1 be classified as Non-Contributing based upon the date of construction, the fact that it is not the original erecting shop for the Portland Company, and because of its poor structural integrity. Building 1 does not contribute generally to the qualities that give the historic district cultural, historic, architectural or archaeological significance and the design, materials, and workmanship have been so altered and deteriorated that the overall integrity of the structure has been irretrievably lost.

Building 4: Built in 1895

Building 4 replaced the original foundry of the Portland Company site, which was built in 1847, the date of the founding of the Portland Co. Although Building 4 is more historically significant than Building 1, its structural condition is so deteriorated that the overall integrity of the structure has been irretrievably lost.

Building 4 was rated a 1.5 by both Becker Structural Engineers and Resurgence Engineering & Preservation in accordance with the following scale:

1. Very poor/unsafe/demolition likely

2. Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition

Notably, Building 4 received a lower rating from the engineers than Buildings 7 and 11 which have been proposed by the Board to be classified as non-contributing due to their structural condition. In its report, Becker justifies its rating with the following: "The entire exterior masonry façade will need to be deconstructed, the columns repaired and the exterior masonry reconstructed. Many of the original relic bricks will likely be destroyed in this process. If original foundation is to be reutilized, façade will need to be reconfigured to protect columns from corrosion. Given the large open volume of this building, the required structural repairs identified in the above sections have a high unit cost."

The anticipated work necessary for renovation/restoration of Building 1 noted by Becker and Resurgence are:

- Lattice columns are compromised and will require complete replacement
- Require substantial reconfiguration of exterior wall system in order to remove and replace existing columns.
- Replace roof decking with metal deck along with new roofing and insulation as well as establish diaphragm connections to existing walls.
- Reinforce roof to meet snow loading requirements.
- Introduce lateral load resisting system with wall shotcrete or steel frame.
- Repair exterior masonry and rebuild certain areas as required.
- Extensive rebuilding will be necessary to address deteriorated steel columns. Clean masonry.
- Address north and south wall column deficiencies.
- Replace concrete masonry walls at the east end of the building and rebuild the east gable wall.
- Repair or replace windows.
- Repair the bearing wall between Building 3 and Building 4.

In the draft report located within Deb Andrews' June 19th memo there is a footnote to Building 4, which the Board is proposing to classify as contributing "with qualifications." That qualification states that more detailed structural/architectural analysis is warranted due to the historic importance of the building and that "if the degree of reconstruction required to put the building into service would result in undue loss of original building fabric, the Historic Preservation Board is prepared to reclassify Building 4 as non-contributing." As noted by both structural engineers, Building 4 will have to be fully deconstructed and rebuilt and would unquestionably result in the loss of the original building fabric. There is no additional structural analysis needed to make this determination.

If Building 4 is rebuilt, it would require an entirely different architectural and structural form to protect the columns from corroding. Building 4 represents a failed architectural and structural system and there is no question that it is so deteriorated that the overall integrity structure has been irretrievably lost. We therefore propose that Building 4 be classified as non-contributing.

Building 14: Built in 1858

The Board has proposed that Building 15 be classified as non-contributing and that Buildings 14 and 16 on either side of 15 be classified as contributing. The proposed classification creates a bit of a dilemma in determining the best way to restore/reconstruct those buildings. More than the buildings themselves, the significance of Buildings 14 and 16 is due more to their relationship to and alignment with Buildings 2 and 3, creating a back alley-way parallel to Fore Street. We recognize the importance of protecting the presence of the alley as well as the footprint of the existing buildings that define the alley, but do not agree with the classification of Buildings 14 and 16 as contributing.

Building 14 was noted in the Sutherland report with the following description: "The Drafting Room and Storehouse retain integrity and have had little alterations over their history." There is no photographic evidence available to verify this. In addition, Building 15 and 16 have deteriorated brick facades, and building 14 has a wood façade in fair condition. Given the brick interior of the building, it is unlikely that this wood façade is original to the structure. Our proposal is to respect the alley way and footprint of these buildings, but to classify Building 14 as non-contributing given that a restoration would focus on the building footprint, not the building façade. Building 14 does not contribute generally to the qualities that give the historic district cultural, historic, architectural or archaeological significance and the design, materials, and workmanship have been so altered that the overall integrity of the structure has been irretrievably lost.

Building 16: Built in 1864 as the Brass Foundry.

Building 16 was rated a 1.5 by Becker Structural Engineers and not rated by Resurgence Engineering & Preservation in accordance with the following scale:

1. Very poor/unsafe/demolition likely
2. Very poor/salvageable with significant structural rework and investment/questionable economic viability/consider demolition

In its report, Becker justifies its rating with the following: "Building 16 currently is not weather tight and extensive work will be necessary address this condition. Entry conditions will need to be brought up to current code for fire and egress compliance. Roof likely not framed to address drifted snow from adjacent high roof/street and will require reinforcement."

The anticipated work necessary for renovation/restoration of Building 16 noted by Becker and Resurgence are:

- Repair exterior masonry including extensive repointing and rebuilding to creating contiguous wall conditions.
- Replace windows.
- Create accessible entrance and incorporate 2 means of egress.
- Roof reinforcing to support snow load of properly insulated roof.

We therefore propose that Building 16 be classified as non-contributing based on its structural condition.

District Boundaries

We have attached a depiction of the boundaries of a proposed historic district on the Portland Company property. It includes buildings 2, 3, 6A, 6B, 12, 24, 14, 15, and 16, as well as a portion of Building 1. As you can see it does not include the entrance or the current yard, as we believe that the significant historic core of the complex from 1847 included the façade of building 2 and the original yard. Including a portion of Building 1 within the district as a non-contributing building will allow Building 1 to be removed to reveal the façade of Building 2 and to preserve the original yard. In addition, as stated above, we agree that the alignment of buildings 14-16 is an important element of the site, even though the buildings themselves are non-contributing. Therefore, we propose to include those buildings in the district in order to ensure that their footprints are respected in any future development.

In addition, Section 14-611 of the Ordinance requires that "any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration." The district boundaries as currently proposed by the Board does not meet this standard. The attached proposal by CPB2 does meet the standard set forth in Section 14-611 and therefore the property owner is requesting that the Board's preliminary proposal be amended accordingly.

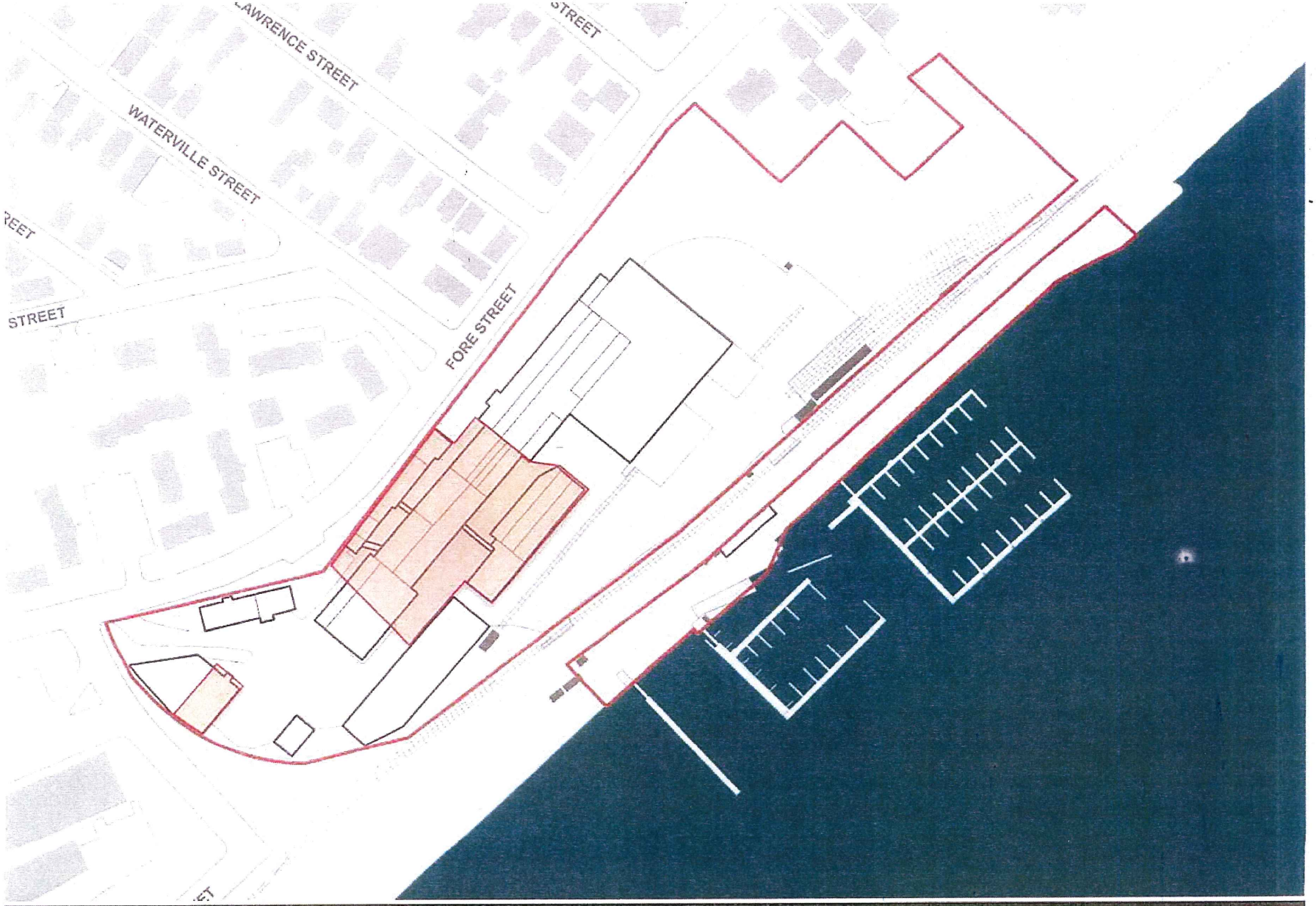
Building Height

During the last workshop, it was suggested that the Board include language regarding the height of buildings within the district similar to that of the Congress Street District. We would request that such language is added to the Portland Company district as follows: "the height allowances established by zoning shall be honored in reviewing proposals for new construction within the district." The reason for this request is that there has been a significant amount of work involved in creating a height overlay for the B-6 zone within which the property is located. The height study behind the overlay dates back over ten years ago and was recently vetted thoroughly by the Planning Board and the City Council. We therefore request that the existing height overlay be honored by the Board in its review of future proposals.

Thank you for your time and thoughtful consideration regarding this important property. We look forward to working with you in the future as the property is developed in a way that we can all be proud of.

Sincerely,

Mary E. Costigan

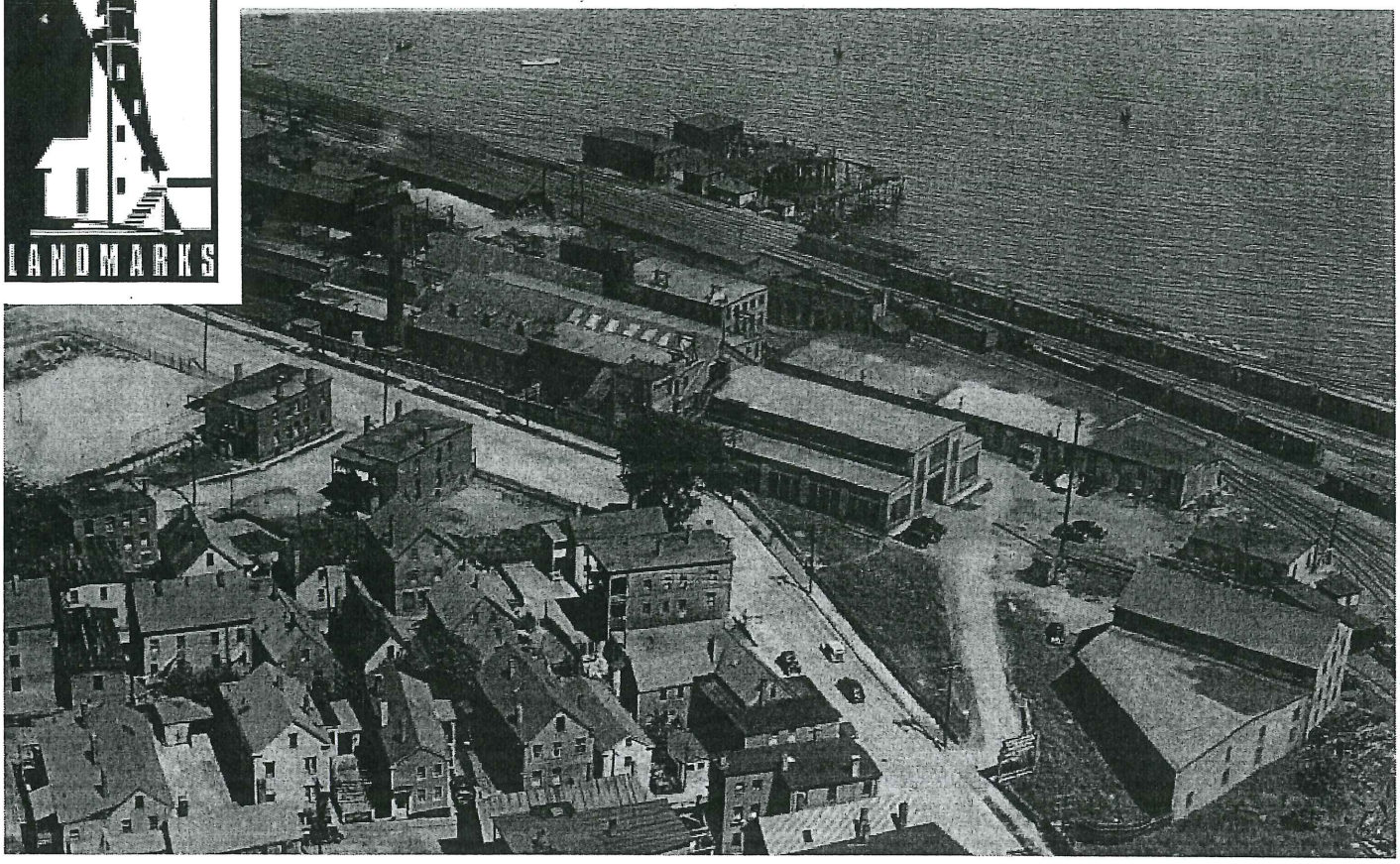


58 Fore Street: Proposed Historic District Boundaries

delivered 6/24/15

GREATER PORTLAND LANDMARKS

A POTENTIAL PORTLAND COMPANY HISTORIC DISTRICT



The Sutherland Consulting report identifies the Portland Company as a unique nationally significant example of a complete 19th century locomotive manufacturing facility. It appears to have been the first complex in the United States built specifically for the manufacture of railroad equipment with all of the necessary work shops and a foundry on a single site. It contains the oldest surviving railroad shop buildings in the nation still within their historic manufacturing complex context. It is also significant at the state and local level in the areas of industry, community planning and development, and architecture. Greater Portland Landmarks supports local historic district designation to preserve this rare example of an industrial manufacturing complex.

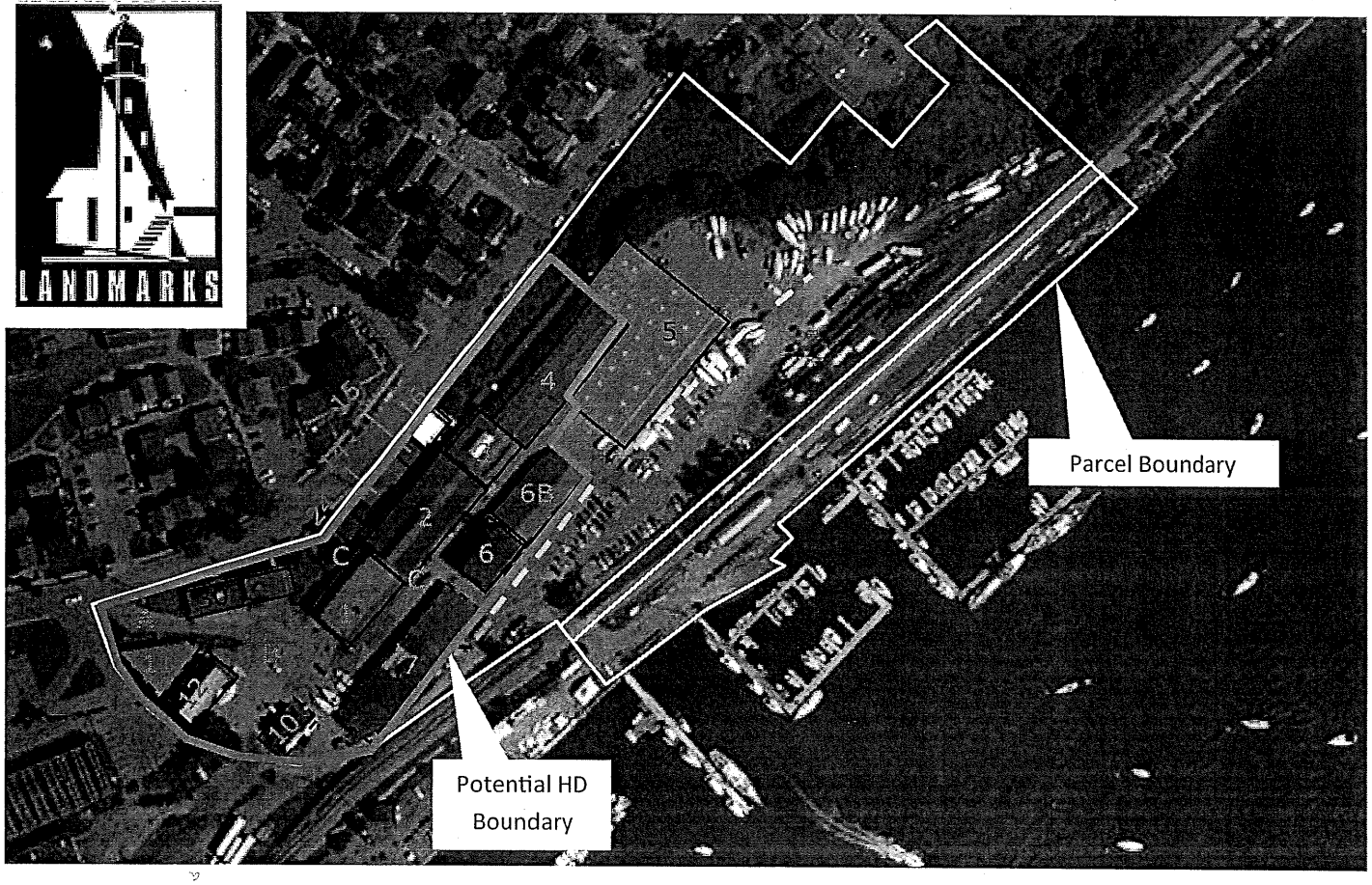
The visual character of the historic complex is defined by the relationship of the buildings to each other and its location below the original shoreline along Fore Street. Still accessed by the 1847 curving driveway off Fore Street, the complex is located on former mud flats and land filled to accommodate the construction of the St. Lawrence and Atlantic Railroad. The proximity and linear orientation of the buildings permitted related manufacturing processes to take place in an efficient progression of production. The alleys formed by the closely built manufacturing buildings are spanned by pedestrian bridges that afforded covered passage between interconnected areas of production. The entrance yard at the south end of the site separated the manufacturing buildings from the combustible materials in the paint shop and the invaluable patterns stored in the two pattern buildings and accommodated railroad tracks to carry locomotives to the nearby railroad yard.

The complex should be locally designated by the City of Portland to preserve the elements of this complex sufficient to illustrate the evolution of this industrial factory as well as the industrial processes and assembly methods that produced the locomotives, boilers, and other products for Maine and the nation.

Greater Portland Landmarks supports a Portland Company Local Historic District that would include nine contributing industrial buildings and site features that comprise the historic foundry-machine shop complex and its historic entrance yard off Fore Street. The boundary of the potential district includes those resources that are historically associated with the manufacture of locomotives, boilers, and other cast iron items for the transportation, paper making, and canning industries during its period of significance from 1847-1920* and retain adequate integrity to portray their relationship to the manufacturing process.

GREATER PORTLAND LANDMARKS

A POTENTIAL PORTLAND COMPANY HISTORIC DISTRICT



The boundary encompasses all of the significant resources and features that comprise the proposed district as well as six non-contributing resources. The non-contributing resources include Buildings 4 and 7, large scale masonry buildings that contribute significantly to the complex's alley-way character, but are structurally deficient, the significantly altered former boiler house, and two small scale masonry buildings that are also structurally deficient, Buildings 11 and 10. The proposed boundary was drawn based on the limits of the manufacturing complex during its period of significance and to exclude modern intrusions and parking areas as much as possible. The northern boundary is determined by Fore Street. The western boundary is defined by the historic limits of the parcel. The northern and eastern boundaries were drawn to exclude modern buildings and areas of the site that no longer contribute to the integrity of the complex.

*The period of significance begins with the construction of the oldest buildings in the complex and ends after the last significant manufacturing building was completed.

1	Erecting Shop, 1918 (**C**)	7	Car Shop, c1873, 1904 (**N**)	24	Vault Storage, c1905 (**C**)
2	Machine Shop, c1847 (**C**)	10	Paint Shop, c1873 (**N**)	30	Office, 1950 (**N**)
3	Machine Shop, c1847, c1895 (**C**)	11	Pattern Storehouse, c1885, 1895 (**N**)	A	Entrance Drive (**C**)
4	Foundry, 1895, 1904-1909 (**N**)	12	Pattern Storehouse, 1895 (**C**)	B	Entrance Yard (**C**)
5	Late 20th century (**N**)	14	Drafting/Storehouse, c1858-64 (**C**)	C	Alley (**C**)
6	Chapman Elec Co.., 1896-1904 (**C**)	15	Boiler, 1858-1864 (**N**)		
6B	Black Smith & Tank Shop, 1883 (**C**)	16	Brass Foundry, 1864-1871 (**C**)		

C = Contributing, **N** = Non Contributing

Maine Preservation
Our Heritage, Our Legacy

233 West Main Street • Yarmouth, Maine 04096
Tel (207) 847-3577 • info@mainepreservation.org
www. mainepreservation.org

June 24, 2015

Members of the Historic Preservation Board:

On behalf of Maine Preservation, the statewide nonprofit historic preservation organization, I am writing to support designation of The Portland Company complex site on Fore Street as a Local Historic District.

The Portland Company complex has local, statewide and national historic significance, yet years of deferred maintenance have left the complex buildings in serious disrepair. As noted in the memo to the HP Board by Deborah Andrews dated June 19, 2015, the preservation ordinance requires the nominated resource to have sufficient integrity of location, design, *condition*, materials and workmanship to make it worthy of preservation. Maine Preservation (MP) concurs with the HP Board assessment that several of the buildings are noncontributing because of their severely deteriorated condition including buildings No. 7, 10 and 11.

Maine Preservation shares the opinion that Building No. 4 is a key historic element of the complex core. But based on the Resurgence Engineering and Becker Structural Engineers assessments of the complex, the structural design of the building is greatly flawed. As such, the building requires demolition in whole or major part and reconstruction with a different structural design, which is not historic preservation. We urge the HP Board to thus determine this historically important building noncontributing due to condition.

MP in several conversations with the principals of CPB2, LLC has shared the goal of helping the project pursue historic tax credits, which will greatly improve the economic feasibility of the project as well as ensure rehab to preservation standards. Based on our conversation with Maine Historic Preservation Commission, we believe that a strong and unified case must be made to the National Park Service (NPS) to allow for certain buildings within the District to be determined noncontributing.

Buildings No. 14 and 16 appear in more dire condition than any other buildings on the site, but an engineer has not evaluated them. MP supports the goal of retaining their siting and the alleyway and any significant fabric that can be feasibly rehabilitated. But we support a local determination of contributing for 14 and 16 only if: 1) the owners may present further evidence of their condition which may remove them as contributing; 2) that significant fabric be retained as feasible in rehab; and 3) that additions atop these buildings be permitted, as has been previously discussed. MP requests that such a conditional determination of contributing be made for local review purposes only, with clear direction to the staff that if Portland nominates this district for state and national historic tax credits that these buildings *not be included as contributing for the tax credits*. This is based on their deterioration as well as the prohibition by the NPS for tax credit projects with rooftop additions visible from the street.

With the possibility of acquiring historic tax credits, Portland has an opportunity for a revitalized complex to become once again a vital community asset. Reaching too far to require reconstruction projects of the magnitude required by Buildings No. 4, 14, and 16 could place in jeopardy the entire redevelopment project. We hope the preservation community and the developers can come to a consensus around the rehabilitation of key buildings in order to preserve and enhance the architectural integrity, feel and spirit of the complex as a whole. Thank you for your service.

Sincerely,

Greg Paxton

Greg Paxton

Officers
James Schwartz, *President*
Cape Elizabeth
Lucy Foster Flight, *Vice President*
Portland
Holly Mitchell, *Vice President*
Raymond
Cynthia Taylor, *Vice President*
Scarborough
R. Tobey Scott, *Treasurer*
South Freeport
Anne F. Niles, *Secretary*
South Freeport

Trustees
Judith E. Barrington
Bath
Paul B. Becker
Yarmouth
Andrea Hurd Burns
Norway
Susan E. Burns
Falmouth
Pauline Dion
East Boothbay
Omerod Duckworth
North Yarmouth
Lorain Frances
Union
Christopher Glass
Camden
Alison Prawer
Cumberland Foreside
Bruce Snider
Belfast
Arron Sturgis
Berwick
Hans Underdahl
Yarmouth

Advisory Trustees
Eleanor G. Ames, *Portland*
Deborah Andrews, *Yarmouth*
Nancy L. Barba, *Portland*
Leonard Brooks, *New Gloucester*
Richard M. Candee, *York*
J. Donald Cyr, *Lille-sur-St. Jean*
James M. Day, *Castine*
Marylee Dodge, *Rockport*
Harland Eastman, *Springvale*
Les Fossel, *Alna*
Hugh French, *Eastport*
William Hall, *Peaks Island*
Thomas L. Hinkle, *Portland*
Edward Hobler, *Portland*
Amy Cole Ives, *Hallowell*
Thomas Johnson, *Portland*
Erik Jorgensen, *Portland*
Kurt Klebe, *Falmouth*
Theodore S. Koffman, *Portland*
John C. Leeke, *Portland*
Marc Liberman, *Bryant Pond*
Carolyn Lockwood, *Bath*
Sara K. Martin, *Bangor*
Ann Miller, *Castine*
William Murtagh, *Penobscot*
Sally Oldham, *Portland*
Michael Pullen, *Hampden*
Sally W. Rand, *South Freeport*
John Rohman, *Bangor*
David Shaub, *Union*
Earle Shettleworth, Jr, *Hallowell*
Susan Snead, *Camden*
Nathan Szanton, *Portland*
Deborah Thompson, *Bangor*
Matthew Tonello, *Scarborough*
Cynthia Wheelock, *Portland*

Memorandum
Planning and Urban Development Department
Transportation Division

To: Stuart O'Brien, Chair, and Members of the Portland Planning Board
From: Bruce Hyman, Transportation Program Manager
Date: July 22, 2015
Re: Proposed Sustainable Transportation Fund Amendments
Meeting Date: July 28, 2015

At the request of the Housing and Community Development Committee, department staff developed a set of potential amendments to three sections of the city ordinance:

- Section 14-332, governing Uses requiring off-street parking
- Section 14-345, establishing the Peninsula fee-in-lieu of parking provision
- Section 14-346, establishing and governing the Sustainable Transportation Fund (STF).

A marked up version of the proposed amendment is provided. The HCD Committee review also included proposed changes to parking requirements unrelated to the STF. These have been adopted previously and are not before you on July 28th.

Proposed changes to Section 14-332. Uses requiring off-street parking.

The proposed changes are to:

- Require contributions to the STF in some instances even when the Planning Board reduces the off-street parking requirements as part of its approval process (section 14-332 3(c) and Section 14-332.2. (c)).

Proposed Changes to Section 14-345. Peninsula fee-in-lieu of parking.

The proposed changes are to:

- Eliminate the provision related to adjust the fee annually
- Simplify how the fee level is established, eliminating reference to indexing according to Engineering News Record construction data.

Proposed Changes to Section 14-346. Sustainable transportation fund established

The proposed changes are to:

- Combine the funds generated by the fee-in-lieu and other means, eliminating distinctions in how funds can be spent (simplifying the process)

- Eliminate the requirement that fee-in-lieu funds be spent within the peninsula sub-district – or adjacent district if within 250 feet of a sub-district boundary - within which they are generated (but give preference to proximity to where they are generated)
- Eliminate the provision requiring the funds to be spent within 10 years
- Allows spending of funds city-wide rather than restricted to the peninsula
- Expand the language regarding bicycle and pedestrian projects eligible for STF
- Eliminates the requirement for an expenditure plan to be approved by both the Transportation, Sustainability and Energy Committee and the City Council, instead providing for periodic updates to the TS&E Committee and their endorsement for expenditures over $5,000.00.

In addition to the proposed amendments, staff meeting memos and meeting notes from the January 2014 HCD Committee are provided in your packet (with applicable sections highlighted).

Possible Change to Section 14-333/4: Remote Parking Allowances

One last possible amendment, not directly related to the STF but related to parking, has to do with the allowances for using off-site parking to satisfy parking requirements. This change is initiated by staff and was not discussed by the HCDC.

Currently off-site parking is allowed for principal uses in residential zones up to 300 feet away, and for principal uses in non-residential zones up to 100 feet away. Principal uses in non-residential zones can apply for off-site parking up to 1500 feet away under certain circumstances. Given our desire to be strategic about parking use, and to encourage shared parking and other creative parking solutions, we would like to see if there is any interest in making changes to these sections to increase these distances. For the purposes of discussion, we would initially propose increasing these distances to 500 feet and 250 feet.

DIVISION 20. OFF-STREET PARKING

Sec. 14-331. Defined.

Off-street parking, either by means of open-air spaces or by garage spaces which meet the standards set forth in the City of Portland Technical Manual, as hereafter amended, in addition to being a permitted use in certain zones, shall be considered as an accessory use when required or provided to serve conforming uses in any zone.
(Code 1968, § 602.14.A; Ord. No. 272-77, 5-16-77; Ord. No. 389-89, § 1, 4-3-89; Ord. No. 278-09/10, 7-19-10)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Sec. 14-332. Uses requiring off-street parking.

Except as provided in Section 14-332.1, 14-332.2 (exceptions) and 14-345 (fee in-lieu of parking) of this division, for the uses listed below the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations which increase the number of units, and changes of use:

(a) *Residential structures:*

1. For new construction, two, (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof.

2. For alterations or changes of use in existing structures, which create new or additional dwelling units in such structures, and for accessory units pursuant to §§14-68,78,88, one (1) additional parking spaces for each such unit. Existing parking spaces shall not be used to meet the parking requirements of this paragraph, unless the existing parking spaces exceed one (1) space for each dwelling unit.

3. For residential development on the peninsula (area defined as southerly of I-295).

   a. One (1) space per unit other than the first three (3) units [not included in 7/28/15 Pl Bd

Formatted: Not Highlight

discussion];

b. The required parking for multi-unit residential buildings may be partially met through provision of shared-use vehicles, which are vehicles owned and maintained by the owner/manager of the building and available for use on a fee basis to the residents of the building. One shared use vehicle shall be deemed to satisfy five (5) [not included in 7/28/15 Pl Bd discussion] required car spaces, but in no case shall more than 50% of the parking requirement be satisfied by shared vehicle use.

c. The planning board may establish a parking requirement that is less than the normally required number of spaces upon a finding of unique conditions that result in a lesser parking demand, such as housing for persons who cannot drive, housing that participates in a travel demand management program, availability of transit, or housing which includes permanent restrictions on automobile usage, and which is permanently restricted from utilizing resident on-street parking stickers. However, if such a lower parking requirement is established, the applicant must contribute to the Sustainable Transportation Fund as per 14-345(b) below, in zones where applicable, for the difference between the base parking requirement and this lower number.

4. For residential development in the B-2, B-2b, B-2c zones:

a. One (1) parking space per dwelling unit.

(b) *Motel:* One (1) parking space for each sleeping room.

(c) *Hotels:* One (1) parking space for each four (4) guest rooms.

(d) *Schools providing instruction for students up to and including those fifteen (15) years of age:* One (1) parking space for each room used for purposes of

Deleted: eight (8)

Formatted: Not Highlight

Formatted: Highlight

Deleted:

Formatted: Highlight

instruction.

(e) *Schools providing instruction for students sixteen (16) years of age and over:* One (1) parking space for each ten (10) seats or major fraction thereof, used for purposes of instruction; if no fixed seats, one (1) parking space for each one hundred (100) square feet or major fraction thereof used for purposes of instruction.

(f) *Hospitals:* One (1) parking space for each five hundred (500) square feet or major fraction thereof, of floor area, exclusive of cellar.

(g) *Auditoriums, theaters, assembly halls, funeral homes:* One (1) parking space for each five (5) seats or for each one hundred (100) square feet, or major fraction thereof, of assemblage space if no fixed seats.

(h) *Retail stores:* One (1) parking space for each two hundred (200) square feet of first floor area in excess of two thousand (2,000) square feet not used for bulk storage and one (1) parking space for each seven hundred (700) square feet, or major fraction thereof, for each floor above the first floor not used for bulk storage.

(i) *Restaurants or establishments constructed and intended for the dispensing of food and drink as the principal activity:* One (1) parking space for each one hundred fifty (150) square feet, or major fraction thereof, of floor area not used for bulk storage or food preparation.

(j) *Offices; professional and public buildings:* One (1) parking space for each four hundred (400) square feet, or major fraction thereof, of floor area exclusive of cellar not used for bulk storage.

(k) *Places of assembly (which includes private club and fraternal halls, places of religious assembly, and community halls):* One (1) parking space for reach one hundred and twenty five (125) square feet, or major fraction thereof, of floor area used for assembly area not including bathrooms, bulk storage, stairways, closets or other non-assembly areas.

(l) *For that part of every business, manufacturing, and industrial building not catering to retail trade and with floor area over three thousand (3,000) square feet:* One (1) parking space for each one thousand (1,000) square feet of floor area, or major fraction thereof.

(m) *Beds:* One (1) parking space for each eight (8) beds, or major fraction thereof.

(n) *Long-term, extended care and intermediate care facilities:* One (1) parking space for each five (5) beds, or major fraction thereof, plus one (1) parking space per each employee normally present during one (1) weekday morning shift.

(o) *Lodging houses:* One (1) parking space for each five (5) rooming units, except in the R-5 zone; in the R-5 zone, one (1) parking space for every two (2) rooming units.

(p) *Sheltered care group homes and emergency shelters:* One (1) parking space for every two (2) employees.

(q) *Congregate care facilities:* One (1) parking space for every three (3) living units.

(r) *Special needs independent living units:* One (1) parking space per every four (4) living units, plus one (1) parking space for each staff member, if any, normally present at any one time.

(s) *Bed and breakfast:*

1. *Except in the I-B zone:* One (1) parking space for each two (2) guest rooms or fraction thereof for the first four (4) guest rooms; one (1) parking space for each additional guest room in excess of four (4).

2. *In the I-B zone:* No off-street parking required.

(t) *Day care facilities*: Off-street parking shall be provided on the site for all staff of the facility. Parking for the facility shall not interfere with access to or use of play areas. In residential zones parking spaces may be stacked or placed side by side

in order to less their impact on the residential character of the lots and the neighborhood, and shall not be located closer than five (5) feet from the property line of any abutting residential use or residentially zoned site.

(u) *Private clubs:* One (1) parking space for each one hundred fifty (150) square feet, or major fraction thereof, of floor area.

(v) *Community Centers:* One (1) parking space for each 150 square feet, or major fraction thereof, of floor area, except for community centers which serve primarily clientele from the surrounding neighborhood, the parking requirement shall be one (1) parking space per 1,000 square feet, or major fraction thereof, of floor area.

(Code 1968, § 602.14.B; Ord. No. 268-77, 5-16-77; Ord. No. 431-82, § 2, 2-22-82; Ord. No. 575-86, §§ 1, 2, 5-19-86; Ord. No. 65-87, 11-2-87; Ord. No. 230-90, § 2, 3-5-90; Ord. No. 33-91, § 14, 1-23-91; Ord. No. 243-91, § 1, 3-11-91; Ord. No. 33A-91, § 8, 4-17-91; Ord. No. 125-97, § 10, 3-3-97; Ord. No. 232, §4, 3-15-99; Ord. No. 94-99, 11-15-99; Ord. No. 77-02/03, § 1, 10-21-02; Ord. No. 199-04/05, 4-4-05; Ord. No. 84-08/09, 10-20-08; Ord. No.36-09/10, 8-17-09; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 241-09/10, 11-15-10)

Sec. 14-332.1. Zone specific off-street parking exceptions and modifications.

The off-street parking requirements established for uses, established above in section 14-332 of this division, are hereby modified for the following zones a according to the provisions described below.

(a) *IR-3, Island Residential Zone, Off-street parking:* Off-street parking shall not be required irrespective of the requirements of division 20 (off-street parking) of this article.

(b) *USM Overlay Zone, parking:* The parking requirements of section 14-332 (division 2) shall not apply to university buildings. Instead, the amount of parking required for any university building or building addition shall be determined by the planning board during site plan review, based on an analysis of campus-wide parking demand and supply, pursuant to a comprehensive university parking management plan, and treating all contiguous land (including land on opposite sides of the street) owned by the university

as one lot. In determining the amount of parking required for any university building, the planning board may take into account such factors as:

1. The availability of off-campus parking and shuttle transportation to and from such off-campus facilities.

2. The ratio of commuter students to resident students.

3. The use of centrally located on-campus parking facilities so situated that students, faculty, staff and visitors arriving on campus can reasonably be expected to park in the central facilities and walk to their various on-campus destinations during the course of a school day.

4. Shared use of a single parking facility by two or more buildings when the peak parking demand period for such buildings do not overlap.

5. Development and implementation of a parking management plan which discourages on-street parking. On-street parking shall not be used to satisfy the university's parking demand.

6. Development and implementation of programs designed to reduce the number of automobiles parking on campus, such as ride share programs and incentives for use of bicycles and public transportation.

(c) *Recreation open space zone:* Off-street parking adequate to serve projected employee and visitor needs shall be provided. Parking needs projections provided by the applicant or the planning department should be considered in the review.

(d) *Change of use in the B-1, B-2 and B-2b zones:*

1. A change of use of 10,000 sq. ft. or less of floor area of a building or a portion of a building need not provide parking for non-residential uses, provided that if the number of existing parking spaces serving the site is less than the requirements of this division, that number of

parking spaces may not be reduced lower than the required amount prior to the change of use except:

a. To the extent necessary to meet the requirements of the Americans with Disability Act; or

b. To the extent it is a requirement or a condition of site plan review; or

c. To the extent the change of use requires less parking than the previous use and the total number of parking spaces serving the site exceeds the parking requirements of this division for all uses on the site including the change of use.

2. A newly constructed building, a building addition or a change of the use of a building exceeding 10,000 sq. ft. of floor area, shall provide the parking required by this division.

(e) *B-3 Zone*: No off-street parking is required for changes of use.

(f) *I-R1, Island Business Zone:* Off-street parking shall be required at twenty-five (25%) percent of the required number of parking spaces for specified uses as provided in division 20 (off-street parking) of this article, except that residential uses shall meet the full parking requirement.

(g) *B-5 Zone:* No off-street parking shall be required.

(h) *B-6 Eastern Waterfront Mixed Use Zone:* Off-street parking for all projects regardless of size shall be governed by 14-332.2(c) of this article.

(i) *B-7, Mixed Development District Zone:* Off-street parking for all projects regardless of size, shall be governed by 14-332.2(c) of this article.

(j) *Waterfront Zone parking requirements; Eastern Waterfront Port Zone; Waterfront Central Zone; Waterfront Port Development Zone; Waterfront Special Use Zone*: Off-street parking is required at fifty (50%) percent of the required number of parking spaces for

specifi8ed uses as otherwise provided in division 20 of this article.

(Ord. No. 240-09/10, 6-21-10)

Sec. 14-332.2. Categorical exceptions and modifications to off-street parking requirements.

Regardless of which zone a project of use is located, the following exceptions to the off-street parking requirements listed above in section 14-332 are additionally hereby established.

(a) *Home occupations, Section 14-410:* Any need for parking generated by the conduct of a home occupation allowed under section 14-410 of this article shall be met off the street and other than in a required front yard.

(b) *Incentives for affordable housing- parking reductions:* For each affordable housing unit for rent or sale within an eligible project under the Affordable Housing Ordinance established in 14-488(b) of this article, no more than one (1) parking space shall be required. The planning board may establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure.

(c) *Site plans over 50,000 square feet and projects in the B-6, B-7, and USM Overlay Zones:* The planning board shall establish the parking requirement for such structures. The parking requirement shall be determined based upon a parking analysis submitted by the applicant and upon the recommendation of the city transportation engineer. However, if such a lower parking requirement is established, the applicant must contribute to the Sustainable Transportation Fund as per 14-345(b) below for the difference between the base parking requirement and this lower number.

(d) *Exception for historic structures:* No parking in excess of that existing on or servicing the lot as of March 15, 1999 shall be required for any structure under Article IX of this chapter, as a contributing structure in a local or National Register historical district, or as a locally designated or National Register landmark building; however, parking may not be decreased from

Deleted: Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, the

Formatted: Highlight

that existing on or servicing the lot on March 15, 1999 except to the extent necessary to meet the requirements of the Americans with Disabilities Act.

(Ord. No. 240-09/10, 6-21-10)

Sec. 14-332.3. Uses requiring off-street bicycle parking.

In all zones where off-street motor vehicle parking is required, minimum off-street bicycle parking requirements shall be provided and maintained in the case of new construction, alterations and changes of use as specified in Section 14-526(a)(2) (Site Plan Standards).

(Ord. NO. 134-07/08, 2-4-08)

Sec. 14-333. To be located on lot with principal use in residential zones; exceptions.

Required off-street parking in all residential zones and accessory off-street parking in R-1 through R-5 zones shall be located on the same lot with the principal building or use, except that the Board of Appeals may permit such off-street parking to be located at a distance of not more than three hundred (300) feet from the principal building or use, measured along lines of public access where it cannot reasonably be provided on the same lot if the premises to be used for parking are held under the same ownership or lease as the building or use served and if said premises are located in the same or a less restricted zone as the building or use served. Evidence of such control, either deed or lease, shall be required. The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval.

Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.

(Code 1968, § 602.14.C; Ord. No. 94-99, 11-15-99)

Sec. 14-334. To be located on lot with principal use in nonresidential zones; exceptions.

Required off-street parking in all nonresidential zones

shall be located on the same lot with the principal building or use, or within one hundred (100) feet measured along lines of public access, except the Board of Appeals, or Planning Board when applicable, may permit off-street parking located further than one hundred (100) feet from the principal building or use upon finding that such off-street parking meets the following standards:

(a) *Distance from principal building or use site:* Off-street parking shall be located no more than 100 ft. from the principal building or use site measured along lines of public access.

(b) *Control by ownership or lease:* The premises to be used for parking shall be held under the same ownership as the principal building or use or by lease with a term of not less than five (5) years with an option to renew. Evidence of such control, shall be required by showing for review and approval by City Corporation Counsel, at a minimum, a signed letter of intent, purchase and sale agreement, or option for sale or lease at the time of approval, and an executed deed or lease prior to issuance of any certificate of occupancy.

The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval.

Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.
(Code 1968, § 602.14.D; Ord. No. 430-83, § 1, 4-25-83; Ord. No. 94-99, 11-15-99; Ord. No. 241-10/11, 11-15-10)

Sec. 14-335. Off-street parking restricted.

Off-street parking shall not include:

(a) More than one (1) commercial motor vehicle in any residence zone, the R-P zone or any B-1 zone;

(b) More than six (6) commercial motor vehicles in any B-2 zone;

(c) Loading, sales, dead storage, repair, or servicing of any kind, except when customarily incidental or accessory to a conforming principal building or use when located in an I-2, I-2b, I-3 zone and I-3b zone;

(d) Except in the case of a car dealer, more than one (1) unregistered motor vehicle stored outside for a period in excess of thirty (30) days in any residence zone, the R-P zone or any business zone;

(e) Notwithstanding (1) above, any truck body, commercial trailer or similar commercial vehicles in any residence zone or the R-P zone.

(Code 1968, § 602.14.E; Ord. No. 298-88, 5-31-88)

Sec. 14-336. Location in residence zones for six or fewer vehicles.

(a) Where off-street parking for six (6) or fewer vehicles is required or provided in any residence zone, it shall not be located closer than fifty (50) feet to any street line if less than five (5) feet from any lot line and shall not be closer to any street line than the required depth of the front yard for the same lot, except on a corner lot where the minimum depth from the line of the side street shall be the minimum width of the side yard on the side street. Lots in the R-6 zone shall not be required to provide the five-foot setback required by this section, but parking in the R-6 zone shall meet the front yard setbacks set forth in this section.

(b) Parking shall be prohibited in the front yard of lots containing two (2) or more dwelling units, except within one (1) driveway on the lot. "Driveway," as used in this paragraph, shall not include any turnaround area.

(Code 1968, § 602.14.F; Ord. No. 231-90, § 1, 3-5-90; Ord. No. 310-98, § 2, 5-4-98)

Sec. 14-337. Location in residence zones for more than six vehicles.

Where off-street parking for more than six (6) vehicles is required or provided for nonresidential uses in residence zones, it shall not be located closer than twenty-five (25) feet to any residential structure on an adjoining lot.

(Code 1968, § 602.14.G)

Sec. 14-338. When located within required open yard areas in residence zones.

(a) Where off-street parking for more than six (6) vehicles is required or provided on a lot in a residence zone and vehicles are to be or may be parked within the area otherwise required to be kept open and unoccupied for front, side and rear yards in the zone in which such parking is located, the following requirements shall be met:

(1) A continuous curb guard, rectangular in cross-section, at least six (6) inches in height and permanently anchored, shall be provided and maintained at least five (5) feet from the street or lot line between such off-street parking and that part of the street or lot line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least twenty (20) inches in height, shall be provided and maintained between such off-street parking and that part of the street or lot line involved so that bumpers of vehicles cannot project beyond its face toward the street or lot line involved, either above or below the impact surface.

(2) Where such off-street parking shall abut a lot in residential use or an unoccupied lot which is located in a residence zone, a chain link, picket or sapling fence, not less than forty-eight (48) inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

(b) Notwithstanding the provisions of subsection (a) of this section, parking shall be prohibited in the front yard of lots containing two (2) or more dwelling units, except within one (1) driveway on the lot. “Driveway,” as used in this paragraph, shall not include any turnaround area.
(Code 1968, § 602.14.H; Ord. No. 231-90, § 2, 3-5-90)

Sec. 14-339. When located adjacent to a street or a residential use.

Where off-street parking for more than six (6) vehicles is required or provided on a lot in any business zone, the following requirements shall be met:

(a) Where vehicles are to be or may be parked within ten (10) feet of any street line, a continuous curb guard, rectangular in cross-section, at least six (6) inches in height and permanently anchored, shall be provided and maintained at least five (5) feet from the street line between such off-street parking and that part of the street line involved; or a continuous bumper guard of adequate strength, the top of which shall be at least twenty (20) inches in height, shall be provided and maintained between such off-street parking and that part of the street line involved so that bumpers of vehicles cannot project beyond its face toward the street line involved either above or below the impact surface.

(b) Where such off-street parking shall abut a lot in a residence zone or a lot in residential use, a chain link, picket or sapling fence, not less than forty-eight (48) inches in height, shall be provided and maintained between such off-street parking and that part of the lot line involved.

(Code 1968, § 602.14.1)

Sec. 14-340. Construction requirements when more than six vehicles parked.

Where off-street parking for more than six (6) vehicles is required or provided, the following construction requirements shall apply:

(a) Appropriate driveways from streets or alleys, as well as maneuvering areas, shall be provided. Location and width of approaches over public sidewalks shall be approved by the traffic engineer.

(b) The surface of driveways, maneuvering areas and parking areas shall be uniformly graded with a subgrade consisting of gravel or equivalent materials at least six (6) inches in depth, well compacted, and with a wearing surface equivalent in quantities of compaction and durability to fine gravel.

(c) A system of surface drainage shall be provided in such a way that the waste run-off shall not run over or across any public sidewalk or street.

(d) Where artificial lighting is provided, it shall be

shaded or screened so that no light source shall be visible from outside the area and its access driveways.

(Code 1968, § 602.14.J; Ord. No. 96-88, § 1, 7-19-88)

***Editor's note**—Ord. No. 96-88, § 1, adopted July 19, 1988, amended subsection (a) of this section to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 96-88.

Sec. 14-341. Aisles required for six or more spaces.

In parking facilities containing six (6) or more parking spaces, there shall be provided vehicular access by one (1) or more aisles. Aisle widths shall be in conformance with the standards set forth in the City of Portland Technical Manual, as hereafter amended.

(Code 1968, § 602.14.A; Ord. No. 272-77, 5-16-77; Ord. No. 389-89, § 2, 4-3-89; Ord. No. 278-09/10, 7-19-10)

Sec. 14-342. Reserved.

***Editor's note**—Section 1 of Ord. No. 354-85, adopted Jan. 7, 1985, repealed § 14-342, relative to a reduction of requirements by the board of appeals, which derived from Code 1965, § 602.14.K.

Sec. 14-343. Either the Board of Appeals or the Planning Board may approve joint use.

(a) Except as provided in subsection (b) below, the Board of Appeals may approve the joint use of a parking facility by two (2) or more principal buildings or uses where it is clearly demonstrated that the parking facility will substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees among such establishments. This section shall apply to residential uses in the B-1, B-1b, B-2, B-2c and B-3 zone which propose joint use of a parking facility with another principal use in the B-1, B-1b, B-2 and B-3 zone. The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval.

Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or

not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.

(b) Requests for joint use of parking in the B-2b zone shall be reviewed and approved by the Zoning Administrator only in the following circumstances:

1. Residential uses above the first (1st) floor in buildings in the B-2b zone shall be permitted to share parking spaces with commercial uses located in the same building; and

2. It is clearly demonstrated that the joint parking arrangement will substantially meet the intent of the parking requirements by reason of a variation in the probable time of maximum use by patrons or employees of the commercial establishment and tenants of the residential dwelling units; and

3. Parties involved in the joint use of parking shall provide evidence of a binding agreement for the joint use of parking. Any subsequent modifications to the structure or change in the tenant occupancy of the commercial use(s) shall require review by the Zoning Administrator for conformance with this section.

Any decision by the Zoning Administrator on shared parking requests may be appealed to the Zoning Board of Appeals as an interpretive appeal pursuant to 14-471(a).
(Code 1968, § 602.14.L; Ord. No. 243-91, § 2, 3-11-91; Ord. No. 94-99, 11-15-99; Ord. No. 36-09/10, 8-17-09)

Sec. 14-344. Either the Board of appeals or the Planning Board may authorize parking in certain residence zones.

In R-3 through R-5 zones, the Board of Appeals may permit off-street parking for passenger cars only accessory to a use located in and conforming with the provisions of a nearby business or industrial zone (except B-1 zones) if the lot on which the use is proposed is located wholly within three hundred (300) feet, measured along lines of public access, of the principal building of the use to which the proposed use would be accessory and provided further that:

(a) The lot where the parking use is proposed shall be

under the control of the owner of the use to which the parking use would be accessory. Evidence of such control by deed or lease shall be required before the certificate of occupancy is issued. If such control should be abrogated, the parking use thus allowed shall automatically revert to a nonconforming use in violation of this article and shall be terminated forthwith.

(b) The Board of Appeals may impose such conditions as deemed necessary to insure development compatible with that of the immediate neighborhood notwithstanding the provisions of any other section of this article and may at its discretion limit the period of such use.

(c) The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval.

Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.
(Code 1968, § 602.14.M; Ord. No. 541-84, 5-7-84; Ord. No. 94-99, 11-15-99)

Sec. 14-345. Peninsula fee-in-lieu of parking.

Formatted: Highlight

Any major or minor development subject to site plan review located in a non-residential zone on the Portland Peninsula shall either provide the required parking or pay a fee according to the provisions of (a) and (b) below.

(a) Provide the number of off-street parking spaces according to the provisions of section 14-332 (uses requiring off-street parking) and section 14-334 (off-site parking) of this division; or,

(b) Pay a fee-in-lieu of parking of not less than $5,000.00 as adjusted per (c) below, per space not provided. Fees shall be deposited into the Sustainable Transportation Fund, as established in section 14-346 of this division.

Deleted: annually

(c) The value of the fee shall be adjusted by the Planning Board based on the increased cost of providing relevant services, after the holding of a duly noticed public hearing on the matter and notification of the City Council of such a change.

(d) The fee shall be paid on or before the date upon which a certificate of occupancy is issued. Payment shall be secured by a bond at the time the amount of the fee is set.

(Ord. No. 241-09/10, 11-15-10)

Deleted: annually according to the Engineer's News Record construction index as published on January 1st of the current calendar year. The fee adjustment shall be calculated by taking the index amount published on January 1st, of the current year, divided by the index amount published on January 1, 2010 (8660), multiplied by (the fee amount from (b) above). The base fee, the adjustment index, or the calculation method may be otherwise amended by action of the city council from time to time.

Sec. 14-346. Sustainable transportation fund established.

By act of the Portland City Council, the Sustainable Transportation Fund is hereby established.
(Ord. No. 241-09/10, 11-15-10)

Sec. 14-346.1 Sustainable transportation fund purpose.

The purpose of the fund is to implement those provisions of the Peninsula Transit Study Report, and Action Plan, as adopted by the Portland City Council on August 3, 2009 as a component of the city's Comprehensive Plan, which recommended creation of a Sustainable Transportation Fund. The Peninsula Transit Study Report and Action Plan establish a goal to reduce the number and impact of single occupancy vehicle trips to and from the Portland Peninsula. Achieving this goal requires transportation choice for residents, businesses, and visitors to the Portland Peninsula. This ordinance establishes a funding source for broadening transportation choice and facilitating development with lower traffic impacts and reduced parking requirements.

The mechanism and protocol for collecting fees and spending funds are consistent with state requirements for utilizing transportation related impact fees.
(Ord. No. 241-09/10, 11-15-10)

Sec. 14-346.2. Deposits and expenditures for the Sustainable Transportation Fund.

(a) *Deposits*

(1) The city shall establish a Sustainable Transportation Fund to be set up as a separate account within the city. Deposits into the fund shall include:

a. Revenue generated by the fee in-lieu of parking program, as established in section 14-345 of the city Land Use Code;

b. Funds appropriated for deposit into the fund by vote of the city council;

c. Voluntary contributions of money or other liquid assets to the fund; and,

Formatted: Highlight

Deleted: a

Deleted: 100% of the r

Deleted: n

Deleted: e

d. Any federal, state or private grant or loan funds provided to the fund.

(b) *Permitted expenditures of the fund*.

The Sustainable Transportation Fund may only be expended on the activities as described below:

a. Parking Infrastructure

i. Shared-use, publicly accessible parking facilities;

ii. Publicly accessible bicycle racks and bicycle parking shelters;

b. Transit Capital Improvements and Expenses

i. Bus shelters, bus turnouts, transit signage and other transit amenities;

ii. Buses and transit vehicles;

iii. Transit and transportation information systems;

iv. Fixed guide way and/or rail transit systems;

c. Pedestrian and Bicycle Infrastructure

i. Multi-use trails, and non-vehicular transportation corridors;

ii. Pedestrian infrastructure and amenities located on publicly accessible rights of way including, but not limited to cross walks, signalization, landscaping, street furniture, wayfinding signage, traffic calming, and lighting;

Deleted: ¶
(2) *Accounting of deposits by project and sub-district:* Funds from the fee in-lieu of parking program, as established in section 14-345 above, shall be individually collected and accounted for by project and the geographic *fee in-lieu of parking sub-district* in which it is located, as shown on the Portland Peninsula fee in-lieu of parking sub-district map on file with the Department of Planning and Urban Development.¶

Deleted: (3) *Funds to be used within 10 years of deposit:* Funds collected under the fee in-lieu of parking ordinance shall be spent on eligible infrastructure and/or capital improvements or expenses, as outlined in (b) and (c) below, within 10 years of the date of collection. Any funds which are not so utilized and which exceed the City's actual costs of implementing the infrastructure improvement or improvements for which such fees were collected shall be refunded. Refunds shall be paid to the owner of records of the property for which the funds were collected, determined as of the date the refund is made.¶

Deleted: (4) *Use of funds by sub-district:* Funds collected under the fee in-lieu of parking ordinance shallbe spent on permitted expenditures of the fund, as outlined in (b) below, within the same geographic fee in-lieu of parking sub-district as the contributing project as depicted on the Portland Peninsula Fee In-Lieu of Parking Sub-district Map on file with the Department of Planning and Urban Development. However, for projects located within two hundred fifty (250) feet of an abutting sub-district, contributed fees can be used for eligible infrastructure projects in either abutting sub-district.¶
¶

Deleted: (1) Funds collected as fees in-lieu of parking shall be expended toward capital transportation improvements on the Portland Peninsula. Such capital improvements shall include but are not limited to the following:¶

iii. New public sidewalks, shared use pathways and new bikeways along publicly accessible rights of way or corridors where such facilities are not previously provided;

d. Other such improvements intended to enhance transportation choice and promote transit and non-automotive transport in the City of Portland, with consideration given to the locations of any projects that contributed to the fund.

(c) The Transportation, Sustainability and Energy Committee shall be periodically updated on the status of the fund and shall be required to approve any expenditure of funds greater than $5,000 from the fund.

(Ord. No. 241-09/10, 11-15-10)

Deleted: sidealks

Deleted:

Deleted: bicycle lanes

Deleted: on the Portland Peninsula

Deleted: (2) Funds collected or appropriated by means other than from a fee in-lieu of parking may be used for any of the capital transportation improvements listed above in (b)(1), and for any of the following uses:¶
¶
a. Transportation Demand Management Program administration;¶
¶
b. On or off-peninsula transit and/or non-automotive transportation capital or operating expenses;¶
¶
c. Transit and/or non-automotive transportation promotion and education material; and¶
¶
d. Other such programs or improvements intended to enhance transportation choice and promote transit and non-automotive transport for the City of Portland.¶

Deleted: *Annual Sustainable Transportation Plan and Appropriations Schedule:*¶
¶
Annually, the city manager shall submit to the city council a recommended sustainable transportation plan and appropriations schedule, utilizing the revenues of the Sustainable Transportation Fund. The Transportation Committee of the city council or such other committee as the council shall designate shall recommend and refer the plan and appropriations schedule to the city council for action.

Deleted: ----------¶
***Editor's Note—**The effect of Section 14-346.2(a)(iv) above is to establish the western boundary of the central sub-district as State Street, no High Street.¶

Portland, Maine | Yes. Life's good here.

Jeff Levine, AICP
Director, Planning & Urban Development Department

Memorandum

To: Housing and Community Development Committee
Mark Rees, City Manager
Sheila Hill-Christian, Deputy City Manager

cc: Transportation, Sustainability & Energy Committee

From: Jeff Levine, Director

Date: January 17, 2014

Re: Changes to the Sustainable Transportation Fund & Parking Requirements

---

As per our earlier discussions, staff has been working to draft some changes to the parking portion of the Land Use Ordinance to clarify and tighten the requirements for contributing to the Sustainable Transportation Fund. As part of that work, we are also seeking to clean up some other parking-related issues that have come to our attention.

Based on internal discussion, we are bringing forward the following possible amendments. Based on your feedback, we will finalize some or all of these proposals for submission to the Planning Board and City Council:

1. *Section 14-332 (a) 3. b. (Car Sharing)*- Lower the credit from 8 spaces per Car Sharing Vehicle to 4-5.

2. *Section 14-332 (a) 3. c. (may lower the requirement on the Peninsula)* – Specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required. In other words, you can't "study" your way out of spaces and then say you don't have to pay into the fund because your study made the spaces "not required." One concern is that this change may increase the incentive to provide the required parking on site or via lease rather than just go for a reduction.

3. *Section 14-332.2. (b) Incentives for affordable housing* - When the Planning Board allows less than one space per unit in an affordable development, specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required, but at a 50% reduction for those reduced spaces.

4. *Section 14-332.2. (c) Site Plans over 50,000 may have their requirement lowered*- Specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required.

5. *Section 14-345 (c) Adjustment method* - Delete or simplify.

6. *Section 14-332.1.(d) Change of use in the B2B zone* - This section essentially grandfathers nonconformity with respect to parking in the B2B zone only. I propose expanding this grandfathering to the B1 zone so small retail spaces in neighborhood business districts can be retenanted without getting parking relief. This will encourage vibrant and adaptable commercial districts in the City.

In addition, there are few items that are more conceptual at this point. If there is support for these items, we can figure out where in the Land Use Ordinance they belong and add them to a submission:

1. Should the option to pay into the fund to be available by right or subject to the approval of the PB?

2. When on-street parking spaces are removed as a result of a development, should they will be required to be replaced debited off of a development's parking requirement

9. Should we add a clause that states that the first two units in R-6 or R-7 zones do not require any parking, but that additional units do.

Portland, Maine Yes. Life's good here.

Jeff Levine, AICP
Director, Planning & Urban Development Department

Memorandum

To: Housing and Community Development Committee
Mark Rees, City Manager
Sheila Hill-Christian, Deputy City Manager

cc: Transportation, Sustainability & Energy Committee

From: Jeff Levine, Director

Date: January 21, 2014

Re: Changes to the Sustainable Transportation Fund & Parking Requirements
Additional Information

After completing my previous memo, I have had some followup comments and questions regarding these proposals. In order to make most efficient use of the Committee's time, I am attaching some comments I received from Christian MilNeil of the Portland Housing Authority. In addition, Councilor Leeman submitted some questions to our office. One of her questions was the locations of B-1 districts in the City. Attached is a map that shows locations of those zones.

In response to Mr. MilNeil's comments, I have taken another look at these initial recommendations. He raises some valid questions about the City's policies with respect to affordable housing development, and the increasingly competitive nature of the state process for supporting projects. In addition, as the City is a funding agency for most public and affordable housing projects, we have an additional ability to influence their parking strategies that we do not have with many other developments. For these reasons, I am recommending that #3 in the initial memorandum be removed from consideration at this time. In addition, I would like to take a look at items #2 and #4 in the context of how they might impact affordable housing developments.

For your convenience, I repeat these items below:

2. *Section 14-332 (a) 3. c. (may lower the requirement on the Peninsula)* – Specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required. In other words, you can't "study" your way out of spaces and then say you don't have to pay into the fund because your study made the spaces "not required." One concern is that this change may increase the incentive to provide the required parking on site or via lease rather than just go for a reduction.

3. *Section 14-332.2. (b) Incentives for affordable housing* - When the Planning Board allows less than one space per unit in an affordable development, specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required, but at a 50% reduction for those reduced spaces.

4. *Section 14-332.2. (c) Site Plans over 50,000 may have their requirement lowered-* Specify that the amount lowered still requires contribution to the Sustainable Transportation Fund if would otherwise be required.

Housing & Community Development Committee

January 22, 2014

A meeting of Portland City Council's Housing and Community Development Committee (HCDC) was held on Wednesday January 22, 2014 at 5:30 p.m. in the Basement Conference Room in Portland City Hall. Present from the HCDC was its Chair Councilor Kevin Donoghue, and member Councilors John Coyne, Jon Hinck, Nicholas Mavodones. City staff present included Housing & Community Development Division Director Mary Davis, Planning Division Director Alex Jaegerman, Planning and Urban Development Director Jeff Levine, Economic Development Director Greg Mitchell, and Senior Executive Assistant Lori Paulette.

Chair Donoghue said this is a half hour meeting in order to attend the Mayor's State of the City Address at 6:00 p.m.

Item 1: Review and accept Minutes from previous meeting held on January 8, 2014.

On motion made and seconded, the Committee voted unanimously to accept the minutes as published.

Item 2: Review and possible recommendation to City Council on proposed amendments to parking requirements and the Sustainable Transportation Fund (STF).

Mr. Levine said that since his original memorandum to the Committee of January 17, he has had feedback from various constituencies, and, therefore, sent the attached updated memorandum dated Monday, January 21st to the Committee. At this time, he is requesting feedback from the Committee that he can further discuss with the Planning Board.

Mr. Levine said that his original memorandum included six sections in the Land Use Ordinance for possible amendments. At this time, he would recommend taking the third item, "Incentives for affordable housing" off the table at this time due to the increasing competitive nature of the State process for supporting this development, as well as the City being a funding agency for most public and affordable housing projects. As such, the City has the ability to influence parking strategies for these projects.

The Committee concurred to keep the status quo with regard to affordable housing projects. If this should be brought back to the table, the Committee would like staff to apprise affordable housing developers of proposed amendments, requesting any feedback received by staff to be communicated to the Committee.

Mr. Levine then highlighted other areas of proposed amendments. The first was regarding car sharing [14-332(a)3.b.] and proposing to lower the credit from 8 spaces per car sharing vehicle to 4-5. He noted that Public Services agrees with this proposed amendment.

The second was for Section 14-332(a)3.c. for development on the peninsula. If a development study shows that although City parking requirements show a need, for example, 20 spaces for a development project, and the developer's study shows a need for 15, then the developer would pay the difference into the STF at $5,000 per space, or $25,000. A concern is that this change may increase the incentive to provide required parking on site or via lease.

Mr. Levine continued saying that the next one was for Section 14-332.2.(c), for site plans over 50,000 sq. ft., that this should specify that the amount of parking lowered still requires contribution to the STF. He noted the STF does not apply to residential zones.

Mr. Levine then highlighted Section 14.332.1.(d) "change of use in the B2b zone". This involves small businesses in neighborhood centers. Currently a change of use of 10,000 sq. ft. or less is grand-fathered for non-conformity for up to 6 parking spaces. Therefore, if the new use needs 10 parking spaces, they would need to provide 4 spaces. The proposed amendment would be to expand this grandfathering to B1 zones, and perhaps lower the change of use from 10,000 sq. ft. to 5,000 sq. ft.

Chair Donoghue thanked Mr. Levine for this brief highlight and asked if there were Committee questions.

Councilor Hinck asked about "studying down" of parking spaces, particularly if this could be scammed, and Mr. Levine said that studies presented to City staff are then reviewed by the City's traffic engineer. Therefore, he did not think this likely.

Councilor Hinck then asked about various development projects and studies submitted, particularly those developments that could afford pricier parking studies compared to those that are more affordable.

Mr. Jaegerman said that, generally, developments over 50,000 sq. ft. can afford the required parking study. He said that the size of projects does level the playing field.

Councilor Hinck said that a clear process is needed for everyone to follow.

Chair Donoghue said that they still pay to the STF as you study out. Neighbors need to know what will be/will not be required for parking for developments.

Councilor Mavodones said that he is comfortable bringing these to the Planning Board for their discussion/review.

Mr. Levine commented that he did not think parking requirements were too high.

Mr. Levine said that there are a couple of items that are conceptual at this point. For instance, the STF – handled administratively or by the Planning Board. After discussion, consensus was administratively.

Another regards the R-6 and R-7 zones, whether a clause should be added stating that the first two units do not require any parking but additional units do.

Chair Donoghue noted that he could be in favor of exempting first two units in any zone, but would want to give flexibility to staff for that tool.

Chair Donoghue asked if the Committee or Councilor Leeman had any further questions or comments.

Councilor Leeman said that she would follow the process, particularly how it affects on-street parking in small business neighborhoods where the parking requirement is waived. She was part of a committee when the "in lieu of" fee was created, noting that it should be revisited and reviewed.

Chair Donoghue thanked the Committee and staff for the quick run through of proposed amendments, with Committee consensus to shop these proposed amendments to the Planning Board.

Item #3: Review and recommendation to City Council to forward Economic Development Vision and Plan – Work Plan Update for 2014-2015 as a communication.

Mr. Mitchell summarized that the Committee packet contains a summary from the Mayor's Economic Development Plan Implementation Group on the accomplishments to date, as

well as an updated Work Plan for 2014-2015. The Group consists of stakeholder representatives from the PDD, CVB, Creative Portland, Chamber, PDC, Propel, and World Affairs Council. The request before the Committee is to forward this to the City Council as a communication. It also being presented to the stakeholder's various Boards for their review and acceptance.

Councilor Mavodones asked who is the staff to this group, and Mr. Mitchell noted that he and Nelle Hanig are the staff.

Chair Donoghue asked if there were any further questions/comments. There being none, Chair Donoghue noted consensus to forward this to the City Council as a communication.

There being no further business, the meeting was then adjourned at 6:03 p.m.

Respectfully,

Lori Paulette