

1. Legal Ad

Documents:

[PB LEGAL AD 9-13-16.PDF](#)

2. Agenda

Documents:

[PB AGENDA 9-13-16.PDF](#)

3. 75 Chestnut Street

3.I. Memo And Attachments

Documents:

[CHESTNUT ST. - 75 \(MEMO AND ATTACH.\).PDF](#)

3.II. Applicants Submittal

Documents:

[CHESTNUT ST. - 75 \(APPLICANTS SUBMITTAL\).PDF](#)

3.III. Plans

Documents:

[CHESTNUT ST. - 75 \(PLANS\).PDF](#)

4. Congress Square

4.I. Report

Documents:

[CONGRESS SQ. \(REPORT\).PDF](#)

5. 783 Forest Avenue

5.I. Report

Documents:

[FOREST AVE. - 783 \(REPORT\).PDF](#)

5.II. Report Attachments

Documents:

[FOREST AVE. - 783 \(REPORT ATTACHMENTS\).PDF](#)

5.III. Applicants Submittal

Documents:

[FOREST AVE. - 783 \(APPLICANTS SUBMITTAL\).PDF](#)

5.IV. Plans

Documents:

[FOREST AVE. - 783 \(PLANS\).PDF](#)

6. Street Tree Amendments

6.I. Report

Documents:

[STREET TREE AMENDMENTS \(REPORT AND ATTACH.\).PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will hold a meeting on Tuesday, September 13, 2016, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at this meeting.**

Workshop - 5:00 p.m.

- i. Level III Site Plan and Subdivision; 54 Housing Units and Commercial Space; 75 Chestnut Street; Lou Woods representing A & M Partners, Inc., Applicant. (5:00 - 6:00 p.m. estimated time) The proposal is to construct a 7 story building with 54 housing units and 2,328 sq. ft. of commercial space. One (1) parking space per unit will be provided in the existing parking structure. The bedroom mix includes 2 efficiency, 14 one-bedroom and 38 two-bedroom units. The proposal will also be reviewed under the Conditional Use Application to meet Ensure Workforce Housing requirements. It is in the B-7 zone.

Public Hearing – 7:00 p.m.

- i. Recreation Open Space (ROS) Map Amendment; Congress Square, City of Portland, Applicant. (7:00 - 7:30 p.m. estimated time) The map amendment will extend the Recreation Open Space (ROS) zone to cover all of the Congress Square Park parcels owned by the City. Currently most of these parcels were added to the ROS zone in 2014 but the portion that was under discussion for disposition at the time was not included. This amendment will put the entire site within the ROS zone.
- ii. Conditional Use and Level I Site Alteration; Used Car Dealership; 783 Forest Avenue; Stephen Mardigan, Applicant. (7:30- 8:15 p.m. estimated time) The proposal is for a used car dealership. The site has 12,111 sq. ft. and the previous use was a heating oil dealership. The proposed site improvements include modifications to the curb cuts and landscaping.
- iii. Site Plan Ordinance Amendments to Revise Street Tree Waiver, Sec. 14-526 (2) (b) (iii) and text amendments to Section 4 Landscaping and Landscape Preservation Standards of the Technical Manual, City of Portland, Applicant. (8:15 p.m. estimated time) The proposal is to delete the waiver provision in the Site Plan Ordinance and apply substitute criteria for meeting the street tree requirement for new development where there is insufficient space within public street. The provisions include, but are not limited to, planting trees within 30 feet of the property line, the preservation of existing trees of a certain size, payment in lieu to the street tree fund, increasing the payment fee to reflect current cost, and other measures. Updates to the landscape standards in the Technical Manual are proposed to be consistent with the proposed site plan revisions.

ELIZABETH BOEPPLE, CHAIR - PORTLAND PLANNING BOARD

CITY OF PORTLAND, MAINE

PLANNING BOARD

Elizabeth Boepple, Chair
Sean Dundon, Vice Chair
Carol Morrisette
David Eaton
Kristien Nichols
Maggie Stanley
Lisa Whited

AGENDA

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PUBLIC HEARING – 7:00 p.m.

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATIONS AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE FOLLOWING MEETING HELD ON AUGUST 9, 2016:**
Workshop: Boepple, Dundon (arrive 4:50), Eaton, Morrisette and Whited present. Nichols and Stanley absent.
Public Hearing: Boepple, Dundon, Eaton, Morrisette and Whited present. Nichols and Stanley absent.
4. **REPORT OF DECISIONS AT THE MEETING HELD ON AUGUST 9, 2016:**
 - i. Conditional Use Application for a Community Hall, Portland Community Squash, 66 Noyes Street, Portland Community Squash, Applicant. Dundon moved and Morrisette seconded a motion to find the conditional use as a community hall at 66 Noyes Street does meet the standards of 14-474 and 14-118 for the R-5 zone subject to three (3) conditions of approval. Vote: 5-0, Nichols and Stanley absent)
 - ii. Waiver of B-3 Build to Line for a Structure Accessory to the Plaza, 0 Canal Plaza, Cow Plaza 1, LLC, Applicant. Dundon moved and Morrisette seconded a motion that found the proposed waiver of the build-to line of the B-3 zone to allow the pavilion, as a structure accessory to the plaza, at 0 Canal Plaza is in conformance with the standards of the B-3 Design Manual and approves the request. Vote: 5-0, Nichols and Stanley absent.
5. **NEW BUSINESS**

- i. Recreation Open Space (ROS) Map Amendment; Congress Square, City of Portland, Applicant. (7:00 - 7:30 p.m. estimated time) The map amendment will extend the Recreation Open Space (ROS) zone to cover all of the Congress Square Park parcels owned by the City. Currently most of these parcels were added to the ROS zone in 2014 but the portion that was under discussion for disposition at the time was not included. This amendment will put the entire site within the ROS zone.
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Memorandum

Planning and Urban Development Department

Planning Division

To: Chair Boepple and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: September 9, 2016

Re: **September 13th 2016 Planning Board Workshop**
Level III Site Plan and Subdivision:
54 unit residential development, 75 Chestnut Street
A&M Partners Inc, Applicant

I. INTRODUCTION

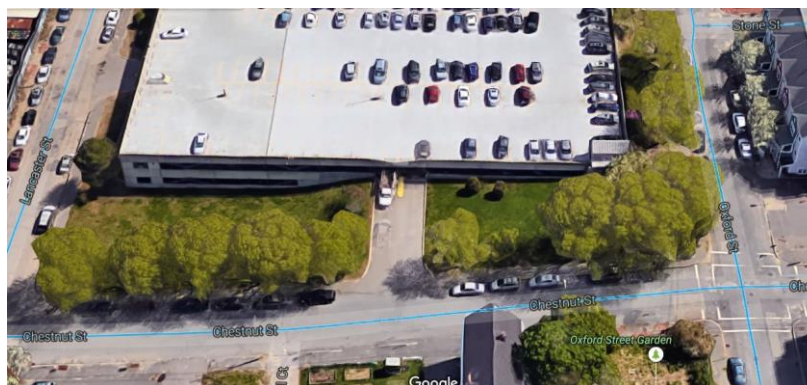
A&M partners Inc has submitted a preliminary Level III Site Plan and Subdivision application for a project called Westerlea View Lofts at the corner of Chestnut Street and Lancaster Street in the B7 zone. The proposal is for a 7 story 54 unit residential building (plus one live/work unit) to be constructed on part of the open area surrounding the Chestnut Street parking garage.

The proposal is subject to the Inclusionary Zoning ordinance and a separate conditional use application was submitted for review which proposes 6 units to meet the definition of workforce housing units.

The site abuts the R6 zone along Chestnut and Oxford Streets and is currently an amenity area comprising 10 mature locust street trees and an access drive to the middle level of the parking garage. The building would be constructed over the garage access.

This Workshop was noticed to 160 neighbors and interested parties, and the public notice appeared in the *Portland Press-Herald* on Sept. 5 & 6, 2016. The applicant held a Neighborhood Meeting on August 31, 2016. The Planning Division has not received any public comments as of the completion of the Memo.

Applicant: Lou Wood, A & M Partners, Inc
Agent and Engineer: Tom Greer, Pinkham & Greer
Architect: William Hopkins, Archetype



Required reviews and requested waivers:

Applicant's Proposal	Applicable Standards
New structure of 54 dwelling units	Subdivision Review
Multifamily building of 81,200 sq ft	Level III Site Plan Review and B-7 Design Review
New structure of 54 dwelling units	Inclusionary Zoning Section 14-484
Waiver will be needed regarding the provision of street trees	Ordinance Subdivision 14- 499 <i>Required Improvements</i> and Technical Standard 4.6.1- requiring 1 tree per unit to be located in the Right of Way.

II. PROJECT DATA

SUBJECT	DATA
Existing Zoning	B-7
Existing Use	Parking garage and open, landscaped surrounds
Proposed Use	54 residential units & 1 work force unit
Parcel Size	92,224 sq ft
Impervious Surface Area	
--Existing	53,511 sq ft
--Proposed	63,563 sq ft
--Net Change	10,052 sq ft
Total Disturbed Area	29,000 sq ft
Building Footprint	
--Existing	49,326 sq ft
--Proposed	60,926 sq ft
--Net Change	11,600 sq ft
Building Floor Area	
--Existing	148,006 sq ft (existing garage)
--Proposed	229,206 sq ft
--Net Change	81,200 sq ft
Proposed Bedroom Mix	
-Efficiency Units	2
One-Bedroom Units	14
Two-Bedroom Units	38
Three-Bedroom Units	0
Parking Spaces	450 existing in garage, of which 54/55 spaces (1:1) proposed to be for occupants
Bicycle parking Spaces	22 (none existing)
Estimated Cost of the project:	\$5,850,000

III. EXISTING CONDITIONS

The proposal site abuts the west side of the 2-3 story parking garage, with the main frontage of the new building along Chestnut Street. The site slopes downhill about 20 feet from Oxford Street to Lancaster Street.

The building is proposed to be at the "top" of the slope at the corner of Chestnut and Oxford Streets and next to the pedestrian steps leading to the top deck of the parking garage- see photos right and below.





Above: corner of Oxford and Chestnut Streets, where proposed building would be located at back of the sidewalk.

The relationship of the site with the parking garage is illustrated below:



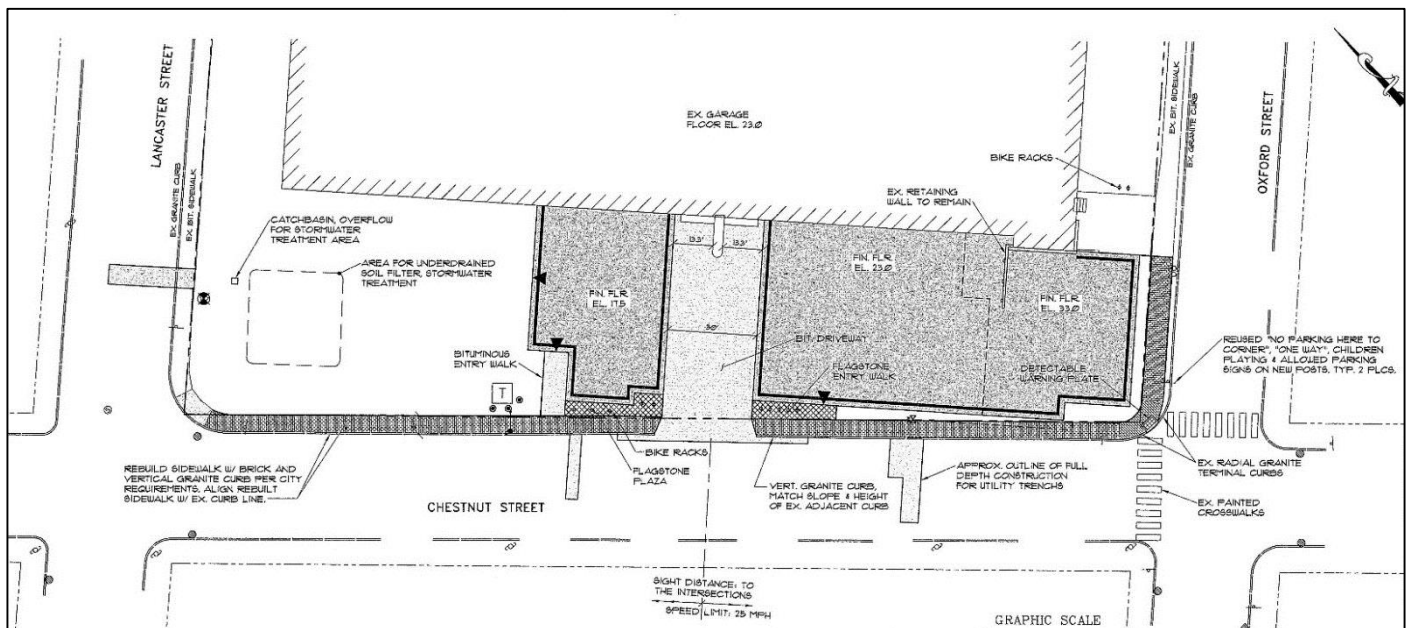
From Lancaster Street
looking towards
Oxford Street

IV. PROPOSED DEVELOPMENT

The proposals, including floor plans and elevations, are shown in the Plan set and described in the applicant's submittal. The proposed 7 story building abuts the parking garage and is built over the drive access to the garage. The entrance to the building faces Chestnut Street and is located just uphill from the garage access drive.

The sidewalk along Chestnut and Oxford Streets along the construction site frontage is proposed to be rebuilt in brick and landscaping is proposed along the lower Chestnut and Lancaster Street frontages, including along the side of the parking garage on Lancaster Street (Plans P4 and P6). Seven of the ten existing mature trees along Chestnut would be removed (Plan P2). Parking on a one to one ratio is proposed within the abutting parking garage and there is a connecting stairway shown on the second level Floor Plan (Plan P11).

The new building would provide 54 apartment units; these are understood to be market-rate apartments with the exception of 6 units proposed to meet the definition of "Work Force" housing. In addition, there is a 2-level unit next to the garage access drive that is "live-work" totaling approximately 3,128 sq ft. The first full level of apartments (floor 3) have cantilevered decks out over the top deck of the parking garage (see elevations, Plan P13), and a total of 42 units have balconies.



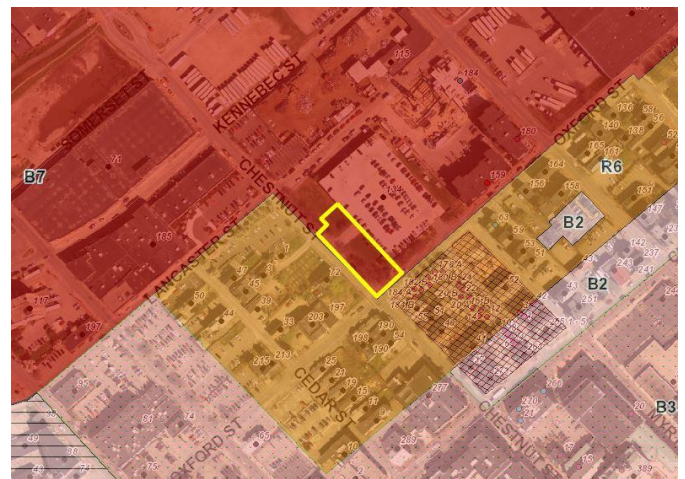
Site Plan (Plan P4)

V. STAFF REVIEW

A. ZONING ASSESSMENT

The proposed development is on the edge of the B7 zone and faces the R6 zone on Chestnut and Oxford Streets. The B7 zone includes a number of unique requirements concerning setbacks and the length of the building wall.

The applicant has submitted a Zoning Analysis (Attachment C) and staff consider that the proposed development meets all of the dimensional requirements of this zone. The Bayside Height Overlay Map (2006) identifies the site as within the "Intermediate Height



District” of 3 floors minimum and a maximum of 105 ft. The R6 zoned areas across Chestnut and Oxford Streets are identified as “Traditional Neighborhood Height” with a minimum of 2 floors and a maximum height of 55 feet.

The B7 Zoning ordinance also specifically requires compliance with the *B7 Design Principles and Standards*, which includes requirements for access and circulation, sidewalks and crosswalks, and lighting in addition to building design. Staff consider that many of these standards have not been met by the proposal as submitted, and these aspects are identified within the staff review below.

B. SUBDIVISION STANDARDS

14-496. Subdivision Plat Requirements

The applicant has submitted a draft plat which has not been reviewed in detail.

14-497. General Requirements (a) Review Criteria

Water, Air Pollution and Soil Erosion

An Erosion Control Plan has been submitted (Plan 5), which is acceptable subject to minor revisions (Attachment 4).

Traffic

The applicant has submitted a Traffic Assessment (Attachment H) and the Traffic Engineering reviewer Tom Errico has requested a further traffic and safety assessment of the Chestnut Street/Lancaster Street intersection (Attachment 3).

Parking

The applicant has noted that there is a 450 space parking garage abutting the project and in principle the parking supply is adequate. Under Zoning and Site Plan ordinances there is a requirement for additional information and this is discussed below.

Sanitary Sewer/Soils

The application has been reviewed by the consulting Peer Engineer (Attachment 4) and is acceptable subject to minor revisions and confirmation of wastewater capacity.

Storm water

The applicant proposes to manage stormwater impacts by collecting the stormwater and directing it to an underdrained soil filter at the corner of the site near Lancaster/Chestnut Streets. The final submissions should include additional detail as outlined in the Peer Engineer comments (Attachment 4).

Scenic Beauty and Street Trees

The proposal results in the removal of 7 of the 10 mature trees at the back of the sidewalk on Chestnut Street (Plan P2). The Landscape Plan does not replace these trees along that frontage, though adds 9 new trees on the site. The issue of street tree provision would need to be addressed in the final submission.

Comprehensive Plan

The project is consistent with the Housing Goals and Policies of the Comprehensive Plan.

Electrical Service

The Subdivision ordinance requires electrical service to be underground and the new overhead line in Chestnut Street is not supported by staff, as clarified in the Peer Engineer comments below (Att. 4):

The Applicant should provide underground electrical and communication lines across Chestnut Street, or provide justification from the utilities on why this method of connection is not possible. Underground utilities would eliminate public safety access concerns related to overhead utilities.

C. SITE PLAN STANDARDS

14-526 Site Plan Standards

Traffic - Access, Circulation, Loading and Servicing

Staff have not identified any concerns except re the intersection of Chestnut and Lancaster Streets as noted under the Subdivision Review above.

Sidewalks

The applicant is proposing to reconstruct the sidewalk in brick along the Chestnut and Oxford Streets where impacted by the proposals. The proposed sidewalk width varies from 6'8" to 7' 0" (Att. M).

Staff advised the applicant that they would be recommending that the sidewalks be constructed to a width of 8 feet (Attachments 1 and 5) and the applicants have indicated this would entail an unacceptable extra cost (Attachment M). The staff request for an 8 foot wide sidewalk is based on the Site Plan standards and in particular on the *B7 Design Principles and Standards* which suggest a 10 foot wide sidewalk should be incorporated in the proposals:

STANDARD B-4: Sidewalks and Crosswalks. The provision of all sidewalks and crosswalks shall conform to the specifications and details contained within the City's Technical and Design Standards and Guidelines, and the City's Crosswalk Standards at a minimum. New sidewalks along public streets shall be at least 10 feet wide measured from curb to property line where feasible, except where it can be demonstrated that site constraints preclude such width. Sidewalks that are 12-15 feet wide and bump-outs shall be provided along A and B Streets where feasible, in order to allow for amenities such as larger tree wells, landscaping, café seating, shop displays and public art. Where appropriate, crosswalks shall be transversely striped and at a minimum as wide as the sidewalk to which it connects.

Tom Errico has raised an additional issue concerning the condition and material of the sidewalks along the other frontages, noting particularly that the sidewalk along Lancaster Street is in poor condition and does not meet the City sidewalk material policy (Attachment 3). DPW continue to review sidewalk conditions and requirements for these sidewalks that abut the rest of the development site and currently do not meet City standards.

Mr Errico's comments are based on the Site Plan standards quoted below:

c. Sidewalks.

(i) All proposed developments shall provide sidewalks along all frontages in accordance with Sections 14-498 and 14-499 of the City Code, installed to City specifications as described in Section 1 of the Technical Manual. An applicant may request a waiver from curb and sidewalk installation requirements if they meet applicable waiver criteria listed in Section 14-506 (b) of the City Code.

(ii) Where sidewalks already exist but are in substandard condition, they shall be repaired or replaced in conformance with Chapter 25 of the City Code and Section 1 of the Technical Manual.

As noted above the proposals include constructing a brick sidewalk along Chestnut Street and part of Oxford Street, which staff understand to be inside the existing granite curbs. The Department of Public Works and the Transportation Program Manager have commented regarding details (Attachment 5):

- *Since the applicant is not proposing to remove and reset the existing curb (or provide new curb) along Chestnut Street and Oxford Street, staff recommends the applicant provide a minimum of 8' of sidewalk on Oxford Street and Chestnut Street within the proposed project*

limits as measured from the back of curb where not precluded by the proposed building footprints as shown in the site plan dated July 28, 2016. This will allow for street trees and street lighting to be added within the sidewalk. This may trigger the need for an easement where the sidewalk is on the applicant's property.

- Staff recommends the applicant provide 2 curb ramps at the corner of Chestnut Street and Oxford Street as required by the Technical Manual unless it can be demonstrated that it is technically infeasible or cost prohibitive to do so based upon utility conflicts or other considerations. If the 2 curb ramps are found infeasible, staff recommends the addition of a minimum 4'x4' landing area at the top of the curb ramp located at the corner of Oxford and Chestnut Streets and associated transitions to sidewalks. This may trigger the need for an easement where the landing area and/or transitions to sidewalk are on the applicant's property.
- Staff recommends the applicant illustrate on its design plans and applicable details the provision of a 4' minimum/5' desired ADA-compliant pedestrian access route (maximum 2% cross-slope) across the driveways within the project limits or demonstrate that it is technically infeasible to do so.
- Staff recommends the addition of a minimum 4'x4' landing area at the top of the curb ramp located at the corner of Lancaster and Chestnut Streets and associated transitions to sidewalks. This may trigger the need for an easement where the landing area and/or transitions to sidewalk are on the applicant's property. It appears from the site plan that the existing sidewalk and curb ramp at this location extends into the applicant's property as well. An easement may be needed regardless of modifications at this location.

Public Transit Access - these do not apply to this project.

Parking

The applicant is proposing the provision of parking on a one to one ratio within the parking garage. The submissions state that this is the zoning requirement (Attachment C), but the parking requirement is governed by the following section of the ordinance:

14-332.1 Zone specific off-street parking exceptions and modifications

- (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.

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.

- (c) Site plans over 50,000 square feet and projects in the B-6, B-7, and USM Overlay Zones: Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, 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.

This requirement was advised to the applicant on August 31, 2016 (Attachment 1) and is reinforced in the Site Plan Standards (below):

14-526 (a) 4. Parking:

- a. *Location and Required Number of Vehicle Parking Spaces:*
- (i) *Off-street parking shall meet the applicable zoning requirements, except the Planning Board shall determine the parking requirement, based upon the applicant's parking study and a recommendation from the City Transportation Engineer, for new structures, building additions and changes of use with a total floor area of 50,000 sf or more and for projects, regardless of size, in the B-6, B-7 and USM Overlay zone.*

The applicant has requested a waiver from these requirements in their response dated 9.7.2016 ([Att M](#)).

Tom Errico, the Traffic Engineering Reviewer, confirms that a Parking Study is needed in respect of this proposal:

- The City Ordinance notes the following; *Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, 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.*

Accordingly, a parking demand and management study shall be conducted that documents the projects expected parking demand according to ITE and/or local accepted data. The study shall also document how garage parking spaces will be managed including but not limited to: will spaces be specifically designated for the proposed tenants; will tenant parking spaces be bundled with each residential unit or an additional amenity; who currently uses the garage and are any users associated with an approved site plan. I would note that I do not expect any issues related to providing a sufficient off-street parking supply. ([Attachment 3](#))

Bicycle Parking

The proposals include 22 bicycle parking spaces (number listed on data sheet in [Att A](#), though 12 bicycle parking spaces are noted in the Zoning Analysis in [Att C](#)) with at least some of these shown near the Chestnut Street sidewalk ([Plan P4](#)). The proposed number meet the Site Plan ordinance requirement (2 bicycle parking spaces for every 5 dwelling units). The final submissions should clarify the number inside and outside and show their locations.

Snow Storage

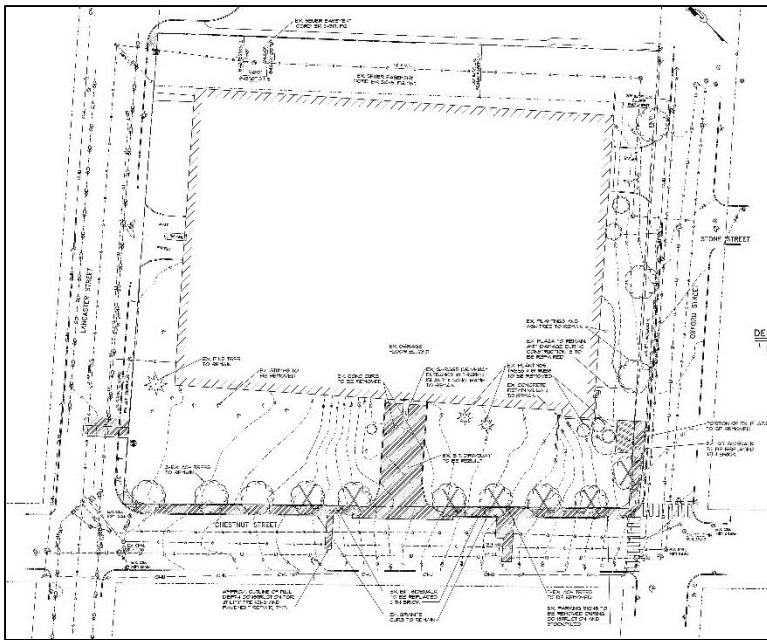
This may apply to the garage access drive and should be addressed at the final submission stage.

Transportation Demand Management

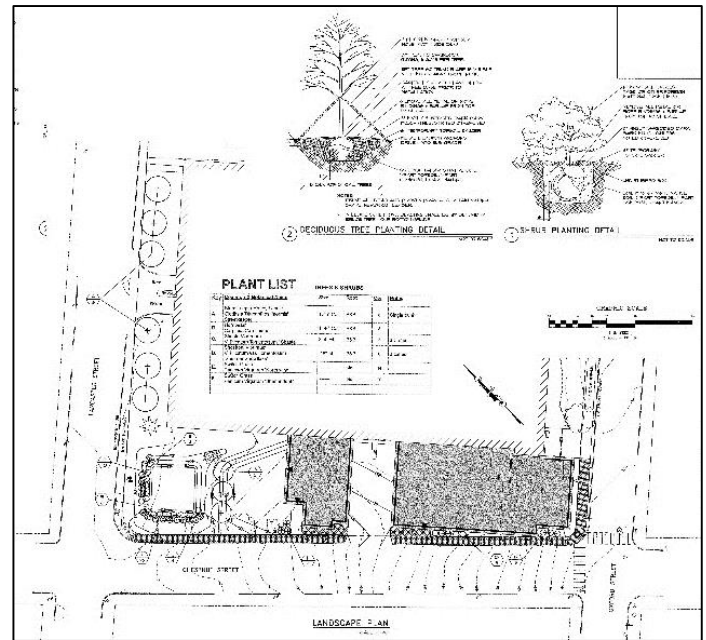
The Site Plan ordinance requires that all Level III development in the B7 zone shall design and implement a Transportation Demand Management (TDM) Plan. The applicant has confirmed that this will be prepared as part of the final submittal ([Attachment M](#)).

Landscape Preservation / Site Landscaping and Screening

The "Existing Conditions & Demolition Plan" ([Plan P2](#) and below) shows that 7 of the 10 existing mature trees along Chestnut Street would be removed. The Landscape Plan ([Plan P6](#) and below) does not suggest any replacement for these mature trees. Staff suggest that the Landscape Plan requires further consideration.



Existing Conditions and Demolition (Plan P2)



Landscape Plan (Plan P6)

Street Trees

Staff have not made a final determination regarding the number of required street trees and the applicant has the option of making a contribution to the Tree fund in lieu of planting street trees. However, the staff comments regarding the width of the sidewalk ([Attachment 5](#)) suggest that some street trees might be possible in the ROW.

Water quality, Stormwater Management and Erosion Control - see discussion under Subdivision Review above.

Public Safety

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 proposals create an enclosed “tunnel” over the garage entrance and this raises concerns regarding surveillance and access control; these issues should be addressed as part of the final submission. Lighting along the sidewalk should also be part of the proposal to address this standard (see **Lighting** below).

Fire Prevention

The Fire Department has commented ([Attachment 6](#)):

Emergency vehicle access is two sides only, Chestnut and Oxford. This is acceptable to the Fire Dept. although because of the arrangement and height of the building I would like to require the overhead power line on Chestnut Street going to the transformer to be underground. This will drastically restrict the Aerial Ladder trucks operation at this proposed site.

Public Utilities

The Peer Engineer has provided comments regarding the utilities ([Attachment 4](#)).

Massing, Ventilation and Wind Impact

The Site Plan ordinance includes the following requirement in respect of wind impacts:

- a. *The bulk, location or height of proposed buildings and structures shall not result in health or safety problems from a reduction in ventilation to abutting structures or changes to the existing wind climate that would result in unsafe wind conditions for users of the site and/or adjacent public spaces.*

The submitted application does not include any detailed information regarding the wind conditions anticipated to be created by the proposed 7 story building at this location.

Shadows

The applicant has submitted a Shadow Study ([Attachment J](#)). The shadows created by the building largely affect the parking garage. A question is whether the shadows would impact the potential for redevelopment of the parking garage in the future.

Historic Resources- this does not apply to this project.

Exterior Lighting incl Street Lighting

The applicant has submitted light specifications for the balcony and building mounted light fixtures. Further information, as required under the Technical Standards, should be included in the final submissions so reviewers can determine if there are any light trespass or glare issues and that the proposal address the Site Plan ordinance requirement below:

- ii) *For major or minor site plans within or abutting a residential use or zone where light from the proposed development may adversely impact adjacent residential properties, exterior lighting shall employ house-side shielding.*

Staff recommends the applicant provide lighting along the site's Chestnut Street frontage in conformance with the Bayside Lighting District standards contained within the Technical Manual ([Attachment 5](#)). This recommendation is based on the requirements for street lighting that are set out in the Site Plan ordinance, the Technical Standards and in the *B7 Design Principles and Standards* - all quoted below:

Site Plan Ordinance:

- c. *Street Lighting.*
 - (i) *Municipal street lighting shall be adequate for the safety and comfort of pedestrians and motorists and, where applicable, shall conform to specific lighting district requirements, as specified in Section 10 of the Technical Manual.*

Technical Standards:

10.2.1 Developments subject to Level III site plan review that are on an existing or proposed street that is not currently illuminated with street lighting meeting the city standards shall install the requisite number of street lights along all frontages. Developers are responsible for purchasing and installing all street lighting, including light poles, brackets, slip fitters, bases and all electrical wiring and conduit.

B7 Design Principles and Standards:

STANDARD B-11: *Lighting.* *Street lights along public streets shall be scaled to the size, traffic volume and use that is typical for that street, as defined in the street hierarchy in Standard B-1 Streets and Alleys. Street lighting shall comply with the Technical and Design Standards and Guidelines at a minimum and may also be required to meet The Illuminating Engineering Society of North America Standards (IESNA), and the Leadership in Energy and Environmental Design (LEED) standards for light pollution.*

Street Lighting:

"A Streets" lighting shall be the City's selected Holophane model for Bayside, at the 24'3" foot height in the Silver Metallic Aluminum color #F264H.

"B Streets" shall be the City's selected Holophane model for Bayside, at the 19'3" foot height in the Silver Metallic Aluminum color #F264H.

"C Streets" shall be the Holophane model for Bayside, at the 19' 3" foot height in the Tribo color.

"D Streets" shall be the Holophane model for Bayside, at the 12'9" foot height in the Tribo color.

Sidewalk Lighting: Sidewalks shall be lit with a combination of pole mounted, building mounted, or bollard lighting, as well as light from store windows, entries and other building features. The placement of lighting fixtures shall be pedestrian scaled, downwardly directed, and shielded or reflected so as to prevent glare and excess lighting spilling onto private property or skyward.

Noise and Vibration

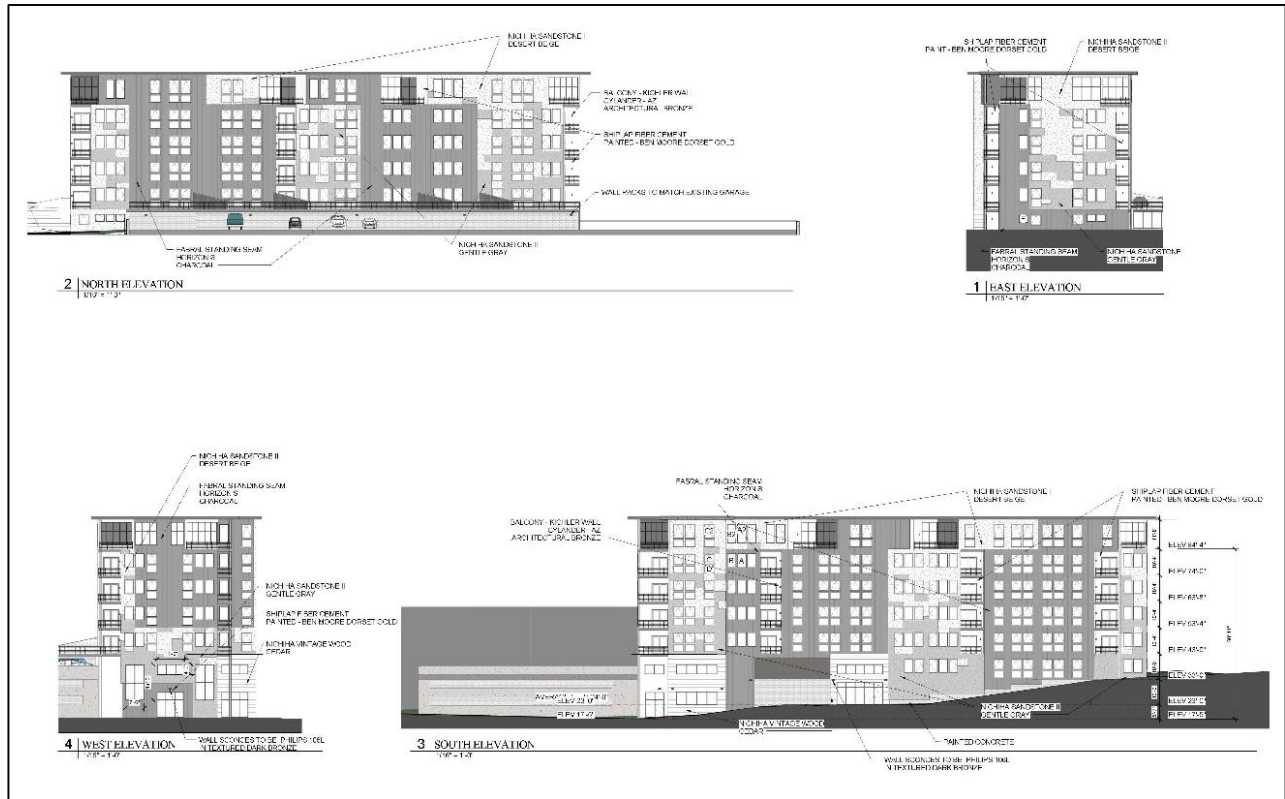
The applicant has confirmed that rooftop appurtenances will be located on the roof without screening (set back) and staff assume this will include HVAC mechanicals. The final submissions should demonstrate that these will meet the Site Plan standards.

D. DESIGN STANDARDS**B-7 Zone Design Principles and Standards**

The applicant has submitted a narrative outlining how the proposal meets the architectural standards (Attachment D). The following preliminary staff comments from Caitlin Cameron, Urban Designer, relate to the initial elevations below (Attachment 2):

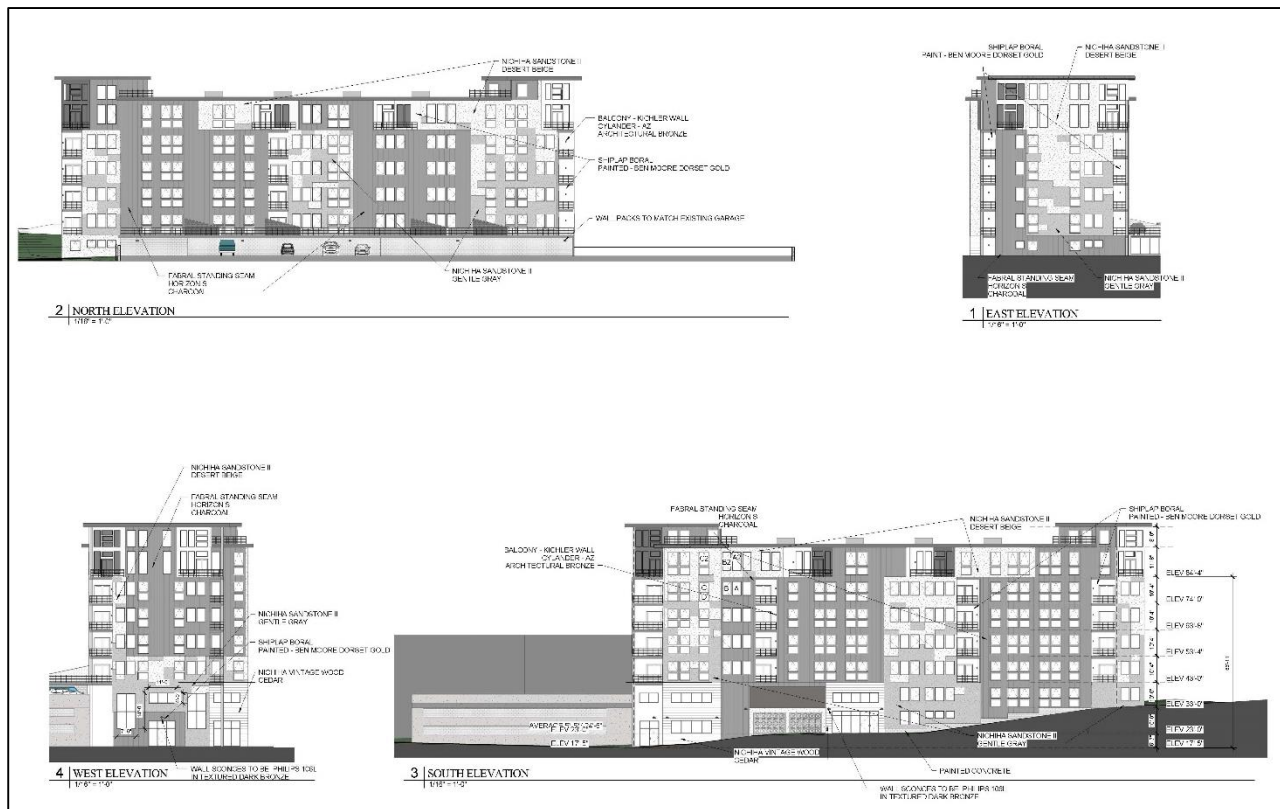
From an initial design review (B-7 Design Standards), we have the following questions and comments:

- E1 Architectural Design: There are a few areas of concern where residential unit windows facing public rights-of-way are low to the ground and do not provide visual privacy for the occupants. The driveway to the garage from Chestnut Street will need further detail to address safety concerns - it should not become a dark tunnel.*
- E4 Articulation: The blank wall on Chestnut Street adjacent to the entrance lobby is of concern at the pedestrian level. Incorporate design elements to make that stretch more comfortable at the street.*
- E10 Rooftop Appurtenances: Will there be rooftop appurtenances? Where will they be and how will they be screened?*
- E12 : Materials: The guidelines currently prohibit fiber cement panels to be used on portions of the building visible from the public rights of way. Either revise the material selection to comply with the standard or request a waiver from the Planning Board. In addition, the use of two different color panels in a pixilated manner is not necessary and adds visual distraction to an already visually complex facade.*



Initial submitted Elevations

The applicant has responded to these comments ([Att. M](#)) by confirming that the windows have been revised, with windows added to the “blank” wall (see revised elevations and rendering below) and that the materials will be reviewed at the PB Workshop. Several other revisions have also been made eg the roofline.



Revised Elevations (Plan P13)



Perspective Rendering as updated to reflect revisions (Plan P14)

Staff have not had an opportunity to review the revised building design; the Urban Designer, Caitlin Cameron, will be at the PB Workshop to answer questions on this subject.

Multi-family and Other Housing Types Design Standard

This design standard also applies to this proposal and most of the standards are already included in the B7 Standards above. However, the standard regarding open space is relevant:

3. Open space on the site for all two-family, special needs independent living unit, bed and breakfast and multiple-family development shall be integrated into the development site. Such open space in a special needs independent living unit or a multiple-family development shall be designed to complement and enhance the building form and development proposed on the site. Open space functions may include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings;

Staff comment: 42 of the new units will have balconies, though about 5 of these are cantilevered over the top deck of the parking garage and may not serve an “open space function”. The site includes an open area near the corner of Chestnut Street and Lancaster Street, but this is partly taken up by the stormwater system and it is unclear how much of the area would serve as open space for resident/public access.

VI NEXT STEPS

A. The final submission will need to include the following information:

- Parking Study
- TDM Plan
- Traffic assessment Chestnut/Lancaster intersection
- Public Safety garage access drive
- Roof top appurtenances
- Wind impacts
- Capacity of water and wastewater service
- Lighting levels

B. The final submission will need to revise the proposal to address staff and Planning Board comments in respect of:

- Tree preservation/site landscape/ street trees
- Building design
- Fire access/undergrounding of electrical service
- Sidewalks and ROW design and materials
- Street lighting
- Other issues raised by the Planning Board

ATTACHMENTS:

Attachments to Memorandum

1. Staff e-mail prelim review comments
2. Design Review Preliminary comments
3. Traffic Engineering Review comments
4. Engineering Review comments
5. ROW comments
6. Fire Department comments
7. City Arborist comments (not available at time Memo was completed)

Public Comments (none)

Applicant's Submittal

- A. Cover Letter and Subdivision/Site Plan Application
- B. Cover letter and Inclusionary Zoning Conditional Use Application
- C. Zoning analysis
- D. B-7 Design Standards Compliance narrative
- E. Right, title and Interest
- F. Financial Capability letter
- G. Utility letters of capacity
- H. Traffic Assessment
- I. Stormwater Report
- J. Shadow Study
- K. Neighborhood Meeting Certification
- L. Lighting Specifications
- M. Response letter 9.7.2016

Plans

1. Boundary Survey
2. Existing Conditions and Demolition Plan
3. Draft Subdivision Plat
4. Site Plan
5. Grading, Utilities & Erosion Control Plan
6. Landscape Plan
7. Details
8. Details
9. Details
10. Details
11. Floor Plans - Lowest two floors
12. Floor Plans - Floors 3 to 7
13. Building Elevations (revised 8.7.16)
14. Building Perspective Rendering

75 Chestnut Street- Preliminary Site Plan Review Comments

1 message

Jean Fraser <jf@portlandmaine.gov>

Wed, Aug 31, 2016 at 5:25 PM

To: Tom Greer <tgreer@pinkhamandgreer.com>

Cc: lcwood@ampartners.me, "Barhydt, Barbara" <bab@portlandmaine.gov>

Tom

I confirm that I am preparing a PB Memo on this project to be considered by the Planning Board on Tuesday Sept 13th- time to be confirmed.

I am awaiting written review comments, but reviewers have advised me that the following need immediate attention:

Further Site Plan information requested to be submitted asap for review and inclusion in the PB Memo for the PB to consider

- Ownership of the lot: A& M Partners Inc are identified as the applicant but appears to be one of two entities that own the lot (the other being Chestnut Parking Inc). Could you please clarify the areas of the two ownerships;
- A Parking Analysis (justifying the proposed amount of parking dedicated to the proposed building) should be submitted to address the ordinance requirement (14.332.2 (c) which states:

(c) Site plans over 50,000 square feet and projects in the B-6, B-7, and USM Overlay Zones: Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, 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.

- The Site Plan Ordinance requires a that all Level III development in the B7 zone shall design and implement a Transportation Demand Management (TDM) plan; please submit a draft;
- The Traffic Engineering Reviewer requests (in view of the increase in traffic from the proposed project) an assessment of the operation and safety of the intersection of Chestnut Street and Lancaster Street;

- Please clarify whether there will be rooftop appurtenances and if so how they will be screened, and provide the building rendering;
- Please confirm how many of the units have balconies;
- Please clarify regarding the long term plans for the parking lot, as it is part of the same lot and scope for improvements to sidewalks and landscaping etc would usually be part of the site plan review.

Key Site Plan review issues that may need further response/discussion prior to finalizing the PB Memo

- Staff will be recommending that sidewalks in the vicinity of the new building be 8 feet wide with associated improvements that would include lighting, ADA ramps at street crossings, and possibly realignment of the curb line at corners;
- The project is subject to the B-7 Design Standards and the initial review has identified the following aspects that need further consideration:
 - E1 Architectural Design: There are a few areas of concern where residential unit windows facing public rights-of-way are low to the ground and do not provide visual privacy for the occupants. The driveway to the garage from Chestnut Street will need further detail to address safety concerns - it should not become a dark tunnel.
 - E4 Articulation: The blank wall on Chestnut Street adjacent to the entrance lobby is of concern at the pedestrian level. Incorporate design elements to make that stretch more comfortable at the street.
 - E12 : Materials: The guidelines currently prohibit fiber cement panels to be used on portions of the building visible from the public rights of way. Either revise the material selection to comply with the standard or request a waiver from the Planning Board. In addition, the use of two different color panels in a pixilated manner is not necessary and adds visual distraction to an already visually complex facade.
- Staff will be recommending that the landscaping and street tree proposals be revised; we appreciate that these may depend on resolution of some of the issues noted above.

I anticipate that reviewers will be sending me written and more detailed preliminary comments over the next few days, which I will forward; they may include additional questions or issues.

Please do not hesitate to contact me if you have any questions.

Thank you

Jean

Jean Fraser, Planner
City of Portland
874 8728

75 Chestnut - Preliminatry design comments

1 message

Caitlin Cameron <ccameron@portlandmaine.gov>

Wed, Aug 31, 2016 at 10:33 AM

To: "Fraser, Jean" <jf@portlandmaine.gov>

From an initial design review (B-7 Design Standards), we have the following questions and comments:

- Please provide the building rendering in the application materials
- E1 Architectural Design: There are a few areas of concern where residential unit windows facing public rights-of-way are low to the ground and do not provide visual privacy for the occupants. The driveway to the garage from Chestnut Street will need further detail to address safety concerns - it should not become a dark tunnel.
- E4 Articulation: The blank wall on Chestnut Street adjacent to the entrance lobby is of concern at the pedestrian level. Incorporate design elements to make that stretch more comfortable at the street.
- E10 Rooftop Appurtenances: Will there be rooftop appurtenances? Where will they be and how will they be screened?
- E12 : Materials: The guidelines currently prohibit fiber cement panels to be used on portions of the building visible from the public rights of way. Either revise the material selection to comply with the standard or request a waiver from the Planning Board. In addition, the use of two different color panels in a pixilated manner is not necessary and adds visual distraction to an already visually complex facade.

--

Caitlin Cameron, AICP, Associate AIA, LEED AP
Urban Designer
Planning & Urban Development Department
389 Congress Street
Portland, ME 04101
phone: (207) 874-8901
email: ccameron@portlandmaine.gov

75 Chestnut Street - Preliminary Traffic Comments

1 message

Tom Errico <thomas.errico@tylin.com>

Thu, Sep 8, 2016 at 4:04 PM

To: Jean Fraser <jf@portlandmaine.gov>

Cc: Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett

<JBartlett@portlandmaine.gov>, Lauren Swett <lswett@woodardcurran.com>, Jeff Tarling <jst@portlandmaine.gov>

Hi Jean – I have reviewed the project application materials and offer the following preliminary traffic comments.

- The applicant shall conduct a traffic and safety assessment of the Chestnut Street/Lancaster Street intersection. The assessment shall consist of conducting intersection turning movement counts during the weekday AM and PM peak periods and evaluating crash information. The assessment should determine the appropriateness of the current two-way STOP configuration (which may cause confusion given other area intersection control conditions) and whether a four-way STOP condition is warranted.

- The City Ordinance notes the following; *Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, 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.* Accordingly, A parking demand and management study shall be conducted that documents the projects expected parking demand according to ITE and/or local accepted data. The study shall also document how garage parking spaces will be managed including but not limited to: will spaces be specifically designated for the proposed tenants; will tenant parking spaces be bundled with each residential unit or an additional amenity; who currently uses the garage and are any users associated with an approved site plan. I would note that I do not expect any issues related to providing a sufficient off-street parking supply.

- Sidewalks along the entire frontage of a project site shall meet City standards. The proposed project is currently proposing full sidewalk upgrades along Chestnut Street where the residential building is being constructed and disturbing the existing sidewalk. Existing sidewalks along the property frontage on Lancaster Street and Oxford Street do not meet the City sidewalk material policy. I would further note that during my field investigation the sidewalk on Lancaster Street is in poor condition with a uneven surface

that creates ponding during rain events. DPW continues to review sidewalk conditions and requirements such that the project meets City standards.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE

Senior Associate

Traffic Engineering Director

TYLININTERNATIONAL

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

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"One Vision, One Company"

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MEMORANDUM

Att. 4

TO: Jean Fraser, Planner
FROM: Lauren Swett, PE & Craig Sweet, EIT
DATE: September 7, 2016
RE: 75 Chestnut Street, Level III Site Plan Application



Woodard & Curran has reviewed the Level III Site Plan Application for the proposed development located at 75 Chestnut Street in Portland, Maine. The project involves The construction of a 7 Story building with 54 residential units.

Documents Reviewed by Woodard & Curran

- Level III site Plan Application and attachments, dated July 28, 2016, prepared by Pinkham & Greer Civil Engineers, on behalf of A&M Partners.
- Engineering Plans, Sheets C.1., C1.2, C1.3, C1.4, C.15. C2.1, C2.2, C2.3, and C2.4, dated July 28, 2016, prepared by Pinkham & Greer Civil Engineers, on behalf of A&M Partners.
- Architectural Plans, Sheets A1.01, A1.02, and A2.01 dated July 22, 2016, Prepared by Archetype Architects, on behalf of A&M Partners.
- Existing Conditions Survey, Dated July 2016, prepared by Maine Survey Consultants, Inc, on behalf of A&M Partners.

Comments

- 1) The Applicant has requested letters from utilities conforming capacity to serve the proposed development, evidence of confirmation of capacity to serve the proposed development should be provided upon receipt.
- 2) 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 Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. However, details should be provided for stabilized construction entrance, and the location should be indicated on the drawings.
 - b) General Standard: The project will result in an increase in impervious area of approximately 11,600 square feet. As such, the project is required to include specific stormwater management features for stormwater quality control. The Applicant will be utilizing an underdrained soil filter for stormwater treatment.
 - The detail for the soil filter notes an emergency overflow spillway. This area should be identified on the plan view of the soil filter.
 - A rip rap area is identified on the plans where the roof drain and foundation drains inlet to the underdrained soil filter. It is assumed that this area will serve as the sediment forebay. Additional design information and detail should be providing showing that this will conform with the Maine DEP design requirements for a sediment forebay.
 - c) Flooding Standard: The project will result in a increase in impervious area of approximately 11,600 square feet. As such, the project is required to include any specific stormwater management features to control the rate or quantity of stormwater runoff from the site.
 - The Applicant has utilized a 0.10 CFS exfiltration rate to represent the infiltration of stormwater through the underdrain soil filter. This differs from the typical modeling value of 2.41 inches/hour (typically used per Maine DEP standards). The Applicant should provide background for this value.
 - Pre- and post-development stormwater figures should be provided with the final submission to accompany the stormwater models.



- 3) 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.
- 4) The Applicant should revise the Bituminous Pavement Sections detail to be in conformance with City of Portland Technical Manual for any pavement within the City of Portland Right of Way. The provided details include 9.5mm HMA as the surface pavement, where all City details require 12.5 mm HMA.
- 5) The proposed stormdrain connection has been reviewed with the City of Portland Department of Public Works. Please see the attached GIS figure. For a record of the combined sewer in the area. The Portland DPW have indicated that a stormdrain connection to the manhole identified on the GIS figure as SSMH-4779 would be acceptable.
- 6) A new utility pole is being proposed on the north side of Chestnut Street, with overhead utility lines connecting across Chestnut Street. The Applicant should provide underground electrical and communication lines across Chestnut Street, or provide justification from the utilities on why this method of connection is not possible. Underground utilities would eliminate public safety access concerns related to overhead utilities.



75 Chestnut Street: Sidewalk/Curb Ramp/Public ROW

Comments

1 message

Bruce Hyman <bhyman@portlandmaine.gov>

Thu, Sep 8, 2016 at 1:55 PM

To: Jean Fraser <jf@portlandmaine.gov>

Cc: "Barhydt, Barbara" <bab@portlandmaine.gov>, "Errico, Thomas" <thomas.errico@tylin.com>, "Tarling, Jeff" <jst@portlandmaine.gov>, "Gautreau, Keith" <kng@portlandmaine.gov>, "Cameron, Caitlin" <ccameron@portlandmaine.gov>, "Swett, Lauren" <lszett@woodardcurran.com>, "Donaldson, Helen" <hcd@portlandmaine.gov>, "O'Brien, Stuart" <sgo@portlandmaine.gov>

Good afternoon, Jean,

My revised/clarified comments related to the 75 Chestnut Street project are:

- Since the applicant is not proposing to remove and reset the existing curb (or provide new curb) along Chestnut Street and Oxford Street, staff recommends the applicant provide a minimum of 8' of sidewalk on Oxford Street and Chestnut Street within the proposed project limits as measured from the back of curb where not precluded by the proposed building footprints as shown in the site plan dated July 28, 2016. This will allow for street trees and street lighting to be added within the sidewalk. This may trigger the need for an easement where the sidewalk is on the applicant's property.
- Staff recommends the applicant provide 2 curb ramps at the corner of Chestnut Street and Oxford Street as required by the Technical Manual unless it can be demonstrated that it is technically infeasible or cost prohibitive to do so based upon utility conflicts or other considerations. If the 2 curb ramps are found infeasible, staff recommends the addition of a minimum 4'x4' landing area at the top of the curb ramp located at the corner of Oxford and Chestnut Streets and associated transitions to sidewalks. This may trigger the need for an easement where the landing area and/or transitions to sidewalk are on the applicant's property.
- Staff recommends the applicant provide lighting along the site's Chestnut Street frontage in conformance with the Bayside Lighting District standards contained within the Technical Manual.
- Staff recommends the applicant illustrate on its design plans and applicable details the provision of a 4' minimum/5' desired ADA-compliant pedestrian access route (maximum 2% cross-slope) across the driveways within the project limits or demonstrate that it is technically infeasible to do so.
- Staff recommends the addition of a minimum 4'x4' landing area at the top of the curb ramp located at the corner of Lancaster and Chestnut Streets and associated

transitions to sidewalks. This may trigger the need for an easement where the landing area and/or transitions to sidewalk are on the applicant's property. It appears from the site plan that the existing sidewalk and curb ramp at this location extends into the applicant's property as well. An easement may be needed regardless of modifications at this location.

Please do not hesitate to contact me if you require additional information.

Bruce

MEMORANDUM

To: FILE
From: Jean Fraser
Subject: Application ID: 2016-184
Date: 9/8/2016

Comments Submitted by: Keith Gautreau/Fire on 9/7/2016

I would like to see a letter from the Portland Water District of their ability to serve domestic and fire protection demand for the proposed high rise building.

Comments Submitted by: Keith Gautreau/Fire on 9/7/2016

Emergency vehicle access is two sides only, Chestnut and Oxford. This is acceptable to the Fire Dept. although because of the arrangement and height of the building I would like to require the overhead power line on Chestnut Street going to the transformer to be underground. This will drastically restrict the Aerial Ladder trucks operation at this proposed site.

Comments Submitted by: Keith Gautreau/Fire on 9/7/2016

Fire Department Access shall have an unobstructed vertical clearance of not less than 13 ft 6 in. We will NOT be requiring this vertical clearance as emergency vehicles will not be entering the parking garage.

Comments Submitted by: Keith Gautreau/Fire on 9/7/2016**Premises Identification**

The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.

Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer.

If the building entry faces a different street, both the street name and number should be large enough to read from the street.

Address numbers must be a minimum of 4 inches high.

The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").

Color: Addresses should be in a color that contrasts with the background.

Whenever possible, should be illuminated.

Provide additional address signs at entrances to the property when the building address is not legible from the public street.

File: 16105

July 28, 2016

Ms. Barbara Barhydt
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

RE: SITE PLAN APPLICATION, WESTERLEA VIEW LOFTS
75 CHESTNUT STREET

Dear Barbara,

On behalf of A&M Partners, Inc. we are pleased to provide the accompanying package of submission materials related to a 54-unit apartment complex with a main lobby entranced at 75 Chestnut Street. This submission package is intended to meet the City's Preliminary Submission requirements as outlined in the Level III Application procedures. The materials represent the development of currently undeveloped land adjacent to the 3 level Chestnut Street Garage. The proposed 7 story apartment building will abut the garage and have access to it but will be a separate building both in ownership and under the building code.

The site is on the east side of Chestnut St, north of Oxford St. and south of Lancaster. There is currently access to the 2nd level of the garage from Chestnut Street. This will be retained in our proposal. From Oxford to Lancaster Street the site drops some 20 feet. The proposed 1st floor will be unexcavated at the southerly end and follow the grade as it drops going north. The second floor and above will be level

The proposed building will contain 38 2-bedroom units, 14 1-bedroom units and 2 studios for a total of 54 units. With an additional 2,328+/- sq. ft. of 1st floor space is for uses as yet undetermined Commercial use with a proposed 800 sq. ft. residential living space on a second level.

The proposed footprint of the structure is 11,600 sq. ft.

The site area is 92,224 sq. ft.

Parking for the apartments at a ratio of one space to one unit will be in the existing garage.

Ms. Barbara Barhydt
July 28, 2016
File: 16142
Page 2 of 2

Accompanying this project description are the following materials:

Site Plan Application w/ Checklist
Deed
Financial Capacity Letter
Zoning Analysis
Letter to PWD
City Wastewater Application
Light Cut Sheets
Traffic Assessment
Stormwater Analysis
Shadow Study

Survey
Site & Subdivision Plans
Architectural Plans

We look forward to the review with the Staff and the Planning Board.

Sincerely,

PINKHAM & GREER,
CIVIL ENGINEERS



Thomas S. Greer, P.E.

cc: (1) Lou Wood, (1) Bill Hopkins, (1) File

Enclosures

TSG/rjs

PROJECT NAME: Westerlea View Lofts

PROPOSED DEVELOPMENT ADDRESS:

75 Chestnut Street

PROJECT DESCRIPTION:

This is the construction of a seven story building for 54 residential units.

CHART/BLOCK/LOT: 26 / E / 10

PRELIMINARY PLAN

X

(date)

FINAL PLAN

(date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Lou Woods Business Name, if applicable: A & M Partners, Inc Address: 120 Exchange Street City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207-879-1358 Home# Cell # Fax# e-mail: lcwood@ampartners.me
Owner – (if different from Applicant) Name: Same as Applicant Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Thomas S. Greer, P.E. Name: Pinkham & Greer, Civil Engineers 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 Name: Same as Applicant Address: City/State : Zip Code:	Billing Information Work # Cell # Fax# e-mail:

Engineer Thomas S. Greer, P.E. Name: Pinkham & Greer, Civil Engineers Address: 28 Vannah Ave 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 Del Maxfield Name: Maine Survey Consultants, Inc. Address: PO Box 485 City/State : Harrison, ME Zip Code: 04040	Surveyor Contact Information Work # 207-583-6159 Cell # Fax# 207-583-6159 e-mail: dmaxfield@mainesurveyconsultants.com
Architect Bill Hopkins Name: Archetype Architects Address: 48 Union Wharf City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work # 207-772-6022 Cell # Fax# 207-772-4056 e-mail: hopkins@archetypepepa.com
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

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

Level III Development (check applicable reviews) ☐ Less than 50,000 sq. ft. (\$500.00) ☒ 50,000 - 100,000 sq. ft. (\$1,000) ☐ 100,000 – 200,000 sq. ft. (\$2,000) ☐ 200,000 – 300,000 sq. ft. (\$3,000) ☐ over 300,00 sq. ft. (\$5,000) ☐ Parking lots over 11 spaces (\$1,000) ☐ After-the-fact Review (\$1,000.00 plus applicable application fee) Plan Amendments (check applicable reviews) ☐ Planning Staff Review (\$250) ☐ Planning Board Review (\$500) The City invoices separately for the following: • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	Other Reviews (check applicable reviews) ☐ Traffic Movement (\$1,000) ☐ Stormwater Quality (\$250) ☐ Subdivisions (\$500 + \$25/lot) # of Lots x \$25/lot = ☐ Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots x \$200/lot = ☐ Other ☐ Change of Use ☐ Flood Plain ☐ Shoreland ☐ Design Review ☐ Housing Replacement ☐ Historic Preservation
--	---

APPLICATION SUBMISSION:

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan and each document submitted as separate files. Naming conventions for the individual files 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:

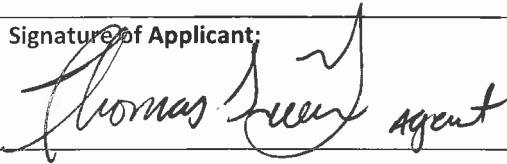
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence 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:  Agent	Date: 7/28/16
--	------------------

PROJECT DATA

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

Total Area of Site	92,224 sq. ft.
Proposed Total Disturbed Area of the Site	29,000 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)	53,511 sq. ft.
Impervious Area (Total Proposed)	63,563 sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	49,326 sq. ft.
Building Footprint (Total Proposed)	11,600 sq. ft.
Building Floor Area (Total Existing)	148,006 sq. ft.
Building Floor Area (Total Proposed)	81,200 sq. ft.
Zoning	
Existing	B7
Proposed, if applicable	
Land Use	
Existing	Parking Garage
Proposed	Parking Garage & Residential
Residential, If applicable	
# of Residential Units (Total Existing)	0
# of Residential Units (Total Proposed)	54
# of Lots (Total Proposed)	0
# of Affordable Housing Units (Total Proposed)	5
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	2
# of One-Bedroom Units (Total Proposed)	14
# of Two-Bedroom Units (Total Proposed)	38
# of Three-Bedroom Units (Total Proposed)	0
Parking Spaces	
# of Parking Spaces (Total Existing)	450
# of Parking Spaces (Total Proposed)	450
# of Handicapped Spaces (Total Proposed)	
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	22
Estimated Cost of Project	\$5,850,000.00

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

File: 16105

July 29, 2016

Ms. Barbara Barhydt
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

RE: WESTERLEA VIEW LOFTS, 75 CHESTNUT STREET

Dear Barbara,

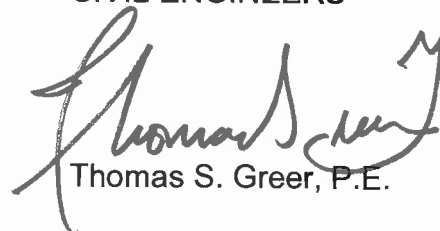
Attached is the application for Inclusionary Zoning. This project will provide 6 units to meet this requirement. It will include:

- (2) second floor, 2 bedroom units
- (2) second floor, 1 bedroom units
- (1) third floor, 2 bedroom unit
- (1) third floor, 1 bedroom unit

Standard restriction on units will be part of the final application.

Sincerely,

PINKHAM & GREER,
CIVIL ENGINEERS



Thomas S. Greer, P.E.

cc: (1) Lou Wood, (1) Bill Hopkins, (1) File

Enclosures

TSG/rjs



Conditional Use for Ensuring Workforce Housing Inclusionary Zoning Planning Board Review Application Portland, Maine

Planning and Urban Development Department
Planning Division and Housing and Community Development

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 review of applications to ensure workforce housing in development projects that create ten or more new dwelling units. The units may be for rent or for sale and created through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or rent. All developments of ten units or more a conditional uses subject to Planning Board review on the condition that they comply with the requirements of section 14-487.

A. Ensuring Workforce Housing: Standards -Section 14-484

(d) Workforce Housing Minimum At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or for rent. The number of units required is rounded down to a whole number if providing units on- or off-site, or shall include a fractional value in cases where a project prefers to pay a fee-in-lieu as per (e)3. below.

(e) Standards

1. Projects shall not be segmented or phased to avoid compliance with these provisions. In cases where projects are completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise permitted through regulations.
2. Workforce units are encouraged to be integrated with the rest of the development, should use a common entrance and should provide no indications from common areas that these units are workforce housing units.
3. Workforce units need not be the same size as other units in the development but the number of bedrooms in such units, either on- or off-site, shall be 10 percent of the total number of bedrooms in the development. For the purposes of this section, for every 400 square feet in a market rate unit will count as a bedroom if the actual number of bedrooms in the unit is lower.
4. As an alternative to providing workforce housing units, projects may pay a fee in lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund as defined in Sec. 14-489. The fee for affordable units not provided shall be \$100,000 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement.
5. Workforce housing units for sale, if converted to workforce housing units for rent, shall become subject to the income limits and other requirements of such units.
6. If at least 33 percent of the units in a development are workforce units, the development is eligible for subsidy through an Affordable Housing TIF, subject to City Council approval.

7. The term of affordability for the required 10 percent workforce units provided shall be defined as follows:

Percentage of Workforce Units Provided	Minimum Term of Affordability for Required Workforce Units
10%	Longest term permitted under federal, state and local laws and ordinances
25%	30 years
50%	20 years
100%	10 years

(f) Implementing Regulations. Regulations to further specify the details of this section shall be developed, including, but not limited to:

1. Specific methodology for income verification;
2. Situations where less than permanent affordability might be considered; and
3. Guidelines for meeting the requirement that off-site units be "in the same neighborhood".

B. Site Plan Application: Please submit the Conditional Use Application in addition to the applicable Site Plan Application.

PROJECT NAME: Westerlea View Lofts

PROPOSED DEVELOPMENT ADDRESS: 75 Chestnut Street

ASSESSOR'S CHART/BLOCK/LOT (s): 26 / E / 10 **Applicable Zone:** B7

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Lou Woods Business Name, if applicable: A & M Partners, Inc. Address: 120 exchange Street City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207-879-1358 Home# Cell # Fax# e-mail: lcwood@ampartners.me
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: Same as Applicant Address: City/State : Zip Code:	Billing Information Work # Cell # Fax# e-mail:

RIGHT, TITLE OR INTEREST:

Owner

(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.)

EXISTING USE: Describe the existing use of the subject property.

Parking Garage

PROJECT DESCRIPTION:

Construction of an 11,600 sq. ft. footprint, 7 story building with 54 residential units.

INCLUSIONARY ZONING:	
# IZ Units	
On-Site IZ Units	
Off-Site IZ Units	
# IZ Homeownership Units	
# IZ Rental Units	
# IZ Efficiencies	2
# IZ 1-Beds	2
# IZ 2-Beds	2
# IZ 3-Beds	
IZ Fee In-Lieu	

APPLICATION FEES:

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

___ Conditional Use Review to Ensure Workforce Housing (\$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 (\$50.00 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 and each document submitted as separate files. Naming conventions for the individual files 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-Documnt-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.

Applicant Checklist	Planner Checklist	# of Copies	Written Submissions Checklist
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.
		1	Written Submittals that address the conditional use standards of Sec. 14-484, including unit size and bedroom count
		1	Draft Workforce Housing Agreement
		1	Proposed Marketing Strategy
		1	Written Proposal for providing workforce units on-site, off-site, or payment of fee-in-lieu.
		1	If the project is to be phased, provide written description of project phasing and accommodation of workforce units.
			Plans and Construction Details Submission Checklist
X		1	An accompanying site plan application, as applicable.
X		1	Floor Plans of all units and identifying proposed designated workforce housing units
		1	Interior Standards for Units for market rate and workforce housing units, including kitchen, bathroom, flooring and closet amenities
		1	If workforce units are proposed off-site, provide vicinity map with project location and workforce unit locations within the applicable census block group map or within 1500 feet of the project.

The Conditional Use Application to Ensure Workforce Housing must be complete, including but not limited to the contact information, project data, application checklist, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

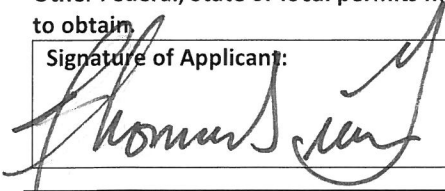
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:

APPLICANT 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:

8/9/16

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) 874-8710

Housing and Community Development
Room 313, Third Floor, City Hall
389 Congress Street
(207) 483-5030

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

**ZONING ANALYSIS
75 CHESTNUT STREET
WESTERLEA VIEW LOFTS
PORTLAND, MAINE**

Zoning Analysis

This site is in the B7 Zone, A. It is at the edge of the bayside area as well as the downtown area. The zone encourages these districts to acquire a distinctly urban form through dense development featuring a mix of uses such as housing, retail, offices, research and development, and artisan studios and that emphasizes a quality pedestrian experience, promotes public transit, and demonstrates exemplary urban design.

This project will focus on the housing portion of that goal.

- Multifamily Housing is an allowed use. There are no density restrictions. The site is in a well-established area of the city with existing sidewalks throughout the area. The Chestnut Street walk will be upgraded to brick in compliance with the City Technical Standards.

Below are the dimensional requirements for the project.

<u>Space Standards</u>	<u>Required</u>
Minimum Lot Size	None
Minimum Street Frontage	None
Minimum Front Yard Setback	None
Minimum Rear Yard Setback	None
Minimum Side Yard Setback	None
Minimum Length of Building Wall	25% of perimeter
Maximum Building Lot Coverage	100%
Maximum Residential Density	None
Maximum Building Height	75 Feet
Minimum Building Height	-
Off Street Parking	1 Per Unit
Bike Racks	12

Performance Standards

- All storage of items will be inside the structure.
- Waste will be stored inside and picked up by a private waste hauler.
- All of the mechanical equipment will be roof mounted. It will meet the City's noise requirements.

- Parking is taking place in the existing garage. No additional parking is required.
- This project will have minimal glare. The building materials will be non-reflective. Lighting will be shielded and down lit.
- This site with residential uses will not generate odors.
- The project will connect to existing public utilities; sewer, water, gas, and communications.

Westerlea View Lofts
75 Chestnut Street
Portland, Maine 04101

Compliance with B-7 Mixed Use Urban Design Principles and Standards

Principle A:

Westerlea View lofts creates a dense siting of mixed use by stacking seven stories of residential above a first floor of residential and a large, double height space that has potential to be used for a gym/live work/retail space. The building is able to offer this space because of its advantageous use of the site's slope.

The density of the building is achieved through its height while the footprint is long and narrower with the narrow end facing toward Back Cove keeping any blocked neighboring views to a minimum. The height also allows the tenants of the building to benefit from the views afforded by the site.

The building footprint sits on only a little more than half of the vacant lot that exists now leaving a large portion to be developed as green space to be utilized by the tenants (both the residential and that of the first floor space) and the public and is directly accessible from the double-height space.

The owner of the building is also the owner of the existing 3-story garage located adjacent to Westerlea View Lofts. The existing entrance to the second level of the garage is located midway along the proposed footprint and this access will be maintained through a tunnel under the residential tower and dividing the residential portion of the at ground level from the double height space. This garage entrance creates the desired mid-block permeability. The parking garage will also provide all of the necessary parking for the project.

The material choice for the building includes multiple new materials as is encouraged in this zone. Although the materials are modern, the finishes chosen relate to more historic materials both in finish and color.

The building is to be located near the property lines on Oxford and Chestnut. The angled property line on Chestnut influenced the stepping nature of that street's façade which made for a positive breaking up of the mass along the public right-of-way. The main entrances of the residential and the double-height space are also located on this façade and are denoted by a warm textured finish giving the street level a strong and welcoming presence.

Principle B:

Both the access for the existing garage and the large green area create ample mid-block permeability.

The existing sidewalks will be maintained and resurfaced and will meet the project with areas of planting, crushed stone and bike storage. Where the public way crosses the garage entrance the pedestrian lane will be clearly marked.

Although several trees will need to be removed for the project to be near the property line as required by zoning, other trees will be added in the green space as well as around the perimeter of the existing garage extending the area that will benefit from planting beyond that of the proposed site.

Principle C:

The parking garage for this project is an already existing and successful structure in terms of traffic. The relationship of the entrances to the building are previously mentioned. Bike racks will be included both at the Chestnut Street entry and at the garage entry on Oxford Street.

The design takes advantage of the façade backed up against the garage by placing service, utility and mechanical infrastructure in the zone here where fenestration is not possible. Another space has been allocated for such infrastructure that needs ample venting in a screened platform above the tunnel access to the garage.

Principle D:

For planting and landscaping see site plan

Principle E:

The design of Westerlea View Lofts is innovative yet sensitive to its surrounding and site.

All facades are broken up through stepping of the building, material changes, fenestration and carved out decks. There is a clear base to the building where the entrances are located and the potential for mixed-use exists. The middle of the building, although broken up in massing, does provide a rhythm through pattern, glazing and stacking of units and decks. The top floor breaks from the pattern with larger areas of glazing and angled decks allowing for maximum views towards Back Cove.

The primary entrance on Chestnut street provides direct access to the elevators and stairs as well as a pass through to the second story of the garage.

Windows, both fixed and operable will cover a large portion of all the facades with a larger quantity on the ground level due to storefront and on the top floor due to the angled decks and a greater floor to ceiling height.

The back side of the building is that next to the garage. In order for glazing to be allowed on the second residential level, a horizontal rated surface will extend from the building over the first 10' of the garage so this has been turned into the opportunity to create large deck space for those units and visually soften the connection of the two structures.

A variety of new durable materials are to be used for the façade. Steel siding with a concealed fastening system will be used in conjunction with Nichiha, both in sandstone and wood finishes. The Nichiha system has an extremely well developed connection system that creates a more finished look that withstands high wind loads.

Canopies will be included at the entrances on Chestnut Street.

The orientation of the building and the location of the existing garage keep shadows on neighboring buildings to a minimum as shown in the included shadow studies.

QUITCLAIM DEED

MAINE REAL ESTATE TAX PAID

MTM PORTLAND PROPERTIES, LLC, a Maine limited liability company with its principal place of business in Portland, County of Cumberland and State of Maine, for consideration paid, grants to A & M PARTNERS, INC., a Maine corporation with its principal place of business in Portland, County of Cumberland and State of Maine and having a mailing address of 120 Exchange Street, Portland, ME 04101, WITH QUITCLAIM COVENANT, that certain condominium unit situated in Portland, County of Cumberland and State of Maine, the legal description of which is as follows:

Unit No. 2 (hereinafter referred to as the "Unit") in the Chestnut Street Parking Condominium (hereinafter referred to as the "Condominium"), situated at Oxford and Chestnut Streets in the City of Portland, County of Cumberland and State of Maine, as more particularly described in the Declaration of Chestnut Street Parking Condominium dated June 29, 1988, and recorded in the Cumberland County Registry of Deeds in Book 8355, Page 99, as amended by a certain Amendment to Declaration of Chestnut Street Parking Condominium, dated March 5, 1991 and recorded in Book 9485, Page 18, and also by Certificate of Amendment, dated March 5, 1991, and recorded in Book 9485, Page 36 and re-recorded in Book 9548, Page 66, and by Second Amendment to Declaration of Chestnut Street Parking Condominium dated February 11, 2005 and recorded in Book 22383, Page 1, and Second Amendment to Bylaws of Chestnut Street Parking Condominium Association dated February 5, 2005 and recorded in Book 22383, Page 30, and as shown on the five (5) page set of Plats and Plans incorporated into the Declaration and recorded in said Registry of Deeds in Plan Book 171, Pages 68 through 72 (herein collectively referred to as the "Plats and Plans") by virtue of the recording of which Declaration, Plats and Plans, the said Oxford Development Associates, as Declarant, created the Condominium pursuant to the Maine Condominium Act, Title 33 of the Maine Revised Statutes of 1964, as amended, Chapter 31, Section 1601-101 et seq., as amended.

TOGETHER WITH an undivided interest in the Common Elements of the Condominium, the liability for Common Expenses of the Condominium, and Votes in the Association of Unit Owners of the Condominium allocated to the Unit pursuant to the Declaration;

TOGETHER WITH the rights to use the Limited Common Elements allocated to the Unit as described, specified and allocated pursuant to the Declaration;

TOGETHER WITH an easement in common with the Owners of other units to use the Common Elements of the Condominium for the purposes of ingress and egress in accordance with the Declaration and the exclusive right and easement for the use, occupancy and enjoyment of the Unit;

TOGETHER WITH an easement in common with all other Unit Owners to use all pipes, wires, ducts, cable, conduits, public utility lines and other Common Elements serving the Unit and located in any of the other units;

TOGETHER WITH an easement, to the extent necessary, for structural and subjacent support over every other unit and over the Common Elements;

TOGETHER WITH all other rights, easements, rights-of-way, interests, Allocated Interests, privileges and appurtenances as more particularly described, located, defined, allocated, or referred to in the Declaration, the Plats and Plans, and the Bylaws described in the Declaration, all of which are incorporated herein by reference thereto;

ALSO HEREBY CONVEYING, TRANSFERRING and ASSIGNING, without any warranty covenants or covenant of title, all of the Reserved Development Rights described in Articles XVI and XVII of said Declaration, together with all Special Declarant Rights and all easements described or referred to in said Declaration and on said Plats and Plans which are necessary or convenient to the exercise of said Reserved Development Rights or to the construction, ownership, use, sale or lease of any condominium units, common elements or limited common elements created by the exercise of said Reserved Development rights, including, but not limited to, the easements, rights, and privileges described in Sections 7.4, 7.5, 7.6, 7.8, 7.9, 7.11, 7.12, 7.13 and 7.14 and Article XII of said Declaration.

SUBJECT TO the matters affecting title described in the Declaration and the Plats and Plans and the terms, conditions, covenants, agreements, easements and provisions of the Declaration and Bylaws as the same may be amended from time to time, which terms, conditions, covenants, agreements, easements and provisions, together with any amendments thereto, shall constitute covenants running with the land and shall bind the Grantee and any person having at any time any interest or estate in the Unit, as though such provisions were recited and stipulated at length herein;

SUBJECT TO an easement in common with the Owners of other units to use all pipes, wires, ducts, cables, conduits, public utility lines and other Common Elements serving the other units and located in the Unit and to an easement for structural and lateral support in favor of every other unit;

AND, by the recording of or by acceptance of this deed the Grantee does accept and agree for the Grantee, its successors and assigns, to be bound by and subject to all of the provisions, terms, conditions, covenants, agreements, easements and provisions of the Act, the Declaration, the Bylaws and the Plats and Plans, as the same may be amended from time to time.

Grantee, for itself and its successors and assigns, agrees and acknowledges that Grantee is purchasing the Unit in the Condominium by virtue and in furtherance of Grantee's exercise of a certain right of first offer set forth in a certain Agreement dated February 11, 2005 (the "Agreement") between Grantee and Blethen Maine Newspapers, Inc., a Washington corporation. A Memorandum of Right of First Offer dated June 11, 2009 pertaining to the Agreement was duly recorded by Grantee on the same date in the Cumberland County Registry of Deeds in Book 26984, Page 27 (the "Memorandum"). Reference is further made to a certain Notice of Transfer from the Grantor to the Grantee dated, served on the Grantee and recorded on June 16, 2009 in said Registry of Deeds in Book 26998, Page 124 pertaining to the Agreement and Memorandum. By its purchase of the Unit in the Condominium at the purchase price set forth in the Notice of Transfer, and by its acceptance of this deed, the Grantee agrees and acknowledges that (a) the Grantor has fully complied with its obligations under the Agreement and the Memorandum, (b) Grantee's right of first offer in the Agreement and referred to in the Memorandum and the Notice of Transfer has merged with the fee estate conveyed hereby and (c) the right of first offer and all other rights of Grantee under the Agreement and the Memorandum have been terminated and no longer encumber the Unit in the Condominium.

FOR SOURCE OF TITLE reference is hereby made to the Release Deed of Blethen Maine Newspapers, Inc. dated June 15, 2009 and recorded in said Registry of Deeds in Book 26992, Page 159. Grantor means and intends to convey all and the same estate and premises acquired by it from Blethen Maine Newspapers, Inc. under said deed, subject to the matters noted in this instrument.

IN WITNESS WHEREOF, the undersigned MTM PORTLAND PROPERTIES, LLC has caused this instrument to be executed and delivered by

the undersigned officer hereunto duly authorized, this 17th day of August, 2009.

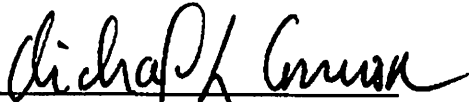
Signed, Sealed and Delivered

MTM PORTLAND PROPERTIES, LLC

By: MaineToday Media, Inc., its Sole
Manager



Witness

By: 

Name: Richard L. Connor

Title: Chief Executive Officer

STATE OF MAINE

Cumberland, ss.

August 17, 2009

Personally appeared the above named Richard L. Connor in his stated capacity for MaineToday Media, Inc., the Sole Manager of MTM Portland Properties, LLC, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of MaineToday Media, Inc. and MTM Portland Properties, LLC.

Before me,



~~Notary Public~~

PAUL F. DRISCOLL

Attorney-at-Law

Received
Recorded Register of Deeds
Aug 17, 2009 09:24:56A
Cumberland County
Pamela E. Lovley



May 23, 2016

To Whom It May Concern,

This letter will confirm that Lou Wood and A&M Partners have been longstanding clients of Norway Savings Bank for many years and have always handled their relationships with Norway Savings Bank in an exemplary fashion. Norway Savings Bank has extended numerous credit facilities to Mr. Wood and A&M Partners over the course of this relationship and they have an impeccable repayment history with our institution. Norway Savings Bank can confirm that Mr. Wood and A&M Partners have sufficient financial capacity based on their deposit and loan relationship with us.

Please don't hesitate to call me at (207) 482-7901 if I can be of service.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Walsh", is written over the word "Sincerely,".

Daniel P. Walsh
Senior Vice President &
Senior Commercial Lender

File: 16142

July 14, 2016

Mr. Gordon Johnson
Portland Water District
PO Box 3553
Portland, ME 04104-3553

RE: CAPACITY TO SERVE LETTER, CHESTNUT STREET, PORTLAND

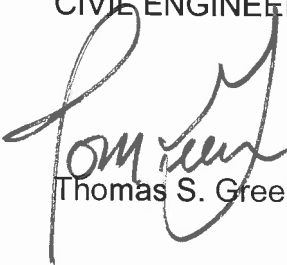
Dear Gordy,

Attached is information for the Chestnut Street Project. There will be 53 units in the 6 floors of housing with two levels of parking. The access to parking will be from Chestnut Street for the lowest level and Oxford Street for the upper level. The flow will be 8,190 gpd as well as a sprinkler system.

If you could provide a capacity to serve letter for the City of Portland it would be greatly appreciated.

Sincerely,

PINKHAM & GREER,
CIVIL ENGINEERS



Thomas S. Greer, P.E.

cc: (1) File

enclosures

TSG/rjs

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



David Margolis-Pineo
Deputy City Engineer
207-874-8850
207-400-6696
dmp@portlandmaine.gov

Date: July 28, 2016

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

Site Address: Chestnut Street

Chart Block Lot Number: 26 / E / 10

Proposed Use: Parking Lot / Residential

Previous Use: Parking 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.

Chestnut Street

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

X

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

2. Please, Submit Contact Information.

City Planner's Name: Barbara Barhydt Phone: 207-874-8699

Owner/Developer Name: A & M Partners, Inc.

Owner/Developer Address: 120 Exchange St. Portland, ME 04101

Phone: 207-879-1358

Fax: _____ E-mail: lcwood@ampartners.me

Engineering Consultant Name:

Thomas S. Greer, P.E., Pinkham & Greer, Civil Engineers

Engineering Consultant Address:

28 Vannah Ave, 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: 8,280 GPD

Peaking Factor/ Peak Times: 3

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)
90 gpd per bedroom

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values:

N/A

Size of External Grease Interceptor:

Retention Time:

Peaking Factor/ Peak Times:

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated:

N/A

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, or attached, as a separate sheet.



Traffic Solutions
 William J. Bray, P.E.
 235 Bancroft Street
 Portland, ME 04102
 (207) 774-3603
 (207) 400-6890 mobile
trafficsolutions@maine.rr.com

July 27, 2016

Traffic Assessment
 For Proposed
“Westerlea View Lofts”
 Portland, Maine

INTRODUCTION

A&M Partners, Inc. is proposing a seven story apartment building at 75 Chestnut Street on an undeveloped parcel of land located adjacent to the existing Chestnut Street Garage. A total of 54 apartments are proposed to include; (38) 2-bedroom units, (14) 1-bedroom units and 2 studio units. Additionally, the proposed project will include approximately 2,328 square feet of commercial-retail space on the first floor and an 800 square foot residential living space on the second floor. Parking at a ratio of one space per apartment unit will be provided in the existing and adjacent Chestnut Street Garage.

This document determines peak hour trip generation of the proposed project during both peak commuter time periods and examines current roadway safety trends in the general vicinity of the proposed project.

SITE TRAFFIC

Site Trip Generation: Trip generation was determined for the proposed “Westerlea View Lofts” project based upon trip tables presented in the seventh edition of the Institute of Transportation Engineers (ITE) “**TRIP GENERATION**” handbook. The analysis assumes the proposed commercial space will be leased as office space and the 800 square foot residential space proposed for the second floor considered as an additional apartment unit. The following trip rates were used in that effort:

Land-Use Code 223 – Mid-Rise Apartment

Street Peak Hour – AM Peak = 0.30 trips/dwelling unit
Street Peak Hour – PM Peak = 0.39 trips/dwelling unit

Land-Use Code 715 – Single-Tenant Office Building

Street Peak Hour – AM Peak = 1.80 trips/1,000sf building area
Street Peak Hour – PM Peak = 1.73 trips/1,000sf building area

Accordingly, the proposed 55 apartment units (54 apartment units + 800-sf residential space) can be expected to generate 17 vehicle trips in the “*morning*” peak hour and an additional 21 trips in the “*afternoon*” peak hour. The 2,328 square feet of single-tenant office space will generate an additional 4 peak hour trips in each peak hour time period. In total, the proposed “Westerlea View Lofts” project can be expected to generate approximately 21 vehicle trips in the AM peak hour and 25 trips during the PM peak hour.

EXISTING SAFETY CONDITIONS

The Maine Department of Transportation's (MaineDOT) Accident Records Section provided the latest three-year (2013 through 2015) crash data for the section of Chestnut Street between Cumberland Avenue and Somerset Street, a distance of approximately 0.22 miles. Their report is presented as follows:

2013 -2015 Traffic Accident Summary

<u>Location</u>	<u>Total Crashes</u>	<u>Critical Rate Factor</u>
1. Chestnut Street @ Cumberland Avenue	9	2.52
2. Chestnut Street @ Oxford Street	1	1.39
3. Chestnut Street @ Lancaster Street	3	5.01
4. Chestnut Street @ Kennebec Street	1	1.07
5. Chestnut Street @ Somerset Street	4	1.21
6. Chestnut Street btw. Cumberland Avenue and Oxford Street	7	9.98
7. Chestnut Street btw. Oxford Street and Lancaster Street	1	1.40
8. Chestnut Street btw. Lancaster Street and Kennebec Street	1	2.34
9. Chestnut Street btw. Kennebec Street and Somerset Street	1	2.70

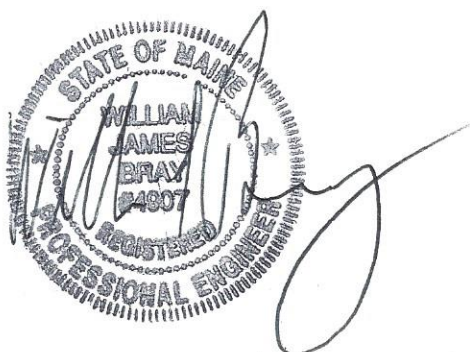
The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- **8 or more accidents**
- **A Critical Rate Factor greater than 1.00**

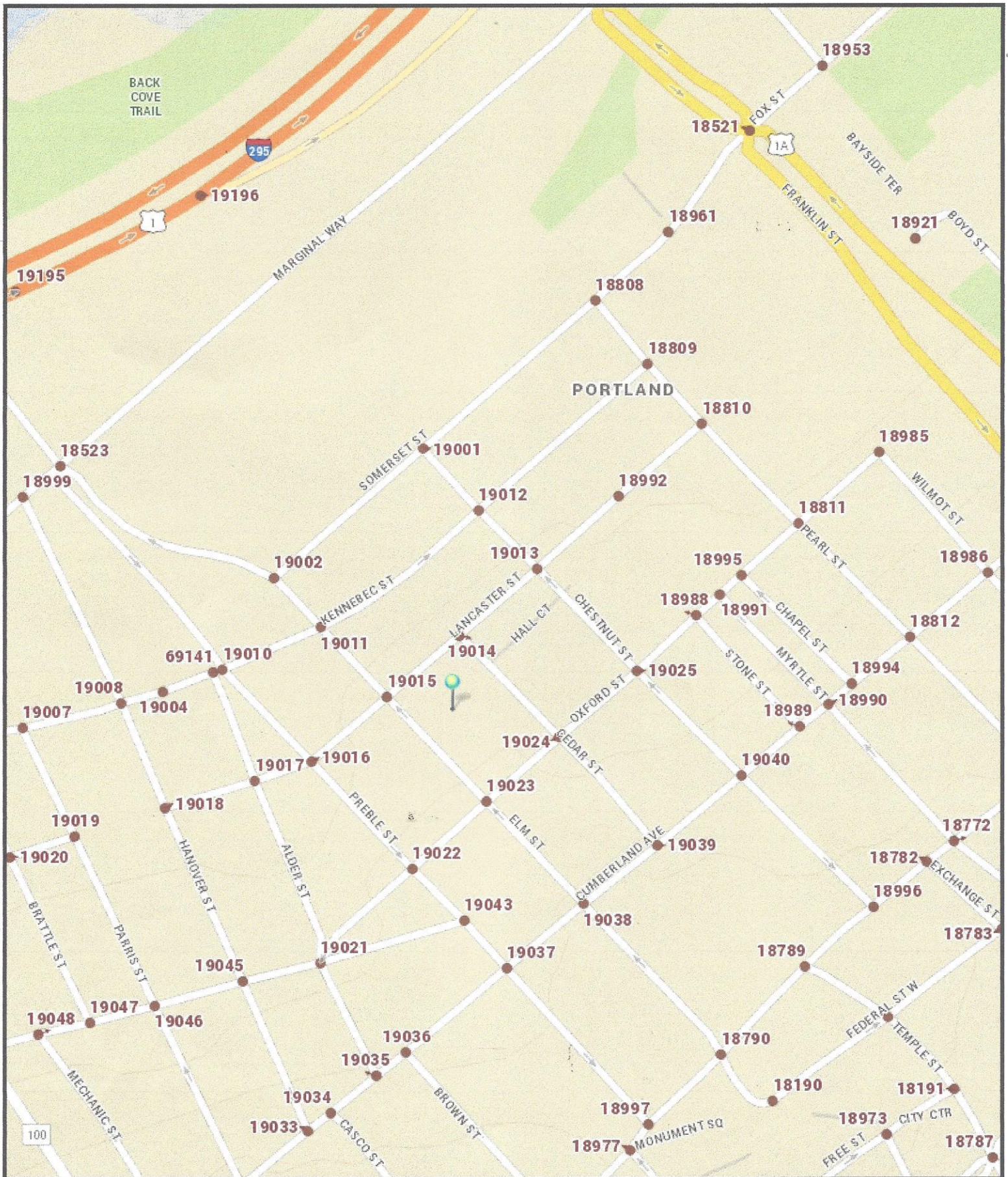
As the data presented in the table shows, the intersection of Chestnut Street and Cumberland Avenue (Highlighted in green) meets MaineDOT's criteria as a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 2.52 were reported by MaineDOT. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared to determine if a clear pattern of accident is occurring (Copies of the Collision Diagram is attached as an appendix to the report). The detailed analysis shows that the majority of the vehicle crashes (a total of 5 collisions) directly or indirectly involved a pedestrian crossing within the intersection.

Vehicle sightlines were reviewed at the intersection and were found to be more than adequate for the approach speeds of traffic on Cumberland Avenue. Roadway pavement markings, specifically crosswalk markings, are high visibility ("*piano-key*") markings and all appropriate pedestrian crossing signs exist within the intersection.

The City may want to consider the effectiveness of converting the Cumberland Avenue/Chestnut Street intersection to a multi-way stop controlled intersection; greatly enhancing the safety of pedestrians crossing within the intersection.



CHESTNUT AREA



The Maine Department of Transportation provides this publication for information only. Reliance upon this information is at user risk. It is subject to revision and may be incomplete depending upon changing conditions. The Department assumes no liability if injuries or damages result from this information. This map is not intended to support emergency dispatch.

0.08
Miles
1 inch = 0.08 miles

Date: 7/21/2016
Time: 2:24:07 PM

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I

☐ Section Detail

☒ Crash Summary II

☐ 1320 Public

☐ 1320 Private

☐ 1320 Summary

REPORT DESCRIPTION

Chestnut

REPORT PARAMETERS

Year 2013, Start Month 1 through Year 2015 End Month: 12

Route: 0560135

Start Node: 19040

End Node: 19001

Start Offset: 0

End Offset: 0

☐ Exclude First Node

☐ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes														
Node	Route - MP	Node Description	U/R	Total		Injury Crashes				Percent Annual M		Crash Rate	Critical Rate	CRF
				Crashes	K	A	B	C	PD	Injury	Ent-Veh			
19040	0560135 - 0.09	Int of CHESTNUT ST CUMBERLAND AV	2	9	0	0	1	4	4	55.6	3.136	0.96	0.38	2.52
										Statewide Crash Rate:		0.13		
19025	0560135 - 0.16	0509445 POR,CHESTNUT,OXFORD ST.	2	1	0	1	0	0	0	100.0	0.397	0.84	0.60	1.39
										Statewide Crash Rate:		0.14		
19013	0560135 - 0.24	Int of CHESTNUT ST LANCASTER ST	2	3	0	0	0	1	2	33.3	0.331	3.02	0.60	5.01
										Statewide Crash Rate:		0.14		
19012	0560135 - 0.28	0509432 POR,CHESTNUT,KENNEBEC ST.	2	1	0	0	0	0	1	0.0	0.528	0.63	0.59	1.07
										Statewide Crash Rate:		0.14		
19001	0560135 - 0.31	0509421 POR,SOMERSET,CHESTNUT ST.	2	4	0	0	0	1	3	25.0	2.632	0.51	0.42	1.21
										Statewide Crash Rate:		0.14		
Study Years: 3.00			NODE TOTALS:											
			18	0	1	1	6	10	44.4	7.024	0.85	0.32	2.68	

Maine Department Of Transportation - Traffic Engineering, Crash Records Section Crash Summary I

Sections																
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	A	B	C	PD	Percent Injury	Annual HMMVM	Crash Rate	Critical Rate	CRF
19025	19040	194734	0 - 0.07	0560135 - 0.09	0.07	2	7	0	0	0	7	0.0	0.00014	16544.24	1657.05	9.98
0509445 POR,CHESTNUT,OXFORD ST.				RD INV 05 60135										Statewide Crash Rate: 384.17		
19013	19025	194711	0 - 0.08	0560135 - 0.16	0.08	2	1	0	0	0	1	0.0	0.00014	2324.95	1656.22	1.40
Int of CHESTNUT ST LANCASTER ST				RD INV 05 60135										Statewide Crash Rate: 384.17		
19012	19013	194709	0 - 0.04	0560135 - 0.24	0.04	2	1	0	0	0	1	0.0	0.00009	3742.80	1601.68	2.34
0509432 POR,CHESTNUT,KENNEBEC ST.				RD INV 05 60135										Statewide Crash Rate: 384.17		
19001	19012	194692	0 - 0.03	0560135 - 0.28	0.03	2	1	0	0	0	1	0.0	0.00008	4204.61	1555.80	2.70
0509421 POR,SOMERSET,CHESTNUT ST.				RD INV 05 60135										Statewide Crash Rate: 384.17		
Study Years: 3.00					Section Totals:	0.22	10	0	0	0	10	0.0	0.00045	7362.48	1386.03	5.31
Grand Totals:					0.22	28	0	1	1	6	20	28.6	0.00045	20614.94	1649.61	12.50

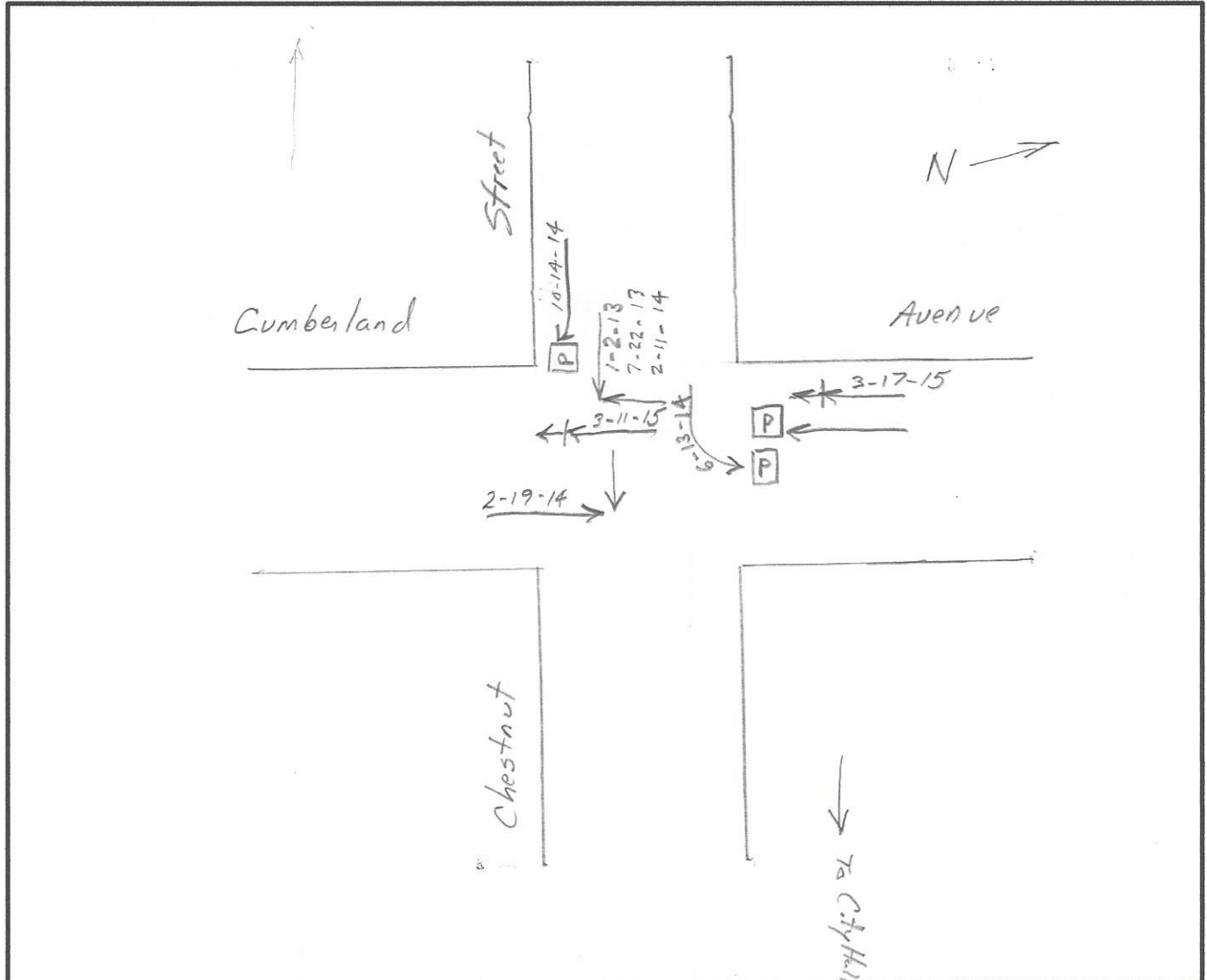
COLLISION DIAGRAM

SHEET 1 OF 2

LOCATION Chestnut Street @ Cumberland Avenue

TOWN Portland NODE NO(S) 19040

YEARS REVIEWED 2013-2015 DATE PREPARED 7-24-2016



CRITICAL RATE FACTOR _____ EQUIV. PROP. DAMAGE ACC/YEAR _____ ACC/MEV _____

LIGHT

- | | | |
|-------------------------|-------------------------|--------------------------|
| 1. DAWN (MORNING) | 2. DAYLIGHT | 3. DUSK (EVENING) |
| 4. DARK (ST. LIGHTS ON) | 5. DARK (NO ST. LIGHTS) | 6. DARK (ST. LIGHTS OFF) |
| 7. OTHER | | |

ROAD SURFACE

- | | | |
|---------------------------|--------------------------|-----------------------------|
| 1. DRY | 2. WET | 3. SNOW/SLUSH-SANDED |
| 4. ICE/PACKED SNOW-SANDED | 5. MUDDY | 6. DEBRIS |
| 7. OILY | 8. SNOW/SLUSH-NOT SANDED | 9. ICE-PKD. SNOW-NOT SANDED |
| 10. OTHER | | |

APPARENT CONTRIBUTING FACTORS - HUMAN

- | | | |
|--------------------------------------|-------------------------------------|--------------------------------------|
| 1. NO IMPROPER ACTION | 2. FAIL TO YLD. RIGHT OF WAY | 3. ILLEGAL UNSAFE SPEED |
| 4. FOLLOW TOO CLOSE | 5. DISREGARD TRAFFIC CONTROL DEVICE | 6. IMPROPER TURN |
| 6. DRIVING LEFT OF CENTER-NO PASSING | 7. IMPROPER PASS-OVERTAKING | 10. IMPROPER TURN |
| 8. IMP. UNSAFE LANE CHANGE | 9. IMP. PARKING START/STOP | 13. IMPEDING TRAFFIC |
| 11. UNSAFE BACKING | 12. NO SIGNAL OR IMP. SIGNAL | 15. DRIVER INEXPERIENCE |
| 14. DRIVER INATTENTION-DISTRACTION | 17. PHYSICAL IMPAIRMENT | 18. VISION OBSCURED-WINDSHIELD GLASS |
| 16. PEDEST. VIOLATION ERROR | 19. VISION OBSCURED-SUN/HEADLIGHTS | 30. OTHER HUMAN VIOLATION FACTOR |
| 20. OTHER VISION OBSCUREMENT | 31. HIT AND RUN | 51. UNKNOWN |

VEHICULAR

- | | | |
|------------------------------------|----------------------------|--------------------------|
| 41. DEFECTIVE BRAKES | 42. DEFECTIVE TIRE/FAILURE | 43. DEFECTIVE LIGHTS |
| 44. DEFECTIVE SUSPENSION OR FACTOR | 45. DEFECTIVE STEERING | 50. OTHER VEHICLE DEFECT |
| | 51. UNKNOWN | |

SYMBOLS

- | | | | | | |
|----------------|---|----------------|-----|------------------|-------|
| ANGLE | ↓ | PEDESTRIAN | → P | FATAL ACCIDENT | ● |
| BACKING | ↔ | REAR END | → | VEHICLE (MOVING) | → |
| FIXED OBJECT | □ | SIDE SWIPE | → | BICYCLE | --- B |
| HEAD ON | ↔ | TURNING MOVE | ↗ | ANIMAL | --- A |
| OVERTURN | ↻ | CHANGE LANE | ↗ | SLED | --- S |
| PARKED VEHICLE | □ | OUT OF CONTROL | ↗ | | |

C = CLEAR
SL = SLEET

WEATHER

F = FOG
S = SNOW
R = RAIN
CL = CLOUDY
XW = CROSS WINDS

INJURIES

K = FATAL
A = INCAPACITATING
B = NON-INCAPACITATING
C = POSSIBLE INJURY

SHEET 2 OF 2

[illegible]

**STORMWATER MANAGEMENT REPORT
WESTERLEA VIEW LOFTS
PORTLAND, MAINE**

July 28, 2016

Project Description:

This project is the construction of a 54 residential unit at 75 Chestnut Street. The site has an existing 3 story parking garage. This project will add an 11,600 sq. ft. footprint building to the site.

Existing Conditions:

The site has 49,326 sq. ft. of existing parking garage and a lawn area of 38,713 sq. ft. around the garage. The site has slopes in the 4-8% range. It has street frontage on Chestnut, Lancaster, and Oxford Street. It is considered an urban site.

Developed Conditions:

The Chestnut Street side of the site will be developed with an 11,600 sq. ft. building and a small grass area. The site will be landscaped and an underdrained soil filter will be installed at the low corner of Chestnut.

Methodology:

This stormwater analysis was performed using HydroCad Software based on TR-55 modeling conditions. This model requires assumptions as to the land cover, slopes and soils. These are enhanced by the topography mapping, soils mapping, and on-site observations. The flows were determined using a Type III coastal storm and rainfall totals for the 24 hour period for a 2 year storm, 3.1", for a 10 year storm, 4.6", and for a 25 year storm, 5.8". These data are published in the manual for Stormwater Management for Maine: Best Management Practices, published by the Maine Department of Environmental Protection.

Analysis:

A simple model of the site was developed to determine the relative impact of adding the 11,600 sq. ft. of building. This shows a slight increase in peak flows as noted below if no stormwater management is done.

Peak Flows with No Stormwater Management Cubic Feet Per Second (cfs)		
	Existing	Developed
2 Year	4.08	4.57
10 Year	6.93	7.42
25 Year	9.21	9.69

This shows approximately ½ cfs increase in peak flows. An underdrained soil filter will be installed in the corner of the site. That will capture all the water from the roof of the new building and the landscaped area around it. This will significantly reduce the peak flows in the small storms and meet the stormwater quality standards. Peak flows from that system will be as follows:

Underdrained Soil Filter Flows	
	cfs
2 Year	0.1
10 Year	0.52
25 Year	1.66

Conclusion:

The use of the underdrained soil filter to capture and treat roof runoff will not result in any unreasonable impacts to downstream properties.

STATE OF FLORIDA
THOMAS S.
GREER
No. 4206
LICENSED
Professional Engineer
Thomas S. Greer, P.E.
7/28/16

PINKHAM & GREER
CIVIL ENGINEERS

28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

JOB 75 CHESTNUT ST

SHEET NO. _____ OF _____

CALCULATED BY TSG

DATE 7/28/16

CHECKED BY _____

DATE _____

SCALE _____

CHECK OF FILTER SIZE

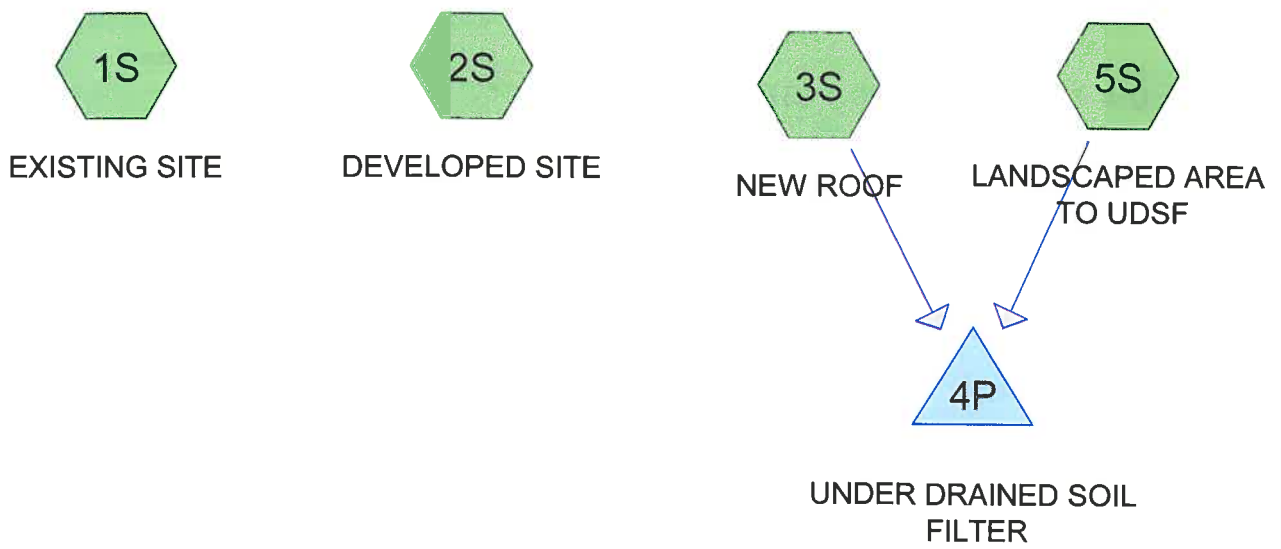
ROOF $11,600 \text{ sq ft} \times 1\frac{1}{12}'' = 966 \text{ CF}$

LANDSCAPED $7,000 \times .4\frac{1}{12}'' = \underline{233 \text{ CF}}$

TOTAL REQUIRED $\underline{1,199 \text{ CF}}$

TOTAL PROVIDED $9.5 \text{ to } 11 = \underline{1,800 \text{ CF}}$

OK



CHESTNUT STREET TSG 16142*Type III 24-hr 2 YEAR Rainfall=3.10"*

Prepared by Hewlett-Packard Company

Printed 7/28/2016

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Page 2

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: EXISTING SITE Runoff Area=92,224 sf 58.02% Impervious Runoff Depth>1.78"
Tc=10.0 min CN=88 Runoff=4.08 cfs 0.315 af

Subcatchment 2S: DEVELOPED SITE Runoff Area=92,224 sf 68.92% Impervious Runoff Depth>2.04"
Tc=10.0 min CN=91 Runoff=4.57 cfs 0.359 af

Subcatchment 3S: NEW ROOF Runoff Area=11,600 sf 100.00% Impervious Runoff Depth>2.68"
Tc=5.0 min CN=98 Runoff=0.81 cfs 0.060 af

Subcatchment 5S: LANDSCAPED AREA TO Runoff Area=7,000 sf 0.00% Impervious Runoff Depth>0.94"
Tc=5.0 min CN=75 Runoff=0.19 cfs 0.013 af

Pond 4P: UNDER DRAINED SOIL FILTER Peak Elev=10.52' Storage=1,132 cf Inflow=0.99 cfs 0.072 af
Outflow=0.10 cfs 0.072 af

Total Runoff Area = 4.661 ac Runoff Volume = 0.746 af Average Runoff Depth = 1.92"
36.63% Pervious = 1.707 ac 63.37% Impervious = 2.954 ac

CHESTNUT STREET TSG 16142*Type III 24-hr 10 YEAR Rainfall=4.60"*

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: EXISTING SITE Runoff Area=92,224 sf 58.02% Impervious Runoff Depth>3.10"
Tc=10.0 min CN=88 Runoff=6.93 cfs 0.546 af

Subcatchment 2S: DEVELOPED SITE Runoff Area=92,224 sf 68.92% Impervious Runoff Depth>3.39"
Tc=10.0 min CN=91 Runoff=7.42 cfs 0.599 af

Subcatchment 3S: NEW ROOF Runoff Area=11,600 sf 100.00% Impervious Runoff Depth>4.05"
Tc=5.0 min CN=98 Runoff=1.20 cfs 0.090 af

Subcatchment 5S: LANDSCAPED AREA TO Runoff Area=7,000 sf 0.00% Impervious Runoff Depth>1.97"
Tc=5.0 min CN=75 Runoff=0.40 cfs 0.026 af

Pond 4P: UNDER DRAINED SOIL FILTER Peak Elev=11.02' Storage=1,823 cf Inflow=1.60 cfs 0.116 af
Outflow=0.52 cfs 0.103 af

Total Runoff Area = 4.661 ac Runoff Volume = 1.262 af Average Runoff Depth = 3.25"
36.63% Pervious = 1.707 ac 63.37% Impervious = 2.954 ac

CHESTNUT STREET TSG 16142*Type III 24-hr 25 YEAR Rainfall=5.80"*

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: EXISTING SITE Runoff Area=92,224 sf 58.02% Impervious Runoff Depth>4.18"
Tc=10.0 min CN=88 Runoff=9.21 cfs 0.738 af

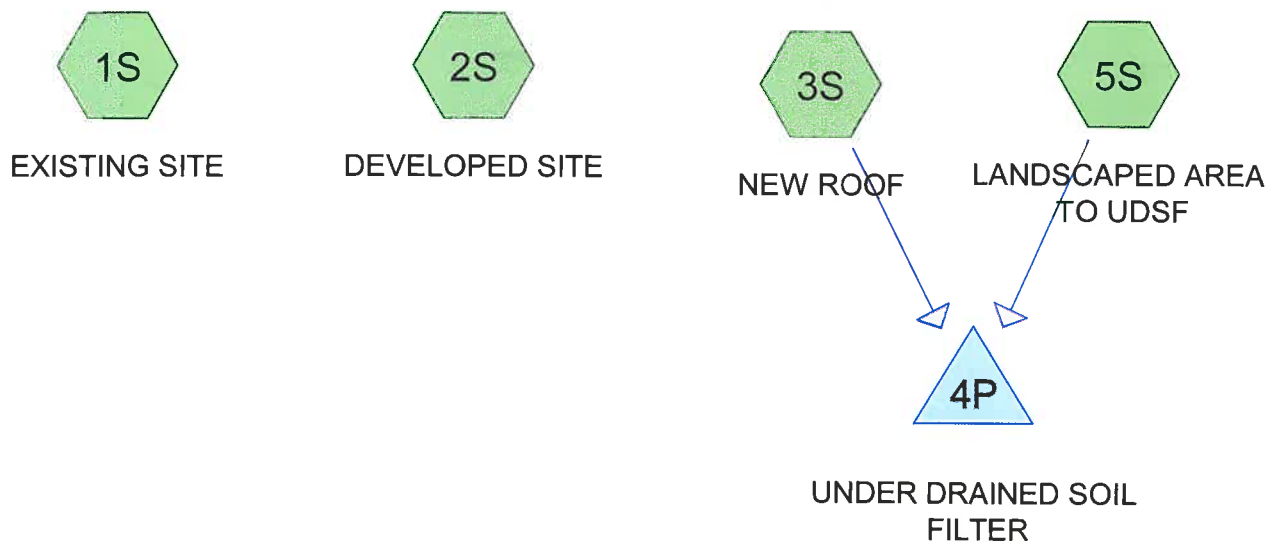
Subcatchment 2S: DEVELOPED SITE Runoff Area=92,224 sf 68.92% Impervious Runoff Depth>4.50"
Tc=10.0 min CN=91 Runoff=9.69 cfs 0.793 af

Subcatchment 3S: NEW ROOF Runoff Area=11,600 sf 100.00% Impervious Runoff Depth>5.15"
Tc=5.0 min CN=98 Runoff=1.52 cfs 0.114 af

Subcatchment 5S: LANDSCAPED AREA TO Runoff Area=7,000 sf 0.00% Impervious Runoff Depth>2.90"
Tc=5.0 min CN=75 Runoff=0.59 cfs 0.039 af

Pond 4P: UNDER DRAINED SOIL FILTER Peak Elev=11.04' Storage=1,861 cf Inflow=2.11 cfs 0.153 af
Outflow=1.66 cfs 0.133 af

Total Runoff Area = 4.661 ac Runoff Volume = 1.684 af Average Runoff Depth = 4.34"
36.63% Pervious = 1.707 ac 63.37% Impervious = 2.954 ac



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Page 2

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	0.000	2.688	2.688	IMPERVIOUS	1S, 2S
0.000	0.000	0.000	0.000	1.707	1.707	LANDSCAPED	1S, 2S, 5S
0.000	0.000	0.000	0.000	0.266	0.266	ROOF	3S

CHESTNUT STREET TSG 16142

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Type III 24-hr 2 YEAR Rainfall=3.10"

Printed 7/28/2016

Page 3

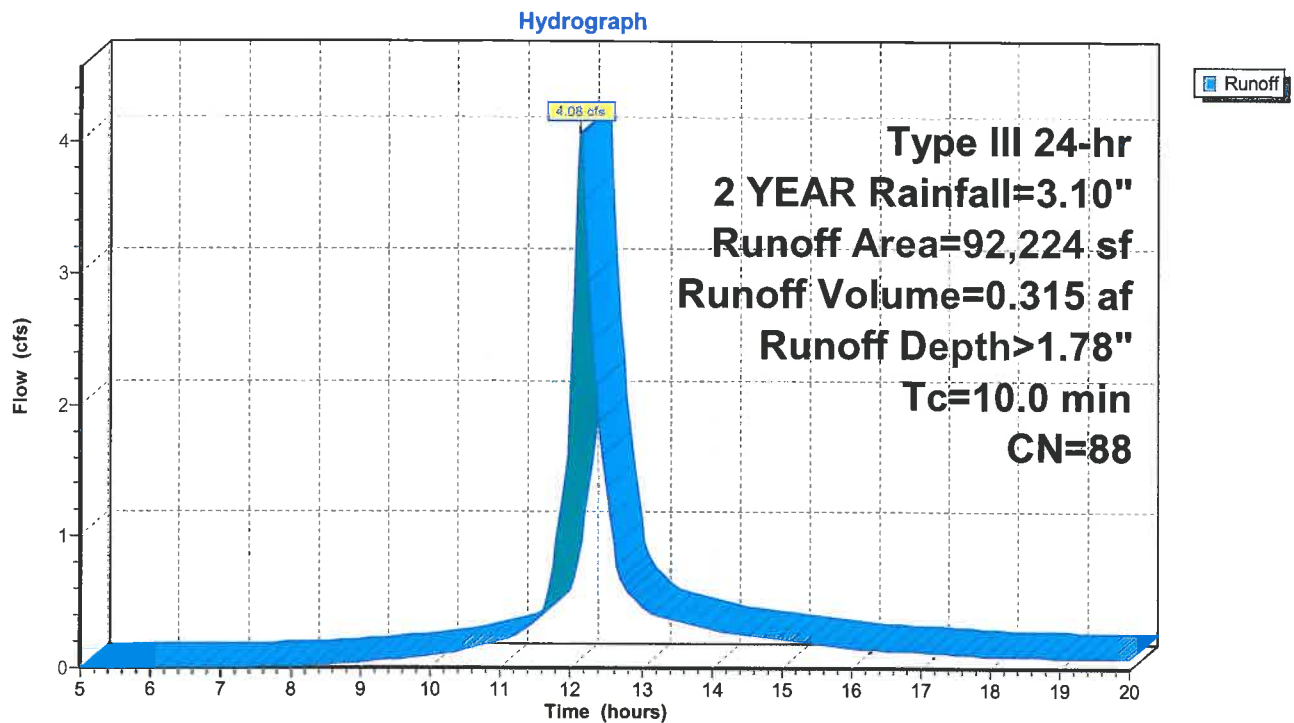
Summary for Subcatchment 1S: EXISTING SITE

Runoff = 4.08 cfs @ 12.14 hrs, Volume= 0.315 af, Depth> 1.78"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2 YEAR Rainfall=3.10"

	Area (sf)	CN	Description
*	53,511	98	IMPERVIOUS
*	38,713	75	LANDSCAPED
	92,224	88	Weighted Average
	38,713		41.98% Pervious Area
	53,511		58.02% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry, DIRECT

Subcatchment 1S: EXISTING SITE

CHESTNUT STREET TSG 16142

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Type III 24-hr 2 YEAR Rainfall=3.10"

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Page 4

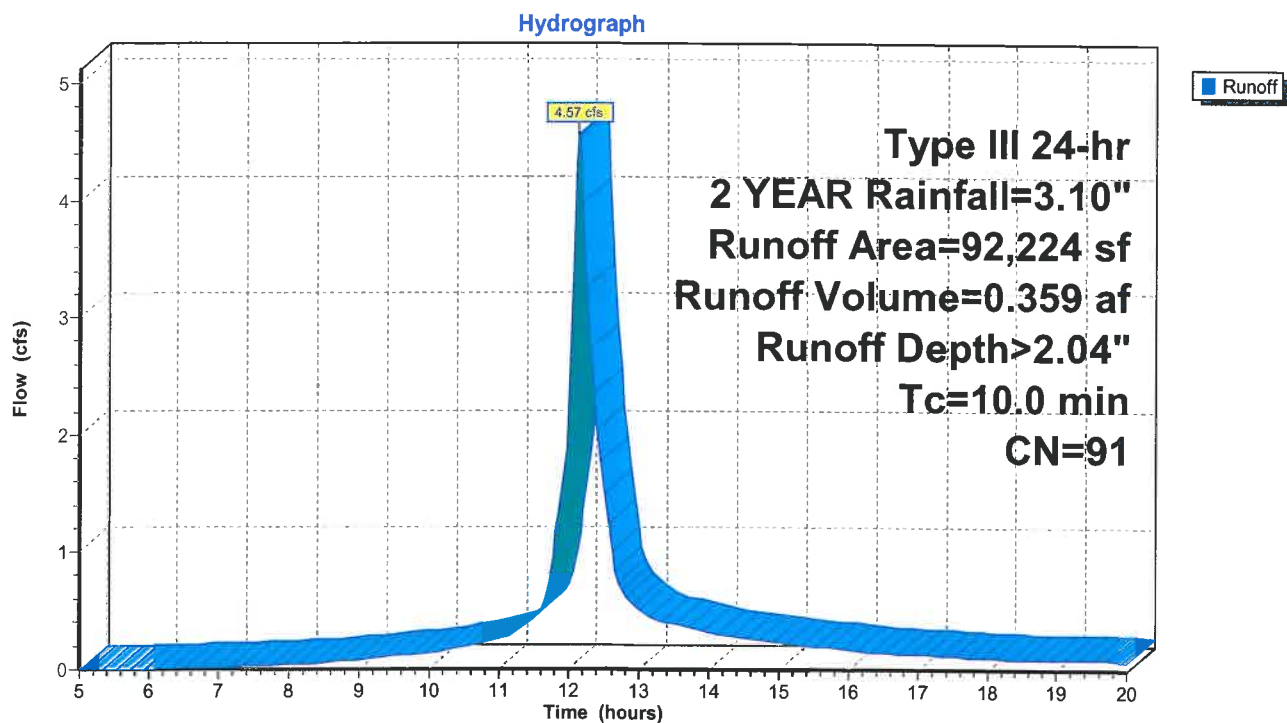
Summary for Subcatchment 2S: DEVELOPED SITE

Runoff = 4.57 cfs @ 12.14 hrs, Volume= 0.359 af, Depth> 2.04"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2 YEAR Rainfall=3.10"

	Area (sf)	CN	Description
*	63,563	98	IMPERVIOUS
*	28,661	75	LANDSCAPED
	92,224	91	Weighted Average
	28,661		31.08% Pervious Area
	63,563		68.92% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry, DIRECT

Subcatchment 2S: DEVELOPED SITE

CHESTNUT STREET TSG 16142

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Type III 24-hr 2 YEAR Rainfall=3.10"

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Page 5

Summary for Subcatchment 3S: NEW ROOF

Runoff = 0.81 cfs @ 12.07 hrs, Volume= 0.060 af, Depth> 2.68"

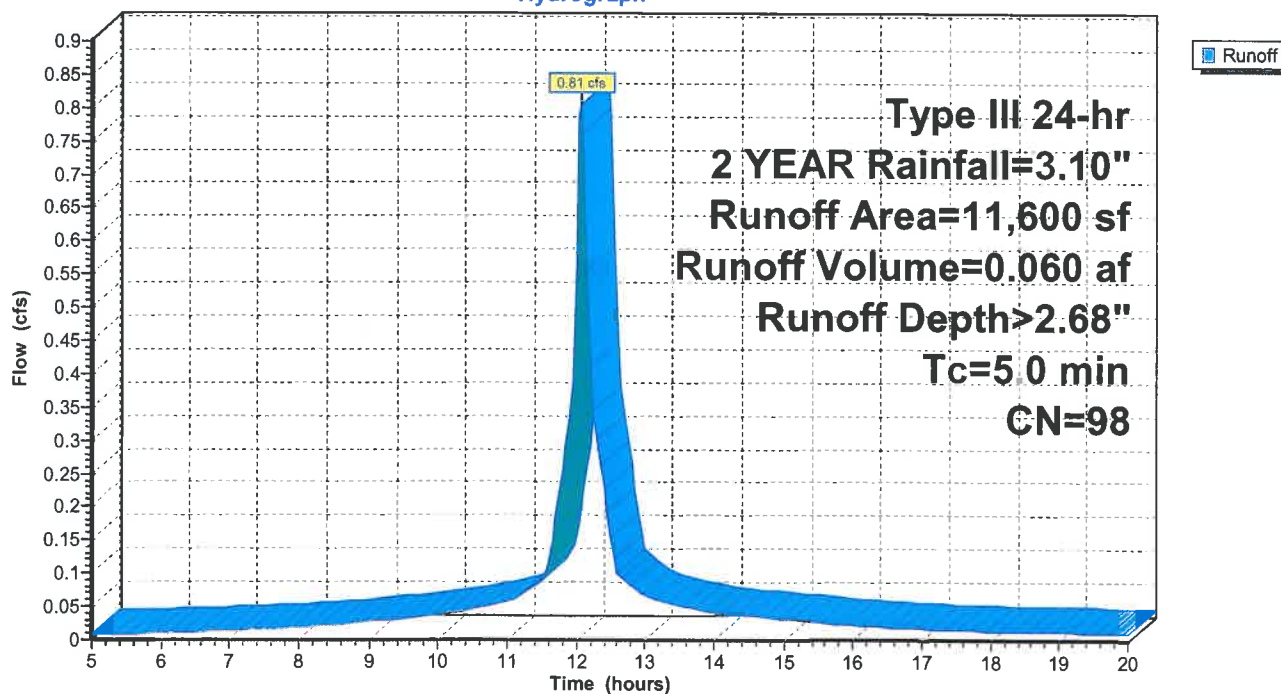
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2 YEAR Rainfall=3.10"

	Area (sf)	CN	Description
*	11,600	98	ROOF
	11,600		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 3S: NEW ROOF

Hydrograph



CHESTNUT STREET TSG 16142

Prepared by Hewlett-Packard Company

HydroCAD® 10.00-16 s/n 01454 © 2015 HydroCAD Software Solutions LLC

Type III 24-hr 2 YEAR Rainfall=3.10"

Printed 7/28/2016

Page 6

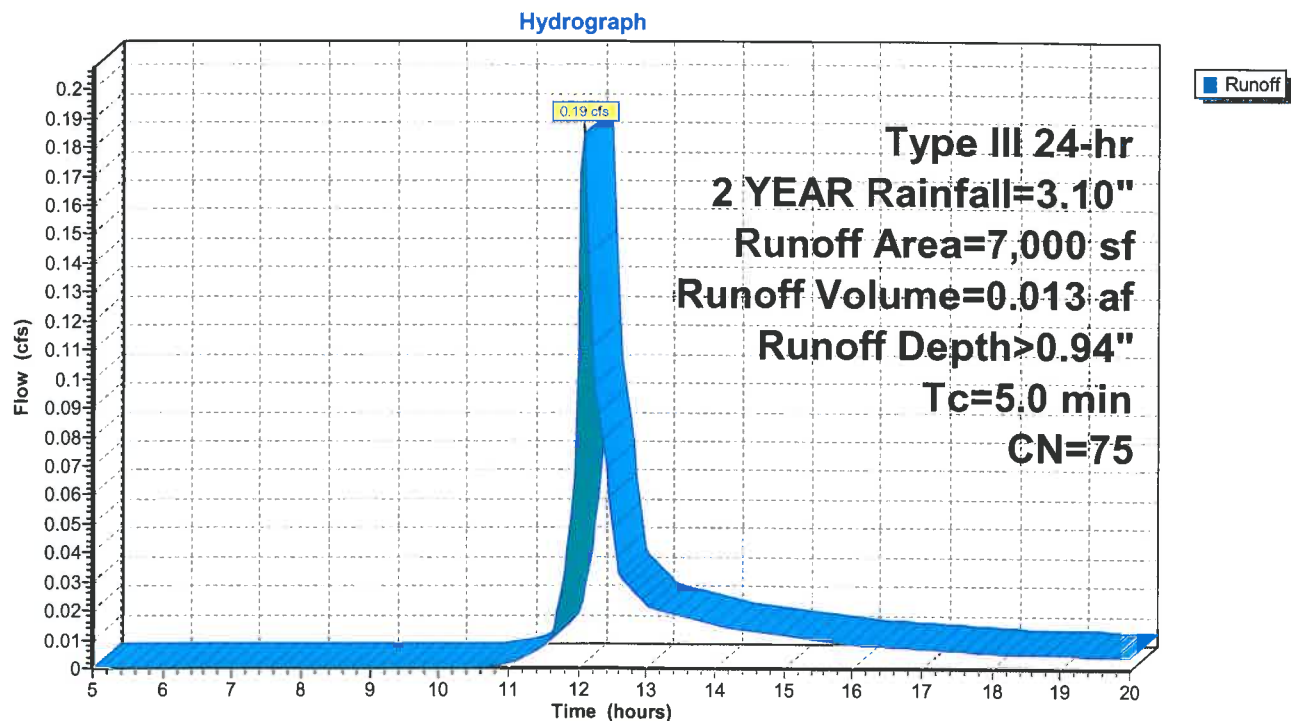
Summary for Subcatchment 5S: LANDSCAPED AREA TO UDSF

Runoff = 0.19 cfs @ 12.09 hrs, Volume= 0.013 af, Depth> 0.94"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2 YEAR Rainfall=3.10"

	Area (sf)	CN	Description
*	7,000	75	LANDSCAPED
	7,000		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry, DIRECT

Subcatchment 5S: LANDSCAPED AREA TO UDSF

Summary for Pond 4P: UNDER DRAINED SOIL FILTER

Inflow Area = 0.427 ac, 62.37% Impervious, Inflow Depth > 2.03" for 2 YEAR event
 Inflow = 0.99 cfs @ 12.07 hrs, Volume= 0.072 af
 Outflow = 0.10 cfs @ 11.60 hrs, Volume= 0.072 af, Atten= 90%, Lag= 0.0 min
 Primary = 0.10 cfs @ 11.60 hrs, Volume= 0.072 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 10.52' @ 12.88 hrs Surf.Area= 1,310 sf Storage= 1,132 cf

Plug-Flow detention time= 87.0 min calculated for 0.072 af (100% of inflow)
 Center-of-Mass det. time= 86.3 min (838.1 - 751.8)

Volume	Invert	Avail.Storage	Storage Description
#1	9.50'	3,675 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
9.50	900	0	0
11.00	1,500	1,800	1,800
12.00	2,250	1,875	3,675

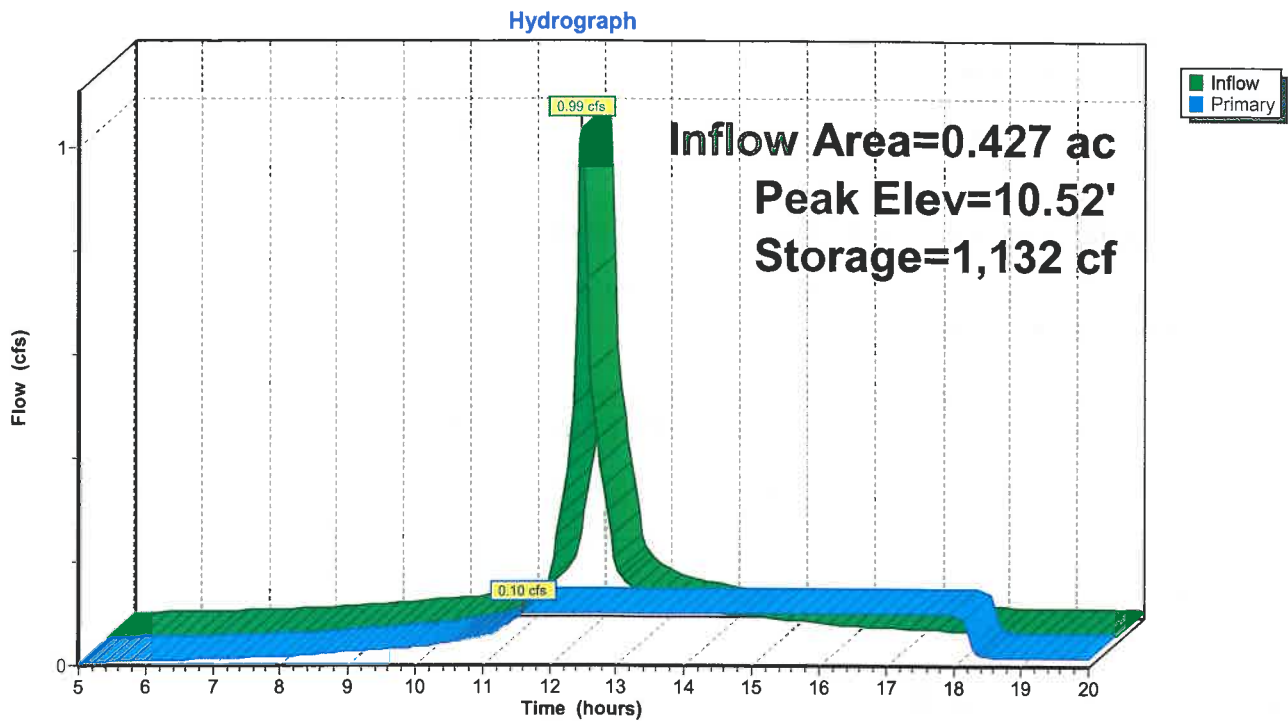
Device	Routing	Invert	Outlet Devices
#1	Primary	9.50'	0.10 cfs Exfiltration at all elevations
#2	Primary	11.00'	2.0" x 2.0" Horiz. Orifice/Grate X 81 rows C= 0.600 Limited to weir flow at low heads

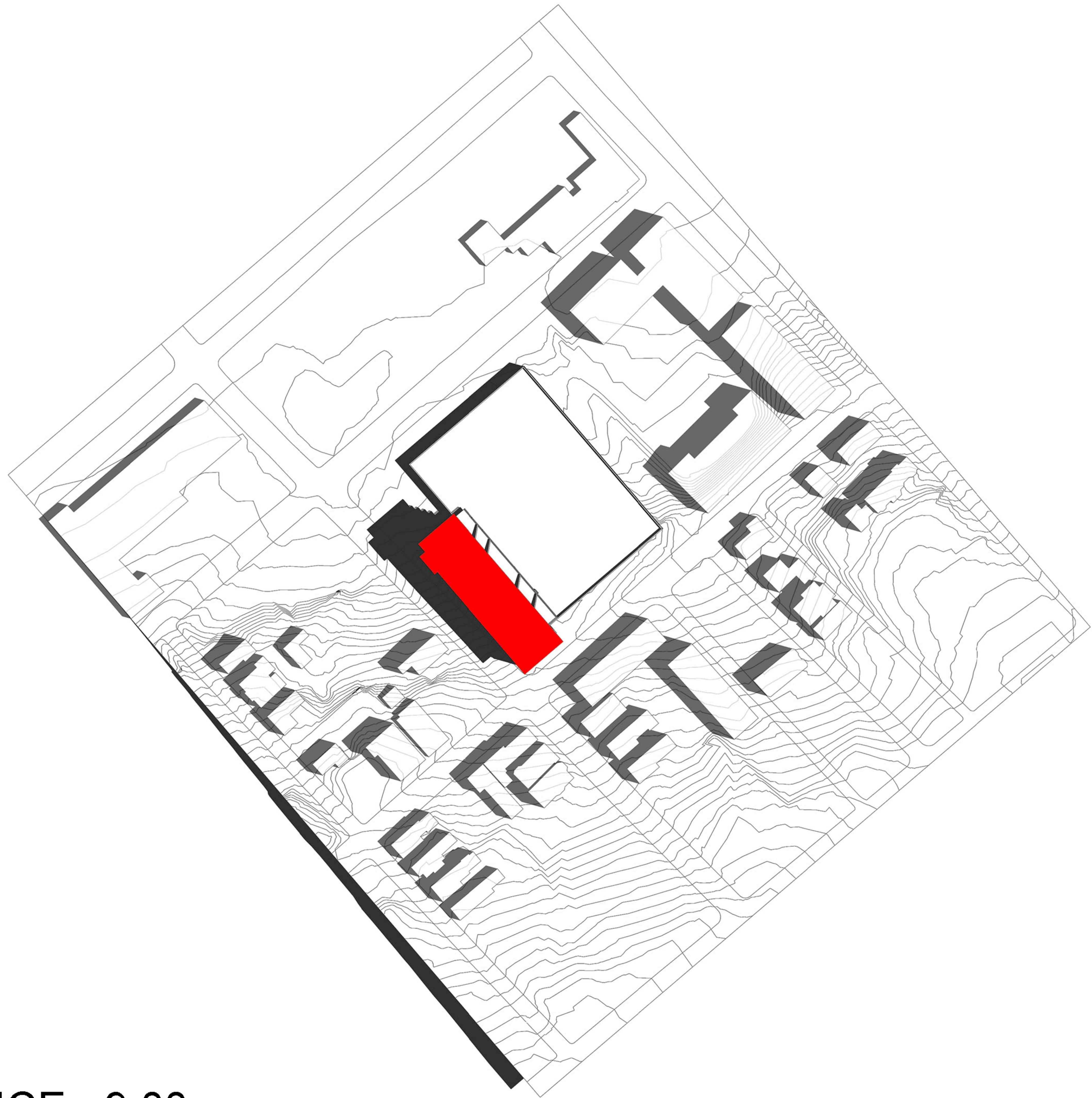
Primary OutFlow Max=0.10 cfs @ 11.60 hrs HW=9.53' (Free Discharge)

1=Exfiltration (Exfiltration Controls 0.10 cfs)

2=Orifice/Grate (Controls 0.00 cfs)

Pond 4P: UNDER DRAINED SOIL FILTER

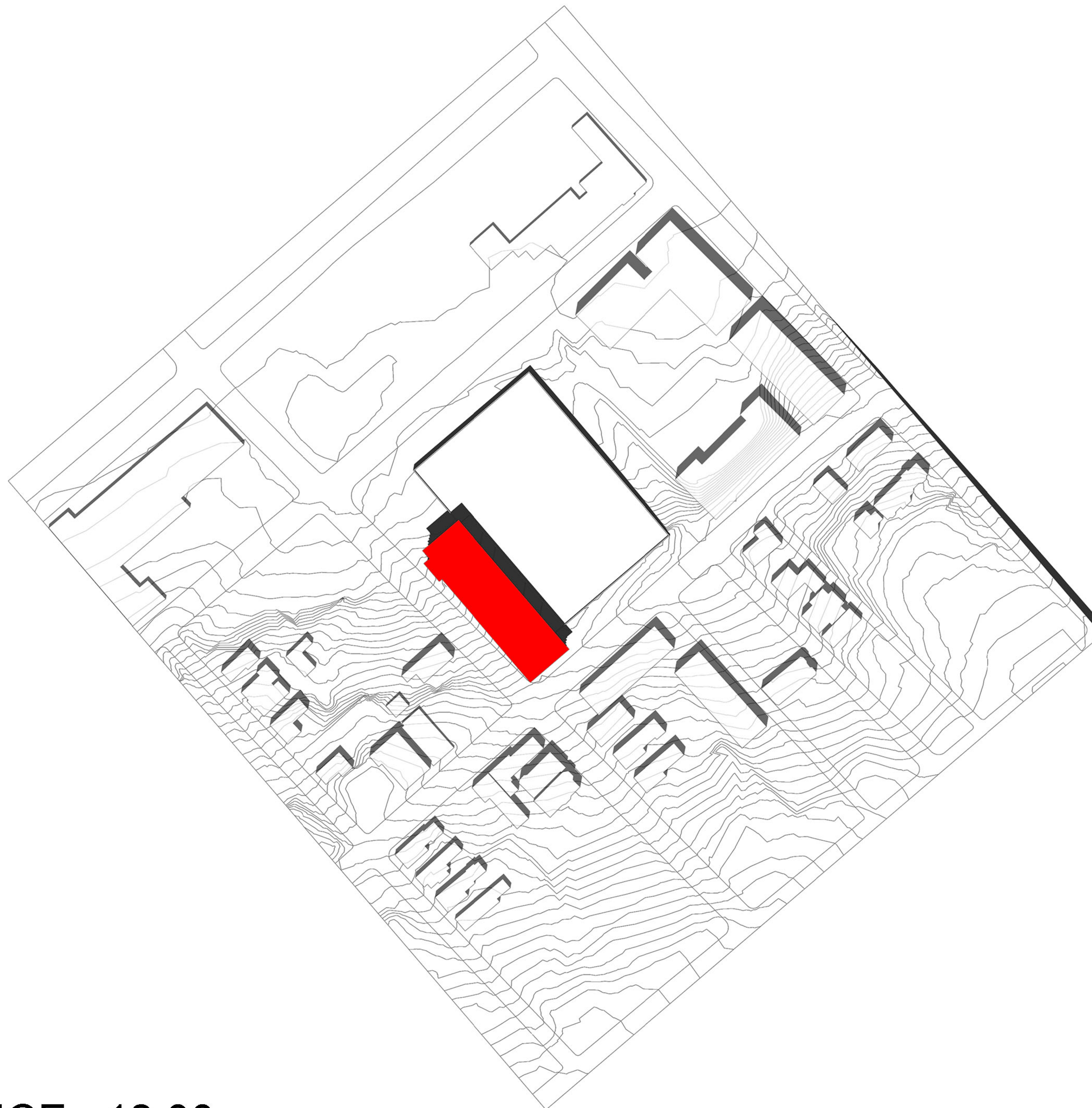




SUMMER SOLSTICE - 9:00 a.m.

Chestnut Street - Portland, Maine

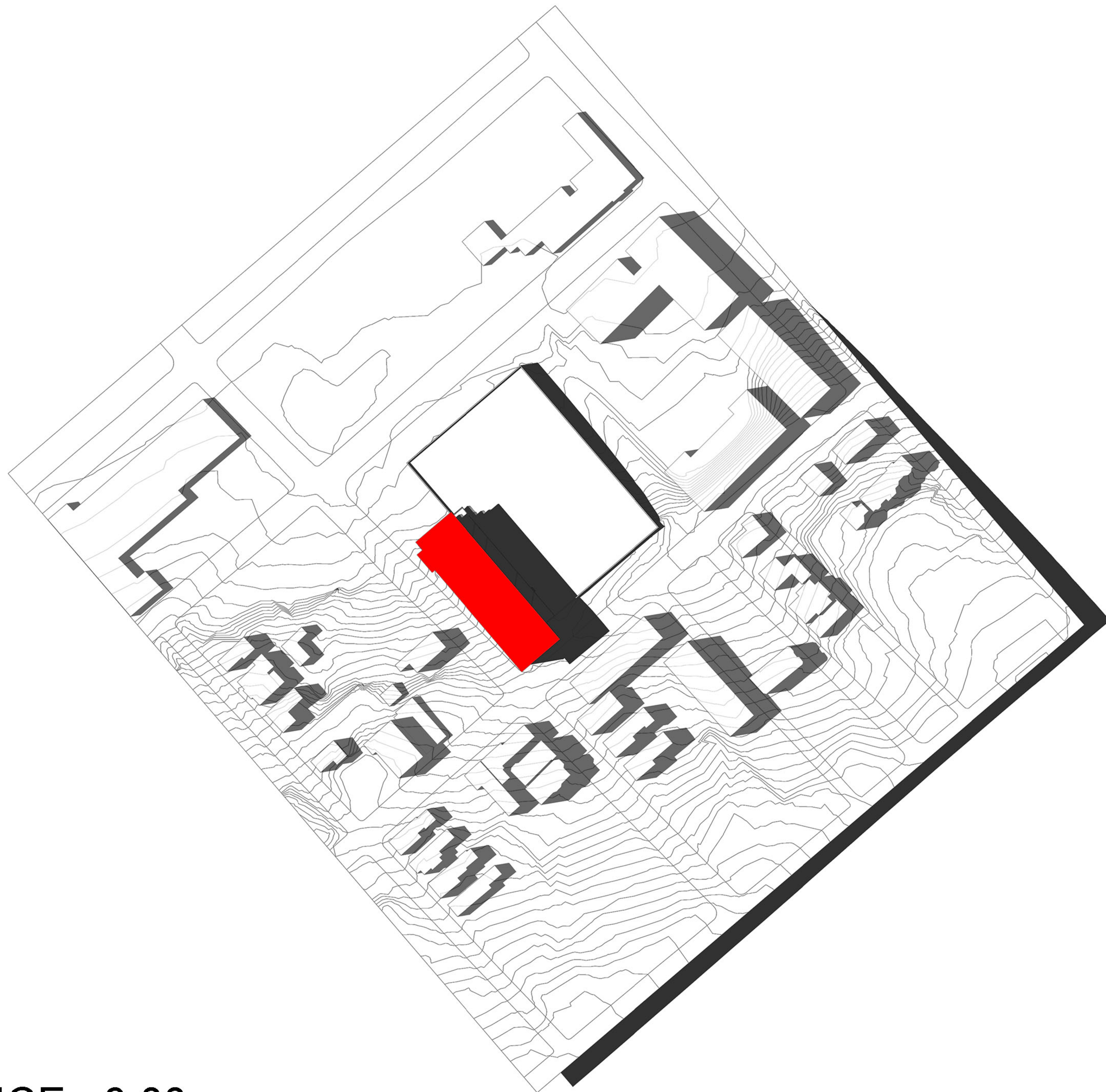




SUMMER SOLSTICE - 12:00 p.m.

Chestnut Street - Portland, Maine





SUMMER SOLSTICE - 3:00 p.m.

Chestnut Street - Portland, Maine

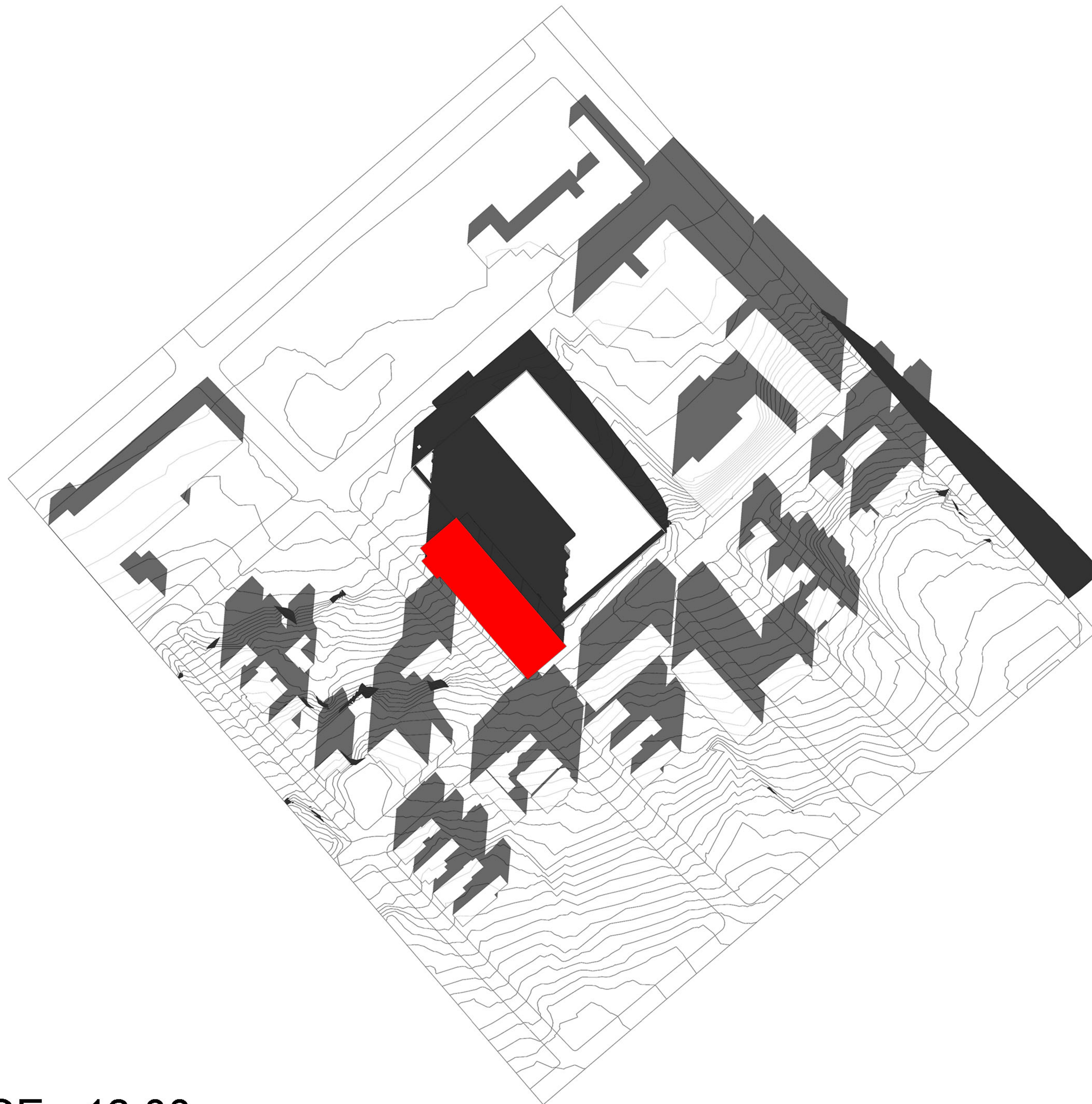




WINTER SOLSTICE - 9:00 a.m.

Chestnut Street - Portland, Maine

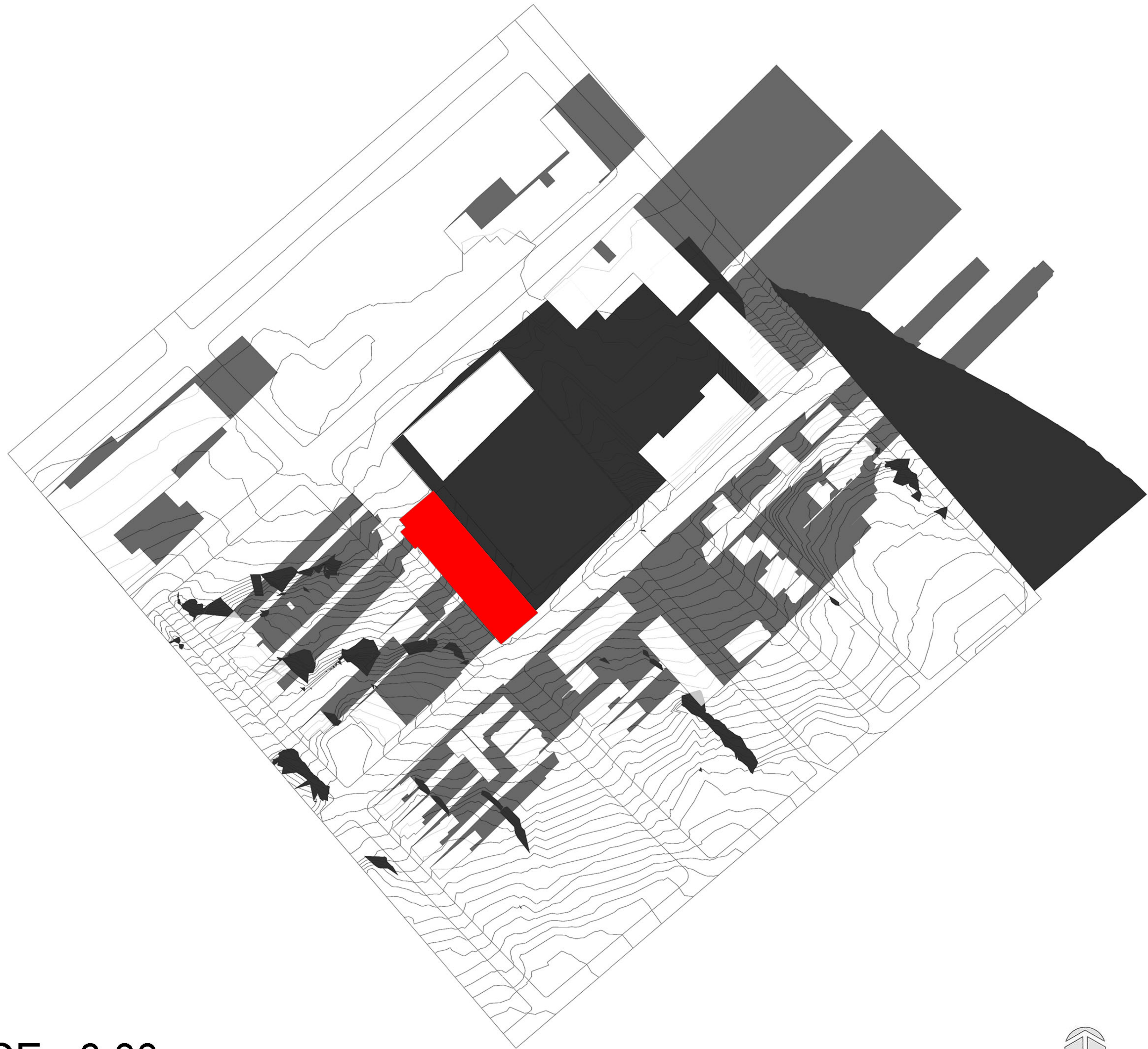




WINTER SOLSTICE - 12:00 p.m.

Chestnut Street - Portland, Maine

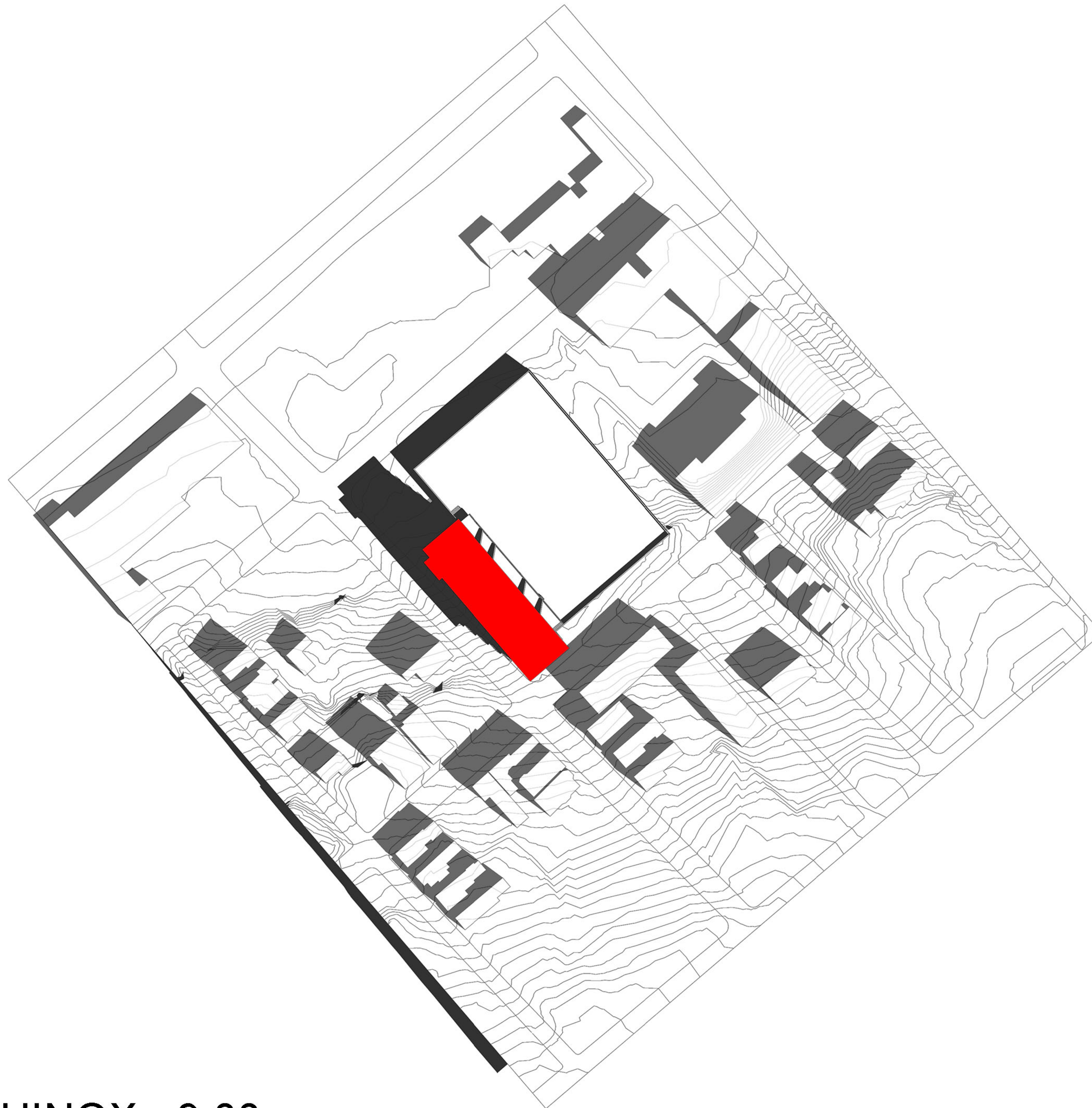




WINTER SOLSTICE - 3:00 p.m.

Chestnut Street - Portland, Maine

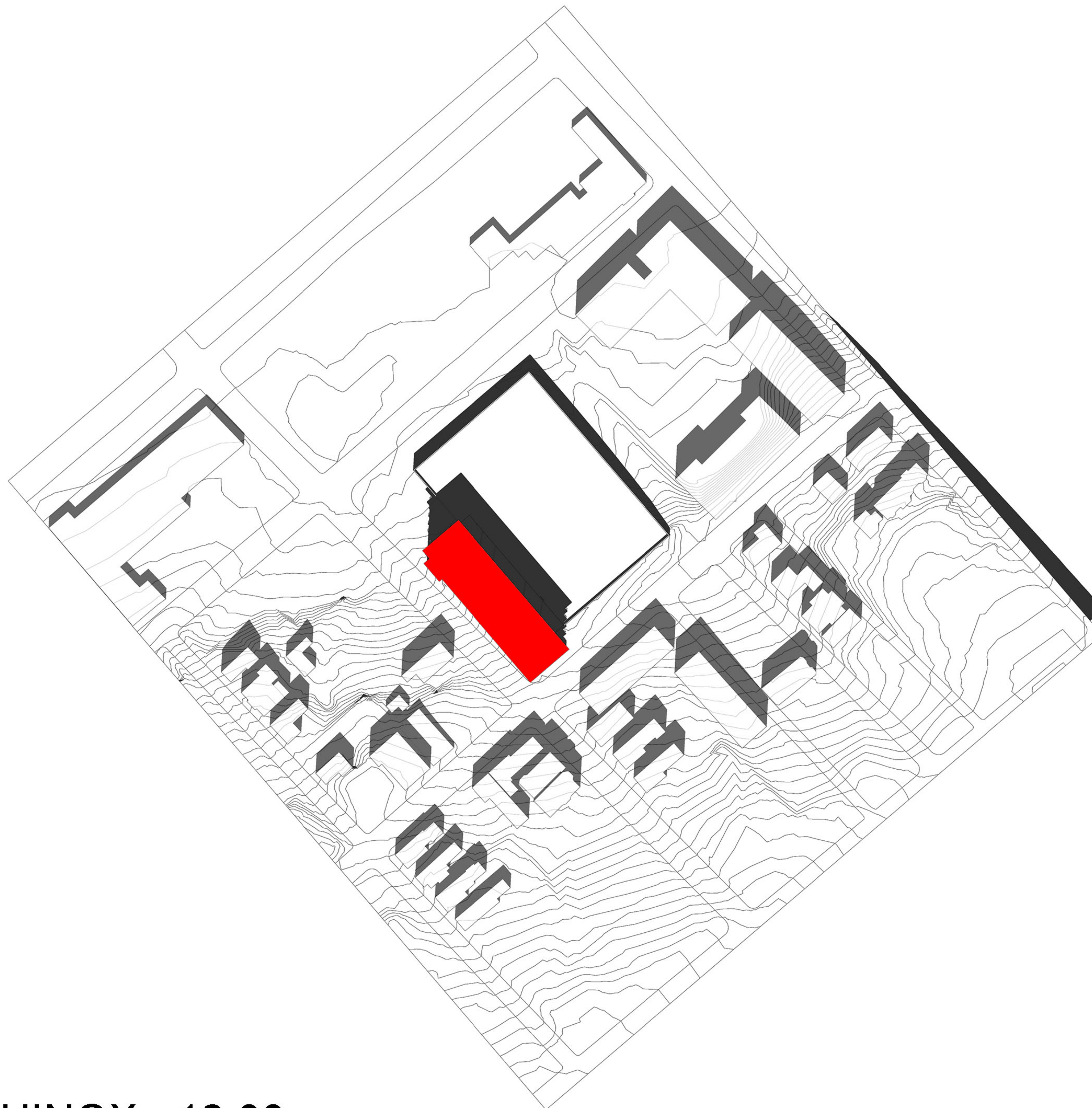




SPRING/FALL EQUINOX - 9:00 a.m.

Chestnut Street - Portland, Maine

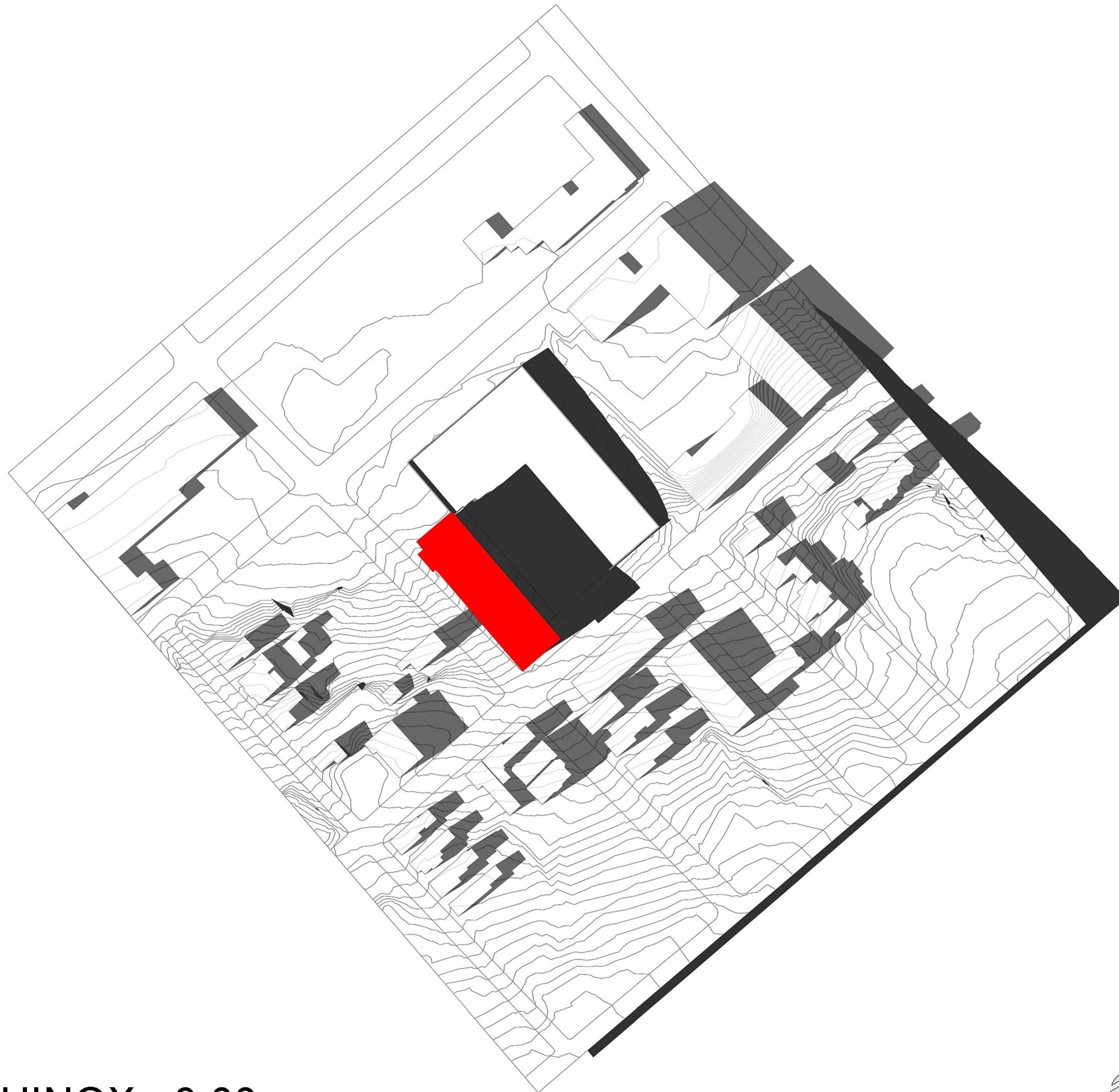




SPRING/FALL EQUINOX - 12:00 p.m.

Chestnut Street - Portland, Maine





SPRING/FALL EQUINOX - 3:00 p.m.

Chestnut Street - Portland, Maine



Att. K

Neighborhood Meeting Certification

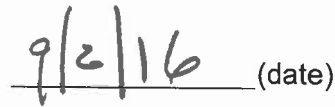
I, Thomas S. Greer hereby certify that a neighborhood meeting was held on August 31, 2016 at 75 Chestnut Street Parking Garage, in Portland at 6:00PM concerning 75 Chestnut Street (Westerlea View Lofts).

I also certify that on August 16, 2016, invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change and the residents on the "interested parties" list.

Signed,



Attached to this certification are.



(date)

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

Neighborhood Meeting

August 16, 2016

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a 54 residential unit, Westerlea View Lofts at 75 Chestnut Street. The site has an existing 3 story parking garage. This project will add an 11,600 sq. ft. footprint building to the site.

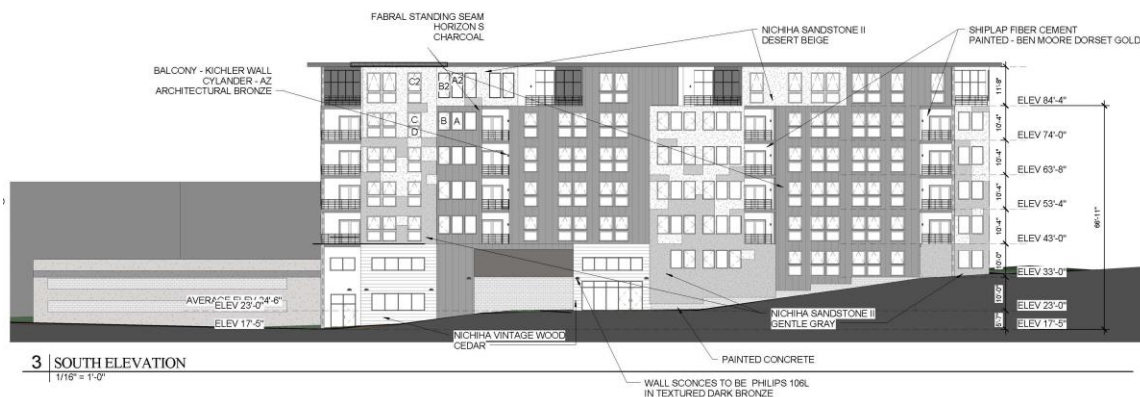
Meeting Location: 75 Chestnut Street (Parking Garage)
the corner of Chestnut Street and Oxford Street

Meeting Date: August 31, 2016 (Wednesday)

Meeting Time: 6:00pm

The purpose of this meeting is to introduce the project to our neighbors as part of the City approval process.

If you have any questions, please call Thomas S. Greer, P.E., Pinkham & Greer, Civil Engineers at 207-781-5242 or email him at tgreer@pinkhamandgreer.com.





PINKHAM & GREER
CIVIL ENGINEERS
28 HANCOCK AVE., PORTLAND, ME. 04101
TEL: 603.761.2274 FAX: 603.761.2275

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

SCALE:	AS SHOWN	DRN BY:	JDC
DATE:	AUGUST 11, 2016	DESIGN BY:	KEP
PROJECT:	35142	CHECK BY:	

WESTLERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

SITE PLAN COLOR UP

NEIGHBORHOOD MEETING ATTENDEE LIST
75 Chestnut Street (Westerlea View Lofts)
August 31, 2016

Name & Address	Name & Address
Thomas S. Greer Pinkham & Greer Civil Engineers 28 Vannah Avenue Portland, ME 04103	Steve Hyslop 18 Hanover St
Ron Spinella 377 Cumberland Ave PORTLAND 04101 ronspinella@maine-rr.com	Jay York 58 Wilmet St. jay@jayyork.biz
Deborah Van Hooeyk 21 Chestnut St., #301 Portland, ME 04101	KELLY WALLACE Kellywallace@ 28 HANOVER yahoo.com PORTLAND, ME 04101
SARA MICHAŁNIEWICZ 47 CEDAR ST. PORTLAND, ME 04101	Richard Murphy PO Box 10645 Portland, ME 04104
LOUIS CHASTEN 239 Cumberland Ave #164 Portland 04101 Pearl St Unit C	
Liam Connolly 198 OXFORD STR.	
FRANK DIDONATO 72 CHESTNUT ST	
Robert C. Wains 250 Holm Ave. Portland	
SUSAN McCLOSKEY 25 PARRIS ST	
George Rheault 28 Hanover St.	

Neighborhood Meeting Notes

75 Chestnut Street (Westerlea View Lofts)

August 31, 2016

- There are concerns that this is an Avesta project and will bring in bums
 - Will there be any other community space offered? (other than the park and the first floor space that could be retail/gym/live/work)
 - The neighborhood likes having the current green space so they are glad part of the site will be maintained as a green space
 - The size of the building is perfect
 - There are concerns about on street parking – the street parking in the area is already maxed out
 - What if residents have more than 1 car? (they can rent a second spot, one automatically comes with the rental)
- If there is another space available in the garage for lease can it be discounted?
- How will the graffiti that is common in the neighborhood be dealt with?
 - There are concerns about children going into the retention pond when it is filled
 - There should not be any hidden corners in that neighborhood
 - Will there be on-site security?
 - Will there be cameras?
 - How tall is the project compared to other buildings on the block?

1 Light Outdoor Wall Cylinder -AZ

9234AZ (Architectural Bronze)



Dimensions

Height	7.00"
Width	4.75"

Alternate Lamps

Lamp Included	Bulb Listing	Light Source	Max Wattage/Range	Bulb Product ID	Dimming
No	Hybrid	CFL	13-15W		

Project Name: _____
Location: _____
Type: _____
Qty: _____
Comments: _____

Ordering Information

Product ID	9234AZ
Finish	Architectural Bronze
Available Finishes	AZ, BA, WH

Dimensions

Extension	7.00"
Height from center of Wall opening	3.50"
Base Backplate	5.00 X 4.75
Weight	0.95 LBS

Specifications

Material	Aluminum
----------	----------

Electrical

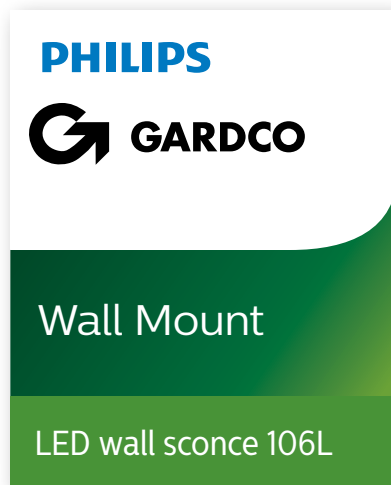
Voltage	120V
---------	------

Qualifications

Safety Rated	Wet
Dark Sky	Yes
Warranty	www.kichler.com/warranty

Primary Lamping

Light Source	Incandescent
Lamp Included	Not Included
Number of Lights/LEDs	1
Max or Nominal Watt	65W
Socket Wire	150
Socket Type	Medium
Lamp Type	BR30



Project: _____

Location: _____

Cat.No: _____

Type: _____

Qty: _____

Notes: _____

Philips Gardco 106 LED wall sconces feature a low-profile design that provides wide flexibility in high performance exterior wall illumination. Full cutoff performance, usable illumination patterns, and powerful wattages combine into a compact and architecturally pleasing design. 106L sconces are available in Type 2, 3, and 4 distributions, and provide output of up to 9500 lumens. Energy saving control options increase energy savings and offer California Title 24 compliance. Emergency Battery Backup option available for path of egress.

Ordering guide

example: 106L-32L-700-NW-G1-3-120-IMRI2-BZ

Prefix	Number of LEDs	Drive Current	LED Color - Generation	Distribution	Emergency	Voltage	Options		Finish	
							Controls	Electrical		
106L										
106L 106L LED Wall Sconce	16L 16 LEDs (1 module)	530	530mA	2 Type 2 3 Type 3 4 Type 4	EBPC Emergency Battery Pack Cold Weather ^{3,4,12} Leave blank to omitt an emergency option	UNV	120-277V	DD 0-10V Dimming Driver ^{5,6} DCC Dual Circuit Control ^{7,8} DynaDimmer: Automatic Profile Dimming CS50 Safety 50% Dimming (7 hours) ^{7,9,10} CM50 Median 50% Dimming (8 hours) ^{7,9,10} CE50 Economy 50% Dimming (9 hours) ^{7,9,10} DA50 All Night 50% Dimming ^{7,9,10} Photoelectric Systems PCB Photocontrol Button ^{5,10,11,12} Infrared Motion Response Systems IMRI2 Integral with #2 lens ^{4,12,13} IMRI3 Integral with #4 lens ^{4,12,13} Wireless Controls LLC2 Integral module with #2 lens ^{5,7,9,14} LLC3 Integral module with #3 lens ^{5,7,9,14}	Fusing F1 Single (120, 277, 347VAC) ¹² F2 Double (208, 240, 480VAC) ¹² F3 Canadian Double Pull (208, 240, 480VAC) ¹²	Textured BK Black WH White BZ Bronze DGY Dark Gray MGY Medium Gray Customer specified RAL Specify optional color or RAL (ex: OC-LGP or OC-RAL7024) CC Custom color (Must supply color chip for required factory quote)
		650	650mA ¹			HVU	347-480V			
		700	700mA			120	120V			
		1000	1000mA			208	208V			
	32L 32 LEDs (2 module)	1200	1200mA	240		240V				
		530	530mA	277		277V				
		650	650mA ¹	347		347V				
		700	700mA	480		480V				
		1000	1000mA ²							

- 650mA only available with Emergency Battery Pack Cold Rated (EBPC) option
- 32L rated for 30°C at 1000mA
- Available for use with 16L and 32L in 530mA or 650mA only. Rated for -20°C to 35°C.
- Available in 120 or 277V only.
- Not available with Dual Circuit Control (DCC) option.
- 16L not available with Dimming Driver (DD) in following configurations: 530, 700 and 1200mA in 347 and 480V.
- Not available with Dimming Driver (DD) option.
- Available in 32L with 530mA. Consult technical support center for use with photocell and CS/CM/CE/DA.
- Available in 120-277V (UNV) only.
- Not available with LLC and DCC.
- Not available with 480V.
- Must specify input voltage.
- Not available with DD, DCC or LLC.
- LLC2/3 Not available with PCB, IMRI, CS/CM/CE/DA. Ships with WS accessory attached to wireless module. Not for use with LLCR accessory.

106L Wall sconce LED

Wall Mount

Luminaire Accessories (order separately)

Mounting Accessories

Wall Mount

WS Wall Mounted Box for Surface Conduit

Controls Accessories

Wireless controls remote mount module

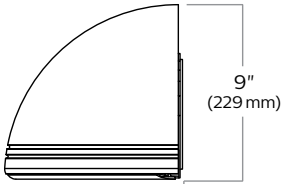
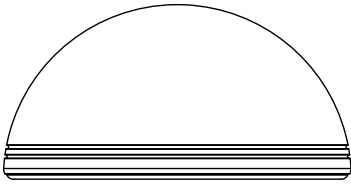
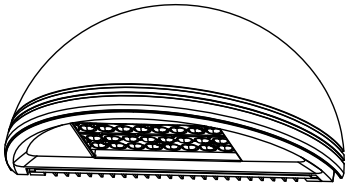
LLCR2-(F) #2 lens - specify finish in place of (F)

LLCR3-(F) #3 lens - specify finish in place of (F)

Wireless controls remote controller accessory

Wireless controls system offers a remote radio/sensor module that allows connectivity to Wireless system gateway. Remote module can be mounted to wall or pole with j-box supplied. May be specified by choosing one of two different lenses to accommodate a variety of mounting heights/sensor detection ranges. Must specify option DD on luminaires that are planned to be used with remote mount controllers. See page 4 for Wireless Controls details.

Dimensions

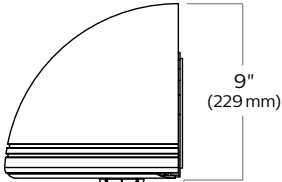
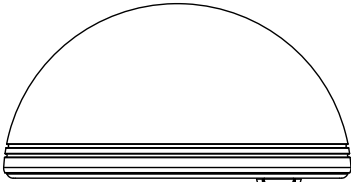
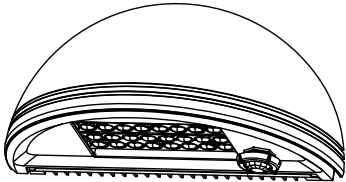


18 1/4"
(464 mm)

9 1/4"
(235 mm)

9"
(229 mm)

Motion Response

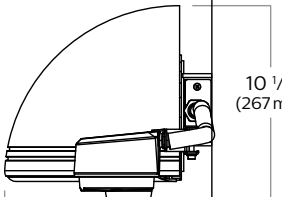
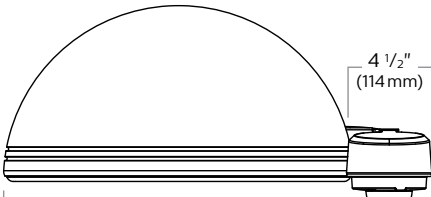
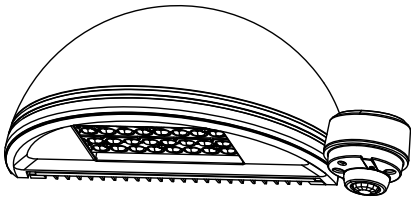


18 1/4"
(464 mm)

9 1/4"
(235 mm)

9"
(229 mm)

Wireless Controls

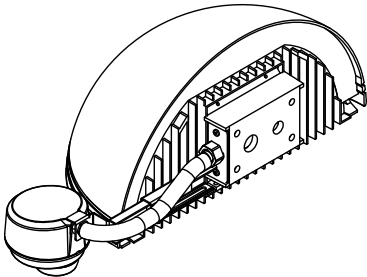


22 1/4"
(565 mm)

4 1/2"
(114 mm)

10 3/4"
(273 mm)

10 1/2"
(267 mm)



Luminaire Weights

LED Wall Sconce 106L	Weight
Luminaire	13.5 lbs
Luminaire - EBPC (EM battery pack)	17.0 lbs
Luminaire - Integrated Wireless Controls	16.3 lbs

106L Wall scone LED

Wall Mount

LED Wattage and Lumen Values

Ordering Code	LED Qty	LED Current (mA)	Color Temp.	Average System Watts ¹	Type 2			Type 3			Type 4		
					Lumen Output ^{1,2}	BUG Rating	Efficacy (LPW)	Lumen Output ^{1,2}	BUG Rating	Efficacy (LPW)	Lumen Output ^{1,2}	BUG Rating	Efficacy (LPW)
106L-16L-530-NW-G1	16	530	4000K	28	2944	B1-U0-G0	106	2687	B1-U0-G1	97	2747	B1-U0-G1	99
106L-16L-700-NW-G1	16	700	4000K	37	3789	B1-U0-G1	103	3458	B1-U0-G1	94	3535	B1-U0-G1	96
106L-16L-1000-NW-G1	16	1000	4000K	55	5050	B1-U0-G1	92	4609	B1-U0-G1	84	4712	B1-U0-G1	86
106L-16L-1200-NW-G1	16	1200	4000K	65	5744	B2-U0-G1	89	5242	B1-U0-G2	81	5359	B1-U0-G2	83
106L-32L-530-NW-G1	32	530	4000K	52	5698	B2-U0-G1	110	5200	B1-U0-G2	100	5316	B1-U0-G2	102
106L-32L-700-NW-G1	32	700	4000K	70	7242	B2-U0-G1	103	6609	B1-U0-G2	94	6757	B1-U0-G2	96
106L-32L-1000-NW-G1	32	1000	4000K	107	9797	B2-U0-G1	92	8941	B2-U0-G2	84	9140	B2-U0-G2	86

LED Wattage and Lumen Values (Emergency Mode)³

Ordering Code	LED Qty	LED Current (mA)	Color Temp.	Ave. System Watts (charging mode)	Type 2	Type 3	Type 4
106L-16L-NW-EBPC	16	N/A	4000K	14	1345	1228	1255
106L-32L-NW-EBPC	32	N/A	4000K	14	1754	1600	1636

1. Wattage and lumen output may vary by +/- 8% due to LED manufacturer forward volt specification and ambient temperature. Wattage shown is average for 120V through 277V input. Actual wattage may vary by an additional +/- 10% due to actual input voltage.
2. Lumen values based on photometric tests performed in compliance with IESNA LM-79.
3. For emergency EBPC option, publish values are based on initial lumens.

Luminaire options

DD: 0-10V dimming driver with leads supplied through back of luminaire (for secondary dimming controls by others).

Dynadimmer Automatic Profile Dimming: Automatic dimming profiles (CS50/CM50/CE50) offer safety, median, or economy settings, for shorter or longer duration. Dimming profiles provide flexibility towards energy savings goals while optimizing light levels during specific dark hours. 50% dimming is standard. DA50 offers 50% instantaneous dimming all night (during all dark hours). 75% and 25% dimming is also available if different light levels are required (contact Technical Support for details).

Profile	Dimming		
	Schedule	Duration	Level
Economy	9 PM - 6 AM	9 hours	50%
Median	10 PM - 6 AM	8 hours	50%
Safety	11 PM - 6 AM	7 hours	50%
Reactive 50	all night	dynamic	50%

IMRI2, IMRI3: Infrared Motion Response Integral (IMRI). IMRI module is mounted integral to the luminaire door and is available with two different sensor lens types to accommodate various mounting heights and occupancy detection ranges (see charts for approximate detection patterns). Motion response for option IMRI is set/operates in the following fashion: The motion sensor is set to a constant 25%. When motion is detected by the PIR sensor, the luminaire returns to 100% light output. Dimming on low is factory set to 25% with 5 minute default in "full power" prior to dimming back to low. When no motion is detected for 5 minutes, the motion response system reduces the wattage by 75%, to 25% of the normal constant wattage reducing the light level. IMRI can also be specified with automatic profile dimming for the added benefit of a combined dimming profile with sensor detection, where the PIR sensor will override the dimming profile when occupancy is detected. Passive infrared (PIR) motion sensor, WattStopper FSP-211, equipped with lens choice specified. Available in 120V or 277V input only. Motion sensor off state power is 0.0 watts. The FSP-211 can also be reprogrammed with WattStopper's FS1R-100 remote programming tool accessory.

DCC: Dual Circuit Control permits separate switching of 32L models only, where a quantity of (2) 16 LED modules are controlled independently by use of two sets of leads, one for each module.

Wireless Controls: Controller radio/sensor module attached to luminaire via WS accessory (included with LLC2 and LLC3 option) and includes radio, photocell and motion sensor. Also available with remote pod accessory where pod is mounted separate from luminaire to pole or wall (see accessories and Wireless Controls information page 4).

F1: Fusing Single (for 120, 277 or 347VAC)

F2: Fusing Double (for 208, 240 or 480VAC)

F3: Fusing Canadian Double Pull (for 208, 240 or 480VAC)

EBPC: Emergency battery pack is cold weather rated down to -20C (-4F) and integral to the luminaire, allowing for a consistent look between emergency and non-emergency sconces. A separate surface mount accessory box is not required. Dual light engines (32L) are wired in parallel, both operating in emergency mode to meet various redundancy lamp requirements. Also available with single light engine (16L). Secondary driver with relay immediately detects AC power loss and powers luminaire for a minimum of 90 minutes from the time power is lost.

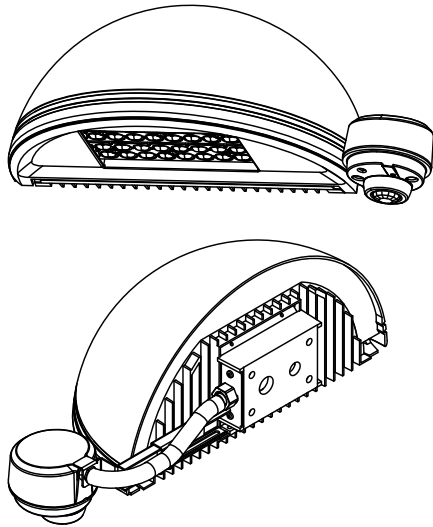
106L Wall sconce LED

Wall Mount

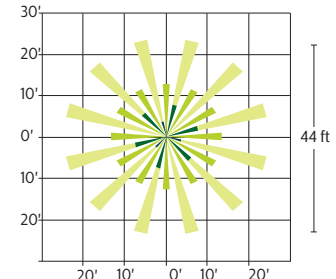
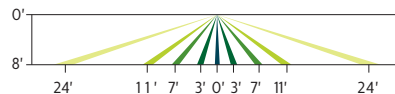
Infrared Motion Response and Wireless Controls Sensor Coverage Patterns

LLC2/3 Luminaire Mounted Controller

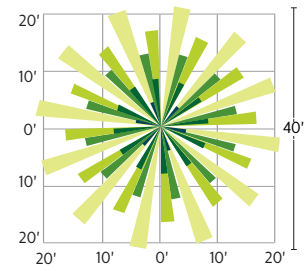
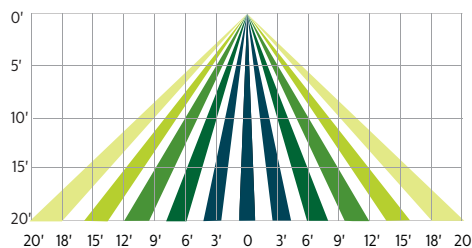
Controller attached to luminaire and includes radio, photocell and motion sensor with #2 or #3 lens for 8-20' mounting heights.



IMRI2/LLC2/LLCR2

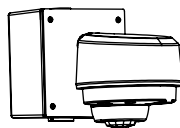


IMRI3/LLC3/LLCR3

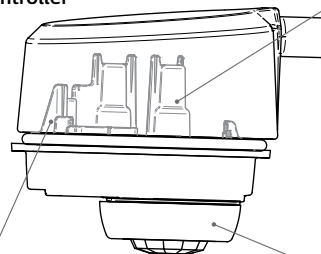


Remote Mount Wireless Controller

Used to extend the communication on site, to extend motion response and add other luminaires that are not pole mounted. Consult factory for more information.



Controller



Photocell

- Ambient light photocell on every wireless radio that averages the light levels of up to 5 controllers for an accurate reading and optimal light harvesting activity.
- Reports ambient light readings to 1500 Fc.

Wireless Radio

- 1.8 Watts max (no load draw)
- Operating voltage 120-277 VAC RMS
- Communicates using the ZigBee protocol
- Carries out dimming commands from Gateway
- Reports ambient light readings to 1500 Ft-Cd
- Transmission Systems Operating within the band 2400-2483.5Mhz
- ROHS Compliant

Motion Response

- Detects motion through passive infrared sensing technology with three different lens configurations
- Motion sensor coverage can be adjusted from a narrow to a wide detection range, which helps reduce false triggers to further increase energy savings.
- Sensing profiles can be updated to adapt to activity levels in the environment, such as occupancy level, wind, and mounting height

106L Wall sconce LED

Wall Mount

Luminaire Configuration Information – Sconce with wireless controls

Gateway

Overview: The gateway opens up communication with the wireless radios installed on equipped luminaires (or pole), allowing you to control your fixtures straight from the web. One gateway can communicate with up to 800 fixtures. Typically one unit is required per parking lot.

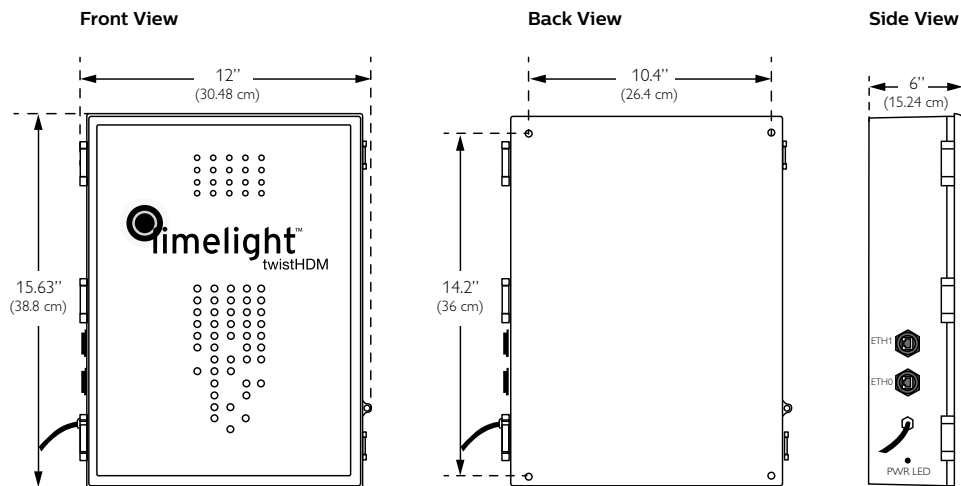
Installation: Gateway has 4 blind threaded holes on the back side that accept 10-32 screws. Mount spacing is 10.41" across and 14.19" vertical.

Requirements: The gateway must be mounted in a secure on-site location. The gateway requires 120V. Distance of gateway to the first radio varies upon application; contact factory. Strong internet connection required.

Specifications:

- High density RF Mesh coordinator
- Ethernet or wireless internet connection to server
- Proprietor of software "rules of operation"
- Watertight Ethernet connections
- Highly protected, long life ac/dc power supply
- Single board, ARM compliant 520Mhz Intel computer.
- Operating Temperature -20°C to 55°C
- Tamper proof housing

Gateway Dimensions



106L Wall sconce LED

Wall Mount

Specifications

Housing

Main body cast housing and back plate made of a low copper die cast Aluminum alloy for a high resistance to corrosion, 0.100" (2.5mm) minimum thickness. Hinged door allows access to driver and LED compartment.

Mounting

Mounting is completed through integral back plate that features a separate recessed feature for hook and lock quick mount plate that secures with two set screws from bottom of luminaire. Mounting plate is located in the center of the luminaire width and 3.5" above the luminaire bottom (lens down position). Luminaire ships fully assembled, ready to install.

Light Engine

Composed of 4 main components: Heat Sink / LED Module / Optical System / Driver. Electrical components are RoHS compliant. IP66 sealed light engines. LEDs tested by ISO 17025-2005 accredited lab in accordance with IESNA LM-80 guidelines extrapolations in accordance with IESNA TM-21. Metal core board ensures greater heat transfer and longer lifespan.

Heat Sink

Integral door/heat sink design made of low copper die cast Aluminum alloy for a high resistance to corrosion.

LED Module

Composed of high performance white LEDs. Color temperature as per ANSI/NEMA bin Neutral White, 4000K nominal (+/- 275K), CRI 70 Min. Available in other color temperatures including Cool White, 5700K and Warm White, 3000K.

LED Performance

Predicted lumen depreciation data ¹				
Ambient Temperature (°C)	Driver mA	Calculated L ₇₀ hours ^{1,2}	L ₇₀ per TM-21 ^{2,3}	Lumen Maintenance % @ 60,000 hours
25°C	up to 1200 mA	>100,000	>60,000	88%

1. Predicted performance derived from LED manufacturer's data and engineering design estimates, based on IESNA LM-80 methodology. Actual experience may vary due to field application conditions.
2. L₇₀ is the predicted time when LED performance depreciates to 70% of initial lumen output.
3. Calculated per IESNA TM21-11. Published L₇₀ hours limited to 6 times actual LED test hours.

Hardware

All exposed screws shall be stainless and/or corrosion resistant and captive.

Optical System

The advanced LED optical systems provide IES Types 2, 3, 4. Composed of high performance UV stabilized optical grade polymer refractor lenses to achieve desired distribution optimized to get maximum spacing, target lumens and a superior lighting uniformity. System is rated IP66. Performance shall be tested per LM-63, LM-79 and TM-15 (IESNA) certifying its photometric performance. Dark sky compliant with 0% uplight and U0 per IESNA TM-15.

Driver

High power factor of 90% min. Electronic driver, operating range 50/60 Hz. Auto adjusting universal voltage input from 120 to 277 VAC or 347 to 480 VAC rated for both application line to line or line to neutral, Class I, THD of 20% max. The current supplying the LEDs will be reduced by the driver if the driver experiences internal overheating as a protection to the LEDs and the electrical components. Output is protected from short circuits, voltage overload and current overload. Automatic recovery after correction. Standard built in driver surge protection of 2.5kV (min).

Surge Protection

Each luminaire is provided as standard with surge protector (Philips designed SP1) tested in accordance with ANSI/IEEE C62.45 per ANSI/IEEE C62.41.2 Scenario I Category C High Exposure 10kV/5kA waveforms for Line Ground, Line Neutral and Neutral Ground, and in accordance with U.S. DOE (Department of Energy) MSSLC (Municipal Solid State Street Lighting Consortium) Model Specification for LED Roadway Luminaires Appendix D Electrical Immunity High Test Level 10kV / 5kA.

Wiring (supplied by others)

Splices must be made in the junction box.

Finish

Five standard colors offered in textured black, white, bronze, dark gray and medium gray. Color in accordance with the AAMA 2604 standard. Application of polyester powder coat paint 2.5 mils minimum. The thermosetting resins provides a discoloration resistant finish in accordance with the ASTM D2244 standard, as well as luster retention in keeping with the ASTM D523 standard and humidity proof in accordance with the ASTM D2247 standard. RAL and custom color matching available.

LED Products Manufacturing Standard

The electronic components sensitive to electrostatic discharge (ESD) such as light emitting diodes (LEDs) are assembled in compliance with EC61340-5-1 and ANSI/ESD S20.20 standards so as to eliminate ESD events that could decrease the useful life of the product.

LED Useful Life

Luminaire Useful Life accounts for LED lumen maintenance. Refer to IES files for energy consumption and delivered lumens for each option. Based on ISTMT in situ thermal testing in accordance with UL1598 and UL8750, LED LM-80/TM-21, expected to reach 100,000 + hours with >L70 lumen maintenance @ 25°C.

Certifications and Compliance

cULus Listed for Canada and USA suitable for wet locations when mounted downward facing. cULus Listed for Canada and USA suitable for damp locations when inverted upward facing when mounted in covered ceiling application. Emergency Battery Pack option is tested and listed to UL924 and CSA C22.2 No. 141-10 DesignLights Consortium qualified on models as listed on DLC QPL. Luminaire is rated for operation in ambient temperature of -40°C (-40°F) up to +40°C (+104°F).

Limited Warranty

5-year limited warranty. See philips.com/warranties for details and restrictions. Visit our eCatalog or contact your local sales representative for more information.

© 2016 Philips Lighting Holding B.V. All rights reserved. Philips reserves the right to make changes in specifications and/or to discontinue any product at any time without notice or obligation and will not be liable for any consequences resulting from the use of this publication. philips.com/luminaires



Philips Lighting North America Corporation
200 Franklin Square Drive, Somerset, NJ 08873
Tel. 855-486-2216

Philips Lighting Canada Ltd.
281 Hillmount Rd, Markham, ON, Canada L6C 2S3
Tel. 800-668-9008

September 7, 2016

Att. M

Ms. Jean Fraser
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

RE: 75 CHESTNUT STREET, WESTERLEA VIEW LOFTS
RESPONSE TO EMAIL DATED 8/31/16

Dear Jean,

We have completed our team meeting on your memo and offer the following responses:

- *Ownership of the lot: A & M Partners Inc. are identified as the applicant but appears to be one of two entities that own the lot (the other being Chestnut Parking Inc.). Could you please clarify the areas of the two ownerships;*

A & M Partners owns the entire property.

- *A Parking Analysis (justifying the proposed amount of parking dedicated to the proposed building) should be submitted to address the ordinance requirement (14.332.2 (c) which states:*

This property has 450 parking spaces that are available to the residents and neighbors. We request a waiver of this study.

- *The Site Plan Ordinance requires a that all Level III development in the B7 zone shall design and implement a Transportation Demand Management (TDM) plan; please submit a draft;*

Bill Bray will complete a TDM Study.

The Traffic Engineering Reviewer requests (in view of the increase in traffic from the proposed project) an assessment of the operation and safety of the intersection of Chestnut Street and Lancaster Street;

We want to make sure we cover all questions from Tom Errico, we do not plan on any studies until his review is complete. This study seems unnecessary in our opinion.

- *Please clarify whether there will be rooftop appurtenances and if so how they will be screened, and provide the building rendering;*

The building is 60 to 70 feet high. The units will be in the middle of the roof, no screening is required.

- *Please confirm how many of the units have balconies*

There will be 42 units with balconies.

- *Please clarify regarding the long term plans for the parking lot, as it is part of the same lot and scope for improvements to sidewalks and landscaping etc would usually be part of the site plan review.*

The parking garage will be in existence long term. Each unit will be provided with one space and will be able to rent additional spaces.

The Landscape Plan prepared by Anthony Muench is adequate for our purposes.

As for the sidewalk, we are replacing and upgrading the Chestnut Street walk, as this is the one we are impacting

Site Plan Review Issues

- *Staff will be recommending that sidewalks in the vicinity of the new building be 8 feet wide with associated improvements that would include lighting, ADA ramps at street crossings, and possibly realignment of the curb line at corners;*

The sidewalks are currently 6'-8" to 7'-0" wide. This is the width we intend to leave them. Making them wider will impact the street line. This is not a cost that this project should bare.

We will provide new ADA ramps at each end of the Chestnut Street sidewalk. We will not be providing ramps on the opposite side of the street. These corners already have ramps.

- *The project is subject to the B-7 Design Standards and the initial review has identified the following aspects that need further consideration:*
 - *E1 Architectural Design: There are a few areas of concern where residential unit windows facing public rights-of-way are low to the ground and do not provide visual privacy for the occupants. The driveway to the garage from Chestnut Street will need further detail to address safety concerns - it should not become a dark tunnel.*

The windows have been revised as much as practicable. This will be reviewed at the 9/13 meeting.

- *E4 Articulation: The blank wall on Chestnut Street adjacent to the entrance lobby is of concern at the pedestrian level. Incorporate design elements to make that stretch more comfortable at the street.*

High windows will be added to this section of wall.

- *E12 : Materials: The guidelines currently prohibit fiber cement panels to be used on portions of the building visible from the public rights of way. Either revise the material selection to comply with the standard or request a waiver*

from the Planning Board. In addition, the use of two different color panels in a pixilated manner is not necessary and adds visual distraction to an already visually complex facade.

Materials will be reviewed at the 9/13 meeting. We believe we have made appropriates color and material selections.

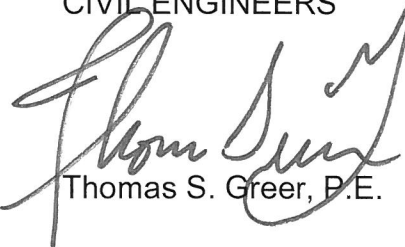
- *Staff will be recommending that the landscaping and street tree proposals be revised; we appreciate that these may depend on resolution of some of the issues noted above.*

We look forward to the Staff's Landscape Architect's comments.

Please note it is the goal of this project to make apartments available at affordable market rates. Every time the City adds costs the project becomes more expensive and rates are less affordable.

Sincerely,

PINKHAM & GREER,
CIVIL ENGINEERS

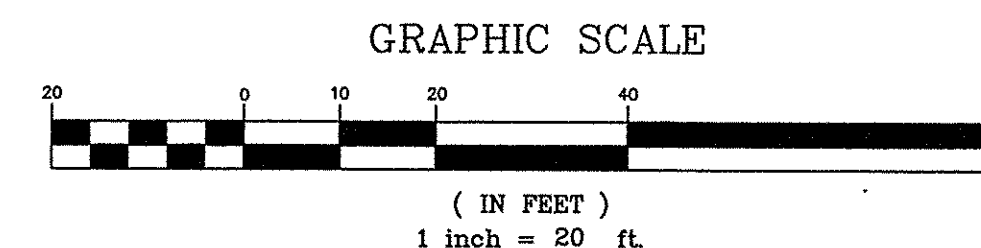


Thomas S. Greer, P.E.

cc: (1) Lou Wood, (1) Bill Hopkins, (1) File

Enclosures

TSG/rjs



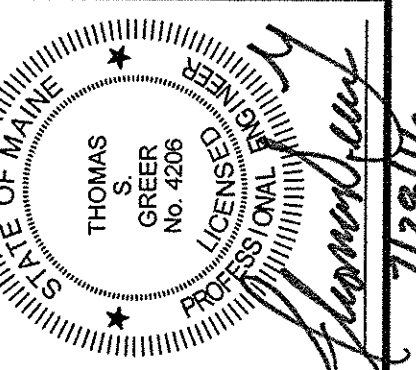
EXISTING

- | | |
|--|--------------------------|
| | PROPERTY LINE |
| | ABUTTERS PROPERTY |
| | EDGE OF PAVEMENT |
| | CONTOURS |
| | BUILDING |
| | EDGE OF GRAVEL |
| | CURB |
| | GAS LINE |
| | SANITARY SEWER |
| | STORM DRAIN |
| | OVERHEAD UTILITY |
| | WATER LINE |
| | CATCH BASIN |
| | COMBINED SYSTEM MANHOLE |
| | SEWER MANHOLE |
| | ELECTRIC MANHOLE |
| | ELECTRIC METER |
| | GAS METER |
| | HYDRANT |
| | WATER VALVE |
| | GAS VALVE |
| | POLE MOUNTED TRANSFORMER |
| | UTILITY POLE W/ GUY WIRE |
| | SIGN |
| | TREE |
| | IMPERVIOUS TO BE REMOVED |
| | BENCHMARK |

1. ANY UNUSED SERVICE LINES ARE TO BE PROPERLY REMOVED TO THE MAIN CAP EACH IN ACCORDANCE WITH THE APPROPRIATE UTILITY REQUIREMENTS.

PINKHAM & GREER
CIVIL ENGINEERS

28 IVANNAH AVE., PORTLAND, ME. 04103
TEL.: 207/781-5242 FAX: 207/781-4245

[illegible]

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

SCALE: AS SHOWN
DATE: JULY 28, 2016
PROJECT: 16142
DRN BY: JDC
DESG BY: DEF
CHK BY: *PSG*

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

EXISTING CONDITIONS AND DEMOLITION PLAN

C1.3

MAP/LOT 26 / E / 10

AP/LOT 26 / E / 10

7/28/16

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 DEVIATION TO THE SITE PLAN. LANDSCAPING SHALL INCLUDE, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, PROTECTION 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 TYPICAL RAMPES 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 BMP'S 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 CITY OF PORTLAND OFFICE OF THE CITY ENGINEER OR REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THE CITY ENGINEER OF 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 ERRECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE CONSTRUCTION OF ANY BUILDING OR INDIVIDUAL PLANT PLACEMENT. 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 AND ACCORDING TO 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 DEFINED 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."



B-7 MIXED DEVELOPMENT DISTRICT ZONE
PERMITTED USE: RESIDENTIAL CONDOMINIUMS

OFF STREET PARKING	1 PER UNIT
BIKE RACKS	EXTERIOR: 12

EXISTING IMPERVIOUS	53,511 SQ. FT.
PROPOSED IMPERVIOUS	63,565 SQ. FT.
NET IMPERVIOUS	+10,054 SQ. FT.

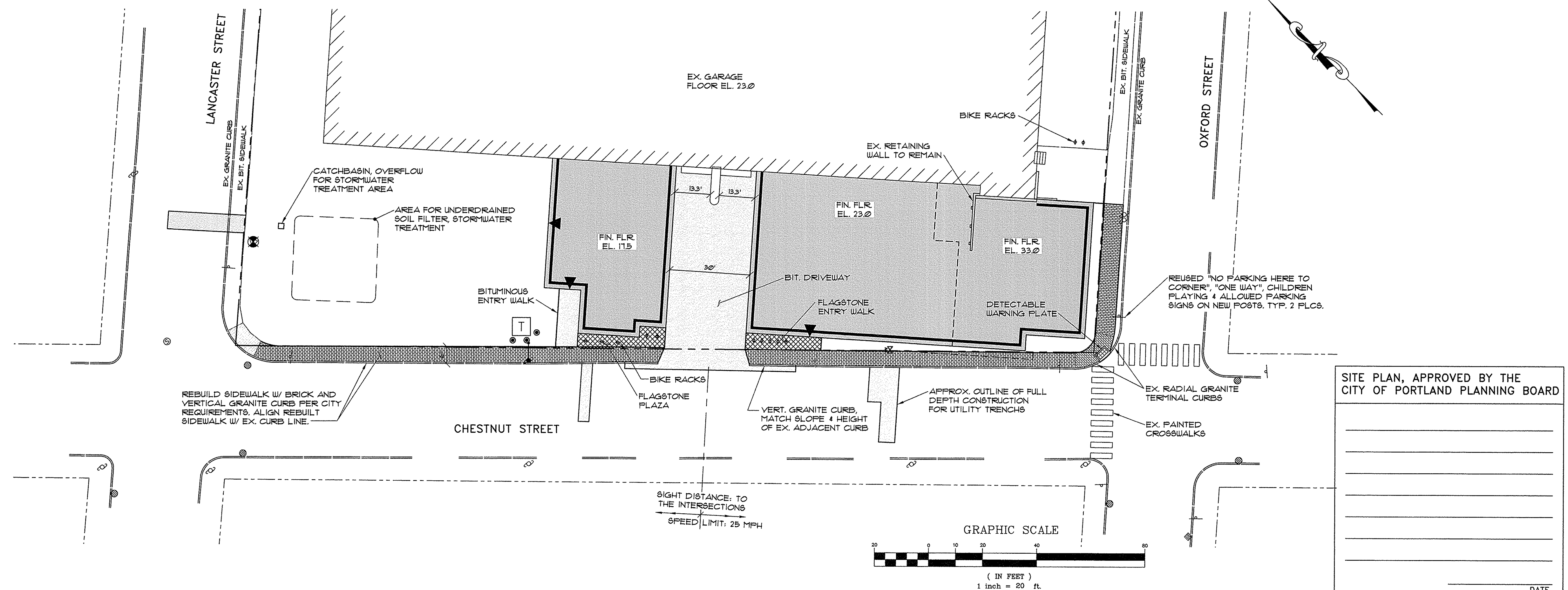
ZONE: B-7, MIXED DEVELOPMENT	
PERMITTED USE: CONDOMINIUMS	
SPACE STANDARDS	REQUIRED
MINIMUM LOT SIZE	NONE
MINIMUM STREET FRONTAGE	NONE
MINIMUM FRONT YARD SETBACK	NONE
MINIMUM REAR YARD SETBACK	NONE
MINIMUM SIDE YARD SETBACK	NONE
MINIMUM LENGTH OF BUILDING WALL	25% OF PERIMETER
MAXIMUM BUILDING LOT COVERAGE	100%
MAXIMUM RESIDENTIAL DENSITY	NONE
MAXIMUM BUILDING HEIGHT	15 FEET
MINIMUM BUILDING HEIGHT	-
OFF STREET PARKING	1 PER UNIT
BIKE RACKS	12

C1.1	SUBDIVISION RECORDING FLAT
C1.2	SITE PLAN
C1.3	EXISTING CONDITIONS AND DEMOLITION PLAN
C1.4	GRADING AND UTILITIES PLAN AND EROSION CONTROL PLAN
C1.5	LANDSCAPE PLAN, NOTES AND DETAILS
C2.1	DETAILS
C2.2	DETAILS
C2.3	DETAILS
C2.4	DETAILS
	EXISTING CONDITIONS SURVEY

1. OWNER: AAM PARTNERS, INC.
120 EXCHANGE STREET, PORTLAND, MAINE
04101, DEEDS RECORDED IN CUMBERLAND
COUNTY REGISTRY OF DEEDS BK. 21183,
PG. 53, DATE 8/11/09.
2. ENGINEER: PINKHAM & GREER CIVIL
ENGINEERS, 28 VANNAH AVENUE,
PORTLAND, MAINE, 04103.
3. ARCHITECT: ARCHETYPE ARCHITECTS,
48 UNION WHARF, PORTLAND, MAINE 04101.
4. TOPOGRAPHIC & BOUNDARY: MAINE SURVEY
CONSULTANTS, INC., PO BOX 485, HARRISON, MAINE, 04040.
5. UNDERLYING SOILS MAPPING TAKEN FROM SOIL CONSERVATION
STUDY OF CUMBERLAND COUNTY. THE UPPER HALF OF THE SITE IS CLASSIFIED
HINKLEY (H1) & LOWER HALF IS CL ASSIFIED AS AU GREESS (Au). THE
SURFACE OF THE SITE IS CURRENT URBAN LAND.
6. TAX MAP REFERENCE: MAP 26 / BLOCK E / LOT 10.
7. ZONE: B-1, MIXED DEVELOPMENT, PROPOSED USE: CONDOMINIUMS
8. TOTAL PARCEL = 2.12 acres
9. UNITS TO BE SERVICED BY PUBLIC WATER, SEWER, AND GAS FROM CHESTNUT
STREET. THESE SERVICES, INCLUDING HYDRANTS, ARE AS SHOWN ON SHEET C14,
GRADING AND UTILITIES PLAN.
10. POWER, TELEPHONE AND CABLE SERVICES ARE TO BE OVERHEAD ACROSS
CHESTNUT STREET. THESE SERVICES ARE SHOWN ON SHEET C14, GRADING AND
UTILITIES PLAN.
11. CALL DIG-SAFE PRIOR TO COMMENCING WORK, 1-800-DIG-SAFE.
12. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL MEET CITY OF PORTLAND
TECHNICAL MANUAL STANDARDS.
13. PROPOSED PARKING SPACES: NO NEW SPACES, EXISTING PARKING IS
ALREADY ON SITE. 1 PER UNIT PROVIDED IN THE EXISTING GARAGE.
14. THE SUBJECT PARCEL SHOWN AS WESTERLEA VIEW LOFTS IS SUBJECT TO A CITY
OF PORTLAND LEVEL II SITE PLAN AND SUBDIVISION PERMIT.
15. DETAILS OF STREET TREES ARE INCLUDED ON THE LANDSCAPE PLAN AS PART
OF THE APPROVAL FOR WESTERLEA LOFTS 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. PROPERTY PINS TO BE SET AT THE EXPENSE OF THE DEVELOPER AT THE END
OF CONSTRUCTION ON CORNERS NOT CURRENTLY MARKED.
18. 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.

1. ALLOW THE DEVELOPER TO PAY INTO THE STREET TREE FUND IN LIEU OF PLANTING STREET TREES.

EXISTING	PROPOSED
PROPERTY LINE ABUTTERS PROPERTY EDGE OF PAVEMENT BUILDING CURB	FOOTING EASEMENT EDGE OF PAVEMENT GRANITE CURB BUILDING ENTRY/EGRESS
POLE MOUNTED TRANSFORMER UTILITY POLE W/ GUY WIRE AREA LIGHT ON POLE SIGN	UTILITY POLE W/ GUY WIRE
CONCRETE PAD BENCHMARK	FULL DEPTH BITUMINOUS PVMT BITUMINOUS OVERLAY
	BRICK PAVERS CONCRETE PAD
	FLAGSTONE PAVERS

[illegible]

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

C1.2

MAP/LOT 26 / E / 10

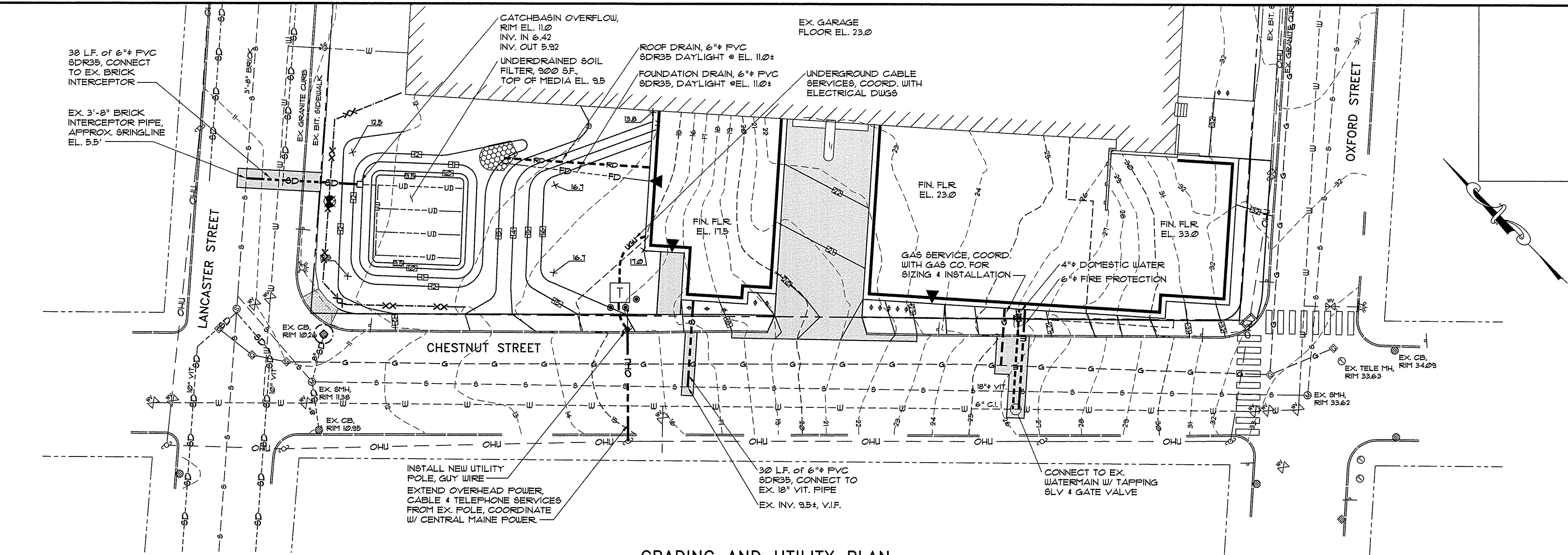
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A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

C1.2

MAP/LOT 26 / E / 10



GRADING AND UTILITY PLAN
SCALE: 1"=20'

LEGEND

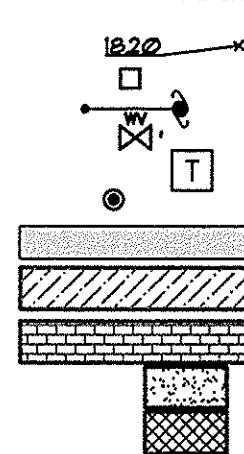
EXISTING

---	PROPERTY LINE
---	ABUTTERS PROPERTY
---	EDGE OF PAVEMENT
---	CONTOURS
---	BUILDING
---	EDGE OF GRAVEL
---	CURB
---	GAS LINE
---	SANITARY SEWER
---	STORMDRAIN
---	OVERHEAD UTILITY
---	WATER LINE

---	CATCH BASIN
---	COMBINED MANHOLE
---	SEWER MANHOLE
---	ELECTRIC MANHOLE
---	GAS METER
---	HYDRANT
---	WATER VALVE
---	GAS VALVE
---	POLE MOUNTED TRANSFORMER
---	UTILITY POLE W/ GUY WIRE

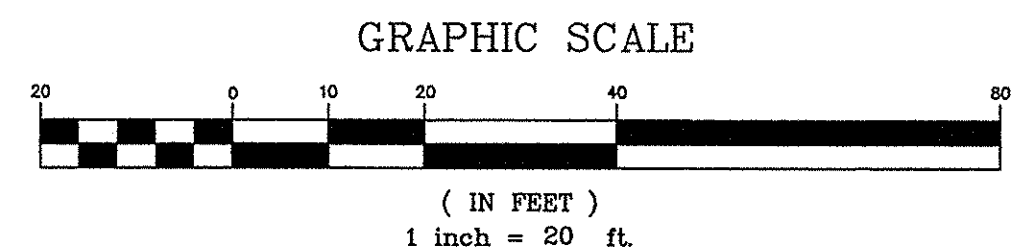
PROPOSED

---	EDGE OF PAVEMENT
---	VERTICAL GRANITE CURB
---	BUILDING
---	BUILDING ENTRY/EGRESS
---	CONTOURS
---	GAS LINE
---	SANITARY SEWER
---	STORMDRAIN
---	OVERHEAD UTILITY
---	UNDERGROUND UTILITY
---	WATER LINE



EROSION CONTROL

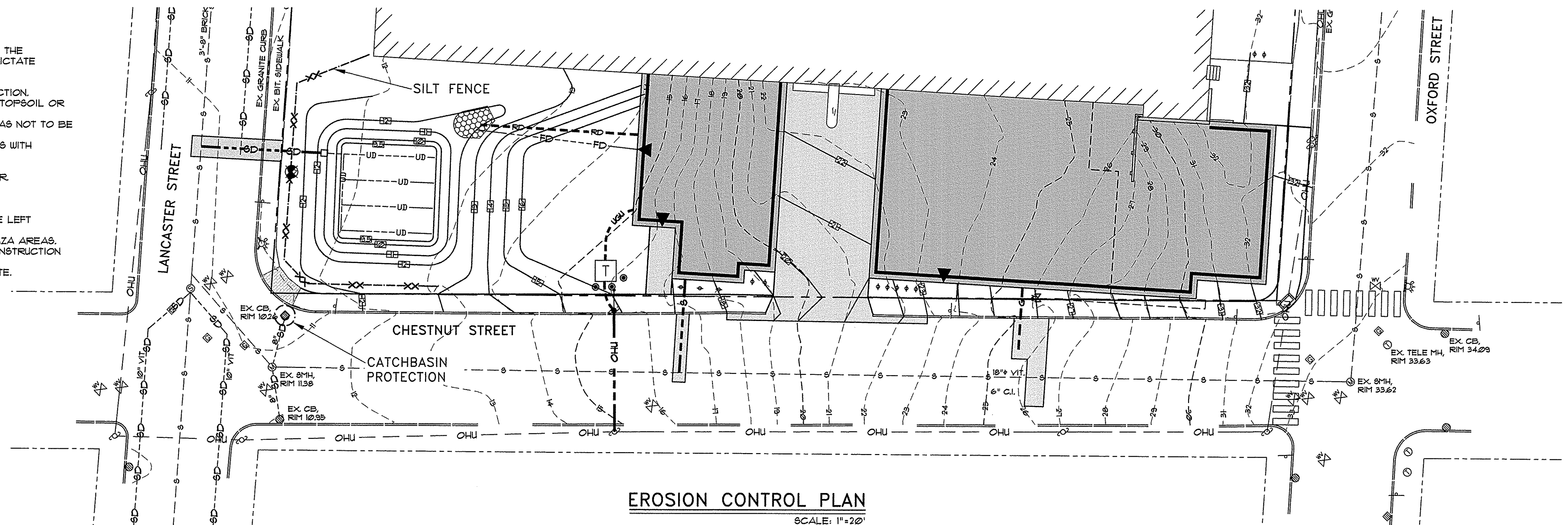
---	CATCH BASIN PROTECTION WITH SILT SACK
---	SILT FENCE



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.

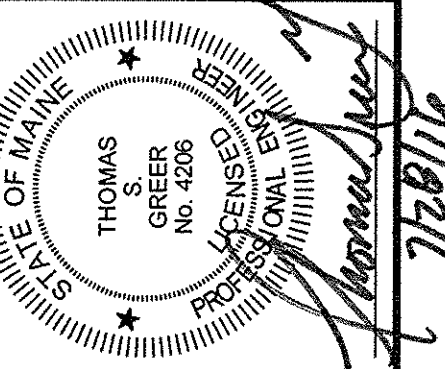
1. INSTALL PERIMETER SILT FENCE AND CATCH BASIN PROTECTION.
2. INSTALL SILTATION BASINS. (PRIOR TO ANY STRIPPING OF TOPSOIL OR OTHER EARTHWORK)
3. CLEAR AND GRUB WORK AREAS. TEMPORARILY SEED AREAS NOT TO BE WORKED ON WITHIN 14 DAYS.
4. STRIP AND STOCKPILE ON-SITE TOPSOIL. SEED STOCKPILES WITH TEMPORARY SEED MIX.
5. BEGIN EARTHWORK FOR BUILDING FOUNDATION. STABILIZE AREAS DRAINING TO UNDERDRAINED SOIL FILTER.
6. CONSTRUCT UNDERDRAINED SOIL FILTER.
7. BEGIN BUILDING CONSTRUCTION.
8. ROUGH GRADE SITE.
9. RESEED OR TEMPORARILY SEED ANY AREA WHICH WILL BE LEFT UNDISTURBED FOR MORE THAN 14 DAYS.
10. COMPLETE FINE GRADING AND PAVING OF WALKS AND PLAZA AREAS.
11. CLEAN SILTATION BASIN AND STORM DRAIN SYSTEM OF CONSTRUCTION SEDIMENTATION.
12. FINE GRADE, LOAN SEED AND FERTILIZE REMAINDER OF SITE.
13. REMOVE TEMPORARY SOIL EROSION MEASURES.



EROSION CONTROL PLAN
SCALE: 1"=20'

PINKHAM & GREER
CIVIL ENGINEERS

28 WANNAMUE, PORTLAND, ME 04103
TEL: 207.671.3242 FAX: 207.671.4245



REV.	DATE	DESCRIPTION

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

SCALE: AS SHOWN
DATE: JULY 28, 2016
PROJECT: 16142

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

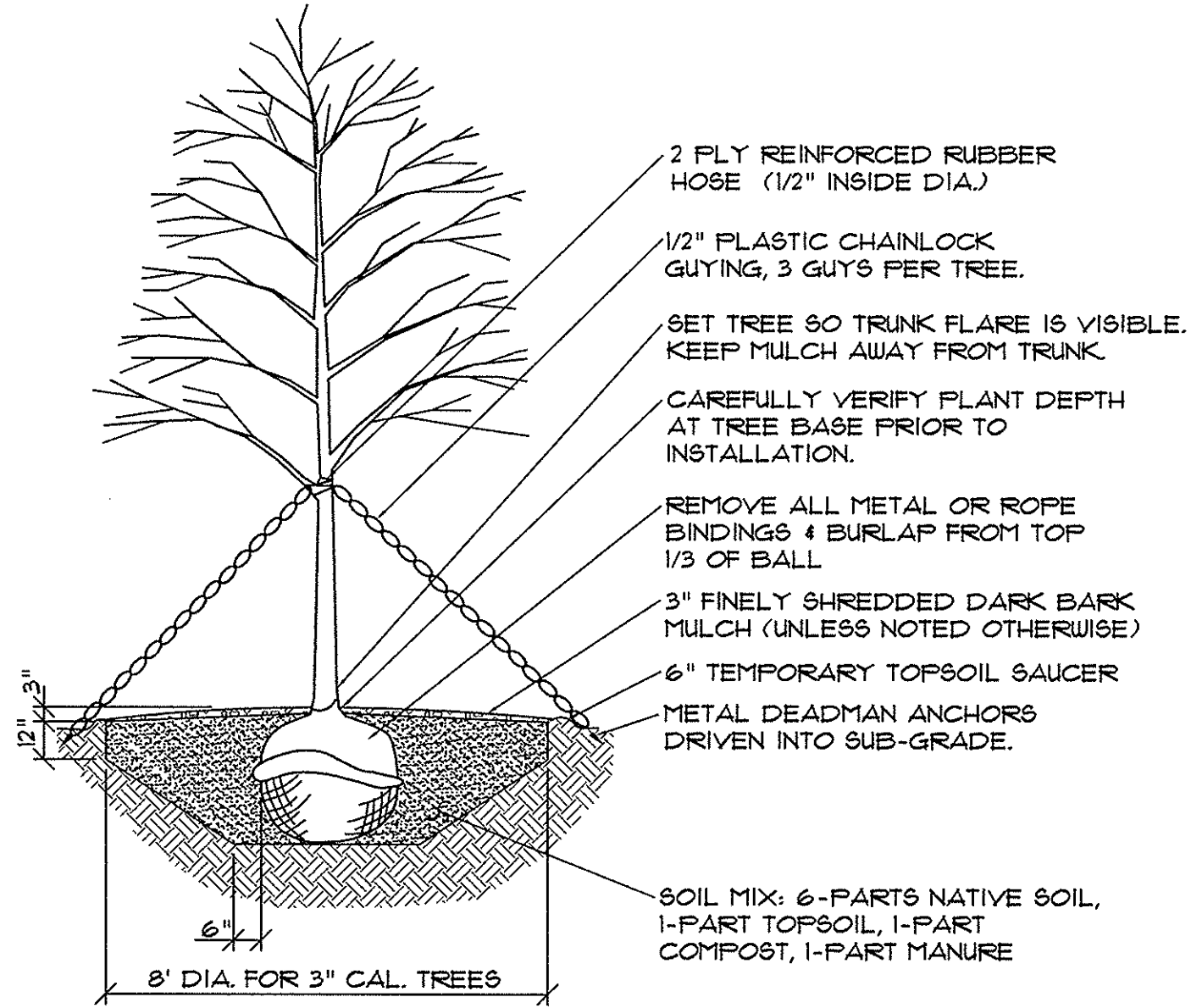
GRADING AND UTILITY PLAN,
AND EROSION CONTROL PLAN

C1.4

LANDSCAPE NOTES

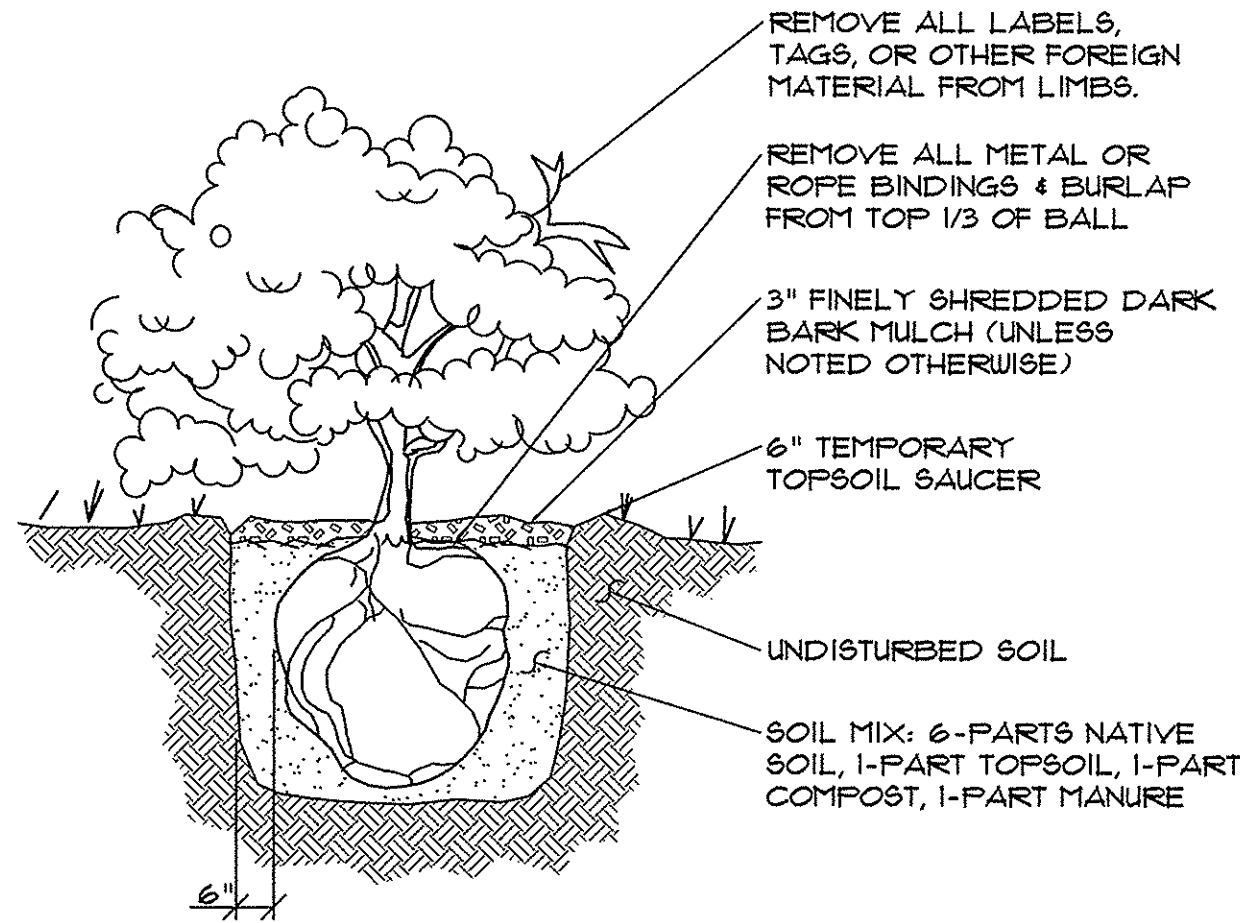
- GENERAL:
1. SAVE EXISTING TREES AS SHOWN. DO NOT CUT OR CLEAR ANY VEGETATION BEYOND THE IMPACT LIMIT LINE.
 2. ALL PLANT MATERIALS INSTALLED ARE TO MEET THE SPECIFICATIONS OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSEYMEN.
 3. ALL PROPOSED PLANT LOCATIONS SHALL 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 THE LANDSCAPE 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. LAWN: 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.



- NOTES:
1. PRUNE ALL DEAD AND BROKEN BRANCHES. RETAIN NATURAL SHAPE, NEVER CUT LEADER.
 2. IN LEDGE CONDITIONS, BLASTING SHALL BE 10' DIA AND 4' BELOW TREE HOLE BOTTOM GRADE.

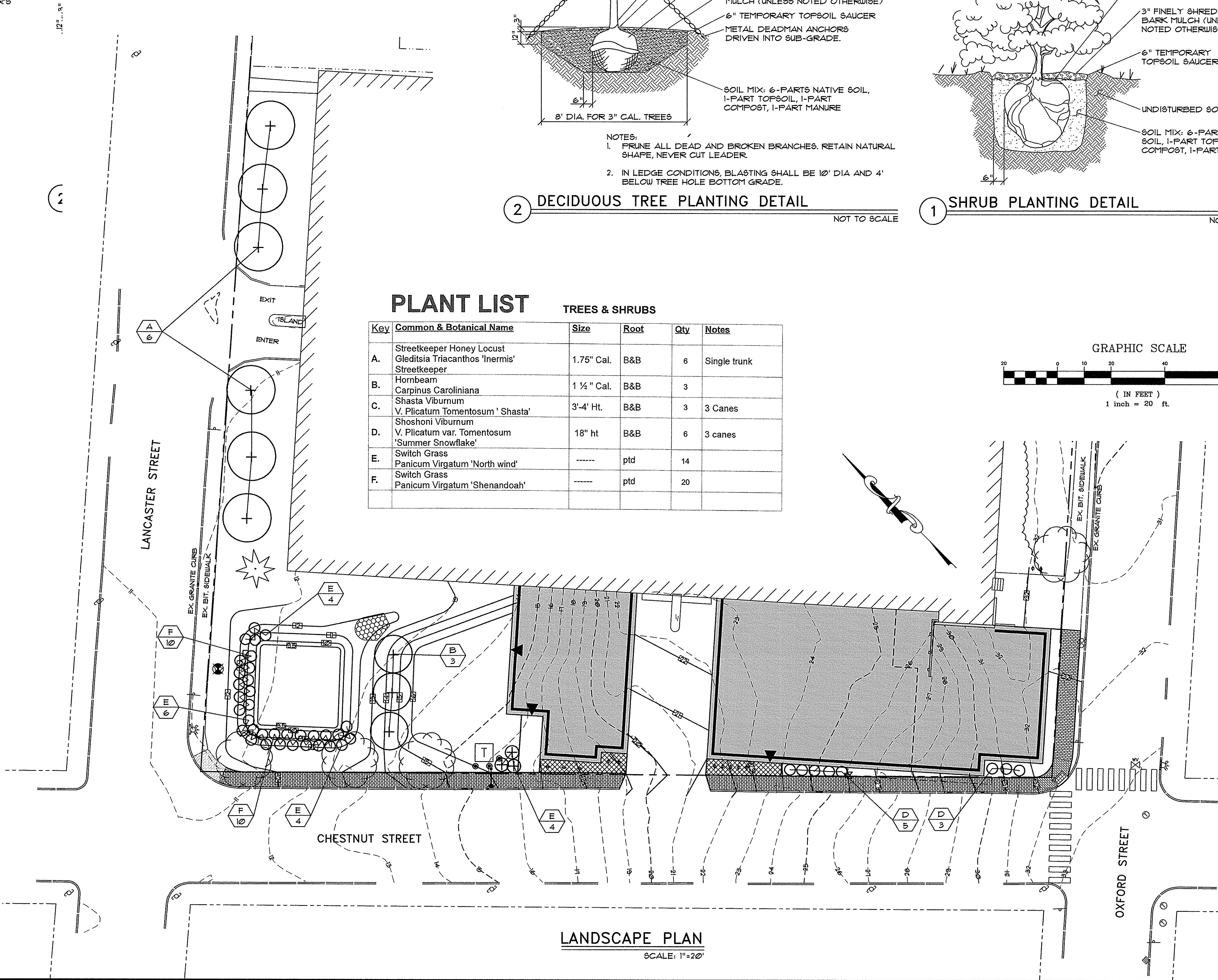
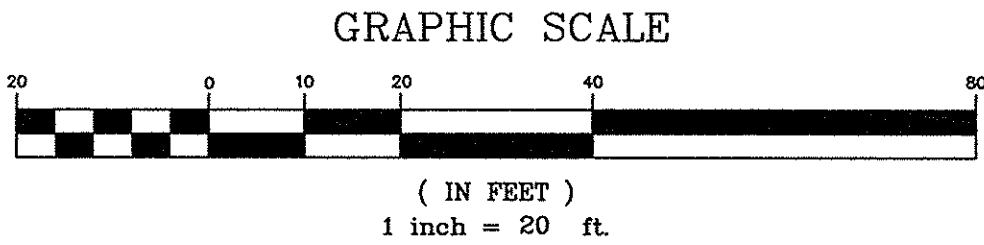
2 DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



1 SHRUB PLANTING DETAIL
NOT TO SCALE

PLANT LIST

TREES & SHRUBS					
Key	Common & Botanical Name	Size	Root	Qty	Notes
A.	Streetkeeper Honey Locust Gleditsia Triacanthos 'Inermis' Streetkeeper	1.75" Cal.	B&B	6	Single trunk
B.	Hornbeam Carpinus Caroliniana	1 1/2" Cal.	B&B	3	
C.	Shasta Viburnum V. Plicatum Tomentosum 'Shasta'	3'-4' Ht.	B&B	3	3 Canes
D.	Shoshoni Viburnum V. Plicatum var. Tomentosum 'Summer Snowflake'	18" ht	B&B	6	3 canes
E.	Switch Grass Panicum Virgatum 'North wind'	-----	ptd	14	
F.	Switch Grass Panicum Virgatum 'Shenandoah'	-----	ptd	20	



LANDSCAPE PLAN
SCALE: 1"=20'

PINKHAM & GREER
CIVIL ENGINEERS

28 WILMOUTH, ME 04103
TEL: 207.681.5342 FAX: 207.681.4245

THOMAS S. GREER
No. 4205
LICENSED PROFESSIONAL ENGINEER
MAINE

7/28/16

REV.	DATE	DESCRIPTION

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

SCALE: AS SHOWN
DATE: JULY 28, 2016
PROJECT: 16142

DRN BY: JDC
DESIGN BY: DEF
CHK BY: 136

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

LANDSCAPE PLAN,
NOTES AND DETAILS

C1.5

MAPLOT 26 / E / 10

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 ANY 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 SEEDDED 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 GRASSSED WATERWAYS
 - SLOPES STEEPER THAN 15%
 - WITHIN 100 FT. OF STREAMS AND WETLANDSBETWEEN OCT. 1 AND APRIL 14 USE EROSION CONTROL MESH (OR MULCH AND NETTING) ON:
 - SIDE SLOPES OF GRASSSED WATERWAYS
 - SLOPES STEEPER THAN 8%
9. INSTALL EROSION CONTROL MESH IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS. MESH TO BE EQUAL TO NORTH AMERICAN GREEN PRODUCT G125BN.
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 STABILIZATION 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 RIFRAP 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:

- 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 UNDESIRABLE 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 0.00008 IN. DIAMETER (% BY VOLUME) 20 - 40
CLAY - LESS THAN 0.00008 IN. DIAMETER (% BY VOLUME) 5 - 15
- ORGANICS (SHALL MEET THE REQUIREMENTS OF MIDOT STANDARD SPECIFICATION 111.09 PEAT HUMUS) (% BY VOLUME) . 10 - 20
- NUTRIENTS:
- CALCIUM (CA) (% SATURATION) 60 - 80
MAGNESIUM (MG) (% SATURATION) 10 - 25
POTASSIUM (K) (% SATURATION) 21 - 30
PHOSPHORUS (P) (POUNDS/ACRE) 10 - 40
PH 6.00 - 6.5
- POROSITY (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	8000 LBS/ACRE	4/01 - 5/14
ANNUAL RYEGRASS	4000 LBS/ACRE	
SUDANGRASS	4000 LBS/ACRE	5/15 - 8/14
ANNUAL RYEGRASS	8000 LBS/ACRE	5/15 - 9/14
WINTER RYE	11200 LBS/ACRE	9/15 - 9/30
WINTER RYE (W/ MULCH COVER)	11200 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

EXCELSIOR MAT AS REQUIRED

MULCH ANCHORING

PEG AND TWINE	LIQUID ASPHALT
MULCH NETTING	WOOD CELLULOSE FIBER
ASPHALT EMULSION	CHEMICAL TACK

STABILIZING SITE FOR THE WINTER:

1. STANDARD CONDITIONS REQUIRING THE TIMELY STABILIZATION OF DITCHES AND CHANNELS - THE CONTRACTOR WILL CONSTRUCT AND STABILIZE ALL STONE-LINED DITCHES AND CHANNELS ON THE SITE BY NOVEMBER 1. THE CONTRACTOR WILL CONSTRUCT AND STABILIZE ALL GRASS-LINED DITCHES AND CHANNELS ON THE SITE BY SEPTEMBER 15. IF THE CONTRACTOR FAILS TO STABILIZE A DITCH OR CHANNEL TO BE GRASS-LINED BY SEPTEMBER 15, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE DITCH FOR LATE FALL AND WINTER:
 - a. INSTALL A SOD LINING IN THE DITCH - THE CONTRACTOR WILL LINE THE DITCH WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL, AND ANCHORING THE SOD WITH JUTE OR PLASTIC MESH TO PREVENT THE SOD STRIPS FROM SLOUGHING DURING FLOW CONDITIONS.
 - b. INSTALL A STONE LINING IN THE DITCH - THE CONTRACTOR WILL LINE THE DITCH WITH STONE RIPRAP BY NOVEMBER 1. THE CONTRACTOR WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE AND LINING THICKNESS NEEDED TO WITHSTAND THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHIN THE DITCH. IF NECESSARY, THE CONTRACTOR WILL REGRADE THE DITCH PRIOR TO PLACING THE STONE LINING SO TO PREVENT THE STONE LINING FROM REDUCING THE DITCH'S CROSS-SECTIONAL AREA.
2. STANDARD CONDITIONS REQUIRING THE TIMELY STABILIZATION OF DISTURBED SLOPES - THE CONTRACTOR WILL CONSTRUCT AND STABILIZE STONE-COVERED SLOPES BY NOVEMBER 1. THE CONTRACTOR WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15. ANY AREA HAVING A GRADE GREATER THAN 15% (10H:1V) IS A SLOPE. IF THE CONTRACTOR FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER:
 - a. STABILIZE THE SLOPE WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS - BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET AND APPLY EROSION CONTROL MATS OVER THE MULCHED SLOPE. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SLOPE BEFORE NOVEMBER 1, THEN THE CONTRACTOR WILL COVER THE SLOPE WITH A LAYER OF WOODWASTE COMPOST AS DESCRIBED IN ITEM C OF THIS CONDITION OR WITH STONE RIPRAP AS DESCRIBED IN ITEM D OF THIS CONDITION.
 - b. STABILIZE THE SLOPE WITH SOD - THE CONTRACTOR WILL STABILIZE THE DISTURBED SLOPE WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE CONTRACTOR WILL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 33% (3H:1V).
 - c. STABILIZE THE SLOPE WITH WOODWASTE COMPOST - THE CONTRACTOR WILL PLACE A SIX-INCH LAYER OF WOODWASTE COMPOST ON THE SLOPE BY NOVEMBER 1. PRIOR TO PLACING THE WOODWASTE COMPOST, THE CONTRACTOR WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED SLOPE. THE CONTRACTOR WILL NOT USE WOODWASTE COMPOST TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
 - d. STABILIZE THE SLOPE WITH STONE RIPRAP - THE CONTRACTOR WILL PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 1. THE CONTRACTOR WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR DRAINAGE AND SOIL SEPARATION.
3. STANDARD CONDITIONS REQUIRING THE TIMELY STABILIZATION OF DISTURBED SOILS - BY SEPTEMBER 15 THE CONTRACTOR WILL SEED AND MULCH ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15%. IF THE CONTRACTOR FAILS TO STABILIZE THESE SOILS BY THIS DATE, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SOIL FOR LATE FALL AND WINTER:
 - a. STABILIZING THE SOIL WITH TEMPORARY VEGETATION - BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1, THEN THE CONTRACTOR WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM C OF THIS STANDARD CONDITION.
 - b. STABILIZE THE SOIL WITH SOD - THE CONTRACTOR WILL STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
 - c. STABILIZE THE SOIL WITH MULCH - BY NOVEMBER 1 THE CONTRACTOR WILL MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 POUNDS PER 1000 SQUARE FEET ON THE AREA SO THAT NO STABILIZABLE MULCH - PRIOR TO APPLYING THE MULCH, THE CONTRACTOR WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED AREA. IMMEDIATELY AFTER APPLYING THE MULCH, THE CONTRACTOR WILL ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

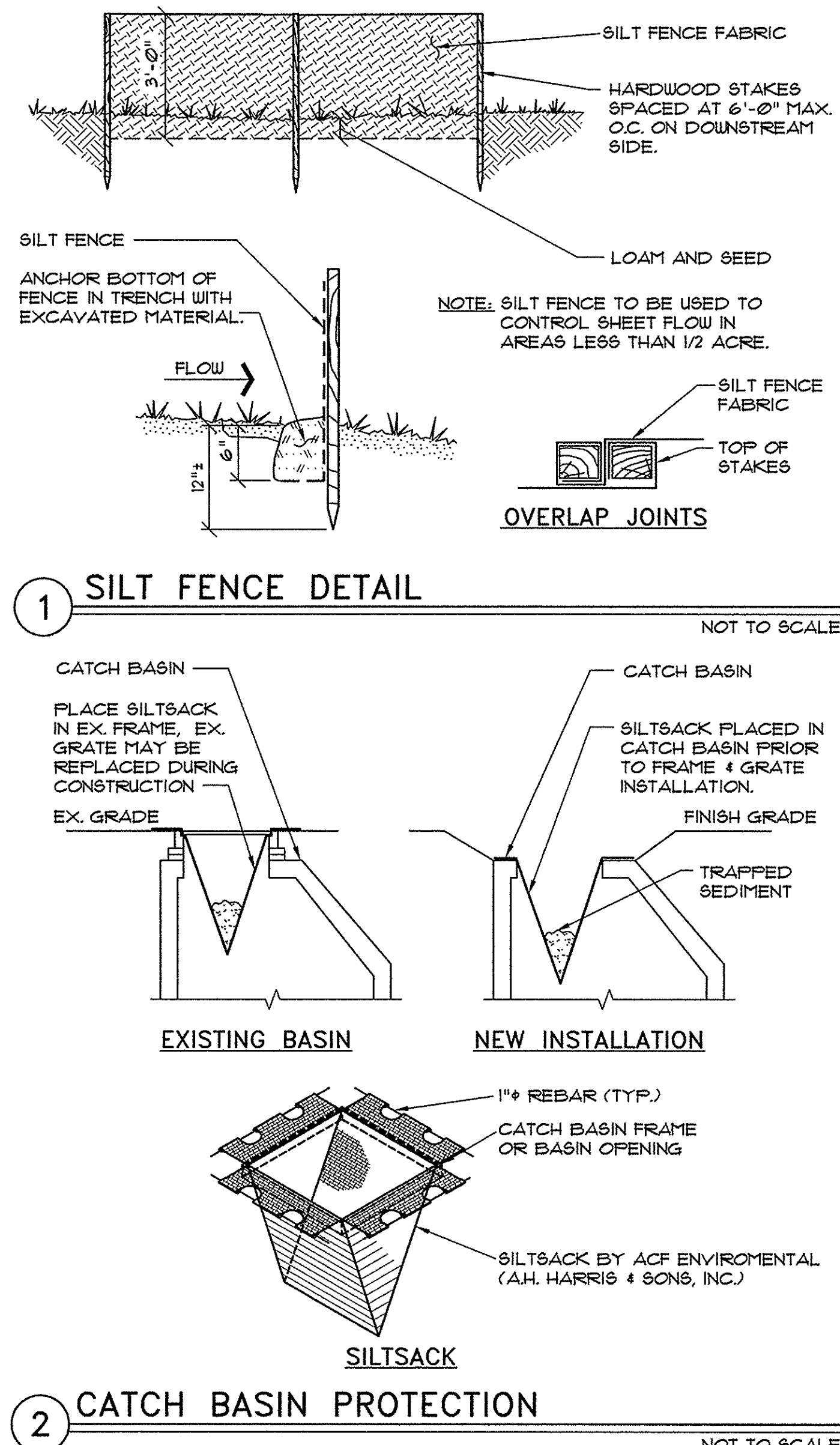
WINTER CONSTRUCTION:

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 ARE NOT ALLOWED ON SOFT FROZEN SOILS. THE EXPOSED AREA MUST BE PROTECTED BY STABILIZATION AT ANY ONE TIME. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WINTER 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 LOADED, SEEDED AND MULCHED. HAY AND STRAW MULCH RATE SHALL BE A MINIMUM OF 150 LBS/1000 SF. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED.

THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION PREVENTATION 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. 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.
 3. 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./1,000 SF. OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75 LBS./1,000 SF. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY MULCHED. 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./1,000 SF. (3 TONS/ACRE) AND ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH.
- BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER PEGLINE, 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 JUST BARE SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORK DAY.

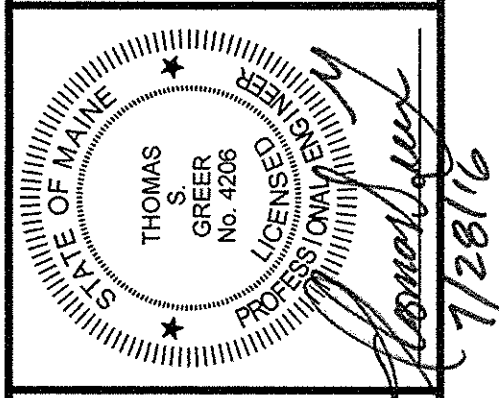


1 SILT FENCE DETAIL

2 CATCH BASIN PROTECTION

NOT TO SCALE

PINKHAM & GREER
CIVIL ENGINEERS



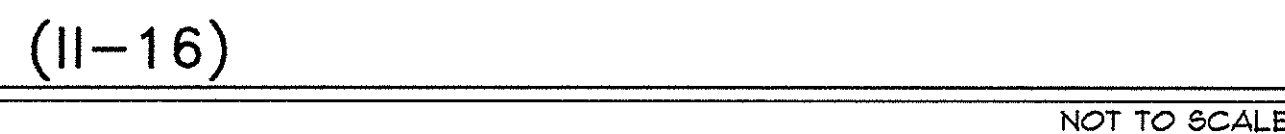
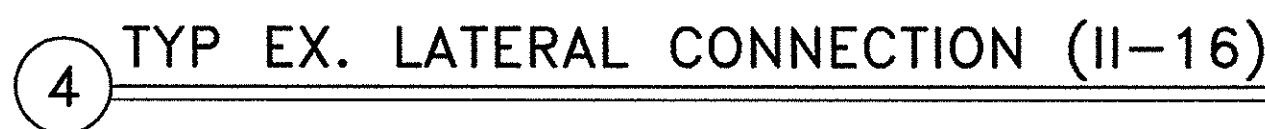
A & M PARTNERS, INC.
1120 EXCHANGE STREET
PORTLAND, ME 04101

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

C2.1

MAR/QT 26/E/10

DETAILS



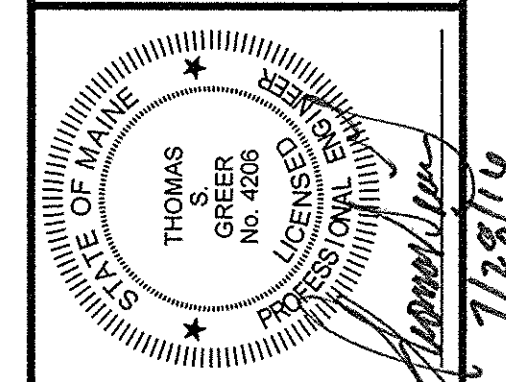
UNDERDRAINED SOIL FILTER NOTES

CREeping RED FESCUE (PENNLAWN, ENSYLVA OR WINTERGREEN)	20	0.46
RED TOP	2	0.05
TALL FESCUE (KENTUCKY 31)	20	0.46
TOTAL	42	0.97

11. MAINTENANCE: GRASS SHOULD BE MOWED NO MORE THAN 2 TIMES PER GROWING SEASON TO MAINTAIN GRASS HEIGHTS LESS THAN 12 INCHES. REMOVE CLIFFINGS. REMOVE SEDIMENT BUILD-UP WHEN IT HAS ACCUMULATED TO APPROXIMATELY 25% OF CHANNEL CAPACITY.
12. IF BEDROCK IS ENCOUNTERED IN THE UNDERDRAINED SOIL FILTER, OVER EXCAVATE AND REPLACE WITH ONE FOOT OF SOIL.

**PINKHAM & GREER
CIVIL ENGINEERS**

28 VANNAH AVE., PORTLAND, ME. 04103
TEL: 207.781.5242 FAX: 207.781.4245

[illegible]

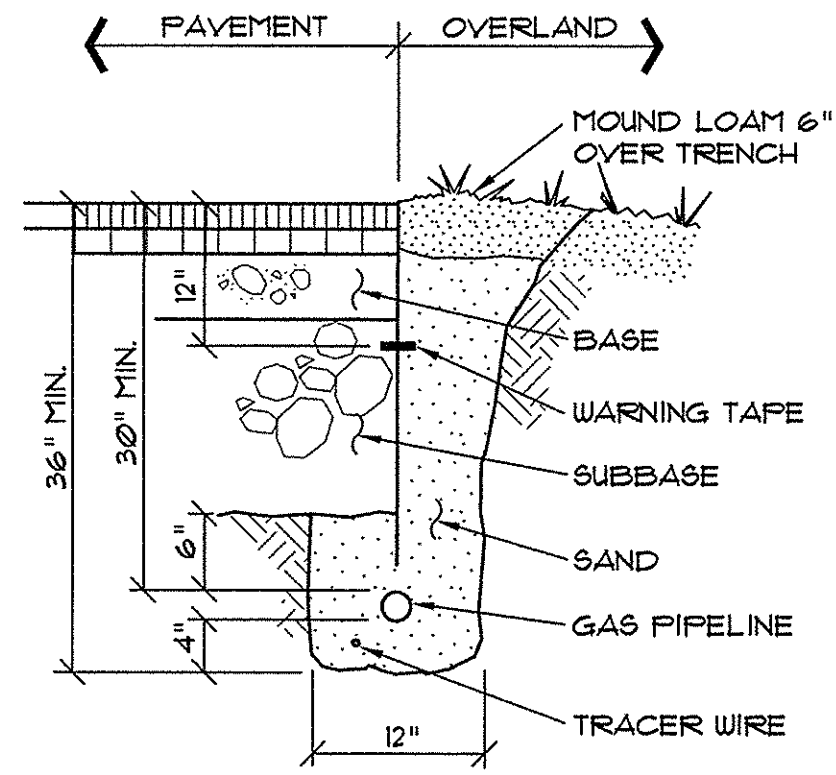
A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

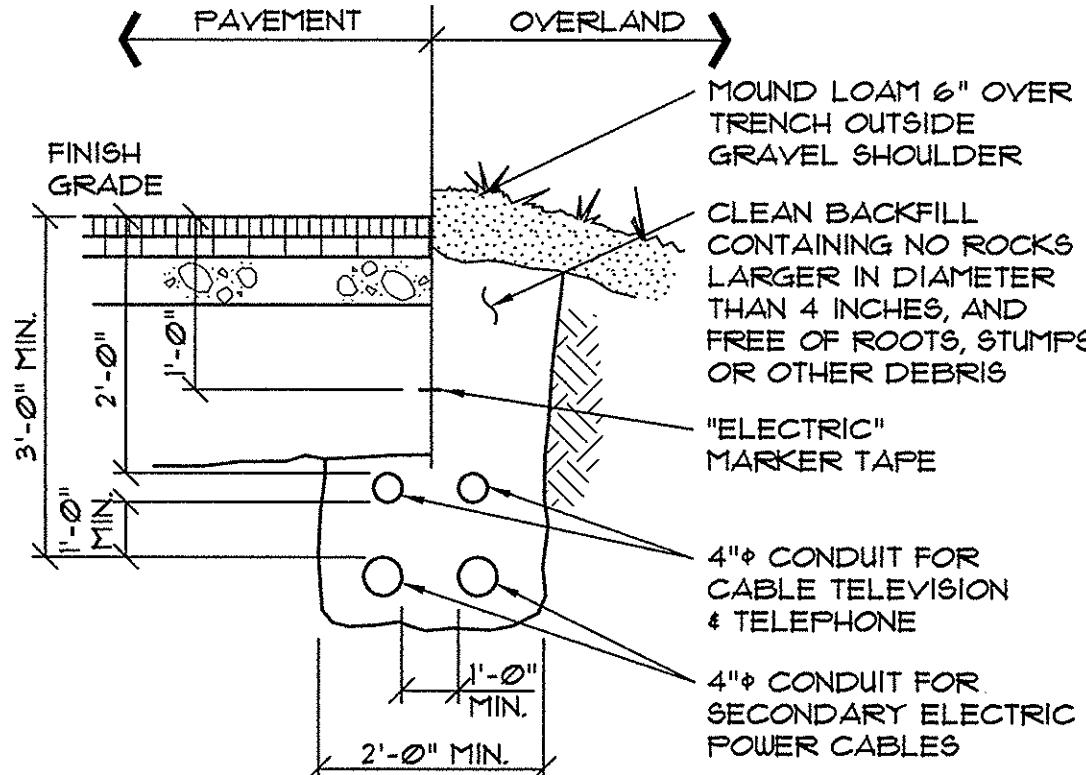
DETAILS

C2.2

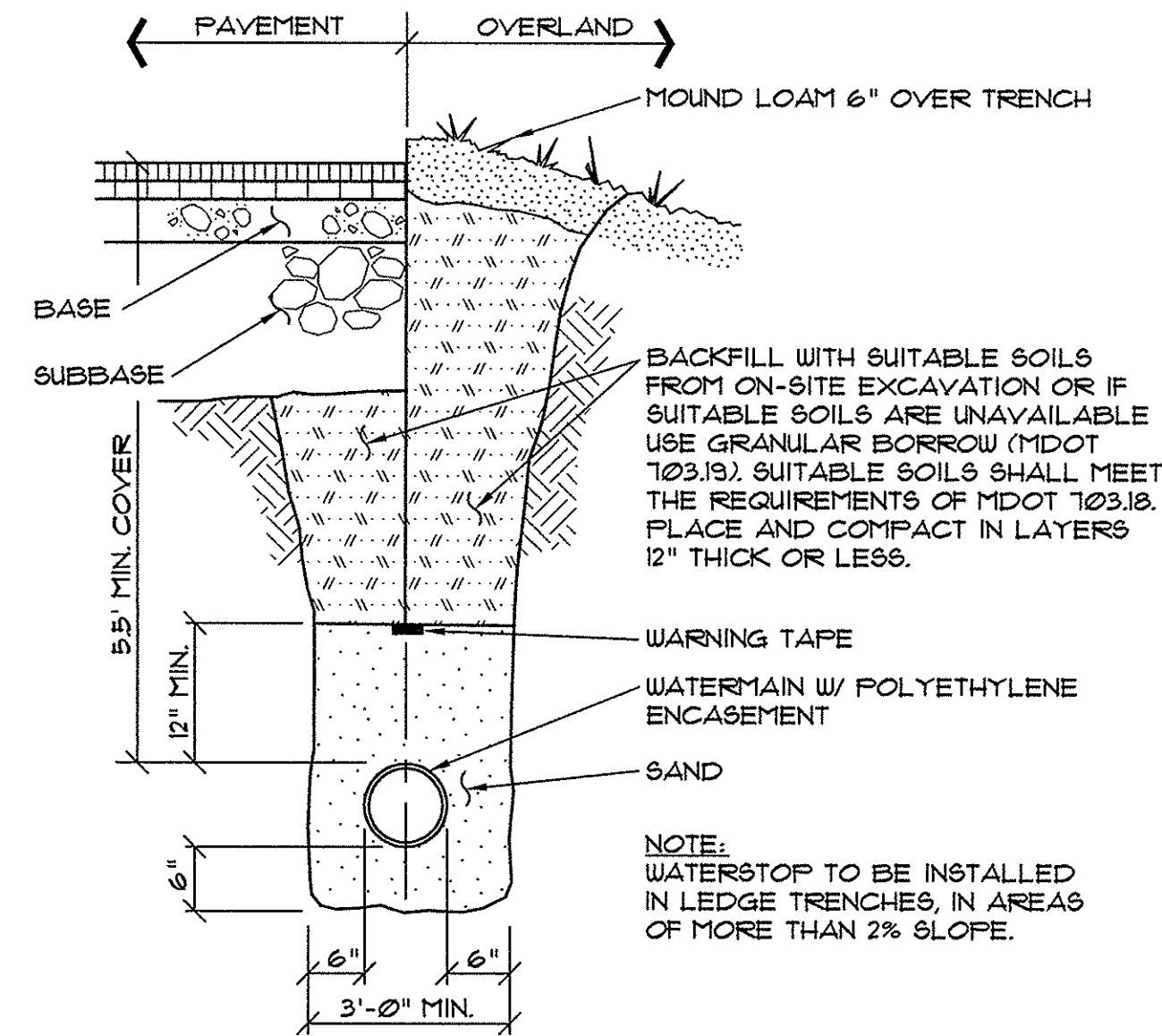
MAP/LOT 26 / E / 10



4 GAS PIPING TRENCH SECTION
NOT TO SCALE



3 CABLE TRENCH SECTION
NOT TO SCALE



2 TYPICAL WATER MAIN SECTION ON-SITE
NOT TO SCALE

UNDERGROUND UTILITIES WARNING TAPE

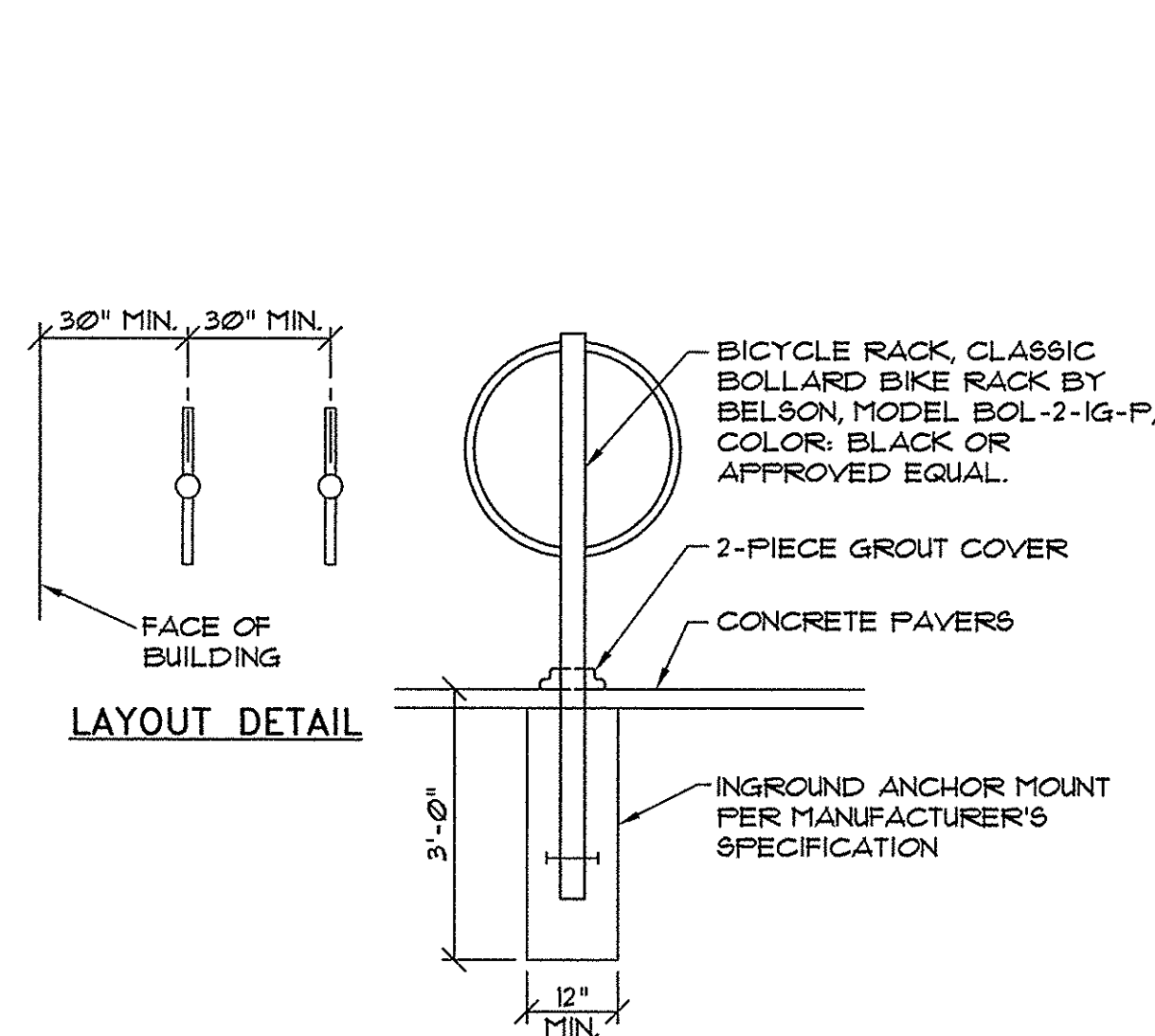
IDENTIFICATION TAPE TO BE INSTALLED ABOVE ALL NEW UNDERGROUND UTILITIES AND ABOVE ANY EXISTING UTILITIES THAT MAY BE EXPOSED BY THIS CONSTRUCTION.

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.

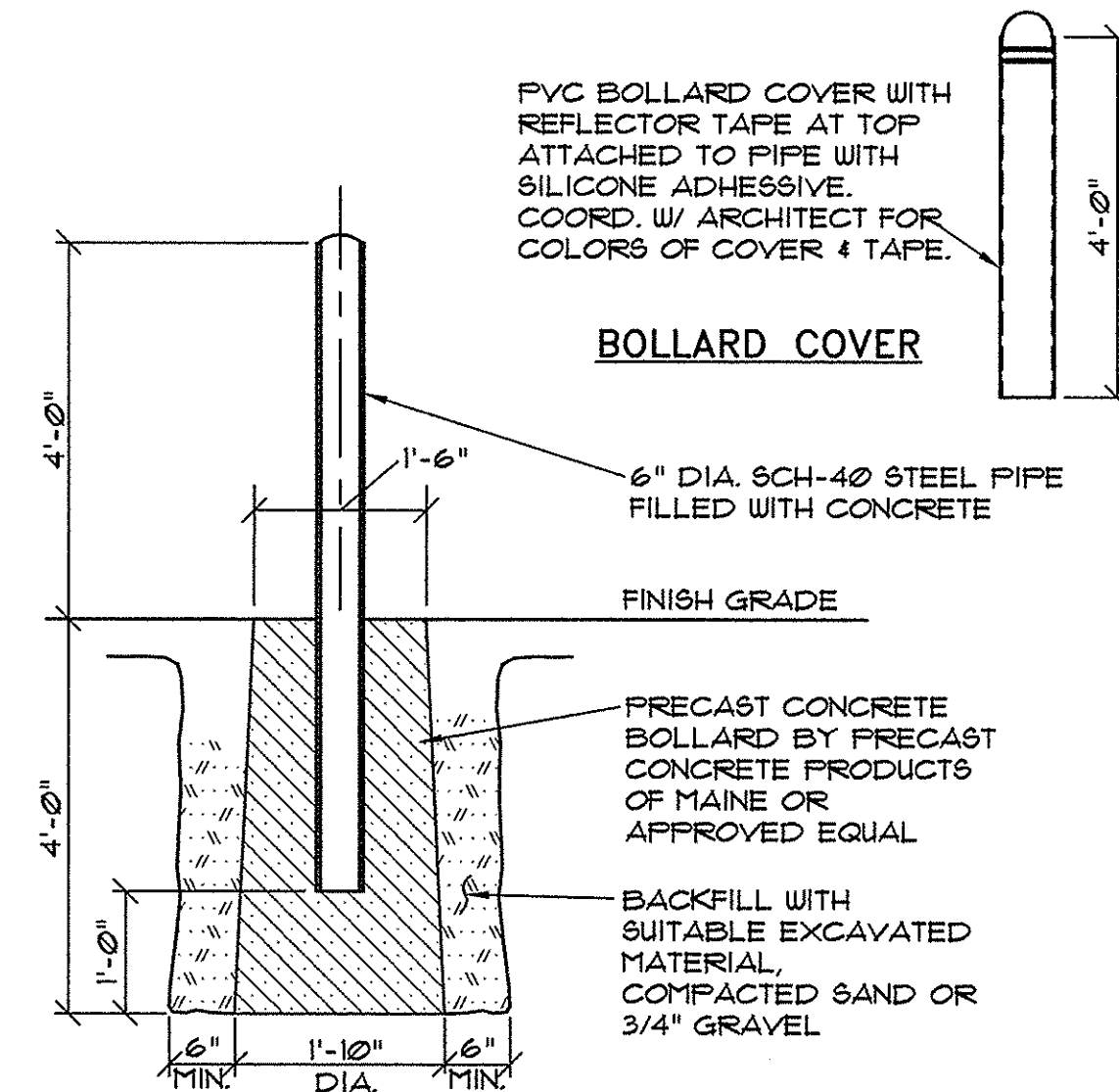
AFWA UNIFORM COLOR CODE:

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

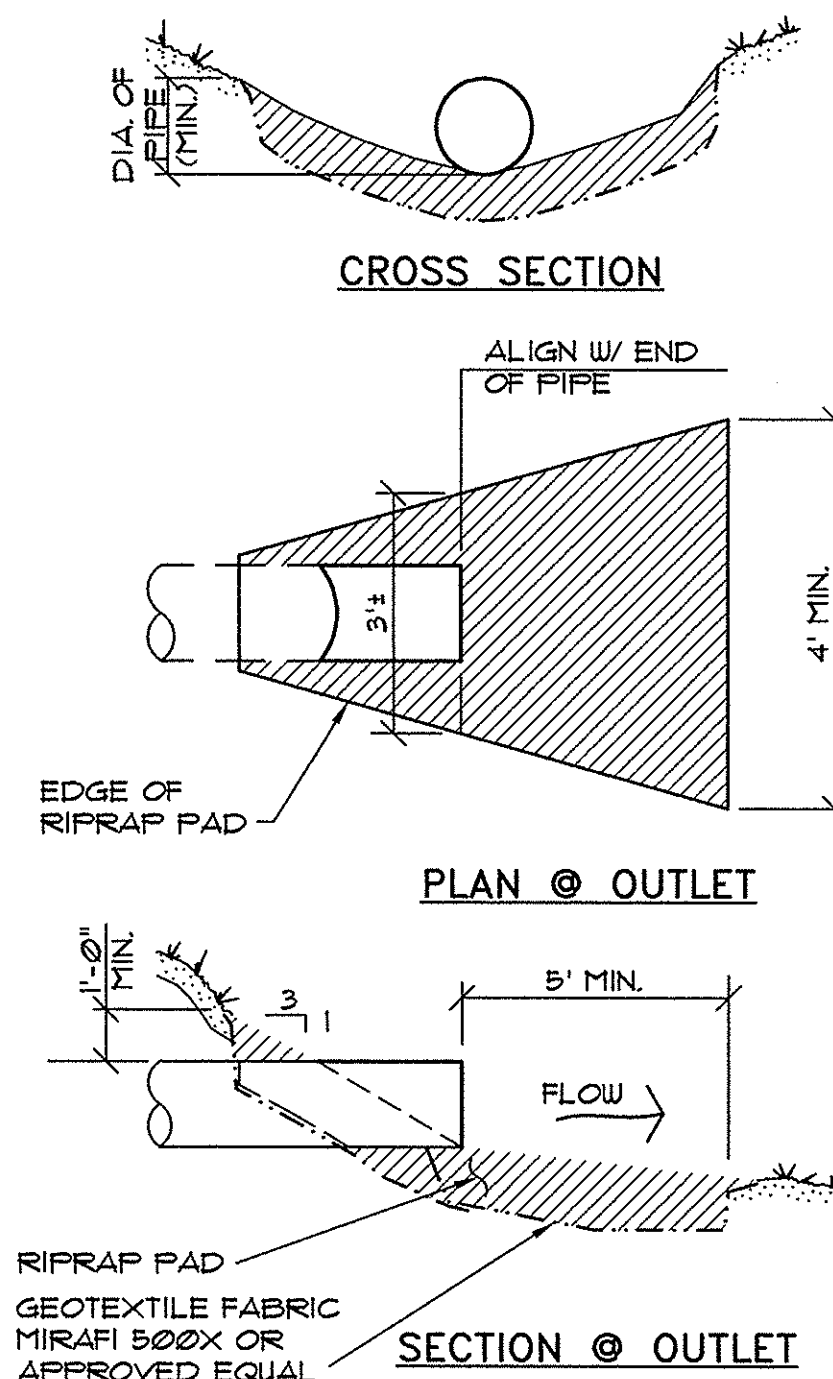
1 UNDERGROUND UTILITIES WARNING TAPE



8 BIKE RACK DETAIL
NOT TO SCALE

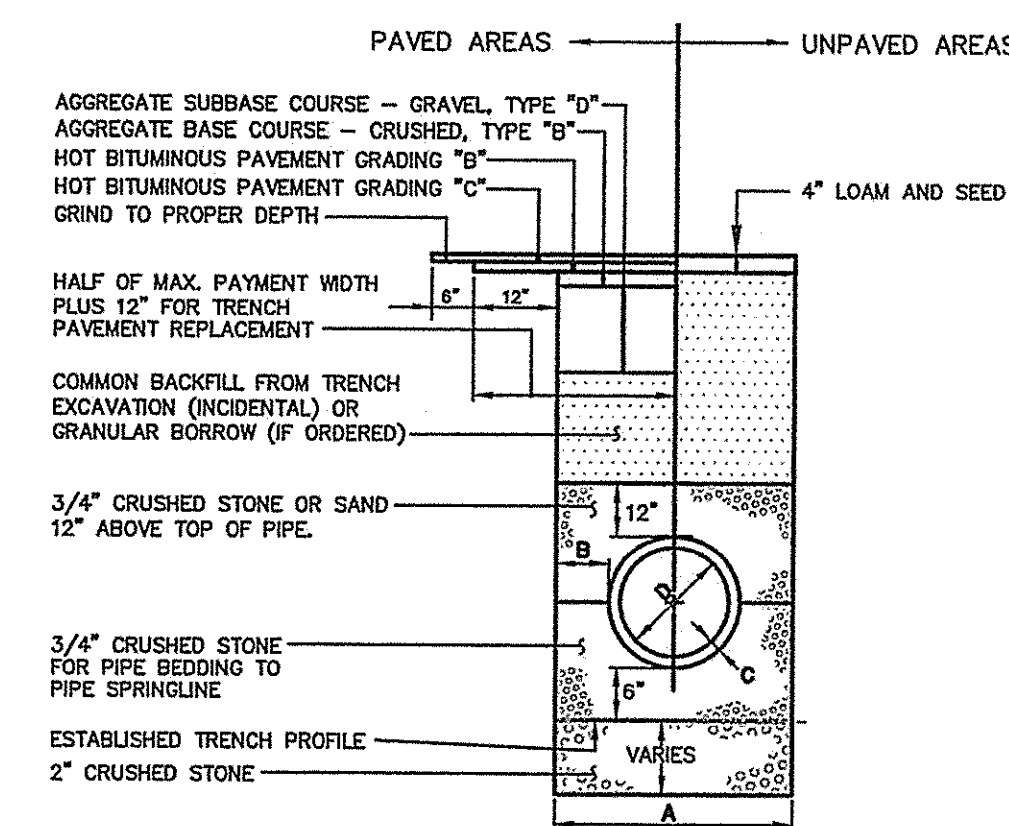


7 STEEL BOLLARD DETAIL
NOT TO SCALE



6 PIPE INLET/OUTLET DETAILS
NOT TO SCALE

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.



5 TYPICAL PIPE TRENCH INSTALLATION (11-12)

NOTES:

- ALTERNATIVE CONSTRUCTION METHODS OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
- 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.
- 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 9".
- 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	4.0
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

PINKHAM & GREER
CIVIL ENGINEERS

20 PINKHAM AVE. PORTLAND, ME 04103
TEL: 207.611.5442 FAX: 207.611.4445

STATE OF MAINE
THOMAS S. GREER
No. 4205
LICENSED PROFESSIONAL ENGINEER

7/28/16

16142

A & M PARTNERS, INC.
120 EXCHANGE STREET
PORTLAND, ME 04101

SCALE: AS SHOWN
DATE: JULY 28, 2016
PROJECT: 16142

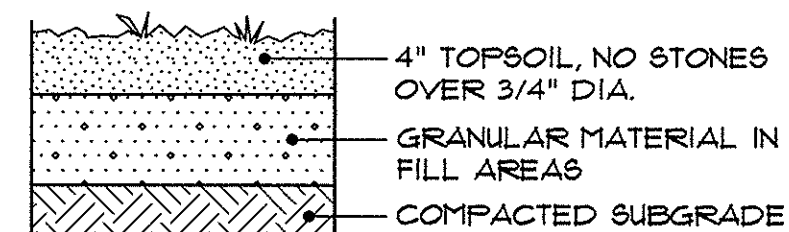
DRN BY: JDC/JS
DESIGN BY: DEF
CHK BY: JS

WESTERLEA VIEW LOFTS
75 CHESTNUT STREET
PORTLAND, ME

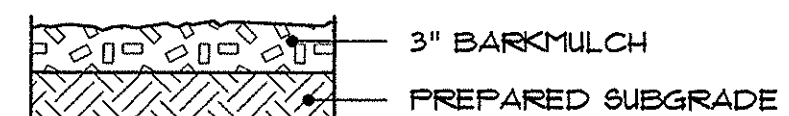
DETAILS

C2.3

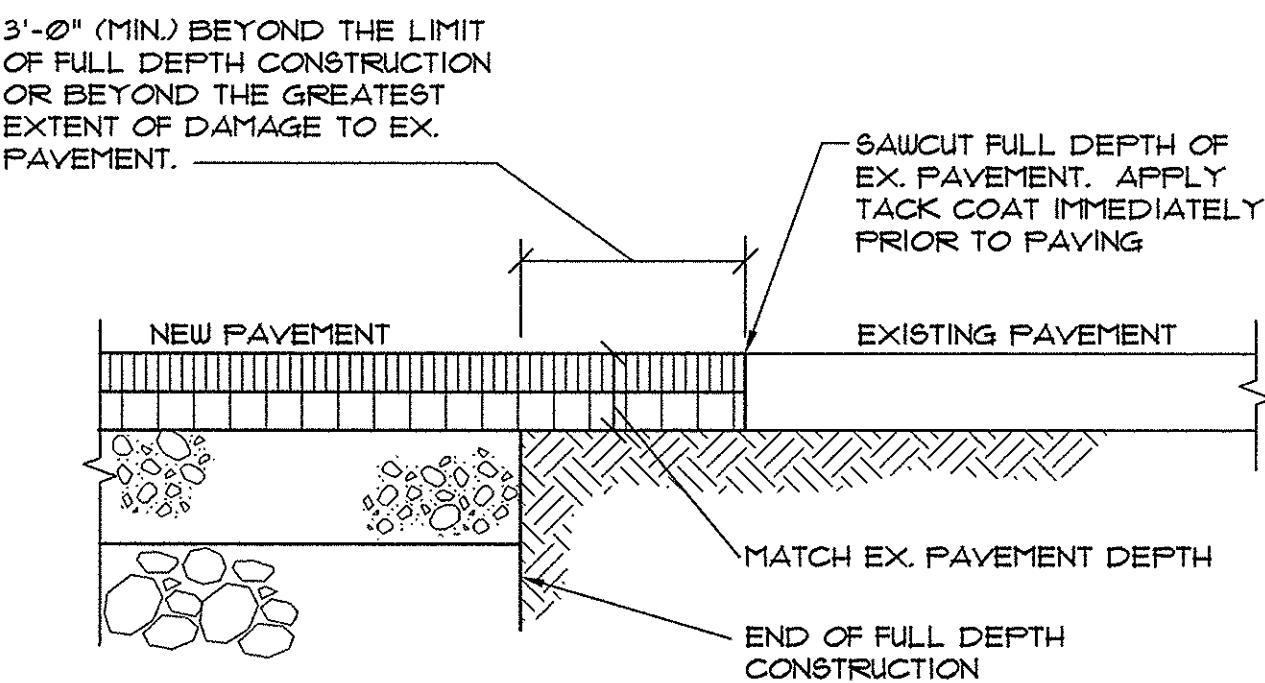
MAPLOT 26/E/10



GRASS

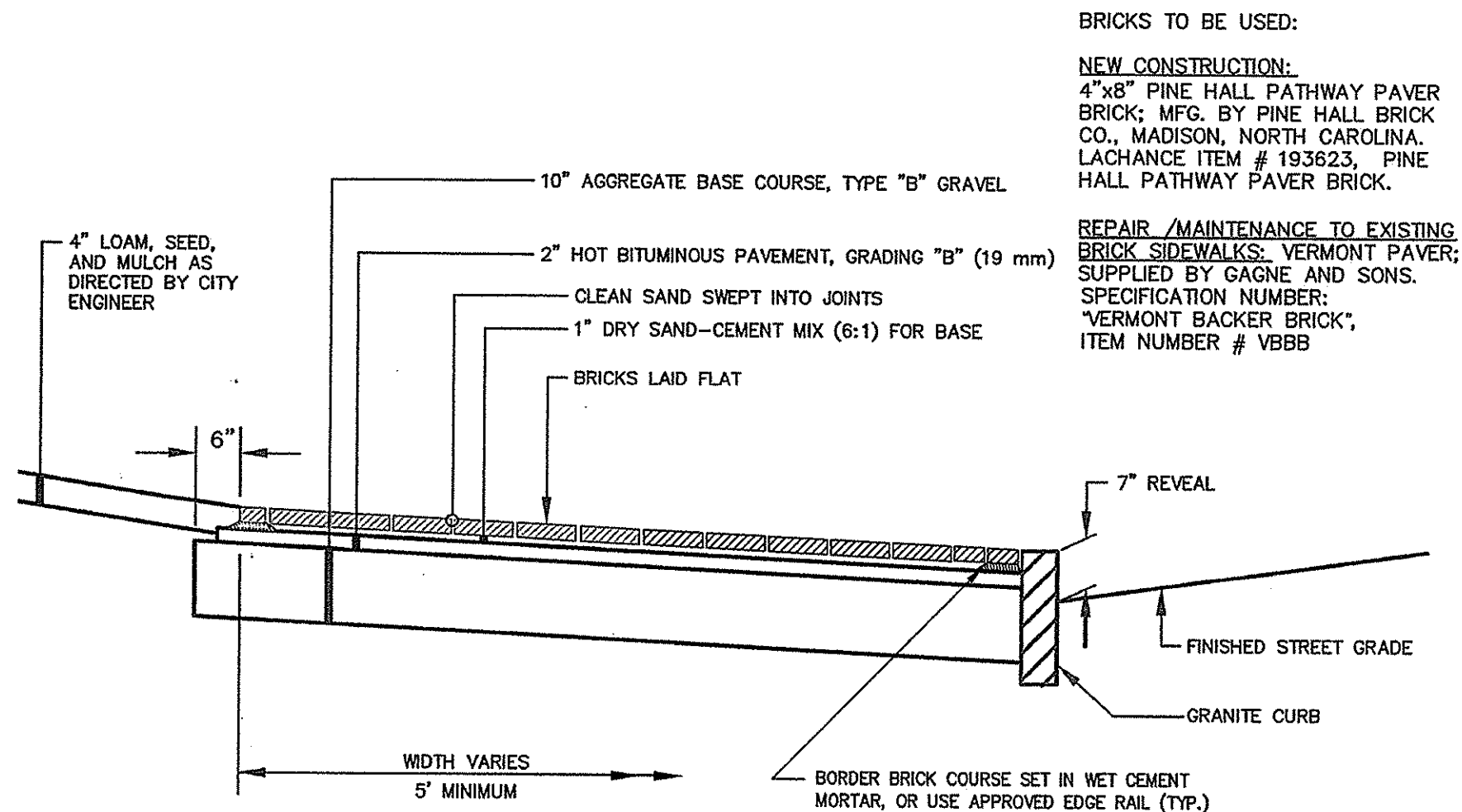


PLANT BED BARKMULCH



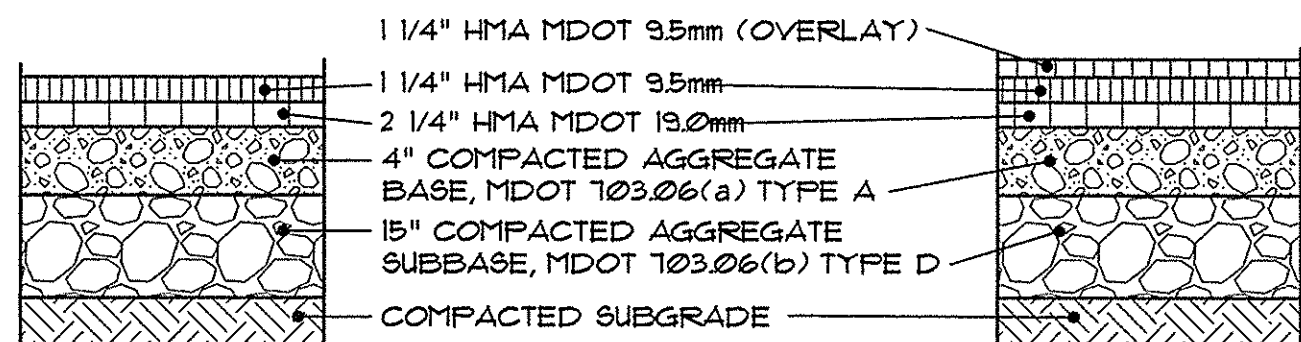
4 LANDSCAPE SURFACE FINISHES
NOT TO SCALE

1 PAVEMENT CUTTING & MATCHING SECTION
NOT TO SCALE

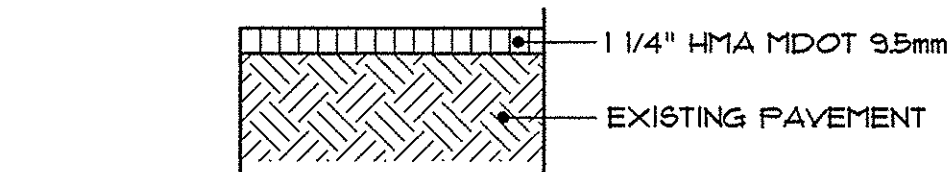


5 BRICK SIDEWALK WITH BITUMINOUS BASE (I-10)
NOT TO SCALE

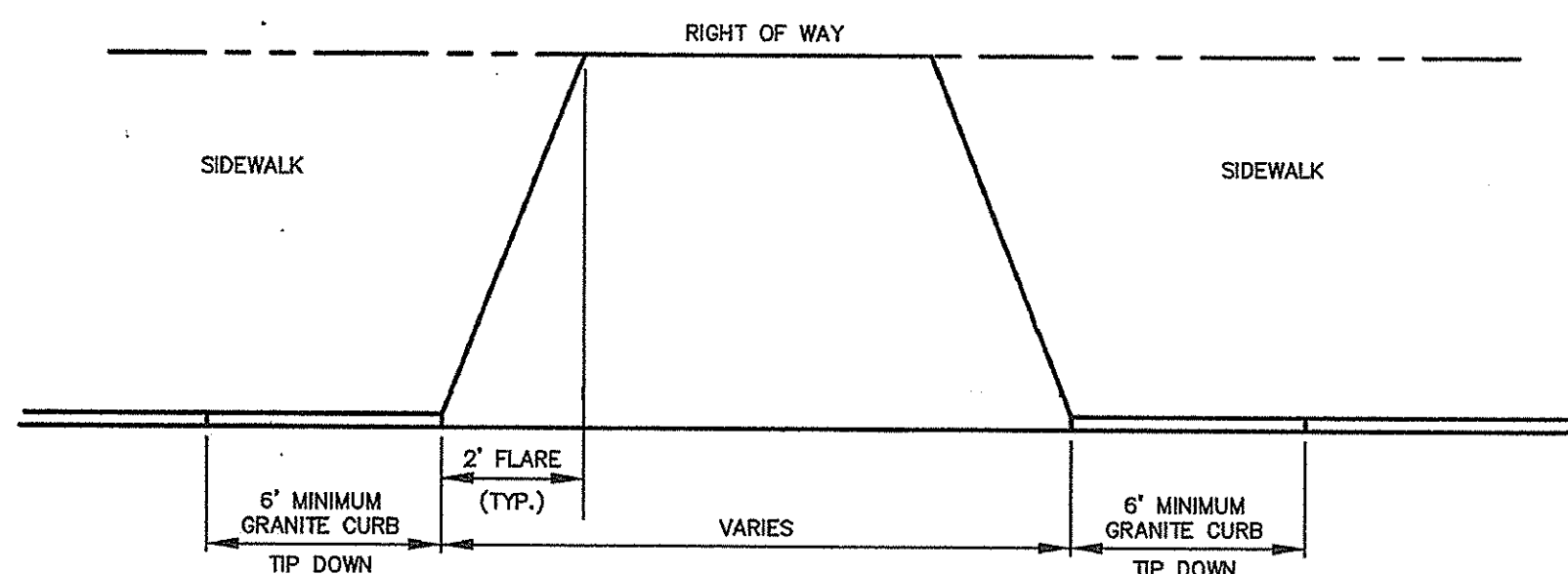
NOTE:
MATCH GRADE OF EXISTING DRIVEWAY
AT R. O. W. LINE, EXCEPT WHEN
DIRECTED OTHERWISE BY CITY ENGINEER.



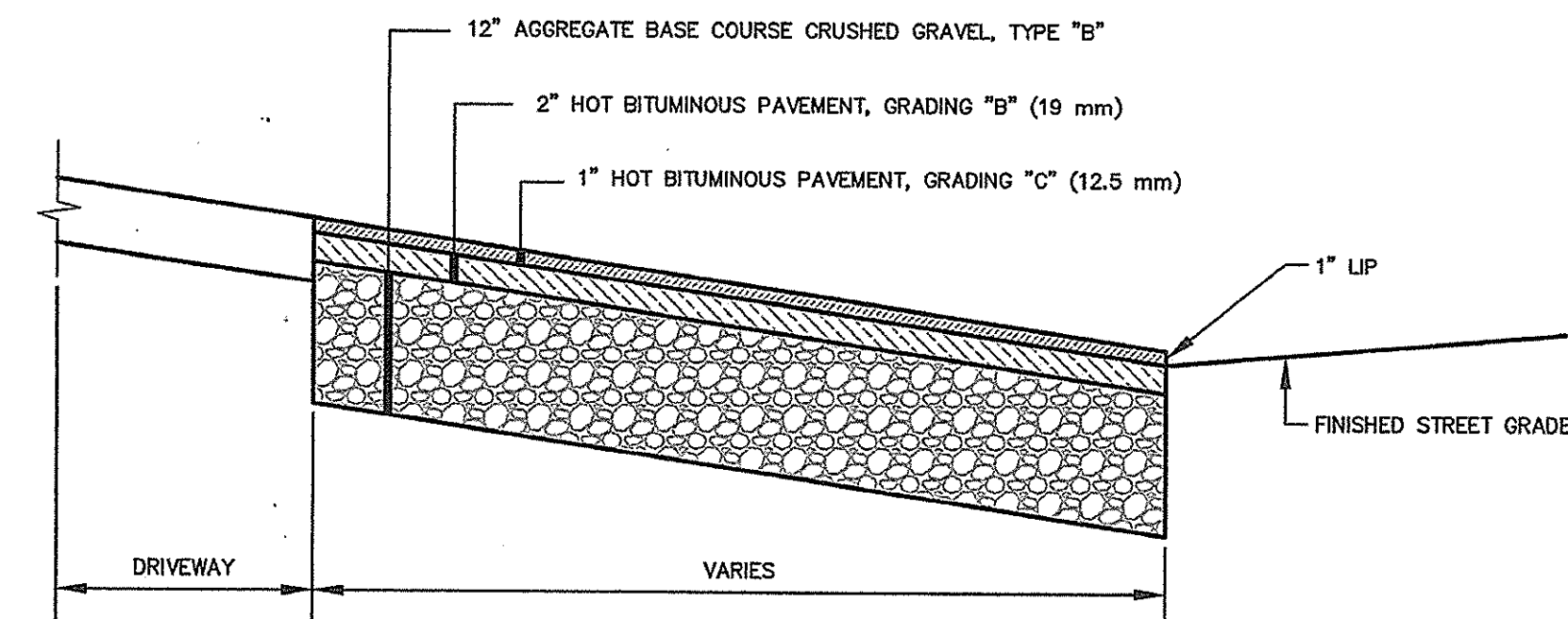
2 BITUMINOUS PAVEMENT SECTIONS
NOT TO SCALE



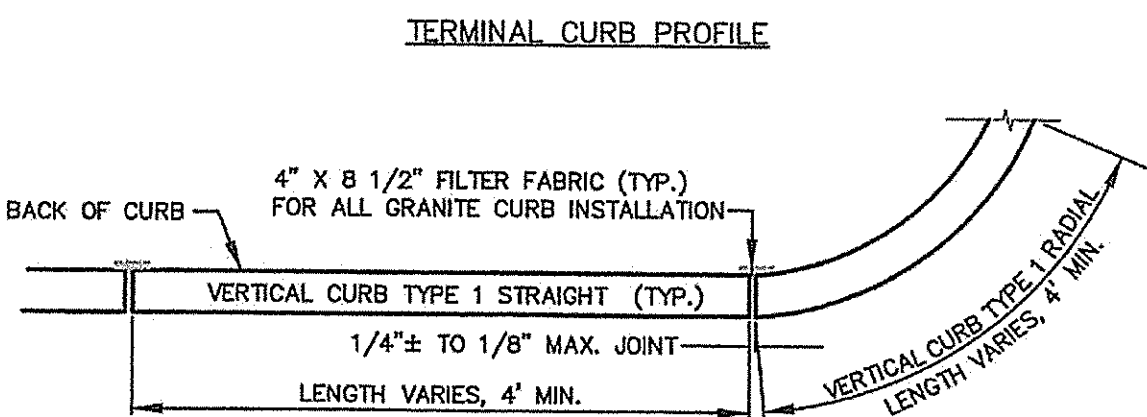
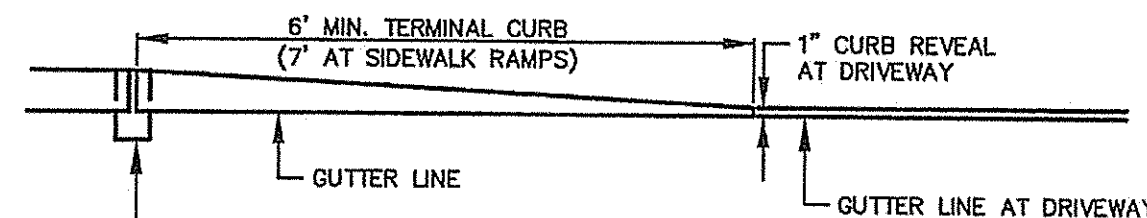
NOTES:
1. HMA = HOT MIX ASPHALT.
MDOT = MAINE DEPARTMENT OF TRANSPORTATION.
2. ALL COURSE THICKNESS AFTER FINAL COMPACTION.



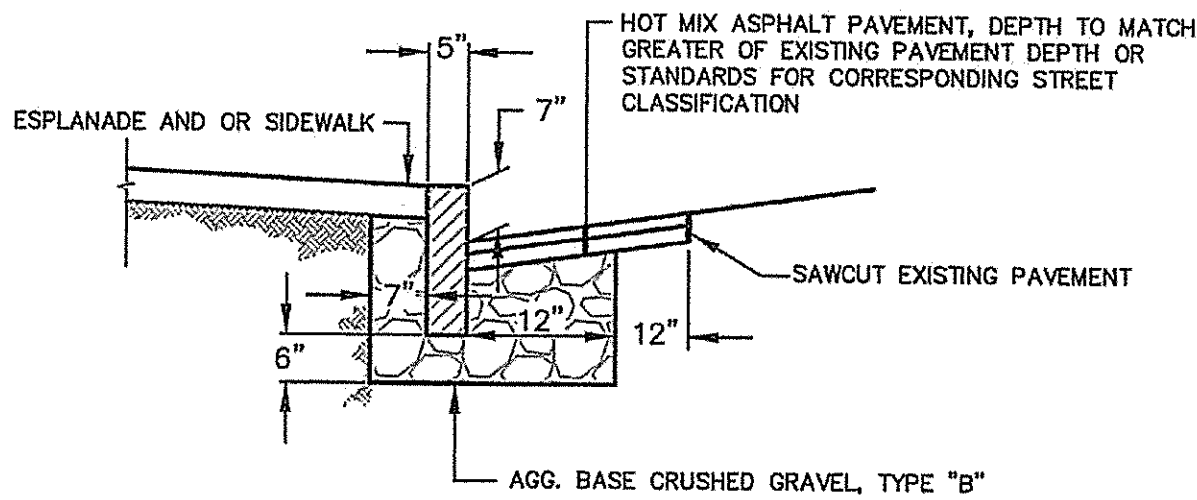
6 DRIVEWAY APRON LAYOUT (I-9)
NOT TO SCALE



7 BITUMINOUS DRIVEWAY APRON (I-13)
NOT TO SCALE

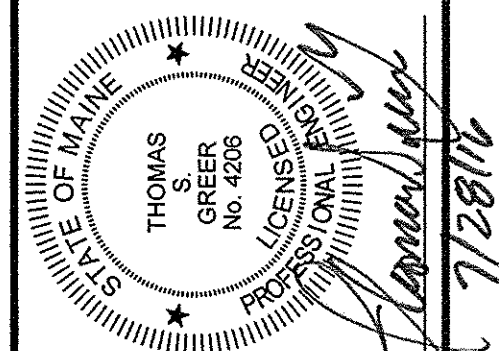


VERTICAL GRANITE CURB PLAN VIEW



VERTICAL GRANITE CURB CROSS SECTION

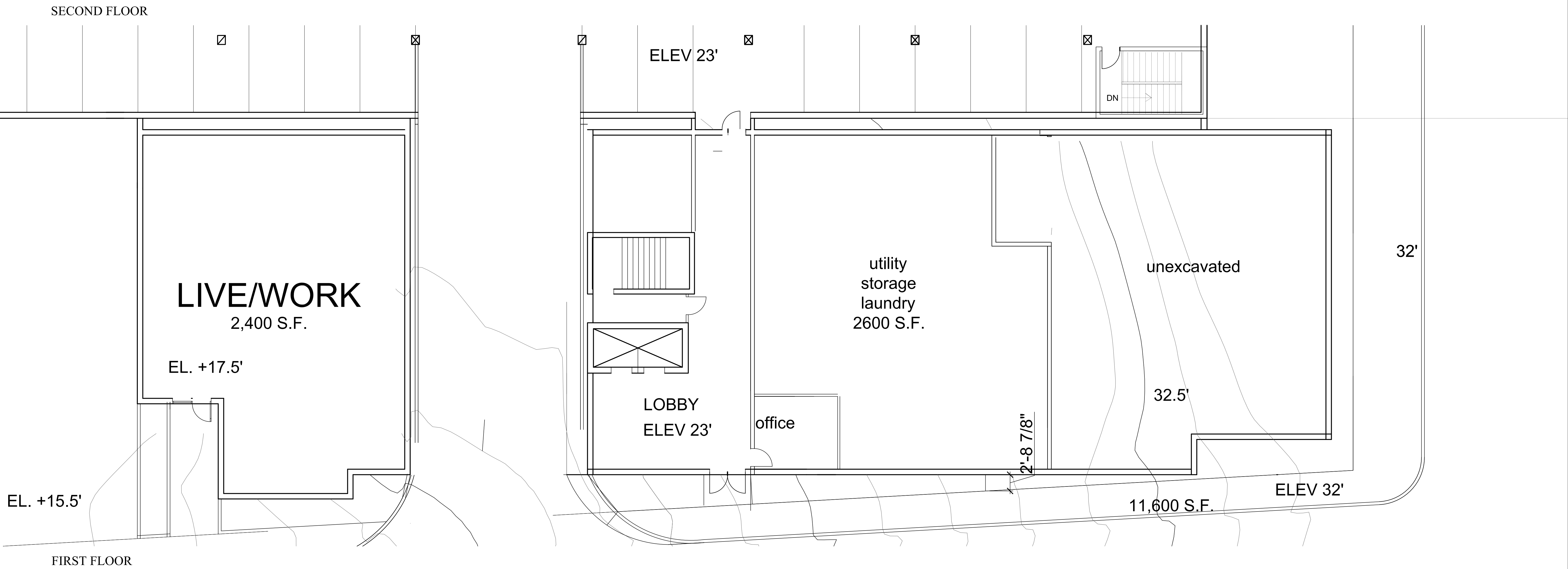
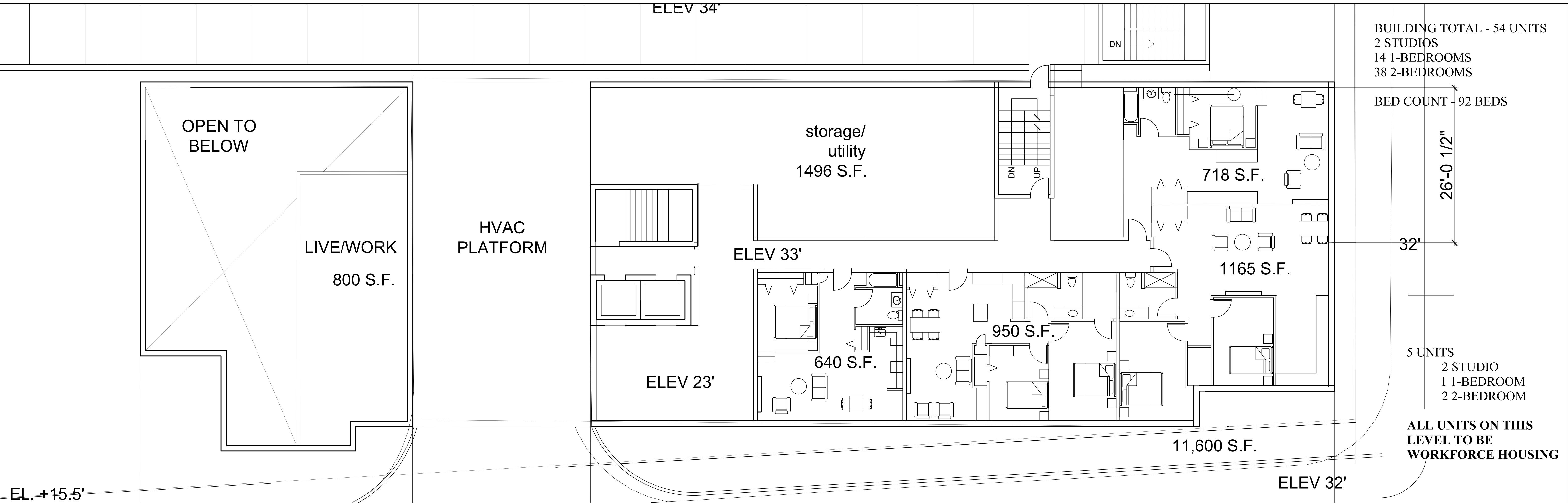
3 VERTICAL GRANITE CURB INSTALLATION
IN EXISTING STREET (I-17)
NOT TO SCALE



REV.	DATE	DESCRIPTION

A & M PARTNERS, INC. 120 EXCHANGE STREET PORTLAND, ME 04101	DRN BY: JDC/RS DESIGN BY: DEF CHK BY: TJS/b
SCALE: AS SHOWN DATE: JULY 28, 2016 PROJECT: 16142	

WESTERLEA VIEW LOFTS 75 CHESTNUT STREET PORTLAND, ME	DETAILS
--	---------



BUILDING TOTAL - 54 UNITS
2 STUDIOS
14 1-BEDROOMS
38 2-BEDROOMS

BED COUNT - 92 BEDS

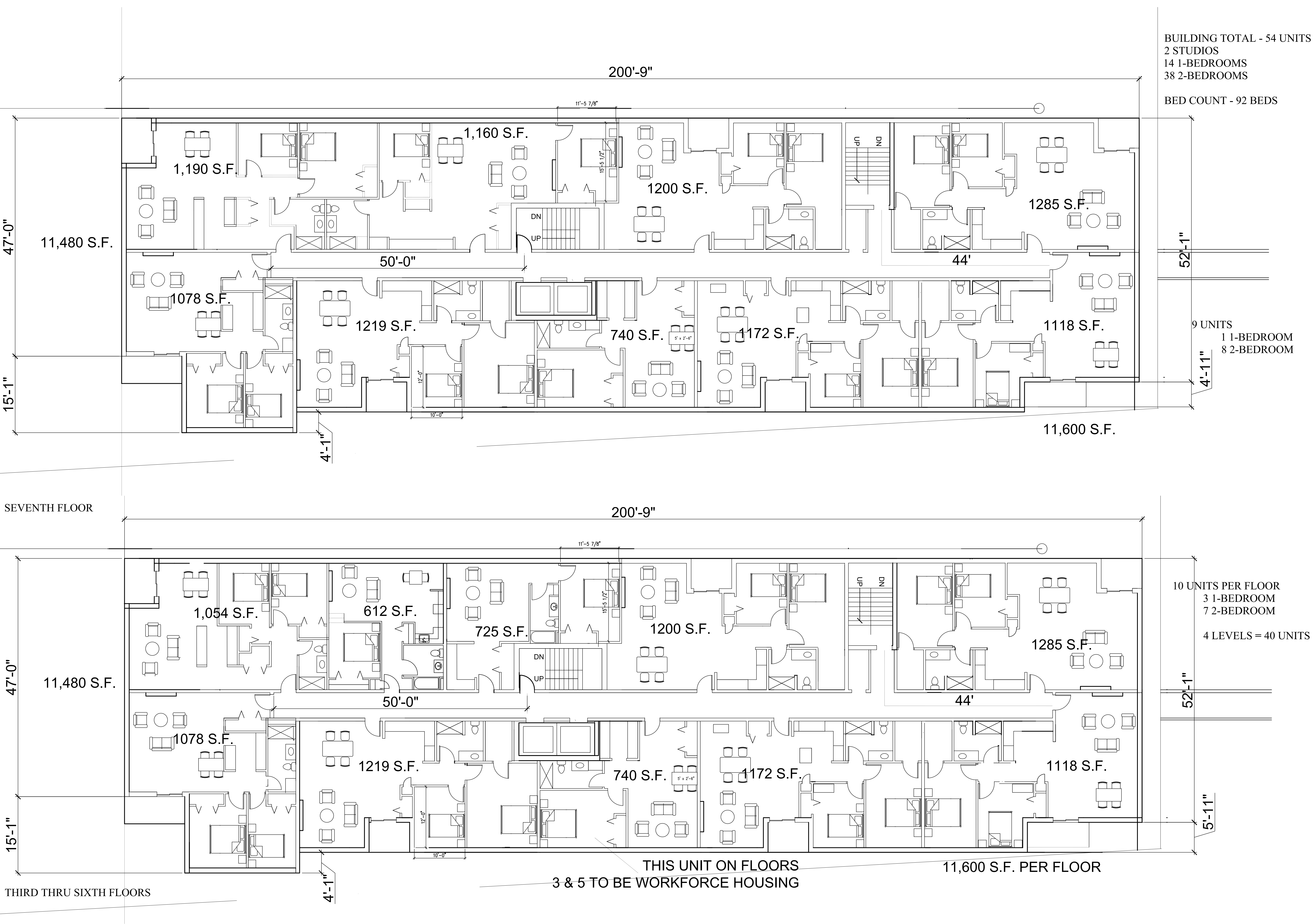
26'-0 1/2"

32'

5 UNITS
2 STUDIO
1 1-BEDROOM
2 2-BEDROOM

ALL UNITS ON THIS
LEVEL TO BE
WORKFORCE HOUSING

Prepared For: A&M Partners, Inc	
Consultant: ARCHETYPE architects 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	
Project: Westerlea View Lofts Chestnut Street Portland, Maine	Revisions:
Date: 7-22-2016	Scale: 1/16" = 1'-0"
PLANS	
A1.01	



BUILDING TOTAL - 54 UNITS
2 STUDIOS
14 1-BEDROOMS
38 2-BEDROOMS

BED COUNT - 92 BEDS

Prepared For:
A&M Partners, Inc

Consultant:

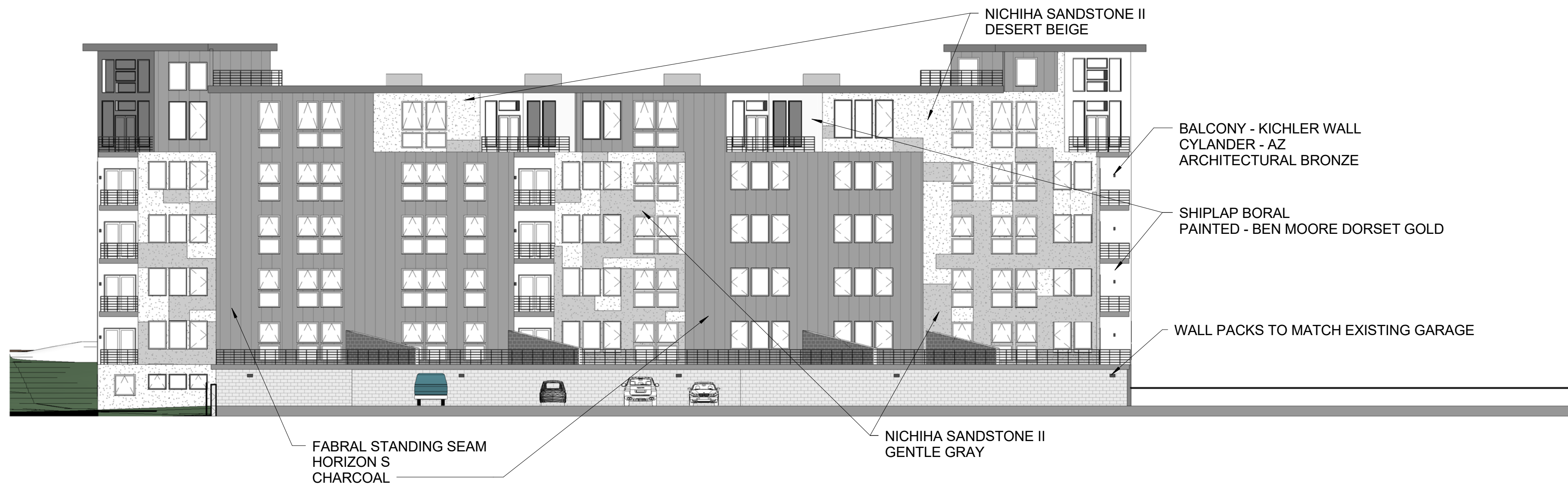
Architect:
ARCHETYPE
architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Project:
Westerlea View
Lofts
Chestnut Street
Portland, Maine

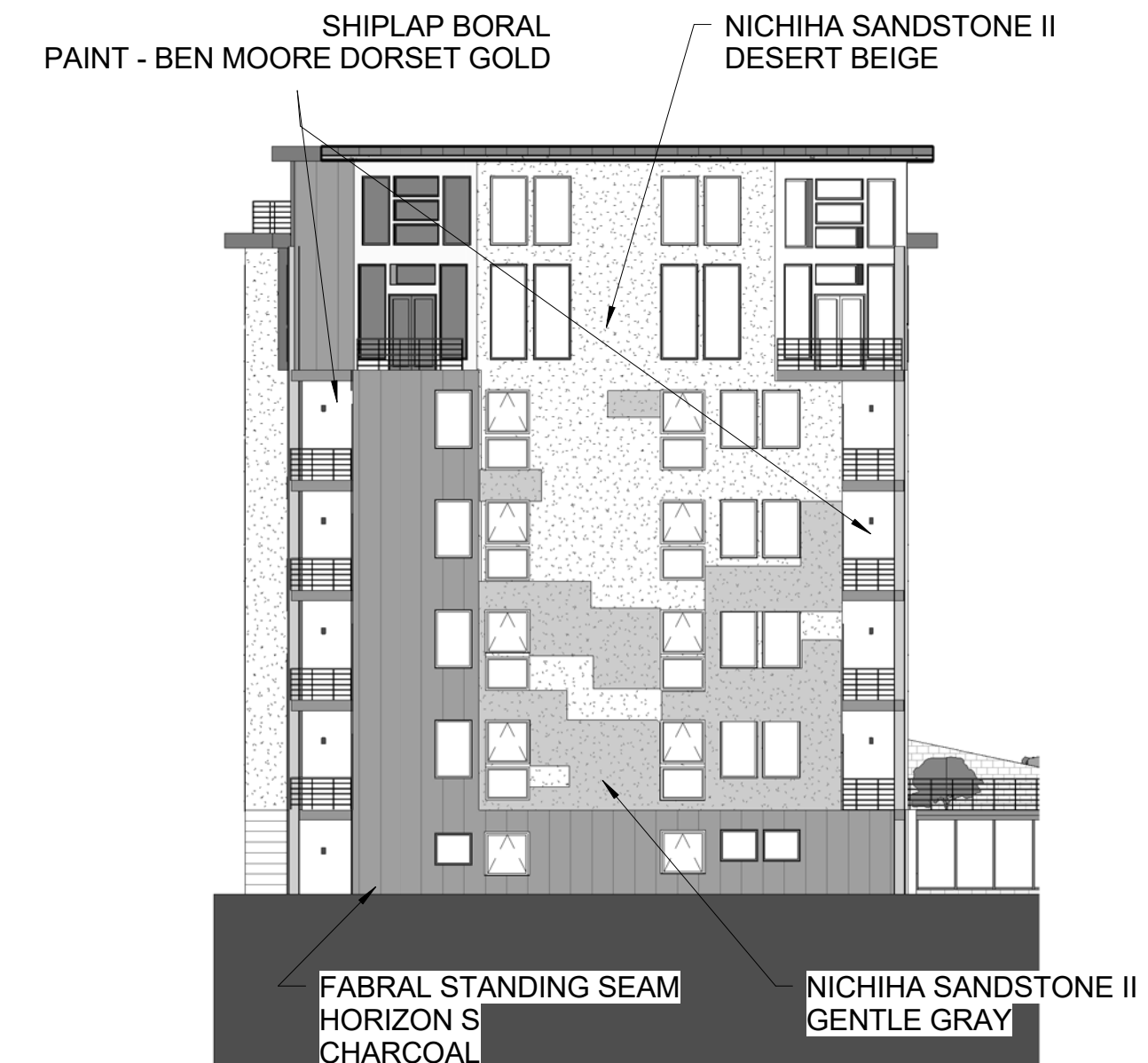
Revisions:

Date: 7-22-2016
Scale: 1/16" = 1'-0"
PLANS

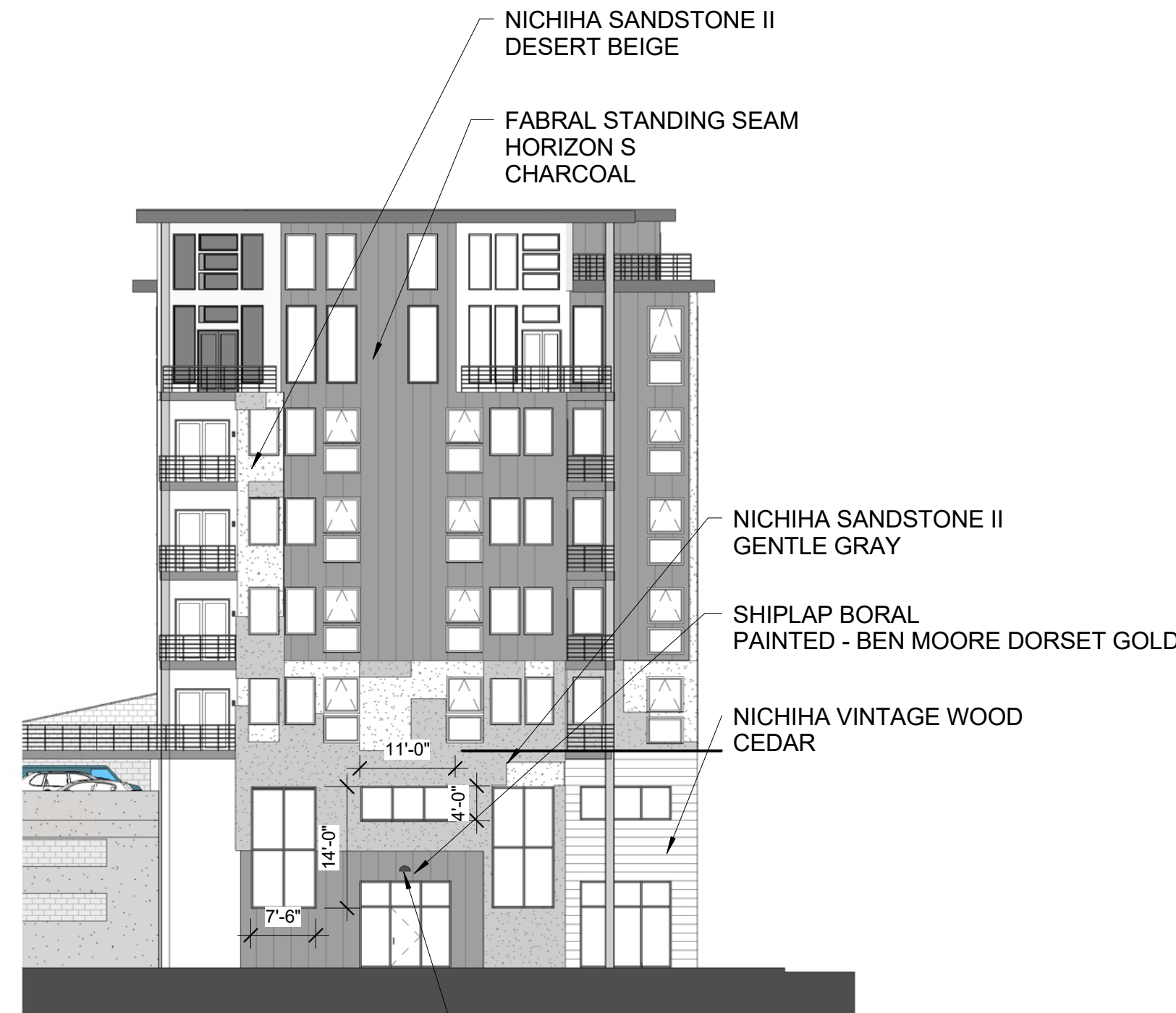
A1.02



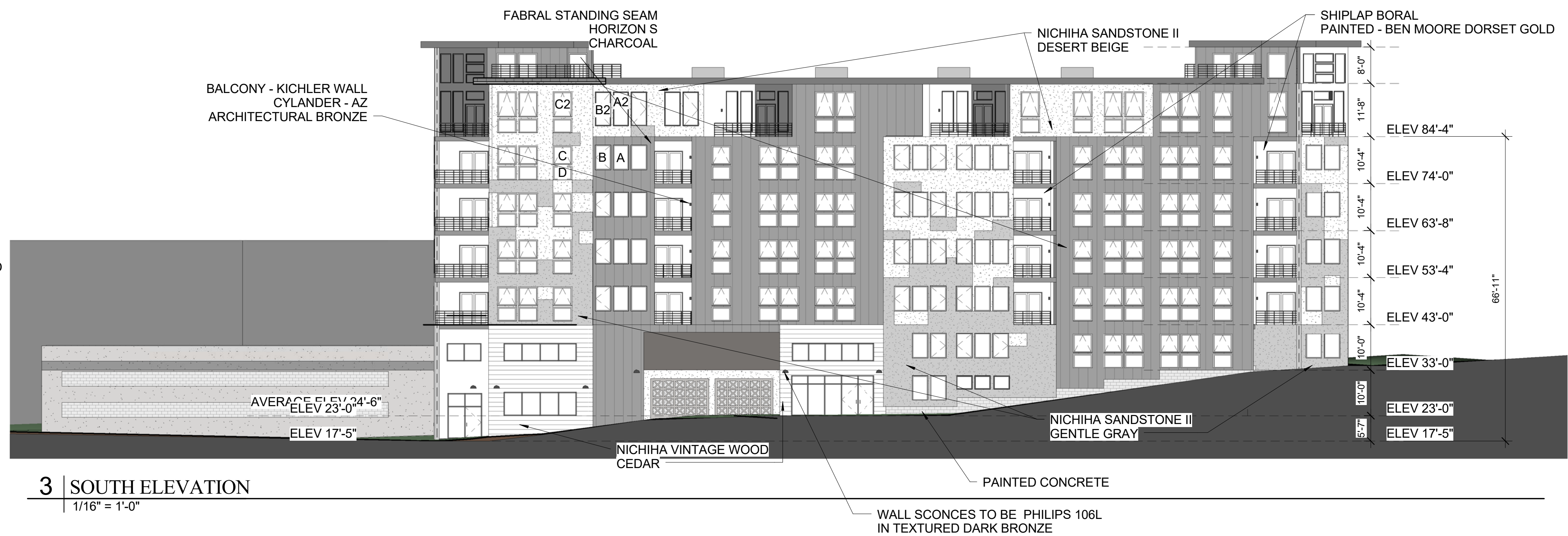
2 | NORTH ELEVATION
1/16" = 1'-0"



1 | EAST ELEVATION
1/16" = 1'-0"



4 | WEST ELEVATION
1/16" = 1'-0"



3 | SOUTH ELEVATION
1/16" = 1'-0"

Prepared For:
A&M Partners

Consultant:

Architect:
ARCHETYPE
architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Project:
Westerlea View
Lofts
Chestnut Street
Portland, Maine

Revisions:

Date:
7-22-2016

Scale:
1/16" = 1'-0"

Building Elevations

A2.01





PLANNING BOARD REPORT PORTLAND, MAINE

Proposed Zoning Map Amendment
Congress Square from B-3 to ROS zoning
City of Portland, Applicant

Submitted to: Portland Planning Board Public Hearing Date: Sept. 13, 2016	Prepared by: Caitlin Cameron, Urban Designer Report Prepared: September 7, 2016
--	--

I. INTRODUCTION

A public hearing has been scheduled to consider a proposal by the City of Portland to amend the map of the Recreation Open Space (R-OS) zone to include all of the Congress Square Park parcel. A copy of the proposed zoning map is shown as Figure 2. The applicant is the City of Portland Planning & Urban Development Department.

Notice of the public hearing consisted of newspaper advertisements in the *Portland Press Herald* and 226 notices sent to area property owners in the vicinity of Congress Square.

II. BACKGROUND

The proposed map amendment relates to the R-OS zone on-peninsula. The proposal would make the whole city-owned parcel called “Congress Square Park” one consistent zone (ROS). This requires a zoning map amendment for a portion of the parcel from B-3 to ROS.

Many on-peninsula urban open space parcels were added to the Recreation Open Space (ROS) zone in 2014 – Longfellow Square, Monument Square, Boothby Square, Bramhall Square, Bell Buoy Park, Tommy’s Park, Post Office Park, Lincoln Park, and Congress Square. However, at that time, a portion of the Congress Square Park parcel was under consideration for sale to a private entity. That portion of the public parcel remained in the B-3 zone pending the sale agreement. In the summer of 2014, a citizen referendum was passed that adopted the Land Bank Ordinance which names Congress Square as a protected park and would have required a super majority Council vote to sell the land; the City has since stopped pursuing the sale of the parcel.

III. PROPOSED AMENDMENTS

The proposed zoning map amendment would increase the area of the Congress Square R-OS zone to include the entire Congress Square Park parcel held by the City of Portland that currently straddles B-3 and ROS zones. The intention is to provide consistent zoning for the Congress Square Park parcel which we now know will remain public open space.



Figure 1: Existing Zoning

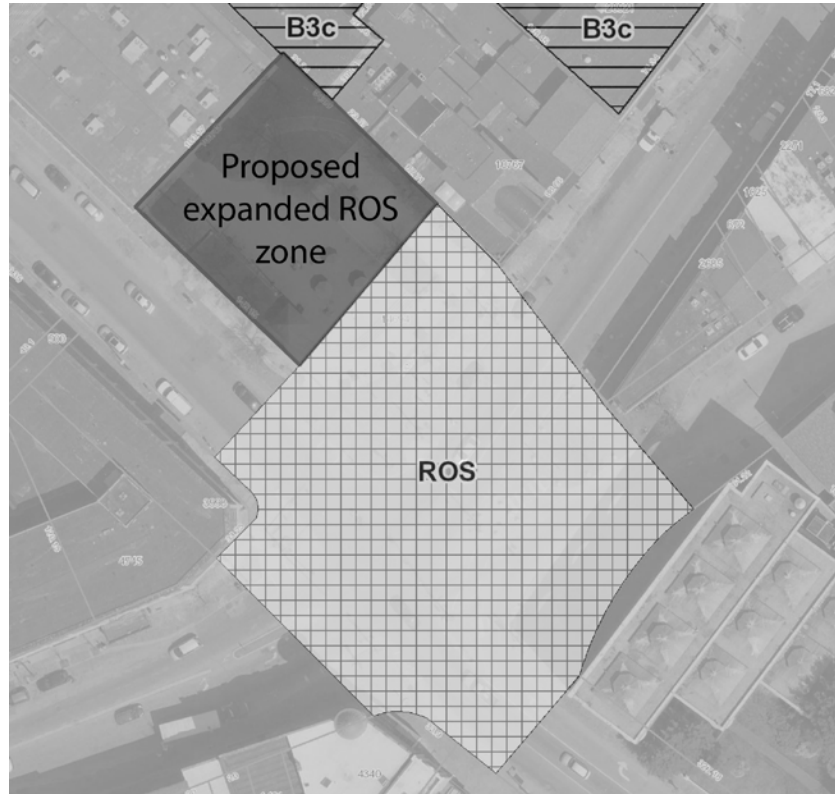


Figure 2: Proposed Zoning

IV. LAND USE POLICY

The purpose of this amendment is to make the zoning boundary for Congress Square consistent with the land use boundary of the public open space currently protected by the Land Bank Ordinance. In light of the 2014 Land Bank Ordinance protections placed on the parcel and the decision to not pursue the sale, the parcel will remain public open space and the section reserved as B-3 is no longer applicable to the land use. Therefore, ROS is an appropriate zoning designation for the entire parcel.

The map amendment would bring the Congress Square Park parcel in compliance with the following documents and initiatives:

2010 Open Space Map: The Congress Square Park parcel is listed on the City's 2010 Open Space Map as a city park.

2014 ROS Map Amendments: ROS map amendments proposed and adopted in 2014 clearly show there is an intent for all downtown public open spaces to be designated as ROS spaces.

2014 Land Bank Ordinance: This new ordinance names Congress Square, including Congress Square Park, as protected public park space.

Comprehensive Plan: The Comprehensive Plan documents referenced below address the importance of public open space in dense urban settings. Congress Square Park serves as the neighborhood open space for many surrounding residents, especially those with limited mobility. *Green Spaces Blue Edges* and the *Downtown Vision* plans specifically placed high priority on the reassessment of Congress Square Plaza, indicating the importance to the city and peninsula of this particular urban open space to remain a viable public park amenity.

Green Spaces Blue Edges (2001-2006)

Goals and Objectives:

- *Provide a wide range of recreation and open space opportunities to address the athletic, recreation, leisure, ecological, and scenic needs of Portland's diverse population.*
- *Identify, conserve, protect and enhance recreation and open space resources in the City.*
- *Foster balance in our natural and built environment that will enhance the quality of life of Portland's residents.*
- *Extend the public's range of open space opportunities and the ability to pursue its choice of use without social or economic constraint, elaborate planning, or community intervention.*

Citywide and Neighborhood Recommendations:

- *Downtown High Priority: Reassess Congress Square Plaza*

Downtown Vision (1991) – Open Space and Pedestrian Environment

- *Goal 3: Develop an open space system throughout the Downtown which provides the highest quality parks, plazas and pedestrian environment. . . .*
- *Policy OS2 Specific park improvement plans: a) Congress Square Plaza – The original plan for Congress Square, which included an outdoor café and additional amenities, was only partially executed. Since its development, this plaza has suffered from a lack of carefully-programmed activity and maintenance. Congress Square Plaza demands a careful re-assessment of what role the Plaza can and does play in the life of Upper*

Congress Street, what design alterations are needed to attain that role, and what on-going maintenance and programming will assure the Plaza's continued use.

Portland Downtown Traffic & Streetscape Study (1999)

The quality of the pedestrian environment is determined by a complex combination of numerous attributes. These attributes include:

- *The continuity of the pedestrian network;*
- *The quality of construction and maintenance;*
- *Presence of amenities such as benches and trash receptacles;*
- *Safety and convenience of street crossings;*
- *Urban design characteristics such as the presence of street trees, places to linger for social interaction and visual interest and building placement and design.*

V. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, the policies of the comprehensive plan, and the information provided in the Planning Board Report, the Board finds that:

1. The proposed zone change (is or is not) consistent with policies of the Comprehensive Plan.

The Planning Board therefore (recommends or does not recommend) to the City Council approval of the proposed zoning map amendment from B-3 to ROS as shown in Figure 2.

PLANNING BOARD REPORT PORTLAND, MAINE



Pre-owned Automobile Dealership
Conditional Use and Site Plan Review Amendments

Stephen E Mardigan, Applicant

Project No: 2016-189

CBL: 130-C-001

Submitted to: Portland Planning Board Public Hearing Date: September 13, 2016	Prepared by: Jean Fraser, Planner Date: September 9, 2016
--	--

I. INTRODUCTION

Behrouz Lashgarlou (known as Cyrus), as agent for Stephen Mardigan (owner of the site), has requested Planning Board re-approval for the use of the site as a conditional use for pre-owned car sales. Associated with the use is a Level I Site Alteration application for minor improvements to the site.

The proposals were previously approved by the Planning Board in February, 2015 and the approval letter is [Attachment 1](#). That approval was based on the same set of plans that are proposed in the application before the Board today ([Plans P2-P4](#)). The previous approval has expired and the new applicant would like to implement the previously approved plans.

The site has been vacant for about a year, since the City's Corporation Counsel took legal action against the previous applicant to remove the cars and use from the site. This action was taken because the previous car sales use had been operating since 2013 without compliance with conditional use and site plan conditions of approval.

The site is located in a B-2 Community Business Zone, where automobile dealerships are listed as a conditional use and therefore are reviewed by the Planning Board.

Applicant: Stephen Mardigan, owner

Agent: Behrouz Lashgarlou (known as Cyrus) (lessor of the site)

Surveyor: Robert T Greenlaw,



Site at 783 Forest Ave.
AERIAL ABOVE IS OUT OF DATE –
SITE IS NOW VACANT

Required Reviews:

- Conditional Use in the B2 zone;
- Level I (Site Alteration) Site Plan (staff level review).

A total of 200 notices of the Hearing were sent to property owners within 500 feet and to interested citizens and a notice was published in the September 5th and 6th, 2016 editions of the *Portland Press Herald*. The applicant is not required to hold a neighborhood meeting for this proposal. The Planning office has not received any public comments regarding the application.

Required Waivers:

<i>Requested Waiver</i>	<i>Standard and any waiver provisions</i>
Driveway Separation: The existing curbcuts are not in compliance with the City standards; the proposals make them more in compliance reducing the width of driveways, better defining driveways and moving the centerlines farther from nearby driveways..	<i>Technical Manual Section 1.7.1.7 sets out standards for minimum driveway separation and the Traffic Engineer supports the waiver as they are an existing condition and the proposed use has limited traffic volumes entering and exiting the site and there is no history of safety issues (Att 4).</i>

II. PROJECT DATA:

Zone:	B-2 Business
Proposed Use:	Automobile Sales
Previous (Legal) Use:	Office and oil truck storage (use of former Gas Station)
Required Minimum Lot Area:	10,000 sq ft
Proposed Lot Area:	12,111 sq ft
Existing impervious area:	10,408 sq ft
Proposed impervious area:	10,258 sq ft
Total floorspace of existing bldg:	652 sq.ft. (included in above impervious area)
Required parking:	not specified in ordinance
Proposed parking:	6 spaces for employees and customers, up to 13 vehicle display spaces
Required Bicycle Parking:	2 spaces
Proposed bicycle parking:	2 spaces
Existing Driveways:	2
Proposed Driveways:	2 (narrowed from over 40 feet to 24 feet)

III. EXISTING CONDITIONS

The site is located between a parking lot with drive access serving the adjacent restaurant and hairdressers to the north, and a driveway and commercial building to the south. Opposite the site (across Forest Avenue) is Hartley Street, a residential street with commercial uses nearest Forest Avenue where it is zoned B2c (see below under **VII A** Zoning Assessment). A pedestrian crosswalk is located across Forest Avenue just north of the site.

The parcel is largely a rectangle with 134 feet of frontage along Forest Avenue, but includes a sliver of land running northward along the back of the abutting lot along the railway (Plan P1.)

The 12,111 sq ft site was formerly a gas station; the gas tanks were removed and filled with sand in 2005 and the site is currently paved, with the



former gas station building remaining on the rear part of the site. The site has a legal use as “office and oil truck storage” and the existing building has been upgraded for use as an office.

The site backs onto the railway line and there are mature trees along the rear boundary (photo below). The B2 zone extends over the railway and some 50 feet beyond before the R5 zone begins.



IV. PROPOSALS

The proposal is to use the site for selling pre-owned cars. The applicant also proposes to carry out minor improvements that include narrowing of both existing curb cuts from over 40 feet to 24 feet (which involves extending the sidewalks), landscaping along the frontage, and striping to control site parking and circulation.

V. PUBLIC COMMENT

At the time of completing this report no public comments have been received. However, staff are aware that local residents were adversely affected by the previous occupier of the site and the suggested conditions of approval are intended to clarify the operational restrictions to avoid any potential impacts on neighbors.

VI. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPABILITY

The deed has been submitted ([Attachment E](#)).

VII. STAFF REVIEW

A. ZONING ASSESSMENT

The site is located in the B-2 Community Business zone where automobile dealerships are permitted as a Conditional Use. The site is within a long band of B2 on the east side of Forest Avenue and is at least 90 feet from the R5 zone on the other side of the railway tracks.

The existing building is legally nonconforming in relation to the front yard setback zoning requirement. Once the use has been approved by the Planning Board, the applicant would need to get a separate permit from the Department of Permitting and Inspections to establish the use as a legal use of the property.

B. CONDITIONAL USE REVIEW (Section 14-183):

Sec. 14-183. Conditional uses identifies auto dealership in the B-2 zone as a conditional business use and specify that they meet the following requirements. It confirms that *“the Planning Board shall be substituted for the board of appeals as the reviewing authority over conditional business uses”*.

The applicant has submitted a conditional use application ([Attachment C](#)) and an analysis of how the proposal complies with the conditional use standards in [Attachment F](#).

Section 14-183 specifies (in relation to automobile dealerships):

In addition to approval by the Planning Board with respect to the requirements of article V (site plan), sections 14-522 and 14-523 notwithstanding, these uses shall comply with the following conditions and standards in addition to the provisions of section 14-474:

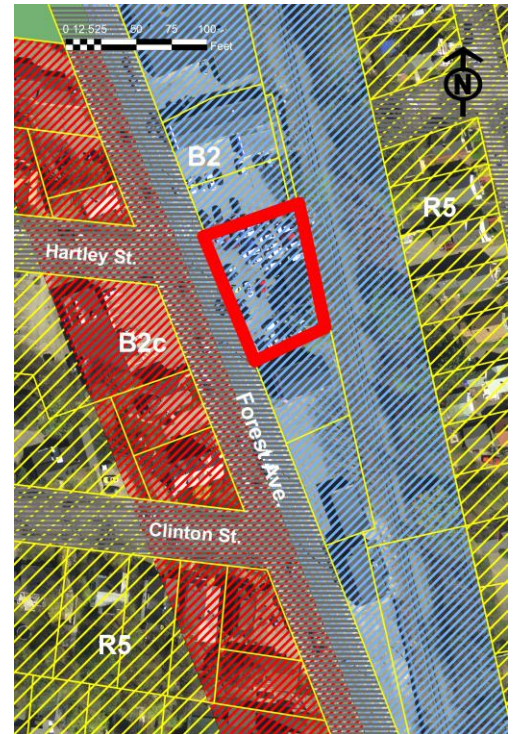
The requirements taken from the Ordinance 14-183 (a) 5 are in italics below, together with a staff comment in respect of the proposals.

- a. *Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services of goods available on the premises.*

Staff comment: The applicant is not proposing any signs as part of the current applications. A potential condition requiring the separate sign review and approval is included in the proposed motion for the Board to consider.

- b. *Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.*

Staff comment: This requirement is met both in the existing conditions and as proposed to be modified.



Clause 6 g.i. *A landscaped buffer, no less than five (5) feet wide, shall be located along street frontages (excluding driveways). The buffer shall consist of a variety of plantings in accordance with the City of Portland Technical Manual.*

Staff comment: The proposals include a 5 foot wide landscaped buffer along three sections of the Forest Avenue frontage, including a street tree in each of the two corner sections and low grass and shrubs in all three buffer areas (Plans P2, P3 and P4). The City Arborist, Jeff Tarling, has confirmed the proposals are acceptable (Attachment 3).

The following standards apply to all conditional uses:

Section 14-474(c)(2) *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 comment: Tom Errico, the Traffic Engineer, does not have any concerns regarding these aspects of the proposal as shown on the submitted plans (Attachment 4).

- 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 comment: The location of the proposed car dealership is within a large section of B2/B2c. The site abuts the railway to the east, where mature trees contribute to the buffering and screening of the site from the nearest residential zone. To the north and south are commercial premises and associated parking. Suggested conditions of approval require the use and associated activities to stay on-site to ensure noise and emissions do not impact the residential neighborhood on the other side of Forest Avenue. It should be noted that the applicant has indicated that they will limit the number of idling vehicles to a maximum of 3 (Attachment 1).

- 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 comment: The impacts of this use, assuming it remains within the site, would not differ substantially from the impacts associated with the surrounding uses or other allowable uses in the zone.

C. DEVELOPMENT REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of Section 14-526- Site Plan. As this is a Level I: Site Alteration Site Plan, not all of the standards are applicable and there are fewer submittal requirements. Staff comments are highlighted in this report.

1 SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527)

The proposal is subject to a Level I: Site Alteration Site Plan and the submission requirements are listed in 14-527 (b). The Site Plan application (Attachment A) and submitted narratives and plans have addressed the ordinance requirements.

2 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. A Level I site Alteration is not subject to all of the Site Plan Standards. Staff comments are listed below.

A. Transportation Standards (1,2 and 4)

1. Impact on Surrounding Street system and 2. Access and circulation

The proposed used car dealership is located on Forest Avenue along a straight stretch of single lane traffic with good visibility; there are two existing curb cuts on the site, each about 40 feet in width. The proposed use does not have high trip generation, with limited loading and servicing. The Technical Standards allow two drives for a commercial site but the existing curb cuts do not meet City Standards in terms of width and distance from other driveways.

Tom Errico has confirmed that the retention of the two existing drives is acceptable for this particular use as long as they are improved to be more in compliance with City Standards.

The applicant has reduced existing curb cuts to meet the City standard of 24 feet and to better define their location within the sidewalk; the proposals also move the centerline of both drives so that they are further away from nearby driveways.

Tom Errico, the Traffic Engineering reviewer, has commented (Attachment 4):

I have reviewed the site plan for the project and I find it to be acceptable with the following comments:

- *A detailed review of the site access and circulation was conducted previously under a two-way circulation system. I continue to find traffic conditions to be acceptable under that scenario with the noted site improvements. The applicant has noted that a one-way circulation system is under consideration. I would note that I would find a one-way traffic circulation system to be acceptable with the entry located at the southerly driveway and the egress located opposite Hartley Street.*
- *Given limited traffic volumes entering and exiting the site and no history of safety issues (the non-compliant driveway separation is a current issue), I support a waiver from the City's Technical Standards as it relates to driveway separation. I would note that the applicant is reducing the width of driveways and better defining driveways and thus will improve upon existing conditions.*
- *The approval of the proposed driveway design is based upon the assumption that the project will not generate a significant amount of traffic. If changes in the business operations occur that increase traffic levels, the applicant shall be required to provide a review of traffic impacts associated with the change for review and approval by the City.*
- *The location of parked vehicles shall not encroach on parking circulation aisles, sidewalks and block the proposed driveways. The number of vehicles allowed to park on the site shall conform to those illustrated on the site plan.*

Two suggested conditions of approval (for the conditional use application) require the applicant to address the Traffic Engineer's comments.

2. Access and circulation- Sidewalks

The proposal creates 32 feet of new sidewalk where the driveway aprons have been narrowed. The driveway aprons need some repair and the plans confirm that these will be repaired with materials approved by DPW.

DPW/Peer Engineer have commented regarding materials (Attachment 2):

It had previously been noted that the driveway aprons may be bituminous or concrete; bituminous is the current standard. It should be noted that the City of Portland will be reviewing for adoption within the next month a sidewalk material policy standard that will require that driveway aprons match adjacent sidewalks in material types. This standard has not yet been approved, but in light of the future requirement, and the fact that driveway aprons and abutting sidewalks in the area are constructed of concrete, the Department of Public Works would prefer that concrete be used for driveway aprons on this project. The narrowing/modification of the existing driveways will require that portions of concrete sidewalks be constructed. Constructing concrete driveway aprons with the concrete sidewalks would

allow the same contractor to construct both. We ask that the Applicant consider this, but note that under the current standards, bituminous is allowed.

A suggested condition of approval requires the applicant to address these comments.

4. Parking Requirements

The ordinance does not specify minimum vehicle parking provision for this use. The Ordinance requires 2 bicycle parking spaces where the parking requirement is 0 to 10 vehicle parking spaces for this proposal, which have been included in the site improvements on Plan P2.

B. Environmental Quality Standards (1 and 3)

1. Preservation of Significant Natural Features

There are no significant natural features on this site, which is largely paved or built. There are several large trees along the rear boundary line that are not impacted by the proposal; the plans indicate that these will be preserved. Planting along the frontage at the back of the sidewalk is proposed (see conditional use review above).

3. Water quality; Stormwater Management; Erosion control:

The applicant has reduced the overall impervious surface through the addition of the planted area at the front and therefore does not trigger Chapter 500 requirements. Lauren Swett, the Peer Engineering reviewer, has commented that during the construction of the planter (and any other construction eg laying of new curbing) that:

The plans should show or note catch basin inlet protection (silt sacks) to be installed at the first down-gradient catch basin in Forest Ave during construction. The plans should state that the Forest Ave Right-of-Way shall be kept clean from dust and construction debris and swept daily or as requested by the City of Portland during construction to minimize dust and sediment originating from the site. (Att.2)

C. Public Infrastructure and Community Safety Standards (1)

1. Consistency with Master Plans:

The proposals do not impact city infrastructure except the repairs/sidewalk reinstatement to the drive apron areas which is discussed above.

D. Site Design Standards (5,6,8,9)

5. Historic Resources:

The proposed site alterations do not affect any historic resource.

6. Exterior Lighting:

The proposals do not include any specific lighting proposals. It is noted that two existing light bases are on site and if these are re-fitted or new lighting is proposed, the proposals would need to be reviewed and approved to ensure that they meet the City's Technical Standards.

The existing building includes bright lighting under the canopy (open fluorescent with no shield) and residents have stated it is on all night. This does not meet City Technical standards which require cut-off lighting and that the light levels should be halved during night time hours. A potential condition of approval is included in the motion for the Board to consider to address both of these issues.

8. Signage and Wayfinding:

The proposals do not include any new signs, but a potential condition of approval is included to clarify that any new signs would require separate permits.

9. Zoning Related Design Standards

There are B2 standards that would apply if there was a new building. The existing gas station building is legally nonconforming regarding setbacks. The B2 design standards do require landscaping and buffers, which is largely addressed by the Conditional Use requirement for a frontage buffer. Staff recommend the preservation of the mature trees along the rear of the site to address this requirement regarding the residential properties on the other side of the railway line, and this has been noted on the Site Plan (Plan P2).

VIII. STAFF RECOMMENDATION

Staff recommends that the Planning Board approve the Pre-owned Automobile Dealership conditional use and site plan, with the proposed waiver and suggested conditions of approval as outlined below.

IX. PROPOSED MOTIONS FOR THE PLANNING BOARD'S CONSIDERATION

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 the public hearing on September 13th, 2016 for application #2016-189 (783 Forest Avenue) relevant to the Portland Technical and Design Standards and Guidelines and other regulations and the testimony presented at the Planning Board hearing:

1. *Driveway Separation*

The Planning Board **waives / does not waive** the requirements of *Technical Manual Section 1.7.1.7*, which sets out standards for minimum driveway separation, to allow the existing curb cuts/driveways to remain as modified by the approved proposals in Plan P2. This waiver is based on the fact that the driveways are an existing condition with no history of safety issues, and the proposed use involves limited traffic volumes entering and exiting the site; and the applicant is reducing the width of and better defining the driveways and thus will improve upon existing conditions.

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 the public hearing on September 13th, 2016 for application #2016-189 (783 Forest Avenue), relevant to Portland's Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing:

The Planning Board finds that the proposed conditional use for an Pre-owned Auto Dealership at 783 Forest Avenue in the B-2 zone **does / does not** meet the standards of Section 14-474 and the standards of Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the site access/egress conditions for vehicles are considered to be acceptable in view of the low traffic generation and minimal service requirements of the used car sales use. If changes in the business operations occur on the site that increase traffic levels, the Planning Authority will require the applicant to provide a review of traffic impacts associated with the change, for review and approval by the Planning Authority; and
- ii. The location of parked vehicles shall not encroach on parking circulation aisles, sidewalks nor block the proposed driveways. The number of vehicles allowed to park on the site shall conform to those illustrated on the site plan and not exceed 20 in total (including display, customer and employee parking). Idling vehicles shall be limited to 3 at any one time; and
- iii. That no vehicles associated with this site and the dealership use shall be parked on any adjoining or nearby streets (including, but not limited to, any part of Hartley Street) nor overhang the City's right-of-way, sidewalk or property outside of the site; if such parking is documented as taking place, enforcement action may be pursued by the City; and
- iv. That all car sales and other activities associated with the car dealership use shall take place only on the privately owned part of the site. No car sales or any other activities associated with the car dealership may take place in the City right of way, sidewalk, or on property outside of the site; and
- v. A Performance Guarantee shall be posted covering the cost of the improvements shown on the approved amended plans. No cars may be parked on the site and no car sales or other activities associated with the car dealership use may take place from the site until the Performance Guarantee described herein has been posted and a Change of Use permit has been obtained from the Department of Permitting and Inspections.

Failure to comply with any of the above-stated conditions of approval, in whole or in part, shall render this approval void.

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 the public hearing on September 13th, 2016 for application #2016-189 (783 Forest Avenue), relevant to the Site Plan Ordinance and other regulations and the testimony presented at the Planning Board hearing:

The Planning Board finds that the plan **is** / **is not** in conformance with the site plan standards of the land use code, subject to the following conditions:

- i. No work shall commence on any site improvements until such time as the applicant has:
 - 1) posted a Performance Guarantee in accordance with the standard conditions of approval;
 - 2) obtained all required City permits including a street opening permit (obtained by a licensed contractor) from the Department of Public Works; and
 - 3) attended a mandatory preconstruction meeting with City staff.
- ii. That the site plan and detail plans shall be revised to address the Peer Engineer comments dated 9.7.2016, and to revise the location of the ADA parking, for review and approval of the Planning Authority and Department of Public Works prior to any work starting on the site; and
- iii. That the improvements to the sidewalks, aprons and curbing be completed in accordance with the City of Portland Technical Standards (which include specifications requiring granite curbing); and
- iv. That the applicant shall obtain a license from the State of Maine Bureau of Motor Vehicles prior to the start of car sales from this site; and
- v. That erosion control measures, as outlined in the Peer Engineer comments dated 9.7.2016, be in place prior to the start of construction of the planter and relocation of curbs; and
- vi. That the storage of snow shall not impede sight distance for vehicles exiting the site, and on-site parking of vehicles should not block access and egress movements; and
- vii. That no car repairs shall take place on the site unless an amended site plan is approved by the Planning Authority, with the amendments showing where and how these would be accommodated, and all other necessary permits are obtained; and
- viii. That any new lighting shall be in compliance with the site lighting requirements as set out in the City's Technical Standard 12 "Site Lighting"; and
- ix. That separate permits are required for any signs on the site prior to their installation.

Failure to comply with any of the above-stated conditions of approval, in whole or in part, shall render this approval void.

ATTACHMENTS

Report attachments

1. Approval letter February, 2015
2. Peer Engineering Comments
3. City Arborist, Jeff Tarling
4. Traffic Engineering Reviewer, Tom Errico

Public Comments (none)

Applicants submittal

- A. Cover letter
- B. Level I: Site Alteration Site Plan Application
- C. Conditional Use Application
- D. Letter of authorization and financial capability from owner
- E. Right, title and interest (deed)
- F. Conditional use analysis

Plans

- P1. Existing conditions/survey
- P2. Proposed improvements (Site Plan C2)
- P3. Curb and Sidewalk Details
- P4. Details C3

CITY OF PORTLAND, MAINE

PLANNING BOARD

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

February 18th, 2015

Changiz Fard
 684 Baxter Blvd.
 Portland, ME 04103

Robert T. Greenlaw, PLS
 32 Old Orchard Street
 Old Orchard Beach, ME 04064

Project Name: **Auto Dealership selling pre-owned cars (Amendments)**
 Project ID: #2014-035 & #2014-036 CBL: 130-C-001
 Address: 783 Forest Avenue
 Applicant: Changiz Fard
 Planner: Jean Fraser

Dear Mr Fard and Mr Greenlaw:

On February 10th, 2015, the Planning Board considered the proposed amendments to the Conditional Use and Level I: Site Alteration site plans that were previously approved in June 2014 for an Auto Dealership selling pre-owned cars at 783 Forest Avenue. The Planning Board reviewed the amended proposals for conformance with the standards of the Conditional Use and Site Plan Ordinances.

The approval is based upon the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on February 10th, 2015 for applications #2014-035 and #2014-036 (attached), and the testimony presented at the Planning Board hearing. The Planning Board voted 6-0 (Morrisette absent) to approve the amended applications with the following waivers and conditions as presented below:

WAIVER

1. Driveway Separation

The Planning Board voted 6-0 (Morrisette absent) to waive the requirements of *Technical Manual Section 1.7.1.7*, which sets out standards for minimum driveway separation, to allow the existing curb cuts/driveways to remain as modified by the approved proposals in Plan P2. This waiver is based on the fact that the driveways are an existing condition with no history of safety issues, and the proposed use involves limited traffic volumes entering and exiting the site; and the applicant is reducing the width of and better defining the driveways and thus will improve upon existing conditions.

CONDITIONAL USE

The Planning Board voted 6-0 (Morrisette absent) that the proposed conditional use for an Auto Dealership at 783 Forest Avenue in the B-2 zone does meet the standards of Section 14-474 and the standards of Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the site access/egress conditions for vehicles are considered to be acceptable in view of the low traffic generation and minimal service requirements of the used car sales use. If changes in the business operations occur on the site that increase traffic levels, the Planning Authority will require the applicant to provide a review of traffic impacts associated with the change, for review and approval by the Planning Authority; and
- ii. The location of parked vehicles shall not encroach on parking circulation aisles, sidewalks nor block the proposed driveways. The number of vehicles allowed to park on the site shall conform to those illustrated on the site plan and not exceed 20 in total (including display, customer and employee parking); and
- iii. That no vehicles associated with this site and the dealership use shall be parked on any adjoining or nearby streets (including, but not limited to, any part of Hartley Street) nor overhang the the City's right-of-way, sidewalk or property outside of the site; if such parking is documented as taking place, enforcement action may be pursued by the City; and
- iv. That all car sales and other activities associated with the car dealership use shall take place only on the privately owned part of the site. No car sales or any other activities associated with the car dealership may take place in the City right of way, sidewalk, or on property outside of the site; and
- v. A Performance Guarantee shall be posted covering the cost of the improvements shown on the approved amended plans. No cars may be parked on the site and no car sales or other activities associated with the car dealership use may take place from the site until the Performance Guarantee described herein has been posted and a change of use permit has been obtained from the Inspections Division. All of the approved improvements shall be completed within 4 calendar months of the date the Performance Guarantee is posted.

Failure to comply with any of the above-stated conditions of approval, in whole or in part, shall render this approval void.

SITE PLAN

The Planning Board voted 6-0 (Morrisette absent) that the proposed site plan is in conformance with the site plan standards of the land use code, subject to the following conditions:

- i. No work shall commence on any site improvements until such time as the applicant has:
 - 1) posted a Performance Guarantee in accordance with the standard conditions of approval;
 - 2) obtained all required City permits including a street opening permit (obtained by a licensed contractor) from the Department of Public Services; and
 - 3) attended a mandatory preconstruction meeting with City staff.
- ii. That the site plan and detail plans shall be revised to address the comments of David Margolis-Pineo dated 2.5.2015, for review and approval of the Planning Authority and Department of Public Services prior to any work starting on the site; and
- iii. That the improvements to the sidewalks, aprons and curbing be completed in accordance with the City of Portland Technical Standards (which include specifications requiring granite curbing); and

- iv. That the applicant shall obtain a license from the State of Maine Bureau of Motor Vehicles prior to the start of car sales from this site; and
- v. That erosion control measures, as outlined in the Peer Engineer comments dated 5.30.2014, be in place prior to the start of construction of the planter and relocation of curbs; and
- vi. That the storage of snow shall not impede sight distance for vehicles exiting the site, and on-site parking of vehicles should not block access and egress movements; and
- vii. That no car repairs shall take place on the site unless an amended site plan is approved by the Planning Authority, with the amendments showing where and how these would be accommodated, and all other necessary permits are obtained; and
- viii. That any new lighting shall be in compliance with the site lighting requirements as set out in the City's Technical Standard 12 "Site Lighting"; and
- ix. That separate permits are required for any signs on the site prior to their installation.

Failure to comply with any of the above-stated conditions of approval, in whole or in part, shall render this approval void.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

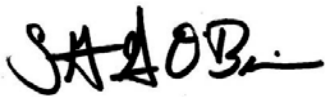
1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the approved site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall 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. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements (as based on the approved plans) is required before the car sales use commences, before any work starts on the site (see condition v. under "Conditional Use" above) and before any permits are issued. In addition, an inspection fee payment of either \$300 or 2.0% of the guarantee amount (whichever is greater) is required prior to the release of a "Site Work Only" building permit or DPS street opening permit. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
3. **Separate Building Permits Are Required** A "Site Work Only" Building Permit is required prior to the commencement of any site work, and a Change of Use Permit is required before the car sales use commences (see condition v. under "Conditional Use" above). Please coordinate with the Inspections Division to arrange for these permits.
4. **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.)

5. **Preconstruction Meeting** No work shall commence on any site improvements until such time as a pre-construction meeting is held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative, applicant/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.
6. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. **Site Plan and Conditional Use Expiration** The site plan and conditional use 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.
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 Jean Fraser, Planner at (207) 874- 8728.

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. City Technical Standards: *Site Lighting* (extract including 12.2.8 and "cut-off" type requirements)
2. DPS Deputy Engineer David Margolis-Pineo, comments dated 2.5.2015
3. Peer Engineer, Dave Senus of Woodard & Curran, comments dated 5.30.2014
4. Planning Board Report for the public hearing on February 10th, 2015,
5. Performance Guarantee Packet

Electronic Distribution:

CC:

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Ann Machado, Acting Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services

Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department

Extract from City of Portland Technical Manual Section 12- Site Lighting as adopted 7.19.2010**12.2. STANDARDS**

12.2.1. Unless otherwise specified below, exterior lighting shall conform to the recommendations put forth in Lighting for Exterior Environments RP-33-99, or its successor, published by the Illuminating Engineering Society of North America (IESNA). Proposed uses that demonstrate a need to exceed the specific site lighting limits shown below for safe and reasonable exercise of the proposed use must provide a professionally produced lighting plan which adheres to the current Illuminating Engineering Society of North America (IESNA) recommendations for the proposed use.

12.2.2. Uniformity: As measured in foot candles at grade, maximum to minimum illumination levels shall not exceed a ratio of twenty (20) to one (1.)

12.2.3. Illumination Levels: Minimum, Maximum, and Average illumination levels for areas intended to be lighted, as measured at grade, shall be:

Minimum	0.2 foot candles (fc)
Maximum	5.0 foot candles (fc)
Average	1.25 foot candles (fc)

12.2.4. Wattage: No fixture shall exceed 250 watts, except in industrial areas.

12.2.5. Light Trespass: The maximum illumination level at a property line shall not exceed 0.1 foot candle, as measured at grade, except where abutting industrial, or other non-sensitive uses. All residential uses and natural resource protection areas are to be considered sensitive to light trespass. In certain instances where a proposed development is adjacent to a sensitive use, house-side shielding may be necessary to comply with this standard.

12.2.6. Luminaire Types: All fixtures, including pole mounted and wall mounted luminaires, shall be a "cut-off" type where lenses, refractors or lamp sources do not extend below the surface of the fixture housing and no direct light shall be directed at or above the horizontal plane. Sites which are part of an historic district or require specific decorative lighting fixtures as means to achieve compatibility within an existing architectural context may propose non-cutoff fixtures providing that they have built in reflectors to mitigate uplighting and that photometrics fall within IESNA guidelines. Low pressure sodium bulbs are prohibited.

12.2.7. Fixture Height: Fixtures shall be mounted at the lowest height necessary with no fixture height to exceed twenty (20) feet above grade, except in sites proposed for large industrial and/or commercial uses, where the fixture height shall not exceed thirty (30) feet above grade. For the purposes of this standard only, a large industrial and/or commercial use is defined to have greater than fifty thousand (50,000) gross square feet of building space.

12.2.8. Lighting Curfew: For non-residential uses, lighting in vehicle parking areas containing twenty (20) or more parking spaces shall be reduced to 50% of permitted levels from one hour after the business closing to one hour before business opening. If lighting levels are already below 50% of permitted levels, no curfew adjustment is required. Motion sensor activated lighting shall be permitted during closed hours to activate additional lighting above the 50% permitted, for the purposes of public safety.

From: David Margolis-Pineo
To: Barbara Barhydt; Jean Fraser
Date: 2/5/2015 1:43 PM
Subject: Review comment for 783 Forest Ave – Proposed Auto Dealership

The following comments have also been entered into Urban Insight.

February 5, 2015

Memo To: Jean Fraser
Barbara Barhydt
Urban Insight
From: David Margolis-Pineo
Re: 783 Forest Ave – Proposed Auto Dealership

The Department of Public Services has the following comments for this proposed project.

1. The plan view and detail of the driveway apron area is shown incorrectly. Please correct by referring to the City of Portland Technical Manual, Figures I-9, I-13 and I-15.
2. The reinforced concrete sidewalk detail is incorrect. Please correct by referring to the City of Portland Technical Manual, Figures I-14.
3. Either asphalt or concrete is acceptable as a driveway apron material in this area.
4. Please indicate that the sidewalk cross slope will not exceed 2% required by City Code.
5. Add notes stating:
 - a. Obtain a Street Opening Permit by a licensed contractor before starting work.
 - b. A mandatory pre-construction meeting with City staff to include Rhonda Zazzara, Phil DiPierro and David Margolis-Pineo shall take place on site after issuance of the Street Opening Permit and prior to starting work.

From: David Sensus <dsensus@woodardcurran.com>
To: Jean Fraser <JF@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, "Thomas Errico" <Thomas.Errico@tylin.com>, "Barbara Barhydt" (bab@portlandmaine.gov) <bab@portlandmaine.gov>
Date: 5/30/2014 10:16 AM
Subject: RE: Site Plan & Cond Use 783 Forest Ave Car Dealership (2014-025)

Hi Jean:

The plans should show or note catch basin inlet protection (silt sacks) to be installed at the first down-gradient catch basin in Forest Ave during construction. The plans should state that the Forest Ave Right-of-Way shall be kept clean from dust and construction debris and swept daily or as requested by the City of Portland during construction to minimize dust and sediment originating from the site.

Thanks,
Dave

David Sensus, PE (Maine), Project Manager
Woodard & Curran, Inc.
41 Hutchins Drive
Portland, ME 04102
Phone: (800) 426-4262 x3241
Cell: (207) 210-7035
Fax: (207) 774-6635

MEMORANDUM



TO: Jean Fraser, Planner
FROM: Lauren Swett, PE & Craig Sweet, EIT
DATE: September 7, 2016
RE: 783 Forest Avenue, Level I Site Plan Application

Woodard & Curran has reviewed the Site Plan Application for the proposed site is located at 783 Forest Avenue in Portland, Maine. The project involves the construction of planter beds, new pavement striping, repair of sidewalks, driveway aprons and installation of new curbing.

Documents Reviewed by Woodard & Curran

- Level I Site Plan Application and attachments, dated August 2, 2016 , prepared by Behrouz Lashgarlou, on behalf of Stephen Mardigan.
- Plans, Sheets C 1-4, dated August 2, 2016, prepared by Robert T. Greenlaw PLS, on behalf of Stephen Mardigan.

Comments

The project was reviewed previously as part of an Application submitted in 2014. The following comments from Woodard & Curran and the Department of Public Works remain from the previous submission:

1. The plans should show or note catch basin inlet protection (silt sacks) to be installed at the first down-gradient catch basin in Forest Ave during construction. The plans should state that the Forest Ave Right-of-Way shall be kept clean from dust and construction debris and swept daily or as requested by the City of Portland during construction to minimize dust and sediment originating from the site.
2. The following details provided should be in conformance with the City of Portland Technical Design Manual. The manual with standard details is available here:
<http://me-portland.civicplus.com/757/Technical-Design-Standards>:
 - a. Driveway apron - update the detail to be in conformance with City of Portland standards (see comment below on material type). The driveway aprons shall be constructed to meet ADA standards to the extent practicable, achieving a maximum 2% cross-slope for a minimum of 3' of the sidewalk width along the back of the 5' wide sidewalk. The sidewalks shall be constructed to have a maximum 2% cross-slope.
 - b. Concrete sidewalk – update detail to be in conformance with City of Portland standards, including a note that that minimum cross slopes shall be 2%.
3. Notes should be provided to the plans indicating the following:
 - a. Obtain a Street Opening Permit by a licensed contractor before starting work.
 - b. A mandatory pre-construction meeting with City staff from the Planning and Public Works Departments shall take place on site after issuance of the Street Opening Permit and prior to starting work.
4. It had previously been noted that the driveway aprons may be bituminous or concrete; bituminous is the current standard. It should be noted that the City of Portland will be reviewing for adoption within the next month a sidewalk material policy standard that will require that driveway aprons match adjacent sidewalks in material types. This standard has not yet been approved, but in light of the future requirement, and the fact that driveway aprons and abutting sidewalks in the area are constructed of concrete, the Department of Public Works would prefer that concrete be used for driveway aprons on this project. The narrowing/modification of the existing driveways will require that portions of concrete sidewalks be constructed. Constructing concrete driveway aprons with the concrete sidewalks would allow the same contractor to construct both. We ask that the Applicant consider this, but note that under the current standards, bituminous is allowed.

From: Jeff Tarling
To: Jean Fraser
Date: 2/4/2015 3:44 PM
Subject: 783 Forest Avenue

Note: These comments related to the same plans as contained in the 2016 PB report on this proposal.

Hi Jean -

I have reviewed the proposed tree / landscape improvements for the 783 Forest Avenue project and find them acceptable. We are willing to work with the project team if they need any recommendations when planting.

Thanks,

Jeff Tarling
City Arborist

783 Forest Avenue - Traffic Comments

1 message

Tom Errico <thomas.errico@tylin.com>

Thu, Sep 8, 2016 at 3:04 PM

To: Jean Fraser <jf@portlandmaine.gov>

Cc: Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <jst@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, Lauren Swett <lswett@woodardcurran.com>

Hi Jean - I have reviewed the site plan for the project and I find it to be acceptable with the following comments:

- A detailed review of the site access and circulation was conducted previously under a two-way circulation system. I continue to find traffic conditions to be acceptable under that scenario with the noted site improvements. The applicant has noted that a one-way circulation system is under consideration. I would note that I would find a one-way traffic circulation system to be acceptable with the entry located at the southerly driveway and the egress located opposite Hartley Street.
- Given limited traffic volumes entering and exiting the site and no history of safety issues (the non-compliant driveway separation is a current issue), I support a waiver from the City's Technical Standards as it relates to driveway separation. I would note that the applicant is reducing the width of driveways and better defining driveways and thus will improve upon existing conditions.
- The approval of the proposed driveway design is based upon the assumption that the project will not generate a significant amount of traffic. If changes in the business operations occur that increase traffic levels, the applicant shall be required to provide a review of traffic impacts associated with the change for review and approval by the City.
- The location of parked vehicles shall not encroach on parking circulation aisles, sidewalks and block the proposed driveways. The number of vehicles allowed to

park on the site shall conform to those illustrated on the site plan.

If you have any questions, please contact
me.

Best regards,

Thomas A. Errico, PE

Senior Associate

Traffic Engineering Director

TYLIN 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.

Behrouz Lashgarlou
24 Colonial Ave
South Portland, ME 04106
August 2, 2016

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

Dear Board Members of the Planning and Urban Development Department of the City of Portland,

As a representative of the owner of 783 Forest Avenue, Mr. Stephen E. Mardigan in regards to the proposed plan, I am writing this letter to ask the planning department and or the Planning Board to grant our request to authorize a conditional use of the above address for the purpose of establishing a Pre Owned Automobile Dealership.

The above property has always been associated with automobiles since 1968 both as a Citgo Gas Station and until recently, as a Pre Owned Auto Dealership.

This new proposed plan includes new site alterations such as replacement of the pavement with a planter box, replacing substandard sidewalks with those that are required, and narrowing of the driveway in order to completely eliminate any potential hazards and or adverse impacts on the traffic or on the pedestrians. In addition, there will be clear and visible markings on the pavement on both exit and entrance in order to inform all customers, employees, and drivers entering and or exiting the property showing that the driveway shall strictly be used as a one-way path in order to further avoid any potential hazards in relation to traffic and the overall safety of the public.

Lastly, I would like to inform you that our plan includes not permitting more than three vehicles at a time with their engines operating while in an idling position and for over a long period of time in order to eliminate excessive emissions of greenhouse gases.

Given the proposed details, we hope that our request be taken under the consideration of the Planning Board in order to establish a safe and public friendly business.

Sincerely,

Behrouz Lashgarlou



Level I – Site Alteration 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 I: Site Alterations. 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 I: Site Alteration Development includes:

- Alteration of a watercourse or wetland as defined in Section 14-47 of the City Code.
- Alteration of a site. The disturbance of land areas of less than one (1) acre that are stripped, graded, grubbed, filled or excavated. The Planning Authority shall exempt from review the loam and seeding of lawns and the cumulative placement of less than fifteen (15) cubic yards of fill on any lot provided such loaming or placement does not alter a drainage course, swale, wetland or redirect water onto adjoining property and does not violate any other provision of the Portland City Code or state or federal law. "Disturbed area" does not include routine maintenance, but does include re-development and new impervious areas.
- The construction of any temporary or permanent parking area, paving of existing unpaved surface parking areas between 1,000 and 7,500 sq. ft., or creation of other impervious surface areas between 1,000 and 7,500 sq. ft.
- The rehabilitation or reconstruction, but not new construction, of piers, docks, wharves, bridges, retaining walls, and other structures located within the shoreland zone.
- A site alteration in which vehicle access is proposed from more than one (1) street.

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: Auto Dealership selling Pre-owned Vehicles

PROPOSED DEVELOPMENT ADDRESS:

783 Forest Avenue Portland, Maine

PROJECT DESCRIPTION:

Conditional use application to sell used automobiles at the above address. Includes site alteration that replaces pavement with a planter box, side alteration to narrow the driveway to better manage exit and entrance of vehicles in order to eliminate any adverse impacts on the traffic, as well as replacing substandard sidewalks with required sidewalk.

CHART/BLOCK/LOT: 130-C-001

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Stephen E. Mardigan Business Name, if applicable: Address: 460 Baxter Blvd. City/State : Portland, ME Zip Code: 04103	Applicant Contact Information Work # Home# Cell # 207-772-5555 Fax# e-mail:
Owner – (if different from Applicant) -Same As the Above Applicant- Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Behrouz Lashgarlou Address: 24 Colonial Ave City/State South Portland, ME Zip Code: 04106	Agent/Representative Contact information Work # Cell # 603-858-5555 e-mail:
Billing Information Name: Stephen E. Mardigan Address: 460 Baxter Blvd. City/State : Portland, ME Zip Code: 04103	Billing Information Work # Cell # 207-772-5555 Fax# e-mail:

Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:
Surveyor Name: Robert T. Greenlaw PLS Address: 32 Old Orchard Street City/State : Old Orchard Beach, ME Zip Code: 04064	Surveyor Contact Information Work # Cell # 207-289-4546 Fax# e-mail: bobgreenlaw504@gmail.com
Architect Name: Address: City/State : Zip Code:	Architect Contact Information Work # Cell # Fax# e-mail:
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

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

☒ Level 1 Site Alteration (\$200.00)	The City invoices separately for the following: • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$50.00 hour) • Legal Review (\$75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.
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INSTRUCTIONS FOR PAPER APPLICATION SUBMISSION:

1. 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. 14-527 (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.

INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

1. Submit the above PDF application with general project and contact information. Be sure to designate a person to upload documents and drawings. This step will generate the project id number for your project.
2. The designated person to upload will receive an email from epian@portlandmaine.gov with an invitation into the project. For first time users you will receive a temporary password which you must change on entry. Make note of your username and password for any future projects.
3. Be sure you PC is set up with appropriate compatibility settings.

Getting Started in e-Plan review

4. Be sure your PDF files are named correctly. Improper PDF file names will cause your project to be rejected until corrected.

How to properly name your PDF files

5. Now you are ready to upload your files. Documents go into the Applicants submittal – Documents and drawings go into Applicants submittal – Drawings

As the process evolves you will be able to log in and see markups, comments and upload revisions as requested.

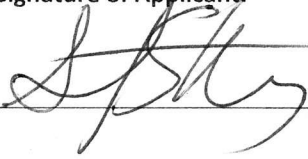
Uploading revisions

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:

A handwritten signature in black ink, appearing to be 'S. B. H.', written over a horizontal line.

Date:

August 2, 2016

PROJECT DATA

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

Total Area of Site	12,111.3 sq. ft.
Proposed Total Disturbed Area of the Site	555.4 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)	10299.7 sq. ft.
Impervious Area (Total Proposed)	9744.2 sq. ft.
Parking Spaces	
# of Parking Spaces (Total Existing)	# 18
# of Parking Spaces (Total Proposed)	# 17
# of Handicapped Spaces (Total Proposed)	# 1

Level 1 Site Alteration			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
X		1	Completed Application form
		1	Application fees
X		1	Written description of project
X		1	Evidence of right, title and interest
		1	Evidence of state and/or federal approvals, if applicable
X		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.
X		1	Evidence of financial and technical capacity
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
X		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
X		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)
X			Proposed grading and contours;
X			Existing structures with distances from property line;
X			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
X			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
X			Preliminary infrastructure improvements;
X			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;

Site Plan Standards for Review of Level I: Site Alteration

Level I: Site alteration plans shall only be subject to the following site plan standards, as applicable, as contained in section 14-526:

- (a) Transportation standards:
 - 1. Impact on surrounding street systems,
 - 2. Access and circulation, and
 - 4. Parking
- (b) Environmental quality standards
 - 1. Preservation of significant natural features,
 - 2. Landscaping and landscape preservation, and
 - 3. Water quality, stormwater management and erosion control.
- (c) Public infrastructure and community safety standards.
 - 1. Consistency with city master plans.
- (d) Site design standards
 - 5. Historic resources,
 - 6. Exterior lighting,
 - 8. Signage and wayfinding, and
 - 9. Zoning related design standards.

Except as provided in article III, or to conditions imposed under section 14-526(e) only, or to those submission requirements set forth in section 14-527 as relate solely thereto.



PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

- 1. Name, address, telephone number of applicant.
- 2. Name address, telephone number of architect
- 3. Proposed uses of any structures [NFPA and IBC classification]
- 4. Square footage of all structures [total and per story]
- 5. Elevation of all structures
- 6. 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.)**
- 7. Hydrant locations



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: Please submit the Conditional Use Application in addition to the applicable Site Plan Application.

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: 783 Forest Avenue

PROPOSED DEVELOPMENT ADDRESS:

783 Forest Ave. Portland, Maine 04103

ASSESSOR'S CHART/BLOCK/LOT (s): 130 C 001

Applicable Zone: _____

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Stephen E. Mardigan Business Name, if applicable: Address: 460 Baxter Blvd City/State : Portland, ME Zip Code: 04103	Applicant Contact Information Work # Home# Cell # 207-772-5555 Fax# e-mail:
Owner – (if different from Applicant) Name: -Same As Above- Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Billing Information Name: Stephen E. Mardigan Address: 460 Baxter Blvd City/State : Portland, ME Zip Code: 04103	Billing Information Work # Cell # 207-772-5555 Fax# e-mail:

RIGHT, TITLE OR INTEREST:

(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.

The property was previously used as an office for CN Brown Oil. It also had oil delivery trucks parked there when not in use when it was a gas station. The tanks have been removed.

PROPOSED USE: Describe the proposed use of the subject property
The property will be used as a Pre-owned Automobile Dealership.

TYPE OF CONDITIONAL USE PROPOSED (Refer To Specific Provisions Of Land Use Code Authorizing The Proposed Conditional Use).

Pre Owned Automobile Dealership - SECTION 14 - 183

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- 183

Address any specific conditional use standards for the specific use contained in the zoning code in the written submission.

APPLICATION FEES:

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

☒ 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 (\$50.00 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 and each document submitted as separate files. Naming conventions for the individual files 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:

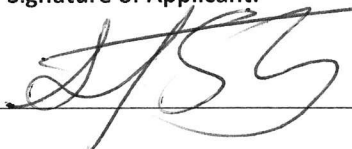
1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:

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.
		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: August 2, 2016
--	-----------------------------

Stephen E. Mardigan
460 Baxter Blvd.
Portland, ME 04103
August 2, 2016

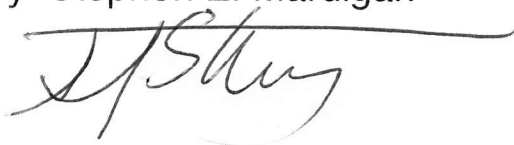
City of Portland
Planning and Urban Development Department

I, Stephen E. Mardigan, the owner of the property listed below, hereby authorize Behrouz Lashgarlou to act as a representative on my behalf at the City of Portland's Planning Board's Meeting, as well as any required matter with the City of Portland in relation to the proposed plan regarding the property located at 783 Forest Avenue, Portland, ME for the purpose of establishing a Used Auto Dealership.

Should you have any question in regards to this proposal, please contact me at 207-772-5555.

I appreciate your assistance in this matter.

Sincerely: Stephen E. Mardigan

A handwritten signature in black ink, appearing to read 'S. Mardigan', with a long horizontal flourish extending to the right.

TRUSTEE'S DEED

GERALD GROSS, in his capacity as Successor Trustee of the J.G. REALTY TRUST dated February 1, 1973 with any amendments thereto,

of 17489 Via Capri, Boca Raton, FL 33496

for consideration paid, grants to

STEPHEN E. MARDIGAN

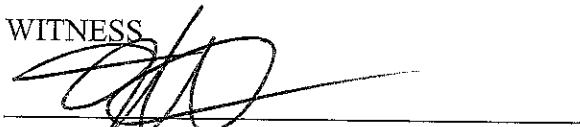
of 460 Baxter Blvd., Portland, ME 04103, with WARRANTY COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS hand and seal this 9th day of May, 2006.

WITNESS



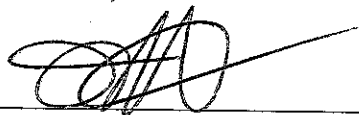

Gerald Gross, Successor Trustee of the
J.G. Realty Trust dated February 1, 1973
With any amendments thereto

State of Maine
Cumberland, ss.

May 9, 2006

Personally appeared before me the above-named Gerald Gross, Successor Trustee of the J.G. Realty Trust and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the J.G. Realty Trust dated February 1, 1973, with any amendments thereto.

Before me,



James A. Hopkinson, Attorney-at-Law

H-MARDIGAN.ST.FA

G:\CLIENTS\M\Mardigan\783.789Forest\Deed.DOC

MAINE REAL ESTATE TAX PAID

EXHIBIT A

A certain lot or parcel of land with the buildings thereon, situated on Forest Avenue in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning on the easterly side of Forest Avenue, at the southerly sideline of a parcel of land conveyed by Frederick E. Leighton to E.P. Jillson by deed recorded in Cumberland County Registry of Deeds, Book 874, Page 450; thence easterly 88 feet to the right of way of the Portland Terminal Co.; thence southerly along the westerly boundary of said Terminal Co., right of way 128 feet to land conveyed to Clifford S. Libby, et al.; thence westerly by said Libby land 68 feet to the easterly sideline of Forest Avenue; thence northerly along said sideline of Forest Avenue 134 feet to the point of beginning.

For title reference see Deed given by Gergro Realty Corp. of Maine to Laura A. MacMullin, Trustee of the J.G. Realty Trust, dated February 1, 1973 and recorded in the Cumberland County Registry of Deeds in Book 3359, Page 122.

H-MARDIGAN.ST.FA

G:\CLIENTS\M\Mardigan\783.789Forest\ExhibitA.DOC

Received
Recorded Register of Deeds
May 10, 2006 09:50:50A
Cumberland County
John B O'Brien

After Recording Return to:
Hopkinson, Abbondanza & Backer
511 Congress Street, Ste. 801
Portland, Maine 04101
(207) 772-5845

Conditional Use Analyses

August 2, 2016

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

Conditional Use Appeal for an Automobile Dealership at
783 Forest Ave

As the representative of Mr. Stephen E. Mardigan, the owner of 783 Forest Avenue, I would like to ask the planning department and the Planning Board to grant our request to authorize a conditional use of the above address to operate as a Pre-Owned Automobile Dealership.

Listed as a conditional use in section 14-183 of the zoning ordinance for B-2 Zone this property will continue to serve the neighborhood as it has since 1968. Originally Citgo Gas Station, this property has always been associated with automobiles in some way.

Most recently C.N. Brown owned the property and used it as a n oil delivery location.

The site will remain as it has with two entrance /exits that

are not within 30 feet of intersection No entrance or exit for vehicles is approximately to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of public.

The proposed conditional use is actually a traditional use along Forest Avenue. There are currently two used car dealers along Forest Avenue. This property is suited for the proposed use creating a 5 foot planted buffer in front of the property. The owner / applicant will repair the sidewalk in front of the site to City of Portland specifications. They will also add approximately 15 feet of new curb on the southern most entrance and 17 feet to the northern most entrance to make the width 24 feet as requested by the city.

The parking lot is paved and in fair condition with the City of Portland concrete sidewalks providing safe passage for pedestrians.

To the north and south of the property are commercial buildings with the railroad to rear of the property. Commercial properties are directly across the street with two residences to the south of the commercial use.

No sign is planned for the property at this time. There are two abandoned sign bases that are still in place but these will not be used at this time.

No mechanic work will take place on the parcel with limited auto detailing taking place.

Also, no dumpster is planned as the trash is currently picked up once a week by a private contractor.

We look forward to working with the planning staff in developing this conditional use.

Sincerely,

Behrouz Lashgarlou
24 Colonial Ave
South Portland, ME 04106
americanwarrior1@gmail.com
603-858-5555

Written Responses to Conditional Use Standards:

Section 14-183:

(a) Business permitted to in the B-2 zone

(a) 5. Automobile dealership

Signs:

No signs are planned on the street line side of the property.

Circulation:

The existing entrance shall be used for the dealership as shown on the attached proposed site plan. No entrance/exit are within 30 feet of any intersection. The existing entrances shall be used for the dealership as shown on the attached proposed site plan. In addition, there will be clear and visible markings on the pavement on both exit and entrance in order to inform all customers, employees, and drivers entering and or exiting the property showing that the driveway shall strictly be used as a one-way path in order to further avoid any potential hazards in relation to traffic and the overall safety of the public.

6. Drive through:

No drive through window is planned for the dealership.

(g) Conditions specific to major or minor auto service stations, car washes and automobile dealership.

i. A 5 foot wide landscape buffer is planned to be installed along the street line as shown on the attached "C-2 Proposed Site Plan".

Section 14-474

1. An application has been submitted with the appropriate fee

a. The applicant's name and address is Stephen E. Mardigan 460 Baxter Blvd. Portland, Maine 04103. Mr. Mardigan is the owner of the subject property.

b. The address of the subject property is 783 Forest Ave Portland, Maine.

c. The subject parcel falls in the B2 zone and is currently a former gas station last used as a home oil delivery office.

d. As noted above, an automobile dealership is a conditional accepted use in the B2 zone as mentioned in Section 14-183.

e. The applicant seeks to use the property or lease the property to be used as a Pre-owned automobile dealership.

f. A preliminary site plan is attached hereto.

Assessment of Zoning Compliance:

The building was constructed in 1968 with gas pumps and a canopy in front of the building. The pumps, tanks and

canopy have been removed and the site remediated. While the building does not meet the B2 zone requirement of having the building near the street it does meet setback requirements for the side and rear setbacks.

The volume of traffic will be less than the surrounding businesses as the dealership will generate an average of 5 customers a day.

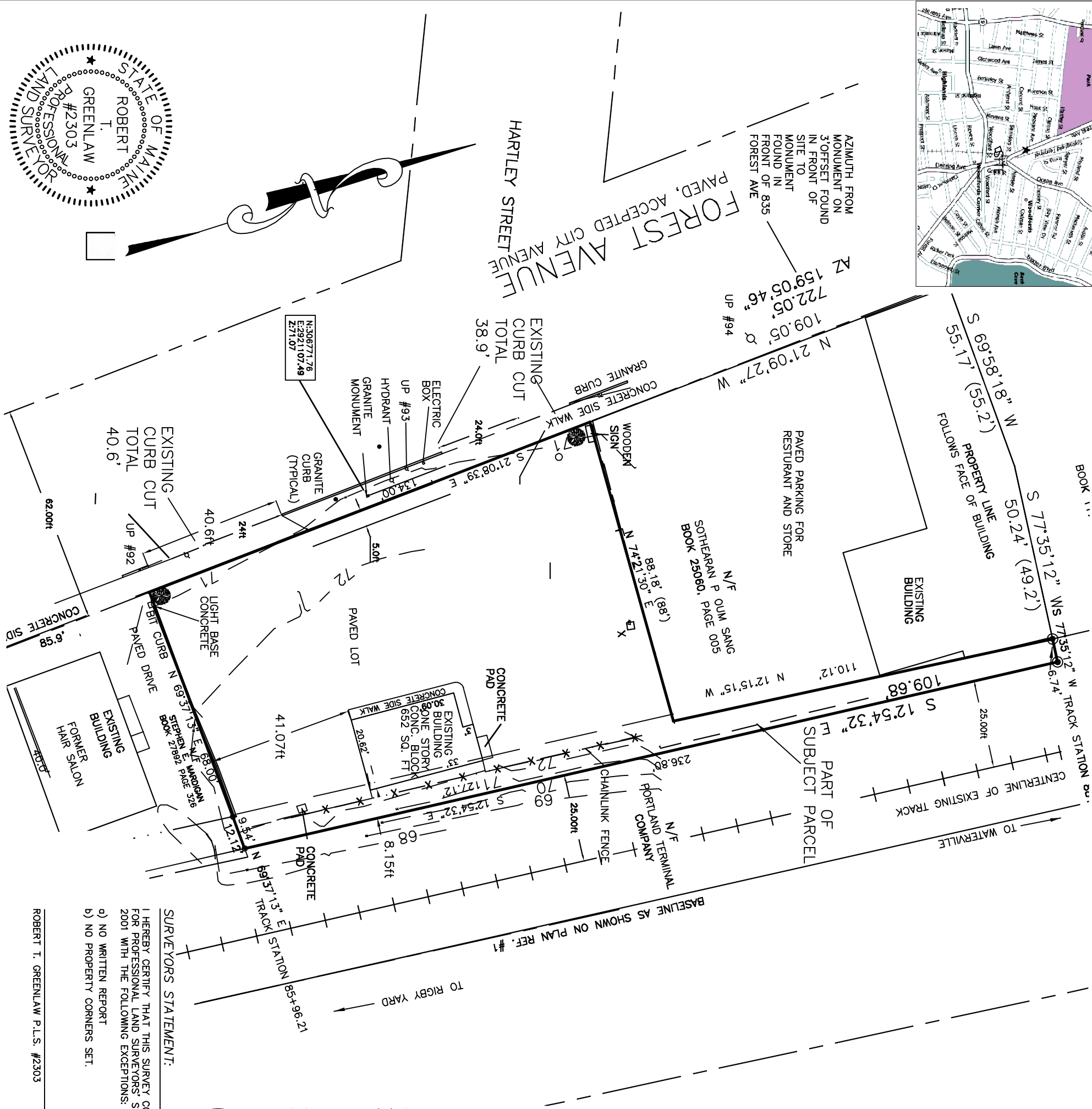
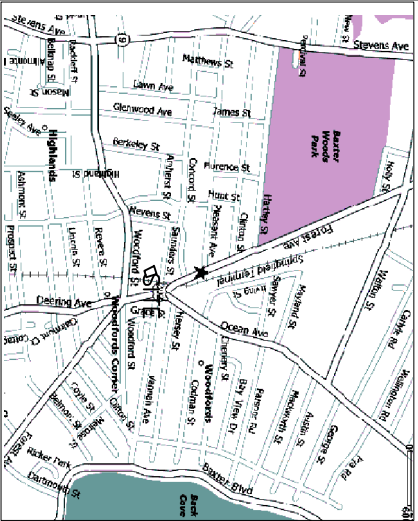
The site will have trash picked up by a private contractor once a week or as needed. Snow will be removed from the site by a private contractor. Lights shall be cut-off type lights that will not cast glare over the boundary line to abutting lots. Also the time of business shall be approximately 8:00am to 6:00pm thus limiting the activity on the site.

Evidence of Financial and Technical capacity:

A statement of Mr. Mardigan's financial capability will be submitted to the Building Inspection Department.

Required State and Federal Permits:

The State of Maine Automobile dealer's license is at its final phase of submission to the State and its final step is waiting on the Conditional Use being approved by the City of Portland.



GENERAL NOTES:

1. RECORD OWNER OF PARCEL: STEPHEN E. MARDIGAN AS RECORDED IN BOOK 25010, PAGE 160 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
2. BEARINGS ARE BASED UPON THE MAINE STATE GRID WEST ZONE 1983 DATUM. BASIS OF BEARINGS IS THE MONUMENT SHOWN HEREON IN FRONT OF THE SUBJECT PARCEL. THE COORDINATES ARE LABELED HEREON AND WERE SUPPLIED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT IN 2006.
3. THE MONUMENT THE AZIMUTH EXTENDS TO IS A 3' OFFSET MONUMENT FOUND ON THE EASTERLY SIDE OF FOREST AVENUE IN FRONT OF #835 FOREST AVE.
4. IT'S COORDINATES ARE NORTH 307446.28, EAST 2920849.86.
5. AREA OF PARCEL : 12111.3 SQ. FT., 0.28 ACRES
6. REFERENCE IS MADE TO THE FOLLOWING PLANS:
 - a.) RIGHT OF WAY AND TRACK MAP PORTLAND, MAINE CITY OF PORTLAND MAINE. VALUATION SHEET 1A, MAP 2.
 - b.) CITY OF PORTLAND MAINE STREETLINE SHEET OF FOREST AVE. DATED 3/4/27
 - c.) CITY OF PORTLAND MAINE ASSESSORS PLAN #137-BLOCK C-LOT 1.
7. ZONING: B-2 ZONE - SETBACKS: FRONT - NONE
REAR - 10 FT
SIDE - NONE
8. EXISTING PARKING: 10 9'X19' SPACES, 1-11'-19' HANDICAP SPACE. THE PARKING SPACES NOT DESIGNATED ARE FOR AUTOMOBILE DISPLAY.
9. PROPOSED 5 FOOT WIDE BUFFER SHALL CONTAIN PLANTINGS THAT CONFORM TO THE CITY OF PORTLAND ORDINANCES. NAMELY 1 2-1/2" STREET TREE NOT MORE THAN 15' FEET APART.
10. ANY WORK IN THE CITY'S RIGHT OF WAY SHALL BE CARRIED OUT IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL STANDARDS.

LEGEND

- Capped 5/8" Rebar Found
- Iron Pipe or Solid Pin Found
- ▲ Survey Instrument Point
- ▬ Abutter Line
- ▬ Property Line
- ▬ Street Line
- (50.00') Distance from reference plan or deed.
- N/F New Or Formerly
- Overhead Utility
- Utility Pole
- ▬ Edge of traveled way
- ▬ Set Back Line
- Handicap Parking Spot
- ▬ Existing Contour Line

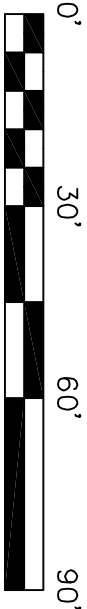
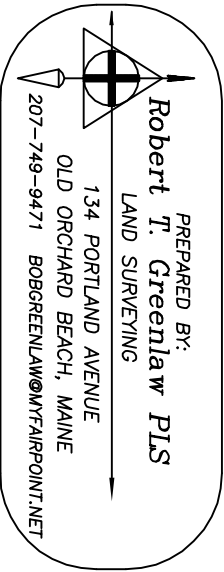
SURVEYORS STATEMENT:

I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:

- a) NO WRITTEN REPORT
- b) NO PROPERTY CORNERS SET.

ROBERT T. GREENLAW P.L.S. #2303

DATE: AUGUST 02, 2016



GRAPHIC SCALE

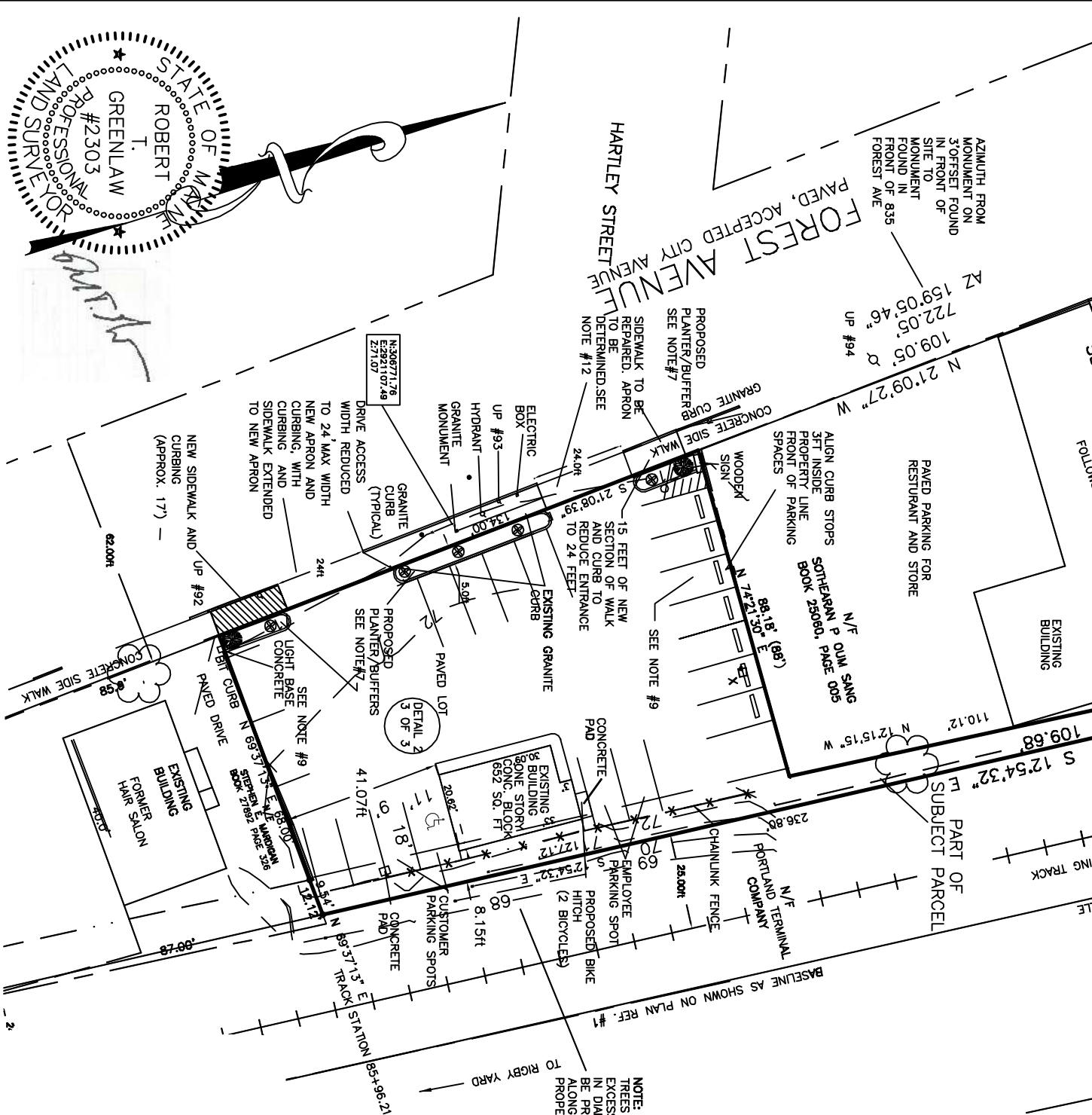
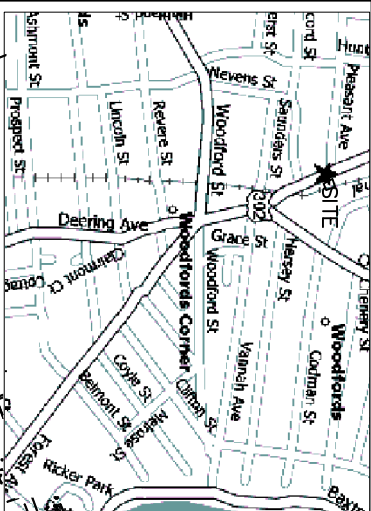
REVISED: 08-02-16. ADDED NOTE PER CITY

EXISTING CONDITIONS PLAN FOR A PROPOSED AUTO DEALER LOCATION

783 FOREST AVE. PORTLAND, ME.

FOR STEPHEN E. MARDIGAN

SCALE: 1"= 30'	DATE OF SURVEY: OCTOBER 18, 2006	
FILE # 2016009	SHEET C1 EXISTING CONDITIONS	



- CONDITIONAL REQUIREMENTS:
- EXISTING TREES TO THE REAR OF THE SITE ARE TO BE PRESERVED.
 - EXISTING LIGHTS ON THE BUILDING SHALL MODIFIED TO BE "OUT-OFF" IN TYPE AND HAVE A TIMER THAT LOWERS THE LIGHT LEVEL AT NIGHT.
 - THE APPLICANT SHALL OBTAIN A LICENSE FROM THE STATE OF MAINE BUREAU OF MOTOR VEHICLES PRIOR TO THE START OF CAR SALES.
 - EROSION CONTROL MEASURES, AS OUTLINED IN THE PEER ENGINEER COMMENTS DATED 06-30-14, BE IN PLACE PRIOR TO THE START CONSTRUCTION OF THE PLANTER AND CURBING.
 - THE STORAGE OF SNOW SHALL NOT IMPERE SIGHT DISTANCES FOR VEHICLES EXITING THE SIGHT, AND ON SITE PARKING OF VEHICLES SHOULD NOT BLOCK ACCESS AND EGRESS MOVEMENTS.
 - NO CAR REPAIRS SHALL TAKE PLACE ON THE SITE UNLESS AN ADJACENT SITE IS APPROVED BY THE PLANNING AUTHORITY.
 - ANY NEW LIGHTING SHALL BE IN COMPLIANCE WITH SITE LIGHTING REQUIREMENTS AS SET OUT IN THE CITY'S TECHNICAL STANDARD 12 SITE LIGHTING AND THE APPROVED IMPROVEMENTS PLAN.
 - SEPARATE PERMITS ARE REQUIRED FOR ANY SIGNS ON THE SITE PRIOR TO THEIR INSTALLATION.

- GENERAL NOTES:
- RECORD OWNER OF PARCEL: STEPHEN E. MARDIGAN AS RECORDED IN BOOK 25010, PAGE 160 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
 - ADDRESS OF OWNER: 460 BAXTER BLVD. PORTLAND MAINE 04103
 - APPLICANT: CHANIZ FARD 684 BAXTER BLVD. PORTLAND MAINE 04103
 - BEARINGS ARE BASED UPON THE MAINE STATE GRID WEST ZONE 1983 DATUM. BASIS OF BEARINGS IS THE MONUMENT SHOWN HEREON IN FRONT THE SUBJECT PARCEL. THE COORDINATES ARE LABELED HEREON AND WERE SUPPLIED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT IN 2008.
 - THE MONUMENT THE AZIMUTH EXTENDS TO IS A 3' OFFSET MONUMENT FOUND ON THE EASTERLY SIDE OF FOREST AVENUE IN FRONT OF #835 FOREST AVE.
 - ITS COORDINATES ARE NORTH 307°44'6.28, EAST 2920849.86.
 - AREA OF PARCEL : 12111.3 SQ. FT., 0.28 ACRES
 - REFERENCE IS MADE TO THE FOLLOWING PLANS:
 - CITY OF PORTLAND MAINE, VALUATION SHEET 1A, MAP 2.
 - CITY OF PORTLAND MAINE STREETLINE SHEET OF FOREST AVE. DATED 3/4/27
 - CITY OF PORTLAND MAINE ASSESSORS PLAN #137-BLOCK C-LOT 1.
 - ZONING: B-2 ZONE - SETBACKS: FRONT - NONE REAR - 10 FT SIDE - NONE
 - EXISTING PARKING: 10 9'X19' SPACES, 1-11'-19' HANDICAP SPACE. THE PARKING SPACES NOT DESIGNATED ARE FOR AUTOMOBILE DISPLAY/PROPOSED 19 SPACES WHICH INCLUDES ONE HANDICAP SPACE.
 - PROPOSED 5 FOOT WIDE BUFFER SHALL CONTAIN PLANTINGS THAT CONFORM TO THE CITY OF PORTLAND ORDINANCES (LOW GRASS AND SHRUBS). A MINIMUM OF TWO STREET TREES SHALL BE PLANTED ALONG THE STREET SIDE OF THE PROPERTY. TREES SHALL BE A MINIMUM OF 2-½ INCHES IN DIAMETER. REFER TO PLAN C5 FOR SPECIFICATIONS ON PLANTINGS.
 - AS NOTED IN THE N.F.P.A. SECTION 220 THIS BUILDING IS CLASSIFIED AS A TYPE III (ORDINARY) EXTERIOR PROTECTED. THE EXISTING STRUCTURE IS A SINGLE STORY STRUCTURE WITH CHNDER BLOCK WALLS. THE ONLY INTERIOR PARTITION WALL ENCLOSES THE BATHROOM. THE BUILDING IS COVERED WITH A WOOD FRAMED FLAT ROOF COVERED IN RUBBER.
 - FIRE PROTECTION IS ACHIEVED WITH TWO HARD WIRED SMOKE DETECTORS AND A FIRE EXTINGUISHER LOCATED NEAR THE FRONT DOOR. A CITY OF PORTLAND FIRE HYDRANT IS ALSO LOCATED DIRECTLY INFRONT OF THE SUBJECT PARCEL.
 - PARKING SPACES NOT MARKED CUSTOMER PARKING, EMPLOYEE OR HANDICAP ARE FOR THE DISPLAY OF CARS FOR SALE.
 - SOLID WASTE IS REMOVED FROM THE SITE ONCE A WEEK BY A PRIVATE CONTRACTOR. NO DUMPSTER IS PLANNED FOR THE SITE.
 - SNOW WILL BE REMOVED BY PRIVATE CONTRACTOR TO OFFSITE DUMP.14
 - THE FINAL DRIVEWAY APRON MATERIAL WILL BE DECIDED BY THE CITY OF PORTLAND SERVICES DEPARTMENT.
 - ANY WORK IN THE CITY'S RIGHT OF WAY SHALL BE CARRIED OUT IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL STANDARDS.

SURVEYORS STATEMENT:

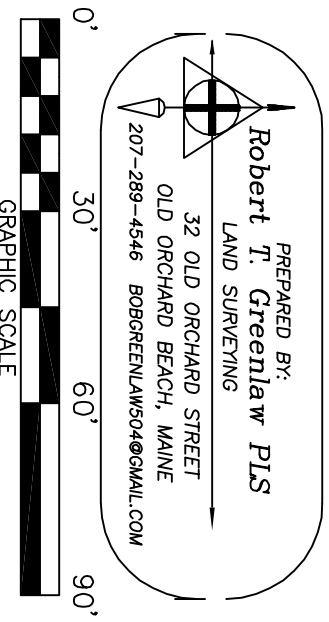
I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:

- NO WRITTEN REPORT
- NO PROPERTY CORNERS SET.

ROBERT T. GREENLAW P.L.S. #2303

DATE: AUGUST 02, 2016

- LEGEND**
- Capped 5/8" Rebar Found
 - Iron Pipe or Solid Pin Found
 - Survey Instrument Point
 - Abutter Line
 - Property Line
 - Street Line
 - (50.00') Distance from reference plan or deed.
 - N/F Now Or Formerly
 - Overhead Utility
 - Utility Pole
 - Edge of traveled way
 - Set Back Line
 - Handicap Parking Spot
 - 72 Existing Contour Line
 - New Curb
 - New City Street Tree
 - New Shrub/Low Grass



PROPOSED AUTO DEALER LOCATION

783 FOREST AVE. PORTLAND, ME.

FOR STEPHEN E. MARDIGAN

REVISD 08-02-2016: ADDED NOTE PER CITY

PLAN SHOWING IMPROVEMENTS FOR A

SCALE: 1" = 30' DATE OF SURVEY: FEBRUARY 25, 2013

FILE# 2016009 C2 PROPOSED AUTO DEALER IMPROVEMENTS

1. ANY WORK IN THE CITY'S RIGHT OF WAY SHALL BE CARRIED OUT IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL STANDARDS.

LEGEND:

⊗ SHRUB WITH LOW GRASS

MINIMUM 2-1/2 INCH DIAMETER TREE

SIDEWALK TO BE REPAIRED WITH CITY DETAILED SIDEWALK AND CURBING TO MATCH EXISTING, INCLUDING SIDEWALK TO BE IMPROVED TO SITE BOUNDARY.

PROPOSED 5 FOOT WIDE BUFFER SEE NOTE 7 ON SHEET C2

CONCRETE SIDE WALK

GRANITE CURB

NEW CURB

15 FEET OF NEW SECTION OF WALK AND CURB TO REDUCE ENTRANCE TO 24 FEET

NEW CURB

NEW CURB STOPS FOR CARS. 3' INSIDE PROPERTY LINE

EXISTING GRANITE CURB

END EXISTING CURB.

NEW CURB

NEW 5 FOOT WIDE BUFFER, LOW GRASS AND SHRUBS OVER THREE SECTIONS WITH TWO STREET TREES, MIN. 2-1/2 INCH DIAMETER

DRIVE ACCESS WIDTH REDUCED TO 24' MAX WIDTH NEW APRON AND CURBING, WITH CURBING AND SIDEWALK EXTENDED TO NEW APRON

24.0ft

17 FEET OF NEW CURB, BOTH SIDE OF WALK

PROPOSED 5 FOOT WIDE BUFFER SEE NOTE 7 ON SHEET C2

NEW CURB

SEE SHEET C3-DETAIL SHEET FOR SPECIFIED CONSTRUCTION REQUIREMENTS.

CURB & WALK DETAIL SHEET 783 FOREST AVENUE PORTLAND, MAINE
FOR: A PROPOSED AUTOMOBILE DEALER

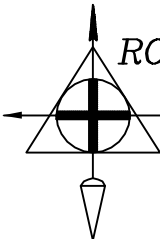
DRAWN BY: RTG	
CHECKED BY: KGG	
SCALE: NOT TO SCALE	
DATE: AUGUST 02, 2016	
JOB NUMBER: 2016009	PRINT DATE: 07/29/2016
SHEET: C4 CURB DETAILS	



PREPARED BY:
ROBERT T. GREENLAW PLS
LAND SURVEYING

32 OLD ORCHARD STREET
OLD ORCHARD BEACH, MAINE

207-210-1044 Bobgreenlaw504@gmail.com



DRAWER: 2016 NO: 009

Diagram illustrating the construction of a planter box for a tree. The planter box is shown in cross-section, containing a tree and a layer of material labeled "MINIMUM 2-1/2 INCH CITY OF PORTLAND APPROVED STREET TREES". The planter box is supported by a "5"x 8" WOOD RAILROAD TIE OR EQUIVALENT". The planter box is also labeled "GEOTEXTILE FABRIC". The planter box is shown with a "1/4 REBAR, THREE PER LENGTH OF TIMBER". The planter box is shown with a "5' OR 5'" dimension.

NOTE:
REFER TO CONTRACT FOR MORE
DETAIL MATERIAL SPECIFICATIONS

A technical diagram showing a side view of a bolted connection. A horizontal bolt passes through a vertical metal plate and a concrete pad. The concrete pad is labeled "12" X 2'" and "CONCRETE PAD". The metal plate is labeled "BOLT SECURELY TO CONCRETE". A circular detail view of the bolt head is shown to the right, labeled "METAL BIKE HITCH".

The diagram illustrates a cross-section of a drainage channel. At the top, a horizontal line represents the ground surface, with a vertical line indicating the 'FINISH NEW' level. Below this, a 'CONCRETE INVERT OR BATHING' layer is shown, with a 'DRAINAGE PAVEMENT' layer on top. The channel is defined by two sloped sides, each labeled 'SIDEWALK'. The bottom of the channel is a '1" MINIMUM STRIP (FOR RIBBON OR CONCRETE FINISH)'. The channel is flanked by two '2" FURF' (furfur) layers. On the left side, there is a '1" MINIMUM STRIP (AS SPECIFIED ON PLANS)' and a '1" MINIMUM STRIP (AS SPECIFIED ON PLANS)'. On the right side, there is a '1" MINIMUM STRIP (AS SPECIFIED ON PLANS)' and a '1" MINIMUM STRIP (AS SPECIFIED ON PLANS)'. The channel is labeled 'TYPICAL DRAINAGE CHANNEL LAYOUT'.

TYPICAL DRIVEWAY APRON LAYOUT
NOT TO SCALE

SECTION AT DRIVEWAY

BITUMINOUS SIDEWALK AND DRIVEWAY APRON CONSTRUCTION

WIDTH VALUES

[illegible]

REINFORCED CONCRETE SIDEWALK - TYPICAL SECTION
NOT TO SCALE

NOT TO SCALE

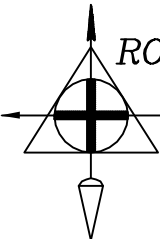
DETAIL SHEET
783 FOREST AVENUE PORTLAND, MAINE

FOR:
A PROPOSED AUTOMOBILE DEALER

DRAWN BY: RTG	
CHECKED BY: KGG	
SCALE: NOT TO SCALE	
DATE: AUGUST 02, 2016	
JOB NUMBER: 2016009	PRINT DATE: 07/29/2016
SHEET: C3 DETAILS	

PREPARED BY:
ROBERT T. GREENLAW PLS
LAND SURVEYING

32 OLD ORCHARD STREET
OLD ORCHARD BEACH, MAINE
207-749-9471 Bobgreenlaw@myfairpoint.net



DRAWER: 2016 NO: 009

A circular professional seal for Robert T. Greenlaw, a Professional Land Surveyor in the State of Maine. The seal features a double-lined circular border. Between the lines, the text "STATE OF MAINE" is written along the top arc, and "PROFESSIONAL LAND SURVEYOR" is written along the bottom arc. In the center of the seal, the name "ROBERT T. GREENLAW" is printed in a larger font, with the license number "#2303" printed directly below it. Two small five-pointed stars are positioned at the top and bottom of the central text area.



PLANNING BOARD REPORT PORTLAND, MAINE

Street Tree Text Amendment
Text Amendments to the Land Use Code

City of Portland, Applicant

Portland Planning Board Public Hearing Date: September 13, 2016	Prepared by: Jean Fraser, Planner Date: September 9, 2016
--	--

I. INTRODUCTION

The Site Plan Ordinance (Section 14-526 (b) 2. *Landscaping and Landscape Preservation*

b. *Site Landscaping* (iii) *Street Trees* requires applicants for development to plant street trees in the right-of-way (ROW) and provides a waiver where this is not feasible. In summary the waiver allows for three alternatives to a tree planted in the ROW:

- Preserve existing trees near ROW;
- Plant new trees within 10 feet of the back line of the ROW;
- Make a contribution to the City's Tree fund for any required street tree not provided (since 2010 this has been \$200 per tree).

The waiver, particularly the contribution to the Tree Fund, has been increasingly requested because applicants are not able to plant required street trees in the ROW. This has become a frequent situation largely because:

- In some parts of Portland the street trees are already closely spaced;
- The zoning setback requirements in central Portland are often "no setback" or a setback of 5 feet, so any new building would crowd out new street trees, and preserved or new trees could not be located in the setback;
- In the more urban redevelopment locations it is difficult to achieve the 5 ft wide sidewalk to meet ADA requirements, while at the same time providing tree wells of sufficient size for tree health.

Staff presented a Memo to the Board on August 9, 2016 which suggested that the waiver be converted to a requirement that can be met in a number of specified ways and reviewed by staff, who would give comments and recommendations as with other site plan requirements. This approach recognized that the requirement for waivers was a cumbersome approach when the constraints are recognized and acceptable alternatives can be identified.

The PB Memo suggested a text amendment ([Attachment 1](#)) that modified the existing ordinance text to identify "acceptable alternatives" to preserving/planting a required street tree. The text added the option of a "green screen" as a potential alternative for a street tree under certain circumstances. At the Workshop the majority of the Board members were not supportive of the "green screen" option and requested that staff look at a number of other options.

This Report provides additional information on the issues/questions that came up during the discussion and sets out a revised text amendment (and associated Technical Standards) for the Board's consideration.

II. PUBLIC COMMENTS

There was one public comment from Will Savage of Acorn Engineering ([Attachment 2](#)) on the previous Memo/suggested text amendment. This was discussed at the Workshop and Mr Savage's suggestion is considered further below.

The legal ad for this hearing appeared in the *Portland Press Herald* on September 5th and 6th, 2016. To date the Planning office has not received any other public comments.

III. PLANNING BOARD WORKSHOP DISCUSSION AND ADDITIONAL BACKGROUND INFORMATION

The Planning Board Workshop discussion raised a number of issues that staff undertook to explore further. Staff have discussed these with Jeff Tarling, the City Arborist and the revised text amendment has incorporated a number of the staff suggestions as outlined below.

Objective and function of street trees

Staff noted that the purpose and function of street trees was not set out in the Site Plan standards nor in the associated Technical Standards for street trees. The City's Code of Ordinances Chapter 29 *Vegetation* Article II *Trees* clearly reflects the City's objectives of promoting "public trees" and includes the following:

Sec. 29-17 Authority of the city arborist

(a) The city arborist shall have the authority to regulate the planting, maintenance, preservation and removal of trees and shrubs in all public places for the benefit and welfare of the public and to protect and preserve the symmetry and beauty of such trees and public places."

Other municipalities eg Boston have described street trees as helping to define streets and having an urban design function and being an important component of the urban forest ecosystem. The City of Portland Energy and Sustainability Committee sees street trees as important in increasing the tree canopy over the City as a way of providing shade and reducing energy consumption.

Location of street trees if not in the Right-of Way

The suggestion from Will Savage (for street trees on abutting land - [Attachment 2](#)) raised a number of issues to do with the risk of the trees disappearing in the future if planted on private land not subject of a site plan. This risk is contrasted with the fact that trees in the right of way are generally "protected" by virtue of the location, and their longevity is more assured because the City has identified all street trees on a GIS data base and has a capital budget for ongoing maintenance (after they are established).

The introduction of easements or deed references to try and secure protection of a tree on private property that has been planted to meet the street tree requirement is seen as overly complicated and unworkable. The Board and staff concluded that it is preferable that an option be clarified to allow the street tree to be located on public land (including parks, play grounds, school property etc) rather than private land wherever possible.

In the context of this discussion it is worth noting that trees planted on or abutting a development site and not in the public realm are often required/proposed to address other Site Plan landscape objectives (set out separately in the Site Plan Ordinance) that require landscape buffering and screening. The use of "green screens" also addresses the buffering/screening landscape objective rather than those of street trees.

Costs of planting new street trees

Where applicants have contributed to the Tree Fund this has been used by the City Arborist to cover the costs of acquiring trees to replace and expand the street tree network in the neighborhoods where development is occurring. The Tree Fund has not been used to cover the full cost of planting the tree nor the more intense early period of maintenance and watering. The full costs would be up to \$300 for the tree itself, plus approximately another \$400 for planting and maintenance. Therefore a contribution to the Tree Fund for a new tree of, say, \$400 would still not cover all of the costs and remains a "contribution".

Street Tree survival and longevity

The City Arborist has noted that maintenance - both costs and ensuring that it is carried out- is a key concern and that ideally the ordinance should be strengthened to address current concerns.

The amended street tree ordinance could address these concerns by:

- Promoting “best practice” techniques for street tree planting that ensure adequate water and root protection for the newly planted street trees so to improve the long term viability of the street tree and reduce the initial and ongoing maintenance costs. These could include irrigation, structure soils, Silva cells, raised planters and similar. The capital costs for such measures is considerable (for example, a raised granite tree planter can be \$1200). It is suggested that the street tree ordinance could provide an incentive to encourage the developer to make this additional investment in association with the planting of street trees along the frontage of the site, and that this could be balanced against the total number of trees.
- Clarifying that Tree Fund expenditures could include the costs for early establishment of new trees (where necessary in addition to the Defect Guarantee) or replacement of old trees. This would help offset the maintenance cost of establishing a young tree, and the costs of replacing trees that are at the end of their lives. Staff suggest that the text amendment/technical standards could identify this need and confirm that maintenance costs could utilize up to 15% of the annual Tree Fund contributions.

Costs of Replacing Heritage and Feature trees

In thinking about the cost of replacement of street trees removed by development (as distinct from the cost of planting new street trees) the City Arborist has noted that the value of particular species (termed “Heritage Trees”) and mature “feature” trees is more than the replacement cost of a new tree. The GIS identifies most of these trees and the City Arborist is responsible for facilitating their preservation (see Chapter 29 *Vegetation* Article II *Trees*).

Other cities (eg Portland, Oregon) have required a larger Street Tree contribution for a tree that replaces an existing important street tree- partly to discourage unnecessary loss of fine trees. Given the increasing pressure on existing street trees and frequent removal of mature trees for driveways or because of the proximity of new buildings, staff suggest the higher replacement cost might be incorporated into the text amendment/technical standards.

IV. PROPOSED AMENDMENTS

The text amendment has been revised since the PB Workshop to:

- Remove reference to a “green screen” being an alternative to a street tree;
- Add three new alternatives that could be counted towards the street tree requirement subject to the provisions;
- Clarified that the contribution to the Tree Fund would be where other alternatives were not feasible and would include a contribution toward maintenance; and
- Address the need to encourage the preservation of “heritage” and feature mature trees (as identified by the City Arborist) with a higher replacement cost if these were proposed to be removed.

The amended text is below (underlined is new text; ~~strike through~~ text is from the current site plan ordinance wording):

Proposed Changes to the Site Plan Ordinance (Section 14-526 (b) 2. Landscaping and Landscape Preservation
b. Site Landscaping (iii) Street Trees

(iii) *Street Trees:*

- (a) All development shall include street trees in numbers and locations as specified in Section 4 of the Technical Manual. Street trees shall be planted in the right of way, as specified in Section 4 of the Technical Manual, except where section b) below applies. Street trees shall be of a species identified on the City of Portland Recommended Tree List, unless otherwise approved by the Portland City Arborist or his/her designee.
- (b) ~~Waiver.~~ Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City right of way, the Reviewing Authority may permit the following to be counted towards the street tree requirement, subject to the detailed standards set out in the Technical Manual;
- i. The planting of new street trees on public land or facilities in the neighborhood where a reasonable chance of good health and longevity is documented.
 - ii. The provision of measures to enhance tree survival (such as raised planters, irrigation and structural soils, as recommended by the City Arborist) in association with a street tree will be counted towards the total street tree requirement based on the cost of the measure divided by the current street tree contribution for a new tree.
 - iii. The preservation of existing ~~preserved~~ healthy trees that are six (6) inches or more in caliper, visible from the right-of-way and on the site within ~~ten (10)~~ twenty feet of the property line. ~~may be counted towards this requirement.~~
 - iv. The planting of street trees ~~in the front yard~~ where visible from the right-of-way on the site and within ~~ten~~ twenty feet of the property line.
 - v. The installation of other planted features in the right-of- way or within 10 feet of the right-of-way and visible from the right-of-way, which are documented to the satisfaction of the City Arborist and Planning Authority to meet the objectives of street trees and to be feasible, viable and long term street features.
 - vi. ~~If planting street trees is neither feasible in the City right of way nor within the site, the applicant shall contribute to the City of Portland Tree Fund an amount proportionate to the cost of required street trees. A contribution for each required street tree may be made into the City of Portland's Tree Fund as outlined in the Technical Manual where the other alternatives are not feasible. The contribution would primarily be for new trees in the neighborhood of the development, but would include an element of maintenance.~~
 - vii. Where the proposed development includes the removal of an existing street tree determined by the City Arborist to be a "Heritage" or feature tree, the applicant shall be required to contribute to the Tree Fund at the designated rate in the Technical Manual so that the total replacement cost is significantly higher than planting a new street tree/contributing for a new street tree.

V. ASSOCIATED AMENDMENTS TO THE TECHNICAL STANDARDS

Attachment 3 sets out amendments to the Technical Standards that augment and support the suggested text amendments above. The Planning Board is requested to approve the amendments as these do not require City Council approval.

The Technical Manual amendment includes a number of technical clarifications and specifies that Tree Fund contribution levels. It is suggested that \$400 would be the revised “regular” Tree Fund contribution (per tree) and \$100 per inch diameter for the Tree Fund would be the contribution where a “heritage” or feature mature tree is removed. If the applicant is supplying the replacement tree for a removed “heritage” or feature tree, the required Tree Fund contribution would be \$100 per inch diameter (of removed tree) less \$400.

VI. CONSISTENCY WITH COMPREHENSIVE PLAN

The Comprehensive Plan includes the adopted “*Green Spaces, Blue Edges: An Open Space and Recreation Plan for the City of Portland*” (1995, updated 2001) which includes policies to promote tree preservation and planting in the public realm.

VII. STAFF RECOMMENDATION

The text amendment has been expanded to address the Planning Board Workshop discussion which suggested a number of additional alternatives to street trees planted in the right-of-way, and also highlighted related issues linked to street tree survival and longevity and preservation of existing important street trees.

Staff recommend that the Planning Board find the proposed text amendments to the Site Plan Ordinance (Section 14-526 (b) 2. *Landscaping and Landscape Preservation b. Site Landscaping* (iii) *Street Trees*) to be consistent with the Comprehensive Plan and recommend to the City Council adoption of the proposed text amendments. Staff also recommend that the Planning Board approve the associated amendments to the Technical Manual in respect of the section pertaining to street trees.

VIII. PROPOSED MOTION

On the basis of the material provided in this report, public testimony, a review of current operation and applicable policies, Portland’s Comprehensive Plan, the information provided at the Planning Board meetings:

A. Text Amendments to Site Plan Ordinance (Section 14-526 (b) 2. *Landscaping and Landscape Preservation b. Site Landscaping* (iii) *Street Trees*)

That the Planning Board finds that the proposed text amendments to Section 14-526 (b) 2. *Landscaping and Landscape Preservation b. Site Landscaping* (iii) *Street Trees* as presented in this Report **[are or are not]** consistent with the Comprehensive Plan for the City of Portland; and

Therefore, the Planning Board **[recommends or does not recommend]** to the City Council approval of the zoning text amendments to Section 14-526 (b) 2. *Landscaping and Landscape Preservation b. Site Landscaping* (iii) *Street Trees*.

B. Amendments to the City or Portland Technical Manual Section 4- *Landscaping and Landscape Preservation*

That the Planning Board **approves/does not approve** the amended text for the Section 4.6 *STREET TREES* as set out in Attachment 3 to this Report.

Attachments:

1. Amended text as considered at the August 9, 2016 PB Workshop
2. Public Comment from Will Savage 8.9.2016
3. Proposed Amendments to Technical Standards for Street Trees (extract from Section 4)

DRAFT TEXT DISCUSSED AT 8.9.16 P B WORKSHOP- NOW SUPERCEDED**Red-lined:****(iii) Street Trees:**

- (a) All development shall include street trees in numbers and locations as specified in Section 4 of the Technical Manual. Street trees shall be planted in the right of way, as specified in Section 4 of the Technical Manual, ~~except~~except where section (b) below applies. Street trees shall be of a species identified on the City of Portland Recommended Tree List, unless otherwise approved by the Portland City Arborist or his/her designee.
- (b) ~~Waiver.~~ Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City right of way, the Reviewing Authority may permit the following to be counted towards the street tree requirement:
- ~~the~~The planting of street trees ~~where visible from the right-of-way in the front yard,~~ within thirty (30)~~ten~~ feet of the property line; and/or
 - The ~~preservation of e~~Existing ~~preserved~~ healthy trees that are six (6) inches or more in caliper, visible from the right-of-way and are on the site within thirtyten (4030) feet of the property line; ~~may be counted towards this requirement. And/or~~
 - Where the overall street tree requirement is greater than four (4) street trees, the planting of a green screen of at least 35 sq. ft. may be substituted for one street tree. The location, species and planting methods shall be in accord with Section 4 of the Technical Manual. A maximum of two (2) green screens per lot may be counted toward the street tree requirement; and/or
 - A contribution for each required street tree into the City of Portland's Tree Fund where the other alternatives are ~~If planting street trees is~~ neither feasible in the City right of way nor within the site, ~~the applicant shall contribute to the City of Portland Tree Fund an amount proportionate to the cost of required street trees. The amount of the contribution per street tree shall be as set out in Section 4 of the Technical Manual.~~

Clean and proposed for adoption:**(iii) Street Trees:**

- (a) All development shall include street trees in numbers and locations as specified in Section 4 of the Technical Manual. Street trees shall be planted in the right of way, as specified in Section 4 of the Technical Manual, except where section (b) below applies. Street trees shall be of a species identified on the City of Portland Recommended Tree List, unless otherwise approved by the Portland City Arborist or his/her designee.
- (b) Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City right of way, the Reviewing Authority may permit the following to be counted towards the street tree requirement:
- The planting of street trees where visible from the right-of-way within thirty (30) feet of the property line; and/or
 - The preservation of existing healthy trees that are six (6) inches or more in caliper, visible from the right-of-way and are on the site within thirty (30) feet of the property line;

and/or

- Where the overall street tree requirement is greater than four (4) street trees, the planting of a green screen of at least 35 sq ft may be substituted for one street tree. The location, species and planting methods shall be in accord with Section 4 of the Technical Manual. A maximum of two (2) green screens per lot may be counted toward the street tree requirement; and/or
- A contribution for each required street tree into the City of Portland's Tree Fund where the other alternatives are neither feasible in the City right of way nor within the site. The amount of the contribution per street tree shall be as set out in Section 4 of the Technical Manual.

Attachments:

1. City Arborist comments
2. Draft Amendments to Technical Standards for Street Trees (extract from Section 4)



Yes, Google's good here.

Barbara Barhydt <bab@portlandmaine.gov>

Street Tree Waiver - Public Comment

1 message

William Savage <wsavage@acom-engineering.com>

Tue, Aug 9, 2016 at 2:53 PM

To: "Stuart \"Tuck\" O'Brien (sgo@portlandmaine.gov)" <sgo@portlandmaine.gov>, Barbara Barhydt <BAB@portlandmaine.gov>

Barbara,

As the owner of 120A Brackett St and Acorn Engineering I would like to offer my support for the proposed Street Tree Text Amendment. For multi-family residential developments within the R-6, the required minimum number of street trees, when combined with the spacing requirements of thirty to forty five feet typically exceed the property line street frontage (Section 4.6.1). Take a forty by eighty foot lot in the East End. The net residential density would allow for four units but the street frontage (forty feet) would only allow for one tree to meet the spacing requirements once you include the driveway.

I would suggest one additional alternative. With a written agreement the ability to plant street trees on adjacent properties within 500 ft of the subject parcel and within twenty feet of the street frontage. The goal is to be able to plant trees within the neighborhood of the proposed development versus a contribution to the Tree Fund.

Best,

Will Savage, PE**Principal**

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4.6 STREET TREES: [Underlined is proposed new text]

Arrangement and spacing of trees proposed in the City Right of Way shall be coordinated with the Portland City Arborist or their designee. If it is determined by the City Arborist that there is not adequate space or conditions for street trees in the public right of way or if there is a conflict between the location of proposed street trees and the location of existing or proposed underground utilities, the required number of street trees shall be provided on private property or through a contribution to the City of Portland Tree fund as specified in para 4.6.4. ~~within 10 feet of the property line along the street frontage.~~ Tree species shall be selected according to the City of Portland recommended tree list (Figure IV-1). Trees proposed in the sidewalk shall be planted with approved tree planters or grates, as shown in figure IV-6.

4.6.1 Residential Development:

Single-family residential: Single-family residential developments shall provide a minimum of two (2) street trees per unit, planted in the City right of way unless otherwise approved and spaced twenty-five (25) to thirty-five (35) feet on center.

Multi-family residential: Multi-family residential developments shall provide a minimum of one tree per unit, planted in the City right of way unless otherwise approved and spaced thirty (30) to forty five (45) on center.

Single-family residential subdivisions: Single-family residential subdivisions shall provide a minimum of two (2) trees per lot, planted in the City right of way unless otherwise approved and spaced thirty (30) to forty five (45) feet on center.

Standards for Manufactured Housing: Where manufactured housing is proposed within traditional single family subdivision or within a manufactured housing park, landscaping for such housing shall comply with the standards as set forth in Section 14-499.5 of the City Code- Additional Requirements for Manufactured Housing Parks.

Where a single family, single component manufactured house is sited in a residential zone, landscaping and street tree requirements shall correspond to the standards for single-family residential development of the City Code and of this section.

4.6.2 Planned Residential Unit Developments (PRUDs): Where a manufactured housing park or subdivision is also a planned residential unit development (PRUD), the development shall provide a minimum of two (2) street trees per unit, planted within 8-10 ft of the City right of way and/or private roadway proposed as part of the development.

4.6.3 Commercial, Industrial and Institutional Development: Commercial, industrial and institutional developments shall provide street trees thirty (30) to forty five (45) feet apart on center in the City right of way along all street frontages unless otherwise approved.

(NEW) 4.6.4 Street tree alternatives: The Site Plan Ordinance Section Section 14-526 (b) 2. Landscaping and Landscape Preservation b. Site Landscaping (iii) Street Trees states that where the applicant can demonstrate that site constraints prevent the planting of required street trees in the City right of way, the Reviewing Authority may permit the following to be counted towards the street tree requirement. The alternatives to a street tree in the ROW should help achieve the objectives of a street tree and contribute to the street environment. The following specifications are provided to guide the applicant; the acceptability of the alternative to a street tree shall be at the discretion of the City Arborist.

- a. The preferable location for new street trees that can not be located in the ROW along the frontage of the site is on public land or facilities elsewhere in the neighborhood. Locations may include esplanades and sidewalks in the neighborhood, and also places such as parks, playgrounds and other areas where the public benefit would be derived from the addition of new trees. Evidence that the planting site was unlikely to be redeveloped in the near future and that the trees would be protected and looked after would also be required.
- b. The requirement for street trees may be met by incorporating measures to enhance tree survival (such as raised planters, irrigation and structural soils where these have been recommended and agreed by the City Arborist. The objective is to improve the likelihood of the new tree becoming established and to reduce the need for costly maintenance in the future. The cost of the agreed measure(s) would be the basis for the calculation, as follows:

$$\frac{\text{Cost of measure(s)}}{\text{Contribution currently assessed for a new street tree}} = \text{\# of street tree equivalent}$$

4. c. Existing healthy trees that are six (6) inches or more in caliper, visible from the right-of-way and on the site within 20 (twenty) feet of the property line may be counted as street trees. Plans for the protection and preservation of these trees during construction shall be included as part of the development review.
- d. New street trees may be planted where visible from the right-of way within 20 (twenty) feet of the property line, subject to the species being appropriate to the location and from the Recommended Tree List (Figure IV-1). Applicants should note that trees planted within the site would be subject to the Performance Guarantee Defect Period provisions and should be documented on deed plans for future preservation.

Add e. here from below

- ~~d.~~ e. Where the other alternatives are demonstrated to be not feasible, a contribution for each required street tree may be made into the City of Portland's Tree Fund in accordance with the table below. The contribution would be used by the City to provide street trees in the right-of-way or in the neighborhood of the proposals site. The contribution would be considered a "one-time" Infrastructure Contribution which is payable prior to the issuance of a building permit. It should be noted that at least 85% of the Tree Fund would be allocated towards new trees and 15% towards maintenance to ensure trees get established or to replace failing trees.

<u>Contribution for new street tree</u>	<u>\$400</u>
<u>Contribution for tree to replace "heritage" or feature mature tree</u>	<u>\$100 per inch diameter of the removed existing "heritage" or feature mature tree</u>
<u>Contribution where applicant plants a tree to replace "heritage" or feature mature tree</u>	<u>\$100 per inch diameter of the removed existing "heritage" of feature mature tree less \$400</u>

e. Where the option to install other planted features is being considered, applicants will need to submit comprehensive information and document that the proposal would fully meet the ordinance requirements.