

1. Legal Ad

Documents:

[PB LEGAL AD 2-28-17.PDF](#)

2. Agenda

Documents:

[PB AGENDA 2-28-17.PDF](#)

3. 1700 Westbrook Street

3.I. Memo And Attachment

Documents:

[WESTBROOK ST. - 1700 \(MEMO AND STAFF ATTACH.\).PDF](#)

3.II. Applicants Submittal

Documents:

[WESTBROOK ST. - 1700 \(APPLICANTS SUBMITTAL\).PDF](#)

3.III. Public Comment

Documents:

[WESTBROOK ST. - 1700 \(PUBLIC COMMENTS\).PDF](#)

3.III.i. Additional Public Comment

Documents:

[ADDITIONAL PUBLIC COMMENT 32-42.PDF](#)

3.IV. Plans

Documents:

[WESTBROOK ST. - 1700 \(PLANS\).PDF](#)

4. 161 York Street

4.I. Report

Documents:

[YORK ST - 161 \(REPORT\).PDF](#)

4.II. Staff Attachments

Documents:

[YORK ST. - 161 \(STAFF ATTACHMENTS\).PDF](#)

4.III. Applicants Submittal

Documents:

[YORK ST. - 161 \(APPLICANT SUBMITTAL\).PDF](#)

4.IV. Public Comment

Documents:

[YORK ST. - 161 \(PUBLIC COMMENTS\).PDF](#)

4.IV.i. Additional Public Comment

Documents:

[ADDITIONAL PUBLIC COMMENT 4.PDF](#)

4.V. Plans

Documents:

[YORK ST. - 161 \(PLANS\) 1 OF 3.PDF](#)

[YORK ST. - 161 \(PLANS\) 2 OF 3.PDF](#)

[YORK ST. - 161 \(PLANS\) 3 OF 3.PDF](#)

5. 158 Fore Street

5.I. Report And Attachments

Documents:

[FORE ST. - 158 \(REPORT AND ATTACHMENTS\).PDF](#)

6. Text Amendments To Definitions For Dwelling And Use

6.I. Report And Attachments

Documents:

[SHORT TERM RENTALS PLANNING BOARD REPORT 02.16.2017.PDF](#)

7. Additional Communication - Re: Draft Institutional Overlay Zone

Documents:

[2\\_28\\_17 IOZ\\_PB\\_COMMUNICATION.PDF](#)



**LEGAL ADVERTISEMENT  
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will meet on Tuesday, February 28, 2017, Council Chambers, 2<sup>nd</sup> Floor, City Hall, 389 Congress Street.

**Public comments will be taken for each item on the agenda during the estimated allotted time and written comments should be submitted to [planningboard@portlandmaine.gov](mailto:planningboard@portlandmaine.gov)**

**Workshop – 4:30 p.m.**

- i. R-1 to R-3 Map Amendment; 1700 Westbrook Street; Camelot Holdings, LLC., Applicant. (4:30 p.m. estimated time) The Board will consider a map amendment from R-1 to R-3 to allow the development of the 45-acre site into a traditional single-family development with approximately 95 house lots and preservation of open space along the Stroudwater River.

**Public Hearing – 7:00 p.m.**

- i. Level III Site Plan and Subdivision; 161 York Street; York Street Redevelopment, LLC., Applicant. (7:00 –7:30 p.m. p.m. estimated time) The Board will consider a proposed 11 unit residential project which includes 22 parking spaces and access to parking will be from York Street and Guilford Court. The project is located within the R-6 zone and will also be reviewed under the Conditional Use Application to meet Ensure Workforce Housing requirements.
- ii. Level III Subdivision Plan, 158 Fore Street, Portland Norwich Group, Applicant. (7:30 -8:00 p.m. estimated time) The Planning Board will consider a Subdivision application to divide a vacant lot into three lots at 158 Fore Street. The lot is adjacent to the AC Hotel that is currently under construction. The three new lots are for future residential and commercial buildings. The property is within the India Street Form Based Code zone.
- iii. Text Amendments to Definitions for Dwelling and Use, City of Portland, Applicant. (8:00 p.m. estimated time) The Planning Board will consider texts amendment to Section 14-47. Definitions, which are part of a larger effort to clarify regulations governing Short Term Rentals. The proposed amendments within Chapter 14, Article III revise the definitions of "Dwelling" to allow for the occupancy of dwellings for less than 30 days (subject to related proposed amendments in Chapter 6) and revise use to state that the use of a property is not altered solely as a result or the property be rented on a transient or long-term basis. Clarifications are also proposed to the "Lodging House" and "Bed and Breakfast" definitions to differentiate these uses from Short Term Rentals.

**ELIZABETH BOEPPLE, CHAIR - PORTLAND PLANNING BOARD**

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

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

### AGENDA PORTLAND PLANNING BOARD MEETING

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#### **PUBLIC HEARING – 7:00 p.m.**

##### **1. ROLL CALL AND DECLARATION OF QUORUM**

##### **2. COMMUNICATIONS AND REPORTS**

##### **3. REPORT OF ATTENDANCE AT THE MEETING HELD ON FEBRUARY 14, 2017:**

Workshop: Boepple, Dundon, Eaton, Morrisette, Nichols (4:40 pm), Stanley and Whited present.

Public Hearing: All members present.

##### **4. REPORT OF DECISIONS AT THE MEETING HELD ON FEBRUARY 14, 2017:**

- i. B-2 Text Amendments, Maine Craft Distilling, Applicant. Dundon moved and Morrisette seconded a motion to find the proposed text amendments to the B-2 zone, Sections 14-182, 183, 184 and 185 are consistent with the comprehensive Plan and to recommend to City Council adoption of the amendments that create a table of permitted and conditional uses, performance based uses, a waiver of maximum front setbacks for utility and alternative energy uses. Vote: 7-0.
- ii. 117 Auburn Street, Zoning Map Amendment from B-2 and R-3 to Residence Professional, Macdermot, LLC Applicant. Dundon moved and Morrisette seconded a motion to find the proposed map amendments to the Residence Professional Zone at 117 Auburn Street is consistent with the Comprehensive Plan and to recommend to City Council adoption of the map amendment. Vote: 7-0.
- iii. Level III Site Plan and Subdivision; 54 Housing Units and Commercial Space; 75 Chestnut Street; Lou Woods representing A & M Partners, Inc., Applicant. Dundon moved and Morrisette seconded a motion to find the revised elevations to meet the condition of approval for compliance with the B-7 design standards, subject to one condition. Vote: 7-0

- iv. Zoning Determinations, Zoning Text Amendment, City of Portland, Applicant. Dundon moved and Morrisette seconded a motion to find the proposed text amendments to eliminate the zoning determination fee, Section 14-465, is consistent with the comprehensive plan and to recommend adoption of the amendment to City Council. Vote: 7-0.

## 5. NEW BUSINESS

- i. Level III Site Plan and Subdivision; 161 York Street; York Street Redevelopment, LLC., Applicant. (7:00 –7:30 p.m. p.m. estimated time) The Board will consider a proposed 11 unit residential project which includes 22 parking spaces and access to parking will be from York Street and Guilford Court. The project is located within the R-6 zone and will also be reviewed under the Conditional Use Application to meet Ensure Workforce Housing requirements.
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# Memorandum

## Department of Planning and Urban Development

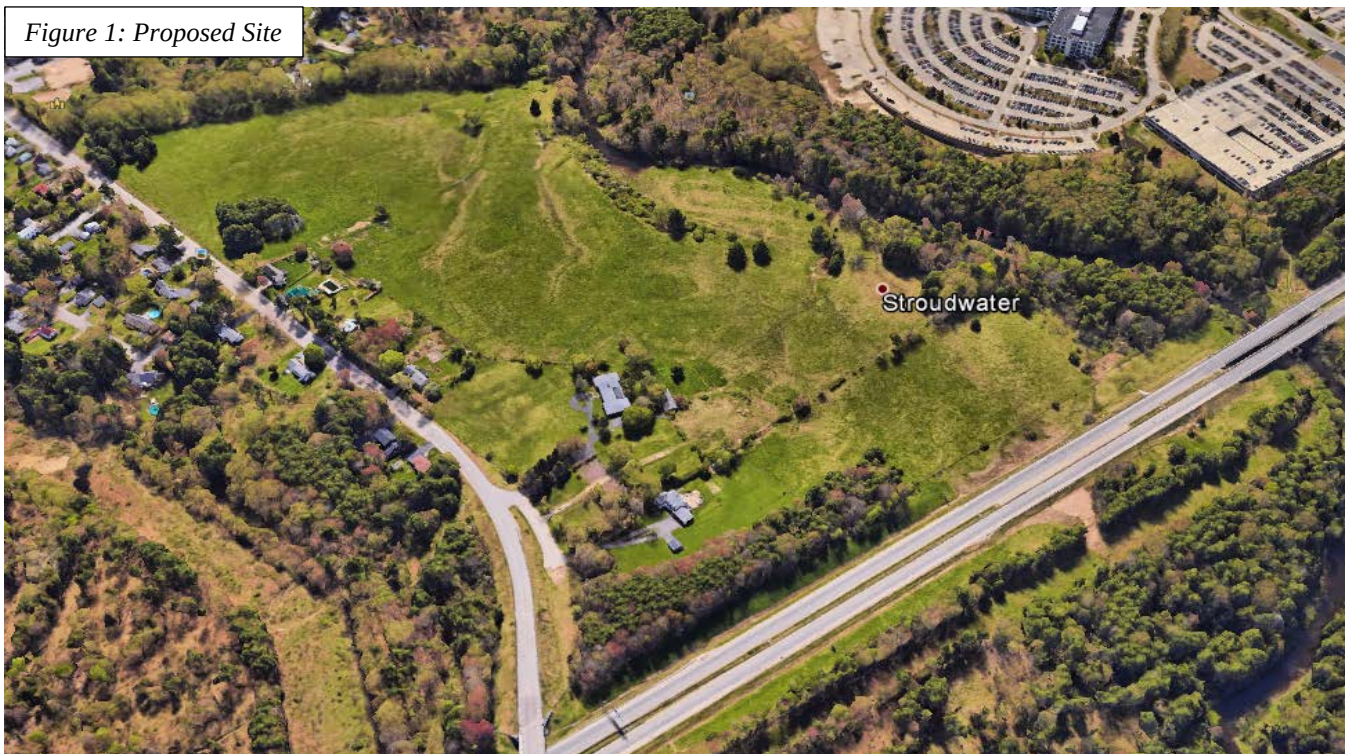
### Planning Division

To: Elizabeth Boapple, Chair and Members of the Portland Planning Board  
From: Shukria Wiar, Planner  
Date: February 24, 2017  
Re: Camelot Farm, 1700 Westbrook Street, Camelot Holdings, LLC  
Project: 2016-282 CBL: 229 A002 001  
Meeting Date: February 28, 2017

#### I. INTRODUCTION

Camelot Holding LLC has requested a Planning Board workshop to consider proposed rezoning from Residential R-1 to Residential R-3 for the property at 1700 Westbrook Street, commonly referred to as Camelot Farms. The proposed zoning amendment would enable the applicant to construct one hundred (100) lot subdivision of which ninety-six (96) lots will be for single-family homes and four will be open space lots. The intent and purpose of the rezone is for the proposed development to have smaller-scaled residential lots, while providing more green space directly along Westbrook Street and the Stroudwater River.

Figure 1: Proposed Site



The first workshop was held on January 17<sup>th</sup>, 2017. Since this workshop, the applicant has purchased the rear portion of the parcel as 1714 Westbrook Street, the vacant strip of land between the proposed site of the rezone and the turnpike. The applicant has requested this parcel also be part of the rezone application. The Planning Board members at the January workshop asked the applicant to provide more information regarding their request and noted there were a number of concerns to be addressed for the second workshop submission:

- What is the full buildout under R-2 zone concept;
- What is the full buildout of the R-3 zone concept;
- What are the details of the open space and public access.

**Applicant and Property Owner:**  
**Engineer:**

Camelot Holdings LLC  
William Savage, Acorn Engineering Inc.

## II. PUBLIC COMMENT

Notices were sent to ninety-five (95) residents and the interested citizen list. The notice also appeared in the Portland Press Herald on January 9<sup>th</sup> and 10<sup>th</sup>, as well as being posted on the City's web page. The applicant has held two introductory neighborhood meetings in September and December and a meeting with the Stroudwater Village Association Board on January 9, 2017. As part of this application, a neighborhood meeting was held on January 24, 2017. The neighborhood meeting packet and minutes are included in the Applicant's Submittals G.

There been ten additional public comments that have been received by the Planning Office since the workshop, see Attachment PC20 to PC29.

## III. PROJECT DATA

|                         |                                                                           |
|-------------------------|---------------------------------------------------------------------------|
| Existing Zoning         | Residential R-1                                                           |
| Proposed Zoning         | Residential R-3                                                           |
| Existing Use            | One Single-family                                                         |
| Proposed Use            | 96 single-family lots and four open spaces lots                           |
| Parcel Size             | ~27.6 acres for original parcel and roughly 45 acres with the new parcel. |
| Impervious Surface Area |                                                                           |
| -Existing               | 20,884 SF                                                                 |
| -Proposed               | 275,424 SF                                                                |

## IV. EXISTING CONDITIONS

The Camelot Farm parcel is approximately 45 acres on five different parcels. The property is a pastureland with frontage along Westbrook Street, and extends to the Maine Turnpike and Stroudwater River. Presently the parcel has a single-story ranch house and a small barn on it, built in 1961. Most of the site consists of cleared fields used historically as farmland and pastures. The property directly abuts the Stroudwater River and has a total of 1,500 feet of frontage along the river. The portion of the site within 250 feet of the river high-water line is subject to the site development standards set by the Shoreland Overlay Zone. The site has two existing utility easements for the Portland Water District and Portland Pipeline Company, which bisect the property. There are single family homes along both sides of Westbrook Street in the vicinity of the site.

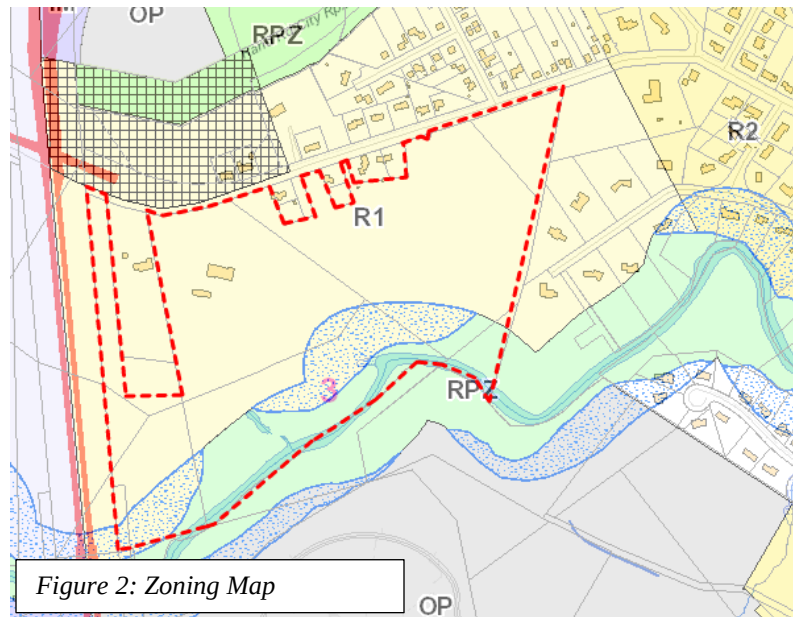


Figure 2: Zoning Map

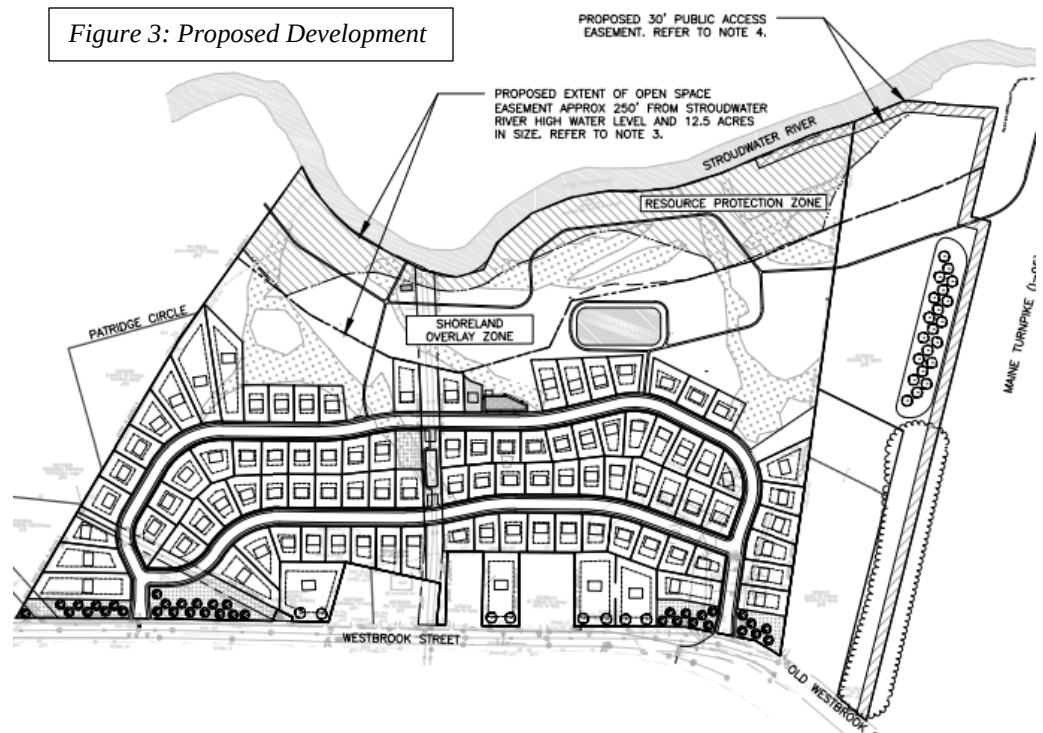
## V. PROPOSED DEVELOPMENT

The project proposes to redevelop the existing, small farm into a traditional single-family development within the Stroudwater neighborhood. Approximately 96 house lots are proposing ranging in size between 6,500 sf to 20,000 sf. The proposed roads are to be built to City standards. The applicant is proposing to phase the development into four phases; each phase will have 20 to 25 lots and accompanying infrastructure. The newly acquired land will be used as a buffer between the Stroudwater Neighborhood and the turnpike. The applicant is proposing adding additional landscape buffer to help with the noise coming from the highway.



Under the Shoreland Overlay Zone, additional construction standards apply to developments. The overlay zone requires that any development be 75 feet from high watermark and with additional improvements within 250 feet from the river. The finished building footprints will also have to comply with floodplain regulations, where applicable. The site does have steep slopes around the bank of the Stroudwater River; it is the intent of the applicant to keep most of the development away from these slopes develop on the more level portion of the site. Due to the smaller lots size under the R-3 zone, the development can be designed to stay farther away from the Stroudwater River; thus, providing for more green space and less impervious area.

The applicant is proposing to place easements on the site to convey public access and preserve open space, primarily along the Stroudwater River. The property will be used for passive recreation with a neighborhood trail system connections and other shared amenities all with direct waterfront access to the river. This open, shared-use green space includes more than 55% of the total site. The applicant has submitted a draft of the proposed easements language which will be reviewed by the City's Corporation Counsel. Some bullet points have been provided by the applicant to clarify the easements:



- Presently the proposed Open Space Easement extends 250 ft. from the Stroudwater River high water line. The total Open Space land area is approximately 12.5 Acres or 23% of the total area.
- Per Note 3 the Open Space Easement could be expanded from the Stroudwater River high water line to the single-family house lot and/or road ROW upon final subdivision/site plan approval. (The reason we do not define this area now is so that we provide some flexibility during the detailed design/permitting process.) The potential Open Space land area could be closer to 30 Acres or 55% of the total area.
- The Final Amount of Open Space will be somewhere between 12.5 to 30 Acres or 23 to 55% of the total land area.
- A 30 ft wide public easement is currently proposed along the common boundary line with the Maine Turnpike. This public easement could also be expanded upon final subdivision/site plan approval to allow access directly from the new public ROW associated with the development.
- The intent is to rezone most or all of this open space area to ROS at the time the easements are put in place and are working with Staff to clarify this process.

The proposed project will also be subject to the Inclusionary Zoning Ordinance, which requires a minimum of 10% of the project to be restricted for workforce households and that the number of bedrooms required under Section 14-487(e)3 be at least 10% of the total number of bedrooms made available as part of the project.

## VI. POLICY CONSIDERATIONS

### A. Proposed Development Under Residential R-1, R-2 and R-3 Zone:

The following chart illustrates the comparison between the current R-1 zone, R-2 zone, and the proposed R-3 zone; the chart shows the purpose statements, permitted uses, and dimensional requirements of each zone. The minimum lot size varies in R-1, R-2 and R-3 zones with R-1 having the largest minimum lot size of 15,000 square feet. Generally, the R-3 has more flexible dimensional requirements than R-1 and R-2/. The intent of the

O:\PLAN\3 CODE and POLICY\Rezone Applications\Westbrook St. - 1700 (R1 to R3)\PB Workshop 02.28.2017\PB Memo 02.28.2017.docx

rezone is to provide the proposed project a medium density residential development, which can be accomplished with the R-3 zone.

| Dimension                 | R-1 Zone                                                                                                                                                                                                                                                                                                                                                                                                                 | R-2 Zone                                                                                                                                                                                                                                                                                                                                                                                                           | R-3 Zone                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Purpose Statements</b> | To provide for lower density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity.                                                                                                                                                                                                         | To provide for low-density residential development characterized by single-family homes on individual lots in outlying areas of the city and along traffic corridors with limited additional traffic capacity.                                                                                                                                                                                                     | To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide for planned residential unit developments on substantially sized parcels. Such development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.                     |
| <b>Permitted Uses</b>     | <b>Residential:</b> Single family; Handicapped family unit; Single-family, multiple-component manufactured housing; Single-family single-component manufactured housing;<br><b>Other:</b> Agriculture and Agriculture parking; Parks; Accessory uses; Home occupation; Municipal uses; Wind energy systems                                                                                                               | <b>Residential:</b> Single family; Handicapped family unit; Single-family, multiple-component manufactured housing; Single-family single-component manufactured housing;<br><b>Other:</b> Parks; Agriculture; Accessory uses; Home occupation; Municipal uses; Wind energy systems                                                                                                                                 | <b>Residential:</b> Single family; PRUD; Handicapped family unit; Single-family, multiple-component manufactured housing; Single-family single-component manufactured housing;<br><b>Other:</b> Parks; Accessory uses; Home occupation; Municipal uses; Wind energy systems                                                                                                       |
| <b>Conditional Uses</b>   | <b>Residential:</b> Sheltered Care group homes; adding one accessory dwelling unit;<br><b>Institutional:</b> Schools; Long term and extended care facilities; intermediate care facilities; places of assembly; hospital;<br><b>Other:</b> utility substations; Cemeteries; Raising of domestic animals for noncommercial; day care or home babysitting services; temporary wind anemometer towers; wind energy systems. | <b>Residential:</b> Sheltered Care group homes; adding one accessory dwelling unit;<br><b>Institutional:</b> Schools; Long term and extended care facilities; places of assembly; College, university, trade school<br><b>Other:</b> utility substations; Cemeteries; Raising of domestic animals for noncommercial; day care or home babysitting services; temporary wind anemometer towers; wind energy systems. | <b>Residential:</b> Sheltered Care group homes; adding one accessory dwelling unit;<br><b>Institutional:</b> Schools; Long term and extended care facilities; intermediate care facilities; places of assembly; hospital;<br><b>Other:</b> off-street parking; utility substations; day care or home babysitting services; temporary wind anemometer towers; wind energy systems. |
| <b>Minimum lot size</b>   | 15,000 SF                                                                                                                                                                                                                                                                                                                                                                                                                | 10,000 SF                                                                                                                                                                                                                                                                                                                                                                                                          | 6,500 SF                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Street Frontage</b>    | 75 feet                                                                                                                                                                                                                                                                                                                                                                                                                  | 50 feet                                                                                                                                                                                                                                                                                                                                                                                                            | 50 feet                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Front Yard (Min)</b>   | 25 feet                                                                                                                                                                                                                                                                                                                                                                                                                  | 25 feet                                                                                                                                                                                                                                                                                                                                                                                                            | 25 feet                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Rear Yard</b>          | 25 Feet                                                                                                                                                                                                                                                                                                                                                                                                                  | 25 feet                                                                                                                                                                                                                                                                                                                                                                                                            | 25 feet                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Side Yard</b>          | 14 feet for 2-story building                                                                                                                                                                                                                                                                                                                                                                                             | 14 feet for 2-story building                                                                                                                                                                                                                                                                                                                                                                                       | 14 feet for 2-story building                                                                                                                                                                                                                                                                                                                                                      |
| <b>Structure Height</b>   | 35 feet                                                                                                                                                                                                                                                                                                                                                                                                                  | 35 feet                                                                                                                                                                                                                                                                                                                                                                                                            | 35 feet                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Lot Coverage (max)</b> | 20%                                                                                                                                                                                                                                                                                                                                                                                                                      | 20%                                                                                                                                                                                                                                                                                                                                                                                                                | 35 %                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Parking</b>            | No off-street parking in min front yard setback                                                                                                                                                                                                                                                                                                                                                                          | No off-street parking in min front yard setback                                                                                                                                                                                                                                                                                                                                                                    | No off-street parking in min front yard setback                                                                                                                                                                                                                                                                                                                                   |

The applicant has submitted plans of the proposed subdivision development under the R-1 zone, R-2 zone, and R-3 zone. Rezoning from R1 zone to R3 zone will permit the developer to build a smaller buildable footprint that would result in less impervious area and less wetland impact, while providing a significantly larger buffer to the Stroudwater River and greater open space. The proposed development will provide more housing and is intended to blend with the surrounding neighborhood. The green spaces along Westbrook Street and Stroudwater River will be a buffer between this development and the existing neighborhood. Below are four concepts that the Planning Board requested in the first workshop. The concepts are under the current zoning, the R-2 zone, the full buildout under the R-3 zone, and proposed development under the R-3 zone; the light green is the proposed residential lots and the darker green is the proposed open space. The newly acquired parcel is also shown on the conceptual plans.

### Concept 1: The Proposed Development Under R-1 Zone



### Concept 2: The Proposed Development Under R-2 Zone





### Concept 3: The Proposed Development Under R-3 Zone



### Concept 4: The Development as Proposed by the Applicant Under R-3 Zone



The chart below illustrates the lot and surface summaries for the four concepts:

| Lot Summary             |                |                |                   |                |
|-------------------------|----------------|----------------|-------------------|----------------|
|                         | R-1 Zone       | R-2 Zone       | R-3 Buildout Zone | R-3 Zone       |
| Camelot Farms           | 79             | 94             | 160               | 91             |
| Westbrook Street        | 4              | 4              | 5                 | 4              |
| Open Space Lots         | 0              | 1              | 1                 | 4              |
| Total                   | 83             | 99             | 166               | 100            |
| Surface Summary         |                |                |                   |                |
| Open Green Space        | 13.04 AC (23%) | 16.12 AC (29%) | 16.79 AC (30%)    | 30.85 AC (55%) |
| Net Impervious Increase | 7.53 AC        | 8.13 AC        | 12.62 AC          | 7.22 AC        |
| Wetland Impact          | 3.79 AC (27%)  | 3.67 AC (26%)  | 3.67 AC (26%)     | 0.25C (2%)     |

In addition to providing the conceptual plans under the different zones, the applicant has also provided an analysis of the nonconforming existing lots in the Stroudwater neighborhood. The abutting and surrounding lots to Camelot Farms zoned as R-1 or R-2 were evaluated for conformance with the City zoning standards. There were fourteen (14) existing lots within the R-1 zone and fourteen (14) within the R-2 zone that were identified as nonconforming. According to the applicant, “Non-conforming lots were defined as not meeting the minimum lot size, lot width, or street frontage; building setback requirements were omitted from the list”. Please refer to [Attachment E](#) for the applicant’s complete analysis.

#### B. Similar Rezones from R-1 to R-3

The two areas in Portland that are zoned R-1 are shown on the map to the right. The light yellow areas are R-1 and encompass land along outer Westbrook Street and an area along outer Congress Street.

In response to public inquiries, the staff researched whether other R-1 zones had been rezoned to R-3. In 1992, the City Council approved the project, River’s Edge, as a Conditional Rezone to R-3. Greater Portland Development Group requested a conditional rezone from R-1 and R-2 to R-3 for a parcel of land located on outer Congress Street, along the Stroudwater River. The parcel has a total of 27.41 acres. The conditional rezoning allowed the applicant to have a privately owned and maintained road serving 29 single-family lots.

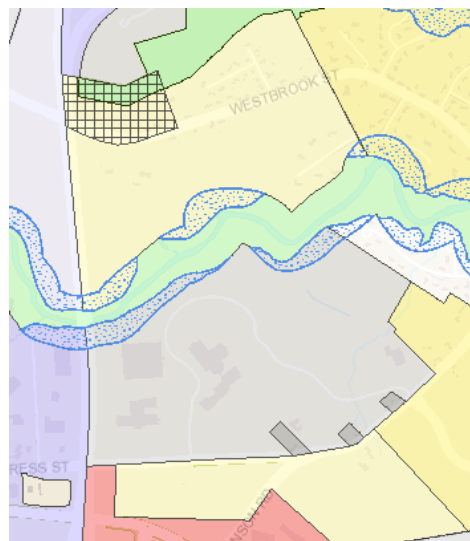


Figure 4: The R-1 Zones

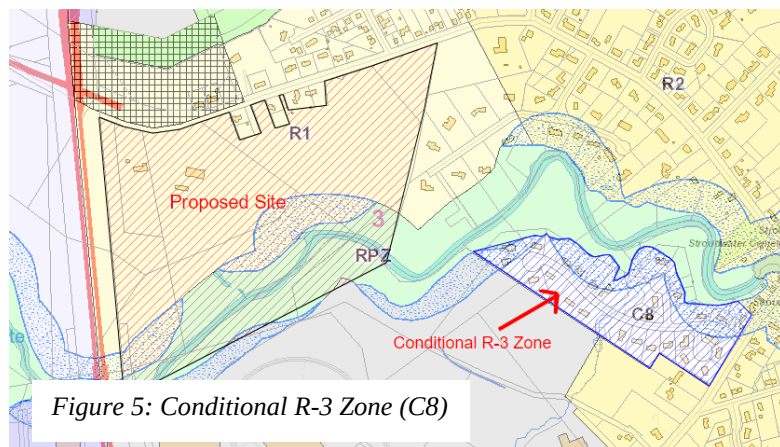


Figure 5: Conditional R-3 Zone (C8)

The reason for the conditional zone change request to the R-3 zone because the R-3 zone allowed a Planned Residential Unit Development (PRUD) for single family homes at that time. The applicant kept the density of the proposed subdivision at 29 lots which was the same density as permitted under the R-1 and R-2 zones. The applicant built a 24-foot private road which is allowed only in PRUD; an association was formed to maintain the road, land held in common, and any utilities. As part of the proposal, the applicant deeded a 10-acre parcel located

along the Stroudwater River for use as public pedestrian trail to Portland Trails; the easement also provided access to the trail from Congress Street is also part of the proposal. It should be noted that the City Council amended the R-3 zone, so that single family PRUD’s are no longer a permitted use and only attached housing may be built as a PRUD.



### C. R-3 Proposed Development and Traffic Impacts

The applicant has provided calculations of the proposed development buildout of the site under the R-3 rezone with the 100 lots of which 96 will be single-family house lots and four would be open space lots on a 45-acre parcel. Access to the proposed subdivision will be provided with construction of two proposed roadways that will be offered for public street acceptance.

The applicant has provided Tom Errico, Consulting Traffic Engineer, with the estimated trips ([Attachment 5](#)) that would be generated under all proposed development scenario. Tom Errico's comments are as follows:

*I have reviewed the application materials and offer the following traffic comments as it specifically relates to the rezoning proposal. My comments focus on the traffic implication of the rezoning request and items that would be reviewed during the site plan permitting process.*

- *The key traffic issue related to the rezoning of the subject property is the increase in trip generation expected with the change. According to application materials, under current zoning (R1), 83 residential units can be construction. With full build-out of the property under the proposed zone (R3), 166 residential units could be construction. The applicant has provided plans that note construction of 100 residential units. Accordingly, the zone change would be expected to add traffic levels above current zoning requirements by 17 residential units. (Although a maximum increase could be 83 residential units, this level of development may not be possible given site constraints). During the worst-case peak hour trip generating scenario, the increase in 17 residential units would correlate to an additional 17 vehicles entering and exiting the project site during the PM peak hour (under the current application proposal). In my professional opinion, this level of traffic increase would not have a significant impact on traffic operations and therefore the zone change would not be expected to have a significant impact on traffic conditions.*
- *Whether under current zoning and the construction of 83 residential units or under the rezoned scenario with 100 residential units, the following traffic issues/requirements would be considered during site plan permitting.*
  - o *The applicant has provided a traffic study and the general content of the study is appropriate and would be used during the site plan review process.*
  - o *Traffic conditions would be reviewed at the Congress Street/Westbrook Street intersection. Current traffic congestion would likely require mitigation improvements.*
  - o *A traffic speed study along Westbrook Street would likely be required with recommendations on addressing specific vehicle speed issues an recommendations.*
  - o *Intersection/Driveway design conditions including sight distance, driveway separation, and geometric features would be reviewed.*
  - o *A pedestrian and bicycle facility analysis would be expected within the vicinity of the project.*
  - o *Crash data would be reviewed in the vicinity of the project and for locations that are determined to have deficiencies, the applicant would be expected to mitigate problems.*

### **VII. Comprehensive Plan Analysis**

The applicant has submitted their analysis of the projects conformance with the Comprehensive Plan (refer to [Attachment C](#)). The staff has identified the additional goals and policies which are relevant to the proposed housing development and finds the proposal in conformance with the Comprehensive Plan. As stated the purpose of the R-3 Residential Zone is:

*To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide for planned residential unit developments on substantially sized parcels. Such development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.*

*Housing: Sustaining Portland's Future* contains several goals which are applicable to this proposed map amendment. The relevant goals and policies as identified by staff are as follows:

## Housing Sustaining Portland's Future

### Housing Policy #1

#### Ensure an Adequate and Diverse Supply of Housing for All

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels for both renter and owner-occupied;
- A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.
  - Encourage and support Portland Housing Authority to become active in development of more housing.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.

### Housing Policy #3

Maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity.

- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
  - Evaluate and update, as needed, the current zoning and subdivision codes to encourage new residential development that:
    - Offers diverse and quality living options;
    - Provides traditional neighborhood elements;
    - Promotes a walkable city; and
    - Is compatible with Portland's existing neighborhoods.
- Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.
- Ensure the integrity and economic value of Portland's neighborhoods
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.
  - Encourage a mix of housing types for all ages, household sizes, and incomes throughout the city.
  - Increase density where appropriate in order to achieve neighborhood diversity.
- Locate and design housing to reduce impacts on environmentally sensitive areas.

## Green Spaces, Blue Edges: An Open Space and Recreation Plan

Conservation of natural resources should include a complete array of natural features and habitats, so that the public may learn about and experience the full realm of Portland's natural environment.

- Develop high point parks, open spaces located on the higher elevations of the city, in neighborhoods throughout the city such as the Ocean Avenue landfill, hilltop on Ocean Avenue by rock shop, Rocky Hill and hills in Stroudwater.

## **VIII. CONSIDERATION OF MAP AMENDMENT AREA**

At the last workshop, majority of the Planning Board wanted to extend the zone change to include the four single-family home lots abutting the site, as well as the property along the turnpike, which is now part of the application (the blue dotted line), see map. The Board felt the other adjacent areas that may be appropriate candidates for a similar rezoning.

As shown on the zoning map, the properties to the north, across Westbrook Street from the site, is zoned R-1 and RPZ with the Flexible Housing Overlay Zone. The purpose of the Flexible Housing Zone is as follows:

*The intention of this division is to establish an overlay zone in which manufactured housing development is permitted in addition to those uses permitted in the underlying residential zone.*

*The purpose of this division is to accommodate additional housing types in appropriate areas of the city, while protecting the value and integrity of established residential neighborhoods and ensuring a balanced and orderly pattern of residential development.*

The Flexible Housing Zone allows manufactured housing parks or subdivisions. The properties to the north of the applicant's site have not been developed. There are two single-family homes abutting the site along Westbrook Street. There are other sites in Portland that have the Flexible Housing Overlay Zone. The Board may also want to consider the appropriateness of the Flexible Housing Zone in this area and whether it should be rescinded. As noted above, the underlying residential zone is R-1 and it is adjacent to a natural resource that is zoned RPZ. Generally, when a map change amendment is reviewed, the Planning Board looks at it comprehensively and considers other adjacent areas that may be appropriate candidates for a similar rezoning. The staff is suggesting that the Board consider advertising the removal of the FH zone in this location.

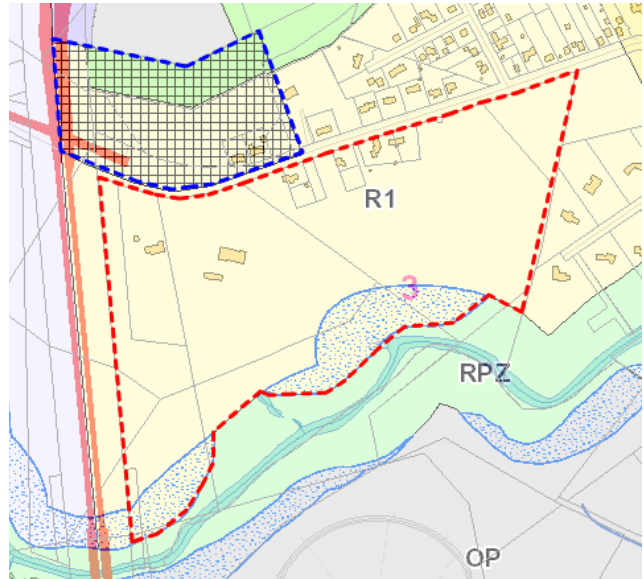


Figure 6: Other Potential Properties to be included in the Rezone/Plan

## IX. Next Steps

1. Address any additional information requested by the Planning Board.
2. Address and finalize all staff comments before the public hearing.

## X. ATTACHMENTS

### PUBLIC COMMENTS

PC1 Art McEvoy Dated 01.11.2017  
 PC2 Mark Senglemann  
 PC3 Stroudwater Village Assoc. 1-16-17  
 PC4 Angela Wheaton 1-16-17  
 PC5 Sandy Beal 1-16-17  
 PC6 Michael Scannell 1-16-17  
 PC7 Colleen Griffin 1-16-17  
 PC8 Bruce Harrington 1-14-17  
 PC9 Ryan Scipione 1-16-17  
 PC10 Tom Minervino 1-16-17  
 PC11 Jen Borland 1-17-17  
 PC12 David Silk 1-17-17  
 PC13 Martha McEvoy 1-17-17  
 PC14 Christian MilNeil 1-17-17  
 PC15 Mary Davis 1-17-17  
 PC16 Mark Senglemann 1-17-17

PC17 Lisa McLaughlin 1-17-17  
 PC18 Eugenia O'Brien 1-17-17  
 PC19 Meagan Smith 1-13-17  
 PC20 Marc Hodroff 1-20-17  
 PC21 Raelene Gardner 2-7-17  
 PC22 David Walter 1-21-17  
 PC23 Mihku PaulAnderson 2-8-17  
 PC24 Jackie Day 2-20-17  
 PC25 Kevin Regan 2-21-17  
 PC26 Bruce Harrington 2-20-17  
 PC27 Holly Hoffman 2-22-17  
 PC28 Shaun Donlin and Silvia Vasquez 2-23-17  
 PC29 Linda Dambrie 2-23-17  
 PC30 Richard Michel  
 PC31 Art McEvoy 2.14.207

### PLANNING BOARD REPORT ATTACHMENTS

1. Traffic Review (Tom Errico) 02.23.2017

### APPLICANT'S SUBMITTALS

- A. Cover Letter (from Will Savage of Acorn Engineering, Inc., 12.09.2016)
- B. Zoning Map Amendment Application



- C. Project Narrative
- D. Purchase and Sale Agreement
- E. Non-Conforming Lot Summary
- F. Architectural Design Examples
- G. Neighborhood Meeting
  - 1. Camelot - Neighborhood Meeting Certification\_2-1-17
  - 2. Camelot - Neighborhood Meeting Letter\_1-6-17
  - 3. Camelot - Neighborhood Meeting Minutes\_1-31-17
  - 4. Camelot - Neighborhood Meeting Sign-In Sheet\_1-24-17
- H. Option for Open Space & Public Access Easements -- Camelot Farms Subdivision
  - 1. EX-A Exhibit A - Concept Easement

## **PLANS**

- Plan 1 C-10 Site Plan
- Plan 2 C-11 Aerial Site Plan
- Plan 3 C-12 Aerial Site Plan - R-3 Buildout
- Plan 4 C-21 Aerial Site Plan - R-2
- Plan 5 C-31 Aerial Site Plan - R-1
- Plan 6 EX-1 Vicinity Map
- Plan 7 EX-2 Parcel Exhibit
- Plan 8 EX-3 Zoning Exhibit



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

---

## 1700 Westbrook Street - Camelot Farms - Initial Traffic Comments

---

Tom Errico &lt;thomas.errico@tylin.com&gt;

Thu, Feb 23, 2017 at 4:43 PM

To: Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

Cc: Katherine Earley &lt;kas@portlandmaine.gov&gt;, Jeremiah Bartlett &lt;JBartlett@portlandmaine.gov&gt;, Lauren Swett &lt;lswett@woodardcurran.com&gt;, Jeff Tarling &lt;jst@portlandmaine.gov&gt;

Hi Shukria – I have reviewed the application materials and offer the following traffic comments as it specifically relates to the rezoning proposal. My comments focus on the traffic implication of the rezoning request and items that would be reviewed during the site plan permitting process.

- The key traffic issue related to the rezoning of the subject property is the increase in trip generation expected with the change. According to application materials, under current zoning (R1), 83 residential units can be construction. With full build-out of the property under the proposed zone (R3), 166 residential units could be construction. The applicant has provided plans that note construction of 100 residential units. Accordingly, the zone change would be expected to add traffic levels above current zoning requirements by 17 residential units. (Although a maximum increase could be 83 residential units, this level of development may not be possible given site constraints). During the worst-case peak hour trip generating scenario, the increase in 17 residential units would correlate to an additional 17 vehicles entering and exiting the project site during the PM peak hour (under the current application proposal). In my professional opinion, this level of traffic increase would not have a significant impact on traffic operations and therefore the zone change would not be expected to have a significant impact on traffic conditions.
- Whether under current zoning and the construction of 83 residential units or under the rezoned scenario with 100 residential units, the following traffic issues/requirements would be considered during site plan permitting.
  - The applicant has provided a traffic study and the general content of the study is appropriate and would be used during the site plan review process.
  - Traffic conditions would be reviewed at the Congress Street/Westbrook Street intersection. Current traffic congestion would likely require mitigation improvements.
  - A traffic speed study along Westbrook Street would likely be required with recommendations on addressing specific vehicle speed issues an recommendations.
  - Intersection/Driveway design conditions including sight distance, driveway separation, and geometric features would be reviewed.
  - A pedestrian and bicycle facility analysis would be expected within the vicinity of the project.
  - Crash data would be reviewed in the vicinity of the project and for locations that are determined to have deficiencies, the applicant would be expected to mitigate problems.

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)

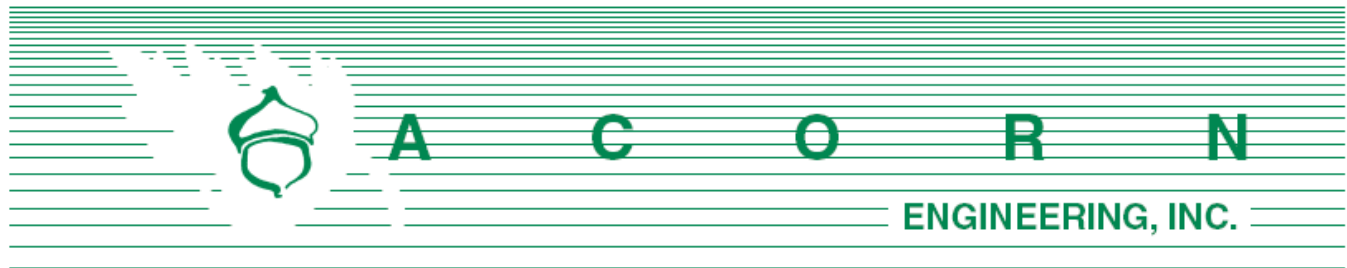
[thomas.errico@tylin.com](mailto:thomas.errico@tylin.com)

Visit us online at [www.tylin.com](http://www.tylin.com)

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"One Vision, One Company"

Please consider the environment before printing.



Attn: Shukria Wiar  
Planning and Urban Development Department  
City of Portland, Maine  
389 Congress Street, 4th Floor  
Portland, ME 04101

February 14, 2017

Subject: Zoning Map/Text Amendment Application – Final Submission  
Camelot Farms Subdivision

Dear Shukria,

Camelot Holdings, LLC is pleased to submit the accompanying package of submission materials for the proposed Camelot Farms zone change. The new and updated materials were developed in response to the feedback received in the past few weeks from the first Planning Board Workshop meeting (1/17/17), Neighborhood Meeting (1/24/17), and other collaborative efforts with the City and applicable parties.

Based on concerns expressed by the City and neighbors, the project team is exploring options for providing assurance in preserving the proposed open space to the rear of the property abutting and within the Shoreland Overlay Zone. It is the team's intention to ensure that the space remain accessible to the public and include passive recreational amenities such as trails, community gardens, and kayak launch access into the Stroudwater River.

Since the original application, the site was also expanded upon to include the abutting property between Camelot Farms and the Maine Turnpike comprised of three lots at approximately nine (9) acres total of vacant land (CBL, 246-A-6, 247-A-2, 245-B-5). The developed is exploring opportunities and uses for the land including preserving the existing wooded buffer and constructing an earthen sound barrier per the neighborhood's request to mitigate any noise travel via the open land to the rear. The new parcel also provides additional shoreline access to the narrowest portions of the Stroudwater River with limited impacts to the existing floodplain. With the additional lots, the site is now approximately 54 acres.

In anticipation for continued review during the site plan and application phase of the project, the developer has reached out to the Portland Metro bus transit system to explore any opportunities in creating a bus stop to the neighborhood. Bus routes currently service Brighton Ave into Westbrook (M4) as well as Congress Street (M5) and could potentially be extended to include Westbrook Street given the incentive of new ridership.

This revised submission package is intended to meet and expand upon the City's Submission Requirements as outlined in the Zoning Map/Text Amendment. The following documents and drawings are to be uploaded onto the City's electronic submission site in addition to the previously uploaded documents (please note that all new and updated documents are as highlighted):



Documents:

- A. Cover Letter - *Updated*
- B. Zoning Map/Text Amendment/Contract or Conditional Rezoning Application -*Updated*
- C. Project Narrative - *Updated*
- D. Purchase and Sale Agreement - *Updated*
- E. Non-Conforming Lot Summary – *New*
- F. Architectural Design Examples – *New*
- G. Landscape Sketches – *New*

Drawings:

- Preliminary Existing Conditions Plan by Titcomb Associate, Dated 11/16/16
- R-3/Open Space Concept Site Plan, C-10 Dated 10/26/16 – *Updated 2/14/17*
- R-3/Open Space Concept Aerial Site Plan, C-11 Dated 12/9/16 – *Updated 2/14/17*
- R-3 Concept Aerial Full Buildout Site Plan, C-12 Dated 2/10/17 – *New*
- R-2 Concept Aerial Site Plan, C-21 Dated 2/1/17 – *New*
- R-1 Concept Aerial Site Plan, C-31 Dated 1/17/17 – *New*
- EX-1 Vicinity Map, Dated 12/9/16
- EX-2 Parcel Exhibit, - *New*
- EX-3 Zoning Exhibit, - *New*

Camelot Holdings, LLC and the design team look forward to your review of these updated and new additions to the initial project application and are requesting to be placed on the next available Planning Board workshop meeting. If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,



William H. Savage, P.E.  
Principal - Project Manager  
Acorn Engineering, Inc.





## **Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine**

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

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

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

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

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

### **Planning Division**

Fourth Floor, City Hall

389 Congress Street

(207) 874-8719

[planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)

### **Office Hours**

Monday thru Friday

8:00 a.m. – 4:30 p.m.

**PROJECT NAME:**CAMELOT FARMS

---

**PROPOSED DEVELOPMENT ADDRESS:**1700 WESTBROOK STREET

---

**PROJECT DESCRIPTION:**

Proposed redevelopment of existing farmland into a traditional single-family development within the Stroudwater neighborhood.

**CHART/BLOCK/LOT:** 229-A-2, 246-A-3, 247-A-3, 248-A-9, 256-A-3, 246-A-6, 247-A-2, 245-B-5**CONTACT INFORMATION:**

|                                                                                                                                                                                                                                   |                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant – must be owner, Lessee or Buyer</b><br><br>Name: Michael Barton<br><br>Business Name, if applicable: Camelot Holdings, LLC<br><br>Address: 62 Portland Road, Suite 25<br><br>City/State : Kennebunk Zip Code: 04043 | <b>Applicant Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: (207) 939-5432 Fax#:<br><br>e-mail: michael.corbett.barton@gmail.com |
| <b>Owner – (if different from Applicant)</b><br><br>Name:<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                           | <b>Owner Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                                     |
| <b>Agent/ Representative</b><br><br>Name:<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                           | <b>Agent/Representative Contact information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                      |
| <b>Billing Information</b><br><br>Name: [See Applicant Information]<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                 | <b>Billing Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                                           |

|                                                                                                                                                                                                                          |                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Engineer</b><br>Name: William H. Savage, P.E.<br>Acorn Engineering, Inc.<br>Address: PO Box 3372<br>City/State : Portland, ME Zip Code: 04104                                                                         | <b>Engineer Contact Information</b><br>Work #: (207) 775-2655<br>Home #:<br>Cell #: (207) 317-1884 Fax#:<br>e-mail: wsavage@acorn-engineering.com |
| <b>Surveyor</b><br>Name: David Titcomb, PLS<br>Titcomb Associates<br>Address: 133 Gray Road<br>City/State : Falmouth, ME Zip Code: 04105                                                                                 | <b>Surveyor Contact Information</b><br>Home #:<br>Work #: (207) 797-9199<br>Cell #: Fax#:<br>e-mail: DTitcomb@titcombsurvey.com                   |
| <b>Architect</b><br>Name:<br>Address:<br>City/State : Zip Code:                                                                                                                                                          | <b>Architect Contact Information</b><br>Work #:<br>Home #:<br>Cell #: Fax#:<br>e-mail:                                                            |
| <b>Attorney</b><br>Name:<br>Address:<br>City/State : Zip Code:                                                                                                                                                           | <b>Attorney Contact Information</b><br>Work #:<br>Home #:<br>Cell #: Fax#:<br>e-mail:                                                             |
| <b>Designated person/person(s) for uploading to e-Plan:</b><br>Name: Olivia Dawson<br>e-mail: odawson@acorn-engineering.com<br><br>Name: William Savage<br>e-mail: wsavage@acorn-engineering.com<br><br>Name:<br>e-mail: |                                                                                                                                                   |

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

The application submission includes the purchase and sale agreement for the lots 229-A-2, 246-A-3, 247-A-3, 248-A-9, 256-A-3 and the deed to the additional parcel (CBL, 246-A-6, 247-A-2, 245-B-5).

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

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

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

The existing property is comprised of a single family home with accessory barn and storage structures. The majority of the site is farmland and fronts the Stroudwater River.

**Current Zoning Designation(s):** R-1, RESIDENTIAL ZONE

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

The project proposes to redevelop the existing, small farm with a single-story home and accessory shed and barn structures into a traditional single-family development within the Stroudwater neighborhood; house lots will range in size between 6,500 sf to 20,000 sf. The portion of the site adjacent to Westbrook Street is proposed to be regraded to support a road network, subdivided lots, and ancillary infrastructure. The remaining space will remain an open green space accessible to the public.

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

**APPLICATION FEES:**



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Zoning Map Amendment</b><br/> _____ \$3,000.00 (from R-1 zone to R-3 zone)</p> <p><b>Zoning Text Amendment</b><br/> _____ \$3,000.00 (to Section 14- _____)</p> <p><b>Combination Zoning Text Amendment and Zoning Map Amendment</b><br/> _____ \$4,000.00</p> <p><b>Conditional or Contract Zone</b><br/> _____ \$5,000.00<br/> (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)</p> | <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$50.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> <p>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.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

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

1. Fill out the application completely and e-mail the **application only** to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov) (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
2. An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4<sup>th</sup> Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
3. The designated person responsible for uploading documents and drawings will receive an email from [eplan@portlandmaine.gov](mailto:eplan@portlandmaine.gov) with an invitation into the project. At this time, you will upload all corresponding documents and plans 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.

**Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.**

4. Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:  
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.  
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions  
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

5. When ready, upload your files and documents into the following folders:  
"Application Submittal – Drawings"  
"Application Submittal – Documents"
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

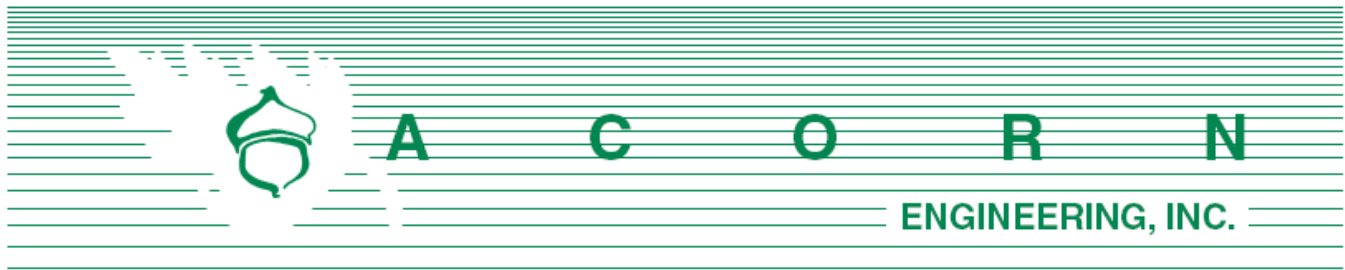
## APPLICANT SIGNATURE:

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

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:<br> | Date:<br>February 14, 2017 |
|----------------------------------------------------------------------------------------------------------------|----------------------------|



## **C. Project Narrative**

Camelot Farm Residential Development

*Revised February 2017*

The Camelot Farm parcel is an approximately 54-acre piece of pastureland with frontage along Westbrook Street and the Stroudwater River. It offers a unique opportunity to provide something the City of Portland has not experienced in generations: a chance to create an innovative, environmentally thoughtful, and diverse mix of home ownership options unified by a comprehensive approach to its implementation. Neighborhood amenities will also include zone protected access to shoreland areas and preserve recreational space for diverse, shared-uses. The anticipated plans call for the creation of approximately 95 homeownership opportunities.

In alignment with the current and goals of the future comprehensive plan, the proposed development intends to take queues in consideration as a whole. The following goals have been highlighted from the plan and are not intended to be an exhaustive list:

### **As Highlighted from the Current Comprehensive Plan:**

- **Maximize development where infrastructure exists**
  - Westbrook Street contains access to water, sewer, electricity, and natural gas and is within 200 feet of the proposed development
- **Balance the natural and built environment**
  - Concentration of infrastructure and proposed house lots towards the Westbrook Street frontage will maximize the use of the land that lends itself to responsible development and provides access to several acres of shared natural spaces currently in place on the parcel. Opportunities for recreational space on lower portions of the site are also being explored.
  - Providing green buffer spaces directly along Westbrook Street that flank the access points to the development intend to provide a natural transition that respects the history of the parcel
- **Link existing trail systems and provide access to shoreline areas**
  - Provide Green Spaces with Blue Edges that naturally transition from the residential development towards the Stroudwater River
  - Promote walkability and bike-ability within the neighborhood and onsite amenities

- With the addition of the 9-acre parcel, new opportunities are provided within the site to access the Stroudwater River and provide connectivity between the Fore River Sanctuary to the Stroudwater River trail systems.
- **Offer a diverse mix of housing options to help increase homeownership opportunities for all types of households**
  - The home offerings are intended to be without bias. The goal is to provide equal opportunities for first time home buyers, empty nesters, growing families, and working professionals alike.
- **Provide innovative new housing development near service centers and employers while maintaining proximity to neighborhood assets**
  - The Stroudwater area has a classic neighborhood feel to which this development intends to respect. It includes single family lot sizes within the range of those being proposed (both minimum and maximum). The area also lays claim to large employers such as Unum to which the convenience of new housing product might inspire employees to consider relocation to the city. Additionally, there is the Portland International Jetport a mere mile away and the Portland Transportation Center and Thompson's a manageable 2.5-mile travel via vehicle or trail making this location appealing to those who work remotely but choose Portland as their place to live and enjoy.
  - Innovation also shows through the intent to amend the current zone from R-1 to R-3. This is an attempt to reverse the trend of lower density in the outskirts of the city associated with sprawl, while respecting the existing housing stock in the area. The intended result is to provide as many new residents as is practical the opportunity to enjoy the unique amenities the Stroudwater area has to offer. An added benefit of the increase in density is the access to several acres of shared green space within the parcel.
- **Utilize new technologies and materials to provide quality, efficient, and sustainable homes**
  - New residences will be constructed using high quality materials that provide ease of maintenance and operation, and consider the total life cycle a home experiences. Interior finish materials will be sensitive to the end users well-being with indoor air quality taking high priority.
  - The site will utilize innovative management techniques to control and treat stormwater run-off as the site transitions from an historically agrarian impact to residential. Design will also respect natural topography and resources with intentions to preserve or improve those that could be pre-existing on the parcel.

**As Highlighted from the Future Comprehensive Plan Goals and Strategies:**

- **Incorporate multiple functions in recreation & open space**
  - The proposed project site is an underutilized piece of pastureland that has the capacity to be developed into a diverse space of both residential and recreational open space to create a complementary, shared-use of the land.
  - The property presents the opportunity to link the Stroudwater River Trail with the Fore River Sanctuary system under a partnership with Portland Trails to create a more integrated trail network.
  - The project proposes open space that can potentially be used as a Community Garden to be accessed and utilized by the entire neighborhood.
  - The open space within the site also offers the potential for a mixed-use pond functioning as a stormwater quality and quantity device as well as recreationally as a seasonal ice skating rink.
- **Create economic prosperity by growing Portland's tax and employment base**
  - The proposed project has the capacity to attract new professionals to the area by providing a less urban, greater green space appeal still within the City limits and a shorter commute to the greater Portland businesses
- **Improve water quality**
  - The proposed project will be designed to meet and potentially exceed the stormwater quality and quantity control measures as outlined by the Maine Department of Environmental Protection's (MDEP) Chapter 500 – Stormwater Management Law rules and regulations. The runoff is proposed to not enter the existing municipal combined sewer system within Westbrook Street and instead be treated and detained within the property before dispersing into the existing onsite buffer area to be preserved and maintained as such after construction.
  - Stormwater will be treated using best management practices (BMP) designed to the standards set by the MDEP BMP Manual
  - Construction and maintenance activities will incorporate erosion and sedimentation control practices to limit sediment transport, wetland and waterbody impact, and land disturbance. Erosion Control Inspection will be provided by a MDEP Approved Third-Party Inspector.

In closing, this development should be viewed to provide some relief to the pressures of low housing inventories that some believe are hampering growth within the city. It will provide chances for those who want to relocate to or within this city, downsize or upsize, and/or transition from rental to homeownership. It will give Portland a chance to create a modern neighborhood to take pride in and will do so on a scale that should make noticeable differences in a relatively short timeframe at a price point that is attainable.

Camelot Farms (1700 Westbrook Street) Zoning Map Amendment Application

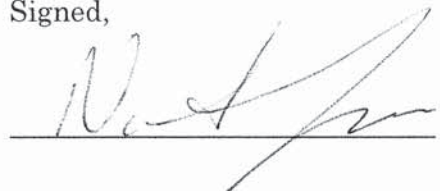
**Neighborhood Meeting Certification**

I, (Applicant/Consultant) hereby certify that a neighborhood meeting was held on **January 24<sup>th</sup>, 2017** at the **Stroudwater Baptist Church** at **6:00pm**.

I also certify that on **January 12<sup>th</sup>, 2017**, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to the Planning Division ([jmy@portlandmaine.gov](mailto:jmy@portlandmaine.gov) and [ldobson@portlandmaine.gov](mailto:ldobson@portlandmaine.gov)) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,

 2-1-17 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Neighborhood Meeting Sign-In Sheet
3. Neighborhood Meeting Minutes



# Camelot Holdings, LLC

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62 Portland Rd, Suite 25  
Kennebunk, ME 04043  
(207) 939-5432  
[michael.corbett.barton@gmail.com](mailto:michael.corbett.barton@gmail.com)

January 6, 2017

**Dear Neighbor,**

On behalf of Camelot Holdings, LLC we are pleased to invite you to a neighborhood meeting to discuss our concept plans for the proposed Camelot site. One goal of the proposed plan is to create a modern take on the traditional neighborhoods that have historically made Portland a city which affords its residents the opportunity to live, work, grow, and enjoy. A second goal is to utilize the land in such a fashion as to conserve and provide access to the natural resources it has to offer. A third goal is to respect the context of existing housing in place along the Westbrook Street corridor while providing flexibility further inbound on the property for a variety of different housing options. It is believed that these and other goals can be achieved by modifying the existing land use from an R1 to an R3 zone. The proposed plan anticipates a 4-5 phase implementation of 20-30 housing units each expected to span several years. The project site provides a unique opportunity for the surrounding neighborhood and the city and we are eager to discuss the benefits it is staged to present for the residents and stakeholders.

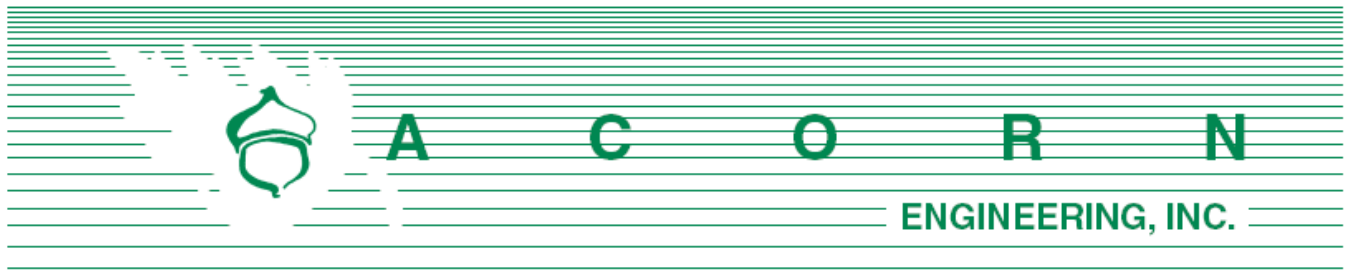
|                   |                                               |
|-------------------|-----------------------------------------------|
| Meeting Location: | Stroudwater Baptist Church, 1737 Congress St. |
| Meeting Date:     | Tuesday, January 24, 2017                     |
| Meeting Time:     | 6 p.m.                                        |

The City code requires that property owners within 500 feet of the proposed development and residents on an “interested parties list” be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board. If you have any questions regarding the neighborhood meeting, please don’t hesitate to call me at (207) 939-5432. We look forward to seeing you at the meeting.

Sincerely,



**Michael Barton**



## **Camelot Farms (1700 Westbrook Street) Zoning Map Amendment Application**

### **Neighborhood Meeting Minutes**

January 24<sup>th</sup>, 2017 6:00pm

Stroudwater Baptist Church

#### Design Team Attendees:

|               |                          |
|---------------|--------------------------|
| Mike Barton   | Developer/Presenter      |
| Nate Libby    | Developer                |
| Will Savage   | Civil Engineer/Presenter |
| Olivia Dawson | Civil Engineer           |

#### Presentation:

##### **Mike Barton:**

- Introduced the design team in attendance and elaborated how each of the members and companies are based in Portland
- Reviewed the timeline of the development:
  - o Summer 2016 – Informal meetings and discussions with City Planning and initial outreach to Portland Trails and Stroudwater Village Association
  - o September 2016 – Informal meeting with neighbors that addressed their initial concerns such as preserving land within the site, maintaining a landscaped buffer between Westbrook Street and the development, and proposing larger lots abutting the existing lots on Partridge Circle
  - o September – December 2016 – Concept plan refinement and development
  - o December 2016 – Preliminary zoning map amendment application submitted
  - o January 17<sup>th</sup>, 2017 – First Workshop Meeting with the Planning Board
    - Planning Board requested a second workshop meeting
- Reviewed the development concept plans and how the proposed R-3 zoning map amendment meets the goals set by the Comprehensive Plan
  - o Described the goal to provide single-family lots for first time home buyers and downsizing retirees
  - o Reviewed the benefits of developing pocket neighborhoods to preserve shared-use green space
    - Emphasized continued conversations with Portland Trails in an effort to

- create connectivity with the existing Fore River trail system across Westbrook Street and provide designated public use trails within the development
  - Discussed the potential for developing a Planned Residential Unit Development as allowed in the R-3 zone but emphasized that the decision to include the PRUD units is up for discussion with the abutting and surrounding neighbors
  - Mentioned the possibility of including an additional zone change later in the design process to allow for commercial amenities within the neighborhood such as a small convenience store if this was supported by the Stroudwater Neighborhood
    - Goal is to reduce traffic into Westbrook Street from the neighborhood by providing some goods and/or services within the site
- Reviewed examples of general massing and housing styles that the neighborhood could embody
  - Emphasized street presence with a porch and garage set back into the lot
  - Introduced the possibility of shared front yards or walking alleyways instead of traditional subdivision design with the house frontage to the road

### **Will Savage:**

- Discussed the idea to design the neighborhood around conservation subdivision standards used and defined by municipalities other than Portland
  - Conservation subdivisions emphasize the grouping and arrangement of lots as to create green space pockets within the neighborhoods as well as a larger open, shared-use space
  - Benefits include a lesser construction footprint and a reduction in total roadway impervious surfaces
- Described that before any concept plan was developed, we conducted an existing conditions analysis including the following:
  - Approximately 45 acres of land that is relatively flat along Westbrook Street and has steep slopes down to the Stroudwater River within the rear of the site
  - Completed a wetlands inventory; identified that there are wetlands within the site
  - Land cover is primarily open grassland with limited forested areas and pockets within the center and at the river's edge
  - Identified the extent of the riparian areas into the site from the river edge as well as the general area of the Resource Protection Zone as defined by the City of Portland
- Discussed the concept design process from the current R-1 zoning to R-2 and R-3 while speaking to the concept drawings for the R-1 and R-3 zones
  - R-1 Zone: Developed a concept plan that included about 80 lots with little open space and significant impacts to slopes, forested area, wildlife corridors, and wetlands.
    - Would require extensive roadway, sewer, and stormwater infrastructure
    - Lots would be at least 150 ft deep/100 ft wide pushing the development 200 ft closer to the river
  - R-2 Zone: Estimated that the lot would support about 86 lots with slightly more open space but still significant impacts to slopes, forests, wetlands, etc.
    - Lots would be at least 125 ft deep/80 ft wide still pushing the development 100 ft towards the river
  - R-3 Zone: 96-lot concept plan is a modern take on a traditional neighborhood



- Density allows for a conservation subdivision layout, flexibility with lot size (6,500-20,000 sf/lot), 43% open space with public access to the river, wetland avoidance, and less impacts to natural resources
  - Lots at least 100' deep/65' wide allow for a greater buffer (> 250 ft) between the development and the river
  - Overall reduction in development and public infrastructure footprint
- Further emphasized that the development will be designed to meet and/or exceed the Maine DEP's Chapter 500 Stormwater Rules

### Questions & Answers:

*Please note that the following questions and answers were not recorded verbatim and aim to represent and summarize the actual questions, answers, and discussion that took place at the meeting.*

**Q:** What kind of community amenities could be provided as part of the R-3 zone change and potential business zone change? Would that increase traffic into the site? Would there be parking provided for these amenities?

**A (Mike):** The idea behind the added business amenities, such as a local or small community convenience store, is to deter the residents from traveling outside the neighborhood and increasing the congestion within Westbrook Street. It is anticipated that additional parking would be provided for the business. However, it is possible that outside residents could utilize the store and enter the neighborhood. If we were to move forward with adding a small business element to the site, we would need to apply for an additional zone change for a portion of the parcel from R-3.

**Q:** Could you please elaborate on the application procedure and steps to achieve the proposed zone change.

**A (Mike):** There will need to be another Workshop Meeting, not yet scheduled, and then a Final Application Meeting with the Planning Board to approve the zone change. The application is then reviewed by the City Council for final approval. Then we will submit a plan for Site Plan approval that would include another Workshop meeting or series of Workshop meetings before final approval by the Planning Board.

**Q:** Could you elaborate on the proposed traffic speeds for Westbrook Street? It was addressed in the Workshop meeting that the street could support a faster limit.

**A (Mike):** We do not intend to change the speed limit on Westbrook Street.

**Q:** Are there any limitations on agricultural activity within the R-3 zone more specifically regarding the potential for a community garden?

**A (Mike):** We are not positive on the limitations stated within the R-3 zone description but we will review the description and get back to the community.

**Q:** Has the existing topography of the site been reviewed?



**A (Will):** The existing topography has been initially reviewed using public data and the concept plan takes the existing grades into consideration.

**Q:** How long will construction last?

**A (Mike):** Ideally, the project will be split in four different phases to be completed in five years. Each phase will include only a buildout of that section; therefore, the road will only be built to serve the lots of that phase and not built in entirety until project completion.

**Q:** Will the surrounding elementary/public schools have the capacity to serve a neighborhood of this size?

**A (Mike):** I believe that the nearby Hall School has the capacity for 400 students and the newly approved school has the capacity for 560 students. However, we are continuing the conversation with the City and related officials to ensure that this development will not be a burden on the surrounding school system.

**Q:** What affect will the proposed development have on the existing utilities within Westbrook Street?

**A (Mike & Will):** There are existing sewer and water mains within Westbrook Street; there is also a large water main that traverses across the site as part of an existing easement. Due to the downward slope towards the river, it is anticipated that we will need a pump station to bring the site-generated sewer waste back into Westbrook Street. The stormwater runoff generated by the site will be collected, treated, detained, and outletted into the 250 ft river buffer area. As part of the site plan application and design process the respective utilities will be contacted for an ability to serve letter verifying the proposed services to the site. If need be, we will improve the existing utilities in Westbrook Street to better serve the site and limit impacts to the surrounding neighborhood. It is our intent to design the homes in an energy efficient way with the use of heat pumps and potentially solar energy (the site and current orientation of the lots have valuable southern sun exposure).

**Q:** Is there any possibility of having less homes than 90-100 like currently proposed in the R-1 or R-2 zones while still being profitable?

**A (Mike):** This range must be maintained for the development to be profitable. If the R-3 zone was not achieved the project would not be moving forward.

**Q:** Will the project require blasting as part of construction?

**A (Mike):** Not that we know of.

**Q:** What are you proposing for treatment of the stormwater generated from the site development? Stroudwater River is already an urban-impaired waterbody; how will this development not pollute the river further?

**A (Will):** The stormwater runoff will be designed to meet and/or exceed the stormwater management requirements as set by the Maine DEP. It is proposed that the stormwater be first



treated for quality purposed in decentralized locations directly abutting the inner roadway such as tree boxes. The stormwater is to then be directed into a detention basin, that could double as a skating pond in the winter, to fulfill the flooding requirement set by the state department.

**Q:** Who owns the abutting parcel between the site and the Turnpike? Is it part of the Turnpike right of way?

**A (Mike):** We are exploring the ownership of the abutting parcel and will get back to you on the existing parcel and use.

**Q:** Is there any manufactured housing planned as part of the project?

**A (Mike):** None at this time.

**Q:** Would it be possible to provide a thickly landscaped buffer between the development and Westbrook Street to screen the homes from street view such as planting tall evergreens?

**A (Mike):** That is definitely an option and during the site plan process we would be open to discuss what the intent of the proposed buffer will be and if it can act as a natural screen for the development. I should note that the site does slope downwards away from the street view so it is likely that the new rooftops of the homes will not be as prevent as a view from Westbrook Street.

**Q:** Christian MilNeil's proposed alternative zoning plan was handed out during this meeting proposing a mix of R-5a and B-1b zone changes in additional to preserving a large section of green space. Was this option of using R-5a to create denser residential planning considered?

**A (Mike):** It was the design team's understanding that increasing the density of the residential units beyond what we are currently proposing would not be favorable for the abutting landowners. We do support the idea of implementing a small zone change to allow for a business to operate within the neighborhood (potentially a B-1b zone) in order to reduce car traffic and travel.

**Q:** Do you think that it is feasible to build and sell 96 homes within this neighborhood?

**A (Mike):** Based on initial assessments of the existing housing market for single family lots within Portland and the lack thereof, we feel that building and selling this many homes is a viable investment.

**Q:** What is the anticipated cost of the homes and is this affordable the target buyers? Do you believe that there are enough jobs within the area to support this anticipated cost? How does this apply to the new Inclusionary Zoning requirement?

**A (Mike):** It is anticipated that the homes will range in the \$300K – 450K range depending on the lot location and size which typical for the greater Portland area for new homes. The site is in a great location in terms of proximity to the airport, UNUM, the Maine Mall, downtown Portland, and other employers in the area. The development will be subject to the standards and requirements set by the City's Inclusionary Zoning process and application. This includes setting aside at least 10% of all units to be deed restricted to the affordability standards as set by the City.





**Q:** Has the traffic sight of the proposed entrances been evaluated and reviewed? Will there be a traffic survey performed?

**A (Mike):** We have completed a Traffic Study and anticipate continued review on the traffic impacts during the site plan process.

**Q:** Will you be bringing in additional designers for the subdivision layout to the design team? Also, the City is selling other pieces of property potentially more valuable from a development standpoint; would you and your partner be open to a land swap?

**A (Mike):** It is not anticipated at this time to bring in additional design help. And we have not actively considered the land swap but will explore that possibility with the City.

**Q:** Will you be using local labor for the construction of the project?

**A (Mike):** Yes, most definitely.

**Q:** What is the accountability of this project and the developer if the zone change is approved?

**A (Mike):** We feel that this a positive zone change that will enhance the value and use of the existing parcel. By keeping the community and neighbors involved we are hoping to gain support and momentum for the project throughout the site plan process after the zone change application.

**Q:** There has been a big development boom in Portland and the surrounding areas. What makes this development compete with the anticipated flooding of units into the housing market?

**A (Mike):** These lots are single-family homes that differ from the majority of the products that are currently being developed or are entering the housing market. The units in which you mention are mostly, if not completely, attached residential 1-2 bedroom apartment or condo units. There is also a draw to live within the City of Portland city limits.

**Q:** What about the higher taxes in Portland versus the surrounding towns?

**A (Mike):** Based on recent reports and studies on the benefits of living close to where you work, the commute savings from a year of travelling to work could equate to what is paid more in taxes for living within the city.

**Q:** Would you support and encourage the neighbors to meet and review the proposed project amongst ourselves?

**A (Mike):** Most definitely. We would be open to even facilitate these meetings by setting up a location for the discussion to take place. The more feedback we receive from the abutting neighbors the better.

**Q:** Could you provide us with an example of an existing neighborhood within the R-3 zone in Portland? Will these new homes have the classic cookie-cutter design as past subdivisions? Will the home designs be reviewed before construction?



**A (Mike & Olivia):** The neighborhood by Ludlow Street and the Deering High School is within the R-3 zone. The homes will be constructed to a set design book outlining colors and features cohesive with the other homes including the porch element as mentioned earlier. These design features and example home facades will be reviewed as part of the Planning Board's decision during the site plan application process.

**Q:** Will there be public access to the river? Is it proposed to build a bridge to connect the neighborhood trails to the Stroudwater River Trail directly across from the river?

**A (Mike):** The proposed neighborhood trail will provide public access to the Stroudwater River but it is not anticipated that the project would include building a bridge; we will continue to collaborate with Portland Trails on how the trails are to be built and maintained.

*Meeting concluded at approximately 8:00pm.*

The abovementioned material was as interpreted and recorded from handwritten notes. Please note and relay any discrepancies or disputed information in the recorded minutes to the below address so that they can be reviewed, revised, and resubmitted as necessary.

Recorded by,



Olivia Dawson, E.I.  
Design Engineer  
Acorn Engineering, Inc.

[odawson@acorn-engineering.com](mailto:odawson@acorn-engineering.com)



Camelot Farms

Neighborhood Meeting Sign-In Sheet - January 24<sup>th</sup>, 2017

Please Print your Name and Address

1. Art McEvoy 89 Partridge Cir.
2. Gloria Hodgdon 1629 Westbrook St
3. Diane Diconzo 54 Pennick Rd
4. Holly Hoffner 1619 Westbrook St
5. Bruce Harrington 1619 Westbrook St.
6. Jackie Day 1630 Westbrook St.
7. Derek Carpine 1630 Westbrook St
8. Dick Farnsworth 55 Old Mast Rd.
9. Andrew & Linda Green 1714 Westbrock St.
10. BILL DOBROWOLSKI - 132 PARTRIDGE LANE & 6 PARTRIDGE ROAD
11. PETER DASCANIO 18 PARTRIDGE RD
12. Carl Smith 85 Pine Edge Dr
13. Joey Brunelle 61 Kellogg St. #2
14. Tom Minemiro 60 Starbird Rd.
15. Anita B Jones 33 Old Mast Rd.
16. John-Paul Bilodeau 1535 Westbrook St.
17. Joe & Carla McDonnell 1413 Westbrook St
18. Mike & Paul 1603 Westbrook St.
19. Jennifer Barland 1413 Westbrook St.
20. Carol Hensley 1832 Congress St
21. Joe Hensley 1832 Congress
22. Joan & Sandy Bell 37 Old Mast Rd.

23. Angela Wheaton 30 Partridge Rd.
24. Lisa Melanelli 30 Partridge Road
25. Marc Hodroff 48 Partridge Circle
26. John Haslam Pastor of Stroudwater Village Church (formerly Stroudwater Baptist)
27. John Kilbride 1543 Westbrook St
28. Julie Kilbride 1543 Westbrook St Portland, Me.
29. JAMES EVERHART 1647 WESTBROOK ST, Portland
30. Mella McEay 89 Partridge Circle
31. \_\_\_\_\_
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ATTACHMENT D

Purchase and Sale Agreement for Lots: 229-A-2, 246-A-3, 247-A-3, 248-A-9, 256-A-3

PURCHASE AND SALE AGREEMENT  
(Real Estate)

Agreement made and entered into this day by and between ONEX CO., a/k/a Onex Company, a Maine business corporation having a mailing address of 399 Old Brunswick Rd., Bath, ME ("Seller") and DIVERSACORP, LLC, a Maine limited liability company having a mailing address of 5 Stone Pony Circle, Saco, ME, or its assigns ("Buyer"). In consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. PURCHASE AND SALE OF PREMISES. Seller agrees to sell and Buyer agrees to buy, on the terms and conditions hereinafter set forth, the land and buildings commonly known and designated as "Camelot Farm," located generally at 1700 Westbrook Street, Portland, Maine, and consisting of roughly 44.8 acres of real property, together with all improvements and fixtures thereon and all rights appurtenant thereto, being more particularly described in a Warranty Deed recorded in the Cumberland County Registry of Deeds in Book 14598, Page 346 (the "Deed") ("Premises" or "Property"). A copy of the deed is attached hereto as EXHIBIT A and made a part hereof. The description of the Premises in the Deed is understood to be general in nature and the description in the deed of conveyance contemplated herein shall be subject to approval by Buyer.

2. PURCHASE PRICE. Subject to any adjustments and prorations hereinafter described, Buyer agrees to pay for the Premises the sum of [REDACTED] payable as follows:

a. The sum of [REDACTED] as Deposit payable upon the signing of this Agreement by both parties ("Deposit"). This Deposit shall be held by ~~State of Maine~~ ("Escrow Agent") in a non-interest bearing account. It shall be applied as credit to the purchase price at closing or disposed of as set forth herein. In the event of a dispute over the return or forfeiture of any deposit held by the Escrow Agent, the Escrow Agent shall continue to hold the deposit until it has received a written release from the parties consenting to its disposition, or until a final order. Regardless of its representation of any party to this Agreement, Escrow Agent shall not, as Escrow Agent, have any responsibility or liability to any party beyond the proper disposition of the escrow funds actually paid over to it. All parties agree to indemnify and hold the Escrow Agent harmless from any and all costs, actions, failure to act, or payment or refusal to pay, so long as said actions are made in good faith and are not a result of willful misconduct, including any defense costs or attorney's fees. The Escrow Agent shall incur no liability in acting upon any signature, notice, request, waiver, consent or other document believed by the Escrow Agent to be genuine.

b. The BALANCE of the purchase price, the sum of [REDACTED] by bank check, wire transfer or equivalent, at the time of closing subject to adjustment and as set forth in the Prorations.

KD  
8-15-16  
ADL  
8-18-16

Onex Initials \_\_\_\_\_

Diversacorp \_\_\_\_\_



3. **VESTING OF DEPOSIT.** The Deposit set forth in Section 3 above shall be refundable in full until the following occurrences, at which point, such portions of the deposit shall become non-refundable and shall vest in, and be released to, Seller: (a) [REDACTED] shall become non-refundable upon final approval of the subdivision plan by the City of Portland; (b) [REDACTED] shall become non-refundable upon satisfaction of the financing contingency set forth below.

4. **CLOSING.** The closing shall take place at the offices of Bergen & Parkinson, 62 Portland Road, Kennebunk, Maine within sixty (60) days after the later of: a) receipt of final subdivision approval from the City of Portland, or; b) satisfaction of any of the conditions precedent to buyers obligation to purchase set forth below. Notwithstanding the intended deadline set forth in the preceding sentence, Buyer and Seller agree that Buyer may extend the closing date up to sixty (60) additional days.

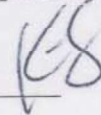
5. **TRANSFER OF TITLE.** Seller shall convey the Premises to Buyer at the closing in fee simple with good and marketable title, free and clear of liens and encumbrances, subject to the following:

a. Buyer shall have until thirty (30) days after the Effective Date to determine if title to the Premises is acceptable and notify Seller of the same. In the event that Buyer determines that Seller would be unable to convey title to the Premises as aforesaid and Buyer properly notifies Seller, then Seller shall have thirty (30) days notice from Buyer in which either to: notify Buyer that Seller via its own counsel shall remedy such title defects, to the satisfaction of Buyer's Counsel, at Seller's expense, or; notify Buyer that Seller shall reimburse Buyer at closing all Buyer's legal and other costs associated with remedying such title defects. If Seller fails to provide notice to Buyer within 30 days as set forth in the preceding sentence, then Seller hereby agrees that Buyer's costs of curing such title issues, including legal and other fees and costs, shall be offset against the purchase price at closing. Any period of time ninety (90) days after Seller received notice of a title defect, and the final recording or filing of any curative documents shall toll all deadlines and periods for any contingencies set forth anywhere in this agreement. In the event that said defects cannot be corrected or remedied within said time period to the satisfaction of Buyer's counsel, Buyer may terminate this Agreement by written notice to the parties and any non-vested portion of the Deposit shall be returned to Buyer. Buyer may, however, at its sole discretion elect to close notwithstanding such defects as may exist. Seller and Buyer understand and agree that any mortgages and liens on the Premises shall not be considered title defects provided that the same shall be discharged at or prior to the closing at Seller's expense. Seller may use purchase money proceeds for this purpose.

b. Seller agrees that it will not further encumber or permit to be encumbered the Premises by any liens, mortgages, attachments, covenants, restrictions or easements after the date of this Agreement.

c. At the closing, Seller shall execute and deliver to Buyer, against payment of the purchase price, a Quitclaim Deed with Covenants to the Premises, in accordance

Onex Initials



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with the Short Form Deeds Act, 33 M.R.S.A. § 761 et seq., (the "Deed") together with a Bill of Sale for personal or intangible property, and such other rights as may be associated with the Property, if any. If Seller fails to execute and deliver a separate Bill of Sale or Assignments, then this Agreement shall be deemed to convey the same and this Provision survives closing, and in such instance, Seller hereby grants and assigns to Buyer all such personal property as of the date of Closing.

d. Seller further agrees to execute and deliver to Buyer at the closing such Affidavits and Certificates as are reasonably necessary for Buyer's acquisition and financing of the Premises, including without limitation a Certificate of Non-Foreign Status (as required by Internal Revenue Service regulations), an affidavit regarding underground storage tanks (as required by Maine Laws), and a title insurance "Seller's Affidavit" regarding mechanics liens and persons in possession.

e. Seller is a corporation and Seller certifies that it is duly authorized and validly existing under the Laws of the State of Maine and agrees to provide evidence satisfactory to Buyer of due organization, authority, and good standing, including an opinion of counsel evidencing the same, which opinion may be required at Buyer's sole discretion.

6. **CONDITION OF IMPROVEMENTS.** Improvements at the Premises shall be delivered to Buyer at closing in "broom clean" condition. The improvements shall be sold and conveyed strictly on an "as is", "where is" and "with all defects" basis. Notwithstanding the foregoing, Seller covenants that it has no knowledge that the improvements violate any federal, state, municipal or local statutes, laws, rules, regulations or ordinances, including, without limitation, those pertaining to land use (or permits issued in connection therewith), zoning, lead paint, urea formaldehyde foam insulation, asbestos, hazardous or toxic wastes or substances, pollutants, contaminants or other environmental matters. The provisions of this paragraph shall survive the Closing and delivery of the Deed (as hereinafter defined) or any expiration or termination of this Agreement.

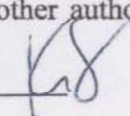
7. **RISK OF LOSS, DAMAGE AND INSURANCE.**

a. All risk of loss to the Premises prior to the closing shall be borne by Seller. Seller shall keep the Premises fully insured against fire and other extended coverage risks until the closing.

b. In the event that, prior to the closing, the improvements which are part of the Premises are destroyed or, in the opinion of Buyer, substantially damaged, Buyer may either (i) terminate this Agreement and receive back any non-vested earnest money deposit, or (ii) accept the insurance proceeds payable by reason of such damage, destruction or taking and close this transaction notwithstanding the same. Seller agrees and hereby assigns any proceeds payable pursuant hereto to Buyer, and shall name Buyer as an additional insured as Buyer's interest may appear.

8. **INSPECTION/DUE DILIGENCE.** So long as Buyer is accompanied by Seller's Broker or another authorized agent of the Broker and upon reasonable advance notice, Buyer

Onex Initials



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may enter into any part of the Premises at all reasonable times prior to the closing in order to inspect the Premises, conduct surveys, soil tests and engineering studies and to do such things as are reasonably necessary with respect to its acquisition, improvement or development of the Premises. Nothing in this paragraph shall limit the inspections necessary to complete due diligence and to meet any contingencies precedent to Buyer's obligation to close as set forth below. Except as otherwise set forth elsewhere in this Agreement, Buyer shall have one hundred twenty (120) days within which to complete general due diligence.

9. **POSSESSION OF THE PREMISES AND LEASES.** The Premises shall be delivered to the Buyer at the time of the closing free and clear of all tenancies or occupancies by any person or entity.

10. **REPRESENTATIONS AND WARRANTIES OF SELLER.** Seller represents and warrants to Buyer that the following are true as of the date of this Agreement and will be true as of the closing:

a. Seller has no knowledge, after reasonable investigation, that the Premises violates any applicable laws, ordinances, or regulations.

b. Seller has no knowledge, after reasonable investigation, that the Premises contains any special wastes, underground storage tanks urea-formaldehyde foam insulation, radon, asbestos containing materials, lead-based paint, waste oil, petroleum and any other hazardous, biomedical, radioactive or toxic, substances, materials or wastes. The terms used in the foregoing sentence shall include, without limitation, all substances, materials, etc., designated by such terms under any laws, ordinances or regulations, whether federal, state or local. Notwithstanding the foregoing, Seller believes there is or may have been an underground oil storage tank located in the front yard of the Premises, being further described in the Disclosure Form Delivered to Buyer.

c. There are no outstanding pending or threatened liens, claims, rights of first refusal, or encumbrances against the Premises.

d. All outstanding bills and/or accounts payable concerning the Premises are either paid or will be paid prior to or at the time of closing.

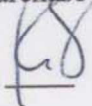
e. There are no outstanding claims, losses or demands against Seller by any tenant or other person respecting Seller's ownership, use and/or occupancy of the Premises.

f. There are no leases on the Premises.

g. No portion of the Premises is currently classified as Farm land or Tree Growth under applicable provisions of Title 36 M.R.S.A.

h. The Premises, is classified as Open Space the City of Portland and shall be withdrawn from such classification prior to or at closing at Seller's expense. Seller may use purchase money proceeds for this purpose.

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i. To the best of Seller's knowledge, there are rights of ingress and egress in perpetuity from the Premises to public highways or roads for both vehicular and pedestrian traffic and utilities.

j. Seller has provided Buyer with a copy of a survey made by Nadeau & Lodge, Inc., dated Feb. 21, 2003 entitled "Plan Depicting the Results of a Standard Boundary Survey Made for Onex Company [sic], Southerly Sideline of Westbrook Street, Portland, Maine" (the "Onex Plan"). Other than encroachments listed on the Onex Plan, there are no known boundary disputes or other encroachments affecting the Premises. For the avoidance of doubt, Buyer's knowledge of encroachments on the Onex Plan is not a waiver of Buyer's right to require reasonable curative boundary work as a condition hereof.

k. Seller has transacted business under the name "Onex Co." as registered with the Maine Secretary of State, and also as "Onex Company," as identified in a certain deed by which it took title (CCRD Book 14598, Page 346), and Seller certifies that that "Onex Co." and "Onex Company" as listed on said deed are one and the same.

l. Seller shall obtain authorization from its shareholders to enter into this Agreement, and to take all actions required hereunder, and further, that any notices given in advance of such meeting for the approval of this agreement shall be timely and duly given in accordance with the Bylaws, and any other governing documents, of the Seller.

11. **DEFAULT AND REMEDIES.** Upon default by either party, the non-defaulting party shall have all rights and remedies available to it in equity or at law, including Buyer's right to specific performance under this Agreement.

12. **CONDITIONS PRECEDENT TO BUYER'S OBLIGATION TO CLOSE.** The obligation of Buyer to close is subject to the satisfaction at or before the closing of all of the following conditions:

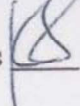
a. All representations and warranties of Seller contained in this Agreement shall be true as of the closing.

b. Buyer may, at its sole option, order its own survey of the Property, and any boundary encroachments, whether on Buyer's survey, or the Onex Plan, or otherwise, shall have been cured.

c. Buyer shall have determined within the timeframe set forth in Section 5 above that Seller can convey title in form and substance satisfactory to Buyer and Buyer's counsel.

d. Within 240 days after the Effective Date, Buyer shall have satisfactorily completed all inspections, testing, permit applications, or other requirements necessary to receive subdivision approval ("Necessary Investigations"), it being understood that each such Necessary Investigation constitutes its own condition precedent.

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e. Within 300 days after the Effective Date, Buyer shall have received final subdivision approval, granted in full and without any remaining contingencies to be fulfilled. In the event this condition is not met at the end of 300 days, and provided further that Buyer has diligently pursued the same, then Buyer may extend this contingency deadline by 60 days by giving Seller or its agents notice thereof, and paying to Seller an additional \$5,000, which payment shall be in addition to the purchase price.

f. Within 60 days after final subdivision approval, Buyer shall have received financing for a mortgage loan in such amount and upon such terms and conditions as are satisfactory to Buyer.

g. Within the first 120 days after the Effective Date, Buyer shall have obtained an inspection of the Premises and determined them to be free of wetlands, endangered or threatened wildlife or plant habitats, coastal sand dunes, great ponds, rivers and streams and in compliance with all applicable laws, ordinances, and regulations. In the event the Premises or a portion thereof is determined to be in wetlands, etc. as described above, then so long as such condition does not materially or adversely impair the Buyer's development of the Premises then this condition shall be deemed satisfied.

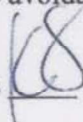
h. Within 90 days after the Effective Date, Buyer shall have obtained a general building inspection of any structures on the Premises disclosing the Premises to be structurally sound (except for a leak in the roof, some rot in the exterior wood on the house, and some rotten wood in the stable, all as disclosed to the Buyer) and in good repair and all of the mechanical systems, including without limitation, plumbing, heating, electrical, drainage, water, sewer/septic to be in working order and repair and adequate to serve the premises, all to the satisfaction of the Buyer.

i. Within the first 90 days after the Effective Date, Buyer shall have obtained an environmental site assessment of the Premises disclosing the Premises to be free of urea-formaldehyde foam insulation, hazardous substances, underground storage tanks (other than as disclosed by the Buyer on Seller's Property Disclosure), asbestos containing materials, lead-based paint, radon and special wastes. The terms used in the foregoing sentence shall have those meanings ascribed to them under Federal, State and/or Local Law.

j. Within 60 days after final subdivision approval, Buyer shall have obtained an appraisal of the Premises with a valuation equal to or greater than the purchase price hereunder.

k. Prior to closing, any action by any officer, director, or shareholder of Seller, or any other party claiming via rights to, through, or associated with Seller challenging this Agreement or the proposed sale or subdivision development contemplated hereunder shall thereafter toll all deadlines set forth herein, which deadlines shall remain tolled until either final settlement, bonding off, or final adjudication of such matter, which, for the avoidance of doubt, includes the passage of any appeals period.

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1. Prior to closing, Seller shall have conducted necessary tests to locate the buried tank referenced in its disclosure, and shall have removed such tank at its sole expense in compliance with any applicable laws, evidence of which compliance is a condition precedent to closing.

13. **BROKERAGE.** Seller is responsible for the payment of all fees and commissions due any real estate brokers with respect to this transaction. Seller agrees to indemnify and hold Buyer harmless from any and all claims made by real estate brokers with respect to this transaction. This indemnity shall include all costs and expenses including attorney's fees incurred by Buyer in defense against any such claim, and shall include claims made post-closing.

14. **ADJUSTMENTS, PRORATIONS AND CLOSING COSTS.**

a. Real estate taxes, assessments, rentals and utilities shall be prorated as of the closing.

b. The Maine real estate transfer tax shall be paid by Seller and Buyer in accordance with 36 M.R.S.A. § 4641-A.

c. The recording fee for the deed of conveyance will be paid by Buyer.

d. A portion of the purchase price shall be withheld at the closing by Buyer if required by 36 M.R.S.A. § 5250-A.

e. Utilities shall be prorated as of the closing date and Buyer shall reimburse Seller for any unused fuel oil or gas.

f. Seller shall pay any penalties due to the City of Portland which relate to Seller's removal of the Premises from any Open Space, Tree Growth, Farmland, or other such tax program set forth under Title 36 of the Maine Revised Statutes.

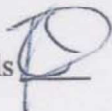
15. **CONFIDENTIALITY.** Seller and Buyer covenant and agree to keep confidential the terms of the transaction contemplated hereby and not to disclose to any person either the fact that discussions or negotiations are taking place (other than Buyer's lender or attorney) concerning the acquisition of the Property or the substance or status thereof, except as is necessary to perform obligations pursuant hereto.

16. **MISCELLANEOUS.** The parties further agree as follows:

a. **Binding Agreement / Assignment.** This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, legal representatives, successors, and assigns. Buyer reserves the right to assign this Agreement to an entity to be formed.

b. **Joint & Several.** Seller shall refer to each selling party as their interests

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appear but each Seller shall be responsible for all warranties and representation on a joint and several basis.

c. Amendment. This Agreement shall not be changed in any respect except by written instrument signed by the parties hereto.

d. Governing Law / Jurisdiction. This Agreement and all rights and obligations hereunder, including matters of construction, validity, and performance, shall be governed by the laws of the State of Maine and parties recognize Maine as the courts of Cumberland County having sole forum having jurisdiction hereover.

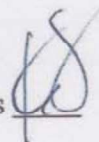
e. Severability. If any term, condition, or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable according to the law, then the remaining terms, conditions, and provisions of his Agreement, or the application of any such invalid or unenforceable terms, condition or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term, condition, and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

f. Headings. The descriptive headings of the sections of this Agreement have been inserted for the convenience and reference only and shall not control or affect the meaning or construction of any of the contents hereof.

g. Integration. This Agreement may be executed in multiple originals and embodies the entire understanding of the parties. All prior discussions and representations are merged herein.

h. Notice. Any demand or notice required or permitted hereunder, shall be effective if either: (i) hand-delivered to the addressee, or (ii) deposited in the mail, registered or certified, return receipt requested and postage prepaid, or delivered to a private express company addressed to the addressee: (A) at the address shown below, or (B) if such party has provided the other in writing with a change of address, at the last address so provided. Any notice or demand mailed as provided in this paragraph shall be deemed given and received on the earlier of: (i) the date received, or; (ii) the dated of delivery, refusal or non-delivery as indicated on the return receipt, if sent by mail or private express as provided above. All notices required to be given, or which may be given hereunder, shall be in writing and if mailed, shall be sent by mail to the party to be notified as follows:

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**Seller:** Onex Co.  
Attn: Kerrin Dorne.  
68 Old Farm Road  
Newton, MA 02459

With a copy to:  
Alexandra E. Caulfield  
Drummond Woodsum  
84 Marginal Way, Suite 600  
Portland, Maine 04101-2480

**Buyer:** Diversacorp, LLC  
Attn: Nate Libby  
5 Stone Pony Cir.  
Saco, ME 04072

With Mandatory Copy To:  
Jason G. Howe, Esq.  
Bergen & Parkinson, LLC  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

or to such other addresses as one party may from time to time hereafter designate by like notice to the other.

i. Gender and Number. All words denoting gender or number shall be construed to include any other gender or number as the context and facts require.

j. Survival / Merger. All representations of Seller survive closing unless extinguished in writing by agreement of the parties signed at closing. For the avoidance of doubt, acceptance of the Deed by Buyer does not merge the provisions of this Agreement or satisfies all obligations and representations of Seller.

k. Time. Time is of the essence in this Agreement.

l. Survey. Survey means a map of a staked survey of the Real Property and Improvements constituting the Property prepared by a surveyor who prepared one or both of the Existing Surveys (as defined herein), such Survey to comply with the ALTA/ACSM Survey Requirements 1999 for ALTA/ACSM land title surveys jointly established and adopted in 1999, by the American Land Title Association, American Congress on Surveying and Mapping, and the National Society of Professional Engineers, including optional items 1, 2, 3, 4, 6, 7, 8, 9, 19 and 11 of Table "A" thereof, which meets the accuracy standards (as adopted by ALTA and ACSM and in effect on the date of the Survey), or a state standard which is comparable to the foregoing ALTA/ACSM standard.

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m. Professional Advice. Each party hereby acknowledges that they have read and understand this Agreement and have had an opportunity to obtain professional advice regarding the same.

n. Recording. Buyer reserves the right to record a memorandum of this agreement at the Cumberland County Registry of Deeds at its expense, and Seller agrees to sign a memorandum hereof.

o. Authority. Seller warrants and represents that it / they have full authority to execute this Agreement and perform all obligations contained herein. All such actions have been properly authorized by any required votes and the party signing on behalf of Seller is duly appointed to so act in said capacity to make this Agreement binding upon Seller.

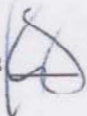
p. Signatures/Counterparts. Facsimile or Electronic Signatures shall be deemed to be and treated as originals. This agreement may be signed in counterpart, the combination of which counterparts constitutes a binding final agreement.

q. Improvident Transfers. Seller warrants and represents that they have fully complied with the Improvident Transfer Act and that this Agreement is enforceable pursuant to the provisions thereof.

17. **AGREEMENT OF ESCROW AGENT.** In the event of any dispute regarding the disposition of the escrowed funds held by Escrow Agent, Escrow Agent shall have the right to deliver said funds to a court of competent jurisdiction and commence an interpleader action to determine the proper disposition of said funds. Seller and Buyer agree to reimburse Escrow Agent for all expenses incurred by Escrow Agent in the interpleader action, including, without limitation, attorney's fees. Seller and Buyer further agree to hold Escrow Agent harmless for any action taken in good faith pursuant to the terms of this Agreement.

*(Signatures Below)*

Onex Initials



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IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of this  
day of August 2016 ("Effective Date").

**ONEX CO.**  
("Seller")

Witness Kevin Capen

By: [Signature]

Print Name: Kerrin Dorne.  
Its: Secretary  
Thereunto Duly Authorized

**DIVERSACORP, LLC**  
("Buyer")

Witness [Signature]

By: [Signature]

Nate Libby, its Manager  
Thereunto Duly Authorized

Nate Libby  
(President)

(Exhibit A Below)

Onex Initials [Signature]

Diversacorp [Signature]



# EXHIBIT A

MAINE REAL ESTATE TAX PAID

P 10211 - Warranty deed, warranty deed form, 10-03

BK14598P6366

0017208

Warranty Deed

Peter J. Rogers and Mary K. Rogers  
 of Portland  
 (being married), for consideration paid,  
 gave to Onex Company, A Maine Corporation with a principal place of business  
 at 440 Forest Avenue  
 of Portland, Cumberland, County  
 with Warranty Covenants,  
 the land in Portland Cumberland, County, Maine.

See Exhibit A attached hereto and made a part hereof.

Witness our hands and seals this fourth day of March 1999

Peter J. Rogers  
 Peter J. Rogers

Mary K. Rogers  
 Mary K. Rogers

State of Maine, County of \_\_\_\_\_

Then personally appeared the above named Peter J. Rogers and Mary K. Rogers  
 and acknowledged the foregoing instruments to be their free act and deed.

Before me, Rachel Davis

☐ Justice of the Peace  
☐ Attorney at Law  
☒ Notary Public

RACHEL DAVIS  
 NOTARY PUBLIC LICENSE  
 MY COMMISSION EXPIRES MARCH 31, 2001

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BK 14598PG347

EXHIBIT A

A certain lot or parcel of land, together with the buildings thereon, situated in Portland, in the County of Cumberland and State of Maine, in that part of Portland which was formerly Deering, on the southerly side of the road leading from Stroudwater Village, so-called, to Westbrook formerly called Saccarappa; being all and the same property which was conveyed to Allura S. Castner by Rufus T. Boothby and Frank P. Tibbetts, et als., by their deeds of warranty dated March 11, 1899, as recorded in Cumberland County Registry of Deeds in Book 671, Pages 424 and 425, said property being bounded and described in said deeds as follows:

Northerly by said road, easterly by land now or formerly of N.H. Dole and land of the heirs of M. Quimby, southerly by the Stroudwater River and westerly by land now or formerly of Royal Burnham, containing forty-eight (48) acres, more or less, reference being made to said deeds and the record thereof for a more particular description of the premises.

Excepting from the above described premises those parcels of land conveyed by the grantor by the following conveyances: On June 7, 1938 to Carroll E. Hackett, recorded in Cumberland County Registry of Deeds in Book 1548, Page 418; on April 25, 1949 to Granville F. Allen et al., recorded in said Registry of Deeds in Book 1952, Page 354; on May 28, 1954 to Portland Water District recorded in said Registry of Deeds in Book 2198, Page 386; on July 14, 1955 to Frederick A. Butts et al., recorded in said Registry of Deeds in Book 2236, Page 405; on November 4, 1956 to Rosamond J. Allen, recorded in said Registry of Deeds in Book 2325, Page 358; on November 14, 1957 to Rosamond J. Allen, recorded in said Registry of Deeds in Book 2386, Page 205.

This conveyance is made subject to a right of way over the above described land taken by the Portland Pipe Line Corporation by condemnation proceedings and recorded in Cumberland County Registry of Deeds in Book 1655, Page 294 to which reference is hereby made.

This conveyance is also subject to an easement granted to the Portland Water District recorded in the Cumberland County Registry of Deeds in Book 1399, Page 462 to which reference is hereby made.

This conveyance is also made subject to an easement for a sewer pipe granted to Frederick A. Butts et al. in deed recorded in Cumberland County Registry of Deeds in Book 2236, Page 405.

Also excepting and reserving from the above described premises another certain lot or parcel of land adjoining and to the south of land of Lillian E. Hackett, formerly of Carroll E. Hackett mentioned above. Said lot or parcel of land being bounded and described as follows: Beginning at the southwest corner of said Hackett land; thence southerly projecting the line marking the western boundary of the said Hackett land and which projection would form a 90 degree angle with said Westbrook Street, one hundred (100) feet to an iron stake; thence at an angle of 90 degrees 46' easterly ninety-seven and sixty-two hundredths (97.62) feet to an iron stake; thence northerly one hundred (100) feet to a stake at the southeasterly corner of said Hackett land; thence westerly ninety-seven and sixty-two hundredths (97.62) feet along southern boundary of said Hackett land to the point of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantors by deed of Ruby H. Young dated October 27, 1960, recorded in the Cumberland County Registry of Deeds in Book 2574, Page 161.

RECEIVED  
RECORDED REGISTRY OF DEEDS

1999 MAR -9 PM 3:27

CUMBERLAND COUNTY

John B. O'Brien

M.H.R.  
P.J.R.

Onex Initials

Diversacorp



Deed for Lots: 246-A-6, 247-A-2, 245-B-5

*After recording return to:*

Jason G. Howe, Esq.  
Bergen & Parkinson, LLC  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

\_\_\_\_\_  
Space Above This Line For Recording Data

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS, that **JUDITH A. CAMINITI**, f/k/a Judith C. Green, having a mailing address of 67 Goose Cove Road, Trenton, ME 04605, FOR CONSIDERATION PAID, hereby grants to **DIVERSACORP, LLC**, a Maine limited liability company whose mailing address is 5 Stone Pony Circle, Saco, Maine, with Warranty Covenants, a certain lot or parcel of land, together with any improvements thereon and all rights appurtenant thereto, commonly know and designated as 1714 Westbrook Street, Portland, Maine; being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, Judith A. Caminiti, f/k/a Judith C. Green, has hereunder set her hand and seal as of this \_\_\_\_\_ day of February, 2017.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Judith A. Caminiti

STATE OF MAINE

\_\_\_\_\_ County, ss.

Date: \_\_\_\_\_

Personally appeared the above-named Judith A. Caminiti, being formerly known as Judith C. Green, and acknowledged the foregoing instrument to be her free act and deed.

Before me,

\_\_\_\_\_  
Attorney at Law / Notary Public

Print: \_\_\_\_\_

[SEAL]

*(Exhibit A Below)*

**EXHIBIT A**  
(1714 Westbrook St., Portland)

A certain lot or parcel of land, situated in Portland, Cumberland County, Maine and bounded and described as follows:

BEGINNING on the southeasterly side of Westbrook Street at a fir stump marked at the corner of land now or formerly of one Leavitt;

THENCE southeasterly by said Westbrook Street, ten (10) chains and sixty-three (63) links to land formerly of Solomon Conant, et als;

THENCE southerly by said Conant land twenty (20) chains eighty-seven (87) links to the Stroudwater River, across said river to land formerly of James Trickey, et als;

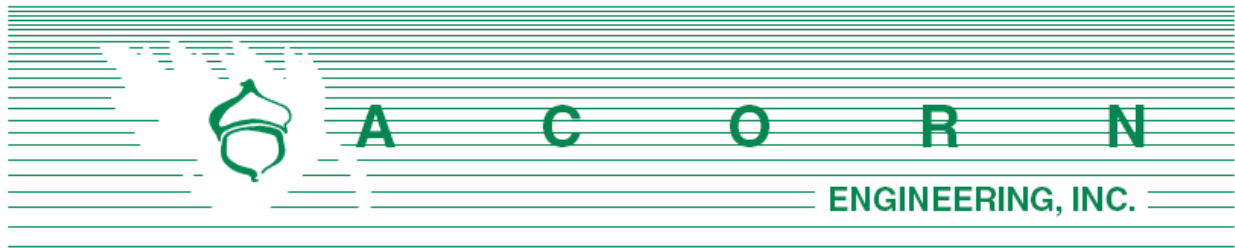
THENCE westerly by said River by said Trickey land and land formerly of George B. Leavitt to a stake;

THENCE by Leavitt land North 12° East (subject to variations since established) twenty-seven (27) chains and ninety-two (92) links to the first mentioned bounds, containing thirty (30) acres, more or less.

Excepting from the above-described premises those portions conveyed to Maine Turnpike Authority by Maurice S. Tomlinson, et al, by deed dated February 11, 1954, and recorded in the Cumberland County Registry of Deeds in Book 2166, Page 135; and by deed dated September 2, 1954, and recorded in said Registry of Deeds in Book 2166, Page 135.

Excepting from the above-described premises the parcel with a house thereon conveyed to Andrew D. Green and Judith C. Green by deed dated March 4, 1994, and recorded in the Cumberland County Registry of Deeds in Book 11319, Page 55.

Excepting from the above-described premises the 1 acre parcel conveyed to Andrew D. Green by deed dated December 20, 2004, and recorded in the Cumberland County Registry of Deeds in Book 22163, Page 81. Regarding this exception, further reference is made to a certain Agreement Concerning Marital Property recorded in said Registry in Book 22163, Page 80, and a certain Abstract of Divorce recorded in said Registry in Book 22735, Page 32.



## **E. Non-Conforming Lot Summary**

### Camelot Farm Zoning Map Amendment Application

Based on feedback from the Planning Board, the abutting and surrounding lots to Camelot Farms zoned as R-1 or R-2 were evaluated for conformance with the City zoning standards. The Camelot Farms property is currently zoned as R-1 Residential Zone abutting the Stroudwater neighborhood as zoned as R-2 Residential. Upon review of the City of Portland's Zoning Map Viewer, it is apparent that there are multiple properties within each zone that do not meet the zoning standards as set by Chapter 14 of the Code of Ordinances. Instead, these lots represent a more dense and narrower configuration that would comply with a R-3 zone as proposed within the Camelot Farms neighborhood. It was identified that there are fourteen (14) existing non-conforming lots within the R-1 zone and fourteen (14) within R-2. Non-conforming lots were defined as not meeting the minimum lot size, lot width, or street frontage; building setback requirements were omitted from the list.

A summary of the space and bulk standards per zone is as follows:

| <i><b>Zone</b></i> | <i><b>Min Lot Size</b></i> | <i><b>Min Lot Width</b></i> | <i><b>Min Street Frontage</b></i> |
|--------------------|----------------------------|-----------------------------|-----------------------------------|
| R-1 Residential    | 15,000 sf                  | 100 ft                      | 75 ft                             |
| R-2 Residential    | 10,000 sf                  | 80 ft                       | 50 ft                             |

A table of the identified parcels are as listed below:

|                              | <i><b>Address</b></i>    | <i><b>Chart, Block, Lot</b></i> | <i><b>Non-Conforming Attribute</b></i> |
|------------------------------|--------------------------|---------------------------------|----------------------------------------|
| <b>R-1: Residential Zone</b> |                          |                                 |                                        |
| <i>1</i>                     | <i>1683 Westbrook St</i> | <i>249-A-1</i>                  | <i>Lot Size - 14,375 sf</i>            |
| <i>2</i>                     | <i>1593 Westbrook St</i> | <i>248-B-9</i>                  | <i>Lot Size – 14,600 sf</i>            |
| <i>3</i>                     | <i>16 Swan St</i>        | <i>250-B-7</i>                  | <i>Lot Width – 65 ft</i>               |
| <i>4</i>                     | <i>6 Pierce Ave</i>      | <i>250-B-6</i>                  | <i>Lot Size – 9,025 sf</i>             |
| <i>5</i>                     | <i>10 Pierce Ave</i>     | <i>250-B-4</i>                  | <i>Lot Size – 9,500 sf</i>             |
| <i>6</i>                     | <i>18 Pierce Ave</i>     | <i>250-B-1</i>                  | <i>Lot Size – 10,671 sf</i>            |
| <i>7</i>                     | <i>37 Swan St</i>        | <i>250-C-5,6</i>                | <i>Lot Size – 9,500 sf</i>             |

|                              |                   |                   |                         |
|------------------------------|-------------------|-------------------|-------------------------|
| 8                            | 13 Swan St        | 250-C-1,2 256-B-4 | Lot Size – 14,250 sf    |
| 9                            | 1567 Westbrook St | 256-B-1,2,3       | Lot Size – 14,139 sf    |
| 10                           | 1563 Westbrook St | 256-B-5           | Lot Width – 76 ft       |
| 11                           | 1557 Westbrook St | 256-B-13          | Lot Width – 76 ft       |
| 12                           | 1549 Westbrook St | 256-B-6           | Lot Width – 76 ft       |
| 13                           | 1543 Westbrook St | 250-C-9           | Lot Width – 76 ft       |
| 14                           | 1533 Westbrook St | 250-A-14          | Lot Width – 51 ft       |
| <b>R-2: Residential Zone</b> |                   |                   |                         |
| 1                            | 1527 Westbrook St | 250-C-13          | Lot Width – 61 ft       |
| 2                            | 3 Stroudwater Rd  | 227-C-1           | Lot Size – 9901 sf      |
| 3                            | 1221 Westbrook St | 213-E-7           | Lot Size – 6,702 sf     |
| 4                            | 1193 Westbrook St | 213-F-6           | Lot Size – 8,400 sf     |
| 5                            | 1161 Westbrook St | 213-F-3           | Lot Size – 8,675 sf     |
| 6                            | 1157 Westbrook St | 207-B-6           | Lot Size – 4,198 sf     |
| 7                            | 50 Cobb Ave       | 210-B-33          | Lot Size – 9,500 sf     |
| 8                            | 111 Cobb Ave      | 210-A-10,11       | Lot Size – 9,609 sf     |
| 9                            | 9 Cobb Ave        | 213-A-4           | Lot Size – 5,776 sf     |
| 10                           | 1 Cobb Ave        | 213-A-5           | Lot Size – 6,412 sf     |
| 11                           | 1174 Westbrook St | 213-A-8           | Lot Size – 7618 sf      |
| 12                           | 24 Garrison St    | 213-A-13          | Lot Size – 7,043 sf     |
| 13                           | 36 Garrison St    | 212-A-33          | Lot Size – 9,600 sf     |
| 14                           | 67 Tide Mill Rd   | 212-A-51          | Street Frontage – 42 ft |

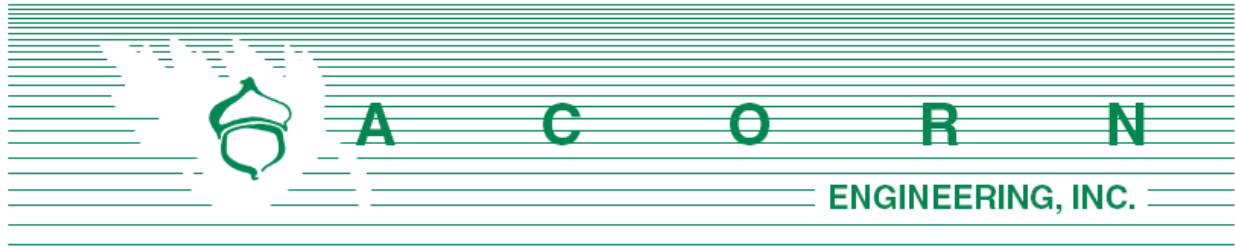




Omitting the lot with less than 50 feet of street frontage, all the existing lots listed above would conform to the standards set by the R-3 Residential Zone. Most of these lots also have the space and bulk characteristics of the proposed Camelot Farms conceptual layout. The current plan proposes 95 lots at an average area of 9,079 square feet with the smallest lot at 6,517 square feet and the largest at 24,357 square feet all with a minimum 50-foot street frontage and 65-foot width at center (assumed structure location). It is also assumed that homes are to be between 900 – 1800 square feet of building footprint. Under these specific characteristics, eighteen (18) existing lots within the R-1 and R-2 neighborhood would fit into Camelot Farms; specific lots are as italicized in the table above.

In all, the zone change from R-1 to R-3 for the residential section of Camelot Farms gives the flexibility for more narrow lots with lesser required street frontage that allows for efficient use of space and total road infrastructure. By studying the surrounding R-1 and R-2 neighborhoods, the proposed zone change is compatible with the existing neighborhood size and scale.





## **F. Architectural Design Examples**

### Camelot Farm Zoning Map Amendment Application

Camelot Farms is proposed to be comprised of homes that reflect classic New England facades and complement the existing styling and massing of the surrounding neighborhoods. The homes are to be modestly sized and orientated within the lot to encourage both interaction with the neighboring home as well as privacy in the form of open-air front porches also found in the existing lots within the Stroudwater Neighborhood. The homes are to be designed to be adaptable and expandable within the lot to allow for future renovation and additions for growing families or upsizing homeowners.

Provided below is a list of images with design elements and features that reflect the project goals:

**Example Design and Massing to be Considered for Development:**



**Craftsman Home**

2,250 Square Feet, 2-Floor, 4-Bedroom Floor Plan



**Bungalow Craftsman Home**

1,600 Square Feet, 2-Floor, 2-Bedroom Floor Plan





**Craftsman Home**

1,612 Square Feet, 2-Floor, 3 Bedroom Floor Plan



**Traditional Home**

2,533 Square Feet, 2-Floor, 3 Bedroom Floor Plan







**Classic Cape Home**

1,525 - 2,047 Square Feet, 2-Floor, 3 Bedroom Floor Plan  
*Eastern Village, Scarborough - As-Built Plans*



**Edenville Home**

1,800 Square Feet, 2-Floor, 3 Bedroom Floor Plan  
*Eastern Village, Scarborough - As-Built Plans*



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207-775-2655 • PO Box 3372 • Portland • Maine • 04104



This idea of more densely orientated homes with front porches and craftsman-like styling is reflected in the abutting areas as well. The below listed images are Google street views of existing properties that harmonize with the size, setbacks, and style proposed for the Camelot Farms homes.

**Existing Homes Within the Surrounding Neighborhood:**



**Address:** 1533 & 1527 Westbrook Street



**Address:** 10 & 18 Pierce Ave





**Address:** 44 & 40 Spar Ln



**Address:** 36 Partridge Cir



**Address:** 42 & 37 Swan Street



**Address:** 59 Kingsmark Ln





**Address:** 1646 Westbrook Street



**Address:** 1630 Westbrook Street

Order

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
EDWARD J. SUSLOVIC (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)  
JILL C. DUSON (A/L)  
JON HINCK (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING AN EASEMENT OPTION  
FOR PUBLIC ACCESS  
AT THE PORTLAND COMPANY HISTORIC DISTRICT**

**ORDERED**, that an Option for Open Space and Public Access Easements from Camelot Holdings, LLC to set aside open space and to allow public access across certain areas of the Camelot Farms subdivision or land adjacent thereto is hereby accepted in substantially the form attached hereto; and

**BE IT FURTHER ORDERED**, that the City Manager or his or her designee is authorized to exercise the Easement Option as set forth in paragraph 4 of the Easement Option upon Corporation Counsel's approval of the easement.



## OPTION FOR OPEN SPACE AND PUBLIC ACCESS EASEMENTS

This OPTION FOR OPEN SPACE AND PUBLIC ACCESS EASEMENTS is dated as of \_\_\_\_\_ day of \_\_\_\_\_, 2017 (the "Effective Date"), by and between **CAMELOT HOLDINGS, LLC**, a Maine limited liability company having a mailing address of c/o Diversacorp, LLC, 5 Stone Pony Circle, Saco, Maine ("Grantor"), and the **CITY OF PORTLAND**, a body politic and corporate having a mailing address of 389 Congress Street, Portland, Maine 04101 ("Grantee" or "City").

WHEREAS, Grantor is the owner of that certain real property known as "Camelot Farm" at 1700 Westbrook Street, City of Portland, County of Cumberland, State of Maine, which is more particularly described in a deed recorded in the Cumberland County Registry of Deeds in Book 14598, Page 346 (the "Property"); and

WHEREAS, the Property is presently located in a R1 Zone, but is surrounded and/or impacted by various overlay districts, including zones for the Resource Protection Zone and Shoreland Overlay Zone along the Stroudwater River; and

WHEREAS, the City is in the process of re-zoning the land in and around the Property to the R3 Zone; and

WHEREAS, it is in the interest of Grantor and Grantee to centralize development within the Property for purposes of minimizing environmental impact in or near the Resource Protection Zone and Shoreland Overlay Zone near the Stroudwater River by granting an Open Space easement for portions of the property generally along the Resource Protection Zone and Shoreland Overlay Zone; and

WHEREAS, it is in the interest of Grantee and the public, generally, for Grantor to provide an area of public access from Westbrook Street to the Stroudwater River, and, if feasible, to the Stroudwater Trail located across the river; and

WHEREAS, in consideration of Grantor's agreement to provide the said open space and public access easements, the City has agreed to include the Property in the R3 Zone, allowing Grantor to centralize development; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee, intending to be legally bound hereby, do hereby agree as follows:

1. **GRANT OF OPTION.** Subject to the terms and conditions contained herein, Grantor hereby grants, bargains, sells, conveys and delivers unto Grantee a binding, exclusive and irrevocable option (the "Option") to acquire an easement on a portion of Grantor's Property for the purpose of providing both Open Space, which shall not be developed or improved ("Open Space Easement"), a portion of which along the westerly boundary of the Property may be used for physical public access from Westbrook Street to the Stroudwater River for pedestrians (the "Public Access Easement").

2. **EASEMENT AREA and TERMS.**

(a) The location of the Open Space Easement described herein shall consist of an area in shape and form to be determined upon grant of option, but which shall in any event run generally along and over areas presently covered by the Resource Protection Zone and Shoreland Overlay Zone. Located within the Open Space Easement, the Public Access Easement shall be as defined in the easement description to be finalized by the parties hereto, it being understood that such public access easement shall be limited to only those portions of the Open Space Easement as are necessary to provide access from the

Westbrook Street across land held by Grantor's parent company at 1714 Westbrook Street, along the easterly sideline of Maine Interstate 95 ("I-95") to the Stroudwater River. Both the Open Space Easement, and the Public Access Easement within, are generally depicted on Exhibit A, which is included for general reference and is not binding or final.

(b) Grantor and Grantee agree that the descriptions and/or images set forth in Exhibit A are intended to be general in nature and that the final location and configuration of the easements shall be determined by Grantor in Grantor's reasonable discretion, subject to approval by the Portland Planning Board and Corporation Counsel's office.

(c) Before the final approval of the subdivision application by Grantor or its successor or assigns for the Property, Grantor or its successor or assign shall negotiate the terms of the Public Access Easement and finalize the legal description of each easement premises with Grantee. The parties agree to include in the Open Space Easement terms that are consistent with the terms contained in the draft easement attached hereto as Exhibit B, and Public Access Easement terms that are consistent with the terms contained in the draft easement attached hereto as Exhibit C. Grantee agrees to negotiate in good faith to approve a description of the easements within thirty (30) calendar days after Grantee's receipt of the first draft from Grantor.

3. **OPTION TERM.** The term of the Option shall commence after satisfaction of all of the following: (i) Grantee's vote to approve rezoning the entire Property to the R3 Zone, including the passage of all applicable appeal periods without an appeal being filed (or, if an appeal has been timely filed, the appeal has been fully adjudicated in favor of Grantor); (ii) final subdivision approval from City of Portland Planning Board and passage of all applicable appeal periods without an appeal being filed (or, if an appeal has been timely filed, the appeal has been fully adjudicated in favor of Grantor); (iii) Grantor's final purchase of the Property. Upon satisfaction of the foregoing, Grantor shall give Grantee notice of its Option, and the Option shall run for a period of ninety (90) calendar days thereafter ("Option Term"), after which, this option shall automatically expire.

4. **OPTION EXERCISE.** Grantee shall exercise this Option on or before the expiration of the Option Term by (i) executing and acknowledging, without amendment, the final easements previously executed and acknowledged by Grantor or its successor or assign, and (ii) delivering the same to Grantor or its successor or assign for recordation, without any reservation or any condition other than, if applicable, the finalization of the location of the easements. Grantor and Grantee shall further sign and deliver, together with the easements, such other forms and documents as may be customary or required by state and/or federal law in order to effect the transaction contemplated herein.

5. **MISCELLANEOUS.**

(a) **Execution by Both Parties:** This instrument shall not become effective and binding until fully executed by both Grantor and Grantee. This instrument may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

(b) **Notice:** Grantee, its successors and assigns, shall at all times keep Grantor advised of the representative of Grantee who will handle inquiries and notifications. All notices and other communications required or permitted to be delivered hereunder shall be in writing and delivered in hand or mailed postage prepaid, by United States mail, or by electronic mail to the parties or their agents, with evidence of receipt by the primary addressee, at the following addresses or to such other address as the person to whom notice is to be given may have previously furnished to the other in writing in the manner set forth above:

IF TO GRANTOR: Camelot Holdings, LLC  
c/o Diversacorp, LLC  
5 Stone Pony Cir.  
Saco, ME 04043

WITH COPY TO: Jason G. Howe, Esq.  
Bergen & Parkinson, LLC  
62 Portland Rd, Suite 25  
Kennebunk, ME 04043

IF TO GRANTEE: City of Portland  
Attention: \_\_\_\_\_  
389 Congress Street  
Portland, Maine 04101

WITH COPY TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Governing Law: This instrument shall be governed by and construed in accordance with the laws of the State of Maine.

(d) Successors and Assigns: This instrument shall apply to, inure to the benefit of and be binding upon and enforceable against the parties hereto and their respective heirs, successors, and or assigns, to the extent as if specified at length throughout this instrument.

(e) Time: Time is of the essence of this agreement.

(f) Cost of this Agreement: Any cost and/or fees incurred by the Grantor or Grantee in preparing and executing this Agreement shall be borne by the respective party incurring such cost and/or fee, other than as provided herein.

(g) Amendments: This instrument may not be modified or amended unless such amendment is set forth in writing and executed by both Grantor and Grantee.

(h) Severability: In the event that any of the provisions of this instrument are held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provisions shall not be affected thereby

*(Signatures & Exhibit Below)*

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their duly authorized representatives effective as of the Effective Date.

WITNESS:

**Camelot Holdings, LLC**

\_\_\_\_\_

By: \_\_\_\_\_  
Nathaniel R. Libby, its Manager  
Thereunto duly authorized

STATE OF MAINE  
YORK, ss.

Dated: \_\_\_\_\_

Personally appeared the above-named Nathaniel R. Libby, Manager of Camelot Holdings, LLC, duly authorized, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and thereby the free act and deed of the Camelot Holdings LLC.

Before me,

\_\_\_\_\_  
Print Name:  
Notary Public/Attorney-at-law  
My Commission Expires:

WITNESS:

**CITY OF PORTLAND**

\_\_\_\_\_

By: \_\_\_\_\_  
Print Name:  
Its:

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

Dated: \_\_\_\_\_

Personally appeared the above-named \_\_\_\_\_, \_\_\_\_\_  
of the City of Portland, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Before me,

\_\_\_\_\_  
Print Name:  
Notary Public/Attorney-at-law  
My Commission Expires:



## **EXHIBIT A**

(Insert rough image showing Open Space Easement (along stroudwater, generally), and the Public Access Easement along the Westerly sideline of either 1700 Westbrook Street, or 1714 Westbrook Street)

*(Draft Open Space & Public Access Easements Below)*

DRAFT

**EXHIBIT B**  
(Draft Open Space Easement)

KNOW ALL PERSONS BY THESE PRESENTS, that **DIVERSACORP, LLC**, a Maine limited liability company with a place of business in Portland, Maine and mailing address of 5 Stone Pony Circle, Saco, Maine (the "Grantor"), FOR CONSIDERATION PAID, hereby GRANTS to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine (the "Grantee" or the "City"), a non-exclusive public access easement for the purpose described below, over portions of Grantor's property at or about 1700 and 1714 Westbrook Street, in Portland, Maine, more particularly described in Exhibit A attached hereto (the "Easement Area").

The purpose of the open space easement granted herein is to provide a meaningful areas of undeveloped open space along the Stroudwater River corridor. Land within the Easement area may be disturbed, graded, regarded, seeded, or otherwise managed by Grantor for all purposes necessary for development of the Camelot Farm lot located generally at 1700 Westbrook Street, Portland, Maine, or in any fashion otherwise permitted by land-use and zoning laws, but in all cases, the disturbance shall be in form and scope which is the least intrusive as commercially reasonable. This easement is not a conservation easement. Neither Grantor nor Grantee has any obligation to maintain the Easement Area, except as Grantor may be required to repair or replant areas disturbed during development. The parties agree that this Easement shall in no way impair any restrictions or requirements imposed by local ordinance, state statute, or federal law, as the same relate to activities within the Easement Area. Nothing in this easement shall prevent the pipeline company having prior rights through the Easement Area from exercising its rights to the pipeline.

TO HAVE AND TO HOLD the aforegranted and bargained public access easement, with all privileges and appurtenances thereof, to the Grantee, its successors and assigns, to its and their use and behoof, forever.

IN WITNESS WHEREOF, \_\_\_\_\_, the Grantor has caused this instrument to be executed by \_\_\_\_\_, its \_\_\_\_\_ thereunto duly authorized, this \_\_\_\_ day of \_\_\_\_\_, 2017.

*(Draft Public Access Easement Below)*

**EXHIBIT C**  
(Public Access Easement)

KNOW ALL PERSONS BY THESE PRESENTS, that **DIVERSACORP, LLC**, a Maine limited liability company with a place of business in Portland, Maine and mailing address of 5 Stone Pony Circle, Saco, Maine (the "Grantor"), FOR CONSIDERATION PAID, hereby GRANTS to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine (the "Grantee" or the "City"), a non-exclusive public access easement for the purpose described below, over portions of Grantor's property at or about 1700 and 1714 Westbrook Street, in Portland, Maine, more particularly described in Exhibit A attached hereto ("Easement Area"), said actual traveled paths or surfaces to be as depicted in the drawing attached hereto as Exhibit B and made a part hereof ("Pathway").

The purpose of the public access easement granted herein is to provide physical public access via the Pathway to the shore of the Stroudwater River for pedestrians within the Easement Area, which Pathway may be improved by Grantee at Grantee's sole and exclusive expense, including, without limitation, Grantee or its assigns installing an ADA compliant access way for pedestrians, provided that impermeable surfaces shall be only when absolutely necessary. Maintenance, repair and snow removal responsibilities within the Easement Area and Pathway shall belong solely to the Grantee, its successors and assigns. Land within the Easement or Pathway area may be disturbed, graded, regarded, seeded, or otherwise managed by Grantor for all purposes necessary for development of the Camelot Farm lot located generally at 1700 Westbrook Street, Portland, Maine, or in any fashion otherwise permitted by land-use and zoning laws, but in all cases, the disturbance shall be in form and scope which is the least intrusive as commercially reasonable, and shall be repaired, restored, or replanted, as applicable by Grantor.

This easement is given for recreational use and the Grantor and Grantee claim the rights and protections against liability in accordance with Title 14 MRS §159-A to the maximum extent permitted by law.

TO HAVE AND TO HOLD the aforegranted and bargained public access easement, with all privileges and appurtenances thereof, to the Grantee, its successors and assigns, to its and their use and behoof, forever.

IN WITNESS WHEREOF, \_\_\_\_\_, the Grantor has caused this instrument to be executed by \_\_\_\_\_, its \_\_\_\_\_ thereunto duly authorized, this \_\_\_\_ day of \_\_\_\_\_, 2017.

(End of Option Agreement)

GENERAL NOTES:

1. PLAN REFERENCES:
  - 1.1. CITY OF PORTLAND GIS FOR PARCEL AND ZONING DATA.
  - 1.2. PRELIMINARY BOUNDARY SURVEY DATED 11/16/2016 COMPLETED BY TITCOMB ASSOCIATES.
  - 1.3. WETLAND DELINEATION BY MARK HAMPTON ASSOCIATES DATED 11/18/2016.
2. AREA DEPICTED FOR THE SHORELAND OVERLAY ZONE 250' FROM THE HIGH WATER LEVEL IS APPROXIMATE BASED ON PORTLAND GIS DATA.
3. OPEN SPACE EASEMENT MAY BE EXTENDED FROM THE RIVER'S EDGE TO THE SINGLE FAMILY HOUSE LOT REAR PROPERTY LINES OR STREET ROW UPON SUBDIVISION OR SITE PLAN APPROVAL.
4. PUBLIC ACCESS EASEMENT TO PROVIDE ACCESS FROM WESTBROOK STREET TO THE STROUDWATER RIVER ALONG THE WESTERLY SIDE OF THE PROPERTY. FINAL LOCATION TO BE DEFINED BY THE GRANTOR.

PROPOSED 30' PUBLIC ACCESS EASEMENT. REFER TO NOTE 4.

PROPOSED EXTENT OF OPEN SPACE EASEMENT APPROX 250' FROM STROUDWATER RIVER HIGH WATER LEVEL AND 12.5 ACRES IN SIZE. REFER TO NOTE 3.

RESOURCE PROTECTION ZONE

SHORELAND OVERLAY ZONE

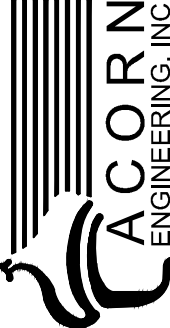
PATRIDGE CIRCLE

WESTBROOK STREET

OLD WESTBROOK STREET

MAINE TURNPIKE (I-95)

DRAFT

|                                                                                                                                                                                                                            |  |             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------|
| ISSUED FOR                                                                                                                                                                                                                 |  | BY DATE     |
| DRAFT EASEMENT                                                                                                                                                                                                             |  | WHS 2/15/17 |
|                                                                                                                                                                                                                            |  |             |
|                                                                                                                                                                                                                            |  | REV. DATE   |
|                                                                                                                                                                                                                            |  |             |
| DRAWING NAME:                                                                                                                                                                                                              |  |             |
| EXHIBIT A - CONCEPT EASEMENT                                                                                                                                                                                               |  |             |
| PROJECT NAME:                                                                                                                                                                                                              |  |             |
| CAMELOT FARMS SUBDIVISION                                                                                                                                                                                                  |  |             |
| CLIENT:                                                                                                                                                                                                                    |  |             |
| CAMELOT HOLDINGS, LLC                                                                                                                                                                                                      |  |             |
|  <p>ACORN ENGINEERING, INC. P.O. BOX 3372<br/>PORTLAND, MAINE 04104 (207) 775-2655</p>                                                 |  |             |
| FILE:                                                                                                                                                                                                                      |  | CIVIL 1079  |
| JN:                                                                                                                                                                                                                        |  | 1079        |
| SCALE:                                                                                                                                                                                                                     |  | 1"=350'     |
| DESIGN BY:                                                                                                                                                                                                                 |  | OJD         |
| DRAWN BY:                                                                                                                                                                                                                  |  | OJD         |
| CHECKED BY:                                                                                                                                                                                                                |  | WHS         |
| <p>THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.</p> |  |             |
| DRAWING NO.                                                                                                                                                                                                                |  |             |
| EX-A                                                                                                                                                                                                                       |  |             |



**Arthur F. McEvoy**  
**89 Partridge Circle**  
**Portland ME 04102-1632**  
**(207) 773-4738**

January 11, 2017

Shukria Wiar, Planner  
Planning Division  
City Hall, 4th Floor  
389 Congress St.  
Portland, Maine 04101

re: Application ID#2016-282

I am commenting on the application to rezone property at 1700 Westbrook Street, Portland from Residential R1 to Residential R3.

I would like to be on record as in opposition to this application.

This 45 +/- acre parcel is, I understand, the largest undeveloped tract of land remaining in Portland. The Residential R-1 designation was originally assigned to these properties to establish and maintain the pastoral/residential character of this neighborhood. It seems that any time a developer(s) comes forward with a proposal to change, not add to and enhance, the established character of an area or neighborhood, the amendment is approved without recourse. This zoning amendment application, if approved, will allow the developers to proceed with the construction of 97 (their estimate) single family homes, increasing the density of Stroudwater Village from 270 homes to 367 and adding an additional approximately 150 vehicles to the traffic flow, using 1.5 vehicles per household. If this application by Camelot Holdings is approved Stroudwater Village will never be able to be described as pastoral/residential again. The strong history of this neighborhood having served as the founding village of Portland and the source of His Majesty's masts will be forever lost.

In the two Stroudwater Village Association meetings that I have attended regarding this application I have inquired of the "representative of the developers", Michael Barton, about the developers identification and about their credentials as they relate to their history of construction of similar projects. He has steadfastly refused to respond. I, and others, have serious concerns about the experience and financial

capacity of this development group, whomever they are. Neither the city nor the residents of Stroudwater Village wants a partially completed and abandoned project for lack of resources.

A higher and preferred use of this property is to place it into use as a public recreational area for cross country skiing, track and as an extension of the existing Portland Trail, the trailhead for which is directly across the street. A citizen group is currently exploring financing options for securing this land parcel.

I strongly recommend that the Planning Board not pass their approval of this application along to the City Council.

Sincerely,

Arthur F. McEvoy



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

---

**1700 Westbrook St**

---

**Mark Sengelmann** <mark@alphaarchitects.com>  
To: shukriaw@portlandmaine.gov

Wed, Jan 11, 2017 at 10:58 AM

Hi Shukria,

Can you send me a link to the documents for 1700 Westbrook St.?

I live on Stroudwater Rd in Portland.

In early December I attended a presentation of the subdivision plan for the Roger's property on Westbrook St in Portland.

I've been thinking of this proposal a lot and I wanted to give you some feedback.

I was disappointed with the 'squeezed out of a tube' design. Rezoning to smaller lots is a bad idea in my opinion.

I brought up the idea of Cohousing at the meeting with the developer.

<http://www.mainecohousing.org/available/available.html>

Note how the buildings are staggered so that no one is looking directly into another residence.

- Parking is merged for efficiency.
- A very wide number of unit types and price ranges.
- Common open Space and a Community Center for large gatherings.
- I believe that this thoughtful use of the Roger's property will be supported by the neighborhood.

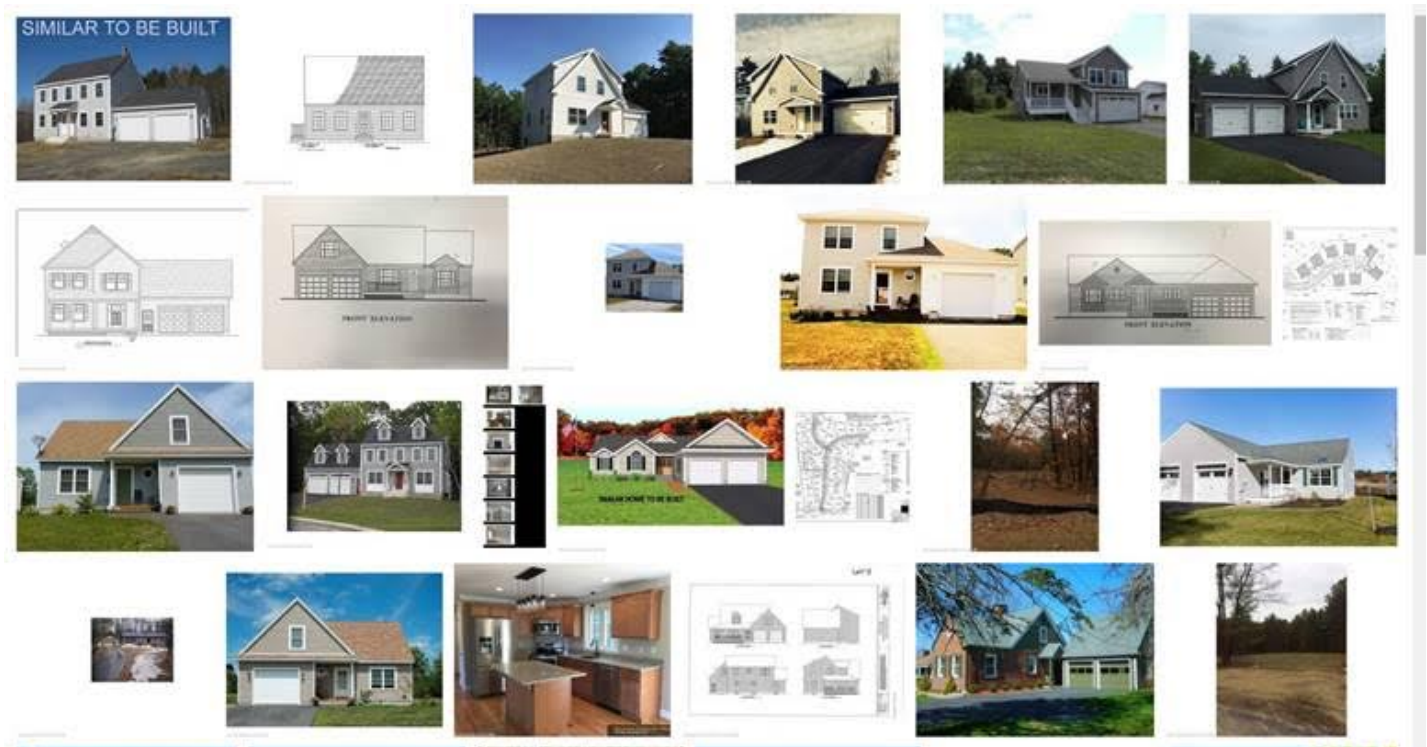
<http://www.peterboroughcohousing.org/content/site-plan>

I am opposed to the banal uniformity of traditional subdivisions that have filled in the farmland in Gorham in the past and present.

I hope this ticky-tacky design does not come to the Stroudwater Village.



### Current Gorham Housing



Mark

Mark Sengelmann  
NCARB Principal  
ALPHAarchitects

1/13/2017

City of Portland Mail - 1700 Westbrook St

17 Chestnut Street  
Portland, ME 04101-2211  
[\(207\) 761-9500](tel:2077619500)  
fax [207.761.9595](tel:2077619595)  
cell [207.671.4110](tel:2076714110)  
[mark@ALPHAarchitects.com](mailto:mark@ALPHAarchitects.com)

Maine, New Hampshire and Massachusetts Licensed Architect

**ALPHAarchitects.com**



## Statement from Stroudwater Village Association regarding proposed zone change at 1700 Westbrook Street (Camelot Farms property), January 2017

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**Stroudwater Village Association Board of Trustees** <stroudwatervillageassociation@gmail.com> Jan 16, 2017 10:40 AM  
Posted in group: **Planning Board**

Hello Planning Board, please find below a statement from the Stroudwater Village Association regarding the proposed rezoning of the Camelot Farms property. Please submit it to the record. Thank you.

-Dan Koloski, SVA President

Statement from Stroudwater Village Association regarding proposed zone change at 1700 Westbrook Street (Camelot Farms property), January 2017

Based on what the SVA and area residents have learned so far about potential development plans for the 45-acre 1700 Westbrook Street property, the Stroudwater Village Association does NOT believe a zone change from R-1 to R-3 is appropriate at this time, and request that the Planning Board deny the request to allow for more discussion about the highest and best use of the property.

It's important to note that we have appreciated the willingness of the proposed buyer/developer to work with area residents, and hope to come back to the Planning Board with a combined proposal that reflects continued discussions. A revised proposal may have different zoning implications, which is partially why we recommend against this change.

Mostly we are recommending against this change at this time because the current plan of record on which the zone change is based is not the right approach, and we believe a different starting point is needed. Specific resident concerns about the plan and zone change at this point include:

\* Too much development volume. The proposal for ~96 single family homes would effectively double the number of homes on the stretch of Westbrook Street from Congress St. NW to the Westbrook line (currently there are ~110 homes in primarily R-1 and R-2 zones along Westbrook Street). There are meaningful questions about the downstream effects of a doubling of development in the area on traffic conditions on already-overcrowded Westbrook Street, the environmental status of the already-urban-impaired Stroudwater River and the existing abutting and nearby residents. — Action: The SVA has already requested alternatives from the developer that would involve numerically far less homes (more like in the 30-40 range, similar to the scale of the very successful River's Edge and Tide Mill developments). In addition, there are potentially higher-density cohousing options that could be explored to reduce land footprint. We would like time to work with the developer on alternative options.

\* Unclear project viability. The project as proposed does not feel thoroughly vetted at this point and there is concern that the result will be a "half-done" project. For example, currently, the proposal includes a substantial number of homes (30-40) that are situated quite close to the Maine Turnpike and its attendant noise, which existing residents believe will be non-viable for prospective buyers. Similarly, a substantial portion of the lot is unbuildable due to riverfront protection zone (RPZ) and floodplain concerns, and resident experience shows that some of the areas proposed for development may be at-risk. Third, we have received only a limited amount of information as to the previous experience of the development team.

— Action; The SVA would like to understand how any development would address noise concerns from the Maine Turnpike.

— Action: The SVA would like to see a plan that includes an overlay with an accurate assessment of both existing RPZ zoning and floodplain analysis.

— Action: The SVA and area residents have also requested the development backgrounds/bios of the (silent) limited partners in the project, as the (visible) partners appear to lack the experience for a project of this scale and complexity.

\* Missed opportunity to do something better. Camelot Farms is the largest remaining parcel of open space in Portland, and sits on the Stroudwater River, which remains one of the few areas of Portland with meaningful wild natural amenities, flora and fauna. Existing access to the Stroudwater River and Fore River Sanctuary via Portland Trails and small watercraft is a wonderful, non-intrusive experience. The developer is proposing public access to some of the land via a partnership with Portland Trails (and the SVA very much applaud this idea!), but the proposal has limited the undeveloped land to the largely unbuildable wetlands in the RPZ. We would like the developer to think about doing something even bigger in the area of conservation and access. There are numerous opportunities for partnership with

organizations in farming, outdoor recreation, land trusts and conservation/environmental organizations to create something very special in this location that would be a gem in Portland's crown. Those conversations are ongoing, but early, and require time to unfold.

-- Action: The SVA has asked the developer to provide partial buyout options for additional portions of the parcel that might be better suited to conservation and similar efforts.

As stated above, we have appreciated the opportunity to work with the developer so far on early exploration of possible uses for the parcel. And we would like to continue to do so. However, a preemptive decision to rezone the entire 45 acres to R-3 would render many of the conversations impossible, and we believe the proposal on which the rezone request is based is the wrong starting point for this conversation.

As such, the Stroudwater Village Association does NOT believe a zone change from R-1 to R-3 is appropriate at this time, and request that the Planning Board deny the request to allow for more discussion about the highest and best use of the property.

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The Stroudwater Village Association is a Maine Non-Profit corporation. All residents of Stroudwater are members and invited to participate in all of our activities.

Find us on the web at <http://www.stroudwatervillage.org> and <http://www.livinginportland.org/stroudwater.htm>  
Find us on Facebook at <https://www.facebook.com/StroudwaterVillageAssociation>

## Deny Camelot Farms Rezone

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Angela J. Wheaton <angelajwheaton@yahoo.com>

Jan 16, 2017 1:46 PM

Posted in group: **Planning Board**

Dear Portland Planning Board,

As a resident of the Stroudwater neighborhood, I ask that you deny the zoning conversion request re: the Camelot Farms property. As you know, the property is the last open farmland in the city, and is currently zoned in keeping with that use. Rezoning from R-1 to R-3 is a significant change, is not consistent with neighboring properties, and will result in widespread impacts to this part of our city. Changes such as this should be carefully studied from all perspectives, work that I do not believe has yet been done.

I greatly appreciate your thoughtful review and consideration of this proposal as well as your inclusion of neighboring residents in the process. I strongly urge you to deny this request in favor of a more comprehensive plan that would take the entire area and all options into consideration.

Thanks for your time and consideration. Sincerely, AJW

Angela J. Wheaton 30 Partridge Rd. Portland, ME 04102

## Camelot Farms proposal to change zoning from R-1 to R-3

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**Sandy Beal** <luckymainer@gmail.com>

Jan 16, 2017 2:18 PM

Posted in group: **Planning Board**

Hi all,

My wife and I understand that the current zoning is R-1 and we are of the opinion that the developer should comply with the current zoning. We understand that the green space near the river is not developable by nature of the topography, et al., and we see no reason why the PB should support a zoning change to R-3 just so that the developer can have an opportunity to make (more) money with a higher density project. If the project can't be profitably developed within R-1 zoning from the developer's standpoint, we see that as the developer's problem. This area of Stroudwater is single-family residential, and those who have settled nearby may have relied on the zoning to be R-1, and it should be kept that way.

Alexander (Sandy) and Joan Beal  
37 Old Mast Rd.  
Portland, ME 04102

## Concerned Neighbor

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Michael Scannell <sohoinn@msn.com>

Jan 16, 2017 8:32 PM

Posted in group: **Planning Board**

To whom it may concern,

I am writing on behalf of myself and family of 5 from 121 Partridge Circle. We live in one of the 8 homes in the Stroudwater Woods Association, and our home is abutting the Camelot site. We have been anxious to vocalize our disappointment of the development of the Camelot property. We have been blessed with the views of rolling hills and cows for over 12 years.

We understand the development of the property, but want it to be known there is **no way** the land should be changed from a R1 to a R3 zone. We purchased our homes (myself and my neighbors), with the comfort of privacy and buffers between them. R3 would put homes in our close proximity, a buffer of R1 is one of the main reasons we purchased at this location, and we feel that should be respected. As one of the largest neighboring abutting homes, our loss of privacy and views should be taken into consideration. Camelot Holdings, LLC is trying to take this away from us, and our hopes is that you will not let it happen.

I am disappointed that I am not able to attend the meeting and express my concerns in person. This change in our backyard can not be allowed. Development yes, but under our existing zoning **ONLY**.

Other concerns are: length of time, earth moving (dust), etc.

Sincerely,

Michael Scannell



## Zoning Change for 1700 Westbrook St

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Colleen Griffin <colleen\_griffin@msn.com>

Jan 16, 2017 9:19 PM

Posted in group: **Planning Board**

Dear Members of the Portland Planning Board,

My name is Colleen E. Griffin. I reside at 42 Penrith Road in the Stroudwater neighborhood. I write to you today to express my concern with the development of Camelot Farm located at 1700 Westbrook Street. I have several concerns with the purposed development of this beautiful lot of land.

1. **Traffic Concerns:** 96 homes condensed onto this property seems **outrageous**. What does 96 new homes mean for traffic flow up and down Westbrook St.? At this time, **without** the proposed 96 homes, it is a challenge to pull out of my street and on to Westbrook St. anywhere from 7:25 to 8:45am and again from 4:30 to 6:00pm. Penrith Road like most side streets in the area are dead-end streets. There is only one way out. If I happen to be traveling west from Westbrook toward Congress St. and need to make a left-hand turn onto Penrith Road, I stop traffic completely in the east bound lane as I look for a safe time to make that turn. I have on multiple occasions cringed when I hear breaks squeal as the cars behind me attempt to stop. 96 new homes could easily equal 200 more cars on this narrow stretch of road. What is the plan to keep our neighborhood safe? Widen the street? Add additional lanes and traffic lights to allow residents to safely pull out of their street? Would the very narrow sidewalks be widened from the city line to Congress St. for foot traffic?

### 1. **Pesticide and herbicide pollutants flowing into the Stroudwater River:**

This is a major concern. I currently hold a Private Applicator Pesticide License with the State of Maine. I have spent the last two years studying the issue of ground water contamination from residential use of pesticide and herbicides, causing algae blooms and destruction of the surrounding ecosystem. This property is covered with a considerable percentage of wetland. There is also a considerable downward slope towards the river. Once contaminated, the groundwater will be pulled by gravity into the slow moving Stroudwater River. With 96 new lawns to be installed and chemicals used to make every one green and beautiful, not to mention the pesticides that will be applied to keep the mosquitos at bay, a major algae bloom will be unavoidable. Destruction of the incredible ecosystem that so many of us enjoy will be imminent. This issue will not be contained to the Stroudwater River but will continue on to the Fore River and into Casco Bay.

1. **Green space in the city of Portland is disappearing at an alarming rate.** I frequently walk from my home to the entrance of Portland Trails. Walking past the wide-open space of Camelot Farm fills one with a sense of joy and peacefulness. I am grateful to live within walking distance of such a beautiful landscape. It is restorative in an increasingly chaotic world. Now, instead of being filled with peacefulness I will soon be witness to one of the last open green spaces in the city being ripped to shreds in the name of progress. What a shame.

I strongly urge the Portland Planning Board to keep the property at 1700 Westbrook St. a R-1 zone.

Thank you for your time.

Colleen E. Griffin

42 Penrith Road

Portland, ME

Sent from Mail for Windows 10

14 January 2017

To: City of Portland Planning Division  
City Hall, 4<sup>th</sup> Floor  
389 Congress St., Portland, ME 04101

From: Bruce L. Harrington  
1618 Westbrook Street  
Portland, ME 04102

RE: ID#2016-282 or CBL #229 A002001  
Camelot Holdings, 1700 Westbrook Street

Subject: Opposition to rezoning from R-1 to R-3

Dear Shukria Wiar,

Article in Portland Press Herald dated 12.24.2016

Mr. Barton stated that the 45-acre parcel under current R-1 zoning with a minimum lot size of 15,000 sq. ft. could support approximately 100 homes. AS you know he has requested a zoning change to R-3 with a minimum lot size of just 6,500 sq. ft.

If the parcel will support 100 lots at 15,000 sq., Why would you rezone for 95 lots at 6,500 sq.

These small lots will create cluster housing as he said with all the homes built on the top 2/3 of the parcel along Westbrook and that 17 acres or 43% of the land along the river would remain preservation land or green space (undeveloped).

Isn't it more the point that these 17 acres are located in Flood Zone -C or Wetlands and placing it in Preservation status eliminates paying property taxes on that portion of the parcel that they can't build on but was purchased as a whole.

When viewing Camelot's site plan, I could not help but notice that house lots appear to be located in the direct path of deeded Right of Ways that run from Westbrook Street to the Stroudwater River and further. When will we be able to see an accurate plan for this parcel,

City of Westbrook has placed a six month moratorium on building to reevaluate the impact of cluster housing off Spring Street. I viewed that development recently and saw the impact that this development has on the landscape and would not want to look at that from my backyard.

I believe that If the City of Portland allows a change in zoning, that our property's will be devalued and I am opposed to radically changing the continuity of this safe and beautiful neighborhood.

R-1 zoning has made Stroudwater a place that people want to live and raise a family and it has worked out well.

I would like to make a request that the city do a traffic impact study on Westbrook Street. Almost every weekday during morning commute, the inbound traffic is backed up past my house at 1618 Westbrook St. to Congress St.

This development will add a minimum of 100-200 vehicles onto Westbrook St. Most probably working in the City of Portland.

Today we received a letter from Camelot Holdings for a meeting at the Baptist Church on the 24<sup>th</sup>. This raises flags as to their true intentions for this parcel and that they want desperately for us to support the rezoning to R-3.

In closing, I oppose the zoning change from R-1 to R-3.

Thank You for your attention in advance,

Bruce L. Harrington

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## Fwd: Camelot Farm Development

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 17, 2017 at 10:24 AM

----- Forwarded message -----

From: **Ryan Scipione** <ryan@mjmacaluso.com>  
Date: Mon, Jan 16, 2017 at 1:23 PM  
Subject: Camelot Farm Development  
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>

Dear Ms. Wiar,

My name is Ryan Scipione, and I am resident of City Council District 3, as I live and own the home at 45 Machigonne Street, within the Rosemont Neighborhood. I am writing to you to express my support for the proposed Camelot Farm Residential Development, and urge you and the members of the Planning Board to move forward with the necessary zoning adjustments to make possible the development that has been thoughtfully proposed for the Camelot Farm land.

From the information that has been currently available to date, the Proposed Camelot Development is a welcome enhancement to the property and our district as a whole. When I first was made aware of what is being proposed, it very quickly reminded me of the composition of my own neighborhood, where neighbors are close in relationship, encouraged by closeness in physical distance. Such neighborhoods where families or individuals own homes with modest land plots, inherently take pride in their own properties, and are outside maintaining and enjoying them. This produces not only uniquely beautiful properties, but neighbor-to-neighbor conversations (whether over a flower planting, ball playing, snow shoveling, or lemonade drinking). This yields what makes a great neighborhood; beauty, closeness, and uniqueness. I know when I look around my neighborhood, the home ownership varies across the spectrum, we have residents who have lived there for 25+ years and their children who grew up there now have children of their own who visit. There are young families with children just starting out in the Portland School system, and there are even younger professionals who have recently moved in and are looking to stay for quite a long time, and that reason is very likely because of the type of the neighborhood that we live in. – The kind of neighborhood we need more of! A neighborhood where properties are respected, neighbors are close, and residents look out for one another.

On that note, it is no secret that we need more housing in Portland. To use my neighborhood again as an example, specifically my very street; three houses on my street were sold and purchased within the past year or so, and none of them even had to post a sign on the lawn. I know two of the three did not even make it to the public market and were sold within a week of the previous owners reaching out to real estate agents. –That is unbelievable! And is a clear sign of the need and desirability for neighborhood housing like is being proposed for Camelot Farm.

The Camelot Development is exciting in that it embodies so many goals of the City's Comprehensive Plan. From the development of clear orderly growth, via organized lots naturally derived from existing nearby infrastructure and amenities, to respecting green space and waterfront areas. Certainly the development of this neighborhood would be an economic promotion to the City of Portland. Beyond the additional taxable real estate, the neighborhoods planned location is incredibly attractive as it is within easy striking distance to Downtown via congress street, is right around the corner from the Jetport, and is within close proximity to small and large businesses alike, from yoga studios and child care facilities, to insurance and grocery/retail giants.

With Camelot Development's proposed diverse housing, it suggests that varied decent housing will be provided, creating opportunities for diverse residents, in the historic spirit of Portland. Additionally, the proposed maintenance, respect, and enhancement of greenspace and the Stroudwater River waterfront, with the possible addition/ connection to the Portland Trail system, certainly embodies many of the goals laid out in the Comprehensive Plan. For me, this is an appealing prospect, as the proposed development is between two of my favorite city trail areas; Fore River Sanctuary and



Stroudwater Trail.

I want to thank you for your time, and I know that you and members of the Planning Board understand the many positive aspects that a Development like that which is being proposed for Camelot Farm will bring to the City of Portland. It is more of this “good” that we need and want, and I support development that will bring this, and trust you will as well.

Respectfully,

**Ryan Scipione, AIA, ARA**  
**Partner, Architect**  
**MJM+A architects**  
Email: [Ryan@mjmcaluso.com](mailto:Ryan@mjmcaluso.com)  
ME, NY, VT Licensed Architect

**Portland**  
46 Romasco Lane  
Portland, ME 04101  
Phone: [207.619.7466](tel:207.619.7466)  
[www.mjmaarchitects.com](http://www.mjmaarchitects.com)

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***Shukria Wiar, Planner***  
***Planning Division***  
***City of Portland 389 Congress Street***  
***Portland, ME 04101***  
***Ph: 207.756.8083***  
***Fax: 207.756.8258***

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## Fwd: Camelot Farm development

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 17, 2017 at 10:24 AM

----- Forwarded message -----

From: **Tom Minervino** <tom.minervino@gmail.com>  
Date: Mon, Jan 16, 2017 at 4:15 PM  
Subject: Camelot Farm development  
To: [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Dear Ms. Wiar:

I am writing to support the proposed Camelot Farm residential development project on Westbrook Street in the Stroudwater neighborhood. I live at 60 Starbird Road in Portland with my wife and three young sons. It's a great neighborhood with a mix of young couples, families with kids, and retirees. Kids can ride bikes and residents help elderly neighbors shovel their walkways and driveways. It's very similar to the neighborhood I grew up in in Libbytown and is exactly what my wife and I were looking for when we bought a home several years ago.

The Camelot Farm plan calls for this type of traditional neighborhood, which Portland, with its growing demand for housing, desperately needs. So much of the recent residential development in Portland has been geared toward high-end, urban condominiums that aren't affordable or practical for most. Camelot Farm is different, proposing modest lots, green space and a walkable, environmentally responsible neighborhood that adds nearly 100 units of much-needed housing, as called for in the city's Comprehensive Plan.

Both my grandfathers built homes in Portland for their young families decades ago -- one in Back Cove and the other in Deering Center. They lived in those homes for over 30 years and their neighbors became their lifelong friends. I am still close with friends I made at Longfellow Elementary School and Lincoln Middle School. I think the sense of camaraderie that's built in traditional neighborhoods, where kids can gather for wiffle ball games and adults get together for barbecues, leads people to take pride in their homes, community, schools and city. Camelot Farm is one of the last spaces within the city bounds where a neighborhood like this can be created, so I hope Portland doesn't miss out on this opportunity.

Sincerely,  
Tom Minervino  
(207) 831-3634

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**Shukria Wiar, Planner**  
**Planning Division**  
**City of Portland 389 Congress Street**  
**Portland, ME 04101**  
**Ph: 207.756.8083**  
**Fax: 207.756.8258**

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## Camelot Farms

1 message

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**Jen Borland** <jen.robinson.borland@gmail.com>  
To: shukriaw@portlandmaine.gov, planningboard@portlandmaine.gov  
Cc: stroudwatervillageassociation@gmail.com

Tue, Jan 17, 2017 at 11:35 AM

Planning Division  
City Hall, 4th Floor  
389 Congress Street  
Portland, Maine 04101

I hope you will take the time to read and consider the following:

As a Portland native, I have witnessed the transformation of our beautiful city by the sea over the last few decades. The redevelopment of downtown as a thriving business and arts district, renovation of older and addition of new housing for people of all income levels throughout the city, investment in the colleges and universities, and land conservation efforts have greatly improved Portland. The development of Camelot Farms on Westbrook Street could be an opportunity to continue in the right direction. As a Stroudwater resident I have questions and concerns about the possible re-zoning of the property. It is my understanding that the proposal to change from R-1 zoning to R-3 zoning is to allow for 96 homes to be built on the 45 acres of land abutting the Stroudwater River and the Maine Turnpike.

I believe this is one of the largest remaining undeveloped tracts of land in the city. Land conservation has been tremendously popular and positive in recent years. I have witnessed the transformation of many of our city's greenspaces; most recently the reclamation of Capisic Pond Park. To see so many families and their pets enjoying the outdoor recreation spaces year round is wonderful. It seems to me that there is an opportunity to do more with this space than build housing, a chance to conserve nature and provide outdoor public space. Public access to more greenspace and the river for recreation purposes would be appreciated by so many. I would love to have more places in Portland to take my Girl Scout troop skating, cross-country skiing, kayaking, and spending time enjoying and observing nature.

The addition of this many single-family homes in one of the most desirable areas of the city would surely add a great number of children to our public schools. Plans for a new school to replace Hall School have been approved and construction will begin soon, will the new school be large enough to absorb the additional students from a development this size? And King Middle School and the public high schools? Besides the school buildings, will the busses have capacity or will additional busses be needed?

The increased traffic is of great concern. Adding nearly 100 homes to the neighborhood would approximately double the number of homes between Congress Street and the Westbrook-Portland line. The traffic volume would undoubtedly increase. Morning traffic on Westbrook Street is heavy currently; pulling out of driveways or side streets often requires a very long wait. Adding 100 - 200 drivers to morning traffic would inevitably congest traffic further. How would this be mitigated? What additional costs will be incurred (paving, plowing, signage, etc.)? How will this be funded?

I also wonder about the viability of the development. Will homes so close to the noise of the Turnpike be desirable enough to sell? Could this end up being an unfinished development or a street with vacant homes? Vacant homes can be an "attractive nuisance." Most residents in our area are aware that there are people living in the Fore River Sanctuary, on land

adjacent to the Turnpike, under Veterans' Bridge, and in other places nearby. Would vacant or unfinished homes attract squatters and the costs and issues that can follow?

At this time, I hope the Planning Board will not change the zoning at this time so there can be more time for discussion about the best use of the property. There are many questions to be answered and ideas to be considered before a final plan should be set in place.

Thank you.

Jennifer Borland  
1473 Westbrook Street  
Portland, Maine 04102  
[207-671-0037](tel:207-671-0037)  
[jen.robinson.borland@gmail.com](mailto:jen.robinson.borland@gmail.com)

Director of Investor Consulting Services

Education & Training Development

SPECTRUM Enterprises

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[\(207\) 767-1620](tel:207-767-1620) fax

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## Fwd: Camelot Farms PB Workshop 1/17

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 17, 2017 at 12:12 PM

----- Forwarded message -----

From: **David Silk** <DSilk@curtisthaxter.com>  
Date: Tue, Jan 17, 2017 at 8:37 AM  
Subject: Camelot Farms PB Workshop 1/17  
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>

Hi Shukria: I may have missed this but when I looked at the material in the PB packet regarding the Camelot Farm rezone request, I did not see a map showing the location on the site of both the RPZ and Shoreland Overlay Zone. It would be helpful to see on the applicant's R-3 build out sketch the depiction on the sketch of both of these zones and to confirm that the applicant is not seeking to modify the location on the parcels of these two zones.

Also I have several questions that perhaps can be asked tonight at the workshop.

First, when the applicant compares the number of possible lots under R-1 to R-3, is the applicant taking into account the existing RPZ and Shoreland Overlay Zone? If not what would the count be when taking into consideration these two overlay zones?

Second, is new residential development permitted in either the RPZ or the Shoreland Overlay Zone?

Third, in looking at the zoning map, I notice the R-2 zone almost extends to the easterly side of the combined parcels. When was the R-2 put in place? What would be the number of lots permitted if Camelot Farms was rezoned from R-1 (min. lot size 15,000SF) to R-2 (min. lot size 10,000SF)? Looking at the purpose sections of R-1 and R-2 they appear to be the same.

To provide for low-density residential development characterized by single-family homes on individual lots in outlying areas

of the city and along traffic corridors with limited additional traffic capacity.

Camelot Farms is in an outlying area and along a traffic corridor. Has Tom Errico been asked to weigh in on the amount of additional traffic capacity for the relevant traffic corridors?

The R-3 purpose is bit different. It says:



To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide

for planned residential unit development on substantially sized parcels. Such development shall respond to the physical qualities

of a site and complement the scale, character and style of the surrounding neighborhood.

Given Camelot Farms is a substantially sized parcel, if rezoned to R-3, is it the developer's intent to proceed with a PRUD? What is the scale, character and style of the surrounding neighborhood? An overview may be helpful to get a sense of that.

Thanks for taking my questions. Please feel free to share with the PB and the applicant.

David Silk

1187 Westbrook St

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***Shukria Wiar, Planner***  
***Planning Division***  
***City of Portland 389 Congress Street***  
***Portland, ME 04101***  
***Ph: 207.756.8083***  
***Fax: 207.756.8258***



**Camelot Present Zoning.pdf**

70K

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## Camelot Farm proposal to rezone

1 message

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**Martham3** <martham3@maine.rr.com>

Tue, Jan 17, 2017 at 12:12 PM

To: shukriaw@portlandmaine.gov, planningboard@portlandmaine.gov

Cc: stroudwatervillageassociation@gmail.com

One of the reasons I live in Portland is because of the vibrancy and diversity of the city. It is arguably the most diverse city in the state. It is a city composed of different types of neighborhoods and areas including but not limited to- our charming downtown Old Port, the apartment and multi story buildings in the evolving hip Eastern Prom area, the stately homes along the Western Prom, our more densely packed Northgate and Brighton Ave areas and our more rural and historic Stroudwater.

This diversity in neighborhoods and housing attracts all kinds of people to Portland.

There is an opportunity to do something with this land. It could be providing a different type of housing than we have in the area. It could be leaving the land as is. It could be combination of housing and recreational area (other than just the unbuildable part along the river that the current development proposes). It could even include a small area off of Westbrook St for neighborhood amenities (coffee? Small fitness center?). This opportunity should not be squandered for duplication of the type of housing that we already have plenty of in Portland and that fundamentally changes a neighborhood.

As an abutting owner and a Stroudwater resident, I oppose the rezoning from R-1 to R-3.

Thank you.

Martha McEvoy

89 Partridge Circle

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## Fwd: 1700 Westbrook Street comments

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 17, 2017 at 12:23 PM

----- Forwarded message -----

From: **Christian MilNeil** <c.neal.milneil@gmail.com>

Date: Tue, Jan 17, 2017 at 12:21 PM

Subject: 1700 Westbrook Street comments

To: "Shukria Wiar (shukriaw@portlandmaine.gov)" <shukriaw@portlandmaine.gov>

Cc: Stuart O'Brien <sgo@portlandmaine.gov>, William Savage <wsavage@acorn-engineering.com>, mark@alphaarchitects.com

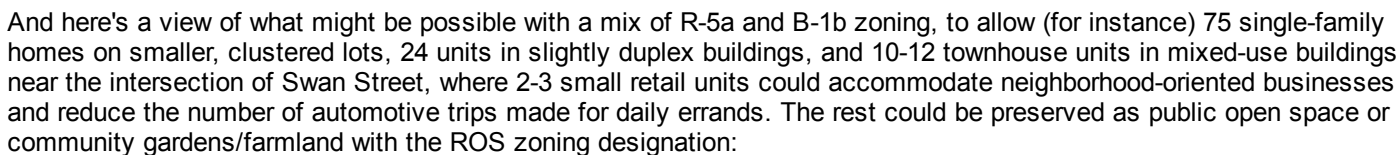
Hi Shukria, Stuart and William,

Please accept this as a formal public comment re: 1700 Westbrook Street in advance of tonight's workshop.

While I welcome any addition of new housing in our city, I'm concerned that the auto-dependent tract housing model in this proposal (the only kind of housing allowed in the R-3 zone) is classic sprawl, and a huge missed opportunity for the site.

I'd appreciate it if neighbors, the developer and the planning board considered an alternative model – currently being employed with considerable success in Scarborough's Eastern Village and Dunstan Crossing subdivisions – to allow smaller lot sizes and a greater variety of housing types to create a more compact, walkable neighborhood with more open space preservation than would be possible in the current plan.

Here's a view of the current proposal, with 96 large lots dictated by the rules of the R-3 zone.











Clustered R-5a and B-1b zoning would allow the developer to build more units in a considerably smaller footprint, thus preserving more open space and reducing infrastructure cost. Besides reducing costs and increasing the number of potential home sales, more compact and walkable neighborhoods also reliably command a premium for each house on the market – not only for the residents of the development, but also for existing homeowners along Stroudwater Street. Lower costs and higher revenues, in turn, could make it possible for the developer to subsidize a greater number of affordable workforce units here.

**The R-3 zoning under the planning board's consideration makes a walkable, mixed-use neighborhood illegal to build**, and instead mandates a car-dependent suburb. The R-3 zone meets a pressing city need for more housing, but at the expense of other city goals, like reducing greenhouse gas pollution, reducing traffic, and preserving open space.

Now, maybe business-as-usual sprawl is what Stroudwater residents want, in which case, R-3 makes sense. But if the neighborhood is open to a more creative development, and the developer is open to selling more homes at a lower cost of development, then the city as a whole would benefit considerably from a clustered R-5a and B-1b zone instead.

More images of new urbanist mixed-use housing below. Speaking as one citizen, I'd much rather you legalize this kind of neighborhood instead of legalizing expensive tract housing. I have a hunch that the developer and neighbors might also prefer this.

Yours,  
Christian MilNeil  
45 Smith Street

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[double u double u double u dot christianmilneil dot com](mailto:double_u_double_u_double_u_dot_christianmilneil_dot_com)

Eastern Village in Scarborough:



Serenbe, near Atlanta, GA:





Serenbe:



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***Shukria Wiar, Planner  
Planning Division  
City of Portland 389 Congress Street  
Portland, ME 04101  
Ph: 207.756.8083  
Fax: 207.756.8258***

Mary Davis  
1666 Westbrook Street  
Portland, ME 04102

January 17, 2017

Shukria Wiar, Planner  
Planning Division  
City Hall, 4th Floor  
389 Congress St.  
Portland, Maine 04101

re: Application ID#2016-282

I am writing to convey my strong objection to allowing the high density development proposed for 1700 Westbrook Street. This developer is not proposing to follow the rules that have been set and are currently in place to protect the character of the neighborhood. Instead, the developer asks that the rules be changed to allow him to jump zones from Residential R1 to Residential R3. The purpose of the change request is to make greater profits for the developer.

I would be surrounded on three sides by five new houses. I have 30,000 square feet in my lot and understand the R3 requirement is only 6,500 square feet. That drastic a change does not mesh with the surrounding area and would totally ruin its rural character.

I hope the planning board rejects this application and gives the land a reprieve in the hopes that it can be saved from development. Remember, please, that this developer is not planning to follow the rules. Had the developer proposed housing in compliance with R-1 zoning, we would not have the same opportunity to gain time. Once gone, this natural land is gone forever.

The beautiful open field goes down to the tree line and the river. It provides a habitat for native plants which are necessary for native insects and caterpillars which are necessary for birds and reptiles. Now, there are owls and hawks and many varieties of song birds. There is also a habitat for mammals. I see coyotes and fox. If the high density development goes through, instead of land that benefits the whole environment, we will have dirty air from approximately 200 additional cars and the congestion they would cause. We will have fertilizer, pesticides and herbicides along with other pollution in the water. Casco Bay is already in trouble. Grass, instead of native vegetation, is sterile and cannot support the native

diversity of life. This development would be bad for the earth as a whole as well as the neighborhood.

Neighboring towns have seen the importance of land trusts saving both wild and farmland from development. The city of Augusta just announced the preservation of a piece of land. We are just beginning to discover the benefits to human beings from having natural, undeveloped land around them.

The zone change would be bad for all the residents of Portland. First, Portland is made of diverse neighborhoods which adds to the quality and charm of the city for all of us. The character of Stroudwater is rural. Second, all Portland residents can enjoy open space even outside our own small neighborhood. Canco Woods, Baxter Park, the Boulevard for example are good for all Portlanders. Third, residents of all neighborhoods should be able to count on public officials to protect them by enforcing zoning. I feel the responsibility of the board is to protect residents who rely on zoning rather than developers who want special treatment by changing the rules to help them make profits. Fourth, everybody loves the cows. They are a special feature of Portland.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Davis". The signature is fluid and written in dark ink.

Mary Davis



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## Fwd: 1700 Westbrook Street comments.2

1 message

Shukria Wiar <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 17, 2017 a

----- Forwarded message -----

From: **Mark Sengelmann** <mark@alphaarchitects.com>  
Date: Tue, Jan 17, 2017 at 1:10 PM  
Subject: RE: 1700 Westbrook Street comments.2  
To: Christian MilNeil <c.neal.milneil@gmail.com>, Shukria Wiar <shukriaw@portlandmaine.gov>  
Cc: Stuart O Brien <sgo@portlandmaine.gov>, William Savage <wsavage@acom-engineering.com>

Shukria,

As a Portland architect and Stroudwater resident, I support Christian Milneil's approach to creating a more desirable neighborhood in Stroudwater.

Turk and members of the Planning Board, I urge you to take a careful look at this property.

Mark

Mark Sengelmann  
NCARB Principal  
**ALPHAarchitects**  
17 Chestnut Street  
Portland, ME 04101-2211  
(207) 761-9500  
fax 207.761.9595  
cell 207.671.4110  
mark@ALPHAarchitects.com

Maine, New Hampshire and Massachusetts Licensed Architect

**ALPHAarchitects.com**

**From:** Christian MilNeil [mailto:c.neal.milneil@gmail.com]  
**Sent:** Tuesday, January 17, 2017 12:21 PM  
**To:** Shukria Wiar (shukriaw@portlandmaine.gov) <shukriaw@portlandmaine.gov>  
**Cc:** Stuart O Brien <sgo@portlandmaine.gov>; William Savage <wsavage@acorn-engineering.com>; mark@alphaarchitects.com  
**Subject:** 1700 Westbrook Street comments

Hi Shukria, Stuart and William,

Please accept this as a formal public comment re: 1700 Westbrook Street in advance of tonight's workshop.

While I welcome any addition of new housing in our city, I'm concerned that the auto-dependent tract housing model in this proposal (the only kind of housing allowed in the R-3 zone) is classic sprawl, and a huge missed opportunity for the site.

I'd appreciate it if neighbors, the developer and the planning board considered an alternative model – currently being employed with considerable success in Scarborough's Eastern and Dunstan Crossing subdivisions – to allow smaller lot sizes and a greater variety of housing types to create a more compact, walkable neighborhood with more open space present than would be possible in the current plan.

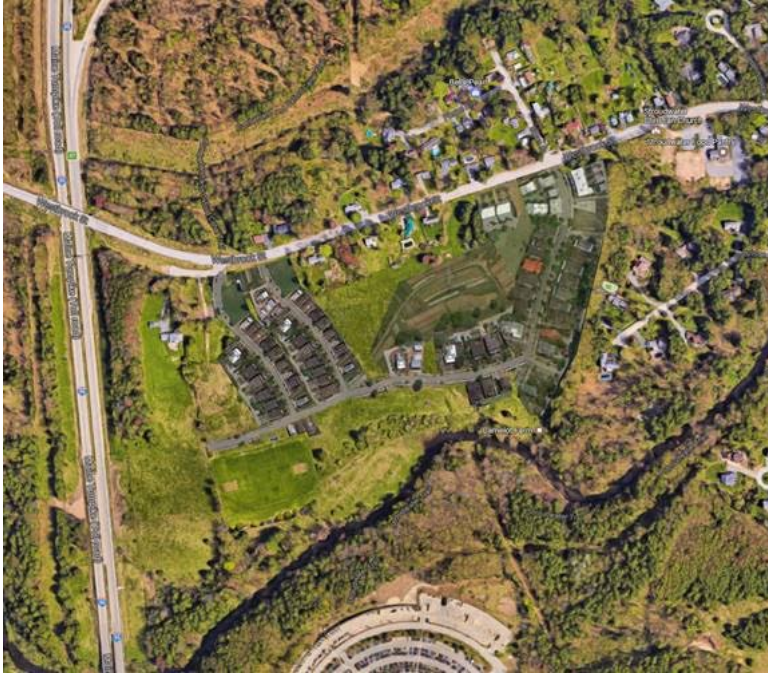
Here's a view of the current proposal, with 96 large lots dictated by the rules of the R-3 zone.







And here's a view of what might be possible with a mix of R-5a and B-1b zoning, to allow (for instance) 75 single-family homes on smaller, clustered lots, 24 units in slightly duplex buildings, and 10-12 townhouse units in mixed-use buildings near the intersection of Swan Street, where 2-3 small retail units could accommodate neighborhood-oriented businesses; reduce the number of automotive trips made for daily errands. The rest could be preserved as public open space or community gardens/farmland with the ROS zoning designation:



Clustered R-5a and B-1b zoning would allow the developer to build more units in a considerably smaller footprint, thus preserving more open space and reducing infrastructure cost. Besides reducing costs and increasing the number of potential home sales, more compact and walkable neighborhoods also reliably command a premium for each house on the market not only for the residents of the development, but also for existing homeowners along Stroudwater Street. Lower costs and higher revenues, in turn, could make it possible for the developer to subsidize a greater number of affordable workforce units here.

**The R-3 zoning under the planning board's consideration makes a walkable, mixed-use neighborhood illegal to build**, and instead mandates a car-dependent suburb. The R-3 zone meets a pressing city need for more housing, but at the expense of other city goals, like reducing greenhouse gas pollution, reducing traffic, and preserving open space.

Now, maybe business-as-usual sprawl is what Stroudwater residents want, in which case, R-3 makes sense. But if the neighborhood is open to a more creative development, and the developer is open to selling more homes at a lower cost of development, then the city as a whole would benefit considerably from a clustered R-5a and B-1b zone instead.

More images of new urbanist mixed-use housing below. Speaking as one citizen, I'd much rather you legalize this kind of neighborhood instead of legalizing expensive tract housing. I have a hunch that the developer and neighbors might also prefer this.

Yours,

Christian MilNeil

45 Smith Street

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[doubleu@doubleu.com](mailto:doubleu@doubleu.com)

Eastern Village in Scarborough:



Serenbe, near Atlanta, GA:



Serenbe:



No virus found in this message.

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Version: 2016.0.7996 / Virus Database: 4749/13787 - Release Date: 01/17/17

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Version: 2016.0.7996 / Virus Database: 4749/13769 - Release Date: 01/14/17

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***Shukria Wiar, Planner  
Planning Division  
City of Portland 389 Congress Street  
Portland, ME 04101  
Ph: 207.756.8083  
Fax: 207.756.8258***



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## Deny Rezoning of Camelot Farms/Stroudwater Village

1 message

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**Lisa McLaughlin** <torrey@maine.rr.com>

Tue, Jan 17, 2017 at 1:42 PM

To: planningboard <planningboard@portlandmaine.gov>

Dear Portland Planning Board members,

I strongly and respectfully ask that you deny the rezoning request for the Camelot Farms property.

I am a resident of Partridge Road in the Stroudwater Village neighborhood, and am very concerned about the potential impact to our area of Portland. As you know, the property is the last open farmland in the city, and is currently zoned in keeping with that use. Rezoning from R-1 to R-3 is a significant change, inconsistent with neighboring properties.

Please consider supporting a plan that better supports open space and ecological/environmental needs.

Thank you for your thoughtful review and inclusion of neighboring residents in the process.

Again, I strongly urge you to deny this request in favor of a more comprehensive plan that takes the entire area and all options into consideration.

Sincerely,

Lisa McLaughlin  
30 Partridge Rd.  
Portland, ME 04102

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## 1700 Westbrook Street parcel for zone change

1 message

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Eugenia O'Brien <genieme@maine.rr.com>

Tue, Jan 17, 2017 at 3:34 PM

To: shukriaw@portlandmaine.gov, planningboard@portlandmaine.gov, Stroudwater Village  
<stroudwatervillageassociation@gmail.com>

Alas, a prior commitment keeps from attending this meeting tonight - Please delay a zone change for 1700 Westbrook Street.

See below or attached:

January 17, 2017

Re: 1700 Westbrook Street

Dear Members of the Portland Planning Board,

Please do not re-zone the property at 1700 Westbrook Street from R-1 to R-3. This effort reveals a lack of understanding for the texture of the neighborhood and the wants of the people living here. Please keep this conversation open to further discussion by delaying this vote tonight.

You are choosing to increase our total residences by 33% in one neighborhood at a single location. Taking the last pastureland STILL USED for cows within the city of Portland appears rash and inexplicable during a time when our farmlands are disappearing and needing to be saved, not paved.

Stroudwater is a large neighborhood with low density housing and this is a missed opportunity for what could be at this 1700 Westbrook Street site. Changing the zoning this early in discussions would close doors to more ideas that could be embraced. We are not against development or more neighbors, we are, however, not going to endorse proposals that are so far astray from the reality of the texture and tenor of what is already here. It is the gateway to historic Stroudwater, and farmland is part of the charm and allure. Even the Jetport remains unique nationally for its green welcome to the city. It is okay to not pave everything within city limits.

Oh, and yes, the wildlife uses that field to cross over to the larger old Audubon-now-Portland Trails and the Fore River Sanctuary and estuary - it will totally hamper the foxes, deer herds and the songbirds who are finding diminishing territory. Even bears have had to be removed from this area in the past.

The deliberate dismissal of pre-existing zoning by the city's Planning Board is occurring at an alarming rate. This development's impact on the roads and infrastructure, along with the volume of increased transportation (potentially an additional 250 cars?) and the influx of students at our public schools are all a jolt. Stroudwater residents have selected a rural setting with many homes possessing acreage, views and wildlife. You are destroying why we are here and I am terribly upset by your actions and lack of understanding for them.

Please delay this vote and allow a better plan to come forward.

Thank you.

Eugenia O'Brien  
1376 Westbrook Street, Portland, ME 04102

(207) 773-5610



**Dear Planning Board 1.17.17.pages**

103K



Meagan J Smith, Associate Broker  
330 Forest Avenue  
Portland, ME 04101  
207.423.2208  
[SOLDbyMeg@gmail.com](mailto:SOLDbyMeg@gmail.com)

January 13, 2017

Shukria Wiar, Planner  
Planning Division  
City Hall, 4th Floor  
389 Congress St.  
Portland, ME 04101

Re: Application ID #2016-282

I am writing to comment on the application to rezone the property located at 1700 Westbrook St, Portland from Res R1 to Res R3.

As a resident of Portland and real estate professional in Greater Portland, I'm writing in favor of the development of 1700 Westbrook Street.

This undeveloped parcel has the potential to bring many residents to Portland, while preserving land for recreation and connection to Portland Trails. The vision represent an old fashioned neighborhood nestled in a natural environment.

If the parcel was left solely for recreational use, concerns arise around where the funding would come to create appropriate parking. Without a proper road that leads to a parking lot, traffic problems and congestion could become problematic for the local residents.

This project is an opportunity to allow more families to purchase homes in Portland. Many buyers prefer a new construction, desire to be in Portland and seek a walkable neighborhood- something we are currently lacking in the market.

I fully support this project based on the need and desire in the Portland marketplace, as well true excitement for the plans of this development itself.

Sincerely,

A handwritten signature in blue ink that reads "Meagan J Smith". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Meagan J Smith

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## Zoning change Camelot Farms Proposal

1 message

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**'Marc Hodroff' via Planning Board** <planningboard@portlandmaine.gov>

Fri, Jan 20, 2017 at 9:06 AM

Reply-To: Marc Hodroff <marchodroff@yahoo.com>

To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>, "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Cc: "stroudwatervillageassociation@gmail.com" <stroudwatervillageassociation@gmail.com>

1/20/17

Regarding: zoning conversion request of the Camelot Farms property.

Dear Portland Planning Board,

I am a resident of the Stroudwater neighborhood. I was present at the meeting at City Hall on 1/17/17.

There were a few questions raised and comments I feel require additional thought as you considering potentially rezoning.

1. A board member inquired why the builder didn't request R2 rather than R3 zoning. The answer, to paraphrase, "because this would reduce the green space." The math was a bit fuzzy to me. That statement is absolutely true if one is still trying to maximize building numbers and profit, but not true if one really focused on green space as well as reduce the number of units and not encroaching on designated green space.
  - I would like to further point out that the builder purchased this with the full knowledge it is currently designated as an R1. I imagine they are very knowledgeable and know that the request for change to R3 was only a request. They still proceeded to purchase and I imagine looked at cost/profit even at R1 designation and still proceeded knowing they would still profit, albeit less.
  - In any zoning request I would think the burden to justify a change falls on the builder/owner of the new property. As noted by several board members, there seems to be a lack of justification for this significant change where no property or sites along this area, nor immediately adjacent areas reflect that building style or code or plan.
2. A board member felt this R3 designation would be great to help new, "first time home owners," as well as the comment its so nice to get to know your neighbors in closer spaces.
  - the proposed lots are extremely small on the order of ~ .11 acres. Moreover these homes will reflect a smaller size and these would have a majority of "starter homes." Two problems with this—The average so so building costs will be at least 150-200\$ per square foot. (I don't know what the builder feels they can build this for nor the average square foot). However with this and the cost of building materials as compared to older housing, this has doubled in the last 10 years for most supplies. Thus I would pose the question: the homes are starter home-like with small lots and likely smaller sq ft. Yet the pricing will likely be 300,000K plus to purchase (again part in due to cost to build and part due to supply and demand). I would like to caution that I am not aware of too many first time home owners (generally in their mid to late 20s to early 30s) that can afford 300-350k esp with interest rates guaranteed to go up by the Fed.
  - Second problem with the model is that it becomes a turn over community. While one member noted how nice it was to be close to her neighbors to know them...she moved after a few years to go to a bigger home with more space. Me too. In fact so did all but two homes in my prior neighborhood on the short end of Bradley Street. I mean all turned over, truly all but two. The average first time home buyer stays in their home less than 10 years.
    - If one looked at the board room that night, all the persons opposed (in fact everyone in the room) were not 20-30 year old persons but persons of maturity. 40+ years old. Persons who raised their family in homes that were NOT first time home designations—those with small lots and smaller sq ft—ie what is currently not in the Stroudwater region. These are families that have been here for years, raised their children here, sent their kids to school here, pay taxes here and want to stay here. Not a community that has < 10 year turn over rate and moves to areas that are more affordable with more room. This is the type of area Portland needs more of, not less. All my prior neighbors had a hard time looking for that in Portland. These are the people that stay, invest and love to be here despite the expenses.

- Even with 100 homes, this will have no impact on supply and demand costs. Portland is a very desirable area and to have an impact on cost, which is more than solely a supply issue, that would require thousands of individual homes, not hundreds.

We all realize this can be developed but there is a huge difference in R1 than R3. Huge. There should also be close and careful consideration as to the issues above. I know this is important to you all as you live here and care about the area and our children and sustainability in keeping people here beyond just their "first home."

I appreciate your consideration and pause as we all know that with an R3 designation, there is no going back and Pandora's Box is open as to what can be done there.

Sincerely,

Marc Hodroff, 48 Partridge Circle, Portland.



## Fwd: Camelot Farms

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**raeleneg** <raeleneg@maine.rr.com>

Feb 7, 2017 7:20 AM

Posted in group: **Planning Board**

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: raeleneg <raeleneg@maine.rr.com>

Date: 2/7/17 7:10 AM (GMT-05:00)

To: sld@portlandmaine.gov

Subject: Camelot Farms

Dear Land Bank

Pls protect Camelot Farms from rezoning and development. This is a Stroudwater landmark and should be preserved. Like a park would be.

Thank you.

Raelene Gardner

22 Heritage Court

Portland ME 04102

Sent from my U.S. Cellular® Smartphone

## Camelot Farms

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David Walter <dwalter@maine.rr.com>

Jan 21, 2017 7:22 PM

Posted in group: **Planning Board**

Hello. We live off Kingsmark and have a question about the proposed development. Currently, all high schoolers take the Metro which drops off the kids down near Stroudwater Church. The city has not been clearing the sidewalks all the way to Kingsmark, and while they're usually clear up the Stroudwater Road, so the kids need to walk along the shoulder of Westbrook Street. This would not be an of itself would not be as much of issue except with any significant snowfall the shoulder is also covered, forcing kids along the very edge of the street. If you're familiar with Westbrook street, drivers tend to follow the speed limit.

With this new development, would there be consideration of a Metro route being extended down Westbrook Street. I'd be worried about high schoolers having to walk even further along Westbrook with sidewalks that may or may not be clear.

Thanks you,  
David Walter

Sent from my iPhone

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David

Sent from my iPhone

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David

Sent from my iPhone

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## Fwd: Camelot Farms

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Wed, Feb 8, 2017 at 1:42 PM

----- Forwarded message -----

From: **Mihku Paul-Anderson** <mihkupaul@gmail.com>  
Date: Wed, Feb 8, 2017 at 1:38 PM  
Subject: Camelot Farms  
To: [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Dear Shukria,

I am writing to oppose the zoning request for Camelot Holdings, LLC, for the parcel located on Westbrook St. in Portland. I am already aware that the city is in favor of granting this request. As disappointing as that is, I am still going to voice my opinion on this. I have lived in Stroudwater for 4 years as a homeowner. We have an active neighborhood association of which I am a member. Like many neighborhoods in Portland, we love where we live and would like to maintain the quality of our neighborhood.

I realize that Portland needs housing. It is growing rapidly. However, I don't see this sub-division solving some of the real housing issues we have, except for *those who can afford it*. I don't believe that "single-family" homes costing more than 300k are affordable. And some will no doubt cost even more. Even if a measly 10% of these is sold at so-called affordable prices, those guideline do little to nothing to assist those in Portland who truly need help with housing; the working poor, our young people just starting out and the homeless.

Development has been going on at an accelerated pace in Portland for more than 5 years. I don't see any meaningful changes or reductions in our taxes. What I see is more, taller buildings on the peninsula and businesses playing musical chairs downtown or just folding due to the higher and higher cost of overhead. Yes, we live in a city. But that is no good reason to race toward an uncertain future with run-away development when we have such a special place in Portland.

I oppose the zoning change for the Camelot Farms parcel for numerous reasons:

1. The impact on the Stroudwater River has not been evaluated properly. The city green-lighted the Elks project and now there are going to be even more parking spaces (impervious surface) than typically allowed. And within 75 feet of a compromised waterway. The impact of 3.5 +/- acres of asphalt on our side of the river will damage it even further.
2. This plan is not in keeping with the home lots already here. It doesn't fit and will permanently alter the feel of the area. That is not good urban planning.
3. Natural eco-systems will be permanently removed or damaged. The wildlife corridor will be ruined. Wetlands and wildlife will die out.
4. Removal of all the buffer trees will greatly increase noise, and decrease air quality.
5. The increased traffic will have a deleterious and unsafe impact on the neighborhood. We have been given NO GUARANTEE from the developers that they will push to keep the speed limit at 35 or lower. Having hundreds of cars flying past homes at highway speeds does not "create a neighborhood" as Mr. Barton states. It destroys a neighborhood.
6. It remains to be seen whether this project will even be completed past Phase 1. The development team is not tested on this size project. We could end up with damaged land that just sits there.

7. A change from R-1 to R-3 will open up the possibility of commercial development. To most of the people I have spoken with, this is unacceptable.

Most Respectfully Yours,

Mihku Paul  
Stroudwater Homeowner

--  
***Shukria Wiar, Planner  
Planning Division  
City of Portland 389 Congress Street  
Portland, ME 04101  
Ph: 207.756.8083  
Fax: 207.756.8258***



## Zoning Change

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**JACKIE DAY** <feetup100@yahoo.com>

Feb 20, 2017 3:32 PM

Posted in group: **Planning Board**

20 February 2017

Dear Members of the Planning Board,

I am a resident of Stroudwater and live at 1630 Westbrook Street. I am writing to state my strong opposition to the zoning change proposed for 1700 Westbrook Street, a property known as Camelot Farm. A group of developers are requesting that the Planning Board change Camelot Farm's zoning from R-1 to R-3. Under the property's current zoning, the developers would be permitted to build 61 homes. This is consistent with the density and character of the Stroudwater neighborhood. As you are undoubtedly aware, Stroudwater is the oldest residential community in Portland and is currently home to 250 families.

A change in the zoning to R-3 would allow 96 homes to be built on Camelot Farm. This level of density is completely out of character with the neighborhood and should not be allowed in an area that has been R-1 for decades. In addition, the infrastructure on the area cannot accommodate this extreme deviation from the existing designation. For example, Westbrook Street cannot accommodate an additional 144 vehicles during morning and evening commutes, assuming conservatively that each family has 1.5 vehicles. And the Stroudwater River cannot handle the runoff from 96 new homes.

I would like to make it clear that this is not a well-considered and planned development. There are many examples of this in the Greater Portland area. A development with an R-3 density in Stroudwater, however, would totally change the character of the neighborhood.

Sincerely,  
Jackie Day

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## Fwd: Proposed Camelot Farms Development

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Feb 21, 2017 at 9:15 AM

Public Comment...

----- Forwarded message -----

From: **Kevin Regan** <regan.kevin1@gmail.com>  
Date: Sun, Feb 19, 2017 at 10:55 AM  
Subject: Proposed Camelot Farms Development  
To: shukriaw@portlandmaine.gov

Dear Planning Board Members

I reside in the Stroudwater area at 1646 Westbrook Street that abuts the proposed development as known as Camelot Farms. This letter is written to advise that I am strongly against any zoning change to assist the Developers in creating their plans for this area. Under current property zonings (established with rationale) they would be permitted to build 61 homes. When the zoning rules were established it was with reason and intent to maintain the character and density of the Stroudwater neighborhood. This area is the oldest residential community in Portland growing to 250 families.

Changing zoning regulations to R-3 would allow 96 homes to be built. This is not consistent with the character of the neighborhood and should NOT be allowed in an area that for decades had been regulated zone R-1. Over the years traffic has increased through our neighborhood with commuters from surrounding area. With the zoning change this would rapidly allow heavy increases to this flow. Given the assumption that 98 homes have 1.5 cars would add another 144 cars in the morning and evening commute. In a small matter of time traffic lights would have to be constructed to safely allow cars turning and out of this development. I live along Westbrook Street close to the Westbrook line. I can attest first hand that it can be dangerous pulling out and entering my property at busy times. With this proposed development I can assure you, in the not so distant future, safety problems will occur with the added home owners. Rest assured traffic lights will be needed or Westbrook Street will have to be widened in areas to mitigate these safety or congestion issues.

I DO NOT think this is a well-considered or planned development. These zoning change, if allowed will change the neighborhood's character and create more traffic problems for the City in the future.

Thank you for your time and consideration,

Kevin Regan

1646 Westbrook Street, Portland

***Shukria Wiar, Planner  
Planning Division  
City of Portland 389 Congress Street  
Portland, ME 04101  
Ph: 207.756.8083  
Fax: 207.756.8258***

20 February 2017

Dear Members of the Planning Board

I am a resident of Stroudwater and live at 1618 Westbrook Street. I am writing to state my strong opposition to the zoning change proposed for 1700 Westbrook Street, a property known as Camelot Farm. A group of developers are requesting that the Planning Board change Camelot Farm's zoning from R-1 to R-3. Under the property's current zoning, the developers would be permitted to build 61 homes. This is consistent with the density and character of the Stroudwater neighborhood. As you are undoubtedly aware, Stroudwater is the oldest residential community in Portland and is currently home to 250 families.

A change in the zoning to R-3 would allow 96 homes to be built on Camelot Farm. This level of density is completely out of character with the neighborhood and should not be allowed in an area that has been R-1 for decades. In addition, the infrastructure on the area cannot accommodate this extreme deviation from the existing designation. For example, Westbrook Street cannot accommodate an additional 144 vehicles during morning and evening commutes, assuming conservatively that each family has 1.5 vehicles. And the Stroudwater River cannot handle the runoff from 96 new homes.

I would like to make it clear that this is not a well-considered and planned development. There are many examples of this in the Greater Portland area. A development with an R-3 density in Stroudwater, however, would totally change the character of the neighborhood

Bruce Harrington

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## Fwd: Camelot Farm Development Concerns

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Wed, Feb 22, 2017 at 6:38 PM

----- Forwarded message -----

From: **Holly Hoffman** <HHOFFMAN4@maine.rr.com>  
Date: Tue, Feb 21, 2017 at 2:10 PM  
Subject: Camelot Farm Development Concerns  
To: shukriaw@portlandmaine.gov

February 21, 2017

City of Portland

389 Congress St

Portland, ME 04101

Dear Members of the Planning Board,

I am a resident of Stroudwater Village and live at 1619 Westbrook Street. I am writing to voice opposition to the proposed zoning change for a new development located at 1700 Westbrook Street formerly known as Camelot Farms. The developers are requesting a zoning change from R1 to R3. Under current zoning laws approximately 61 houses would be permitted to be built keeping the density in line with current R1 zoning. An R3 zoning change would allow 96 houses to be built at the site. There is concern about the added number of cars (estimated 144 per day) and infrastructure issues concerning flooding and runoff into the Stroudwater River.

As Stroudwater is the oldest residential neighborhood in Portland a lower number of houses would better blend into the area helping to preserve the historical character.

I ask the Planning Board to consider the zoning change carefully before making a final decision.

Respectfully,

Holly S. Hoffman



Holly S. Hoffman  
1619 Westbrook Street  
Portland, ME 04102

--  
***Shukria Wiar, Planner***  
***Planning Division***  
***City of Portland 389 Congress Street***  
***Portland, ME 04101***  
***Ph: 207.756.8083***  
***Fax: 207.756.8258***

City of Portland Planning Board -

My name is Shaun Donlin and my family and I live at 1557 Westbrook Street. I wanted to voice my opinion on the potential development of the property formerly known as Camelot Farms, located at 1700 Westbrook Street, which is directly across the road from my family's home. The group of developers that purchased the farm are requesting that the Planning Board change the zoning from R-1 to R-3, which would allow the developers to increase the number of homes they would be permitted to build, from 61 to 96. That is a 57% escalation in new homes that would be added to our historic residential community.

We bought our home here 7 years ago with the hopes of raising our 3 children in a peaceful place, set away from the hustle and bustle of in-town Portland. Now, instead of my daughter looking at the towering pine trees, wild turkeys, cows and all the other beautiful things mother nature has blessed this area with as she waits for the school bus in the morning, she will see only cookie cutter homes and the mass departure of cars leaving this new development as the hundreds of new residents head to work on a daily basis.

The commuter traffic between Westbrook and Portland is already heavy on this road and with the addition of 100+ new vehicles that would now be forced to use this road daily, it can only lead to bigger problems. Congestion, which will inevitably slow down commute times for our neighborhood residents, school buses and those who commute between Portland and Westbrook. The inclusion of more cars to our neighborhood will absolutely raise the potential for more traffic accidents and MOST importantly, it will increase the risk of a child being harmed as they play, walk to a friends or to and from the school bus stop, ride bicycles or any other activity that they've been accustom to their whole lives. Now the neighborhood kids will have to constantly look over their shoulder due to the massive influx of new vehicles in our neighborhood.

Last year there was a similar development built on farm land at Spring Street in Westbrook and it's a tremendous eye sore that destroys any continuity that once rural area had. If the proposed development at 1700 Westbrook Street in Portland is going to look anything like that, it surely will detract from our neighborhood's natural beauty and appeal. So, naturally I am fearful that this will also lower the property values in our community.

In conclusion, my family and many of our neighbors are strongly against not just the rezoning of the Camelot Farms property, but this development at a whole. It will damage a significant portion of the natural beauty and the eco-system of our neighborhood by leveling most, if not all, of the woodlands on that piece of land. Stroadwater Village has literally existed for centuries and with an unnecessary rise in traffic flow due to this development, it can only add an increased level of danger for our children, commuters, pedestrians, cyclists and our pets.

This is a very close community and the residents enjoy its serenity. I truly hope the Planning Board will take into consideration the historic value that this neighborhood has possessed for generations. If this development were to move forward, that value will surely be lost forever.

Respectfully,

Shaun Donlin and Silvia Vasquez

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**Fwd:**

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Thu, Feb 23, 2017 at 12:24 PM

A public Comment for Camelot Farms. Thanks.

----- Forwarded message -----

From: **SysterSynergy** <systersynergy@gmail.com>  
Date: Thu, Feb 23, 2017 at 12:15 PM  
Subject: Fwd:  
To: shukriaw@portlandmaine.gov

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

Subject:  
From: SysterSynergy <systersynergy@gmail.com>  
To: estrimling@portlandmaine.gov  
CC:

Dear:  
Elizabeth Boepple  
Sean Funding  
Carol Morrissey's  
David Eaton  
Kristien Nichols  
Lisa Whited  
Maggie Stanley

*I am a resident of Stroudwater and have lived at 1465 Westbrook Street since it was built in 1956.*

*I am writing to state my very strong opposition to the proposed zoning change for 1700 Westbrook Street a property known as Camelot Farms.*

*The area cannot support the extreme deviation from the existing zoning designation.*

*Its impact on the neighborhood and the environment are detrimental.*

*Thank you for your consideration*

*Linda Dambrie*

*Sent from my Verizon Wireless 4G LTE DROID*

--  
**Shukria Wiar, Planner**  
**Planning Division**  
**City of Portland 389 Congress Street**  
**Portland, ME 04101**  
**Ph: 207.756.8083**

***Fax: 207.756.8258***

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## Fwd: Stroudwater re zoning

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>  
To: Jennifer Munson <jmy@portlandmaine.gov>

Fri, Feb 24, 2017 at 9:16 AM

Please this to the public comments. Thanks.

----- Forwarded message -----

From: **richard michel** <richard.michel88@yahoo.com>  
Date: Thu, Feb 23, 2017 at 6:42 PM  
Subject: Stroudwater re zoning  
To: shukriaw@portlandmaine.gov

Dear Planning Board Members,

I am writing in concern of the re zoning of the Camelot Farm property at 1700 Westbrook street in Portland. I/we live at 1683 Westbrook Street directly across the street of the Roger's home. The new zoning would affect us quite a bit and is not welcomed. The changes in the already horrible traffic would only increase, have a negative effect on the trail system, and be devastating to the natural wildlife and water system. I think the change of zoning from R-1 to R-3 would a terrible mistake for the area, neighborhood, and certainly the local environment.

I also think the change is driven by the cash boxes of the city and not really for helping in the housing issues of the city. The majority of those needing housing cannot afford a house with starting cost of 250,000 or more. Therefore my question is to whose benefit is the re zoning for ? ,the Stroudwater community or the cash boxes of the city ?

I submit this request to all of you in the hope you will hear my/ our concerns.

Thank you for your attention.

Richard Michel  
1683 Westbrook Street  
Portland

Sent from my iPad

--  
**Shukria Wiar, Planner**  
**Planning Division**  
**City of Portland 389 Congress Street**  
**Portland, ME 04101**  
**Ph: 207.756.8083**  
**Fax: 207.756.8258**



Arthur F. McEvoy  
89 Partridge Circle  
Portland ME 04102-1632  
(207) 773-4738

February 14, 2017

David Eaton  
City of Portland Planning Board

Dear Dave,

This is not a Public Comment.

I'm disappointed that the Angler's Club dinner was cancelled but I understand the reasoning. This would have been the first one attended since early last season. L.L.Bean has had the uncanny ability to schedule me to work on every dinner occasion. I had to do some sharp horse trading to get tomorrow off.

Not only was I interested in Nick Mills, the scheduled speaker, but I also wanted to corner you for a couple minutes discussion of the Camelot Farm application. I live on Partridge Circle so I have a special interest in the Village. I have less concern about a well thought out residential development than I have about a change in the existing Residential R-1 zoning. One hundred, (yes, there are 100 lots defined) Disney World style small cottages on postage stamp-sized lots that will introduce twice annual applications of lawn fertilizer and weed control products ultimately finding their way to the fragile Stroudwater River is not what I want in my neighborhood or my city. You know what always flows downhill.

At the first Planning Board Workshop you seemed willing to give the zone change application more consideration. The two ladies to your left were, in my opinion, completely out of touch, one citing irrelevant anecdotes about living on Frances Street. I lived close by on Orland Street for 13 years. It's an entirely different environment. The Chair clearly had already reached a decision and Sean was secure in her shadow. One of my concerns, as well as that of many other concerned neighbors, is the financial viability of the two developers, Mike Barton and his sidekick who always appears in his parking lot striping outfit.

At \$350,000 to \$450,000 per house this would require a +/- \$20,000 deposit, a monthly mortgage payment out of reach of the typical first time home buyer that this targets and real estate taxes estimated by Mike Barton to be \$5,000 to \$6,000 per year. Those who can afford to buy don't want tiny shoulder to shoulder lots, uncomfortably close proximity to existing homes or to the turnpike, all of which exist within this plan.

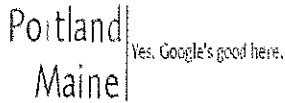
If the marketing plan for Camelot Farm fails this part of the city will bear the scar. A new developer will reset the clock and we'll enter the unknown zone again..

I am certainly not opposed to well considered and planned development. There are many examples in the greater Portland area. It's this particular zoning change application that has my feathers ruffled.

Tight lines.

Sincerely,

Art McEvoy  
element89@maine.rr.com



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**Stroudwater Neighborhood**

1 message

**Angela J. Wheaton** <angelajwheaton@yahoo.com>

Mon, Feb 27, 2017 at 3:25 PM

Reply-To: "Angela J. Wheaton" &lt;angelajwheaton@yahoo.com&gt;

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;

Dear Portland Planning Board,

I live at 30 Partridge Road in the Stroudwater neighborhood. Stroudwater is the oldest residential community in Portland and is currently home to roughly 250 families living in single family dwellings on property that is largely zoned Residential-1 (R-1). When I moved to Portland four years ago, Stroudwater was exactly the type of neighborhood I sought, in large part because of the existing zoning. I had confidence that the city would honor the existing zoning and that my quality of life and property value would not be impacted by other land uses.

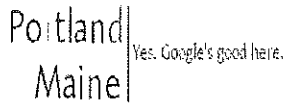
I am writing to state my strong opposition to the zoning change proposed for a portion of the Stroudwater neighborhood, 1700 Westbrook Street, also known as Camelot Farm. A group of developers is requesting that Camelot Farm's zoning be changed from R-1 to R-3. Under the property's current zoning, the developers would be permitted to build 61 homes. This number is consistent with the density and character of our Stroudwater neighborhood. A change in the zoning to R-3 would allow 96 homes to be built on Camelot Farm. This level of density is inconsistent with the design and character of the neighborhood and should not be permitted in an area that has been zoned R-1 for decades.

I also have serious concerns that the infrastructure of the area cannot support this deviation from the existing zoning designation. It has been estimated that during morning and evening commutes, the proposed development would add about 144 cars to the already congested Westbrook Street/Congress Street intersection, and significant traffic to Westbrook Street in general. Also, the Camelot Farms property borders the Stroudwater River, an important ecosystem which likely cannot handle the runoff from 96 new homes.

I am not opposed to well-considered and carefully planned development. There are many examples of this in the greater Portland area. A development with an R-3 density in Stroudwater, however, does not reflect the current flavor and design of our neighborhood.

Thanks for reading and considering my thoughts. I would be more than happy to discuss our neighborhood at any time.

Angela J. Wheaton 30 Partridge Rd. Portland, ME 04102



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**Camelot Farm Development-1700 Westbrook Street**

1 message

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**James Mooney** <jtmooney3232@yahoo.com>

Sun, Feb 26, 2017 at 12:47 PM

To: planningboard@portlandmaine.gov

Cc: shukriaw@portlandmaine.gov

I am in total opposition to the zoning from R-1 to R-3. It is the right of the past owners to be able to sell that property for its designated zoning of R-1. I have lived at 54 Stroudwater Road since 1998 and have enjoyed the area tremendously. It's always been the countryside portion of Portland. Until now.

Stroudwater Village is an area of deep historical roots where many parents currently living here have families with young children. Also, we have couples who are retired and enjoy the area as well. Many of us already know how challenging it can be to walk, push a stroller, run and bicycle on Westbrook Street. It's a major artery for going to work in the morning and returning home after work. It's a major route of getting ambulances to Maine Medical Center. The city has tried desperately to control speeding traffic to no avail. There is a speed sign that clocks vehicle pace and it's always flashing indicating a high speed of travel. Every day!

As an employee of Maine Medical Center one of my major responsibilities is to protect the safety and health of patients, employees and visitors to the hospital. I find this expansion from R-1 to R-3 a benefit to the investors but not to the citizens of Stroudwater Village. The increase in vehicles created by this expansion will draw more cars, delivery trucks and service trucks let alone all the heavy truck traffic during the construction phase of this project. The Safety of all those currently living here should be paramount now and after the R-1 work begins.

I am opposed to the R-3 density plan. I am for the R-1 plan. Let's promote growth but not at the price of making a great neighborhood less desirable for those of us who have been living and recreating here for many years.

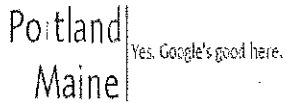
Sent from the iPad of:

James T. Mooney

Maine Medical Center

Department of Safety-Emergency Management

207.712.4672



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**1700 Westbrook Street**

1 message

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**javaj@maine.rr.com** <javaj@maine.rr.com>

Sun, Feb 26, 2017 at 1:26 PM

To: shukriaw@portlandmaine.gov

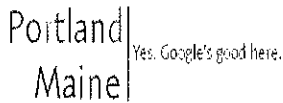
Cc: bbatson@portlandmaine.gov

Dear city legislators and fellow concerned citizens,

My name is Janet Page and I am the homeowner and resident of 1487 Westbrook Street. I am writing to express my opposition to the proposed zoning change for the "Camelot Farm" development at 1700 Westbrook Street. If the change is allowed the development would totally overwhelm our neighborhood and an already busy city street. Thank you for your careful consideration.

Sincerely, Janet Page





James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**PLEASE READ MY LETTER**

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Colleen Griffin &lt;colleen\_griffin@msn.com&gt;

Mon, Feb 27, 2017 at 3:28 PM

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;, "planningboard@portlandmaine.gov" &lt;planningboard@portlandmaine.gov&gt;

Dear Planning Board,

I am writing once again to voice my **strong opposition** to the zoning change, R-1 to R-3, proposed for 1700 Westbrook St. As a resident of Stroudwater (42 Penrith Road), I fear that my neighborhood will be forever changed and not for the better.

The addition of 96 new homes on the Camelot Farms property will forever change and truly destroy the character of Portland's oldest neighborhood. Development of this property is of course unavoidable, but 96 homes is clearly **over-development**. The property is currently zoned as R-1 which will allow for 61 homes to be built. This is a much more sane and safe plan.

My fear is that the property will not be able to ecologically support 96 homes. With the current use of lawn chemicals, specifically nitrogen and phosphorus, an algae bloom in the Stroudwater River is imminent and will be devastating. The Fore River and Casco Bay will also suffer the effects of over development of this property.

Traffic is another very big concern. Will the city be installing traffic lights, widening Westbrook St., Installing sidewalks to accommodate the influx of traffic from 96 new homes? Without these infrastructure improvements, Westbrook St will become a major highway. It is a challenge to pull out safely into traffic on Westbrook St now. If I had the option to travel another way I certainly would. Since Penrith Rd (like most all others in the area) are dead end, I have no other option.

Shouldn't the current residents of the Stroudwater neighborhood have as much of a voice as the developer in this matter? Please consider carefully the full extent of the zone change for 1700 Westbrook St. **Your decision** to change the zone from R-1 to R-3 will forever change the character of **my neighborhood**.

Thank You,

Colleen Griffin

Sent from Mail for Windows 10



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**1700 Westbrook Street (Camelot Farm)**1 message

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Eugenia O'Brien &lt;genieme@maine.rr.com&gt;

Mon, Feb 27, 2017 at 3:55 PM

To: planningboard@portlandmaine.gov, shukriaw@portlandmaine.gov

February 25, 2017

Portland Planning Board

re: no zone change for 1700 Westbrook Street (Camelot Farm)

Dear Elizabeth Boepple (Chair), Sean Dundon, Carol Morrisette, David Eaton, Kristien Nichols, Lisa Whited, and Maggie Stanley:

I strongly question the proposed zone change for Camelot Farm from R-1 to R-3 to permit a 'grow-smart' hyper-density housing development of 96 homes on 30 acres.

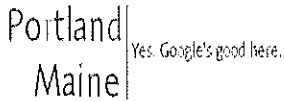
A change to allow a density which is so completely out of character with the oldest residential community in Portland is counter-intuitive in an area that has been zoned R-1 for decades. It was only when such a dense plan was put forward that the alarm was sounded regarding this sale, as no signage announced there would be a zone change that went with the acquisition of this large open property. Intent was unknown. Until now.

In addition, the infrastructure of the area cannot accommodate this extreme deviation from the existing zoning designation. For example, Westbrook Street cannot accommodate an additional 144 cars during morning and evening commutes, assuming conservatively that each family has 1.5 cars. And the Stroudwater River cannot handle the runoff from 96 new homes. And are schools really ready to cope with the influx of close to 100 new homes and the school children associated with this new development marketed to be family-friendly?

By denying this zone change, you would allow for a public-private purchase of this private property prior to a finalized sale. Portland has an amazing history of reverence for green space and it deserves equal consideration in Portland's future. Vacant space does not always cry out for housing and tar.

There are many examples of well-considered and carefully planned developments in the greater Portland area. As presented, this development would not be well-considered or well-planned and forever alters the rural ambiance and natural allure that is the heart of Stroudwater. This 45+ acre site deserves a larger conversation in the context of Portland's Strategic Plan.

Eugenia O'Brien  
1376 Westbrook Street, Portland, Maine  
(207) 773-5610 / (207) 232-0717



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**Fwd: Opposition to zoning change in Stroudwater**

1 message

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**Shukria Wiar** <shukriaw@portlandmaine.gov>

Tue, Feb 28, 2017 at 8:56 AM

To: James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

Please save and print.

----- Forwarded message -----

From: **huang june** <junehuang71@hotmail.com>

Date: Mon, Feb 27, 2017 at 4:17 PM

Subject: Opposition to zoning change in Stroudwater

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;

Dear Members of the Portland Planning Board,

I am a resident of Stroudwater who resides at 18 Spar Lane. I am writing this email to state my strong opposition to the zoning change proposed for 1700 Westbrook Street (Camelot Farm). As you are aware, a group of developers is requesting that the Planning Board change the zoning from R-1 to R-3 on Camelot Farm. Under the current R-1 zoning, the developers are permitted to build 56 houses. This number is consistent with the density and character of the Stroudwater neighborhood. Stroudwater is the oldest residential community in Portland, and is currently home to 210 families.

A change in zoning from R-1 to R-3 would allow developers to build 96 houses on the same plot of land. This level of density is completely out of character with the neighborhood and should not be allowed in an area that has been classified as R-1 for decades. Additionally, the the infrastructure of the area cannot accommodate this extreme deviation from the existing zoning designation. For example, Westbrook Street simply cannot accommodate an additional 144 cars during morning and evening commutes, assuming conservatively that each family has 1.5 cars.

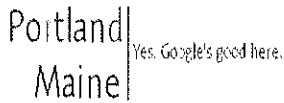
I would like to make it clear that I am not opposed to well-considered and planned development. There are many examples of this in the greater Portland area. However, a development with an R-3 density in Stroudwater would not be well-considered or well-planned.

Thank you for your time and consideration.

Sincerely,

Xiao Jun Huang

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**Shukria Wiar, Planner**  
**Planning Division**  
**City of Portland 389 Congress Street**  
**Portland, ME 04101**  
**Ph: 207.756.8083**  
**Fax: 207.756.8258**



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**Fwd: Camelot Farms**

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**James Dealaman** <jdealaman@portlandmaine.gov>  
To: Syster Synergy <systersynergy@gmail.com>  
Cc: Shukria Wiar <shukriaw@portlandmaine.gov>

Tue, Feb 28, 2017 at 12:00 PM

Thank you for your e-mail. Your public comment will be included in the review and will become part of the public record.

If you have any further questions, please contact me.

--  
James Dealaman, Administrative Officer  
Planning and Urban Development Department  
City Hall, 389 Congress Street, 4th Floor  
Portland, Maine 04101  
(207) 874-8721 (T)  
(207) 756-8258 (F)  
planning@portlandmaine.gov  
www.portlandmaine.gov  
Office Hours are Monday - Friday 8:00 a.m. - 4:00 p.m.

----- Forwarded message -----

From: **SysterSynergy** <systersynergy@gmail.com>  
Date: Tue, Feb 28, 2017 at 9:02 AM  
Subject: Fwd: Camelot Farms  
To: shukriaw@portlandmaine.gov

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

Subject: Camelot Farms  
From: SysterSynergy <systersynergy@gmail.com>  
To: shukirawiar@portlandmaine.gov  
CC:

Hello

My name is Linda Dambrie, I own 1465 Westbrook St. Portland Maine  
I have been a resident here since 1956. I am writing to let you know that I am apposed to the rezoning of Camelot Farms from r1 to r3.

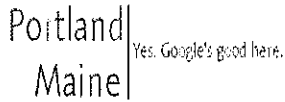
Please forward this to all members of the planning board.

Could you also keep me informed of all meetings or presentations which one or more of the applicants for the zoning change for 1700 Westbrook St application id #2016-282 or CBL #229 A002 have with any member of the planning board or member of its staff. I also request notification and transcript of any ex parte discussion via phone, text, or email that one or more of the applicants have with any member of the planning board or member of its staff. I can be contacted by the email and phone listed below.

Any transcripts can be mailed to 1465 Westbrook St.

Thank you for your time and consideration.

Linda Dambrie  
1465 Westbrook St  
Portland Maine 04102  
Systersynergy@gmail.com  
207-774-7353



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**Re-zoning of 1700 Westbrook St**

1 message

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**Michael Archibald** <marchie1962@gmail.com>

Tue, Feb 28, 2017 at 9:46 AM

To: planningboard@portlandmaine.gov, shukriaw@portlandmaine.gov

Dear Members of the Portland Planning Board,

I am a resident of Stroudwater and live at 126 Stroudwater Road. I am writing to state my strong opposition to the zoning change proposed for 1700 Westbrook Street, a property known as Camelot Farm. A group of developers are requesting that the Planning Board change Camelot Farm's zoning from R-1 to R-3. Under the property's current zoning, the developers would be permitted to build 56 homes. This number is consistent with the density and character of the Stroudwater neighborhood. As you are undoubtedly aware, Stroudwater is the oldest residential community in Portland and is currently home to 210 households.

A change in the zoning R-3 would allow 96 homes to be built on Camelot Farm. This level of density is completely out of character with the neighborhood and should not be allowed in an area that has been zoned R-1 for decades. Currently, there are 150 households situated between Congress Street and the Westbrook border (north of Stroudwater River) that use Westbrook Street as their main arterial route in and out of the neighborhood. That would be a huge increase of 65% of households. The infrastructure of the area cannot accommodate this extreme deviation from the existing zoning designation. For example, Westbrook Street cannot accommodate an additional 144 cars during morning and evening commutes, assuming conservatively that each family has 1.5 cars. Also, winter sidewalk snow removal has been sketchy at best along Westbrook Street where children, the elderly, and others try to walk. An increase in the number of children (probably 25-50) with such a re-zoning is dangerous and should also be addressed by the developer. And finally, Stroudwater River may be damaged by an increase in excessive runoff from inorganic yard and waste chemicals.

I would like to make it clear that I am not opposed to a well-considered and well-planned development at Camelot Farm, especially in light of the fact that Portland and Southern Maine are hoping to attract a younger generation to settle here. There are many examples of such developments in the Greater Portland area. I would encourage both the developer and the Planning Board to look to these developments for inspiration. A development with a R-3 density in Stroudwater Village, however, would NOT be well-considered or well-planned.

Sincerely,  
Michael Archibald  
126 Stroudwater Rd  
Portland ME 04102  
617-699-3017





James Dealaman <jdealaman@portlandmaine.gov>

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## Statement from Stroudwater Village Association regarding proposed zone change at 1700 Westbrook Street (Camelot Farms property), February 2017

1 message

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**Stroudwater Village Association Board of Trustees**

<stroudwatervillageassociation@gmail.com>

To: shukriaw@portlandmaine.gov, planningboard@portlandmaine.gov

Cc: Brian Batson <bbatson@portlandmaine.gov>, Charlton Smith <charltonsmith@mac.com>

Tue, Feb 28, 2017 at 10:12 AM

Hello, please see the statement below (also attached for convenience) from the SVA, and please add it to the public comments for tonight's Planning Board Workshop. SVA VP Carl Smith (copied) will be at the meeting to represent the SVA. Thank you. -Dan Koloski, SVA President

### **Statement from Stroudwater Village Association regarding proposed zone change at 1700 Westbrook Street (Camelot Farms property), February 2017**

Summary: The Stroudwater Village Association restates its January 2017 position that it does NOT believe a zone change from R-1 to R-3 is appropriate at this time, and requests that the Planning Board table or deny the request as presented to allow for more discussion about the highest and best use of the property.

#### **1. Lack of notice impedes due process**

To begin with, the SVA would like to register its disappointment that once again, no formal notice of this workshop was sent to the official SVA email address which receives all other city notices. We are unable to help the city provide due process to residents/taxpayers without timely notice, and we most certainly qualify as an "interested party." We also note that 4:30PM is a very difficult time for working residents to attend meetings, thereby increasing the importance of time to prepare written feedback.

*Action: Please ensure electronic notifications regarding ANY properties in the Stroudwater area are sent to stroudwatervillageassociation@gmail.com with proper notice timing.*

#### **2. Parcel-by-parcel re-zoning is not "planning"**

The SVA continues to have serious concerns with the reactive policy/process approach from the city regarding re-zoning proposals in our area. We point out that is the third major re-zoning application in the last 12 months in which the seller and buyer operated under a presumption that re-zoning would be simply "rubber-stamped" as part of a parcel sale (the prior two were the Northland/Elks Club and Verizon Wireless proposals). We believe that the current "anything goes" mentality among sellers in the neighborhood is the direct result of tacit encouragement and incentives from the city due to the lack of planning for the area, and this potential re-zoning will only encourage more of the same.

In several meetings surrounding the revised Comprehensive Plan, it was noted that the next step should be neighborhood-specific plans developed collaboratively by the city, neighborhood associations and residents. No such plan exists for Stroudwater, and we've been given no indication that one is forthcoming. The city produced the "Outer Congress Street Land use" white paper only at the very tail end of the Elks Club debate and after considerable pressure from residents, but even in that very brief paper it noted that "As development pressure continues on Outer Congress

Street, it is important that the city establish a policy direction for future land use decisions in this area." The same is true of the Westbrook Street corridor. We do not believe neighborhood transformation should happen by accident.

We also note with alarm the Planning Board's explicitly-stated desire (in the current materials, staff memo) to additionally rezone existing adjacent occupied parcels over the objections of the current (and in many cases, longstanding) residents. This feels like unnecessary overreach and raises many questions about the future of other residential properties in the area and adverse incentives for future sellers.

*Action: The SVA requests that the city table parcel-by-parcel rezoning in our area until a vision process is complete.*

### **3. This re-zoning is proposed in support of a project that may not be viable**

In the last Planning Board Workshop, Board members noted the risk associated with re-zoning around a particular proposal is that there is no guarantee that the ultimate plan will bear any semblance to the existing proposal, especially if the property ownership changes hands post re-zoning.

The project has been described as a multi-year, multi-phase, build-on-presale business model even though initial infrastructure costs (new roads, sewer, etc.) will be substantial. Furthermore, the project is described as having "starter homes in the \$350-450K range." Many residents have questioned both the existence of financing required to sustain such a project over many years as well as the level of demand for "starter homes" above \$350K, and as such we have previously asked the developer for background on previous projects they have completed, as well as the full background on the team and its resources.

To date we have not received any additional information that would give us confidence that this team has the ability to execute what they are proposing...which leads directly back to the risk of re-zoning.

*Action: Since this re-zoning is only being proposed to support a particular project, the SVA requests that any future zoning revert back to previous (R-1) zoning if there are substantial changes to the underlying project on which the re-zoning was approved.*

### **4. There are meaningful concerns about the project even if financially viable**

The developer has been willing to engage with residents on aspects of the proposal, and we are appreciative of these efforts. We also note some areas in which the developer has been responsive to resident suggestions such as Turnpike noise buffering. We think more time is needed for ongoing collaborative discussion to resolve major outstanding issues, including the ones noted below.

**4A. Too much automobile volume:** We reiterate our serious concerns about arbitrarily doubling the number of single-family (1.5/2-car-per-household) homes on this section of Westbrook Street. As anyone who lives or commutes on Westbrook Street knows, there is no easy way the existing thoroughfare can absorb that level of rush-hour increase, and there is no alternative ingress/egress possible. The traffic study cited incorrectly focused on the incremental effect from a hypothetical full R-1 buildout (83 homes) to the proposal under R-3 (96 homes). That is the wrong metric, as there is no existing housing in place, and so, regardless of underlying zoning, every single car is incremental in this circumstance.

*Action: The SVA has previously requested alternatives from the developer that would involve numerically far less homes (more like in the 30-40 range, similar to the scale of the very successful River's Edge and Tide Mill developments) as well as phase-by-phase development plans and buyout options that would prevent incremental development. To date, we have not received any of this information.*

*Action: Regardless of whether we are talking about 30 homes or 90 homes, the SVA requests specific traffic demand management plans from the developer and MDOT including stoplights at parcel ingress/egress as well as ways to encourage alternative routing for non-resident commuters (such as additional Westbrook Street traffic calming to reduce non-peak-hour speeds and regional efforts such as removal of local turnpike tolls).*

**4B. Unknown environmental effects:** There is also meaningful concern about environmental impacts of incremental development on the Stroudwater River and surrounding ecosystem, and changes to the river flow may also negatively impact the already-damaged historic Stroudwater Dam.

*Action: The SVA requests a full inventory of environmental impact and mitigation plans for the project. Thus far we have seen some information about stormwater management, but no information about pesticides and impacts on existing conditions (wetlands, vernal pools, etc.).*

*Action: The SVA requests the city release its plans for Stroudwater Dam repair before any large-scale development that borders the river would be undertaken.*

**4C. Incompatible density/layout with existing development patterns.** There is no existing precedent for the proposed combination of density and layout anywhere in Stroudwater. The applicant's materials and staff memo note approximately 28 existing nonconforming (to R-1 and R-2 zoning) lots in the Stroudwater area, as well as the River's Edge "Conditional R-3" rezoning from 1992, as precedent for this re-zoning. However, these precedents actually argue against the current plans.

- The majority of nonconforming lots with overall sizes close to the sq. ft range for this project (~9,070 sqft average) are not near the site but rather in the Stroudwater Historic District (cited lots are in the ~1100-1300 Westbrook Street range as well as Cobb Ave. and Garrison St., all to the southeast of the Westbrook/Congress St. intersection). The nonconforming lots that are closer to 1700 Westbrook Street (cited lots are in the ~1500-1600 Westbrook Street range, though notably on the opposite side of Westbrook Street, as well as on Swan St. and Pierce Avenue) are mostly cited based on lot width, but most are substantially larger than the average proposed size. The point being, this combination of thin-width lots AND densely packed lots doesn't really exist in the neighborhood today.
- Even the River's Edge example provides a precedent for less density/volume, not more, as the staff memo notes, "The reason for the conditional zone change request to the R-3 zone was because the R-3 zone allowed a Planned Residential Unit Development (PRUD) for single family homes at that time. The applicant kept the density of the proposed subdivision at 29 lots which was the same density as permitted under the R-1 and R-2 zones."

The bottom line on all of this is that more discussion is needed. We are all simply "not there yet."

The Stroudwater Village Association restates its January 2017 position that it does NOT believe a zone change from R-1 to R-3 is appropriate at this time, and requests that the Planning Board table or deny the request as presented to allow for more discussion about the highest and best use of the property.

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The Stroudwater Village Association is a Maine Non-Profit corporation. All residents of Stroudwater are members and invited to participate in all of our activities.

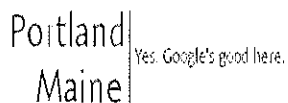
Find us on the web at <http://www.stroudwatervillage.org> and <http://www.livinginportland.org/stroudwater.htm>

Find us on Facebook at <https://www.facebook.com/StroudwaterVillageAssociation>



**Statement from Stroudwater Village Association regarding proposed zone change at 1700 Westbrook Street-20170226.pdf**

128K



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**Camelot Farms rezoning proposal**

1 message

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**Carolyn Claiborn** <c\_claiborn@hotmail.com>

Tue, Feb 28, 2017 at 10:48 AM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>, "Angela J. Wheaton" <angelajwheaton@yahoo.com>, "Strimling@portlandmaine.gov" <Strimling@portlandmaine.gov>, "bsr@portlandmaine.gov" <bsr@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>, "bbatson@portlandmaine.gov" <bbatson@portlandmaine.gov>, "jcosta@portlandmaine.gov" <jcosta@portlandmaine.gov>, "dbrenaman@portlandmaine.gov" <dbrenaman@portlandmaine.gov>, jim claiborn <anxietyshrink@gmail.com>

Thank you for giving me the time to read my message. I have been a resident of the Stroudwater area for the past thirteen years. I want to register my opposition to the proposed zoning changes for the development of Camelot Farms from R1 to R3.

Maine is an old state. Residents of Maine are an average of 45 years old. Females in Portland average 50 years. In our neighborhood, the average is much higher. Most of the residents of Partridge Road and Circle are retired or nearing retirement. Most of the residents have owned their houses for more than twenty years. They have owned these houses with the promise that once they were unable to care for the houses or themselves, they would be able to sell their homes to finance the next steps in their retirement.

The Stroudwater neighborhood is attractive to new buyers because of the wooded back yards, views of the river and the historic sense that permeates the area. The proposed development of Camelot Farms will radically alter the ambiance of this neighborhood, making it less attractive to potential buyers. If residents of this area were younger, the threat to the value of their homes might have less impact given that they have more years to compensate for the loss.

In our small neighborhood, that's not the case. Loss of value of the residents' most important asset can negatively affect their remaining years. I think this is a critical factor to be considered by the planning board when weighing the benefits and risks of changing the zoning.

The residents of Partridge Road and Circle have earned your consideration. They are teachers and businessmen who have given back to Portland in many, many ways. We owe them the ability to maintain their retirement assets as was always promised them.

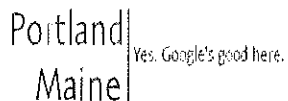
Thank you for your attention.

Sincerely,

Carolyn Claiborn

24 Partridge Circle

Portland, Maine 04102



James Dealaman &lt;jdealaman@portlandmaine.gov&gt;

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**Oppose Re-Zoning of Camelot Farms**1 message

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**Lisa McLaughlin** <torrey@maine.rr.com>

Tue, Feb 28, 2017 at 11:34 AM

To: shukriaw@portlandmaine.gov, planningboard &lt;planningboard@portlandmaine.gov&gt;

Cc: stroudwatervillageassociation@gmail.com

Dear Portland Planning Board Members,

I am writing to express my strong opposition to the re-zoning of the Camelot Farms area of Stroudwater Village from R-1 to R-3. Although I will not be able to attend the planning board meeting this afternoon, I agree with my neighbors who will be there to present concerns. Please give this matter your careful consideration and work for us to preserve the character and environmental integrity of the village. Thank you,

Lisa McLaughlin  
30 Partridge Road  
Portland ME 04102



GENERAL NOTES:

1. PLAN REFERENCES:

1.1. MAINE OFFICE OF GIS FOR AERIAL AND CONTOUR DATA

1.2. CITY OF PORTLAND GIS FOR PARCEL AND ZONING DATA

1.3. PRELIMINARY BOUNDARY SURVEY DATED 11/16/2016 COMPLETED BY TITCOMB ASSOCIATES.

1.4. WETLAND DELINEATION BY MARK HAMPTON ASSOCIATES DATED 11/18/2016

2. AREA DEPICTED FOR THE SHORELAND OVERLAY ZONE IS APPROXIMATE BASED ON PORTLAND GIS DATA.

3. IN ANTICIPATION OF BEING BUILT INTO PHASES, TURNAROUND CAPABILITIES WILL BE MAINTAINED IN THE CENTER OF THE DEVELOPMENT. THE TURNAROUND WILL BE A MINIMUM 30' LONG AS MEASURED FROM THE PROPOSED ROW PER TECHNICAL STANDARD AND WILL BE REMOVED AT PROJECT COMPLETION.

| SPACE AND BULK STANDARDS                  |           |             |
|-------------------------------------------|-----------|-------------|
| ZONE:                                     | R-1 (EX.) | R-3 (PROP.) |
| MINIMUM LOT SIZE                          | 15,000 SF | 6,500 SF    |
| MINIMUM STREET FRONTAGE                   | 75'       | 50'         |
| FRONT YARD                                | 25'       | 25'         |
| REAR YARD - PRINCIPAL                     | 25'       | 25'         |
| REAR YARD - ACCESSORY                     | 5'        | 5'          |
| SIDE YARD                                 | 16'       | 16'         |
| STRUCTURE STEPBACKS (REAR YARD ABOVE 35') | -         | 15'         |
| MAXIMUM LOT COVERAGE                      | 20%       | 35%         |
| MINIMUM LOT WIDTH*                        | 100'      | 65'         |
| MAXIMUM BUILDING HEIGHT                   | 35'       | 35'         |
| MAXIMUM ACCESSORY HEIGHT                  | 18'       | 18'         |

\*DISTANCE PARALLEL TO THE FRONT OF THE BUILDING MEASURED BETWEEN SIDE LOT LINES THROUGH THAT PART OF THE PRINCIPAL BUILDING WHERE THE LOT IS NARROWEST.

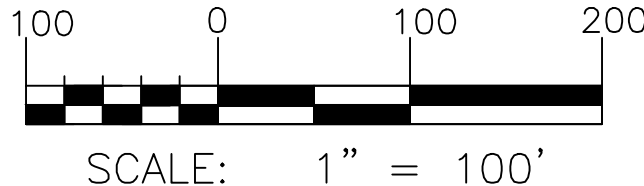
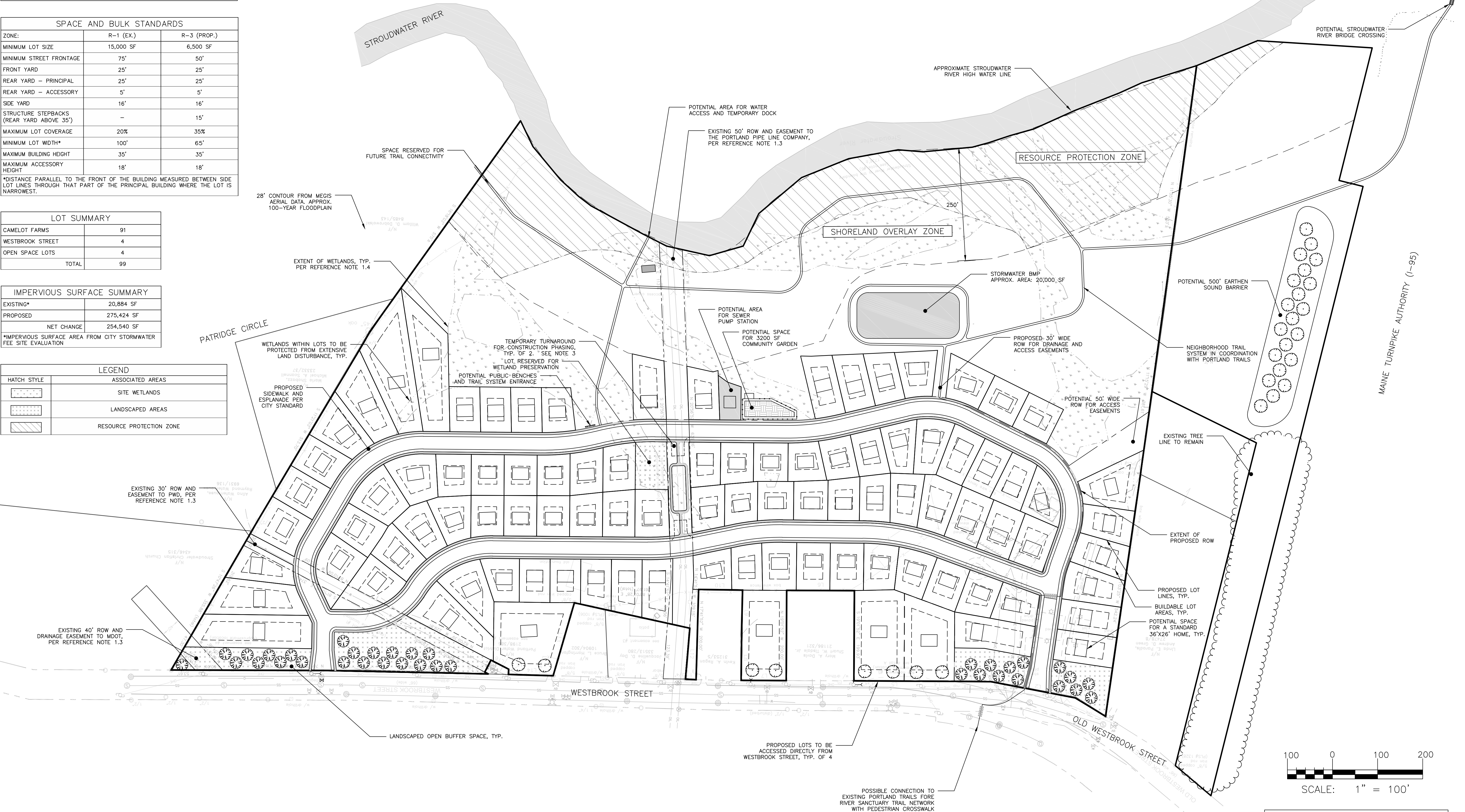
| LOT SUMMARY      |    |
|------------------|----|
| CAMELOT FARMS    | 91 |
| WESTBROOK STREET | 4  |
| OPEN SPACE LOTS  | 4  |
| TOTAL            | 99 |

| IMPERVIOUS SURFACE SUMMARY |            |
|----------------------------|------------|
| EXISTING*                  | 20,884 SF  |
| PROPOSED                   | 275,424 SF |
| NET CHANGE                 | 254,540 SF |

\*IMPERVIOUS SURFACE AREA FROM CITY STORMWATER FEE SITE EVALUATION

| LEGEND      |                          |
|-------------|--------------------------|
| HATCH STYLE | ASSOCIATED AREAS         |
|             | SITE WETLANDS            |
|             | LANDSCAPED AREAS         |
|             | RESOURCE PROTECTION ZONE |

## R-3 ZONE CHANGE CONCEPT PLAN



FINAL APPLICATION  
NOT ISSUED FOR  
CONSTRUCTION

|            |          |
|------------|----------|
| ISSUED FOR | BY       |
| PRE-APP    | WHS      |
| PRELIM APP | WHS      |
| FINAL APP  | WHS      |
| DATE       | 10/27/16 |
| DATE       | 12/27/16 |
| DATE       | 2/14/17  |

|                         |  |
|-------------------------|--|
| SITE PLAN - R-3 CONCEPT |  |
| CAMELOT VILLAGE         |  |
| CAMELOT HOLDINGS, LLC   |  |
| KENNEBUNK, MAINE 04043  |  |

|               |               |         |
|---------------|---------------|---------|
| DRAWING NAME: | PROJECT NAME: | CLIENT: |
|               |               |         |

|                                        |
|----------------------------------------|
| ACORN ENGINEERING, INC.                |
| 158 DANFORTH ST. PORTLAND, MAINE 04102 |
| (207) 775-2655                         |

|              |            |
|--------------|------------|
| FILE:        | 1079_CIVIL |
| JN:          | 1079       |
| SCALE:       | 1"=100'    |
| DESIGNED BY: | OJD        |
| DRAWN BY:    | OJD        |
| CHECKED BY:  | WHS        |

|                       |
|-----------------------|
| STATE OF MAINE        |
| WILLIAM SAVAGE        |
| 2-14-17               |
| PROFESSIONAL ENGINEER |

|             |
|-------------|
| DRAWING NO. |
| C-10        |









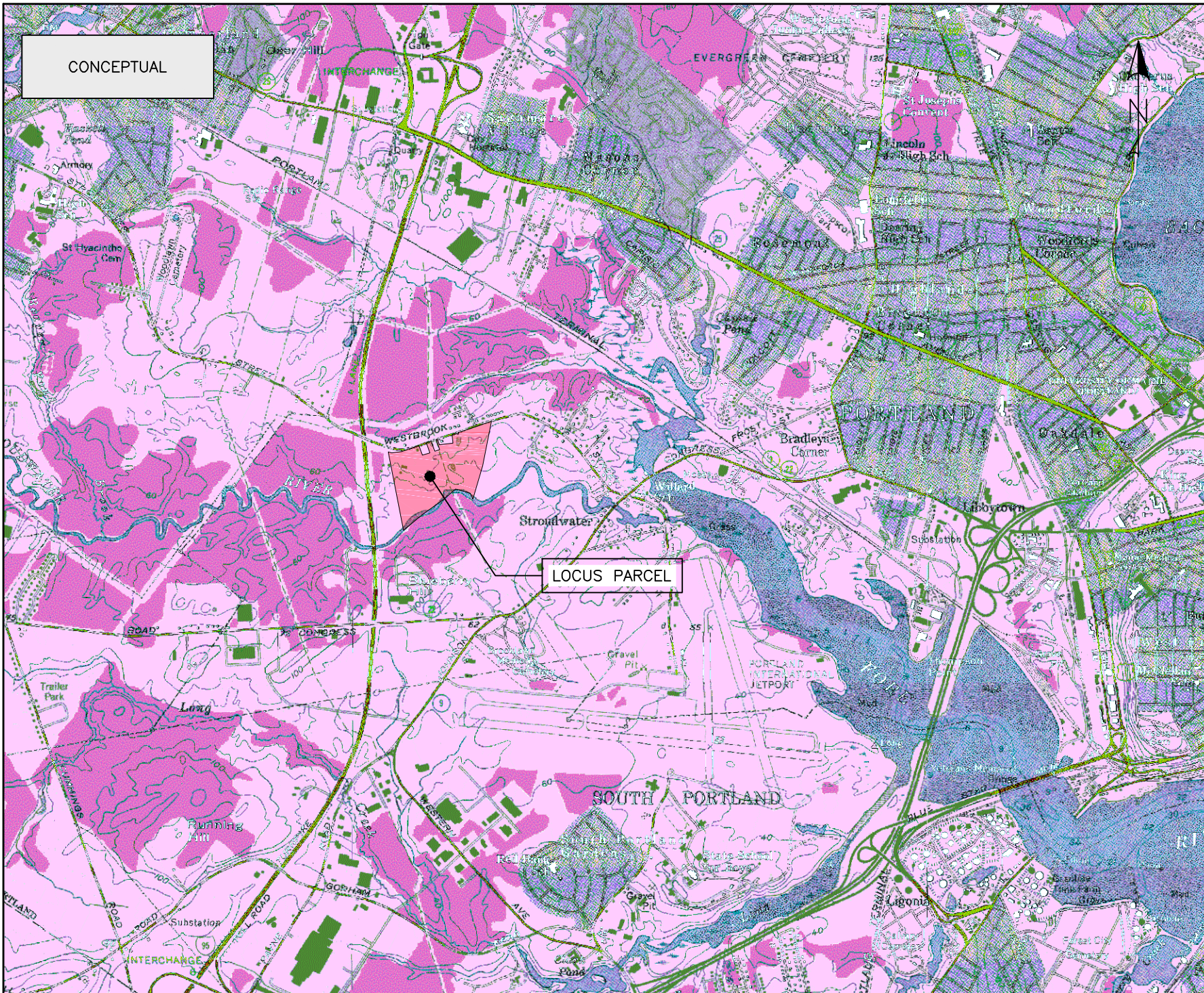










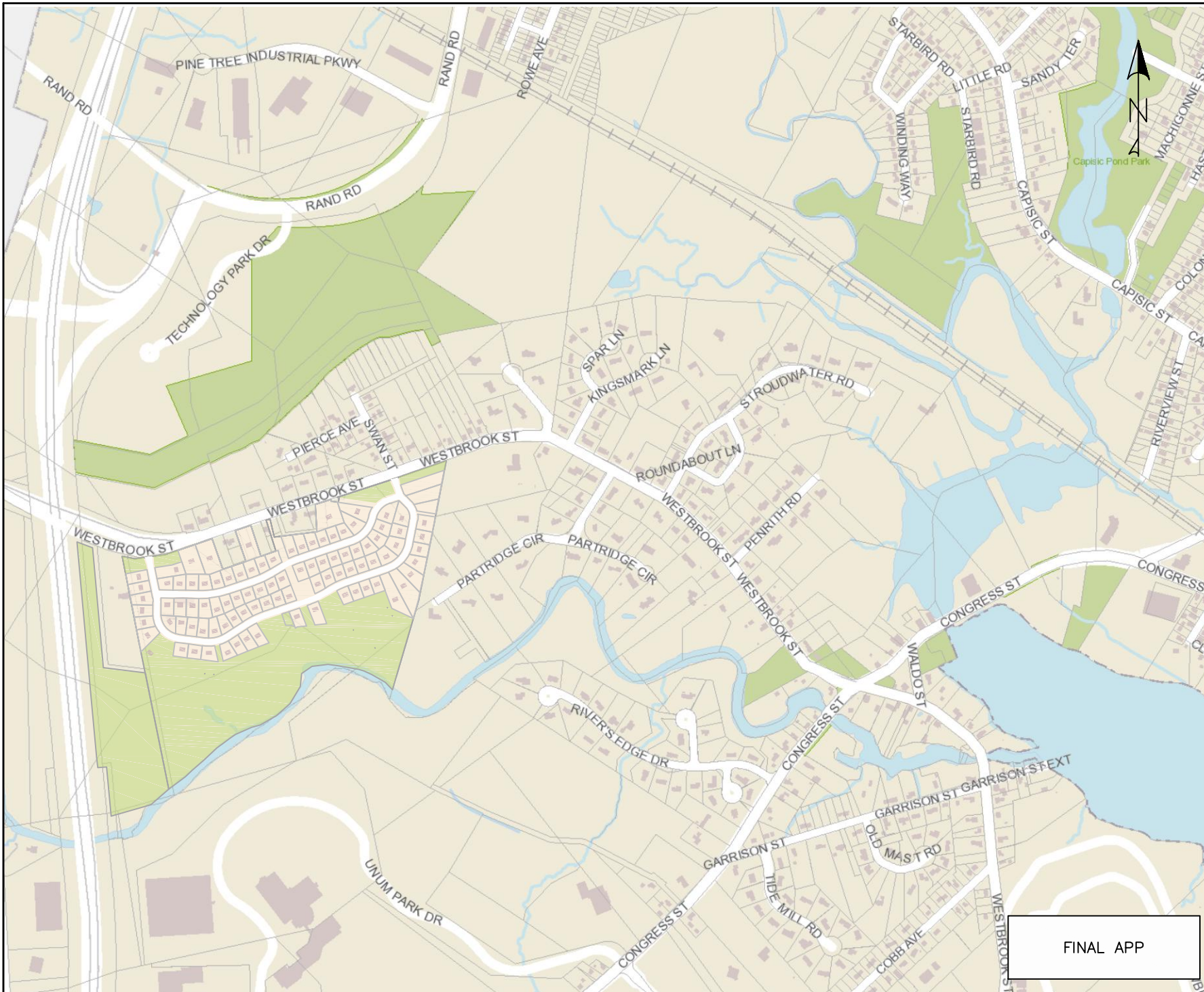


CONCEPTUAL

LOCUS PARCEL

|                                                                                                                                                                                                                     |          |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| ISSUED FOR                                                                                                                                                                                                          |          | BY       |
| SITE REVIEW                                                                                                                                                                                                         |          | DATE     |
|                                                                                                                                                                                                                     |          | WHS      |
|                                                                                                                                                                                                                     |          | 10/28/16 |
|                                                                                                                                                                                                                     |          | REV      |
|                                                                                                                                                                                                                     |          | DATE     |
|                                                                                                                                                                                                                     |          |          |
|                                                                                                                                                                                                                     |          |          |
| DRAWING NAME: VICINITY MAP                                                                                                                                                                                          |          |          |
| PROJECT NAME: CAMELOT FARMS SUBDIVISION                                                                                                                                                                             |          |          |
| CLIENT: CAMELOT HOLDINGS, LLC                                                                                                                                                                                       |          |          |
|                                                                                                                                 |          |          |
| ACORN ENGINEERING, INC. P.O. BOX 3372<br>PORTLAND, MAINE 04104 (207) 775-2655                                                                                                                                       |          |          |
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| SCALE:                                                                                                                                                                                                              | 1"=2500' |          |
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| DRAWN BY:                                                                                                                                                                                                           | OJD      |          |
| CHECKED BY:                                                                                                                                                                                                         | WHS      |          |
| THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC. |          |          |
| DRAWING NO.                                                                                                                                                                                                         |          |          |
| EX-1                                                                                                                                                                                                                |          |          |





FINAL APP

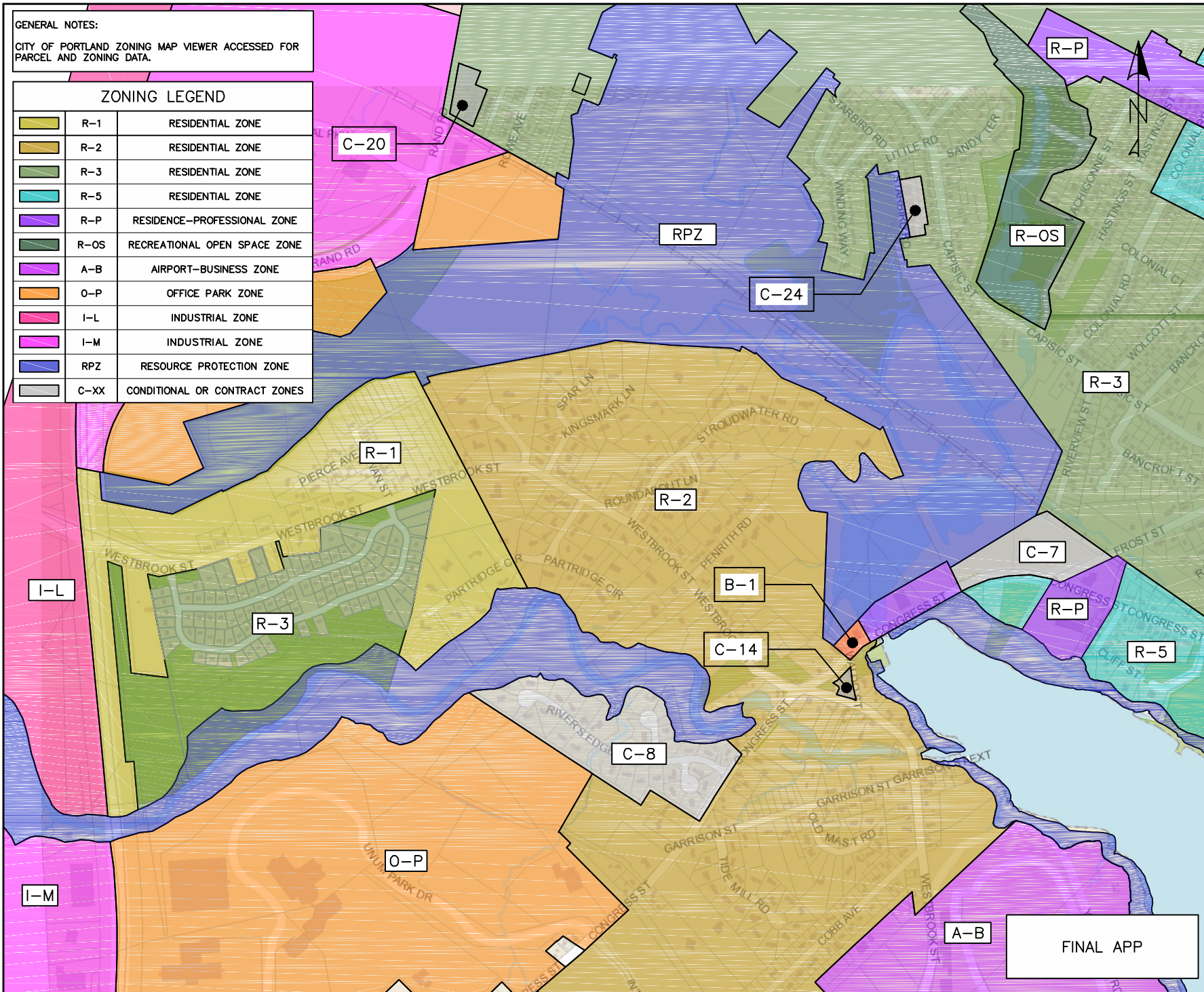
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| DRAWING NAME: PARCEL EXHIBIT                                                                                                                                                                                                                |            |         |
| PROJECT NAME: CAMELOT FARMS SUBDIVISION                                                                                                                                                                                                     |            |         |
| CLIENT: CAMELOT HOLDINGS, LLC                                                                                                                                                                                                               |            |         |
|                                                                                                                                                         |            |         |
| ACORN ENGINEERING, INC. P.O. BOX 3372<br>PORTLAND, MAINE 04104 (207) 775-2655                                                                                                                                                               |            |         |
| FILE:                                                                                                                                                                                                                                       | CIVIL 1079 |         |
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| CHECKED BY:                                                                                                                                                                                                                                 | WHS        |         |
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| DRAWING NO.                                                                                                                                                                                                                                 |            |         |
| EX-2                                                                                                                                                                                                                                        |            |         |



GENERAL NOTES:  
CITY OF PORTLAND ZONING MAP VIEWER ACCESSED FOR  
PARCEL AND ZONING DATA.

### ZONING LEGEND

|                                                                                  |      |                               |
|----------------------------------------------------------------------------------|------|-------------------------------|
|  | R-1  | RESIDENTIAL ZONE              |
|  | R-2  | RESIDENTIAL ZONE              |
|  | R-3  | RESIDENTIAL ZONE              |
|  | R-5  | RESIDENTIAL ZONE              |
|  | R-P  | RESIDENCE-PROFESSIONAL ZONE   |
|  | R-OS | RECREATIONAL OPEN SPACE ZONE  |
|  | A-B  | AIRPORT-BUSINESS ZONE         |
|  | O-P  | OFFICE PARK ZONE              |
|  | I-L  | INDUSTRIAL ZONE               |
|  | I-M  | INDUSTRIAL ZONE               |
|  | RPZ  | RESOURCE PROTECTION ZONE      |
|  | C-XX | CONDITIONAL OR CONTRACT ZONES |



|            |             |
|------------|-------------|
| ISSUED FOR | BY DATE     |
| FINAL APP  | WHS 2/14/18 |
|            |             |
|            |             |
|            | REV DATE    |
|            |             |

DRAWING NAME: ZONING EXHIBIT  
PROJECT NAME: CAMELOT FARMS SUBDIVISION  
CLIENT: CAMELOT HOLDINGS, LLC



|             |            |
|-------------|------------|
| FILE:       | CIVIL 1079 |
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| SCALE:      | 1"=900'    |
| DESIGN BY:  | OJD        |
| DRAWN BY:   | OJD        |
| CHECKED BY: | WHS        |

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

DRAWING NO.

EX-3

FINAL APP





# PLANNING BOARD REPORT PORTLAND, MAINE

Eleven-Unit Condominium Building  
161 York Street  
Subdivision and Level III Site Plan  
2016-261  
York Street Development LLC, Applicant

Submitted to: Portland Planning Board  
Public Hearing Date: February 28, 2017

Prepared by: Shukria Wiar, Planner  
Date: February 24, 2017

## I. INTRODUCTION

York Street Development LLC has requested a preliminary Level III site plan and subdivision review of an eleven-unit urban infill development at 161 York Street near the Casco Bay Bridge and State Street. The proposed 11,046 SF development includes a five-story multifamily building with parking at two different levels, as well as surface parking spaces. The site will be accessed from York Street and Guilford Court. The vacant lot was previously occupied by two 2-story residential buildings that have recently been demolished. The site is within the R-6 zone and within 100 feet of the West End Historic District.

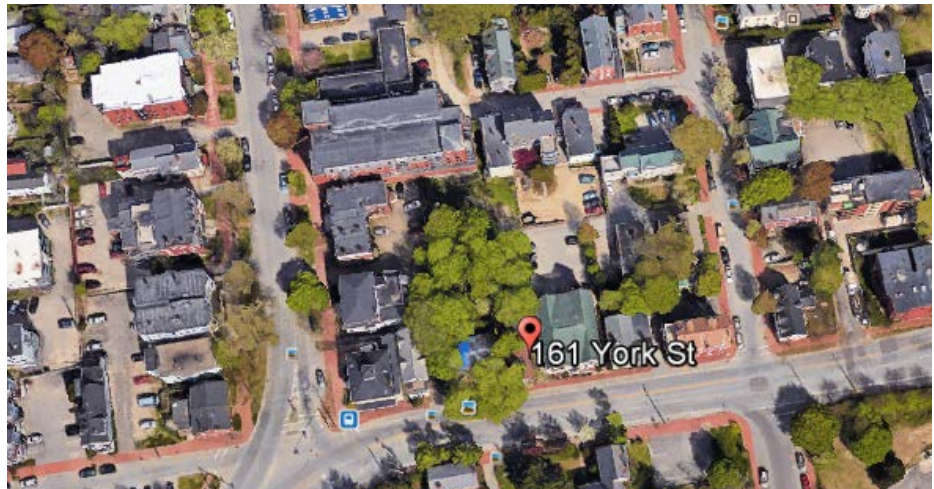


Figure 1: Aerial of 161 York Street Site

The applicant requested a Preliminary Review and the Planning Board considered the preliminary submission at a Workshop on January 17, 2017. The Final Plan for this project was submitted February 14, 2017. The project is subject to review for conformance with the Subdivision and Site Plan ordinances of the Land Use Code. Since the project is over ten units, it will have to meet the standards of Inclusionary Zoning. The applicant is not proposing an affordable unit and the developer intends to meet the inclusionary requirements by paying the required workforce contribution to the City.

A total of 193 notices were sent to property owners within 500 feet of the site and a legal ad ran on February 20<sup>th</sup> and 21<sup>st</sup>, 2017. There were four public comments that have been received by the Planning Office, see [Attachment 5](#).

**Applicant:** Michael Cianchette of York Street Development LLC

**Consultants:** Will Savage, Acorn Engineering; Mark Mueller, Mark Mueller Architects; James Mullen, Spurwink Surveying LLC

## II. REQUIRED REVIEWS

### **Waiver Requests**

Drive Aisle width – To allow a 23.39' foot aisle in the parking area.

**Staff Comments:** The review staff recommends waiving this standard.

### **Applicable Standards**

Technical Manual, *Section 1.14*, requiring that aisle width for right-angle parking be 24 feet per Figure I-27

Location and spacing of driveways- To allow driveway spacing of 54 feet.

**Staff Comments:** Staff supports a waiver for driveway separation between the proposed driveway and the driveway to the west, given site parking characteristics and that backing maneuvers are not required.

Technical Manual Section 1.7.2.7 Location and spacing of driveways *shall be determined as follows: Along arterial, collector and local streets, minimum acceptable spacing between double or multiple driveways for driveways on adjacent lots or on the same parcel shall meet the criteria of 100 feet for 25 mph*

#### **Review**

Site Plan

Subdivision

Workforce Housing Inclusionary Zoning

#### **Applicable Standards**

Section 14-526

Section 14-497

14-484 (Applicant is required to have one unit; applicant will make a contribution)

### **III. PROJECT DATA**

|                              |                                            |
|------------------------------|--------------------------------------------|
| Existing Zoning              | Residential R-6                            |
| Existing Use                 | Residential                                |
| Proposed Use                 | Residential                                |
| Proposed Development Program | 11 residential units                       |
| - Bedroom Mix                | 9 two-bedroom units, 2 three-bedroom units |
| Parcel Size                  | 11,064 SF                                  |
| Proposed Parking             | 22 spaces                                  |

|                           | <i>Existing</i> | <i>Proposed</i>        | <i>Net Change</i> |
|---------------------------|-----------------|------------------------|-------------------|
| Building Footprint        | 2,039 SF        | 4,104 SF               | 3,050 SF          |
| Building Floor Area       | 4,038 SF        | 12,312 SF              | 11,258 SF         |
| Impervious Surface Area   | 3,271 SF        | 7,370 SF               | -2,994 SF         |
| Parking Spaces (on site)  | 3               | 22 (exceeds standards) | 19                |
| Bicycle Parking Spaces    | 0               | 4 internal             | 4                 |
| Estimated Cost of Project | \$4,900,000     |                        |                   |

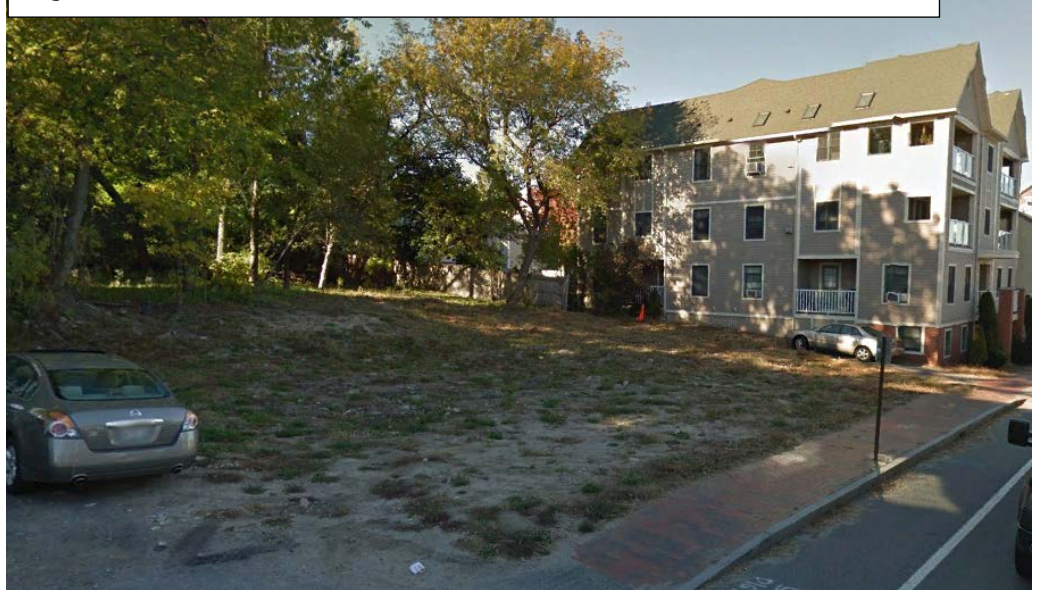
### **IV. BACKGROUND & EXISTING CONDITIONS**

The applicant had requested a preliminary review by the Board to confirm that the overall layout was broadly acceptable.

The Planning Board members at the January workshop supported the proposed location of the new building but noted there were a number of concerns to be addressed in the final submission:

- Address how the project meets Historic Preservation standards in the context of 14-526 (d) 5 b;
- Provide a maintenance plan, including snow removal of Guilford Court;

Figure 2: 161 York Street Site





- Revise the design details (i.e. main entrance closer to the public sidewalk, articulation and fenestration) of the proposed building;
- Eliminate the two surface parking spaces on York St and revise design of the, landscaping and fencing that addresses standards.

The proposed project site is located on York Street in proximity to State Street and the Casco Bay Bridge. The site was occupied by two structures, a single family and two-family house, which were demolished in early 2016. The uses surrounding the site are mostly residential, including large three to four-story multifamily housing. To the north of the site is Harborside Apartments, which is a twenty-seven unit residential development; to the south, across York Street, is the historic landmark Nathaniel Dyer House. To the west of the property is a three-story multifamily structure, which is where the West End historical district starts. This site is not in the Historic District, but it is within 100 feet, therefore the Historic Preservation staff provides an advisory review of the project. The site is separated by two properties from State Street on the west. To the east of the property is an eight unit multifamily development that is accessed at the rear of the property through Guilford Court.

## V. PROPOSED DEVELOPMENT

The development is proposed as a residential project with frontage on York Street. The lot abuts Guilford Court at the rear of the site. The project will consist of a five-story multifamily building. The new eleven units will be orientated to York Street, with vehicular accesses from York Street and Guilford Court. Nine of the units will be two-bedroom and two will be three-bedroom.

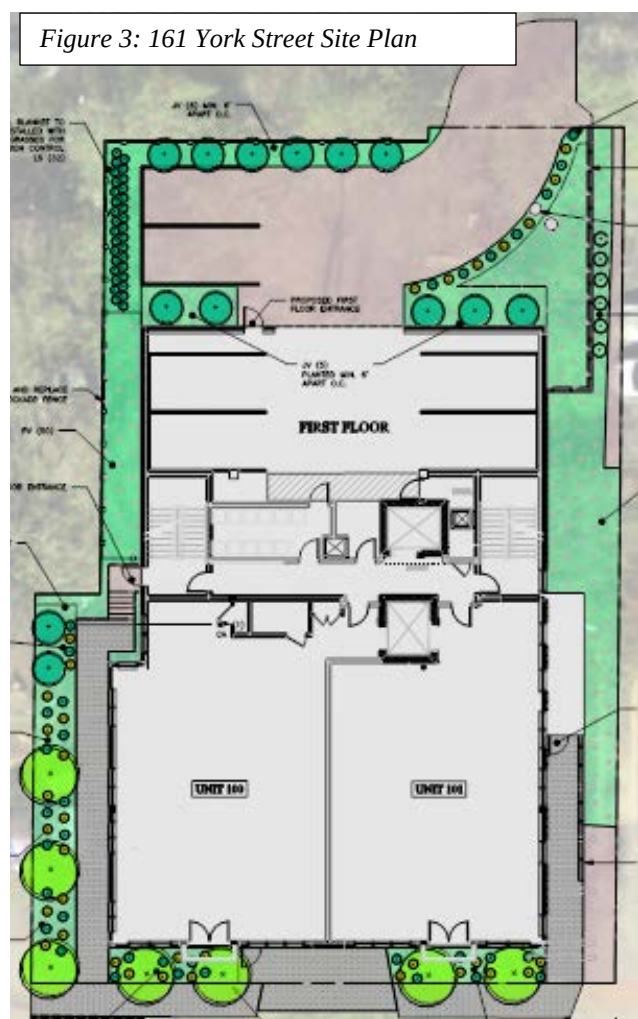
Parking for twenty-two (22) vehicles is to be proposed on-site with a total of two driveway accesses from York Street and Guildford Street, which is a private street. The five-story building will feature a two-level parking garage: sixteen spaces on the lower level (basement, which will have access via a new curb cut off of York Street; and four spaces on the first-floor garage, which will have access from Guilford Street. Two surface parking spaces are proposed off Guilford Court. The applicant is no longer proposing the two surface parking spaces off York Street; the applicant is now proposing landscaping and a brick walkway to the secondary access to the building.

Pedestrian access to the site will be provided off York Street with two internal walkways to a main and side entrance. The main entrance to the building is now set back approximately 35 feet (in the preliminary plan, it was 45') from the front property line and the second entrance is about 55 feet. New brick sidewalks and street trees are proposed on York Street.

## VI. PUBLIC COMMENT

As of the writing of this report, one additional written public comments have submitted since the workshop. The main concern of these comments was building height, snow removal and the utilization of the private way, Guilford Court.

A Neighborhood Meeting is required for this project and the applicant has confirmed that the neighborhood meeting was held on December 12, 2016, see [Attachment S](#).



## **VII. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY**

a. The owner of the property is York Street Redevelopment LLC. The applicant has provided a copy of a warranty deed, recorded at the Cumberland County Registry of Deeds (Book 32580 Page 187), which demonstrates their right, title and interest in the property.

The applicant is proposing to utilize a private way, Guilford Court, as a second means of access to the site. Guilford Court is considered by the City of Portland DPW Engineering Archives to be private way; thus, it is not an accepted city street. The applicant is required to submit right, title, and interest in the street and has submitted a warrants deed as evidence. These documents have been reviewed by the City's Corporation Counsel and the shows that the applicant has right, title, and interest in the street.

b. The estimated cost of the development is \$4.9 Million. The applicant has submitted a letter from Bangor Savings Bank, dated October 26, 2016, as demonstration of their financial and technical capacity to complete the proposed development.

## **VIII. ZONING ANALYSIS**

The proposed residential eleven-unit building is a permitted use in the Residential R-6 which allows multifamily dwellings. Under the R-6 zone all of the dimensional requirements are being met.

## **IX. ENSURE WORKFORCE HOUSING CONDITIONAL USE- Tyler Norod, Housing Planner**

Housing Planner Tyler Norod reviewed the Conditional Use for Affordable Housing application at 161 York Street as required by Division 30, Section 14-487, Ensuring Workforce Housing. The ordinance requires a minimum of 10% of a project with 10 or more units to be restricted for Workforce Households and that the number of bedrooms required under Section 14-487(e)3 be at least 10% of the total number of bedrooms made available as part of the project. The project located at 161 York Street proposes the creation of eleven residential rental units. Rather than providing an on-site unit, the applicant will pay a workforce contribution to the City. The required contribution is \$110,000 as confirmed by Tyler Norod is Attachment 5

## **X. DEVELOPMENT REVIEW**

### **A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)**

The applicant has submitted draft Subdivision Plat (Attachment Plan 29) which has been reviewed by the Department of Public Works and found to be missing a few key items of information and greater clarity on the plat in the vicinity of the new building.

The applicant has also submitted draft Condominium Association documents and the Stormwater Maintenance Agreement and the Stormwater Maintenance and Inspection Plan (Attachment Y and Z). These have not been reviewed by the Associate Corporation Counsel and are subject to four detailed comments which further clarify responsibilities for trash removal, snow removal, maintenance of Guilford Court and maintenance of the stormwater drainage infrastructure. Two potential conditions of approval are suggested:

- 1) *Requiring that the draft Condominium Association documents address staff comments and be finalized to the satisfaction of the Associate Corporation Counsel; and*
- 2) *Requiring that the revised recording plat be submitted for review and approval by the Planning Authority, Department of Public Works and Associate Corporation Counsel.*

### **B. SUBDIVISION (Section 14-497)**

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

The project is not anticipated to result in any water or air pollution. A final Sedimentation and Erosion



Plan has been submitted and has been found to be acceptable by the consulting civil engineer Lauren Swett, P.E. with Woodard and Curran Engineering (Attachment 2).

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

The project will be served by a new water service located in York Street. Confirmation of ability to serve letter from Portland Water District has been submitted.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

The applicant is proposing access to the site from a new curb cut on York Street, as well as from Guilford Court, for a total of two access points to the site. The two surface parking spaces at the existing curb cut on York has been removed and replaced with a brick walkway and landscaping.

Tom Errico, P.E. Ty Lin reviewed the proposal's details including the access, parking, and vehicle circulation (Attachment 1) and states the following regarding the shared driveway on the westerly side of the parcel:

- *Curbing and sidewalk along York Street shall be extended to the limits of the westerly property boundary. Backing maneuvers onto York Street will not be permitted.*

*Status Update: This comment is related to the shared driveway west of the project site. The driveway shall be narrowed such that backing maneuvers cannot be easily performed. Information on how vehicles will enter and exit the two project parking spaces without backing out into York Street shall be provided.*

*Final Status: The site plan has been revised and I find conditions to be acceptable. I have no further comment.*

There is a third curb cut on the easterly side of the property shared by 159 and 161 York Street, which is addressed below.

Existing Curb Cut between 159 and 161 York Street

A. Background Information

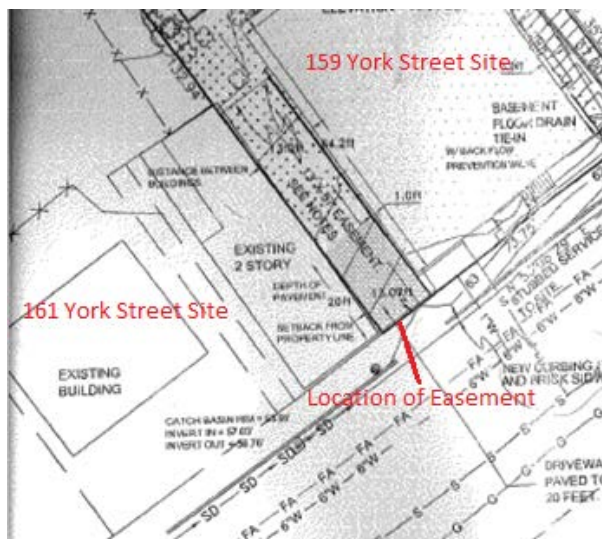
There is shared driveway between 161 York Street and 159 York Street. The subdivision and site plan for the adjoining property at 159 York Street was approved July 27, 2004. There was a condition of approval that stated that allowed a driveway for a depth of 20 feet at this location, see the condition language below:

*That the site plan be revised for Planning Staff review and approval reflecting a paved surface for the York Street driveway to a depth of 20 feet, and a surface treatment of loam and seed for the balance of the driveway easement.*

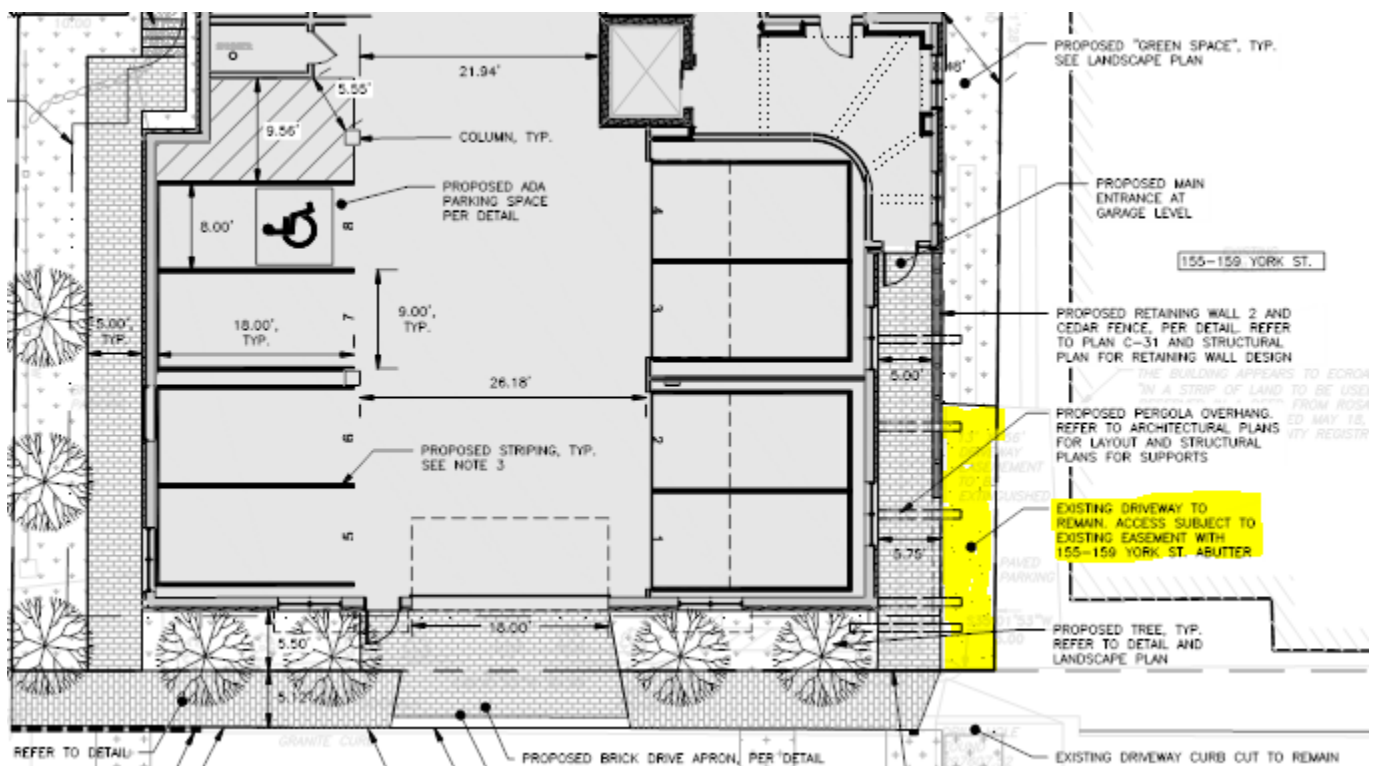
The recorded subdivision plat goes on to state that the intention of this driveway was for existing house on 161 York Street:

9. THE EASEMENT SHOWN AS 13' X 57' AND MENTIONED IN THE SUBJECT PARCELS DEEDS IS INTENDED AS A DRIVEWAY EASEMENT ONLY, FOR THE ABUTTING LOT. THE PLANNED PORCHES DO NOT PROJECT INTO THE EASEMENT.

Below is excerpt from the recorded subdivision plat showing the above intention:



Since the purchase of the property at 161 York Street, the property line between the two properties have been realigned to give five feet by one hundred and thirty-two (132) strip of land to 161 York Street and in return the applicant gave 159 York Street an easement to utilize the strip of the driveway on their property, see below:



The proposed easement language is as written below:

**RESERVING to Grantor an Easement to use the Land for utility, vehicular, and pedestrian access to land of the Grantor, inclusive of parking as may be permitted by the City of Portland or other competent authority from time-to-time, and storage of household refuse and recycling, provided any such storage shall be in covered containers designed for such purposes and maintained in good order and repair.**



## B. Driveway Separation Requirement

The applicant is proposing a new curb cut on York Street. Mr. Errico had requested more information on the driveways separation and states that “the applicant shall document that City driveway spacing standards along York Street are met”. Technical Manual Section 1.7.2.7 Location and spacing of driveways *shall be determined as follows*:

- *Along arterial, collector and local streets, minimum acceptable spacing between double or multiple driveways for driveways on adjacent lots or on the same parcel shall meet the criteria below:*

| Speed Limit (mph)                                                                                                                                            | Minimum Separation* (feet) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 25 or less                                                                                                                                                   | 100                        |
| 30                                                                                                                                                           | 125                        |
| 35                                                                                                                                                           | 150                        |
| 40                                                                                                                                                           | 185                        |
| 45                                                                                                                                                           | 230                        |
| <i>*Spacing of driveways shall be measured from center of driveway to center of driveway and shall include driveways on <b>both sides of the street</b>.</i> |                            |

Mr. Errico reviewed the proposal’s details including the access, parking, and vehicle circulation (Attachment 1) and states:

- *A driveway is provided along the easterly property boundary and I find conditions to be undesirable. This driveway should be eliminated (It is my understanding that this was a condition of approval for the abutting property).*

*Final Status: The subject driveway does not meet City of Portland driveway separation standards. City Technical standards require driveway separation of 100 feet given the regulatory speed limit. The proposed driveway and the subject driveway to the east do not comply with this standard. Accordingly, the plans shall be revised to eliminate the easterly driveway. I would further note that I support a waiver for driveway separation between the proposed driveway and the driveway to the west, given site parking characteristics and that backing maneuvers are not required.*

The Planning Staff and Tom Errico discussed closing the curb cut with the applicant’s representative on Feb. 24, 2017. According to Mr. Savage, the applicant is willing to close the curb cut and do the required work in the right-of-way; however, the City staff must first confirm the City’s procedures for closing off a curb cut (such as property owner notification and other related regulations) with the Department of Public Works and with Victoria Morales, Associate Corporation Counsel. A potential condition of approval:

*In order to meet the driveways separation, the existing curb cut on York Street, between 161 and 159 York Street, shall be eliminated and replaced with sidewalk and curbing, provided the City’s Corporation Counsel and Department of Public Works determine the process of the closure, prior to the issuance of a building permit.*

### 4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

The project will be served by new sewer line located in York Street. The Department of Public Works has submitted a Wastewater Capacity Authorization letter that determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

The unit owners, or their property management company, will be responsible for relocating the solid waste and recyclable material to the space allocated for solid waste storage as necessary, noted on the First-Floor Site Plan (C-11). There will be no burden on the municipal solid waste.

5. Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)

The site is not within an historic district, but it is within 100 feet. Thus, an advisory review of the building was conducted by the Historic Preservation staff. It is in an urban neighborhood surrounded by a variety of residential building types. The proposed building does not impact the natural beauty of the area or adversely affect any significant wildlife habitat, rare or irreplaceable natural areas, or any public access to the shoreline. The staff finds the proposal in conformance with this standard, see Attachment 7.

6. Comprehensive Plan (Section 14-497 (a) 9)

The staff has identified the following goals and policies which are relevant to the proposed housing development and finds the proposal in conformance with the Comprehensive Plan:

**Portland Housing Goal: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.**

**Policies**

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied, including but not limited to the following:
  - ii. Housing units for decreasing household size, such as young professionals, empty nesters, single-parent households, and senior citizens.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.
- Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.
- Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.

7. Financial Capability (Section 14-497 (a) 10)

The estimated cost of the development is \$4.9 Million. The applicant has submitted a letter from Bangor Savings Bank, dated October 26, 2016, as demonstration of their financial and technical capacity to complete the proposed development.

**C. SITE PLAN STANDARDS (Section 14-526)**

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Transportation Standards

- a. Impact on Surrounding Street Systems and Access and Circulation- see Subdivision, Paragraph VIII (B) (3), above.

b. Construction Management Plan

A construction management plan has been submitted by the applicant for review. All the construction is proposed within the limits of the property lines. Tom Errico has reviewed the plan and requests the following:

- *The existing sidewalk or a temporary sidewalk shall be provided along the property frontage during construction.*
- *The applicant should provide details on construction activity that would impact traffic on York Street and how traffic will be managed.*

Final Status: *The applicant has provided a plan the notes a sidewalk to remain if feasible.*

*Approval of the construction management is contingent on maintaining a safe and ADA compliant pedestrian sidewalk along the property frontage. The applicant shall coordinate with DPW on*



*construction activity in York Street that would impact traffic mobility. No construction activity is to occur without approval of an approved traffic control plan.*

c. Sidewalks

The applicant is proposing to install new brick sidewalk along their frontage, as well as internal brick walkway from the street to front door that is located to the east side of the building. Mr. Errico has reviewed the plans and recommends the following:

- *Curbing and sidewalk along York Street shall be extended to the limits of the westerly property boundary. Backing maneuvers onto York Street will not be permitted.*

Final Status: *The site plan has been revised and I find conditions to be acceptable. I have no further comment.*

d. Public Transit Access

The public transit requirements do not apply to this project.

e. Parking

Section 14-332.1 (k) – For residential development on the peninsula, including new construction, the parking requirement is one space per dwelling unit. In the R-6 zone, parking spaces are not required from the first three units, thus, a total of eight spaces are required for the development. The applicant is proposing a total of twenty-two (22) parking spaces, which exceeds zoning requirements. Section 14-526 (a) 4 (iii) states

*Developments proposing to exceed minimum parking requirements by 10% or more must demonstrate through a parking analysis that the amount of parking is appropriate for the proposed use of the site.*

The proposed amount of spaces exceeds the zoning requirement by 14 spaces. The applicant has stated the following in regard to the amount of proposed parking:

*The project proposes to provide condo owners with two (2) parking spaces per unit yielding twenty-two (22) spaces on-site; the availability of additional parking for the units adds to the value of the condo and reduces the on-street parking pressure from the surrounding streets. Because the 22 spaces exceeds 10% of the required parking, the applicant is seeking a waiver to allow for the added parking. This proposed layout was determined to be maneuverable with the excess spaces using an Auto Turn analysis, a vehicle circulation CAD accessory.*

Three of the units will be three-bedrooms which would mean families will occupy these units. The parking demand for these units will require two parking spaces per unit. The Applicant states that “based upon the applicant’s research there is a demand for market rate condominiums that include two parking spaces per unit that is presently not being met. As documented within the neighborhood meeting minutes’ attendees voiced support of the number of onsite parking spaces given the limited availability off on street parking and current demand”.

Mr. Errico reviewed the information submitted and states:

*The parking supply proposed by the applicant exceeds City of Portland requirements and thus requires the applicant to provide documentation that supports the number of parking spaces. The applicant has provided details on the type and size of the residential units and the tenant characteristics of the units. Based upon the information provided, I find the parking supply to be reasonable.*

Six of these spaces are accessed from the rear of the property on Guildford Court. The right, title and interest to use Guildford Court has been reviewed by Corporation Counsel and the applicant has

demonstrated that they have the right to utilize the private way. The parking within the building will have a little over twenty-three feet (23.39') aisle width that does not meet standard of twenty-four feet (24'), therefore, the applicant has requested a waiver. Mr. Errico states *"I support a waiver for parking aisle width given that it is less than a foot narrower than City standards, vehicle turnover is expected to be minimal, and vehicle circulation appears to be accommodated on-site"*.

The two end parking spaces within the lower level garage will have difficulty with egress maneuvers. An auto-turn analysis has been provided the requested turning template and has been review by the City's consultant traffic engineer, below for Mr. Errico's recommendation:

- *The two end parking spaces within the garage will have difficulty in egress maneuvers. The applicant should provide information that acceptable vehicle circulation can be accommodated.*

**Final Status:** *The applicant has provided the requested turning templates and indicates that while difficult, will allow for vehicles to access and egress the subject parking spaces. I want to emphasize that these spaces will be very difficult to enter and exit and the size of the vehicle as well as the positioning and size of the abutting parked vehicle will play a role. Both abutting parking spaces require maneuvering around a building column that will likely shift the vehicle to the left side of the parking space. Backing maneuvers onto York Street are unsafe and not acceptable. Given the analysis provided, the applicant/engineer take full responsibility for this condition and ensuring that the access operates safely. I do recommend a condition of approval that includes monitoring of on-site vehicle circulation following occupancy. The applicant shall conduct the monitoring study in consultation with City Staff. If the outcome of that study indicates unsafe conditions, elimination of parking spaces will be required.*

f. **Bicycle Parking**

The proposals include four bicycle parking spaces inside the building, which does meet the ordinance standard of two bicycle parking spaces for every five dwelling units.

2. **Environmental Quality Standards**

a. **Preservation of Significant Natural Features**

There are no known significant natural features on the site.

b. **Landscaping and Landscape Preservation**

A landscaping plan was submitted as part of the application. Overall the revised landscape treatment for the 161 York Street project is improved. The plan shows seven red maple street trees. The applicant is now proposing landscaping along the frontage, as well as on the westerly side of the property. The plans also show landscaping at the rear entrance of the property; six junipers and eighteen ornamental grasses.

Jeff Tarling, the City Arborist, has reviewed the landscaping plan and recommends the following, refer to **Attachment 4** for his complete analysis:

**Street trees** - *the project proposes to plant 5 'Armstrong' Red Maple trees along or near the York Street frontage. This selection is consistent with the same species planted nearby and has an upright shape to fit into the tight vertical space. Alternative tree types would include: "Bowhall" Red Maple, 'Regal Prince' Upright Oak, The placement of two center trees could impact the balconies that slightly project out from the building just above the tree location. The project may consider a lower growing upright tree like European Hornbeam or Magnolia in these two locations to perhaps reduce future tree topping of the taller 'Armstrong' Red Maple. There are two additional "Armstrong" Red Maple located on the left side of the York Street frontage.*



**Condition recommendation** - a raised boarder should be installed to protect the four trees and landscape area along York Street, this could be granite, concrete - something that can protect the planting space from winter snowplowing and deicing materials along with discouraging foot traffic.

**Landscape Areas** - the project site boarder on the Northwest side corner includes a 6' stockade fence which will help define the property edge and provide screening and privacy for the site. Within the sidelines landscape ornamental switch grass is proposed which will add seasonal interest and low maintenance approach. The back parking area is screened also with a fence and 6 Red Cedar trees, these are shown as 5 gallon size but should be up-sized to 4-5' height size to be effective screening in the near future. The landscape plan shows an additional five Red Cedar trees closer to the building near the parking area, while this could work as additional screening, there are other varieties of plants like Dogwood, Stewartia, Magnolia, 'Little King' River Birch that would provide greater ornamental characteristics. It might be nice for future residents to enjoy something that might have flowers or interesting bark to add interest to the site. 'Cape Cod' type bituminous curbing, or similar, is recommended to provide definition between the paved surface and landscape area. Tree sizes on the "Armstrong" Red Maple are shown at 3" caliper, in tight conditions like this project a slightly smaller 2", or 2 - 2.5" tree with a smaller root ball might work to an advantage with adapting to the site and fitting the rootball into the planting space.

**Existing Veg** - The project shows "6" unknown plantings to remain. These plants should be protected by construction fencing and if lost during site work, replaced with similar plant mass. Existing Norway Maple trees at the Northwest or back edge are shown to be removed. Due to the species type (invasive) and location this is a recommended treatment.

c. Water Quality, Storm Water Management and Erosion Control

Prior to the demolition of structures, about a quarter of the property was covered by impervious surfaces including a bituminous driveway and two, two-story dwellings. Currently the site slopes at approximately 10% towards York Street. The rest of the site was mature tree growth, vegetation, and exposed soil. The project will result in a net increase of impervious area above 1,000 sf, as such, is required to include stormwater management features for stormwater quality & quantity control.

The applicant will provide water quality treatment to the stormwater through underdrained subsurface sand filter to be installed beneath the upper driveway entrance from Guilford Court. These treatments will provide water quality treatment for no less than 95% of the new impervious area and 80% of the developed area. Stormwater runoff generated by the roof and driveway is to be redirected into the system and then outlet into the existing municipal system within York Street. The remainder of the stormwater generated from the driveway and sidewalks will flow into York Street.

Under 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. Lauren Swett, P.E. with Woodard and Curran Engineering, has reviewed the drainage plan and stormwater report and all comments has been met.

Refer to Attachment 2 for a Ms. Swett's complete analysis of the stormwater standards.

3. *Public Infrastructure and Community Safety Standards*

a. Consistency with Master Plans

See Subdivision, Paragraph VIII (B)6 above.

b. Public Safety and Fire Prevention

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime. Two entrances are being proposed at part the development. The main entrance is now set back approximately 35 feet from the front property line and the second entrance is about 55 feet.

The applicant is proposing lighting at the entrances as well as at the walkways. The applicant has not submitted a photometric plan; this will be a condition of approval.

c. Availability and Adequate Capacity of Public Utilities

The project will be served by the Portland Water District, City Department of Public Works, and underground/power/cable/communications. Confirmation letters have been submitted as part of the final review.

4. *Site Design Standards*

a. Snow and Ice Loading

The Condominium Association documents will address and clarify the details of responsibilities for trash removal, snow removal, and maintenance of Guilford Court.

b. View Corridors

This site is not within a Protected View Corridor as per the "View Corridor Protection Plan" approved by the Portland City Council in 2001.

c. Historic Resources

The site is not in an historic district, but is within 100 feet of the West End Historic District. The project was reviewed by Historic Preservation staff and Deb Andrew's review is included as Attachment 7.

d. Exterior Lighting

The applicant is proposing lighting at the entrances as well as at the walkways. The applicant has not submitted a photometric plan; this will be a condition of approval. All exterior site lighting including lighting of building entrances will be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets. Illumination levels will be adequate but not excessive for the safety, comfort and convenience of occupants and user of the site and will conform to all applicable standards of Section 12 of the Technical Manual. The lowest wattage possible will need to be used for the LED lighting fixtures.

e. Noise and Vibration

All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will have to be shown on the plans and meet state and federal emissions requirements. These should be located to the interior of the site, away from abutting residential properties and be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof. This information will have to be submitted for final review.

f. Signage and Wayfinding

This standard does not apply to the proposal.

g. Zoning Related Design Standards

A design review according to the *City of Portland Design Manual* Standards was performed for the proposed new construction of a multi-family dwelling at 161 York Street. The review was performed by Caitlin Cameron, Urban Designer, Deb Andrews, Historic Preservation Program



Manager, and myself. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) and is within 100' of a historic district.

*Findings of the Design Review:*

The Planning Authority under an Alternative Design Review may approve a design not meeting one or more of the individual standards provided that all of the conditions listed below are met:

- A. The proposed design is consistent with all of the Principle Statements.
- B. The majority of the Standards within each Principle are met.
- C. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two-block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
- D. The design plan is prepared by an architect registered in the State of Maine.

The proposed design passes all of the criteria. Ms. Cameron has found the proposal to be in general compliance, however, there are recommended improvements under a few of the standards have not been met. Excerpt from Ms. Cameron memo is below:

*Principle B Massing – Met – Buildings in the neighborhood with similar massing and proportion that are wider at the street use changes in massing, like the roof form and bays, to mitigate the scale and provide a pedestrian-friendly, visually interesting street presence.*

- *B-5 Façade Articulation*

*Staff Comments- The project employs only one of the articulation elements required – covered entry. The balconies are too small to meet the required square footage.*

*Principle C Orientation to the Street – Met – The mass of the building is oriented to the street.*

- *C-1 Entrances*

*Staff Comments- The entry is set too far back to be adequately emphasized from the street. The standard calls for a side entry to be accessed by a covered entry in the form of an arcade, porch, portico. Revision is needed to meet the standard. The entrance lobby could also be extended towards the street like an enclosed porch.*

*Principle D Proportion and Scale – The façade elements are proportionate and scaled to the overall building.*

- *D-3 Porches*

*Staff Comments- The balconies included in this project are less than 48 sf and do not meet this standard. The project uses a pergola rather than a porch.*

*Principle F Articulation – Met – The front façade added 4" reveals to create some façade plane changes as an articulation method.*

- *F-2 Window Types*

*Staff Comments- Three window types at street façade. The ground floor windows imply living spaces – revise to reflect garage (smaller, higher windows, or use of grates).*

- *F-6 Main Entries*

*Staff Comments- The main entry was moved closer to the street, uses building address, lighting, and pergola to provide emphasis and legibility. To better integrate the design, pergola material should use metal to be consistent with other building details.*

- *F-7 Articulation Elements*

*Staff Comments- A cornice is provided at the fourth floor, is pronounced, and appear to be at least 6"; recesses are provided on the street façade but are less than the 12" required by the standard (4" reveals).*

*Principle G Materials – The material choices are placed according to their nature.*

- *G-2 Material and Façade Design*

*Staff Comments- The materials are appropriately placed according to their nature. The pergola at the entry introduces wood – metal would be more appropriate given the material palette for the rest of the building.*

- *G-4 Window Types*

*Staff Comments- Three window types on street façade.*

## **XI. PROPOSED MOTIONS**

### **A. CONDITIONAL USE**

On the basis of the application, plans, reports and other information submitted by the applicant, findings to the Ensure Workforce Housing and recommendations contained in the Planning Board Report, relevant to Portland's Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing:

The Planning Board finds the proposed conditional use for workforce housing [**does** or **does not**] meet the standards of Section 14-484 with the following conditions:

1. That the Applicant and the City shall pay a workforce contribution of \$110,000, equivalent of one unit, to the City of Portland.

### **B. WAIVERS**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on February 28, 2017 for application 2016-261 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board [**finds/does not find**], based upon the consulting transportation engineer's review (*Attachment 1*), that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 1.14*) which requires that aisle width for right-angle parking be 24 feet per *Figure I-27*. The Planning Board [**waives/does not waive**] the *Technical Manual* standard (*Section 1.14*) to allow a 23.39-foot-wide aisle in the lower-level parking garage;
2. The Planning Board [**finds/does not find**], based upon the consulting transportation engineer's review (*Attachment 1*), that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* Section 1.7.2.7 Location and spacing of driveways *shall be determined as follows: Along arterial, collector and local streets, minimum acceptable spacing between double or multiple driveways for driveways on adjacent lots or on the same parcel shall meet the criteria of 100 feet for 25 mph*. The Planning Board [**waives/does not waive**] the *Technical Manual* standard (*Technical Manual* Section 1.7.2.7) to allow a separation of 54 feet between the new driveway and the existing driveway on the westerly side of the parcel.

### **B. SUBDIVISION**

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 February 28, 2017 for application 2016-261 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the Planning Board finds that the plan [**is/is not**] in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:



1. Requiring that the draft Condominium Association documents address staff comments and be finalized to the satisfaction of the Associate Corporation Counsel; and
2. Requiring that the revised recording plat be submitted for review and approval by the Planning Authority, Department of Public Services and Associate Corporation Counsel.

### **C. DEVELOPMENT REVIEW**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on February 28, 2017 for application 2016-261 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the Planning Board finds that the plan **is/is not** in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide a revised construction management plan, including the details regarding safe pedestrian detours and ADA compliance sidewalk as requested by the city's consulting traffic engineer;
2. That the applicant shall provide a maintenance agreement for the stormwater drainage system, shall be submitted, signed, and recorded prior to the issuance of a building permit with a copy to the Department of Public Services.
3. In order to meet the driveways separation, the existing curb cut on York Street, between 161 and 159 York Street, shall be eliminated and replaced with sidewalk and curbing, provided the City's Corporation Counsel and Department of Public Works determine the process of the closure.
4. The applicant shall conduct a monitoring study of the on-site vehicle circulation following occupancy in consultation with City Staff. If the outcome of that study indicates unsafe conditions, elimination of parking spaces shall be required.
5. The applicant shall work with the City Arborist to address the comments in his memo dated 2.24.2017.
6. A photometric plan shall be reviewed and approved by the Planning Authority.
7. The applicant has demonstrated that site constraints prevent the planting of all required one street tree per unit for multi-family development in the right-of-way, therefore the applicant shall contribute \$800 for four street trees to Portland's tree fund.

### **XIII. ATTACHMENTS**

#### **PLANNING BOARD REPORT ATTACHMENTS**

1. Traffic Engineer review (memo from Thomas Errico, 02.24.2017)
2. Civil Engineer and Department of Public Services review (memo from Lauren Swett, 02.24.2017)
3. City Arborist review (memo from Jeff Tarling, 02.24.2017)
4. Design review (memo from Caitlin Cameron, 02.23.2017)
5. Planning Board Conditional Use Memo- Tyler Norod
6. Wastewater Capacity Authorization Letter
7. Deb Andrews, Historic Preservation Program Manager 02.24.2017
8. Public Comments
  - PC1 Katherine Searles
  - PC 2 Margaret M Busby
  - PC 3 Lynn Miller

**APPLICANT'S SUBMITTALS**

- A. Cover Letter (from Will Savage of Acorn Engineering, Inc., 11.08.2016)
- B. Preliminary Site Plan Application
- C. Evidence of Right, Title, and Interest
- D. Conformity with Applicable Zoning Standards
- E. Summary of Written Easements
- F. Request for Waivers
- G. Technical and Financial Capacity
- H. Stormwater Management Report
- I. Erosion and Sedimentation Control Report
- J. Fire Department Letter
- K. Solid Waste
- L. Utility Cover
- M. Construction Management Plan
- N. Architectural Design Narrative
- O. Workforce Cover Letter
- P. Conditional Use Application
- Q. Right, Title, and Interest
- R. Conformity with Conditional Use Standards
- S. Neighborhood Meeting and Minutes
- T. Final Application Cover
- U. Comment Response Letter
- V. Lighting Cut Sheets
- W. Geotechnical Report
- X. Geotechnical Report
- Y. Condominium Declaration Draft
- Z. Stormwater Maintenance Agreement
- AA. Parking Demand\_2-24-17

**PLANS**

- Plan 1. Cover Sheet & Legend
- Plan 2. General Notes
- Plan 3. Existing Conditions Plan
- Plan 4. Construction Management Plan
- Plan 5. Site Plan – Garage Level
- Plan 6. Site Plan – First Level
- Plan 7. Landscaping Plan
- Plan 8. Utility Plan
- Plan 9. Internal Grading Plan - Garage & First Floor
- Plan 10. Perimeter Grading & Drainage Plan
- Plan 11. Site Details - 1
- Plan 12. Site Details - 2
- Plan 13. Utility Details – 1
- Plan 14. Utility Details - 2
- Plan 15. Drainage Details
- Plan 16. Underdrained Subsurface Sand Filter Details
- Plan 17. Erosion & Sedimentation Control Details
- Plan 18. Lower Level Detail
- Plan 19. First Floor Plan
- Plan 20. Second Floor Plan
- Plan 21. Third Floor Plan
- Plan 22. Fourth Floor Plan
- Plan 23. Roof Plan
- Plan 24. Building Elevation - Front Elevation

- Plan 25. Building Elevation - Left Elevation
- Plan 26. Building Elevation - Right Elevation
- Plan 27. Building Elevation - Rear Elevation
- Plan 28. Building Section
- Plan 29. Subplat
- Plan 30. Building Section - 2





Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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## 161 York Street - Final Traffic Comments

1 message

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Tom Errico <thomas.errico@tylin.com>

Fri, Feb 24, 2017 at 11:35 AM

To: Shukria Wiar <shukriaw@portlandmaine.gov>

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

Hi Shukria -- The following is a update of my previous traffic comments and represents my final traffic comments..

- Curbing and sidewalk along York Street shall be extended to the limits of the westerly property boundary. Backing maneuvers onto York Street will not be permitted.

Status Update: This comment is related to the shared driveway west of the project site. The driveway shall be narrowed such that backing maneuvers cannot be easily performed. Information on how vehicles will enter and exit the two project parking spaces without backing out into York Street shall be provided.

**Final Status: The site plan has been revised and I find conditions to be acceptable. I have no further comment.**

- A driveway is provided along the easterly property boundary and I find conditions to be undesirable. This driveway should be eliminated (It is my understanding that this was a condition of approval for the abutting property).

**Final Status: The subject driveway does not meet City of Portland driveway separation standards. City Technical standards require driveway separation of 100 feet given the regulatory speed limit. The proposed driveway and the subject driveway to the east do not comply with this standard. Accordingly, the plans shall be revised to eliminate the easterly driveway. I would further note that I support a waiver for driveway separation between the proposed driveway and the driveway to the west, given site parking characteristics and that backing maneuvers are not required.**

- I support a waiver for parking aisle width given that it is less than a foot narrower than City standards, vehicle turnover is expected to be minimal, and vehicle circulation appears to be accommodated on-site.

**Final Status: I have no further comment.**

- The driveway apron should be designed to provide a maximum cross slope of 2% along the walking route of pedestrians (pedestrian zone).

**Final Status: The plans include a driveway construction detail that requires provision of a 4-foot wide assessable route that will have a maximum cross slope of 2%. I find this to be acceptable and I have no further comment.**

- The two end parking spaces within the garage will have difficulty in egress maneuvers. The applicant should provide information that acceptable vehicle circulation can be accommodated.

**Final Status:** The applicant has provided the requested turning templates and indicates that while difficult, will allow for vehicles to access and egress the subject parking spaces. I want to emphasize that these spaces will be very difficult to enter and exit and the size of the vehicle as well as the positioning and size of the abutting parked vehicle will play a role. Both abutting parking spaces require maneuvering around a building column that will likely shift the vehicle to the left side of the parking space. Backing maneuvers onto York Street are unsafe and not acceptable. Given the analysis provided, the applicant/engineer take full responsibility for this condition and ensuring that the access operates safely. I do recommend a condition of approval that includes monitoring of on-site vehicle circulation following occupancy. The applicant shall conduct the monitoring study in consultation with City Staff. If the outcome of that study indicates unsafe conditions, elimination of parking spaces will be required.

- The applicant shall document that City driveway spacing standards along York Street are met.

**Final Status:** Refer to previous comments.

- The existing sidewalk or a temporary sidewalk shall be provided along the property frontage during construction. The applicant should provide details on construction activity that would impact traffic on York Street and how traffic will be managed.

**Final Status:** The applicant has provided a plan the notes a sidewalk to remain if feasible. Approval of the construction management is contingent on maintaining a safe and ADA compliant pedestrian sidewalk along the property frontage. The applicant shall coordinate with DPW on construction activity in York Street that would impact traffic mobility. No construction activity is to occur without approval of an approved traffic control plan.

- Based upon the low trip generation expected from the project a Traffic Study is not required.

**Final Status:** I have no further comment.

#### **New Comment**

-

- The parking supply proposed by the applicant exceeds City of Portland requirements and thus requires the applicant to provide documentation that supports the number of parking spaces. The applicant has provided details on the type and size of the residential units and the tenant characteristics of the units. Based upon the information provided, I find the parking supply to be reasonable.

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)

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[thomas.errico@tylin.com](mailto:thomas.errico@tylin.com)

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## MEMORANDUM



**TO:** Shukria Wiar, Planner  
**FROM:** Lauren Swett, PE  
**DATE:** February 24, 2017  
**RE:** 161 York Street, Preliminary Level III Site Plan Application

Woodard & Curran has reviewed the Preliminary Level III Site Plan Response to Comments for the proposed redevelopment project located at 161 York Street in Portland, Maine. The project involves the construction of a five-story condominium building.

### **Documents Reviewed by Woodard & Curran**

- Preliminary Level III Site Plan Response to Comments, dated February 9, 2017, prepared by Acorn Engineering, Inc., on behalf of York Street Redevelopment, LLC.
- Updated engineering plans, dated February 9, 2017, prepared by Acorn Engineering, Inc., on behalf of York Street Redevelopment, LLC.

### **Comments** *(Comments in italics are repeated from previous memos.)*

- 1) 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.
  - a) Basic Standard: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500.
  - b) General Standard: The project will result in a net increase in impervious area of approximately 5,410 square feet. As such, the project is required to include stormwater management features for stormwater quality control. The Applicant has proposed an Underdrained Subsurface Sand Filter that will provide treatment of the on-site stormwater in conformance with the standards.
  - c) Flooding Standard: The project will result in a net increase in impervious area of approximately 5,410 square feet. As such, the project is required to control the rate or quantity of stormwater runoff from the site. The project's stormwater management systems will provide adequate flood control such that flows from the site will be reduced in the post-development condition.
- 2) *The Applicant is proposing a retaining wall over four feet in height. The Landscape Plan refers to the Structural Plan, which has not been received at this time, for the retaining wall design. A geotechnical evaluation of the proposed project was not submitted with the application. Has a geotechnical evaluation been performed, or are the subsurface soil types and soil bearing capacities assumed in the design of the slope stabilization / wall system? If assumed, we recommend noting those assumptions on the plans and we recommend requiring verification of those assumptions and associated calculations by the contractor and design engineer during construction.* The Applicant has acknowledged, and has noted that the retaining wall design will be submitted as part of the Building Permit submission.
- 3) *The Applicant has noted that exterior lighting will be proposed, but cut sheets and a photometric plan have not been provided at this time. Appropriate cut sheets and a photometric plan should be provided as part of the final application in accordance with the City of Portland Technical Manual.* The Applicant has provided cut sheets, but a photometric plan has not been provided at this time.
- 4) All other comments have been addressed at this time.



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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## 161 York Street

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Jeff Tarling &lt;jst@portlandmaine.gov&gt;

Fri, Feb 24, 2017 at 12:54 PM

To: Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

Hi Shukria -

161 York Street Landscape Review -

The revised landscape plan for this project has been improved from the original concept plan.

**Street trees** - the project proposes to plant 5 'Armstrong' Red Maple trees along or near the York Street frontage. This selection is consistent with the same species planted nearby and has an upright shape to fit into the tight vertical space. Alternative tree types would include: "Bowhall" Red Maple, 'Regal Prince' Upright Oak, The placement of two center trees could impact the balconies that slightly project out from the building just above the tree location. The project may consider a lower growing upright tree like European Hornbeam or Magnolia in these two locations to perhaps reduce future tree topping of the taller 'Armstrong' Red Maple. There are two additional "Armstrong" Red Maple located on the left side of the York Street frontage.

**Condition recommendation** - a raised boarder should be installed to protect the four trees and landscape area along York Street, this could be granite, concrete - something that can protect the planting space from winter snowplowing and deicing materials along with discouraging foot traffic.

**Landscape Areas** - the project site boarder on the Northwest side corner includes a 6' stockade fence which will help define the property edge and provide screening and privacy for the site. Within the sidelines landscape ornamental switch grass is proposed which will add seasonal interest and low maintenance approach. The back parking area is screened also with a fence and 6 Red Cedar trees, these are shown as 5 gallon size but should be up-sized to 4-5' height size to be effective screening in the near future. The landscape plan shows an additional five Red Cedar trees closer to the building near the parking area, while this could work as additional screening, there are other varieties of plants like Dogwood, Stewartia, Magnolia, 'Little King' River Birch that would provide greater ornamental characteristics. It might be nice for future residents to enjoy something that might have flowers or interesting bark to add interest to the site. 'Cape Cod' type bituminous curbing, or similar, is recommended to provide definition between the paved surface and landscape area. Tree sizes on the "Armstrong" Red Maple are shown at 3" caliper, in tight conditions like this project a slightly smaller 2", or 2 - 2.5" tree with a smaller root ball might work to an advantage with adapting to the site and fitting the rootball into the planting space.

**Existing Veg** - The project shows "6" unknown plantings to remain. These plants should be protected by construction fencing and if lost during site work, replaced with similar plant mass. Existing Norway Maple trees at the Northwest or back edge are shown to be removed. Due to the species type (invasive) and location this is a recommended treatment.

Overall the revised landscape treatment for the 161 York Street project is improved, a few tree types adjustments or improvements could add greater interest.

Jeff Tarling

Jeff Tarling  
City Arborist - City of Portland Maine  
Parks, Recreation & Facilities Dept  
212 Canco Road  
Portland, ME. 04103  
(207) 808-5446  
[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)

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# Planning and Urban Development Department

## Planning Division

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**Subject:** R-6 Small Infill Design Review – 161 York Street

**Written by:** Caitlin Cameron, Urban Designer

**Date of Review:** Thursday, February 23, 2017

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A design review according to the *City of Portland Design Manual* Standards was performed for the proposed new construction of a multi-family dwelling at 161 York Street. The review was performed by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Deb Andrews, Historic Preservation Program Manager, all within the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) and is within 100' of a historic district.

### Findings of the Design Review:

The Planning Authority under an Alternative Design Review may approve a design not meeting one or more of the individual standards provided that all of the conditions listed below are met:

- A. The proposed design is consistent with all of the Principle Statements.
- B. The majority of the Standards within each Principle are met.
- C. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
- D. The design plan is prepared by an architect registered in the State of Maine.

The proposed design passes all of the criteria – please refer to comments below.

### Design Review Comments (*red text denotes principles or standards that are not met*):

*Principle A Overall Context* – Met – see below.

- *A-1 Scale and Form:* Buildings in the neighborhood with similar massing and proportion that are wider at the street use changes in massing, like the roof form and bays, to mitigate the scale and provide a pedestrian-friendly, visually interesting street presence. Of these formal and scaling elements, the project employs a pergola at the entrance, overhanging cornice at the third floor, and small balconies.
- *A-2 Composition of Principal Facades:* The composition of the street-facing facades is consistent with context in terms of using symmetrical bays (two or three bays) that are oriented to the street.
- *A-3 Relationship to the Street:* The building placement is consistent with the spacing of the residential fabric – slightly setback from sidewalk to allow for stoops and provide privacy.



*Principle B Massing – Met – Buildings in the neighborhood with similar massing and proportion that are wider at the street use changes in massing, like the roof form and bays, to mitigate the scale and provide a pedestrian-friendly, visually interesting street presence.*

- *B-1 Massing:* The basic massing is harmonious with the forms found in the context. However, the principal mass is relatively flat and is at least a story taller than is found in the context. Typically, a basic form like this will use articulation and scaling elements.
- *B-2 Roof Forms:* The roof form is flat and is found in multi-family building types nearby. Screening of rooftop mechanics is now provided.
- *B-4 Roof Pitch:* The roofs are monopitch/ flat roofs.
- *B-5 Façade Articulation:* The project employs only one of the articulation elements required – covered entry. The balconies are too small to meet the required sf.
- *B-6 Garages:* The garage door meets the requirement. Lighting was de-emphasized.

*Principle C Orientation to the Street – Met – The mass of the building is oriented to the street.*

- *C-1 Entrances:* The entry is set back from street, but was brought forward as requested. Project will also use building address, lighting, and pergola to provide visibility at the street. The standard calls for a side entry to be accessed by a covered entry in the form of an arcade, porch, portico – the project proposes a pergola to meet this standard.
- *C-2 Visual Privacy:* There are no living spaces on the ground floor.
- *C-3 Transition Spaces:* The entry is at the side with a pergola, the building is set back with planters.

*Principle D Proportion and Scale – Met – The façade elements are proportionate and scaled to the overall building.*

- *D-1 Windows:* The majority of windows are rectangular and have vertical proportion. Window proportions are wider than historic context.
- *D-2 Fenestration:* The project appears to meet the 12% fenestration requirement and appropriately scaled to the massing of the building.
- *D-3 Porches:* The balconies included in this project are less than 48 sf and do not meet this standard. The project uses a pergola rather than a porch.

*Principle E Balance – Met – The building façade composition creates a sense of balance with good use of overall and local symmetry and articulation of façade materials.*

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.
- *E-3 Symmetricality:* Primary window compositions are arranged symmetrically around discernable vertical axes.

*Principle F Articulation – Met – The front façade added 4" reveals to create some façade plane changes as an articulation method.*

- *F-1 Articulation:* Cornice, balcony details, reveals will create shadow lines on front façade.
- *F-2 Window Types:* Three window types at street façade.
- *F-3 Visual Cohesion:* The visual cohesion of the façade is good – one siding material proposed.

- *F-4 Delineation between Floors:* The floors are delineated by belt courses, entry pergola, and a cornice line.
- *F-5 Porches, etc.:* Balcony railings are used to provide articulation and shadow lines to the front façade. 4" stepback from the façade plane is provided.
- *F-6 Main Entries:* The main entry was moved closer to the street, uses building address, lighting, and pergola to provide emphasis and legibility. **To better integrate the design, pergola material should use metal to be consistent with other building details.**
- *F-7 Articulation Elements:* A cornice is provided at the fourth floor, is pronounced, and appears to be at least 6"; **recesses are provided on the street façade but are less than the 12" required by the standard (4" reveals).**

*Principle G Materials – Met–* The material choices are placed according to their nature.

- *G-1 Materials:* The residential context is predominantly clapboards with occasional shingle or brick.
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature. **The pergola at the entry introduces wood – metal would be more appropriate given the material palette for the rest of the building.**
- *G-3 Chimneys:* Not applicable.
- *G-4 Window Types:* **Three window types on street façade.**
- *G-5 Patios and Plazas:* Not applicable.



To: Shukria Wiar, Planner, Planning & Urban Development Department

From: Tyler Norod, Housing Planner, Housing & Community Development Division

Date: February 24, 2017

Subject: 161 York Street – Inclusionary Zoning Conditional Use

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Conditional Use is authorized by Division 30, Section 14-487, Ensuring Workforce Housing, to secure the creation of Workforce Housing Units as part of new residential projects that propose 10 or more units. The ordinance requires a minimum of 10% of the project to be restricted for Workforce Households and that the number of bedrooms required under Section 14-487(e)3 be at least 10% of the total number of bedrooms made available as part of the project. The project located at 161 York Street proposes the creation of 11 units of for-sale housing. The Applicant has chosen to fulfill the inclusionary zoning requirements by paying a fee-in lieu equivalent to today's rate of \$100,000 per owed workforce unit. The proposed project would thus be required to pay a total fee of \$110,000 into the City's Housing Trust Fund in lieu of the creation of actual housing units for workforce households. Should at a later date any change in total unit count be considered, a revised proportional fee-in lieu payment will also be required. As such, the project has met the minimum requirements set forth in Section 14-487.

Staff recommends the Board Approve this Conditional Use provided the Applicant and the Applicant agrees to pay a fee in full of \$110,000 into the City's Housing Trust Fund based on the 11 units being created as part of the project before a Certificate of Occupancy may be issued. The Applicant and the City may enter into a written agreement to codify this requirement and a Certificate of Compliance may be issued by the Planning Authority at the Applicant's request once the full payment has been received by the City.

Sincerely,

Tyler Norod  
Housing Planner





November 29, 2016

Re: Wastewater Capacity Authorization

Address: **161 York Street**

Applicant: Michael Cianchette, York Street Development

Planner: Shukria Wiar

**Anticipated Wastewater Flows:**

| Estimate of Anticipated Design Flows                                                       |           |                 |                          |                       |
|--------------------------------------------------------------------------------------------|-----------|-----------------|--------------------------|-----------------------|
| Development                                                                                | Unit Size | Number of Units | Gallons per Day per Unit | Total Gallons per Day |
| <b>Existing flow to be removed</b>                                                         |           |                 |                          |                       |
| Residential Units                                                                          | 3-Bedroom | 2               | 270                      | 540                   |
| <b>Proposed flow</b>                                                                       |           |                 |                          |                       |
| Residential Units                                                                          | 2-Bedroom | 4               | 180                      | 720                   |
| Residential Units                                                                          | 3-Bedroom | 7               | 270                      | 1,890                 |
| <b>Net Change</b>                                                                          |           |                 |                          | <b>+ 2,070</b>        |
| *Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition |           |                 |                          |                       |

**Comments:**

The Department of Public Works, which includes the Water Resource Division, have reviewed and determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

You are reminded that the sewers you are proposing to connect into convey both sanitary and stormwater (Combined Sewer) and therefore a backflow preventer is suggested. Any addition of stormwater flows in this drainage area will have an impact on CSO discharge volumes therefore no roof, sump pump or site drainage may be discharged to the sanitary sewer. It is noted in your preliminary plan dated 2016-11-02 of the intent to remove all roof drains from entering the sewer system.

If the City can be of further assistance, please contact me at all 874-8840 or [brad@portlandmaine.gov](mailto:brad@portlandmaine.gov)

Sincerely,  
CITY OF PORTLAND

Bradley A. Roland, P.E.  
Senior Project Engineer

CC:

Jeffrey Levine, Director, Department of Planning and Urban Development, City of Portland

Stuart O'Brien, Planning Director, Department of Planning and Urban Development, City of Portland

Barbara Barhydt, Development Review Services Mgr., Dep't. of Planning and Urban Development, City of Portland

Kathi Earley, City Engineer/Engineering Manager, Portland Department of Public Works

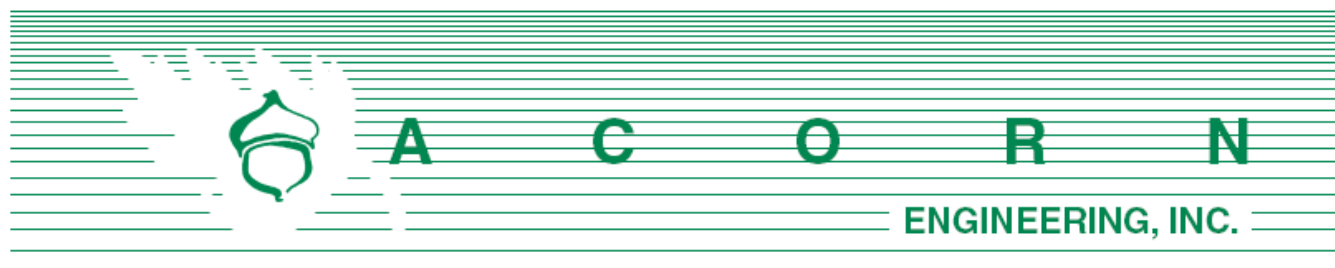
Nancy Gallinaro, Water Resources Manager, Portland Department of Public Works

Rachel Smith, Industrial Pretreatment Coordinator, Portland Department of Public Works

John Emerson, Wastewater Coordinator, Portland Department of Public Works

Lauren Swett, Woodard & Curran, DPW Development Review

Scott Firmin, Director of Wastewater, Portland Water District



Planning Division  
City of Portland, Maine  
389 Congress Street, 4th Floor  
Portland, ME 04101

November 8, 2016

Subject: Preliminary Site Plan and Subdivision Application  
Redevelopment of 161 York Street - Portland, Maine

To Whom It May Concern,

York Street Redevelopment, LLC is pleased to submit the accompanying package of submission materials related to the proposed 11-unit condominium urban infill redevelopment of 161 York Street.

This submission package is intended to meet the City's Preliminary Submission Requirements as outlined in the Level III Application procedures. The proposed project site is located at 161 York Street near the Casco Bay Bridge and State Street. The lot was previously occupied by two 2-story dwellings that have recently been demolished; the lot is currently vacant. The property is proposed to be redeveloped into a five-story subdivision of condominiums classified as a "multi-family" residences. The development site is located within the City's R-6 Zoning District, and complies with the permitted uses within the zone. The developer intends to meet the inclusionary requirements by paying the required workforce contribution to the City.

The following documents and drawings are to be uploaded onto the City's electronic submission site per the procedure outlined in the application:

Documents:

- A. Cover Letter
- B. Level III Site Plan Application
- C. Evidence of Right, Title, and Interest
- D. Conformity with Conditional Use
- E. Summary of Easements
- F. Written Request for Waivers
- G. Evidence of Financial Capacity
- H. Stormwater Report
- I. Erosion and Sedimentation Control Report
- J. Fire Department Letter
- K. Solid Waste
- L. Utility Cover
- M. Construction Management Plan
- N. Architectural Design Narrative



Drawings:

- Preliminary Civil Site Plan Set, Dated 11/8/16
- Preliminary Architectural Plan Set, Dated 11/8/16

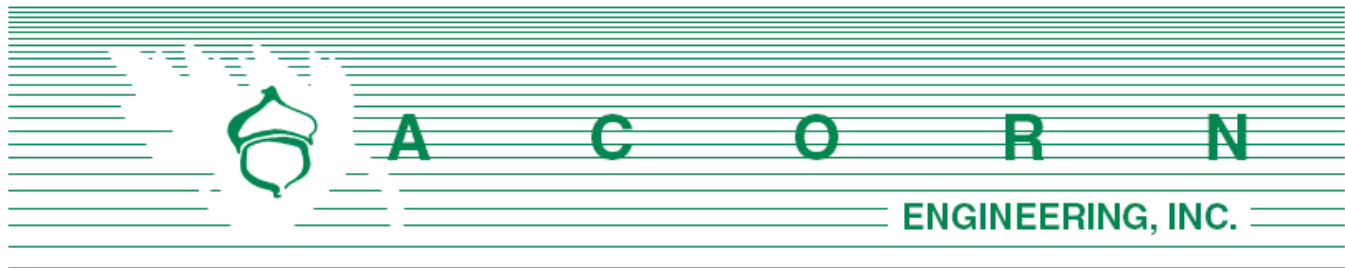
York Street Redevelopment, LLC and the design team look forward to your review of this project and are requesting to be placed on the next available workshop meeting with the Planning Board. If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,



William H. Savage, P.E.  
Principal - Project Manager  
Acorn Engineering, Inc.





## **AA. Parking Analysis**

The proposed development at 161 York St includes an eleven (11) unit condominium building with twenty-two parking spaces (22) or two spaces per unit. Twenty of the twenty-two parking spaces would be enclosed within the building with only two surface parking spaces. The unit sizes are relatively large and vary in size between 1,500 sf to 1,800 sf. The unit mix includes eight two-bedroom units and three three-bedrooms units. The majority of the two-bedroom units will include a small bonus room with closet that may serve as an office, den, guest or children's bedroom. The units will be marketed to young families, empty nesters and urban professionals.

Based upon the applicant's research there is a demand for market rate condominiums that include two parking spaces per unit that is presently not being met. As documented within the neighborhood meeting minutes' attendees voiced support of the number of onsite parking spaces given the limited availability off on street parking and current demand. Additionally, the two parking spaces per unit provides flexibility to the unit owners for guest parking, kayak storage, bicycle, scooter parking and so forth.

Given the type of proposed unit owners, bedroom count, unit size, lack of available on street parking, neighbors' concerns, and desire for flexibility the applicant respectively request the Planning Board allow the applicant to exceed the minimum parking standard.

Please let me know if you have any additional questions or comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Will Savage", is written over a light blue horizontal line.

William H. Savage, P.E.  
Principal - Project Manager  
Acorn Engineering, Inc.



## Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

### Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

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

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

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

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

#### **Planning Division**

Fourth Floor, City Hall  
389 Congress Street  
p.m. (207) 874-8719

[planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)

#### **Office Hours**

Monday thru Friday  
8:00 a.m. – 4:30



**PROJECT NAME:**

Riverside Self-Storage Containers

**PROPOSED DEVELOPMENT ADDRESS:**

547 Riverside Street, Portland, ME 04103

**PROJECT DESCRIPTION:**

Development of self-storage facility utilizing recycled shipping containers. The units will be accessed through drive aisles comprised of porous pavement.

**CHART/BLOCK/LOT:** 312/B/008-012**PRELIMINARY PLAN  
FINAL PLAN**

2/2/2017

**CONTACT INFORMATION:**

|                                                                                                                                                                                                          |                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant – must be owner, Lessee or Buyer</b><br><br>Name: Bob LeBlanc<br><br>Business Name: 547 Riverside LLC<br><br>Address: 59 Moody St.<br><br>City/State : Portland, Maine      Zip Code: 04101 | <b>Applicant Contact Information</b><br><br>Work #: (207) 879 - 2222<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail: robertleblanc1@me.com                      |
| <b>Owner – (if different from Applicant)</b><br><br>Name:      N/A<br><br>Address:<br><br>City/State :      Zip Code:                                                                                    | <b>Owner Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail:                                                                 |
| <b>Agent/ Representative</b><br><br>Name: Acorn Engineering, Inc.<br>Will Savage, P.E.<br><br>Address: 158 Danforth Street<br><br>City/State : Portland, Maine      Zip Code: 04102                      | <b>Agent/Representative Contact information</b><br><br>Work #: (207) 775-2655<br><br>Home #:<br><br>Cell #: (207) 317-1884<br><br>e-mail: wsavage@acorn-engineering.com |
| <b>Billing Information</b><br><br>Name:      See applicant information<br><br>Address:<br><br>City/State :      Zip Code:                                                                                | <b>Billing Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail:                                                               |

|                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Engineer</b><br>Name: See agent information<br>Address:<br>City/State : Zip Code:                                                                                                                                                                                                                                                                         | <b>Engineer Contact Information</b><br>Work #:<br>Home #:<br>Cell #: Fax#:<br>e-mail:                                           |
| <b>Surveyor</b><br>Name: Owen Haskell, Inc.<br>Address: 390 Route 1 Falmouth, Maine<br>City/State : Falmouth, Maine Zip Code: 04105                                                                                                                                                                                                                          | <b>Surveyor Contact Information</b><br>Home #:<br>Work #: (207) 774-0424<br>Cell #: Fax#:<br>e-mail: ebrewer@owenhaskell.com    |
| <b>Architect</b><br>Name: Structural Integrity Consulting Engineers, Inc.<br>Address: 77 Oak Street<br>City/State : Portland, Maine Zip Code: 04101                                                                                                                                                                                                          | <b>Architect Contact Information</b><br>Work #: (207) 774-4614<br>Home #:<br>Cell #: Fax#:<br>e-mail: aaron@structuralinteg.com |
| <b>Attorney</b><br>Name: Tom Jewell<br>Address: 477 Congress Street<br>City/State : Portland, Maine Zip Code: 04101                                                                                                                                                                                                                                          | <b>Attorney Contact Information</b><br>Work #: (207) 774 - 6665<br>Home #:<br>Cell #: Fax#:<br>e-mail: tjewell@jewellbulder.com |
| <b>Designated person/person(s) for uploading to e-Plan:</b><br>Name: Sam Lebel, E.I. (Acorn Engineering, Inc.)<br>e-mail: slebel@acorn-engineering.com<br><br>Name: Olivia Dawson, E.I. (Acorn Engineering, Inc.)<br>e-mail: odawson@acorn-engineering.com<br><br>Name: Will Savage, P.E. (Acorn Engineering, Inc.)<br>e-mail: wsavage@acorn-engineering.com |                                                                                                                                 |

**APPLICATION FEES:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Level III Development (check applicable reviews)</b></p> <p><input type="checkbox"/> Less than 50,000 sq. ft. (\$750.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000)</p> <p><input checked="" type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000)</p> <p><input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000)</p> <p><input type="checkbox"/> over 300,00 sq. ft. (\$5,000)</p> <p><input type="checkbox"/> Parking lots over 11 spaces (\$1,000)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <p><b>Plan Amendments (check applicable reviews)</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250)</p> <p><input type="checkbox"/> Planning Board Review (\$500)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"><li>• Notices (\$.75 each)</li><li>• Legal Ad (% of total Ad)</li><li>• Planning Review (\$50.00 hour)</li><li>• Legal Review (\$75.00 hour)</li></ul> <p>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.</p> | <p><b>Other Reviews (check applicable reviews)</b></p> <p><input type="checkbox"/> Traffic Movement (\$1,500)</p> <p><input checked="" type="checkbox"/> Stormwater Quality (\$250)</p> <p><input type="checkbox"/> Subdivisions (\$500 + \$25/lot)</p> <p># of Lots <input checked="" type="checkbox"/> \$25/lot = _____</p> <p><input checked="" type="checkbox"/> Site Location (\$3,500, except for residential projects which shall be \$200/lot)</p> <p># of Lots _____ x \$200/lot = _____</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Change of Use</p> <p><input type="checkbox"/> Flood Plain</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Design Review</p> <p><input type="checkbox"/> Housing Replacement</p> <p><input type="checkbox"/> Historic Preservation</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**INSTRUCTIONS FOR ELECTRONIC SUBMISSION:**

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

1. Fill out the application completely and e-mail the **application only** to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)  
(Please be sure to designate a person who will be responsible for uploading documents and drawings.)  
This step will generate the project ID number for your project.
2. An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4<sup>th</sup> Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
3. The designated person responsible for uploading documents and drawings will receive an email from [epplan@portlandmaine.gov](mailto:epplan@portlandmaine.gov) with an invitation into the project. At this time, you will upload all corresponding documents and plans 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.

**Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.**

4. Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:  
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.  
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions  
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

5. When ready, upload your files and documents into the following folders:  
"Application Submittal – Drawings"  
"Application Submittal – Documents"



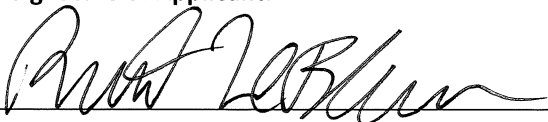
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

**APPLICANT SIGNATURE:**

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

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.**

|                                                                                                                     |                        |
|---------------------------------------------------------------------------------------------------------------------|------------------------|
| <b>Signature of Applicant:</b><br> | <b>Date:</b><br>2/2/17 |
|---------------------------------------------------------------------------------------------------------------------|------------------------|

## PROJECT DATA

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

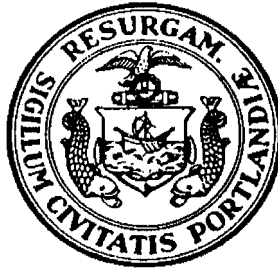
|                                                                                                                                                                                                                          |                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Total Area of Site</b>                                                                                                                                                                                                | 290,448 sq. ft.           |
| <b>Proposed Total Disturbed Area of the Site</b>                                                                                                                                                                         | 172,220 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. |                           |
|                                                                                                                                                                                                                          |                           |
| <b>Impervious Surface Area</b>                                                                                                                                                                                           |                           |
| Impervious Area (Total Existing)                                                                                                                                                                                         | 11,460 sq. ft.            |
| Impervious Area (Total Proposed)                                                                                                                                                                                         | 156,865 sq. ft.           |
|                                                                                                                                                                                                                          |                           |
| <b>Building Ground Floor Area and Total Floor Area</b>                                                                                                                                                                   |                           |
| Building Footprint (Total Existing)                                                                                                                                                                                      | 0 sq. ft.                 |
| Building Footprint (Total Proposed)                                                                                                                                                                                      | 80,960 sq. ft.            |
| Building Floor Area (Total Existing)                                                                                                                                                                                     | 0 sq. ft.                 |
| Building Floor Area (Total Proposed)                                                                                                                                                                                     | 80,960 sq. ft.            |
|                                                                                                                                                                                                                          |                           |
| <b>Zoning</b>                                                                                                                                                                                                            |                           |
| Existing                                                                                                                                                                                                                 | I-M                       |
| Proposed, if applicable                                                                                                                                                                                                  |                           |
|                                                                                                                                                                                                                          |                           |
| <b>Land Use</b>                                                                                                                                                                                                          |                           |
| Existing                                                                                                                                                                                                                 | Vacant                    |
| Proposed                                                                                                                                                                                                                 | Commercial - Self-Storage |
|                                                                                                                                                                                                                          |                           |
| <b>Residential, If applicable</b>                                                                                                                                                                                        |                           |
| # of Residential Units (Total Existing)                                                                                                                                                                                  |                           |
| # of Residential Units (Total Proposed)                                                                                                                                                                                  |                           |
| # of Lots (Total Proposed)                                                                                                                                                                                               |                           |
| # of Affordable Housing Units (Total Proposed)                                                                                                                                                                           |                           |
|                                                                                                                                                                                                                          |                           |
| <b>Proposed Bedroom Mix</b>                                                                                                                                                                                              |                           |
| # of Efficiency Units (Total Proposed)                                                                                                                                                                                   |                           |
| # of One-Bedroom Units (Total Proposed)                                                                                                                                                                                  |                           |
| # of Two-Bedroom Units (Total Proposed)                                                                                                                                                                                  |                           |
| # of Three-Bedroom Units (Total Proposed)                                                                                                                                                                                |                           |
|                                                                                                                                                                                                                          |                           |
| <b>Parking Spaces</b>                                                                                                                                                                                                    |                           |
| # of Parking Spaces (Total Existing)                                                                                                                                                                                     | 0                         |
| # of Parking Spaces (Total Proposed)                                                                                                                                                                                     | 10                        |
| # of Handicapped Spaces (Total Proposed)                                                                                                                                                                                 | 0                         |
|                                                                                                                                                                                                                          |                           |
| <b>Bicycle Parking Spaces</b>                                                                                                                                                                                            |                           |
| # of Bicycle Spaces (Total Existing)                                                                                                                                                                                     | 0                         |
| # of Bicycle Spaces (Total Proposed)                                                                                                                                                                                     | 0                         |
|                                                                                                                                                                                                                          |                           |
| <b>Estimated Cost of Project</b>                                                                                                                                                                                         | <b>\$1 million</b>        |

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



# CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



Bradley Roland, P.E.  
Water Resources Division

Date: 2/2/2017

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

Site Address: 547 Riverside St

Chart Block Lot Number: 044-B-007

Proposed Use: Industrial - Self storage

Previous Use: Vacant

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.

Proposed connection to the existing sewer system in Riverside St.

|               |                                    |                                     |
|---------------|------------------------------------|-------------------------------------|
| Site Category | Commercial (see part 4 below)      | <input checked="" type="checkbox"/> |
|               | Industrial (complete part 5 below) | <input type="checkbox"/>            |
|               | Governmental                       | <input type="checkbox"/>            |
|               | Residential                        | <input type="checkbox"/>            |
|               | Other (specify)                    | <input type="checkbox"/>            |

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

## 2. Please, Submit Contact Information.

City Planner's Name: TBD Phone: TBD

Owner/Developer Name: 547 Riverside, LLC

Owner/Developer Address: 59 Moody Street Portland, Maine 04101

Phone: (207) 879 - 2222 E-mail: robertleblanc1@me.com

Engineering Consultant Name: Will Savage, P.E. - Acorn Engineering, Inc.

Engineering Consultant Address: 158 Danforth Street, Portland Maine 04102

Phone: (207) 775-2655 Fax:  E-mail: wsavage@acorn-engineering.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: 24 GPD

Peaking Factor/ Peak Times: Diurnal flow pattern

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) State of Maine Subsurface Wastewater Disposal Rules, Effective 8/3/15

*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  
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.*

#### Wastewater Flow Calculations Source: State of Maine Subsurface Wastewater Disposal Rules

Existing Flow:

0 GPD

Proposed Flow:

Employees at place of employment with no showers

Equation:  $Q = 12 \text{ GPD} \times \text{Employees}$

\*It is assumed there will be at most two employees working

$Q = 12 \times 2$

$Q = 24 \text{ GPD}$

MAINE REAL ESTATE TAX PAID

**WARRANTY DEED**  
**Maine Statutory Short Form**

**Know all Persons by these Presents,**

**That we, Rebecca A. Lake and Roxanne A. Larochelle**, of Portland, Maine, for consideration paid, grant to:

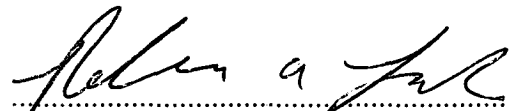
**York Street Redevelopment, LLC**

a limited liability company organized and existing under the laws of the State of Maine, and having a mailing address of: 42 Market Street, Portland, Maine 04101, with **warranty covenants**, the land in Portland, County of Cumberland, and State of Maine, described as follows:

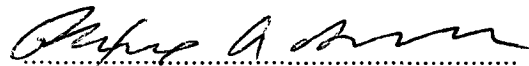
A certain lot or parcel of land, together with any buildings and improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine being more particularly described in Exhibit A attached hereto and made a part hereof.

Witness our hands and seals this 9<sup>th</sup> day of September, 2015.

Signed, Sealed and Delivered  
in the presence of

Rebecca A. Lake

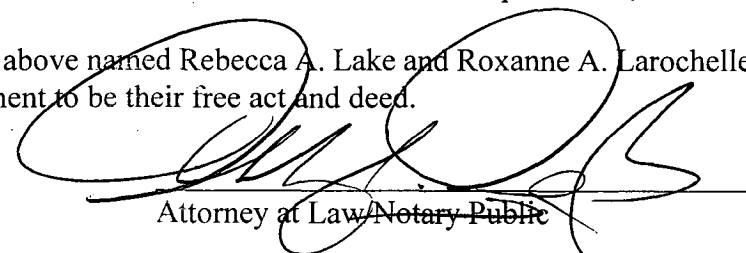


Roxanne A. Larochelle

State of Maine  
County of Cumberland ss

September 9, 2015

Then personally appeared before me the above named Rebecca A. Lake and Roxanne A. Larochelle and acknowledged the foregoing instrument to be their free act and deed.



Attorney at Law/Notary Public

Printed Name: \_\_\_\_\_

**DONNELLY S. DOUGLAS**  
Maine Attorney at Law  
Maine Bar No. 147



**EXHIBIT A**  
**161 YORK STREET, PORTLAND, MAINE**

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

Beginning at a stake on the northerly side of York Street in the corner of a lot of land formerly occupied by Joseph Deering, thence running southerly by said street one and a half rods or less to land formerly occupied by Eleazar Holmes; thence northwesterly by said Holmes lot to the corner of said Holmes lot; thence northeasterly at right angles with the line of the Holmes land to the Deering lot aforesaid; thence by the said Deering lot to said York Street at the point of beginning, reserving a passageway four and one-half feet in width upon the side of said lot next to the said Holmes lot to be used in common by the owners of the lot hereby conveyed and the owners of said Holmes lot.

Also including an easement over a strip of land adjacent to the within described premises as reserved in a deed from Rosary M. Larochelle to Tacha Vosburgh dated May 18, 1989 and recorded in said Registry at Book 8762 Page 284 and described therein as follows:

An easement in a strip of land to be used as a driveway solely and exclusively, for the use of the dominant estate and their invitees and such vehicles as needed for maintenance and improvements of both the dominant estate and the easement itself. Said strip of land is to begin at the southeasterly corner of the Rosary M. Larochelle's contiguous estate, also known as 161 York Street, and extend thirteen (13) feet east along York Street to a point and thence in a northwesterly direction fifty-six (56) feet parallel to the eastern boundary of the Rosary M. Larochelle 's contiguous estate to a point and thence 90° westerly for thirteen (13) feet to a point and thence southerly along the easterly boundary of the Rosary M. Larochelle 's said contiguous estate for fifty-six (56) feet to the point of beginning.

Being the same premises conveyed to the Grantors herein by Corrective Deed from Rosary M. Larochelle dated October 31, 2014 and recorded in Cumberland County Registry of Deeds in Book 31885 Page 225.

Received  
Recorded Register of Deeds  
Sep 10, 2015 01:38:19P  
Cumberland County  
Nancy A. Lane

MAINE REAL ESTATE TAX PAID

**WARRANTY DEED**  
**Maine Statutory Short Form**

KNOW ALL BY THESE PRESENTS, that I, **Rosary M. Larochelle**, of  
Portland, Maine, for consideration paid, grant to:

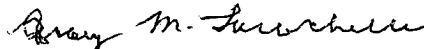
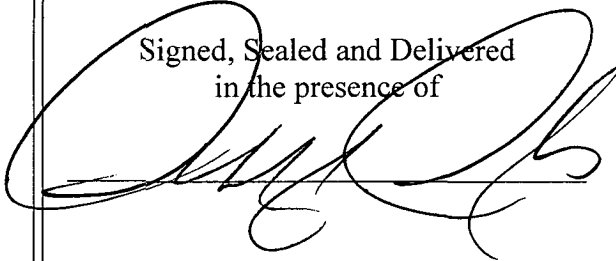
**York Street Redevelopment, LLC**

a limited liability company organized and existing under the laws of the State of Maine,  
whose mailing address is: 42 Market Street, Portland, Maine 04101, with **warranty**  
**covenants**, the real estate situated in Portland, County of Cumberland, and State of Maine,  
described as follows:

A certain lot or parcel of land, together with any buildings and improvements  
thereon, situated in the City of Portland, County of Cumberland, and State of  
Maine being more particularly described in Exhibit A attached hereto and  
made a part hereof.

Witness my hand and seal this 9<sup>th</sup> day of September, 2015.

Signed, Sealed and Delivered  
in the presence of



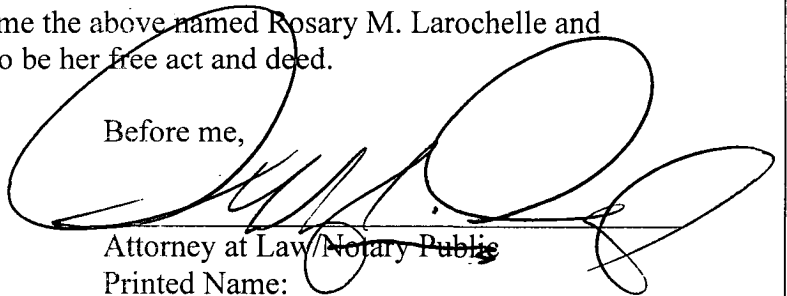
**Rosary M. Larochelle**

State of Maine  
County of Cumberland

September 9, 2015

Then personally appeared before me the above named Rosary M. Larochelle and  
acknowledged the foregoing instrument to be her free act and deed.

Before me,



Attorney at Law/Notary Public  
Printed Name:

**DONNELLY S. DOUGLAS**  
Maine Attorney at Law  
Maine Bar No. 147

**EXHIBIT A**  
**163 YORK STREET, PORTLAND, MAINE**

Certain lots or parcels of land with the buildings thereon situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

FIRST: A certain lot or parcel of land, situated on the northwesterly side of York Street in said Portland and more particularly bounded and described as follows:

Beginning at the northwesterly side of York Street at the southerly corner of land conveyed by Alpheus Boothby to Josephine Sachelie et al. by deed dated July 7, 1924, and recorded in the Cumberland County Registry of Deeds in Book 1173, Page 185; thence southwesterly by the northwesterly sideline of York Street seventy-four and twenty-five one hundredths (74.25) feet to the easterly corner of land conveyed by Nathan Dyer et al. to Stephen K. Dyer by deed dated May 26, 1862, and recorded in said Registry of Deeds in Book 313, Page 204; thence northwesterly by said Dyer land sixty (60) feet to the southeasterly sideline of the land conveyed by George W. Verrill, Assignee, to Ansel G. Dewey by deed dated June 8, 1877, and recorded in said Registry in Book 439, Page 183; thence northeasterly by said Dewey land and by land conveyed by Francis O. Sawyer to Charles Dyer by deed dated November 11, 1872, and recorded in said Registry in Book 395, Page 492, seventy-four and twenty-five one hundredths (74.25) feet to the westerly corner of said Sachelie land; thence southeasterly by said Sachelie land sixty (60) feet to the point of beginning.

SECOND: Also, a certain lot or parcel of land situated on the southeasterly side of Guilford Court in said Portland and more particularly bounded and described as follows:

Beginning on the southeasterly sideline of land conveyed by Brown Company to Carmelo S. Sachelie by deed dated April 6, 1942, and recorded in said Registry in Book 1676, Page 128, at the northerly corner of land conveyed by George W. Verrill, Assignee, to Ansel G. Dewey by deed dated June 8, 1877, and recorded in said Registry in Book 439, Page 183; thence northeasterly by said Sachelie land and by the southeasterly sideline of Guilford Court seventy-five (75) feet to the westerly corner of land conveyed by Cynthia Rhodes to Adeline N. Skelton by deed dated March 21, 1872, and recorded in said Registry in Book 393, Page 176; thence southeasterly by said Skelton land seventy (70) feet to the northerly corner of land conveyed by Alpheus Boothby to Josephine Sachelie by deed dated July 7, 1924, and recorded in said Registry in Book 1173, Page 185; thence southwesterly by said Sachelie land and by the first parcel herein described seventy-five (75) feet to the easterly corner of said Dewey land; thence northwesterly by said Dewey land seventy (70) feet to the point of beginning.

Also conveying all the right, title and interest in and to Guilford Court and in the passageway four and one-half (4 ½) feet wide leading to York Street of which this Grantor may be possessed.



EXCEPTING AND RESERVING from the above-described premises a certain lot or parcel of land being more particularly described as follows: Beginning at a point on the northwesterly side of York Street fifty-three (53) feet from the intersection of York Street and State Street; thence northeasterly along said York Street twenty-one (21) feet to a point; thence northwesterly sixty (60) feet, more or less, along the land now or formerly of Charles Dyer to a court or passageway now or formerly of F.O. Sawyer; thence northeasterly along said court or passageway fifteen (15) feet to a point; thence southeasterly sixty (60) feet, more or less, along a line parallel to said prior sixty (60) feet course along the land of Dyer to the northwesterly side of York Street; and thence southwesterly along said York Street fifteen (15) feet to the point of beginning.

Being a portion of the premises conveyed by warranty deed October 11, 1973 from Josephine B. Martorana to Rosary M. Larochelle and Ralph A. Larochelle as joint tenants recorded in Cumberland County Registry of Deeds in Book 3471 Page 143. The said Ralph A. Larochelle deceased January 2, 2010 and the said Rosary M. Larochelle acquired full title as surviving joint tenant.

Further reference is made to Affidavit of Rosary M. Larochelle dated September 9, 2015 to be recorded herewith.

Received  
Recorded Register of Deeds  
Sep 10, 2015 01:37:11P  
Cumberland County  
Nancy A. Lane

**WARRANTY DEED  
(MAINE STATUTORY SHORT FORM)**

**KNOW ALL PERSONS BY THESE PRESENTS**, that the Guilford Court Condominium Association, under Declaration dated April 29, 2005 and recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99, acting by and through its President, Charles R. Gustafson ("Grantor") by agreement of all the Unit Owners, attached hereto as **Exhibit A**

for valuable consideration paid, the receipt of which is hereby acknowledged, RELEASES from said Declaration and GRANTS with WARRANTY COVENANTS to

YORK STREET REDEVELOPMENT, LLC, a Maine Limited Liability Company with a mailing address of 42 Market Street, Portland, ME, 04101 ("Grantee"),

the land, together with the rights and burdens of record thereon and appurtenant thereto, in the City of Portland, County of Cumberland, State of Maine, ("Land"), described as follows:

BEGINNING at a point marked by a drill hole on the westerly sideline of York Street at the southeasterly corner of land now or formerly of the Guilford Court Condominium Association as described in a Declaration recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99. Said point being further described as the northeasterly corner of land now or formerly of York Street Redevelopment, LLC, as described in a Deed recorded in said Registry in Book 32580, Page 186;

THENCE North 54° 21' 28" West by and along the northerly line of said land of York Street Redevelopment, LLC and other land of York Street Redevelopment, LLC as described in a Deed recorded in said Registry in Book 32580, Page 183, a distance of 132.00 feet to a point on the easterly sideline of Guilford Court;

THENCE North 35° 01' 53" East by and along the easterly sideline of said Guilford Court a distance of 5.00 feet to a point;

THENCE South 54° 21' 28" East over and across land of Grantor a distance of 132.00 to a point on the westerly sideline of York Street;

THENCE South 35°01'53" West by and along the westerly sideline of York Street a distance of 5.00 feet to the Point of Beginning.

Said Land containing 660 square feet or .015 acres, more or less.

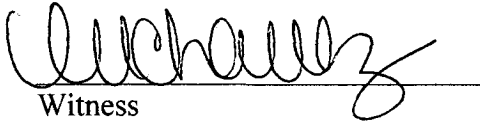
MAINE REAL ESTATE TAX PAID

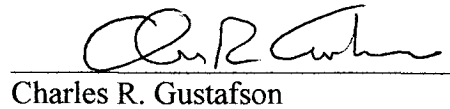
MEANING and intending to convey a portion of the same premises described in the Declaration recorded in said Registry in Book 22586, Page 99, being a portion of the same premises described in a Deed from Tacha Vosburgh, recorded in said Registry in Book 13221, Page 193.

RESERVING to Grantor an Easement to use the Land for utility, vehicular, and pedestrian access to land of the Grantor, inclusive of parking as may be permitted by the City of Portland or other competent authority from time-to-time, and storage of household refuse and recycling, provided any such storage shall be in covered containers designed for such purposes and maintained in good order and repair.

Notwithstanding the Easement, Grantor and Grantee acknowledge Grantee, its heirs, successors, and assigns, may utilize said Land for ingress and egress from York Street, Guilford Court, and other public and private rights-of-way as may exist from time-to-time, provided any such use by Grantee shall not unreasonably interfere with Grantor's Easement.

IN WITNESS WHEREOF, I, Charles R. Gustafson, President of the Guilford Court Condominium Association, have hereunto set my hand this 5 day of APRIL, 2016.

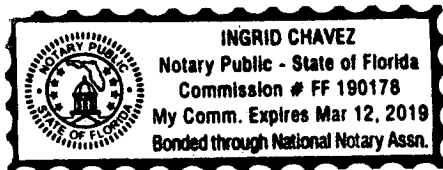
  
Witness

  
Charles R. Gustafson

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

On this 5 day of APRIL, 2016, before me personally appeared the above named CHARLES R. GUSTAFSON and acknowledged the foregoing instrument to be his free act and deed.



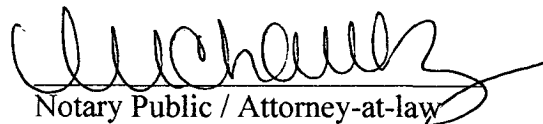
  
Notary Public / Attorney-at-law



Exhibit A

GUILFORD COURT CONDOMINIUM ASSOCIATION

ACTION TAKEN BY UNANIMOUS WRITTEN  
CONSENT OF ALL UNIT OWNERS WITHOUT MEETING

The undersigned, being all of the unit owners of the Guilford Court Condominium Association (the "Association") hereby consent to the taking of, and hereby take, the following Action, without holding a meeting, such Action being stated in the form of, and to be as fully effective as if taken by, a unanimous resolution or resolutions of the Unit Owners of the Association at a meeting thereof duly called and held on the date hereof at which all of the undersigned Unit Owners were present and action throughout:

RESOLVED: that the President, Charles R. Gustafson, be authorized to execute a Deed on behalf of the Association conveying a certain parcel of Land described in **Schedule A** attached hereto to York Street Redevelopment, LLC, subject to certain rights retained by the Association; and be it further

RESOLVED: that said Deed shall be executed and delivered on or before June 1, 2016, or it shall be of no force or effect; and be it further

RESOLVED: that York Street Redevelopment, LLC may correspond with holders of security interests as may be required under Maine law to effectuate said conveyance; and be it further

RESOLVED: that the Association shall receive a release from a certain easement presently held by York Street Redevelopment, LLC burdening the land of the Association as consideration; and be it

CERTIFIED: that Charles R. Gustafson is duly serving as President.

This document shall be filed with the minutes of the Association and recorded in the Cumberland County Registry of Deeds.

[SIGNATURE PAGES FOLLOW]

I, Eric A. Fortin, owner of Unit #1A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 26314, Page 229, hereunto set my hand this 1 day of April, 2016.

[Signature]  
Witness

[Signature]  
Eric A. Fortin

STATE OF ME

COUNTY OF Cumberland, ss.

On this 1st day of APRIL, 2016, before me personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing to be his/her free act and deed.

[Signature]  
Notary Public / Attorney-at-law

MICHELE M. MURPHY  
Notary Public, Maine  
My Commission Expires July 17, 2016

SEAL

I, Jeremy J. Daros, owner of Unit #1B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 27212, Page 204, hereunto set my hand this 17<sup>th</sup> day of March, 2016.

Debra Brincourt  
Witness Debra Brincourt

Jeremy J. Daros  
Jeremy J. Daros

STATE OF Maine  
COUNTY OF Cumberland, ss.

On this 17 day of March, 2016, before me personally appeared the above named Jeremy Daros and acknowledged the foregoing to be his/her free act and deed.

Cheryl D. DeGeorge  
Notary Public / Attorney-at-law

**CHERYL D. DEGEORGE**  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
October 15, 2021

SEAL



I, Townsend S. Crum, owner of Unit #1C by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 26231, Page 251, hereunto set my hand this 19 day of February, 2016.

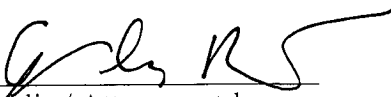
  
Witness

  
Townsend S. Crum

STATE OF ME

COUNTY OF Cumberland, ss.

On this 19<sup>th</sup> day of February, 2016, before me personally appeared the above named Townsend S. Crum and acknowledged the foregoing to be his/her free act and deed.

  
Notary Public / Attorney-at-law

SEAL

AMY E. BURROW  
Notary Public, Maine  
My Commission Expires June 12, 2021

I, Jensine Fraser, owner of Unit #1D by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 30001, Page 289, hereunto set my hand this 29 day of March, 2016.

Katherine Knight  
Witness

Jensine Fraser  
Jensine Fraser

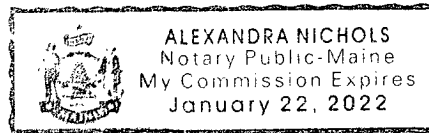
STATE OF Maine

COUNTY OF Cumberland, ss.

On this 29 day of March, 2016, before me personally appeared the above named Jensine Fraser and acknowledged the foregoing to be his/her free act and deed.

Alexandra Nichols  
Notary Public / Attorney-at-law

SEAL



We, Charles R. Gustafson and Mickey H. Gustafson, owners of Unit #2A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 23348, Page 003, hereunto set our hands this 5 day of APRIL, 2016.

[Signature]  
Witness

[Signature]  
Charles R. Gustafson

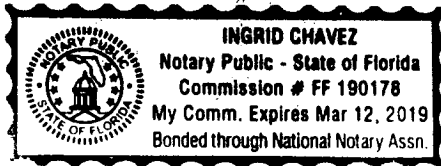
[Signature]  
Witness

[Signature]  
Mickey H. Gustafson

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

On this 5 day of APRIL, 2016, before me personally appeared the above named CHARLES R. GUSTAFSON and acknowledged the foregoing to be his/her free act and deed.

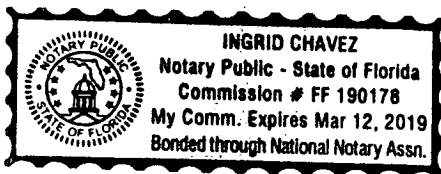


[Signature]  
Notary Public / Attorney-at-law

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

On this 5 day of APRIL, 2016, before me personally appeared the above named MIKEY H. GUSTAFSON and acknowledged the foregoing to be his/her free act and deed.

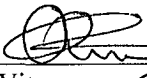


[Signature]  
Notary Public / Attorney-at-law

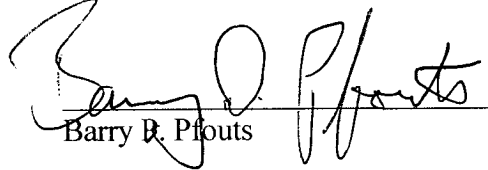


We, Joann M. Wallace and Barry D. Pfouts, owners of Unit #2B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 32436, Page 082, hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Witness

  
Witness Calvin Maina

Joann M. Wallace

  
Barry D. Pfouts

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, ss.

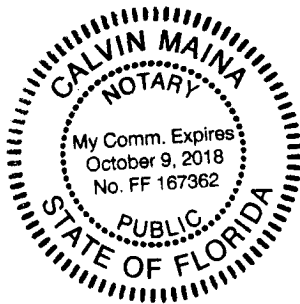
On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing to be his/her free act and deed.

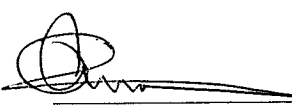
\_\_\_\_\_  
Notary Public / Attorney-at-law

STATE OF FL

COUNTY OF Manatee, ss.

On this 1<sup>st</sup> day of April, 2016, before me personally appeared the above named Barry D Pfouts and acknowledged the foregoing to be his/her free act and deed.



  
Notary Public / Attorney-at-law

<sup>e</sup>  
We, Joann M. Wallace and Barry D. Pfouts, owners of Unit #2B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 32436, Page 082, hereunto set our hands this 1st day of April, 2016.

Sus- E H t  
Witness

Joann M. Wallace  
Joann M. Wallace<sup>e</sup>

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Barry P. Pfouts

STATE OF Maine

COUNTY OF Cumberland, ss.

On this 1st day of April, 2016, before me personally appeared the above named Joann M Wallace and acknowledged the foregoing to be his/her free act and deed.

Sus- E H t  
Notary Public / Attorney-at-law  
Susan E Hunter.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing to be his/her free act and deed.

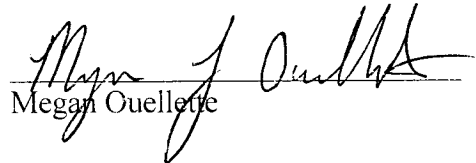
\_\_\_\_\_  
Notary Public / Attorney-at-law

We, Jason Ouellette and Megan Ouellette, owners of Unit #3A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 32442, Page 123, hereunto set our hands this 15<sup>th</sup> day of March, 2016.

  
Witness

Jamarat P. O'Donnell  
Witness

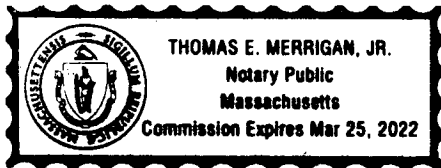
  
Jason Ouellette

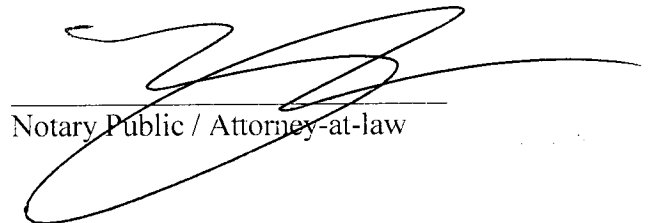
  
Megan Ouellette

STATE OF MA

COUNTY OF Norfolk, ss.

On this 15<sup>th</sup> day of March, 2016, before me personally appeared the above named Jason Ouellette and acknowledged the foregoing to be his/her free act and deed.

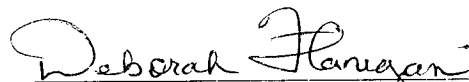


  
Notary Public / Attorney-at-law

STATE OF Maine

COUNTY OF Cumberland, ss.

On this 2<sup>nd</sup> day of March, 2016, before me personally appeared the above named Megan J. Ouellette and acknowledged the foregoing to be his/her free act and deed.

  
Notary Public / Attorney-at-law

MY Commission Expires: 08-12-20

SEAL



I, Lynn Miller, Trustee of the Lynn Szuchan Miller Trust, owner of Unit #3B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 31148, Page 223, hereunto set our hands this 3 day of March, 2016. I further certify the Trust remains in full force and effect and that I am empowered to take this action on its behalf.

Cynthia McBrady  
Witness

Lynn Miller  
Lynn Miller, Trustee

STATE OF Maine

COUNTY OF Cumberland, ss.

Subscribed and sworn before me this 3 day of March, 2016, by Lynn Miller, proved to me on the basis of satisfactory evidence to the be person who appeared before me.

Deborah M Hubbard  
Notary Public / Attorney-at-law

**DEBORAH HUBBARD**  
Notary Public, Maine  
My Commission Expires January 23, 2017

SEAL

### SCHEDULE A

A certain parcel of land, together with the rights and burdens of record thereon and appurtenant thereto, in the City of Portland, County of Cumberland, State of Maine, ("Land"), described as follows:

BEGINNING at a point marked by a drill hole on the westerly sideline of York Street at the southeasterly corner of land now or formerly of the Guilford Court Condominium Association as described in a Declaration recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99. Said point being further described as the northeasterly corner of land now or formerly of York Street Redevelopment, LLC, as described in a Deed recorded in said Registry in Book 32580, Page 186;

THENCE North 54° 21' 28" West by and along the northerly line of said land of York Street Redevelopment, LLC and other land of York Street Redevelopment, LLC as described in a Deed recorded in said Registry in Book 32580, Page 183, a distance of 132.00 feet to a point on the easterly sideline of Guilford Court;

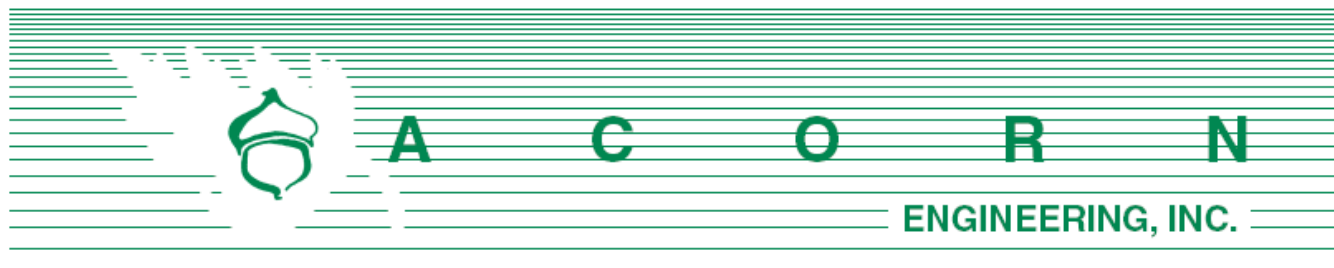
THENCE North 35° 01' 53" East by and along the easterly sideline of said Guilford Court a distance of 5.00 feet to a point;

THENCE South 54° 21' 28" East over and across land of Grantor a distance of 132.00 to a point on the westerly sideline of York Street;

THENCE South 35° 01' 53" West by and along the westerly sideline of York Street a distance of 5.00 feet to the Point of Beginning.

Said Land containing 660 square feet or .015 acres, more or less.

Received  
Recorded Register of Deeds  
Apr 25, 2016 09:22:08A  
Cumberland County  
Nancy A. Lane



## **D. Conformity with Applicable Design Standards**

The following statement is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-526.

### **OVERVIEW**

This project conforms with all the applicable design standards of Section 14-526 as demonstrated in the following narrative.

#### **(a) Transportation Standards**

##### **1. Impact on Surrounding Street Systems:**

The site is located on 161 York Street which is a principal arterial and supports a high traffic volume. The first level of parking will be accessed from York Street and the second level from Guilford Court. It is predicted that the incremental increase in traffic volume will not create or aggravate any hazards and thus not impact overall safety.

##### **2. Access and Circulation:**

###### **a. Site Access and Circulation.**

The project proposes one curb cut to access the parking garage while decreasing the two existing curb cuts located on either side of the proposed building on York Street. Over seventeen (17) feet of granite curb will be installed along the front property line to the southerly extent of the property line. Nearly a foot of granite curb will be installed along the front property line extending to the easterly corner of the existing driveway easement. A portion of the curb cut will remain due to an existing easement on the applicant's property with the abutter. Residents of 161 York Street will not utilize this existing driveway.

(i) The development will provide safe access and internal circulation for both pedestrians and vehicles.

(ii) It is expected that the proposed 2-story parking garage will serve at full capacity twenty (20) vehicles on two levels – 16 on the garage level with access from York Street and 4 on the first floor with access from Guilford Court. The points of access and egress are such that new traffic will not create a conflict with existing turning movements or traffic flows. Vehicles exiting the property will not have to back out onto either York Street or Guilford Court. The overall width of the parking garage exit on York Street is 18 feet which will provide adequate site distance and access. Additionally, the building is set back five and a half (5.5) feet from the York Street sidewalk. The overall width of the parking garage exit to Guilford Court is increased to 20 ft to facilitate access and circulation.



- (iii) The site does not feature drive up services as mentioned in this requirement.
  - b. Loading and Servicing:
    - (i) Not required. There will be adequate area along adjacent streets and within the proposed drive aisle for infrequent periods of tenants moving in/out of the building.
  - c. Sidewalks:
    - (i) The existing sidewalk along York Street is comprised of brick with granite curb and will be reconstructed to City Standards as part of the project. There is no existing or proposed sidewalk on the private Guilford Court.
    - (ii) Due to the substandard condition of the existing sidewalks and likelihood that the proposed construction will impact the sidewalk integrity, the sidewalks will be replaced with curb added in or reclaimed to areas as noted on the Civil Site Plan, C-10.
    - (iii) Internal brick sidewalks on both sides of the building will be provided to facilitate the movement of pedestrians to the City ROW and to and from parking spaces.
- 3. Public Transit Access:
  - a. The development does not exceed twenty (20) or more residential dwelling units.
  - b. A new transit stop is not proposed as part of the project.
  - c. A new transit stop is not proposed as part of the project.
- 4. Parking:
  - a. Location and Required Number of Vehicle Parking Spaces:
    - (i) With the proposed eleven (11) units, twenty-two (22) proposed parking spaces surpasses the minimum requirement.
    - (ii) A parking study is not required.
    - (iii) The amount of parking exceeds the requirements by more than 10%. A parking analysis performed with Auto Turn confirms that the twenty-two (22) spaces are appropriate for the eleven (11) multi-bedroom condominiums.
    - (iv) The parking dimensions are such that the plans are in conformance with the City of Portland Technical Manual except for the lower parking garage drive aisle features a width of 23.45'
    - (v) The internal parking lot will be constructed with a permanent and durable concrete surface, and the external parking lot a bituminous surface, neither of which is subject to ponding or erosion.
  - b. Location and Required Number of Bicycle Parking Spaces:
    - (i) Wall-mounted bicycle storage will be provided internally within the second level of the parking garage. A minimum of 5 bicycle mounts will be provided.



c. Motorcycles and Scooter Parking:

- (i) The project does not provide designated motorcycle/scooter parking but off-street opportunities exist within the parking garage.

d. Snow Storage:

- (i) Snow storage space will be provided in the landscaped areas surrounding the building. Snow storage is shown on plans C-10 and C-11.
- (ii) Snow storage shall not be located where it will adversely impact the functionality of the stormwater management system.

5. Transportation Demand Management (TDM):

- a. A TDM plan is not required for this project.
- b. A TDM plan is not required for this project.
- c. A TDM plan is not required for this project.

**(b) Environmental Quality Standards**

1. Preservation of Significant Natural Features:

- a. The existing site contains no prominent significant natural features therefore no issue related to the preservation of these features applies.
- b. Not applicable.

2. Landscaping and Landscaping Preservation:

a. Landscape Preservation.

- (i) There are ten (10) existing, mature trees on site as identified in the Existing Conditions Plan; it is proposed that these trees be removed to clear space for the development. Landscaping in the form of shrubs, perennials, and grasses around the building will replace these trees. Seven street trees are proposed along York St.
- (ii) There are three (3) existing trees within the property setback on Guilford Court. These trees will need to be removed to facilitate the redevelopment. On February 8, 2017 a site visit was conducted with Rene Noel, Jr., President of Southern Maine Forestry Services. It was confirmed that the three (3) trees within the rear property setback are an invasive species, Norway Maple. Furthermore, the trees are in poor health. A letter outlining the investigation will be uploaded to the Project's E-Plan submissions upon receipt.
- (iii) Due to the existing, sparse landscaping on site, no protection during construction will be necessary.
- (iv) The applicant does not require a waiver.
- (v) Not applicable.

b. Site Landscaping.



## (i) Landscaped Buffers:

- (a) The solid waste storage located within the garage level will be enclosed and not visible from the public sidewalks, street, or adjacent properties.
- (b) The project has eighty-nine (89) linear feet of frontage along York Street; per requirement, it is proposed that a minimum of six (6) shrubs or shrub alternatives per forty-five (45) feet of frontage are planted within this setback as noted in greater detail in the Landscape Plan, L-1. This ratio equates to twelve (12) shrubs.
- (c) Not applicable.
- (d) Not applicable.

## (ii) Parking Lot Landscaping:

- a) Not applicable.
- b) Not applicable.
- c) Not applicable.
- d) Not applicable.
- e) Not applicable.
- f) Not applicable.

## (iii) Street Trees:

- (a) Four (4) trees are proposed to be planted in between the proposed building and the City ROW along York Street as well as three (3) trees along the westerly internal sidewalk for a total of seven (7) street trees. The remaining street tree requirement will be fulfilled by the landscaping within the site. Refer to Landscape Plan for more details.
- (b) Due to site constraints within the property, it is not feasible to plant one street tree per unit. There is room for seven (7) trees within the site. A contribution will be made to the City of Portland Tree Fund for the remaining four (1) trees.

## 3. Water Quality, Stormwater Management and Erosion Control:

## a. Stormwater:

- (i) The site is proposed to be graded as such to direct the majority of runoff into an underdrained subsurface chamber sand filter (USSF) that is considered a Best Management Practice (BMP); all remaining stormwater will be directed offsite into the existing municipal system within York Street. There is no anticipated ponding or flooding using this design.
- (ii) The majority of stormwater runoff from the site is proposed to be treated using filtration via a USSF BMP. All remaining runoff will be redirected into the stormwater line within York Street. The redirected runoff is less than what was produced from the two dwellings that previously existed on site. Therefore, the project will not increase the net rate of runoff nor adversely impact adjacent lots or the City street system.





- (iii) The project will not increase the stormwater flows directly within the York Street separated stormwater system nor the overall flows within the property. Additionally, the project will not create adverse impacts to the neighborhood or the wastewater treatment plant when compared to existing conditions.
- (iv) The City's separated storm sewer system is anticipated to accommodate the stormwater flow; the post-development flow will not exceed the capacity of the existing system within York Street.
- b. A site specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including the basic, general, and flooding standards of MEDEP Chapter 500. Please refer to the Stormwater Management Plan for more information.
- c. The project is not located in a watershed of an urban impaired stream as listed by the MEDEP.
- d. Not applicable.
- e. The development is not anticipated to pose a contamination risk to groundwater during or after construction. The project is serviced by a public wastewater system.
- f. The development will provide for adequate and sanitary disposal of sewage in accordance with Section 2 of the Technical Manual.

**(c) Public Infrastructure and Community Safety Standards.**

**1. Consistency with City Master Plans:**

- a. The project has been designed to be consistent with the City's Zoning Ordinance and off-site infrastructure.
- b. Not applicable.

**2. Public Safety and Fire Prevention:**

- a. The site has been designed to promote safe and inviting public and residential access.
- b. No changes to emergency access conditions within the surrounding streets are proposed.
- c. Fire hydrants are located within the adjacent street system. The new building will have fire suppression.

**3. Availability and Adequate Capacity of Public Utilities:**

- a. Public utilities within the vicinity of the site have the capacity to serve the proposed project. More information on utilities is included within the ability to serve letters to the respective utility companies.
- b. All electrical service lines will be underground.
- c. All new utility infrastructures will meet the provisions of the Technical Manual.



- d. The project will be served by connection to the public sewer system within York Street.
- e. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the standards of Chapter 500.
- f. The proposed building includes provisions for on-site storage of trash and recyclables temporarily until waste is removed from the site via a private hauler.

**(d) Site Design Standards.**

1. Massing, Ventilation and Wind Impact:

- a. The bulk, location and height of the existing building does not result in adverse impacts to abutting properties.
- b. The proposed building is designed to minimize bulk and height and is positioned as such to affect abutting buildings as little as possible.
- c. The proposed HVAC is designed to direct exhaust away from public spaces and adjacent residential properties.

2. Shadows:

- a. Not applicable.

3. Snow and Ice Loading:

- a. The proposed building features a flat roof. Should a standing seam metal roof be utilized, snow bars will be installed on each rooftop to prevent snow and ice accumulation and prevent it from falling onto adjacent properties or public ways. There are no proposed overhangs encroaching upon the right of way.

4. View Corridors:

- a. The project site is located outside the Downtown Vision View Corridor Protection Plan.

5. Historic Resources:

- a. The development is not located in a historic district, historic landscape district, or City designated landmark.
- b. The development is not located adjacent to designated landmarks or the historic landscape district. The development is within 100 feet of the historic district and is subject to review from the historic preservation
- c. There are no known archaeological resources on the site.

6. Exterior Lighting:

- a. Site Lighting.



- (i) Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual. Cut sheets have been provided for the lighting typical of residential lights. A photometric plan is not anticipated to be necessary as lighting is minimal and building-mounted. The lighting will be cutoff with no light emitted above the horizontal plane. In addition, the six-foot tall fence will further prevent light from spilling over onto adjacent properties. The lights will be energy efficient LED's that are dark sky friendly.
    - (ii) All proposed exterior lighting will employ house-side shielding per requirement.
  - b. Architectural and Specialty Lighting.
    - (i) No architectural or specialty lighting is proposed.
    - (ii) No up-lighting is proposed.
  - c. Street Lighting.
    - (i) No new street lights are proposed.
7. Noise and Vibration:
- All HVAC and Mechanical equipment shall be accordance with the applicable zoning requirements.
8. Signage and Wayfinding:
- a. All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.
    - (i) The project is not located in a historic district or subject to Article IX.
    - (ii) Not applicable.
    - (iii) All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.
9. Zoning Related Design Standards:
- a. The project will be designed to meet the design standards within the R-6 Zone.





## **E. Summary of Written Easements**

- **Existing Easements** – The Existing Conditions Plan developed by Spurwink Surveying, LLC identified an existing easement regarding the existing bituminous driveway on the northern side of the property; details outlining the rights to the driveway are recorded within Book 8761, Page 284.
- **Proposed Easements** – There are no proposed easements at this time.



## **F. Written Request for Waivers**

Due to the tree investigation and the determination that the three trees within the property setback are all Norway Maple, an invasive species, and in poor health – there are no waivers requested at this time. Please refer to the document titled, “Conformity with Applicable Design Standards” for additional information.





October 26, 2016

Planning Board  
City of Portland

RE: York Street Redevelopment LLC – condominium project

To Whom It May Concern:

On behalf of Bangor Savings Bank I am pleased to provide this letter of support for York Street Redevelopment LLC for the above referenced project. Based on our prior experience with the project sponsor, we believe that the applicant has the financial capacity and developer expertise to complete the project.

While this letter of support is not a commitment to lend, Bangor Savings Bank would welcome the opportunity to be a resource to York Street Redevelopment for financing necessary in connection with this project. The project sponsor is a highly valued client of Bangor Savings Bank.

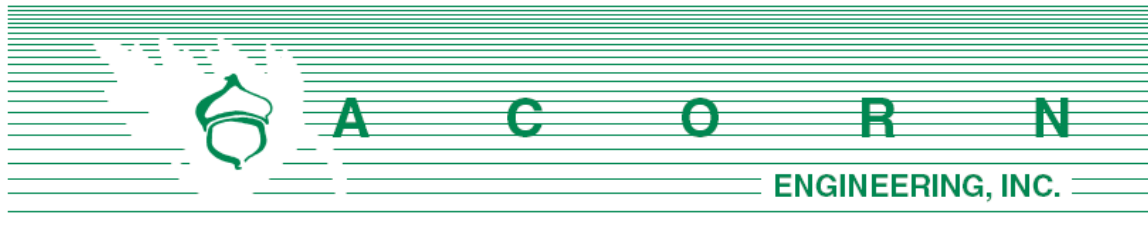
Please feel free to call me (541-2704) if I can be of assistance in any way.

Yours truly,

A handwritten signature in black ink that reads "Diane Donaldson". The signature is fluid and cursive, with the first name "Diane" and last name "Donaldson" clearly distinguishable.

Diane H. Donaldson  
Senior Vice President





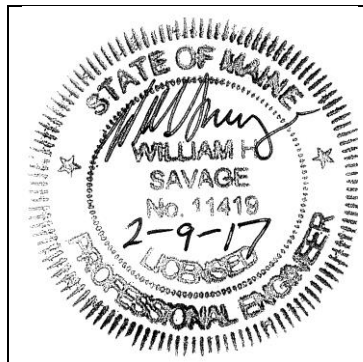
# **STORMWATER MANAGEMENT** **REPORT**

**Prepared For:**

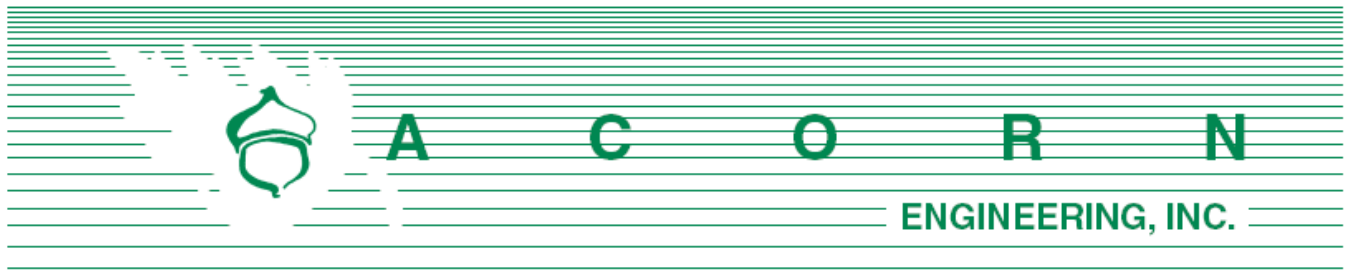
**York Street Redevelopment, LLC  
42 Market St  
Portland, Maine 04101**

**Prepared By:**

**Acorn Engineering, Inc.  
158 Danforth Street  
Portland, Maine 04102**



**November 2016  
Rev. February 2017**



## **INTRODUCTION**

Acorn Engineering, Inc. has been retained by York Street Redevelopment, LLC to provide civil engineering services for the proposed redevelopment of 161 York Street. The proposed project is to develop two, two-story dwellings into a five-story, eleven-unit condominium subdivision. The site has recently been demolished to facilitate the redevelopment and is currently a vacant lot.

A stormwater analysis will be prepared to demonstrate that the project will meet the following requirements of the City of Portland (the City):

- City of Portland Land Use Ordinance Chapter 14, Article V. Site Plan Section 14-523. Required Approvals and Applicability (F) Level III Site Plan Review.
- City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management.

The proposed project will include the redevelopment of existing, impervious area including rooftops, and paved asphalt and concrete driveways prior to demolition. The project will result in a net increase of impervious area above 1,000 sf, and, as such, is required to include stormwater management features for stormwater quality & quantity control. The stormwater analysis is documented with supporting calculations and reports attached to this narrative.

The current course of action is to provide primary water quality treatment to the stormwater through filtration utilizing a Best Management Practice (BMP) through a subsurface chamber sand filter that will detain and treat the majority of the site's stormwater. The implemented BMP is to provide water quality treatment for no less than 95% of the new impervious area and 80% of the developed area.

## **EXISTING CONDITIONS**

The proposed project site is located at 161 York Street near the corner of York Street and State Street. A boundary plan has been prepared by Spurwink Surveying, LLC of Scarborough, Maine dated September 29, 2015.

Abutting Uses:

- |         |          |                          |
|---------|----------|--------------------------|
| ➤ North | R-6 Zone | Residential Condominiums |
| ➤ West  | R-6 Zone | Vacant Land              |
| ➤ South | R-6 Zone | Residential Condominiums |
| ➤ East  | R-6 Zone | Multi-Family Residential |

The property is also near the Casco Bay Bridge and Harbor View Memorial Park, both west of the property.

Before the demolition, approximately a quarter of the property was covered by impervious surfaces including a bituminous driveway and two, two-story dwellings. The remaining surface was mature tree growth, vegetation, and exposed soil. The site slopes at approximately 10% toward York Street. Based on existing conditions, the stormwater runoff is directed towards York Street where it then enters the municipal stormwater system.

The project team is not aware of the presence of any existing significant natural features located on the site. Given the urban setting, and existing free-draining soils, a field inventory of significant natural feature was not undertaken. The project is not located within a watershed classified as an Urban Impaired Stream.

## **PROPOSED DEVELOPMENT**

The proposed project is an eleven-unit redevelopment of two previously existing dwellings. Site stormwater treatment will be provided by an Underdrained Subsurface Sand Filter (USSF) to be installed beneath the upper driveway entrance from Guilford Court. Stormwater runoff generated by the roof and driveway is to be redirected into the system and then outlet into the existing municipal system within York Street. The remainder of the runoff generated by the front driveway and sidewalks will flow into York Street. Areas not covered by the building and impervious surfaces will be landscaped per L-1 Landscape Plan attached to the plan set.

Tenant parking is to be provided on-site with access from both York Street and Guilford Court. The five-story building will feature a parking garage with sixteen spaces on the first level parking garage, four spaces on the second-floor garage, and two, uncovered parking spaces off Guilford Court for a total of twenty-two parking spaces on two levels. Pedestrian access to the site shall be provided off York Street with two internal walkways to a main and side entrance.

The development will be served by the Portland Water District, underground power/cable/communications, natural gas, and the municipal stormwater and sewer systems. The project anticipates incorporating Maine DEP approved stormwater Best Management Practices to meet the General and Flooding Standards.

## **GENERAL STANDARDS - WATER QUALITY**

The underdrained subsurface sand filter was sized to meet or exceed the requirements set forth within the MDEP Volume III BMPs Technical Design Manual, Chapter 7.3. Filter BMP systems have shown to be effective at filtering out and removing a wide range of pollutants from stormwater runoff.

### *Impervious Treatment Area*

The stormwater runoff shall first flow into a central catch basin and then into the StormTech Isolator Row which shall provide initial treatment. The stormwater shall be detained within the chambers and surrounding aggregate for a minimum of 24 hours and a maximum of 48 hours before flowing vertically through the sand filter layer. The treated stormwater shall then be collected within the perforated underdrain pipe and released slowly by the outlet control structure at an attenuated rate. When stormwater flows exceed the storage and treatment volume capacity of the isolator row, the stormwater will flow into the second StormTech chamber row and outlet into the control structure. This structure will serve to attenuate flows into the existing municipal stormwater system within





York Street and prevent flooding.

The treatment of the impervious surface by the BMPs are as follows:

| <b>Table 1 - Impervious Treatment Area Table</b> |                               |                                     |                                    |                                              |                                 |
|--------------------------------------------------|-------------------------------|-------------------------------------|------------------------------------|----------------------------------------------|---------------------------------|
|                                                  | Existing Impervious Area (SF) | Proposed Total Impervious Area (SF) | Net change in Impervious Area (SF) | Proposed Impervious Area with Treatment (SF) | % Overall New Imp. Area Treated |
| Subsurface Sand Filter                           | 3,271                         | 8,536                               | 5,265                              | 7,611                                        | 145%                            |

As shown above, the project anticipates meeting the required treatment for new impervious surfaces with the filter BMP.

#### *Filter Area Sizing*

Per the requirements for an underdrained subsurface sand filter as defined in Volume III BMPs Technical Design Manual, Chapter 7.3, the surface area of the filter shall be no less than the sum of 5% of the tributary impervious area and 2% of the tributary landscaped area. The filter area is calculated by the following formula:

$$[(\text{Imp. SF} \times 0.05) + (\text{Veg. SF} \times 0.02)] = \text{Filter Area (SF)}$$

Please refer to Table 2 below.

Table 2 – Total Filter Surface Area, displays the proposed Subsurface Sand Filter sizing requirements, actual size and the percentage of required area.

| <b>Table 2 –Total Filter Surface Area</b> |                           |                         |                                 |
|-------------------------------------------|---------------------------|-------------------------|---------------------------------|
|                                           | Required Filter Area (SF) | Actual Filter Area (SF) | Percentage of Required Area (%) |
| Subsurface Sand Filter                    | 402                       | 489                     | 122%                            |

The outflow from the sand filter structure is then tributary to the outlet control structure before entering the municipal stormwater system. As shown, the size of the soil filter area will meet and exceed the surface area requirements. Values from the HydroCAD calculations are attached to this report.

#### *Isolator Row Sizing*

The isolator row was sized based upon a letter from Mark Bergeron, Director of the MDEP Bureau of Land Resources, to StormTech dated July 29, 2016. The calculation that Mr. Bergeron references to determine the minimum number of stormwater chambers needed for the isolator row is defined as the one-year peak flow rate divided by the specific flow rate of the chamber. To be conservative, the two-year peak flow rate was used from the HydroCAD model and divided by the flow rate of the MC-3500 chamber (0.3 cfs). This value was determined to be 1.33 units. The design incorporates 3



units to function as the isolator row, exceeding the requirement and providing additional sediment removal.

### *Water Quality Volume*

In accordance with the Volume III: BMPs Technical Design Manual, a water quality volume of 1.0 inch times the tributary impervious area plus 0.4 inch times the tributary landscaped developed area is required to be treated by the Subsurface Sand Filter. The water quality volume is calculated by the following formula:

$$\left( \frac{\text{Imp. [SF]} \times 1.0''}{12''/1'} \right) + \left( \frac{\text{Dist. [SF]} \times 0.4''}{12''/1'} \right) = \text{Treatment Volume [CF]}$$

The proposed water quality volume is as follows:

| <b>Table 3 - Water Quality Volume Table</b> |                                      |                                      |                                      |                                      |
|---------------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
|                                             | Tributary<br>Landscaped<br>Area (SF) | Tributary<br>Impervious<br>Area (SF) | Treatment<br>Volume Required<br>(CF) | Treatment<br>Volume Provided<br>(CF) |
| Subsurface<br>Sand Filter                   | 1072                                 | 7611                                 | <b>670</b>                           | <b>980</b>                           |

As shown, the size of the combined water quality volume will meet and exceed the treatment volume requirements. Values from the HydroCAD calculations are attached to this report.

The treatment volume was calculated by using StormTech's derived value for storage per chamber which was sourced from the MC-3500 Design Manual. The storage from the units was then added to the available stone storage at a porosity of 40%. This calculation is as follows:

$$(6 \text{ Units} \times 109.9 \text{ CF / Unit}) + (4 \text{ Endcaps} \times 14.9 \text{ CF / Endcap}) + (1.33 \text{ ft} \times 58.1 \text{ ft} \times 8.4 \text{ ft} \times 0.4)$$

This calculation yields 980 cubic feet of storage within the detention system.

### *HydroCAD Adjustments*

Provided that the water quality volumetric infiltration rates through the soil filter vary, a water quality outlet is modeled to provide the required minimum 24-hour release time. This is completed by adjusting the rainfall amount in HydroCAD until the inflow volume is equal to or greater than the calculated treatment volume. The storm events are modeled as type III, 24-hour storm events in HydroCAD.

A vertical orifice is modeled in HydroCAD at the outlet structures of the USSF BMP. The orifice diameter is sized to detain the stormwater for an approximate period of 24 hours. The orifice shall be placed at the end of the outfall pipe on the outlet control structure baffle to be inspected or replaced if necessary. The orifice is intended to be a PVC cap placed on the outfall pipe (no glue) with the orifice drilled into the cap eccentrically. The PVC cap can be easily inspected, removed or



replaced if necessary. The orifice for the water quantity volume is then set above the peak elevation determined for the water quality volume.

### **FLOODING STANDARD – WATER QUANTITY**

The proposed project was modeled using HydroCAD to verify that the post-development conditions do not exceed the pre-development conditions. A 24-hour SCS Type III storm distribution for the 2, 10, and 25-year storm events were used. The corresponding rainfall amounts for these storms are 3.10", 4.60", and 5.80" respectively. Rainfall amounts are from the Northeast Regional Climate Center website (<http://precip.eas.cornell.edu>), Extreme Precipitation Tables.

The existing stormwater runoff flows into the York Street municipal system. Therefore, both the pre and post-development conditions model the runoff into York Street.

Due to the numerous variables, and inherent inaccuracies with the modeling program used to calculate stormwater runoff it is custom at Acorn Engineering, Inc. to round to the nearest whole number or to the nearest tenth for urban infill project. Due to the small size of the project the stormwater runoff shall be rounded to the nearest tenth of a cubic foot per second (cfs).

#### *Time of Concentration ( $T_c$ )*

Time of concentration values were derived by calculating a combined  $T_c$  from the flow segments within each subcatchment in the pre condition. Associated with these flow segments is the classification of stormwater flow and the corresponding surface. Refer to the attached HydroCAD calculations for a break-down of the  $T_c$  calculations.

Given the urban environment and the short flow paths in the post condition, a  $T_c$  of 5 minutes was used for the subcatchments.

#### *Curve Number*

Conservative curve number (CN) runoff values were used within the subcatchment for the remaining area surrounding the building footprint. The stormwater calculations used the following CN values in the post development condition for all such areas, as follows:

- Paved Parking Lots, Driveways, Sidewalks
- Wood/Grass Combo – Good

It was assumed that the proposed retaining walls, concrete pad, and internal brick sidewalks have the same curve number as paved parking lots.

#### *Pre-development Calculations*

The pre-development condition was modeled as one subcatchment to determine the net impact of the development.

- Subcatchment 1 – Rear property line to York Street.

A Pre-Development Watershed Map developed for this project can be viewed in Attachment A, and





a copy of the HydroCAD calculations is included within Attachment D, or this report.

Peak flow rates for the storm events are as follows:

| <b>Table 4 – Pre-Development Peak Stormwater Flows</b> |                                   |                                    |                                    |
|--------------------------------------------------------|-----------------------------------|------------------------------------|------------------------------------|
| <b>Drainage Area</b>                                   | <b>2 – Year Storm Event (cfs)</b> | <b>10 – Year Storm Event (cfs)</b> | <b>25 – Year Storm Event (cfs)</b> |
| <b>York Street</b>                                     | 0.1                               | 0.3                                | 0.5                                |

#### *Post-development Calculations:*

The one predevelopment subcatchment was divided into three separate subcatchments for the post-development condition.

- Subcatchment 1 – Rooftop of the proposed building
- Subcatchment 2 – Rear driveway and landscaped areas
- Subcatchment 3 – Front sidewalks and landscaped areas

The post development calculations include changes to the land use and compensation provided by the subsurface BMP system. The following table represents comparison of predevelopment and post-development condition peak runoff rates for the proposed development and tributary area.

| <b>Table 5 – Comparison of Peak Flows</b> |                                   |             |                                    |             |                                    |             |
|-------------------------------------------|-----------------------------------|-------------|------------------------------------|-------------|------------------------------------|-------------|
| <b>Drainage Area</b>                      | <b>2 – Year Storm Event (cfs)</b> |             | <b>10 – Year Storm Event (cfs)</b> |             | <b>25 – Year Storm Event (cfs)</b> |             |
|                                           | <b>Pre</b>                        | <b>Post</b> | <b>Pre</b>                         | <b>Post</b> | <b>Pre</b>                         | <b>Post</b> |
| <b>York Street</b>                        | 0.1                               | 0.1         | 0.3                                | 0.3         | 0.5                                | 0.4         |

As shown in Table 5, the net impact of the post development peak flows shall remain at or below the predevelopment levels for the two, ten, and twenty-five-year storms.

A Post-Development Watershed Map created for this project can be viewed in Attachment B, and a copy of the HydroCAD calculations is included within Attachment D of this report.

## **SOILS**

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

The existing soils are exclusively Hinckley throughout the site. The Hinckley soil series consists of very deep, excessively drained soils formed in glaciofluvial materials. The permeability of the Hinckley soil is rapid in the surface layer and subsoil and very rapid in the substratum, typically with a low groundwater table. Given the soils information as listed above, no onsite wastewater is proposed and the applicant does not intend to perform a more intense hydric soil boundary delineation or permeability test due to the waiver requirements set forth in the City of Portland Technical Manual – Section 7 – Soil Survey, Rev. 6/17/11 have been met.



The area within and surrounding the project includes soils types listed in the table below. The susceptibility of soils to erosion is indicated on a relative “K” scale of values over a range of 0.02 to 0.69. Higher “K” values indicate more erodible soils.

| Table 6 - “K” Value |            |            |
|---------------------|------------|------------|
| Soils Type          | Subsurface | Substratum |
| Hinckley            | 0.17       | 0.17       |

The soil “K” values for the soils, listed above, show a low susceptibility to erosion. The site’s susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for Cumberland County. Although soil “K” values for the soils show a low susceptibility to erosion, implementation of the proposed Erosion & Sedimentation Measures by the contractor will still be of considerable importance.

### **Conclusion**

The proposed development was designed to meet the requirements implemented by the MDEP under the Stormwater Management Statute (38 M.R.S.A. § 420-D) as well as the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards. As a result, the design of the proposed development and stormwater system does not anticipate to create erosion, drainage or runoff problems either in the development or with respect to adjoining properties.

### **Attachments**

Attachment A: Pre-Development Watershed Map  
 Attachment B: Post-Development Watershed Map  
 Attachment C: Soils Map  
 Attachment D: HydroCAD Calculations

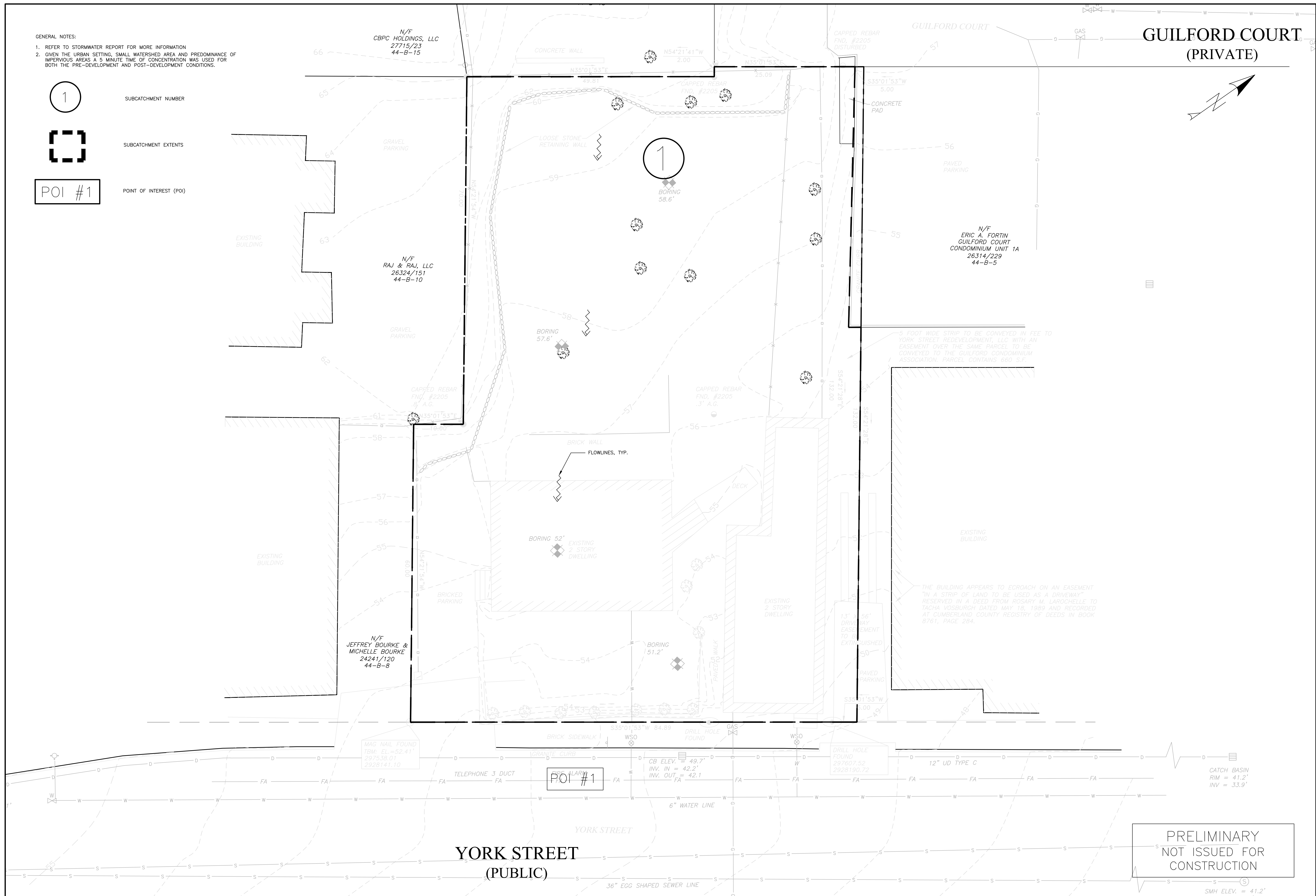


1. REFER TO STORMWATER REPORT FOR MORE INFORMATION
2. GIVEN THE URBAN SETTING, SMALL WATERSHED AREA AND PREDOMINANCE OF IMPERVIOUS AREAS A 5 MINUTE TIME OF CONCENTRATION WAS USED FOR BOTH THE PRE-DEVELOPMENT AND POST-DEVELOPMENT CONDITIONS.

1

POI #1

POINT OF INTEREST (POI)

[illegible]

DRAWING NAME:

PROJECT NAME:

CLIENT:

PRE — DEVELOPMENT PLAN

161 YORK STREET REDEVELOPMENT

YORK STREET REDEVELOPMENT, 161  
42 MARKET STREET, PORTLAND, MAINE 04101

**A C O R N**

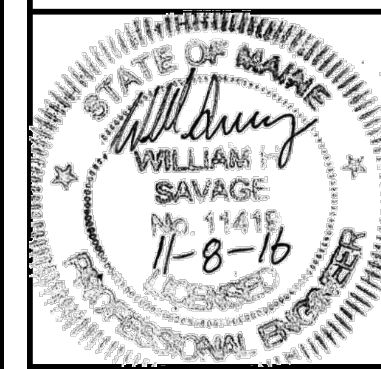
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**ENGINEERING, INC.**

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|              |            |
|--------------|------------|
| FILE:        | 1074_CIVIL |
| JN:          | 1074       |
| SCALE:       | NTS        |
| DESIGNED BY: | WHS        |
| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |



DRAWING NO.  
**PRE**

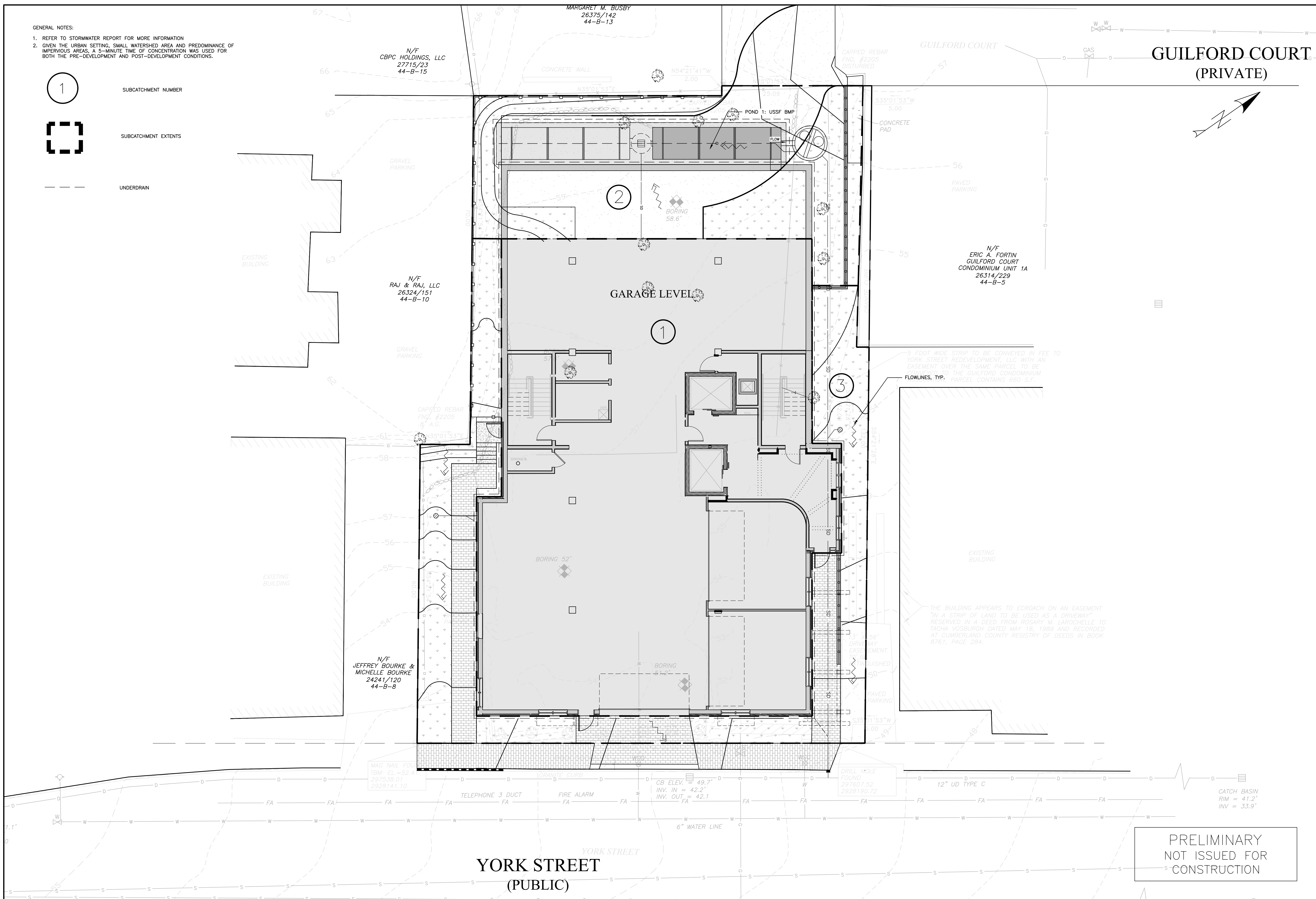


1. REFER TO STORMWATER REPORT FOR MORE INFORMATION
2. GIVEN THE URBAN SETTING, SMALL WATERSHED AREA AND PREDOMINANCE OF IMPERVIOUS AREAS, A 5-MINUTE TIME OF CONCENTRATION WAS USED FOR BOTH THE PRE-DEVELOPMENT AND POST-DEVELOPMENT CONDITIONS.

SUBCATCHMENT NUMBER

### SUBCATCHMENT EXTENTS

UNDERDRAIN



PRELIMINARY  
NOT ISSUED FOR  
—s CONSTRUCTION

[illegible]

POST - DEVELOPMENT PLAN

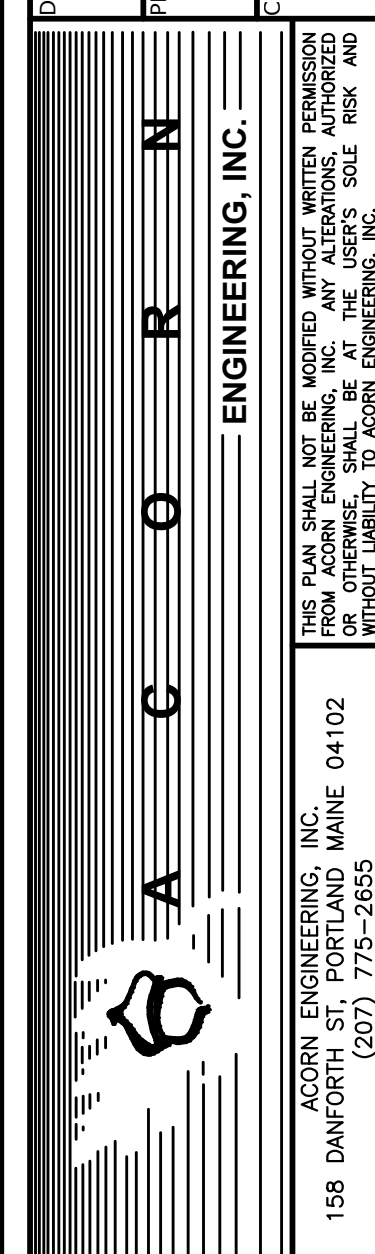
161 YORK STREET REDEVELOPMENT

YORK STREET REDEVELOPMENT, LLC  
42 MARKET STREET, PORTLAND, MAINE 04101

RAWING NAME:

**PROJECT NAME:**

**IDENT:**



FILE: 1074 CIVIL

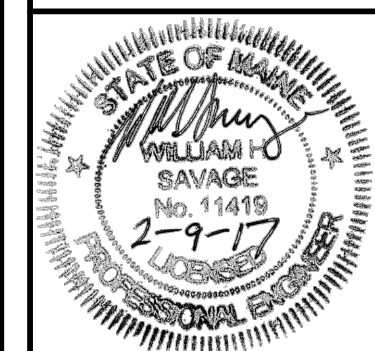
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| SCALE: | NTS |
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DESIGNED BY: WHS

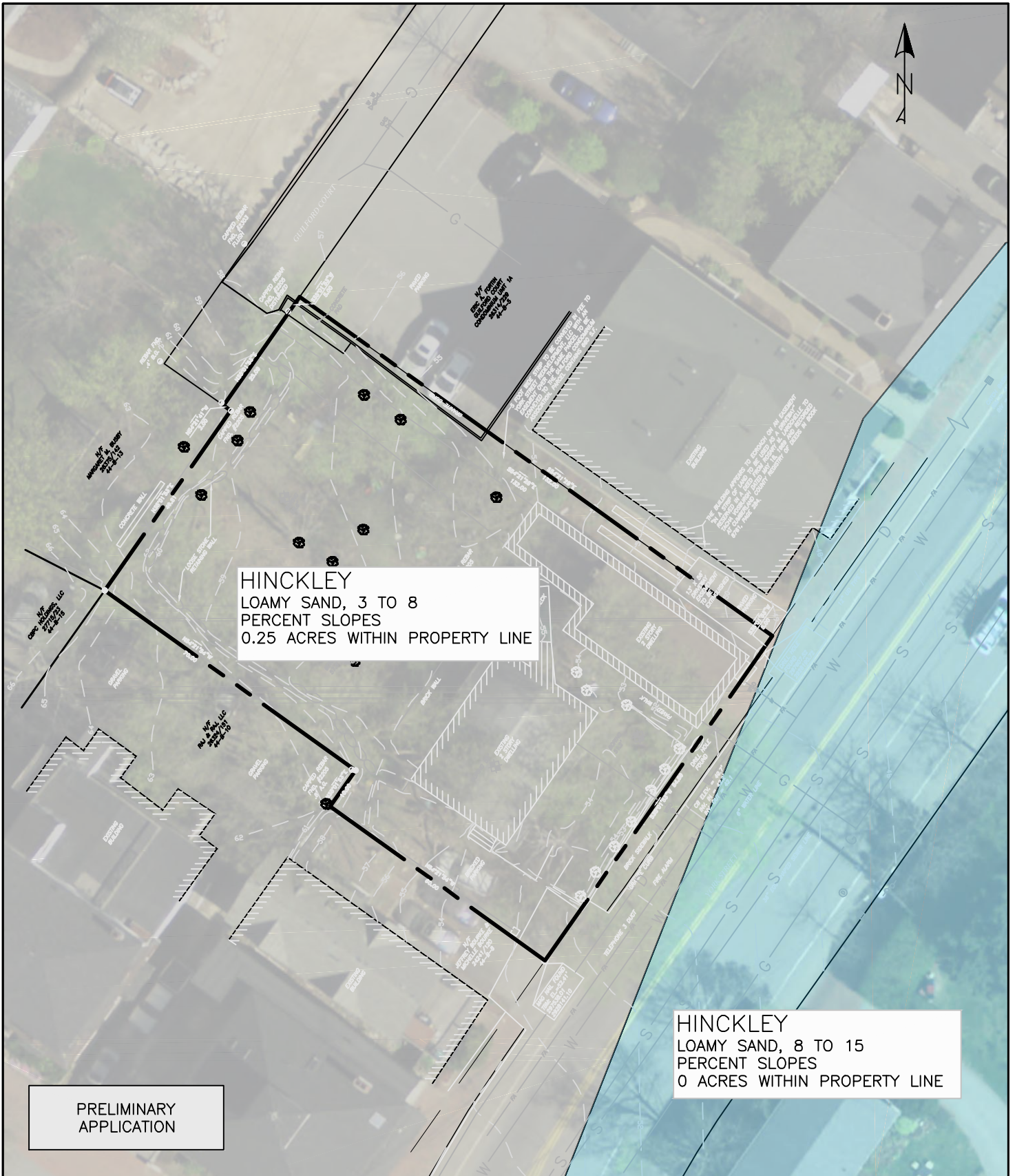
DRAWN BY: SJL

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DRAWING NO.

# POST



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FILE: 1074\_CIVIL  
DATE: 11/8/2016  
JN: 1074  
SCALE: 1"=30'  
DESIGN BY: OJD  
DRAWN BY: SJL  
CHECKED BY: WHS



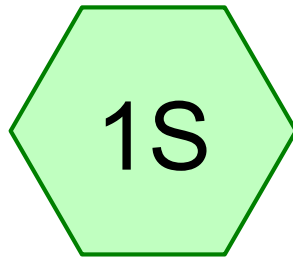
DRAWING NAME:  
SOILS MAP

PROJECT NAME:  
161 YORK STREET REDEVELOPMENT

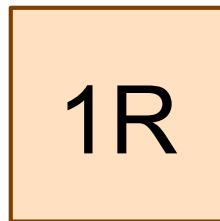
CLIENT:  
YORK STREET REDEVELOPMENT, LLC

| ISSUED FOR   | BY                     |
|--------------|------------------------|
| PRELIM. APP. | DATE<br>WHS<br>11/8/16 |
|              | REV                    |
|              | DATE                   |
|              |                        |
|              |                        |
|              |                        |
|              |                        |

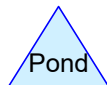
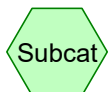
DRAWING NO.  
**SOILS**



Subcat 1



POI#1



**Routing Diagram for Pre\_10-28-16**

Prepared by Acorn\_Trial, Printed 2/9/2017

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**Area Listing (all nodes)**

| Area<br>(acres) | CN        | Description<br>(subcatchment-numbers) |
|-----------------|-----------|---------------------------------------|
| 0.047           | 98        | Roofs (1S)                            |
| 0.176           | 43        | Woods/grass comb., Fair, HSG A (1S)   |
| 0.026           | 98        | sidewalk/pavement (1S)                |
| 0.002           | 98        | walls concrete pad (1S)               |
| <b>0.251</b>    | <b>59</b> | <b>TOTAL AREA</b>                     |

**Soil Listing (all nodes)**

| Area<br>(acres) | Soil<br>Group | Subcatchment<br>Numbers |
|-----------------|---------------|-------------------------|
| 0.176           | HSG A         | 1S                      |
| 0.000           | HSG B         |                         |
| 0.000           | HSG C         |                         |
| 0.000           | HSG D         |                         |
| 0.075           | Other         | 1S                      |
| <b>0.251</b>    |               | <b>TOTAL AREA</b>       |

**Pre\_10-28-16**

Prepared by Acorn\_Trial

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**Ground Covers (all nodes)**

| HSG-A<br>(acres) | HSG-B<br>(acres) | HSG-C<br>(acres) | HSG-D<br>(acres) | Other<br>(acres) | Total<br>(acres) | Ground<br>Cover         | Subcatchment<br>Numbers |
|------------------|------------------|------------------|------------------|------------------|------------------|-------------------------|-------------------------|
| 0.000            | 0.000            | 0.000            | 0.000            | 0.047            | 0.047            | Roofs                   | 1S                      |
| 0.176            | 0.000            | 0.000            | 0.000            | 0.000            | 0.176            | Woods/grass comb., Fair | 1S                      |
| 0.000            | 0.000            | 0.000            | 0.000            | 0.026            | 0.026            | sidewalk/pavement       | 1S                      |
| 0.000            | 0.000            | 0.000            | 0.000            | 0.002            | 0.002            | walls concrete pad      | 1S                      |
| <b>0.176</b>     | <b>0.000</b>     | <b>0.000</b>     | <b>0.000</b>     | <b>0.075</b>     | <b>0.251</b>     | <b>TOTAL AREA</b>       |                         |



**Pre\_10-28-16**

*Type III 24-hr 2-year Rainfall=3.10"*

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Time span=0.00-36.00 hrs, dt=0.01 hrs, 3601 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: Subcat 1**

Runoff Area=10,935 sf 29.78% Impervious Runoff Depth=0.34"  
Flow Length=132' Tc=5.1 min CN=59 Runoff=0.05 cfs 0.007 af

**Reach 1R: POI#1**

Inflow=0.05 cfs 0.007 af  
Outflow=0.05 cfs 0.007 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.007 af Average Runoff Depth = 0.34"**  
**70.22% Pervious = 0.176 ac 29.78% Impervious = 0.075 ac**

**Summary for Subcatchment 1S: Subcat 1**

Runoff = 0.05 cfs @ 12.13 hrs, Volume= 0.007 af, Depth= 0.34"

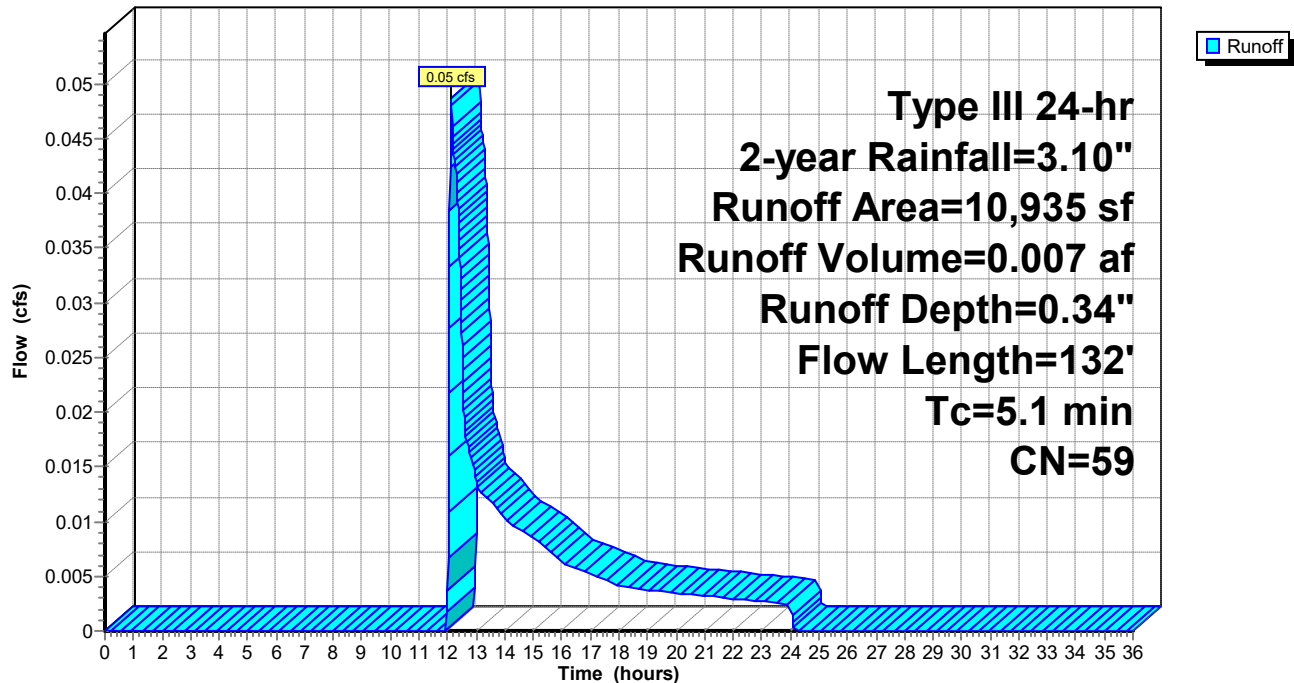
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs  
Type III 24-hr 2-year Rainfall=3.10"

|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 2,039     | 98 | Roofs                          |
| * | 1,135     | 98 | sidewalk/pavement              |
| * | 82        | 98 | walls concrete pad             |
|   | 7,679     | 43 | Woods/grass comb., Fair, HSG A |
|   | 10,935    | 59 | Weighted Average               |
|   | 7,679     |    | 70.22% Pervious Area           |
|   | 3,256     |    | 29.78% Impervious Area         |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description                        |
|----------|---------------|---------------|-------------------|----------------|------------------------------------|
| 4.7      | 83            | 0.0843        | 0.29              |                | <b>Sheet Flow, A to B</b>          |
|          |               |               |                   |                | Grass: Short n= 0.150 P2= 3.27"    |
| 0.4      | 49            | 0.1000        | 2.30              |                | <b>Sheet Flow, B to C</b>          |
|          |               |               |                   |                | Smooth surfaces n= 0.011 P2= 3.27" |
| 5.1      | 132           | Total         |                   |                |                                    |

**Subcatchment 1S: Subcat 1**

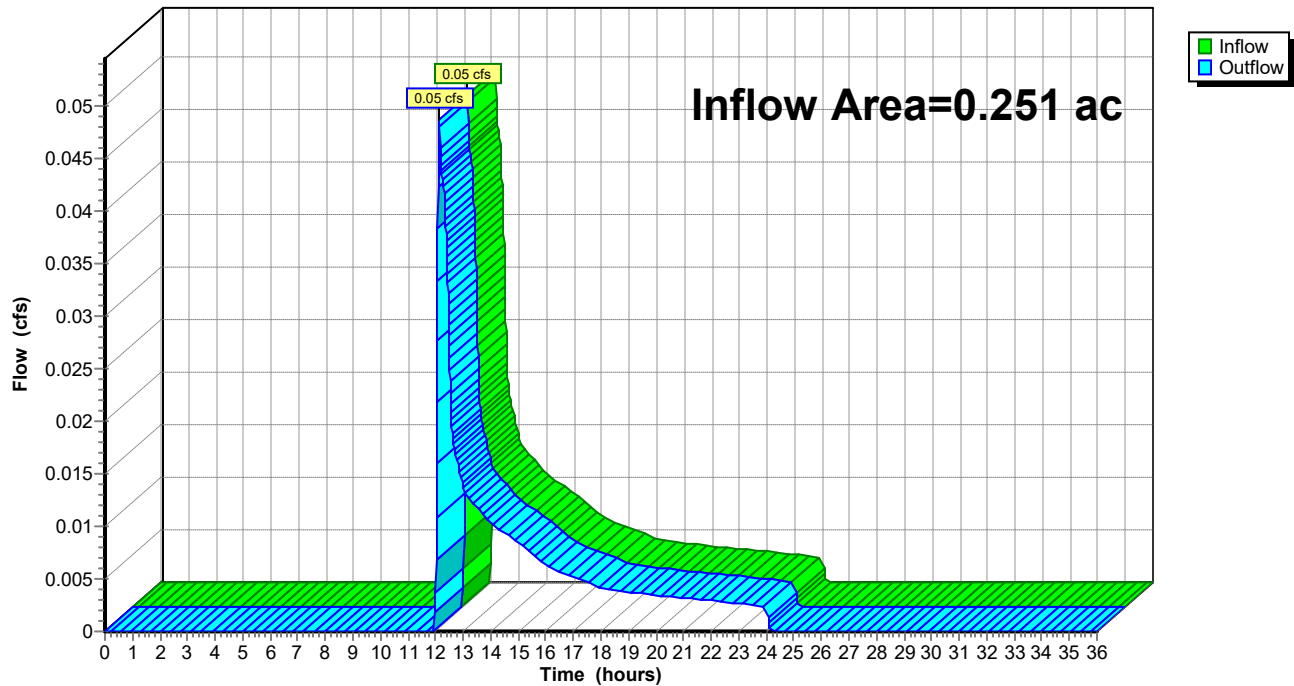
Hydrograph



**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 29.78% Impervious, Inflow Depth = 0.34" for 2-year event  
Inflow = 0.05 cfs @ 12.13 hrs, Volume= 0.007 af  
Outflow = 0.05 cfs @ 12.13 hrs, Volume= 0.007 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs

**Reach 1R: POI#1****Hydrograph**



**Pre\_10-28-16**

*Type III 24-hr 10-year Rainfall=4.60"*

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Time span=0.00-36.00 hrs, dt=0.01 hrs, 3601 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: Subcat 1**

Runoff Area=10,935 sf 29.78% Impervious Runoff Depth=1.01"  
Flow Length=132' Tc=5.1 min CN=59 Runoff=0.26 cfs 0.021 af

**Reach 1R: POI#1**

Inflow=0.26 cfs 0.021 af  
Outflow=0.26 cfs 0.021 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.021 af Average Runoff Depth = 1.01"**  
**70.22% Pervious = 0.176 ac 29.78% Impervious = 0.075 ac**

**Summary for Subcatchment 1S: Subcat 1**

Runoff = 0.26 cfs @ 12.09 hrs, Volume= 0.021 af, Depth= 1.01"

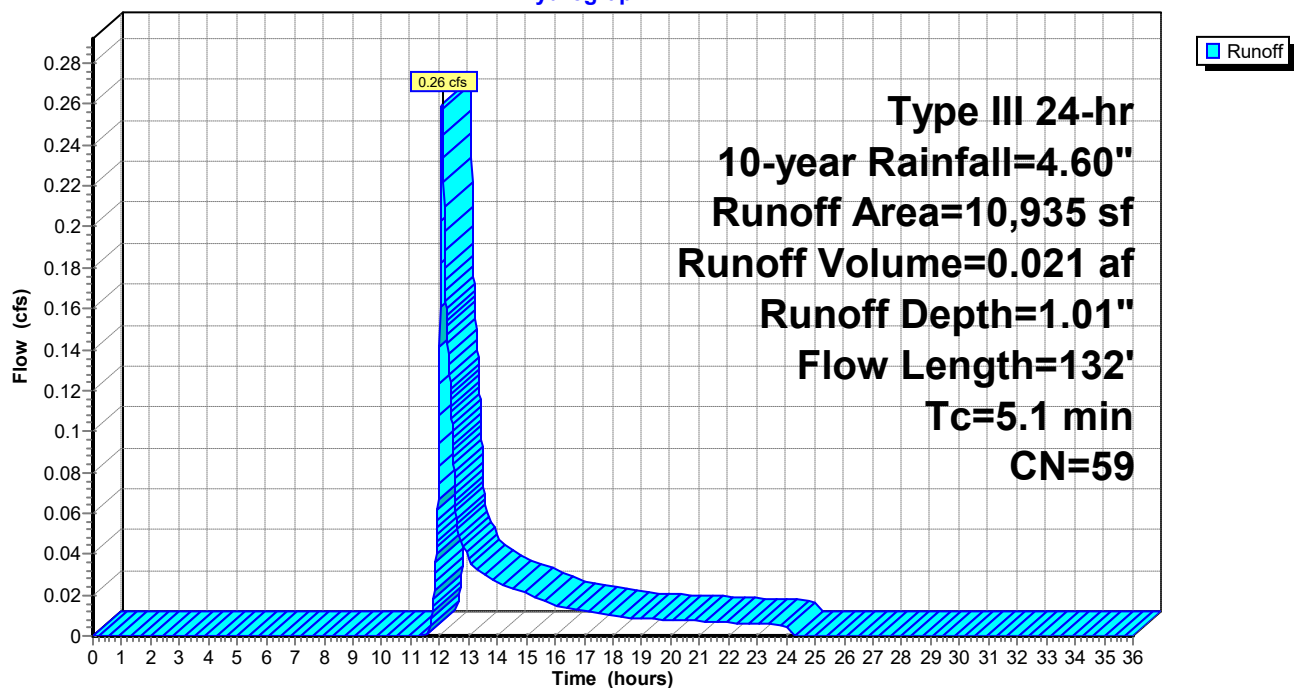
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs  
Type III 24-hr 10-year Rainfall=4.60"

|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 2,039     | 98 | Roofs                          |
| * | 1,135     | 98 | sidewalk/pavement              |
| * | 82        | 98 | walls concrete pad             |
|   | 7,679     | 43 | Woods/grass comb., Fair, HSG A |
|   | 10,935    | 59 | Weighted Average               |
|   | 7,679     |    | 70.22% Pervious Area           |
|   | 3,256     |    | 29.78% Impervious Area         |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description                        |
|----------|---------------|---------------|-------------------|----------------|------------------------------------|
| 4.7      | 83            | 0.0843        | 0.29              |                | <b>Sheet Flow, A to B</b>          |
|          |               |               |                   |                | Grass: Short n= 0.150 P2= 3.27"    |
| 0.4      | 49            | 0.1000        | 2.30              |                | <b>Sheet Flow, B to C</b>          |
|          |               |               |                   |                | Smooth surfaces n= 0.011 P2= 3.27" |
| 5.1      | 132           | Total         |                   |                |                                    |

**Subcatchment 1S: Subcat 1**

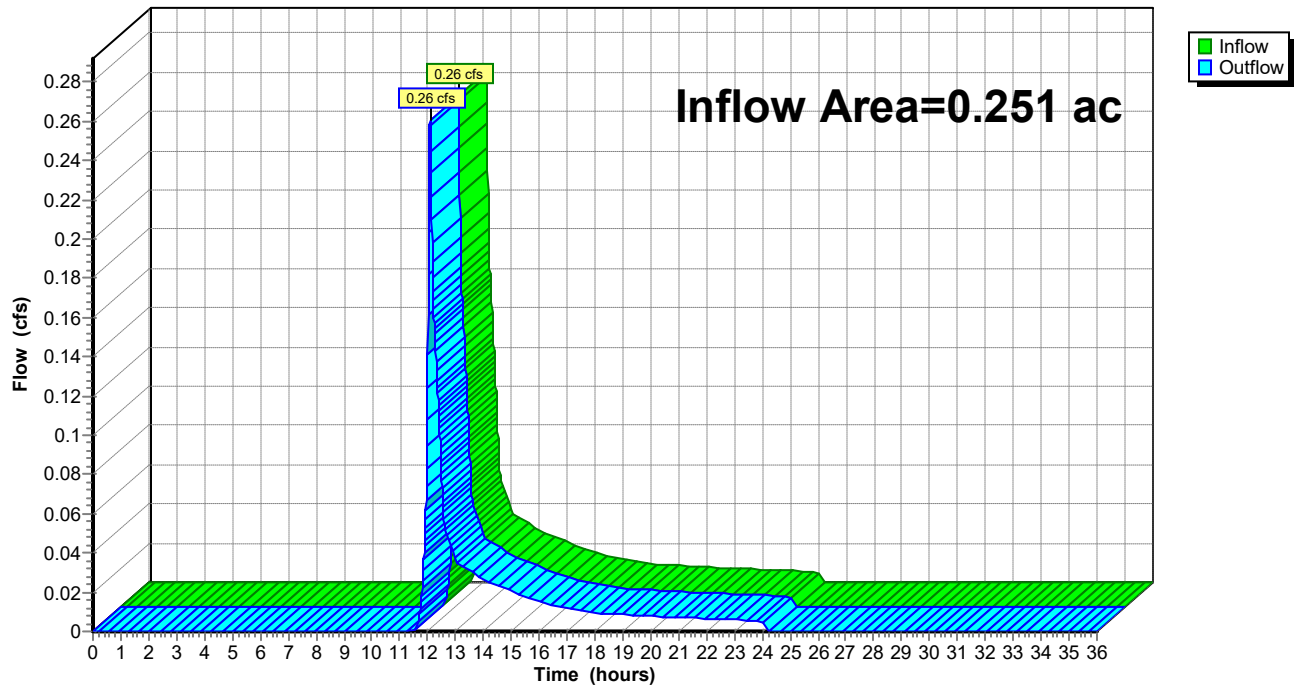
Hydrograph



**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 29.78% Impervious, Inflow Depth = 1.01" for 10-year event  
Inflow = 0.26 cfs @ 12.09 hrs, Volume= 0.021 af  
Outflow = 0.26 cfs @ 12.09 hrs, Volume= 0.021 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs

**Reach 1R: POI#1****Hydrograph**



**Pre\_10-28-16**

*Type III 24-hr 25-year Rainfall=5.80"*

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Time span=0.00-36.00 hrs, dt=0.01 hrs, 3601 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: Subcat 1**

Runoff Area=10,935 sf 29.78% Impervious Runoff Depth=1.71"  
Flow Length=132' Tc=5.1 min CN=59 Runoff=0.48 cfs 0.036 af

**Reach 1R: POI#1**

Inflow=0.48 cfs 0.036 af  
Outflow=0.48 cfs 0.036 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.036 af Average Runoff Depth = 1.71"**  
**70.22% Pervious = 0.176 ac 29.78% Impervious = 0.075 ac**

**Summary for Subcatchment 1S: Subcat 1**

Runoff = 0.48 cfs @ 12.08 hrs, Volume= 0.036 af, Depth= 1.71"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs  
Type III 24-hr 25-year Rainfall=5.80"

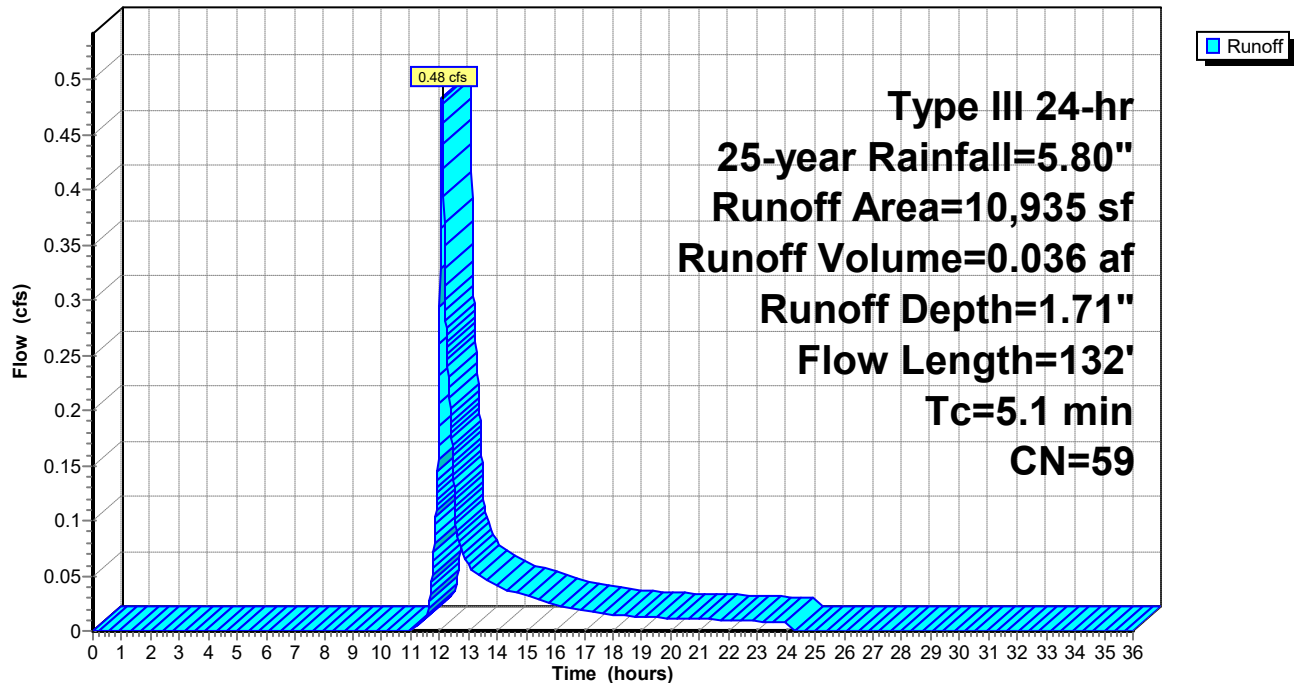
|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 2,039     | 98 | Roofs                          |
| * | 1,135     | 98 | sidewalk/pavement              |
| * | 82        | 98 | walls concrete pad             |
|   | 7,679     | 43 | Woods/grass comb., Fair, HSG A |
|   | 10,935    | 59 | Weighted Average               |
|   | 7,679     |    | 70.22% Pervious Area           |
|   | 3,256     |    | 29.78% Impervious Area         |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description                        |
|----------|---------------|---------------|-------------------|----------------|------------------------------------|
| 4.7      | 83            | 0.0843        | 0.29              |                | <b>Sheet Flow, A to B</b>          |
|          |               |               |                   |                | Grass: Short n= 0.150 P2= 3.27"    |
| 0.4      | 49            | 0.1000        | 2.30              |                | <b>Sheet Flow, B to C</b>          |
|          |               |               |                   |                | Smooth surfaces n= 0.011 P2= 3.27" |
| 5.1      | 132           | Total         |                   |                |                                    |

**Subcatchment 1S: Subcat 1**

Hydrograph



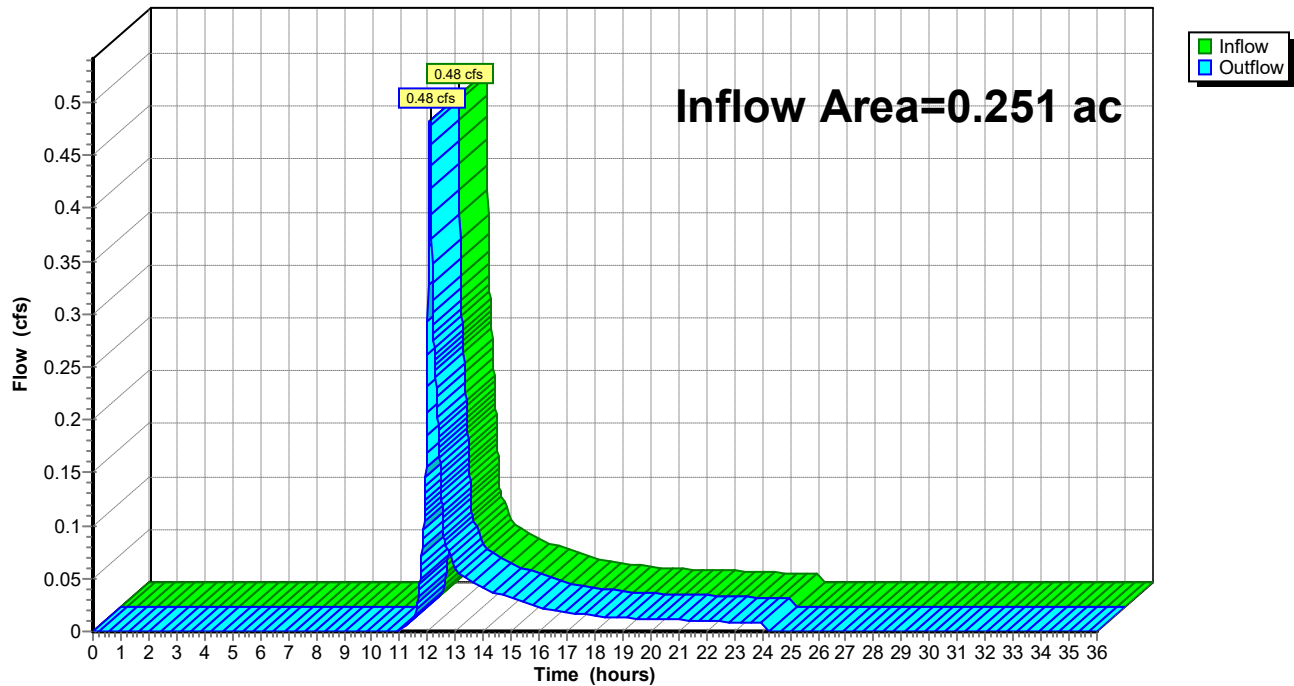
**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 29.78% Impervious, Inflow Depth = 1.71" for 25-year event  
Inflow = 0.48 cfs @ 12.08 hrs, Volume= 0.036 af  
Outflow = 0.48 cfs @ 12.08 hrs, Volume= 0.036 af, Atten= 0%, Lag= 0.0 min

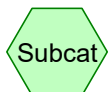
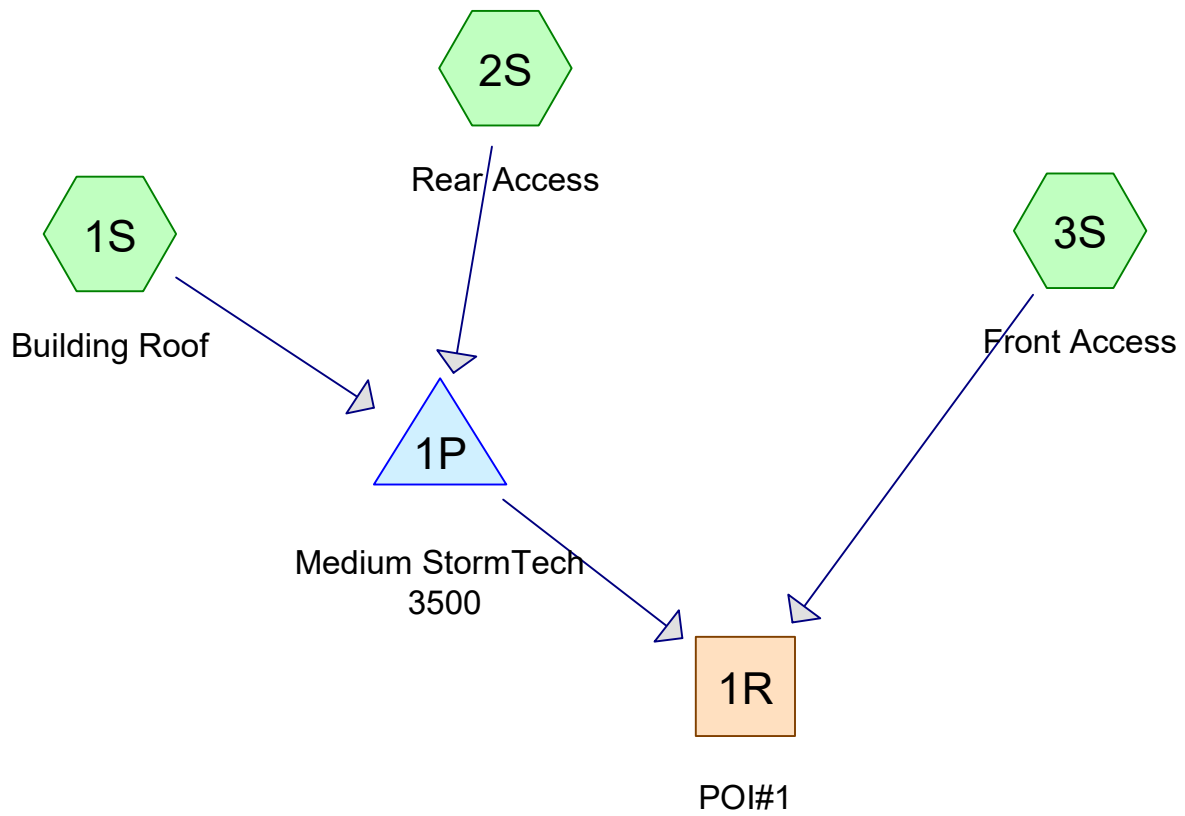
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**Reach 1R: POI#1**

Hydrograph



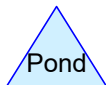




Subcat



Reach



Pond



Link

**Routing Diagram for Post\_2-8-17**

Prepared by Acorn\_Trial, Printed 2/9/2017

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**Area Listing (all nodes)**

| Area<br>(acres) | CN        | Description<br>(subcatchment-numbers)   |
|-----------------|-----------|-----------------------------------------|
| 0.001           | 98        | Brick (2S)                              |
| 0.030           | 98        | Driveway (2S)                           |
| 0.019           | 98        | Driveway, Sidewalks, Walls, etc (3S)    |
| 0.144           | 98        | Roofs, HSG A (1S)                       |
| 0.001           | 98        | Wall (2S)                               |
| 0.057           | 32        | Woods/grass comb., Good, HSG A (2S, 3S) |
| <b>0.251</b>    | <b>83</b> | <b>TOTAL AREA</b>                       |

**Soil Listing (all nodes)**

| Area<br>(acres) | Soil<br>Group | Subcatchment<br>Numbers |
|-----------------|---------------|-------------------------|
| 0.201           | HSG A         | 1S, 2S, 3S              |
| 0.000           | HSG B         |                         |
| 0.000           | HSG C         |                         |
| 0.000           | HSG D         |                         |
| 0.050           | Other         | 2S, 3S                  |
| <b>0.251</b>    |               | <b>TOTAL AREA</b>       |



**Post\_2-8-17**

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**Ground Covers (all nodes)**

| HSG-A<br>(acres) | HSG-B<br>(acres) | HSG-C<br>(acres) | HSG-D<br>(acres) | Other<br>(acres) | Total<br>(acres) | Ground<br>Cover                 | Subcatchment<br>Numbers |
|------------------|------------------|------------------|------------------|------------------|------------------|---------------------------------|-------------------------|
| 0.000            | 0.000            | 0.000            | 0.000            | 0.001            | 0.001            | Brick                           | 2S                      |
| 0.000            | 0.000            | 0.000            | 0.000            | 0.030            | 0.030            | Driveway                        | 2S                      |
| 0.000            | 0.000            | 0.000            | 0.000            | 0.019            | 0.019            | Driveway, Sidewalks, Walls, etc | 3S                      |
| 0.144            | 0.000            | 0.000            | 0.000            | 0.000            | 0.144            | Roofs                           | 1S                      |
| 0.000            | 0.000            | 0.000            | 0.000            | 0.001            | 0.001            | Wall                            | 2S                      |
| 0.057            | 0.000            | 0.000            | 0.000            | 0.000            | 0.057            | Woods/grass comb., Good         | 2S                      |
|                  |                  |                  |                  |                  |                  |                                 | ,                       |
|                  |                  |                  |                  |                  |                  |                                 | 3S                      |
| <b>0.201</b>     | <b>0.000</b>     | <b>0.000</b>     | <b>0.000</b>     | <b>0.050</b>     | <b>0.251</b>     | <b>TOTAL AREA</b>               |                         |

**Post\_2-8-17**

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**Pipe Listing (all nodes)**

| Line# | Node<br>Number | In-Invert<br>(feet) | Out-Invert<br>(feet) | Length<br>(feet) | Slope<br>(ft/ft) | n     | Diam/Width<br>(inches) | Height<br>(inches) | Inside-Fill<br>(inches) |
|-------|----------------|---------------------|----------------------|------------------|------------------|-------|------------------------|--------------------|-------------------------|
| 1     | 1P             | 50.60               | 40.00                | 125.0            | 0.0848           | 0.010 | 8.0                    | 0.0                | 0.0                     |

**Post\_2-8-17**

*Type III 24-hr 2-year Rainfall=3.10"*

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Time span=0.00-48.00 hrs, dt=0.001 hrs, 48001 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: Building Roof**

Runoff Area=6,264 sf 100.00% Impervious Runoff Depth=2.87"  
Tc=5.0 min CN=98 Runoff=0.45 cfs 0.034 af

**Subcatchment 2S: Rear Access**

Runoff Area=2,419 sf 55.68% Impervious Runoff Depth=0.72"  
Tc=5.0 min CN=69 Runoff=0.04 cfs 0.003 af

**Subcatchment 3S: Front Access**

Runoff Area=2,252 sf 36.50% Impervious Runoff Depth=0.25"  
Tc=5.0 min CN=56 Runoff=0.01 cfs 0.001 af

**Reach 1R: POI#1**

Inflow=0.14 cfs 0.039 af  
Outflow=0.14 cfs 0.039 af

**Pond 1P: Medium StormTech 3500**

Peak Elev=54.97' Storage=0.018 af Inflow=0.49 cfs 0.038 af  
Outflow=0.13 cfs 0.038 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.039 af Average Runoff Depth = 1.85"**  
**22.88% Pervious = 0.057 ac 77.12% Impervious = 0.194 ac**

**Summary for Subcatchment 1S: Building Roof**

Runoff = 0.45 cfs @ 12.07 hrs, Volume= 0.034 af, Depth= 2.87"

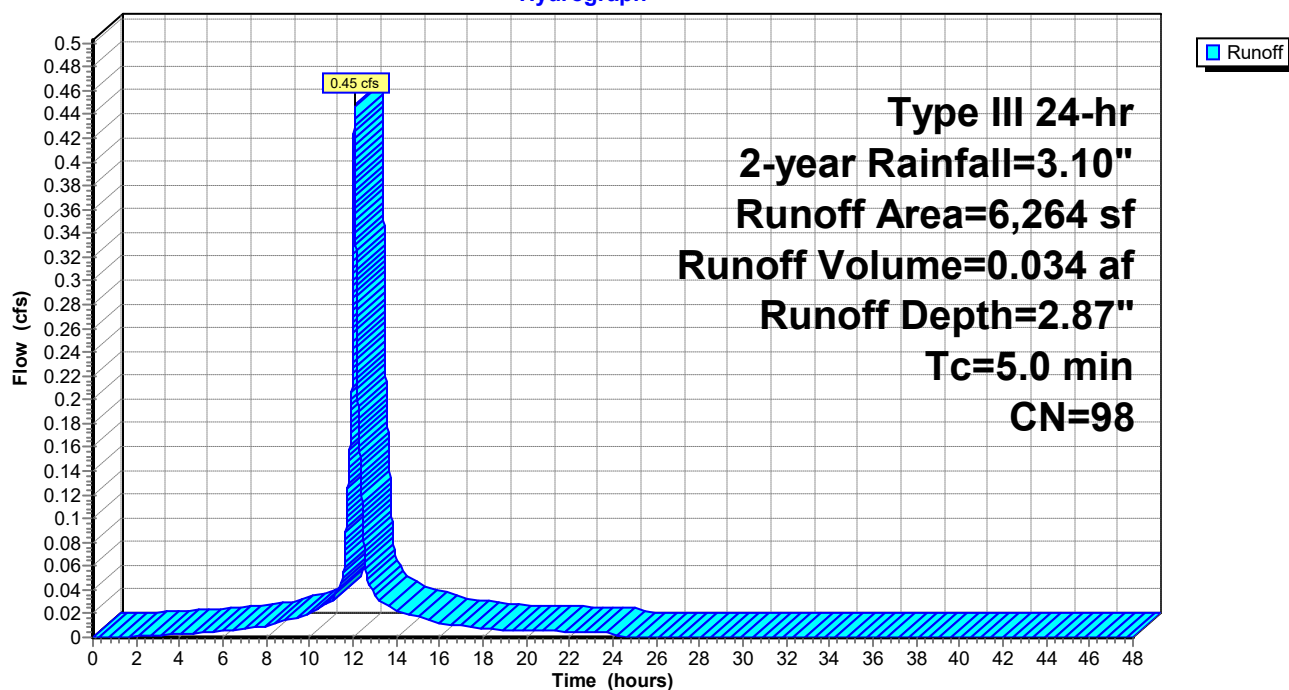
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 2-year Rainfall=3.10"

| Area (sf) | CN | Description             |
|-----------|----|-------------------------|
| 6,264     | 98 | Roofs, HSG A            |
| 6,264     |    | 100.00% Impervious Area |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 1S: Building Roof**

Hydrograph





Post\_2-8-17

Prepared by Acorn\_Trial

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Type III 24-hr 2-year Rainfall=3.10"

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### Summary for Subcatchment 2S: Rear Access

Runoff = 0.04 cfs @ 12.08 hrs, Volume= 0.003 af, Depth= 0.72"

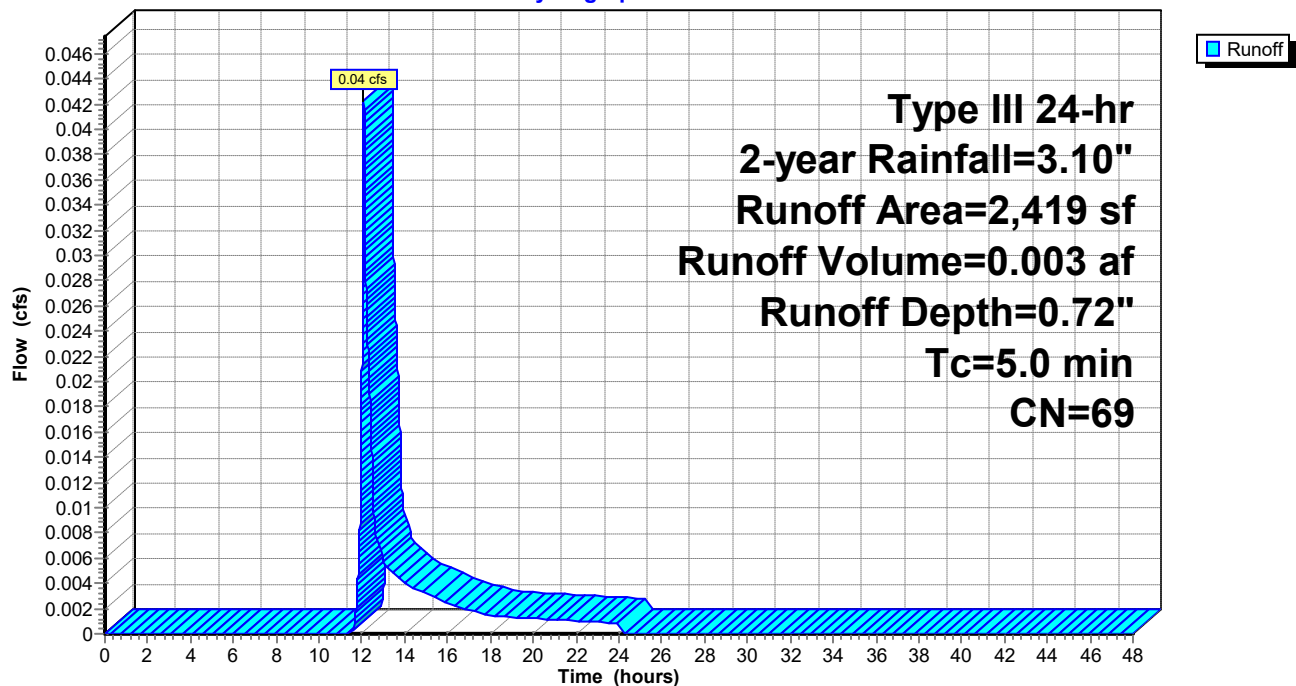
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 2-year Rainfall=3.10"

|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 1,295     | 98 | Driveway                       |
| * | 28        | 98 | Wall                           |
| * | 24        | 98 | Brick                          |
|   | 1,072     | 32 | Woods/grass comb., Good, HSG A |
|   | 2,419     | 69 | Weighted Average               |
|   | 1,072     |    | 44.32% Pervious Area           |
|   | 1,347     |    | 55.68% Impervious Area         |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

### Subcatchment 2S: Rear Access

Hydrograph



**Summary for Subcatchment 3S: Front Access**

Runoff = 0.01 cfs @ 12.31 hrs, Volume= 0.001 af, Depth= 0.25"

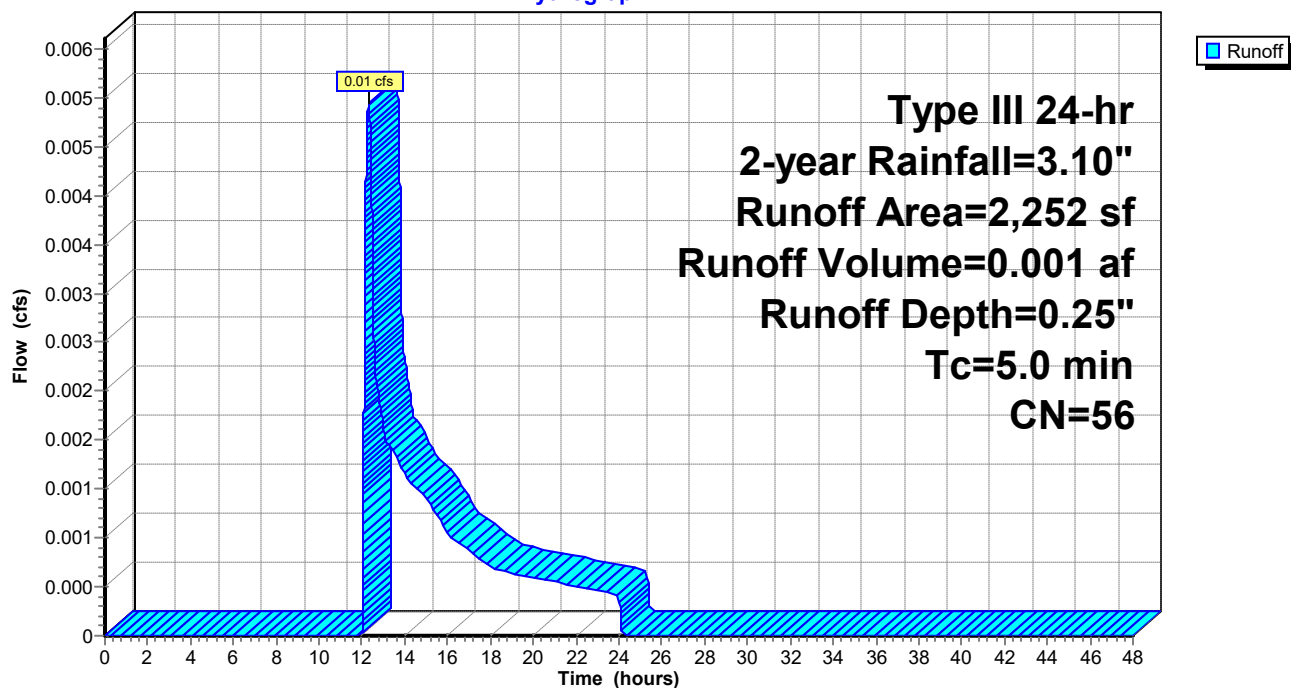
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 2-year Rainfall=3.10"

| Area (sf) | CN | Description                     |
|-----------|----|---------------------------------|
| * 822     | 98 | Driveway, Sidewalks, Walls, etc |
| 1,430     | 32 | Woods/grass comb., Good, HSG A  |
| 2,252     | 56 | Weighted Average                |
| 1,430     |    | 63.50% Pervious Area            |
| 822       |    | 36.50% Impervious Area          |

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

**Subcatchment 3S: Front Access**

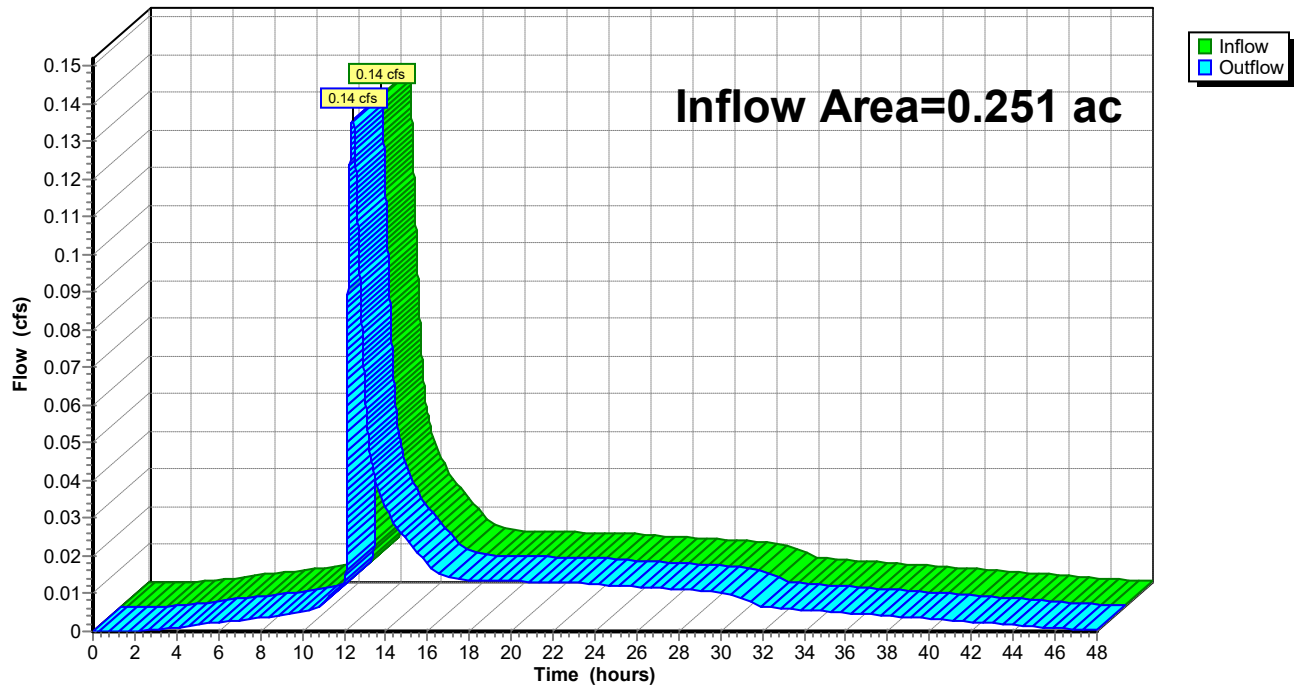
Hydrograph



**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 77.12% Impervious, Inflow Depth > 1.85" for 2-year event  
Inflow = 0.14 cfs @ 12.41 hrs, Volume= 0.039 af  
Outflow = 0.14 cfs @ 12.41 hrs, Volume= 0.039 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs

**Reach 1R: POI#1****Hydrograph**

**Summary for Pond 1P: Medium StormTech 3500**

Inflow Area = 0.199 ac, 87.65% Impervious, Inflow Depth = 2.27" for 2-year event  
 Inflow = 0.49 cfs @ 12.07 hrs, Volume= 0.038 af  
 Outflow = 0.13 cfs @ 12.42 hrs, Volume= 0.038 af, Atten= 73%, Lag= 21.0 min  
 Primary = 0.13 cfs @ 12.42 hrs, Volume= 0.038 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
 Peak Elev= 54.97' @ 12.42 hrs Surf.Area= 0.034 ac Storage= 0.018 af

Plug-Flow detention time= 438.6 min calculated for 0.038 af (100% of inflow)  
 Center-of-Mass det. time= 437.0 min ( 1,204.2 - 767.2 )

| Volume | Invert | Avail.Storage | Storage Description                                                                                                                                                                                                                                       |
|--------|--------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | 53.21' | 0.016 af      | <b>8.42'W x 58.14'L x 5.00'H Stone</b><br>0.056 af Overall - 0.017 af Embedded = 0.040 af x 40.0% Voids                                                                                                                                                   |
| #2     | 53.96' | 0.017 af      | <b>ADS_StormTech MC-3500 d +Cap</b> x 6 Inside #1<br>Effective Size= 70.4"W x 45.0"H => 15.33 sf x 7.17'L = 110.0 cf<br>Overall Size= 77.0"W x 45.0"H x 7.50'L with 0.33' Overlap<br>2 Rows of 3 Chambers<br>Cap Storage= +14.9 cf x 2 x 2 rows = 59.6 cf |
| #3     | 51.71' | 0.001 af      | <b>8.42'W x 58.14'L x 1.50'H Sand</b><br>0.017 af Overall x 5.0% Voids                                                                                                                                                                                    |
| #4     | 50.71' | 0.004 af      | <b>8.42'W x 58.14'L x 1.00'H Crushed Stone</b><br>0.011 af Overall - 0.000 af Embedded = 0.011 af x 40.0% Voids                                                                                                                                           |
| #5     | 51.04' | 0.000 af      | <b>4.0" Round Underdrain Storage</b> Inside #4<br>L= 58.0'                                                                                                                                                                                                |
| #6     | 52.13' | 0.002 af      | <b>4.00'D x 8.12'H Catch Basin</b>                                                                                                                                                                                                                        |
|        |        | 0.040 af      | Total Available Storage                                                                                                                                                                                                                                   |

| Device | Routing  | Invert | Outlet Devices                                                                                                                                                                                                       |
|--------|----------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | Primary  | 50.60' | <b>8.0" Round Culvert</b><br>L= 125.0' CMP, projecting, no headwall, Ke= 0.900<br>Inlet / Outlet Invert= 50.60' / 40.00' S= 0.0848 '/' Cc= 0.900<br>n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf                |
| #2     | Device 1 | 50.70' | <b>0.5" Vert. Vert Water Quality</b> C= 0.600                                                                                                                                                                        |
| #3     | Device 1 | 54.60' | <b>3.0" Vert. Vert Quantity</b> C= 0.600                                                                                                                                                                             |
| #4     | Device 1 | 58.00' | <b>6.0' long x 0.7' breadth Broad-Crested Rectangular Weir</b><br>Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00<br>2.50<br>Coef. (English) 2.76 2.82 2.93 3.09 3.18 3.22 3.27 3.30 3.32<br>3.31 3.32 |

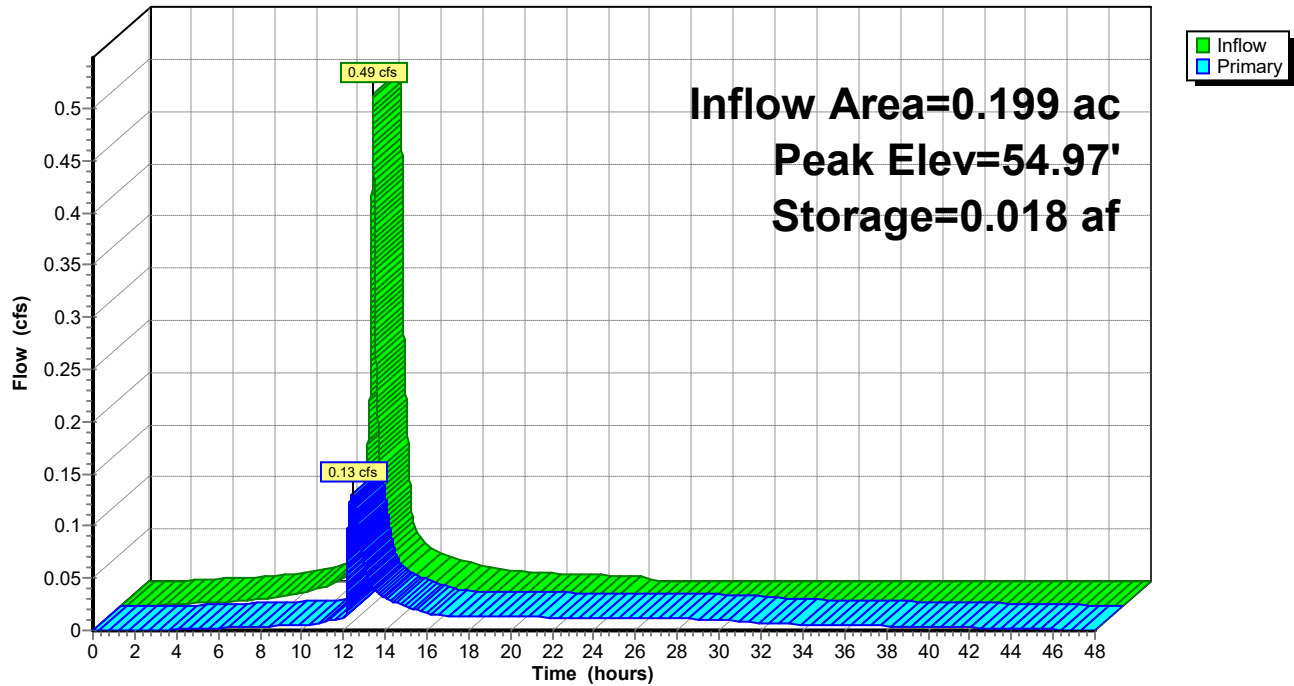
**Primary OutFlow** Max=0.13 cfs @ 12.42 hrs HW=54.97' (Free Discharge)

- 1=Culvert (Passes 0.13 cfs of 2.67 cfs potential flow)
- 2=Vert Water Quality (Orifice Controls 0.01 cfs @ 9.93 fps)
- 3=Vert Quantity (Orifice Controls 0.12 cfs @ 2.39 fps)
- 4=Broad-Crested Rectangular Weir ( Controls 0.00 cfs)



**Pond 1P: Medium StormTech 3500**

Hydrograph



**Post\_2-8-17**

*Type III 24-hr 10-year Rainfall=4.60"*

Prepared by Acorn\_Trial

Printed 2/9/2017

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Time span=0.00-48.00 hrs, dt=0.001 hrs, 48001 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: Building Roof**

Runoff Area=6,264 sf 100.00% Impervious Runoff Depth=4.36"  
Tc=5.0 min CN=98 Runoff=0.67 cfs 0.052 af

**Subcatchment 2S: Rear Access**

Runoff Area=2,419 sf 55.68% Impervious Runoff Depth=1.67"  
Tc=5.0 min CN=69 Runoff=0.11 cfs 0.008 af

**Subcatchment 3S: Front Access**

Runoff Area=2,252 sf 36.50% Impervious Runoff Depth=0.84"  
Tc=5.0 min CN=56 Runoff=0.04 cfs 0.004 af

**Reach 1R: POI#1**

Inflow=0.29 cfs 0.063 af  
Outflow=0.29 cfs 0.063 af

**Pond 1P: Medium StormTech 3500**

Peak Elev=55.85' Storage=0.025 af Inflow=0.78 cfs 0.060 af  
Outflow=0.27 cfs 0.060 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.064 af Average Runoff Depth = 3.04"**  
**22.88% Pervious = 0.057 ac 77.12% Impervious = 0.194 ac**

**Summary for Subcatchment 1S: Building Roof**

Runoff = 0.67 cfs @ 12.07 hrs, Volume= 0.052 af, Depth= 4.36"

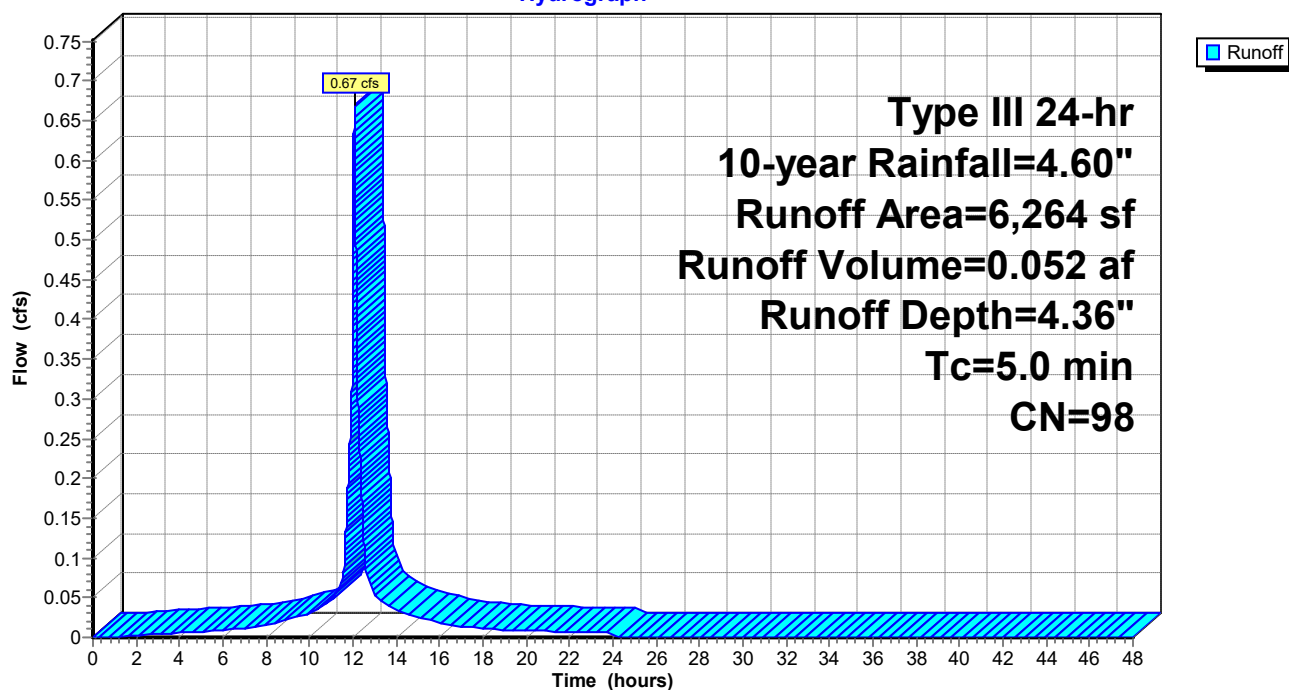
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 10-year Rainfall=4.60"

| Area (sf) | CN | Description             |
|-----------|----|-------------------------|
| 6,264     | 98 | Roofs, HSG A            |
| 6,264     |    | 100.00% Impervious Area |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 1S: Building Roof**

Hydrograph



**Summary for Subcatchment 2S: Rear Access**

Runoff = 0.11 cfs @ 12.08 hrs, Volume= 0.008 af, Depth= 1.67"

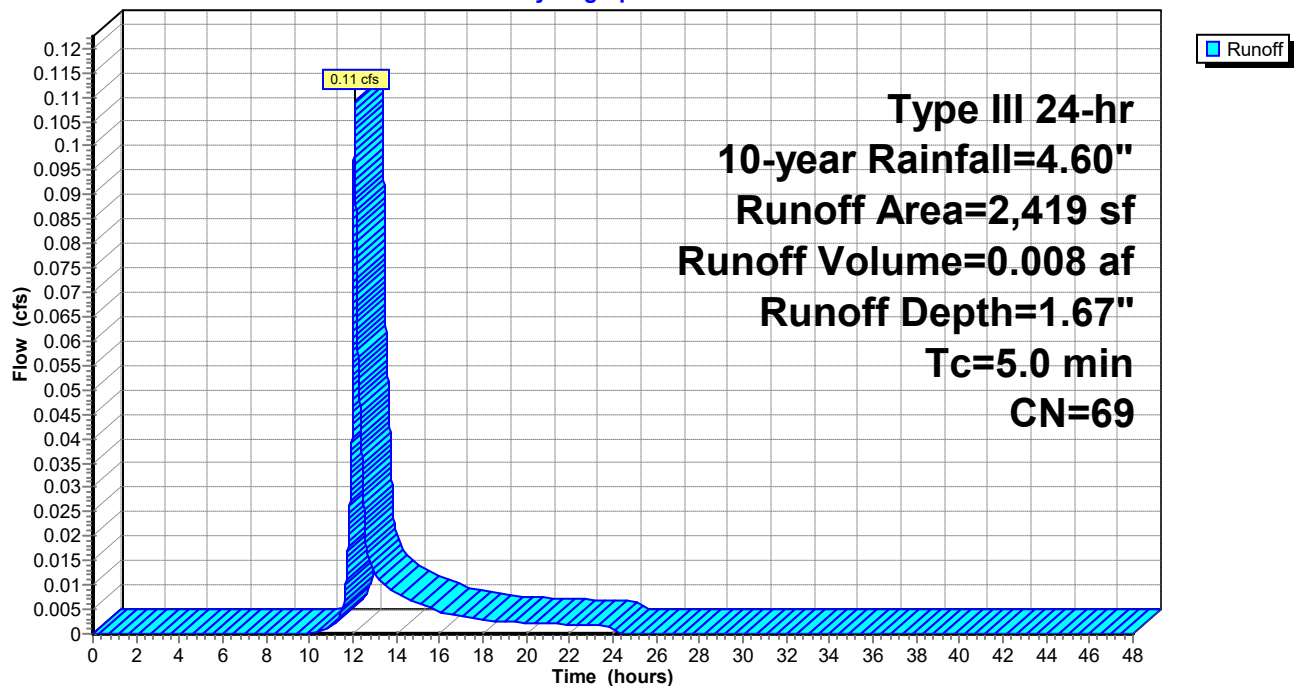
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 10-year Rainfall=4.60"

|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 1,295     | 98 | Driveway                       |
| * | 28        | 98 | Wall                           |
| * | 24        | 98 | Brick                          |
|   | 1,072     | 32 | Woods/grass comb., Good, HSG A |
|   | 2,419     | 69 | Weighted Average               |
|   | 1,072     |    | 44.32% Pervious Area           |
|   | 1,347     |    | 55.68% Impervious Area         |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 2S: Rear Access**

Hydrograph





**Summary for Subcatchment 3S: Front Access**

Runoff = 0.04 cfs @ 12.09 hrs, Volume= 0.004 af, Depth= 0.84"

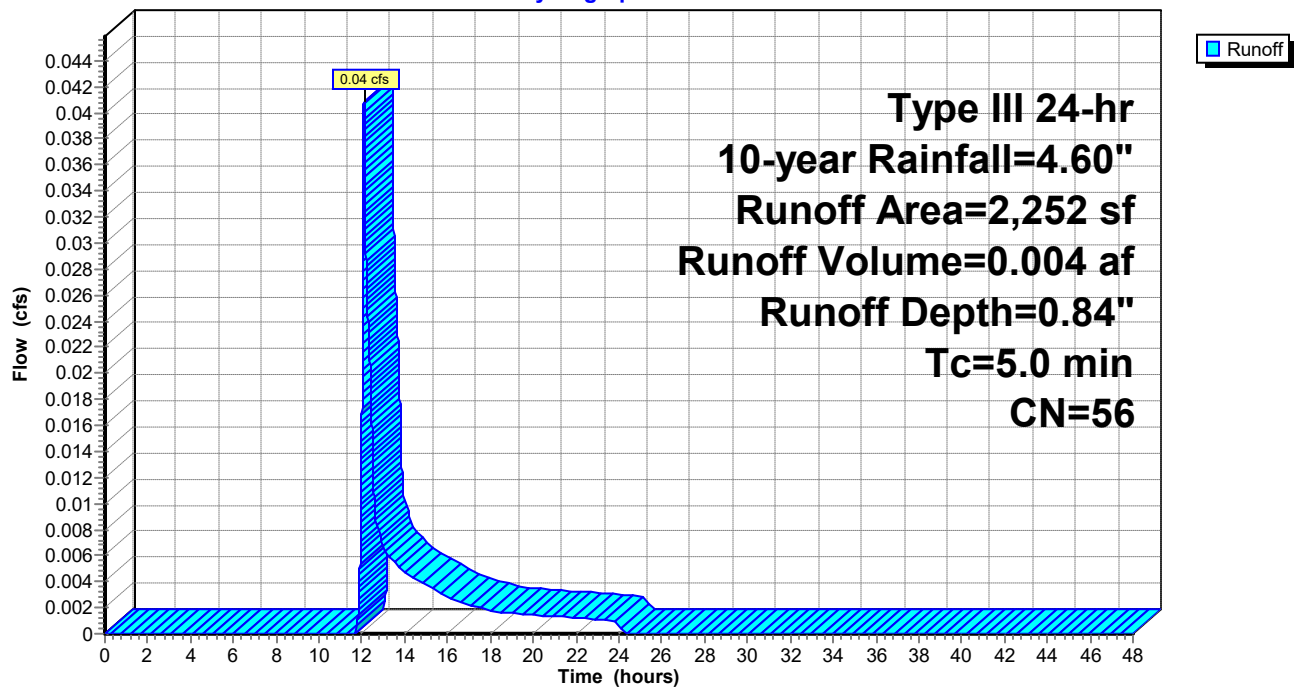
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 10-year Rainfall=4.60"

|   | Area (sf) | CN | Description                     |
|---|-----------|----|---------------------------------|
| * | 822       | 98 | Driveway, Sidewalks, Walls, etc |
|   | 1,430     | 32 | Woods/grass comb., Good, HSG A  |
|   | 2,252     | 56 | Weighted Average                |
|   | 1,430     |    | 63.50% Pervious Area            |
|   | 822       |    | 36.50% Impervious Area          |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 3S: Front Access**

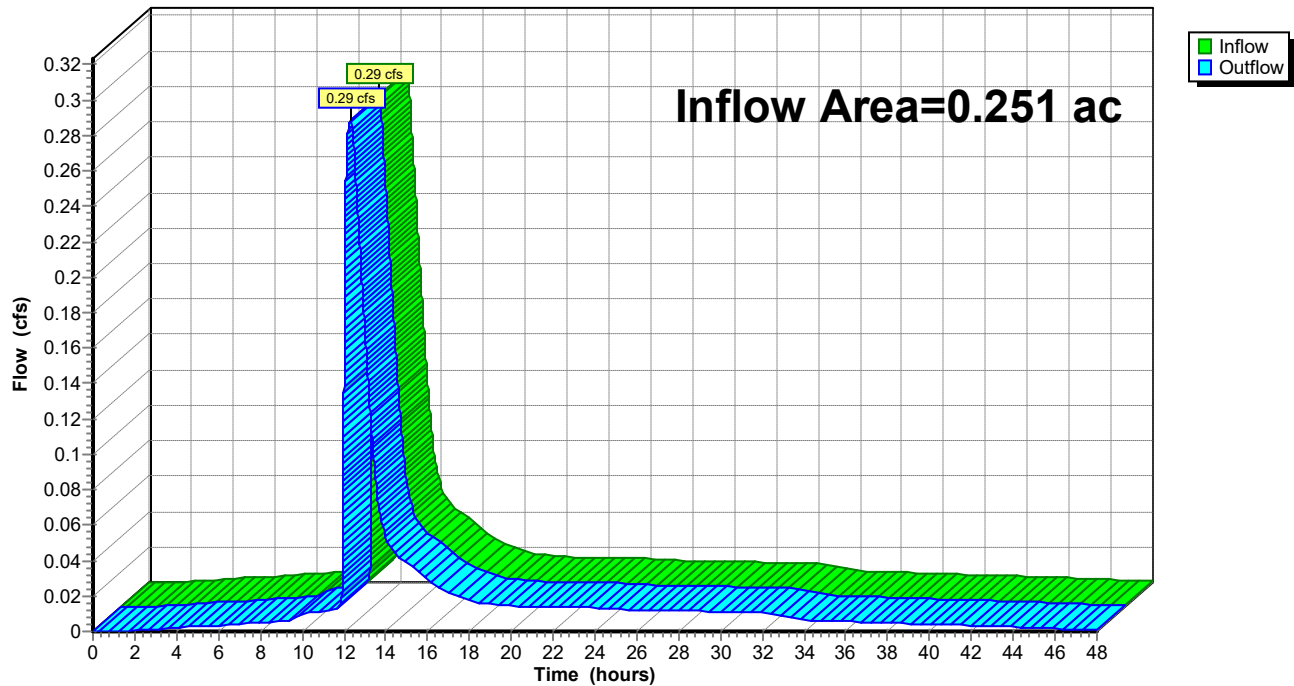
Hydrograph



**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 77.12% Impervious, Inflow Depth > 3.03" for 10-year event  
Inflow = 0.29 cfs @ 12.29 hrs, Volume= 0.063 af  
Outflow = 0.29 cfs @ 12.29 hrs, Volume= 0.063 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs

**Reach 1R: POI#1****Hydrograph**

**Summary for Pond 1P: Medium StormTech 3500**

Inflow Area = 0.199 ac, 87.65% Impervious, Inflow Depth = 3.61" for 10-year event  
 Inflow = 0.78 cfs @ 12.07 hrs, Volume= 0.060 af  
 Outflow = 0.27 cfs @ 12.34 hrs, Volume= 0.060 af, Atten= 66%, Lag= 15.8 min  
 Primary = 0.27 cfs @ 12.34 hrs, Volume= 0.060 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
 Peak Elev= 55.85' @ 12.34 hrs Surf.Area= 0.034 ac Storage= 0.025 af

Plug-Flow detention time= 326.2 min calculated for 0.060 af (100% of inflow)  
 Center-of-Mass det. time= 324.2 min ( 1,086.3 - 762.1 )

| Volume | Invert | Avail.Storage | Storage Description                                                                                                                                                                                                                                       |
|--------|--------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | 53.21' | 0.016 af      | <b>8.42'W x 58.14'L x 5.00'H Stone</b><br>0.056 af Overall - 0.017 af Embedded = 0.040 af x 40.0% Voids                                                                                                                                                   |
| #2     | 53.96' | 0.017 af      | <b>ADS_StormTech MC-3500 d +Cap</b> x 6 Inside #1<br>Effective Size= 70.4"W x 45.0"H => 15.33 sf x 7.17'L = 110.0 cf<br>Overall Size= 77.0"W x 45.0"H x 7.50'L with 0.33' Overlap<br>2 Rows of 3 Chambers<br>Cap Storage= +14.9 cf x 2 x 2 rows = 59.6 cf |
| #3     | 51.71' | 0.001 af      | <b>8.42'W x 58.14'L x 1.50'H Sand</b><br>0.017 af Overall x 5.0% Voids                                                                                                                                                                                    |
| #4     | 50.71' | 0.004 af      | <b>8.42'W x 58.14'L x 1.00'H Crushed Stone</b><br>0.011 af Overall - 0.000 af Embedded = 0.011 af x 40.0% Voids                                                                                                                                           |
| #5     | 51.04' | 0.000 af      | <b>4.0" Round Underdrain Storage</b> Inside #4<br>L= 58.0'                                                                                                                                                                                                |
| #6     | 52.13' | 0.002 af      | <b>4.00'D x 8.12'H Catch Basin</b>                                                                                                                                                                                                                        |
|        |        | 0.040 af      | Total Available Storage                                                                                                                                                                                                                                   |

| Device | Routing  | Invert | Outlet Devices                                                                                                                                                                                                       |
|--------|----------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | Primary  | 50.60' | <b>8.0" Round Culvert</b><br>L= 125.0' CMP, projecting, no headwall, Ke= 0.900<br>Inlet / Outlet Invert= 50.60' / 40.00' S= 0.0848 '/' Cc= 0.900<br>n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf                |
| #2     | Device 1 | 50.70' | <b>0.5" Vert. Vert Water Quality</b> C= 0.600                                                                                                                                                                        |
| #3     | Device 1 | 54.60' | <b>3.0" Vert. Vert Quantity</b> C= 0.600                                                                                                                                                                             |
| #4     | Device 1 | 58.00' | <b>6.0' long x 0.7' breadth Broad-Crested Rectangular Weir</b><br>Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00<br>2.50<br>Coef. (English) 2.76 2.82 2.93 3.09 3.18 3.22 3.27 3.30 3.32<br>3.31 3.32 |

**Primary OutFlow** Max=0.27 cfs @ 12.34 hrs HW=55.85' (Free Discharge)

- 1=Culvert (Passes 0.27 cfs of 2.94 cfs potential flow)
- 2=Vert Water Quality (Orifice Controls 0.01 cfs @ 10.91 fps)
- 3=Vert Quantity (Orifice Controls 0.25 cfs @ 5.11 fps)
- 4=Broad-Crested Rectangular Weir ( Controls 0.00 cfs)

Post\_2-8-17

Prepared by Acorn\_Trial

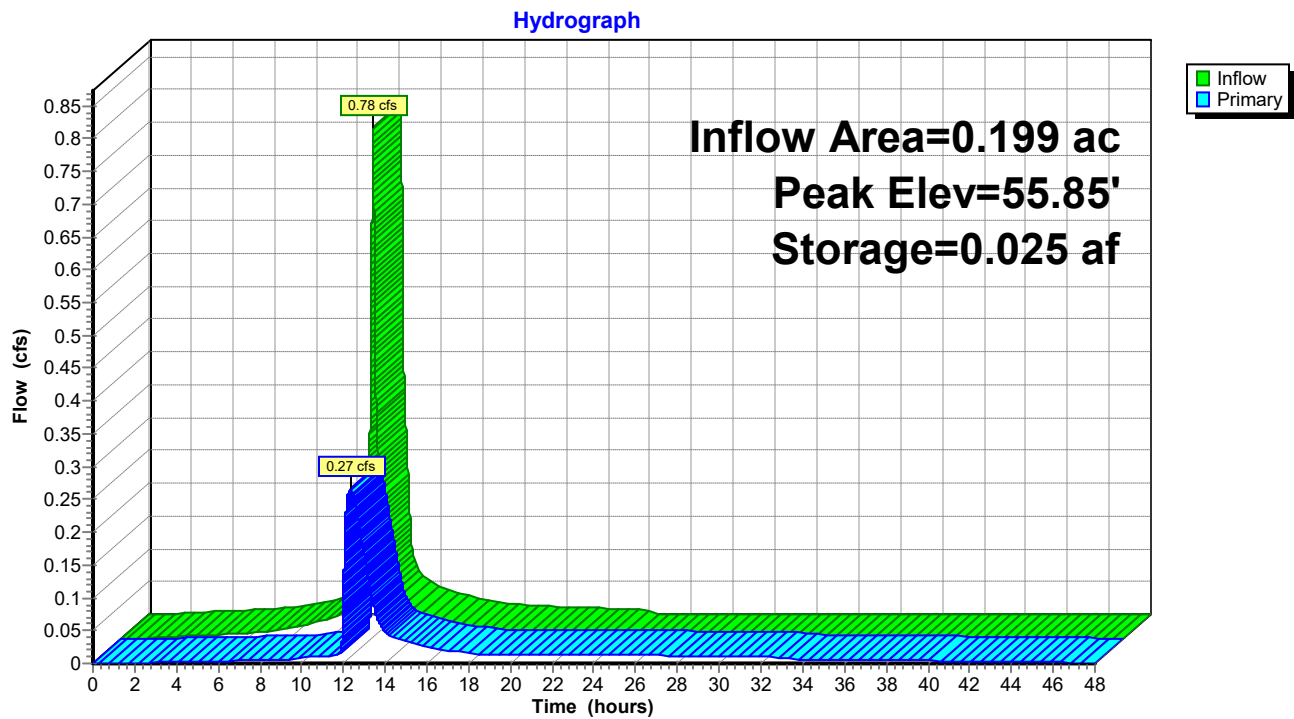
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Type III 24-hr 10-year Rainfall=4.60"

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### Pond 1P: Medium StormTech 3500





**Post\_2-8-17**

*Type III 24-hr 25-year Rainfall=5.80"*

Prepared by Acorn\_Trial

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Time span=0.00-48.00 hrs, dt=0.001 hrs, 48001 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: Building Roof**

Runoff Area=6,264 sf 100.00% Impervious Runoff Depth=5.56"  
Tc=5.0 min CN=98 Runoff=0.85 cfs 0.067 af

**Subcatchment 2S: Rear Access**

Runoff Area=2,419 sf 55.68% Impervious Runoff Depth=2.56"  
Tc=5.0 min CN=69 Runoff=0.17 cfs 0.012 af

**Subcatchment 3S: Front Access**

Runoff Area=2,252 sf 36.50% Impervious Runoff Depth=1.48"  
Tc=5.0 min CN=56 Runoff=0.08 cfs 0.006 af

**Reach 1R: POI#1**

Inflow=0.39 cfs 0.085 af  
Outflow=0.39 cfs 0.085 af

**Pond 1P: Medium StormTech 3500**

Peak Elev=56.65' Storage=0.031 af Inflow=1.02 cfs 0.078 af  
Outflow=0.34 cfs 0.078 af

**Total Runoff Area = 0.251 ac Runoff Volume = 0.085 af Average Runoff Depth = 4.06"**  
**22.88% Pervious = 0.057 ac 77.12% Impervious = 0.194 ac**

**Summary for Subcatchment 1S: Building Roof**

Runoff = 0.85 cfs @ 12.07 hrs, Volume= 0.067 af, Depth= 5.56"

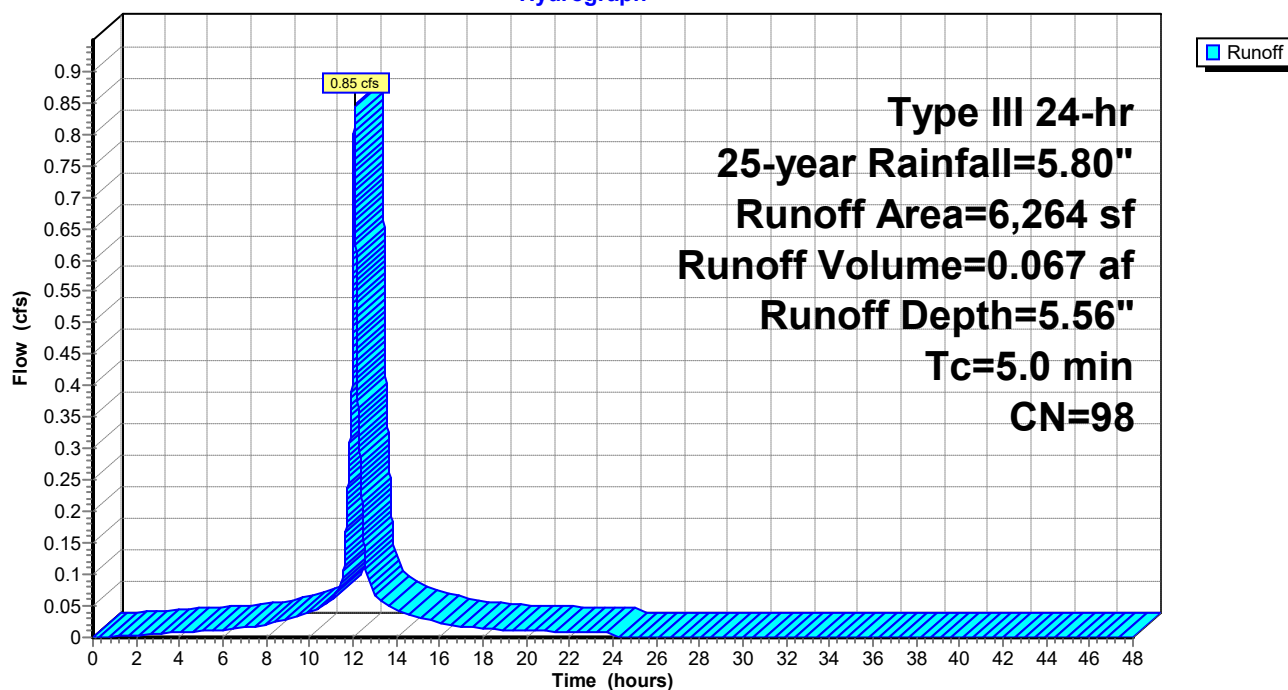
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 25-year Rainfall=5.80"

| Area (sf) | CN | Description             |
|-----------|----|-------------------------|
| 6,264     | 98 | Roofs, HSG A            |
| 6,264     |    | 100.00% Impervious Area |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 1S: Building Roof**

Hydrograph



**Summary for Subcatchment 2S: Rear Access**

Runoff = 0.17 cfs @ 12.08 hrs, Volume= 0.012 af, Depth= 2.56"

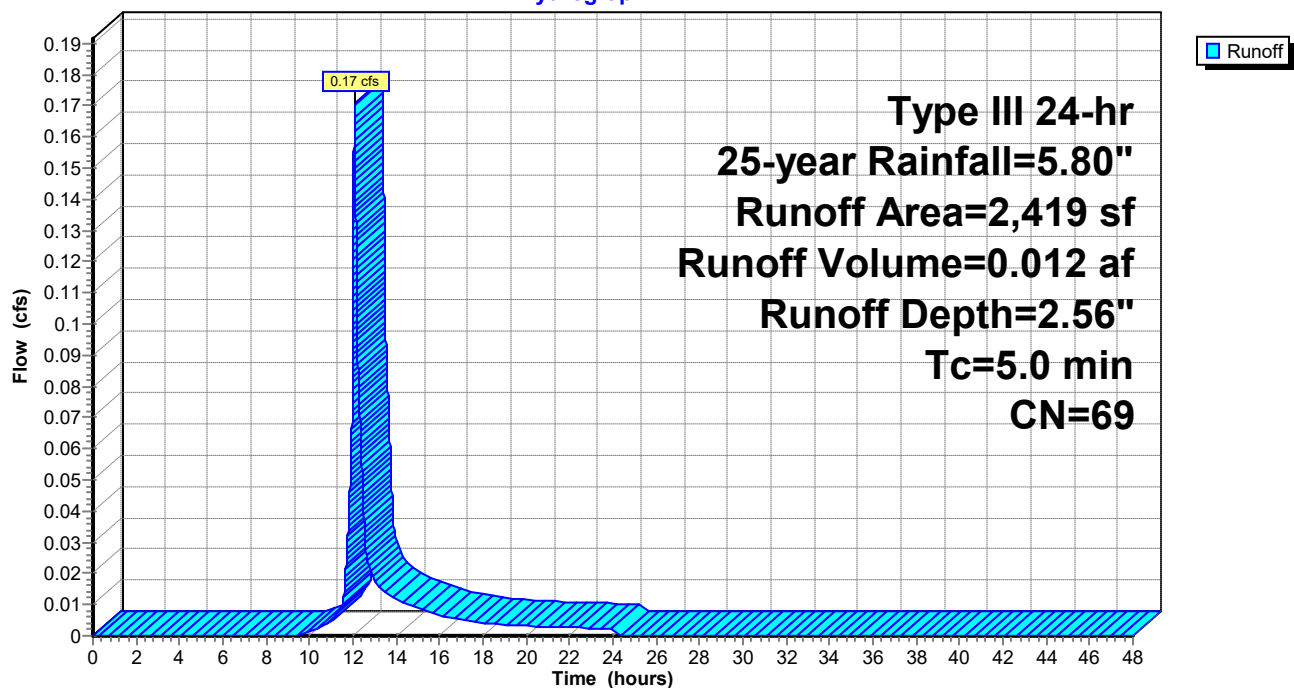
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 25-year Rainfall=5.80"

|   | Area (sf) | CN | Description                    |
|---|-----------|----|--------------------------------|
| * | 1,295     | 98 | Driveway                       |
| * | 28        | 98 | Wall                           |
| * | 24        | 98 | Brick                          |
|   | 1,072     | 32 | Woods/grass comb., Good, HSG A |
|   | 2,419     | 69 | Weighted Average               |
|   | 1,072     |    | 44.32% Pervious Area           |
|   | 1,347     |    | 55.68% Impervious Area         |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 2S: Rear Access**

Hydrograph



**Summary for Subcatchment 3S: Front Access**

Runoff = 0.08 cfs @ 12.08 hrs, Volume= 0.006 af, Depth= 1.48"

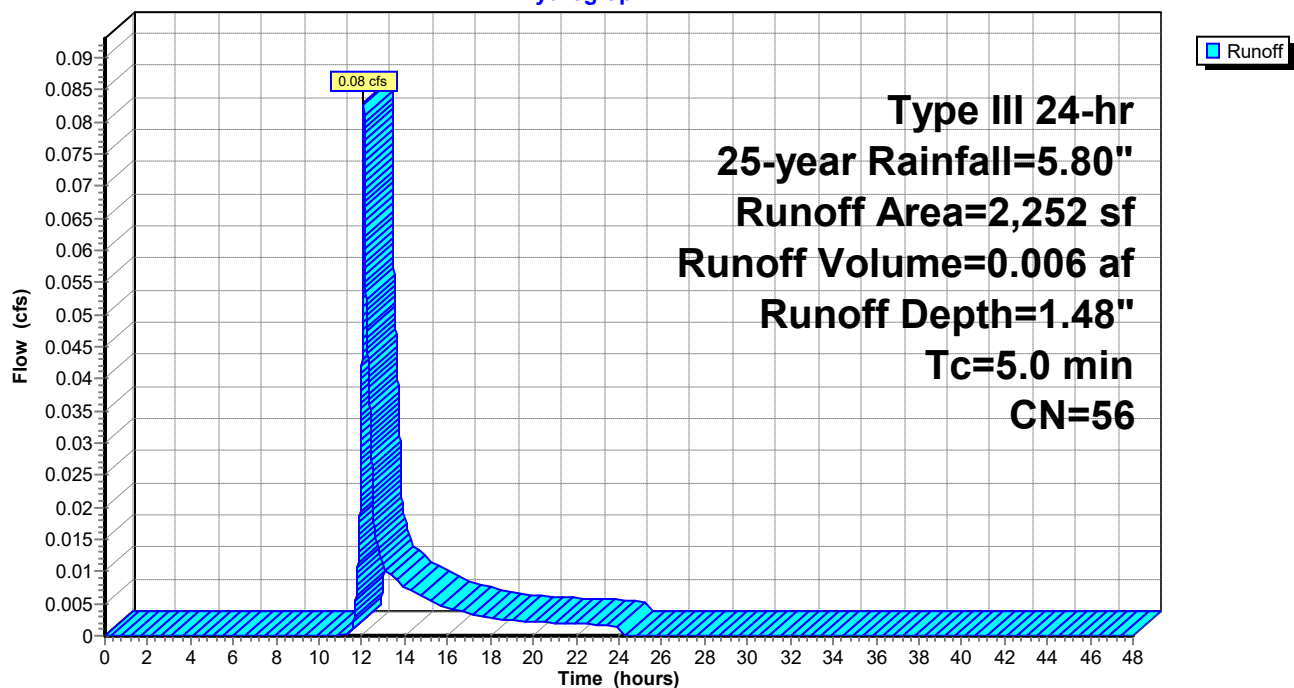
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
Type III 24-hr 25-year Rainfall=5.80"

|   | Area (sf) | CN | Description                     |
|---|-----------|----|---------------------------------|
| * | 822       | 98 | Driveway, Sidewalks, Walls, etc |
|   | 1,430     | 32 | Woods/grass comb., Good, HSG A  |
|   | 2,252     | 56 | Weighted Average                |
|   | 1,430     |    | 63.50% Pervious Area            |
|   | 822       |    | 36.50% Impervious Area          |

| Tc<br>(min) | Length<br>(feet) | Slope<br>(ft/ft) | Velocity<br>(ft/sec) | Capacity<br>(cfs) | Description   |
|-------------|------------------|------------------|----------------------|-------------------|---------------|
| 5.0         |                  |                  |                      |                   | Direct Entry, |

**Subcatchment 3S: Front Access**

Hydrograph

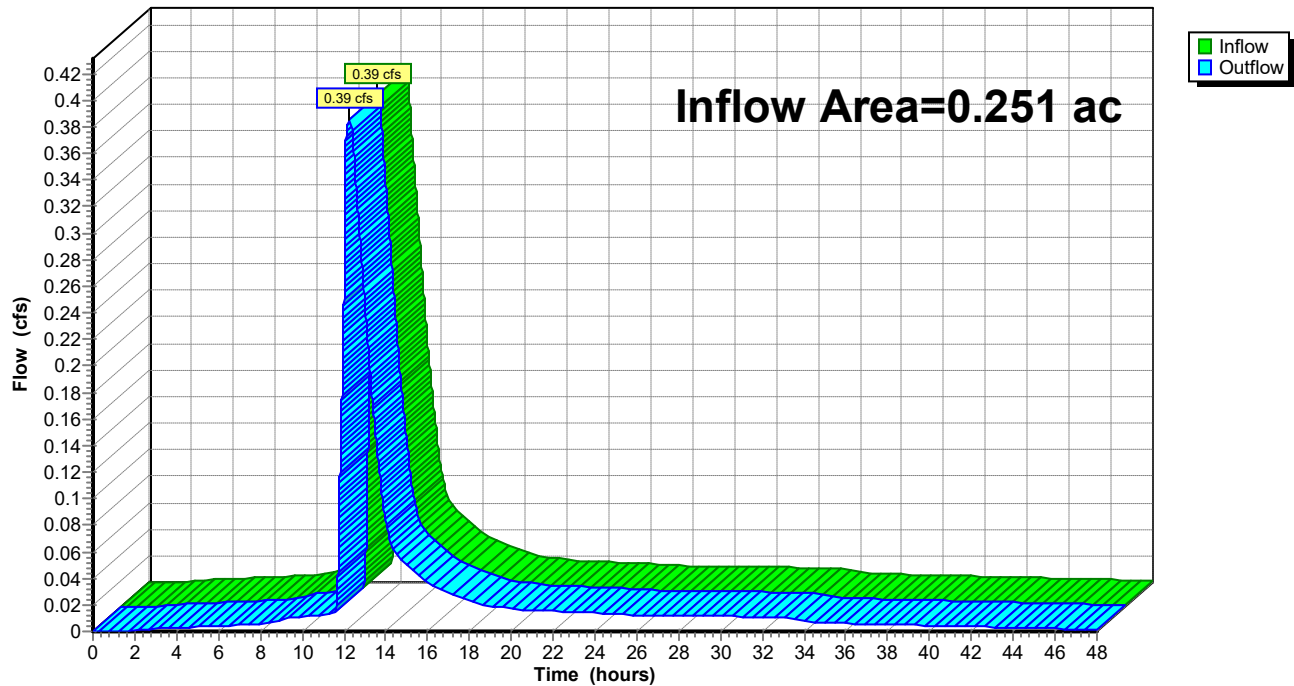




**Summary for Reach 1R: POI#1**

Inflow Area = 0.251 ac, 77.12% Impervious, Inflow Depth > 4.04" for 25-year event  
Inflow = 0.39 cfs @ 12.26 hrs, Volume= 0.085 af  
Outflow = 0.39 cfs @ 12.26 hrs, Volume= 0.085 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs

**Reach 1R: POI#1****Hydrograph**

**Summary for Pond 1P: Medium StormTech 3500**

Inflow Area = 0.199 ac, 87.65% Impervious, Inflow Depth = 4.72" for 25-year event  
 Inflow = 1.02 cfs @ 12.07 hrs, Volume= 0.078 af  
 Outflow = 0.34 cfs @ 12.34 hrs, Volume= 0.078 af, Atten= 66%, Lag= 16.0 min  
 Primary = 0.34 cfs @ 12.34 hrs, Volume= 0.078 af

Routing by Stor-Ind method, Time Span= 0.00-48.00 hrs, dt= 0.001 hrs  
 Peak Elev= 56.65' @ 12.34 hrs Surf.Area= 0.034 ac Storage= 0.031 af

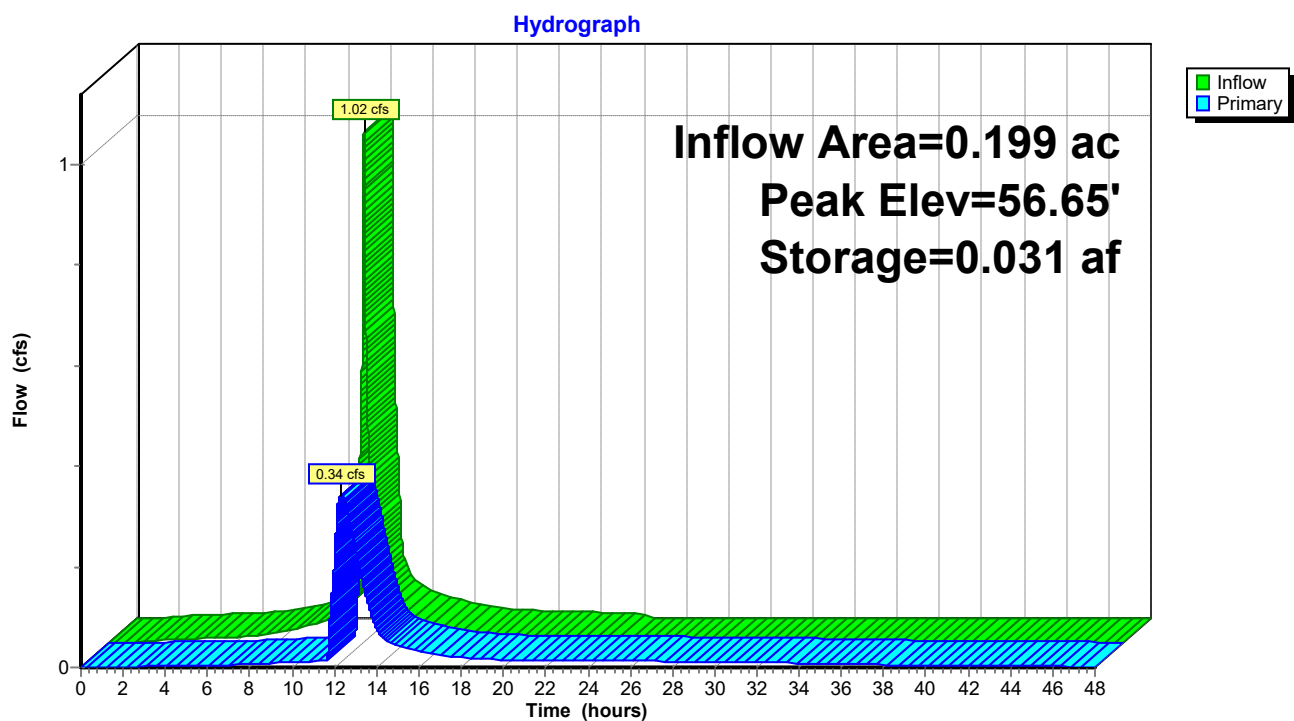
Plug-Flow detention time= 274.3 min calculated for 0.078 af (100% of inflow)  
 Center-of-Mass det. time= 272.2 min ( 1,031.5 - 759.3 )

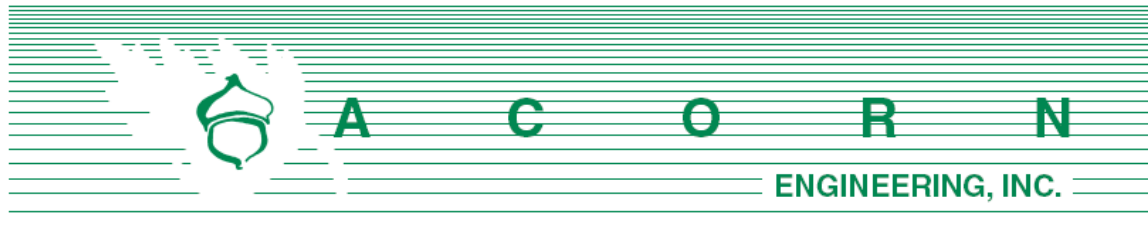
| Volume | Invert | Avail.Storage | Storage Description                                                                                                                                                                                                                                       |
|--------|--------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | 53.21' | 0.016 af      | <b>8.42'W x 58.14'L x 5.00'H Stone</b><br>0.056 af Overall - 0.017 af Embedded = 0.040 af x 40.0% Voids                                                                                                                                                   |
| #2     | 53.96' | 0.017 af      | <b>ADS_StormTech MC-3500 d +Cap</b> x 6 Inside #1<br>Effective Size= 70.4"W x 45.0"H => 15.33 sf x 7.17'L = 110.0 cf<br>Overall Size= 77.0"W x 45.0"H x 7.50'L with 0.33' Overlap<br>2 Rows of 3 Chambers<br>Cap Storage= +14.9 cf x 2 x 2 rows = 59.6 cf |
| #3     | 51.71' | 0.001 af      | <b>8.42'W x 58.14'L x 1.50'H Sand</b><br>0.017 af Overall x 5.0% Voids                                                                                                                                                                                    |
| #4     | 50.71' | 0.004 af      | <b>8.42'W x 58.14'L x 1.00'H Crushed Stone</b><br>0.011 af Overall - 0.000 af Embedded = 0.011 af x 40.0% Voids                                                                                                                                           |
| #5     | 51.04' | 0.000 af      | <b>4.0" Round Underdrain Storage</b> Inside #4<br>L= 58.0'                                                                                                                                                                                                |
| #6     | 52.13' | 0.002 af      | <b>4.00'D x 8.12'H Catch Basin</b>                                                                                                                                                                                                                        |
|        |        | 0.040 af      | Total Available Storage                                                                                                                                                                                                                                   |

| Device | Routing  | Invert | Outlet Devices                                                                                                                                                                                                       |
|--------|----------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1     | Primary  | 50.60' | <b>8.0" Round Culvert</b><br>L= 125.0' CMP, projecting, no headwall, Ke= 0.900<br>Inlet / Outlet Invert= 50.60' / 40.00' S= 0.0848 '/' Cc= 0.900<br>n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf                |
| #2     | Device 1 | 50.70' | <b>0.5" Vert. Vert Water Quality</b> C= 0.600                                                                                                                                                                        |
| #3     | Device 1 | 54.60' | <b>3.0" Vert. Vert Quantity</b> C= 0.600                                                                                                                                                                             |
| #4     | Device 1 | 58.00' | <b>6.0' long x 0.7' breadth Broad-Crested Rectangular Weir</b><br>Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00<br>2.50<br>Coef. (English) 2.76 2.82 2.93 3.09 3.18 3.22 3.27 3.30 3.32<br>3.31 3.32 |

**Primary OutFlow** Max=0.34 cfs @ 12.34 hrs HW=56.65' (Free Discharge)

- 1=Culvert (Passes 0.34 cfs of 3.17 cfs potential flow)
- 2=Vert Water Quality (Orifice Controls 0.02 cfs @ 11.72 fps)
- 3=Vert Quantity (Orifice Controls 0.33 cfs @ 6.67 fps)
- 4=Broad-Crested Rectangular Weir ( Controls 0.00 cfs)

**Pond 1P: Medium StormTech 3500**



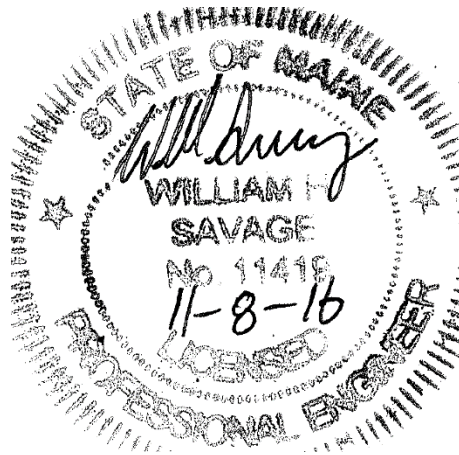
# **EROSION & SEDIMENTATION** **CONTROL REPORT**

**Prepared For:**

**York Street Redevelopment, LLC  
161 York Street Redevelopment  
161-163 York Street  
Portland, Maine 04101**

**Prepared By:**

**Acorn Engineering, Inc.  
158 Danforth Street  
Portland, Maine 04102**



**November 2016**



## **INTRODUCTION**

Acorn Engineering, Inc. has been retained by York Street Redevelopment, LLC to provide civil engineering services for the proposed redevelopment of 161 York Street. The proposed project includes the development of a five-story building with eleven condominiums and two levels of parking. The site, which previously contained two single-family dwellings, has recently been demolished.

The following Erosion and Sedimentation Control Report was developed in accordance with the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and the Maine DEP Chapter 500 Stormwater Management Appendix A and B (1), Amended January 11, 2015. This narrative also meets the standards required in the Maine DEP's Erosion & Sediment Control BMP's Manual, revised in 2014.

### **1.0 EXISTING CONDITIONS**

The proposed project site is located on York Street in proximity to State Street and the Casco Bay Bridge. A boundary plan has been prepared by Spurwink Surveying LLC of Scarborough, Maine dated September 29<sup>th</sup>, 2015.

Abutting Uses:

- North R-6 Zone Residential Condominiums
- West R-6 Zone Vacant Land
- South R-6 Zone Residential Condominiums
- East R-6 Zone Multi-Family Residential

Because of the recent demolition, the property is now primarily comprised of soil and vegetation. The site slopes down towards York Street with an average grade of approximately 10%. Stormwater flows west to east where it then enters the municipal stormwater system within York Street.

#### **1.1 Existing Soils**

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County
- United States Department of Agriculture Web Soil Survey

Given the soils information, listed above, no onsite wastewater is proposed,; the applicant does not intend to perform a more intense hydric soil boundary delineation because the waiver requirements set forth in the City of Portland Technical Manual – Section 7 – Soil Survey, Rev. 6/17/11 are met.

The area within and surrounding the project includes soils types listed in the table below. The susceptibility of soils to erosion is indicated on a relative “K” scale of values over a range of 0.02 to 0.69. Higher “K” values indicate more erodible soils.

| Table 1 - "K" Value |            |            |
|---------------------|------------|------------|
| Soils Type          | Subsurface | Substratum |
| Hinckley            | 0.17       | 0.17       |

The soil "K" values for the soils, listed above, show a low susceptibility to erosion. The site's susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for Cumberland County. Although soil "K" values for the soils show a low susceptibility to erosion, implementation of the proposed Erosion & Sedimentation Measures by the contractor will be of the utmost importance given the sustained slope throughout the site.

## 1.2 Existing Erosion Problems

There is evidence of limited erosion on the southernmost face of the property in the form of mild rutting and rilling. This is most likely due to the recent demolition activities and inadequate bare soil stabilization post-demolition.

## 1.3 Critical Areas

Critical areas that would require special attention during construction are the areas adjacent to the municipal stormwater system. This includes, but is not limited to, the catch basin located in front of the property on York Street.

## 1.4 Protected Natural Resource

The client is not aware of the presence of any existing significant natural features located on the site as listed in Section 14-526 (b) 1. of the Land Use Code. The project is not located within a watershed classified as an Urban Impaired Stream by the Maine DEP.

## 1.5 Previous Construction Activity (5 years)

Apart from the recent demolition, Acorn Engineering, Inc. is not aware of any construction related activities within the project limits within the past 5 years.

## 1.6 Timber Harvesting

Acorn Engineering, Inc. is not aware of any timber harvesting within the past five years.



## 2.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

As part of the site development, the following temporary and permanent erosion and sedimentation control devices shall be implemented. Devices shall be installed as described in this report or within the plan set. See the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices for further reference.

### 2.1 Temporary Erosion Control Measures

The following temporary erosion and sedimentation control measures are planned for the project's construction period:

- 2.1.1 Crushed stone stabilized construction entrances shall be placed at all access points to the project site where there are disturbed areas. The following specifications shall be followed at a minimum:
  - Stone size shall be 2-3 inches, or reclaimed or recycled concrete equivalent.
  - The thickness of the entrance stone layer shall be no less than 6 inches.
  - The entrance shall not be less than 20 feet wide, however not less than the full width of points where ingress or egress occurs. The length shall not be less than 50 feet in length.
  - Geotextile fabric (woven or non-woven) shall be placed over the entire entrance area.
  - The entrance/exit shall be maintained to the extent that it will prevent the tracking of sediment onto public road ways.
- 2.1.2 Siltation fence or erosion control berm shall be installed down gradient of any disturbed areas to trap runoff borne sediments until permanent stabilization is achieved. The silt fence or erosion control berm shall be installed per the details provided in the plan set and inspected before and immediately after each rainfall and at least daily during prolonged rainfall. Repairs shall be made if there are any signs of erosion or sedimentation below the fence line or berm. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind the fence or berm, the barrier shall be replaced with a stone check dam.
- 2.1.3 Hay mulch including hydro seeding is intended to provide cover for denuded or seeded areas until revegetation is established. Mulch placed between April 15<sup>th</sup> and November 1<sup>st</sup> on slopes of less than 15 percent shall be covered by fabric netting and anchored with staples in accordance with the manufacturer's recommendation. Mulch placed between November 1<sup>st</sup> and April 15<sup>th</sup> on slopes equal to or steeper than 8 percent and equal to or flatter than 2:1 shall use mats or fabric netting and anchored with staples in accordance with the manufacturer's recommendation.
- 2.1.4 At any time of the year, all slopes greater than 3:1 shall be stabilized with Double Net Erosion Control Blanket Bionet SC150BN by North American Green or Approved Equal, or Erosion Control Mix Slope Protection as detailed within the plans.
- 2.1.5 York Street shall be swept to control mud and dust from the construction site as necessary. Add additional stone to the stabilized construction entrance to



minimize the tracking of material off the site and onto the surrounding roadways.

- 2.1.6 During demolition, clearing and grubbing operations, stone check dams shall be installed at any areas of concentrated flow. The maximum height of the check dam shall not exceed 2 feet. The center of the check dam shall be 6 inches below the outer edges of the dam. The contractor shall mulch the side slopes and install stone check dams for all newly excavated ditch lines within 24 hours of their creation.
- 2.1.7 Silt fence stake spacing shall not exceed 6 feet unless the fence is supported with 14 gauge wire in which case the maximum spacing shall not exceed 10 feet. The silt fence shall be “toed” into the ground.
- 2.1.8 Stormdrain inlet protection shall be provided to stormdrains through the use of any of the following: hay bale drop inlet structures, silt fence drop inlet sediment filter, gravel and wire mesh drop inlet sediment filter, or curb inlet sediment filter. Barriers shall be inspected after every rainfall event and repaired as necessary. Sediments shall be removed when accumulation has reached  $\frac{1}{2}$  the design height.
- 2.1.9 Dust control shall be accomplished by the use of any of the following: water, calcium chloride, stone, or an approved MDEP product. Dust control shall be applied as needed to accomplish dust control.
- 2.1.10 Temporary loam, seed, and mulching shall be used in areas where no other erosion control measure is used. Application rates for seeding are provided at the end of this report.
- 2.1.11 Stockpiles shall be stabilized within 7 days of formation unless a scheduled rain event occurs prior to the 7-day window, in which case the stockpile shall be stabilized prior to the rain event. Methods of stabilization shall be mulch, erosion control mix, or erosion control blankets/mats. Silt fence or a wood waste compost filter berm shall be placed downhill of any soil stockpile location.
- 2.1.12 For disturbance between November 1 and April 15, please refer to winter stabilization plan in this report and the Maine Erosion and Sediment Control BMP manual for further information.
- 2.1.13 It is of the utmost importance that stormwater runoff and potential sediment from the construction site be diverted around the proposed underdrains until the trench is backfilled.

## 2.2 Permanent Erosion Control Measures

The following permanent erosion control measures are intended for post disturbance areas of the project.

- 2.2.1 All disturbed areas during construction, not subject to other proposed conditions, shall receive a minimum 4” of loam, limed, and mulched. Erosion control blankets or mats shall be placed over the mulch in areas noted in paragraph 4.1 of this report.
- 2.2.2 All stormwater devices shall be installed and tributary areas stabilized prior to receiving stormwater.
- 2.2.3 Refer to the Maine Erosion and Sediment Control BMP manual for additional information.





### **3.0 EROSION AND SEDIMENTATION CONTROL PLAN**

3.1 The Erosion and Sedimentation Control Plan is included within the plan set.

### **4.0 DETAILS AND SPECIFICATIONS**

4.1 Erosion Control Details and Specifications are included in the plan set.

### **5.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION**

Winter Construction consists of earthwork disturbance between the dates of November 1 and April 15. If a construction site is not stabilized with pavement, a road gravel base, 75% mature vegetation cover or riprap by November 15, then the site shall be protected with over-winter stabilization. Any area not stabilized with pavement, vegetation, mulching, erosion control mix, erosion control mats, riprap, or gravel base on a road shall be considered open.

The contractor shall limit the work area to areas that work will occur in during the subsequent 15 days and so that it can be mulched one day prior to a snow event. The contractor shall stabilize work areas prior to opening additional work areas to minimize areas without erosion control measures.

The following measures shall be implemented during winter construction periods:

#### **5.1 Sediment Barriers**

During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.

#### **5.2 Mulching**

All areas shall be denuded until seeded and mulched. Hay and straw mulch shall be applied at a rate of 150 lb. per 1,000 square feet or 3 tons/acre (twice the normal accepted rate of 75-lbs./1,000 s.f. or 1.5 tons/acre) and shall be properly anchored. Erosion control mix must be applied with a minimum 4-inch thickness. Mulch shall not be spread on top of snow. The snow shall be removed down to a one-inch depth or less prior to application. After each day of final grading, the area shall 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 either mulched or 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 mulch netting, tracking or wood cellulose fiber. The cover will be considered sufficient when the ground surface is not visible through the mulch. After November 1<sup>st</sup>, mulch and anchoring of all exposed soil shall occur at the end of each final grading workday.

#### **5.3 Soil Stockpiling**

Stockpiles of soil or subsoil shall be mulched for over winter protection with hay or straw at twice the normal rate or with a four-inch layer of erosion control mix. This



shall be done within 24 hours of stocking and re-established prior to any rainfall or snowfall.

#### 5.4 Seeding

Between the dates of October 15<sup>th</sup> and April 1<sup>st</sup>, loam or seed shall not be required. During periods of above freezing temperatures finished areas shall be fine graded and either protected with mulch or temporarily seeded and mulched until the final treatment can be applied. If the date is after November 1<sup>st</sup> and if the exposed area has not been loamed, final grading with a uniform surface, then the area may be dormant seeded at a rate of 3 times higher than specified for permanent seed and then mulched.

Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas shall receive 4" of loam and seed at an application rate of 5 lbs/1,000 s.f. All areas seeded during the winter shall be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75% catch) shall be revegetated by replacing loam, seed and mulch. If dormant seeding is not used for the site, all disturbed areas shall be revegetated in the spring.

#### 5.5 Over winter stabilization of disturbed soils

By September 15<sup>th</sup>, all disturbed soils on areas having a slope less than 15% shall be seeded and mulched. If the disturbed areas are not stabilized by this date, then one of the following actions shall be taken to stabilize the soil for late fall and winter:

- Stabilize the soil with temporary vegetation – By October 1<sup>st</sup>, seed the disturbed soil with winter rye at a seeding rate of 3lbs per 1,000 s.f., lightly mulch the seeded soil with hay or straw at 75 lbs per 1,000 s.f., and anchor the mulch with plastic netting. Monitor growth of the rye over the next 30 days. If the rye fails to grow at least three inches or fails to cover at least 75% of the disturbed soil before November 1<sup>st</sup>, then mulch the area for over-winter protection.
- Stabilize the soil with sod – Stabilize the disturbed soil with properly installed sod by October 1<sup>st</sup>. Proper installation includes pinning the sod onto the soil with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil.
- Stabilize the soil with mulch – By November 15<sup>th</sup>, mulch the disturbed soil by spreading hay or straw at a rate of at least 150 lbs per 1,000 s.f. on the area so that no soil is visible through the mulch. Immediately after applying the mulch, anchor the mulch with plastic netting to prevent wind from moving the mulch off the disturbed soil.

#### 5.6 Over winter stabilization of disturbed slopes

All stone-covered slopes shall be constructed and stabilized by November 15<sup>th</sup>. All slopes to be vegetated shall be seeded and mulched by September 1<sup>st</sup>. A slope is



considered a grade greater than 15%. If a slope to be vegetated is not stabilized by September 1<sup>st</sup>, then one of the following action shall be taken to stabilize the slope for late fall and winter:

- Stabilize the soil with temporary vegetation and erosion control mats – By October 1<sup>st</sup> the disturbed slope shall be seeded with winter rye at a seeding rate of 3 lbs per 1,000 s.f. and then install erosion control mats or anchored mulch over the seeding. If the rye fails to grow at least three inches or fails to cover at least 75% of the slope by November 1<sup>st</sup>, then the contractor shall cover the slope with a layer of erosion control mix or with stone riprap.
- Stabilize the soil with sod – The disturbed slope shall be stabilized with properly installed sod by October 1<sup>st</sup>. 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 the sod to promote root growth into the disturbed soil. The contractor shall not use late-season sod installation to stabilize slopes having a grade greater than 3H:1V or having groundwater seeps on the slope face.
- Stabilize the soil with erosion control mix – Erosion control mix shall be properly installed by November 15<sup>th</sup>. The contractor shall not use erosion control mix to stabilize slopes having grades greater than 2H:1V or having groundwater seeps on the slope face.
- Stabilize the soil with stone riprap – Place a layer of stone riprap on the slope by November 15<sup>th</sup>. A registered professional engineer shall be hired to determine the stone size needed for stability on the slope and to design a filter layer for underneath the riprap.

## 6.0 INSPECTION AND MAINTENANCE

A person with knowledge of erosion and stormwater control, including the standards and conditions in the permit, shall conduct periodic visual inspections of installed erosion control measures. The frequency of inspection shall occur at least once every two weeks, as well as after a “storm event”. A “storm event” shall consist 0.5 inches of rain within a 24 hour period. The following Erosion and Sediment Control - Best Management Practices (BMP's) shall inspected in the manner as described.

### 6.1 Sediment Barriers

Hay bale barriers, silt fences and filter berms shall be inspected and repaired for the following if there are any signs of erosion or sedimentation below them. If there are signs of undercutting at the center or the edges of the barrier, or impounding of large volumes of water behind them, sediment barriers shall be replaced with a temporary check dam. Should the fabric on a silt fence or filter barrier decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, the fabric shall be replaced promptly. Sediment deposits should be removed when deposits reach approximately one-half the height of the barrier. Filter berms should



be reshaped as needed. Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required should be dressed to conform to the existing grade, prepared and seeded.

## 6.2 Stabilized Stone Construction Entrances

The exit shall be maintained in a condition that will prevent tracking of sediment onto public rights-of-way. When the control pad becomes ineffective, the stone shall be removed along with the collected soil material and redistributed on site in a stable manner. The entrance should then be reconstructed. The contractor shall sweep or wash pavement at exits, which have experienced mud-tracking on to the pavement or traveled way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment trapping device. All sediment shall be prevented from entering storm drains, ditches, or waterways.

## 6.3 Mulched Areas

All mulches must be inspected periodically, especially after rainstorms, to check for rill erosion. If less than 90% of the soil surface is covered by mulch, additional mulch shall be immediately applied. Nets must be inspected after rain events for dislocation or failure. If washouts or breakage occur, re-install the nets as necessary after repairing damage to the slope. Where mulch is used in conjunction with ornamental plantings, inspect periodically throughout the year to determine if mulch is maintaining coverage of the soil surface. Repair as needed.

## 6.4 Dust Control

When temporary dust control measures are used, repetitive treatment shall be applied as needed to accomplish control.

## 6.5 Stormwater Appurtenances

All underdrains, storm drains, and catch basins need to be operating effectively and free of debris.

## 6.6 Erosion and Sedimentation Control Inspections:

Acorn Engineering has personnel qualified to conduct Erosion and Sedimentation Control Inspections. For further information contact:

Contact: Will Savage, PE  
Telephone: (207) 775-2655

Qualifications:

- Maine Professional Engineering License #11419
- Maine DEP - Certified in Maintenance & Inspection of Stormwater BMP's Cert. #14
- Certified Erosion, Sediment and Storm Water Inspector (CESSWI) Cert. #0293
- Certified Professional in Erosion and Sediment Control (CPESC) Cert. #4620





**The Contractor has sole responsibility for complying with the Erosion and Sedimentation Report/Plan, including control of fugitive dust. The Contractor shall be responsible for any monetary penalties resulting from failure to comply with these standards.**



## 7.0 IMPLEMENTATION SCHEDULE

The following implementation sequence is intended to maximize the effectiveness of the above described erosion control measures. Contractors should avoid overexposing disturbed areas and limit the amount of stabilization area.

1. Install a stabilized construction entrance in all locations where construction traffic will enter and exit the site.
2. Install perimeter silt fence or erosion control berm.
3. Install all other erosion control devices as necessary throughout the remainder of this schedule.
4. Commence installation of drainage infrastructure connection within York Street.
5. Prioritize the downhill foundation walls to contain runoff within the site while providing an engineered outlet with siltation barrier to the municipal stormwater system within York Street.
6. Commence earthwork operations, wall and foundation installation.
7. Commence installation of utilities.
8. Continue earthwork and grading to subgrade as necessary for construction.
9. Complete installation of drainage infrastructure, as well as other utility work.
10. Complete remaining earthwork operations.
11. Install sub-base and base gravels in paved areas.
12. Install paving, curbing and brickwork.
13. Loam, lime, fertilize, seed and mulch disturbed areas and complete all landscaping.
14. Once the site is stabilized, 90% catch of grass has been obtained, or mulching of landscape areas is complete remove all temporary erosion control measures.
15. Touch up areas without a vigorous catch of grass with loam and seed.
16. Complete site signage and striping.
17. Execute proper maintenance of all temporary and permanent erosion control measures throughout the project.

The above implementation sequence should be generally followed by the site contractor. However, the contractor may construct several items simultaneously. The contractor shall submit to the owner a schedule of the completion of the work. If the contractor is to commence the construction of more than one item above, they shall limit the amount of exposed areas to those areas in which work is expected to be undertaken during the following 30 days.

The contractor shall re-vegetate disturbed areas as rapidly as possible. All areas shall be permanently stabilized within 7 days of final grading or before a storm event. The contractor shall incorporate planned inlets and drainage systems as early as possible into the construction phase.

## 8.0 CONCLUSION

The above erosion control narrative is intended to minimize the development impact by implementing temporary and permanent erosion control measures. The contractor shall also refer to the Maine Erosion and Sediment Control BMP manual for additional information.



## 9.0 ATTACHMENTS

- Temporary Seeding Plan
- Permanent Seeding Plan



## TEMPORARY SEEDING PLAN

### Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

### Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P<sub>2</sub>O<sub>5</sub>-K<sub>2</sub>O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

### Seeding

The composition and amount of temporary seed applied to a site shall be determined by the following table:

| Seed            | Pounds / 1,000 S.F. | Recommended Seeding Dates          |
|-----------------|---------------------|------------------------------------|
| Winter Rye      | 2.57                | Aug-15 to Oct-1                    |
| Oats            | 1.84                | Apr-1 to Jul-1<br>Aug-15 to Sep-15 |
| Annual Ryegrass | 0.92                | Apr-1 to Jul-1                     |
| Sudangrass      | 0.92                | May-15 to Aug-15                   |
| Perennial       | 0.92                | Aug-15 to Sep-15                   |

### Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

### Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to temporary seeding and mulching.





## PERMANENT SEEDING PLAN

### Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

### Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P<sub>2</sub>O<sub>5</sub>-K<sub>2</sub>O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

### Seeding

The composition and amount of permanent seed applied to a site shall be determined by the following table:

| Seed                | Pounds / 1,000 S.F. |
|---------------------|---------------------|
| Kentucky Bluegrass  | 0.46                |
| Creeping Red Fescue | 0.46                |
| Perennial Ryegrass  | 0.11                |
| Total               | 1.03                |

### Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

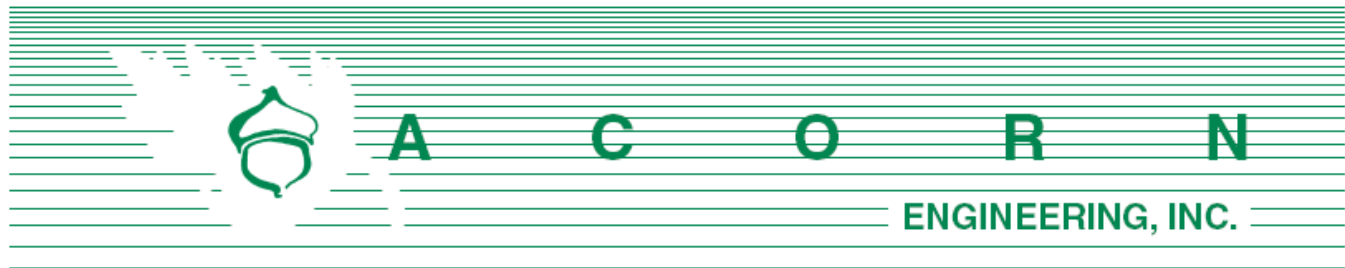
### Recommendations

Permanent seeding is recommended to be completed in the spring. Later summer seeding is allowed if completed prior to September 1<sup>st</sup>. If seeding cannot be accomplished during the periods recommended for permanent seeding, then the contractor shall perform temporary seeding per the temporary seeding plan.

### Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to permanent seeding and mulching.





Assistant Chief Keith Gautreau  
City of Portland Fire Department  
380 Congress St.  
Portland, ME 04101

February 9, 2017

Subject: 161 York Street – Fire Department Checklist  
Section J of Application

On behalf of York Street Redevelopment, LLC, the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of applicant:

York Street Redevelopment, LLC  
42 Market Street  
Portland, Maine 04101  
(207) 774-1000

2. Name address, telephone number of architect:

Mark Mueller Architects  
100 Commercial Street, Suite 205  
Portland, Maine 04101  
(207) 774-9057

Mechanical, Electrical, Plumbing Engineer:

Bennett Engineering  
PO Box 297  
Freeport, Maine 04032  
(207) 865-9475

Proposed uses of any structures [NFPA and IBC classification]

The Code Analysis was prepared by Mark Mueller Architects and is attached.

## 3. Square footage of all structures, including decks [total and per story]

|                       |               |           |
|-----------------------|---------------|-----------|
| Garage Level          | 7,089         | sf        |
| 1 <sup>st</sup> Floor | 6,194         | sf        |
| 2 <sup>nd</sup> Floor | 6,145         | sf        |
| 3 <sup>rd</sup> Floor | 6,145         | sf        |
| 4 <sup>th</sup> Floor | 5,889         | sf        |
| Roof Deck             | 745           | sf        |
| <b>Total</b>          | <b>32,207</b> | <b>sf</b> |

## 4. Elevation of all structures

The average building height is less than 45 feet at five stories tall. See the attached elevations provide by the Architect for additional information.

## 5. Proposed fire protection of all structures

The building will have a sprinkler system with additional protection per code. Fire flows and requirements for system storage or booster pumping are subject to the fire professional design which will be performed prior the request for a building permit.

## 6. Hydrant locations

An existing hydrant is located 70 feet south of the property on York Street. The hydrant is located approximately 85 feet from the nearest proposed building edge. Hydrant flow data from the Portland Water District once received may be made available to the Fire Department upon request.

## 7. Water main size and location

The development will be serviced by the existing water main within York Street. A 6" fire service line will extend from the existing water main to the building fire suppression system. The building is expected to have internal sprinkler risers and a Fire Department pump connection on the street side of the building.

## 8. Access to all structures [min. 2 sides]

Access to the structure is provided primarily on York Street as well as Guilford Court which will provide access to the rear of the property.

## 9. The Architect has provided a code summary (attached) which references NFPA 1 and all fire department technical standards.



## **NFPA 1 – Chapter 18 Fire Department Access and Water Supply**

### **18.2 Fire Department Access:**

The project site is located in a densely developed area and is fronted by a public street. The following pavement street width is currently available:

- York Street: 47.5 feet
- Guilford Court: 16.5 feet

Per NFPA 1 – Chapter 18.2.3.3.1, there will be public street access within 50 feet of at least one exterior door. Per NFPA 1 – Chapter 18.2.3.2.2.1, all first story floors shall be located not more than 450 feet from a Fire Department access road.

### **City of Portland Technical Manual – Section 3 Public Safety**

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

Response: Not applicable

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

Response: As depicted on the site plan, the proposed building layout provides a minimum of two paved access points to the structure: one from York Street directly and one from the rear via Guilford Court.

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

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

Response: The proposed development layout has contemplated emergency access conditions and provides for safe and efficient access along the public street for emergency vehicles.

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

Response: The building will be provided with exterior doors that will be within 50' of a Fire Department access route, namely York Street.

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

Response: The proposed site maintains the required clearance height of nine feet.





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

Response: The elevators will be sized to accommodate an 80 x 24 stretcher, per Architect designs.

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

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

Please let me know if you have any additional questions or comments.

Sincerely,



William H. Savage, P.E.  
Principal  
Acorn Engineering, Inc.

### **Attachments**

Architect's Code Summary

Portland Water District Ability to Serve Letter





# 161 YORK STREET

November 08, 2016

## NFPA 1, 101 & 220 2009: CODE DATA

|                                                               |                                                                |    |                                     |     |
|---------------------------------------------------------------|----------------------------------------------------------------|----|-------------------------------------|-----|
| USE GROUP CLASSIFICATION                                      | MIXED USE (APARTMENT OVER STORAGE/ MERCANTILE)                 |    |                                     |     |
|                                                               | LOWER LEVEL = ENCLOSED PARKING GARAGE                          |    |                                     |     |
|                                                               | 1ST FLOOR = ENCLOSED PARKING GARAGE & RESIDENTIAL UNITS        |    |                                     |     |
|                                                               | 2ND FLOOR - 4TH FLOOR = RESIDENTIAL UNITS                      |    |                                     |     |
| TYPE OF CONSTRUCTION                                          | V (1,1,1)                                                      |    |                                     |     |
| NET USEABLE AREA                                              | 49,901                                                         | SF | (EXCLUDES DECKS)                    |     |
| PROPOSED BUILDING AREA                                        | 32,744                                                         | SF | (INCLUDES DECKS & ENCLOSED PARKING) |     |
| LOT AREA                                                      | 11,046                                                         | SF |                                     |     |
| PROPOSED BUILDING HEIGHT (STORIES/ FEET)                      | 4 STORIES / 45'-0" MAX. HEIGHT                                 |    |                                     |     |
| BUILDING AREA LIMITATION - SQ FT                              | NONE                                                           |    |                                     |     |
| BUILDING HEIGHT LIMITATION - STORIES                          | NONE                                                           |    |                                     |     |
| TRAVEL: COMMON PATH LIMIT (ALLOWABLE/ ACTUAL)                 | RESIDENTIAL 50' & STORAGE 100' (ACTUAL = LESS THAN ALLOWABLE)  |    |                                     |     |
| TRAVEL: DEAD-END LIMIT (ALLOWABLE/ ACTUAL)                    | RESIDENTIAL 50' & STORAGE 100' (ACTUAL = LESS THAN ALLOWABLE)  |    |                                     |     |
| TRAVEL: EXIT ACCESS TRAVEL DISTANCE LIMIT (ALLOWABLE/ ACTUAL) | RESIDENTIAL 325' & STORAGE 400' (ACTUAL = LESS THAN ALLOWABLE) |    |                                     |     |
| FIRE SUPPRESSION SYSTEM                                       | NFPA 13                                                        |    |                                     |     |
| NUMBER OF REQUIRED EXITS                                      | TWO                                                            |    |                                     |     |
| EXIT ACCESS FIRE RATINGS                                      |                                                                |    |                                     |     |
| FIRE WALLS/ BARRIERS                                          | 2 HOUR AT PARKING GARAGE TO ADJACENT UNITS                     |    |                                     |     |
| OCCUPANCY SEPARATION                                          | 30 MIN. (30.3.7.2)                                             |    |                                     |     |
| TENANT SEPARATION                                             | 1 HOUR                                                         |    |                                     |     |
| PARTY WALLS                                                   | NONE                                                           |    |                                     |     |
| STAIR ENCLOSURES                                              | 2 HOUR                                                         |    |                                     |     |
| SHAFTS                                                        | 2 HOUR                                                         |    |                                     |     |
| EXIT ACCESS CORRIDORS                                         | 30 MIN. (30.3.6.1.2)                                           |    |                                     |     |
| TRASH ROOMS                                                   | 1 HOUR (TABLE 30.3.2.1.1)                                      |    |                                     |     |
| FIRE PROTECTION OF STRUCTURE                                  |                                                                |    |                                     |     |
| COLUMNS                                                       | 1 HOUR                                                         |    |                                     |     |
| BEAMS, GIRDERS, TRUSSES & ARCHES                              | 1 HOUR                                                         |    |                                     |     |
| LOAD BEARING WALLS - EXTERIOR                                 | 1 HOUR                                                         |    |                                     |     |
| LOAD BEARING WALLS - INTERIOR                                 | 1 HOUR                                                         |    |                                     |     |
| NON-LOAD BEARING WALLS - EXTERIOR                             | 0 HOUR                                                         |    |                                     |     |
| NON-LOAD BEARING WALLS - INTERIOR                             | 0 HOUR                                                         |    |                                     |     |
| FLOOR CONSTRUCTION                                            | 1 HOUR                                                         |    |                                     |     |
| ROOF CONSTRUCTION                                             | 1 HOUR                                                         |    |                                     |     |
| OCCUPANT LOAD                                                 |                                                                |    |                                     |     |
| LOWER LEVEL                                                   |                                                                |    |                                     |     |
| PARKING GARAGE                                                | 7,089                                                          | SF | 200 SF/ PERSON =                    | 35  |
|                                                               | TOTAL 7,089                                                    | SF |                                     |     |
| 1ST FLOOR                                                     |                                                                |    |                                     |     |
| RESIDENTIAL                                                   | 4,509                                                          | SF | 200 SF/ PERSON =                    | 23  |
| UNIT DECKS                                                    | 1,685                                                          | SF | 200 SF/ PERSON =                    | 8   |
|                                                               | TOTAL 6,194                                                    | SF |                                     |     |
| 2ND FLOOR                                                     |                                                                |    |                                     |     |
| RESIDENTIAL                                                   | 6,145                                                          | SF | 200 SF/ PERSON =                    | 31  |
| UNIT DECKS                                                    | 106                                                            | SF | 200 SF/ PERSON =                    | 1   |
|                                                               | TOTAL 6,251                                                    | SF |                                     |     |
| 3RD FLOOR                                                     |                                                                |    |                                     |     |
| RESIDENTIAL                                                   | 6,145                                                          | SF | 200 SF/ PERSON =                    | 31  |
| UNIT DECKS                                                    | 106                                                            | SF | 200 SF/ PERSON =                    | 1   |
|                                                               | TOTAL 6,251                                                    | SF |                                     |     |
| 4TH FLOOR                                                     |                                                                |    |                                     |     |
| RESIDENTIAL                                                   | 5,889                                                          | SF | 200 SF/ PERSON =                    | 29  |
| UNIT DECKS                                                    | 335                                                            | SF | 200 SF/ PERSON =                    | 2   |
|                                                               | TOTAL 6,224                                                    | SF |                                     |     |
| ROOF                                                          |                                                                |    |                                     |     |
| COMMON DECKS                                                  | 735                                                            | SF | 15 SF/ PERSON =                     | 49  |
| OCCUPANT LOAD - TOTAL                                         | 32,744                                                         | SF | People                              | 209 |



# 161 YORK STREET

November 08, 2016

## IBC 2009: CODE DATA

### USE GROUP CLASSIFICATION

#### TYPE OF CONSTRUCTION

NET USEABLE AREA

PROPOSED BUILDING AREA

LOT AREA

PROPOSED BUILDING HEIGHT (STORIES/ FEET)

ALLOWABLE BUILDING AREA LIMITATION - SQ FT (TABLE 503)

ALLOWABLE BUILDING HEIGHT LIMITATION - STORIES (TABLE 503)

INCREASE: STREET FRONTAGE (150% AREA) - SQ FT

INCREASE: AUTOMATIC SPRINKLER SYSTEM AREA (200% AREA) - SQ FT

INCREASE: AUTOMATIC SPRINKLER SYSTEM HEIGHT (1 STORY)

TRAVEL: COMMON PATH LIMIT (ALLOWABLE/ ACTUAL)

TRAVEL: DEAD-END LIMIT (ALLOWABLE/ ACTUAL)

TRAVEL: EXIT ACCESS TRAVEL DISTANCE LIMIT (ALLOWABLE/ ACTUAL)

FIRE SUPPRESSION SYSTEM

NUMBER OF REQUIRED EXITS

#### EXIT ACCESS FIRE RATINGS

FIRE WALLS/ BARRIERS

OCCUPANCY SEPARATION

TENANT SEPARATION

PARTY WALLS

STAIR ENCLOSURES

SHAFTS

EXIT ACCESS CORRIDORS

#### FIRE PROTECTION OF STRUCTURE

PRIMARY STRUCTURAL FRAME

SECONDARY STRUCTURAL FRAME

LOAD BEARING WALLS - EXTERIOR

LOAD BEARING WALLS - INTERIOR

NON-LOAD BEARING WALLS - EXTERIOR

NON-LOAD BEARING WALLS - INTERIOR

FLOOR CONSTRUCTION

ROOF CONSTRUCTION

#### FIRE SEPARATION DISTANCE

5' TO LESS THAN 10' (22% ACTUAL)

10' TO LESS THAN 15' (26% ACTUAL)

5' MAX. DECK/ BALCONY DEPTH @ BUILDING PROJECTION

FIRE HYDRANT LOCATED 70' FROM LOT

#### OCCUPANT LOAD

LOWER LEVEL

PARKING GARAGE (ENCLOSED)

1ST FLOOR

RESIDENTIAL

PARKING GARAGE (ENCLOSED)

2ND FLOOR

RESIDENTIAL

UNIT DECKS

3RD FLOOR

RESIDENTIAL

UNIT DECKS

4TH FLOOR

RESIDENTIAL

UNIT DECKS

ROOF

COMMON DECKS

OCCUPANT LOAD - TOTAL

MIXED USE (R-2 OVER S-2/M)

LOWER LEVEL = ENCLOSED PARKING GARAGE

1ST FLOOR = ENCLOSED PARKING GARAGE & RESIDENTIAL UNITS

2ND FLOOR - 4TH FLOOR = RESIDENTIAL UNITS

5A (WOOD - PROTECTED)

31,462 SF (EXCLUDES DECKS)

32,744 SF (INCLUDES DECKS & ENCLOSED PARKING)

11,046 SF

4 STORIES / 45'-0" MAX. HEIGHT

12,000 SF PER FLOOR

3 STORIES (50' MAX.)

N/A

24,000 SF INCREASE (36,000 SF TOTAL PER FLOOR)

1 STORY (4 STORIES TOTAL)

RESIDENTIAL 50' & STORAGE 100' (ACTUAL = LESS THAN ALLOWABLE)

RESIDENTIAL 50' & STORAGE 100' (ACTUAL = LESS THAN ALLOWABLE)

RESIDENTIAL 325' & STORAGE 400' (ACTUAL = LESS THAN ALLOWABLE)

NFPA 13

TWO

2 HOUR AT PARKING GARAGE TO ADJACENT UNITS

2 HOUR (S-2/ R-2)

1 HOUR

1 HOUR

2 HOUR

2 HOUR

30 MIN. (TABLE 1018.1)

1 HOUR

1 HOUR

1 HOUR

1 HOUR

1 HOUR (TABLE 602)

1 HOUR

1 HOUR

1 HOUR

25% MAX. UNPROTECTED, SPRINKLERED (UP,S)

45% MAX. UNPROTECTED, SPRINKLERED (UP,S)

(SECTION 705.2)

|                    |           |                  |            |
|--------------------|-----------|------------------|------------|
| 7,089              | SF        | 200 SF/ PERSON = | 35         |
| <b>TOTAL 7,089</b> | <b>SF</b> |                  |            |
| 4,509              | SF        | 200 SF/ PERSON = | 23         |
| 1,685              | SF        | 200 SF/ PERSON = | 8          |
| <b>TOTAL 6,194</b> | <b>SF</b> |                  |            |
| 6,145              | SF        | 200 SF/ PERSON = | 31         |
| 106                | SF        | 200 SF/ PERSON = | 1          |
| <b>TOTAL 6,251</b> | <b>SF</b> |                  |            |
| 6,145              | SF        | 200 SF/ PERSON = | 31         |
| 106                | SF        | 200 SF/ PERSON = | 1          |
| <b>TOTAL 6,251</b> | <b>SF</b> |                  |            |
| 5,889              | SF        | 200 SF/ PERSON = | 29         |
| 335                | SF        | 200 SF/ PERSON = | 2          |
| <b>TOTAL 6,224</b> | <b>SF</b> |                  |            |
| 735                | SF        | 15 SF/ PERSON =  | 49         |
| <b>32,744</b>      | <b>SF</b> | <b>People</b>    | <b>209</b> |



## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 31, 2016

Ms. Olivia Dawson  
Acorn Engineering  
P.O. Box 3372  
Portland, ME 04104

Re: 161 York Street  
Ability to Serve with PWD Water

Dear Ms. Dawson:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on August 3, 2016. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter does not constitute approval of this project from the District. Review and approval of final plans is required.**

### Conditions of Service

The following conditions of service apply:

- A new 4-inch fire service and 2-inch domestic service may be installed as shown on the "Utility Plan, 161 York Street Redevelopment Sheet C-20 dated August 3, 2016 and returned to you with marked up comments.
- Two existing ¾" services SV271826 and SV273689 need to be terminated by shutting the corporation, cutting the copper and removing the curb box and rod.
- Once the final plans are approved and the project is ready for construction, the owner or contractor will need to make an appointment to come in and complete a service application form and pay the necessary fees.

### Existing Site Service

According to District records, the project site does currently have existing water service. Two ¾-inch diameter copper water service lines, located as shown on the attached water service cards, provide water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of these services.





### Water System Characteristics

According to District records, there is an 12-inch diameter ductile iron water main on the northwest side of York Street and a public fire hydrant located 120 feet from the site. Recent flow data is not available in this area. The most recent static pressure reading was 90 psi on October 9, 2015.

### Public Fire Protection

The installation of new public hydrants to be accepted into the District water system will most likely not be required. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

### Domestic Water Needs

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

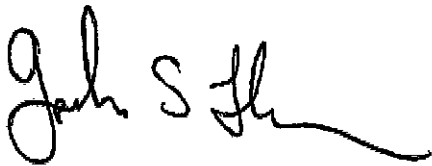
### Private Fire Protection Water Needs

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

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to [MEANS@PWD.org](mailto:MEANS@PWD.org) or mailed to 225 Douglass Street, Portland Maine, 04104 c/o MEANS. The Internal Review Team will undertake review as requested within 2 weeks of receipt of a request for review.

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

Sincerely,  
Portland Water District

A handwritten signature in black ink, appearing to read "Gordon S. Johnson", with a long, sweeping horizontal line extending to the right.

Gordon S. Johnson  
Engineering Services Manager

TO BE  
REMOVED

NO. 165 YORK

SERVICE RECORD

PORT. 027

ST. DIVISION

REG. NO. 1826

Code No.

Name LAROCHELLE

Name

Name

Name

MEASURES

SERVICE DATA

Size of Pipe

3/4 COPPER

Kind of Pipe

COPPER

Main to Stop

18'

Stop to St. Line

10' N

Date

8/10/196

Mat. on Private

3/4 COPPER

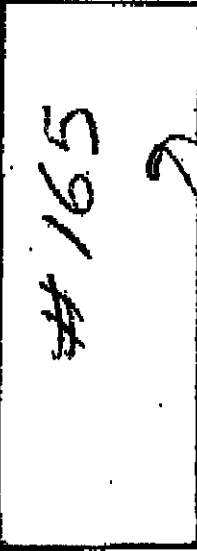
Depth/Main

5'

Depth/Private

5'

Shut at Corp.



TO BE  
RETURNED

#161 YORK ST.

SERVICE RECORD

PART. 027

ST. DIVISION

NO.

Code No.

REG. NO.

3689

Name

Name

Name

Name

MEASURES

Name

SERVICE DATA

Size of Pipe

3/4 COPPER

Kind of Pipe

COPPER

Main to Stop

16'

Stop to St. Line

ON

Date

8/10/96

Mat. on Private

3/4 COPPER

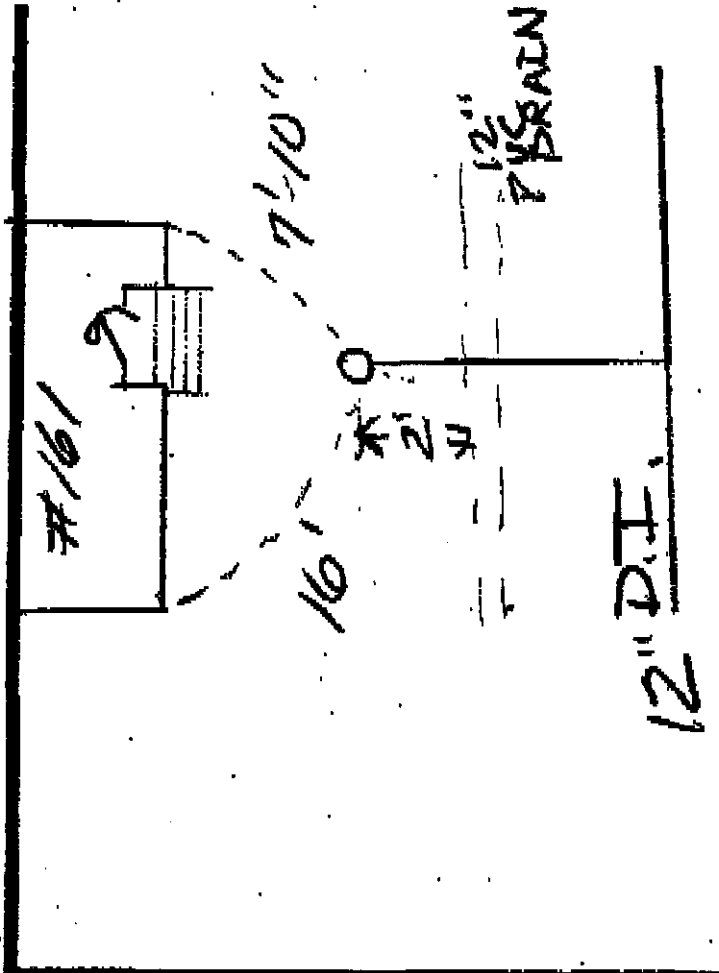
Depth/Main

4 1/2'

Depth/Private

5'

Shut at Corp.



## **K. Solid Waste Disposal**

The eleven unit owners, or their property management company, shall be responsible for relocating the solid waste and recyclable material to the space allocated for solid waste storage as necessary and noted on the First Floor Site Plan (C-11).

The solid waste containers will be fully enclosed and screened from the public view.





## L. Utilities

The proposed project will include installation of new utility services to the building and individual units.

### *Water:*

As identified in the Existing Conditions Plan, the site has two existing water service lines. The service lines are to be removed and replaced in accordance with the Portland Water District. The proposed services feature a parent-child connection on the south side of the proposed building. Permission has been granted from Portland Water District to install the services 7.40 feet off the property line instead of the required 10 feet (attached).

### *Sewer:*

An existing sewer service was not identified on the property. We contacted the Department of Public Works with an Ability to Serve Letter and have not received a response. We then reached out to a City Surveyor who provided us with archived maps which do not depict an existing sewer service for 161-163 York Street. A proposed service line will connect to the 36" brick sewer main in York Street. A line from the covered parking garage floor drains will flow through an oil-water separator and then wye into the sewer service, connecting to the sewer main.

### *Storm:*

An existing storm line was not identified on the property. One proposed storm drain will connect the stormwater detention system to the separated Type C 12" underdrain in York Street as seen on C-20 and C-31.

### *Electric / Telephone / Cable:*

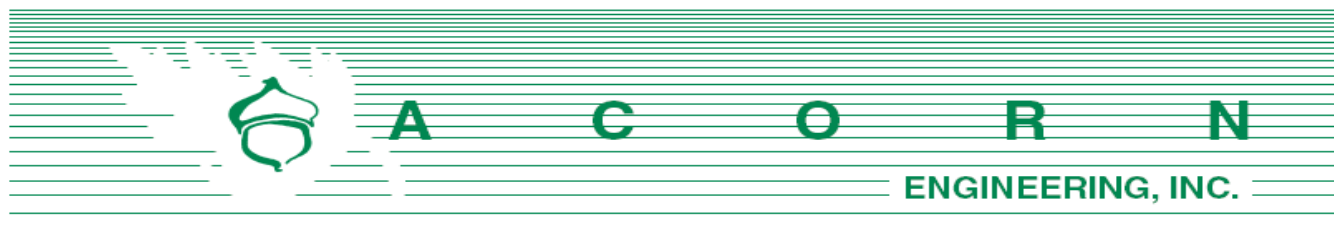
Overhead electric, telephone, and cable lines have recently been removed during demolition of the site. All proposed service lines will be routed underground from an existing utility pole across York Street. If required by Central Maine Power, three proposed pole-mounted transformers will be installed.

### *Gas:*

A retired gas valve exists in the York Street Right-of-Way. A new service is proposed to service the building from an existing gas main on Guilford Court.

Ability to serve letters have been sent out to the respective utility companies on August 3<sup>rd</sup>, 2016 in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-527(g)(7). Revised Utility Plans and letters were then sent out on November 2<sup>nd</sup>, 2016. Please refer to the attached letters and responses. Pending responses will be forwarded to the planner once received.





Portland Water District  
Attn: Gordon S. Johnson  
225 Douglas Street  
Portland, Maine 04104

November 2, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve – Utility Plan Update

Dear Mr. Johnson,

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

The proposed domestic and fire services are to still be tapped from the existing 12" ductile iron water main within York Street but are to be a parent-child connection with only the 4" fire service tapping into the main; the 2" domestic service is then to split from the 4" pipe before passing the property line and outfitted with a 2" curb stop. The domestic and fire are to maintain a minimum of 18" face-to-face separation until connecting to the building.

Due to space constraints and the City Ordinance required street tree placement, the services will be 10' from the center of the nearest tree but only 7.5' from the side property line after dividing into two services. After many design iterations and alternatives, this proposed plan best suits the site and building from a separation standpoint except for the 10' service line separation requirement from the property line as set by PWD.

Please note that the design flows have not changed since the last ability to serve submission.

I have attached the latest utility plan for your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Olivia Dawson, E.I.  
*Design Engineer*  
*Acorn Engineering, Inc.*

Cc: Norman Twaddel – Portland Water District  
William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.



## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 31, 2016

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Acorn Engineering  
P.O. Box 3372  
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### Public Fire Protection

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### Domestic Water Needs

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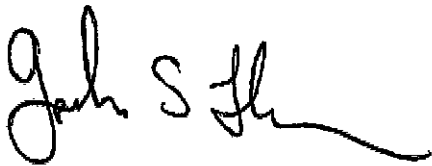
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If the District can be of further assistance in this matter, please let us know.

Sincerely,  
Portland Water District

A handwritten signature in black ink, appearing to read "Gordon S. Johnson", with a long, sweeping horizontal line extending to the right.

Gordon S. Johnson  
Engineering Services Manager



## Olivia Dawson

---

**From:** Robert Bartels P.E. <rbartels@pwd.org> on behalf of AMaP MEANS <means@pwd.org>  
**Sent:** Thursday, November 03, 2016 9:10 AM  
**To:** Olivia Dawson  
**Cc:** William Savage; Sam Lebel  
**Subject:** 373105-161 York St, Portland  
**Attachments:** 373105\_MarkupsRAB.pdf

Olivia,

Please see attached markups. PWD accepts the 7.5' separation from property line.

Please let me know if you have questions.

Respectfully,

**Robert Bartels P.E.**  
**Senior Project Engineer**

Portland Water District

Phone:

E-mail: [rbartels@pwd.org](mailto:rbartels@pwd.org)

<http://www.pwd.org>

## Sam Lebel

---

**From:** Robert Bartels <rbartels@pwd.org> on behalf of AMaP MEANS <means@pwd.org>  
**Sent:** Wednesday, February 08, 2017 3:35 PM  
**To:** Sam Lebel  
**Subject:** RE: 373105-161 York St, Portland  
**Attachments:** 373105-MarkupsFinalRAB.pdf

Sam,

Please see attached markup. I added "at main" to the service retirement note(s).

The 10-foot separation is required where water lines are installed adjacent to street trees in the *public right-of-way*. If the trees are going to be on private property, they can be closer than 10'. Please remember that any damage caused by the roots of the trees to the water line on private property is the responsibility of the property owner, not the water district. The District recommends that you maintain 10' regardless.

Drawings approved as per my markup, please send a full set of plans (PDF) when they are available.

Thanks,

**Robert Bartels**  
**Senior Project Engineer**

Portland Water District

Phone:

E-mail: [rbartels@pwd.org](mailto:rbartels@pwd.org)

<http://www.pwd.org>

---

**From:** Sam Lebel [mailto:[slebel@acorn-engineering.com](mailto:slebel@acorn-engineering.com)]  
**Sent:** Tuesday, February 07, 2017 4:06 PM  
**To:** Robert Bartels <rbartels@pwd.org>  
**Cc:** AMaP MEANS <means@pwd.org>; William Savage <wsavage@acorn-engineering.com>; Olivia Dawson <odawson@acorn-engineering.com>  
**Subject:** RE: 373105-161 York St, Portland

Robert,

Attached is the revised utility plan for the 161 York Street redevelopment in which we are now proposing a 6" fire line.

It is desired to plant trees along the property line to the left of the proposed water lines; however, there is not enough room to accommodate the required 10-foot separation. Are there measures such as encasing the water lines that would allow the project to have trees planted with 5 feet of separation?

Please send back a letter of approval if this plan is accepted by PWD.

Thank you,

**Sam Lebel, EI**  
**Design Engineer**

Licensed in Maine

TO BE  
REMOVED

NO. 165 YORK

SERVICE RECORD

PORT. 027

ST. DIVISION

REG. NO. 1826

Code No.

Name LAROCHELLE

Name

Name

MEASURES

SERVICE DATA

Size of Pipe 3/4 COPPER

Kind of Pipe COPPER

Main to Stop 18'

Stop to St. Line 8/10/196

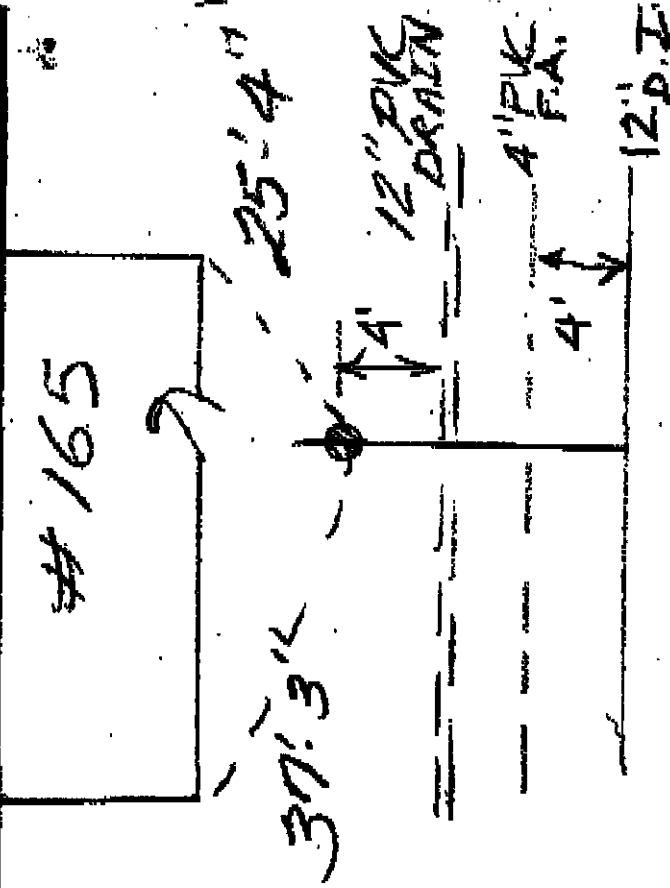
Date 8/10/196

Mat. on Private 3/4 COPPER

Depth/Main 5'

Depth/Private 5'

Shut at Corp.



TO BE  
RETURNED

#161 YORK ST.

SERVICE RECORD

PART. 027

ST. DIVISION

NO.

Code No.

REG. NO.

3689

Name

Name

Name

Name

Name

MEASURES

SERVICE DATA

Size of Pipe

3/4 COPPER

Kind of Pipe

COPPER

Main to Stop

16'

Stop to St. Line

ON

Date

8/10/96

Mat. on Private

3/4 COPPER

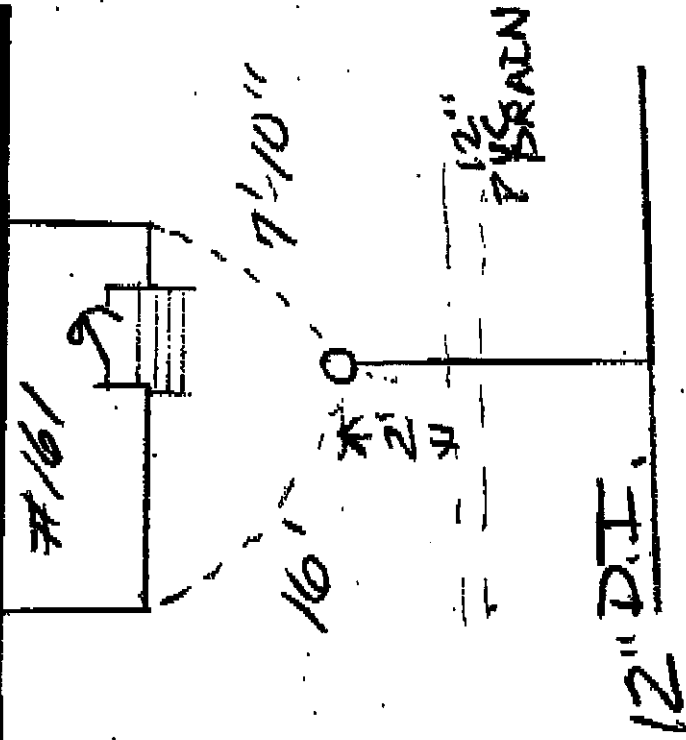
Depth/Main

4 1/2'

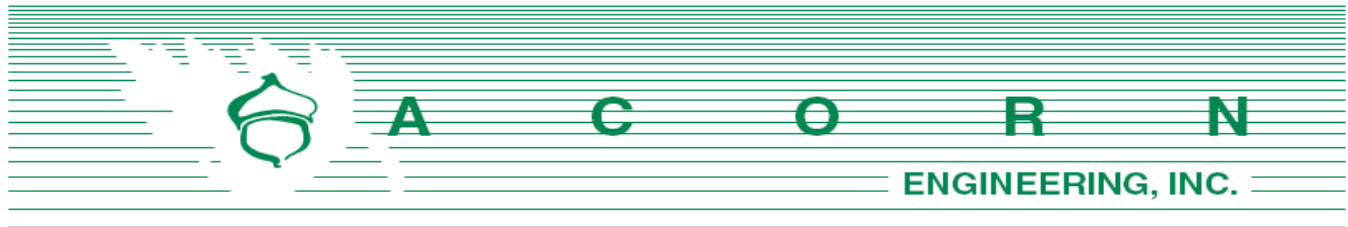
Depth/Private

5'

Shut at Corp.







Department of Public Works  
Attn: Mr. Brad Roland, P.E.  
55 Portland Street  
Portland, Maine 04101

November 2, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve – Utility Plan Update

Dear Mr. Roland:

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

The proposed sewer service will continue to outlet into the existing 36" sanitary sewer line within York Street. The gravity sewer line will consist of domestic waste from the residential units as well as meltwater and liquid runoff from the internal parking garage after being treated by a water-oil separator. Per City requirement, a backflow valve is to be installed within the property lines before the service enters the City system.

Per a Department of Public Works archive research request, no existing sewer services or cards were identified for the households (2) that were previously demolished in anticipation of redevelopment of the lot.

I have attached the latest utility plan for your review as well as two documents that were provided by the Archives Department that outline the known, documented services within York Street. The wastewater application has not changed since our last correspondence as well. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Olivia Dawson, E.I.  
*Design Engineer*  
Acorn Engineering, Inc.

Cc: William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.



November 29, 2016

Re: Wastewater Capacity Authorization

Address: **161 York Street**

Applicant: Michael Cianchette, York Street Development

Planner: Shukria Wiar

**Anticipated Wastewater Flows:**

| Estimate of Anticipated Design Flows                                                       |           |                 |                          |                       |
|--------------------------------------------------------------------------------------------|-----------|-----------------|--------------------------|-----------------------|
| Development                                                                                | Unit Size | Number of Units | Gallons per Day per Unit | Total Gallons per Day |
| <b>Existing flow to be removed</b>                                                         |           |                 |                          |                       |
| Residential Units                                                                          | 3-Bedroom | 2               | 270                      | 540                   |
| <b>Proposed flow</b>                                                                       |           |                 |                          |                       |
| Residential Units                                                                          | 2-Bedroom | 4               | 180                      | 720                   |
| Residential Units                                                                          | 3-Bedroom | 7               | 270                      | 1,890                 |
| <b>Net Change</b>                                                                          |           |                 |                          | <b>+ 2,070</b>        |
| *Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition |           |                 |                          |                       |

**Comments:**

The Department of Public Works, which includes the Water Resource Division, have reviewed and determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

You are reminded that the sewers you are proposing to connect into convey both sanitary and stormwater (Combined Sewer) and therefore a backflow preventer is suggested. Any addition of stormwater flows in this drainage area will have an impact on CSO discharge volumes therefore no roof, sump pump or site drainage may be discharged to the sanitary sewer. It is noted in your preliminary plan dated 2016-11-02 of the intent to remove all roof drains from entering the sewer system.

If the City can be of further assistance, please contact me at all 874-8840 or [brad@portlandmaine.gov](mailto:brad@portlandmaine.gov)

Sincerely,  
CITY OF PORTLAND

Bradley A. Roland, P.E.  
Senior Project Engineer

CC:

Jeffrey Levine, Director, Department of Planning and Urban Development, City of Portland

Stuart O'Brien, Planning Director, Department of Planning and Urban Development, City of Portland

Barbara Barhydt, Development Review Services Mgr., Dep't. of Planning and Urban Development, City of Portland

Kathi Earley, City Engineer/Engineering Manager, Portland Department of Public Works

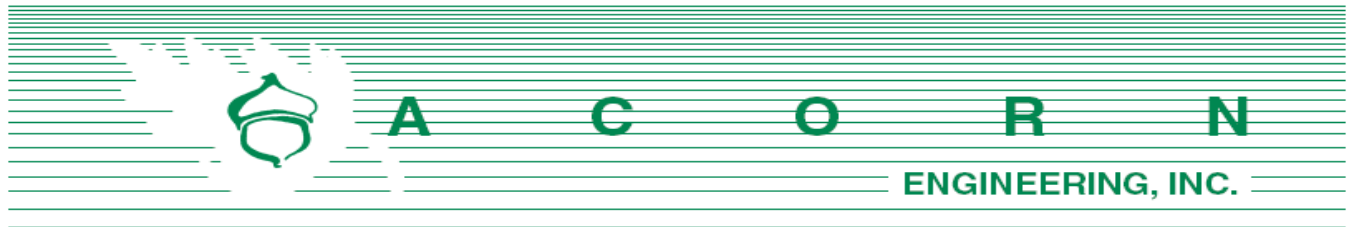
Nancy Gallinaro, Water Resources Manager, Portland Department of Public Works

Rachel Smith, Industrial Pretreatment Coordinator, Portland Department of Public Works

John Emerson, Wastewater Coordinator, Portland Department of Public Works

Lauren Swett, Woodard & Curran, DPW Development Review

Scott Firmin, Director of Wastewater, Portland Water District



Central Maine Power Company  
Attn: Mr. Paul DuPerre  
162 Canco Road  
Portland, Maine 04103

November 2, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve – Utility Plan Update

Dear Mr. DuPerre:

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

After careful consideration of the space restrictions of the site, the proposed electrical/telephone/cable service is to supply the building via two pole-mounted transformers located to the rear property on a new utility pole. The new pole will reroute the existing overhead lines on Guilford Court from which the underground service will start. The service is to maintain and will exceed a 12" radial clearance from the stormwater line that runs parallel to it before entering the building.

I have attached the latest utility plan for your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Olivia Dawson, E.I.  
*Design Engineer*  
*Acorn Engineering, Inc.*

Cc: William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.





**CENTRAL MAINE  
POWER**

August 18, 2016

Acorn Engineering Inc.  
C/O Ms. Olivia Dawson  
PO Box 3372  
Portland, Maine 04104

RE: Electric Service, 161 York Street, Portland, Maine

Dear Ms. Dawson,

This letter is to advise you Central Maine Power has sufficient single phase electrical capacity in the area to serve the subject project.

Once the project is accepted by the City of Portland, the owner will need to call our Customer Service Center at 1-800-565-3181 to sign up for a New Account and a SAP Work Request Order so we may start a cost estimate.

Please provide to CMP what size service the Customer will be requiring in order to get the needed information for costs and an easement will be required for this project.

If you have any questions please feel free to call me at 828-2882.

Sincerely,

Paul DuPerre  
Energy Service Specialist

---

162 Canco Road, Portland, ME 04103  
Telephone 800.750.4000, Fax 207.791.1026  
cmpco.com



**IBERDROLA  
USA**

An equal opportunity employer



## Sam Lebel

---

**From:** Sam Lebel  
**Sent:** Friday, December 16, 2016 11:37 AM  
**To:** 'Duperre, Paul'  
**Cc:** Will Savage (wsavage@acorn-engineering.com); Olivia Dawson (odawson@acorn-engineering.com)  
**Subject:** RE: 161 York Street

Got it, thanks Paul.

---

**From:** Duperre, Paul [mailto:Paul.Duperre@cmpco.com]  
**Sent:** Friday, December 16, 2016 9:41 AM  
**To:** Sam Lebel <slebel@acorn-engineering.com>  
**Subject:** RE: 161 York Street

On Pole 19 York Street, the existing 120/240 single phase transformer will be relocated to Pole 20 to feed the existing customers.

Then (3) 120/208 transformers will be placed on Pole 19 to feed your new facility at three phase.

“dup”

---

**From:** Sam Lebel [mailto:slebel@acorn-engineering.com]  
**Sent:** Thursday, December 15, 2016 2:45 PM  
**To:** Duperre, Paul  
**Subject:** 161 York Street

Paul,

It was good to meet you this morning – thanks for coming out.

I wanted to confirm/document the plan for underground electric regarding the 161 York St redevelopment – run the conduits from the proposed building underground through York St and hook up to the existing utility pole on the southeast side of York. It is my understanding that this will require 2 additional transformers on the pole to supply 3-phase electricity. Thank you for your time.

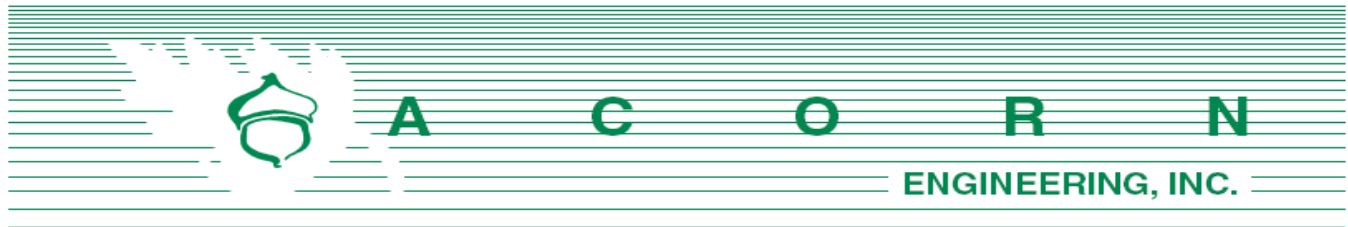
Regards,

**Sam Lebel, EI**  
**Design Engineer**

Licensed in Maine

Acorn Engineering, Inc  
PO Box 3372  
Portland, Maine 04104  
[www.acorn-engineering.com](http://www.acorn-engineering.com)

B. 207.775.2655  
C. 207.478.4327



Fairpoint Communications  
Attn: Mr. Scott Derrig  
5 Davis Farm Road  
Portland, Maine 04103

November 2, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve – Utility Plan Update

Dear Mr. Derrig:

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

After careful consideration of the space restrictions of the site, the proposed electrical/telephone/cable service is to supply the building from a new utility pole located to the rear property. The new pole will reroute the existing overhead lines on Guilford Court from which the underground service will start; per prior requests, the telephone and cable services will bypass the two pole-mounted transformers. The service is to maintain 12" radial clearance from the stormwater line that runs parallel to it before entering the building.

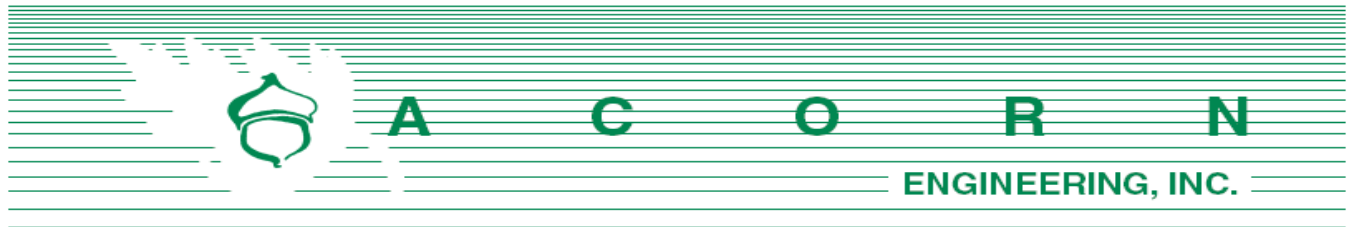
I have attached the latest utility plan for your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Olivia Dawson'.

Olivia Dawson, E.I.  
*Design Engineer*  
*Acorn Engineering, Inc.*

Cc: William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.



Charter Communications  
Attn: Mr. Mark Pelletier  
118 Johnson Road  
Portland, Maine 04102

November 2, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve – Utility Plan Update

Dear Mr. Pelletier:

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

After careful consideration of the space restrictions of the site, the proposed electrical/telephone/cable service is to supply the building from a proposed utility pole located to the rear property. The new pole will reroute the existing overhead lines on Guilford Court from which the underground service will start; per prior requests, the telephone and cable services will bypass the two pole-mounted transformers. The service is to maintain 12" radial clearance from the stormwater line that runs parallel to it before entering the building.

I have attached the latest utility plan for your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Olivia Dawson, E.I.  
*Design Engineer*  
*Acorn Engineering, Inc.*

cc: William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.



## Sam Lebel

---

**From:** Olivia Dawson  
**Sent:** Tuesday, February 07, 2017 11:21 AM  
**To:** Sam Lebel  
**Subject:** FW: 161 York Street - Ability to Serve

---

**From:** Pelletier, Mark [mailto:Mark.Pelletier@charter.com]  
**Sent:** Friday, November 04, 2016 7:48 AM  
**To:** Olivia Dawson <odawson@acorn-engineering.com>  
**Subject:** RE: 161 York Street - Ability to Serve

Olivia,

Ok so apparently I had a "DUH" moment yesterday. We already have a main cable plant going down Guilford Ct. I looked on my system maps at wrong st and wrong ally way...

Charter communications can provide coax services to the new riser pole to this new bldg.

Sorry about my Duh moment yesterday..

Mark

---

**From:** Olivia Dawson [mailto:odawson@acorn-engineering.com]  
**Sent:** Thursday, November 03, 2016 9:51 AM  
**To:** Pelletier, Mark <Mark.Pelletier@charter.com>  
**Cc:** William Savage <wsavage@acorn-engineering.com>; Sam Lebel <slebel@acorn-engineering.com>  
**Subject:** RE: 161 York Street - Ability to Serve

Mark – It was just brought to my attention that we will need to have confirmation from you that the existing poles on Guilford can support the cable extension and that Charter will be responsible for the construction.

If you could coordinate or perform a site visit to confirm the existing utility poles are acceptable, I would appreciate it.

Thanks in advance for your help,

- **Olivia**

*C: (585) 797-8780*

---

**From:** Olivia Dawson  
**Sent:** Thursday, November 03, 2016 9:17 AM  
**To:** 'Pelletier, Mark' <Mark.Pelletier@charter.com>  
**Cc:** William Savage <wsavage@acorn-engineering.com>; Sam Lebel <slebel@acorn-engineering.com>  
**Subject:** RE: 161 York Street - Ability to Serve

Okay, so Charter would be able and willing to extend the main cable to service the building from Guilford Court.

We will have the contractor coordinate with and update you on scheduling so that the extension construction can be planned accordingly.

Thanks,

- **Olivia**

*C: (585) 797-8780*

---

**From:** Pelletier, Mark [<mailto:Mark.Pelletier@charter.com>]

**Sent:** Thursday, November 03, 2016 8:43 AM

**To:** Olivia Dawson <[odawson@acorn-engineering.com](mailto:odawson@acorn-engineering.com)>

**Subject:** RE: 161 York Street - Ability to Serve

Well, actually not at this time. We have no main cable plant on that road, Just a service drop to one of the bldgs/home. So we Would also need to extend our main cable plant from Park St to new riser pole...

Mark

---

**From:** Olivia Dawson [<mailto:odawson@acorn-engineering.com>]

**Sent:** Thursday, November 03, 2016 8:33 AM

**To:** Pelletier, Mark <[Mark.Pelletier@charter.com](mailto:Mark.Pelletier@charter.com)>

**Cc:** William Savage <[wsavage@acorn-engineering.com](mailto:wsavage@acorn-engineering.com)>; Sam Lebel <[slebel@acorn-engineering.com](mailto:slebel@acorn-engineering.com)>

**Subject:** RE: 161 York Street - Ability to Serve

Morning Mark,

I appreciate your quick reply.

To elaborate on your statement, is it safe to state or assume that Charter Communications has adequate infrastructure on Guilford Court to service the proposed building?

Thanks in advance for the confirmation,

- **Olivia**

*C: (585) 797-8780*

---

**From:** Pelletier, Mark [<mailto:Mark.Pelletier@charter.com>]

**Sent:** Thursday, November 03, 2016 7:47 AM

**To:** Olivia Dawson <[odawson@acorn-engineering.com](mailto:odawson@acorn-engineering.com)>

**Subject:** RE: 161 York Street - Ability to Serve

Olivia, thank you, we'll make the change....

Mark

---

**From:** Olivia Dawson [<mailto:odawson@acorn-engineering.com>]  
**Sent:** Wednesday, November 02, 2016 1:55 PM  
**To:** Pelletier, Mark <[Mark.Pelletier@charter.com](mailto:Mark.Pelletier@charter.com)>  
**Cc:** William Savage <[wsavage@acorn-engineering.com](mailto:wsavage@acorn-engineering.com)>; Sam Lebel <[slebel@acorn-engineering.com](mailto:slebel@acorn-engineering.com)>  
**Subject:** RE: 161 York Street - Ability to Serve

Mark,

Acorn Engineering has continued preparing the 161 York Street project design for preliminary submission to the City and, in that design process, the Preliminary Utility Plan has been revised since our last correspondence.

I have attached the revised Utility Plan and a formal cover letter outlining the changes.

Thanks in advance for your review,

**Olivia Dawson**  
**Engineer**  
*Licensed E.I. in Maine*  
*Licensed E.I.T in New York*

Acorn Engineering, Inc  
PO Box 3372  
Portland, Maine 04104  
[www.acorn-engineering.com](http://www.acorn-engineering.com)

C: 585.797.8780  
B. 207.775.2655

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---

**From:** Olivia Dawson  
**Sent:** Wednesday, August 03, 2016 3:20 PM  
**To:** 'Pelletier, Mark' <[Mark.Pelletier@charter.com](mailto:Mark.Pelletier@charter.com)>  
**Subject:** 161 York Street - Ability to Serve

Good Afternoon Mark,

Acorn Engineering, Inc., on behalf of York Street Redevelopment, LLC, is sending a formal Ability to Serve letter to your office for the proposed development of 161 York Street in Portland, Maine.

Attached is the Ability to Serve Letter, Preliminary Utility Plan, and an existing conditions survey as completed by Spurwink Surveying, LLC.

Please do not hesitate to contact me or our office with any additional questions or clarifications as well. I will be out of the office on vacation next week but will respond to any emails as soon as I return.

Thanks!

**Olivia Dawson**  
**Engineer**

*Licensed E.I. in Maine*

*Licensed E.I.T in New York*

**Acorn Engineering, Inc**

PO Box 3372

Portland, Maine 04104

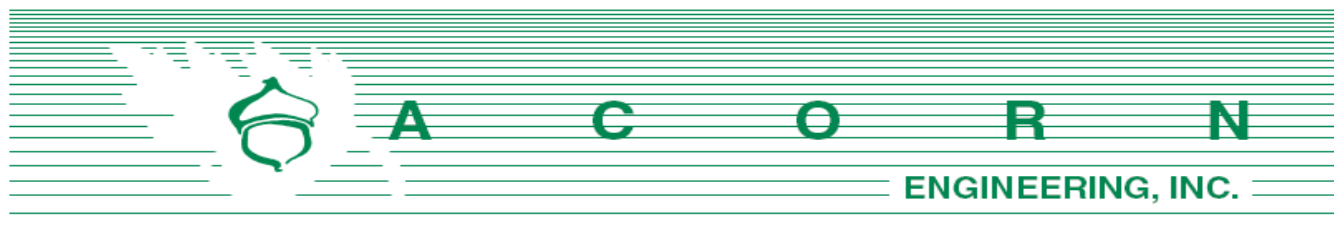
[www.acorn-engineering.com](http://www.acorn-engineering.com)

C: 585.797.8780

B. 207.775.2655

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Unitil Service Corp.  
Attn: Bridget Harmon  
376 Riverside Industrial Parkway  
Portland, Maine 04103

November 2nd, 2016

Subject: 161 York Street Redevelopment  
Re: Ability to Serve

Dear Mrs. Harmon:

Since our last correspondence, there has been continued design and development of the proposed 161 York Street redevelopment project.

The current plan proposes to service the building via the existing gas line within Guilford Court; the service is to extend from the existing gas stub at the main line and enter the building from the southernmost side wall. The proposed service will avoid contact with the subsurface stormwater detention system

I have attached the latest utility plan for your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Olivia Dawson, E.I.  
*Design Engineer*  
*Acorn Engineering, Inc.*

Cc: William Savage – Acorn Engineering, Inc.  
Sam Lebel – Acorn Engineering, Inc.



August 4, 2016

Acorn Engineering Corp.  
Attention: Olivia Dawson  
PO Box 372  
Portland Maine 04104

Re: 161 York Street Redevelopment, Portland Maine

Dear Ms. Dawson:

Thank you for your interest in using natural gas for the above referenced project.

This is to confirm that natural gas can be made available from our distribution system to serve your proposed redevelopment project.

Any improvements to the existing distribution system necessary to provide this service, as well as the design of the gas system in the project itself will be established as the overall design and scope of your project progresses.

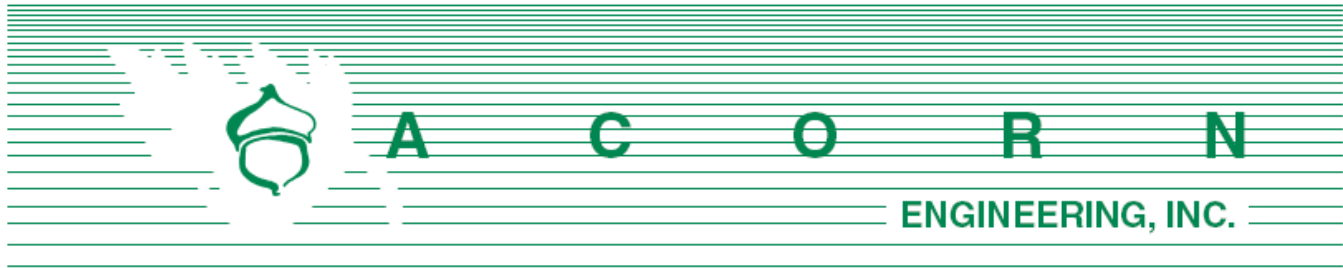
All work necessary to provide service will be performed in accordance with the Maine Public Utilities Commission requirements.

If you have any further questions or require additional information, please contact me directly at (207) 541-2536 or at [Harmon@Unitil.com](mailto:Harmon@Unitil.com).

Sincerely,  
Bridget L. Harmon  
Business Development Representative  
Unitil Corporation  
(O) 207-541-2536 (F) 207-541-2586

---

ME GAS CUSTOMER ENERGY SOLUTIONS  
376 Riverside Industrial Parkway  
Portland, ME 04103  
T 207-541-2536 [www.unitil.com](http://www.unitil.com)  
[Harmon@Unitil.com](mailto:Harmon@Unitil.com)



## **M. Construction Management Plan**

**Project Address:** 161 York Street

**Project Description:**

The proposed project is an urban infill residential 11-unit redevelopment of two single-family dwellings. The site has recently been demolished to facilitate the redevelopment of the property. The proposed site is to be accessed via York Street and Guilford Court.

**Project Team Summary:**

|                      |                                                 |
|----------------------|-------------------------------------------------|
| Owner:               | York Street Redevelopment, LLC                  |
| General Contractor:  | Landry/French                                   |
| Civil Engineer:      | Acorn Engineering, Inc.                         |
| Architect:           | Mark Mueller Architects                         |
| Structural Engineer: | Structural Integrity Consulting Engineers, Inc. |

**Timeline and Schedule:**

|                        |                                                                                                                                                                                                            |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Projected Start Date:  | Spring 2017                                                                                                                                                                                                |
| Project Duration:      | Approximately One Year                                                                                                                                                                                     |
| Projected Completion:  | Spring 2018                                                                                                                                                                                                |
| Street Interruption:   | During the installation of utilities within York Street. It is the sole responsibility of the contractor to manage traffic during the street interruption.                                                 |
| Sidewalk Interruption: | During the installation of utilities and foundation wall construction. The contractor shall maintain pedestrian access along York Street either through the existing sidewalk or through a temporary path. |

**Emergency Contact:**

- Michael Cianchette
- (207) 774-1000

|                        |                                                                         |
|------------------------|-------------------------------------------------------------------------|
| Estimated Work Hours:  | 7:00 am to 5:00 pm                                                      |
| Delivery Truck Access: | Contact Michael Cianchette or the owner's representative to coordinate. |
| Worker Parking:        | On the street.                                                          |

York Street Redevelopment, LLC and their contractor will work with the City of Portland, and adjacent landowners to minimize any project impacts.

The General Contractor will remain solely and completely responsible for enforcement of and compliance with 1) all contract plans and specifications and 2) all site working conditions and safety requirements, day and night, for both persons and property, in each case both by the contractor and its subcontractors. These include all OSHA, NIOSH, U.S. EPA, local ordinance and any other applicable governmental regulations. The General Contractor will remain responsible for safeguarding the general public.

The General Contractor is advised to visit the site to confirm the site conditions. The site was demolished in the Spring of 2016 which cleared the two dwellings, walkways, and other developed areas. However, some construction debris remains on site as well as multiple trees, stone walls, and a fence line. It is the sole responsibility of the contractor to demolish the rest of the site in full compliance with City and State regulations. Refer to the Civil/Site Plan Set, Sheet C-31 for location of the proposed sedimentation barrier. Refer to the Existing Conditions Plan for a visual representation of the site before it was demolished and what may still exist on site.







February 14, 2017

Final Application

**RE: 161 York Street**  
Portland, Maine

As the architects from the 161 York Street project, the enclosed narrative addresses our response to the design critique provided to us by the Portland city planners.

A quick review of the project, on behalf of Portland Properties we are proposing a 11 unit condominium project of residential living. The project includes two levels of parking, bicycle storage on the first floor and a roof deck overlooking the Fore River and beyond.

The design intent of the project can be referenced in our submission for the preliminary application phase of approvals.

Response to Design Review comments:

**A-1 Scale and Form:** our design from the comments by Caitlin have mostly focused on this one issue. The remainder of her comments have natural resolved themselves.

The building design as part of this submission has included additional relief in the building façade. These reliefs are most centrally focused about the overlook balconies on the York Street elevation, however additional articulation can be seen on the rear elevations of the building. There are created by the transition from a full bed brick veneer to a thin-brick application of the same brick color and flashing.

**B-2 Roof Forms:** screening the roof top equipment has now been shown on the plans and elevations.



**B-5 Façade Articulation/ D-3 Porches:** has been added to the building and is addressed above. For clarification, the overlook balconies were never intended to be decks. Their inclusion in the design is to create a large wall opening for ventilation, similar to a garage door in a truly modern residential living project or a large exterior bi-fold door.

**C-1 Entrances:** this item represents the largest revisions to the built aspect of the project. We have moved the entrance closer to the York Street. It was our intention to make the portico element read as a side porch, however given to critique, we have increased it's the entrance's presence by extending it further to York Street. A residential door has been added to the front façade to increase the pedestrian component and circulation about the building.

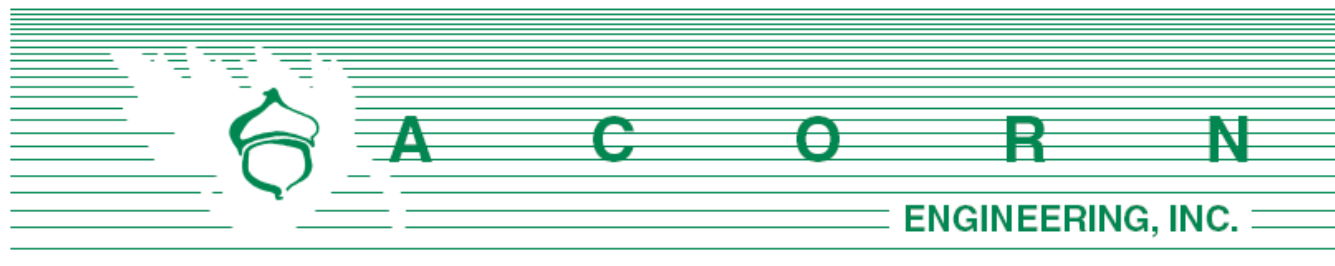
**F-1 Articulation:** at this time the dentils are a part of the design and shall remain.

**F-2 Window Types:** the front façade does include three window types; picture, casement and awnings. All three types are a metal clad window and will have similar head, jamb and sill details and be selected from the same window series.

The windows will be rear-set and shall not contain a jamb return, therefore they set back approximately 3". The windows in profile shall be minimal and not contain a brick mold. The window head treatment shall be a 3-course high 'header' brick treatment, the sills shall be a rock face granite with honed sloped sill of a mid-range grey color.

**F-6 Main Entries:** our resign now entails a stronger presence from York Street and is addressed earlier in the narrative.

**G-4: Window Types:** are also been addressed in a previous paragraph.



Division of Housing and Community Development  
Attn: Tyler Norod  
City of Portland, Maine  
389 Congress Street, Room 312  
Portland, ME 04101

November 18, 2016

Subject: Conditional Use for Ensuring Workforce Housing Inclusionary Zoning  
Planning Board Review  
Redevelopment of 161 York Street - Portland, Maine

Dear Tyler Norod,

York Street Redevelopment, LLC is pleased to submit the accompanying package of submission materials related to the proposed 11-unit urban infill redevelopment of 161 York Street and its compliance with the standards set by the Workforce Housing Inclusionary Zoning. This letter and attachments are a follow-up to the preliminary application package submitted on November 8, 2016. The developer will pay the fee-in-lieu of \$110,000 to the City Housing Trust Fund in place of a workforce unit.

This submission package is intended to meet the City's Inclusionary Zoning Submission Requirements as outlined in the Planning Board Review Application. The proposed project site is located near the corner of York Street and State Street. The lot previously contained two single-family dwellings before recently being demolished to facilitate the redevelopment. The site is proposed to be redeveloped into energy efficient condominiums classified as "multi-family" residences. The development site is located within the City's R-6 Zoning District, and complies with the permitted uses within the zone.

Accompanying this cover letter are the following materials:

- Section P: Site Plan Application
- Section Q: Title, Right and Interest
- Section R: Conformity with Conditional Use Standards

York Street Redevelopment, LLC and the design team look forward to your review of this project. If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,

William H. Savage, P.E.  
Principal - Project Manager

Acorn Engineering, Inc.







# 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.**

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

**Housing and Community Development**

Room 313, Third Floor, City Hall  
389 Congress Street  
(207)482-5028

**Office Hours**

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

**PROJECT NAME:**161 York Street Redevelopment

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**PROPOSED DEVELOPMENT ADDRESS:**161 York Street

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**CHART/BLOCK/LOT (s):** 044-B-007**Applicable Zone:** R-6**CONTACT INFORMATION:**

|                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant – must be owner, Lessee or Buyer</b><br><br>Name: Michael J. Cianchette<br><br>Business Name, if applicable: York Street Redevelopment, LLC<br><br>Address: 42 Market St<br><br>City/State : Portland, Maine Zip Code: 04101                                                                                                                        | <b>Applicant Contact Information</b><br><br>Work # (207) 774-1000<br><br>Home#<br><br>Cell # Fax#<br><br>e-mail: mcianchette@theregency.com |
| <b>Owner – (if different from Applicant)</b><br><br>Name:<br><br>Address: N/A<br><br>City/State : Zip Code:                                                                                                                                                                                                                                                      | <b>Owner Contact Information</b><br><br>Work #<br><br>Home#<br><br>Cell # Fax#<br><br>e-mail:                                               |
| <b>Billing Information</b><br><br>Name: See applicant information<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                                                                                                                                  | <b>Billing Information</b><br><br>Work #<br><br>Cell # Fax#<br><br>e-mail:                                                                  |
| <b>Designated person/person(s) for uploading to e-Plan:</b><br><br>Name: Olivia Dawson, E.I. (Acorn Engineering, Inc.)<br>e-mail: odawson@acorn-engineering.com<br><br>Name: Sam Lebel, E.I. (Acorn Engineering, Inc.)<br>e-mail: slebel@acorn-engineering.com<br><br>Name: Will Savage, P.E. (Acorn Engineering, Inc.)<br>e-mail: wsavage@acorn-engineering.com |                                                                                                                                             |

**RIGHT, TITLE OR INTEREST:**

Deed

(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.

The land use included single-family housing until the site was recently demolished

to facilitate the redevelopment.

**PROJECT DESCRIPTION:**

11-unit urban infill project utilizing an energy efficient building design with implementation of the

latest green infrastructure.

| INCLUSIONARY ZONING:     |           |
|--------------------------|-----------|
| # IZ Units               | 0         |
| On-Site IZ Units         | 0         |
| Off-Site IZ Units        | 0         |
| # IZ Homeownership Units | 0         |
| # IZ Rental Units        | 0         |
| # IZ Efficiencies        | 0         |
| # IZ 1-Beds              | 0         |
| # IZ 2-Beds              | 0         |
| # IZ 3-Beds              | 0         |
| IZ Fee In-Lieu           | \$110,000 |

**APPLICATION FEES:**

☒ 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.



## INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

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

1. Fill out the application completely and e-mail the **application only** to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov) (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
2. An invoice for the application fee will be e-mailed to you. Payments can be made on-line at [Pay Your Invoice](#), by mail or in person at City Hall, 4<sup>th</sup> Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
3. The designated person responsible for uploading documents and drawings will receive an email from [eplan@portlandmaine.gov](mailto:eplan@portlandmaine.gov) with an invitation into the project. At this time, you will upload all corresponding documents and plans 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.

**Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.**

4. Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:  
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.  
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions  
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

5. When ready, upload your files and documents into the following folders:  
"Application Submittal – Drawings"  
"Application Submittal – Documents"
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

| Applicant Checklist | Planner Checklist | # of Copies | GENERAL WRITTEN SUBMISSIONS CHECKLIST                                                                                                                                                              |
|---------------------|-------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| X                   |                   | 1           | Completed Application Form                                                                                                                                                                         |
| 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. 14-484, including unit size and bedroom count                                                                                |
| N/A                 |                   | 1           | Draft Workforce Housing Agreement                                                                                                                                                                  |
| N/A                 |                   | 1           | Proposed Marketing Strategy                                                                                                                                                                        |
| X                   |                   | 1           | Written Proposal for providing workforce units on-site, off-site, or payment of fee-in-lieu.                                                                                                       |
| N/A                 |                   | 1           | If the project is to be phased, provide written description of project phasing and accommodation of workforce units.                                                                               |
|                     |                   |             | <b>Plans and Construction Details Submission Checklist</b>                                                                                                                                         |
| X                   |                   | 1           | An accompanying site plan application, as applicable.                                                                                                                                              |
| N/A                 |                   | 1           | Floor Plans of all units and identifying proposed designated workforce housing units                                                                                                               |
| N/A                 |                   | 1           | Interior Standards for Units for market rate and workforce housing units, including kitchen, bathroom, flooring and closet amenities                                                               |
| N/A                 |                   | 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. |

**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 IZ 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:<br> | Date:<br>11-18-14 |
|--------------------------------------------------------------------------------------------------------------|-------------------|

Doc#: 47868 Bk:32580 Pg: 186

**WARRANTY DEED**  
**Maine Statutory Short Form**

**Know all Persons by these Presents,**

**That we, Rebecca A. Lake and Roxanne A. Larochelle**, of Portland, Maine, for consideration paid, grant to:

**York Street Redevelopment, LLC**

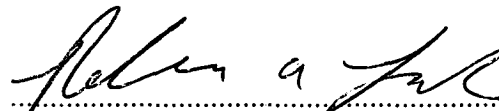
a limited liability company organized and existing under the laws of the State of Maine, and having a mailing address of: 42 Market Street, Portland, Maine 04101, with **warranty covenants**, the land in Portland, County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land, together with any buildings and improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine being more particularly described in Exhibit A attached hereto and made a part hereof.

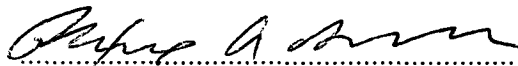
Witness our hands and seals this 9<sup>th</sup> day of September, 2015.

Signed, Sealed and Delivered  
in the presence of

  
.....

  
.....

**Rebecca A. Lake**

  
.....

**Roxanne A. Larochelle**

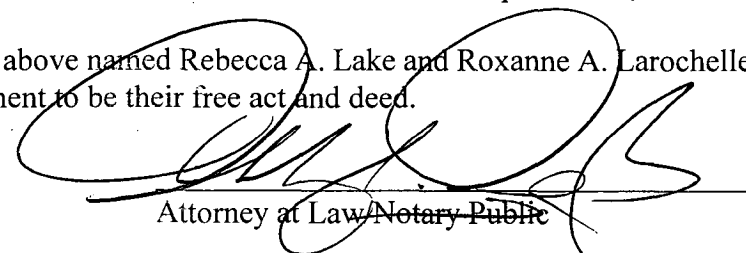
State of Maine

County of Cumberland

ss

September 9, 2015

Then personally appeared before me the above named Rebecca A. Lake and Roxanne A. Larochelle and acknowledged the foregoing instrument to be their free act and deed.

  
Attorney at Law/Notary Public

Printed Name: \_\_\_\_\_

**DONNELLY S. DOUGLAS**  
Maine Attorney at Law  
Maine Bar No. 147

MAINE REAL ESTATE TAX PAID

**EXHIBIT A**  
**161 YORK STREET, PORTLAND, MAINE**

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

Beginning at a stake on the northerly side of York Street in the corner of a lot of land formerly occupied by Joseph Deering, thence running southerly by said street one and a half rods or less to land formerly occupied by Eleazar Holmes; thence northwesterly by said Holmes lot to the corner of said Holmes lot; thence northeasterly at right angles with the line of the Holmes land to the Deering lot aforesaid; thence by the said Deering lot to said York Street at the point of beginning, reserving a passageway four and one-half feet in width upon the side of said lot next to the said Holmes lot to be used in common by the owners of the lot hereby conveyed and the owners of said Holmes lot.

Also including an easement over a strip of land adjacent to the within described premises as reserved in a deed from Rosary M. Larochelle to Tacha Vosburgh dated May 18, 1989 and recorded in said Registry at Book 8762 Page 284 and described therein as follows:

An easement in a strip of land to be used as a driveway solely and exclusively, for the use of the dominant estate and their invitees and such vehicles as needed for maintenance and improvements of both the dominant estate and the easement itself. Said strip of land is to begin at the southeasterly corner of the Rosary M. Larochelle's contiguous estate, also known as 161 York Street, and extend thirteen (13) feet east along York Street to a point and thence in a northwesterly direction fifty-six (56) feet parallel to the eastern boundary of the Rosary M. Larochelle 's contiguous estate to a point and thence 90° westerly for thirteen (13) feet to a point and thence southerly along the easterly boundary of the Rosary M. Larochelle 's said contiguous estate for fifty-six (56) feet to the point of beginning.

Being the same premises conveyed to the Grantors herein by Corrective Deed from Rosary M. Larochelle dated October 31, 2014 and recorded in Cumberland County Registry of Deeds in Book 31885 Page 225.

Received  
Recorded Register of Deeds  
Sep 10, 2015 01:38:19P  
Cumberland County  
Nancy A. Lane



MAINE REAL ESTATE TAX PAID

**WARRANTY DEED**  
**Maine Statutory Short Form**

KNOW ALL BY THESE PRESENTS, that I, **Rosary M. Larochelle**, of  
Portland, Maine, for consideration paid, grant to:

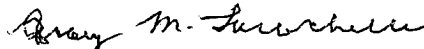
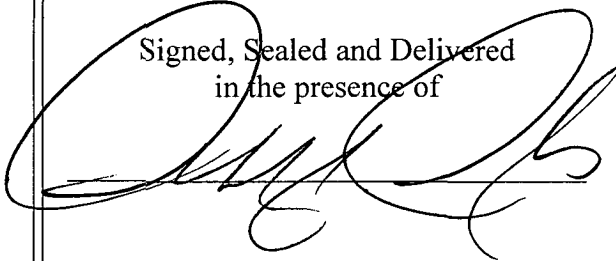
**York Street Redevelopment, LLC**

a limited liability company organized and existing under the laws of the State of Maine,  
whose mailing address is: 42 Market Street, Portland, Maine 04101, with **warranty**  
**covenants**, the real estate situated in Portland, County of Cumberland, and State of Maine,  
described as follows:

A certain lot or parcel of land, together with any buildings and improvements  
thereon, situated in the City of Portland, County of Cumberland, and State of  
Maine being more particularly described in Exhibit A attached hereto and  
made a part hereof.

Witness my hand and seal this 9<sup>th</sup> day of September, 2015.

Signed, Sealed and Delivered  
in the presence of



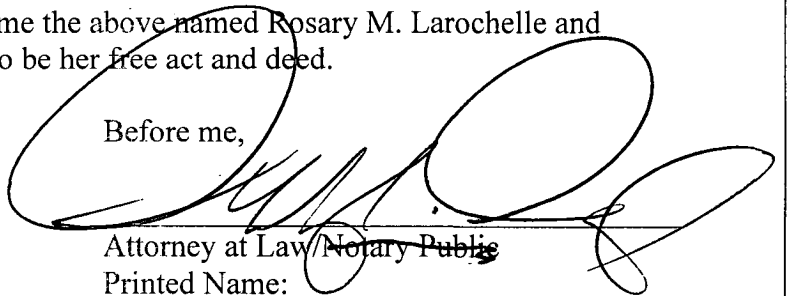
**Rosary M. Larochelle**

State of Maine  
County of Cumberland

September 9, 2015

Then personally appeared before me the above named Rosary M. Larochelle and  
acknowledged the foregoing instrument to be her free act and deed.

Before me,



Attorney at Law/Notary Public  
Printed Name:

**DONNELLY S. DOUGLAS**  
Maine Attorney at Law  
Maine Bar No. 147

**EXHIBIT A**  
**163 YORK STREET, PORTLAND, MAINE**

Certain lots or parcels of land with the buildings thereon situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

FIRST: A certain lot or parcel of land, situated on the northwesterly side of York Street in said Portland and more particularly bounded and described as follows:

Beginning at the northwesterly side of York Street at the southerly corner of land conveyed by Alpheus Boothby to Josephine Sachelie et al. by deed dated July 7, 1924, and recorded in the Cumberland County Registry of Deeds in Book 1173, Page 185; thence southwesterly by the northwesterly sideline of York Street seventy-four and twenty-five one hundredths (74.25) feet to the easterly corner of land conveyed by Nathan Dyer et al. to Stephen K. Dyer by deed dated May 26, 1862, and recorded in said Registry of Deeds in Book 313, Page 204; thence northwesterly by said Dyer land sixty (60) feet to the southeasterly sideline of the land conveyed by George W. Verrill, Assignee, to Ansel G. Dewey by deed dated June 8, 1877, and recorded in said Registry in Book 439, Page 183; thence northeasterly by said Dewey land and by land conveyed by Francis O. Sawyer to Charles Dyer by deed dated November 11, 1872, and recorded in said Registry in Book 395, Page 492, seventy-four and twenty-five one hundredths (74.25) feet to the westerly corner of said Sachelie land; thence southeasterly by said Sachelie land sixty (60) feet to the point of beginning.

SECOND: Also, a certain lot or parcel of land situated on the southeasterly side of Guilford Court in said Portland and more particularly bounded and described as follows:

Beginning on the southeasterly sideline of land conveyed by Brown Company to Carmelo S. Sachelie by deed dated April 6, 1942, and recorded in said Registry in Book 1676, Page 128, at the northerly corner of land conveyed by George W. Verrill, Assignee, to Ansel G. Dewey by deed dated June 8, 1877, and recorded in said Registry in Book 439, Page 183; thence northeasterly by said Sachelie land and by the southeasterly sideline of Guilford Court seventy-five (75) feet to the westerly corner of land conveyed by Cynthia Rhodes to Adeline N. Skelton by deed dated March 21, 1872, and recorded in said Registry in Book 393, Page 176; thence southeasterly by said Skelton land seventy (70) feet to the northerly corner of land conveyed by Alpheus Boothby to Josephine Sachelie by deed dated July 7, 1924, and recorded in said Registry in Book 1173, Page 185; thence southwesterly by said Sachelie land and by the first parcel herein described seventy-five (75) feet to the easterly corner of said Dewey land; thence northwesterly by said Dewey land seventy (70) feet to the point of beginning.

Also conveying all the right, title and interest in and to Guilford Court and in the passageway four and one-half (4 ½) feet wide leading to York Street of which this Grantor may be possessed.

EXCEPTING AND RESERVING from the above-described premises a certain lot or parcel of land being more particularly described as follows: Beginning at a point on the northwesterly side of York Street fifty-three (53) feet from the intersection of York Street and State Street; thence northeasterly along said York Street twenty-one (21) feet to a point; thence northwesterly sixty (60) feet, more or less, along the land now or formerly of Charles Dyer to a court or passageway now or formerly of F.O. Sawyer; thence northeasterly along said court or passageway fifteen (15) feet to a point; thence southeasterly sixty (60) feet, more or less, along a line parallel to said prior sixty (60) feet course along the land of Dyer to the northwesterly side of York Street; and thence southwesterly along said York Street fifteen (15) feet to the point of beginning.

Being a portion of the premises conveyed by warranty deed October 11, 1973 from Josephine B. Martorana to Rosary M. Larochelle and Ralph A. Larochelle as joint tenants recorded in Cumberland County Registry of Deeds in Book 3471 Page 143. The said Ralph A. Larochelle deceased January 2, 2010 and the said Rosary M. Larochelle acquired full title as surviving joint tenant.

Further reference is made to Affidavit of Rosary M. Larochelle dated September 9, 2015 to be recorded herewith.

Received  
Recorded Register of Deeds  
Sep 10, 2015 01:37:11P  
Cumberland County  
Nancy A. Lane

**WARRANTY DEED  
(MAINE STATUTORY SHORT FORM)**

**KNOW ALL PERSONS BY THESE PRESENTS**, that the Guilford Court Condominium Association, under Declaration dated April 29, 2005 and recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99, acting by and through its President, Charles R. Gustafson ("Grantor") by agreement of all the Unit Owners, attached hereto as **Exhibit A**

for valuable consideration paid, the receipt of which is hereby acknowledged, RELEASES from said Declaration and GRANTS with WARRANTY COVENANTS to

YORK STREET REDEVELOPMENT, LLC, a Maine Limited Liability Company with a mailing address of 42 Market Street, Portland, ME, 04101 ("Grantee"),

the land, together with the rights and burdens of record thereon and appurtenant thereto, in the City of Portland, County of Cumberland, State of Maine, ("Land"), described as follows:

BEGINNING at a point marked by a drill hole on the westerly sideline of York Street at the southeasterly corner of land now or formerly of the Guilford Court Condominium Association as described in a Declaration recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99. Said point being further described as the northeasterly corner of land now or formerly of York Street Redevelopment, LLC, as described in a Deed recorded in said Registry in Book 32580, Page 186;

THENCE North 54° 21' 28" West by and along the northerly line of said land of York Street Redevelopment, LLC and other land of York Street Redevelopment, LLC as described in a Deed recorded in said Registry in Book 32580, Page 183, a distance of 132.00 feet to a point on the easterly sideline of Guilford Court;

THENCE North 35° 01' 53" East by and along the easterly sideline of said Guilford Court a distance of 5.00 feet to a point;

THENCE South 54° 21' 28" East over and across land of Grantor a distance of 132.00 to a point on the westerly sideline of York Street;

THENCE South 35°01'53" West by and along the westerly sideline of York Street a distance of 5.00 feet to the Point of Beginning.

Said Land containing 660 square feet or .015 acres, more or less.

MAINE REAL ESTATE TAX PAID

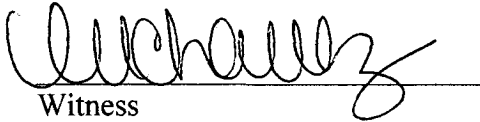


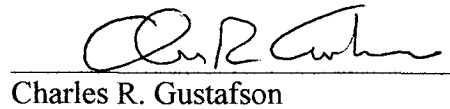
MEANING and intending to convey a portion of the same premises described in the Declaration recorded in said Registry in Book 22586, Page 99, being a portion of the same premises described in a Deed from Tacha Vosburgh, recorded in said Registry in Book 13221, Page 193.

RESERVING to Grantor an Easement to use the Land for utility, vehicular, and pedestrian access to land of the Grantor, inclusive of parking as may be permitted by the City of Portland or other competent authority from time-to-time, and storage of household refuse and recycling, provided any such storage shall be in covered containers designed for such purposes and maintained in good order and repair.

Notwithstanding the Easement, Grantor and Grantee acknowledge Grantee, its heirs, successors, and assigns, may utilize said Land for ingress and egress from York Street, Guilford Court, and other public and private rights-of-way as may exist from time-to-time, provided any such use by Grantee shall not unreasonably interfere with Grantor's Easement.

IN WITNESS WHEREOF, I, Charles R. Gustafson, President of the Guilford Court Condominium Association, have hereunto set my hand this 5 day of APRIL, 2016.

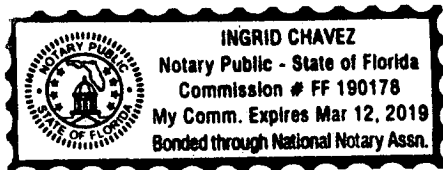
  
Witness

  
Charles R. Gustafson

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

On this 5 day of APRIL, 2016, before me personally appeared the above named CHARLES R. GUSTAFSON and acknowledged the foregoing instrument to be his free act and deed.



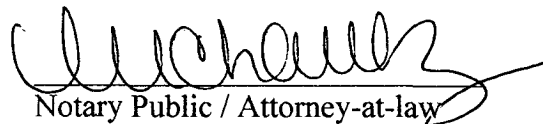
  
Notary Public / Attorney-at-law

Exhibit A

GUILFORD COURT CONDOMINIUM ASSOCIATION

ACTION TAKEN BY UNANIMOUS WRITTEN  
CONSENT OF ALL UNIT OWNERS WITHOUT MEETING

The undersigned, being all of the unit owners of the Guilford Court Condominium Association (the "Association") hereby consent to the taking of, and hereby take, the following Action, without holding a meeting, such Action being stated in the form of, and to be as fully effective as if taken by, a unanimous resolution or resolutions of the Unit Owners of the Association at a meeting thereof duly called and held on the date hereof at which all of the undersigned Unit Owners were present and action throughout:

RESOLVED: that the President, Charles R. Gustafson, be authorized to execute a Deed on behalf of the Association conveying a certain parcel of Land described in **Schedule A** attached hereto to York Street Redevelopment, LLC, subject to certain rights retained by the Association; and be it further

RESOLVED: that said Deed shall be executed and delivered on or before June 1, 2016, or it shall be of no force or effect; and be it further

RESOLVED: that York Street Redevelopment, LLC may correspond with holders of security interests as may be required under Maine law to effectuate said conveyance; and be it further

RESOLVED: that the Association shall receive a release from a certain easement presently held by York Street Redevelopment, LLC burdening the land of the Association as consideration; and be it

CERTIFIED: that Charles R. Gustafson is duly serving as President.

This document shall be filed with the minutes of the Association and recorded in the Cumberland County Registry of Deeds.

[SIGNATURE PAGES FOLLOW]

I, Eric A. Fortin, owner of Unit #1A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 26314, Page 229, hereunto set my hand this 1 day of April, 2016.

[Signature]  
Witness

[Signature]  
Eric A. Fortin

STATE OF ME

COUNTY OF Cumberland, ss.

On this 1st day of April, 2016, before me personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing to be his/her free act and deed.

[Signature]  
Notary Public / Attorney-at-law

MICHELE M. MURPHY  
Notary Public, Maine  
My Commission Expires July 17, 2016

SEAL

I, Jeremy J. Daros, owner of Unit #1B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 27212, Page 204, hereunto set my hand this 17<sup>th</sup> day of March, 2016.

Debra Brincourt  
Witness Debra Brincourt

Jeremy J. Daros  
Jeremy J. Daros

STATE OF Maine  
COUNTY OF Cumberland, ss.

On this 17 day of March, 2016, before me personally appeared the above named Jeremy Daros and acknowledged the foregoing to be his/her free act and deed.

Cheryl D. DeGeorge  
Notary Public / Attorney-at-law

**CHERYL D. DEGEORGE**  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
October 15, 2021

SEAL



I, Townsend S. Crum, owner of Unit #1C by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 26231, Page 251, hereunto set my hand this 19 day of February, 2016.

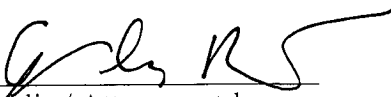
  
Witness

  
Townsend S. Crum

STATE OF ME

COUNTY OF Cumberland, ss.

On this 19<sup>th</sup> day of February, 2016, before me personally appeared the above named Townsend S. Crum and acknowledged the foregoing to be his/her free act and deed.

  
Notary Public / Attorney-at-law

SEAL

AMY E. BURROW  
Notary Public, Maine  
My Commission Expires June 12, 2021

I, Jensine Fraser, owner of Unit #1D by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 30001, Page 289, hereunto set my hand this 29 day of March, 2016.

Katherine Knight  
Witness

Jensine Fraser  
Jensine Fraser

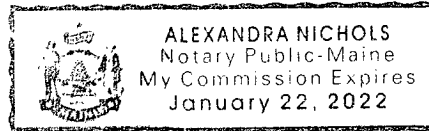
STATE OF Maine

COUNTY OF Cumberland, ss.

On this 29 day of March, 2016, before me personally appeared the above named Jensine Fraser and acknowledged the foregoing to be his/her free act and deed.

Alexandra Nichols  
Notary Public / Attorney-at-law

SEAL



We, Charles R. Gustafson and Mickey H. Gustafson, owners of Unit #2A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 23348, Page 003, hereunto set our hands this 5 day of APRIL, 2016.

[Signature]  
Witness

[Signature]  
Charles R. Gustafson

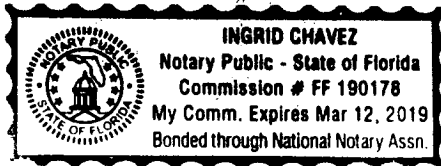
[Signature]  
Witness

[Signature]  
Mickey H. Gustafson

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

On this 5 day of APRIL, 2016, before me personally appeared the above named CHARLES R. GUSTAFSON and acknowledged the foregoing to be his/her free act and deed.

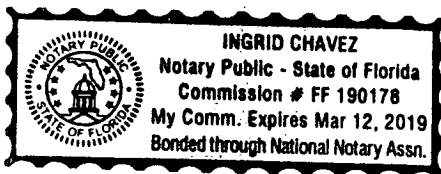


[Signature]  
Notary Public / Attorney-at-law

STATE OF FLORIDA

COUNTY OF COLLIER, ss.

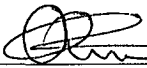
On this 5 day of APRIL, 2016, before me personally appeared the above named MIKEY H. GUSTAFSON and acknowledged the foregoing to be his/her free act and deed.



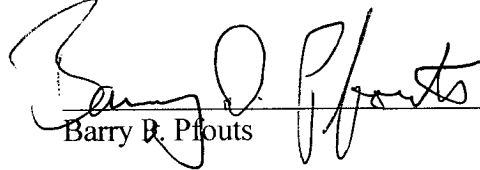
[Signature]  
Notary Public / Attorney-at-law

We, Joann M. Wallace and Barry D. Pfouts, owners of Unit #2B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 32436, Page 082, hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Witness

  
Witness Calvin Maina

Joann M. Wallace

  
Barry D. Pfouts

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, ss.

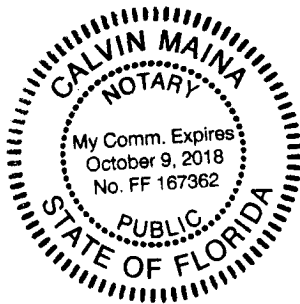
On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing to be his/her free act and deed.

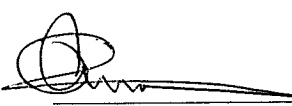
\_\_\_\_\_  
Notary Public / Attorney-at-law

STATE OF FL

COUNTY OF Manatee, ss.

On this 1<sup>st</sup> day of April, 2016, before me personally appeared the above named Barry D Pfouts and acknowledged the foregoing to be his/her free act and deed.



  
Notary Public / Attorney-at-law



<sup>e</sup>  
We, Joann M. Wallace and Barry D. Pfouts, owners of Unit #2B by virtue of a Deed recorded in the  
Cumberland County Registry of Deeds in Book 32436, Page 082, hereunto set our hands this  
1st day of April, 2016.

Sus- E H t  
Witness

Joann M. Wallace  
Joann M. Wallace<sup>e</sup>

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Barry P. Pfouts

STATE OF Maine

COUNTY OF Cumberland, ss.

On this 1st day of April, 2016, before me personally appeared the above named  
Joann M Wallace and acknowledged the foregoing to be his/her free act and  
deed.

Sus- E H t  
Notary Public / Attorney-at-law  
Susan E Hunter.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared the above named  
\_\_\_\_\_ and acknowledged the foregoing to be his/her free act and  
deed.

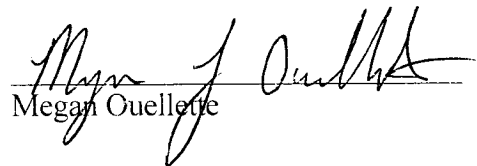
\_\_\_\_\_  
Notary Public / Attorney-at-law

We, Jason Ouellette and Megan Ouellette, owners of Unit #3A by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 32442, Page 123, hereunto set our hands this 15<sup>th</sup> day of March, 2016.

  
Witness

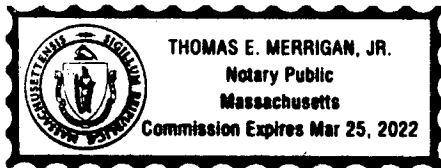
Jamaral P. O'Donnell  
Witness

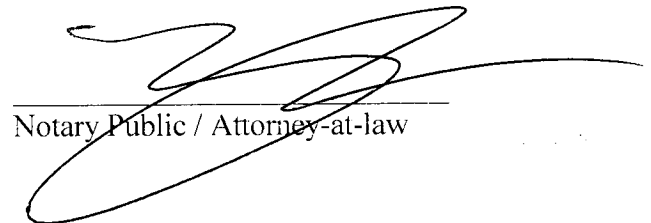
  
Jason Ouellette

  
Megan Ouellette

STATE OF MA  
COUNTY OF Norfolk, ss.

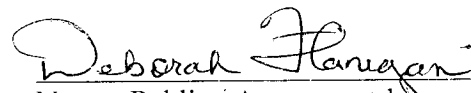
On this 15<sup>th</sup> day of March, 2016, before me personally appeared the above named Jason Ouellette and acknowledged the foregoing to be his/her free act and deed.



  
Notary Public / Attorney-at-law

STATE OF Maine  
COUNTY OF Cumberland, ss.

On this 2<sup>nd</sup> day of March, 2016, before me personally appeared the above named Megan J. Ouellette and acknowledged the foregoing to be his/her free act and deed.

  
Notary Public / Attorney-at-law  
MY Commission Expires: 08-12-20

SEAL

I, Lynn Miller, Trustee of the Lynn Szuchan Miller Trust, owner of Unit #3B by virtue of a Deed recorded in the Cumberland County Registry of Deeds in Book 31148, Page 223, hereunto set our hands this 3 day of March, 2016. I further certify the Trust remains in full force and effect and that I am empowered to take this action on its behalf.

Cynthia McBrady  
Witness

Lynn Miller  
Lynn Miller, Trustee

STATE OF Maine

COUNTY OF Cumberland, ss.

Subscribed and sworn before me this 3 day of March, 2016, by Lynn Miller, proved to me on the basis of satisfactory evidence to the be person who appeared before me.

Deborah M Hubbard  
Notary Public / Attorney-at-law

**DEBORAH HUBBARD**  
Notary Public, Maine  
My Commission Expires January 23, 2017

SEAL

### SCHEDULE A

A certain parcel of land, together with the rights and burdens of record thereon and appurtenant thereto, in the City of Portland, County of Cumberland, State of Maine, ("Land"), described as follows:

BEGINNING at a point marked by a drill hole on the westerly sideline of York Street at the southeasterly corner of land now or formerly of the Guilford Court Condominium Association as described in a Declaration recorded with the Cumberland County Registry of Deeds in Book 22586, Page 99. Said point being further described as the northeasterly corner of land now or formerly of York Street Redevelopment, LLC, as described in a Deed recorded in said Registry in Book 32580, Page 186;

THENCE North 54° 21' 28" West by and along the northerly line of said land of York Street Redevelopment, LLC and other land of York Street Redevelopment, LLC as described in a Deed recorded in said Registry in Book 32580, Page 183, a distance of 132.00 feet to a point on the easterly sideline of Guilford Court;

THENCE North 35° 01' 53" East by and along the easterly sideline of said Guilford Court a distance of 5.00 feet to a point;

THENCE South 54° 21' 28" East over and across land of Grantor a distance of 132.00 to a point on the westerly sideline of York Street;

THENCE South 35° 01' 53" West by and along the westerly sideline of York Street a distance of 5.00 feet to the Point of Beginning.

Said Land containing 660 square feet or .015 acres, more or less.

Received  
Recorded Register of Deeds  
Apr 25, 2016 09:22:08A  
Cumberland County  
Nancy A. Lane



## **R. Conformity with Conditional Use Standards**

The following statement is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-487.

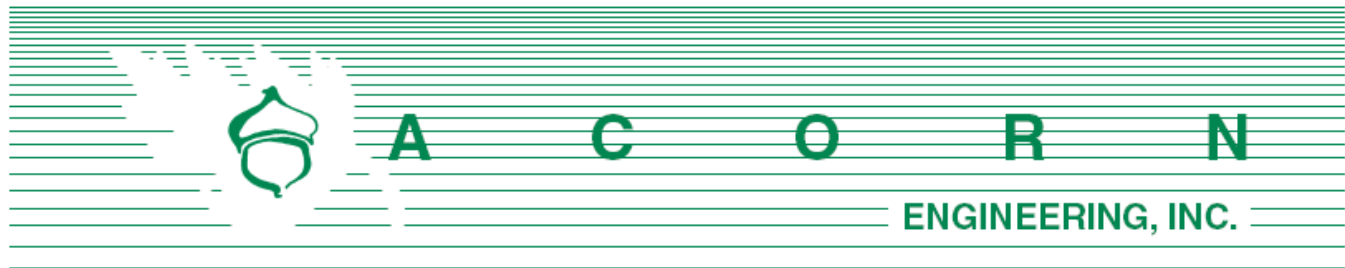
### **R. OVERVIEW**

This project conforms with all the applicable design standards of Section 14-487 (e) as demonstrated in the following narrative.

#### **(e) Standards**

1. Not applicable
2. Not applicable
3. Not applicable
4. The developer will pay the \$110,00 fee-in-lieu to the Housing Trust Fund.
5. Not applicable
6. Not applicable
7. Not applicable





Shukria Wiar – City Planner  
 Planning Division  
 City of Portland, Maine  
 389 Congress Street, 4th Floor  
 Portland, ME 04101

February 9, 2017

Subject: Level III: Site Plan Final Application  
 Redevelopment of 161 York Street – Portland, Maine

Dear Shukria Wiar,

York Street Redevelopment, LLC is pleased to submit the accompanying package of submission materials related to the proposed eleven (11) condominium urban infill redevelopment at 161 York Street. This submission package is intended to address and meet the comments provided by the Planning Board, Planning Authority, City Staff and Peer Review Comments. set within the Planning Staff's application review comments. Notable changes include new building treatments, removal of the two surface parking spaces along York St., changes to the garage layout to increase parking efficiency, pedestrian entrance on York St, additional landscaping, fencing and green space.

The following documents and drawings will be uploaded into the City's electronic submission site to supplement those already submitted for the Preliminary Application:

Documents:

- Section D: *Updated Conformity with Applicable Zoning Requirements*
- Section F: *Updated Request for Waivers*
- Section H: *Updated Stormwater Management Report*
- Section J: *Updated Fire Department Letter*
- Section L: *Updated Utility Cover*
- Section N: *Updated Architectural Narrative*
- Section T: *Final Application Cover*
- Section U: *Comment Response Letter*
- Section V: *Lighting Cut Sheets*
- Section W: *Geotechnical Report*
- Section X: *Final Site Plan Application*
- Section Y: *Condominium Declaration Draft*
- Section Z: *Stormwater Maintenance Agreement*

Drawings:

- *Updated Civil Plan Set, Dated February 9, 2017*  
 Plan 29. Subplat

➤ *Updated Architectural Plan Set, Dated February 28, 2017*

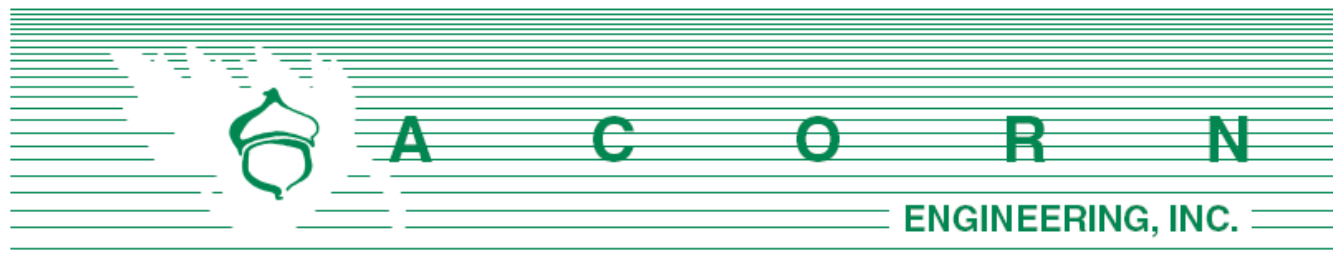
If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,



William H. Savage, P.E.  
Principal - Project Manager  
Acorn Engineering, Inc.





Shukria Wiar – City Planner  
 Planning Division, City of Portland  
 389 Congress Street  
 Portland, ME 04101

February 9, 2017

Subject: Comment Response Letter  
 Redevelopment of 161 York Street – Portland, Maine

On behalf of York Street Redevelopment, LLC we are pleased to respond to the civil-related comments provided by multiple reviewers.

To facilitate the review, comments are provided below in italics followed by Acorn Engineering, Inc.'s response.

**Shukria Wiar, Planning and Zoning – Email, 12/13/16**

**Comment** – *What is the average height of the building? The building will have to step back at 35'.*

**Response** – The architectural plans and elevations as well as the Perimeter Grading & Drainage Plan, C-31, shows the calculation of the average height of the building. The elevations at the four corners of the building have been averaged yielding a building height of 44.50 feet. Additionally, the building steps back to a ten foot setback at a height of 35' on the south-westerly side. The northeast side maintains more than ten feet of separation from the property line on all floors plans.

**Comment** – *Zoning information will need to be on the site plan.*

**Response** – The zoning information is provided on the Site Plan, C-10.

**Comment** – *Site Plans: Plans that need to be submitted as part of the final application.*

*Survey*  
*Subdivision Plat*  
*Lighting and Photometric plan*

**Response** – The Survey was included in the preliminary application under “Plan 3. Existing Conditions”. The Subdivision Plat will be uploaded as Plan. 29. Furthermore, Cut Sheets will be provided under attachment V. Please let us know if a Photometric Plan is still required.

**Comment** – *Right, Title, and Interest to utilize Guilford Court*

**Response** – The pertinent documents were included in the preliminary application under “C. Right Title and Interest”. From our understanding, the documents were reviewed by the City Corporation Counsel and found to support the Applicants RTI to utilize Guilford Court.

**Comment** – *Evidence of financial and technical capacity has to be submitted as part of the final application.*

**Response** – The evidence of technical and financial capacity was included in the preliminary application under “G. Technical and Financial Capacity”.

**Comment** – *Evidence of DPW and communication capacity to serve the development.*

**Response** – The Utility Cover has been revised to include the correspondence that occurred after the preliminary application submission – namely the Wastewater Capacity Authorization letter. We have received a Wastewater Capacity Authorization letter from the Department of Public Works dated 11/29/16 stating their capacity to serve the development. Please refer to the attached.

**Comment** – *Manufacturer’s verification that HVAC and manufacturing equipment meets the applicable and federal emissions requirements. All mechanical equipment will need to be shown on the plans and architectural drawings.*

**Response** – The HVAC and manufacturing equipment will meet the applicable requirements and evidence of this requirement will be submitted with the Building Permit. The equipment will be roof-mounted and depicted on the architectural plans and elevations and part of the Building Permit.

**Comment** – *Why is there a need to provide 22 parking spaces for 11 residential units? As you are aware the zoning requires 8 spaces.*

**Response** – The Owner wants to provide two spaces per unit due to the fact that many families have two vehicles. Additionally, this would ease the strain of on-street parking within the neighborhood. An analysis performed on AutoTurn, a vehicle circulation CAD accessory, shows the proposed parking layout to be adequate.

Furthermore, statistics from the Institute of Transportation Engineers, *Parking Generation, 3<sup>rd</sup> Edition*, show that on a weekday the average peak period parking demand was 1.46 vehicles per dwelling unit. The data confirms that there is a need for two spaces per unit. It also confirms that the traffic generation will not produce a negative impact on York Street, Guilford Court, or the surrounding neighborhood.

Lastly, projects such as the Munjoy Heights apartments and the 118 Congress apartments have provided 2 and 1.5 spaces per unit, respectively. This design has not resulted in adverse effects and the on-street parking demand has been reduced.

**Comment** – *If the owners could use Guilford, is it possible to have the majority of the vehicles to use this entrance instead of York Street.*

**Response** – Due to the slopes on site, should the majority of the vehicles be provided access from Guilford Court, would result in the elimination two residential units on the first floor and inefficient use of space the garage level. This would result in two level of parking adjacent to York St with the resulting lack of windows, decks, etc.

Additionally, the neighbors that live on Guilford Court would like to see a minimal traffic increase.





**Comment** – *How will the vehicle and traffic queuing be handled on York Street; as you are aware, this is a very busy street especially at morning and afternoon peak times.*

**Response** – Due to comments received from Tom Errico and the Planning Board, the two proposed exterior spaces off York Street have been eliminated. Thus, there will be no reverse movements onto York Street. Vehicles exiting the lower level parking garage will have adequate sight distance and will be able to turn into the traffic gaps in a safe manner in coordination with the signal phases at the intersection of York and State St.

**Comment** – *The existing curb cuts on York Street will need to be closed; a residential lot is only allowed a maximum of two curb cuts.*

**Response** – In conjunction with the above response, the curb cut on the south corner of the lot will be closed as there are no longer two proposed spaces off York Street. The curb cut at the eastern corner of the lot is subject to an easement with the abutter and shall be maintained for use 155-159 York Street residents. The design proposes to reduce this curb cut by nearly a foot.

**Comment** – *Condo documents will need to be submitted for review and approval by the City's Legal Department.*

**Response** – The condo documents will be submitted with the Final Application.

### **Tom Errico, Traffic – Email, 12/2/16**

**Comment** – *Curbing and sidewalk along York Street shall be extended to the limits of the westerly property boundary. Backing maneuvers onto York Street will not be permitted.*

**Response** – Please see the revised site plans, C-10 and C-11. The design has closed this curb cut and there are no longer two parking spaces proposed off York Street.

**Comment** – *A driveway is provided along the easterly property boundary and I find conditions to be undesirable. This driveway should be eliminated (It is my understanding that this was a condition of approval for the abutting property).*

**Response** – This driveway is subject to an easement with the abutter with the majority of the driveway on 155-159 York St. Vehicles accessing 161 York Street will not have access to this driveway. However, the curb cut width will be decreased by nearly a foot up to the extent of the easement.

**Comment** – *I support a waiver for the parking aisle given that it is less than a foot narrower than City standards, vehicle turnover is expected to be minimal, and vehicle circulation appears to be accommodated on-site.*

**Response** – Thank you for the review – we agree with your statements.

**Comment** – *The driveway apron should be designed to provide a maximum cross slope of 2% along the walking route of pedestrians (pedestrian zone).*



**Response** – A Driveway/Sidewalk detail has been provided on Sheet C-40 to show this specification.

**Comment** – *The two end parking spaces within the garage will have difficulty in egress maneuvers. The applicant should provide information that acceptable circulation can be accommodated.*

**Response** – An analysis has been performed using AutoTurn to confirm that these spaces have adequate space for egress maneuvers.

**Comment** – *The applicant shall document that City driveway spacing standards along York Street are met.*

**Response** – The design no longer features a driveway on the southern corner of the property. Therefore, only one driveway is proposed along York Street and the driveway spacing standards are met.

**Comment** – *The existing sidewalk or a temporary sidewalk shall be provided along the property frontage during construction. The applicant should provide details on construction activity that would impact traffic on York Street and how traffic will be managed.*

**Response** – On Sheet C-03, there is a note for the contractor to keep the existing sidewalk open if feasible. The updated Construction Management Document will address both the sidewalk and the contractor's responsibility to control traffic movements during utility trenching in York Street.

**Comment** – *Based upon the low trip generation expected from the project a Traffic Study is not required.*

**Response** – Thank you for the review – we agree with your statement.

**Lauren Swett, Civil Engineering – 12/7/16 Email**

**Comment** – *The Portland City Council adopted a revised sidewalk material policy in October of this year. Per that policy, driveway aprons must match the sidewalk material. The applicant must provide a brick apron at the York Street driveway.*

**Response** – The Site Plan has been revised to propose a brick driveway apron.

**Comment** – *The Applicant should provide evidence of Right, Title, or Interest to utilize the private way (Guilford Court) for access to the Site.*

**Response** – The Right, Title, and Interest were submitted as part of the preliminary application. From our understanding, the documents were reviewed by the City Corporation Counsel and found to support the Applicants RTI to utilize Guilford Court.

**Comment** – *The Applicant has noted that there is an existing easement associated with the existing bituminous driveway on the northeastern side of the property. It is our understanding that this driveway was required to be discontinued as part of a prior project and the curb cut should be*



*eliminated. The existing conditions survey notes that this driveway easement is to “to be extinguished”. The Applicant should clarify the intent for this space.*

**Response** – There is an existing easement that grants the rights of the driveway to the abutter. The Design Team has no knowledge of the condition of approval to close this curb cut for the prior project. We are proposing granite curb to make this curb cut approximately one foot smaller than the existing condition.

**Comment** – *Per Section 13 of the City’s Technical Manual, the Applicant is required to submit a Boundary Survey that has been stamped by a Maine Licensed Professional Surveyor.*

**Response** – This requirement was submitted as part of the preliminary application under “Plan 3. Existing Conditions Plan”.

**Comment** – *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 have been 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, a detail should be provided for proposed sediment barriers. The sediment barrier location appears to be on abutting property in some areas. Sediment barrier should be installed on the subject parcel or the Applicant should verify that they will have a construction easement for the work.*
- b) *General Standard: The project will result in a net increase in impervious area of approximately 5,410 square feet. As such, the project is required to include stormwater management features for stormwater quality control. The Applicant has proposed an Underdrained Subsurface Sand Filter. The stormwater system is required to comply with the requirements of Chapter 7.3 of Volume III of the MaineDEP Stormwater BMP Manual. In general, we are in agreement with the stormwater management approach, but we have a number of questions with regards to the stormwater modeling and design. See below for stormwater design questions*
- c) *Flooding Standard: The project will result in a net increase in impervious area of approximately 5,410 square feet. As such, the project is required to control the rate or quantity of stormwater runoff from the site. The Applicant should address the following comments as well as the comments provided below on the underdrained subsurface sand filter:*
  - *The Applicant has utilized a direct entry of five minutes for the pre-development Time of Concentration; however, given the gradual slopes and pervious nature of the existing site, the Applicant should calculate a Time of Concentration and verify whether it exceeds five minutes.*

**Response** –

- a) A sediment barrier detail has been added to Plan 17. Erosion & Sedimentation Control



Details. Furthermore, please refer to note 8 on Plan 4. Construction Management Plan for the note describing that the sediment barrier is offset of the property line for clarity purposes and does not depict the physical location of the sediment barrier.

- b) Thank you for the review. The comments are addressed accordingly.
- c) A Time of Concentration has been calculated for the predevelopment and the results can be seen in the HydroCAD attachments within the revised Stormwater Management Report.

**Comment** – *We have the following comments on the layout and design of the stormwater filter system. Some of the design elements for this system may be specifically associated with the site's constraints, so we recommend that the Applicant consider consulting with StormTech Manufacturer for review of the following design.*

- *The Applicant should provide sizing calculations for the pre-treatment Isolator Row.*
- *Access structures should be provided on both ends of the pre-treatment Isolator Row or indicate how maintenance will occur with the proposed layout.*
- *The Applicant should clarify how stormwater runoff is intended to flow from CB-3 through the Isolator Row and Chamber system; it appears that CB-3 has an outlet to both the Isolator Row and the Chamber located over the filter area, and that larger storms will bypass the Isolator Row and flow into the Chamber. The Applicant should note that overflow before the treatment row be directed towards additional storage chambers, but not to the system with the sand filter and underdrain.*
- *Subsurface exploration (test pits or borings) should be made within the filter area to identify depths to seasonal high groundwater and bedrock. A minimum of 1-foot of separation should be provided between the bottom of the filter and groundwater and bedrock. An impermeable liner system has been proposed.*
- *The design details specify that the 4-inch underdrain be surrounded by a minimum of 6 inches of bedding, but that the underdrain system be only 12 inches thick; the Applicant should clarify dimensions.*
- *We recommend that the transition layers be provided between the sand filter media and the underdrain system in-lieu of the filter fabric currently specified (filter fabric is prone to clogging).*
- *The applicant should clarify how the 958 CF of provided treatment volume was derived.*
- *The outlet control structure appears to be much larger in diameter than necessary; the Applicant should clarify the intent for such a large structure.*

**Response –**

- The sizing of the isolator row is specified in a letter to StormTech from Mark Bergeron at the MaineDEP in which the number of chambers needed in the isolator row can be determined by dividing the peak one-year 24-hour flowrate by the specific flow rate for the StormTech unit specified. The number of chambers this calculation yields is 0.1. The proposed layout features 3



chambers to provide extensive sediment removal. This calculation has been added to the stormwater report.

- The isolator row has been relocated so that there is now access from the catch basin as well as the outlet control structure. Additionally, an observation port will be provided in the middle chamber.
- The isolator has been relocated so that stormwater will have to flow through the isolator row.
- Probes and borings were taken on site. The two closest to the proposed stormwater system encountered bedrock at an average elevation of 46.5' which is well below the proposed system and building finished floor elevation. Groundwater was not encountered in any of the probes or borings. The Geotechnical Report will be uploaded as document W.
- The dimensions have been clarified on the revised Plan 16. Underdrained Subsurface Sand Filter.
- This recommendation will be considered in the design.
- The 958 Cubic Feet of storage was derived from the summation of chamber storage and stone storage. The revised storage as well as the derivation of this value has been included within the revised stormwater report.
- The outlet control structure is sized as such for the ability to access both sides of the weir wall. Similar structures have been installed in projects around the city and have proven to be effective.

**Comment** – *The Stormwater Management Plan should include a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Stormwater BMP Manual Maintenance Criteria and Chapter 32 of the City of Portland Code of Ordinances.*

**Response** – The inspection and operation & maintenance agreement will be uploaded as Attachment Z.

**Comment** – *It appears that the Applicant is proposing to connect a field inlet to the foundation drain. This layout will likely introduce water into the foundation drain system. The applicant should clarify the intent.*

**Response** – The stormwater that flows into the foundation drain system will not cause a problem as the flows will be relatively low and oriented down-gradient towards the foundation drain connection to the proposed 8" storm drain. Additionally, groundwater was not encountered in any of the borings or probes and likely flows along the bedrock. Therefore, the foundation drain system is not expected to exceed capacity with the introduction of a field inlet into the system.

**Comment** – *The Applicant should provide a detail for proposed field inlets.*

**Response** – The Detail is referred to as "Inline Drain Detail" and was submitted as part of the preliminary application on Plan 15. Drainage Details.

**Comment** – *The Applicant is proposing to connect a 12-inch storm drain to an existing 12-inch underdrain located within York Street. The Applicant should clarify the method of connection being proposed and whether a new drain manhole structure will be necessary within the City Right-of-Way. This connection will require review by the Department of Public Works.*





**Response** – The proposed outlet is now an 8-inch storm drain that will connect to the existing 12-inch underdrain.

**Comment** – *The City of Portland Typical Pipe Trench Detail should comply with the City of Portland Technical Manual.*

**Response** – The Detail has been revised to comply with the Technical Manual.

**Comment** – *The Applicant is proposing a retaining wall over four feet in height. The Landscape Plan refers to the Structural Plan, which has not been received at this time, for the retaining wall design. A geotechnical evaluation of the proposed project was not submitted with the application. Has a geotechnical evaluation been performed, or are the subsurface soil types and soil bearing capacities assumed in the design of the slope stabilization / wall system? If assumed, we recommend noting those assumptions on the plans and we recommend requiring verification of those assumptions and associated calculations by the contractor and design engineer during construction.*

**Response** – The geotechnical report will be submitted as document W. Furthermore, the retaining wall will be designed by the structural engineer and will be submitted with the building permit.

**Comment** – *The Applicant has noted that exterior lighting will be proposed, but cut sheets and photometric plan have not been provided at this time. Appropriate cut sheets and a photometric plan should be provided as part of the final application in accordance with the City of Portland Technical Manual.*

**Response** – Cut sheets will be submitted as Document V. A photometric plan is not expected to be needed for this project as lighting is minimal and building-mounted. The lighting will be cutoff with no light emitted above the horizontal plane. In addition, the six-foot tall fence will further prevent light from spilling over onto adjacent properties. The lights will be energy efficient LED's that are dark sky friendly.

**Comment** – *The Applicant has provided a letter from the Portland Water District demonstrating that there is a sufficient capacity to serve the proposed project. However, the Applicant should note that the approval of the final plans is also required. Evidence of District approval should be provided upon receipt. The Applicant has also submitted a Wastewater Capacity Application to the City of Portland and noted that the response will be provided upon receipt.*

**Response** – Final approval from Portland Water District is attached to the revised Utility Cover. Furthermore, we have since received the response and Wastewater Authorization from DPW which is also attached to the revised Utility Cover.

### **Jeff Tarling, Landscaping – 12/19/16 Email**

**Comment** – *The Landscape Plan submitted for the 165 York Street project seems inadequate due to the lack of detail and landscape plant density typically seen in a project of this type. The landscape planting details could be better defined including plant bed structure, edges, mulch areas, non landscape areas shown in green. Additional plant density and details are suggested.*

**Response** – The Landscape Plan has been revised to include more plant density and diversity.



Furthermore, the details have been revised to include typical planting and mulching details.

**Comment** – *Street trees (4) located behind the sidewalk, consists of proposed 2 ‘Armstrong’ Red Maples & 2 ‘Autumn Gold’ Ginkgo.*

*Both species, upright Red Maple & Ginkgo should work well and fit into the overall streetscape. Options might be best from a streetscape view if all 4 trees are similar unless this is a design intent. Tree sizes shall meet city standards of 2-2.5" for all trees & plant material. The 3.25 GAL minimum listed in the landscape plan is too small for the Ginkgo as shown. The Landscape Plan 'Street view' recommendation is for additional landscape treatment in the tree planter along the back edge of curb between the sidewalk and foundation. This could include woody or herbaceous plantings, or groundcover planted in companion to the proposed 4 street trees.*

**Response** – The 4 proposed street trees are now all Armstrong Red Maples. Furthermore, creeping juniper has been proposed for ground cover in addition to flower beds along York Street. 3 additional Armstrong Red Maples are proposed along the westerly property boundary.

**Comment** – *Landscape – the project edges appear avoid void of landscape treatment, unknown what is planned. Building shadows might suggest woody or herbaceous plants, or groundcover hardy to shade conditions.*

**Response** – The areas along the property line have been revised to add landscape density.

**Comment** – *Fencing – additional fencing or wooden guardrail is suggested in the parking space area where the landscape space is minimal, this would be an L shaped section from near the driveway entrance to the corner and down to near the building corner to better screen parked cars.*

**Response** – A 6-foot high cedar fence is now proposed along the parking area.

**Comment** – *The proposed Juniper planting (6) should work adequately, the proposed size of 3.5 GAL is too small and should be planted with 4-5' height minimum is recommended. There appears to be room to plan at least 2 small ornamental trees, one on the left side near the entrance.*

**Response** – The specified container size of the Juniper has been increased to 5 GAL. 3 Armstrong Red Maples have been proposed along the left side. Weigela and Summersweet shrubs will also be planted along the internal sidewalk on the left side of the property. Additionally, the area to the right of the building will be planted with switchgrass so there is little maintenance needed in the complex area between the retaining walls.

**Comment** – *The extensive use of Creeping Lily Turf “shown as LS” in this section while hard to the conditions offers minimum landscape screening value at 12” height. It may suffice at the head of the parking spaces where winter snow load could be an issue.*

**Response** – The Creeping Lily Turf plantings have been relocated to the head of the parking to help stabilize the steep slopes. Native flowers will compose the driveway border in place of the grasses.

**Comment** – *Additional Green Space – the space shown for two car space parking off York Street if removed could add green space to the project.*



**Response** – The spaces have been removed and a brick sidewalk and green space with shrubs and native flowers have been proposed in place of the parking area.

**Comment** – *Recommend revising / improving this section of landscape, the available green space while small for an 11 unit complex is important and should reflect landscape functions of screening to the extent possible and aesthetic for residents. Unknown if green infrastructure or rain gardens could be incorporated into the site plan.*

**Response** – The Landscape Plan has been improved to provide increased density and aesthetic interest. The site is too restrained to incorporate green infrastructure such as a rain garden.

**Comment** – *Existing Plantings to remain – any tree / plant save areas should be protected during construction with adequate measures. Any plant loss to be replaced with agreed upon plant types to match.*

**Response** – The existing plantings shall be protected as necessary as referenced on Plan 4. Construction Management Plan.

#### **Keith Gautreau, Fire – 1/30/17 Memorandum**

**Comment** – *Emergency access to the proposed site will primarily be via York Street. Secondary emergency access will be utilizing the small alley way off of Park Street.*

**Response** – We are in agreement of the design intent.

**Comment** – *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.*

**Response** – The design team will work with the Owner to maintain consistency between the various divisions. 161 York Street will be the address for this property due to the location of the main entrance.

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

**Response** – The design team will work with the Owner to install street addresses that conform with the City standard and are approved by the Addressing Officer.

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

**Response** – The main entrance will face York Street and the street name and number shall be visible from York Street.

**Comment** – *Address numbers must be a minimum of 4 inches high.*

**Response** – The design team will work with the Owner to ensure that the address number meets



the 4 inch requirement.

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

**Response** – The design team will work with the Owner to ensure that the numbers are of Arabic format.

**Comment** – *Color: Addresses should be in a color that contrasts with the background. Whenever possible, should be illuminated.*

**Response** – The design team will work with the Owner to ensure that the addresses are of contrasting color. The numbers will also be illuminated if feasible.

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

**Response** – If the scenario arises where the building address is not legible from the public street, additional address signs will be provided.

**Comment** – *Buildings set back in groups that share common entrances can make quickly locating a specific building the shortest route difficult. On such sites, additional signs with directional arrows and/or diagrams of the buildings and access layout should be posted.*

**Response** – There are no shared driveways proposed as part of this project – please see the revised Site Plan. The previous site plan featured a shared driveway at the southerly property corner. This is no longer proposed. Furthermore, the driveway on the easterly property corner is part of an existing easement and will not be used by the 161 York Street residents. The driveway is a 24-foot section in length of pavement that is for use by the abutting property.

**Comment** – *An ability to serve letter from PWD will be required to submit to Fire Dept.*

**Response** – The ability to serve letter from PWD is attached to the revised document J. Fire Department Letter as well as acceptance via e-mail. A formal acceptance letter will be provided for the Building Permit Application

Mark Mueller Architects will respond to Caitlin Cameron’s comments under separate cover.

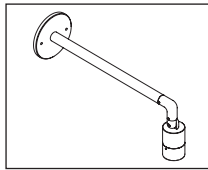
Please let me know if you have any additional questions or comments.

Sincerely,



William H. Savage, P.E.  
Principal - Project Manager  
Acorn Engineering, Inc.





the power of  
dimming

with adjust-e-lume®  
TECHNOLOGY

# SIGN STAR™ STYLE L

|                 |   |
|-----------------|---|
| PROJECT:        |   |
| TYPE:           | A |
| CATALOG NUMBER: |   |
| SOURCE:         |   |
| NOTES:          |   |

## CATALOG NUMBER LOGIC

**Example:** SN - 24 - L - LED - e64 - NSP - A9 - WHW - 12 - 11 - A

Series SN - Sign Star™

Stem Length 24 - 18", 24", 30", 36", 42", or 48" (Specify in inches)

Style L - 90° Radius

Source LED - 'e' Technology with Integral Dimming Driver (See Specifications for Dimming)  
Designed for use with remote 12VAC BKSSL® transformers. Requires magnetic Low Voltage dimmer.

LED Type e64 - 7WLED/2.7K e66 - 7WLED/4K  
e65 - 7WLED/3K e74 - 7WLED/Amber

Optics\* NSP - Narrow Spot (Red Indicator) MFL - Medium Flood (Yellow Indicator)  
SP - Spot (Green Indicator) WFL - Wide Flood (Blue Indicator)

Adjust-e-Lume® Output Intensity (Choose factory setting) A9 (Standard), A8, A7, A6, A5, A4, A3, A2, A1

Finish Aluminum Finish Premium Finish

| Powder Coat Color | Satin | Wrinkle |
|-------------------|-------|---------|
| <u>Bronze</u>     | BZP   | BZW     |
| Black             | BLP   | BLW     |
| White (Gloss)     | WHP   | WHW     |
| Aluminum          | SAP   | —       |
| Verde             | —     | VER     |

| ABP                       | CMG                      | RMG                                                         |
|---------------------------|--------------------------|-------------------------------------------------------------|
| Antique Brass Powder      | Cascade Mountain Granite | Rocky Mountain Granite                                      |
| AMG                       | CRI                      | SDS                                                         |
| Aleutian Mountain Granite | Cracked Ice              | Sonoran Desert Sandstone                                    |
| AQW                       | CRM                      | SMG                                                         |
| Antique White             | Cream                    | Sierra Mountain Granite                                     |
| BCM                       | HUG                      | TXF                                                         |
| Black Chrome              | Hunter Green             | Textured Forest                                             |
| BGE                       | MDS                      | WCP                                                         |
| Beige                     | Mojave Desert Sandstone  | Weathered Copper                                            |
| BPP                       | NBP                      | WIR                                                         |
| Brown Patina Powder       | Natural Brass Powder     | Weathered Iron                                              |
| CAP                       | OCP                      | Also available in RAL Finishes<br>See submittal SUB-1439-00 |
| Clear Anodized Powder     | Old Copper               |                                                             |

Lens Type 12 - Soft Focus Lens 13 - Rectilinear Lens

Shielding 11 - Honeycomb Baffle

Cap Style A - 45° B - 90° C - Flush D - 45° less Weep Hole (Interior Use Only) E - 90° less Weep Hole (Interior Use Only) F - 90° cutoff with Flush Lens

### DRIVER DATA

| Input Volts      | InRush Current     | Operating Current | Dimmable                    | Operation Ambient Temperature |
|------------------|--------------------|-------------------|-----------------------------|-------------------------------|
| 12VAC/DC 50/60Hz | 250mA (non-dimmed) | 700mA             | Magnetic Low Voltage Dimmer | -22°F-194°F (-30°C - 90°C)    |

### LM79 DATA

| BK No. | CCT (Typ.)    | Input Watts (Typ.) | CRI (Typ.) |
|--------|---------------|--------------------|------------|
| e64    | 2700K         | 7.0                | 80         |
| e65    | 3000K         | 7.0                | 80         |
| e66    | 4000K         | 7.0                | 80         |
| e74    | Amber (590nm) | 7.0                | ~          |

### L70 DATA

| Minimum Rated Life (hrs.)<br>70% of initial lumens (L70) |
|----------------------------------------------------------|
| 50,000                                                   |
| 50,000                                                   |
| 50,000                                                   |
| 50,000                                                   |

### \*OPTICAL DATA

| Beam Type    | Angle | e66<br>CBCP | Visual Indicator |
|--------------|-------|-------------|------------------|
| Narrow Spot  | 13°   | 6889        | Red Dot          |
| Spot         | 15°   | 5225        | Green Dot        |
| Medium Flood | 23°   | 1984        | Yellow Dot       |
| Wide Flood   | 31°   | 1300        | Blue Dot         |

# B-K LIGHTING

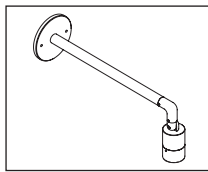
40429 Brickyard Drive • Madera, CA 93636 • USA  
559.438.5800 • FAX 559.438.5900  
www.bklighting.com • info@bklighting.com

RELEASED  
06-13-16

DRAWING NUMBER  
SUB-2273-00

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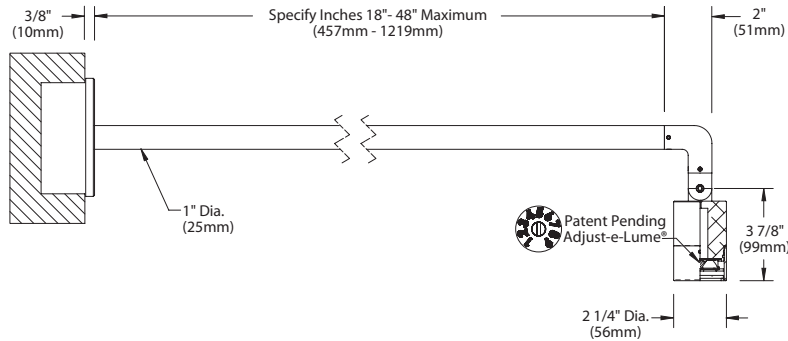
the power of  
dimming with **adjust-e-Lume®**  
TECHNOLOGY

# SIGN STAR™ STYLE L

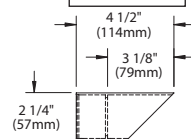
PROJECT:

TYPE: A

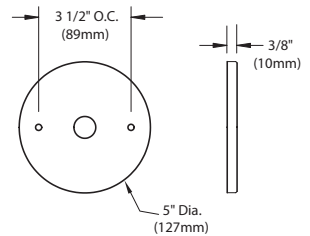
## SIDE VIEW



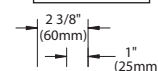
## "A/D" CAP



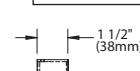
## CANOPY DETAIL



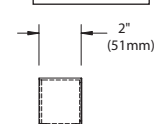
## "B/E" CAP



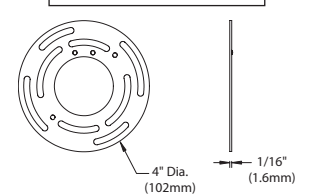
## "C" CAP



## "F" CAP

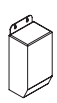


## UNIVERSAL RING

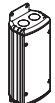


## Accessories (Configure separately)

### Remote Transformers:



TR Series



UPMRM™

All dimensions indicated on this submittal are nominal.  
Contact Technical Sales if you require more stringent specifications.

## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6).

### Style

'L' Style provides clean, 90° transition from fixture to stem.

### Body

Fully machined from solid billet. Unibody design provides enclosed, water-proof wireway and integral heat sink for maximum component life. Integral knuckle for maximum mechanical strength. High temperature, silicone 'O' Ring provides water-tight seal.

### Knuckle

The LOCK™ (Locking 'O' Ring Compression Knuckle) is comprised of two components. The first is integral to the body and features an interior, machined taper. The second is machined from solid billet and features a second, reverse angle taper. The resultant mechanical taper-lock allows a full 180° vertical adjustment without the use of serrated teeth, which inherently limit aiming. High temperature, silicone 'O' Ring provides water-tight seal and compressive resistance to maintain fixture position. Design withstands 73 lb. static load prior to movement to ensure decades of optical alignment. Biaxial source control with 360° horizontal rotation in addition to vertical adjustment.

### Cap

Fully machined. Accommodates [1] lens or louver media. Choose from 45° cutoff ('A' or 'D'), 1" deep bezel with 90° cutoff ('B' or 'E'), flush lens ('C') cap styles, or 1" deep cutoff with flush mounted lens ('F'). 'A' and 'B' caps include weep-hole for water and debris drainage. 'D' and 'E' caps exclude weep-hole and are for interior use only.

### Stem

Fully machined, 1" dia. with internal threads for maximum visual appeal. Available in configurable lengths to 48" maximum overall.

### Lens

Shock resistant, tempered, glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment. Specify soft focus (#12) or rectilinear (#13) lens.

### BKSSL®

Integrated solid state system with 'e' technology is scalable for field upgrade. Modular design with electrical quick disconnects permit field maintenance. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral, constant current driver. 12VAC/VDC input. 50/60Hz. Proprietary input control scheme achieves power factor correction and eliminates inrush current. Output, over-voltage, open-circuit, and short circuit protected. Inrush current limited to <250mA (non-dimming). Conforms to Safety Std. C22.2 No. 250.13-12.

### Dimming

Line voltage dimmable via magnetic low voltage dimmer. For use with low voltage dimmer with dedicated neutral conductor. For purposes of dimming: Remote magnetic transformer with BKSSL® Power of 'e' technology loads should be loaded to 25% of the transformer VA (watts) rated value.

### Optics

Interchangeable OPTIKIT™ modules permit field changes to optical distribution. Color-coded for easy reference: Narrow Spot (NSP) = Red. Spot (SP) = Green. Medium Flood (MFL) = Yellow. Wide Flood (WFL) = Blue.

### Adjust-e-Lume® (Pat. Pending)

Integral electronics allows dynamic lumen response at the individual fixture. Indexed (100% to 25% nom.) lumen output. Maintains output at desired level or may be changed as conditions require. Specify factory preset output intensity.

### Installation

5" dia., machined canopy permits mounting to 4" octagonal junction box. Junction box installation must be designed to hold full fulcrum weight of fixture (junction box and gasket by others).

### Remote transformer

For use with 12VAC BKSSL® remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Wiring

PVC coated, 18AWG, 150V, 60°C rated and certified to UL 1838 standard.

### Hardware

Tamper-resistant, stainless steel hardware. LOCK™ aiming screw and canopy mounting screws are additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHs compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating.

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHs compliant. Suitable for indoor or outdoor use. Suitable for use in wet locations. IP 66 Rated. Made in USA.



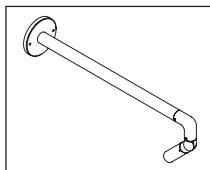
\*Energy Star is a registered trademark of the United States Environmental Protection Agency.

# B-K LIGHTING

40429 Brickyard Drive • Madera, CA 93636 • USA  
559.438.5800 • FAX 559.438.5900  
[www.bklighting.com](http://www.bklighting.com) • [info@bklighting.com](mailto:info@bklighting.com)

RELEASED  
06-13-16

DRAWING NUMBER  
SUB-2273-00



the power of

# MINI-MICRO™ SIGN STAR™ STYLE L

|                 |   |
|-----------------|---|
| PROJECT:        |   |
| TYPE:           | B |
| CATALOG NUMBER: |   |
| SOURCE:         |   |
| NOTES:          |   |

## CATALOG NUMBER LOGIC

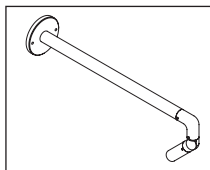
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|---------------------------------|--------------------------------------------------------------------------------------------------|---|----|---------|---|---|-------|----|-----|---|-------------------|--------------------------|---------|-----|-----|-----|----|---|---------------------------------------------|-----------------------------------|-------------------------------------------------------------|--------------------|--|--|---------------------------------------------|-----|--|-----------------------------------|--|--|--|
| Example:                        | SN                                                                                               | - | 18 | -       | L | - | MM    | -  | LED | - | e70               | -                        | SP      | -   | BZP | -   | 12 | - | 11                                          | -                                 | A                                                           |                    |  |  |                                             |     |  |                                   |  |  |  |
| Series                          |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| SN                              | - Sign Star™                                                                                     |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Stem Length                     |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| 18", 24", 30", 36", 42", or 48" | (Specify in inches)                                                                              |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Style                           |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| L                               | - 90° Radius                                                                                     |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Fixture                         |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| MM                              | - Mini-Micro™                                                                                    |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Source                          |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| LED                             | - 'e' Technology with Integral Driver<br>Designed for use with remote 12VAC BKSSL® transformers. |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| LED Type                        |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| e70                             | - 3WLED/2.7K                                                                                     |   |    |         |   |   |       |    |     |   | e72 - 3WLED/4K    |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| e71                             | - 3WLED/3K                                                                                       |   |    |         |   |   |       |    |     |   | e73 - 3WLED/Amber |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Optics*                         |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| NSP                             | - Narrow Spot (Red Indicator)                                                                    |   |    |         |   |   |       | SP |     |   |                   | - Spot (Green Indicator) |         |     |     | MFL |    |   |                                             | - Medium Flood (Yellow indicator) |                                                             |                    |  |  |                                             | ASY |  | - Asymmetrical (Purple Indicator) |  |  |  |
| Finish                          |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Aluminum Finish                 |                                                                                                  |   |    |         |   |   |       |    |     |   | Premium Finish    |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Powder Coat Color               | Satin                                                                                            |   |    | Wrinkle |   |   | ABP   |    |     |   |                   |                          |         | CMG |     |     |    |   |                                             |                                   | RMG                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
| Bronze                          | BZP                                                                                              |   |    | BZW     |   |   | AMG   |    |     |   |                   |                          |         | CRI |     |     |    |   |                                             |                                   | SDS                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
| Black                           | BLP                                                                                              |   |    | BLW     |   |   | AQW   |    |     |   |                   |                          |         | CRM |     |     |    |   |                                             |                                   | SMG                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
| White (Gloss)                   | WHP                                                                                              |   |    | WHW     |   |   | BCM   |    |     |   |                   |                          |         | HUG |     |     |    |   |                                             |                                   | TXF                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
| Aluminum                        | SAP                                                                                              |   |    | —       |   |   | BGE   |    |     |   |                   |                          |         | MDS |     |     |    |   |                                             |                                   | WCP                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
| Verde                           | —                                                                                                |   |    | VER     |   |   | BPP   |    |     |   |                   |                          |         | NBP |     |     |    |   |                                             |                                   | WIR                                                         |                    |  |  |                                             |     |  |                                   |  |  |  |
|                                 |                                                                                                  |   |    |         |   |   | CAP   |    |     |   |                   |                          |         | OCP |     |     |    |   |                                             |                                   | Also available in RAL Finishes<br>See submittal SUB-1439-00 |                    |  |  |                                             |     |  |                                   |  |  |  |
| Lens Type                       |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| 12                              | - Soft Focus Lens                                                                                |   |    |         |   |   |       |    |     |   | 13                |                          |         |     |     |     |    |   |                                             |                                   |                                                             | - Rectilinear Lens |  |  |                                             |     |  |                                   |  |  |  |
| Shielding                       |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| 11                              | - Honeycomb Baffle                                                                               |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| Cap Style                       |                                                                                                  |   |    |         |   |   |       |    |     |   |                   |                          |         |     |     |     |    |   |                                             |                                   |                                                             |                    |  |  |                                             |     |  |                                   |  |  |  |
| A                               | - 45°                                                                                            |   |    | B       |   |   | - 90° |    |     | C |                   |                          | - Flush |     |     | D   |    |   | - 45° less Weep Hole<br>(Interior Use Only) |                                   |                                                             | E                  |  |  | - 90° less Weep Hole<br>(Interior Use Only) |     |  |                                   |  |  |  |

| DRIVER DATA | Input Volts      | InRush Current | Operation Ambient Temperature |
|-------------|------------------|----------------|-------------------------------|
|             | 12VAC/DC 50/60Hz | 10A Max        | -10°F-130°F                   |

| LM79 DATA |               |                    |     | L70 DATA                                                              |  | *OPTICAL DATA    |         |      |                  |
|-----------|---------------|--------------------|-----|-----------------------------------------------------------------------|--|------------------|---------|------|------------------|
| BK No.    | CCT (Typ.)    | Input Watts (Typ.) | CRI | Minimum Rated Life (hrs.)<br>70% of initial lumens (L <sub>70</sub> ) |  | Beam Type        | Angle   | CBCP | Visual Indicator |
| e70       | 2700K         | 3                  | 80  | 50,000                                                                |  | NSP-Narrow Spot  | 17°     | 1585 | Red Indicator    |
| e71       | 3000K         | 3                  | 80  | 50,000                                                                |  | SP-Spot          | 21°     | 781  | Green Indicator  |
| e72       | 4000K         | 3                  | 80  | 50,000                                                                |  | MFL-Medium Flood | 28°     | 616  | Yellow Indicator |
| e73       | Amber (590nm) | 3                  | ~   | 50,000                                                                |  | ASY-Asymmetrical | 17°x31° | 721  | Purple Indicator |

|                     |                                                                                                                               |                      |                               |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
| <b>B-K LIGHTING</b> | 40429 Brickyard Drive • Madera, CA 93636 • USA<br>559.438.5800 • FAX 559.438.5900<br>www.bklighting.com • info@bklighting.com | RELEASED<br>07-25-16 | DRAWING NUMBER<br>SUB-2258-00 |
|                     |                                                                                                                               |                      |                               |

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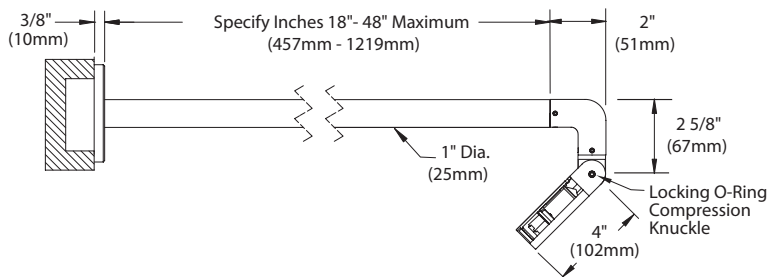
the power of

# MINI-MICRO™ SIGN STAR™ STYLE L

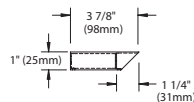
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TYPE:

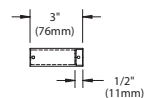
## SIDE VIEW



## "A/D" CAP



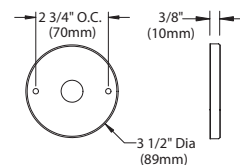
## "B/E" CAP



## "C" CAP



## CANOPY DETAIL



## Accessories (Configure separately)

### Remote Transformers:



TR Series



UPMRM™

All dimensions indicated on this submittal are nominal.  
Contact Technical Sales if you require more stringent specifications.

## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6).

### Style

'L' Style provides clean, 90° transition from fixture to stem.

### Body

Fully machined from solid billet. Unibody design provides enclosed, water-proof wireway and integral heat sink for maximum component life. Integral knuckle for maximum mechanical strength. High temperature, silicone 'O' Ring provides water-tight seal.

### Knuckle

The LOCK™ (Locking 'O' Ring Compression Knuckle) is comprised of two components. The first is integral to the body and features an interior, machined taper. The second is machined from solid billet and features a second, reverse angle taper. The resultant mechanical taper-lock allows a full 180° vertical adjustment without the use of serrated teeth, which inherently limit aiming. High temperature, silicone 'O' Ring provides water-tight seal and compressive resistance to maintain fixture position. Design withstands 73 lb. static load prior to movement to ensure decades of optical alignment. Biaxial source control with 360° horizontal rotation in addition to vertical adjustment.

### Cap

Fully machined. Accommodates [1] lens or louver media. Choose from 45° cutoff ('A' or 'D'), 3/8" deep bezel with 90° cutoff ('B' or 'E'), or flush lens ('C') cap styles. 'A' and 'B' caps include weep-hole for water and debris drainage. 'D' and 'E' caps exclude weep-hole and are for interior use only.

### Stem

Fully machined, 1" dia. with internal threads for maximum visual appeal. Available in configurable lengths to 48" maximum overall.

### Lens

Shock resistant, tempered, glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment. Specify soft focus (#12) or rectilinear (#13) lens.

### BKSSL®

Integrated solid state system with 'e' technology. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral non-dimming driver. Minimum 50,000 hour rated life at 70% of initial lumens (L70). BKSSL® technology provides long life, significant energy reduction and exceptional thermal management.

### Optics

OPTIKIT™ modules are color-coded for easy reference: Narrow Spot (NSP) = Red, Spot (SP) = Green, Medium Flood (MFL) = Yellow and Asymmetrical (ASY) = Purple.

### Installation

3-1/2" dia., machined canopy permits mounting to 3" octagonal junction box or 4" junction box with mud ring. Junction box installation must be designed to hold full fulcrum weight of fixture (junction box and gasket by others).

### Remote Transformer

For use with 12VAC BKSSL remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Wiring

PVC coated, 18AWG, 150V, 60°C rated and certified to UL 1838 standard.

### Hardware

Tamper-resistant, stainless steel hardware. LOCK™ aiming screw and canopy mounting screws are additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHS compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating.

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHS compliant. Suitable for indoor or outdoor use. Suitable for use in wet locations. IP 66 Rated. Made in USA.



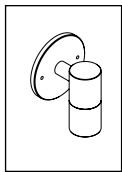
\*Energy Star is a registered trademark of the United States Environmental Protection Agency.

# B-K LIGHTING

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RELEASED  
07-25-16

DRAWING NUMBER  
SUB-2258-00



**BKSSL**  
SOLID STATE LIGHTING



**EL CAPITAN™**

|                        |   |
|------------------------|---|
| <b>PROJECT:</b>        |   |
| <b>TYPE:</b>           | C |
| <b>CATALOG NUMBER:</b> |   |
| <b>SOURCE:</b>         |   |
| <b>NOTES:</b>          |   |

## CATALOG NUMBER LOGIC

|                |  |           |   |            |   |            |   |           |   |           |   |            |   |           |   |           |   |          |
|----------------|--|-----------|---|------------|---|------------|---|-----------|---|-----------|---|------------|---|-----------|---|-----------|---|----------|
| <b>Example</b> |  | <b>EC</b> | - | <b>LED</b> | - | <b>e65</b> | - | <b>SP</b> | - | <b>A7</b> | - | <b>BLW</b> | - | <b>12</b> | - | <b>11</b> | - | <b>B</b> |
|----------------|--|-----------|---|------------|---|------------|---|-----------|---|-----------|---|------------|---|-----------|---|-----------|---|----------|

**Material**

**Blank** - Aluminum  
**B** - Brass  
**S** - Stainless

**Series**

**EC** - El Capitan Series™

**Source**

**LED** - 'e' Technology with Integral Dimming Driver (See Specifications for Dimming)  
 Designed for use with remote 12VAC BKSSL® transformers. Requires magnetic Low Voltage dimmer.

**LED Type**

**e64** - 7WLED/2.7k      **e66** - 7WLED/4k  
**e65** - 7WLED/3k      **e74** - 7WLED/Amber

**Optics\***

**NSP** - Narrow Spot (Red Indicator)      **MFL** - Medium Flood (Yellow Indicator)  
**SP** - Spot (Green Indicator)      **WFL** - Wide Flood (Blue Indicator)

**Adjust-e-Lume® Output Intensity** (Choose factory setting)

**A9** (Standard), **A8, A7, A6, A5, A4, A3, A2, A1**

**Finish**

| Aluminum Finish          |              |                | Brass Finish            |                                                 | Premium Finish |                           |            |                          |                                                                             |                          |
|--------------------------|--------------|----------------|-------------------------|-------------------------------------------------|----------------|---------------------------|------------|--------------------------|-----------------------------------------------------------------------------|--------------------------|
| <b>Powder Coat Color</b> | <b>Satin</b> | <b>Wrinkle</b> | Machined                | <b>MAC</b>                                      | <b>ABP</b>     | Antique Brass Powder      | <b>CMG</b> | Cascade Mountain Granite | <b>RMG</b>                                                                  | Rocky Mountain Granite   |
| <b>Bronze</b>            | <b>BZP</b>   | <b>BZW</b>     | Polished                | <b>POL</b>                                      | <b>AMG</b>     | Aleutian Mountain Granite | <b>CRI</b> | Cracked Ice              | <b>SDS</b>                                                                  | Sonoran Desert Sandstone |
| Black                    | <b>BLP</b>   | <b>BLW</b>     | Mitique™                | <b>MIT</b>                                      | <b>AQW</b>     | Antique White             | <b>CRM</b> | Cream                    | <b>SMG</b>                                                                  | Sierra Mountain Granite  |
| White (Gloss)            | <b>WHP</b>   | <b>WHW</b>     | <b>Stainless Finish</b> |                                                 | <b>BCM</b>     | Black Chrome              | <b>HUG</b> | Hunter Green             | <b>TXF</b>                                                                  | Textured Forest          |
| Aluminum                 | <b>SAP</b>   | —              | Machined                | <b>MAC</b>                                      | <b>BGE</b>     | Beige                     | <b>MDS</b> | Mojave Desert Sandstone  | <b>WCP</b>                                                                  | Weathered Copper         |
| Verde                    | —            | <b>VER</b>     | Polished                | <b>POL</b>                                      | <b>BPP</b>     | Brown Patina Powder       | <b>NBP</b> | Natural Brass Powder     | <b>WIR</b>                                                                  | Weathered Iron           |
|                          |              |                | Brushed                 | <b>BRU</b><br><small>Interior use only.</small> | <b>CAP</b>     | Clear Anodized Powder     | <b>OCP</b> | Old Copper               | <small>Also available in RAL Finishes<br/>See submittal SUB-1439-00</small> |                          |

**Lens Type**

**12** - Soft Focus Lens      **13** - Rectilinear Lens

**Shielding**

**11** - Honeycomb Baffle\*

**Cap Style**

**A** - 45°      **B** - 90°      **C** - Flush      **D** - 45° less Weep Hole (Interior Use Only)      **E** - 90° less Weep Hole (Interior Use Only)      **F** - 90° cutoff with Flush Lens

\*Accommodates up to 2 Lens/Shielding media

| DRIVER DATA | Input Volts      | InRush Current     | Operating Current | Dimmable                    | Operation Ambient Temperature |
|-------------|------------------|--------------------|-------------------|-----------------------------|-------------------------------|
|             | 12VAC/DC 50/60Hz | 250mA (non-dimmed) | 700mA             | Magnetic Low Voltage Dimmer | -10°F-130°F                   |

## LM79 DATA

| BK No. | CCT (Typ.)    | Input Watts (Typ.) | CRI (Typ.) |
|--------|---------------|--------------------|------------|
| e64    | 2700K         | 7.0                | 80         |
| e65    | 3000K         | 7.0                | 80         |
| e66    | 4000K         | 7.0                | 80         |
| e74    | Amber (590nm) | 7.0                | ~          |

## L70 DATA

| Minimum Rated Life (hrs.)<br>70% of initial lumens(L70) |
|---------------------------------------------------------|
| 50,000                                                  |
| 50,000                                                  |
| 50,000                                                  |
| 50,000                                                  |

## \* OPTICAL DATA

| Beam Type    | Angle | e66 CBCP | Visual Indicator |
|--------------|-------|----------|------------------|
| Narrow Spot  | 13°   | 6889     | Red Dot          |
| Spot         | 15°   | 5225     | Green Dot        |
| Medium Flood | 23°   | 1984     | Yellow Dot       |
| Wide Flood   | 31°   | 1300     | Blue Dot         |

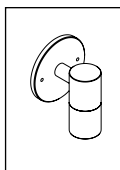
**B-K LIGHTING**

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DRAWING NUMBER  
SUB000942

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**BKSSL**  
SOLID STATE LIGHTING

the power of  
dimming with **adjust-e-lume**®  
TECHNOLOGY

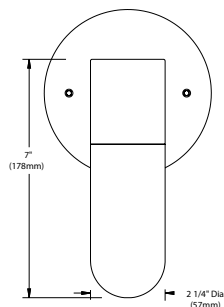
**EL CAPITAN™**

PROJECT:

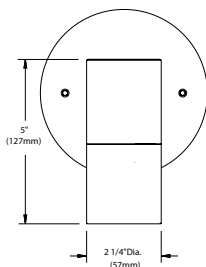
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### FRONT VIEW

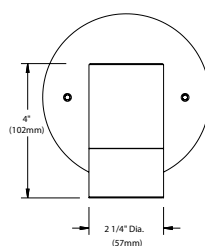
#### "A/D" CAP



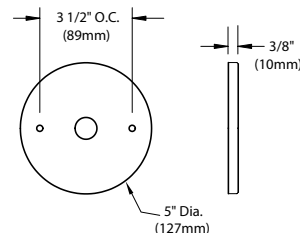
#### "B/E/F" CAP



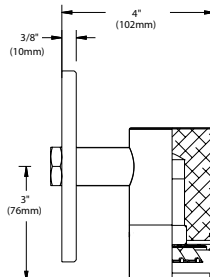
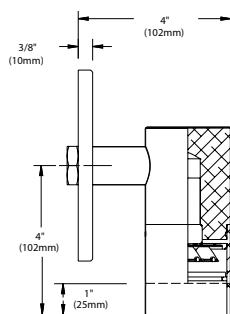
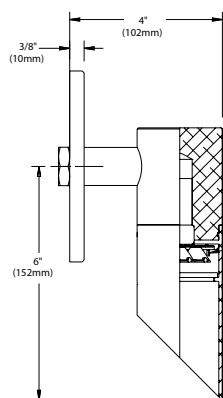
#### "C" CAP



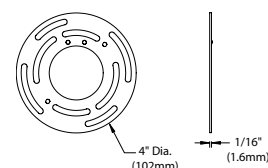
#### CANOPY DETAIL



### SIDE VIEW



#### UNIVERSAL RING



#### Accessories (Configure separately)

#### Remote options:



TR Series



UPMRM™

All dimensions indicated on this submittal are nominal.  
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## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6), Brass (Type 360) or Stainless Steel (Type 316).

### Body

Fully machined from solid billet. Unibody design provides enclosed, water-proof wireway and integral heat sink for maximum component life. High temperature, silicone 'O' Ring provides water-tight seal.

### Cap

Fully machined. Accommodates [1] lens or louver media. Choose from 45° cutoff ('A' or 'D'), 1" deep bezel with 90° cutoff ('B' or 'E'), flush lens ('C') cap styles, or 1" deep cutoff with flush mounted lens ('F'). 'A' and 'B' caps include weephole for water and debris drainage. 'D' and 'E' caps exclude weep-hole and are for interior use only.

### Lens

Shock resistant, tempered, glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment. Specify soft focus (#12) or rectilinear (#13) lens.

### BKSSL®

Integrated solid state system with 'e' technology is scalable for field upgrade. Modular design with electrical quick disconnects permit field maintenance. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral, constant current driver. 12VAC/VDC input. 50/60Hz. Proprietary input control scheme achieves power factor correction and eliminates inrush current. Output, over-voltage, open-circuit, and short circuit protected. Inrush current limited to <1A (non-dimmed). Conforms to Safety Std. C22.2 No. 250.13-12.

### Dimming

Line voltage dimmable via magnetic low voltage dimmer. For use with low voltage dimmer with dedicated neutral conductor. For purposes of dimming: Remote magnetic transformer with BKSSL® Power of 'e' technology loads should be loaded to 25% of the transformer VA (watts) rated value.

### Optics

Interchangeable OPTIKIT™ modules permit field changes to optical distribution. Color-coded for easy reference: Narrow Spot (NSP) = Red. Spot (SP) = Green. Medium Flood (MFL) = Yellow. Wide Flood (WFL) = Blue.

### Adjust-e-Lume® (Pat. Pending)

Integral electronics allows dynamic lumen response at the individual fixture. Indexed (100% to 25% nom.) lumen output. Maintains output at desired level or may be changed as conditions require. Specify factory preset output intensity.

### Installation

5" dia., machined canopy with stainless steel universal mounting ring permits mounting to 4" octagonal junction box (by others). Suitable for uplight or downlight installation.

### Remote Transformer

For use with 12VAC **BKSSL** remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Wiring

Teflon® coated, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

### Hardware

Tamper-resistant, stainless steel hardware. Canopy mounting screws are additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHs compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish. Stainless steel components are available in handcrafted metal finish. (Brushed finish for interior use only).

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. Suitable for indoor or outdoor use. Suitable for use in wet locations. RoHs compliant. Made in USA.



\*Teflon is a registered trademark of DuPont Corporation.

\*Energy Star is a registered trademark of the United States Environmental Protection Agency.

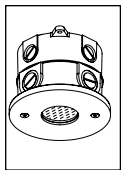
**B-K LIGHTING**

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RELEASED  
06-06-16

DRAWING NUMBER  
SUB000942





**BKSSL**  
SOLID STATE LIGHTING

the power of  
dimming



**VERSA STAR™**

PROJECT:

TYPE: D

CATALOG  
NUMBER:

SOURCE:

NOTES:

## CATALOG NUMBER LOGIC

**Example:** S - VS - LED - e100 - SP - A6 - MAC - 13 - 11

Material: **S** - Aluminum, **B** - Brass, **S** - Stainless Steel

Series: **VS** - Versa Star™

Source: **LED** - 'e' Technology with Integral Dimming Driver (See Specifications for Dimming)  
Designed for use with remote 12VAC BKSSL® transformers. Requires magnetic Low Voltage dimmer.

LED Type: **e100** - 5WLED/2.7K, **e101** - 5WLED/3K, **e102** - 5WLED/4K, **e103** - 5WLED/Amber

Optics\*: **NSP** - Narrow Spot (Red Indicator), **SP** - Spot (Green Indicator), **MFL** - Medium Flood (Yellow Indicator), **WFL** - Wide Flood (Blue Indicator)

Adjust-e-Lume® Output Intensity (Choose factory setting): **A9** (Standard), **A8, A7, A6, A5, A4, A3, A2, A1**

Finish: \_\_\_\_\_

| Aluminum Finish   |       |         | Brass Finish     |                                  | Premium Finish |                           |  |     |                          |  |                                                                    |                          |  |
|-------------------|-------|---------|------------------|----------------------------------|----------------|---------------------------|--|-----|--------------------------|--|--------------------------------------------------------------------|--------------------------|--|
| Powder Coat Color | Satin | Wrinkle | Machined         | MAC                              | ABP            | Antique Brass Powder      |  | CMG | Cascade Mountain Granite |  | RMG                                                                | Rocky Mountain Granite   |  |
| Bronze            | BZP   | BZW     | Polished         | POL                              | AMG            | Aleutian Mountain Granite |  | CRI | Cracked Ice              |  | SDS                                                                | Sonoran Desert Sandstone |  |
| Black             | BLP   | BLW     | Mitique™         | MIT                              | AQW            | Antique White             |  | CRM | Cream                    |  | SMG                                                                | Sierra Mountain Granite  |  |
| White (Gloss)     | WHP   | WHW     | Stainless Finish |                                  | BCM            | Black Chrome              |  | HUG | Hunter Green             |  | TXF                                                                | Textured Forest          |  |
| Aluminum          | SAP   | —       | Machined         | MAC                              | BGE            | Beige                     |  | MDS | Mojave Desert Sandstone  |  | WCP                                                                | Weathered Copper         |  |
| Verde             | —     | VER     | Polished         | POL                              | BPP            | Brown Patina Powder       |  | NBP | Natural Brass Powder     |  | WIR                                                                | Weathered Iron           |  |
|                   |       |         | Brushed          | BRU<br><i>Interior use only.</i> | CAP            | Clear Anodized Powder     |  | OCP | Old Copper               |  | Also available in RAL Finishes<br><i>See submittal SUB-1439-00</i> |                          |  |

Lens Type: \_\_\_\_\_

12 - Soft Focus Lens, 13 - Rectilinear Lens

Shielding: \_\_\_\_\_

11 - Honeycomb Baffle

| DRIVER DATA | Input Volts      | InRush Current      | Operating Current | Dimmable                    | Operation Ambient Temperature |
|-------------|------------------|---------------------|-------------------|-----------------------------|-------------------------------|
|             | 12VAC/DC 50/60Hz | <250mA (non-dimmed) | 500mA             | Magnetic Low Voltage Dimmer | -22°F-194°F (-30°C - 90°C)    |

## LM79 DATA

| BK No. | CCT (Typ.)    | Input Watts (Typ.) | CRI (Typ.) |
|--------|---------------|--------------------|------------|
| e100   | 2700K         | 5.0                | 80         |
| e101   | 3000K         | 5.0                | 80         |
| e102   | 4000K         | 5.0                | 80         |
| e103   | Amber (590nm) | 5.0                | ~          |

## L70 DATA

| Minimum Rated Life (hrs.)<br>70% of initial lumens(L70) |
|---------------------------------------------------------|
| 50,000                                                  |
| 50,000                                                  |
| 50,000                                                  |
| 50,000                                                  |

## \* OPTICAL DATA

| Beam Type    | Angle | e102<br>CBCP | Visual Indicator |
|--------------|-------|--------------|------------------|
| Narrow Spot  | 13°   | 4527         | Red Dot          |
| Spot         | 15°   | 3434         | Green Dot        |
| Medium Flood | 23°   | 1304         | Yellow Dot       |
| Wide Flood   | 31°   | 805          | Blue Dot         |

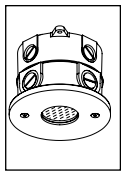
**B-K LIGHTING**

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RELEASED  
08-10-16

DRAWING NUMBER  
SUB001016

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**BKSSL**  
SOLID STATE LIGHTING

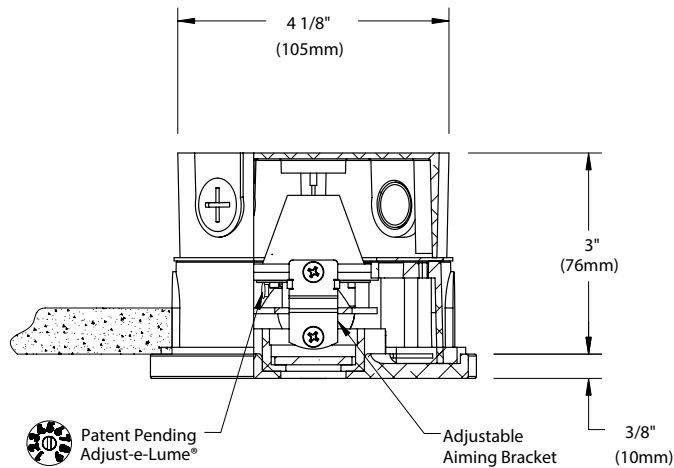


**VERSA STAR™**

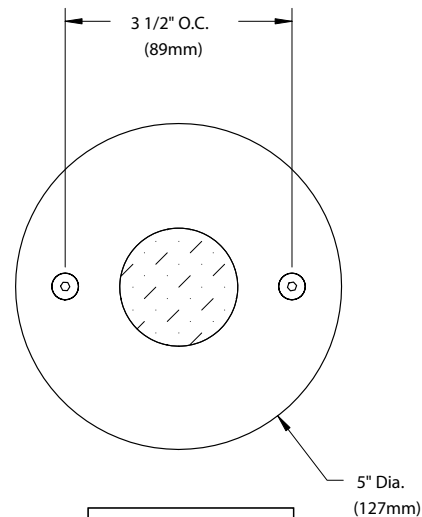
PROJECT:

TYPE: D

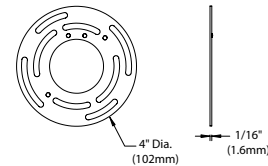
#### SIDE VIEW



#### FACEPLATE DETAIL



#### UNIVERSAL RING

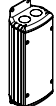


Accessories (Configure separately)

Remote options:



TR Series



UPMRM™

All dimensions indicated on this submittal are nominal.  
Contact Technical Sales if you require more stringent specifications.

## SPECIFICATIONS

### GreenSource Initiative™

Metal and packaging components are made from recycled materials. Manufactured using renewable solar energy, produced on site. Returnable to manufacturer at end of life to ensure cradle-to-cradle handling. Packaging contains no chlorofluorocarbons (CFC's). Use of this product may qualify for GreenSource efficacy and recycling rebate(s). Consult [www.bklighting.com/greensource](http://www.bklighting.com/greensource) for program requirements.

### Materials

Furnished in Copper-Free Aluminum (Type 6061-T6), Brass (Type 360) or Stainless Steel (Type 316).

### Backbox

Round, 4-1/4" dia. x 3-1/8" deep construction with [2] mounting tabs. Front access for wire connection and inspection. Provided with [5] 1/2" NPS tapped holes and [4] plugs. Suitable for concrete pour.

### Faceplate

Fully machined from solid billet. Countersunk holes provide for flush hardware mounting with [2] tamper-resistant, stainless steel mounting screws. Stainless steel universal mounting ring for faceplate adjustment and 1/8" thick HT-805A silicone foam gasket with acrylic adhesive for water-tight seal. Accommodates [1] lens or louver media.

### Lens

Shock resistant, tempered, glass lens is factory adhered to faceplate. Specify soft focus (#12) or rectilinear (#13) lens.

### BKSSL®

Integrated solid state system with 'e' technology is scalable for field upgrade. Modular design with electrical quick disconnects permit field maintenance. High power, forward throw source complies with ANSI C78.377 binning requirements. Exceeds ENERGY STAR® lumen maintenance requirements. LM-80 certified components.

Integral, constant current driver. 12VAC/VDC input. 50/60Hz. Proprietary input control scheme achieves power factor correction and eliminates inrush current. Output, over-voltage, open-circuit, and short circuit protected. Inrush current limited to <1A (non-dimming). Conforms to Safety Std. C22.2 No. 250.13-12.

### Dimming

Line voltage dimmable via magnetic low voltage dimmer. For use with low voltage dimmer with dedicated neutral conductor. For purposes of dimming: Remote magnetic transformer with BKSSL® Power of 'e' technology loads should be loaded to 25% of the transformer VA (watts) rated value.

### Optics

Interchangeable OPTIKIT™ modules permit field changes to optical distribution. Color-coded for easy reference: Narrow Spot (NSP) = Red. Spot (SP) = Green. Medium Flood (MFL) = Yellow. Wide Flood (WFL) = Blue. Adjustable optical bracket provides up to 24° vertical aiming.

### Adjust-e-Lume® (Pat. Pending)

Integral electronics allows dynamic lumen response at the individual fixture. Indexed (100% to 25% nom.) lumen output. Maintains output at desired level or may be changed as conditions require. Specify factory preset output intensity.

### Remote Transformer

For use with 12VAC BKSSL remote transformer or magnetic transformers only. B-K Lighting cannot guarantee performance with third party manufacturers' transformers.

### Wiring

Teflon® coated, 18AWG, 600V, 250° C rated and certified to UL 1659 standard.

### Hardware

Tamper-resistant, stainless steel hardware. Faceplate screws are additionally black oxide treated for additional corrosion resistance.

### Finish

StarGuard®, our exclusive RoHS compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish. Stainless steel components are available in handcrafted metal finish. (Brushed finish for interior use only).

### Warranty

5 year limited warranty.

### Certification and Listing

ITL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHS compliant. Suitable for indoor or outdoor use. Suitable for installation in combustible materials (Type Non-IC). Suitable for use in wet locations. Suitable for installation within 4' of the ground. IP65 Rated. Made in USA.



\*Teflon is a registered trademark of DuPont Corporation.

\*Energy Star is a registered trademark of the United States Environmental Protection Agency.

**B-K LIGHTING**

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08-10-16

DRAWING NUMBER  
SUB001016

## Construction:

- Steel housing and chassis
- Bottom lens is clear tempered glass

## Light Source:

- LED
- Dimming (0 - 10v) to 10% **Included**

## Notes:

- Integral mounting plate
- Optional all aluminum construction painted finish only
- Optional photocell - specify voltage 120v or 277v
- Optional battery backup; increases fixture depth by ¾"
- UL and CUL listed WET location
- LED Components
  - OSRAM Distributed Array
  - CRI > 80
  - 11w - 1200 Lumens
  - 18w - 2100 Lumens
  - Osram LED Driver
  - 5-Year Warranty on LED Components



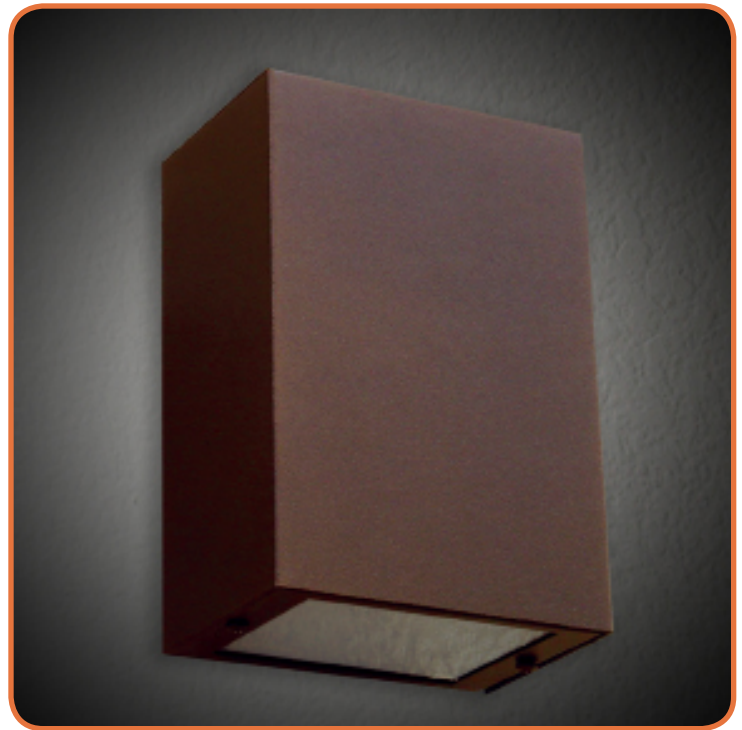
## TBLW-13-LED

Height - 13 ¾"

Width - 7 ¾"

Depth - 7 ¼"

|           |   |
|-----------|---|
| Type:     |   |
| Job Name: | E |



WALL

CEILING

PENDANT

OUTDOOR

## ORDERING INFORMATION

Example: TBLW-13-LED-U-11W-3-Z3-CEG

|             |  |   |     |   |    |     |  |
|-------------|--|---|-----|---|----|-----|--|
| TBLW-13-LED |  | U | 11W | 2 | B1 | CEG |  |
|-------------|--|---|-----|---|----|-----|--|

| Model              | Cage | Voltage     | Lamping                                         | Kelvin                               | Finish                                                                                                                                                                                                                                                                                                                                                                                                 | Diffuser                 | Options                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------|------|-------------|-------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TBLW-13-LED</b> |      | U 120 - 277 | <b>11w LED / 1200lm</b><br><br>18w LED / 2100lm | <b>2 3000K</b><br>3 3500K<br>4 4000K | <b>B1</b> Satin Black<br><b>W2</b> Gloss White<br><b>Z1</b> Satin Bronze<br><b>Z3</b> Text Bronze<br><br><b>Optional</b><br>(See Price List)<br><br><b>W1</b> Yolk<br><b>W3</b> Text White<br><b>B2</b> Text Black<br><b>T4</b> Shimmer Gray<br><b>M13</b> Anod Silver<br><b>T6</b> Pewter<br><b>W13</b> Pearl Beige<br><b>P2</b> Brushed Alum<br><b>P9</b> Brushed Nickel<br><b>M16</b> Antique Brass | CEG Clear Tempered Glass | <b>DIM</b> LED dimming driver (0 - 10v)<br>Dimming to 10% ( <b>Included</b> )<br><br><b>DIM1</b> LED dimming driver (0 - 10v)<br>Dimming to 1% ( <b>See Price List</b> )<br><br><b>42</b> All Aluminum Construction<br><b>21</b> Photocell - <i>See Notes</i><br>-01 120 volt<br>-02 277 volt<br><br><b>Battery Back Options</b><br><b>BB10</b> 10 Watts for 90-Minutes |



# 4 Corners 2700K LED Deck Light TZT

16111TZT27 (Textured Tannery Bronze)

Project Name: \_\_\_\_\_  
Location: \_\_\_\_\_  
Type: **F** \_\_\_\_\_  
Qty: \_\_\_\_\_  
Comments: \_\_\_\_\_



## Ordering Information

|                    |                              |
|--------------------|------------------------------|
| Product ID         | 16111TZT27                   |
| Finish             | Textured Tannery Bronze      |
| Available Finishes | AZT, AZT, BKT, BKT, TZT, TZT |

## Electrical

|         |     |
|---------|-----|
| Voltage | 15V |
|---------|-----|

## Qualifications

|              |                                                                        |
|--------------|------------------------------------------------------------------------|
| Safety Rated | Wet                                                                    |
| Warranty     | <a href="http://www.kichler.com/warranty">www.kichler.com/warranty</a> |

## Primary Lamping

|                     |              |
|---------------------|--------------|
| Light Source        | LED          |
| Lamp Included       | Not Included |
| Max or Nominal Watt | 2.5W         |

## Dimensions

|        |       |
|--------|-------|
| Height | 2.25" |
| Width  | 3.25" |



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*The key to success starts with a solid foundation.*  
**ENGINEERING | EXPLORATION | EXPERIENCE**

---

# Geotechnical Report

*Proposed Condominiums*  
*161 York Street, Portland, Maine*



**Client**

York Street Redevelopment, LLC  
42 Market Street  
Portland, ME



145 Lisbon Street (PO Box 7216) Lewiston, Maine 04243 | (207) 576-3313  
173 Pleasant Street Rockland, Maine 04841 | (207) 318-7761  
[www.summitgeoeng.com](http://www.summitgeoeng.com)

Project #: 16161  
Date: 9/19/2016



September 19, 2016  
Summit #16161

York Street Redevelopment, LLC  
Attn: Michael Cianchette  
42 Market Street  
Portland, Maine 04104

Reference: Geotechnical Engineering Services - Proposed Condominiums,  
161 York Street, Portland, Maine

Dear Michael;

Summit Geoengineering Services, Inc. (SGS) has completed a geotechnical investigation for the proposed condominium building at the site referenced above. Our scope of services included the drilling of four test borings and one test probe within the proposed building footprint, laboratory testing of collected soil samples, and preparing this geotechnical report summarizing our findings and providing geotechnical recommendations.

Our scope of services for this project did not include an environmental site assessment or further investigation for the presence or absence of hazardous or toxic material on, below, or around the site. Any statements in this report, or on the soil boring logs, regarding odors or unusual and suspicious conditions observed are for informational purposes and are not intended to constitute an environmental assessment.

## 1.0 Project and Site Description

We understand that the project consists of the construction of a new 5 story steel framed building located at 161 York Street in Portland, Maine. Based on a preliminary floor plan concept and grading plan of the proposed development, the new building will be rectangular in shape and have a footprint of approximately 7,000 square feet. The ground floor will have a finish floor elevation (FFE) of 50.75 feet, consist of parking and storage/mechanical rooms, and will be accessed from York Street to the east. The first floor will have a FFE of 60.75', will consist of partially parking and partially condos, and will be accessed from Guilford Court to the north. The top three floors will be condos. Two exterior retaining walls are proposed along the north side of the property, one in the parking area to the north of the proposed building and one for a patio area. The maximum exposed height of the exterior retaining walls will be 6 feet.

The existing site is bound by York Street to the east, existing apartments to the north and south, and Guilford Court to the west. Existing grades slope up in a westerly direction from elevation 50 feet at York Street to elevation 64 feet at the west end of the property. The front portion of the site adjacent to York Street is a gravel surface and the back end of the site is partially wooded and grassed. There are loose stone and timber retaining walls present around

the perimeter of the site. There were two buildings (both 2-story dwellings towards the front end of the site) on the property that were demolished earlier this year. We understand that the entirety of the building foundations were removed.

Based on the building layout concepts provided to us, the west end (Guilford Court) of the garage floor will extend out beyond the upper floor footprint approximately 13 feet. This “bumpout” will be covered with soil and the area above will be used as parking accessed via Guilford Court. Including the height of soil above the wall, the garage walls will retain soil heights of up to 13 feet. In general, finish exterior grade around the proposed building will approximately match existing grade. During construction, cuts of up to 16 feet will be required to construct the footings.

## 2.0 Subsurface Exploration and Laboratory Testing

### 2.1 Subsurface Exploration

Summit Geoengineering Services (SGS) observed the subsurface conditions with the drilling of 4 test borings and 1 test probe on August 24, 2016 using a track mounted AMS Power Probe 9500 VTR rig. The borings (B-1 thru B-4) and the probe (P-1) were performed within the building footprint. Refusal (probable bedrock) was encountered in all of the borings and probe ranging in depth from 6.1 feet to 16.1 feet below ground surface.

The borings were advanced using 2 1/4” hollow stem augers. During the borings, split spoon sampling was conducted in general accordance with ASTM D1586 at a minimum of 5 foot intervals. Test probe P-1 was advanced to refusal using a direct push spear-tip probe.

The boring and probe locations were marked by SGS prior to the day of the explorations. The locations of the explorations are shown on the Exploration Location Plan in Appendix A. Boring Logs and the Probe Log are provided in Appendix B.

### 2.2 Laboratory Testing

Laboratory testing was performed on a sample of the existing fill recovered from a split spoon sample in Boring B-4. Laboratory testing consisted of a grain size analysis in accordance with ASTM D6913. Results from the grain size test are summarized below:

| GRAIN SIZE ANALYSIS RESULTS – EXISTING FILL |        |          |             |      |       |                   |
|---------------------------------------------|--------|----------|-------------|------|-------|-------------------|
| Boring                                      | Sample | Depth    | Composition |      |       | <sup>1</sup> USCS |
|                                             |        |          | Gravel      | Sand | Fines |                   |
| B-4                                         | S-2    | 5’ to 7’ | 11%         | 57%  | 32%   | SM                |

<sup>1</sup>USCS = Unified Soil Classification System

Detailed results from the laboratory testing can be found in Appendix C.

### 3.0 Subsurface Conditions

The subsurface conditions presented herein are based on the findings from the test borings and probe performed by SGS on August 24, 2016.

#### 3.1 Soil

The following subsurface layers and thicknesses were encountered in our geotechnical investigation, starting from the ground surface:

- **Topsoil**, 6 inches to 12 inches
- **Fill**, 4.0 feet to 11.0 feet
- **Glacial Till**, 3.9 feet to 7.2 feet (Borings B-3 and B-4 only)

The **Topsoil** was encountered starting at the ground surface in Borings B-3 and B-4 and Probe P-1 and is described as brown sandy silt with rootlets. It is dry, loose, and visually classifies as ML in accordance with the Unified Soil Classification System (USCS). Existing fill was encountered at the ground surface for the remaining borings (see below for description).

The **Fill** encountered in the borings ranges in thickness from 4.0 feet to 11.0 feet and is described as reddish brown to brown silty sand or sandy silt with trace to some gravel and cobble pieces. Possible rubble or cobbles were encountered during auger advancement within the fill layer. A few small wood pieces were present in the fill in Boring B-2 and ash/brick is present in the fill at Boring B-4. Blow counts collected during Standard Penetration Tests (SPT N-values) for the fill range from 8 blows per foot (bpf) to 40 bpf and average 16 bpf. In general, the fill is dry to humid and compact to dense. The fill visually classifies as SM and/or ML in accordance with the USCS.

The **Glacial Till** deposit was encountered in Borings B-3 and B-4 and starts a depth of 5 feet to 7 feet below ground surface and extends to refusal. The glacial till is described as tan fine sandy silt with no to little clay and trace to little cobbles and gravel. It is compact, humid to moist, and visually classifies as ML in accordance with USCS. SPT N-values for the glacial till range from 15 blows per foot (bpf) to 23 bpf and average 19 bpf.

#### 3.2 Bedrock

Bedrock (presumed from auger refusal) was encountered at depths ranging from 6.1 feet to 16.1 feet below existing ground surface. Based on interpolation from a site plan provided to us, bedrock surface elevation ranges from EL 42.2 feet to EL 50.6 feet with no specific trend across the site. Mapping by the Maine Geological Survey indicates the bedrock at the site is of the Precambrian Z Spring Point Formation consisting of green schist and amphibolites facies ranging from mafic to felsic volcanic rock.

The table below summarizes the bedrock depths and approximated elevations encountered in our explorations.

| BEDROCK DEPTH and ELEVATION |                     |                         |
|-----------------------------|---------------------|-------------------------|
| Boring/Probe                | Bedrock Depth (ft.) | Bedrock Elevation (ft.) |
| B-1                         | 11.0'               | 41.5' +/-               |
| B-2                         | 6.1'                | 50.6' +/-               |
| B-3                         | 8.9'                | 47.6' +/-               |
| B-4                         | 14.2'               | 44.8' +/-               |
| P-1                         | 16.1'               | 42.2' +/-               |

*NOTE: Bedrock elevations are approximated from interpolation of a topographic site plan provided to us.*

### 3.3 Groundwater

On the day of the explorations, groundwater was not observed in the borings. The soil/rock fragments recovered in the spoon samples collected at the bedrock surface were moist to wet, likely indicating that groundwater flows along the surface of the bedrock. Groundwater elevation may rise during seasonal fluctuations of rainfall and snowmelt.

### 4.0 Geotechnical Evaluation

There are multiple geotechnical considerations associated with the construction of the proposed condominium building, which include following:

- Potential for differential or local settlement of footings bearing partially on bedrock and partially on granular soil.
- Potential for bedrock removal required to construct the footings, garage slab, or underground stormwater detention chambers.
- Presence of existing rubble in foundation excavations.
- Large loads on garage foundation walls that will retain up to 14 feet of soil.
- Need for temporary shoring along the west side of the property. We estimate a maximum cut of 16 feet will be required within 5 feet of the property line.

Based on the findings from our geotechnical explorations, the new building can be adequately supported using conventional shallow footings on a frost wall with a slab-on-grade. The recommendations provided in Section 5.0 will address the considerations listed above.

## 5.0 Foundation Recommendations

The proposed building can be supported using conventional shallow footings on a frost wall with a slab-on-grade. Recommendations for the foundation design, subgrade preparation, groundwater control, and seismic design are presented herein.

### 5.1 Foundation Bearing Pressure

Based on our explorations and the assumed ground level FFE of 50.75', we anticipate that interior and exterior footings will be supported on a combination of existing fill, native glacial till, and bedrock. Assuming that the recommendations provided below are followed, we recommend that footings bearing on existing fill and native glacial till be proportioned using an allowable bearing pressure of 4,000 psf and footings bearing on bedrock be proportioned using an allowable bearing pressure of 10,000 psf. Total settlement is expected to be less than 1.0" and differential settlement is expected to remain within tolerable limits. The allowable bearing pressure above is based on the following conditions:

- All topsoil and existing demolition rubble/debris is removed from within the proposed building footprint.
- If present, existing foundation elements are removed from within the proposed building footprint. Based on our observations, geotechnical investigation, and conversation with our client, it appears that the foundation elements from the existing buildings have been removed.
- All footings exposed to freezing temperatures (including interior footings constructed in non-heated garage areas) are constructed at the recommended frost protection depth of 4' below finish grade for footings constructed on soil or a minimum of 2' below grade for footings constructed on bedrock.
- All interior footings in heated areas are constructed a minimum of 1.5 feet below finished floor elevation. Thickening of the slab at column locations is also an option.
- Any soft, wet, loose, or otherwise unsuitable material exposed at the bottom of the footing excavations is removed and replaced with  $\frac{3}{4}$ " crushed stone. Unsuitable soils should be removed from beneath footings at a 1H:1V taper beyond all edges of the footing. SGS should be notified in the event that substantial unsuitable soils are discovered.
- Soil exposed at the bottom of the footing excavations is proofrolled by making a minimum of 4 passes with a walk-behind plate compactor.
- If bedrock is exposed in the footing excavation, any loose or weathered rock is removed from beneath the footing area to expose a hard, competent bedrock surface. Any large gaps or voids created by removing loose pieces of bedrock are filled with  $\frac{3}{4}$ " crushed stone, flowable fill, or lean concrete.
- All placed fill within the building footprint consists of Structural Fill (SF, see Section 5.6 for gradation and compaction requirement) or  $\frac{3}{4}$ " crushed stone.



- Transition zones for footings spanning bedrock to native glacial till/existing fill are constructed in accordance with the Bedrock Transition Zone Construction Detail provided in Appendix A.

## 5.2 Retaining Wall Design Parameters

Based on the plans provided to us, foundation walls for the proposed building will retain up to 13 feet of soil. Assuming that the recommendations presented in this report are followed, Foundation Backfill (FB, presented in Section 5.3) can be assumed to be the soil on the exterior of the foundation walls, and either native glacial till/existing fill or bedrock can be assumed to be located beneath the footing.

| PARAMETER                                        | <sup>1</sup> Foundation Backfill | <sup>2</sup> Native Till/<br>Existing Fill | Bedrock    |
|--------------------------------------------------|----------------------------------|--------------------------------------------|------------|
| Total Natural (moist) Unit Weight ( $\gamma_t$ ) | 125 pcf                          | 130 pcf                                    | 140 pcf    |
| Saturated (buoyant) Unit Weight ( $\gamma_s$ )   | 63 pcf                           | 58 pcf                                     | 78 pcf     |
| Friction Coefficient (f)                         | 0.40                             | 0.45                                       | 0.60       |
| Passive Earth Pressure Coefficient ( $K_p$ )     | 3.20                             | 3.0                                        | --         |
| At Rest Earth Pressure Coefficient ( $K_o$ )     | 0.47                             | 0.50                                       | --         |
| Active Earth Pressure Coefficient ( $K_a$ )      | 0.30                             | 0.33                                       | --         |
| Effective Friction Angle ( $\phi$ )              | 32°                              | 32°                                        | 45°        |
| Undrained Shear Strength ( $S_u$ )               | 0                                | 0                                          | 10,000 psf |

<sup>1</sup>Based on 95% compaction of Foundation Backfill by ASTM D1557, Modified Proctor Test Method.

<sup>2</sup>Based on the proofrolling requirements presented in Section 5.1.

Equivalent fluid pressure on the foundation walls can be calculated by multiplying the applicable earth pressure coefficient by the soil unit weight. At-rest earth pressure coefficient ( $K_o$ ) should be used if the wall is restricted against movement at the top (i.e., braced by framing) prior to backfilling. If the wall is designed as a cantilever wall and movement at the top is unrestricted, the active earth pressure coefficient can be used. When calculating the earth pressure on the foundation walls, the soil height above the top of the wall should be included in the force calculation. Any applicable vehicular or construction surcharge loading should be included in the design. Any foundation walls that include backfill on both sides that are not designed to accommodate differential soil pressures should not exceed a differential soil height of 2 feet.

Uplift capacity of the foundation includes the dead weight of the foundation, friction of the mobilized soil along the soil-to-soil shear plane, and weight of soil above the footings. Sliding

resistance of the foundation includes passive resistance of the soil against the side of the foundation wall and the friction between the bottom of the footing and the underlying soil/bedrock. If additional sliding or uplift capacity is required, bedrock doweling or rock anchors should be considered. To mobilize the passive resistance of soil backfill against the wall, the wall must move a minimum of 0.2% of the total wall height. If the wall is not designed to undergo this movement, the passive soil resistance should be ignored.

### 5.3 Frost Protection

The design air freezing index for the Portland area is approximately 1,200 degree F days (10 year, 90% probability). Based on this, a total of 4 feet of frost protection should be provided for the exterior footings and interior footings exposed to freezing temperatures. However, in locations where the footing is supported by bedrock, footings may be constructed at a minimum depth of two feet below exterior finish grade provided that footings are cast directly on bedrock and foundation underdrains are constructed in accordance with Section 5.5.

We recommend that the exterior of all foundation elements exposed to freezing temperatures be backfilled with Foundation Backfill (FB). The portion of FB passing the 3" sieve size should meet the following gradation requirements:

| FOUNDATION BACKFILL |               |
|---------------------|---------------|
| Sieve Size          | Percent Finer |
| 3 inch              | 100           |
| ¾ inch              | 25 to 100     |
| No. 40              | 0 to 50       |
| No. 200             | 0 to 7        |

**Reference:** MDOT Specification 703.06, Type E (2014)

Maximum particle size should be limited to 6 inches. Foundation backfill should be placed in 6 to 12 inch lifts and compacted to 95% of its optimum dry density determined in accordance with ASTM D1557.

#### 5.4 Seismic Design

Based on the summary of field and laboratory testing, we recommend Site Class C “very dense soil and soft rock” be used in accordance with the 2012/2015 International Building Code. The following seismic site coefficients should be used:

| SUBGRADE SITE SEISMIC DESIGN COEFFICIENTS - IBC     |              |
|-----------------------------------------------------|--------------|
| Seismic Coefficient                                 | Site Class C |
| Short period spectral response ( $S_s$ )            | 0.241        |
| 1 second spectral response ( $S_1$ )                | 0.078        |
| Maximum short period spectral response ( $S_{MS}$ ) | 0.289        |
| Maximum 1 second spectral response ( $S_{M1}$ )     | 0.133        |
| Design short period spectral response ( $S_{DS}$ )  | 0.192        |
| Design 1 second spectral response ( $S_{D1}$ )      | 0.089        |

Subgrade conditions are not considered susceptible to liquefaction during seismic events.

#### 5.5 Groundwater Control

Based on observed groundwater levels, groundwater is anticipated to be at or near the surface of the bedrock. However, seasonal perched water may be present during wet periods or from runoff and snowmelt. It will be critical to dewater behind the garage foundation walls to ensure that the garage area remains dry. Based on this, we recommend perimeter underdrains be installed along the exterior foundation walls. In addition, we recommend exterior grades slope away from the building footprint to reduce runoff water from infiltrating the foundation backfill soils.

Perimeter underdrains should consist of 4 inch rigid perforated PVC placed adjacent to the exterior footings and surrounded by a minimum of 6 inches of crushed stone wrapped in filter fabric to prevent clogging from the migration of the fine soil particles in the foundation backfill soils. The underdrain pipe should outlet to a location where it will be free flowing. If exposed at the ground surface, the ends of pipes should be screened or otherwise protected from entry and nesting of wildlife, which could cause clogging.

#### 5.6 Ground Floor Slab-on-Grade and/or Pavement

This section provides recommendations for a concrete slab-on-grade or pavement surface in the event that both types of surface are used for the ground floor area. Additionally, this section will provide recommendations for both heated and unheated conditions. Based on an approximated finish floor elevation (FFE) of 50.75 feet, we anticipate that the slab/pavement will be supported on a combination of native till/existing fill and bedrock.

### 5.6.1 Concrete Slab-on-Grade

To avoid cracking due to differential settlement, we recommend that the slab be constructed on a minimum of 12" of Structural Fill (SF, see table below). If bedrock is exposed beneath the slab, the SF layer can be reduced to 6". If the slab area is unheated, the slab subgrade thickness should be increased to 24" and the slab should be constructed on 2" of rigid insulation. Any exposed soil beneath the slab subgrade should be proof rolled with a minimum of 4 passes in each of two perpendicular directions with a 5 ton minimum (operating weight) vibratory roller. Any exposed rubble, debris, or other non-soil materials should be removed and replaced with ¾" crushed stone. If bedrock is exposed, any loose rock fragments or weather rock should be removed and replaced with ¾" crushed stone or compacted SF.

The portion of SF passing the 3" sieve shall meet the following gradation requirements:

| STRUCTURAL FILL (SF) |               |
|----------------------|---------------|
| Sieve Size           | Percent finer |
| 3 inch               | 100           |
| ½ inch               | 38 to 80      |
| ¼ inch               | 25 to 65      |
| No. 40               | 0 to 30       |
| No. 200              | 0 to 7        |

**Reference:** MDOT Specification 703.06, Type D

The maximum particle size should be limited to 6 inches. Structural Fill should be placed in 6 to 12 inch lifts and should be compacted to a minimum of 95 percent of its maximum dry density, determined in accordance with ASTM D1557. For the conditions described above, the slab can be designed using a subgrade modulus value of 175 pci.

### 5.6.2 Pavement

The mean annual freezing index for the Portland area is estimated at 1,200 degree days. Based on the subgrade and mean annual freezing index, the anticipated mean annual frost penetration depth is 36 inches.

We recommend a minimum total section thickness of 18 inches for pavement areas. If bedrock is exposed in pavement subgrade excavations, the subbase soil thickness can be reduced as needed. 3" of base soil should be provided in all cases. We further recommend that the pavement section consist of the following materials:

| MATERIAL               | THICKNESS (in) | SPECIFICATION                           |
|------------------------|----------------|-----------------------------------------|
| Asphalt Surface Course | 1              | MDOT 703.09 Type 9.5 mm or Type 12.5 mm |
| Asphalt Binder Course  | 2              | MDOT 703.09 Type 19 mm                  |
| Base Soil              | 3              | MDOT 703.06 Type A                      |
| Subbase Soil           | 12             | MDOT 703.06 Type D                      |

For portions of the pavement subjected to light traffic loads of cars and light trucks we recommend MDOT Type 9.5mm surface course. The following specifications are for MDOT base and subbase gravel:

| SIEVE SIZE | Percent Passing a 3-inch Sieve |                       |
|------------|--------------------------------|-----------------------|
|            | MDOT Type A (Base)             | MDOT Type D (Subbase) |
| 3 Inch     | 100                            | 100                   |
| 2 Inch     | 100                            | --                    |
| ½ Inch     | 45 – 70                        | 35 – 80               |
| ¼ Inch     | 30 – 55                        | 25 – 65               |
| No. 40     | 0 – 20                         | 0 – 30                |
| No. 200    | 0 – 6                          | 0 – 7                 |

**Reference:** MDOT Specification 703.06, Aggregate for Base and Subbase (2014)

The recommendations above can be used for exterior pavement areas.

## 6.0 Exterior Retaining Walls

Two exterior retaining walls are proposed along the east side of the property, one in the parking area to the north of the proposed building and one for a patio area. The maximum height of the retaining walls will be 6 feet. We recommend that consideration be given to a segmental block retaining wall system consisting of a precast concrete block gravity wall. Segmental block walls are tolerant to some differential settlement and do not need to extend to full frost depth.

The exterior retaining walls should be designed by a qualified Maine Licensed Professional Engineer. An underdrain system should be provided continuously behind the retaining walls near their base to prevent the buildup of hydrostatic pressures. All underdrains should consist of 4" or 6" rigid perforated PVC surrounded by a minimum of 6 inches of ¾" crushed stone and filter fabric to prevent clogging from the migration of the fine soil particles in the foundation backfill soils. There should be a minimum of 12" of crushed stone behind the entire wall between the back of the concrete and the wall backfill to allow for any infiltrated water behind



the wall to drain down to the underdrain pipe. Underdrains should outlet at the end of the walls to a location where it will be free flowing.

All topsoil, loose soil, or organic soil should be removed entirely from within the proposed retaining wall footprint prior to construction of the footing or leveling pad. If a segmental block wall is used, we recommend that the leveling pad consist of a minimum 9" thick layer of ¾" crushed stone placed on a geotextile fabric (such as Mirafi 180N), which is placed directly on the proofrolled subgrade soil. We recommend that the exposed soil beneath the leveling pad be proofrolled prior to placing the geotextile and crushed stone. We recommend that the walls be designed using a minimum live load surcharge of 150 psf for temporary construction loading or vehicular loading behind the wall.

Segmental block retaining walls should be designed in accordance with the National Concrete Masonry Association (NCMA), 3rd Edition design manual. Foundation soil properties presented in Section 5.2 can be used in the retaining wall design.

Based on our explorations, we do not believe that a global stability analysis is necessary for the proposed retaining walls. We recommend that the final wall design be made available for SGS to review prior to construction.

## **7.0 Earthwork Considerations**

Based on the proposed ground floor FFE and the existing site grades, we anticipate that temporary shoring will be required along part of the south wall, closer to the southwest corner of the site. Due to the presence of shallow bedrock, we believe that installed sheeting will have to be supported with a tieback or raker. Alternatively, steel H-Piles socketed into bedrock with timber lagging or a soil nail and shotcrete facing wall can be considered. The soil properties presented in Section 5.2 can be used in the design of this system. SGS is available to provide assistance for the design of the temporary shoring.

The existing fill/native till soils are classified as OSHA Type C soil. Based on this, general excavations less than a depth of 20 feet are limited to a maximum side slope of 1.5 horizontal to 1 vertical in the existing fill/native glacial till.

Excavations within the existing fill soil or native glacial till may be susceptible to subgrade softening when exposed to excessive surface water or groundwater. Surface water should be redirected from excavation areas. Where softened, we recommend the subgrade at the base of the excavation be over-excavated and replaced with a minimum of 12 inches of Crushed Stone. Alternatively, soft areas can be reinforced with geotextile. Crushed Stone should be should be tamped to lock the stone structure together. Crushed Stone should meet the following gradation specification:

| CRUSHED STONE ¾ INCH |               |
|----------------------|---------------|
| Sieve Size           | Percent finer |
| 1 inch               | 100           |
| ¾ inch               | 90 to 100     |
| ½ inch               | 20 to 55      |
| ⅜ inch               | 0 to 15       |
| No. 4                | 0 to 5        |

**Reference:** MDOT Specification 703.13, Crushed Stone ¾-Inch (2014)

In the event that rubble is encountered in the foundation excavation, it should be removed from beneath slab or footings areas and replaced with compacted SF or ¾" crushed stone.

In general, we do not anticipate groundwater within footing excavations. If localized perched groundwater is encountered, dewatering may consist of shallow sumps at the base of the excavation. Diversion and control of surface water should be performed to prevent water flow from rain or snowmelt from entering the excavations.

We recommend that a qualified geotechnical consultant be retained to monitor and test soil materials used during construction and confirm that soil conditions and construction methods are consistent with this report.

Controlled blasting should be performed in accordance with the General Blasting Criteria included in Appendix D. All blasting should be complete prior to the construction of any footings.

## 8.0 Closure

Our recommendations are based on professional judgment and generally accepted principles of geotechnical engineering and project information provided by others. Some changes in subsurface conditions from those presented in this report may occur. Should these conditions differ materially from those described in this report, SGS should be notified so that we can re-evaluate our recommendations.

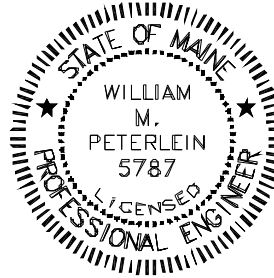
It is recommended that this report be made available in its entirety to contractors for informational purposes and be incorporated in the construction Contract Documents. We recommend that SGS be retained to review final construction documents relevant to the recommendations in this report, including the foundation design, any temporary shoring plans, and retaining wall designs.

We appreciate the opportunity to serve you during this phase of your project. If there are any questions or additional information is required, please do not hesitate to call.

Sincerely,  
**Summit Geoengineering Services, Inc.**

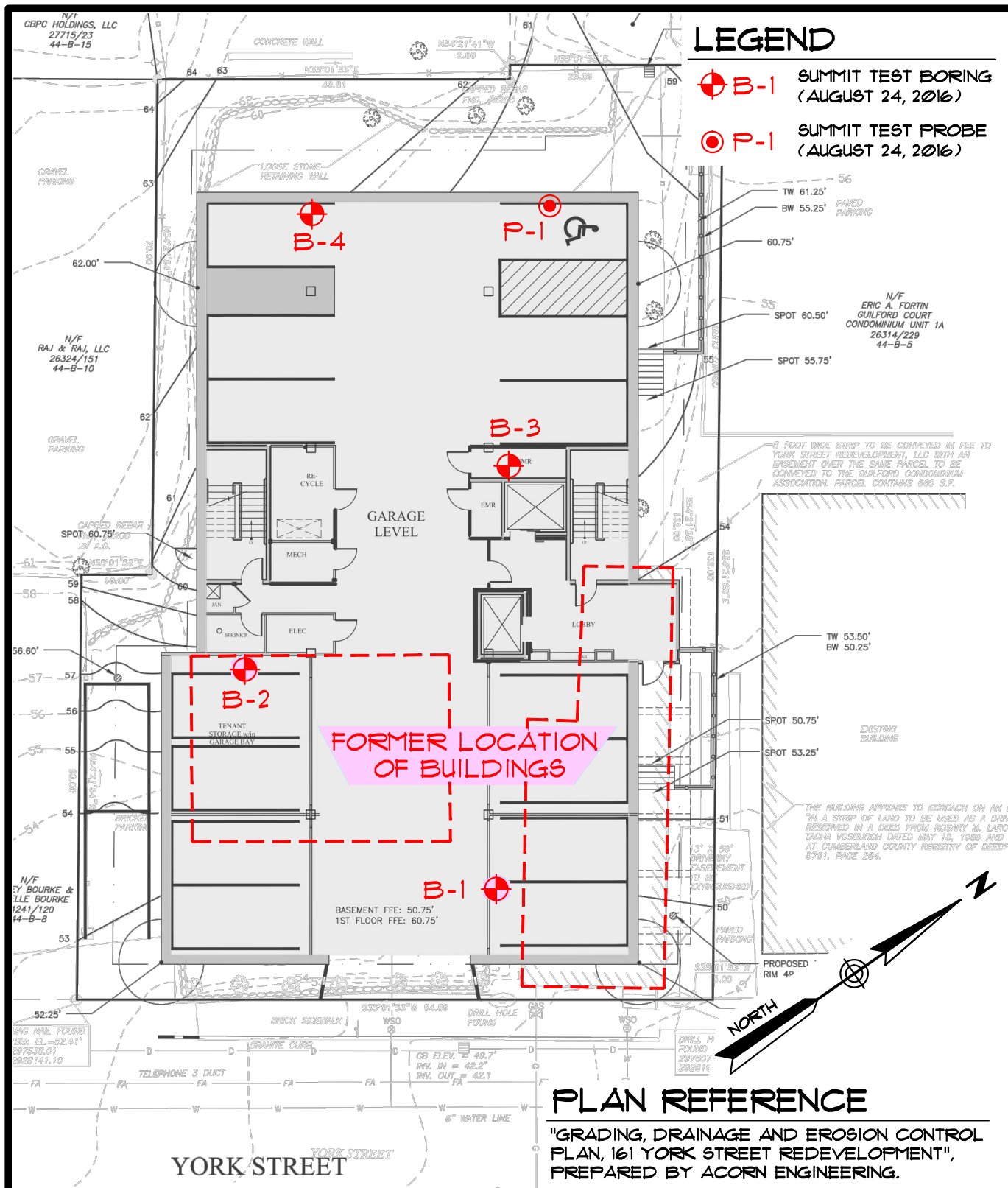


Mathew Hardison, EI  
Geotechnical Engineer



William M. Peterlein, PE  
President & Principal Engineer

**APPENDIX A**  
**FIGURES**



## TEST BORING LOCATION PLAN PROPOSED APARTMENT BUILDING

161 & 163 YORK STREET - PORTLAND, MAINE

PREPARED FOR

**YORK STREET REDEVELOPMENT, LLC**

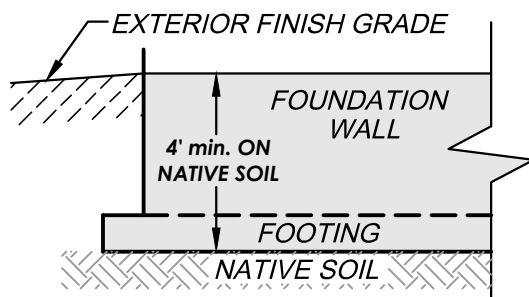
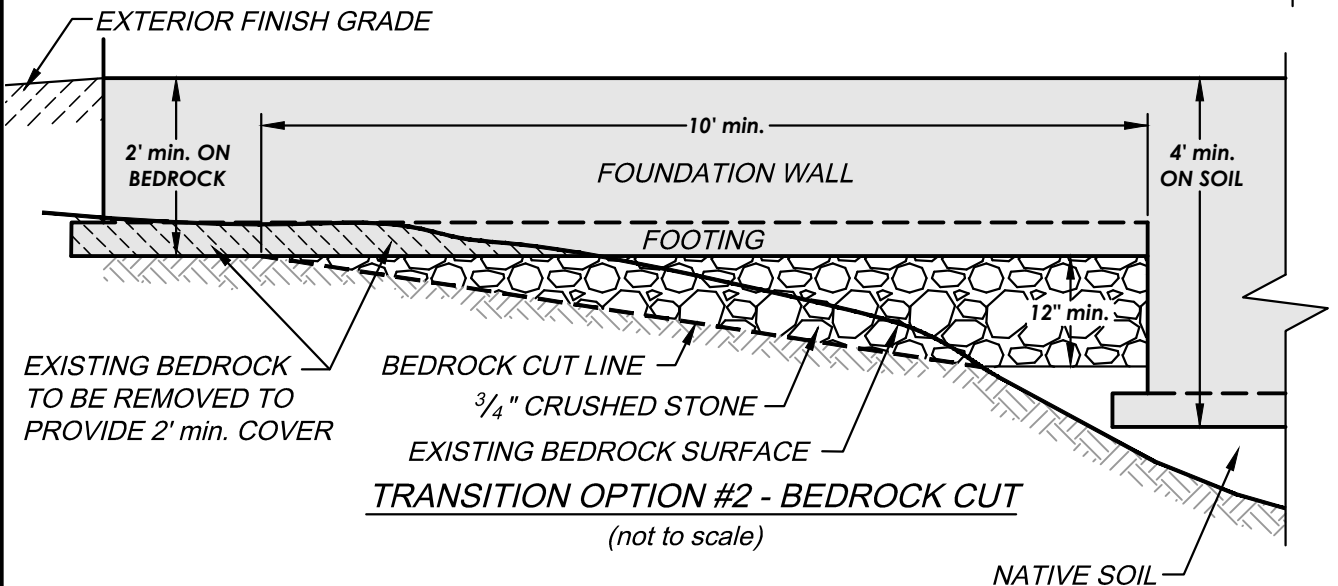
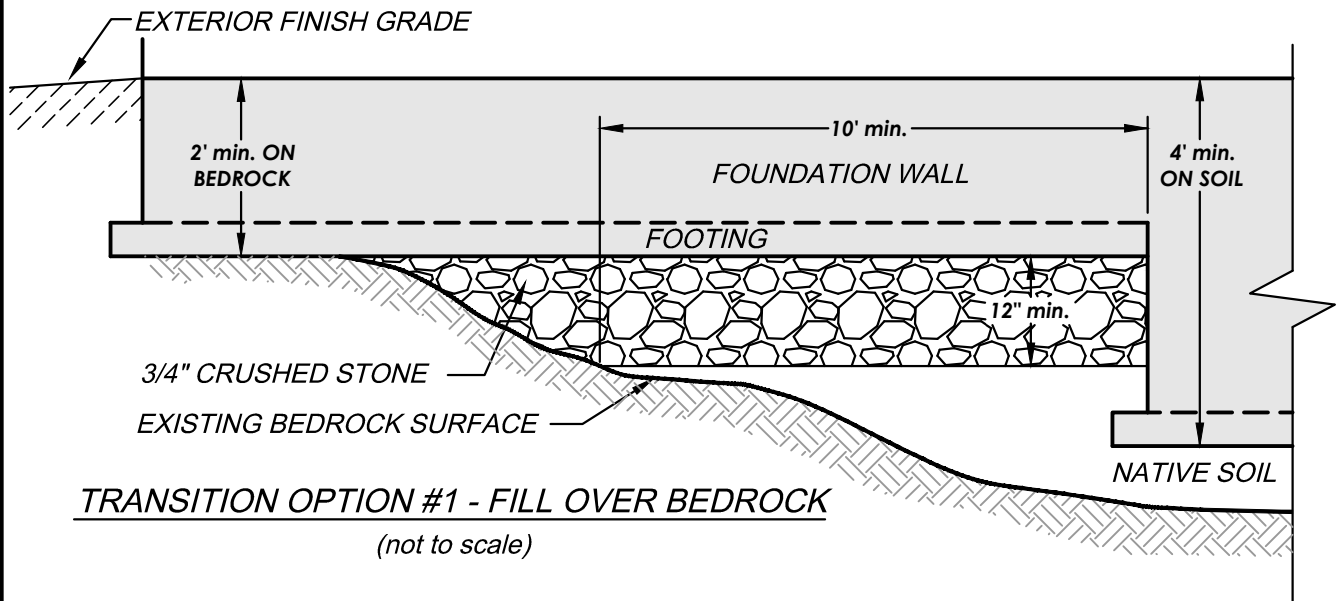
|                 |                 |                 |
|-----------------|-----------------|-----------------|
| DATE: 9-15-2016 | DRAWN BY: KRF   | CHECKED BY: UMP |
| JOB: 16161      | SCALE: 1" = 20' | FILE: 16161 BOR |

145 LISBON ST. - SUITE 601  
LEWISTON, ME 04240  
Tel: (207) 576-3313

173 PLEASANT STREET  
ROCKLAND, ME 04841  
Tel: (207) 318-1161

**SUMMIT**  
GEOENGINEERING SERVICES  
www.summitgeoeng.com





## BEDROCK TRANSITION DETAIL PROPOSED APARTMENT BUILDING

161 & 163 YORK STREET - PORTLAND, MAINE  
PREPARED FOR

**YORK STREET REDEVELOPMENT, LLC**

DATE: 9-15-2016

DRAWN BY: KRF

CHECKED BY: UMP

JOB: 16161

SCALE: 1" = 20'

FILE: 16161 BOR

145 LISBON ST. - SUITE 601  
LEWISTON, ME 04240  
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173 PLEASANT STREET  
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**APPENDIX B**  
EXPLORATION LOGS

## EXPLORATION COVER SHEET

The exploration logs are prepared by the geotechnical engineer from both field and laboratory data. Soil descriptions are based upon the Unified Soil Classification System (USCS) per ASTM D2487 and/or ASTM D2488 as applicable. Supplemental descriptive terms for estimated particle percentage, color, density, moisture condition, and bedrock may also be included to further describe conditions.

### Drilling and Sampling Symbols:

|                            |                                              |
|----------------------------|----------------------------------------------|
| SS = Split Spoon Sample    | Hyd = Hydraulic Advancement of Drilling Rods |
| UT = Thin Wall Shelby Tube | Push = Direct Push of Drilling Rods          |
| SSA = Solid Stem Auger     | WOH = Weight of Hammer                       |
| HSA = Hollow Stem Auger    | WOR = Weight of Rod                          |
| RW = Rotary Wash           | PI = Plasticity Index                        |
| SV = Shear Vane            | LL = Liquid Limit                            |
| PP = Pocket Penetrometer   | W = Natural Water Content                    |
| RC = Rock Core Sample      | USCS = Unified Soil Classification System    |
| FV = Field Vane Shear Test | Su = Undrained Shear Strength                |
| PS = Concrete Punch Sample | Su(r) = Remolded Shear Strength              |

### Water Level Measurements:

Water levels indicated on the boring logs are the levels measured in the boring at the times indicated. In pervious soils, the indicated elevations are considered reliable groundwater levels. In impervious soils, the accurate determination of groundwater elevations may not be possible, even after several days of observations. Groundwater monitoring wells may be required to record accurate depths and fluctuation.

### Gradation Description and Terminology:

|           |                           |                     |                  |
|-----------|---------------------------|---------------------|------------------|
| Boulders: | Over 12 inches            | Trace:              | Less than 5%     |
| Cobbles:  | 12 inches to 3 inches     | Little:             | 5% to 15%        |
| Gravel:   | 3 inches to No.4 sieve    | Some:               | 15% to 30%       |
| Sand:     | No.4 to No. 200 sieve     | Silty, Sandy, etc.: | Greater than 30% |
| Silt:     | No. 200 sieve to 0.005 mm |                     |                  |
| Clay:     | less than 0.005 mm        |                     |                  |

### Density of Granular Soils and Consistency of Cohesive Soils:

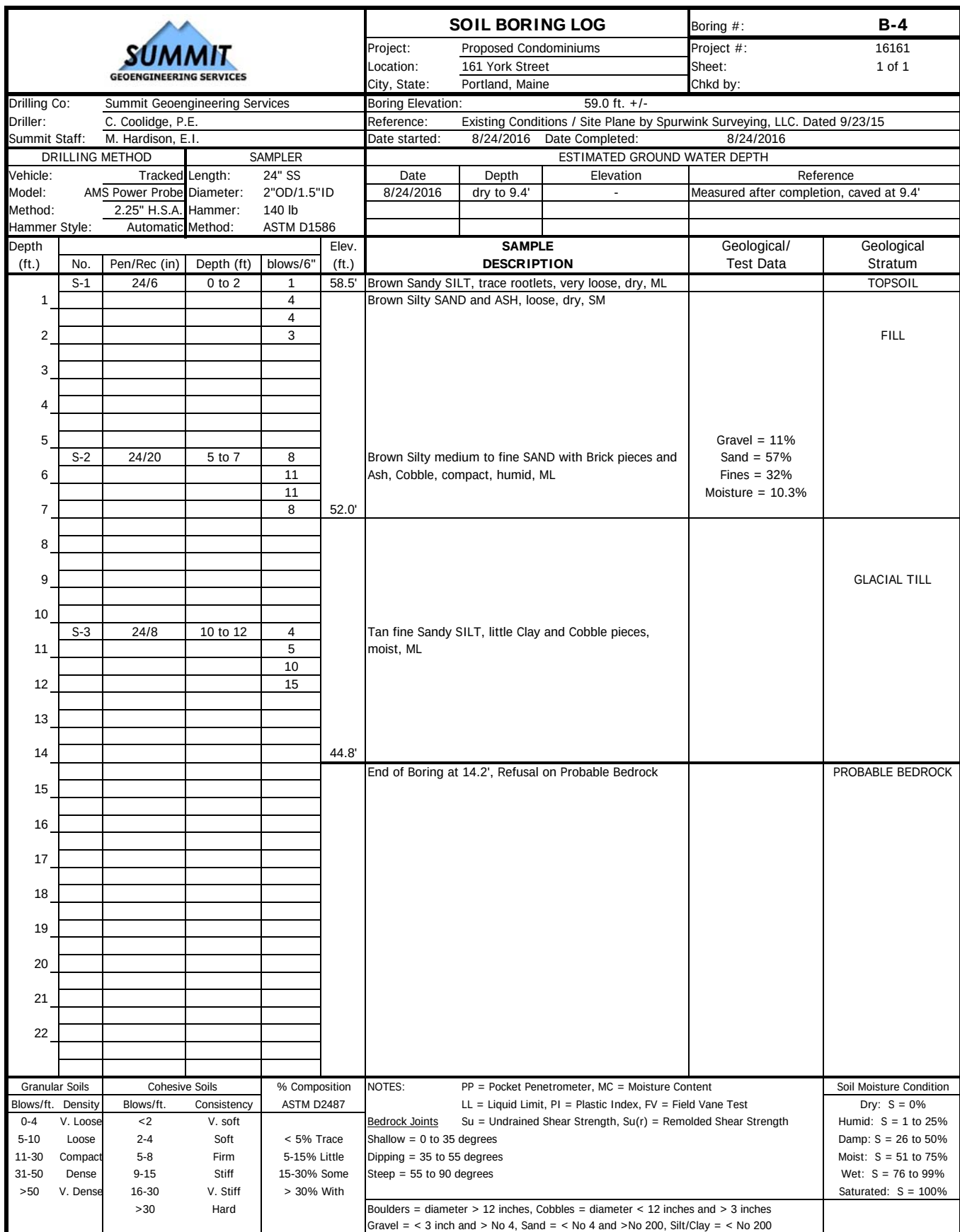
| CONSISTENCY OF COHESIVE SOILS |             | DENSITY OF GRANULAR SOILS |                  |
|-------------------------------|-------------|---------------------------|------------------|
| SPT N-value blows/ft          | Consistency | SPT N-value blows/ft      | Relative Density |
| 0 to 2                        | Very Soft   | 0 to 4                    | Very Loose       |
| 2 to 4                        | Soft        | 5 to 10                   | Loose            |
| 5 to 8                        | Firm        | 11 to 30                  | Compact          |
| 9 to 15                       | Stiff       | 31 to 50                  | Dense            |
| 16 to 30                      | Very Stiff  | >50                       | Very Dense       |
| >30                           | Hard        |                           |                  |

|  |          |                       |             |                             | SOIL BORING LOG                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             | Boring #: <b>B-1</b>                          |                                                                                                                                |
|-----------------------------------------------------------------------------------|----------|-----------------------|-------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
|                                                                                   |          |                       |             |                             | Project: Proposed Condominiums<br>Location: 161 York Street<br>City, State: Portland, Maine                                                                                                                                                                                                                                                                                                                                                                             |                                                                             | Project #: 16161<br>Sheet: 1 of 1<br>Chkd by: |                                                                                                                                |
| Drilling Co: Summit Geoengineering Services                                       |          |                       |             |                             | Boring Elevation: 52.5 ft. +/-                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                             |                                               |                                                                                                                                |
| Driller: C. Coolidge, P.E.                                                        |          |                       |             |                             | Reference: Existing Conditions / Site Plane by Spurwink Surveying, LLC. Dated 9/23/15                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |                                               |                                                                                                                                |
| Summit Staff: M. Hardison, E.I.                                                   |          |                       |             |                             | Date started: 8/24/2016 Date Completed: 8/24/2016                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                             |                                               |                                                                                                                                |
| DRILLING METHOD                                                                   |          | SAMPLER               |             |                             | ESTIMATED GROUND WATER DEPTH                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |                                               |                                                                                                                                |
| Vehicle: Tracked                                                                  |          | Length: 24" SS        |             |                             | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Depth                                                                       | Elevation                                     | Reference                                                                                                                      |
| Model: AMS Power Probe                                                            |          | Diameter: 2"OD/1.5"ID |             |                             | 8/24/2016                                                                                                                                                                                                                                                                                                                                                                                                                                                               | -                                                                           | -                                             | Dry to bottom of hole                                                                                                          |
| Method: 2.25" H.S.A.                                                              |          | Hammer: 140 lb        |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| Hammer Style: Automatic                                                           |          | Method: ASTM D1586    |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| Depth (ft.)                                                                       | No.      | Pen/Rec (in)          | Depth (ft)  | blows/6"                    | Elev. (ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                             | SAMPLE DESCRIPTION                                                          |                                               | Geological/ Test Data                                                                                                          |
|                                                                                   | S-1      | 24/4                  | 0 to 2      | 2                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Brown Silty SAND, some Gravel, compact to dense, dry, SM (Minimal Recovery) |                                               |                                                                                                                                |
| 1                                                                                 |          |                       |             | 13                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 2                                                                                 |          |                       |             | 12/5"                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 3                                                                                 |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Cobbles or Rubble encountered in drilling from 3' depth to 5' depth         |                                               | FILL                                                                                                                           |
| 4                                                                                 |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 5                                                                                 |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
|                                                                                   | S-2      | 24/24                 | 5 to 7      | 14                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Reddish Sandy SILT, some Gravel and Cobble pieces, dense, dry, ML           |                                               |                                                                                                                                |
| 6                                                                                 |          |                       |             | 18                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 7                                                                                 |          |                       |             | 22                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
|                                                                                   |          |                       |             | 21                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Brown Silty SAND with frequent Cobble pieces, dense, moist, SM              |                                               |                                                                                                                                |
| 8                                                                                 |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 9                                                                                 |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
|                                                                                   |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | End of Boring at 11.0', Refusal on Probable Bedrock                         |                                               | PROBABLE BEDROCK                                                                                                               |
| 10                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
|                                                                                   | S-3      | 24/5                  | 10 to 12    | 32                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 11                                                                                |          |                       |             | 50/6"                       | 41.5'                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |                                               |                                                                                                                                |
| 12                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 13                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 14                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 15                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 16                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 17                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 18                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 19                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 20                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 21                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 22                                                                                |          |                       |             |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| Granular Soils                                                                    |          | Cohesive Soils        |             | % Composition<br>ASTM D2487 | NOTES: PP = Pocket Penetrometer, MC = Moisture Content<br>LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test<br><u>Bedrock Joints</u> Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength<br>Shallow = 0 to 35 degrees<br>Dipping = 35 to 55 degrees<br>Steep = 55 to 90 degrees<br>Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches<br>Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200 |                                                                             |                                               | Soil Moisture Condition                                                                                                        |
| Blows/ft.                                                                         | Density  | Blows/ft.             | Consistency |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               | Dry: S = 0%<br>Humid: S = 1 to 25%<br>Damp: S = 26 to 50%<br>Moist: S = 51 to 75%<br>Wet: S = 76 to 99%<br>Saturated: S = 100% |
| 0-4                                                                               | V. Loose | <2                    | V. soft     | < 5% Trace                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 5-10                                                                              | Loose    | 2-4                   | Soft        | 5-15% Little                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 11-30                                                                             | Compact  | 5-8                   | Firm        | 15-30% Some                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| 31-50                                                                             | Dense    | 9-15                  | Stiff       | > 30% With                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
| >50                                                                               | V. Dense | 16-30                 | V. Stiff    |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |
|                                                                                   |          | >30                   | Hard        |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                             |                                               |                                                                                                                                |

|                                                                                   |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|-----------------------------------------------------------------------------------|----------|-----------------------|-------------|---------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------|--|
|  |          |                       |             |               | <b>SOIL BORING LOG</b>                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           | Boring #: <b>B-2</b>  |                                                                                                                                |  |
|                                                                                   |          |                       |             |               | Project: Proposed Condominiums                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           | Project #: 16161      |                                                                                                                                |  |
|                                                                                   |          |                       |             |               | Location: 161 York Street                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           | Sheet: 1 of 1         |                                                                                                                                |  |
|                                                                                   |          |                       |             |               | City, State: Portland, Maine                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           | Chkd by:              |                                                                                                                                |  |
| Drilling Co: Summit Geoengineering Services                                       |          |                       |             |               | Boring Elevation: 56.7 ft. +/-                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Driller: C. Coolidge, P.E.                                                        |          |                       |             |               | Reference: Existing Conditions / Site Plane by Spurwink Surveying, LLC. Dated 9/23/15 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Summit Staff: M. Hardison, E.I.                                                   |          |                       |             |               | Date started: 8/24/2016    Date Completed: 8/24/2016                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| DRILLING METHOD                                                                   |          | SAMPLER               |             |               | ESTIMATED GROUND WATER DEPTH                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Vehicle: Tracked                                                                  |          | Length: 24" SS        |             |               | Date                                                                                  | Depth                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Elevation | Reference             |                                                                                                                                |  |
| Model: AMS Power Probe                                                            |          | Diameter: 2"OD/1.5"ID |             |               | 8/24/2016                                                                             | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | -         | Dry to bottom of hole |                                                                                                                                |  |
| Method: 2.25" H.S.A.                                                              |          | Hammer: 140 lb        |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Hammer Style: Automatic                                                           |          | Method: ASTM D1586    |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Depth (ft.)                                                                       | No.      | Pen/Rec (in)          | Depth (ft)  | blows/6"      | Elev. (ft.)                                                                           | <b>SAMPLE DESCRIPTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |           | Geological/ Test Data | Geological Stratum                                                                                                             |  |
| 1                                                                                 | S-1      | 24/10                 | 0 to 2      | 3             |                                                                                       | Brown Sandy SILT, trace Gravel, compact, dry, ML                                                                                                                                                                                                                                                                                                                                                                                                                                |           |                       | FILL                                                                                                                           |  |
|                                                                                   |          |                       |             | 7             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             | 6             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 2                                                                                 |          |                       |             | 7             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   | S-2      | 24/3                  | 2 to 4      | 2             |                                                                                       | similar to above, occasional wood pieces (Minimal Recovery)                                                                                                                                                                                                                                                                                                                                                                                                                     |           |                       |                                                                                                                                |  |
| 3                                                                                 |          |                       |             | 5             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             | 8             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 4                                                                                 |          |                       |             | 5             |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 5                                                                                 |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   | S-3      | 24/12                 | 5 to 7      | 3             |                                                                                       | Reddish brown Silty SAND, loose to compact, moist to wet, SM                                                                                                                                                                                                                                                                                                                                                                                                                    |           |                       |                                                                                                                                |  |
| 6                                                                                 |          |                       |             | 7             | 50.6'                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             | 6/1"          |                                                                                       | End of Boring at 6.1', Refusal on Probable Bedrock                                                                                                                                                                                                                                                                                                                                                                                                                              |           |                       | PROBABLE BEDROCK                                                                                                               |  |
| 7                                                                                 |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 8                                                                                 |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 9                                                                                 |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 10                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 11                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 12                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 13                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 14                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 15                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 16                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 17                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 18                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 19                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 20                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 21                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 22                                                                                |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          |                       |             |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| Granular Soils                                                                    |          | Cohesive Soils        |             | % Composition |                                                                                       | NOTES: PP = Pocket Penetrometer, MC = Moisture Content<br>LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test<br>Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength<br><br><u>Bedrock Joints</u> Shallow = 0 to 35 degrees<br>Dipping = 35 to 55 degrees<br>Steep = 55 to 90 degrees<br><br>Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches<br>Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200 |           |                       | Soil Moisture Condition                                                                                                        |  |
| Blows/ft.                                                                         | Density  | Blows/ft.             | Consistency | ASTM D2487    |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       | Dry: S = 0%<br>Humid: S = 1 to 25%<br>Damp: S = 26 to 50%<br>Moist: S = 51 to 75%<br>Wet: S = 76 to 99%<br>Saturated: S = 100% |  |
| 0-4                                                                               | V. Loose | <2                    | V. soft     |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 5-10                                                                              | Loose    | 2-4                   | Soft        | < 5% Trace    |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 11-30                                                                             | Compact  | 5-8                   | Firm        | 5-15% Little  |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| 31-50                                                                             | Dense    | 9-15                  | Stiff       | 15-30% Some   |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
| >50                                                                               | V. Dense | 16-30                 | V. Stiff    | > 30% With    |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |
|                                                                                   |          | >30                   | Hard        |               |                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |                       |                                                                                                                                |  |



|                                                                                   |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
|-----------------------------------------------------------------------------------|----------|----------------|------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--|
|  |          |                |                              |               | <b>SOIL BORING LOG</b>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                   |           | Boring #: <b>B-3</b>         |                                                                                                                                |  |
|                                                                                   |          |                |                              |               | Project: <u>Proposed Condominiums</u>                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                   |           | Project #: <u>16161</u>      |                                                                                                                                |  |
|                                                                                   |          |                |                              |               | Location: <u>161 York Street</u>                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                   |           | Sheet: <u>1 of 1</u>         |                                                                                                                                |  |
|                                                                                   |          |                |                              |               | City, State: <u>Portland, Maine</u>                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                   |           | Chkd by: _____               |                                                                                                                                |  |
| Drilling Co: <u>Summit Geoengineering Services</u>                                |          |                |                              |               | Boring Elevation: <u>56.5 ft. +/-</u>                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                   |           |                              |                                                                                                                                |  |
| Driller: <u>C. Coolidge, P.E.</u>                                                 |          |                |                              |               | Reference: <u>Existing Conditions / Site Plane by Spurwink Surveying, LLC. Dated 9/23/15</u>                                                                                                                                                                                                                                                                                                                                                      |                                                                                   |           |                              |                                                                                                                                |  |
| Summit Staff: <u>M. Hardison, E.I.</u>                                            |          |                |                              |               | Date started: <u>8/24/2016</u> Date Completed: <u>8/24/2016</u>                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| <b>DRILLING METHOD</b>                                                            |          |                | <b>SAMPLER</b>               |               | <b>ESTIMATED GROUND WATER DEPTH</b>                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                   |           |                              |                                                                                                                                |  |
| Vehicle: <u>Tracked</u>                                                           |          |                | Length: <u>24" SS</u>        |               | Date                                                                                                                                                                                                                                                                                                                                                                                                                                              | Depth                                                                             | Elevation | Reference                    |                                                                                                                                |  |
| Model: <u>AMS Power Probe</u>                                                     |          |                | Diameter: <u>2"OD/1.5"ID</u> |               | <u>8/24/2016</u>                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>-</u>                                                                          | <u>-</u>  | <u>Dry to bottom of hole</u> |                                                                                                                                |  |
| Method: <u>2.25" H.S.A.</u>                                                       |          |                | Hammer: <u>140 lb</u>        |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| Hammer Style: <u>Automatic</u>                                                    |          |                | Method: <u>ASTM D1586</u>    |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| Depth (ft.)                                                                       | No.      | Pen/Rec (in)   | Depth (ft)                   | blows/6"      | Elev. (ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>SAMPLE DESCRIPTION</b>                                                         |           | Geological/ Test Data        | Geological Stratum                                                                                                             |  |
| 1                                                                                 | S-1      | 24/20          | 0 to 2                       | 1             | 55.5'                                                                                                                                                                                                                                                                                                                                                                                                                                             | Brown Sandy SILT, trace rootlets, very loose, dry, ML                             |           |                              | TOPSOIL                                                                                                                        |  |
| 2                                                                                 |          |                |                              | 1             | 51.5'                                                                                                                                                                                                                                                                                                                                                                                                                                             | Cobbles or Rubble encountered in drilling from 2' depth to 5' depth               |           |                              | FILL                                                                                                                           |  |
| 3                                                                                 |          |                |                              | 3             |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 4                                                                                 |          |                |                              | 6             |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 5                                                                                 |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 6                                                                                 |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 7                                                                                 | S-2      | 24/24          | 5 to 7                       | 7             | 47.6'                                                                                                                                                                                                                                                                                                                                                                                                                                             | Tan fine Sandy SILT, trace Gravel and Cobble pieces, mottling, compact, humid, ML |           |                              | GLACIAL TILL                                                                                                                   |  |
| 8                                                                                 |          |                |                              | 11            |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 9                                                                                 |          |                |                              | 12            |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 10                                                                                |          |                |                              | 16            |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 11                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 12                                                                                |          |                |                              |               | End of Boring at 8.9', Refusal on Probable Bedrock                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                   |           |                              | PROBABLE BEDROCK                                                                                                               |  |
| 13                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 14                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 15                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 16                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 17                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 18                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 19                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 20                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 21                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 22                                                                                |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
|                                                                                   |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
|                                                                                   |          |                |                              |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| Granular Soils                                                                    |          | Cohesive Soils |                              | % Composition | NOTES: PP = Pocket Penetrometer, MC = Moisture Content<br>LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test<br>Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength<br>Shallow = 0 to 35 degrees<br>Dipping = 35 to 55 degrees<br>Steep = 55 to 90 degrees<br>Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches<br>Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200 |                                                                                   |           |                              | Soil Moisture Condition                                                                                                        |  |
| Blows/ft.                                                                         | Density  | Blows/ft.      | Consistency                  | ASTM D2487    |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              | Dry: S = 0%<br>Humid: S = 1 to 25%<br>Damp: S = 26 to 50%<br>Moist: S = 51 to 75%<br>Wet: S = 76 to 99%<br>Saturated: S = 100% |  |
| 0-4                                                                               | V. Loose | <2             | V. soft                      |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 5-10                                                                              | Loose    | 2-4            | Soft                         | < 5% Trace    |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 11-30                                                                             | Compact  | 5-8            | Firm                         | 5-15% Little  |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| 31-50                                                                             | Dense    | 9-15           | Stiff                        | 15-30% Some   |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
| >50                                                                               | V. Dense | 16-30          | V. Stiff                     | > 30% With    |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |
|                                                                                   |          | >30            | Hard                         |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |                              |                                                                                                                                |  |



|                                                                                   |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
|-----------------------------------------------------------------------------------|----------|----------------|---------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  |          |                |               |               | <b>SOIL PROBE LOG</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                             |                  |                       | Probe #: <b>P-1</b>                                                                                                                                           |  |
|                                                                                   |          |                |               |               | Project: Proposed Condominiums                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                             | Project #: 16161 |                       |                                                                                                                                                               |  |
|                                                                                   |          |                |               |               | Location: 161 York Street                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             | Sheet: 1 of 1    |                       |                                                                                                                                                               |  |
|                                                                                   |          |                |               |               | City, State: Portland, Maine                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                             | Chkd by:         |                       |                                                                                                                                                               |  |
| Drilling Co: Summit Geoengineering Services                                       |          |                |               |               | Boring Elevation: 58.3 ft. +/-                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                             |                  |                       |                                                                                                                                                               |  |
| Driller: C. Coolidge, P.E.                                                        |          |                |               |               | Reference: Existing Conditions / Site Plane by Spurwink Surveying, LLC. Dated 9/23/15                                                                                                                                                                                                                                                                                                                                                                                       |                                                             |                  |                       |                                                                                                                                                               |  |
| Summit Staff: M. Hardison, E.I.                                                   |          |                |               |               | Date started: 8/24/2016 Date Completed: 8/24/2016                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                             |                  |                       |                                                                                                                                                               |  |
| DRILLING METHOD                                                                   |          |                | SAMPLER       |               | ESTIMATED GROUND WATER DEPTH                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                             |                  |                       |                                                                                                                                                               |  |
| Vehicle: Tracked                                                                  |          |                | Length: N/A   |               | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Depth                                                       | Elevation        | Reference             |                                                                                                                                                               |  |
| Model: AMS Power Probe                                                            |          |                | Diameter: N/A |               | 8/24/2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | -                                                           | -                |                       |                                                                                                                                                               |  |
| Method: Speartip                                                                  |          |                | Hammer: N/A   |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| Hammer Style: Automatic                                                           |          |                | Method: N/A   |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| Depth (ft.)                                                                       | No.      | Pen/Rec (in)   | Depth (ft)    | blows/6"      | Elev. (ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SAMPLE DESCRIPTION                                          |                  | Geological/ Test Data | Geological Stratum                                                                                                                                            |  |
|                                                                                   |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 1                                                                                 |          |                |               | PROBE         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 2                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 3                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 4                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 5                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 6                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 7                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 8                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 9                                                                                 |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 10                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 11                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 12                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 13                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 14                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 15                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 16                                                                                |          |                |               | ▼             | 42.2'                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                             |                  |                       |                                                                                                                                                               |  |
| 17                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | End of Probe at 16.1', Speartip Refusal on Probable Bedrock |                  |                       | PROBABLE BEDROCK                                                                                                                                              |  |
| 18                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 19                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 20                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 21                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 22                                                                                |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
|                                                                                   |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
|                                                                                   |          |                |               |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| Granular Soils                                                                    |          | Cohesive Soils |               | % Composition | NOTES: PP = Pocket Penetrometer, MC = Moisture Content<br>LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test<br>Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength<br><br>Bedrock Joints<br>Shallow = 0 to 35 degrees<br>Dipping = 35 to 55 degrees<br>Steep = 55 to 90 degrees<br><br>Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches<br>Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200 |                                                             |                  |                       | Soil Moisture Condition<br><br>Dry: S = 0%<br>Humid: S = 1 to 25%<br>Damp: S = 26 to 50%<br>Moist: S = 51 to 75%<br>Wet: S = 76 to 99%<br>Saturated: S = 100% |  |
| Blows/ft.                                                                         | Density  | Blows/ft.      | Consistency   | ASTM D2487    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 0-4                                                                               | V. Loose | <2             | V. soft       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 5-10                                                                              | Loose    | 2-4            | Soft          | < 5% Trace    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 11-30                                                                             | Compact  | 5-8            | Firm          | 5-15% Little  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| 31-50                                                                             | Dense    | 9-15           | Stiff         | 15-30% Some   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
| >50                                                                               | V. Dense | 16-30          | V. Stiff      | > 30% With    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |
|                                                                                   |          | >30            | Hard          |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                  |                       |                                                                                                                                                               |  |

**APPENDIX C**  
LABORATORY TEST RESULTS



## GRAIN SIZE ANALYSIS - ASTM D6913

PROJECT NAME: Proposed Condominiums  
 PROJECT LOCATION: 161 & 163 York Street, Portland, ME  
 CLIENT: York Street Redevelopment, LLC  
 TECHNICIAN: Erika Stewart, E.I.  
 TEST DATE: 8/26/2016

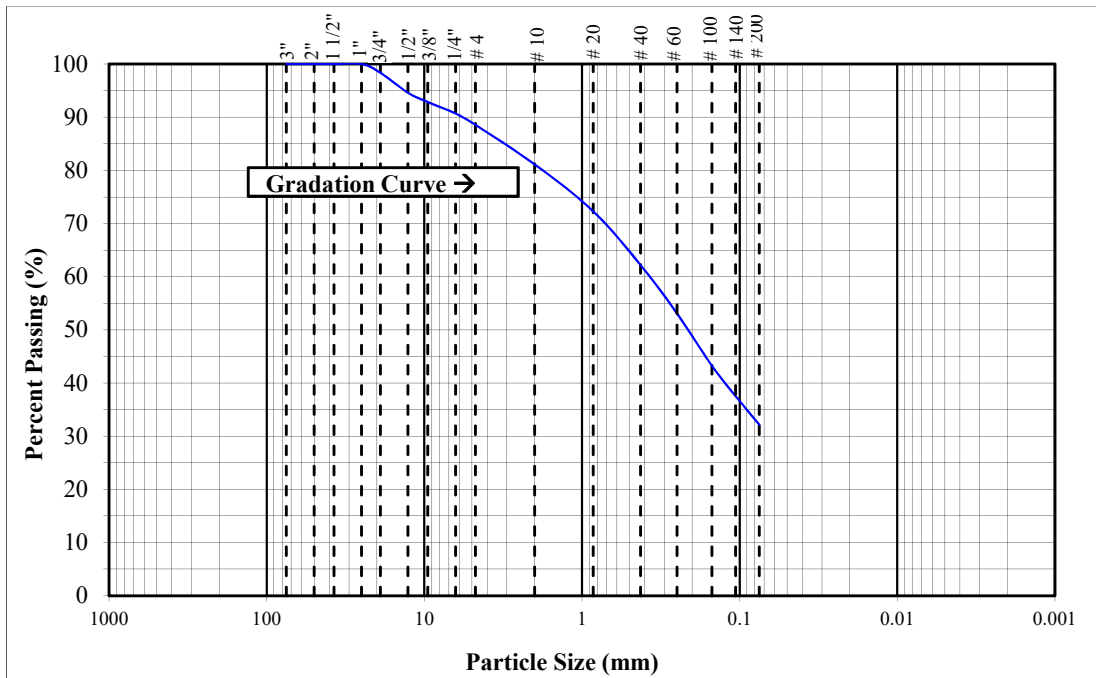
PROJECT #: 16161  
 EXPLORATION #: B-4  
 SAMPLE #: S-2  
 SAMPLE DEPTH: 5' - 7'  
 SOIL DESCRIPTION: Med-fine SAND, some  
 Silt, little Gravel, SM

### TEST PROCEDURE

|                                   |                                      |                                   |
|-----------------------------------|--------------------------------------|-----------------------------------|
| <b>Sample Source:</b> Split Spoon | <b>Sieve Stack:</b> Composite        | <b>Specimen Procedure:</b> Moist  |
| <b>Test Method:</b> Method A      | <b>Separating Sieve(s):</b> 3/8 Inch | <b>Dispersion Type:</b> Tap Water |

### DATA

| <u>STANDARD SIEVE</u><br><u>DESIGNATION (mm)</u> | <u>ALTERNATIVE SIEVE</u><br><u>DESIGNATION (in)</u> | <u>PERCENT</u><br><u>PASSING</u><br><u>(%)</u> |
|--------------------------------------------------|-----------------------------------------------------|------------------------------------------------|
| 75                                               | (3 in)                                              | 100                                            |
| 50                                               | (2 in)                                              | 100                                            |
| 37.5                                             | (1-1/2 in)                                          | 100                                            |
| 25.0                                             | (1 in)                                              | 100                                            |
| 19.0                                             | (3/4 in)                                            | 98                                             |
| 12.7                                             | (1/2 in)                                            | 95                                             |
| 9.5                                              | (3/8 in)                                            | 93                                             |
| 6.35                                             | (1/4 in)                                            | 91                                             |
| 4.75                                             | (No. 4)                                             | 89                                             |
| 2.00                                             | (No. 10)                                            | 81                                             |
| 0.850                                            | (No. 20)                                            | 72                                             |
| 0.425                                            | (No. 40)                                            | 62                                             |
| 0.250                                            | (No. 60)                                            | 53                                             |
| 0.150                                            | (No. 100)                                           | 43                                             |
| 0.106                                            | (No. 140)                                           | 38                                             |
| 0.075                                            | (No. 200)                                           | 32                                             |



REMARKS: Moisture Content = 10.3%.



**APPENDIX D**  
GENERAL BLASTING CRITERIA

## **GENERAL BLASTING RECOMMENDATIONS**

### **Introduction**

Blasting operations will be performed in general accordance with the applicable Maine Revised Statute Title 125 and Title 38, U.S. Department of the Interior Rules, the recommendations provided below, and a normal standard of care.

### **Blast Design**

The blasting contractor shall submit a blasting plan to the Owner for approval prior to blasting operations. The blasting plan shall include a schedule, sketches of the drill patterns (hole spacing and depth), type and amount of explosives, number and sequence of delays, methods for minimizing flyrock, and any other information pertinent to demonstrating compliance with the applicable U.S. Department of the Interior Rules and the requirements of the applicable Statute requirements of 38 MRSA.

### **Notification**

Oral notification to the abutters within one-half mile of the blast area shall be provided prior to blasting. Warning and all clear signals of different character or pattern that are audible within one-half mile from the point of the blast shall be given. The meaning of the signals shall be conveyed to the abutters at the time they are notified.

### **Pre-blast Surveys**

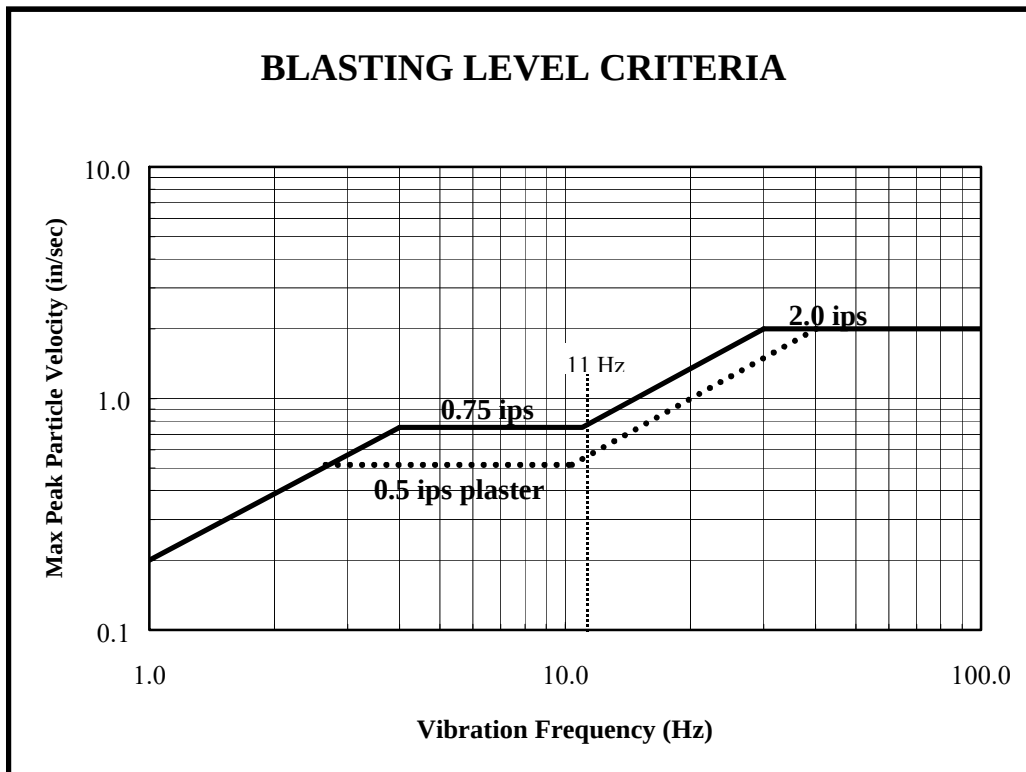
All blasting operations are the direct responsibility of the Blasting Contractor. Reports of damage to structures caused by blasting operations are the sole responsibility of the Blasting Contractor. Therefore, it is incumbent upon the Blasting Contractor to perform pre-blast surveys as they deem necessary.

### **Airblast Limits**

Airblast overpressure shall not exceed the limits stipulated in 38 MRSA 490-Z(14)(H) at the nearest structure. This currently requires sound from blasting to not exceed 129 decibels peak at inhabited structures and 140 decibels peak at uninhabited structures.

### **Ground Vibration Limits**

The maximum ground vibration at any structure shall not exceed the limits presented in the following chart:



REFERENCE: OSM alternative blasting criteria (Modified from figure B-1, Bureau of Mines, RI 8507)

The Blasting Contractor shall provide a seismographic record to the Owner for each blast event at the nearest off-site structure. The record shall include the date and time of the blast, peak and resultant particle velocities and associated frequencies, and the airblast overpressure.

### **Flyrock**

Sufficient stemming, matting, or natural protective cover shall be provided to prevent flyrock from leaving property owned or under control of the operator or from entering protected natural resources or natural buffer strips.

## **Records**

Records of blasts shall be recorded in accordance with Maine Statute 38 MRSA 490-Z(14)(L). The current requirements are as follows.

- Name of blasting company or blasting contractor
- Location, date and time of blast
- Name, signature and social security number of blaster
- Type of material blasted
- Number and spacing of holes and depth of burden or stemming
- Diameter and depth of holes
- Type of explosives used
- Total amount of explosives used
- Maximum amount of explosives used per delay period of 8 milliseconds or greater
- Maximum number of holes per delay period of 8 milliseconds or greater
- Method of firing and type of circuit
- Direction and distance in feet to the nearest dwelling, public building, school, church or commercial or institutional building neither owned nor controlled by the developer
- Weather conditions, including factors such as wind direction and cloud cover
- Height or length of stemming
- Amount of mats or other protection used
- Type of detonators used and delay periods used
- The exact location of each seismograph and the distance of each seismograph from the blast
- Seismographic readings
- Name and signature of the person operating each seismograph
- Names of the person and the firm analyzing the seismographic data

**MAXIMUM PARTICLE VELOCITY/DISTANCE CRITERIA  
FOR BLASTING NEAR UNCURED CONCRETE**

| <b>Time From Batching (hr)</b> | <b>Non-Structural Concrete</b> | <b>Structural Concrete</b> |
|--------------------------------|--------------------------------|----------------------------|
| 0 – 4                          | 4D                             | 2D                         |
| 4 – 24                         | 1D                             | 0.25D                      |
| 24 – 72                        | 1.5D                           | 1D                         |
| 72 – 168                       | 3D                             | 2D                         |
| 168 – 240                      | 8D                             | 5D                         |
| Over 240                       | 15D                            | 10D                        |

| <b>Distance (ft)</b> | <b>D (in/sec)</b> |
|----------------------|-------------------|
| 0 to 50              | 1.0               |
| 50 to 150            | 0.8               |
| 150 to 250           | 0.7               |
| Over 250             | 0.6               |

**NOTE:** Allowable vibration levels are reduced with increasing distance since concrete can withstand higher vibration levels at higher frequencies. Vibration frequencies decrease as the distance from the blast increases because there is an attenuation of frequency with distance.

**Reference:** Wyllie, Duncan C. Foundations on Rock, 1<sup>st</sup> Ed, Chapman & Hall, London, 1992





## Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

### Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

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

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

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

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

#### **Planning Division**

Fourth Floor, City Hall  
389 Congress Street  
p.m. (207) 874-8719

[planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)

#### **Office Hours**

Monday thru Friday  
8:00 a.m. – 4:30

**PROJECT NAME:**

161 York Street Redevelopment

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**PROPOSED DEVELOPMENT ADDRESS:**

161 York Street Portland, Maine 04101

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**PROJECT DESCRIPTION:**

11-unit urban infill project utilizing an energy efficient building design with implementation of the latest green infrastructure.

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**CHART/BLOCK/LOT:** 044-B-007

**PRELIMINARY PLAN**  
**FINAL PLAN**

11/8/2016  
2/9/2017

**CONTACT INFORMATION:**

|                                                                                                                                                                                                                                                                    |                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant – must be owner, Lessee or Buyer</b><br><br>Name: Michael J. Cianchette<br><br>Business Name, if applicable: York Street Redevelopment, LLC<br><br>Address: 42 Market Street<br><br>City/State : Portland, Maine                      Zip Code: 04101 | <b>Applicant Contact Information</b><br><br>Work #: (207) 774-1000<br><br>Home #:<br><br>Cell #:                                              Fax#:<br><br>e-mail: mcianchette@theregency.com |
| <b>Owner – (if different from Applicant)</b><br><br>Name:                                              N/A<br><br>Address:<br><br>City/State :                                              Zip Code:                                                              | <b>Owner Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:                                              Fax#:<br><br>e-mail:                                               |
| <b>Agent/ Representative</b><br><br>Name: Acorn Engineering, Inc.<br>Will Savage, P.E.<br><br>Address: 158 Danforth Street<br><br>City/State : Portland, Maine                      Zip Code: 04102                                                                | <b>Agent/Representative Contact information</b><br><br>Work #: (207) 775-2655<br><br>Home #:<br><br>Cell #: (207) 317-1884<br><br>e-mail: wsavage@acorn-engineering.com                       |
| <b>Billing Information</b><br><br>Name:                                              See applicant information<br><br>Address:<br><br>City/State :                                              Zip Code:                                                          | <b>Billing Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:                                              Fax#:<br><br>e-mail:                                             |

|                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Engineer</b><br><br>Name: See agent information<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                                                                                                                                                 | <b>Engineer Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                                           |
| <b>Surveyor</b><br><br>Name: Spurwink Surveying LLC<br>James Mullen, P.L.S.<br><br>Address: 182 Spurwink Road<br>City/State : Scarborough, Maine Zip Code: 04074                                                                                                                                                                                                 | <b>Surveyor Contact Information</b><br><br>Home #:<br><br>Work #: (207) 799-2654<br><br>Cell #: (207) 321-8966 Fax#:<br><br>e-mail: spurwinksurveying@gmail.com |
| <b>Architect</b><br><br>Name: Mark Mueller Architects<br>Mark Mueller, A.I.A.<br><br>Address: 100 Commercial Street, Suite205<br>City/State : Portland, Maine Zip Code: 04101                                                                                                                                                                                    | <b>Architect Contact Information</b><br><br>Work #: (207) 774-9057<br><br>Home #:<br><br>Cell #: (207) 749-6876 Fax#:<br><br>e-mail: mark@muellerarchitects.com |
| <b>Attorney</b><br><br>Name: See applicant information<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                                                                                                                                             | <b>Attorney Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                                           |
| <b>Designated person/person(s) for uploading to e-Plan:</b><br><br>Name: Olivia Dawson, E.I. (Acorn Engineering, Inc.)<br>e-mail: odawson@acorn-engineering.com<br><br>Name: Sam Lebel, E.I. (Acorn Engineering, Inc.)<br>e-mail: slebel@acorn-engineering.com<br><br>Name: Will Savage, P.E. (Acorn Engineering, Inc.)<br>e-mail: wsavage@acorn-engineering.com |                                                                                                                                                                 |

**APPLICATION FEES:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Level III Development (check applicable reviews)</b></p> <p><input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$750.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000)</p> <p><input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000)</p> <p><input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000)</p> <p><input type="checkbox"/> over 300,00 sq. ft. (\$5,000)</p> <p><input type="checkbox"/> Parking lots over 11 spaces (\$1,000)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <p><b>Plan Amendments (check applicable reviews)</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250)</p> <p><input type="checkbox"/> Planning Board Review (\$500)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$50.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> <p>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.</p> | <p><b>Other Reviews (check applicable reviews)</b></p> <p><input type="checkbox"/> Traffic Movement (\$1,500)</p> <p><input checked="" type="checkbox"/> Stormwater Quality (\$250)</p> <p><input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot)</p> <p><input type="checkbox"/> # of Lots <u>(11)</u> x \$25/lot = <u>\$775</u></p> <p><input type="checkbox"/> Site Location (\$3,500, except for residential projects which shall be \$200/lot)</p> <p><input type="checkbox"/> # of Lots <u>      </u> x \$200/lot = <u>      </u></p> <p><input type="checkbox"/> Other <u>                                </u></p> <p><input type="checkbox"/> Change of Use</p> <p><input type="checkbox"/> Flood Plain</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Design Review</p> <p><input type="checkbox"/> Housing Replacement</p> <p><input checked="" type="checkbox"/> Historic Preservation</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**INSTRUCTIONS FOR ELECTRONIC SUBMISSION:**

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

- Fill out the application completely and e-mail the **application only** to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov) (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
- An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4<sup>th</sup> Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
- The designated person responsible for uploading documents and drawings will receive an email from [eplan@portlandmaine.gov](mailto:eplan@portlandmaine.gov) with an invitation into the project. At this time, you will upload all corresponding documents and plans 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.

**Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.**

- Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:  
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.  
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions  
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

- When ready, upload your files and documents into the following folders:  
"Application Submittal – Drawings"  
"Application Submittal – Documents"

6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

**APPLICANT SIGNATURE:**

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

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:<br> | Date:<br> |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|



## PROJECT DATA

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

|                                                                                                                                                                                                                          |                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Total Area of Site</b>                                                                                                                                                                                                | 11,046 sq. ft.       |
| <b>Proposed Total Disturbed Area of the Site</b>                                                                                                                                                                         | 11,046 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. |                      |
|                                                                                                                                                                                                                          |                      |
| <b>Impervious Surface Area</b>                                                                                                                                                                                           |                      |
| Impervious Area (Total Existing)                                                                                                                                                                                         | 3,271 sq. ft.        |
| Impervious Area (Total Proposed)                                                                                                                                                                                         | 8,536 sq. ft.        |
|                                                                                                                                                                                                                          |                      |
| <b>Building Ground Floor Area and Total Floor Area</b>                                                                                                                                                                   |                      |
| Building Footprint (Total Existing)                                                                                                                                                                                      | 2,039 sq. ft.        |
| Building Footprint (Total Proposed)                                                                                                                                                                                      | 6,194 sq. ft.        |
| Building Floor Area (Total Existing)                                                                                                                                                                                     | 4,038 sq. ft.        |
| Building Floor Area (Total Proposed)                                                                                                                                                                                     | 31,462 sq. ft.       |
|                                                                                                                                                                                                                          |                      |
| <b>Zoning</b>                                                                                                                                                                                                            |                      |
| Existing                                                                                                                                                                                                                 | R-6                  |
| Proposed, if applicable                                                                                                                                                                                                  |                      |
|                                                                                                                                                                                                                          |                      |
| <b>Land Use</b>                                                                                                                                                                                                          |                      |
| Existing                                                                                                                                                                                                                 | Single-Family        |
| Proposed                                                                                                                                                                                                                 | Multi-family         |
|                                                                                                                                                                                                                          |                      |
| <b>Residential, If applicable</b>                                                                                                                                                                                        |                      |
| # of Residential Units (Total Existing)                                                                                                                                                                                  | 2                    |
| # of Residential Units (Total Proposed)                                                                                                                                                                                  | 11                   |
| # of Lots (Total Proposed)                                                                                                                                                                                               | 1                    |
| # of Affordable Housing Units (Total Proposed)                                                                                                                                                                           | 0                    |
|                                                                                                                                                                                                                          |                      |
| <b>Proposed Bedroom Mix</b>                                                                                                                                                                                              |                      |
| # of Efficiency Units (Total Proposed)                                                                                                                                                                                   | 0                    |
| # of One-Bedroom Units (Total Proposed)                                                                                                                                                                                  | 0                    |
| # of Two-Bedroom Units (Total Proposed)                                                                                                                                                                                  | 8                    |
| # of Three-Bedroom Units (Total Proposed)                                                                                                                                                                                | 3                    |
|                                                                                                                                                                                                                          |                      |
| <b>Parking Spaces</b>                                                                                                                                                                                                    |                      |
| # of Parking Spaces (Total Existing)                                                                                                                                                                                     | 3                    |
| # of Parking Spaces (Total Proposed)                                                                                                                                                                                     | 22                   |
| # of Handicapped Spaces (Total Proposed)                                                                                                                                                                                 | 1                    |
|                                                                                                                                                                                                                          |                      |
| <b>Bicycle Parking Spaces</b>                                                                                                                                                                                            |                      |
| # of Bicycle Spaces (Total Existing)                                                                                                                                                                                     | 0                    |
| # of Bicycle Spaces (Total Proposed)                                                                                                                                                                                     | 5 Internal           |
|                                                                                                                                                                                                                          |                      |
| <b>Estimated Cost of Project</b>                                                                                                                                                                                         | <b>\$4.9 million</b> |

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

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

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

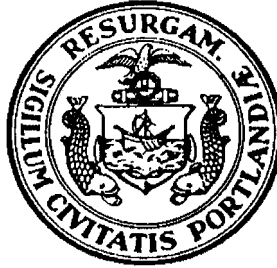
- Continued on next page -

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



# CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



Bradley Roland, P.E.  
Water Resources Division

Date: November 8, 2016

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

Site Address: 161 York Street Portland, Maine 04101

Chart Block Lot Number: 044-B-007

Proposed Use: Residential

Previous Use: Residential

Existing Sanitary Flows: 270 GPD

Existing Process Flows: 0 GPD

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

Proposed connection to the 36" sewer main within York Street

Site Category

|                                    |                                     |
|------------------------------------|-------------------------------------|
| Commercial (see part 4 below)      | <input type="checkbox"/>            |
| Industrial (complete part 5 below) | <input type="checkbox"/>            |
| Governmental                       | <input type="checkbox"/>            |
| Residential                        | <input checked="" type="checkbox"/> |
| Other (specify)                    | <input type="checkbox"/>            |

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

## 2. Please, Submit Contact Information.

City Planner's Name: TBD

Phone: \_\_\_\_\_

Owner/Developer Name: Michael J. Cianchette, York Street Redevelopment, LLC

Owner/Developer Address: 42 Market St. Portland, ME 04101

Phone: (207) 774-1000

Fax: \_\_\_\_\_

E-mail: mcianchette@theregency.com

Engineering Consultant Name: \_\_\_\_\_

Will Savage, P.E. - Acorn Engineering, Inc.

Engineering Consultant Address: \_\_\_\_\_

158 Danforth Street, Portland Maine 04102

Phone: (207) 775-2655

Fax: \_\_\_\_\_

E-mail: wsavage@acorn-engineering.com

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

## 3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 2,070 GPD

Peaking Factor/ Peak Times: Diurnal Residential Flow Pattern

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) State of Maine Subsurface Wastewater Disposal Rules, Effective 8/3/15

*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.*

\_\_\_\_\_

-----DRAFT-----

## DECLARATION OF CONDOMINIUM FOR The Foreview

**YORK STREET REDEVELOPMENT, LLC**, a Maine limited liability company, hereinafter called the ***Declarant***, makes the following declaration.

### ARTICLE 1 CREATION OF THE CONDOMINIUM

**Section 1.1. Submission of the Property.** The Declarant is the owner of the property described in **Exhibit A** attached hereto, located in Portland, Cumberland County, Maine, and hereby declares said property, together with all improvements thereon and all interests appurtenant thereto (hereinafter ***Property***), to be a condominium and submits the same to the provisions of the Maine Condominium Act, 33 M.R.S.A. §1601-101 *et seq.*, as it may from time to time be amended.

**Section 1.2. Name.** The name of the condominium is *The Foreview*. The name of the unit owners' association is *The Foreview Condominium Association*

**Section 1.3. Plans.** A plat depicting the condominium property and floor plans of the condominium buildings have been recorded in the Cumberland County Registry of Deeds and are labeled *The Foreview, Portland, Maine*.

### ARTICLE 2 UNITS

**Section 2.1. Number of Units.** The Declarant is hereby declaring eleven (11) units in the condominium, as depicted on the plat and plans. The proposed location and dimension of each unit, together with the appurtenant limited common elements of each proposed unit are depicted on the plat and plans; however, the location and dimension of each proposed unit and of the building such unit would be constructed within are subject to change by the Declarant until such time as the unit is transferred to a purchaser, in the case of a unit, or all proposed units within a building have been transferred to a purchaser, in the case of a building. Such proposed improvements and units need not be built or added, may be built or added in any sequence or order, and may be built or added with configurations and locations different than those shown on the plat and plans, as further described in Article 4, below.

**Section 2.2 Unit Boundaries.** Each unit is bounded below by the unit's floors or portions of floors which, as shown on the condominium floor plans, lie directly and immediately above a common element or the foundation of the building. Each unit is bounded above by the unit's ceilings which, as shown by the floor plans, lie directly and immediately below a common element or the roof of the building. Each unit is bounded on its sides by the unit's walls or portions of walls which, as shown by the condominium floor plans, adjoin directly and immediately to another unit, a common element, or the exterior or foundation of the building. Each unit's side boundaries extend to the exterior surfaces of any doors or windows in the walls or portion of walls which constitute the unit's side boundaries.

Of the floors, ceilings, and walls which constitute a unit's boundaries, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials forming any part of the finished surfaces thereof are part of the unit, and all other portions of such floors, ceilings and walls (for example structural components of exterior walls or of interior walls shared between units (whether framed with lumber and/or created by poured concrete or otherwise), and trusses) are part of the common elements of the condominium. Except for the limited common elements described in Article 3 below, all spaces, interior partitions, and other fixtures and improvements within the boundaries of a unit are part of the unit. Any exterior doors, windows, or other fixtures designed to serve a single unit, but located outside of the unit's boundaries, are limited common elements allocated exclusively to that unit, as described in Article 3 below.

**Section 2.3. Allocated Interests.** Each unit is allocated a percentage of undivided interest in the common elements, a percentage of the common expenses, and a number of votes in the unit owners' association.

The allocated percentage interest in the common elements is equal for each unit and is obtained by dividing one by the total number of units in the condominium.

The allocated percentage of the common expenses **[to be finally determined based on permitted parking design, including any waivers granted by the Planning Authority]**

One vote in the unit owners' association is allocated to each unit.

In the event one or more additional units are added to the condominium or one or more units are withdrawn from the condominium, the formulas described above shall be used to reapportion the allocated interests among all the units in the condominium. Such reapportionment shall be made by the executive board.

Attached hereto as **Exhibit B** is a list of the identifying numbers of the units which sets forth the allocated interests appurtenant to each unit

**Section 2.4. Alterations of Units.** In addition to the Declarant's Development Rights provided elsewhere herein, a unit owner, after having given written notice to the executive board at least thirty days in advance, may make any improvements or alterations to the unit owner's unit which do not impair the structural integrity of the building or the mechanical systems and which do not lessen the support of any portion of the condominium. No notice need be given for cosmetic changes to a unit which do not involve demolition or construction of any sort and which will not otherwise effect the enjoyment of the condominium or common areas by other unit owners or licensees (e.g. painting, picture hanging and wallpapering do not require prior approval). No unit owner may change the exterior appearance of the unit owner's unit nor change the appearance of any other portion of the condominium, unless the unit owner has first obtained written permission from the unit owners' association.

If a unit owner acquires an adjoining unit the unit owner may, after having given written notice to the executive board at least thirty days in advance, remove or alter any intervening partition or create apertures in any such partition, even if the partition is partially or wholly a common element, if, and only if, those acts do not impair the structural integrity of the building or the mechanical systems and do not lessen the support of any portion of the condominium.

**Section 2.5. Relocation of Unit Boundaries.** No unit boundary may be altered, except as permitted pursuant to the Declarant's Development Rights, as described in Article 4, below.

**Section 2.6. Subdivision of Units.** No unit may be subdivided, except as permitted pursuant to the Declarant's Development Rights, as described in Article 4, below.

**Section 2.7. Leases of Units (SUBJECT TO CHANGE BASED ON CITY DECISIONS RELATED TO SHORT-TERM RENTALS).** A unit owner may lease the unit owner's unit, provided any unit lease is for seven (7) or more consecutive days. Any such lease shall be in writing, on the form of lease approved by the executive board, and restate the conditions of Article 5 of this declaration and provide that the tenant must comply in full with the provisions of the Maine Condominium Act, this declaration, the bylaws of the unit owners' association, and the rules and regulations of the condominium. No lease (written or otherwise) shall relieve the unit owner from nor reduce the unit owner's obligations and liability under said documents. Each unit owner is responsible for ensuring such owner's unit is cleaned upon the expiration of a lease and no less frequently than weekly during the term of a lease. Prior to occupancy, each unit owner shall inform the executive board of the names and addresses of any tenant(s), and provide the executive board with a copy of any written lease that is entered. Unit owners are reminded of their obligation to keep the executive board apprised of their current mailing addresses (see Section 6.5). Any unit owner that fails to comply with the provisions of this Section 2.7 is subject to a fine of up



to, but not greater than, \$50 per violation. The unit owners' association is permitted to perform (or hire a company to perform) cleaning and other services contemplated hereby to maintain units in a clean, quality condition and to preserve the overall appearance and quality of the condominium, and a unit owner shall provide reasonable access to his unit for such purpose. Any fine as well as the cost of any services performed as a result of a unit owners' failure to comply with the obligations hereunder, shall constitute a special assessment against the unit owner's unit. Furthermore, the unit owners' association may from time to time adopt rules and regulations which are reasonably related to furtherance of this Section 2.7, including the right to conduct periodic inspections of units which have been or are to be rented, to ensure compliance with the terms and conditions of this Section.

**Section 2.8. Maintenance.** The division between the unit owners and the unit owners' association of the responsibility for maintenance of the units shall be controlled by the provisions of the bylaws of the unit owners' association.

### **ARTICLE 3 COMMON ELEMENTS**

**Section 3.1. Common Elements.** All portions of the condominium which do not constitute or lie within the boundaries of a unit, as described above, are common elements. All unit owners have an undivided ownership interest in all of the common elements. The common elements consist primarily of the structural members and exterior of the buildings, the grounds, and the parking areas. Additionally, all units share equally in the appurtenant easements benefiting the common elements, as depicted on the plat or plans or otherwise described herein. Common elements with a shared purpose (such as a rooftop deck) may be used for any purpose deemed reasonable by the executive board, so long as such use does not violate any municipal, state or federal rules, laws, ordinances or regulations, and does not jeopardize the not for profit designation of the unit owners' association.

**Section 3.2. Limited Common Elements.** Limited common elements are common elements of which the use is granted exclusively to one or more, but fewer than all, of the units. Limited common elements may be allocated to units as designated on the condominium plat. Any parking spaces, not allocated to particular units as limited common elements by designation on the condominium plat, may be so allocated to a unit or units by the executive board or may remain unallocated for use by any unit owners and visitors. Any exterior doors, windows, or other fixtures designed to serve a single unit, but located outside the unit's boundaries, are limited common elements allocated exclusively to that unit. If any chute, flue, chimney, duct, wire, conduit, bearing wall, bearing column, or other fixture lies partly within and partly outside of the boundaries of a unit, then any portion which serves only that unit is a limited common element, and any portion which serves more than one unit or which serves part of the common elements is a common element. In resolving any doubts as to the designation of any such fixture, preference shall be given to construing it as a common element.

**Section 3.3. Reallocation of Limited Common Elements.** Subject to requirements of Section 3.4, below, the limited common elements may be reallocated upon the written request of all of the owners of the units affected to the unit owners' association.

**Section 3.4. Alteration of Common Elements.** No unit owner shall make any alteration, improvement, or change of any of the common elements, including the limited common elements or any part of them, without having first obtained the permission of the unit owners' association, except as permitted by Article 2 above. This prohibition includes, but is not limited to, antennas, satellite dishes, clothes lines, fences, and air conditioning units.

**Section 3.5. Alienation of Common Elements.** Portions of the common elements may be conveyed or subjected to a security interest by the unit owners' association if agreed to by unit owners entitled to cast seventy percent (70%) or more of the votes in the unit owners' association and if also agreed to by unit owners entitled to cast seventy percent (70%) of the votes allocated to units not owned by the Declarant and, in the case of limited common elements, if agreed to by all of the owners of all of the units to which the element to be conveyed or subjected to a security interest is allocated. This section shall not be construed to require the consent of the unit owners' association for a unit owner to grant a mortgage of the unit owner's unit and its allocated interests and limited common elements, or to limit the development rights of the Declarant described herein.

**Section 3.6. Maintenance.** The provisions of the bylaws of the unit owners' association control the responsibility for maintenance of the common elements.

#### **ARTICLE 4 DECLARANT'S RIGHTS**

**Section 4.1. Development Rights.** In addition to the easement rights reserved elsewhere in this Article 4 of the Declaration, the Declarant reserves to itself and for the benefit of its successors and assigns, the right:

- (a) to connect with, repair, relocate, alter, remove and/or make use of utility lines, wires, pipes, and conduits and the related easements located on the Property for construction and sales purposes, provided that the Declarant shall be responsible for the costs of services so used;
- (b) to use the Common Elements for ingress and egress, for the repair and construction of the units and Common Elements including the movement and temporary storage of construction materials and equipment, and for the installation of signs and lighting for sales and promotional purposes;
- (c) to convert any unit(s) into Common Elements or Limited Common Elements;
- (d) to divide any unit owned by the Declarant into one or more additional units and to

combine any unit (or portion thereof) owned by the Declarant into another unit which is likewise owned by the Declarant, subject to applicable laws and ordinances;

(e) to complete some or all contemplated improvements on the plat and plans (subject to the conditions in Section 4.4, below), to construct new improvements on Common Elements, to maintain unsold units as models and sales offices, and to relocate the sales offices as the Declarant deems necessary or appropriate, to exercise the easements reserved to it in the Declaration, to make the Condominium part of a larger Condominium, to make the Condominium subject to a Master Association, to appoint or remove any officer or Board Member during any period of Declarant control of the unit owners' association, and to exercise any other special Declarant rights as are now allowed or in the future may be allowed by the Act;

(f) to develop the Condominium in phases, as provided herein; and

(g) to withdraw units owned by the Declarant, Property and/or Property interests (including Common Elements) from the Condominium, including but not limited the transfer of fee or easement holder interests to one or more persons, including but not limited to a qualified land conservation easement holder.

The foregoing shall be referred to collectively, along with any and all other Special Declarant rights, as provided herein or pursuant to the Act as the "Development Rights" and each individually as a "Development Right". The exercise of the Development Rights shall be in accordance with and governed by the provisions of the Act, including, without limitation Section 1602-110 of the Act.

Any improvements that may be erected pursuant to any such Development Right shall be located on the Common Elements and will be generally compatible with the existing improvements on the Condominium in terms of architectural style, quality of construction, and size.

All restrictions in the Declaration affecting the use, occupancy, and alienation of the units will apply to any units created pursuant to any Development Right reserved by the Declarant.

The assurances made in this Section do not apply in the event that any Development Right is not exercised by the Declarant.

**Section 4.2. Easements.** Until the construction, marketing and sale of all units is completed, the Declarant shall have the right to grant and reserve easements and rights-of-way through, under, over and across the Property: (a) for construction and subdivision purposes, (b) for the installation, maintenance and inspection of the lines and appurtenances for public and private water, sewer, drainage, gas, electricity, telephone, television, and other like utilities and services, and (c) for use by and transfer to persons (including the public) for access to Property or Property rights which is/are withdrawn

from the condominium and/or conveyed. Declarant also reserves the right to relocate existing easements and rights of way encumbering the Property within the Common Areas of the Property, but, to the extent reasonably possible, shall do so in a manner which minimally interferes with the Condominium. Thereafter, the condominium owners' association shall have the right to grant easements for the purposes stated in (b) above and to the extent permitted by law, to relocate existing easements and rights of way encumbering Common Areas of the Property, but such right shall not be exercised so as to unreasonably disrupt any unit, and the unit owners' association shall be responsible for any damage that occurs to the Common Elements, Limited Common Elements or to any unit as the result of the exercise of this right.

**Section 4.3. Exercise of Development Rights By Declarant.** The exercise of Development Rights by Declarant shall be subject to the following restrictions:

(a) no changes shall be made to the site plan and subdivision approved by the **[planning authority approval]**, unless applicable approval is received pursuant to the appropriate and relevant ordinances of the City of Portland or other authority of competent jurisdiction.

**Section 4.4. Declarant's Use of Units.** The Declarant is the owner of any unsold unit(s) and has all the rights of a unit owner with respect thereto. As long as any unit remains unsold, the Declarant may use any unsold unit as a model to be displayed to prospective purchasers or as a sales office or management office for business related to the condominium, and the Declarant may erect and maintain signs on the common elements advertising the condominium and/or sale of any unit(s).

**Section 4.5. Declarant Control Period.** There shall be a Declarant Control Period, during which the Declarant shall appoint the officers and members of the executive board of the unit owners' association and may remove members and appoint others. The officers and members appointed by the Declarant need not be unit owners. The Declarant Control Period shall last until seventy-five percent of the units have been sold to persons other than the Declarant or for seven (7) years from the date of sale of the first unit to a person other than the Declarant, whichever first occurs, but the Declarant may voluntarily end the Declarant Control Period at an earlier time. Within sixty days after the Declarant Control Period has ended, the executive board members shall be elected by the association in accordance with its bylaws.

## **ARTICLE 5**

### **RESTRICTIONS ON USE, OCCUPANCY, AND ALIENATION**

**Section 5.1. Use.** All of the units not owned by the Declarant shall be used only for single-family, residential purposes, which term "residential purposes" expressly includes rentals subject to Section 2.7 hereof. No livestock or animals of any kind shall be kept in or about any unit for any purposes, including, but not limited to, breeding or sale or as pets, except for dogs, cats and other domesticated pets deemed reasonable and acceptable to the

executive board. No explosive, hazardous, or similarly dangerous materials may be kept inside any unit, including specifically, but not limited to, propane gas cylinders or tanks.

**Section 5.2. Occupancy.** Each unit may be owned by any person or entity, but may be occupied only by a single family. As used herein, the phrase “single family” means a group of persons all of whom are related to one another as spouses, parent and child, or siblings, with not more than three persons who are not so related occupying a unit. Any questions as to what constitutes a “single family” shall be settled by the executive board, whose decision may be appealed to the association.

**Section 5.3. Alienation.** Subject to Section 2.7, any unit may be leased, and the unit owners’ association reserves no right of first refusal or option to purchase any unit.

**Section 5.4. Rules and Regulations.** The executive board shall adopt rules and regulations that shall further regulate the management of the condominium and the conduct of the unit owners and their permittees, invitees, and lessees, which rules and regulations may include limiting the use of and access to common areas at particular times or during certain weather conditions or other circumstances. In particular, but without limiting the generality of the foregoing, the executive board may regulate parking at the condominium, including the type and number of vehicles which may be parked and the locations where parking is allowed, and require a standard form of lease be used when leasing a unit. Notwithstanding the foregoing, in the event a parking area is granted to a unit as a limited common element, the executive board may not limit the use of said parking area for any period longer than is necessary to complete usual and customary maintenance and repair. The executive board may restrict access to parts of the Common Elements, as it deems necessary, for the purpose of safety, construction, maintenance and/or repair.

**Section 5.5. Violations by Unit Owners.** The violation of any rules or regulations, the breach of any of the bylaws, or the breach of any provision of this declaration shall give the executive board the right to take whatever action is reasonably necessary to terminate the particular violation or breach, to remedy any damage occasioned by such violation or breach, and to prevent further violation or breach. Such action on the part of the executive board may include entry into any unit where such violation or breach exists without giving rise to any manner of trespass and may include the bringing of any appropriate legal action. The costs of any such termination, reparation, or prevention, including reasonable attorneys’ fees, shall be assessed against the unit of the unit owner in violation or breach. Except as otherwise provided herein, the executive board shall impose reasonable fines, up to \$100 per day/violation, for such violations or breaches.

## **ARTICLE 6**

### **UNIT OWNERS’ ASSOCIATION**

**Section 6.1. Membership.** The Foreview Condominium Association shall be



organized to govern and operate the condominium. All unit owners shall be members of the unit owners' association, and no one other than a unit owner shall be a member.

**Section 6.2. Powers.** The unit owners' association shall have all of the powers allowed by the Maine Condominium Act, but it shall not exercise its powers to acquire real property or to cause additional improvements to be made as a part of the common elements or to alter the outward appearance of the condominium buildings, unless unit owners entitled to cast seventy percent (70%) or more of the votes in the unit owners' association agree to such action, nor shall it make or authorize a non-budgeted expenditure of funds unless unit owners entitled to cast seventy percent (70%) or more of the votes in the unit owners' association agree to such action.

**Section 6.3. Meetings.** The unit owners' association shall meet at least once in each calendar year. A quorum shall be present if unit owners entitled to cast more than thirty percent (30%) of the votes in the association are present in person or by proxy. The vote allocated to a unit must be cast as one vote; no vote may be divided.

**Section 6.4. Executive Board.** The executive board shall consist of no less than three (3) nor more than five (5) members, who shall be elected by the unit owners' association in accordance with its bylaws (except as provided in section 4.3 above). The executive board may act on behalf of the unit owners' association in all instances, subject to the provisions of the Maine Condominium Act and this declaration. The executive board shall not make nor authorize non-budgeted expenditures of funds unless required in cases of emergency.

**Section 6.5. Notice.** The executive board shall cause notice of matters affecting the condominium to be given to all unit owners by sending a written statement thereof by the United States Postal Service, postage prepaid, return receipt requested, to each unit owner at the address last given in writing to the executive board by the unit owner or by delivering a written statement thereof in hand to each unit owner and obtaining a receipt therefor from the unit owner. If a unit is owned by more than one person, then notice given to one of the unit owners shall be sufficient to serve as notice to all of the owners of that unit. If the notice is of a meeting at which a unit owner has the right to vote or of an action to be taken to which a unit owner has the right to consent or refuse consent, then the notice shall be given to such unit owner at least fifteen days prior to such meeting or the taking of such action. Notwithstanding the foregoing, unit owners may elect in writing to accept electronic notice. The form and means of such election shall be specified by the executive board, provided any unit owner may revoke said election in writing at any time for any reason without penalty.

**Section 6.6. Bylaws.** The bylaws of the unit owners' association shall contain provisions for its operation and governance. No provision of the bylaws shall be inconsistent with this declaration.

## ARTICLE 7 ASSESSMENTS

**Section 7.1. Common Expenses.** Except as set forth in this Article, the common expenses shall be assessed against all of the units in the condominium in accordance with the percentages of liability for the common expenses listed in **Exhibit B.**

**Section 7.2. Limited Common Elements.** Any common expense arising from the maintenance, repair, or replacement of a limited common element and any common expense which benefits fewer than all of the units, even though not arising from a limited common element, shall be assessed in the same manner as common expenses.

**Section 7.3. Misconduct.** Any common expense caused by the misconduct of a unit owner or owners shall be assessed by the unit owners' association against the unit owner's unit or the unit owners' units.

## ARTICLE 8 AMENDMENT

This declaration may be amended only by complying with the procedures specified by the Maine Condominium Act. Any amendment which requires a vote of the unit owners, but does not require unanimous consent, shall fail of passage unless agreed to by the unit owners of units to which seventy percent (70%) or more of the votes in the unit owners' association have been allocated.

## ARTICLE 9 EASEMENTS

The condominium is subject to the following easements, and all units are conveyed subject thereto, see attached **Exhibit C.**

## ARTICLE 10 GENERAL PROVISIONS

**Section 10.1. Definitions.** Terms not defined in this declaration shall have the meanings defined in the Maine Condominium Act. The use herein of the term *Declarant* includes any successor declarant or assignee of the Declarant. The term *unit owner* refers equally to all of the owners of a unit, of whatever number and gender.

**Section 10.2. Construction and Severability.** The provisions of this declaration shall be construed, if possible, so as to be valid and enforceable under the laws of the State of Maine. If any provision cannot be so construed and is held to be unenforceable, then it shall be considered severable, and the remaining provisions shall continue to be valid and enforceable.

**Section 10.3. Precedence.** No provision of the bylaws or rules and regulations of the unit owners' association shall conflict or be inconsistent with this declaration. Any such conflicting or inconsistent provision shall be void and of no effect.

In witness whereof\_\_\_\_\_, has caused this instrument to be signed and sealed in its company name by its undersigned officer, hereunto duly authorized, this \_\_\_\_\_ day of\_\_\_\_, 2017.

[signature and notary blocks to be inserted]

# **The Foreview**

## **EXHIBIT A**

[to be inserted]

# **The Foreview**

## **EXHIBIT B**

[To be determined based upon final planning approval]



# **The Foreview**

## **EXHIBIT C**

### **Easements and Encumbrances**

**[to be completed upon planning approval and final utility agreements]**

## STORMWATER DRAINAGE SYSTEM MAINTENANCE AGREEMENT

**IN CONSIDERATION OF** the site plan and subdivision approval granted by the Planning Board of the City of Portland to the proposed 161 York Street Redevelopment shown on the Subdivision Plat recorded in the Cumberland County Registry of Deeds in Plan Book \_\_\_, Page \_\_\_ (the “Plan”) and associated Grading & Drainage Plan (Sheet C-31), dated 02/09/2017 prepared by Acorn Engineering, Inc. of P.O. Box 3372, Portland, ME 04104 dated and pursuant to a condition thereof, York Street Redevelopment, LLC, a Maine limited liability company with a principal place of business in Portland, Maine, and having a mailing address of 42 Market Street, Portland, Maine 04101, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the “Owner”), as follows:

### Maintenance Agreement

That it, its successors and assigns, will, at its own cost and expense and at all times in perpetuity, maintain in good repair and in proper working order the underdrained subsurface sand filter BMP system, StormTech Isolator Row, storm drain pipes, and underdrain pipes (hereinafter collectively referred to as the “stormwater system”) as shown on the Stormwater Maintenance Agreement Drainage Plan, Drawing EX-01, attached hereto as **Exhibit B** and in strict compliance with the approved Stormwater Inspection & Maintenance Plan and Stormwater Maintenance and Inspection Log, dated 02/09/2017, copies attached as **Exhibit A and C** respectively and Chapter 32 of the Portland City Code.

Owner of the subject premises further agrees, at its own cost, to keep a Stormwater Maintenance and Inspection Log in the forms attached as **Exhibit C**. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request.

Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of the property and abutters thereto; further, that the said City of Portland or said persons in lawful possession may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a stated time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to, enter upon said premises to maintain, repair,

or replace said stormwater system ,including but not limited to the underdrained subsurface sand filter BMP system, StormTech Isolator Row, storm drain pipes, underdrain pipes, and other drainage structures thereon in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon written demand. Any funds owed to the City under this paragraph shall be secured by a lien on the property.

This Agreement shall not confer upon the City of Portland or any other person the right to utilize said stormwater system for public use or for the development of any other property, and the Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said system for any reason whatsoever.

This Agreement shall also not be construed to allow any change or deviation from the requirements of the subdivision and/or site plan most recently and formally approved by the Planning Board of the City of Portland.

This agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon the Owner's successors and assigns as their interests may from time to time appear.

The Owner agrees to provide a copy of this Agreement to any successor or assign and to forward to the City an Addendum signed by any successor or assign in which the successor or assign states that the successor or assign has read the Agreement, agrees to all its terms and conditions and the successor or assign will obtain and forward to the City's Department of Public Works and Department of Planning and Urban Development a similar Addendum from any other successor or assign.

For the purpose of this agreement and release "Owner" is any person or entity who is a successor or assign and has a legal interest in part, or all, of the real estate and any building. The real estate shown by chart, block and lot number in the records on file in the City Assessor's office shall constitute "the property" that may be entered by the City and lienied if the City is not paid all of its costs and charges following the mailing of a written demand for payment to the owner pursuant to the process and with the same force and effect as that established by 36 M.R.S.A. §§ 942 and 943 for real estate tax liens.

Any written notices or demands required by the agreement shall be complete on the date the notice is attached to one or more doors providing entry to any buildings or

residential units and mailed by certified mail, return receipt requested or ordinary mail or both to the owner of record as shown on the tax roles on file in the City Assessor's Office.

If the property has more than one owner on the tax rolls, service shall be complete by mailing it to only the first listed owner. The failure to receive any written notice required by this agreement shall not prevent the City from entering the property and performing maintenance or repairs on the stormwater system, or any component thereof, or lienning it or create a cause of action against the City.

Dated at Portland, Maine this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YORK STREET REDEVELOPMENT, LLC  
A Maine limited liability company

\_\_\_\_\_  
Michael Cianchette, Manager

STATE OF MAINE  
CUMBERLAND, ss.

Date: \_\_\_\_\_

Personally appeared the above-named Michael Cianchette, Manager of York Street Redevelopment, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

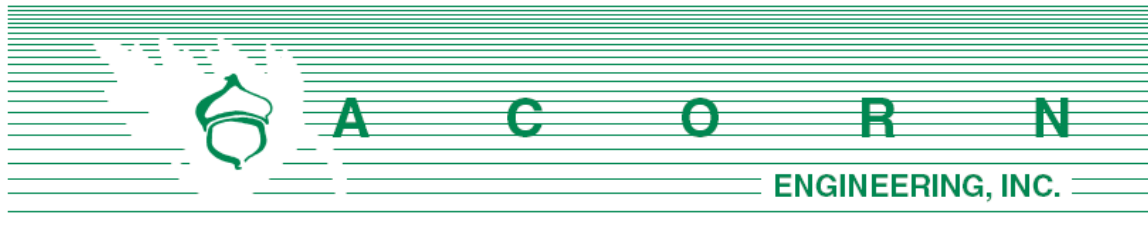
\_\_\_\_\_  
Notary Public/Attorney at Law

Print name: \_\_\_\_\_

Exhibit A: Stormwater Inspection & Maintenance Plan

Exhibit B: Stormwater Maintenance Agreement Drainage Plan to be included once approved

Exhibit C: Stormwater Maintenance and Inspection Log



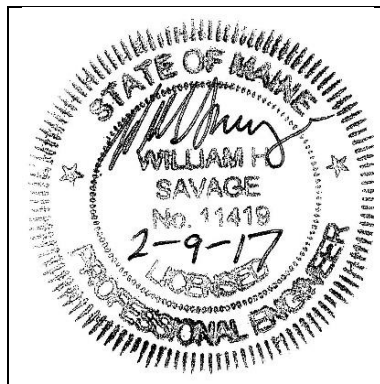
# **POST CONSTRUCTION - STORMWATER INSPECTION & MAINTENANCE PLAN**

**Prepared For:**

**York Street Redevelopment, LLC  
42 Market St  
Portland, Maine 04101**

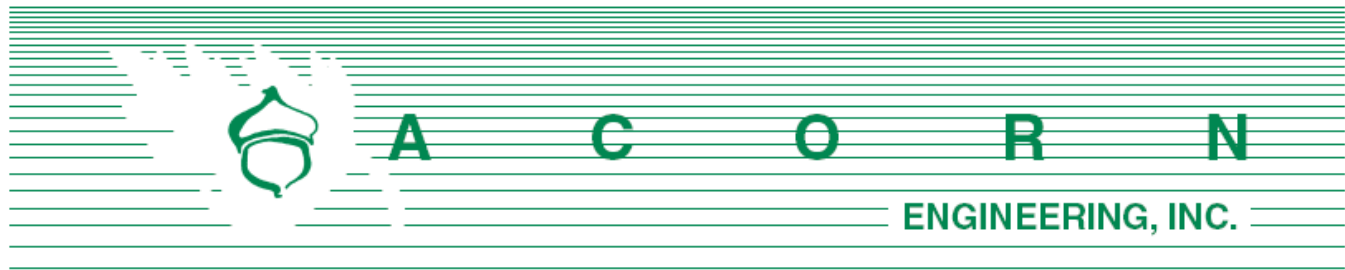
**Prepared By:**

**Acorn Engineering, Inc.  
158 Danforth Street  
Portland, Maine 04102**



**February 2017**





## **RESPONSIBLE PARTY**

The owner, York Street Redevelopment, LLC, and or their successor shall be responsible for contracting with a qualified stormwater professional to implement the Inspection and Maintenance Plan. The qualified stormwater professional shall maintain a stormwater log (report) summarizing inspections, maintenance, and corrective action taken. The Qualified Stormwater Professional shall annually submit the Stormwater Log to the Department of Public Services prior to June 30<sup>th</sup>.

The following is an example of a qualified stormwater professional that the homeowners association may contract through.

Organization: Will Savage, PE  
Acorn Engineering, Inc  
Portland, Maine

Phone: (207) 775-2655

### **Qualifications:**

- Maine Professional Engineering License #11419
- Maine DEP - Certified in Maintenance & Inspection of Stormwater BMP's Cert #14
- Certified Erosion, Sediment and Storm Water Inspector (CESSWI) Cert #0293
- Certified Professional in Erosion and Sediment Control (CPESC) Cert. #4620

The inspection and maintenance criteria is based upon the Maine DEP - Stormwater Management for Maine, Volume III: BMPs Technical Design Manual. Refer to the Grading and Drainage Plan for the location of the BMPs

## **PURPOSE**

This Inspection and Maintenance Plan has been individually tailored to this parcel's stormwater infrastructure, site characteristics, and their respective opportunities and limitations related to reducing the pollutant load on the receiving watershed. The maintenance of a parcel's impervious surfaces and stormwater infrastructure is critical to extending the long-term performance and effectiveness of Best Management Practices (BMPs). The Inspection and Maintenance Plan represents the parcel's minimum activities to meet the permit requirements. The parcel shall still be subject to any applicable Civil Site Plans, Permit Applications, Erosion and Sedimentation Control Plans Reports, Stormwater Management Plans, Inspection and Maintenance Manuals, and all Municipal, State, and Federal rules.

## **OPERATION AND MAINTENANCE ACTIVITY**

### **Underdrained Subsurface Sand Filter (USSF):**

The maintenance of the underdrained subsurface sand filter shall be in accordance with the following activities identified below and the most recent version of the Maine DEP Volume III BMPs Technical Design Manual Chapter 7.3 Underdrained Subsurface Sand Filter.

- The system should be inspected after every major storm in the first few months to ensure proper function. Thereafter, the filter should be inspected at least once every six months to ensure that it is draining within 24 hours to 36 hours.
- Inspect Outlet Control Structures (OCS) to ensure they are in good working order and that the orifice and trash racks are unobstructed from trash and debris.
- Inspect and maintain the StormTech Isolator Row in accordance with the attached proprietary Operation and Maintenance Plan.

### **Sweeping:**

Annual sweeping of the driveway and parking areas following the snow melt for accumulated winter sand, if necessary. Appropriately dispose of all collected material.

### **Storm Drains:**

The storm drain shall be annually inspected for the presence of accumulated sediment or debris. Any sediment shall be removed as required.

- The equipment shall meet the following minimum specifications; power jet and water source for washing down the storm drain, vacuum attachment for catch basin cleaning, and a liquid handling method to dewater the material.
- Inspect and legally dispose of accumulated sediment and debris within the storm drains between basins. Liquids must be decanted on-site and returned to the catch basin.

### **Catch Basins:**

Catch basins shall be inspected to confirm the structure is operating properly.

- Inspect the presence of accumulated sediment or debris any sediment shall be removed. The equipment shall meet the following minimum specifications; power jet and water source for washing down the storm drain, vacuum attachment for catch basin cleaning, and a liquid handling method to dewater the material.
- Sediment shall be removed when accumulation is within 6 inches of the outfall pipe invert. Legally dispose of accumulated sediment and debris from the bottom of the basin, inlet grates, and inflow channels to the basin.
- If the basin outlet is designed with a hood to trap floatable materials (e.g. Snout), check to ensure watertight seal is working.
- Appropriately dispose of all collected material.



### Landscaped, Vegetated and Areas Adjacent to Retaining Walls:

Inspect all landscaped and or vegetated slopes and embankments on an annual basis. Vegetated areas with bare areas or sparse growth (<90% coverage) shall be revegetated. Mulch shall be applied to landscaped areas, as necessary. Dead or decaying landscaping (ground cover, shrubs, trees etc.) shall be replanted in accordance with the approved Landscape Plan.

If signs of rill erosion or scour are present within areas tributary to the retaining walls, or stormwater flow is observed flowing over the wall, Acorn Engineering should be immediately contacted to perform an inspection and/or to contact the appropriate professional. Should concerns arise from the downhill abutters related to groundwater flow from the retaining wall weep hole outlets, Acorn Engineering should be contacted to perform a site inspection and to meet with the concerned abutter. Periodic inspections of the retaining walls shall be performed, under separate contract, by a Professional Geotechnical Engineer.

### INSPECTION AND MAINTENANCE TABLE

| <b>Inspection and Maintenance Frequency</b> | <b>Spring or Yearly</b> | <b>Summer</b> | <b>Fall</b> | <b>As Necessary</b> |
|---------------------------------------------|-------------------------|---------------|-------------|---------------------|
| Underdrained Subsurface Sand Filter         | X                       |               | X           | X                   |
| Sweeping                                    | X                       |               |             | X                   |
| Storm Drains                                |                         | X             |             | X                   |
| Catch Basins                                |                         | X             |             | X                   |
| Landscaped/Vegetated/Wall Areas             | X                       |               |             | X                   |





**Save Valuable Land and  
Protect Water Resources**



**Isolator® Row O&M Manual**  
StormTech® Chamber System for Stormwater Management

# 1.0 The Isolator<sup>®</sup> Row

## 1.1 INTRODUCTION

An important component of any Stormwater Pollution Prevention Plan is inspection and maintenance. The StormTech Isolator Row is a patented technique to inexpensively enhance Total Suspended Solids (TSS) removal and provide easy access for inspection and maintenance.



*Looking down the Isolator Row from the manhole opening, woven geotextile is shown between the chamber and stone base.*

## 1.2 THE ISOLATOR ROW

The Isolator Row is a row of StormTech chambers, either SC-310, SC-310-3, SC-740, DC-780, MC-3500 or MC-4500 models, that is surrounded with filter fabric and connected to a closely located manhole for easy access. The fabric-wrapped chambers provide for settling and filtration of sediment as storm water rises in the Isolator Row and ultimately passes through the filter fabric. The open bottom chambers and perforated sidewalls (SC-310, SC-310-3 and SC-740 models) allow storm water to flow both vertically and horizontally out of the chambers. Sediments are captured in the Isolator Row protecting the storage areas of the adjacent stone and chambers from sediment accumulation.

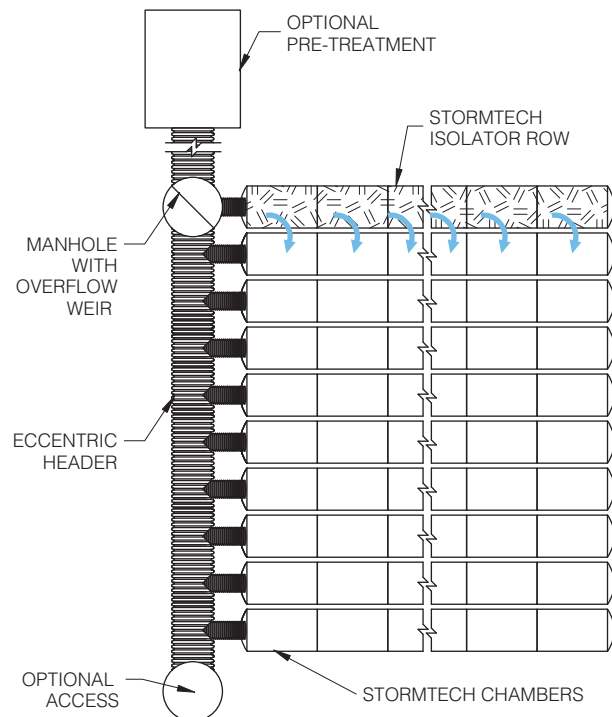
Two different fabrics are used for the Isolator Row. A woven geotextile fabric is placed between the stone and the Isolator Row chambers. The tough geotextile provides a media for storm water filtration and provides a durable surface for maintenance operations. It is also designed to prevent scour of the underlying stone and remain intact during high pressure jetting. A non-woven fabric is placed over the chambers to provide a filter media for flows passing through the perforations in the sidewall of the chamber. The non-woven fabric is not required over the DC-780, MC-3500 or MC-4500 models as these chambers do not have perforated side walls.

The Isolator Row is typically designed to capture the “first flush” and offers the versatility to be sized on a volume basis or flow rate basis. An upstream manhole not only provides access to the Isolator Row but typically includes a high flow weir such that storm water flowrates or volumes that exceed the capacity of the Isolator Row overtop the over flow weir and discharge through a manifold to the other chambers.

The Isolator Row may also be part of a treatment train. By treating storm water prior to entry into the chamber system, the service life can be extended and pollutants such as hydrocarbons can be captured. Pre-treatment best management practices can be as simple as deep sump catch basins, oil-water separators or can be innovative storm water treatment devices. The design of the treatment train and selection of pretreatment devices by the design engineer is often driven by regulatory requirements. Whether pretreatment is used or not, the Isolator Row is recommended by StormTech as an effective means to minimize maintenance requirements and maintenance costs.

*Note: See the StormTech Design Manual for detailed information on designing inlets for a StormTech system, including the Isolator Row.*

### StormTech Isolator Row with Overflow Spillway (not to scale)





## 2.0 Isolator Row Inspection/Maintenance



### 2.1 INSPECTION

The frequency of Inspection and Maintenance varies by location. A routine inspection schedule needs to be established for each individual location based upon site specific variables. The type of land use (i.e. industrial, commercial, residential), anticipated pollutant load, percent imperviousness, climate, etc. all play a critical role in determining the actual frequency of inspection and maintenance practices.

At a minimum, StormTech recommends annual inspections. Initially, the Isolator Row should be inspected every 6 months for the first year of operation. For subsequent years, the inspection should be adjusted based upon previous observation of sediment deposition.

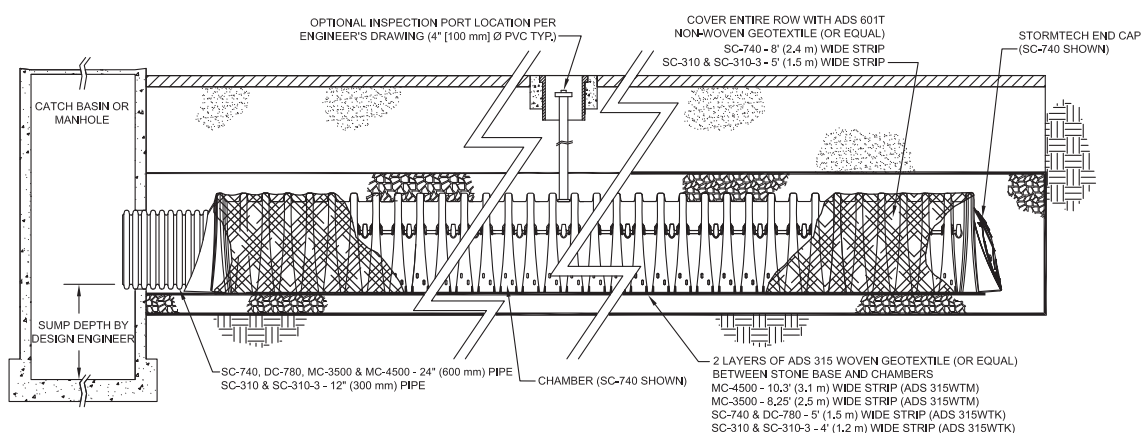
The Isolator Row incorporates a combination of standard manhole(s) and strategically located inspection ports (as needed). The inspection ports allow for easy access to the system from the surface, eliminating the need to perform a confined space entry for inspection purposes.

If upon visual inspection it is found that sediment has accumulated, a stadia rod should be inserted to determine the depth of sediment. When the average depth of sediment exceeds 3 inches throughout the length of the Isolator Row, clean-out should be performed.

### 2.2 MAINTENANCE

The Isolator Row was designed to reduce the cost of periodic maintenance. By “isolating” sediments to just one row, costs are dramatically reduced by eliminating the need to clean out each row of the entire storage bed. If inspection indicates the potential need for maintenance, access is provided via a manhole(s) located on the end(s) of the row for cleanout. If entry into the manhole is required, please follow local and OSHA rules for a confined space entries.

#### StormTech Isolator Row (not to scale)



**NOTE:** NON-WOVEN FABRIC IS ONLY REQUIRED OVER THE INLET PIPE CONNECTION INTO THE END CAP FOR DC-780, MC-3500 AND MC-4500 CHAMBER MODELS AND IS NOT REQUIRED OVER THE ENTIRE ISOLATOR ROW.



*Examples of culvert cleaning nozzles appropriate for Isolator Row maintenance. (These are not StormTech products.)*

Maintenance is accomplished with the JetVac process. The JetVac process utilizes a high pressure water nozzle to propel itself down the Isolator Row while scouring and suspending sediments. As the nozzle is retrieved, the captured pollutants are flushed back into the manhole for vacuuming. Most sewer and pipe maintenance companies have vacuum/JetVac combination vehicles. Selection of an appropriate JetVac nozzle will improve maintenance efficiency. Fixed nozzles designed for culverts or large diameter pipe cleaning are preferable. Rear facing jets with an effective spread of at least 45” are best. Most JetVac reels have 400 feet of hose allowing maintenance of an Isolator Row up to 50 chambers long. **The JetVac process shall only be performed on StormTech Isolator Rows that have AASHTO class 1 woven geotextile (as specified by StormTech) over their angular base stone.**

## 3.0 Isolator Row Step By Step Maintenance Procedures

### Step 1) Inspect Isolator Row for sediment

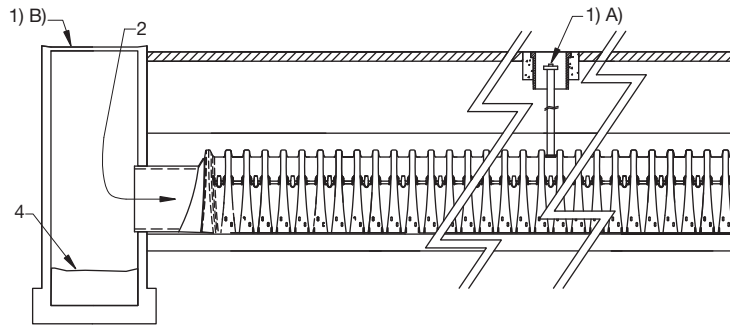
#### A) Inspection ports (if present)

- i. Remove lid from floor box frame
- ii. Remove cap from inspection riser
- iii. Using a flashlight and stadia rod, measure depth of sediment and record results on maintenance log.
- iv. If sediment is at, or above, 3 inch depth proceed to Step 2. If not proceed to step 3.

#### B) All Isolator Rows

- i. Remove cover from manhole at upstream end of Isolator Row
- ii. Using a flashlight, inspect down Isolator Row through outlet pipe
  1. Mirrors on poles or cameras may be used to avoid a confined space entry
  2. Follow OSHA regulations for confined space entry if entering manhole
- iii. If sediment is at or above the lower row of sidewall holes (approximately 3 inches) proceed to Step 2. If not proceed to Step 3.

StormTech Isolator Row (not to scale)



### Step 2) Clean out Isolator Row using the JetVac process

- A) A fixed culvert cleaning nozzle with rear facing nozzle spread of 45 inches or more is preferable
- B) Apply multiple passes of JetVac until backflush water is clean
- C) Vacuum manhole sump as required

### Step 3) Replace all caps, lids and covers, record observations and actions

### Step 4) Inspect & clean catch basins and manholes upstream of the StormTech system

### Sample Maintenance Log

| Date    | Stadia Rod Readings               |                                    | Sediment Depth<br>(1) - (2) | Observations/Actions                                                       | Inspector |
|---------|-----------------------------------|------------------------------------|-----------------------------|----------------------------------------------------------------------------|-----------|
|         | Fixed point to chamber bottom (1) | Fixed point to top of sediment (2) |                             |                                                                            |           |
| 3/15/01 | 6.3 ft.                           | none                               |                             | New installation. Fixed point is CI frame at grade                         | djm       |
| 9/24/01 |                                   | 6.2                                | 0.1 ft.                     | Some grit felt                                                             | sm        |
| 6/20/03 |                                   | 5.8                                | 0.5 ft.                     | Mucky feel, debris visible in manhole and in Isolator row, maintenance due | rv        |
| 7/7/03  | 6.3 ft.                           |                                    | 0                           | System jetted and vacuumed                                                 | djm       |



70 Inwood Road, Suite 3 | Rocky Hill | Connecticut | 06067  
 860.529.8188 | 888.892.2694 | fax 866.328.8401 | www.stormtech.com

ADS "Terms and Conditions of Sale" are available on the ADS website, [www.ads-pipe.com](http://www.ads-pipe.com)

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# STORMWATER MAINTENANCE AND INSPECTION AGREEMENT: INSPECTION LOG

| <b>FILTRATION BMP:</b>                                                                                                     |                                     |                                     |                                     |                                                                                             |                                |                              |                                 |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------|--------------------------------|------------------------------|---------------------------------|
| <b>Location:</b><br><div style="text-align: center;">161 York Street Portland, Maine</div>                                 |                                     |                                     |                                     |                                                                                             | <b>Latitude:</b> 43.64991389°  |                              |                                 |
|                                                                                                                            |                                     |                                     |                                     |                                                                                             | <b>Longitude:</b> 70.25986111° |                              |                                 |
| <b>Description of Located Point:</b><br><div style="text-align: center;">Northwest area of lot - behind the building</div> |                                     |                                     |                                     |                                                                                             | <b>Inspector:</b>              |                              |                                 |
|                                                                                                                            |                                     |                                     |                                     |                                                                                             | <b>Date of Inspection:</b>     |                              |                                 |
|                                                                                                                            |                                     |                                     |                                     |                                                                                             | <b>Weather Conditions:</b>     |                              |                                 |
|                                                                                                                            |                                     |                                     |                                     |                                                                                             |                                |                              |                                 |
| Maintenance Items                                                                                                          | Inspect In Spring                   | Inspect In Fall                     | Inspect As Necessary                |                                                                                             | Maintenance Requested (Date)   | Maintenance Completed (Date) | Summary of Maintenance Required |
| <b>Underdrained Ditch, Vegetated Underdrain Soil Filter, Bio-retention Cell, etc.</b>                                      |                                     |                                     |                                     |                                                                                             |                                |                              |                                 |
| Sand filter retains the design volume for a drain down time greater than 24-hours and less than 36-hours                   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| The outlet control structure is in good working condition.                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Inlet and pre-treatment measures are free of sediment and floatables accumulation.                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Maintain in accordance with manufacturer's recommendations                                                                 | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Treatment device is working properly and is free of debris and sediment                                                    | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Sediment is less than 3 inches within the isolator row                                                                     | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Catch basin is working properly and is free of debris and sediment                                                         | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Basin outlet hood (if any) is working properly.                                                                            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| The outlet control structure is in good working condition                                                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |
| Inter-basin storm drain is functioning properly and free of sediment and debris.                                           | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                                |                              |                                 |

# STORMWATER MAINTENANCE AND INSPECTION AGREEMENT: INSPECTION LOG

| Maintenance Items                                       | Inspect In Spring        | Inspect In Fall                     | Inspect As Necessary     |                                                                                             | Maintenance Requested (Date) | Maintenance Completed (Date) | Summary of Maintenance Required |
|---------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|---------------------------------------------------------------------------------------------|------------------------------|------------------------------|---------------------------------|
| <b>General</b>                                          |                          |                                     |                          |                                                                                             |                              |                              |                                 |
| Access to facility is adequate                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><input type="checkbox"/> N/A |                              |                              |                                 |
| Photographs of most recent site inspection are included | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                                                                                             |                              |                              | Photographs are attached.       |
| Additional Comments:                                    |                          |                                     |                          |                                                                                             |                              |                              |                                 |



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**161 York Street**

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**Katherine Searles** <libbyvalley@yahoo.com>

Thu, Dec 15, 2016 at 3:44 PM

Reply-To: Katherine Searles &lt;libbyvalley@yahoo.com&gt;

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;

Hello,

This is in response to a neighborhood meeting we attended on Dec 12th concerning 161 York St. Could you explain how the height requirement works, this area has a 45 foot height limit and this new project is 5 stories on the York St side and 4 stories on the Guilford Court side, and we are aware of the fact that there is a difference in the elevation from the front to the back and this is to be a flat roof. There is a section in back and on the side that the previous owners used as a compost area so we were wondering if the developers are using that elevation to increase their percentage of height. Also they plan a roof top stair exit that seems in extreme in height and size, is this allowed for it will increase the overall height. We are hoping that a 45 foot height building will not end up as a 58 foot building.

Thank you for any feed back on this issue.

Katherine Searles

14 Stetson Court

Portland Maine

632-5947



## 161 York St., Application #2016-261, CBL #044 B006

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Busby, Margaret M <MBusby@unum.com>

Feb 23, 2017 9:41 AM

Posted in group: **Planning Board**

Hello Planning Board Members,

I attended the 1/17/17 workshop that addressed the proposal referenced above, and I made comments at the meeting. I am documenting those comments here, and adding comments and questions I didn't have time for. These comments and questions are presented without the benefit of seeing revisions to the original proposal, as my work hours conflict with the hours that City Hall is open and revisions have not yet been posted to the website.

1. Have questions about the right to access Guilford Ct. been resolved?
2. Use of Guilford Ct. for any additional vehicles beyond those of existing residents would be an undue strain on this small private road. The proposed 6 vehicles to use Guilford would be a 25% increase in the number of vehicles using the road. This road is only wide enough for 1 vehicle to pass at a time, and gets narrower during winter with banked snow. Where much of the snow from the road is banked would be eliminated for a Guilford Ct. parking entrance, thus narrowing the road further while also increasing traffic. The applicants mentioned that there could be snow storage at the end of the road. That location is already used for snow storage, and can't accommodate more. My property begins where the road ends, and snow storage from the road already makes it awkward to exit my driveway in an average winter.
3. If there is a parking entrance/exit on Guilford, as the city does not plow or maintain the road, how will snow removal be handled for that entrance/exit, and how will new owners contribute to road plowing costs and road maintenance?
4. I disagree with the applicant's comment during the meeting that the original planting plan is dense. Applicant's submittals note that only 4 street trees and 1 on-site tree are proposed rather than the 11 required "due to constraints within the property." This seems like saying that they're building so large to maximize profits that they don't have room to comply with the requirements. Two waivers are requested, for the street tree requirement and the landscape preservation requirement. I ask that these waivers not be granted, especially as all of the trees on the property, including those in the property setbacks, are to be cut down. A number of these are old growth trees. Granting the waiver for new trees due to a large a building footprint defeats the purpose of the requirement to plant trees in the developed site. Donation to the City's tree fund simply leads to trees being planted in another location, not around the development space where they're intended to be. This makes it easier for developers to circumvent the tree requirement by building something large and not accounting for room for trees. Jeff Tarling's comments in the original packet, under Existing Plantings to Remain, state "any plant loss to be replaced with agreed upon plant types to match." Does this include trees? The significant reduction in green space from the site's prior condition also reduces wildlife habitat, which is already very limited within the city.
5. There is existing chain link fencing along the boundary between my property and the site. This has prevented people passing from one property to the other, or through from York St. Since the chain link fence is to be removed, I request that new fencing be required at the rear of the property. At the 1/17 meeting, the applicants stated that they intend to include such fencing.
6. It appears that a significant stretch of Guilford may need to be dug up for utility work. Will that limit resident use of the road for a certain period of time? If so, will the developer make alternate and convenient parking arrangements for impacted residents?
7. If there is a parking entrance/exit on Guilford Ct., the plan appears to have that sloped up from the current grade. Will this cause water to flow down the road, leading to icier conditions during the winter?
7. Can abutters review the required boundary survey prior to the plan being finalized so any potential

disputes can be resolved in advance?

8. Is there potential impact to property taxes in the neighborhood? I realize that this may be difficult to predict, but many long-term residents have left Portland due to increasing property taxes.

Thank you for your consideration.

Margaret Busby  
16 Stetson Ct. (rear of property abuts Guilford Ct.)  
Portland, ME 04101



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**161 York St. Proposal - Application ID# 2016-261, CBL # 044 B006001**

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**Busby, Margaret M** <MBusby@unum.com>

Mon, Dec 19, 2016 at 1:50 AM

To: "shukriaw@portlandmaine.gov" &lt;shukriaw@portlandmaine.gov&gt;

Hello Ms. Wiar - My properties on Stetson Ct. and Guilford Ct. (CBL 044-B-022-001 and CBL 044-B-013-001) about the above-referenced property and I would like to provide some comments on the proposal.

1) The developers propose to use Guilford Ct. as access/egress for 6 vehicles. Guilford Ct. is a very small private road. The City does not plow it, and it is only wide enough to allow one vehicle at a time. If a vehicle is coming into the Court from Park St., and a vehicle is leaving the Court, the vehicle leaving must back up into the Court, sometimes halfway, to allow the other vehicle to enter, as the entering vehicle is more likely to have traffic behind it and be unable to back up. This is particularly difficult in the winter, when snow banks narrow the Court and must be navigated. Guilford Ct. is already at vehicle capacity. The addition of 6 vehicles would be a 25% increase in the number of vehicles using this small road, and would further complicate access/egress. I ask that the use of Guilford Ct. for access/egress be denied.

Use of Guilford Ct. for access/egress would also significantly alter how current Court residents manage snow storage. First, because the Court is so narrow, most snow from the road is pushed up to the end of the road, bordering my property. Although this may narrow my driveway entrance in snow-heavy years, this practice has always been acceptable to me, with the understanding that all residents would share the cost of removing some of the snow if my driveway became inaccessible. This would no longer be possible if use of the Court is allowed for access/egress, as it would block the proposed location of Court access/egress for the York St. property. This would require that more snow be banked along the road, further narrowing an already narrow road while increasing the number of vehicles using it. If use of the Court is approved, it would need to be required that snow from that entrance to be stored on the York St. property, as there would be no space for that snow to be stored along the road. Second, the cost of plowing is shared by all current residents using the Court based on the number of units in their buildings. If use of Guilford Ct. is approved for access/egress, we would require that any new residents using the Court also pay a share of these costs, but how would we enforce that?

2) The height of the building appears to exceed restrictions. I understand that an average is taken of heights at various points. It seems like this allows architects/developers to essentially circumvent the restrictions by having certain points on the building exceed the limits as long as other points are proportionately below the limit. If heights are measured just at the corners of the building, and there is a stair/elevator stack on the roof but not at a corner, this increases height but would not be figured into the measurement at all. Is this what the City intended?

3) There is currently an old chain link fence on much of three sides of the York St. property, including the line between my property and the York St. property. This has prevented individuals from passing between the properties. The current proposal shows no planned fencing at the rear of the York St. property, but the existing fencing is to be removed and some plantings to be added. At the 12/12/16 neighborhood meeting, the developers indicated they were open to discussion about fencing along this rear line. I ask that fencing at the rear of the York St. property to be required to prevent individuals from crossing between the properties, as the existing fence does.

4) There are currently a number of mature deciduous trees on the York St. property. These are proposed to all be removed and small evergreens and shrubs to be planted, with the exceptions of a few small trees to be added at the front of the building and one small tree to be added at the left of the building. At the 12/12/16 neighborhood meeting, the developers indicated that they were open to discussion regarding plantings. I ask that some of the mature perimeter trees on the property be preserved to be consistent with the scale of the building and to maintain the current character of the neighborhood, which has scattered mature, large trees. At the very least, I ask that larger trees be planted rather than the small trees, evergreens and shrubs that are that are proposed.

5) Guilford Ct. will need some maintenance within the next few years due to inadequate subgrade support/preparation when the road was paved by developers of the most recent building on the Court, and winter frost heaves. If use of the Court is approved for access/egress, that increased use of the Court will require maintenance to be done sooner. As the City does not provide any maintenance of the Court, we would expect that residents using the Court share in those costs, as with Court snow plowing, but how would we enforce that?

Thank you for the opportunity to provide comments. If you have any questions, please let me know.

*Margaret M. Busby*

*16 Stetson Ct.*

*Portland, ME 04101*

*[mbusby@unum.com](mailto:mbusby@unum.com)*

*[207-772-6258](tel:207-772-6258)*



Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**161 York Street proposal - Application ID# 2016-261, CBL #044 B044-B-013-001**

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**Lynn Miller** <lsmiller18@me.com>

Mon, Jan 2, 2017 at 11:32 AM

To: shukriaw@portlandmaine.gov

Dear Ms. Wiar,

As an owner at 16 Guilford Ct (3B), I would like to state some concerns I have with the proposal noted above.

My most serious concern is the height of the building, which appears to exceed restrictions with the appearance of circumvention by the developers. As someone whose unit overlooks this proposed development, my view would be directly impacted by this proposed taller building. I ask that the height restrictions imposed by the city be honored.

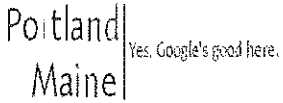
I am also concerned about the proposal to clear cut the mature deciduous trees on 161 York Street. I feel that these trees should be left as natural boundaries and habitats for wildlife, as well as to blend in with the rest of our neighborhood.

I also ask that this new development share in any cost of maintenance and clearing of our access road.

Thank you for your consideration of this matter.

Lynn S. Miller  
16 Guilford Ct #3B  
Portland 04101





Shukria Wiar &lt;shukriaw@portlandmaine.gov&gt;

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**161 York St**

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**Katherine Searles** <libbyvalley@yahoo.com>  
Reply-To: Katherine Searles <libbyvalley@yahoo.com>  
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Sun, Feb 26, 2017 at 2:21 PM

Hello Shukria,

I have just read the latest documents on 161 York St regarding the 11 units. I am most concern with the addition of 6 cars on Guilford Ct . In two places in the documents it reads 9 - 2 bedroom units and 2 - 3 bedroom units this is under Proposed Development then it read under parking that there are to be 3 - 3 bedroom units and 8 - 2 bedroom units. The city only requires 8 parking spots and the developer wants to offer 2 per unit stating that there is the need for additional parking plus it would make his development more attractive to the higher cost that he wants.

To add an additional 14 parking spots is not the right way, no other development that I know of does this. I would like to see the document they provided to the city stating that 2 spaces per unit were necessary. If in fact there are either 2 or 3 units that are 3 bedroom by offering 2 spots for those units only would reduce the parking to either 10 or 11 parking spots. This would eliminate the use of Guilford Ct. While I recognize that they have the right to use the courtyard, I also believe the existing owners who also have that right deserve the right to have a safe roadway which by placing additional 6 cars on a narrow one lane road does not provide. The city does not want them to back out into York St however they are ok with backing out onto Park St? Park St is not a quiet road that is easily backed out on. My understanding that there would be a road maintenance agreement, who is to enforce this?

I ask that you please reconsider granting a waive on the amount of parking spaces allowed, the city set up these requirements for a reason and I ask that you follow that requirement.

Katherine

YORK STREET REDEVELOPMENT, LLC  
PORTLAND, MAINE

DRAWING NO.  
C-0 ☐



- THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE ANY POTENTIAL CONFLICTS WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL EROSION CONTROL MEASURES SHOWN ON THE PLAN. IF DEEMED NECESSARY BY THE OWNER OR OWNER'S REPRESENTATIVE, ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED AT NO ADDITIONAL COST TO THE OWNER.
3. THE CONTRACTOR SHALL PREPARE THEIR OWN MATERIAL SCHEDULE BASED ON THE PLANS AND FIELD VERIFICATION BY THE CONTRACTOR. ALL MATERIAL SCHEDULES SHOWN WITHIN THE PLAN SET ARE FOR GENERAL INFORMATION ONLY.
4. ALL CONSTRUCTION METHODS, TESTING AND MATERIALS SHALL CONFORM TO THE MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IF ANY. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SPECIFICATION SHALL APPLY AT NO ADDITIONAL COST TO THE OWNER.
5. THE SITE CONTRACTOR SHALL MAINTAIN A SET OF PAPER AND CAD DRAWINGS WHICH SHALL RECORD THE ACTUAL LOCATION, DIMENSIONS, ELEVATIONS, MATERIALS OF THEIR WORK, INDICATING THEREON ALL VARIATIONS FROM THE CONTRACT DRAWINGS. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH ONE COMPLETE SET OF REPRODUCIBLE RECORD DRAWINGS, IN AUTOCAD FORMAT AND PAPER, STAMPED "AS-BUILT". IF AUTOCAD NOT AVAILABLE EXCLUDE FROM BID IN WRITING.
6. THE CONTRACTOR WILL REMAIN SOLELY AND COMPLETELY RESPONSIBLE FOR ENFORCEMENT OF AND COMPLIANCE WITH 1) ALL CONTRACT PLANS AND SPECIFICATIONS, 2) APPLICABLE INTERNATIONAL BUILDING CODE REQUIREMENTS, AND 3) ALL SITE WORKING CONDITIONS AND SAFETY REQUIREMENTS, DAY AND NIGHT, FOR BOTH PERSONS AND PROPERTY, IN EACH CASE BOTH BY THE CONTRACTOR AND ITS SUBCONTRACTORS. THESE INCLUDE ALL OSHA, NIOSH, U.S. EPA AND ANY OTHER APPLICABLE GOVERNMENTAL REGULATIONS.
7. EXISTING CONDITIONS, BOUNDARY SURVEY, AND TOPOGRAPHY FROM THE PLAN TITLED EXISTING CONDITIONS SURVEY BY SPURWINK SURVEYING LLC FOR YORK STREET REDEVELOPMENT, LLC, DATED SEPTEMBER 23, 2016.
8. SUBSURFACE DATA HAVE BEEN OBTAINED BY SUMMIT GEOENGINEERING SERVICES, INC. AND SHALL BE INCLUDED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL ALSO REVIEW THE REPORT PRIOR TO SUBMITTING A BID.
9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AND ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN A SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACTS OR CHANGES TO SITE ACCESS CONDITIONS.
10. THE CONTRACTOR SHALL REVIEW ACORN'S CONSTRUCTION MANAGEMENT PLAN. CONTRACTOR SHALL REMAIN RESPONSIBLE FOR ANTICIPATED PROJECT SCHEDULE AND CLOSURES. CONSTRUCTION MANAGEMENT, MEANS AND METHODS, TRAFFIC CONTROL, ETC. SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
11. CONTRACTOR TO DETERMINE SOIL CLASSIFICATION INDEPENDENTLY FOR TRENCH, SHORING, AND OTHER SIMILAR CONSTRUCTION MEANS AND METHODS APPLICATIONS.
12. THE CONTRACTOR SHALL SURVEY ROCK SURFACE PRIOR TO EXCAVATION AND DEVELOP VOLUME CALCULATIONS TO SHARE WITH ACORN.
13. THE CONTRACTOR SHALL CONDUCT A PRE-CONSTRUCTION SURVEY OF ADJACENT PROPERTIES INTERIOR SUBGRADE AND ABOVE GRADE ACCESSIBLE WALLS, CEILINGS, FLOORS, ROOF AND VISIBLE EXTERIOR AS VIEWED FROM THE GRADE LEVEL.

12. THE CONTRACTOR SHALL SUBMIT IN WRITING ANY REQUESTS TO MODIFY THE CONTRACT DOCUMENTS.
13. ALL SHOP AND ERECTION DRAWINGS SHALL BE CHECKED AND STAMPED BY THE GENERAL CONTRACTOR PRIOR TO SUBMISSION FOR ENGINEER'S REVIEW. ANY UNCHECKED OR NON-STAMPED SUBMITTALS WILL BE RETURNED WITHOUT REVIEW.
14. CONTRACTOR SHALL THOROUGHLY INSPECT AND SURVEY EXISTING STRUCTURES AND SITE TO VERIFY CONDITIONS THAT AFFECT THE WORK SHOWN ON THE DRAWINGS. CONTRACTOR TO NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING.
15. DETAILS SHOWN APPLY TO ALL SIMILAR CONDITIONS UNLESS OTHERWISE INDICATED.
16. ALTHOUGH ALL DUE DILIGENCE HAS BEEN APPLIED TO MAKE THE DRAWINGS AS COMPLETE AS POSSIBLE, NOT ALL DETAILS ARE ILLUSTRATED, NOR IS EVERY EXCEPTION CONDITION ADDRESSED WITHIN THE CONTRACT DOCUMENTS.
17. ALL PROPRIETARY CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
18. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL WORK, INCLUDING DIMENSION AND LAYOUT VERIFICATION, MATERIALS COORDINATION, SHOP DRAWING REVIEW, AND THE WORK OF ANY SUBCONTRACTORS.
19. UNLESS OTHERWISE SPECIFICALLY INDICATED, THE DRAWINGS DO NOT DESCRIBE OR DIRECT MEANS OR METHODS OF CONSTRUCTION.
20. THE CONTRACTOR, IN THE PROPER SEQUENCE, SHALL PERFORM OR SUPERVISE ALL WORK NECESSARY TO ACHIEVE THE FINAL COMPLETED STRUCTURE, AND TO PROTECT THE STRUCTURE, WORKMEN, AND OTHERS DURING THE CONSTRUCTION. SUCH WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, BRACING, SHORING FOR CONSTRUCTION EQUIPMENT, SHORING FOR EXCAVATION, FORMWORK, SCAFFOLDING, SAFETY DEVICES AND PROGRAMS OF ALL KINDS, SUPPORT AND BRACING FOR CRANES AND OTHER ERECTION EQUIPMENT.
21. DO NOT BACKFILL AGAINST RETAINING WALLS UNTIL SUPPORTING SLABS AND FLOOR FRAMING ARE IN PLACE AND SECURELY ANCHORED, UNLESS ADEQUATE BRACING IS PROVIDED.
22. TEMPORARY BRACING SHALL REMAIN IN PLACE UNTIL ALL FLOORS, WALLS, ROOFS AND OTHER SUPPORTING ELEMENTS ARE IN PLACE.
23. THE ENGINEER BEARS NO RESPONSIBILITY FOR THE ABOVE ITEMS, AND OBSERVATION VISITS TO THE SITE DO NOT IN ANY WAY INCLUDE INSPECTION OF THEM.

1. ALL SITE SOILS-RELATED WORK AND FOOTING EXCAVATIONS PRIOR TO PLACING FORMS, AS WELL AS SITE DRAINAGE, SHALL BE REVIEWED BY THE PROJECT GEOTECHNICAL ENGINEER.
2. NORMAL REVIEWS BY LOCAL BUILDING DEPARTMENT.
3. NOTIFY 48 HOURS PRIOR TO REQUIRED REVIEW.
4. REQUIRED SPECIAL INSPECTIONS PER I.B.C. SECTION 1705.6 BY AN APPROVED SPECIAL INSPECTOR RETAINED BY OWNER. CONTRACTOR TO COORDINATE SPECIAL INSPECTIONS.
5. SPECIAL INSPECTOR SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE BUILDING OFFICIAL, FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCTION OR OPERATION REQUIRING SPECIAL INSPECTION.
6. DUTIES AND RESPONSIBILITIES OF THE SPECIAL INSPECTOR SHALL BE TO OBSERVE AND/OR TEST THE WORK ASSIGNED AND OUTLINE ABOVE FOR CONFORMANCE WITH THE CONTRACT DOCUMENTS, ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION.
7. THE SPECIAL INSPECTOR SHALL FURNISH REGULAR REPORTS TO THE BUILDING OFFICIAL, THE ARCHITECT AND ENGINEER OF RECORD, AND OTHER DESIGNATED PERSONS. PROGRESS REPORTS FOR CONTINUOUS INSPECTION SHALL BE FURNISHED WEEKLY. INDIVIDUAL REPORTS OF PERIODIC INSPECTIONS SHALL BE FURNISHED WITHIN ONE WEEK OF INSPECTION DATES. THE REPORTS SHALL NOTE UNCORRECTED DEFICIENCIES, AND NET CHANGES TO THE APPROVED CONSTRUCTION DOCUMENTS AUTHORIZED BY THE ENGINEER OF RECORD.
8. THE SPECIAL INSPECTOR SHALL SUBMIT A FINAL SIGNED REPORT WITHIN TEN DAYS OF THE FINAL INSPECTION STATING WHETHER THE WORK REQUIRING A SPECIAL INSPECTION WAS, TO THE BEST OF THE INSPECTOR'S KNOWLEDGE AND BELIEF, IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS AND THE APPLICABLE WORKMANSHIP PROVISIONS OF THE INTERNATIONAL BUILDING CODE. WORK NOT IN COMPLIANCE SHALL BE NOTED IN THE REPORT.
9. SPECIAL INSPECTION FIRM SHALL BE EMPLOYED BY YORK STREET REDEVELOPMENT LLC AND COORDINATED BY THE CONTRACTOR.

1. MONUMENTS DELINEATING PROPERTY LINES OR RIGHT OF WAYS SHALL NOT BE DISTURBED DURING CONSTRUCTION OPERATIONS. IN THE CASE A MONUMENT IS DISTURBED, OR ELEVATION AT THE CONTRACTOR'S EXPENSE, THE MONUMENT SHALL BE RESET TO THEIR ORIGINAL LOCATION BY A REGISTERED LAND SURVEYOR.
2. ALL DIMENSIONS ON THE FOLLOWING SHEETS TAKE PRECEDENT OVER SCALED DIMENSIONS. EACH DRAWING WITH A BAR SCALE MEANS THAT THE DRAWING/DETAIL HAS BEEN SCALED AS ACCURATELY AS POSSIBLE, AND THE BAR SCALE IS FOR GENERAL REFERENCE ONLY. IF NO BAR SCALE IS PRESENT, THEN THERE IS NO SCALE TO THAT DRAWING/DETAIL. AT NO TIME SHOULD DRAWINGS BE SCALED FROM. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, SPECIFICATIONS AND THE FIELD CONDITION SHALL BE IMMEDIATELY REPORTED TO THE CIVIL ENGINEER FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.
3. SIGNAGE, STRIPING AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
4. ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS & CONDITIONS OF THE CITY OF PORTLAND, MAINE DEPARTMENT OF TRANSPORTATION AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
5. THE CONTRACTOR SHALL OBTAIN THE SERVICES OF A LICENSED PROFESSIONAL LAND SURVEYOR TO PROVIDE A MINIMUM OF TWO TEMPORARY BENCHMARKS WITHIN THE SITE AND TO LOCATE PROPOSED FOUNDATION CORNERS.
6. CONTRACTOR TO ENSURE THAT DRIVEWAYS AND MAILBOXES ADJACENT TO THE PROJECT REMAIN FUNCTIONAL AND IN USE AT ALL TIMES.

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF SITE PLAN - LEVEL III AND SUBDIVISION PERMIT FROM THE CITY OF PORTLAND.
2. THE CONTRACTOR SHALL REVIEW THE ABOVE REFERENCED PERMITS PRIOR TO SUBMITTING A BID FOR THIS PROJECT, AND INCLUDE COSTS AS NECESSARY TO COMPLY WITH THE CONDITIONS OF THESE PERMITS.

1. TOPSOIL STRIPPED FROM THE SITE THAT IS SUITABLE FOR REUSE AS LOAM SHALL BE STOCKPILED WITHIN THE PROPOSED LIMIT OF WORK AREA. THE CONTRACTOR SHALL NOT ASSUME THAT ANY LOAM WILL BE ACCEPTABLE FOR REUSE WITH THEIR ESTIMATE.
2. THE CONTRACTOR SHALL ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION AND SHALL INCLUDE SUFFICIENT COSTS WITHIN THEIR BID TO PROVIDE DEWATERING AS NECESSARY; NO SEPARATE PAYMENT SHALL BE MADE TO THE CONTRACTOR FOR DEWATERING. SEE BORING LOGS FOR ADDITIONAL INFORMATION.
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ANY EASEMENT OR TEMPORARY CONSTRUCTION RIGHTS AS NECESSARY BY PRIVATE ADJACENT LAND OWNERS. THE CONTRACTOR SHALL NOT DISTURB ANY SOIL BEYOND THE PROPERTY LINE WITHOUT NOTIFYING AND OBTAINING SUCH EASEMENT OR TEMPORARY CONSTRUCTION RIGHT FROM THE OWNER. PRIOR TO THE CONTRACTOR PRICING THE WORK THE CONTRACTOR SHALL REQUEST PROOF OF SUCH EASEMENT OR TEMPORARY RIGHTS. SHOULD EASEMENTS OR TEMPORARY RIGHTS NOT BE AVAILABLE THE CONTRACTOR SHALL INCLUDE COST FOR BRACING AND SHORING AS NECESSARY.
4. THE CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. THE MINIMUM SLOPE SHALL MEET OR EXCEED 0.5% IN ALL CASES. ALL SLOPES SHALL BE AWAY FROM BUILDINGS AND TOP OF PAVEMENT SHALL BE AT OR BELOW EXISTING FINISH FLOOR ELEVATIONS.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST GEOTECHNICAL REPORT PREPARED BY THE PROJECT GEOTECHNICAL ENGINEER.
6. NO ADDITIONAL PAYMENT FOR UNSUITABLE MATERIALS.
7. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF  $N=0.012$  OR LESS.
8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
9. NATIVE SOILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LIMIT THE DISTURBANCE TO SUBGRADE SOILS. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, DISTURBED AREAS SHALL BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO ADDITIONAL EXPENSE TO THE OWNER. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER.

1. ALL ROUTINE MAINTENANCE ACTIVITIES SHALL BE CONDUCTED IN SUCH A WAY TO LIMIT THE AMOUNT OF DISTURBED AREA AT ONE TIME TO THE EXTENT PRACTICABLE.
2. PRIOR TO THE START OF ANY CLEARING/LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL INSTALL APPLICABLE EROSION CONTROL DEVICES SUCH AS PERIMETER SILT FENCE, AND OTHER APPLICABLE MEASURES. IN THE EVENT THE CONTRACTOR IS NOT SURE A EROSION CONTROL MEASURE SHOULD BE IMPLEMENTED, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD TO CONFIRM IMPLEMENTATION OF ANY EROSION CONTROL DEVICES.
3. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCH SHALL BE APPLIED AS SOON AS POSSIBLE WITHIN 7 DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT.
4. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY. THE CONTRACTOR SHALL REFERENCE THE APPROVED EROSION AND SEDIMENTATION CONTROL REPORT FOR TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES IN ADDITION TO THE PLAN SET. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE D.E.P.'S PERMIT CONDITIONS, FINDINGS OF FACT AND ORDER (IF ANY), AND THE CURRENT MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.
5. PRIOR TO PAVING, THE CONTRACTOR SHALL REMOVE ALL SEDIMENT FROM STORM DRAINS, CATCH BASINS, AND APPURTENANCES.
6. REFER TO THE EROSION CONTROL DETAILS & NOTES FOR ADDITIONAL INFORMATION.

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED UPON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO TEST PIT TO DETERMINE THE EXACT LOCATION AND ELEVATION OF UTILITIES TO COORDINATE WITH THE PROPOSED CONNECTIONS OR CROSSING. ANY DISCREPANCIES SHALL BE IMMEDIATELY REPORTED TO THE CIVIL ENGINEER FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.
2. CONTRACTOR TO BYPASS EXISTING SEWER FLOW CONTROL AT CONNECTION TO EXISTING SYSTEM AT NO ADDITIONAL COST.
3. CONTRACTOR SHALL, AT NO ADDITIONAL COST TO THE OWNER, CONDUCT EXPLORATORY EXCAVATIONS AT LOCATIONS WHERE PROPOSED EXCAVATION WILL INTERSECT WITH EXISTING UTILITIES.
4. CONTRACTOR TO PROVIDE 5' OF COVER FROM TOP OF PIPE TO FINISH GRADE FOR WATER MAINS.
5. THRUST BLOCKS SHALL BE USED FOR THRUST RESTRAIN ON WATER MAINS. DETAIL AND LIMITS FOR THRUST BLOCKS ARE SHOWN ON SHEET C-42.
6. WATER INFRASTRUCTURE SHALL BE TESTED IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT DOCUMENT "WATER AND SEWER CONSTRUCTION SPECIFICATIONS AND PROCEDURES", MOST RECENT REVISION.
7. ALL REQUIRED FITTINGS FOR THE WATER MAIN ARE NOT SHOWN ON DRAWINGS. CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY FITTINGS REQUIRED TO CONSTRUCT THE WATER MAIN IN ACCORDANCE WITH CITY OF PORTLAND, STATE OF MAINE, AND AMERICAN WATER WORKS ASSOCIATION STANDARDS AND REGULATIONS.
8. CONTRACTOR SHALL COORDINATE WORK REGARDING ANY WATER MAIN CONNECTION AND WATER MAIN SHUTDOWN WITH THE PORTLAND WATER DISTRICT AT LEAST SEVEN (7) DAYS PRIOR TO CONSTRUCTION.

1. THE FOLLOWING ITEMS ARE TYPICAL OF MATERIAL WHICH MAY STILL REMAIN AFTER THE SITE DEMOLITION OCCURRED. THE CONTRACTOR IS ADVISED TO VISIT THE SITE TO CONFIRM DEMOLITION ITEMS SINCE THE LIST IS NOT INCLUSIVE OF THE SITE CONDITIONS WHICH MAY BE ENCOUNTERED:
  - ROCK AND CONCRETE FOUNDATIONS
  - CONCRETE SLABS
  - BITUMINOUS ASPHALT PAVEMENT
  - CONCRETE PADS AND BLOCKS
  - FENCE POST AND FENCING
  - UNDERGROUND UTILITY LINES
  - ABOVE AND OR BELOW FUEL OIL AND PROPANE GAS TANKS
  - STORM DRAIN PIPES AND APPURTENANCE STRUCTURES
  - OTHER TRASH & MISCELLANEOUS SOLID WASTES
2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTORS SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" DEMONSTRATING PROPER DISPOSAL OF ALL MATERIALS.

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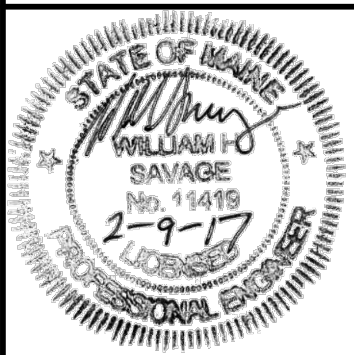
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| DRAWING NAME: | GENERAL NOTES                                                         |
| PROJECT NAME: | 161 YORK STREET REDEVELOPMENT                                         |
| CLIENT:       | YORK STREET REDEVELOPMENT, LLC<br>42 MARKET STREET PORTLAND, ME 04101 |

ACORN ENGINEERING, INC.  
158 DANFORTH ST., PORTLAND MAINE 04102  
(207) 775-2655

THE PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS AUTHORIZED BY ACORN ENGINEERING, INC. SHALL BE MADE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.

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| SCALE:       | NTS        |
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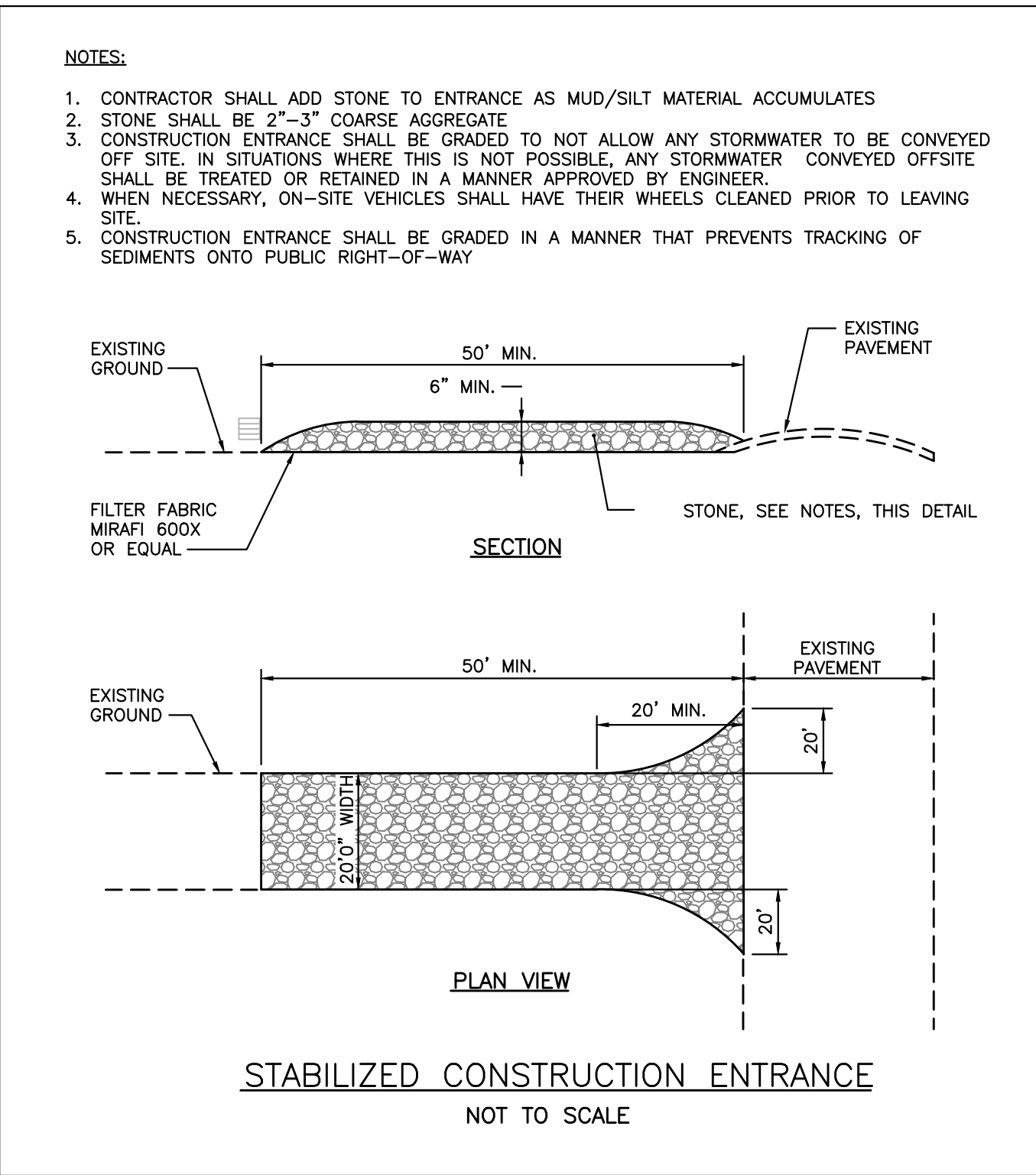
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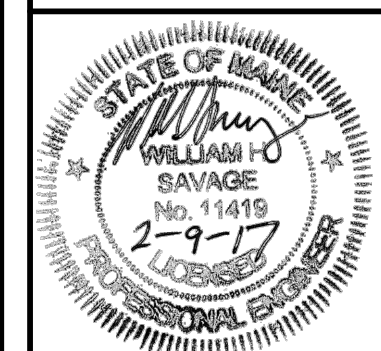


1. CONTRACTOR TO COORDINATE WITH PORTLAND WATER DISTRICT TO ABANDON EXISTING WATER SERVICE LINES.
2. ANY EXISTING ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
3. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTOR SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" TO DEMONSTRATE PROPER DISPOSAL OF ALL MATERIALS.
4. SITE DEMOLITION SHALL NOT OCCUR UNTIL PROPER ABATEMENT PROCEDURES HAVE OCCURRED. ABATEMENT, IF NECESSARY, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
5. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATIONS FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE POTENTIAL CONFLICT WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
6. CONTRACTOR TO COORDINATE SITE DEMOLITION WITH YORK STREET REDEVELOPMENT.
7. NOTE THAT ALL CONSTRUCTION SIGNAGE IS TEMPORARY AND WILL BE REMOVED AT PROJECT COMPLETION.
8. SEDIMENT BARRIERS TO BE PLACED DIRECTLY ON THE FRONT AND SIDE PROPERLY UP-DOWN GRADIENT OF THE PROPOSED PROJECT WORK PER DETAIL. SEDIMENT BARRIER AND CONSTRUCTION FENCE ARE OFFSET OF THE PROPERTY LINES AS SHOWN ON THE PLAN FOR CLARITY PURPOSES AND DO NOT NECESSARILY REPRESENT THE SPECIFIC LOCATION OF PHYSICAL LOCATION.
9. CONTRACTOR SHALL PLACE CATCH BASIN INLET PROTECTION ON CATCH BASINS AND FIELD INLETS DOWN-GRADIENT OF ALL NON-STABILIZED SURFACES, PER DETAIL.
10. CONTRACTOR SHALL INSTALL CONSTRUCTION ENTRANCE AT ALL LOCATIONS OF INGRESS AND EGRESS DURING CONSTRUCTION TO THE SITE. SEE DETAIL.
11. ALL EXISTING TREES AND BRUSH WITHIN PROPERTY LINE AND PROPERTY SETBACK SHALL BE REMOVED.
12. DEMOLITION PLAN IS NOT INCLUSIVE OF ALL EXISTING ITEMS TO BE REMOVED AS PART OF SITE CONSTRUCTION INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITIES, WORK WITHIN THE ROW, ETC. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND REGULATIONS.
13. AN EXISTING SEWER SERVICE WAS NOT LOCATED BY CONTRACTOR TO VERIFY.
14. THE EXISTING CONCRETE PLANTINGS, GRANITE CURB, AND PAVEMENT IN THE AREA ABUTTING "N/F ERIC A. FORTIN" SHALL BE UNDISTURBED.
15. THE EXISTING BITUMINOUS DRIVEWAY SHARED WITH 155-159 YORK ST. SHALL BE STRIPPED AND REPAVED TO FACILITATE INSTALLATION OF UNDERGROUND ELECTRIC, TELEPHONE, AND CABLE. AN EASEMENT EXISTS FOR THIS DRIVEWAY.



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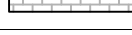
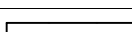
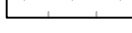
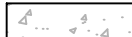


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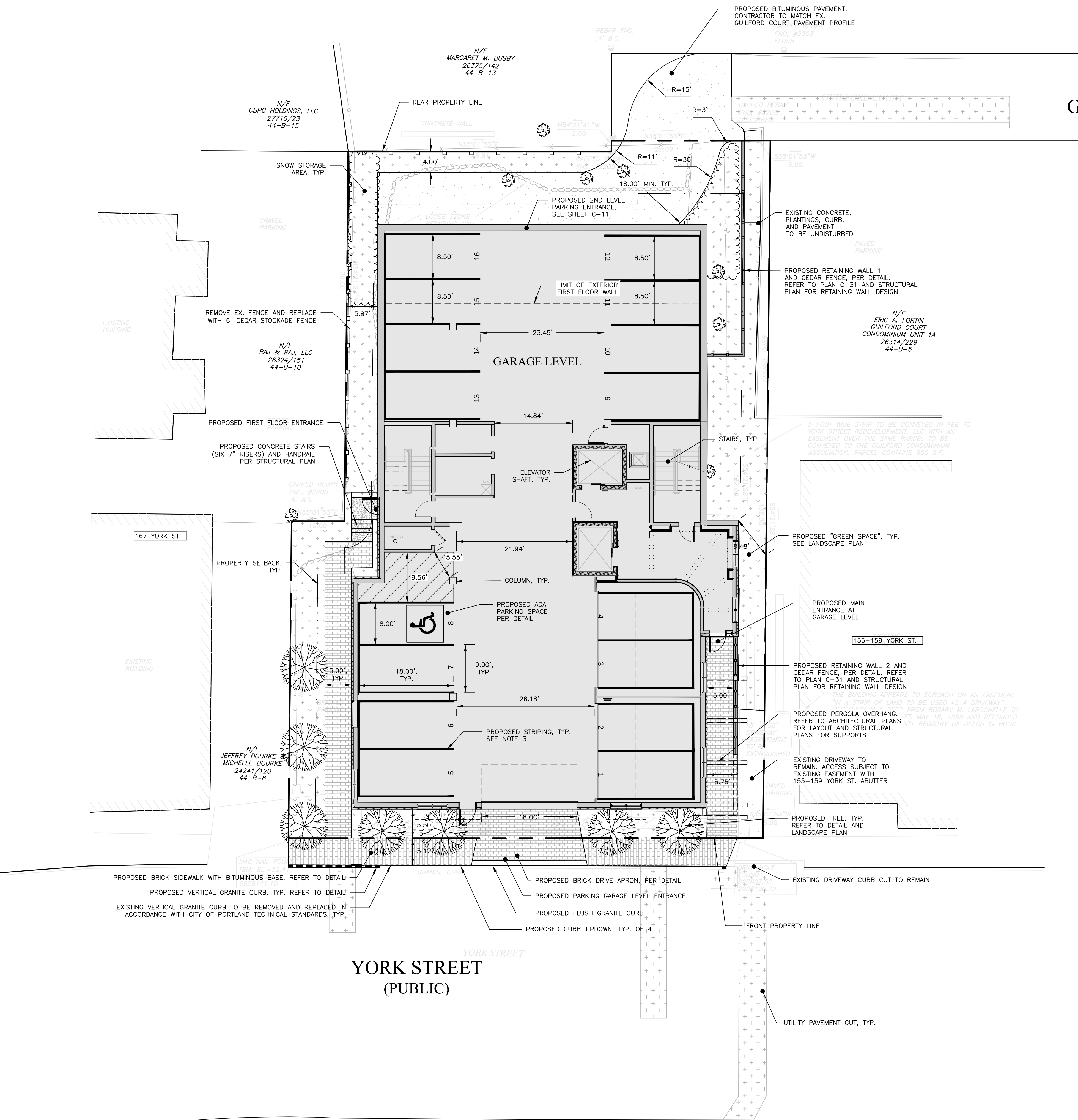


1. EXISTING CONDITIONS PLAN DOES NOT DEPICT THE RECENT DEMOLITION. CONTRACTOR SHALL INSPECT THE SITE FOR ANY DISCREPANCIES PRIOR TO PLACING A BID.
2. ALL BRICK SIDEWALK AND GRANITE CURB TO BE REPLACED PER CITY STANDARD.
3. STRIPING AS INDICATED ON SITE PLAN SHALL BE 4" WIDE. STRIPING SHALL BE WHITE UNLESS OTHERWISE NOTED.
4. EXISTING CURB SHALL NOT BE REPLACED. THE GRANITE CURB, PLANTINGS, OR PAVED PARKING NORTHWEST OF PROPOSED RETAINING WALL 1.
5. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

| SPACE AND BULK STANDARDS                                                                                                           |                                           |                          |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------|
| ZONE: R6                                                                                                                           | REQUIRED                                  | PROPOSED                 |
| MINIMUM LOT SIZE                                                                                                                   | 2,000 SF                                  | 11,046 SF                |
| MINIMUM STREET FRONTAGE                                                                                                            | 20'                                       | 89'                      |
| FRONT YARD SETBACK                                                                                                                 | 5'                                        | 5.5'                     |
| SIDE YARD SETBACK                                                                                                                  | 5'                                        | > 5' SOUTH<br>> 5' NORTH |
| REAR YARD SETBACK                                                                                                                  | 10'                                       | > 29'                    |
| STRUCTURE STEPBACKS (REAR YARD ABOVE 35')                                                                                          | 15'                                       | > 29'                    |
| STRUCTURE STEPBACKS (SIDE YARD ABOVE 35')                                                                                          | 10'                                       | 10' SOUTH<br>> 10' NORTH |
| MAXIMUM LOT COVERAGE                                                                                                               | 60%                                       | 57%                      |
| MINIMUM LOT WIDTH                                                                                                                  | 20'                                       | 90'                      |
| MAXIMUM BUILDING HEIGHT                                                                                                            | 45'                                       | < 45'                    |
| MINIMUM LANDSCAPED OPEN AREA                                                                                                       | 20%                                       | 23%                      |
| MAXIMUM NUMBER OF DWELLING UNITS                                                                                                   | 725 SF/UNIT = 19*                         | 11                       |
| RESIDENTIAL PARKING                                                                                                                | 1 SPACE PER UNIT AFTER 3 UNITS = 8 SPACES | 22                       |
| MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES                                                                                   | 2 SPACES/5 D.U. = 5                       | 5                        |
| MAXIMUM GARAGE OPENING                                                                                                             | 20'                                       | 20'                      |
| *PER INCLUSIONARY HOUSING DENSITY BONUS, AN ADDITIONAL 25% OF TOTAL UNITS ARE ADDED TO THE MAXIMUM, ALLOWABLE TOTAL DWELLING UNITS |                                           |                          |

| LEGEND                                                                            |                       |
|-----------------------------------------------------------------------------------|-----------------------|
| HATCH STYLE                                                                       | ASSOCIATED AREAS      |
|  | BRICK SIDEWALK        |
|  | GREEN SPACE           |
|  | UTILITY PAVEMENT CUTS |
|  | CONCRETE              |
|  | SNOW STORAGE AREA     |

| PARKING SUMMARY    |                  |
|--------------------|------------------|
| PARKING DIMENSION  | # PARKING SPACES |
| STANDARD (9'X18')  | 11               |
| COMPACT (8.5'X18') | 4                |
| ADA (8'X18')       | 1                |
| TOTAL SPACES       | 16               |



SCALE: 1" = 10'

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NOT ISSUED FOR  
CONSTRUCTION

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|---------------|---------------------------------------------------------------------------|
| DRAWING NAME: | SITE PLAN – GARAGE LEVEL                                                  |
| PROJECT NAME: | 161 YORK STREET REDEVELOPMENT                                             |
| CLIENT:       | YORK STREET REDEVELOPMENT, LLC<br>42 MARKET STREET, PORTLAND, MAINE 04103 |


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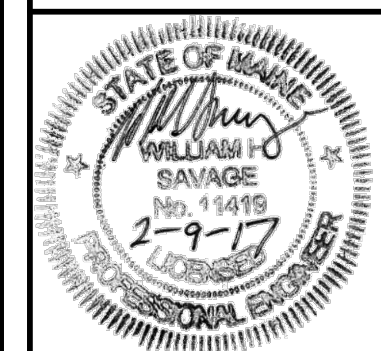
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**ENGINEERING, INC.**

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|                                                                                                                               |                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p> <b>ACORN ENGINEERING, INC.</b><br/>         158 DANFORTH ST. PORTLAND, MAINE 04102<br/>         (207) 775-2655       </p> | <p>         THIS PLAN SHALL NOT BE ASSURED WITHOUT WRITERY ENDORSEMENT FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR UNAUTHORIZED, TO THIS PLAN SHALL BE THE SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.       </p> |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

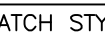
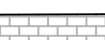
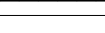
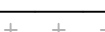
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| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |



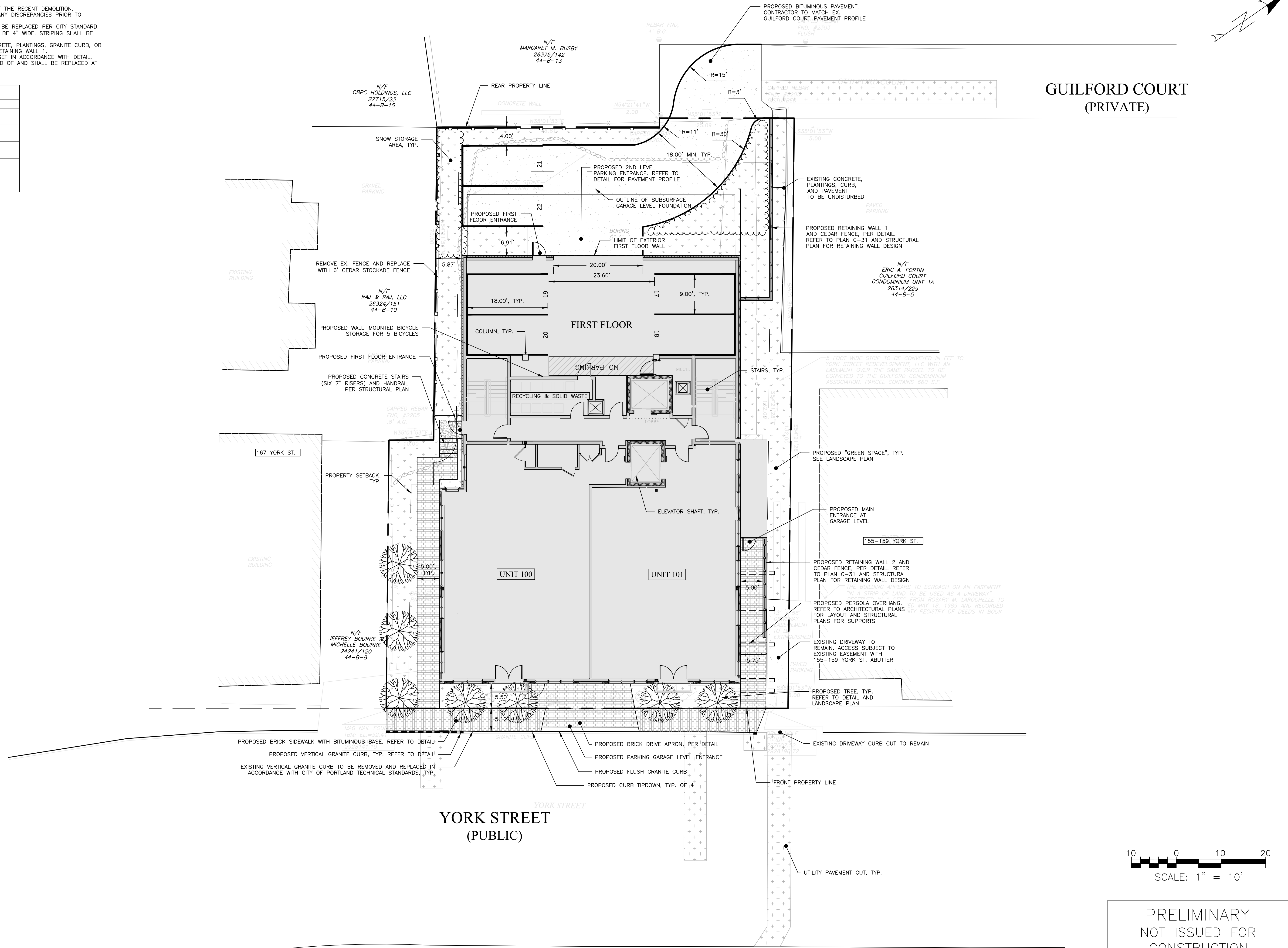
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C-□□



1. EXISTING CONDITIONS PLAN DOES NOT DEPICT THE RECENT DEMOLITION. CONTRACTOR SHALL INSPECT THE SITE FOR ANY DISCREPANCIES PRIOR TO PLACING A BID.
2. ALL BRICK SIDEWALK AND GRANITE CURB TO BE REPLACED PER CITY STANDARD.
3. STRIPING AS INDICATED ON SITE PLAN SHALL BE 4" WIDE. STRIPING SHALL BE WHITE, LESS CURBWISE AND SIDEWALKWISE.
4. CONTRACTOR SHALL NOT DISTURB THE CONCRETE, PLANTINGS, GRANITE CURB, OR PAVED PARKING NORTHEAST OF PROPOSED RETAINING WALL 1.
5. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

| LEGEND                                                                            |                       |
|-----------------------------------------------------------------------------------|-----------------------|
| HATCH STYLE                                                                       | ASSOCIATED AREAS      |
|  | BRICK SIDEWALK        |
|  | GREEN SPACE           |
|  | UTILITY PAVEMENT CUTS |
|  | CONCRETE              |
|  | SNOW STORAGE AREA     |

| PARKING SUMMARY   |                  |
|-------------------|------------------|
| PARKING DIMENSION | # PARKING SPACES |
| STANDARD (9'X18') | 6                |
| TOTAL SPACES      | 6                |

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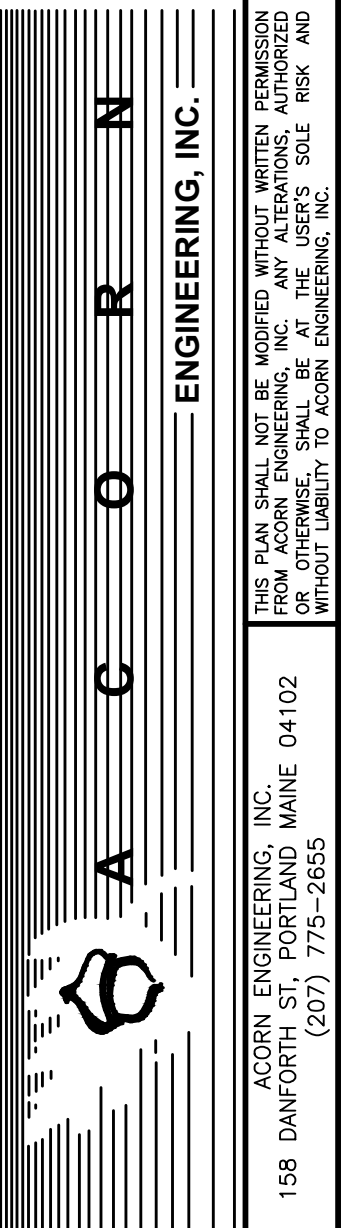
**SITE PLAN – 1ST FLOOR**

ORGANIZING NAME:

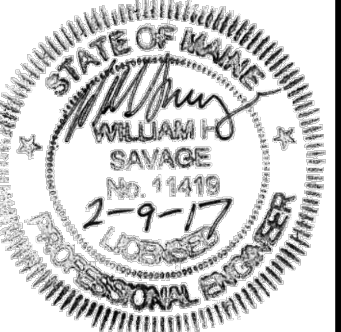
# 161 YORK STREET REDEVELOPMENT

YORK STREET REDEVELOPMENT, LLC  
42 MARKET STREET, PORTLAND, MAINE 04101

ORGANIZING NAME:



|              |            |
|--------------|------------|
| FILE:        | 1074_CIVIL |
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| SCALE:       | 1"=10'     |
| DESIGNED BY: | SJL        |
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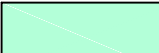
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1. ALL PROPOSED OPEN SPACES AND ASSOCIATED PLANT SPECIES ARE TO COMPLY WITH THE CITY OF PORTLAND TECHNICAL STANDARDS, ANY SUBSTITUTIONS SHALL BE REVIEWED FOR APPROVAL BY THE CITY ARBORIST.
2. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
3. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
4. ALL CONTAINER MATERIAL TO BE GROWN IN CONTAINER, MINIMUM OF 6 MONTHS.
5. ALL PLANTING SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSEMAN.
6. CONTRACTOR SHALL REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
7. THE PROPERTY OWNER IS RESPONSIBLE FOR THE CONTINUED CARE AND MAINTENANCE OF THE LANDSCAPED AREA. NEW PLANTINGS THAT SHOW SIGNS OF CONSTRUCTION DAMAGE WITHIN A ONE YEAR PERIOD FOLLOWING CONSTRUCTION SHALL BE REJECTED AND REPLACED PRIOR TO ANY DEFECT GUARANTEE AT NO COST TO OWNER.
8. THE ENGINEER MAY TAG ALL PLANTS AT THE NURSERY AND INSPECT THEM AFTER DELIVERY TO THE SITE; ALL PLANT MATERIALS SHALL BE INSPECTED BY THE ENGINEER ON SITE PRIOR TO INSTALLATION.
9. THE DIVERSITY OF SPECIES ARE REQUIRED WITHIN THE MAINE DEEP BUFFER ZONE. PLANT LIST ARE AND NATIVE AND SALT & DROUGHT RESISTANT.
10. SEE PERMANENT SEEDING TABLE ON SHEET C-46 FOR MAINTAINED LAWN AREAS.

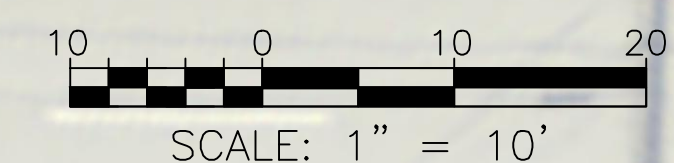
| PLANT SCHEDULE |                        |                        |     |        |
|----------------|------------------------|------------------------|-----|--------|
| ID             | BOTANICAL NAME         | COMMON NAME            | QTY | SIZE   |
| GRASSES        |                        |                        |     |        |
| LS             | LIRIOPE SPICATA        | CREeping LILY TURF     | 32  | 3 QT.  |
| PV             | PANICUM VIRGATUM       | SWITCH GRASS           | 150 | 3 QT.  |
| PERENNIALS     |                        |                        |     |        |
| RH             | RUDBECKIA HIRTA        | BLACK EYED SUSAN       | 28  | 1 GAL. |
| SS             | SALVIA SYLVESTRIS      | SAGE 'MAY NIGHT'       | 17  | 1 GAL. |
| JH             | JUNIPERUS HORIZONTALIS | CREeping JUNIPER       | 7   | 1 GAL. |
| LC             | LOBELIA CARDINALIS     | CARDINAL FLOWER        | 23  | 1 GAL. |
| SHRUBS         |                        |                        |     |        |
| WF             | WEIGELA FRENCH         | FRENCH LACE WEIGELA    | 1   | 3 GAL. |
| CA             | CLETHRA ALNIFOLIA      | RUBY SPICE SUMMERSWEET | 1   | 3 GAL. |
| TREES          |                        |                        |     |        |
| JV             | JUNIPERUS VIRGINIANA   | EASTERN JUNIPER        | 11  | 5 GAL. |
| AR             | ACER RUBRUM            | ARMSTRONG RED MAPLE    | 7   | 3" CA  |

| LEGEND                                                                              |                    |
|-------------------------------------------------------------------------------------|--------------------|
| STYLE                                                                               | ASSOCIATED AREAS   |
|    | LANDSCAPED AREA    |
|    | BRICK SIDEWALK     |
|   | PAVEMENT           |
|  | BUILDING FOOTPRINT |



GUILFORD COURT  
(PRIVATE)

YORK STREET  
(PUBLIC)



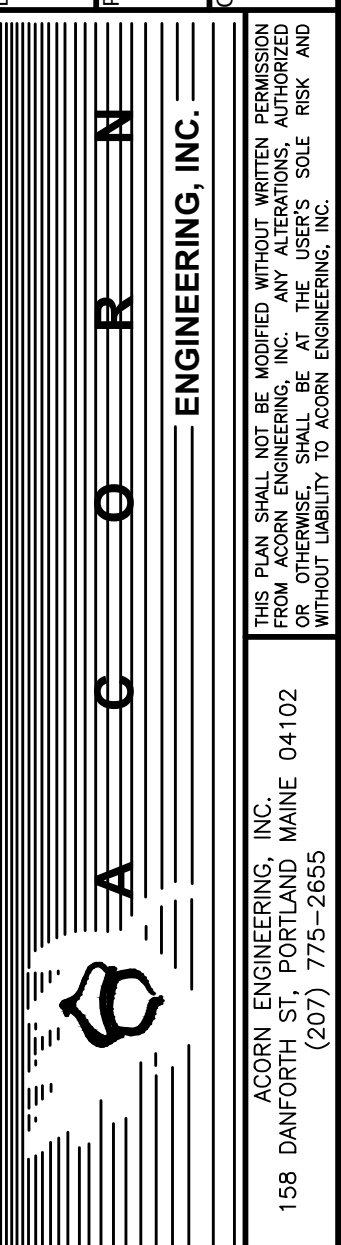
PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

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LANDSCAPE PLAN

161 YORK STREET REDEVELOPMENT

YORK STREET REDEVELOPMENT, LLC  
42 MARKET STREET, PORTLAND, MAINE 04101



|              |            |
|--------------|------------|
| FILE:        | 1074_CIVIL |
| IN:          | 1074       |
| SCALE:       | 1"=10'     |
| DESIGNED BY: | SJL        |
| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |



DRAWING NO.





GENERAL NOTES:

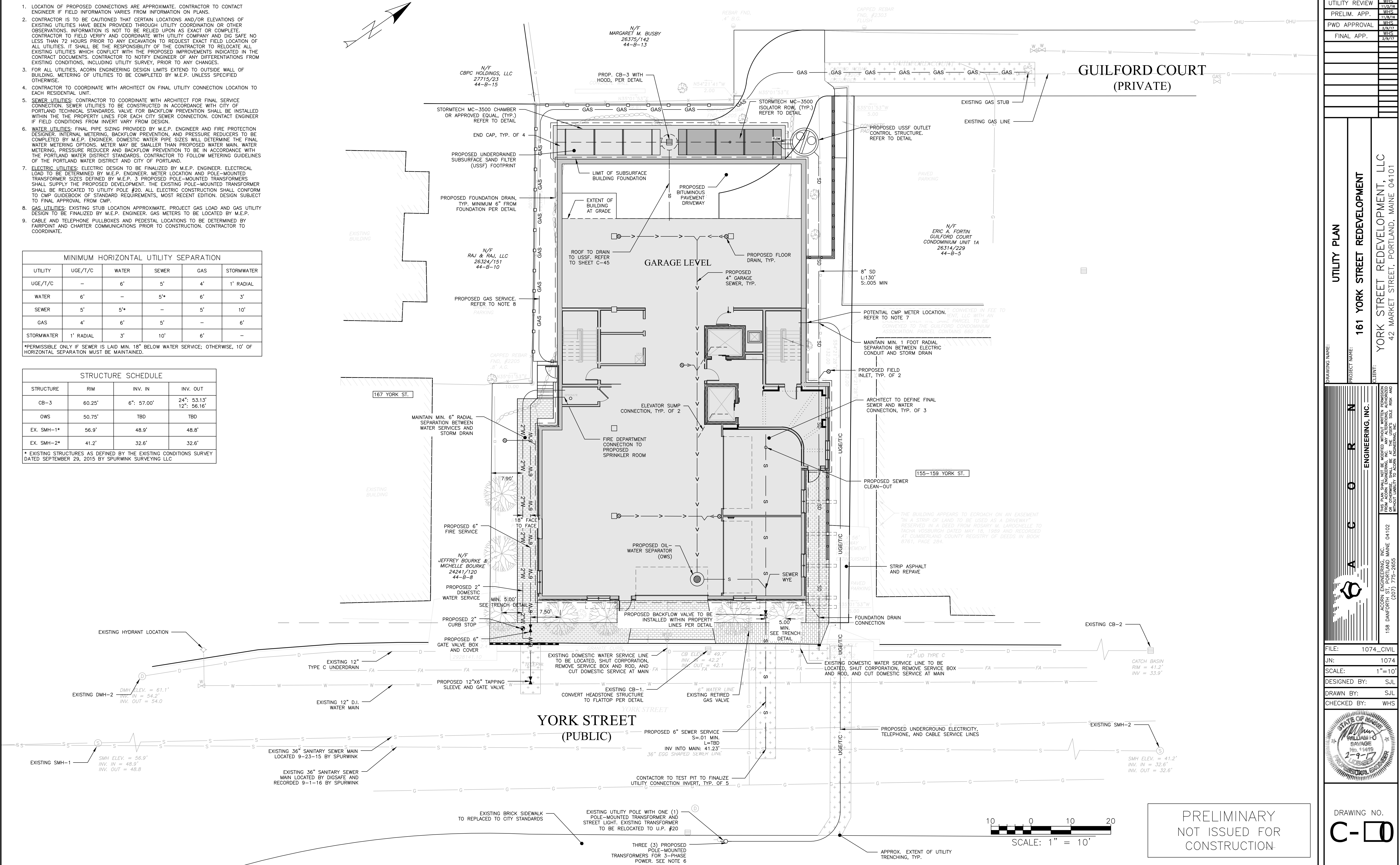
1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY SURVEY, PRIOR TO ANY CHANGES.
3. FOR ALL UTILITIES, ACORN ENGINEERING DESIGN LIMITS EXTEND TO OUTSIDE WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY M.E.P. UNLESS SPECIFIED OTHERWISE.
4. CONTRACTOR TO COORDINATE WITH ARCHITECT ON FINAL UTILITY CONNECTION LOCATION TO EACH RESIDENTIAL UNIT.
5. SEWER UTILITIES: CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF FIELD CONDITIONS FROM INVERT VARY FROM DESIGN.
6. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. ENGINEER AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. ELECTRIC UTILITIES: ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. ENGINEER. ELECTRICAL LOAD TO BE DETERMINED BY M.E.P. ENGINEER. METER LOCATION AND POLE-MOUNTED TRANSFORMER SIZES DEFINED BY M.E.P. 3 PROPOSED POLE-MOUNTED TRANSFORMERS SHALL SUPPLY THE PROPOSED DEVELOPMENT. THE EXISTING POLE-MOUNTED TRANSFORMER SHALL BE RELOCATED TO UTILITY POLE #20. ALL ELECTRIC CONSTRUCTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
8. GAS UTILITIES: EXISTING STUB LOCATION APPROXIMATE. PROJECT GAS LOAD AND GAS UTILITY DESIGN TO BE FINALIZED BY M.E.P. ENGINEER. GAS METERS TO BE LOCATED BY M.E.P.
9. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY FAIRPOINT AND CHARTER COMMUNICATIONS PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE.

| MINIMUM HORIZONTAL UTILITY SEPARATION |           |       |       |     |            |
|---------------------------------------|-----------|-------|-------|-----|------------|
| UTILITY                               | UGE/T/C   | WATER | SEWER | GAS | STORMWATER |
| UGE/T/C                               | —         | 6'    | 5'    | 4'  | 1' RADIAL  |
| WATER                                 | 6'        | —     | 5*    | 6'  | 3'         |
| SEWER                                 | 5'        | 5*    | —     | 5'  | 10'        |
| GAS                                   | 4'        | 6'    | 5'    | —   | 6'         |
| STORMWATER                            | 1' RADIAL | 3'    | 10'   | 6'  | —          |

\*PERMISSIBLE ONLY IF SEWER IS LAID MIN. 18" BELOW WATER SERVICE; OTHERWISE, 10" OF HORIZONTAL SEPARATION MUST BE MAINTAINED.

| STRUCTURE SCHEDULE |        |            |                            |
|--------------------|--------|------------|----------------------------|
| STRUCTURE          | RIM    | INV. IN    | INV. OUT                   |
| CB-3               | 60.25' | 6': 57.00' | 24': 53.13'<br>12': 56.16' |
| OWS                | 50.75' | TBD        | TBD                        |
| EX. SMH-1*         | 56.9'  | 48.9'      | 48.8'                      |
| EX. SMH-2*         | 41.2'  | 32.6'      | 32.6'                      |

\* EXISTING STRUCTURES AS DEFINED BY THE EXISTING CONDITIONS SURVEY DATED SEPTEMBER 29, 2015 BY SPURWINK SURVEYING LLC



|                  |     |
|------------------|-----|
| ISSUED FOR       | BY  |
| ABILITY TO SERVE | WHS |
| UTILITY REVIEW   | WHS |
| PRELIM. APP.     | WHS |
| PWD APPROVAL     | WHS |
| FINAL APP.       | WHS |

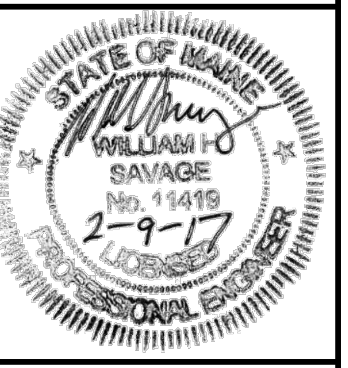
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|---------------|-----------------------------------------|
| UTILITY PLAN  | 161 YORK STREET REDEVELOPMENT           |
| PROJECT NAME: | YORK STREET REDEVELOPMENT, LLC          |
| CLIENT:       | 42 MARKET STREET, PORTLAND, MAINE 04101 |

ACORN ENGINEERING, INC.

158 DANFORTH ST. PORTLAND, MAINE 04102  
(207) 775-2655

FOR ANY STATE, MUST BE OBTAINED WITHOUT WRITING. FORWARDED FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED WITHOUT WRITING TO ACORN ENGINEERING, INC.

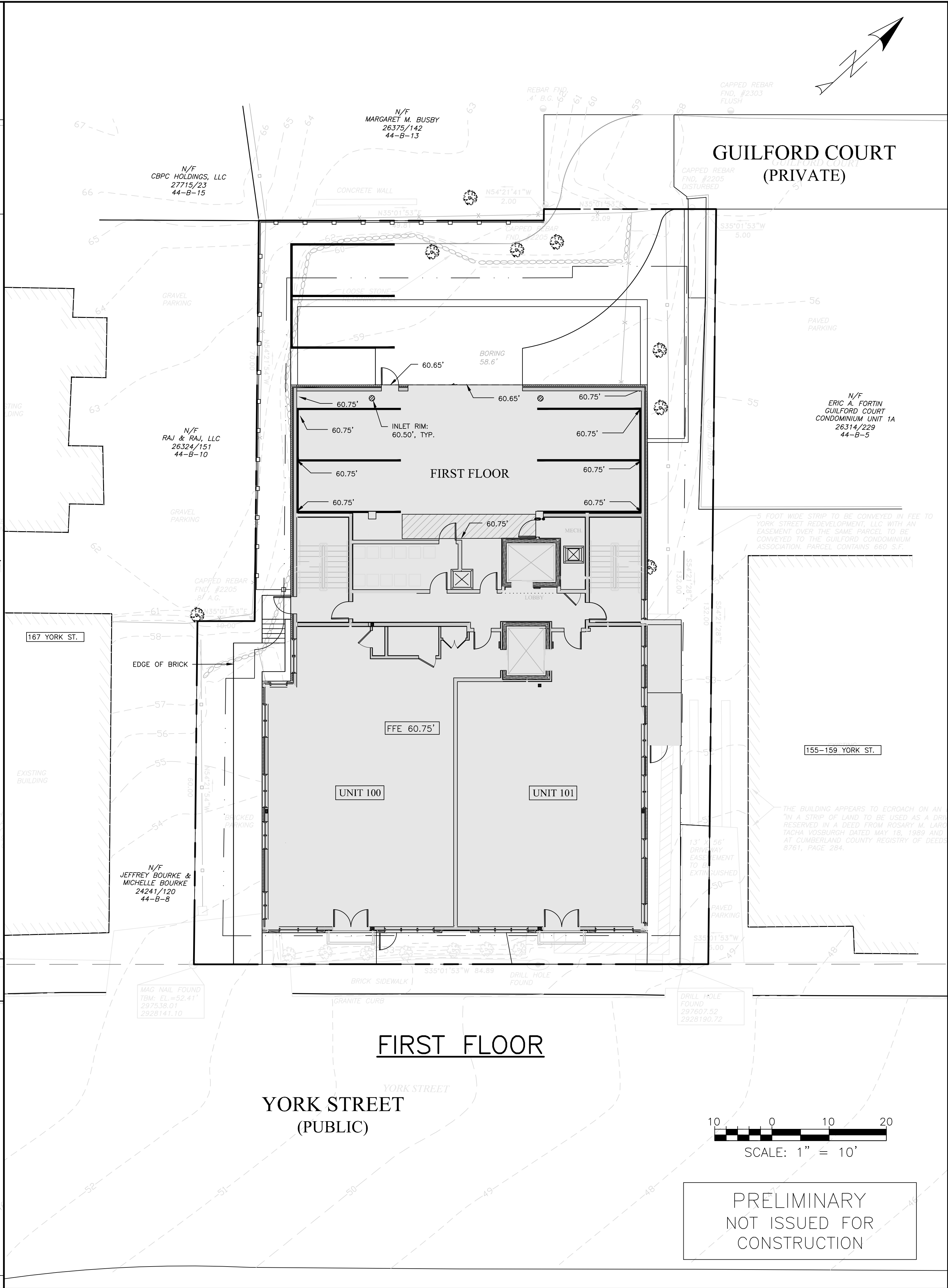
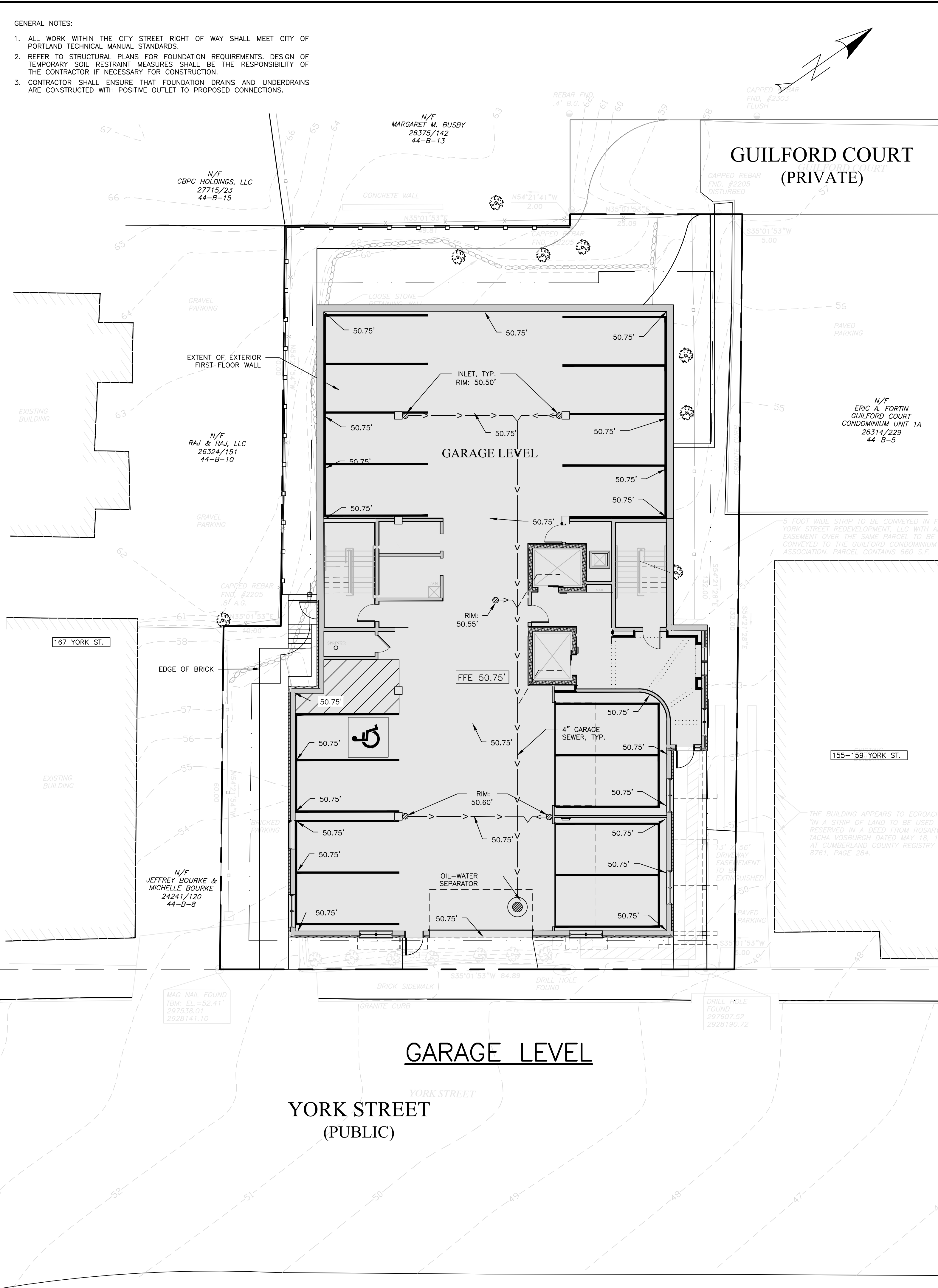
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| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |



|             |      |
|-------------|------|
| DRAWING NO. | C-00 |
|-------------|------|



- GENERAL NOTES:
1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
  2. REFER TO STRUCTURAL PLANS FOR FOUNDATION REQUIREMENTS. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
  3. CONTRACTOR SHALL ENSURE THAT FOUNDATION DRAINS AND UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.



| ISSUED FOR   | BY  |
|--------------|-----|
| PRELIM. APP. | WHS |
| FINAL APP.   | WHS |

| DATE    | BY  |
|---------|-----|
| 11/2/16 | WHS |
| 11/2/16 | WHS |

DRAWING NAME: INTERNAL GRADING PLANS - GARAGE AND FIRST FLOOR

PROJECT NAME: 161 YORK STREET REDEVELOPMENT

CLIENT: YORK STREET REDEVELOPMENT, LLC  
42 MARKET STREET, PORTLAND, MAINE 04101

ENGINEERING, INC.

158 DANFORTH ST. PORTLAND, MAINE 04102  
(207) 775-2655

FILE: 1074\_CIVIL

JN: 1074

SCALE: 1"=10'

DESIGNED BY: WHS

DRAWN BY: SJL

CHECKED BY: WHS

STATE OF MAINE  
JENNIFER H. SAVAGE  
2-9-17  
Professional Engineer

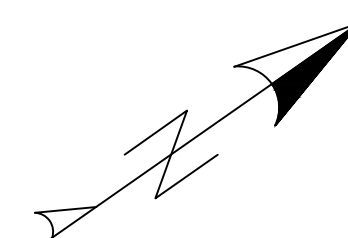
DRAWING NO. C-30



1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. REFER TO STRUCTURAL PLANS FOR FOUNDATION REQUIREMENTS. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT FOUNDATION DRAINS AND UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.

THE ELEVATIONS AT THE FOLLOWING 4 CORNERS OF THE PROPOSED BUILDING ARE AS FOLLOWS:

AVERAGE GRADE: 56.24'  
TOP OF BUILDING: 100.75'  
HEIGHT OF BUILDING: 44.51'



GUILFORD COURT  
(PRIVATE)

PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

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## PERIMETER GRADING & DRAINAGE PLAN

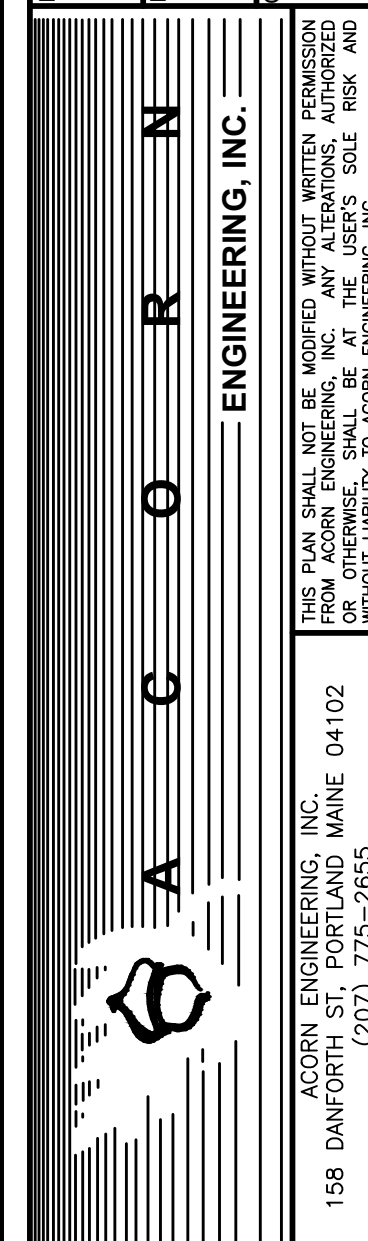
161 YORK STREET REDEVELOPMENT

YORK STREET REDEVELOPMENT, LLC  
42 MARKET STREET. PORTLAND, MAINE 04101

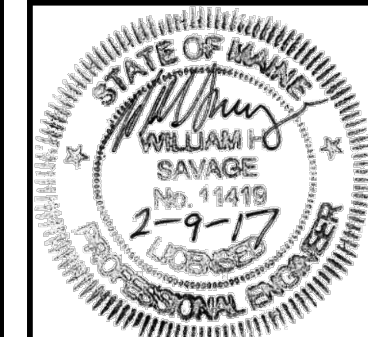
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PROJECT NAME:

**IDENT:**



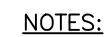
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| JN:          | 1074       |
| SCALE:       | 1"=10'     |
| DESIGNED BY: | SJL        |
| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |



DRAWING NO.

C-3 ☐





1. 2" I.D. PVC SLEEVE TO BE POURED IN PLACE DURING CONCRETE WALL CONSTRUCTION. SLEEVES TO BE SPACED A MAXIMUM OF 8' ALONG EXTENT OF WALL. CONTRACTOR TO DEFINE FINAL POST LOCATION BASED ON SITE CONDITIONS.
2. STEEL POSTS TO FACE IN TOWARDS THE PROPERTY.
3. FIRST 8' SECTION OF FENCE SHALL BE A 4' TALL ASSEMBLY FOLLOWED BY A SLOPED, TRANSITIONAL 8' SECTION STARTING AT 4' TALL TO THE STANDARD 6' TALL SECTION.
4. RECOMMENDED SUPPLIER FOR FENCE ASSEMBLY TO BE MAIN LINE FENCE OR AN APPROVED EQUAL.

Diagram illustrating the cross-section of a road structure with the following layers and specifications:

- SURFACE COURSE MDOT 403.09 GRADE C (12.5MM)
- BINDER COURSE MDOT 403.09 GRADE B (19MM)
- AGGREGATE BASE GRAVEL MDOT 703.06 TYPE B
- AGGREGATE SUBBASE GRAVEL MDOT 703.06 TYPE D
- SUBGRADE

- NOTES:

1. COMPACT SUBGRADE TO 95% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D-1557
2. CONTRACTOR SHALL MATCH GUILFORD COURT PAVEMENT PROFILE WHEN EXTENDING ROADWAY REAR DRIVEWAY SHALL BE CONSTRUCTED OF LOCAL PAVEMENT PROFILE.

| THICKNESS OF LAYERS |                                             |
|---------------------|---------------------------------------------|
| STANDARD            | LAYERS                                      |
| 1-1/2"              | SURFACE COURSE MDOT 403.09 GRADE C (12.5mm) |
| 3"                  | BINDER COURSE MDOT 403.09 GRADE B (19mm)    |
| 3"                  | AGGREGATE BASE GRAVEL MDOT 703.06 TYPE B    |
| 15"                 | AGGREGATE SUBBASE GRAVEL MDOT 703.06 TYPE D |

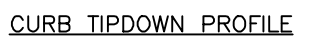
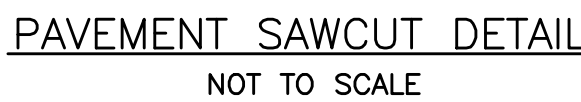
NOT TO SCALE



1. COMPACT SUBGRADE TO 95% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D-1557
2. ARTERIAL BITUMINOUS PAVEMENT PROFILE APPLIES ONLY WITHIN YORK STREET R.O.W.

| THICKNESS OF LAYERS |                                             |
|---------------------|---------------------------------------------|
| STANDARD            | LAYERS                                      |
| 2"                  | SURFACE COURSE MDOT 403.09 GRADE C (12.5mm) |
| 3"                  | BINDER COURSE MDOT 403.09 GRADE B (19mm)    |
| 6"                  | AGGREGATE BASE GRAVEL MDOT 703.06 TYPE B    |
| 18"                 | AGGREGATE SUBBASE GRAVEL MDOT 703.06 TYPE D |

NOT TO SCALE



VERTICAL GRANITE CURB AND TIPDOWN INSTALLATION  
NOT TO SCALE



NEW CONSTRUCTION:  
4"X8" PINE HALL PATHWAY PAVE  
BRICK; MFG. BY PINE HALL BRICK  
CO., MADISON, NORTH CAROLINA.  
LACHANCE ITEM #193623; PINE  
HALL PATHWAY PAVE BRICK.

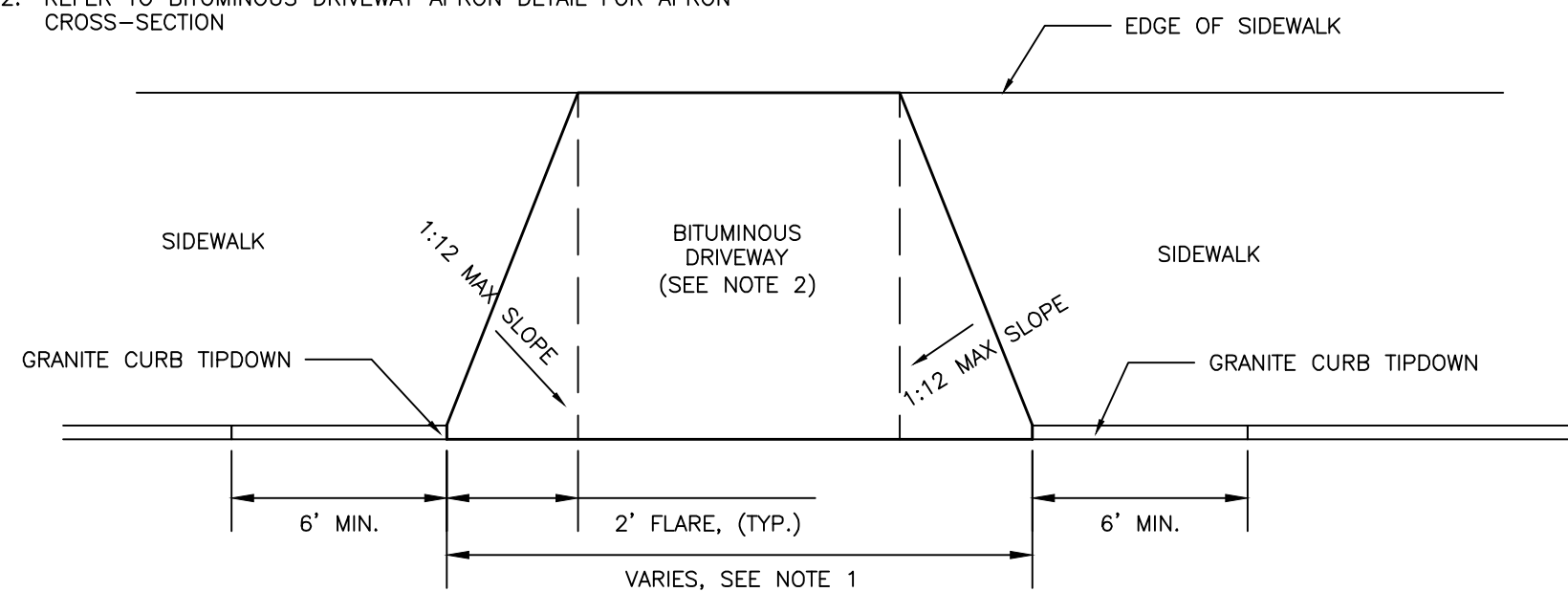
REPAIR/MAINTENANCE TO EXISTING  
BRICK SIDEWALKS:  
VERMONT PAVER; SUPPLIED BY  
GAGNE AND SONS. SPECIFICATION  
NUMBER: "VERMONT BACKER  
BRICK". ITEM NUMBER # VBBB

BRICK DRIVEWAY APRON WITH BITUMINOUS BASE DETAIL

NOT TO SCALE

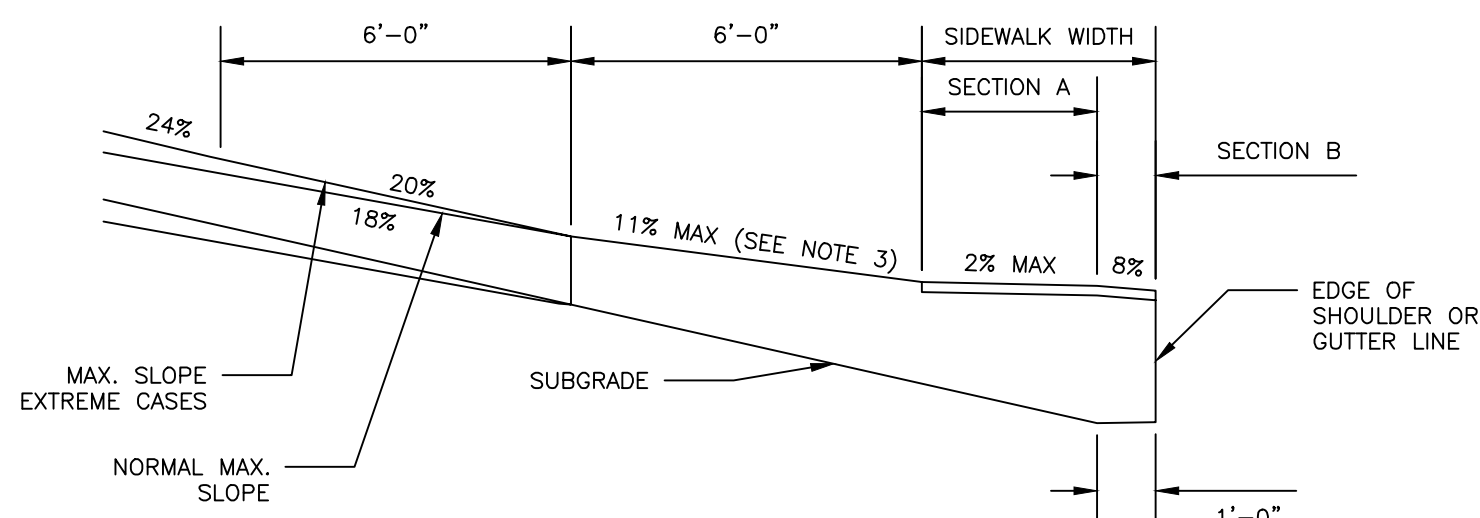
- NOTES:

1. REFER TO GRADING, DRAINAGE AND EROSION CONTROL PLANS FOR SITE GRADING
2. REFER TO BITUMINOUS DRIVEWAY APRON DETAIL FOR APRON CROSS-SECTION



DRIVEWAY APRON LAYOUT DETAIL

NOT TO SCALE



DRIVEWAYS UPGRADIENT FROM MAIN ROAD

|                |    |
|----------------|----|
| SIDEWALK WIDTH | 5' |
| SECTION A      | 4' |
| SECTION B      | 1' |

- GENERAL NOTES:

1. SEE DETAILS FOR SIDEWALK CONSTRUCTION MATERIALS.
2. SEE DETAILS FOR DRIVEWAY CONSTRUCTION MATERIALS.

MAXIMUM DRIVEWAY PROFILE NOTES:

- MAXIMUM DRIVEWAY PROFILE NOTES:**
1. THESE PROFILES ARE A GUIDE FOR THE MAJORITY OF CASES. CONTRACTOR TO FIELD CHECK ALL DRIVEWAYS PRIOR TO CONSTRUCTION.
  2. IT IS UNDERSTOOD THAT THIS DETAIL REPRESENTS THE EXTREME LIMITS OF CONSTRUCTION ANGLES, AND THAT THE MAJORITY OF DRIVEWAYS WILL BE CONSTRUCTED WELL WITHIN THESE BOUNDS.
  3. WHEN GRADING DRIVES THAT ARE FLATTER THAN THE MAXIMUM PROFILES, CONTRACTOR SHOULD NOT EXCEED A GRADE PERCENT CHANGE OF MORE THAN 9% PER 6-FOOT INCREMENT OF DRIVEWAY LENGTH (APPLIES TO BOTH UP-GRADE AND DOWN-GRADE PROFILES).

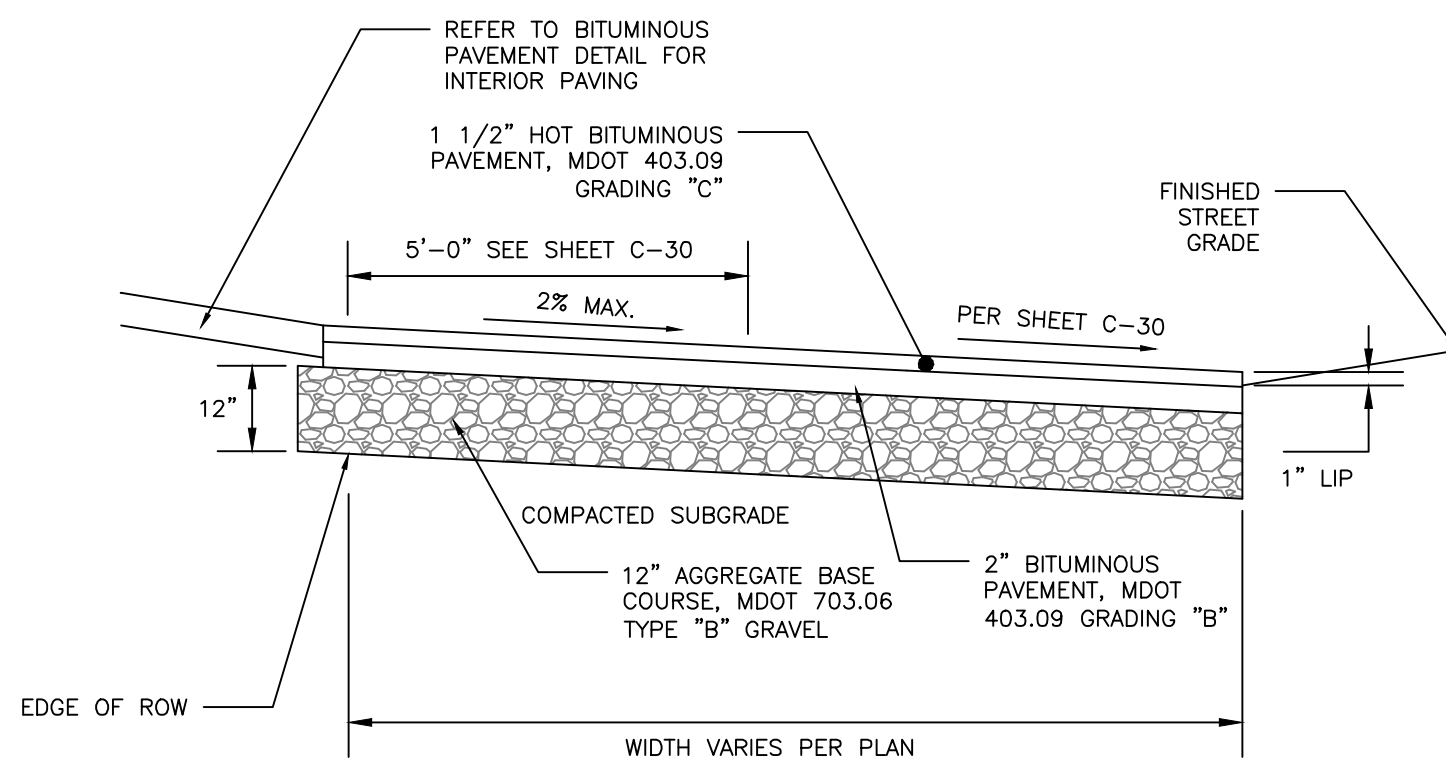


1. BRICKS TO BE USED:

NEW CONSTRUCTION:  
4"x8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623;. PINE HALL PATHWAY PAVER BRICK.

2. INSTALL BRICK FLUSH UP TO BUILDING, PAVEMENT, STAIRS, CONCRETE SURFACES, CURB OR LANDSCAPED AREAS.

BRICK SIDEWALK WITH BITUMINOUS BASE DETAIL  
NOT TO SCALE



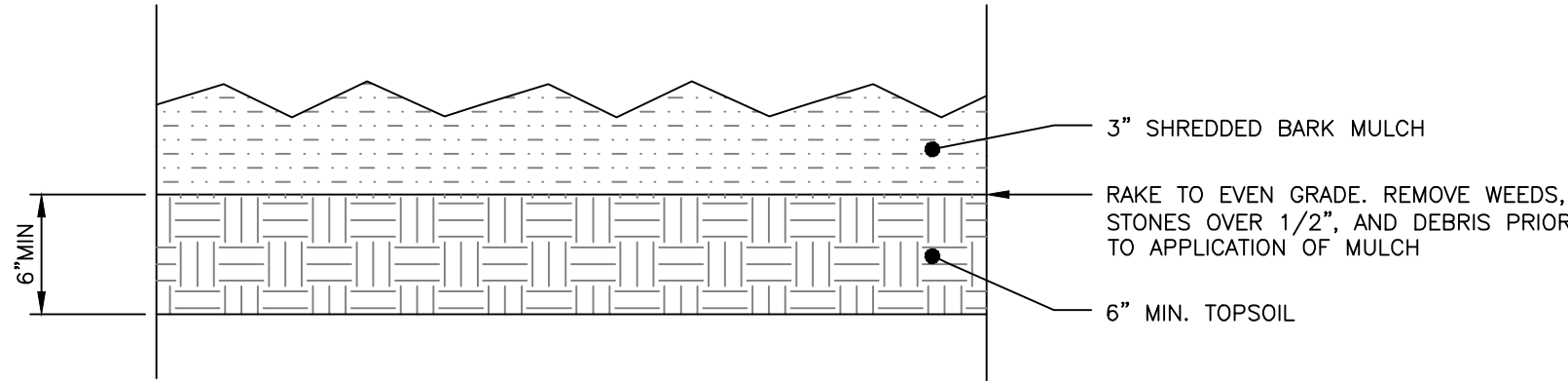
BITUMINOUS DRIVEWAY APRON DETAIL  
NOT TO SCALE

PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

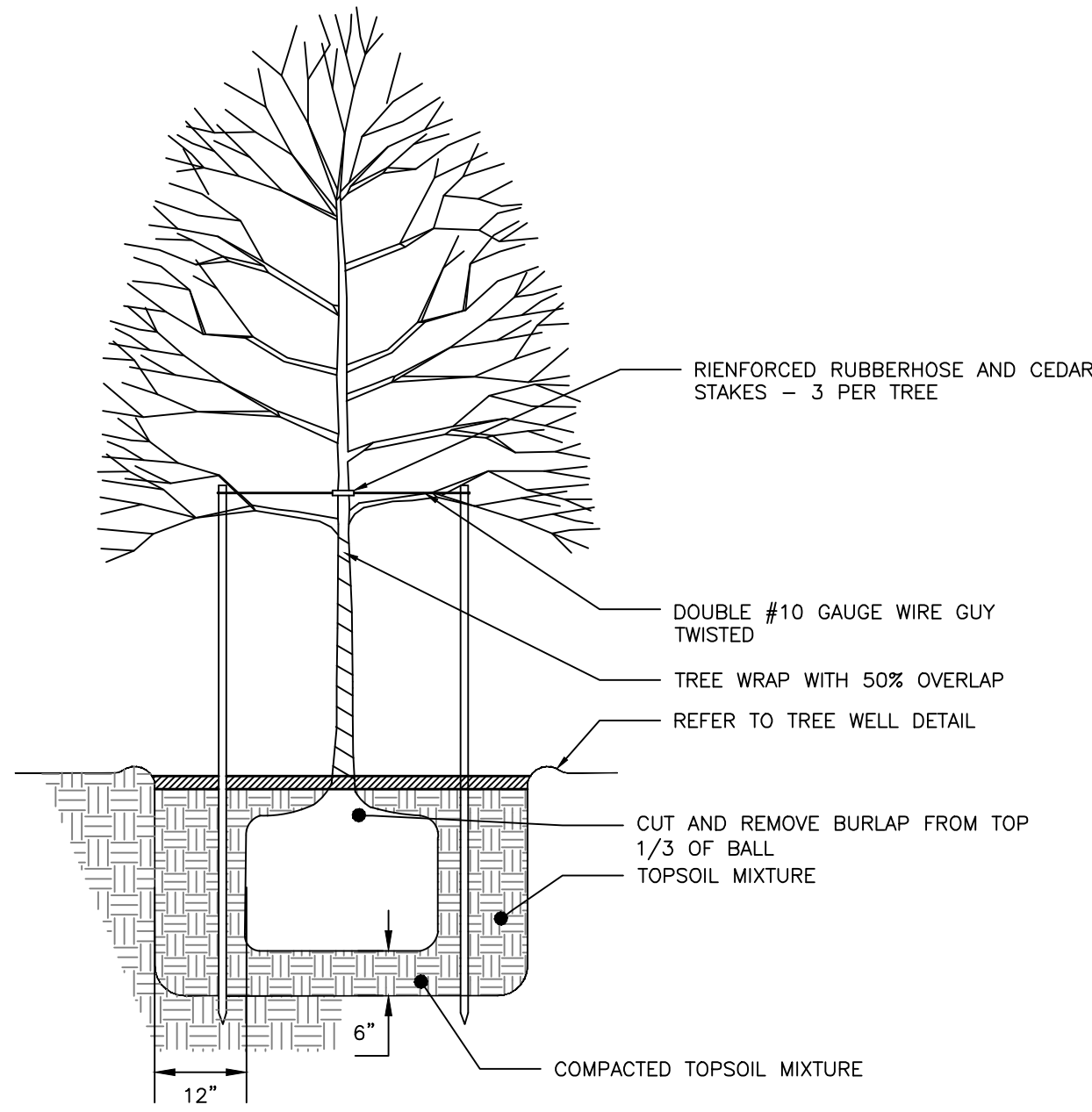


PLANTING NOTES:

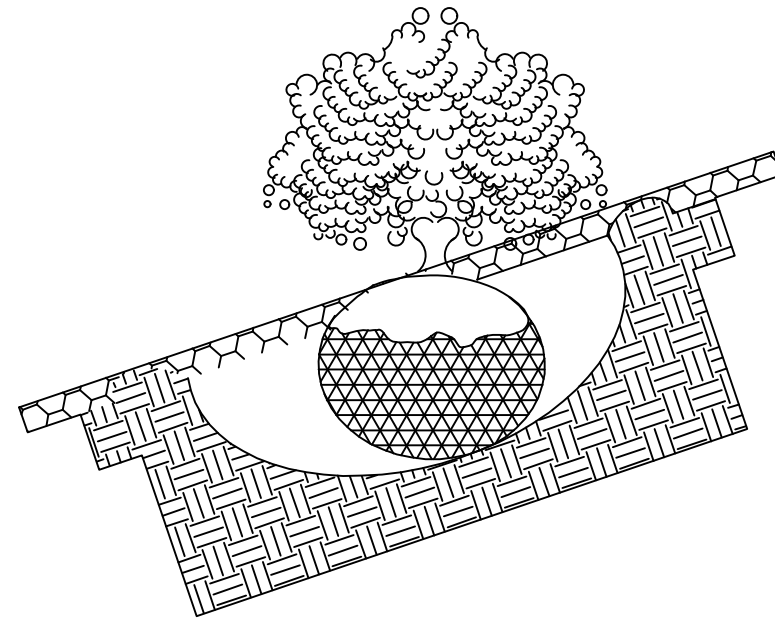
1. ALL PLANT SELECTION AND INSTALLATION WILL BE IN COMPLIANCE WILL THE CITY OF PORTLAND TECHNICAL MANUAL (SECTION 4).
2. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
3. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER OF PLANTS SHOWN IN PLANT LIST (IF ANY), THE NUMBER OF PLANTS SHOWN ON PLAN WILL TAKE PRECEDENCE.
4. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMAN.
5. THE ENGINEER MAY TAG ALL PLANTS AT THE NURSERY AND INSPECT THEM AFTER DELIVERY TO THE SITE. ALL PLANT MATERIALS SHALL BE INSPECTED BY THE ENGINEER ON SITE PRIOR TO INSTALLATION.
6. ALL PROPOSED PLANTS SHALL BE LOCATED CAREFULLY AS SHOWN ON THE PLANS AND THE PLACEMENTS SHALL BE APPROVED BY ENGINEER BEFORE THE PLANTS ARE INSTALLED.
7. ALL DISTURBED AREAS NOT TO BE PAVED OR PLANTED SHALL BE LOAMED AND SEEDED AS SHOWN. THE SEED MIX SPECIFICATIONS ARE AS FOLLOWS: LESCO FINE FESCUE LINKS BLEND OF 35% HARD FESCUE, 35% CREEPING RED FESCUE, 20% CHEWINGS FESCUE AND 10% SHEEP FESCUE. ADD 5% LITTLE BLUESTEM AND 5% NORTHEAST WILDFLOWER SEED MIXTURE BY WEIGHT TO THE LINKS BLEND.
8. STAKING AND GUYING SHALL BE DETERMINED BY THE ENGINEER ON A TREE BY TREE BASIS. FOR PRICING PURPOSES, PROVIDE A PER TREE UNIT COST FOR STAKING AND GUYING. IF STAKING AND GUYING IS REQUIRED, REMOVE TREE WRAP, STAKES, AND GUY WIRES AT END OF FIRST GROWING SEASON.
9. FOR TREE PLANTING IN LAWN AREAS, ANY DISTURBED LAWN SHALL BE LOAMED AND SEEDED AS NECESSARY.



BARK MULCH DETAIL  
NOT TO SCALE



TREE PLANTING DETAIL  
NOT TO SCALE



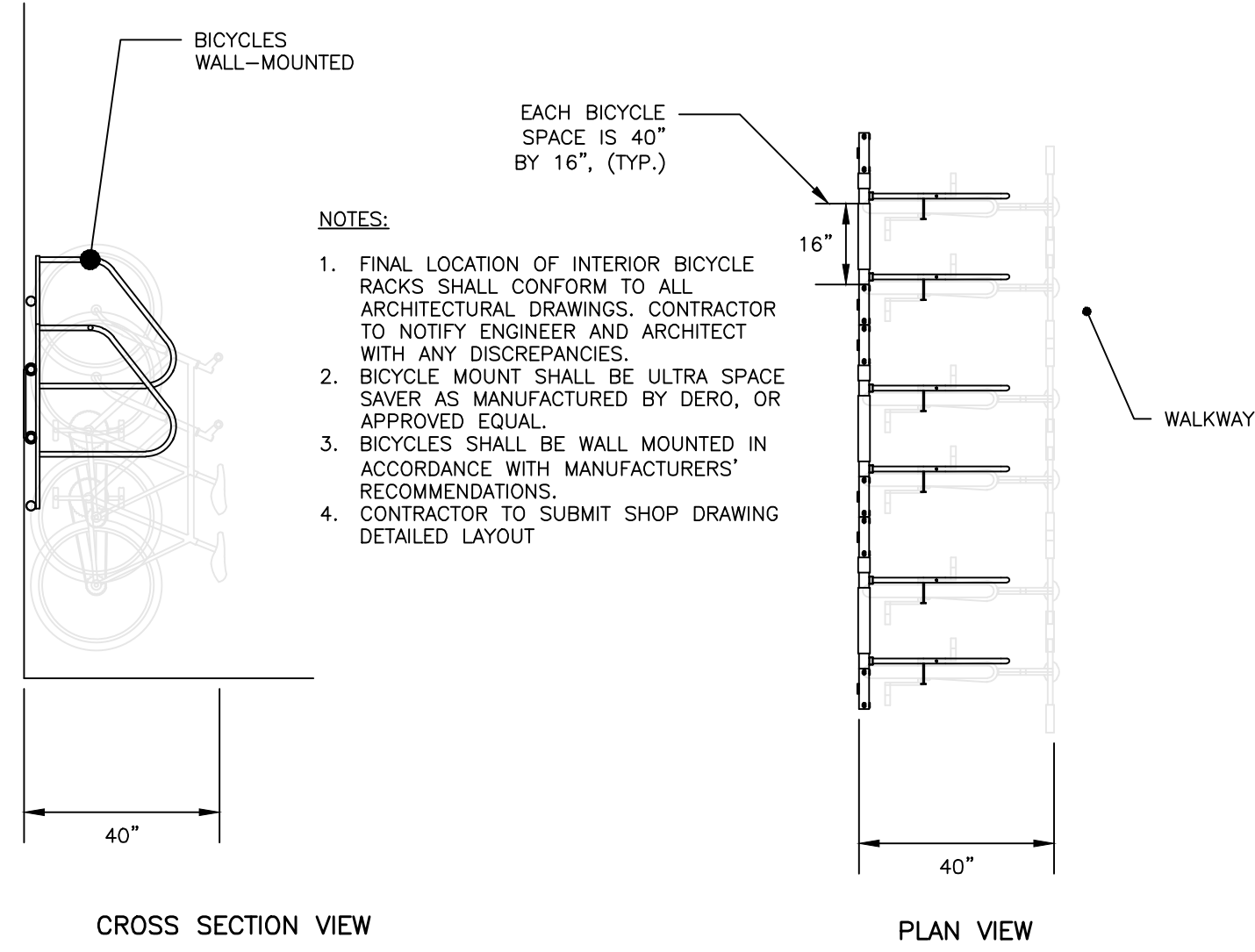
TYPICAL PLANTING  
NOT TO SCALE

DIG HOLE AT LEAST 2 TIMES THE DIAMETER OF THE ROOT BALL AND AS DEEP AS THE ROOT BALL (NO DEEPER). SET ROOT BALL CENTERED, WITH THE TOP AT DOWNHILL EDGE OF THE HOLE.

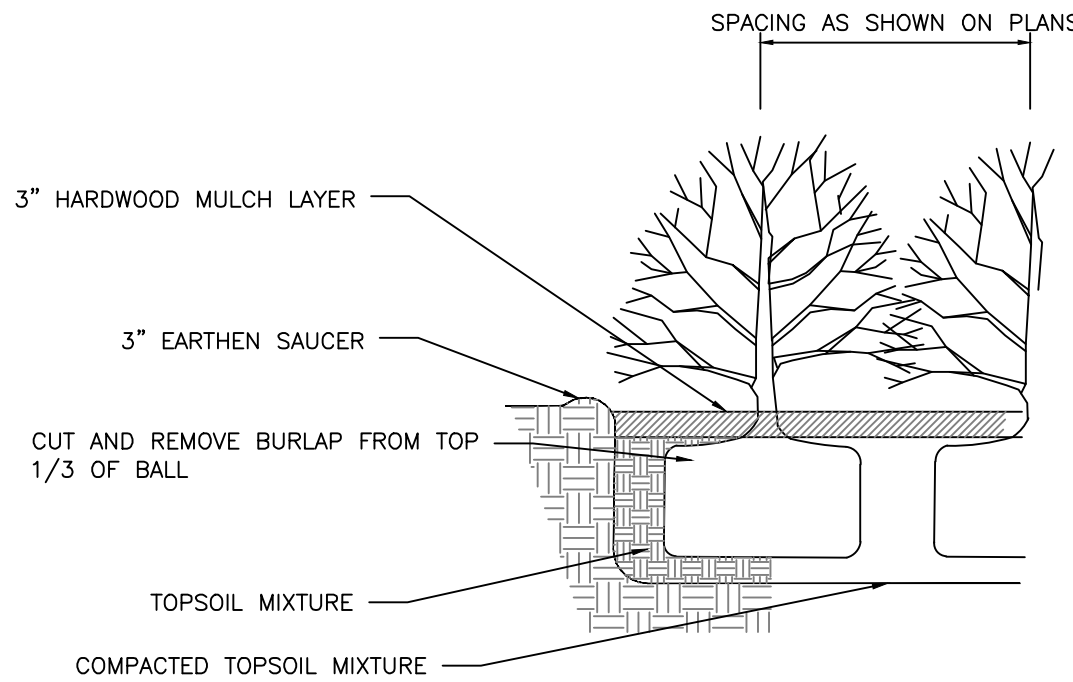
TOPSOIL BACKFILL SHALL BE NATURAL FRIABLE, FERTILE, FINE LOAMY SOIL POSSESSING THE CHARACTERISTICS OF TOPSOIL IN THE VICINITY WHICH PRODUCE A HEAVY GROWTH. TOPSOIL SHALL CONTAIN NOT LESS THAN 6% NOR MORE THAN 20% ORGANIC MATTER. TOP SOIL SHALL HAVE A pH VALUE OF NOT LESS THAN 5.5 NOR MORE THAN 7.0.

CONTAINER GROWN STOCK – REMOVE CONTAINER PROTECTING THE ROOT BALL. GENTLY COMB OUT THE ROOTS. PRUNE DAMAGED ROOTS.

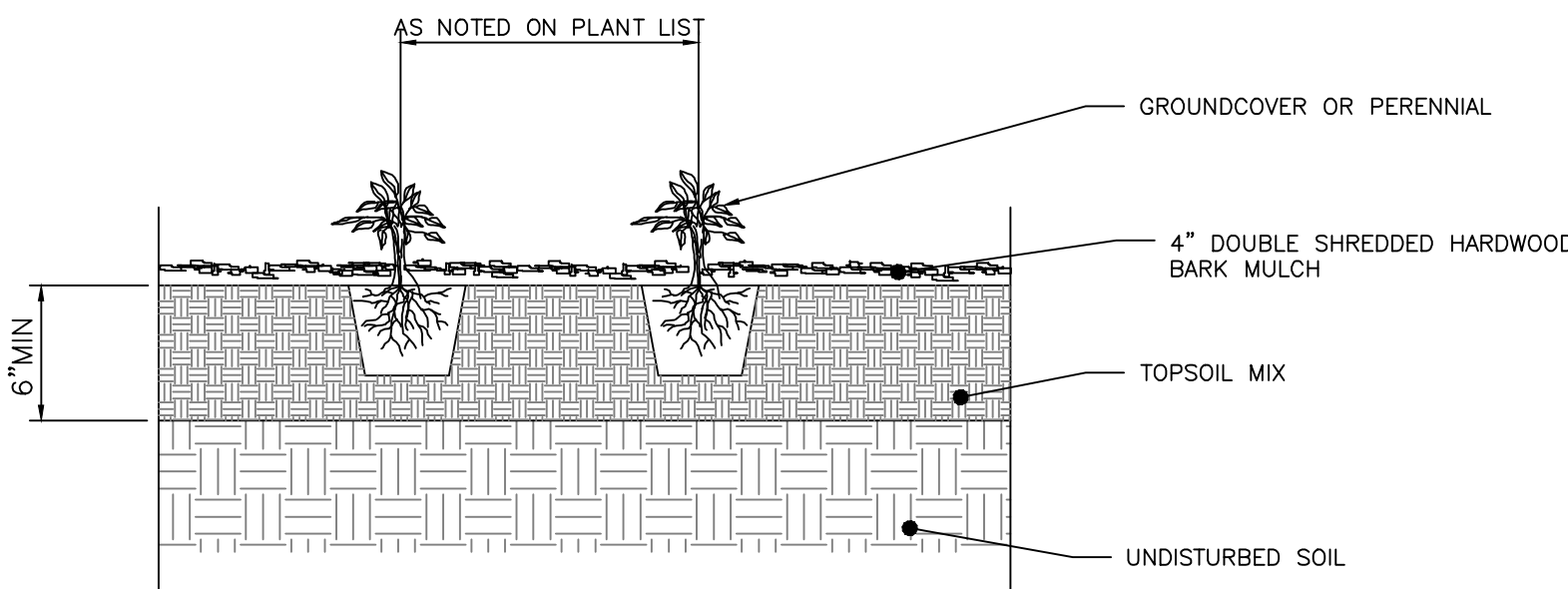
BACKFILL THE HOLE WITH TOPSOIL TO A DEPTH NOT TO EXCEED 8" THEN WATER SUFFICIENTLY TO SETTLE TOPSOIL. REPEAT SOIL BACKFILL, WATER, DRAIN. TOPSOIL SHALL BE TAMPED UNDER EDGES OF THE BALLED PLANTS. BACKFILL TO FINISH GRADE AND CREATE AN EARTHEN SAUCER. SOAK PLANTS TWICE WITHIN THE FIRST TWENTY-FOUR HOURS OF PLANTING.



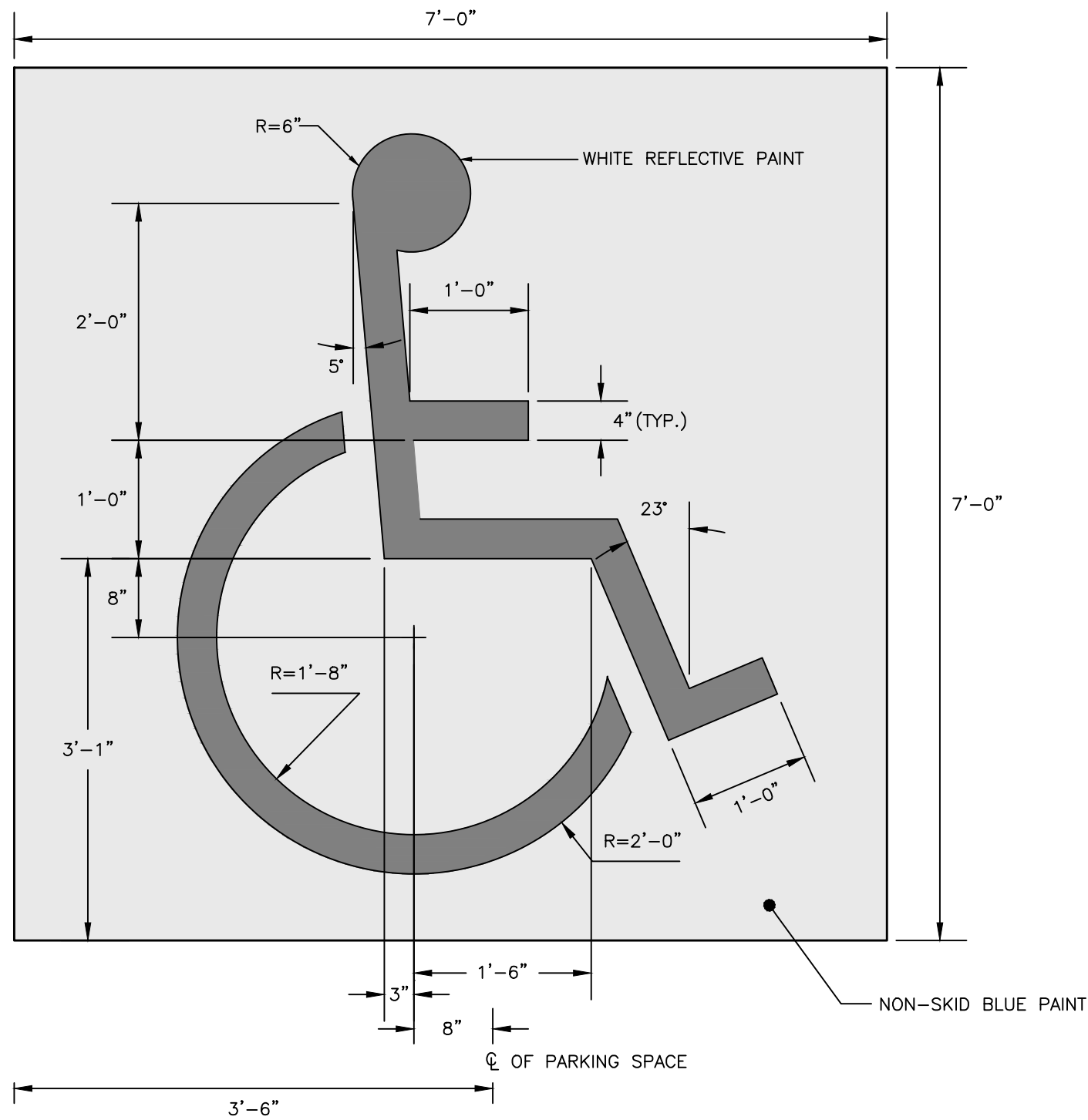
INTERIOR BICYCLE SPACE LAYOUT  
NOT TO SCALE



SHRUB PLANTING DETAIL  
NOT TO SCALE



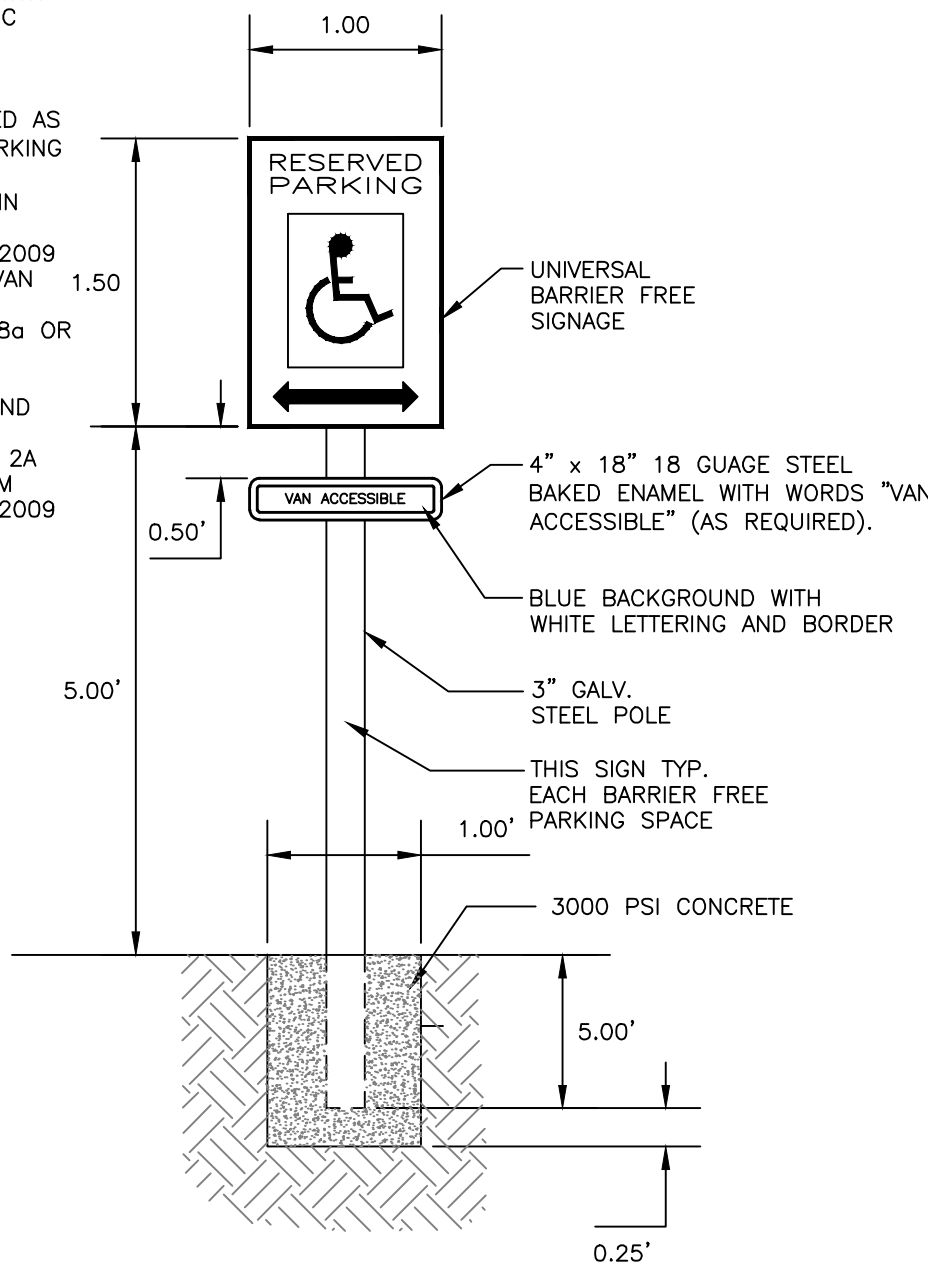
PERENNIAL PLANTING DETAIL  
NOT TO SCALE



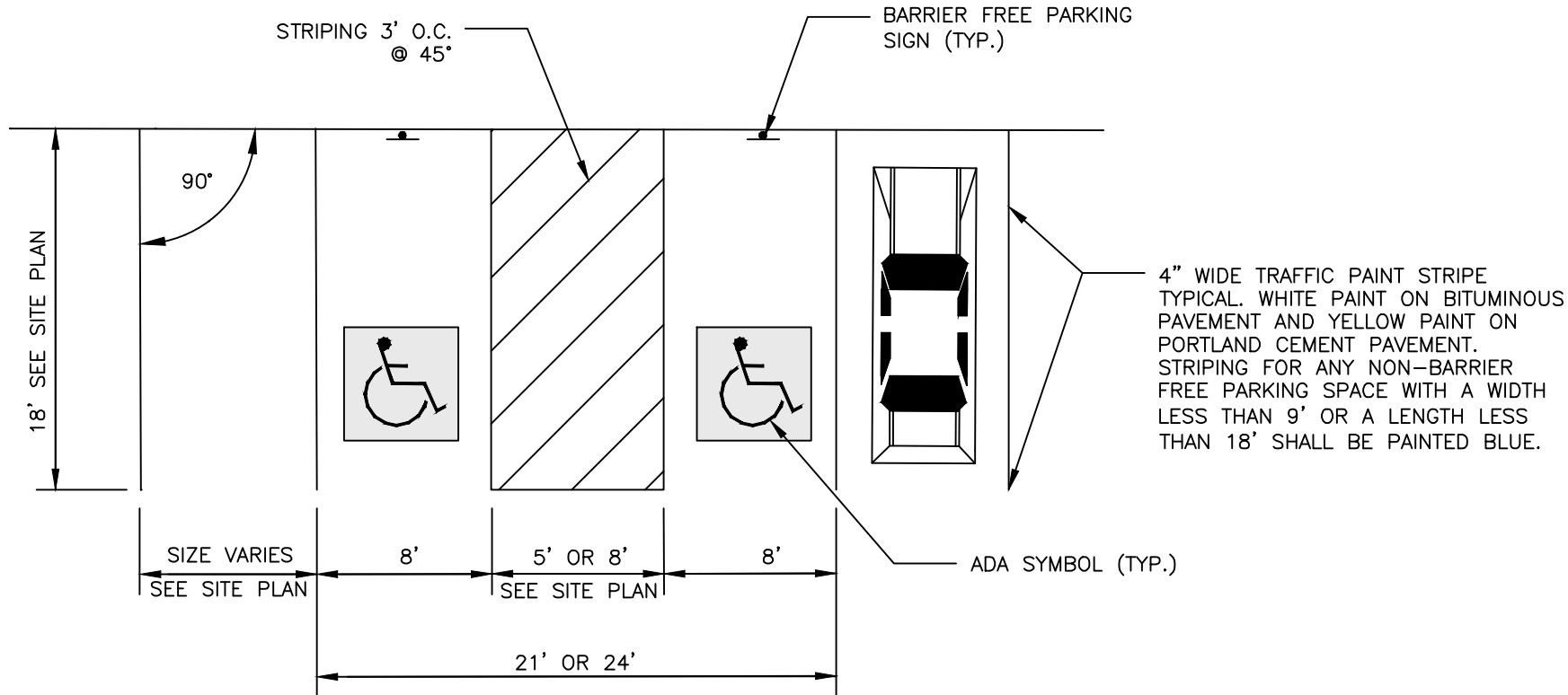
INTERNATIONAL BARRIER FREE SYMBOL  
NOT TO SCALE

NOTES:

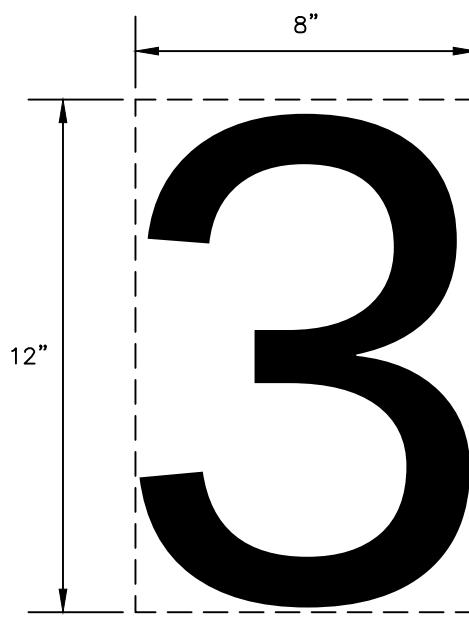
1. ALL ASPECTS OF RESERVED PARKING SIGN CONSTRUCTION SHALL BE IN ACCORDANCE WITH MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, 2009 OR MOST RECENT EDITION.
2. SIGN SHALL BE CONSTRUCTED AS SIGN R7-8 UNDER THE "PARKING AND STANDING SIGNS AND PLAQUES" (R7 SERIES) WITHIN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, 2009 OR MOST RECENT EDITION. VAN ACCESSIBILITY SHALL BE CONSTRUCTED AS SIGN R7-8a OR R7-8b.
3. SIGN POST CONSTRUCTION AND MOUNTING SHALL BE IN ACCORDANCE WITH CHAPTER 2A OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, 2009 OR MOST RECENT EDITION.



BARRIER FREE PARKING SIGN  
NOT TO SCALE



PARKING SPACE DIMENSIONS  
NOT TO SCALE



NOTES:

1. NUMBERS TO BE PAINTED AS THE SAME COLOR AS THE CORRESPONDING PARKING SPACE.
2. BOTTOM OF NUMBER TO BE FLUSH WITH THE FRONT OF THE PARKING SPACE.

PARKING STALL NUMBER DETAIL  
NOT TO SCALE

PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

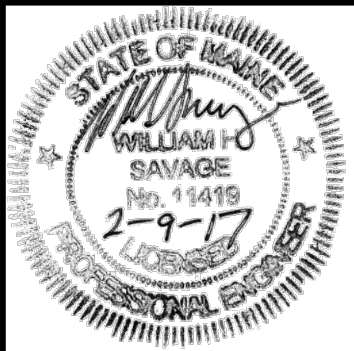
| ISSUED FOR   | BY  |
|--------------|-----|
| PRELIM. APP. | WHS |
| FINAL APP.   | WHS |

| DATE    | DATE    |
|---------|---------|
| 11/2/16 | 11/2/16 |
| 11/2/16 | 11/2/16 |

|                  |                               |                                |
|------------------|-------------------------------|--------------------------------|
| SITE DETAILS - 2 | 161 YORK STREET REDEVELOPMENT | YORK STREET REDEVELOPMENT, LLC |
| PROJECT NAME:    | PROJECT NAME:                 | PROJECT NAME:                  |
| CLIENT:          | CLIENT:                       | CLIENT:                        |

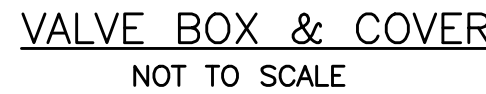
|                                        |                                        |
|----------------------------------------|----------------------------------------|
| ACORN ENGINEERING, INC.                | ACORN ENGINEERING, INC.                |
| 158 DANFORTH ST. PORTLAND, MAINE 04102 | 158 DANFORTH ST. PORTLAND, MAINE 04102 |
| (207) 775-2655                         | (207) 775-2655                         |

|              |            |
|--------------|------------|
| FILE:        | 1074_CIVIL |
| JN:          | 1074       |
| SCALE:       | NTS        |
| DESIGNED BY: | WHS        |
| DRAWN BY:    | SJL        |
| CHECKED BY:  | WHS        |

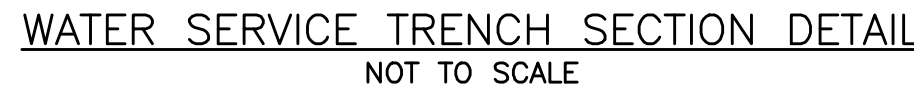


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| DRAWING NO. |
| C-41        |

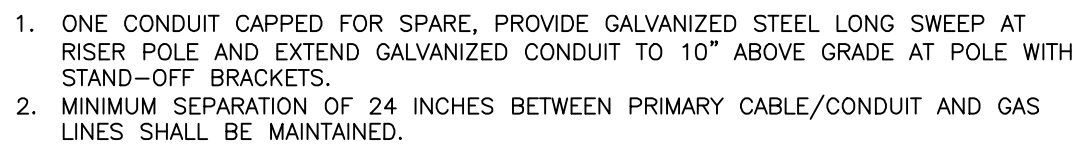




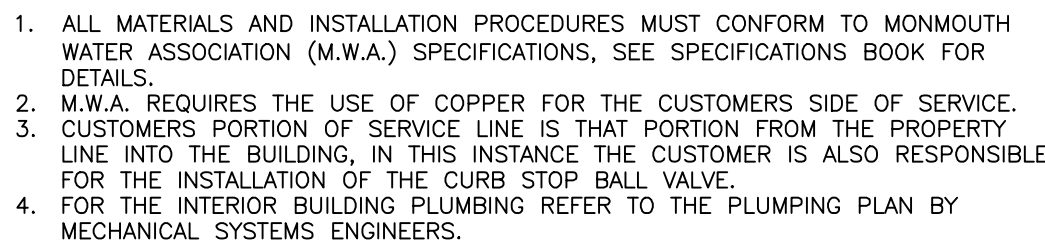
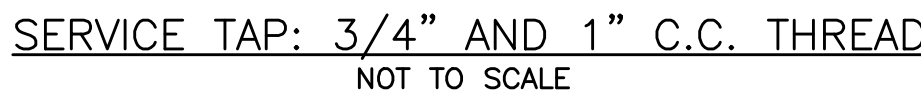
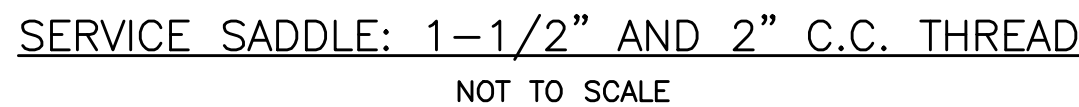
1. THE WATER TRENCH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARD DETAILS & SPECIFICATIONS.
2. IF LESS THAN 5" - 6" OF COVER IS POSSIBLE ADD 1 INCH OF "BLUE DOW" RIGID INSULATION FOR EVERY 12" LESS COVER.
3. ALL PROPOSED TREES WITHIN 5' PROXIMITY OF THE WATER PIPE SHALL BE PLANTED AT A DEPTH NO GREATER THAN 3' DEEP. PERMEABLE LANDSCAPE FABRIC SHALL CREATE A ROOT BARRIER AROUND THE WATER PIPES. CONTRACTOR SHALL COORDINATE WITH THE LANDSCAPE DRAWINGS.



1. ALL MATERIALS AND INSTALLATION PROCEDURES MUST COMPLY WITH THE CITY OF PORTLAND WATER DISTRICT (PWD) SPECIFICATIONS.
2. CURB STOP BALL VALVE TO BE MADE OF COPPER OR BRASS UNLESS OTHERWISE NOTED BY THE PORTLAND WATER DISTRICT. SERVICE LINE TO BE MADE OF TYPE K COPPER.
4. CONCRETE BLOCKING SHALL BE ADDED TO THE BASE OF THE CURB STOP TO PROVIDE STRUCTURAL SUPPORT FOR THE CURB STOP AND SERVICE BOX.



1. ANY ALTERNATE TRENCHING METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. ALL CONSTRUCTION METHODS SHALL CONFORM TO THE CITY OF PORTLAND TECHNICAL STANDARDS FIGURE II-2.
3. BRACING & SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. WHERE APPLICABLE, PERFORATIONS IN STORM DRAIN (PERF. SD) SHALL BE ORIENTED UP.
5. ALL STORM DRAINS SHALL BE PVC SD 36 MIN PS-46 (RING OR) OR IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL MANUAL, SECTION 2 - SANITARY SEWER STORM DRAIN, PART 2.5.2.
6. IN PAVED AREAS, THE PAVEMENT SHALL BE HOT MIX ASPHALT. THE DRAIN SHALL BE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
7. THIS DETAIL SHALL BE APPLIED ONLY TO PIPE TRENCHES WITHIN OF THE CITY OF PORTLAND R.O.W.
8. STORM DRAIN COVER BETWEEN 2" AND 3" SHALL INCLUDE 4" OF RIGID INSULATION. COVER BETWEEN 3" AND 3.5" SHALL INCLUDE 2" RIGID INSULATION. OTHER UTILITIES: ADD 2" OF RIGID INSULATION FOR EACH FOOT ABOVE MINIMUM DEPTH.
9. DEPTH OF BITUMINOUS PAVEMENT AND AGGREGATE COURSES SHALL BE DETERMINED BY STREET CLASSIFICATION.
10. 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".
11. DIMENSION D SHALL BE THE DEPTH OF THE DRAIN OR CALL OUT FOR CALL OUTS UNDER GRADUAL BORROW, CRUSHED STONE, STRUCTURAL EARTH EXCAVATION, AND STRUCTURAL ROCK EXCAVATION. DIMENSION A SHALL BE BASED ON PIPE DIAMETER D, AS SET FORTH IN THE TABLE BELOW.

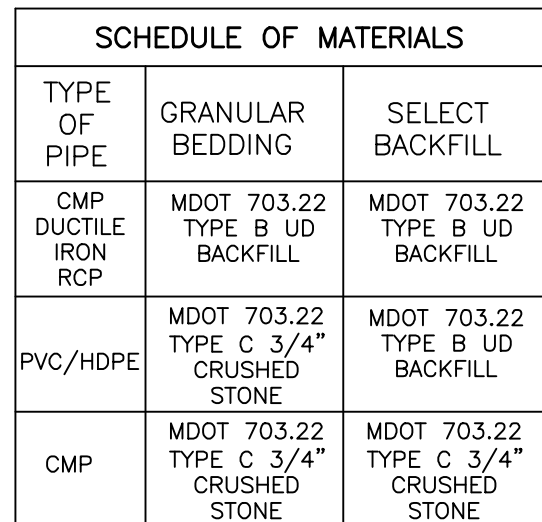
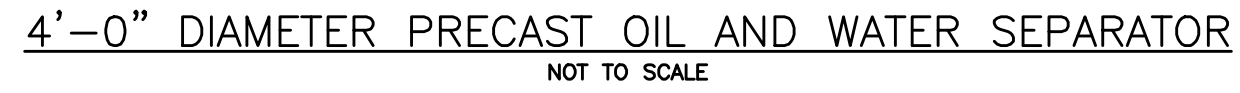
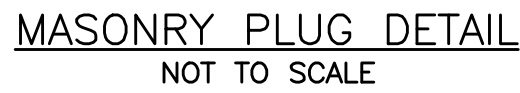
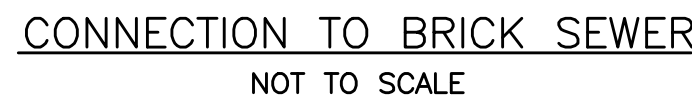


SERVICE INSTALLATION DETAIL  
NOT TO SCALE

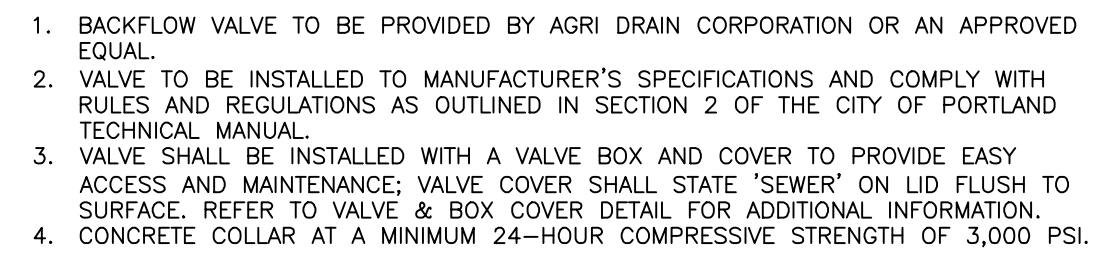


PERMITTING  
NOT ISSUED FOR  
CONSTRUCTION

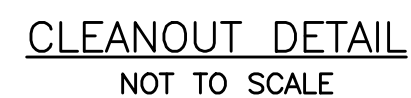




1. BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS, ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. STORM DRAIN COVER BETWEEN 2' AND 3' SHALL INCLUDE 4" OF RIGID INSULATION, COVER BETWEEN 3' AND 4' SHALL INCLUDE 2" RIGID INSULATION, OTHER UTILITIES: ADD 2" OF INSULATION FOR EACH UTILITY EXCEEDING MINIMUM DEPTH.
3. INSTALL WARNING TAPE DIRECTLY ABOVE UTILITIES AT THE TOP OF SUBGRADE.
4. MINIMUM COVER:
  - 4.1 2'-0" - STORM DRAIN
  - 4.2 5'-0" - SEWER
5. NO TREES SHALL BE PLANTED WITHIN 5' OF A SEWER PIPE OR SERVICE.
6. THIS DETAIL SHALL BE APPLIED ONLY TO DRAINAGE PIPE TRENCHES OUTSIDE OF THE CITY OF PORTLAND ROW.
7. THICKNESS AS NOTED BY SURFACE DETAILS.
8. EXPOSED TRENCHES WITHIN 5' PROXIMITY OF THE SEWER PIPE SHALL BE PLANTED AT A DEPTH NO GREATER THAN 3' DEEP. PERMEABLE LANDSCAPE FABRIC SHALL CREATE A ROOT BARRIER AROUND THE SEWER PIPES. CONTRACTOR SHALL COORDINATE WITH THE LANDSCAPE DRAWINGS.



- SEWER TEE/WYE CONNECTION DETAIL  
NOT TO SCALE



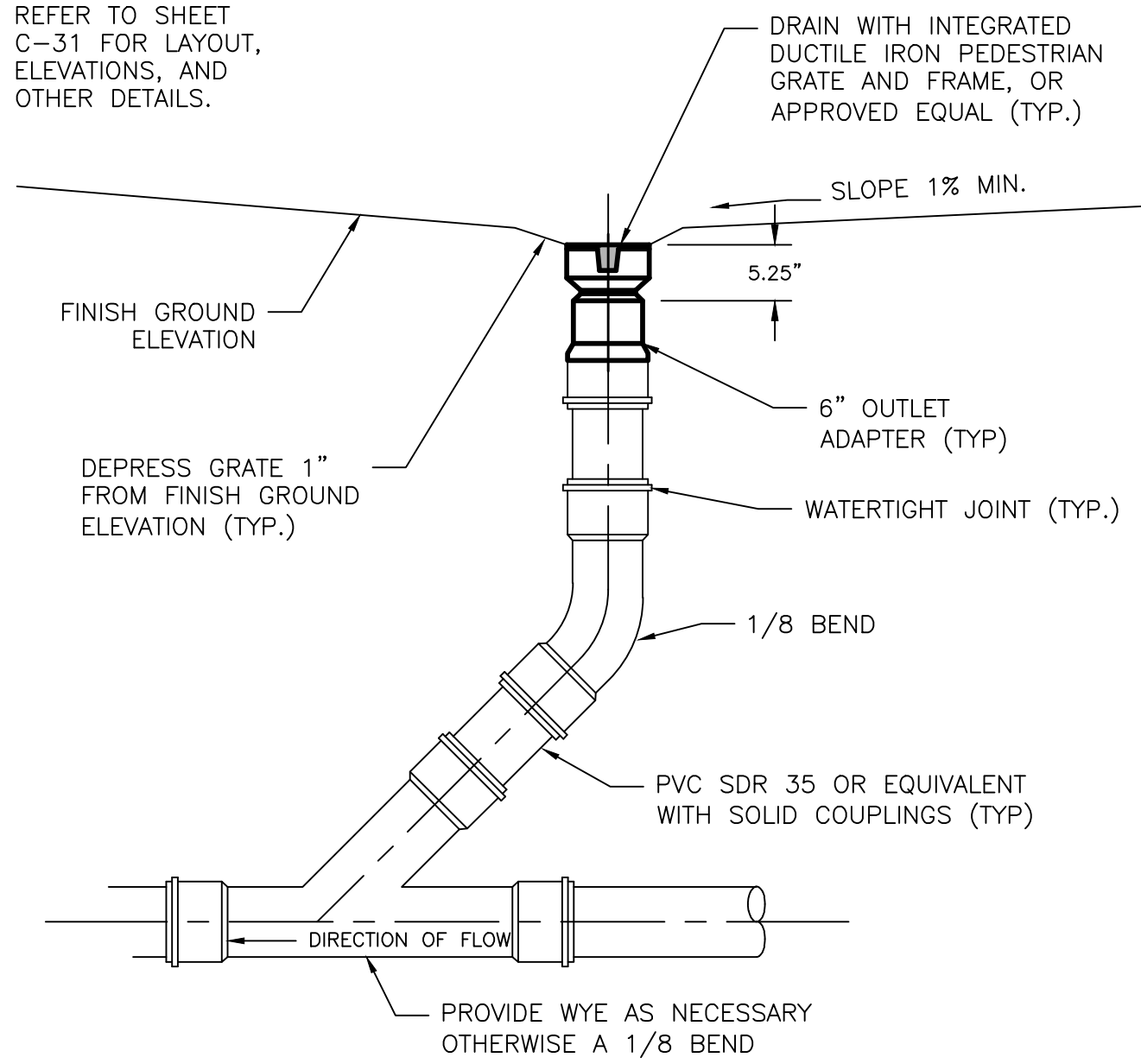
PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

DRAWING NO.  
**C-43**



## NOTE:

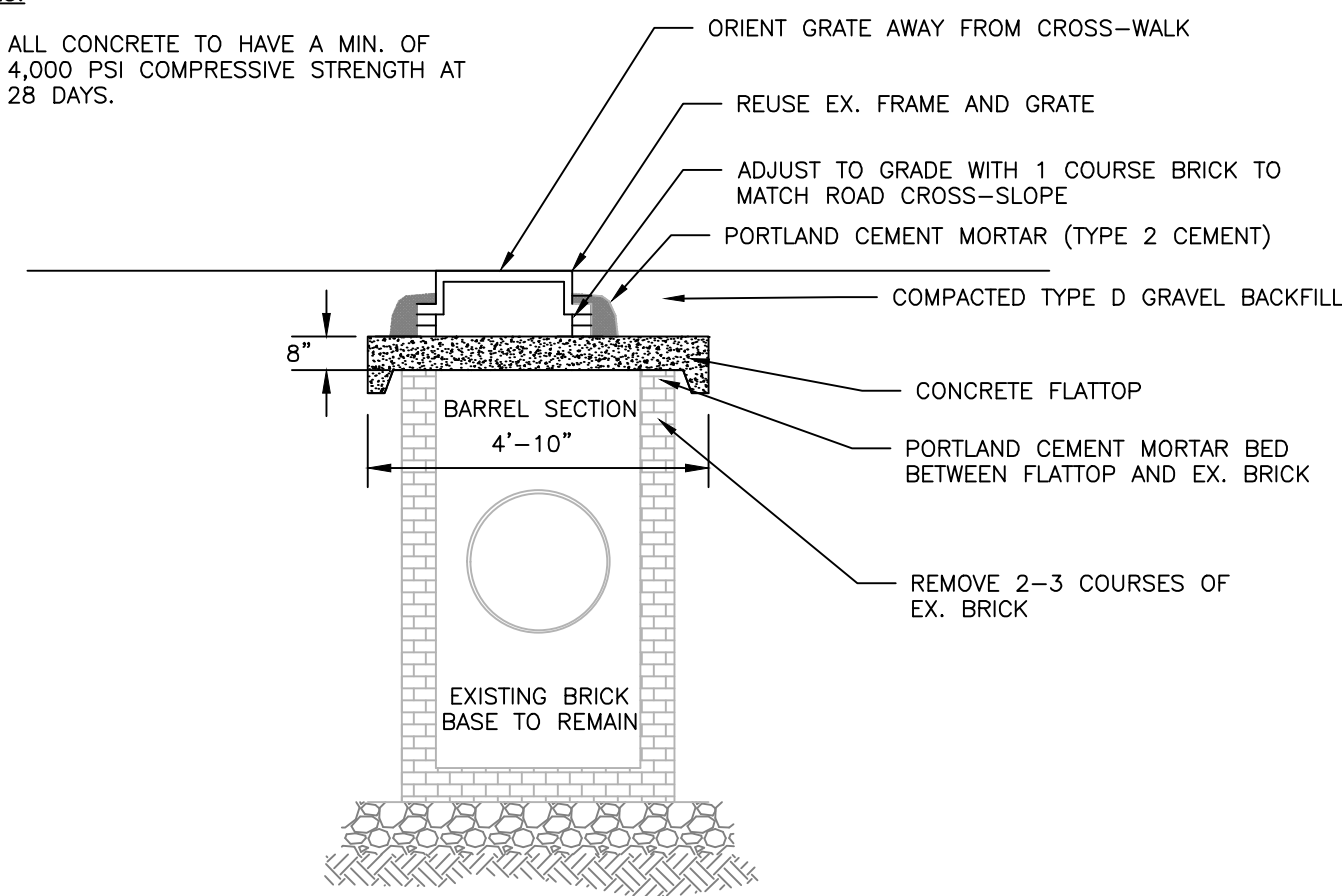
1. REFER TO SHEET C-31 FOR LAYOUT, ELEVATIONS, AND OTHER DETAILS.



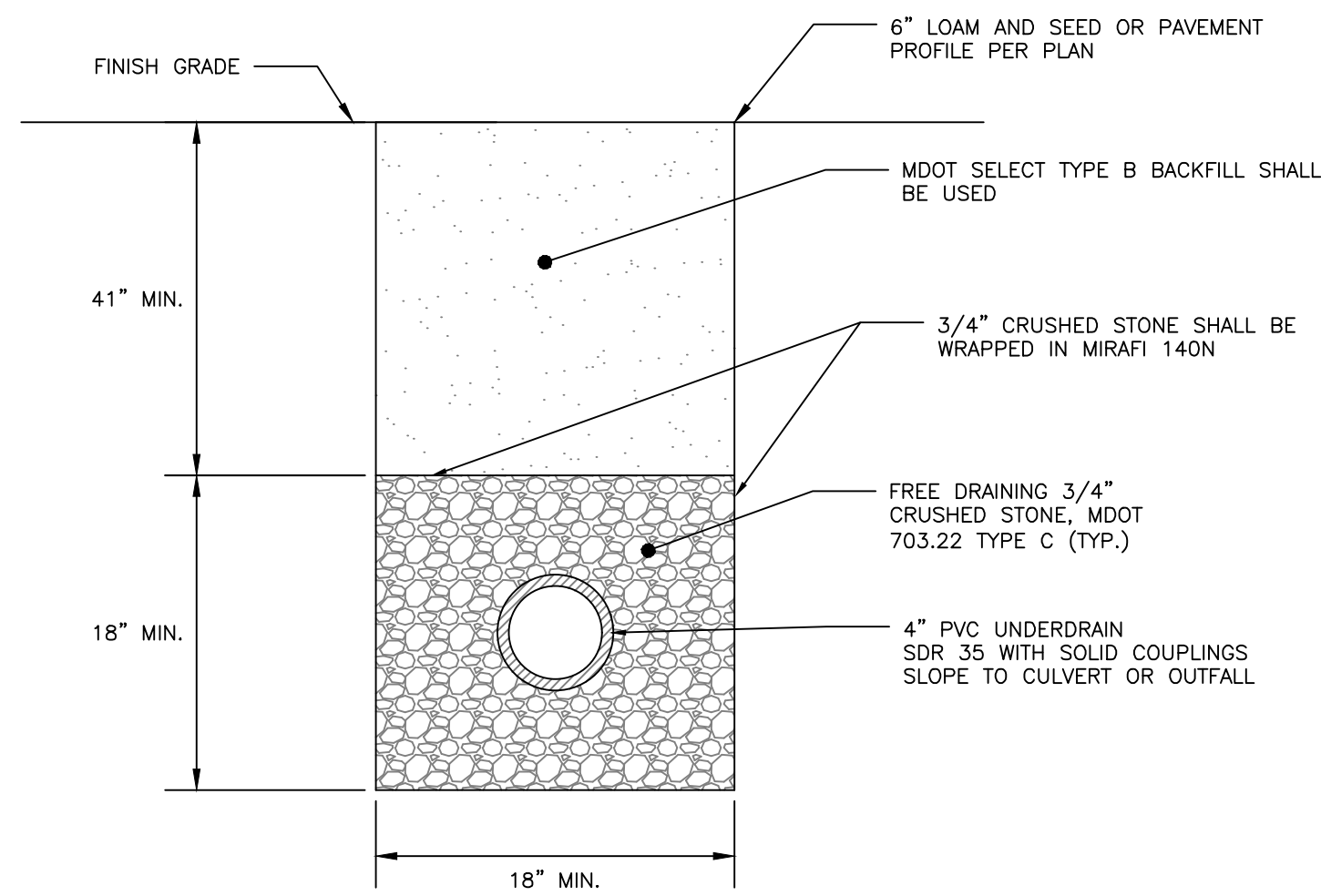
INLINE DRAIN DETAIL  
NOT TO SCALE

## NOTES:

1. ALL CONCRETE TO HAVE A MIN. OF 4,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.



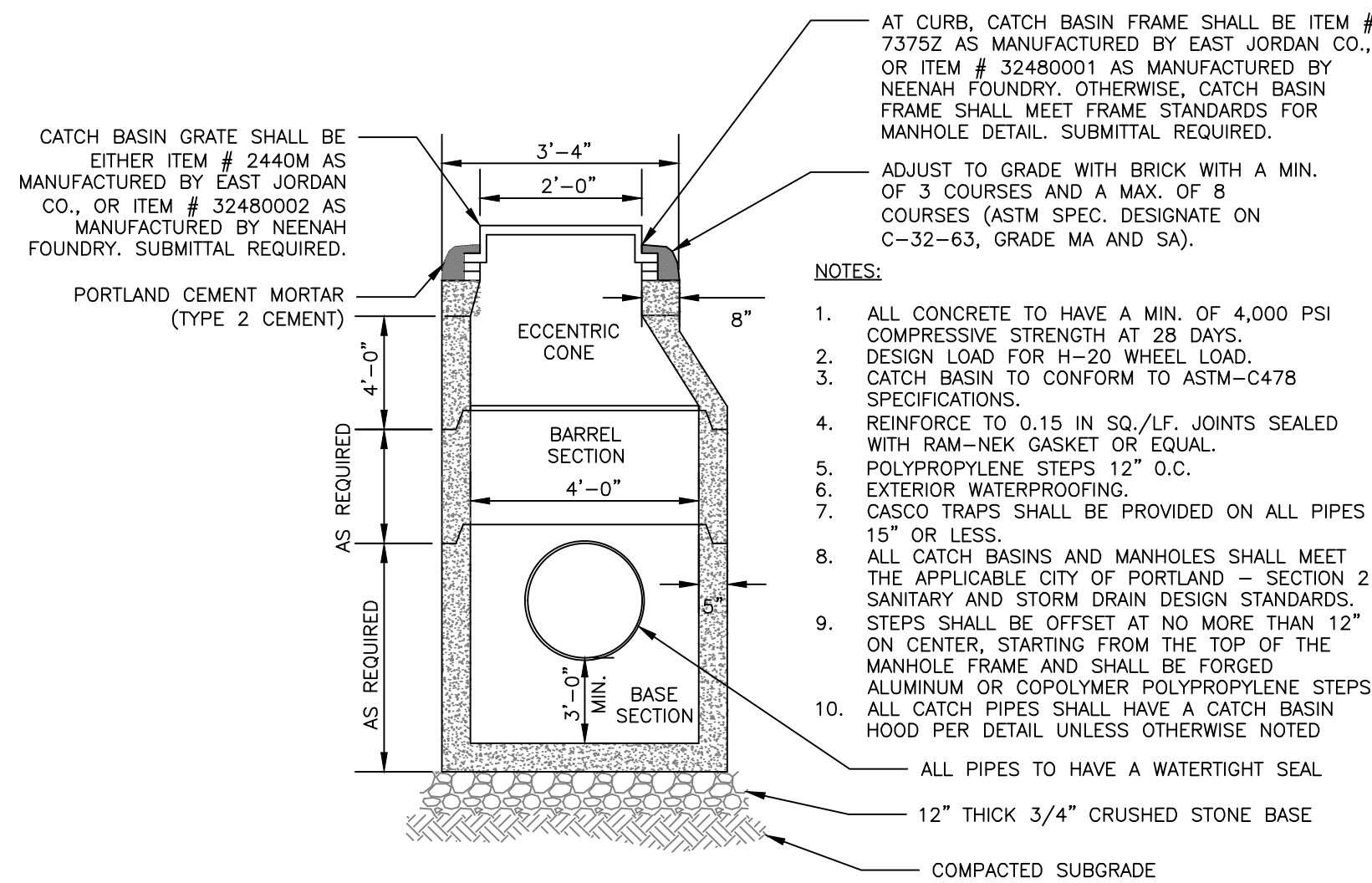
EXISTING CATCH BASIN WITH  
PROPOSED FLATTOP  
NOT TO SCALE



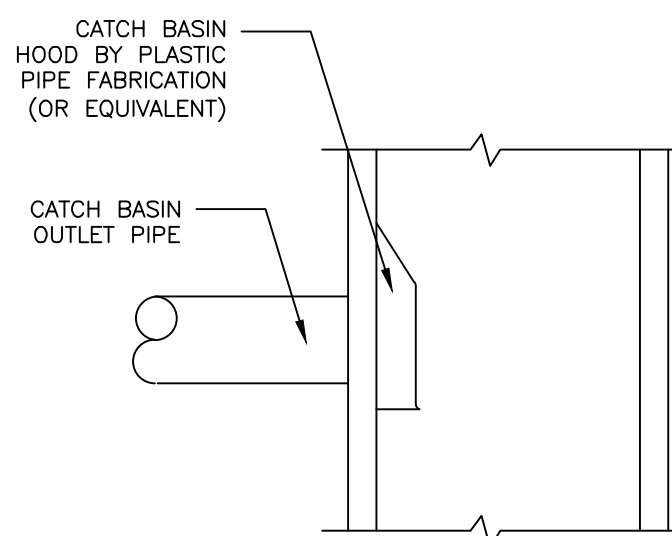
## NOTES:

1. MINIMUM UNDERDRAIN SLOPE 0.0025 (0.25%)
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.

UNDERDRAIN DETAIL  
NOT TO SCALE



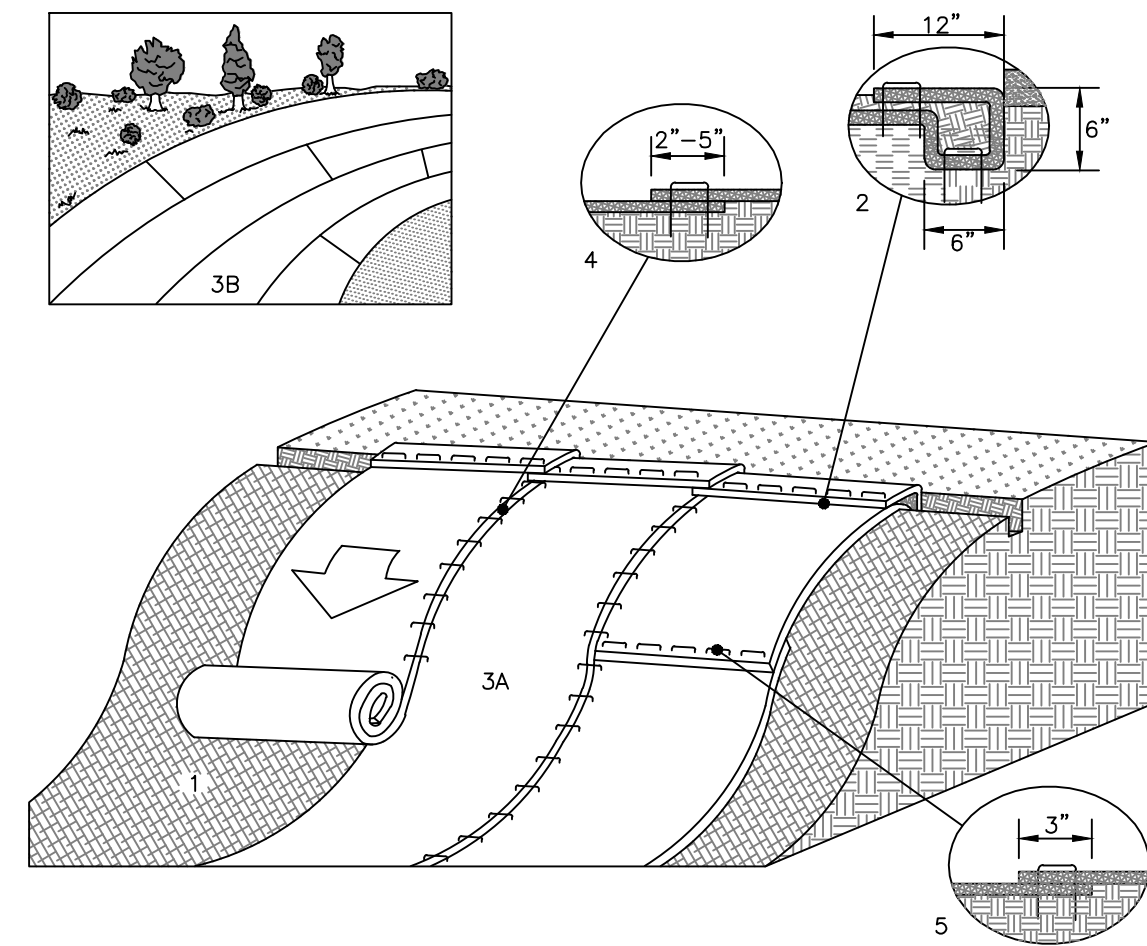
4'-0" DIAMETER PRECAST CATCH BASIN  
NOT TO SCALE



CATCH BASIN HOOD DETAIL  
NOT TO SCALE

## NOTES:

1. INSTALL CATCH BASIN HOODS IN ALL CATCH BASINS UNLESS OTHERWISE NOTED
2. PREFERRED STYLE DESIGNED TO ELIMINATE CEMENTING OF THE TRAP.
3. REFER TO MANUFACTURER'S RECOMMENDATIONS FOR INSTALLATION REQUIREMENTS



EROSION CONTROL BLANKET SLOPE INSTALLATION  
NOT TO SCALE

SLOPE  
INSTALLATION DETAIL

1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (ECB), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE ECB IN A 6" DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF ECB EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE ECB WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO THE COMPACTED SOIL AND FOLD THE REMAINING 12" PORTION OF ECB BACK OVER THE SEED AND COMPACTED SOIL. SECURE ECB OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE ECB.
3. ROLL THE ECB (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. ECB WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL ECB MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE.
4. THE EDGES OF PARALLEL ECB MUST BE STAPLED WITH APPROXIMATELY 2" - 5" OVERLAP DEPENDING ON THE ECB TYPE.
5. CONSECUTIVE ECB SPICED DOWN THE SLOPE MUST BE END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE ECB WIDTH.

## \*NOTE:

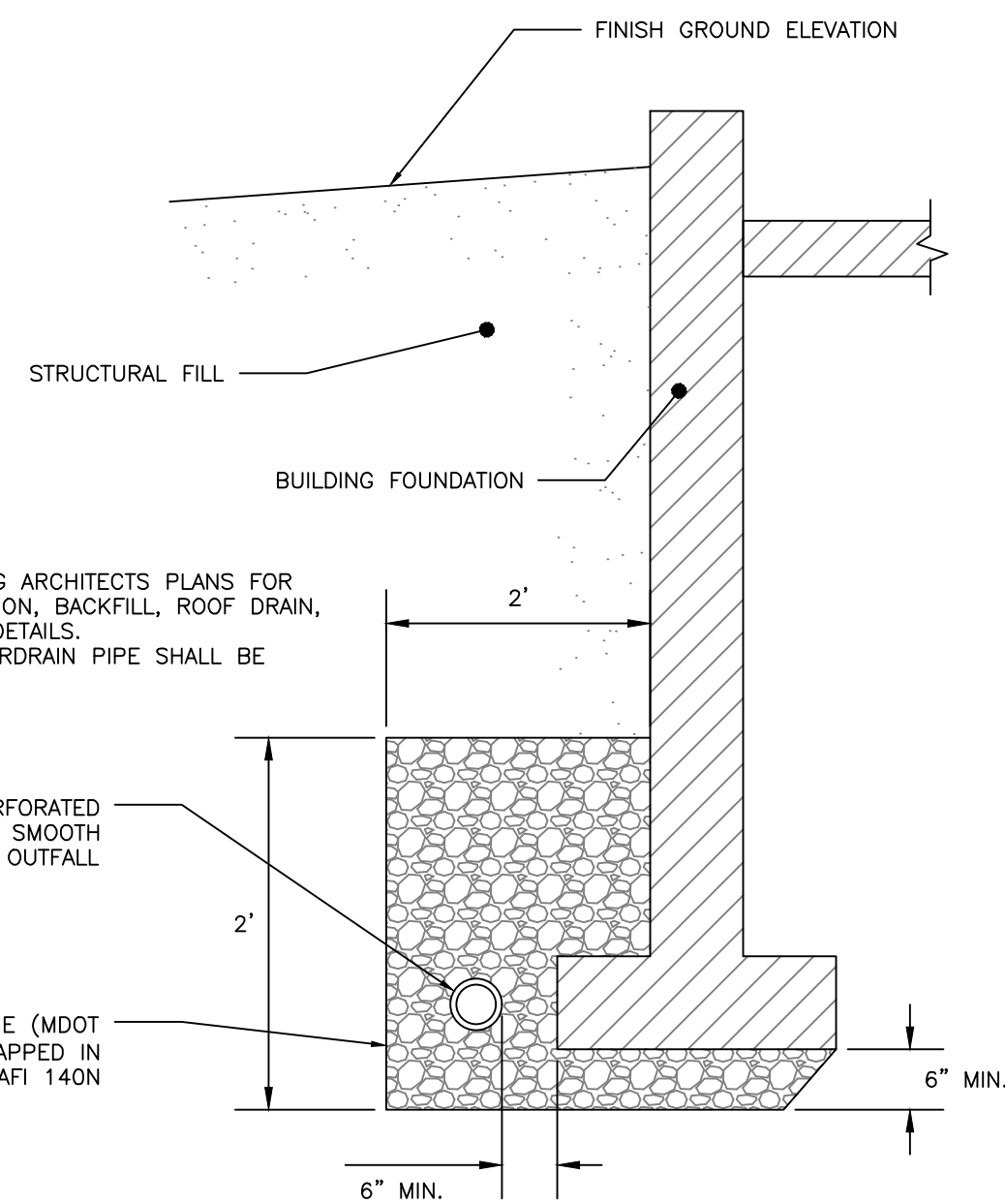
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE ECB.

## NOTES:

1. REFER TO THE BUILDING ARCHITECTS PLANS FOR THE BUILDING FOUNDATION, BACKFILL, ROOF DRAIN, SIDEWALK AND OTHER DETAILS.
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.

- 4" SINGLE WALL HDPE PERFORATED FOUNDATION DRAIN WITH SMOOTH INTERIOR SLOPE TO OUTFALL

- 3/4" CRUSHED STONE (MDOT 703.22 TYPE C) WRAPPED IN MIRAF 140N



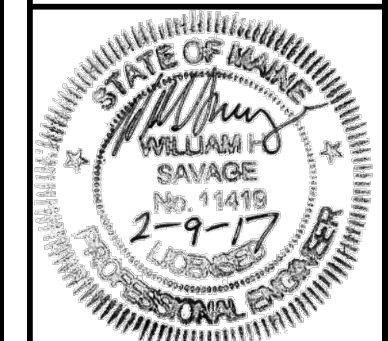
FOUNDATION DRAIN DETAIL  
NOT TO SCALE

| ISSUED FOR   | BY  |
|--------------|-----|
| PRELIM. APP. | WHS |
| FINAL APP.   | WHS |

| DRAINAGE DETAILS              | PROJECT NAME                   | CLIENT                              |
|-------------------------------|--------------------------------|-------------------------------------|
| 161 YORK STREET REDEVELOPMENT | YORK STREET REDEVELOPMENT, LLC | 42 MARKET STREET PORTLAND, ME 04101 |

| ACORN ENGINEERING, INC.                | FILE       |
|----------------------------------------|------------|
| 158 DANFORTH ST. PORTLAND, MAINE 04102 | 1074_CIVIL |

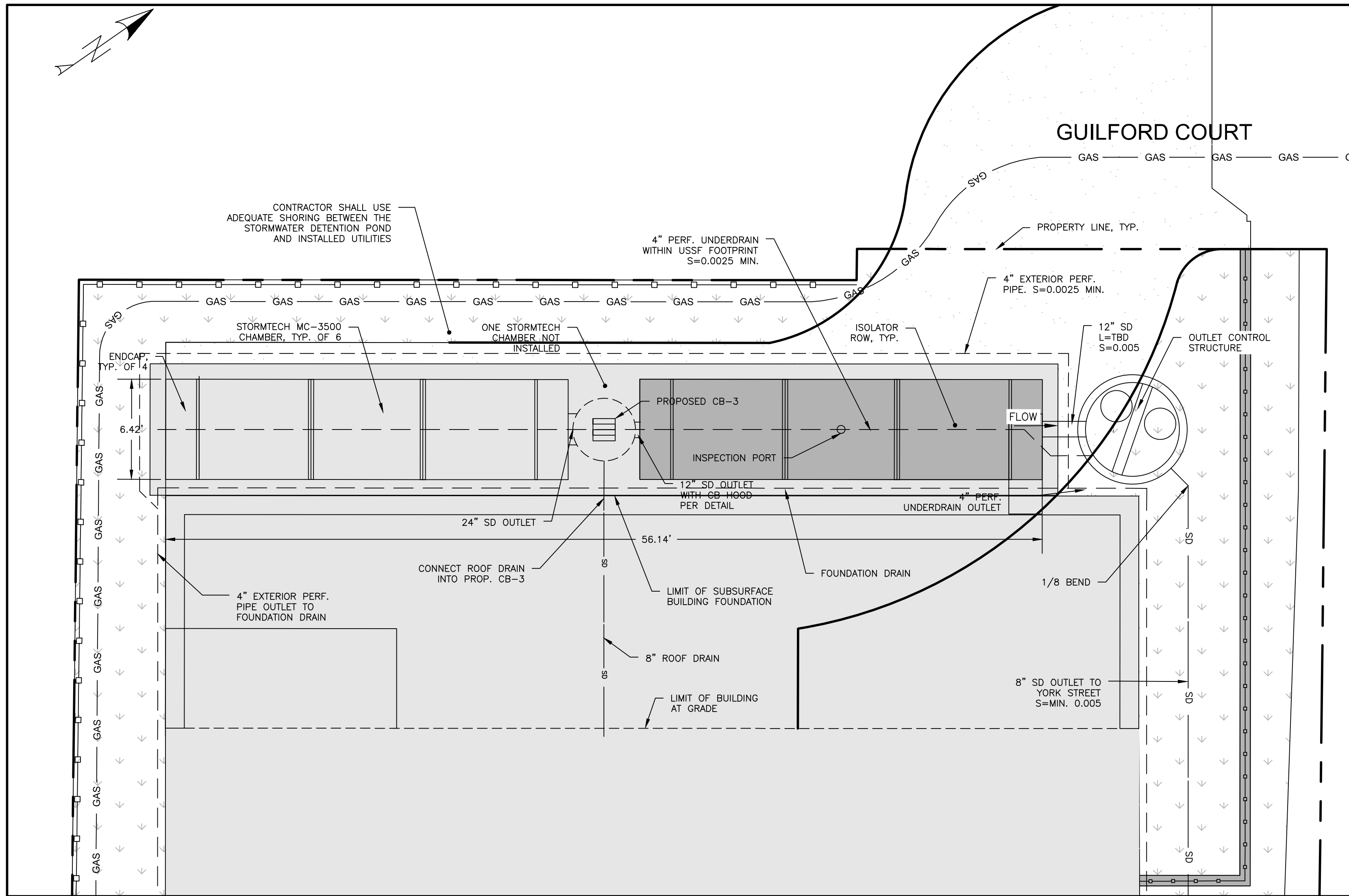
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| 1074_CIVIL | 1074 | NTS   | WHS         | SJL      | WHS        |



| DRAWING NO. |
|-------------|
| C-44        |

PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION

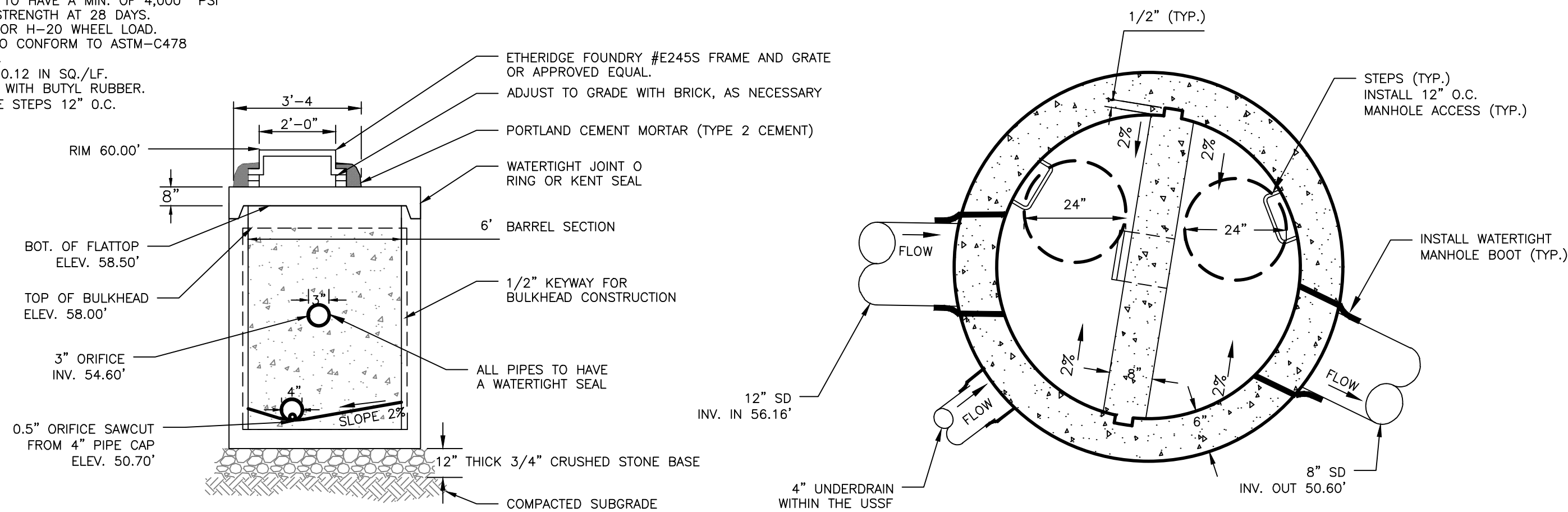




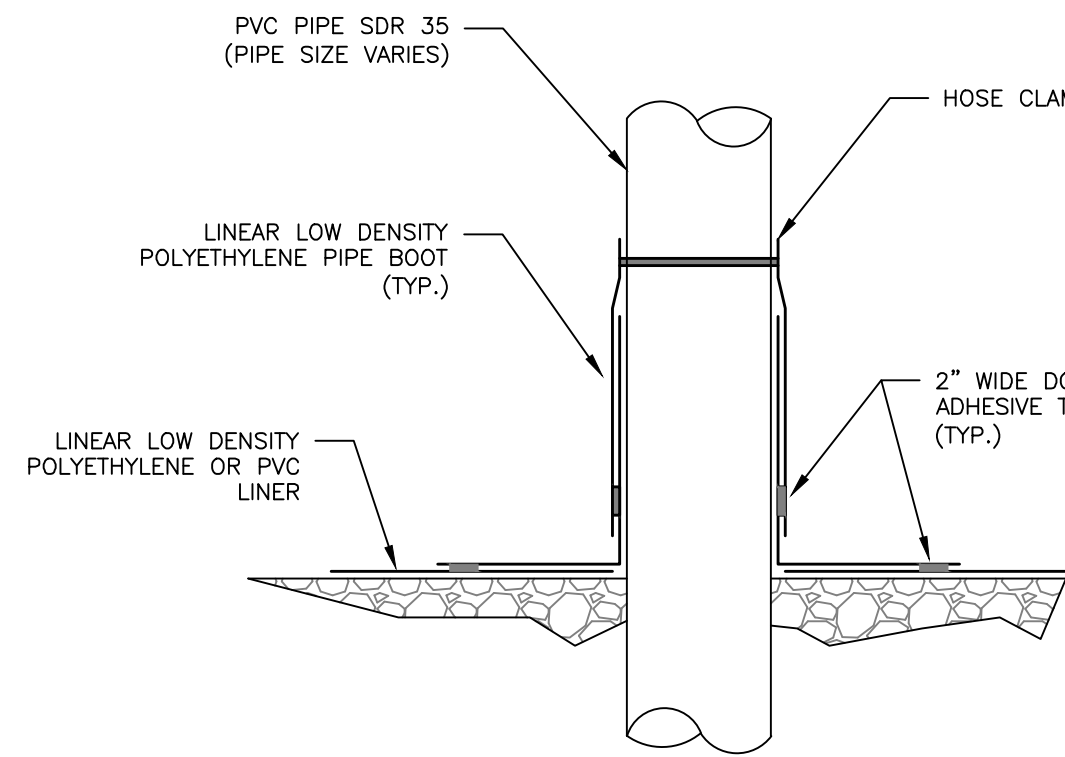
USSF PLAN VIEW  
1"=5'

DESIGN NOTES:

1. ALL CONCRETE TO HAVE A MIN. OF 4,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
2. DESIGN LOAD FOR H-20 WHEEL LOAD.
3. CATCH BASIN TO CONFORM TO ASTM-C478 SPECIFICATIONS.
4. REINFORCE TO 0.12 IN SQ./LF.
5. JOINTS SEALED WITH BUTYL RUBBER.
6. POLYPROPYLENE STEPS 12" O.C.



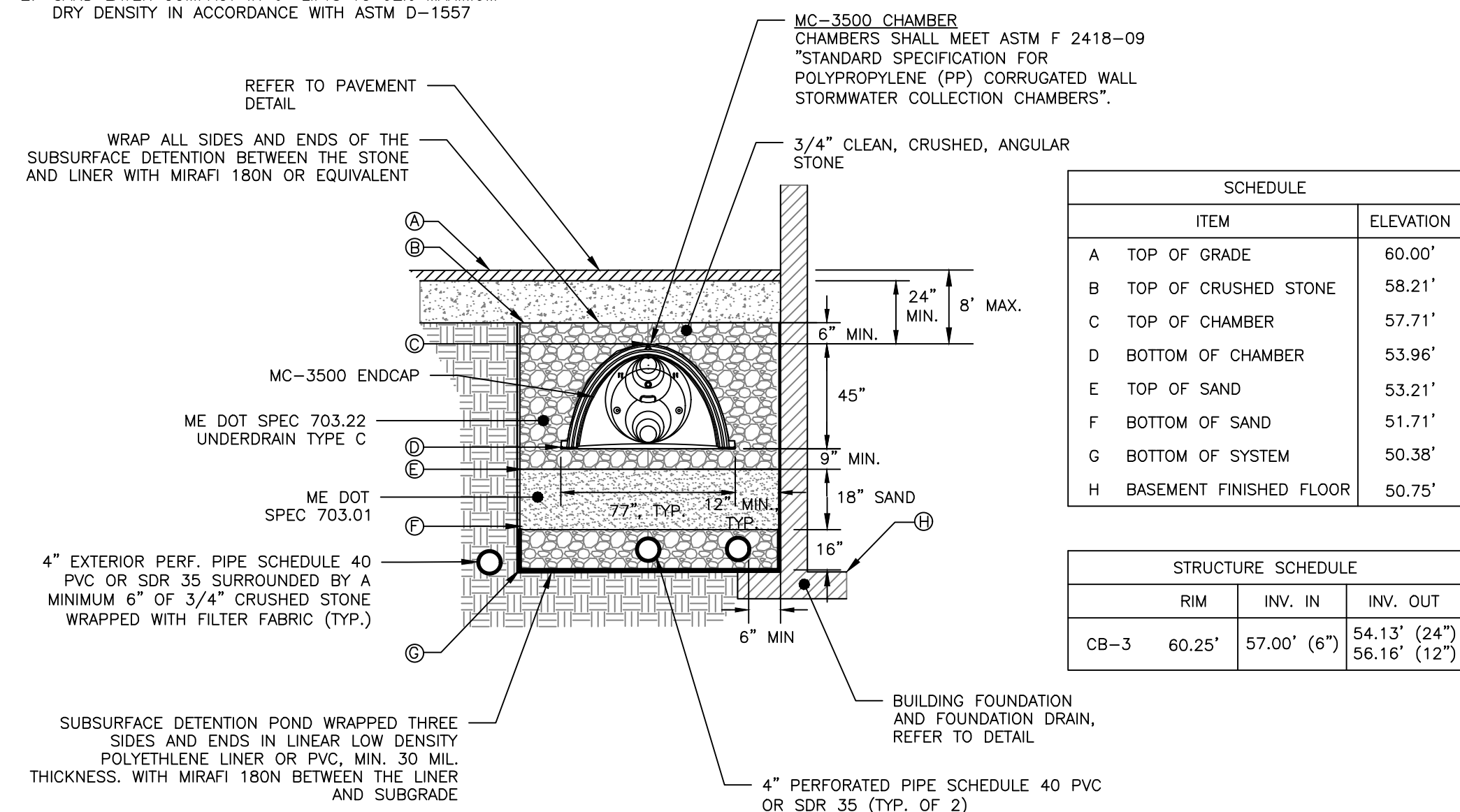
OUTLET CONTROL STRUCTURE  
NOT TO SCALE



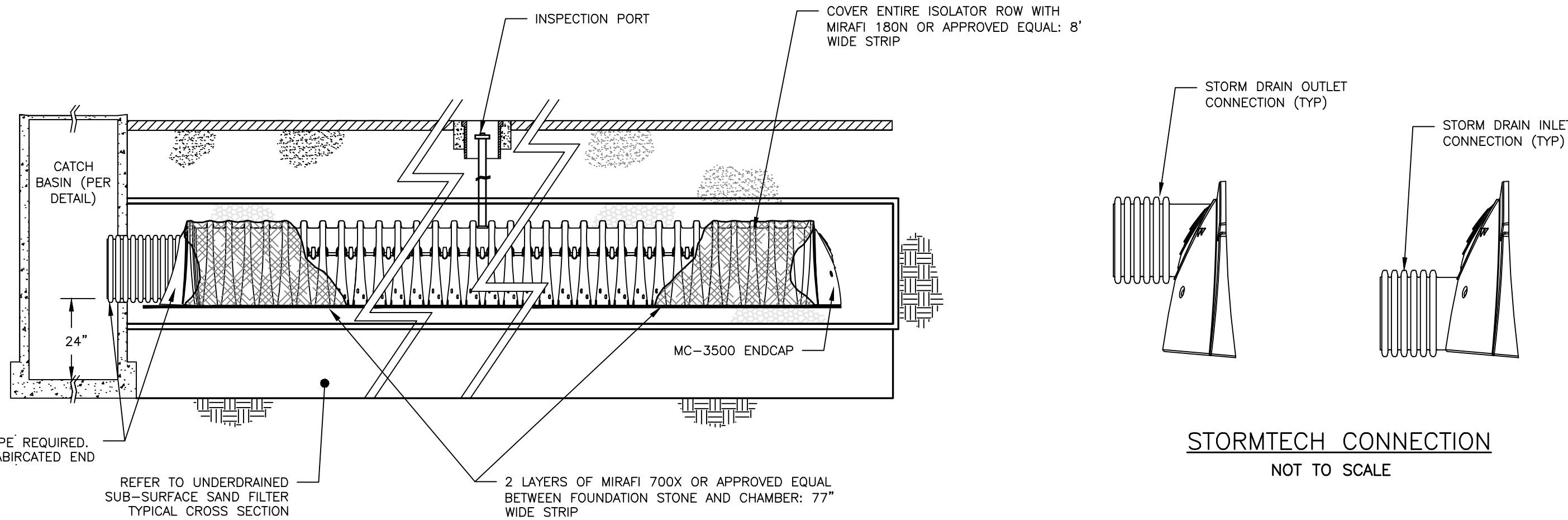
TYPICAL PIPE PENETRATION DETAIL  
NOT TO SCALE

NOTES:

1. REFER TO THE MAINE DEP TECHNICAL DESIGN MANUAL SECTION 7.3 FOR ADDITIONAL DESIGN DETAILS.
2. SAND LAYER COMPACT IN 6" LIFTS TO 92% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D-1557



UNDERDRAINED SUB-SURFACE SAND  
FILTER TYPICAL CROSS SECTION  
NOT TO SCALE



ISOLATOR ROW - PROFILE VIEW  
NOT TO SCALE

MANUFACTURER'S NOTES:

1. ALL DESIGN SPECIFICATIONS FOR STORMTECH MC-3500 CHAMBERS SHALL BE IN ACCORDANCE WITH THE STORMTECH DESIGN MANUAL.
2. THE INSTALLATION OF STORMTECH MC-3500 CHAMBERS SHALL BE IN ACCORDANCE WITH THE LATEST STORMTECH INSTALLATION INSTRUCTIONS.
3. THE CONTRACTOR IS ADVISED TO REVIEW AND UNDERSTAND THE INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION. CALL 1-888-892-2694 OR VISIT WWW.STORMTECH.COM TO RECEIVE A COPY OF THE LATEST STORMTECH INSTALLATION INSTRUCTIONS.
4. CHAMBERS SHALL MEET THE DESIGN REQUIREMENTS AND LOAD FACTORS SPECIFIED IN SECTION 12.12 OF THE LATEST EDITION OF THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS.

ENGINEER'S NOTES:

1. THE LAYOUT AND DIMENSION OF THE SUBSURFACE DETENTION MAY BE MODIFIED WITH AN ENGINEER APPROVED EQUAL WHICH PROVIDES EQUAL DETENTION STORAGE AND WATER QUALITY TREATMENT.
2. THE SUBSURFACE DETENTION SHALL BE INSPECTED BY THE DESIGN ENGINEER AT THE FOLLOWING INTERVALS:
  - AFTER PRELIMINARY CONSTRUCTION OF THE SUBSURFACE DETENTION GRADES
  - ONE SITE VISIT DURING THE INSTALLATION OF THE IMPERVIOUS LINER
  - ONE SITE VISIT AFTER THE UNDERDRAINS ARE INSTALLED BUT BEFORE THEY ARE BACKFILLED
  - DURING THE CONSTRUCTION OF THE SAND FILTER LAYER
  - DURING THE INSTALLATION OF THE STORMTECH ISOLATOR ROW
  - BEFORE BACKFILLING THE STORMTECH UNITS
3. THE FIRST YEAR OF MAINTENANCE SHALL BE PERFORMED BY THE MANUFACTURER TO ENSURE THAT THE SYSTEM IS OPERATING ACCORDING TO THE ESTABLISHED SPECIFICATIONS.
4. REFERENCE THE MANUFACTURER'S GUIDE FOR THE OPERATION AND MAINTENANCE PLAN.

| ISSUED FOR   | BY  |
|--------------|-----|
| PRELIM. APP. | WHS |
| FINAL APP.   | WHS |

| DATE    | DATE |
|---------|------|
| 11/8/16 |      |
| 11/8/17 |      |

| DRAWING NAME                                |  |
|---------------------------------------------|--|
| UNDERDRAINED SUBSURFACE SAND FILTER DETAILS |  |

| PROJECT NAME                  |  |
|-------------------------------|--|
| 161 YORK STREET REDEVELOPMENT |  |

| CLIENT                              |  |
|-------------------------------------|--|
| YORK STREET REDEVELOPMENT, LLC      |  |
| 42 MARKET STREET PORTLAND, ME 04101 |  |

| ENGINEERING, INC. |  |
|-------------------|--|
| ACORN             |  |

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PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION



1.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

AS PART OF THE SITE DEVELOPMENT, THE FOLLOWING TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IMPLEMENTED. DEVICES SHALL BE INSTALLED AS DESCRIBED IN THIS REPORT OR WITHIN THE PLAN SET. SEE THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES FOR FURTHER REFERENCE.

1.1 TEMPORARY EROSION CONTROL MEASURES

THE FOLLOWING TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES ARE PLANNED FOR THE PROJECT'S CONSTRUCTION PERIOD:

- 1.1.1 CRUSHED STONE STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT ALL ACCESS POINTS TO THE PROJECT SITE WHERE THERE ARE DISTURBED AREAS. THE FOLLOWING SPECIFICATIONS SHALL BE FOLLOWED AT A MINIMUM:
  - STONE SIZE SHALL BE 2-3 INCHES, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
  - THE THICKNESS OF THE STONE LAYER SHALL BE NO LESS THAN 6 INCHES.
  - THE ENTRANCE SHALL NOT BE LESS THAN 20 FEET WIDE, HOWEVER NOT LESS THAN THE FULL WIDTH OF POINTS WHERE INGRESS OR EGRESS OCCURS. THE LENGTH SHALL NOT BE LESS THAN 50 FEET IN LENGTH.
  - GEOTEXTILE FABRIC (WOVEN OR NON-WOVEN) SHALL BE PLACED OVER THE ENTIRE ENTRANCE AREA.
  - THE ENTRANCE/EXIT SHALL BE MAINTAINED TO THE EXTENT THAT IT WILL PREVENT THE TRACKING OF SEDIMENT ONTO PUBLIC ROADWAYS.
- 1.1.2 SILTATION FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED DOWN GRADIENT OF ANY DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL PERMANENT STABILIZATION IS ACHIEVED. THE SILT FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED PER THE DETAILS PROVIDED IN THE PLAN SET AND INSPECTED BEFORE AND IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DURING PROLONGED RAINFALL. REPAIRS SHALL BE MADE IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE OR BERM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE OR BERM, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM.
- 1.1.3 HAY MULCH INCLUDING HYDRO SEEDING IS INTENDED TO PROVIDE COVER FOR DENUDED OR SEEDED AREAS UNTIL REVEGETATION IS ESTABLISHED. MULCH PLACED BETWEEN APRIL 15TH AND NOVEMBER 1ST ON SLOPES OF LESS THAN 15 PERCENT SHALL BE COVERED BY FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION. MULCH PLACED BETWEEN NOVEMBER 1ST AND APRIL 15TH ON SLOPES EQUAL TO OR STEEPER THAN 8 PERCENT AND EQUAL TO OR FLATTER THAN 2:1 SHALL USE MATS OR FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION.
- 1.1.4 AT ANY TIME OF THE YEAR, ALL SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH DOUBLE NET EROSION CONTROL BLANKET BIONET SC150BN BY NORTH AMERICAN GREEN OR APPROVED EQUAL, OR EROSION CONTROL MIX SLOPE PROTECTION AS DETAILED WITHIN THE PLANS.
- 1.1.5 YORK STREET AND GUILFORD COURT SHALL BE SWEEPED TO CONTROL MUD AND DUST FROM THE CONSTRUCTION SITE AS NECESSARY. ADD ADDITIONAL STONE TO THE STABILIZED CONSTRUCTION ENTRANCE TO MINIMIZE THE TRACKING OF MATERIAL OFF THE SITE AND ONTO THE SURROUNDING ROADWAYS.
- 1.1.6 DURING DEMOLITION, CLEARING AND GRUBBING OPERATIONS, STONE CHECK DAMS SHALL BE INSTALLED AT ANY AREAS OF CONCENTRATED FLOW. THE MAXIMUM HEIGHT OF THE CHECK DAM SHALL NOT EXCEED 2 FEET. THE CENTER OF THE CHECK DAM SHALL BE 6 INCHES BELOW THE OUTER EDGES OF THE DAM. THE CONTRACTOR SHALL MULCH THE SIDE SLOPES AND INSTALL STONE CHECK DAMS FOR ALL NEWLY EXCAVATED DITCH LINES WITHIN 24 HOURS OF THEIR CREATION.
- 1.1.7 SILT FENCE STAKE SPACING SHALL NOT EXCEED 6 FEET UNLESS THE FENCE IS SUPPORTED WITH 14 GAUGE WIRE IN WHICH CASE THE MAXIMUM SPACING SHALL NOT EXCEED 10 FEET. THE SILT FENCE SHALL BE "TOED" INTO THE GROUND.
- 1.1.8 STORMDRAIN INLET PROTECTION SHALL BE PROVIDED TO STORMDRAINS THROUGH THE USE OF ANY OF THE FOLLOWING: HAY BALE DROP INLET STRUCTURES, SILT FENCE DROP INLET SEDIMENT FILTER, GRASS AND WIRE MESH DROP INLET SEDIMENT FILTER, OR CURB INLET SEDIMENT FILTER. BARRIERS SHALL BE INSPECTED AFTER EVERY RAINFALL EVENT AND REPAIRED AS NECESSARY. SEDIMENTS SHALL BE REMOVED WHEN ACCUMULATION HAS REACHED ½ THE DESIGN HEIGHT.
- 1.1.9 DUST CONTROL SHALL BE ACCOMPLISHED BY THE USE OF ANY OF THE FOLLOWING: WATER, CALCIUM CHLORIDE, STONE, OR AN APPROVED MDEP PRODUCT. DUST CONTROL SHALL BE APPLIED AS NEEDED TO ACCOMPLISH DUST CONTROL.
- 1.1.10 TEMPORARY LOAM, SEED, AND MULCHING SHALL BE USED IN AREAS WHERE NO OTHER EROSION CONTROL MEASURE IS USED. APPLICATION RATES FOR SEEDING ARE PROVIDED AT THE END OF THIS REPORT.
- 1.1.11 STOCKPILES SHALL BE STABILIZED WITHIN 7 DAYS OF FORMATION UNLESS A SCHEDULED RAIN EVENT OCCURS PRIOR TO THE 7 DAY WINDOW, IN WHICH CASE THE STOCKPILE SHALL BE STABILIZED PRIOR TO THE RAIN EVENT. METHODS OF STABILIZATION SHALL BE MULCH, EROSION CONTROL MIX, OR EROSION CONTROL BLANKETS/MATS. SILT FENCE OR A WOOD WASTE COMPOST FILTER BERM SHALL BE PLACED DOWNHILL OF ANY SOIL STOCKPILE LOCATION.
- 1.1.12 FOR DISTURBANCE BETWEEN NOVEMBER 1 AND APRIL 15, PLEASE REFER TO WINTER STABILIZATION PLAN IN THIS REPORT AND THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR FURTHER INFORMATION.
- 1.1.13 IT IS OF THE UTMOST IMPORTANCE THAT STORMWATER RUNOFF AND POTENTIAL SEDIMENT FROM THE CONSTRUCTION SITE BE DIVERTED AROUND THE PROPOSED UNDERDRAINS UNTIL THE TRENCH IS BACKFILLED.

1.2 PERMANENT EROSION CONTROL MEASURES

THE FOLLOWING PERMANENT EROSION CONTROL MEASURES ARE INTENDED FOR POST DISTURBANCE AREAS OF THE PROJECT.

- 1.2.1 ALL DISTURBED AREAS DURING CONSTRUCTION, NOT SUBJECT TO OTHER PROPOSED CONDITIONS, SHALL RECEIVE A MINIMUM 4" OF LOAM, LIMED, AND MULCHED. EROSION CONTROL BLANKETS OR MATS SHALL BE PLACED OVER THE MULCH IN AREAS NOTED IN PARAGRAPH 4.1 OF THIS REPORT.
- 1.2.2 ALL STORMWATER DEVICES SHALL BE INSTALLED AND TRIBUTARY AREAS STABILIZED PRIOR RECEIVING STORMWATER.
- 1.2.3 REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

2.0 EROSION AND SEDIMENTATION CONTROL PLAN

2.1 THE EROSION AND SEDIMENTATION CONTROL PLAN IS INCLUDED WITHIN THE PLAN SET.

3.0 DETAILS AND SPECIFICATIONS

3.1 EROSION CONTROL DETAILS AND SPECIFICATIONS ARE INCLUDED IN THE PLAN SET.

4.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

WINTER CONSTRUCTION CONSISTS OF EARTHWORK DISTURBANCE BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15. IF A CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15, THEN THE SITE SHALL BE PROTECTED WITH OVER-WINTER STABILIZATION. ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MIX, EROSION CONTROL MATS, RIPRAP, OR GRAVEL BASE ON A ROAD SHALL BE CONSIDERED OPEN.

THE CONTRACTOR SHALL LIMIT THE WORK AREA TO AREAS THAT WORK WILL OCCUR IN DURING THE SUBSEQUENT 15 DAYS AND SO THAT IT CAN BE MULCHED ONE DAY PRIOR TO A SNOW EVENT. THE CONTRACTOR SHALL STABILIZE WORK AREAS PRIOR TO OPENING ADDITIONAL WORK AREAS TO MINIMIZE AREAS WITHOUT EROSION CONTROL MEASURES.

THE FOLLOWING MEASURES SHALL BE IMPLEMENTED DURING WINTER CONSTRUCTION PERIODS:

4.1 SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS MAY CONSIST OF EROSION CONTROL MIX BERMS OR ANY OTHER RECOGNIZED SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES OR SILT FENCES.

4.2 MULCHING

ALL AREAS SHALL BE CONSIDERED TO BE DENUDED UNTIL SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LB. PER 1,000 SQUARE FEET OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75-LBS./1,000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. EROSION CONTROL MIX MUST BE APPLIED WITH A MINIMUM 4 INCH THICKNESS. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW SHALL BE REMOVED DOWN TO A ONE-INCH DEPTH OR LESS PRIOR TO GRADING. THE AREA SHALL 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 EITHER MULCHED OR 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 MULCH NETTING, TRACKING OR WOOD CELLULOSE FIBER. THE COVER WILL BE CONSIDERED SUFFICIENT WHEN THE GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL EXPOSED SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORKDAY.

4.3 SOIL STOCKPILING

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR WITH A FOUR-INCH LAYER OF EROSION CONTROL MIX. THIS SHALL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL.

4.4 SEEDING

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

DORMANT SEEDING MAY BE PLACED PRIOR TO THE PLACEMENT OF MULCH OR EROSION CONTROL BLANKETS. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5 LBS./1,000 S.F. ALL AREAS SEEDED DURING THE WINTER SHALL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 75% CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH. IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED IN THE SPRING.

4.5 OVER WINTER STABILIZATION OF DISTURBED SOILS

BY SEPTEMBER 15TH, ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15% SHALL BE SEEDED AND MULCHED. IF THE DISTURBED AREAS ARE NOT STABILIZED BY THIS DATE, THEN ONE OF THE FOLLOWING ACTIONS SHALL BE TAKEN TO STABILIZE THE SOIL FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION – BY OCTOBER 1ST, SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3LBS PER 1,000 S.F., LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 LBS PER 1,000 S.F., AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1ST, THEN MULCH THE AREA FOR OVER-WINTER PROTECTION.
- STABILIZE THE SOIL WITH SOD – STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
- STABILIZE THE SOIL WITH MULCH – BY NOVEMBER 15TH, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 LBS PER 1,000 S.F. ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. IMMEDIATELY AFTER APPLYING THE MULCH, ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

4.6 OVER WINTER STABILIZATION OF DISTURBED SLOPES

ALL STONE-COVERED SLOPES SHALL BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15TH. ALL SLOPES TO BE VEGETATED SHALL BE SEEDED AND MULCHED BY SEPTEMBER 1ST. A SLOPE IS CONSIDERED A GRADE GREATER THAN 15%. IF A SLOPE TO BE VEGETATED IS NOT STABILIZED BY SEPTEMBER 1ST, THEN ONE OF THE FOLLOWING ACTION SHALL BE TAKEN TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS – BY OCTOBER 1ST THE DISTURBED SLOPE SHALL BE SEEDED WITH WINTER RYE AT A SEEDING RATE OF 3 LBS PER 1,000 S.F. AND THEN INSTALL EROSION CONTROL MATS OR ANCHORED MULCH OVER THE SEEDING. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% F THE SLOPE BY NOVEMBER 1ST, THEN THE CONTRACTOR SHALL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR WITH STONE RIPRAP.
- STABILIZE THE SOIL WITH SOD – THE DISTURBED SLOPE SHALL BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE DISTURBED SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE CONTRACTOR SHALL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 3H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SOIL WITH EROSION CONTROL MIX – EROSION CONTROL MIX SHALL BE PROPERLY INSTALLED BY NOVEMBER 15TH. THE CONTRACTOR SHALL NOT USE EROSION CONTROL MIX TO STABILIZE SLOPES HAVING GRADES GREATER THAN 2H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.

- STABILIZE THE SOIL WITH STONE RIPRAP – PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15TH. A REGISTERED PROFESSIONAL ENGINEER SHALL BE HIRED TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

5.0 INSPECTION AND MAINTENANCE

A PERSON WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROL, INCLUDING THE STANDARDS AND CONDITIONS IN THE PERMIT, SHALL CONDUCT PERIODIC VISUAL INSPECTIONS OF INSTALLED EROSION CONTROL MEASURES. THE FREQUENCY OF INSPECTION SHALL OCCUR AT LEAST ONCE EVERY TWO WEEKS, AS WELL AS AFTER A "STORM EVENT". A "STORM EVENT" SHALL CONSIST 0.5 INCHES OF RAIN WITHIN A 24 HOUR PERIOD. THE FOLLOWING EROSION AND SEDIMENT CONTROL – BEST MANAGEMENT PRACTICES (BMP'S) SHALL INSPECTED IN THE MANNER AS DESCRIBED.

5.1 SEDIMENT BARRIERS

HAY BALE BARRIERS, SILT FENCES AND FILTER BERMS SHALL BE INSPECTED AND REPAIRED FOR THE FOLLOWING IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM: IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES OF THE BARRIER, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM. SHOULD THE FABRIC ON A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER. FILTER BERMS SHOULD BE RESHAPED AS NEEDED. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHOULD BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

5.2 STABILIZED STONE CONSTRUCTION ENTRANCES

THE EXIT SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. WHEN THE CONTROL PAD BECOMES INEFFECTIVE, THE STONE SHALL BE REMOVED ALONG WITH THE COLLECTED SOIL MATERIAL AND REDISTRIBUTED ON SITE IN A STABLE MANNER. THE ENTRANCE SHOULD THEN BE RECONSTRUCTED. THE CONTRACTOR SHALL SWEEP OR WASH PAVEMENT AT EXITS, WHICH HAVE EXPERIENCED MUD-TRACKING ON TO THE PAVEMENT OR TRAVELED WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH AGGREGATE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES, OR WATERWAYS.

5.3 MULCHED AREAS

ALL MULCHES MUST BE INSPECTED PERIODICALLY, IN PARTICULAR AFTER RAINSTORMS, TO CHECK FOR RILL EROSION. IF LESS THAN 90% OF THE SOIL SURFACE IS COVERED BY MULCH, ADDITIONAL MULCH SHALL BE IMMEDIATELY APPLIED. NETS MUST BE INSPECTED AFTER RAIN EVENTS FOR DISLOCATION OR FAILURE. IF WASHOUTS OR BREAKAGE OCCUR, RE-INSTALL THE NETS AS NECESSARY AFTER REPAIRING DAMAGE TO THE SLOPE. WHERE MULCH IS USED IN CONJUNCTION WITH ORNAMENTAL PLANTINGS, INSPECT PERIODICALLY THROUGHOUT THE YEAR TO DETERMINE IF MULCH IS MAINTAINING COVERAGE OF THE SOIL SURFACE. REPAIR AS NEEDED.

5.4 DUST CONTROL

WHEN TEMPORARY DUST CONTROL MEASURES ARE USED, REPETITIVE TREATMENT SHALL BE APPLIED AS NEEDED TO ACCOMPLISH CONTROL.

5.5 STORMWATER APPURTENANCES

ALL UNDERDRAINS, STORM DRAINS, AND CATCH BASINS NEED TO BE OPERATING EFFECTIVELY AND FREE OF DEBRIS.

5.6 EROSION AND SEDIMENTATION CONTROL INSPECTIONS:

ACORN ENGINEERING HAS PERSONNEL QUALIFIED TO CONDUCT EROSION AND SEDIMENTATION CONTROL INSPECTIONS. FOR FURTHER INFORMATION CONTACT:

CONTACT: WILL SAVAGE, PE

TELEPHONE: (207) 775-2655

QUALIFICATIONS:

- MAINE PROFESSIONAL ENGINEERING LICENSE #11419
- MAINE DEP – CERTIFIED IN MAINTENANCE & INSPECTION OF STORMWATER BMP'S CERT #14
- CERTIFIED EROSION, SEDIMENT AND STORM WATER INSPECTOR (CESSWI) CERT #0293
- CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) CERT. #4620

THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION AND SEDIMENTATION REPORT/PLAN, INCLUDING CONTROL OF FUGITIVE DUST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

6.0 IMPLEMENTATION SCHEDULE

THE FOLLOWING IMPLEMENTATION SEQUENCE IS INTENDED TO MAXIMIZE THE EFFECTIVENESS OF THE ABOVE DESCRIBED EROSION CONTROL MEASURES. CONTRACTORS SHOULD AVOID OVEREXPOSING DISTURBED AREAS AND LIMIT THE AMOUNT OF STABILIZATION AREA.

1. INSTALL A STABILIZED CONSTRUCTION ENTRANCE IN ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER AND EXIT THE SITE.
2. INSTALL PERMETER SILT FENCE OR EROSION CONTROL BERM.
3. INSTALL ALL OTHER EROSION CONTROL DEVICES AS NECESSARY THROUGHOUT THE REMAINDER OF THIS SCHEDULE.
4. COMMENCE INSTALLATION OF DRAINAGE INFRASTRUCTURE.
5. PRIORITIZE THE DOWNHILL RETAINING AND FOUNDATION WALLS TO CONTAIN RUNOFF WITHIN THE SITE WHILE PROVIDING AN ENGINEERED OUTLET WITH SILTATION BARRIER TO THE MUNICIPAL STORMWATER SYSTEM WITHIN YORK STREET.
6. COMMENCE EARTHWORK OPERATIONS, WALL AND FOUNDATION INSTALLATION.
7. COMMENCE INSTALLATION OF UTILITIES.
8. CONTINUE EARTHWORK AND GRADING TO SUBGRADE AS NECESSARY FOR CONSTRUCTION.
9. COMPLETE INSTALLATION OF DRAINAGE INFRASTRUCTURE, AS WELL AS OTHER UTILITY WORK.
10. COMPLETE REMAINING EARTHWORK OPERATIONS.
11. INSTALL SUB-BASE AND BASE GRAVELS IN PAVED AREAS.
12. INSTALL PAVING, CURBING AND BRICKWORK.
13. LOAM, LIME, FERTILIZE, SEED AND MULCH DISTURBED AREAS AND COMPLETE ALL LANDSCAPING.
14. ONCE THE SITE IS STABILIZED, 90% CATCH OF GRASS HAS BEEN OBTAINED, OR MULCHING OF LANDSCAPE AREAS IS COMPLETE REMOVE ALL TEMPORARY EROSION CONTROL MEASURES.
15. TOUCH UP AREAS WITHOUT A VIGOROUS CATCH OF GRASS WITH LOAM AND SEED.
16. COMPLETE SITE SIGNAGE AND STRIPING.
17. EXECUTE PROPER MAINTENANCE OF ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

THE ABOVE IMPLEMENTATION SEQUENCE SHOULD BE GENERALLY FOLLOWED BY THE SITE CONTRACTOR. HOWEVER, THE CONTRACTOR MAY CONSTRUCT SEVERAL ITEMS SIMULTANEOUSLY. THE CONTRACTOR SHALL SUBMIT TO THE OWNER A SCHEDULE OF THE COMPLETION OF THE WORK. IF THE CONTRACTOR IS TO COMMENCE THE CONSTRUCTION OF MORE THAN ONE ITEM ABOVE, THEY SHALL LIMIT THE AMOUNT OF EXPOSED AREAS TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE FOLLOWING 30 DAYS.

THE CONTRACTOR SHALL RE-VEGETATE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING OR BEFORE A STORM EVENT. THE CONTRACTOR SHALL INCORPORATE PLANNED INLETS AND DRAINAGE SYSTEMS AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE.

7.0 CONCLUSION

THE ABOVE EROSION CONTROL NARRATIVE IS INTENDED TO MINIMIZE THE DEVELOPMENT IMPACT BY IMPLEMENTING TEMPORARY AND PERMANENT EROSION CONTROL MEASURES. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

TEMPORARY SEEDING PLAN

SITE PREPARATION

THE SEEDED AREAS SHALL BE FEASIBLY GRADED OUT TO PROVIDE THE USE OF EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. IF NECESSARY, THE SITE MAY REQUIRE ADDITIONAL TEMPORARY EROSION CONTROL MEASURES OUTLINED IN THE EROSION CONTROL REPORT.

SEEDBED PREPARATION

FERTILIZER SHALL BE APPLIED TO THE SITE AT A RATE OF 13.8 POUNDS PER 1,000 SQUARE FEET. THE COMPOSITION OF THE FERTILIZER SHALL BE 10-10-10 (N-P205-K20) OR EQUIVALENT.

LMESTONE SHALL BE APPLIED TO THE SITE AT A RATE OF 138 POUNDS PER 1,000 SQUARE FEET.

SEEDING

THE COMPOSITION AND AMOUNT OF TEMPORARY SEED APPLIED TO A SITE SHALL BE DETERMINED BY THE FOLLOWING TABLE:

| TEMPORARY SEED APPLICATION RATES |               |                           |
|----------------------------------|---------------|---------------------------|
| SEED                             | LBS / ACRE    | RECOMMENDED SEEDING DATES |
| WINTER RYE                       | 2.57          | 8/15 TO 10/1              |
| OATS                             | 1.84          | 4/1 TO 7/1 8/15 TO 9/15   |
| ANNUAL RYGRASS                   | 0.92          | 4/1 TO 7/1                |
| SUDANGRASS                       | 0.92          | 5/15 TO 8/15              |
| PERENNIAL                        | 0.92          | 8/15 TO 9/15              |
| TOTAL                            | 7.17 LBS/ACRE |                           |

MULCHING

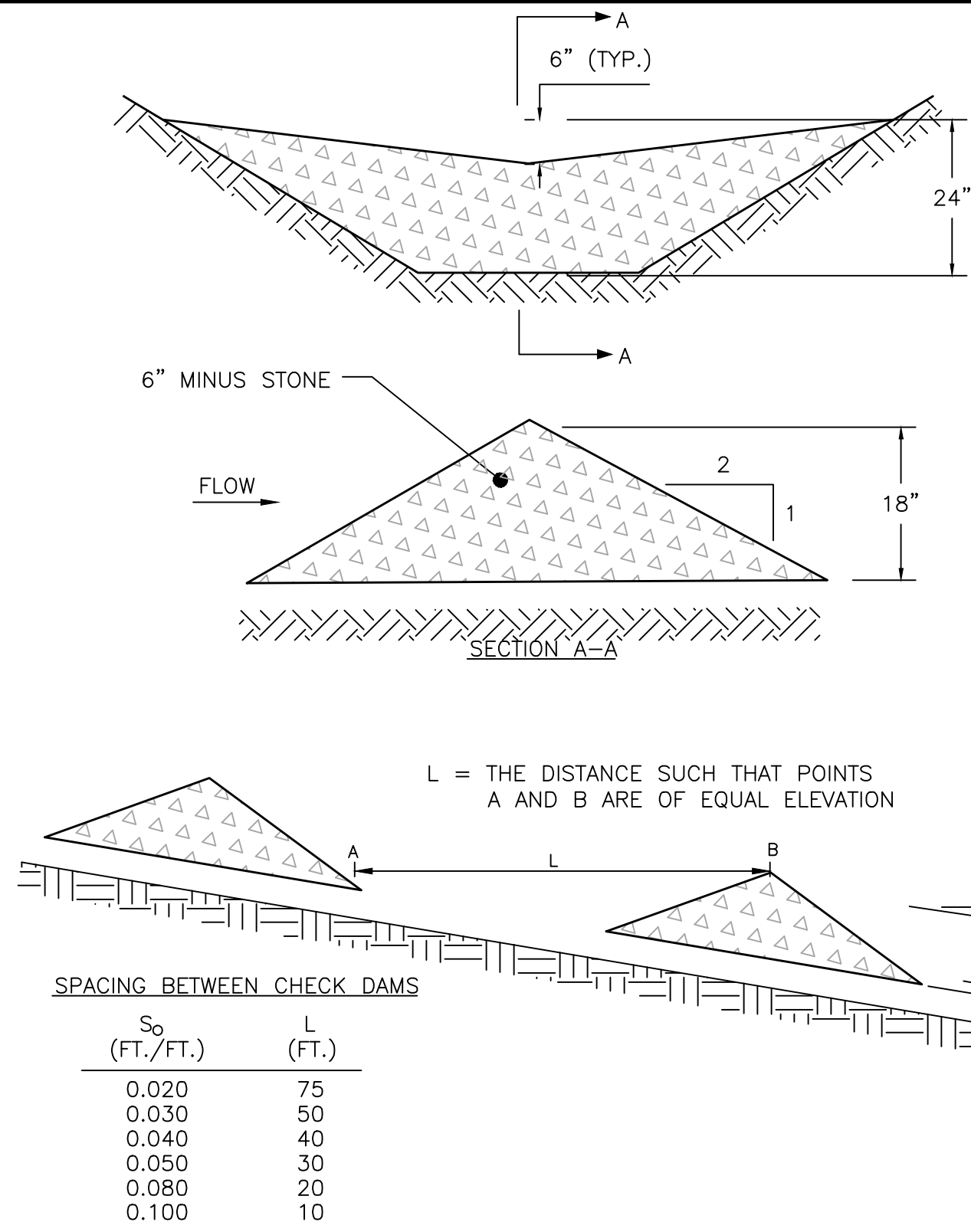
MULCH SHALL BE APPLIED AT A RATE OF 70 LBS – 90 LBS PER 1,000 SQUARE FEET. THE MULCH SHALL BE INSTALLED AT A MINIMUM DEPTH OF 4 INCHES. THE SEEDED AREA SHALL BE MULCHED IMMEDIATELY AFTER SEED IS APPLIED. MULCHING DURING THE WINTER SEASON SHALL BE DOUBLE THE NORMAL AMOUNT.

CONCLUSION

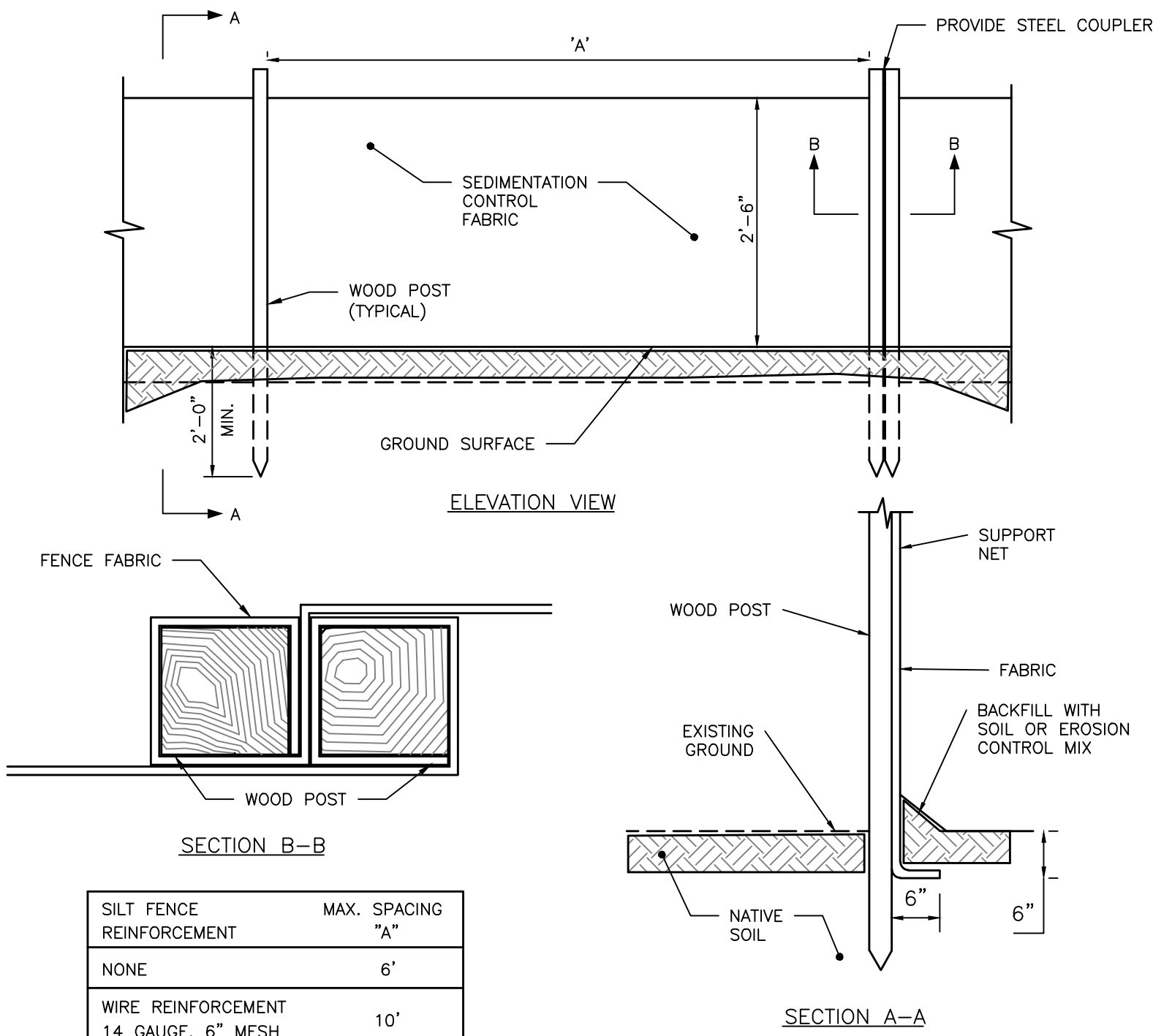
PLEASE REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION PERTAINING TO TEMPORARY SEEDING AND MULCHING.

| PERMANENT SEED APPLICATION RATES |               |
|----------------------------------|---------------|
| SEED                             | LBS / ACRE    |
| KENTUCKY BLUEGRASS               | 20.00         |
| CREeping RED FESCUE              | 20.00         |
| PERENNIAL RYEGRASS               | 4.80          |
| TOTAL                            | 44.8 LBS/ACRE |

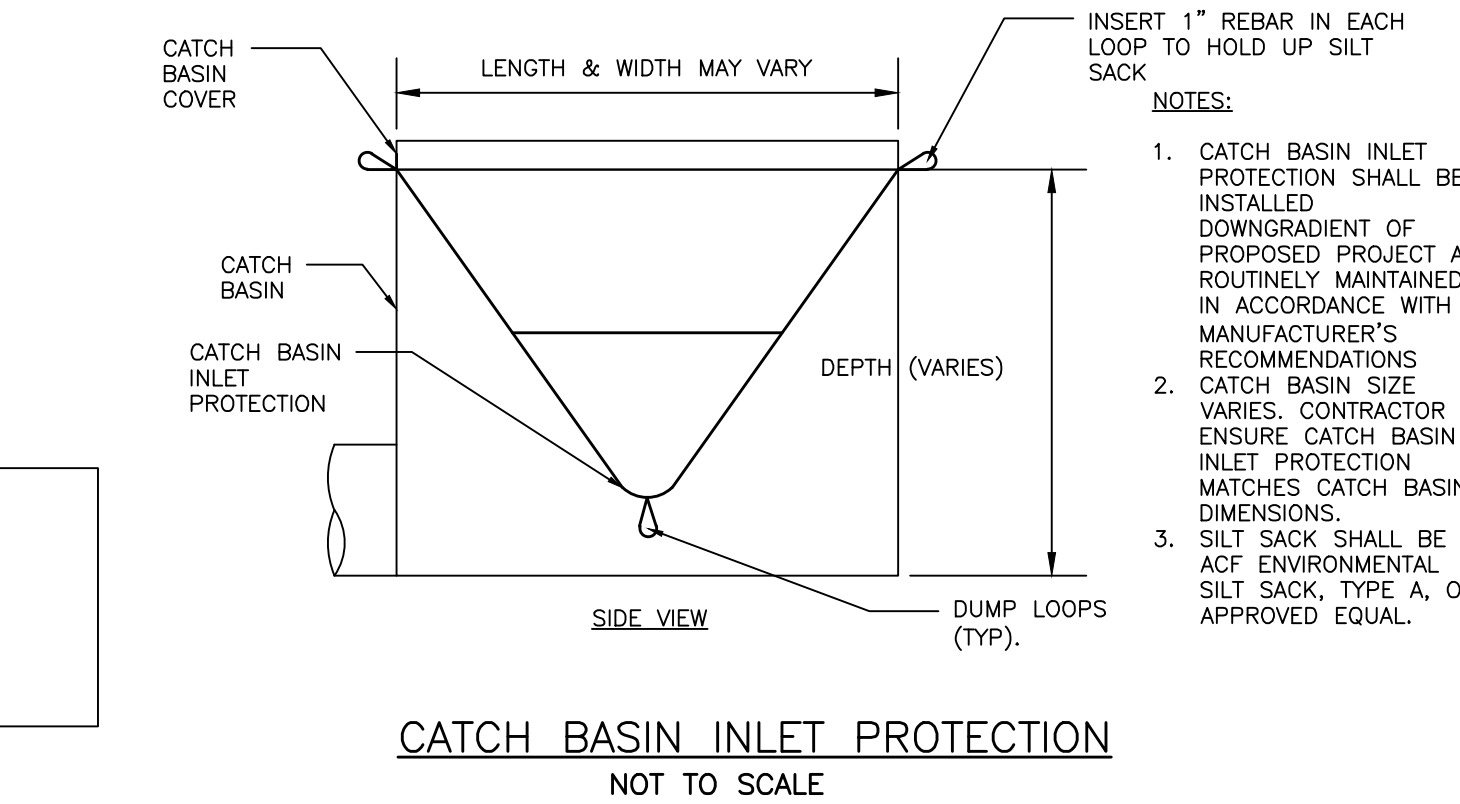
PRELIMINARY  
NOT ISSUED FOR  
CONSTRUCTION



STONE CHECK DAM  
NOT TO SCALE



SILTATION FENCE DETAIL  
NOT TO SCALE



CATCH BASIN INLET PROTECTION  
NOT TO SCALE

ISSUED FOR: PRELIM. APP. FINAL APP.

BY DATE: WHS 11/26/16 WHS 12/27/17

DRAWING NAME: EROSION & SEDIMENTATION CONTROL DETAILS

PROJECT NAME: 161 YORK STREET REDEVELOPMENT

CLIENT: YORK STREET REDEVELOPMENT, LLC 42 MARKET STREET PORTLAND, ME 04101

ACORN ENGINEERING, INC.

FOR THIS PLAN SET HAS BEEN OBTAINED WITHOUT WARRANTY OR GUARANTEE FROM ACORN ENGINEERING, INC. ANY VARIATIONS, AUTHORIZED BY THE CLIENT, SHALL BE THE RESPONSIBILITY OF ACORN ENGINEERING, INC.

158 DANFORTH STREET PORTLAND, MAINE 04102 (207) 775-2655

FILE: 1074\_CIVIL

JN: 1074

SCALE: NTS

DESIGNED BY: WHS

DRAWN BY: SJL

CHECKED BY: WHS

STATE OF MAINE  
WILLIAM H. SAVAGE  
No. 11419  
2-9-17  
Professional Engineer

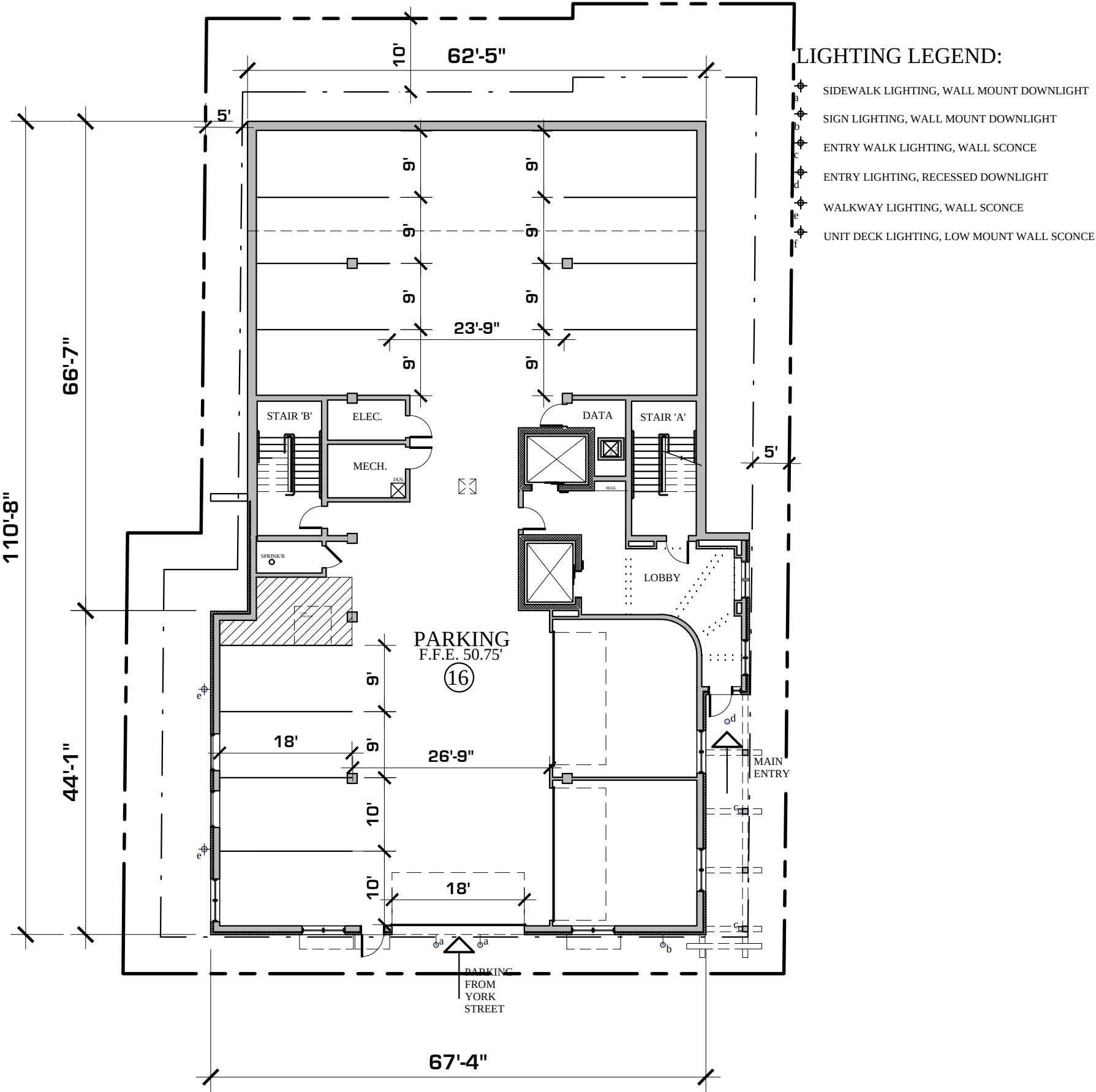
DRAWING NO. C-46

FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



**LOWER LEVEL PLAN**  
1/16" = 1'-0"



A-1.0

February 28, 2017

**YORK STREET**  
**161**



FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

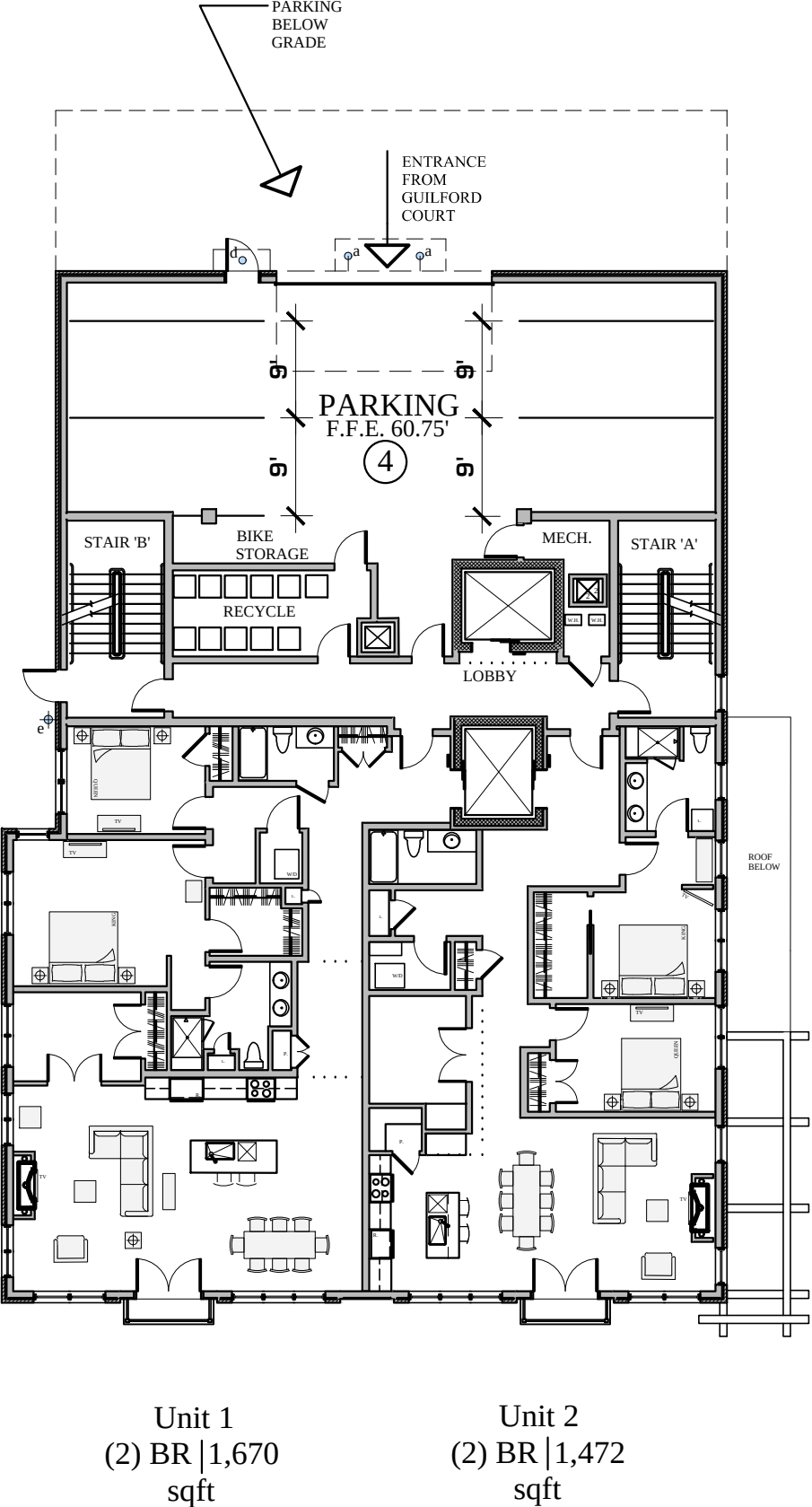
FINAL



**BUILDING  
AREA:**

|               |           |
|---------------|-----------|
| LOWER LEVEL:  | 7,089 SF  |
| FIRST FLOOR:  | 6,194 SF  |
| SECOND FLOOR: | 6,145 SF  |
| THIRD FLOOR:  | 6,145 SF  |
| FOURTH FLOOR: | 5,889 SF  |
| <hr/>         |           |
| TOTAL:        | 31,462 SF |

**FIRST FLOOR PLAN**  
1/16" = 1'-0"



**YORK STREET**  
**161**



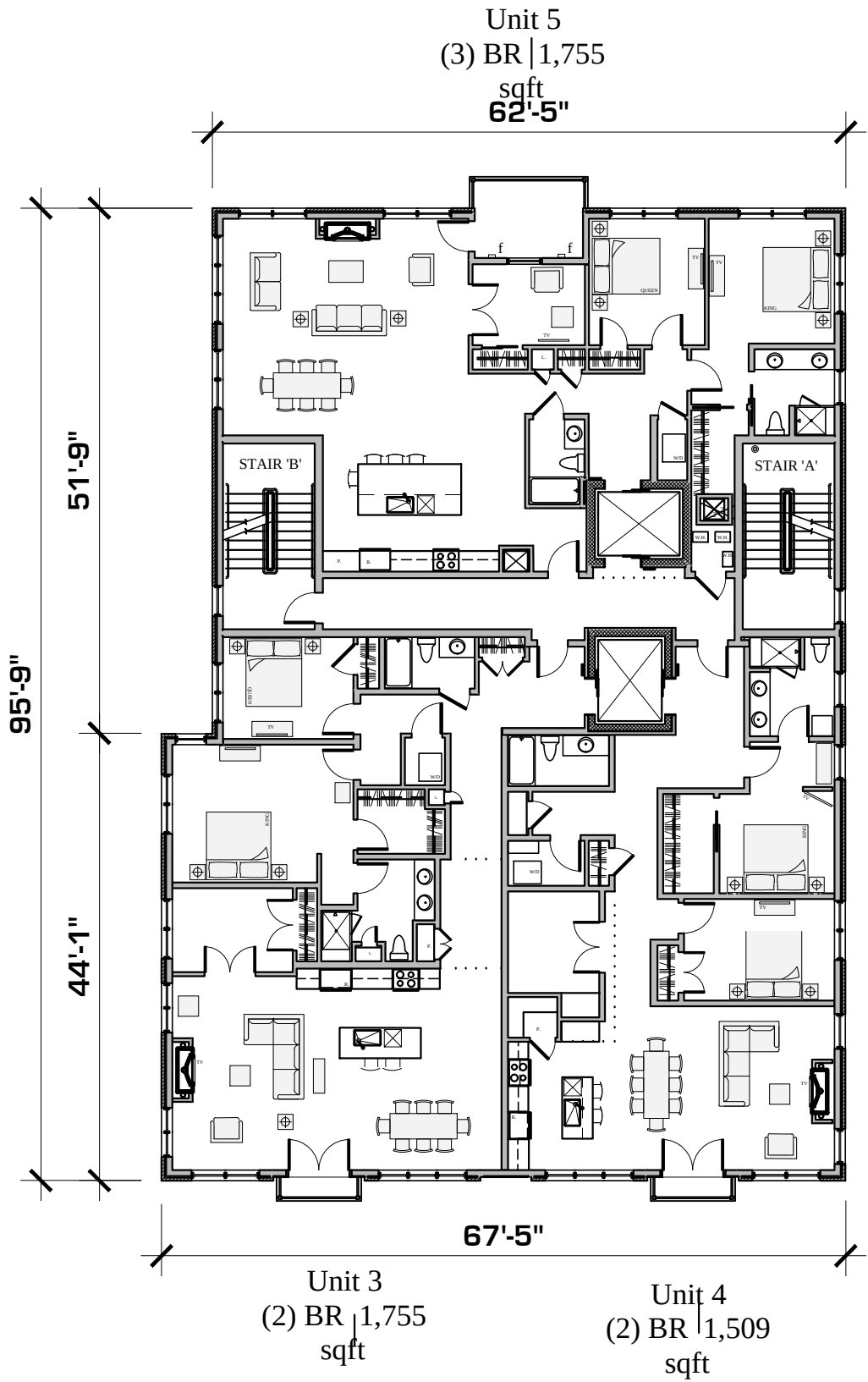
FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



SECOND FLOOR PLAN

1/16" = 1'-0"



YORK STREET  
161

A-1.2

February 28, 2017

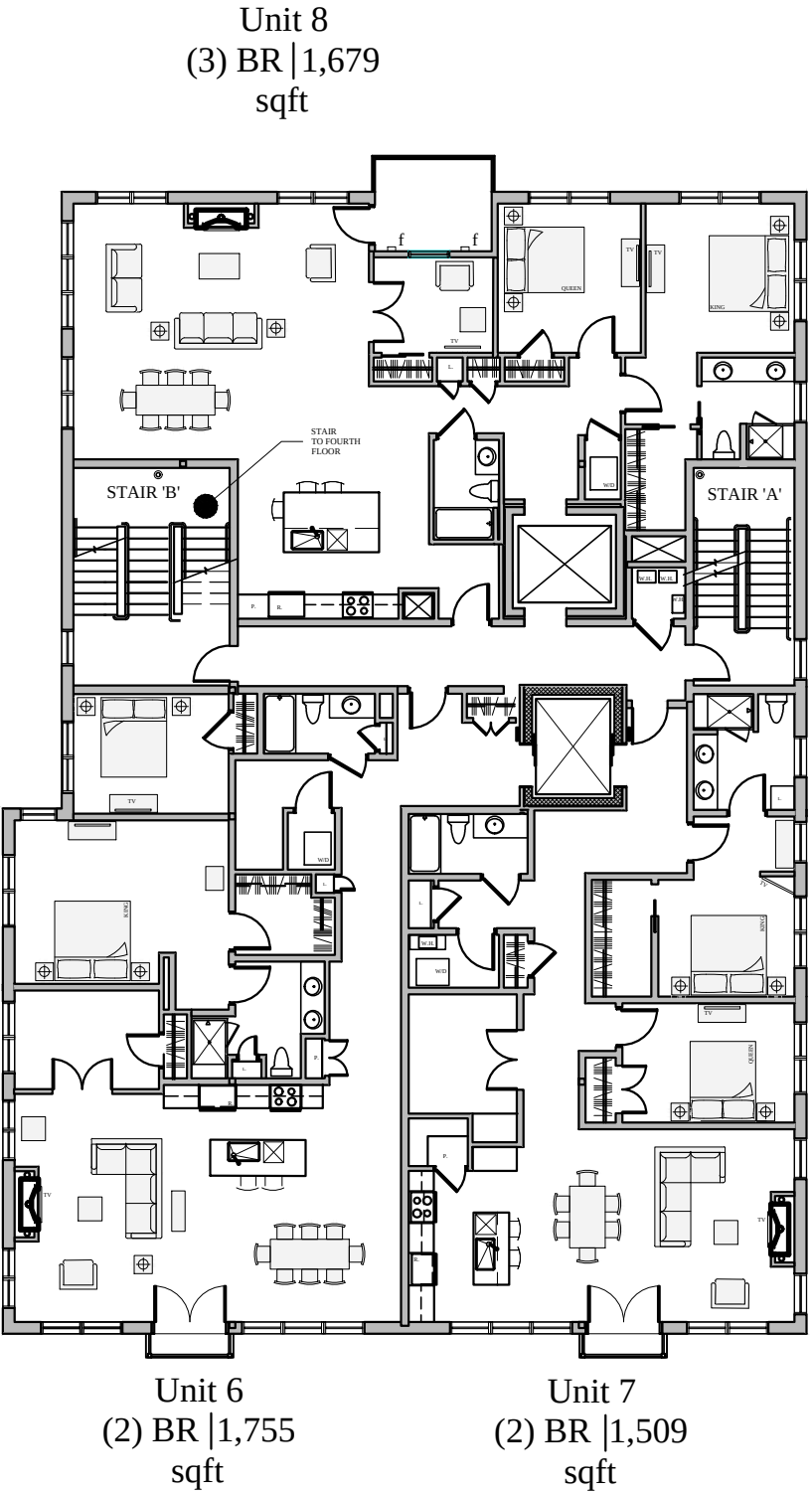
FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



THIRD FLOOR PLAN

1/16" = 1'-0"



YORK STREET  
161

A-1.3

February 28, 2017

FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

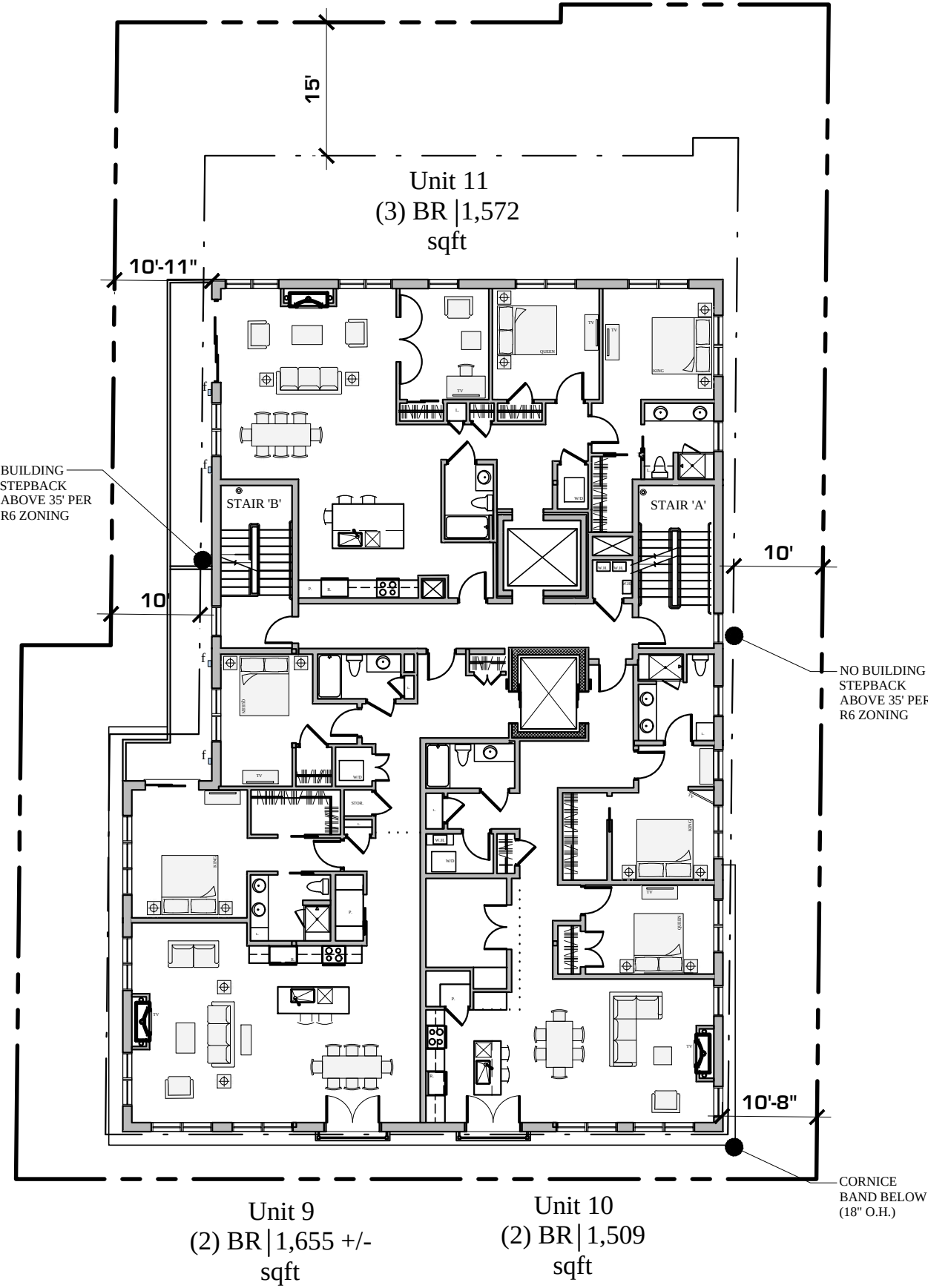
FINAL



MARK  
MUELLER  
ARCHITECTS

FOURTH FLOOR PLAN

1/16" = 1'-0"



YORK STREET  
161

A-1.4

February 28, 2017

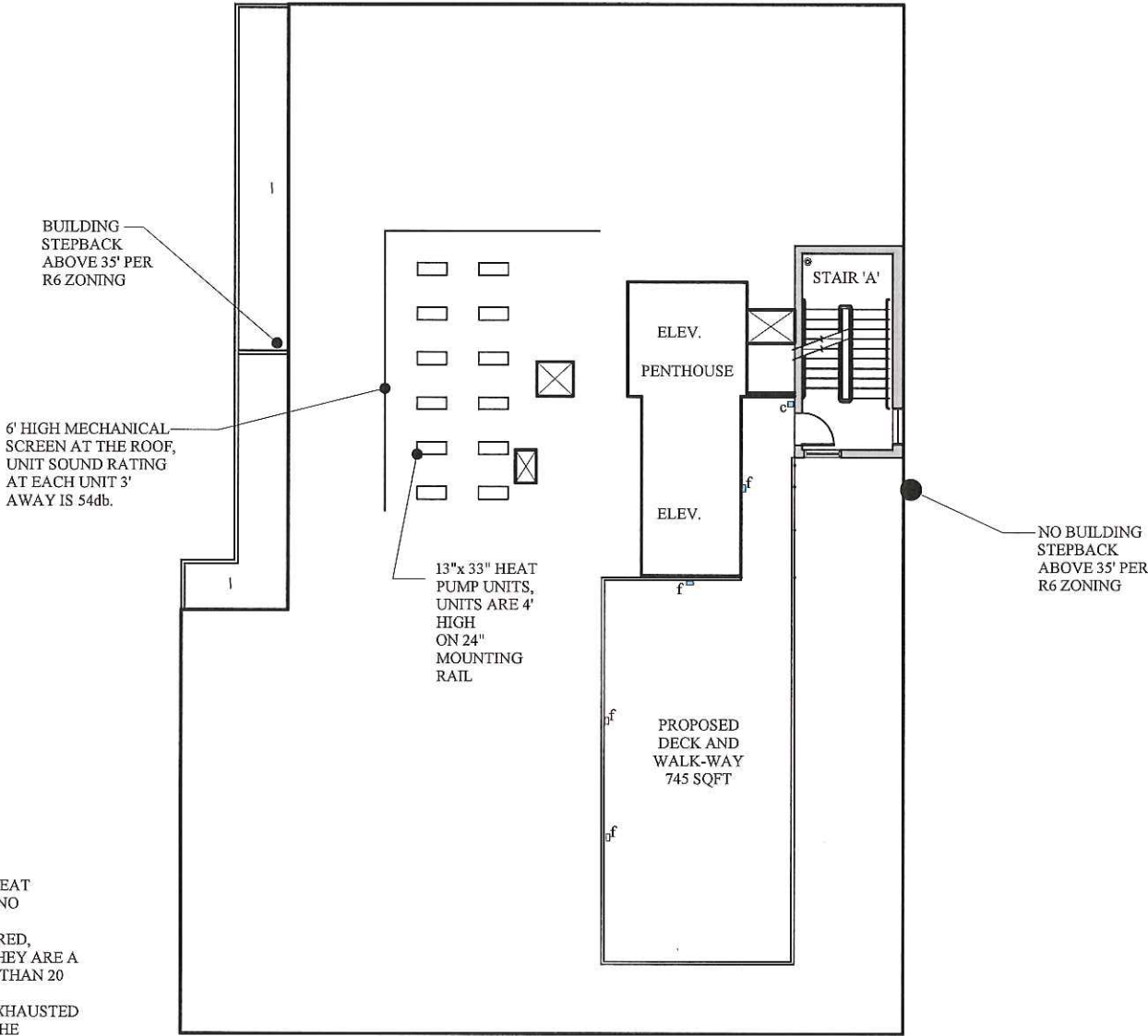
FOR:  
PORTLAND  
PROPERTIES  
42 MARKET ST  
PORTLAND, MAINE

FINAL



ROOF PLAN  
1/16" = 1'-0"

- ROOF HVAC EMISSIONS:
- 1) INDIVIDUAL UNIT: ARE ELECTRIC HEAT PUMPS AND THEREFORE PRODUCE NO CARBON EMISSIONS.
  - 2) UNIT WATER HEATERS: ARE GAS FIRED, DIRECT VENT AND CONDENSING, THEY ARE A LOW NOx EMISSIONS TYPE OF LESS THAN 20 ppm.
  - 3) THE PARKING GARAGES WILL BE EXHAUSTED BY FANS LOCATED ON THE ROOF. THE DESIGN EXHAUST RATE WILL BE APPROXIMATELY 1.0 cfm/sf PER NFPA 88A. THE EXHAUST FANS AT THE ROOF (UPBLAST TYPE) ARE DESIGNED TO ACHIEVE MAXIMUM EXHAUST DILUTION WITHIN A SHORT DISTANCE.
  - 4) THE MECHANICAL HEAT PUMP UNITS FOR THE INDIVIDUAL LIVING UNITS PRODUCE 54db AT 3' FROM THE UNIT. ANTICIPATED LEVELS AT THE PROPERTY LINE VARY BETWEEN 48-50 db.



YORK STREET  
161

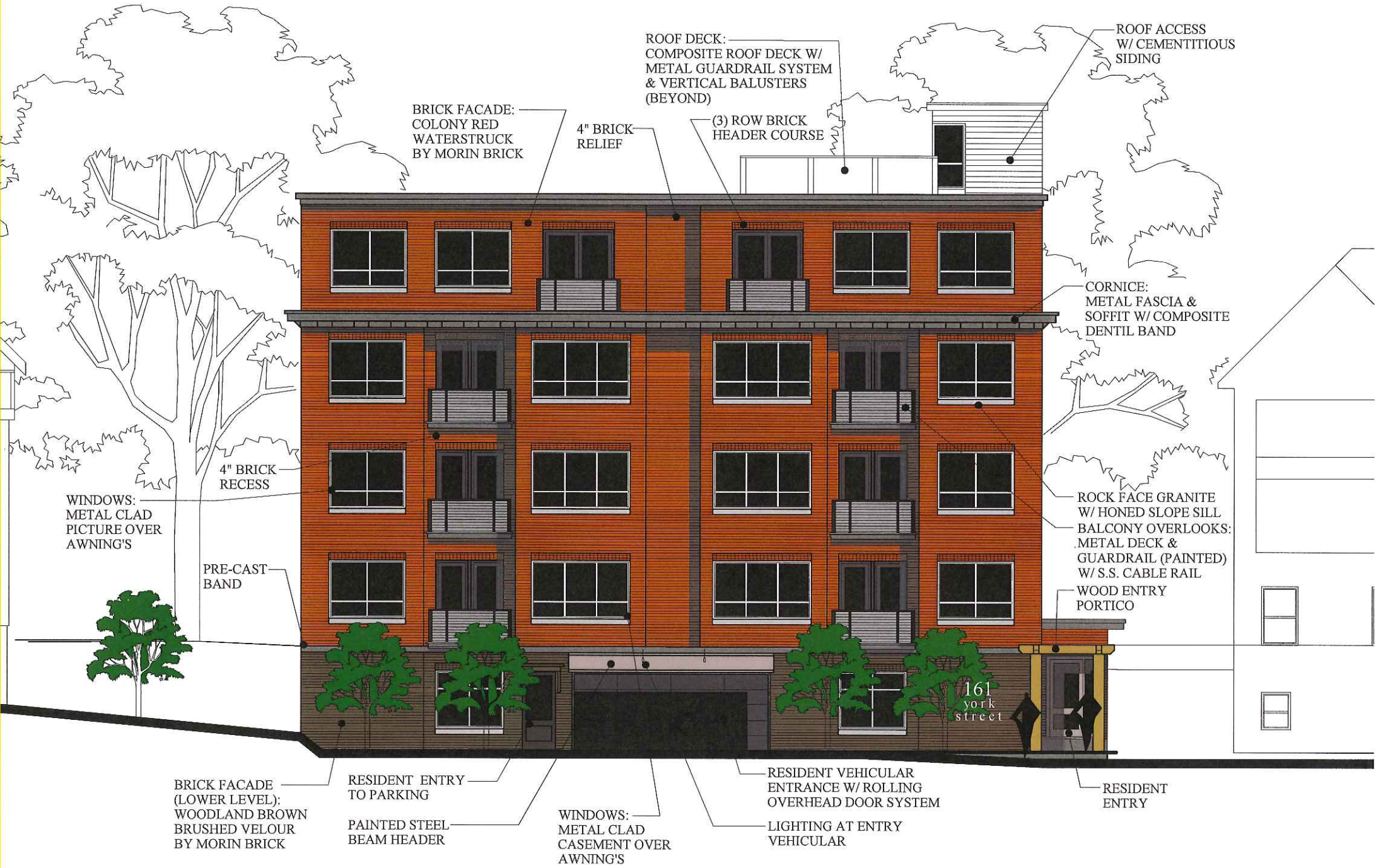
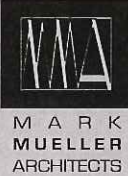
A-1.5

February 28, 2017



FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



**BUILDING  
ELEVATION**  
3/32" = 1'-0"

A-1.6

February 28, 2017

YORK STREET  
161

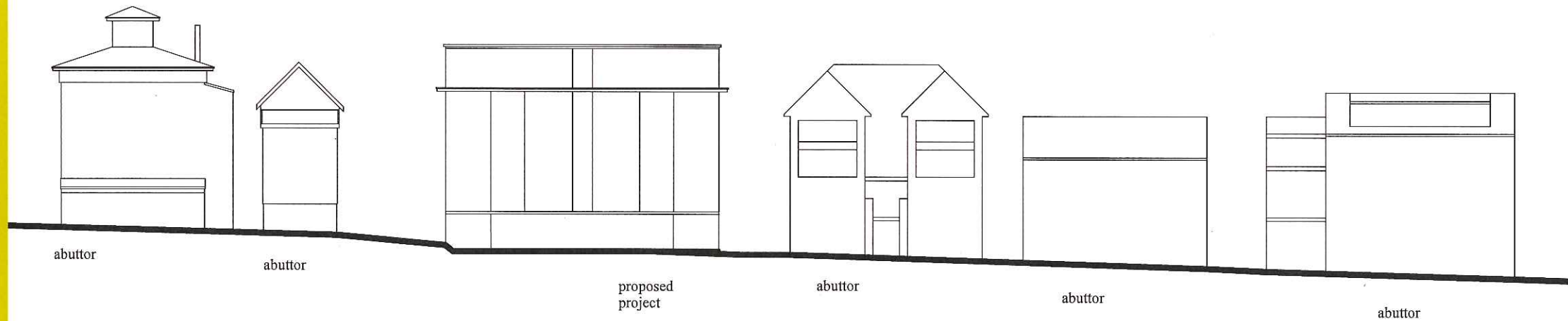


FOR:  
**PORTLAND  
 PROPERTIES**  
 42 MARKET ST  
 PORTLAND, MAINE

FINAL



MARK  
 MUELLER  
 ARCHITECTS



york street massing study



LEFT ELEVATION

**BUILDING  
 ELEVATION**

3/32" = 1'-0"

BRICK FACADE  
 (LOWER LEVEL):  
 WOODLAND BROWN  
 BRUSHED VELOUR  
 BY MORIN BRICK

METAL  
 WRAPPED  
 CANOPY

A-1.7

February 28, 2017

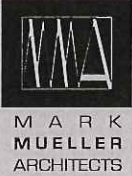
YORK STREET

161



FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



RIGHT ELEVATION

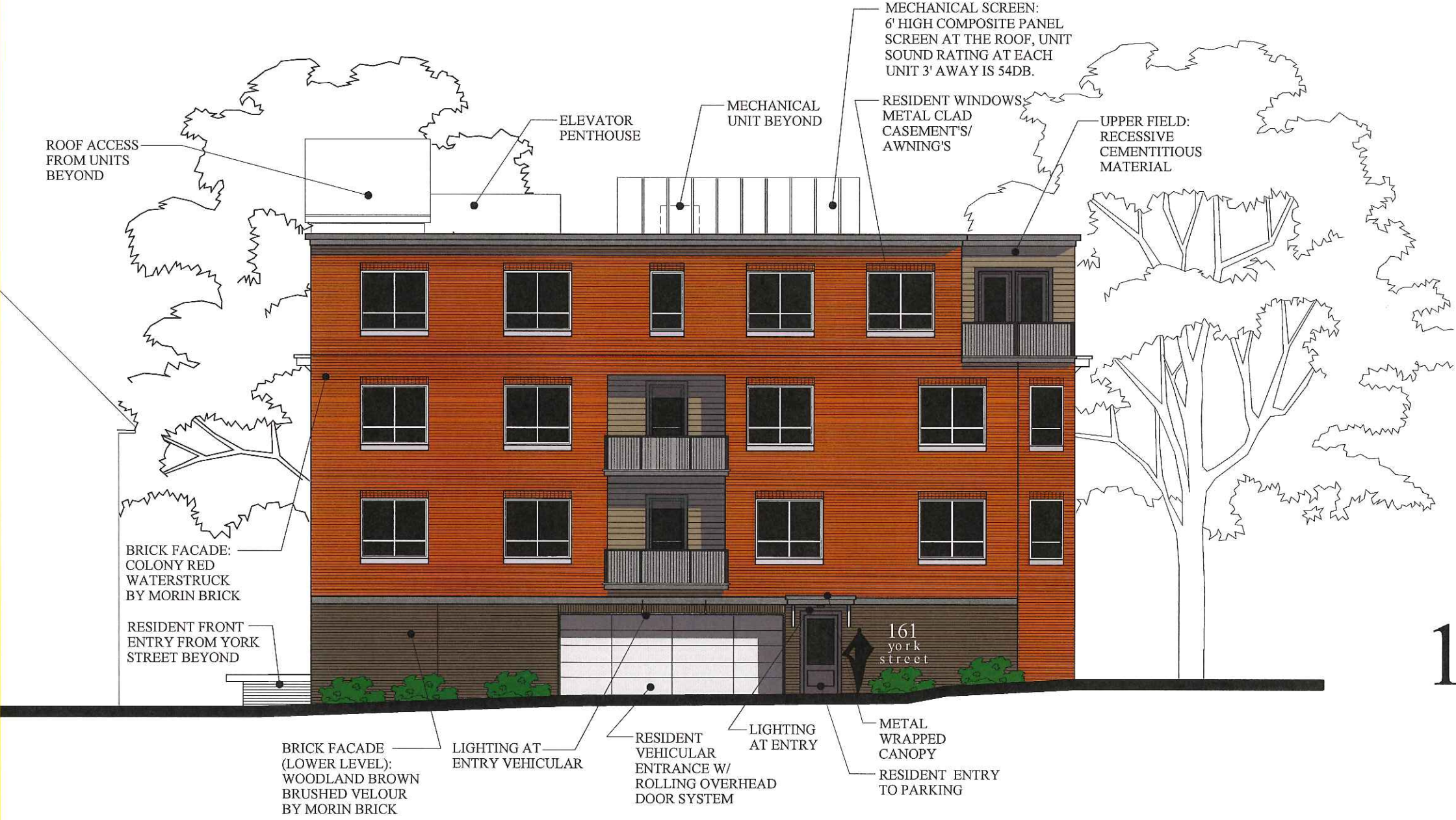
**BUILDING  
ELEVATION**  
3/32" = 1'-0"

**A-1.8**  
February 28, 2017



FOR:  
**PORTLAND  
PROPERTIES**  
42 MARKET ST  
PORTLAND, MAINE

FINAL



REAR ELEVATION

**BUILDING  
ELEVATION**  
3/32" = 1'-0"

A-1.9

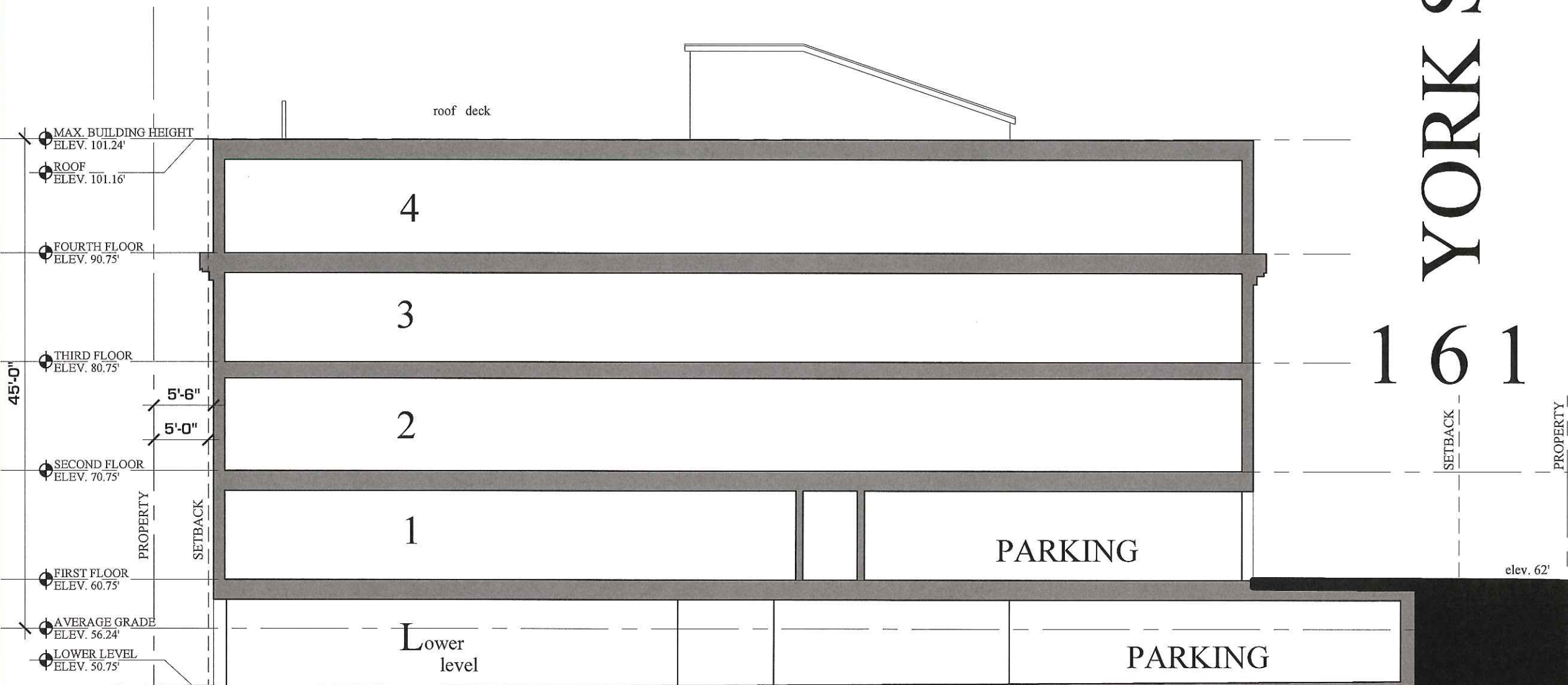
February 28, 2017

**YORK STREET**  
**161**



FOR:  
PORTLAND  
PROPERTIES  
42 MARKET ST  
PORTLAND, MAINE

FINAL



YORK STREET

161

SETBACK  
PROPERTY

elev. 62'

BUILDING SECTION  
3/32" = 1'-0"

A-1.10

February 28, 2017



DRAWING NO.

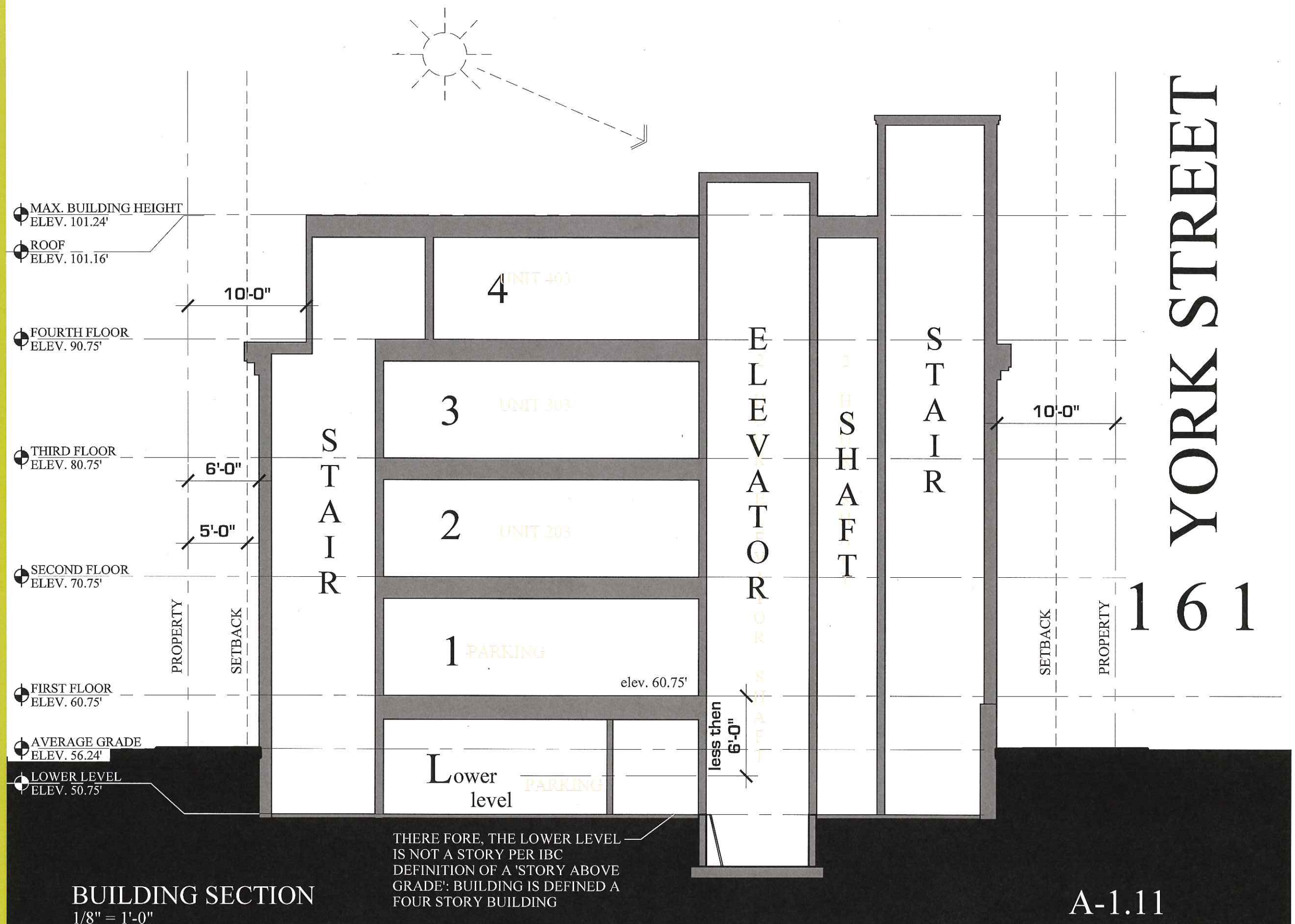


FOR:  
**PORTLAND  
 PROPERTIES**  
 42 MARKET ST  
 PORTLAND, MAINE

FINAL



MARK  
 MUELLER  
 ARCHITECTS



A-1.11

February 28, 2017



# PLANNING BOARD REPORT PORTLAND, MAINE

Four-Lot Subdivision  
158 Fore Street – Portland Gateway Project  
Level III Subdivision  
Ara Aftandilian, Portland Norwich Group, LLC

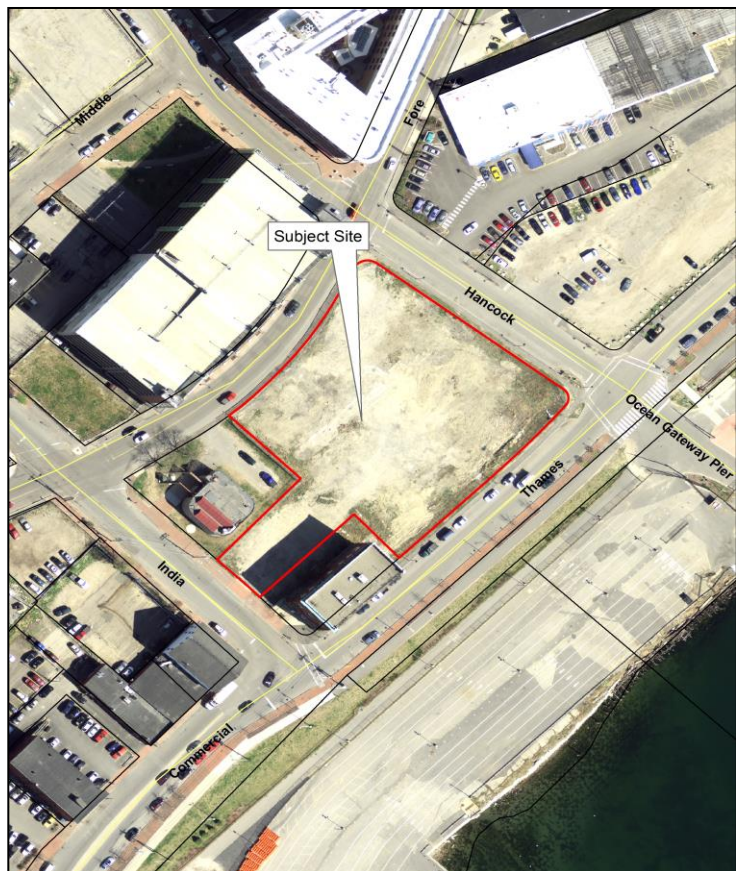
Submitted to:  
Portland Planning Board  
Public Hearing Date: February 28, 2017

Prepared by: Matthew Grooms  
Date: February 24, 2017  
Planning Board Report Number: 2017-018

## I. INTRODUCTION

The applicant is proposing to convert an existing two (2)-lot subdivision located at 158 Fore Street into a four (4)-lot subdivision, breaking existing lot 2 into lots 2, 3 and 4. This commercial subdivision is intended to provide additional buildable lots at the southern edge of the India Street Neighborhood and is compatible with the adjacent neighborhood development. The lots are intended for development as mixed-use office, retail and residential. The property is located within the India Street Form Based Code District (IS-FBC), and meets all applicable zoning standards.

The total subdivision area is approximately 60,642 square feet in size and includes four separate lots. The existing driveway curb cut along Fore Street is being improved to provide access to lots 1, 2 and 3 via an existing shared access easement that was recorded in July of 2016 following the Planning Board's approval of the AC Hotel site plan. Lot 4 will have direct access along India Street, and it is proposed that all four lots will have long term parking agreements with the Ocean Gateway Parking Garage located to the north of the subject parcels.



**Required reviews:** The proposal is being reviewed by the Planning Board under the Land Use Code provisions 14-497 (Subdivisions).

**Applicant Name:**  
**Consultants:**

Ara Aftandilian, Portland Norwich Group, LLC  
John Swan, Owen Haskell, INC, Lee Lowry, Jensen Baird Gardner  
Henry, Matthew Phillips, Carroll Associates

A total of one hundred and seventy-four (174) notices were sent to area residents and the city's interested party list. A



notice also appeared in the February 17<sup>th</sup> and February 20<sup>th</sup> editions of the *Portland Press Herald*.

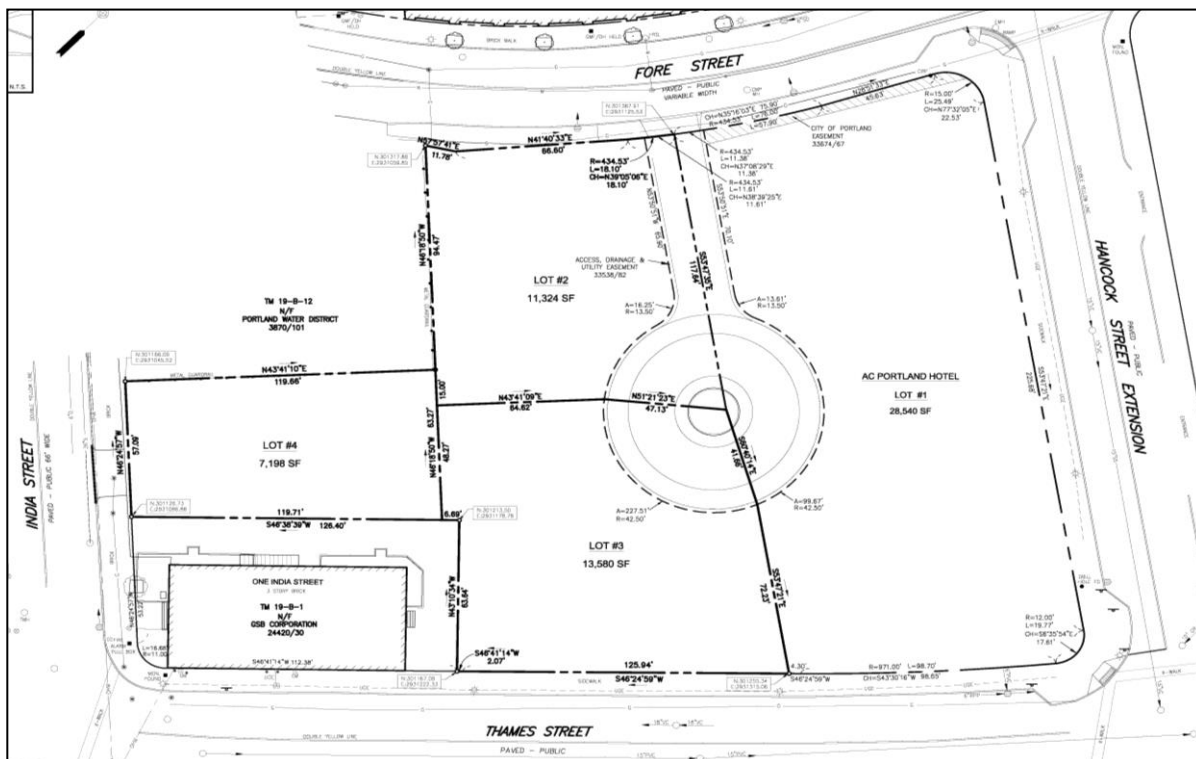
## II. PROJECT DATA

|                          |                                                                                      |
|--------------------------|--------------------------------------------------------------------------------------|
| Existing Zoning:         | IS-FBC and Shoreland Zone                                                            |
| Existing Use:            | Vacant Land                                                                          |
| Proposed Use:            | Mixed-Use Office, Retail Residential and Hotel                                       |
| Existing number of lots: | Two                                                                                  |
| Proposed number of lots: | Four                                                                                 |
| Parcel Size:             | Lot A 6,005 sq. ft.; Lot B1 6,532 sq. ft.; B2 5,557 sq. ft.                          |
| Impervious Surface Area: |                                                                                      |
| Existing:                | 32,102 sq. ft.                                                                       |
| Total Disturbed Area:    | N/A                                                                                  |
| Uses in Vicinity:        | Mixed-Use Commercial, Residential, Office, Marine Infrastructure, Off-Street Parking |

## III. EXISTING CONDITIONS

Lots 1 and 2 are currently undeveloped and have been utilized for temporary parking. Lot 1 is to be the future site of AC Portland Hotel, a Level III site plan that was approved by the Planning Board on 05/24/2016. This 180 room hotel will be six stories tall with a building footprint of 19,403 SF and a floor area of 106,223 SF. It is anticipated that Lots 2, 3 and 4 will be developed as mixed-use projects.

There is an existing access easement crossing portions of proposed lots 1, 2 and 3, that shall serve as a shared use driveway for these parcels. This easement has also been set aside for shared utility and drainage infrastructure. This driveway will be 20' feet in width and will serve two-way traffic entering and exiting the site. The easement features a circular round-about that will enable site circulation and improved vehicular maneuvering.



#### IV. PROPOSED DEVELOPMENT

The applicant is proposing a four (4)-lot subdivision located between Fore Street, Thames Street, India Street and Hancock Street. The existing curb cut on Fore Street will serve as primary access to this site with lots 1, 2 and 3 being accessed via an internal shared access easement which shall also contain site utilities and drainage infrastructure. This easement measures 20' feet in width at its narrowest point and features a circular round-about for site circulation. Access to lot 4 will be along its street frontage on India Street.



It is anticipated that Lots 2, 3 and 4 will be developed as mixed-use projects, with Lot 2 being office over ground floor retail, Lot 3 being residential condominiums over ground floor retail and Lot 4 being residential apartments over ground floor retail. The applicant has stated that there will be a long-term parking agreement between each lot and the Ocean Gateway Parking Garage. These proposals have not yet been submitted formally and are subject to change.

The applicant is seeking the subdivision of the land in order to facilitate the future development and financing. At this time, the applicant has not submitted a grading or drainage plan, a construction management plan, utility capacity letters, a stormwater management plan with associated stormwater calculations or evidence of financial or technical capacity. In discussions with the applicant, it has been agreed that these items will be supplied during the site plan review process for each individual development.

#### V. PUBLIC COMMENT

The Planning Division has received one public comment as of the date of preparing this report. This individual is opposed to the proposed subdivision as they feel it will negatively impact traffic, specifically at the intersection of Fore Street and India Street. A Neighborhood Meeting was not held since the proposal of a four-lot subdivision does not require a neighborhood meeting.

#### VI. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY

a. The owner of the property is Portland Norwich Acquisition, LLC. The applicant has provided a copy of Warranty Deeds, recorded at the Cumberland County Registry of Deeds (Document #32730 Book 33254 and Page 138), which demonstrates their right, title and interest in the property.

#### VII. ZONING ASSESSMENT

##### A. ZONING REVIEW

City staff have reviewed all submitted documents and feel that all zoning requirements are being met. The applicant

understands that separate permits will be required for the future build-out of the new lots.

## VIII. DEVELOPMENT REVIEW

### A. SUBDIVISION PLAN AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The draft subdivision plat (Attachment Plan 1) has been submitted for review. Based on discussions with staff, plat will need to be amended to address the following issues:

- Hancock Street Extension shall be changed to Hancock Street.

### B. SUBDIVISION (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

No detrimental water or air quality impacts are anticipated. Further analysis may be required during the site plan review stage for the development of each lot.

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

Staff has confirmed with the applicant that capacity letters from the Portland Water District shall be required for any future proposed development at the time of site plan review.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

The proposed project is not anticipated to have any significant adverse effect on regional traffic. No new curb cuts are being proposed with this plan. The applicant is aware that future traffic analysis in the form of a Traffic Impact Assessment (TIA) or Traffic Movement Permit (TMP) may be required as part of the site plan review process.

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

Staff has confirmed with the applicant that at the time of site plan submittal a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards will be provided for each individual development. In addition, the applicant shall submit the sewer capacity information needed for the City's review at time of site plan approval.

5. Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)

A portion of Lot 4 lies within the Old Port Historic District. The building elevations have been reviewed by the Historic Preservation Program Manager, Deborah Andrews, and no objections have been raised. The application for site plan review has not been submitted yet.

At this time, no new development is being proposed. There shall be no impact to the natural beauty of the



area or adverse effects to significant wildlife habitat, rare or irreplaceable natural areas, or any public access to the shoreline.

6. Comprehensive Plan (Section 14-497 (a) 9)

State Goal A encourages orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services and preventing development sprawl. Through this proposed subdivision, this goal and subsequent policies as seen below are being met in a number of ways. The applicant is seeking to create new, conforming lots on a currently vacant infill site located adjacent to the India Street neighborhood and the Old Port Historic and Commercial district. This project, as proposed, will ultimately lead to a significant increase in housing and job opportunities in a highly walkable location, easily accessible via public transportation. As an infill lot, this subdivision facilitates development opportunities away from greenfield sites and in a location, that has already previously been developed.

- Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines, and roads, exist or may be expanded at minimal cost.
- Create new housing to support Portland as an employment center and to achieve an improved balance between paying jobs and housing.
- Encourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical.
- Locate and design housing to reduce impacts on environmentally sensitive areas.

The first policy of Housing: Sustaining Portland's Future is to ensure an adequate and diverse supply of housing for all. Objectives under that policy include the following:

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers and public transportation.
- Encourage housing within and adjacent to the downtown.

The Downtown Vision Plan, developed in 1991 and later adopted as an appendix item for the Comprehensive Plan, emphasizes the importance of a diverse built environment, specifically calling out retail, office and residential land-uses as key to the future success of the city's downtown. The proposed subdivision plan will create new buildable lots available for new commercial, office and residential land uses in a location on the periphery of the Old Port Commercial District as well as within the India Street neighborhood. These together may serve to increase downtown's population, strengthen the need for additional retail opportunities and services and attract future jobs.

- Preserve and enhance the livability of Downtown Portland for residents, workers, shoppers and visitors.
- Maintain and enhance the Downtown's prominence as the regional center for commerce, human services, historic resources, culture and the arts.
- Encourage growth and development Downtown while preserving and strengthening the unique identity and character of the Downtown.

- Achieve the highest quality urban experience through high standards of excellence for improvements to the physical environment, including new construction, building alterations, and the enhancement of the pedestrian environment.
- Preserve and enhance the quality and vitality of neighborhoods within and adjacent to the Downtown.

7. Easements

The applicant has provided proof of an existing shared access, utility and drainage easement, recorded on July 6, 2016 that shall serve Lots 1, 2 and 3.

8. Financial Capability (Section 14-497 (a) 10)

Staff has confirmed with the applicant that this information will be provided at the time of site plan review.

**IX. STAFF RECOMMENDATION**

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approves the proposed development.

**X. PROPOSED MOTIONS**

**DEVELOPMENT REVIEW**

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Report #20-13 for application #2013-058 relevant to the Subdivision Ordinance and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

That the subdivision plan [is or is not] in conformance with the subdivision standards of the land use code, subject to the following conditions of approval:

- i. The applicant shall submit a final recording plat with the location, width and purpose of all rights-of-way or easements.
- ii. The applicant shall submit a final recording plat that includes the footprint and associated site improvements for the AC Hotel that was approved by the Planning Board on May 24, 2016.
- iii. The applicant shall submit a final recording plat where Hancock Street Extension is changed to Hancock Street.
- iv. At the time of site plan review for each individual development, the applicant shall be responsible for providing an amended subdivision plan that meets all applicable requirements as stipulated under Article IV. Subdivisions, of the City's Land Use Code.

**ATTACHMENTS:**

**PLANNING BOARD MEMO ATTACHMENTS**

1. Planning Staff Review 02.22.2017
2. Public Comment
  - a. PC1: Paula Foley-Stelmack

**APPLICANT'S SUBMITTAL**

- A. Cover Letter
- B. Application
- C. Deed
- D. Easement Document

**PLANS**

Plan 1 Recording Plat

# Planning and Urban Development Department

## Planning Division



February 22, 2017

Ara Aftandilian  
Portland Norwich Group, LLC  
2330 Palm Ridge Road  
Sanibel, FL 33957

Matthew Phillips, Carroll Associates  
217 Commercial St, Suite 200  
Portland, ME 04101

RE: Staff Review Comments for Portland Gateway Project Subdivision (2017-018) – Planning Board Review

|                  |                                      |             |            |
|------------------|--------------------------------------|-------------|------------|
| Project Name:    | Portland Gateway Project Subdivision | Project ID: | (2017-018) |
| Project Address: | 158 Fore Street                      | CBL:        | 019-B-20   |
| Applicant:       | Ara Aftandilian                      |             |            |
| Planner:         | Matthew Grooms                       |             |            |

Dear Mr. Lachman,

Thank you for submitting a Level III Subdivision Plan application for a four lot subdivision located within the India Street Form Based Code District at 158 Fore Street. This proposal is being reviewed as a final plan for Planning Board review subject to the following applicable Land Use Code provisions:

- Subdivision Ordinance, Article IV

### **Final Plan for Planning Board Review: Staff Review Comments**

#### **Preliminary Subdivision Plan Comments – Section 14-496 (Matthew Grooms)**

1. The location, width and purpose of all rights-of-way or easements shall be included on the proposed subdivision plan.
2. Note. During the site plan review process, a lighting plan, showing the location, design, height and spacing from each other of the support poles, in accordance with standards and specifications established by the public works authority shall be provided (may be on separate plan).
3. All previously approved site plans and approved structures shall be included in the subdivision plan, specifically the AC Hotel.

4. Hancock Street Extension shall be changed to Hancock Street.

**Additional Submittals Required:**

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only one set of revised plans may be submitted for review. This item is scheduled to go before the Planning Board as a public hearing item on February 28, 2017 at 7:00 pm where the staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at [mgrooms@portlandmaine.gov](mailto:mgrooms@portlandmaine.gov).

Sincerely,

Matthew Grooms  
Planner

**Electronic Distribution:**

Tuck O'Brien, Planning Division Director  
Barbara Barhydt, Development Review Services  
Manager  
Victoria Morales, Associate Corporation  
Counsel

Anne Machado, Zoning Administrator  
Captain Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard & Curran



**Application ID2017-018 or CBL#019 B020001. aka the vicinity of 158 Fore St.**

---

**Paula Foley-Stelmack** <mstelma1@maine.rr.com>

Feb 10, 2017 2:18 PM

Posted in group: **Planning Board**

Hello Planning Board,

My name is Paula Foley-Stelmack and I live with my husband at 207 Fore St. (in a condo over the Hampton Inn). We have been here for 5+ years and I have some information that you should consider prior to your approving the proposed sub-division. I can see the proposed subdivision from my window and walk by the site nearly every day and am extremely familiar with this area.

- As you know, Fore St. is fairly narrow in the India St. area and is extremely narrow in the vicinity of the proposed subdivision. The main route to access the proposed subdivision is from Franklin St (via 295). As you turn left onto Fore St., the vehicular traffic is often at a standstill – waiting for vehicles to enter and exit the Hampton Inn or the 200+ vehicle parking lot across the street. Adding more traffic to this already bottlenecked area is a recipe for additional pedestrian and vehicle accidents.
- The traffic accessing the subdivision would need to travel through the already crowded intersection of Fore and India St. This again is a heavy pedestrian area and adding additional vehicles without a second route of egress is not safety wise. The suggestion of putting a stop light at this intersection would further back up traffic on Fore in front of the Hampton Inn, complicating an already existing problem. India street was not designed for the amount of traffic you are considering.
- The city has already approved an AC Hotel on this site with parking across the street. This will allow 100+ new vehicle to cross Fore St. back and forth to the hotel at least daily- on top of existing traffic. This, in addition to the folks who already use the parking garage, will put too much pressure on an already struggling area.
- The additional private vehicles is one issue; however, if additional residential and commercial buildings are approve, they will require additional commercial traffic as well. Each weekday, I drive through this area and the Old Port and each and every day, come across a tractor trailer delivering goods to restaurants, stores and hotels. Once tractor trailer stopped on Fore St. caused blind spots for drivers and pedestrians.

I am not in favor of dividing this vacant lot into 3 lots. I realize that Portland is growing – heck, I moved here 5 years ago myself from Gorham. But I do want us together to build where it make sense- with appropriate consideration of traffic and pedestrians. This does not appear to be the right place for further subdivision. Thanks you for your time in considering my comments.

Sincerely

Paula Foley-Stelmack

207 Fore St. Unit 1

Portland, ME 04101

207-831-3683 (c )



January 27, 2017

Ms. Barbara Barhydt  
Mr. Tuck O'Brien  
City of Portland Planning Division  
389 Congress Street, 4th Floor  
Portland, ME 04101

Re: Portland Gateway Project – Subdivision Plan  
Fore/Thames/India Streets

Dear Barbara & Tuck,

On behalf of Portland Norwich Group LLC and Portland Norwich Acquisition LLC, I am submitting a Level III – Final Site Plan Application for the subdivision of the remainder lot adjacent to the AC Hotel Portland project. A Recording Plat has been prepared by Owen Haskell and is dated January 12, 2017.

The subject property is shown as Lot 2 on the Recording Plat dated March 11, 2016 and recorded in Plan Book 216, Page 185. The property is 32,102 SF of vacant land. Lot 1 on this Plat is the AC Hotel Portland lot. Portland Norwich Group LLC conveyed Lot 2 to Portland Norwich Acquisition LLC on July 6, 2016, and this deed is recorded in Book 32730, Page 337. This conveyance was necessary to create a single purpose entity for construction financing for the AC Hotel Portland project.

The new subdivision plan creates three new lots, Lots #2, #3 and #4, within the previous Lot 2, for future residential and commercial buildings. The previous Lot 2 and the three new lots will have the benefit of the Access, Drainage and Utility Easement Agreement recorded in Book 55979, Page 82 on October 20, 2016. I have included a copy of this easement with this application.

Please let me know if you have any questions or require additional information. Thank you.

Sincerely,

*Ara Aftandilian*

Ara Aftandilian



## **Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine**

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

### **Level III: Site Plan Development includes:**

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

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

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

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

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

#### **Planning Division**

Fourth Floor, City Hall  
389 Congress Street  
p.m. (207) 874-8719

[planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)

#### **Office Hours**

Monday thru Friday  
8:00 a.m. – 4:30

**PROJECT NAME:**

# PORTLAND GATEWAY PROJECT SUBDIVISION

**PROPOSED DEVELOPMENT ADDRESS:**

FORE, INDIA, THAMES STREETS

### PROJECT DESCRIPTION:

LAND SUBDIVISION: DIVIDE VACANT LAND PARCEL (ADJACENT TO THE AC HOTEL PORTLAND)

INTO THREE SEPARATE LOTS.

**CHART/BLOCK/LOT:** MAP 19, BLOCK B, LOT 20  
019-B-20

## PRELIMINARY PLAN

N/A (date)

## FINAL PLAN

N/A (date)

**CONTACT INFORMATION:**

|                                                                                                                                                                                                                                                                            |                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant – must be owner, Lessee or Buyer</b><br><br>Name: ARA AFTANDILIAN<br><br>Business Name, if applicable: PORTLAND NORWICH GROUP, LLC<br>PORTLAND NORWICH ACQUISITION, LLC<br>Address: 2330 PALM RIDGE ROAD<br><br>City/State : SANIBEL, FL      Zip Code: 33957 | <b>Applicant Contact Information</b><br><br>Work #: 978.887.3640<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail: AA.SUMMIT@PRODIGY.NET |
| <b>Owner – (if different from Applicant)</b><br><br>Name: SAME AS APPLICANT<br><br>Address:<br><br>City/State :      Zip Code:                                                                                                                                             | <b>Owner Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail:                                        |
| <b>Agent/ Representative</b><br><br>Name: SAME AS APPLICANT<br><br>Address:<br><br>City/State :      Zip Code:                                                                                                                                                             | <b>Agent/Representative Contact information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail:                         |
| <b>Billing Information</b><br><br>Name:<br><br>Address: P.O. BOX 394<br><br>City/State : TOPSFIELD, MA      Zip Code: 01983                                                                                                                                                | <b>Billing Contact Information</b><br><br>Work #: 978.887.3640<br><br>Home #:<br><br>Cell #:      Fax#:<br><br>e-mail:                         |



|                                                                                                                                                                                                                                            |                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Engineer</b><br><br>Name: NOT APPLICABLE<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                                  | <b>Engineer Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                    |
| <b>Surveyor</b><br><br>Name: JOHN SWAN, OWEN HASKELL, INC.<br><br>Address: 390 US ROUTE ONE<br><br>City/State : FALMOUTH, ME Zip Code: 02127                                                                                               | <b>Surveyor Contact Information</b><br><br>Home #:<br><br>Work #: 207.774.0424<br><br>Cell #: Fax#:<br><br>e-mail: JSWAN@OWENHASKELL.COM |
| <b>Architect</b><br><br>Name: NOT APPLICABLE<br><br>Address:<br><br>City/State : Zip Code:                                                                                                                                                 | <b>Architect Contact Information</b><br><br>Work #:<br><br>Home #:<br><br>Cell #: Fax#:<br><br>e-mail:                                   |
| <b>Attorney</b><br><br>Name: LEE LOWRY, JENSEN BAIRD GARDNER HENRY<br><br>Address: 10 FREE STREET, PO BOX 4510<br><br>City/State : PORTLAND, ME Zip Code: 04112-4510                                                                       | <b>Attorney Contact Information</b><br><br>Work #:<br><br>Home #: 207.775.7271<br><br>Cell #: Fax#:<br><br>e-mail: LLOWERY@JBGH.COM      |
| <b>Designated person/person(s) for uploading to e-Plan:</b><br><br>Name: ARA AFTANDILIAN<br>e-mail: AA.SUMMIT@PRODIGY.NET<br><br>Name: MATTHEW PHILLIPS, CARROLL ASSOCIATES<br>e-mail: MPHILLIPS@CARROLL-ASSOC.COM<br><br>Name:<br>e-mail: |                                                                                                                                          |

**APPLICATION FEES:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Level III Development (check applicable reviews)</b></p> <p><input type="checkbox"/> Less than 50,000 sq. ft. (\$750.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000)</p> <p><input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000)</p> <p><input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000)</p> <p><input type="checkbox"/> over 300,00 sq. ft. (\$5,000)</p> <p><input type="checkbox"/> Parking lots over 11 spaces (\$1,000)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <p><b>Plan Amendments (check applicable reviews)</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250)</p> <p><input type="checkbox"/> Planning Board Review (\$500)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$50.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> <p>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.</p> | <p><b>Other Reviews (check applicable reviews)</b></p> <p><input type="checkbox"/> Traffic Movement (\$1,500)</p> <p><input type="checkbox"/> Stormwater Quality (\$250)</p> <p><input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot) = <b>\$575</b></p> <p>    # of Lots <u>3</u> x \$25/lot = <u>\$75</u></p> <p><input type="checkbox"/> Site Location (\$3,500, except for residential projects which shall be \$200/lot)</p> <p>    # of Lots <u>    </u> x \$200/lot = <u>    </u></p> <p><input type="checkbox"/> Other <u>    </u></p> <p><input type="checkbox"/> Change of Use</p> <p><input type="checkbox"/> Flood Plain</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Design Review</p> <p><input type="checkbox"/> Housing Replacement</p> <p><input type="checkbox"/> Historic Preservation</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**INSTRUCTIONS FOR ELECTRONIC SUBMISSION:**

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

- Fill out the application completely and e-mail the **application only** to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov) (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
- An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4<sup>th</sup> Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
- The designated person responsible for uploading documents and drawings will receive an email from [eplan@portlandmaine.gov](mailto:eplan@portlandmaine.gov) with an invitation into the project. At this time, you will upload all corresponding documents and plans 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.

**Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.**

- Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:  
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.  
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions  
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

- When ready, upload your files and documents into the following folders:  
"Application Submittal – Drawings"  
"Application Submittal – Documents"

6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

**APPLICANT SIGNATURE:**

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

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.**

|                                                                                                                     |                         |
|---------------------------------------------------------------------------------------------------------------------|-------------------------|
| <b>Signature of Applicant:</b><br> | <b>Date:</b><br>1/27/17 |
|---------------------------------------------------------------------------------------------------------------------|-------------------------|

## PROJECT DATA

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

|                                                                                                                                                                                                                          |                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>Total Area of Site</b>                                                                                                                                                                                                | 32,102 sq. ft.                             |
| <b>Proposed Total Disturbed Area of the Site</b>                                                                                                                                                                         | N/A 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. |                                            |
|                                                                                                                                                                                                                          |                                            |
| <b>Impervious Surface Area</b>                                                                                                                                                                                           |                                            |
| Impervious Area (Total Existing)                                                                                                                                                                                         | 32,102 sq. ft.                             |
| Impervious Area (Total Proposed)                                                                                                                                                                                         | N/A sq. ft.                                |
|                                                                                                                                                                                                                          |                                            |
| <b>Building Ground Floor Area and Total Floor Area</b>                                                                                                                                                                   |                                            |
| Building Footprint (Total Existing)                                                                                                                                                                                      | N/A sq. ft.                                |
| Building Footprint (Total Proposed)                                                                                                                                                                                      | N/A sq. ft.                                |
| Building Floor Area (Total Existing)                                                                                                                                                                                     | N/A sq. ft.                                |
| Building Floor Area (Total Proposed)                                                                                                                                                                                     | N/A sq. ft.                                |
|                                                                                                                                                                                                                          |                                            |
| <b>Zoning</b>                                                                                                                                                                                                            |                                            |
| Existing                                                                                                                                                                                                                 | INDIA STREET FORM BASED CODE AND SHORELAND |
| Proposed, if applicable                                                                                                                                                                                                  | SAME                                       |
|                                                                                                                                                                                                                          |                                            |
| <b>Land Use</b>                                                                                                                                                                                                          |                                            |
| Existing                                                                                                                                                                                                                 | VACANT, SINGLE LOT                         |
| Proposed                                                                                                                                                                                                                 | VACANT, 3 LOTS                             |
|                                                                                                                                                                                                                          |                                            |
| <b>Residential, If applicable</b>                                                                                                                                                                                        | N/A                                        |
| # of Residential Units (Total Existing)                                                                                                                                                                                  |                                            |
| # of Residential Units (Total Proposed)                                                                                                                                                                                  |                                            |
| # of Lots (Total Proposed)                                                                                                                                                                                               |                                            |
| # of Affordable Housing Units (Total Proposed)                                                                                                                                                                           |                                            |
|                                                                                                                                                                                                                          |                                            |
| <b>Proposed Bedroom Mix</b>                                                                                                                                                                                              | N/A                                        |
| # of Efficiency Units (Total Proposed)                                                                                                                                                                                   |                                            |
| # of One-Bedroom Units (Total Proposed)                                                                                                                                                                                  |                                            |
| # of Two-Bedroom Units (Total Proposed)                                                                                                                                                                                  |                                            |
| # of Three-Bedroom Units (Total Proposed)                                                                                                                                                                                |                                            |
|                                                                                                                                                                                                                          |                                            |
| <b>Parking Spaces</b>                                                                                                                                                                                                    | N/A                                        |
| # of Parking Spaces (Total Existing)                                                                                                                                                                                     |                                            |
| # of Parking Spaces (Total Proposed)                                                                                                                                                                                     |                                            |
| # of Handicapped Spaces (Total Proposed)                                                                                                                                                                                 |                                            |
|                                                                                                                                                                                                                          |                                            |
| <b>Bicycle Parking Spaces</b>                                                                                                                                                                                            | N/A                                        |
| # of Bicycle Spaces (Total Existing)                                                                                                                                                                                     |                                            |
| # of Bicycle Spaces (Total Proposed)                                                                                                                                                                                     |                                            |
|                                                                                                                                                                                                                          |                                            |
| <b>Estimated Cost of Project</b>                                                                                                                                                                                         | N/A                                        |

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



Return to:

---

(SPACE ABOVE THIS LINE RESERVED FOR REGISTRY OF DEEDS USE)

---

QUITCLAIM DEED

Portland Norwich Group LLC, a Delaware limited liability company ("GRANTOR"), for nominal consideration, hereby grants to Portland Norwich Acquisition LLC, a Delaware limited liability company ("GRANTEE"), having a mailing address of 500 Sawgrass Place, Sanibel, Florida 33957, with **QUITCLAIM COVENANT**, the following premises in the City of Portland, Cumberland County, Maine:

A certain parcel of land with the buildings and improvements thereon, more particularly described as Lot 2, with total of 32,102 SF, as shown on the plan recorded in Plan Book 216 at Page 185 on June 6, 2016 with the Registry of Deeds ("Registry") in Cumberland County, Maine.

Said premises are conveyed subject to and with the benefit of easements, reservations, restrictions and rights of way of record so far as the same are now in force and applicable.

For source of title, reference is hereby made to a Deed from Ocean Gateway Garage LLC to the Grantor herein dated November 20<sup>th</sup>, 2015 recorded with the Registry at Book 32746 at Page 289.

(Signature pages to follow)

IN WITNESS WHEREOF, Portland Norwich Group LLC has executed, acknowledged and delivered this instrument as of this 6th day of June, 2016.

Dale E. Cunningham  
Witness

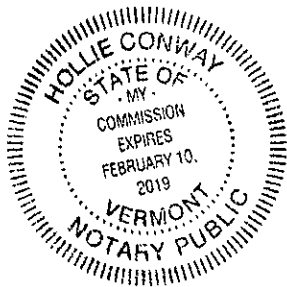
**PORTLAND NORWICH GROUP LLC**

By: [Signature]  
David Leatherwood, duly authorized representative

STATE OF Vermont :  
COUNTY OF Windsor : SS.

On this the 6th day of June, 2016, personally appeared, David Leatherwood, proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed on the foregoing instrument and who acknowledged himself to be the duly authorized representative of **PORTLAND NORWICH GROUP LLC**, and who acknowledged that as such he subscribed the foregoing for the purposes therein contained, as his free act and deed, and the free act and deed of said Portland Norwich Group LLC, before me.

[AFFIX SEAL]



[Signature]  
Notary Public  
My Commission Expires: 2/10/2019

Received  
Recorded Register of Deeds  
Jul 06, 2016 02:30:56P  
Cumberland County  
Nancy A. Lane

## **ACCESS, DRAINAGE AND UTILITY EASEMENT AGREEMENT**

This Access, Drainage and Utility Easement Agreement (the "Agreement") is made and entered into as of this 26th day of September, 2016 (the "Effective Date"), by and between PORTLAND NORWICH GROUP LLC, a Delaware limited liability company ("Portland Norwich") and PORTLAND NORWICH ACQUISITION LLC a Delaware limited liability company ("Portland Acquisition"). Portland Norwich and Portland Acquisition are sometimes individually referred to herein as a "Party" and are sometimes collectively referred to herein as the "Parties".

WHEREAS, Portland Norwich is the owner of a certain parcel of land shown as Lot 1 ("Lot 1") on a certain plan entitled "Recording Plat 158 Fore Street, 158 Fore Street, Portland, Maine, made for record owner Portland Norwich Group, LLC," by Owen Haskell, Inc., dated March 11, 2016, filed with the Cumberland County Registry of Deeds on June 6, 2016, in Plan Book 216, Page 185 (the "Plan"), and

WHEREAS, Portland Acquisition is the owner of a certain parcel of land shown as Lot 2 ("Lot 2") on the Plan, and

WHEREAS, Portland Norwich and Portland Acquisition are desirous of entering into this Agreement for the purpose of establishing certain access, drainage and utility easements in that certain area shown as "Access and Drainage Utility Easement" (the "Easement Area") on the plan attached hereto as Exhibit A entitled "Exhibit Plan, 158 Fore Street, Portland, Maine", dated May 31, 2016, by Owen Haskell, Inc. (the "Easement Plan")

- the metes and bounds of which Easement Area are set forth on Exhibit A-1,
- the metes and bounds of the portion of the Easement Area located on Lot 1 (the "Lot 1 Easement Area") are set forth on Exhibit A-2 attached hereto, and
- the metes and bounds of the portion of the Easement Area located on Lot 2 (the "Lot 2 Easement Area") are set forth on Exhibit A-3 attached hereto.

NOW, THEREFORE, In consideration of the mutual covenants herein contained and further valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Grant by Portland Norwich to Portland Acquisition. Portland Norwich hereby grants and conveys to Portland Acquisition, as appurtenant to Lot 2 and any portion thereof, in common with others entitled thereto, for the purposes set forth herein, and subject to the terms and conditions set forth herein, the following rights and easements:

(a) Access Easement. The non-exclusive, perpetual right and easement for pedestrian and vehicular ingress, egress and passage to Lot 2 upon, over, and across the Lot 1 Easement Area, and the non-exclusive, perpetual right and easement in, upon, over and across the Lot 1 Easement Area for the purpose of maintaining and repairing the Easement Area Improvements (defined in Section 6(a)) as provided in, but specifically subject to, the provisions of this Agreement.

(b) Utility Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate for its own purposes underground utility lines, and appurtenances and equipment relating thereto, for the transmission of natural gas, water, sewer, electricity, and communications to Lot 2 and the buildings, structures, and improvements located thereon from time to time (the "Lot 2 Utilities"), within the Lot 1 Easement Area, including, without limitation, the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Lot 1 Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the Lot 2 Utilities and to make such excavations within the Lot 1 Easement Area as may be reasonably necessary for such purposes. The Lot 2 Utilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground.

(c) Drainage Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate for its own purposes drainage pipes and lines (the "Lot 2 Drainage Facilities") within the Lot 1 Easement Area for the conveyance of storm, flood and surface waters from Lot 2 to the drainage facilities located within the Easement Area, and the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Lot 1 Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the Lot 2 Drainage Facilities and to make such excavations within the Lot 1 Easement Area as may be reasonably necessary for such purposes. The Lot 2 Drainage Facilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground.

2. Reserved Rights of Portland Norwich. Portland Norwich reserves all rights over, under, above, and in connection with, Lot 1, including without limitation the right to use, or to grant to others the right to use, the surface and subsurface of, and the air space above, the Lot 1 Easement Area, to the extent not inconsistent with the provisions of this Agreement and otherwise in compliance with the Site Plan Approval and all Applicable Laws (defined in Section 7 hereof). Portland Norwich covenants and agrees that it shall not use, or allow any other person or entity to use, the Lot 1 Easement Area in any way that would unreasonably interfere with the rights of Portland Acquisition created under this Agreement.

3. Grant by Portland Acquisition to Portland Norwich. Portland Acquisition hereby grants and conveys to Portland Norwich, as appurtenant to Lot 1 and any portion thereof, in common with others entitled thereto, for the purposes set forth herein, and subject to the terms and conditions set forth herein, the following rights and easements:

(a) Access Easement. The non-exclusive, perpetual right and easement for pedestrian and vehicular ingress, egress and passage to Lot 1 upon, over, and across the Lot 2 Easement Area, and the non-exclusive, perpetual right and easement over and across the Lot 2

Easement Area to construct, install, maintain, repair, and replace the Easement Area Improvements.

(b) Utility Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate for its own purposes underground utility lines, and appurtenances and equipment relating thereto, for the transmission of natural gas, water, sewer, electricity, and communications to Lot 1 and the buildings, structures, and improvements located thereon from time to time (the "Lot 1 Utilities"), within the Lot 2 Easement Area, including, without limitation, the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Lot 2 Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the Lot 1 Utilities and to make such excavations within the Lot 2 Easement Area as may be reasonably necessary for such purposes. The Lot 1 Utilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground.

(c) Drainage Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate for its own purposes drainage pipes and lines (the "Lot 1 Drainage Facilities") within the Lot 2 Easement Area for the conveyance of storm, flood and surface waters from Lot 1 to the drainage facilities located within the Easement Area, and the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Lot 2 Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the Lot 1 Drainage Facilities and to make such excavations within the Lot 2 Easement Area as may be reasonably necessary for such purposes. The Lot 1 Drainage Facilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground.

4. Reserved Rights of Portland Acquisition. Portland Acquisition reserves all rights over, under, above, and in connection with, Lot 2, including without limitation the right to use, or to grant to others the right to use, the surface and subsurface of, and the air space above, the Lot 2 Easement Area, to the extent not inconsistent with the provisions of this Agreement and otherwise in compliance with the provisions of the Site Plan Approval and all Applicable Laws. Portland Acquisition covenants and agrees that it shall not use, or allow any other person or entity to use, the Lot 2 Easement Area in any way that would unreasonably interfere with the rights of Portland Norwich created under this Agreement.

5. Conditions to Grants of Easements. A Party (the "Accessing Party") exercising its right to access the property of the other Party (the "Burdened Property") to perform any work or other activity under this Agreement shall be obligated to comply with the requirements set forth in this Section 5 relating to any access by the Accessing Party or its authorized personnel to any portion of the Easement Area located on the Burdened Property (the "Burdened Property Easement Area").

(a) The Accessing Party and/or its authorized personnel shall (a) provide not less than five (5) business days' prior written notice to the owner of the Burdened Property of any proposed entry onto any portion of the Burdened Property Easement Area, which notice shall contain a description of the work to be performed therein, the names of the Accessing Party's authorized personnel who will access the Burdened Property Easement Area, and how



long such personnel are expected to be working within the Burdened Property Easement Area, and (b) deliver to the owner of the Burdened Property a certificate of insurance evidencing that the Accessing Party has obtained the insurance required to be carried by the Accessing Party under Section 8 hereof. Except in the event of an emergency, all access to the Burdened Property Easement Area by the Accessing Party and/or its authorized personnel shall be limited to weekdays between the hours of 7:00 a.m. and 7:00 p.m.

(b) Only authorized personnel may access the Burdened Property Easement Area on behalf of the Accessing Party. For purposes of this Section 5, "authorized personnel" shall mean only authorized employees, engineers, technicians, or properly authorized contractors of the Accessing Party or persons under their direct supervision each of whom at all times must possess on their person photo identification and documentation identifying their name and affiliation.

(c) The Accessing Party shall take all reasonable measures to ensure that access to any portion of the Burdened Property Easement Area by the Accessing Party and/or its authorized personnel (i) shall not disturb any employees, tenants, licensees, guests, or other occupants of the Burdened Property and (ii) shall not cause substantial interference with the use and operation of the Burdened Property.

(d) Any excavations by or on behalf of the Accessing Party permitted by this Agreement on the Burdened Property shall be properly backfilled and the surface of the land included within the Burdened Property Easement Area shall be restored by the Accessing Party to as reasonably good condition as said surface was in immediately prior to such excavations.

(e) Access to the Burdened Property by the Accessing Party pursuant to the rights created by this Agreement shall be at the sole cost and risk of the Accessing Party and the owner of the Burdened Property shall have no responsibility or liability except to the extent due to the gross negligence or willful misconduct of the owner of the Burdened Property or its agents and servants.

## 6. Maintenance and Repair.

(a) Portland Norwich, at its cost and expense, shall be responsible for the construction of the initial improvements in the Easement Area (the "Easement Area Improvements") in accordance with the site plan approval entitled dated May 25, 2016, by the City of Portland, Maine, Planning Board (the "Site Plan Approval"); provided that any utilities that may be installed for the sole benefit of Lot 2 shall be the sole cost of Portland Acquisition. Portland Norwich, at its sole cost and expense (subject to reimbursement as provided herein), shall be responsible for the maintenance and repair of the Easement Area Improvements in conformity with all Applicable Laws and as otherwise may be necessary to preserve the Easement Area Improvements, which shall also include landscaping and removal of snow, ice and water, and resurfacing when and where necessary. All repairs and maintenance of the Easement Area Improvements shall be performed in a good workmanlike manner as expeditiously as possible in order to avoid any unnecessary interruption of any service or inconvenience to the Parties or other parties benefitted by the Easement Area Improvements. All vendors and contractors engaged to perform any work required for the maintenance and repair of

the Easement Area Improvements shall be engaged by Portland Norwich as Portland Norwich shall reasonably determine and all such costs and expenses shall be subject to reimbursement as hereafter provided by Portland Acquisition. It is specifically understood and acknowledged that the respective owner of Lot 1 or Lot 2 shall be solely responsible for the maintenance, repair and/or replacement of any utilities and/or drainage systems installed in the Easement Area and all costs thereof which solely benefit the respective Lot 1 or Lot 2.

(b) Portland Acquisition agrees to reimburse Portland Norwich for fifty percent (50%) of all costs and expenses incurred by Portland Norwich with respect to the repair, replacement, and maintenance of the Easement Area Improvements. Portland Acquisition shall make payments of the amounts specified in any invoices for any such costs or expenses delivered to Portland Acquisition by Portland Norwich within thirty (30) days following Portland Acquisition's receipt of the same. Any amount due and not paid within such thirty (30) days period shall bear interest at a rate equal to two percent (2%) in excess of the "Prime Rate" as published in the Wall Street Journal (or, if Portland Norwich so elects, announced by a major commercial bank reasonably designated by Portland Norwich) until paid.

(c) In the event that Portland Norwich fails to perform any such maintenance and/or repairs within a reasonable period of time following its receipt of written notice from Portland Acquisition specifying such failure, subject to matters which are not within the reasonable control of Portland Norwich, then Portland Acquisition may perform such maintenance and/or repairs as are reasonably necessary upon at least ten (10) days advance notice to Portland Norwich and Portland Norwich shall, provided the costs are as a result of the failure of Portland Norwich to comply with its obligations hereunder, reimburse Portland Acquisition for the reasonable costs incurred in performing such maintenance and/or repairs within thirty (30) days following Portland Acquisition's written request for payment, which written request shall include copies of the invoice(s) for any such costs.

7. Compliance with Laws. In exercising their rights hereunder, and in making use of the easements granted hereunder, Portland Norwich and Portland Acquisition shall comply with all laws, statutes, ordinances, regulations, rules and orders of all governmental bodies having jurisdiction ("Applicable Laws") and shall secure all permits.

8. Indemnification. Except to the extent caused by the gross negligence or willful misconduct of any Portland Acquisition Indemnified Parties (defined herein), Portland Norwich agrees to indemnify, defend, and hold harmless Portland Acquisition and its officers, members, managers, shareholders, employees, agents, and representatives (collectively the "Portland Acquisition Indemnified Parties") from and against all liability, damages, costs, claims, and/or demands of any kind or character whatsoever which may be made against a Portland Acquisition Indemnified Party as a result of, or arising out of, the death or bodily injury of any individual or any damage to property caused by the negligence or willful misconduct of Portland Norwich, its employees, contractors, agents, representatives, tenants, or licensees, or their respective guests or invitees, in connection with the exercise of the easement rights granted to Portland Norwich under this Agreement. Except to the extent caused by the gross negligence or willful misconduct of any Portland Norwich Indemnified Parties (defined herein), Portland Acquisition agrees to indemnify, defend, and hold harmless Portland Norwich and its officers, members, managers, shareholders, employees, agents, and representatives (collectively the "Portland Norwich

Indemnified Parties”) from and against all liability, damages, costs, claims, and/or demands of any kind or character whatsoever which may be made against a Portland Norwich Indemnified Party as a result of, or arising out of, the death or bodily injury of any individual or any damage to property caused by the negligence or willful misconduct of Portland Acquisition, its employees, contractors, agents, representatives, tenants, or licensees, or their respective guests or invitees in connection with the exercise of the easement rights granted to Portland Acquisition under this Agreement. The provisions of this Section 8 shall survive the termination of this Agreement.

9. Insurance. Each Party shall each maintain at its own expense a policy of comprehensive general liability insurance in which the other Party shall be named as an additional insured in connection with the exercise of the rights granted hereunder to such Party. The minimum limits of liability of such insurance shall be an aggregate combined single limit of \$2,000,000.00 for personal injury or property damage, or such higher limits as may reasonably be requested in writing and which would be customarily maintained for similar coverages. A certificate evidencing that such insurance is in place shall be provided prior to any work being commenced (effective upon the exercise of the easement rights granted hereunder) and such additional certificate shall be provided at least twenty (20) days prior to the expiration of the then existing policy. Each such certificate shall provide that such other Party shall be named as an additional insured thereunder.

10. Benefit. The easements and rights granted herein to Portland Norwich and Portland Acquisition shall be for the benefit of the owners and mortgagees from time to time of all or any portion of Lot 1 and Lot 2, respectively, and their respective successors and assigns, and for the tenants, lessees, licensees and lawful occupants of the respective properties to which such rights are granted.

11. Successors. As used herein, the terms “Portland Norwich” and “Portland Acquisition” shall include their respective successors and assigns and successors in title where the context so permits, and the agreements contained herein shall be covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto and those claiming title to or interest in any of Lot 1 or Lot 2 by, through or under any of them.

12. No Liability. If any owner of all of any portion of Lot 1 or Lot 2 is an individual, corporation, trust or partnership, no such individual, no shareholder, officer or director of any such corporation, no partner, general or limited, of any such partnership, and no trustee or beneficiary or shareholder of any such trust shall have any personal liability under this Agreement. Each such party (including mortgagees) shall be liable only during their respective periods of ownership.

13. No Merger. There shall be no merger of the rights, limitations or obligations created hereby with the fee title to any of the properties, notwithstanding that the properties are or may be owned or leased by the same person or persons or entities benefitted or burdened hereby.

14. No Waiver. Any failure by any Party to insist upon strict performance by any other Party of any of the obligations hereunder shall not be deemed to be a waiver of any of the

obligations hereunder, and such Party shall have the right at any time thereafter to insist upon strict performance by the other Party of any and all such obligations. The failure of any Party to exercise any right or remedy hereunder shall in no event be construed as a waiver or release thereof, nor shall the choice of one remedy be deemed an election of remedies to the exclusion of other remedies.

15. Severability. In case any one or more of the provisions of this Agreement shall be invalid, illegal or unenforceable in any respect, the validity of this Agreement and the remaining provisions thereof shall be in no way affected, prejudiced or disturbed thereby.

16. Modifications. This Agreement and the terms hereof may not be changed, waived, discharged or terminated orally, but only by an instrument or instruments in writing signed by the party against which enforcement of the change, waiver, discharge or termination is asserted.

17. Applicable Law. This Agreement shall be governed by and construed according to the laws of the State of Maine, and this Agreement is executed as a sealed instrument under Maine law.

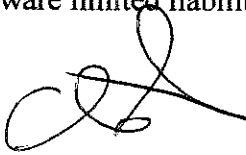
18. Mortgage Subordinate. The rights granted hereunder shall at all time be superior to any mortgages on Lot 1 or Lot 2. Provided, however, no mortgagee of either of Lot 1 or Lot 2 shall be subject to payment of any of the obligations under this Agreement unless and until a mortgagee shall become an owner of said Lot 1 or Lot 2, and then only for such costs and expenses actually incurred under the terms of this Agreement during the period of such mortgagee's ownership of the respective Lot 1 or Lot 2.

Executed as a sealed instrument as of the Effective Date.

PORTLAND NORWICH GROUP LLC,  
a Delaware limited liability company

By:   
Name: David P. Leatherwood  
Its: Duly Authorized Representative

PORTLAND ACQUISITION LLC,  
a Delaware limited liability company

By:   
Name: David P. Leatherwood  
Its: Duly Authorized Representative

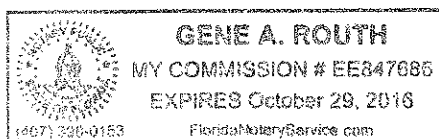


STATE OF FLORIDA

Lee County

On this 27<sup>th</sup> day of September, 2016, before me, the undersigned notary public, personally appeared David P. Leatherwood, duly authorized representative of Portland Norwich Group LLC, proved to me through satisfactory evidence of identification, which was driver's license, to be the person whose name is signed on the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose and as the free act and deed of said Portland Norwich Group LLC and in his stated capacity for said Portland Norwich Group LLC.

[Affix Seal]



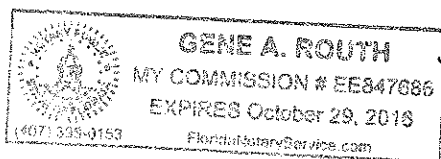
Gene A. Routh  
Notary Public

STATE OF FLORIDA

Lee County

On this 27<sup>th</sup> day of September, 2016, before me, the undersigned notary public, personally appeared David P. Leatherwood, duly authorized representative of Portland Acquisition LLC, proved to me through satisfactory evidence of identification, which was driver's license, to be the person whose name is signed on the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose and as the free act and deed of said Portland Acquisition LLC and in his stated capacity for said Portland Acquisition LLC.

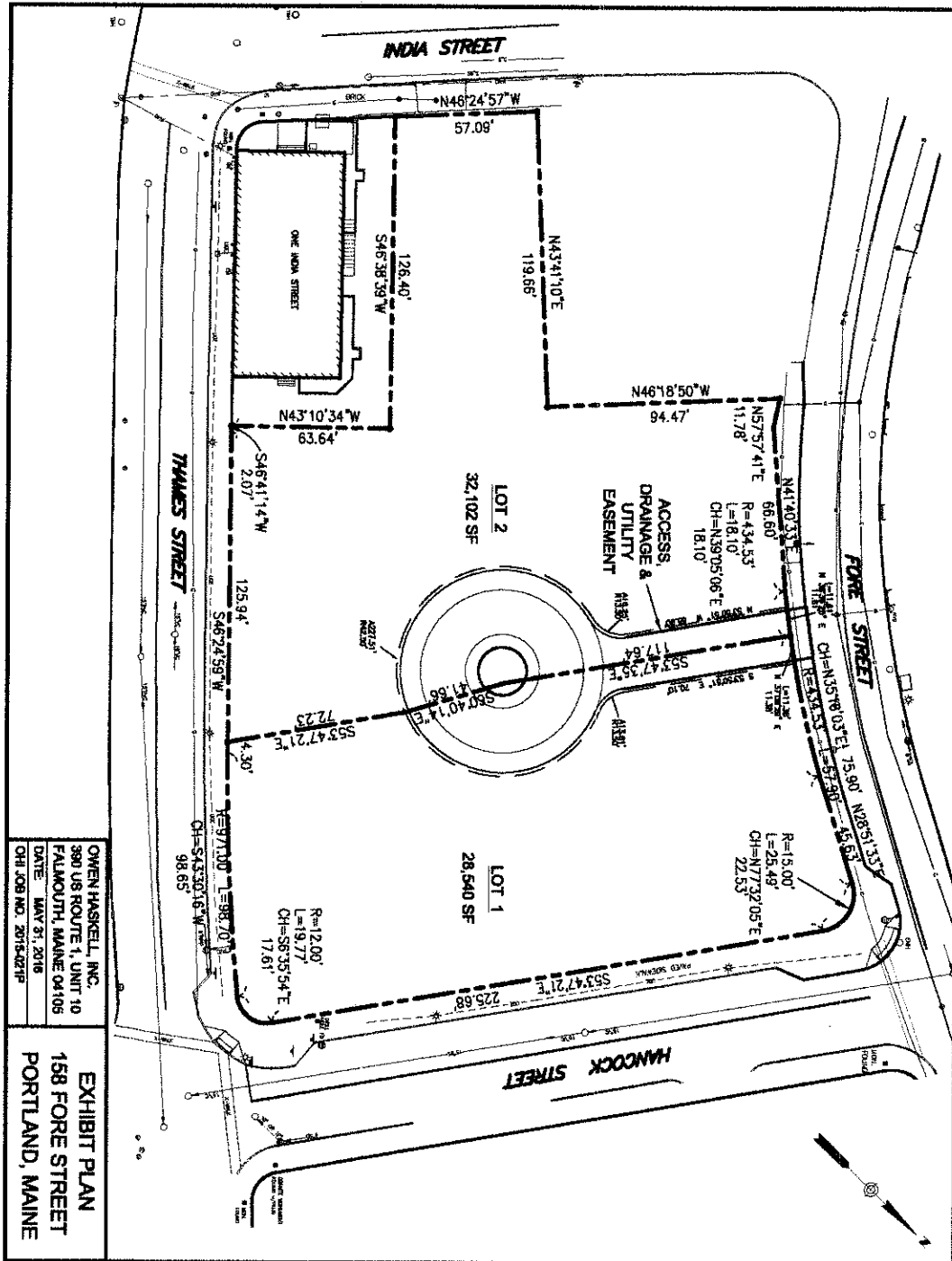
[Affix Seal]



Gene A. Routh  
Notary Public

# EXHIBIT A

## Copy of Easement Plan



## EXHIBIT A-1

### Description of Easement Area

A certain lot or parcel of land situated on the southeasterly side of Fore Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the southeasterly sideline of Fore Street said point being at the common line between Lot 1 and Lot 2 as shown on "Recording Plat 158 Fore Street, 158 Fore Street, Portland, Maine made for record owner Portland Norwich Group LLC" dated March 11, 2016 by Owen Haskell, Inc. recorded in the Cumberland County Registry of Deeds Plan Book 216 Page 185;

Thence, northeasterly along the southeasterly sideline of said Fore Street along a curve to the left having a radius of 434.53 feet an arc length of 11.38 feet to a point, said point being 11.38 feet on a course of N 37°08'29" E from the point of beginning;

Thence, S 53°50'51" E across said Lot 1 a distance of 70.10 feet;

Thence, southeasterly across said Lot 1, along a curve to the left having a radius of 13.50 feet an arc length of 13.61 feet;

Thence, southeasterly, southerly, northwesterly and northerly across said Lot 1 and said Lot 2 along a reverse curve to the right having a radius of 42.50 feet an arc length of 227.51 feet;

Thence, northerly across said Lot 2 along a reverse curve to the left having a radius of 13.50 feet an arc length of 16.25 feet;

Thence, N 53°50'51" W across said Lot 2 a distance of 65.90 feet to the southeasterly sideline of said Fore Street;

Thence, northeasterly along the southeasterly sideline of said Fore Street along a curve to the left having a radius of 434.53 feet an arc length of 11.61 feet to the point of beginning, said point being 11.61 feet on a course of N 38°39'25" E from the last named point.

## EXHIBIT A-2

Description of Lot 1 Easement Area

A certain lot or parcel of land situated on the southeasterly side of Fore Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the southeasterly sideline of Fore Street said point being at the common line between Lot 1 and Lot 2 as shown on "Recording Plat 158 Fore Street, 158 Fore Street, Portland, Maine made for record owner Portland Norwich Group LLC" dated March 11, 2016 by Owen Haskell, Inc. recorded in the Cumberland County Registry of Deeds Plan Book 216 Page 185;

Thence, northeasterly along the southeasterly sideline of said Fore Street along a curve to the left having a radius of 434.53 feet an arc length of 11.38 feet to a point, said point being 11.38 feet on a course of N 37°08'29" E from the point of beginning;

Thence, S 53°50'51" E across said Lot 1 a distance of 70.10 feet;

Thence, southeasterly across said Lot 1, along a curve to the left having a radius of 13.50 feet an arc length of 13.61 feet;

Thence, southeasterly and southerly said Lot 1 along a reverse curve to the right having a radius of 42.50 feet an arc length of 99.67 feet to Lot 2 as shown on said plan;

Thence, N 60°40'14" W along said Lot 2 a distance of 41.66 feet;

Thence, N 53°47'35" W along said Lot 2 a distance of 117.64 feet to the southerly sideline of said Fore Street and the point of beginning.

EXHIBIT A-3

Description of Lot 2 Easement Area

A certain lot or parcel of land situated on the southeasterly side of Fore Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the southeasterly sideline of Fore Street said point being at the common line between Lot 1 and Lot 2 as shown on "Recording Plat 158 Fore Street, 158 Fore Street, Portland, Maine made for record owner Portland Norwich Group LLC" dated March 11, 2016 by Owen Haskell, Inc. recorded in the Cumberland County Registry of Deeds Plan Book 216 Page 185;

Thence, S 53°47'35" E along said Lot 1 a distance of 117.64 feet;

Thence, S 60°40'14" E along said Lot 1 a distance of 41.66 feet;

Thence, northwesterly and northerly across said Lot 2 along a reverse curve to the right having a radius of 42.50 feet an arc length of 127.84 feet;

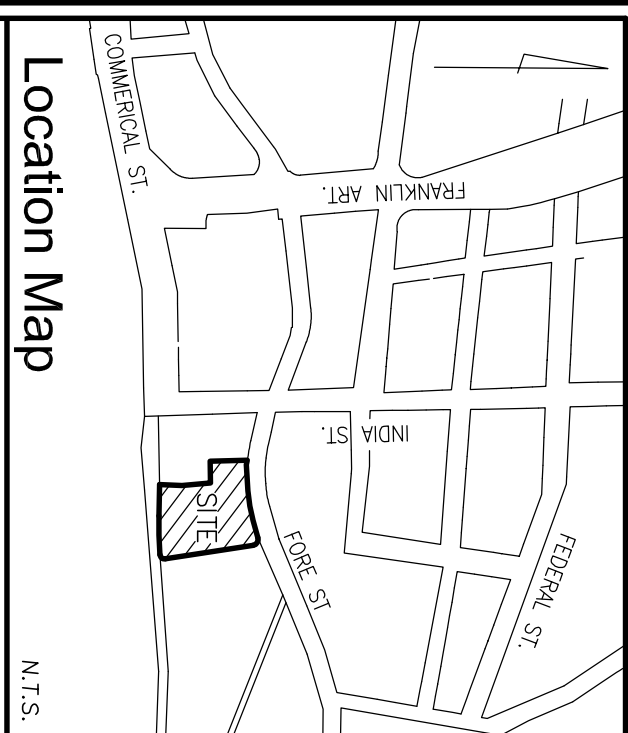
Thence, northerly across said Lot 2 along a reverse curve to the left having a radius of 13.50 feet an arc length of 16.25 feet;

Thence, N 53°50'51" W across said Lot 2 a distance of 65.90 feet to the southeasterly sideline of said Fore Street;

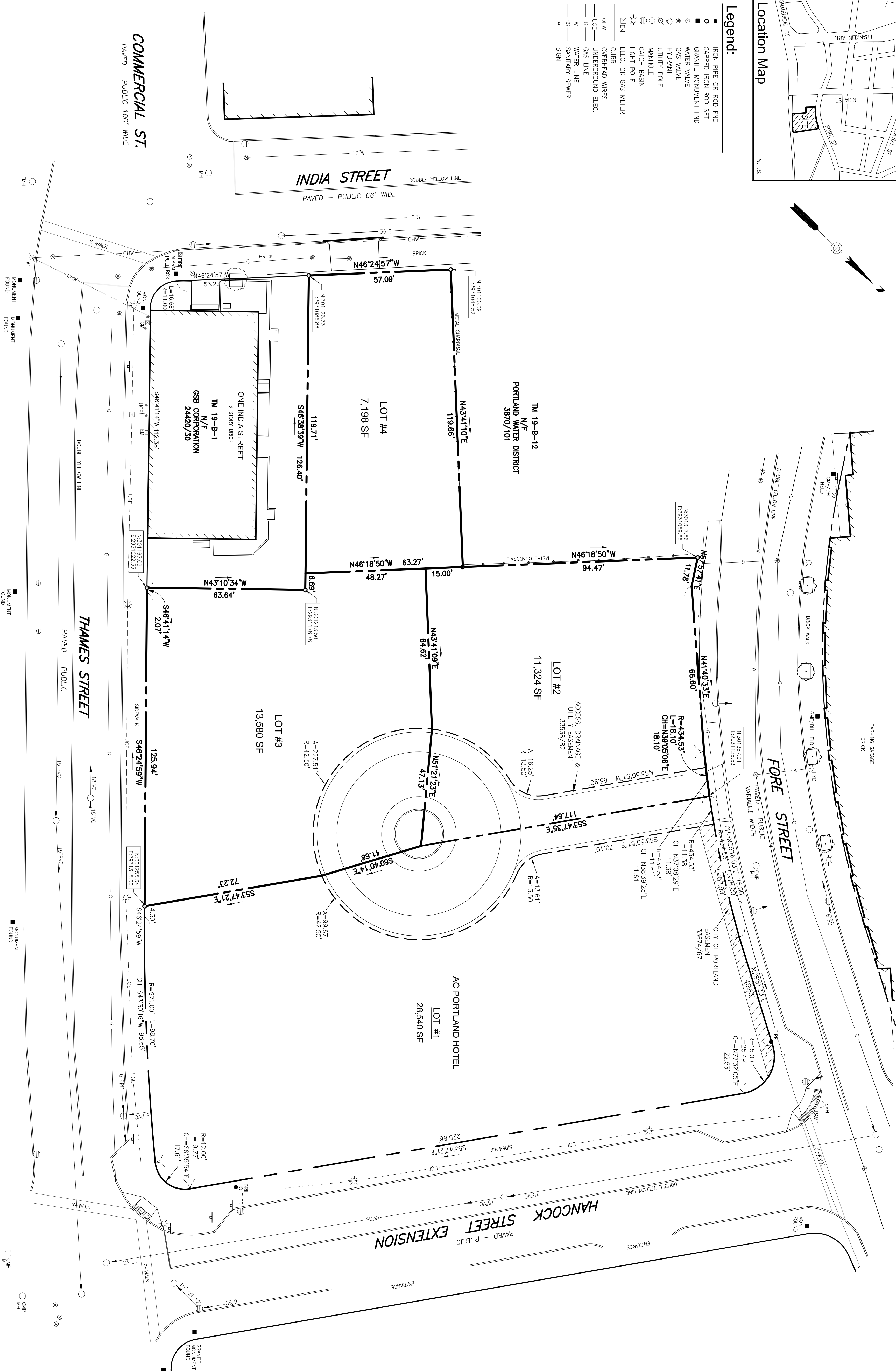
Thence, northeasterly along the southeasterly sideline of said Fore Street along a curve to the left having a radius of 434.53 feet an arc length of 11.61 feet to the point of beginning, said point being 11.61 feet on a course of N 38°39'25" E from the last named point.

Received  
Recorded Register of Deeds  
Oct 20, 2016 02:19:14P  
Cumberland County  
Nancy A. Lane





- Legend:**
- |      |                      |
|------|----------------------|
| ●    | IRON PIPE OR ROD END |
| ○    | CAPPED IRON ROD SET  |
| ■    | GRANITE MONUMENT FND |
| ⊗    | WATER VALVE          |
| ⊙    | GAS VALVE            |
| ⦿    | HYDRANT              |
| ⌒    | UTILITY POLE         |
| ⊕    | MANHOLE              |
| ☼    | CATCH BASIN          |
| ☼    | LIGHT POLE           |
| ☼    | ELEC. OR GAS METER   |
| ⊗    | CURB                 |
| —HW— | OVERHEAD WIRES       |
| —UC— | UNDERGROUND ELEC.    |
| —G—  | GAS LINE             |
| —W—  | WATER LINE           |
| —SS— | SANITARY SEWER       |
| —N—  | SIGN                 |



Flood Zone Note:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 00014B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

SCALE : 1" = 20'

Zoning Information:

THE PROPERTY LIES IN THE CITY OF PORTLAND'S  
INDIA STREET FORM-BASED CODE ZONE (IS-FBC)  
SEE CITY OF PORTLAND'S LAND USE ORDINANCE  
DIVISION 15.2 SECTION 14-275.1

### Utility Note:

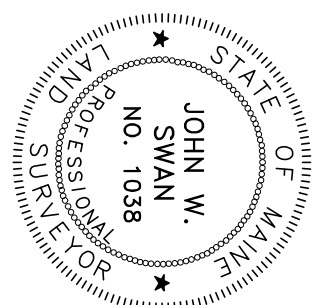
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY, INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPREHEND ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE BELIEVES CERTAIN THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-4DSCAPE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

**Certificate:**

OWEN HASKELL, INC. CERTIFIES THAT THE RESULT OF, AN ON THE GROUND FIND THE BEST OF OUR KNOWLEDGE, INFORMATION CONFORMS TO THE BOARD OF LICENSURE SURVEYORS CURRENT STANDARDS OF PRACTICE OF MARKERS NOT SET AT ALL CORNERS.

1/12/2017  
DATE John W. Swan  
JOHN W. SWAN, PLS NO. 1038

  
\_\_\_\_\_  
JOHN W. SWAN, PLS NO. 1038



APPROVED BY THE  
CITY OF PORTLAND PLANNING BOARD

[illegible]

THIS PLAN AMENDS PREVIOUS  
RECORDING PLAT  
RECORDED IN PLAN BOOK 216 PAGE 185

APPLICANT:  
PORTLAND NORWICH GROUP LLC  
PORTLAND NORWICH ACQUISITION LLC

**RECORDING PLAT**  
**158 FORE STREET**  
**158 FORE STREET, PORTLAND, MAINE**

 **PORTLAND NORWICH ACQUISITION LLC**  
2330 PALM RIDGE ROAD #305, SANIBEL, FL 33957

|          |      |          |                  |
|----------|------|----------|------------------|
| Drawn By | RS   | Job No.  | 2015-021P        |
| Force By | JLW  | Date     | JANUARY 12, 2017 |
| Check By | JWS  | Scale    | 1" = 20'         |
| Book No. | 1099 | Dwg. No. | RP-2.3.4         |

### Plan References:

1. RECORDOR: PLAT, OCEAN GATEWAY, COMMERCIAL STREET AND TROSE STREET, PORTLAND, MAINE, MADE FOR CITY OF PORTLAND AND STATE OF MAINE, DATED AUGUST 7, 2004, BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 204 PAGE 602.
2. LAND AND TITLE SURETY AND SUNDRISSON PLAN IN PORTLAND, MAINE, USA MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, MAINE, AND THE STATE OF MAINE, DATED FEBRUARY 19, 1993 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 193 PAGE 187.
3. SUNDRISSON RECORDOR, PLAT ON ONE INDA STREET, PORTLAND, MAINE, MADE FOR OCEAN GATEWAY LLC, 25 INDA STREET, L. HANCOCK & MIDDLE, LLC, AND ROCKAWAY LLC DATED MARCH 22, 2006 RECORDED IN PLAN BOOK 207 PAGE 54.
4. CONDOMINIUM PLAT THE LONGFELLOW A CONDOMINIUM, ONE INDA STREET, PORTLAND, MAINE, MADE FOR UBR LLC, THE DECLARANT AND OWNER OF RECORD, DATED SEPT. 20, 2006 RECORDED 9-26-09 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 206 PAGE 618.
5. RECORDOR PLAT 154 ROSE STREET, 154 ROSE STREET, PORTLAND, MAINE MADE FOR RECORDOR OWEN PORTLAND AND NORWICH GROUP LLC DATED MARCH 11, 2016 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 216 PAGE 185.

Notes:

1. OWNER OF RECORD: LOT 1: PORTLAND NORWICH GROUP LLC, 2330 PALM RIDGE ROAD #305, SANIBEL, FL, CUMBERLAND COUNTY, REGISTRY OF DEEDS BOOK 32746 PAGE 289
2. LOT 2, 3, & 4: PORTLAND ACQUISITION LLC DEED BOOK 33254, PAGE 357
3. PARCEL IS SHOWN AS LOT 20, BLOCK B ON THE CITY OF PORTLAND ZONING MAP 19.
4. LOT 1 HAS BENEFIT OF LICENSE AGREEMENT FROM CITY OF PORTLAND RECORDED IN DEED BOOK 33674 PAGE 60.
5. BEARINGS ARE GARD NORTH PER PLAN REFERENCE 1.



# PLANNING BOARD REPORT PORTLAND, MAINE

Zoning Determination  
Zoning Text Amendment  
City of Portland, Applicant

|                                                                                 |                                                                     |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Submitted to: Portland Planning Board<br>Public Hearing Date: February 28, 2017 | Prepared by Tyler Norod, Housing Planner<br>Date: February 16, 2017 |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------|

## I. INTRODUCTION

In the fall of 2016, the Housing Committee was asked to analyze the Short Term Rental (STR) market and determine policy recommendations for the City Council. Like many other emerging markets within the new “sharing economy”, STRs did not comfortably fit within existing regulations. One of the key issues facing STRs in Portland was a lack of clarity on how best to differentiate and regulate these new uses within the existing code. To that effect, the Housing Committee was able to formulate a detailed regulatory framework for STRs within Chapter 6 of the City Code. The proposed STR regulations are largely based on building safety, enforcement, building typology, and owner occupancy. STRs would be allowed in all zones. The purpose of this memo is to propose two text amendments to Chapter 14 in order to better maintain clarity and consistency across City Code for STR regulation.

The text amendment was posted in the Portland Press Herald on February 20 and February 21 and was distributed to the interested citizen list. No public comments have been received at the time of writing this report.

## II. BACKGROUND

The Housing Committee met seven times between October 2016 and February 2017 to craft a regulatory framework and ordinance language to regulate STRs in Portland. The Housing Committee voted on February 8, 2017 to recommend draft ordinance language to the City Council regulating STRs. The regulations would allow for all owner occupied residences to be rented as STRs. Non-owner occupied single family homes and non-owner occupied condominiums would not be allowed to register. Renters would be allowed to register their apartment so long as the unit is their primary residence and they have notarized permission of their landlord. There will be escalating fees and limitations placed on the number of STRs allowed within multi-unit buildings with higher fees and slightly less units allowed in non-owner occupied multi-unit buildings. There will also be a cap of 5 STR units per person and a 300 unit cap for non-owner occupied units in the City. For now the islands will be exempt from the 300 unit cap and will also be allowed

to register non-owner occupied single family homes as STRs.

### **III. PROPOSED TEXT AMENDMENT**

The proposed text amendments to definitions within Chapter 14, Article III, Division 1, Section 14-47 add the following underlined language to the definitions of “Dwelling” and “Use”:

Dwelling: A building or portion thereof used exclusively for residential occupancy, including single-family, two-family and multifamily dwellings, but not including hotels, lodging houses, sheltered care group homes or tourist homes. Occupancy of dwellings for periods of less than 30 days are subject to the requirements of Chapter 6, Article VI.

Use: The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased. The use of a property is not altered solely as the result of the property being rented, leased, or let, on a transient or long-term basis, by an individual or entity other than the owner, for purposes of engaging in the same use.

### **IV. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

By clarifying regulations for STRs within the emerging sharing economy the city is consistent with the City of Portland’s Comprehensive Plan. The Vision element of the Comprehensive Plan states that the City should:

- Support a dynamic downtown that embraces an intertwining of uses, including residential, business, retail, institutional, service, and arts and cultural uses.
- Capitalize on Portland’s economic assets and develop a strong economy based upon traditional industries, a strong retail and office center, and emergent opportunities in industry, business, and coastal commerce.

Further, the economic development goals of the Comprehensive Plan emphasize creativity and responsiveness to emerging industries. The goals from the 1994 Industry and Commerce Plan include making Portland attractive to new businesses and creating “thoughtful flexibility for emerging industries” (38).

It should be noted that the Housing Committee grappled at length with the issue of the proliferation of future STRs within the local housing market and the potential impact of STRs in residential neighborhoods. As a product of this concern, the Committee suggested establishing registration caps of 300 non-owner occupied units on Portland’s mainland as well as a cap of five (5) registered STR units per person. STRs would also not be allowed in non-owner occupied single family homes or condominiums, except for on the islands where STRs would be allowed within these types of property.

### **III. STAFF RECOMMENDATION**

Staff recommends a positive recommendation for adoption from the Board to the City Council.

#### **IV. PROPOSED MOTION**

Based on the material provided in this report , public testimony, a review of applicable policies, and other information the Planning Board finds that the proposed text amendments to the definitions of “Dwelling” and “Use” **[is or is not]** consistent with the Comprehensive Plan and recommends adoption of the proposed amendments to the City Council.

#### **Attachments**

A. Proposed Chapter 14 Text Amendments (redline & clean versions)



**Attachment A – Proposed Chapter 14 Text Amendments  
(redline & clean versions)**



## Chapter 14 LAND USE\*

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\*Cross reference(s)--Buildings and building regulations, Ch. 6; parks, recreation and public buildings, Ch. 18; sewers, Ch. 24; streets, sidewalks and other public places, Ch. 25; vegetation, Ch. 29.

State law reference(s)--Planning, zoning and development, 30 M.R.S.A. Sec. 4501 et seq.  
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**Art. I. In General, § 14-1--14-15**

**Art. II. Planning Board, § 14-16--14-45**

**Art. III. Zoning, § 14-46--14-490**

Div. 1. Generally, § 14-46--14-59

14-60--14-65  
Div. 1.5 Conditional or Contract Zoning, §

Div. 2. R-1 Residential Zone, § 14-66--14-75

Div. 3. R-2 Residential Zone, § 14-76--14-85

Div. 4. R-3 Residential Zone, § 14-86--14-93

Div. 4.5. FH Flexible Housing Zone, § 14-94--14-100

Div. 5. R-4 Residential Zone, § 14-101--14-115

Div. 6. R-5 Residential Zone., § 14-116--14-125

Div. 6.5. R-5A Residential Zone, §14-126--14-134

140 Div. 7. R-6 and R-6A Residential Zone, § 14-135--14-

Div. 7.01 R-7 Compact Urban Residential Overlay Zone, § 14-141--14-144

Div. 7.1. IR-1 Island Residential Zone, § 14-145.1--14-145.6

Div. 7.2. IR-2 Island Residential Zone, § 14-145.7--14-145.12

Div. 7.3. IR-3 Island Residential Zone, § 14-145.13--14-145.19

Div. 7.5. Island Transfer Station Overlay Zone, § 14-145.20--14-145.22

Div. 8. R-P Residence-Professional Zone, § 14-146--14-152

Div. 8.1 USM University of Southern Maine Overlay Zone 14-152--14-152.9

Div. 8.5. R-OS Recreation and Open Space Zone, § 14-153--14-160

Div. 9. B-1 and B-1b Neighborhood Business Zones, § 14-161--14-180

Div. 10. B-2 and B-2b Community Business Zone, § 14-181--14-195

Div. 11. A-B Airport Business Zone, § 14-196--14-215

Div. 12. B-3, B-3b and B-3c Downtown Business Zones, §

Day care facility: A facility which provides a regular program of care and protection for children under the age of sixteen (16), for consideration, for any part of the day.

Drinking establishment: Means and includes any establishment required to be licensed to sell alcoholic beverages for on-premises consumption, which is not regularly used for the purpose of providing full-course meals, as defined in Title 28-A of the Maine Revised Statutes, on the premises.

Drive-through facility: A commercial facility which provides a service directly to a motor vehicle occupant and where the customer drives a motor vehicle onto the premises and to a window or mechanical device through or by which the customer is served with or without exiting the vehicle. Drive-throughs do not include major or minor auto service stations.

Drive-through features: Features associated with drive-throughs including but not limited to designated travel or stacking lanes, intercom systems, menu boards, service windows, kiosks, mechanical devices, etc.

Dwelling: A building or portion thereof used exclusively for residential occupancy, including single-family, two-family and multifamily dwellings, but not including hotels, lodging houses, sheltered care group homes or tourist homes. Occupancy of dwellings for periods of less than 30 days are subject to the requirements of Chapter 6, Article XI.

Dwelling, one-family: A detached building used exclusively for occupancy by one (1) family.

Dwelling, two-family: A single building containing two dwelling units used exclusively for occupancy by two (2) families living independently of each other.

Dwelling, multifamily: A building or portion thereof containing three (3) or more dwelling units.

Dwelling unit: One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit.

Earth moving activity means any removal or placement, excavation, filling, stockpiling or grading of soil, earth,

vegetation but such vegetation is dominated by woody stems that are six (6) meters approximately.

Use: The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased. The use of a property is not altered solely as the result of the property being rented, leased, or let, on a transient or long-term basis, by an individual or entity other than the owner, for purposes of engaging in the same use.

Utility substation: Any sewage or water pumping station, electric power substation, transformer station, telephone equipment enclosures, or other similar structures owned or operated by a public utility.

Vegetation: All live trees, shrubs, ground cover, and other plants including, without limitation, trees both over and under four (4) inches in diameter, measured at four and one-half (4 1/2) feet above ground level.

Warehousing: The storage of goods, wares and merchandise in a warehouse.

*Water body:* Any river or stream.

Watercourse: Any natural or artificial stream, river, creek, ditch, channel, swale, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, or which has a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Water-dependent uses: Those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and which cannot be located away from these waters.

*Wetlands associated with shoreland zones:* a freshwater or coastal wetland.

Wetlands: Those areas which have two (2) or more of the following:

- (a) A water table at or near the surface during the

## Chapter 14 LAND USE\*

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# Memorandum

## Planning and Urban Development Department

### Planning Division

**To:** Chair Boepple and Members of the Portland Planning Board

**From:** Nell Donaldson and Jean Fraser, Planning Division

**Date:** February 28, 2017

**Re:** Communication re Draft Institutional Overlay Zone (IOZ)

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Following the Planning Board's February 14, 2017 workshop on the draft Institutional Overlay Zone, staff has developed a strategy for editing the text to address the Board's, the Eligible Institutions', and the public's comments. While a revised draft is still under internal review and is not presented here in this communication, a synopsis of proposed changes follows. The intent is to make the Board, the public, and the Eligible Institutions aware of the direction staff is proposing with respect to each of the outstanding questions in advance of a planned public hearing on March 14, 2017.

#### **Proposed Approach to Outstanding Questions**

1. *Mandatory v. Voluntary IOZ.* At the Planning Board workshop on February 14, the Board engaged in considerable discussion around whether the creation of Institutional Development Plans and designation as Institutional Overlay Zones should be voluntary or mandatory for Eligible Institutions. As written, the Institutional Overlay Zone language presents designation as a voluntary endeavor ("The city's four primary medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones.") Staff feel that the IDP process provides such significant benefits to the Eligible Institutions, the community, and the city, and that over time adoption will be universal. In addition, the language of the new comprehensive plan strongly encourages the institutions toward the adoption of IDPs as best practice. Staff have provided a chart which demonstrates various approaches taken to encourage/require IDP-like planning for institutions across the country (*Attachment 1*). Based on this chart, several other ideas to consider are:
  - a. Tying IOZ designation to certain development triggers either based on project size (e.g. projects over 50,000 s.f.);
  - b. Requiring IOZ designation when and if an institution requires a change to their existing zoning regime; or
  - c. Setting a timeframe for IOZ designation by all Eligible Institutions (e.g. by 2020).
2. *Guarantees/Pending Proceeding Status.* At the workshop and in the time since, several Eligible Institutions have raised questions about the degree of certainty in regulation that the IOZ would provide. Institutions have argued that it should provide a guarantee similar to the entitlement provided by the Master Development Plan provisions of Chapter 14. Although staff does not feel

that the pending proceeding designation is applicable since an IDP is not a project entitlement application but a planning and regulatory process, we do strongly agree that some sort of certainty should result from the significant effort needed to properly complete an IDP. Currently we are considering that, for regulatory changes not requested by the institution as part of an IP or IDP amendment, a supermajority of the council be required to change an approved IOZ.

3. *Planning Horizon.* Planning Board members and members of the public advocated that the IOZ text should explicitly address the question of the horizon of the Institutional Development Plan and, in particular, address the need for long-range planning. As written, the language leaves that horizon to each institution, as each has their own planning conventions based on their industry, funding cycles, and other variables. In order to provide more definition around this question, however, staff proposes to add language that requires each Eligible Institution to provide a growth plan not only for the short- to medium-term (1-5 and 5-10 years), but also for the long-term (10+ years), as elements of the IDP. The specific parameters for each institution will be defined for each institution during its IDP approval process.
4. *Required Updates and Amendments.* At the workshop, there was some lack of clarity on when and if an update or amendment to the IDP would be required. In order to simplify, staff proposes first to eliminate references to “updates” in favor of the more general term, “amendments.” Second, staff proposes to add language that requires the IDP to include a “schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP” and “identify thresholds for amendments.” Similar language is proposed for the Regulatory Framework.
5. *Standards of IDP Review.* To address concerns raised at the workshop regarding the IDP’s treatment of open space and consistency and clarity of review standards, staff proposes to add an IDP review standard that requires that the IDP outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
6. *Relationship to Comprehensive Plan.* At the February 14 workshop, questions were also raised about the relationship of the proposed IOZ ordinance to the city’s comprehensive plan, which is currently under final review. The comprehensive plan contemplates institutional development in several capacities. Supporting “sustainable growth in our educational and medical institutions” appears as an explicit economic goal of the plan, and promoting “the orderly expansion of institutional uses, such as educational and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies” is defined as one of many economic strategies for the future. Last, the main campuses of the four Eligible Institutions are identified on the Priority Nodes and Corridors map as areas for further study and investment.
7. *Housekeeping.* Last, staff proposes several more minor modifications meant to improve consistency and clarity across the entire text. These include:
  - a. Eliminating references to the “waiver” of IDP content requirements in favor of language that indicates that content requirements may be “modified.”
  - b. Adding language that requires the Eligible Institution to provide an inventory of “all existing property holdings within the main campus and within the city of Portland” in

their baseline data, and to clarify that a use/development proposed by an Eligible Institution outside the IOZ boundary that does not comply with the zoning for permitted uses (e.g. requires conditional use approval) must be addressed by the IDP.

- c. Adding language to require that the construction management framework provided in the IDP represent best practices, “aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.” The language requiring a construction management framework aims to give the community and any potential contractor knowledge of the concerns that need to be addressed during construction. Specific contractor requirements would be deferred to subsequent site plan review.
- d. Clarifying the timing on required public meetings, successors and assigns, and the council’s role in “considering adoption” of the IOZ and accompanying Regulatory Framework.

### **Public Comment**

At the February 14 workshop over the course of this process, staff and the Planning Board have fielded numerous public comments on the Institutional Overlay Zone language. Common comments and responses have been collated and are included here as *Attachment 2*. Staff have also developed a graphic to illustrate the process of developing the Institutional Overlay Zone language, the subsequent process of developing and reviewing the institution-specific IDPs and Regulatory Frameworks, and ultimately, the process of site plan review for each institution (*Attachment 3*).

### **Attachments**

1. Examples of Institutional Zoning – Comparison of Key Provisions
2. Summary of Public Comments and Responses
3. IOZ Process Graphic

## Examples of Institutional Zoning – Comparison of Key Provisions (includes those ordinances that address process as well as regulations)

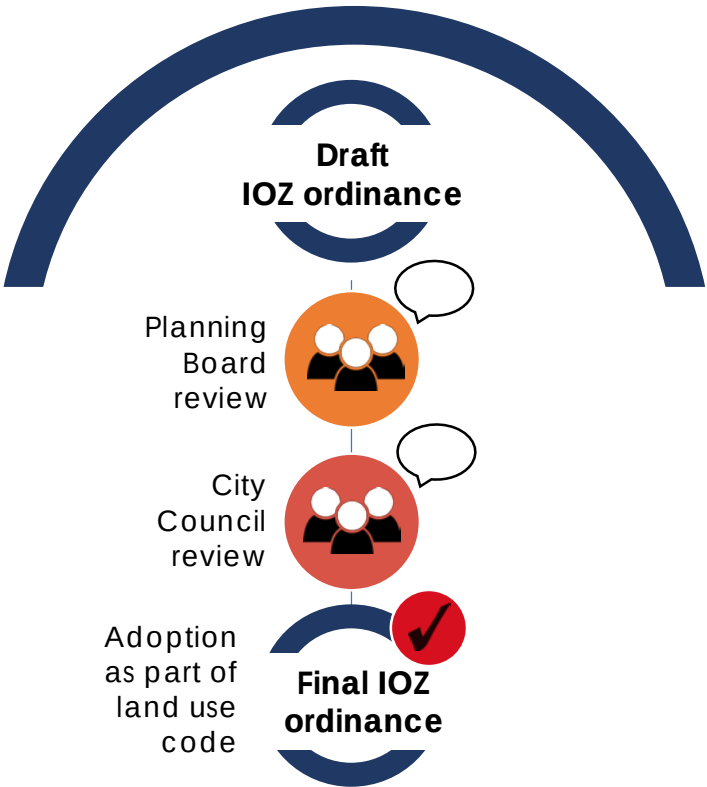
| Provision/<br>Municipality                                      | Biddeford ME                                                                                                                             | Providence RI                                                                          | Pittsburgh, PA                                                                                                                                                                            | Seattle WA                                                                                                                                                                                                                                                                                                                              | Yakima WA                                                                                                       | Richmond, VA                                                                                       | San Francisco                                                                                                 |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>Planning Horizon</b>                                         | 5 years                                                                                                                                  | 10 year goals and 5 year objectives/implementation strategies                          | At least 25 years (different requirements for “10 yr envelope” and “25 yr development sites”)                                                                                             | None mentioned                                                                                                                                                                                                                                                                                                                          | None mentioned                                                                                                  | None mentioned                                                                                     | Not less than 10 years                                                                                        |
| <b>Mandatory vs Voluntary</b>                                   | Mandatory within 2 years for any use conducted by university and for any site plan approval, except pending applications to be processed | Mandatory and no building permit will be issued if master plan is older than 5 years   | Mandatory prior to any development in district, (required within 3 years of the date of the ordinance becoming effective) although minor projects may be approved if meet criteria listed | Determined by Director; “Any major institution may elect to prepare a master plan” but required to do so if new, if expanding (several definitions), does not meet existing zoning, impacts residential structure, ex MP over 10 yrs old and want to expand. IOZ specifies some developments that may be approved prior to MP adoption. | Required only where in or abutting a residential district; either City or institution may sponsor establishment | IDP required for particular uses                                                                   | All institutions must file an Institutional Master Plan; to be updated every 2 years                          |
| <b>Minimum Area of IOZ/district and applicable institutions</b> | None mentioned; college or university                                                                                                    | None mentioned; health care institutions and university/college educational facilities | Refers to “large” (no definition); applies to educational and medical institutions such as hospitals, colleges and universities                                                           | “Major” institutions require overlay zone (defined by floorspace); applies to medical and educational institutions                                                                                                                                                                                                                      | 5 acres; includes hospitals and higher educational facilities.                                                  | Applies to a range of institutional uses that may be included                                      | Floorspace determines content required in IMP; applies to medical and post-secondary educational institution. |
| <b>Regular reviews/factual updates</b>                          | Up to the institution- no review period                                                                                                  | Must be updated every 5 years                                                          | IDP expires after 10 years                                                                                                                                                                | Requires annual status report (re progress).                                                                                                                                                                                                                                                                                            | Not mentioned                                                                                                   | Not mentioned                                                                                      | Updates required every 2 years                                                                                |
| <b>Amendments</b>                                               | Institution may request an amendment at any time.                                                                                        | Updates must show amendments; identified dev. actions are not considered amendments    | Same as for new plan; minor revisions exempted.                                                                                                                                           | Institutions may request amendments; includes detailed definitions and criteria for exempt; minor and major.                                                                                                                                                                                                                            | Institutions may request amendments; mentions three general levels of review.                                   | Not mentioned                                                                                      | New (amended) IMP required based on triggers and at least every 10 years                                      |
| <b>Public engagement in IOZ process</b>                         | None re IOZ designation                                                                                                                  | Minimum of one neighborhood meeting                                                    | None in addition to formal PB hearings                                                                                                                                                    | Institution establishes Citizens Advisory Committee to participate directly in formulation of IDP (more detail provided).                                                                                                                                                                                                               | Two public meetings required prior to formal filing of IOZ application (hel by applicant).                      | None in addition to Planning commission meetings (review is based mostly on the Directors’ Report) | None in addition to formal hearings, but 10 paper copies of IMP’s required.                                   |



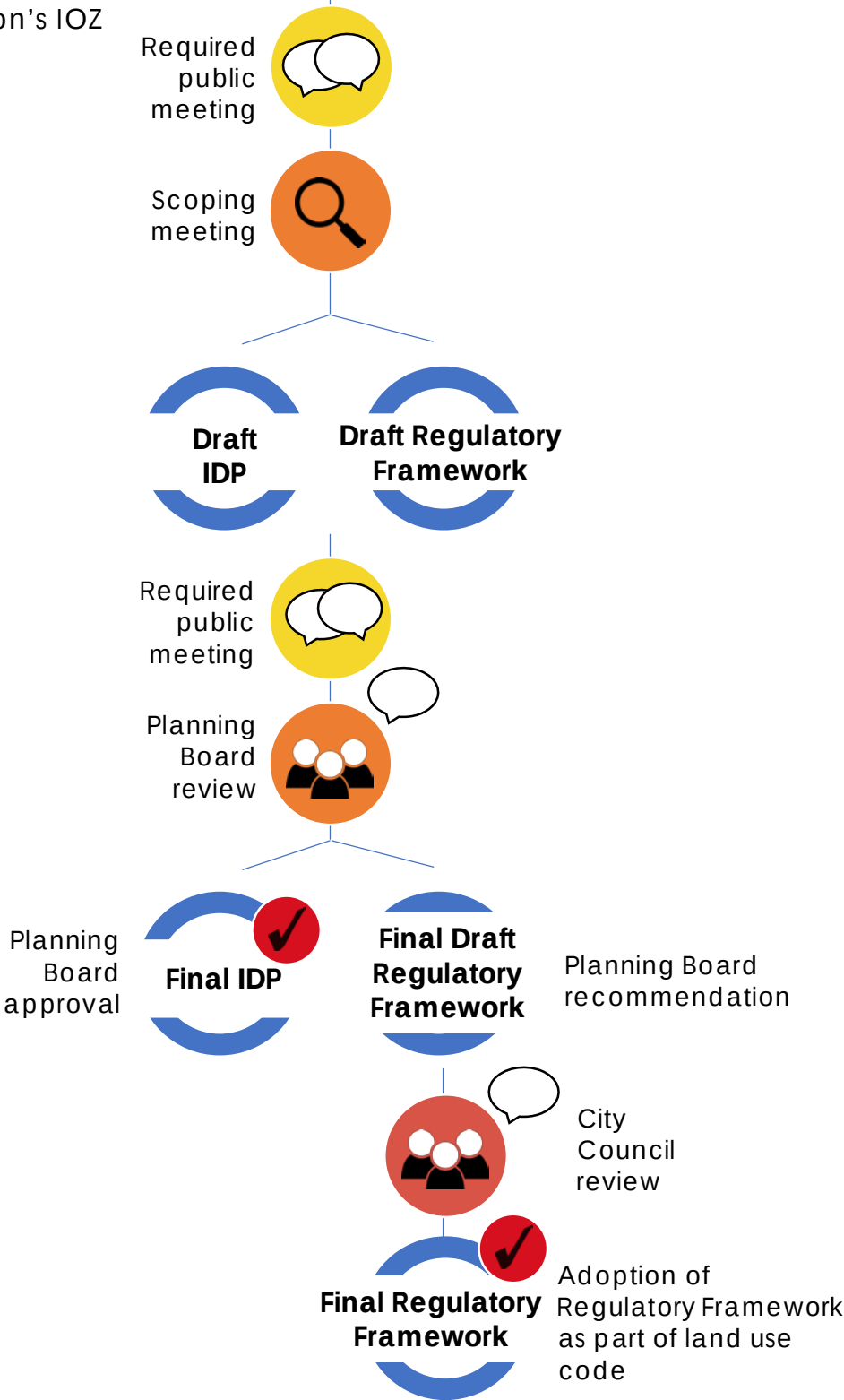
## Summary of Public Comments and Responses (December 2016-February, 2017)

| Issue/Concern<br>(in frequency order, highest to lowest)                                                  | How IOZ revised to address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Justification for the proposed parking provision and importance of TDM</b>                             | The IOZ language has been strengthened to specifically include (in the IDP standards of review, IVdv) <i>“Demonstrate that ....the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands”</i> . The Regulatory Framework contents refers to trip reduction targets and TDM measures.                                                                                                                                                                                                                         |
| <b>Height and design of new buildings and associated impacts eg shadows, edge massing and transitions</b> | The IOZ language has introduced more detailed requirements for the IDP, including extensive information and analysis of the proposals, their impacts, and a proposed outline of measures /improvements/plans to address these. The IDP/Regulatory Framework review standards and Regulatory Framework contents include specific review criteria.<br><br>The IOZ provides an overall framework, and these issues (as well as other impacts noted below) would be considered in greater detail when specific development proposals are considered during the site plan review. |
| <b>Construction impacts eg noise, vibration, nuisance, construction parking</b>                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Traffic impacts eg in neighborhood and on surrounding highways, including re pedestrian access</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Environmental impacts eg re drainage, loss of pervious surfaces, and noise</b>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Local impacts such as employee smoking, lighting, and loss of open spaces</b>                          | Clearer references to “open space” have been added to the IOZ text re submission content and standards of review. A standard of review for the Regulatory Framework is to <i>“Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement”</i> - and this would address local issues as raised.                                                                                                                                                                                                             |
| <b>Need for constructive public engagement</b>                                                            | The IDP content requirements includes a detailed section on “neighborhood engagement” that highlights the need for ongoing engagement that reflects “best practices” for communication and dialogue, and ensures that construction impacts and ongoing property management issues are anticipated and addressed.                                                                                                                                                                                                                                                             |
| <b>Encroachment into residential areas/divestment of properties in residential areas</b>                  | The IDP content requires an inventory of all of the institution’s property within the City of Portland, an indication of the functional land use links between off-campus properties and the main campus, and a statement of objectives for the properties as related to the mission of the institution. Where the use/proposal would be a conditional use under current residential zoning, it would need to be addressed in the IDP.                                                                                                                                       |
| <b>Need for long range planning and clearer timeframes</b>                                                | The IOZ text clarifies that the time horizon for the IDP would focus on the anticipated or potential growth and changes for the short to medium term, and include a conceptual growth plan for the long term (10+ years). The precise timeframes would be identified by the institution to reflect their mission and business plan.                                                                                                                                                                                                                                          |
| <b>Economic impacts</b>                                                                                   | An institutional expansion or zoning change could have potential broad economic impacts such as on property values and tax revenues, but such impacts are very difficult to anticipate, quantify and evaluate as part of the IOZ process. More specific identifiable impacts would be addressed by the IDP and Regulatory Framework (and Site Plan re details).                                                                                                                                                                                                              |
| <b>Inclusion of other institutions</b>                                                                    | The focus for the initial IOZ is on the larger institutions that may require special zoning if their future development is not consistent with existing zoning. It is anticipated that the IOZ process would be extended once it has been fine-tuned.                                                                                                                                                                                                                                                                                                                        |

Institutional  
Overlay Zone  
(IOZ) Enabling  
Legislation  
Review



Eligible Institution's IOZ  
Review



Site Plan Review



Denotes opportunity for public involvement