

PLANNING BOARD

Tuesday, February 14, 2023 at 4:30 PM
Remote meeting via Zoom



MEMBERS

Maggie Stanley, Chair
Brandon Mazer, Vice Chair
Justin Barker
Marpheen Chann
Sean Murphy
David Silk
Austin Smith

REMOTE ACCESS INFORMATION:

The Planning Board will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Planning Board. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

You are invited to a Zoom webinar.

When: Feb 14, 2023 04:30 PM Eastern Time (US and Canada)

Topic: Planning Board Workshop and Public Hearing 2/14/2023

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/83972585689>

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US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171

Webinar ID: 839 7258 5689

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PUBLIC COMMENT INFORMATION:

To submit written public comment on an agenda item, email planningboard@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Planning Board meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

Please note that the placement of items on this agenda are subject to change – please check the [Agenda Center](#) prior to the meeting for the item start time.

AGENDA:

WORKSHOP - 4:30 PM

- i. Major Site Plan; 185 Commercial Street; 185 Commercial Street, LLC, Applicant. (estimated time 4:30 – 5:30 p.m.) The Planning Board will hold a remote workshop to consider a proposal to construct a new six-story mixed-use building with six residential units and 5,440 square feet of new commercial space at 185 Commercial Street. The subject property is 4,319 square feet in area, and is zoned B-3 Downtown Business, and is located within the Old Port Historic District. A project and plan summary are available for viewing on the city’s CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-002235-2022.
- ii. Major Site Plan; 73 Powsland Street; STD, Inc., Applicant. (estimated time 5:30 – 6:30 p.m.) The Planning Board will hold a remote workshop to consider a proposal to develop four duplex units and one single-family unit, totaling nine new residential units, at 73 Powsland Street. The subject property is 30,000 square feet in area and is zone B-5 Urban Commercial. A project and plan summary are available for viewing on the city’s CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-001808-2021.

PUBLIC HEARING - 6:30 PM

- 1. ROLL CALL AND DECLARATION OF QUORUM**
- 2. COMMUNICATION AND REPORTS**
- 3. REPORT OF ATTENDANCE AT THE MEETING HELD ON JANUARY 24, 2023**

Afternoon Workshop

180 Read Street: Barker, Chann, Mazer, Murphy, Silk, Smith and Stanley present.

Evening Hearing

50 Industrial Way: Barker, Chann, Mazer, Murphy, Silk, Smith and Stanley present

31 Forest Street: Barker, Chann, Mazer, Murphy, Silk, Smith and Stanley present

385 Congress Street: Barker, Chann, Mazer, Murphy, Silk, Smith and Stanley present

4. REPORTS OF DECISIONS AT THE MEETING HELD ON JANUARY 24, 2023

- i. Zoning Map Amendment; 50 Industrial Way; 50 Industrial Way, LLC. Applicant. Mazer moved, and Smith seconded a motion to find the proposed map amendment (I-M to I-Mb) for parcels 326 B001001, 327A A009001, 327A A008002, 327A A007001, 327A A001001, 326 B007001, 326 B005001, and 326 C005001 consistent with the Comprehensive Plan, and to recommend its adoption by the City Council. Vote 6-1 (Silk opposed).
- ii. Major Site Plan; 31 Forest Street; DB9 Ventures, LLC. Applicant. Mazer moved, and Smith seconded a motion to approve the major site plan with three conditions of approval. Vote 7-0.
- iii. Subdivision; 385 Congress Street; Fathom Congress, LLC., Applicant. Mazer moved, and Silk seconded a motion to approve the subdivision application with three conditions of approval. Vote 7-0.

5. NEW BUSINESS

- i. Major Site Plan and Conditional Use; 385 Congress Street; Fathom Companies, Applicant. (estimated time 6:30 -8:00 p.m.) The Planning Board will hold a remote public hearing to consider the Phase I site plan proposal associated with the 385 Congress Street Master Development Plan, to develop a new 12-story building with a 179-room hotel, nine residential units and two levels of structured parking with 75 parking spaces. The subject property is 27,442 square feet in area, and is zoned B-3 Downtown. A project and plan summary are available for viewing on the city’s CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-002156-2022.

Memorandum

Planning and Urban Development Department



To: Maggie Stanley, Chair and Members of the Planning Board
From: Austen Torres Davis, Planner
Date: February 10, 2023
Re: Major Site Plan Application – 185 Commercial Street
Project #: PL-002265-2022
Meeting Date: February 14, 2023

I. INTRODUCTION

185 Commercial LLC has submitted a Major Site Plan application to facilitate the construction of a new six-story mixed-use building with six residential and two commercial units to replace an existing surface parking lot located at 185 Commercial Street. This project is zoned B-3 Downtown Business and is located within the Old Port Historic District.

The application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Site Plan Standards, Section 14.6.

In anticipation of this Planning Board Workshop, the Planning and Urban Development Department mailed 268 notices to property owners within 500 feet of the subject property. A legal advertisement ran in the February 4, 2023 and February 7, 2023 editions of the *Portland Press Herald*.

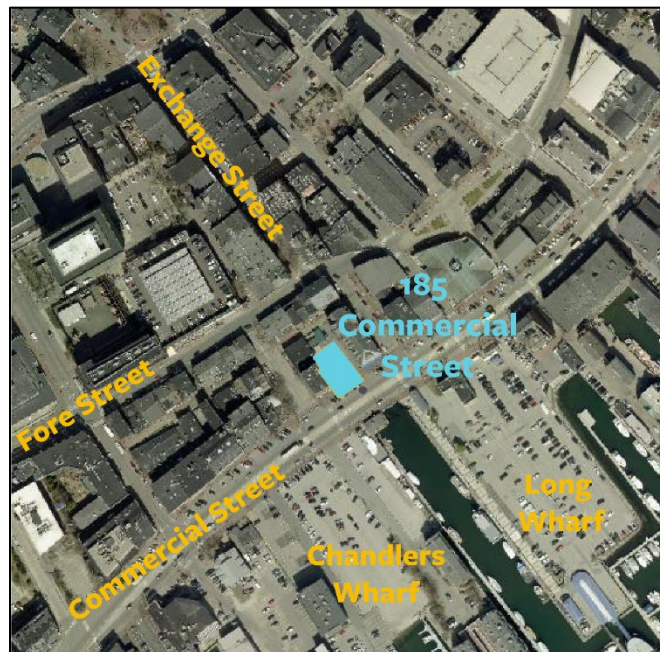


Figure 1. 185 Commercial Street in Neighborhood Context

Applicant: 185 Commercial Street, LLC.

Applicant Team: Steve Bushey, Gorrill Palmer Consulting Engineers.

II. PROJECT ACTIONS

Applicant's Proposal	Applicable Standards
Major Site Plan	Land Use Code Sec. 8.2 Downtown Entertainment Overlay Standards; Land Use Code Sec. 8.8 Pedestrian Activities District Overlay, Land Use Code Sec. 14.6 Site Plan Review Standards

III. PROJECT DATA

Existing Zoning	B-3 Downtown Business
Lot Size	4,319 sf
Disturbed Area	4,319 sf
Existing Use	Surface Parking Lot
Proposed Use	Mixed-use: Ground Floor Commercial with Multifamily Apartment Units Above

SUBJECT	Existing	Proposed	Net Change
Impervious Surface Area	4,319 sf	4,319 sf	+0 sf
Building Footprint	0 sf	4,319 sf	+4,319 sf
Building Floor Area	0 sf	11,049 sf	+11,049 sf
Residential Units	0	6	+6
Residential Floor Area	0	11,049	+11,049
Commercial Units	0	2	+2
Commercial Floor Area	0	5,440 sf	+5,440
Parking Spaces	0	0	+0
Bicycle parking Spaces	0	2	+2

IV. BACKGROUND AND EXISTING CONDITIONS

Site Conditions

The subject property at 185 Commercial Street is a mid-block parcel occupied by an existing surface parking lot for public use, located across from Chandler's Wharf and Long Wharf on the north side of Commercial Street. The surrounding area is generally characterized by intensive mixed-use development, with residential, maritime and a variety of commercial uses.

Though no public transportation exists along Commercial Street in the vicinity of the site, South Portland Bus Routes 21, 24A, and 24B, are nearby along York and Union Streets, while GP Metro Route 8 is accessible on nearby Middle Street. These routes are approximately 860 and 745 feet from the site respectively.



Figure 2. 185 Commercial Street, Existing Conditions

V. PROPOSED DEVELOPMENT

The applicant proposes to develop a six-story mixed-use building totaling approximately 11,049 square feet in floor area, with six residential units intended to be apartments for rent, as well as both a ground-floor and second-floor commercial space. As there are fewer than 10 residential units being proposed, the City's Inclusionary Zoning ordinance does not apply to this development. The proposed building would rise to a maximum height of approximately 65 feet. Information on the location of HVAC and other mechanical equipment is forthcoming.

Two of the residential units in the structure are proposed to have one bedroom, while the remaining four units are proposed to have two bedrooms each. No parking spaces are being provided, nor are they required based upon the development's proximity to public transportation, as well as the categorical exemption for development in the B-3 zone, listed in Table 19-B of the Land Use Code.

Associated site improvements proposed in connection with the new building include a rebuilt sidewalk to be constructed of brick with granite curbing, and the replacement of one existing street tree. Applicants have noted that the existing street tree is required to be removed for development of the site due to its proximity to the development site in relation to construction management and material staging.



Figure 3. Site Rendering

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

The owner of the property is 185 Commercial LLC, a Maine-based limited liability company. The applicant has submitted a Statement of Financial Capacity letter from their financial institution, NBT Bank, as demonstration of their financial capacity (Attachment F). A Statement of Technical Capacity has been provided by the applicant's representative, Gorrill-Palmer Consulting Engineers, which lists the consultant team, including civil engineers, architects, surveyors, geotechnical, and construction management (Attachment G).

VII. ZONING ANALYSIS

Dimensional Use Requirements

185 Commercial Street (parcel 032 U003001), is located in the B-3 Downtown Business zone. The B-3 dimensional standards are described in Table 7-E of the Land Use Code. Multi-family dwellings and Retail are listed as permitted uses in the B-3 zone as described in Table 6-C of the Land Use Code.

Per Article 19, Table 19-A, the minimum off-street parking requirement is calculated as one space per dwelling unit, as well as one space per 200 square feet of first floor area in excess of 2,000 square feet. However, per categorical exemptions to off-street parking specified in Table 19-B, no off-street parking is required for sites within $\frac{1}{4}$ mile of fixed route transit service. In order for developments of greater than 10,000 square feet, applicants must provide a Transportation Demand Management Plan.

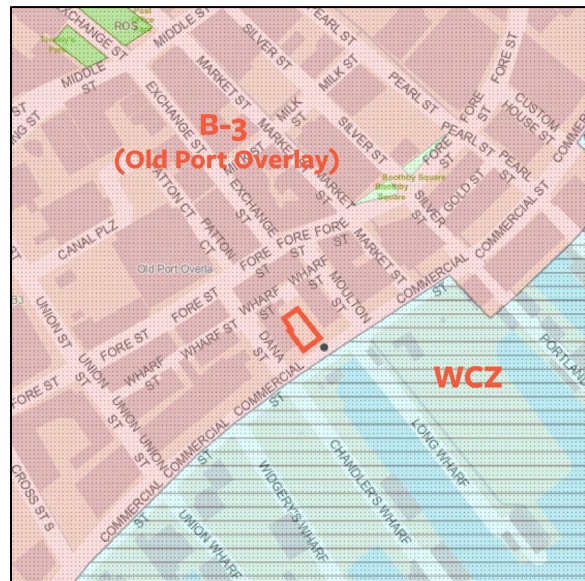


Figure 4. 185 Commercial Street in R-6 Zone Context

As no vehicular parking spaces are proposed for a development of 11,049 square feet, the applicant must provide a Transportation Demand Management Plan. The applicant also proposes to provide two bicycle parking spaces in the adjacent alleyway.

The following table shows the dimensional requirements of the B-3 zone which are met by this proposal:

<i>Standard</i>	<i>B-3 Zoning Requirement</i>	<i>185 Commercial Street</i>
Minimum Lot Area	N/A	4,319 square feet
Minimum Street Frontage	15 feet	48.82 feet
Maximum Front Setback	5 Feet	0.5 Feet
Maximum Lot Coverage	N/A (25% of lot area for portions of structures exceeding 125 ft. in height)	45.98%
Maximum Structure Height	65 feet	65 feet
Maximum Impervious Area	100%	100%
Minimum Off-Street Parking	0	0
Minimum Off-Street Bicycle Storage	2 Spaces (per 5 units)	2

VIII. DEVELOPMENT REVIEW

A. DOWNTOWN ENTERTAINMENT OVERLAY STANDARDS (Section 8.2.5)

The proposed development has been reviewed by Staff for conformance with the relevant review standards of Portland's Land Use Code. Staff comments are listed below.

a) Separate Business Entities

The proposed project includes two spaces used for commercial activity described as retail, one on the first floor and another on the second floor. As the site is not intended to have two or more entertainment businesses operating on site, this standard is not applicable.

B. PEDESTRIAN ACTIVITIES DISTRICT OVERLAY (Section 8.8.1)

The proposed development has been reviewed by Staff for conformance with the relevant review standards of Portland's Land Use Code. Staff comments are listed below.

a) Permitted Uses

Being within the PAD Overlay, at least 75% of the proposed structure must be occupied by the proposed retail space, while the minimum floor area of the ground floor space must be 75% of the frontage multiplied by a depth of 20 feet.

With street frontage of 49.3 feet, the required retail frontage is 36.9 feet, and the floor area required is 739.5 square feet. With approximately 37 feet of retail street frontage proposed on Commercial Street, the building as designed meets the intent of this standard.

C. SITE PLAN REVIEW STANDARDS (Section 14.6)

The proposed development has been reviewed by Staff for conformance with the relevant review standards of Portland's site plan ordinance and other applicable regulations. Staff comments are listed below.

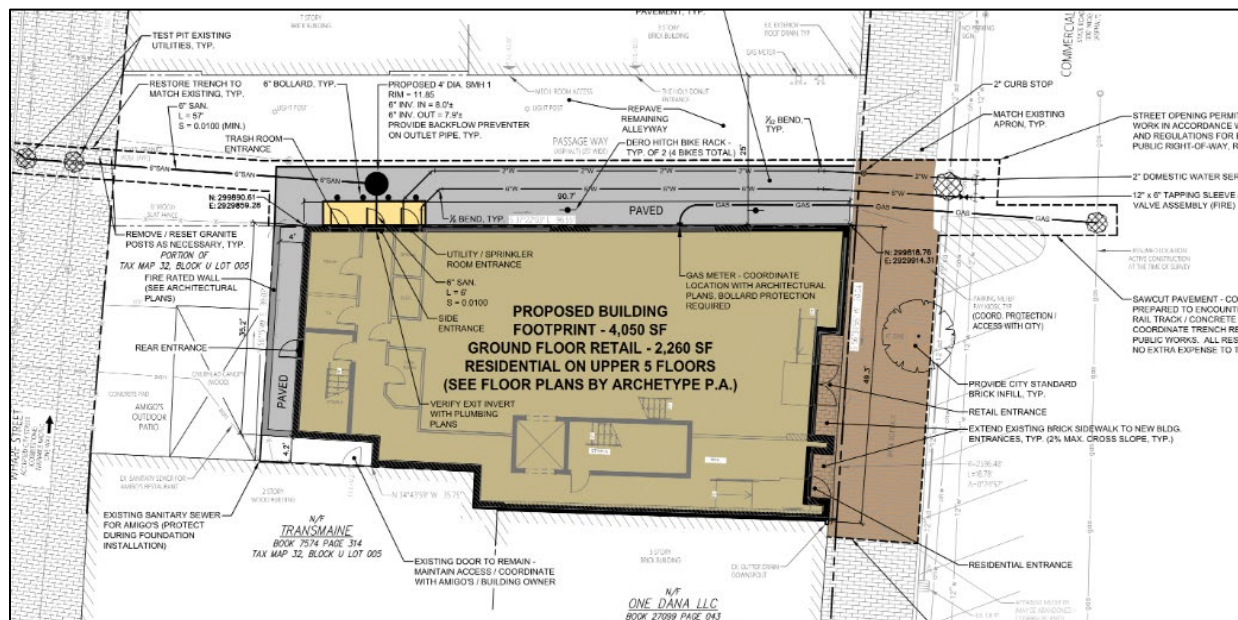


Figure 5. Site Plan of 185 Commercial Street

a) Transportation Standards**1. Impact on Surrounding Street Systems**

The proposed project is located on Commercial Street, which is a high-volume arterial street. The applicant is proposing to provide no parking spaces for a six-unit residential and commercial mixed-use building. The proposed project is consistent with neighboring sites and buildings along Commercial Street. The site is in a walkable, urban area accessible to public transit and it is not anticipated to adversely affect surrounding street systems. This standard is considered met.

2. Access and Circulation

The applicant proposes a complete buildout of the site with no new curb-cuts or vehicular access other than from the public right-of-way of Commercial Street. New sidewalk and curbs would be built as part of this project.

Along the eastern edge of the building an existing alleyway runs between Commercial and Wharf Streets. The applicant has provided right, title, and interest over this alleyway. As such, the scope of the proposed site improvements should be expanded to include the entirety of the alleyway, including improvements to material use, lighting, and the demarcation between pedestrian space and areas used for deliveries.

3. Public Transit Access

All residential developments consisting of 20 or more dwelling units shall provide a transit shelter adjacent to or within the public right-of-way along its frontage. The proposed mixed-use project provides a total of six residential units, therefore this standard is not applicable.

4. Parking: Vehicle and Bicycle

This development proposes no parking spaces to be used by residents or the commercial space, with no changes to on-street parking. This amount is equivalent to the zero parking spaces which are required for this development per zoning. The applicant is required to provide two bicycle parking spaces per five units, therefore they're required to provide two bicycle parking spaces.

In order to qualify for the transit-proximate categorical exemption to off-street parking specified in Table 19-B, the applicant is preparing a Transportation Demand Management plan to meet standards.

b) Environmental Quality Standards**1. Preservation of Significant Natural Features**

This is an urban infill site; the lot currently consists of 100% impervious surface currently used for surface parking. As such, the site is devoid of significant natural features as defined by Section 14.6.2.

2. Landscaping and Landscape Preservation

The applicant proposes to remove one street tree to facilitate this development, though staff recommend this tree be preserved. Based on the unit count of six-units, five additional street trees are required.

If site constraints prevent the applicant from planting the required number of street trees along their frontage, they may utilize a street tree alternative as described in the City's Technical Manual Section 4.6.4 to meet the requirement. Alternatives include planting trees in nearby rights-of-way, or paying \$400-per-tree to be replaced into the City of Portland Tree Fund.

Determination related to street tree provision is forthcoming from the City of Portland Forestry Division and the Department of Public Works is forthcoming.

3. **Water Quality, Storm Water Management and Erosion Control**

The applicant has submitted a wastewater capacity, and has contacted the Portland Water District and Central Maine Power for ability to serve confirmation. The Applicant will be required to provide a detailed Stormwater Management Report, as well as a formal Erosion and Sedimentation Control Report to demonstrate the project's compliance with the Maine DEP Ch. 500 Basic Standards.

Comments from the Water Resources Peer Reviewers can be found in the attached Preliminary Site Plan Review Comments (Attachment 1).

c) **Public Infrastructure and Community Safety Standards**

1. **Consistency with City Master Plans**

This development is consistent with the goals and policies outlined in Commercial Street Operations and Master Plan. In order to meet the intent of the Commercial Street Operations and Master Plan, the development will be required to meet landscape and lighting standard of the Technical Manual.

2. **Public Safety and Fire Prevention (CPTED and Fire)**

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance addresses the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime. The proposed project incorporates ground level retail with windows fronting Commercial Street and wrapping the corner of the building providing natural surveillance and placing activity where individuals become part of the natural surveillance.

The site is subject to Municipal Street Lighting Standards of the Technical Manual (Section 10). As such, the street frontage along Commercial street must meet standards of Figures X-6A and X-6B, as well as X-8A and X8B (Attachment 4). Staff request a lighting and photometrics plan to meet standards.

Comments from the Life Safety Reviewer are forthcoming.

3. **Availability and Adequate Capacity of Public Utilities**

City staff have requested that the Applicant provide ability to serve confirmation from the Portland Water District, Central Maine Power, as well as the submittal of documentation of Wastewater Capacity Authorization from the Department of Public Works.

d) Site Design Standards**1. Massing, Ventilation and Wind Impact**

The new building proposed is not anticipated to impact any adjacent structures as it relates to bulk or diminution of available light and air to abutting properties. The building does not differ substantially from adjacent and nearby structures regarding massing so negative impacts are not anticipated. The proposed building rises up to a height of approximately 65 feet, which is permitted in the B-3 zone. Additionally, this project was reviewed and approved by the City of Portland Historic Preservation Board, which approved the building's design and appropriateness in its context.

2. Shadows

As an infill development that conforms to dimensional standards and setbacks, negative impacts regarding shadows are not anticipated; additionally, the development site is not proximate to any parkland.

3. Snow and Ice Loading

The applicant's current plans show 100% buildout of the owned parcel. As such, snow is not anticipated to create negative impacts on site.

Staff are requesting information on snow removal from the adjacent alleyway.

4. View Corridors

Not applicable.

5. Historic Resources

The development is located within the Waterfront (Old Port) Historic District and underwent review by the Historic Preservation Board (Application # HPBR-001916-2022). Over the course of three Historic Preservation Board Workshops and two Public Hearings, the building design evolved significantly. Historic Preservation staff noted that the north side of Commercial Street is one of the most architecturally cohesive in the city, with a mostly-continuous row of similarly-scaled and architecturally related structures. The Historic Preservation Board approved the proposed design on September 7, 2022 and subsequently issued a Certificate of Appropriateness (Attachment 4).

6. Exterior Lighting

Applicants shall submit lighting specifications and cut sheets, and must also submit a photometrics plan to show compliance with lighting standards. Information is being sought related to the ownership and proposed lighting of the adjacent alleyway.

7. Noise and Vibration

All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will be required to meet state and federal emissions requirements.

The applicant has noted that all HVAC and AHU equipment will be roof-mounted and screened with enclosures. Staff request renderings be updated to show the location of this equipment and how it will be shielded from view should be included in final submissions.

8. Signage and Wayfinding

No signage or wayfinding is proposed in this development.

9. Zoning Related Design Standards

As this development is located within a historic District, a Historic Preservation review was conducted according to the City of Portland Historic Preservation Ordinance.

The Historic Preservation Board approved the proposed design on September 7, 2022 (Application # HPBR-001916-2022). Findings from Historic Preservation Staff and the Historic Preservation Board are attached (Attachment 4).

IX. PUBLIC COMMENT

At the time of writing this memo, the Planning and Urban Development Department has received one public comment from Greater Portland Landmarks indicating support for this development.

X. NEXT STEPS

At this time, the final submission will need to be updated to reflect preliminary and secondary staff comments including:

- Update plans to include the adjacent alleyway and associated improvements.
- Provide utility information showing HVAC and AHU configuration, as well as ability to serve confirmation, and wastewater capacity authorization.
- Providing lighting and photometrics information to meet Land Use Code and Technical manual Standards.
- Coordinate with Planning & Urban Development, Forestry, and Department of Public Works staff regarding street trees.
- Provide a plan that shows the proposed grade at the 4 corners of the building, from which the average grade will be determined.
- Update plans to reflect preliminary and secondary site plan review comments.

XI. ATTACHMENTS**PLANNING BOARD REPORT ATTACHMENTS**

1. Preliminary Site Plan Review Comments
2. Secondary – Pre Workshop Site Plan Review Comments
3. Historic Preservation Memo (9-7-22)
4. Historic Preservation Certificate of Appropriateness
5. Lighting Standards

APPLICANT'S SUBMITTAL

- A. Project Narrative
- B. Major Site Plan Checklist
- C. Right, Title, and Interest
- D. Zoning Assessment
- E. Waiver Requests
- F. Financial Capacity
- G. Technical Capability
- H. Wastewater Capacity Application

- I. Environmental Standards Assessment
- J. Public Infrastructure & Community Safety Standards Assessment
- K. Site Design Standards Assessment
- L. Transportation Standards Assessment
- M. Response to Preliminary Site Plan Review Comments

PLANS

- Plan 1 – Cover Sheet
- Plan 2 – General Notes
- Plan 3 – Boundary and Existing Conditions Survey
- Plan 4 – Existing Conditions and Removals Plan
- Plan 5 – Proposed Site and Utility Plan
- Plan 6 – Proposed Grading Plan
- Plan 7 – Site Details 1
- Plan 8 – Site Details 2
- Plan 9 – Architectural Elevations
- Plan 10 – Architectural Renderings

PUBLIC COMMENT

- Pc1. Ian Stevenson; Greater Portland Landmarks

Planning and Urban Development Department



Subject: Site Plan Review Comments – 185 Commercial Street.

Written by: Austen Torres Davis, Planner

Date Written: January 5, 2023

Dear Steve Bushey,

The proposed Mixed Use Development and associated site improvements located at 185 Commercial Street (PL-002235-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual. Please find below, comments from Planning & Urban Development Department staff and site plan peer-reviewers.

General Comments from Planning & Urban Development Department

- Per Land Use Code Section 14.6.2 (B. and C.), site development shall be designed to incorporate, limit disturbance to, and limit removal of existing trees, and all development subject to required zoning setbacks shall include a minimum of one shade tree or six plantings per 30 linear feet of all frontages as measured along the property line.
Information is sought as to whether the existing 6" Oak tree will be preserved or replaced.
- Per Technical Manual Section 4.6.1., a minimum of one tree per unit, planted in the City right-of-way is required. However, as site constraints preclude this, contribution for each required street tree may be made into the City of Portland's Tree Fund.
As there exists one tree adjacent to the development site, this contribution would equal \$2,000 (\$400 x 5 trees).
- Per *TABLE 19-A*, two bicycle parking spaces are required per five units. Bicycle parking may be located within a public right-of-way where site conditions cannot reasonably accommodate interior bike parking, or where a high-turnover of short-term bike parking usage is expected.
If not provided inside the structure, a bike rack should be provided meeting the standards of Technical Manual Section 1.12.

Comments from Zoning Administration

- The applicant needs to provide right, title and interest to use and occupy any part of the 25' wide passageway to the east side of the property. Note 9 on the survey says: Ownership of passageway shown hereon is undetermined.
- Under Table 19-A, 13 off-street parking spaces are required - one for the retail space on the first floor, 6 for the retail space on the second floor and 6 for the six dwelling units. Table 19-B offers some exceptions to the off-street parking requirements, including for transit-proximate development. To use this exemption the applicant would need to provide a Transportation Demand Management plan.

- The maximum height for this property is 65'. The applicant needs to provide scalable elevations that demonstrate that the building is not exceeding the maximum height.

Transportation Comments from Department of Public Works

- The applicant shall provide information as to how the project will comply with the City's street lighting standards in Section 10 of the Technical Manual.
- The applicant shall review and confirm that all proposed Site details and Landscape details meet the requirements of the recently approved technical manual update.
- The applicant shall confirm they have RTI or proof of ownership to utilize the alley for placement of utilities and the proposed access pad.
- The applicants shall confirm with the City Arborist that the existing tree, proposed for removal on the plans, is suitable for removal.
- What is proposed for the existing curb cut location? Applicant shall review modification of existing curb cut to maximize on street parking.
- A note to replace striping in the sawcut area needs to be added to the plans.
- The limits of sidewalk to remain or to be replaced is not clear.
 - o The brick sidewalk along the Commercial Street frontage shall be reconstructed in accordance with the City's Sidewalk and Driveway Apron Material Policy.
 - o The proposed brick sidewalk cross slope shall not exceed 2% at the property line. If the existing sidewalk grades are not compliant at the property line, then the limits of sidewalk replacement shall be extended to include a 5 foot minimum transition zone from the proposed 2% to the existing sidewalk slope.
 - o The sidewalk material shall be continued through the alley's apron at grade with the proposed sidewalk and not in excess of 2% cross-slope. If the existing sidewalk grades are not compliant at the limits of the alley, then the limits of sidewalk replacement shall be extended to include a 5 foot minimum transition zone from the proposed 2% to the existing sidewalk slope.
- The applicant shall verify the condition of the existing curb and curb reveal height. If the existing top of curb does not have a continuous slope the existing curb shall be reset. Any fluctuation should be reflected in the curb reveal (min of 5.5" reveal) if the slope of the pavement gutter is not consistent.
- The applicant shall provide a repair detail for the Wharf Street granite pavers.
- Who owns the street lights in the alley?

Water Resources Comments from Department of Public Works

- The applicant is required to submit a formal wastewater capacity application to water resources engineering for review and approval.
- The applicant shall relocate DMH-1 to private property outside the City's right of way.
- A formal ESC plan should be included in the set.



Dear Steve Bushey,

The proposed Mixed Use Development and associated site improvements located at 185 Commercial Street (PL-002235-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual. Additional review criteria include Land Use Code Sec. 8.2 Downtown Entertainment Overlay Standards, and Land Use Code Sec. 8.8 Pedestrian Activities District Overlay.

Please find below, comments from Planning & Urban Development Department staff and site plan peer-reviewers.

GENERAL

- As the applicant has established RTI over the adjacent alleyway, *Passageway No.3 as noted in the provided documentation*, the scope of work for application PL-002235-2022 should be expanded to include this area. Site plans should show the property owned by the applicant, as well as expand the site improvements.
- Staff request information related to snow removal from the adjacent alleyway.
- Though no lighting is currently proposed, the frontage along Commercial Street must meet lighting standards of the Technical Manual. Two pertinent lighting standards have been attached at the end of this comment sheet. A photometrics plan should be provided for any exterior lighting.
- The applicant has noted that HVAC equipment will be roof-mounted and screened from view. Staff request that renderings be updated so that potential impacts can be reviewed.
- After further review, it is Staff's position that the existing street tree in the public right-of-way should be preserved.

ZONING

- Staff request the applicant provide a plan that shows the proposed grade at the 4 corners of the building. From that, the average grade will be determined and will need to be shown on the elevation. With the T.O.S being approximately 63'11", any part of the building above that may not be occupiable space and only rooftop appurtenances as defined in section 7.5.1(G) can be erected above the maximum height of 65'.

DPW

- Staff request updated plans addressing preliminary site plan review comments.

TRANSPORTATION

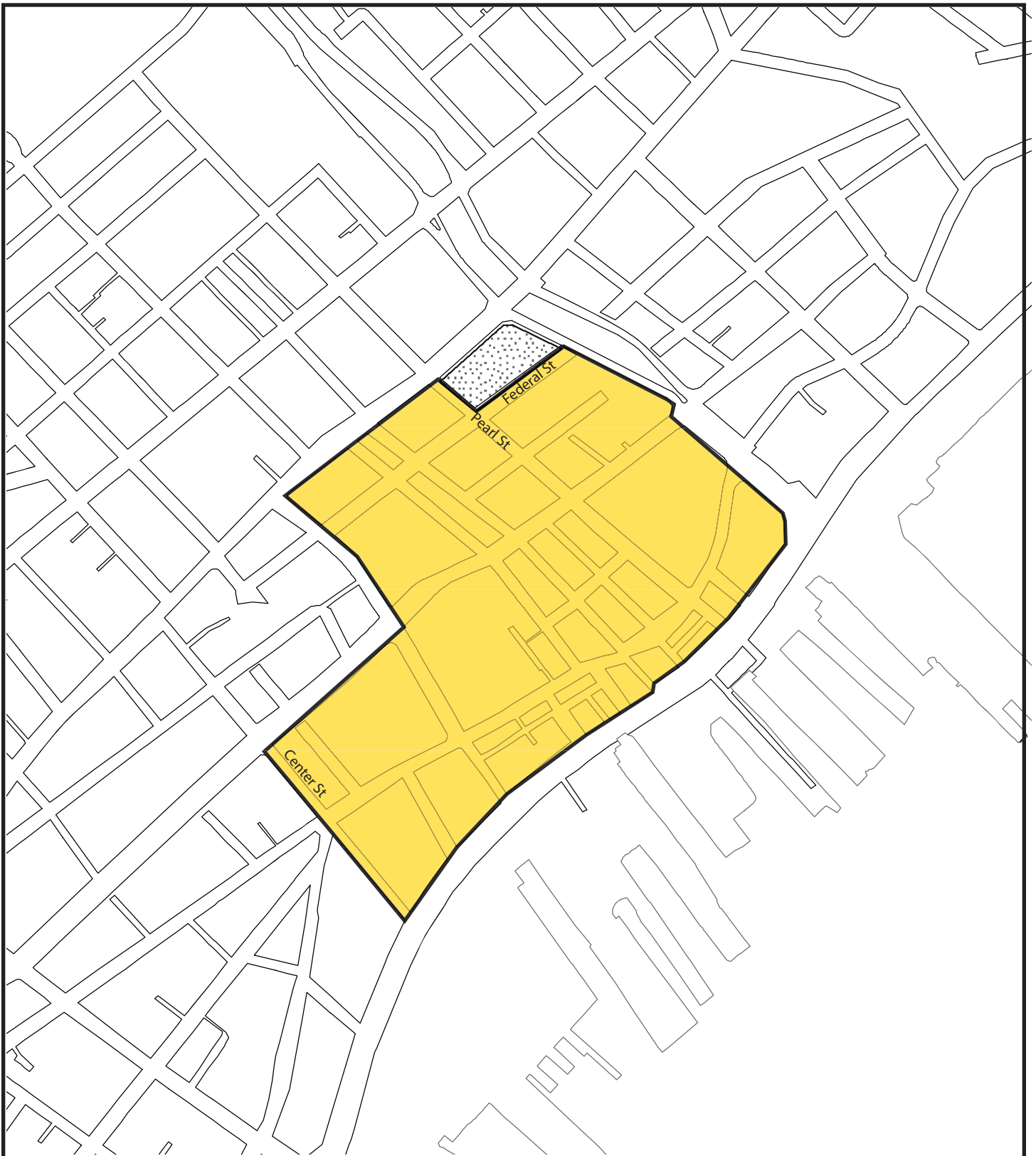
- Application materials note that the existing driveway apron will be matched, though this apron does not meet current driveway standards. The driveway apron should be updated to current standards.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

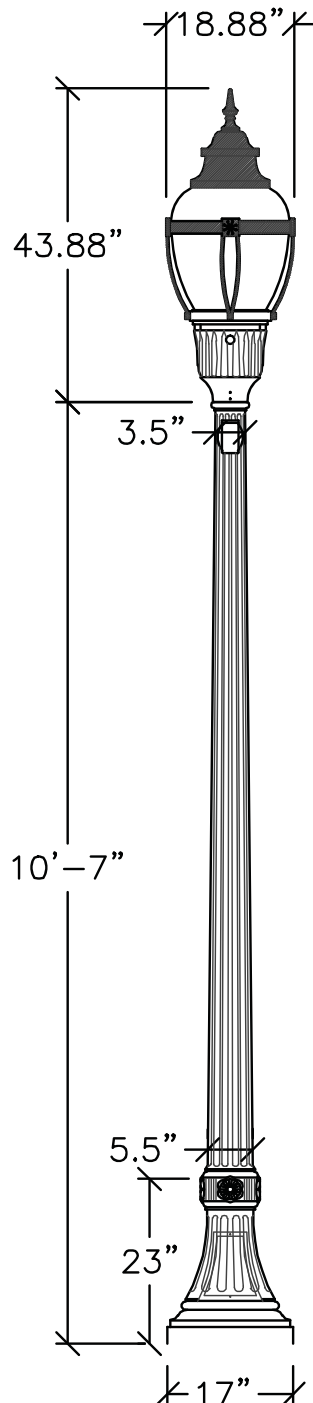
- The Applicant is required to provide a detailed Stormwater Management Report

LANDSCAPING & ENVIRONMENTAL QUALITY

- Very few trees along Commercial Street survive long enough to get to the size of the existing Pin Oak street tree. This tree would preferably preserved, while the remainder of required trees could be paid for as an in-lieu fee paid into the tree fund.
- The existing street tree shall not be removed without consultation with Planning and Urban Development, Forestry, and Department of Public Works Staff. Please consult with staff on net steps.



Date: March, 2019	CITY OF PORTLAND, MAINE TECHNICAL MANUAL	MUNICIPAL STREET LIGHTING STANDARDS SECTION 10	Figure: X-6A
Revised Date:	MAP: Decorative Light - OLD PORT		



LUMINAIRE

Holophane Washington Postlite II LED - Acrylic

Model: WAUE2-P20-30K-AS-BK-3-BK-6-P7-F-PCLL

Cast aluminium housing with stainless steel hardware.

Thermal resistant acorn borosilicate glass refractor with IES Type asymmetric Type IV distribution.

Luminaire shall include decorative ribs, solid band, and spike finial, with internal twist-lock receptacle type photocell control. LED 3000K

LAMP

IES Type asymmetric Type IV distribution

LED 3000K color temperature

LIGHTING POLE

Holophane North Yorkshire - Aluminum pole and base

Model: NYA-11-FTJ-17-P07-ABG-BK-R126A

Tapered, fluted cast aluminum pole shaft rated for a 90mph wind load with a 1.3 gust factor.

Provide four hot-dipped galvanized steel L-type anchor bolts. Provide GFI rated duplex receptacle outlet.

Lighting pole shall be hot dipped galvanized prior powder coat paint.

DIMENSIONS

Overall Height = 14' 3"

Pole Height = 10' 7"

Taper = 5.5" to 3.5"

Base Diameter = 17"

FINISH

Black (standard)

APPLICATION

Street/Sidewalk lighting for two-way streets with parking on both sides.

Spacing: 60' - 80' on center (staggered pattern both sides of street)

Date:
March, 2019

**CITY OF PORTLAND, MAINE
TECHNICAL MANUAL**

**MUNICIPAL STREET
LIGHTING STANDARDS
SECTION 10**

Figure:

X-6B

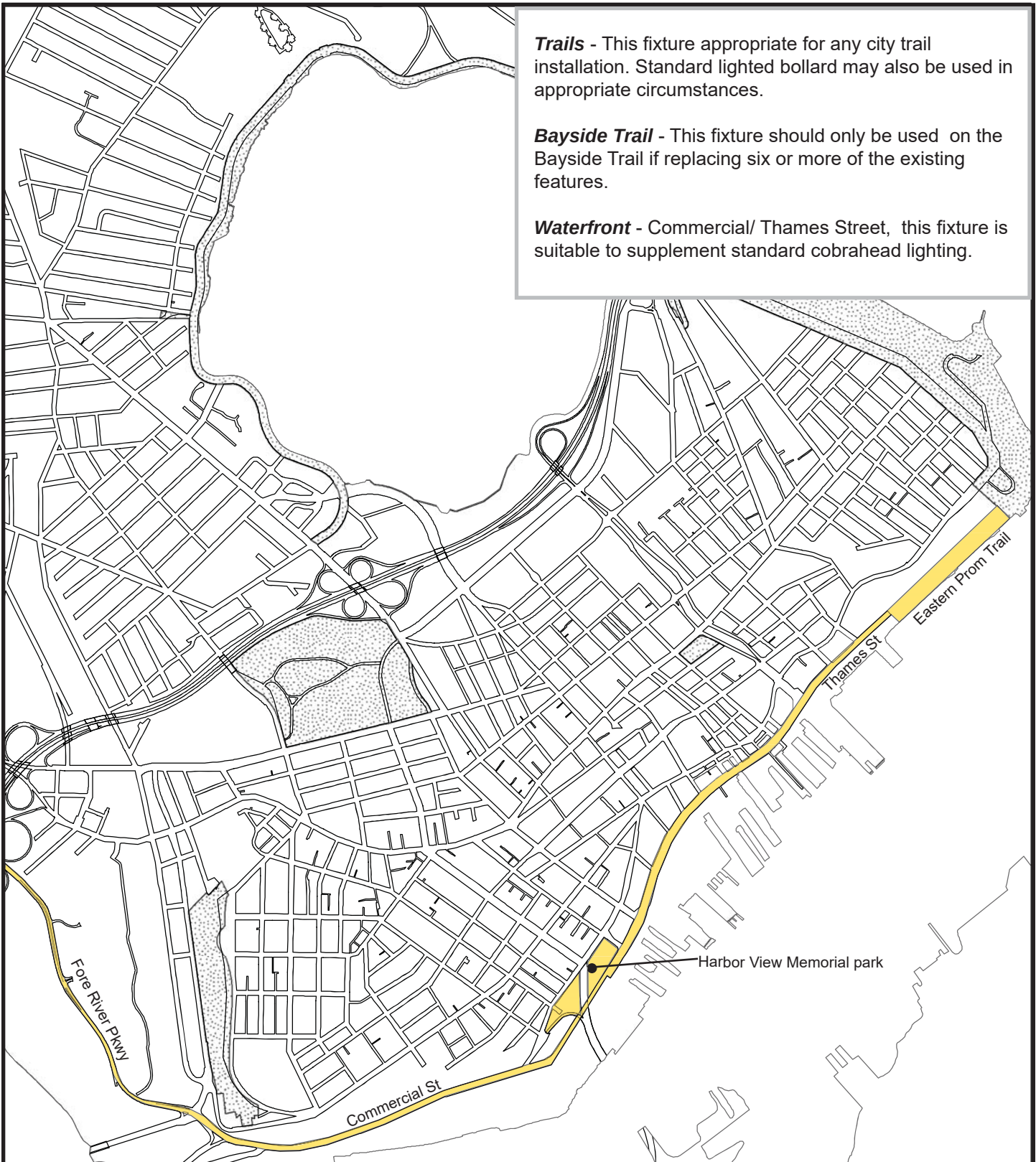
Revised Date:

OLD PORT

Trails - This fixture appropriate for any city trail installation. Standard lighted bollard may also be used in appropriate circumstances.

Bayside Trail - This fixture should only be used on the Bayside Trail if replacing six or more of the existing features.

Waterfront - Commercial/ Thames Street, this fixture is suitable to supplement standard cobrahead lighting.



Date:
March, 2019

CITY OF PORTLAND, MAINE
TECHNICAL MANUAL

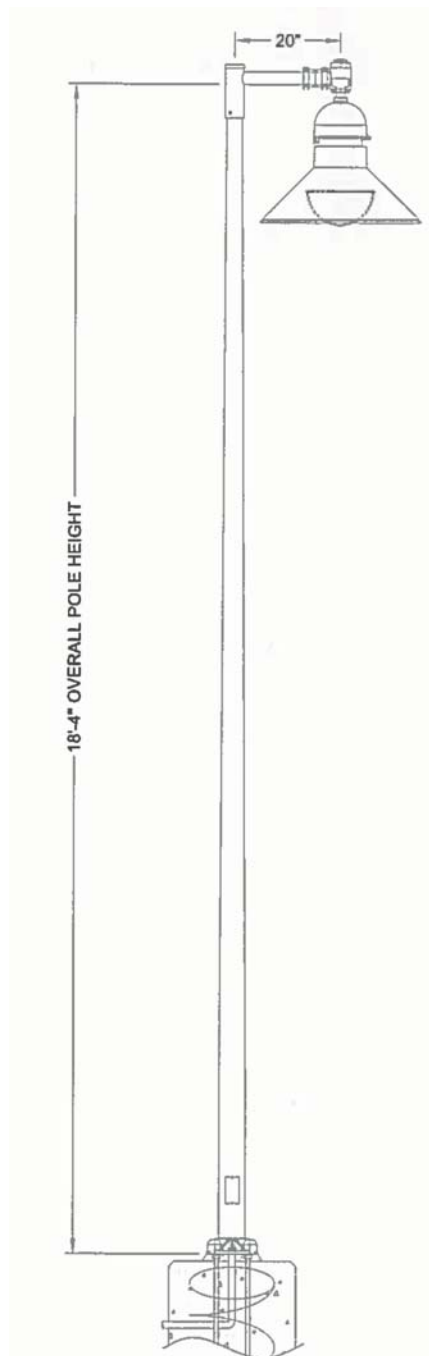
MUNICIPAL STREET
LIGHTING STANDARDS
SECTION 10

Figure:

X-8A

Revised Date:

**MAP: Decorative Light - TRAILS/
WATERFRONT**



LUMINAIRE

Holophane GlasWerks LED Hallbrook Series
Model: GELB-050-3K-AS-4-B-3-P7E-DM

Pendant mount
IES Type IV Distribution
Thermal resistant prismatic glass lens held in a formed aluminum door frame.
50 watts
Universal Voltage (120-277V)
Dimming driver with 7-pin photocontrol receptacle
LED 3000K color temperature

BRACKET ARM

Aluminum crossarm with a post-top fitting for a 2-3/8" by 6" tenon.

SLIP FITTER

Holophane Glasswerks Slip Fitter
Model SG20/1-BK

2-3/8" O.D. with swivel cast fitter.

LIGHTING POLE

Holophane
Model: RTA1850E-PL-ND-BK-4

Aluminum pole shaft rated for a 90 mph wind load with a 1.3 gust factor.

Provide four hot-dipped galvanized steel L-type anchor bolts. Lighting pole shall be hot dipped galvanized prior to powder coat paint.

DIMENSIONS

Overall Height = 18' 4"
Bracket Arm = 1' 6"

FINISH

Black (standard) - polyester powder coat

APPLICATION

Trails: Appropriate for any city trail installation.
Waterfront (Commercial/Thames St): Supplemental pedestrian lighting to standard cobrahead lighting.

Spacing:
One side: 90' - 125' on center
Alternating sides: 175' - 225' ft on center

Follow established pattern. Single arm oriented over trail or street; Double-arm used in medians or similar.

Date:
March, 2019

CITY OF PORTLAND, MAINE
TECHNICAL MANUAL

MUNICIPAL STREET
LIGHTING STANDARDS
SECTION 10

Figure:

X-8B

Revised Date:

TRAILS / WATERFRONT
(COMMERCIAL/THAMES STREET)

**STAFF MEMORANDUM
HISTORIC PRESERVATION PROGRAM
PLANNING AND URBAN DEVELOPMENT**



TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Evan R. Schueckler, Historic Preservation Program Manager
DATE: September 1, 2022
RE: 185 Commercial Street – Public Hearing – New Construction
PROJECT ID: HPBR-001916-2022
MEETING: September 7, 2022

Owner: 185 Commercial Street LLC
 Jonathan Cohen, Principal
Architect: Katherine Lermond, Archetype Architects

A sign announcing the Historic Preservation Board's meeting on September 7, 2022 was posted at the property on August 25, 2022. A legal ad was published in the Portland Press Herald on August 26 and August 27, 2022, and 35 notices were sent to neighboring property owners within 100 feet of the subject property.

PROJECT SCOPE

Construct new 21,000 square foot, 65' tall, six-story mixed-use structure on vacant lot along Commercial Street. Retail is proposed for the first and second floors with a total of five housing units proposed for third through sixth floors. Building to be clad in aluminum curtain wall system with granite cornice details at front elevation and clad in brick with granite details at east and rear elevation. West elevation to abut adjacent historic building at 1 Dana Street. The applicant is proposing two options for the articulation of the front façade.

SUMMARY OF HISTORIC CONTEXT

The subject lot, which is currently a surface parking lot, is located on the inland side of Commercial Street, mid-block between Moulton and Dana Streets. The proposed structure will immediately abut a historic five-story commercial block at 1 Dana Street. A 25'-wide passage will be maintained between the new structure and its neighbor to the east at 175-179 Commercial Street/4 Moulton Street. The proposed building would extend relatively deep into its lot, but does not extend to Wharf Street. A small-scale rear addition to a Dana Street building separates the rear of the proposed structure from Wharf Street. Given the presence of this low addition, the rear elevation of the proposed six-story building will be readily visible from Wharf, at least for the foreseeable future.

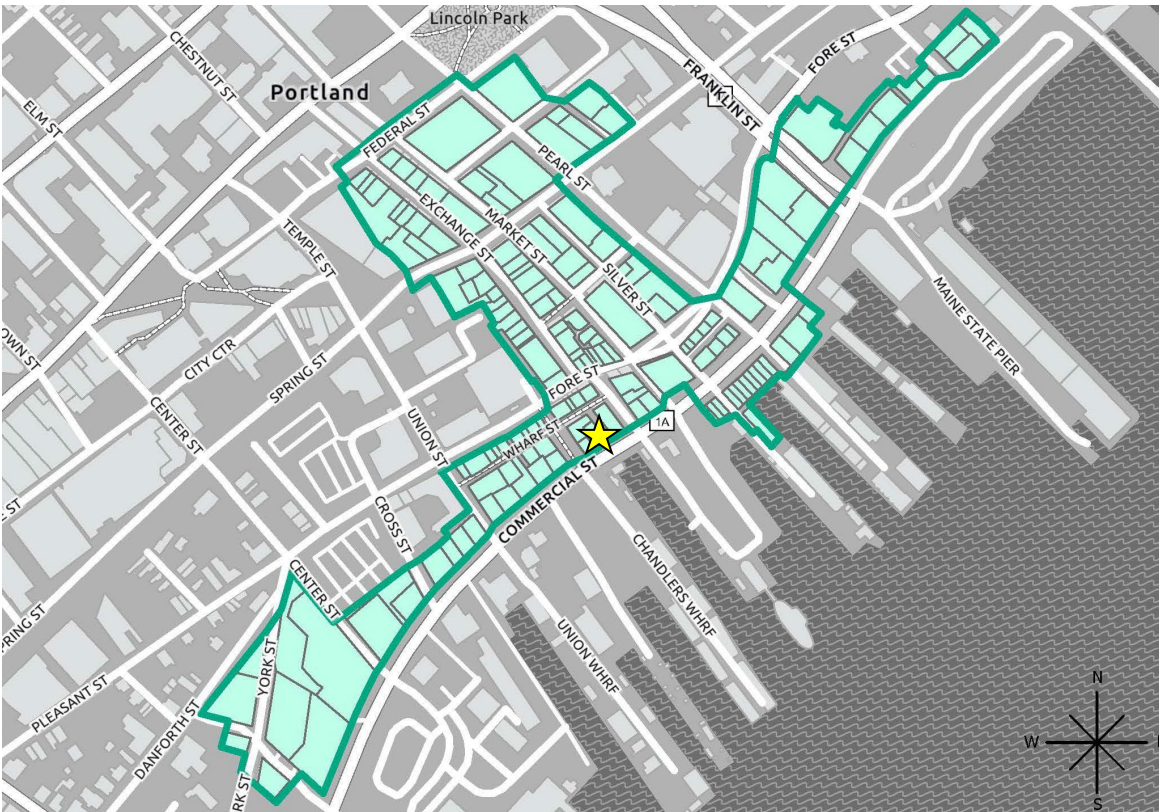


Figure 1: Map of the Waterfront (Old Port) Historic District showing location of 185 Commercial Street with yellow star.

The Historic Preservation Board has reviewed a number of new Commercial Street developments in the recent past and has therefore spent a considerable time reviewing and discussing the prevailing development patterns that define much of this iconic streetscape. Following is a description of Commercial Street's prevailing development pattern and visual character.

General Context

The north side of Commercial Street is one of the most architecturally cohesive in the city, exhibiting an almost continuous row of similarly-scaled and architecturally related commercial structures that stretch along the inland side of Commercial Street from the Galt Block east of Franklin Street to the recently completed hotels and residential developments west of Foundry Lane and extending to High Street. Although there are some exceptions, the inland side of Commercial Street is noteworthy for its consistency.

Starting in 1850, the land downhill from Fore Street was filled to create the mile-long, 100'-wide Commercial Street to accommodate tracks for the recently arrived railroad along with the traffic, business blocks, and warehouses of an expanding economy. The fact that Commercial Street was almost fully developed within a very brief time period and that many of its structures were built for the same general function accounts for its striking uniformity of scale, materials and architectural expression. Given this architectural unity and the compelling streetscape that results from it, it is important that Commercial Street's salient building characteristics be studied and

reinforced in any new development.

While most of the existing structures on the north side of Commercial were built shortly after the street was created in 1850, a number were built later. These include the Porteous Warehouse of 1902 between Center St. and Foundry Lane and the Workingmen's Club of 1904 at the east end of Commercial. These later structures built upon and reinforced the building patterns and characteristics that were established by the earlier warehouses that lined the street, resulting in a highly consistent development pattern that unifies the street. The same is true for recent developments, like the W.L. Blake addition at the corner of Commercial and Custom House Street, the Courtyard Marriot built immediately west of Foundry Lane, and the Canopy Hotel built at the corner of Commercial and Center Street. Through the Historic Preservation Board's design review process, care has been taken to ensure that new structures reinforce the strongly consistent building patterns and characteristics that unify Commercial Street while being true to their own construction era.

The photographs below, of historic warehouses and newer construction, illustrate the prevailing development character of the street.



Figure 2: A section of Commercial Street east of Dana as it appeared in 1924 and circa 2010.



Figure 3: A typical block.



Figure 4: 1902 Porteous warehouse in foreground and new construction beyond.



Figure 5: Examples of infill approved under Historic Preservation Ordinance Standards.

Following are key unifying characteristics of the Commercial Street streetscape as it exists today:

Scale and Form

- Building heights generally range from 3-5 stories, with a few buildings rising to 6 stories.
- Overall simplicity of massing, clarity of form, and a single volume.
- Roof forms are typically flat or gambrel, with few exceptions.

Composition of Principal Facades

- Traditional composition of base/middle/top.
- Cohesive facade, where architectural details contribute to one overall, consistent design expression.
- Defined building base, typically executed in granite, which is clearly distinguished from upper floors. A strong, continuous horizontal datum is established by the intermediate frieze and cornice located above the storefronts of abutting buildings.
- Very regular fenestration, typically consisting of individual punched window openings.

- Windows are generally of vertical proportions.
- Presence of a defined roof cornice.
- Consistent and limited material palette.

Variety of Architectural Detail

- Notwithstanding Commercial Street's generally uniform scale and massing and overall cohesiveness/simplicity of architectural expression, individual buildings exhibit considerable richness and variety in terms of architectural detail. Architectural detail is provided through corbelling of brick, the presence of projecting and recessed elements (although restrained within a cohesive mass rather than pronounced), decorative cornices, alternating bay treatments, granite detailing, etc. Observing the various ways in which granite alone is employed on building facades, one sees a wide range of surface treatments and detailing. This lends textural and architectural interest to the street.

Relationship to the street:

- With few exceptions, the entire width of each block is developed with wall-to-wall buildings. On a few blocks, individual buildings with large footprints fill the entire width of the block. More often, individual, smaller-footprint buildings are joined by party walls. This creates a strong continuous street wall, interrupted only by intersecting side streets or alleys. The few gaps in this continuous street wall pattern are the result of demolition and use of the resulting empty lots for surface parking.
- Buildings are oriented with their principal facades facing Commercial Street, with no setback from the sidewalk.
- The flatness and unusual breadth of Commercial Street, together with its broad sweeping curve as one travels from one end to the other, make possible expansive views of the continuous street wall on the inland side of the street. This condition affords broad visibility of each structure that lines the street and allows one to appreciate the relationship between individual buildings.

Immediate Project Context

Recognizing Commercial Street's generally cohesive architectural character, it should be noted that the proposed development's immediate context is a bit more eclectic. To the east of the proposed development, and separated by a narrow passageway, is the 1885 Guptill Block, a three-story brick commercial structure with a hip roof. Its comparatively diminutive scale and atypical roof form make it relatively unique among the commercial blocks that now line the street. On the west side and immediately abutting the proposed building is the 1853 John C. Brooks Block, a five-story, flat-roof Italianate commercial structure. The fifth-story multi-paned glass rooftop addition was built in the 1980's before the preservation ordinance was adopted and includes a recessed break in the center for a deck. The addition significantly impacts the historic character of the building. Even more distracting is the solid brick party wall that directly abuts the east elevation of this rooftop addition and extends above its roofline. (It appears that the requirement for a firewall was not anticipated when the rooftop addition was designed.) Also in the immediate vicinity is a six-story brick structure at 10 Moulton Street built in 1987. (The rear elevation of 10 Moulton will face the east elevation of the proposed development, separated by the narrow passageway.) This

brick building is simple in form, appropriately scaled and picks up on a number of the key characteristics of surrounding historic structures, while being a clear product of its own time.

PREVIOUS REVIEW BY HISTORIC PRESERVATION BOARD



Figure 6: Rendering of proposal from March 16 workshop.



Figure 7: Rendering of proposal from May 5 workshop.



Figure 8: Rendering of proposal from June 15 workshop with accordion windows open (right) and closed (left).

July 20, 2022, Public Hearing:



Figure 9: Rendering of proposal from July 20 Public Hearing with accordion windows open (right) and closed (left).

At the July 20 Public Hearing, the Board reviewed the above design for final approval. However, during Board deliberations, it was found that while the application had improved further in compliance with the Standards for New Construction, several Board Members still had significant reservations about the compatibility and appropriateness of the design. In the end, the Board voted unanimously to table the item for future consideration, recommending that the applicant further develop the project with Historic Preservation staff. Board discussion and concerns centered on the following:

- *Bifurcation/lack of cohesion of the front façade:* Several Board members expressed concern at the use of two wall systems/material palettes for different portions of the front façade, finding that it left the overall structure less contextual given the typical unity of design across individual building facades on commercial street. While some Board members continued to find that such extensive use of glass on commercial street is not contextual

others continued to express an openness towards it. Generally, the Board members called for a greater unity across the building façade. In response, the applicant did express openness to an all-glass façade, but also had questions about whether the façade needed to be made flat or could still have a shift in the wall plane, specifically with the projecting element above the residential entry. Some members of the Board expressed that a taut/flat façade might be ideal, but more importantly the elevation needed a singular treatment.

- *Connection between masonry and glass at front façade:* Related to the above discussion, several Board members pointed to the juncture between the glass curtain wall and the masonry of the residential entry element, finding the lack of alignment or interrelatedness awkward. There was some question of whether the dark metal cornice of the masonry element could be aligned with the spandrel panels of the curtain wall in order to better tie the elements together.
- *Relationship of second story masonry sills to first floor cornice at areas of masonry:* Several Board members also suggested that eliminating the sills of the windows at the second floor and having them rest on the first-floor cornice could help simplify the design while drawing from a condition found throughout the district.
- *Success of the accordion window system in minimizing the impact of the recessed balconies and alternate solutions:* Several Board members also asked whether the proposed accordion window system was effective in minimizing the appearance of the balconies on the front façade, or whether a simple glass railing might result in a better overall effect. There was discussion of whether full-height accordion windows could eliminate the horizontal mullion or if large double-hung windows might be more effective. The applicant offered to give further study to this solution, but felt that such solutions would all necessitate additional complexity at the balconies such as requiring an exterior railing or an additional shift in plane at the front elevation, respectively. The applicant also communicated that they would be open to eliminating the accordion windows, given they were added to address Board concerns with the open balconies.

STAFF COMMENTS

Since the Public Hearing was tabled, staff have met with the applicant several times to discuss Board comments and how they might be addressed. The applicant has since made several changes to the design in order to address the Board's concerns.



Figure 10: Rendering of current proposal, Option A with accordion windows open (right) and closed (left).

The most significant change in the design is at the residential entrance element, which has been redesigned to use the same curtain wall system as the rest of the front façade. This change has significantly unified the front façade, providing a singular wall system at the upper stories. However, staff still found that the shift in wall plane at the residential entrance element was out of character with the historic context, where the buildings tend to have relatively flat façades with subtle articulations of the façade contained within the unified mass. Based on this feedback, the applicant developed an Option B for the Board’s consideration.



Figure 11: Rendering of current proposal, Option B with accordion windows open (right) and closed (left).

Option B, again utilizes an all-glass front façade, but it subtly alters the relationship of the residential entry element by pulling the fifth-floor balcony railing outwards to be in line with its outermost wall. Staff found that this change provides a stronger horizontal cap to the glass façade, and in some ways reverses the relationship between the residential entry element and the main mass from one where the former projects to one where the later is recessed. Staff also felt that the resulting cantilever of the fifth-floor balcony and at the south east corner of the structure also reinforced the design choice to “break the corner” at the first floor, carrying it further up the structure. Staff found that this relationship and the inclusion of a stronger

horizontal cap were more contextual, though still utilizing a much more contemporary wall system.

Staff would encourage the Board to discuss whether Option A or B is most successful as a contemporary design while maintaining compatibility with the historic context of Commercial Street.

In addition to the changes at the front façade, the applicant has eliminated the second-story window sills at the east elevation and lowered them to rest on the first-floor cornice, matching a condition commonly found along commercial street.

Regarding the accordion window system at the front façade balconies, the applicant has not adjusted that system. They feel that they have identified the operable window system that would best accomplish the goal of allowing the balconies to be open during the warmer months, but provide a more solid front façade during colder months. Paired with this, the owner has agreed to implement rules for residents requiring that the balconies be closed when not in use. After discussion with the applicant regarding other options for enclosing the balconies, staff support their conclusion that this may be the simplest and most effective solution. However; staff would encourage the Board to discuss further whether the accordion glazing system, when closed, is more compatible than a simple glass railing. The applicant has expressed their openness to eliminating the accordion windows, and staff feel that could be accomplished through a conditional approval.

ANALYSIS OF APPLICABLE REVIEW STANDARDS

Standards for Review of New Construction, 17.8.3:

Standard A. Scale and Form	
<u>1. Height</u> The proposed height shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
Yes	While the overall structure is slightly taller than typical of Commercial Street, it is within the range of heights found on the street and the front façade is set to a typical height of four stories, matching the immediately adjacent structure to the west.
<u>2. Width</u> The width of a building shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
Yes	The width of the proposed structure is compatible with the surrounding context being within the range of widths typically seen.

3. Proportion of principal facades	
The relationship of the width to the height of the principal elevations shall be visually compatible with structures, public ways, and open spaces to which it is visually related.	
Standard Met?	Staff Comments
Yes	The proposed structure has a generally horizontal façade, as is typical of other structures on commercial street.
4. Roof shapes	
The roof shape of a structure shall be visually compatible with the structures to which it is visually related.	
Standard Met?	Staff Comments
Yes	The proposed structure has a flat roof, as is found on many historic structures along commercial street and within the Old Port Historic District.
5. Scale of a structure	
The size and mass of structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
Yes	The overall scale of the proposed structure is compatible with those seen in the surrounding context. The structure is somewhat deeper than typical; however, this will be minimally perceptible from Commercial Street and will aid in the enclosing of the adjacent alleyway.

Standard B. Composition of Principle Facades	
1. Proportion of openings	
The relationship of the width to height of windows and doors shall be visually compatible with structures, public ways, and places to which the building is visually related.	
Standard Met?	Staff Comments
Yes	The proportions of the proposed windows are vertically oriented as are typical of other structures along Commercial Street.
2. Rhythm of solids to voids in facades	
The relationship of solids to voids in the façade of a structure shall be visually compatible with structures, public ways, and places to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	At the front elevation, the proposed structure has significantly more void than is typical of the surrounding context, being a primarily glass façade. However, the regular rhythm of the windows, reinforced by the vertical mullions and spandrel panels, echoes the pattern of the surrounding structures. Additionally, the side elevation utilizes a significant amount of masonry in a pattern of solid and void much more typical of the context.

3. Rhythm of entrance porch and other projections	
The relationship of entrances and other projections to sidewalks shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
Yes	The proposed entrances are from almost directly off the sidewalk, with only a slight setback within the façade, as is typical of the context.
4. Relationship of materials	
The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in the structures to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	The applicant is using granite at the base to reinforce a predominant pattern within the district. However, the upper stories of the front façade are all glass and metal. While glass and metal are found in the district, they are typically used much more sparingly than at the proposed façade. The side elevation utilizes a much more typical material palette of brick and granite.

Standard C. Relationship to Street	
1. Walls of continuity	
Facades and site structures, such as masonry walls, fences, and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the structures, public ways, and places to which such elements are visually related.	
Standard Met?	Staff Comments
Yes	The proposed structure is built to the lot line, immediately along the sidewalk reinforcing the strong street wall of Commercial Street.
2. Rhythm of spacing and structures on streets	
The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways, and places to which it is visually related	
Standard Met?	Staff Comments
Yes	The proposed structure is built utilizing an existing party wall to the west while retaining an existing alleyway to the east, allowing the neighbor to the east to retain the design of its historic side façade.
3. Directional expression of principal elevation	
A structure shall be visually compatible with the structures, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.	
Standard Met?	Staff Comments
Yes	The proposed structure reinforces the typical horizontal expression of Commercial Street.

Standard D. Other Standards	
<u>1. Compatible use</u> Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration to the character defining features of the structure, object, or site and its environment or to use a property for its originally intended purpose.	
Standard Met?	Staff Comments
Yes	The proposed mix-use of the new structure is typical of uses throughout the context and will not require incompatible alterations to the surrounding historic district.

<u>4. Contemporary design</u> Contemporary design for additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural, or archaeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, material, and character of the property, neighborhood and environment.	
Standard Met?	Staff Comments
Yes	The proposed structure is decidedly contemporary in its design, especially at the front elevation where it utilizes a greater degree of glass and metal than traditionally found throughout the context. Additionally, the structure incorporates features such as the “broken corner” which is achievable through modern construction techniques and makes those techniques evident.

MOTION FOR CONSIDERATION

I move to APPROVE application HPBR-001916-2022, Option ____ for NEW CONSTRUCTION at 185 COMMERCIAL STREET on the basis of submitted documentation, plans, and specifications; information provided in the staff memo; and findings by the Historic Preservation Board that the project meets Standards for Review of New Construction 17.8.3-A.1-5, B.1-4, C.1-3, & D.1 & 4.

ATTACHMENTS

1. Applicant Summary, Renderings, and Drawings

Planning and Urban Development
Historic Preservation Program



September 30, 2022

185 Commercial Street, LLC
Jonathan Cohen, Principal

Re: 185 Commercial Street, New Construction

HPBR-001916-2022

Dear Mr. Cohen,

The Historic Preservation Office has approved your application for a Certificate of Appropriateness Option B for construction of a new six-story mixed-use project of approximately 21,000 square feet at 185 Commercial Street. Approval was based on the application materials reviewed by the Historic Preservation Board on September 7, 2022, except as modified by the following condition of approval:

- That the detailing for the accordion balcony windows be worked out with staff

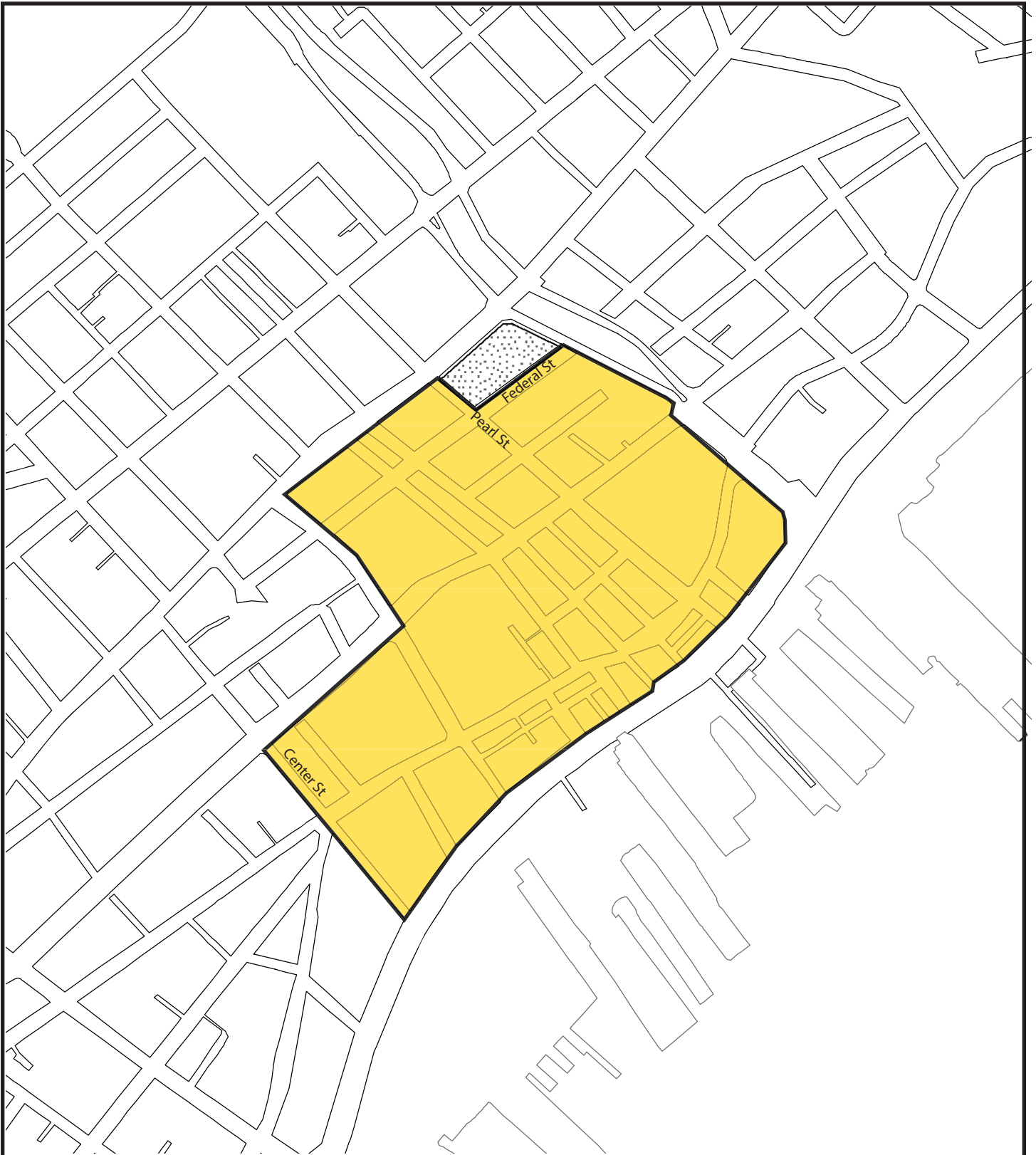
All work shall be carried out as shown on the materials reviewed by the Historic Preservation Board on September 7, 2022, except as to comply with the condition above. Changes to the approved plans or specifications, and any additional work that may be undertaken must be reviewed and approved by this office prior to construction, alteration, or demolition. If, during the course of completing the approved work, conditions are encountered which prevent completing the approved work, or which require additional or alternative work, you must apply for and receive a Certificate of Appropriateness or Non-Applicability PRIOR to undertaking additional or alternative work.

This Certificate is granted upon condition that the work authorized herein is commenced within twelve (12) months after the date of issuance. If the work authorized by this Certificate is not commenced within twelve (12) months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such Certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Department.

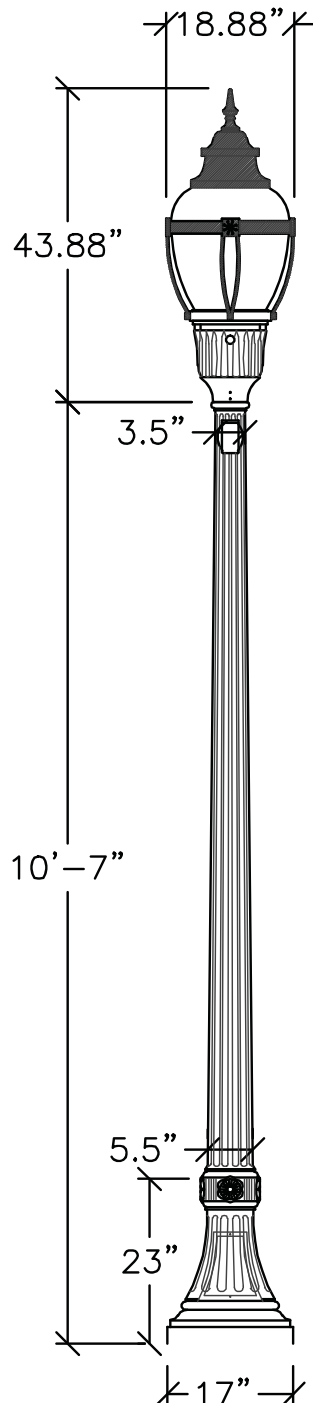
Sincerely,

A handwritten signature in black ink, appearing to read "Evan R. Schueckler".

Evan R. Schueckler
Historic Preservation Program Manager



Date: March, 2019	CITY OF PORTLAND, MAINE TECHNICAL MANUAL	MUNICIPAL STREET LIGHTING STANDARDS SECTION 10	Figure: X-6A
Revised Date:	MAP: Decorative Light - OLD PORT		



LUMINAIRE

Holophane Washington Postlite II LED - Acrylic

Model: WAUE2-P20-30K-AS-BK-3-BK-6-P7-F-PCLL

Cast aluminium housing with stainless steel hardware.

Thermal resistant acorn borosilicate glass refractor with IES Type asymmetric Type IV distribution.

Luminaire shall include decorative ribs, solid band, and spike finial, with internal twist-lock receptacle type photocell control. LED 3000K

LAMP

IES Type asymmetric Type IV distribution

LED 3000K color temperature

LIGHTING POLE

Holophane North Yorkshire - Aluminum pole and base

Model: NYA-11-FTJ-17-P07-ABG-BK-R126A

Tapered, fluted cast aluminum pole shaft rated for a 90mph wind load with a 1.3 gust factor.

Provide four hot-dipped galvanized steel L-type anchor bolts. Provide GFI rated duplex receptacle outlet.

Lighting pole shall be hot dipped galvanized prior powder coat paint.

DIMENSIONS

Overall Height = 14' 3"

Pole Height = 10' 7"

Taper = 5.5" to 3.5"

Base Diameter = 17"

FINISH

Black (standard)

APPLICATION

Street/Sidewalk lighting for two-way streets with parking on both sides.

Spacing: 60' - 80' on center (staggered pattern both sides of street)

Date:
March, 2019

**CITY OF PORTLAND, MAINE
TECHNICAL MANUAL**

**MUNICIPAL STREET
LIGHTING STANDARDS
SECTION 10**

Figure:

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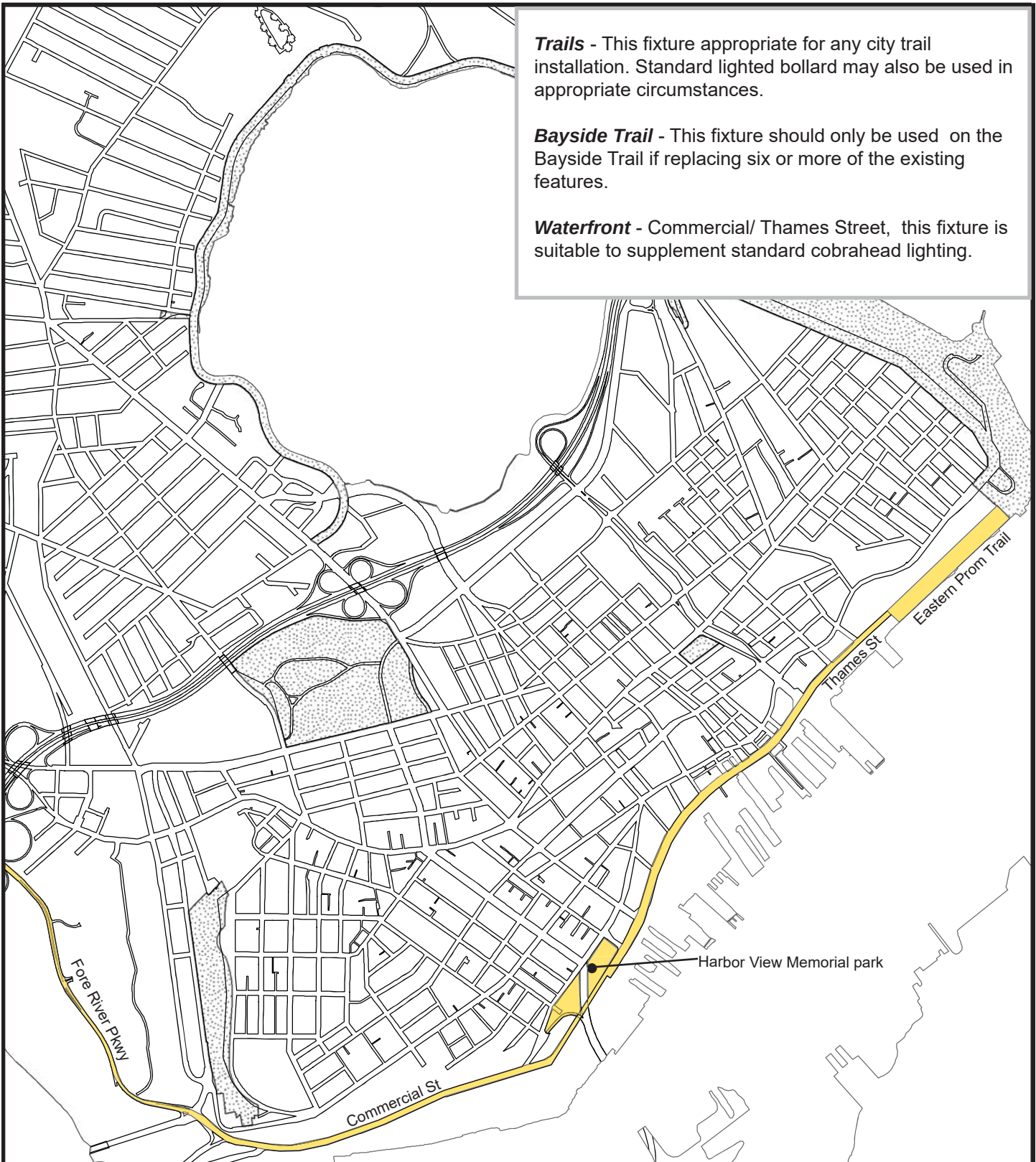
Revised Date:

OLD PORT

Trails - This fixture appropriate for any city trail installation. Standard lighted bollard may also be used in appropriate circumstances.

Bayside Trail - This fixture should only be used on the Bayside Trail if replacing six or more of the existing features.

Waterfront - Commercial/ Thames Street, this fixture is suitable to supplement standard cobrahead lighting.



Date:
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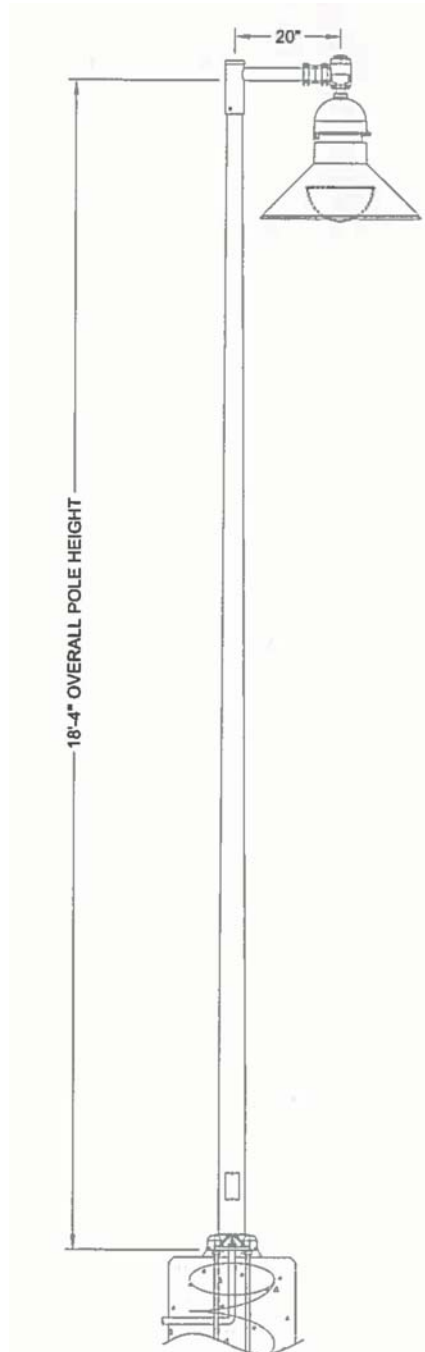
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LIGHTING STANDARDS
SECTION 10

Figure:

X-8A

Revised Date:

**MAP: Decorative Light - TRAILS/
WATERFRONT**



LUMINAIRE

Holophane GlasWerks LED Hallbrook Series
Model: GELB-050-3K-AS-4-B-3-P7E-DM

Pendant mount
IES Type IV Distribution
Thermal resistant prismatic glass lens held in a formed aluminum door frame.
50 watts
Universal Voltage (120-277V)
Dimming driver with 7-pin photocontrol receptacle
LED 3000K color temperature

BRACKET ARM

Aluminum crossarm with a post-top fitting for a 2-3/8" by 6" tenon.

SLIP FITTER

Holophane Glasswerks Slip Fitter
Model SG20/1-BK

2-3/8" O.D. with swivel cast fitter.

LIGHTING POLE

Holophane
Model: RTA1850E-PL-ND-BK-4

Aluminum pole shaft rated for a 90 mph wind load with a 1.3 gust factor.

Provide four hot-dipped galvanized steel L-type anchor bolts. Lighting pole shall be hot dipped galvanized prior to powder coat paint.

DIMENSIONS

Overall Height = 18' 4"
Bracket Arm = 1' 6"

FINISH

Black (standard) - polyester powder coat

APPLICATION

Trails: Appropriate for any city trail installation.
Waterfront (Commercial/Thames St): Supplemental pedestrian lighting to standard cobrahead lighting.

Spacing:
One side: 90' - 125' on center
Alternating sides: 175' - 225' ft on center

Follow established pattern. Single arm oriented over trail or street; Double-arm used in medians or similar.

Date:
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CITY OF PORTLAND, MAINE
TECHNICAL MANUAL

MUNICIPAL STREET
LIGHTING STANDARDS
SECTION 10

Figure:

X-8B

Revised Date:

TRAILS / WATERFRONT
(COMMERCIAL/THAMES STREET)

October 4, 2022

Ms. Christine Grimando -Director

City of Portland Planning & Urban Development
389 Congress Street, 4th Floor
Portland, ME 04101

**Subject: 185 Commercial Street - Major Site Plan Application
Mixed use development**

Dear Christine:

On behalf of **185 Commercial Street LLC**, Gorrill Palmer is submitting application materials for a Major Site Plan Application, for a new mixed-use building at 185 Commercial Street. The proposal is to construct a new six-story building to contain ground level/2nd floor retail space with up to 6 dwelling units on the upper floors. According to the boundary survey by VHB the site is 4,319 SF in size. The site is presently a private For Pay, paved parking lot; however, it is understood that the site may have contained structure(s) in the past. It is unknown when the last building may have been demolished. The development includes greater than three dwelling units therefore the proposal qualifies for a Major Site Plan approval from the Planning Board in accordance with Table 14-A of the ReCode. We attended a Pre application meeting with City staff on April 20, 2022. Archetype has also made several appearances before the Historic Preservation Committee, who have now granted an approval to the proposal.

Existing Conditions

The existing site is located at 185 Commercial Street and is a paved parking area containing less than fifteen parking spaces. The site frontage is open along the Commercial Street except for a wood guardrail. The site is accessed off a shared alleyway passing from Commercial Street to Wharf Street. The Holy Donut store lies east of the site and Fetch, pet supply store is west of the site. The site is located in the B-3 zone as identified to the right.



Fig 1 (Zoning Excerpt)



According to City records, underground utilities in Commercial and Wharf Streets include water, gas, and sewer. Underground power and communications lines are located in Wharf Street and the Alleyway. The proposed building will occupy nearly all of the lot and contain ground level access along the Commercial Street sidewalk access. Separate entries to the retail space and the residential space will be provided. The residential space will also have entry access at the rear of the building. The construction will require coordination with the abutting building owners at 195 Commercial Street and 9 Dana Street (Amigos). The construction will involve reconstruction of brick sidewalk along Commercial Street and repaving of the some of the site and the adjacent alleyway. Portions of Wharf Street may also require restoration due to proposed utility connections.

Nearby land uses include retail spaces in both buildings to the sides of this site.



Fig 2 Existing Street View from Commercial Street

Proposed Development

The proposed building will involve a tenant mix as follows:

Level	Tenant/Use	Area (SF)	Land Use category
1	Retail (possibly specialty jeweler)	2,229	retail
2	Retail	3,210	retail
Three thru 6	Residential	3,254 per floor	Residential
Total		20,000 SF +/-	

Preliminary floor plans and site renderings accompany this submission.



Traffic/parking

The site has been previously developed as a for pay public parking lot for up to fifteen vehicles. The parking will be eliminated as part of the project. Tenants of the building will be required to secure parking in nearby parking facilities including, but not limited to, Fisherman's Wharf, The Gateway terminal garage, Fore Street parking garage, or Custom House Garage. Retail visitors will use nearby on-street parking or the garages as is typical for the downtown area. The project is not expected to generate new traffic above the existing traffic generated by the parking lot. Tenants at the adjacent building east of the site will continue to be able to use the alleyway for access to their building. The owner is coordinating with the abutting landowners for the continuation of access and related use benefitting their sites.

Utilities

The proposed project will involve new utility connections that are described as follows:

- The building will be sprinkled and contain a domestic water service, both to be extended from a 12" water main in Commercial Street. The Fire Dept connection will be located at the front of the building.
- A domestic sewer connection is proposed to tie into an existing 8" sewer line in Wharf Street since that line is closer than the interceptor sewer in Commercial Street. Access to the Commercial Street Interceptor also involves various utility crossings and excavation in Commercial Street which is considered to be challenging and cost prohibitive.
- The building will be served by Natural gas coming from Commercial Street.
- There is underground power in Wharf Street. The design team is currently coordinating with CMP and the communications providers on these services.

Consistency with Master Plan

On Portland's Future Land Use Plan, 185 Commercial Street remains located Mixed Use/Commercial/Office zone and is located near an enhanced Priority Corridor (Commercial Street). Priority Corridors are *"major arterials that often see heavy vehicular traffic, but also have the capacity to improve mobility by capitalizing on their potential for increased walking, bicycling, and transit use. Priority corridors can also serve as areas of additional mixed-use, higher density growth to take advantage of the transit benefits and services that well-designed, diverse corridors can offer."* Located on Commercial Street the site is within a Downtown waterfront area that is maintaining a robust level of activity and development. This site is an ideal location for a building with ground level retail and residential above. We believe the proposed uses go hand in hand as complimentary uses to the surrounding businesses and land use an envisioned in the Comprehensive plan and current zoning.



In accordance with the Major Site plan General Document Checklist, we offer the following information:

General Documents

1. **Project Description** – New mixed use building construction with greater than three dwelling units, located in the B-3 zoning District. See description above.
2. **Completed Checklist** – See upload to Eplan
3. **Evidence of Right, Title and Interest.** The site is owned by 185 Commercial Street LLC per Deed recorded at the CCRD Book 38690, page 187, a copy of which is attached to this submission document.
4. **Zoning Assessment** – see attached. Located in B-3 zone
5. **Site plan Standards Assessment** – see attached and information below.
6. **Summary of Existing and/or proposed easements or covenants** – not applicable
7. **Waiver Request** – none requested.
8. **Evidence of financial and Technical Capacity** – The applicant has retained Archetype PA, Gorrell Palmer Consulting Engineers, and Penobscot Construction to assist with the design and construction of the proposed project. A letter from a financial institution accompanies this application.

Transportation

9. **Impact on Surrounding Street system** – no impact. Redevelopment of an existing parking lot with no new onsite parking provided. The site use is not expected to create or aggravate any existing or proposed hazard or safety concern on Commercial Street. The site access conditions are consistent with the neighboring sites on both sides of the street.
10. **Access and Circulation** – The site and building are accessible from at least three sides with ample access for emergency vehicles and site tenants. The elevator will be sized to allow for a stretcher and emergency personnel. The building entrances off the Commercial Street sidewalk will be flush to existing grade and this will require shallow interior ramps and steps up to the proposed finish floor elevation of 12.0' (NGVD29), per the City's building code requirements. The rear access route from the adjacent Amigo's restaurant will be rerouted thru their site and a screen wall is intended to separate Amigo's from the rear of the proposed building.
11. **Public transit** – Not applicable
12. **Off-Street Parking** – No parking is provided onsite. Two Dero Bike Hitches will be provided on the site. The site is fully paved or otherwise is building.



13. Transportation Demand Management – Not applicable

Environmental

14. Preservation of Significant Natural Features – Not applicable

15. Landscape Preservation – There is one existing street tree that will be impacted by the construction of the building. The applicant is also requesting that if the tree needs to be replaced that it be relocated along the sidewalk to avoid placement directly in front of the retail façade, if possible. The design team can coordinate with Jeff Tarling on this item during the review process.

16. Site landscaping and Buffers – Not applicable

17. Water Quality, Stormwater Management and Erosion control – The site is fully paved/concrete in the current condition. The surface will change to roof top. The roof drains will tie into the existing drainage system consisting of a 12” drain pipe along the Commercial Street frontage. There is no expected change in overall site drainage however, the elimination of parking will improve water quality. The existing downspout on the adjacent building at 191 Commercial Street will also be tied into the new building foundation drain, thus eliminating water that currently spills out onto the brick sidewalk. Typical erosion control measures including stabilized construction entrance and sediment sacks at nearby catch basins will be employed during the construction to minimize sediment transport into the drainage systems.

Public Infrastructure and Safety

18. Consistency with City Master Plans – See Above

19. Public Safety and Fire Prevention – The new building will have a full sprinkler system and Fire Department Connection along the Commercial Street Façade. The nearest fire hydrant is located at the corner of Dana Street and Commercial Street, less than one hundred feet from the building.

20. Availability and Adequacy of Public Utilities – see above

Site Design

21. Massing, Ventilations and Wind Impact – not applicable – See Archetype renderings for further information on the building.

22. Shadows – Not applicable

23. Snow and Ice Loading – the building is primarily a flat roof. Snow and Ice will not fall onto adjacent properties.

24. View Corridors – Not applicable

25. Historic Resources – The site has undergone HP review and approval.

-
- Existing light pole is missing the light head - to be replaced
- 185 Commercial Street Alleyway

Fig 3 Existing Alleyway October 2022

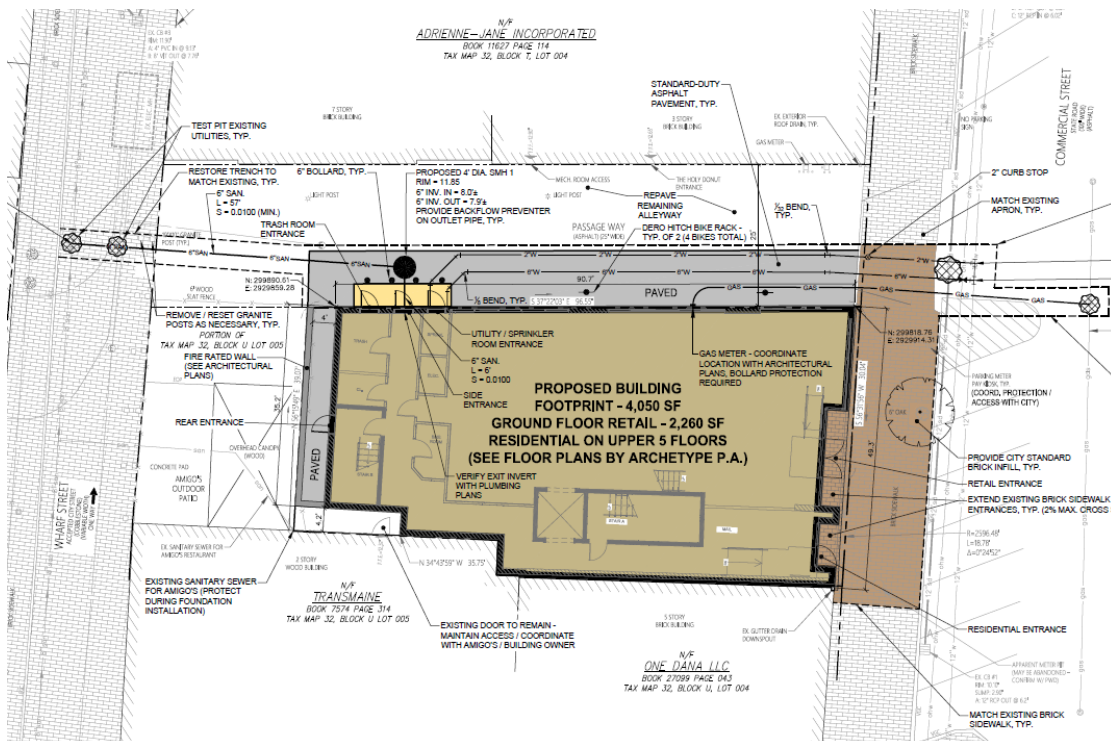


Fig 4 Proposed Site plan – 185 Commercial Street



Fig 5 – Rendering from Commercial Street NE



Fig 6 – Rendering from Commercial Street SE



We trust the supporting application materials are acceptable and we look forward to the Planning Authority's prompt review and scheduling of a workshop with the Planning Board.

Sincerely,

GORRILL-PALMER

Stephen Bushey, PE

Senior Associate

Phone: 207-772-2515 x286

sbushey@gorrillpalmer.com

Attachments

c: Jon Cohen, 185 Commercial Street
Katherine Lermond, Archetype

U:\3972 - 185 Commercial Street Mixed Use - Portland\IP Applications\Local\2022.10.04 app_185 Commercial site plan cover letter

CITY OF PORTLAND
Planning & Urban Development Department

MAJOR SITE PLAN
GENERAL DOCUMENT AND DRAWINGS CHECKLIST

Please submit each document as a separate PDF file.
Please confirm by electronically checking the boxes in the left-hand column.

**** PLEASE FILL OUT AND UPLOAD THE ZONING ASSESSMENT TABLE
AND WAIVER TABLE SEPARATELY AS NOTED BELOW ****

**At the time of application submission, please contact the Department of Public Works regarding E-911
addressing for your project.**

GENERAL APPLICATION DOCUMENTS

☒ Yes	☐ NA	Project Description Cover letter with detailed project description
☒ Yes	☐ NA	Completed Checklist (this document)
☒ Yes	☐ NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
☐ Yes	☒ NA	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
☒ Yes	☐ NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
☒ Yes	☐ NA	Site Plan Standards Assessment (see Section 14.6 of the land use code) Summary of project compliance with site plan standards of the land use code
☐ Yes	☒ NA	Summary of Existing and/or Proposed Easements or Covenants, applicable. Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
☐ Yes	☒ NA	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
☒ Yes	☐ NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
☒ Yes	☐ NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

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TRANSPORTATION

Yes NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes NA	Access and Circulation (14-14.6.1(B)) Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes NA	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes NA	Off-Street Parking (14-14.6.1(D)), if applicable Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL		
Yes	NA	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes	NA	Landscape Preservation (14-14.6.2(B)) Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes	NA	Site Landscaping and Buffers (14-14.6.2(C)) Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes	NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Identify and describe the following: • Erosion and sedimentation control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater law, as applicable • Subsurface sanitary sewage disposal and groundwater protection measures

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY		
Yes	NA	Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes	NA	Public Safety and Fire Prevention (14-14.6.3(B)) Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes	NA	Availability and Adequacy of Public Utilities (14-14.6.3(C)) (Technical Manual, Sections 2 & 9) Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections
SITE DESIGN		
Yes	NA	Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes	NA	Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes	NA	Snow and Ice Loading (14-14.6.4(C)) Describe building design measures to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes	NA	View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appendix. 1)
Yes	NA	Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: - The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district - Compliance with standards for preservation and documentation of archaeological resources

Yes	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

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All sheets – Include a title block with project title and the following information:

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- Name and address of property owner & applicant
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Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

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- Ground floor area, and finished floor elevations for all buildings
- Any proposed geometric modifications to streets and intersections adjacent to site
- Location, dimensions and materials of all proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)

• Location of fire hydrants • Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
UTILITY PLAN including:
• Proposed electrical infrastructure • Location, sizing and directional flows of all proposed sewer and stormwater infrastructure • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure
GRADING AND DRAINAGE PLAN including:
• Proposed grades • Proposed stormwater management measures meeting Technical Manual (Section 5) standards • Any proposed alteration of a watercourse or wetlands • Any groundwater protection measures • Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN including:
• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary



ZONING ANALYSIS Relevant Zone(s) B-3

All Projects:

	Required	Proposed
Lot Size	-	4319
Area Per Dwelling Unit	-	
Minimum Street Frontage	15 ft	48.82 ft
Front Yard Minimum		
Front Yard Maximum	5 ft	0.5 ft.
Rear Yard		
Yard Right		
Yard Left		
Side Street Setback		
Step Back		
Maximum Lot Coverage	100%	100%
Minimum Lot Coverage		
Maximum Height	65 ft	65 ft
Open Space		
Maximum Impervious Area	100%	100%
Pavement Setback		
Floor Area Ratio		
Off Street Parking Spaces	0	0
Loading Bays		
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size		
Minimum Lot Area per Dwelling		
Maximum # Units per Building		
Maximum Building Length		
Maximum Accessory Building Length		
Minimum Setbacks		
Minimum Building Separation		
Minimum Open Space		

Affordable Housing Density Bonuses (if applicable)

	Bonus Increase or Decrease	Maximum Allowable With Bonus	Proposed
Density			
Height			
Setback Reduction			
Recreation Space			
Maximum Accessory Building Length			
Minimum Setbacks			
Minimum Building Separation			
Minimum Open Space			
Explanatory Text 1 (optional):			
Explanatory Text 2 (optional):			
Explanatory Text 3 (optional):			

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- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

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- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)

• Location of fire hydrants • Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
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• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary

MAINE REAL ESTATE TAX-Paid

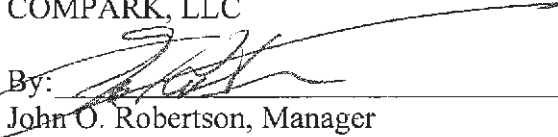
QUITCLAIM DEED WITH COVENANTDLN: 1002140163662

COMPARK, LLC, a Maine limited liability company with a mailing address of 336 Danforth Street, Portland, ME 041020 ("Grantor"), for consideration paid, grants to **185 COMMERCIAL STREET LLC**, a Maine limited liability company with a mailing address of 865 Spring Street, Westbrook, ME 04092 ("Grantee"), with Quitclaim Covenant, a certain lot or parcel of land, together with the improvements thereon, situated in the City of Portland, County of Cumberland, State of Maine, described in Exhibit A attached hereto and made a part hereon.

For Grantor's source of title, reference is made to Quitclaim Deed granted by John O. Robertson to Compark, LLC, dated July 14, 2021 and recorded in the Cumberland County Registry of Deeds in Book 27934, Page 198.

IN WITNESS WHEREOF, ComPark, LLC has caused this instrument to be executed by John O. Robertson, its Manager thereunto duly authorized, as of this 22nd day of SEPTEMBER, 2021.

COMPARK, LLC

By: 

John O. Robertson, Manager

State of Maine
Cumberland County

Sept 22, 2021

Personally appeared the above named John O. Robertson, Manager of ComPark, LLC, as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

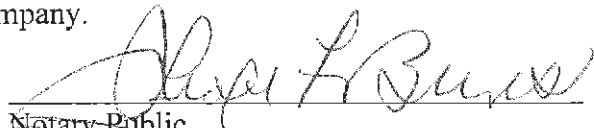

Notary PublicPrint Name: GEORGE F. BURNSCommission Expiration: ATTORNEY

EXHIBIT A

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

Beginning at the intersection of the westerly side of Commercial Street and a passageway; thence northwesterly by line of said passageway ninety-four (94) feet and two (2) inches, more or less, to land formerly belonging to one Fox; thence by the line of said Fox land southwesterly thirty-eight (38) feet and eight (8) inches, more or less, to land conveyed to Edward P. Oxnard by Frederick Oxnard by deed dated December 8, 1894 and recorded in the Cumberland County Registry of Deeds in Book 621, Page 171; thence southeasterly by said last mentioned land thirty-five (35) feet and nine (9) inches, more or less, to the most easterly corner of a lot of land conveyed by said Edward P. Oxnard and others to E. Corey & Co. by deed dated February 25, 1919 and recorded in said Registry of Deeds in Book 1018, Page 323 and in Book 1017, Page 186; thence at right angles westerly along said Corey land six (6) feet and one (1) inch, more or less, to an iron bolt, now or formerly situated at the corner of a wooden building, which bolt is mentioned in said deeds of Edward P. Oxnard et al. To E. Corey & Co.; thence southeasterly by land of E. Corey & Co., now or formerly, fifty-nine (59) feet, more or less, to the northwesterly side of said Commercial Street; thence northeasterly by the line of said Commercial Street fifty (50) feet and eleven (11) inches, more or less, to the point of beginning.

Together with all right, title and interest, in and to, the passageway adjoining the premises above described.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B-3

All Projects:

	Required	Proposed
Lot Size	-	4319
Area Per Dwelling Unit	-	
Minimum Street Frontage	15 ft	48.82 ft
Front Yard Minimum		
Front Yard Maximum	5 ft	0.5 ft.
Rear Yard		
Yard Right		
Yard Left		
Side Street Setback		
Step Back		
Maximum Lot Coverage	100%	100%
Minimum Lot Coverage		
Maximum Height	65 ft	65 ft
Open Space		
Maximum Impervious Area	100%	100%
Pavement Setback		
Floor Area Ratio		
Off Street Parking Spaces	0	0
Loading Bays		
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size		
Minimum Lot Area per Dwelling		
Maximum # Units per Building		
Maximum Building Length		
Maximum Accessory Building Length		
Minimum Setbacks		
Minimum Building Separation		
Minimum Open Space		

Affordable Housing Density Bonuses (if applicable)

	Bonus Increase or Decrease	Maximum Allowable With Bonus	Proposed
Density			
Height			
Setback Reduction			
Recreation Space			
Maximum Accessory Building Length			
Minimum Setbacks			
Minimum Building Separation			
Minimum Open Space			
Explanatory Text 1 (optional):			
Explanatory Text 2 (optional):			
Explanatory Text 3 (optional):			

Standard to be Waived: Cite Ordinance or Technical Manual Standard	Cite Standard Language: Cite specific language of applicable Ordinance or Technical Manual Standard	Waiver Being Sought: Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	Justification for Waiver: Address specific waiver criteria, if applicable, and document reasons for the waiver request.



September 30, 2022

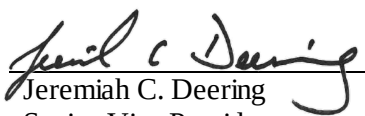
City of Portland
389 Congress Street
Portland, ME 04101

Re: 185 Commercial Street, Portland, Maine

To Whom It May Concern:

NBT Bank, N.A. has a strong relationship with Jonathan Cohen and 185 Commercial Street OZ LLC who are customers in good standing of the Bank. We enjoy a great relationship with Mr. Cohen, having completed numerous successful projects together over the past several years. Jonathan Cohen has both the experience and the financial capacity to complete the subject project. Should there be any questions on this matter, please do not hesitate to contact me at (207) 229-7100 or via e-mail at jdeering@nbtbank.com.

Sincerely,


Jeremiah C. Deering
Senior Vice President
Regional Commercial Banking
Manager

NBT Bank, N.A.
Maine Regional Headquarters
5 Widgery Wharf, 3rd Floor
Portland, Maine
04101

TECHNICAL CAPABILITY

The applicant has retained a highly qualified team of professionals to undertake planning, permitting and design tasks on this project. Services will be provided by the following companies and their respective team leaders:

<i>Civil Engineer</i>	Stephen Bushey, P.E. Gorrill-Palmer Consulting Engineers 707 Sable Oaks Drive South Portland, Maine 04106 (207) 772-2515 sbushey@gorrillpalmer.com
<i>Architect</i>	Katherine Lermond Archetype Architects Union Wharf Portland, ME 04101 katherine@archetypepa.com
<i>Surveyor</i>	VHB Dan Oakes 500 Southborough Drive Suite 105B South Portland, ME 04106 doakes@vhb.com
<i>Geotechnical</i>	Summit Geoengineering Bill Peterlein PE 210 Maine Avenue Farmingdale, maine 04344 bpeterlein@summitgeoeng.com
<i>Construction Management</i>	Penobscot Construction Clay Maker cmaker@penobscotgc.com

The team of consultants retained by developer has expertise and experience in the design of similar commercial projects. Resumes of key personnel for development team can be provided upon request.

The Applicant also has significant experience in the design, permitting, development and management of large institutional projects as evidenced by their projects at 1 Hancock Street and 100 Fore Street among others.



707 Sable Oaks Drive, Suite 30
 South Portland, Maine 04106
 207.772.2515

February 6, 2023

Mr. Brad Roland, PE

City of Portland Public Works
 212 Canco Road -Suite B
 Portland, Maine 04103

Subject: 185 Commercial Street
Mixed Use development with 6 residential units
Request for Ability to Serve Letter

Dear Brad:

185 Commercial Street LLC (Applicant) has retained Gorrill Palmer to prepare plans and permit applications for the proposed development of a new building containing a ground level retail store and 6 residential units above at the vacant parking lot on 185 Commercial Street. The project site is located on the following according to the City of Portland's Tax Map:

Tax Map 32 block U lot 003

We would like to verify the City's wastewater division has ability to provide wastewater capacity for the project and to determine any impact fees. We are proposing to connect to the 8" sanitary service main in Wharf Street via a new 6" service line out the rear of the building. We are proposing to connect to the existing water main in Commercial Street.

The projected water use/wastewater disposal, for the remaining space is summarized below using the State of Maine Subsurface Wastewater Disposal Rules and typical City of Portland information:

Flow Demand		
Use	Design Flow (GPD)	Peak Daily Design Flow (GPD)
6 units	180 gpd/multiple bedrooms	1,080 gpd
10 employees in retail store (no public restroom)	12 gpd/employee	120 gpd
		Total = 1,200 gpd

Based on this amount of flow, we trust that the existing wastewater systems have adequate capacity to serve this project. We are in the process of completing a Major Site Plan Application for a submission to City Planning Staff and we would appreciate your confirmation of site conditions.

If you have any questions on the information submitted, please contact our office.

Mr. Brad Roland
February 6, 2023
Page 2



Regards,

GORRILL PALMER

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

Stephen R. Bushey, P.E.
Senior Associate
Phone: (207) 772-2515
sbushey@gorrillpalmer.com

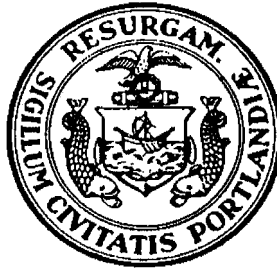
Attachment

C: Austin Torres Davis

U:\3972 - 185 Commercial Street Mixed Use - Portland\H Utilities\Sewer\abs_ww_roland_02.06.2023

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: February 6 2023

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

Site Address: 185 Commercial Street

Chart Block Lot Number: Tax Map 32/Lot U-003

Proposed Use: Grd floor retail and 6 Residential Units

Previous Use: Field

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

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

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

X

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

2. Please, Submit Contact Information.

City Planner's Name: Austin Torres Davis Phone: _____

Owner/Developer Name: 185 Commercial Street LLC Attn: Jon Cohen

Owner/Developer Address: 865 Spring Street Westbrook Maine 04092

Phone: 207-879-7800 Fax: _____ E-mail: jcohen@a-d-w.biz

Engineering Consultant Name: Stephen Bushey, P.E.

Engineering Consultant Address: Gorill Palmer 300 Southborough Drive - Suite #200, So. Portland, ME 04106

Phone: 207-772-2515 Fax: _____ E-mail: sbushey@gorillpalmer.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: 1,200 GPD

Peaking Factor/ Peak Times: Not Applicable

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

Other (specify) XSUBSURFACE WASTEWATER DISPOSAL RULES

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: Not Applicable

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: Not Applicable GPD

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

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

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

Peaking Factor/Peak Process Times: _____

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

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

6 units at 180 gpd/unit = 1,080 gpd plus
10 employees at 12 gpd = 120 gpd
total = 1200 gpd

ENVIRONMENTAL

14.6.2 (A) Preservation of Significant Natural Features – Not applicable

14.6.2 (B) Landscape Preservation – There is one existing street tree that will be impacted by the construction of the building. The applicant is also requesting that if the tree needs to be replaced that it be relocated along the sidewalk to avoid placement directly in front of the retail façade, if possible. The design team can coordinate with Jeff Tarling on this item during the review process.

14.6.2 (C) Site landscaping and Buffers – Not applicable

14.6.2 (D) Water Quality, Stormwater Management and Erosion control – The site is fully paved/concrete in the current condition. The surface will change to roof top. The roof drains will tie into the existing drainage system consisting of a 12” drain pipe along the Commercial Street frontage. There is no expected change in overall site drainage however, the elimination of parking will improve water quality. The existing downspout on the adjacent building at 191 Commercial Street will also be tied into the new building foundation drain, thus eliminating water that currently spills out onto the brick sidewalk. Typical erosion control measures including stabilized construction entrance and sediment sacks at nearby catch basins will be employed during the construction to minimize sediment transport into the drainage systems.

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY

14.6.3.A Consistency with City Master Plans – On Portland’s Future Land Use Plan, 185 Commercial Street remains located Mixed Use/Commercial/Office zone and is located near an enhanced Priority Corridor (Commercial Street). Priority Corridors are “*major arterials that often see heavy vehicular traffic, but also have the capacity to improve mobility by capitalizing on their potential for increased walking, bicycling, and transit use. Priority corridors can also serve as areas of additional mixed-use, higher density growth to take advantage of the transit benefits and services that well-designed, diverse corridors can offer.*” Located on Commercial Street the site is within a Downtown waterfront area that is maintaining a robust level of activity and development. This site is an ideal location for a building with ground level retail and residential above. We believe the proposed uses go hand in hand as complimentary uses to the surrounding businesses and land use an envisioned in the Comprehensive plan and current zoning.

14.6.3 (B) Public Safety and Fire Prevention – The new building will have a full sprinkler system and Fire Department Connection along the Commercial Street Façade. The nearest fire hydrant is located at the corner of Dana Street and Commercial Street, less than one hundred feet from the building.

14.6.3 (C) Availability and Adequacy of Public Utilities – The proposed project will involve new utility connections that are described as follows:

- The building will be sprinkled and contain a domestic water service, both to be extended from a 12” water main in Commercial Street. The Fire Dept connection will be located at the front of the building.
- A domestic sewer connection is proposed to tie into an existing 8” sewer line in Wharf Street since that line is closer than the interceptor sewer in Commercial Street. Access to the Commercial Street Interceptor also involves various utility crossings and excavation in Commercial Street which is considered to be challenging and cost prohibitive.
- The building will be served by Natural gas coming from Commercial Street.
- There is underground power in Wharf Street. The design team is currently coordinating with CMP and the communications providers on these services.

SITE DESIGN

14.6.4 (A) Massing, Ventilations and Wind Impact – not applicable – See Archetype renderings for further information on the building.

14.6.4 (B) Shadows – Not applicable

14.6.4 (C) Snow and Ice Loading – the building is primarily a flat roof. Snow and Ice will not fall onto adjacent properties.

14.6.4 (D) View Corridors – Not applicable

14.6.4 (E) Historic Resources – The site has undergone HP review and approval.

14.6.4 (F) Exterior Lighting – The applicant proposes to replace a light head on an existing pole in the alleyway. There are currently two pole lights in the alleyway. There is a cobra head light on the utility pole at the corner of Moulton Street and Commercial Street.

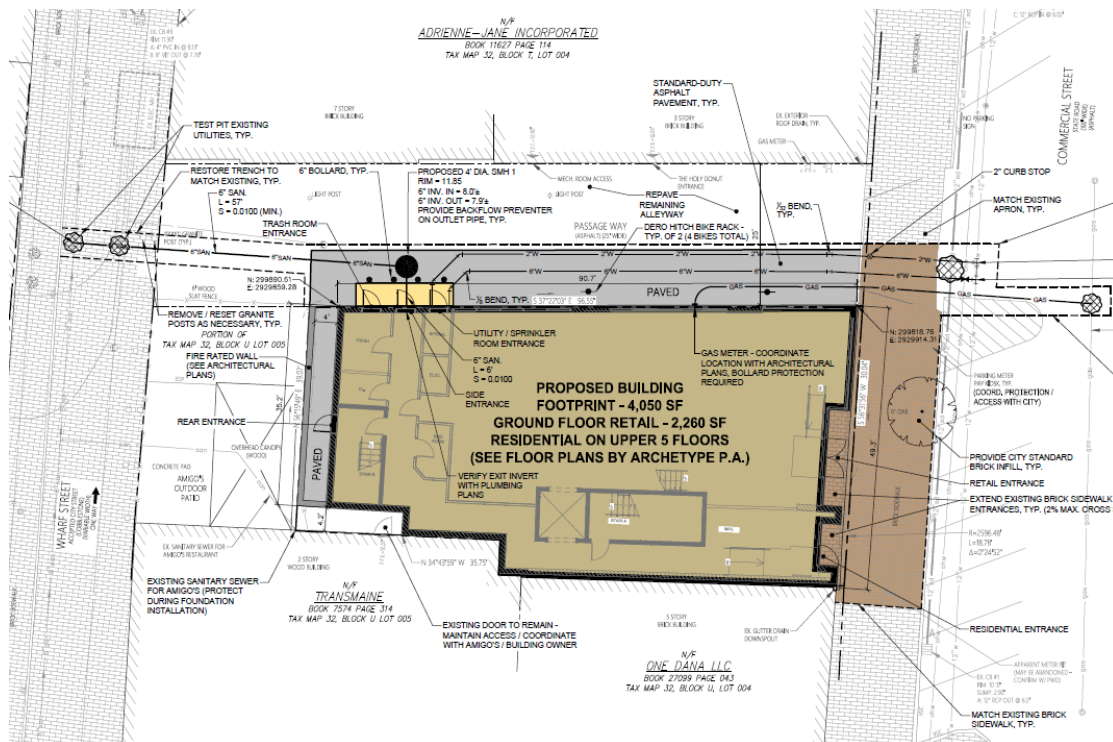
14.6.4 (G) Noise and Vibration – Not applicable- roof top equipment will be screened and dampened as necessary to satisfy City noise and vibration standards.

14.6.4 (H) Signage and Wayfinding – All tenant signage to be permitted separately by the tenants.

14.6.4 (I) Zone Related Design Standards – The development satisfies ReCode 14.6.4.I.1.a for the B-3 where the design shall support the development of a dense, Mixed-use neighborhood with an attractive, safe, and convenient street-level pedestrian environment.



Fig 3 Existing Alleyway October 2022



TRANSPORTATION

14.6.1(A) **Impact on Surrounding Street system** – no impact. Redevelopment of an existing parking lot with no new onsite parking provided. The site use is not expected to create or aggravate any existing or proposed hazard or safety concern on Commercial Street. The site access conditions are consistent with the neighboring sites on both sides of the street.

14.6.1(B) **Access and Circulation** – The site and building are accessible from at least three sides with ample access for emergency vehicles and site tenants. The elevator will be sized to allow for a stretcher and emergency personnel. The building entrances off the Commercial Street sidewalk will be flush to existing grade and this will require shallow interior ramps and steps up to the proposed finish floor elevation of 12.0' (NGVD29), per the City's building code requirements. The rear access route from the adjacent Amigo's restaurant will be rerouted thru their site and a screen wall is intended to separate Amigo's from the rear of the proposed building.

14.6.1(C) **Public transit** – Not applicable

14.6.1(D) **Off-Street Parking** – No parking is provided onsite. Two Dero Bike Hitches will be provided on the site. The site is fully paved or otherwise is building.

14.6.1 (E) **Traffic Demand Management** - Not applicable

February 6, 2023

Mr. Austin Torres Davis, Planner

Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101

**Subject: Major Site Plan, Master Development Plan Amendment
Project ID – PL-002235-2022
185 Commercial Street
185 Commercial Street LLC, Applicant
Letter of Response #1– Response to Staff comments**

Dear Austin:

On behalf of **185 Commercial Street LLC (Applicant)**, our office is pleased to provide the following responses to staff review comments provided within an email and memo dated January 5, 2023, and your email dated February 3, 2023. For ease of review, we have repeated all of the staff comments in *italics* and provide our responses in **bold** as follows:

General Comments from Planning & Urban Development Department

- 1. Per Land Use Code Section 14.6.2 (B. and C), site development shall be designed to incorporate, limit disturbance to, and limit removal of existing trees, and all development subject to required zoning setbacks shall include a minimum of one shade tree or six plantings per 30 linear feet of all frontages as measured along the property line. Information is sought as to whether the existing 6" Oak tree will be preserved or replaced.*

Response: The applicant prefers to remove/replace the existing Oak Tree as it will fall immediately in front of the ground level retail façade and storefront glazing. We are amenable to discussing with the City Arborist as to possible new locations and/or street tree contribution.

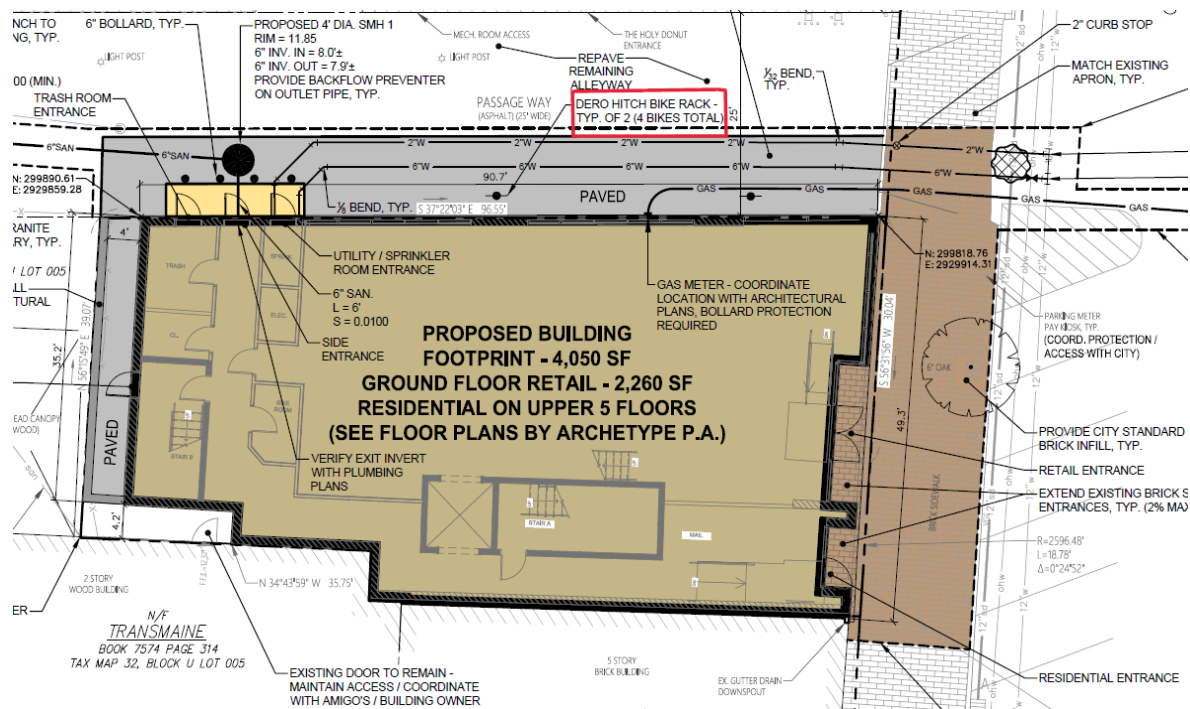
- 2. Per Technical Manual Section 4.6.1., a minimum of one tree per unit, planted in the City right-of-way is required. However, as site constraints preclude this, contribution for each required street tree may be made into the City of Portland's Tree Fund. As there exists one tree adjacent to the development site, this contribution would equal \$2,000 (\$400 x 5 trees).*

Response: The applicant is amenable to the Tree Fund contribution as a condition of approval.



3. Per TABLE 19-A, two bicycle parking spaces are required per five units. Bicycle parking may be located within a public right-of-way where site conditions cannot reasonably accommodate interior bike parking, or where a high turnover of short-term bike parking usage is expected. If not provided inside the structure, a bike rack should be provided meeting the standards of Technical Manual Section 1.12.

Response: The proposed site plan contains two Dero hitches for up to four bicycles located along the east side of the building. There may also be some interior storage space for the residential units in the building.



Comments from Zoning Administration

1. The applicant needs to provide right, title and interest to use and occupy any part of the 25' wide passageway to the east side of the property. Note 9 on the survey says: Ownership of passageway shown hereon is undetermined.

Response: Attached is a copy of the 185 Commercial Street LLC deed, which expressly includes "all right, title and interest in and to the passageway adjoining the premises above described." Additionally, see the attached two court judgments conveying all ownership interests held by the 140+ heirs of passageway owners to 185 Commercial St's predecessor, Compark.

2. Under Table 19-A, 13 off-street parking spaces are required - one for the retail space on the first floor; 6 for the retail space on the second floor and 6 for the six dwelling units. Table 19-B offers some exceptions

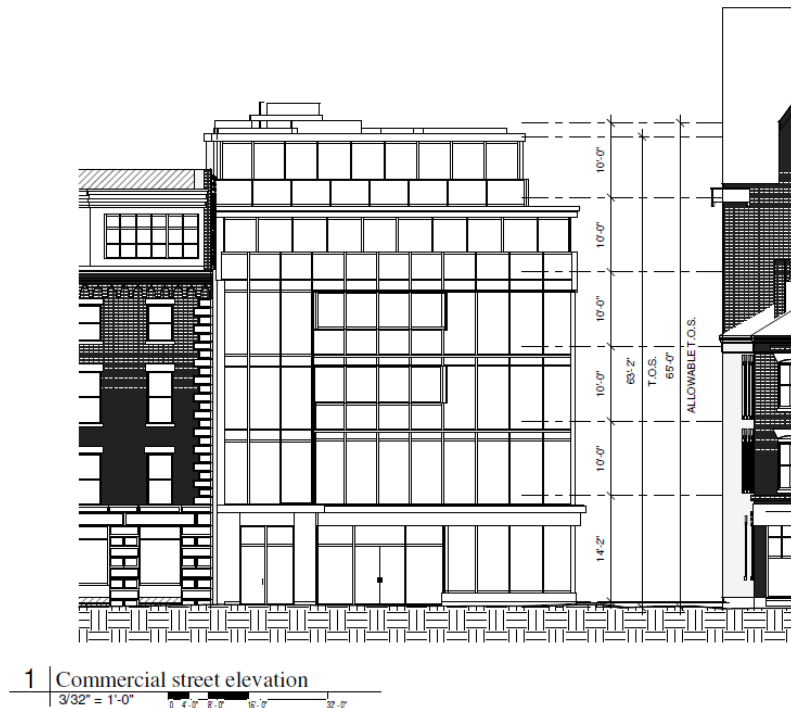


to the off-street parking requirements, including for transit-proximate development. To use this exemption the applicant would need to provide a Transportation Demand Management plan.

Response: The development team is putting together a TDM plan for the site recognizing that the proposed building will be less than ¼ mile distance from the METRO Route 8 bus route along Middle Street and over to Casco Bay Lines. The site is also approximately 2,000 LF from the Gateway Parking Garage that is under common ownership. The applicant's intent is for the residential tenants to obtain their own parking within any of the assorted nearby parking garages including the Gateway Garage in the vicinity of the property.

3. *The maximum height for this property is 65'. The applicant needs to provide scalable elevations that demonstrate that the building is not exceeding the maximum height.*

Response: See the attached façade elevations from Archetype Architects depicting the building height. The floor-to-floor height is 63'-2" and based on surrounding grade the overall height is measured as 63'-11". The allowable height in the B-3 zone is 65'. The Historic Committee reviewed the building height and found it to be acceptable.





Transportation Comments from Department of Public Works

- 1. The applicant shall provide information as to how the project will comply with the City's street lighting standards in Section 10 of the Technical Manual.*

Response: The Technical Manual suggest the installation of a decorative fixture as identified on Figure X-8B. We've reached out to Kevin Thomas of DPW to ascertain more information on the installation of this fixture since it is unclear that there is an existing circuit or similar lighting in the project vicinity that can be coordinated with. We'd ask planning for more specifics as to what the City is seeking for decorative lighting on the street, given the existing conditions and lack of other decorative lighting on the street in the area of the site. The proposal does not include any new lighting since the alleyway currently contains two light standards and there are overhead cobra lights on the utility poles on the corners of Moulton/Commercial and Dana/Commercial. Ambient lighting from surrounding uses provides coverage for the site.

- 2. The applicant shall review and confirm that all proposed Site details and Landscape details meet the requirements of the recently approved technical manual update.*

Response: We are in the process of assuring that site details reflect compliance with the latest City standards. The final plans to be uploaded following the workshop meeting with the Planning Board will reflect these updates.

- 3. The applicant shall confirm they have RTI or proof of ownership to utilize the alley for placement of utilities and the proposed access pad.*

Response: See previous response and the attached evidence of RTI for the alleyway.

- 4. The applicants shall confirm with the City Arborist that the existing tree, proposed for removal on the plans, is suitable for removal.*

Response: We have reached out Parks and Recreation for their input on the tree removal.

- 5. What is proposed for the existing curb cut location? Applicant shall review modification of existing curb cut to maximize on street parking.*



Response: The plan calls for no changes to the existing curb opening as the opening should remain unchanged based on the current access needs and use. The Holy Donut retail store uses the alleyway for vehicular access. We are accessing the need to maintain this sidewalk apron with the applicant and will report further once a determination is made.

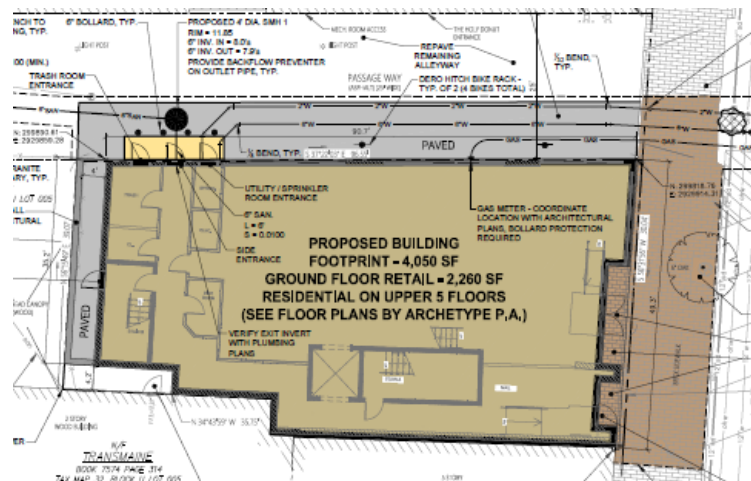


6. *A note to replace striping in the sawcut area needs to be added to the plans.*

Response: A note will be added to the plans and will be evidenced when final plans are uploaded following the Planning Board workshop.

7. *The limits of sidewalk to remain or to be replaced is not clear.*
- a. *The brick sidewalk along the Commercial Street frontage shall be reconstructed in accordance with the City's Sidewalk and Driveway Apron Material Policy.*
 - b. *The proposed brick sidewalk cross slope shall not exceed 2% at the property line. If the existing sidewalk grades are not compliant at the property line, then the limits of sidewalk replacement shall be extended to include a 5-foot minimum transition zone from the proposed 2% to the existing sidewalk slope.*
 - c. *The sidewalk material shall be continued through the alley's apron at grade with the proposed sidewalk and not in excess of 2% cross-slope. If the existing sidewalk grades are not compliant at the limits of the alley, then the limits of sidewalk replacement shall be extended to include a 5-foot minimum transition zone from the proposed 2% to the existing sidewalk slope.*

Response: The site plan identifies the sidewalk replacement as colored in the figure to the right. The ability to maintain a 2% max crossslope should be readily achievable. The updated plans will show the replacement of the sidewalk thru the alley's apron entrance.



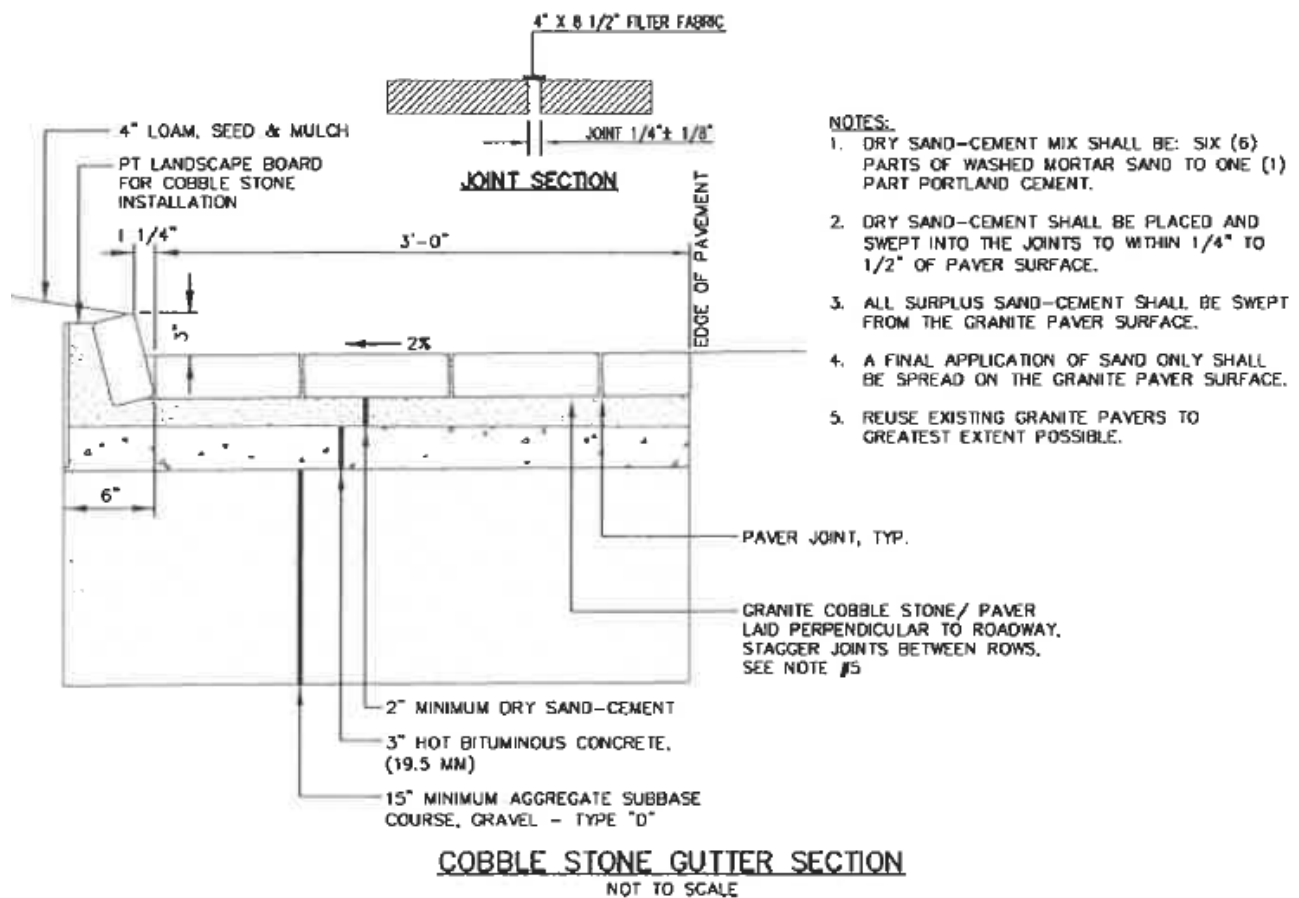


8. The applicant shall verify the condition of the existing curb and curb reveal height. If the existing top of curb does not have a continuous slope the existing curb shall be reset. Any fluctuation should be reflected in the curb reveal (min of 5.5" reveal) if the slope of the pavement gutter is not consistent.

Response: We are in the process of verifying curb conditions and the updated plans will reflect the removal/reset limits and grades to satisfy compliance with the City Technical standards.

9. The applicant shall provide a repair detail for the Wharf Street granite pavers.

Response: A detail for resetting granite pavers as may be disturbed during the utility work will be provided in the final plan submission to be uploaded after the PB workshop. The detail below has been previously used on City projects and we are checking with DPW on any changes they may want with this detail.



10. Who owns the street lights in the alley?



Response: We understand the applicant owns the lights in the alley. The plan is to repair one of the lights which is currently missing a light fixture top.

Water Resources Comments from the Department of Public Works

1. *The applicant is required to submit a formal wastewater capacity application to water resources engineering for review and approval.*

Response: The attached letter and wastewater capacity application have been forwarded to Brad Roland in DPW

2. *The applicant shall relocate DMH-1 to private property outside the City's right of way.*

Response: DMH 1 will be moved to inside the alleyway.

3. *A formal ESC plan should be included in the set.*

Response: Drawing C-4.0 contains some information on needed erosion controls during construction. Additional Erosion control notes are shown on C-1.1. We intend to provide additional information on the final plans to assure ample information is provided to the contractor.

Additional Comments via email on February 3, 2023

1. *In addition to the previously noted concerns, we are requesting information on lighting/photometrics.*

Response: The project is not contemplating any new exterior lighting. Once a determination is made as to the need for a City standard decorative light on Commercial Street we can verify more about the lighting. The existing lights in the alleyway are relatively modest in scale, appearance and light coverage.

2. *Additionally, we also hope you can provide an ability to serve confirmation from the Portland Water District, Central Maine Power, as well as the submission of documentation of Wastewater Capacity Authorization from the Department of Public Works.*

Response: We have contacted each utility and await their reply.

3. *We also request clarification on the location of this equipment and how it will be shielded from view should be included in final submissions.*



Response: Any equipment will be roof mounted and screened within enclosures. Additional information on the enclosure measures will be provided prior to the public hearing.

We look forward the Planning Board workshop next week. Please find the attached information for your records.

Sincerely,

GORRILL-PALMER

Stephen Bushey, PE

Senior Associate

Phone: 207-772-2515 x286

sbushey@gorrillpalmer.com

Attachments:

c: Jon Cohen 185 Commercial LLC
Katherine Lermond – Archetype

U:\3972 - 185 Commercial Street Mixed Use - Portland\IP Applications\Local\LOR #1\LOR#1_davis_02.06.23

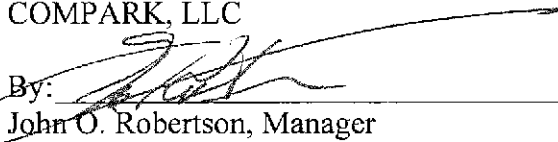
QUITCLAIM DEED WITH COVENANTDLN: 1002140163662

COMPARK, LLC, a Maine limited liability company with a mailing address of 336 Danforth Street, Portland, ME 041020 ("Grantor"), for consideration paid, grants to **185 COMMERCIAL STREET LLC**, a Maine limited liability company with a mailing address of 865 Spring Street, Westbrook, ME 04092 ("Grantee"), with Quitclaim Covenant, a certain lot or parcel of land, together with the improvements thereon, situated in the City of Portland, County of Cumberland, State of Maine, described in Exhibit A attached hereto and made a part hereon.

For Grantor's source of title, reference is made to Quitclaim Deed granted by John O. Robertson to Compark, LLC, dated July 14, 2021 and recorded in the Cumberland County Registry of Deeds in Book 27934, Page 198.

IN WITNESS WHEREOF, ComPark, LLC has caused this instrument to be executed by John O. Robertson, its Manager thereunto duly authorized, as of this 22nd day of SEPTEMBER, 2021.

COMPARK, LLC

By: 

John O. Robertson, Manager

State of Maine
Cumberland County

Sept 22, 2021

Personally appeared the above named John O. Robertson, Manager of ComPark, LLC, as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

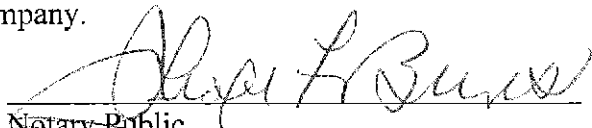

Notary PublicPrint Name: GEORGE F. BURNSCommission Expiration: ATTORNEY

EXHIBIT A

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

Beginning at the intersection of the westerly side of Commercial Street and a passageway; thence northwesterly by line of said passageway ninety-four (94) feet and two (2) inches, more or less, to land formerly belonging to one Fox; thence by the line of said Fox land southwesterly thirty-eight (38) feet and eight (8) inches, more or less, to land conveyed to Edward P. Oxnard by Frederick Oxnard by deed dated December 8, 1894 and recorded in the Cumberland County Registry of Deeds in Book 621, Page 171; thence southeasterly by said last mentioned land thirty-five (35) feet and nine (9) inches, more or less, to the most easterly corner of a lot of land conveyed by said Edward P. Oxnard and others to E. Corey & Co. by deed dated February 25, 1919 and recorded in said Registry of Deeds in Book 1018, Page 323 and in Book 1017, Page 186; thence at right angles westerly along said Corey land six (6) feet and one (1) inch, more or less, to an iron bolt, now or formerly situated at the corner of a wooden building, which bolt is mentioned in said deeds of Edward P. Oxnard et al. To E. Corey & Co.; thence southeasterly by land of E. Corey & Co., now or formerly, fifty-nine (59) feet, more or less, to the northwesterly side of said Commercial Street; thence northeasterly by the line of said Commercial Street fifty (50) feet and eleven (11) inches, more or less, to the point of beginning.

Together with all right, title and interest, in and to, the passageway adjoining the premises above described.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. RE-17-147

Plaintiff,

V.

Defendants,

and

Parties-in-Interest.

DEFAULT JUDGMENT

(Title to Real Estate is Involved)

1. The Court has jurisdiction over this matter.

2. The Property at issue is described as Passageway No. 3 (the “Passageway”) in the deed dated August 12, 1822 and recorded at the Cumberland County Registry of Deeds in Book 93, Page 281, and is identified on Portland Tax Map E10NW as the vacant space between Lot 32-T004 to the East and Lots 32-U003 and 32-U004 to the West.

3. The unascertainable defendants have been properly served in the manner and none has asserted a timely claim.

4. Record title to the Property is held by the 145 Defendants as tenants in common, each with an equal share of interest.

5. All Defaulted Defendants and Parties-in-Interest have been properly served in the

*Supplemented by return of service on Diane Clark Chapman.

manner and last-known address identified on Exhibit A-1 hereto.

6. ^{With the exception of William G. Hanks,} Each of the Defaulted Defendants identified on Exhibit A-1 has either failed to timely respond to the Complaint or otherwise failed to defend the action as required by the Maine Rules of Civil Procedure.

7. There is no evidence that any of the Defaulted Defendants is either a minor, an incompetent person, or in the military service of the United States.

8. All unascertainable defendants, all Defaulted Defendants identified on Exhibit A-1, and Party-in-Interest People's United Bank are properly subject to the Court's entry of default judgment.

Based on the foregoing, it is hereby:

ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Issuance of a Default Judgment pursuant to M.R. Civ. P. 55(b) is **GRANTED**; it is further

ORDERED that Default Judgment is entered against all unknown or unascertainable defendants; it is further

ORDERED that Default Judgment is entered against ¹³⁹~~the 140~~ Defendants identified on Exhibit A-1 hereto, specifically: 1. Anita G.M. Abbott, 2. Michael G.M. Abbott, 3. Thomas M. Abbott, 4. Angier Ames, 5. Oliver Ames, Jr., 6. Thomas Ames 7. Patricia Edwards Anderson, 8. Conrad I. Arnold, 9. Judith Warren Arnold, 10. Michael Stor Arnold, 11. Ernest L. Baker, III, 12. Alan Baldwin, 13. Betsy Baldwin, 14. Charles E. Baldwin, 15. Jonathan Baldwin, 16. Matthew Baldwin, 17. Oliver H P, Baldwin, III, 18. Peter Baldwin, 19. Roger Baldwin, 20. Karen Miller Barbay, 21. Edmund Phillips Blackwell, Jr., 22. Paul H. Blackwell, 23. Linda E. Fox Brault, 24. Robert Leslie Brown, 25. Patricia Vail Buckelew, 26. George Cabot, III, 27. Thomas T.G. Cabot, 28. Diane Lynn Clark Chapman, 29. Cynthia Giles Childs, 30. Amy Johnson Chong, 31. Anne

Louise Oxnard Clark, 32. Thomas Abbot Clark, 33. Eric Thatcher Clarke, 34. Betsy Oxnard
 Clarkin, 35. Frances Edwards Cohen, 36. Susan Simons Conrad, 37. Elizabeth M. Corey, 38.
 George Craft Corey, 39. Rosita Corey, 40. Alisa Mosely Crawford, 41. Dawn (Oxnard) Crystal,
 42. Karen L. Johnson Czachowski, 43. Donna Rae Downes Decatur, 44. Patricia Clark
 DeGramont, 45. Katherine Ritchie Dent, 46. Dana Paige Downes, 47. Michelle Clark Durkin, 48.
 Amy Sziklas Durrett, 49. Sandra (Sandy) Simons Edison, 50. Steven Merritt Edmonds, 51.
 Judith Edwards, 52. Sarah M Arnold Erickson, 53. Sarah Fox Edwards Ferraro, 54. Douglass
 Ormond Fox, 55. William R. Fox, 56. Alexandra Elizabeth Fulton, 57. Frederick W. Giles, Jr.,
 58. Karoly Sziklas Gutman, 59. Christie Baldwin Hallowell, 60. Alan Harris, 61. Deborah
 Harris, ~~62. William Geoffrey Harris~~, 63. Charles Henriquez, 64. Marian Henriquez, 65. Havelock
 Hewes, 66. Carolyn Hoff, 67. Jim Hoff, 68. Mark Hoff, 69. Wayne Hoff, 70. Raymond H.
 Jenkinson, 71. Anne Edwards Jepson, 72. Sandra L. Johnson, 73. Elizabeth Baldwin Jutila, 74.
 Alexander James Kersey, 75. Thomas Graham Kersey, 76. Jenya Noelle Kielpinski, 77. Carol
 Lynn Oxnard Lamb, 78. Marina Joelle Kielpinski Legree, 79. Joyce Fox Lippencott, 80. Barbara
 Ann Baily Littleton, 81. Charles Longley, 82. Fred Marlin Longley, 83. Jonathan Karl Longley,
 84. Paula Louise Oxnard Maracoux, 85. Joan Paddock Maxwell, 86. Beverly Baldwin McCoid,
 87. Barbara Vail Michelson, 88. Bradford Weatherlow Miller, 89. David Edward Miller, 90.
 Henry Warren Miller, 91. Robert Joseph Miller, 92. Alisa Moseley, 93. Frederick S. Mosely, III,
 94. Joan Moseley, 95. Virginia C. Moseley, 96. Elizabeth Chadwick Clarke Nill, 97. Sandra
 Baker Olphie, 98. Arthur Edward Oxnard, 99. Margaret Emma Oxnard, 100. Shaun Oxnard, 101.
 Susan Nelson Oxnard, 102. Thomas Fletcher Oxnard, 103. Susan E. Fox Pace, 104. Krysta
 Nicole Kielpinski Panaitescu, 105 Russell O. Paxton, 106. Katherine L. Wilkinson Pic[k]ard,
 107. Sally Simons Prout, 108. Sarah L. Edwards Reuter, 109. Robert B. Ritchie, 110. Sherry

18

11. Simons Ritchie, 111. Pamela Fox Robertson, 112. Stephanie Abbot Roper, 113. Cynthia Marie Oxnard [Sanda], 114. Barbara Blackwell Simmons, 115. Carol Smith, 116. Charles Smith, 117. Ford R. Smith, 118. George Smith, 119. Ryland Richard Smith, 120. Sheryl S. (King) Smith, 121. Charles Oxnard Staples, 122. Edward Denmark Staples, 123. Samuel Warren Staples, 124. Martha Knapp Miller Strickland, 125. Harriet Clark Sutin, 126. Virginia Vail Swichel, 127. Edward Sziklas, 128. John Justice Sziklas, 129. Robert Warren Szilkas, 130. Gary Robert Telfer, 131. Kenneth Telfer, 132. Lori Telfer, 133. Charity Warner Arnold Tremblay, 134. Martha Ellen Oxnard Urbani, 135. Russell E. Vail, 136. Blake Ormond Wilkinson, 137. Constance Wilkinson, 138. David Wilkinson, 139. Zachary Ormond Wilkinson, and 140. Jane Reid Brown Worden; it is further

ORDERED that Default Judgment is entered against Party-in-Interest People's United Bank making it subject to this Order; it is further

ORDERED, that judgment is entered against William J. Harris pursuant to his March 19, 2018 answer, and it is further
ORDERED that each of the 140 Defaulted Defendants, identified on Ex. A-1 has hereby disclaimed to Plaintiff Compark, LLC, his/her entire right, title and interest in and to the Property as tenants in common; and it is further

ORDERED that each of the 140 Defaulted Defendants listed on Ex. A-1 and Party-in-Interest People's United Bank's entire right, title and interest in and to the Property is hereby set over to and vested in Plaintiff Compark LLC.

Pursuant to M.R. Civ. P. 79(a), the Clerk is hereby directed to incorporate this Judgment by reference in the docket. *Case remains pending as to Douglas, Ben, and William Moseley and as to parties in interest Transmarine and*
2/19/19 _____
Date Justice, Superior Court *Adrienne Jare / Mackis - Gio Inc.*

Entered on the Docket: 02/26/19

EXHIBIT A-1 (Sorted Alphabetically)

Name		Last Known Address				Date of Service	Proof of Service filed on:
1	Abbot, Anita G.M.	236 Whitney Hill Rd	Tunbridge	VT	05077	Served 8/19/17 via Certified Mail	9/1/2017
2	Abbot, Michael G.M.	366 Cabot St	Beverly	MA	01915	Served: 9/5/17 via Certified Mail	3/6/2018
3	Abbot, Thomas M.	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
4	Ames, Angier	1933 Country Club Drive	Port Orange	FL	32128	Served 9/26/17 via Certified Mail	3/6/2018
5	Ames, Oliver, Jr.	201 S. Narcissus Avenue	West Palm Beach	FL	33401	Served 8/19/17 via Certified Mail	9/1/2017
6	Ames, Thomas	130 Sundown Road	Lavina	MT	59046	Served 8/21/17 via Certified Mail	9/1/2017
7	Anderson, Patricia Edwards	35 Charter Oak Drive	East Lyme	CT	06333	Served:8/22/17 via Certified Mail	9/1/2017
8	Arnold, Conrad I.	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
9	Arnold, Judith Warren	6 Illick Street	Waterloo	NY	13165	Served 9/2/17 via Certified Mail	3/6/2018
10	Arnold, Michael Stor	115 McLaughlin Rd	Brockport	PA	15823	Served 8/21/17 via Certified Mail	9/1/2017
11	Baker, Ernest L., III	P.O. Box 788	Moneta	VA	24121	Served 8/21/17 via Certified Mail	9/1/2017

Name		Last Known Address				Date of Service	Proof of Service filed on:
12	Baldwin, Alan	72 Deer Run Rd	Boothbay	ME	04537	Served 9/11/17 via Sheriff	9/15/2017
13	Baldwin, Betsy	23 Bigelow St Apt 3	Brighton	MA	02135	Served 8/28/17 via Certified Mail	9/1/2017
14	Baldwin, Charles E.	P.O. Box 509	Canaan	NH	03741	Served 8/18/17 via Certified Mail	9/1/2017
15	Baldwin, Jonathan	10 Sunrise Road	East Boothbay	ME	04544	Served 9/7/17 via Sheriff	9/15/2017
16	Baldwin, Matthew	Unknown (See Amended Order on Alternate Service, ¶ 3)				Served 5/11/18 Portland Press Herald publication	6/6/2018
17	Baldwin, Oliver H P, III	2204 Lauderdale Road	Louisville	KY	40205	Served 10/12/17 via Certified Mail	3/6/2018
18	Baldwin, Peter	13 Woodhill Road	Bow	NH	03304	Served 8/19/17 via Certified Mail	9/1/2017
19	Baldwin, Roger	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
20	Barbay, Karen Miller	5160 East Lake Road	Romulus	NY	14541	Served 8/21/17 via Certified Mail	9/1/2017
21	Blackwell, Edmund Phillips, Jr.	104 Hunter's Point Circle	Hoover	AL	35244	Served 8/29/17 via Certified Mail	3/6/2018
22	Blackwell, Paul H	1723 Southpointe Dr	Hoover	AL	35244	Served 8/26/17 via Certified Mail	3/6/2018
23	Brault, Linda E. Fox	126 Carr Road	Bath	NH	03740	Served 10/12/17 via Certified Mail	3/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
24	Brown, Robert Leslie	P.O. Box 549	Charlestown	NH	03603	Served 8/18/17 via Certified Mail	9/1/2017
25	Buckelew, Patricia Vail	44 Donald Avenue	Kendall Park	NJ	08824	Served 8/21/17 via Certified Mail	9/1/2017
26	Cabot, George, III	582 River Road Road	Brunswick	ME	04011	Served 8/22/17 via Sheriff	8/28/2017
27	Cabot, Thomas T G	10 Kenilworth Road	Worcester	MA	01602	Served 9/5/17 via Certified Mail	3/6/2018
28	Chapman, Diane Lynn Clark	211 East 70th Street, Apt. 27F	New York	NY	10021	Served 11/6/17 via Certified Mail	2/8/2019 2/11/2019
29	Childs, Cynthia Giles	10169 W. Tom Mason Drive	Crystal River	FL	34428	Served 8/21/17 via Certified Mail	9/1/2017
30	Chong, Amy Johnson	201 Shell Pt E	Maitland	FL	32751	Served on or before 9/1/17 via Certified Mail	9/1/2017
31	Clark, Anne Louise Oxnard	Unknown (See Amended Order on Alternate Service, ¶ 3)	Topsham	ME		Served 5/11/18 via Portland Press Herald publication	6/6/2018
32	Clark, Thomas Abbot	1626 Montana Ave	Santa Monica	CA	90403	Served 8/23/17 via Certified Mail	9/1/2017
33	Clarke, Eric Thatcher	401 Oak Street	Bryan	TX	77801	Served 8/19/17 via Certified Mail	9/1/2017
34	Clarkin, Betsy Oxnard	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
35	Cohen, Frances Edwards	1079 Penhamdale Avenue	Pelham	NY	10803	Served 8/23/17 via Certified Mail	9/1/2017
36	Conrad, Susan Simons	Unknown (See Amended Order on Alternate Service, ¶ 3)	Monterey	CA		Served 5/17/18 via Monterey Herald publication and/or 5/11/18 via Portland Press	6/6/2018
37	Corey, Elizabeth M	Unknown (See Amended Order on Alternate Service, ¶ 3)	Concord	MA		Served 5/24/18 via Concord Journal publication and/or 5/11/18 via Portland Press	6/6/2018
38	Corey, George Craft	157 Eastwood Circle	Gardner	MA	01440	Served 8/23/17 via Certified Mail	9/1/2017
39	Corey, Rosita	222 Barretts Mill Road	Concord	MA	01742	Served 8/18/17 via Certified Mail	9/1/2017
40	Crawford, Alisa Mosely	Unknown (See Amended Order on Alternate Service, ¶ 3)	Somerset	NJ		Served 5/19/18 via Currier News (NJ) publication and/or 5/11/18 via Portland Press	6/19/2018
41	Crystal (Oxnard), Dawn	5 Gilbert Way	Millbury	MA	01527	Served 8/25/17 via Certified Mail	9/1/2017
42	Czachowski, Karen L. Johnson	2612 Woodwind Hills Lane	Lakeland	FL	33812	Served 9/6/17 via Certified Mail	3/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
43	Decatur, Donna Rae Downes	6 Roaring Brook	Underhill	VT	05489	Served 8/19/17 via Certified Mail	9/1/2017
44	DeGramont, Patricia Clark	1917 Mission Ridge Road	Santa Barbara	CA	93103	Served 9/1/17 via Certified Mail	3/6/2018
45	Dent, Katherine Ritchie	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
46	Downes, Dana Paige	246 Joppa Hill Road	Bedford	NH	03110	Served 8/29/17 via Certified Mail	9/1/2017
47	Durkin, Michelle Clark	P.O. Box 1172	Naples	FL	34106	Served 10/16/17 via Certified Mail	3/6/2018
48	Durrett, Amy Sziklas	2815 Queensbury Lane	Atlanta	GA	30305	Served 8/23/17 via Certified Mail	9/1/2017
49	Edison, Sandra (Sandy) Simons	904 County Road 103	Hesperus	CO	81326	Served 8/22/17 via Certified Mail	9/1/2017
50	Edmonds, Steven Merritt	202 Walsing Drive	Henrico	VA	24529	Served 8/28/17 via Certified Mail	9/1/2017
51	Edwards, Judith	Unknown (See Amended Order on Alternate Service, ¶ 3)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
52	Erickson, Sarah M Arnold	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
53	Ferraro, Sarah Fox Edwards	13272 Whitney Circle	Westminster	CA	92683	Served on or before 10/4/17; Certified Mail Refused; resent per M.R. Civ. P. 4(f)(3)	3/6/2018
54	Fox, Douglass Ormond	3706 Glenside Court	Sachse	TX	75048	Served 9/6/17 via Certified Mail	3/6/2018
55	Fox, William R.	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
56	Fulton, Alexandra Elizabeth	580 Morning Glory Circle	Jesup	GA	31546	Served 8/26/17 via Certified Mail	9/1/2017
57	Giles, Frederick W., Jr.	6115 Barna Avenue	Titusville	FL	32780	Served 8/19/17 via Certified Mail	9/1/2017
58	Gutman, Karoly Sziklas	90 Furman St. #N 508	Brooklyn	NY	11201	Served 10/13/17 via Certified Mail	3/6/2018
59	Hallowell, Christie Baldwin	699 North Haven	North Haven	ME	04853	Served 9/13/17 via Sheriff	9/19/2017
60	Harris, Alan	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
61	Harris, Deborah	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
62	Harris, William Geoffrey	27 Calle Sol #45	San Clemente	CA	92672	Served 9/5/17 via Certified Mail; filed Answer on 9/14/17; withdrew Answer on 3/6/18	3/6/2018
63	Henriquez, Charles	831 Heritage Square	Decatur	GA	30033	Served on or before 9/1/17 via Certified Mail	9/1/2017
64	Henriquez, Marian	Unknown (See Amended Order on Alternate Service, ¶ 3)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
65	Hewes, Havelock	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
66	Hoff, Carolyn	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
67	Hoff, Jim	17566 Kennison Lane	Lodi	CA	95240	Served 10/17/17 via Certified Mail	3/6/2018
68	Hoff, Mark	999 S. Fairmont Ave., #135	Lodi	CA	95240	Served on or before 10/4/17; Certified Mail Refused; resent per M.R. Civ. P. 4(f)(3)	3/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
69	Hoff, Wayne	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
70	Jenkinson, Raymond H	2814 Uniontown Road	Westminster	MD	21158	Served 8/19/17 via Certified Mail	9/1/2017
71	Jepson, Anne Edwards	Unknown (See Amended Order on Alternate Service, ¶ 3)				Served 5/11/18 via Portland Press Herald publication	4/20/2018
72	Johnson, Sandra L.	Unknown (See Amended Order on Alternate Service, ¶ 3)	Denver	CO		Served 5/24/18 via Denver Herald publication and/or 5/11/18 via Portland Press	6/6/2018
73	Jutila, Elizabeth Baldwin	406 Canaan Street	Canaan	NH	03741	Served 10/12/17 via Certified Mail	3/6/2018
74	Kersey, Alexander James	630 Vassar Street	Orlando	FL	32804	Served 10/13/17 via Certified Mail	3/6/2018
75	Kersey, Thomas Graham	630 Vassar Street Unit 2306	Orlando	FL	32804	Served 8/22/17 via Certified Mail	3/6/2018
76	Kielpinski, Jenya Noelle	3683 NE 15th Street	Gresham	OR	97030	Served 8/19/17 via Certified Mail	9/1/2017
77	Lamb, Carol Lynn Oxnard	300 Goldfinch Drive	Coventry	RI	02816	Served 8/19/17 via Certified Mail	9/1/2017

Name		Last Known Address				Date of Service	Proof of Service filed on:
78	Legree, Marina Joelle Kielpinski	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
79	Lippencott, Joyce Fox	Unknown (See Amended Order on Alternate Service, ¶ 3)	Noank	CT		Served 5/24/18 via Mystic River (CT) publication and/or 5/11/18 via Portland Press	6/6/2018
80	Littleton, Barbara Ann Baily	2019 Tustin Ave, Apt E	Costa Mesa	CA	92627	Served 8/19/17 via Certified Mail	9/1/2017
81	Longley, Charles	14 Maple Street	Norway	ME	04268	Served 8/21/17 via Sheriff	8/28/2017
82	Longley, Fred Marlin	4234 S. Clement Avenue	Saint Francis	WI	53235	Served 9/2/17 via Certified Mail	3/6/2018
83	Longley, Jonathan Karl	56 Moody Brook Road	South Paris	ME	04281	Served 8/23/17 via Sheriff	8/28/2017
84	Maracoux, Paula Louise Oxnard	100 Palm Valley Boulevard	San Jose	CA	95123	Served 9/8/17 via Certified Mail	3/6/2018
85	Maxwell, Joan Paddock	3525 Springland Lane	Washington	D.C.	20008	Served 8/29/17 via Certified Mail	3/6/2018
86	McCoid, Beverly Baldwin	250 Pantops Mountain Road	Charlottesville	VA	22911	Served 9/8/17 via Certified Mail	3/6/2018
87	Michelson, Barbara Vail	3506 Trails End Drive	Medina	OH	44256	Served 8/20/17 via Certified Mail	9/1/2017
88	Miller, Bradford Weatherlow	P.O. Box 172	Phippsburg	ME	04562	Served 8/28/17 via Certified Mail	9/1/2017

Name		Last Known Address				Date of Service	Proof of Service filed on:
89	Miller, David Edward	2645 Wild Cherry Place	Reston	VA	20191	Served 8/21/17 via Certified Mail	9/1/2017
90	Miller, Henry Warren	133 MacAlvey Drive	Martinez	CA	94553	Served 9/25/17 via Certified Mail	9/1/2017
91	Miller, Robert Joseph	12559 Lt. Nichols Road	Fairfax	VA	22033	Served 8/30/17 via Certified Mail	9/1/2017
92	Moseley, Alisa	15750 Chandelle Place	Wellington	FL	33414	Served 8/19/17 via Certified Mail	9/1/2017
93	Mosely, Frederick S., III	22 Gardner Street	South Hamilton	MA	01982	Served 8/25/17 via Certified Mail	9/1/2017
94	Moseley, Joan	Unknown (See Amended Order on Alternate Service, ¶ 3)	Fairfield	CT		Served 7/13/18 via Fairfax Times publication and/or 5/11/18 via Portland Press	7/16/2018
95	Moseley, Virginia C.	1536 32nd St., NW	Washington	DC	20007	Served 10/19/17 via Certified Mail	3/6/2018
96	Nill, Elizabeth Chadwick Clarke	105 Pin Oaks Drive	Barnstable	MA	02630	Served 8/18/17 via Certified Mail	9/1/2017
97	Olphie, Sandra Baker	14916 Alpha Collier Drive	Austin	TX	78728	Served 8/19/17 via Certified Mail	9/1/2017
98	Oxnard, Arthur Edward	34 Clark Hill Road	East Hampton	CT	06424	Served 8/22/17 via Certified Mail	9/1/2017
99	Oxnard, Margaret Emma	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
100	Oxnard, Shaun	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
101	Oxnard, Susan Nelson	Unknown (See Amended Order on Alternate Service, ¶ 3)	Reston	VA		Served 4/27/18 via Public Notice	6/6/2018
102	Oxnard, Thomas Fletcher	5 Greenleaf Drive	Exeter	NH	03933	Served 8/30/17 via Certified Mail	9/1/2017
103	Pace, Susan E. Fox	Unknown (See Amended Order on Alternate Service, ¶ 3)	Warren	MA		Served 5/20/18 via Worcester Telegram publication and/or 5/11/18 via Portland Press	6/6/2018
104	Panaiteacu, Krysta Nicole Kielpinski	61 Nelson Creek Road	Stevenson	WA	98648	Served 8/23/17 via Certified Mail	9/1/2017
105	Paxton, Russell O	1411 Eastanollee Road	Eastanollee	GA	30538	Served 8/19/17 via Certified Mail	9/1/2017
106	Pic[k]ard, Katherine L. Wilkinson	242 30th Avenue S.	Jacksonville Beach	FL	32250	Served 8/23/17 via Certified Mail	9/1/2017
107	Prout, Sally Simons	Unknown (See Amended Order on Alternate Service, ¶ 3)	Aurora	CO		Served 5/24/18 via Denver Herald publication and/or 5/11/18 via Portland Press	6/6/2018
108	Reuter, Sarah L. Edwards	211 Maple Street	West Barnstable	MA	02668	Served 8/23/17 via Certified Mail	9/1/2017

Name		Last Known Address				Date of Service	Proof of Service filed on:
109	Ritchie, Robert B.	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
110	Ritchie, Sherry Simons	23691 Via Astorga	Mission Viejo	CA	92691	Served 8/23/17 via Certified Mail	9/1/2017
111	Robertson, Pamela Fox	18805 SE Federal Highway	Jupiter	FL	33469	Served 8/23/17 via Certified Mail	9/1/2017
112	Roper, Stephanie Abbot	37 Pettinghill Hill Road	Lyndeborough	NH	03082	Served 8/18/17 via Certified Mail	9/1/2017
113	[Sanda], Cynthia Marie Oxnard	196 Wolf Neck Road	Stonington	CT	06378	Served 8/23/17 via Certified Mail	9/1/2017
114	Simmons, Barbara Blackwell	151 Birmingham St., SW	Cullman	AL	35055	Served 8/26/17 via Certified Mail	9/1/2017
115	Smith, Carol	Unknown (See Amended Order on Alternate Service, ¶ 3)	Indianapolis	IN		Served 5/17/18 via Indianapolis Star publication and/or 5/11/18 via Portland Press	6/6/2018
116	Smith, Charles	Unknown (See Amended Order on Alternate Service, ¶ 3)	Indianapolis	IN		Served 5/17/18 via Indianapolis Star publication and/or 5/11/18 via Portland Press	6/6/2018
117	Smith, Ford R.	8919 Gold Blossom Lane	Newcastle	CA	95658	Served 8/19/17 via Certified Mail	9/1/2017
118	Smith, George	4398 W. 5th Street Street	Yuma	AZ	85364	Served 8/21/17 via Certified Mail	9/1/2017

Name		Last Known Address				Date of Service	Proof of Service filed on:
119	Smith, Ryland Richard	1216 Norton Avenue	Glendale	CA	91202	Served 8/25/17 via Certified Mail	9/1/2017
120	Smith, Sheryl S. (King)	8590 Cliffridge Avenue	La Jolla	CA	92037	Served 8/23/17 via Certified Mail	9/1/2017
121	Staples, Charles Oxnard	51 Page Road	Lincoln	MA	01773	Served 11/1/17 via Certified Mail	3/6/2018
122	Staples, Edward Denmark	20434 NE 135th Avenue	Waldo	FL	32694	Served 8/23/17 via Certified Mail	9/1/2017
123	Staples, Samuel Warren	300 Russell Street, Unit 15	Mount Pleasant	MI	48858	Served 8/23/17 via Certified Mail	9/1/2017
124	Strickland, Martha Knapp Miller	1548 Locust Street	Denver	CO	80220	Served 8/19/17 via Certified Mail	9/1/2017
125	Sutin, Harriet Clark	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
126	Swichel, Virginia Vail	22 Doris Drive #RD6	Elmer	NJ	08318	Served 8/19/17 via Certified Mail	9/1/2017
127	Sziklas, Edward	24 Traci Lane	Hopewell Junction	NY	12533	Served 8/29/17 via Certified Mail	9/1/2017
128	Sziklas, John Justice	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018
129	Sziklas, Robert Warren	Unknown (See Amended Order on Alternate Service, ¶ 4)				Served 5/11/18 via Portland Press Herald publication	6/6/2018

Name		Last Known Address				Date of Service	Proof of Service filed on:
130	Telfer, Gary Robert	421 Avenue E	Rodondo Beach	CA	90277	Served 8/19/17 via Certified Mail	9/1/2017
131	Telfer, Kenneth	2628 Rosehill Road	Escondido	CA	92025	Served 8/19/17 via Certified Mail	9/1/2017
132	Telfer, Lori	2116B Second St., Apt. 8,	Douglas	AK	99824	Served 12/15/17 via Certified Mail	6/22/2018
133	Tremblay, Charity Warner Arnold	1455 Monument Street	Concord	MA	01742	Served 8/21/17 via Certified Mail	9/1/2017
134	Urbani, Martha Ellen Oxnard	114 Pine Glen Drive	East Greenwich	RI	02818	Served 10/12/17 via Certified Mail	3/6/2018
135	Vail, Russell E.	10 New Street	Middlesex	NJ	08846	Served 8/25/17 via Certified Mail	9/1/2017
136	Wilkinson, Blake Ormond	97 Wild Road Deive	Saint Johns	FL	32259	Served 10/14/17 via Certified Mail	3/6/2018
137	Wilkinson, Constance	298 Main Street	Brewster	MA	02631	Served 8/22/17 via Certified Mail	9/1/2017
138	Wilkinson, David	PO Box 922288	Sylmar	CA	91392	Served 8/19/17 via Certified Mail	9/1/2017
139	Wilkinson, Zachary Ormond	13116 Blackhawk Trail Court	Jacksonville	FL	32225	Served 8/23/17 via Certified Mail	9/1/2017
140	Worden, Jane Reid Brown	3062 Harper Road	Clemmons	NC	27012	Served 8/19/17 via Certified Mail	9/1/2017

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. RE-17-147

**STIPULATED JUDGMENT
AS TO DEFENDANTS
DOUGLAS W. MOSELEY,
BEN P. P. MOSELEY III, AND
WILLIAM J. MOSELEY**

James G. Monteleone, Esq.
BERNSTEIN SHUR
100 Middle Street / P.O. Box 9729
Portland, Maine 04104-5029
Counsel for Plaintiff

2025 2 20 12:55 PM
2025 2 19 19:44:07

Douglas W. Moseley
94 Martins Pond Road
Groton, MA 01450
Defendant

Ben P. P. Moseley III
1915 Desert Eagle Drive
Tomball, TX 77377
Defendant

Joseph G. Talbot, Esq.
PERKINS THOMPSON, P.A.
One Canal Plaza / P.O. Box 426
Portland, Maine 04112-0426
Counsel for Defendants

William J. Moseley
278 Depot Road
Hollis, NH 03049
Defendant

3. The Property at issue is described as Passageway No. 3 in the deed dated August 12, 1822 and recorded at the Cumberland County Registry of Deeds in Book 93, Page 281, and is identified on Portland Tax Map E10NW as the vacant space between Lot 32-T004 to the East and Lots 32-U003 and 32-U004 to the West.

4. Before Compark, LLC filed its Complaint, record title to the Property was held by 145 Defendants as tenants in common, each with an equal share of interest.

5. Prior judgments of the Court entered on February 4, 2019 and February 19, 2019, set over to and vested in Plaintiff Compark LLC, the entire right, title and interest in and to the Property formerly held by 142 of the 145 Defendants, along with all unascertained parties and Party-in-Interest People's United Bank.

6. It is the express intent of the Moseley Defendants that this Judgment shall disclaim to Plaintiff Compark, LLC, their entire right, title and interest in and to the Property.

7. Douglas W. Moseley's entire right, title and interest in and to the Property is hereby set over to and vested in Plaintiff Compark, LLC.

8. Ben P. P. Moseley III's entire right, title and interest in and to the Property is hereby set over to and vested in Plaintiff Compark, LLC.

9. William J. Moseley's entire right, title and interest in and to the Property is hereby set over and vested in Plaintiff Compark, LLC.

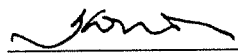
10. This Judgment is entered without costs or attorney fees to any party.

11. By signing below, the Parties waive their rights of appeal with respect to the matters entered in this Judgment. The Clerk has so certified that Plaintiff shall be responsible for recording an attested copy of this Judgment in the Cumberland County Registry of Deeds and paying the recording fees.

12. The above-captioned matter remains pending as to Parties-in-Interest Transmaine and Adrienne-Jane Inc./Mackie-Glo Inc.

13. Pursuant to Rule 79(a), this Order may be incorporated by reference on the Civil Docket.

Dated: 19 April, 2019


Justice, Superior Court

Printed Name: Thomas W. Hines

ORDER ENTERED ON THE COURT'S DOCKET ON:

04/22/2019, 2019 ^{MC✓}

CERTIFICATION OF CLERK PURSUANT TO 14 M.R.S.A. § 2401(3) (F)

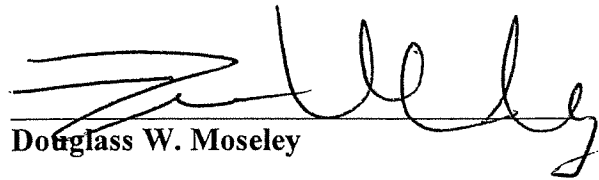
Pursuant to 14 M.R.S.A. § 2401(3)(F), it is hereby certified that no notice of appeal of the Judgment in this matter was filed with the Clerk of Court in this action within the appeal period following entry of judgment.

Dated: _____, 2019

Clerk of Court

Printed Name: _____

SEEN AND AGREED TO:


Douglass W. Moseley

Dated: 4/6, 2019

Ben P. P. Moseley III

Dated: _____, 2019

William J. Moseley

Dated: _____, 2019

Compark, LLC

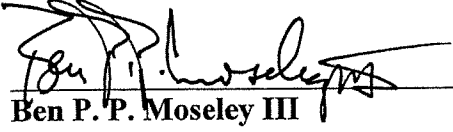
Dated: _____, 2019

By: _____

Its: _____

SEEN AND AGREED TO:

Douglass W. Moseley


Ben P. P. Moseley III

William J. Moseley

Dated: _____, 2019

Dated: 04/01, 2019

Dated: _____, 2019

Compark, LLC

By: _____

Its: _____

Dated: _____, 2019

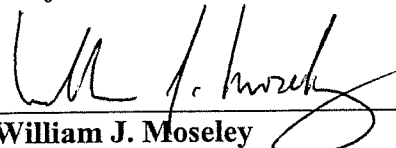
SEEN AND AGREED TO:

Douglass W. Moseley

Dated: _____, 2019

Benjamin P. P. Moseley III

Dated: _____, 2019



William J. Moseley

Dated: 01 APRIL, 2019

Compark, LLC

Dated: _____, 2019

By: _____

Its: _____

SEEN AND AGREED TO:

Douglass W. Moseley

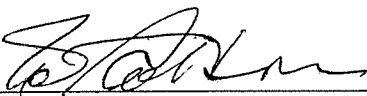
Dated: _____, 2019

Ben P. P. Moseley III

Dated: _____, 2019

William J. Moseley

Dated: _____, 2019

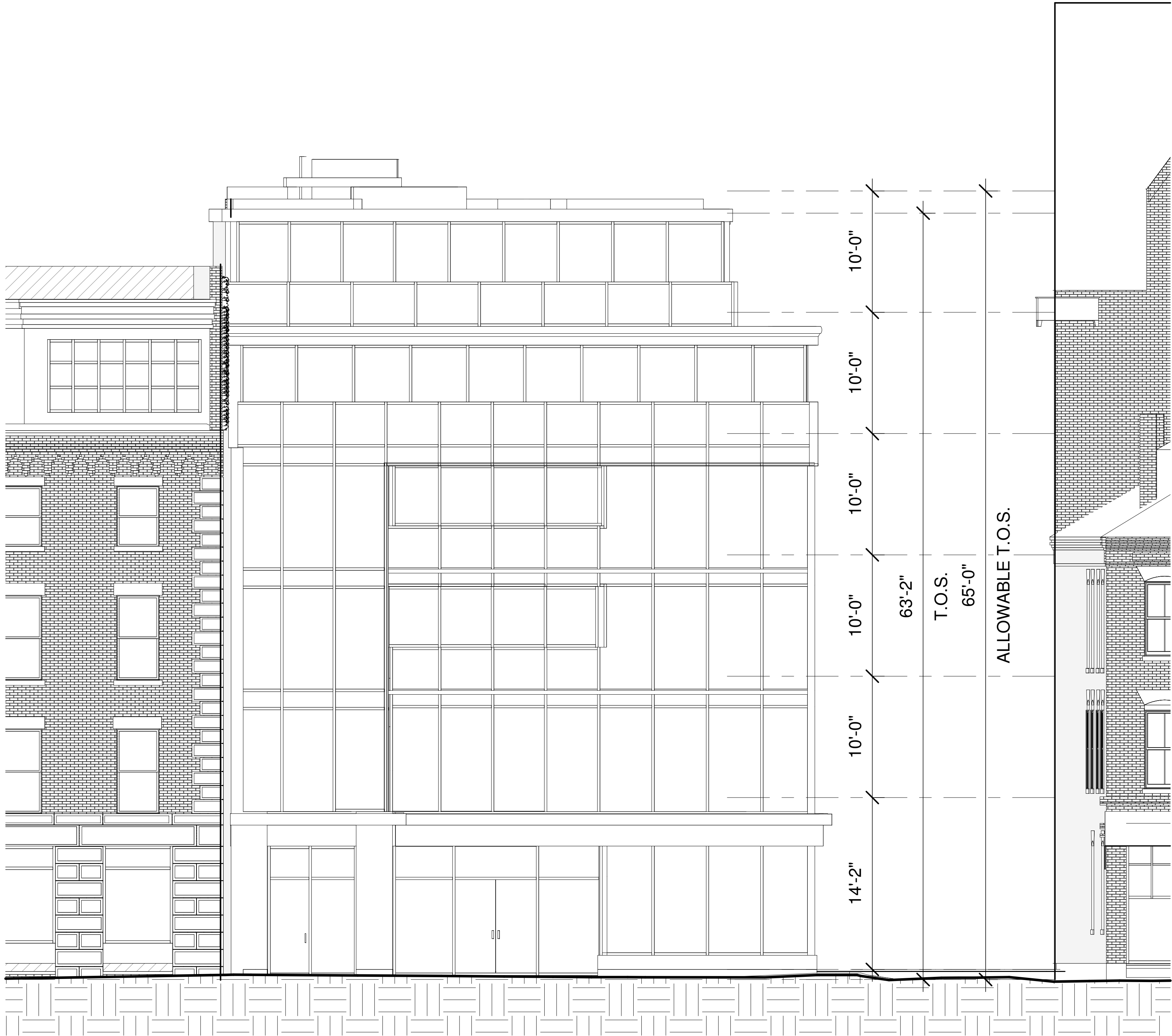


Compark, LLC

Dated: 4/15/19, 2019

By: Terry Robertson

Its: Manager



1 | Commercial street elevation

3/32" = 1'-0"

0 4'-0" 8'-0" 16'-0" 32'-0"

Project 185 Commercial Street Portland, Maine		Date: 2/6/2023 Scale: 3/32" = 1'-0"		Architect: ARCHETYPE Architects 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056
		Elevations		A2.0

February 6, 2023

Mr. Brad Roland, PE

City of Portland Public Works
212 Canco Road -Suite B
Portland, Maine 04103

**Subject: 185 Commercial Street
Mixed Use development with 6 residential units
Request for Ability to Serve Letter**

Dear Brad:

185 Commercial Street LLC (Applicant) has retained Gorrill Palmer to prepare plans and permit applications for the proposed development of a new building containing a ground level retail store and 6 residential units above at the vacant parking lot on 185 Commercial Street. The project site is located on the following according to the City of Portland's Tax Map:

Tax Map 32 block U lot 003

We would like to verify the City's wastewater division has ability to provide wastewater capacity for the project and to determine any impact fees. We are proposing to connect to the 8" sanitary service main in Wharf Street via a new 6" service line out the rear of the building. We are proposing to connect to the existing water main in Commercial Street.

The projected water use/wastewater disposal, for the remaining space is summarized below using the State of Maine Subsurface Wastewater Disposal Rules and typical City of Portland information:

Flow Demand		
Use	Design Flow (GPD)	Peak Daily Design Flow (GPD)
6 units 10 employees in retail store (no public restroom)	180 gpd/multiple bedrooms 12 gpd/employee	1,080 gpd 120 gpd Total = 1,200 gpd

Based on this amount of flow, we trust that the existing wastewater systems have adequate capacity to serve this project. We are in the process of completing a Major Site Plan Application for a submission to City Planning Staff and we would appreciate your confirmation of site conditions.

If you have any questions on the information submitted, please contact our office.

Mr. Brad Roland
February 6, 2023
Page 2



Regards,

GORRILL PALMER

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

Stephen R. Bushey, P.E.
Senior Associate
Phone: (207) 772-2515
sbushey@gorrillpalmer.com

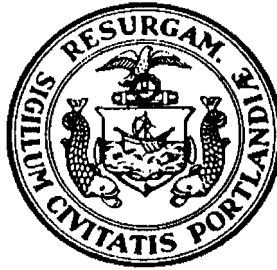
Attachment

C: Austin Torres Davis

U:\3972 - 185 Commercial Street Mixed Use - Portland\H Utilities\Sewerlabs_ww_roland_02.06.2023

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: February 6 2023

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

Site Address: 185 Commercial Street

Chart Block Lot Number: Tax Map 32/Lot U-003

Proposed Use: Grd floor retail and 6 Residential Units

Previous Use: Field

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

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

Site Category

Commercial (see part 4 below)	☐
Industrial (complete part 5 below)	☐
Governmental	☐
Residential	☒
Other (specify)	☐

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

2. Please, Submit Contact Information.

City Planner's Name: Austin Torres Davis Phone: _____

Owner/Developer Name: 185 Commercial Street LLC Attn: Jon Cohen

Owner/Developer Address: 865 Spring Street Westbrook Maine 04092

Phone: 207-879-7800 Fax: _____ E-mail: jcohen@a-d-w.biz

Engineering Consultant Name: Stephen Bushey, P.E.

Engineering Consultant Address: Gorill Palmer 300 Southborough Drive - Suite #200, So. Portland, ME 04106

Phone: 207-772-2515 Fax: _____ E-mail: sbushey@gorillpalmer.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: 1,200 GPD

Peaking Factor/ Peak Times: Not Applicable

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

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: Not Applicable

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: Not Applicable GPD

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

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

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

Peaking Factor/Peak Process Times: _____

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

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

6 units at 180 gpd/unit = 1,080 gpd plus
10 employees at 12 gpd = 120 gpd
total = 1200 gpd

Notice of Public Meeting Certification

I, Stephen Bushey, hereby certify that a notice of neighborhood meeting sign was posted from February 4, 2023 to February 17, 2023 prior to the workshop held on February 14, 2023 for the proposed project ID PL-002235-2022 located at 185 Commercial Street.



Signed

A handwritten signature in black ink, appearing to read "Stephen Bushey", written over a light-colored rectangular background.

Agent

February 7, 2023

Chair Stanley and members of the Planning Board:

Founded in 1964, Greater Portland Landmarks is a non-profit advocacy organization that works toward the preservation and revitalization of greater Portland's built environment. Our goal is to save greater Portland's historic places through preservation and adaptive use while promoting creative new architecture that enhances historic neighborhoods. We appreciate the opportunity to comment on projects that impact the historic character of the city.

We are writing in support of the design for new construction in the vacant lot at 185 Commercial Street and to encourage the board to approve this application. Greater Portland Landmarks holds a preservation easement on the Guptill Building (Lyman Block) at 175-179 Commercial Street/4 Moulton Street, adjacent to the proposed new construction across the shared alley. Landmarks therefore has a particular interest in the adjacent 185 Commercial Street project.

We supported this design at the applicant's public hearing for the Historic Preservation Board in July/August of 2022. As we noted then, the applicant has been extremely responsive to the Historic Preservation Board and staff suggestions at several workshops. The result is a compatible design for the historic district that now satisfies the comments offered by the board—it is an all-glass façade that is of its time but also works in concert with the neighboring buildings and the overall streetscape. We had the opportunity to meet with the applicant and understand how the design process has resulted in the current version that synergizes with the two immediately adjacent brick buildings, such as aligning cornices, as well as re-activating the alley to Wharf Street and reestablishing the street wall with the glass façade. The slight depth variations of the glass and granite imitate other buildings on the street and offer visual appeal rather than generate monotony. The design as presented is very much the result of collaboration between the developer, architect, city Historic Preservation Board and staff, and community at large.

For all these reasons—the improved design itself, the applicant's gracious responsiveness to Historic Preservation Board comments, and the applicant's willingness to work directly with interested parties like the city's HP staff and Greater Portland Landmarks—we urge the Planning Board to support this application and help re-establish the vibrancy of this section of Commercial Street.

Thank you,



C. Ian Stevenson, PhD
Director of Advocacy

PROJECT PARCEL SITE		
ZONING: B3 DOWNTOWN ZONING DISTRICT		
PORTLAND TAX ASSESSOR'S MAP AND LOT NUMBERS		
MAP	BLOCK	LOT
32	U	003

OWNER / APPLICANT:
185 COMMERCIAL STREET, LLC
865 SPRING STREET
WESTBROOK, ME 04092
ATTN: JONATHAN COHEN

C.C.R.D. BOOK 38690, PAGE 187

REFERENCE PLANS:
1. DRAFT UPDATED BOUNDARY SURVEY BY VHB

INDEX

- C-1.0 COVER SHEET
- C-1.1 GENERAL NOTES & LEGEND
- C-1.2 BOUNDARY & EXISTING CONDITIONS SURVEY (BY vhb)
- C-2.0 EXISTING CONDITIONS & REMOVALS PLAN
- C-3.0 SITE LAYOUT & UTILITY PLAN
- C-4.0 GRADING, DRAINAGE & EROSION CONTROL PLAN
- C-5.0 SITE & MISCELLANEOUS DETAILS
- C-5.1 SITE & MISCELLANEOUS DETAILS

UTILITIES

WATER:
PORTLAND WATER DISTRICT
225 DOUGLASS STREET
P.O. BOX 3553
PORTLAND, MAINE 04104
207.761.8310
CONTACT: ROBERT BARTELS
rbartels@pwd.org

SEWER:
CITY OF PORTLAND
PUBLIC SERVICES DIVISION
212 CANCO ROAD
PORTLAND, MAINE 04103
207.874.8840
CONTACT: KEITH GRAY / BRAD ROLAND

ELECTRIC:
CENTRAL MAINE POWER
162 CANCO ROAD
PORTLAND, MAINE 04103
207.842.2367
CONTACT: JAMIE COUGH / PAUL DUPERRE

TELEPHONE:
CONSOLIDATED COMMUNICATIONS
5 DAVIS HILL FARM ROAD
PORTLAND, MAINE 04103
207.797.1866
CONTACT: PATRICK MORRISON

NATURAL GAS:
NORTHERN UTILITIES / UNITIL
376 RIVERSIDE INDUSTRIAL PARKWAY
PORTLAND, MAINE 04103
207.541.2536
CONTACT: BRIDGET HARMON
harmon@unitil.com

CABLE TV:
TIME WARNER CABLE / SPECTRUM
115 JOHNSON ROAD
PORTLAND, MAINE 04102
207.253.2324
CONTACT: MARK PELLETIER

DIG SAFE:
CALL BEFORE YOU DIG
DIAL 811 (AT LEAST 72 HRS IN ADVANCE)

LOCAL

MAJOR SITE PLAN APPLICATION

BUILDING AND DEMOLITION PERMITS

STREET OPENING PERMIT

HISTORIC PRESERVATION REVIEW

PERMITS / APPROVALS

GOVERNING BODY

CITY OF PORTLAND PLANNING AUTHORITY
CITY HALL
389 CONGRESS STREET
PORTLAND, MAINE 04101
207.874.8719
CONTACT: JAMES RATHER

CITY OF PORTLAND CODE ENFORCEMENT OFFICE
CITY HALL
389 CONGRESS STREET
PORTLAND, MAINE 04101
207.874.8703

CITY OF PORTLAND PUBLIC SERVICES DIVISION
212 CANCO ROAD
PORTLAND, MAINE 04103
207.874.8801

CITY OF PORTLAND PLANNING AUTHORITY
CITY HALL
389 CONGRESS STREET
PORTLAND, MAINE 04101
207.874.8719

STATUS

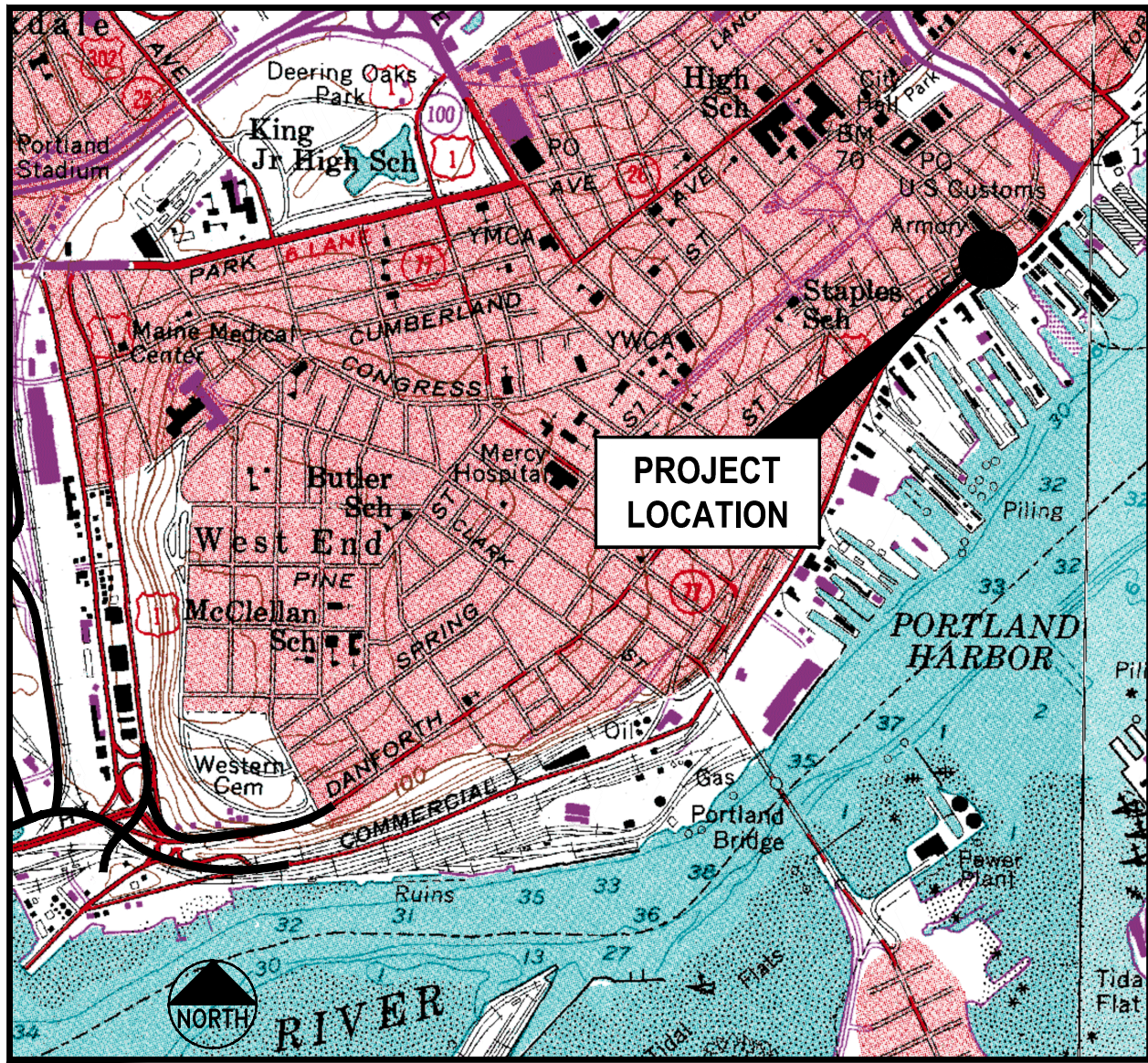
ANTICIPATED SUBMITTAL: SEPTEMBER 30, 2022

TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR

TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR

PREVIOUSLY APPROVED - PERMIT #HPBR-001916-2022, at 185 COMMERCIAL STREET

ALL PERMITS ARE ANTICIPATED TO HAVE CONDITIONS ATTENDANT WITH THEIR APPROVAL. THE CONTRACTOR SHALL REVIEW ALL PERMITS AND THE CONDITIONS ATTENDANT WITH APPROVALS PRIOR TO THE START OF THE WORK. UNLESS OTHERWISE STIPULATED BY THE CONTRACT DOCUMENTS, THE CONTRACTOR IS REQUIRED TO COMPLY AND FULFILL ALL CONDITIONS OF APPROVAL.



LOCATION MAP
N.T.S.

CONSULTANT LIST

CIVIL ENGINEER:
Gorrill Palmer
707 SABLE OAKS DRIVE, SUITE 30
SOUTH PORTLAND, MAINE 04106
207.772.2515
ATTN: STEVE BUSHEY
sbushey@gorrillpalmer.com

SURVEYOR:
vhb
500 SOUTHBOROUGH DRIVE, SUITE 105B
SOUTH PORTLAND, ME 04106
207.889.3150
www.vhb.com

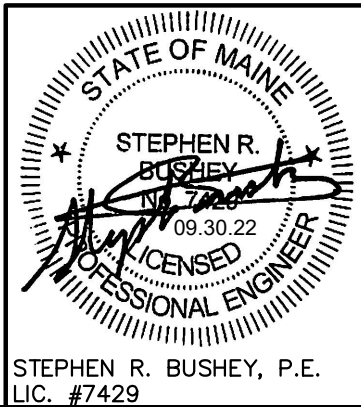
GEOTECHNICAL:
Summit Geoengineering Services
210 MAINE AVENUE
FARMINGDALE, ME 04344
207.576.3313
ATTN: BILL PETERLEIN, P.E.
bpeterlein@summitgeoeng.com

ARCHITECT:
ARCHETYPE PA
48 UNION WHARF
PORTLAND, ME 04101
207.772.6022
ATTN: KATHERINE LERMOND
katherine@archetypepa.com

CONSTRUCTION MANAGEMENT PLAN:
PENOBSCOT GENERAL CONTRACTORS
241 U.S. ROUTE ONE, SUITE 401
FALMOUTH, ME 04105
207.236.6390

I HEREBY ACKNOWLEDGE THAT THESE PLANS AND SPECIFICATIONS WERE PREPARED UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MAINE AND THAT I AM COMPETENT TO PREPARE THIS DOCUMENT.

Stephen R. Bushey



NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.

Rev.	Date	Revision

Rev.	Date	Revision
1	2022.09.30	SUBMITTED TO CITY OF PORTLAND FOR PERMITTING

Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-COVER.dwg		
This plan shall not be modified without written permission from Gorrill Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrill Palmer.		



GORRILL PALMER

707 Sable Oaks Drive, Suite 30
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name:	COVER SHEET
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

Drawing No.
C-1.0

U:\3972 - 185 Commercial Street Mixed Use - Portland\Z - CAD\DWG\3972-GEN NOTES.dwg 9/30/2022 1:59 PM

GENERAL NOTES

1. IN ADDITION TO THESE PLANS AND NOTES, THE CONTRACTOR SHALL REFER TO THE PROJECT MANUAL OR MOST CURRENT MAINE DEPARTMENT OF TRANSPORTATION (MAINE DOT) SPECIFICATIONS FOR CONSTRUCTION SPECIFICATIONS AND BIDDING PROCEDURES.
2. THIS PROJECT WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF ALL PERMITS ISSUED BY LOCAL UTILITY COMPANIES AND THE CITY OF PORTLAND.
3. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCE, PAVING, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS. ENTRANCES IN MOST LOCATIONS REQUIRE STRUCTURAL SLABS. REFER TO THE ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR INFORMATION ON THE STRUCTURAL SLAB ENTRANCES.
4. ALL REQUIRED AND NECESSARY INSPECTIONS AND OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSIONS AND THE FINAL SERVICE CONNECTIONS.
5. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS, AT ITS SOLE COST.
6. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE APPLICANT AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ONSITE INSPECTIONS OF THE OWNER, THEIR REPRESENTATIVES, OR THE CITY, AT NO ADDITIONAL COST TO THE OWNER.
7. ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
8. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE PROJECT SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SHALL APPLY AT NO EXTRA COST TO THE OWNER.
9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RECORD DRAWINGS THROUGHOUT THE PROJECT AND PROVIDING THE OWNER WITH A SET OF ELECTRONIC FINAL RECORD DRAWINGS WHEN THE PROJECT IS COMPLETE.
10. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AND ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH OUT THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACT OR CHANGES TO SITE ACCESS CONDITIONS, SIDEWALK AND / OR STREET CLOSINGS.

PERMITTING NOTES

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE SITE PLAN REVIEW PERMIT FROM THE CITY OF PORTLAND WHICH WILL BE MADE A PART OF THE CONTRACT BID DOCUMENTS. THE CONSTRUCTION WILL BE GOVERNED BY THE ZONING ORDINANCES WHICH ARE AVAILABLE FOR VIEWING AT THE OFFICE OF THE ENGINEER OR THE MUNICIPAL OFFICE.
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.

SITE LAYOUT NOTES

1. BITUMINOUS CONCRETE CURB, SLIPFORM CONCRETE CURB AND GRANITE CURB SHALL MEET THE REQUIREMENTS OF MDOT 702.001, 703.07 AND 609.04.
2. ALL DIMENSIONING, UNLESS NOTED OTHERWISE, IS TO THE FACE OF CURB OR THE FACE OF THE BUILDING.
3. EXCEPT WHERE INDICATED OTHERWISE, THE PAVEMENT IS TO BE STANDARD DUTY PAVEMENT.
4. ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS & STANDARDS OF THE MAINE DEPARTMENT OF TRANSPORTATION, AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITIONS AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.

GRADING & DRAINAGE NOTES:

1. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF N = 0.012 OR LESS.
2. AN "AS-BUILT" CERTIFICATION AND PLANS OF THE STORMWATER DRAINAGE SYSTEM IS REQUIRED PRIOR TO THE OWNER ACCEPTING ANY BUILDINGS AND PROPERTY. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT ANY DEVIATION FROM THE PLANS MAY DELAY THE ACCEPTANCE OF THE PROJECT, WITH CONTRACTOR RESPONSIBLE FOR ANY ASSOCIATED COSTS.
3. A DETAILED O&M MANUAL FOR STORMWATER MANAGEMENT SYSTEMS IS (WILL BE) FILED WITH THE CITY OF PORTLAND DURING THE PERMIT REVIEW PROCESS. A SPECIFIC MANUAL HAS BEEN PREPARED FOR O&M OF THE DRAINAGE SYSTEM.
4. SEE EXISTING CONDITIONS FOR BENCHMARK INFORMATION.
5. SEE GRADING, DRAINAGE AND EROSION/SEDIMENT CONTROL FOR PROPOSED GRADING AND EROSION CONTROL MEASURES.
6. ALL DISTURBED AREAS NOT TO BE PAVED, GRAVELED, SODDED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED, FERTILIZER AND MULCH.
7. COMPACTION REQUIREMENTS:
- | LOCATION | MINIMUM COMPACTION* |
|---|---------------------|
| SUBBASE AND BASE GRAVEL BELOW PAVED OR CONCRETE AREAS | 95% |
| SUBGRADE FILL BELOW PAVED AREAS | 90% |
| TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL | 95% |
| BELOW LOAM AND SEED AREAS | 90% |
| STRUCTURAL FILL WITHIN PROPOSED BUILDING AREA | 95% |
| SELECT FILL ADJACENT BUILDING FOUNDATIONS, EXTERIOR FOUNDATIONS | 95% |
- AND WITHIN 8 INCHES OF THE SLAB-ON-GRADE
- *ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM-D-1557.
8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
9. CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. CRITICAL AREAS INCLUDE BUILDING ENTRANCE AND EXIT RAMPS ADJACENT TO THE BUILDING AND ALONG NEW CURBED AREAS.
10. PROVIDE STABILIZATION OR SEPARATION GEOTEXTILE FABRIC OVER UNSTABLE SOILS AS DIRECTED BY THE OWNER'S REPRESENTATIVE AND IN ACCORDANCE WITH THE FINAL GEOTECHNICAL RECOMMENDATIONS.
11. NATIVE SOILS RANGE FROM SANDY TO SILTY. CARE MUST BE EXERCISED TO LIMIT DISTURBANCE OF THE BEARING SOILS. THE NATIVE SILTY SOILS SHOULD NOT BE PROOF-ROLLED. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, DISTURBED AREAS SHOULD BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO EXTRA EXPENSE TO THE OWNER. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER.

LOCAL APPROVALS, WAIVERS AND VARIANCES

THE CONSTRUCTION PLANS ARE TO BE SUBMITTED TO THE CITY OF PORTLAND FOR THEIR REVIEW, APPROVAL AND RECORDS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

PENDING SITE PLAN CONDITIONS OF APPROVAL - TO BE ADDED UPON RECEIPT OF APPROVALS

STANDARD CONDITIONS OF APPROVAL

1. DEVELOP SITE ACCORDING TO PLAN: THE SITE SHALL BE DEVELOPED AND MAINTAINED AS DEPICTED ON THE SITE PLAN AND IN THE WRITTEN SUBMISSION OF THE APPLICANT. MODIFICATION OF ANY APPROVED SITE PLAN OR ALTERATION OF A PARCEL WHICH WAS THE SUBJECT OF SITE PLAN APPROVAL AFTER MAY 20, 1974, SHALL REQUIRE THE PRIOR APPROVAL OF A REVISED SITE PLAN BY THE PLANNING BOARD OR PLANNING AUTHORITY PURSUANT TO THE TERMS OF CHAPTER 14, LAND USE, OF THE PORTLAND CITY CODE.
2. SEPARATE BUILDING PERMITS ARE REQUIRED: THIS APPROVAL DOES NOT CONSTITUTE APPROVAL OF BUILDING PLANS, WHICH MUST BE REVIEWED AND APPROVED BY THE CITY OF PORTLAND'S INSPECTION DIVISION.
3. SITE PLAN EXPIRATION: THE SITE PLAN APPROVAL WILL BE DEEMED TO HAVE EXPIRED UNLESS WORK HAS COMMENCED WITHIN ONE (1) YEAR OF THE APPROVAL OR WITHIN A TIME PERIOD UP TO THREE (3) YEARS FROM THE APPROVAL DATE AS AGREED UPON IN WRITING BY THE CITY AND THE APPLICANT. REQUESTS TO EXTEND APPROVALS MUST BE RECEIVED BEFORE THE ONE (1) YEAR EXPIRATION DATE.
4. PERFORMANCE GUARANTEE AND INSPECTION FEES: A PERFORMANCE GUARANTEE COVERING THE SITE IMPROVEMENTS, INSPECTION FEE PAYMENT OF 2.0% OF THE GUARANTEE AMOUNT AND SEVEN (7) FINAL SETS OF PLANS MUST BE SUBMITTED TO AND APPROVED BY THE PLANNING DIVISION AND PUBLIC SERVICES DEPARTMENT PRIOR TO THE RELEASE OF A BUILDING PERMIT, STREET OPENING PERMIT OR CERTIFICATE OF OCCUPANCY FOR SITE PLANS. IF YOU NEED TO MAKE ANY MODIFICATIONS TO THE APPROVED PLANS, YOU MUST SUBMIT A REVISED SITE PLAN APPLICATION FOR STAFF REVIEW AND APPROVAL.

5. DEFECT GUARANTEE: A DEFECT GUARANTEE, CONSISTING OF 10% OF THE PERFORMANCE GUARANTEE, MUST BE POSTED BEFORE THE PERFORMANCE GUARANTEE WILL BE RELEASED.
6. PRECONSTRUCTION MEETING: PRIOR TO THE RELEASE OF A BUILDING PERMIT OR SITE CONSTRUCTION, A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE. THIS MEETING WILL BE HELD WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC SERVICE'S REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE DEVELOPMENT REVIEW COORDINATOR WILL CONFIRM THAT THE CONTRACTOR IS WORKING FROM THE APPROVED SITE PLAN. THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRE-CONSTRUCTION MEETING (IF APPLICABLE).
7. DEPARTMENT OF PUBLIC SERVICES PERMITS: IF WORK WILL OCCUR WITHIN THE PUBLIC RIGHT-OF-WAY SUCH AS UTILITIES, CURB, SIDEWALK AND DRIVEWAY CONSTRUCTION, A STREET OPENING PERMIT(S) IS REQUIRED FOR YOUR SITE. PLEASE CONTACT CAROL MERRITT AT 874-8300, EXT. 8828. (ONLY EXCAVATORS LICENSED BY THE CITY OF PORTLAND ARE ELIGIBLE.)
8. AS-BUILT FINAL PLANS: FINAL SETS OF AS-BUILT PLANS SHALL BE SUBMITTED DIGITALLY TO THE PLANNING DIVISION, ON A CD OR DVD, IN AUTOCAD FORMAT (*.DWG), RELEASE AUTOCAD 2005 OR GREATER.
9. STORMWATER MANAGEMENT: THAT THE DEVELOPER/ CONTRACTOR/ SUBCONTRACTOR MUST COMPLY WITH CONDITIONS OF THE CONSTRUCTION STORMWATER MANAGEMENT PLAN AND SEDIMENT & EROSION CONTROL PLAN BASED ON CITY STANDARDS AND STATE GUIDELINES; THAT THE OWNER/OPERATOR OF THE APPROVED STORMWATER MANAGEMENT SYSTEM AND ALL ASSIGNS SHALL COMPLY WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORMWATER MANAGEMENT, WHICH SPECIFIES THE ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS; AND THAT A MAINTENANCE AGREEMENT FOR THE STORMWATER DRAINAGE SYSTEM, AS ATTACHED, OR IN SUBSTANTIALLY THE SAME FORM WITH ANY CHANGES TO BE APPROVED BY CORPORATION COUNSEL, SHALL BE SUBMITTED AND SIGNED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY WITH A COPY TO THE DEPARTMENT OF PUBLIC SERVICES.

UTILITY NOTES

1. ALL REQUIRED UTILITIES SERVING THE PROJECT SHALL BE COORDINATED AND CONSTRUCTED BY THE SITE CONTRACTOR TO WITHIN 5 FEET OF THE BUILDINGS, AT A LOCATION COORDINATED WITH THE MEP CONTRACTOR(S) AND THE BUILDING PLANS. SITE WORK WITHIN 5 FEET OF UNDERSLAB UTILITIES SHALL CONSIST OF TRENCHING AND BACKFILLING. ACTUAL UTILITY INSTALLATION SHALL BE BY THE MEP CONTRACTOR. ALL REQUIRED CONNECTION FEES SHALL BE PAID BY THE GENERAL CONTRACTOR.
2. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF AND/OR RELOCATION OF OVERHEAD AND UNDERGROUND TELEPHONE WITH FAIRPOINT COMMUNICATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR CONDUITS, PULL WIRES, TRENCHING AND BACKFILLING NECESSARY TO COMPLETE THE WORK.
3. ALL SANITARY SEWER WORK SHALL MEET THE STANDARDS OF THE MAINE STATE PLUMBING CODE AND CITY OF PORTLAND PUBLIC SERVICES DIVISION. CONNECTIONS TO EXISTING SEWER SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF PORTLAND PUBLIC SERVICES DIVISION RECOMMENDATIONS AND REGULATIONS.
4. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ELECTRIC SERVICE WITH CENTRAL MAINE POWER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRENCHING, CONDUIT AND BACKFILLING ASSOCIATED WITH UNDERGROUND POWER, COMMUNICATIONS AND CABLE.
5. COORDINATE ALL OTHER UTILITY WORK WITH THE APPROPRIATE UTILITY COMPANY. ALL UTILITY WORK SHALL CONFORM TO THE STANDARDS OF THE UTILITY COMPANY AND PROJECT SPECIFICATIONS, WHICHEVER IS MORE STRINGENT, AT NO EXTRA EXPENSE TO THE OWNER.
6. THE LOCATIONS OF THE NEW UTILITY SERVICES AND CONNECTIONS SHALL BE COORDINATED WITH THE SERVING UTILITY COMPANY, PROJECT ARCHITECTS AND MEP DESIGNERS.
7. UNDERGROUND ELECTRICAL, CONDUIT MATERIAL AND INSTALLATION SHALL CONFORM TO CENTRAL MAINE POWER STANDARDS AND PROJECT SPECIFICATIONS, WHICH EVER IS MORE STRINGENT. WORK ADJACENT TO THE UNE SHALL BE MONITORED BY CENTRAL MAINE POWER.
8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OR WORK TO FINISH GRADE.
9. ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES.
10. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL INSPECTIONS, AND SUBMIT COPIES OF ACCEPTANCE CERTIFICATES TO THE OWNER PRIOR TO COMPLETION OF THE PROJECT.
11. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL BOXES, FITTINGS, CONNECTORS, COVER PLATES AND OTHER MISCELLANEOUS ITEMS NOT NECESSARILY DETAILED ON THE DRAWINGS TO RENDER INSTALLATION OF UTILITIES COMPLETE AND OPERATIONAL, AT NO EXTRA EXPENSE TO THE OWNER.
12. A 10 FOOT MINIMUM EDGE TO EDGE HORIZONTAL SEPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND SANITARY SEWER LINES. AN 18 INCH OUTSIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT ALL WATER AND SANITARY SEWER CROSSINGS.

EROSION CONTROL NOTES:

1. PRIOR TO BEGINNING ANY LAND DISTURBING ACTIVITIES, GRADING LIMITS SHALL BE STAKED BY THE CONTRACTOR BASED ON THE LIMITS OF GRADING SHOWN ON THE DRAWINGS AND ACCEPTED BY THE OWNER'S REPRESENTATIVE IN THE FIELD. AFTER THE GRADING LIMITS HAVE BEEN ACCEPTED, THE CONTRACTOR SHALL INSTALL THE PERIMETER SILT FENCE, SEDIMENT BARRIERS AND THE CONSTRUCTION ENTRANCE ASSOCIATED WITH THE PROJECT.
2. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCHED AS SOON AS POSSIBLE. TEMPORARY/PERMANENT SEED MIXTURES SHALL CONFORM TO THE SEEDING PLAN CONTAINED IN THE EROSION CONTROL PROJECT PREPARED FOR THIS PROJECT.
3. PRIOR TO PAVING OR GRAVEL PLACEMENT, THE CONTRACTOR SHALL REMOVE SILT FROM ALL STORM LINES AND APPURTANCES.
4. SILT BARRIERS SHALL BE INSPECTED, REPAIRED AND CLEANED AS NOTED IN THE EROSION CONTROL NOTES SHOWN ON THE EROSION CONTROL DETAIL SHEET.
5. THE CONTRACTOR SHALL REPAIR AND ADD STONE TO THE CONSTRUCTION ENTRANCES AS IT BECOMES SATURATED WITH MUD TO ENSURE THAT IT FUNCTIONS TO CAPTURE MUD FROM THE TIRES OF CONSTRUCTION VEHICLES DURING CONSTRUCTION. THE PURPOSE OF THE CONSTRUCTION ENTRANCE IS TO KEEP ADJACENT STREETS CLEAR OF DIRT AND MUD. SWEEPING OF THE ROADWAYS SHALL BE PERFORMED BY THE CONTRACTOR ON AN AS NEEDED BASIS, BUT AT A MINIMUM ONCE A WEEK.
6. SILT REMOVED FROM AROUND INLETS AND BEHIND THE SILT FENCES SHALL BE PLACED ON A TOPSOIL STOCKPILE AND MIXED INTO TOPSOIL FOR USE IN LANDSCAPING OPERATIONS.
7. LAND DISTURBING ACTIVITIES SHALL BE ACCOMPLISHED IN A MANNER AND SEQUENCE WHICH CAUSE THE LEAST PRACTICAL UNPROTECTED DENUDED AREAS ON THE SITE DURING CONSTRUCTION.
8. THE CONTRACTOR IS CAUTIONED THAT FAILURE TO COMPLY WITH THE SEQUENCE OF CONSTRUCTION, EROSION/SEDIMENT CONTROL PLAN, AND OTHER PERMIT REQUIREMENTS MAY RESULT IN MONETARY PENALTIES AS ENFORCED BY THE MEDEP OR LOCAL AGENCIES. THE CONTRACTOR SHALL BE ASSESSED ALL SUCH PENALTIES AT NO COST TO THE OWNER OR PERMITTEE.
9. A FULL EROSION/SEDIMENTATION CONTROL PLAN ACCOMPANIES THIS DRAWING SET AND IS ALSO CONTAINED IN THE DIV 312513 SPECIFICATIONS.
10. PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS AS SHOWN AND MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED.
11. INSPECT EROSION AND SEDIMENT CONTROL DEVICES AFTER EACH RAIN STORM OF 0.25 INCHES OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE FILTER EFFICIENCY. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 OF THE STRUCTURE HEIGHT.
12. THE CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES, CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, 2014".

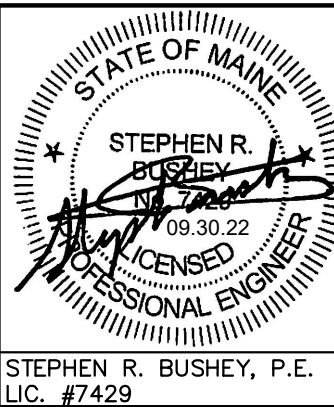
EXISTING

- IRON PIPE OR ROD FND
- MONUMENT FOUND
- GAS VALVE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- LIGHT POLE
- COMMUNICATION MANHOLE
- DRAINAGE MANHOLE
- ELECTRIC MANHOLE
- SEWER MANHOLE
- CATCH BASIN
- SIGN
- FENCE
- EDGE OF PAVEMENT
- CURB
- OVERHEAD WIRES
- UNDERGROUND ELECTRIC
- TELEPHONE
- WATER LINE
- GAS LINE
- SANITARY SEWER
- STORM DRAIN
- 1' CONTOUR
- MONITORING WELL
- SPOT ELEVATION
- TREE
- TREE LINE OR LIMIT OF CLEARING
- BUILDING
- RAIL TRACKS
- RIPRAP
- CONCRETE
- RETAINING WALL
- TEST BORING BY SUMMIT GEOENGINEERING SERVICES

PROPOSED

- BARRIER FREE SYMBOL
- SIGN
- SIGN LABEL
- GUIDERAIL - METAL
- GUIDERAIL - TIMBER
- FENCE - CHAINLINK
- FENCE - WOOD
- BUILDING / BUILDING ACCESS
- RETAINING WALL
- PEDESTRIAN CROSSWALK
- BOLLARD
- VERTICAL GRANITE CURB
- SLOPED GRANITE CURB
- CATCH BASIN
- CONTOUR LABEL
- DRAIN MANHOLE
- RIPRAP INLET / OUTLET APRON
- SLOPE DESIGNATION
- SPOT GRADE
- SPOT GRADE AT RETAINING WALL (TW = TOP WALL / BW = BOTTOM WALL)
- WATER MARK
- UNDERDRAIN
- STORM DRAIN
- CURB STOP
- HYDRANT
- LIGHT POLE WITH FIXTURE(S)
- SANITARY SEWER MANHOLE
- TEST PIT
- TRANSFORMER PAD
- UTILITY POLE
- VALVE
- SANITARY SEWER
- WATER MAIN
- GAS MAIN
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- CONCRETE

NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.



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Relationships. Responsiveness. Results.

Drawing Name:	GENERAL NOTES & LEGEND
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

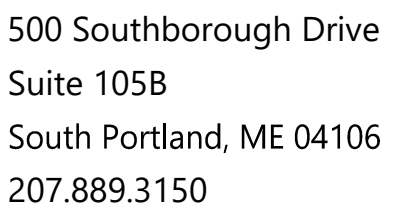
Drawing No.

C-1.1



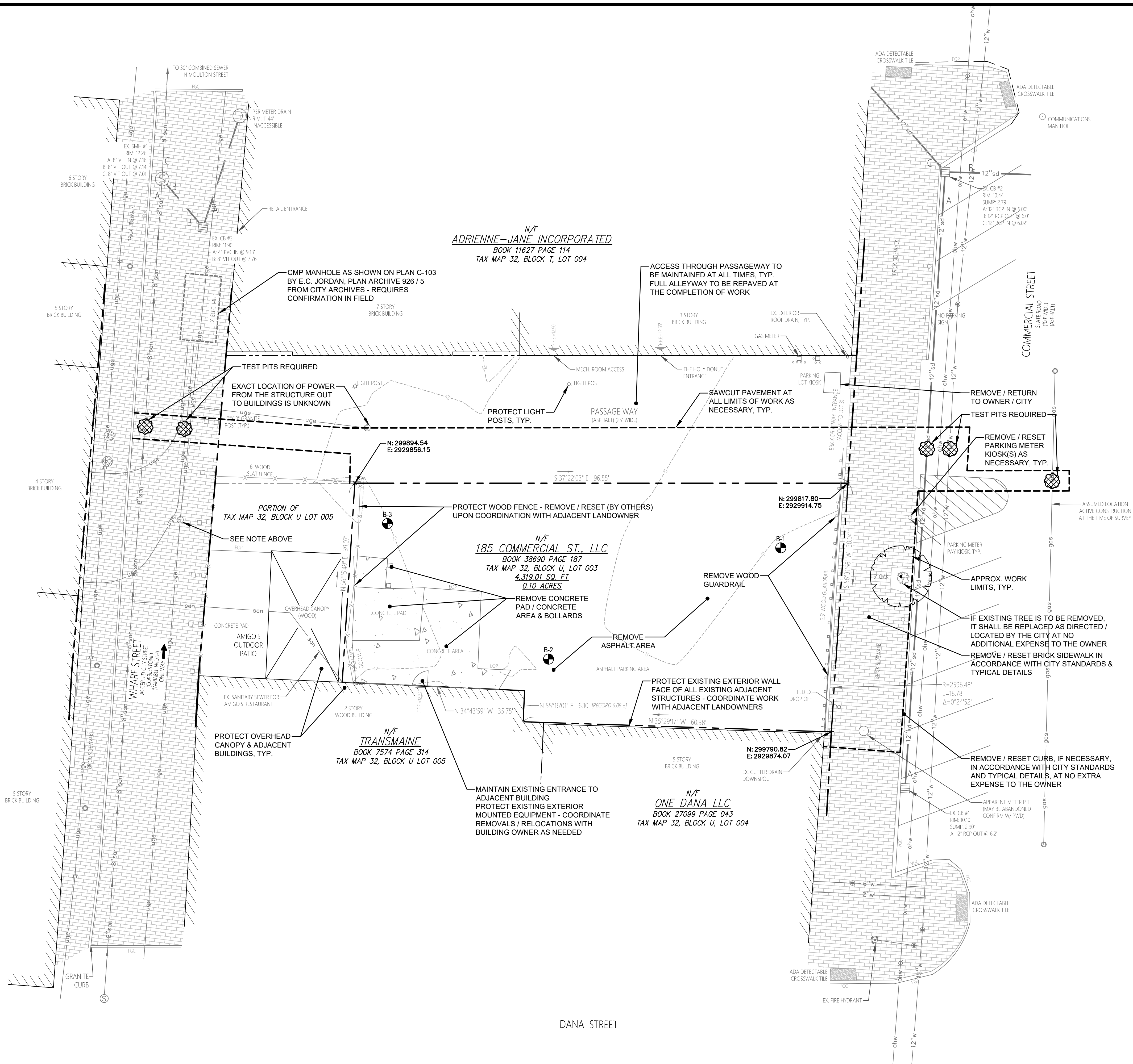
- PROFESSIONAL SERVICES CONTRACT BETWEEN 185 COMMERCIAL ST., LLC AND VHB, INC. DATED DECEMBER 07, 2021.
- 2) THE PROPERTY LINES SHOWN HEREON ARE BASED UPON AN ACTUAL FIELD SURVEY CONDUCTED BY VHB, INC. IN APRIL 2022 AND FROM DEEDS AND PLANS OF RECORD.
- 3) REFERENCE DEED FOR THE LOCUS PARCEL IS 185 COMMERCIAL ST., LLC DATED SEPTEMBER 22, 2021 AND RECORDED IN DEED BOOK 38690, PAGE 187 AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- 4) HORIZONTAL DATUM IS BASED ON GRID NORTH AND IS IN REFERENCE TO MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802, NORTH AMERICAN DATUM OF 1983 (2011), 2010 EPOCH, GEOID 18, US SURVEY FEET, ARE BASED ON GPS OBSERVATIONS PROCESSED USING ONLINE POSITION USER SERVICE (OPUS). ELEVATION DATA SHOWN HEREON IS REFERENCED TO CITY OF PORTLAND DATUM ESTABLISHED ON APRIL 02, 1901 AS ON RECORD WITH THE CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS.
- 5) ABUTTING PROPERTY OWNER INFORMATION REFERENCED HEREON WAS TAKEN FROM THE CITY OF PORTLAND ASSESSOR'S DATA AS OF THE DATE OF THE SURVEY. ANY CONFLICTS BETWEEN ABUTTER LINES SHOWN HEREON AND EXISTING MONUMENTATION SHOULD BE RESOLVED BY A BOUNDARY SURVEY; NO ASSUMPTIONS SHOULD BE MADE BASED ON ABUTTER LINES SHOWN HEREON.
- 6) COMMERCIAL STREET IS A STATE ROAD PURSUANT TO MAP REFERENCE 1. COMMERCIAL STREET RIGHT-OF-WAY IS 100' WIDE PURSUANT TO CITY OF PORTLAND BOOK 7, PAGE 211, DATED MARCH 29, 1850. FURTHERMORE, RIGHT-OF-WAY AS SHOWN HEREON IS CONSTRUCTED FROM BASELINE DEPICTED ON MAP REFERENCE NUMBER 1.
- 7) WHARF STREET IS AN ACCEPTED CITY STREET BY ORDER OF CITY COUNCIL PASSED ON SEPTEMBER 18, 1978. RIGHT-OF-WAY IS OF VARIABLE WIDTH.
- 8) BUILDINGS SHOWN HEREON ARE REFLECTIVE OF FOUNDATION DIMENSIONS AND DO NOT INCLUDE ROOF OVERHANGS. NO STATEMENT OF POSSIBLE ROOF OVERHANG ENCROACH OR LACK THERE OF SHOULD BE INFERRED FROM INFORMATION PUBLISHED HEREON.
- 9) OWNERSHIP IN PASSAGEWAY SHOWN HEREON IS UNDETERMINED.
- 10) NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY VHB, INC. UNDERGROUND UTILITIES SHOWN HEREON WERE COMPILED BASED ON RECORD INFORMATION. DIG-SAFE SHOULD BE CONTACTED PRIOR TO COMMENCING ANY EXCAVATION (888-344-7233).
- 11) THE SUBJECT PARCEL LIES ENTIRELY WITHIN "ZONE C - AREAS OF MINIMAL FLOODING" AS SHOWN ON THE FEMA FLOOD INSURANCE MAP NUMBER 230051 AREA 014 B WITH THE EFFECTIVE DATE JULY 17, 1986.
- 12) THE SUBJECT PARCEL LIES ENTIRELY WITHIN THE "DOWNTOWN BUSINESS B3" AS SHOWN ON THE CITY OF PORTLAND, MAINE'S ZONING MAP VIEWER.
- 13) THE OWNER OF LAND ADJOINING ROADS MAY HAVE OWNERSHIP RIGHTS EXTENDING INTO THE ROAD. THIS DOCUMENT DOES NOT INTEND TO LIMIT, DENY, OR LOCATE THESE RIGHTS. THE BOUNDARIES AS SHOWN ARE THE BOUNDARIES DESCRIBED IN THE DEED AND NOT NECESSARILY THE EXTENT OF THE TITLE THAT PASSES BY IMPLICATION OR OPERATION OF LAW.
- 14) THIS PLAN IS THE RESULT OF A FIELD SURVEY CONDUCTED BY VHB, INC. IN MAY OF 2022 UNDER THE DIRECT SUPERVISION OF DANIEL T. OAKES LICENSED PROFESSIONAL LAND SURVEYOR ME 2549.

- 1) "COMMERCIAL STREET, P.L.N. 000555.00, STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, PORTLAND, CUMBERLAND COUNTY, FEDERAL AID PROJECT NO. M-0685 (I), SHEETS 4 AND 5 OF 7, PREPARED BY MAINE DEPARTMENT OF TRANSPORTATION, DATED AUGUST 1985, LAST REVISED MAY 26, 1988.
- 2) "A PLAN OF A SURVEY MADE IN PORTLAND AT THE REQUEST OF MR. CHARLES FOX", PREPARED BY E. RUSSEL, SURVEYOR, DATED FEBRUARY 1928. RECORDED WITH CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK I, PAGE 27.
- 3) "PLAN SHOWING PASSAGEWAY NO. 3", RECORDED WITH CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 93, PAGE 280.
- 4) "PLAN OF COMMERCIAL & LONG WHARVES SHOWING THEIR DOCK PROPERTY LINES, PORTLAND MAINE", DATED MAY 1875, RECORDED WITH CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 3, PAGE 57
- 5) "PLAN OF PROPERTY IN PORTLAND, MAINE, MADE FOR CITY OF PORTLAND ACCEPTANCE OF 'WHARF STREET", PREPARED BY H.I.&E.C. JORDAN - SURVEYORS, DATED DECEMBER 09, 1977, PLAN 609/22. ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 6) "PLAN OF PROPERTY IN PORTLAND, MAINE, MADE FOR CITY OF PORTLAND, WHARF ST.", PREPARED BY H.I.&E.C. JORDAN - SURVEYORS, DATED MAY 31, 1978, PLAN 609/23. ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 7) "CITY STREET WORKING PLAN WHARF STREET AREA", NOT DATED, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 8) "COMMERCIAL STREET, 4 SHEETS, SHEET NO. 2", DATED JULY 1925, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 9) UNTITLED PLAN 6242 OF COMMERCIAL STREET, NOT DATED, UNTITLED PLAN OF DANA STREET, DATED FEBRUARY 1925, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 10) "PLAN OF PROPERTY, 185-191 OF COMMERCIAL STREET, PORTLAND, ME. MADE FOR FRANK AKERS, 386 FORE STREET, PORTLAND, MAINE", PREPARED BY R.P. TITCOMB ASSOCIATES, INC. LAND SURVEYORS / ENGINEERS, DATED JULY 26, 1985. ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 11) "PLAN OF PROPERTY, COMMERCIAL & MOULTON ST. PORTLAND, ME. JOHN GENDRON", PREPARED BY R.P. TITCOMB ASSOCIATES, INC. LAND SURVEYORS / ENGINEERS, DATED MAY 12, 1986. ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 12) "STANDARD BOUNDARY SURVEY ASSESSORS MAP 32. BLOCK U, LOT 3, COMMERCIAL STREET, PORTLAND, MAINE, CUMBERLAND COUNTY", PREPARED BY SURVEY GEODETIC CONSULTANTS, INC. DATED DECEMBER 22, 1999.
- 13) "CITY OF PORTLAND, MAINE, DEPARTMENT OF PARKS & PUBLIC WORKS, COMMERCIAL STREET SEWER REHABILITATION, FROM MARKET STREET TO SOUTHERLY OF UNION", SHEETS 2 OF 3, DATED AUGUST 1 1985, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 14) "RECONSTRUCTION OF MOULTON, DANA AND WHARF STREET, ARE PLAN - EXISTING CONDITIONS", SHEET 2 AND 4 OF 28, REV C, PREPARED BY EDWARD C. JORDAN CO., INC., DATED MARCH 9, 1979, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.
- 15) "PORTLAND WATER DISTRICT, PORTLAND SEWER SYSTEM, INFILTRATION-INFLOW ANALYSIS, SYSTEM BASE MAPPING", PREPARED BY HUNTER-BALLEW ASSOCIATES, DATED 1981, ON FILE WITH THE CITY OF PORTLAND ENGINEERS OFFICE.



	DRAIN MANHOLE
	CATCH BASIN
	SEWER MANHOLE
	ELECTRIC MANHOLE
	WATER GATE
	FIRE HYDRANT
	GAS GATE
	BOLLARD
	STREET SIGN
	LIGHT POLE
	F.F.E. 12'0"
	FINISHED FLOOR ELEVATION
	GRANITE MONUMENT
	CONTROL POINT
	SUBJECT PARCEL
	ABUTTING PARCEL
	RIGHT-OF-WAY
	EDGE OF PAVEMENT
	VERTICAL GRANITE CURB
	FLUSH GRANITE CURB
	GUARD RAIL
	SEWER LINE
	DRAINAGE LINE
	OVERHEAD WIRE
	GAS LINE
	WATER LINE
	BUILDING

Seal of the State of Maine. The seal is circular with a double-lined border. Inside the border, the words "MAINE" and "1789" are at the top, and "JANUARY 18" is at the bottom. The center of the seal contains the text "STATE OF MAINE" at the top, "DANIEL T. OAKES" in the middle, and "No. 2549" below it. Two five-pointed stars are positioned on either side of the central text. Overlaid on the bottom half of the seal is a stylized signature of "DANIEL T. OAKES" and the words "PROFESSIONAL LAND SURVEYOR" in a banner.	Drawing Number Sv-1 Sheet <u>1</u> of <u>1</u> Project Number 55570.00
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[illegible]

SOIL BORING LOG				Project #:	B-1
Project:		High Lake Drilling		Project #:	22949
Location:		151 Commercial Street		Sheet:	1 of 2
City:		Portland, Maine		Client:	UNDP
State:		Maine			
UTM Zone:		18 U			
Reference:		"Standard Boundary Survey" (dated 12/22/1999) by Survey & Geomatics Consultants, Inc File number: 12-00000			
ESTIMATED GROUND WATER DEPTH				Reference:	
Date:	Depth (ft.)	Elevation (ft. ±)		Measured at borehole completion	
3/16/2022	13.7	9.2			
SAMPLE DESCRIPTION				Geological/ Test Data	Geological/ Story/num
1	Asphalts, 7" loose concrete, some 2" x 4" x 8" wood, SP				
2	Asphalts				FILL
3	SP				
4	SP				
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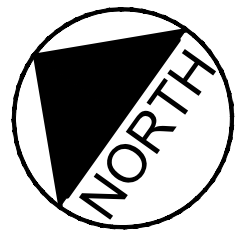
[illegible]

NOTES:

1. HORIZONTAL DATUM IS BASED ON GRID NORTH AND REFER TO MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802, NORTH AMERICAN DATUM OF 1983 (2011), 2010 EPOCH, GEOID 18, US SURVEY ELEV. ARE BASED ON GPS OBSERVATIONS. PROPOSED USED ONLINE POSITION USER SERVICE (OPUS), ELEVATION DATA SHOWN HEREON IS REFERENCE TO CITY OF PORTLAND DATUM ESTABLISHED ON APRIL 02, 1901 AS ON RECORD WITH THE CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS.
2. BENCHMARK: VHB TO PROVIDE HORIZONTAL & VERTICAL CONTROL POINTS NEAR SITE PRIOR TO CONSTRUCTION.
3. SEE CONSTRUCTION MANAGEMENT PLAN BY PENOBSCOT GENERAL CONTRACTORS FOR LIMITS OF TEMPORARY SIDEWALK CLOSURE DURING CONSTRUCTION.

PLAN REFERENCES:

1. "Boundary Retracement and Existing Conditions of Land Located on Commercial Street, Portland, Maine", sheet Sv-1, by vhb, Project No. 55570.00, Dated 09 / 29 / 2022.

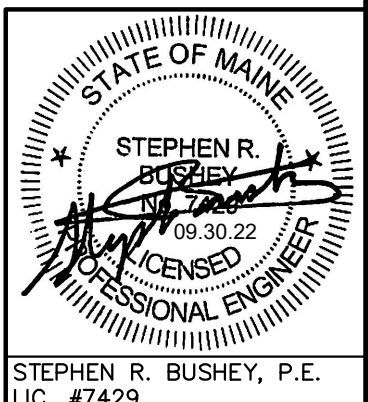


GRAPHIC SCALE



1 inch = 10 ft.

NOTE: THIS PLAN SET
IS ISSUED FOR
PERMITTING PURPOSES
& SHALL NOT BE USED
FOR CONSTRUCTION.



Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-EX & REMOVALS.dwg		
This plan shall not be modified without written permission from Gorrill Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrill Palmer.		



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South Portland, Me 04106
207.772.2515 / www.gorillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name:	EXISTING CONDITIONS & REMOVALS PLAN
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

Drawing No.

C-2.0

Rev.	Date	Revision

Rev.	Date	Revision
1	2022.09.30	SUBMITTED TO CITY OF PORTLAND FOR PERMITTING

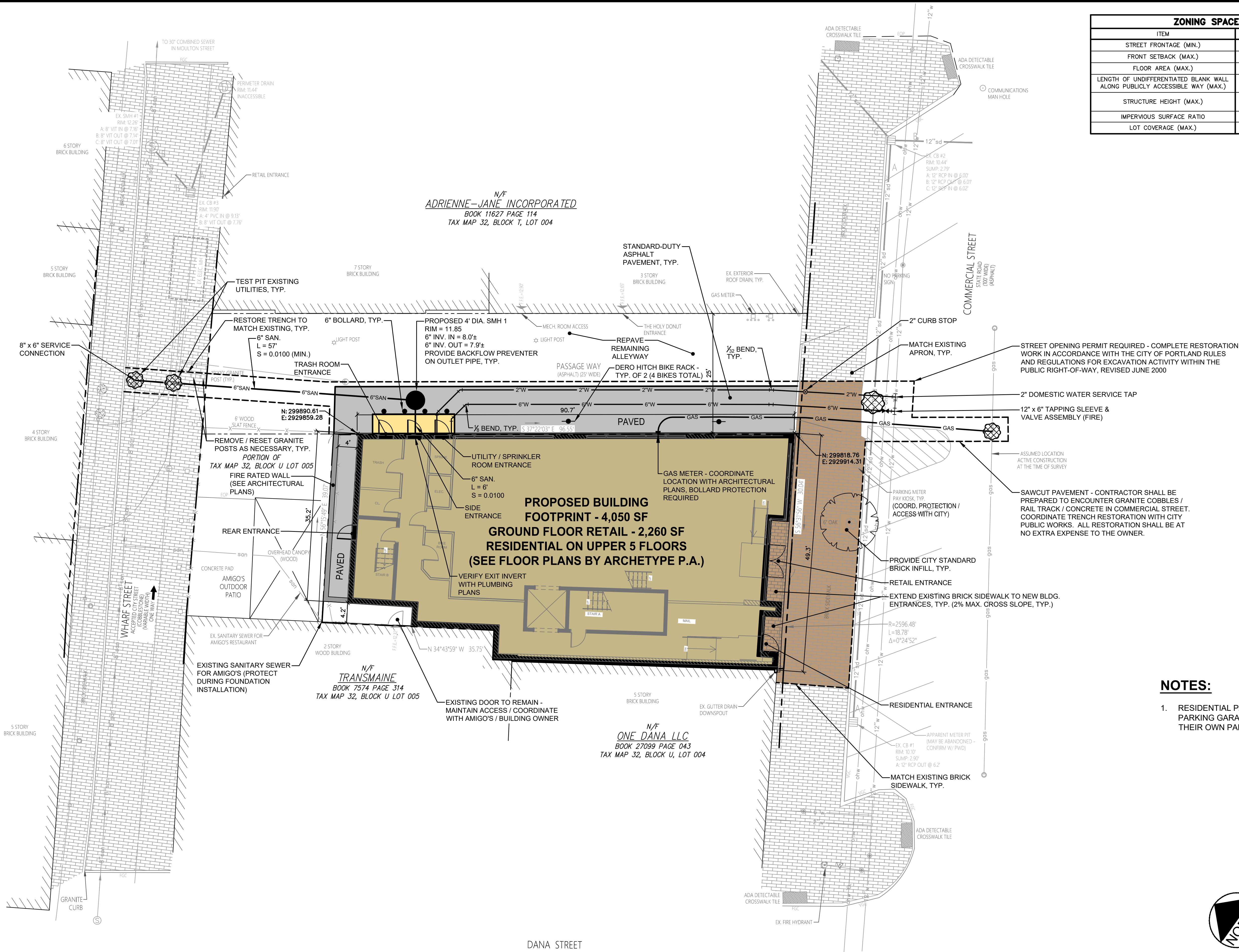
Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-SITE-UTILITY.dwg		
This plan shall not be modified without written permission from Gorriil Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorriil Palmer.		



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Relationships. Responsiveness. Results.

Drawing Name:	SITE LAYOUT & UTILITY PLAN
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

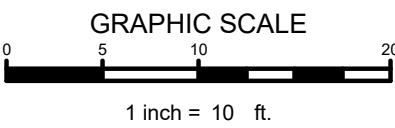
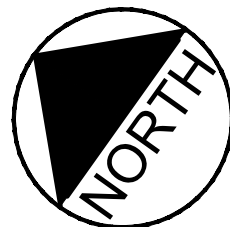
Drawing No.
C-3.0



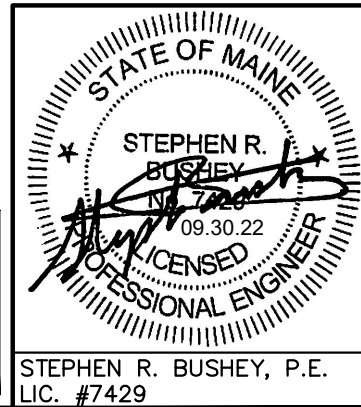
ZONING SPACE & BULK STANDARDS - B3 ZONE		
ITEM	REQUIRED	PROVIDED
STREET FRONTAGE (MIN.)	15 FEET	48.82 FEET
FRONT SETBACK (MAX.)	5 FEET	1 FOOT
FLOOR AREA (MAX.)	NONE	4,050 SF (GROUND FLOOR)
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY (MAX.)	30 FEET	REFER TO ARCHITECTURAL PLANS
STRUCTURE HEIGHT (MAX.)	65 FEET (DOWNTOWN HEIGHT OVERLAY MAP)	REFER TO ARCHITECTURAL PLANS
IMPERVIOUS SURFACE RATIO	NONE	100%
LOT COVERAGE (MAX.)	NONE	93.8%

NOTES:

1. RESIDENTIAL PARKING AVAILABLE IN VARIOUS NEARBY PARKING GARAGES. TENANTS ARE RESPONSIBLE FOR THEIR OWN PARKING NEEDS.



NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.



Rev.	Date	Revision

Rev.	Date	Revision
1	2022.09.30	SUBMITTED TO CITY OF PORTLAND FOR PERMITTING

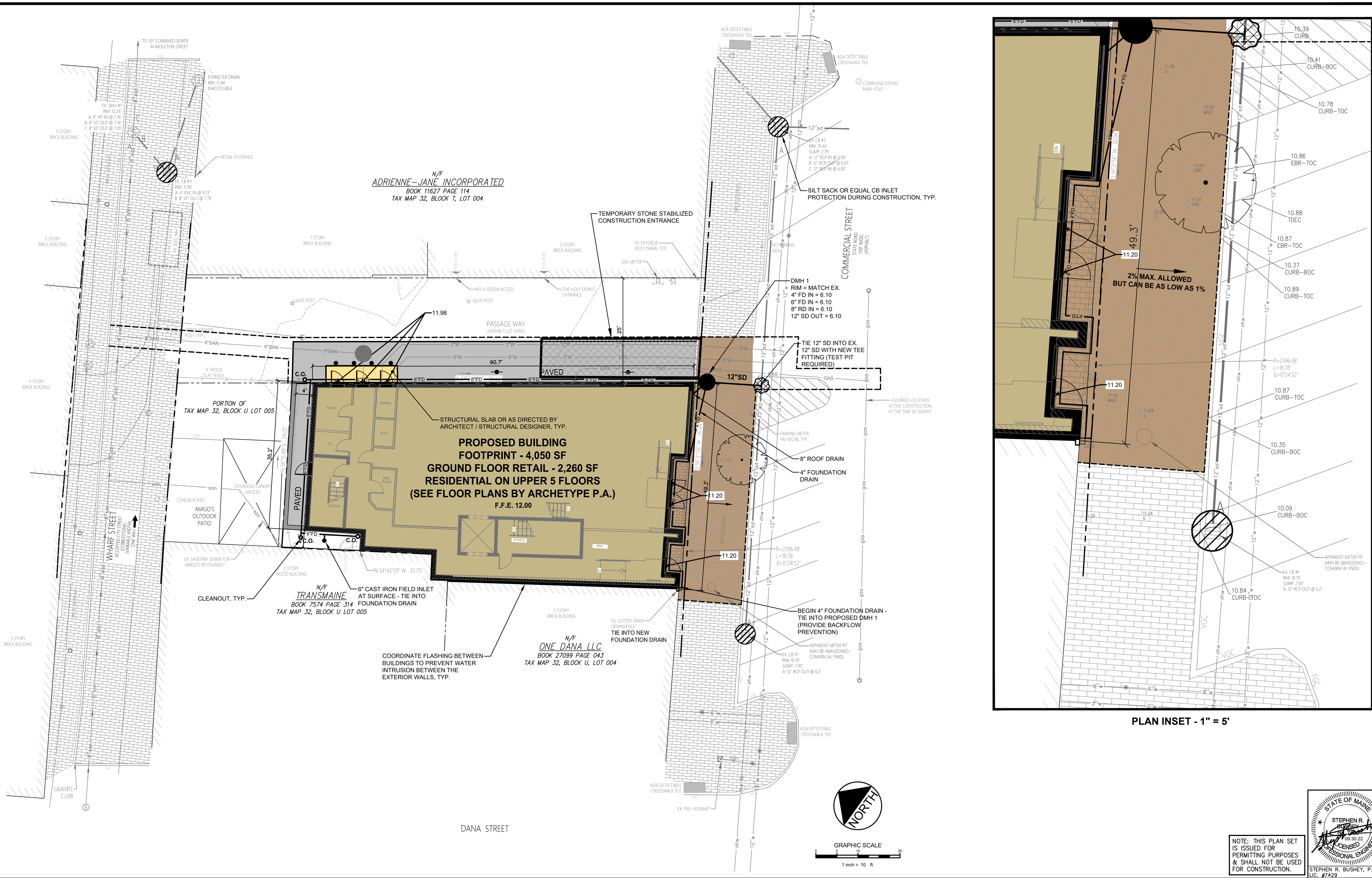
Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-GRADING.dwg		
This plan shall not be modified without written permission from Gorrell Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrell Palmer.		



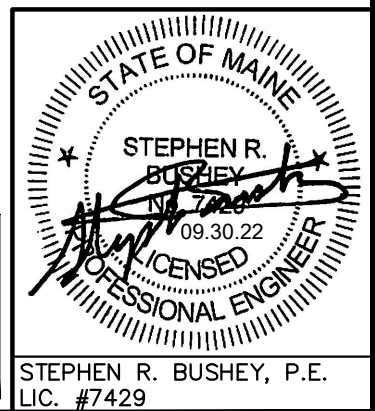
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South Portland, Me 04106
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Relationships. Responsiveness. Results.

Drawing Name:	GRADING, DRAINAGE & EROSION CONTROL PLAN
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

Drawing No.	C-4.0
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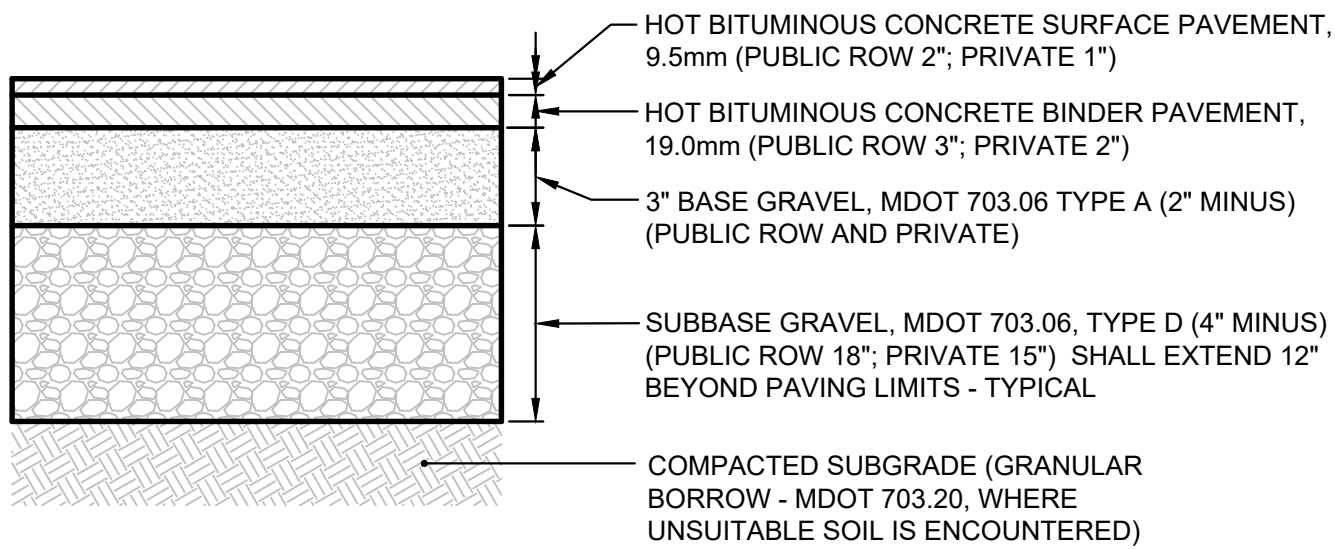


PLAN INSET - 1" = 5'



NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.

U:\3972 - 185 Commercial Street Mixed Use - Portland\Z - CAD\DWG\3972-DETAILS.dwg 9/30/2022 1:58 PM



NOTES:

1. APPLY TACK COAT BETWEEN BINDER AND SURFACE COURSES.
2. ALL MATERIALS SHALL CONFORM TO MDT SPECIFICATIONS, LATEST REVISION AND/OR CITY OF PORTLAND TECHNICAL STANDARD, WHICHEVER IS MORE STRINGENT. COMPACTION OF ALL MATERIALS TO BE IN ACCORDANCE WITH THE MDT STANDARD SPECIFICATIONS.
3. CONTRACTOR TO VERIFY TRENCH RESTORATION SECTION IN COMMERCIAL STREET WITH THE PUBLIC WORKS DEPARTMENT PRIOR TO ANY EXCAVATION.

(A) BITUMINOUS CONCRETE PAVEMENT SECTION
N.T.S.

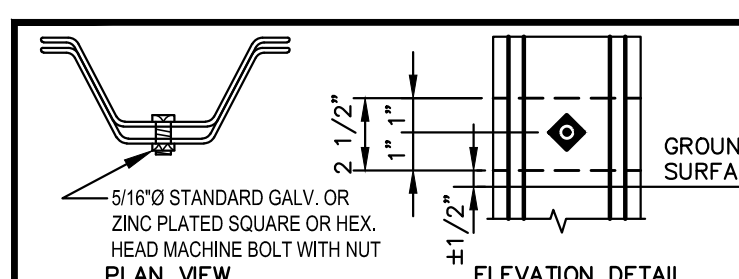
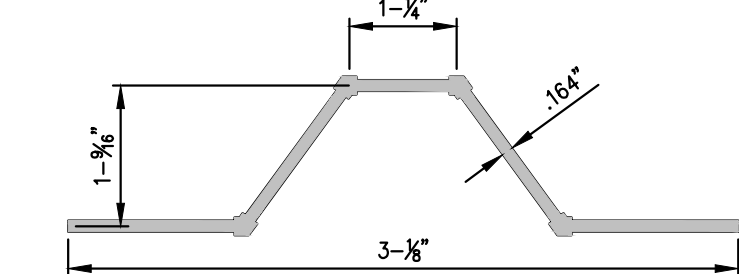
LENGTH: AS REQUIRED

WEIGHT PER LINEAR FOOT: 2.50 LBS. MIN.

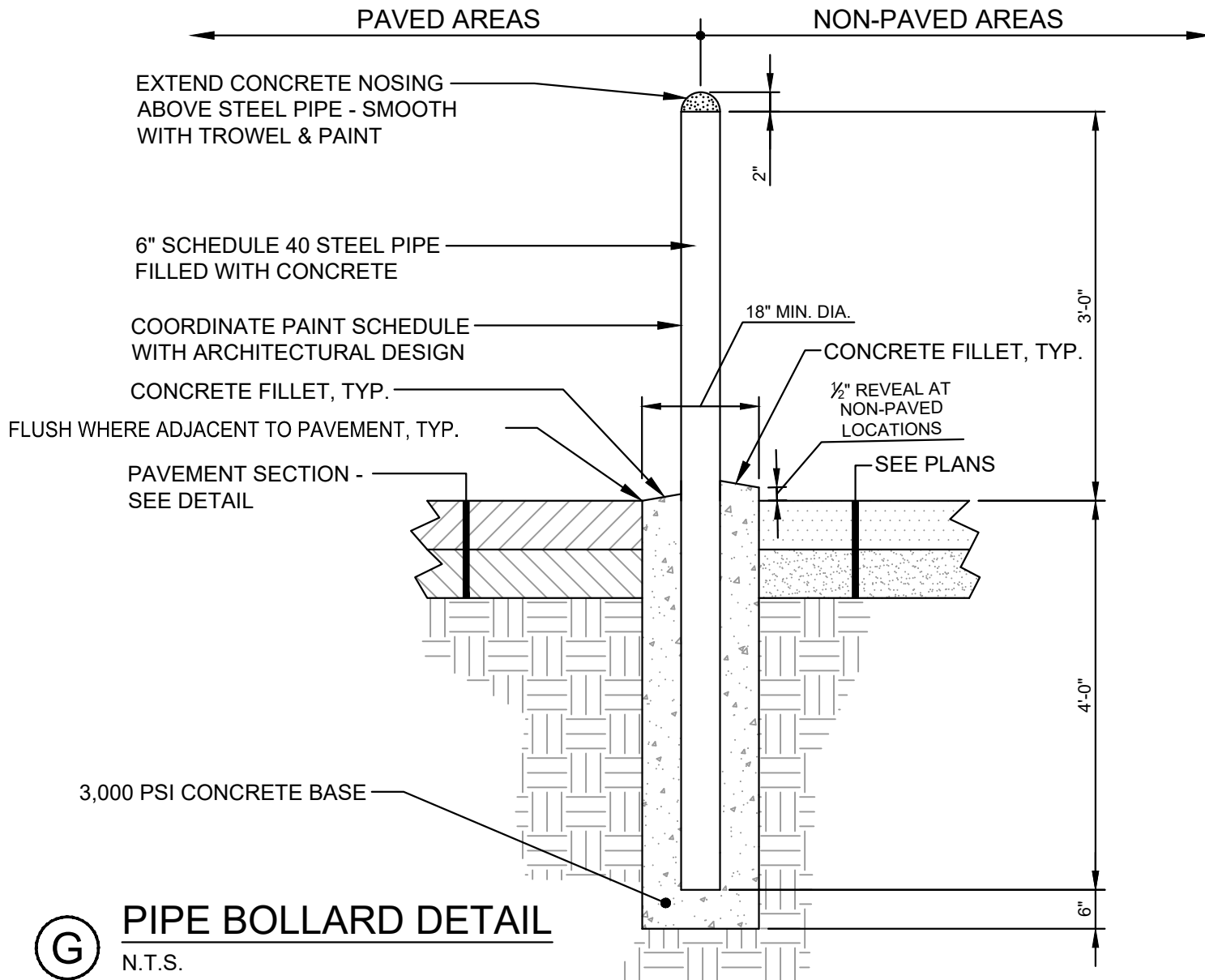
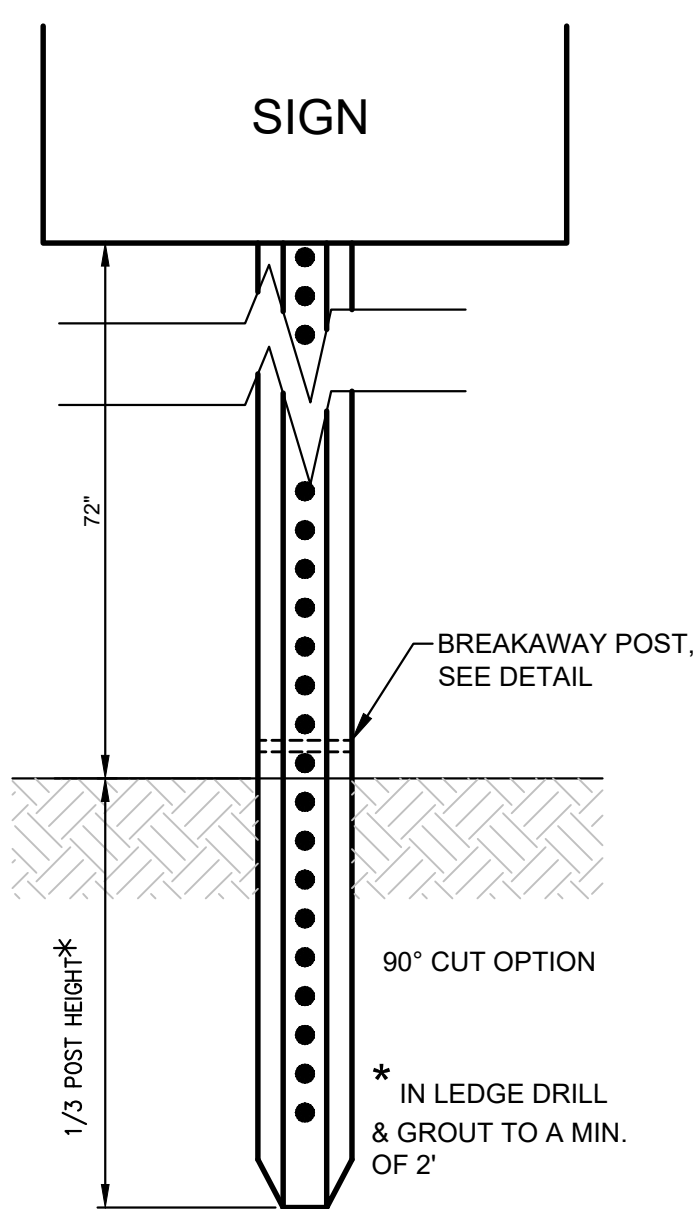
HOLES: 3/8" DIAMETER, 1" C-C FULL LENGTH

STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASSTMS A-576 (GRADE 1070 - 1080)

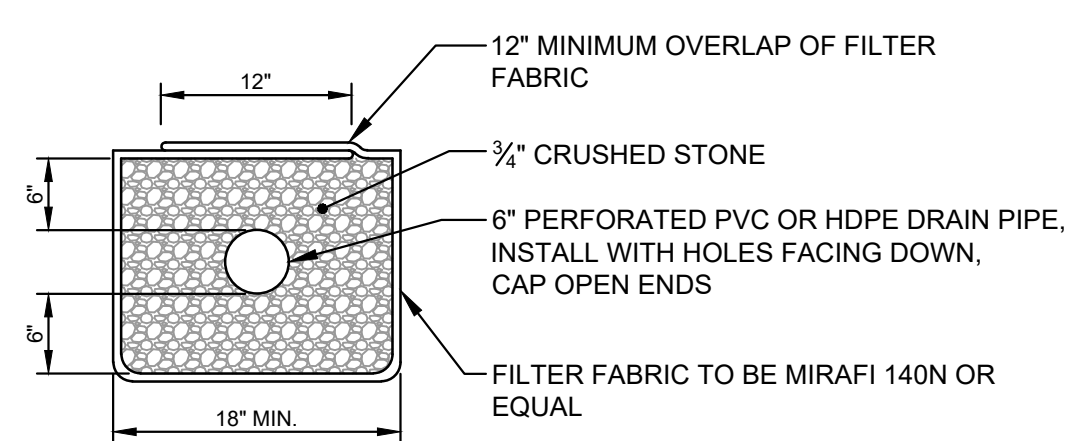
FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED MEDIUM GREEN BAKED ON OR AIR DRIED, PAINT OF WEATHER RESISTANT QUALITY. ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.



(D) U-CHANNEL METAL SIGN POST
N.T.S.

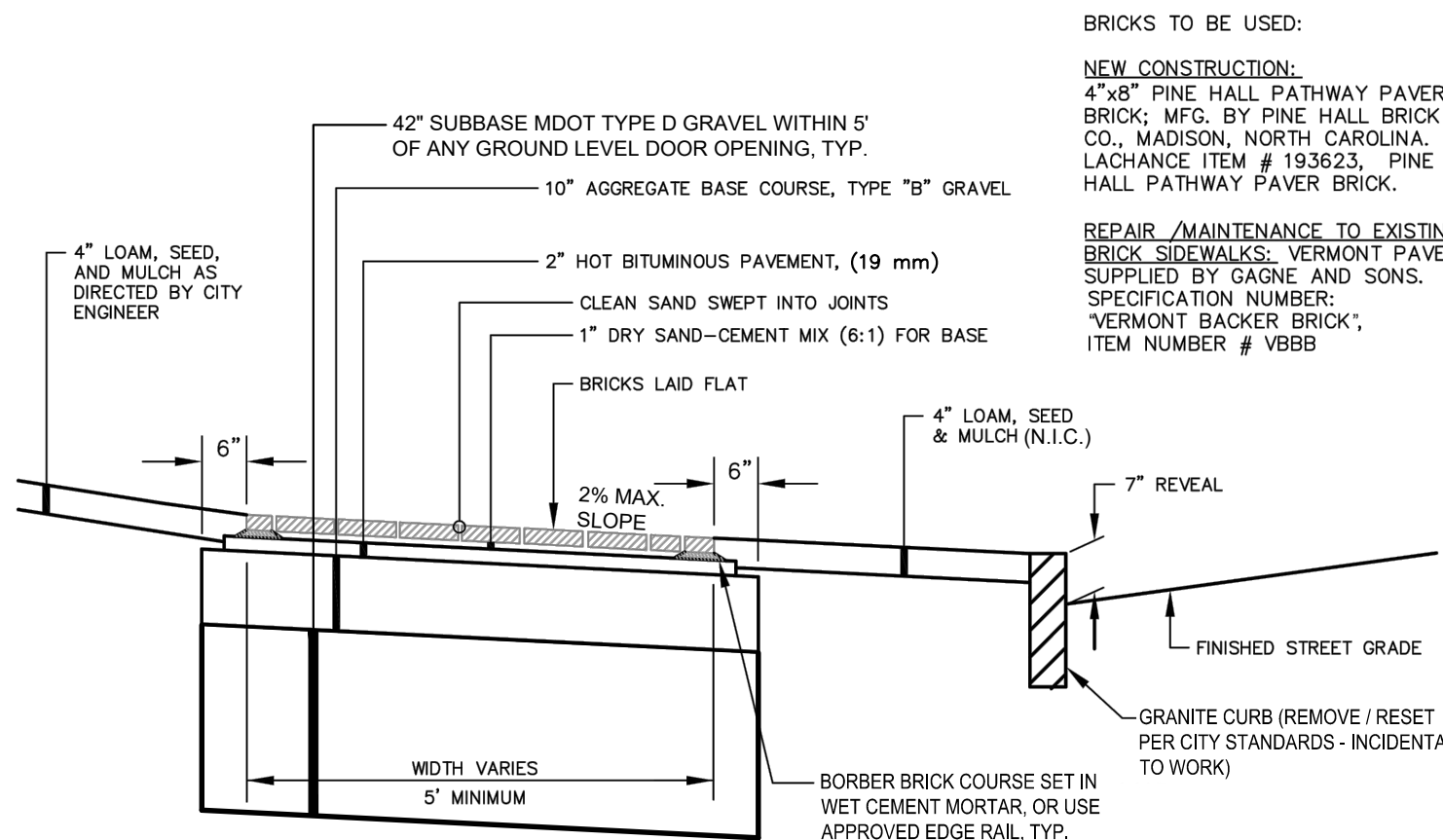


(G) PIPE BOLLARD DETAIL
N.T.S.

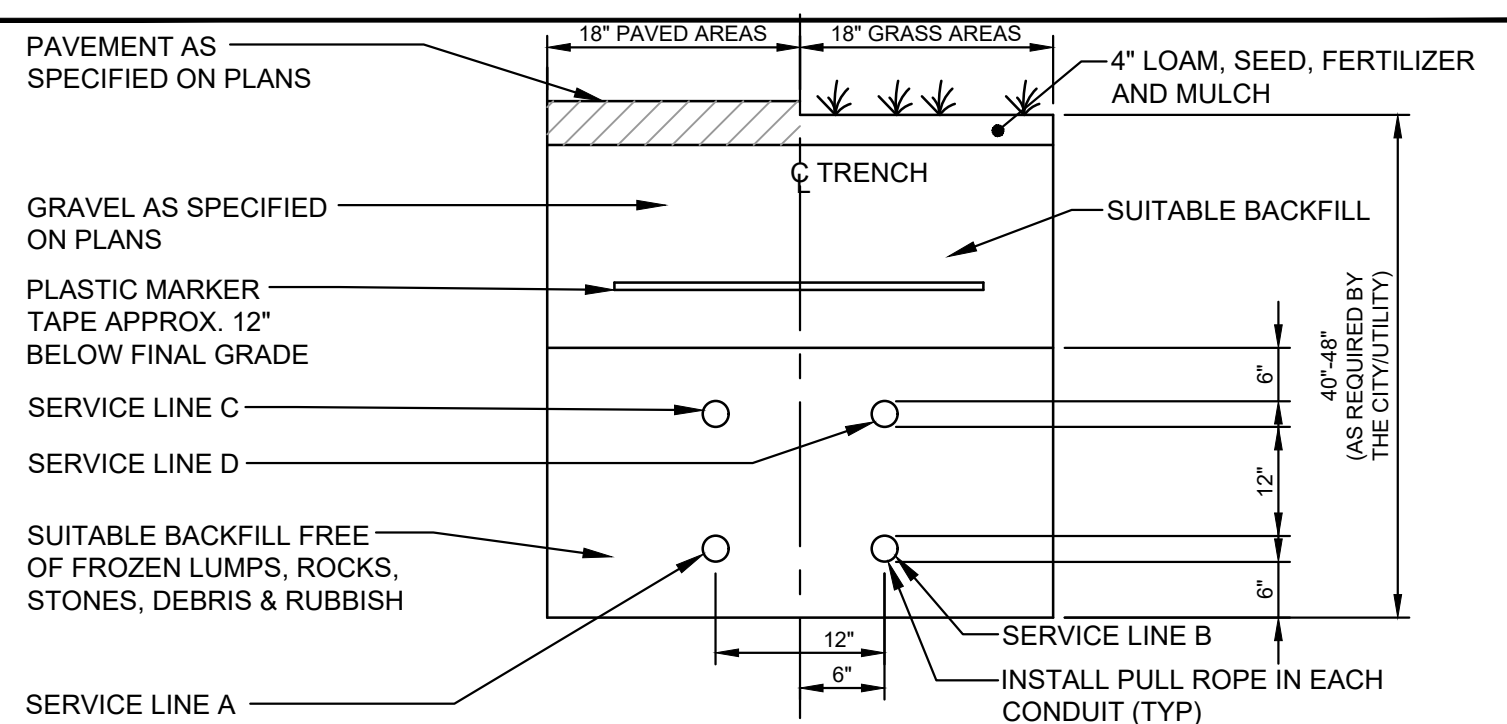


NOTE: LOCATIONS AS NOTED ON PLANS - COORDINATE WITH ARCHITECTURAL AND / OR STRUCTURAL PLANS.

(J) TYPICAL FOUNDATION DRAIN DETAIL
N.T.S.



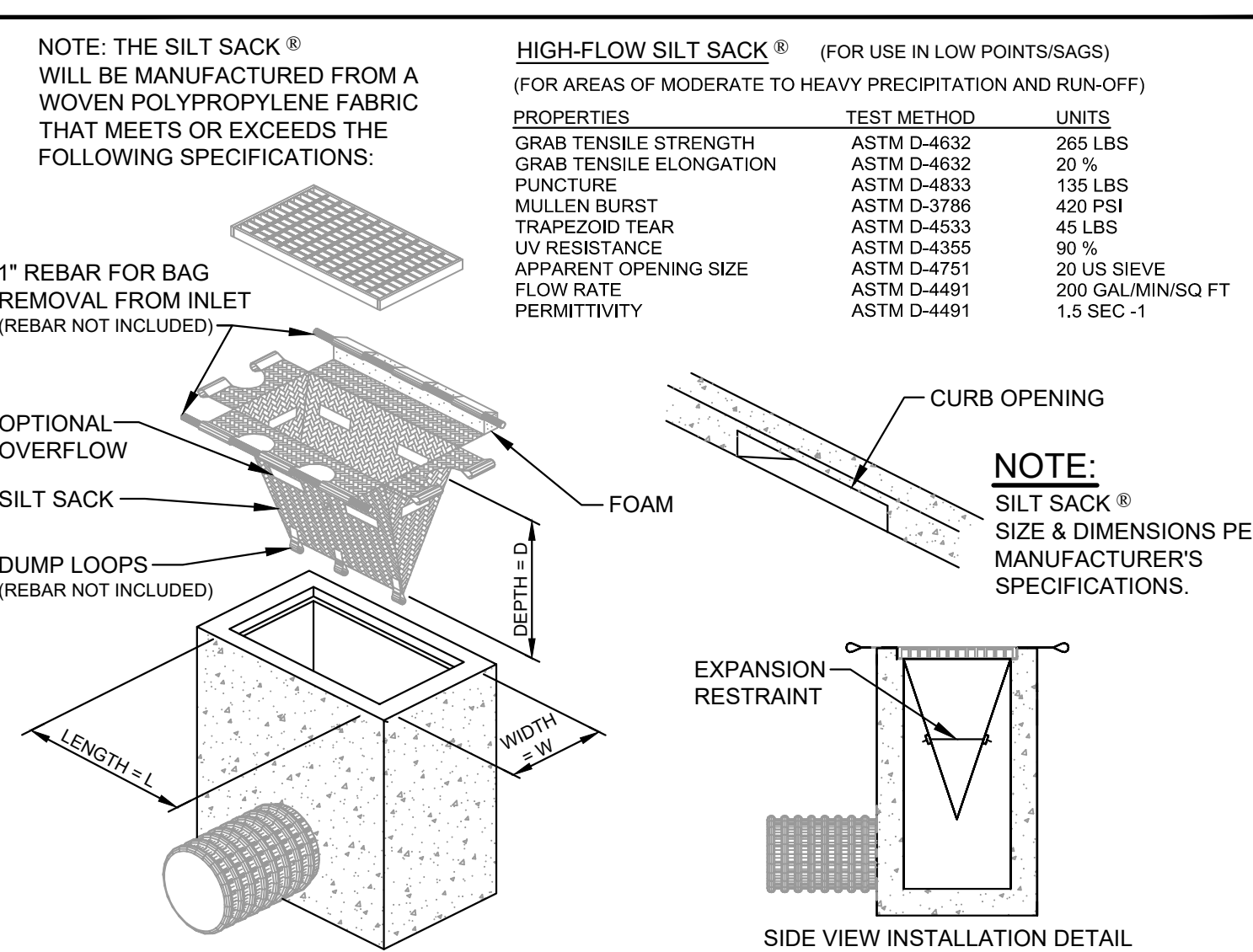
(B) BRICK SIDEWALK WITH BITUMINOUS BASE
N.T.S. AS OBTAINED FROM THE CITY OF PORTLAND "TECHNICAL MANUAL"



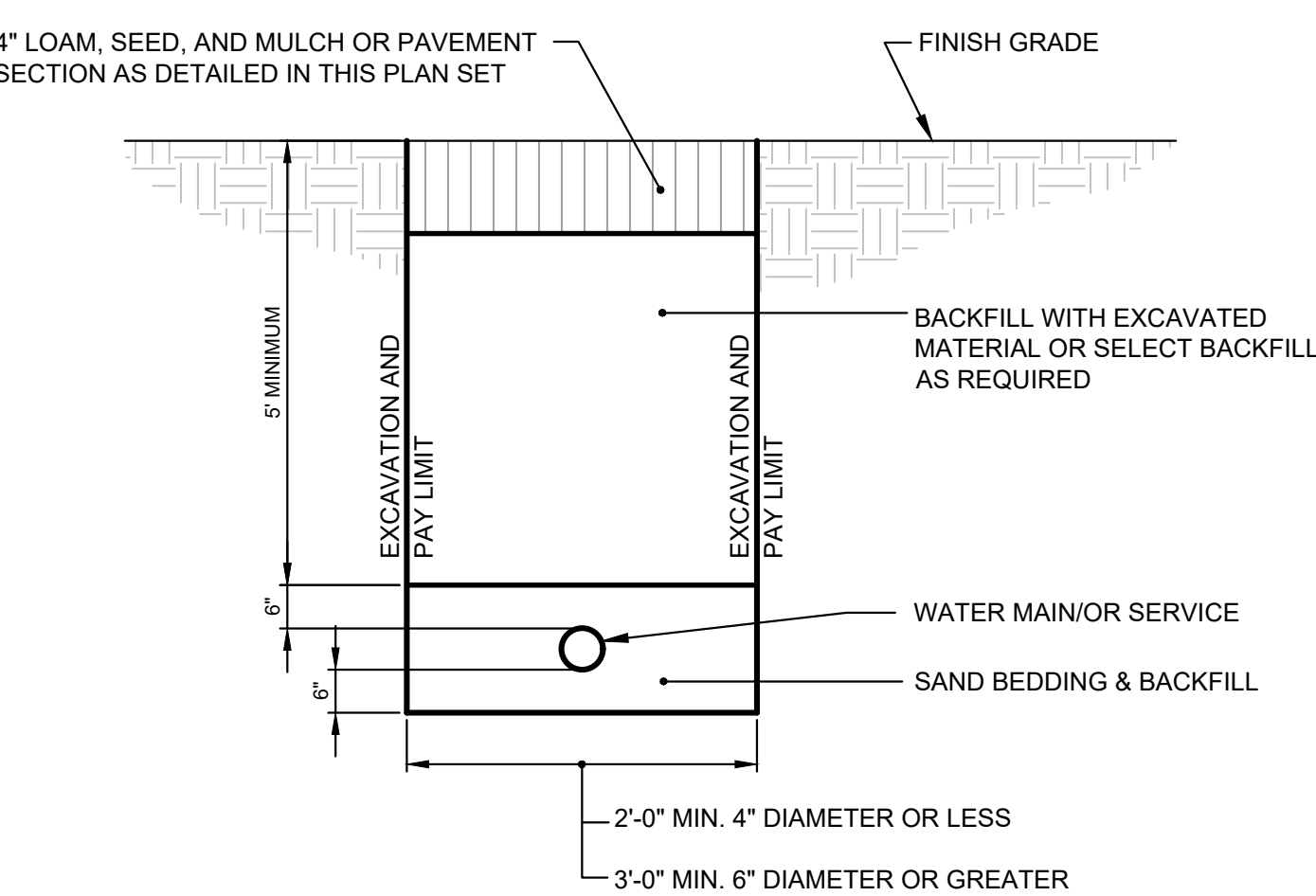
SERVICE	CONDUIT SIZE	GRASS AREAS	PAVED AREAS	UTILITY	REMARKS
A	2-6"	SCHEDULE 40 PVC ELECTRICAL GRADE	RIGID GALVANIZED STEEL, ASTM A120"	POWER	SEE NOTE
B	2-4"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120"	TELEPHONE	SEE NOTE
C	2-4"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120"	COMMUNICATION	SEE NOTE
D	2-4"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120"	SPARES	SEE NOTE

NOTES:
1. ONE CONDUIT CAPPED FOR SPARE, PROVIDE GALVANIZED STEEL LONG SWEEP AT RISER POLE AND EXTEND GALVANIZED CONDUIT TO 10" ABOVE GRADE AT POLE WITH STAND-OFF BRACKETS. COORDINATE WITH ELECTRICAL SITE PLANS BY E.S. BOULOS.
2. IN CITY RIGHT OF WAY, CONDUITS TO HAVE 36" MIN. COVER AND BE ENCASED WITH MIN. 3" CONCRETE ON ALL SIDES.

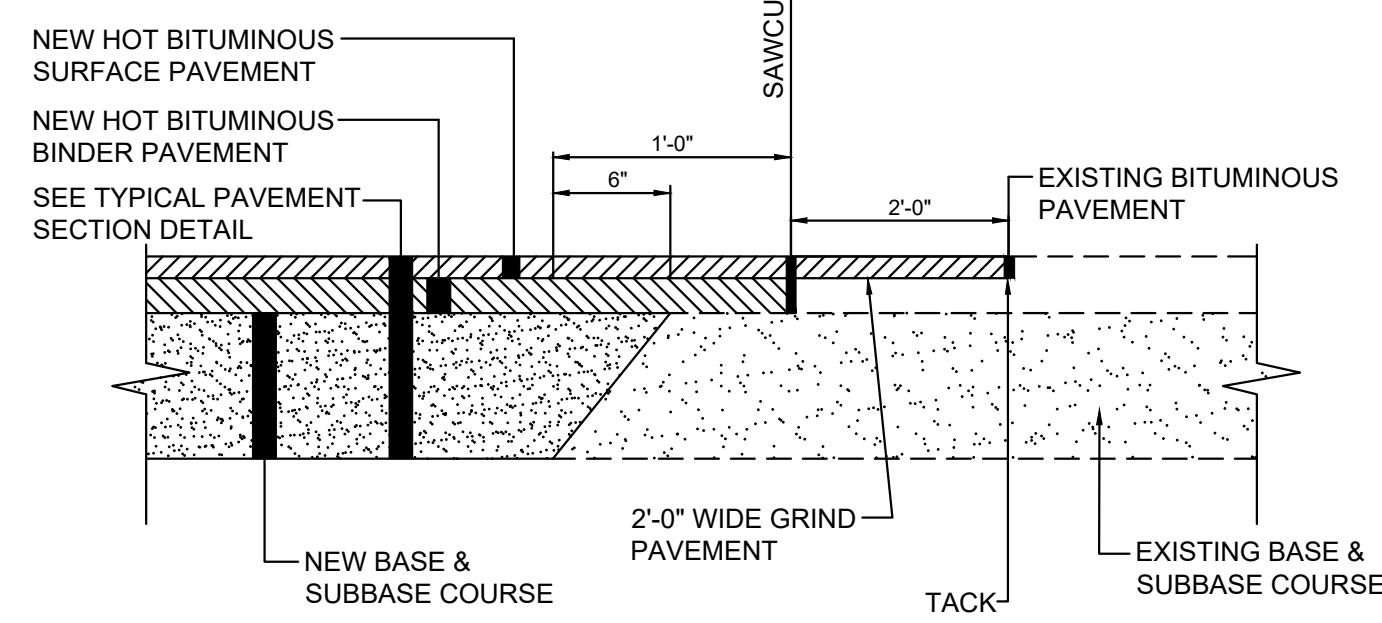
(E) UTILITY TRENCH - PRIMARY ELEC., TEL. & COMM.
N.T.S.



(H) SILT SACK® DETAIL & SPECIFICATIONS
N.T.S.



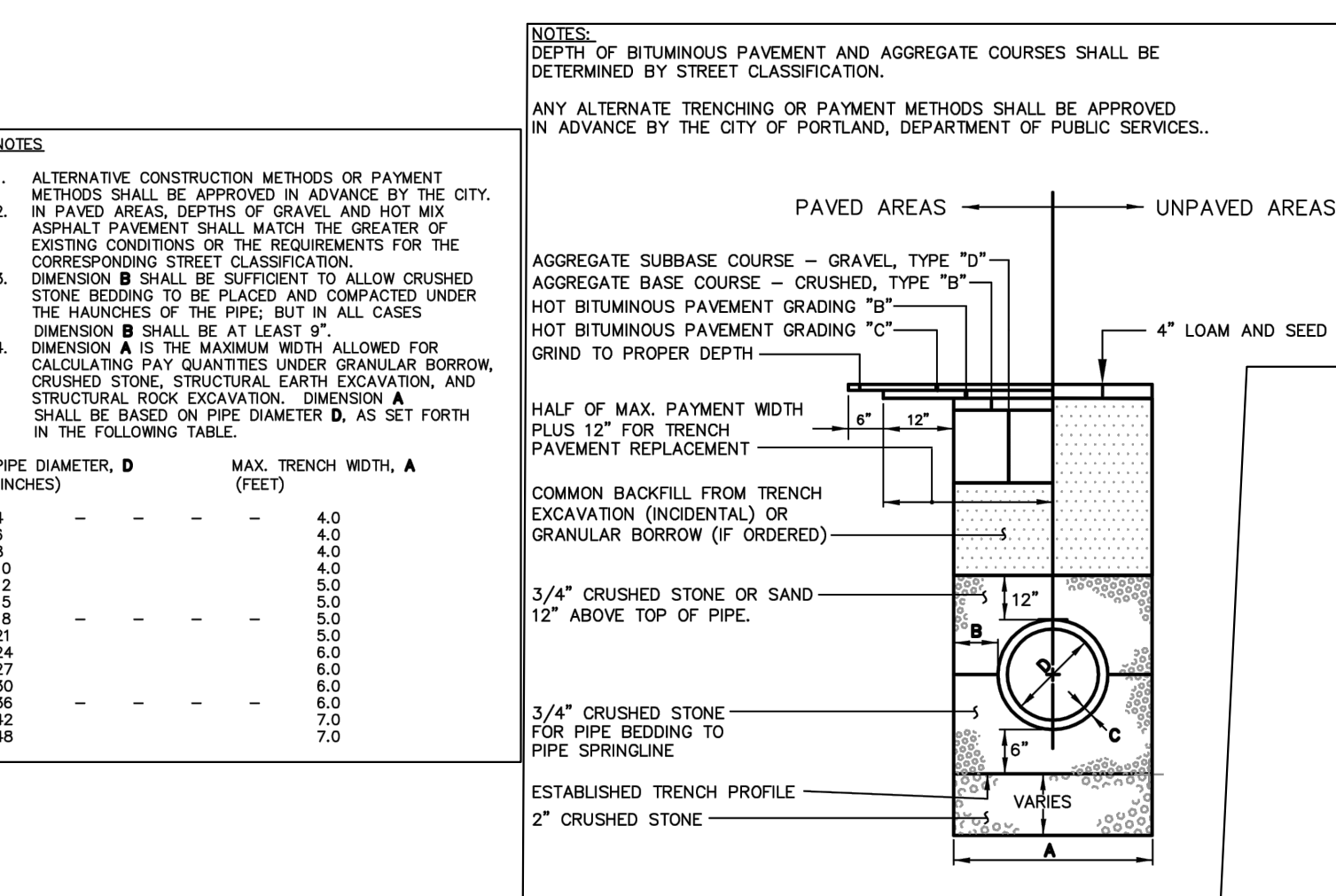
SEE NOTE 3 IN THRUST BLOCK NOTES DETAIL **(L)**
(K) WATER SERVICE TRENCH SECTION
N.T.S.



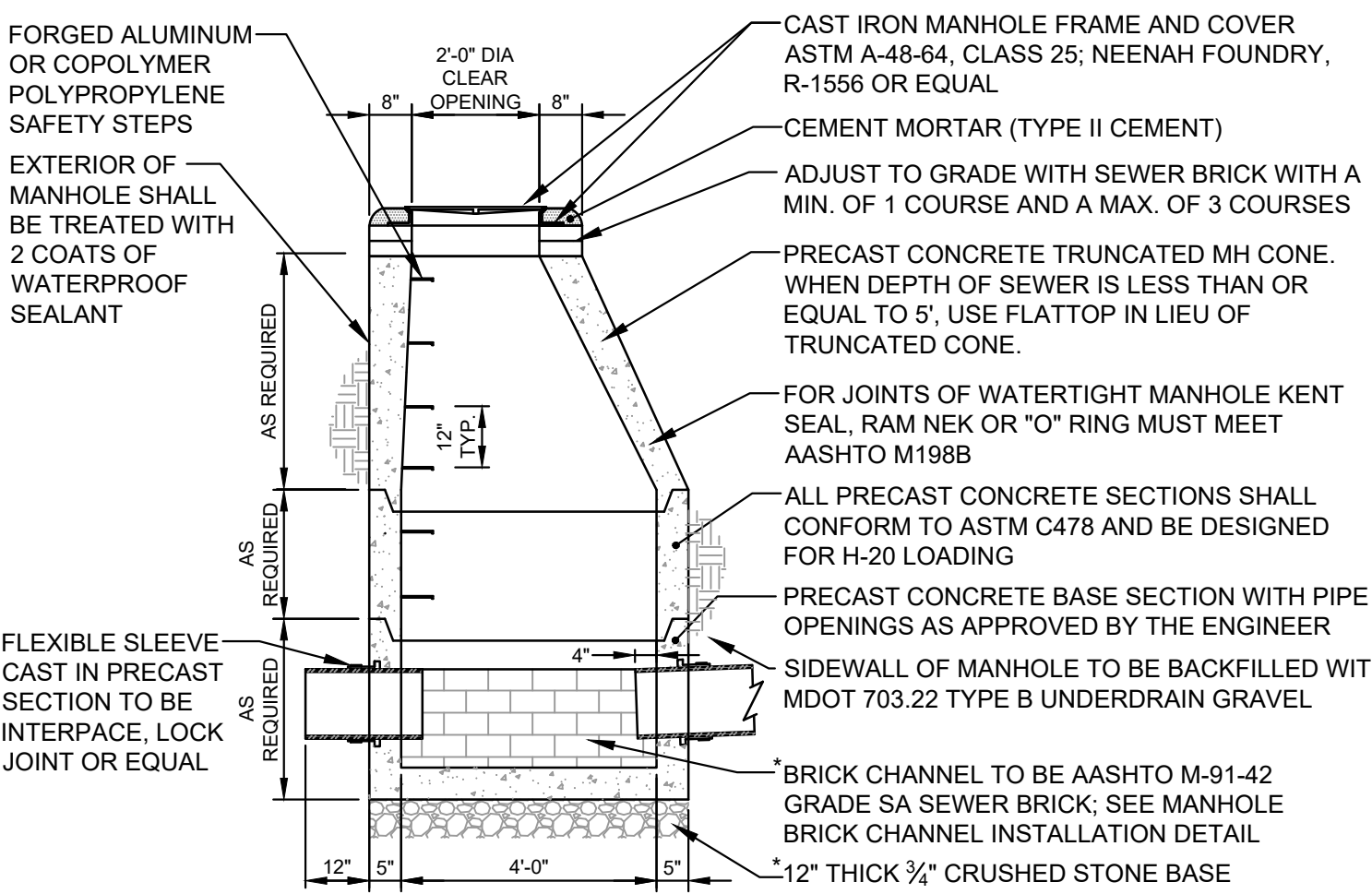
NOTES:

1. USE THIS DETAIL FOR THE RADIUS FILLET AT THE DRIVEWAY ENTRANCE TO THE PUBLIC STREETS OR TO MATCH PARKING LOT/DRIVE PAVEMENTS WHERE WIDENING OF EXISTING PAVEMENT AREA IS REQUIRED.
2. WHERE SURFACE PAVEMENT HAS NOT BEEN INSTALLED, THE 2'-0" WIDE GRIND IS NOT REQUIRED.

(C) PAVEMENT SAWCUT DETAIL
N.T.S.



(F) TYPICAL PIPE TRENCH INSTALLATION AND NOTES
N.T.S. AS OBTAINED FROM THE CITY OF PORTLAND "TECHNICAL MANUAL"

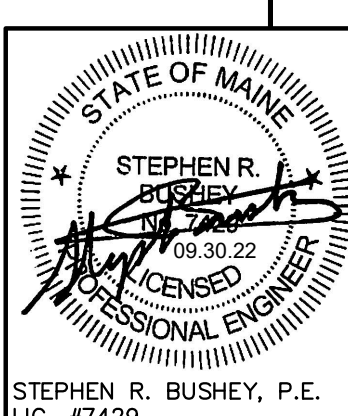


(I) 4'-0" DIA. PRECAST SEWER & STORM DRAIN MANHOLE DETAIL
N.T.S.

BEARING SURFACE REQUIRED IN SQUARE FEET					
PIPE SIZE	1/32 BEND	1/16 BEND	1/8 BEND	1/4 BEND	TEES/CAPS
6" / 8"	5.0	5.0	5.0	6.5	5.0
12"	11.5	11.5	11.5	20.0	22.0

(L) THRUST BLOCK NOTES
N.T.S.

NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES & SHALL NOT BE USED FOR CONSTRUCTION.



Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-DETAILS.dwg		
This plan shall not be modified without written permission from Gorrill Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrill Palmer.		
1	2022.09.30	SUBMITTED TO CITY OF PORTLAND FOR PERMITTING

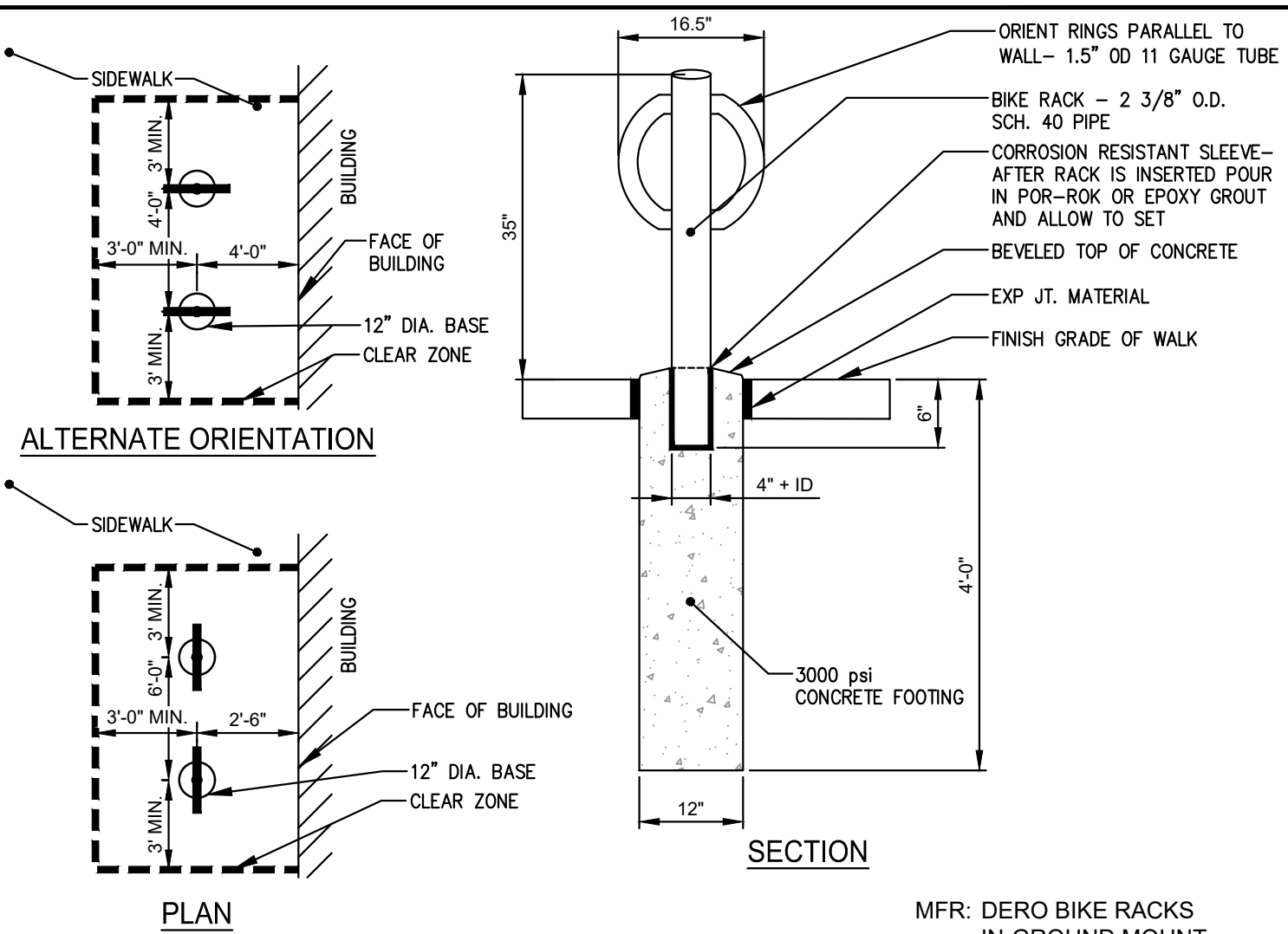


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Drawing Name:	SITE & MISCELLANEOUS DETAILS
Project:	PROPOSED MIXED-USE BUILDING 185 COMMERCIAL STREET, PORTLAND, MAINE
Client:	185 COMMERCIAL STREET, LLC 865 SPRING STREET, WESTBROOK, MAINE 04092

Drawing No.
C-5.0

U:\3972 - 185 Commercial Street Mixed Use - Portland\Z - CAD\DWG\3972-DETAILS.dwg 9/30/2022 1:58 PM



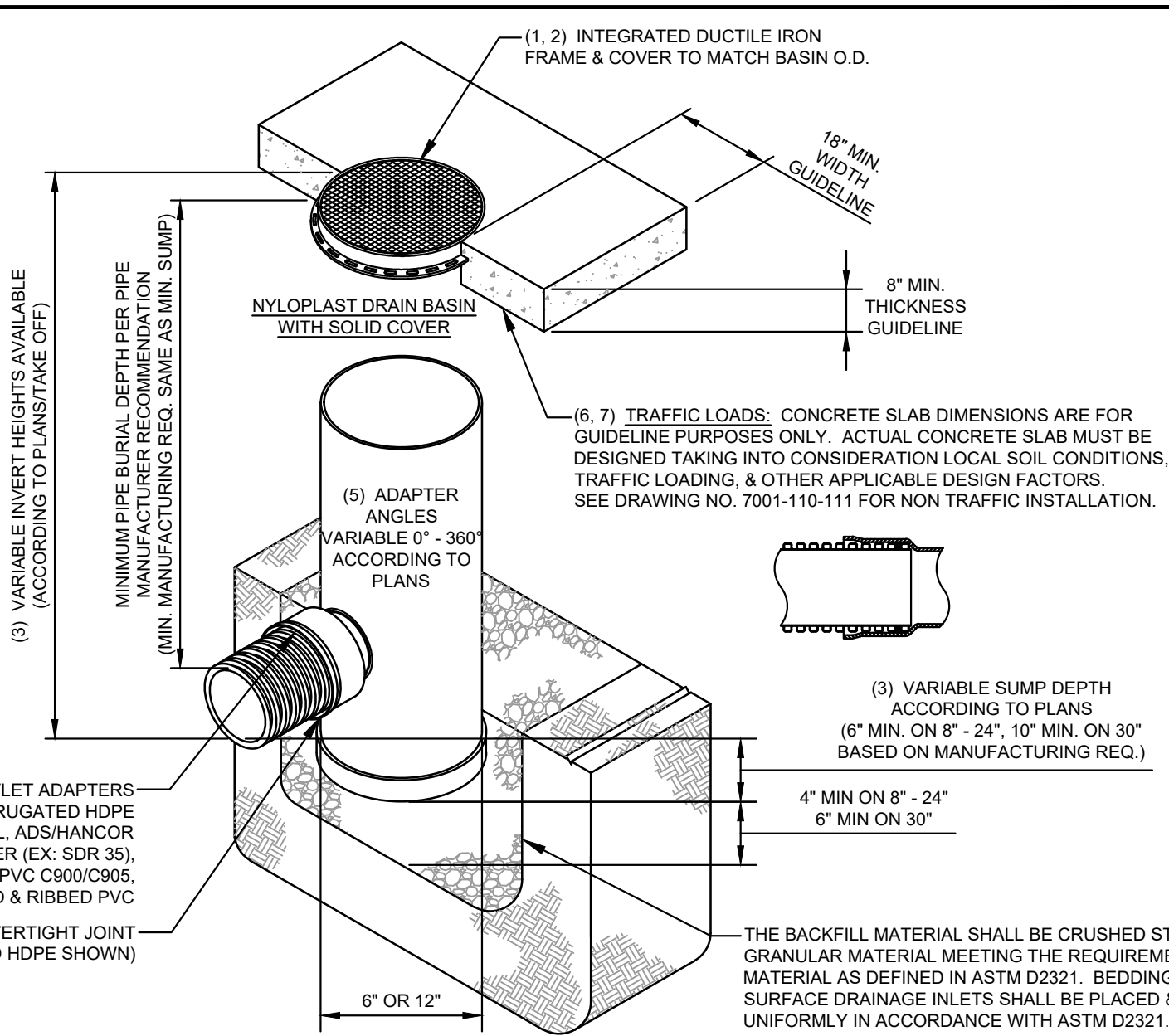
(A) BIKE HITCH MOUNTING DETAIL
N.T.S.

MFR: DERO BIKE RACKS
IN-GROUND MOUNT.
POWDER COAT FINISH
COLOR: BLACK
www.dero.com
1-800-298-4915

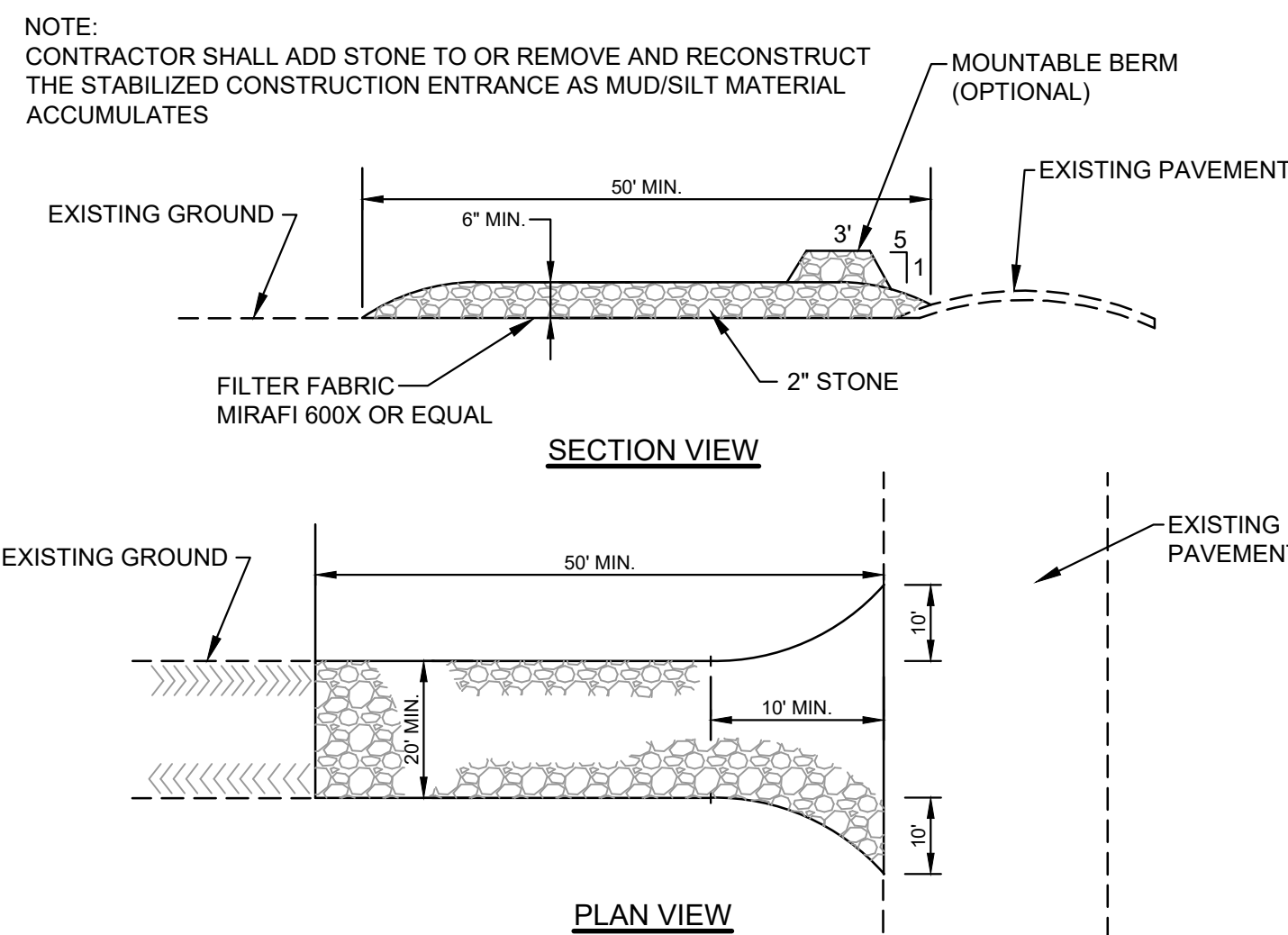
- NOTES**
- 8" - 30" SOLID COVERS SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.
 - 12" - 30" FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05. 8" & 10" SOLID COVERS FIT DIRECTLY ONTO DRAIN BASINS WITH THE USE OF A PVC BODY TOP. SEE DRAWING NO. 7001-110-045.
 - DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS. RISERS ARE NEEDED FOR BASINS OVER 84" DUE TO SHIPPING RESTRICTIONS. SEE DRAWING NO. 7001-110-065.
 - DRAINAGE CONNECTION STUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL), N-12 HP, & PVC SEWER (4" - 24").
 - ADAPTERS CAN BE MOUNTED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7001-110-012.
 - 12" - 30" SOLID COVERS SHALL MEET H-20 LOAD RATING.
 - 8" & 10" SOLID COVERS ARE RATED FOR LIGHT DUTY APPLICATIONS ONLY; NO CONCRETE COLLAR NEEDED FOR LIGHT DUTY RATINGS.

- (4) VARIOUS TYPES OF INLET & OUTLET ADAPTERS AVAILABLE: 4" - 30" FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, ADS/HANCOR SINGLE WALL), N-12 HP, PVC SEWER (EX: SDR 35), PVC DWV (EX: SCH 40), PVC C900/C905, CORRUGATED & RIBBED PVC

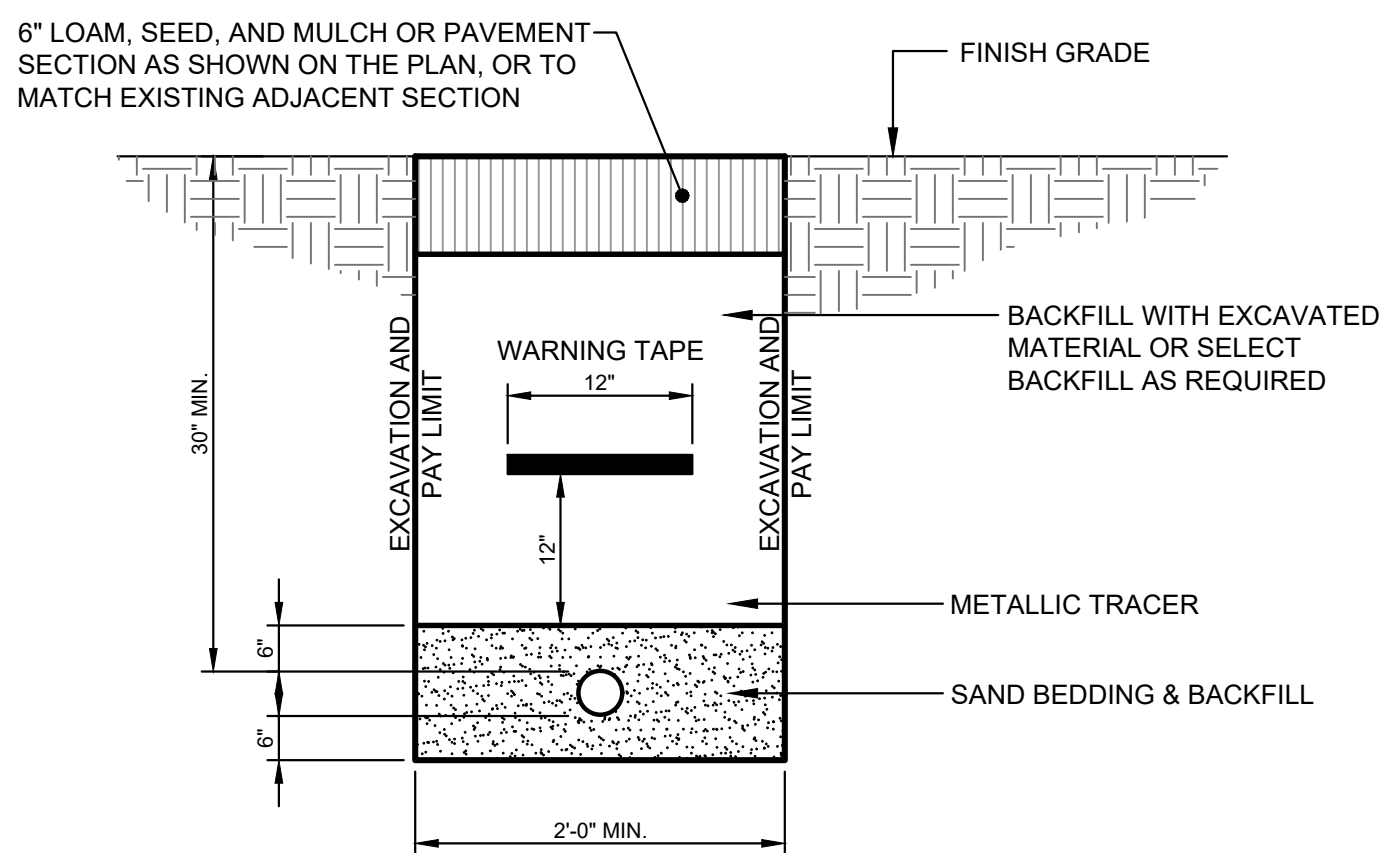
WATERTIGHT JOINT (CORRUGATED HDPE SHOWN)



(D) NYLOPLAST DRAIN BASIN
N.T.S.



(B) STABILIZED CONSTRUCTION ENTRANCE DETAIL
N.T.S.



NOTE:
GAS LINE TO BE INSTALLED BY OTHERS. GAS LINE INSTALLATION TO BE COORDINATED WITH THE LOCAL GAS UTILITY COMPANY, AND SHALL COMPLY WITH ITS STANDARDS. SITE CONTRACTOR IS RESPONSIBLE FOR EXCAVATION AND BACKFILL OF THE GAS LINE AND PLACEMENT OF THE WARNING TAPES AND TRACER.

(C) GAS SERVICE TRENCH SECTION
N.T.S.

Design: SRB	Draft: CDD	Date: SEPT 2022
Checked: SRB	Scale: AS NOTED	Job No.: 3972
File Name: 3972-DETAILS.dwg		

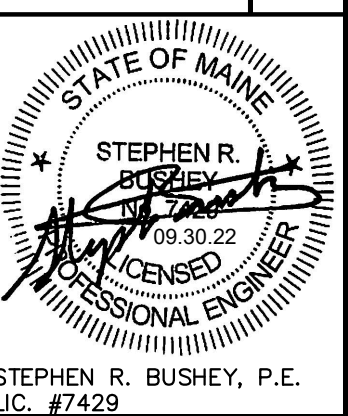
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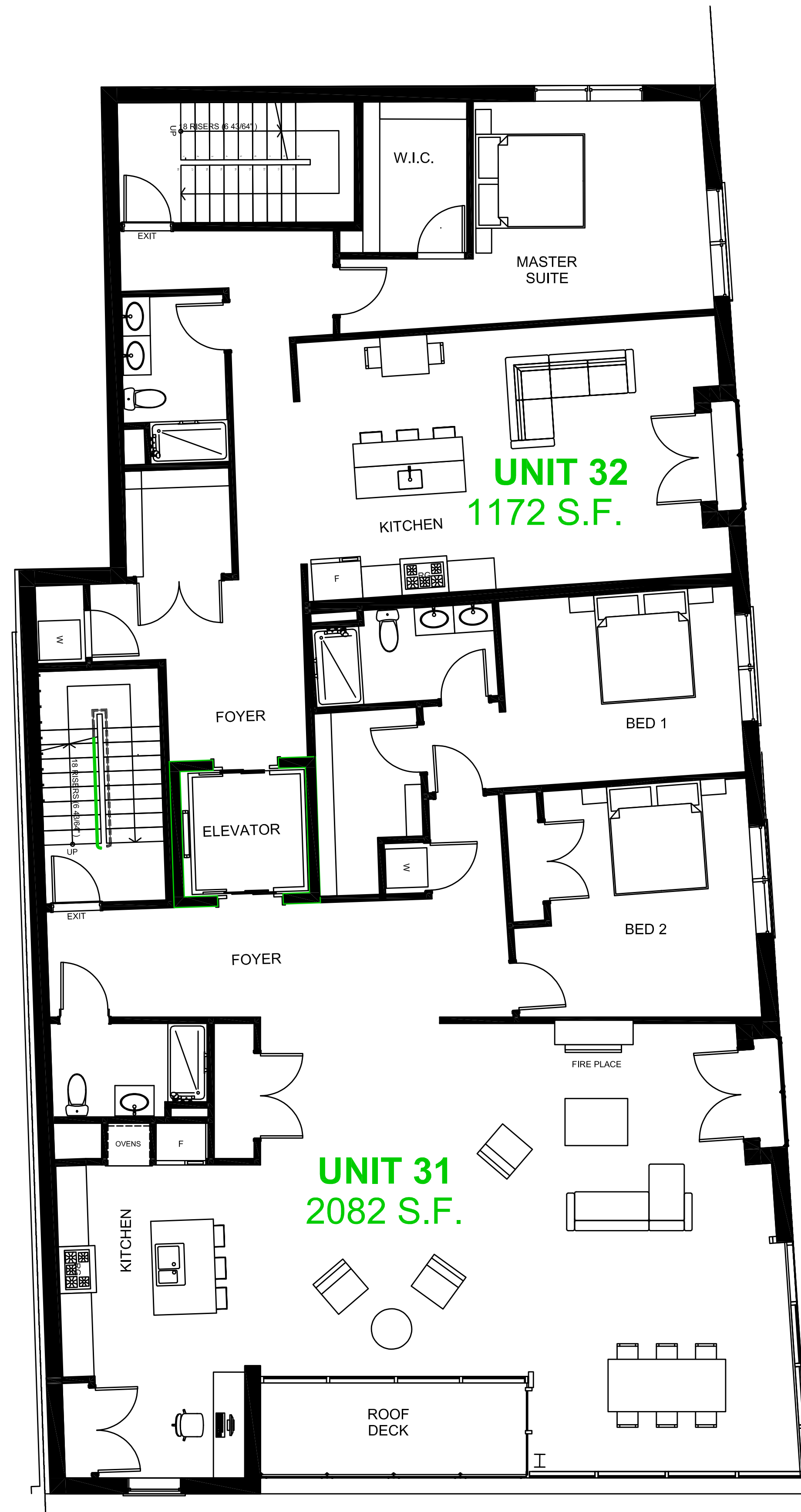
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Drawing Name:	SITE & MISCELLANEOUS DETAILS
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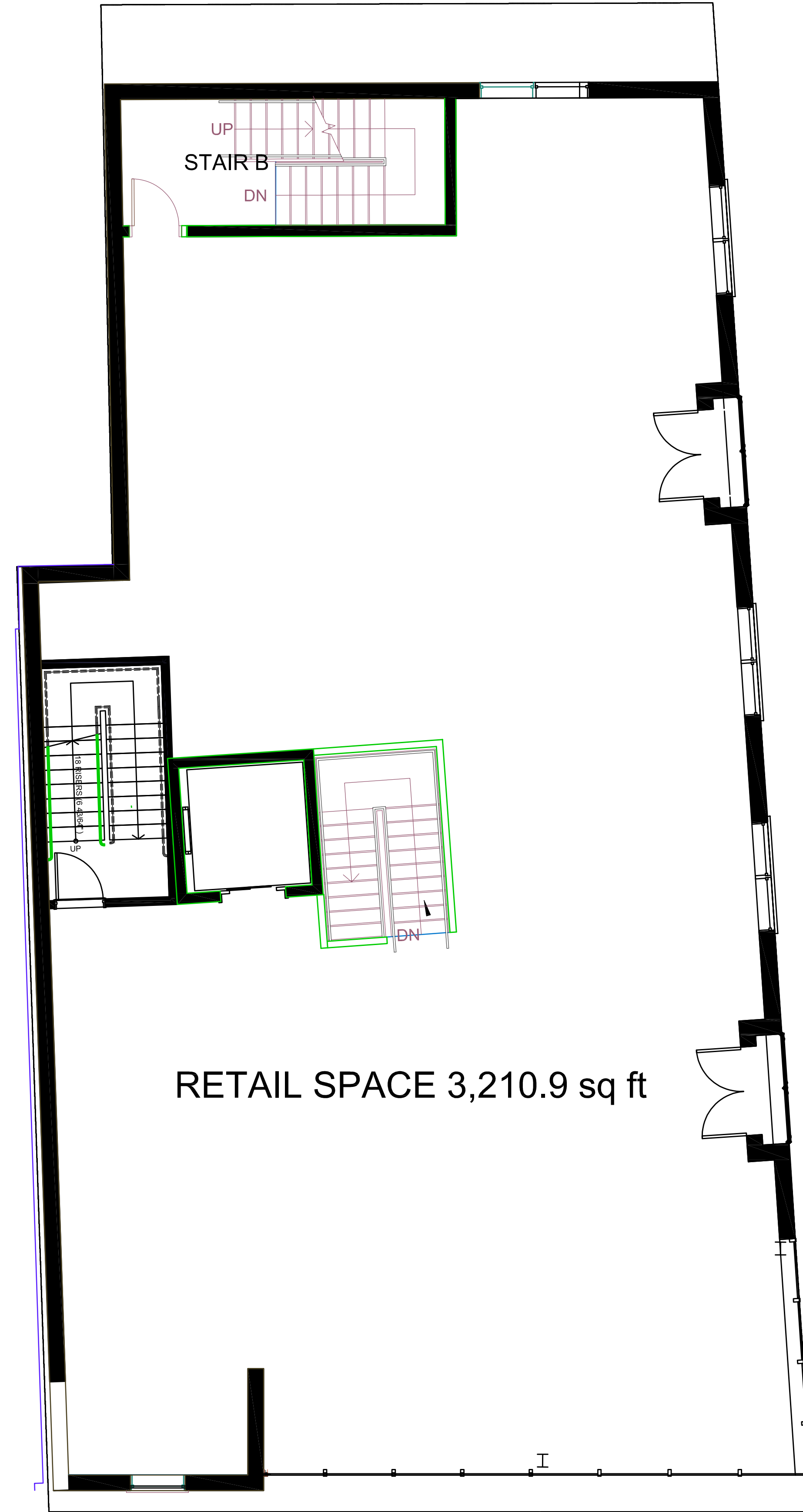
Drawing No.	C-5.1
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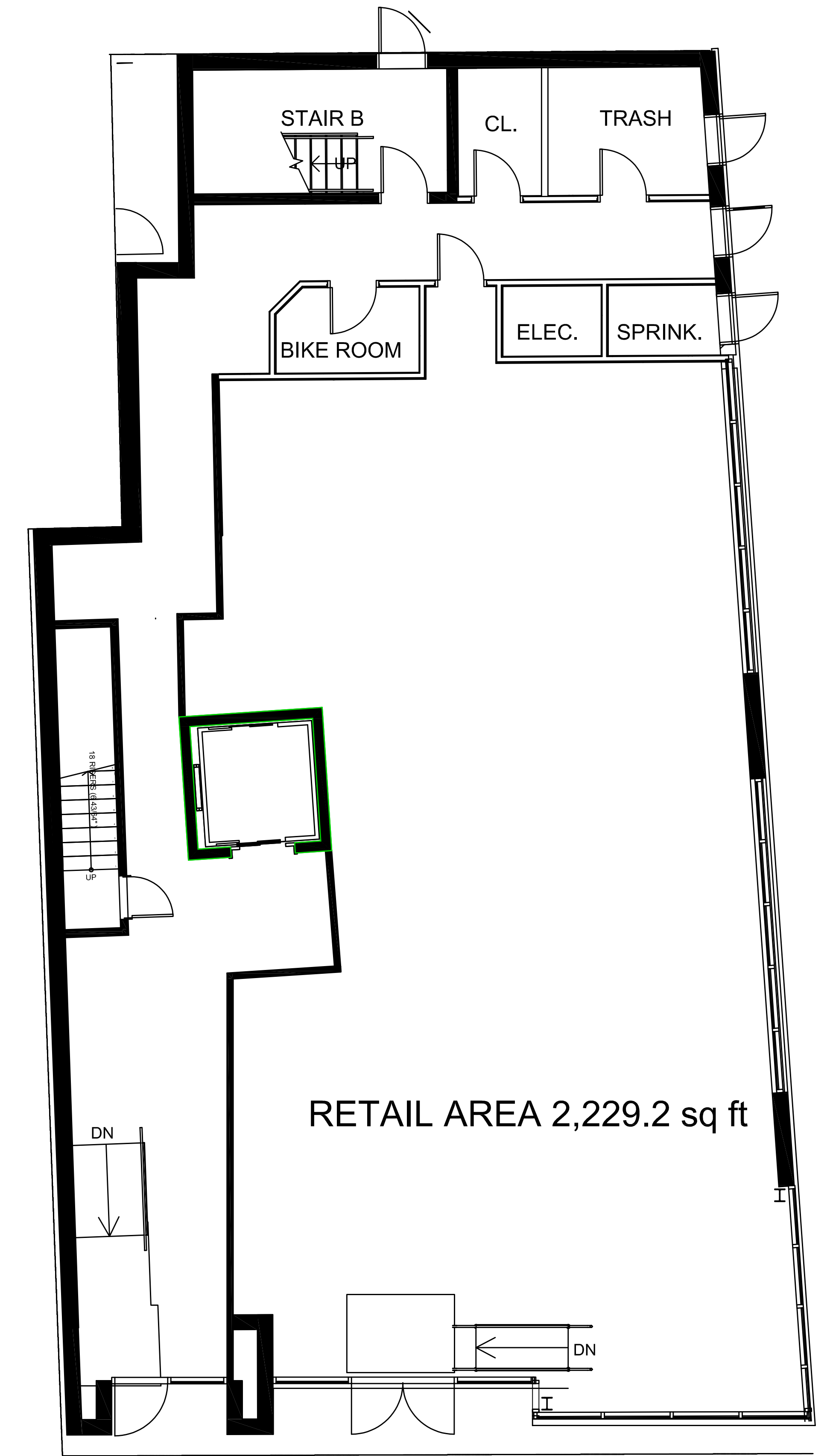
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3 UPPER FLOOR PLAN
SCALE: 3/16" = 1'-0"



2 SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



1 1ST FLOOR PLAN
SCALE: 3/16" = 1'-0"





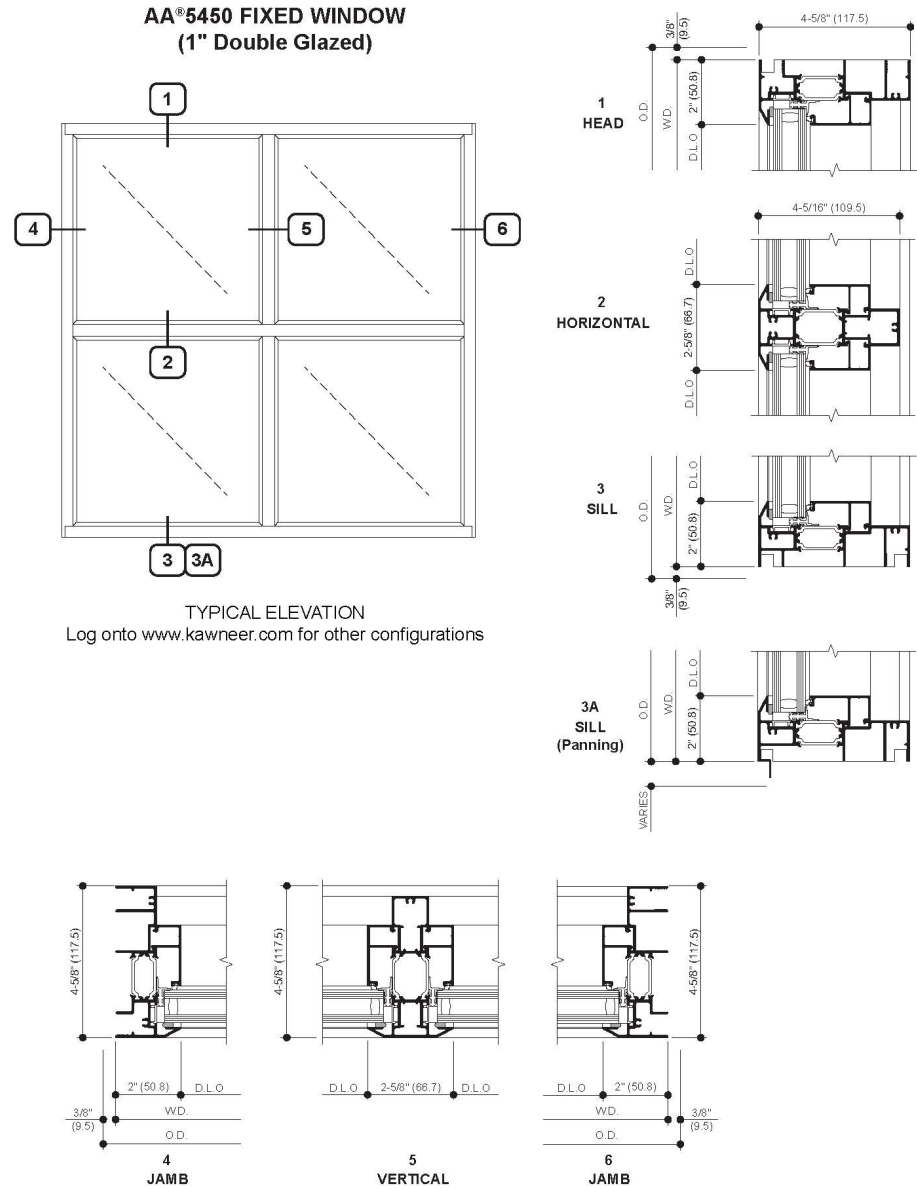








Additional information and CAD details are available at www.kawneer.com



Laws and building and safety codes governing the design and use of Kawneer products, such as glazed entrance, window, and curtain wall products, vary widely. Kawneer does not control the selection of product configurations, operating hardware, or glazing materials, and assumes no responsibility therefor.

Kawneer reserves the right to change configuration without prior notice when deemed necessary for product improvement.
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AESTHETICS

Even the smallest details of 1600 System®1 and 1600 Wall System®2 Curtain Wall reflect the aesthetics and reliability that derive from Kawneer's precise engineering and experience. The joinery for both systems is accomplished with concealed fasteners to create unbroken lines and a monolithic appearance. When using optional, open-back horizontal mullions, the fillers snap at the edge, producing an uninterrupted sightline.

PERFORMANCE

Key aspects of 1600 System®1 Curtain Wall and 1600 Wall System®2 Curtain Wall are enhanced for higher performance. Pressure equalization has been designed into the system, and all components are silicone compatible to provide superior longevity. For installations where severe weather conditions are prevalent, 1600 Wall System®1 has been large-missile hurricane impact and cycle tested. Proven through years of high performance, both systems are tested according to industry standards:

PERFORMANCE TEST STANDARDS

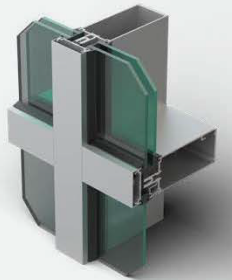
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Water Infiltration	ASTM E547, E331, AAMA 501
Severe Wind-Driven Rain	AAMA 520
Structural - Uniform Wind Load	ASTM E330; AAMA 501
Thermal Transmittance-U-Factor	NFRC 100, AAMA 1503, 507
Condensation Resistance (CRF, I, CR)	AAMA 1503; CSA A440; NFRC 500
Solar Heat Gain (SHGC), Visual Light Transmission (VT)	AMA 507; NFRC 200
Acoustical (STC & OITC)	ASTM E90, E1425; AAMA 1801
Seismic Performance	AMA 501.4; AAMA 501.6
Blast	AST F1642, UFC 4-010-01
Impact / hurricane	ASTM E1886, ASTM E1996, TAS 201, 202, 203

FOR THE FINISHING TOUCH

Architectural Class I anodized aluminum finishes are available in clear and Permanodic™ color choices.

Painted finishes, including fluoropolymer, that meet AAMA 2605 are offered in many standard choices and an unlimited number of specially designed colors.

Solvent-free powder coatings enhance sustainability and deliver high performance, durability and scratch resistance that meet the standards of AAMA 2604.



Technical drawing of the main frame showing dimensions and components. The drawing includes the following dimensions and labels:

- 58 3/4" [1518] ROUGH OPENING
- 58 3/4" [1518] COMPENSATION FRAME
- 53 11/16" [1383] MAIN FRAME
- INSIDE DIMENSION
- 54 9/16" [1386] PANEL HEIGHT
- 58 3/4" [1482] MAIN FRAME

141 1/4" [3588] COMPENSATION FRAME / ROUGH OPENING

134 15/16" [3428] MAIN FRAME INSIDE DIMENSION

EXTERIOR

INTERIOR

38 13/16" [984]

12 9/16" [319]

* NOMINAL GLASS SETTING BLOCKS HAVE BEEN INSTALLED IN ALL 4 (FOUR) CORNERS OF EACH MONTEREY PANEL. ADDITIONAL, VARYING THICKNESS, CORNER BLOCKS ARE SHIPPED LOOSE WITH MONTEREY SYSTEMS. THESE CORNER BLOCKS ARE TO BE USED BY GLASS INSTALLER TO ACHIEVE PROPER BLOCKAGE WITHIN PANEL FRAMES.

SYSTEM:	S55
FRAME & PANEL FINISH:	STANDARD KYNAR COLOR UC70570
HARDWARE FINISH:	BLACK POWDER COAT
SILL:	RAISED
SWING:	IN
GLAZING:	1" INSULATED (1/4"x1/2"x1/4") BY OTHERS
QTY:	2 (TWO) THUS
ACTIVE DOOR:	2 POINT INTERIOR LEVER LATCHES ONLY, NO EXTERIOR ACCESS WHEN CLOSED AND LATCHED

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0	10-14-20	VM
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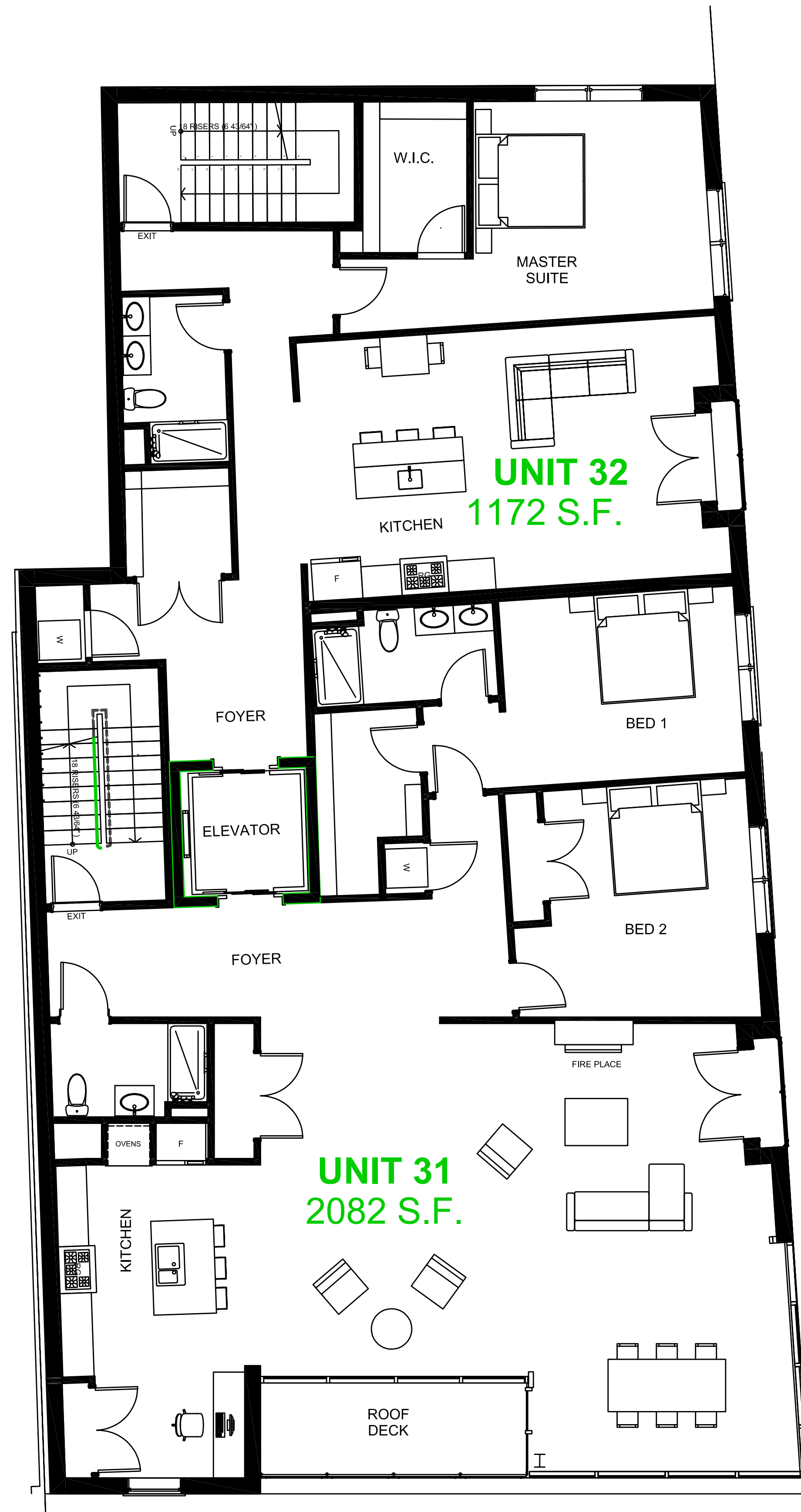
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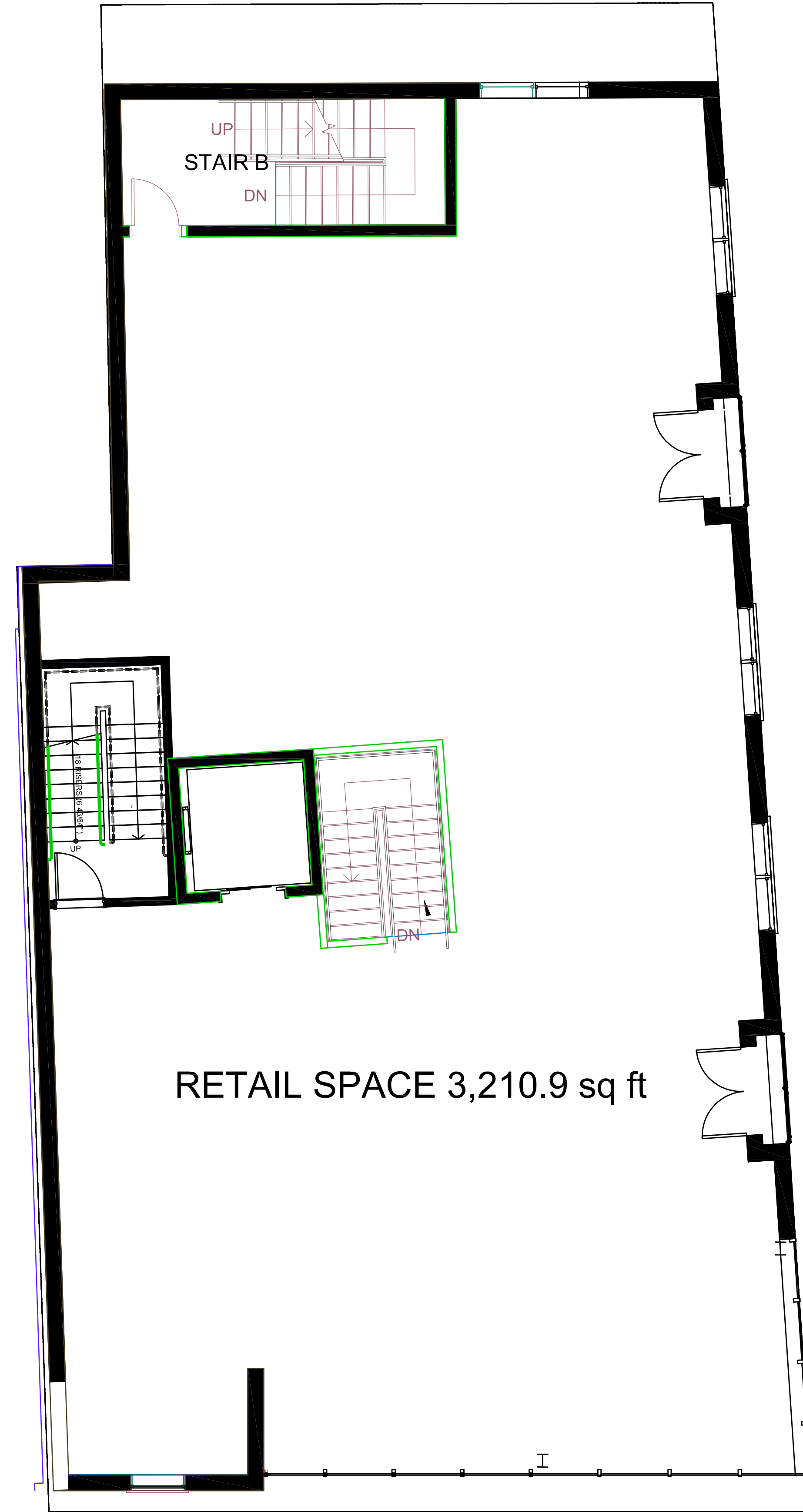
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Date	10-14-20
Scale	AS NOTED

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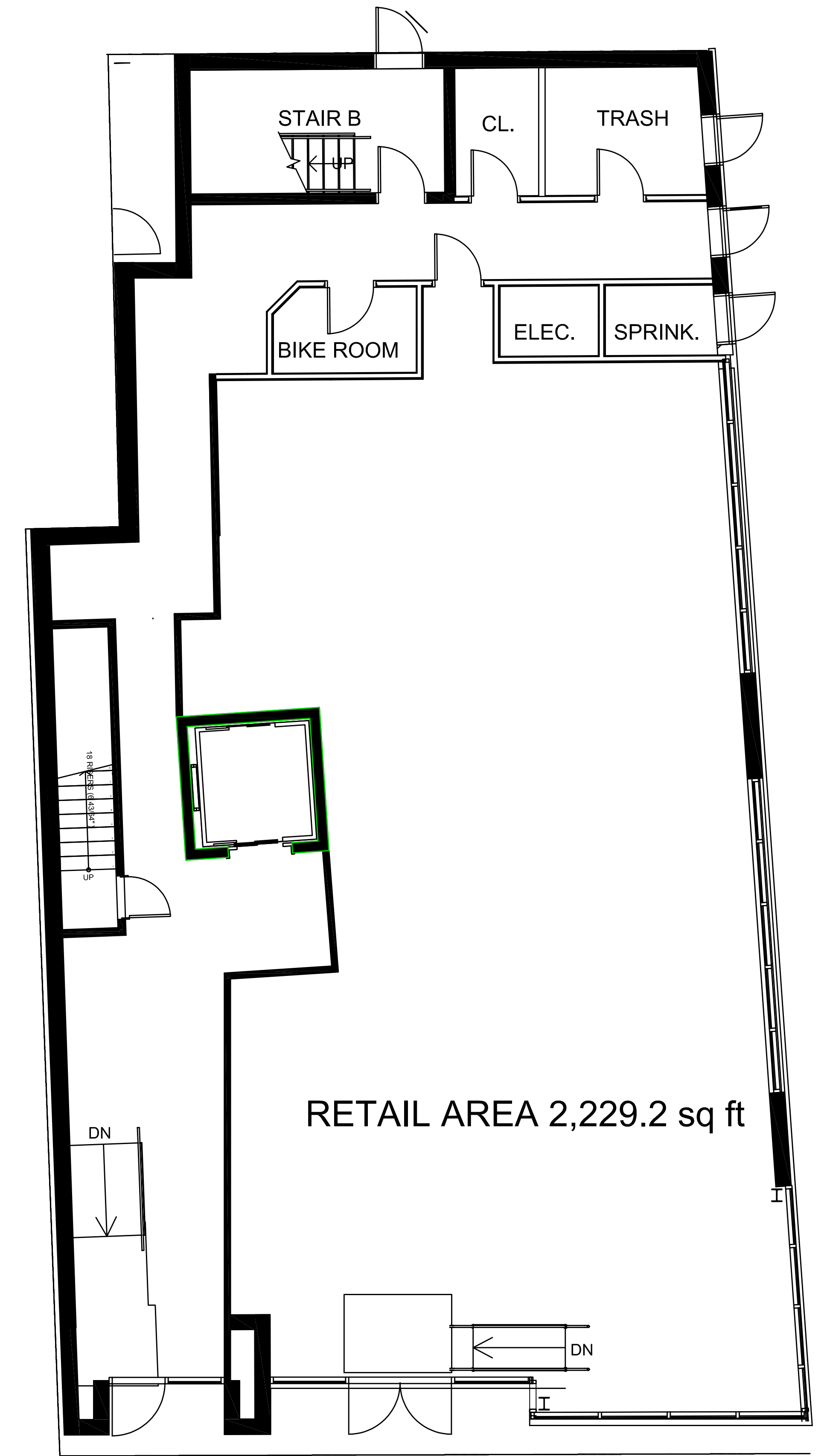




3 UPPER FLOOR PLAN
SCALE: 3/16" = 1'-0"



2 SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



1 1ST FLOOR PLAN
SCALE: 3/16" = 1'-0"





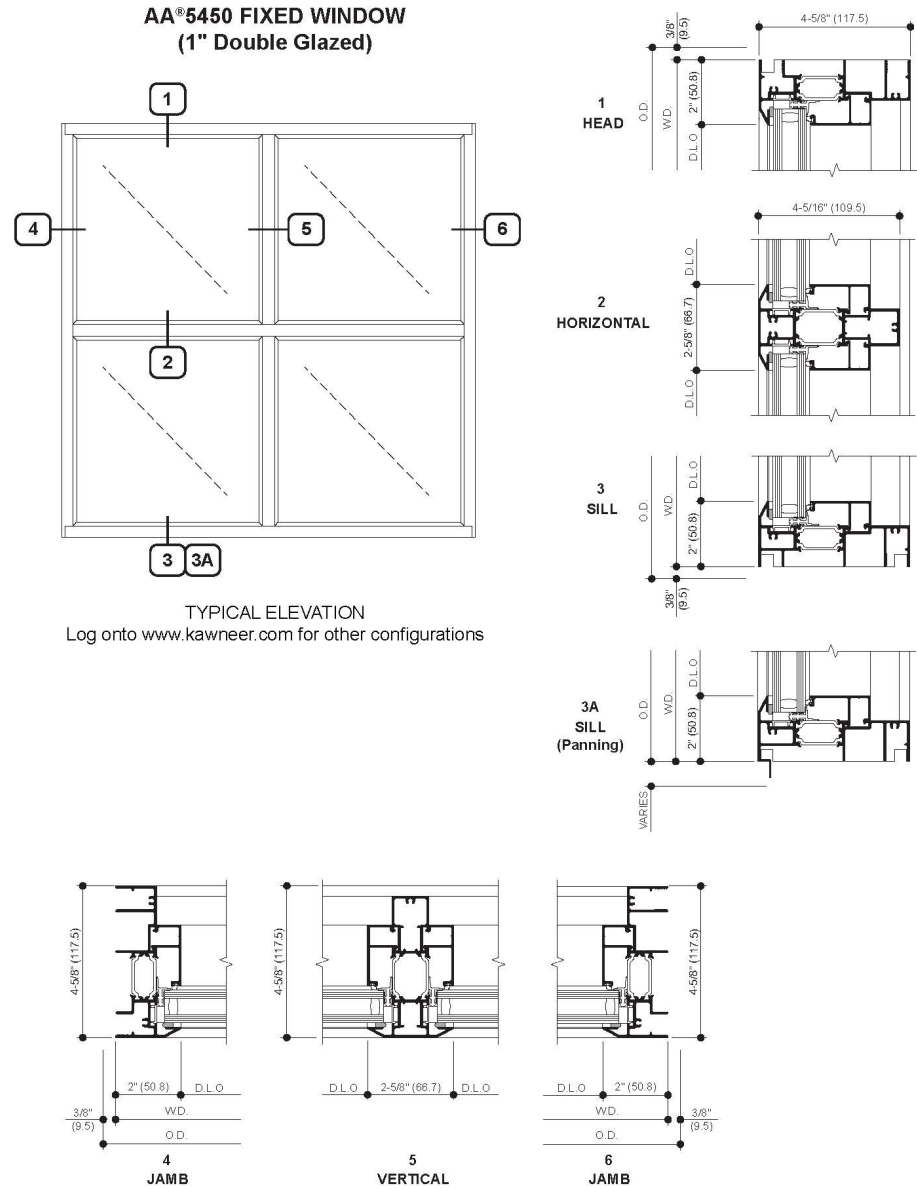








Additional information and CAD details are available at www.kawneer.com



TYPICAL ELEVATION
Log onto www.kawneer.com for other configurations

Laws and building and safety codes governing the design and use of Kawneer products, such as glazed entrance, window, and curtain wall products, vary widely. Kawneer does not control the selection of product configurations, operating hardware, or glazing materials, and assumes no responsibility therefor.

Kawneer reserves the right to change configuration without prior notice when deemed necessary for product improvement.
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AESTHETICS

Even the smallest details of 1600 System®1 and 1600 Wall System®2 Curtain Wall reflect the aesthetics and reliability that derive from Kawneer's precise engineering and experience. The joinery for both systems is accomplished with concealed fasteners to create unbroken lines and a monolithic appearance. When using optional, open-back horizontal mullions, the fillers snap at the edge, producing an uninterrupted sightline.

PERFORMANCE

Key aspects of 1600 System®1 Curtain Wall and 1600 Wall System®2 Curtain Wall are enhanced for higher performance. Pressure equalization has been designed into the system, and all components are silicone compatible to provide superior longevity. For installations where severe weather conditions are prevalent, 1600 Wall System®1 has been large-missile hurricane impact and cycle tested. Proven through years of high performance, both systems are tested according to industry standards:

PERFORMANCE TEST STANDARDS

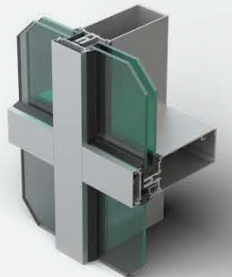
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Water Infiltration	ASTM E547, E331, AAMA 501
Severe Wind-Driven Rain	AAMA 520
Structural - Uniform Wind Load	ASTM E330; AAMA 501
Thermal Transmittance-U-Factor	NFRC 100, AAMA 1503, 507
Condensation Resistance (CRF, I, CR)	AAMA 1503; CSA A440; NFRC 500
Solar Heat Gain (SHGC), Visual Light Transmission (VT)	AMA 507; NFRC 200
Acoustical (STC & OITC)	ASTM E90, E1425; AAMA 1801
Seismic Performance	AMA 501.4; AAMA 501.6
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FOR THE FINISHING TOUCH

Architectural Class I anodized aluminum finishes are available in clear and Permanodic™ color choices.

Painted finishes, including fluoropolymer, that meet AAMA 2605 are offered in many standard choices and an unlimited number of specially designed colors.

Solvent-free powder coatings enhance sustainability and deliver high performance, durability and scratch resistance that meet the standards of AAMA 2604.

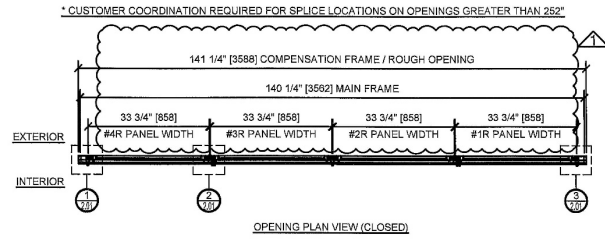


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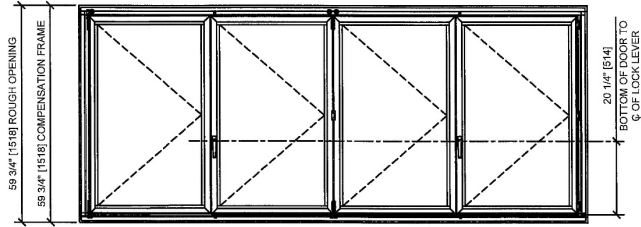
Technology Park/Atlanta
555 Guthridge Court
Norcross, GA 30092

770.449.5555 TEL

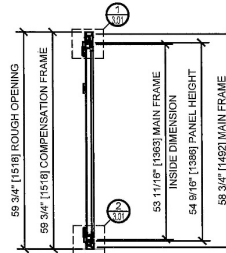
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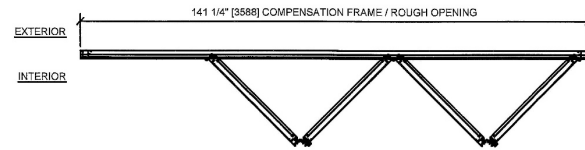
OPENING PLAN VIEW (CLOSED)



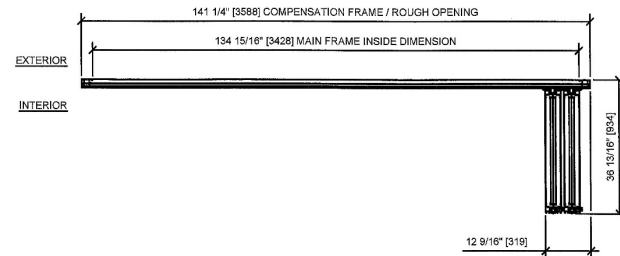
OPENING ELEVATION (INTERIOR)



SECTION



OPENING PLAN VIEW (PARTIALLY OPEN)



OPENING PLAN VIEW (OPEN)

* NOMINAL GLASS SETTING BLOCKS HAVE BEEN INSTALLED IN ALL 4 (FOUR) CORNERS OF EACH MONTEREY PANEL. ADDITIONAL VARYING THICKNESS CORNER BLOCKS ARE SHIPPED LOOSE WITH MONTEREY SYSTEMS. THESE CORNER BLOCKS ARE TO BE USED BY GLASS INSTALLER TO ACHIEVE PROPER BLOCKAGE WITHIN PANEL FRAMES.

MONTEREY DOOR CONFIGURATION

SYSTEM: S55

FRAME & PANEL FINISH: STANDARD KYNAR COLOR UC70570

HARDWARE FINISH: BLACK POWDER COAT

SILL: RAISED

SWING: IN

GLAZING: 1" INSULATED (1/4"x1/2"x1/4") BY OTHERS

QTY: 2 (TWO) THUS

ACTIVE DOOR: 2 POINT INTERIOR LEVER LATCHES ONLY, NO EXTERIOR ACCESS WHEN CLOSED AND LATCHED

Drawn by

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1	10-14-20	VM	
2	10-22-20	VM	
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 Phone 207-879-7800
 Fax 207-879-3982
 Contact SHAWN BREEN

Architect :

Job Name :

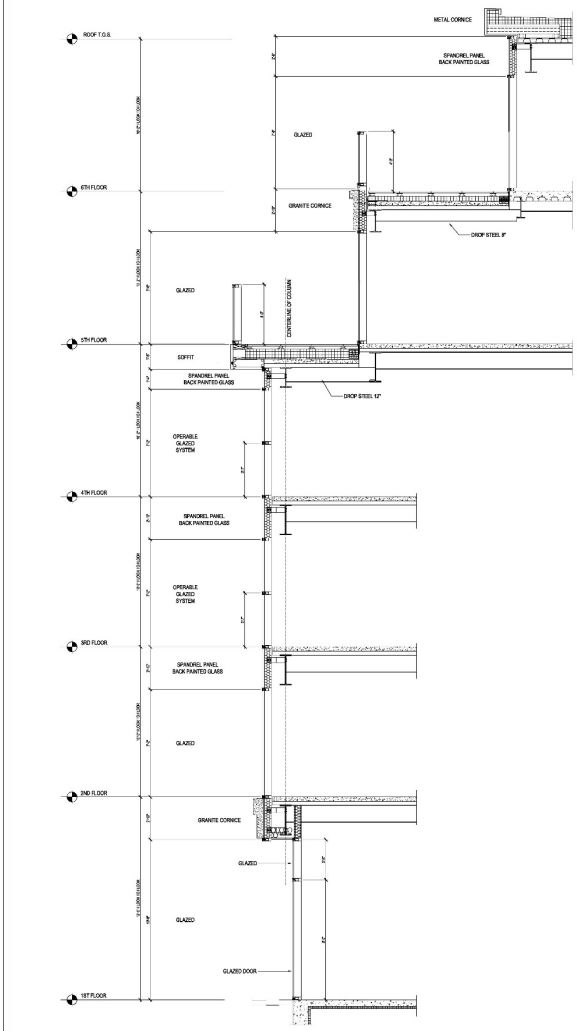
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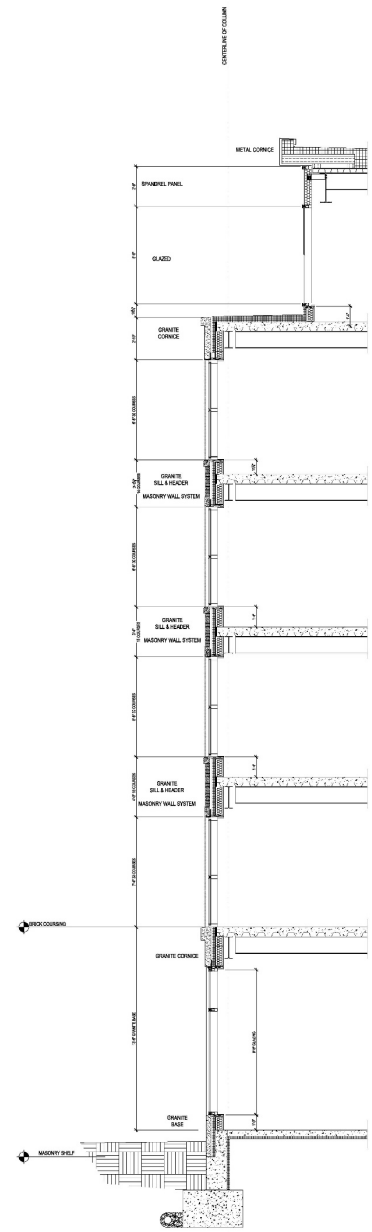
Fax :

Contact :

Drawn By : VM
Checked By : SM
Date : 10-14-2020
Scale : AS NOTED
Sheet No. : 1.01



1	WALL SECTION THRU GLASS WALL	DATE	REVISION	PROJECT	CLIENT	DESIGNER	DATE	REVISION	PROJECT	CLIENT	DESIGNER
A3.31	WALL SECTION @ CURTAIN WALL	10/01/2022	AS NOTED	185 COMMERCIAL STREET	PORTLAND, MAINE	40 Union Street Portland, Maine 04101	001771802	www.mcg.com	001771802	www.mcg.com	001771802



1	WALL SECTION THRU MASONRY WALL	DATE	REVISION	PROJECT	CLIENT	DESIGNER	DATE	REVISION	PROJECT	CLIENT	DESIGNER
A3.32	WALL SECTION @ MASONRY WALL	10/01/2022	AS NOTED	185 COMMERCIAL STREET	PORTLAND, MAINE	40 Union Street Portland, Maine 04101	001771802	www.mcg.com	001771802	www.mcg.com	001771802

To: Chair Stanley & Members of the Planning Board
From: Charles Tetelman
Date: February 10, 2023
Re: 73 Powsland Street
Project ID: PL-0001808-2021
CBL: 190 K015001, 190 K009001, 190 K010001
Meeting Date: February 14, 2023

I. INTRODUCTION

S TJ Inc. has submitted a Major Site Plan Application to facilitate the development of five buildings including four duplexes and one single-family home (totaling approximately 6,900 square feet) at 73 Powsland Street in the Libbytown neighborhood. This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Site Plan Standards, Section 14.6.



Figure 1: Site Rendering

The Planning and Urban Development Department mailed 80 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the February 4, 2023 and February 7, 2023 editions of the Portland Press Herald.

The Planning Board held a Workshop for 73 Powsland Street on July 12, 2022.

Applicant: STJ, Inc. (Mark Curtis)
Applicant Sebago Technics (Henry Hess)
Representatives: Ryan Senatore Architecture, LLC (Ryan Senatore)

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	Section 14.6
Design Review	Section (i) Two-Family

<i>Waiver Requests</i>	<i>Applicable Standards</i>
------------------------	-----------------------------

Waiver to Allow Discharging Directly into a non-Major River segment	Technical Manual Section 5. III
Sidewalk Waiver to waive sidewalk requirements along the development's frontage.	14.6.1.B.3.c+d

III. PROJECT DATA

Existing Zoning	B-5 Urban Commercial
Property Size	29,000 square feet
Existing Use	Undeveloped
Proposed Use	Residential

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	o	6,525 sq. ft.	+6,525 sq. ft.
Impervious Surface Area	o	16,585 sq. ft.	+16,585 sq. ft.
Parking Spaces	o	9	+9
Bicycle Parking Spaces	o	o	o

IV. EXISTING CONDITIONS AND SURROUNDING AREA



Figure 2: Aerial View

The proposed development site consists of six undeveloped lots located on the west side of Powsland Street, which extend southward beyond the currently developed portion of the street. The Powsland Street right-of-way (ROW) also continues southward beyond the current edge of pavement across an existing wetland area to a Central Maine Power (CMP) utility corridor. The parcels associated with the development are addressed 65-73 and 93 Powsland Street. The character of Powsland Street is predominantly small-to-mid scale residential consisting mostly of single-family residential homes with some mixed-use buildings at the corner of Powsland and Congress streets.

Powsland Street connects to the western portion of Congress Street proximate to Interstate 295. Congress Street is identified as a priority corridor in the City's Comprehensive Plan and includes sidewalks, established street trees, and a variety of building types and uses including both commercial and residential development. The proposed development is near the Portland Transportation Center and Thompson's Point. The Portland Transportation Center is approximately 750 ft. away from the proposed development and provides access to the Amtrak Downeaster line and the Concord Coach Bus Station. Additionally, METRO Routes 9A, 9B, and 5 run along Congress Street and Routes B and 1 connect at the Portland Transportation Center.

V. RIGHT, TITLE, & INTEREST

The applicant has submitted a deed recorded at the Cumberland County Registry of Deeds dated January 15, 2007 that demonstrate that the applicant, STJ Inc., is the current owner of the properties associated with the proposed development at 73 Powsland Street (Attachment A).

The applicant is proposing to extend Powsland Street 280 ft. along the Powsland Street right-of-way (ROW) to be accepted as a public street. The City will need a maintenance agreement from the applicant and Central Maine Power to maintain the paved portions of the turnaround beyond the Powsland Street ROW. This includes the proposed catch basin on private property.

The applicant has provided a draft letter of permission for work to be performed within Central Maine Power property. The gated paved turnaround at the end of Powsland Street, located on CMP property, will only be accessed by CMP, the City of Portland, and Emergency Services. Revised easement language is underway and final documentation will be required as a condition of approval.

The applicant is working with Amtrak to receive permission to update the culvert adjacent to the proposed development and underneath the rail corridor. Any work on the culvert will require easements between the applicant and Amtrak.

VI. FINANCIAL & TECHNICAL CAPACITY

The applicant has submitted a letter of financial capability from Gorham Savings Bank dated October 5, 2021 that demonstrates the applicant has financial capacity for the proposed development (Attachment A).

The applicant has submitted information about their agent, Sebago Technics, explaining their experience, credentials, and prior projects as it relates to this application (Attachment A). The applicant and applicant representatives have demonstrated technical capacity to undergo and complete the proposed project.

VII. PREVIOUS WORKSHOPS

At the July 12, 2022 Workshop, the Planning Board reviewed the original submission which included waivers (driveway, curbing, and sidewalks) as well as potential layouts for the turnaround at the end of Powsland Street. The Planning Board also discussed the development of the site within the shoreland zone and near wetlands. The Planning Board asked the applicant to provide stormwater calculations and confirm that the site could manage stormwater properly without replacing the culvert under the abutting rail corridor (as the applicants do not have easements and agreements to update the culvert as proposed). The applicant has worked with City Staff to resubmit and update the plans; the attached documents and drawings aim to address comments from the July Planning Board Workshop and City Staff review.

VIII. PROPOSED DEVELOPMENT

The applicant is proposing to construct five buildings (with building footprints being approximately 1,380 square feet each) including four residential duplexes and one single-family residential building, totaling 9 units. Each parcel will have one driveway and curb cut, with the duplex buildings having a shared driveway for the two units. The proposed buildings are designed to be similar in scale and disposition to other residential development along Powsland Street.

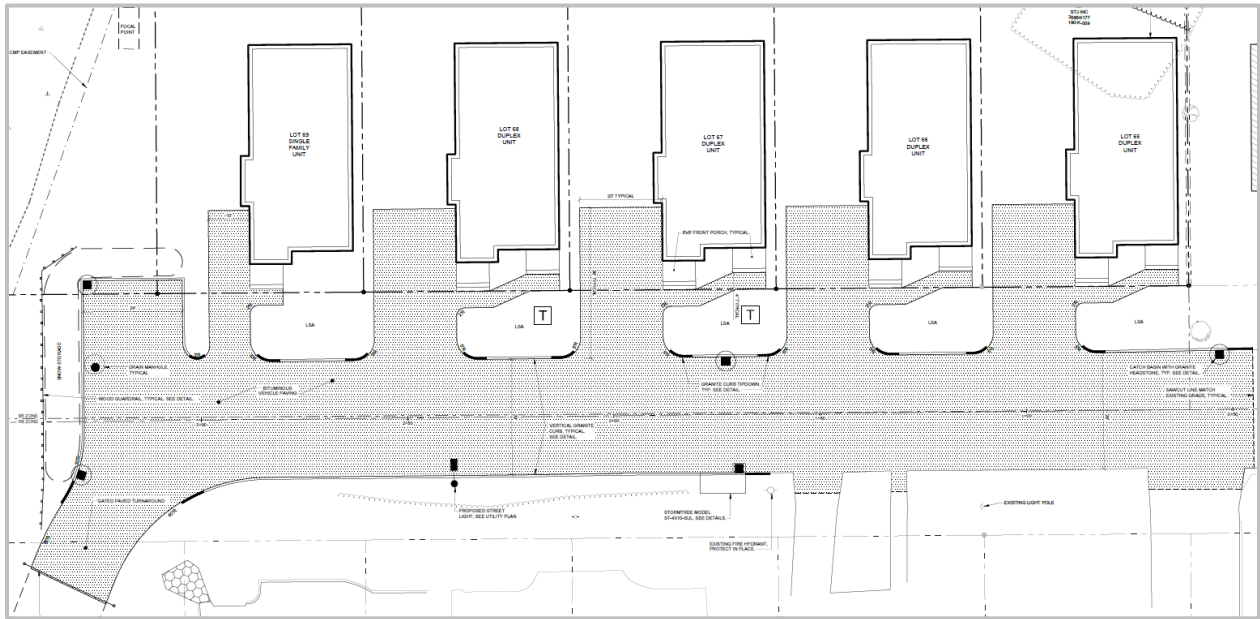


Figure 3: Updated Site Plan (Plan 4)

Additionally, the applicant is proposing to extend Powsland Street 280 ft. (approximately 3,500 square feet) along the ROW just beyond the single-family building. The total impervious area for the proposed development is 31,480 sq. ft. As originally proposed, the street extension would end in a right turn-around required for emergency services and vehicle navigation. As this proposed turn-around abuts an existing wetland, it was determined that the project would require significant erosion control measures, and a substantial retaining wall measuring 165 linear feet to limit impacts to this wetland. During review, the Department of Public Works recommended that the applicant explore alternative turn-around designs to avoid the construction of a large retaining wall. The applicant's most recent Site Plan (Plan 4) has a hammerhead turn-around with a smaller paved area to the North into the applicant's property and a gated paved entrance to Hooper Street to the South on CMP property – providing access to utility infrastructure along Hooper Street and a turnaround for emergency service vehicles at the end of Powsland Street. In lieu of a retaining wall at the end of Powsland Street, the updated plans include granite, a stormtree catch basin, new stormwater drain designs, and a stormwater outlet discharging into the wetland area.

City Staff have requested draft Housing Association documents to be submitted as part of the next round of documents. These documents will be required to outline the maintenance responsibilities for the private stormwater treatment on site.

IX. ZONING ANALYSIS

The proposed development is located within the B-5 Urban Commercial zone and is being reviewed under the B-5 Urban Commercial Zone standards and dimensional requirements (Table 7-E) shown below:

Dimensional Requirement	Required	Proposed
Lot Size	None	29,000 square feet
Front Yard	None	17-20 feet
Side Yard	None	12 feet
Height (max.)	65 feet	35 feet
Off-Street Parking	0 per unit*	2 per unit
*based on B-5 parking exemption and proximity to transit		

Per Table 19-A off-street parking minimums, single-, two-, or multi-family units are required to provide one parking space per dwelling unit. However, no off-street parking is required in the B-5 zone (Table 19-B Categorical exceptions to off-street parking minimums).

X. SITE PLAN REVIEW STANDARDS (Section 14.6)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's Site Plan Ordinance, Section 14.6. Staff comments are below (Attachments 4-7):

1. Transportation Standards (Section 14.6.1)

A. Impact on surrounding street systems

As a nine-unit development, the incremental traffic impact from the proposed project is expected to be minimal. The applicant has provided a trip generation analysis (Attachment B) showing that the proposed development would generate 68 daily trips, less than the threshold which would trigger a traffic study. The Consulting Traffic Engineer concurs with this finding.

The applicant has provided a Turning Template (Plan 18) showing that a large emergency vehicle has enough space to maneuver within the proposed turnaround.

The applicant will be required to get an Excavation Permit and coordinate with DPW prior to any work within the Powsland Street ROW per Sec. 4.09 Five-Year Moratorium Street Restoration Requirements.

B. Access and circulation

The applicant is proposing to extend Powsland Street 280 ft. along the existing ROW. The street includes granite curbing along both sides of the street extension. The applicant is requesting a sidewalk waiver (Attachment K) noting that there is no sidewalk currently on Powsland Street. City Staff have reviewed the waiver request and concur that the waiver request and reasoning provided is valid. Additionally, City Staff noted the proposed electrical transformers need to be moved away from the ROW to allow for construction of future sidewalks.

The original submission included a right hammerhead turn-around at the end of Powsland Street. Due to the need for a substantial retaining wall, the City requested that the applicant find an alternative layout to support a dead-end turn around. After coordinating with Central Maine Power (abutting parcel owner) and City Staff, the applicant has provided an updated site plan showing a revised turn-around design without a retaining wall. The hammerhead turn-around at the western end of Powsland Street now includes a gated paved entrance towards Hooper Lane to the South of

Powsland Street and a smaller paved area to the North of Powsland Street. This design no longer contains a retaining wall and the applicant included a wood guardrail at the end of the street. The applicant has updated their stormwater management and grading plans accordingly (more discussion below).

C. Public transit access

All residential development consisting of 20 or more dwelling units shall provide a transit shelter adjacent to or within the public right-of-way along its frontage if the development is proposed along an existing public transit route. As the proposed project is less than 20 units and is not located along a transit route, this standard is not applicable.

D. Parking

The applicant is providing two parking spaces per unit with one driveway per lot.

E. Transportation demand management (TDM)

The proposal does not meet the threshold requiring a TDM Plan. Therefore, a TDM Plan is not required as part of this application.

2. Environmental Quality Standards (Section 14.6.2)

A. Preservation of significant natural features

The property is located within a developed area and there are no endangered or threatened trees, plants, habitats, or moderate and high value waterfowl and wading habitats on site.

The applicant has filed and provided documentation showing a Tier 1 Natural Resources Protection Act (NRPA) Permit with MaineDEP (Attachments C + D) for the 4,351 square feet of wetland impacts.

B. Landscape preservation

The applicant will be clearing two maple trees on site. There is no additional landscaping to be preserved on site.

C. Site landscaping and buffers

The applicant has provided a landscaping plan (Plan 9) showing ten street trees and additional landscaping near the stormwater BMPs in the rear of the site. City Staff requested the applicant replace invasive species, including Japanese Knotweed, with desirable native plants while preventing the spread of invasive species to neighboring properties.

D. Water quality/storm water management/erosion control

Sebago Technics has provided a Stormwater Report (Attachment L) in accordance with MaineDEP Chapter 500 Stormwater standards, with a FocalPoint system and R-Tanks to be employed as stormwater best management practices (BMPs). The applicant has also included a stormtree filter system on the East side of the project to treat existing impervious area from Powsland Street. The proposed R-Tank Stormwater System will be on private property and will require a Housing Association to assume long term maintenance of the stormwater treatment systems on private property. Additionally, DPW will require any treatment or infrastructure at the end of Powsland to be designed so as to allow a future connection to Sewall Street via Hooper Street.

The applicant is proposing to replace an existing culvert which crosses the Amtrak rail-line. The applicant has requested written authorization and an agreement from Amtrak to perform this work. The Stormwater Report shows that the project meets stormwater treatment standards without any upgrade to the outlet control structure or culvert. The applicant will continue working with Amtrak in order to upgrade the culvert, however, the applicant notes that the site adequately handles stormwater without replacing the existing culvert. After review, City Staff is strongly suggesting that the applicants upgrade the culvert as part of this application.

The applicant has submitted a waiver request for the Chapter 500 Flooding Standard as the project discharges into coastal wetlands and is located at the beginning of a major river segment that is a direct tributary to the Fore River (Attachment J). City Staff are still reviewing this waiver request.

3. Public Infrastructure and Community Safety Standards (Section 14.6.3)

A. Consistency with City Master Plans

There are no City Council-approved master plans or facilities plans related to the proposed development.

The applicant will be required to enter into Maintenance Agreements with the City for maintenance of the extended portion of Powsland Street once accepted as well as the proposed stormwater systems within the City ROW.

B. Public safety and fire prevention

The proposed development will all be sprinkled and water for these sprinklers will be provided via NFPA 13D Tank Systems instead of using a combined fire/domestic service line. Portland Water District have determined that the NFPA 13D proposed as part of this project are sufficient (Attachment O).

The gated paved entry at the turnaround will have a Knox Box (final location to be coordinated with the Fire Department). City Staff have asked for clarification on who will be maintaining the gate.

C. Availability and capacity of public utilities

The applicant has reached out to all utility providers and requested ability to serve letters (to be provided to City Staff once received). The applicant is providing underground electrical service to buildings on site.

Portland Water District confirmed that PWD will be able to serve the proposed project including the proposed NFPA 13D tanks for sprinklers (Attachment N + O).

DPW has reviewed and determined that the downstream sewers from the proposed project have the capacity to convey the estimated dry weather wastewater flows generated from the proposed development (Attachment P).

4. Site Design Standards (Section 14.6.4)

A. Massing, ventilation, and wind impact

Given the location of the development site, the typologies chosen, and the surrounding built environment, the proposed building will not create massing, ventilation, or wind impacts to adjoining

structures or abutting public spaces. The proposed buildings are significantly below the maximum height permitted in the B-5 zone and are similar in context and scale to nearby residential buildings.

B. Shadows

There are no publicly accessible open spaces or areas that will be affected by shadows from the proposed development.

C. Snow and ice loading

The applicant has noted a ten-foot shoulder adjacent to the end of the Powsland Street ROW pavement for snow storage with the guard rail located behind the snow storage area.

City Staff have provided feedback requesting the applicant to include a snow storage area on the site plan for each lot.

D. View corridors

The project is not located along any designated view corridors; not applicable.

E. Historic resources

The proposed development is not located in or near any designated historic districts, landscapes, or landmarks; not applicable.

F. Exterior lighting

No onsite light fixtures are currently proposed. Lighting will be affixed to the residential buildings. City Staff are requesting the applicant provide a photometric plan and lighting detail specifications. Lighting details should confirm that applicant is using full cutoff light fixtures per city standards.

G. Noise and vibration

The noise and vibration standards are not applicable to the proposed development.

H. Signage and wayfinding

The signage and wayfinding standards are not applicable to the proposed development.

I. Zoning-related design standards

The proposed development is required to comply with the *City of Portland Design Manual* Section (i) for Two-Family structures. City Staff have provided three design review memos to the applicant (Attachments 1, 2, +3). The latest renderings and architectural elevations show that the proposed development meets all applicable design standards.

XI. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The Planning & Urban Development Department has received six public comments regarding the proposed development at 73 Powsland Street (PC 1-7). The comments include concerns regarding impact of development on surrounding wetlands and stormwater runoff onto abutting properties. These individuals believe development will adversely impact the surrounding area.

The applicant has held a neighborhood meeting as required (Attachment M).

XII. NEXT STEPS

- Address City Staff and Planning Board comments
- Schedule Next Planning Board Meeting

XIII. ATTACHMENTS

MEMO ATTACHMENTS

1. Design Review – Preliminary Review
2. Design Review – Second Round Review
3. Design Review – Final Determination
4. Staff Review – April 2022
5. Staff Review – June 2022
6. Staff Review – September 2022
7. Staff Review – February 2023

APPLICANT SUBMITTAL

- A. General Plan Documents
- B. Transportation
- C. Environmental and LS features
- D. Stormwater
- E. Public infrastructure and safety
- F. Site Design
- G. Construction Management Plan Draft
- H. Applicant Comment Response Letter 1/11/23
- I. Street Moratorium Memo
- J. Flooding Standard Waiver Request
- K. Sidewalk Waiver Request
- L. SWM Report 1/10/23
- M. Neighborhood Meeting Minutes
- N. PWD Ability to Serve
- O. PWD Fire Tanks
- P. Wastewater Capacity

PLANS

- Plan 1. Cover Sheet
- Plan 2. Notes and Legend Plan
- Plan 3. Overall Site Plan
- Plan 4. Site Plan
- Plan 5. Overall Grading Plan
- Plan 6. Grading Plan
- Plan 7. Plan and Profile
- Plan 8. Utility Plan
- Plan 9. Landscape Plan
- Plan 10. Erosion Control and Plan
- Plan 11. Detail Sheet 1
- Plan 12. Detail Sheet 2
- Plan 13. Detail Sheet 3

Plan 14. Detail Sheet 4
Plan 15. Detail Sheet 5
Plan 16. Pre Development
Plan 17. Post Development
Plan 18. Vehicle Exhibit

PUBLIC COMMENT

Pc1 Dale Holman 12/11/21
PC2 Dale Holman 12/11/21
PC3 Dale Holman 12/11/21
PC4 Harlan Baker 12/12/21
PC5 Dale Holman 7/5/21
PC6 Scott Rheault 7/6/21
PC7 Dale Holman 2/4/23



Planning and Urban Development Department

Subject: B5 Design Review – 65-73, 93 Powsland Street

Written by: Sean King, Urban Designer

Date of Review : Thursday, December 30, 2021

The proposed development of (4) two-family (duplex) and (1) single family residence at 65-73, 93 Powsland Street was reviewed against section (i) Two-Family in the City of Portland Design Manual.

Reviewers: Sean King – Urban Designer, Austen Torres Davis - Planner, Jimmy Dealaman - Planner, and Kevin Kraft - Deputy Director of the Department of Planning & Urban Development.

Design Review Comments (*red text denotes standards that are not met*):

The proposed design currently **does not meet** all of the design standards for development – please refer to comments below regarding design standards currently not met in order to meet the site plan standards. Conditions of approval may be needed to resolve these outstanding design items.

(i) TWO-FAMILY, SPECIAL NEEDS INDEPENDENT LIVING UNITS, MULTIPLE-FAMILY, LODGING HOUSES, BED AND BREAKFASTS, AND EMERGENCY SHELTERS

(1) STANDARDS. Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts, and emergency shelters shall meet the following standards:

a. Proposed structures and related site improvements shall meet the following standards:

1. The exterior design of the proposed structures shall be designed to complement and enhance the nearest residential neighborhood. – **Not Met**
The design of exterior facades provides positive visual interest in building form and height, window pattern and spacing, porches and entryways, cornerboard and trim details, and facade variation in projecting or recessed building elements for each residence appropriate to context of residential neighborhood. **The residential quality of the neighborhood can be described as incremental infill that reflects a variety of architectural style and periods that does not capture a singular precedent. The uniformity of the proposed two-family (duplex) architectural style deviates from the residential neighborhood pattern, consider further exterior design variation for greater positive visual interest through façade material, roof type and/or differential façade variation. Facade materials to be indicated on architectural elevations. The proposed hipped roof form is not the dominant roof form present throughout the surrounding neighborhood, and where evident there is the inclusion of a dormer window or other roof**

projections to additional opportunities for air and light into upper floor. Consider further variation in roof form as an opportunity for greater positive visual interests that responds to the variety reflected in the surrounding residential neighborhood character.

2. The proposed development shall respect the existing relationship of buildings to public streets. – Met

The proposed development integrates into the existing residential fabric with observed building location, street frontage landscaping and identified porches for each residence.

3. Open space on the site for all two-family shall be integrated into the development site. – **Not Met**

The proposed development landscape plan includes tree plantings within the street frontage buffer to screen from street. **Identify open space functions to include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings. Include additional vegetated screening to buffer adjacent properties at side and rear yard, with special consideration for vegetation at top of proposed slope in rear to screen steep grades proposed and views from adjacent rear properties.**

4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas – **Not Met**

Proposed dwellings includes ample windows throughout all facades. **Provide architectural floor plans to identify window arrangement specific to proposed interior living spaces. Provide allocation of sufficient storage areas within basement, attic space or other interior space.**

5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets. – **Not Met**

The proposed development landscape plan shall include proposed landscaping to properly screen vehicles from adjacent properties.

6. Two-family shall not be converted to lodging houses unless all units in the building have been vacant for at least one (1) year prior to the date conversion is sought or unless the individual multiple-family units are less than one thousand (1,000) square feet in size. **Standard is not applicable.**

Design Review
Planning and Urban Development Department



Subject: 73 Powsland Street
 Zone: B5
 Date of: Friday June, 3 2022
 Review: Design Review – Follow Up
 Reviewer(s): Sean King (Urban Designer), Austen Torres Davis (Planner), Kevin Kraft (Deputy Director)
 Project ID: PL-001808-2021

I. INTRODUCTION

The proposed development of (4) two-family (duplex) and (1) single family residence at 65-73, 93 Powsland Street.

II. DESIGN REVIEW COMMENTS:

The proposed development was reviewed against section (i) Two-Family in the City of Portland Design Manual. Conditions of approval may be needed to resolve these outstanding design items.

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards, *(red text denotes standards that are not met)*:

(i) TWO-FAMILY, SPECIAL NEEDS INDEPENDENT LIVING UNITS, MULTIPLE-FAMILY, LODGING HOUSES, BED AND BREAKFASTS, AND EMERGENCY SHELTERS

a. Proposed structures and related site improvements shall meet the following standards:

1. The exterior design of the proposed structures shall be designed to complement and enhance the nearest residential neighborhood. – **Met**

The residential quality of the neighborhood can be described as incremental infill that reflects a variety of architectural style and periods that does not capture a singular precedent. The applicant has provided a complimentary variation of architectural style to create distinguishable dwelling units that reinforce that overall residential neighborhood pattern. The design of exterior facades provides positive visual interest in building form and height, roof form variations, window pattern and spacing, porches and entryways, cornerboard and trim details, and facade variation in projecting or recessed building elements.

2. The proposed development shall respect the existing relationship of buildings to public streets. – **Met**

The proposed development integrates into the existing residential fabric with observed building location, street frontage landscaping and identified porches for each residence.

3. Open space on the site for all two-family shall be integrated into the development site. – **Not Met**

The proposed development landscape plan includes tree plantings within the street frontage buffer to screen from street. **Identify open space functions to include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings. Include additional vegetated screening to buffer adjacent properties at side and rear yard, with special consideration for vegetation at top of proposed slope in rear to screen steep grades proposed and views from adjacent rear properties.**

4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas – **Met**

Proposed dwellings include ample windows throughout all facades, in addition to storage areas accessed by each unit at the basement level.

5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets. – **Not Met**

The proposed development landscape plan shall include 5' feet minimum planted area between each driveway and adequately screened with landscaping with a mix of tree and understory shrub plantings.

6. Two-family shall not be converted to lodging houses unless all units in the building have been vacant for at least one (1) year prior to the date conversion is sought or unless the individual multiple-family units are less than one thousand (1,000) square feet in size. **Standard is not applicable.**

Design Review
Planning and Urban Development Department



Subject: 73 Powsland Street
 Zone: B5
 Date of: Friday January 20, 2023
 Review: Design Review – Completed
 Reviewer(s): Sean King (Urban Designer), Charles Tetelman (Planner)
 Project ID: PL-001808-2021

I. INTRODUCTION

The proposed development of (4) two-family (duplex) and (1) single family residence at 65-73, 93 Powsland Street.

II. DESIGN REVIEW COMMENTS:

The proposed development was reviewed against section (i) Two-Family in the City of Portland Design Manual. Conditions of approval may be needed to resolve these outstanding design items.

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards, *red text denotes standards that are not met*:

(i) TWO-FAMILY, SPECIAL NEEDS INDEPENDENT LIVING UNITS, MULTIPLE-FAMILY, LODGING HOUSES, BED AND BREAKFASTS, AND EMERGENCY SHELTERS

a. Proposed structures and related site improvements shall meet the following standards:

1. The exterior design of the proposed structures shall be designed to complement and enhance the nearest residential neighborhood. – **Met**

The residential quality of the neighborhood can be described as incremental infill that reflects a variety of architectural style and periods that does not capture a singular precedent. The applicant has provided a complimentary variation of architectural style to create distinguishable dwelling units that reinforce that overall residential neighborhood pattern. The design of exterior facades provides positive visual interest in building form and height, roof form variations, window pattern and spacing, porches and entryways, cornerboard and trim details, and facade variation in projecting or recessed building elements.

2. The proposed development shall respect the existing relationship of buildings to public streets. – **Met**

The proposed development integrates into the existing residential fabric with observed building location, street frontage landscaping and identified porches for each residence.

3. Open space on the site for all two-family shall be integrated into the development site. – **Met**

Open space is proposed within the landscape plan with tree plantings within the street frontage buffer to screen from street. Applicant has included additional shrubs between proposed driveways to screen internal adjacent properties.

Applicant has provided additional landscape for screening to buffer neighboring north property and at the lot lines between proposed buildings for screening to the parking areas.

4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas – **Met**

Proposed dwellings include ample windows throughout all facades, in addition to storage areas accessed by each unit at the basement level.

5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets. – **Met**

The proposed development landscape plan includes low screening shrubs between driveways to properly screen vehicles from internal adjacent properties.

6. Two-family shall not be converted to lodging houses unless all units in the building have been vacant for at least one (1) year prior to the date conversion is sought or unless the individual multiple-family units are less than one thousand (1,000) square feet in size. **Standard is not applicable.**

73 Powsland Street – Preliminary Review Comments

Zoning

-Please show shoreland zone line on the plan. The 250' setback needs to be measured from the upland edge of the coastal wetland or the annual highest tide, whichever is closest to the property. The plan should show the location of the edge of the shoreland to the 250' mark on the property. The plan should also state the square footage of the area within the Shoreland Zone and include any trees or existing vegetation within this area.

-For any development or land use activities within 250 feet of the Shoreland zone, please respond with narrative to how the proposal is addressing any applicable Shoreland Zone standards under City Code Chapter 14, Section 11.4

Transportation

-In general hammerhead turnarounds are not recommended, and the retaining wall is not something Public Works generally supports in the Public ROW. Public Works would prefer to see a street connection with Powsland Street connecting to Sewall Street.

-Please note the street width

-Please clearly label on the site plan where new paving begins and label which portions of the roadway that are being repaved. A written request to repave a street under moratorium should be submitted, and permission to pave during moratorium must be granted Public Works (Powsland St was recently paved in 2019 and currently under a 5-year moratorium). Please address request to Chris Branch, Director of Public Works, and Planning Staff will forward this to Public Works for consideration.

-If no sidewalk or curb is proposed, please submit a waiver request for not providing a sidewalk and curb providing the eligibility of how the project meets the criteria listed under City Code Chapter 14, Section 14.6.1.B.3.c and d.

-The current driveway separation will necessitate a waiver to Technical Manual Section 1.7.1. Please submit a written request citing this section and justification as a basis for granting a waiver.

-Please show snow storage areas on plan or note how snow removal will occur and parties responsible. (Note: Snow storage areas may not encroach on areas designed to meet minimum parking requirements or on pedestrian walkways and shall not be located where they would adversely impact the functionality of stormwater management systems. Landscaping also should also not be negatively impacted)

Landscape Preservation/Landscaping

-Please indicate any tree removals or areas where vegetation is being removed as well as showing any appropriate tree protection measures taken for any existing trees/vegetation to be preserved on site.

-The project is required to provide 10 street trees (Per Sec. 4 of Technical Manual: 2 required trees for a single family, and 1 tree per unit for multifamily). If site constraints prevent the project from planting the required, please submit a request to be considered for an alternative (ex. tree fund financial contribution (\$400 per tree) for each tree not planted, or proposing trees planted within 20 feet of the street frontage where visible from the street may also be considered to address street tree requirement).

-Please clarify if transformers are above ground if so, please also provide adequate screening. Per City Code Section 14.6.2.C.2.a ground-mounted utility structures must be screened from view from public sidewalks, streets and adjacent properties by dense evergreen landscaping, fencing, architectural screening products, masonry walls, building walls, or a combination thereof.

-Per City Code Section. 14.6.2.C.2.c. *"All residential development shall provide and/or preserve evergreen vegetated buffers where necessary to buffer the development from detrimental impacts of existing surrounding development."* Please update plan to meet this standard, and also see design comments regarding open space for more information.

-On the existing conditions plan, please note the two 12" maples that are being cleared to develop the site

Utility

-Please submit the attached Wastewater Capacity Application to Brad Roland brad@portlandmaine.gov in Public Works to confirm sufficient capacity to handle wastewater.

-Please provide an ability serve letter from the Portland Water District for the project

Parking

-Please denote the parking space areas on plan. (Note: a standard parking space is 9'x18')

Street Lighting

-The project is subject to meeting street lighting standards (Technical Manual Sec 10.2). Town and Country pole lighting fixtures are required for a local streets, please update plans to show at least one new pole street lighting which should start approximately 130 feet from the nearest/existing cobrahead fixture. (Please note the distance to nearest existing street light) Public Works continues to review the proposed street design so additional lighting may potentially be determined necessary. Please see attached detail for the required X-1 fixture type.

Site Lighting

-Please provide a lighting plan or request waiver for providing a lighting plan. Staff recommend providing a lighting plan. Regardless, please provide cutsheets of any lighting fixtures proposed, indicating the models intended. (Note: please ensure these fixtures are full cutoff and do not exceed 3000k CCT.

Stormwater

-Our stormwater consultant has the following notes:

- The stormwater management plan was not attached, please submit
- The waiver request for the flooding standard appears to have an incorrect reference. The stormwater management plan should provide more information to support the waiver request.
- The stormwater report should also provide more information on the stormwater treatment requirements – treatment of the new roadway per Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 will be required, and it is not clear from the plan how this is being accomplished.
- The application notes a NRPA permit has been filed for wetland impacts. The grading plan should clearly delineate the wetland impact area. No erosion control plan was provided, or a plan in the set that includes locations of erosion control. This plan should also account for the wetlands proximity with appropriate measures (i.e. double row of sediment barrier).
- The documents note that a NRPA exemption was issued in 2004. This was not provided, please submit this documentation to confirm the project's right to replace of the existing culvert under the railroad tracks.

- Please provide any updates on the NRPA filed for wetland impacts. Please forward to the City when received.
- Please clarify the amount of wetland that might be filled. Please also provide more information on how the wetland was delineated.

Design

- See attached design review memo with review comments

General:

- Please provide documentation for the right title and interest for lot 190 K009. The deed provided appears to only cover lots 190 K010 thru 014.

-Several documents provided, the contract for the sale of commercial real estate dated August 2020 for, DEP letter from 2005, Planning Board Approval from 2005, and a Declaration of Covenants and Restrictions, don't appear to pertain to the property being applied for, please resubmit any other relevant documents for the application such as past applicable approvals, easements, and restrictions on the property.

- Please confirm that the project has obtained the necessary permission from CMP or that the project will not conflict with the existing CMP easement (which is shown on survey), or if corrective easement if needed. Please also provide a copy of the existing easement for documentation purposes, and show any easement areas on the plan.

- The financial capability letter described was not attached. Please submit demonstration of financial capability.

GENERAL

- This project will need some kind of **alternative or common ownership structure** (like a homeowners association) in order for the site to fully function as it relates to the structure of the site (as proposed) and responsibility for stormwater maintenance. Att. 5
- City Staff sent over recommendations on alternative layouts. The City recommended four options that the applicant could receive although those are **not** the only options available at this time – only what City staff had considered. Any future changes that will significantly impact site plan layout after conversations with CMP and the City will need to be reviewed.

ZONING

- Please make sure the 250 ft. Shoreland Zone setback is properly located and labeled on the site plan.

TRANSPORTATION

- At this time, City Staff do not find the waiver analysis for driveway separation to be acceptable. The applicant should revisit the design layout of the site and consider shared driveways or other access scenarios.
- The applicant will need to submit a waiver for exceeding the maximum number of driveways on each lot. Technical Manual requires 1 per lot. City Staff are not fully supportive of this waiver without justification provided from the applicant.
- DPW will need to complete the review of the sidewalk and curbing waiver analysis.
- The roadway alignment of Powsland adjacent to the site has a shifting alignment. DPW will need to review.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

- DPW not supportive of maintaining the r-tank stormwater system on private property and DPW doesn't usually take ownership or long-term maintenance responsibility for these improvements.
- Staff are still reviewing stormwater, but anticipate some follow up comments on future layouts.
- DPW is requiring that any treatment or infrastructure at the end of Powsland not interfere with a future connection to Sewall Street.
- Applicant will need to receive permission for a pavement moratorium repair.
- City Staff are requesting a downstream capacity evaluation (Discharge Study) to see site impacts on surrounding system. (May not be needed if site layout changes).

PUBLIC SAFETY

- Public Safety has not provided comments at this time.

LANDSCAPING & ENVIRONMENTAL QUALITY

- Planning Staff have not received landscaping/environmental quality comments at this time.

DESIGN REVIEW

- Design Memo has been attached to this document. Comments are below. 73 Powsland is being reviewed against section (i) Two-Family in the City of Portland Design Manual.
- Open Space requirement not met.
- The proposed development landscape plan includes tree plantings within the street frontage buffer to screen from street. **Identify open space functions to include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings. Include additional vegetated screening to buffer adjacent properties at side and rear yard, with special consideration for vegetation at top of proposed slope in rear to screen steep grades proposed and views from adjacent rear properties.**
- The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets. – **Not Met**

Review Criteria:

- Major Site Plan – Site Plan Review Standards

GENERAL

- The City would like to schedule a meeting with the applicant team to discuss the most recent plan submittal.
- The Applicant's latest response to comments noted that maintenance of the proposed Focal Point system would be addressed by the HOA. The maintenance agreement should be provided.
- Design Review Memo is attached to email from City Staff.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

Follow Up Comments:

- Updated Comment: After further review, DPW does not find the driveway separation waiver and related waiver analysis for driveway separation acceptable. The applicant should explore alternative layouts to increase the proposed separation. Staff would point that reducing the amount of proposed driveways to meet technical manual requirements may solve this issue. DPW would also encourage the applicant to pursue shared driveways between lots with easements which could help the applicant comply with the City of Portland standards.
- Updated Comment: *The applicant will need to submit a waiver for exceeding the maximum number of driveways on each lot. Technical Manual requires 1 per lot. City Staff are not fully supportive of this waiver without justification proved from the applicant.* The comment response for this comment did not answer the question raised – does not appear that a waiver request was submitted. DPW is not supportive of allowing the applicant to exceed maximum number of driveways on each lot at this time.
- Updated Comment: DPW is supportive of the sidewalk waiver request.
- Updated Comment: DPW is not supportive of the proposed curbing waiver request. The applicant has not provided a sufficient stormwater design for the proposed Powsland roadway extension area. The analysis appears to ignore nearly 630 feet of drainage course on Powsland Street which drains towards the end of the street. The design proposes to capture all the stormwater runoff from more than 900 feet of Powsland Street into a single catch basin and a 12" outlet pipe in the proposed turn around area. DPW's concerns range from erosion at the edge of the roadway gutter line, to flooding at the end of the street at the proposed catch basin location. The applicant will need to consider the entire watershed draining to the storm drain system and factor this into the hydraulic analysis for the proposed storm drain conveyance system and stormwater treatment systems. The applicant shall extend storm drainage from the proposed turn around area towards northerly limit of work. The road should be redesigned to provide a crown, curbing and catch basins to properly manage runoff from the entire drainage course on Powsland Street in order to meet City of Portland street design standards and the requirements of street extensions listed in section 14 of the land use code. While it's accurate that a majority of Powsland does not currently have curbing, it's DPW's opinion that the stormwater impacts of the proposed roadway extension are significant enough to warrant the installation of curbing as part of this project.

New Comments

- Section 16.1.C of the Technical Manual requires site plans to be stamped by a licensed professional engineer in the State of Maine.
- The typical road section shown on sheet 9 of 11 does not match what is being proposed on the plan. The current design shows the roadway extension transitioning from having a crown to being super elevated. This design does not meet the City's local street design criteria listed in section 1.4.1 of the technical manual which requires a crowned street cross section with a cross slope of 3%. It appears feasible for the roadway to be constructed to have a crowned cross section if curbing and additional storm drainage infrastructure is installed. The applicant should also provide a profile of the proposed roadway extension so DPW can determine if the design meets the vertical roadway design standards in section 1 of the technical manual.
- DPW needs further clarification on the rationale for the proposed horizontal alignment shift at the end of the proposed Powsland roadway extension. The horizontal roadway alignment should remain consistent to the end of the street unless further rationale is provided for DPW to consider.
- The applicant is showing snow storage areas behind guardrails and steep slopes at the end of the proposed roadway extension which appear to be problematic. It appears that the snow would end up piling up in front of the proposed curb line and guard rail and ultimately limit the ability of vehicles to turn-around. This would also potentially cause significant drainage problems for the one catch basin being proposed at the end of the street during winter months. Some of this concern could be eased with further storm drain modifications as requested above. The applicant shall provide alternative snow storage strategies at the end of Powsland Street which do not interfere with drainage or the ability for vehicles to turn around.
- The applicant is proposing to replace an existing culvert which crosses the Amtrak rail-line with a note which states the culvert will be replaced in coordination with Amtrak. The applicant should provide documentation of an agreement and easement rights to do this proposed work as part of the site plan approval process.
- The plans reference that work within a CMP easement area shall require CMP's permission prior to that work being performed. This agreement should be secured and presented to the City for review as part of the site plan review process.
- The City will require permanent drainage easements from the applicant in areas where stormwater from Powsland Street will discharge onto private property.
- The proposed turnaround configuration is not sufficient. DPW would request that the developer work out an agreement with CMP to grant the City permanent rights to either extend the proposed turnaround further onto CMP property or to allow for a connection for City vehicles to connect through to Sewall Street. Any turnaround area must be paved to meet City street construction standards.
- The applicant is proposing grading and work on adjacent CMP property but has not provided any easements or agreements with CMP to complete this work.
- It appears that a 12" culvert underneath the railroad tracks may be insufficient to provide adequate drainage for the entire watershed draining to it. The applicant has noted that the 12" culvert will be replaced as part of this project. The applicant should consider the entire watershed draining to this culvert, include this information in the project's stormwater report/calculations and to ensure the replacement culvert is adequately sized.

- The proposed pavement section for the roadway does not meet the City's standards for a local road as detailed in the Technical Manual. Specifically the proposed surface pavement is 9.5 mm, but I believe the City requires 12.5mm for surface – DPW should confirm that is the case for this location.
- The plans do not appear to show a consistent location for the gate onto the access road to the south. On some plans, notes seem to be pointing to a different location, and the turning movement plan shows a vehicle moving through the gate location.
- The project previously noted that a NRPA permit is required. The Applicant should provide an update on the status of that.
- The building elevations show sloped roofs, but do not indicate gutters and downspouts. I would recommend the applicant consider utilizing these for roof drainage to provide direct discharge of the stormwater back to the rear stormwater swale.
- The project's stormwater analysis includes off-site drainage areas located west of the site, but does not consider the area north of the site. Existing topography indicates that existing portions of Powsland Street will drain towards the site, and will likely drain down the street be picked up by the proposed catch basin. The stormwater analysis should be updated to include all area draining through the site. It is recommended that multiple catch basins be provided along the length of Powsland Street to collect stormwater along the roadway. This would work in conjunction with the curbing and crowned roadway grading as noted by DPW in their review.

PUBLIC SAFETY

- Fire Truck turning radius will need to be provided at turn around.
- Please provide distance from the closest hydrant to the furthest building.
- Access Gate at end of Powsland Street will need a Knox Box for Emergency access at all times. Will CMP be accessing this gate as well? If CMP will also be utilizing gate for access applicant has two options: 1) get a Knox padlock and daisy chain our padlock together with their padlock so either one can open gate; or 2) get a Knox box and put a key to their padlock in the box and mount it on the gate.

GENERAL

- The applicant and CMP will need a maintenance agreement with the City to maintain the parts of the Powsland Street extension not within the City ROW including the turnaround and stormtree filter. Will the applicant be maintaining the gate leading into Hooper Street?
- City Staff are requesting Homeowners Association documents to be submitted for review prior to future before PB Meetings.
- Please include area for snow storage on each lot.
- City Staff are requesting a photometric plan to be submitted.

DPW

- The proposed location of the Electrical transformers are not conducive for the construction of future sidewalks. Please move the proposed transformers to the edge of the existing right of way.
- The plan shows a proposed catch basin on private property. If this remains here, an easement will be needed for the City to accept and maintain it.
- The Stormwater Maintenance Agreement and HOA documents outlining maintenance responsibilities for the private stormwater treatment must be prepared and submitted for review so that it can be finalized prior to project completion. The storm tree unit within the City right-of-way must be inspected, maintained, and a post-construction monitoring report submitted annually until the City accepts the street and associated infrastructure.
- A riprap slope detail should be added to the plan set for the armoring of the proposed 1.5:1 slope at the end of Powsland Street.
- The applicant should explore ways to reduce the velocity of the outfall pipe SD-13.
- The City updated the Technical Manual in November 2022. Although this application is vested under the regulations in effect when the application was deemed complete, DPW recommends matching sewer and storm details to reflect the updated technical manual standards.
- City Staff are strongly suggesting to upgrade the culvert at the end of Powsland Street as proposed.

PUBLIC SAFETY

- Provide Portland Water District ability to serve documentation. All units will require water supply for both sprinkler protection along with domestic water and the street hydrant is only showing that it can only provide 1000 GPM. City Staff are concerned that there is not enough water in the street for this project.

LANDSCAPING & ENVIRONMENTAL QUALITY

- The site contains extensive amount of invasive plants including Japanese Knotweed. Landscape and site work should reflect the proper treatment to reduce erosion and replace invasive plants with desirable native plants with a minimum of controlling invasive plants so do not continue to spread to neighbors properties.

CITY OF PORTLAND
Planning & Urban Development Department

MAJOR SITE PLAN
GENERAL DOCUMENT AND DRAWINGS CHECKLIST

Please submit each document as a separate PDF file.
Please confirm by electronically checking the boxes in the left-hand column.

**** PLEASE FILL OUT AND UPLOAD THE ZONING ASSESSMENT TABLE
AND WAIVER TABLE SEPARATELY AS NOTED BELOW ****

**At the time of application submission, please contact the Department of Public Works regarding E-911
addressing for your project.**

GENERAL APPLICATION DOCUMENTS

☒	NA	Project Description Cover letter with detailed project description
☒	NA	Completed Checklist (this document)
☒	NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
☒	NA	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
☒	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
☒	NA	Site Plan Standards Assessment (see Section 14.6 of the land use code) Summary of project compliance with site plan standards of the land use code
☒	NA	Summary of Existing and/or Proposed Easements or Covenants, applicable. Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
☒	NA	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
☒	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
☒	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

MAJOR SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

Provide assessment of compliance with standards and include supplemental documentation, as applicable.
Please submit each document as a separate PDF file.

TRANSPORTATION		
Yes	NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes	NA	Access and Circulation (14-14.6.1(B)) Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes	NA	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes	NA	Off-Street Parking (14-14.6.1(D)), if applicable Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes	NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL		
Yes	NA	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes	NA	Landscape Preservation (14-14.6.2(B)) Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes	NA	Site Landscaping and Buffers (14-14.6.2(C)) Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes	NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Identify and describe the following: • Erosion and sedimentation control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater law, as applicable • Subsurface sanitary sewage disposal and groundwater protection measures

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY		
Yes	NA	Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes	NA	Public Safety and Fire Prevention (14-14.6.3(B)) Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes	NA	Availability and Adequacy of Public Utilities (14-14.6.3(C)) (Technical Manual, Sections 2 & 9) Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections
SITE DESIGN		
Yes	NA	Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes	NA	Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes	NA	Snow and Ice Loading (14-14.6.4(C)) Describe building design measures to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes	NA	View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appendix. 1)
Yes	NA	Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: - The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district - Compliance with standards for preservation and documentation of archaeological resources

Yes	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

MAJOR SITE PLAN DRAWINGS CHECKLIST

Please upload the following DRAWINGS with the listed details into e-Plan as separate pdfs.

All drawings must be submitted in a 24 x 36 sheet size.

BOUNDARY SURVEY (stamped by a Maine Licensed Surveyor and drawn as per Technical Manual Sec. 13)

SITE PLAN(S) (stamped by a Maine Licensed Professional Engineer) including:

All sheets – Include a title block with project title and the following information:

- Project street address
- Name and address of property owner & applicant
- Licensed design professional, incl firm that produced plans
- North arrow
- Date of preparation and revision history block
- Tax parcel (chart, block, and lot) number

Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

- Proposed structures, including distance from primary building façade(s) to property lines
- Ground floor area, and finished floor elevations for all buildings
- Any proposed geometric modifications to streets and intersections adjacent to site
- Location, dimensions and materials of all proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)
- Location of fire hydrants

• Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
UTILITY PLAN including:
• Proposed electrical infrastructure • Location, sizing and directional flows of all proposed sewer and stormwater infrastructure • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure
GRADING AND DRAINAGE PLAN including:
• Proposed grades • Proposed stormwater management measures meeting Technical Manual (Section 5) standards • Any proposed alteration of a watercourse or wetlands • Any groundwater protection measures • Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN including:
• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary

03: Right, Title, or Interest

The subject property is being developed by applicant, STJ Inc who are the current owner of the property

The record owner of the parcel is STJ Inc by deed recorded at the Cumberland County Registry of Deeds in Book 24766, page 258 and 259, see a copy, this section.

03: Right, Title, or Interest

The subject property is being developed by applicant, STJ Inc who are the current owner of the property

The record owner of the parcel is STJ Inc by deed recorded at the Cumberland County Registry of Deeds in Book 24766, page 258 and 259, see a copy, this section.

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the **Portland Water District**, a quasi- municipal corporation organized and existing under the laws of the State of Maine, with a mailing address of 225 Douglass Street, Portland, Maine 04104-3553 in consideration of one dollar (\$1.00) and other valuable consideration paid by STJ, Inc., with a mailing address of 939 Parker Farm Road, Buxton, Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quitclaim with quitclaim covenants, to the said STJ, Inc., its successors and assigns, a certain lot or parcel of land described in Schedule A, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Portland Water District has hereunto caused this instrument to be signed by Ronald Miller, its duly authorized General Manager, this 15th day of January, 2007.

PORTLAND WATER DISTRICT

By: Ronald Miller
Ronald Miller
General Manager

Donna M. Katsifias
Witness

STATE OF MAINE
CUMBERLAND, ss.

January 15, 2007

Personally appeared the above-named Ronald Miller in his capacity as the General Manager of the Portland Water District, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Portland Water District.

Before me,

Donna M. Katsifias
Notary Public/Attorney at Law

Donna M. Katsifias
Printed Name

MAINE REAL ESTATE TAX PAID

SCHEDULE A

A certain lot or parcel of land situated on Powsland Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Being lots 66,67,68,69 and 70 as appear on a plan of land of Martin Curran, Jr., recorded in the Cumberland County Registry of Deeds in Plan Book 9, Page 121.

Being the same premises conveyed to this Grantor by Deed and recorded on December 18, 1968 in the Cumberland County Registry of Deeds in Book 3069 Page 815.

Received
Recorded Register of Deeds
Jan 18:2007 01:36:36P
Cumberland County
Pamela E. Lovles

04: Evidence of State or Federal Permits

The proposed development will disturb less than one acre of land, will create less than one acre of impervious area. No additional permitting is required through the Maine Department of Environmental Protection.

The property qualifies for an NRPA exception based on the determination provided by the Maine Department of Environmental Protection. The project received a letter of determination from the Maine Department of Environmental Protection that determined the adjacent drainage is not a river, stream or brook as defined by the Natural Resources Protection Act (NRPA) and qualifies for the 4300 SF NRPA alteration exception for any work that shall occur to improve the outdated and poorly functioning outlet control structure and culvert.

A PBR was filed for the work that shall be performed within 25ft of the wetlands.

Attached is a copy of the 2004 determination by MDEP and receipt of payment for the NRPA PBR.

CITY OF PORTLAND, MAINE

PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

June 16, 2005

Mr. Ken Porter
Rio Tierra, LLC
655 Riverside Street
Portland, ME 04103

RE: Lot 6 McAllister Farm Subdivision and Site Plan
ID# 2005-0001, CBL# 319-A-001

Dear Mr. Porter:

On May 10, 2005 the Portland Planning Board voted unanimously on the following motions regarding the Lot 6 McAllister Farm subdivision:

1. That the Planning Board does waive the Technical Standards, which requires "if the estimated post-development peak rate of stormwater runoff from the affected land is calculated to be greater than the pre-development runoff peak rate, in any watershed within the boundaries of the affected land during any phase of development, then a detention basin should be designed and constructed to maintain pre-development runoff peak rates from the site", due to the fact that the drainage is flowing towards the Presumpscot River.
2. That the Planning Board does approve the subdivision amendment to the McAllister Farm Subdivision Plan.
3. That the plan was in conformance with the Subdivision Review Ordinance of the City Land Use Code with the following conditions:
 - i. that the applicant comply with the Traffic Engineer's memo dated May 6, 2005, with the exception that (vis-à-vis) the applicant be allowed to phase his contribution to the Riverside Intersection upgrade at a rate of \$5,000 per building to be paid prior to the issuance of a building permit.
 - ii. that the wastewater generation from Lot 6 shall be limited to the flows as defined in their current capacity letter request for sanitary flows and not be eligible to use these facilities for any high volume production discharge. In the event the City adopts an amendment to the Westbrook/Portland inter-local agreement, the applicant shall connect and discharge to the Westbrook system. And if the McAllister Farm Subdivision is at some point

sewered by the City of Portland, Lot 6 shall be connected into the new sewer constructed to accommodate the subdivision.

- iii. that the applicant address Woodard & Curran's comments in the May 5, 2005 memo to be reviewed and approved by staff.
 - iv. that the applicant provide evidence of conformance for stormwater quality measures to determine that they provide adequate means to remove TSS (total suspended solids) from the stormwater in a manner consistent with the MDEP Stormwater Best Management Practices.
4. That the plan is in conformance with the site plan standards of the land use code with the following conditions:
- i. that the applicant staff with building elevations for Buildings Two and Three, for review and approval, prior to issuance of building permits for Buildings Two and Three.
 - ii. that the applicant comply with the Traffic Engineer's memo dated May 6, 2005 subject to the amendment that the applicant contribute \$15,000 to the Riverside Intersection upgrades, per building, prior to the issuance of the building permit.

The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Board #31-05, which is attached.

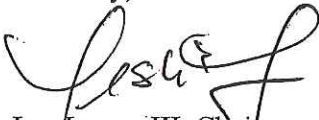
Please note the following provisions and requirements for all subdivision approvals:

- 1. Mylar copies of the construction drawing for the subdivision must be submitted to the Public Works Department prior to the release of the plat. Where submission drawings are available in electronic form, the applicant shall submit any available electronic AutoCAD files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
- 2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount must be submitted to and approved by the Planning Division and Public works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.
- 3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
- 4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
- 5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

6. The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Department at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions regarding the Board's actions, please contact Kandice Talbot at 874-8901.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File



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

DEPARTMENT ORDER

IN THE MATTER OF

RIO-TIERRA, L. L. C.
Portland, Cumberland County
OFFICE/WAREHOUSE BUILDINGS
L-22207-TE-A-N (approval)

) NATURAL RESOURCES PROTECTION
) TIER TWO WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of RIO-TIERRA, L. L. C. with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In Department Order #L-14644-26-A-N, dated September 16, 1987, the Department approved the construction of a warehouse on Lot 4 of McAllister Farm Subdivision. Several minor modifications to Lot 4 were approved in subsequent Department orders. The applicant is acquiring Lot 6 of McAllister Farm Subdivision and is proposing to develop the property as described below.

B. Summary: The applicant proposes to construct three 10,000-square foot office/warehouse buildings and associated parking, driveways, and utility connections. The proposed project will result in the alteration of 42,430 square feet of freshwater wetland and is shown on a set of plans, the first of which is entitled "McAllister Farm Subdivision – Lot 6 Master Plan," prepared by Mohr and Seredin, dated January 18, 2005, and last revised March 28, 2005. The project site is located on the west side of Riverside Street in the City of Portland.

C. Current Use of the Site: The site is currently undeveloped but was cleared for development approximately 20 years ago, at which time a culvert and gravel road were installed. The lot is also bisected by a Portland Water District water main.

2. EROSION CONTROL:

The applicant submitted a Grading, Drainage, and Erosion Control Plan, dated March 3, 2005, as Sheet L3.1 of the set of plans referenced in Finding 1. The plan was reviewed by an engineer from the Division of Watershed Management of the Bureau of Land and Water Quality (BLWQ), who stated that it meets Department standards for erosion control.

3. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to fill approximately 42,430 square feet of scrub shrub and wet meadow wetland to construct the commercial buildings and associated improvements. The Department's Wetlands and Waterbodies Protection Rules, Chapter 310, require that the applicant meet the following standards:

a. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. The applicant submitted an alternatives analysis for the proposed project completed by Mohr and Seredin, dated January 18, 2005. Six parcels of land were evaluated over a three-year period. Because of the scarcity of suitably-zoned land in the greater Portland area, a majority of the parcels had significant wetlands and other environmental constraints on site.

The applicant submitted information regarding the proposed uses and tenants for the facilities to be constructed, including letters of intent to enter into lease agreements with the applicant signed by prospective tenants. This information demonstrates that the types of uses are specific and require certain size buildings, parking, and loading areas that will necessitate the filling of the wetlands.

b. Minimal Alteration. The amount of wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. The applicant presented three on-site alternative building plans for the project site and demonstrated that the proposed alternative represents the plan that will alter the least amount of wetland. By constructing three separate buildings, the applicant will be able to avoid impacting other stream-associated wetlands and floodplain. The proposed layout also provides for an undisturbed 200-foot wide buffer to the Presumpscot River as required by Department Order #L-14644-26-A-N.

c. Compensation. In accordance with Chapter 310, Section 5(c), compensation is required to achieve the goal of no net loss of wetland functions and values. The applicant submitted a functional assessment of the wetland to be altered. Principal functions of the wetland to be altered were identified as wildlife habitat, sediment/toxicant retention, and nutrient removal.

To compensate for these functional losses, the applicant proposes to create four new wetland areas that will total approximately 32,393 square feet of new wet meadow and scrub shrub wetlands. Additionally, plantings will be installed in existing wetland areas to enhance their functions and values. The applicant also identified four areas on site that are exhibiting erosion problems that will be regraded as necessary and stabilized with conservation seed mix, riprap and geotextile fabric where appropriate. Details of the compensation are presented in a document entitled "Wetland Compensation Plan for Lot 6 – McAllister Farm Subdivision," dated March 1, 2005, and on Sheet L3.1 of the set of plans referenced in Finding 1, entitled "Lot 6 – McAllister Farm Subdivision – Phase 2: Grading, Drainage, Erosion Control Plan," last revised March 28, 2005.

The applicant proposes to place restrictive covenants on all of the created and enhanced wetland areas, and additional land on site for a total of 6.06 acres. The applicant submitted draft restrictive language that will be attached to the deed for lot 6. Prior to construction, the applicant must have the restrictive language recorded at the Cumberland County Registry of Deeds and submit a copy of the recorded deed to the Department.

The proposed compensation plan states that the compensation areas will be constructed concurrently with project construction, and includes post-construction monitoring of the created and enhanced wetlands. The site will be inspected and reports will be submitted to the Department at least annually for a minimum period of five years. Criteria for success are outlined in the compensation plan.

The Department finds that the applicant has avoided and minimized wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

4. OTHER CONSIDERATIONS:

The Department did not identify any other issues involving existing scenic, aesthetic, or navigational uses, habitat or fisheries, the natural transfer of soil, natural flow of water, water quality, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life provided the recorded deed is submitted, and monitoring is performed, as described in Finding 3.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the above-noted application of RIO-TIERRA, L. L. C. to fill freshwater wetland in conjunction with the development of an office/warehouse complex as described in Finding 1, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that its activities or those of its agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Prior to construction, the applicant shall have the restrictive language discussed in Finding 3 recorded at the Cumberland County Registry of Deeds and submit a copy of the recorded deed to the Department.
4. The applicant shall perform post-construction monitoring of the created and enhanced wetlands as outlined in the compensation plan submitted with the application. The site shall be inspected and reports shall be submitted to the Department at least annually for a minimum period of five years.

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

DONE AND DATED AT AUGUSTA, MAINE, THIS 1ST DAY OF APRIL, 2005.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

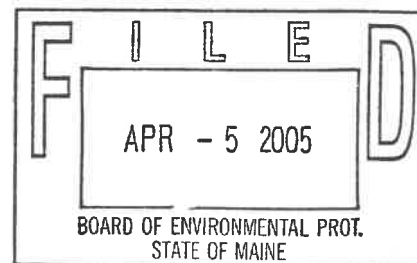
By:


DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application February 3, 2005
Date of application acceptance February 7, 2005

Date filed with Board of Environmental Protection
MR/ATS53927/L22207AN



05: Zoning Assessment

The subject property is located within the B-5 Zoning District. Please refer to the required Zoning Analysis Table enclosed in this section.



ZONING ANALYSIS Relevant Zone(s) B-5

All Projects:

	Required	Proposed
Lot Size	NA	29,000 SF
Area Per Dwelling Unit	NA	
Minimum Street Frontage	NA	50 ft
Front Yard Minimum	NA	20 ft and 17 ft
Front Yard Maximum	NA	
Rear Yard	NA	39 ft
Yard Right	NA	12 ft
Yard Left	NA	12 ft
Side Street Setback	NA	N/A
Step Back	NA	N/A
Maximum Lot Coverage	NA	25%
Minimum Lot Coverage	NA	N/A
Maximum Height	65 FT	35'
Open Space	NA	
Maximum Impervious Area	N/A	
Pavement Setback	N/A	
Floor Area Ratio	N/A	
Off Street Parking Spaces	1/ UNIT	2/ PER UNIT
Loading Bays	N/A	N/A
Other 1	N/A	N/A
Other 2	N/A	N/A
Other 3	N/A	N/A

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size	2 ac.	N/A
Minimum Lot Area per Dwelling	3,000 SF	N/A
Maximum # Units per Building	12 ft	N/A
Maximum Building Length	140 ft	N/A
Maximum Accessory Building Length	60 ft	N/A
Minimum Setbacks	25 ft	N/A
Minimum Building Separation		N/A
Minimum Open Space	300 SF/D.U.	N/A`

Affordable Housing Density Bonuses (if applicable)

	Bonus Increase or Decrease	Maximum Allowable With Bonus	Proposed
Density			
Height			
Setback Reduction			
Recreation Space			
Maximum Accessory Building Length			
Minimum Setbacks			
Minimum Building Separation			
Minimum Open Space			
Explanatory Text 1 (optional):			
Explanatory Text 2 (optional):			
Explanatory Text 3 (optional):			

06: Existing and/or Proposed Easements or Covenants

There is a proposed drainage easement as a part of the overall project. the drainage easement runs along the rear of the buildings.

there is also a small easement proposed for an area of the pavement where the turnaround enters the adjacent properties (lots 69 and 70).

07: Waiver Requests

No new waivers are requested at this time.

08: Financial Capability

A letter of financial capability from Gorham Savings Bank dated October 5, 2021 is enclosed in this section stating that the applicant has the financial capacity to complete the proposed project. Please see the attached letter.



October 5, 2021

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

RE: S J T, Inc.-Powsland Street Project

Ladies and Gentlemen:

I am writing to inform you that Gorham Savings Bank has been doing business with S J T, Inc. for over 30 years. They have handled their entire banking relationship in a fully satisfactory manner. Based on the company's history with the Bank, they have exhibited the financial capacity to complete the proposed project on Powsland Street, Portland, Maine.

If you should need further information, please call me at 222-1498.

Sincerely,

A handwritten signature in blue ink, appearing to be "F. Proctor", with a long horizontal flourish extending to the right.

Frederick G. Proctor
Vice President

09: TECHNICAL CAPABILITY

STJ Inc is well experienced in civil construction contracting. Mr. Curtis and his firm have the technical capability to manage a construction project of the scale proposed.

Sebago Technics: The applicant has retained Sebago Technics, Inc., a multi-disciplinary consulting engineering firm, to assist in all aspects of the proposed site development.

10: Transportation Analysis – Traffic Impact (14-526(a)1)

- Provisions for pedestrian, bicycle, vehicle, and loading circulation and incremental volume of traffic impacts.
 1. The proposed project shall generate 68 Daily trips. The project shall generate 5 AM Peak Hour trips and 6 PM peak hour trips according the traffic memorandum provided by Sebago Technics traffic engineer and as such shall not require further traffic study.
- Traffic Impact Study (Technical Manual, Section 1), if applicable.
 1. Not applicable. Per the Technical Manual, the proposed project does not meet the criteria requiring a Traffic Impact Study. The project creates less than 25 passenger car equivalents in the peak hour and is not located on an arterial, within ½ mile of a high crash location, and is not to the best of our knowledge, within ¼ mile of an intersection identified in a previous study as a failing intersection.

Memorandum

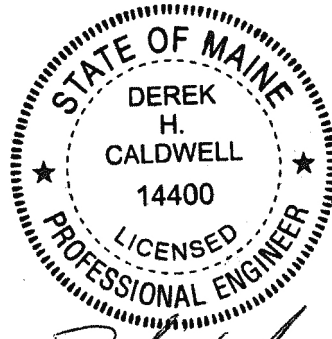
07360-01

To: Henry Hess, RLA
Sebago Technics, Inc

From: Derek Caldwell, P.E., PTOE
Sebago Technics, Inc

Date: October 3, 2021

Subject: Traffic Impact Assessment
65-73, 69 Powsland Street Residential Development
Portland, Maine



 10/03/2021

Introduction

We have completed a trip generation calculation and crash data review for the proposed residential development located at 65-73 & 93 Powsland Street in Portland. It is our understanding the development is to consist of four duplex buildings housing a total of eight dwelling units and one single family home. The development location is at the southerly end of Powsland Street, a dead-end local roadway, on a currently undeveloped parcel. It is proposed to have a total of nine curb cuts on Powsland Street, each serving an individual residential unit. An improved “hammerhead” terminus of Powsland Street will also be constructed to allow for proper access for emergency vehicles and other vehicles needing to turnaround at the end of Powsland Street.

Trip Generation

Using the *10th Edition of Institute of Transportation Engineers (ITE) Trip Generation Manual* we have calculated the estimated vehicular trip generation for the development. Land Use Code (LUC) – 220 – Multi-Family Housing (Low-Rise) considering the independent variable of number of Dwelling Units was used to calculate the trip generation attributed to the proposed duplex units and LUC – 210 – Single Family Detached Housing considering the independent variable of number of Dwelling Units was used for the proposed single-family home. Tables 1 and 2 show the trip generation calculation for the duplex units and single-family home respectively.

Table 1 – Proposed Trip Generation
Land Use Code 220 – Multi-Family Housing (Low-Rise)
8 Dwelling Units

Time Period	Trip Generation Rate per DU	Total Trips	Entering %	Exiting %	Entering Trips	Exiting Trips
Weekday	7.32	59	50%	50%	30	29
AM Peak Hour of Adjacent Street	0.46	4	23%	77%	1	3
PM Peak Hour of Adjacent Street	0.56	4	63%	37%	3	1
AM Peak Hour of Generator	0.56	4	28%	72%	1	3
PM Peak Hour of Generator	0.67	5	59%	41%	3	2
Saturday	8.14	65	50%	50%	33	32
Saturday Peak Hour	0.7	6	50%	50%	3	3

Table 2 – Proposed Trip Generation
Land Use Code 210 – Single-Family Detached Housing
1 Dwelling Units

Time Period	Trip Generation Rate per DU	Total Trips	Entering %	Exiting %	Entering Trips	Exiting Trips
Weekday	9.44	9	50%	50%	5	4
AM Peak Hour of Adjacent Street	0.74	1	25%	75%	0	1
PM Peak Hour of Adjacent Street	0.99	1	63%	37%	1	0
AM Peak Hour of Generator	0.76	1	26%	74%	0	1
PM Peak Hour of Generator	1.00	1	64%	36%	1	0
Saturday	9.54	10	50%	50%	5	5
Saturday Peak Hour	0.93	1	54%	46%	1	0

Table 3 shows the total calculated trip generation of the development, found by summing the values shown in Table 1 and Table 2.

Table 3
Total Proposed Trip Generation

Time Period	Total Trips	Entering Trips	Exiting Trips
Weekday	68	35	33
AM Peak Hour of Adjacent Street	5	1	4
PM Peak Hour of Adjacent Street	5	4	1
AM Peak Hour of Generator	5	1	4
PM Peak Hour of Generator	6	4	2
Saturday	75	38	37
Saturday Peak Hour	7	4	3

As shown above, the development is calculated to generate a total of 5 trips in the AM Peak Hour of the Generator and 6 trips in the PM Peak Hour of the Generator.

Crash Data Review

A review of MaineDOT crash data for the most recent available three-year period (2018-2020) does not show any High Crash Locations (HCL) within the immediate vicinity of the site. The closest HCL is shown to be segment of Congress Street between Caleb Street and Bradley Street, a distance of approximately 0.35 miles from the project location.

Conclusion

- The proposed residential development at 65-73, 69 Powsland Street in Portland is calculated to generate 68 daily weekday trips, 5 trips during the AM Peak Hour of the Generator and 6 trips during the PM Peak Hour of the Generator. Since the calculated peak hour trip generation is less than 100 trips, a MaineDOT Traffic Movement Permit is not required. Furthermore, as the development is calculated to generate less than 25 peak hour trips, a traffic study is not required as stated in Section 1.1 of the City of Portland Technical Manual.

11: Access and Circulation (14-526(a)2a)

- Access and internal circulation, addressing ADA access

The new duplex and single family homes buildings provide for ADA accessibility as required. It complies with the standards outlined in Section 1 of the Technical Manual addressing ADA access. No changes to internal circulation are proposed.

- Access and egress impacts on traffic flows

The site was designed to avoid conflicts with the existing turning movements and traffic flows. Please see the site plan.

- Description and use of drive-up features, if applicable.

Not applicable. There are no existing or proposed public drive-up features on the site.

12: Loading and Servicing (14-526 (a) 2 b)

- Load and servicing needs, route and travel way geometrics for deliveries
- Turning templates for delivery vehicles, if applicable
 - (i) The site allows for the safe turning and backing needs of the applicant and does not impede site access, vehicle circulation, pedestrian movement, or affect the parking required by ordinance. Reference is made to the attached site plans. A Hammerhead is provided for turnaround. The turnaround has been altered from the city standard detail in order to reduce the impacts to the adjacent wetlands and eliminate the need for a retaining wall within the ROW. A vehicle turning exhibit has been included as a part of this submission.

13: Sidewalks (14-526 (a) 2 c)

- Sidewalks and condition along street frontages and internal walkways
No public sidewalks are proposed as part of the proposed site layout. We note that Powsland Street does have public sidewalks, and the closest public sidewalks are located along Congress Street at its intersection with Powsland Street.

Internal walkways to each unit are shown on the enclosed site plans.

- Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1)

Not applicable. No public sidewalks or ADA ramps are proposed.

14: Off-Street Parking: Vehicle & Motorcycle/Scooter (14-526 (a) 4 a and c)

- Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements

The parking required for the development based on the proposed use is as follows:

Single-, two-, or multi-family units @ 1 space per dwelling unit = 9 spaces

Total required = 9 spaces

Total provided = 9 Spaces

- Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan

Not applicable.

15: Bicycle Parking (14-526 (a) 4 b)

- Address bicycle parking requirements and identify locations on-site

Not applicable.

16: Snow Storage (14-526 (a) 4 d)

- Management plan for snow removal and locate snow storage areas on plan

Areas for snow removal have been called out on the site plans.

17: Traffic Design Management (TDM) (14-526(a)5)

- Develop TDM with Trip Reduction Targets and Strategies

Not applicable. The project does not meet the types of development required to implement a TDM Plan.

18: Preservation of Significant Natural Features (14-526 (b) 1), if applicable

- Trees, plants, habitats listed on State or Federal list of endangered or threatened

No trees, plants, habitats from a State or Federal list were observed during onsite investigations.

- High and moderate value waterfowl and wading habitat
Not applicable.

- Aquifers on Casco Bay Islands
Not applicable.

- Waterbodies (including wetlands, watercourses, significant vernal pools, and floodplains)
All water bodies are shown on the appended existing conditions and site plans.

- Proposed preservation areas and protection measures
A PBR has been filed for work to be performed within 25ft of a wetland

- Documentation from environmental consultants' determinations from applicable state agencies

The project received a letter of determination from the Maine Department of Environmental Protection that determined the adjacent drainage is not a river, stream or brook as defined by the Natural Resources Protection Act (NRPA) and qualifies for the 4300 SF NRPA alteration exemption.



DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND AND WATER QUALITY

4/15/2014

FIELD DETERMINATION FORM

CONTACT ID 10,270

CONTACT

SETH PARKER
AVESTA HOUSING
307 CUMBERLAND AVE.
PORTLAND, ME 04101
2075537777

PROPERTY OWNER

MARK CURTIS
STJ, INC
939 PARKER FARM RD
BUXTON, ME 04093

STAFF KALINICH, JEFFREY

DIRECTIONS

Congress Street to Powsland Street to the end.

SITE TOWN PORTLAND
MAP LOT

MEMO

Jeff Kalinich met Seth Parker, Steve Bushy and Jim Logan at the parcel for a resource determination. It was determined that the drainage is not a river, stream or brook as defined by the Natural Resources Protection Act (NRPA). It was determined that the parcel contains freshwater wetland as defined by the NRPA. The Department does not have adjacency jurisdiction to this wetland and the wetland qualifies for the 4300 square foot NRPA alteration exemption. A culvert under the railroad tracks drains this wetland beyond the tracks to a coastal wetland. The culvert may be replaced without a permit from the Department as long as it is replaced at the same elevation as the existing culvert. The existing culvert is twelve inches in diameter and may be replaced without a permit from the Department with a larger diameter culvert as long as the bottom elevation of the replacement culvert is at the same elevation as the existing culvert. Changing the elevation of the existing culvert with a replacement culvert will require an individual NRPA permit. Erosion control devices must be installed and maintained on the project site during any soil disturbance activity. A Stormwater Management Law PBR or Maine Construction General Permit "NOI" and "NOT" must be filed with the Department if more than 1 acre of area is going to be disturbed on the project site at any given time during construction.

NAME: _____

RECEIVED 3/31/2014

SITE VISIT 4/8/2014

COMPLETED

4/15/2014

19: Landscaping and Landscape Preservation (14-526 (b) 2a)

- Preservation of trees and preservation within required zoning setbacks (Technical Manual, Section 4)
Two 12" maples are being cleared to develop the site. There are no other trees available to preserve on the project site.
- Protection measures of existing vegetation during construction
Vegetation will be protected during site construction in accordance with the tree preservation standards found in Section 4 of the Technical Manual.
- Protection measures within Shoreland Zone, if applicable.
The project site is not located in the Shoreland Zone.

20: Site Landscaping (14-526 (b) 2 b)

- Screening and buffering of service areas and between non-residential and residential uses
Not applicable.
- Planting plans with plant schedule and sizes (Technical Manual, Section 4)
New plantings are proposed for the site per the Technical Manual, Section 4.
Proposed plant material is keyed to a table that includes sizes, as required. (1)
street tree is located per building.

21: Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable

- Landscaped islands within parking areas (Technical Manual, Section 4)

Not applicable. No parking lot islands are proposed.

22: Street Trees (14-526 (b) 2 B iii)

- Existing Heritage or Feature Trees on site and measures to preserve

Not applicable. Site does not have Heritage or Feature trees to be preserved.

- Identify street trees on the plan meeting the site plan and Technical Manual standards (Section 4) or identify alternative measures, if applicable

Street trees are proposed on the landscape plans. Please see attached plan set.

23: Water Quality, Stormwater Management and Erosion Control (14-526 (b) 3 a)

Please refer to the Stormwater Management Plan by Sebago Technics, Inc. developed in accordance with Maine DEP Chapter 500-Stormwater standards that is included in this section.

24: Consistency with City Master Plans (14-526 (c) 1)

- Identify consistency with master plans

A formal Master Plan for this section of the City is not available. The proposed new buildings are developed to fit in with the surround neighborhood in aesthetics and character. The project is consistent with the adjacent uses and will not create an eyesore or diminish the neighborhood characteristics nor will the proposed site development include features that will burden the City's resources.

- Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable

Connections are limited to extension of existing/available public services as shown on the enclosed Site Plans.



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



07360-01

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

1. Name, address, telephone number of applicant **Mark Curtis, 207-839-2442**
2. **STJ Inc., 939 Parker Farm Road Buxton, ME 040931**
3. Name address, telephone number of architect/designer: **RYAN SENATORE ARCHITECTURE 207-650-6414**
500 Congress Street #2 Portland, Maine 04101
4. Proposed uses of any structures [NFPA and IBC classification]
5. **Structures shall be residential buildings**
6. Square footage of all structures [total and per story] **6,250 SF, two-story structures**
7. Elevation of all structures **Preliminary design thoughts include a building height of 35'+/-**
8. Proposed fire protection of all structures
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
9. Hydrant locations **There is a Fire hydrant located within 500' of the project on Powsland Street.**
10. Water main[s] size and location **2" domestic extending from 2" main in entry drive**
11. Access to all structures [min. 2 sides] **Yes.**
12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards. **To be submitted under separate cover.**

Some structures may require Fire flows using annex H of NFPA 1

25: PUBLIC SAFETY AND CRIME PREVENTION (14-526(c))

Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3)

Natural Surveillance: The site design allows formal and non-formal natural surveillance increasing the safety of users and deterring possible offenders. The proximity of the existing building on the site and the internal access enables occupants and visitors to observe movement and activities on the site during the day and night. A mechanical surveillance system is not proposed as part of this project.

Mechanical Access Control: Not applicable. Mechanical access controls are not proposed.

Emergency vehicle access

2.b. There is adequate access to the site for emergency vehicles. Please see the plan set that includes a City standard hammerhead turnaround for vehicles.

Address consistency with public safety standards (Technical Manual, Section 3)

The site design complies with the applicable sections of the Technical Design Manual in the following manner:

Fire Hydrant Standard: There is an existing active hydrant within 500' of the project on Powland Street.

Site Access Standards: Fire Department vehicles can directly access the site via Powland Street.

Street Numbers: The assigned street numbers will be placed on the new buildings as required by the City of Portland.

Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3)-Fire Checklist.

Please see the attached Fire Department Checklist. this section.

26: AVAILABILITY AND ADEQUACY OF PUBLIC UTILITIES (14-526 (c) 3)
Technical Manual, Sections 2 & 9

Electrical services, including providing underground services

Underground electrical service will be provided to the buildings on site from two transformers that will pull from a pole on the east side of Powsland street. Reference is made to the attached Utilities Plan.

Identify existing and proposed connections for public utilities and required public utility upgrades

See the enclosed plan set for proposed utility connections.

Water service will be provided by Portland Water District by connecting to the existing public water main in Powsland Street.

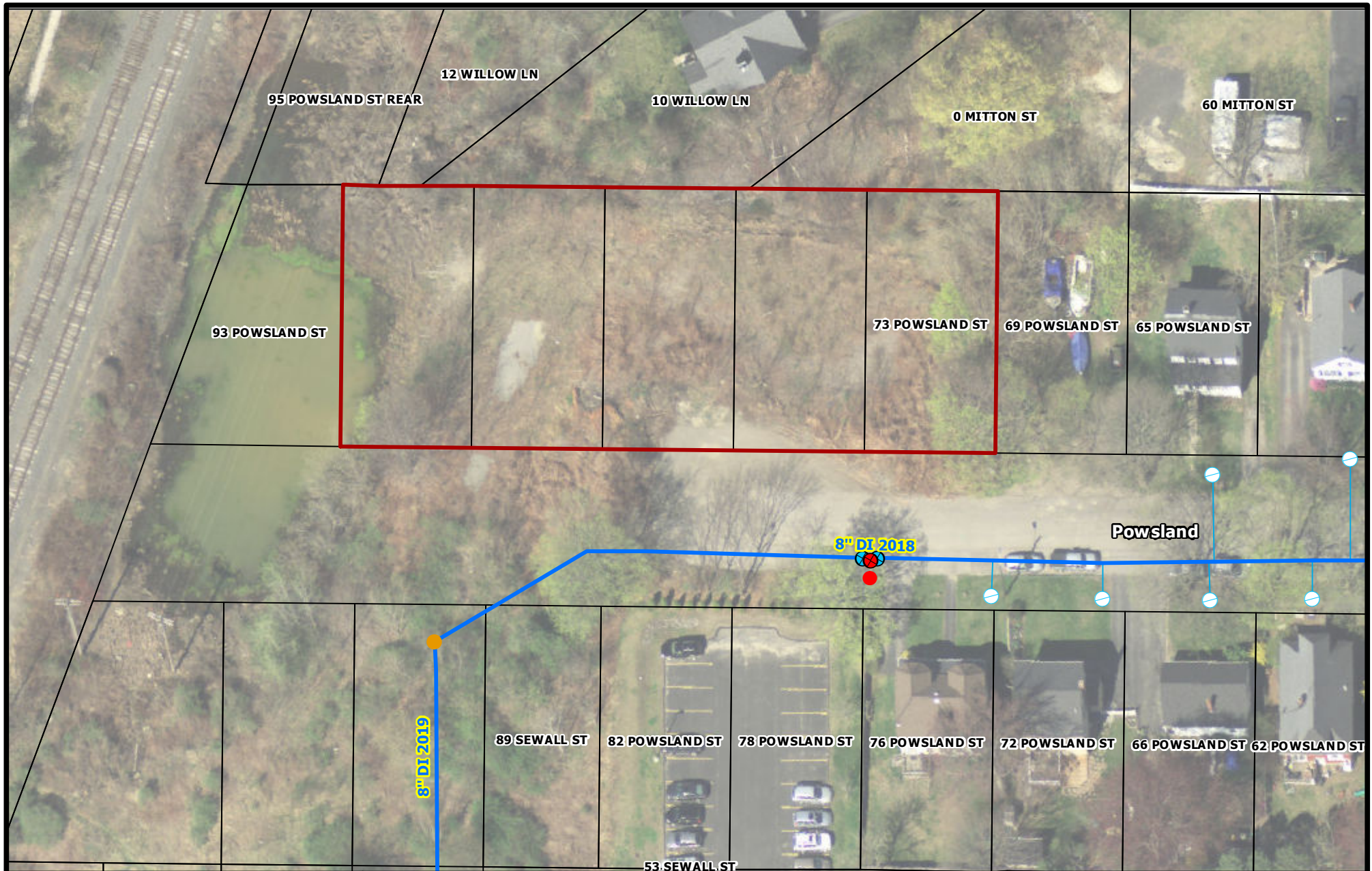
There are no existing utilities extending to the site. All design and connections will be reviewed by and coordinated directly with the utility companies.

Sewer line connections are required if there is a main within 200 feet

All buildings on site will be connecting to the public sewer main that exists within Powsland Street. Reference is made in the attached Utility Plan.

Written evidence of the ability to serve from utility companies, as applicable

Please refer to the ability/capacity to serve correspondence regarding water and sewer service from the Portland Water District.



Powsland Street

Portland

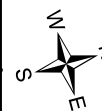


PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04104

Scale 0 12.5 25 50 75 100 Feet 1 inch = 50 feet

Legend

- | | | | |
|----------------|-----------------------|----------------------|--------------------|
| ● Air Valve | ● Connection | ⊕ Combined Service | ● Private Hydrants |
| ● Blow Off | ● Attribute Change | ⊕ Domestic Service | → Gravity |
| ⊕ By Pass | ⊕ Hydrant Control | ⊕ Fire Service | → Force |
| ⊕ Distribution | ▲ Reducer | — Shallow Water Main | ● Manhole |
| ⊕ Transmission | ● Hydrant | — Deep Water Main | ● CSO |
| ⊕ Meter Pits | — Proposed Water Main | | |



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

Drawn By: BSJ

Scale: As Noted

Date: June 15, 2021

27: MASSING, VENTILATION AND WIND IMPACT (14-526(d) 1)

- Wind and ventilation impacts on adjoining structures and/or adjacent public spaces. Wind study, if applicable
The proposed building will not result in health or safety problems due to a reduction in ventilation to adjoining structures or adjacent public spaces. A wind study is not applicable to this site development.
- Bulk, location or height impacts on adjoining structures
The bulk, location, and height of the proposed buildings will not minimize the value or utility of neighboring structures. The proposed development is consistent in size and scale and use with neighboring properties and is an allowed use in the district.
- Identify and locate HVAC equipment and venting away from public spaces and residential properties
HVAC equipment will not be utilized.
- Identify screening and manufacturing specifications for noise, if applicable
Not applicable.

28: SHADOWS (14-526 9d), if applicable

Shadow analysis of impacts on publicly accessible open space (Technical Manual,
Section 11)

Not applicable. There are no publicly accessible open spaces areas that will be affected by shadows from the proposed new building.

29: SNOW AND ICE LOADING (14-526 (d) 3)

Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways

Not applicable. The proposed new building is not located adjacent to a public way or in close proximity to adjacent properties where snow or ice is of concern.

30: VIEW CORRIDORS (14-526 (d)4)

Protection of designated view corridors (Portland Design Manual, Appendix 1)

Not applicable. The site is not located in a view corridor as identified in the City of Portland Downtown Vision View Corridor Protection Plan, Portland Design Manual, Appendix 1.

31: HISTORIC RESOURCES (14-526(d) 5)

Identify developments within Historic Districts or affecting Designated Landmarks

Certificate of Appropriateness or other evidence

Identify Developments within 100 feet of Historic Districts of affecting Designated Landmarks. Advisory HP review may be required

Address preservation and documentation of Archaeological Resources

Per review of available City information, the proposed new buildings on site are not located in a City Historic District and will not affect a designated landmark.

32: EXTERIOR LIGHTING (14-526 (d) 6)

Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12)

Not applicable. No onsite light fixtures proposed. Lighting for the building units shall be residential lighting attached to the buildings. No Photometric plan is submitted as a part of this application.

Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10)

No additional lights are proposed in a street right-of-way.

33: NOISE AND VIBRATION (14-526(d)7)

Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements

(i), (ii) Not Applicable.

34: SIGNAGE AND WAYFINDING (14-526(d)8), if applicable

Signage plan showing the location, dimensions, height, and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff

All signage shall meet applicable requirements of Division 22 of the City Code, in addition to:

- (i) Historic Preservation: Not applicable
- (ii) Commercial Signage and Directional Traffic Signage: Not applicable
- (iii) On-site directional traffic signage: Not applicable; no new internal directional signage is proposed.
- (iv) Waiver criteria: Not applicable, no signage waivers requested.

35: ZONE RELATED STANDARDS (14-526(d) 5)

The buildings on 65-73, 93 Powsland Street are subject to zone B-5 related standards, including design standards by zone, and neighborhood context.

Preliminary building floor plans and elevation drawings are attached to this application.

36: Construction Management Plan

October 1, 2021

This document and its attachment comprise the Construction Management Plan (CMP) for the new housing development on 65-73, 93 Powsland Street as part of the City of Portland Major Site Plan review. The plan is submitted by Sebago Technics, Inc. on behalf of the applicant. The CMP plan contains information pertaining to the overall planning and coordination of the project.

A. Construction Management Principles

The impact of this project during construction will be minimized via the following management practices and principles:

- As shown on the plans, the Construction Zone is on private property and will have minimal impact to the Public. The site is located at the end of a dead end road and we do not anticipate that the project will require traffic control. If needed, Traffic Control Measures (TCMs) will be developed, established, and executed by the Sitework contractor and follow MUTCD guidelines and requirements.
- Onsite, the immediate area surrounding the work will be secured with a construction fence. Adequate signage will also be provided to ensure that the employees understand the parameters of the work site and are provided with safe access to and from their place of work. These measures will be coordinated directly by the Owner.
- All construction activities will be performed within the limits of the site fence and in the areas shown on the plans to minimize public exposure to risks associated with construction activities. The existing vehicular access will be maintained and used for construction access. No changes to site access are proposed. Construction access and emergency vehicle access to the site will be maintained throughout the construction period
- All deliveries will be scheduled and coordinated to ensure there is minimal off-site queuing required. Existing on site areas controlled by the applicant will be used by the contractor for laydown and storage.
- All construction activities will occur within standards and times within applicable sound ordinances.

B. Development Review of Construction Management Plan

A comprehensive management plan will remain in place for the duration of the construction timeline or until permanent/final measures are installed. These are depicted on the accompanying graphic. At no point will the Public have access to the project site within the fenced limits.

C. Performance Guarantees, Inspection Fees, Preconstruction Meeting, and Permits

All fees, building permit fee and guarantees, will be paid/issued prior to the commencement of construction. No blasting is anticipated for this project.

D. Construction Administration and Communication

The contact person for all construction activities for the project will be:

Mark Curtis
STJ Inc.
939 Parker Farm Road
Buxton, ME 04093

Phone 207-839-2442
Mark Curtis <markcurtis@gsgravel.com>

Signage will be posted on site with additional emergency contact information for the selected superintendent that will be the site contractor for the project. An Emergency Call Log will be developed and distributed to the project team, including subcontractors.

E. Construction Schedule

The project is expected to commence upon permit issuance, Spring 2022/Summer 2022 start, and be completed within a one-year period of work. All construction activities will adhere to the City of Portland Noise Ordinances and applicable timeframes. Deliveries for this project are anticipated to occur during normal recognized working hours (7 AM-7 PM).

F. Security and Public Safety

Care will be taken to ensure security to the site and public safety. No hole shall remain open over night and the construction site shall be secured to avoid safety and security issues.

G. Construction Permitting and Traffic Control Plans

No temporary or semi-permanent barriers will encroach on Powlsland Street, and no traffic controls are anticipated as part of this project. The project does include utilities that will require work within the public right-of-way.

H. Site Management and Controls

The site contractor will adopt the following management and maintenance activities through the duration of the project:

- Trash and debris will be contained within the project area and removed on a regular basis.
- Street cleaning will not be required on a regular basis but reviewed and cleaned as necessary to remove dirt/debris caused by the construction efforts. A stabilized temporary construction entrance will be installed and maintained where the pavement ends at the existing gravel within the project site.
- Noise levels will be in compliance with City Ordinances.
- If needed, water will be used to control dust during the site work activities. We do not anticipate any other activities that will require dust control measures.

- On site snow removal will be handled by the owner and site contractor and deposited at designated storage areas on the site. The snow storage will be located in the area of the property designated for the future Building 3 and its associated parking shown on the approved 2005 site and subdivision plan for Lot 6 McAlister Farm.

I. Erosion Control and Preservation of Trees

The contractor will comply with the approved erosion and sedimentation control plan.

J. Construction Staging Area

- Construction staging areas will be provided on the owner's property in the area designated at the time of construction

K. Parking During Construction

- On-site parking is expected to be utilized. The parking will be coordinated with the applicant. Construction parking will occur in the area of the property designated at the time of construction

L. Special Measures as Necessary

As it is understood currently, no special measures will be required.

January 11, 2023
07360-01

Planning and Urban Development Department
City Hall – 4th Floor, 389 Congress Street
Portland, Maine 04103

Response to Preliminary Comments on 9/29/22
73 Powsland Street

Charles Tetelman:

This letter and the associated attachments are provided in response to the comments dated 9/29/2022. We have organized the responses to restate each review comment in *italics*, followed by our response in **bold**.

General:

1. *The City would like to schedule a meeting with the applicant team to discuss the most recent plan submittal.*

Response: Acknowledged. We have met with the City Staff in October and discussed comments, related to private versus public stormwater, road alignment, and driveway layout and separation, curbing, and the geometry of a turnaround at the at the south end of the site. The revisions discussed with City staff are reflected on the revised plans.

2. *The applicant's latest response to comments noted that maintenance of the proposed Focal Point system would be addressed by the HOA. The maintenance agreement should be provided.*

Response: Enclosed is a draft stormwater maintenance agreement with the applicant identified as the party responsible. It is anticipated that the Homeowner's association will be assigned responsibility when the infrastructure is conveyed and the homeowner's association is created.

Water Quality, Stormwater, & Infrastructure:

1. *Updated Comment: After further review, DPW does not find the driveway separation waiver and related waiver analysis for driveway separation acceptable. The applicant should explore alternative layouts to increase the proposed separation. Staff would point that reducing the amount of proposed driveways to meet technical manual requirements may solve this issue. DPW would also encourage the applicant to pursue shared driveways between lots with easements which could help the applicant comply with the City of Portland standards.*

Response: The plans have been revised to add curbing on both sides of the road. The layout of the buildings and driveways has been revised to include one driveway per lot and appropriate driveway separation to meet City standards. See page 4

2. *Updated Comment: DPW is supportive of the sidewalk waiver request.*

Response: Acknowledged. The plans do not include sidewalks.

3. *Updated Comment: DPW is not supportive of the proposed curbing waiver request. The applicant has not provided a sufficient stormwater design for the proposed Powsland roadway extension area. The analysis appears to ignore nearly 630 feet of drainage course to capture all the stormwater runoff for more than 900 feet of Powsland Street into a single catch basin and a 12" outlet pipe in the proposed turn around area. DPW's concerns range from erosion at the edge of the roadway gutter line, to flooding at the end of the street at the proposed catch basin location. The applicant will need to consider the entire watershed draining to the storm drain system and factor this into the hydraulic analysis for the proposed storm drain conveyance system and stormwater systems. The applicant shall extend the storm drainage from the proposed turn around area towards northerly limit of work. The road should be redesigned to provide a crown, curbing and catch basins to properly manage runoff from the entire drainage course on Powsland Street in order to meet City of Portland street design standards and the requirements of street extensions listed in section 14 of the land use code. While its accurate that a majority of Powsland does not currently have curbing, its DPW's opinion that the stormwater impacts of the proposed roadway extension are significant enough to warrant the installation of curbing as part of this project.*

Response: The road design is revised to include a crowned section with curbing on both sides of the extended street. Catch basins have been added to collect offsite runoff and convey it to the existing pond at the south side end of the road, allowing offsite runoff from the north to follow its existing pattern and bypass the proposed site's treatment system. (1) Stormtree filter system is proposed on the East side of the project to treat existing impervious upstream of the project in lieu of the proposed impervious from the turnaround. The new impervious surfaces within the ROW are captured in catch basins and outlet to the existing detention pond. The Stormtree filter system is treating enough existing impervious to offset any new impervious beyond the filter system. Please refer to the attached stormwater report and grading plan. Runoff from the site development and existing portions of the roadway is treated to meet the City's stormwater management standards. The revised Stormwater Report is attached.

4. *Section 16.1C of the Technical Manual requires site plans to be stamped by a licensed professional engineer in the State of Maine.*

Response: The revised plans are stamped by a licensed professional engineer

5. *The typical road section shown on sheet 9 of 11 does not match what is being proposed on the plan. The current design shows the roadway extension transitioning from having a*

crown to being super elevated. This design does not meet the City's local street design criteria listed in section 1.4.1 of the technical manual which requires a crowned street cross section with a cross slope of 3%. It appears feasible for the roadway to be constructed to have a crowned cross section if curbing and additional storm drainage infrastructure is installed. The applicant should also provide a profile of the proposed roadway extension so DPW can determine if the design meets the vertical roadway design standards in section 1 of the technical manual.

Response: The typical roadway detail and design section phase been revised to include a crowned road section. The superelevation has been eliminated and curbing is included on both sides of the extended street. A Plan and profile of the proposed road extension has been added to the plan set as sheet 7.

6. *DPW needs further clarification on the rationale for the proposed horizontal alignment shift at the end of the proposed Powsland roadway extension. The horizontal roadway alignment should remain consistent to the end of the street unless further rationale is provided for DPW to consider.*

Response: The road extension section has been revised to align with the right of way. A Plan and profile sheet has been provided as a part of the plan set uploaded to E-Plan as sheet 7.

7. *The applicant is showing snow storage areas behind guardrails and steep slopes at the end of the proposed roadway extension which appear to be problematic. It appears that the snow would end up piling up in front of the proposed curb line and guard rail and ultimately limit the ability of vehicles to turn around. This would also potentially cause significant drainage problems for the one catch basin being proposed at the end of the street during winter months. Some of this concern could be eased with further storm drain modifications as requested above. The applicant shall provide alternative snow storage strategies at the end of Powsland Street which do not interfere with drainage or the ability for vehicles to turn around.*

Response: The slope at the east end of the site has been revised to provide a 10-foot shoulder adjacent to the pavement for snow storage, the guard rail has been moved to the south, located at the top of the revised slope, behind the snow storage area. See the revised site plan and grading plan, pages 4 and 6.

8. *The applicant is proposing to replace an existing culvert which crosses the Amtrak rail-line with a note which states the culvert will be replaced in coordination with Amtrak. The applicant should provide documentation of an agreement and easement rights to do this proposed work as a part of the site plan approval process.*

Response: Acknowledged. The applicant has contacted Amtrak requesting written authorization and an agreement to perform the work. Documentation will be provided when it is received. The applicant has stated that they would replace the culvert in previous meetings and conversations with the City as it is something that will be good for

their project and surrounding properties and the future of Powsland Street drainage. The attached stormwater report shows the project meets Portland's stormwater treatment standards without any upgrade to the outlet control structure or culvert. The project is capable of treating the water quality storm and conveying the 2, 10, and 25-year storms only increasing the levels in the detention pond by approximately less than one inch (See Stormwater Report Appendix 2C for proposed vs. existing condition pond elevations without the culvert replacement). Again, the applicant has stated that they will replace the culvert but it is not necessary to meet Portland's Stormwater Standards, with the exception of the flooding standard which we are requesting a waiver for (per Chapter 500 waiver criteria, see page 4 of the Stormwater Report) due to the location of the railroad cross culvert outlet being the mouth of a major river segment tributary to the Fore River. Due to the long lead times in working with Amtrak, it is requested that this not be a formal condition of approval for the project.

9. *The plans reference that work within a CMP easement area shall require CMP's permission prior to that work being performed. This agreement should be secured and presented to the City for review as part of the site plan review process.*

Response: Please see the attached draft letter of permission for work to be performed within CMP property. CMP will allow the gated turnaround with locks that are daisy chained for CMP, City of Portland, and Emergency access. Revised easement language is underway and final documentation shall be provided to the City prior to building permit.

10. *The City will require permanent drainage easements from the applicant in areas where stormwater from Powsland Street will discharge onto private property.*

Response: Drainage from Powsland Street and the proposed lots has been separated. The runoff from Powsland Street stays in the right of way.

11. *The proposed turnaround configuration is not sufficient. DPW would request that the developer work out an agreement with CMP to grant the City permanent rights to either extend the proposed turnaround further into CMP property or to allow for a connection for City vehicles to connect through to Sewall Street. Any turnaround area must be paved to meet City street construction standards.*

Response: The turnaround has been revised as discussed with staff to accommodate a fire truck turning around in front of the gated access to Sewall Street. A firetruck turning exhibit is attached to this submission demonstrating that a fire truck can turn at this location. Pavement has been extended to where the gate is located. The vehicle turning exhibit is attached as the last page of the plan set (1 of 1)

12. *The applicant is proposing grading and work on adjacent CMP property but has not provided any easements or agreements with CMP to complete this work.*

Response: Please see the attached draft letter of permission form from CMP for the work to be performed attached. A copy of the agreement will be provided when it is received.

There is currently Municipal access through this property to maintain the existing water and sewer utilities.

13. *It appears that a 12" culvert underneath the railroad tracks may be insufficient to provide adequate drainage for the entire watershed draining to it. The applicant has noted that the 12" culvert will be replaced as part of this project. The applicant should consider the entire watershed draining to this culvert include this information in the project's stormwater report/calculations and ensure the replacement culvert is adequately sized.*

Response: The analysis of the existing and proposed watersheds has been revised to include the offsite watershed draining to the culvert that crosses under the railroad tracks.

The 12" culvert is proposed to be replaced with a 24" a ductile iron culvert. To determine the appropriate size of the replacement culvert, the 100-yr storm was modeled to the detention pond with the proposed double grate outlet control structure. During this storm event, the maximum inlet capacity of the double grate inlet was approximately 24.5 CFS. It was determined through manning's equation that a 24" D.I. culvert is the appropriate size as it has the capacity for approximately 35 CFS, giving the culvert capacity a factor of safety of about 1.4. Please see the revised stormwater management report for further analysis.

14. *The proposed pavement section for the roadway does not meet the City's standards for a local road as detailed in the Technical Manual. Specifically, the proposed surface placement is 9.5 mm, but I believe The City requires 12.5 mm for surface – DPW should confirm that is the case for this location.*

Response: The typical section on sheet 11 has been revised to reflect the current technical manual standards for pavement section, cross slopes, and curbing.

15. *The plans do not appear to show a consistent location for the gate onto the access road to the south. On some plans, notes seem to be pointing to a different location, and the turning movement plan shows a vehicle moving through the gate location.*

Response: Please see the updated site plan sheet 3 and 4 for the proposed gate location. Gate location is consistent on each sheet. The pavement extending up to the gate represents the extent of the turnaround.

16. *The project previously noted that a NRPA permit is required. The applicant should provide an update on the status of that.*

Response: Please see the enclosed receipt of payment to MDEP for the NRPA Permit-By-Rule.

17. *The building elevations show sloped roofs, but do not indicate gutters and downspouts. I would recommend the applicant consider utilizing these for roof drainage to provide direct discharge of the stormwater back to the rear stormwater swale.*

Response: Acknowledged. The plans have been revised to include callouts for downspouts with final locations to be coordinated with the architectural plans.

18. *The projects stormwater analysis includes off-site drainage areas located west of the site, but does not consider the area north of the site. Existing topography indicates that existing portions of Powsland Street will drain towards the site, and will likely drain down the street and be picked up by the proposed catch basin. The stormwater analysis should be updated to include all area draining through the site. It is recommended that multiple catch basins be provided along the length of Powsland Street to collect stormwater along the roadway. This would work in conjunction with the curbing and crowned roadway grading as noted by DPW in their review.*

Response: The analysis of the existing and proposed watersheds has been revised to include the offsite area draining through the project site. Catch basins, a Stormtree filtration system, and storm drains have been added to collect runoff from Powsland Street and convey it to the existing pond to the south of the site, maintaining the exiting drainage patterns.

Public Safety:

1. *Fire Truck turning radius will need to be provided at turn around.*

Response: Please see the attached truck turning movement for the turnaround uploaded as a part of this re-submission.

2. *Please provide distance from the closed hydrant to the furthest building.*

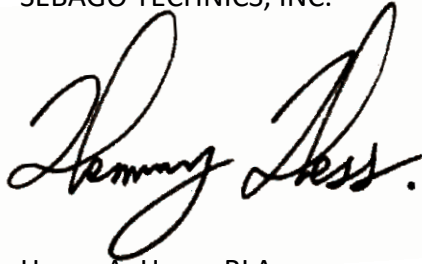
Response: The closest existing fire hydrant is across the street from lots 66/67 near the center of the site a callout for the existing hydrant has been added to the site plan (sheet 3) and is noted on the utility plans..

3. *Access Gate at the end of Powsland Street will need a Know Box for Emergency access at all times. Will CMP be accessing this gate as well? If CMP will also be utilizing gate for access applicant has two options: 1) get a Know padlock and daisy chain out padlock together with their padlock so either one can open gate; or 2) get a Know box and put a key to their padlock in the box and mount it on the gate.*

Response: Acknowledged. Option 1 will be implemented. Please refer to the attached email correspondence with CMP.

Upon your review of our responses, please contact me if you have any questions.

Sincerely,
SEBAGO TECHNICS, INC.

A handwritten signature in black ink, reading "Henry A. Hess." with a stylized, cursive script.

Henry A. Hess., RLA
Project Manager
Maine Licensed Landscape Architect.

HAH:jsh



INSPECTION, MAINTENANCE, AND HOUSEKEEPING PLAN

For:
**POWSLAND STREET
PORTLAND, MAINE**

By:
**Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine**

Introduction

The following plan outlines the anticipated inspection and maintenance procedures for the erosion and sedimentation control measures as well as stormwater management facilities for the project. This plan also outlines several housekeeping requirements that shall be followed during and after construction. These procedures shall be followed in order to ensure the intended function of the designed measures and to prevent unreasonably adverse impacts to the surrounding environment.

The procedures outlined in this Inspection, Maintenance and Housekeeping Plan are provided as an overview of the anticipated practices to be used on this site. In some instances, additional measures may be required due to unexpected conditions. For additional detail on any of the erosion and sedimentation control measures or stormwater management devices to be utilized on this project, refer to the most recently revised edition of the "Maine Erosion and Sedimentation Control BMP" manual and/or the "Stormwater Management for Maine: Best Management Practices" manual as published by the Maine Department of Environmental Protection (MDEP).

During Construction

1. **Inspection:** During the construction process, it is the Contractor's responsibility to comply with the inspection and maintenance procedures outlined in this section. These responsibilities include inspecting disturbed and impervious areas, erosion control measures, materials storage areas that are exposed to precipitation, and locations where vehicles enter or exit the site. These areas shall be inspected at least once a week as well as before and after a storm event (0.5" of rainfall), and prior to completing permanent stabilization measures. A person with knowledge of erosion and stormwater control, including the standards and conditions in any applicable permits, shall conduct the inspections.
2. **Maintenance:** All measures shall be maintained in an effective operating condition until areas are permanently stabilized. If Best Management Practices (BMPs) need to be maintained or modified, additional BMPs are necessary, or other corrective action is needed, implementation must be completed within 7 calendar days and prior to any storm event (0.5" of rainfall).
3. **Documentation:** A log summarizing the inspections and any corrective action taken must be maintained on-site. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of erosion and sedimentation controls, material storage areas, and vehicle access points to the site. Major observations must include BMPs that need maintenance, BMPs that failed

to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. The permittee shall retain a copy of the log for a period of at least three years from the completion of permanent stabilization.

4. **Specific Inspection and Maintenance Tasks:** The following is a list of erosion control and stormwater management measures and the specific inspection and maintenance tasks to be performed during construction.

A. Sediment Barriers:

- Hay bale barriers, silt fences, and filter berms shall be inspected immediately after each rainfall and at least daily during prolonged rainfall.
- If the fabric on a silt fence or filter barrier should decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, it shall be replaced.
- Sediment deposits should be removed after each storm event (0.5" of rainfall). They must be removed before deposits reach approximately one-half the height of the barrier.
- Filter berms shall 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.

B. Riprap Materials:

- Once a riprap installation has been completed, it should require very little maintenance. It shall, however, be inspected periodically to determine if high flows have caused scour beneath the riprap or dislodged any of the stone.

C. Erosion Control Blankets:

- Inspect these reinforced areas semi-annually and after significant rainfall events for slumping, sliding, seepage, and scour. Pay close attention to unreinforced areas adjacent to the erosion control blankets, which may experience accelerated erosion.
- Review all applicable inspection and maintenance procedures recommended by the specific blanket manufacturer. These tasks shall be included in addition to the requirements of this plan.

D. Stabilized Construction Entrances/Exits:

- 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. The entrance should then be reconstructed.
- Areas that have received mud-tracking or sediment deposits shall be swept or washed. Washing shall be done on an area stabilized with aggregate, which drains

into an approved sediment-trapping device (not into storm drains, ditches, or waterways).

E. Temporary Seed and Mulch:

- Mulched areas should be inspected after rain events to check for rill erosion.
- If less than 90% of the soil surface is covered by mulch, additional mulch shall be applied in bare areas.
- In applications where seeding and mulch have been applied in conjunction with erosion control blankets, the blankets must be inspected after rain events for dislocation or undercutting.
- Mulch shall continue to be reapplied until 95% of the soil surface has established temporary vegetative cover.

F. Stabilized Temporary Drainage Swales:

- Sediment accumulation in the swale shall be removed once the cross section of the swale is reduced by 25%.
- The swales shall be inspected after rainfall events. Any evidence of sloughing of the side slopes or channel erosion shall be repaired and corrective action should be taken to prevent reoccurrence of the problem.
- In addition to the stabilized lining of the channel (i.e. erosion control blankets), stone check dams may be needed to further reduce channel velocity.

5. **Housekeeping:** The following general performance standards apply to the proposed project.

- A. Spill prevention: Controls must be used to prevent pollutants from being discharged from materials on-site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
- B. Groundwater protection: During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors, accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
- C. Fugitive sediment and dust: Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control.
- D. Debris and other materials: Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
- E. Trench or foundation dewatering: Trench dewatering is the removal of water from trenches, foundations, cofferdams, ponds, and other areas within the construction area

that retain water after excavation. In most cases, the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved.

Post-Construction

1. **Inspection:** After construction, it is the responsibility of the owner or assigned heirs to comply with the inspection and maintenance procedures outlined in this section. All measures must be maintained in effective operating condition. The owner shall inspect and maintain the BMPs, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
2. **Specific Inspection and Maintenance Tasks:** The following is a list of permanent erosion control and stormwater management measures and the inspection and maintenance tasks to be performed after construction. If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the local municipality in the annual report.

A. Vegetated Areas:

- Inspect vegetated areas, particularly slopes and embankments, early in the growing season or after heavy rains (>0.5") to identify active or potential erosion problems.
- Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows.

B. Ditches, Swales and Other Open Channels:

- Inspect ditches, swales, level spreaders and other open stormwater channels in the spring, in the late fall, and after heavy rains to remove any obstructions to flow. Remove accumulated sediments and debris, remove woody vegetative growth that could obstruct flow, and repair any erosion of the ditch lining.
- Vegetated ditches must be mowed at least annually or otherwise maintained to control the growth of woody vegetation and maintain flow capacity.
- Any woody vegetation growing through riprap linings must also be removed. Repair any slumping side slopes as soon as practicable.
- If the ditch has a riprap lining, replace riprap in areas where any underlying filter fabric or underdrain gravel is showing through the stone or where stones have dislodged.

C. Culverts:

- Inspect culverts in the spring, in the late fall, and after heavy rains (>0.5") to remove any obstructions to flow.
- Remove accumulated sediments and debris at the inlet, at the outlet, and within the conduit.
- Inspect and repair any erosion damage at the culvert's inlet and outlet.

D. Removal of Winter Sand:

- Clear accumulations of winter sand in parking lots and along roadways at least once a year, preferably in the spring.
- Accumulations on pavement may be removed by pavement sweeping.
- Accumulations of sand along road shoulders may be removed by grading excess sand to the pavement edge and removing it manually or by a front-end loader or other acceptable method.

E. Focal Points:

- Debris and sediment buildup shall be removed as needed. Any bare area or erosion rills on focal point surface shall be repaired with double shredded hardwood mulch.
- See inspection log within Attachment 1 of this document for the inspection requirements of this BMP.

3. Documentation:

- A. The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, as required by the local municipality, provide a completed and signed certification on a form provided by the local municipality, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they required maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- B. A log summarizing the inspections and any corrective action taken must be maintained. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of controls. Major observations must include BMPs that need maintenance, BMPs that failed to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. A sample "Stormwater Inspection and Maintenance Form" has been included as Attachment 1 of this Inspection, Maintenance, and Housekeeping Plan.

- 4. Duration of Maintenance:** Perform maintenance as described and required for any associated permits unless and until the system is formally accepted by a municipality or quasi-municipal district, or is placed under the jurisdiction of a legally created association that will be responsible for the maintenance of the system. If a municipality or quasi-municipal district chooses to accept a stormwater management system, or a component of a stormwater system, it must provide a letter to the MDEP stating that it assumes responsibility for the system. The letter must specify the components of the system for which the municipality or district will assume responsibility, and that the municipality or district agrees to maintain those components of the system in compliance with MDEP standards. Upon such assumption of responsibility, and approval by the MDEP, the municipality, quasi-municipal district, or association becomes a co-permittee for this purpose only and must comply with all terms and conditions of the permit.

ATTACHMENT 1 – STORMWATER INSPECTION AND MAINTENANCE LOG

POWSLAND STREET PORTLAND, MAINE

This log is intended to accompany the Inspection, Maintenance, and Housekeeping Plan for the Subdivision Development. The following items shall be checked, cleaned, and maintained on a regular basis as specified in the Maintenance Plan and as described in the sections below. This log shall be kept on file for a minimum of five (5) years and shall be available for review by the City of Portland and the Maine DEP. Qualified personnel familiar with the drainage systems and soils shall perform all inspections. A copy of the construction and post-construction maintenance logs are provided.

Focal Point

INSPECTION MAINTENANCE AND HOUSEKEEPING FORM			
General Information			
Project Name:		Inspection Date:	
Project Location:		Current Weather:	
		Date / Amount Last Precip:	
BMP Owner:		Company conducting inspection:	
Owner Mailing Address:		Company Mailing Address	
Owner Phone #:		Company Phone #:	
Owner Email:		Inspector Name:	
		Inspector Email:	
BMP Element	Suggested Maintenance (recm'd frequency)	Observations	Inspection Notes/Recommended Action
Forebay/Pretreatment	Sediment/Debris Removal (Semi-Annually)		
	Inspect for bare areas or rill erosion (Semi-Annually)		
R-Tanks	Sediment Depth (Quarterly for the first year and annually thereafter.)		
	Floatables/Debris (Quarterly for the first year and annually thereafter.)		
Discharge Pipe	Ground Stabilized (>1" rain, Annually)		
Embankments	Review for signs of erosion (Semi-Annually)		
Filter Bed	Harvesting and pruning of excessive growth (Occasionally)		
	Review basin for evidence of vehicular traffic or storage of snow within footprint (Semi-Annually)		
	Review for removal and replacement of mulch (Annually or As Needed)		
	Confirm filter drains in 24-48 hours for water quality volume (Semi-Annually)		
Additional Notes/Observations:			

October , 2022

STJ, Inc.

Dear :

This letter agreement will serve as written permission for you (Permittee) to access a portion of Central Maine Power Co.'s (CMP) property and easement rights, in the Town of Portland, designated transmission line corridor Sections 101, 191, and 161, for the purpose of a temporary work space to replace a culvert under the Portland Terminal Railroad track. CMP's property and easement rights are further described in a deed dated June 4, 1907 recorded in the Cumberland County Registry of Deeds in Book 829, Page 99 and a deed dated July 16, 1951 recorded at said Registry of Deeds in Book 2051, Page 425.

This permission herein is subject to the following conditions:

1. Since CMP only has an easement interest in a portion of the property, Permittee is responsible for obtaining access permission for the stated purpose from the fee owner, if necessary;
2. The Permittee will be performing the culvert replacement by slip-lining the existing culvert.
3. No waste of any kind or nature will be left on the property.
4. No stockpiling of materials or storage of construction vehicles will take place on the property
5. The permission shall be at the sole risk and expense of the Permittee and will be in compliance with all laws, ordinances and regulations pertaining thereto.
6. Any work performed that cannot maintain 20-feet of clearance from the overhead conductors as now located on the property will require a Non-Reclose Agreement (NRA) on the transmission line and an on-site CMP clearance holder and inspector at the Permittee's cost.
7. The Permission shall in no way encumber CMP's fee ownership of the property.

8. The Permission shall not limit or restrict nor shall liability arise from CMP's it's successors and assigns use of its land in its operation as a public utility.
9. Permittee shall not use the property for any other purpose not defined herein.
10. This agreement is not assignable and is for your personal use only.
11. The rights and privileges granted by this letter may be canceled at any time by CMP and will automatically expires on _____.

By acceptance of this permission, Permittee hereby waives any claim that it now has or may have in the future against CMP, it's parent corporation and affiliates and its and their directors, officers, employees, agents, contractors, successors and assigns and further agrees to indemnify, protect and save harmless, CMP, it's parent corporation and affiliates and its and their directors, officers, employees, agents, contractors, successors and assigns from and against any and all claims, demands and actions, which may arise pursuant to the exercise of the permission hereby granted or otherwise. Additionally, Permittee for itself and its directors, officers, employees, agents, successors, and assigns, hereby waives any defenses or immunity Permittee might otherwise have under applicable worker's compensation laws or any other statute or judicial decision disallowing or limiting such indemnification, including without limitation, *Diamond International Corp. v Sullivan & Merritt, Inc.*, 493 A2d. 1043 (Me. 1985), and Permittee consents to a cause of action by CMP for Indemnity.

If this agreement is acceptable under the conditions stated above, kindly sign and return the letter me. A fully executed copy will be returned for your records.

Sincerely,

CENTRAL MAINE POWER COMPANY

By: _____
Alen Saric, Manager, Energy
Land Management

ACCEPTED BY

_____ Date: _____

_____ Date: _____

Jake S. Hunnewell

From: noreply@informe.org
Sent: Monday, October 10, 2022 2:15 PM
Subject: DEP Payment Receipt

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Payment Receipt Confirmation

Your payment was successfully processed.

Transaction Summary

Description	Amount
DEP Payment Portal	\$266.00
Service Fee	\$2.00
Maine.gov Total	\$268.00

Customer Information

Customer Name Jake Hunnewell
Company Name Sebago Technics, Inc.
Local Reference ID 1018100873
Receipt Date 10/10/2022
Receipt Time 02:14:45 PM EDT

Payment Information

Payment Type Credit Card
Credit Card Type VISA
Credit Card Number [REDACTED]
Order ID 63761496
Billing Name Mark Adams

Billing Information

Billing Address 75 John Roberts Road,
Suite 4A
Billing City, State South Portland, ME
ZIP/Postal Code 04106
Country US
Phone Number 207-200-2139

This receipt has been emailed to the address below.

Email Address jhunnewell@sebagotechnics.com

Memorandum

To: Chris Branch, Director of Public Works

From: Henry Hess, R.L.A., Sebago Technics

Date: September 13, 2022

Subject: Request to Repave Under Moratorium in Response to City Comment
73 Powsland Street
Portland, Maine

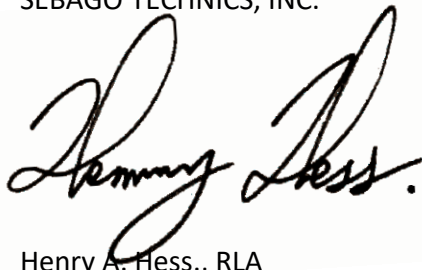
Chris,

On behalf of the applicant STJ Inc., we are pleased to submit this request to repave the end of Powsland Street currently under the existing 5-year moratorium. The roadway work will extend from the beginning limit of work (proposed saw cut line) to the end of the road extension. STJ Inc. is proposing to repave 185 feet of Powsland Street to extend the road. 125 ft of the total 185ft will be a new road extension and turnaround. Included will be a dirt road connection to an existing dirt road and gated (for emergency and municipal access only). We understand the purpose of a moratorium is to preserve the condition of the roadway, and due to the expected number of saw cuts and patchwork for utility connections for the proposed buildings we believe that the roadway condition will be preferable if repaved entirely for 185ft of completed new roadway.

Attached you will find the proposed Overall Grading and Utility Plan showing the existing edge of the pavement at the end of Powsland Street, the proposed saw cut line/start of new pavement and the proposed utility connections where trench work would be necessary.

We hope we have provided sufficient information for the ability to repave under the moratorium. In the interim, if you or staff have comments on this request or require additional information, please contact me.

Sincerely,
SEBAGO TECHNICS, INC.



Henry A. Hess., RLA
Project Manager
Maine Licensed Landscape Architect.

HAH:jsh

January 11, 2023
07360-01

Planning and Urban Development Department
City Hall – 4th Floor, 389 Congress Street
Portland, Maine 04103

Flooding Standard Waiver Request
73 Powsland Street Portland ME 04103

To Whom It May Concern,

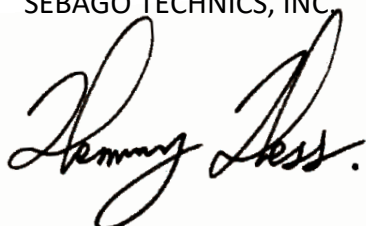
On behalf of the applicant STJ Inc., we are respectfully submitting this waiver request from the flooding standard for the Powsland Street Project. Per MDEP Chapter 500 flooding standard waiver criteria we would like to request a waiver from flooding standard.

“A project is eligible for a waiver from the flooding standard as follows. A) Discharge to a coastal wetland, a great pond, or a major river segment. A waiver is available for a project in the watershed of a coastal wetland, a great pond, or a major river segment provided the applicant demonstrates that the project conveys stormwater exclusively in sheet flow, in a manmade open channel, or in a piped system directly into one of these resources.” - Page 14 of Chapter 500

Due to the nature of this project’s watershed, we would like to respectfully request a waiver from the flooding standard. The location of the point of analysis (POA-1) is likely a coastal wetland and is located at beginning of a major river segment that is directly tributary to the Fore River. It is understood that the peak flow rate at the culvert outfall (POA-1) will inevitably increase due to the larger diameter culvert and improved outlet control structure capable of conveying more flow, and to address the increased flow rate a properly sized rip rap apron is proposed at the outfall. It is anticipated that there will be no significant impact on the surrounding waterways due to the detention still available in the pond to the south of the project site and the proposed rip rap apron at the culvert outfall.

We hope we have provided sufficient information for a waiver from the flooding standard. In the interim, if you or staff have comments on this waiver request or require additional information, please contact me.

Sincerely,
SEBAGO TECHNICS, INC.



Henry A. Hess., RLA
Project Manager
Maine Licensed Landscape Architect.

HAH:jsh

February 07, 2023
07360-01

Planning and Urban Development Department
City Hall – 4th Floor, 389 Congress Street
Portland, Maine 04103

Sidewalk Waiver Request Article 14 Section 6.1
73 Powsland Street Portland ME 04103

To Whom It May Concern,

On behalf of the applicant STJ Inc., I am pleased to submit this waiver request for the Minor Site Plan Application for the Powsland Street Project. The applicant would like to request a waiver from site plan review standards 14.6.1.B.3.c and d.

“All Development shall provide curbs and sidewalks along all frontages, installed to specifications as described in the transportation systems and street design standards of the technical manual.”

The applicant is requesting the waiver for sidewalks along all frontages due to meeting at least (2) of the waiver criteria as listed in Chapter 14, section 14.6.1.B.3.c. Descriptions of those criteria and how they are met are listed below.

- i. *There is no reasonable expectation for pedestrian usage coming from, going to, and traversing the site.*
 - a. The Powsland street project is located at the very end of the street where there will not be pedestrian traffic other than from the residents in the proposed homes.
- ii. *There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of pedestrian-oriented infrastructure.*
 - a. Currently, no sidewalk runs the length of Powsland Street on the project side. Therefore, the creation of a sidewalk in front of this project will not contribute to the development of pedestrian-oriented infrastructure.
- iii. The street has been repaved recently and no sidewalks were installed during the recent reconstruction /paving of Powsland St.

We hope we have provided sufficient information for a waiver of the sidewalk development along the entire frontage of the Powsland street project as requested above. In the interim, if you or the staff have comments on this waiver request or require additional information, please contact me.

Sincerely,
SEBAGO TECHNICS, INC.

A handwritten signature in black ink, reading "Henry A. Hess." with a period at the end. The signature is written in a cursive, flowing style.

Henry A. Hess., RLA
Project Manager
Maine Licensed Landscape Architect.

HAH:jsh



STORMWATER MANAGEMENT REPORT

For

**POWSLAND STREET
PORTLAND, ME**

Prepared for:

STJ, INC
P.O. Box 58
Gorham, ME 04038

Prepared by:

Sebago Technics, Inc.
75 John Roberts Rd, Suite 4A
South Portland, ME 04106

January, 2023

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Appendices

Appendix 1:	Stormwater Quality Calculations
Appendix 2A:	Hydrologic Modeling– Existing Conditions (HydroCAD)Summary
Appendix 2B:	Hydrologic Modeling – Proposed Conditions (HydroCAD) Summary
Appendix 2C:	Hydrologic Modeling – Proposed Conditions vs. Existing Conditions Without Culvert Replacement
Appendix 3:	Inspection, Maintenance and Housekeeping Plan
Appendix 4:	Subsurface Investigations
Appendix 5:	Stormwater Management Plans

**STORMWATER MANAGEMENT REPORT
POWSLAND STREET
PORTLAND, ME**

1. Introduction

This Stormwater Management Plan Report has been prepared to present analyses performed to address the potential impacts associated with the project due to proposed modification in stormwater runoff characteristics and land cover changes. The stormwater management controls that are outlined in this report have been designed to suit the proposed development and to comply with applicable regulatory requirements.

2. Existing Conditions

The project site consists of undeveloped land that was previously owned by the Portland Water District, located on the west side of Powsland Street in Portland. The site is approximately 0.69 acres in size and it is bounded by wetlands to the south and west. Train tracks on the south side of the wetlands provide a barrier for the watershed that outlets through a culvert underneath the railroad tracks. Slopes on the site range from 2-55% in some areas.

The site is tributary to a small wetland detention pond to the South that discharges through a culvert underneath the train tracks to the mouth of a river segment that drains into the Fore River. According to Chapter 502 of the Maine Department of Environmental Protection (MDEP) regulations, the Fore River is not listed as an Urban Impaired Stream.

The development area of the site is not located in an identified flood zone per the FEMA Flood Insurance Rate Map for the City of Portland, Community Panel 2300510006B with an effective date of 1986.

3. Soils

Soil characteristics were obtained from the USDA Web Soil Survey. The Hydrologic Groups (HSG) of the soils is classified by Technical Release TR-55 of the Soil Conservation Service as follows:

Soil Map Symbol	Soil Name	Slope (%)	HSG
BgB	Nicholville	0-8	C
BuB	Lamoine	3-8	C/D
DeB	Deerfield	3-8	A
Wa	Walpole	0-3	A/D

Hydrologic Soil Group boundaries are delineated on the Stormwater Management Plans. A copy of the Class D Medium Intensity Soil Survey is included as Appendix 4.

4. Proposed Site Improvements

The proposed development will consist of five 1,305 SF residential buildings and approximately 3,500 SF road extension with a turnaround. The project will result in the creation of 16,585 SF of impervious area and 31,480 SF of developed area.

Proposed as part of the project is the replacement and upsizing of the cross culvert that connects the existing wetland detention pond south of the project site to the Fore River on the other side of the railroad tracks. In 2014 STJ, Inc. received an MDEP field determination letter granting them the ability to replace and upsize the culvert without an MDEP permit if the culvert is replaced with the same inverts. To determine the appropriate size of the replacement culvert the 100-yr storm was modeled to the pond with the proposed double grate outlet control structure. During this storm event, the maximum inlet capacity of the double grate inlet was approximately 24.5 CFS. It was determined that a 24" D.I. culvert is the appropriate size as it has the capacity for approximately 35 CFS, giving the culvert capacity a factor of safety of about 1.4.

5. Existing Conditions Model

The existing conditions watershed plan consists of seven (7) subcatchments labeled 1S thru 7S in the HydroCAD model. One location was identified as a Point of Analysis (POA) for comparing peak runoff rates. POA-1 is the culvert outlet on the south side of the train tracks connecting the pond in the wetland (1P) to the Fore River. All the subcatchments contribute runoff to this study point with an overall analysis area of approximately 9.98 acres.

6. Proposed Conditions Model

The proposed conditions watershed plan consists of slightly more overall area due to proposed grading changes directing more runoff to the point of analysis. The overall analysis area is approximately 9.99 acres.

POA-1: Subcatchment 4S does not change. Subcatchments 1.1S and 1.2S are broken up from 1S. Subcatchment 5S loses area to 1.1S which represents the roadway and attributing grassed area. Subcatchment 3S loses area to 1.1S and 1.2S which represents the roof area and landscaped area on the west side of the buildings. Subcatchment 2S gains area from 1S by the grading done onsite. Subcatchment 6S and 7S represent the northern portion of Powsland Street and the adjacent residential lots, these subcatchments remain mostly the same only gaining and losing area around the proposed catch basins.

Subcatchments 2S, 3S, 4S, 5S, and 7S directly contribute runoff to 1P which discharges to POA-1. Subcatchment 6S runoff is captured by the Stormtree treatment system (ST1) which has been sized to treat a portion of the existing roadway and bypass the rest to 1P and then POA-1. Subcatchment 1.2S runoff is captured by the Focal Point treatment system (1FP) which then discharges to the R-Tank storage system (1RT) under the Focal Point system. From 1RT flow is then conveyed into 1P and then to POA-1.

The Best Management Practices used (Focal Point and R-Tanks) have been designed and sized in accordance with DEP BMP standards contained within Chapter 500 and the BMP Manual. The Stormtree system has been sized in accordance with the manufacturer's specifications. Sizing calculations can be found in Appendix 1.

7. Stormwater Management

Basic Standard - Chapter 500, Section 4(B)

Since the project will disturb more than one (1) acre of land area, MDEP Basic Standards apply, requiring that grading or other construction activities on the site do not impede or otherwise alter drainage ways to have an unreasonable adverse impact. We have avoided adverse impacts by providing an Erosion & Sedimentation Control Plan, and an Inspection, Maintenance and Housekeeping Plan (Appendix 3) to be implemented during construction and post-construction stabilization of the site. These construction requirements have been developed following Best Management Practice guidelines.

General Standard - Chapter 500, Section 4(C)

Although the project will not create more than one (1) acre of impervious surface, since the project is a new development classified as a minor site plan and will create more than 1,000 SF of impervious surface, under Section 5 of the City of Portland's technical manual, MDEP General Standards must be met. This requires a project's stormwater management system to include treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. The General Standards require treatment of no less than 95% of the site's created impervious area and no less than 80% of the site's created developed area (landscaped area and impervious area combined). To mitigate the changes in hydrologic patterns due to the development of this project a Focal Point media filter, subsurface R-Tank storage system, and Stormtree filter system have been implemented into the stormwater management infrastructure. Filtration BMPs are very effective at removing a wide range of pollutants through the use of organic soil filter media.

BMP sizing and treatment calculations are provided as Appendix 1.

Through the use of the aforementioned BMP's, 97.68% of new impervious area and 94.65% of new developed area will be receiving treatment. This calculation is including all new impervious and landscaped areas within the right of way. This meets the requirements for the Maine DEP General Standards.

Flooding Standard - Chapter 500, Section 4(F)

Since the project is a new development classified as a minor site plan and will create more than 1,000 SF of impervious surface, under Section 5 of the City of Portland's technical manual, MDEP Flooding Standards must be met. The Flooding Standard requires a project's stormwater management system detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2, 10, and 25-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project. As such, a runoff evaluation was performed using the methodology outlined in the USDA Soil Conservation Service's "Urban Hydrology for Small Watersheds - Technical Release #55 (TR-55)". HydroCAD computer software was utilized to perform the calculations.

Runoff curve numbers were determined for each of the subcatchments by measuring the area of each hydrologic soil group within each type of land cover. The type of land cover was determined based on survey data, field reconnaissance and aerial photography. Times of concentration were determined from site topographic maps in accordance with SCS procedures.

The 24-hour rainfall values utilized in the hydrologic model were obtained from Appendix H of MDEP's Chapter 500: Stormwater Management (effective date August 2015). Rainfall values for Cumberland County SE are listed in the table below.

Storm Frequency Precipitation (in./24 hr) Cumberland County SE	
2-year	3.10
10-year	4.60
25-year	5.80

Due to the nature of this project's watershed, we would like to respectfully request a waiver from the flooding standard (per Chapter 500 waiver criteria). The location of POA-1 is likely a coastal wetland and is located at beginning of a major river segment that is directly tributary to the Fore River. It is understood that the peak flow rate at the culvert outfall (POA-1) will inevitably increase due to the larger diameter culvert and improved outlet control structure capable of conveying more flow, and to address the increased flow rate a properly sized rip rap apron is proposed at the outfall. It is anticipated that there will be no significant impact on the surrounding waterways due to the detention still available in the pond to the south of the project site and the proposed rip rap apron at the culvert outfall.

The following table presents the results of the peak runoff calculations at POA-1 for the existing and proposed conditions.

Peak Runoff Rate Summary Table			
Analysis Point	Storm Event	Existing Conditions (cfs)	Proposed Conditions (cfs)
POA-1	2-year	3.5	1.6
	10-year	4.0	11.7
	25-year	4.3	17.0

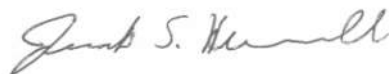
The HydroCAD Data output sheets from this analysis are appended to this report (Appendix 2) along with the Stormwater Management Plans (Appendix 5). As mentioned above it is anticipated that the peak flow rate at the culvert outfall (POA-1) will increase due to the larger diameter culvert capable of conveying more flow, as well as the addition of a storm drain system within the end of Powsland Street that directly conveys runoff into the detention pond.

Summary

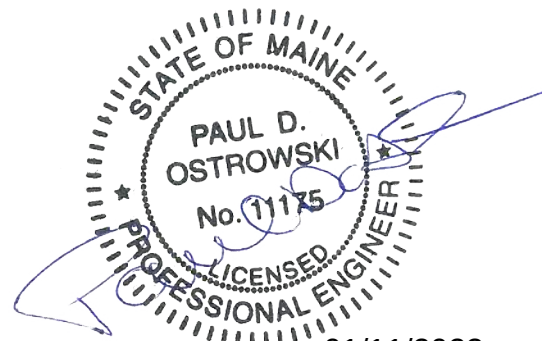
The proposed development has been designed to manage stormwater runoff through Best Management Practices approved by MDEP. Stormwater BMP's provide treatment to 97.68% (95% required) of impervious areas, and 94.65% (80% required) of the total developed area, including the treatment of new impervious, existing impervious, and new landscaped areas within the right of way. Runoff discharging from the site will be properly handled through the proposed outlet control structures and rip rap aprons. Additionally, erosion and sedimentation controls along with associated maintenance and housekeeping procedures have been outlined to prevent unreasonable impacts on the site and to the surrounding environment.

Prepared by:

SEBAGO TECHNICS, INC.



Jake S. Hunnewell, E.I.
Civil Engineer
JSH



01/11/2023
Paul D. Ostrowski, P.E.
Senior Project Engineer
PDO

Appendix 1

Stormwater Quality Calculations

Table 1: MDEP GENERAL STANDARD CALCULATIONS

Job # 07360-01

AREA ID	WATERSHED SIZE (S.F.)	EXISTING ONSITE IMPERVIOUS AREA TO REMAIN (S.F.)	NEW ONSITE IMPERVIOUS AREA (S.F.)	EXISTING ONSITE LANDSCAPED AREA TO REMAIN (S.F.)	NEW ONSITE LANDSCAPED AREA (S.F.)	NET NEW DEVELOPED AREA (S.F.)	NET EXISTING DEVELOPED AREAS (S.F.)	TREATMENT PROVIDED?	IMPERVIOUS AREA TREATED (S.F.)	LANDSCAPED AREA TREATED (S.F.)	DEVELOPED AREA TREATED (S.F.)	TREATMENT BMP
1.1S	12,805	55	5,910	0	410	6,320	55	NO	0	0	0	
1.2S	22,850	0	10,200	0	12,650	22,850	0	YES	10,200	12,650	22,850	FP1
2S	84,325	0	0	0	0	0	0	NO	0	0	0	
3S	6,330	0	0	0	500	500	0	NO	0	0	0	
4S	153,485	0	0	0	0	0	0	NO	0	0	0	
5S	43,775	10,525	250	0	0	250	10,525	NO	0	0	0	
6S	31,980	6,000	0	0	0	0	6,000	YES	6,000	0	6,000	ST1
7S	79,835	15,785	225	0	335	560	15,785	NO	0	0	0	
TOTAL (S.F.)	435,385	32,365	16,585	0	13,895	30,480	32,365		16,200	12,650	28,850	

TOTAL NEW IMPERVIOUS AREA (S.F.)	16,585	30,480
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT (S.F.)	16,200	28,850
% OF IMPERVIOUS AREA RECEIVING TREATMENT	97.68%	94.65%

"NEW ON SITE" IS INCLUDING ALL NEW PAVEMENT AND LANDSCAPED AREA IN THE R.O.W.

SEBAGO TECHNICS, INC.

75 John Roberts Road Suite 4A

South Portland, Maine 04106

Tel. (207) 200-2100

JOB

SHEET NO.

1

OF

1

CALCULATED BY

DATE

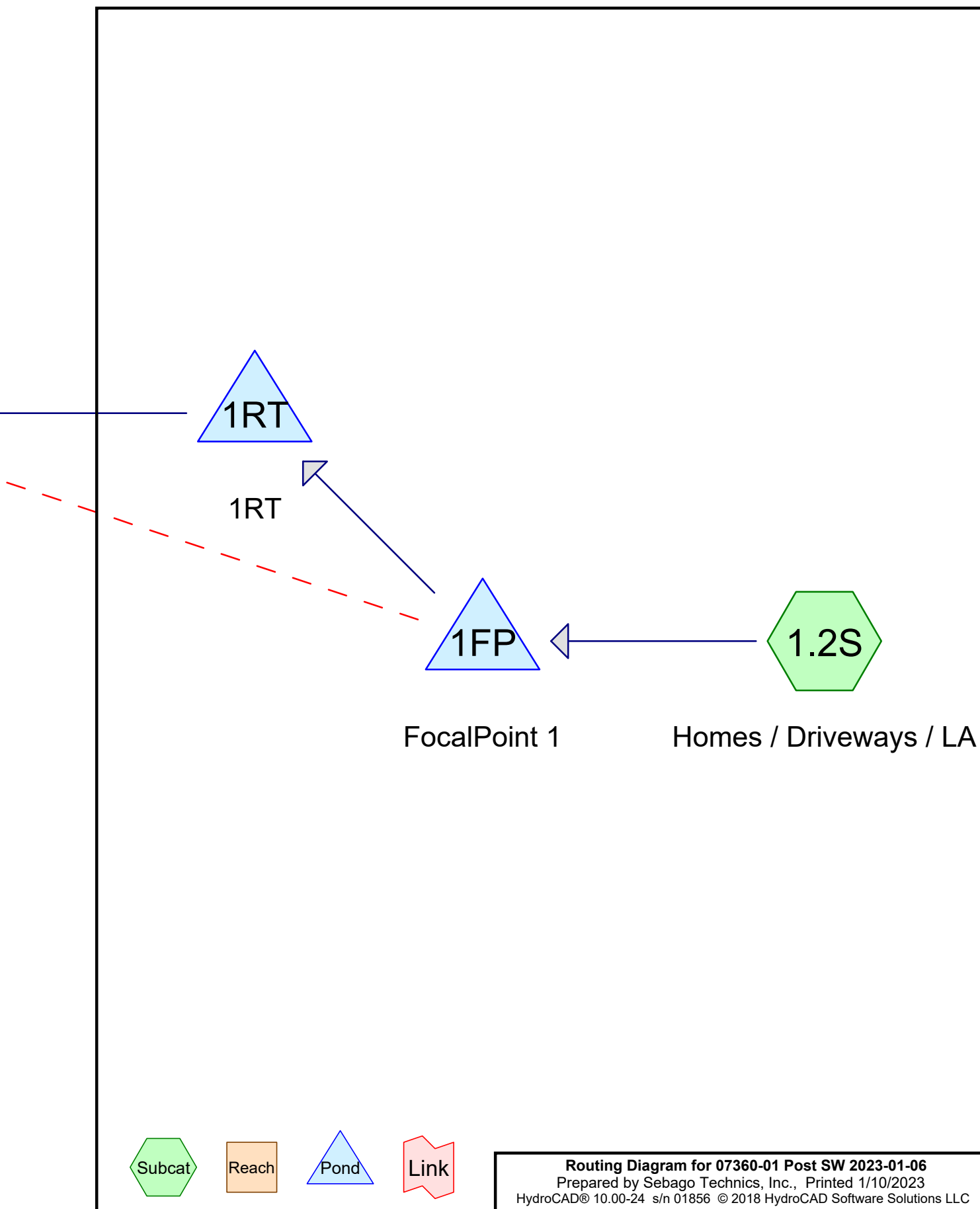
FILE NAME

07360-01 WQC.xlsx

PRINT DATE

1/10/2023

FOCALPOINT, ACF ENVIRONMENTAL									
Task:	Size Focal Point treatment system pursuant to the General Standards, Section 4.C of Chapter 500.								
References	1. Letter from Maine Department of Environmental Protection, Director-Bureau of Land Resources to Stormwater Systems ACF-Convergent Water Technologies Alliance, Dated May 16, 2016 indicating FocalPoint biofiltration meets requirements of the General Standards for Treatment.								
	Per Reference 1 above, the system must be sized to meet:								
	a.	"entire volume of a 0.96 inch Type III 24-hour storm is treated prior to activation of the bypass/overflow"							
	b.	"surface area....must be a minimum of 174 s.f. per 1 acres of impervious area treated (26s.f. per 0.15 acres)"							
	c.	"treatment flow rate for the Stormtech Isolator Row is the projected one year peak flow rate for the drainage area feeding the Isolator Row"							
		Flow rates:							
		Stormtech SC-310	0.10	cfs/chamber					
		Stormtech SC-740	0.20	cfs/chamber					
		Stormtech DC-780	0.20	cfs/chamber					
		Stormtech MC-3500	0.30	cfs/chamber					
		Cultech 150XLHD	0.185	cfs/chamber					
		Cultech 330XLHD	0.227	cfs/chamber					
Tributary to FocalPoint System		FP1							
	Landscaped Area		12,650.00	SF					
	Impervious Area		10,200.00	SF					
Minimum Surface Area of FocalPoint:									
	Required	26 s.f. per 0.15 acres of impervious area							
	Total Impervious Area		10,200.00	SF		0.23	AC		
					X	174.00	SF/ACRE		
		Required Minimum Surface Area				40.7	SF		
		Provided Surface Area				50.0	SF		
Treatment Volume									
	Required	(0.4" X Landscaped + 1.0" X Impervious)							
	Landscaped Area		12,650.00	SF	Volume	421.7			
	Impervious Area		10,200.00	SF	Volume	850.0			
		Treatment Volume Required				1,271.7	CF	0.029	AF
		must discharge in 24-48 hours							



Area Listing (selected nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
3,185	74	>75% Grass cover, Good, HSG C (1.2S)
9,465	80	>75% Grass cover, Good, HSG D (1.2S)
10,200	98	Roof / Driveways (1.2S)
22,850	87	TOTAL AREA

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1.2S: Homes / Driveways / Runoff Area=22,850 sf 44.64% Impervious Runoff Depth=0.68"
Tc=6.0 min CN=87 Runoff=0.4 cfs 1,291 cf

Pond 1FP: FocalPoint 1 Peak Elev=20.50' Storage=236 cf Inflow=0.4 cfs 1,291 cf
Primary=0.1 cfs 1,291 cf Secondary=0.0 cfs 0 cf Outflow=0.1 cfs 1,291 cf

Pond 1RT: 1RT Peak Elev=14.51' Storage=209 cf Inflow=0.1 cfs 1,291 cf
Outflow=0.1 cfs 1,265 cf

Total Runoff Area = 22,850 sf Runoff Volume = 1,291 cf Average Runoff Depth = 0.68"
55.36% Pervious = 12,650 sf 44.64% Impervious = 10,200 sf

Summary for Subcatchment 1.2S: Homes / Driveways / LA

Runoff = 0.4 cfs @ 12.09 hrs, Volume= 1,291 cf, Depth= 0.68"

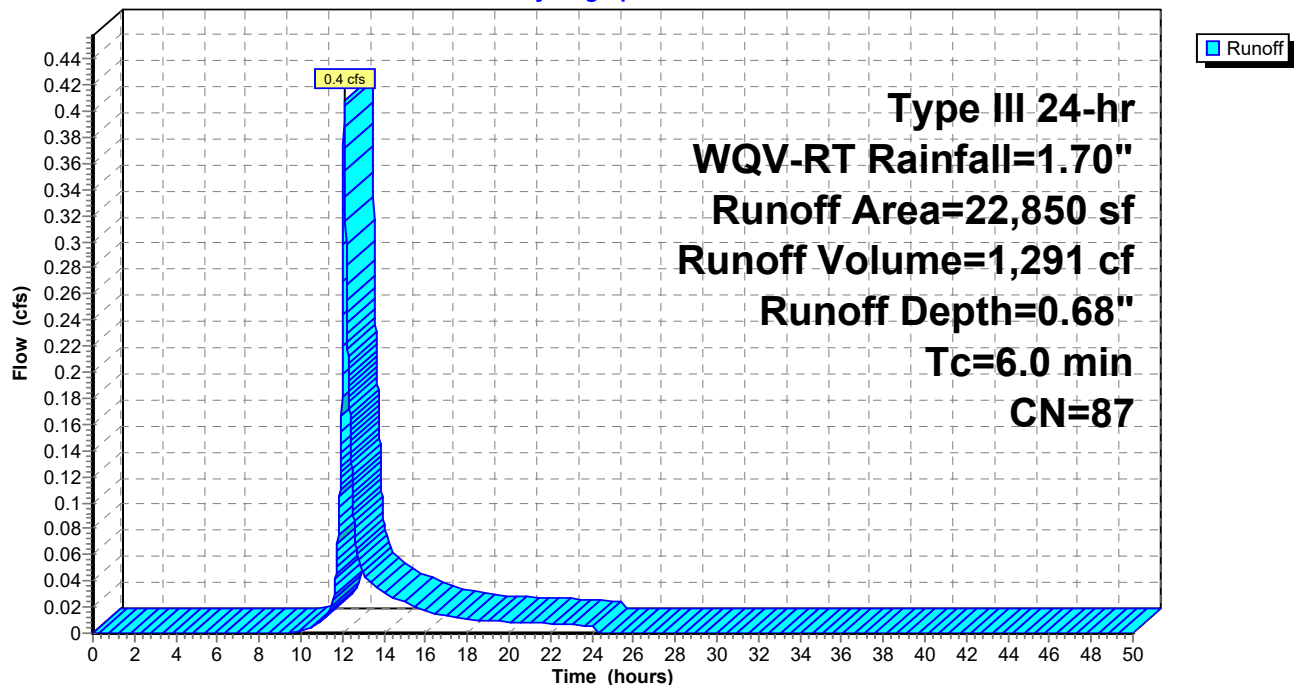
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr WQV-RT Rainfall=1.70"

Area (sf)	CN	Description
9,465	80	>75% Grass cover, Good, HSG D
3,185	74	>75% Grass cover, Good, HSG C
* 10,200	98	Roof / Driveways
22,850	87	Weighted Average
12,650		55.36% Pervious Area
10,200		44.64% Impervious Area

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

Subcatchment 1.2S: Homes / Driveways / LA

Hydrograph



Summary for Pond 1FP: FocalPoint 1

behind units 22 and 23

Inflow Area = 22,850 sf, 44.64% Impervious, Inflow Depth = 0.68" for WQV-RT event
 Inflow = 0.4 cfs @ 12.09 hrs, Volume= 1,291 cf
 Outflow = 0.1 cfs @ 11.90 hrs, Volume= 1,291 cf, Atten= 72%, Lag= 0.0 min
 Primary = 0.1 cfs @ 11.90 hrs, Volume= 1,291 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs / 2
 Peak Elev= 20.50' @ 12.48 hrs Surf.Area= 50 sf Storage= 236 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
 Center-of-Mass det. time= 10.2 min (859.2 - 849.0)

Volume	Invert	Avail.Storage	Storage Description
#1	16.75'	23 cf	5.00'W x 10.00'L x 2.25'H FocalPoint 113 cf Overall x 20.0% Voids
#2	19.00'	588 cf	Custom Stage Data (Prismatic) Listed below (Recalc) -Impervious
		610 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
19.00	50	0	0
20.00	168	109	109
21.00	343	256	365
21.50	550	223	588

Device	Routing	Invert	Outlet Devices
#1	Primary	15.90'	12.0" Round Culvert L= 6.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 15.90' / 15.80' S= 0.0167 ' S= 0.0167 ' Cc= 0.900 n= 0.012, Flow Area= 0.79 sf
#2	Device 1	16.75'	100.000 in/hr Exfiltration over Surface area
#3	Device 1	20.60'	24.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads
#4	Secondary	21.00'	12.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=0.1 cfs @ 11.90 hrs HW=16.80' (Free Discharge)

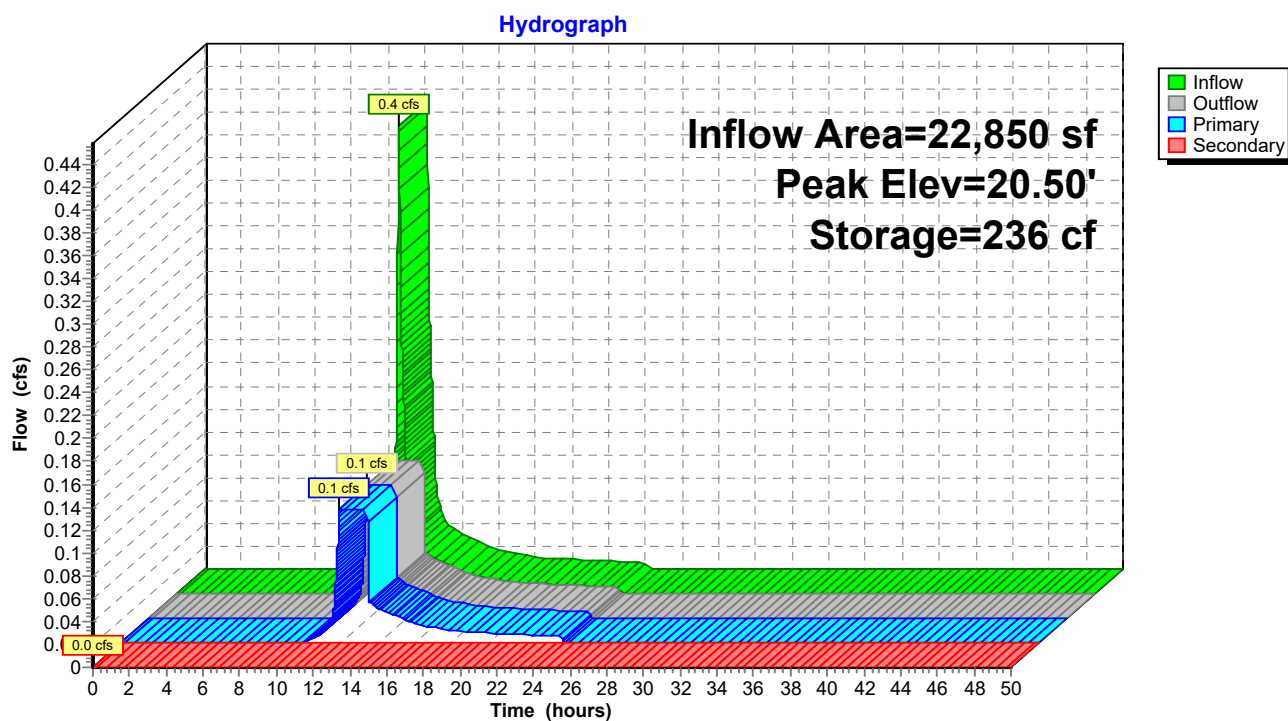
↑ **1=Culvert** (Passes 0.1 cfs of 2.0 cfs potential flow)

↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)

↑ **3=Orifice/Grate** (Controls 0.0 cfs)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=16.75' (Free Discharge)

↑ **4=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1FP: FocalPoint 1

Summary for Pond 1RT: 1RT

Inflow Area = 22,850 sf, 44.64% Impervious, Inflow Depth = 0.68" for WQV-RT event
 Inflow = 0.1 cfs @ 11.90 hrs, Volume= 1,291 cf
 Outflow = 0.1 cfs @ 13.51 hrs, Volume= 1,265 cf, Atten= 0%, Lag= 96.6 min
 Primary = 0.1 cfs @ 13.51 hrs, Volume= 1,265 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 14.51' @ 13.51 hrs Surf.Area= 262 sf Storage= 209 cf

Plug-Flow detention time= 137.4 min calculated for 1,265 cf (98% of inflow)
 Center-of-Mass det. time= 126.0 min (985.2 - 859.2)

Volume	Invert	Avail.Storage	Storage Description
#1A	13.28'	260 cf	14.50'W x 18.07'L x 4.07'H Field A 1,067 cf Overall - 417 cf Embedded = 650 cf x 40.0% Voids
#2A	13.53'	396 cf	ACF R-Tank HD 2 x 48 Inside #1 Inside= 15.7"W x 33.9"H => 3.52 sf x 2.35'L = 8.3 cf Outside= 15.7"W x 33.9"H => 3.70 sf x 2.35'L = 8.7 cf 48 Chambers in 8 Rows
			656 cf Total Available Storage

Storage Group A created with Chamber Wizard

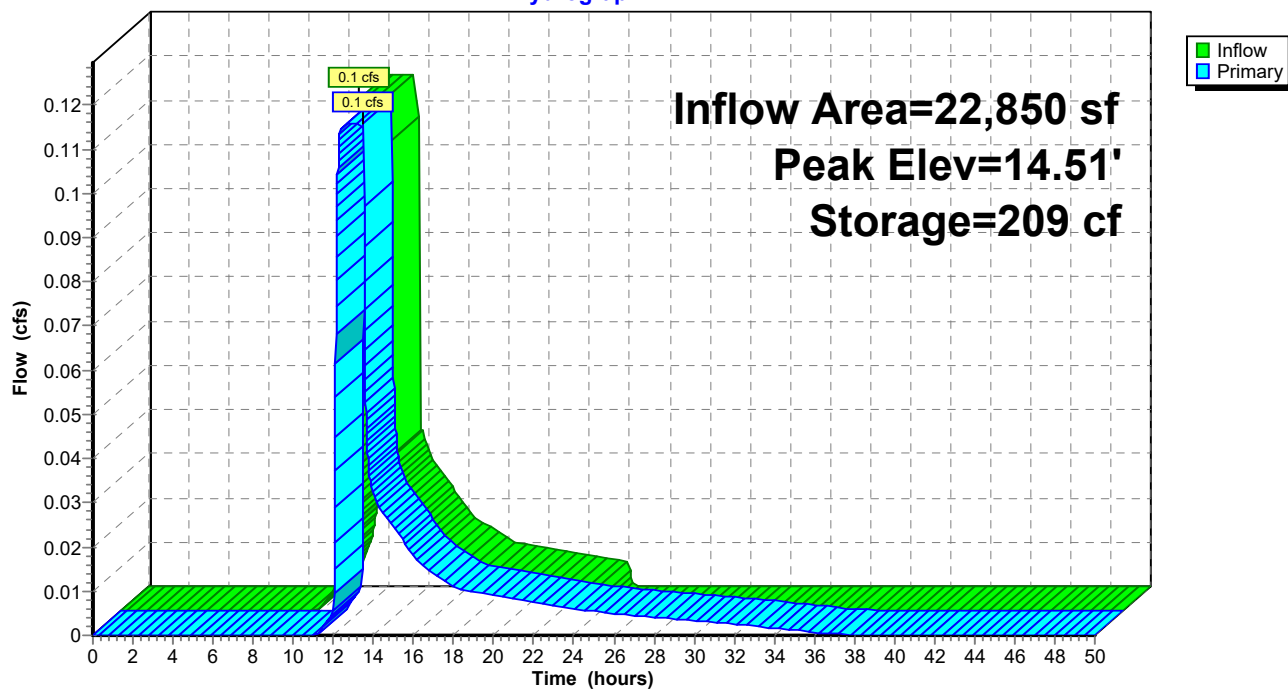
Device	Routing	Invert	Outlet Devices
#1	Primary	13.53'	15.0" Round Culvert L= 32.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 13.53' / 13.05' S= 0.0150 ' S= 0.0150 ' Cc= 0.900 n= 0.012, Flow Area= 1.23 sf
#2	Device 1	13.35'	0.5" Vert. Orifice/Grate C= 0.600
#3	Device 1	14.30'	5.0" Vert. Orifice/Grate C= 0.600
#4	Device 1	16.00'	4.0' long x 0.5' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 Coef. (English) 2.80 2.92 3.08 3.30 3.32

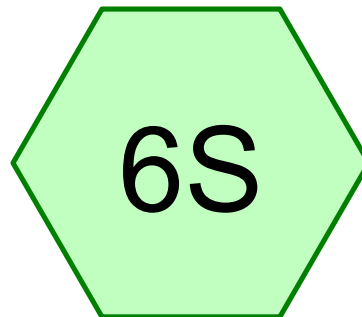
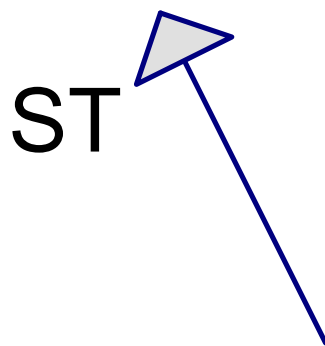
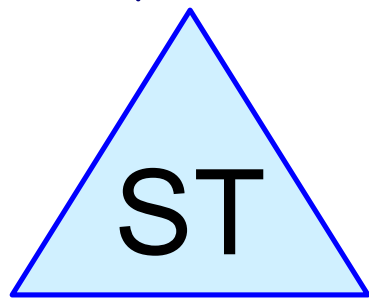
Primary OutFlow Max=0.1 cfs @ 13.51 hrs HW=14.51' (Free Discharge)

- 1=Culvert (Passes 0.1 cfs of 3.5 cfs potential flow)
- 2=Orifice/Grate (Orifice Controls 0.0 cfs @ 4.77 fps)
- 3=Orifice/Grate (Orifice Controls 0.1 cfs @ 1.57 fps)
- 4=Broad-Crested Rectangular Weir (Controls 0.0 cfs)

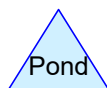
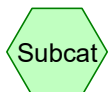
Pond 1RT: 1RT

Hydrograph





6S



Routing Diagram for 07360-01 Post SW 2023-01-06
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Area Listing (selected nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
9,805	77	1/8 acre lots, 65% imp, HSG A (6S)
6,910	90	1/8 acre lots, 65% imp, HSG C (6S)
4,670	39	>75% Grass cover, Good, HSG A (6S)
2,755	74	>75% Grass cover, Good, HSG C (6S)
7,840	98	Pavement (6S)
31,980	79	TOTAL AREA

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

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

Subcatchment6S: 6S

Runoff Area=31,980 sf 58.49% Impervious Runoff Depth=0.19"

Flow Length=718' Tc=6.6 min CN=79 Runoff=0.1 cfs 513 cf

Pond ST: ST

Peak Elev=29.62' Storage=15 cf Inflow=0.1 cfs 513 cf

Outflow=0.1 cfs 501 cf

Total Runoff Area = 31,980 sf Runoff Volume = 513 cf Average Runoff Depth = 0.19"
41.51% Pervious = 13,275 sf 58.49% Impervious = 18,705 sf

Summary for Subcatchment 6S: 6S

Runoff = 0.1 cfs @ 12.13 hrs, Volume= 513 cf, Depth= 0.19"

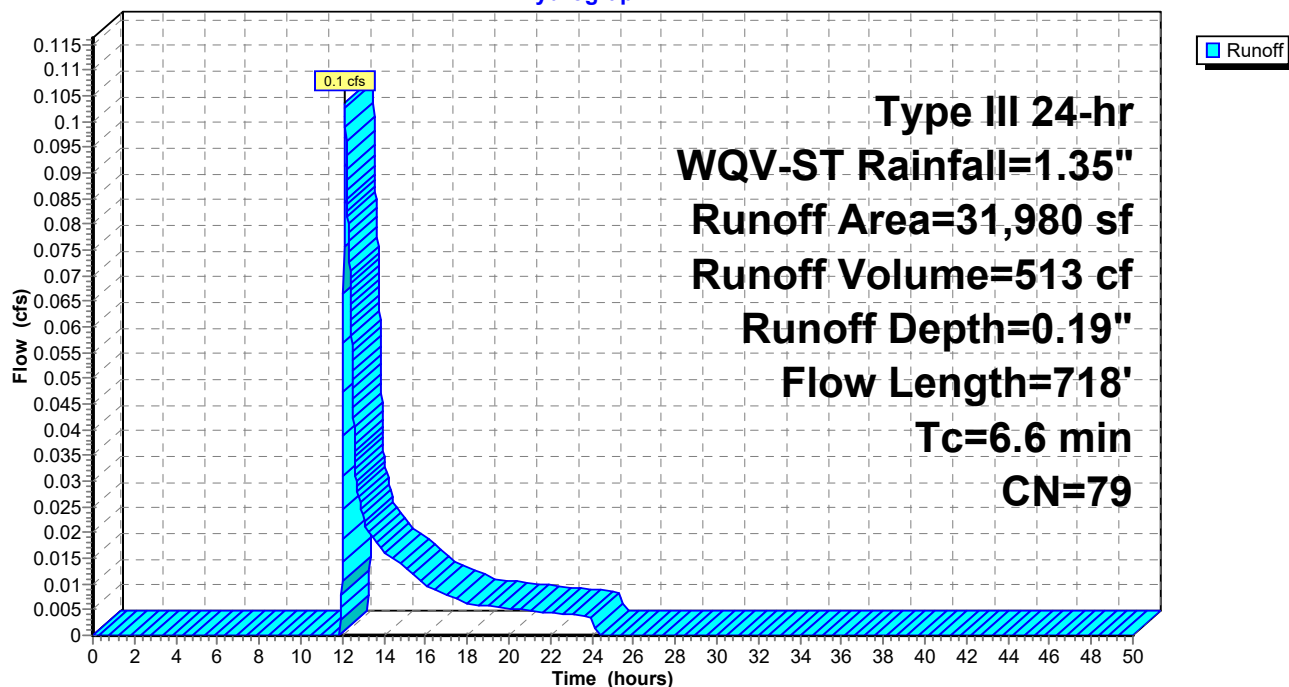
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr WQV-ST Rainfall=1.35"

	Area (sf)	CN	Description
*	7,840	98	Pavement
	2,755	74	>75% Grass cover, Good, HSG C
	4,670	39	>75% Grass cover, Good, HSG A
	6,910	90	1/8 acre lots, 65% imp, HSG C
	9,805	77	1/8 acre lots, 65% imp, HSG A
	31,980	79	Weighted Average
	13,275		41.51% Pervious Area
	18,705		58.49% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.5	30	0.0568	0.20		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
3.0	370	0.0100	2.03		Shallow Concentrated Flow, B-C Paved Kv= 20.3 fps
0.6	115	0.0213	2.96		Shallow Concentrated Flow, C-D Paved Kv= 20.3 fps
0.1	28	0.0200	6.95	5.46	Pipe Channel, D-E 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.012 Corrugated PP, smooth interior
0.4	175	0.0250	7.77	6.10	Pipe Channel, E-F 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.012
6.6	718	Total			

Subcatchment 6S: 6S

Hydrograph



Summary for Pond ST: ST

Inflow Area = 31,980 sf, 58.49% Impervious, Inflow Depth = 0.19" for WQV-ST event
 Inflow = 0.1 cfs @ 12.13 hrs, Volume= 513 cf
 Outflow = 0.1 cfs @ 12.13 hrs, Volume= 501 cf, Atten= 0%, Lag= 0.3 min
 Primary = 0.1 cfs @ 12.13 hrs, Volume= 501 cf

WQV REQUIRED TO
TREAT 6,000 S.F. OF
EXISTING ROADWAY

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs / 2
 Peak Elev= 29.62' @ 12.13 hrs Surf.Area= 40 sf Storage= 15 cf

Plug-Flow detention time= 17.8 min calculated for 501 cf (98% of inflow)
 Center-of-Mass det. time= 5.7 min (919.2 - 913.5)

Volume	Invert	Avail.Storage	Storage Description
#1	30.70'	36 cf	10.00'W x 4.00'L x 2.25'H Prismaoid 90 cf Overall x 40.0% Voids
#2	32.95'	27 cf	10.00'W x 4.00'L x 0.68'H Prismaoid
#3	28.70'	32 cf	10.00'W x 4.00'L x 2.00'H Prismaoid 80 cf Overall x 40.0% Voids
			95 cf Total Available Storage

Device	Routing	Invert	Outlet Devices
#1	Device 2	28.70'	140.000 in/hr Exfiltration over Surface area
#2	Primary	29.45'	12.0" Round Culvert L= 25.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 29.45' / 29.20' S= 0.0100 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#3	Device 2	33.37'	12.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.1 cfs @ 12.13 hrs HW=29.62' (Free Discharge)

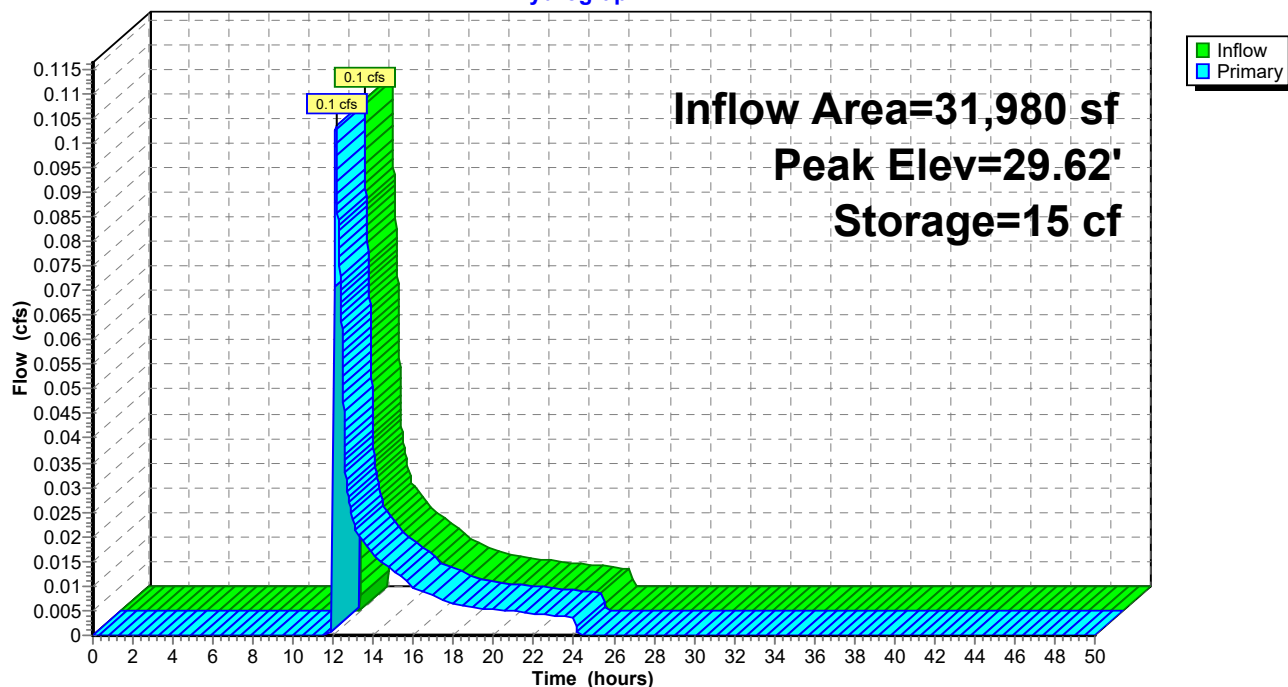
2=Culvert (Inlet Controls 0.1 cfs @ 1.12 fps)

1=Exfiltration (Passes 0.1 cfs of 0.1 cfs potential flow)

3=Orifice/Grate (Controls 0.0 cfs)

Pond ST: ST

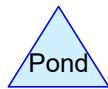
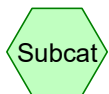
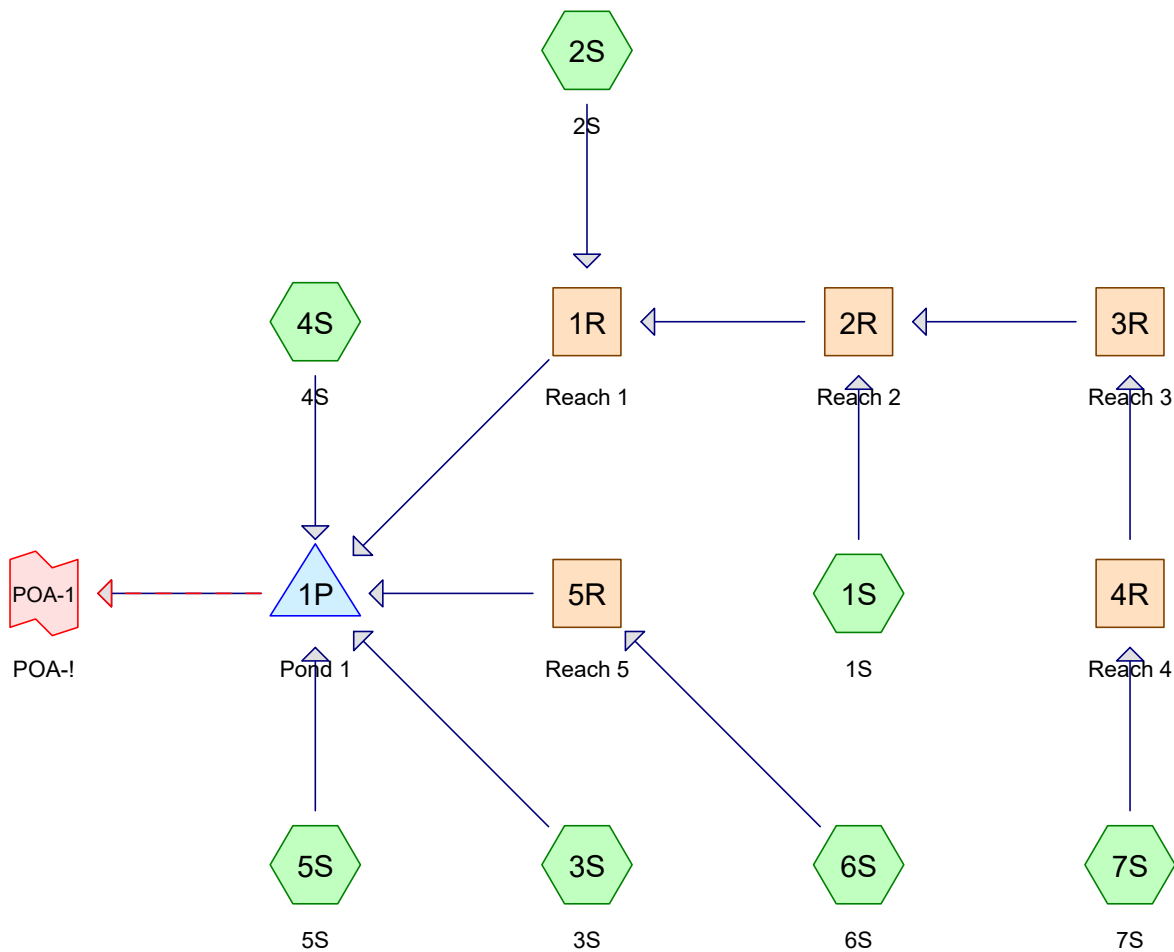
Hydrograph



STORMTREE (ST-4X10-SUL) TREATMENT FLOW RATE = 0.132 CFS
WQV STORM = 0.1 CFS

Appendix 2A

Existing Conditions HydroCAD Summary



Routing Diagram for 07360-01 Pre SW 3
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Area Listing (selected nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
20,110	86	1/3 acre lots, 30% imp, HSG D (2S)
9,235	61	1/4 acre lots, 38% imp, HSG A (2S, 7S)
760	83	1/4 acre lots, 38% imp, HSG C (2S)
42,750	77	1/8 acre lots, 65% imp, HSG A (2S, 6S, 7S)
44,440	90	1/8 acre lots, 65% imp, HSG C (2S, 6S, 7S)
16,725	39	>75% Grass cover, Good, HSG A (6S, 7S)
18,525	74	>75% Grass cover, Good, HSG C (2S, 6S, 7S)
58,250	30	Brush, Good, HSG A (4S)
13,090	65	Brush, Good, HSG C (1S, 2S, 3S, 5S)
129,615	73	Brush, Good, HSG D (1S, 2S, 3S, 4S, 5S)
6,380	98	CMP impervious (5S)
1,215	98	Ex Gravel (5S)
4,555	98	Existing Gravel (1S)
2,865	98	Existing Pavement (1S)
1,260	98	Gravel (3S)
43,220	98	Pavement (3S, 4S, 6S, 7S)
3,095	98	Roof / Driveways (2S)
17,555	98	Train track gravel (4S, 5S)
980	72	Woods/grass comb., Good, HSG C (2S)
434,625	73	TOTAL AREA

07360-01 Pre SW 3

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Type III 24-hr 25-YR Rainfall=5.80"

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Summary for Subcatchment 1S: 1S

Runoff = 2.5 cfs @ 12.09 hrs, Volume= 7,781 cf, Depth= 3.40"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

	Area (sf)	CN	Description
*	2,865	98	Existing Pavement
*	4,555	98	Existing Gravel
	13,940	73	Brush, Good, HSG D
	6,080	65	Brush, Good, HSG C
	27,440	78	Weighted Average
	20,020		72.96% Pervious Area
	7,420		27.04% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.6	52	0.0380	1.54		Sheet Flow, A-B
					Smooth surfaces n= 0.011 P2= 3.10"
0.2	30	0.3000	2.74		Shallow Concentrated Flow, B-C
					Woodland Kv= 5.0 fps
0.5	52	0.1250	1.77		Shallow Concentrated Flow, C-D
					Woodland Kv= 5.0 fps
4.7					Direct Entry,
6.0	134	Total			

Summary for Subcatchment 2S: 2S

Runoff = 6.1 cfs @ 12.23 hrs, Volume= 26,339 cf, Depth= 3.91"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

	Area (sf)	CN	Description
	16,190	73	Brush, Good, HSG D
	1,390	65	Brush, Good, HSG C
	20,110	86	1/3 acre lots, 30% imp, HSG D
	26,370	90	1/8 acre lots, 65% imp, HSG C
	275	77	1/8 acre lots, 65% imp, HSG A
	980	72	Woods/grass comb., Good, HSG C
	10,920	74	>75% Grass cover, Good, HSG C
	825	61	1/4 acre lots, 38% imp, HSG A
	760	83	1/4 acre lots, 38% imp, HSG C
*	3,095	98	Roof / Driveways
	80,915	83	Weighted Average
	53,865		66.57% Pervious Area
	27,050		33.43% Impervious Area

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Type III 24-hr 25-YR Rainfall=5.80"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.3	50	0.0160	0.13		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
5.3	360	0.0257	1.12		Shallow Concentrated Flow, B-C Short Grass Pasture Kv= 7.0 fps
0.2	40	0.3513	2.96		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
5.1	210	0.0192	0.69		Shallow Concentrated Flow, D-E Woodland Kv= 5.0 fps
16.9	660	Total			

Summary for Subcatchment 3S: 3S

Runoff = 1.3 cfs @ 12.09 hrs, Volume= 4,020 cf, Depth= 3.11"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

Area (sf)	CN	Description
13,780	73	Brush, Good, HSG D
* 1,260	98	Gravel
* 60	98	Pavement
400	65	Brush, Good, HSG C
15,500	75	Weighted Average
14,180		91.48% Pervious Area
1,320		8.52% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	48	0.0417	1.57		Sheet Flow, A-B Smooth surfaces n= 0.011 P2= 3.10"
0.1	20	0.2500	2.50		Shallow Concentrated Flow, B-C Woodland Kv= 5.0 fps
0.7	50	0.0600	1.22		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
0.1	15	0.6667	4.08		Shallow Concentrated Flow, D-E Woodland Kv= 5.0 fps
0.1	13	0.2307	2.40		Shallow Concentrated Flow, E-F Woodland Kv= 5.0 fps
4.5					Direct Entry,
6.0	146	Total			

Summary for Subcatchment 4S: 4S

Runoff = 4.8 cfs @ 12.35 hrs, Volume= 25,003 cf, Depth= 1.95"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

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Type III 24-hr 25-YR Rainfall=5.80"

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	Area (sf)	CN	Description
	59,840	73	Brush, Good, HSG D
*	20,640	98	Pavement
*	14,755	98	Train track gravel
	58,250	30	Brush, Good, HSG A
	153,485	62	Weighted Average
	118,090		76.94% Pervious Area
	35,395		23.06% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	30	0.0250	1.16		Sheet Flow, A-B Smooth surfaces n= 0.011 P2= 3.10"
4.1	145	0.0138	0.59		Shallow Concentrated Flow, B-C Woodland Kv= 5.0 fps
0.7	80	0.1299	1.80		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
14.1	600	0.0050	0.71		Shallow Concentrated Flow, D-E Nearly Bare & Untilled Kv= 10.0 fps
2.7	200	0.0151	1.23		Shallow Concentrated Flow, E-F Nearly Bare & Untilled Kv= 10.0 fps
0.7	165	0.0662	3.86		Shallow Concentrated Flow, F-G Grassed Waterway Kv= 15.0 fps
0.9	120	0.0245	2.35		Shallow Concentrated Flow, G-H Grassed Waterway Kv= 15.0 fps
23.6	1,340	Total			

Summary for Subcatchment 5S: 5S

Runoff = 2.6 cfs @ 12.27 hrs, Volume= 11,762 cf, Depth= 3.40"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

	Area (sf)	CN	Description
	25,865	73	Brush, Good, HSG D
*	1,215	98	Ex Gravel
*	2,800	98	Train track gravel
*	6,380	98	CMP impervious
	5,220	65	Brush, Good, HSG C
	41,480	78	Weighted Average
	31,085		74.94% Pervious Area
	10,395		25.06% Impervious Area

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Type III 24-hr 25-YR Rainfall=5.80"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	60	0.0193	0.07		Sheet Flow, A-B Woods: Light underbrush n= 0.400 P2= 3.10"
3.1	120	0.0169	0.65		Shallow Concentrated Flow, B-C Woodland Kv= 5.0 fps
1.4	155	0.1323	1.82		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
19.2	335	Total			

Summary for Subcatchment 6S: 6S

Runoff = 3.7 cfs @ 12.09 hrs, Volume= 11,593 cf, Depth= 3.60"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

Area (sf)	CN	Description
* 9,035	98	Pavement
5,150	74	>75% Grass cover, Good, HSG C
4,670	39	>75% Grass cover, Good, HSG A
9,970	90	1/8 acre lots, 65% imp, HSG C
9,805	77	1/8 acre lots, 65% imp, HSG A
38,630	80	Weighted Average
16,741		43.34% Pervious Area
21,889		56.66% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.5	30	0.0568	0.20		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
3.0	370	0.0100	2.03		Shallow Concentrated Flow, B-C Paved Kv= 20.3 fps
1.0	170	0.0213	2.96		Shallow Concentrated Flow, C-D Paved Kv= 20.3 fps
6.5	570	Total			

Summary for Subcatchment 7S: 7S

Runoff = 4.7 cfs @ 12.21 hrs, Volume= 19,406 cf, Depth= 3.02"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YR Rainfall=5.80"

07360-01 Pre SW 3

Type III 24-hr 25-YR Rainfall=5.80"

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	Area (sf)	CN	Description
*	13,485	98	Pavement
	2,455	74	>75% Grass cover, Good, HSG C
	12,055	39	>75% Grass cover, Good, HSG A
	8,100	90	1/8 acre lots, 65% imp, HSG C
	32,670	77	1/8 acre lots, 65% imp, HSG A
	8,410	61	1/4 acre lots, 38% imp, HSG A
	77,175	74	Weighted Average
	33,994		44.05% Pervious Area
	43,181		55.95% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
7.0	55	0.0145	0.13		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
4.0	190	0.0131	0.80		Shallow Concentrated Flow, B-C Short Grass Pasture Kv= 7.0 fps
0.8	110	0.0131	2.32		Shallow Concentrated Flow, C-D Paved Kv= 20.3 fps
3.3	405	0.0100	2.03		Shallow Concentrated Flow, D-E Paved Kv= 20.3 fps
15.1	760	Total			

Summary for Reach 1R: Reach 1

Inflow Area = 185,530 sf, 41.85% Impervious, Inflow Depth = 3.46" for 25-YR event
 Inflow = 12.0 cfs @ 12.23 hrs, Volume= 53,526 cf
 Outflow = 11.9 cfs @ 12.25 hrs, Volume= 53,526 cf, Atten= 0%, Lag= 0.9 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 1.31 fps, Min. Travel Time= 1.1 min
 Avg. Velocity= 0.38 fps, Avg. Travel Time= 3.7 min

Peak Storage= 773 cf @ 12.25 hrs
 Average Depth at Peak Storage= 0.44'
 Bank-Full Depth= 0.50' Flow Area= 11.3 sf, Capacity= 15.9 cfs

10.00' x 0.50' deep channel, n= 0.100 Earth, dense brush, high stage
 Side Slope Z-value= 25.0 ' ' Top Width= 35.00'
 Length= 85.0' Slope= 0.0412 ' '
 Inlet Invert= 15.00', Outlet Invert= 11.50'



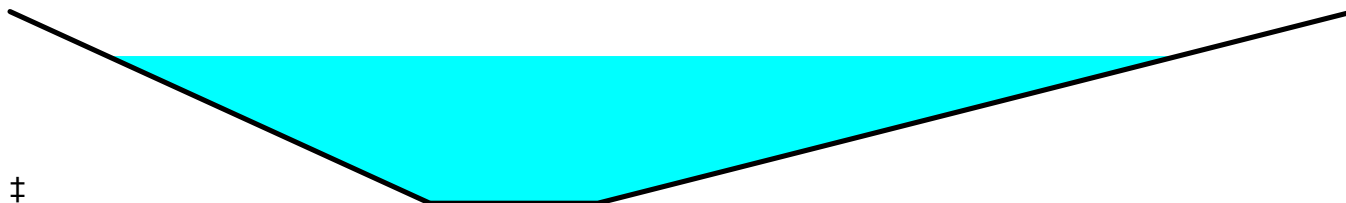
Summary for Reach 2R: Reach 2

Inflow Area = 104,615 sf, 48.37% Impervious, Inflow Depth = 3.12" for 25-YR event
 Inflow = 6.1 cfs @ 12.20 hrs, Volume= 27,187 cf
 Outflow = 5.9 cfs @ 12.25 hrs, Volume= 27,187 cf, Atten= 3%, Lag= 3.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 0.83 fps, Min. Travel Time= 4.3 min
 Avg. Velocity = 0.27 fps, Avg. Travel Time= 13.1 min

Peak Storage= 1,521 cf @ 12.25 hrs
 Average Depth at Peak Storage= 0.38'
 Bank-Full Depth= 0.50' Flow Area= 11.3 sf, Capacity= 10.9 cfs

5.00' x 0.50' deep channel, n= 0.100 Earth, dense brush, high stage
 Side Slope Z-value= 25.0 45.0 '/' Top Width= 40.00'
 Length= 215.0' Slope= 0.0233 '/'
 Inlet Invert= 16.50', Outlet Invert= 11.50'

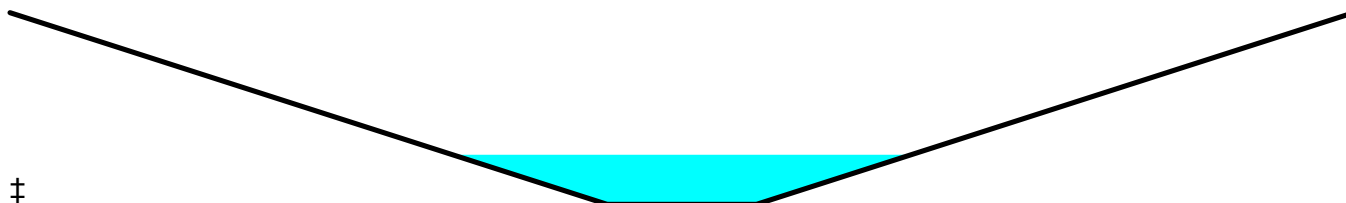
**Summary for Reach 3R: Reach 3**

Inflow Area = 77,175 sf, 55.95% Impervious, Inflow Depth = 3.02" for 25-YR event
 Inflow = 4.7 cfs @ 12.21 hrs, Volume= 19,406 cf
 Outflow = 4.7 cfs @ 12.23 hrs, Volume= 19,406 cf, Atten= 0%, Lag= 0.9 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 1.78 fps, Min. Travel Time= 1.1 min
 Avg. Velocity = 0.66 fps, Avg. Travel Time= 2.8 min

Peak Storage= 298 cf @ 12.23 hrs
 Average Depth at Peak Storage= 0.26'
 Bank-Full Depth= 1.00' Flow Area= 25.0 sf, Capacity= 97.3 cfs

5.00' x 1.00' deep channel, n= 0.100 Earth, dense brush, high stage
 Side Slope Z-value= 20.0 '/' Top Width= 45.00'
 Length= 113.0' Slope= 0.1504 '/'
 Inlet Invert= 33.50', Outlet Invert= 16.50'



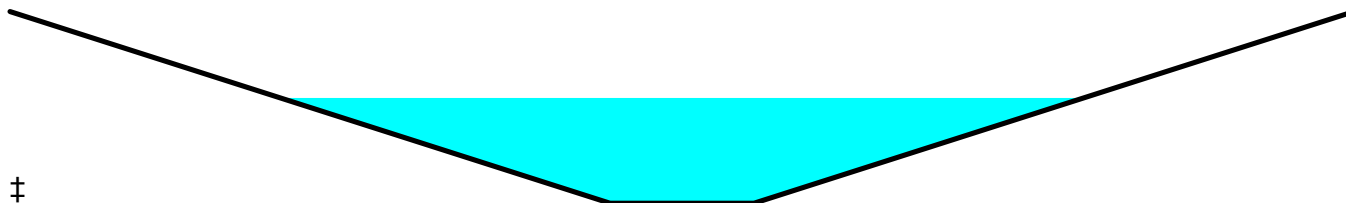
Summary for Reach 4R: Reach 4

Inflow Area = 77,175 sf, 55.95% Impervious, Inflow Depth = 3.02" for 25-YR event
 Inflow = 4.7 cfs @ 12.21 hrs, Volume= 19,406 cf
 Outflow = 4.7 cfs @ 12.21 hrs, Volume= 19,406 cf, Atten= 0%, Lag= 0.5 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 3.48 fps, Min. Travel Time= 0.5 min
 Avg. Velocity = 1.41 fps, Avg. Travel Time= 1.3 min

Peak Storage= 144 cf @ 12.21 hrs
 Average Depth at Peak Storage= 0.14'
 Bank-Full Depth= 0.25' Flow Area= 3.9 sf, Capacity= 19.3 cfs

3.00' x 0.25' deep channel, n= 0.013 Asphalt, smooth
 Side Slope Z-value= 50.0 ' ' Top Width= 28.00'
 Length= 106.0' Slope= 0.0264 ' '
 Inlet Invert= 36.30', Outlet Invert= 33.50'

**Summary for Reach 5R: Reach 5**

Inflow Area = 38,630 sf, 56.66% Impervious, Inflow Depth = 3.60" for 25-YR event
 Inflow = 3.7 cfs @ 12.09 hrs, Volume= 11,593 cf
 Outflow = 3.6 cfs @ 12.10 hrs, Volume= 11,593 cf, Atten= 1%, Lag= 0.5 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 3.12 fps, Min. Travel Time= 0.8 min
 Avg. Velocity = 0.87 fps, Avg. Travel Time= 2.8 min

Peak Storage= 171 cf @ 12.10 hrs
 Average Depth at Peak Storage= 0.10'
 Bank-Full Depth= 0.50' Flow Area= 10.0 sf, Capacity= 78.0 cfs

10.00' x 0.50' deep channel, n= 0.035 Earth, dense weeds
 Side Slope Z-value= 20.0 ' ' Top Width= 30.00'
 Length= 146.0' Slope= 0.1462 ' '
 Inlet Invert= 32.35', Outlet Invert= 11.00'



Summary for Pond 1P: Pond 1

Inflow Area = 434,625 sf, 33.74% Impervious, Inflow Depth = 2.92" for 25-YR event
 Inflow = 21.4 cfs @ 12.26 hrs, Volume= 105,905 cf
 Outflow = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf, Atten= 80%, Lag= 46.8 min
 Primary = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Peak Elev= 13.09' @ 13.04 hrs Surf.Area= 19,166 sf Storage= 41,364 cf

Plug-Flow detention time= 109.0 min calculated for 101,925 cf (96% of inflow)

Center-of-Mass det. time= 87.8 min (928.8 - 841.0)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 '/ Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Primary OutFlow Max=4.3 cfs @ 13.04 hrs HW=13.09' TW=0.00' (Dynamic Tailwater)

↑ **1=Culvert** (Barrel Controls 4.3 cfs @ 5.52 fps)

↑ **2=Grate** (Passes 4.3 cfs of 5.0 cfs potential flow)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' TW=0.00' (Dynamic Tailwater)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Summary for Link POA-1: POA-1

Inflow Area = 434,625 sf, 33.74% Impervious, Inflow Depth = 2.81" for 25-YR event
Inflow = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf
Primary = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

07360-01 Pre SW 3

Type III 24-hr 2-YR Rainfall=3.10"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1S: 1S Runoff Area=27,440 sf 27.04% Impervious Runoff Depth=1.20"
 Flow Length=134' Tc=6.0 min CN=78 Runoff=0.9 cfs 2,745 cf

Subcatchment2S: 2S Runoff Area=80,915 sf 33.43% Impervious Runoff Depth=1.53"
 Flow Length=660' Tc=16.9 min CN=83 Runoff=2.4 cfs 10,300 cf

Subcatchment3S: 3S Runoff Area=15,500 sf 8.52% Impervious Runoff Depth=1.03"
 Flow Length=146' Tc=6.0 min CN=75 Runoff=0.4 cfs 1,326 cf

Subcatchment4S: 4S Runoff Area=153,485 sf 23.06% Impervious Runoff Depth=0.44"
 Flow Length=1,340' Tc=23.6 min CN=62 Runoff=0.8 cfs 5,614 cf

Subcatchment5S: 5S Runoff Area=41,480 sf 25.06% Impervious Runoff Depth=1.20"
 Flow Length=335' Tc=19.2 min CN=78 Runoff=0.9 cfs 4,150 cf

Subcatchment6S: 6S Runoff Area=38,630 sf 56.66% Impervious Runoff Depth=1.33"
 Flow Length=570' Tc=6.5 min CN=80 Runoff=1.3 cfs 4,267 cf

Subcatchment7S: 7S Runoff Area=77,175 sf 55.95% Impervious Runoff Depth=0.97"
 Flow Length=760' Tc=15.1 min CN=74 Runoff=1.4 cfs 6,253 cf

Reach 1R: Reach 1 Avg. Flow Depth=0.26' Max Vel=0.98 fps Inflow=4.1 cfs 19,298 cf
 n=0.100 L=85.0' S=0.0412 '/' Capacity=15.9 cfs Outflow=4.1 cfs 19,298 cf

Reach 2R: Reach 2 Avg. Flow Depth=0.23' Max Vel=0.61 fps Inflow=1.9 cfs 8,998 cf
 n=0.100 L=215.0' S=0.0233 '/' Capacity=10.9 cfs Outflow=1.8 cfs 8,998 cf

Reach 3R: Reach 3 Avg. Flow Depth=0.14' Max Vel=1.27 fps Inflow=1.4 cfs 6,253 cf
 n=0.100 L=113.0' S=0.1504 '/' Capacity=97.3 cfs Outflow=1.4 cfs 6,253 cf

Reach 4R: Reach 4 Avg. Flow Depth=0.08' Max Vel=2.55 fps Inflow=1.4 cfs 6,253 cf
 n=0.013 L=106.0' S=0.0264 '/' Capacity=19.3 cfs Outflow=1.4 cfs 6,253 cf

Reach 5R: Reach 5 Avg. Flow Depth=0.05' Max Vel=2.19 fps Inflow=1.3 cfs 4,267 cf
 n=0.035 L=146.0' S=0.1462 '/' Capacity=78.0 cfs Outflow=1.3 cfs 4,267 cf

Pond 1P: Pond 1 Peak Elev=10.89' Storage=9,981 cf Inflow=6.5 cfs 34,655 cf
 Primary=2.8 cfs 30,695 cf Secondary=0.0 cfs 0 cf Outflow=2.8 cfs 30,695 cf

Link POA-1: POA-1 Inflow=2.8 cfs 30,695 cf
 Primary=2.8 cfs 30,695 cf

Total Runoff Area = 434,625 sf Runoff Volume = 34,655 cf Average Runoff Depth = 0.96"
66.26% Pervious = 287,975 sf 33.74% Impervious = 146,650 sf

07360-01 Pre SW 3

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Type III 24-hr 10-YR Rainfall=4.60"

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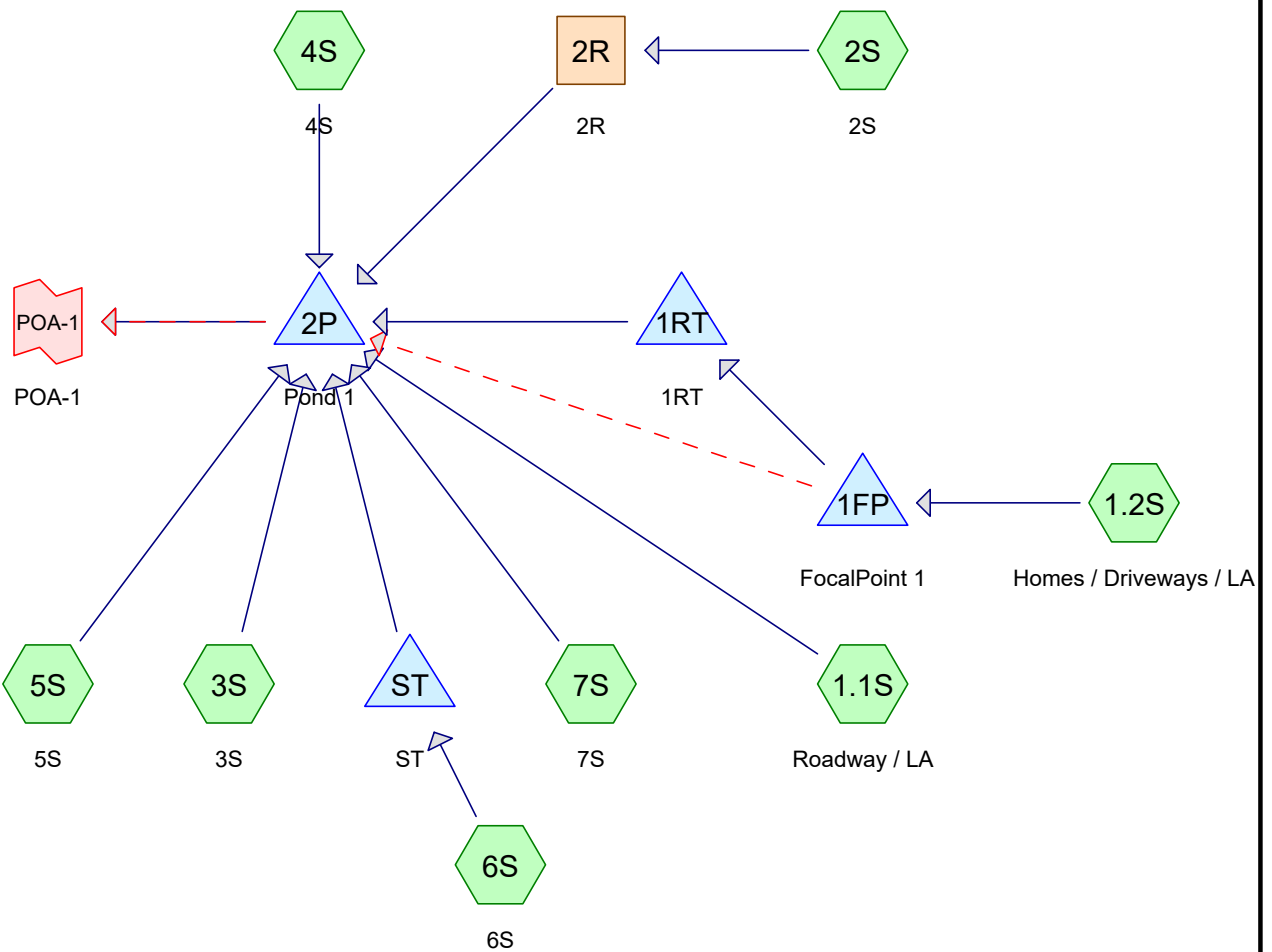
Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1S: 1S	Runoff Area=27,440 sf 27.04% Impervious Runoff Depth=2.38" Flow Length=134' Tc=6.0 min CN=78 Runoff=1.8 cfs 5,432 cf
Subcatchment2S: 2S	Runoff Area=80,915 sf 33.43% Impervious Runoff Depth=2.81" Flow Length=660' Tc=16.9 min CN=83 Runoff=4.4 cfs 18,979 cf
Subcatchment3S: 3S	Runoff Area=15,500 sf 8.52% Impervious Runoff Depth=2.13" Flow Length=146' Tc=6.0 min CN=75 Runoff=0.9 cfs 2,750 cf
Subcatchment4S: 4S	Runoff Area=153,485 sf 23.06% Impervious Runoff Depth=1.20" Flow Length=1,340' Tc=23.6 min CN=62 Runoff=2.8 cfs 15,323 cf
Subcatchment5S: 5S	Runoff Area=41,480 sf 25.06% Impervious Runoff Depth=2.38" Flow Length=335' Tc=19.2 min CN=78 Runoff=1.8 cfs 8,212 cf
Subcatchment6S: 6S	Runoff Area=38,630 sf 56.66% Impervious Runoff Depth=2.55" Flow Length=570' Tc=6.5 min CN=80 Runoff=2.6 cfs 8,199 cf
Subcatchment7S: 7S	Runoff Area=77,175 sf 55.95% Impervious Runoff Depth=2.05" Flow Length=760' Tc=15.1 min CN=74 Runoff=3.2 cfs 13,181 cf
Reach 1R: Reach 1	Avg. Flow Depth=0.37' Max Vel=1.19 fps Inflow=8.3 cfs 37,592 cf n=0.100 L=85.0' S=0.0412 ' ' Capacity=15.9 cfs Outflow=8.3 cfs 37,592 cf
Reach 2R: Reach 2	Avg. Flow Depth=0.32' Max Vel=0.75 fps Inflow=4.1 cfs 18,614 cf n=0.100 L=215.0' S=0.0233 ' ' Capacity=10.9 cfs Outflow=3.9 cfs 18,614 cf
Reach 3R: Reach 3	Avg. Flow Depth=0.21' Max Vel=1.60 fps Inflow=3.2 cfs 13,181 cf n=0.100 L=113.0' S=0.1504 ' ' Capacity=97.3 cfs Outflow=3.2 cfs 13,181 cf
Reach 4R: Reach 4	Avg. Flow Depth=0.12' Max Vel=3.14 fps Inflow=3.2 cfs 13,181 cf n=0.013 L=106.0' S=0.0264 ' ' Capacity=19.3 cfs Outflow=3.2 cfs 13,181 cf
Reach 5R: Reach 5	Avg. Flow Depth=0.08' Max Vel=2.77 fps Inflow=2.6 cfs 8,199 cf n=0.035 L=146.0' S=0.1462 ' ' Capacity=78.0 cfs Outflow=2.6 cfs 8,199 cf
Pond 1P: Pond 1	Peak Elev=12.16' Storage=25,214 cf Inflow=14.3 cfs 72,077 cf Primary=4.0 cfs 68,117 cf Secondary=0.0 cfs 0 cf Outflow=4.0 cfs 68,117 cf
Link POA-1: POA-1	Inflow=4.0 cfs 68,117 cf Primary=4.0 cfs 68,117 cf

Total Runoff Area = 434,625 sf Runoff Volume = 72,077 cf Average Runoff Depth = 1.99"
66.26% Pervious = 287,975 sf 33.74% Impervious = 146,650 sf

Appendix 2B

Proposed Conditions HydroCAD Summary



Area Listing (selected nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
20,110	86	1/3 acre lots, 30% imp, HSG D (2S)
9,235	61	1/4 acre lots, 38% imp, HSG A (2S, 7S)
760	83	1/4 acre lots, 38% imp, HSG C (2S)
42,750	77	1/8 acre lots, 65% imp, HSG A (2S, 6S, 7S)
45,900	90	1/8 acre lots, 65% imp, HSG C (1.1S, 2S, 6S, 7S)
16,725	39	>75% Grass cover, Good, HSG A (6S, 7S)
21,460	74	>75% Grass cover, Good, HSG C (1.1S, 1.2S, 2S, 6S, 7S)
10,085	80	>75% Grass cover, Good, HSG D (1.1S, 1.2S)
58,250	30	Brush, Good, HSG A (4S)
6,610	65	Brush, Good, HSG C (2S, 5S)
112,525	73	Brush, Good, HSG D (2S, 3S, 4S, 5S)
6,380	98	CMP impervious (5S)
1,345	98	Ex Gravel (5S)
55	98	Gravel to stay (1.1S)
5,910	98	New Pavement (1.1S)
44,515	98	Pavement (4S, 5S, 6S, 7S)
940	73	Rip Rap (CN for underlying soil condition) (3S)
13,295	98	Roof / Driveways (1.2S, 2S)
17,555	98	Train track gravel (4S, 5S)
980	72	Woods/grass comb., Good, HSG C (2S)
435,385	74	TOTAL AREA

Summary for Subcatchment 1.1S: Roadway / LA

Runoff = 1.6 cfs @ 12.08 hrs, Volume= 5,081 cf, Depth= 4.76"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
620	80	>75% Grass cover, Good, HSG D
1,700	74	>75% Grass cover, Good, HSG C
4,520	90	1/8 acre lots, 65% imp, HSG C
* 5,910	98	New Pavement
* 55	98	Gravel to stay
12,805	91	Weighted Average
3,902		30.47% Pervious Area
8,903		69.53% Impervious Area

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

Summary for Subcatchment 1.2S: Homes / Driveways / LA

Runoff = 2.6 cfs @ 12.09 hrs, Volume= 8,238 cf, Depth= 4.33"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
9,465	80	>75% Grass cover, Good, HSG D
3,185	74	>75% Grass cover, Good, HSG C
* 10,200	98	Roof / Driveways
22,850	87	Weighted Average
12,650		55.36% Pervious Area
10,200		44.64% Impervious Area

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

Summary for Subcatchment 2S: 2S

Runoff = 6.2 cfs @ 12.23 hrs, Volume= 26,728 cf, Depth= 3.80"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
19,515	73	Brush, Good, HSG D
1,390	65	Brush, Good, HSG C
20,110	86	1/3 acre lots, 30% imp, HSG D
26,370	90	1/8 acre lots, 65% imp, HSG C
275	77	1/8 acre lots, 65% imp, HSG A
980	72	Woods/grass comb., Good, HSG C
11,005	74	>75% Grass cover, Good, HSG C
825	61	1/4 acre lots, 38% imp, HSG A
760	83	1/4 acre lots, 38% imp, HSG C
* 3,095	98	Roof / Driveways
84,325	82	Weighted Average
57,275		67.92% Pervious Area
27,050		32.08% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.3	50	0.0160	0.13		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
5.3	360	0.0257	1.12		Shallow Concentrated Flow, B-C Short Grass Pasture Kv= 7.0 fps
0.2	40	0.3513	2.96		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
5.1	210	0.0192	0.69		Shallow Concentrated Flow, D-E Woodland Kv= 5.0 fps
16.9	660	Total			

Summary for Subcatchment 3S: 3S

Runoff = 0.5 cfs @ 12.09 hrs, Volume= 1,542 cf, Depth= 2.92"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
5,390	73	Brush, Good, HSG D
* 940	73	Rip Rap (CN for underlying soil condition)
6,330	73	Weighted Average
6,330		100.00% Pervious Area

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

Summary for Subcatchment 4S: 4S

Runoff = 4.8 cfs @ 12.35 hrs, Volume= 25,003 cf, Depth= 1.95"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

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Type III 24-hr 25-yr Rainfall=5.80"

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Area (sf)	CN	Description
59,840	73	Brush, Good, HSG D
* 20,640	98	Pavement
* 14,755	98	Train track gravel
58,250	30	Brush, Good, HSG A
153,485	62	Weighted Average
118,090		76.94% Pervious Area
35,395		23.06% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	30	0.0250	1.16		Sheet Flow, A-B Smooth surfaces n= 0.011 P2= 3.10"
4.1	145	0.0138	0.59		Shallow Concentrated Flow, B-C Woodland Kv= 5.0 fps
0.7	80	0.1299	1.80		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
14.1	600	0.0050	0.71		Shallow Concentrated Flow, D-E Nearly Bare & Untilled Kv= 10.0 fps
2.7	200	0.0151	1.23		Shallow Concentrated Flow, E-F Nearly Bare & Untilled Kv= 10.0 fps
0.7	165	0.0662	3.86		Shallow Concentrated Flow, F-G Grassed Waterway Kv= 15.0 fps
0.9	120	0.0245	2.35		Shallow Concentrated Flow, G-H Grassed Waterway Kv= 15.0 fps
23.6	1,340	Total			

Summary for Subcatchment 5S: 5S

Runoff = 2.8 cfs @ 12.27 hrs, Volume= 12,413 cf, Depth= 3.40"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
27,780	73	Brush, Good, HSG D
* 1,345	98	Ex Gravel
* 2,800	98	Train track gravel
* 6,380	98	CMP impervious
5,220	65	Brush, Good, HSG C
* 250	98	Pavement
43,775	78	Weighted Average
33,000		75.39% Pervious Area
10,775		24.61% Impervious Area

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Type III 24-hr 25-yr Rainfall=5.80"

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Printed 1/10/2023

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	60	0.0193	0.07		Sheet Flow, A-B Woods: Light underbrush n= 0.400 P2= 3.10"
3.1	120	0.0169	0.65		Shallow Concentrated Flow, B-C Woodland Kv= 5.0 fps
1.4	155	0.1323	1.82		Shallow Concentrated Flow, C-D Woodland Kv= 5.0 fps
19.2	335	Total			

Summary for Subcatchment 6S: 6S

Runoff = 2.9 cfs @ 12.10 hrs, Volume= 9,332 cf, Depth= 3.50"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

Area (sf)	CN	Description
* 7,840	98	Pavement
2,755	74	>75% Grass cover, Good, HSG C
4,670	39	>75% Grass cover, Good, HSG A
6,910	90	1/8 acre lots, 65% imp, HSG C
9,805	77	1/8 acre lots, 65% imp, HSG A
31,980	79	Weighted Average
13,275		41.51% Pervious Area
18,705		58.49% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.5	30	0.0568	0.20		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
3.0	370	0.0100	2.03		Shallow Concentrated Flow, B-C Paved Kv= 20.3 fps
0.6	115	0.0213	2.96		Shallow Concentrated Flow, C-D Paved Kv= 20.3 fps
0.1	28	0.0200	6.95	5.46	Pipe Channel, D-E 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.012 Corrugated PP, smooth interior
0.4	175	0.0250	7.77	6.10	Pipe Channel, E-F 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.012
6.6	718	Total			

Summary for Subcatchment 7S: 7S

Runoff = 4.9 cfs @ 12.22 hrs, Volume= 20,706 cf, Depth= 3.11"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-yr Rainfall=5.80"

	Area (sf)	CN	Description
*	15,785	98	Pavement
	2,815	74	>75% Grass cover, Good, HSG C
	12,055	39	>75% Grass cover, Good, HSG A
	8,100	90	1/8 acre lots, 65% imp, HSG C
	32,670	77	1/8 acre lots, 65% imp, HSG A
	8,410	61	1/4 acre lots, 38% imp, HSG A
	79,835	75	Weighted Average
	34,354		43.03% Pervious Area
	45,481		56.97% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
7.0	55	0.0145	0.13		Sheet Flow, A-B Grass: Short n= 0.150 P2= 3.10"
4.0	190	0.0131	0.80		Shallow Concentrated Flow, B-C Short Grass Pasture Kv= 7.0 fps
0.8	110	0.0131	2.32		Shallow Concentrated Flow, C-D Paved Kv= 20.3 fps
4.0	540	0.0120	2.22		Shallow Concentrated Flow, D-E Paved Kv= 20.3 fps
0.4	175	0.0250	7.77	6.10	Pipe Channel, E-F 12.0" Round Area= 0.8 sf Perim= 3.1' r= 0.25' n= 0.012
16.2	1,070	Total			

Summary for Reach 2R: 2R

Inflow Area = 84,325 sf, 32.08% Impervious, Inflow Depth = 3.80" for 25-yr event
 Inflow = 6.2 cfs @ 12.23 hrs, Volume= 26,728 cf
 Outflow = 6.2 cfs @ 12.26 hrs, Volume= 26,728 cf, Atten= 1%, Lag= 2.3 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Max. Velocity= 1.09 fps, Min. Travel Time= 1.3 min
 Avg. Velocity= 0.36 fps, Avg. Travel Time= 4.0 min

Peak Storage= 479 cf @ 12.24 hrs
 Average Depth at Peak Storage= 0.32'
 Bank-Full Depth= 0.50' Flow Area= 11.3 sf, Capacity= 15.9 cfs

10.00' x 0.50' deep channel, n= 0.100 Earth, dense brush, high stage
 Side Slope Z-value= 25.0 ' / ' Top Width= 35.00'
 Length= 85.0' Slope= 0.0412 ' / '
 Inlet Invert= 15.00', Outlet Invert= 11.50'



Summary for Pond 1FP: FocalPoint 1

Inflow Area = 22,850 sf, 44.64% Impervious, Inflow Depth = 4.33" for 25-yr event
 Inflow = 2.6 cfs @ 12.09 hrs, Volume= 8,238 cf
 Outflow = 2.6 cfs @ 12.09 hrs, Volume= 8,237 cf, Atten= 0%, Lag= 0.3 min
 Primary = 2.6 cfs @ 12.09 hrs, Volume= 8,237 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 20.84' @ 12.09 hrs Surf.Area= 50 sf Storage= 335 cf

Plug-Flow detention time= 9.8 min calculated for 8,236 cf (100% of inflow)

Center-of-Mass det. time= 9.8 min (805.6 - 795.9)

Volume	Invert	Avail.Storage	Storage Description
#1	16.75'	23 cf	5.00'W x 10.00'L x 2.25'H FocalPoint 113 cf Overall x 20.0% Voids
#2	19.00'	588 cf	Custom Stage Data (Prismatic) Listed below (Recalc) -Impervious
		610 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
19.00	50	0	0
20.00	168	109	109
21.00	343	256	365
21.50	550	223	588

Device	Routing	Invert	Outlet Devices
#1	Primary	15.90'	12.0" Round Culvert L= 6.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 15.90' / 15.80' S= 0.0167 ' S= 0.0167 ' Cc= 0.900 n= 0.012, Flow Area= 0.79 sf
#2	Device 1	16.75'	100.000 in/hr Exfiltration over Surface area
#3	Device 1	20.60'	24.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads
#4	Secondary	21.00'	12.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=2.6 cfs @ 12.09 hrs HW=20.84' (Free Discharge)

↑ **1=Culvert** (Passes 2.6 cfs of 8.0 cfs potential flow)
 ↑ **2=Exfiltration** (Exfiltration Controls 0.1 cfs)
 ↑ **3=Orifice/Grate** (Weir Controls 2.5 cfs @ 1.61 fps)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=16.75' (Free Discharge)

↑ **4=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Summary for Pond 1RT: 1RT

Inflow Area = 22,850 sf, 44.64% Impervious, Inflow Depth = 4.33" for 25-yr event
 Inflow = 2.6 cfs @ 12.09 hrs, Volume= 8,237 cf
 Outflow = 2.6 cfs @ 12.10 hrs, Volume= 8,211 cf, Atten= 0%, Lag= 0.3 min
 Primary = 2.6 cfs @ 12.10 hrs, Volume= 8,211 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 16.28' @ 12.10 hrs Surf.Area= 262 sf Storage= 538 cf

Plug-Flow detention time= 31.1 min calculated for 8,211 cf (100% of inflow)
 Center-of-Mass det. time= 29.0 min (834.7 - 805.6)

Volume	Invert	Avail.Storage	Storage Description
#1A	13.28'	260 cf	14.50'W x 18.07'L x 4.07'H Field A 1,067 cf Overall - 417 cf Embedded = 650 cf x 40.0% Voids
#2A	13.53'	396 cf	ACF R-Tank HD 2 x 48 Inside #1 Inside= 15.7"W x 33.9"H => 3.52 sf x 2.35'L = 8.3 cf Outside= 15.7"W x 33.9"H => 3.70 sf x 2.35'L = 8.7 cf 48 Chambers in 8 Rows
			656 cf Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	13.53'	15.0" Round Culvert L= 32.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 13.53' / 13.05' S= 0.0150 '/' Cc= 0.900 n= 0.012, Flow Area= 1.23 sf
#2	Device 1	13.35'	0.5" Vert. Orifice/Grate C= 0.600
#3	Device 1	14.30'	5.0" Vert. Orifice/Grate C= 0.600
#4	Device 1	16.00'	4.0' long x 0.5' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 Coef. (English) 2.80 2.92 3.08 3.30 3.32

Primary OutFlow Max=2.6 cfs @ 12.10 hrs HW=16.28' (Free Discharge)

- 1=Culvert (Passes 2.6 cfs of 8.6 cfs potential flow)
- 2=Orifice/Grate (Orifice Controls 0.0 cfs @ 7.98 fps)
- 3=Orifice/Grate (Orifice Controls 0.9 cfs @ 6.41 fps)
- 4=Broad-Crested Rectangular Weir (Weir Controls 1.7 cfs @ 1.51 fps)

Summary for Pond 2P: Pond 1

Inflow Area = 435,385 sf, 35.95% Impervious, Inflow Depth = 3.00" for 25-yr event
 Inflow = 21.8 cfs @ 12.25 hrs, Volume= 109,007 cf
 Outflow = 17.0 cfs @ 12.43 hrs, Volume= 105,043 cf, Atten= 22%, Lag= 10.7 min
 Primary = 17.0 cfs @ 12.43 hrs, Volume= 105,043 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

07360-01 Post SW 2023-01-06

Type III 24-hr 25-yr Rainfall=5.80"

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Peak Elev= 12.12' @ 12.43 hrs Surf.Area= 14,410 sf Storage= 24,016 cf

Plug-Flow detention time= 105.3 min calculated for 105,043 cf (96% of inflow)

Center-of-Mass det. time= 84.2 min (922.4 - 838.2)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	132,324 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	13,915	11,358	22,258
13.00	17,900	15,908	38,165
14.00	20,882	19,391	57,556
15.00	23,236	22,059	79,615
16.00	25,633	24,435	104,050
17.00	30,915	28,274	132,324

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	24.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 '/' Cc= 0.900 n= 0.013 Cast iron, coated, Flow Area= 3.14 sf
#2	Device 1	9.86'	6.0" Vert. 6" Bleeder Orifice C= 0.600
#3	Device 1	11.45'	1.2" x 7.2" Horiz. Double Gate X 22.00 columns X 3 rows C= 0.600 Limited to weir flow at low heads
#4	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Primary OutFlow Max=17.0 cfs @ 12.43 hrs HW=12.12' (Free Discharge)

- ↑ **1=Culvert** (Passes 17.0 cfs of 22.0 cfs potential flow)
- ↑ **2=6" Bleeder Orifice** (Orifice Controls 1.3 cfs @ 6.83 fps)
- ↑ **3=Double Gate** (Orifice Controls 15.7 cfs @ 3.95 fps)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' (Free Discharge)

- ↑ **4=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Summary for Pond ST: ST

Inflow Area = 31,980 sf, 58.49% Impervious, Inflow Depth = 3.50" for 25-yr event
 Inflow = 2.9 cfs @ 12.10 hrs, Volume= 9,332 cf
 Outflow = 2.9 cfs @ 12.10 hrs, Volume= 9,322 cf, Atten= 0%, Lag= 0.0 min
 Primary = 2.9 cfs @ 12.10 hrs, Volume= 9,322 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs / 2

07360-01 Post SW 2023-01-06

Type III 24-hr 25-yr Rainfall=5.80"

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Peak Elev= 33.83' @ 12.10 hrs Surf.Area= 120 sf Storage= 95 cf

Plug-Flow detention time= 2.4 min calculated for 9,320 cf (100% of inflow)

Center-of-Mass det. time= 1.8 min (820.4 - 818.6)

Volume	Invert	Avail.Storage	Storage Description
#1	30.70'	36 cf	10.00'W x 4.00'L x 2.25'H Prismatoid 90 cf Overall x 40.0% Voids
#2	32.95'	27 cf	10.00'W x 4.00'L x 0.68'H Prismatoid
#3	28.70'	32 cf	10.00'W x 4.00'L x 2.00'H Prismatoid 80 cf Overall x 40.0% Voids
			95 cf Total Available Storage

Device	Routing	Invert	Outlet Devices
#1	Device 2	28.70'	140.000 in/hr Exfiltration over Surface area
#2	Primary	29.45'	12.0" Round Culvert L= 25.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 29.45' / 29.20' S= 0.0100 ' / ' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#3	Device 2	33.37'	12.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=2.9 cfs @ 12.10 hrs HW=33.83' (Free Discharge)

2=Culvert (Passes 2.9 cfs of 5.9 cfs potential flow)

1=Exfiltration (Exfiltration Controls 0.4 cfs)

3=Orifice/Grate (Orifice Controls 2.6 cfs @ 3.25 fps)

Summary for Link POA-1: POA-1

Inflow Area = 435,385 sf, 35.95% Impervious, Inflow Depth = 2.90" for 25-yr event
 Inflow = 17.0 cfs @ 12.43 hrs, Volume= 105,043 cf
 Primary = 17.0 cfs @ 12.43 hrs, Volume= 105,043 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1.1S: Roadway / LA Runoff Area=12,805 sf 69.53% Impervious Runoff Depth=2.16"
 Tc=6.0 min CN=91 Runoff=0.7 cfs 2,310 cf

Subcatchment1.2S: Homes / Driveways / Runoff Area=22,850 sf 44.64% Impervious Runoff Depth=1.83"
 Tc=6.0 min CN=87 Runoff=1.1 cfs 3,478 cf

Subcatchment2S: 2S Runoff Area=84,325 sf 32.08% Impervious Runoff Depth=1.46"
 Flow Length=660' Tc=16.9 min CN=82 Runoff=2.4 cfs 10,246 cf

Subcatchment3S: 3S Runoff Area=6,330 sf 0.00% Impervious Runoff Depth=0.92"
 Tc=6.0 min CN=73 Runoff=0.1 cfs 485 cf

Subcatchment4S: 4S Runoff Area=153,485 sf 23.06% Impervious Runoff Depth=0.44"
 Flow Length=1,340' Tc=23.6 min CN=62 Runoff=0.8 cfs 5,614 cf

Subcatchment5S: 5S Runoff Area=43,775 sf 24.61% Impervious Runoff Depth=1.20"
 Flow Length=335' Tc=19.2 min CN=78 Runoff=0.9 cfs 4,380 cf

Subcatchment6S: 6S Runoff Area=31,980 sf 58.49% Impervious Runoff Depth=1.26"
 Flow Length=718' Tc=6.6 min CN=79 Runoff=1.0 cfs 3,363 cf

Subcatchment7S: 7S Runoff Area=79,835 sf 56.97% Impervious Runoff Depth=1.03"
 Flow Length=1,070' Tc=16.2 min CN=75 Runoff=1.5 cfs 6,831 cf

Reach 2R: 2R Avg. Flow Depth=0.19' Max Vel=0.83 fps Inflow=2.4 cfs 10,246 cf
 n=0.100 L=85.0' S=0.0412 '/' Capacity=15.9 cfs Outflow=2.4 cfs 10,246 cf

Pond 1FP: FocalPoint 1 Peak Elev=20.73' Storage=302 cf Inflow=1.1 cfs 3,478 cf
 Primary=1.1 cfs 3,479 cf Secondary=0.0 cfs 0 cf Outflow=1.1 cfs 3,479 cf

Pond 1RT: 1RT Peak Elev=15.79' Storage=448 cf Inflow=1.1 cfs 3,479 cf
 Outflow=0.8 cfs 3,453 cf

Pond 2P: Pond 1 Peak Elev=11.46' Storage=15,460 cf Inflow=7.0 cfs 36,669 cf
 Primary=1.6 cfs 32,706 cf Secondary=0.0 cfs 0 cf Outflow=1.6 cfs 32,706 cf

Pond ST: ST Peak Elev=33.53' Storage=91 cf Inflow=1.0 cfs 3,363 cf
 Outflow=1.0 cfs 3,351 cf

Link POA-1: POA-1 Inflow=1.6 cfs 32,706 cf
 Primary=1.6 cfs 32,706 cf

Total Runoff Area = 435,385 sf Runoff Volume = 36,707 cf Average Runoff Depth = 1.01"
64.05% Pervious = 278,876 sf 35.95% Impervious = 156,509 sf

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1.1S: Roadway / LA Runoff Area=12,805 sf 69.53% Impervious Runoff Depth=3.59"
 Tc=6.0 min CN=91 Runoff=1.2 cfs 3,836 cf

Subcatchment1.2S: Homes / Driveways / Runoff Area=22,850 sf 44.64% Impervious Runoff Depth=3.19"
 Tc=6.0 min CN=87 Runoff=1.9 cfs 6,078 cf

Subcatchment2S: 2S Runoff Area=84,325 sf 32.08% Impervious Runoff Depth=2.72"
 Flow Length=660' Tc=16.9 min CN=82 Runoff=4.5 cfs 19,141 cf

Subcatchment3S: 3S Runoff Area=6,330 sf 0.00% Impervious Runoff Depth=1.97"
 Tc=6.0 min CN=73 Runoff=0.3 cfs 1,040 cf

Subcatchment4S: 4S Runoff Area=153,485 sf 23.06% Impervious Runoff Depth=1.20"
 Flow Length=1,340' Tc=23.6 min CN=62 Runoff=2.8 cfs 15,323 cf

Subcatchment5S: 5S Runoff Area=43,775 sf 24.61% Impervious Runoff Depth=2.38"
 Flow Length=335' Tc=19.2 min CN=78 Runoff=1.9 cfs 8,666 cf

Subcatchment6S: 6S Runoff Area=31,980 sf 58.49% Impervious Runoff Depth=2.46"
 Flow Length=718' Tc=6.6 min CN=79 Runoff=2.1 cfs 6,558 cf

Subcatchment7S: 7S Runoff Area=79,835 sf 56.97% Impervious Runoff Depth=2.13"
 Flow Length=1,070' Tc=16.2 min CN=75 Runoff=3.3 cfs 14,164 cf

Reach 2R: 2R Avg. Flow Depth=0.27' Max Vel=1.00 fps Inflow=4.5 cfs 19,141 cf
 n=0.100 L=85.0' S=0.0412 '/' Capacity=15.9 cfs Outflow=4.4 cfs 19,141 cf

Pond 1FP: FocalPoint 1 Peak Elev=20.80' Storage=321 cf Inflow=1.9 cfs 6,078 cf
 Primary=1.9 cfs 6,080 cf Secondary=0.0 cfs 0 cf Outflow=1.9 cfs 6,080 cf

Pond 1RT: 1RT Peak Elev=16.21' Storage=524 cf Inflow=1.9 cfs 6,080 cf
 Outflow=1.9 cfs 6,053 cf

Pond 2P: Pond 1 Peak Elev=11.76' Storage=19,031 cf Inflow=14.8 cfs 74,769 cf
 Primary=11.7 cfs 70,805 cf Secondary=0.0 cfs 0 cf Outflow=11.7 cfs 70,805 cf

Pond ST: ST Peak Elev=33.67' Storage=95 cf Inflow=2.1 cfs 6,558 cf
 Outflow=2.1 cfs 6,545 cf

Link POA-1: POA-1 Inflow=11.7 cfs 70,805 cf
 Primary=11.7 cfs 70,805 cf

Total Runoff Area = 435,385 sf Runoff Volume = 74,807 cf Average Runoff Depth = 2.06"
64.05% Pervious = 278,876 sf 35.95% Impervious = 156,509 sf

Appendix 2C

Proposed Conditions vs. Existing Conditions Without Culvert Replacement

Summary for Pond 1P: Pond 1

Inflow Area = 434,625 sf, 33.74% Impervious, Inflow Depth = 0.96" for 2-YR event
 Inflow = 6.5 cfs @ 12.28 hrs, Volume= 34,655 cf
 Outflow = 2.8 cfs @ 12.72 hrs, Volume= 30,695 cf, Atten= 56%, Lag= 26.5 min
 Primary = 2.8 cfs @ 12.72 hrs, Volume= 30,695 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 10.89' @ 12.72 hrs Surf.Area= 8,284 sf Storage= 9,981 cf

Plug-Flow detention time= 93.6 min calculated for 30,695 cf (89% of inflow)
 Center-of-Mass det. time= 38.4 min (910.3 - 871.9)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 ' S= 0.0244 ' Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Primary OutFlow Max=2.8 cfs @ 12.72 hrs HW=10.89' TW=0.00' (Dynamic Tailwater)

↑ **1=Culvert** (Passes 2.8 cfs of 3.6 cfs potential flow)

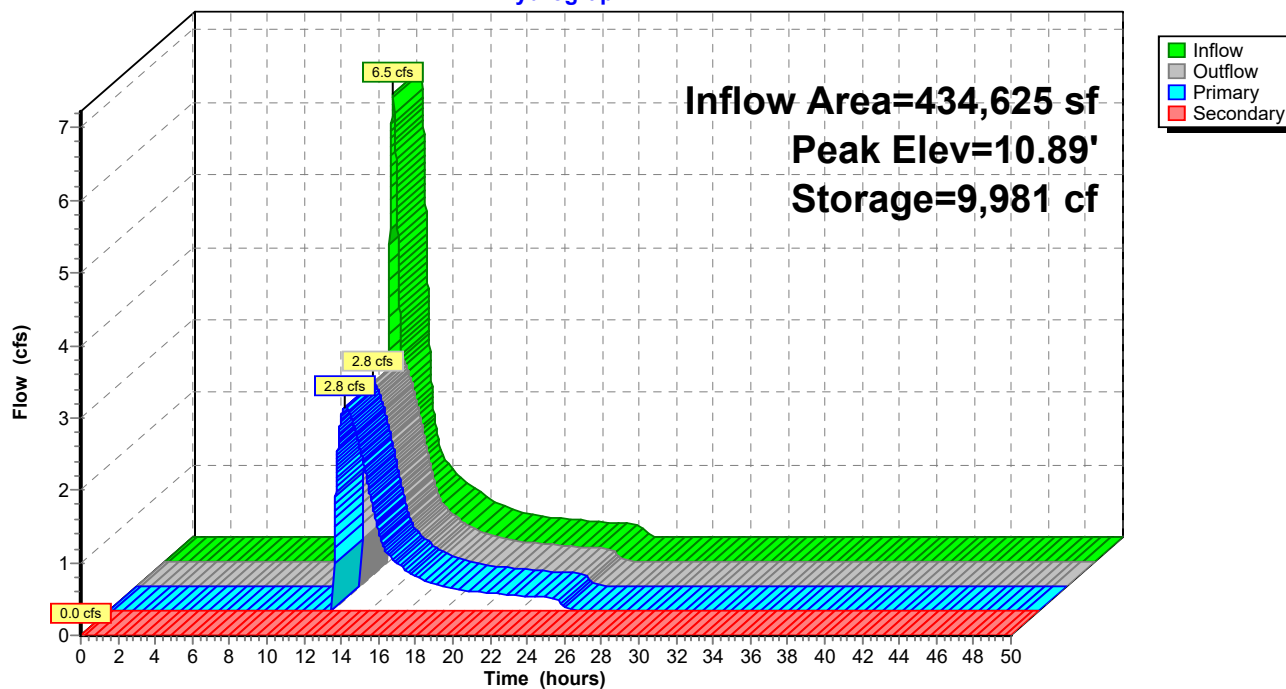
↑ **2=Grate** (Orifice Controls 2.8 cfs @ 4.89 fps)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' TW=0.00' (Dynamic Tailwater)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1

Hydrograph



Summary for Pond 1P: Pond 1

Inflow Area = 434,625 sf, 33.74% Impervious, Inflow Depth = 1.99" for 10-YR event
 Inflow = 14.3 cfs @ 12.27 hrs, Volume= 72,077 cf
 Outflow = 4.0 cfs @ 12.86 hrs, Volume= 68,117 cf, Atten= 72%, Lag= 35.9 min
 Primary = 4.0 cfs @ 12.86 hrs, Volume= 68,117 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 12.16' @ 12.86 hrs Surf.Area= 15,558 sf Storage= 25,214 cf

Plug-Flow detention time= 87.8 min calculated for 68,117 cf (95% of inflow)
 Center-of-Mass det. time= 57.9 min (909.3 - 851.5)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 ' S= 0.0244 ' Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Primary OutFlow Max=4.0 cfs @ 12.86 hrs HW=12.16' TW=0.00' (Dynamic Tailwater)

↑ **1=Culvert** (Barrel Controls 4.0 cfs @ 5.15 fps)

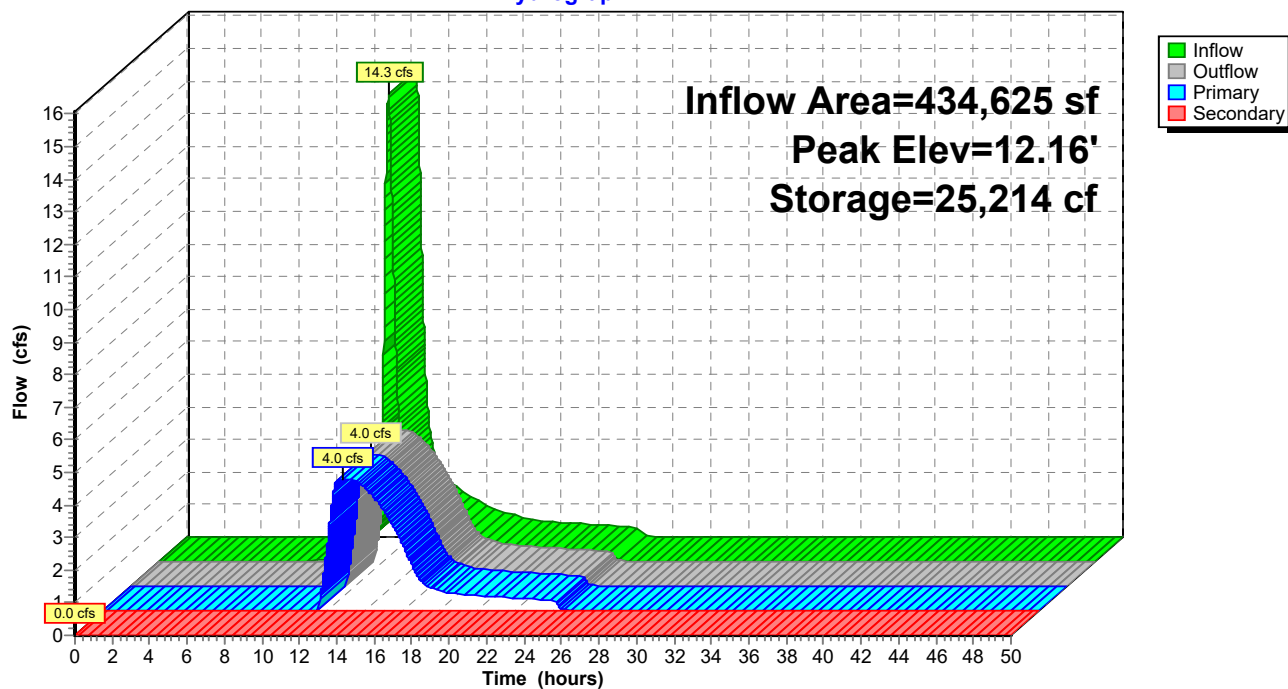
↑ **2=Grate** (Passes 4.0 cfs of 4.2 cfs potential flow)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' TW=0.00' (Dynamic Tailwater)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1

Hydrograph



Summary for Pond 1P: Pond 1

Inflow Area = 434,625 sf, 33.74% Impervious, Inflow Depth = 2.92" for 25-YR event
 Inflow = 21.4 cfs @ 12.26 hrs, Volume= 105,905 cf
 Outflow = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf, Atten= 80%, Lag= 46.8 min
 Primary = 4.3 cfs @ 13.04 hrs, Volume= 101,945 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Peak Elev= 13.09' @ 13.04 hrs Surf.Area= 19,166 sf Storage= 41,364 cf

Plug-Flow detention time= 109.0 min calculated for 101,925 cf (96% of inflow)

Center-of-Mass det. time= 87.8 min (928.8 - 841.0)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 '/ Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

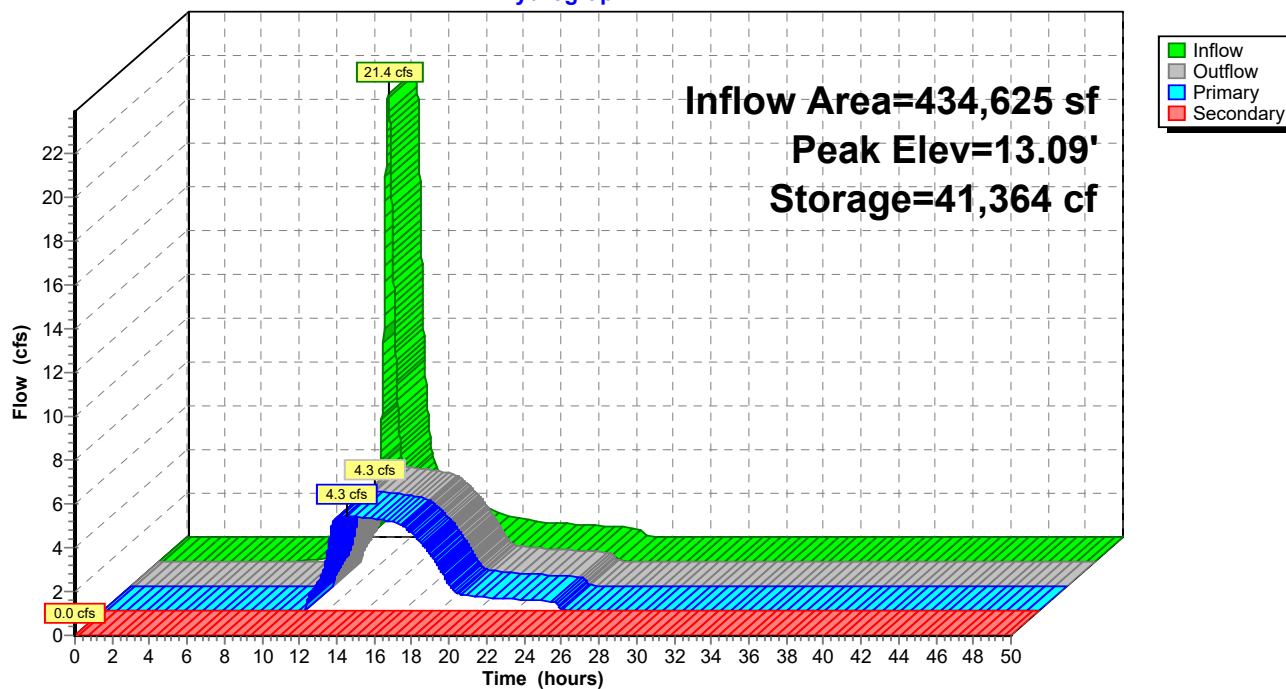
Primary OutFlow Max=4.3 cfs @ 13.04 hrs HW=13.09' TW=0.00' (Dynamic Tailwater)

↑ **1=Culvert** (Barrel Controls 4.3 cfs @ 5.52 fps)

↑ **2=Grate** (Passes 4.3 cfs of 5.0 cfs potential flow)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' TW=0.00' (Dynamic Tailwater)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1**Hydrograph**

Summary for Pond 1P: Pond 1

Inflow Area = 435,385 sf, 35.95% Impervious, Inflow Depth = 1.01" for 2-yr event
 Inflow = 7.0 cfs @ 12.27 hrs, Volume= 36,669 cf
 Outflow = 2.9 cfs @ 12.69 hrs, Volume= 32,710 cf, Atten= 58%, Lag= 25.6 min
 Primary = 2.9 cfs @ 12.69 hrs, Volume= 32,710 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 10.99' @ 12.69 hrs Surf.Area= 8,753 sf Storage= 10,814 cf

Plug-Flow detention time= 94.6 min calculated for 32,703 cf (89% of inflow)
 Center-of-Mass det. time= 40.6 min (909.7 - 869.1)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 ' S= 0.0244 ' Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

Primary OutFlow Max=2.9 cfs @ 12.69 hrs HW=10.99' (Free Discharge)

↑ **1=Culvert** (Passes 2.9 cfs of 3.6 cfs potential flow)

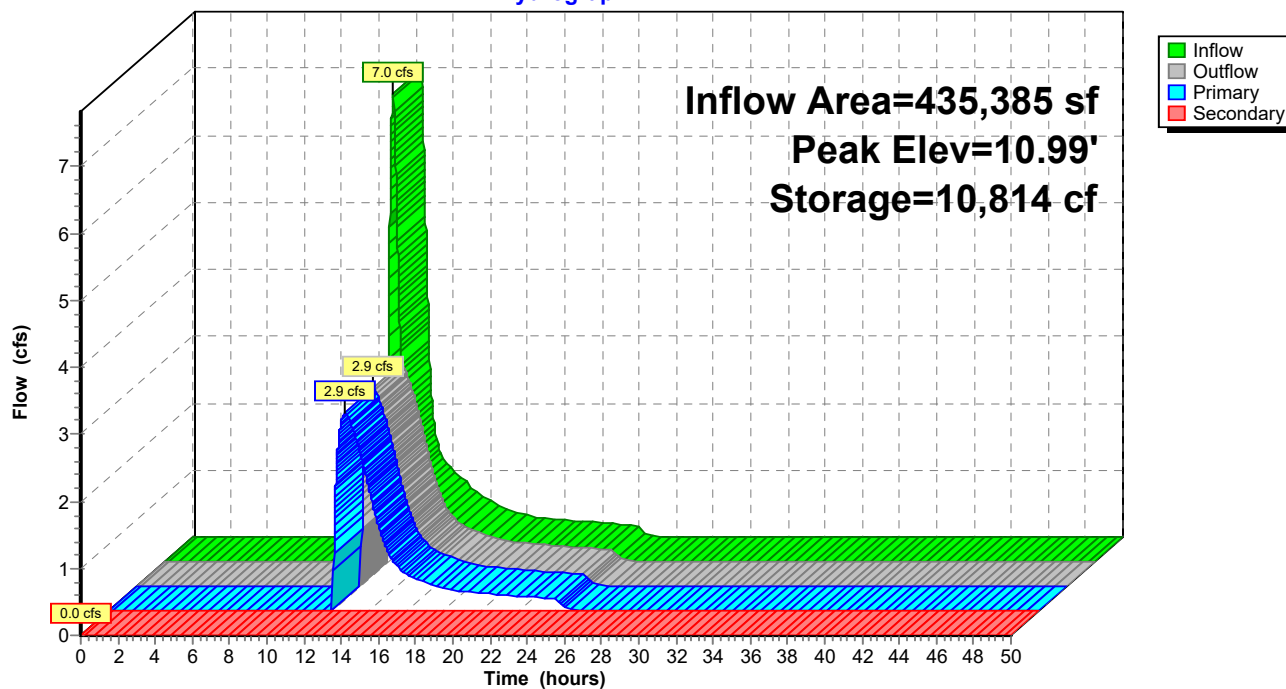
↑ **2=Grate** (Orifice Controls 2.9 cfs @ 5.12 fps)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' (Free Discharge)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1

Hydrograph



Summary for Pond 1P: Pond 1

Inflow Area = 435,385 sf, 35.95% Impervious, Inflow Depth = 2.06" for 10-yr event
 Inflow = 14.8 cfs @ 12.25 hrs, Volume= 74,769 cf
 Outflow = 4.1 cfs @ 12.85 hrs, Volume= 70,810 cf, Atten= 72%, Lag= 35.9 min
 Primary = 4.1 cfs @ 12.85 hrs, Volume= 70,810 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 12.24' @ 12.85 hrs Surf.Area= 15,855 sf Storage= 26,387 cf

Plug-Flow detention time= 90.0 min calculated for 70,796 cf (95% of inflow)
 Center-of-Mass det. time= 60.6 min (909.2 - 848.6)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 ' S= 0.0244 ' Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

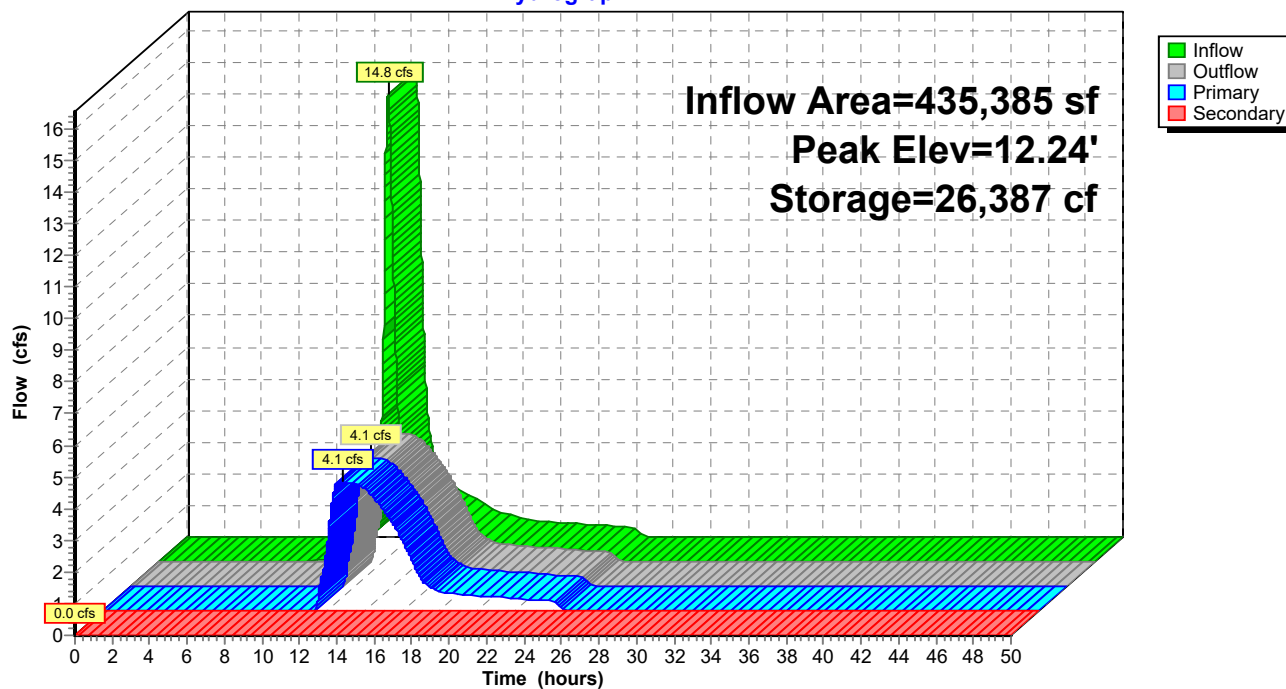
Primary OutFlow Max=4.1 cfs @ 12.85 hrs HW=12.24' (Free Discharge)

↑ **1=Culvert** (Barrel Controls 4.1 cfs @ 5.18 fps)

↑ **2=Grate** (Passes 4.1 cfs of 4.3 cfs potential flow)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' (Free Discharge)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1**Hydrograph**

Summary for Pond 1P: Pond 1

Inflow Area = 435,385 sf, 35.95% Impervious, Inflow Depth = 3.00" for 25-yr event
 Inflow = 21.8 cfs @ 12.25 hrs, Volume= 109,007 cf
 Outflow = 4.4 cfs @ 13.03 hrs, Volume= 105,047 cf, Atten= 80%, Lag= 46.7 min
 Primary = 4.4 cfs @ 13.03 hrs, Volume= 105,047 cf
 Secondary = 0.0 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
 Peak Elev= 13.16' @ 13.03 hrs Surf.Area= 19,379 sf Storage= 42,738 cf

Plug-Flow detention time= 111.5 min calculated for 105,026 cf (96% of inflow)
 Center-of-Mass det. time= 90.6 min (928.7 - 838.2)

Volume	Invert	Avail.Storage	Storage Description
#1	8.00'	137,824 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
8.00	1,000	0	0
9.00	2,000	1,500	1,500
10.00	4,000	3,000	4,500
11.00	8,800	6,400	10,900
12.00	14,915	11,858	22,758
13.00	18,900	16,908	39,665
14.00	21,882	20,391	60,056
15.00	24,236	23,059	83,115
16.00	26,633	25,435	108,550
17.00	31,915	29,274	137,824

Device	Routing	Invert	Outlet Devices
#1	Primary	7.74'	12.0" Round Culvert L= 113.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 7.74' / 4.98' S= 0.0244 '/ Cc= 0.900 n= 0.025 Corrugated metal, Flow Area= 0.79 sf
#2	Device 1	9.86'	1.3" x 1.3" Horiz. Grate X 7.00 columns X 7 rows C= 0.600
#3	Secondary	25.60'	100.0' long x 15.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 Coef. (English) 2.68 2.70 2.70 2.64 2.63 2.64 2.64 2.63

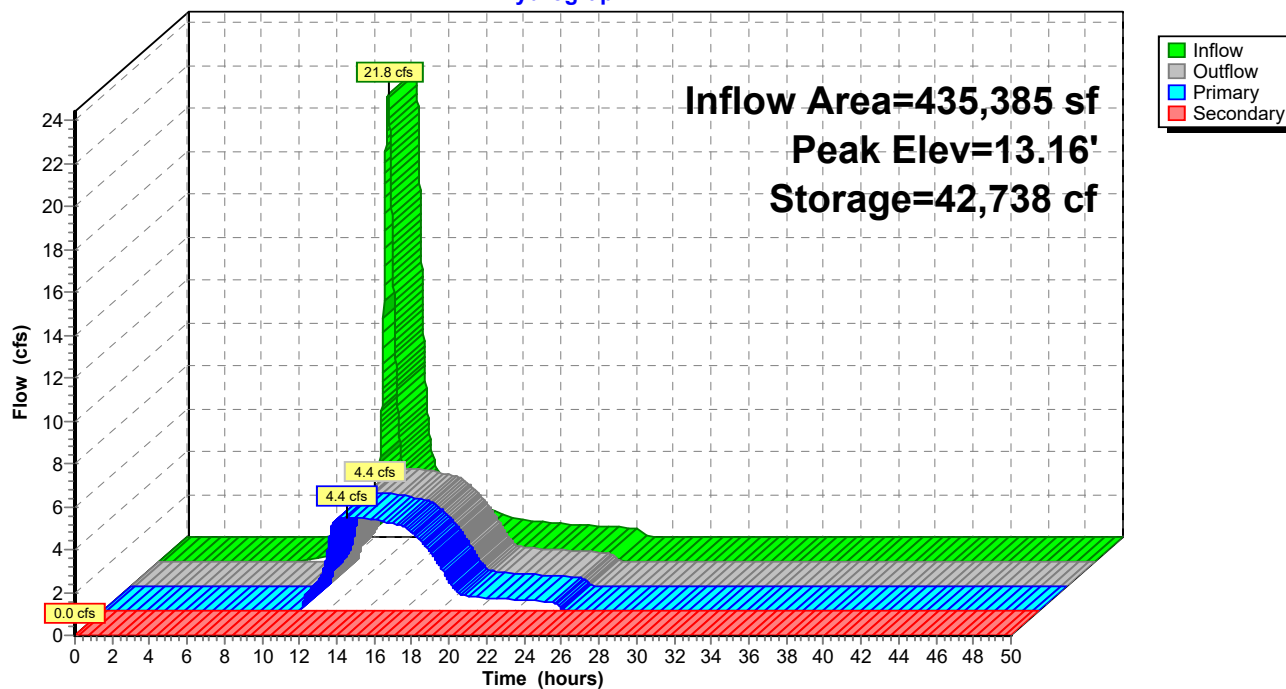
Primary OutFlow Max=4.4 cfs @ 13.03 hrs HW=13.16' (Free Discharge)

↑ **1=Culvert** (Barrel Controls 4.4 cfs @ 5.55 fps)

↑ **2=Grate** (Passes 4.4 cfs of 5.0 cfs potential flow)

Secondary OutFlow Max=0.0 cfs @ 0.00 hrs HW=8.00' (Free Discharge)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.0 cfs)

Pond 1P: Pond 1**Hydrograph**

Appendix 3

Inspection, Maintenance and Housekeeping Plan



INSPECTION, MAINTENANCE, AND HOUSEKEEPING PLAN

For:
POWSLAND STREET
PORTLAND, MAINE

By:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine

Introduction

The following plan outlines the anticipated inspection and maintenance procedures for the erosion and sedimentation control measures as well as stormwater management facilities for the project. This plan also outlines several housekeeping requirements that shall be followed during and after construction. These procedures shall be followed in order to ensure the intended function of the designed measures and to prevent unreasonably adverse impacts to the surrounding environment.

The procedures outlined in this Inspection, Maintenance and Housekeeping Plan are provided as an overview of the anticipated practices to be used on this site. In some instances, additional measures may be required due to unexpected conditions. For additional detail on any of the erosion and sedimentation control measures or stormwater management devices to be utilized on this project, refer to the most recently revised edition of the "Maine Erosion and Sedimentation Control BMP" manual and/or the "Stormwater Management for Maine: Best Management Practices" manual as published by the Maine Department of Environmental Protection (MDEP).

During Construction

1. **Inspection:** During the construction process, it is the Contractor's responsibility to comply with the inspection and maintenance procedures outlined in this section. These responsibilities include inspecting disturbed and impervious areas, erosion control measures, materials storage areas that are exposed to precipitation, and locations where vehicles enter or exit the site. These areas shall be inspected at least once a week as well as before and after a storm event (0.5" of rainfall), and prior to completing permanent stabilization measures. A person with knowledge of erosion and stormwater control, including the standards and conditions in any applicable permits, shall conduct the inspections.
2. **Maintenance:** All measures shall be maintained in an effective operating condition until areas are permanently stabilized. If Best Management Practices (BMPs) need to be maintained or modified, additional BMPs are necessary, or other corrective action is needed, implementation must be completed within 7 calendar days and prior to any storm event (0.5" of rainfall).
3. **Documentation:** A log summarizing the inspections and any corrective action taken must be maintained on-site. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of erosion and sedimentation controls, material storage areas, and vehicle access points to the site. Major observations must include BMPs that need maintenance, BMPs that failed

to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. The permittee shall retain a copy of the log for a period of at least three years from the completion of permanent stabilization.

4. **Specific Inspection and Maintenance Tasks:** The following is a list of erosion control and stormwater management measures and the specific inspection and maintenance tasks to be performed during construction.

A. Sediment Barriers:

- Hay bale barriers, silt fences, and filter berms shall be inspected immediately after each rainfall and at least daily during prolonged rainfall.
- If the fabric on a silt fence or filter barrier should decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, it shall be replaced.
- Sediment deposits should be removed after each storm event (0.5" of rainfall). They must be removed before deposits reach approximately one-half the height of the barrier.
- Filter berms shall 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.

B. Riprap Materials:

- Once a riprap installation has been completed, it should require very little maintenance. It shall, however, be inspected periodically to determine if high flows have caused scour beneath the riprap or dislodged any of the stone.

C. Erosion Control Blankets:

- Inspect these reinforced areas semi-annually and after significant rainfall events for slumping, sliding, seepage, and scour. Pay close attention to unreinforced areas adjacent to the erosion control blankets, which may experience accelerated erosion.
- Review all applicable inspection and maintenance procedures recommended by the specific blanket manufacturer. These tasks shall be included in addition to the requirements of this plan.

D. Stabilized Construction Entrances/Exits:

- 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. The entrance should then be reconstructed.
- Areas that have received mud-tracking or sediment deposits shall be swept or washed. Washing shall be done on an area stabilized with aggregate, which drains

into an approved sediment-trapping device (not into storm drains, ditches, or waterways).

E. Temporary Seed and Mulch:

- Mulched areas should be inspected after rain events to check for rill erosion.
- If less than 90% of the soil surface is covered by mulch, additional mulch shall be applied in bare areas.
- In applications where seeding and mulch have been applied in conjunction with erosion control blankets, the blankets must be inspected after rain events for dislocation or undercutting.
- Mulch shall continue to be reapplied until 95% of the soil surface has established temporary vegetative cover.

F. Stabilized Temporary Drainage Swales:

- Sediment accumulation in the swale shall be removed once the cross section of the swale is reduced by 25%.
- The swales shall be inspected after rainfall events. Any evidence of sloughing of the side slopes or channel erosion shall be repaired and corrective action should be taken to prevent reoccurrence of the problem.
- In addition to the stabilized lining of the channel (i.e. erosion control blankets), stone check dams may be needed to further reduce channel velocity.

5. **Housekeeping:** The following general performance standards apply to the proposed project.

- A. Spill prevention: Controls must be used to prevent pollutants from being discharged from materials on-site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
- B. Groundwater protection: During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors, accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
- C. Fugitive sediment and dust: Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control.
- D. Debris and other materials: Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
- E. Trench or foundation dewatering: Trench dewatering is the removal of water from trenches, foundations, cofferdams, ponds, and other areas within the construction area

that retain water after excavation. In most cases, the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved.

Post-Construction

1. **Inspection:** After construction, it is the responsibility of the owner or assigned heirs to comply with the inspection and maintenance procedures outlined in this section. All measures must be maintained in effective operating condition. The owner shall inspect and maintain the BMPs, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
2. **Specific Inspection and Maintenance Tasks:** The following is a list of permanent erosion control and stormwater management measures and the inspection and maintenance tasks to be performed after construction. If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the local municipality in the annual report.

A. Vegetated Areas:

- Inspect vegetated areas, particularly slopes and embankments, early in the growing season or after heavy rains (>0.5") to identify active or potential erosion problems.
- Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows.

B. Ditches, Swales and Other Open Channels:

- Inspect ditches, swales, level spreaders and other open stormwater channels in the spring, in the late fall, and after heavy rains to remove any obstructions to flow. Remove accumulated sediments and debris, remove woody vegetative growth that could obstruct flow, and repair any erosion of the ditch lining.
- Vegetated ditches must be mowed at least annually or otherwise maintained to control the growth of woody vegetation and maintain flow capacity.
- Any woody vegetation growing through riprap linings must also be removed. Repair any slumping side slopes as soon as practicable.
- If the ditch has a riprap lining, replace riprap in areas where any underlying filter fabric or underdrain gravel is showing through the stone or where stones have dislodged.

C. Culverts:

- Inspect culverts in the spring, in the late fall, and after heavy rains (>0.5") to remove any obstructions to flow.
- Remove accumulated sediments and debris at the inlet, at the outlet, and within the conduit.
- Inspect and repair any erosion damage at the culvert's inlet and outlet.

D. Removal of Winter Sand:

- Clear accumulations of winter sand in parking lots and along roadways at least once a year, preferably in the spring.
- Accumulations on pavement may be removed by pavement sweeping.
- Accumulations of sand along road shoulders may be removed by grading excess sand to the pavement edge and removing it manually or by a front-end loader or other acceptable method.

E. Focal Points:

- Debris and sediment buildup shall be removed as needed. Any bare area or erosion rills on focal point surface shall be repaired with double shredded hardwood mulch.
- See inspection log within Attachment 1 of this document for the inspection requirements of this BMP.

3. Documentation:

- A. The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, as required by the local municipality, provide a completed and signed certification on a form provided by the local municipality, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they required maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- B. A log summarizing the inspections and any corrective action taken must be maintained. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of controls. Major observations must include BMPs that need maintenance, BMPs that failed to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. A sample "Stormwater Inspection and Maintenance Form" has been included as Attachment 1 of this Inspection, Maintenance, and Housekeeping Plan.

- 4. Duration of Maintenance:** Perform maintenance as described and required for any associated permits unless and until the system is formally accepted by a municipality or quasi-municipal district, or is placed under the jurisdiction of a legally created association that will be responsible for the maintenance of the system. If a municipality or quasi-municipal district chooses to accept a stormwater management system, or a component of a stormwater system, it must provide a letter to the MDEP stating that it assumes responsibility for the system. The letter must specify the components of the system for which the municipality or district will assume responsibility, and that the municipality or district agrees to maintain those components of the system in compliance with MDEP standards. Upon such assumption of responsibility, and approval by the MDEP, the municipality, quasi-municipal district, or association becomes a co-permittee for this purpose only and must comply with all terms and conditions of the permit.

ATTACHMENT 1 – STORMWATER INSPECTION AND MAINTENANCE LOG

POWSLAND STREET PORTLAND, MAINE

This log is intended to accompany the Inspection, Maintenance, and Housekeeping Plan for the Subdivision Development. The following items shall be checked, cleaned, and maintained on a regular basis as specified in the Maintenance Plan and as described in the sections below. This log shall be kept on file for a minimum of five (5) years and shall be available for review by the City of Portland and the Maine DEP. Qualified personnel familiar with the drainage systems and soils shall perform all inspections. A copy of the construction and post-construction maintenance logs are provided.

Focal Point

INSPECTION MAINTENANCE AND HOUSEKEEPING FORM			
General Information			
Project Name:		Inspection Date:	
Project Location:		Current Weather:	
		Date / Amount Last Precip:	
BMP Owner:		Company conducting inspection:	
Owner Mailing Address:		Company Mailing Address	
Owner Phone #:		Company Phone #:	
Owner Email:		Inspector Name:	
		Inspector Email:	
BMP Element	Suggested Maintenance (recm'd frequency)	Observations	Inspection Notes/Recommended Action
Forebay/Pretreatment	Sediment/Debris Removal (Semi-Annually)		
	Inspect for bare areas or rill erosion (Semi-Annually)		
R-Tanks	Sediment Depth (Quarterly for the first year and annually thereafter.)		
	Floatables/Debris (Quarterly for the first year and annually thereafter.)		
Discharge Pipe	Ground Stabilized (>1" rain, Annually)		
Embankments	Review for signs of erosion (Semi-Annually)		
Filter Bed	Harvesting and pruning of excessive growth (Occasionally)		
	Review basin for evidence of vehicular traffic or storage of snow within footprint (Semi-Annually)		
	Review for removal and replacement of mulch (Annually or As Needed)		
	Confirm filter drains in 24-48 hours for water quality volume (Semi-Annually)		
Additional Notes/Observations:			

Appendix 4

Subsurface Investigations



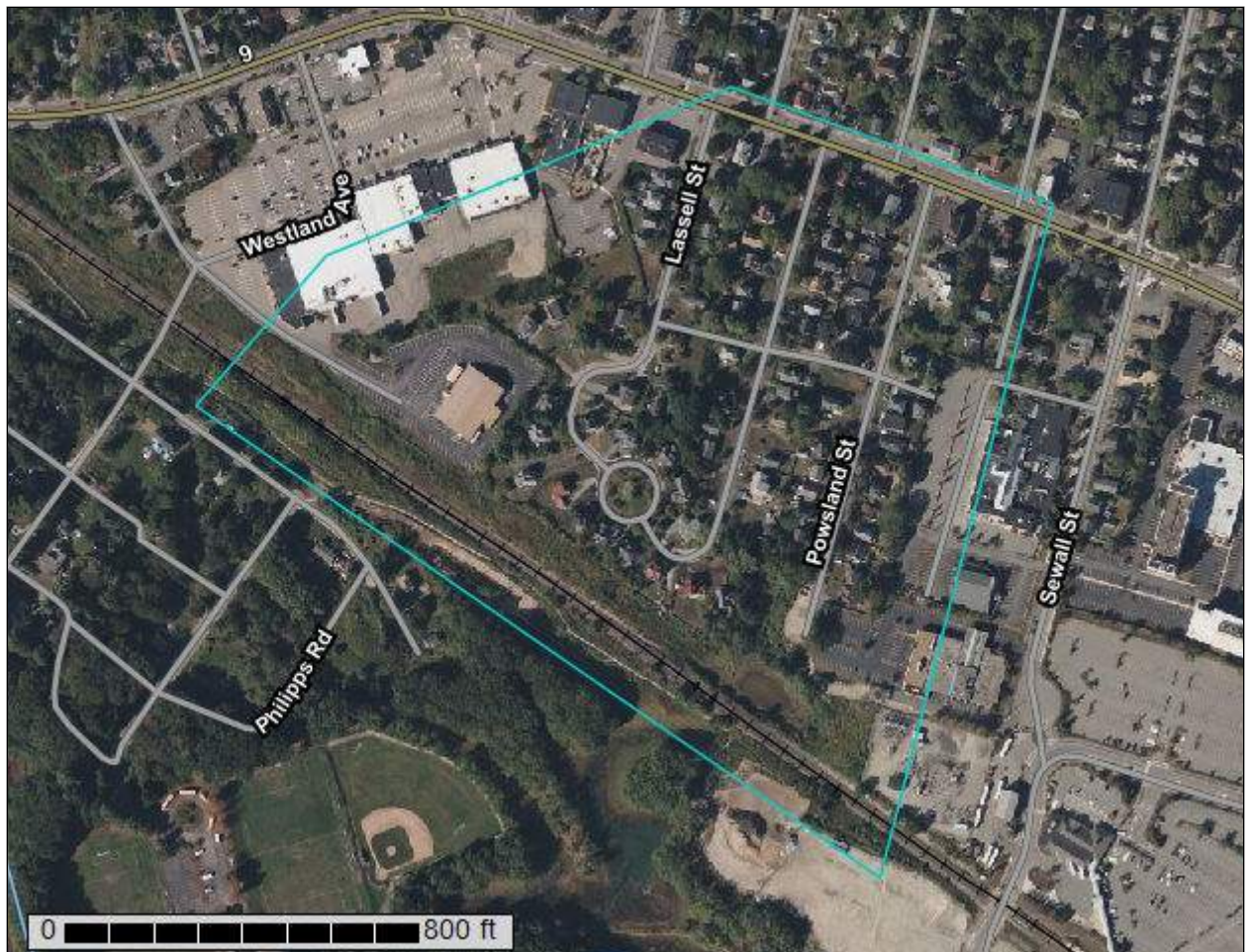
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine



December 6, 2022

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Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

-  Soil Map Unit Polygons
-  Soil Map Unit Lines
-  Soil Map Unit Points

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

Water Features

-  Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

-  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 19, Aug 30, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2020—Sep 20, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BgB	Nicholville very fine sandy loam, 0 to 8 percent slopes	6.6	14.9%
BuB	Lamoine silt loam, 3 to 8 percent slopes	12.0	27.2%
DeB	Deerfield loamy fine sand, 3 to 8 percent slopes	23.3	53.0%
Tm	Pemaquid, Todds point, and Damariscotta soils, 0 to 2 percent slopes	0.1	0.1%
Wa	Walpole fine sandy loam	2.1	4.8%
Totals for Area of Interest		43.9	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

BgB—Nicholville very fine sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2yJg5

Elevation: 20 to 2,300 feet

Mean annual precipitation: 34 to 50 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Nicholville and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nicholville

Setting

Landform: Lakebeds (relict)

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty glaciomarine deposits

Typical profile

Ap - 0 to 7 inches: very fine sandy loam

Bs - 7 to 19 inches: very fine sandy loam

BC - 19 to 30 inches: very fine sandy loam

C - 30 to 65 inches: loamy very fine sand

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.14 to 1.42 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: High (about 10.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C

Ecological site: F144BY501ME - Loamy Slope (Northern Hardwoods)

Hydric soil rating: No

BuB—Lamoine silt loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2t0kc

Elevation: 10 to 490 feet

Mean annual precipitation: 33 to 60 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Lamoine and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lamoine

Setting

Landform: Marine terraces, river valleys

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Fine glaciomarine deposits

Typical profile

Ap - 0 to 7 inches: silt loam

Bw - 7 to 13 inches: silt loam

Bg - 13 to 24 inches: silty clay loam

Cg - 24 to 65 inches: silty clay

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.14 in/hr)

Depth to water table: About 6 to 17 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 7.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: C/D

Ecological site: F144BY401ME - Clay Flat

Hydric soil rating: No

DeB—Deerfield loamy fine sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2xfg9

Elevation: 0 to 1,190 feet

Mean annual precipitation: 36 to 71 inches

Mean annual air temperature: 39 to 55 degrees F

Frost-free period: 145 to 240 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Deerfield and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Deerfield

Setting

Landform: Kame terraces, outwash plains, outwash terraces, outwash deltas

Landform position (three-dimensional): Tread

Down-slope shape: Concave, convex, linear

Across-slope shape: Convex, linear, concave

Parent material: Sandy outwash derived from granite, gneiss, and/or quartzite

Typical profile

Ap - 0 to 9 inches: loamy fine sand

Bw - 9 to 25 inches: loamy fine sand

BC - 25 to 33 inches: fine sand

Cg - 33 to 60 inches: sand

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)

Depth to water table: About 15 to 37 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Sodium adsorption ratio, maximum: 11.0

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: A

Ecological site: F144AY027MA - Moist Sandy Outwash

Hydric soil rating: No

Tm—Pemaquid, Todds point, and Damariscotta soils, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 2x1d9

Elevation: 0 to 10 feet

Mean annual precipitation: 63 to 87 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Not prime farmland

Map Unit Composition

Pemaquid and similar soils: 40 percent

Todds point and similar soils: 30 percent

Damariscotta and similar soils: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pemaquid

Setting

Landform: Tidal marshes

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Herbaceous organic material over sandy marine deposits

Typical profile

Oi - 0 to 16 inches: peat

Oe - 16 to 35 inches: mucky peat

Cseg - 35 to 65 inches: sand

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Very poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(1.42 to 14.17 in/hr)

Depth to water table: About 0 inches

Frequency of flooding: Very frequent

Frequency of ponding: None

Maximum salinity: Very slightly saline to strongly saline (2.0 to 16.0 mmhos/cm)

Sodium adsorption ratio, maximum: 20.0

Available water supply, 0 to 60 inches: Very high (about 14.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Description of Todds Point

Setting

Landform: Tidal marshes
Landform position (three-dimensional): Dip
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Herbaceous organic material

Typical profile

Oe1 - 0 to 31 inches: mucky peat
Oe2 - 31 to 42 inches: mucky peat
Oa - 42 to 65 inches: muck

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (1.42 to 14.17 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Maximum salinity: Very slightly saline to strongly saline (2.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 20.0
Available water supply, 0 to 60 inches: Very high (about 16.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Description of Damariscotta

Setting

Landform: Tidal marshes
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy glaciomarine deposits

Typical profile

Ase1 - 0 to 10 inches: mucky loamy fine sand
Ase2 - 10 to 21 inches: mucky loamy fine sand
Cseg - 21 to 65 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: Very frequent
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Custom Soil Resource Report

Sodium adsorption ratio, maximum: 20.0

Available water supply, 0 to 60 inches: High (about 11.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Wa—Walpole fine sandy loam

Map Unit Setting

National map unit symbol: blk7

Elevation: 0 to 540 feet

Mean annual precipitation: 48 to 49 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 145 to 165 days

Farmland classification: Not prime farmland

Map Unit Composition

Walpole and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Walpole

Setting

Landform: Outwash plains

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Sandy glaciofluvial deposits

Typical profile

H1 - 0 to 8 inches: fine sandy loam

H2 - 8 to 20 inches: fine sandy loam

H3 - 20 to 65 inches: gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)

Depth to water table: About 0 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

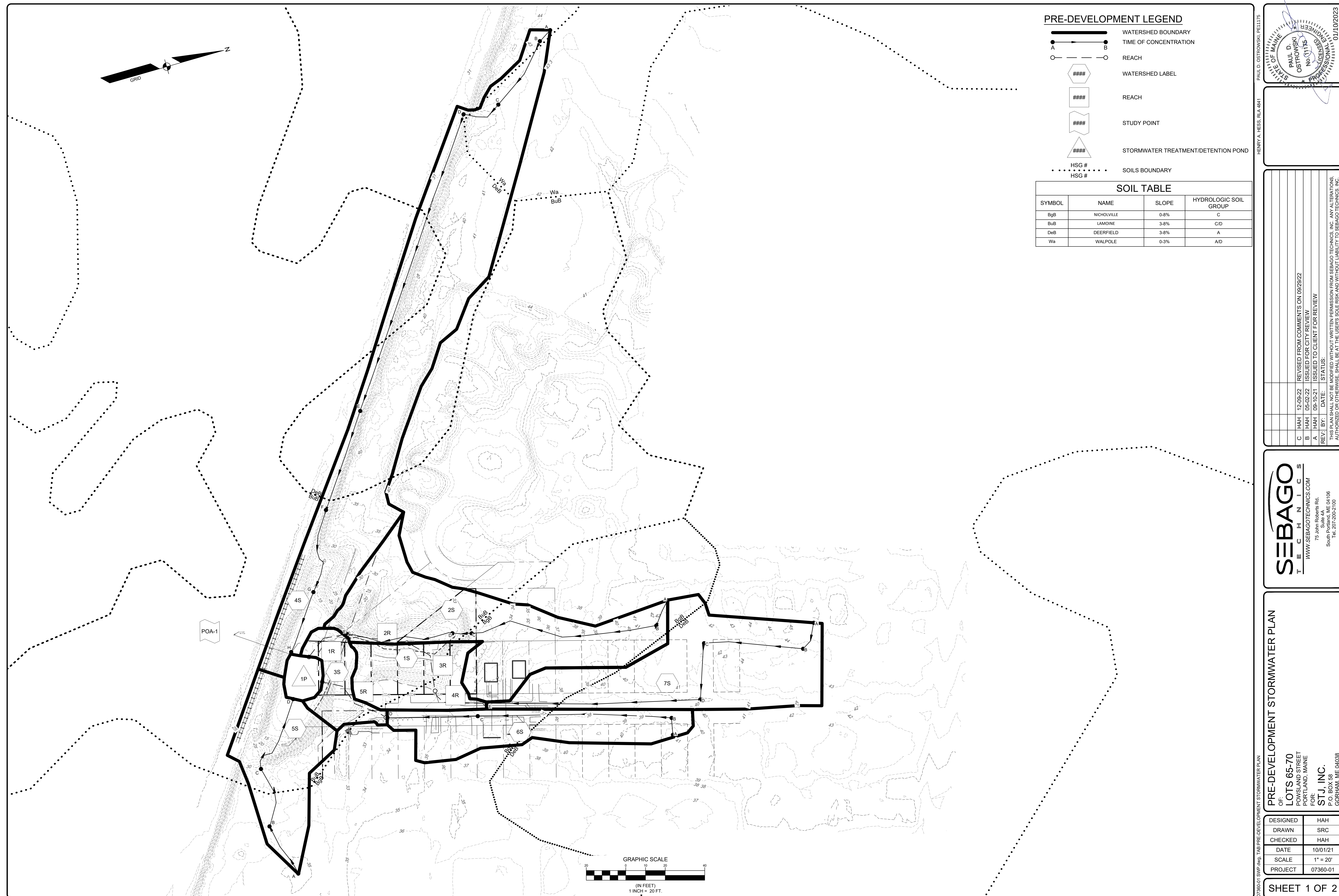
Hydrologic Soil Group: A/D

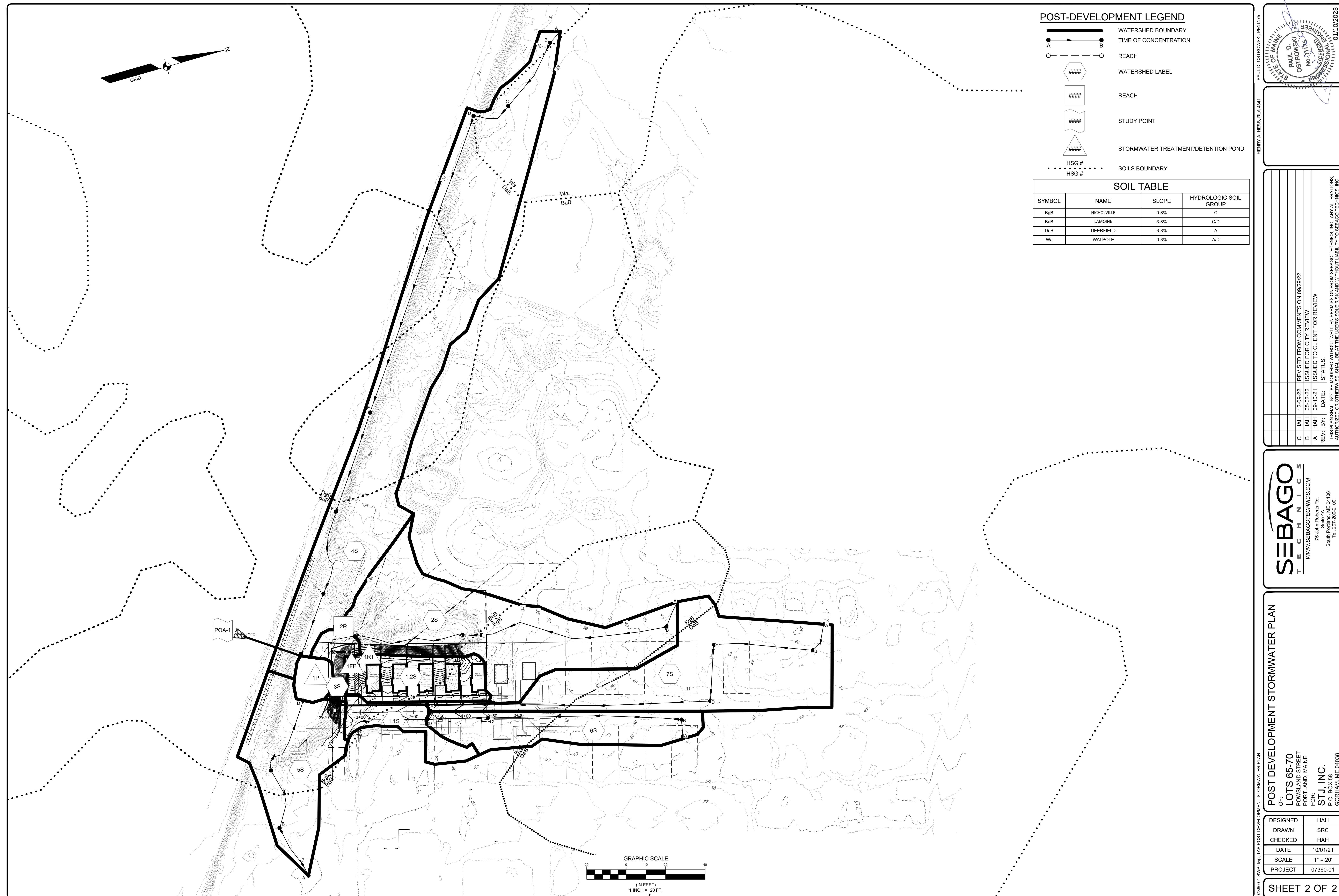
Ecological site: F144BY303ME - Acidic Swamp

Hydric soil rating: Yes

Appendix 5

Stormwater Management Plans





MEETING MINUTES

December 9, 2021

Project: Powsland Street Subdivision

Date / Time of Meeting: October 9, 2021, 6:00PM

Meeting Location: Zoom

Project Location: 63-71 Powsland Street, Portland ME

A meeting neighborhood meeting was held for Powsland street. The plan discussed at the meeting is attached as a reference to the discussion topics listed below.

Attendees:

Henry Hess, Sebago Technics, Inc.
Jake Hunnewell, Sebago Technics, Inc.
Mark Adams – Sebago Technics Inc.
Mark Curtis – STJ Inc.
Dale Holman
James Sloan
Paul McGuire
Rachel Taylor
Starr Soul-McDonald
Chris McDonald
Harlan Baker
Scott Rheault
Francisco Lopez
Heather Provencher
Dan Nogar
Marci Gagnon
Michael McKenney
Susan Schultz
Penny Mills

Meeting Discussion:

Henry Hess explained the reason for the meeting and the city process. Then introduced the project and explained the scope of the overall project and the extent of work that is proposed to be done.

Rachel Taylor asked questions about whether the design team had thought about the stormwater treatment and the environmental impacts downstream.

- The design team responded and said that it is being examined and the project will have to go through DEP permitting. The project has reviewed the watershed surrounding the

property to evaluate the treatment of runoff. – The City and 3-third party engineering review shall provide comments to make sure the project meets the requirements.

A follow-up question was asked about who will be buying these and the price.

- The design team replied and said they will let the market set the price.

Another follow-up question was asked about the existing building adjacent to 65 Powsland st and if that lot will be affected since the LLC owns that home as well.

- The design team replied and said that they will upgrade and renovate the house but it will stay in place.

Scott Rheault asked about existing street lights and if we will be adding street lights to the end of the hammerhead.

- The design team then responded that we will work with Portland to establish the level of lighting required along the street. Photometric plans shall be submitted as required.

A follow-up question was asked about the culvert replacement underneath the railroad and what they have said

- The design team replied and said they have received permission to do so from the railroad in the past and have renewed discussions with the Railroad again. The Railroad would like to have their inspector on-site during the work. And that they have re-engaged the conversation.

A follow-up question about the wetland impacts and clarification of what area is going to be filled.

- The design team then showed on the plan displayed the area of wetland that will be filled.

A follow-up question was then asked If the culvert replacement falls through how does this move forward?

- The design team replied and explained that the culvert was supposed to be replaced as a part of previous development and never was. The applicant plans to carry out the upgrades to the culvert to prevent future flooding as part of the project.

A follow-up question was then asked about the 5-year moratorium on the road that was paved in 2019 and how that is addressed.

- The design team responded and said we will be working with the city moving forward to find the best way to address the repairs to the street from construction.

A follow-up question was then asked about how long this project might take.

- The design team went on to explain that it is still up in the air but gave a rough timeline.

Harlan Baker asked will the elimination of that culvert resolve the flooding by the railroad?

- The design team replied that the culvert will not be eliminated and that the project proposes providing an improved culvert that will hopefully improve the current condition.

Francisco Lopez asked how long will this project take? I am worried about construction noise to a child at home and my wife working at home across the street from the project.

- The design team responded that it depends on the market, and to limit disturbance they will consider talking to CMP for access through their property to limit vehicles passing by their home.

Rachel Taylor asked if the applicant would consider making the CMP land (connection to Thompson Point) nice for walking.

- The design team responded and said we will consider that and talk to CMP and the City to see if that would be amenable to those entities. The applicant has no problem creating an improved connection to Thompson Point.

Heather Provencher asked if this was the first opportunity to ask and learn about the project or will there be more?

- The design team responded that this will be the first of a handful of meetings. At least two more meetings will include the opportunity for a public hearing.

Chris McDonald asked what will it do to the value of the property

- The design team responded and said that we are unsure how it will affect property value – but, hopefully, it provides an improvement.

Scott Rheault asked if there is any reason for the one single-family house vs another duplex.

- The design team responded replied that we were looking to keep the project under a 10 unit threshold as a project with 10 units or more will trigger the need for additional requirements for the type of housing required to be provided.

Dale Holman asked where the stormwater runoff pond will be located?

- The design team responded and showed where stormwater treatment and detention shall be located and explained the underground storage shown on plans.

A follow-up question was asked about the new calculations for stormwater and who reviews the engineering?

- The design team replied that the calculations for stormwater will be to State and Local standards and will be under review with the City of Portland's 3rd party reviewer (Woodard and Curran) as well as reviewed by MDEP.

A follow-up question was then asked, what will they do about snow storage, and is there enough room for a plow to turn around in that hammerhead?

- The design team responded that the turnaround is designed to city standards for a hammerhead turn around and there should an appropriate amount of room available for vehicle turn around.

A follow-up question was then asked about the potential stormwater runoff increases.

- The design team replied and said that by MDEP standards the stormwater peak runoff rates will be matched to existing conditions. The Project shall not increase the runoff rates from the existing condition – per state and local requirements.

Dan Nogar asked why build on this land? What is in it for the developers?

- The design team responded that the city has encouraged infill development and this land was a great candidate for infill development given the existing infrastructure.

A follow-up question was asked about the consideration of a playground on the property that could be available for public use.

- The design team replied that there is not enough space to include a publicly available playground within the project scope.

■ Meeting Close.--

A handwritten signature in black ink, reading "Henry Hess". The signature is fluid and cursive, with the first name "Henry" and the last name "Hess" clearly distinguishable.

Henry Hess, RLA.

Maine Licensed Landscape Architect

November 18, 2021
07360-01

Dear Neighbor:

On behalf of STJ, INC. you are invited to a virtual neighborhood meeting to discuss plans for a proposed residential development planned for the vacant lots at the end of Powsland Street. The proposed project is planning for four (4) duplexes and one (1) single family home providing nine (9) dwelling units. The new Housing units shall be accessed via individual driveways off Powsland Street. Improvements for a paved hammerhead turnaround at the end of the street are also planned. The site is located within the Urban Commercial Business / Residential Zone District (B-5/R-5), identified as lots 9-14 on Tax Map 190, with a combined land area of approximately 0.68 acres.

As a property owner within 500 feet of the project, you are invited to participate in a neighborhood meeting. Attendance will be recorded and minutes of the meeting will be taken. Both the attendance list and minutes shall be submitted to the Planning Department for record. The virtual meeting will take place via Zoom and can be accessed online using the link shown below.

Meeting Location: Virtual

Zoom Link: https://us02web.zoom.us/webinar/register/WN_2ZC55UKUSa-Pu84XqZXjBA

Meeting Date: **Thursday December 9th, 2021**

Meeting Time: **6:00PM**

If you have any questions, please email the project facilitator at PF@Sebagotechnics.com

Sincerely,

SEBAGO TECHNICS, INC.

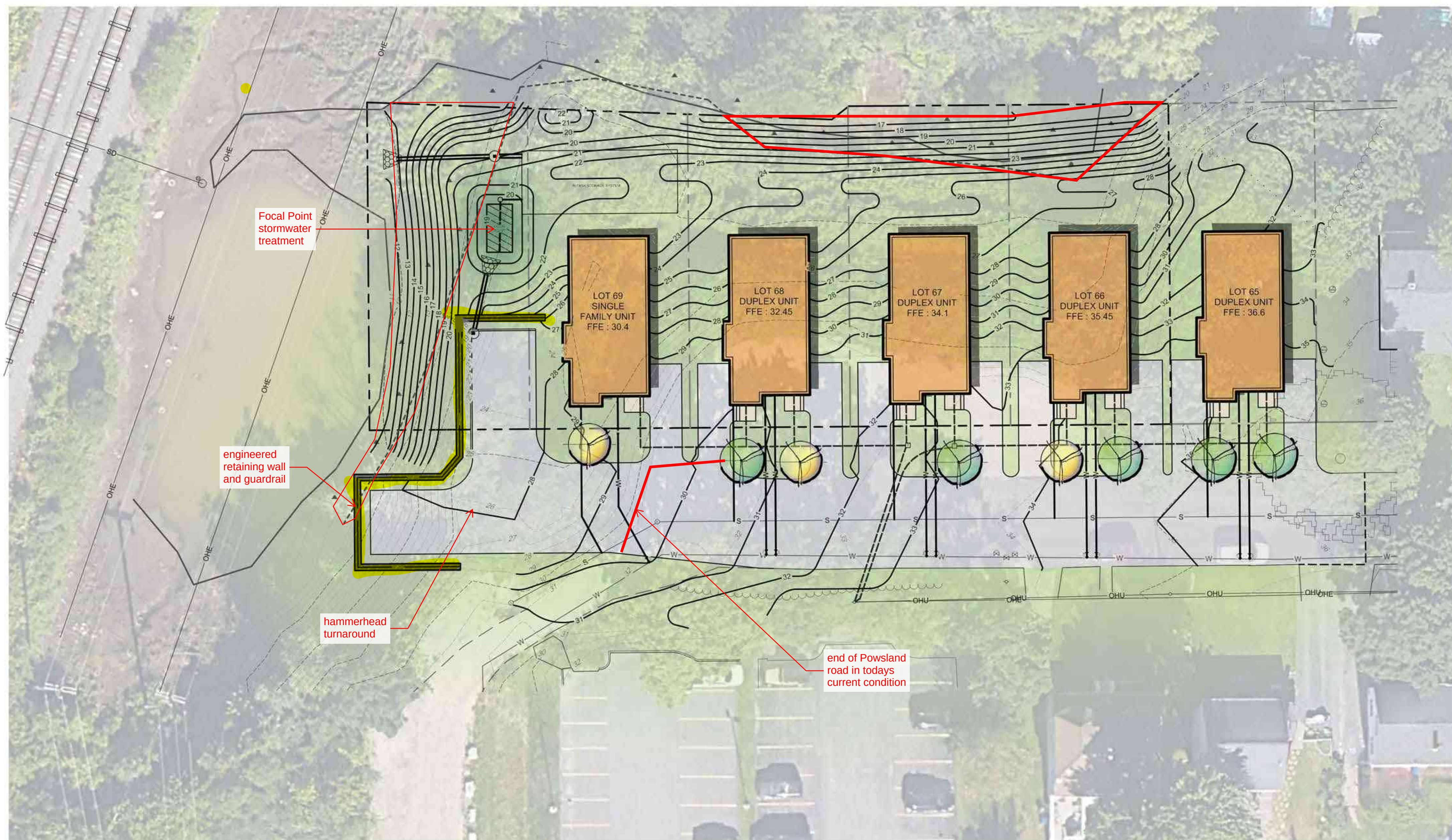


Henry Hess, R.L.A.
Project Manager
Maine Licensed Landscape Architect

HAH:hah

Cc: STJ Inc.

Attendee Report															
Report Generated:	12/10/2021 14:23														
Topic	Webinar ID	Actual Start Time	Actual Duration (m)	# Registered	# Cancelled	Unique Viewers	Total Users	Max Concurrent Views	Enable Registration						
Powsland Street Lots 9-14 Neighborhood Meeting	864 3539 6555	12/9/2021 22:52	81	19	0	16	25	0	Yes						
Host Details															
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name									
Yes	Henry Hess	Hhess@sebagotech.com	12/9/2021 17:52	12/9/2021 19:12	81	United States									
Panelist Details															
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name									
Yes	JakeHunnewell	jhunnewell@sebagotech.com	12/9/2021 17:56	12/9/2021 19:12	77	United States									
Yes	RachelTaylor	taylor.rachel.s@gmail.com	12/9/2021 18:13	12/9/2021 18:23	10	United States									
Yes	RachelTaylor	taylor.rachel.s@gmail.com	12/9/2021 18:49	12/9/2021 19:12	24	United States									
Yes	MarkCurtis	markcurtis@gsgsgravel.com	12/9/2021 17:57	12/9/2021 19:12	75	United States									
Attendee Details															
Attended	User Name (Original Name)	First Name	Last Name	Email	Address	City	Phone	Organization	Registration Time	Approval Status	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name	
Yes	heather provencher	heather	provencher	heather.provencher@gmail.com	76 Powsland St	Portland			12/9/2021 18:33	approved	12/9/2021 18:33	12/9/2021 18:33	1	United States	
Yes	heather provencher	heather	provencher	heather.provencher@gmail.com							12/9/2021 18:33	12/9/2021 19:12	39	United States	
Yes	Francisco Lopez	Francisco	Lopez	francisco.lopez118@gmail.com	76 powsland	portland			12/9/2021 18:13	approved	12/9/2021 18:14	12/9/2021 18:34	20	United States	
Yes	Scott Rheault	Scott	Rheault	smrheault@hotmail.com	72 Powsland Street	Portland	2078996708		12/9/2021 18:08	approved	12/9/2021 18:09	12/9/2021 19:14	66	United States	
Yes	Jake Hunnewell	Jake	Hunnewell	jhunnewell@sebagotechtechnics.com	75 John Roberts Road, Suite 4A	South Portland		Sebago Technics	12/9/2021 17:36	approved	12/9/2021 17:52	12/9/2021 17:56	4	United States	
Yes	Dan Nogar	Dan	Nogar	Nogar74@gmail.com	36 Greeley	Portland			12/9/2021 18:02	approved	12/9/2021 18:12	12/9/2021 19:12	61	United States	
Yes	James Sloan	James	Sloan	cemgal53@gmail.com	60 Mitton St	Portland			12/3/2021 7:12	approved	12/9/2021 18:00	12/9/2021 19:12	73	United States	
Yes	Mark Adams	Mark	Adams	madams@sebagotechtechnics.com	75 John Roberts Road	South Portland			12/9/2021 18:00	approved	12/9/2021 18:01	12/9/2021 19:09	69	United States	
Yes	Paul McGuire	Paul	McGuire	paulm_04938@yahoo.com	27 Willow Lane	Portland	207-578-2264		12/9/2021 9:47	approved	12/9/2021 17:57	12/9/2021 19:12	75	United States	
Yes	Chris McDonald	Chris	McDonald	cmmcdonald7322@gmail.com	66 powsland st	Portland	2078998508		12/9/2021 18:02	approved	12/9/2021 18:03	12/9/2021 18:03	1	United States	
Yes	Chris McDonald	Chris	McDonald	cmmcdonald7322@gmail.com							12/9/2021 18:03	12/9/2021 19:12	69	United States	
Yes	Dale Holman	Dale	Holman	dholman1@maine.rr.com	10 Willow Lane	Portland			12/9/2021 17:34	approved	12/9/2021 18:01	12/9/2021 19:12	71	United States	
Yes	Rachel Taylor	Rachel	Taylor	taylor.rachel.s@gmail.com	56 Powsland Street	Portland	7032326723	- None -	12/9/2021 17:59	approved	12/9/2021 18:00	12/9/2021 18:13	14	United States	
Yes	Rachel Taylor	Rachel	Taylor	taylor.rachel.s@gmail.com							12/9/2021 18:23	12/9/2021 18:48	26	United States	
Yes	Marci Gagnon	Marci	Gagnon	Marcigagnon@gmail.com	16 willow street	Portland			12/9/2021 18:08	approved	12/9/2021 18:09	12/9/2021 18:38	30	United States	
Yes	Michael McKenney	Michael	McKenney	mike.mckenney@hubinternational.com	54 Powsland St	Portland	207-837-4636		12/9/2021 15:55	approved	12/9/2021 18:16	12/9/2021 19:12	57	United States	
Yes	Mark Curtis	Mark	Curtis	markcurtis@gsgsgravel.com	939 Parker Farm Road	Buxton	2078392442	STJ, Inc.	12/7/2021 13:10	approved	12/9/2021 17:57	12/9/2021 17:57	1	United States	
No	Henry	Henry	Hess	hahess87@gmail.com	75 John roberts Rd	south Portland	207-200-2086	Sebago Technics	12/7/2021 11:33	approved	--	--	--		
Yes	Starr Soul-McDonald	Starr	Soul-McDonald	starrfire0409@gmail.com	66 Powsland Street,	Portland	2078998443		12/9/2021 18:00	approved	12/9/2021 18:00	12/9/2021 18:40	40	United States	
No	Susan Schultz	Susan Schultz	McEvoy	sms@schultzfamilylawyer.com	32 Mitton Street	Portland	2078412439	Interested neighbor	11/28/2021 13:10	approved	--	--	--		
Yes	Harlan Baker	Harlan	Baker	hbaker@maine.edu	44 Mitton Street	Portland	2077120228		12/9/2021 18:03	approved	12/9/2021 18:03	12/9/2021 19:12	69	United States	
No	Penny	Penny	Mills	phmills38@earthlink.net	20 Willow Lane	Portland	2079567739		12/1/2021 10:41	approved	--	--	--		
Other Attended															
User Name	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name											
12078374636	12/9/2021 18:08	12/9/2021 18:16	8	United States											
12072002139	12/9/2021 17:54	12/9/2021 17:56	2	United States											
12072002139	12/9/2021 17:56	12/9/2021 19:12	77	United States											



DESIGNED	HAH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 10'
PROJECT	07360-01

SHEET 4 OF 11

OVERALL GRADING AND UTILITY PLAN

OF:
665-73, 93 POWSLAND STREET
POWSLAND STREET
PORTLAND, MAINE

STJ, INC.
P.O. BOX 58

P.O. BOX 58

S=BAGO
T E C H N I C S

**75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100**

A	HAH	09-10-21	ISSUED TO CLIENT FOR REVIEW
---	-----	----------	-----------------------------

EV:	BY:	DATE:	STATUS:
A	HAH	09-10-21	ISSUED TO CLIENT FOR REVIEW

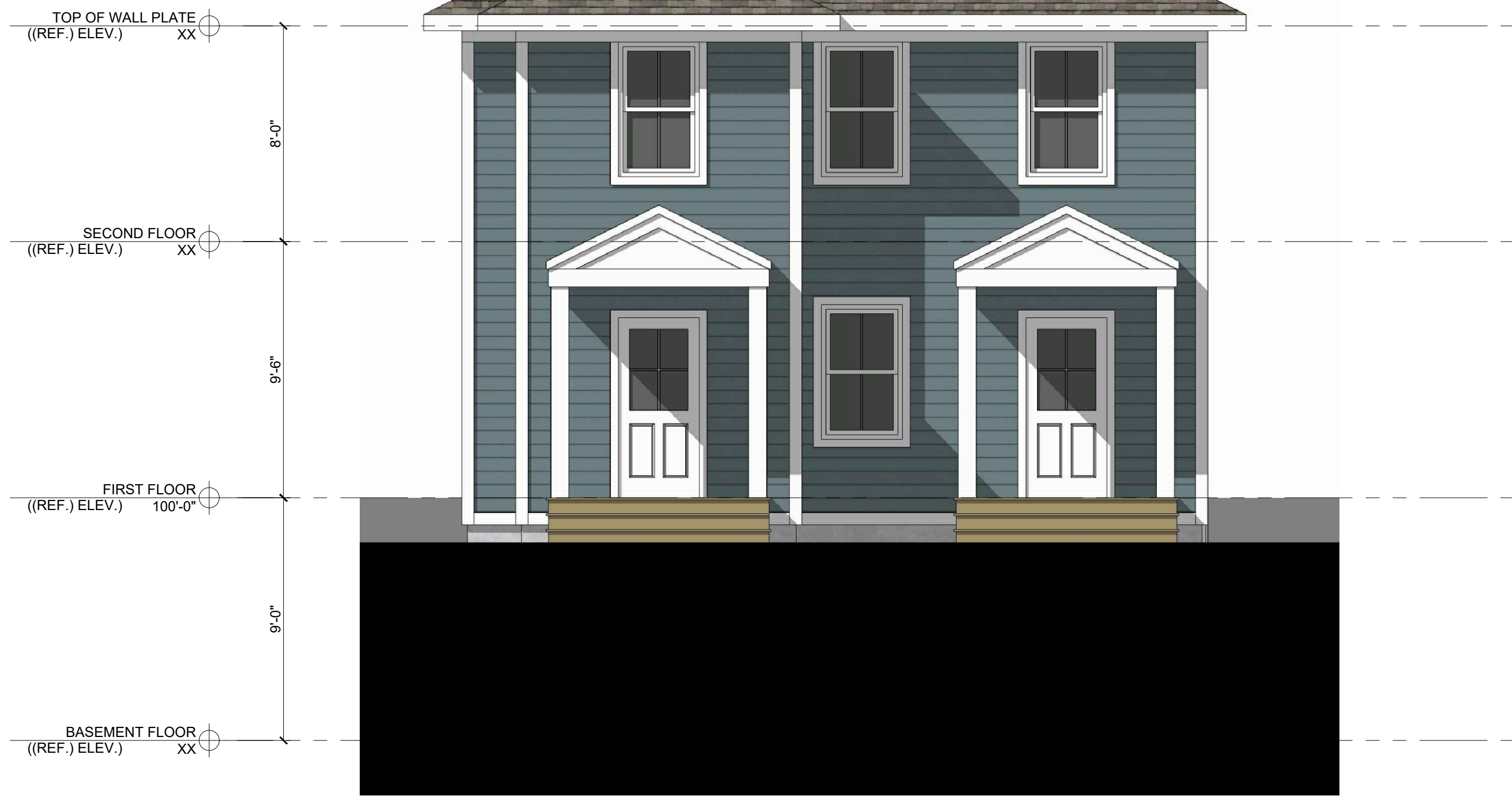
Source: *Journal of International Development*, 1996, 17(1), pp. 111-124.

NOT FOR
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PRELIMINARY IMAGERY



2 SOUTH ELEVATION
1/4" = 1'-0"



1 EAST ELEVATION
1/4" = 1'-0"

POWSLAND STREET APARTMENTS

63 POWSLAND STREET
PORTLAND, MAINE



RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET
PORTLAND, MAINE 04101
207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:
PROGRESS PRINT ONLY
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OCTOBER 11, 2021

DATE:

PROJECT No. 2065

DRAWN BY: RRT, RJS, JPF

CHECKED BY: RJS

SCALE: AS NOTED

SHEET TITLE:
ELEVATIONS

A2-0

PRELIMINARY IMAGERY



2 NORTH ELEVATION
1/4" = 1'-0"



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

POWSLAND STREET APARTMENTS
63 POWSLAND STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET
PORTLAND, MAINE 04101
207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:
PROGRESS PRINT ONLY
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OCTOBER 11, 2021

DATE:

PROJECT No. 2065

DRAWN BY: RRT, RJS, JPF

CHECKED BY: RJS

SCALE: AS NOTED

SHEET TITLE:
ELEVATIONS

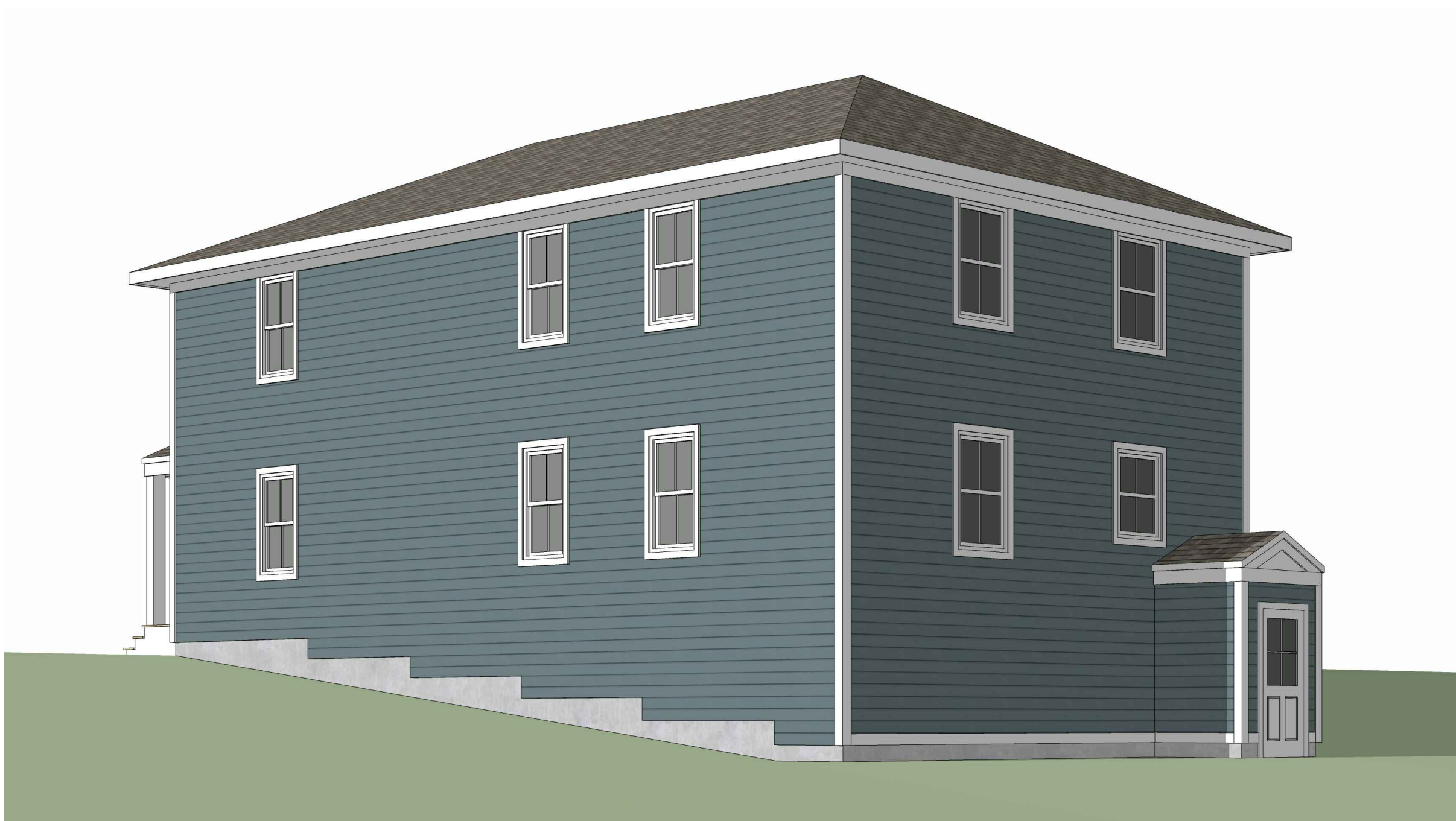
A2-1



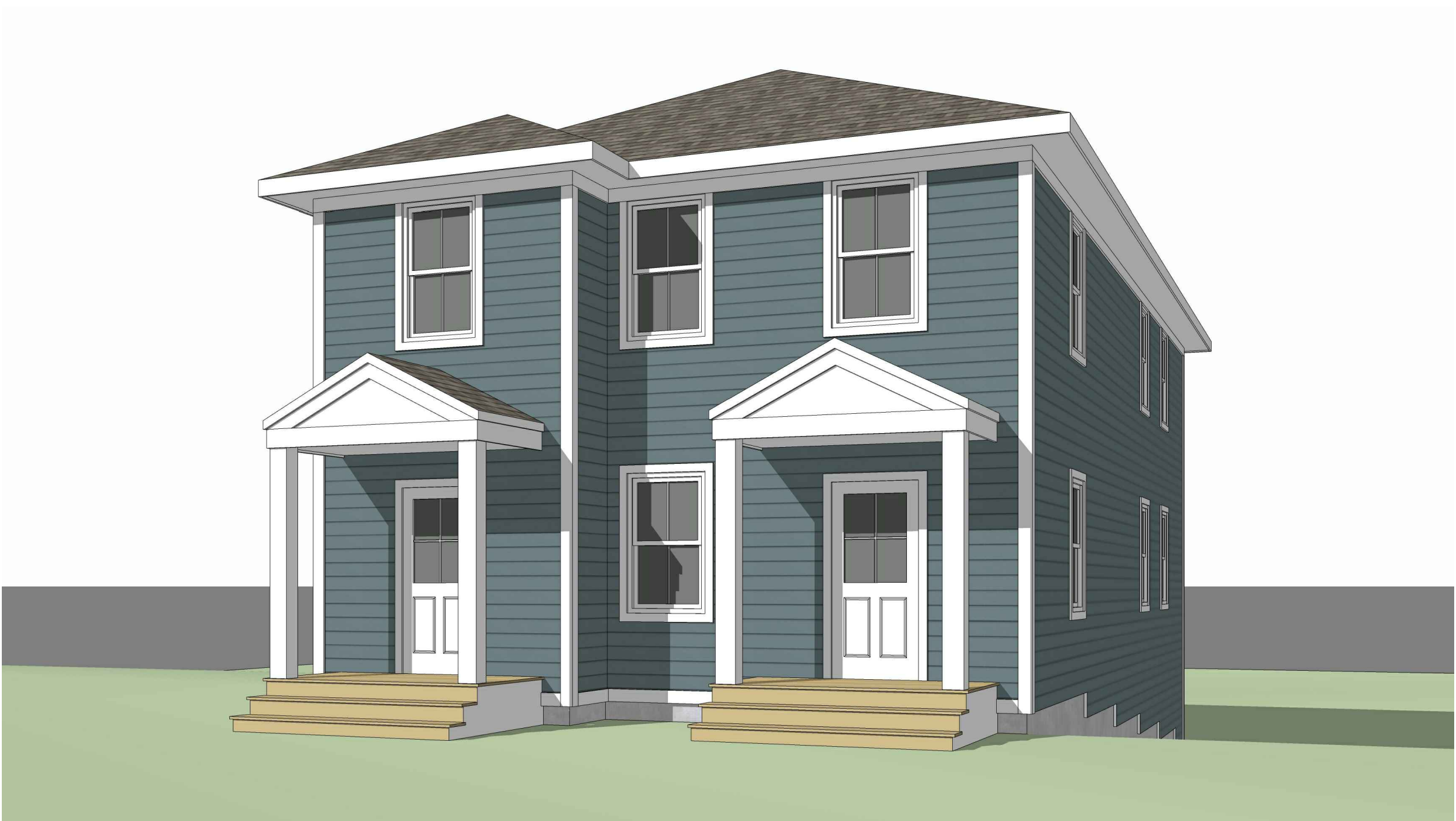
4 SOUTHEAST ELEVATION



3 SOUTHWEST ELEVATION



2 NORTHWEST ELEVATION



1 NORTHEAST ELEVATION

POWLSLAND STREET APARTMENTS
63 POWSLAND STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
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PORTLAND, MAINE 04101
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CONSULTANTS:

REVISIONS:
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OCTOBER 11, 2021

DATE:

PROJECT No. 2065

DRAWN BY: RRT, RJS, JPF

CHECKED BY: RJS

SCALE: AS NOTED

SHEET TITLE:
PERSPECTIVE
VIEWS

A2-2



2 VIEW SOUTH DOWN POWSLAND STREET



1 VIEW NORTH UP POWSLAND STREET

PRELIMINARY IMAGERY

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ARCHITECTURE

POWSLAND STREET APARTMENTS
63 POWSLAND STREET
PORTLAND, MAINE



RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET
PORTLAND, MAINE 04101
207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:
PROGRESS PRINT ONLY
Not for Construction
OCTOBER 11, 2021

DATE:

PROJECT No. 2065

DRAWN BY: RRT, RJS, JPF

CHECKED BY: RJS

SCALE: AS NOTED

SHEET TITLE:
PERSPECTIVE
VIEWS

A2-3



March 1, 2022

Jake Hunnewell, E.I.
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, ME 04106

Re: ~69, ~71, ~73, ~75, ~77, ~79, ~81, ~83, & ~85 Powsland Street, PO
Ability to Serve with PWD Water

Dear Mr. Hunnewell:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on October 1, 2021. 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 constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- Nine (9) new 1-inch domestic services with 5/8-inch meter may be installed from the water main in Powsland Street. Please note that only one meter and one bill will be associated to each domestic service line. The services should enter through the property's frontage on Powsland Street at least 10-feet from any side property lines. An approved non-testable dual check backflow prevention device must be installed on each service line directly after the meter prior to service activation.
- It is the District's understanding that each unit in the development will be served with a NFPA 13D life safety sprinkler system supplied by a tank and pump system. Direct connection between the sprinkler system and the unit's domestic service is not permitted as part of this approval.
- The Portland Water District does not have record of any other existing infrastructure in public roads and recommends a survey and test pitting be performed by the development team prior to construction. Any conflicts that arise during construction are at the risk of the developer and may result in job shutdown until new plans are submitted by the developer and reviewed and approved by PWD.

Prior to construction, the owner or contractor will need to complete a Service Application and pay all necessary fees for each proposed service. When the project is ready for construction, an Application for each service can be requested by contacting the MEANS Group at MEANS@pwd.org or 207-774-5961 ext. 3199. Once a completed Application has been submitted with payment, please allow seven (7) days for processing.



Existing Site Service

According to District records, the project site does not currently have existing water service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main in Powsland Street and a public fire hydrant located approximately 60 feet from the site. The most recent static pressure reading was 100 psi on January 5, 2021.

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 not require water service to provide private fire protection to the site.

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 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 'Robert A. Bartels', written in a cursive style.

Robert A. Bartels, P.E.
Senior Project Engineer



Charles Tetelman <ctetelman@portlandmaine.gov>

FW: 301436-PowlandSt-NFPA 13D Tank System Submittal Requirements

Henry Hess <hhess@sebagotechnics.com>

Tue, Feb 7, 2023 at 3:07 PM

To: Charles Tetelman <ctetelman@portlandmaine.gov>

--

Thank you,

Henry Hess, RLA*Maine Licensed Landscape Architect*

Sebago Technics, Inc. | An Employee-Owned Company

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

Office: 207.200.2100 | Direct: 207.200.2086 | Fax: 207.856.2206

hhess@sebagotechnics.com | www.sebagotechnics.com

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From: Mark Radziszewski <markrad@ffpme.com>

Sent: Wednesday, February 16, 2022 1:48 PM

To: Adam Sellick <asellick@pwd.org>; 'markcurtis@gsg gravel.com' <markcurtis@gsg gravel.com>; Henry Hess <hess@sebagotechnics.com>

Cc: Robert Bartels <rbartels@pwd.org>

Subject: RE: 301436-PowlandSt-NFPA 13D Tank System Submittal Requirements

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for taking the time and clarification.

Have a great day.



 **Mark
Radziszewski,
President**



207-318-9992



207-888-9288

markrad@ffpme.com

From: Adam Sellick

Sent: Wednesday, February 16, 2022 1:28 PM

To: 'markcurtis@gsg gravel.com'; Mark Radziszewski; Henry Hess

Cc: Robert Bartels

Subject: 301436-PowlandSt-NFPA 13D Tank System Submittal Requirements

All,

The District has taken the time to review our MEANS Submittal Requirements related to NFPA 13D Tank Systems in response to your questions from last week. Our Engineering Team made the determination that, moving forward, submittal of a complete design for a Tank system will not be a requirement for plan approval.

In situations where a tank system is being proposed rather than a combined fire/domestic service, acknowledgment by the Development Team of this design choice to meet the NFPA 13D requirement for the project shall be sufficient. The District's understanding of the method of serving the sprinkler requirement for a project will be reflected in the Ability to Serve Determination letter that provides plan approval for the project.

With regard to the Powland project, I will begin my review of the most recently submitted site plans with this in mind and follow up with any revisions that need to be made to the plans.

Thank you all,

Adam

Adam Sellick, E.I.

Project Engineer

Portland Water District

[225 Douglass Street](#)

[Portland, ME 04102](#)

Phone: 207-523-5262

E-mail: asellick@pwd.org

Adam Sellick

Project Engineer

Portland Water District

Phone: 207-523-5262

E-mail: asellick@pwd.org

<http://www.pwd.org>

Portland Water District NOTICE & DISCLAIMER Confidentiality Notice:

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 Please consider the environment before printing this email

3 attachments



image002.png
2K



image004.png
1K



image006.png
1K



CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: October 25, 2021

Re: Wastewater Capacity Authorization

Address: 65-73 and 93 Powsland Avenue

Applicant: STJ Inc (with Sebago Technics serving as design consultant)

Planner: TBD

Anticipated Wastewater Flow:

Estimate of Anticipated Design Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing flow to be removed				
Vacant				0
Proposed flow				
Multiple Family Dwelling Units	2-Bedroom	8	180	1440
Multiple Family Dwelling Units	4-Bedroom	1	360	360
Net Change				+ 1800
*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.

If the City can be of further assistance, please contact me at all 874-8840 or brad@portlandmaine.gov

Sincerely,

Bradley A. Roland, P.E.
 Senior Project Engineer



Jimmy Dealaman <jdealaman@portlandmaine.gov>

FW: 69 - 73 Powsland Street, Portland, Maine Sea Level rising/flooding

Date <dholman1@maine.rr.com>
To: jdealaman@portlandmaine.gov

Sat, Dec 11, 2021 at 11:50 AM

There will be sea level rising issues back up into the existing culvert and any new improvements.

From: Markesich, Christopher <christopher.markesich@fema.dhs.gov>
Sent: Monday, December 6, 2021 2:03 PM
To: Dale <dholman1@maine.rr.com>
Subject: RE: 69 - 73 Powsland Street, Portland, Maine Sea Level rising/flooding

Good afternoon Mr. Holman,

I have attached a copy of the preliminary Flood Insurance Rate Map (FIRM) for your location. The FIRM is not slated to go effective until sometime in 2023 but that figure is based on resolution of any /all appeals and protests from various parties.

The map itself can be downloaded by visiting our map service center website at: [FEMA Flood Map Service Center | Search All Products](#). Once on that page there will be a series of pull down options for State (Maine), County (Cumberland) and community (City of Portland). Once you choose those options, click the blue search button.

Under the search results, select the "Preliminary Products" folder, and then the "Preliminary FIRM Panels" arrow located to the left of the text. Do not click "Download All" or your computer will be undertaking a lengthy download of all the Flood Maps in the county!

Lastly you want to locate the correct Product ID that pertains to your property which is 23005C0693F and that is located on page 3 of the results. You should then be able to download a .pdf copy of the preliminary map.

Please let me know if you have any questions once you download the map or if you have difficulty doing so.

Thank you,

Chris Markesich

From: Dale <dholman1@maine.rr.com>
Sent: Sunday, December 5, 2021 10:07 AM
To: Markesich, Christopher <christopher.markesich@fema.dhs.gov>
Subject: FW: 69 - 73 Powsland Street, Portland, Maine Sea Level rising/flooding

Good morning Chris,

I hope that this email message finds you doing well.

Read your story this a.m. regarding the Capisic Brook area that is part of the new updated flood maps.

Do you know where I can obtain these updated maps?

I live at **10 Willow Lane, Portland, Maine**, and I have been in a land dispute (15 years) with the owners STJ, INC. (relentless developer Tom Shaw that own Gorham Sand and Gravel. Brother to the Shaw Brothers) that keeps trying to build upon the watercourse that abuts my property.

Attached you will find my legal complaint/response to the City of Portland for illegal zoning and allowing this proposed development to continue.

Thank you for your time!

Best,

Dale Holman

10 Willow Lane

Portland, ME 04102

207-409-9307

From: Dale <dholman1@maine.rr.com>

Sent: Monday, November 29, 2021 10:04 AM

To: 'viewermail@newshour.org' <viewermail@newshour.org>

Subject: 69 - 73 Powsland Street, Portland, Maine Sea Level rising/flooding

Please forward to Sam Weber and Christopher Booker regarding their excellent story/coverage of the sea level rise/flooding in Maine:

<https://www.pbs.org/newshour/show/barely-a-cloud-in-the-sky-and-portland-maine-is-flooding>

I really appreciate your work as I am a former National Account Sales Manager for VIACOM/Simon & Schuster/Macmillan Publishing, USA.

Best,

Dale Holman

10 Willow Lane

Portland, ME 04102

207-409-9307

From: Dale <dholman1@maine.rr.com>
Sent: Monday, November 29, 2021 9:55 AM
To: 'gbowness@gmri.org' <gbowness@gmri.org>; 'dreidmiller@gmri.org' <dreidmiller@gmri.org>
Subject: FW: 69 - 73 Powsland Street, Portland, Maine

Any known place to obtain maps/information/resources?

From: Dale <dholman1@maine.rr.com>
Sent: Monday, November 29, 2021 9:49 AM
To: 'tommy.higgins@usda.gov' <tommy.higgins@usda.gov>
Subject: FW: 69 - 73 Powsland Street, Portland, Maine

Good morning Tommy,

I hope that you had an enjoyable Thanksgiving holiday weekend.

Fifteen years ago the Scarborough office was very helpful with providing me flood maps.

Do you know where I can obtain updated flood maps for 73 Powsland Street, Portland, Maine?

Best,

Dale Holman

From: Dale <dholman1@maine.rr.com>
Sent: Monday, November 29, 2021 9:45 AM
To: 'nrcm@nrcm.org' <nrcm@nrcm.org>
Subject: FW: 69 - 73 Powsland Street, Portland, Maine

Good morning All,

I hope that this email finds you doing well, and that you enjoyed your Thanksgiving holiday.

I have an ongoing 15 year land dispute with an abutting property owner that attempts to develop in a watercourse/retention pond/sea level rise from backed up tide water.

Do you have a more up-to-date sea level rise map than the 2006 map from your website?

Is FEMA or other agencies that would be a resource?

Thank you!

Dale Holman

10 Willow Lane

Portland, ME 04102

207-409-9307

From: Dale <dholman1@maine.rr.com>

Sent: Friday, November 26, 2021 3:36 PM

To: 'HHess@sebagotechnics.com' <HHess@sebagotechnics.com>

Cc: 'Jen Thompson' <jlt@portlandmaine.gov>; 'Christine Grimando' <cdg@portlandmaine.gov>;

'jbartlett@sebagotechnics.com' <jbartlett@sebagotechnics.com>; 'mek@sebagotechnics.com'

<mek@sebagotechnics.com>; 'cmarchese@sebagotechnics.com' <cmarchese@sebagotechnics.com>;

'madams@sebagotechnics.com' <madams@sebagotechnics.com>

Subject: 69 - 73 Powsland Street, Portland, Maine

Henry,

I am in receipt of your letter dated November 18, 2021 to my area neighbors (attached Gallery jpg).

There is a pending lawsuit regarding the legality of the zoning to this area.

I am confident that I will prevail as this illegal zone change by the City is out of the scope for statutes of limitations to apply.

I have to question your company's work as in the past they attempted to mislead the Portland Planning Department with its stormwater calculations that Woodward & Curran pointed out in their letter dated November 16, 2007 (attached Curtis Letter 11-20-07 page 4).

I still have not seen any complete work where your company or any others have addressed the following items:

Stormwater run-off issues

Geo technical study of the land

Wetland issues

Sea level rising

Written permission/rights to maintain the drainage on the CMP and Federal railroad property

Sea level rise is real. Orlando Delogu has been telling us this for years.

Science:

<https://www.pbs.org/newshour/show/barely-a-cloud-in-the-sky-and-portland-maine-is-flooding>

https://legislature.maine.gov/legis/bills/bills_129th/billtexts/HP040701.asp

I understand, as I have never met an engineer that doesn't believe they can build anything anywhere.

Good luck!

Best,

Dale J. Holman

10 Willow Lane

Portland, ME 04102

From: Dale <dholman1@maine.rr.com>

Sent: Wednesday, October 13, 2021 7:00 PM

To: 'cdg@portlandmaine.gov' <cdg@portlandmaine.gov>

Cc: 'planning@portlandmaine.gov' <planning@portlandmaine.gov>; 'planningboard@portlandmaine.gov' <planningboard@portlandmaine.gov>; 'bmazer@perkinsthompson.com' <bmazer@perkinsthompson.com>

Subject: 69 - 73 Powsland Street, Portland, Maine

Good evening Ms. Grimando,

It's my understanding that the owner STJ, Inc./Tom Shaw/Gorham Sand & Gravel will be proposing five house lots to be built upon the grandfathered lots in the illegally zoned area of Powsland Street, Portland, Maine.

This irresponsible developer has been attempting to illegally develop here since 2006 (see attached). The developer still has not addressed any of Alex Jaegerman's attached concerns:

How will the storm water flooding issues be resolved? (attached photo)

Geo technical study of the land

Wetland issues

Sea level rising

Written permission/rights to maintain the drainage on the CMP and railroad property.

My expert witness added:

Mr. Holman:

I received your email; I took the liberty of reexamining all of Sewell, Powsland, Mitton streets, Willow Circle development and then crossed over to Hobart Street's furthest extension. I drove and walked to see the lay of the land. It is what is has been for a century or more, a natural buffer area absorbing runoff waters from the upland side and sea level rise from Portland's inner harbor. The steep gulleys invite indiscriminate filling; but that fill is unstable. Moreover, the water levels at the foot of Sewell Powsland, and Mitton rise and fall with annual snow, rain, storm surges, etc.

This morning I spoke at some length with attorney AJ.

I'm knowledgeable about land use law; But you need a hydrologist as well; A person who knows the value of wetlands that act as a buffer between solid upland areas and open waters; a person who designs sewer systems, storm water runoff systems is the expert you need. Illegal filling by Gorham Sand & Gravel or anyone else including the city along lower Powsland should be enjoined. Obviously any filling from behind lower Mitton St, Willow Lane properties closest to the water and from the Hobart Street extension should not be permitted. These are unbuildable natural areas in my mind; the gulleys and the vegetation they support protect the housing that is in place. An expert hydrologist can document the unbuildable character of this land and show worst case scenarios. Sea level rise suggests the situation will grow worse overtime. The other thing to be enjoined and cleaned up is the illegal dumping of trash at the foot of Powsland. Large granite stones prevent driving from Sewell to Powsland. A similar layering of stones should block off the turnaround and dumping areas at the foot of Powsland. I witnessed a pickup dumping into the gully at the foot of Powsland as I made my tour yesterday. I'd stay on the city's back; filling, dumping and certainly any large scale development should not be permitted on unstable, previously filled land in/on lower Powsland St. or any of the street areas noted above.

O. E. Delogu

I am moving forward with a Federal Lawsuit that will involve the Superior Court, State of Maine, and I am undecided to enjoin STJ, INC. If anything they will be called as a witness along with their attorney.

Please let know if you have any questions or would like to have a conversation.

Best,

Dale J. Holman

10 Willow Lane

Portland, ME 04102

207-409-9307

From: Christine Grimando <cdg@portlandmaine.gov>

Sent: Tuesday, November 5, 2019 12:41 PM

To: Dale <dholman1@maine.rr.com>

Subject: Re: Petition for City Planner to request Zoning Department to change B5 zone on Powsland Street, Portland, Maine

Mr. Holman,

Thank you for your email, and the attachments. However, if you're interested in an amendment to the City's zoning map, the attachments do not begin that process. Property owners can apply for zoning map amendments for their property (information on different application types and processes are here: <http://portlandmaine.gov/2002/Application-Types-Applicability-and-Chec>). The City may also initiate zoning map or text changes, but there aren't currently plans to change the zoning in this area. If I can provide any additional clarification on the process, please don't hesitate to let me know.

Christine

Christine Grimando, AICP
Acting Director
Planning & Urban Development Department
[389 Congress Street](#)
[Portland, Maine 04101](#)
cdg@portlandmaine.gov
Ph: (207) 874-8608

From: Dale <dholman1@maine.rr.com>

Sent: Saturday, November 2, 2019 9:06 PM

To: 'Ben.Chipman@legislature.maine.gov' <Ben.Chipman@legislature.maine.gov>

Subject: FW: Petition for City Planner to request Zoning Department to change B5 zone on Powsland Street, Portland, Maine

From: Dale <dholman1@maine.rr.com>

Sent: Saturday, November 2, 2019 7:48 PM

To: 'richard.farnsworth@legislature.maine.gov' <richard.farnsworth@legislature.maine.gov>

Cc: bbatson@portlandmaine.gov

Subject: FW: Petition for City Planner to request Zoning Department to change B5 zone on Powsland Street, Portland, Maine

Good evening Mr. Farnsworth,

Please see below email and attached items.

It's State of Maine Legislative Law that any zone change must follow a legal process, and the City of Portland never perfected nor followed the legal procedure to change the Powsland Street B5 Zone.

I am requesting that you get involved as this is a State issue not just City.

Also, please let me know if there are any other contacts that I should be reaching out to (Governor, State Attorney General, Federal contacts, etc.)?

Best,

Dale J. Holman

207-409-9307

From: Dale <dholman1@maine.rr.com>

Sent: Saturday, November 2, 2019 7:10 PM

To: 'cdg@portlandmaine.gov' <cdg@portlandmaine.gov>

Cc: DWCHUHTA@portlandmaine.gov; 'MIG@portlandmaine.gov' <MIG@portlandmaine.gov>; 'NLE@portlandmaine.gov' <NLE@portlandmaine.gov>; 'amachado@portlandmaine.gov' <amachado@portlandmaine.gov>; 'zoning@portlandmaine.gov' <zoning@portlandmaine.gov>; 'KLJ@portlandmaine.gov' <KLJ@portlandmaine.gov>; 'cityclerk@portlandmaine.gov' <cityclerk@portlandmaine.gov>; 'jdealaman@portlandmaine.gov' <jdealaman@portlandmaine.gov>; 'dmk@portlandmaine.gov' <dmk@portlandmaine.gov>

Subject: Petition for City Planner to request Zoning Department to change B5 zone on Powsland Street, Portland, Maine

Dear Ms. Grimando,

I hope that this message finds you doing well.

Below you will see the history to improperly B5 zoned of Powsland Street. Attached you will find the support material, a photo of the Powsland Street eight lots in question, and cover letter for petition to rezone B5 Powsland Street to a less impact zone.

I will be sending the original petition to you, and copies to the others that are cc'd.

Please let me know if you have any questions.

Thank you for your time!

Best,
Dale J. Holman

10 Willow Lane

Portland, ME 04102

207-409-9307

From: Barbara Barhydt [<mailto:BAB@portlandmaine.gov>]
Sent: Thursday, December 04, 2014 1:11 PM
To: Dale Holman
Cc: Alex Jaegerman; Katherine Jones; Rick Knowland
Subject: Fwd: RE: Powsland Street:

Hello Dale:

Kathy forwarded your e-mail to me.

I have looked at old zoning maps in the Inspection office. I have also looked at the files for the Industrial and Commerce Plan in the Planning Office. Here is what I have found to date:

1. The 1946 Zoning Map (date hand written on the back of the map) shows an Industrial zone that includes Thompson's Point and it incorporates the end of Powsland Street and the pond. There is a 400 foot measurement for the zone line from Congress Street shown along Powsland Street. Attached is a scan of this section. (You will need to rotate the image, as I had to scan it upside down due to its size).
2. The 1984 map shows Thompson's Point and the end of Powsland Street. Scan of the section attached.
3. The B-5 zone text amendments were adopted in 1992 for Peninsula locations. It included a map amendment for an area along Commercial Street. It did not include Thompson's Point at that time.
4. Portland's Industry and Commerce Plan was adopted as part of the Comprehensive Plan in 1994. As part of the Industry and Commerce Plan, Thompson's Point and the end of Powsland, were shown as potentially being rezoned to the I-L zone. I have found some task force minutes that indicate the committee looked at expanding the B-5 zone to locations off the peninsula and possible locations included Thompson's Point. This plan is available to review in our office, but it is not on-line.
5. The City Council adopted the zoning text amendments for a comprehensive update of the Industrial zones in 1997.
6. We have not found the actual council orders as of yet for the rezoning, but the area at the end of Powsland has been in an industrial zone for quite some time. It appears all of the industrially zoned area was rezoned to B-5 sometime after 1997.

I wanted to give you an update on what I have found. Alex has offered to look and see if he has any files that related to the Industry and Commerce Plan that may show the zone change to B-5. He is not in the office today.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager

Planning Division
[389 Congress Street 4th Floor](#)
[Portland, ME 04101](#)
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

>>> Katherine Jones Wednesday, December 03, 2014 9:06 AM >>>

FYI

>>> "Dale Holman" <dholman1@maine.rr.com> 12/3/2014 7:46 AM >>>

Hello Kathy,

I hope that this message finds you doing well, and that you had a Happy Thanksgiving!

How can I be of help with researching the B5 zone change for [69 Powsland St](#) (190-K-9 [POWSLAND ST](#) 69-71) & 73 Powsland St (190-K-10 TO 14 [POWSLAND ST](#) 73-91)?

My attorney is going to be making a request with the City to overturn these lots B5 zone status if there is not any evidence that the lots were properly zoned. As of right now the GIS map is the only indication and this is not an authoritative document.

Thank you,

Dale H.

From: Katherine Jones [<mailto:KLJ@portlandmaine.gov>]
Sent: Monday, November 24, 2014 11:50 AM
To: Dale Holman
Subject: RE: Powsland Street:

Nothing to report/ GIS mapping does not go back to the 90's. Looking manually through the 97-98 for any changes to the B5 Zone or maps.

Kathy

>>> "Dale Holman" <dholman1@maine.rr.com> 11/18/2014 8:46 PM >>>

Hello Kathy,

Any update regarding the council orders/GIS mapping for Powsland Street B5 zoning?

Thank you,
Dale H.

From: Barbara Barhydt [<mailto:BAB@portlandmaine.gov>]
Sent: Monday, November 10, 2014 8:24 AM
To: Dale Holman; Katherine Jones
Cc: Alex Jaegerman
Subject: RE: Powsland Street:

Hi Dale:

Katherine Jones, City Clerk, has asked that you e-mail her directly for the request and I have added her this e-mail.

I had requested the following council orders, based upon the list provided in the zoning ordinance:

Ord. No. 168-93, § 3, 1-4-93; Ord. No. 39-96, § 4, 10-7-96; Substitute Ord. No. 164-97, § 2, 5-19-97; Ord. No. 164-97, § 5, 12-1-97; Ord. No. 80, 12-8-04; Ord. No. 215-04/05, 5-2-05; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 279-09/10, 6-6-11; Ord. No. 33-11/12, 1-18-12; Ord. No. 113-11/12, 2-22-12)

Kathy, could we have copies of the orders as well, in case Mr. Holman has questions of us regarding the orders?

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager

Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

>>> "Dale Holman" <dholman1@maine.rr.com> Monday, November 10, 2014 12:02 AM >>>

Good Day Barbara,

Please let me know once you have received the Council Orders regarding B-5 for [73 Powsland Street](#).

Thank you,
Dale Holman

From: Barbara Barhydt [<mailto:BAB@portlandmaine.gov>]
Sent: Monday, October 27, 2014 12:53 PM
To: Dale Holman
Cc: Alex Jaegerman
Subject: Re: Powsland Street:

Hi Dale:

I have asked the City Clerk's office for the Council Orders that pertain to B-5. We will continue to check our files, as well. The Clerk has told me that they will fulfill this request after the election. I will forward what I receive from her.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager

Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

>>> "Dale Holman" <dholman1@maine.rr.com> Friday, October 24, 2014 11:49 PM >>>

Hello Barbara,

Thank you for taking the brief time to discuss with today about my concerns of the B5 zone for the 5 grandfathered lots known as [73 Powsland Street](#) (owner STJ, INC.). I have a copy of your letter dated October 8, 2014 to Greg Payne, Avesta Housing.

As I had mentioned to you earlier today I am challenging the B5 zone of these 5 lots. Can you please provide me with the file, and all information pertaining to any/all past meetings that demonstrate why these 5 lots were ever allowed to be a B5 zone?

I did speak with Portland Water District's Norm Twadell, and he doesn't seem to have any information pertaining to my questions.

It seems as though this information can't be produced, and I am not going to just rely on colored maps to say this was ever approved. There could be a clerical error, and this was never zoned correctly.

Thank you,
Dale Holman

207-409-9307

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

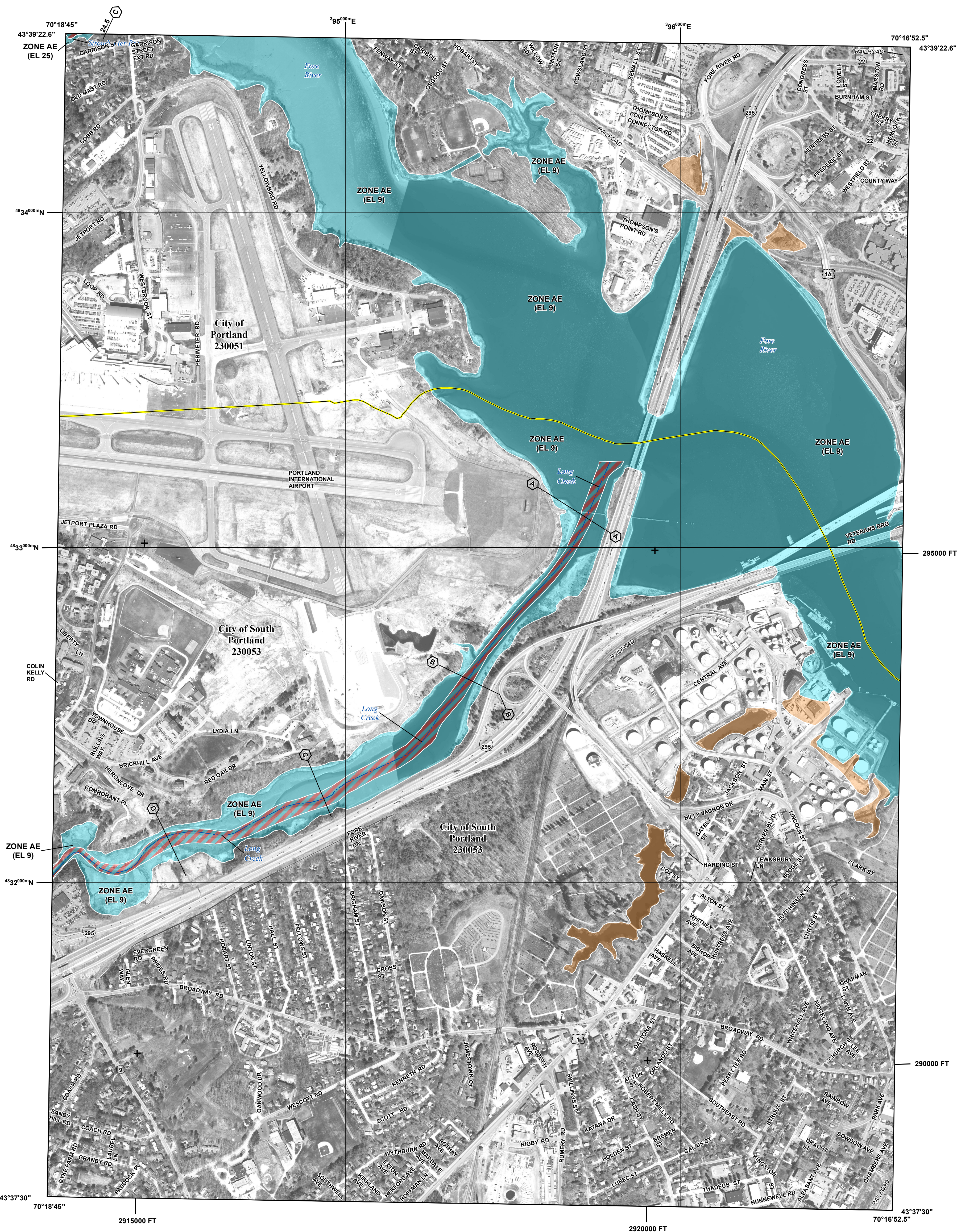


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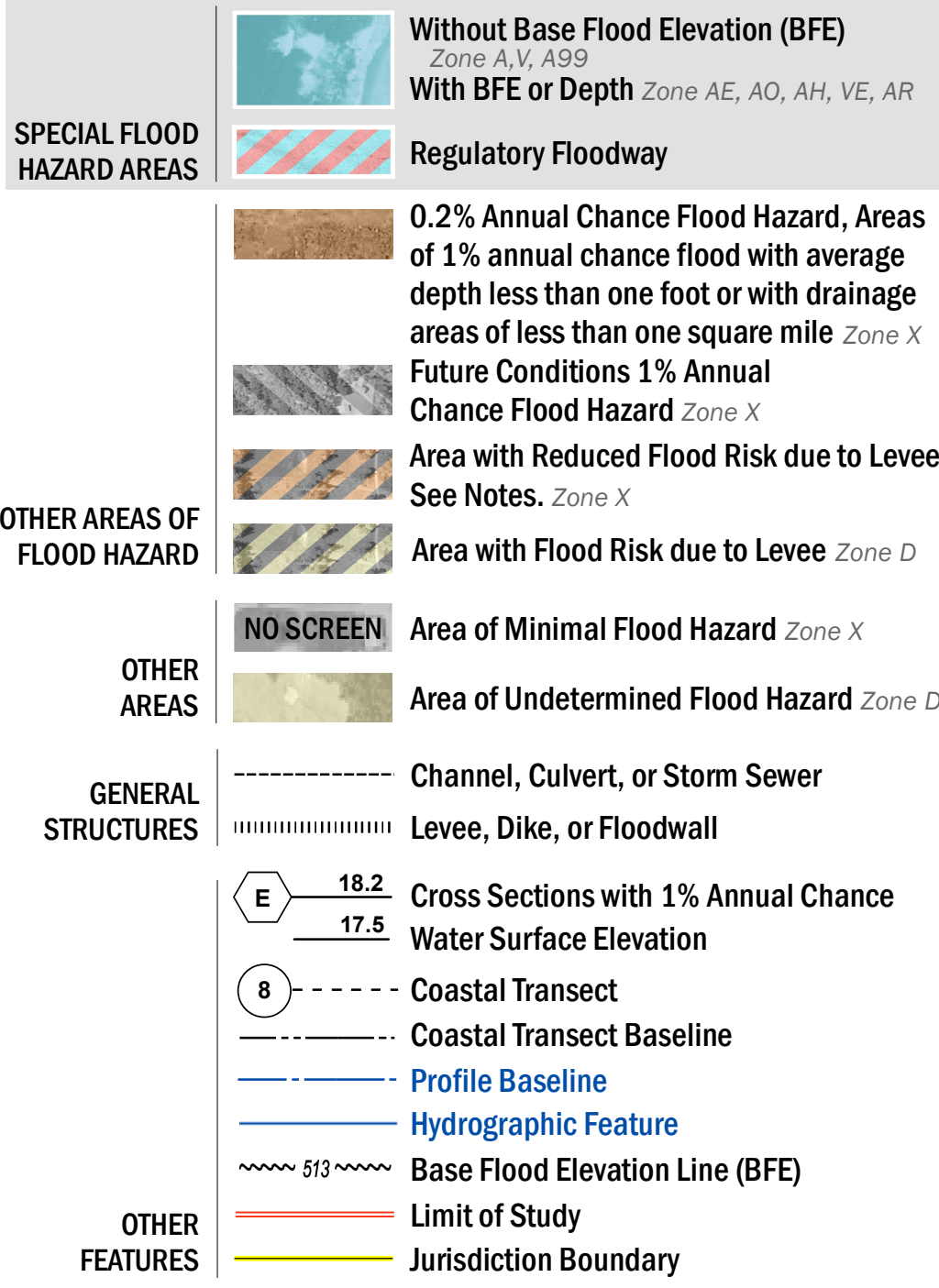
23005C0693F.pdf

18173K



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTP://MSC.FEMA.GOV](http://msc.fema.gov)



NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

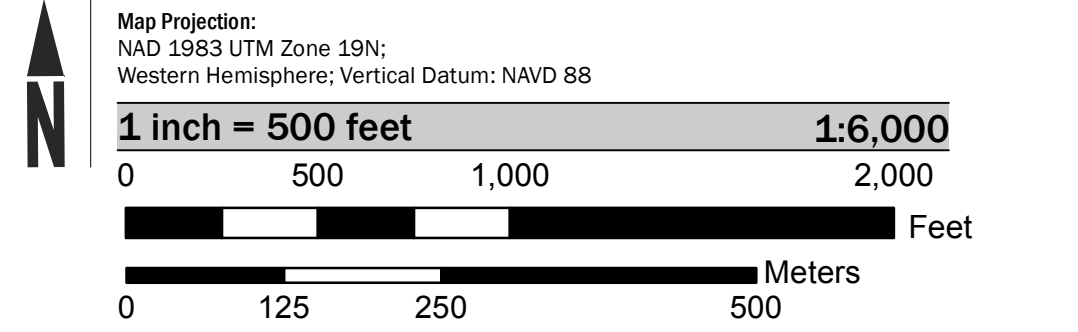
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

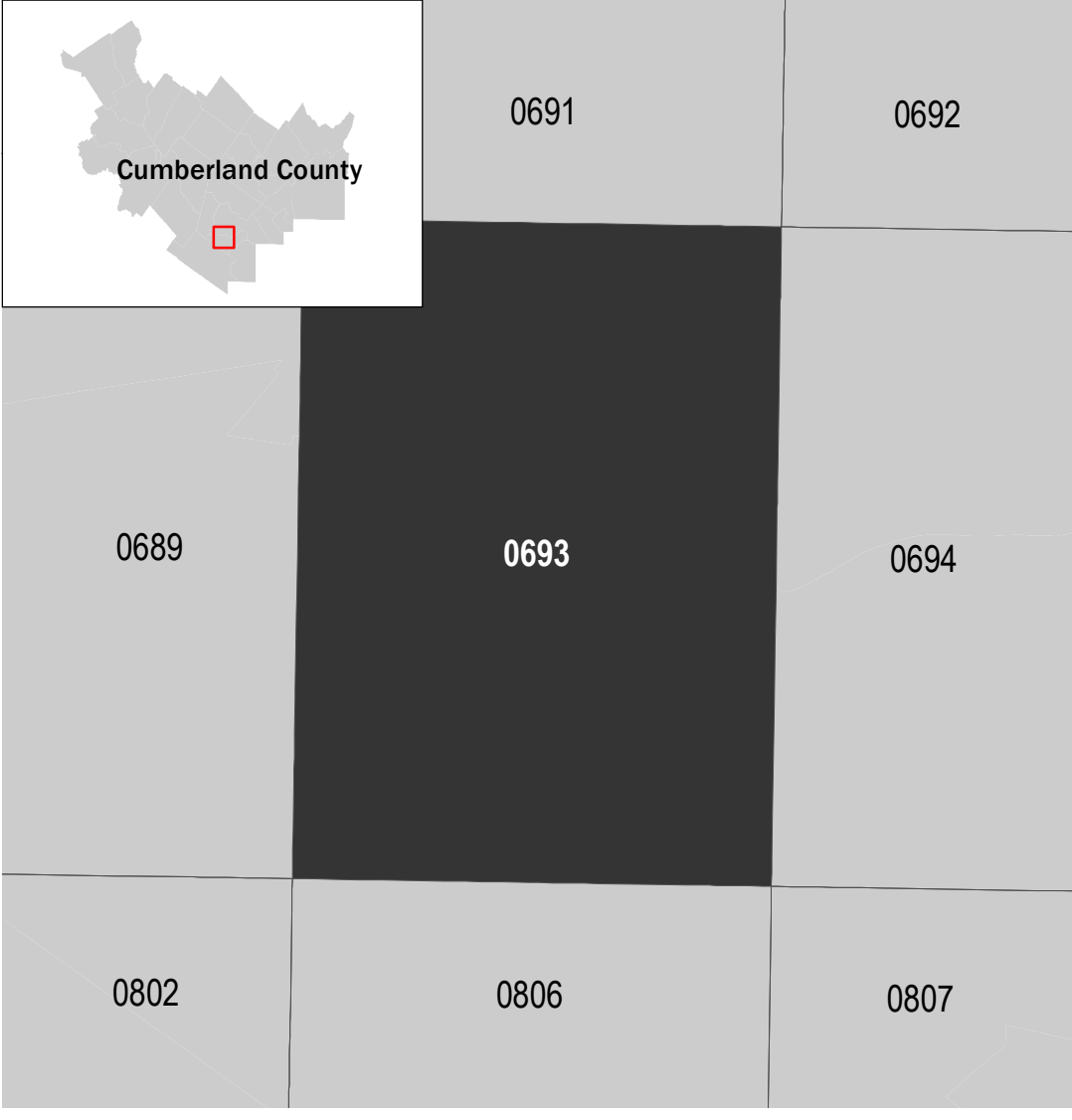
Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS (MeGIS). This information was derived from MeGIS, dated 2012.

The map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and FDTs may reflect stream channel distances that differ from what is shown on the map.

SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL **0693** of **0837**

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0693	F
SOUTH PORTLAND, CITY OF	230053	0693	F

REVISED PRELIMINARY
4/14/2017

VERSION NUMBER **2.3.2.1**
MAP NUMBER **23005C0693F**
EFFECTIVE DATE



Jimmy Dealaman <jdealaman@portlandmaine.gov>

73 Powsland Street, Portland, Maine Sebago Technics Harry Hess

Dale <dholman1@maine.rr.com>
To: jdealaman@portlandmaine.gov

Sat, Dec 11, 2021 at 11:48 AM

It's my understanding that State Maine has not spoken with the applicant about any expansion of the drainage culvert since 2018.

I hope that this email finds you doing well.

My name is Dale Holman, and I am the property owner of [10 Willow Lane, Portland, Maine](#) that abuts proposed 73 Powsland Street development.

I have ongoing issues (15 years) with the abutter and Sebago Technics with less than adequate work with literally misleading information/calculations.

Harry Hess with Sebago Technics has written a letter Oct 13, 2021 to Portland Planning Department, Portland, Maine.

He states the following:

MDEP has provided a letter of determination that will allow for the replacement and enlargement of the existing culvert so long as the invert of the culvert remains at the same elevation. In its current condition, the culvert and outlet control do not function to their full capacity due to being filled with debris and waste over time. This project shall provide improved conditions of City stormwater infrastructure and treatment of runoff from Powsland Street.

As part of the improvements to the site, a small portion of wetlands shall be impacted. Permitting for the wetland impacts has been filed with MDEP and approvals shall be forwarded to the City when received. The total amount of wetland impact is 4,351SF.

I am not confident of Sebago Technics work:

1. Can you please provide me or let me know where I can obtain the information that sent you regarding the culvert mentioned?
2. Shoreland zoning that will need permits?
3. Wetland delineation that Gary M. Fullerton should have submitted with field notes and photos?

Thank you!

Dale Holman

207-409-9307



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4 attachments



Flood Photo.JPG
4444K



Letter17Jan2008DEPKalinichHolman.pdf
1662K



Curtis Letter with attachment 11-20-07.pdf
1290K



HPSCAN_20211130181348465_2021-11-30_181522875.pdf
12485K



PORTLAND MAINE

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

November 20, 2007

Mr. Mark Curtis
STJ Inc.
939 Parker Farm Road
Buxton, Maine 04093

Re: Powsland Street Fill Project, #2007-0117

Dear Mr. Curtis:

The Portland Planning Authority has reviewed the application by STJ, Inc. for an after-the-fact minor site plan for fill activities in the vicinity of 73 Powsland Street. The latest submission included a cover letter dated November 8, 2007 with supporting information and a site plan prepared by Sebago Technics and stamped by Richard Meek (dated November 8, 2007.) This information was submitted in response to a letter from Senior Planner Rick Knowland, dated August 2, 2007.

Please be advised that your site plan application is denied.

The submitted site plan proposes additional fill to be added within or adjacent to the drainage channel along the westerly property line and along the southerly property line adjacent to the pond area. The placement of additional fill in this area reduces the capacity of the watershed; facilitates the encroachment of stormwater on abutting properties; and only worsens drainage conditions in this area. The City had requested that documentation be submitted on your right to maintain the culvert under the railroad tracks in order to evaluate whether improvements to this structure might alleviate the City's concerns with your proposal. You have failed to provide this documentation. As we have recently seen, when the culvert was blocked with debris, the elevation of the water rose and stormwater encroached on abutting properties. This is an unacceptable impact and a reason for the denial of your application. (Please see the attached memorandum dated 11/16/07 from Dan Goyette, consulting engineer with Woodard & Curran, for his comments on the proposed fill plan.)

In sum, the project does not meet two important site plan standards contained within the Portland Land Use Code §§:

O:\PLAN\Dev Rev\Powsland St fill\PowslanddisapprovalletterFINAL11-20-07.doc

389 Congress Street • Portland, Maine 04101-3509 • Ph (207) 874-8721 or 874-8719 • Fx 756-8258 • TTY 874-8936

14-526(8) The site plan does not create any significant soil and drainage problems, whether on- or off-site, and adequately provides for control of erosion and sedimentation during construction and afterward.

This standard is not met by the proposed plan.

14-526(20) The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants.

This standard is not met by the proposed plan.

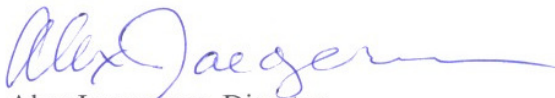
Required Remediation

Because you have altered the area (through regrading or fill) without the required permits and the City has determined approval of your after-the-fact application cannot be granted, you are obligated to immediately remediate the site to its previously existing condition. The drainage channel must be restored to the original grades and stabilized and re-vegetated as appropriate. Prior to this regrading, the site must be staked, and plans and specifications reviewed by this office or our designee to confirm the extent of restoration work to be performed. Evidence of permission from abutting property owners and DEP to remove the silt within the drainage channel is required. A performance guarantee to cover the cost of the regrading and site stabilization must be submitted to this office prior to commencing such site work, and no later than November 30, 2007. If the permissions for the off site remediation are not able to be secured within this time frame, the on-site remediation of your property must proceed independently. This work must be completed by December 7, 2007.

Should you have any questions on this letter, please feel free to call me. Under the provisions of sec. 14-527 of the site plan ordinance an applicant may appeal a decision by the Planning Authority to the Planning Board within ten days of such decision.

At this time, you remain in violation of the City's Site Plan Ordinance for the work done to date on the site. If we do not receive a performance guarantee for the work specified in this letter by November 30, 2007, we will refer this matter to the Corporation Counsel's office for appropriate enforcement action.

Sincerely,



Alex Jaegerman, Director
Planning Division

cc: Lee Urban, Director of Planning & Development
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Senior Planner
Penny Littell, Associate Corporation Counsel

**COMMITMENT & INTEGRITY
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41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

MEMORANDUM

TO: Rick Knowland
FROM: Dan Goyette
DATE: November 16, 2007
RE: Powsland Property Fill Project

Woodard & Curran has performed a review of the proposed fill project for the property located on 73 Powsland Street.

Documents Reviewed

- Response Letter and Stormwater Model dated November 8, 2007, prepared by Shawn Frank, Sebago Technics, Inc..
- Engineering Plan Sheets, 1-3 for Powsland Street, dated October 8, 2007 and Watershed Map Plan Sheets 1-2 dated October 8, 2007 by Sebago Technics, Inc.

Comments

- The applicant has not shown rights to maintain the existing culvert under the railroad. We ran the stormwater model under the assumption that no outflow existed, ie a plugged culvert. The results indicate that the water in the pond would rise to the elevation of 22.69'. No filling should be allowed below this elevation as it would cause the water level to rise on abutting properties. If the applicant can demonstrate rights to maintain the existing culvert, the water level in the pond would rise to elevation 18.81'. No filling below this elevation should occur as it would result in an increase of the water level on abutting properties.
- At this time no structures are being proposed on the property. A geotechnical report will need to be supplied indicating slope stability prior to the design of any new proposed slopes.

DRG
203943.39

Memo - Portland.doc



DALE J. HOLMAN
10 Willow Lane
Portland, ME 04102
(207) 409-9307

November 29, 2021

Caitlin Kellner, Clerk
Cumberland County Superior Court
205 Newbury Street, Ground Floor
Portland, Maine 04101

Re: Dale J. Holman v. City of Portland, Maine, et al. Docket# CV-2021-381

Dear Ms. Kellner:

I hope that this message finds you doing well.

I am the Plaintiff in the above-entitled action.

Please find enclosed Plaintiff's Response to Defendant's Opposition to Plaintiff's Motion for Preliminary Injunction.

Please let me know if you have any questions.

Thank you for your time!

Respectfully,

A handwritten signature in dark ink, appearing to read 'Dale J. Holman', written over a horizontal line.

Dale J. Holman
Plaintiff Pro Se

cc: City of Portland, Jennifer L. Thompson, Esq.

STATE OF MAINE
SUPERIOR COURT
CUMBERLAND COUNTY
CIVIL ACTION

DALE J. HOLMAN,
Plaintiff,

vs.

CITY OF PORTLAND, MAINE, *et al.*,
Defendant.

**RESPONSE TO DEFENDANT'S
OPPOSITION TO PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION**

DOCKET NO.: CV-2021-381

COMES NOW, Plaintiff, DALE J. HOLMAN ("Holman"), and responds to Defendant's Opposition to Plaintiff's Motion for a Preliminary Injunction and states as follows:

PROCEDURAL BACKGROUND

On or about October 22, 2021, Plaintiff filed a Complaint against Defendant. [See **Plaintiff's Verified Complaint**]. Plaintiff also filed a Motion for Preliminary Injunction together with the Complaint. [See **Plaintiff's Motion for Preliminary Injunction**].

On or about November 15, 2021, the Defendant filed a response to Plaintiff's filings. Notably, Defendant filed an Opposition to Plaintiff's Motion for Preliminary Injunction [See **Defendant's Opposition to Plaintiff's Motion for Preliminary Injunction**]; and alleged that the Plaintiff had not demonstrated any injury to justify the request for a preliminary injunction; the injury alleged by the Plaintiff does not outweigh public interest; and that

Plaintiff cannot show likelihood on the success on the merits of the case.

ARGUMENTS

I. Plaintiff sufficiently demonstrated irreparable injury

Violation of property right constitutes irreparable injury. *See Gaffny v. Reid*, 628 A.2d 155, 157-58 (Me. 1993). Besides, damage may be presumed to flow from a legal injury to a real property right. *James Fitzpatrick v. Boston and Maine R.R.*, 84 Me. 33, 41, 24 A. 432 (1891). It should also be noted that "irreparable injury" is defined as "injury for which there is no adequate remedy at law." *Bar Harbor Banking & Trust Co. v. Alexander*, 411 A.2d 74, 79 (Me.1980). Accordingly, since environmental harm cannot be remedied by monetary damages, it amounts to an irreparable injury.

A temporary restraining order may be granted only if it "clearly appears from specific facts shown by affidavit or by the verified complaint **that immediate and irreparable injury, loss, or damage will result to the applicant.**" M.R. Civ. P. 65(a) (Emphasis added); *see also Town of Charleston v. School Admin.* Dist. No. 68, 2002 ME 95, P6, 798 A.2d at 1104. Applicant plans are to build within an illegal zone, therefore, damage will result to applicant. Letter dated November 18, 2021 from applicant's engineer firm with plans to be move forward with nine unit development within this illegal zone. [See **EXHIBIT A**]. Plaintiff has objected to the Defendant of this application moving forward. Engineering firms are notorious to want to build anything anywhere.

Since 2006, the said developer has been attempting to illegally develop the land. The development had been causing disturbances on the watercourse with ongoing illegal fill. [See **EXHIBIT B**].

The illegal change of zone from legal I2 zone to B5 zone allows higher impact to this area than the original I2 zone that would only allow one structure if the applicant can

demonstrate to remediate storm water and sea level rising [Maine H.P. 1169 -L.D. 1572 Chp. 67 Resolve, To Analyze the Impact of Sea-Level Rise, June, 2021], geo technical study of the earth, written rights to maintain abutters drainage, and wetlands study. Plaintiff submits that the approval of the said construction will predispose Plaintiff's property to additional flooding. Developer's activities on the property would negatively impact the watercourse, in violation of Maine's Natural Resource Protection Act 38 M.R.S.A. 480.

Further, the Planning and Development Department also observed that the developer's activities on the said property reduces the capacity of the watershed; facilitates the encroachment of storm water on abutting properties; and worsens the drainage conditions of the area. [EXHIBIT C - Letter from the Planning Division]. The developer also failed to provide any concrete response to the concerns of Alex Jaegarman- former Director of Planning Division. Notably, Alex Jaegarman raised concerns on how the developer would resolve the storm water flooding issues; the Geo technical study of the land; wetland issues; and written rights to maintain the abutting landowner drainage.

Since Plaintiff is already facing flooding issues, there is an urgent need for this Honorable Court to issue an Order preserving the status quo, to prevent and/or stop any activity that would expose Plaintiff's property to further damage.

II. Plaintiff's injury outweighs public interest

Plaintiff submits that public interest will not be adversely affected by enforcing property rights. *See Gaffny v. Reid*, 628 A.2d 155, 157-58 (Me. 1993). In *Gaffny*, the Court held that the Plaintiffs were entitled to an injunction prohibiting the defendants from constructing a road, which would affect Plaintiff's property.

In the instant case, Plaintiff will lose quiet enjoyment of his property if the

developer's application is permitted.

Planning Department's mission statement: "The Department of Planning & Urban Development's mission is to strengthen and revitalize the City of Portland's neighborhoods and communities and to preserve and positively transform our physical, social and economic environment, while protecting the health, safety and welfare of our residents and visitors. In doing so, we will work collaboratively toward comprehensive and sustainable solutions, streamline systems and processes to be efficient and responsive, and engage the public through open communication and ready access to information." The Defendant does not live by its own publicly stated core values and mission statement.

It is also instrumental to note that the flooding would diminish the market value of Plaintiff's property. The said damage to Plaintiff's property outweighs any public interest justification alleged by the Defendant. Plaintiff also re-alleges that it would instead be in the public interest to grant the injunction because it would help prevent and/or protect the residents around Powsland Street from the ravages of flood water consequential to the developer's construction of additional units in the said area. It follows; the public interest will not be adversely affected by preserving the status quo as this litigation proceeds and by protecting legitimate property rights.

III. Plaintiff's case has a likelihood to succeed on its merits

Plaintiff reiterates that "[e]ven if likelihood of success is low, a court might consider injunctive relief based on a very significant showing of irreparable harm." *Me. Educ. Ass'n Benefits Trust v. Cioppa*, 842 F. Supp. 2d 336, 387 (D. Me. 2012). Plaintiff therefore maintains that the Defendant illegally rezoned the area, which act subjected Plaintiff's property to flooding by allowing the illegal fill by the applicant. It is evident that Defendant's action did not follow required legislative law. *See* 5 Eugene McQuillin, *The Law of Municipal Corporations* § 16:53 (3d ed.1978); *see also Friends of Cong. Square Park v. City of Portland*, 91 A.3d 601 (Me. 2014). And since the act was legislative, it required public participation. *See Friends of Cong. Square Park v. City of Portland*, 91 A.3d 601 (Me. 2014).

Defendant alleges that Plaintiff's case cannot succeed because it is "almost two decades late". To that argument, Plaintiff avers that the statutory limit may cease to apply in cases of public interest. The Maine Supreme Court accepted a case challenging the 30 year-old decision in *Bell v. Town of Wells*, 557 A.2d 168 (1989) that limited the public's enjoyment of private beaches. Also, the Maine Supreme Court accepted to reconsider its decision in *Almeder v. Town of Kennebunkport*, 2014 ME 12, issued on February 4, 2014, which was past the statutory limit. The statute of limitations case laws Defendant raises in her opposition motion, i.e.; *F.S. Plummer Co. v. Cape Elizabeth*, *Zahares v. Town of Old Orchard*, and *Bog Lake Co. v. Town of Northfield* applied to these cases as they ALL legally followed legislative law to obtain their respective underlying zone changes. Statute of limitations does not apply to Plaintiff's motion as the zone change was illegally obtained.

The Defendant cannot claim that the Plaintiff's case is late since the Defendant's actions to rezone were illegal hence voids the B5 zone change. Defendant misleads this Court by claims that the City Council properly voted upon this zone change that is required by legislative law; public notice, public hearing, and vote by City Council. Voting on zoning maps for an existing illegal zone change does not constitute a legal zone change. It is worth noting that on or about December 4, 2014, Barbara Barhydt, the Development Review Services Manager, affirmed in an email that she could not trace the actual council orders that authorized the rezoning. [See **Exhibit D - Barbara Barhydt's Letter**]. Further, on February 13, 2015, the Defendant's attorney, Jennifer Thompson, Esq., admitted that she could not find any order that adopted the rezoning. [See **Exhibit E - Defendant's Attorney Jennifer Thompson, Esq. Letter**]. Therefore, Defendants cannot claim reliance on an illegal ordinance zone. Plaintiff further avers that the controversy

in the case is triggered by the developer's application to conduct construction activities, which developments expose Plaintiff's property to additional floods.

Plaintiff also avers that adhering to future acts or procedures cannot be used as a shield to validate the prior illegal acts. It is a principle of common law that no wrong should go without redress. Therefore, granting such liberty and sanction to the country's authorities will be akin to giving them an impression that they can follow such illegal practices in the future as well. If this is the standard then Plaintiff can arbitrary make a zone change as well. Defendant questions Plaintiff waiting seven years to file this lawsuit once discovering the zone change was illegal. Since there was not any threat in the past seven years of any proposed plans of development that would impact this area with additional flooding to the Plaintiff's property/home there was not any need to file a lawsuit. This does not undermine the facts that the illegal zone change does not become legal over time and just because the Defendant claims it is a legal zone change. Defendant seems to not recall that the Plaintiff attempted on two occasions to resolve this matter by exhaustive administrative remedies, and the Defendant's Attorney Jennifer Thompson, Esq. was overly combative in the first meeting that included then City Manager, Jon Jennings. A few years later a second meeting that included AJ Hungerford, Esq., and that meeting was less combative in nature.

On November 10, 2021 at 7:58 a.m. Plaintiff had received a phone call from the Defendant's Attorney Jennier Thompson, Esq. stating, "I am calling to beg for mercy as I am late with filing a response." "We will work good together, and we will work something out." Plaintiff agreed to an uncontested motion to expand time to then receive opposition to preliminary injunction and motion to dismiss. This is an example of why licensed attorneys have a bad reputation.

It follows; Plaintiff's case raises valid allegations in law, and the case will succeed on its merits. Notably, the Defendant's violation of the requirement(s) to involve the public in its decision making raises successful and meritorious causes of action against Defendant.

Pursuant to 30-A M.R.S. § 4352(1), "[t]he public shall be given an adequate opportunity to be heard in the preparation of a zoning ordinance." Further, 30-A M.R.S. § 4352(2) provides that "a zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body."

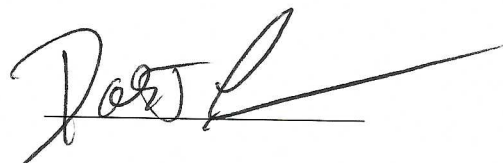
CONCLUSION

For the foregoing reasons, Plaintiff respectfully submits that the Court dismisses Defendant's opposition to Plaintiff's Motion for Preliminary Injunction in its entirety and grant Plaintiff's prayers in the said Motion.

Dated this 29 day of November, 2021

VERIFICATION

I, Dale J. Holman, hereby verify, swear and affirm under oath, under penalty of perjury, that I have read the foregoing Motion and that everything stated therein is true and accurate to the best of my knowledge, except as to those statements made by me "upon information and belief" and as to those statements I believe them to be true.

A handwritten signature in black ink, appearing to read 'Dale J. Holman', written over a horizontal line.

Dale J. Holman

STATE OF MAINE
SUPERIOR COURT
CUMBERLAND COUNTY
CIVIL ACTION

DALE J. HOLMAN,

Plaintiff,

vs.

CITY OF PORTLAND, MAINE, *et al.*,

Defendant.

ORDER

This matter comes before the Court, Judge of the Superior Court, Cumberland County, Maine.

Upon reading and considering the Plaintiff's Response to Defendant's Opposition to Plaintiff's Motion for a Preliminary Injunction, IT IS HEREBY ORDERED THAT:

1. The Defendant's opposition to Plaintiff's Motion for Preliminary Injunction is hereby DENIED in its entirety.
2. The Plaintiff's Motion for Preliminary Injunction is hereby GRANTED.

IT IS SO ORDERED

Dated: _____, 2021

Justice, Superior Court

EXHIBITS

EXHIBIT - A [Application to build additional units].



November 18, 2021
07360-01

Dear Neighbor:

On behalf of STJ, INC. you are invited to a virtual neighborhood meeting to discuss plans for a proposed residential development planned for the vacant lots at the end of Powsland Street. The proposed project is planning for four (4) duplexes and one (1) single family home providing nine (9) dwelling units. The new Housing units shall be accessed via individual driveways off Powsland Street. Improvements for a paved hammerhead turnaround at the end of the street are also planned. The site is located within the Urban Commercial Business / Residential Zone District (B-5/R-5), identified as lots 9-14 on Tax Map 190, with a combined land area of approximately 0.68 acres.

As a property owner within 500 feet of the project, you are invited to participate in a neighborhood meeting. Attendance will be recorded and minutes of the meeting will be taken. Both the attendance list and minutes shall be submitted to the Planning Department for record. The virtual meeting will take place via Zoom and can be accessed online using the link shown below.

Meeting Location: Virtual

Zoom Link: https://us02web.zoom.us/webinar/register/WN_2ZC55UKUSa-Pu84XqZXjbA

Meeting Date: Thursday December 9th, 2021

Meeting Time: 6:00PM

If you have any questions, please email the project facilitator at PF@Sebagotechnics.com

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Henry Hess".

Henry Hess, R.L.A.
Project Manager
Maine Licensed Landscape Architect

HAH:hah
Cc: STJ Inc.

EXHIBIT - B [Illegal Fill & Flooding Photos August 2018 & December 2018]









Additional development and fill only continues to flood Plaintiff's property/home.





Circa 2006 before 73 Powsland Street (end of street on right side) was leveled without any permission, approvals, or permits by developer STJ, INC (Applicant) Wetlands tidal back up is visible in the photo. Plaintiff's home has the U-shape driveway across the retention pond/watercourse to the right of the wooded area and to the left of the red roof house. Home backs up to the Pan Am Railroad.

APPROVED
JUNE 16, 2021
BY GOVERNOR

CHAPTER
67
RESOLVES

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

H.P. 1169 - L.D. 1572

Resolve, To Analyze the Impact of Sea Level Rise

Preamble. Whereas, the scientific and technical subcommittee of the Maine Climate Council determined it is likely that the sea level in Maine will rise between 3 and 5 feet by the year 2100 based on an intermediate sea level rise scenario, although scenarios of higher rise are physically plausible; and

Whereas, a one-foot increase in sea level in the future will lead to a 15-fold increase in the frequency of nuisance flooding and would cause a 100-year storm flood level to have a probability of occurring once every 10 years; and

Whereas, communities with a strong dependence on waterfront and shorefront industries such as tourism, ports and fishing will be heavily disrupted by increased flood frequency; and

Whereas, sea level rise of 4 feet by 2100 is projected to cause more than \$671,000,000 in cumulative building losses and \$665,000,000 in gross domestic product losses in Maine; and

Whereas, 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 would cause immersion and submersion of land and accompanying materials, structures and facilities that are not currently designed for those conditions and, therefore, present a threat of release of pollutants to the environment; and

Whereas, the scientific and technical subcommittee of the Maine Climate Council has recommended that the State manage for 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100; now, therefore, be it

Sec. 1. Department review of laws and rules. Resolved: That the Department of Agriculture, Conservation and Forestry, the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, the Department of Environmental Protection, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Department of Transportation and the Office of the Attorney General shall conduct a review of the laws and rules they are charged with administering under the Maine Revised Statutes and, by January 1, 2022, shall recommend

to the Joint Standing Committee on Environment and Natural Resources any changes necessary to:

1. Incorporate consideration of 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 into administration of those laws and rules; and
2. Implement the strategy designated as "Strategy F3" in the state climate action plan issued by the Maine Climate Council in 2020 pursuant to the Maine Revised Statutes, Title 38, section 577 to enhance community resilience to flooding and other climate impacts.

The Joint Standing Committee on Environment and Natural Resources may report out legislation to implement the recommendations to the Second Regular Session of the 130th Legislature.

EXHIBIT - C [Letter from Planning Division]



PORTLAND MAINE

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

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

November 20, 2007

Mr. Mark Curtis
STJ Inc.
939 Parker Farm Road
Buxton, Maine 04093

Re: Powsland Street Fill Project, #2007-0117

Dear Mr. Curtis:

The Portland Planning Authority has reviewed the application by STJ, Inc. for an after-the-fact minor site plan for fill activities in the vicinity of 73 Powsland Street. The latest submission included a cover letter dated November 8, 2007 with supporting information and a site plan prepared by Sebago Technics and stamped by Richard Meek (dated November 8, 2007.) This information was submitted in response to a letter from Senior Planner Rick Knowland, dated August 2, 2007.

Please be advised that your site plan application is denied.

The submitted site plan proposes additional fill to be added within or adjacent to the drainage channel along the westerly property line and along the southerly property line adjacent to the pond area. The placement of additional fill in this area reduces the capacity of the watershed; facilitates the encroachment of stormwater on abutting properties; and only worsens drainage conditions in this area. The City had requested that documentation be submitted on your right to maintain the culvert under the railroad tracks in order to evaluate whether improvements to this structure might alleviate the City's concerns with your proposal. You have failed to provide this documentation. As we have recently seen, when the culvert was blocked with debris, the elevation of the water rose and stormwater encroached on abutting properties. This is an unacceptable impact and a reason for the denial of your application. (Please see the attached memorandum dated 11/16/07 from Dan Goyette, consulting engineer with Woodard & Curran, for his comments on the proposed fill plan.)

In sum, the project does not meet two important site plan standards contained within the Portland Land Use Code §§:

On: PLAN\Dev Rev\Powsland St fill\PowslanddisapprovalletterFINAL11-20-07.doc
389 Congress Street • Portland, Maine 04101-3509 • Ph (207) 874-8721 or 874-8719 • Fx 756-8258 • TTY 874-8936

14-526(8) The site plan does not create any significant soil and drainage problems, whether on- or off-site, and adequately provides for control of erosion and sedimentation during construction and afterward.

This standard is not met by the proposed plan.

14-526(20) The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants.

This standard is not met by the proposed plan.

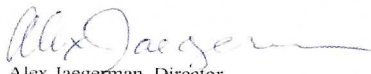
Required Remediation

Because you have altered the area (through regrading or fill) without the required permits and the City has determined approval of your after-the-fact application cannot be granted, you are obligated to immediately remediate the site to its previously existing condition. The drainage channel must be restored to the original grades and stabilized and re-vegetated as appropriate. Prior to this regrading, the site must be staked, and plans and specifications reviewed by this office or our designee to confirm the extent of restoration work to be performed. Evidence of permission from abutting property owners and DEP to remove the silt within the drainage channel is required. A performance guarantee to cover the cost of the regrading and site stabilization must be submitted to this office prior to commencing such site work, and no later than November 30, 2007. If the permissions for the off site remediation are not able to be secured within this time frame, the on-site remediation of your property must proceed independently. This work must be completed by December 7, 2007.

Should you have any questions on this letter, please feel free to call me. Under the provisions of sec. 14-527 of the site plan ordinance an applicant may appeal a decision by the Planning Authority to the Planning Board within ten days of such decision.

At this time, you remain in violation of the City's Site Plan Ordinance for the work done to date on the site. If we do not receive a performance guarantee for the work specified in this letter by November 30, 2007, we will refer this matter to the Corporation Counsel's office for appropriate enforcement action.

Sincerely,


Alex Jaegerman, Director
Planning Division

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PORTLAND MAINE

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

Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

Exhibit A

Gorham Sand and Gravel
939 Parker Farm Road
Buxton, ME 04093

CBL: 190-K-010
Located at 73 Powsland Street

Dear Tom Shaw:

STOP WORK ORDER

An evaluation of the above-referenced property on 06/01/2007 revealed that site work was being conducted. In particular soil disturbance has occurred in a watercourse. The Land Use Ordinance, Section 14-523 states that this site work requires minor site plan review and approval by the City and may require approval from the Maine Department of Environmental Protection. Also, there were no erosion control measures in place at the time of the site inspection, which is a violation of City and State ordinances.

Appropriate permitting has not been issued for the above listed property; therefore all construction activity at that property must STOP immediately. This is a **STOP WORK ORDER** pursuant to 14-528(b) of the Land Use Code of the City of Portland. All activity must cease until further notice.

In order to come into compliance, you must apply for a belated minor site plan review and approval. Enclosed is a checklist that will assist in what to submit on your site plan.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 6-1 of the Code and in Title 30-A of M.R.S.A. Section 4452. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

If you wish to discuss this matter, or you have any questions, please feel free to contact me @ 874-8701 or Phil DiPierro in Planning @ 874-8632.

Sincerely,

Jeanie Bourke
Inspection Services Division Director

Developer's illegal activity prompted this Stop Work Order. In, 2018 Developer presumed illegal fill activity after allowing this property to be used as a staging area for the area sewer separation project.

EXHIBIT D - [Barbara Barhydt's Letter].

From: Barbara Barhydt [mailto:BAB@portlandmaine.gov]

Sent: Thursday, December 04, 2014 1:11 PM

To: Dale Holman

Cc: Alex Jaegerman; Katherine Jones; Rick Knowland

Subject: Fwd: RE: Powsland Street:

Hello Dale:

Kathy forwarded your e-mail to me.

I have looked at old zoning maps in the Inspection office. I have also looked at the files for the Industrial and Commerce Plan in the Planning Office. Here is what I have found to date:

1. The 1946 Zoning Map (date hand written on the back of the map) shows an Industrial zone that includes Thompson's Point and it incorporates the end of Powsland Street and the pond. There is a 400 foot measurement for the zone line from Congress Street shown along Powsland Street. Attached is a scan of this section. (You will need to rotate the image, as I had to scan it upside down due to its size).
2. The 1984 map shows Thompson's Point and the end of Powsland Street. Scan of the section attached.
3. The B-5 zone text amendments were adopted in 1992 for Peninsula locations. It included a map amendment for an area along Commercial Street. It did not include Thompson's Point at that time.
4. Portland's Industry and Commerce Plan was adopted as part of the Comprehensive Plan in 1994. As part of the Industry and Commerce Plan, Thompson's Point and the end of Powsland, were shown as potentially being rezoned to the I-L zone. I have found some task force minutes that indicate the committee looked at expanding the B-5 zone to locations off the peninsula and possible locations included Thompson's Point. This plan is available to review in our office, but it is not on-line.
5. The City Council adopted the zoning text amendments for a comprehensive update of the Industrial zones in 1997.
6. We have not found the actual council orders as of yet for the rezoning, but the area at the end of Powsland has been in an industrial zone for quite some time. It appears all of the industrially zoned area was rezoned to B-5 sometime after 1997.

I wanted to give you an update on what I have found. Alex has offered to look and see if he has any files that related to the Industry and Commerce Plan that may show the zone change to B-5. He is not in the office today.

Thank you.

Barbara

Barbara Barhydt

Development Review Services Manager

Planning Division

389 Congress Street 4th Floor

Portland, ME 04101

(207) 874-8699

Fax: (207) 756-8256

bab@portlandmaine.gov

EXHIBIT E - [Defendant's Attorney's Letter]

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta
Corporation Counsel

Jennifer L. Thompson
Associate Counsel

Adam R. Lee
Associate Counsel

Michael I. Goldman
Associate Counsel

February 13, 2015

Andre J. Hungerford
PO Box 7584
Portland, ME 04112-7584

RE: Powsland Street Zoning

Dear A.J.,

Thank you for your letter of February 5, 2015 and for your visit to my office a few days later. It's always nice to talk with you.

Following your inquiry, I have been working with Barbara Barhydt in Planning and with Katherine Jones, the City Clerk to locate the map amendment and order that originally affected the change to B-5. I attach a copy of the map as it existed after March 1997, which you will see shows that portion of Powsland as B-5. We still have not been able to find the Order adopting that amendment but will continue to look.

In the meantime, however, I think there's a simpler way to demonstrate to you that, in fact, Powsland Street has effectively been rezoned to B-5. As you know, under 30-A M.R.S. 4352(3), the City is required to adopt a zoning map. Although I have every reason to believe that the Council affirmatively adopted the amendment to the map in 1996-1997 to rezone that area (and Thompson's point) to B-5, even if it hadn't, the City's current map lists that property in B-5. I attach an order from 2001 in which the Council adopted the first version of the GIS version of the City's zoning map. That map was subsequently amended in February 17, 2001 and again on January 9, 2015. As you will see, pursuant to the Order, the Council is clearly adopting the whole of the zoning map as it is required to do under Section 4352(3). Given that the map depicts that portion of Powsland as B-5, I don't think there can be any real question that that zone is correct or that it has been properly adopted.

I believe the current map is available online. We also have hard copies available for review in our Planning Division that you are welcome to come take a look at if that would be helpful.

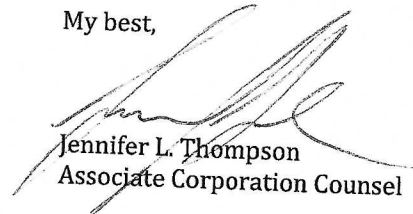
389 Congress Street, Room 211, Portland ME 04101

www.portlandmaine.gov / tel. 207.874.8480 / tty. 207.874.8936 / fax. 207.874.8497

Andre J. Hungerford
February 13, 2015
Page 2

I hope this clears up the confusion. As always, if you have any further questions please do not hesitate to be in touch.

My best,



Jennifer L. Thompson
Associate Corporation Counsel

Enclosures
cc: Katherine Jones
Barbara Barhydt

389 Congress Street, Room 211, Portland ME 04101
www.portlandmaine.gov / tel. 207.874.8480 / tty. 207.874.8936 / fax. 207.874.8497



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

Certified Mail # 7005 1160 0003 6104 5094

January 17, 2008

Mr. Mark Curtis
STJ, Inc.
939 Parker Farm Road
Buxton, Maine 04093

Re: Powsland Street Fill Project; Response to STJ, Inc. Letter Dated January 14, 2008.

Dear Mr. Curtis,

The Department's letter dated January 7, 2008 supersedes any earlier correspondence from the Department regarding the fill project on Powsland Street in Portland, Maine. During our phone conversation you stated that you were aware the Department had changed its position regarding the wetland delineation some time ago. The issue is not what qualifications the City of Portland or Mr. Holman have to question Mr. Hampton's delineation, but that Jay Clement of the United States Army Corps of Engineers, and Mike Mullen and I from the Department have visited this property and found inaccuracies in Mr. Hampton's delineation.

Any perceived "inaccuracies or miscalculations" regarding square footage of wetland and lot size are a result of an unclear delineation report and unclear development plans. The two areas of wetlands identified by the National Wetlands Inventory (NWI) may or may not be entirely on property owned by STJ, Inc.. The issue is that these wetlands are not accounted for in the delineation report to the Department's satisfaction. Enclosed you will find a copy of ARCMAP imagery identifying the NWI wetlands and a copy of a portion of the City of Portland's zoning map identifying the shoreland zone.

Finally it should be made clear that the only way you or the Department will be able to determine if wetlands are to be filled or altered with any proposal you have made, or may make, other than restoration, will be to have the property redelineated. The delineation

AUGUSTA

17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR

106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND

312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

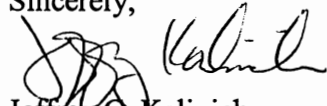
PRESQUE ISLE

1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 760-3143

by Mark Hampton reviewed by the Department is unacceptable for the purposes of determining Department permitting requirements, and during our phone conversation you stated there was no additional information available for the Department to review. I appreciate your desire to involve the Department in any proposed future activity on this property and look forward to receiving your development plans and wetland delineation.

If you have any questions regarding this letter, please contact me at (207) 822-6325.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey C. Kalinich', written over a horizontal line.

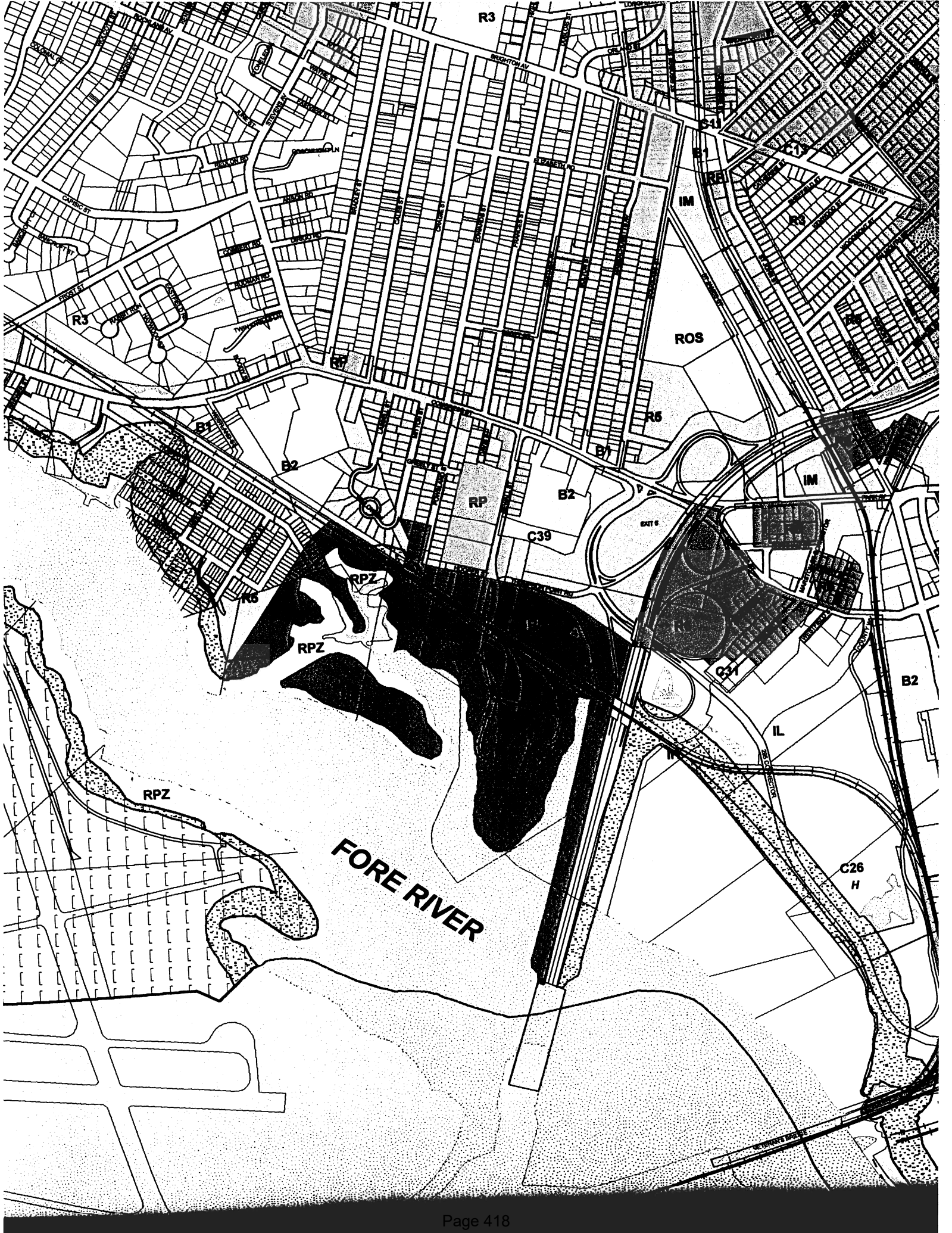
Jeffrey C. Kalinich
Enforcement Case Manager

Enclosure.

CC: Dale Holman

Andre J. Hungerford, Esq., Hungerford Legal
Mark Hampton, Mark Hampton Associates, Inc.
Penny Littell, Esq., City of Portland
Jay Clement, U.S. Army Corps of Engineers
Mike Mullen, Maine Department of Environmental Protection





STJ, Inc.

RECEIVED DEP - SMR 939 Parker Farm Road
Buxton, Me 04093
2008 JAN 16 PM 12:04

Tel 207-839-2442
Fax 207-839-5445

Jeffrey C. Kalinich
State of Maine
Department of Environmental Protection
312 Canco Road
Portland, Me 04103

January 14, 2008

Mr. Kalinich,

We have received your certified letter dated January 7, 2008. Thank you for taking the time to speak with me this morning. During our conversation, we discussed the fact that you and Kara Moody initially agreed with Mr. Hampton's assessment. This was referred to in an email Kara sent to me on the July 3rd, 2007. "I performed two site visits at the property off Powsland Street during the month of June. In addition to these visits, I also examined the wetland delineation plan and accompanying letter produced by Mark Hampton, as well as aerial photography of the area. After reviewing all of this information with my supervisor, we have concluded that the Department is in agreement with the delineation performed by Mark Hampton, and there are currently no violations at the Powsland Street property. Please let me know if there is anything else I can provide you with." Kara Moody. We obviously moved forward based on the delineation and the confirmation from Ms. Moody. As I stated I our conversation we have no intent to operate outside of the DEP or Army Corps regulations.

I have many concerns regarding your letter. First, you state "Both Mr. Holman and the City of Portland have questioned the accuracy of this delineation." We hired a Certified Soil Scientist and Licensed Site Evaluator to delineate the wetlands. What qualifications does Mr. Holman or the people at the City of Portland doing the questioning have to question a licensed professional's assessment of this site? What specifically do they question?

I am perplexed by your assertion that our lots 66,67,68,69,and 70 (five lots approximately 50'x 100' each for a total of 25,000 square feet) contain 17,183.63 and 11,003.82 (a total of 28, 187.45) square feet of wetlands. The calculated wetlands total is more than the entire square footage of our property. This is obviously a typographical error or a miscalculation. You did not include any of the supporting information for our review.

You also state that the delineation information supplied to you does not contain any supporting information. In the future, please do not rely on anyone but the source for the required information. I have no way of confirming that the information you received was the most up to date or the entire package supplied to Mr. Hungerford. Furthermore, it is my understanding that Mr. Hampton met all of the requirements for this type of delineation.

As I stated in our conversation this morning we do not intend to fill any wetlands without the proper permits. That is why we hired a certified expert. Any fill proposed to be placed in the wetland or shore land zone would be properly permitted prior to placement.

At the request of the city, we have re-graded this site to the pre-existing conditions plan on file with the City of Portland. This work was completed in early December. We are in the process of re-assessing our options for this property and will gladly involve the DEP should our new plans involve filling wetlands.

In the future, if you have a concern with any property we own please do not hesitate to contact us. We are always willing to work with the DEP to resolve any issue.

Mark Curtis

A handwritten signature in black ink, appearing to be 'Mark Curtis', with a long horizontal line extending to the right.

CC: Mark Hampton, Mark Hampton Associates, Inc.
Penny Littell, City of Portland
Jay Clement, US Army Corps of Engineers



Jimmy Dealaman <jdealaman@portlandmaine.gov>

73 Powsland Street, Portland, Maine minutes for Thursday, December 9th meeting hosted by Sebago Technics Applicant STJ, INC. representatives

Dale <dholman1@maine.rr.com>
To: jdealaman@portlandmaine.gov

Sat, Dec 11, 2021 at 11:46 AM

FYI-

As mentioned before, I object to this upcoming meeting Thursday, December 9th, hosted by Sebago Technics for Applicant STJ, INC. regarding proposed development in the illegal zone of 69 – 73 Powsland Street, Portland, Maine as there is an active pending lawsuit regarding this illegally zoned area.

Overview of Sebago Technics documents submitted to Portland Planning Department on October 13 & December 02, 2021.

1. Documents/plans are incorrectly labelled “93 Powsland” vs. “73 Powsland”
2. It's cute and sexy that Sebago Technics is having a “Landscape Architect” spearhead this project instead of an engineer. Guess it is the “in thing to do” with attempting to appeal to City Planning Departments with this strategy.
3. B5 is an illegal zone for lots 69 – 73 Powsland Street, Portland, Maine
4. Henry Hess cover letter dated October 13, 2021 is inaccurate as there is no mention of 65 Powsland Street that is in legal R5 zone where they are proposing a two-story unit dwelling that unsure if is allowed in this zone?
5. Would like to see a copy (along with field notes and photos) of the wetland delineation that was performed by Gary M. Fullerton on April 2021.
6. Stormwater proposal not complete: would require an overflow pond onsite of the lots owned by STJ, INC.
7. Retaining wall, fence, lawn, and planting trees will be required along the North West of the entire property line Dale Holman & James Sloan.

8. Still haven't addressed: illegal zone, geo technical study, wetlands, sea level rising, flooding, and storm water.
9. [10 Willow Lane, Portland](#) will require a seismometer, audio, and video provided by Sebago Technics before any start of earth work/through completion.
10. Design and buildings can't impact upon neighboring property with any potential shadows, wind vortex, lighting, site views, and building heights.
11. City of Portland third party engineering firm will be required to review all flow charts, storm water plans, wetlands, plans, and documents.

There are other potential legal actions regarding tortious interference of contract by STJ, Inc./Mark Curtis/Thomas Shaw, and ongoing Defamation by their Attorney that are being considered. Sebago Technics and it's employees may become a party or party of interest.



Virus-free. www.avast.com

Harlan Baker <hbaker@maine.edu>
to planningboard@portlandmaine.gov

Dec 12, 2021, 6:33:20 PM (14 hours ago)

This is where a proposed 9 unit project on Powsland Street is in developed. While the additional housing units would be welcome, my concern is that this area suffers flooding as a result of a nearby culvert. Unless that problem is satisfactorily addressed, there will problems.

>
> Hi,
> I took this photo several years ago. As you can see the area is flooded. It's right in back of where the project will be located.
> Harlan Baker



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

From: Dale <dhholman1@maine.rr.com>

Date: Tue, Jul 5, 2022 at 7:35 AM

Subject: FW: Appellant Holman v. Appellee City of Portland, et. al. Cum 22-72 Brief Electronic Copy / 73 Powsland Street, Portland Planning Board Worksop

To: <publiccomment@portlandmaine.gov>

From: Dale <dhholman1@maine.rr.com>

Sent: Monday, July 4, 2022 5:48 PM

To: 'planningboard@portlandmaine.gov' <planningboard@portlandmaine.gov>

Subject: Appellant Holman v. Appellee City of Portland, et. al. Cum 22-72 Brief Electronic Copy / 73 Powsland Street, Portland Planning Board Worksop

73 Powsland Street, Portland, Maine Workshop:

I will not be attending any Zoom meeting for Tuesday, July 12, 2022 at 4:30pm

Applicant still not shown any rights/permission/approval from the State for Federal Government to remedy the storm water issues.

Please see below pending lawsuit with the City of Portland. I will be serving parties with the Federal lawsuit over the next few weeks.

From: Dale <dhholman1@maine.rr.com>

Sent: Monday, May 30, 2022 11:04 AM

To: 'lawcourt.clerk@courts.maine.gov' <lawcourt.clerk@courts.maine.gov>

Subject: Appellant Holman v. Appellee City of Portland, et. al. Cum 22-72 Brief Electronic Copy

Dear Mr. Pollack:

I hope that this message finds you doing well and that you are having a great Memorial Day!

I am the Appellant in the above-entitled action.

Attached is an electronic copy of the Brief per Rule 7(a), and (2).,

Hard copies will be delivered Tuesday, May 31, 2022:

Ten copies of Appellant Brief (Two copies provided to Appellee)

Eight copies of Appellant Appendix (One copy provided to Appellee)

As a courtesy an electronic copy of the Appendix is included here via Google Drive:

https://drive.google.com/file/d/1_5SRMYtSIc03K3DAoZS7x0wIJgINHpqf/view?usp=sharing

Please let me know if you have any questions.

Thank you for your time!

Warmest regards,

Dale Holman

10 Willow Lane

Portland, ME 04102

[207-409-9307](tel:207-409-9307)

There is a pending lawsuit regarding the legality of the zoning to this area.

I am confident that I will prevail as this illegal zone change by the City is out of the scope for statutes of limitations to apply.

I have to question your company's work as in the past they attempted to mislead the Portland Planning Department with its stormwater calculations that Woodward & Curran pointed out in their letter dated November 16, 2007 (attached Curtis Letter 11-20-07 page 4).

I still have not seen any complete work where your company or any others have addressed the following items:

Stormwater run-off issues

Geo technical study of the land

Wetland issues

Sea level rising

Written permission/rights to maintain the drainage on the CMP and Federal railroad property

Sea level rise is real. Orlando Delogu has been telling us this for years.

Science:

<https://www.pbs.org/newshour/show/barely-a-cloud-in-the-sky-and-portland-maine-is-flooding>

https://legislature.maine.gov/legis/bills/bills_129th/billtexts/HP040701.asp

My expert witness added:

Mr. Holman:

I received your email; I took the liberty of reexamining all of Sewell, Powsland, Mitton streets, Willow Circle development and then crossed over to Hobart Street's furthest extension. I drove and walked to see the lay of the land. It is what is has been for a century or more, a natural buffer area absorbing runoff waters from the upland side and sea level rise from Portland's inner harbor. The steep gulleys invite indiscriminate filling; but that fill is unstable. Moreover, the water levels at the foot of Sewell Powsland, and Mitton rise and fall with annual snow, rain, storm surges, etc.

This morning I spoke at some length with attorney AJ.

I'm knowledgeable about land use law; But you need a hydrologist as well; A person who knows the value of wetlands that act as a buffer between solid upland areas and open waters; a person who designs sewer systems, storm water runoff systems is the expert you need. Illegal filling by Gorham Sand & Gravel or anyone else including the city along lower Powsland should be enjoined. Obviously any filling from behind lower Mitton St, Willow Lane properties closest to the water and from the Hobart Street extension should not be permitted. These are unbuildable natural areas in my mind; the gulleys and the vegetation they support protect the housing that is in place. An expert hydrologist can document the unbuildable character of this land and show worst case scenarios. Sea level rise suggests the situation will grow worse overtime. The other thing to be enjoined and cleaned up is the illegal dumping of trash at the foot of Powsland. Large granite stones prevent driving from Sewell to Powsland. A similar layering of stones should block off the turnaround and dumping areas at the foot of Powsland. I witnessed a pickup dumping into the gully at the foot of Powsland as I made my tour yesterday. I'd stay on the city's back; filling, dumping and certainly any large scale development should not be permitted on unstable, previously filled land in/on lower Powsland St. or any of the street areas noted above.

O. E. Delogu

I am moving forward with a Federal Lawsuit that will involve the Superior Court, State of Maine, and I am undecided to enjoin STJ, INC. If anything they will be called as a witness along with their attorney.

I understand, as I have never met an engineer that doesn't believe they can build anything anywhere.

Good luck!

Best,

Dale J. Holman

10 Willow Lane

Portland, ME 04102

STATE OF MAINE
SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT

DALE J. HOLMAN

Appellant

v.

CITY OF PORTLAND, MAINE, et al,

Appellee

Docket No. Cum-22-72

BRIEF FOR APPELLANT

Appeal from a decision of the
Cumberland County Superior Court
Located at Portland, Maine

Dale J. Holman
10 Willow Lane
Portland, ME 04102
Appellant, *pro se*
207-409-9307

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STATEMENT OF FACTS

On or about March 1997, the planning Board of the City's Department of Planning and Urban Development recommended to the Town Council that parcels of land on Powsland Street be zoned from I-2 (Industrial Zone) to B-5 (Urban Commercial Mixed Use Zone). The City adopted the Board's recommendation and rezoned the area around Powsland Street to B-5.

The City's current map shows the aforesaid area zoned as B-5.

Upon Appellant's information and belief, the rezoning of the aforesaid area did not follow due process. Pursuant to 30-A M.R.S. § 4352(1), "[t]he public shall be given an adequate opportunity to be heard in the preparation of a zoning ordinance." (App. p. 12) Further, 30-A M.R.S. § 4352(2) provides that "a zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body."

The City was also obligated to post and publish a public notice before adopting a new zoning ordinance or map or amending an existing zoning ordinance or map. *See* 30-A M.R.S. § 4352(2). (App. p. 17)

On or about December 4, 2014, Barbara Barhydt, the Development Review Services Manager, affirmed in an email that she could not trace the actual council orders that authorized the rezoning. (App. p. 25-30)

On or about February 5, 2015, Appellant's former Counsel, A.J. Hungerford, Esq. (hereinafter "Hungerford") wrote to Jennifer L. Thompson (hereinafter "Thompson"), who was the Associate Corporation Counsel of the City of Portland. (App. p. 18-19) In the said letter, Hungerford raised Appellant's concerns that the street directly behind Appellant's house was illegally zoned as B-5. Hungerford also pointed out to Thompson that the City Council did not make any approval of the zoning change. The Attorney further emphasized that the Planning Board violated 30-A M.R.S. § 4352(2) by effecting the zoning change without following the law.

On or about February 13, 2015, Thompson replied to Hungerford's letter, and stated that she engaged the staff of the City Council and managed to locate the amendment map and the 2001 Order that effected the 1997 decision to rezone Powsland Street to B-5. However, Jennifer noted that she did not find the 1997 order adopting the amendment. (App. p. 18-19) There had been a meeting prior to this date with City Manager Jon Jennings, and Thompson. There was also a follow up meeting with Thompson, Hungerford, and Appellant. Thompson stated her position is that "time has passed, and that these updated maps had been voted on several times, therefore, this allows a legal zone change."

On or about November 2, 2019, Appellant drafted a letter to Christine Grimando (hereinafter "Grimando"), the Acting Planning and Urban

Development Director. (App. p. 20-24) The letter's intent was to notify Grimando of Appellant's Petition for a zone change to Powsland Street B-5 Zone to a less impact zone. In the letter, Appellant raised complaints of how his property is subjected to flooding as a result of the Appellee's unlawful decision to rezone the Powsland Street from I-2 to B-5. Appellant also emphasized how the Appellee violated the law by rezoning the said area without following the required proper legal steps including public notification, public hearing, or City Council vote.

As a result of the rezoning of the aforesaid area, Appellant's property has been subjected to flooding from storm water. (App. p. 63-64) The illegal change of zone from legal I2 zone to B5 zone allows higher impact to this area than the original I2 zone that would only allow one structure if the applicant can demonstrate to remediate storm water and sea level rising [Maine H.P. 1169 -L.D. 1572 Chp. 67 Resolve, To Analyze the Impact of Sea-Level Rise, June, 2021], (App. p. 81-82) geo technical study of the earth, written rights to maintain abutters drainage, and wetlands study. The Planning and Development Department observed that the developer's activities on the said property reduces the capacity of the watershed; facilitates the encroachment of storm water on abutting properties; and worsens the drainage conditions of the area. (App. p. 65-66)

Further, it is worth noting that plans are to build within an illegal zone, therefore, damage will result to applicant. There is to that effect a letter dated

November 18, 2021 from an engineer firm with plans to be move forward with nine unit development within this illegal zone. (App. p. 58)

PROCEDURAL HISTORY

This is an appeal from a decision of the Cumberland County Superior Court in Maine. The said decision dismissed Appellant's Complaint.

Appellant filed a Verified Complaint on or about October 22, 2021. (App. p. 7-16). Appellant also filed a Motion for Preliminary Injunction pursuant to Maine Civ. P. 65(b). (App. p. 32-40)

The Appellee filed an Opposition to the Appellant's Motion for Preliminary Injunction. (App. p. 42-46) The Appellee also filed a Motion to Dismiss. (App. p. 47-50) On or about November 29, 2021, the Appellant filed a Response to the Appellee's Opposition to Appellant's Motion for Preliminary Injunction. (App. p. 51-57) Appellant also filed a response to Appellee's Motion to Dismiss. (App. p. 68-73)

On or about March 8, 2022, the Court issued an Order dismissing the Appellant's Complaint. (App. p. 5-6) Appellant hereby files this Appeal against the aforesaid decision.

STATEMENT OF ISSUES

- I.** WHETHER THE TRIAL COURT ERRED WHEN IT FAILED TO RECOGNIZE THAT PUBLIC PARTICIPATION WAS REQUIRED IN THE PREPARATION OF A ZONING ORDINANCE BY PUBLIC NOTICE AND PUBLIC HEARING.
- II.** WHETHER THE TRIAL COURT ERRED WHEN IT FAILED TO CONSIDER THE FACT THAT THE UNDERLYING ZONE CHANGE WAS IMPROPER/ILLEGAL AS PER LEGASLATIVE LAW THE CITY COUNCIL/VOTING BODY MUST VOTE FOR ANY ZONE CHANGE.
- III.** WHETHER THE CASE IS BARRED BY THE STATUTE OF LIMITATIONS.

SUMMARY OF ARGUMENTS

- I.** The Trial Court erred when it failed to recognize that public participation was required in the preparation of the City's zoning ordinance.
- II.** The Trial Court erred when it failed to consider the fact that the underlying zone change was improper/illegal.
- III.** This case is not barred by the Statue of Limitations.

ARGUMENTS

I. THE TRIAL COURT ERRED WHEN IT FAILED TO RECOGNIZE THAT PUBLIC PARTICIPATION WAS REQUIRED IN THE PREPARATION OF THE CITY'S ZONING ORDINANCE.

Pursuant to 30-A M.R.S. § 4352(1), the public **must** be given an adequate opportunity to be heard in the preparation of a zoning ordinance. The public must also be "given [notice of a public proceeding] in ample time to allow public attendance," 1 M.R.S.A. § 406 (1989). To be sufficient under the Freedom of Access Act, 1 M.R.S.A. § 401-410 (1989 & Supp.1998), notice of the meeting must have been "given in ample time to allow public attendance and... disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served" by the Town Council. *See* 30-A M.R.S.A. § 4352(1) (requiring the opportunity for public participation in the preparation of a zoning ordinance). This standard required the authority to provide notice that was sufficient to give the public a reasonable opportunity under the circumstances to be present during the authority's deliberations. *Crispin v. Town of Scarborough*, 736 A.2d 241 (1999).

The Appellee effected the rezoning upon a recommendation by the planning Board of the City's Department of Planning and Urban Development, without engaging the public for their input on the said intention. Besides, no voting was done, which included the public. According to the aforesaid law 30-A M.R.S. § 4352(1),

public participation is **required**. In that regard, public participation is a pertinent requirement in the preparation of a zoning ordinance. Failure to conduct public participation amounts to a blatant violation of the said Statute, thus making the ordinance null and void.

II. THE TRIAL COURT ERRED WHEN IT FAILED TO CONSIDER THE FACT THAT THE UNDERLYING ZONE CHANGE WAS IMPROPER/ILLEGAL.

In order for the ordinance to be a valid exercise of the Town's police power it must 1) provide for the public welfare, 2) use means appropriate to the desired ends, and 3) not be exercised in an arbitrary or capricious manner. *Tisei v. Town of Ogunquit*, 491 A.2d 564, 569 (Me. 1985). Further, "[a] zoning ordinance shall be drafted as an integral part of a comprehensive plan for municipal development, and promotion of health, safety and general welfare of the residents of the municipality." *Barnard v. Zoning Bd. of App. of Town of Yarmouth*, 313 A.2d 741, 744 (Me. 1974).

In order to constitute a valid exercise of the police power the restriction imposed by zoning ordinances must bear a substantial relation to the public health, safety, morals or general welfare of the public. *Toulouse, et al. v. Board of Zoning Adjustment*, 147 Me. 387, 393. It is worth noting that "[t]he term public welfare has never been and cannot be precisely defined. Sometimes it has been said to include public convenience, comfort, peace and order, prosperity, and similar concepts, but

not to include mere expediency." *Wright v. Michaud*, 959 A.2d 753. There is therefore a tendency to give a broad interpretation to the term "public welfare". *Id.* Accordingly, in considering the provisions of a comprehensive zoning ordinance the legislative body may take into consideration the nature and character of the community and of its proposed zone districts, the nature and trend of the growth of the community and that of surrounding municipalities, the areas of undeveloped property and such other factors that necessarily enter into a reasonable and well-balanced zoning ordinance. *Wright v. Michaud*, 160 Me. 164, 173 (Me. 1964).

According to *Warren v. Municipal Officers, Etc.*, 431 A.2d 624, 628 (Me.1981), the zoning ordinance itself is presumed to be constitutional. Notably, a **properly promulgated** zoning ordinance is accorded a "strong presumption of constitutional validity." *Penobscot Area Housing Development Corp. v. City of Brewer*, 434 A.2d 14, 23 (Me.1981). See also *Barnard v. Zoning Board of Appeals of the Town of Yarmouth*, 313 A.2d 741, 744 (Me.1974). The burden is on Complainant to show by "clear and irrefutable evidence that it infringes on paramount law". *Warren v. Municipal Officer, Etc.*, 431 A.2d 624, 628 (Me.1981). See also *The Law of Zoning and Planning*, Rathkopf, Vol. 1, page 21-1. Substantial evidence" has been characterized as "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *Hrouda v. Town of Hollis*, 568

A.2d 824, 826 (Me.1990) (quoting *In re Maine Clean Fuels, Inc.*, 310 A.2d 736, 741 (Me.1973)).

In the instant action, the zoning ordinance was improperly enacted and effected. First, it became operational in violation of statutory provision that required public participation. The fact that no public participation was done in the preparation of the ordinance makes the said ordinance null and void. Next, the ordinance is against public welfare. It is clear from the foregoing case law that the Courts give public welfare a broad interpretation. Accordingly, public welfare consideration may include protecting and/or preventing individuals' properties from flooding. In this case, one of the effect of the zoning ordinance is that it made it possible for developments to be done in an around the Appellant's property, which developments subject Appellant's property to flooding. In that regard, Appellant avers that there is sufficient evidence to ascertain that the City violated paramount law, when it effected the zoning ordinance without an involvement of the public as required by the applicable law.

III. THIS CASE IS NOT BARRED BY THE STATUTE OF LIMITATIONS

According to Stat. Tit. 14, § 752, all civil actions shall be commenced within 6 years after the cause of action accrues. The Maine Supreme Court accepted a case challenging the 30 year-old decision in *Bell v. Town of Wells*, 557 A.2d 168

(1989) that limited the public's enjoyment of private beaches. Also, the Maine Supreme Court accepted to reconsider its decision in *Almeder v. Town of Kennebunkport*, 2014 ME 12, issued on February 4, 2014, which was past the statutory limit.

Appellant avers that the statutory limit may cease to apply in cases of public interest. Notably, the Statute of limitations does not apply to Appellant's motion as the zone change was illegally obtained. The Appellee cannot claim that the Appellant's case is late since the Appellee's actions to rezone were illegal, hence voids the B5 zone change. Appellee misleads this Court by claims that the City Council properly voted upon this zone change that is required by legislative law; public notice, public hearing, and vote by City Council. Voting on zoning maps for an existing illegal zone change does not constitute a legal zone change.

It is worth noting that on or about December 4, 2014, Barbara Barhydt, the Development Review Services Manager, affirmed in an email that she could not trace the actual council orders that authorized the rezoning. Further, on February 13, 2015, the Appellee's attorney, Jennifer Thompson, Esq., admitted that she could not find any order that adopted the rezoning. Therefore, Appellee cannot claim reliance on an illegal ordinance zone. Appellant further avers that the controversy in the case is triggered by the developer's application to conduct construction activities, which developments expose Appellant's property to

additional floods. In that regard, Appellant avers that he did not bring this matter before the Court in 2014 as there was not any application for development to further harm the Appellant. Appellant avers that there was not any threat in the past seven years of any proposed plans of development that would impact this area with additional flooding to the Appellant's property/home there was not any need to file a lawsuit. This does not undermine the facts that the illegal zone change does not become legal over time and just because the Appellee claims it is a legal zone change. Appellee and Trial Court relies solely on the case law *Bog Lake Co. v. Town of Northfield*, 2008 ME 37, ¶ 9, 942 A.2d 700. This case law does not apply to this matter as in the referenced case law the Town of Northfield underlying zone change was legally perfected unlike where the Appellee did not follow the proper legal process to obtain their zone change. Appellee seems to not recall that the Appellant attempted on two occasions to resolve this matter by exhaustive administrative remedies, and the Appellee's Attorney Jennifer Thompson, Esq. was overly combative in the first meeting that included then City Manager, Jon Jennings. A few years later a second meeting that included A.J. Hungerford, Esq., and that meeting was less combative in nature.

CONCLUSION

In light of the foregoing, Appellant humbly submits that Trial Court erred in dismissing Appellant's case. Notably, the Trial Court erred when it failed to recognize that public participation was required in the preparation of the city's zoning ordinance. The Trial Court also erred when it failed to consider the fact that the underlying zone change was improper and/or illegal. Lastly, it is clear that the statute of limitations argument raised by the Appellee does not apply to the case.

Respectfully submitted,

Dated: May, 22, 2022

Dale J. Holman
10 Willow Lane
Portland, ME 04102
Appellant, *pro se*
207-409-9307

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a copy of the foregoing brief on counsel for the Appellee/Respondent by depositing a copy, contained in a first-class postage-paid wrapper or envelope, at an office of the United States Postal Service, addressed as follows:

Appellee, Jennifer Thomas, Esq.
Acting Corporation Counsel
389 Congress Street, Room 211
Portland, ME 04101
207-874-8480

Dated: May 25, 2022

/s/ Dale J. Holman

Dale J. Holman
10 Willow Lane
Portland, ME 04102
Appellant, *pro se*
207-409-9307

Fwd: 73 Powsland Street, Portland Planning Board Workshop

Subscribe ☐

0 views



Sheba Brown <sbrown@portlandmaine.gov>
to Planning Board

Jul 6, 2022, 3:14:00 PM (yesterday)

Best,
Sheba

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

From: **Scott Rheault** <smrheault@hotmail.com>

Date: Wed, Jul 6, 2022 at 11:58 AM

Subject: 73 Powsland Street, Portland Planning Board Workshop

To: publiccomment@portlandmaine.gov <publiccomment@portlandmaine.gov>

The Applicant has still not shown any rights/permissions/approvals from the State or Federal Governments or the Railroad Company to remedy the storm water issues associated with this area and its potential development.

None of the documents located online have changed to address any of the concerns of the City/State and Neighborhood expressed at the last meeting.

The developer has, on multiple occasions, directly, and intentionally performed non-permitted work (and allowed R.E. Coleman to do the same) on this site without any corrective measures performed.

The developer should lose their right to develop this site as they have made it very clear with their past actions that they have no regards for the City/State planning/permitting processes.

Thanks,

Scott Rheault

72 Powsland St

[207-899-6708](tel:207-899-6708)

Dale <dholman1@maine.rr.com>

Feb 4, 2023, 2:29:27 PM (yesterday)

to planningboard@portlandmaine.gov, info@portlandmaine.gov, publiccomment@portlandmaine.gov, citymanager@portlandmaine.gov, Christine Grimando, tboyd@portlandmaine.gov, nle@portlandmaine.gov

I object, to the upcoming Planning Board Workshop, Tuesday, February 14th for Applicant STJ, INC. regarding proposed development in the illegal zone of 69 – 73 Powsland Street, Portland, Maine.

(Portland Planning Board renames the company to STD, Inc.)

Major Site Plan; 73 Powsland Street; STD, Inc., Applicant. (estimated time 5:30 – 6:30 p.m.) The Planning Board will hold a remote workshop to consider a proposal to develop four duplex units and one single-family unit, totaling nine new residential units, at 73 Powsland Street. The subject property is 30,000 square feet in area and is zone B-5 Urban Commercial. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-001808-2021.

Overview of Sebago Technics documents submitted to Portland Planning Department on October 13 & December 02, 2021.

1. B5 is an illegal zone for lots 69 – 73 Powsland Street, Portland, Maine.
2. Make public: (along with field notes and photos) of the wetland delineation that was performed by Gary M. Fullerton on April 2021.
3. Stormwater proposal not complete: would require an overflow pond and underground water storage tanks/chambers onsite for the lots owned by STJ, INC.
4. Retaining wall, fence, lawn, and planting trees will be required along the North West of the entire property line Dale Holman (10 Willow Lane) & James Sloan (60 Mitton Street).
5. Still not addressed: illegal zone, geo technical study, wetlands, sea level rising, flooding, and major storm water issues.
6. 10 Willow Lane, Portland will require a seismometer, audio, and video provided by Sebago Technics before any start of earth work/through completion
7. Design and buildings can't impact upon neighboring property with any potential shadows, wind vortex, lighting, site views, and building heights.
8. City of Portland third party engineering firm will be required to review all flow charts, storm water plans, wetlands, plans, and documents.

Best regards,
Dale J. Holman

From: Scott Rheault <smrheault@hotmail.com>
Sent: Wednesday, July 6, 2022 11:59 AM
To: publiccomment@portlandmaine.gov
Subject: 73 Powsland Street, Portland Planning Board Workshop

The Applicant has still not shown any rights/permissions/approvals from the State or Federal Governments or the Railroad Company to remedy the storm water issues associated with this area and its potential development.

None of the documents located online have changed to address any of the concerns of the City/State and Neighborhood expressed at the last meeting.

The developer has, on multiple occasions, directly, and intentionally performed non-permitted work (and allowed R.E. Coleman to do the same) on this site without any corrective measures performed.

The developer should lose their right to develop this site as they have made it very clear with their past actions that they have no regards for the City/State planning/permitting processes.

Thanks,

Scott Rheault

72 Powsland St

[207-899-6708](tel:207-899-6708)

Expert witness added:

Mr. Holman:

I received your email; I took the liberty of reexamining all of Sewell, Powsland, Mitton streets, Willow Circle development and then crossed over to Hobart Street's furthest extension. I drove and walked to see the lay of the land. It is what is has been for a century or more, a natural buffer area absorbing runoff waters from the upland side and sea level rise from Portland's inner harbor. The steep gulleys invite indiscriminate filling; but that fill is unstable. Moreover, the water levels at the foot of Sewell Powsland, and Mitton rise and fall with annual snow, rain, storm surges, etc.

This morning I spoke at some length with attorney AJ.

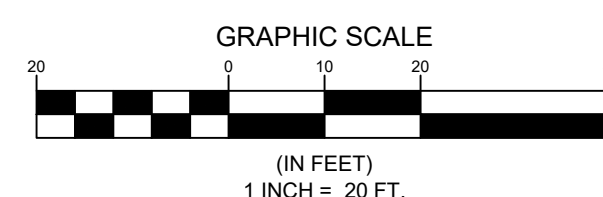
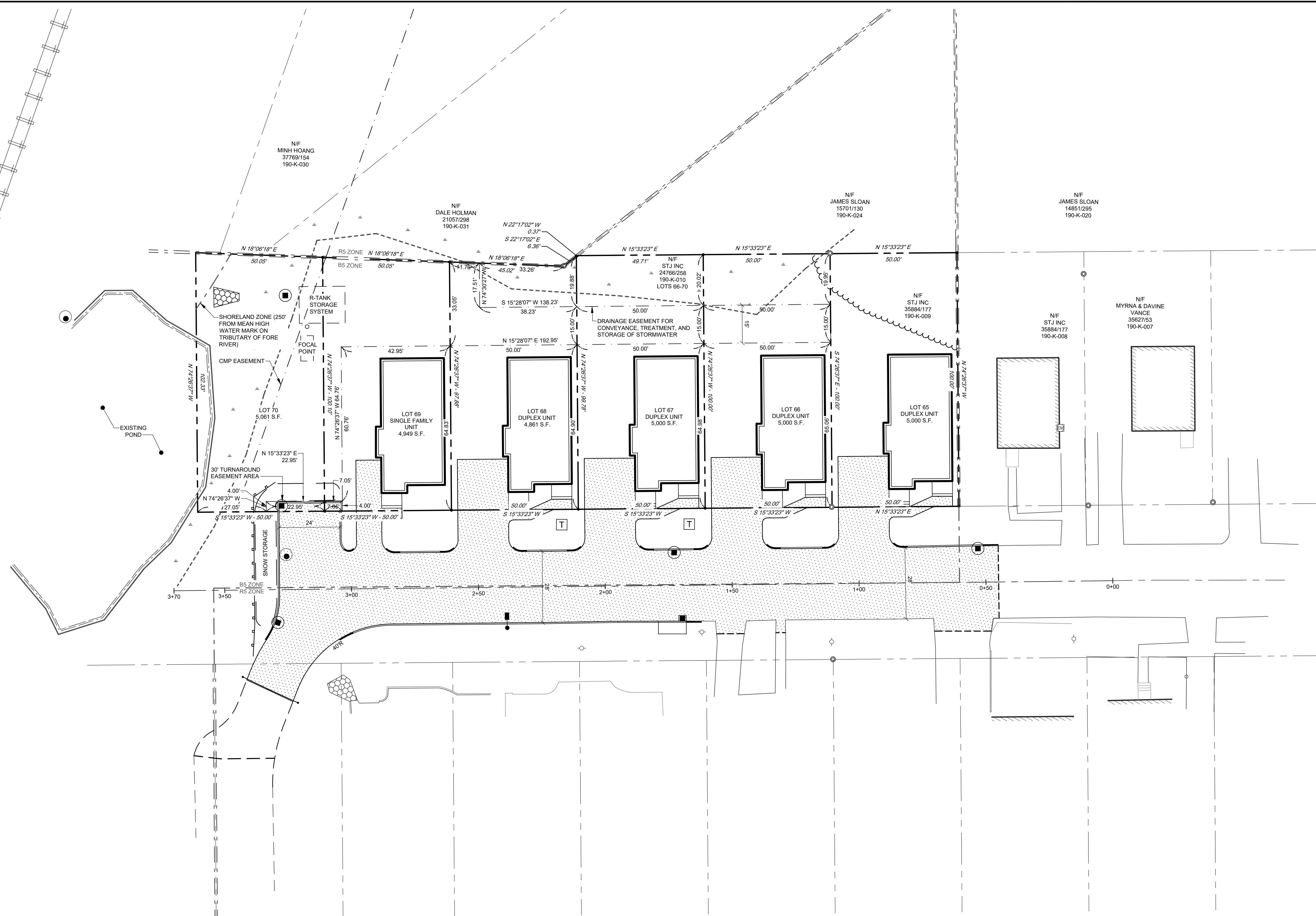
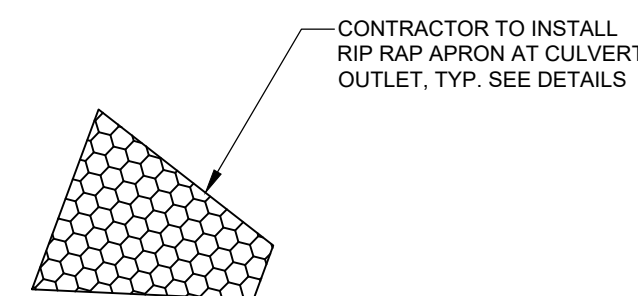
I'm knowledgeable about land use law; But you need a hydrologist as well; A person who knows the value of wetlands that act as a buffer between solid upland areas and open waters; a person who designs sewer systems, storm water runoff systems is the expert you need. Illegal filling by Gorham Sand & Gravel or anyone else including the city along lower Powsland should be enjoined. Obviously any filling from behind lower Mitton St, Willow Lane properties closest to the water and from the Hobart Street extension should not be permitted. These are unbuildable natural areas in my mind; the gulleys and the vegetation they support protect the housing that is in place. An expert hydrologist can document the unbuildable character of this land and show worst case scenarios. Sea level rise suggests the situation will grow worse overtime. The other thing to be enjoined and cleaned up is the illegal dumping of trash at the foot of Powsland. Large granite stones prevent driving from Sewell to Powsland. A similar layering of stones should block off the turnaround and dumping areas at the foot of Powsland. I witnessed a pickup dumping into the gully at the foot of Powsland as I made my tour yesterday. I'd stay on the city's back; filling, dumping and certainly any large scale development should not be permitted on unstable, previously filled land in/on lower Powsland St. or any of the street areas noted above.

O. E. Delogu









73360-01 S dwg TAB-OVERALL SITE PLAN

OVERALL SITE PLAN

OF:
LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

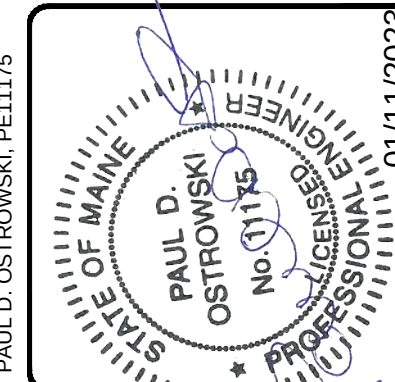
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DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 20'
PROJECT	07360-01

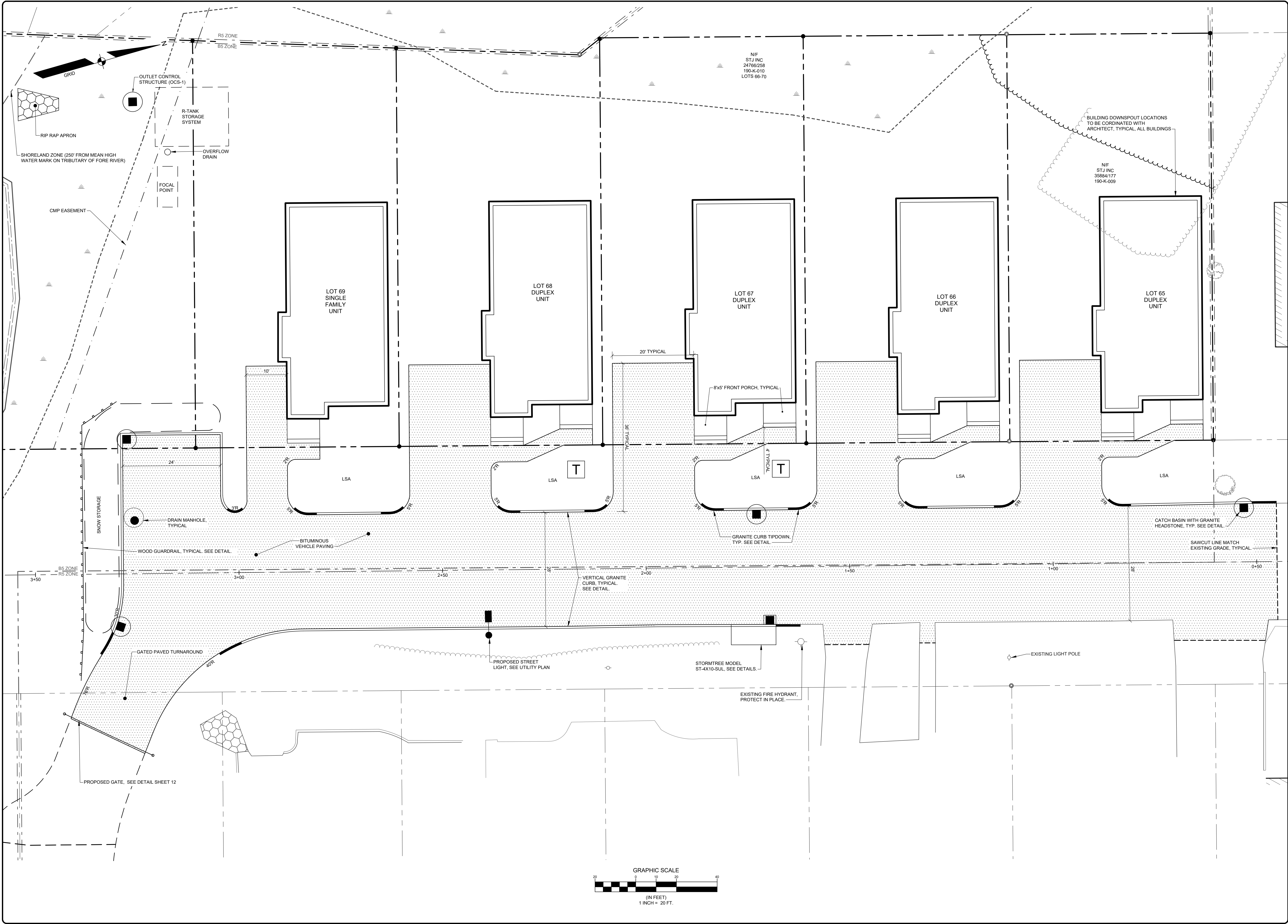
SHEET 3 OF 15

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WWW.SEAGOTECHNICS.COM

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Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

HENRY A HESS RI 4 4841	PAUL D OSTROWSKI PE11175
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[illegible]



07260-01 S.dwg, TAB SITE PLAN

DESIGNED

DRAWN

CHECKED

DATE

SCALE

PROJECT

JSH

SRC

HAH

10/01/21

1" = 20'

07360-01

SHEET 4 OF 15

07260-01 S.dwg, TAB SITE PLAN

01/11/2023

PAUL D. OSTROWSKI, P.E.

REGISTERED PROFESSIONAL ENGINEER

STATE OF MAINE

PAUL D. OSTROWSKI

NO. 1115

01/11/2023

REGISTERED PROFESSIONAL ARCHITECT

STATE OF MAINE

HENRY A. HESS

NO. 4841

REVISOR

REVISION

DATE

STATUS

REV. BY

DATE

STATUS

HAH

01-11-23

REVISED FROM COMMENTS ON 09/29/22

B

HAH

05-02-22

ISSUED FOR CITY REVIEW

A

HAH

09-10-21

ISSUED TO CLIENT FOR REVIEW

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South Portland, ME 04106

Suite 4A

Tel. 207-200-2100

SITE PLAN

OF:

LOTS 65-70

POWELL STREET

PORTLAND, MAINE

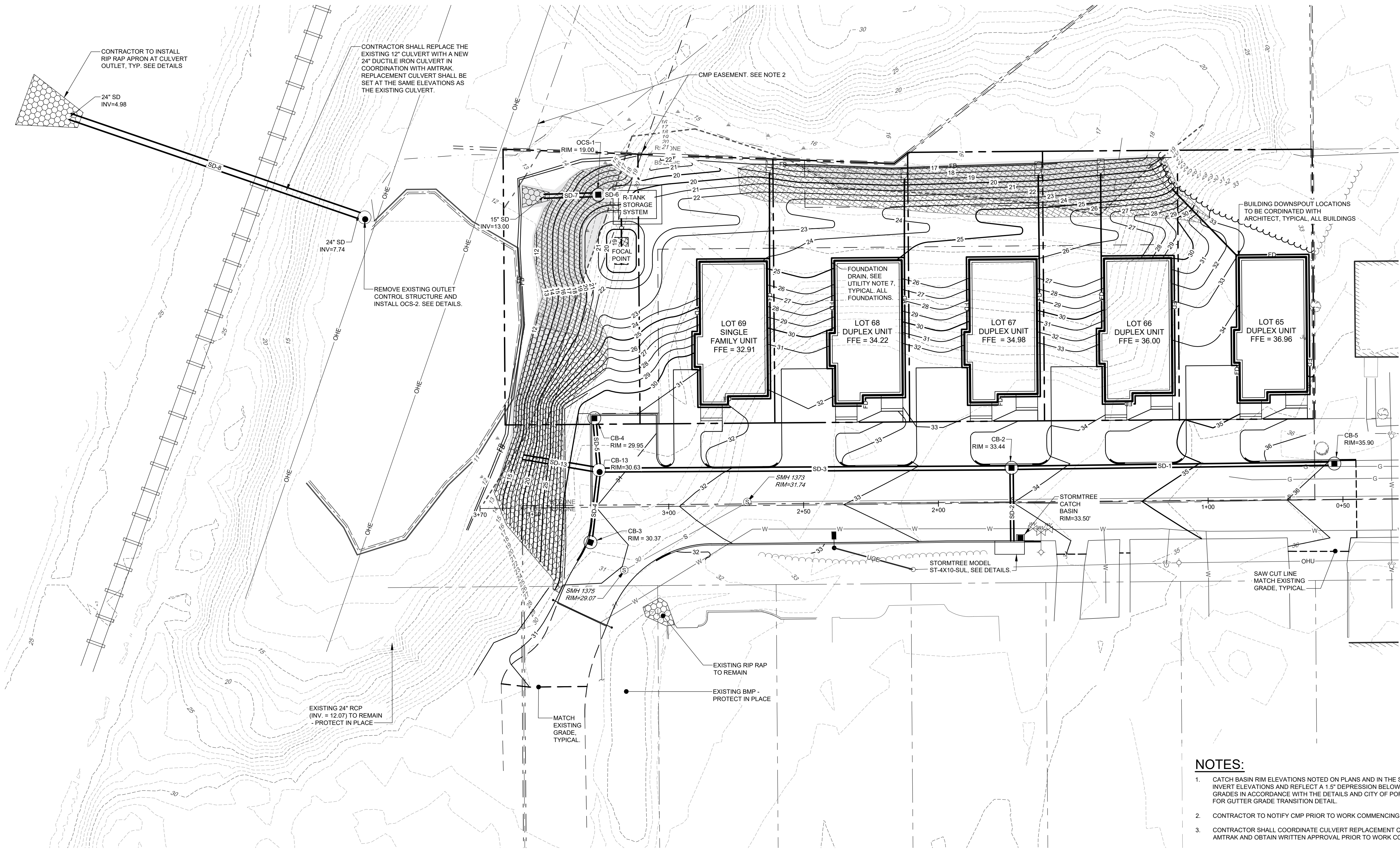
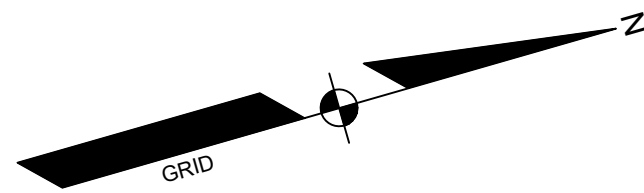
FOR:

STJ, INC.

P.O. BOX 58

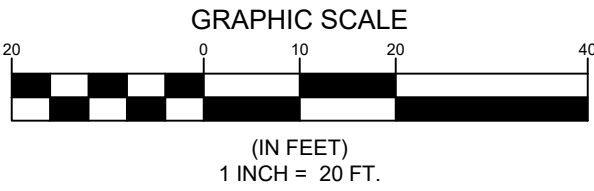
GORHAM, ME 04038

Page 455



NOTES:

- CATCH BASIN RIM ELEVATIONS NOTED ON PLANS AND IN THE STRUCTURES TABLE ARE TRUE RIM INVERT ELEVATIONS AND REFLECT A 1.5' DEPRESSION BELOW NORMAL GUTTER LINE PAVEMENT GRADES IN ACCORDANCE WITH THE DETAILS AND CITY OF PORTLAND STANDARDS. SEE SHEET 10 FOR GUTTER GRADE TRANSITION DETAIL.
- CONTRACTOR TO NOTIFY CMP PRIOR TO WORK COMMENCING WITHIN CMP EASEMENT.
- CONTRACTOR SHALL COORDINATE CULVERT REPLACEMENT CONSTRUCTION METHODS WITH AMTRAK AND OBTAIN WRITTEN APPROVAL PRIOR TO WORK COMMENCING.



0726201 GU.dwg, TAB-Overall Grading and Utility Plan

OVERALL GRADING AND UTILITY PLAN

OF:
LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 20'
PROJECT	07360-01

SHEET 5 OF 15

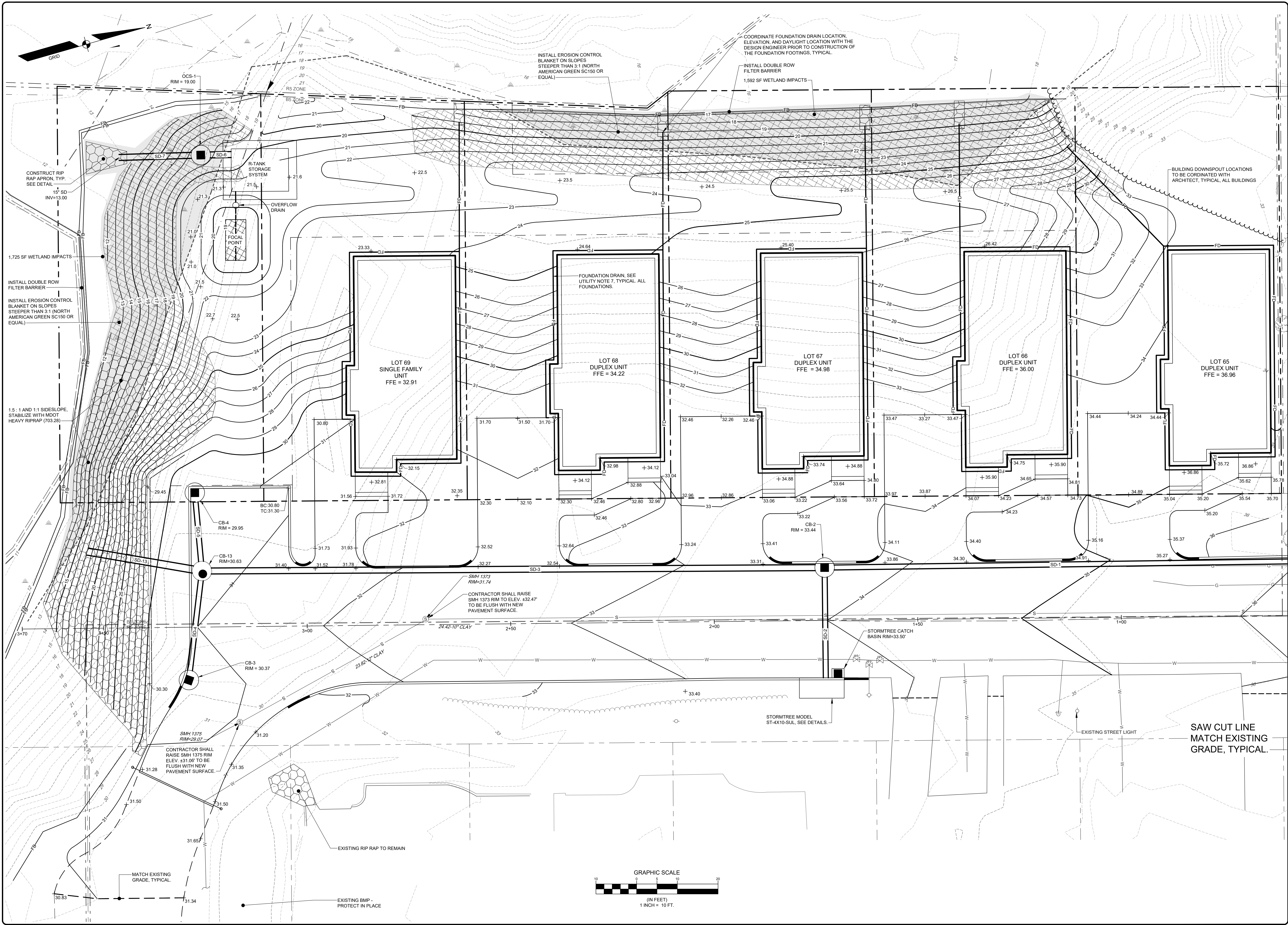
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B	HAH	05-02-22	ISSUED FOR CITY REVIEW
A	HAH	08-10-21	ISSUED TO CLIENT FOR REVIEW
REV.	BY:	DATE:	STATUS:

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Sullivan, ME 04106
South Portland, ME 04106
Tel. 207-200-2100

PAUL D. OSTROWSKI, P.E.
No. 01175
PROFESSIONAL ENGINEER
STATE OF MAINE
01/11/2023

HENRY A. HESS, RJA 4841



07260-DT-GU.dwg, TAB GRADING AND DRAINAGE PLAN

GRADING AND DRAINAGE PLAN
OF:
LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 10'
PROJECT	07360-01

SHEET 6 OF 15

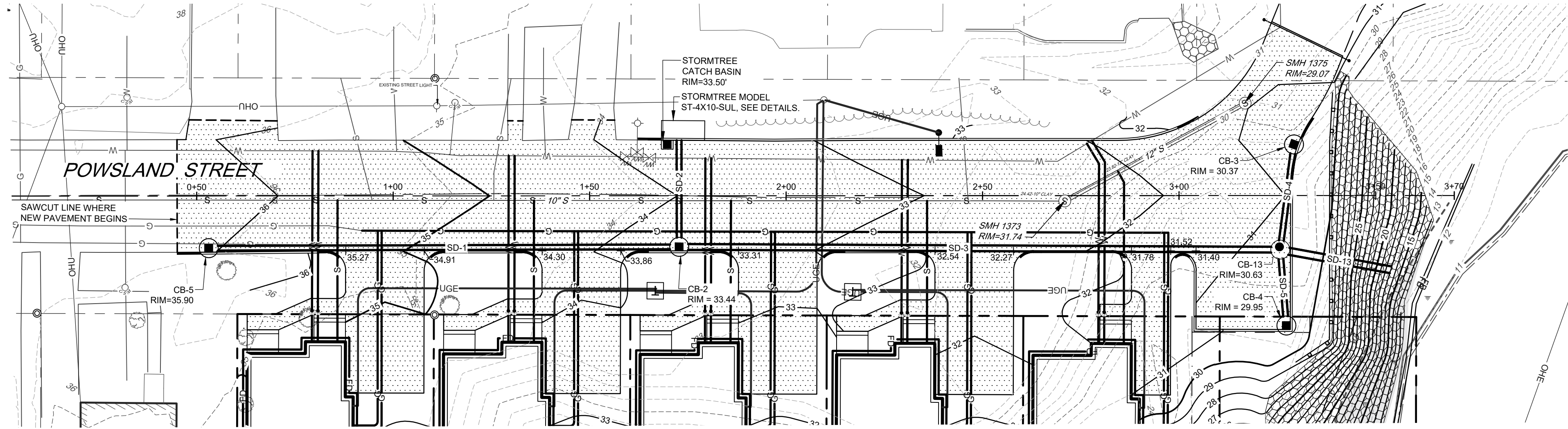
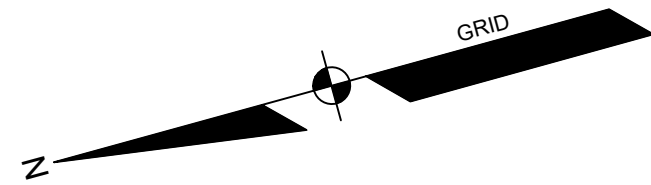
PAUL D. OSTROWSKI, P.E.
No. 01115
PROFESSIONAL ENGINEER
STATE OF MAINE
01/11/2023

HENRY A. HESS, R.L.A. 4841
PAUL D. OSTROWSKI, P.E. 175

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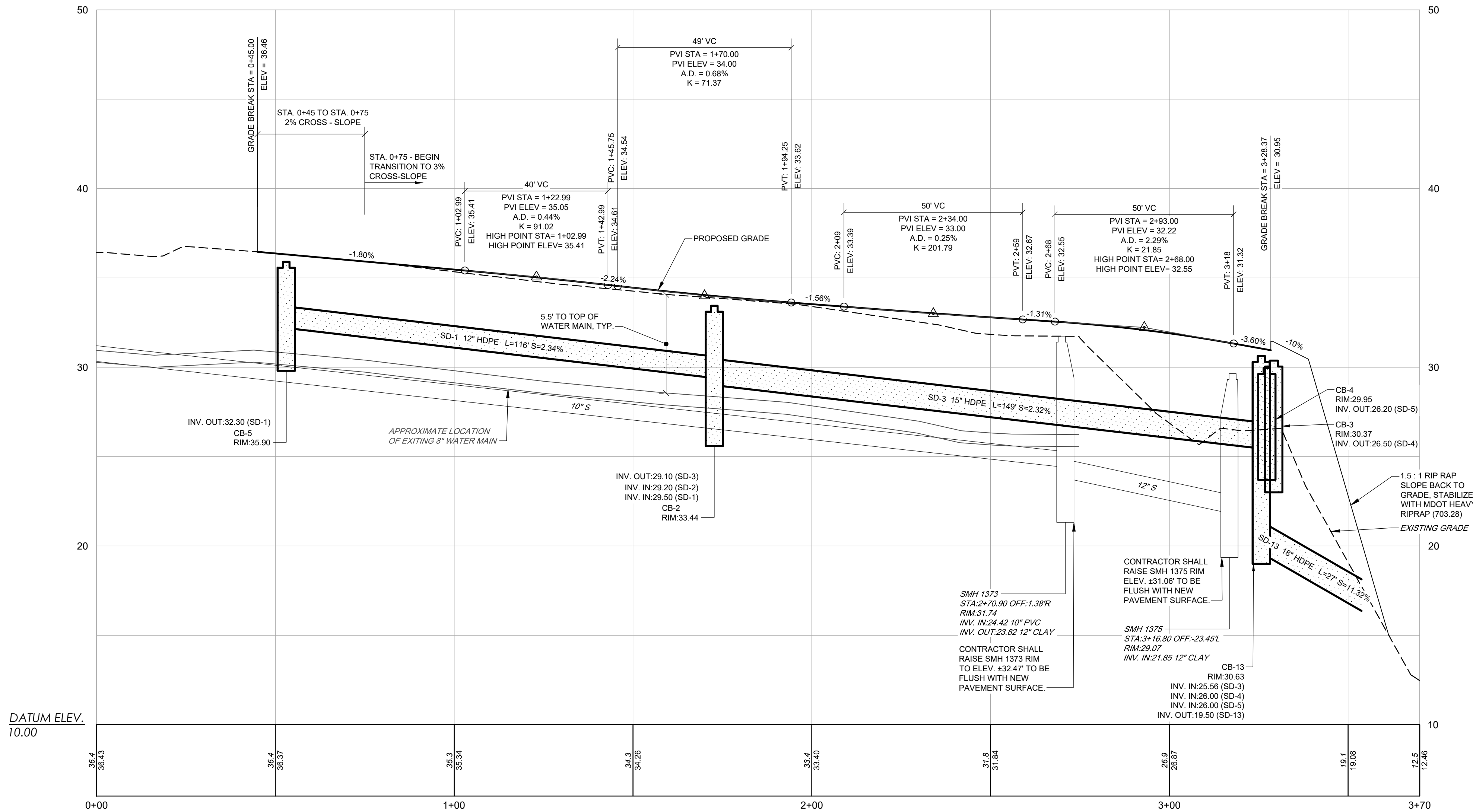
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TECHNIQS
www.sebagotechniqs.com
75 John Roberts Rd.
Sullivan, MA
South Portland, ME 04106
Tel. 207-200-2100



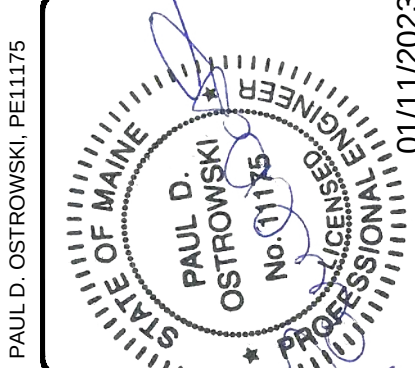
POWSLAND STREET - PLAN
SCALE: 1"=20'

NOTES:

- CATCH BASIN RIM ELEVATIONS NOTED ON PLANS AND IN THE STRUCTURES TABLE ARE TRUE RIM INVERT ELEVATIONS AND REFLECT A 1.5' DEPRESSION BELOW NORMAL GUTTER LINE PAVEMENT GRADES IN ACCORDANCE WITH THE DETAILS AND CITY OF PORTLAND STANDARDS. SEE SHEET 10 FOR GUTTER GRADE TRANSITION DETAIL.



POWSLAND STREET - PROFILE
SCALE: H: 1"=20' / V: 1"=4'



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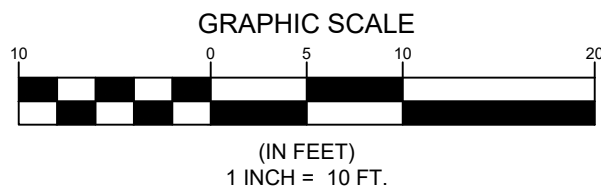
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PLAN AND PROFILE - POWSLAND STREET
OF:
LOTS 65-70
POWSLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
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DATE	10/01/21
SCALE	NTS
PROJECT	07360-01

SHEET 7 OF 15



STORM DRAIN STRUCTURE DATA				
STRUCTURE	RIM	INV. IN	INV. OUT:	DIAM.
CB-2	33.44	29.20 (SD-2) 29.50 (SD-1)	29.10 (SD-3)	48"
CB-3	30.37		26.50 (SD-4)	48"
CB-4	29.95		26.20 (SD-5)	48"
CB-5	35.90		32.30 (SD-1)	48"
CB-13	30.63	25.56 (SD-3) 26.00 (SD-4) 26.00 (SD-5)	19.50 (SD-13)	48"
OCS-1	19.00	13.42 (SD-6)	13.32 (SD-7)	48"
OCS-2	10.50		7.74 (SD-8)	48"

NOTES:

1. CATCH BASIN RIM ELEVATIONS NOTED ON PLANS AND IN THE STRUCTURES TABLE ARE TRUE RIM INVERT ELEVATIONS AND REFLECT A 1.5" DEPRESSION BELOW NORMAL GUTTER LINE PAVEMENT GRADES IN ACCORDANCE WITH THE DETAILS AND CITY OF PORTLAND STANDARDS. SEE SHEET 10 FOR GUTTER GRADE TRANSITION DETAIL.

DESIGNED	JSH
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CHECKED	HAH
DATE	10/01/21
SCALE	1" = 10'
PROJECT	07360-01

SHEET 8 OF 15

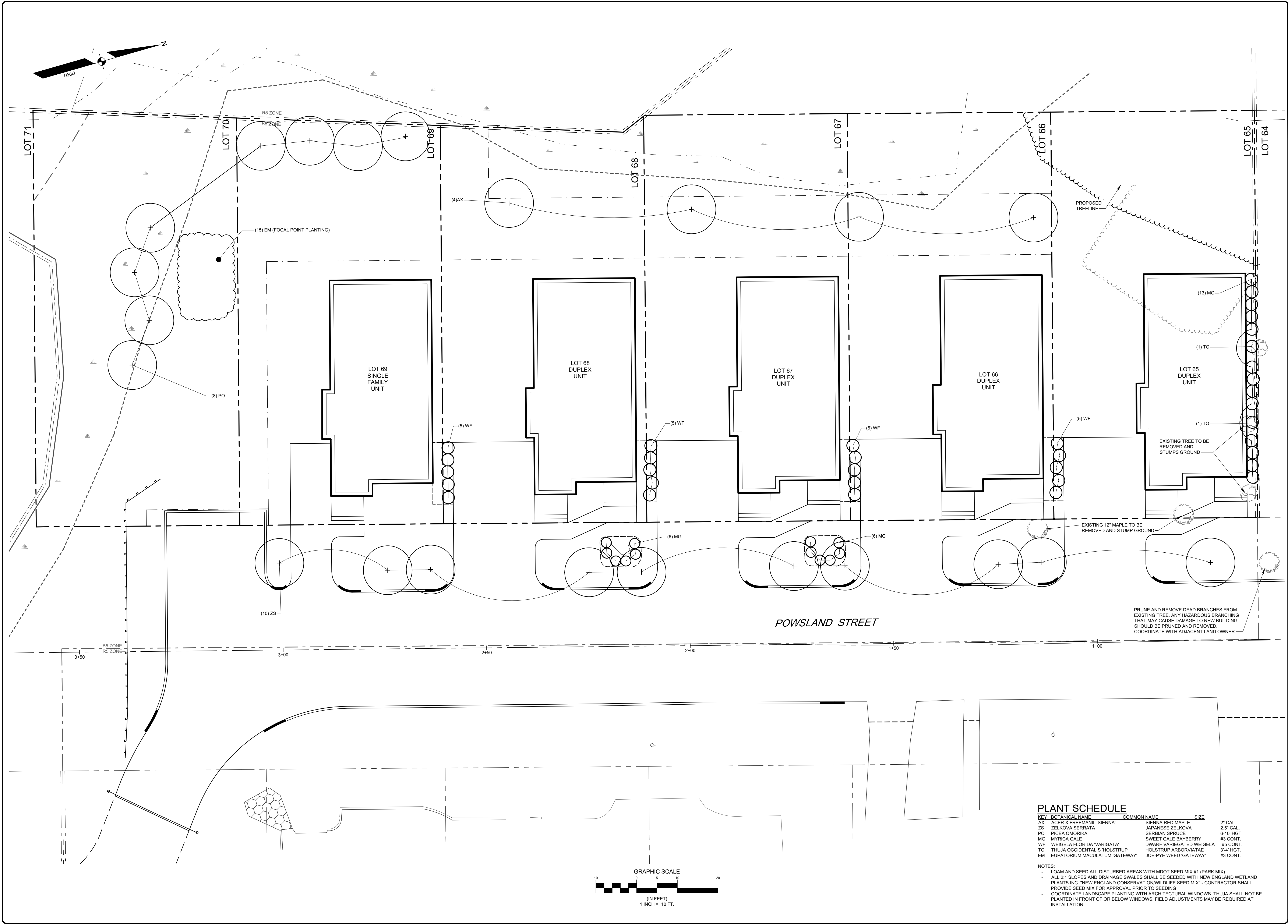
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Tel. 207-200-2100



PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SIZE
AX	ACER X FREEMANII 'SIENNA'	SIENNA RED MAPLE	2" CAL
ZS	ZELKOVA SERRATA	JAPANESE ZELKOVA	2.5" CAL
PO	PICEA OMORIKI	SERBIAN SPRUCE	6-10' HGT
MG	MYRICIA GALE	SWEET GALE BAYBERRY	#3 CONT.
WF	WEIGELA FLORIDA 'VARIGATA'	DWARF VARIEGATED WEIGELA	#5 CONT.
TO	THUJA OCCIDENTALIS 'HOLSTRUP'	HOLSTRUP ARBORVITAE	3-4' HGT.
EM	EUPATORIUM MACULATUM 'GATEWAY'	JOE-PYE WEEED 'GATEWAY'	#3 CONT.

- NOTES:
- LOAM AND SEED ALL DISTURBED AREAS WITH MDOT SEED MIX #1 (PARK MIX)
 - ALL 2:1 SLOPES AND DRAINAGE SWALES SHALL BE SEEDED WITH NEW ENGLAND WETLAND PLANTS INC. 'NEW ENGLAND CONSERVATION/WILDLIFE SEED MIX' - CONTRACTOR SHALL PROVIDE SEED MIX FOR APPROVAL PRIOR TO SEEDING
 - COORDINATE LANDSCAPE PLANTING WITH ARCHITECTURAL WINDOWS. THUJA SHALL NOT BE PLANTED IN FRONT OF OR BELOW WINDOWS. FIELD ADJUSTMENTS MAY BE REQUIRED AT INSTALLATION.

LANDSCAPE PLAN
OF:
LOTS 65-70
POWLSLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 10'
PROJECT	07360-01

SHEET 9 OF 15

07360-01 LANDSCAPE PLAN

RECEIVED
LANDSCAPE ARCHITECT
HENRY A. HESS, R.L.A. 4841
STATE OF MAINE
01/11/2023

C	HAH	01-11-23	REVISED FROM COMMENTS ON 09/29/22
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REV.	BY:	DATE:	STATUS:

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EROSION CONTROL MEASURES

PRE-CONSTRUCTION PHASE

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

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

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

CONSTRUCTION AND POST-CONSTRUCTION PHASE

AREAS UNDERGOING ACTUAL CONSTRUCTION SHALL ONLY EXPOSE THAT AMOUNT OF MINERAL SOIL NECESSARY FOR PROGRESSIVE AND EFFICIENT CONSTRUCTION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. SUCH AS ACTIVE EXCAVATION AND ACTIVE GRADING. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS ACTIVELY OCCURRING OR CAN BE MULCHED IN THE SAME DAY. OPEN AREAS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL AS SHOWN ON THE DESIGN PLANS AND AS DESCRIBED WITHIN THIS EROSION CONTROL PLAN WITHIN SEVEN (7) DAYS OF DISTURBANCE. AREAS LOCATED WITHIN 100 FEET OF STREAMS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL WITHIN SEVEN (7) DAYS. REFER TO WINTER EROSION CONTROL NOTES FOR THE TREATMENT OF OPEN AREAS AFTER OCTOBER 1ST OF THE CONSTRUCTION YEAR.

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

EROSION CONTROL APPLICATIONS & MEASURES

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

1. TEMPORARY MULCHING:

ALL DISTURBED AREAS SHALL BE MULCHED WITH MATERIALS SPECIFIED BELOW PRIOR TO ANY STORM EVENT. ALL DISTURBED AREAS NOT FINAL GRADED WITHIN 14 DAYS SHALL BE MULCHED. DISTURBED AREAS ADJACENT TO NATURAL RESOURCES THAT ARE NOT GRADED WITHIN SEVEN (7) DAYS SHALL BE MULCHED. ALSO, AREAS WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEEDED, SHALL BE MULCHED IMMEDIATELY FOLLOWING SEEDING. EROSION CONTROL BLANKETS ARE RECOMMENDED TO BE USED AT THE BASE OF GRASSED WATERWAYS AND ON SLOPES GREATER THAN 33%. MULCH ANCHORING SHOULD BE USED ON SLOPES GREATER THAN 5% AFTER SEPTEMBER 15TH OF THE CONSTRUCTION YEAR (SEE WINTER EROSION CONTROL NOTES).

TYPES OF MULCH:

HAY OR STRAW: SHALL BE APPLIED AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE).

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

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

2. SOIL STOCKPILES:

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED WITH HAY OR STRAW AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED) WITHIN 100 FEET FROM ANY STRAW OR MULCH. SEDIMENT BARRIERS SHALL BE INSTALLED DOWNGRADEMENT OF STOCKPILES, AND STORMWATER SHALL BE PREVENTED FROM RUNNING ONTO THE STOCKPILE.

3. NATURAL RESOURCES PROTECTION:

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES SHALL BE MULCHED USING TEMPORARY MULCHING (AS DESCRIBED IN PART 1 OF THIS SECTION) WITHIN 7 DAYS OF EXPOSURE OR PRIOR TO ANY STORM EVENT. SEDIMENT BARRIERS (AS DESCRIBED IN PART 4 OF THIS SECTION) SHALL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE.

4. SEDIMENT BARRIERS:

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

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

HAY BALES: SHALL NOT BE INSTALLED ADJACENT TO WETLAND. INSTALL PER THE DETAIL ON THE PLANS. BALES SHALL BE WIRE-BOUND OR STRING-TIED AND THESE BINDINGS MUST REMAIN PARALLEL WITH THE GROUND SURFACE DURING INSTALLATION TO PREVENT DETERIORATION OF THE BINDINGS. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER.

EROSION CONTROL MIX: SHALL NOT BE USED ADJACENT TO WETLANDS. INSTALL PER THE DETAIL ON THE PLANS. THE MIX SHALL CONSIST PRIMARILY OF ORGANIC MATERIAL AND CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4 INCHES IN DIAMETER. THE MIX COMPOSITION SHALL MEET THE STANDARDS DESCRIBED WITHIN THE MDEP BEST MANAGEMENT PRACTICES. NO TRENCHING IS REQUIRED FOR INSTALLATION OF THIS BARRIER. EROSION CONTROL MIX BERMS SHALL NOT BE USED AT THE BOTTOM OF STEEP SLOPES (>8%) OR SLOPES WITH FLOWING WATER.

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

5. TEMPORARY CHECK DAMS:

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

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

HAY BALE CHECK DAMS: BALES SHALL BE WIRE-BOUND OR STRING-TIED. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER. HAY BALES SHALL BE PLACED SUCH THAT COMPLETE COVERAGE OF THE SWALE IS OBTAINED AND THAT THE CENTER OF THE DAM IS 6 INCHES LOWER THAN THE OUTER EDGES.

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

6. STORMDRAIN INLET PROTECTION:

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

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

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

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

7. STABILIZED CONSTRUCTION ENTRANCE/EXIT:

PRIOR TO CLEARING AND/OR GRUBBING THE SITE A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED WHEREVER TRAFFIC WILL EXIT THE CONSTRUCTION SITE ONTO A PAVED ROADWAY IN ORDER TO MINIMIZE THE TRACKING OF SEDIMENT AND DEBRIS FROM THE CONSTRUCTION SITE ONTO PUBLIC ROADWAYS. THE ENTRANCES AND ADJACENT ROADWAY AREAS SHALL BE PERIODICALLY SWEEP TO FURTHER MINIMIZE THE TRACKING OF MUD, DUST OR DEBRIS FROM THE CONSTRUCTION AREA. THE TERM "SWEEP" IS UNDERSTOOD TO MEAN REMOVAL AND RECOVERY OF TRACKED SEDIMENT WITH A STREET SWEEPER, NOT BRUSHING THE MATERIAL INTO SWALES OR STRUCTURES WITH A MECHANICAL BROOM. STABILIZED CONSTRUCTION EXITS SHALL BE CONSTRUCTED IN AREAS SPECIFIED ON THE PLANS AND AS DETAILED ON THE PLANS. THE CONTRACTOR SHALL MAINTAIN THE STABILIZED CONSTRUCTION ENTRANCE UNTIL ALL DISTURBED AREAS ARE STABILIZED.

DUST CONTROL:

DUST CONTROL DURING CONSTRUCTION SHALL BE ACHIEVED BY THE USE OF A WATERING TRUCK TO PERIODICALLY SPRINKLE THE EXPOSED ROADWAY AREAS AS NECESSARY TO REDUCE DUST DURING THE DRY MONTHS. APPLYING OTHER DUST CONTROL PRODUCTS SUCH AS CALCIUM CHLORIDE OR OTHER MANUFACTURED PRODUCTS ARE ALLOWED IF AUTHORIZED BY THE PROPER LOCAL, STATE AND/OR FEDERAL REGULATING AGENCIES. HOWEVER, IT IS THE CONTRACTOR'S ULTIMATE RESPONSIBILITY TO MITIGATE DUST AND SOIL LOSS FROM THE SITE. IF OFFSITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NOT LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS.

TEMPORARY VEGETATION:

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

PERMANENT VEGETATION:

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

SEEDBED PREPARATION:

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

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

ITEM	APPLICATION RATE
10-20-20 FERTILIZER (N-P2O5-K2O OR EQUAL)	18.4 LBS/1,000 S.F.
GROUND LIMESTONE (50% CALCIUM & MAGNESIUM OXIDE)	138 LBS/1,000 S.F.
WORK LIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH PROPER EQUIPMENT. ROLL THE AREA TO FIRM THE SEEDBED EXCEPT ON CLAY OR SILTY SOILS OR COARSE SAND.	

APPLICATION OF SEED:

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

SEED TYPE	APPLICATION RATE
CREeping RED FESCUE	0.48 LBS/1,000 S.F. (20 LBS/ACRE)
REDTOP	0.05 LBS/1,000 S.F. (2 LBS/ACRE)
TALL FESCUE	0.46 LBS/1,000 S.F. (20 LBS/ACRE)
TOTAL:	0.97 LBS/1,000 S.F. (42 LBS/ACRE)

NOTE: A SPECIFIC SEED MIXTURE SHOULD BE CHOSEN TO MATCH THE SOILS CONDITION OF THE SITE. VARIOUS AGENCIES CAN RECOMMEND SEED MIXTURES. MODEP RECOMMENDED SEED MIXTURES ARE IN THE EROSION AND SEDIMENT CONTROL BMP MANUAL, LATEST REVISION.

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

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

SODDING:

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

STANDARDS FOR TIMELY STABILIZATION:

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES -- THE CONTRACTOR WILL CONSTRUCT AND STABILIZE STONE-COVERED SLOPES BY NOVEMBER 15. THE CONTRACTOR WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15. THE MDEP WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 15% (10H:1V) TO BE A SLOPE. IF THE CONTRACTOR FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER.

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET AND APPLY EROSION CONTROL MATS OVER THE MULCHED SLOPE. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SLOPE BY NOVEMBER 1, THEN THE APPLICANT WILL COVER THE SLOPE WITH A LAYER OF WOOD WASTE COMPOST AS DESCRIBED IN ITEM 2(C) OF THIS STANDARD OR WITH STONE RIPRAP AS DESCRIBED IN ITEM 2(D) OF THIS STANDARD.
- STABILIZE THE SLOPE WITH SOD -- THE CONTRACTOR WILL STABILIZE THE DISTURBED SLOPE WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE APPLICANT WILL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 33% (3H:1V).
- STABILIZE THE SLOPE WITH WOOD WASTE COMPOST -- THE CONTRACTOR WILL PLACE A SIX-INCH LAYER OF WOOD WASTE COMPOST ON THE SLOPE BY NOVEMBER 15. PRIOR TO PLACING THE WOOD WASTE COMPOST, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED SLOPE. THE APPLICANT WILL NOT USE WOOD WASTE COMPOST TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SLOPE WITH STONE RIPRAP -- THE CONTRACTOR WILL PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15. THE APPLICANT WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SOILS -- BY SEPTEMBER 15 THE CONTRACTOR WILL SEED AND MULCH ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15%. IF THE CONTRACTOR FAILS TO STABILIZE THESE SOILS BY THIS DATE, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SOIL FOR LATE FALL AND WINTER.

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET, LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 POUNDS PER 1000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM 3(C) OF THIS STANDARD.
- STABILIZE THE SOIL WITH SOD -- THE APPLICANT WILL STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
- STABILIZE THE SOIL WITH MULCH -- BY NOVEMBER 15 THE APPLICANT WILL MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 POUNDS PER 1000 SQUARE FEET ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. PRIOR TO APPLYING THE MULCH, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED AREA. IMMEDIATELY AFTER APPLYING THE MULCH, THE APPLICANT WILL ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

- MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, AND AT LEAST EVERY SEVEN (7) DAYS, THE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PERFORM REPAIRS NO LATER THAN THE END OF THE NEXT WORKDAY. TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURES, THE CONTRACTOR SHALL DISCHARGE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN WITHIN SEVEN (7) DAYS.
- FOLLOWING THE TEMPORARY AND/OR FINAL SEEDINGS, THE CONTRACTOR SHALL INSPECT THE WORK AREA SEMIMONTHLY UNTIL THE SEEDINGS HAVE BEEN ESTABLISHED. ESTABLISHED MEANS A MINIMUM OF 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH. RESEEDING SHALL BE CARRIED OUT BY THE CONTRACTOR WITH FOLLOW-UP INSPECTIONS IN THE EVENT OF ANY FAILURES UNTIL VEGETATION IS ADEQUATELY ESTABLISHED.

HOUSEKEEPING:

- SPILL PREVENTION: CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON SITE TO ENTER STORMWATER, WHICH INCLUDES STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORMWATER. THE SITE CONTRACTOR OR OPERATOR MUST DEVELOP, AND IMPLEMENT AS NECESSARY, APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING MEASURES.
- GROUNDWATER PROTECTION: DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF OR NEAR INFILTRATION AREAS. AN "INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL, DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAMINATION THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS. ANY PROJECT PROPOSING INFILTRATION OF STORMWATER MUST PROVIDE ADEQUATE PRE-TREATMENT OF STORMWATER PRIOR TO DISCHARGE TO THE INFILTRATION AREA, OR PROVIDE FOR TREATMENT WITHIN THE INFILTRATION AREA, IN ORDER TO PREVENT THE ACCUMULATION OF FINES, REDUCTION IN INFILTRATION RATE, AND CONSEQUENT FLOODING AND DESTABILIZATION.
- FUGITIVE SEDIMENT AND DUST: ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL, BUT OTHER WATER ADDITIVES MAY BE CONSIDERED AS NEEDED. A STABILIZED CONSTRUCTION ENTRANCE (CE) SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NO LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS. OPERATIONS DURING DRY MONTHS, THAT EXPERIENCE FUGITIVE DUST PROBLEMS, SHOULD WET DOWN UNPAVED ACCESS ROADS ONCE A WEEK OR MORE FREQUENTLY AS NEEDED WITH A WATER ADDITIVE TO SUPPRESS FUGITIVE SEDIMENT AND DUST.
- DEBRIS AND OTHER MATERIALS: MINIMIZE THE EXPOSURE OF CONSTRUCTION DEBRIS, BUILDING AND LANDSCAPING MATERIALS, TRASH, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE AND OTHER MATERIALS TO PRECIPITATION AND STORMWATER RUNOFF. THESE MATERIALS MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
- EXCAVATION DE-WATERING: EXCAVATION DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO RECEIVE THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE. LIKE A COFFERDAM SEDIMENTATION BASIN, AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE DEPARTMENT.
- AUTHORIZED NON-STORMWATER DISCHARGES: IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES. WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
 - DISCHARGES FROM FIRE FIGHTING ACTIVITY;
 - FIRE HYDRANT FLUSHINGS;
 - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
 - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS;
 - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
 - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
 - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
 - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
 - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
 - UNCONTAMINATED EXCAVATION DE-WATERING;
 - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
 - LANDSCAPE IRRIGATION.
- UNAUTHORIZED NON-STORMWATER DISCHARGES: THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES. SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
 - WASTEWATER FROM THE WASHOUT OR CLEAN OUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
 - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
 - TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

INSPECTIONS/MONITORING:

- MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, OR AT LEAST EVERY SEVEN (7) DAYS, THE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PERFORM REPAIRS AS NEEDED TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PROVIDE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN.
- FOLLOWING THE TEMPORARY AND/OR FINAL SEEDINGS, THE CONTRACTOR SHALL INSPECT THE WORK AREA SEMIMONTHLY UNTIL THE SEEDINGS HAVE BEEN ESTABLISHED. ESTABLISHED MEANS A MINIMUM OF 85%-90% OF AREAS VEGETATED WITH VIGOROUS GROWTH. RESEEDING SHALL BE CARRIED OUT BY THE

WINTER EROSION CONTROL MEASURES

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 1 THEN THE SITE NEEDS TO BE PROTECTED WITH OVER-WINTER STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. ALL AREAS SHALL BE CONSIDERED TO BE DENIED UNTIL THE SUBBASE GRAVEL IS INSTALLED IN ROADWAY AREAS OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE A MINIMUM OF 150 LBS/1,000 S.F. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

1. SOIL STOCKPILES

STOCKPILES OF SOIL OR SUBSOIL WILL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR AT 150 LBS/1,000 S.F. (3 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

2. NATURAL RESOURCES PROTECTION

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 75% MATURE VEGETATION CATCH, SHALL BE MULCHED BY DECEMBER 1 AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS. DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (I.E. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA.

PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

3. SEDIMENT BARRIERS

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

4. MULCHING

ALL AREA SHALL BE CONSIDERED TO BE DENIED UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 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. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE-INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED WITH STRAW OR HAY AT A RATE OF 150 LB. PER 1,000 SQUARE FEET (3 TONS/ACRE) AND ADEQUATELY ANCHORED THAT GROUND SURFACE IS NOT VISIBLE THOUGH THE MULCH.

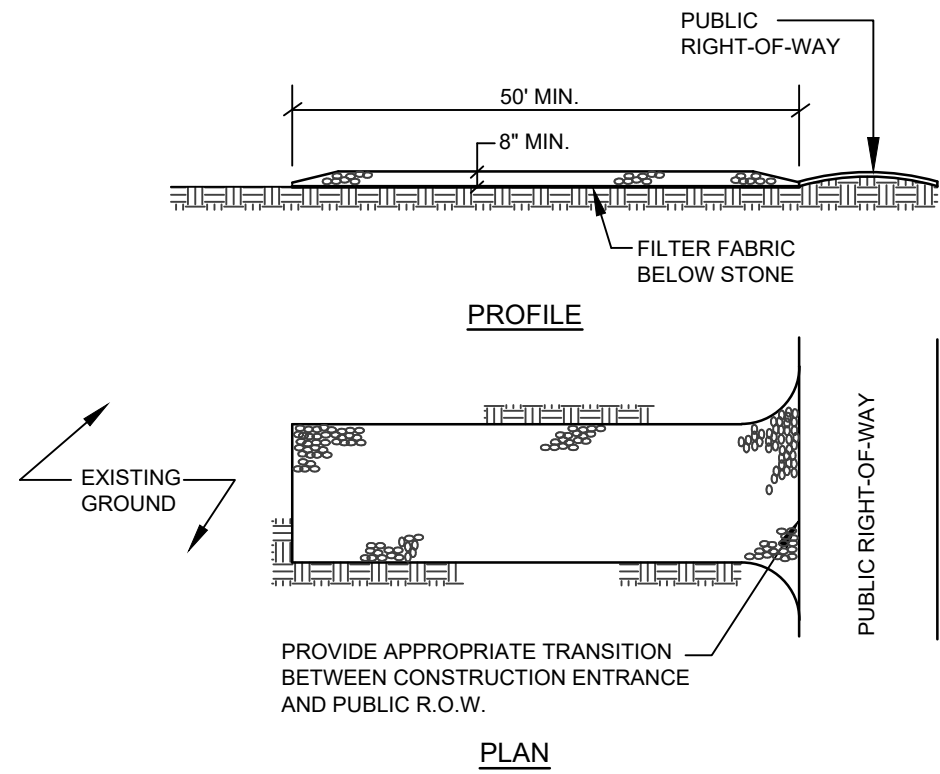
BETWEEN THE DATES OF SEPTEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER PEG LINE, MULCH NETTING, ASPHALT EMULSION CHEMICAL, TRACK OR WOOD CELLULOSE FIBER. WHEN GROUND SURFACE IS NOT VISIBLE THOUGH THE MULCH THEN COVER IS SUFFICIENT. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL BARE SOIL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

5. MULCHING ON SLOPES AND DITCHES

SLOPES SHALL NOT BE LEFT EXPOSED FOR ANY EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY MULCHED AND ANCHORED WITH PEG AND NETTING OR WITH EROSION CONTROL BLANKETS. MULCHING SHALL BE APPLIED AT A RATE OF 230 LBS/1,000 S.F. ON ALL SLOPES GREATER THAN 8%. MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 5%. EROSION CONTROL BLANKETS SHALL BE USED IN LIEU OF MULCH IN ALL DRAINAGE WAYS WITH SLOPES 8%. EROSION CONTROL MIX CAN BE USED TO SUBSTITUTE EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

6. SEEDING

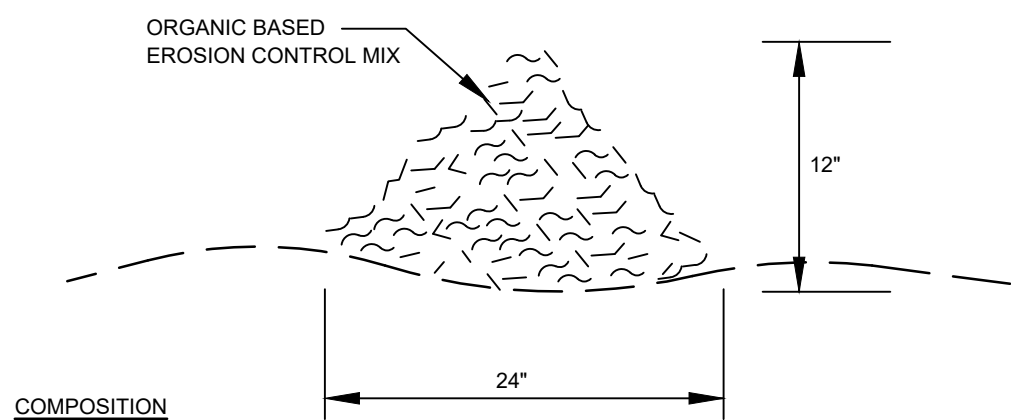
BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1ST, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS BEEN LOAMED, FINAL GRADED WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT. DORMANT AREAS SHALL BE PLACED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED. MULCH SHALL BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5LBS/1000 S.F. ALL AREAS SEEDED DURING THE WINTER WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS SUFFICIENTLY



- NOTES:**
1. STONE SIZE- AASHTO DESIGNATION M43, SIZE NO. 2 (2 1/2" TO 1 1/2"), USE CRUSHED STONE.
 2. LENGTH- AS SHOWN ON PLANS, MIN. 50 FEET.
 3. THICKNESS- NOT LESS THAN EIGHT (8) INCHES.
 4. WIDTH- NOT LESS THAN FULL WIDTH OF ALL POINT OF INGRESS OR EGRESS.
 5. MAINTENANCE- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.

STABILIZED CONSTRUCTION EXIT

NOT TO SCALE



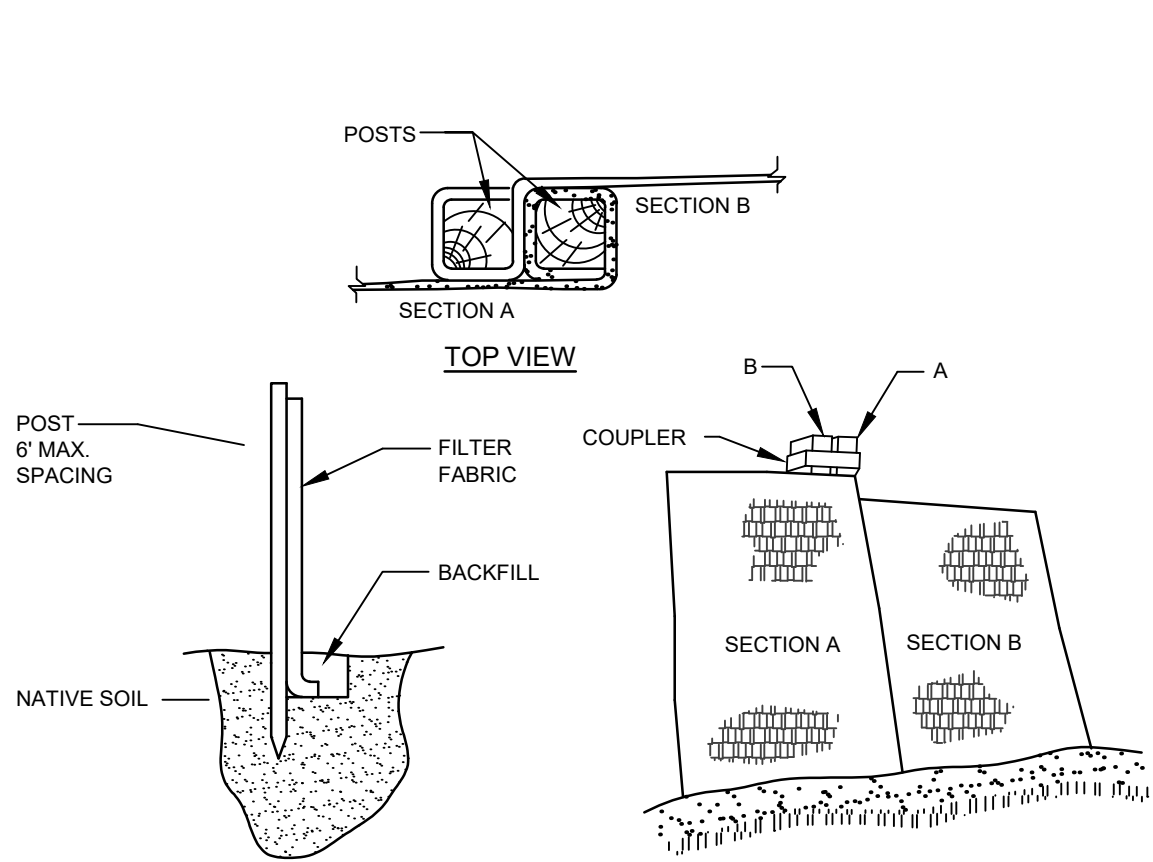
EROSION CONTROL MIX SHALL BE MANUFACTURED ON OR OFF THE PROJECT SITE SUCH THAT ITS COMPOSITION IS IN ACCORDANCE WITH THE MDEP MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL, LAST REVISED 3/2003 OR LATER. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL, SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR ACCEPTABLE MANUFACTURED PRODUCTS, WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS OR REPROCESSED WOOD PRODUCTS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.

INSTALLATION:

1. THE BARRIER MUST BE PLACED ACROSS THE SLOPE, ALONG THE CONTOUR.
2. EXISTING GROUND SHALL BE PREPARED SUCH THAT THE BARRIER MAY LIE NEARLY FLAT ALONG THE GROUND TO AVOID THE CREATION OF VOIDS AND BRIDGES IN ORDER TO MINIMIZE THE POTENTIAL OF WASH-OUTS UNDER THE BARRIER.
3. THE BARRIER SHALL BE A MINIMUM OF 1 FOOT HIGH (AS MEASURED ON THE UPHILL SIDE) AND 2 FEET WIDE FOR SLOPES LESS THAN 5% IN GRADE AND SHALL BE WIDER TO ACCOMMODATE THE ADDITIONAL RUNOFF.
4. EROSION CONTROL MIX CAN BE INSTALLED WHERE SILT FENCE IS ILLUSTRATED ON THE DESIGN PLANS IN AREAS EXCEPT IN, BUT NOT LIMITED TO, THE FOLLOWING AREAS: WETLAND AREAS, AT POINTS OF CONCENTRATED FLOW, BELOW CULVERT OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS AND AT THE BOTTOM OF STEEP SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM.

EROSION CONTROL MIX BERM

NOT TO SCALE

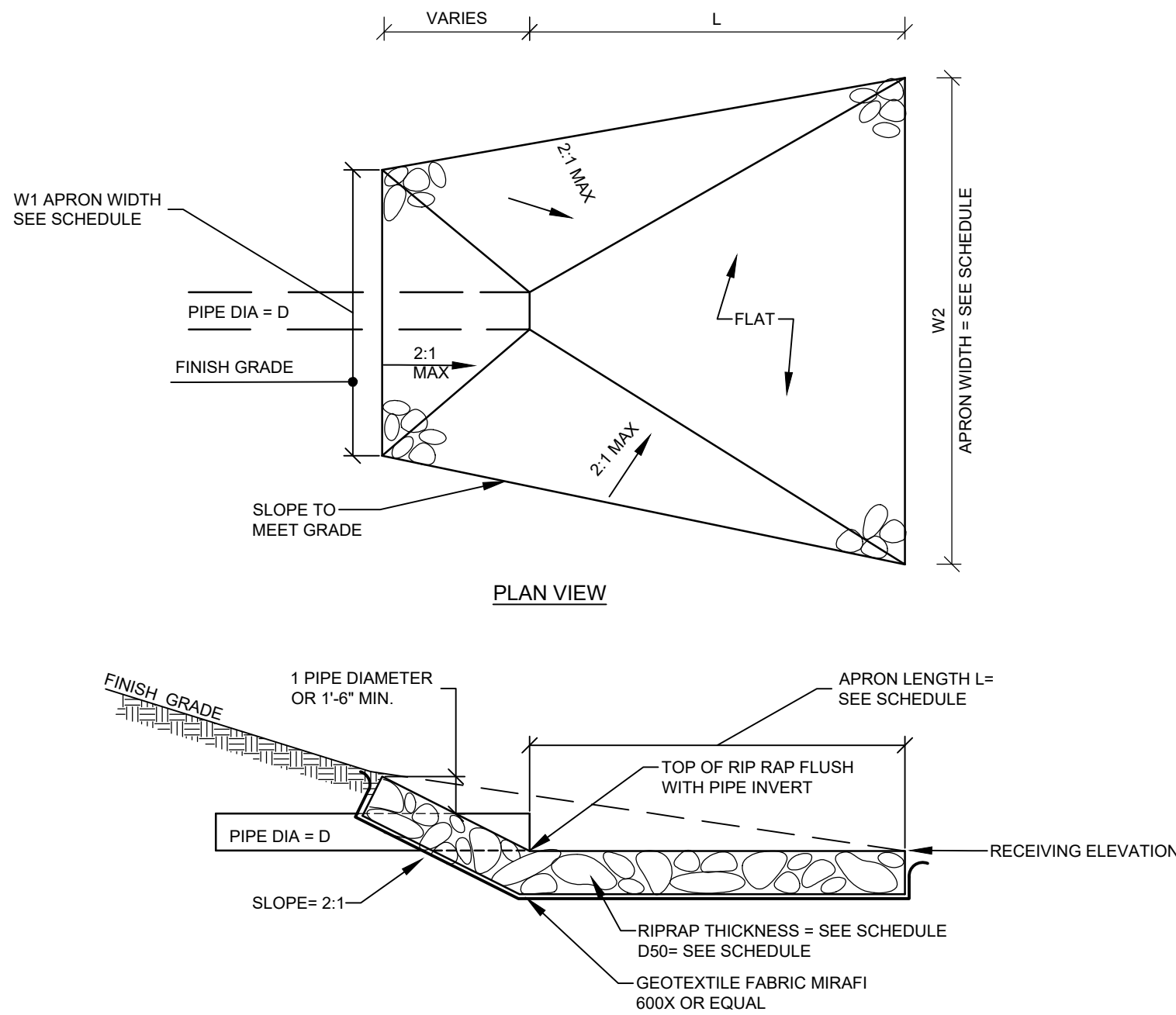


INSTALLATION NOTES:

1. EXCAVATE A 6"x 6" TRENCH ALONG THE LINE OF PLACEMENT FOR THE FILTER BARRIER.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH.
3. DRIVE POSTS INTO THE GROUND UNTIL APPROXIMATELY 2" OF FABRIC IS LYING ON THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH, BACKFILL THE TRENCH AND TAMP THE SOIL. TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNDISTURBED GROUND AND PILING AND TAMPING FILL AT THE BASE, BUT MUST BE ACCOMPANIED BY AN INTERCEPTION DITCH.
5. JOIN SECTION AS SHOWN ABOVE.
6. BARRIER SHALL BE MIRAFI SILT FENCE OR EQUAL.

FILTER BARRIER

NOT TO SCALE



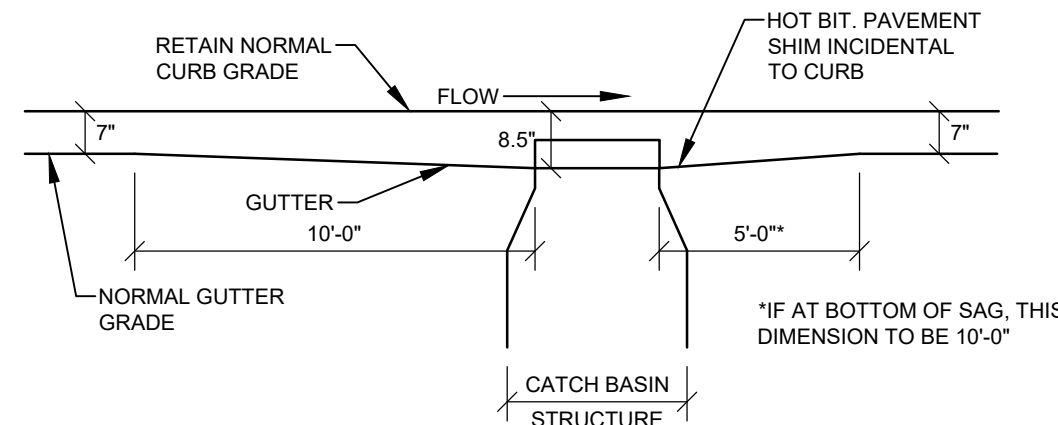
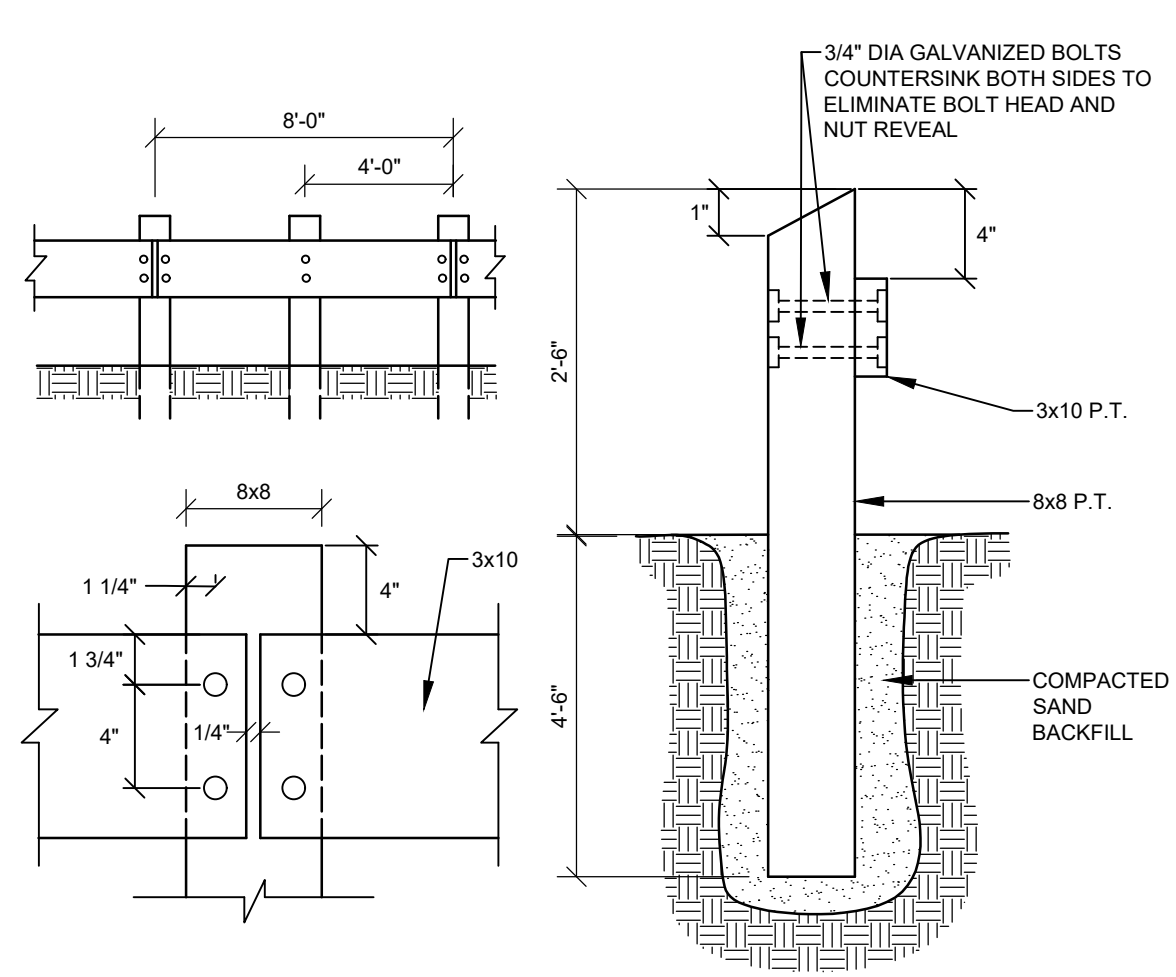
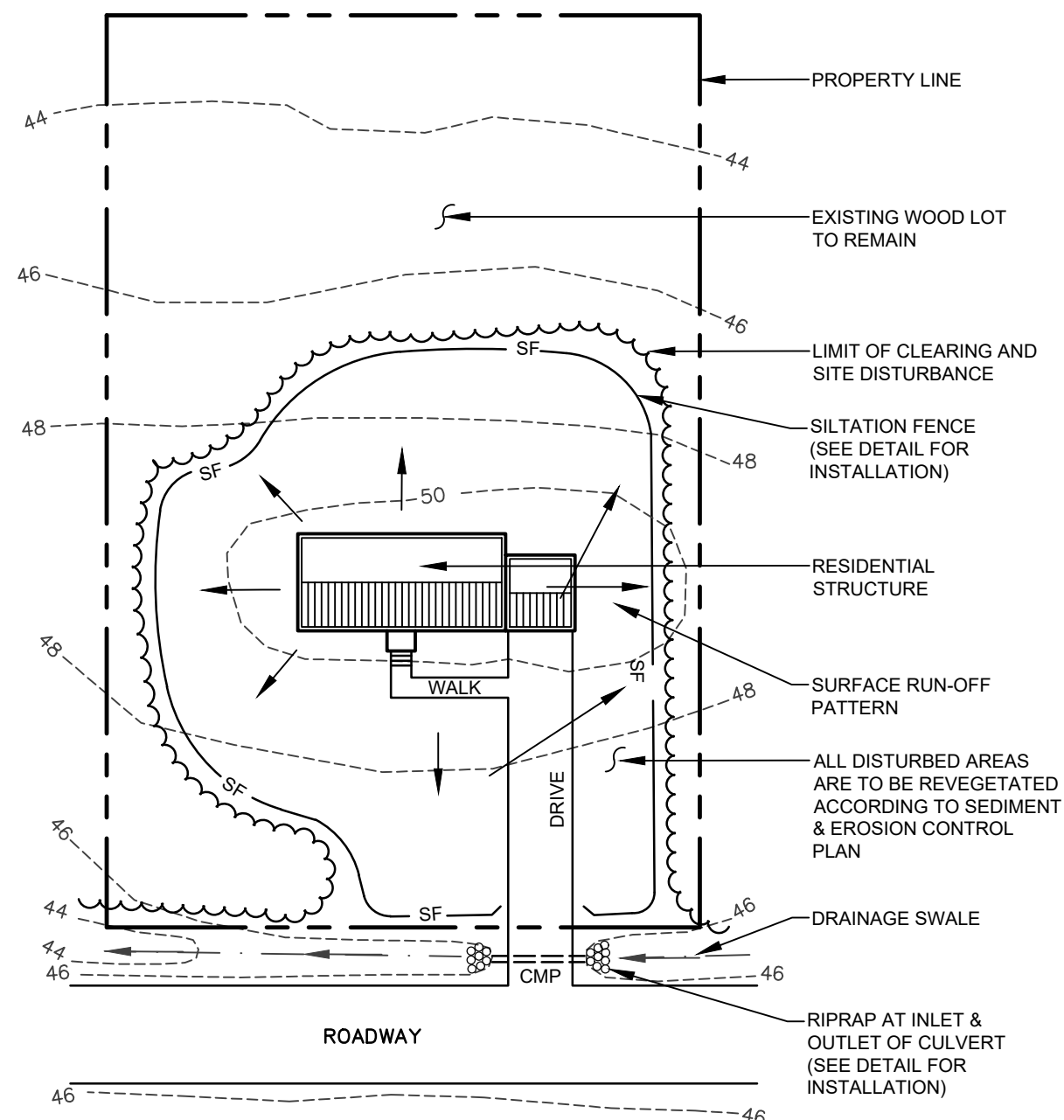
- NOTES:**
1. RIPRAP TO BE PROCESSED ANGULAR ROCK
 2. RIPRAP GRADATION SHALL BE A WELL GRADED MIX FROM ABOUT 1.5 TIMES D SIZE TO 25 PERCENT OF THE D SIZE.
 3. THE RIPRAP STONES SHALL BE CAREFULLY PLACED FROM THE TOE OF THE SLOPE UPWARD STONES SHALL BE LOWERED TO THE SLOPE AND NOT BE ALLOWED TO DROP MORE THAN 12" ONTO THE GEOTEXTILE.
 4. THE FINISHED SURFACE SHALL BE A RELATIVELY SMOOTH, UNIFORMLY SLOPED SURFACE

TYPICAL RIPRAP APRON SCHEDULE

CULVERT DIAMETER - D (IN.)	APRON LENGTH - L (FT.)	WIDTH -W1 (FT)	WIDTH -W2 (FT)	RIPRAP D50 (IN.)	RIPRAP THICKNESS (IN.)
15	10	4	12	6	14
24	18	6	20	8	18

RIPRAP APRON

NOT TO SCALE

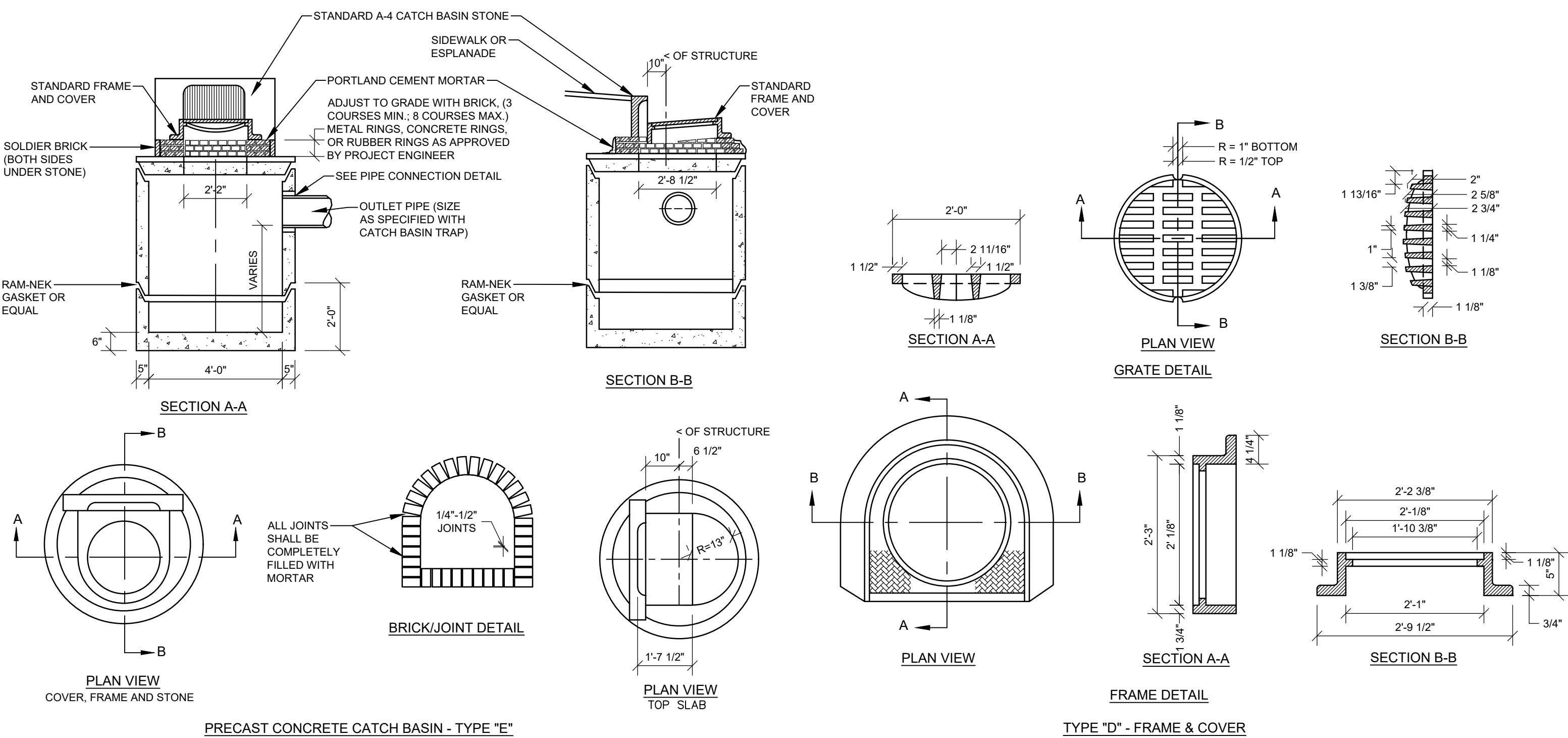


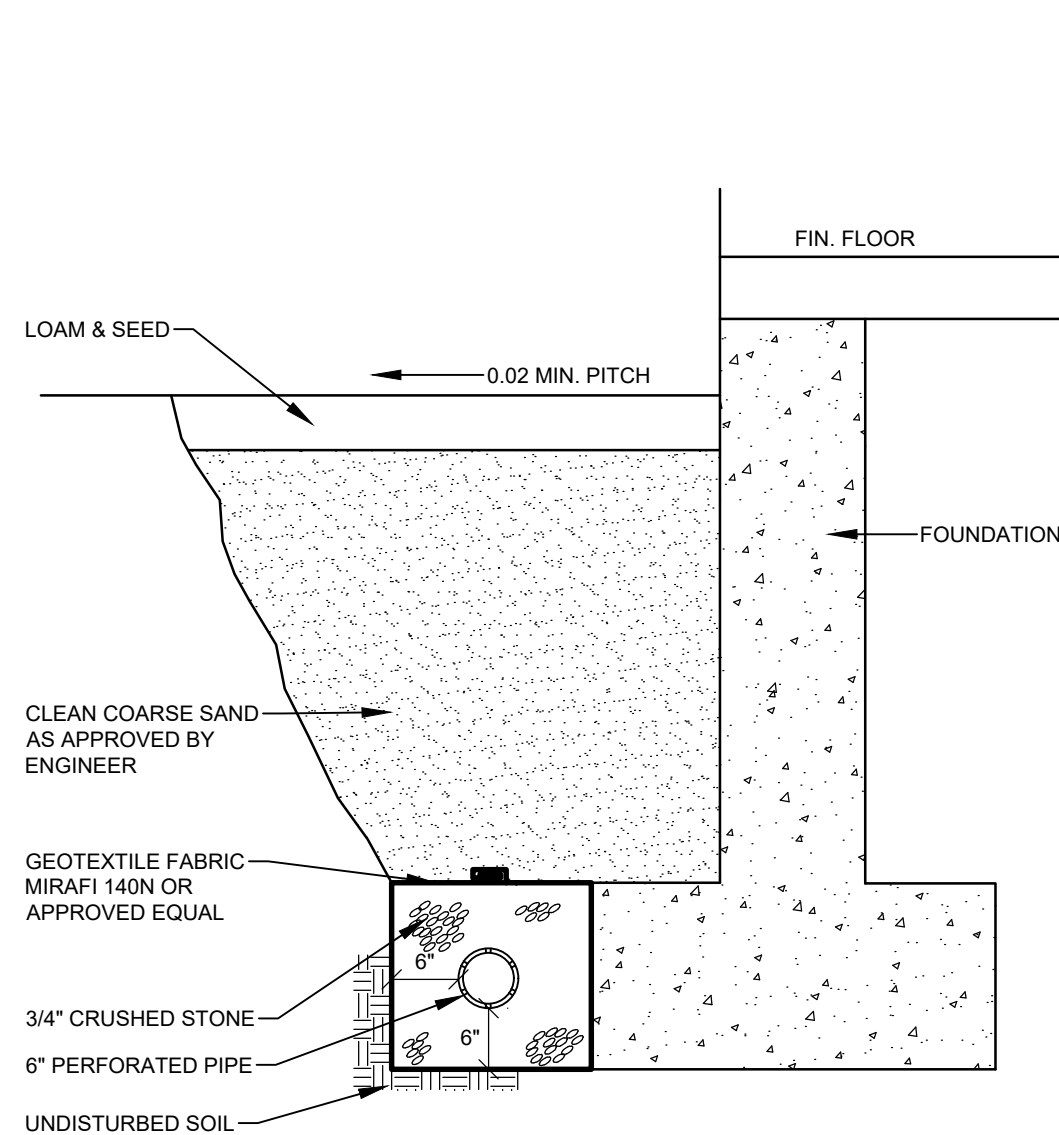
NOTES:

1. CATCH BASIN GRATES SHALL BE DERESSED 1.5" BELOW THE NORMAL GUTTER GRADE. PARALLEL BAR GRATES SHALL BE INSTALLED ON A LEVEL GRADIENT. DIMENSIONS ARE INTENDED TO BE NOMINAL.
2. CATCH BASIN ELEVATIONS SHOWN ON PLANS REFLECT THE TRUE RIM INVERT ELEVATION.

GUTTER GRADE TRANSITION AT CATCH BASIN

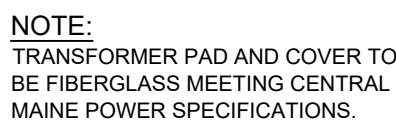
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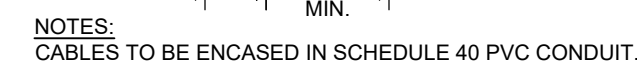


NOTE:
ALL BRACING AND SHEETING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL MEET ALL STATE AND O.S.H.A. SAFETY STANDARDS.

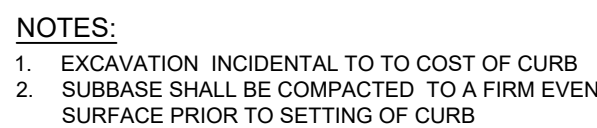
FOUNDATION DRAIN SECTION
NOT TO SCALE



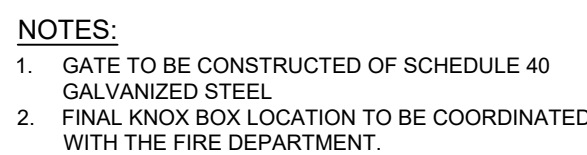
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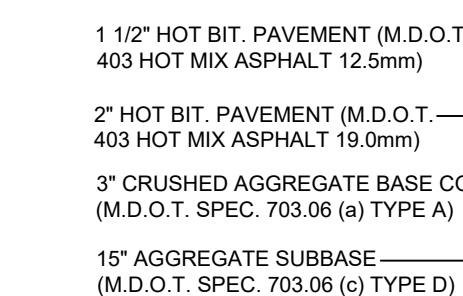
NOT TO SCALE



NOT TO SCALE



NOT TO SCALE

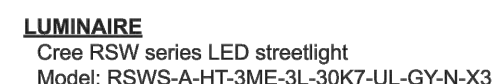


NOT TO SCALE



NOT TO SCALE

1. LOCATIONS AND ELEVATIONS OF STUBS SHOWN ON THE PLANS ARE TO BE CONSIDERED AS APPROXIMATE AND MAY BE ADJUSTED AS DIRECTED TO SUIT FIELD CONDITIONS.
2. HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS TO THE MAIN LINE OF THE SEWER SHALL CONSIST OF AN APPROPRIATE "Y" BRANCH CONNECTION AS SHOWN ON THE PLANS, OR AS DIRECTED. ACTUAL "Y" LOCATIONS FOR HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS SHALL BE DETERMINED DURING CONSTRUCTION. THE CONTRACTOR SHALL KEEP A COMPLETE RECORD OF "Y" LOCATIONS WHICH SHALL BE GIVEN TO THE CITY OF PORTLAND UPON COMPLETION OF THE CONTRACT. ALL PVC COUPLING SHALL BE "SOLID PVC COUPLINGS".



Small, horizontal tenon
Optics IES Type III Medium, 2,756 lumens
23 watts
Universal voltage (120-227V)
7-pin photocell receptacle
LED 3000K color temperature

LIGHTING POLE

LIGHTING POLE
Mount to existing pole or according to Section 10.2.1

DIMENSIONS

Pole Height = 20' or 30'

FINISH

Grey: GY (standard)

APPLICATION

Standard street lighting for streets not specified for decorative lighting.

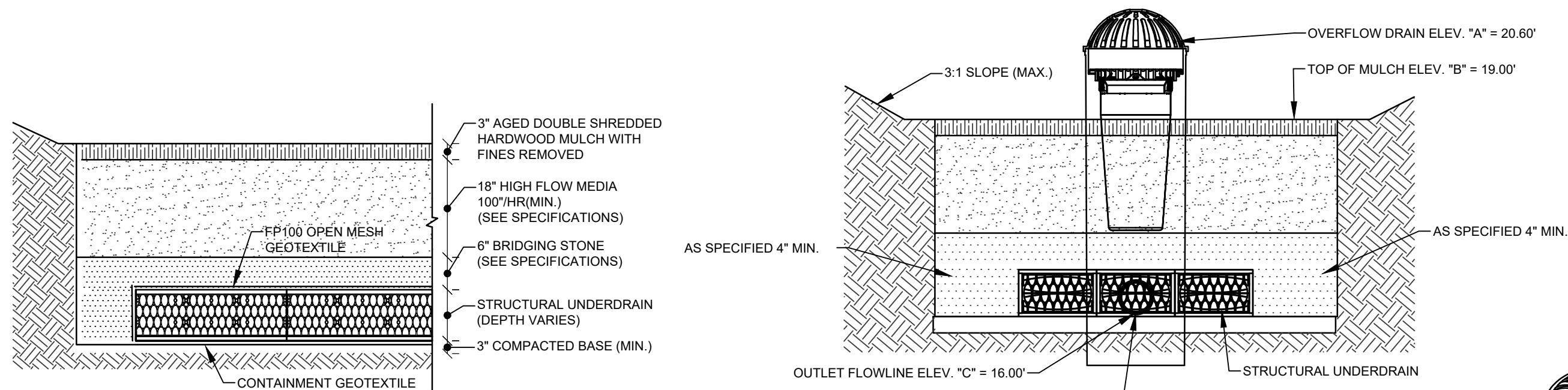
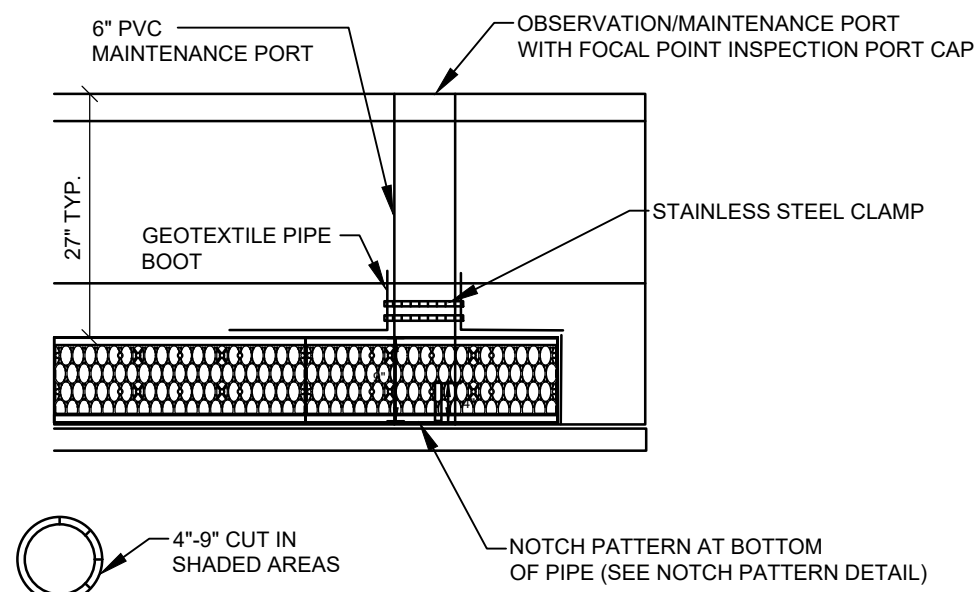
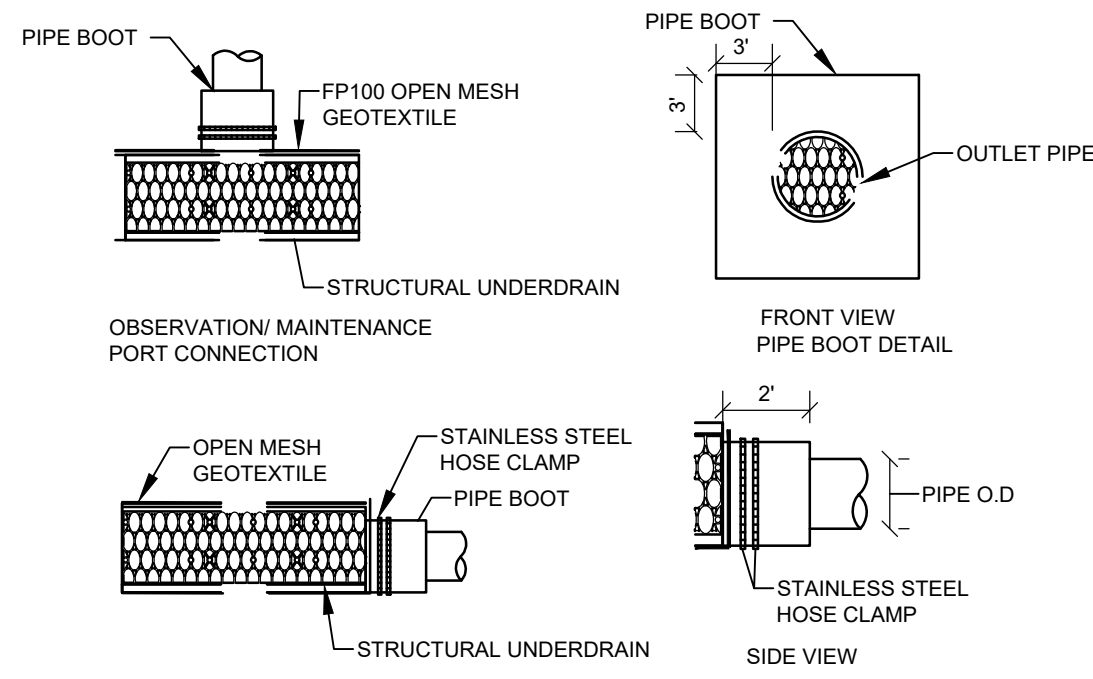
Fixture placed in furnishing zone unless space is limited. Placement on back of sidewalk or private property overhanging sidewalk may be accommodated where space is a constraint.

Date: March, 2019	CITY OF PORTLAND, MAINE TECHNICAL MANUAL	MUNICIPAL STREET LIGHTING STANDARDS SECTION 10	Figure: X-2A
Revised Date:	COBRAHEAD A		

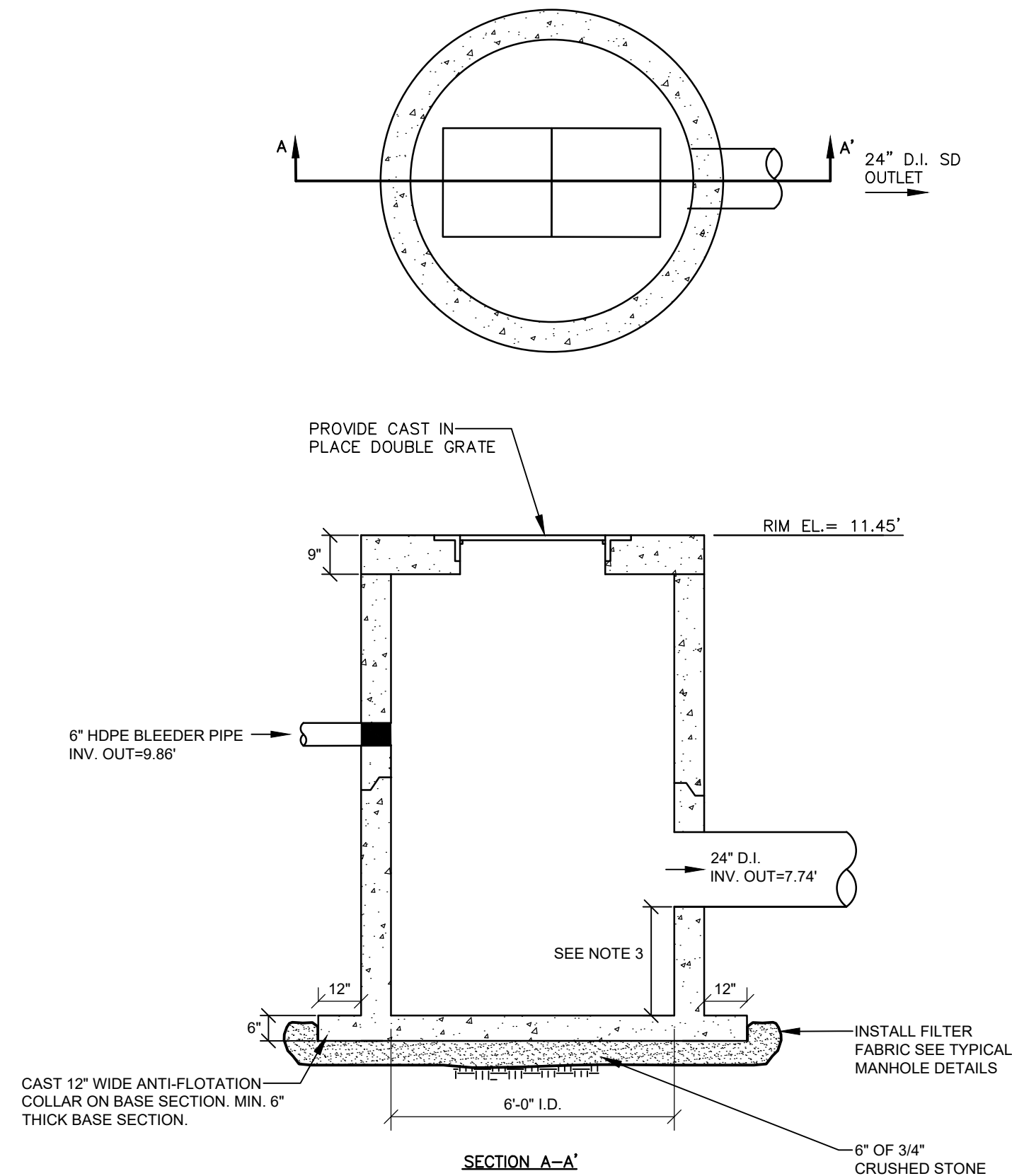
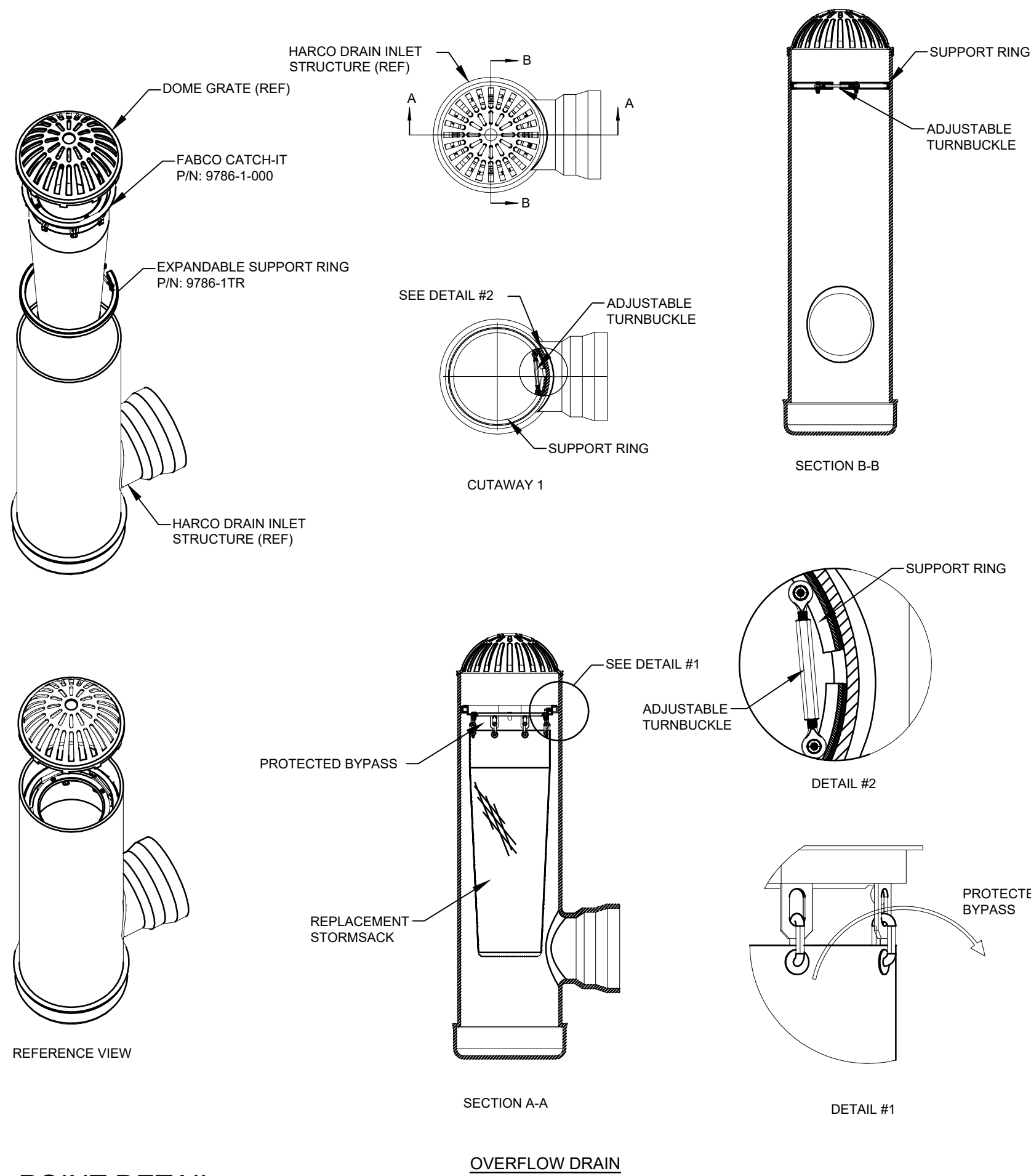
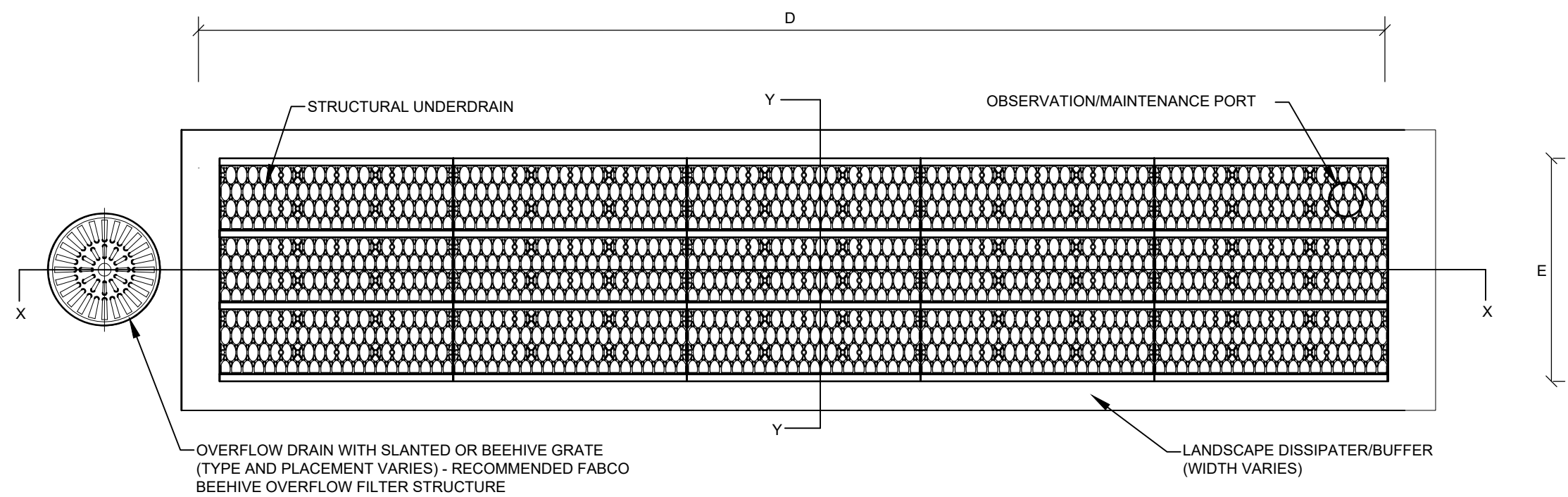
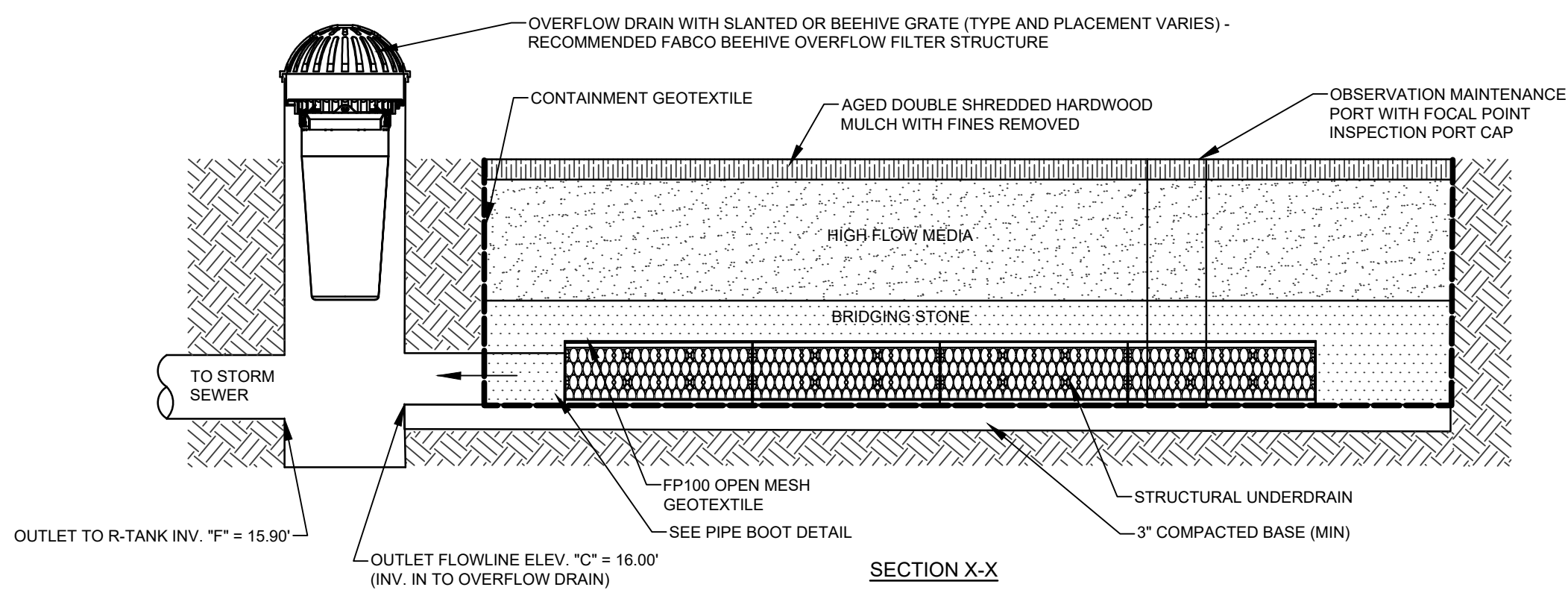
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DETAILS
OF:
LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	NTS
PROJECT	07360-01



FOCAL POINT CONSTRUCTION TABLE						
	ELEV. A	ELEV. B	INV. C	DIST D	DIST E	INV. F
FOCAL POINT 1	20.60'	19.00'	16.00'	10.00'	5.00'	15.90'



- NOTE:
- OCS-2 FRAME AND GRATE TO BE EAST JORDAN PRODUCT ID V-5667-ASSY OR APPROVED EQUAL.
 - SUBMIT SHOP DRAWINGS AND STRUCTURE SPECIFICATIONS FOR OWNER/ENGINEER APPROVAL.
 - 1-FOOT SUMP RECOMMENDED BY MANUFACTURER HOWEVER SUMP NOT REQUIRED.

OUTLET CONTROL STRUCTURE (OCS-2)
NOT TO SCALE

07262011 D.dwg, TAB 12 DETAILS

PAUL D. OSTROWSKI, P.E. 1175
HENRY A. HESS, RJA 4841

STATE OF MAINE
PAUL D. OSTROWSKI
No. 01175
PROFESSIONAL ENGINEER
01/11/2023

C	HAH	01-11-23	REVISED FROM COMMENTS ON 09/29/22
B	HAH	05-02-22	ISSUED FOR CITY REVIEW
A	HAH	08-10-21	ISSUED TO CLIENT FOR REVIEW
REV.	BY:	DATE:	STATUS:

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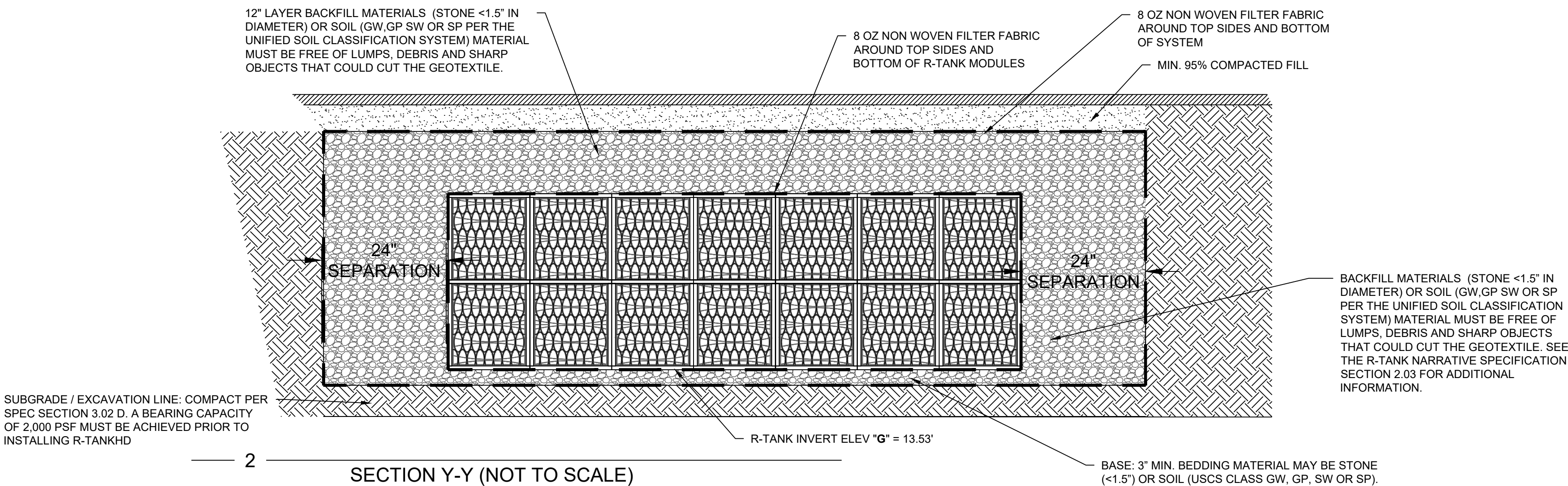
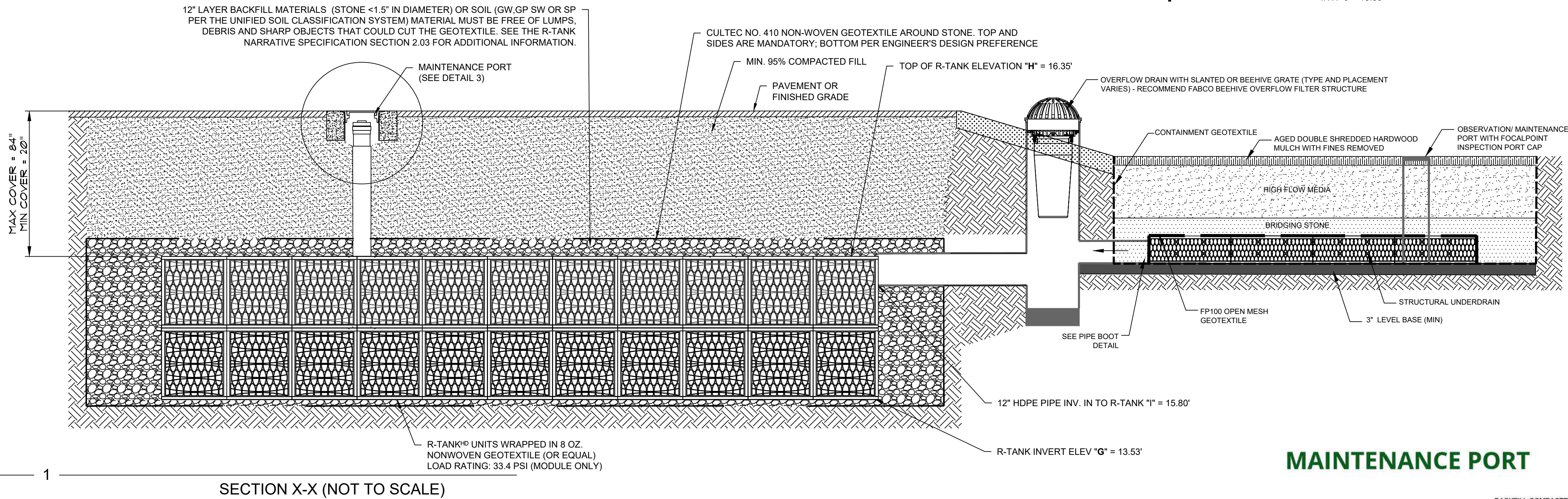
SEBAGO
TECHNIQS
www.sebagotechniqs.com
75 John Roberts Rd.
Sullivan, ME 04106
South Portland, ME 04106
Tel. 207-200-2100

DETAILS
OF:
LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
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SCALE	NTS
PROJECT	07360-01

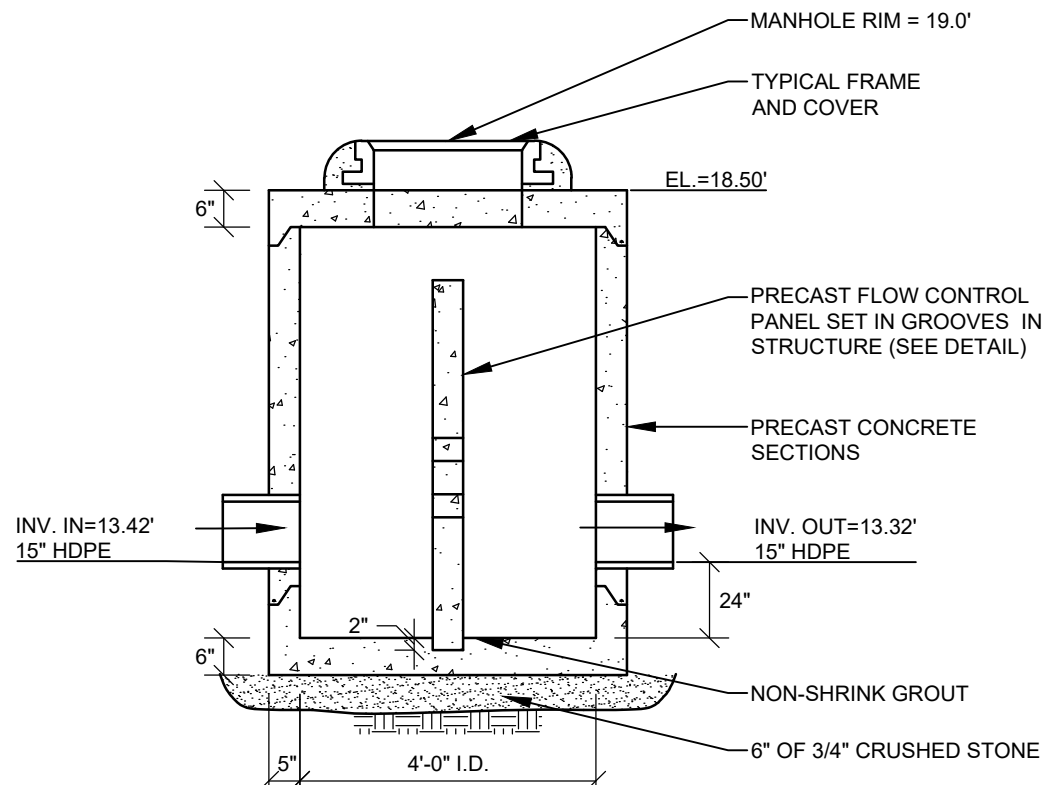
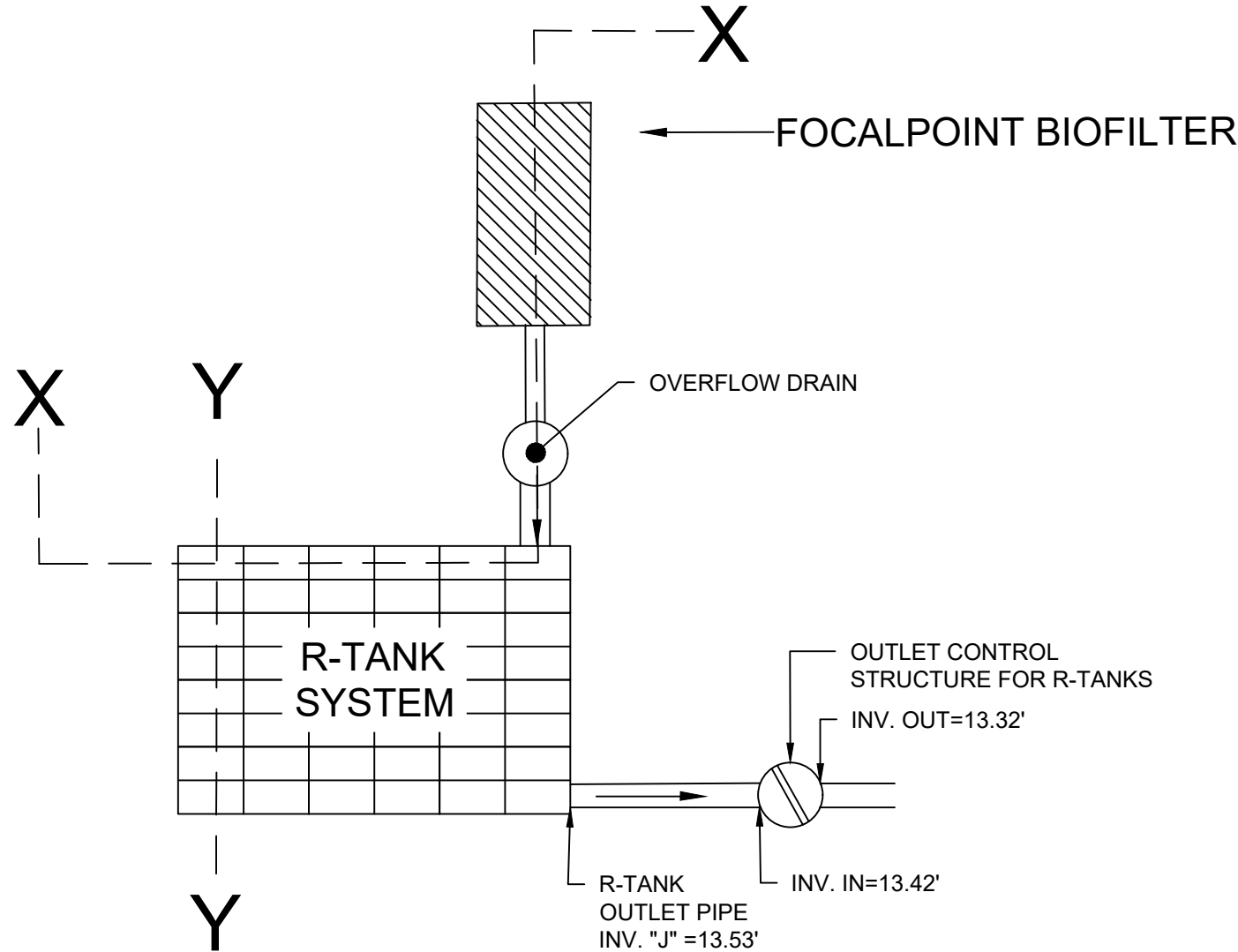
SHEET13 OF 15

R-TANK KEY DIMENSIONAL DATA		
G	R-TANK INVERT	13.53'
H	TOP OF R-TANK ELEVATION	16.35'
I	PIPE INV. IN TO R-TANKS	15.80'
J	R-TANK OUTLET PIPE INV.	13.53'
	NUMBER OF R-TANKS	48 (8 x 6)
	R-TANK MODULE (SEGMENTS)	HD DOUBLE (2)



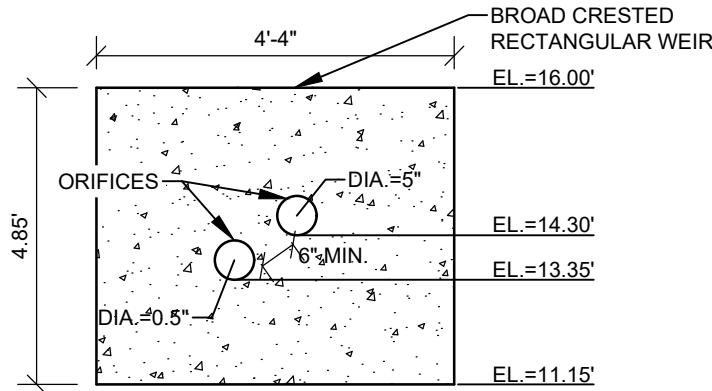
FLOW/COMPONENT SCHEMATIC

NOT TO SCALE



OCS-1 STRUCTURE DETAIL (R-TANKS)

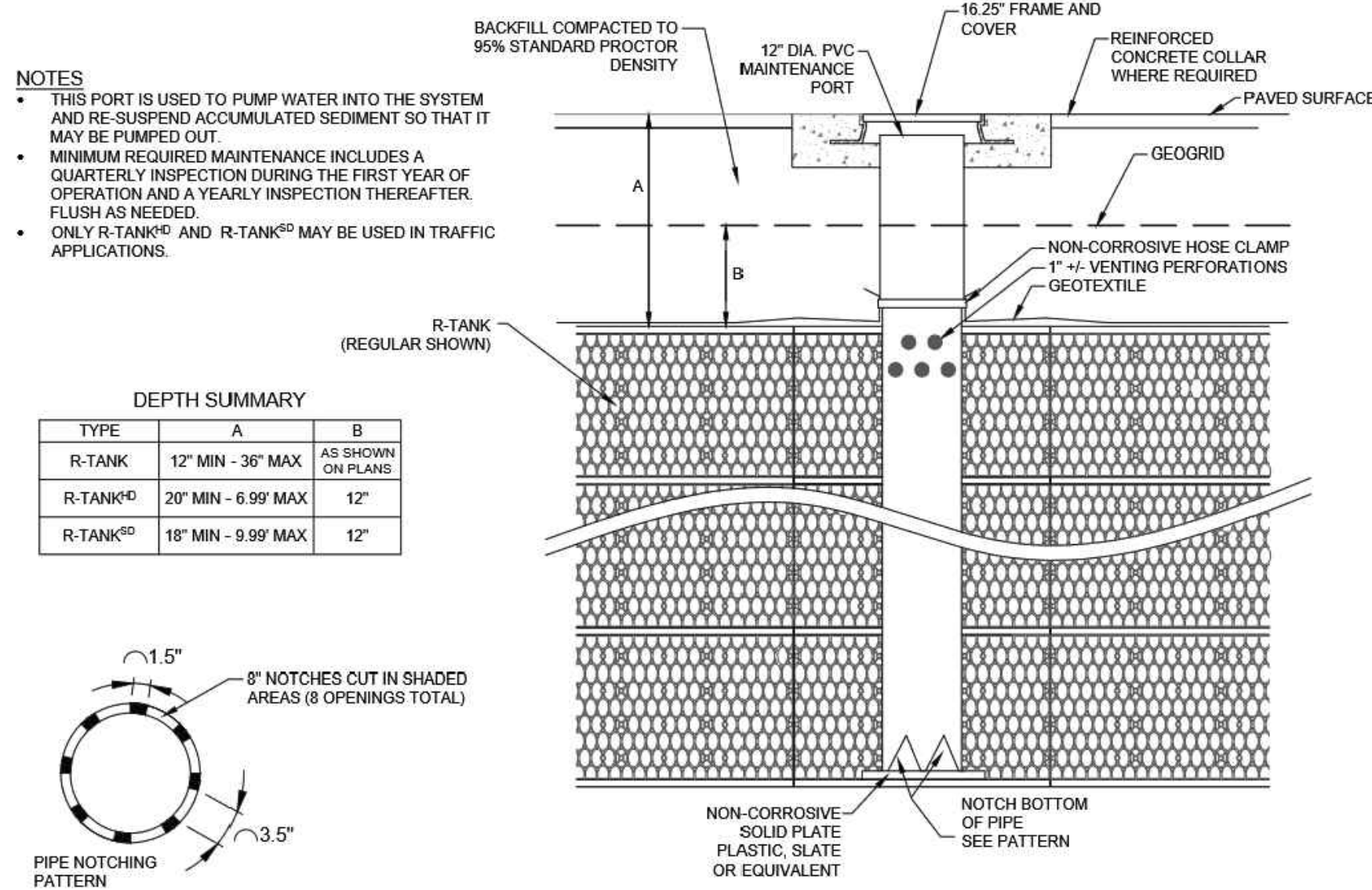
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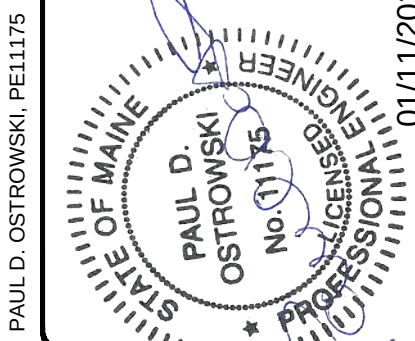
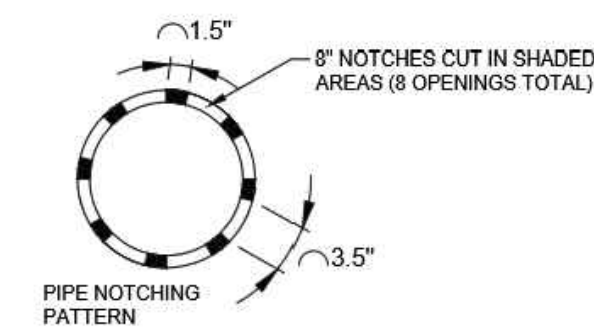
PRECAST FLOW CONTROL PANEL

NOT TO SCALE

MAINTENANCE PORT



DEPTH SUMMARY		
TYPE	A	B
R-TANK	12" MIN - 36" MAX	AS SHOWN ON PLANS
R-TANK ^{HD}	20" MIN - 6.99' MAX	12"
R-TANK ^{CD}	18" MIN - 9.99' MAX	12"



HENRY A. HESS, RJA 4841

REV.	BY	DATE	STATUS
C	HAH	01-11-23	REVISED FROM COMMENTS ON 09/29/22
B	HAH	05-02-22	ISSUED FOR CITY REVIEW
A	HAH	08-10-21	ISSUED TO CLIENT FOR REVIEW

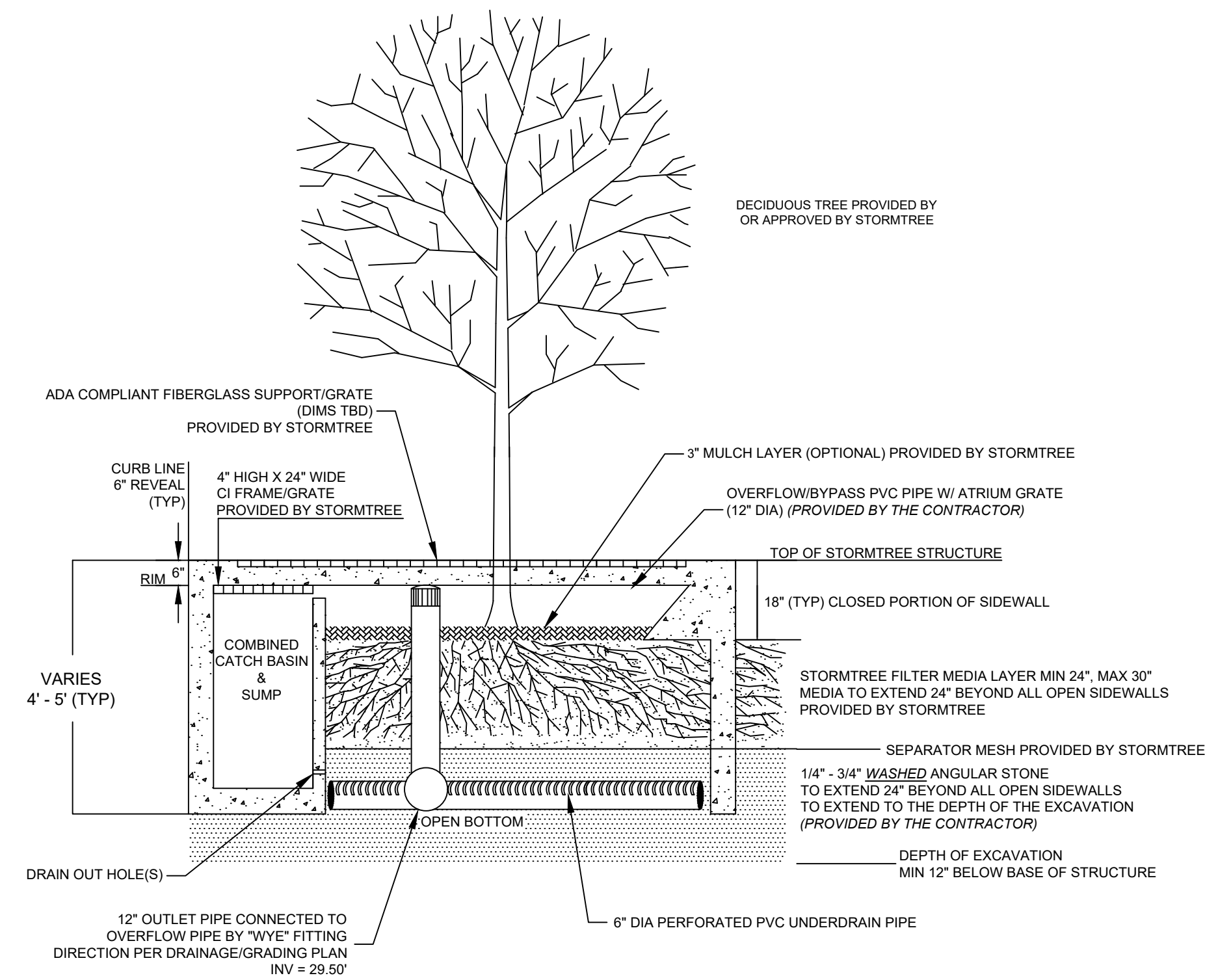
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DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	NTS
PROJECT	07360-01

07260-01 Dwg, TAB 13 DETAILS

SHEET 14 OF 15



SECTION A-A
(LEFT SIDE ENTRY)
NOT TO SCALE

SITE SPECIFIC DATA							
STORMTREE MODEL	MEDIA BAY	RIM/THROAT ELEV.	OUTLET PIPE ELEV.	TREATMENT FLOW RATE (CFS)	BYPASS FLOW RATE (CFS)	OUTLET PIPE (DIA)	UNDERDRAIN PIPE (DIA)
ST-4X10-SUL	4' X 10'	33.50'	29.45'	0.132	2.56	12"	6"

STORMTREE[®]

 Thinking Outside the
 Concrete Box.[™]
 14 Corliss Street, Suite 9092, Providence, RI 02940 (401) 626-8999 www.storm-tree.com
 THIS DESIGN, DRAWING, AND TECHNOLOGY IS PROPRIETARY AND THE PROPERTY OF STORMTREE, AND
 MAY NOT BE ALTERED OR REPRODUCED WITHOUT THE EXPRESSED CONSENT OF STORMTREE.
 PATENT # US8333885; OTHER PATENTS PENDING

PAUL D. OSTROWSKI
No. 11175
STATE OF MAINE
PROFESSIONAL ENGINEER
01/11/2008

1

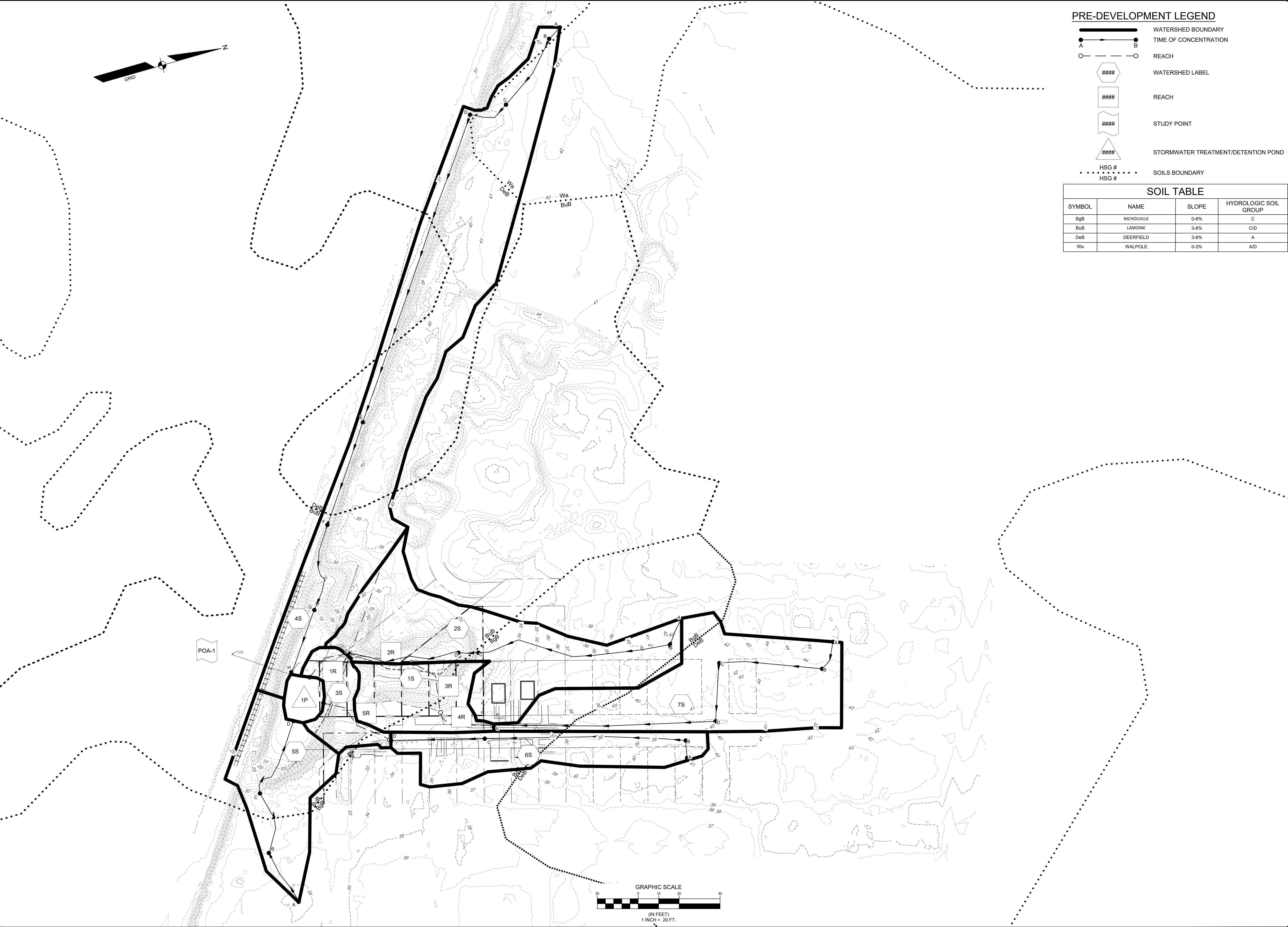
				C	H/AH	01-11-23	REVISED FROM COMMENTS ON 09/29/22
				B	H/AH	05-02-22	ISSUED FOR CLIENT REVIEW
				A	H/AH	09-10-21	ISSUED TO CITY FOR REVIEW
				REVIEW BY:	DATE:	Status:	
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS INC.							

SEBAGO
T E C H N I C S
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-209-2100

DETAILS
OF:
LOTS 65-70
POWELL STREET
PORTLAND, MAINE
FOR:
STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	NTS
PROJECT	07360-01

SHEET15 OF15



SOIL TABLE			
SYMBOL	NAME	SLOPE	HYDROLOGIC SOIL GROUP
BgB	NICHOLVILLE	0-8%	C
BuB	LAMOINE	3-8%	C/D
DeB	DEERFIELD	3-8%	A
Wa	WALPOLE	0-3%	A/D

[illegible]

SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
South Portland, ME 04106
Tel. 207-209-2100

PRE-DEVELOPMENT STORMWATER PLAN

OF:

LOTS 65-70

POWNSLAND STREET

PORTLAND, MAINE

FOR:

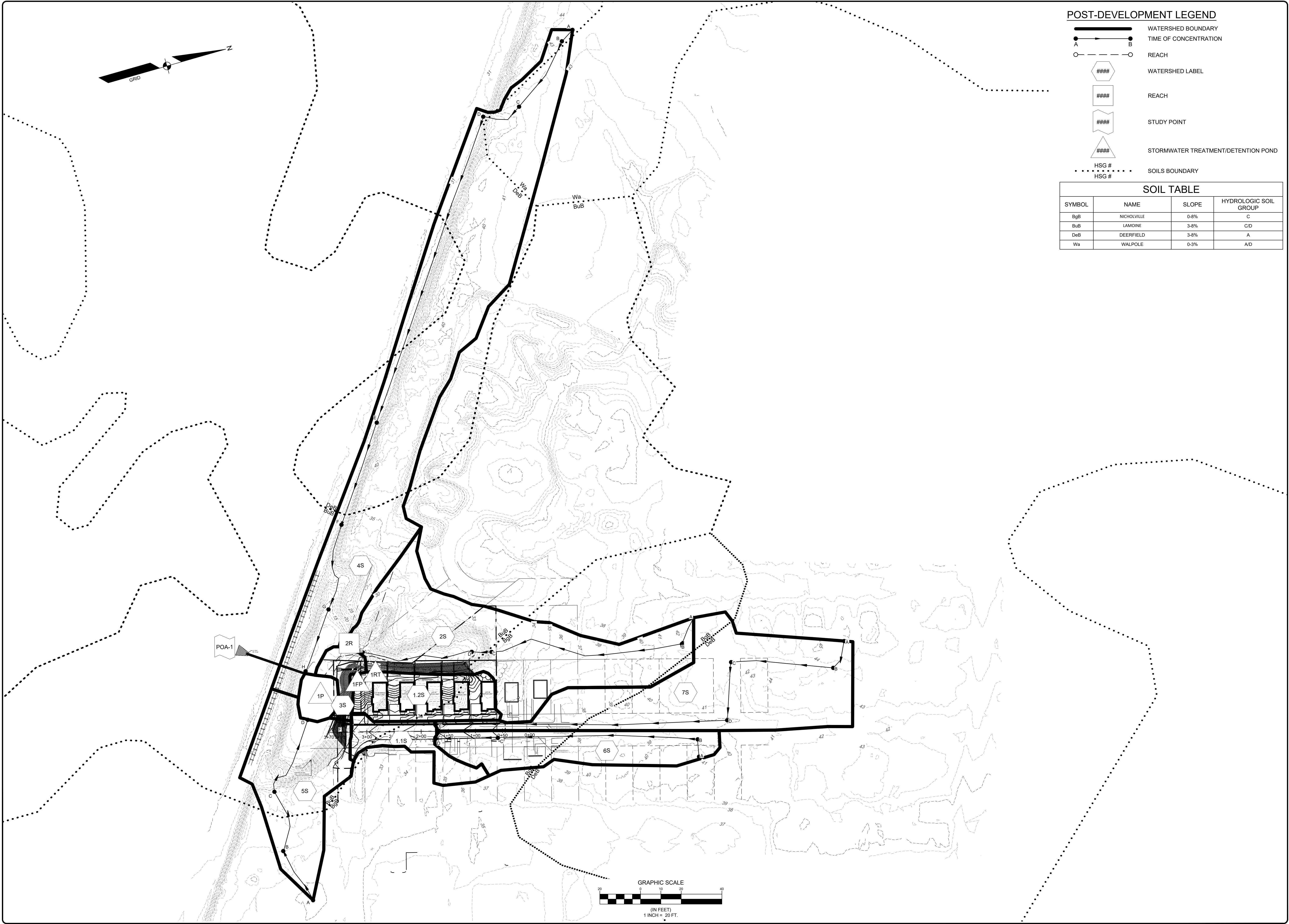
STJ, INC.

P.O. BOX 58

GORHAM, ME 04038

DESIGNED	JSH
DRAWN	SRC
CHECKED	HAH
DATE	10/01/21
SCALE	1" = 20'
PROJECT	07360-01

SHEET 1 OF 2



POST-DEVELOPMENT LEGEND

- WATERSHED BOUNDARY
- TIME OF CONCENTRATION
- REACH
- WATERSHED LABEL
- REACH
- STUDY POINT
- STORMWATER TREATMENT/DETENTION POND
- HSG #
- SOILS BOUNDARY

SOIL TABLE

SYMBOL	NAME	SLOPE	HYDROLOGIC SOIL GROUP
BgB	NICHOLVILLE	0-8%	C
BuB	LAMOINE	3-8%	C/D
DeB	DEERFIELD	3-8%	A
Wa	WALPOLE	0-3%	A/D

07260-01 SWP.dwg, TAB POST-DEVELOPMENT STORMWATER PLAN

DESIGNED JSH
DRAWN SRC
CHECKED HAH
DATE 10/01/21
SCALE 1" = 20'
PROJECT 07360-01

SHEET 2 OF 2

POST DEVELOPMENT STORMWATER PLAN

OF: LOTS 65-70
POWLAND STREET
PORTLAND, MAINE
FOR: STJ, INC.
P.O. BOX 58
GORHAM, ME 04038

SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-260-2100

REVISIONS

C	HAH	01-11-23	REVISED FROM COMMENTS ON 09/29/22
B	HAH	05-02-22	ISSUED FOR CITY REVIEW
A	HAH	08-10-21	ISSUED TO CLIENT FOR REVIEW

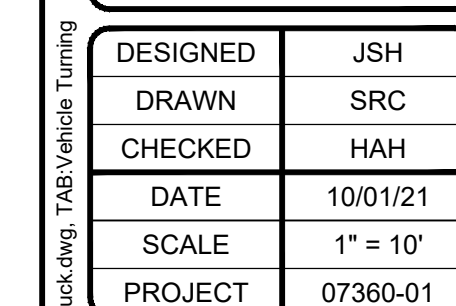
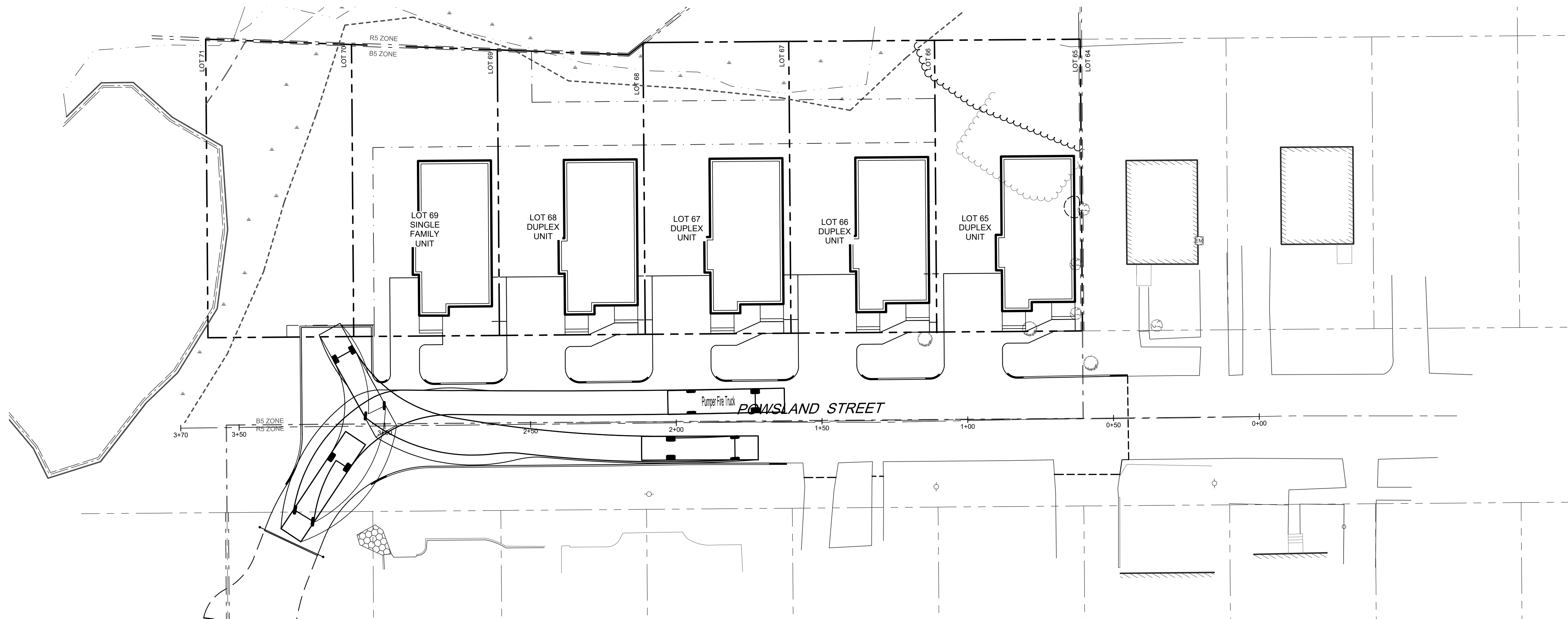
REV. BY: DATE: STATUS:

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

PAUL D. OSTROWSKI, P.E.
No. 01175
PROFESSIONAL ENGINEER
STATE OF MAINE

HENRY A. HESS, R.L.A. 4841
PAUL D. OSTROWSKI, P.E. 1175

01/11/2023



OF:
LOTS 65-70
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PORTLAND, MAINE
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7360-01 Truck dua TAR:Vehicle Turning

HENRY A. HESS, RI 41841

385 Congress Street
Major Site Plan Review and MDP Traffic Movement Permit Review
PL-002156-2023
Fathom Congress, LLC., Applicant

Submitted to:	Portland Planning Board	Prepared By:	Zach Powell
Public Hearing Date:	February 14, 2023	Date:	February 10, 2023

I. INTRODUCTION

Fathom Congress, LLC has submitted an application for Major Site Plan Review to facilitate the construction of a mixed-use development including 179 hotel rooms on the southeast corner of the site. The project is part of a larger Master Development Plan that was approved by the Planning Board on [August 9, 2022](#), and the subject property received subdivision approval by the Planning Board on [January 24, 2023](#). The applicant is currently seeking Major Site Plan Approval for the project's first phase and approval of the Traffic Movement Permit associated with the larger Master Development Plan.

From the last meeting, the Applicant has updated the submitted plans to add an additional floor that will be occupied by 20 additional hotel rooms.

The Planning and Urban Development Department mailed 104 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the February 4, 2023 edition of the *Portland Press Herald*.



Figure 1: Perspective View from Congress & Exchange Street looking northwest with rendered elevations of the proposed hotel in black and brown, and the massing of future phases in light gray.

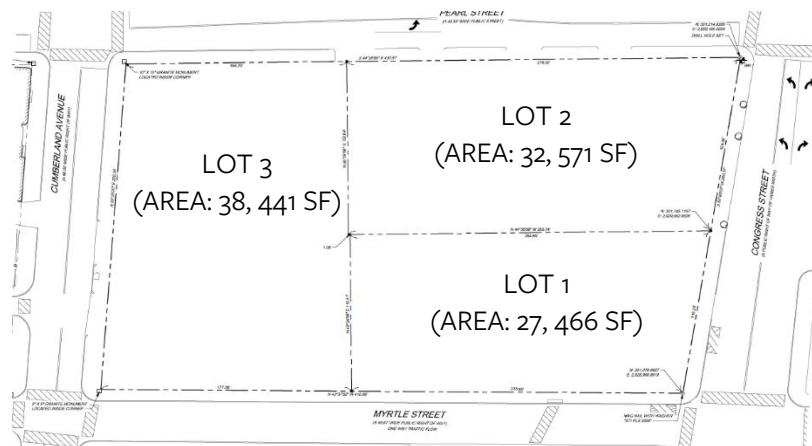


Figure 2: Map of subdivision approved at January 24, 2023 Planning Board Hearing, with the subject site plan application involving the redevelopment of Lot 1.

Applicant: Marieke Thormann, Fathom Congress, LLC

Consultants: Daniel Riley, Sebago Technics Inc.; Gregory Lemon & Tobias Strohe, JNS Architecture and Interior Design

II. REQUIRED REVIEWS

Review	Applicable Standards
Major Site Plan Review	Section 14.6
B-3 Design Review Standards	Design Manual & August 2, 2022 MDP Design Memorandum (Attachment 1)
Traffic Movement Permit (TMP)	Technical Manual Section 1.1
Waivers Granted Under August 9, 2022 MDP Approval	Applicable Standard
Sec. 7.3 – Table 7-E: Mixed-Use Zone Dimensional Standards – to vary the front setbacks on Cumberland Avenue, Myrtle Street, and Pearl Street up to 22 feet.	Sec. 7.3 – The maximum permitted front setback from all street frontages in the B-3 zone is 5 feet.
Technical Standards - Sec. 14.1.2 – to construct structured parking on the portion of the site identified as Lots ‘2’ and ‘3’ where 96 of the total 267 spaces (±35%) will be compact parking spaces and construct structured parking on the portion of the site identified as ‘Lot 1’ that is 100% comprised of compact spaces.	Sec. 14.1.2 – Parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces.
Technical Standards - Sec. 14.1.3 – to stripe parking spaces on the portion of the site identified as ‘Lot 1’ that have parallel valet parking spaces across the ends of double-stacked, 90-degree compact spaces.	Sec. 14.1.3 – Parking lot layout shall conform to Figures I-28 thru I-32.
Technical Standards - Sec. 14.1.5 – to waive the minimum 24’ drive aisle width in the garage on the portion of the site identified as ‘Lot 1’ to allow parallel valet parking spaces across the ends of double stacked, 90-degree compact spaces and an aisle width of 15 feet.	Sec. 14.1.5. – Vehicular access shall be provided by one or more aisles. The minimum widths of aisles are illustrated in Figures I-28 thru I-31.

III. PROJECT DATA

Existing Zoning	B-3 Downtown Business, Downtown Entertainment Overlay, PAD Encouragement Area		
Existing Use	Off-Street Parking (Surface and Structured) (141 spaces) Storage (±3,914 SF)		
Proposed Use	Hotel	118,083SF (179 rooms)	
	Condominiums	16,315 SF (9 units)	
	Restaurant	4,630 SF (1 restaurant)	
	Retail Space	755 SF (1 unit)	
	Passive Recreation Space (Amenity Deck)	6,128 SF	
	Structured Parking	27,425 SF (75 spaces)	
Property Size	27,466 SF (0.63 acres)		
	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	16,694 SF	20,875 SF	+ 4,181 SF

Building Floor Area	16,694 SF	152,387 SF	+135,693 SF
Automobile Parking Spaces	44 (29 surface; 15 structured)	75 structured spaces	+31 spaces
Bicycle Parking Spaces	0 spaces	18 spaces	+18 spaces
Curb Cuts	1	2	+1 curb cut
Trees in Streetscape	9	7	-2

IV. EXISTING CONDITIONS

The site is bounded to the South by Myrtle Street, to the East by Congress Street, and to the North and West by parcels created through the recent subdivision that will not be held under common ownership. The Comprehensive Plan, Portland 2030, identifies Congress Street as a priority corridor. Priority corridors are key corridors that connect major nodes and neighborhoods and therefore serve as areas that can accommodate additional mixed-use, higher-density growth to take advantage of the transit benefits and services that well-designed, diverse corridors can offer.

The subject block and immediate area is well-served by public transit. Approximately two blocks to the southwest is the METRO PULSE at Elm Street (Downtown Transportation Center), the hub for METRO where bus routes, #2, #4, #5, #7, and the Husky Line begin and end their routes. METRO bus routes #1, #7, #8, #9A, #9B, and the Biddeford Saco Old Orchard Beach Transit 60 Green line can be accessed along Congress Street within one block of the site. South Portland Bus routes 21, 24A, and 24B can be accessed along Congress Street roughly two blocks southwest of the site. METRO bus route 8 is located along Cumberland Avenue less than one block from the site.

The site was formerly occupied by a number of commercial and residential structures. In the 1960s, a portion of the site served as the printing facilities for the Portland Press Herald. Currently, the site serves as off-street parking (both surface and structured) for daily and monthly parking. The existing parking structure: (±13,408 SF) is proposed to be demolished to facilitate the development of the site.

V. RIGHT, TITLE & INTEREST

The owner of the property is 385 Congress, LLC. The owner and applicant for the construction of the hotel (The Fathom Companies d/b/a Fathom Congress, LLC) have entered into a Purchase and Sale Agreement which serves as sufficient right-title-interest documentation for The Fathom Companies for the purpose of reviewing a site plan application.

The submitted existing conditions survey (P.46 and P.47) indicates the property has no existing easements. Sidewalk access and maintenance agreements along Myrtle Street, Congress Street & Cumberland Avenue will be established for the expanded sidewalk area on the subject property. As noted in the Purchase and Sale Agreement, utility easements will be created to facilitate access pre-and and post-construction.

VI. FINANCIAL & TECHNICAL CAPACITY

The applicant has submitted a letter of financial capacity from their financial institutions as documentation stating that the Applicant is in good standing (Attachments H and I).

VII. ZONING ANALYSIS

The site is encompassed by the B-3 Downtown Business Zone, the Pedestrian Activities District (PAD) encouragement area, and the Downtown Entertainment Overlay Zone.

The purpose statement for the B-3 zone includes the following relevant to the proposal:

- Enhance and promote the orderly expansion of retail and service businesses downtown, satisfying the related needs of the city's resident, working and visitor populations;
- Encourage increased housing opportunity downtown for a diverse residential population;
- Enhance the pedestrian environment through the encouragement of intensive mixed-use activities, through the enhancement and maintenance of public and private open space, and through the enlivenment and increased attractiveness of the street environment;
- To encourage excellence in urban design;
- In the PAD Overlay Zone, to create continuity of pedestrian-oriented uses along streets where such uses predominate and along streets which, over time, will establish and maintain a strong retail and pedestrian-oriented use pattern.

The zoning dimensional requirements are intentionally permissive in this urban downtown zone and are intended to facilitate intensive forms of development which maximize site coverage and maintain the existing street wall pattern. Regarding height for this block, there is a 50-foot maximum street wall height within 15 feet of the property line along Congress and Myrtle Streets, and a maximum building height of 150 feet as per the Downtown Height Overlay map. Compliance with the B-3 dimensional requirements is shown in Table 1. Based on the waivers granted during the review of the MDP and approval of the proposed subdivision, the submitted Major Site Plan application complies with the zoning.

Table 1: Compliance with B-3 Dimensional Lot Standards		
Standard	Required	Proposed
Maximum Front Setback	5 feet	3-20 feet (Waiver Granted with MDP Approval)
Minimum Cumulative Stepback at 50 feet (Congress & Myrtle)	15 feet	15 feet (Met at ground level)
Minimum Side & Rear Setbacks	N/A	Complies
Maximum length of undifferentiated blank wall	30 feet	20 feet (Complies)
Maximum Floor Area	15,000 square feet for each floor above 125 feet	Complies. L11 has ±8,535 square feet of floor area.
Maximum Structure Height	150 feet with a 90-foot maximum street wall height on Pearl Street and a 50-foot maximum on Congress and Myrtle Streets	143.75 feet (Complies)
Maximum Lot Coverage	25% of lot area for portions of structures exceeding 125 feet in height or 10,500 square feet, whichever is more	Complies. Proposed floor area of L11 is 10,500 square feet.

Downtown Urban Design Guidelines & Pedestrian Activities District (PAD) Encouragement Area: The site is required to comply with the Downtown Urban Design Guidelines. Additionally, the Congress Street frontage falls within the Pedestrian Activities District (PAD) encouragement area. This overlay zone is intended to encourage ground floor uses that activate pedestrian spaces, creating a safe and vibrant pedestrian environment in Portland's downtown. Buildings located within the encouragement area are required to be designed and constructed to be reasonably capable of being converted to accommodate uses permitted in the PAD overlay zone. Further, all sidewalk areas and open spaces shall be designed to complement the general pattern of the downtown pedestrian environment.

During the MDP review, the Applicant took steps to develop a more pedestrian-centric design by:

- Expansion of the sidewalk area along Congress Street;
- Addition of a pedestrian entrance facing and visible from Congress Street;
- Inclusion of a retail unit that wraps around the corner of Congress & Myrtle Street, and
- Increased accessibility to the Amenity Deck from the street level.

Further discussion of compliance with the PAD Overlay & B-3 design standards is provided in the following Section of this report.

VIII. DESIGN REVIEW

A total of three design reviews have been completed for the project, dated respectively October 19, 2022, January 6, 2023, and February 8, 2023 (**Attachments 3-5**). The reviews were conducted by Sean King, Urban Designer, Evan Schueckler, Historic Preservation Manager, Rob Weiner, Historic Preservation Compliance Coordinator, Kevin Kraft, Deputy Director of Planning and Urban Development, and Zach Powell, Senior Planner. Key updates to the application based on the Design Review Memorandums are included below:

- Reduction in the number of proposed materials along the ground level to create a stronger, more cohesive building design by using masonry banding along the Congress & Myrtle Street frontages for the majority of the massing, with the corner of the building near the intersection of Congress & Myrtle Streets with the curtain wall and ground floor commercial unit utilizing an ironspot brick.
- Replacement of black metal panels along the retail space on the corner of Congress and Myrtle streets with ironspot brick.
- Inclusion of a horizontal belt course along the building's 1-2 story base and recessed elements that are consistent with the historical character of surrounding buildings.
- Breaking up the vertical scale of the building through a delineation in building materials.
- Creation of a unified window pattern on the ground floor through the substitution of vertical windows at ground level along Congress Street and the interior northern elevation with storefront windows to match the hotel lobby façade.
- Development of a more prominent entrance along Congress Street through the recession of entrance doors, articulation through changes in material, and alignment of the suspended canopy with the canopy proposed on the northern elevation.
- Consistency in paving materials for publicly-accessible paved areas and delineation of changes in material with a flush band to the edges of paved surfaces.
- Reconfiguration of planters along the expanded Congress Street sidewalk/linear park area to develop a more inviting, connected space for pedestrians.

The final design review memorandum (**Attachment 5**) recommends two conditions of approval related to the final review and approval of proposed fencing along Myrtle Street to access the exterior staircase and elevator, the proposed final design for the railing on the rooftop. Through the incorporation of the changes mentioned above and the recommended conditions of approval, the submitted application meets the applicable B-3, PAD Overlay, Multiple-family, and MDP design standards.

IX. TRAFFIC MOVEMENT PERMIT

At the August 9, 2022 Planning Board Hearing for the Master Development Plan, the Board approved a condition that the Traffic Movement Permit (TMP) shall receive approval prior to the approval of the first site plan application. The Applicant submitted a draft methodology to City Staff for trip generation estimations and traffic counts pursuant to TMP application requirements on August 5, 2022. Upon review of these materials, City Staff recommended changing the Institute of Traffic Engineers (ITE) Land Use Codes (LUCs) to derive estimates, with these changes shown in Table 2 below.

Table 2: Changes to ITE Land Use Codes		
Use(s)	March 24, 2022 Submission	August 5, 2022 Update
Hotel & Restaurant	310- Hotel	310- Hotel
Residential & Retail	232- High-Rise Residential with 1,000-25,000 square feet of ground floor commercial	222 – Multifamily Housing (Highrise)
		932- High-Turnover (Sit-Down) Restaurant

The Applicant submitted an updated and expanded TMP application on December 16, 2022 (**Attachment N**) that included updated information on existing parking demand and crash data, a relocated garage access point from Cumberland Avenue to Pearl Street, relocation of an existing mid-block crosswalk on Myrtle Street, and parking management plan.

Comments from the consulting Traffic Engineer Tom Errico (**Attachment 8**) have focused on:

- Assessing parking lot usage at 385 Congress Street and the Top of the Old Parking Lot in future phases to use more accurate counts, given that parking occupancy has not returned to pre-COVID conditions.
- Assessing the restriping of Pearl Street in regards to on-street parking, and removal of the dedicated left turn lane for the Top of the Old Port Parking Lot post-occupancy to better understand multi-modal impacts.
- Ensuring that there will not be significant queuing/sidewalk obstructions waiting for garage doors to open through doors opening in advance of a vehicle arriving.
- Upgrading the traffic signal (except for the controller cabinet) at the Congress & Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual.
- Upgrading the traffic signal at the Cumberland Avenue & Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual.
- Conducting ADA facility assessments of pedestrian facilities at all intersections of the MDP block and upgrade as necessary, based on proposed signal improvements.
- Recommendation for monitoring at 1-month, 3-months, and annually through three years after issuance of a Certificate of Occupancy to better assess the impacts of valet operations, given that the block serves as automobile parking for the Press Hotel.

- Requesting the submission of parking demand estimates from the ITE, 5th Edition to better quantify the anticipated parking demand for the site.

To address these comments, conditions have been recommended for the TMP. Through the adoption of the recommended conditions, the proposed application will satisfy the requirements of the TMP.

As a condition of the TMP, the applicant will be required to replace/upgrade the traffic signal equipment and associated street, ramp, and sidewalk conditions at the intersections of Congress Street and Pearl Street. As a result of the required upgrades the applicant is requesting a modification of the transportation related impact fees (**Attachment QQ**) for the costs associated with sidewalk and street improvements directly related to the traffic signal upgrades, at the corners across from the site. Additionally, the applicant is requesting that costs associated with traffic signal improvements be applied as a credit against the Transportation Impact Fee.

The 2018 Impact Fee Study identifies the need for signal improvements and facilities as an element of growth-related costs. City staff has identified that improvements to traffic signals and sidewalks not along the project's frontage are eligible for credits against the transportation impact fee. The total impact fee credit shall be calculated based on cost estimates submitted at the time of a building permit application and to be reviewed and approved by the Planning Authority and the Department of Public Works.

X. STAFF REVIEW

A. Site Plan Review Standards Section 14.6

Section 14.6 of the City's Land Use Code establishes standards under which Site Plan applications must be reviewed. Per this section, Site Plans shall adhere to the following requirements:

Section 14.6.1. Transportation Standards

A. Impact on Surrounding Street Systems

Please refer to Section IX of this staff report for a review of the proposed project on the surrounding street systems, as well as the recommended conditions of approval for the proposed TMP.

In regards to the anticipated construction impacts of the proposed Phase 1 project, a Construction Management Plan (**Attachment PP**) has been submitted to City Staff and is currently under review. Submission and finalization of the Construction Management Plan is a standard condition of approval, and should include specific provisions to ensure a provision for a pedestrian facility on the western side of Congress Street throughout construction and the installation of applicable parking signage on Cumberland Avenue in the event that driveways are blocked off during construction.

B. Access and Circulation

1. In General

The proposed project is not expected to create or aggravate any significant hazard to safety on the surrounding street or increase congestion. The proposed project will include a driveway entrance accessed via Congress Street and a garage entrance for exiting onto Myrtle Street. The proposed hotel and retail space would include primary entrances facing Congress Street. An expanded sidewalk would be included for the building's entire frontage along Congress Street to accommodate pedestrians. The site is located in a walkable Downtown Portland location that is accessible to public transit.

2. Loading and Servicing

The subject property has frontages on Congress & Myrtle Streets, with one proposed curb cut on Congress Street and one on Myrtle Street. Additionally, the lower garage level will establish an access easement with the property to the west to be able to access that parking level from Cumberland Avenue. The proposed dimensions of the ground level structured parking allows the movement of box trucks, but is not anticipated based on narratives provided by the Applicant. City staff has discouraged the use of the Level 1 structured parking for deliveries and loading as well, given that the design of the parking/waivers for the parking was predicated on the sole use of area by valet drivers. The Applicant has proposed the designation of a loading space on the north side of Myrtle Street to align with the proposed loading area. Updates to the design have helped provide better separation between the proposed loading space and the mid-block pedestrian crossing on Myrtle Street, as well as sufficient space from the existing loading space on the south side of Myrtle Street to ensure safe access for emergency vehicles.

3. Curb and sidewalks

ADA improvements on Congress Street at the intersection of Myrtle Street have been identified by City Staff based on the current slope. Conditions to ensure assessment of the ADA compliance of the Congress & Pearl Street intersection has been recommended as a condition, along with final review by the Department of Public Works, the City's Historic Preservation Staff, and the Planning Authority to ensure that the collective sidewalk improvements meet City Technical and Design standards.

Together with the recommended conditions of approval for the TMP and site plan, the proposed application has ensured that the proposed access and circulation for the site will not result in negative impacts on the surrounding area.

C. Public Transit Access

Staff Comment: The site is located within a quarter mile of an existing transit shelter on Congress Street and is not required to provide a transit shelter on-site.

D. Parking

1. Vehicular parking

The proposed development proposes 75 automobile parking spaces on two levels of parking. The subject property is located within a quarter mile of an existing fixed transit route and is further required, based upon the scope of the project as a major site plan, to complete a parking study. The parking study has been completed as part of the larger TMP for the MDP application. Please refer to Section IX of this report for additional information on the scope and results of the TMP. A TDM plan has been developed for the project and is further discussed in the review of standards for Section 14.6.1.E. As mentioned at the beginning of this report, the Applicant received waivers for the number of compact spaces, parking layout, and required width of access aisles. Through the completion of the TMP and the previously approved waivers, the proposed application is meeting the parking requirements for the proposed development.

2. Bicycle parking

Sixteen bicycle parking spaces are required in total, with nine being for the hotel, four being for the condominium units, and three being for the restaurant. The Applicant has provided 18 bicycle parking spaces within level one of the parking garage, with two of those spaces, (10% of the total provided in level one) meeting the distance requirements from the main egress by being located no further from the entrance than

the nearest five spaces. Section 1.15.4 of the City Technical Manual at the time of application submission (Current Section 1.12.4) states that if bicycle parking is not directly visible from the public right-of-way, directional signage shall be provided indicating the availability and location of bicycle parking facilities. Based on the proposed location of the bicycle parking in the garage, recommended conditions of approval have been included to require the submission of signage that indicates the availability and location of the facilities to meet the standard of Section 1.15.4 of the City's Technical Manual.

3. Snow storage

The proposed parking for the hotel is to be located within structured parking, which is anticipated to have minimal snow storage impacts. Access points and any existing surface parking on the block is proposed to have snow transported off-site, which has been proposed as well for the right-of-way along Congress and Myrtle Streets.

4. Electric Vehicle (EV) charging

Sixteen of the 75 proposed parking spaces (21%) have been identified as having electric vehicle charging stations, which exceeds the minimum required (20%) by the City's Technical Manual.

With the recommended conditions and updates to the application, the proposed project is not anticipated to result in negative parking impacts for the site and the surrounding area.

E. Transportation Demand Management

Staff Comment: The application was reviewed on January 5, 2023 by the City's Transportation Program Manager Bruce Hyman, who provided the following comments:

Based on the applicant's memo, the following items appear to be outstanding/unresolved:

- *The parking reduction target – The Applicant has not stated a parking reduction target but references that the parking to be allocated to the hotel is already below the national average. Clarification was (and still is) requested whether a parking reduction target will be developed.*
- *Level of transit subsidy to be provided to employees – The Applicant states that the level of transit subsidy will be determined by the hotel operator based upon its staffing plan. An updated TDM Plan with this information should be required to be approved prior to Certificate of Occupancy.*
- *A commitment to information related to transportation options to the hotel on the hotel's website should be required in an updated TDM Plan to be approved prior to Certificate of Occupancy – an electronic kiosk in the hotel lobby is highly recommended to highlight the education materials identified in the draft TDM Plan (transit schedules and stop locations, real-time departure for transit routes, transportation alternatives, pedestrian routes, etc.)*

The Applicant has updated the submitted TDM plan to include a baseline anticipated number of trips (AM: 52 | PM: 53) that the hotel will generate and a proposed reduction of 10% (5 trips) through the implementation of TDM strategies. The Applicant has also stated that a TDM kiosk will be provided in the main lobby and that transportation options will be posted on the hotel's website. The level of transit subsidy to be offered to employees has not been finalized since the eventual hotel chain/operator is not known at this time. This standard has been met. A recommended condition has been included at the end of this report requiring the Applicant to submit and receive approval from the Planning Authority for an updated TDM plan that includes the level of transit subsidy to be provided for employees.

Section 14.6.2. Environmental Quality Standards

A. Preservation of Significant Natural Features

Staff Comment: As a lot used for parking, both surface and within an existing building) within a densely developed urban context, there are no significant natural features located on the subject property.

B. Landscape Preservation

Staff Comment: As a condition of the Master Development Plan, the Applicant was required to consult with the City Arborist to evaluate the preservation of existing street trees along Congress Street. Based on this consultation with City Arborist Jeff Tarling, preservation of the existing street trees has been determined to not be viable based on the proposed work. Replacement street trees have been proposed as part of the site plan application.

C. Site Landscaping and Buffers

Staff Comment: §14.6.2.C.1. of the Land Use Code states that all development subject to required zoning setbacks shall include a minimum of one shade tree or six plantings (Shrub, ornamental grass, or three perennials) per 30 linear feet of all frontages as measured along the property line (370 feet of frontage/30 feet = 12.3 = 12 shade trees or six plantings) and can be planted anywhere on the site.

Four moveable and three permanent planters have been proposed at street level. 6 trees, 90 shrubs, 92 ornamental grasses and 216 perennials have been proposed on the amenity deck. Together, the proposed landscaping plan complies with §14.6.2.C.4. of the Land Use Code.

The site is required to provide 9 street trees for the proposed multi-family requirement (1 street tree per dwelling unit) and for commercial uses, providing a street tree every 35-45 feet (370 feet of frontage/ 35-45 feet = 8-11 street trees). The Applicant has included 7 street trees with a spacing of one tree every 22-23 feet. Trees originally proposed for Myrtle Street were deemed not viable by the Forester Jeff Tarling and the Department of Public Works due to space constraints and sunlight.

The applicant will be required to contribute \$4,000 (10 trees x \$400 contribution = \$4,000) into the city's Tree Fund for the remaining 10 required street trees.

D. Water Quality, Stormwater Management, and Erosion Control

Staff Comment: The Applicant has identified erosion & sediment control measures proposed for the site and has proposed on-site detention & will reroute stormwater to the combined sewer on Pearl Street in anticipation of future separation by the City and reduce impacts on the combined sewer at Myrtle Street.

A review of the application documents by Consulting Stormwater Engineer Lauren Swett noted that:

- *The Applicant has provided a detail for sediment barrier, but has not shown any sediment barrier erosion controls on their grading plan. This may be able to be addressed as part of the construction management plan, understanding that barrier controls may move around as construction happens; the current construction management plan just refers back to the approved erosion control plan.*
- *Building demolition sites are proposed to be left with gravel surfaces, and erosion controls should be in place until these areas have permanent stabilization.*

A recommended condition of approval has been included to document the proposed erosion controls and ensure that adequate perimeter erosion controls are provided throughout all areas of the site with measures to remain until each area reaches permanent stabilization.

Section 14.6.3. Public Infrastructure and Community Safety Standards

A. Consistency with City Master Plans

Staff Comment: The submitted plan is consistent with City Council-approved master plans by:

- Improving transportation access to arts and cultural venues throughout the City by enhancing intersection and mid-block connections to Merrill Auditorium (**Arts District Plan, 1996**),
- Proposing the construction of dense housing in Downtown and pedestrian enhancements such as curb extensions and expanded sidewalks to promote walkability and traffic calming (**Peninsula Transit Plan, 2009**), and
- Providing infill development within a transit-oriented location with pedestrian-oriented streets to make walking more inviting, and connection to bus routes, bike networks, and other mobility options easier to access to other parts of the city. Providing residential density as well as employment and job density that can support and drive transit ridership as well as walk to work opportunities (**One Climate Future, 2021**).

B. Public Safety and Fire Prevention

Staff Comment: Based on staff comments, the Applicant has provided additional information on how access will be provided to the amenity deck from the street level after the completion of Phase 2 (Condo A). The submitted lighting plan provides sufficient lighting to ensure clear sight lines between the property and the right-of-way.

The site includes two frontages (Congress & Myrtle Streets) that provide sufficient access for emergency vehicles. The application has been reviewed by City Staff to ensure the safe travel of emergency vehicles onto Myrtle Street with the new curb extensions at Congress Street, given that the street is used by fire trucks at the Central Fire Station across the street.

Based on these updates and the submitted design, the proposed project will not result in negative public safety issues and will provide sufficient access for emergency vehicles to the site.

C. Public Utilities

Staff Comment: The site currently provides electrical service underground and the proposed development continues to provide underground service.

The Applicant has coordinated with the City to address Combined Sewer Overflow (CSO) capacity issues through the use of on-site detention and rerouting of stormwater to Pearl Street.

Attachment Y1 from the Portland Water District provides an ability to serve letter for the proposed project, with noted improvements that will need to be made as part of providing service.

The Applicant is proposing to provide on-site trash & recycling storage interior to the building at street level next to the structured parking area, with trash receptacles being moved out to the street curb for collection. This standard is met.

Section 14.6.4. Site Design Standards

A. Massing, Ventilation, and Wind Impact

Staff Comment: Based upon the submitted architectural plans depicting massing, location, and height of the proposed building the development is not anticipated to result in a substantial diminution in the value of neighboring structures.

B. Shadows

Staff Comment: This standard is not applicable since the property is located in the B-3 zone. However, shadow impacts of the proposed development were reviewed under the Master Development Plan approval and found that the proposed design would not result in significant negative impacts on adjacent open spaces (City Hall Plaza & Lincoln Park) from the hours of 10:00 AM to 2:00 PM.

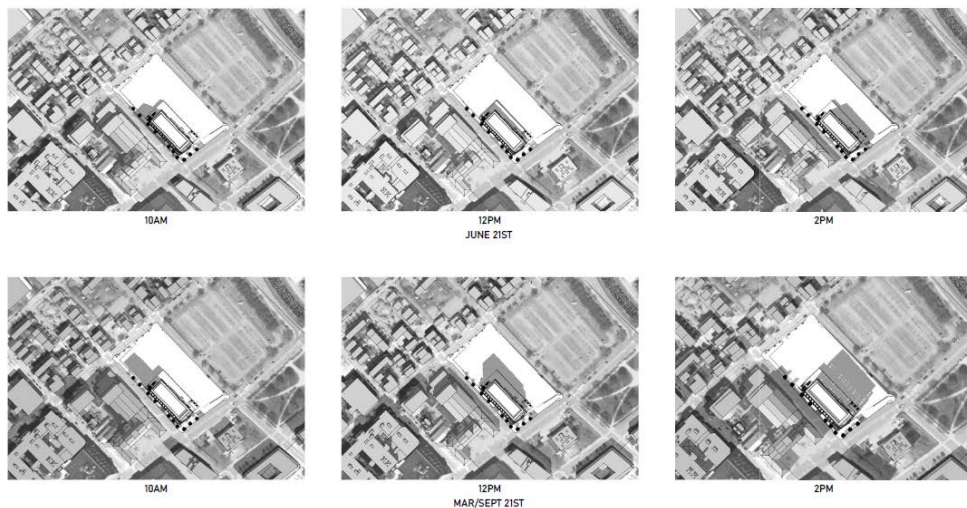


Figure 3: Shadow Study for Phase 1, which does not demonstrate any negative shadow impacts on nearby open spaces at City Hall Plaza or Lincoln Park.

C. Snow and Ice Loading

Staff Comment: Based on comments from City Staff, the Applicant has updated the application to remove a proposed art installation in front of the Myrtle Street staircase and has confirmed that snow would be removed from the site to meet City requirements.

The updates to the application, along with the proposed flat roof design will prevent significant amounts of accumulated snow and ice from loading or falling onto the right-of-way or adjacent properties.

D. View Corridors

Staff Comment: The project site is located adjacent to a view corridor along Congress Street. Feedback from the MDP review resulted in the Applicant matching the front setback of the building along Congress Street

with City Hall to provide more consistency in the street wall. This also provides additional viewshed benefits. Based upon these findings this standard is considered met.

E. Historic Resources

Staff Comment: The proposed development is not located within a locally designated historic district. Since the site is adjacent to the Congress Street Historic District and local landmark City Hall, an advisory historic preservation review was provided by Historic Preservation staff as part of the City design review to ensure compatibility with the neighboring district and landmarks.

F. Exterior Lighting

Staff Comment: The Applicant has submitted photometric plans and lighting details (**Attachment NN and P.22a**) for the site and for street lighting. At street level, the Application is complying with the maximum permitted illumination levels of the Technical Manual. Final review and approval of the photometric plan by the Planning Authority has been included as a recommended condition to ensure that the proposed lighting on the Myrtle Street staircase and Level 2 (Amenity Deck) meets the maximum permitted illumination levels of Section 12.3 of the City's Technical Manual.

G. Noise and Vibration

Staff Comment: The proposed mechanical equipment will be located on Level 12 and the roof. Equipment on the roof is set back from the street frontages and screened by walls. Based on the proposed use of the site, it is anticipated that the mechanical equipment will comply with State and Federal emissions requirements.

H. Signage and Wayfinding

Staff Comment: Finalized signage has not been included as part of the site plan application materials. Future review of signage with the standards of Article 20 will occur upon submission of separate sign permits.

I. Design Standards

Staff Comment: Please refer to the comments in Section VIII of this report.

XI. NEIGHBORHOOD MEETING & PUBLIC COMMENT

As of the writing of this report, no written public comments have been received.. The applicant held a Neighborhood Meeting on October 6, 2022, and 2 members of the public attended (**Attachment II**). Questions raised at the Neighborhood Meeting addressed the following topics:

- Security at the amenity deck;
- Phasing, and
- Retention of on-street parking.

XII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff recommends that the Planning Board find that application #PL-002156-2022 meets the applicable standards of Portland's Land Use Code.

XIII. PROPOSED MOTIONS

A. TRAFFIC MOVEMENT PERMIT

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 14, 2023 for application #PL-002156-2022 relevant to Portland's Technical Standards and other regulations; and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** that the plan is in conformance with 23 M.R.S. §704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits, subject to the following conditions of approval:

PRIOR TO BUILDING PERMIT SUBMISSION FOR PHASE 1 (HOTEL)

1. The Applicant shall update the site plan set to state that the City will review conditions on Pearl Street post-occupancy and determine the feasibility of on-street parking in a future phase of the MDP, offset the eastbound Congress Street left-turn lane off-set STOP bar by 15 feet, and replace site plan key note 17 on site plan sheet 5 with a metered parking sign (PS6).

PRIOR TO ISSUANCE OF BUILDING PERMIT FOR PHASE 1 (HOTEL)

2. The Applicant shall submit a scope of work for the traffic monitoring program of the valet operations for review and approval by the Planning Authority. The scope of work shall outline specific actions that will be taken by the hotel/valet vendor if vehicle queuing problems are identified.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR PHASE 1 (HOTEL)

3. The Applicant shall upgrade the entire traffic signal system at the intersection of Congress & Pearl Street (except for the controller cabinet, unless modification to equipment may be needed for a full functioning signal) to meet the City's Traffic Signal Policy and Guidance Manual. This upgrade shall include mast arm supports. Sidewalk ADA upgrades may be required to meet MaineDOT's policy regarding ADA upgrades associated with a signal project that disturbs the ground.
4. The Applicant shall install pedestrian signal heads at the intersection of Cumberland Avenue & Pearl Street.

POST OCCUPANCY CONDITIONS FOR PHASE 1 (HOTEL)

5. The Applicant shall be required to perform a traffic monitoring program of the valet operations and queuing conditions. The monitoring study shall be performed within the first month of occupancy, three months after occupancy, and annually for at least three years. At the conclusion of Year 3, City Staff shall make a determination on continuation. The monitoring program shall be conducted under normal traffic system conditions and when Myrtle Street is closed. The monitoring program shall report at a minimum vehicle arrival/departure volumes, number of valet personnel, vehicle queuing, impacts of the co-location of automobile and bicycle parking, and photographs of conditions.

MAJOR SITE PLAN APPLICATION PHASE 2 (CONDO A)

6. As part of the Major Site Plan application for Phase 2 (Condo A) the Applicant shall submit signal plans for an upgrade to the entire traffic system for the intersection of Cumberland & Pearl Street.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR PHASE 3 (CONDO B)

7. The Applicant shall upgrade the entire traffic signal system and sidewalk ramps at the intersection of Cumberland & Pearl Street. [Note: Updated on February 13, 2023.]

B. INCLUSIONARY ZONING FOR HOTEL PROJECTS CONDITIONAL USE

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on February 14, 2023 for application #PL-002156-2022 at 385 Congress Street relevant to Portland's Inclusionary Zoning Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board [finds/does not find] the proposed project meets the requirements of section 18.2.5 and section 18.2.3 with the following condition(s):

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. Should the applicant choose to provide the required low-income housing units on-site the Applicant and the City shall enter into an agreed upon Affordable Housing Agreement (AHA).

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

2. The applicant shall pay an agreed upon fee-in-lieu into the City's Housing Trust Fund calculated at time of Building Permit application or should the applicant choose to provide the required Hotel Inclusionary Zoning low-income units on-site an Affordable Housing Agreement (AHA) shall be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds.

C. MAJOR SITE PLAN

On the basis of the application, plans, reports, and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on February 14, 2023 for application #PL-002156-2022 relevant to the Site Plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board [finds/does not find] that the plan is in conformance with the Site Plan standards of the Land Use Code, subject to the following conditions of approval:

PRIOR TO ISSUANCE OF A DEMOLITION PERMIT APPLICATION FOR PHASE 1 (HOTEL)

1. The Applicant shall coordinate erosion control shown on their grading plan and referred to in the construction management plan to ensure that adequate perimeter erosion controls are provided on all areas of the site, including the main building construction site and on the building demolition areas, with these measures to remain in place until each area reaches permanent stabilization.

PRIOR TO BUILDING PERMIT SUBMISSION FOR PHASE 1 (HOTEL)

2. The Applicant shall submit an updated site plan to the set delineating the boundaries of the proposed work as part of Phase 1, and shall extend 2 hour limit parking spaces along closed driveways to the site, as applicable.
3. The Applicant shall submit an updated photometric plan to the Planning Authority to confirm the proposed lighting on the Myrtle Street staircase and Level 2 (Amenity Deck) meets the maximum permitted illumination levels of Section 12.3 of the City's Technical Manual.

4. The Applicant shall submit details of the security fence facing Myrtle Street to access the exterior staircase and elevator and final railing details to the Planning Authority for final review and approval.
5. The Applicant shall submit directional signage details for review and approval by the Planning Authority that indicate the availability and location of bicycle parking facilities.
6. The applicant shall submit the final Construction Management Plan (CMP) to the Planning Authority for review and approval.

PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR PHASE 1 (HOTEL)

7. **Public Access Easement:** That the pedestrian plaza area along Congress Street and the publicly accessible staircase/walkway area located along Myrtle Street, shall be accessible to the public, and managed and maintained by the operator of the hotel. A public access easement confirming this and other details shall be finalized to the satisfaction of the Planning Authority and Corporation Counsel.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR PHASE 1 (HOTEL)

8. Due to site constraints preventing the planting of required street trees in the right-of-way, the applicant shall contribute \$4,000 for the 10 remaining required street trees (10 x \$400 - \$4,000).
9. The Applicant shall submit an updated TDM plan that confirms the level of transit subsidy to be provided to employees to be reviewed and approved by the Planning Authority.
10. The Hotel Operator/Valet Vendor shall identify off-site parking locations that meet the parking demand estimate and the parking spaces shall be located in close proximity to the hotel to allow for efficient valet operations. Documentation of off-site parking shall be provided in conjunction with the valet monitoring requirement.

D. IMPACT FEES

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 14, 2023 for application #PL-002156-2022 relevant to the Site Plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** that the plan is in conformance with the Site Plan standards and impact fee regulations of the Land Use Code, and the impact fee modification shall be granted under the following conditions:

11. Impact fee credits are available for portions of the traffic signal upgrade at Congress & Pearl Street and sidewalk ADA improvements on non-applicant frontages.
12. Prior to issuance of a Building Permit, the applicant shall provide plans, details, and cost estimates to be prepared by a licensed professional engineer and approved by the Planning Authority and the Department of Public Works for the Congress & Pearl Street intersection upgraded traffic signal system and sidewalk ADA upgrades on non-applicant frontages.

XIV. ATTACHMENTS

Staff Attachments

1. City Staff Design Review Memorandum (August 2, 2022)

2. City Staff Comment Letter (January 6, 2023)
3. City Staff Design Review Memorandum (October 19, 2022)
4. City Staff Design Review Memorandum (January 6, 2023)
5. City Staff Design Review Memorandum (February 10, 2023)
6. DPW Comment Letter (February 1, 2023)
7. Consulting Traffic Engineer Comment Letter (February 7, 2023)
8. Consulting Traffic Engineer Comment Letter (February 8, 2023)

Applicant's Documents

- A. Cover Letter and Description
- B. Major Site Plan Checklist
- C. Right, Title, and Interest
- D. Right, Title, and Interest – Purchase and Sale Agreement
- E. Evidence of State & Federal Approvals
- F. Zoning Analysis Table
- G. Waiver Table
- H. Financial Capacity
- I. Technical Capacity
- J. Impact on Surrounding Streets
- K. Access and Circulation
- L. Public Transit
- M. Off-Street Parking
- N. TMP Application 2022-12-16
- O. TDM Plan 2023-01-13
- P. Parking Demand Analysis 2023-01-13
- Q. Valet Queuing Analysis 2023-01-13
- R. Preservation of Natural Features
- S. Landscape Preservation
- T. Site Landscaping and Buffers
- U. Water Quality, Stormwater Management, and Erosion Control
- V. Stormwater Management Report 2023-01-13
- W. Consistency with Master Plan
- X. Public Safety and Fire Prevention
- Y. Availability and Adequacy of Public Utilities
- Y1. Ability to Serve Letter 2023-02-01
- Z. Massing, Ventilation, and Wind Impacts
- AA. Shadows
- BB. Snow and Ice Loading
- CC. View Corridor
- DD. Historic Resources
- EE. Exterior Lighting
- FF. Noise and Vibration
- GG. Signage and Wayfinding
- HH. Zone Related Design Standards
- II. October 6, 2022 Neighborhood Meeting Minutes
- JJ. September 12, 2022 De Minimis Change Request
- KK. Building Height Diagram & Narrative

- LL. Easement Narrative
- MM. Landscape Materials Palette
- NN. Photometric Plan
- OO. Stormfilter Calculations and Hydrograph Plots
- PP. Construction Management Plan
- QQ. Request for Modification of Transportation Impact Fees

Plans

- P1. Cover Sheet
- P2. General Notes and Legend
- P3. Easement Plan
- P4. Demolition Plan
- P5. Overall Site Plan – Street Level
- P5a. Site Plan –Street Level
- P6. Site Plan – Level 2
- P7. Grading and Drainage Plan
- P7a. Grading and Drainage Plan – Details 1
- P7b. Grading and Drainage Plan – Details 2
- P8. Utility Plan
- P9. Schedules
- P10. Myrtle Street Plan and Profile
- P11. Overall Landscape Plan – Street Level
- P12. Landscape Plan – Street Level
- P13. Landscape Plan – Level 2
- P17. Erosion Control Notes and Details
- P18. Details – 1
- P19. Details – 2
- P20. Details –3
- P21. Details –4
- P22. Details -5
- P22a. Details -6
- P23. Traffic Plan
- P24. Cover Sheet
- P25. Site Plan
- P26. Floor Plan – Level P1
- P27. Floor Plan – Level 1
- P28. Floor Plan – Level 2
- P29. Floor Plan – Levels 3-4
- P30. Floor Plan – Levels 5-6
- P31. Floor Plan – Levels 7-8
- P32. Floor Plan – Levels 9-10
- P33. Floor Plan – Levels 11-12
- P34. Building Materials
- P35. Elevation – Congress Street
- P36. Elevation – Myrtle Street
- P37. Elevation – West (Site Interior)
- P38. Elevation – North (Site Interior)

- P39. Perspective Views
- P40. Enlarged Building Elements – Hotel Entrance
- P41. Enlarged Building Elements – Myrtle Street – 1
- P42. Enlarged Building Elements – Myrtle Street – 2
- P43. Shadow Study
- P44. Street View from Congress & Myrtle
- P45. Perspective Views
- P46. Existing Conditions
- P47. Existing Conditions – Structure Table

Public Comment: None

Subject: 385 Congress Street – Master Development Plan
Zone: B3
Date of Tuesday, August 2, 2022
Review: Design Review
Reviewer(s): Sean King (Urban Designer), Zachary Powell (Senior Planner), Kevin Kraft (Deputy Director)
Project ID: PL-001970-2022

I. INTRODUCTION

The project at 385 Congress Street is subject to the Master Development Plan Review Standards, Land Use Code section 14.7.5 Design. The project is also within 100' of a historic district and included an advisory historic preservation design review.

The proposed Master Development Plan for a mixed-use hotel and condominium is only reviewed according to the Master Development Plan criteria. The project will be subject to future staff design review subject to the design standards of the City of Portland *Design Manual* – **[b] B-3 Downtown Business Zone, Appendix 1**. Staff recommend the MDP approval include design guidelines that will apply to all subsequent site plan applications.

Based on the revised submission from August 1, 2022 and Planning Board comments, staff have the following comments as well as recommended Design Standards to apply to future Site Plan applications.

II. DESIGN REVIEW COMMENTS:

The project at 385 Congress Street shall meet the following standards of *Master Development Plan Review Standards, Land Use Code Section 14.7.5 Design*.

A. *Creation of a cohesive identity.*

A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation;

Staff comment: The proposed development program includes a hotel and condominium units to occupy the entirety of the 385 Congress Street site, bordered by Congress Street, Cumberland Avenue, Pearl and Myrtle Streets. The proposed development intends to create a cohesive identity through building scale with a 1-2 story podium level continuous at the ground-level to activate and address the neighboring context and adjacent structures, notably City Hall, a hotel with ground floor retail, residential buildings and a place of assembly. The massing defined with stepbacks for the proposed towers of the hotel and multi-phased condominium units establishes vertical scale while reducing building height towards the residential character of Cumberland Avenue. The composition and articulation of the building facades shall maintain the master development plan

approach to activate the street frontage along the ground-floor with storefront windows materials for screening, and rhythm of fenestration; the towers shall maintain a regular rhythm of vertically proportioned windows and sculpt massing to reduce the scale with façade composition in response to the street and mid-block “no build zone” that includes the amenity terrace and site access points.

Use of quality exterior material and architectural detailing at pedestrian scale;

Staff comment: The materials proposed meet this standard that provides pedestrian scaled façade composition through building entry canopies, storefront windows, fenestration screening materials at garage facades and signage. Each phase of site plan review shall include further details for materiality, color, articulation and quality.

Consistency of design and materials for streetscape and pedestrian amenities;

Staff comment: The proposed master development plan includes activation of streetscape and pedestrian amenities along highly traversed roadways. At Congress Street, the linear park creates an expansion of the public realm to allow for trees and tree wells, lighting, outdoor seating and brick sidewalk for pedestrian access. There is a delineation of surface material for pedestrian vs. vehicular that shall be maintained. The creation of the level 2 amenity terrace includes a unique approach to create public vs private zones that shall be suddenly delineated by changes in grade to accommodate sufficient soil depth for the tree planters, along with acute materiality. Street level pedestrian public access through monumental stairs to incorporate bench terrace seating, planters and greenscreens from Congress Street and Myrtle Street shall be maintained.

Framing of outdoor open space and linkages;

Staff comment: The proposed master development plan creates layers of outdoor open space and linkages to include the Congress Street linear park, Myrtle Street-scape, Cumberland Avenue active street, Pearl Street residential lobby and level 2 amenity terrace to reinforce public activation along the surrounding streets of the site. Each phase of site plan review shall include the adjoining open space as a continuation that shall utilize similarity of material, pedestrian amenities, and pedestrian connectivity. Under future site plan reviews, the Applicant should consider how street furniture, such as permanent outdoor seating, can be incorporated within the expanded sidewalk along Congress Street.

A clear conveyance of the function and significance of various buildings, entrances, and features;

Staff comment: The hotel in Phase 1 is differentiated from the condominium units primarily through the façade composition along Congress / Myrtle Street corner with a glass façade, regularity of fenestration for the hotel rooms and deeply recessed building entries with unobstructed glass along Congress Street. The condominium units, shown as three phases are primarily distinguished from the hotel by the storefront windows for the retail program and large fenestrations along the garage façade which shall be screened with high quality material to create an activated façade. Along with the retail program, the development shall incorporate MDP design standards for signage to be reviewed at each phase of site plan review. Additionally, the

condominium buildings include balconies projections and recessions into the façade composition that reinforces private access to open space.

And to generally comply with design and development standards of the zone in which it is located. – Met. In addition to the MDP review standards, the application will be reviewed under the B-3 design guidelines.

Proposed MDP Design Standards (to be applied to subsequent Site Plan applications)

- Materials

- Congress Street – Material placement, detail, and articulation should emphasize the established historic Congress Street patterns of massing, proportions, and façade composition regulating lines and building base. The ground floors will consider pedestrian comfort and scale, especially in the placement of doors, windows, canopies, and details in the materials and articulation. The hotel, in order to stand apart in character and use, will have a more contemporary expression but will continue the base and regulating lines found along Congress Street.
- Quality Exterior Materials includes the detailing, articulation, transition, durability, and visual interest of the materials, not only their selection and placement. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians.
- Façade composition - In Site Plan review the design shall provide depth, articulation, visual interest, and quality transitions. Historic buildings in the surrounding context should be considered precedent examples, especially on Congress Street.
- Cumberland Avenue - The condominium buildings along Cumberland Avenue should have a cohesive visual relationship in materiality, window type and pattern, and articulation elements that activate the ground-floor. The massing and function of the podium base along Cumberland shall be pedestrian scaled that responds to the surrounding neighborhood context.

- Streetscape design

- Congress Street / Cumberland Avenue – Establish active uses fronting the street. The sidewalk should be as wide as possible to accommodate street trees, tree wells, permanent outdoor seating, lighting and other pedestrian amenities in the furnishing zone. Planters or landscape areas should not be placed between the sidewalk and the building, with the exception of recessed building entries and/or access points. Final design shall be coordinated with City staff, especially to ensure viability of street trees and ease of maintenance.
- Interior Passages – Internal passages should employ CPTED principles as a best practice to make spaces that are safe, active, and inviting. Material selection and design should indicate private or public access. Design shall be legible and intuitive for pedestrians and cars, especially for wayfinding.

- Signage – Signage shall be integrated into the building design and respond to the storefront façade at the ground level and be pedestrian scaled, especially along the Congress Street historic district. Final design shall be coordinated with City staff.

Arborist

- See comment under Transportation – Department of Public Works.

Design

- Please refer to the January 6, 2023 Design Review Memo for the proposed project that assesses the compliance of the project with B-3 design standards, Multi-family design standards, and the MDP Design Memorandum from August 3, 2022.

Fire

- No comments.

Housing

- Please note that any changes in the total number of guest rooms will necessitate a revision to the fee-in-lieu payment total.

Parking Division

- While I like the idea of adding additional on-street parking on Pearl Street, I am concerned that it will result in traffic backing up while vehicles queue to enter the Top of the Old Port Lot and cause issues for emergency vehicles.
- I am still concerned with the valet operation. I do not understand:
 - How guests of the hotel will retrieve their vehicles?
 - How will arrivals and departures work with only a one-way driveway from Congress Street (in only with no exit)
 - How will vehicles exit the garage onto Myrtle Street when Myrtle Street is closed due to events at Merrill Auditorium?

Planning

- **October 21, 2022 City Comment:** The Applicant shall coordinate with Corporation Counsel to establish the appropriate access easements and maintenance easements for the expanded pedestrian areas along Congress Street, Myrtle Street, Cumberland Avenue, and Pearl Street.

November 29, 2022 Applicant Response: The applicant will coordinate with Corporation Counsel for all licenses and easement required based on the final design and as-built conditions.

We request that provides detail descriptions, figures, and metes/bounds of the easements be considered a condition of approval, submitted prior to a certificate of occupancy. So that submitted exhibits and descriptions can reflect the final building design, recorded subdivision plat, and the as-built conditions at the site.

January 6, 2023 Planning Department Response: Finalization of the easements can be included as a condition of approval. Draft copies of the easements shall be submitted prior to site plan approval to ensure a sufficient review period for Corporation Counsel and identify any related project elements that may need to be addressed through other mechanisms.

- **October 21, 2022 City Comment:** The Applicant shall coordinate with Corporation Counsel to establish the appropriate access easements for the proposed amenity deck, with considerations for the proposed phasing and construction impacts of the overall Master Development Plan (MDP).

November 29, 2022 Applicant Response: A proposed easement declaration will be submitted separately, reflecting the agreed-to language between the applicant and the landowner being prepared as part of the land closing documents for the sale of Lot 1 to the applicant.

We request that providing detailed descriptions, figures, and metes/bounds of the easements be considered a condition of approval, submitted prior to the issuance of a building permit. so that submitted exhibits and descriptions can reflect the final approved building design and recorded subdivision plat.

January 6, 2023 Planning Department Response: Finalization of the easements can be included as a condition of approval. Draft copies of the easements related to public access shall be submitted prior to site plan approval to ensure a sufficient review period for Corporation Counsel and identify any related project elements that may need to be addressed through other mechanisms.

- **October 21, 2022 City Comment:** As part of the review and approval of the MDP, bicycle parking for all three phases was shown on the portion of the site for the first condominium development. The site plan for the hotel phase will need to show how required bicycle parking will be provided for in the interim between the issuance of a Certificate of Occupancy for Phase 1 and the issuance of a Certificate of Occupancy for Phase 2.

Update the site plan to provide the required 18 bicycle parking spaces for Phase 1 (Calculations included below) to meet the requirements of §14.6.1.D.2.a. of the Land Use Code.

Required Automobile Spaces for Hotel:	38
Required Automobile Spaces for Ground-Floor Retail Unit:	4.2
Required Automobile Spaces for Restaurant:	31
Total Number of Required Commercial Automobile Spaces: 73.2 =	73

X 20%

= 14.64 required bicycle parking spaces for commercial uses

+ Required Bicycle Spaces for 9 Dwelling Units ($9 \times 40\% = 3.6$) 3.6

Total Number of Required Bicycle Spaces for Project: 18.24 = 18

November 29, 2022 Applicant Response: The required bicycle parking is shown on the Architectural plans, on the Level 1 floor plan drawings.

January 6, 2023 Planning Department Response: §1.15.3 of the City's Technical Manual states that a minimum of ten percent (10%) of required bicycle parking shall be provided within fifty (50) feet of the main egress point of the structure, or shall be no further from such entry than the nearest five (5) non-handicapped parking spaces.

In the submitted floor plans and site plan, all of the proposed bicycle parking spaces are located more than 50 feet from the primary entrance of the building and are further than the nearest five (5) non-ADA accessible parking spaces.

Update the floor plans and site plans to meet the requirements of §1.15.3 of the City's Technical Manual. Updates to the site plan should also ensure compliance with §1.15.1, §1.15.2, §1.15.4, and §1.15.5 of the Technical Manual. A copy of Section 1 of the Technical Manual adopted at the time of application submission has been included with this comment letter.

While only 10% of these spaces need to meet this requirement, the proposed placement within the parking garage presents a number of vehicular conflicts and introduces additional individuals into a parking garage that received waivers under the premise of limiting access to valets. Bicycle parking overall should be considered to be relocated to a portion of the site that provides better visibility and safety for cyclists.

- **October 21, 2022 City Comment:** §14.6.1.D.4.a. of the Land Use Code requires that all development with five or more automobile spaces shall provide energized electrical outlets or install chargers capable of providing Level 2 EV charging or higher to 20 or parking spaces, with remaining spaces being served by sufficient conduit, wiring, and electrical service to allow for future installation of electric vehicles supply equipment.

The submitted site plan does not provide evidence that at least 20% of the spaces (15 automobile spaces) meet this requirement.

Update the site plan and/or floor plans to document the required 15 spaces that meet the requirements of §14.6.1.D.4.a. of the Land Use Code.

November 29, 2022 Applicant Response: The proposed EV stations are shown on the revised architectural floor plans for Level 0 and Level 1.

January 6, 2023 Planning Department Response: Comment not satisfied. The submitted floor plans do not identify the proposed EV stations. Update the site plan and floor plan sets to document the required 15 spaces that meet the requirements of §14.6.1.D.4.a. of the Land Use Code.

- **October 21, 2022 City Comment:** Consult with City Arborist Jeff Tarling (jst@portlandmaine.gov) on the proposed removal of existing street trees on Congress Street and the proposed landscaping plans for Congress & Myrtle Streets.

November 29, 2022 Applicant Response: *The existing trees on Congress Street are not proposed to be retained. The location the most southerly of the three (3) trees on the street conflicts with the proposed driveway to serve lot 1.*

The extent of utility construction in the sidewalk makes the survival of the remaining two trees doubtful and they are proposed to be replaced.

January 6, 2023 Planning Department Response: Comment not satisfied. Provide concurrence from Jeff Tarling (jst@portlandmaine.gov) on whether some or all of the existing street trees on Congress Street can be proposed.

Separate consultation should also occur related to the proposed landscaping.

- **October 21, 2022 City Comment:** Interim parking plans have been provided for the proposed surface parking area. Provide confirmation that the proposed design of the parking lot islands can be designed to meet the standards for parking lot landscaping in §14.6.2.C.3. of the Land Use Code.

November 29, 2022 Applicant Response: *We have reviewed the conditions of approval for the site master Plan which states in part:*

“24 months after issuance of a Certificate of Occupancy for either the Phase 1 hotel or Phase 2 condominium building, that the applicant shall submit a Site Plan application for the surface parking lot on the remaining Phase of the site demonstrating compliance with the City’s parking lot design standards, for review and approval by the Planning Authority; and”

Based on this condition we request that the proposed interim parking plan be removed from the current application and reviewed in a future site plan application in accordance with the MDP condition of approval.

January 6, 2023 Planning Department Response: The request is understood. However, the site plan set still shows work to take place on the surface parking lot areas outside of the area of Lot 1. Any parking improvements to the site would trigger an overall review of the surface parking areas and require that the areas being disturbed/improved meet City design and technical standards.

Update the site plan set to confirm whether any work will take place to the surface parking area as part of this site plan application.

- **October 21, 2022 City Comment:** Based on the current proposed design, it is unclear how negative snow and ice loading impacts related to the design of the amenity deck, public staircases, and proposed art installation will be mitigated.

Provide additional information on the proposed maintenance of these areas to demonstrate that the proposed design will not result in significant negative impacts onto adjacent properties and public ways.

November 29, 2022 Applicant Response: Snow removal will be a routine maintenance function and will be removed by shovel and snowblower equipment from the upper deck and stairs as necessary, similar to any other public/private space of similar size and configuration. The owner will comply with City ordinance requirements for snow removal from the public sidewalks along the site frontage in the same manner as other properties in the City.

January 6, 2023 Planning Department Response: City staff encourage the removal of the proposed art installation from the project given that it would obstruct the view of the proposed staircase.

Elements addressing maintenance concerns for the amenity deck and public staircases should be included in the draft easements submitted prior to site plan approval.

- **October 21, 2022 City Comment:** In the submitted application documents, there are references to a photometric plan for the site, but one was not provided.

Update the site plan set to include a sheet with the referenced photometric plan.

November 29, 2022 Applicant Response: A photometric plan and fixture information has been uploaded to the eplan site in the documents folder, item “28 Site Lighting”.

January 6, 2023 Planning Department Response: Please refer to Photometric Plan and DPW comments.

- **October 21, 2022 City Comment:** On the Cover Sheet, there are references to Sheet 6 and 13 (Site Plan & Landscaping Plan – Level), that were not submitted.

Update the site plan set to include Sheets 6 and 13.

November 29, 2022 Applicant Response: The second-level site and landscape plans have been submitted to the Eplan site detailing the second level amenity deck.

January 6, 2023 Planning Department Response: Sheets received. No further action needed.

Planning – Photometric Plan

- **December 15, 2022 City Comment:** Submission Requirements - The photometric plan must:
 - o Use the same site plan set version for each of the sheets (i.e., the photometric plans mix different versions together)

December 22, 2022 Applicant Response: The Level 1 lighting plan has been revised to include only the Level 1 mounted fixtures and lighting levels at the site street grade; removing the level 2 deck over the valet entrance, The revised Level 1 plan includes the latest street-level site plan as its background.

The Level 2 plan has been revised to remove the future phase 2 deck background features for clarity; presenting the illumination levels for the hotel deck separate from the street.

January 6, 2023 Planning Department Response: Comment satisfied.

- o Be stamped by a licensed professional, such as an architect or engineer (§12.6.1 of the Technical Manual)

December 22, 2022 Applicant Response: We request that this requirement be waived. In the past, applicants have relied on vendors and manufacturer representatives, who are not typically licensed engineers or architects to develop photometric plans for permit approval.

If this provision cannot be waived, we request that the City consider a condition of approval that stamped photometric plans be provided with the building permit application when the building's signed and sealed architectural and electrical plans are fully developed and reviewed for construction permits.

January 6, 2023 Planning Department Response: Planning Staff is currently reviewing this request and will respond to this request under a separate cover/correspondence.

- o Document lumen output for Level 2 lighting (§12.6.1.b. of the Technical Manual)

December 22, 2022 Applicant Response: The schedules on the revised Level 1 and Level 2 plans provide lumen levels for each fixture.

January 6, 2023 Planning Department Response: Comment satisfied.

- o Document mounting height with distance noted to the nearest property line for each luminaire and meet the requirements of §12.3.8. of the Technical Manual (§12.6.1.c. of the Technical Manual)

December 22, 2022 Applicant Response: The schedules and notes on the revised plans include the proposed mounting heights. The fixture locations are shown on scaled plan backgrounds, this has typically met the City's requirements for lighting

locations past applications where dimensions to individual fixtures has not been required. If dimensions to are required, can this be satisfied with a minimum/maximum dimension by fixture type rather than individual fixtures satisfy this requirement- given the number of individual fixtures involved? Dimensions from the building to the property line are provided on the site plans.

January 6, 2023 Planning Department Response: Information related to the mounting height has been satisfied. In regards to the distance for luminaires from the nearest property line, the use of a minimum and maximum is acceptable. Should there be an instance where the distance of the luminaire relates to the compliance with §12.3.4 and/or §12.3.11 of the Technical Manual, luminaires creating light trespass that exceed City standards should have the specific distance provided.

- o Identify types of the timing devices used and hours of use for each of the proposed lights. (§12.6.1.d. of the Technical Manual)

December 22, 2022 Applicant Response: Timing will be provided by either photometric sensor controls or programmable timers. The lighting will operate from dusk to dawn, similar to the streetlights on the surrounding block. There are no lighting curfews required by the City Standards for a general site or building lighting, however, the applicant may elect to reduce site lighting levels to the minimums required by Ordinance/Technical Standards at times based on their on-site operations. A specific schedule is not proposed.

January 6, 2023 Planning Department Response: Comment satisfied.

- **December 15, 2022 City Comment:** Review of Photometric Plan:
 - o The proposed wall packs for the building entrances (Congress & Valet) exceed the maximum permitted lumens for building entrance fixtures. Update the photometric plan to replace the fixtures that do not exceed 3,500 lumens.

December 22, 2022 Applicant Response: The plans have been revised to include fixtures that do not exceed 3,500 lumens.

January 6, 2023 Planning Department Response: Comment satisfied.

- o Confirm that the structured parking areas meet the requirements of 12.3.2 of the Technical Manual.

December 22, 2022 Applicant Response: The interior parking level lighting will be designed to meet the applicable standards. Interior lighting will be presented on the plans submitted for building permit review. The proposed hotel is a 24-hour operation. It is our understanding that the lighting curfew for structured parking in §12.3.9. of the

Technical Manual requiring reduced light levels when the business is closed would not apply to this project.

January 6, 2023 Planning Department Response: Comment satisfied.

Stormwater Management and Erosion and Sediment Control Measures

- The proposed grease interceptor (SS3) must have a junction manhole where it connects with SS2.
- The Construction Management Plan must be revised to the newest template which includes language regarding dewatering which is only currently referenced in the ESC Plan. The most recent template can be found here: <https://me-portland3-old.civicplus.com/DocumentCenter/View/18030/General-Construction-Management-Template>
- The Applicant should ensure that all project sewer and storm drain details match the recently updated and adopted details found in Section 2 of the City's Technical Manual. The updated manual can be found on the City's website and CAD files are available upon request.
- It is requested that the storm drain invert out of DMH 1.1 be set at an elevation which could cross over the top of the existing 15" combined sewer line in Pearl Street as part of future CSO separation work. The pipe should be set just high enough to cross over the 15" combined sewer line but kept as low as possible to avoid electrical duct bank and other utility conflicts.
- The post-development HydroCAD model appears to direct all runoff flow from sub-catchments 10.4s and 10.1s to POA-1, bypassing reach 1R, which is the 15" combined sewer line in Pearl Street where stormwater flows from the proposed development will connect into the City's combined sewer system. It appears based on a review of the post-condition watershed map that portions of watershed subareas 10.4s and 10.1s would drain into the system and be conveyed through reach 1R (15" combined sewer pipe) prior to reaching POA-1. The modeling results indicated the pipe capacity is not exceeded in the existing 15" combined sewer line through the 25 year- 24 hour storm event in both post-project scenarios. However, that analysis seems incomplete based on how flows are directed in the model. The Applicant shall provide further evidence that the 15" combined sewer in Pearl Street has capacity to convey stormwater in both post-development scenarios.
- The stormwater report concludes: *"The redirection of on-site runoff from Lot 1 and Lot 2 from POA-2 at Myrtle Street to POA-1 at Pearl Street results in minor increases in flow at POA-1 and a corresponding decrease in runoff at POA-2. This increase is minor (approximately 10% of pre-development flow) and does not exceed the capacity of the 18" sewer at POA-1."*
- The Applicant has added some additional notation for erosion and sedimentation controls on the grading plans. No sediment barrier is called for – I would suggest that it may be necessary in some areas to keep the impacts of disturbance confined to the project site. Erosion and sedimentation controls should also be identified for the interim parking grading plan.

Surveyor

Subdivision Plan

- Please add the Surveyor's Statement
- Please add proposed survey markers at all six of the unmarked lot corners, and add the symbol to the plan's legend.
- The dimensions on Lot 1 do not agree with those shown on the Easement Plan. Please correct whichever one is wrong.
- Same thing goes for the Myrtle Street frontage dimension for Lot 3; the two plans do not agree, so please correct the one that is wrong.
- The plan needs to be signed by the surveyor and stamped once finalized.

Easement Plan

- See the last four items above.
- The interior lot corners of Lots 1 and 2 do not match up with each other as they do on the subdivision plan. Please correct this.
- Please add all of the courses and distances for the sidewalk easement.

Traffic – Consulting Traffic Engineer

- **October 21, 2022 City Comment:** A Traffic Movement Permit Section 7 Traffic Study has been submitted in association with the Master Development Plan. That study is being reviewed and comments will be provided in the future.
January 6, 2023 City Response: Refer to comments for the Traffic Movement Permit.
- **October 21, 2022 City Comment:** Given that vehicles will be parked by valet personnel, I support waivers from the City's Technical standards for aisle width (Due to tandem valet parallel parking), parking space size (the number of compact size spaces), and parking lot layout (parallel parking spaces at the end of 90 degree spaces).
January 6, 2023 City Response: I have no further comment.
- **October 21, 2022 City Comment:** In conjunction with the TDM plan, the Applicant shall provide a parking demand analysis in support of the proposed parking supply.
January 6, 2023 City Response: Outstanding.
- **October 21, 2022 City Comment:** The Applicant should provide detailed information on the routing of valet vehicles to and from the parking levels for the project. There is a desire to minimize the magnitude of circulating vehicles on City streets and an internal circulation system that accomplishes this should be considered.

January 6, 2023 City Response: While it would be preferred that internal circulation be part of the project, the Applicant has demonstrated the roadway system in the vicinity of the project can accommodate the circulating vehicles. I have no further comment.

- *October 21, 2022 City Comment:* The Applicant shall provide details on the valet queue storage area such that vehicles do not extend into the sidewalk area along Congress Street. Information of expected vehicle arrivals and departures and queue estimates shall be provided. Additionally, details on how this will be managed to avoid back-up issues shall be provided.

January 6, 2023 City Response: The Applicant has provided a generic valet management plan that does not address this comment. Specifically, the Applicant shall provide information on arrival/departure peak movements/queues, average wait times, vehicle maneuvering and what happens if all 8 parking spaces are occupied. This applies to both normal operations and during Myrtle Street closures.

- *October 21, 2022 City Comment:* The curb extension design will need to be reviewed and approved by the Department of Public Works and other City departments.

January 6, 2023 City Response: Refer to DPW comments.

- *October 21, 2022 City Comment:* The Applicant should provide greater detail on the frequency and times of delivery truck activity both on-street and internally. For internal truck deliveries, turning templates shall be provided for vehicles entering from Congress Street, through the garage, and exiting onto Myrtle Street.

January 6, 2023 City Response: The Applicant has provided the requested information. City staff is concerned about internal circulation conflicts when delivery trucks are maneuvering and loading/unloading. The City recommends that all deliveries occur via the street, which is typical in the downtown center core.

- *October 21, 2022 City Comment:* The Applicant proposes replacing/relocating the traffic signal support in conjunction with the curb extension improvements at the northwest corner of the Congress Street/Pearl Street intersection. Traffic mitigation requirements associated with the TMP are currently being identified and details of requirements will be provided in the future.

January 6, 2023 City Response: Refer to comments for the Traffic Movement Permit.

- *October 21, 2022 City Comment:* I would note that the application notes that the supply of on-street parking spaces increase with the project. This is contingent on the provision of on-street parking spaces on Pearl Street and the TMP traffic analysis is being reviewed to determine feasibility.

January 6, 2023 City Response: The City will review conditions on Pearl Street post-occupancy and determine the feasibility of on-street parking in the future. No action is required of the Applicant other than updating plans to reflect this condition.

- *October 21, 2022 City Comment:* The Applicant shall provide a plan that details changes to on-street parking and shall note spaces that are removed, added, and regulation modifications.

January 6, 2023 City Response: The applicant shall revise their parking plan to account for the following:

- o Changes to site driveways.
- o The City does not support two loading zone spaces on Myrtle Street. Those spaces shall remain 30-minute time limit.
- o The spaces on Congress Street between Pearl Street and Myrtle Street shall remain metered parking spaces.
- o The spaces on Cumberland Avenue between Pearl Street and Myrtle Street shall be 2-hour time limit parking spaces.

Transportation– Department of Public Works

- *November 29, 2022 Applicant Response:* A revised traffic signal plan is attached identifying equipment replacements including new pedestrian signal heads, new APS pushbuttons, new vehicular signal heads with retroreflective backplates and new vehicular video detection. Regarding the signal at Pearl and Cumberland Avenue, the phasing plans and narrative including in the Master Development Plan identify the signal at Pearl and Cumberland as being addressed in Phase 3 of the development, when the sidewalks in that area are impacted.

January 6, 2023 City Response: The updated traffic signal plan still does not meet City requirements as per the [City of Portland Traffic Signal Policy and Design Guidance Manual](#). As stated in Section 3.2.1, “*The City standard is the use of mast arm poles in all new signal and retrofit installations. Mast arms are to be placed out of the furnishing zone at the curblines and are to avoid impacts to pedestrians through zones. There should be one mast arm per intersection approach to achieve perpendicular orientation to the approach which it is serving, unless approved by the Transportation Systems Engineer. If signs including lane assignment, right turn on red restrictions, or turn prohibitions are placed on the mast arm, they shall be placed in accordance with the MUTCD.*”

Plans shall be revised and resubmitted accordingly.

- *November 29, 2022 Applicant Response:* We understand, based on discussions with Staff, that the City is not anticipating bike lanes on Congress Street but is planning to implement bike lanes on Cumberland Avenue in the future. No changes to the Cumberland Street curb lines are proposed as part of this project. The tapered curb design on Congress Street reflects the approved Master Plan design which sought to widen the pedestrian space along Congress Street. The centerline of Congress Street is unchanged and remains aligned with the curbed center island to the south. The revised plans reduce the curb extension to 6’ as requested which allows for 14’ wide southbound travel lane, adjacent to an unchanged centerline location. This lane can be re-striped in the future to provide an 11’ vehicle lane and 3’ bike lane. The traveled way on southbound Congress Street widens from this 14’ width north of Myrtle Street to over 30’ feet south of Myrtle Street, where there is not lane striping and no on-street parking. This provides an adequate taper for southbound traffic.

January 6, 2023 City Response: The updated Site Plan sheet still does not provide sufficient information to determine whether or not vehicle lane alignments are appropriate with Congress Street west of the project site. In addition, 3' for a bike facility does not comply with the City's Technical Manual or federal guidance from AASHTO or FHWA.

- *November 29, 2022 Applicant Response:* The street lights will be fed from the meter and circuit serving the existing traffic signal control box at Pearl and Congress Street. The utility plan has been revised to clarify.

January 6, 2023 City Response: This is acceptable.

- *November 29, 2022 Applicant Response:* A note has been added to the demolition and utility plans requiring that street lighting equipment to be removed shall be salvaged and delivered to DPW traffic operations as requested.

January 6, 2023 City Response: This is acceptable.

Additional City Comments as of January 6, 2023

- The Applicant shall provide information as to how the project will comply with the City's street lighting standards in Section 10 of the Technical Manual.
- The Applicant shall review and confirm that all proposed site details and landscape details meet the requirements of the recently approved technical manual update.
- The proposed treewells within the City ROW along Myrtle Street are not a viable location for new trees. After speaking with the City's arborist, the Applicant should eliminate them. The Applicant should establish planters/landscaping at the back of the proposed sidewalk outside of the City ROW along Myrtle Street. With the elimination of the treewells, two feet can be dedicated to widening the width of Myrtle Street. The Applicant shall provide additional information clearly defining all constraints that would prevent the widening of Myrtle Street, particularly those related to underground utilities. This will also allow the City to reduce the size of the sidewalk easement on private property needed to maintain a five-foot pedestrian walkway.
- It is not City standard to have a continuous curb running through the driveway apron. The sidewalk shall be continued consistently, with material and by grade, through the driveway per the City's Technical Manual for driveway aprons.
- 5 feet is the minimum clear space between any elevated object and the property line must be maintained within the City ROW. Revise the proposed plan that shows less than 5 feet of clear space between the property line and the planter.
- At the corner of Pearl and Congress Streets, the plans show a box that is not labeled. Update the site plan set to label the object. If it is an elevation structure, the Applicant shall confirm that the 5 feet of clear space described above is maintained.
- The Applicant shall make all existing pedestrian ramps and crosswalks leading to and from the property compliant per the City's Technical Manual, Section One. The Applicant shall construct

compliant pedestrian ramps and crosswalks at the intersection of Congress Street and Myrtle Street (at 65 Myrtle Street and 380 Congress Street) as part of this phase of work. Ramp improvements at City Hall must be consistent with existing materials and subject to coordination with City Historic Preservation Staff.

- There is currently a mid-block set of curb ramps and a crosswalk on Myrtle Street. The submitted site plan set has removed this mid-block crossing. Given that this crossing enhances ADA-accessibility to City Hall and Merrill Auditorium, the Applicant shall update the site plan set to include a new mid-block crosswalk and corresponding curb ramps on both sides of Myrtle Street.
- For the proposed street lights in the City ROW:
 - The location of the proposed electrical cabinet shall be identified in the site plan set.
 - Future submittals will need to meet the requirements of Section 10.3 of the Technical Manual.
 - The plan shall reference the Dark Green color of the proposed Tiger Drylac RAL 6012.
 - Sheets 4 and 5 of the submittal show the proposed fixture types. Neither of these sheets show the proposed Holophane ESL2 fixture. This shall be added to the next site plan set submission.
- Kevin Thomas has spoken to the developer or designed about the photometrics for this project. Mr. Thomas has instructed them on the installation of a new city box and that the City's preference would be to disconnect the lights that are currently running underground in City Hall and add them to the new control box for the proposed lights. The new circuit should be connected on both sides of the old circuit creating one circuit for all the lights (new and old).

Transportation Demand Management Plan

While most staff comments were addressed adequately, a revised TDM Plan that incorporates the responses provided in the memo is needed to fully assess the overall changes (such as comments that request the parking and trip targets to be stated in absolute and percentage terms).

Based on the applicant's memo, the following items appear to be outstanding/unresolved:

- Parking reduction target - the applicant has not stated a parking reduction target but references that the parking to be allocated to the hotel is already below the national average - clarification was (and still is) requested whether a parking reduction target will be developed
- Level of transit subsidy to be provided to employees - the applicant states that the level of transit subsidy will be determined by the hotel operator based upon its staffing plan - an updated TDM Plan with this information should be required to be approved prior to Certificate of Occupancy
- Commitment to information related to transportation options to the hotel on the hotel's website should be required in an updated TDM Plan to be approved prior to Certificate of Occupancy - an electronic kiosk in the hotel lobby is highly recommended to highlight the Education materials identified in the draft TDM Plan (transit schedules and stop locations, real-time departure for transit routes, transportation alternatives, pedestrian routes, etc.).

The applicant can find additional information on TDM strategies for consideration at www.portlandmaine.gov/721/TDM-Parking in the 'Menu of TDM Strategies' document.

Zoning

- **October 21, 2022 City Comment:** Update the floor plan set to include the floor area and lot coverage for each floor to confirm compliance with the maximum permitted floor area and lot coverage requirements of Table 7-E of the Land Use Code.

November 29, 2022 Applicant Response: The floor area and lot coverage information, pertinent to the floors above 125 feet has been added to the floor plans.

January 6, 2023 City Response: The requested information was not provided. Comment not satisfied. Along with the requested information, identify which floors are 125 feet or greater above grade.

- **October 21, 2022 City Comment:** Update the site plan set to include the grade calculations for the proposed corners of the site subdivision and provide a narrative explaining the methodology for establishing the proposed average grade calculations.

November 29, 2022 Applicant Response: A height calculation plan was provided in the MDP documents that address the overall subdivision development as envisioned in the MDP.

An updated copy of the height map – reflecting the Hotel as a stand-alone project is attached. The proposed plan documents an average grade calculation as 58'-2" (58.2') when the hotel is considered in isolation.

As documented in the MDP review, the Hotel heights shown on the submitted elevation plans are based on a more conservative 57'9" average grade; reflecting the condition when the Lot 1 Hotel and Lot 2 Condominiums are built.

A revised height plan reflecting the currently proposed grades at the corners of the Lot 1 building is attached.

January 6, 2023 City Response: The submitted plan labeled *Building Height Exhibit Lot 1 Hotel, Sheet 7 of 27, revised 11/21/22* states that the average building grade for the building on Lot 1 is 58.2 feet, while the narrative states that the average building grade is 57.8 feet. Clarify.

- **October 21, 2022 City Comment:** Confirm whether Charles Wordell (cww@portlandmaine.gov) at Public Works has been contacted to establish E-911 Addresses.

November 29, 2022 Applicant Response: We have contacted Mr. Wordell regarding the establishment of an e-911 address the Hotel project on Lot 1 has been assigned an address as 385 Congress Street.

January 6, 2023 City Response: Comment satisfied.

- **October 21, 2022 City Comment:** While proposed signage is incorporated in the review of the Major Site Plan, separate site permits for each proposed sign will need to be submitted and meet the criteria of Article 20 of the Land Use Code.

November 29, 2022 Applicant Response: Noted.

January 6, 2023 City Response: Comment still applies. No further action required.

- **October 21, 2022 City Comment:** Submit anticipated CBLs for the three lots in the proposed subdivision.

November 29, 2022 Applicant Response: We are unclear about where this information is to be obtained. It is our understanding that the City provides these numbers as part of its assessment and taxmap update process.

January 6, 2023 City Response: Given that the proposed subdivision will be filed as a separate application and once available, please update application materials to indicate the new CB

- **January 6, 2023 City Comment:** Update the elevations to use the average grade for measurements of height and identifying the height of the building measured to the top of the roofbeam.

Subject: 385 Congress Street – Master Development Plan
Zone: B3
Date of Review: Wednesday, October 19, 2022
Review: Design Review
Reviewer(s): Sean King (Urban Designer), Zachary Powell (Senior Planner), Kevin Kraft (Deputy Director), Evan Schueckler (Historic Preservation Manager), Rob Wiener (Historic Preservation Compliance Officer)
Project ID: PL-001970-2022

I. INTRODUCTION

The project at 385 Congress Street, Lot 1 for the proposed hotel and 9-unit residential condominiums is subject for review according to the approved Master Development Plan criteria, the B-3 and multi-family residential housing design standards from the City of Portland *Design Manual* as defined in the land use ordinance section 14.6.4.I.

The project is also within 100' of a historic landmark and subject to an advisory design review by Historic Preservation staff.

The built context of the surrounding area contains a variety of building types, architectural styles and mix of uses that vary in height and proximity to the street typically found throughout Portland's downtown district. Numerous locally designated historical landmarks are within 2-blocks of the proposed development, to include Portland City Hall, Masonic Temple, First Parish Church, Central Fire Station, US Courthouse and Portland High School that exhibit a variety of architectural ornamentation, materiality and form specific to the period during which these structures were built.

II. DESIGN REVIEW COMMENTS: bold text denotes recent updates met, red text denotes standards not met to require resubmission.

Master development plan (MDP) design standards, land use ordinance section 14.7.5, as adopted August 9, 2022 to be applied to subsequent major site plan applications:

A. *Creation of a cohesive identity.*

A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation;

Staff comment: The proposed hotel and 9-unit residential condominium in Phase 1 is consistent with the MDP to create a cohesive identity through building scale with a 1-2 story podium level continuous with activated ground-level retail and hotel lobby entrances. The massing utilizes setbacks for the proposed towers of the hotel to reduce building height, a rhythm of fenestration

and sculpted massing to reduce the scale through façade composition and access to Level-2 amenity terrace. Met.

Use of quality exterior material and architectural detailing at pedestrian scale;

Staff comment: The exterior materials address this standard by providing pedestrian scaled façade composition through building entry canopies, storefront windows, fenestration screening materials at garage facades and signage. The applicant proposes utilizing quality exterior materials by including weathered metal panels, perforated metal fins, glazed masonry brick, terra cotta tile rainscreen, limestone masonry, and metal paneling. The proposed materials relate well to surrounding buildings, which incorporate a mix of light, tan brick, and granite materials. The proposed weathered metal relates well to the historic fabric and copper, which is used at City Hall and the Press Hotel. **Staff recommends a reduction in materials along the ground-level and suggest extending the limestone masonry finish along the Congress Street frontage to create a stronger cohesive building design.**

Consistency of design and materials for streetscape and pedestrian amenities;

Staff comment: The proposed hotel, lobby and retail activate the streetscape and provide pedestrian amenities through the linear park along Congress Street. The applicant has provided a graphic delineation of surface material for pedestrian sidewalk as proposed granite pavers, **the applicant shall identify the proposed vehicular paving unit surface on plans that provide a clear visual distinction for vehicles. Not Met.**

Additional pedestrian amenities are provided by the level 2 terrace included within Lot 1. **Applicant shall submit Level-2 site, material, signage and landscape plans for staff review. In addition, the applicant shall submit consistency throughout plans that detail the publicly-accessible stairs at Congress / Myrtle Streets that incorporate bench terrace seating, planters and greenscreens for staff review. Not Met.**

Framing of outdoor open space and linkages;

Staff comment: The proposed Lot 1 development frames outdoor open space consistent with the approved MDP that includes the Congress Street linear park with streetscape amenities, Myrtle Street with streetscape amenities and level 2 amenity terrace to provide linkage along the surrounding streets throughout the site.

A clear conveyance of the function and significance of various buildings, entrances, and features;

Staff comment: The Lot 1 hotel, lobby, retail and 9-unit residential condominium create differential composition in façade treatment, regularity of fenestration for the hotel rooms and articulated building entries along Congress Street. Black metal paneling frames and defines the hotel entrance along Congress Street, giving the space a distinct feel. **As a way to enhance the hotel entrance's prominence, the applicant is encouraged to expand the canopy horizontally along Congress Street.**

And to generally comply with design and development standards of the zone in which it is located.

Staff comment: See B-3 design standards for 385 Congress Street Lot 1 below.

Approved MDP Design Standards (to be applied to subsequent Site Plan applications):

- *Materials*

- Congress Street – Material placement, detail, and articulation should emphasize the established historic Congress Street patterns of massing, proportions, and façade composition regulating lines and building base. Staff recommends incorporating a horizontal belt course along the building’s 1-2 story base to delineate change in material and articulate different components of the building such as the overall building’s composition (base, middle, top) which is consistent with the historical character of surrounding buildings. The ground floors will consider pedestrian comfort and scale, especially in the placement of doors, windows, canopies, and details in the materials and articulation, Staff recommends substitution of narrow vertical windows with storefront windows to create a cohesive and balanced ground-level design, which would enhance views into the building. Staff recommends additional consideration for the proposed extension of the Level 2 amenity terrace that connects to the proposed egress door for the Level 2 restaurant. As currently proposed, the layering of overhead canopies at the north elevation entry creates a potential CPTED concerns to overshadow this prominent corner of the building. The hotel, in order to stand apart in character and use, will have a more contemporary expression but will continue the base and regulating lines found along Congress Street, Staff recommends to carry limestone masonry along base of building along Congress Street.*
- Quality Exterior Materials includes the detailing, articulation, transition, durability, and visual interest of the materials, both in their selection and placement. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians, The proposed weathered panels and weathered metal fins relate well to the surrounding context and provide texture to the overall building. Staff recommends to reduce the amount of materials along the ground-level base and recommends extending the limestone masonry finish along the building’s base for a stronger cohesive use of façade materials.*
- Façade composition - In Site Plan review the design shall provide depth, articulation, visual interest, and quality transitions. Historic buildings in the surrounding context should be considered precedent examples, especially on Congress Street. The proposed façade composition is characterized through the building proportions that identify the retail frontage, curtain wall projection, textured materiality to partition the building scale and varied fenestration pattern to create visual interest. Staff recommends additional consideration for retail façade materiality that relates more closely to weathered metal panel, alignment of the curtain wall horizontal fins that closely respond to the separation of floors, continuation of limestone finish along building base along Congress Street and articulation to delineate changes in façade material. Not Met*

- *Cumberland Avenue - The massing and function of the podium base along Cumberland shall be pedestrian scaled that responds to the surrounding neighborhood context. Applicant shall submit treatment of the blank walls visible from Cumberland Avenue and Pearl Street consistent with approved MDP.*
- *Streetscape design*
- *Congress Street / Cumberland Avenue –Lot 1 development includes appropriate sidewalk widths to accommodate street trees, tree wells, permanent outdoor seating, lighting and planters in the furnishing zone. Met*
- *Interior Passages – Internal passages should employ CPTED principles as a best practice to make spaces that are safe, active, and inviting. Material selection and design should indicate private or public access. Design shall be legible and intuitive for pedestrians and cars, especially for wayfinding. Applicant shall submit Level-2 site, material and landscape plans along with stairs details at Congress / Myrtle Streets that incorporate bench terrace seating, planters, signage and greenscreens for staff review of publicly-accessible space in Lot 1.*
- *Signage – Signage shall be integrated into the building design and respond to the storefront façade at the ground level and be pedestrian scaled, especially along the Congress Street historic district. Applicant to submit signage details for further staff review.*

The project at 385 Congress Street shall meet the following standards based on the B-3 Downtown Business Zone design standards in the City of Portland Design Manual, *Land Use Code Section 14.6.4.I Design standards.*

§(b)(1)a.1. Relationship of pedestrian environment:

- *§(b)(1)a.1.i. General: The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment. Factors to be considered include the design, placement, character and quality of the following:*

Staff comment: *Staff recommends a reduction in materials along the building's base and to extend the use of limestone masonry along the majority of frontage along Congress Street, consistent storefront window pattern that may require interior reconfiguration of staircase facing Congress Street, interior access to retail from lobby.*

- *§(b)(1)a.1.i.1) Storefronts and building facades, including such factors as relationship to adjacent or nearby structures or open space, pedestrian character, materials and detailing, transparency (having a visible transmittance (VT) of .7 or higher) and contemporary design;*

Staff comment: *Staff recommends to substitute vertical windows at ground-level along Congress Street for storefront windows to match hotel lobby façade. In addition, align window location and height at North elevation with Congress Street to create a unified termination at the corner.*

- *§(b)(1)a.1.i.2) Building entrances, including such factors as compatibility with the building's façade, prominence along the street, access to the street, and accessibility for physically handicapped or for those with special needs;*

Staff comment: The primary building entrance along Congress Street for the hotel is recessed, articulated with a change in material and a suspended canopy that aligns with the secondary canopy proposed along the north elevation.

- *§(b)(1)a.1.i.3) Blank facades; and*

Staff comment: The podium level to accommodate for a parking garage is screened with perforated metal fins to match the proposed building materials, along with aluminum frame storefront windows at the second floor along Myrtle Street. **Require additional windows to match aluminum framed storefront windows for kitchen area that meet standard for undifferentiated walls facing the street. Staff suggest incorporating metal mesh green screen to assist with blank retail façade facing Myrtle Street. Applicant shall submit temporary treatment of the blank walls visible from Cumberland Avenue and Pearl Street as visible from the public way.**

- *§(b)(1)a.1.i.4) Special features, such as selective use of such features as building arcades and skywalks or elevated walkways.*

Staff comment: Not applicable. The Lot 1 development does not propose such special features.

- *§(b)(1)b. Pedestrian Activities District (PAD)*

Staff comment: Not applicable. The site is not located within the PAD overlay district. The site is located within the PAD encouragement area.

- *§(b)(1)c. Pedestrian Activities District (PAD) encouragement areas shall be designed and constructed to be reasonably capable of being converted to accommodate uses permitted in the PAD overlay zone in accordance with the factors set forth in subsection b. of this section.*

Staff comment: **Not met - Staff recommends an alternative location for the interior staircase fronting Congress Street as this architectural element does not accommodate for viable pedestrian use at the street. Applicant to verify interior reconfiguration of staircase facing Congress Street, in addition to observe interior access to retail from lobby.**

- *§(b)(1)d. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, conform to special City of Portland streetscape programs described in the Technical Manual, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment. Factors to be considered include the design, placement, character, durability, and quality of the following:*

1. *Sidewalk, crosswalk, and street paving materials;*

Staff comment: **Not Met** - The applicant proposes installing Portland brick pavers within the public right-of-way and granite pavers within the extended pedestrian area. **Applicant shall indicate vehicular paving material at interior roadway for valet to differentiate pedestrian granite pavers proposed. Staff recommends a complementary surface paving material across the publicly-accessible paved areas (perspective views show as granite pavers) and delineate change in material with a flush band to frame edges of paved surfaces.**

2. *Landscaping, planters, irrigation, and tree guards and grates;*

Staff comment: **Met** - Lot 1 development provides a distribution of street trees in tree wells along the property frontage on Congress Street with understory planting in bulb out planters. Additionally, distribution of street trees in tree wells along Lot 1 property frontage on Myrtle Street.

3. *Lighting;*

Staff comment: **Not met** - Applicant shall submit lighting fixtures to match street lighting fixture along Congress Street & Myrtle streets.

4. *Pedestrian amenities such as benches and other seating, trash receptacles, kiosks, bus shelters, artwork, directional and informational signage, fountains, and other special features; and*

Staff comment: **Not Met** - Lot 1 development provides granite bench seating accessible from the public right-of-way at reasonable intervals that provide access to building entries. **Staff requests location of (3) trash receptacles shown on landscape plans and detailing a publicly-accessible stairs with incorporated benches as a pedestrian amenity.**

5. *Sidewalk vendors and sidewalk cafes.*

Staff comment: **Met** - The applicant is proposing an expanded sidewalk area along Congress Street, with benches and planters. The expanded sidewalk area provides flexibility to accommodate sidewalk vendors and/or cafes.

- *§(b)(1)e. Relationship to existing development:*

- 1. *General: Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown, surrounding building environment and streetscape, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1). Factors to be considered include the relationship to the following existing patterns:*

- i. *Street walls and building setbacks;*

Staff comment: Met - The prevailing street wall and building setbacks vary along the section of Congress Street between Franklin Arterial and Elm Street found within two blocks of the proposed hotel building. Staff finds the proposed building setback at Congress Street and linear publicly accessible plaza to reinforce the pattern set by City Hall plaza as a respite area that engages with the street. The proposed hotel's street wall along Congress Street aligns with City Hall's northern building wing establishing a visual connection between the spaces.

ii. Open space;

Staff comment: Met - Staff finds the proposed publicly accessible open space to include the linear plaza along Congress Street, streetscape and Level 2 amenity deck to be appropriate downtown.

iii. Building form, scale and massing;

Staff comment: **Not met** - The proposed hotel provides distinctive massing along Congress Street to reduce the scale of the building by an activated pedestrian-scaled base, a vertically segmented middle with change in materiality and projections at the corner, and a termination at the top with a stepback and roofline overhang. **Staff recommends a reduction of the proposed volumes at the upper floors to create a clear repetition and hierarchy of architectural elements (columns that reinforce the fenestration pattern along Myrtle Street / Pearl Street facing façade, a distinguishable pattern of window fenestration along the Level 10-11 facades, arrange horizontal architectural elements and indication of operable openings at the upper floors).**

iv. Façade proportion and composition;

Staff comment: **Not met** - The proposed building design begins to indicate a base, middle and top composition consistent with the surrounding buildings. **Staff recommends a continuation of the base materiality proposed as limestone masonry below the curtain wall projection to respond more cohesively to the surrounding building context and create a visual anchor at the building's base to the street (see notes). Staff recommends further articulation to delineate changes in material by use of horizontal belt courses and recessed elements of 4" minimal that break up the vertical scale of the building (see notes). The applicant indicates the use of a horizontal belt course framing the base on Sheet A15.**

v. Pedestrian circulation and building entrances;

Staff comment: Met - The proposed Lot 1 includes primary pedestrian circulation along existing streets reinforced by building entrances located on Congress Street.

vi. Parking

Staff comment: Met - The proposed Lot 1 includes structured parking that is screened with appropriate materials to match the building.

2. *Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks:*

Staff comment: Met - The Planning Board approved the Master Plan development on August 9, 2022 to include the increase in setback beyond street build-to line of 10 feet along building frontage and recessions to sculpt the building form on Congress Street and increased setback of 4-7 feet on Myrtle Street was approved by the Planning Board on August 9, 2022

3. *Roof top appurtenances: All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building,*

Staff comment: **Not Met** - Staff find the perforated mechanical screen around the perimeter of the rooftop level mechanical space to be appropriate to reduce visual impact. **Staff is requesting that North Elevation be revised to match Level 12 roof floor plan to indicate proposed façade treatment of mechanical room and elevator / stair overrun.**

- *§(b)(1)f. Shadow impact on open space: The location, massing and orientation of portions of buildings in excess of sixty-five (65) feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided.*

Staff comment: The applicant has submitted shadow studies as hotel building is in excess of sixty-five feet in height that indicate there is no substantial shadow impacts on adjacent opens spaces.

- *§(b)(1)g. Wind impacts: The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created.*

Staff comment: **Not Met** - The proposed building utilizes a variety of features to break down the building's mass and height by including a number of building setbacks and site features such a perforated metal fins, awnings, and canopies. The building changes shape in a number of locations primarily along the first two stories and last two stories to break up the building's scale. These features help mitigate the potential impact of winds. **The applicant shall submit architectural narrative, and/or precedent examples of a similar height to observe hotel buildings location massing, orientation and architectural design to have no significant adverse wind impacts.**

- *§(b)(1)h. Setbacks for existing structures: The location and design of proposed structures shall not create a detrimental impact on the structural integrity or the safety of adjacent structures or the occupants thereof;*

Staff comment: Met - Proposed Lot 1 hotel and 9-unit residential condominiums does not pose a detrimental impact on the structural integrity of any adjacent structures as it is

standalone on a parcel bounded on all sides by public streets. Existing structures to be demolished to construct hotel and surrounding surface parking.

- *§(b)(1)i. Building tops: Buildings or structures which exceed one hundred fifty (150) feet in height shall be designed so as to provide a distinctive top to the building which visually conveys a sense of interest and vertical termination to the building.*

Staff comment: Not applicable, building does not exceed 150 feet in height

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards:

1. *The exterior design of the proposed structure, shall be designed to complement and enhance the nearest residential neighborhood.*

Staff comment: Met – The proposed building design is located within Portland’s B-3 Downtown Business zone and is compatible with the surrounding context.

2. *The proposed development shall respect the existing relationship of buildings to public streets.*

Staff comment: Met - The proposed Lot 1 development integrates the 9-unit residential condominium within the overall building design to support the relationship of buildings downtown.

3. *Open space on the site for all multiple-family development shall be integrated into the development site.*

Staff comment: Met - Open space is provided for 9-unit residential condominiums through balconies as private open space.

4. *The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principle living areas and shall also provide sufficient storage areas.*

Staff comment: **Not Met** - Sufficient windows and interior unit storage provided at each residential unit. **Staff has requested a window and door schedule to review operable windows and doors proposed.**

5. *The scale and surface area of parking and driveways and paved areas are arranged and landscape to properly screen vehicles from adjacent properties and streets.*

Staff comment: Not applicable

6. *Multiple-family dwellings shall not be converted to lodging houses unless all units in building have been vacant for at least one (1) year.*

Staff comment: Not applicable

Design Review
Planning and Urban Development Department



Subject: 385 Congress Street – Master Development Plan
Zone: B3
Date of January 6, 2023
Review: Design Review (2nd resubmission)
Reviewer(s): Sean King (Urban Designer), Zach Powell (Senior Planner), Kevin Kraft (Deputy Director), Evan Schueckler (Historic Preservation Manager)
Project ID: PL-001970-2022

I. INTRODUCTION

The project at 385 Congress Street, Lot 1 for the proposed hotel and 9-unit residential condominiums is subject for review according to the approved Master Development Plan criteria, the B-3 and multi-family residential housing design standards from the City of Portland *Design Manual* as defined in the land use code section 14.6.4.l.

The project is also within 100' of a historic landmark and is subject to an advisory design review by Historic Preservation staff.

The built context of the surrounding area contains a variety of building types, architectural styles and mix of uses that vary in height and proximity to the street typically found throughout Portland's downtown district. Numerous locally designated historical landmarks are within 2-blocks of the proposed development, including Portland City Hall, Masonic Temple, First Parish Church, Central Fire Station, US Courthouse and Portland High School that exhibit a variety of architectural ornamentation, materiality and form specific to the period during which these structures were built.

II. DESIGN REVIEW COMMENTS: red text denotes standards not met and require resubmission.

Master development plan (MDP) design standards, land use ordinance section 14.7.5, as adopted August 9, 2022 to be applied to subsequent major site plan applications:

A. *Creation of a cohesive identity.*

A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; Met

Staff comment: The proposed hotel and 9-unit residential condominium in Phase 1 is consistent with the MDP to create a cohesive identity through building scale with a 1-2 story podium level continuous with activated ground-level retail and hotel lobby entrances. The massing utilizes setbacks for the proposed towers of the hotel to reduce building height, a rhythm of fenestration and sculpted massing to reduce the scale through façade composition and access to Level-2 amenity terrace. A pronounced curtain wall with metal panels anchors the front façade and provides an architectural feature for the Congress Street facing façade.

Use of quality exterior material and architectural detailing at pedestrian scale; Not Met

Staff comment: The exterior materials address this standard by providing pedestrian scaled façade composition through building entry canopies, storefront windows, fenestration screening materials at garage facades and signage. The applicant proposes utilizing quality exterior materials by including weathered metal panels, perforated metal fins, glazed masonry brick, terra cotta tile rainscreen, limestone masonry, and metal paneling. The proposed materials relate well to surrounding buildings, which incorporate a mix of light, tan brick, and granite materials. The proposed weathered metal relates well to the historic fabric and copper, which is used at City Hall and the Press Hotel. **Staff finds the continuation of material banding reinforces the pedestrian scale. To meet the standard, eliminate limestone banding along the ground-level retail space and curtain wall portions of the building with dark façade. In addition, staff recommends continuing the Brick BR-02 material banding at North & West interior elevation for greater visual continuity between Levels 2 & 3.**



Applicant should annotate materials on elevations to assist with differentiation of material type and finish proposed for façade articulation (to include exterior façade trim).

Consistency of design and materials for streetscape and pedestrian amenities; Met

Staff comment: The proposed hotel, lobby and retail activate the streetscape and provide pedestrian amenities through the linear park along Congress Street. **The applicant has provided a graphic delineation of surface material for pedestrian walkway and entryway surface material is appropriate, the applicant shall annotate the proposed vehicular-rated concrete-paver surface material and flush granite curbing on plans that provide a clear visual distinction for vehicles.**

The applicant has provided pedestrian amenities at the level 2 terrace within Lot 1 that includes concrete walls, roof pavers, wall-mounted benches and planters.

Framing of outdoor open space and linkages; Not met

Staff comment: The proposed Lot 1 development frames outdoor open space consistent with the approved MDP that includes the Congress Street linear park with streetscape amenities, Myrtle Street with streetscape amenities and level 2 amenity terrace to provide linkage along the surrounding streets throughout the site. **Since the first workshop the applicant has revised their plans to delineate the linear outdoor plaza space along Congress Street with gates and moveable planters. Staff finds the delineation of outdoor spaces with gates and movable planters adjacent to Congress Street right-of-way in conflict with the MDP and Planning Board exception to increase the setback beyond the street build-to-line. The proposed revision does not meet the approved MDP principle for a “linear park” accessible to the public. Staff recommends that the applicant revisit the linear plaza design to enhance usability as described below in staff review comments for design standard “Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks:”**

A clear conveyance of the function and significance of various buildings, entrances, and features; Met

Staff comment: The Lot 1 hotel, lobby, retail and 9-unit residential condominium create differential composition in façade treatment, regularity of fenestration for the hotel rooms and articulated building entries along Congress Street. Black metal paneling frames and defines the hotel entrance along Congress Street, giving the space a distinct feel. The applicant has submitted plans that pronounce the entry canopy, trim articulation at ground-level windows and delineation of façade materials.

And to generally comply with design and development standards of the zone in which it is located.

Staff comment: See B-3 design standards for 385 Congress Street Lot 1 below.

Approved MDP Design Standards (to be applied to subsequent Site Plan applications):

- Materials

- ***Congress Street – Material placement, detail, and articulation should emphasize the established historic Congress Street patterns of massing, proportions, and façade composition regulating lines and building base; Not Met***

Applicant has provided horizontal belt course along the building's 1-2 story base to delineate change in material. The ground floors will consider pedestrian comfort and scale, especially in the placement of doors, windows, canopies, and details in the materials and articulation, applicant has provided storefront windows to create a cohesive and balanced ground-level design in response to earlier staff comments. The hotel, in order to stand apart in character and use, will have a more contemporary expression but will continue the base and regulating lines found along Congress Street, applicant has provided revisions to the materiality, **staff has indicated additional comments per design standard A and recommends removing limestone banding from portions of building using black metal paneling to create a cohesive identity.**

- ***Quality Exterior Materials includes the detailing, articulation, transition, durability, and visual interest of the materials, both in their selection and placement. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians;***

The proposed weathered panels and metal fins, limestone masonry base and variety of brick articulation relate well to the surrounding context and provide texture to the overall building.

- ***Façade composition - In Site Plan review the design shall provide depth, articulation, visual interest, and quality transitions. Historic buildings in the surrounding context should be considered precedent examples, especially on Congress Street;***

The proposed façade composition is characterized through the building proportions that identify the retail frontage, curtain wall projection, textured materiality to partition the building scale and varied fenestration pattern to create visual interest.

- ***Cumberland Avenue - The massing and function of the podium base along Cumberland shall be pedestrian scaled that responds to the surrounding neighborhood context.***

Applicant has provided art murals for Lot 1 on north and west interior facades consistent with the approved MDP.

- Streetscape design

- ***Congress Street / Cumberland Avenue*** –Lot 1 development includes appropriate sidewalk widths to accommodate street trees, tree wells, permanent outdoor seating, lighting and planters in the furnishing zone. **Met**
- ***Interior Passages – Internal passages should employ CPTED principles as a best practice to make spaces that are safe, active, and inviting. Material selection and design should indicate private or public access. Design shall be legible and intuitive for pedestrians and cars, especially for wayfinding; Not Met***

Applicant has provided Level-2 site, material and landscape plans to meet approved MDP design standard for Lot 1.

Staff recommends the inclusion of wood-top seating at the Myrtle Street stairway to provide distinct and inviting opportunities for pedestrian amenities that correspond to the approved MDP.

RENDERING



- *Signage – Signage shall be integrated into the building design and respond to the storefront façade at the ground level and be pedestrian scaled, especially along the Congress Street historic district;*

Applicant has provided signage at entryway canopies and mounted to building that meet the sign ordinance, a signage permit is required at time of building permit. **Met**

The project at 385 Congress Street shall meet the following standards based on the B-3 Downtown Business Zone design standards in the City of Portland Design Manual, *Land Use Code Section 14.6.4.1 Design standards*.

§(b)(1)a.1. Relationship of pedestrian environment:

- *§(b)(1)a.1.i. General: The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment. Factors to be considered include the design, placement, character and quality of the following: Not met*

Staff comment: Staff finds the overall exterior design to enhance the street level pedestrian environment, **staff has indicated additional comments per design standard A and**

recommends removing limestone banding from portions of building in particular at retail structure and curtain wall building projection.

- *§(b)(1)a.1.i.1) Storefronts and building facades, including such factors as relationship to adjacent or nearby structures or open space, pedestrian character, materials and detailing, transparency (having a visible transmittance (VT) of .7 or higher) and contemporary design: Met*

Staff comment: Staff finds the building facades, windows and fenestrations as perceived within the first thirty-five feet along Congress Street to meet the design standard.

- *§(b)(1)a.1.i.2) Building entrances, including such factors as compatibility with the building's façade, prominence along the street, access to the street, and accessibility for physically handicapped or for those with special needs: Met*

Staff comment: The primary building entrance along Congress Street for the hotel is recessed, articulated with a change in material and a suspended canopy that aligns with the secondary canopy proposed along the north elevation.

- *§(b)(1)a.1.i.3) Blank facades; and Met*

Staff comment: The podium level to accommodate for a parking garage is screened with perforated metal fins to match the proposed building materials, along with aluminum frame large windows at the second floor along Myrtle Street. Staff finds the articulation of brick material banding at the second floor to reinforce the Myrtle Street elevation.

- *§(b)(1)a.1.i.4) Special features, such as selective use of such features as building arcades and skywalks or elevated walkways:*

Staff comment: Not applicable. The Lot 1 development does not propose such special features.

- *§(b)(1)b. Pedestrian Activities District (PAD)*

Staff comment: Not applicable. The site is not located within the PAD overlay district. The site is located within the PAD encouragement area.

- *§(b)(1)c. Pedestrian Activities District (PAD) encouragement areas shall be designed and constructed to be reasonably capable of being converted to accommodate uses permitted in the PAD overlay zone in accordance with the factors set forth in subsection b. of this section. Met*

Staff comment: Staff finds the building design along Congress Street to accommodate for viable pedestrian use at the street. The proposed design incorporates active ground floor uses including retail space and hotel lobby areas that front Congress Street.

- *§(b)(1)d. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, conform to special City of Portland streetscape programs described in the Technical Manual, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment. Factors to be considered include the design, placement, character, durability, and quality of the following:*

1. *Sidewalk, crosswalk, and street paving materials; Met*

Staff comment: Staff finds the delineation of surface materials proposed at the sidewalk, crosswalk and street to be appropriate.

2. *Landscaping, planters, irrigation, and tree guards and grates; Not Met*

Staff comment: Lot 1 development provides a distribution of street trees in tree wells along the property frontage on Congress Street & Myrtle Street with understory planting in bulb out planters meets standard. **Staff finds the lack of planting and tree canopy within the linear plaza area along Congress Street to not meet the approved MDP, applicant shall include additional trees or planting in secured, non-movable, planters along Congress Street frontage within front setback. Staff recommend that the applicant consider preserving and incorporating the existing tree along Congress Street and incorporating into the linear plaza design with selective pruning.**

3. *Lighting; Met*

Staff comment: Applicant has submitted lighting plan and proposed lighting fixtures to meet street standard.

4. *Pedestrian amenities such as benches and other seating, trash receptacles, kiosks, bus shelters, artwork, directional and informational signage, fountains, and other special features; and Not Met*

Staff comment: **Staff finds the proposed pedestrian amenities with gated outdoor space and movable planters to not meet the approved MDP, staff has indicated that the applicant revisit the linear plaza design to enhance usability as described below in staff review comments for design standard “Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks.”**

5. *Sidewalk vendors and sidewalk cafes. Met*

Staff comment: The applicant is proposing an expanded sidewalk area along Congress Street, with benches and planters. The expanded sidewalk area provides flexibility to accommodate sidewalk vendors and/or cafes.

- *§(b)(1)e. Relationship to existing development:*
 1. *General: Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown,*

surrounding building environment and streetscape, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1). Factors to be considered include the relationship to the following existing patterns:

i. Street walls and building setbacks; Met

Staff comment: The prevailing street wall and building setbacks vary along the section of Congress Street between Franklin Arterial and Elm Street found within two blocks of the proposed hotel building. Staff finds the proposed building setback at Congress Street and linear publicly accessible plaza to reinforce the pattern set by City Hall plaza as a respite area that engages with the street. The proposed hotel's street wall along Congress Street aligns with City Hall's northern building wing establishing a visual connection between the spaces.

ii. Open space; Not Met

Staff comment: Staff finds the proposed publicly accessible open space to include the linear plaza along Congress Street, streetscape and Level 2 amenity deck to be appropriate downtown. However, since the first workshop the applicant has revised the design of the linear park along Congress Street to include gates and moveable planters which privatizes the space and is in conflict with the special exception to increase the building setback granted by the Planning Board as part of the MDP approval. **Staff recommends that the applicant revisit the linear plaza design to enhance usability as described below in staff review comments for design standard "Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks:"**

iii. Building form, scale and massing; Not met

Staff comment: The proposed hotel provides distinctive massing along Congress Street to reduce the scale of the building by an activated pedestrian-scaled base, a vertically segmented middle with change in materiality, a curtain wall projection at the corner and a termination at the top with a stepback and roofline overhang. **Staff finds the upper floors (Level 10-11) do not provide a distinguishable pattern of fenestration (windows and doors) and encourages the applicant to provide a symmetrical arrangement of fenestration with vertical and horizontal alignment along with a stacked arrangement of balconies. Staff finds the columns that support the roof overhang facing Congress Street create a visual obstacle and encourage the applicant to reduce the depth of roof overhang and diminish the column width above the curtain wall.**



iv. Façade proportion and composition; Met

Staff comment: The proposed building design begins to indicate a base, middle and top composition consistent with the surrounding buildings.

v. Pedestrian circulation and building entrances; Met

Staff comment: The proposed Lot 1 includes primary pedestrian circulation along existing streets reinforced by building entrances located on Congress Street.

vi. Parking; Met

Staff comment: The proposed Lot 1 includes structured parking that is screened with appropriate materials to match the building.

2. Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks: Not Met

Staff comment: The Planning Board approved the Master Development Plan on August 9, 2022 to include the increase in setback beyond street build-to line of 10 feet along building frontage and recessions to sculpt the building form on Congress Street and increased setback of 4-7 feet on Myrtle Street. The Board found the exception to be acceptable because an expanded setback along Congress Street would establish a contextual street wall with City Hall and would allow the applicant to construct a wider sidewalk that would establish a small linear plaza space capable of accommodating pedestrian amenities, including seating, outdoor eating spaces/café tables, enhanced landscaping and tree canopy, and support the programs within the building by have a well-maintained, distinct space leading to building entrances providing the building and its future tenants with an identity. The addition of gates, privatizes the space and detracts from the concept of a linear plaza. To meet the standard the applicant shall revisit the linear plaza design to ensure plaza usability by considering aspects such as:

- Consider where the plaza meets the sidewalk, and to ensure sidewalk frontage includes features such as fixed and/or moveable seating, plantings, trees;
- Enliven the sidewalk edge and invite passersby to enter and enjoy the plaza with seating oriented toward the street;



Example: Seating, faces primary pedestrian circulation route.

- **Seating:** abundant, well-designed, and comfortable seating. At a minimum at least two different seating types should be provided and no more than three types. Consider location and configuration of seating with the intent to maximize opportunities for comfortable convenient seating that emphasize social interaction;





Example: Café tables within public plaza space.

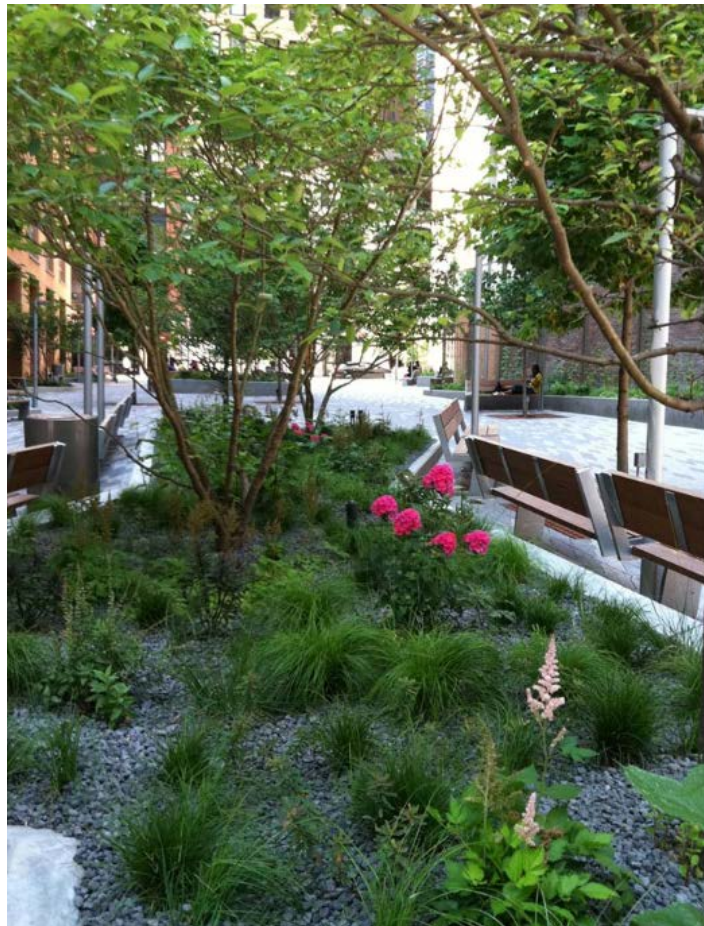


Example: Variety of seating, enhanced planter trees. Seating fronts main pedestrian circulation routes.

- **Planting:** Trees and other planted areas are essential components of successful and enjoyable spaces. Applicant should consider enhanced planting design to prevent the space from being excessively hard-surfaced. A balance should be struck between abundant, lush, and generous planting and the need for adequate sun, access and visibility of the building. Additional trees or preservation of existing tree should be considered within the plaza area that are appropriate for the urban environment.



Example: Plaza with lush plantings, trees and seating.



*Note precedent images are shared as examples. The applicant is not being asked to copy or mimic images shared.

3. *Roof top appurtenances: All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building, Not met*

Staff comment: Staff find the perforated mechanical screen around the perimeter of the rooftop level mechanical space to be appropriate to reduce visual impact. **Since the first workshop the applicant has revised their plans to include rooftop patio spaces that include trellis structures. Staff recommends integrating the trellis structures closer to the rooftop projections to centralize vertical elements and minimize the visual presence along the roofline. Applicant shall submit railing details with transparency that allow for rooftop occupancy.**

- *§(b)(1)f. Shadow impact on open space: The location, massing and orientation of portions of buildings in excess of sixty-five (65) feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided. Met*

Staff comment: The applicant has submitted shadow studies as hotel building is in excess of sixty-five feet in height that indicate there is no substantial shadow impacts on adjacent opens spaces.

- *§(b)(1)g. Wind impacts: The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created. Met*

Staff comment: The proposed building utilizes a variety of features to break down the building's mass and height by including a number of building setbacks and site features such a perforated metal fins, awnings, and canopies. The building changes shape in a number of locations primarily along the first two stories and last two stories to break up the building's scale. These features help mitigate the potential impact of winds.

- *§(b)(1)h. Setbacks for existing structures: The location and design of proposed structures shall not create a detrimental impact on the structural integrity or the safety of adjacent structures or the occupants thereof; Met*

Staff comment: Proposed Lot 1 hotel and 9-unit residential condominiums does not pose a detrimental impact on the structural integrity of any adjacent structures as it is standalone on a parcel bounded on all sides by public streets. Existing structures to be demolished to construct hotel and surrounding surface parking.

- *§(b)(1)i. Building tops: Buildings or structures which exceed one hundred fifty (150) feet in height shall be designed so as to provide a distinctive top to the building which visually conveys a sense of interest and vertical termination to the building.*

Staff comment: Not applicable, building does not exceed 150 feet in height

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards:

1. *The exterior design of the proposed structure, shall be designed to complement and enhance the nearest residential neighborhood. Met*

Staff comment: The proposed building design is located within Portland's B-3 Downtown Business zone and is compatible with the surrounding context.

2. *The proposed development shall respect the existing relationship of buildings to public streets. Met*

Staff comment: The proposed Lot 1 development integrates the 9-unit residential condominium within the overall building design to support the relationship of buildings downtown.

3. *Open space on the site for all multiple-family development shall be integrated into the development site. Met*

Staff comment: Open space is provided for 9-unit residential condominiums through balconies as private open space.

4. *The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principle living areas and shall also provide sufficient storage areas. Met*

Staff comment: Sufficient windows and interior unit storage provided at each residential unit.

5. *The scale and surface area of parking and driveways and paved areas are arranged and landscape to properly screen vehicles from adjacent properties and streets.*

Staff comment: Not applicable

6. *Multiple-family dwellings shall not be converted to lodging houses unless all units in building have been vacant for at least one (1) year.*

Staff comment: Not applicable

Design Review

Planning and Urban Development Department



Subject: 385 Congress Street – Major Site Plan Review
Zone: B3
Date of February 7, 2023
Review: Design Review - Final
Reviewer(s): Sean King (Urban Designer), Zach Powell (Senior Planner), Kevin Kraft (Deputy Director), Evan Schueckler (Historic Preservation Manager)
Project ID: PL-002156-2022

I. INTRODUCTION

The project at 385 Congress Street, Lot 1 for the proposed hotel and 9-unit residential condominiums is subject for review according to the approved Master Development Plan criteria, the B-3 and multi-family residential housing design standards from the City of Portland *Design Manual* as defined in the land use code section 14.6.4.l.

The project is also within 100' of a historic landmark and is subject to an advisory design review by Historic Preservation staff.

The built context of the surrounding area contains a variety of building types, architectural styles and mix of uses that vary in height and proximity to the street typically found throughout Portland's downtown district. Numerous locally designated historical landmarks are within 2-blocks of the proposed development, including Portland City Hall, Masonic Temple, First Parish Church, Central Fire Station, US Courthouse and Portland High School that exhibit a variety of architectural ornamentation, materiality and form specific to the period during which these structures were built.

II. DESIGN REVIEW COMMENTS: red text denotes standards not met and require resubmission.

Master development plan (MDP) design standards, land use ordinance section 14.7.5, as adopted August 9, 2022 to be applied to subsequent major site plan applications:

A. *Creation of a cohesive identity.*

*A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; **Met***

Staff comment: The proposed hotel and 9-unit residential condominium in Lot 1 is consistent with the approved MDP to create a cohesive identity through building scale with a 1-2 story podium level continuous with activated ground-level retail and hotel lobby entrances. The massing utilizes stepbacks for the proposed towers of the hotel, a rhythm of fenestration and sculpted massing to reduce the scale through façade composition. A pronounced curtain wall with metal panels anchors the corner and provides an contemporary architectural feature along the Congress Street facing façade.

Use of quality exterior material and architectural detailing at pedestrian scale; Met

Staff comment: The exterior materials address this standard by providing pedestrian scaled façade composition through building entry canopies, storefront windows, fenestration screening materials at garage facades and signage. The applicant proposes quality exterior materials that include weathered metal panels, glass, perforated metal fins, masonry brick and limestone, and dark metal paneling. The proposed materials relate well to surrounding buildings, which incorporate a mix of light, tan brick, and granite materials. The proposed weathered metal relates well to the historic fabric and copper, which is used at City Hall and the Press Hotel. Staff finds the masonry banding below the brick facades facing the street reinforces the pedestrian scale, and the termination of materials to grade level for the curtain wall system and retail space provides a clear distinction of use.

Consistency of design and materials for streetscape and pedestrian amenities; Met

Staff comment: The proposed hotel, lobby and retail activate the streetscape and provide pedestrian amenities through the linear park along Congress Street. The applicant has provided a graphic delineation of surface material to clearly identify primary entry pathway from public way and outdoor seating area for public use. The applicant has indicated vehicular grade granite pavers, flush granite curbing and metal bollards on plans that provide a clear visual distinction for vehicles.

The applicant has provided pedestrian amenities at the level 2 terrace within Lot 1 that includes plaza pavers, wall-mounted benches and planters.

Framing of outdoor open space and linkages; Met

Staff comment: The proposed Lot 1 development frames outdoor open space consistent with the approved MDP that includes the Congress Street linear park with streetscape amenities as permanent granite benches, tree planters and street lighting, along with flexible seating opportunities within the private property accessible to the public. Myrtle Street with streetscape amenities as street lighting and expansion of surface paving, along with shrub planters at the building façade within the private property. Level 2 amenity terrace provides linkage through the site by an exterior stair with seating and planters along with an elevator accessible to the public located at Myrtle Street.

A clear conveyance of the function and significance of various buildings, entrances, and features; Met

Staff comment: The Lot 1 hotel, lobby, retail and 9-unit residential condominium create differential composition in façade treatment, regularity of fenestration for the hotel rooms and articulated building entries along Congress Street. Black metal paneling frames and defines the hotel entrance along Congress Street, giving the space a distinct feel. The applicant has submitted plans that pronounce the entry canopy, trim articulation at ground-level windows and delineation of façade materials.

And to generally comply with design and development standards of the zone in which it is located.
Met

Staff comment: See B-3 design standards for 385 Congress Street Lot 1 below.

Approved MDP Design Standards (to be applied to subsequent Site Plan applications):

- Materials

- *Congress Street – Material placement, detail, and articulation should emphasize the established historic Congress Street patterns of massing, proportions, and façade composition regulating lines and building base; **Met***

Staff comment: Applicant has provided horizontal belt course along the building's 1-2 story base to delineate change in material. The ground floors will consider pedestrian comfort and scale, especially in the placement of doors, windows, canopies, and details in the materials and articulation, applicant has provided storefront windows to create a cohesive and balanced ground-level design in response to earlier staff comments. The hotel, in order to stand apart in character and use, will have a more contemporary expression but will continue the base and regulating lines found along Congress Street.

- *Quality Exterior Materials includes the detailing, articulation, transition, durability, and visual interest of the materials, both in their selection and placement. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians; **Met***

Staff comment: The proposed weathered panels and metal fins, limestone masonry base and variety of brick articulation relate well to the surrounding context and provide texture to the overall building.

- *Façade composition - In Site Plan review the design shall provide depth, articulation, visual interest, and quality transitions. Historic buildings in the surrounding context should be considered precedent examples, especially on Congress Street; **Met***

Staff comment: The proposed façade composition is characterized through the building proportions that identify the retail frontage, curtain wall projection, textured materiality to partition the building scale and varied fenestration pattern to create visual interest.

- *Cumberland Avenue - The massing and function of the podium base along Cumberland shall be pedestrian scaled that responds to the surrounding neighborhood context. **Met***

Staff comment: Applicant has provided art murals for Lot 1 on north and west interior facades consistent with the approved MDP.

- Streetscape design

- *Congress Street / Cumberland Avenue; **Met***

Staff comment: Lot 1 development includes appropriate sidewalk widths to accommodate street trees, tree wells, permanent outdoor seating, lighting and planters in the public right-of-way.

- *Interior Passages – Internal passages should employ CPTED principles as a best practice to make spaces that are safe, active, and inviting. Material selection and design should indicate private or public access. Design shall be legible and intuitive for pedestrians and cars, especially for wayfinding; Met*

Staff comment: Applicant has provided Level-2 site, material, lighting and landscape plans to meet CPTED principles that align with the approved MDP design standard for Lot 1. **Applicant shall submit details of the security fence facing Myrtle Street that provide public access to exterior stair and elevator for City staff review as a condition of approval.**

- *Signage – Signage shall be integrated into the building design and respond to the storefront façade at the ground level and be pedestrian scaled, especially along the Congress Street historic district; Met*

Staff comment: Applicant has provided signage at entryway canopies and mounted to building that meet the sign ordinance, a signage permit is required at time of building permit.

The project at 385 Congress Street shall meet the following standards based on the B-3 Downtown Business Zone design standards in the City of Portland Design Manual, ***Land Use Code Section 14.6.4.1 Design standards.***

§(b)(1)a.1. Relationship of pedestrian environment:

- *§(b)(1)a.1.i. General: The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment. Factors to be considered include the design, placement, character and quality of the following: Met*

Staff comment: Staff finds the exterior design of the building within first thirty-five feet to enhance the street level pedestrian environment with material variation compatible to proposed use, storefront windows for visibility at the street and clearly articulated entrances.

- *§(b)(1)a.1.i.1) Storefronts and building facades, including such factors as relationship to adjacent or nearby structures or open space, pedestrian character, materials and detailing, transparency (having a visible transmittance (VT) of .7 or higher) and contemporary design: Met*

Staff comment: Staff finds the building facades, windows and fenestrations relate to adjacent structures in materiality, organization and pattern for the proposed use. Staff finds the transparency (VT of .7 or higher) to be met as shown in the proposed renderings.

- *§(b)(1)a.1.i.2) Building entrances, including such factors as compatibility with the building's façade, prominence along the street, access to the street, and accessibility for physically handicapped or for those with special needs: **Met***

Staff comment: The primary building entrance along Congress Street for the hotel is recessed, articulated with a change in material and a suspended canopy that aligns with the secondary canopy proposed along the north elevation designated as valet drop-off.

- *§(b)(1)a.1.i.3) Blank facades; and **Met***

Staff comment: The podium level to accommodate for a parking garage is screened with perforated metal fins to match the proposed building materials, along with aluminum frame large windows at the second floor along Myrtle Street. Staff finds the articulation of brick material banding at the second floor to reinforce the Myrtle Street elevation.

- *§(b)(1)a.1.i.4) Special features, such as selective use of such features as building arcades and skywalks or elevated walkways:*

Staff comment: Not applicable. The Lot 1 development does not propose such special features.

- *§(b)(1)b. Pedestrian Activities District (PAD)*

Staff comment: Not applicable. The site is not located within the PAD overlay district. The site is located within the PAD encouragement area.

- *§(b)(1)c. Pedestrian Activities District (PAD) encouragement areas shall be designed and constructed to be reasonably capable of being converted to accommodate uses permitted in the PAD overlay zone in accordance with the factors set forth in subsection b. of this section. **Met***

Staff comment: Staff finds the building design along Congress Street to accommodate for viable pedestrian use at the street. The proposed design incorporates active ground floor uses including retail space and hotel lobby areas that front Congress Street.

- *§(b)(1)d. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, conform to special City of Portland streetscape programs described in the Technical Manual, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment. Factors to be considered include the design, placement, character, durability, and quality of the following:*

1. *Sidewalk, crosswalk, and street paving materials; **Met***

Staff comment: Staff finds the delineation of surface materials proposed at the sidewalk, crosswalk and driveway into site to be appropriate.

2. *Landscaping, planters, irrigation, and tree guards and grates; **Met***

Staff comment: Lot 1 development provides a distribution of street trees in tree wells along the property frontage on Congress Street with understory planting in bulb out planters to meet standard.

3. Lighting; **Met**

Staff comment: Applicant has submitted lighting plan and proposed lighting fixtures to meet municipal lighting standards.

4. Pedestrian amenities such as benches and other seating, trash receptacles, kiosks, bus shelters, artwork, directional and informational signage, fountains, and other special features; and **Met**

Staff comment: The proposed Lot 1 development provides pedestrian amenities along Congress Street as permanent granite benches, tree planters, trash receptacles and street lighting, along with flexible seating opportunities within the private property accessible to the public. Myrtle Street with streetscape amenities as street lighting and expansion of surface paving, along with shrub planters at the building façade within the private property and exterior stair with seating and planters that access the Level 2 amenity deck.

5. Sidewalk vendors and sidewalk cafes. **Met**

Staff comment: The applicant is proposing an expanded sidewalk area along Congress Street that includes publicly accessible outdoor flexible seating areas that align with public sidewalk on Congress St. The expanded sidewalk area provides flexibility to accommodate outdoor seating for sidewalk vendors and/or cafes.

- §(b)(1)e. Relationship to existing development:
 1. *General: Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown, surrounding building environment and streetscape, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1). Factors to be considered include the relationship to the following existing patterns:*

i. Street walls and building setbacks; **Met**

Staff comment: The prevailing street wall and building setbacks vary along the section of Congress Street between Franklin Arterial and Elm Street found within two blocks of the proposed hotel building. Staff finds the proposed building setback at Congress Street and linear publicly accessible plaza to reinforce the pattern set by City Hall plaza as a respite area that engages with the street. The proposed hotel's street wall along Congress Street aligns with City Hall's northern building wing establishing a visual connection between the spaces.

ii. Open space; **Met**

Staff comment: Staff finds the proposed publicly accessible open space to include the linear plaza along Congress Street, streetscape and Level 2 amenity deck to be appropriate for an urban open space.

iii. Building form, scale and massing; Met

Staff comment: The proposed hotel provides distinctive massing along Congress Street to reduce the scale of the building by stepbacks along the Myrtle and Congress St facades and variation in overall building façade materials articulated by curtain wall projection, brick facades with window openings and street-level scaled building elements along Myrtle and Congress St.

iv. Façade proportion and composition; Met

Staff comment: The proposed building design indicates a clearly identifiable composition with a base, middle and top consistent with the surrounding buildings. The building design provides a base with scaled portions of the façade to include storefront windows, masonry banding and stepbacks along Myrtle and site interior as perceived from the street. The middle portion of the building provides a clear fenestration pattern and rhythm both vertically and horizontally. And the top portion of the building stepbacks to include an overhang roofline and a special treatment of window fenestration that is distinct in a repetitive pattern.

v. Pedestrian circulation and building entrances; Met

Staff comment: The proposed Lot 1 includes primary pedestrian circulation along existing streets reinforced by the proposed building entrances located on Congress Street.

vi. Parking, Met

Staff comment: The proposed Lot 1 includes structured parking that is screened with appropriate materials to match the building.

2. Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks: Met

Staff comment: The proposed Lot 1 creates an connection to the City Hall plaza by the linear park achieved by the an increase to the setback beyond street build-to-line along Congress Street. The proposed exception to the pattern of predominant street wall is demonstrated by the publicly accessible open space plaza to include amenities for outdoor eating space, seating and planters. The prevailing character and continuity is defined by City Hall with a generous setback from the street, the proposed Lot 1 creates a transitional setback to allow for views to City Hall and does not detract from existing publicly accessible open space of Lincoln Park 2 blocks away. And, the area of setback is oriented for solar access and minimal wind impacts with materials of high quality to include a clearly defined pattern of granite & brick pavers, movable planters and flexible seating that promote pedestrian activity in this urban condition.

3. Roof top appurtenances: All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building, Met

Staff comment: Staff find the metal panel around the perimeter of the rooftop level mechanical space to be appropriate to reduce visual impact. Additional roof terrace amenities are setback from roofline and not visible from public streets. **Applicant shall submit railing details for Planning staff review as a condition of approval.**

- *§(b)(1)f. Shadow impact on open space: The location, massing and orientation of portions of buildings in excess of sixty-five (65) feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided. Met*

Staff comment: The applicant has submitted shadow studies in the approved MDP as hotel building is in excess of sixty-five feet in height that indicate there is no substantial shadow impacts on adjacent opens spaces, notably Lincoln Park and City Hall Plaza.

- *§(b)(1)g. Wind impacts: The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created. Met*

Staff comment: The proposed building utilizes a variety of features to break down the building's mass and height by including a number of building setbacks and site features such as perforated metal fins, awnings, and canopies. The building changes shape in a number of locations primarily along the first two stories and last two stories to break up the building's scale. These features help mitigate the potential impact of winds.

- *§(b)(1)h. Setbacks for existing structures: The location and design of proposed structures shall not create a detrimental impact on the structural integrity or the safety of adjacent structures or the occupants thereof; Met*

Staff comment: Proposed Lot 1 hotel and 9-unit residential condominiums does not pose a detrimental impact on the structural integrity of any adjacent structures as it is standalone on a parcel bounded on all sides by public streets. Existing structures to be demolished to construct hotel and surrounding surface parking.

- *§(b)(1)i. Building tops: Buildings or structures which exceed one hundred fifty (150) feet in height shall be designed so as to provide a distinctive top to the building which visually conveys a sense of interest and vertical termination to the building.*

Staff comment: Not applicable, building does not exceed 150 feet in height

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards:

1. *The exterior design of the proposed structure, shall be designed to complement and enhance the nearest residential neighborhood. Met*

Staff comment: The proposed building design is located within Portland's B-3 Downtown Business zone and is compatible with the surrounding context.

2. *The proposed development shall respect the existing relationship of buildings to public streets.*
Met

Staff comment: The proposed Lot 1 development integrates the 9-unit residential condominium within the overall building design to support the relationship of buildings downtown.

3. *Open space on the site for all multiple-family development shall be integrated into the development site.* **Met**

Staff comment: Open space is provided for 9-unit residential condominiums through balconies as private open space.

4. *The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principle living areas and shall also provide sufficient storage areas.* **Met**

Staff comment: Sufficient windows and interior unit storage provided at each residential unit.

5. *The scale and surface area of parking and driveways and paved areas are arranged and landscape to properly screen vehicles from adjacent properties and streets.*

Staff comment: Not applicable

6. *Multiple-family dwellings shall not be converted to lodging houses unless all units in building have been vacant for at least one (1) year.*

Staff comment: Not applicable



Zachary Powell <zpowell@portlandmaine.gov>

DPW's comments for PL-002156-2022 385 Congress Street

Janine Ba <janineba@portlandmaine.gov>

Wed, Feb 1, 2023 at 2:27 PM

To: Zachary Powell <zpowell@portlandmaine.gov>

Cc: Keith Gray <kgray@portlandmaine.gov>, Tom Errico <thomas.errico@tylin.com>, Justin Pellerin

<jrp@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Lauren Swett <lswett@woodardcurran.com>

Good afternoon Zachary,

Below are DPW's comments for PL-002156-2022 [385 Congress Street](#). Let me know if you have any questions.

Project Number: PL-002156-2022

[385 Congress Street](#)

DPW Development Review Comments

2/01/2023

- DPW Transportation
 - Remove the planter at the back of the proposed midblock pedestrian ramp on Myrtle Street and redesign ramp using vertical curbs.
 - Grading around Ramps and planters need to be clarified. Provide Top of curb and bottom of curb grades for planters.
 - The site plan treewell locations and the proposed treewell detail are not consistent, please clarify
 - The proposed trenches shall be repaired per the Minor Excavation Pavement Repair Details (prior to paving the finished surface) found in the [Rules and Regulations for Excavation Activity](#).
 - The applicant shall mill and overlay (2") the finish surface of the existing pavement on Congress Street from the curb face to the centerline of the street.
 - The applicant shall mill and overlay (2") the finish surface of the existing pavement on Myrtle Street from curb face to curb face of the street.
 - All required finished surface paving shall be complete at the time of build out of the block.
- DPW Water Resources
 - Upon further review, the roadway gutter line on the south side of Congress Street starting near the ADA facility at the SW corner of the Myrtle/Congress intersection extends nearly 700' before draining into a catch basin at the SW corner of Pearl/Cumberland intersection. The City would like the applicant to explore adding a new drainage inlet near the Pearl/Congress intersection as part of this phase or future phases of development to shorten the flow path of this gutter line. The applicant should consider if it would be feasible to accomplish this by installing green infrastructure as part of the proposed curb extension design at Pearl/Congress.

Regards,

--

Janine Ba
Project Engineer
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Zachary Powell <zpowell@portlandmaine.gov>

385 Congress Street - Final Traffic Movement Permit Review

Tom Errico <thomas.errico@tylin.com>

Tue, Feb 7, 2023 at 9:48 AM

To: Zachary Powell <zpowell@portlandmaine.gov>

Cc: Jeremiah Bartlett <jbartlett@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>, Janine Ba <janineba@portlandmaine.gov>, "John Peverada (JBP@portlandmaine.gov)" <jbp@portlandmaine.gov>

Hi Zack – I have reviewed the Section 7 Traffic Study and the Synchro/SimTraffic models and I have the following Final comments.

1. At the scoping meeting there was discussion on documenting the occupancy of the former PPH surface parking lot and the Top of the Old Port Parking lot. Please provide information documenting the occupancy of these lots at the time of the traffic counts to ensure existing volumes represent peak or near peak conditions. In addition, existing vehicle queues entering the lot should be documented.

Status: This issue is less relevant given that the City will review conditions on Pearl Street post-occupancy and determine the feasibility of on-street parking in the future. I have reviewed the traffic models and traffic conditions are acceptable. While it is the opinion of the City that parking occupancy has not returned to pre-COVID conditions, the traffic models do indicate conditions would not be expected to be significantly impacted during time periods when the parking lot is full. No further action is required of the applicant.

2. I have reviewed the trip generation estimate and I find the methods used and estimate to be acceptable.

Status: I have no further comment.

3. Figures 5 and 9 depict hotel valet vehicles departing the Myrtle Street driveway only. It is my understanding some hotel generated vehicles will be utilizing the Cumberland Avenue driveway. The volume network shall be revised.

Status: Given the size of the parking supply on Level 1, in my professional opinion, additional hotel parking will be frequently needed on Level 0. With that said, the assignment of trips in the study/model reasonably reflects the amount of traffic expected to circulate on the streets in the project vicinity. Accordingly, the revised volume network reasonably estimates traffic volumes in the future with full build-out of the development.

4. Figure 7 depicts residential/restaurant trips utilizing the Myrtle Street driveway. It is my understanding only hotel related vehicles will be utilizing the Myrtle Street driveway. The volume network shall be revised.

Status: I would expect the parking spaces on Level 1 to be utilized by hotel vehicles. With that said, the assignment of trips in the study/model reasonably reflects the amount of traffic expected to circulate on the streets in the project vicinity.

5. The traffic model assumed some delay for vehicles waiting to enter the site due to the time needed for parking garage doors to open. The model assumed vehicles would queue off the street and I believe that it may occur in the street. The applicant shall provide documentation that vehicles do not wait in the street, and if not, the traffic model shall be revised to account for this.

Status: The applicant has noted that the garage doors will be activated in advance of a vehicle arriving. Blockage of the sidewalk is not acceptable, and it is my assumption that this will not occur given the operations of the garage doors.

6. The ADA facility assessment shall include all intersection corners at the Congress Street/Myrtle Street, Congress Street/Pearl Street, Cumberland Avenue/Pearl Street and Cumberland Avenue/Myrtle Street.

Status: The applicant shall be required to upgrade all intersection sidewalk ramp corners and signal equipment to meet ADA requirements. See comment #8 for implementation schedule for signal improvements.

7. The applicant has conducted a capacity analysis and concluded that all study intersections will operate at acceptable conditions. It is unclear if the base Synchro/SlmTraffic model was calibrated or compared to field conditions. Documentation that the model is field verified shall be provided.

Status: The applicant has reviewed existing video from the conduct of the traffic counts and the model reasonably reflects existing conditions. I have no further comment.

8. The applicant shall upgrade the entire traffic signal (except for the controller cabinet – although modification to equipment may be needed for a fully functioning signal) at the Congress Street/Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual.

Status: The applicant shall upgrade the entire traffic signal system (except for the controller cabinet – although modification to equipment may be needed for a fully functioning signal) at the Congress Street/Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual. This shall include mast arm supports and be installed prior to occupancy of the Hotel project. I would also note that sidewalk ADA upgrades may be required to meet MaineDOT's policy regarding ADA upgrades associated with a signal project that disturbs the ground.

9. The applicant shall upgrade the entire traffic signal at the Cumberland Avenue/Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual.

Status: The applicant shall upgrade the entire traffic signal system and sidewalk ramps on all corners at the Cumberland Street/Pearl Street intersection to meet the City's Traffic Signal Policy and Guidance Manual and ADA requirements. The signal supports shall be mast arm supports. The full signal replacement shall occur prior to occupancy of Phase 3 of the project, although pedestrian signal heads (push buttons are not required for this interim condition) shall be installed prior to occupancy of the Hotel project.

10. The Cumberland Avenue/Chestnut Street intersection is a High Crash Location, and the applicant has identified a pattern of collisions involving vehicles from Chestnut Street and westbound Cumberland Avenue vehicles. The applicant shall conduct a feasibility assessment of implementing a multi-way STOP controlled intersection.

Status: The applicant has conducted the requested analysis and a multi-way STOP sign intersection is not warranted. No further action is required.

11. According to the analysis provided, although it may be updated, the Pearl Street/Top of the Old Port Parking Lot driveway will operate at an acceptable level of service with little delay and vehicle queues without a dedicated left-turn lane into the parking lot. According to plans provided by the applicant, Pearl Street has a curb-to-curb width of 33 feet and can accommodate on-street parking. The city is still reviewing this proposed change and will provide feedback in the future.

Status: The City will review conditions on Pearl Street post-occupancy and determine the feasibility of on-street parking in the future. The Hotel project site plan shall be revised maintaining existing conditions along Pearl Street and will be subject to review and approval by city staff.

12. Refer to DPW comments regarding curb extension design.

Status: Refer to DPW comments

13. A parking management plan shall be provided to document mechanisms that will ensure backups into Congress Street will not occur. This should include both when Myrtle Street is open and closed.

Status: Refer to comments for the Hotel Application.

14. **The proposed driveway on Pearl Street nearest Cumberland Avenue does not meet City access management standards. This driveway location is not approved as part of this review and an evaluation is required during future phase site plan applications that accounts for updated traffic data, conditions at the Top of the Port Parking Lot, the potential for on-street parking and bicycle facilities.**

Please contact me if you have any questions.

Best regards,

Tom Errico, PE

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Zachary Powell <zpowell@portlandmaine.gov>

385 Congress Street - Hotel Project Final Traffic Review Comments

Tom Errico <thomas.errico@tylin.com>

Wed, Feb 8, 2023 at 8:02 AM

To: Zachary Powell <zpowell@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>, Jeremiah Bartlett <jbartlett@portlandmaine.gov>, Janine Ba <janineba@portlandmaine.gov>, "John Peverada (JBP@portlandmaine.gov)" <jbp@portlandmaine.gov>

This is draft. I'm waiting on the parking analysis, which I'm told is being prepared. Let me know if you have comments, particularly related to the monitoring condition.

Thanks

Hi Zack – I have reviewed the application materials and offer the following status final traffic review comments.

- A Traffic Movement Permit Section 7 Traffic Study has been submitted in association with the Master Development Plan. That study is being reviewed and comments will be provided in the future.

Status: Refer to comments for the Traffic Movement Permit.

- Given that vehicles will be parked by valet personnel, I support waivers from the City's Technical standards for aisle width (due to tandem valet parallel parking), parking space size (the number of compact size spaces), and parking lot layout (parallel parking spaces at end of 90-degree spaces).

Status: I have no further comment.

- In conjunction with the TDM plan, the applicant shall provide a parking demand analysis in support of the proposed parking supply.

Status: Outstanding

Final Status:

- The applicant should provide detailed information on the routing of valet vehicles to and from the parking levels for the project. There is a desire to minimize the magnitude of circulating vehicles on City streets and an internal circulation system that accomplishes this should be considered.

Status: While it would be preferred that internal circulation be part of the project, the applicant has demonstrated the roadway system in the vicinity of the project can accommodate the circulating vehicles. I have no further comment.

- The applicant shall provide details on the valet queue storage area such that vehicles do not extend into the sidewalk area along Congress Street. Information of expected vehicle arrivals and departures and queue estimates shall be provided. Additionally, details on how this will be managed to avoid back-up issues shall be provided.

Status: The applicant has provided a generic valet management plan, that does not address this comment. Specifically, the applicant shall provide information on arrival/departure peak movements/queues, average wait times,

vehicle maneuvering and what happens if all 8 parking spaces are occupied. This applies to both normal operations and during Myrtle Street closures.

Final Status: The applicant shall be required to perform a traffic monitoring program of the valet operations and queuing conditions. The monitoring study shall be performed within the first month of occupancy, 3 months after occupancy and annually for three years. At the conclusion of year three, city staff shall make a determination on continuation. The monitoring program shall be conducted under normal traffic system conditions and when Myrtle Street is closed. The monitoring program shall report at a minimum, vehicle arrival/departure volumes, number of valet personnel, vehicle queuing, and photographs of conditions. The applicant shall submit the scope of work for the monitoring program prior to issuance of a building permit for review and approval by the city. This scope of work shall outline specific actions that will be taken by the hotel/valet vendor if vehicle queuing problems are identified.

- The curb extension design will need to be reviewed and approved by DPW and other City Departments.

Status: Refer to DPW comments.

- The applicant should provide greater detail on frequency and times of delivery truck activity both on-street and internally. For internal truck deliveries, turning templates shall be provided for vehicles entering from Congress Street, through the garage, and exiting onto Myrtle Street.

Status: The applicant has provided the requested information. City staff is concerned about internal circulation conflicts when delivery trucks are maneuvering and loading/unloading. The city recommends that all deliveries occur via the street, which is typical in the downtown center core.

- The applicant is proposing replacing/relocating the traffic signal support in conjunction with the curb extension improvements at the northwest corner of the Congress Street/Pearl Street intersection. Traffic mitigation requirements associated with the TMP are currently being identified and details of requirements will be provided in the future.

Status: Refer to comments for the Traffic Movement Permit

- I would note that the application notes that the supply of on-street parking spaces increase with the project. This is contingent on the provision of on-street parking spaces on Pearl Street and the TMP traffic analysis is being reviewed to determine feasibility.

Status: The City will review conditions on Pearl Street post-occupancy and determine the feasibility of on-street parking in the future. No action is required of the applicant other than updating plans to reflect this condition.

- The applicant shall provide a plan that details changes to on-street parking. This shall note spaces that are removed, added, and regulation modifications.

Status: The applicant shall revise their parking plan to account for the following:

- Changes to site driveways.

Status: The site plan for the Hotel project reflects anticipated phased conditions and I find it to be acceptable.

- The city does not support the two loading zone spaces on Myrtle Street. Those spaces shall remain 30-minute time limit.

Status: One commercial loading zone space on Myrtle Street along the project frontage near Congress Street is acceptable.

- The spaces on Congress Street between Pearl Street and Myrtle Street shall be 2-hour time limit parking spaces.

Status: As a correction, these spaces shall remain metered parking. Signs shall be added at the end of the parking near Myrtle Street.

- The spaces on Cumberland Avenue between Pearl Street and Myrtle Street shall be 2-hour time limit parking spaces.

Status: The applicant shall extend the 2-hour time limit parking spaces along the closed driveways to the site.

-

Additional Comments

- The plans for Pearl Street need to reflect no changes to on-street parking conditions.

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

- The traffic plan provided with this application is not accepted. Refer to TMP comments.

Status: I have no further comment.

- The eastbound Congress Street left-turn lane off-set STOP bar should be offset by 15 feet.

Status: This change has not been incorporated.

Please contact me if you have any questions.

Best regards,

Tom Errico, PE

NE TRAFFIC ENGINEERING DIRECTOR

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August 11, 2022
19371-01

City of Portland
Office of Planning and Urban Development
Congress Street
Portland, ME 04101

Level III Site Plan and Subdivision Application - 385 Congress Street Lot 1

On Behalf of the Fathom Congress, LLC, we are pleased to submit the enclosed application for a Level III Site Plan and Subdivision Application for a proposed Hotel and Condominium development at 385 Congress Street. This application represents the first phase of the redevelopment of the property which is the subject of a Master Plan of Development approved by the Planning Board on August 9, 2022.

The applicant, Fathom Congress, LLC, has entered into a purchase agreement to acquire approximately 0.63 acres of land at the corner of Congress Street and Myrtle Street for development of a site plan and subdivision to include a hotel with residential condominiums on the upper floor(s). Hotel and retail/commercial space will occupy the street level frontage of the building on Congress and Myrtle Streets.

The subject site comprises 0.63 acres within a larger 2.26 acres parcel occupying the city block bounded by Congress Street, Myrtle Street, Cumberland Avenue and Pearl Street identified as Lot 1 on the City of Portland's Tax map 27. The site is currently fully developed with buildings previously housing the Portland Press Herald's printing operations which ceased operations at this location many years ago. The site is currently used as a private parking facility.

The current land owner, 385 Congress Street, LLC will retain the remaining land on the block (identified as lands retained by owner on the plans) for the future development envisioned in the Master Plan of Development.

The massing of the site is envisioned to include the hotel and condominium tower rising from two-story pedestal incorporating structured parking and street level hotel and commercial uses as well as condominium entrances. The top of this shared pedestal will be developed as low-rooftop outdoor areas for the Hotel and adjoining a public amenity deck. The building will step back from the street line along Congress Street to create a linear plaza which extends the site lines along Congress Street from City Hall toward Lincoln Park. The proposed site plans include realigning the curb line along Congress Street and extending a semipublic outdoors space on the project's private property in front of the hotel to enhance the pedestrian experience along this section of Congress Street.

The proposed development program includes a 156-room full-service hotel with nine (9) condominium units on the corner of Myrtle and Congress Street.

The building includes two levels of structured parking which will support the valet operated parking for the hotel and condominium resident parking. The lower (P1 level) parking is below grade at Congress Street and will be accessed from the remaining land at the site via access easements presented on the subdivision plan. Condominium resident parking will be designated on this level.

The upper level (Level 1) of the parking garage and the ground floor of the Hotel will be accessed by a one way enter-only entrance from Congress Street to the Hotel valet drop-off area. The valet drop-off area is entirely on site, accessed from a mid-block curb cut which replaces/relocates an existing two-way parking lot entrance near the center of the site's frontage on Congress Street

A second entrance for 2-way traffic by valet drivers and service vehicles will access the upper level parking and loading areas from a garage entrance on Myrtle Street.

Streetscape

During the Master Development plan review, planning staff recommended the reconstruction of the site's frontage on Congress Street to create a widened linear plaza to provide a contextual setback on the street respecting of views along Congress Street between City Hall and Lincoln Park.

The proposed site design includes relocating the curb line in Congress Street and setting the proposed building back from the street line to create a widened plaza with street trees and amenities. The design creates a public space oriented toward the street that provides a visual and thematic connection from City Hall Plaza to Lincoln Park, provides opportunities for outdoor seating supporting uses on the site and events along Congress Street, and meets the contextual setback requirements for the continuation of Congress Street's Street wall.

The design proposes a one-way enter only access to the site for valet parking. The on-site valet area includes a dedicated drop off lane and a through-lane. This will allow for 8 vehicles in the outdoor valet area, with additional spaces inside the garage structure without encroachment onto the public sidewalk. A 22' wide curb cut is proposed to allow for the two-lane (entering) configuration necessary for valet controlled on site "double parking" to accommodate peak arrival times.

The design of the valet area incorporates pavers and surface materials to emphasize the area as a shared use plaza for vehicles and pedestrians, not a vehicle dominated area. The entrance plaza design will be integrated with the sidewalk and streetscape providing a clear and attractive arrival experience and presence for the face of the building on Congress Street. The sidewalk materials will continue across the driveway to reinforce this sidewalk crossing as a pedestrian dominant area.

Myrtle Street and Cumberland Avenue Access

The building includes two parking levels, one at roughly the elevation of Congress Street and one at roughly the elevation of Cumberland Street. The levels are not interconnected; each level includes its own entrances at street level. The upper-level entrances will include the hotel valet entrance on Congress Street and a 2-way, 24' wide curb cut on Myrtle Street for valets and service vehicles supporting the hotel. The revised street curb layout and striping includes provisions for two (2) on street loading spaces on Myrtle Street adjacent to this entrance for trash hauling and loading for the building. As presented in the Master Development Plan, the full build out of the site will increase on street parking on the project block.

The lower levels of the hotel parking will be accessed from existing curb cuts on the remaining land (Lot 2) on the site by agreement with the lot owner. Easements across Lot 2 for this interim access are presented on the subdivision plans. In the future, the full buildout of the project block envisioned in the Master Development plan will include a condominium building on Lot 2. When the future building is constructed, the interim easements will be converted to permanent access easements through the future building's parking areas to Cumberland Avenue.

Traffic, On-Street Parking, Striping

A Traffic Movement Permit application for the Master Development Plan for the site has been submitted and is being reviewed concurrently with the Hotel Site Plan Application. The proposed streetscape design for Congress Street includes curb extensions at the intersection of Myrtle Street at and Congress Street and Pearl Street at Congress Street. The existing traffic signal at Pearl Street is located immediately adjacent to the right of way line and will be replaced/relocated responding to the proposed curb extension and crosswalks, as enabling work for the installation of underground utilities and construction of future building foundations at the right of way line at this location.

A plan of proposed signal improvements is included in the application.

The proposed plan implements on street striping as documented in the Master Development Plan. As part of the curb extension and curb line revisions, lane striping will be revised on Pearl Street from Cumberland Avenue to Congress Street, eliminating a left turn lane into the parking lot on the north side of Pearl Street in favor of on-street parking on the south side of Pearl Street. The revised striping plan provides 12' through lanes in each direction, with parking lane on the south side of Pearl Street.

The striping along the southbound lane Congress Street from Pearl Street to Myrtle Street is to re-striped to reflect the revised curb line and linear plaza across the front of the site. The centerline of Congress Street is maintained. A 14' southbound lane will be striped, leaving a parking lane across the front of the site for public on street parking. The centerline and northbound lane widths on Congress Street are maintained. The left turn stop bar, from northbound Congress Street to westbound Pearl Street is proposed to be set back 40' from the crosswalk to accommodate right turns by trucks from Pearl Street turning southbound on Congress Street.

Stormwater Management

Stormwater drainage from Lot 1 will be conveyed within an easement across Lot 2 to Pearl Street. This approach is made at the request of the City to facilitate the City's future plans for separating the combined sewers in Pearl Street.

The project is the redevelopment of a fully developed site. As a redevelopment site, the City's standards incorporate the MDEP Chapter 500 rules and require that runoff from at least 50% of the site's redeveloped area be treated in accordance with the standards. The project proposes a subsurface filter treatment system in the lower-level garage out letting across Lot 2 to Pearl Street. The proposed system provides treatment for over 90% of the site's redeveloped area comprised nearly completely of rooftop areas.

The proposed treatment meets this individual site's Stormwater Treatment requirements and reduces flows to the maximum extent practicable during a smaller 1" rain event to advance the City's Combined Sewer Overflow (CSO) objectives for this area of the City.

Utilities

The remaining building utility services will be taken from the site's frontage.

- Sanitary sewer service is proposed to be connected to the existing sewer in Myrtle Street.
- Domestic and Fire protection water will be taken from Myrtle Street. Initial discussions with the Portland Water District indicate the District's desire to replace and upgrade the main in Myrtle Street from Cumberland Avenue to Congress Street due it is age and condition. This work is proposed as part of the hotel development with the water district participating in the cost of the upgrade.
- Gas service will be provided from the existing main in Congress Street
- Electrical service will be provided from a Central Main Power (CMP) manhole installed in Pearl Street in 2021. Primary service will be extended to a new manhole in the reconstructed Congress Street sidewalk and then extended to sidewalk transformer vaults at the corner of Congress Street and Myrtle Street.
- Telecommunications will be taken from existing manholes in Pearl Street and/or Congress Street

Building Design

The building program includes an 11 story structure with a 156 room hotel and 9 residential condominiums on the upper floors.

The building is arranged in a classic 3-part composition – base, middle and top. The base has a contemporary limestone finish to conform to the predominant limestone of adjacent buildings. Much of the middle of the elevation is brick on Myrtle and Congress, similar to the surrounding buildings. While the painted aluminum at the upper floors and curtainwall will not have the same copper green patina, the metal finishes are sympathetic to the other metal roofs. Punched windows conform to the overall aesthetic of the area and the curtainwall adds a contemporary counterpoint to the traditionalist City Hall.

The hotel lobby entrance on Congress Street is designed with differentiated materials, slightly recessed doors and a canopy above, extending 6' from the building face. This entry is fully accessible. Secondary entrances are located closer to the retail storefront at the corner of Myrtle Street and in the valet entrance off Congress Street.

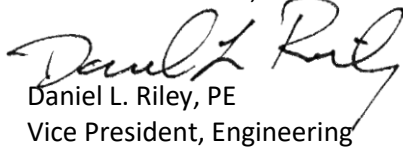
The streetscape design incorporates street trees in planters along the curb line with landscaped planters with seating to the street side at the front of the hotel. The planting design and materials present a cohesive design for the space providing street activation and opportunities for outdoor seating both within the public sidewalk and the semi-public outdoor spaces on site along the Hotel and commercial uses at street level.

August 11, 2022

Thank you for your time and attention to this project through the Master Plan of Development review. We look forward to continuing the design and review of the project with staff and the Planning Board.

Sincerely,

SEBAGO TECHNICS, INC



Daniel L. Riley, PE
Vice President, Engineering

DLR/RLG

Enc.

Shadows 14-14.6.4 (B)

The proposed project is located in the B3 zone. The proposed hotel will not result in adverse impacts of shadows on publicly accessible open space.

As directed, the shadow study shows shadows cast from the hotel on June 21 at 10 am, noon and 2 pm; and on March/September 21 at 10 am, noon and 2 pm. It also shows shadows cast from the existing buildings.

Please see the shadow study plan in the overall drawing set, and the Master Development Plan shadow study.

CITY OF PORTLAND
Planning & Urban Development Department

MAJOR SITE PLAN GENERAL DOCUMENT AND DRAWINGS CHECKLIST Please submit each document as a separate PDF file. Please confirm by electronically checking the boxes in the left-hand column. ** PLEASE FILL OUT AND UPLOAD THE ZONING ASSESSMENT TABLE AND WAIVER TABLE SEPARATELY AS NOTED BELOW ** At the time of application submission, please contact the Department of Public Works regarding E-911 addressing for your project.		
GENERAL APPLICATION DOCUMENTS		
Yes ✓	NA	Project Description Cover letter with detailed project description
Yes ✓	NA	Completed Checklist (this document)
Yes ✓	NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
Yes	NA ✓	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
Yes ✓	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
Yes ✓	NA	Site Plan Standards Assessment (see Section 14.6 of the land use code) Summary of project compliance with site plan standards of the land use code
Yes ✓	NA	Summary of Existing and/or Proposed Easements or Covenants, applicable. Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
Yes ✓	NA	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
Yes ✓	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes ✓	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

MAJOR SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

Provide assessment of compliance with standards and include supplemental documentation, as applicable.
Please submit each document as a separate PDF file.

TRANSPORTATION		
Yes ✓	NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes ✓	NA	Access and Circulation (14-14.6.1(B)) Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes	NA ✓	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes ✓	NA	Off-Street Parking (14-14.6.1(D)), if applicable Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes ✓	NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL		
Yes	NA ✓	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes ✓	NA	Landscape Preservation (14-14.6.2(B)) Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes ✓	NA	Site Landscaping and Buffers (14-14.6.2(C)) Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes ✓	NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Identify and describe the following: • Erosion and sedimentation control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater law, as applicable • Subsurface sanitary sewage disposal and groundwater protection measures

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY		
Yes	NA ✓	Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes ✓	NA	Public Safety and Fire Prevention (14-14.6.3(B)) Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes ✓	NA	Availability and Adequacy of Public Utilities (14-14.6.3(C)) (Technical Manual, Sections 2 & 9) Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections
SITE DESIGN		
Yes	NA ✓	Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes ✓	NA	Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes ✓	NA	Snow and Ice Loading (14-14.6.4(C)) Describe building design measures to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes ✓	NA	View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appendix. 1)
Yes ✓	NA	Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: - The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district - Compliance with standards for preservation and documentation of archaeological resources

Yes ✓	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes ✓	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes ✓	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes ✓	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

MAJOR SITE PLAN DRAWINGS CHECKLIST

Please upload the following DRAWINGS with the listed details into e-Plan as separate pdfs.

All drawings must be submitted in a 24 x 36 sheet size.

BOUNDARY SURVEY (stamped by a Maine Licensed Surveyor and drawn as per Technical Manual Sec. 13)

SITE PLAN(S) (stamped by a Maine Licensed Professional Engineer) including:

All sheets – Include a title block with project title and the following information:

- Project street address
- Name and address of property owner & applicant
- Licensed design professional, incl firm that produced plans
- North arrow
- Date of preparation and revision history block
- Tax parcel (chart, block, and lot) number

Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

- Proposed structures, including distance from primary building façade(s) to property lines
- Ground floor area, and finished floor elevations for all buildings
- Any proposed geometric modifications to streets and intersections adjacent to site
- Location, dimensions and materials of all proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)
- Location of fire hydrants

• Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
UTILITY PLAN including:
• Proposed electrical infrastructure • Location, sizing and directional flows of all proposed sewer and stormwater infrastructure • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure
GRADING AND DRAINAGE PLAN including:
• Proposed grades • Proposed stormwater management measures meeting Technical Manual (Section 5) standards • Any proposed alteration of a watercourse or wetlands • Any groundwater protection measures • Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN including:
• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary

Snow and Ice Loading 14-14.6.4 (C)

The proposed project will not result in the accumulation of significant amounts of snow and ice from loading or falling offsite. The building is designed with flat roofs with architectural designs consistent with building code requirements, to prevent snow and ice from falling onto adjacent properties or public ways. The building steps back on the Myrtle Street side at the 3rd floor level. Level 10 also features nominal setbacks, to moderate snow falling from surfaces above that.

Snow will be removed from the onsite driveways, public sidewalks abutting the site in accordance with City Ordinances. Snow will be removed from the amenity deck.

Please refer to building plans and elevations.

Building Height Average Grade Narrative

The Master Development plan proposes a buildout of the site to include three buildings with construction at street level as discussed in the phasing plans and narrative.

The construction of the Hotel on Lot 1, the 'Condo A' building on Lot 2 along Congress Street and the 'Condo B' Building on Cumberland Avenue will include all of the street level construction. The 'Condo C' tower will be a vertical addition above a portion of the 'Condo B' structure.

Based on this sequence and the construction the applicant proposes two measurements of average grade for the determination of building height.

- An average grade on 57.8' (57'-9") for the Hotel on Lot 1 and the Condo A Building fronting on Congress Street and;
- An average grade of 51.0' (51'-0") for the Condo B (and Condo C vertical addition) buildings on Cumberland Avenue

These elevations represent the average grades at the four corners of the three buildings that comprise the street level structures as shown in the attached sketch.

It is understood that in the interim condition, between construction phases the average grade of Lot 1 may be higher than the average grade and the average height of Condo A may be lower than the average due to the sloping grades of the streets adjacent to the site and the grades on the undeveloped areas of the site in the interim condition.

- The estimated average grade of Lot 1 taken in isolation could be as high as 58.4' (currently estimated at 58.2')
- The estimated average grade of Condo A taken in isolation could be as low as 57.0'
- The Condo B/Condo C construction will follow Lot 1 and Condo A and will not be constructed prior to these phases; therefore, an interim condition is not expected for the Condo B/Condo C building.

We request the following as a condition in the Master Development Plan approval:

1. The average grade for determining building heights for Lot 1 and the Condo A building with frontage on Congress Street shall be not lower than 57.8' (57'-9") based on the full buildout of these phases.

This elevation shall be established and remain in effect for the term of the Master Development Plan approval. If, upon expiration of the Master Development Plan only one of these buildings is constructed, the City may require interim grading on the remaining undeveloped areas of the site to ensure that the average grade assumed in the Master Development Plan is met.

2. The average grade for determining heights for the Condo B/Condo C structure shall be not less than 51.0' (51'-0") based on the finished sidewalk grades at the four corners of the Condo B building.

Please refer to the enclosed building height diagram documenting the assumed average grades.

QUITCLAIM DEED WITH COVENANT
(Maine Statutory Short Form)

METRO MEDIA PROPERTIES LLC, a Maine limited liability company with a mailing address of 201 Old Country Road, Suite 105, Melville, NY 11747 ("Grantor"), for consideration paid, grants to **385 CONGRESS LLC**, a Maine limited liability company with mailing address of 2730 Transit Road, West Seneca, NY 14224 ("Grantee"), with QUITCLAIM COVENANT, a certain lot or parcel of land with the buildings and improvements thereon located in the City of Portland, County of Cumberland and State of Maine, described as follows:

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

South: Congress Street;
East: Pearl Street;
North: Cumberland Avenue; and
West: Myrtle Street

This parcel of land is more particularly described as follows:

Beginning at the intersection of the Northerly sideline of Congress Street with the Easterly sideline of Myrtle Street;

Thence: N72° 54' E along the Northerly sideline of Congress Street approximately Two Hundred Forty Feet (240') to the intersection of the Northerly sideline of Congress Street with a Westerly sideline of Pearl Street;

Thence: N27° 21' W along the Westerly sideline of Pearl Street approximately Four Hundred Fifty Five Feet (455') to the intersection of the Westerly sideline of Pearl Street with a Southerly sideline of Cumberland Avenue;

Thence: Westerly along the Southerly sideline of Cumberland Avenue approximately One Hundred Seventy Feet (170') to a point;

Thence: Northerly to point A (point A being located at the intersection of the line of this call with the line of the next call extended N 67° 11' E);

Thence S67° 11' W approximately Sixty Feet (60') to the intersection of the Southerly sideline of Cumberland Avenue with the Easterly sideline of Myrtle Street;

Thence S26° 22' E along the Easterly sideline of Myrtle Street approximately Four Hundred Ten Feet (410') to the intersection of the Easterly sideline of Myrtle Street with the Northerly sideline of Congress Street and the point of beginning.

Also conveying the following parcel of land:

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

Beginning at a drill hole reset marking the intersection of the northwesterly sideline of Congress Street and the northeasterly sideline of Myrtle Street;

Thence N 55°-45'-03" E, 240.31 feet by and along the northwesterly sideline of said Congress Street to a drill hole set marking the northwesterly sideline of said Congress Street and the southwesterly sideline of Pearl Street;

Thence N 44°-35'-56" W, 433.81 feet by and along the southwesterly sideline of said Pearl Street to a point at the intersection of the southwesterly sideline of Pearl Street with the southeasterly sideline of Cumberland Avenue. Said point being witnessed by a granite right-of-way monument.

Thence S 50°-25'-20" W, 230.34 feet by and along the southeasterly sideline of said Cumberland Avenue to a point at the intersection of said southeasterly sideline of Cumberland Avenue with said northwesterly sideline of Myrtle Street. Said point being witnessed by a granite right-of-way monument.

Thence S 43°-37'-52" E, 410.86 feet by and along the northeasterly sideline of said Myrtle Street to the Point of Beginning, containing 2.26 acres more or less.

Also releasing to Grantee, Grantor's right, title and interest in a certain underground tunnel that runs from the subject premises to 390 Congress Street, by virtue of a license granted pursuant to approval of the City of Portland Inspector of Buildings dated May 14, 1965.

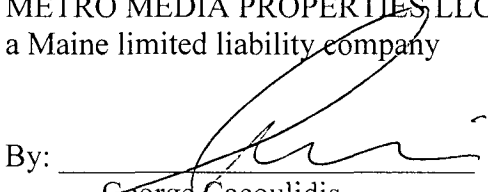
Being the same premises described in a Quitclaim Deed with Covenant from MTM Portland Properties, LLC to Metro Media Properties, LLC dated July 10, 2009 and recorded in the Cumberland County Registry of Deeds at Book 27079, Page 160.

IN WITNESS WHEREOF, Metro Media Properties LLC has caused this instrument to be signed and sealed in its company name by George Cacoulidis, its CEO, thereunto duly authorized, this 20th day of October, 2017.

WITNESS:

METRO MEDIA PROPERTIES LLC,
a Maine limited liability company


Tom Hanson

By: 

George Cacoulidis

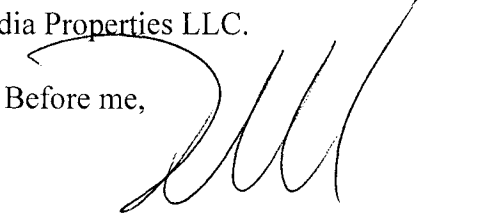
Title: CEO

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

October 20, 2017

Then personally appeared the above named George Cacoulidis, CEO of Metro Media Properties LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Metro Media Properties LLC.

Before me,


Attorney at Law/Notary Public

Printed Name: Nicholas J. Merrill

Received
Recorded Register of Deeds
Oct 20, 2017 12:19:14P
Cumberland County
Nancy A. Lane

PARID: 027 D001001
385 CONGRESS LLC

385 CONGRESS ST

Parcel

Parcel ID	027 D001001
Property Location	385 CONGRESS ST
Unit	
Living Unit	1
Land Use Code	32 - WAREHOUSE & STORAGE Verify legal use with Inspections Division
Zoning	B3
Land Area (acreage)	2.2606
Land Area (square footage)	98472
Notes	27-D-1 CONGRESS ST 371-387 CUMBERLAND AVE 240-254 MYRTLE ST 1-35 PEARL ST 98470 SF
Utilities	1 - ALL PUBLIC - -

Owners

Owner	385 CONGRESS LLC
Address	2730 TRANSIT RD
City, State, Zip	WEST SENECA NY 14224
Deed Date	10/20/2017
Book	34401
Page	214

AGREEMENT OF PURCHASE AND SALE

between

FATHOM DEVELOPMENT, LLC,

as Buyer,

and

385 CONGRESS LLC,

as Seller

December 1, 2021

385 Congress Street
Portland, Maine 04101

AGREEMENT OF PURCHASE AND SALE

BY THIS AGREEMENT OF PURCHASE AND SALE (the “Agreement”) entered into this 1st day of December, 2021 (“Effective Date”), 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as “Seller”), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as “Buyer”), hereby agree as follows:

ARTICLE I Terms and Definitions

Section 1.1. In addition to the other terms herein defined, the following terms shall have the meanings set forth in this Article I, unless the context otherwise requires:

Additional Deposit. Defined in Section 3.1.

Approvals. Defined in Section 6.5.

Approvals Period. Defined in Section 6.4.

Buyer’s Conditions Precedent. Defined in Section 6.1.

Buyer’s Knowledge. Means the knowledge of James Brady based upon his historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Buyer Project Information. Defined in Section 6.5.4.

Buyer’s Termination Notice. Defined in Section 6.2.2.

Cash Balance. Defined in Section 5.2.2.

Closing. The consummation of the purchase and sale of the Property pursuant to this Agreement.

Closing Date. Defined in Section 6.6.

Commitments. Defined in Section 14.3.

Condominium Project. Defined in Section 6.5.4.

Consideration. Defined in Section 5.1.

Construction License. Defined in Section 14.2.

Cross Easement Agreement. Defined in Section 14.3.

Deed. Defined in Section 6.1.1.

Deposit. Defined in Section 3.1.

Demolition is defined in Section 6.1.10.

Due Diligence Period. Defined in Section 6.4.12.

ESA. Defined in Section 6.4.4.

Escrow Agent. Defined in Section 3.1.

Execution Date. The date of this Agreement as hereinabove set forth.

Facilities Program. Means and refers to the facilities program set forth on Exhibit C.

Hazardous Materials. Mean any pollutants, contaminants or hazardous substances (as such terms are defined under CERCLA), pesticides (as such term is defined under the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 et seq.), solid wastes and hazardous wastes (as such terms are defined under the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq.), chemicals, other hazardous, radioactive or toxic materials, oil, petroleum and petroleum products (and fractions thereof), asbestos and asbestos-containing materials, polychlorinated biphenels ("PCBs") or PCB-containing materials, or any other material (or article containing such material) listed or subject to regulation under any law, statute, rule, regulation, order, Permit, or directive due to its potential, directly or indirectly, to harm the environment or the health of humans or other living beings.

Improvements. All improvements constructed on the Real Property.

Initial Deposit. Defined in Section 3.1.

Mandatory Cure Items. Defined in Section 6.3.

Master Development. Means the Seller's development of the area shown in the Plan attached as Exhibit B as a residential condominium project.

Master Parcel. Defined in Section 6.5.6.

Monetary Liens. Defined in Section 6.3.

MP Application. Defined in Section 6.5.4.

MP Application Deadline. Defined in Section 6.5.4.

MP Application Period. Defined in Section 6.4.12.

MP Approval. Defined in Section 6.5.4 .

OFAC. Defined in Section 7.1.

Parking Agreement. Defined in Section 14.1.

Permitted Encumbrances. Defined in Section 6.3

Preliminary Title Report. The commitment for issuance of an owner's policy of title insurance issued by the Title Company.

Project. A full service hotel [REDACTED]

Property. The Real Property.

Purchase Price. Defined in Section 5.1.

Real Property. That portion of the real property located at 385 Congress Street, Portland, Maine, 04101, Tax Map 27, Block D, Lot 1, as more particularly depicted on Exhibit A attached hereto and by this reference made a part hereof, together with all rights in the streets lying adjacent to such land and owned by Seller, and all rights, privileges, easements and appurtenances thereto, [REDACTED], and including all additional rights and easements as necessary to service the Project pursuant to the Cross Easement Agreement. [REDACTED]

[REDACTED] The Real Property description shall be finally determined by an ALTA survey commissioned by Buyer and the Real Property shall be conveyed using that survey description, provided that the description is reasonably acceptable to Seller. The Real Property shall be configured as more particularly described herein. The illustration included in Exhibit A is for reference purposes only regarding the approximate boundaries and alleyway location, and the buildings are not necessarily indicative of the massing or design to be agreed upon by the parties as provided herein.

Seller's Conditions Precedent. Defined in Section 6.8.

Seller's Knowledge. Means the knowledge of Gordon Reger and Joseph Dasco based upon their historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Seller Project Information. Defined in Section 6.5.4.

Seller's Retained Land. Defined in Section 6.5.6.

Site Plan Application. Defined in Section 6.5.1

Site Plan Approval. Defined in Section 6.5.4.

Site Studies. Defined in Section 6.4.6.

SP Application Deadline. Defined in Section 6.5.4.

Subd Application. Defined in Section 6.5.4.

Subd Approval. Defined in Section 6.5.6.

Survey. Defined in Section 6.4.5.

Title Commitment. Defined in Section 6.3.

Title Company. A nationally recognized title insurance company to be selected by Buyer.

Title Inspection Period. Defined in Section 6.3.

Title Notice Deadline. Defined in Section 6.3.

[REDACTED]

[REDACTED]

Utilities. Defined in Section 6.4.7.

Zoning Confirmation. Defined in Section 6.4.3.

ARTICLE II

Purchase and Sale

Section 2.1. Purchase and Sale. Seller agrees to sell and convey to Buyer, and Buyer agrees to purchase from Seller, the Property, on all of the mutual terms, covenants and conditions hereinafter set forth. Buyer shall have the right to designate an entity organized and controlled by Buyer for purposes of taking title to the Property as provided in Section 15.3 hereof. Seller shall be permitted to reserve certain rights and easements over the Property in accordance with the terms and provisions of Section 14.3

ARTICLE III

Deposit

Section 3.1. Deposit. Upon execution hereof, Buyer shall deposit with Pierce Atwood LLP (the "Escrow Agent") the sum of [REDACTED] (the "Initial Deposit"). Upon completion of the Approvals Period if Buyer has not otherwise terminated this Agreement in accordance with its terms, Buyer shall deposit with the Escrow Agent the additional sum of [REDACTED] (the "Additional Deposit"). The Initial Deposit and the Additional Deposit are hereinafter collectively referred to as the "Deposit" and are to be held and applied as hereinafter set forth. The Deposit shall be held in a non-interest-bearing escrow account.

Section 3.2. Non-Refundable. Except as otherwise specifically set forth in this Agreement, the Initial Deposit shall be fully refundable until the completion of the Approvals Period, after which, assuming Buyer has not terminated this Agreement, it shall be non-refundable, except as otherwise specifically set forth in this Agreement. Except as otherwise specifically set forth in this Agreement, the Additional Deposit shall be non-refundable. Except as otherwise specifically set forth in this Agreement, the Deposit shall serve as Seller's liquidated damages (except for any Buyer indemnities) in the event of a breach of this Agreement by Buyer pursuant to Article IV, or shall be applied against the Purchase Price pursuant to Article V.

Section 3.3. Liability of Escrow Agent. In the event of any disagreement between the parties, Escrow Agent shall be entitled to refuse to comply with any claims or demands by either party as long as such disagreement may continue, and in so refusing, shall make no delivery or other disposition of the Deposit. Escrow Agent shall not become liable in any way for such refusal, and Escrow Agent shall be entitled to continue to refrain from acting until (a) the rights of the parties shall have been finally adjudicated in a court of competent jurisdiction, or (b) all differences shall have been settled by agreement and Escrow Agent shall have been notified in writing of such agreement signed by both parties.

ARTICLE IV Damages

Section 4.1. Buyer's Default. In the event that this transaction does not close as a consequence of a default by Buyer, and Seller has performed or tendered performance of its obligations hereunder, Seller's sole remedy shall be to retain the Deposit as liquidated damages. The parties hereby agree that if Buyer defaults, Seller's actual damages would be difficult or impossible to determine, and thus the amount of the Deposit is the best estimate of the damage Seller would suffer. Accordingly, the Deposit shall be the total amount that Seller is entitled to receive as liquidated damages (except for any Buyer indemnities).

Section 4.2. Seller's Default. In the event Seller fails to perform any obligation of Seller under this Agreement, including without limitation the obligation to convey title to the Property to Buyer on the Closing Date, as hereinafter defined, in accordance with the provisions of this Agreement, and Buyer has performed or tendered performance of its obligations hereunder, and such failure shall remain uncured for a period of thirty (30) days following written notice thereof from Buyer to Seller, then Buyer may (a) terminate this Agreement, in which event the Deposit shall be returned to Buyer, or (b) Buyer shall be entitled to pursue specific performance of Seller's obligations hereunder.

ARTICLE V Purchase Price

Section 5.1. Amount of Consideration. Buyer shall pay Seller consideration (the "Consideration") for the Property in the amount of [REDACTED] (the "Purchase Price"), subject to adjustment for credit, debits and other adjustments as expressly provided in this Agreement..

Section 5.2. Manner of Payment. Buyer shall pay and provide the Consideration to Seller at the Closing as follows:

5.2.1. Deposit. Applying the Deposit against the Consideration; and

5.2.2. Remaining Consideration. Paying the balance of the Consideration, by wire transfer to an account to be designated by Seller (the "Cash Balance").

ARTICLE VI Conditions Precedent to Closing

Section 6.1. Buyer's Conditions Precedent. Buyer's obligation to purchase the Property from Seller is subject to the following conditions precedent (the "Buyer's Conditions Precedent"):

6.1.1. Title. At the Closing, Seller shall sell, convey, transfer and deliver the Property to the Buyer by statutory Quitclaim Deed with Covenant Buyer (the "Deed"), and the Deed shall convey to the Buyer fee title free of Monetary Liens and Mandatory Cure Items, but subject to Permitted Encumbrances.

6.1.2. Seller's Representations and Warranties. Seller's representations and warranties set forth herein shall be true and correct in all material respects at and as of the Closing as though such representations and warranties were made at and as of such date.

6.1.3. Seller's Compliance. The Seller shall have in all material respects performed and complied with all covenants, agreements and conditions required by this Agreement to be performed or complied with by it prior to or at the Closing.

6.1.4. Approvals. The Approvals shall continue in full force and effect without imposition of any amendments, alterations or conditions not requested or pursued by Buyer or its agents or contractors, since receipt of the same by Buyer.

6.1.5. Lease Termination. Delivery by Seller of evidence reasonably satisfactory to Buyer that all leases, licenses or other use agreements of all or any portion of the Property, [REDACTED] have been terminated at or prior to Closing, at Seller's expense, and tenants have no further right to occupancy or use of the Property thereunder.

6.1.6. Consents and Approvals. The Seller shall have obtained all consents, approvals, authorizations, exemptions and waivers from governmental authorities and third parties, if any, as shall be necessary to convey the Property to Buyer.

6.1.7. Commitments. Buyer and Seller shall have executed and delivered the Commitments, as such documents have been negotiated and agreed upon by the parties prior to expiration of the Due Diligence Period, with only such revisions to the agreed upon forms as may be required under Article XIV, as applicable.

6.1.8. No Material Adverse Changes. There shall have been no material adverse change since the date of this Agreement in the Property, except changes contemplated or required by this Agreement, including without limitation, any change in the title, physical condition (except

for the Demolition), legal status, use or possession of the Property [REDACTED] from the conclusion of the Approvals Period through the date of closing that would cause the Property to be unsuitable for development of the Project; the foregoing is not intended to include any changes in the national, state or local economy or capital markets or any similar change that does not involve the physical, legal or land-use status of the Property.

6.1.9. No Legal Restraints or Litigation. No statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Property or the ability to develop the Project at the Property, except for an appeal of the Approvals, which is addressed in Section 6.5.1 below.

6.1.10. Demolition. Seller shall have completed the demolition (as more particularly described in Section 14.4) prior to Closing ("Demolition").

Section 6.2. Failure of Buyer's Conditions Precedent. If, at the time of the Closing, any of the foregoing Buyer's Conditions Precedent have not been fulfilled, Buyer may, at its option, do the following:

6.2.1. Waive and Close. Waive such condition and close in accordance with this Agreement; or

6.2.2. Terminate. Terminate this Agreement by delivery of a written notice to Seller and to Escrow Agent ("Buyer's Termination Notice") and enforce any remedy afforded by Section 4.2 in the event Seller has defaulted under any of its obligations under this Agreement (provided that the mere failure of the following conditions to closing shall not constitute a Seller default: Sections 6.1.6, 6.1.8, or 6.1.9); provided, however, that, if Buyer fails to deliver Buyer's Termination Notice to Seller at or prior to the Closing, the applicable condition or conditions shall be deemed waived by Buyer.

Section 6.3. Title Examination. From the date hereof through the date of expiration of the Due Diligence Period, as hereinafter defined (the "Title Inspection Period"), Buyer shall have the opportunity to review the commitment to insure title (the "Title Commitment"), any amendments thereto issued during the Title Inspection Period, the exceptions to title disclosed in the Title Commitment, all Survey Matters and all other aspects of Seller's title to the Property. The Title Commitment shall be for the benefit of the Buyer, at customary rates, in the ALTA form currently in use, subject only to the Permitted Encumbrances (as defined below) and with such standard exceptions deleted and standard endorsements included as Buyer may, in its sole discretion, require. On or before the date of the expiration of the Title Inspection Period (the "Title Notice Deadline"), Buyer shall notify Seller in writing of any defect in title to the Property, or any other matter which is indicated on the Title Commitment or any Survey Matter to which Buyer objects except for the following: (a) liens for real estate taxes not yet due and payable or for

betterments assessed after the Effective Date, (b) other encumbrances which may be removed or satisfied by the payment of a liquidated sum of money which Seller agrees to discharge at Closing to Buyer's satisfaction and (c) such easements, restrictions and reservations of record as are acceptable to Buyer, in its discretion. If Buyer does so notify Seller of a defect in title or other matter objectionable to Buyer prior to the Title Notice Deadline, Seller shall have ten (10) business days in which to determine whether to cure the defect or other matter so objected to by Buyer and to notify Buyer of Seller's decision in this regard. If Seller does not respond within such time frame, Seller shall be deemed to have elected not to cure the defect or other matter. Seller, at its sole cost and expense, will have until the Closing to cure the title objections which Seller has elected to cure, other than the Monetary Liens (as herein defined), which (to the extent not previously removed) Seller shall remove or cure by payment of funds at Closing. Those defects that Seller gives notice will be cured on or before the Closing Date, along with discharge of Monetary Liens, are referred to herein as "Mandatory Cure Items." If Seller elects (or is deemed to elect) not to cure the defect or other matter so objected to by Buyer, Buyer shall have the right, by not later than the tenth (10th) day after the date of Seller's notice (or failure to provide notice) to either (a) waive such defect or other matter and take title to the Property without any adjustment in the Purchase Price, or (b) terminate this Agreement by giving written notice thereof to Seller. If Buyer timely gives such notice of termination, this Agreement shall terminate and the Deposit shall be returned to Buyer. If Buyer fails to give Seller a notice of termination, Buyer (a) shall no longer have an right to terminate this Agreement under this Section 6.1.1 and shall be bound to proceed to Closing and consummate the transaction contemplated hereby pursuant to the terms of this Agreement and (b) shall be deemed to have approved the state of title to the Property as it exists on the effective date of the Title Commitment, as last amended during the Title Inspection Period. Seller shall be responsible for discharging any mortgages, voluntary monetary liens or tax liens (other than municipal liens not yet due and payable), including mechanics' liens for unpaid work at the Property performed on behalf of Seller but not mechanics' lien arising from due diligence and permitting and approvals work performed for Buyer (collectively, "Monetary Liens") at or prior to Closing. "Permitted Encumbrances" shall mean all matters of record as of the Effective Date affecting the Property, including without limitation easements, covenants, restrictions and agreements, as of the Effective Date, except for (i) items to which Buyer has objected and which Seller has agreed to cure, all as provided above in this Section, and (ii) Monetary Liens. Permitted Encumbrances also shall include the Parking Agreement, the Construction License, the Cross Easement Agreement and all governmental approvals and the conditions thereof contemplated or required by this Agreement.

Section 6.4. Buyer's Due Diligence. Notwithstanding any other provision of this Agreement to the contrary, Buyer shall be entitled to undertake a thorough investigation of the Property, including without limitation such reviews, analyses and studies of the Property and the development of the Project at the Property, as Buyer may, in its sole discretion, determine to be necessary or appropriate, including without limiting the generality of the foregoing:

6.4.1. Inspection of physical condition, [REDACTED]

[REDACTED]

[REDACTED]

6.4.3. Evaluation by Buyer of all necessary zoning, including zoning board approvals of required variances and any other matters, required in order to develop the Project ("Zoning Confirmation").

6.4.4. A Phase I Environmental Site Assessment for the Property, together with (i) any Phase II Environmental Site Assessments or other studies or analyses as may be required based upon the Phase I Environmental Site Assessment, and (ii) a Hazardous Materials Inventory of the building on the Property (together referred to as "ESA"). Seller agrees to allow Buyer, as

██████████ to take and analyze soil borings and perform groundwater testing both from the Master Parcel at locations determined by Buyer's engineering advisors, and underneath the buildings and structures located on the Real Property, including drilling through the foundations of any buildings or structures for purposes of access for soil and groundwater testing; provided, that in the event tenant consent is needed for any of the work contemplated by this Section 6.4.4, Seller shall use commercially reasonable efforts to assist Buyer in obtaining such required consent. Any damage associated with the Buyer's testing shall be restored at Buyer's expense.

6.4.5. An ALTA/ACSM Land Title Survey of the Property certified satisfactory to Buyer, in its sole opinion, sufficient in all respects to delete the standard survey exception from Buyer's title policy, and bearing a legal description, made by a licensed surveyor, and showing, among other things, the area, dimensions and location of the Property to the nearest monuments, streets, alleys on all sides, the topography, the location of all available utilities in adjoining streets, alleys, or property, the location of all recorded and apparent easements against or appurtenant to the Property, the location of all active and abandoned sewer and storm water lines on an as built basis, certifying the applicable zoning and flood zone classifications and not disclosing any condition rendering the Property unusable, in Buyer's sole opinion, for the Project (the "Survey").

6.4.6. A geotechnical report in form satisfactory to Buyer, boring, percolation and other soil tests and feasibility, demographic, traffic pattern, and other site assessment studies ("Site Studies") as required by Buyer. In connection therewith, Buyer shall have access to the Property as required ██████████

██████████ and may conduct such tests, studies, surveys and inspections (expressly including boring, drilling and other subsurface exploration as Buyer may reasonably deem appropriate). Buyer promptly shall restore to its former condition any portion of the Property disturbed by any activity conducted under this Agreement, which shall include repaving or otherwise filling any bore holes, shall repair all damage to the Property caused thereby and shall indemnify and hold Seller harmless from and against any claims, losses, liabilities, costs, fines, penalties or expenses (including without limitation reasonable attorneys' and paralegals' fees) asserted against or incurred by Seller in connection with any such activity, it being expressly understood and agreed that the foregoing provisions shall survive the Closing or the termination of this Agreement prior thereto. Buyer agrees not to assert as a defense to the enforcement of the foregoing indemnity any workers' compensation immunity. Damages under the foregoing indemnity are not limited by any liquidated damages provision in this Agreement. In addition, Buyer shall be afforded full opportunity by Seller, without warranty or recourse, to examine the following, to the extent in the possession of Seller and/or Seller's agents or employees, including the reasonable right to make copies of such books and records: environmental and engineering reports, surveys, title reports and title insurance policies, soil studies, and any reports or analyses

regarding the Demolition and the condition of the Property following the Demolition, but excluding Seller's internal memoranda, financial projections, budgets, appraisals, accounting and tax records, attorney work product, work protected by attorney-client privilege and similar proprietary or confidential information. Buyer shall take commercially-reasonable precautions to ensure that such materials and any information contained therein are disclosed only to such of Buyer's employees, agents, consultants, attorneys, investors and lenders as have need therefor, under conditions which will prohibit any further dissemination thereof not authorized by Seller.

6.4.7. Confirmation that all utilities, including without limitation, water, gas, electric power, telephone, cable, storm water systems and sanitary sewer, necessary or appropriate for development of the Project ("Utilities"), as determined by Buyer in its sole discretion, shall be located in the public way or ways adjacent to the Property ("Utility Confirmation") which confirmation may be in such form as Buyer may require.

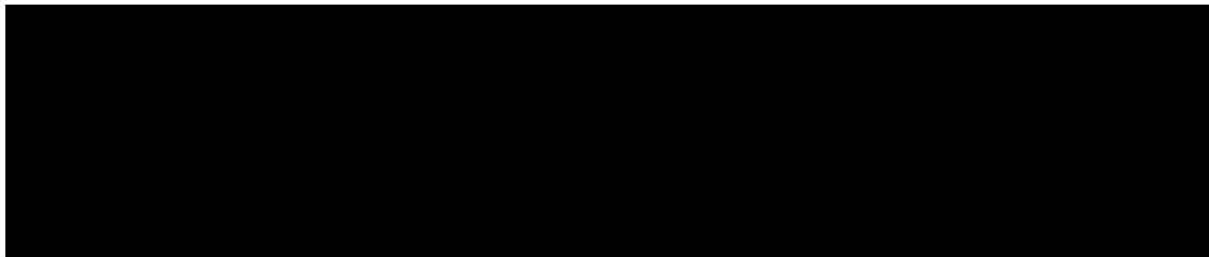
6.4.8. Confirmation that the Project can be integrated into the Seller's Master Development in a manner acceptable to Buyer, as determined by Buyer, in Buyer's sole discretion, including without limiting the generality of the foregoing all necessary service drives, commercial truck delivery facilities, parking improvements and valet program, footings and foundations, storm water management and Utilities. The foregoing confirmation shall include confirmation that the location of buildings and other structures on the Master Parcel satisfy the requirement that the clearance between the Project and adjacent building to be located at the corner of Pearl Street and Congress Street shall be no less than fifty-five (55) feet at hotel guest room and residence levels.

6.4.9. Such other traffic, lighting and other engineering or investigatory studies as may be necessary or appropriate, or required by planning authorities, for determining the adequacy of the Property for development of the Project.

6.4.10. Confirmation that the Property is sufficient in all respects to accommodate the full service hotel Facilities Program, including associated front of house, back of house, rooftop bar, underground garage, valet on Congress Street and residences and all associated improvements.

6.4.11. Confirmation of likely availability of all Approvals for the Project. Buyer shall have the right to contact and communicate with such governmental officials regarding the Property and the project as Buyer may deem appropriate, provided that, prior to Closing, Buyer shall make no application with the City of Portland for a permanent change in zoning or other permanent change to the land-use status of the Property.

6.4.12. Inspection by Buyer of the physical condition, title to, and other matters related to the tunnel under Congress Street.

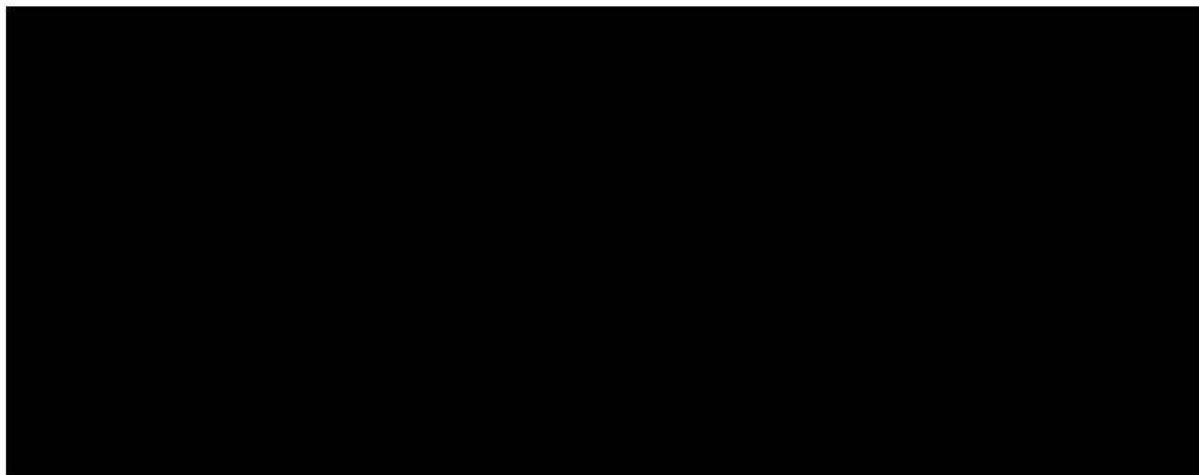
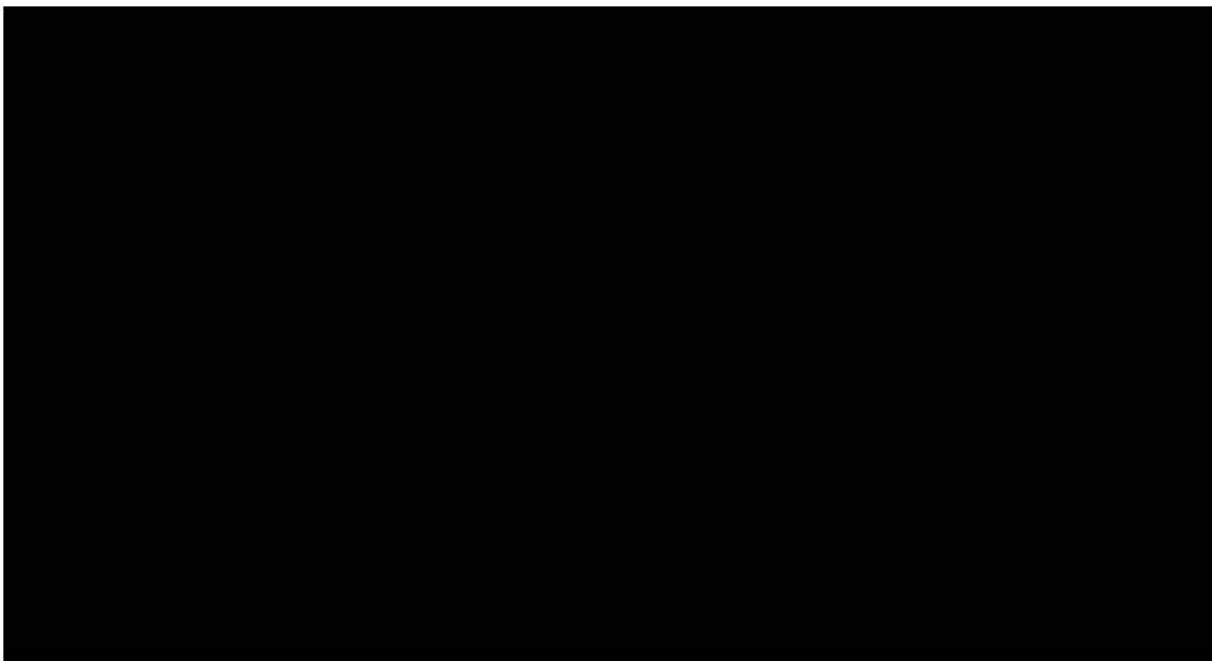
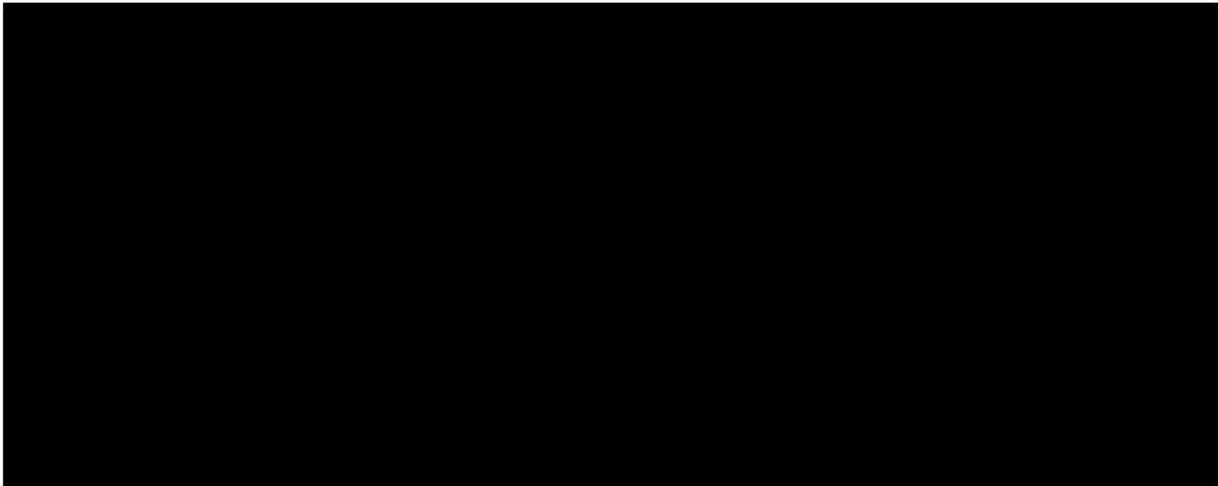


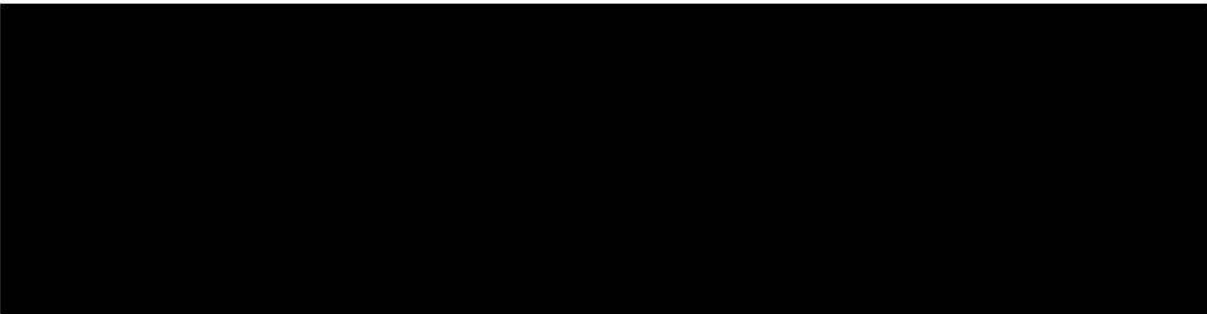
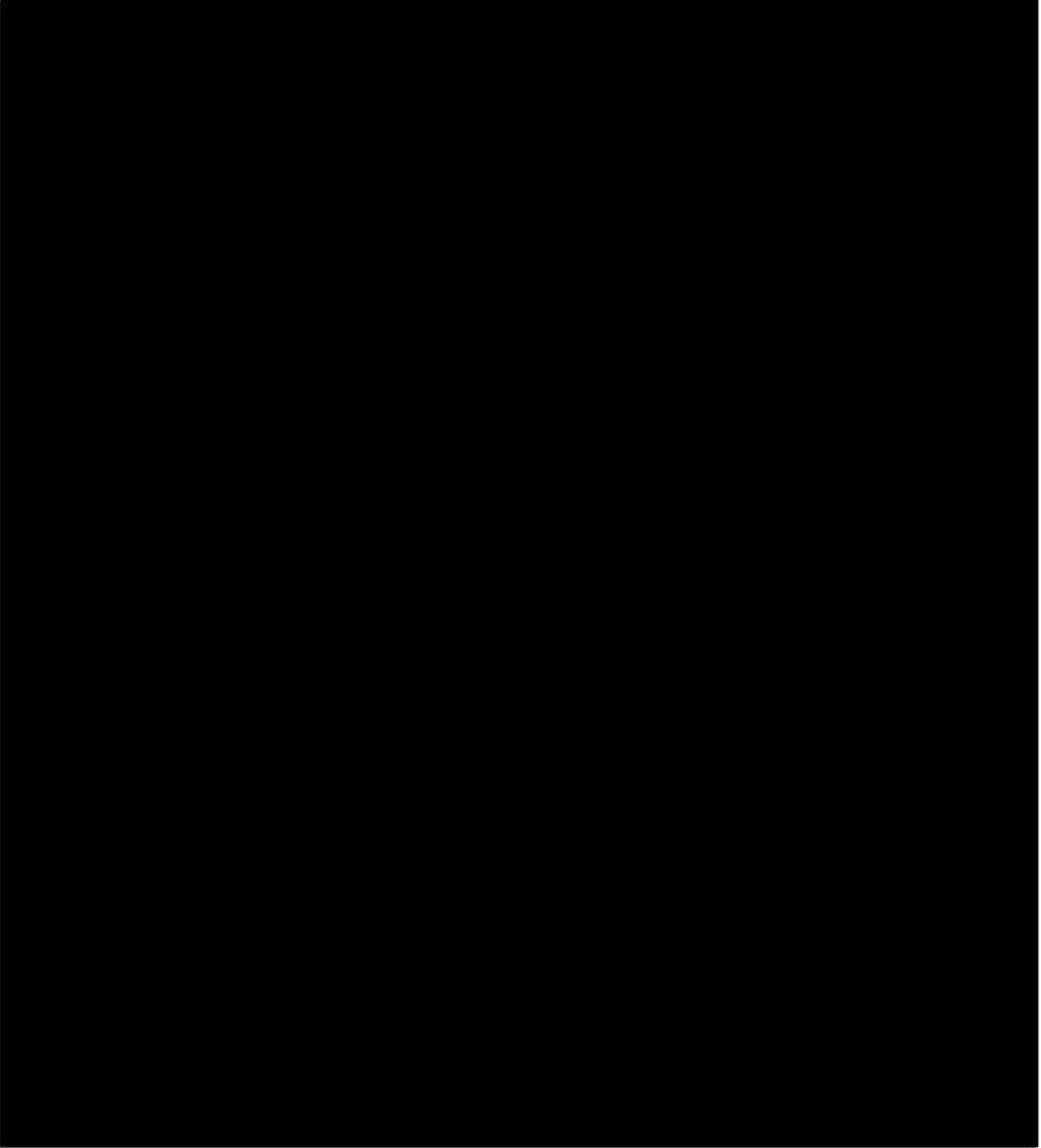


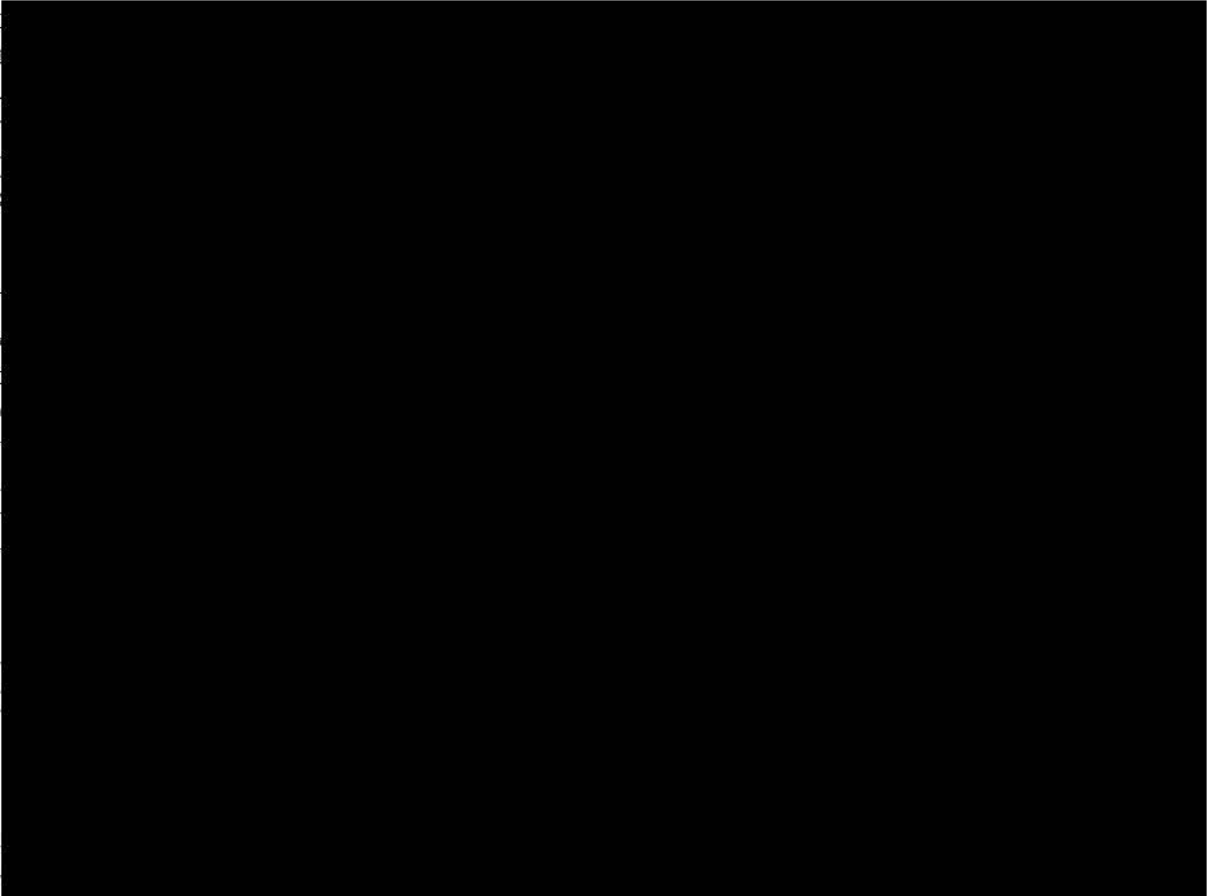
Section 6.5. Approvals. Notwithstanding any other provisions of this Agreement to the contrary, Buyer shall be entitled to apply for and obtain all necessary federal, state and local governmental land-use permits, licenses and approvals of any type or nature required, including historic preservation review, as may be necessary for the development on the Property of the Project, including without limiting the generality of the foregoing, all necessary site plan, and other governmental land-use permits, licenses, and approvals, of any type and from any necessary public or governmental authority or other party, for Buyer's development of the Project at the Property (excluding building permits and other construction related permits and approvals and hotel and restaurant operating permits and licenses).



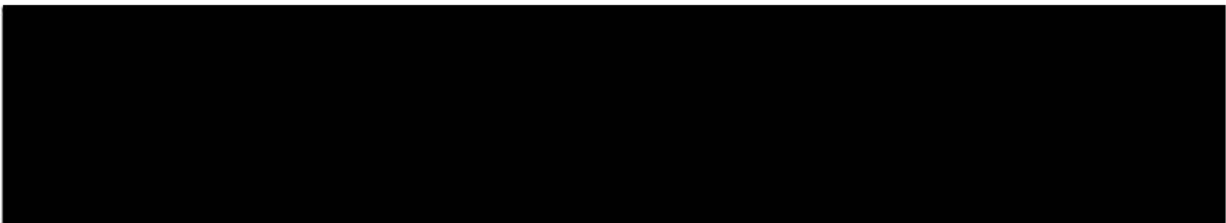
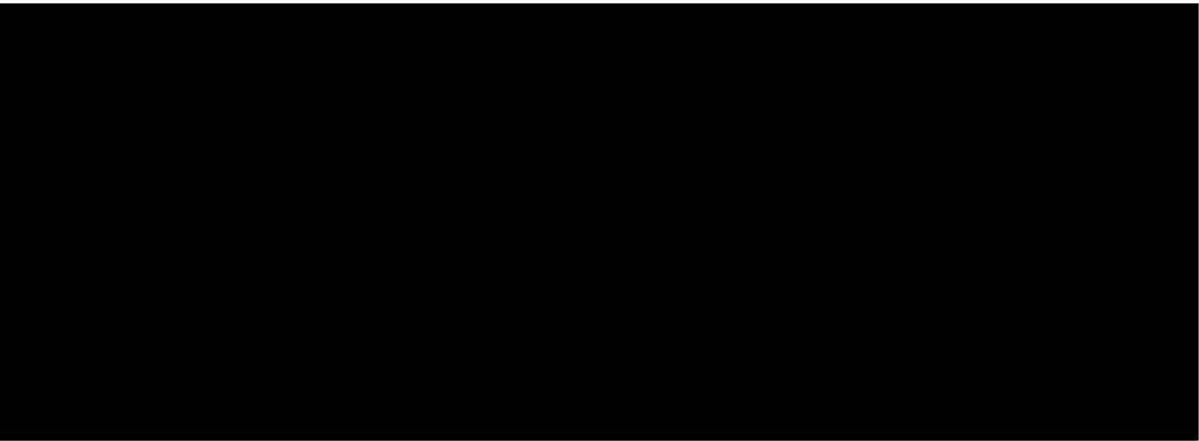
6.5.3. Buyer shall have the right to apply for and pursue the Site Plan Approval on a stand-alone basis, separate from the MP Application and MP Approval, so long as such Site Plan Application and Site Plan Approval do not interfere with Seller's Master Development and have been approved in writing in advance of submission to the City of Portland by Seller, as provided in Section 6.5.4 below.







6.5.5. Intentionally deleted.



Section 6.7. Effective Termination. If this Agreement is terminated pursuant to the provisions of this Article, all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto, except as otherwise expressly set forth in Article IV and Section 6.2 hereof and except for obligations that expressly survive termination.

Section 6.8. Seller's Conditions Precedent. Seller's obligation to sell the Property to Buyer is subject to the following conditions precedent (the "Seller's Conditions Precedent"):

- (a) Payment by Buyer of all sums due in accordance with this Agreement;
- (b) As of the Closing Date, no statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby, and to that end, Seller has obtained approval from the City of Portland to subdivide the Master Parcel. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Master Parcel or the ability to develop the Master Parcel;
- (c) All of the representations and warranties of Buyer shall be true and correct in all material respects as of the Closing, and Buyer shall deliver a separate certificate certifying to that effect;
- (d) Buyer shall have performed in all material respects each of its obligations under this Agreement to be performed at or prior to the Closing; and
- (e) Seller shall have received Master Development plan and Subd Approval from the City of Portland.

ARTICLE VII

Representations and Warranties

Section 7.1. Buyer's Representations and Warranties. Buyer hereby represents, warrants and covenants to Seller the following as of the date hereof and as of the Closing. The representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

- (a) Buyer is duly organized, validly existing and in good standing under the laws of the State of Maine. Buyer has the requisite right, power and authority to buy the Property from Seller as provided herein, and has taken all action necessary to authorize the execution, delivery and performance of this Agreement. Buyer has obtained all consents and approvals necessary for Buyer's execution, delivery and performance of this Agreement, and the performance by Buyer of

Buyer's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Buyer is a party or by which Buyer is bound.

(b) This Agreement constitutes the valid and binding obligation of Buyer, enforceable against Buyer in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) There is no suit or proceeding pending or, to Buyer's knowledge, threatened against or affecting Buyer that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Buyer, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(d) Buyer has engaged no broker or agent in connection with the sale. Buyer shall indemnify, defend and hold Seller harmless from and against any loss, damages, liabilities, costs or expenses, including without limitation attorneys' fees and court costs, resulting from any claim for a fee or commission by any broker or finder with whom Buyer has dealt, other than Malone Commercial.

(e) Neither Buyer nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.2. Authority. Each party warrants and represents that this Agreement and all other documents delivered prior to or at the Closing (a) have been or shall be duly authorized and executed and delivered by such party; (b) are legal, valid, and binding obligations of such party; and (c) neither violate any provision of any agreement to which such party is a party, nor violate any charters, bylaws, operating agreements or other organizational documents of such party.

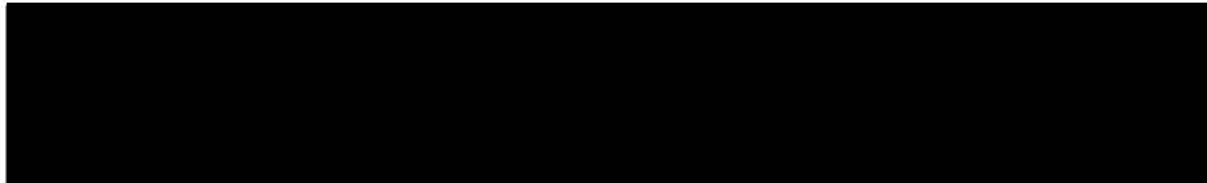
Section 7.3. Seller's Representations and Warranties. Seller hereby represents, warrants and covenants to Buyer the following. The Seller's representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

(a) Seller is duly organized, validly existing and in good standing under the laws of the State of Maine. Seller has the requisite right, power and authority to sell and convey the Property to Buyer as provided herein, and has taken all action necessary to authorize the execution,

delivery and performance of this Agreement. Seller has obtained all consents and approvals necessary for Seller's execution, delivery and performance of this Agreement, and the performance by Seller of Seller's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Seller is a party or by which Seller is bound.

(b) This Agreement constitutes the valid and binding obligation of Seller, enforceable against Seller in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) Seller has not received any written notice of any pending condemnation, expropriation, eminent domain or similar proceeding affecting all or any portion of the Property and to Seller's Knowledge, no such proceeding is contemplated.



(e) No written notice has been given to Seller by the holder of any mortgage on the Property, any insurance company that has issued a policy with respect to the Property, or by any board of fire underwriters (or other body exercising similar functions) claiming any material defect or deficiency or requesting the performance of any material repairs, alterations or other work to the Property.

(f) There are no management, service, equipment, supply, maintenance or concession agreements to which Seller is a party with respect to or affecting all or any portion of the Property that are not terminable by Seller by the Closing.

(g) Seller has paid or will pay in full prior to the Closing all outstanding bills and invoices for Utility charges, labor, goods, materials, and services of any kind relating to the Property incurred by or for the benefit of Seller.

(h) No work has been performed or is in progress at, and no materials have been furnished to, at the direction of or for the benefit of the Seller, the Property which, though not presently the subject of, might give rise to mechanic's, materialmen's or other liens against the Property or any portion thereof. If any lien for work performed or materials furnished prior to the Closing, in either case pursuant to a contract with Seller, is filed before or after the Closing, Seller shall promptly discharge such lien by filing the requisite bond or in any other manner allowed by applicable law.

(i) There is no suit or proceeding pending or to Seller's Knowledge, threatened against or affecting Seller or the Property that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of

any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Seller, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(j) Seller has received no written notice of any outstanding violation of any federal, state, county, or municipal laws, ordinances, orders, codes, rules, regulations, or requirements affecting all or any portion of the Property, including without limitation violations of the housing, building, safety, health, fire, or zoning ordinances, codes, and regulations of the municipality or county within which the Property is located, issued by any governmental or quasi-governmental authority.

(k) Seller is not in violation or default under any agreement with any third party, or under any judgment, order, decree, rule or regulation of any court, arbitrator, administrative agency or other governmental authority to which it may be subject, which violation or default will, in any one case or in the aggregate, materially and adversely affect the ownership or operation of the Property or Seller's ability to consummate the transactions contemplated hereby. To Seller's Knowledge, there are no material violations of laws, regulations, permits or approvals affecting or pertaining to the Property. The execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby will not (i) violate any law or any order of any court or governmental authority with proper jurisdiction and pertaining to Seller; (ii) result in a breach or default under any provision of the organizational documents of Seller; or (iii) require any consent, or approval or vote of any third person that, as of the Closing Date, has not been given or taken, and does not remain effective.

(l) There are no tax liens on any of the Property except for taxes not yet due and payable, and Seller has paid or will pay through the Closing all real estate taxes, withholdings and governmental charges due and payable with respect to the Personal Property under all applicable federal, state and local laws and regulations. To Seller's Knowledge, there are no legal, administrative or other tax proceedings currently in progress or threatened pursuant to which Seller is or could be made liable for any taxes.



(n) Seller is not a "foreign person" as defined in Section 1445(f)(3) of the Code.

(o) Neither Seller nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting

Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.4. Waiver of Disclosure. Buyer hereby agrees that, notwithstanding the provisions of 33 M.R.S. § 193, the investigation of any and all matters relating to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association) shall be the sole responsibility of Buyer and has been performed as part of Buyer's examination of all other matters of title respecting the Property. Buyer hereby knowingly, unconditionally, and expressly waives their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193. Buyer's waiver of their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193 shall not constitute a waiver of any other rights to disclosure afforded to Buyer pursuant to this Agreement or by law unless otherwise expressly provided herein. By execution of this Agreement, Buyer hereby releases Seller from and against and all claims, losses, costs, liabilities, expenses, demands, or obligations whatsoever arising from or related to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association).

ARTICLE VIII Disclaimer of Warranties

EXCEPT AS EXPRESSLY SET FORTH IN SECTION 7.3 AND THE DEED, IT IS UNDERSTOOD AND AGREED THAT SELLER IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY. BUYER AGREES, ACKNOWLEDGES AND REPRESENTS THAT EXCEPT AS SPECIFICALLY SET FORTH IN THIS AGREEMENT, BUYER IS ENTERING INTO THIS AGREEMENT AND SHALL PERFORM ALL OF ITS OBLIGATIONS HEREUNDER AND CONSUMMATE THE TRANSACTION CONTEMPLATED BY THIS AGREEMENT SOLELY IN RELIANCE ON AND AS A RESULT OF BUYER'S OWN INVESTIGATIONS AND EFFORTS (INCLUDING BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS AS BUYER HAS CHOSEN TO MAKE OR HAS MADE) AND AT BUYER'S SOLE RISK, COST AND EXPENSE, INCLUDING, WITHOUT LIMITATION, THE RISK THAT BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS MAY NOT REVEAL ANY OR ALL ADVERSE OR EXISTING CONDITIONS, ASPECTS OR ATTRIBUTES OF THE PROPERTY. BUYER ACKNOWLEDGES THAT SELLER HAS AFFORDED, AND, DURING THE DUE DILIGENCE PERIOD, SHALL AFFORD, BUYER THE OPPORTUNITY FOR FULL AND COMPLETE INVESTIGATION, EXAMINATION AND INSPECTION OF THE PROPERTY. BUYER ACKNOWLEDGES THAT THIS PARAGRAPH WAS A NEGOTIATED PART OF THIS AGREEMENT AND SERVES AS AN ESSENTIAL COMPONENT OF CONSIDERATION FOR THE SAME. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE PARTIES SPECIFICALLY ACKNOWLEDGE THAT BUYER HAS HAD, AND, DURING THE DUE DILIGENCE PERIOD SHALL HAVE, AN OPPORTUNITY TO FULLY INSPECT THE PROPERTY,

INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL CONDITION OF THE PROPERTY (INCLUDING ALL ENVIRONMENTAL CONCERNS), AND THE PURCHASE PRICE HAS BEEN NEGOTIATED TO ELIMINATE ALL CLAIMS EXCEPT THOSE ARISING UNDER REPRESENTATIONS, WARRANTIES OR AGREEMENTS CONTAINED IN THIS AGREEMENT OR OTHER AGREEMENTS OR DOCUMENTS ENTERED INTO IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED HEREIN, WHETHER KNOWN OR UNKNOWN, RELATING TO THE CONDITION OF THE PROPERTY AS OF THE DATE OF THIS AGREEMENT AND ALL ASPECTS AND ATTRIBUTES THEREOF, INCLUDING, WITHOUT LIMITATION, ALL ENVIRONMENTAL MATTERS. BUYER ACKNOWLEDGES AND AGREES THAT SELLER HAS MADE NO REPRESENTATION OR WARRANTY WITH RESPECT TO THE PROPERTY EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT.

ARTICLE IX

Risk of Loss

Section 9.1. Risk of Loss. The risk of damage to the improvements on the Property or any portion thereof prior to Closing is Buyer's risk.

Section 9.2. Condemnation. Any taking or condemnation for any public or quasi-public purpose or use by any competent authority in appropriate proceedings or by any right of eminent domain of all or any material part of the Property between the Effective Date and the time of the Closing shall, at Buyer's option, cause a termination of this Agreement. The election to terminate provided for hereby must be exercised by Buyer by written notice to Seller to such effect, which notice shall be given by Buyer on or before the thirtieth (30th) day after Buyer's receipt of written notice of such condemnation (but in any event prior to the Closing; provided, however, that Buyer shall be entitled to extend the Closing Date to a date that is two business days beyond the date that would be the thirtieth (30th) day following such notice). If Buyer shall not elect so to terminate this Agreement, Seller shall be relieved of its duty to convey title to the portion of the Property so taken or condemned, but Buyer will be entitled to receive all proceeds of any such taking or condemnation with respect to the Property only provided Buyer takes title hereunder and Seller shall make no settlement or adjustment of such proceedings with respect to the Property only without Buyer's consent, and shall take at the Closing all action necessary to assign its entire interest in any such award with respect to the Property only to Buyer.

Section 9.3. Return of Deposit. The Deposit shall be returned to Buyer immediately following termination of this Agreement by Buyer under this Article and all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto subject to the provisions of Section 6.3 and except for provisions that expressly survive termination.

ARTICLE X

Operation of Property



ARTICLE XI
Closing

Section 11.1. Closing Date. The Closing shall take place at the time and place specified in Section 6.6 hereof. The Cash Balance shall be held in escrow by the Buyer's attorney pursuant to customary conveyancing practice until the Deed is recorded; provided, however, that the Deed shall be recorded no later than 3:00 P.M. on the Closing Date unless Seller's attorney has been advised of any matter of record arising after a title update performed by Buyer's counsel the morning of the Closing and preventing Seller from conveying title to the Property in accordance with the applicable provisions of this Agreement.

Section 11.2. Closing Deposits. At the Closing, Seller and Buyer shall exchange the following documents and funds:

11.2.1. Seller's Deposits. Seller shall deliver to Buyer the following:

(a) Deed. The Deed conveying the Property to Buyer subject only to Permitted Encumbrances.

(b) Non-Foreign Affidavit. A duly executed original affidavit as to Seller's non-foreign status.

(c) Authority. Such evidence as may be reasonably required by the title insurance company as to the authority of the person or persons executing documents on behalf of Seller.

(d) Affidavits. Executed affidavits and indemnifications in form and substance reasonably satisfactory to the title insurance company regarding mechanics' and materialmen's liens and parties in possession sufficient to eliminate any title insurance exceptions for these matters with respect to the Property.

(e) Executed Commitments. Executed Commitments in the form agreed to on or before the expiration of the Due Diligence Period, with only such changes as the parties may mutually agree.

(f) Additional Documents. Such other documents, including without limitation settlement statements and escrow instructions, as are required of Seller to close in accordance with this Agreement and local conveyancing practice.

11.2.2. Buyer's Deposits. Buyer shall deliver to Seller the following:

(a) Cash Balance. The Cash Balance;

(b) Closing Costs. Additional cash in the amount necessary to pay Buyer's share of closing costs, as set forth in Section 12.2.;

(c) Executed Commitments (with execution of the Cross Easement Agreement required if necessary to bind Buyer and the Property to the Cross Easement Agreement); and

(d) Additional Documents. Such other documents, including without limitation authority documents, settlement statements and escrow instructions, as are required of Buyer to close in accordance with this Agreement and local conveyancing practice.

Section 11.3. Use of Purchase Price to Clear Title. To enable Seller to make conveyance as herein provided, Seller may, at the Closing, use the Purchase Price or any portion thereof to clear title of any or all encumbrances or interests so long as Seller has obtained and furnished to Buyer at or prior to the Closing a recordable release of each such encumbrance or interest or (in the case of an institutional mortgage or other security interest) written commitment from the holder thereof to provide such release upon receipt of a sum certain.

Section 11.4. Closing Statement. The parties shall execute and deliver a Closing and Proration Statement confirming the funds flow and prorations required under Article XII hereof.

ARTICLE XII

Closing Costs, Prorations

Section 12.1. Seller's Costs. Seller shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; and (b) the costs necessary to discharge Seller's obligations under this Agreement.

Section 12.2. Buyer's Costs. Buyer shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; (b) the cost of the Preliminary Title Report; (c) all title insurance premiums; (d) the cost of recording the Commitments; and (e) all other costs required in order to close in accordance with this Agreement (except as specified in Section 12.1).

Section 12.3. Prorations. Taxes and assessments (including any business and license taxes and any other state, county or municipal assessments), utility and fuel bills and other customarily-adjusted operating expenses shall be prorated as of the Closing Date and added to or subtracted from (as the case may be) the Cash Balance. All charges accruing prior to the Closing Date shall be prorated between the parties, and all charges accruing on or after the Closing Date shall be the obligation of Buyer. If the amount of such taxes is not known on the Closing Date, such taxes shall be prorated on the basis of taxes assessed for the preceding fiscal period, subject to reapportionment as soon as the new tax rate and valuation can be ascertained. In the event of any abatement of such taxes subsequent to the apportionment thereof, the amount of such abatement, less the reasonable cost of obtaining the same, shall be prorated as of the Closing Date.

ARTICLE XIII

Notices

Section 13.1. Notices. All notices required or permitted to be given hereunder shall be in writing and sent by electronic mail, with a confirmation copy sent by a recognized overnight courier

service offering confirmation of delivery to the appropriate address indicated below or at such other place or places as either Buyer or Seller may, from time to time, respectively, designate in a written notice given to the other:

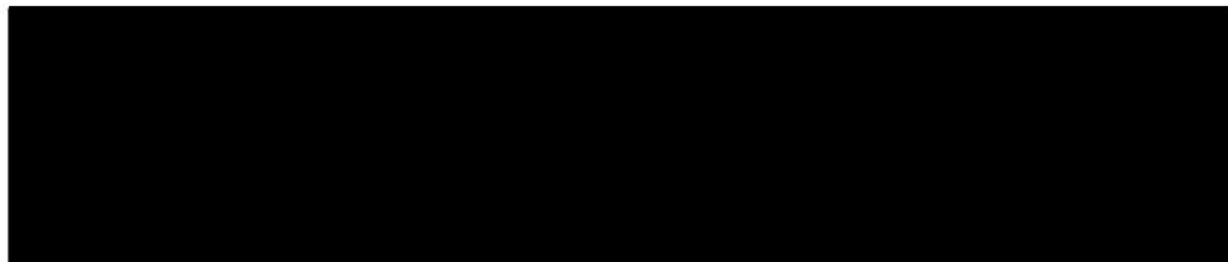
To Buyer: Fathom Development, LLC
80 Exchange Street, Suite 400
Portland, ME 04101
Attn: James H Brady, Manager
jameshbrady@gmail.com

With a copy to: Christopher E. Howard, Esq.
Pierce Atwood LLP
254 Commercial Street
Portland, Maine 04101
choward@pierceatwood.com

To Seller: 385 Congress LLC
2730 Transit Road
West Seneca, NY 14224
Attn: Gordon Reger
joedasco@comcast.net

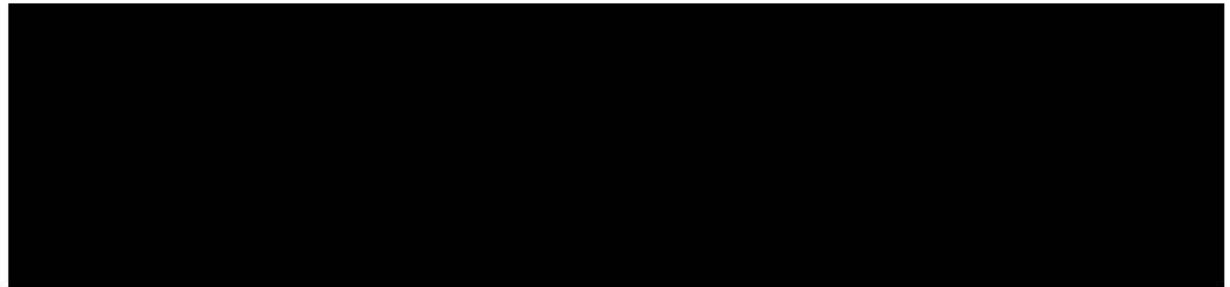
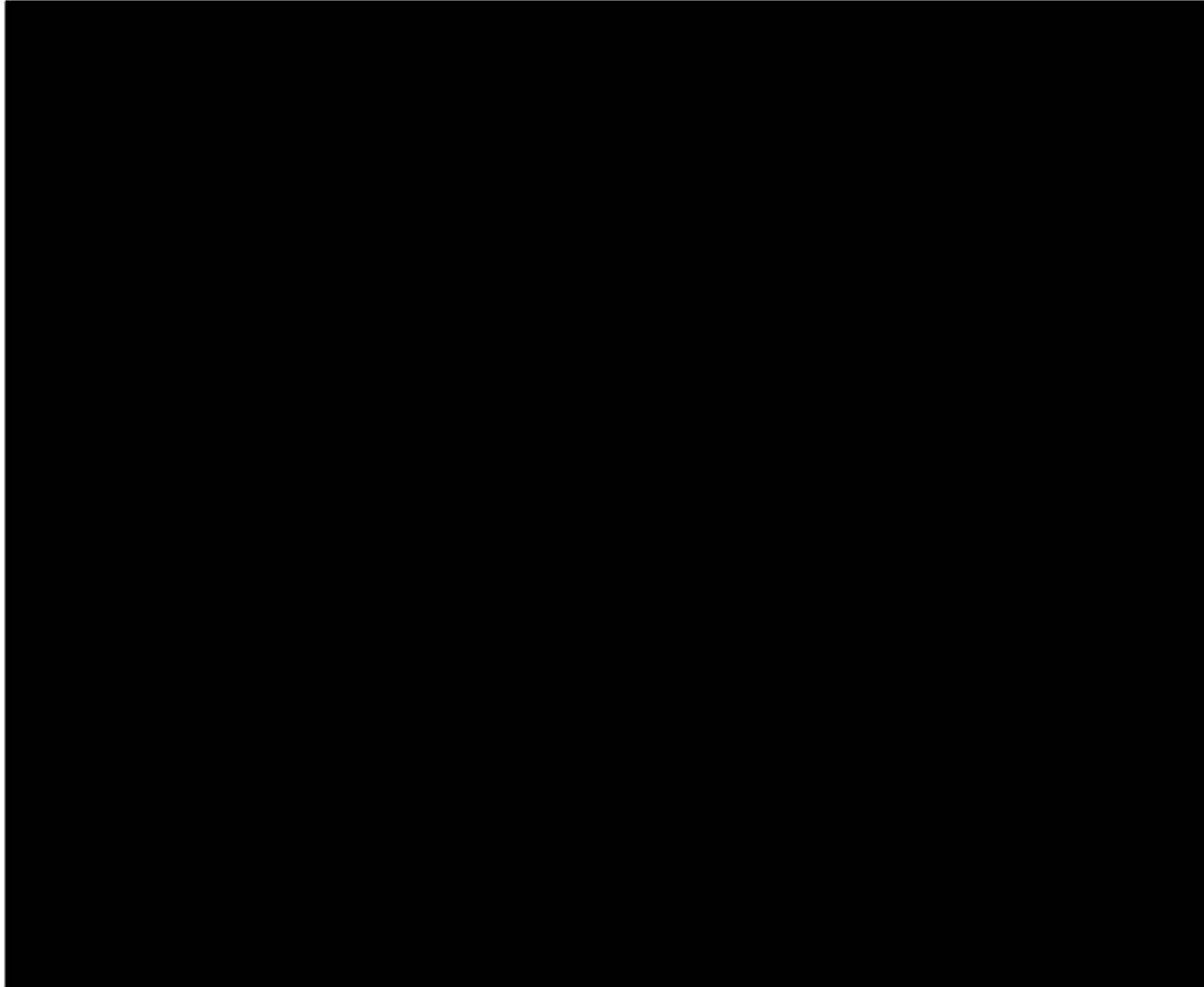
With a copy to: Tom Hanson
Bernstein Shur
100 Middle Street
Portland, ME 04101
thanson@bernsteinshur.com

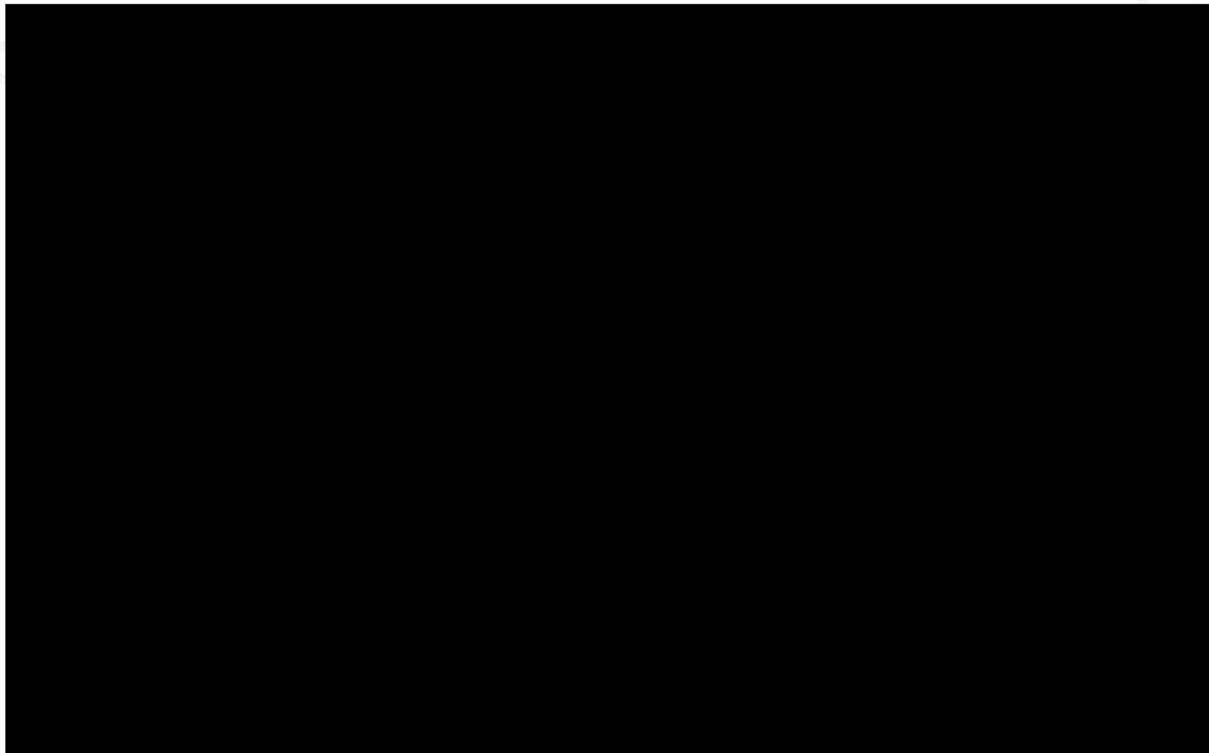
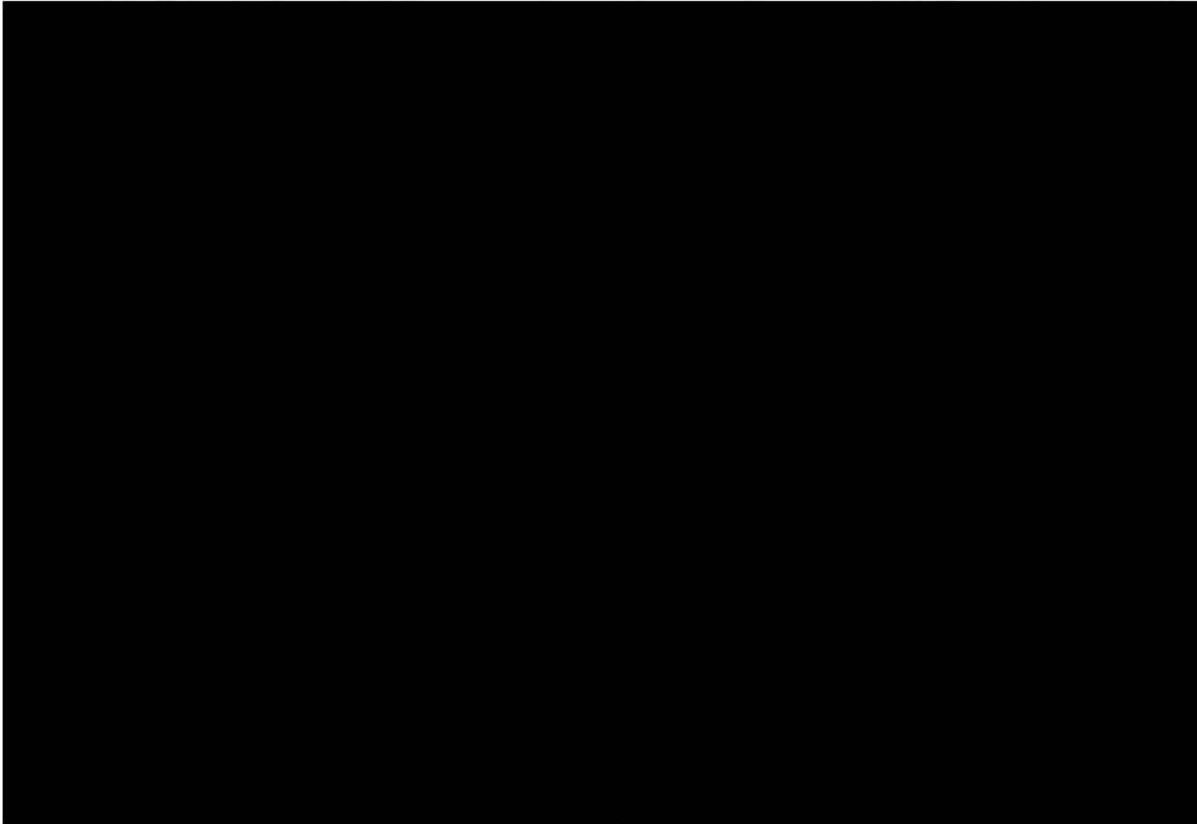
ARTICLE XIV
Additional Conditions

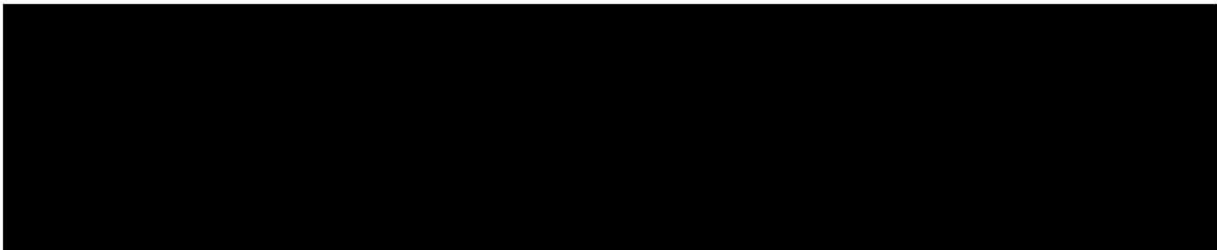


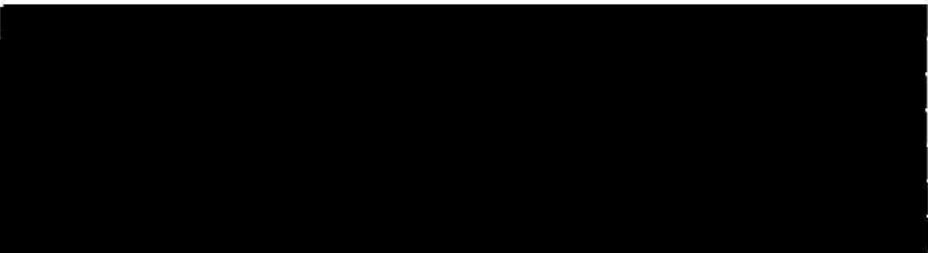
Section 14.1. Construction License. Seller shall provide Buyer with access to and right to use lay-down space for Project construction, the location of such lay-down space to be negotiated by the parties during the Due Diligence Period as provided below, and the parties shall enter into an agreement with respect to reasonable cooperation and coordination of construction activities with respect to the common boundary between the Property and Seller's Retained Land. Subject to agreement of the parties as provided below in this Section, a conditional license to use the lay-down area and for coordination of construction activities on the common boundary will be executed and delivered at Closing ("Construction License"). If the Construction License, including the

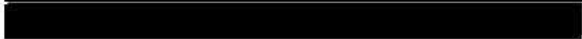
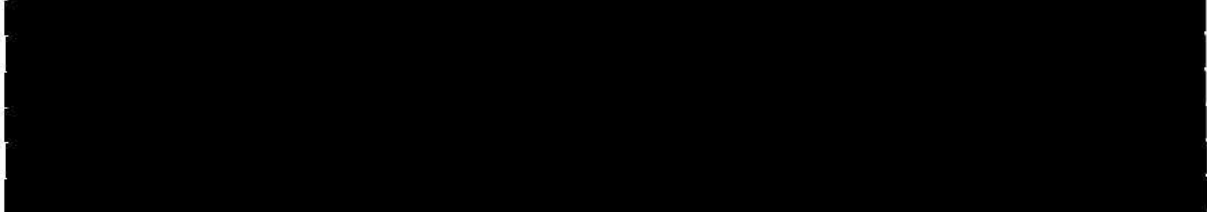
location of the lay-down space, is not finalized in a form reasonably acceptable to Buyer and Seller on or before the expiration of the Due Diligence Period, then Buyer or Seller may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder except those that expressly survive termination. Buyer and Seller agree to exercise reasonable good faith efforts to agree on any adjustments required in the lay-down space to accommodate the needs of both parties in the development of the Project and the Master Development as finally approved in the Site Plan Approval and the MP Approval.



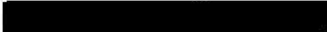




Section 14.5. 



Section 14.6. Intentionally deleted.

Section 14.7. Recordation. The form of Deed, the Cross Easement Agreement, the Parking Agreement, the Construction License,  will be memorialized in form and substance acceptable to both Seller and Buyer, to be executed and delivered by the parties at Closing (“Commitments”). If the Commitments are not finalized in a form reasonably acceptable to Buyer on or before the expiration of the Due Diligence Period, as provided in this Article XIV, then Buyer may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder, except those that expressly survive termination. The Commitments shall survive the Closing and shall be memorialized in a written agreement in recordable form that will be executed and delivered by Buyer and Seller at Closing. The order of recording the Commitments shall include recording the Cross Easement Agreement before the Deed unless those documents are combined into a single instrument.

ARTICLE XV Miscellaneous Provisions

Section 15.1. Attorneys’ Fees. If any suit or action be instituted to enforce the rights of either party under this Agreement, the prevailing party shall be entitled to reasonable attorneys’ fees and court costs.

Section 15.2. Further Assurances. Whenever reasonably requested to do so by the other party, Seller and Buyer shall execute, acknowledge, and deliver any and all such further reasonable conveyances, assignments, confirmations, satisfactions, releases, instruments of further assurance, approvals, consents and any and all such further instruments and documents as may be necessary in order to complete any and all conveyances, transfers, sales and assignments herein provided, and to do any and all other acts and to execute, acknowledge and deliver any and all documents as reasonably requested in order to carry out the intent and purpose of this Agreement.

Section 15.3. Buyer's Right to Assign. Buyer may, by written notice to Seller prior to the Closing Date, designate a nominee to take title to the Property and assign Buyer's interest in this Agreement in connection therewith to an entity in which the principals of Buyer own a membership or other equity interest. The named Buyer under this Agreement shall remain liable under this Agreement notwithstanding any such assignment.

Section 15.4. Successors and Assigns. Without waiver of the terms and conditions of Section 15.3, all of the rights, benefits, duties, liabilities, and obligations of the parties hereto shall inure to the benefit of, and be binding upon, their respective successors and assigns.

Section 15.5. Time. Time is of the essence of this Agreement and of every provision herein contained.

Section 15.6. Headings. The title and headings of the Sections hereof are intended solely for means of reference and are not intended to modify, explain or place any construction on any of the provisions of this Agreement.

Section 15.7. Modification. This Agreement may not be modified, amended or otherwise changed in any manner except by a writing mutually executed by both parties. To the extent there is any conflict between the terms and conditions of this Agreement and the terms and conditions of any other documents relating to the acquisition of the Property as they relate to rights and obligations between Buyer and Seller, the terms and conditions of this Agreement shall be deemed controlling.

Section 15.8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Maine.

Section 15.9. Escrow Agent. Pierce Atwood, LLP agrees to serve as Escrow Agent as described herein pursuant to the Pierce Atwood LLP Standard Escrow Terms and conditions attached hereto as Exhibit D, which are incorporated herein by reference.

Section 15.10. Exclusivity. For so long as this Agreement remains in force, neither Seller nor any of its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, will solicit, initiate, continue or participate in any discussions or negotiations with, or encourage or respond to any inquiries or proposals by, or provide any information to, or otherwise cooperate in any other way with, any corporation, company, partnership, person or other entity or group (other than Buyer and its affiliates, subsidiaries, partners, officers, directors, employees, consultants, agents, financing sources (and potential financing sources), accountants, and attorneys in connection with the development, sale, or acquisition of any interest in, the Property. Seller shall cause its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, to comply with the provisions of this section.

Section 15.11. Counterparts. This Agreement may be executed in one or more counterparts, each of which when executed shall be deemed to be an original but all of which, when taken together shall constitute one and the same agreement. This Agreement may be executed by electronic or other facsimile signatures.

[Remainder of Page Intentionally Blank – Signature Page Follows]

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

FATHOM DEVELOPMENT, LLC

By: 
Name: James Brady
Title: Manager

385 CONGRESS LLC

By: 
Name: Joseph Dasco
Title: Authorized Agent

ESCROW AGENT: PIERCE ATWOOD LLP

By: 
Name: Christopher E. Howard
Title: Partner

[Signature Page to 385 Congress Street Purchase and Sale Agreement]

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

EXHIBIT

A

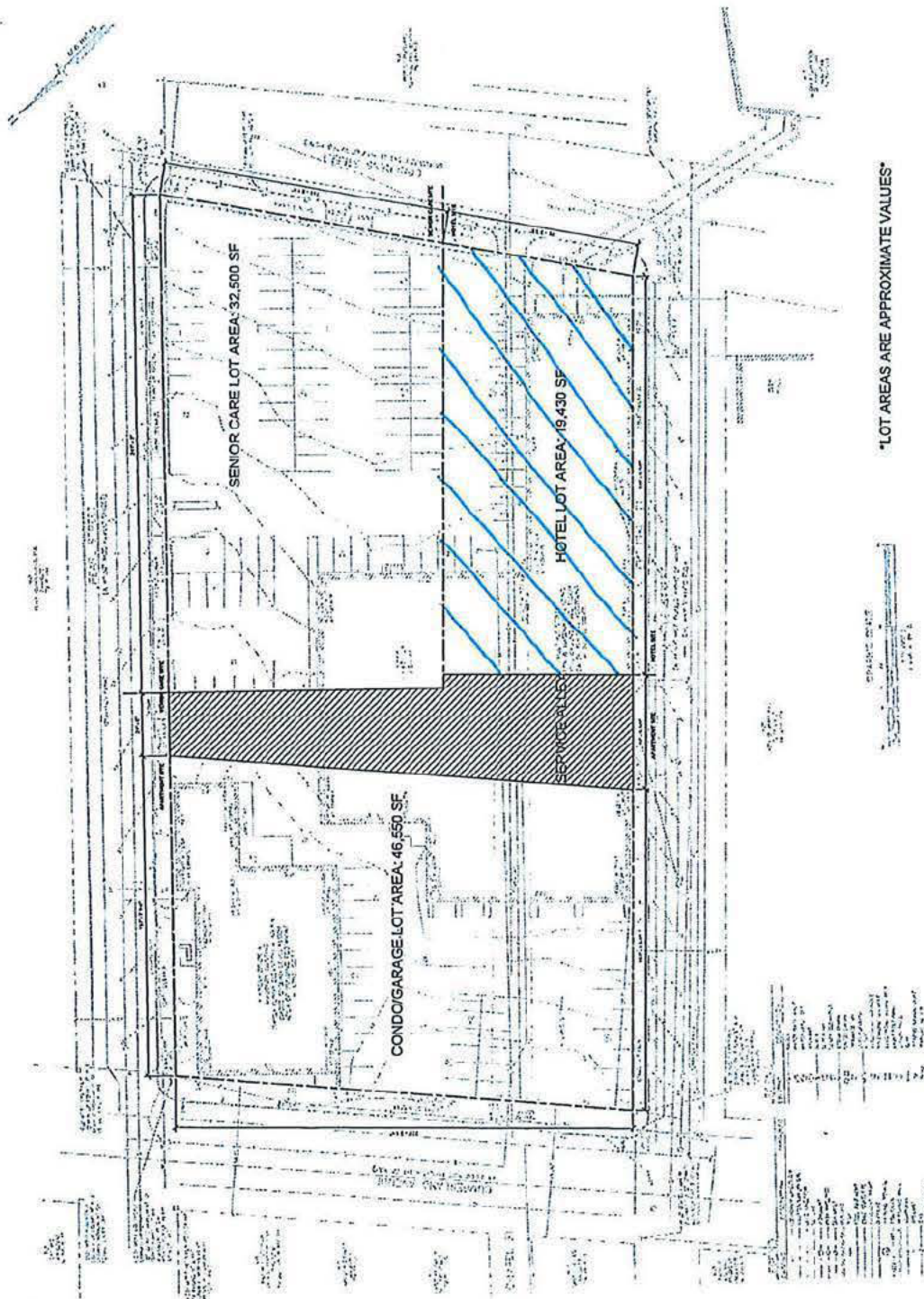


EXHIBIT B

DESCRIPTION OF MASTER DEVELOPMENT AREA

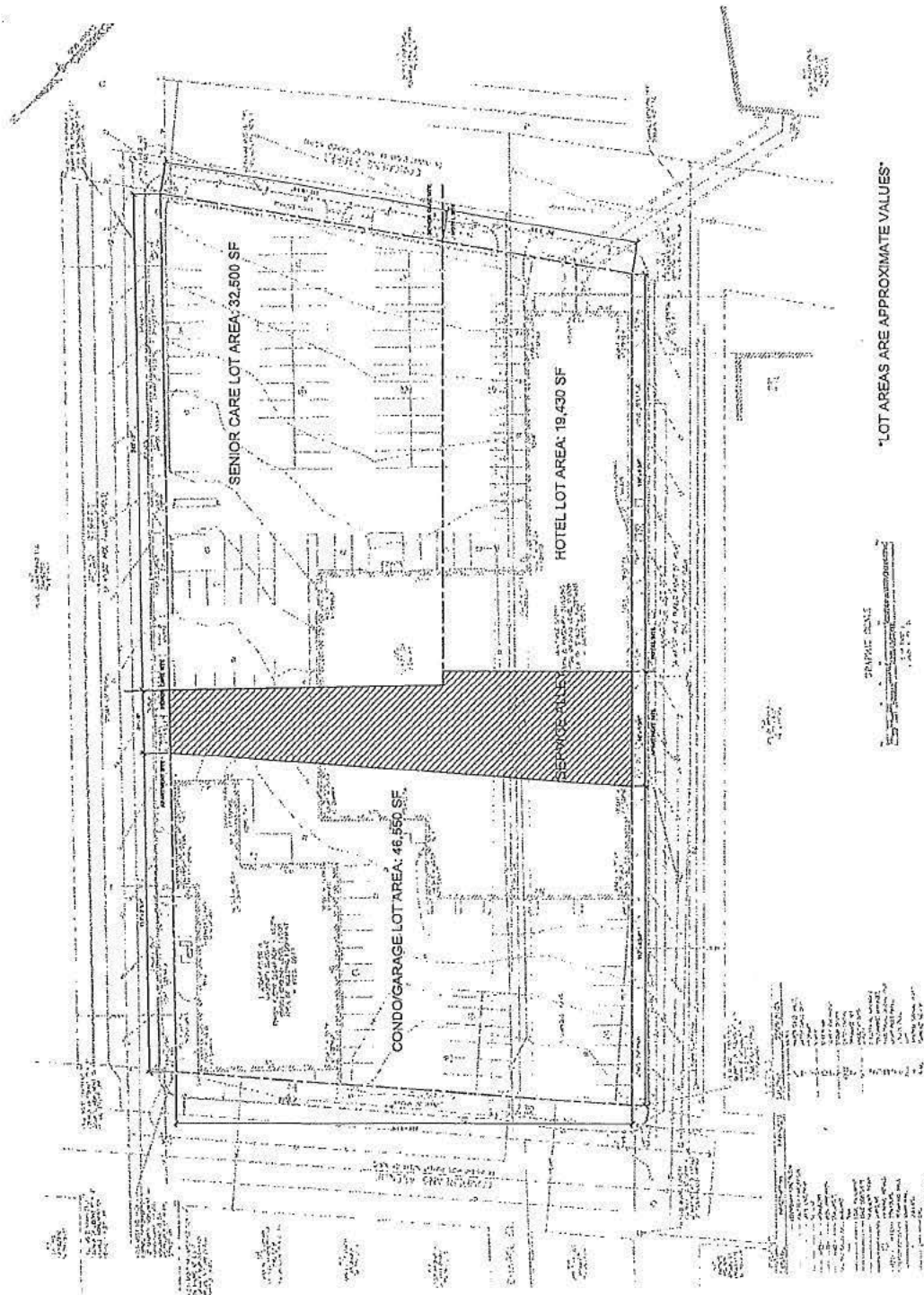
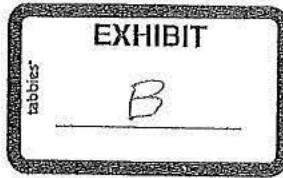


EXHIBIT C
FACILITIES PROGRAM

EXHIBIT D

PIERCE ATWOOD LLP

STANDARD ESCROW TERMS AND CONDITIONS

In consideration of Pierce Atwood LLP serving as the Escrow Agent ("Pierce Atwood" or "Escrow Agent") pursuant to that certain Purchase and Sale Agreement dated as of December 1, 2020 between 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as "Seller"), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as "Buyer"), ("Purchase Agreement"), to which these Standard Escrow Terms and Conditions ("Escrow Terms") are attached as an Exhibit, the Seller and Buyer hereby acknowledge and agree as follows:

1. Acceptance by Pierce Atwood LLP of its duties as Escrow Agent under the Purchase Agreement to which this Exhibit is attached, is subject to the following Escrow Terms, which all parties to the Agreement hereby agree shall govern and control the rights, duties and privileges of the Escrow Agent and shall be deemed incorporated by reference into the Agreement as if set forth in full therein (the escrow provisions of the Purchase Agreement and the Escrow Terms shall together be referred to as the "Escrow Agreement").

2. The duties of the Escrow Agent are to be determined solely by the express provisions of the Escrow Agreement, and the Escrow Agent shall have no responsibilities except the performance of such duties as are specifically set forth in the Escrow Agreement. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. The Escrow Agent shall not be liable for any error of judgment, any act taken or omitted by it, or any mistake in fact or law, except for its own willful misconduct and breach of the Escrow Term. The parties acknowledge that the duties of the Escrow Agent hereunder are solely ministerial and contractual in nature

and have been requested for their convenience. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. Without limiting the generality of the foregoing, the Escrow Agent shall not incur liability and shall be fully protected in respect of any action taken, omitted or suffered by it in good faith, except for a breach of the Escrow Terms.

3. The Escrow Agent shall be entitled to act on or rely upon any written notice, direction, request, waiver, consent, receipt or other document (including those transmitted by facsimile transmission, email, or other electronic transmission which is capable of producing a written record) which appears to the Escrow Agent to have been signed or presented by the party or parties entitled to execute or deliver such document, and the Escrow Agent shall have no duty to inquire of or investigate the authorization, signature or authenticity of such person or document.

4. The Funds are being deposited into a client trust account of the law firm of Pierce Atwood LLP for disbursement on behalf of the undersigned in accordance with the terms

of the Purchase Agreement of even date, to which these a copy of which is attached hereto and made a part hereof. The funds (the "Funds") shall be held in escrow by Pierce Atwood LLP in a non-interest-bearing account in accordance with the terms and conditions set forth herein. In the event of an inconsistency between the provisions of any other document and the provisions of these Escrow Terms, the provisions of these Escrow Terms shall govern. The Escrow Agent shall place any funds held in escrow in a non-interest-bearing account and shall have no duty to invest or earn interest on any such funds. The parties recognize that the amount of the funds deposited may exceed the amount of Federal Deposit Insurance Corporation or other insurance thereon and agree that the Escrow Agent shall have no responsibility for losses due to bank insolvency, whether or not the bank in which the funds are deposited was selected by it. Any payments by the Escrow Agent may be made, at the Escrow Agent's election, by check or by wire transfer.

5. The Escrow Agent may, but shall not be obligated to, in its sole and absolute discretion at any time and from time to time, for any reason or for no reason, commence an interpleader or other action, suit or proceeding for the resolution of any controversy regarding the Escrow Agreement or the subject matter of its escrow, and deposit the funds or other property held in escrow. Upon so depositing such property and filing its complaint in interpleader the Escrow Agent shall be relieved of all liability under the terms of the Escrow Agreement as to the property so deposited, and furthermore, the parties hereto for themselves, their heirs, legal representatives, successors and assigns do hereby submit themselves to the jurisdiction of said court and do hereby appoint the then Clerk or acting Clerk, of said

Court as their agent for the service of all process in connection with such proceedings. The institution of any such interpleader action shall not impair the rights of the Escrow Agent hereunder.

6. The parties to the Escrow Agreement other than the Escrow Agent (collectively referred to as the "Indemnitors") jointly and severally agree to indemnify each of the Escrow Agent and its attorneys, employees and agents (collectively referred to as the "Indemnitees") against, and hold them harmless of and from, any and all loss, liability, cost, damage and expense, including reasonable counsel fees (including those of the Escrow Agent computed at its regular hourly rates), which the Indemnitees may suffer or incur by reason of any action, claim or proceeding brought or threatened to be brought, whether by any party to the Escrow Agreement or by any other person or entity, against any Indemnitee or in which any Indemnitee may become involved arising out of or relating directly or indirectly in any way to the Escrow Agreement or any transaction to which the Escrow Agreement directly or indirectly relates (including any action, claim or proceeding to enforce any indemnity obligation or any other obligation of any party to the Escrow Agreement), excluding, however, any willful or intentional wrong doing on the part of the Escrow Agent or breach of the Escrow Terms as determined by final judgment. The provisions of this paragraph shall survive any termination of the Escrow Agreement, whether by disbursement of the property held in escrow, the resignation of the Escrow Agent or otherwise.

7. THE ESCROW AGREEMENT SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF MAINE APPLICABLE TO

CONTRACTS MADE AND TO BE PERFORMED ENTIRELY WITHIN SUCH STATE, WITHOUT REFERENCE TO CONFLICT OF LAWS PRINCIPLES, AND THE ESCROW AGREEMENT CANNOT BE CHANGED OR TERMINATED EXCEPT BY A WRITING SIGNED BY ALL OF THE PARTIES TO THE ESCROW AGREEMENT. THE PARTIES TO THE ESCROW AGREEMENT HEREBY AGREE THAT NO ACTION, SUIT OR PROCEEDING SHALL BE COMMENCED AGAINST THE ESCROW AGENT UNLESS (A) THE ESCROW AGENT SHALL FIRST HAVE BEEN GIVEN 30 DAYS' WRITTEN NOTICE OF THE CLAIM AND (B) THE SAME IS BROUGHT IN A COURT OF COMPETENT JURISDICTION LOCATED IN THE STATE OF MAINE. THE PARTIES TO THE ESCROW AGREEMENT OTHER THAN THE ESCROW AGENT AGREE THAT IN ANY ACTION, SUIT OR OTHER PROCEEDING COMMENCED BY THE ESCROW AGENT, SERVICE BY MAIL AS PROVIDED HEREIN SHALL BE DEEMED GOOD, PROPER AND EFFECTIVE SERVICE UPON SAID PARTY, AND EACH CONSENTS TO THE EXCLUSIVE JURISDICTION OF THE STATE AND FEDERAL COURTS SITTING IN THE STATE OF MAINE (OR ANY OTHER COURT SELECTED BY THE ESCROW AGENT) IN ANY ACTION, SUIT OR PROCEEDING UNDER OR IN CONNECTION WITH THE ESCROW AGREEMENT, HEREBY WAIVING ANY AND ALL RIGHT TO OBJECT TO THE JURISDICTION OR VENUE OF SAID COURT OR TO OBJECT THAT SUCH COURT IS AN INCONVENIENT FORUM.

8. If a controversy arises between one or more of the parties hereto, or between any of the parties hereto and any person not a party hereto, as to whether or not or to whom the Escrow Agent shall deliver the property held in escrow or any portion thereof, or as to any other matter arising out of or relating to the Escrow Agreement or the property held in escrow, the Escrow Agent shall not be required to make any inquiry or investigation, or make any determination as to such controversy, and need not make any delivery of such property but may retain it until the rights of the parties to the dispute shall have finally been determined by agreement in form, substance and formalities satisfactory to the Escrow Agent or by final order of a court of competent jurisdiction from which final order the time for appeal has expired without an appeal having been taken.

9. All notices, requests and other communications which may or must be given hereunder shall be in writing (including facsimile transmission, email, or other electronic transmission which is capable of producing a written record) and shall be deemed to have been duly given upon the earliest of receipt or attempted delivery or 3 days after deposit when mailed by registered or certified mail, return receipt requested, to each of the parties at their addresses set forth in the Escrow Agreement, or such other address of which notice may be given to all parties from time to time.

10. The Escrow Agreement shall be binding upon and inure to the benefit of Escrow Agent, Seller and Buyer, and their respective heirs, personal representatives, successors and permitted assigns, but not to the benefit of any third party other than the Indemnitees. The Escrow Agreement and any rights thereunder may not be assigned without the written consent of the Escrow Agent, and any

purported assignment without the Escrow Agent's written consent shall be null and void and of no effect whatsoever. The rights granted the Escrow Agent herein are cumulative and the exercise of any one or more rights hereunder shall not constitute a waiver of the Escrow Agent's right to assert all other legal and equitable remedies available to it under the circumstances. If one or more of the provisions or paragraphs of the Escrow Agreement shall be held to be illegal or otherwise void or invalid, the remainder of the Escrow Agreement shall not be affected and shall remain in full force and effect.

11. **Pierce Atwood LLP acting as Escrow Agent and is holding the Funds in its account at the request of the Seller and Buyer, and each of Seller and Buyer acknowledge that Pierce Atwood LLP represents Buyer and its Affiliates for this transaction and does not represent Seller. The Seller and Buyer both hereby confirm their consent to Pierce Atwood LLP's current and continued representation of Buyer in this transaction, any dispute, arbitration or litigation arising in connection herewith, including any dispute about the Funds, and any and all future representation of Buyer and its affiliates. In the event of a dispute between the parties, the commencement of an Interpleader action, or the resignation by Pierce Atwood LLP as Escrow Agent, Pierce Atwood LLP shall be free to continue to act as counsel for and represent Buyer, and each of Seller and Buyer hereby consent to such representation.**

12. That Pierce Atwood LLP is not liable for any portion of the Funds in excess of the limit of FDIC insurance on the account and is not liable for losses due to failure of the bank in which the account is held.

13. That Pierce Atwood LLP will not make any payment with respect to the Funds until it receives confirmation that the Funds are collected in its account.

View Corridor 14-14.6.4 (D)

The massing, location, and height of the proposed hotel will not substantially obstruct a public view corridor identified in the Downtown Vision View Corridor Protection Plan. The proposed project area is not located within a protected view corridor; however, the site is located within an extended view corridor area.

The building design is consistent with the setbacks presented in the Master Plan of Development which evaluated views in the vicinity of the project. The project has been set back 10 feet from Congress Street property line to provide enhanced views of City Hall.

Please see view studies included in the application documents, and the Master Plan submission for additional information.

Execution Copy

AGREEMENT OF PURCHASE AND SALE

between

FATHOM DEVELOPMENT, LLC,

as Buyer,

and

385 CONGRESS LLC,

as Seller

December 1, 2021

385 Congress Street
Portland, Maine 04101

AGREEMENT OF PURCHASE AND SALE

BY THIS AGREEMENT OF PURCHASE AND SALE (the “Agreement”) entered into this 1st day of December, 2021 (“Effective Date”), 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as “Seller”), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as “Buyer”), hereby agree as follows:

ARTICLE I Terms and Definitions

Section 1.1. In addition to the other terms herein defined, the following terms shall have the meanings set forth in this Article I, unless the context otherwise requires:

Additional Deposit. Defined in Section 3.1.

Approvals. Defined in Section 6.5.

Approvals Period. Defined in Section 6.4.

Buyer’s Conditions Precedent. Defined in Section 6.1.

Buyer’s Knowledge. Means the knowledge of James Brady based upon his historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Buyer Project Information. Defined in Section 6.5.4.

Buyer’s Termination Notice. Defined in Section 6.2.2.

Cash Balance. Defined in Section 5.2.2.

Closing. The consummation of the purchase and sale of the Property pursuant to this Agreement.

Closing Date. Defined in Section 6.6.

Commitments. Defined in Section 14.3.

Condominium Project. Defined in Section 6.5.4.

Consideration. Defined in Section 5.1.

Construction License. Defined in Section 14.2.

Cross Easement Agreement. Defined in Section 14.3.

Deed. Defined in Section 6.1.1.

Deposit. Defined in Section 3.1.

Demolition is defined in Section 6.1.10.

Due Diligence Period. Defined in Section 6.4.12.

ESA. Defined in Section 6.4.4.

Escrow Agent. Defined in Section 3.1.

Execution Date. The date of this Agreement as hereinabove set forth.

Facilities Program. Means and refers to the facilities program set forth on Exhibit C.

Hazardous Materials. Mean any pollutants, contaminants or hazardous substances (as such terms are defined under CERCLA), pesticides (as such term is defined under the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 et seq.), solid wastes and hazardous wastes (as such terms are defined under the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq.), chemicals, other hazardous, radioactive or toxic materials, oil, petroleum and petroleum products (and fractions thereof), asbestos and asbestos-containing materials, polychlorinated biphenels ("PCBs") or PCB-containing materials, or any other material (or article containing such material) listed or subject to regulation under any law, statute, rule, regulation, order, Permit, or directive due to its potential, directly or indirectly, to harm the environment or the health of humans or other living beings.

Improvements. All improvements constructed on the Real Property.

Initial Deposit. Defined in Section 3.1.

Mandatory Cure Items. Defined in Section 6.3.

Master Development. Means the Seller's development of the area shown in the Plan attached as Exhibit B as a residential condominium project.

Master Parcel. Defined in Section 6.5.6.

Monetary Liens. Defined in Section 6.3.

MP Application. Defined in Section 6.5.4.

MP Application Deadline. Defined in Section 6.5.4.

MP Application Period. Defined in Section 6.4.12.

MP Approval. Defined in Section 6.5.4 .

OFAC. Defined in Section 7.1.

Parking Agreement. Defined in Section 14.1.

Permitted Encumbrances. Defined in Section 6.3

Preliminary Title Report. The commitment for issuance of an owner's policy of title insurance issued by the Title Company.

Project. A full service hotel [REDACTED]

Property. The Real Property.

Purchase Price. Defined in Section 5.1.

Real Property. That portion of the real property located at 385 Congress Street, Portland, Maine, 04101, Tax Map 27, Block D, Lot 1, as more particularly depicted on Exhibit A attached hereto and by this reference made a part hereof, together with all rights in the streets lying adjacent to such land and owned by Seller, and all rights, privileges, easements and appurtenances thereto, [REDACTED], and including all additional rights and easements as necessary to service the Project pursuant to the Cross Easement Agreement. [REDACTED]

[REDACTED] The Real Property description shall be finally determined by an ALTA survey commissioned by Buyer and the Real Property shall be conveyed using that survey description, provided that the description is reasonably acceptable to Seller. The Real Property shall be configured as more particularly described herein. The illustration included in Exhibit A is for reference purposes only regarding the approximate boundaries and alleyway location, and the buildings are not necessarily indicative of the massing or design to be agreed upon by the parties as provided herein.

Seller's Conditions Precedent. Defined in Section 6.8.

Seller's Knowledge. Means the knowledge of Gordon Reger and Joseph Dasco based upon their historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Seller Project Information. Defined in Section 6.5.4.

Seller's Retained Land. Defined in Section 6.5.6.

Site Plan Application. Defined in Section 6.5.1

Site Plan Approval. Defined in Section 6.5.4.

Site Studies. Defined in Section 6.4.6.

SP Application Deadline. Defined in Section 6.5.4.

Subd Application. Defined in Section 6.5.4.

Subd Approval. Defined in Section 6.5.6.

Survey. Defined in Section 6.4.5.

Title Commitment. Defined in Section 6.3.

Title Company. A nationally recognized title insurance company to be selected by Buyer.

Title Inspection Period. Defined in Section 6.3.

Title Notice Deadline. Defined in Section 6.3.

[REDACTED]

[REDACTED]

Utilities. Defined in Section 6.4.7.

Zoning Confirmation. Defined in Section 6.4.3.

ARTICLE II Purchase and Sale

Section 2.1. Purchase and Sale. Seller agrees to sell and convey to Buyer, and Buyer agrees to purchase from Seller, the Property, on all of the mutual terms, covenants and conditions hereinafter set forth. Buyer shall have the right to designate an entity organized and controlled by Buyer for purposes of taking title to the Property as provided in Section 15.3 hereof. Seller shall be permitted to reserve certain rights and easements over the Property in accordance with the terms and provisions of Section 14.3

ARTICLE III Deposit

Section 3.1. Deposit. Upon execution hereof, Buyer shall deposit with Pierce Atwood LLP (the "Escrow Agent") the sum of [REDACTED] (the "Initial Deposit"). Upon completion of the Approvals Period if Buyer has not otherwise terminated this Agreement in accordance with its terms, Buyer shall deposit with the Escrow Agent the additional sum of [REDACTED] (the "Additional Deposit"). The Initial Deposit and the Additional Deposit are hereinafter collectively referred to as the "Deposit" and are to be held and applied as hereinafter set forth. The Deposit shall be held in a non-interest-bearing escrow account.

Section 3.2. Non-Refundable. Except as otherwise specifically set forth in this Agreement, the Initial Deposit shall be fully refundable until the completion of the Approvals Period, after which, assuming Buyer has not terminated this Agreement, it shall be non-refundable, except as otherwise specifically set forth in this Agreement. Except as otherwise specifically set forth in this Agreement, the Additional Deposit shall be non-refundable. Except as otherwise specifically set forth in this Agreement, the Deposit shall serve as Seller's liquidated damages (except for any Buyer indemnities) in the event of a breach of this Agreement by Buyer pursuant to Article IV, or shall be applied against the Purchase Price pursuant to Article V.

Section 3.3. Liability of Escrow Agent. In the event of any disagreement between the parties, Escrow Agent shall be entitled to refuse to comply with any claims or demands by either party as long as such disagreement may continue, and in so refusing, shall make no delivery or other disposition of the Deposit. Escrow Agent shall not become liable in any way for such refusal, and Escrow Agent shall be entitled to continue to refrain from acting until (a) the rights of the parties shall have been finally adjudicated in a court of competent jurisdiction, or (b) all differences shall have been settled by agreement and Escrow Agent shall have been notified in writing of such agreement signed by both parties.

ARTICLE IV Damages

Section 4.1. Buyer's Default. In the event that this transaction does not close as a consequence of a default by Buyer, and Seller has performed or tendered performance of its obligations hereunder, Seller's sole remedy shall be to retain the Deposit as liquidated damages. The parties hereby agree that if Buyer defaults, Seller's actual damages would be difficult or impossible to determine, and thus the amount of the Deposit is the best estimate of the damage Seller would suffer. Accordingly, the Deposit shall be the total amount that Seller is entitled to receive as liquidated damages (except for any Buyer indemnities).

Section 4.2. Seller's Default. In the event Seller fails to perform any obligation of Seller under this Agreement, including without limitation the obligation to convey title to the Property to Buyer on the Closing Date, as hereinafter defined, in accordance with the provisions of this Agreement, and Buyer has performed or tendered performance of its obligations hereunder, and such failure shall remain uncured for a period of thirty (30) days following written notice thereof from Buyer to Seller, then Buyer may (a) terminate this Agreement, in which event the Deposit shall be returned to Buyer, or (b) Buyer shall be entitled to pursue specific performance of Seller's obligations hereunder.

ARTICLE V Purchase Price

Section 5.1. Amount of Consideration. Buyer shall pay Seller consideration (the "Consideration") for the Property in the amount of [REDACTED] (the "Purchase Price"), subject to adjustment for credit, debits and other adjustments as expressly provided in this Agreement..

Section 5.2. Manner of Payment. Buyer shall pay and provide the Consideration to Seller at the Closing as follows:

5.2.1. Deposit. Applying the Deposit against the Consideration; and

5.2.2. Remaining Consideration. Paying the balance of the Consideration, by wire transfer to an account to be designated by Seller (the "Cash Balance").

ARTICLE VI Conditions Precedent to Closing

Section 6.1. Buyer's Conditions Precedent. Buyer's obligation to purchase the Property from Seller is subject to the following conditions precedent (the "Buyer's Conditions Precedent"):

6.1.1. Title. At the Closing, Seller shall sell, convey, transfer and deliver the Property to the Buyer by statutory Quitclaim Deed with Covenant Buyer (the "Deed"), and the Deed shall convey to the Buyer fee title free of Monetary Liens and Mandatory Cure Items, but subject to Permitted Encumbrances.

6.1.2. Seller's Representations and Warranties. Seller's representations and warranties set forth herein shall be true and correct in all material respects at and as of the Closing as though such representations and warranties were made at and as of such date.

6.1.3. Seller's Compliance. The Seller shall have in all material respects performed and complied with all covenants, agreements and conditions required by this Agreement to be performed or complied with by it prior to or at the Closing.

6.1.4. Approvals. The Approvals shall continue in full force and effect without imposition of any amendments, alterations or conditions not requested or pursued by Buyer or its agents or contractors, since receipt of the same by Buyer.

6.1.5. Lease Termination. Delivery by Seller of evidence reasonably satisfactory to Buyer that all leases, licenses or other use agreements of all or any portion of the Property, [REDACTED] have been terminated at or prior to Closing, at Seller's expense, and tenants have no further right to occupancy or use of the Property thereunder.

6.1.6. Consents and Approvals. The Seller shall have obtained all consents, approvals, authorizations, exemptions and waivers from governmental authorities and third parties, if any, as shall be necessary to convey the Property to Buyer.

6.1.7. Commitments. Buyer and Seller shall have executed and delivered the Commitments, as such documents have been negotiated and agreed upon by the parties prior to expiration of the Due Diligence Period, with only such revisions to the agreed upon forms as may be required under Article XIV, as applicable.

6.1.8. No Material Adverse Changes. There shall have been no material adverse change since the date of this Agreement in the Property, except changes contemplated or required by this Agreement, including without limitation, any change in the title, physical condition (except

for the Demolition), legal status, use or possession of the Property [REDACTED] from the conclusion of the Approvals Period through the date of closing that would cause the Property to be unsuitable for development of the Project; the foregoing is not intended to include any changes in the national, state or local economy or capital markets or any similar change that does not involve the physical, legal or land-use status of the Property.

6.1.9. No Legal Restraints or Litigation. No statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Property or the ability to develop the Project at the Property, except for an appeal of the Approvals, which is addressed in Section 6.5.1 below.

6.1.10. Demolition. Seller shall have completed the demolition (as more particularly described in Section 14.4) prior to Closing ("Demolition").

Section 6.2. Failure of Buyer's Conditions Precedent. If, at the time of the Closing, any of the foregoing Buyer's Conditions Precedent have not been fulfilled, Buyer may, at its option, do the following:

6.2.1. Waive and Close. Waive such condition and close in accordance with this Agreement; or

6.2.2. Terminate. Terminate this Agreement by delivery of a written notice to Seller and to Escrow Agent ("Buyer's Termination Notice") and enforce any remedy afforded by Section 4.2 in the event Seller has defaulted under any of its obligations under this Agreement (provided that the mere failure of the following conditions to closing shall not constitute a Seller default: Sections 6.1.6, 6.1.8, or 6.1.9); provided, however, that, if Buyer fails to deliver Buyer's Termination Notice to Seller at or prior to the Closing, the applicable condition or conditions shall be deemed waived by Buyer.

Section 6.3. Title Examination. From the date hereof through the date of expiration of the Due Diligence Period, as hereinafter defined (the "Title Inspection Period"), Buyer shall have the opportunity to review the commitment to insure title (the "Title Commitment"), any amendments thereto issued during the Title Inspection Period, the exceptions to title disclosed in the Title Commitment, all Survey Matters and all other aspects of Seller's title to the Property. The Title Commitment shall be for the benefit of the Buyer, at customary rates, in the ALTA form currently in use, subject only to the Permitted Encumbrances (as defined below) and with such standard exceptions deleted and standard endorsements included as Buyer may, in its sole discretion, require. On or before the date of the expiration of the Title Inspection Period (the "Title Notice Deadline"), Buyer shall notify Seller in writing of any defect in title to the Property, or any other matter which is indicated on the Title Commitment or any Survey Matter to which Buyer objects except for the following: (a) liens for real estate taxes not yet due and payable or for

betterments assessed after the Effective Date, (b) other encumbrances which may be removed or satisfied by the payment of a liquidated sum of money which Seller agrees to discharge at Closing to Buyer's satisfaction and (c) such easements, restrictions and reservations of record as are acceptable to Buyer, in its discretion. If Buyer does so notify Seller of a defect in title or other matter objectionable to Buyer prior to the Title Notice Deadline, Seller shall have ten (10) business days in which to determine whether to cure the defect or other matter so objected to by Buyer and to notify Buyer of Seller's decision in this regard. If Seller does not respond within such time frame, Seller shall be deemed to have elected not to cure the defect or other matter. Seller, at its sole cost and expense, will have until the Closing to cure the title objections which Seller has elected to cure, other than the Monetary Liens (as herein defined), which (to the extent not previously removed) Seller shall remove or cure by payment of funds at Closing. Those defects that Seller gives notice will be cured on or before the Closing Date, along with discharge of Monetary Liens, are referred to herein as "Mandatory Cure Items." If Seller elects (or is deemed to elect) not to cure the defect or other matter so objected to by Buyer, Buyer shall have the right, by not later than the tenth (10th) day after the date of Seller's notice (or failure to provide notice) to either (a) waive such defect or other matter and take title to the Property without any adjustment in the Purchase Price, or (b) terminate this Agreement by giving written notice thereof to Seller. If Buyer timely gives such notice of termination, this Agreement shall terminate and the Deposit shall be returned to Buyer. If Buyer fails to give Seller a notice of termination, Buyer (a) shall no longer have an right to terminate this Agreement under this Section 6.1.1 and shall be bound to proceed to Closing and consummate the transaction contemplated hereby pursuant to the terms of this Agreement and (b) shall be deemed to have approved the state of title to the Property as it exists on the effective date of the Title Commitment, as last amended during the Title Inspection Period. Seller shall be responsible for discharging any mortgages, voluntary monetary liens or tax liens (other than municipal liens not yet due and payable), including mechanics' liens for unpaid work at the Property performed on behalf of Seller but not mechanics' lien arising from due diligence and permitting and approvals work performed for Buyer (collectively, "Monetary Liens") at or prior to Closing. "Permitted Encumbrances" shall mean all matters of record as of the Effective Date affecting the Property, including without limitation easements, covenants, restrictions and agreements, as of the Effective Date, except for (i) items to which Buyer has objected and which Seller has agreed to cure, all as provided above in this Section, and (ii) Monetary Liens. Permitted Encumbrances also shall include the Parking Agreement, the Construction License, the Cross Easement Agreement and all governmental approvals and the conditions thereof contemplated or required by this Agreement.

Section 6.4. Buyer's Due Diligence. Notwithstanding any other provision of this Agreement to the contrary, Buyer shall be entitled to undertake a thorough investigation of the Property, including without limitation such reviews, analyses and studies of the Property and the development of the Project at the Property, as Buyer may, in its sole discretion, determine to be necessary or appropriate, including without limiting the generality of the foregoing:

6.4.1. Inspection of physical condition, [REDACTED]

[REDACTED]

[REDACTED]

6.4.3. Evaluation by Buyer of all necessary zoning, including zoning board approvals of required variances and any other matters, required in order to develop the Project ("Zoning Confirmation").

6.4.4. A Phase I Environmental Site Assessment for the Property, together with (i) any Phase II Environmental Site Assessments or other studies or analyses as may be required based upon the Phase I Environmental Site Assessment, and (ii) a Hazardous Materials Inventory of the building on the Property (together referred to as "ESA"). Seller agrees to allow Buyer, as

██████████ to take and analyze soil borings and perform groundwater testing both from the Master Parcel at locations determined by Buyer's engineering advisors, and underneath the buildings and structures located on the Real Property, including drilling through the foundations of any buildings or structures for purposes of access for soil and groundwater testing; provided, that in the event tenant consent is needed for any of the work contemplated by this Section 6.4.4, Seller shall use commercially reasonable efforts to assist Buyer in obtaining such required consent. Any damage associated with the Buyer's testing shall be restored at Buyer's expense.

6.4.5. An ALTA/ACSM Land Title Survey of the Property certified satisfactory to Buyer, in its sole opinion, sufficient in all respects to delete the standard survey exception from Buyer's title policy, and bearing a legal description, made by a licensed surveyor, and showing, among other things, the area, dimensions and location of the Property to the nearest monuments, streets, alleys on all sides, the topography, the location of all available utilities in adjoining streets, alleys, or property, the location of all recorded and apparent easements against or appurtenant to the Property, the location of all active and abandoned sewer and storm water lines on an as built basis, certifying the applicable zoning and flood zone classifications and not disclosing any condition rendering the Property unusable, in Buyer's sole opinion, for the Project (the "Survey").

6.4.6. A geotechnical report in form satisfactory to Buyer, boring, percolation and other soil tests and feasibility, demographic, traffic pattern, and other site assessment studies ("Site Studies") as required by Buyer. In connection therewith, Buyer shall have access to the Property as required ██████████

██████████ and may conduct such tests, studies, surveys and inspections (expressly including boring, drilling and other subsurface exploration as Buyer may reasonably deem appropriate). Buyer promptly shall restore to its former condition any portion of the Property disturbed by any activity conducted under this Agreement, which shall include repaving or otherwise filling any bore holes, shall repair all damage to the Property caused thereby and shall indemnify and hold Seller harmless from and against any claims, losses, liabilities, costs, fines, penalties or expenses (including without limitation reasonable attorneys' and paralegals' fees) asserted against or incurred by Seller in connection with any such activity, it being expressly understood and agreed that the foregoing provisions shall survive the Closing or the termination of this Agreement prior thereto. Buyer agrees not to assert as a defense to the enforcement of the foregoing indemnity any workers' compensation immunity. Damages under the foregoing indemnity are not limited by any liquidated damages provision in this Agreement. In addition, Buyer shall be afforded full opportunity by Seller, without warranty or recourse, to examine the following, to the extent in the possession of Seller and/or Seller's agents or employees, including the reasonable right to make copies of such books and records: environmental and engineering reports, surveys, title reports and title insurance policies, soil studies, and any reports or analyses

regarding the Demolition and the condition of the Property following the Demolition, but excluding Seller's internal memoranda, financial projections, budgets, appraisals, accounting and tax records, attorney work product, work protected by attorney-client privilege and similar proprietary or confidential information. Buyer shall take commercially-reasonable precautions to ensure that such materials and any information contained therein are disclosed only to such of Buyer's employees, agents, consultants, attorneys, investors and lenders as have need therefor, under conditions which will prohibit any further dissemination thereof not authorized by Seller.

6.4.7. Confirmation that all utilities, including without limitation, water, gas, electric power, telephone, cable, storm water systems and sanitary sewer, necessary or appropriate for development of the Project ("Utilities"), as determined by Buyer in its sole discretion, shall be located in the public way or ways adjacent to the Property ("Utility Confirmation") which confirmation may be in such form as Buyer may require.

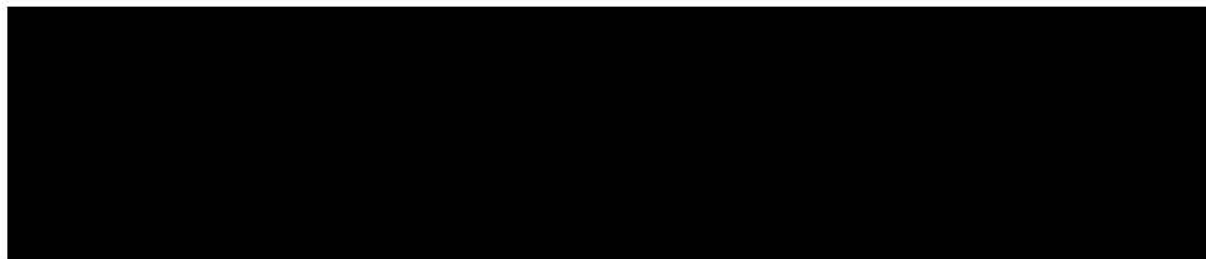
6.4.8. Confirmation that the Project can be integrated into the Seller's Master Development in a manner acceptable to Buyer, as determined by Buyer, in Buyer's sole discretion, including without limiting the generality of the foregoing all necessary service drives, commercial truck delivery facilities, parking improvements and valet program, footings and foundations, storm water management and Utilities. The foregoing confirmation shall include confirmation that the location of buildings and other structures on the Master Parcel satisfy the requirement that the clearance between the Project and adjacent building to be located at the corner of Pearl Street and Congress Street shall be no less than fifty-five (55) feet at hotel guest room and residence levels.

6.4.9. Such other traffic, lighting and other engineering or investigatory studies as may be necessary or appropriate, or required by planning authorities, for determining the adequacy of the Property for development of the Project.

6.4.10. Confirmation that the Property is sufficient in all respects to accommodate the full service hotel Facilities Program, including associated front of house, back of house, rooftop bar, underground garage, valet on Congress Street and residences and all associated improvements.

6.4.11. Confirmation of likely availability of all Approvals for the Project. Buyer shall have the right to contact and communicate with such governmental officials regarding the Property and the project as Buyer may deem appropriate, provided that, prior to Closing, Buyer shall make no application with the City of Portland for a permanent change in zoning or other permanent change to the land-use status of the Property.

6.4.12. Inspection by Buyer of the physical condition, title to, and other matters related to the tunnel under Congress Street.

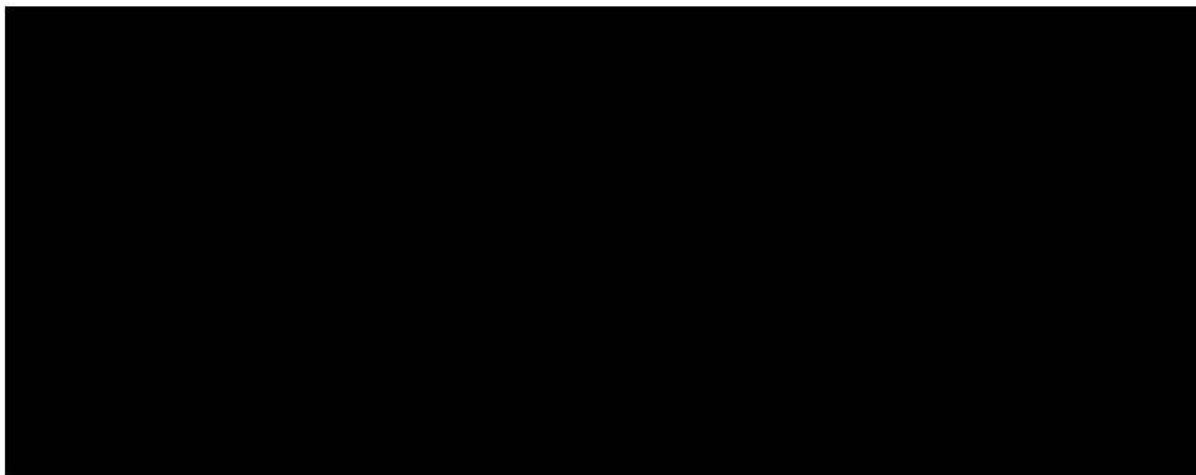
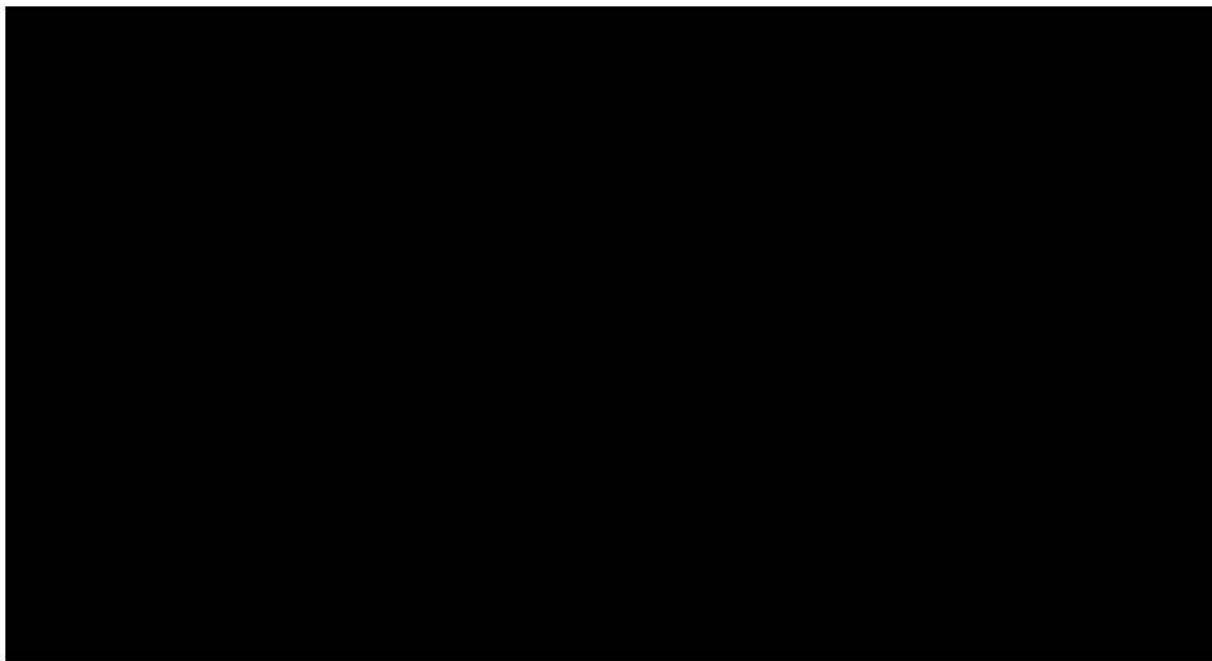
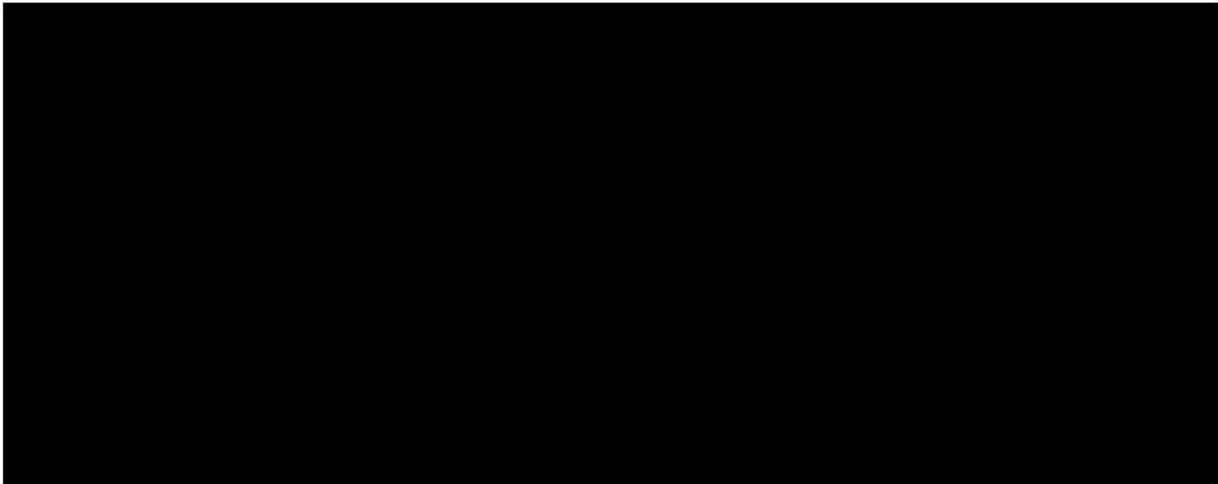


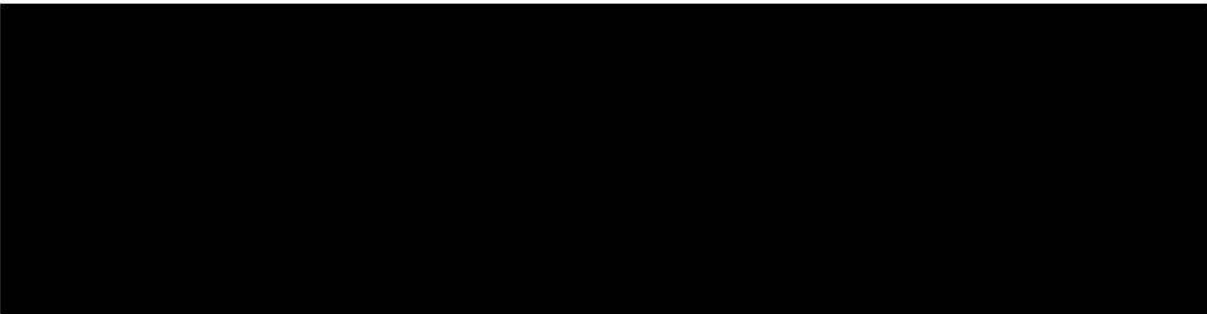
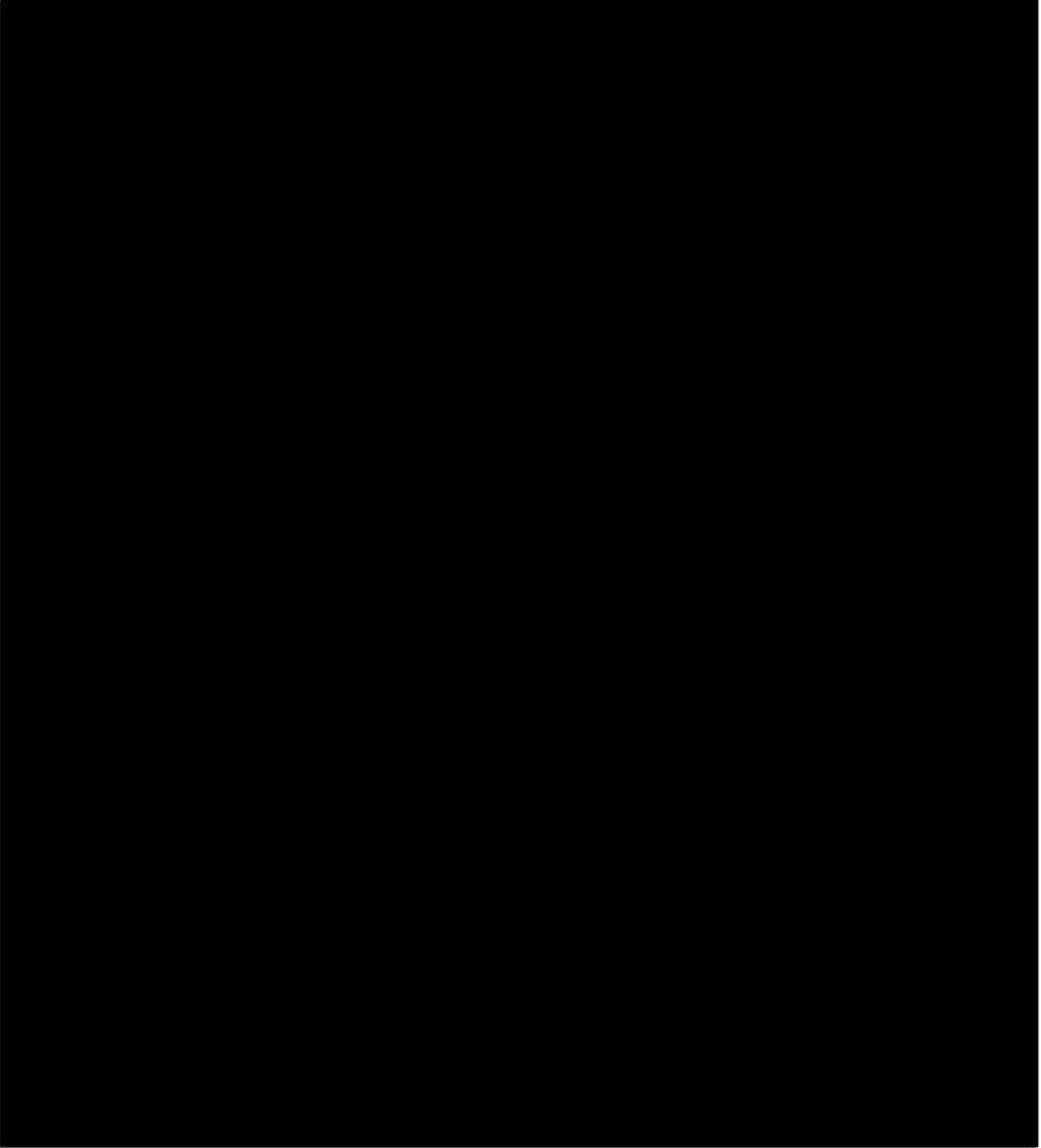


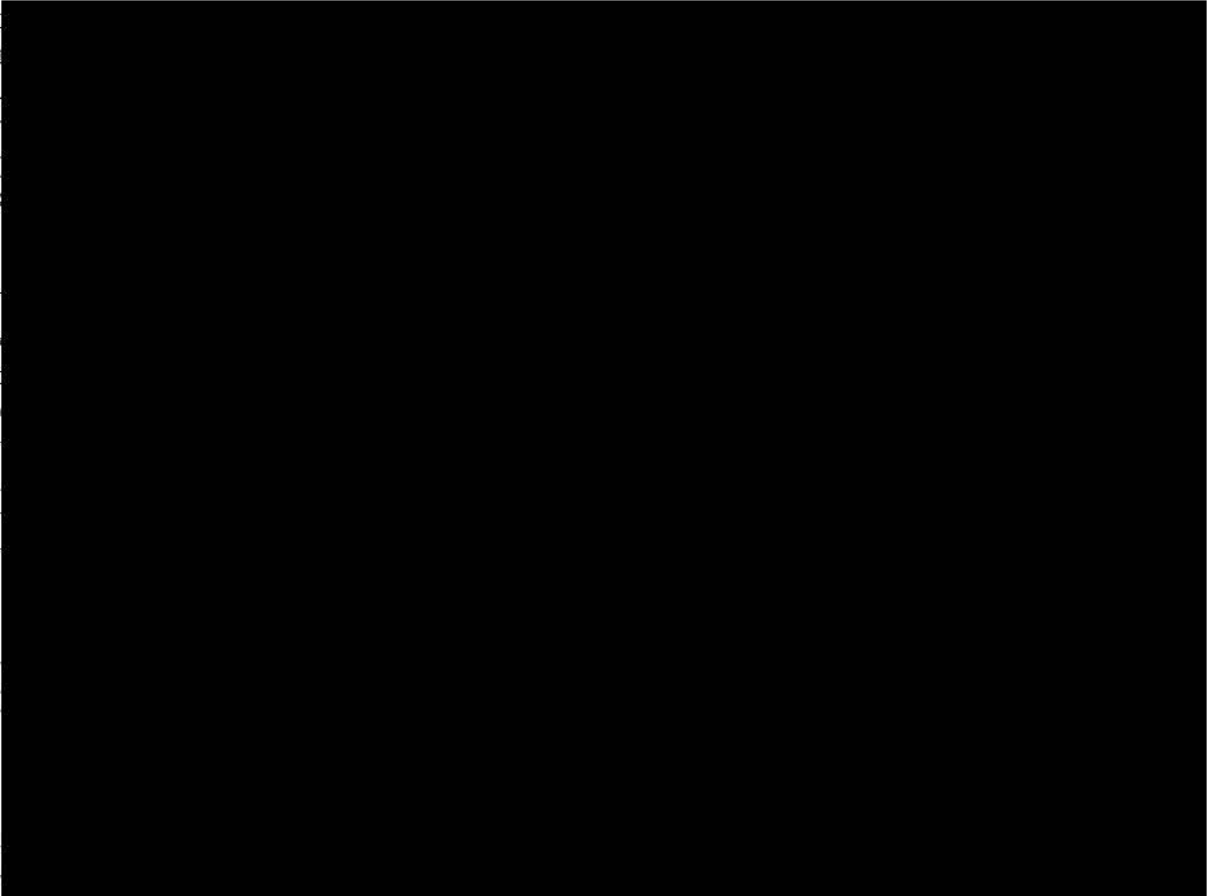
Section 6.5. Approvals. Notwithstanding any other provisions of this Agreement to the contrary, Buyer shall be entitled to apply for and obtain all necessary federal, state and local governmental land-use permits, licenses and approvals of any type or nature required, including historic preservation review, as may be necessary for the development on the Property of the Project, including without limiting the generality of the foregoing, all necessary site plan, and other governmental land-use permits, licenses, and approvals, of any type and from any necessary public or governmental authority or other party, for Buyer's development of the Project at the Property (excluding building permits and other construction related permits and approvals and hotel and restaurant operating permits and licenses).



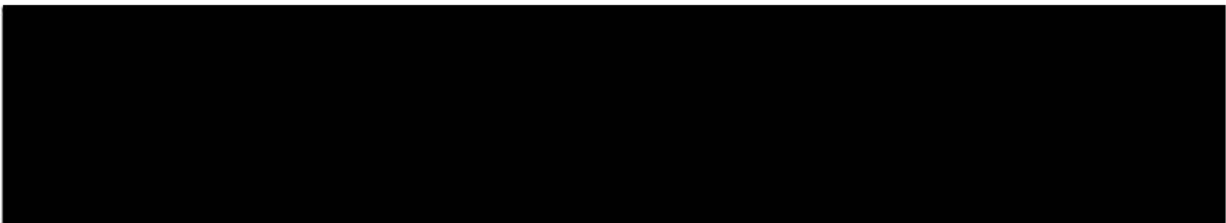
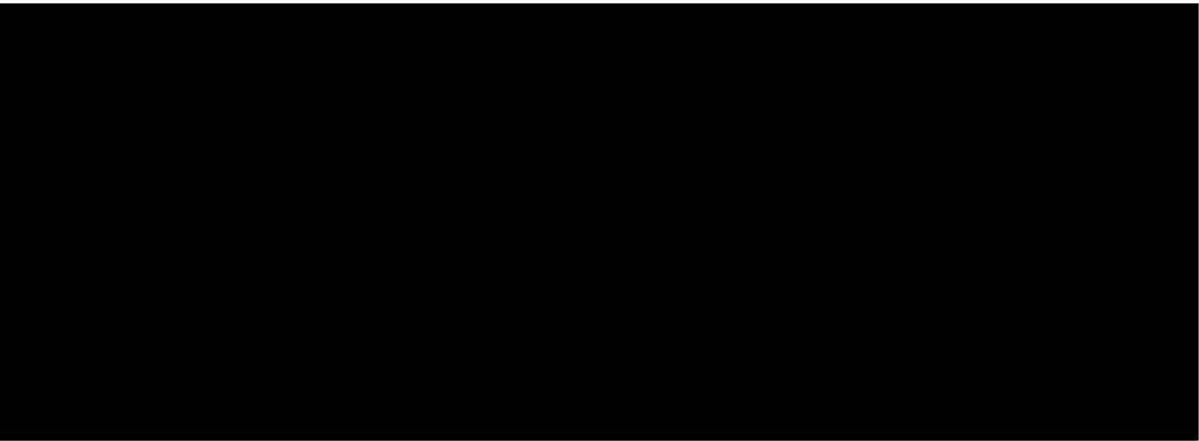
6.5.3. Buyer shall have the right to apply for and pursue the Site Plan Approval on a stand-alone basis, separate from the MP Application and MP Approval, so long as such Site Plan Application and Site Plan Approval do not interfere with Seller's Master Development and have been approved in writing in advance of submission to the City of Portland by Seller, as provided in Section 6.5.4 below.







6.5.5. Intentionally deleted.



Section 6.7. Effective Termination. If this Agreement is terminated pursuant to the provisions of this Article, all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto, except as otherwise expressly set forth in Article IV and Section 6.2 hereof and except for obligations that expressly survive termination.

Section 6.8. Seller's Conditions Precedent. Seller's obligation to sell the Property to Buyer is subject to the following conditions precedent (the "Seller's Conditions Precedent"):

(a) Payment by Buyer of all sums due in accordance with this Agreement;

(b) As of the Closing Date, no statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby, and to that end, Seller has obtained approval from the City of Portland to subdivide the Master Parcel. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Master Parcel or the ability to develop the Master Parcel;

(c) All of the representations and warranties of Buyer shall be true and correct in all material respects as of the Closing, and Buyer shall deliver a separate certificate certifying to that effect;

(d) Buyer shall have performed in all material respects each of its obligations under this Agreement to be performed at or prior to the Closing; and

(e) Seller shall have received Master Development plan and Subd Approval from the City of Portland.

ARTICLE VII

Representations and Warranties

Section 7.1. Buyer's Representations and Warranties. Buyer hereby represents, warrants and covenants to Seller the following as of the date hereof and as of the Closing. The representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

(a) Buyer is duly organized, validly existing and in good standing under the laws of the State of Maine. Buyer has the requisite right, power and authority to buy the Property from Seller as provided herein, and has taken all action necessary to authorize the execution, delivery and performance of this Agreement. Buyer has obtained all consents and approvals necessary for Buyer's execution, delivery and performance of this Agreement, and the performance by Buyer of

Buyer's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Buyer is a party or by which Buyer is bound.

(b) This Agreement constitutes the valid and binding obligation of Buyer, enforceable against Buyer in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) There is no suit or proceeding pending or, to Buyer's knowledge, threatened against or affecting Buyer that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Buyer, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(d) Buyer has engaged no broker or agent in connection with the sale. Buyer shall indemnify, defend and hold Seller harmless from and against any loss, damages, liabilities, costs or expenses, including without limitation attorneys' fees and court costs, resulting from any claim for a fee or commission by any broker or finder with whom Buyer has dealt, other than Malone Commercial.

(e) Neither Buyer nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.2. Authority. Each party warrants and represents that this Agreement and all other documents delivered prior to or at the Closing (a) have been or shall be duly authorized and executed and delivered by such party; (b) are legal, valid, and binding obligations of such party; and (c) neither violate any provision of any agreement to which such party is a party, nor violate any charters, bylaws, operating agreements or other organizational documents of such party.

Section 7.3. Seller's Representations and Warranties. Seller hereby represents, warrants and covenants to Buyer the following. The Seller's representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

(a) Seller is duly organized, validly existing and in good standing under the laws of the State of Maine. Seller has the requisite right, power and authority to sell and convey the Property to Buyer as provided herein, and has taken all action necessary to authorize the execution,

delivery and performance of this Agreement. Seller has obtained all consents and approvals necessary for Seller's execution, delivery and performance of this Agreement, and the performance by Seller of Seller's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Seller is a party or by which Seller is bound.

(b) This Agreement constitutes the valid and binding obligation of Seller, enforceable against Seller in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) Seller has not received any written notice of any pending condemnation, expropriation, eminent domain or similar proceeding affecting all or any portion of the Property and to Seller's Knowledge, no such proceeding is contemplated.



(e) No written notice has been given to Seller by the holder of any mortgage on the Property, any insurance company that has issued a policy with respect to the Property, or by any board of fire underwriters (or other body exercising similar functions) claiming any material defect or deficiency or requesting the performance of any material repairs, alterations or other work to the Property.

(f) There are no management, service, equipment, supply, maintenance or concession agreements to which Seller is a party with respect to or affecting all or any portion of the Property that are not terminable by Seller by the Closing.

(g) Seller has paid or will pay in full prior to the Closing all outstanding bills and invoices for Utility charges, labor, goods, materials, and services of any kind relating to the Property incurred by or for the benefit of Seller.

(h) No work has been performed or is in progress at, and no materials have been furnished to, at the direction of or for the benefit of the Seller, the Property which, though not presently the subject of, might give rise to mechanic's, materialmen's or other liens against the Property or any portion thereof. If any lien for work performed or materials furnished prior to the Closing, in either case pursuant to a contract with Seller, is filed before or after the Closing, Seller shall promptly discharge such lien by filing the requisite bond or in any other manner allowed by applicable law.

(i) There is no suit or proceeding pending or to Seller's Knowledge, threatened against or affecting Seller or the Property that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of

any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Seller, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(j) Seller has received no written notice of any outstanding violation of any federal, state, county, or municipal laws, ordinances, orders, codes, rules, regulations, or requirements affecting all or any portion of the Property, including without limitation violations of the housing, building, safety, health, fire, or zoning ordinances, codes, and regulations of the municipality or county within which the Property is located, issued by any governmental or quasi-governmental authority.

(k) Seller is not in violation or default under any agreement with any third party, or under any judgment, order, decree, rule or regulation of any court, arbitrator, administrative agency or other governmental authority to which it may be subject, which violation or default will, in any one case or in the aggregate, materially and adversely affect the ownership or operation of the Property or Seller's ability to consummate the transactions contemplated hereby. To Seller's Knowledge, there are no material violations of laws, regulations, permits or approvals affecting or pertaining to the Property. The execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby will not (i) violate any law or any order of any court or governmental authority with proper jurisdiction and pertaining to Seller; (ii) result in a breach or default under any provision of the organizational documents of Seller; or (iii) require any consent, or approval or vote of any third person that, as of the Closing Date, has not been given or taken, and does not remain effective.

(l) There are no tax liens on any of the Property except for taxes not yet due and payable, and Seller has paid or will pay through the Closing all real estate taxes, withholdings and governmental charges due and payable with respect to the Personal Property under all applicable federal, state and local laws and regulations. To Seller's Knowledge, there are no legal, administrative or other tax proceedings currently in progress or threatened pursuant to which Seller is or could be made liable for any taxes.



(n) Seller is not a "foreign person" as defined in Section 1445(f)(3) of the Code.

(o) Neither Seller nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting

Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.4. Waiver of Disclosure. Buyer hereby agrees that, notwithstanding the provisions of 33 M.R.S. § 193, the investigation of any and all matters relating to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association) shall be the sole responsibility of Buyer and has been performed as part of Buyer's examination of all other matters of title respecting the Property. Buyer hereby knowingly, unconditionally, and expressly waives their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193. Buyer's waiver of their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193 shall not constitute a waiver of any other rights to disclosure afforded to Buyer pursuant to this Agreement or by law unless otherwise expressly provided herein. By execution of this Agreement, Buyer hereby releases Seller from and against and all claims, losses, costs, liabilities, expenses, demands, or obligations whatsoever arising from or related to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association).

ARTICLE VIII Disclaimer of Warranties

EXCEPT AS EXPRESSLY SET FORTH IN SECTION 7.3 AND THE DEED, IT IS UNDERSTOOD AND AGREED THAT SELLER IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY. BUYER AGREES, ACKNOWLEDGES AND REPRESENTS THAT EXCEPT AS SPECIFICALLY SET FORTH IN THIS AGREEMENT, BUYER IS ENTERING INTO THIS AGREEMENT AND SHALL PERFORM ALL OF ITS OBLIGATIONS HEREUNDER AND CONSUMMATE THE TRANSACTION CONTEMPLATED BY THIS AGREEMENT SOLELY IN RELIANCE ON AND AS A RESULT OF BUYER'S OWN INVESTIGATIONS AND EFFORTS (INCLUDING BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS AS BUYER HAS CHOSEN TO MAKE OR HAS MADE) AND AT BUYER'S SOLE RISK, COST AND EXPENSE, INCLUDING, WITHOUT LIMITATION, THE RISK THAT BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS MAY NOT REVEAL ANY OR ALL ADVERSE OR EXISTING CONDITIONS, ASPECTS OR ATTRIBUTES OF THE PROPERTY. BUYER ACKNOWLEDGES THAT SELLER HAS AFFORDED, AND, DURING THE DUE DILIGENCE PERIOD, SHALL AFFORD, BUYER THE OPPORTUNITY FOR FULL AND COMPLETE INVESTIGATION, EXAMINATION AND INSPECTION OF THE PROPERTY. BUYER ACKNOWLEDGES THAT THIS PARAGRAPH WAS A NEGOTIATED PART OF THIS AGREEMENT AND SERVES AS AN ESSENTIAL COMPONENT OF CONSIDERATION FOR THE SAME. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE PARTIES SPECIFICALLY ACKNOWLEDGE THAT BUYER HAS HAD, AND, DURING THE DUE DILIGENCE PERIOD SHALL HAVE, AN OPPORTUNITY TO FULLY INSPECT THE PROPERTY,

INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL CONDITION OF THE PROPERTY (INCLUDING ALL ENVIRONMENTAL CONCERNS), AND THE PURCHASE PRICE HAS BEEN NEGOTIATED TO ELIMINATE ALL CLAIMS EXCEPT THOSE ARISING UNDER REPRESENTATIONS, WARRANTIES OR AGREEMENTS CONTAINED IN THIS AGREEMENT OR OTHER AGREEMENTS OR DOCUMENTS ENTERED INTO IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED HEREIN, WHETHER KNOWN OR UNKNOWN, RELATING TO THE CONDITION OF THE PROPERTY AS OF THE DATE OF THIS AGREEMENT AND ALL ASPECTS AND ATTRIBUTES THEREOF, INCLUDING, WITHOUT LIMITATION, ALL ENVIRONMENTAL MATTERS. BUYER ACKNOWLEDGES AND AGREES THAT SELLER HAS MADE NO REPRESENTATION OR WARRANTY WITH RESPECT TO THE PROPERTY EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT.

ARTICLE IX

Risk of Loss

Section 9.1. Risk of Loss. The risk of damage to the improvements on the Property or any portion thereof prior to Closing is Buyer's risk.

Section 9.2. Condemnation. Any taking or condemnation for any public or quasi-public purpose or use by any competent authority in appropriate proceedings or by any right of eminent domain of all or any material part of the Property between the Effective Date and the time of the Closing shall, at Buyer's option, cause a termination of this Agreement. The election to terminate provided for hereby must be exercised by Buyer by written notice to Seller to such effect, which notice shall be given by Buyer on or before the thirtieth (30th) day after Buyer's receipt of written notice of such condemnation (but in any event prior to the Closing; provided, however, that Buyer shall be entitled to extend the Closing Date to a date that is two business days beyond the date that would be the thirtieth (30th) day following such notice). If Buyer shall not elect so to terminate this Agreement, Seller shall be relieved of its duty to convey title to the portion of the Property so taken or condemned, but Buyer will be entitled to receive all proceeds of any such taking or condemnation with respect to the Property only provided Buyer takes title hereunder and Seller shall make no settlement or adjustment of such proceedings with respect to the Property only without Buyer's consent, and shall take at the Closing all action necessary to assign its entire interest in any such award with respect to the Property only to Buyer.

Section 9.3. Return of Deposit. The Deposit shall be returned to Buyer immediately following termination of this Agreement by Buyer under this Article and all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto subject to the provisions of Section 6.3 and except for provisions that expressly survive termination.

ARTICLE X

Operation of Property



ARTICLE XI
Closing

Section 11.1. Closing Date. The Closing shall take place at the time and place specified in Section 6.6 hereof. The Cash Balance shall be held in escrow by the Buyer's attorney pursuant to customary conveyancing practice until the Deed is recorded; provided, however, that the Deed shall be recorded no later than 3:00 P.M. on the Closing Date unless Seller's attorney has been advised of any matter of record arising after a title update performed by Buyer's counsel the morning of the Closing and preventing Seller from conveying title to the Property in accordance with the applicable provisions of this Agreement.

Section 11.2. Closing Deposits. At the Closing, Seller and Buyer shall exchange the following documents and funds:

11.2.1. Seller's Deposits. Seller shall deliver to Buyer the following:

(a) Deed. The Deed conveying the Property to Buyer subject only to Permitted Encumbrances.

(b) Non-Foreign Affidavit. A duly executed original affidavit as to Seller's non-foreign status.

(c) Authority. Such evidence as may be reasonably required by the title insurance company as to the authority of the person or persons executing documents on behalf of Seller.

(d) Affidavits. Executed affidavits and indemnifications in form and substance reasonably satisfactory to the title insurance company regarding mechanics' and materialmen's liens and parties in possession sufficient to eliminate any title insurance exceptions for these matters with respect to the Property.

(e) Executed Commitments. Executed Commitments in the form agreed to on or before the expiration of the Due Diligence Period, with only such changes as the parties may mutually agree.

(f) Additional Documents. Such other documents, including without limitation settlement statements and escrow instructions, as are required of Seller to close in accordance with this Agreement and local conveyancing practice.

11.2.2. Buyer's Deposits. Buyer shall deliver to Seller the following:

(a) Cash Balance. The Cash Balance;

(b) Closing Costs. Additional cash in the amount necessary to pay Buyer's share of closing costs, as set forth in Section 12.2.;

(c) Executed Commitments (with execution of the Cross Easement Agreement required if necessary to bind Buyer and the Property to the Cross Easement Agreement); and

(d) Additional Documents. Such other documents, including without limitation authority documents, settlement statements and escrow instructions, as are required of Buyer to close in accordance with this Agreement and local conveyancing practice.

Section 11.3. Use of Purchase Price to Clear Title. To enable Seller to make conveyance as herein provided, Seller may, at the Closing, use the Purchase Price or any portion thereof to clear title of any or all encumbrances or interests so long as Seller has obtained and furnished to Buyer at or prior to the Closing a recordable release of each such encumbrance or interest or (in the case of an institutional mortgage or other security interest) written commitment from the holder thereof to provide such release upon receipt of a sum certain.

Section 11.4. Closing Statement. The parties shall execute and deliver a Closing and Proration Statement confirming the funds flow and prorations required under Article XII hereof.

ARTICLE XII

Closing Costs, Prorations

Section 12.1. Seller's Costs. Seller shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; and (b) the costs necessary to discharge Seller's obligations under this Agreement.

Section 12.2. Buyer's Costs. Buyer shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; (b) the cost of the Preliminary Title Report; (c) all title insurance premiums; (d) the cost of recording the Commitments; and (e) all other costs required in order to close in accordance with this Agreement (except as specified in Section 12.1).

Section 12.3. Prorations. Taxes and assessments (including any business and license taxes and any other state, county or municipal assessments), utility and fuel bills and other customarily-adjusted operating expenses shall be prorated as of the Closing Date and added to or subtracted from (as the case may be) the Cash Balance. All charges accruing prior to the Closing Date shall be prorated between the parties, and all charges accruing on or after the Closing Date shall be the obligation of Buyer. If the amount of such taxes is not known on the Closing Date, such taxes shall be prorated on the basis of taxes assessed for the preceding fiscal period, subject to reapportionment as soon as the new tax rate and valuation can be ascertained. In the event of any abatement of such taxes subsequent to the apportionment thereof, the amount of such abatement, less the reasonable cost of obtaining the same, shall be prorated as of the Closing Date.

ARTICLE XIII

Notices

Section 13.1. Notices. All notices required or permitted to be given hereunder shall be in writing and sent by electronic mail, with a confirmation copy sent by a recognized overnight courier

service offering confirmation of delivery to the appropriate address indicated below or at such other place or places as either Buyer or Seller may, from time to time, respectively, designate in a written notice given to the other:

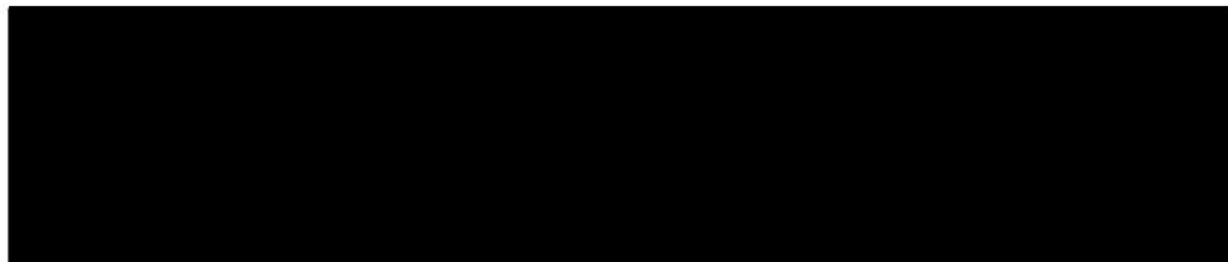
To Buyer: Fathom Development, LLC
80 Exchange Street, Suite 400
Portland, ME 04101
Attn: James H Brady, Manager
jameshbrady@gmail.com

With a copy to: Christopher E. Howard, Esq.
Pierce Atwood LLP
254 Commercial Street
Portland, Maine 04101
choward@pierceanwood.com

To Seller: 385 Congress LLC
2730 Transit Road
West Seneca, NY 14224
Attn: Gordon Reger
joedasco@comcast.net

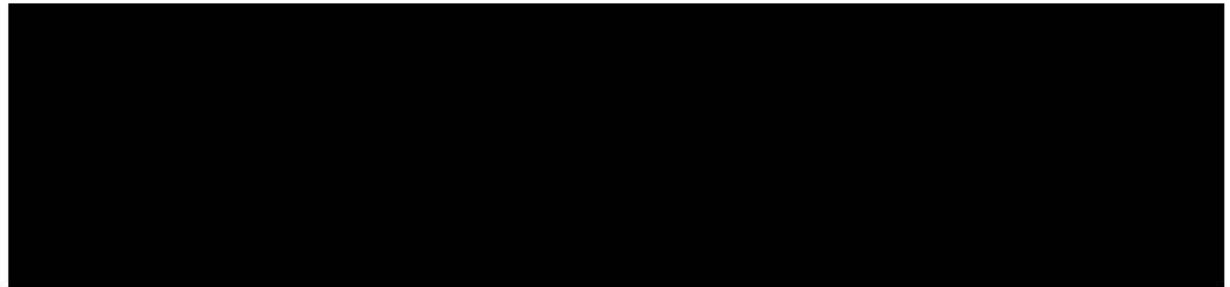
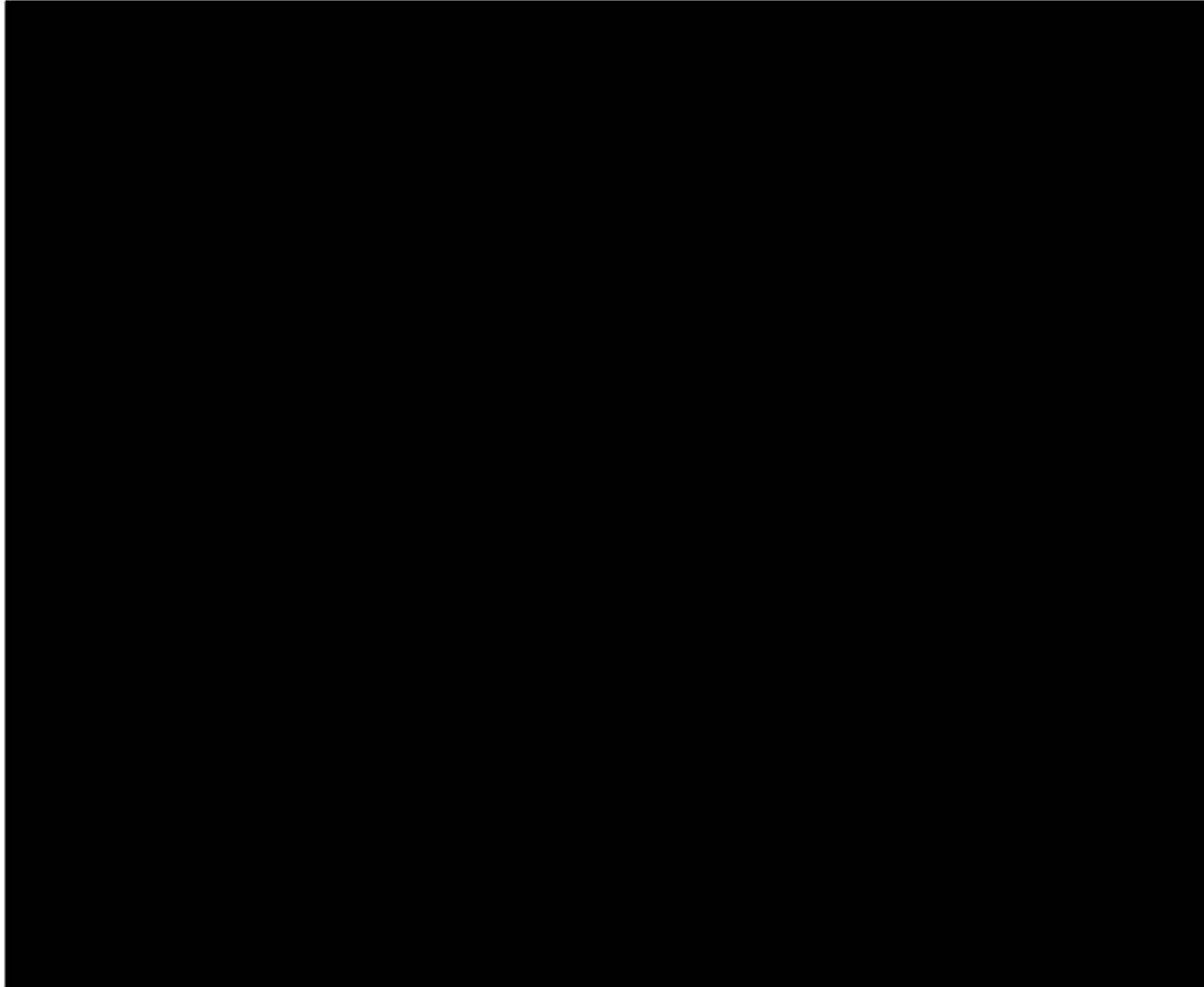
With a copy to: Tom Hanson
Bernstein Shur
100 Middle Street
Portland, ME 04101
thanson@bernsteinshur.com

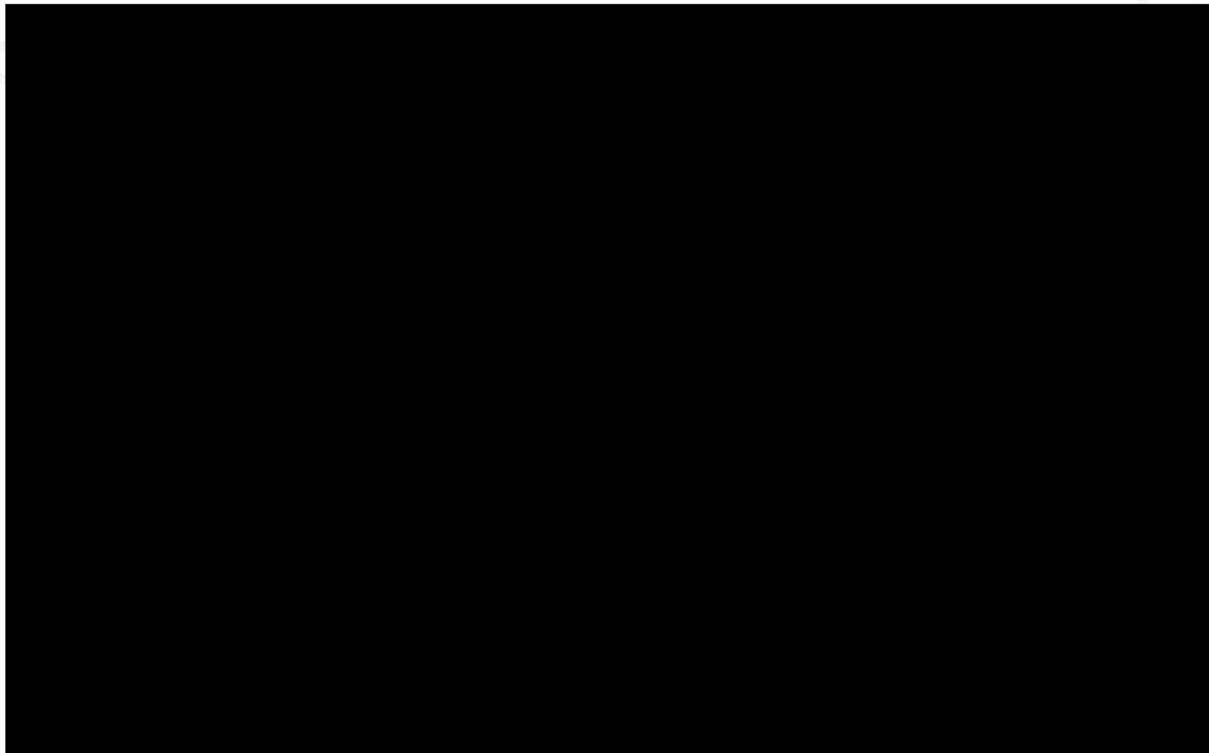
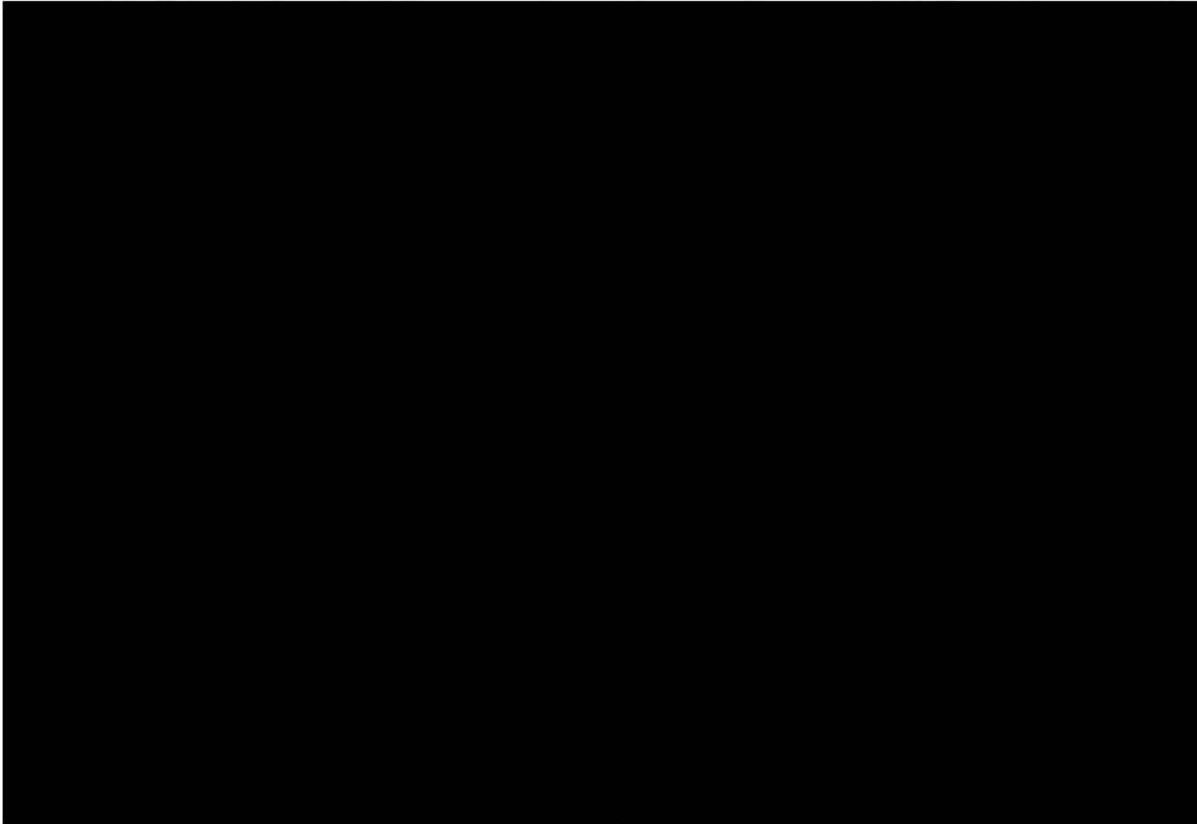
ARTICLE XIV
Additional Conditions

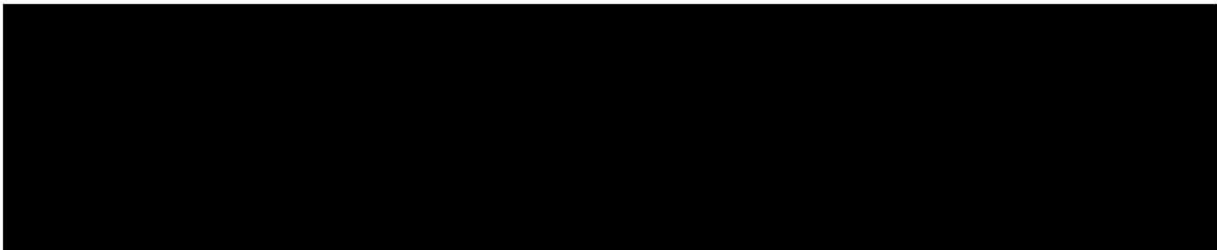


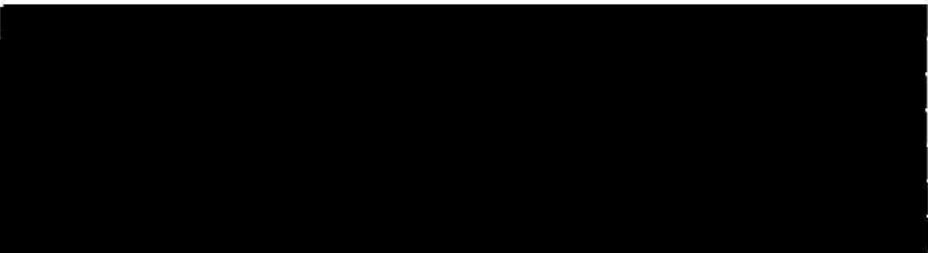
Section 14.1. Construction License. Seller shall provide Buyer with access to and right to use lay-down space for Project construction, the location of such lay-down space to be negotiated by the parties during the Due Diligence Period as provided below, and the parties shall enter into an agreement with respect to reasonable cooperation and coordination of construction activities with respect to the common boundary between the Property and Seller's Retained Land. Subject to agreement of the parties as provided below in this Section, a conditional license to use the lay-down area and for coordination of construction activities on the common boundary will be executed and delivered at Closing ("Construction License"). If the Construction License, including the

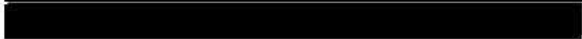
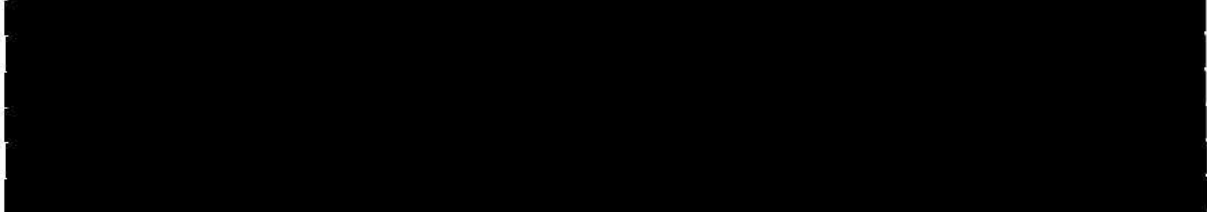
location of the lay-down space, is not finalized in a form reasonably acceptable to Buyer and Seller on or before the expiration of the Due Diligence Period, then Buyer or Seller may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder except those that expressly survive termination. Buyer and Seller agree to exercise reasonable good faith efforts to agree on any adjustments required in the lay-down space to accommodate the needs of both parties in the development of the Project and the Master Development as finally approved in the Site Plan Approval and the MP Approval.



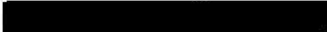




Section 14.5. 



Section 14.6. Intentionally deleted.

Section 14.7. Recordation. The form of Deed, the Cross Easement Agreement, the Parking Agreement, the Construction License,  will be memorialized in form and substance acceptable to both Seller and Buyer, to be executed and delivered by the parties at Closing (“Commitments”). If the Commitments are not finalized in a form reasonably acceptable to Buyer on or before the expiration of the Due Diligence Period, as provided in this Article XIV, then Buyer may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder, except those that expressly survive termination. The Commitments shall survive the Closing and shall be memorialized in a written agreement in recordable form that will be executed and delivered by Buyer and Seller at Closing. The order of recording the Commitments shall include recording the Cross Easement Agreement before the Deed unless those documents are combined into a single instrument.

ARTICLE XV Miscellaneous Provisions

Section 15.1. Attorneys’ Fees. If any suit or action be instituted to enforce the rights of either party under this Agreement, the prevailing party shall be entitled to reasonable attorneys’ fees and court costs.

Section 15.2. Further Assurances. Whenever reasonably requested to do so by the other party, Seller and Buyer shall execute, acknowledge, and deliver any and all such further reasonable conveyances, assignments, confirmations, satisfactions, releases, instruments of further assurance, approvals, consents and any and all such further instruments and documents as may be necessary in order to complete any and all conveyances, transfers, sales and assignments herein provided, and to do any and all other acts and to execute, acknowledge and deliver any and all documents as reasonably requested in order to carry out the intent and purpose of this Agreement.

Section 15.3. Buyer's Right to Assign. Buyer may, by written notice to Seller prior to the Closing Date, designate a nominee to take title to the Property and assign Buyer's interest in this Agreement in connection therewith to an entity in which the principals of Buyer own a membership or other equity interest. The named Buyer under this Agreement shall remain liable under this Agreement notwithstanding any such assignment.

Section 15.4. Successors and Assigns. Without waiver of the terms and conditions of Section 15.3, all of the rights, benefits, duties, liabilities, and obligations of the parties hereto shall inure to the benefit of, and be binding upon, their respective successors and assigns.

Section 15.5. Time. Time is of the essence of this Agreement and of every provision herein contained.

Section 15.6. Headings. The title and headings of the Sections hereof are intended solely for means of reference and are not intended to modify, explain or place any construction on any of the provisions of this Agreement.

Section 15.7. Modification. This Agreement may not be modified, amended or otherwise changed in any manner except by a writing mutually executed by both parties. To the extent there is any conflict between the terms and conditions of this Agreement and the terms and conditions of any other documents relating to the acquisition of the Property as they relate to rights and obligations between Buyer and Seller, the terms and conditions of this Agreement shall be deemed controlling.

Section 15.8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Maine.

Section 15.9. Escrow Agent. Pierce Atwood, LLP agrees to serve as Escrow Agent as described herein pursuant to the Pierce Atwood LLP Standard Escrow Terms and conditions attached hereto as Exhibit D, which are incorporated herein by reference.

Section 15.10. Exclusivity. For so long as this Agreement remains in force, neither Seller nor any of its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, will solicit, initiate, continue or participate in any discussions or negotiations with, or encourage or respond to any inquiries or proposals by, or provide any information to, or otherwise cooperate in any other way with, any corporation, company, partnership, person or other entity or group (other than Buyer and its affiliates, subsidiaries, partners, officers, directors, employees, consultants, agents, financing sources (and potential financing sources), accountants, and attorneys in connection with the development, sale, or acquisition of any interest in, the Property. Seller shall cause its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, to comply with the provisions of this section.

Section 15.11. Counterparts. This Agreement may be executed in one or more counterparts, each of which when executed shall be deemed to be an original but all of which, when taken together shall constitute one and the same agreement. This Agreement may be executed by electronic or other facsimile signatures.

[Remainder of Page Intentionally Blank – Signature Page Follows]

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

FATHOM DEVELOPMENT, LLC

By: 
Name: James Brady
Title: Manager

385 CONGRESS LLC

By: 
Name: Joseph Dasco
Title: Authorized Agent

ESCROW AGENT: PIERCE ATWOOD LLP

By: 
Name: Christopher E. Howard
Title: Partner

[Signature Page to 385 Congress Street Purchase and Sale Agreement]

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

EXHIBIT

A

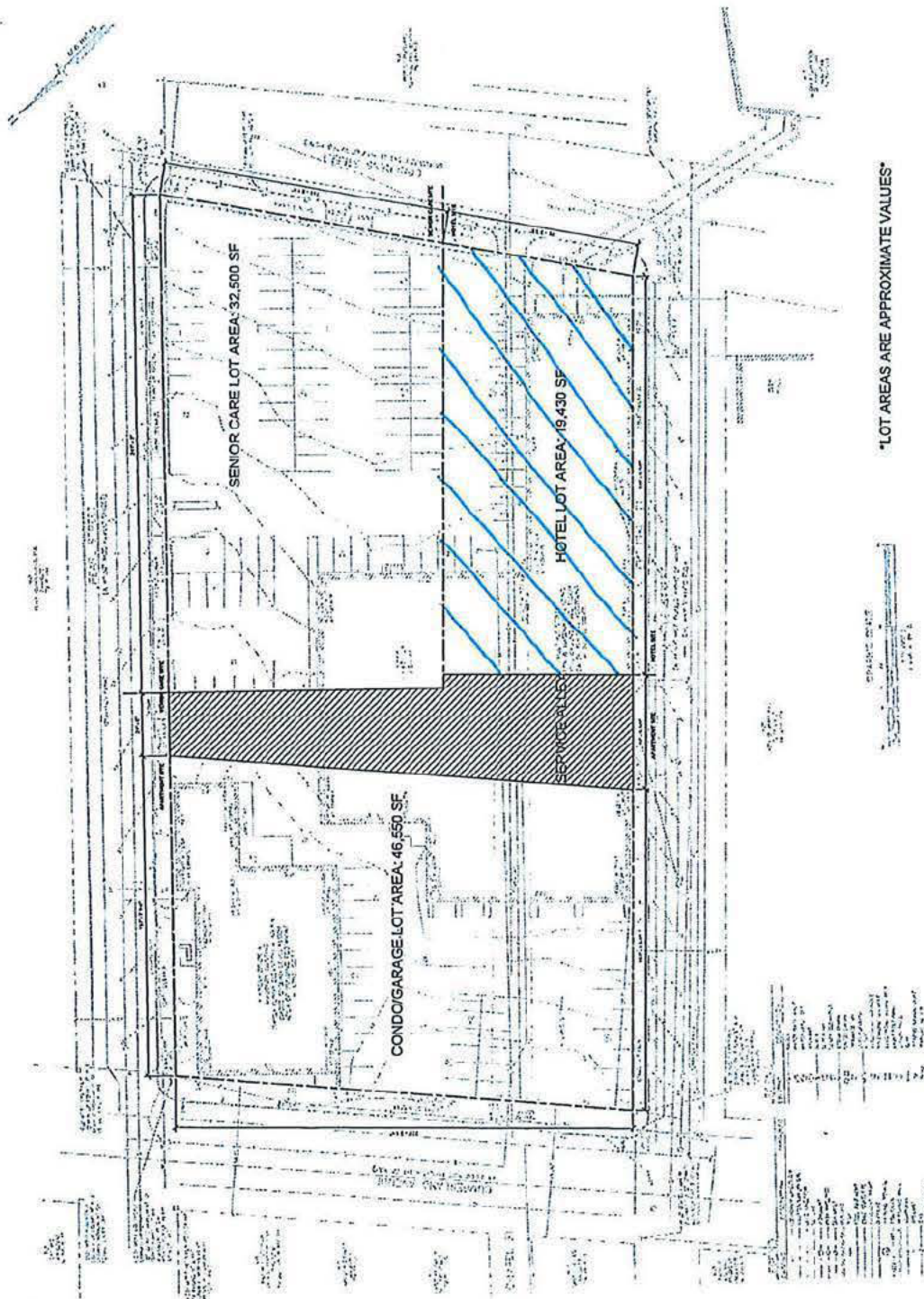


EXHIBIT B

DESCRIPTION OF MASTER DEVELOPMENT AREA

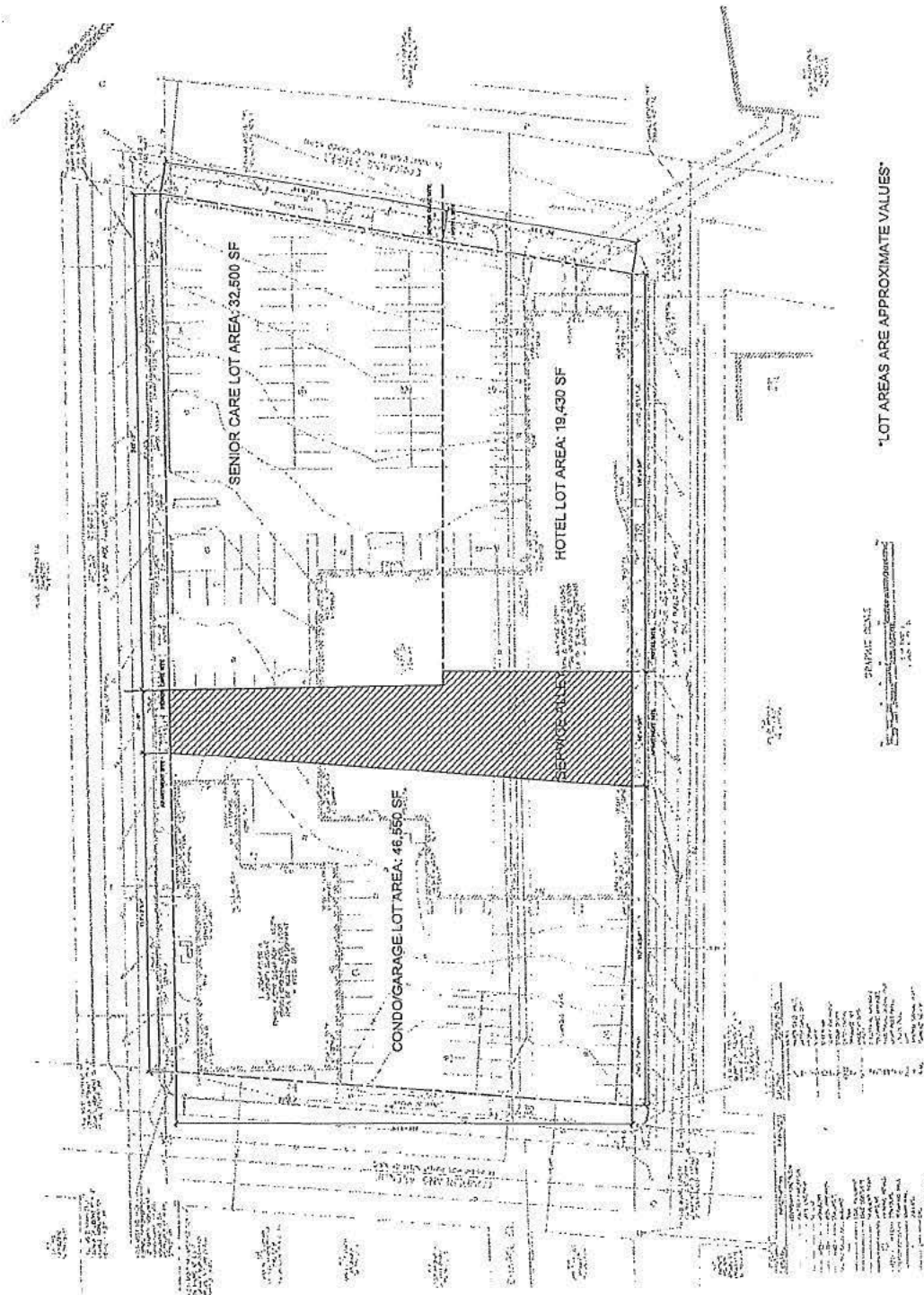
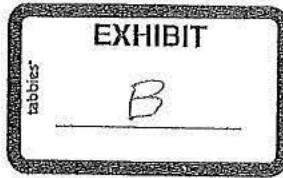


EXHIBIT C
FACILITIES PROGRAM

EXHIBIT D

PIERCE ATWOOD LLP

STANDARD ESCROW TERMS AND CONDITIONS

In consideration of Pierce Atwood LLP serving as the Escrow Agent (“Pierce Atwood” or “Escrow Agent”) pursuant to that certain Purchase and Sale Agreement dated as of December 1, 2020 between 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as “Seller”), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as “Buyer”), (“Purchase Agreement”), to which these Standard Escrow Terms and Conditions (“Escrow Terms”) are attached as an Exhibit, the Seller and Buyer hereby acknowledge and agree as follows:

1. Acceptance by Pierce Atwood LLP of its duties as Escrow Agent under the Purchase Agreement to which this Exhibit is attached, is subject to the following Escrow Terms, which all parties to the Agreement hereby agree shall govern and control the rights, duties and privileges of the Escrow Agent and shall be deemed incorporated by reference into the Agreement as if set forth in full therein (the escrow provisions of the Purchase Agreement and the Escrow Terms shall together be referred to as the “Escrow Agreement”).

2. The duties of the Escrow Agent are to be determined solely by the express provisions of the Escrow Agreement, and the Escrow Agent shall have no responsibilities except the performance of such duties as are specifically set forth in the Escrow Agreement. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. The Escrow Agent shall not be liable for any error of judgment, any act taken or omitted by it, or any mistake in fact or law, except for its own willful misconduct and breach of the Escrow Term. The parties acknowledge that the duties of the Escrow Agent hereunder are solely ministerial and contractual in nature

and have been requested for their convenience. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. Without limiting the generality of the foregoing, the Escrow Agent shall not incur liability and shall be fully protected in respect of any action taken, omitted or suffered by it in good faith, except for a breach of the Escrow Terms.

3. The Escrow Agent shall be entitled to act on or rely upon any written notice, direction, request, waiver, consent, receipt or other document (including those transmitted by facsimile transmission, email, or other electronic transmission which is capable of producing a written record) which appears to the Escrow Agent to have been signed or presented by the party or parties entitled to execute or deliver such document, and the Escrow Agent shall have no duty to inquire of or investigate the authorization, signature or authenticity of such person or document.

4. The Funds are being deposited into a client trust account of the law firm of Pierce Atwood LLP for disbursement on behalf of the undersigned in accordance with the terms

of the Purchase Agreement of even date, to which these a copy of which is attached hereto and made a part hereof. The funds (the "Funds") shall be held in escrow by Pierce Atwood LLP in a non-interest-bearing account in accordance with the terms and conditions set forth herein. In the event of an inconsistency between the provisions of any other document and the provisions of these Escrow Terms, the provisions of these Escrow Terms shall govern. The Escrow Agent shall place any funds held in escrow in a non-interest-bearing account and shall have no duty to invest or earn interest on any such funds. The parties recognize that the amount of the funds deposited may exceed the amount of Federal Deposit Insurance Corporation or other insurance thereon and agree that the Escrow Agent shall have no responsibility for losses due to bank insolvency, whether or not the bank in which the funds are deposited was selected by it. Any payments by the Escrow Agent may be made, at the Escrow Agent's election, by check or by wire transfer.

5. The Escrow Agent may, but shall not be obligated to, in its sole and absolute discretion at any time and from time to time, for any reason or for no reason, commence an interpleader or other action, suit or proceeding for the resolution of any controversy regarding the Escrow Agreement or the subject matter of its escrow, and deposit the funds or other property held in escrow. Upon so depositing such property and filing its complaint in interpleader the Escrow Agent shall be relieved of all liability under the terms of the Escrow Agreement as to the property so deposited, and furthermore, the parties hereto for themselves, their heirs, legal representatives, successors and assigns do hereby submit themselves to the jurisdiction of said court and do hereby appoint the then Clerk or acting Clerk, of said

Court as their agent for the service of all process in connection with such proceedings. The institution of any such interpleader action shall not impair the rights of the Escrow Agent hereunder.

6. The parties to the Escrow Agreement other than the Escrow Agent (collectively referred to as the "Indemnitors") jointly and severally agree to indemnify each of the Escrow Agent and its attorneys, employees and agents (collectively referred to as the "Indemnitees") against, and hold them harmless of and from, any and all loss, liability, cost, damage and expense, including reasonable counsel fees (including those of the Escrow Agent computed at its regular hourly rates), which the Indemnitees may suffer or incur by reason of any action, claim or proceeding brought or threatened to be brought, whether by any party to the Escrow Agreement or by any other person or entity, against any Indemnitee or in which any Indemnitee may become involved arising out of or relating directly or indirectly in any way to the Escrow Agreement or any transaction to which the Escrow Agreement directly or indirectly relates (including any action, claim or proceeding to enforce any indemnity obligation or any other obligation of any party to the Escrow Agreement), excluding, however, any willful or intentional wrong doing on the part of the Escrow Agent or breach of the Escrow Terms as determined by final judgment. The provisions of this paragraph shall survive any termination of the Escrow Agreement, whether by disbursement of the property held in escrow, the resignation of the Escrow Agent or otherwise.

7. THE ESCROW AGREEMENT SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF MAINE APPLICABLE TO

CONTRACTS MADE AND TO BE PERFORMED ENTIRELY WITHIN SUCH STATE, WITHOUT REFERENCE TO CONFLICT OF LAWS PRINCIPLES, AND THE ESCROW AGREEMENT CANNOT BE CHANGED OR TERMINATED EXCEPT BY A WRITING SIGNED BY ALL OF THE PARTIES TO THE ESCROW AGREEMENT. THE PARTIES TO THE ESCROW AGREEMENT HEREBY AGREE THAT NO ACTION, SUIT OR PROCEEDING SHALL BE COMMENCED AGAINST THE ESCROW AGENT UNLESS (A) THE ESCROW AGENT SHALL FIRST HAVE BEEN GIVEN 30 DAYS' WRITTEN NOTICE OF THE CLAIM AND (B) THE SAME IS BROUGHT IN A COURT OF COMPETENT JURISDICTION LOCATED IN THE STATE OF MAINE. THE PARTIES TO THE ESCROW AGREEMENT OTHER THAN THE ESCROW AGENT AGREE THAT IN ANY ACTION, SUIT OR OTHER PROCEEDING COMMENCED BY THE ESCROW AGENT, SERVICE BY MAIL AS PROVIDED HEREIN SHALL BE DEEMED GOOD, PROPER AND EFFECTIVE SERVICE UPON SAID PARTY, AND EACH CONSENTS TO THE EXCLUSIVE JURISDICTION OF THE STATE AND FEDERAL COURTS SITTING IN THE STATE OF MAINE (OR ANY OTHER COURT SELECTED BY THE ESCROW AGENT) IN ANY ACTION, SUIT OR PROCEEDING UNDER OR IN CONNECTION WITH THE ESCROW AGREEMENT, HEREBY WAIVING ANY AND ALL RIGHT TO OBJECT TO THE JURISDICTION OR VENUE OF SAID COURT OR TO OBJECT THAT SUCH COURT IS AN INCONVENIENT FORUM.

8. If a controversy arises between one or more of the parties hereto, or between any of the parties hereto and any person not a party hereto, as to whether or not or to whom the Escrow Agent shall deliver the property held in escrow or any portion thereof, or as to any other matter arising out of or relating to the Escrow Agreement or the property held in escrow, the Escrow Agent shall not be required to make any inquiry or investigation, or make any determination as to such controversy, and need not make any delivery of such property but may retain it until the rights of the parties to the dispute shall have finally been determined by agreement in form, substance and formalities satisfactory to the Escrow Agent or by final order of a court of competent jurisdiction from which final order the time for appeal has expired without an appeal having been taken.

9. All notices, requests and other communications which may or must be given hereunder shall be in writing (including facsimile transmission, email, or other electronic transmission which is capable of producing a written record) and shall be deemed to have been duly given upon the earliest of receipt or attempted delivery or 3 days after deposit when mailed by registered or certified mail, return receipt requested, to each of the parties at their addresses set forth in the Escrow Agreement, or such other address of which notice may be given to all parties from time to time.

10. The Escrow Agreement shall be binding upon and inure to the benefit of Escrow Agent, Seller and Buyer, and their respective heirs, personal representatives, successors and permitted assigns, but not to the benefit of any third party other than the Indemnitees. The Escrow Agreement and any rights thereunder may not be assigned without the written consent of the Escrow Agent, and any

purported assignment without the Escrow Agent's written consent shall be null and void and of no effect whatsoever. The rights granted the Escrow Agent herein are cumulative and the exercise of any one or more rights hereunder shall not constitute a waiver of the Escrow Agent's right to assert all other legal and equitable remedies available to it under the circumstances. If one or more of the provisions or paragraphs of the Escrow Agreement shall be held to be illegal or otherwise void or invalid, the remainder of the Escrow Agreement shall not be affected and shall remain in full force and effect.

11. **Pierce Atwood LLP acting as Escrow Agent and is holding the Funds in its account at the request of the Seller and Buyer, and each of Seller and Buyer acknowledge that Pierce Atwood LLP represents Buyer and its Affiliates for this transaction and does not represent Seller. The Seller and Buyer both hereby confirm their consent to Pierce Atwood LLP's current and continued representation of Buyer in this transaction, any dispute, arbitration or litigation arising in connection herewith, including any dispute about the Funds, and any and all future representation of Buyer and its affiliates. In the event of a dispute between the parties, the commencement of an Interpleader action, or the resignation by Pierce Atwood LLP as Escrow Agent, Pierce Atwood LLP shall be free to continue to act as counsel for and represent Buyer, and each of Seller and Buyer hereby consent to such representation.**

12. That Pierce Atwood LLP is not liable for any portion of the Funds in excess of the limit of FDIC insurance on the account and is not liable for losses due to failure of the bank in which the account is held.

13. That Pierce Atwood LLP will not make any payment with respect to the Funds until it receives confirmation that the Funds are collected in its account.

Historic Resources 14-14.6.4 (E)

1. The proposed Hotel is not located in a designated historic district.
2. The proposed development is located on Congress Street adjacent to an historically significant building (City Hall). The proposed hotel will be generally compatible with the major character-defining elements of the district in the immediate vicinity of the proposed development. The proposed development site is located in an area of the City that, like much of Portland, is a mix of modern and historic structures. Congress Street is a blend of modern and traditional architecture that are the hallmark of a vibrant City. The proposed hotel design will be compatible with the surrounding area. The proposed development has been designed to work cohesively with the historic fabric of the surrounding area. Please see the Master Development Plan which includes supportive information regarding Neighborhood Context.
3. The proposed project area is a previously developed site with no known historic or archaeological resources.

Evidence of State or Federal Approvals

Not Applicable. No State or Federal approvals are required for this project at this time.

The project is the first phase of development identified in the approved Master Plan of Development for 385 Congress Street approved by the Planning Board on August 9, 2020 (reference City of Portland Planning Department Project Number PL-001970-2022).

Exterior Lighting 14-14.6.4 (F)

1. Site lighting. All proposed lighting will conform to the lighting standards of the Technical Manual.
2. Architectural and specialty lighting. Any proposed architectural or specialty lighting will conform to the lighting standards of the Technical Manual.
3. Street lighting. The proposed development site is on Congress Street, an established city street with existing lighting. Any street lighting proposed to replace or enhance the existing lighting will conform to the lighting standards of the Technical Manual.

Please see attached photometric plans for the project site, and fixture schedules. Decorative street lighting is proposed installed along the Congress Street and Myrtle Street frontages of the project site. The proposed street lights are STREET/PEDCOMBO (Figure X-5F in the Technical Manual) in Dark Green – Tiger Drlace RAL 6012

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	none	2.26 ac
Area Per Dwelling Unit	none	none
Minimum Street Frontage	15 ft	116'
Front Yard Minimum	none	13'
Front Yard Maximum	5	107'
Rear Yard	none	none
Yard Right	none	none
Yard Left	none	none
Side Street Setback	none	none
Step Back	none	none
Maximum Lot Coverage	100%	80%
Minimum Lot Coverage	none	none
Maximum Height	150 ft	150 ft
Open Space	none	none
Maximum Impervious Area	100%	99%
Pavement Setback	none	N/A
Floor Area Ratio	none	N/A
Off Street Parking Spaces	39	72
Loading Bays	1	1
Other 1		
Other 2		
Other 3		

Noise and Vibration 14-14.6.4 (G)

All heating, ventilation, and air conditioning equipment, air handling units, emergency generators, and similar equipment shall meet applicable state and federal emissions requirements and shall be located away from abutting residential properties. The B-3 Zone Noise Standard is 60 dB during the day and evening and 55 dB at night.

HVAC, air handling units, and the emergency generator will be installed on the building rooftop. Domestic hot water boilers will be located within a mechanical room at the level 12 roof, with exterior condensers grouped on the roof behind a screen wall, approximately 8-10' back from the roof edge. The generator is enclosed in a Level 3 (highest level provided by the manufacturer) sound attenuation enclosure.

Vibration will be mitigated by locating equipment on concrete housekeeping pads with vibration isolation pads and springs.

Both vibration and noise will be reviewed by the project acoustic consultant and further mitigation will be provided as required to confirm the equipment is within code compliance.

Please see the building roof plan and aerial perspective showing rooftop mechanical enclosure.

Standard to be Waived: Cite Ordinance or Technical Manual Standard	Cite Standard Language: Cite specific language of applicable Ordinance or Technical Manual Standard	Waiver Being Sought: Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	Justification for Waiver: Address specific waiver criteria, if applicable, and document reasons for the waiver request.
Land Use Ordinance Section 7.3 Table 7-E Maximum Front Setback	All buildings or structures shall be located within 5 feet of the property line	Applicant proposes varying setbacks along Congress Street and Myrtle Street	See attached narrative
Technical Standards Section 14.1.2	1.14.2. Parking spaces shall meet the following dimensional requirements: • Standard parking space: 9 feet wide by 18 feet long. • Compact parking space: 8 feet wide by 15 feet long • Motorcycle/motorized scooter parking space: 4 feet wide by 8 feet long. Any parking lot with 10 or fewer spaces shall contain standard sized parking spaces. Parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces.	Applicant proposes that all of the valet parked spaces in the hotel's structured parking be reduced width/compact spaces	See attached narrative
Technical Standards Section 14.1.3	Parking lot layout shall conform to Figures I-28 thru I-32.	Applicant seeks a waiver to allow parallel valet parking spaces across the ends of double stacked, 90 degree compact spaces within the Hotel parking levels on Lot 1	See attached narrative
Technical Standards Section 14.1.5	Vehicular access shall be provided by one or more aisles. Minimum widths of aisles are illustrated in Figures I-28 thru I-31.	Applicant seeks a waiver of 24' drive aisle width in the Hotel garage to allow to allow parallel valet parking spaces across the ends of double stacked, 90 degree compact spaces within the Hotel parking levels on Lot 1	See attached narrative

7A Waiver Narrative

Waiver 1

Consistent with the approved Master Plan of Development 385 Congress Street (City of Portland Planning Department Project Number PL-001970-2022) The application requests increased setbacks along Congress Street and Myrtle Street. In the B-3 zone, the Zoning Ordinance Section 7.3 Table 7-E defines the maximum permitted setback from the street as 5 feet. Section §(b)(1)(e)(2) of the City's Design Manual states that a proposed development may exceed the maximum setbacks as required only when the applicant demonstrates to the Planning Board that the introduction of increased building setback at the street level:

- a. Provides substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest. Such amenities may include without limitation plazas, outdoor eating spaces and cafes, or wider sidewalk circulation areas in locations of substantial pedestrian congestion;*
- b. Does not substantially detract from the prevailing street wall character by introducing such additional setback at critical building locations such as prominent form-defining corners, or create a sense of discontinuity in particularly consistent or continuous settings;*
- c. Does not detract from existing publicly accessible open space by creating an excessive amount of open space in one (1) area or by diminishing the viability or liveliness of that existing open space;*
- d. The area of setback is of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity.*

The following narrative addresses each of the criteria identified in Section §(b)(1)(e)(2) of the Design Manual.

- a. Provides substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest. Such amenities may include without limitation plazas, outdoor eating spaces and cafes, or wider sidewalk circulation areas in locations of substantial pedestrian congestion;***

The applications seeks to widen the public sidewalk on Congress Street in response to Planning Staff comments and recommendations documented in the Master Development Plan for the site to create a linear plaza activating Congress Street and allowing the site to comply with the contextual front setback with City Hall, required by the Design Manual.

The revised design and request for additional setback on Congress Street is in direct response to this request from Planning Staff. The revised design:

- Creates a public space oriented toward the street that provides a visual and thematic connection from City Hall Plaza to Lincoln Park
- Provides opportunities for outdoor seating that can support businesses on the site and events along Congress Street;

- Meets the contextual setback requirements for the continuation of the Congress Street's Street wall;
- Provides opportunity to enhance the tree canopy along Congress Street

The proposed setbacks on Myrtle Street vary from 4' to 8' to allow for the planting of street trees with wider sidewalks in the area opposite City Hall and the Merrill Auditorium entrance enhancing the street as an active space for both the on-site retail/commercial uses and for public events associated with City Hall and the auditorium.

The proposed setback on Myrtle Street is consistent with City Hall/Merrill Auditorium's setback on this block which varies from 0' to 9'. The increased setback provides clearance for the proposed building's foundation construction from existing underground utilities in the sidewalks.

- b. Does not substantially detract from the prevailing street wall character by introducing such additional setback at critical building locations such as prominent form-defining corners, or create a sense of discontinuity in particularly consistent or continuous settings;***

The street setting on this section of Congress Street, and Myrtle Street are not a particularly consistent or continuous setback.

The street wall along Congress has been created to be responsive the contextual street wall considerations discussed in item a. above. The proposed street wall on Myrtle Street is reflective of City Hall and Merrill Auditorium.

- c. Does not detract from existing publicly accessible open space by creating an excessive amount of open space in one (1) area or by diminishing the viability or liveliness of that existing open space;***

The proposed setbacks will enhance pedestrian experiences at the building corners improving pedestrian crossing and safety and create viable space supporting business on the site at a location that has been a dominated by surface parking lot for many years. The most significant setbacks requested occur along Congress Street and have been consciously considered to provide a visual and contextual connection between public spaces at City Hall and Lincoln Park.

The setback on Myrtle Street are reflective of and responsive to the setbacks at Merrill Auditorium. The additional open space created is not excessive and does not diminish the liveliness of the street.

- d. The area of setback is of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity.***

The areas of increased setback will be constructed of City standard brick sidewalk within the right of way and a combination of brick sidewalk and with pavers on on-site areas to enhance the spaces in support of the street level uses. The design creates quality pedestrian spaces consistent with the City's standards and precedents.

The public brick sidewalk materials will extend on to the site on Myrtle Street from the right of way to the base building including the amenity deck stairs on Myrtle Street as a visual wayfinding feature visually reinforcing these features a public amenity.

The proposed buildings are to be constructed within height limits allowed by zoning and the shadow studies submitted with the application provide evidence of the availability of solar access to the extent practicable in an urban setting with buildings of the heights allowed by zoning. The northwest-southeast orientation of the block provides sunlit conditions for much of the day throughout the year.

Waiver 2

Consistent with the approved Master Plan of Development 385 Congress Street (City of Portland Planning Department Project Number PL-001970-2022), the application requests a waiver of the Technical Standards Section 14.1.2 regarding the number of compact spaces within the structured parking levels.

The language of the Ordinance is as follows:

Any parking lot with 10 or fewer spaces shall contain standard sized parking spaces. Parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces.

The waiver requests that all of the valet operated parking spaces in the Hotel's parking structure on Lot 1 be permitted as reduced width/compact spaces.

The reduced width spaces are typically 8' to 8'6" with the width narrowed to accommodate the anticipated size and spacing of columns that will be required in the hotel garage levels.

- This column condition is not unusual in parking structures below hotel and residential uses, where column spacing needs to respond to hotel room bay spacing, and has precedent in other projects in the City
- The building columns are anticipated to include fire proofing and protective encasements that may encroach into the standard 9' width.
- All of the hotel parking will be by valet, there is no self-parking by the public in the hotel
- With valet parking, the plan proposes to include double stacked space and spaces less than 9' width

The Hotel garage compact spaces will arrange generally as shown on the submitted floor plans.

We anticipate that all of the 90 degree stalls, exclusive of ADA Accessible spaces, will be compact (approximately 70-75 based on the MDP design). Widths are anticipated to vary from 8' to 8.5'. It is anticipated that the reduced width 90 degrees stalls may vary in length but will meet the City's minimum 15' length for a compact stall.

Waiver 3 and Waiver 4

Consistent with the approved Master Plan of Development 385 Congress Street (City of Portland Planning Department Project Number PL-001970-2022) The application a waiver of the Technical standards Section 14.1.3 regarding the parking space layout and Section 14.1.5 related to drive aisle width within the structured parking levels of the Hotel garage on Lot 1 to allow parallel valet parking spaces across the ends of double stacked, 90 degree compact spaces within the Hotel parking levels on Lot 1

The language of the Ordinance is as follows:

Section 14.1.3 Parking lot layout shall conform to Figures I-28 thru I-32.

Section 14.1.5 Vehicular access shall be provided by one or more aisles. Minimum widths of aisles are illustrated in Figures I-28 thru I-31.

The waiver requests double stacked 90 degrees spaces and parallel spaces generally as shown on the plans. Valet parked parallel parked vehicles may block the ends of 90 degrees spaces and be located within the 24' clear width of the drive aisles.

- All of the hotel parking will be by valet, there is no self-parking by the public in the hotel
- The column spacing will allow clear space in the drive aisle of at not less than 24'
- The use of double stacked and parallel spaces in the valet operated garage allow for efficient valet operations for uncongested operation of the site drive entrance on Congress Street

Signage and Wayfinding 14-14.6.4 (H)

1. Signage location and scale will be in compliance with the City Ordinance.
2. All on-site directional traffic signage will be sited in such a way as to not adversely affect visibility at intersections or offsite.

Valet Operations, Wayfinding and Signage

The project proposes a two- lane, one-way (entering) driveway on Congress Street for vehicles entering the hotel site.

The proposed curb cut is set at 22' wide to allow for an 11' through lane entering and an 11' wide pull off area for drop off at the onsite entrance area. This lane configuration allows for valet operators to move entering vehicles past loading vehicles in the drop off lane and into the garage structure if necessary to prevent stacking of vehicles in the entrance driveway or on the sidewalk area.

The material details for the valet entrance area have been developed to emphasize the area as a shared use space for vehicles and pedestrians, not a vehicle dominated area. The entrance plaza is designed to integrated with the monumental stair, sidewalk and streetscape providing a clear and attractive arrival experience and presence for the face of the building on Congress Street. The public sidewalk materials continue across the driveway. The design respects and reinforces the pedestrian-oriented streetscape while defining the area as an entrance to the hotel for safe and efficient valet parking.

The valet entrance area may include moveable/temporary sidewalk kiosks or signs, placed by the valet operators, to indicate valet parking locations, but no permanent valet signage is proposed. This approach is similar to other valet parking operations in the City of Portland.

There will be no self-parking in the hotel's garage by hotel guests, all guest parking will be valet parked. The revised plan provides a minimum of (4) loading spaces at the valet entrance outside of the garage for guest arrival and during peak arrival/departure times the valet operators can use both lanes of the valet entrance to accommodate up to (8) cars.

During standard operations, the second lane will remain clear to allow entering vehicles to pass loading/unloading guest vehicles and move off of the public sidewalks. During peak periods, the through lane is available for unloading while valets move vehicles into the garage.

The hotel's valet operation, similar to most valet operations at hotels in Portland, is a contracted service by a parking facility operator that has access to the both the on-site parking and other nearby offsite parking facilities. During peak periods, if the on-site garage is approaching capacity, the valets will park vehicles offsite in contracted facilities managed by the valet/parking vendor to ensure that arriving and departing vehicles are not queuing on the sidewalk or in the streets adjacent to the site. Peak periods of hotel valet operations are generally predicable at typical weekend check-in and check-out times and are staffed accordingly.

The valet service will be staffed 24 hours a day whenever the hotel is operating. The operation will be managed in the same manner as the applicants other existing hotels in Portland.

Financial Capability

The proposed project is part of a larger development. This portion of the project which involves the construction of a hotel will be developed and financed by The Fathom Companies (dba Fathom Congress, LLC).

Attached please find the following letter as proof of financial capability:

- Letter dated February 1, 2022 from Mascoma Bank for Fathom Congress LLC.



SENT VIA EMAIL

February 1, 2022

City of Portland
Planning Board
385 Congress Street
4th Floor
Portland, Maine 04101

Re: Statement of Financial Capacity: Fathom Congress, LLC, as part of Fathom Development, LLC, and Mr. James Brady.

To Whom It May Concern,

We are pleased to confirm that Fathom Congress, LLC, as part of Fathom Development, LLC, and Mr. James Brady possess the full financial capacity and experience to successfully finance the proposed development to be located at 385 Congress Street, Portland, Maine 04101.

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

Sincerely,

Tad Atwell
Tad.Atwell@MascomaBank.com
Senior Vice President
48 Free Street, Portland, Maine

Zone Related Design Standards 14-14.6.4 (I)

1.a. Development in the B-3, B-5, B-5b, and B-7 zones and in the B-6 and EWPZ zones shall be designed to support the development of dense, mixed-use neighborhoods with attractive, safe, and convenient street-level pedestrian environments.

The building and site is designed to comply with the design standards of the City of Portland Design Manual Section (b) B-3 Downtown Business Zone and the Pedestrian Activities District (PAD).

The project is the first phase of a Master Development Plan (MDP) approved by the Planning Board on August 9, 2022. The approved MDP adopts design guidelines for the site outlined in a staff design review memorandum dated August 2, 2022. The following items discuss the site design with reference to applicable sections of the ordinance and design guidelines that were highlighted in the MDP review.

Additional information related to building design is shown on the architectural plans submitted with the application.

- *§(b)(1)(a)(1)(i)(2) of the Design Manual states that building entrances, including such factors as compatibility with the building's façade, prominence along the street, access to the street, and accessibility for physically handicapped or for those with special needs are factors that should be considered.*

The hotel lobby entrance has been upgraded on Congress Street, with differentiated materials, slightly recessed doors and a canopy above, extending 6' from the building face. This entry is fully accessible. A secondary entrance is located closer to the retail storefront.

- *§ (b)(1)(e)(1) of the Design Manual states that proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown, surrounding building environment and streetscape, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1). Factors to be considered include the relationship to the following existing patterns:*

- *Street walls and building setbacks:*

As part of the MDP review, the Congress Street elevation was pulled 10' back from the property line, to allow for better views to City Hall. The Myrtle Street elevation was pulled back from the property line for more pedestrian room amongst the street trees. The approved MDP includes waivers of the 5' maximum setback required by ordinance. The setbacks presented in the plan set are consistent with the MDP design and the approved waiver.

- *Open space:*

The Level 2 amenity deck has been developed as a linear space open to the public during daytime and evening hours. The area between the property line and building front on Congress Street will be developed to accommodate tables and chairs outside the retail space at the corner of Myrtle Street and Congress Street.

The streetscape design incorporates street trees in planters along the curb line with landscaped planters with seating to the street side at the front of the hotel. The planting design and materials present a cohesive design for the space providing street activation and opportunities for outdoor seating both within the public sidewalk and the semi-public outdoor spaces on site along the Hotel and commercial uses at street level.

- *Building form, scale and massing:*

The form, scale and massing of the building is consistent with the approved MDP for the site.

The building elevation at Myrtle Street is set back between 4.5' and 6.5' along Myrtle Street, with articulation to allow more room for an expanded sidewalk pedestrians and street trees. The elevations above at Level 3 steps back almost 13', as required at approximately 35' above the sidewalk. The overall form of the building exemplifies a base, middle and top portion, with the top two condo floors stepping back more than the hotel part. Materials from the Myrtle Street elevation bracket the glass curtainwall on Congress Street.

- *Facade proportion and composition:*

The building is arranged in a classic 3-part composition – base, middle and top. The base has a contemporary limestone finish to conform to the predominant limestone of adjacent buildings. Much of the middle of the elevation is brick on Myrtle and Congress, similar to the surrounding buildings. While the painted aluminum at the upper floors and curtainwall will not have the same copper green patina, the metal finishes are sympathetic to the other metal roofs. Punched windows conform to the overall esthetic of the area and the curtainwall adds a contemporary counterpoint to the traditionalist City Hall.

- *Pedestrian circulation and building entrances:*

Pedestrians have full access to the Level 2 outdoor amenity space, via the stair or a limited use/limited access elevator mid-block on Myrtle Street, or the stair adjacent to the hotel porte cochere. ADA access from Congress will be by hotel elevator. A prominent hotel entry is located off Congress Street, with the porte cochere and

vehicle arrival point off to the side below the outdoor amenity space, from Congress Street.

- *Parking:*

Parking for the hotel will be all valet. There are 18 spaces allocated for the condo owners, which will also be part of the valet program. 11 bike spaces have been provided in the street level garage. On Myrtle Street there are 3 short-term parking loading spaces proposed at the curb adjacent to the interior the loading area. These are intended for hotel delivery and pickup.

Technical Capability

There is a highly qualified team of developer, architects, and engineers that have been compiled for the proposed project.

The proposed hotel is to be developed by Fathom Companies (dba Fathom Congress, LLC). The Fathom Companies is a fully integrated real estate development, management, and investment company based in Falmouth Maine. Fathom has developed and currently operates several hotel and commercial properties in Portland including the Press Hotel, 80 Exchange Street and Canopy by Hilton Waterfront Hotel

Architect

Architectural services for the hotel are to be provided by Johnson Nathan Strohe.

Johnson Nathan Strohe (JNS) is a Denver Colorado base architectural firm with over 26 years of experience. Theirs is a diverse team comprised of architects and designers that have competed a wide range of projects across the country. Please see the additional information included as part of this exhibit for additional qualification information.

Civil/Survey/Permitting

Civil engineering, surveying, and permitting services are being provided by Sebago Technics.

Sebago Technics, Inc. (STI) is a multi-disciplined engineering firm with 40 years of experience, that offers a wide range of services specializing in land development, planning, permitting and engineering design services. We maintain a staff of multi-disciplinary professionals to provide services in the areas of general civil engineering, road and utility infrastructure design, construction management, permitting, landscape architecture, soil science, wetlands science, land surveying, and environmental engineering.

Please see the attached STI resumes for Steve Doe, RLA, Dan Riley, P.E.



Completed Portfolio Fall 2021

info@fathomcompanies.com

www.fathomcompanies.com

207.808.8787

Fathom Companies is a fully integrated real estate development, management, and investment company focusing on exceptional properties in secondary and tertiary markets. We seek to add value to mixed-use, office, retail and hospitality facilities through thoughtful design and fastidious attention to detail. Our hospitality management branch brings decades of experience with some of the most successful brands in the industry. We aim to foster an environment of empowerment, creativity and teamwork.

The Press Hotel

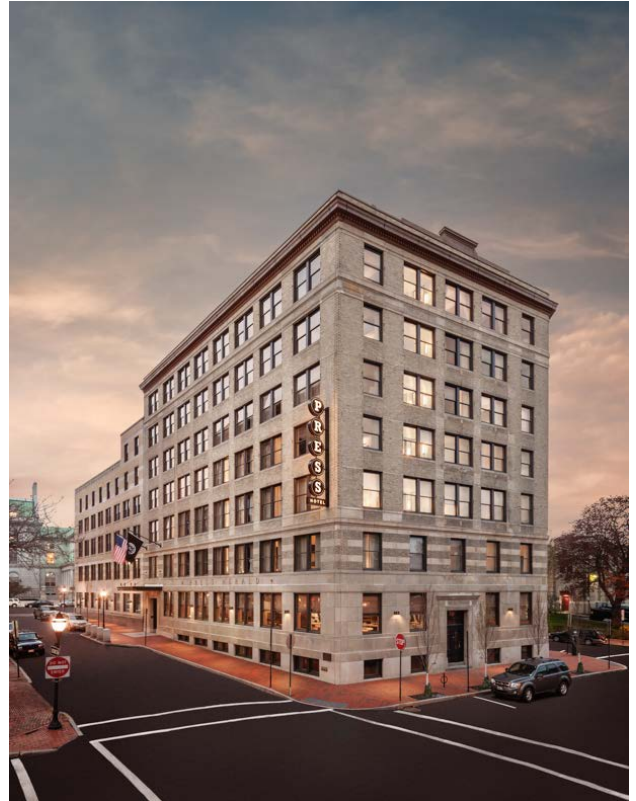
Portland, Maine

- Historic Rehabilitation Adaptive Reuse
- Former Newspaper Headquarters of the Portland Press Herald
- 110 Guest Room Boutique Hotel with 100 Seat Restaurant
- Ranked #1 and RevPAR leader in the market
- Opened May 2015

The opening marked the City of Portland's first lifestyle boutique hotel, breathing new life into a cherished, historic city landmark.

Design & Construction Team:

- Architype Architect
- Wright Ryan Construction



The Press Hotel

80 Exchange Street

Portland, Maine

- Historic Rehabilitation
- 15,000 Square Feet
- 4 Story Retail and Class A Office Space
- Opened January 2019

The project set out to bring back the once glorious building and restore its place in the urban fabric as a good neighbor and leader in design, and community development.



4th Floor Fathom Office at 80 Exchange Street

Design & Construction Team:

- Briburn Architects
- Warren Construction

Canopy by Hilton Portland Waterfront Hotel

Portland, Maine

- Ground Up Construction
- Canopy Lifestyle Brand by Hilton
- 135 Guestroom Lifestyle Hotel with indoor/outdoor rooftop bar and restaurant overlooking Casco Bay.
- Opened June 2021

Design & Construction Team:

- HKS Architects
- Baskervill Architects
- Cianbro Construction



Luna Rooftop Bar at Canopy Portland Waterfront Hotel



JOHNSON NATHAN STROHE

PRAGMATIC BEAUTY

ARCHITECTURE QUALIFICATIONS

HOSPITALITY





JOHNSON NATHAN STROHE

is a Denver-based architectural and interior design firm that specializes in delivering integrated solutions for hospitality, multifamily and mixed-use projects, from ground-up to historic preservation, renovation and adaptive reuse.

Over the last 26 years, our diverse team of architects and designers has completed hundreds of projects across the country with an equal focus on creativity, context, budget and program. The result is award-winning spaces that deliver unique and inspiring experiences, support the end user and deliver a return for the investor.

PRAGMATIC BEAUTY™

Our design philosophy blends creativity and practicality to deliver compelling environments that are both aesthetically striking and thoroughly functional for their intended use. It's what we call Pragmatic Beauty™. We use this philosophy as a guiding principle that allows us to innovate through challenges, work collaboratively with the teams and optimize pragmatism and beauty.

HOSPITALITY EXPERIENCE

Our niche expertise in hospitality fosters responsive, creative design solutions that meet both schedule and budget demands through a fully integrated service model. Through our

context-based design process, we consider the project's long-term impact on the community and environment, creating added value for clients and residents alike. By establishing close relationships with partners, we remain keenly focused on every phase of the project in order to ensure it meets our rigorous quality and client service expectations.

Our expert team has designed more than 80 boutique and corporate-branded hotels across the country, including award-winning projects like The Crawford Hotel at Denver Union Station, The Perry Hotel Key West and The Maven Hotel at Dairy Block (Denver).

PROFESSIONAL SERVICES INCLUDE:

Programming | Historic Preservation | Entitlement Leadership | Complete Architectural Services | Sustainable / LEED Certified Design
Interior Design | Feasibility and Yield Studies | Construction Value Strategies | Construction Administration | Post-Construction Services



NICOLE NATHAN

AIA | NCARB | LEED AP

PARTNER

Nicole Nathan is a creative visionary with more than 20 years of experience as a design architect creating some of the most dynamic spaces in Denver and across the country. As a Partner at JNS, Nicole leads the firm’s architectural and interior design studios, focusing on hospitality, urban mixed-use and housing projects. Nicole’s leadership throughout her 19 years with the firm has helped grow JNS into a top architecture and interior design firm in the region.

NATIONAL COUNCIL OF
ARCHITECTURAL REGISTRATION
BOARDS (NCARB)

U.S. GREEN BUILDING COUNCIL
URBAN LAND INSTITUTE (ULI)

LICENSED ARCHITECT

Licensed in 6 States

MASTER OF ARCHITECTURE

University of Illinois
at Urbana-Champaign

**BACHELOR OF
ENVIRONMENTAL DESIGN**

University of Colorado at Boulder



TOBIAS STROHE

AIA | LEED AP

PARTNER

As a Partner at JNS, Tobias Strohe contributes to the firm’s technical and creative direction. Tobias, who has 25 years of professional experience, ensures projects meet JNS’ high standards, collaborating with all partners and teams to create pragmatically beautiful solutions. His expertise spanning the entire spectrum of the architectural industry is balanced with an acute attention to detail.

DOWNTOWN DENVER PARTNERSHIP
Leadership Program

U.S. GREEN BUILDING COUNCIL
AIA HISTORIC RESOURCES COMMITTEE
CLEWORTH ARCHITECTURAL LEGACY

LICENSED ARCHITECT

Colorado | California

MASTER OF ARCHITECTURE

Technical University | Dresden, Germany

ERASMUS PROGRAM, EU
Technical University | Vienna, Austria

BACHELOR’S DEGREE
Technical University, Germany



LIZ MCDONALD

AIA | NCARB | LEED AP

PRINCIPAL

Liz McDonald is a dynamic leader known for designing spaces that achieve the perfect balance of creativity and practicality. As the firm’s youngest Principal, Liz oversees JNS’ multifamily division, leading projects at the forefront of housing trends. Over the last 14 years, Liz has honed her design skills, while her strong project management skills and meticulous attention to detail have earned her a reputation for delivering truly memorable spaces for clients.

NATIONAL COUNCIL OF
ARCHITECTURAL REGISTRATION
BOARDS (NCARB)

U.S. GREEN BUILDING COUNCIL
URBAN LAND INSTITUTE (ULI)

LICENSED ARCHITECT

Colorado

**BACHELOR OF
ARCHITECTURE**

University of Kansas
School of Architecture

PROJECT LIST

FULL PORTFOLIO CAN BE SEEN ON
[JNS.DESIGN](https://jns.design)

- Hilton Garden Inn, Union Station - Denver, Colorado
- Aspen St. Regis Resort - Aspen, Colorado
- Blackstone Hotel - Chicago, Illinois
- Canary Hotel - Santa Barbara, California
- AC Hotel - Clayton, Missouri
- Westin DIA - Denver, Colorado
- Double Tree Cherry Creek - Denver, Colorado
- Embassy Suite - Boulder Colorado
- Double Tree at Lincoln Park - Greeley, Colorado
- Halcyon Hotel Cherry Creek - Denver, Colorado
- Hilton Charlotte Downtown - Charlotte, North Carolina
- Hilton Garden Inn - Boulder, Colorado
- Hotel Colorado - Glenwood Springs, Colorado
- Hotel Monaco - Denver, Colorado
- Hotel Monaco - Salt Lake City, Utah
- Hyatt Centric Downtown - Denver, Colorado
- Magnolia Hotel - Denver, Colorado
- Magnolia Hotel - Omaha, Nebraska
- Metro State Hotel & Learning Center, Springhill Suites - Denver, Colorado
- Moxy Cherry Creek - Denver, Colorado
- Springhill Suites - Oceanside, California
- One York, AC Hotel - St Louis, Missouri
- Oxford Hotel - Denver, Colorado
- Renaissance Hotel Downtown - Pittsburgh, Pennsylvania
- Marriott Courtyard Downtown - San Diego, California
- Marriott Gaslamp Quarter - San Diego, California
- Scioto Peninsula Hotel - Columbus, Ohio
- Sheraton Downtown - Albuquerque, New Mexico
- Sheraton Downtown - Denver, Colorado
- The Crawford Hotel at Union Station - Denver, Colorado
- The Maven Hotel at Dairy Block - Denver, Colorado
- The Mercantile Residence Inn - Missoula, Montana
- The Nines Hotel - Portland, Oregon
- The Ramble Hotel - Denver, Colorado
- The Vail Cascade - Vail, Colorado
- Wine Country Inn - Palisades, Colorado

Introduction to Sebago Technics, Inc.



Year Established: 1981 (38 years in business)

About Us: Sebago Technics, Inc. (STI) is a consulting firm of more than 70 design professionals and technical staff providing services throughout New England. From the start, our business plan was simple: “to provide quality, cost-effective civil engineering services that are responsive to a customer’s goals, schedule and budget.” Our One Company capabilities and resources provide clients with experience and solutions to respond to their planning, permitting and design needs.



Structure: Employee-owned since 1998

Services: Civil, environmental, transportation & traffic engineering; municipal engineering; local/state/federal permitting and planning; land surveying & laser scanning; GIS; landscape architecture; environmental services; and natural resources.

Employee Disciplines:

Professional Engineers, Civil Engineers, Transportation Engineers, Landscape Architects, Professional Land Surveyors, Survey Technicians, CADD Designers, Wetland Scientist, Soil Scientist, Construction Inspectors, Community Planner, Environmental Scientists, GIS Professionals, Marketing, Administrative & Financial



Professional Focus: Sebago Technics provides engineering and planning services to both public and private sector clients. In the municipal and government sectors we have provided multiple discipline services through General Services Contracts (GSC) and project specific contracts. A few examples include the Portland Jetport, City of Portland Public Services, City of South Portland, City of Lewiston, City of Westbrook and several smaller communities. Our municipal sector work includes street and utility infrastructure design, municipal facility planning and specialty work such as Island marine and solid waste planning & engineering.

Location: South Portland, ME



Primary Geographic Service Area: Maine, New Hampshire, Vermont, Massachusetts

Web Site: www.sebagotechnics.com

STEPHEN G. DOE, RLA, LEED-AP

Senior Landscape Architect



When Mr. Doe joined Sebago Technics, Inc. in 1988, he brought with him a versatile and highly proficient background in land planning, site development, landscape architecture and graphic presentation, and construction. With a fine understanding for detail and construction practices, he has continually proven his ability to prepare functional, yet aesthetically pleasing land development programs and Site Plans for both public and private sector clients. He is proficient in combining his technical knowledge with highly skilled graphic communications to prepare all levels of plan documents from Conceptual Site Plans to complete construction documents and specifications. His strong public presentation skills and attention to detail in preparing and administering Site Plan Applications with state and local regulators has proven beneficial to clients in receiving timely approvals and respect within their communities.

EXPERIENCE



Boothbay Harbor Country Club, Boothbay, Maine – Steve was Sebago's Project Manager and Lead Site Designer for this complete renovation of the Boothbay Harbor Country Club. Working in collaboration with Knickerbocker Group, Steve prepared the master plan, detailed site plan, landscaping and grading plan for this new world class country club and was fully involved in the construction administration of the entire project. This \$21M rebuild broke ground in 2013 and opened in 2016. The landscape planting budget alone exceeded \$1.2M and included the installation of 8 inch caliper trees along a boulevard entry drive. The golf course itself underwent a \$14M renovation during the same time frame as the clubhouse.

Boothbay Harbor Country Club Fitness Pavilion, Boothbay, Maine – Continuing with the BHCC and the Knickerbocker Group, Sebago completed the site design, engineering and permitting for an expansion to the campus by designing a fitness pavilion with an outdoor pool and spa. This development included a separate entry drive to the campus from the Boothbay Village Common. This design process started in 2014 and opened in Spring 2018.

Route 27 Street Improvement Project, Boothbay, Maine – Steve was the Project Landscape Architect for this upgrade and street improvement project in the heart of Boothbay Village. The design included landscaped median islands, central round-about, new street lights, signage and redevelopment of several properties, including the Town hall and Village Market that conflicted with street re-alignments. Steve also worked with the Town's Landscape Committee to collaborate with them on the landscape design and plant selection. Steve performed construction administration and inspections of the landscape installation. Project was completed in July 2018.

Kennebunkport Resort Collection- Various Properties, Kennebunk and Kennebunkport, Maine - Steve is the Lead Site Planner and Permitting Specialist for the entire holdings of the Kennebunkport Resort Collection. This group owns and operates numerous high-end hotels throughout the Kennebunk's. Sebago has been involved with KRC since its inception in 2015. These properties include: Hidden Pond and Earth Restaurant, The Tides Beach Club, Cabot Cove Cottages, The Grand, The Yachtsman, The Boathouse, The Lodge on the Cove, The Arundel Inn and The Old Fort Inn.

Residential Properties, Kennebunk, Kennebunkport, Maine - As a resident of Kennebunkport, Steve has developed a solid reputation with the Town Planning and Code Enforcement offices in these communities and consequently has received numerous referrals from the officials to assist homeowners, developers and architects with design, engineering and permitting for their projects. He is familiar with the regulations and permitting process in these Towns and has developed a respect with the Planning Boards in providing quality engineering and land planning work that complies with local codes.

EDUCATION



Ohio State University - Columbus, OH
Bachelor of Science, Landscape
Architecture, 1986

Architectural Technical Institute,
Ohio State University - Wooster, OH
Associated Degree in Applied
Science, 1980

MEMBERSHIPS

Sigma Lambda Alpha Honor Society
for Landscape Architects

National Landscape Architecture
Honor Society

Town of Kennebunkport Shade Tree
Committee Member

REGISTRATIONS

Registered Landscape Architect:
Maine #131

LEED Accredited Professional
CLARB Certified



DANIEL L. RILEY, PE, CFM

Vice President, Engineering



Mr. Riley is a Senior Project Manager and Vice President of Engineering with over 25 years of experience in the civil engineering field on projects for the private sector, as well as federal and municipal clients. He has a diverse background in civil engineering, site design, residential and commercial development and permitting.

He is experienced and well versed in presenting complex, controversial and publicly sensitive issues to a variety of audiences. Since 2008, Mr. Riley has been the Contract Manager and lead engineer for Sebago Technics' General Engineering Services Contract with the City of South Portland. In that role, he is responsible for coordinating the firm's services and providing engineering support for City Departments including Planning and Development, Bus/Transportation and Waterfront, Public Works, and Parks and Recreation.

Prior to joining Sebago Technics, Mr. Riley worked as a professional engineer in Colorado specializing in water resources engineering. In that role, he managed projects for federal and municipal clients, including stormwater master planning and floodplain studies and assisted communities with the implementation of Stormwater Management Utilities. He maintains status as an ASFPM Certified Floodplain Manager.

EXPERIENCE



City of South Portland Maine Engineering Services

Mr. Riley has been the Contract Manager and lead engineer for Sebago Technics' General Engineering Services Contract with the City of South Portland since 2009. In that role, he is responsible for coordinating the firm's services and providing engineering support for City Departments including Planning and Development, Bus/Transportation and Waterfront, Public Works, and Parks and Recreation. Since 2012 his focus for South Portland has been combined sewer separation projects. Notable projects include:

- Knightville Sewer Separation and Street Improvements Phases 1 and 2
- Thornton Heights Improvements Project Phases 1-3
- Pleasantdale Sewer Separation Project
- SWMM Model updates, Greenbelt Trunkline, West High Pump Station and Pearl street Pumps Station Service areas.
- Greenbelt Sewer Replacement Project

City of Portland Combined Sewer Separation Projects

Mr. Riley has been the Project Manager for several of Sebago Technics' Sewer Separation contracts with the City of Portland since 2010. Notable Relevant Projects include:

- Fall Brook Watershed Study- City of Portland Public Services Department
- Woodford Street and Melrose Street: Design and Inspection Services 2016-2017
- Forest Avenue, Deering Street and Ocean Avenue: Design and Inspection Services 2017-2018
- Mackworth-Ocean and Walnut Street: Design Services 2018-2019 for construction in 2020-2021

EDUCATION



Villanova University, Villanova, PA
Bachelor of Science, Civil Engineering
1991

REGISTRATIONS

Professional Engineer:
Maine #9967
Colorado: #32176

Certified Floodplain Manager
#32249

MEMBERSHIPS

Chi Epsilon, National Civil Engineering
Honor Society

Association of State Floodplain
Managers (ASFPM)



MEMORANDUM

From:	Daniel Riley, Sebago Technics	Date:	October 6, 2022
To:	City of Portland Planning Department	Project:	19371-01
Subject:	Neighborhood Meeting Summary Major Site Plan Review 385 Congress Street Lot 1 PL002156-2022		

Summary

A neighborhood information meeting for the Major Site Plan Application for 385 Congress Street Lot 1 (City application PL-002156-2022) was held at the Press Hotel at Exchange Street on Thursday, October 6, 2022, at 5:00 PM. This memorandum summarizes the meeting as required in the Land Use Ordinance Section 14.5.5

Notice

The written notice of the meeting was mailed to abutters within 500 feet of the project and to the entities on the City's interested parties list. A copy of the notice and the mailing list/labels for abutters and interested parties is attached (provided by the planning department) is attached. A total of 115 mailings were sent by US Mail on September 26, 2022.

Participants and Attendance List

One member of the public and one reporter from the Portland Press Herald attended the meeting. An attendance sign-in sheet including the public attendees and project representatives at the meeting.

Presenters and Representatives

Daniel Riley of Sebago Technics presented on behalf of the applicant.

Other project representatives attending included

 Marieke Thorman, Fathom Companies

 Robyn Payne, The Fathom Companies

Content

The meeting presentation comprised a slide show presentation on a large screen television, followed by questions and discussion. A copy of the presentation materials is attached.

Dan Riley opened the presentation with introductions and a discussion of the purpose of the meeting to provide information ahead of the Planning Boards workshop scheduled for October 25, 2022. Mr. Riley briefly explained the history and status of the project, reviewing the Master Development Plan (MDP) for the site approved in August 2022.

The project site and setting were discussed with an aerial image of the existing site which was visible from the meeting room. The presentation provided four (4) slides reviewing the scope of the approved master development building scope scale and massing. This included an overview of the program for the Hotel (156 rooms and 9 condominium units) and the anticipated scope of construction in future phases envisioned in the MDP.

An overall plan of the site was presented and the program was summarized:

- 12 story building includes 11 stories above Congress street and one level of parking below grade at the elevation of Cumberland Avenue
- 156-room hotel on levels 1-9, 9 residential condominiums on levels 10-11, and rooftop mechanical space
- Driveway access on Congress and Myrtle Street, valet parking

Perspective views of the proposed lot 1 building were presented showing the scale of the adjacent City hall building for context. The anticipated building materials, as submitted for planning board review were presented, noting that materials may change through the review process.

Slides showing the elevation views of the building were presented including building heights, followed by detailed images of the current entrance designs.

The second level amenity deck was described using the slides presented to the Planning Board during the MDP review. The overall design intent is for a public space with stair access at Congress and Myrtle Streets with elevator access in the hotel and a dedicated limited use/limited access elevation at Myrtle Street for accessibility. Diagrams showing the phased construction of the second-level deck were presented.

The presentation closed with a recap of the upcoming review process and the room was opened for questions and discussion. Questions discussed included:

1. Will there be any security at the amenity deck?

Yes, the hotel will have security cameras and the amenity deck will have established operating areas, anticipated to be between dawn and dusk. There will be gates at the staircase to prevent people from entering outside of operating hours.

2. Will on-street parking on Congress be maintained?

Yes. Parking on street will be increased. As part of the Master Development Plan, curb extensions are proposed and Pearl Street is re-striped to add on-street parking that does not exist on Pearl Street today. At full buildout, as envisioned in the Master Plan there will be an increase in on-street parking of approximately 15 spaces based on reducing the number of curb cuts and the proposed street re-striping.

3. How many condos are there on Lot 2?

The Master Development Plan anticipates 110 units on Lot 2 and 178 units on Lot 3; subject to change as site plans are developed for those future phases

4. How do you decide which lot (Lot 1 or Lot 2) is developed first?

Many factors determine who will be ready to build first including design timelines, permitting, financing, construction costs, and design timeline. The projects are separate from an ownership and financing standpoint and are on separate timelines.

5. Who owns the other lots?

Reger-Dasco properties, a developer of several projects in Portland including the ongoing Hobsons Landing project on Commercial Street.

6. Will the fitness center be open to the public?

No, the fitness center in the hotel will be for guests and condo owners only, similar to fitness facilities and most hotels.

7. *Will you be renting out parking spots for public parking?*

No, the parking on the site is for hotel guests and residential residents.

8. *Does the hotel have a name yet?*

It does not.

9. *Do you want to put a price tag on development costs?*

Not at this time.

10. *Are you aware of the tunnel under Congress Street?*

Yes, we are. There is no plan to continue the use of the tunnel.



AERIAL OF HOTEL ENTRANCE OFF CONGRESS AVENUE



PERSPECTIVE FROM CONGRESS AVE

August 9, 2022

385 CONGRESS STREET PLANNING BOARD MEETING

cbt

 **REGER DASCO**
PROPERTIES

 **Fathom**
COMPANIES

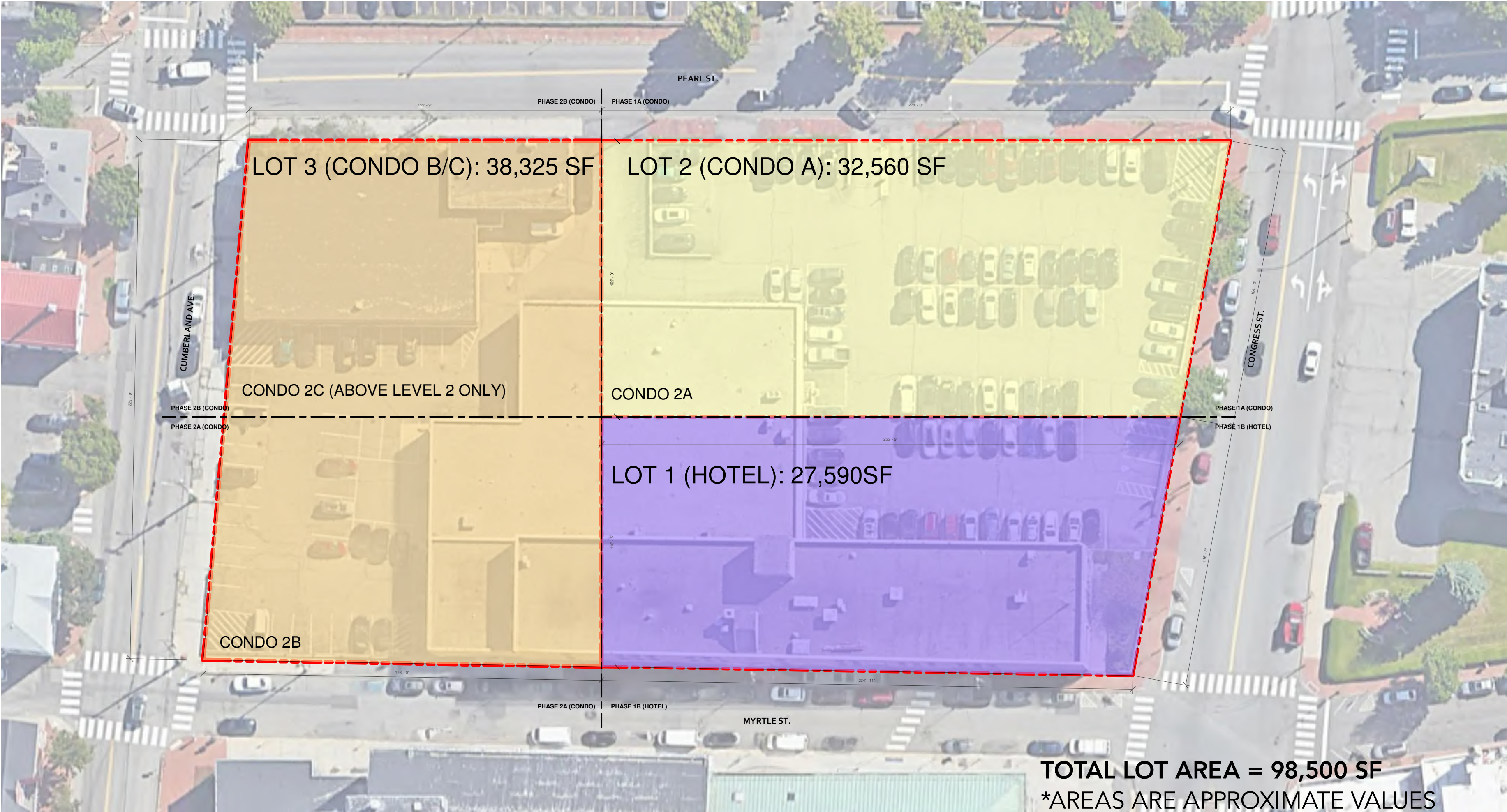
 **SEBAGO**
TECHNICS



PARCEL SUBDIVISIONS

**VALUES ARE APPROXIMATE

		HOTEL SF	KEY COUNT	RESI SF	UNIT COUNT	LOBBY / AMENITY	RETAIL	HOTEL BOH / SUPPORT	MECHANICAL	CIRCULATION	PARKING	PARKING COUNT	GSF TOTAL
Lot 1 - Hotel	Myrtle	69,300	156	13,500	9	16,660	-	7,780	9,880	13,080	27,400	70	157,600
Lot 2 - Condo A	Pearl			152,850	110	5,000	4,000		7,400	22,200	47,500	148	239,450
Lot 3 - Condo B	Cumberland S			96,200	97	4,100	6,900		6,000	21,350	45,500	119	180,050
Lot 3 - Condo C	Cumberland N			79,500	81	-	-		-	9,900	-	-	89,400
GRAND TOTALS		69,300	156	342,050	297	25,760	10,900	7,780	23,280	66,530	120,400	337	666,500



PROGRAM SUMMARY

LOT 3 - CONDO B/C

~269,450 GSF
178 UNITS
119 PARKING SPACES

LOT 2 - CONDO A

~239,450 GSF
110 UNITS
148 PARKING SPACES

LOT 1 - HOTEL

~157,600 GSF
156 KEYS
9 CONDO UNITS
70 PARKING SPACES

PROJECT SUMMARY

~666,500 GSF
156 KEYS
297 UNITS
337 PARKING SPACES

*SEE SUBSEQUENT INDIVIDUAL SITE PLAN APPLICATIONS FOR DETAILS ON FENESTRATION, MATERIALS, AND COLOR

SITE PLAN





NOT FOR
CONSTRUCTION

PRELIMINARY

A.	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
REV.	BY	DATE	STATUS
1	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
THIS PLAN SHALL NOT BE MOVED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQUES, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQUES, INC.			

SEBAGO
TECHNICS
75 John Roberts Rd.
South Portland, ME 04106
Tel. 207.260.2100
WWW.SEBAGOTECHNICS.COM

SITE PLAN - INTERIM PARKING
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	05/25/2022
SCALE	1" = 20'
PROJECT	19371-01



AERIAL OF HOTEL ENTRANCE OFF CONGRESS AVENUE



PERSPECTIVE FROM CONGRESS AVE

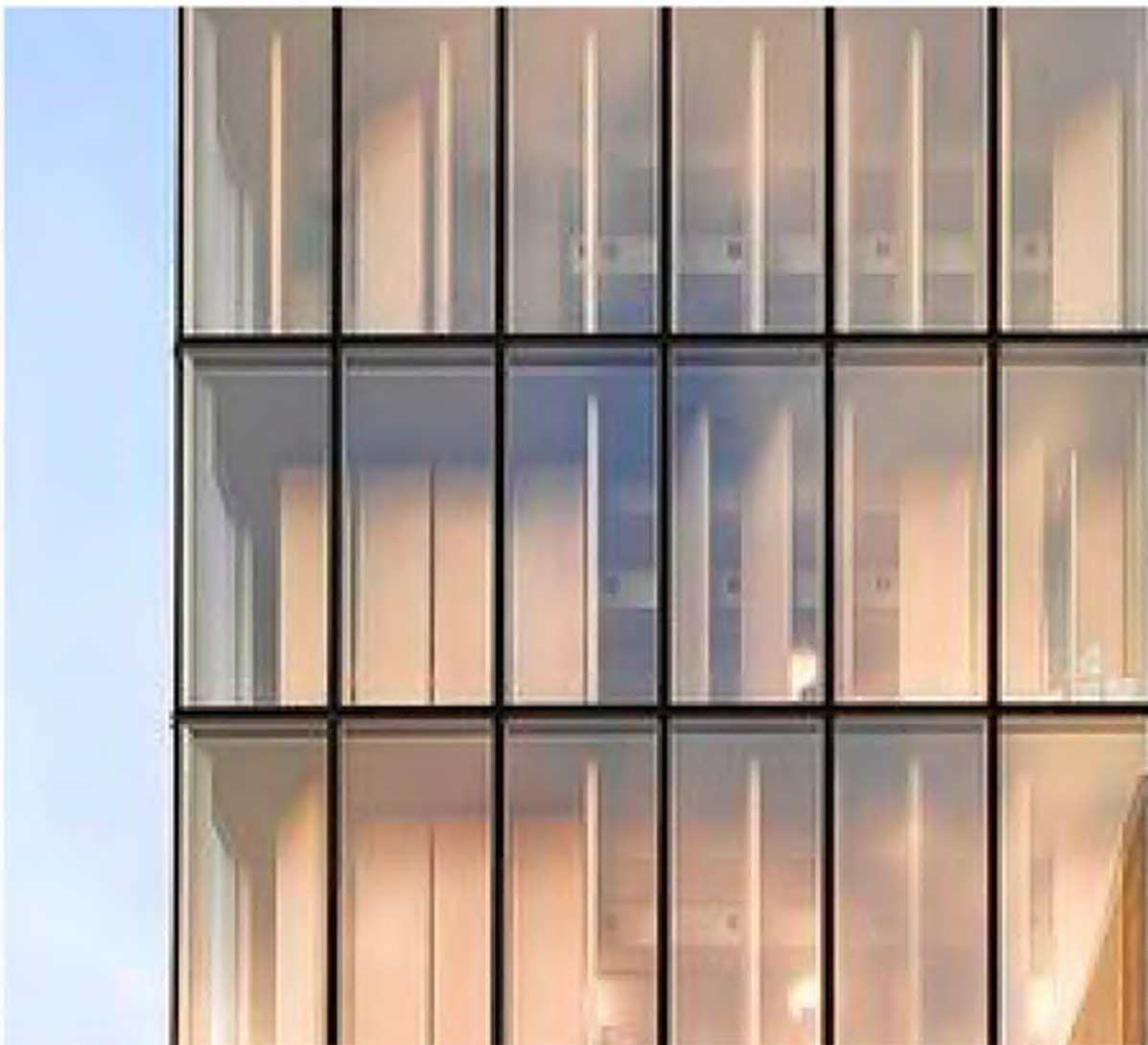
MASONRY DETAIL



BR-01 GLAZED MASONRY BRICK



CURTAIN WALL



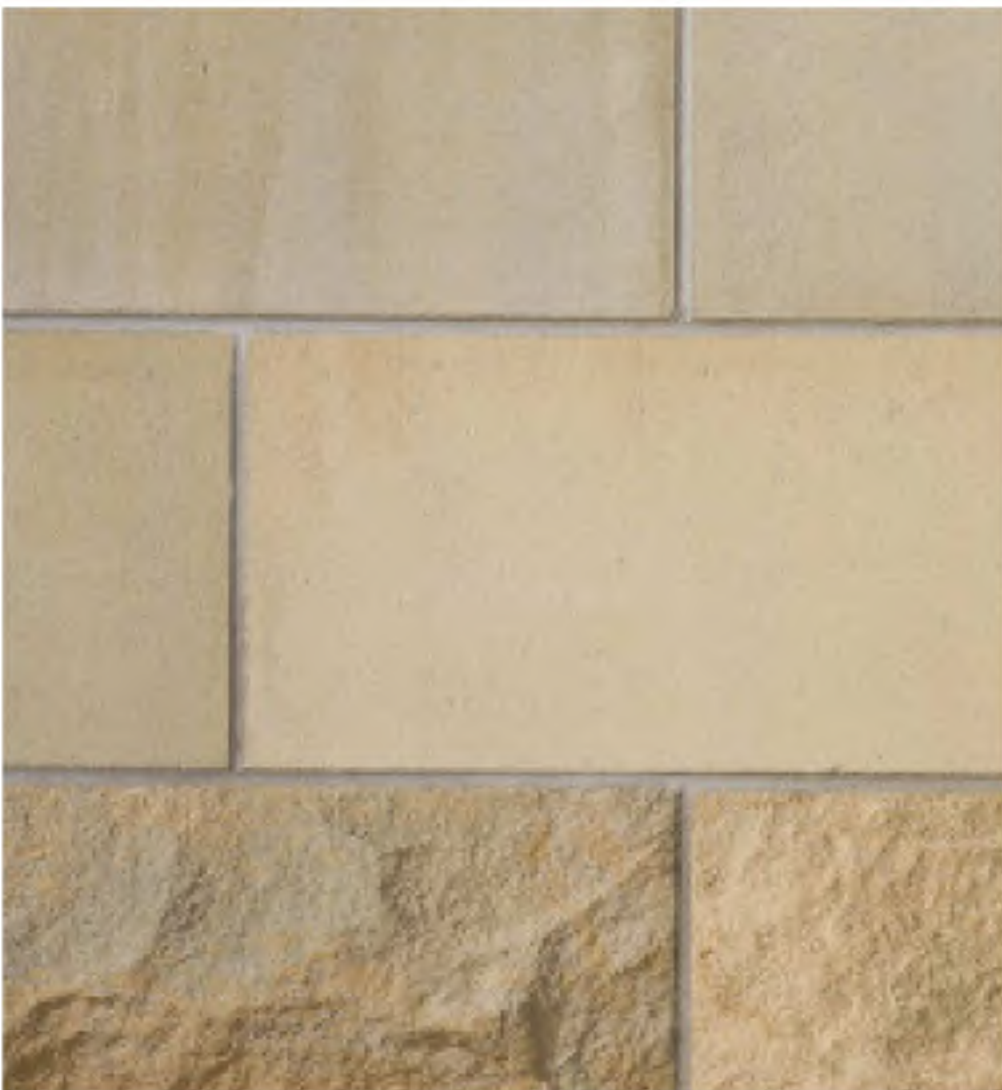
MTL-02 METAL PANEL



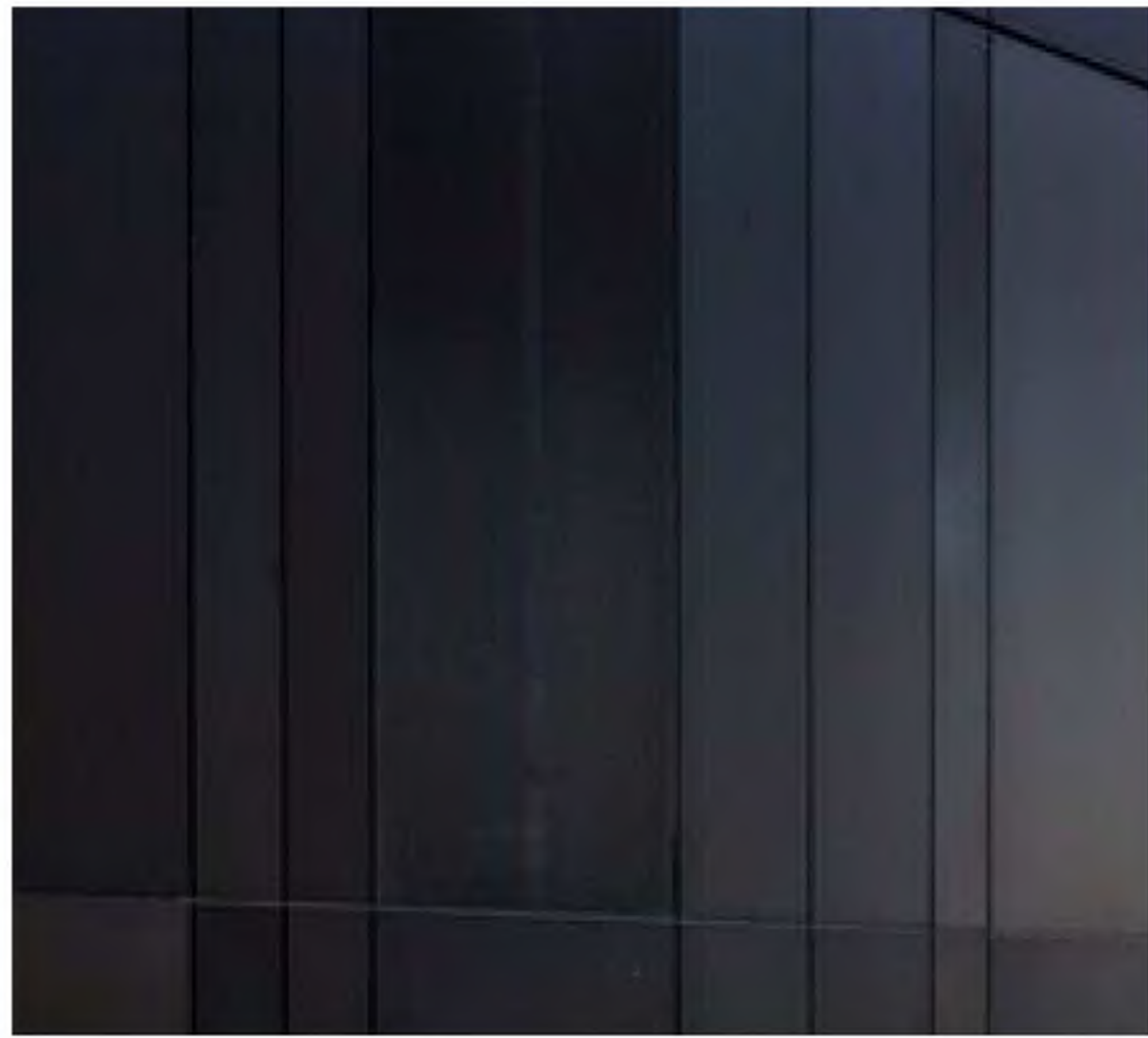
MTL-03 METAL FINIS
PERFORATED METAL



TC-01 TERRA COTTA
TILE RAINSCREEN



ST-01 LIMESTONE MASONRY
ARRISCRAFT OAKRIDGE

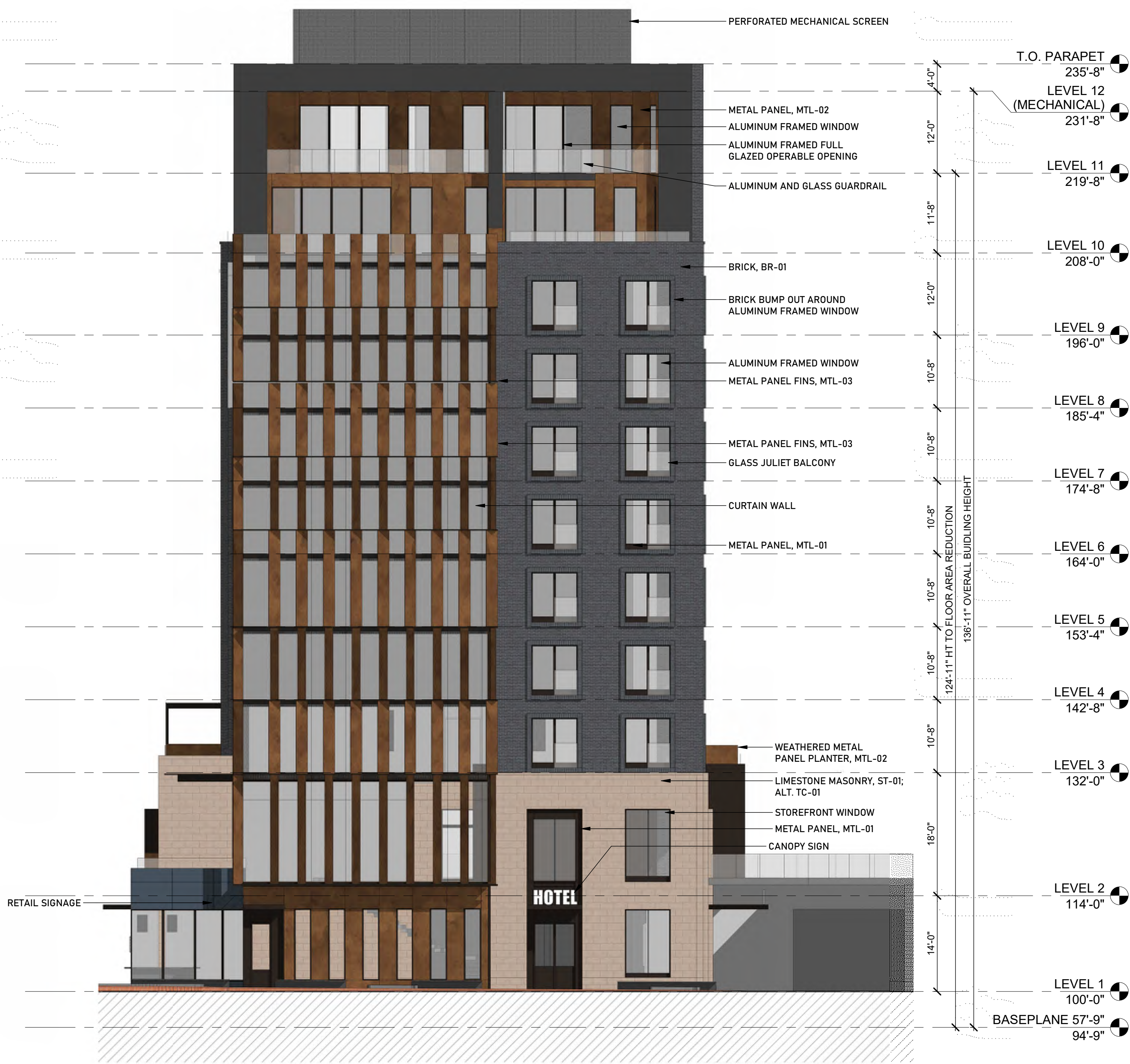


MTL-01 METAL PANEL



ART INSTALLATION

385 CONGRESS HOTEL | BUILDING ELEVATION



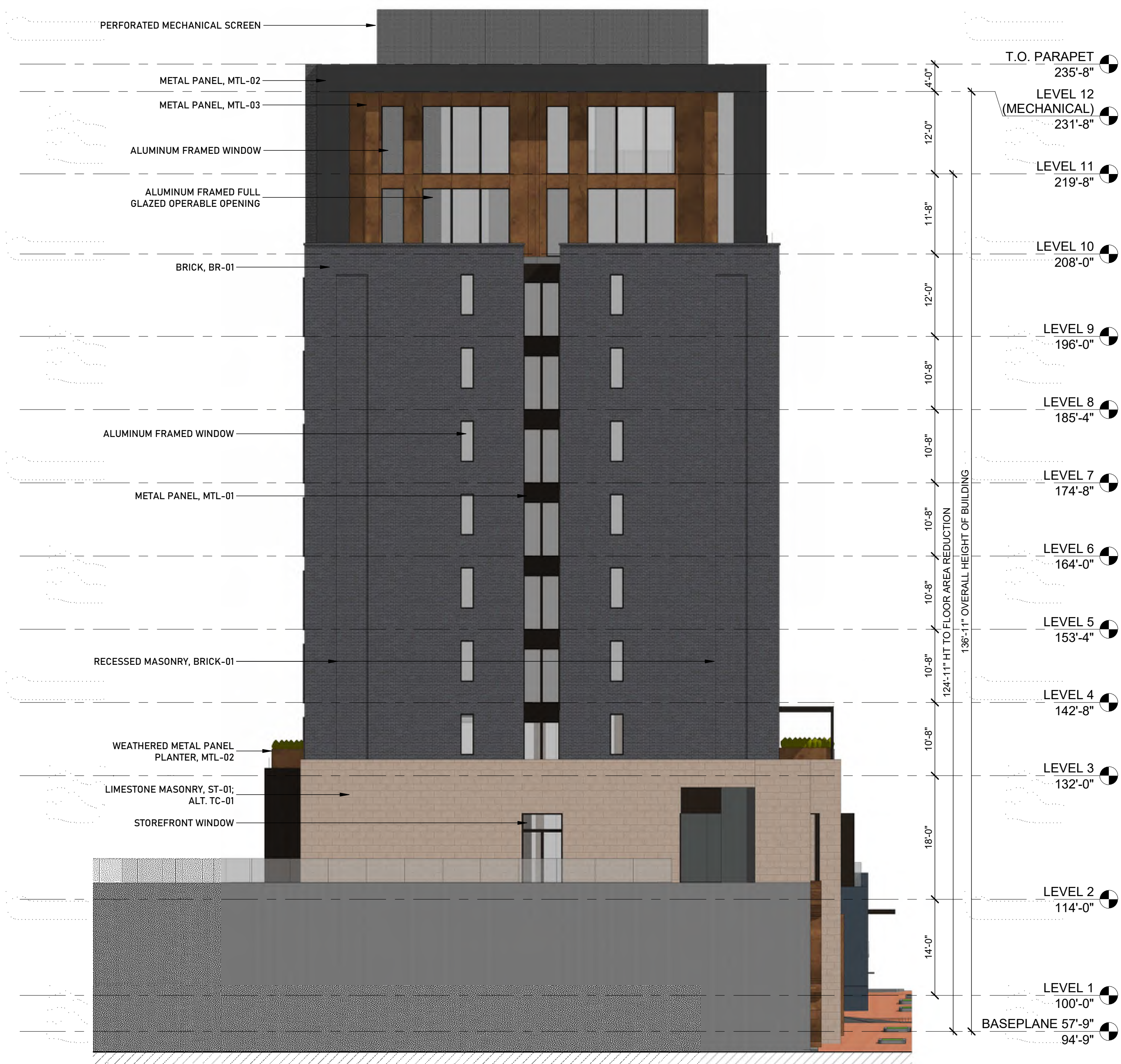
EAST ELEVATION - CONGRESS AVENUE
3/32" = 1'-0"

385 CONGRESS HOTEL | BUILDING ELEVATION



SOUTH ELEVATION - MYRTLE STREET
3/32" = 1'-0"

385 CONGRESS HOTEL | BUILDING ELEVATION



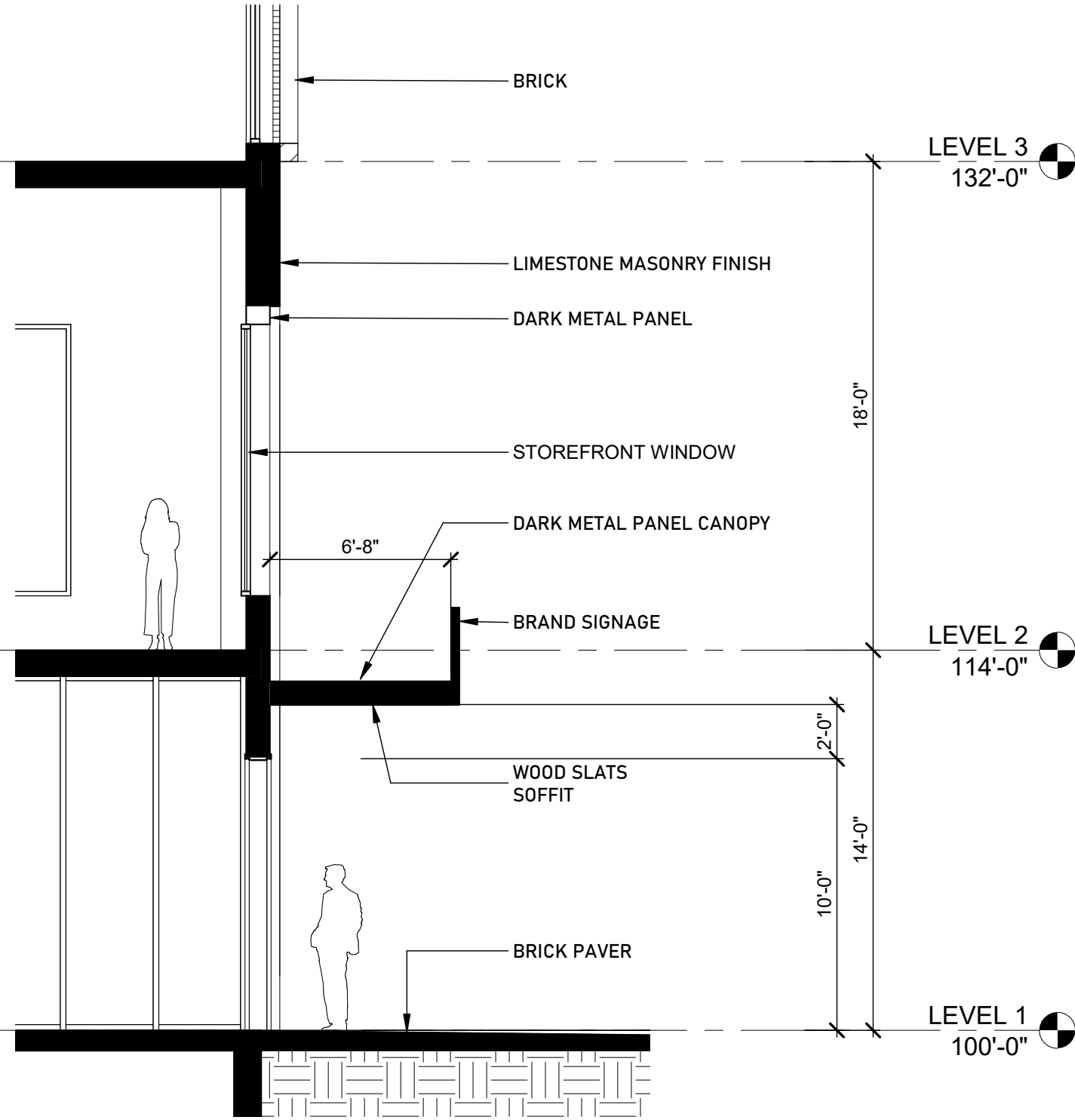
WEST ELEVATION - SITE INTERIOR
3/32" = 1'-0"

385 CONGRESS HOTEL | BUILDING ELEVATION

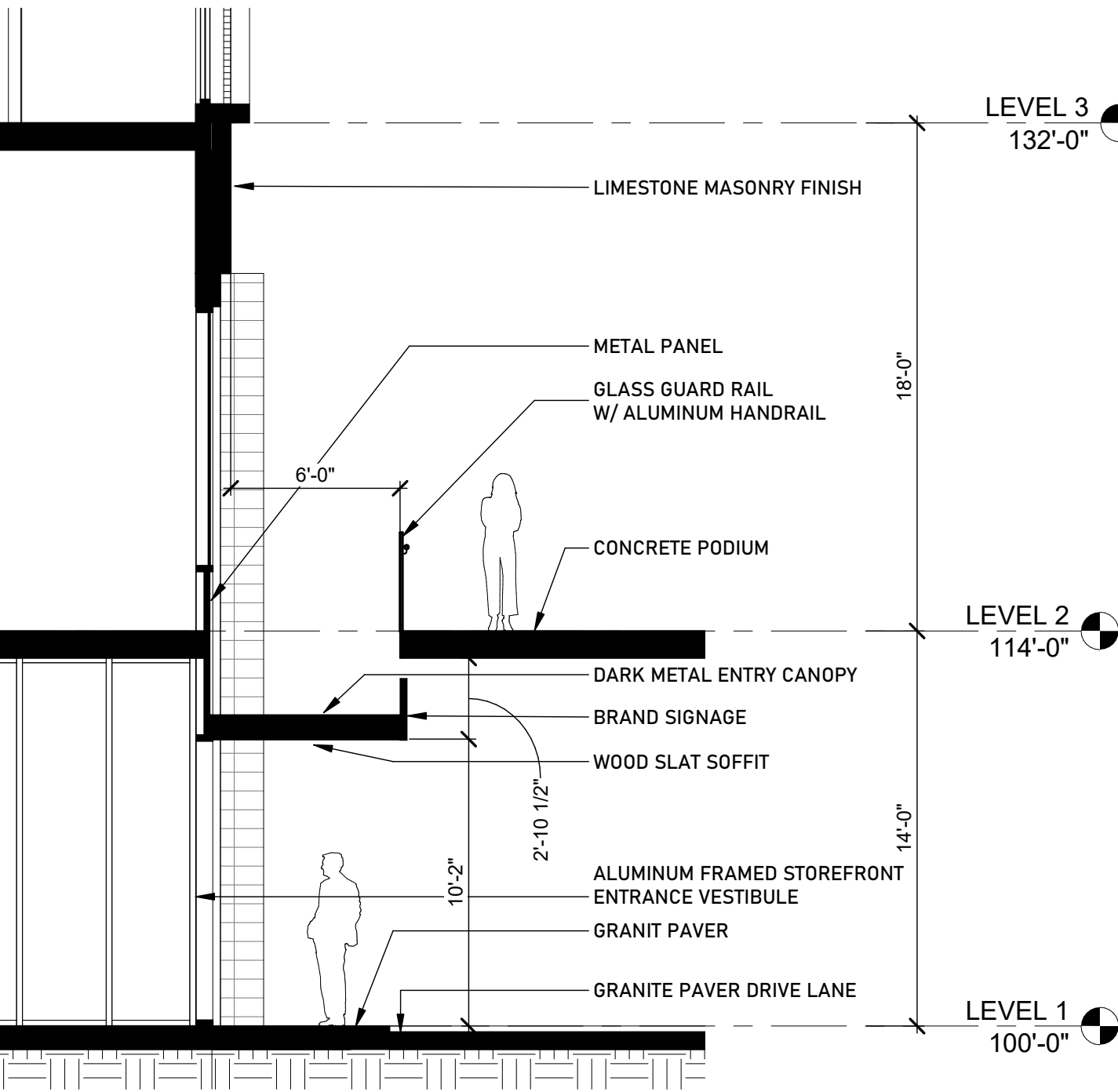
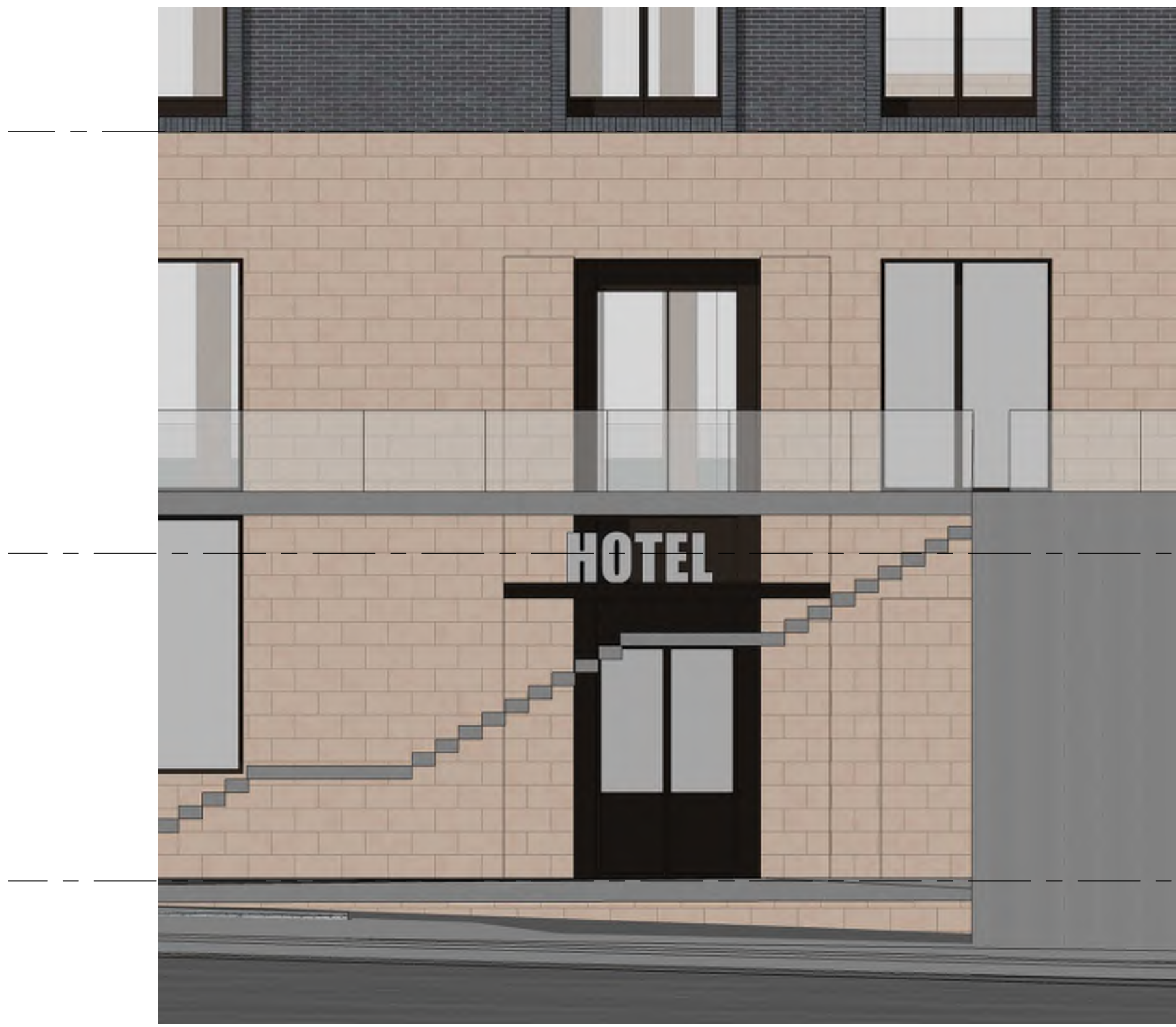


NORTH ELEVATION - SITE INTERIOR
3/32" = 1'-0"

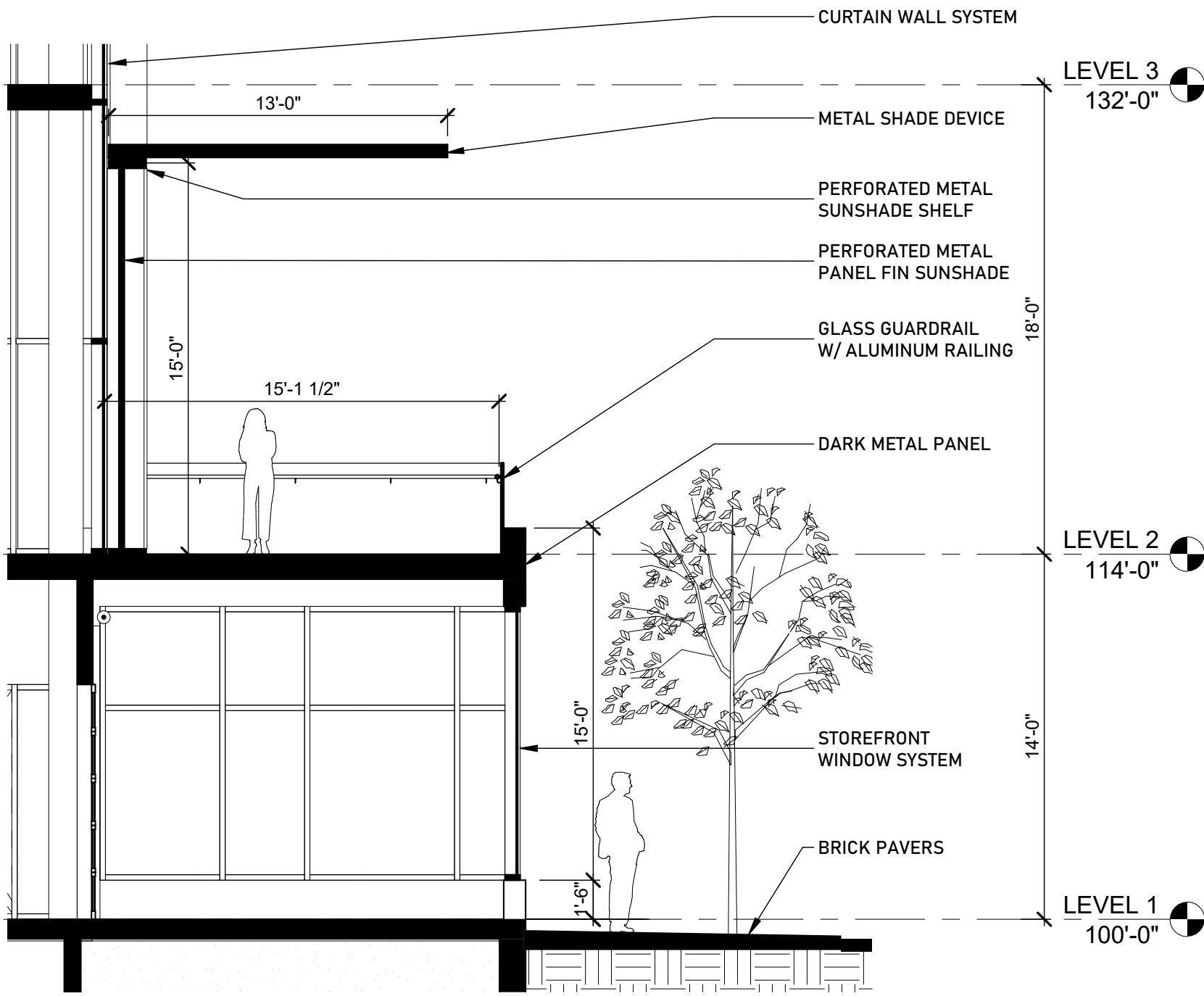
385 CONGRESS HOTEL | ENLARGED BUILDING ELEMENTS - HOTEL ENTRANCE



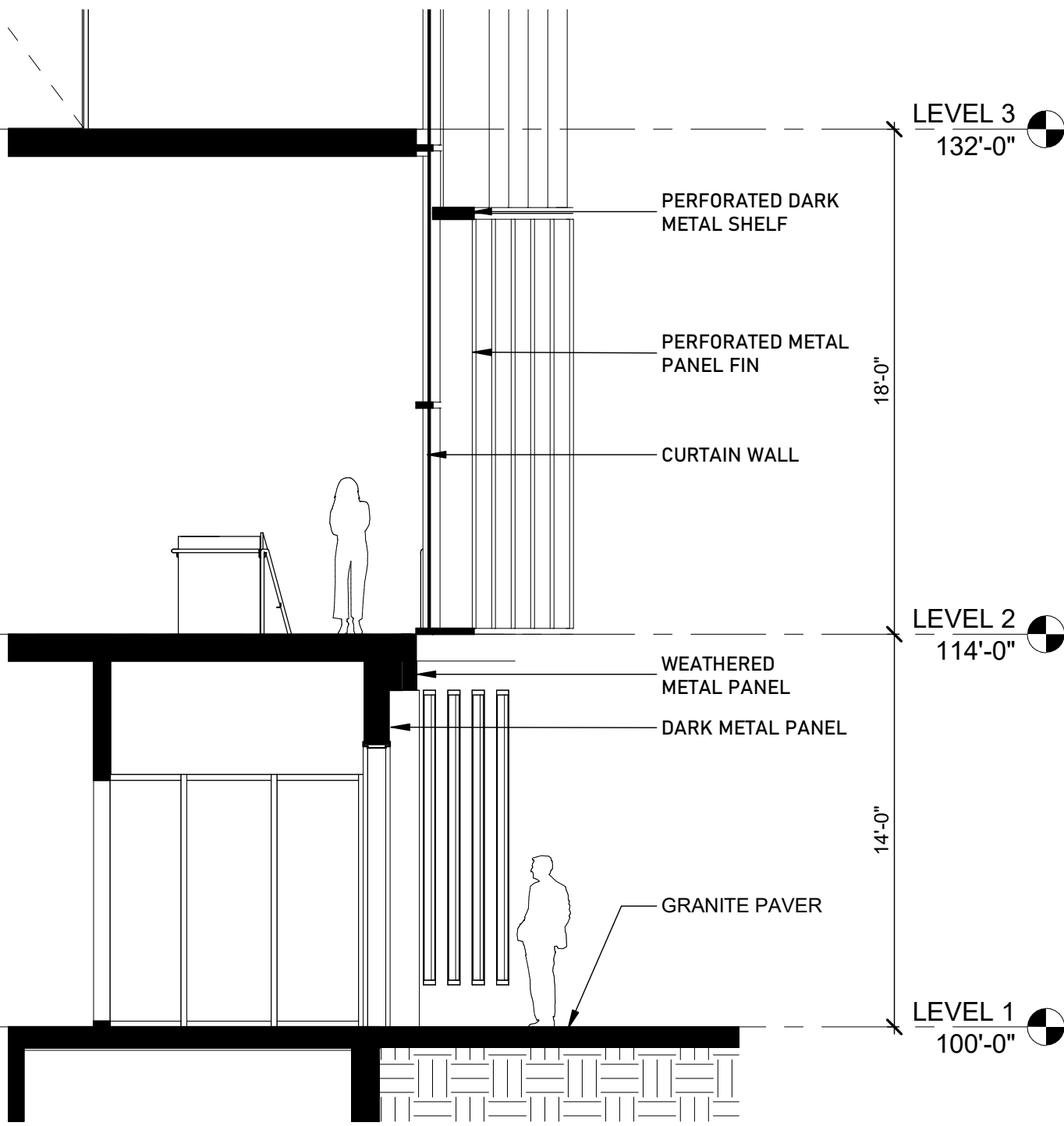
HOTEL ENTRANCE FROM CONGRESS
3/16" = 1'-0"



HOTEL ENTRANCE FROM VALET PARKING
3/16" = 1'-0"



MYRTLE STREET RETAIL
3/16" = 1'-0"



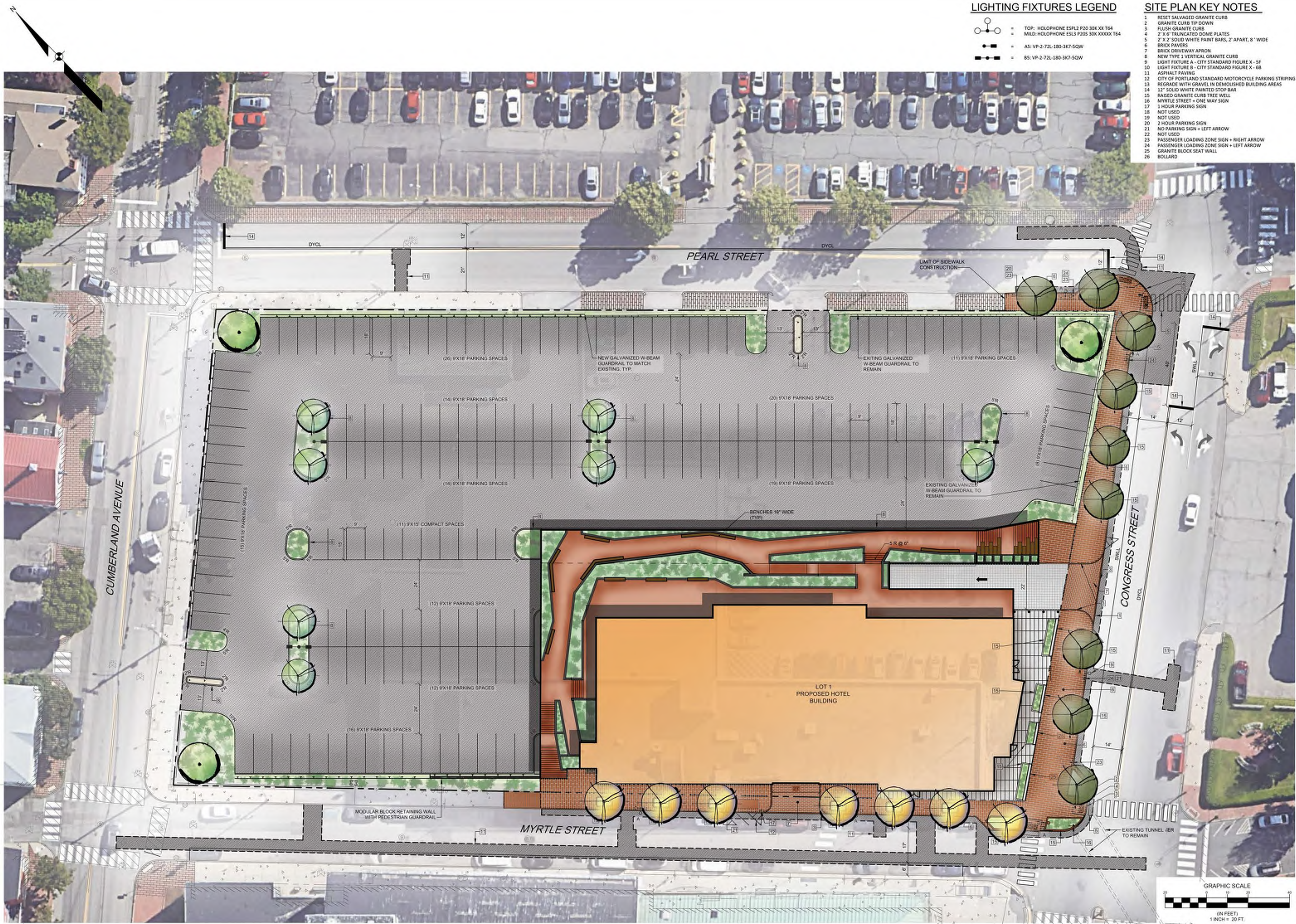
RETAIL ENTRANCE - CONGRESS STREET
3/16" = 1'-0"



PARKING GARAGE ENTRANCE FROM MYRTLE
3/16" = 1'-0"



PARKING GARAGE FROM MYRTLE
3/16" = 1'-0"



LIGHTING FIXTURES LEGEND

- TOP: HOLOPHONE ESFL2 P20 30K XL T64
- MILD: HOLOPHONE ESFL3 P20S 30K XXXXX T64
- AS: VP-2-72L-180-3K7-SQW
- BS: VP-2-72L-180-3K7-SQW

SITE PLAN KEY NOTES

- RESET SALVAGED GRANITE CURB
- GRANITE CURB TIP DOWN
- FLUSH GRANITE CURB
- 2" X 4" TRUNCATED DOME PLATES
- 2" X 2" SOLID WHITE PAINT BARS, 2' APART, 8" WIDE
- BRICK PAVERS
- BRICK DRIVEWAY APRON
- NEW TYPE 1 VERTICAL GRANITE CURB
- LIGHT FIXTURE A - CITY STANDARD FIGURE X - SF
- LIGHT FIXTURE B - CITY STANDARD FIGURE X - GB
- ASPHALT PAVING
- CITY OF PORTLAND STANDARD MOTORCYCLE PARKING STRIPING
- REGRADE WITH GRAVEL IN DEMOLISHED BUILDING AREAS
- 12" SOLID WHITE PAINTED STOP BAR
- BASED GRANITE CURB TREE WELL
- MYRTLE STREET - ONE WAY SIGN
- 1 HOUR PARKING SIGN
- NOT USED
- NOT USED
- 2 HOUR PARKING SIGN
- NO PARKING SIGN - LEFT ARROW
- NOT USED
- PASSENGER LOADING ZONE SIGN - RIGHT ARROW
- PASSENGER LOADING ZONE SIGN - LEFT ARROW
- GRANITE BLOCK SEAT WALL
- BOLLARD

NOT FOR CONSTRUCTION

PRELIMINARY

A.	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
REV.	BY	DATE	STATUS
1	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW

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

SEBAGO
TECHNICS
75 John Roberts Rd.
Salem, MA 01970
South Portland, ME 04106
Tel: 207-250-2100
WWW.SEBAGOTECHNIQUES.COM

SITE PLAN - INTERIM PARKING
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	05/25/2022
SCALE	1" = 20'
PROJECT	19371-01

SHEET14 OF23

AMENITY TERRACE PHASING

PHASE 1 (LOT 1 HOTEL)



AMENITY TERRACE PHASING

PHASE 1 ALT (LOT 2 CONDO A)



TEMPORARY GARAGE SCREENING PROVIDES OPPORTUNITY FOR ARTWORK

AMENITY TERRACE PHASING

PHASE 2 (LOT 2 CONDO A)



TEMPORARY GARAGE SCREENING PROVIDES OPPORTUNITY FOR ARTWORK

AMENITY TERRACE PHASING

PHASE 3&4 (LOT 3 CONDO B/C)





September 26, 2022
19371-01

Dear Neighbor:

Please join us for a virtual neighborhood meeting to discuss The Fathom Companies' proposed hotel development at 385 Congress Street; located at the corner of Congress Street and Myrtle Street in Portland.

The proposed development plan anticipates a 152-room full-service hotel with nine (9) condominium units on the corner of Myrtle and Congress Street and is the first phase of a Master Plan of Development approved by the City of Portland Planning Board in August 2022.

The City of Portland Land Use Code requires that neighboring property owners within 500 feet of the site and residents on an "interested parties list" be invited to participate in this neighborhood meeting. Attendance will be recorded and minutes of the meeting will be taken. Both the attendance list and minutes will be submitted to the Planning Department.

Meeting Date: **Thursday, October 6, 2022**

Meeting Time: **5:00 PM**

Meeting Location: **The Press Hotel 119 Exchange St, Portland, ME 04101**

If you have any questions, please call or email Daniel Riley at Sebago Technics, Inc. (207) 200-2080, driley@sebagotechnics.com.

Should you wish to offer additional comments on this proposed development, you may forward them by e-mail to planning@portlandmaine.gov or by mail to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street Portland, ME 04101

Sincerely,

SEBAGO TECHNICS, INC.

Daniel L. Riley, P.E.
Vice President, Engineering

DLR:

141 PLEASANT STREET, LLC

307 MAIN ST
HANOVER, MA 02339

150 PEARL STREET, LLC

PO BOX 4271
PORTLAND, ME 04101

150 PEARL STREET, LLC

225 CUMBERLAND AVE
PORTLAND, ME 04101

161 PEARL STREET, LLC

161 PEARL ST # 2
PORTLAND, ME 04101

223 CUMBERLAND AVENUE, LLC

225 CUMBERLAND AVE
PORTLAND, ME 04101

227 CUMBERLAND AVENUE, LLC

PO BOX 4271
PORTLAND, ME 04101

385 CONGRESS, LLC

2730 TRANSIT RD
WEST SENECA, NY 14224

41 CHESTNUT, LLC

PO BOX 805
BRUNSWICK, ME 04011

42 WILMOT STREET, LLC

225 CUMBERLAND AVE
PORTLAND, ME 04101

50-52 WILMOT STREET, LLC

PO BOX 4271
PORTLAND, ME 04101

54 CHESTNUT STREET, LLC

460 BAXTER BLVD
PORTLAND, ME 04103

56 WILMOT STREET, LLC

PO BOX 4271
PORTLAND, ME 04101

57 CHESTNUT STREET, LLC

460 BAXTER BLVD
PORTLAND, ME 04103

EVAN ANDERSON
21 CHESTNUT ST # 2W
PORTLAND, ME 04101

APOSTOLIC FAITH ASSEMBLY

331 CONGRESS ST
PORTLAND, ME 04101

ASHBY TEAM, LLC

415 CONGRESS ST STE 204
PORTLAND, ME 04101

AVESTA UNITY VILLAGE LP

307 CUMBERLAND AVE
PORTLAND, ME 04101

PIERRE AVIGNON
723 ISLAND AVE
LONG ISLAND, ME 04050

DONALD BAILEY
21 CHESTNUT ST # 406
PORTLAND, ME 04101

PRUDENCE BARRY
21 CHESTNUT ST # 6W
PORTLAND, ME 04101

BAYSIDE CONDO

164 PEARL ST
PORTLAND, ME 04101

BOODILLY, LLC

158 WOODVILLE RD
FALMOUTH, ME 04105

TANIA BOWEN
164 PEARL ST # B
PORTLAND, ME 04101

LEAH BURKE
237 CUMBERLAND AVE # 2
PORTLAND, ME 04101

PETER BUSQUE
21 CHESTNUT ST # 08W
PORTLAND, ME 04101

CASTANEA PRIME, LLC

PO BOX 24
FRIENDSHIP, ME 04547

CHESTNUT STREET GARAGE, LLC

120 EXCHANGE ST
PORTLAND, ME 04101

CHESTNUT STREET LOFTS

21 CHESTNUT ST
PORTLAND, ME 04101

CHESTNUT STREET LOFTS, LLC

58 HANNAFORD COVE RD
CAPE ELIZABETH, ME 04107

CHESTNUT STREET PARKING CONDO

134 LANCASTER ST
PORTLAND, ME 04101

LOUIS CHRISTEN
239 CUMBERLAND AVE
PORTLAND, ME 04101

STEPHANIE COTSIROLOS
21 CHESTNUT ST # 8N
PORTLAND, ME 04101

BRUCE COULLARD
110 MARGINAL WAY # 241
PORTLAND, ME 04101

CUMBERLAND COUNTY OF

CUMBERLAND PEARL CONDO

142 FEDERAL ST
PORTLAND, ME 04101

241 CUMBERLAND AVE
PORTLAND, ME 04101

TERESA CURTIN
21 CHESTNUT ST # 5W
PORTLAND, ME 04101

EMILY DEGRAY
172 BOYCE ST
AUBURN, MA 01501

ALBERT DELANEY
140 OXFORD ST APT 1
PORTLAND, ME 04101

DOWTOWN LODGING, LLC

PO BOX 10250
PORTLAND, ME 04104

ERGUN DUNDAR
21 CHESTNUT ST # 2NW
PORTLAND, ME 04101

EARLE W NOYES & SONS

PO BOX 938
PORTLAND, ME 04104

AVNER EISENBERG
29 CITY POINT RD
PEAKS ISLAND, ME 04108

FEDERAL STREET PHOENIX, LLC

FIRST ASSEMBLY OF GOD CHURCH

FIRST PARISH IN PORTLAND TRUSTEE

PO BOX 15372
PORTLAND, ME 04112

243 CUMBERLAND AVE
PORTLAND, ME 04101

427 CONGRESS ST
PORTLAND, ME 04101

DANIEL FITZPATRICK
PO BOX 143
WESTBROOK, ME 04098

ROSEMARY FLACH
45 EASTERN PROMENADE # BG
PORTLAND, ME 04101

LORINDA FRAZER
123 HOPE RD
LINCOLNVILLE, ME 04849

GIOVANNI FRISONE
22 LANCASTER RD
CROMWELL, CT 06416

JULIA GAULKE
60 BOLTON ST
PORTLAND, ME 04102

JULIE GOFF
136 OXFORD ST
PORTLAND, ME 04101

MICHAEL GUIGLI
21 CHESTNUT ST # 701
PORTLAND, ME 04101

HAIR ETC, LLC
705 WEBBS MILLS RD
RAYMOND, ME 04071

LARRY HAMM
11800 SUNSET HILLS RD # 820
RESTON, VA 20190

ALICIA HARDING
21 CHESTNUT ST
PORTLAND, ME 04101

HELM PROPERTY GROUP LLC

4420 GIBBONS ST # D
VANCOUVER, WA 98661

ANGELA HENRY
239 CUMBERLAND AVE
PORTLAND, ME 04101

ADAM HILL
PO BOX 4242
PORTLAND, ME 04101

HOWLES CORPORATION

PO BOX 938
PORTLAND, ME 04104

HTLV PORTLAND, LLC
101 CALIFORNIA ST STE 980
SAN FRANCISCO, CA 94111

CURTIS HUSSEY
147 SAWYER ST
SOUTH PORTLAND, ME 04106

CARA JORDAN
9 MITCHELLWOOD DR
FALMOUTH, ME 04105

CHARLES KAUFMANN
21 CHESTNUT ST # 4S
PORTLAND, ME 04101

MARILYN KELLY
21 CHESTNUT ST # 702
PORTLAND, ME 04101

KINGSLEY ENTERPRISES

225 CUMBERLAND AVE
PORTLAND, ME 04101

CONOR MAHON
21 CHESTNUT ST # 5SE
PORTLAND, ME 04101

MAINESCAPE PROPERTIES LLC

92 EXCHANGE ST 2ND FLOOR
PORTLAND, ME 04101

MASONIC TRUSTEES OF PORTLAND

415 CONGRESS ST
PORTLAND, ME 04101

JAMES MCDONALD
696 QUAKER RIDGE RD
CASCO, ME 04015

THOMAS MICHAUD
50 MYRTLE ST
PORTLAND, ME 04101

MOJO PROPERTIES, LLC

536 WASHINGTON AVE
PORTLAND, ME 04103

VICTOR MORREL
21 CHESTNUT ST # 202
PORTLAND, ME 04101

JEAN MURPHY
PO BOX 10045
PORTLAND, ME 04104

MUNIRA NAQUI
203 SHERIDAN ST
PORTLAND, ME 04101

DANTON NYGAARD
21 CHESTNUT ST # 401
PORTLAND, ME 04101

ONETEN EXCHANGE, LLC

254 COMMERCIAL ST STE 118
PORTLAND, ME 04101

JESSICA OUELLETTE
164 PEARL ST # A
PORTLAND, ME 04101

JOSEPH PALACCI
102 EXCHANGE ST
PORTLAND, ME 04101

PEARL CUMBERLAND, LLC

ONE CITY CENTER 4TH FLOOR
PORTLAND, ME 04101

PEARL MANOR, LLC

225 CUMBERLAND AVE
PORTLAND, ME 04101

PO SQUARE BUILDING, LLC

120 EXCHANGE ST
PORTLAND, ME 04103

MICHAEL POLLASTRI
235 POND ST
COHASSET, MA 02025

PORTLAND BOYS CLUB ASSOC

277 CUMBERLAND AVE
PORTLAND, ME 04101

PORTLAND HOUSING AUTHORITY

14 BAXTER BLVD
PORTLAND, ME 04101

REDFERN DOWNTOWN, LLC

PO BOX 8816
PORTLAND, ME 04104

RICH BUILDING, LLC

104 EXCHANGE ST
PORTLAND, ME 04101

JESSE SAWYER
21 CHESTNUT ST # 302
PORTLAND, ME 04101

JAMES SCHWELLENBACH
21 CHESTNUT ST # 602
PORTLAND, ME 04101

AURELIA SCOTT
21 CHESTNUT ST # 6N
PORTLAND, ME 04101

STEPHEN SEARS
95 AMBROSE COVE
BELGRADE, ME 04917

THOMAS SEPULVERES
51 MYRTLE ST
PORTLAND, ME 04101

THOMAS SEPULVERES
43 MYRTLE ST
PORTLAND, ME 04101

DOUGLAS SMITH
21 CHESTNUT ST # 2N
PORTLAND, ME 04101

AARON STEPHAN
142 PEARL ST
PORTLAND, ME 04101

GARRETT TILTON
21 CHESTNUT ST # 3N
PORTLAND, ME 04101

JEFFREY TITCOMB
PO BOX 835
FRYEBURG, ME 04037

TOP OF EXCHANGE, LLC

42 MARKET ST
PORTLAND, ME 04101

TRIPOD HOLDINGS, LLC

1 DANA ST
PORTLAND, ME 04101

JOHN VANHOEWYK
21 CHESTNUT ST # 301
PORTLAND, ME 04101

WARDS CAPITAL, LLC

973 FOREST AVE STE 2
PORTLAND, ME 04103

JAN WILLIAMS
21 CHESTNUT ST # 8S
PORTLAND, ME 04101

SARA YINDRA
21 CHESTNUT ST # 5N
PORTLAND, ME 04101

JOHN YORK
58 WILMOT ST
PORTLAND, ME 04101

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Anthony Donovan
27 Riverview Street
Portland, ME 04102

Barbara Wood
125 Emery Street
Portland, ME 04102

David Nowlin
215 Oxford Street
Portland, ME 04102

Deb Keenan
28 Dorothy Street
Portland, ME 04103

Devon Platte
26 North Street, 33
Portland, ME 04101

Edward Suslovic
46 Kenwood Street
Portland, ME 04103

Janice Carpenter
9 W. Commonwealth Drive
Portland, ME 04103

Jennifer Munson
389 Congress Street, 4th Floor
Portland, ME 04101

Kaplan Thompson Architects
Jesse Thompson
100 Exchange Street
Portland, ME 04103

Lynn Clarkson
145 Marlborough Road
Portland, ME 04103

Mary Griffity
6 E. Prom, Unit 2
Portland, ME 04103

Nancy Bartlett
PO Box 7965
Portland, ME 04112

Pam Burnside
64 Lester Drive
Portland, ME 04103

Paul Dubois
1915 Congress Street
Portland, ME 04102

Peggy Morin
66 Farnham Street
Portland, ME 04101

Philip Haughey
1660 Soldiers Field Road
Boston, MA 02135

Priscilla LaVallee
190 US Route 1, Unit 2
Falmouth, ME 04105

Waste Management of Maine
Rebecca Halla
2000 Forest Avenue
Portland, ME 04103

Glenn Cummings
24 Nevens Street
Portland, ME 04103

Robert Hains
250 Holm Avenue
Portland, ME 04102-1208

Impact on Surrounding Street Systems 14-14.6.1 (A)

The proposed project will not create or aggravate any significant hazard to safety on the surrounding street network nor will it substantially increase congestion on any street which is already at a level of service below Level "D". In designing the proposed layout of the project considerable attention has been placed on the vehicular circulation and possible impacts to the surrounding area.

A traffic Movement Permit application for the Master Development Plan for the site has been submitted and is being reviewed concurrently with this Hotel Site Plan Application. The proposed streetscape design for Congress Street includes curb extensions at the intersection of Myrtle and Congress Street and Pearl Street and Congress Street. The existing traffic signal pole at Pearl Street is located immediately adjacent to the right of way line and will be replaced/relocated as part of the Master Development Plan responding to the proposed curb extension and crosswalks and as enabling work for the installation of underground utilities and for construction of future building foundations at the right of way line at this location.

A plan of proposed signal improvements at this location is included as part of the Master Development Plan application.

The proposed plan implements street striping documented in the Master Development Plan for the site. As part of the curb extension and curb line revisions, lane striping will be revised on Pearl Street from Cumberland Avenue to Congress Street, eliminating a left turn lane into the parking lot on the north side of Pearl Street in favor of on-street parking on the south side of Pearl Street. The revised striping plan provides 12' through lanes in each direction, with a parking lane on the south side of Pearl Street.

As part of the Master Development Plan, the striping along the southbound lane on Congress Street from Pearl Street to Myrtle Street is to be re-striped to reflect the revised curb line and linear plaza across the front of the site. The centerline of Congress Street is maintained. A 14' southbound lane will be striped, leaving a parking lane across the front of the site for public on street parking. The centerline and northbound lane widths on Congress Street are maintained. The left turn stop bar, from northbound Congress Street is proposed to be set back 40' from the crosswalk to accommodate right turns by trucks from Pearl Street turning southbound on Congress Street. In the existing condition, trucks making this turn encroach on this left turn lane. The necessary setback to avoid this condition is not changed in the proposed condition.



Zachary Powell <zpowell@portlandmaine.gov>

FW: Garage Entry Study

joedasco@comcast.net <joedasco@comcast.net>

Mon, Sep 12, 2022 at 12:26 PM

To: Kevin Kraft <kkraft@portlandmaine.gov>, zpowell@portlandmaine.gov

Kevin/Zach,

We have been working on our plans for the Condo Building on the corner of Pearl and Congress and want to make a minor change as compared to the Master Plan as it relates to the access to the lower level of the garage. The change we would like to submit has the access coming off of Pearl Street (please see attached and below) vs. from Cumberland as approved. This has the following advantages:

Cumberland is a much busier street and this would relieve any potential back up as owners and or the hotel guests wait for a gate or door to open.

This change would also keep additional space available for retail/commercial opportunities along Cumberland which is a more appropriate and desirable location.

This condition would alleviate the problem of temporary access to the lower level during the build out of the Cumberland phase of the project.

The only disadvantage is that we lose approximate 4 parking spaces but we still meet the zoning requirements.

It is my understanding that Staff can approve minor changes to the master plan if that is even required since site plans are allowed to deviate from master plans. Please see the attached plans and elevation to get a better understanding of what we are looking to do .

Can you please let me know how you would like us to approach this change as we are getting ready to submit our site plan application for this phase of the project.

Thank you,

Joe

Joseph Dasco

Reger Dasco Properties

383 Commercial Street, Suite D

Portland, ME 04101

413-244-9092

From: Dylan Dasco

Sent: Wednesday, August 24, 2022 3:37 PM

To: Joe Dasco <joedasco@comcast.net>; Henry Weinberg <weinberg@cbtarchitects.com>; 'Dan Riley' <driley@sebagotechnics.com>

Cc: Jim Monteverde <Monteverde@CBTarchitects.com>; 185010@cbtarchitects.tonicdm.com; Christopher Hill <Hill@CBTarchitects.com>; kevin.kelly@atlasboston.com

Subject: Garage Entry Study

Here is an updated version of the new garage entry study. I modified some of the slopes so that the entry ramp was not too steep.

I also included the driveway separation chart from the Technical Design Manual on the level 1 plan. As long as the speed limit on Pearl St. is not greater than 30mph we should be fine with this entry meeting the separation requirement. I assume within the city it's all 25mph. There is a sign at the corner of Cumberland that says 25pmh. Also, the curb cut is shown as 20' wide which also is below the max allowable of 24'. I also included a rendered elevation of this façade for reference.

Let me know if we should add or change anything to this package before speaking with the city.

Dylan Dasco RA

Associate

617.646.5116

cbt

One [Constitution Road](#), Suite 200
Boston, MA 02129

cbtarchitects.com

Please note that our address has changed



Virus-free.www.avast.com



2022_08_24_385-Congress_Garage-Study.pdf
3162K





Access and Circulation 14-14.6.1 (B)

1. In general

- a. The proposed project involves the re-development of fully a developed property currently used for parking. Internal vehicular circulation will be entirely on site and within the proposed parking garage.

The project proposes a two- lane, one-way (entering) driveway on Congress Street for vehicles entering the hotel site.

The proposed curb cut is set at 22' wide to allow for an 11' through lane entering and an 11' wide pull off area for drop off at the onsite entrance area. This lane configuration allows for valet operators to move entering vehicles past loading vehicles in the drop off lane and into the garage structure if necessary to prevent queuing of vehicles in the entrance driveway or on the sidewalk area.

The entrance materials and details have been developed to respect and reinforce the pedestrian-oriented streetscape while defining the area as an entrance to the hotel for safe and efficient valet parking.

The valet parking may include moveable/temporary sidewalk kiosks or signs, placed by the valet operators, to indicate valet parking locations, but no permanent valet signage is proposed. This approach is similar to other valet parking operations in the City of Portland.

There will be no self-parking in the hotel's garage by hotel guests, all guest parking will be valet parked. The revised plan provides a minimum of (4) loading spaces at the valet entrance outside of the garage for guest arrival and during peak arrival/departure times the valet operators can use both lanes of the valet entrance to accommodate up to (8) cars.

During standard operations, the second lane will remain clear to allow entering vehicles to pass loading/unloading guest vehicles to avoid impacting any public sidewalks. During peak periods, the through lane is available for unloading while the valet operators moves vehicles into the garage. The entrance off Congress Street for the hotel will only be utilized for valet parking.

The hotel's valet operation, similar to most valet operations at hotels in Portland, is a contracted service by a parking facility operator that has access to the both the on-site parking and other nearby offsite parking facilities. During peak periods, if the on-site garage is approaching capacity, the valets will park vehicles offsite in contracted facilities managed by the valet/parking vendor to ensure that arriving and departing vehicles are not queuing on the sidewalk or in the streets adjacent

to the site. Peak periods of hotel valet operations are generally predictable at typical weekend check-in and check-out times and are staffed accordingly.

The valet service will be staffed 24 hours a day whenever the hotel is operating. The operation will be managed in the same manner as the applicants other existing hotels in Portland.

- b. The proposed development site is comprised of a portion of a developed City block with sidewalks. The proposed project will result in improvements to the existing sidewalk and provide for better pedestrian circulation along Congress Street. The building includes continuous connection to the adjoining public sidewalks across its entire frontage.
- c. All points of access and egress to the site have been located to avoid conflicts with existing turning movements and traffic flows.

2. Loading and servicing

The proposed project has been designed to provide safe access for delivery vehicles servicing the site. Consistent with developments in similar settings in Portland, loading and service vehicle access is proposed internal to the building, accessed from the site entrances on the street. The plan proposed includes two new on-street temporary loading spaces on Myrtle Street for service vehicles that cannot use the interior loading facilities.

Similar to other developments in the urban areas of the City of Portland peninsula, hotel services will generally be provided by small box trucks familiar with servicing urban businesses. Loading and servicing access will not impede vehicle circulation, bicycle or pedestrian movement, or parking. Reference the plan set for loading area placement.

3. Curb and sidewalks

The proposed project site has existing city sidewalks on its street frontages. These sidewalks will be improved and widened as part of the project. All proposed public sidewalk improvements will be designed based to the standards of the City Technical Manual.

All street curbing will consist of new or reset existing granite curb installed in accordance with the details found in the City Technical Manual.

Public Transit 14-14.6.1(C)

1. A transit shelter is not required.

The site is located along an existing public transit route with a transit shelter located on Congress Street between Temple Street and Elm Street, less than ¼ mile from the site. It is the applicants understanding that no future transit shelters will be placed by the City of Portland on Congress Street between Myrtle and Pearl Streets given the significant impact to the hotel and linear pedestrian park included in the design.

The site is nearby to a number of public transit bus lines. The project is located on Congress Street, with direct access to METRO Bus routes 1, 2, 4, 5, 7, 8, 9a & 9b and South Portland Bus Service routes 21, 24a & 24b. The nearest METRO Bus stops on Congress Street are adjacent to the site on Congress Street at City Hall.

2. Not applicable

Easements

The following items provide draft language for proposed easements shown on the Lot 1 Easement Plans and final language and easements will be coordinate and submitted to the City of Portland prior to Certificate of Occupancy based on the final construction and phasing of the Lot 1 Hotel and other MDP developments.

Easement Sidewalk Easement (Myrtle Street)

The purpose of the easement granted herein by the Owner (Grantor) is to grant public pedestrian access in on and over the easement area which shall function as an ADA-compliant sidewalk for pedestrian, bicycle and similar non-motorized pedestrian uses subject, however, to such rules or ordinances that the Grantee may adopt from time to time in the interests of public safety. Notwithstanding the foregoing, wheelchair and emergency vehicles as well as snow removal equipment shall be permitted in accordance with applicable federal and/or state laws regulating accessibility for such devices, vehicles, or equipment. The City of Portland (Grantee) shall have the right, but not the obligation, to install, maintain, replace and repair the sidewalk for public use and enjoyment on and over Easement Area. Maintenance and repair responsibilities within the Easement Area shall belong solely to the Grantor, its successors and assigns. It shall be the responsibility of the Grantee to remove snow and ice from said Easement Area and to otherwise comply with all laws, rules, regulations, and ordinances governing the removal of snow and ice therefrom. Grantee shall have the right but not the obligation to repair or maintain the Easement Area when Grantee, in its sole discretion, deems such repairs or maintenance necessary to ensure public safety.

The Easement Area shall, as provided and permitted herein, be maintained as a sidewalk for the uses set forth and described herein and the Grantor shall not use or permit any use, condition, or state of disrepair that would be contrary to or otherwise inhibit such uses.

Amenity Deck Public Access Easement

An easement for public access to the amenity deck between Lots 1 and 2 will be drafted and considered once and if both Lots receive Certificate of Occupancy in accordance with the approved Master Development Plan. There will be no public access easement granted as part of only the Lot 1 Site Plan Application as public access will not be available until the development of Lot 2 is completed.

Off-Street Parking 14-14.6.1 (D)

1. *Vehicular Parking:* The proposed project includes parking garage which will provide 70 parking spaces. All parking will be designed in accordance with the requirements outlined in the city code, subject to waivers approved in the Master Development Plan related to compact spaces and drive aisle width on double stacked spaces. Please refer to the building plans for parking layout information.
2. *Bicycle Parking:* Bicycle parking racks will be located within the garage level of the site. Please see the plan set for the proposed location of the bicycle parking.
3. *Snow Storage:* There are no snow storage areas on site for the proposed project. Sidewalks and outdoor common areas will be cleared of snow in accordance with the City of Portland ordinance.
4. *Electric Vehicle charging:* The proposed project adheres to the applicable EV standards as outlined in the City Technical Manual.



385 CONGRESS STREET MATERIALS

PROJECT ID. I937I
DECEMBER 5, 2022



ARMSTRONG RED MAPLE
ACER RUBRUM 'ARMSTRONG'



GREEN PILLAR PIN OAK
QUERCUS PALUSTRIS 'GREEN PILLAR'



LACEBARK ELM
ULMUS PARVIFOLIA



STRIPED MAPLE
ACER PENSYLVANICUM



ALEGHANY SERVICEBERRY
AMELANCHIER LAEVIS



CLIMBING HYDRANGEA
HYDRANGEA ANOMALA PETIOLARIS



WEeping ALASKAN CEDAR
CHAMAECYPARIS NOOTKATENSIS 'JUBILEE'



IRISH YEW
TAXUS BACCATA 'FASTIGIATA'



GREEN MOUNTAIN BOXWOOD
BUXUS X 'GREEN MOUNTAIN'



SIERRA SPREADER JUNIPER
JUNIPERUS SABINA 'SIERRA SPREADER'



BARHARBOR HYDRANGEA
HYDRANGEA ARBORESCENS 'SEASIDE SERENADE'

19371 | 12.05.2022

385 CONGRESS STREET PLANT PALETTE // TREES AND SHRUBS



GOLDSTRUM BLACKEYED SUSAN
RUDBECKIA FULGIDA 'GOLDSTURM'



AUTUMN JOY SEDUM
SEDUM SPECTABILE 'AUTUMN JOY'



CINNAMON FERN
OSMUNDA CINNAMOMEUM



TOKUDAMA FLAVOCIRCINALIS HOSTA
HOSTA 'TOKUDAMA FLAVOCIRCINALIS'



HIGH CONTRAST LUNGWORT
PULMONARIA 'HIGH CONTRAST'



BLACK SCALLOP AJUGA
AJUGA REPTANS 'BLACK SCALLOP'



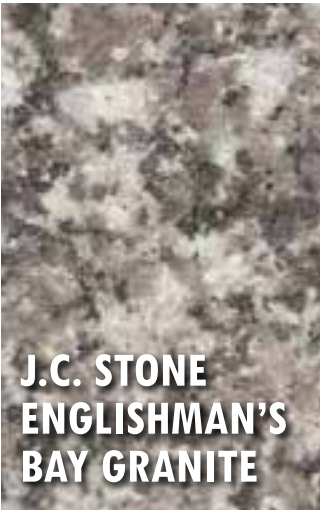
AMERICAN WINTERGREEN
GAULTHERIA PROCUMBENS



SEERSUCKER SEDGE
CAREX PLANTAGINEA



KARL FOERSTER FEATHER REED GRASS
CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'



**J.C. STONE
ENGLISHMAN'S
BAY GRANITE**

GRANITE BENCHES

SIZE 18"H x 18"D x VARYING LENGTHS
JCSTONEINC.COM ENGLISHMAN'S BAY GRANITE



**HANOVER
MATRIX
#1930**

**HANOVER
MATRIX
#2156**



**HANOVER
MATRIX
CREAM**

**HANOVER
MATRIX
#1151**

PAVERS

SIZE AND PATTERN 1' x 2' STACKED
HANOVERPAVERS.COM ROOF AND PLAZA PAVERS



PLANTER OPTION A
SIZE 60"x18"x30" LENGTH VARIABLE
PLANTERCRAFT.COM CORTEN STEEL RECTANGULAR



PLANTER OPTION B
SIZE 60"x18"x30" LENGTH VARIABLE
PLANTERCRAFT.COM ALUMINUM
RUST-COLORED RECTANGULAR



**IPE WOOD
COLOR
(STANDARD)**

TOP + SIDE WALL MOUNTED BENCHES
SITE-CRAFT.COM Y SERIES - YF/YL



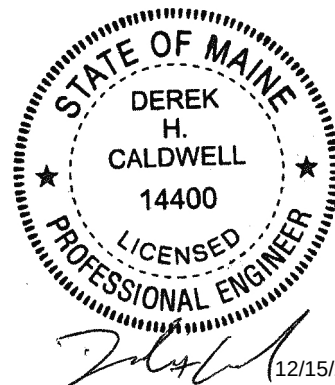
Revised Section 7 Traffic Study

385 Congress Street Portland, Maine

Applicant:
385 Congress Street, LLC
2730 Transit Road
West Seneca, NY 14224

Prepared By:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

December 15, 2022



Section 7 – Revised Traffic Study

The following presents a Revised Traffic Study for the 385 Congress Street development in Portland. This revised study incorporates comments received from the City dated November 16, 2022 as well as modifications made to the location of the site driveways since the time of the initial Section 7 submission.

The change in site driveways includes the shifting of the former proposed driveway on Cumberland Avenue to Pearl Street, located approximately 150' north of the intersection with Cumberland Avenue. Similar to the previously presented Cumberland Avenue driveway, this new Pearl Street drive would provide access to Level 0 of the proposed parking garage under the full buildout of the project. No other modifications were made to the other development driveways. Trip assignments were modified accordingly to have all vehicles previously using the former Cumberland Avenue drive to be routed instead to the proposed northerly Pearl Street drive.

The traffic simulation model was also modified to include a dummy traffic signal node simulating the gate/payment station for vehicles entering the Top of the Old Port Lot. This is the same methodology that was used to model the proposed garage doors to enter the development site described in the Section 7 Traffic Study.

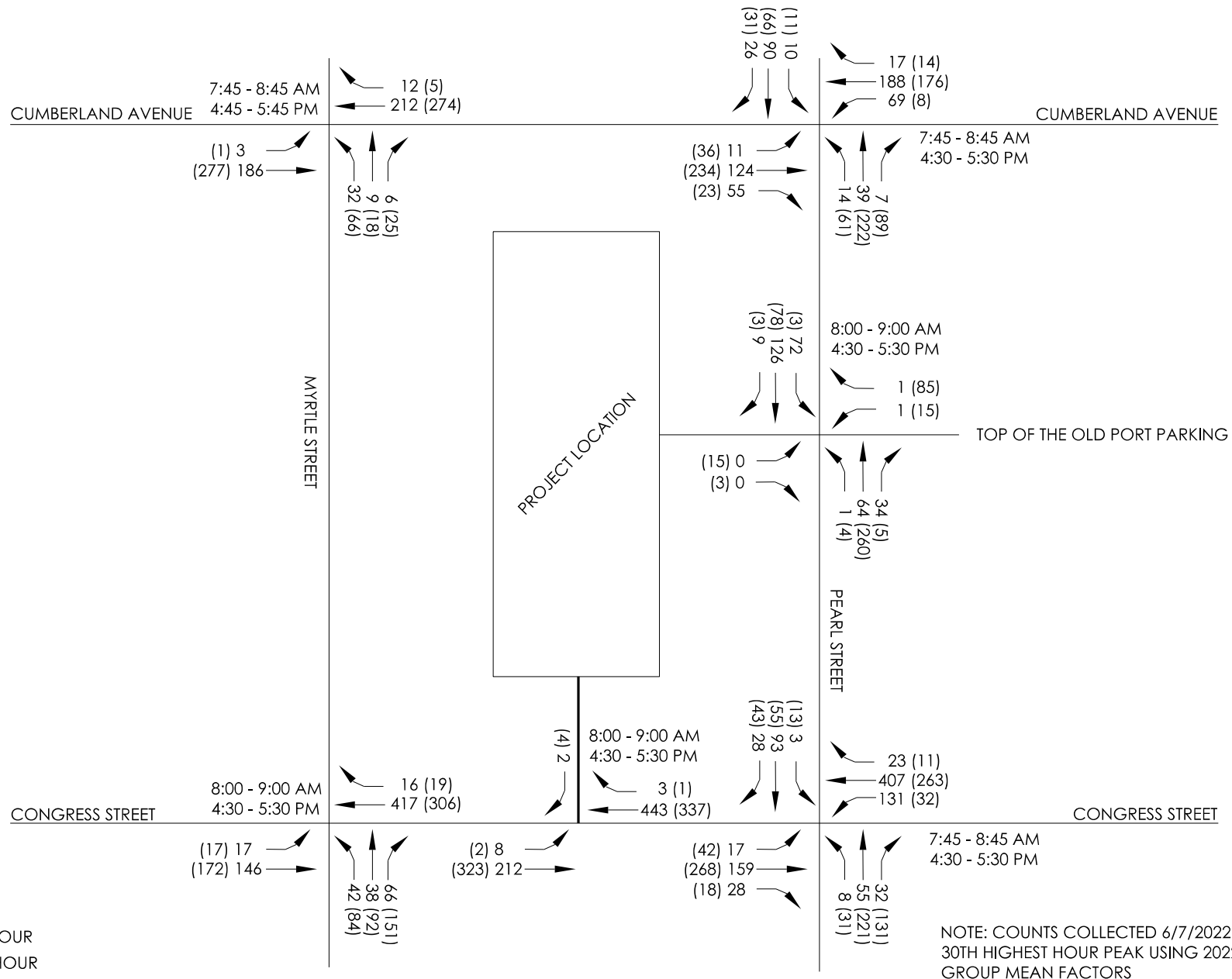
A. Existing and Projected Traffic Volumes

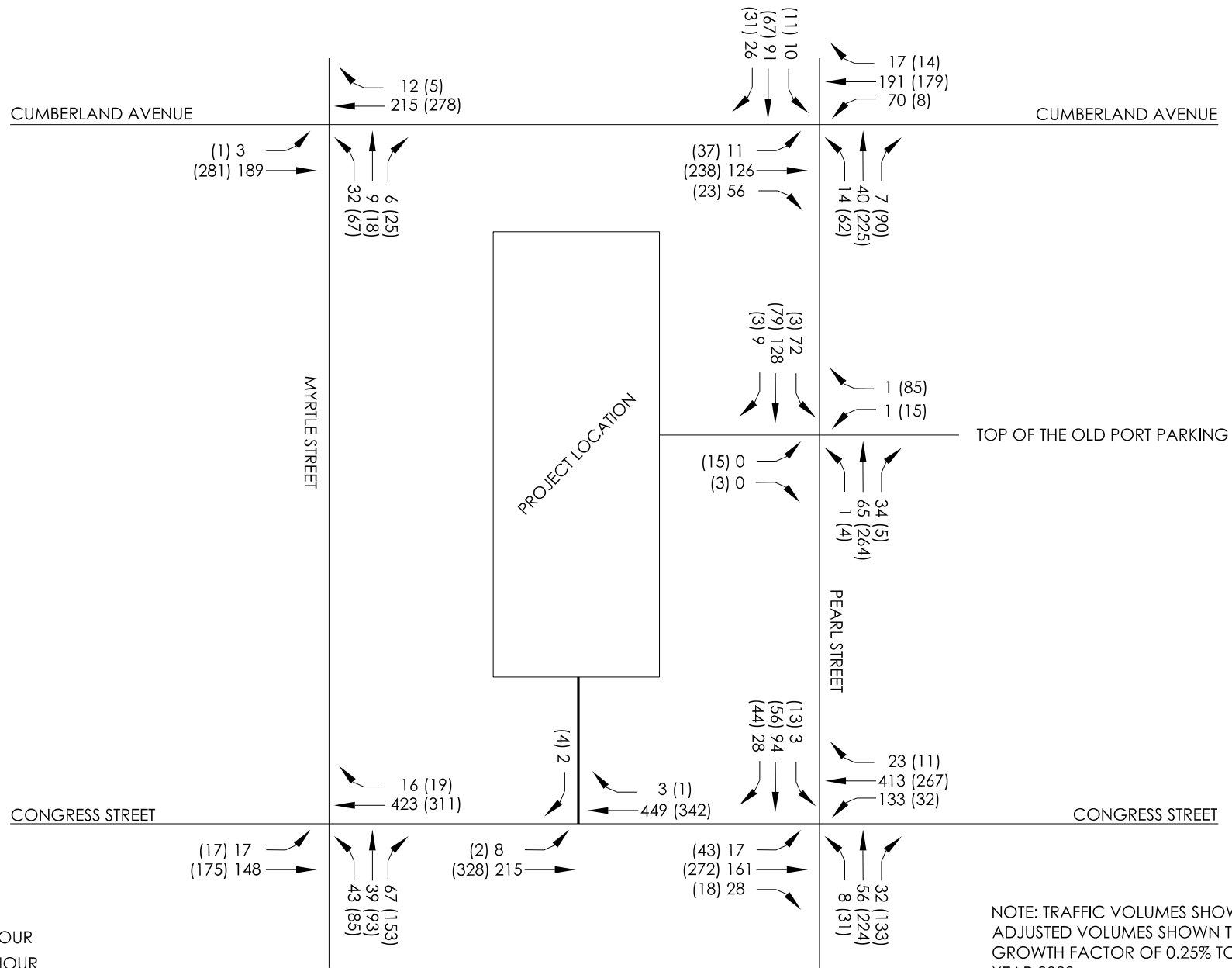
Turning movement counts were collected on Tuesday, June 7, 2022 during the AM (7:00 AM – 9:00 AM) and PM (3:00 PM – 6:00 PM) Peak Hour periods.

The counts were factored to 30th highest hour volumes, the volumes that are utilized for traffic analysis purposes as they represent peak seasonal conditions. The study area roadway network is classified by MaineDOT as Group I – urban roadway. Data for this classification was utilized from the 2022 MaineDOT Weekly Group Mean Factors resulting in a rate of $0.89/0.87 = 1.02$. Additionally, with an anticipated full build out date of 2028, the 2022 data was factored by 0.25% annual growth based on an agreed upon discussion at the scoping meeting, with the idea that most of the surrounding growth would be covered by other development trips.

Figure 1 shows the 30th Highest Hour adjusted 2022 existing Peak Hour traffic volumes. Figure 2 shows the 2028 No-Build volumes, found by applying an annual growth rate of 0.25% to the 2022 adjusted traffic volumes.

Figures 3 through 6 show the trip assignments determined in Section 1 for the AM peak hour. Figures 7 through 10 show the trip assignments for the PM peak hour. 2028 Build volumes, found by adding the No-Build volumes with the trip assignments determined in Section 1, are shown in Figure 11. Note that the Build traffic volumes are included for only the requested AM and PM Peak Hour study periods.





LEGEND

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR

NOTE: TRAFFIC VOLUMES SHOWN FOUND BY ADJUSTED VOLUMES SHOWN TO AN ANNUAL GROWTH FACTOR OF 0.25% TO FUTURE BUILD YEAR 2028.



2028 NO-BUILD VOLUMES OF: 385 CONGRESS STREET DEVELOPMENT

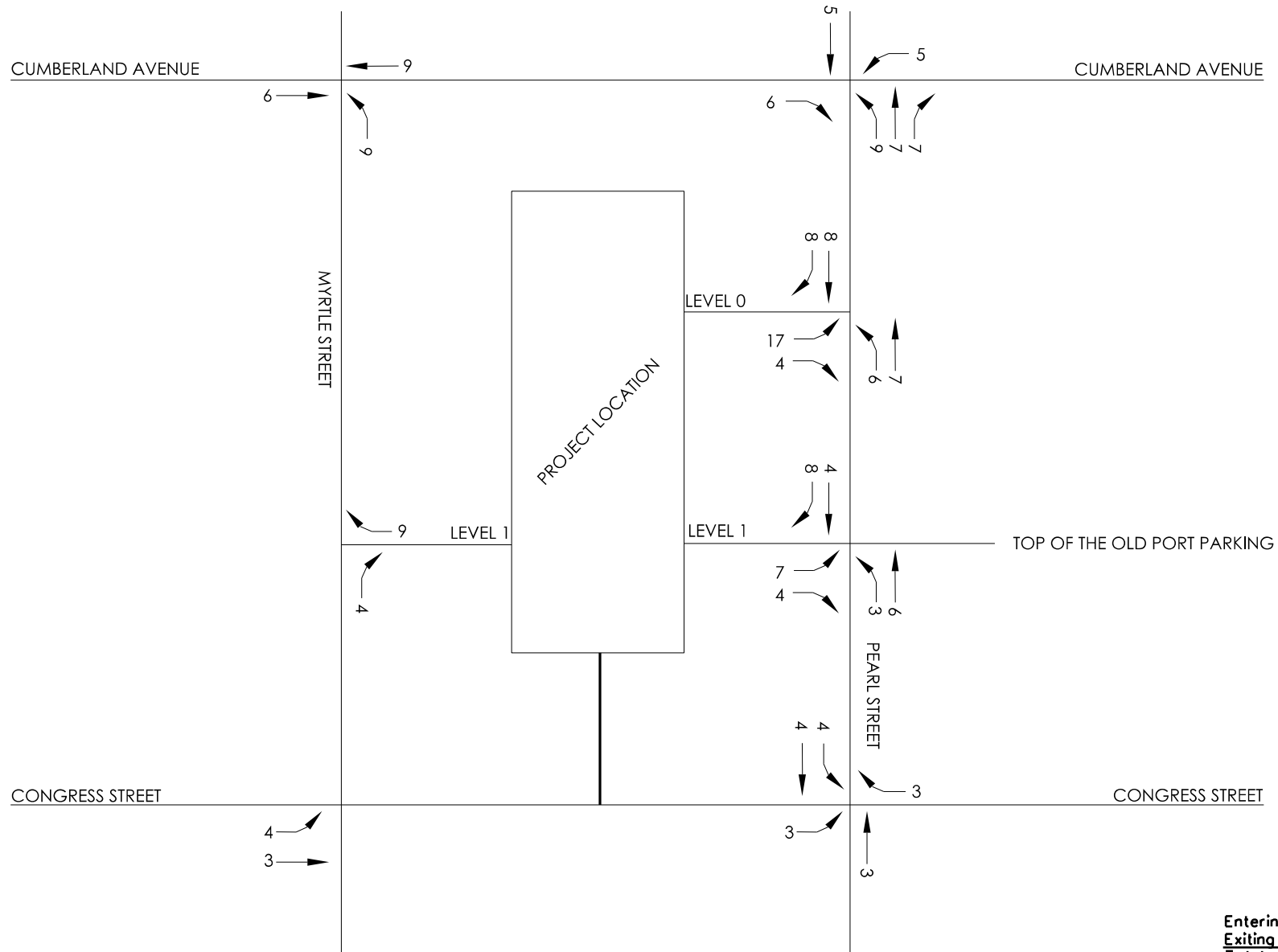
LOCATION: 385 CONGRESS ST
PORTLAND, MAINE

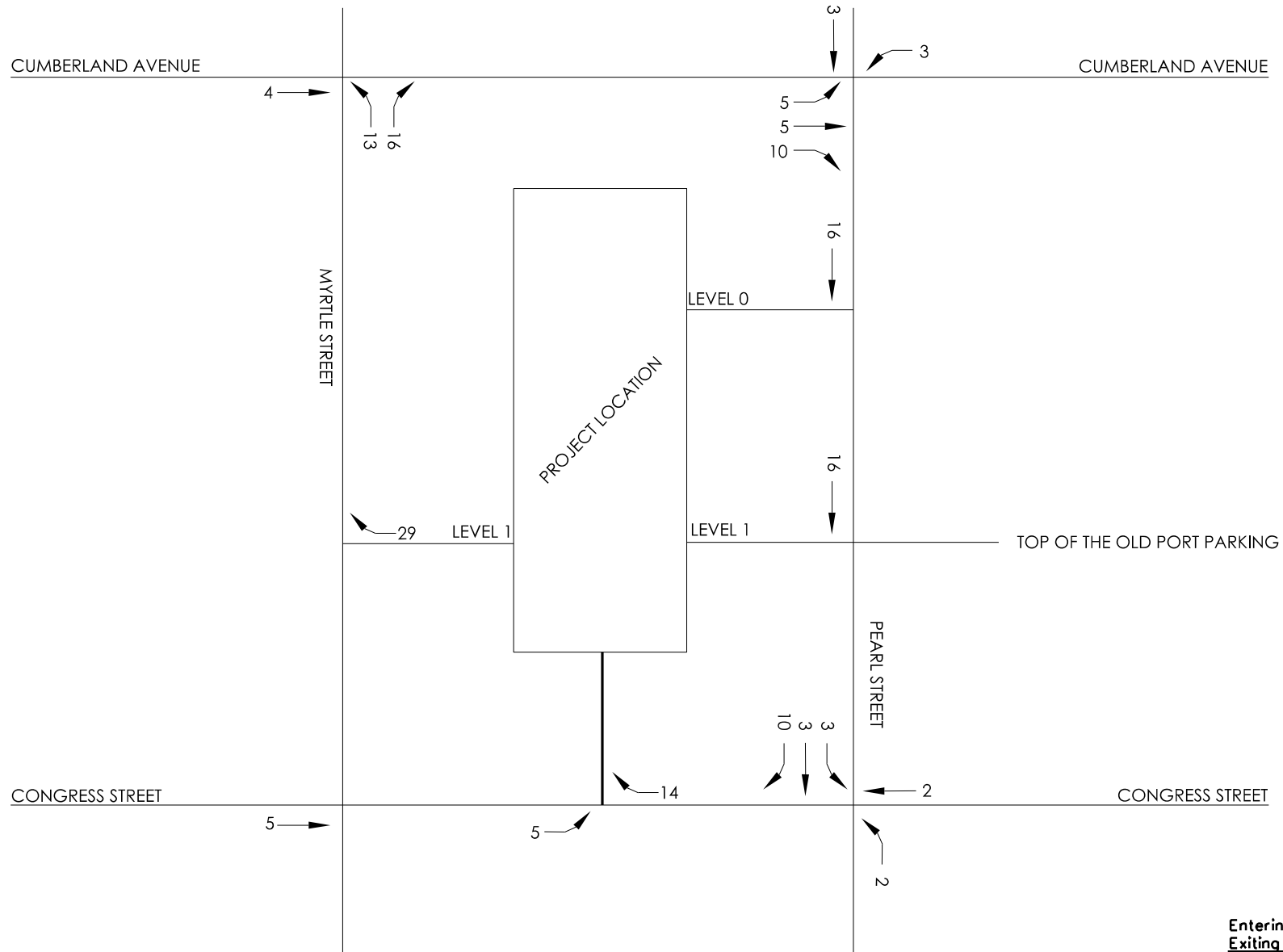
FOR: 385 CONGRESS STREET, LLC
2730 TRANSIT ROAD
WEST SENECA, NY 14224

SCALE: N.T.S

DATE: 08/12/22

SHEET:
2 OF 11





CUMBERLAND AVENUE

CUMBERLAND AVENUE

29

29

29

29

TOP OF THE OLD PORT PARKING

MYRTLE STREET

PROJECT LOCATION

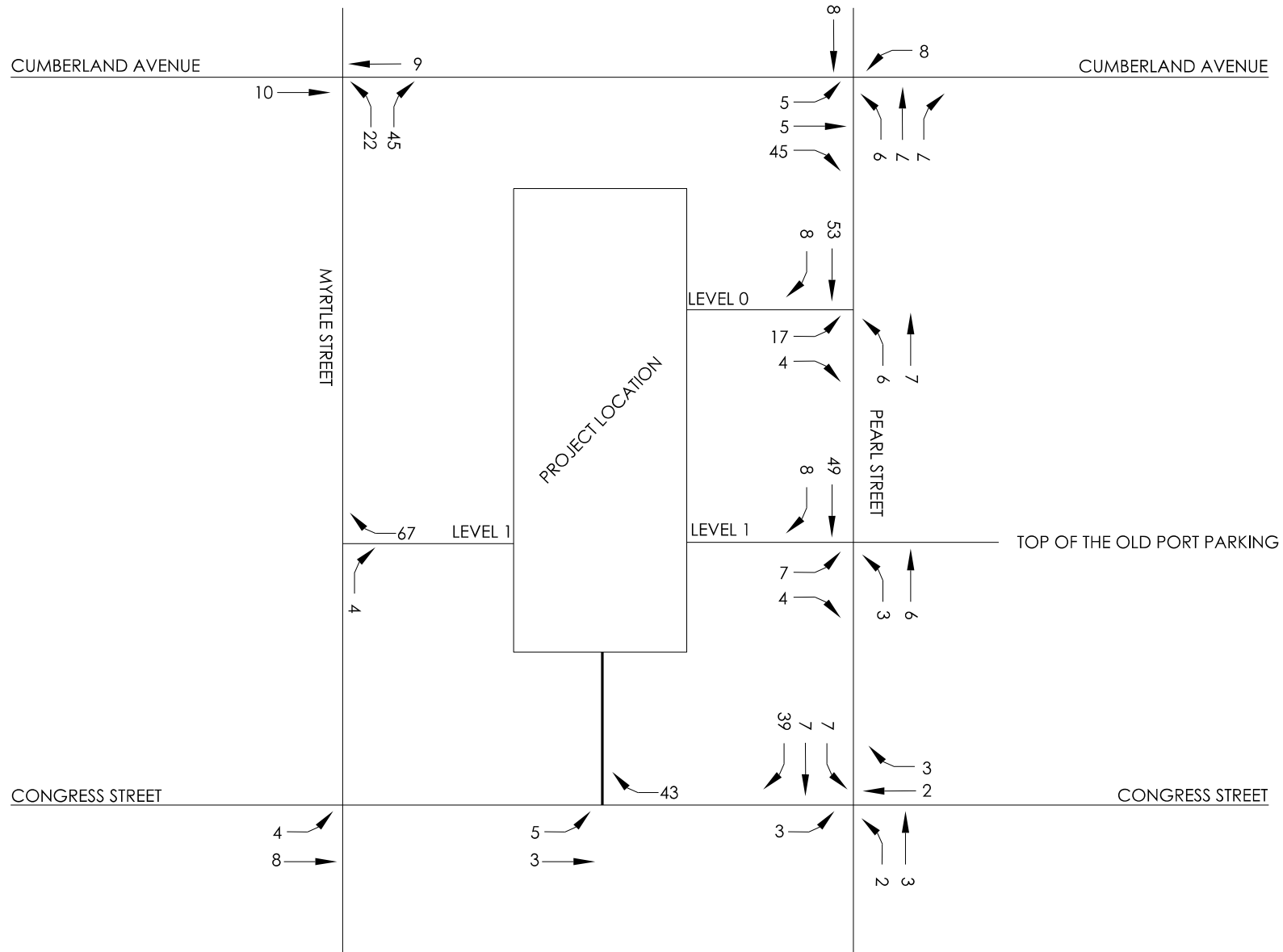
PEARL STREET

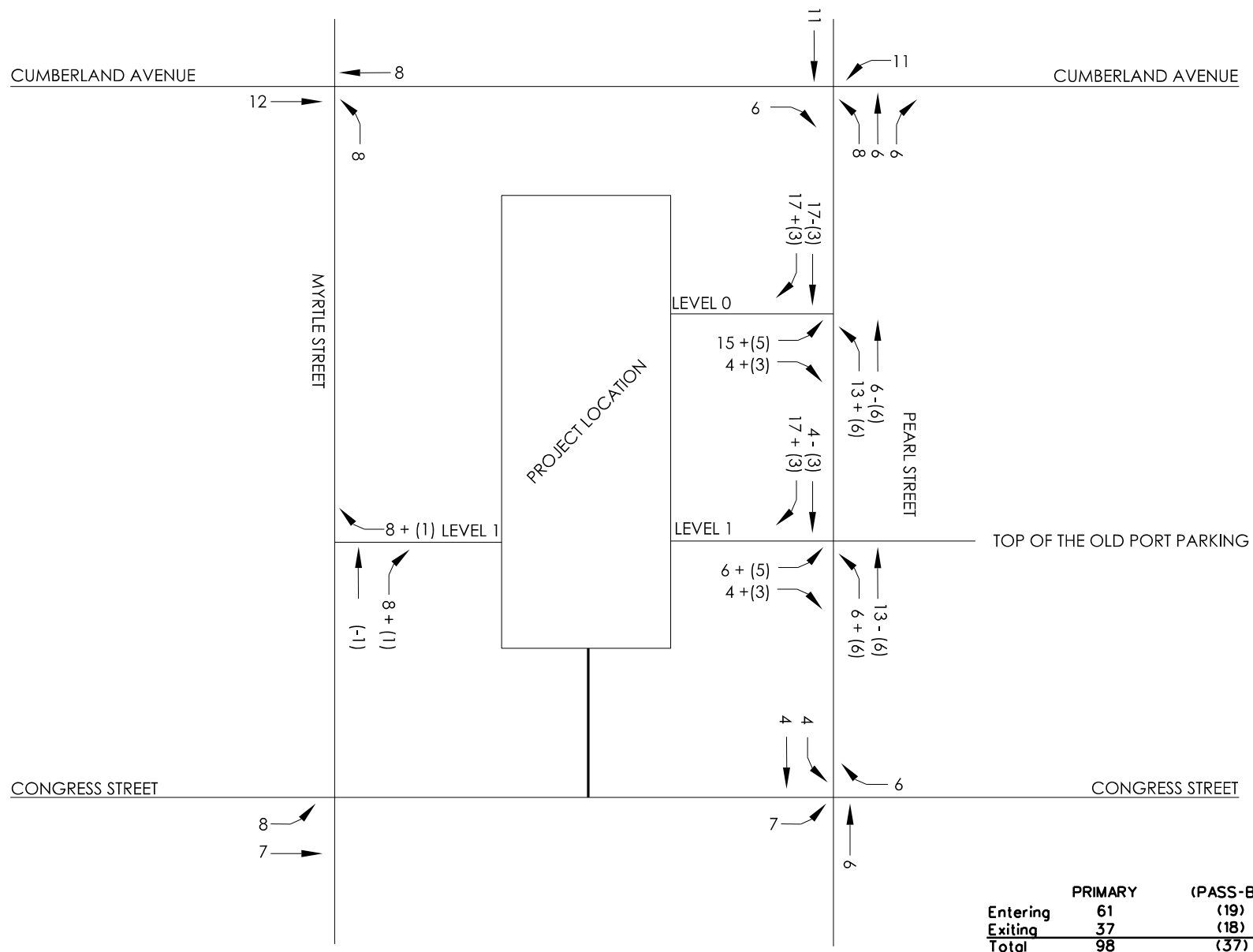
CONGRESS STREET

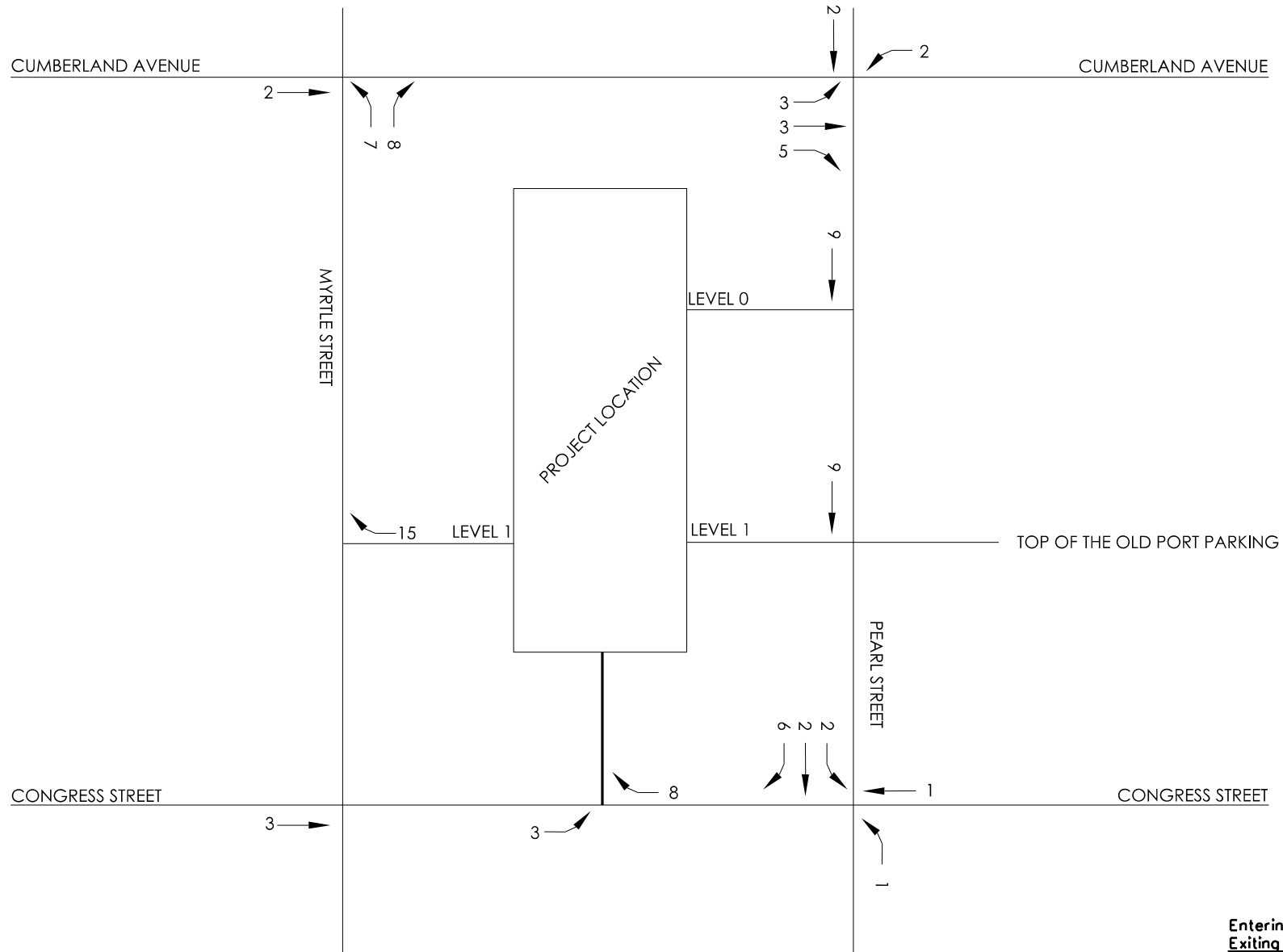
29

29

CONGRESS STREET







TRIPS	
Entering	11
Exiting	15
Total	26

CUMBERLAND AVENUE

CUMBERLAND AVENUE

MYRTLE STREET

PEARL STREET

CONGRESS STREET

CONGRESS STREET

PROJECT LOCATION

TOP OF THE OLD PORT PARKING



PM PEAK HOUR TRIP ASSIGNMENT - HOTEL VALET ONLY
OF: 385 CONGRESS STREET DEVELOPMENT

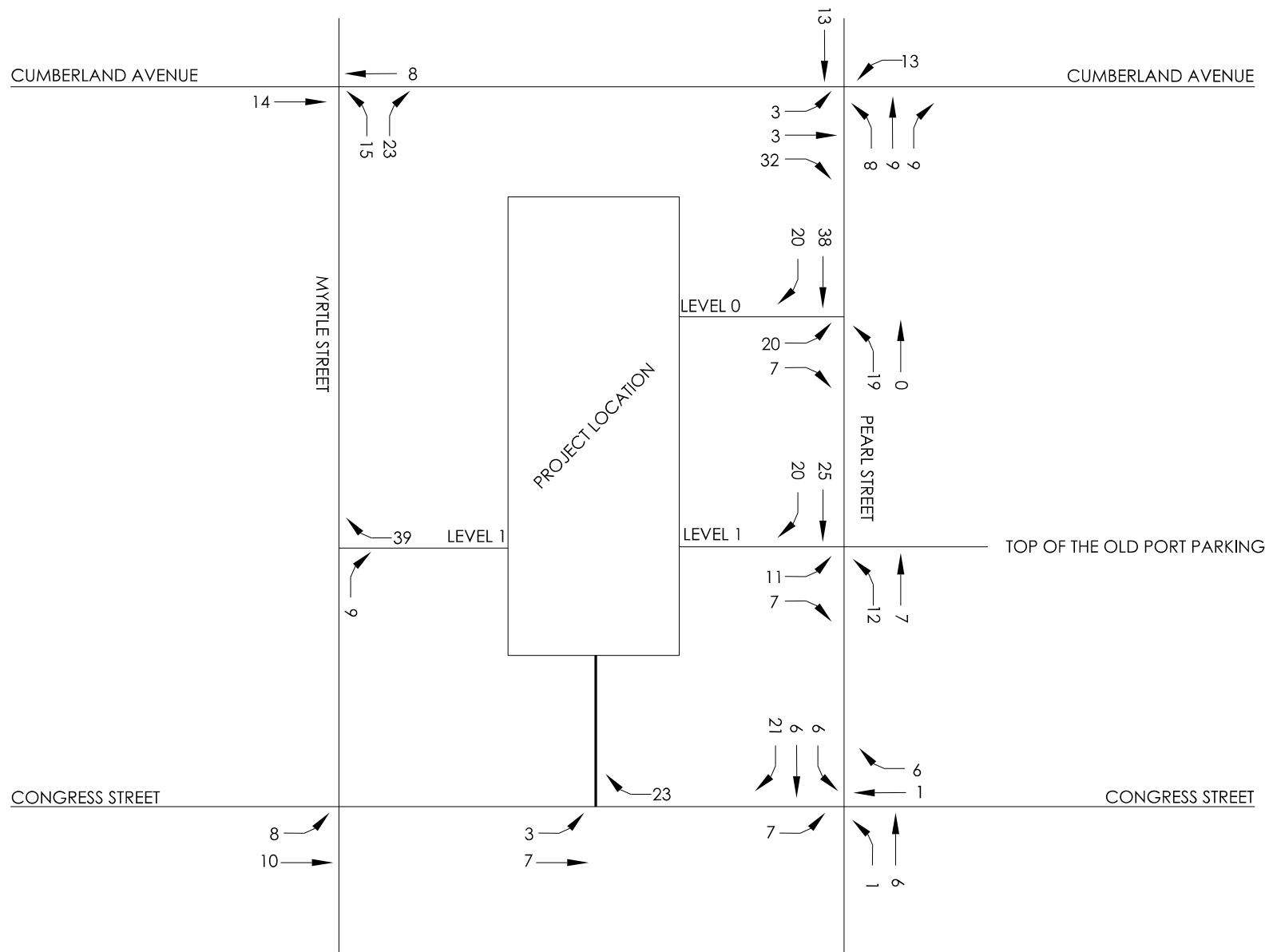
LOCATION: 385 CONGRESS ST
PORTLAND, MAINE

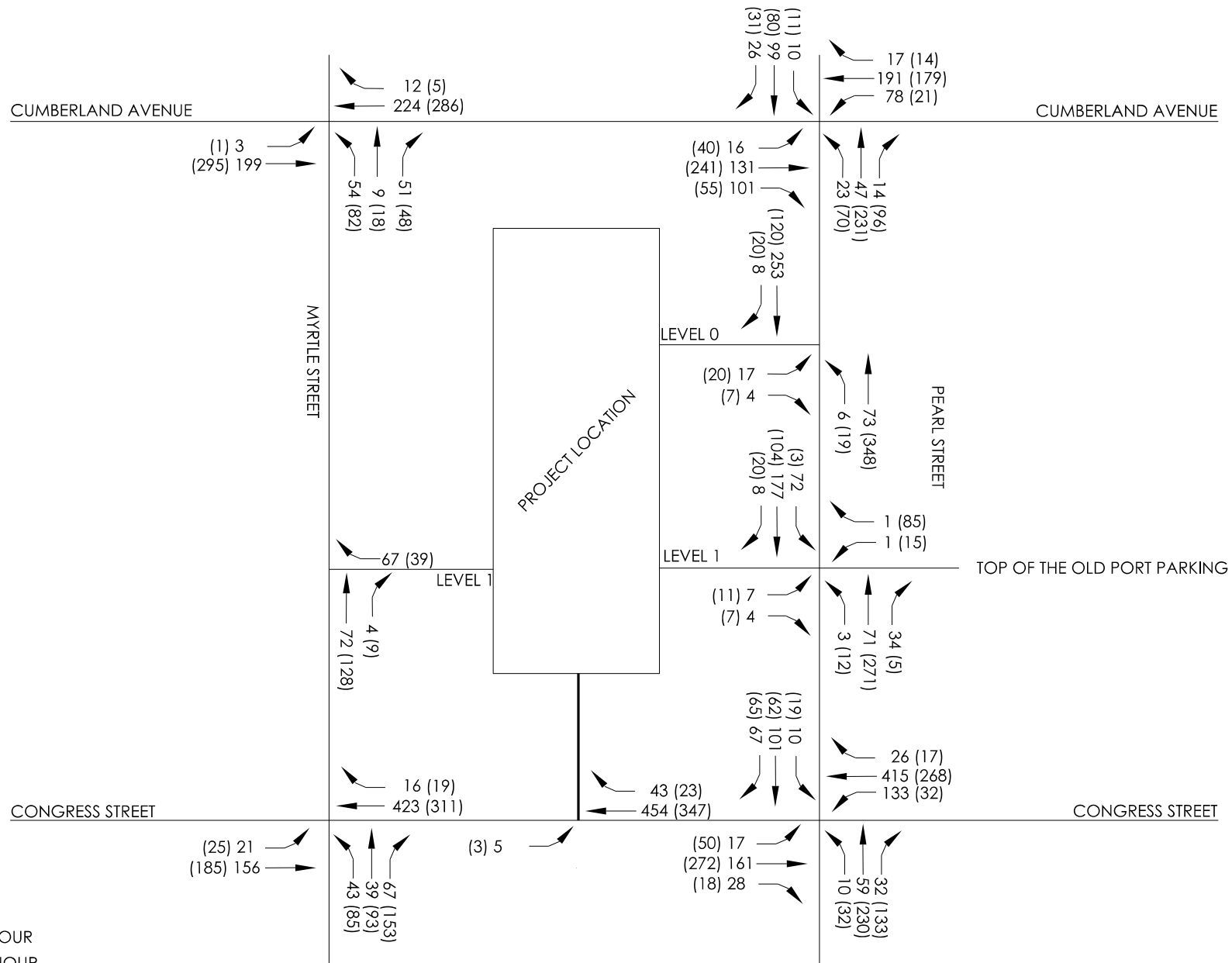
FOR: 385 CONGRESS STREET, LLC
2730 TRANSIT ROAD
WEST SENECA, NY 14224

SCALE: N.T.S

DATE: 08/12/22

SHEET:
9 OF 11





B. Capacity Analysis

Capacity analysis for the study area intersections was performed utilizing Synchro/SimTraffic v11 to calculate both 95th percentile queue lengths and the control delay, or the average amount of delay that a vehicle experiences as it travels through an intersection or section of roadway. The analysis was completed applying the average of ten (10) SimTraffic simulation runs, each consisting of a 15-minute seeding interval and a one-hour recording interval.

Level of Service (LOS) is determined by the control delay, in terms of A through F, with A being optimal and F being unacceptable. The LOS and control delay for signalized and unsignalized intersections is depicted in the Highway Capacity Manual 6 and shown in Table 1.

Table 1: Level of Service from Control Delay

Level of Service (LOS)	Signalized Control Delay (Sec./Vehicle)	Unsignalized Control Delay (Sec./Vehicle)
A	≤10	≤10
B	>10-≤20	>10-≤15
C	>20-≤35	>15-≤25
D	>35-≤55	>25-≤35
E	>55-≤80	>35-≤50
F	>80	>50

The analysis includes the following intersections:

1. Congress Street at Pearl Street (Signalized)
2. Cumberland Avenue at Pearl Street (Signalized)
3. Congress Street at Myrtle Street (Unsignalized)
4. Cumberland Avenue at Myrtle Street (Unsignalized)
5. Pearl Street at Site Driveway (Level 1) and Top of the Old Port Parking (Unsignalized)
6. Pearl Street at Site Driveway (Level 0) (Unsignalized)
7. Myrtle Street at Site Driveway (Unsignalized)
8. Congress Street at Site Driveway (Unsignalized)

Capacity analysis for the signalized and unsignalized intersections of the study area were completed utilizing the aforementioned methodologies during the AM and PM analysis periods. The results for the delay in seconds per vehicle (s/veh) along with the corresponding levels of service for 2028 No-Build and Build conditions in are shown in Table 2 through

Table 9. For both the No-Build and Build analysis, existing signal timings were used at the signalized intersections.

The existing site driveway at Congress Street was not included in the No-Build model because of the limited volume of traffic from the background volumes and its proximity to the intersection of Congress Street and Myrtle Street.

Requested at the scoping meeting was to incorporate the time it would take for garage doors to open at the entrances to the parking decks on Pearl Street, Cumberland Street and Myrtle Street. The entrance on Congress Street will not be controlled by a garage door as this access will be for hotel guest arrivals and valet operations. To incorporate the delay a vehicle would experience at the garage doors the Build Synchro models incorporate a dummy traffic signal located internal to site at the subject entrances. This traffic signal is coded to operate with three phases. Phase 1 represents entering traffic, Phase 2 exiting traffic and Phase 3 the garage door. Phases 1 and 2 are compatible with each other while Phase 3 is not. Small 10' detector zones were placed on the entering and exiting approaches (Phases 1 and 2). This layout would allow for one vehicle to stack at the garage door waiting for entry. The signal is programmed to have a minimum recall on the garage door (Phase 3). The clearance time has been programmed to represent the time it would take the door to open. It was determined the garage door would take approximately 11.5 seconds to open, based on observations of a similar project of the Applicant's at 383 Commercial Street. When an entering or exiting vehicle approaches the door, the respective Phase 1 or 2 is called, which results in Phase 3 beginning the clearance interval, or opening of the door. Phases 1 and 2 are programmed with 1 second minimum green (the lowest value allowed) and 0.2 seconds extension (also the lowest value allowed). Therefore, once an entering or exiting vehicle leaves the detection zone and proceeds through the "intersection", the signal immediately goes back to Phase 3 as if the garage door were closed. Note this methodology has now been applied the existing Top of the Old Port Garage as well, except that this drive allows for the storage of two vehicles off the roadway.

Table 2: Level of Service from Control Delay
Congress Street at Pearl Street
Signalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Pearl SEL	16.6	B	17.8	B	49.8	D	48.7	D
Pearl SET	12.9	B	13.0	B	22.8	C	28.3	C
Pearl SER	8.6	A	10.5	B	17.6	B	21.4	C
Pearl NWL	17.0	B	20.7	C	29.9	C	32.2	C
Pearl NWT	14.3	B	14.9	B	27.7	C	34.8	C
Pearl NWR	5.8	A	7.1	A	23.2	C	26.9	C
Congress NEL	18.9	B	18.4	B	13.9	B	17.3	B
Congress NET	7.4	A	6.7	A	8.7	A	8.5	A
Congress NER	4.6	A	4.0	A	5.2	A	5.5	A
Congress SWL	15.0	B	14.3	B	15.1	B	14.9	B
Congress SWT	10.6	B	10.8	B	8.3	A	9.6	A
Congress SWR	8.2	A	8.2	A	6.2	A	7.9	A
INTERSECTION	10.9	B	10.9	B	16.4	B	19.2	B

Table 3: Level of Service from Control Delay
Cumberland Avenue at Pearl Street
Signalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Pearl SEL	12.0	B	10.2	B	20.9	C	18.4	B
Pearl SET	9.5	A	10.5	B	10.0	A	16.3	B
Pearl SER	4.8	A	5.3	A	5.8	A	8.3	A
Pearl NWL	10.2	B	10.2	B	13.9	B	8.3	A
Pearl NWT	8.7	A	7.0	A	14.1	B	8.7	A
Pearl NWR	3.0	A	4.0	A	10.3	B	5.1	A
Cumberland NEL	10.0	A	11.6	B	11.4	B	14.4	B
Cumberland NET	6.5	A	8.5	A	9.2	A	11.0	B
Cumberland NER	3.9	A	4.9	A	6.3	A	9.0	A
Cumberland SWL	10.8	B	13.1	B	14.9	B	22.3	C
Cumberland SWT	9.2	A	10.8	B	8.6	A	14.1	B
Cumberland SWR	5.9	A	8.1	A	5.7	A	9.6	A
INTERSECTION	8.1	A	9.2	A	10.7	B	11.0	B

Table 4: Level of Service from Control Delay
Congress Street at Myrtle Street
Unsignalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Myrtle NWL	9.8	A	9.3	A	12.7	B	15.6	C
Myrtle NWT	10.0	A	10.6	B	14.2	B	16.8	C
Myrtle NWR	5.5	A	5.2	A	9.0	A	12.5	B
Congress NEL	3.8	A	3.6	A	3.0	A	3.2	A

Table 5: Level of Service from Control Delay
Cumberland Avenue at Myrtle Street
Unsignalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Myrtle NWL	7.4	A	6.7	A	8.8	A	11.6	B
Myrtle NWT	3.0	A	1.9	A	5.3	A	5.8	A
Myrtle NWR	4.6	A	4.3	A	6.3	A	8.4	A
Cumberland NEL	2.5	A	2.6	A	3.3	A	2.1	A

Table 6: Level of Service from Control Delay
Pearl Street at Site Driveway (Level 1) and Top of the Old Port Parking
Unsignalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Pearl SEL	4.2	A	3.0	A	7.1	A	5.7	A
Pearl NWL	1.9	A	3.2	A	3.9	A	7.2	A
Site NEL	0.0	A	6.4	A	10.1	B	17.0	C
Site NER	0.0	A	3.2	A	4.7	A	4.3	A
Old Port Parking SWL	8.4	A	1.7	A	7.3	A	11.5	B
Old Port Parking SWR	3.2	A	1.5	A	6.9	A	13.3	B

Table 7: Level of Service from Control Delay
Pearl Street at Site Driveway (Level 0)
Unsignalized

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Pearl St NWL			4.0	A			13.0	B
Site NEL			8.4	A			39.9	E
Site NER			3.6	A			5.8	A

**Table 8: Level of Service from Control Delay
Myrtle Street at Site Driveway
Unsignalized**

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Site SWR			3.2	A			4.8	A

**Table 9: Level of Service from Control Delay
Congress Street at Site Driveway
Unsignalized**

Movement	2028 AM Period				2028 PM Period			
	No-Build Delay	No-Build LOS	Build Delay	Build LOS	No-Build Delay	No-Build LOS	Build Delay	Build LOS
Congress NEL			3.3	A			3.1	A

Level of Service is expected to be similar between the No-Build and Build conditions. All movements are expected to operate at LOS “D” or better, with the lone exception of left turn movements from the northerly Pearl Street drive in the PM Peak Hour. Given that this movement is exiting from the site, no further mitigation is proposed. SimTraffic reports are included in Appendix A for reference.

Queue Analysis

Table 10 through Table 17 show the calculated 95th Percentile Queues for the study intersections.

**Table 10: Queueing Analysis Summary
Congress Street at Pearl Street**

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Pearl SE LTR	98	152	119	153
Pearl NW LTR	75	80	292	325
Congress NE L	58	64	93	114
Congress NE TR (75')	91	87	106	105
Congress SW L (45')	86	93	59	58
Congress SW TR	238	236	137	165

Table 11: Queueing Analysis Summary
Cumberland Avenue at Pearl Street

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Pearl SE LTR	82	86	79	109
Pearl NW LTR	57	58	189	73
Cumberland NE LTR	99	114	145	165
Cumberland SW LTR	138	155	108	172

The decreased queue length for Pearl Street NW approach is due to the introduction of the site driveway and therefore limiting the link length in the model. When also considering the reported queues at Pearl Street and the Level 0 Site Driveway the queue is expected to be approximately equal in both no-build and build scenarios

Table 12: Queueing Analysis Summary
Congress Street at Myrtle Street

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Myrtle NW LTR	79	85	164	196
Congress NE LT	34	38	27	68
Congress SW TR	0	3	2	7

Table 13: Queueing Analysis Summary
Cumberland Avenue at Myrtle Street

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Myrtle NW LTR	49	91	65	103
Cumberland NE LT	8	8	15	56
Cumberland SW TR	0	2	0	0

Table 14: Queueing Analysis Summary
Pearl Street at Site Driveway and Top of the Old Port Parking

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Pearl SE LTR	40	83	10	67
Pearl NW LTR	30	12	22	90
Site NE LTR	23	26	36	31
Old Port Parking SW LTR	13	13	49	71

Table 15: Queueing Analysis Summary
Pearl Street at Site Driveway (Level 0)

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Pearl SE LTR		34		39
Pearl NW LTR		27		115
Cumberland SW LT		39		18

The increase in queue for the Pearl Street NW approach is due to the revised model adding this intersection to the south of the Cumberland Avenue intersection. Similar to as described above the total queue on Pearl Street approaching Cumberland Avenue is similar under both no-build and build conditions.

Table 16: Queueing Analysis Summary
Myrtle Street at Site Driveway

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Myrtle NW TR	0	11	0	15
Site SWR		48		47

Table 17: Queueing Analysis Summary
Congress Street at Site Driveway

Lane Group (Storage Length)	95 th Percentile Queue Length (Feet)			
	2028 AM No-Build	2028 AM Build	2028 PM No-Build	2028 PM Build
Congress NE LT		22		26
Congress SW TR		5		5

Calculated 95th Percentile Queue lengths are expected to be similar between the No-Build and Build conditions at all intersections. Garage door opening delay is not expected to impact through traffic as queues to enter the site were often not exceeding one car.

Auxiliary Turn Lane Warrant Analysis

An auxiliary turn lane warrant analysis was completed for the proposed site entrance intersections using the methodology provided in *NCHRP Report 457 Evaluating Intersection Improvements: An Engineering Study Guide*. The analysis was completed for both left and right turn lanes during the two peak analysis periods. Table 18 provides a summary of the findings of the warrant analysis. NCHRP 457 worksheets for each scenario are included in the appendix.

Table 18: Turn Lane Warrant Analysis Summary

Approach	Analysis Period (Warrant Met Yes/No)	
	AM Peak Hour	PM Peak Hour
Congress Street at Site Driveway (LT Lane)	No	No
Congress Street at Site Driveway (RT Lane)	No	No
Pearl Street at Site Driveway (LT Lane)	No	No
Pearl Street at Site Driveway (RT Lane)	No	No
Cumberland Avenue at Site Driveway (LT Lane)	No	No
Cumberland Avenue at Site Driveway (RT Lane)	No	No
Myrtle Street at Site Driveway (RT Lane)	No	No

No auxiliary turn lanes are proposed as part of the development.

C. Traffic Signals

None of the study area intersections required analysis for a traffic signal warrant per discussion at the scoping meeting.

D. Bicycle, Pedestrian and Transit Modes

There are currently no existing dedicated bicycle facilities in the vicinity of the site. The project does not propose to modify the surrounding roadways in order to introduce such facilities at this time.

There are existing pedestrian facilities on the surrounding roadway network which are in varying states of condition. The following provides a description of the existing pedestrian network along the surrounding roadway and at the adjacent intersections. The narrative is written to start at the intersection of Congress Street and Pearl Street and travel along the site block counter-clockwise.

- Congress Street at Pearl Street** – At the signalized intersection of Congress Street and Pearl Street there are existing pedestrian curb ramps in fair condition on all four corners of the intersections. These curb ramps serve sidewalks traveling along both sides of Congress Street and Pearl Street. The pedestrian signal equipment at the intersection consists of non-APS style pedestrian pushbuttons and countdown pedestrian signal heads. Pedestrian signal heads are provided for each crossing, and one pushbutton is located on each corner. On three of the four corners, the pedestrian pushbuttons are located more than 10 feet away from one of the crossings at the split ramp locations. On the northwest corner the pedestrian pushbutton is in a compliant location. As part of reconstruction of the site, plans include extending the northwest corner sidewalk into the intersection creating more sidewalk space, and shorter crossing distance east across Pearl Street, and south across Congress Street. The design creates two separate split curb ramps as opposed to the one that is existing. Reconstruction would include new pedestrian equipment with new APS style pushbuttons.
- Pearl Street (Between Congress Street and Cumberland Avenue)** – On Pearl Street, there is existing brick sidewalk on both sides of the street. The sidewalk on both sides is approximately 8.75 feet wide and is in fair condition. Utility poles are located on the western side of Pearl

Street within the existing sidewalk. There is approximately 150 feet of concrete sidewalk on the western side of Pearl Street approaching Cumberland Avenue. On the eastern side of Pearl Street there is one existing curb cut for the Top of the Old Port parking. As part of site construction, the western side of Pearl Street would be replaced with new brick sidewalk remaining at 8.75 feet wide until widening to 14.8 feet before the Cumberland Avenue intersection. With site reconstruction, existing curb cuts would be closed and consolidated to one site entrance/exit offset to the south of the opposing Top of the Old Port parking driveway.

- **Pearl Street at Cumberland Avenue** – At the signalized intersection of Pearl Street and Cumberland Avenue there are existing pedestrian curb ramps in fair condition on all four corners of the intersections. These curb ramps serve sidewalks traveling along both sides of Cumberland Avenue and Pearl Street. Currently, there is no pedestrian signal equipment located at the intersection. The ramp at the southwest corner of the intersection currently does not contain a detectable warning panel, but the other three corners do. Each corner of the intersection has a utility pole located within the landing of the curb ramps.
- **Cumberland Avenue (Between Pearl Street and Myrtle Street)** – On Cumberland Avenue, there is existing concrete sidewalk in poor condition on the southerly side, and brick sidewalk in good condition along the northerly side. Existing utility poles are located within the concrete sidewalk. There are two existing curb cuts that will be consolidated to one site entrance/exit located approximately in the center of the block. New brick sidewalk will be constructed along the southern portion of Cumberland Avenue as part of side development. Sidewalk width will vary along the side of the building, depending on the final building layout and design.
- **Cumberland Avenue at Myrtle Street** – At the unsignalized intersection of Myrtle Street and Cumberland Avenue there are existing pedestrian curb ramps in good or fair condition on all four corners of the intersections. These curb ramps serve sidewalks traveling along both sides of Cumberland Avenue and Myrtle Street. Both the northwest and southeast corner of the intersection currently do not have detectable warning panels on the curb ramps. Additionally, there is a utility pole located in the landing zone of the southeast corner of the intersection. Site development would include replacing the southeast corner sidewalk end extending into the intersection creating more sidewalk space, and shorter crossing distance north across Cumberland Avenue, and west across Myrtle Street. The design creates two separate split curb ramps as opposed to the one that is existing.
- **Myrtle Street (Between Cumberland Avenue and Congress Street)** – The eastern side of Myrtle Street is currently made up of both concrete and brick sidewalk. The brick sidewalk portion is in good condition, but the concrete portion is in fair condition. The western side of Myrtle Street along City Hall is concrete sidewalk in good condition. There is one existing mid-block crossing located approximately 90 feet north of the Congress Street intersection with ramps in good

condition. New brick sidewalk is proposed along the eastern side of Myrtle Street with varying width.

- Congress Street at Myrtle Street** – At the unsignalized intersection of Myrtle Street and Congress Street, there are existing pedestrian curb ramps at each corner of the intersection. The two eastern corners and southwesterly of the intersection are in good condition with ada compliant ramps and detectable warning panels. The northwestern corner of the intersection is in poor condition and missing a detectable warning panel. The southwesterly corner of the intersection There is a protective refuge island midway across the western Congress Street crossing. Site development would include replacing the northeast corner sidewalk end extending into the intersection creating more sidewalk space, and shorter crossing distance south across Congress Street, and west across Myrtle Street. The design creates two separate split curb ramps as opposed to the one that is existing.
- Congress Street (Between Myrtle Street and Pearl Street)** – There is existing brick sidewalk along the northern side of Congress Street in good condition. The concrete sidewalk on the southern side of Congress Street is in fair condition. There is a large curb cut on the southern side of Congress Street approximately 100 feet long for the Portland Fire Department Central Station. Site development proposed greatly increasing the width of the sidewalk along the northerly side of Congress Street.

The area is currently serviced by the Portland METRO bus service with a bus stop in front of City Hall. Approximately two blocks to the southwest is the METRO PULSE at Elm Street (Downtown Transportation Center), the hub for METRO where bus routes, #2, #4, #5, #7, and the Husky Line begin and end their routes. METRO bus routes #1, #7, #8, #9A, #9B and the Biddeford Saco Old Orchard Beach Transit 60 Green line can be accessed along Congress Street within one block of the site. South Portland Bus routes 21, 24A, and 24B can be accessed along Congress Street roughly two blocks southwest of the site. METRO bus route 8 is located along Cumberland Avenue less than one block from the site.

E. General Safety Issues

As requested at the Project Scoping Meeting, a safety analysis review of the intersections of Cumberland Avenue at Chestnut Street (A nearby HCL), and Congress Street at Pearl Street was conducted.

Cumberland Avenue at Chestnut Street

The intersection of Cumberland Avenue and Chestnut Street is classified as a HCL with nine (9) reported crashes and a CRF of 2.36 during the period of 2019 to 2021. A review of the crash collision diagram is below:

- Six (6) of the crashes were angle collisions. Of these, four (4) of the crashes were attributed to a failure of the yield of vehicles traveling southbound on Chestnut Street and colliding with vehicles traveling westbound on Cumberland Avenue. The other two (2) crashes were vehicles

failing to yield/running the stop sign traveling southbound on Chestnut Street resulting in a collision with an eastbound vehicle.

- One (1) crash was a rear-end collision at the westbound Cumberland Avenue approach. This crash was caused by a vehicle following too close when the leading vehicle stopping for a pedestrian within the crosswalk.
- One (1) crash occurred when a vehicle at the southbound Chestnut Street approach failed to yield to a bicycle in the cross walk of the intersection.
- One (1) of the crashes was when a vehicle making a right turn onto Cumberland Avenue from Chestnut Street struck a pedestrian. The cause of the incident was unknown.

The above reported crashes would indicate there is a pattern of southbound vehicles on Chestnut Street failing to yield properly when attempting to traverse the intersection, resulting in angle collisions with vehicles travelling thru on Chestnut Street. The prevalence of the adjacent apartment building when looking left from the stop sign may limit sight distance for vehicles on this approach.

Congress Street at Pearl Street

The intersection of Congress Street and Pearl Street had twelve (12) reported crashes and a CRF of 0.69 during the period of 2019 to 2021. A review of the crash collision diagram is below.

- Six (6) of the crashes were angle collisions. Five (5) of which were caused by a failure to yield or ran red light with at least one (1) occurring on each approach. One (1) of the crashes was due to an improper turn during wet conditions when turning left northbound onto Pearl Street.
- Three (3) crashes were rear-ended collisions. Two (2) were attributed to driver inattention or following too close. The other one (1) was caused when a vehicle stopped to yield to a pedestrian in the crosswalk when turning right southbound onto Pearl Street, and was rear-ended by another turning vehicle following too closely, being pushed into a collision with the pedestrian.
- Two (2) of the crashes were due to improper backing. In which one (1) was attributed to an O.U.I when a vehicle backed into after passing through the intersection.
- One (1) crash was a side-swipe collision. This occurred when a vehicle made an improper right turn from Pearl Street eastbound onto Congress Street and swiped a bus picking up passengers.

The most common crash at this location is drivers failing to yield or running a red light. This is not limited to a certain approach and has happened on each of the four intersection approaches. A common mitigation for red light running is the installation of backplates with retroreflective borders to bring greater attention to the signal heads.

F. Recommendations

- As part of the full build out of the site, new sidewalk will be constructed around the perimeter of the site including the reconstruction of existing pedestrian curb ramps. It is planned to implement these improvements in conjunction with the adjacent phases of construction. This proposed phasing is detailed in documentation previously submitted as part of the approved

Master Development Plan application process. This is proposed to support the constructability of the phased development and to not implement improvements that would subsequently need to be removed/modified as construction of the development progresses.

- With the improvements to the pedestrian curb ramps at the intersection of Pearl Street and Cumberland Street associated with Phase 3 of the development, it is also recommended. to install pedestrian signal phasing and equipment to this intersection.

G. Conclusions

The development at 385 Congress Street in Portland, Maine is proposed to consist of three towers housing a mix of residential condominium units, a hotel, and first floor commercial space.

The calculated trip generation for the full build development is 119 primary trips in the AM Peak Hour of the Adjacent Street and 124 primary trips in the PM Peak Hour of the Adjacent Street.

This Section 7 Traffic Study shows that the intersections in vicinity of the site would be expected to operate with adequate level of service under the future year Build conditions. The addition of project generated traffic would not be expected to have an adverse impact on the surrounding area roadways.

Appendix A. Updated SimTraffic Reports

5: Congress St. & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.0	0.0	0.0	0.2	0.1	0.2	0.0	0.0	0.0	3.4	1.0	1.2
Total Del/Veh (s)	16.6	12.9	8.6	17.0	14.3	5.8	18.9	7.4	4.6	15.0	10.6	8.2

5: Congress St. & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.9
Total Del/Veh (s)	10.9

6: Cumberland Ave & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.2	0.2	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.3	0.3
Total Del/Veh (s)	12.0	9.5	4.8	10.2	8.7	3.0	10.0	6.5	3.9	10.8	9.2	5.9

6: Cumberland Ave & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.2
Total Del/Veh (s)	8.1

9: Congress St. & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.2	0.2	0.0	0.0	0.1
Total Del/Veh (s)	9.8	10.0	5.5	3.8	0.4	1.3	1.1	2.4

10: Cumberland Ave & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.2	0.2	0.0	0.0	0.1
Total Del/Veh (s)	7.4	3.0	4.6	2.5	0.1	1.0	1.0	1.2

13: Pearl St. & Old Port Parking Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	SWL	SWT	SWR	All
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0
Total Del/Veh (s)	4.2	0.9	0.7	1.9	1.1	1.4	1.7	1.3	2.9	1.7

Total Zone Performance

Movement	All
Denied Del/Veh (s)	0.7
Total Del/Veh (s)	183.9

Queuing and Blocking Report

AM No-Build

12/06/2022

Intersection: 5: Congress St. & Pearl St.

Movement	SE	NW	NE	NE	SW	SW
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (ft)	129	97	110	96	84	292
Average Queue (ft)	51	37	14	47	52	128
95th Queue (ft)	98	75	58	91	96	238
Link Distance (ft)	186	364	234			350
Upstream Blk Time (%)	0					1
Queuing Penalty (veh)	0					0
Storage Bay Dist (ft)				75	45	
Storage Blk Time (%)			0	2	10	22
Queuing Penalty (veh)			0	0	44	30

Intersection: 6: Cumberland Ave & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	105	65	124	184
Average Queue (ft)	44	26	49	73
95th Queue (ft)	82	57	99	138
Link Distance (ft)	372	181	208	428
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: Congress St. & Myrtle St.

Movement	NW	NE
Directions Served	LTR	LT
Maximum Queue (ft)	103	60
Average Queue (ft)	45	7
95th Queue (ft)	79	34
Link Distance (ft)	355	452
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Queuing and Blocking Report
AM No-Build

12/06/2022

Intersection: 10: Cumberland Ave & Myrtle St.

Movement	NW	NE
Directions Served	LTR	LT
Maximum Queue (ft)	53	18
Average Queue (ft)	25	1
95th Queue (ft)	49	8
Link Distance (ft)	429	288
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 13: Pearl St. & Old Port Parking

Movement	SE	SE	NW	SW
Directions Served	L	TR	LTR	LTR
Maximum Queue (ft)	45	57	41	23
Average Queue (ft)	13	4	4	2
95th Queue (ft)	40	30	23	13
Link Distance (ft)		181	186	39
Upstream Blk Time (%)				0
Queuing Penalty (veh)				0
Storage Bay Dist (ft)	25			
Storage Blk Time (%)	4	0		
Queuing Penalty (veh)	5	0		

Zone Summary

Zone wide Queuing Penalty: 80

5: Congress St. & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.1	0.6	0.2	0.7	0.9	1.0	0.0	0.1	0.0	3.5	0.4	0.4
Total Del/Veh (s)	49.8	22.8	17.6	29.9	27.7	23.2	13.9	8.7	5.2	15.1	8.3	6.2

5: Congress St. & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.6
Total Del/Veh (s)	16.4

6: Cumberland Ave & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.2	0.2	0.1	0.1	0.2	0.1	0.1	0.0	0.0	0.3	0.2	0.3
Total Del/Veh (s)	20.9	10.0	5.8	13.9	14.1	10.3	11.4	9.2	6.3	14.9	8.6	5.7

6: Cumberland Ave & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.1
Total Del/Veh (s)	10.7

9: Congress St. & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.4	0.3	0.4	0.2	0.2	0.0	0.0	0.2
Total Del/Veh (s)	12.7	14.2	9.0	3.0	0.5	1.1	0.9	4.9

10: Cumberland Ave & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.5	0.3	0.0	0.0	0.1
Total Del/Veh (s)	8.8	5.3	6.3	3.3	0.3	0.9	0.8	1.8

13: Pearl St. & Old Port Parking Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NER	SWL	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.0	0.5	0.1
Total Del/Veh (s)	7.1	1.4	0.8	3.9	1.6	2.0	10.1	4.7	7.3	2.1	6.9	2.9

Total Zone Performance

Movement	All
Denied Del/Veh (s)	0.5
Total Del/Veh (s)	354.8

Queuing and Blocking Report
PM No-Build

12/13/2022

Intersection: 5: Congress St. & Pearl St.

Movement	SE	NW	NE	NE	SW	SW
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (ft)	145	343	159	99	78	167
Average Queue (ft)	54	162	30	66	21	74
95th Queue (ft)	119	292	93	106	59	137
Link Distance (ft)	186	364	234			350
Upstream Blk Time (%)	1	2				
Queuing Penalty (veh)	1	0				
Storage Bay Dist (ft)				75	45	
Storage Blk Time (%)			0	5	2	14
Queuing Penalty (veh)			0	2	5	5

Intersection: 6: Cumberland Ave & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	104	194	178	134
Average Queue (ft)	39	113	81	56
95th Queue (ft)	79	189	145	108
Link Distance (ft)	372	181	208	428
Upstream Blk Time (%)		1	0	
Queuing Penalty (veh)		6	1	
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: Congress St. & Myrtle St.

Movement	NW	NE	SW
Directions Served	LTR	LT	TR
Maximum Queue (ft)	227	46	3
Average Queue (ft)	81	6	0
95th Queue (ft)	164	27	2
Link Distance (ft)	355	452	234
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report
PM No-Build

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Intersection: 10: Cumberland Ave & Myrtle St.

Movement	NW	NE
Directions Served	LTR	LT
Maximum Queue (ft)	84	27
Average Queue (ft)	38	1
95th Queue (ft)	65	15
Link Distance (ft)	429	288
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 13: Pearl St. & Old Port Parking

Movement	SE	SE	NW	NE	SW
Directions Served	L	TR	LTR	LTR	LTR
Maximum Queue (ft)	17	19	38	49	57
Average Queue (ft)	1	1	3	11	31
95th Queue (ft)	10	18	22	36	49
Link Distance (ft)		181	186	89	39
Upstream Blk Time (%)					5
Queuing Penalty (veh)					5
Storage Bay Dist (ft)	25				
Storage Blk Time (%)	0	1			
Queuing Penalty (veh)	0	0			

Zone Summary

Zone wide Queuing Penalty: 25

5: Congress St. & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.3	0.1	0.5	0.1	0.2	0.2	0.0	0.0	0.0	3.3	0.8	0.9
Total Del/Veh (s)	17.8	13.0	10.5	20.7	14.9	7.1	18.4	6.7	4.0	14.3	10.8	8.2

5: Congress St. & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.8
Total Del/Veh (s)	10.9

6: Cumberland Ave & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.2	0.2	0.2	0.1	0.2	0.0	0.0	0.0	0.1	0.3	0.3	0.4
Total Del/Veh (s)	10.2	10.5	5.3	10.2	7.0	4.0	11.6	8.5	4.9	13.1	10.8	8.1

6: Cumberland Ave & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.2
Total Del/Veh (s)	9.2

9: Congress St. & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.2	0.2	0.0	0.0	0.1
Total Del/Veh (s)	9.3	10.6	5.2	3.6	0.5	0.3	0.1	1.9

10: Cumberland Ave & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.3	0.2	0.0	0.0	0.1
Total Del/Veh (s)	6.7	1.9	4.3	2.6	0.2	1.0	0.9	1.6

13: Site/Old Port Parking & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NER	SWL	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0
Total Del/Veh (s)	3.0	1.0	1.0	3.2	1.2	1.0	6.4	3.2	1.7	1.5	1.5

17: Pearl St. Performance by movement

Movement	SET	SER	NWL	NWT	NEL	NET	NER	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Del/Veh (s)	1.0	1.3	4.0	1.0	8.4		3.6	1.4

18: Myrtle St. & Site Performance by movement

Movement	NWT	NWR	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0
Total Del/Veh (s)	1.2	1.0	3.2	2.1

20: Congress St. & Site Performance by movement

Movement	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.3	0.3	1.2	0.8	0.9

Total Zone Performance

Denied Del/Veh (s)	0.6
Total Del/Veh (s)	105.8

Queuing and Blocking Report

AM Build

12/13/2022

Intersection: 5: Congress St. & Pearl St.

Movement	SE	NW	NE	NE	SW	SW
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (ft)	212	98	108	94	84	284
Average Queue (ft)	72	42	18	48	51	129
95th Queue (ft)	152	80	64	87	93	236
Link Distance (ft)	175	364	109			350
Upstream Blk Time (%)	0		0	0		0
Queuing Penalty (veh)	0		1	0		0
Storage Bay Dist (ft)				75	45	
Storage Blk Time (%)			0	3	9	23
Queuing Penalty (veh)			0	1	42	31

Intersection: 6: Cumberland Ave & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	110	55	151	191
Average Queue (ft)	47	32	59	80
95th Queue (ft)	86	58	114	155
Link Distance (ft)	372	52	213	434
Upstream Blk Time (%)		3	0	
Queuing Penalty (veh)		3	0	
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: Congress St. & Myrtle St.

Movement	NW	NE	SW
Directions Served	LTR	LT	TR
Maximum Queue (ft)	113	64	5
Average Queue (ft)	45	7	0
95th Queue (ft)	85	38	3
Link Distance (ft)	355	469	82
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report
AM Build

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Intersection: 10: Cumberland Ave & Myrtle St.

Movement	NW	NE	SW
Directions Served	LTR	LT	TR
Maximum Queue (ft)	147	15	2
Average Queue (ft)	39	1	0
95th Queue (ft)	91	8	2
Link Distance (ft)	233	288	213
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 13: Site/Old Port Parking & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	148	25	25	25
Average Queue (ft)	21	2	8	2
95th Queue (ft)	83	12	26	13
Link Distance (ft)	77	175	10	
Upstream Blk Time (%)	0		1	0
Queuing Penalty (veh)	1		0	0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 17: Pearl St.

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	63	50	30
Average Queue (ft)	6	5	14
95th Queue (ft)	34	27	39
Link Distance (ft)	52	77	12
Upstream Blk Time (%)	1	0	3
Queuing Penalty (veh)	2	0	1
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report

AM Build

12/13/2022

Intersection: 18: Myrtle St. & Site

Movement	NW	SW
Directions Served	TR	R
Maximum Queue (ft)	18	50
Average Queue (ft)	1	28
95th Queue (ft)	11	48
Link Distance (ft)	139	11
Upstream Blk Time (%)		4
Queuing Penalty (veh)		3
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 20: Congress St. & Site

Movement	NE	SW
Directions Served	LT	TR
Maximum Queue (ft)	49	9
Average Queue (ft)	3	0
95th Queue (ft)	22	5
Link Distance (ft)	82	109
Upstream Blk Time (%)	0	
Queuing Penalty (veh)	0	
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Zone Summary

Zone wide Queuing Penalty: 84

5: Congress St. & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	2.6	0.4	1.7	3.4	5.9	4.8	0.0	0.0	0.0	3.7	0.6	0.9
Total Del/Veh (s)	48.7	28.3	21.4	32.2	34.8	26.9	17.3	8.5	5.5	14.9	9.6	7.9

5: Congress St. & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	2.1
Total Del/Veh (s)	19.2

6: Cumberland Ave & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Denied Del/Veh (s)	0.2	0.2	0.2	0.7	0.8	0.8	0.0	0.0	0.3	0.3	0.4	0.3
Total Del/Veh (s)	18.4	16.3	8.3	8.3	8.7	5.1	14.4	11.0	9.0	22.3	14.1	9.6

6: Cumberland Ave & Pearl St. Performance by movement

Movement	All
Denied Del/Veh (s)	0.4
Total Del/Veh (s)	11.0

9: Congress St. & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.5	0.7	1.0	0.3	0.2	0.0	0.0	0.3
Total Del/Veh (s)	15.6	16.8	12.5	3.2	1.6	0.2	0.1	5.9

10: Cumberland Ave & Myrtle St. Performance by movement

Movement	NWL	NWT	NWR	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.1	0.3	0.0	0.0	0.1
Total Del/Veh (s)	11.6	5.8	8.4	2.1	1.2	0.9	0.8	2.9

13: Site/Old Port Parking & Pearl St. Performance by movement

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NER	SWL	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.7	0.0	2.0	0.3
Total Del/Veh (s)	5.7	4.2	4.3	7.2	5.5	7.2	17.0	4.3	11.5	2.9	13.3	6.8

17: Pearl St. Performance by movement

Movement	SET	SER	NWL	NWT	NEL	NET	NER	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.4	0.0	0.0	1.2	0.3
Total Del/Veh (s)	2.6	4.5	13.0	7.5	39.9	2.9	5.8	7.2

18: Myrtle St. & Site Performance by movement

Movement	NWT	NWR	SWR	All
Denied Del/Veh (s)	0.0	0.0	0.0	0.0
Total Del/Veh (s)	1.8	1.5	4.8	2.4

20: Congress St. & Site Performance by movement

Movement	NEL	NET	SWT	SWR	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.0	0.1
Total Del/Veh (s)	3.1	0.9	1.0	0.9	1.0

Total Zone Performance

Denied Del/Veh (s)	1.8
Total Del/Veh (s)	251.5

Intersection: 5: Congress St. & Pearl St.

Movement	SE	NW	NE	NE	SW	SW
Directions Served	LTR	LTR	L	TR	L	TR
Maximum Queue (ft)	204	353	126	99	74	201
Average Queue (ft)	74	177	45	67	20	77
95th Queue (ft)	153	325	114	105	58	165
Link Distance (ft)	175	364	109			350
Upstream Blk Time (%)	3	4	2	1		0
Queuing Penalty (veh)	3	0	6	0		0
Storage Bay Dist (ft)				75	45	
Storage Blk Time (%)			2	7	1	15
Queuing Penalty (veh)			5	4	4	5

Intersection: 6: Cumberland Ave & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	144	85	196	219
Average Queue (ft)	50	56	89	75
95th Queue (ft)	109	73	165	172
Link Distance (ft)	372	52	213	434
Upstream Blk Time (%)		28	1	1
Queuing Penalty (veh)		103	4	0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: Congress St. & Myrtle St.

Movement	NW	NE	SW
Directions Served	LTR	LT	TR
Maximum Queue (ft)	232	92	8
Average Queue (ft)	92	12	0
95th Queue (ft)	196	68	7
Link Distance (ft)	355	469	82
Upstream Blk Time (%)	1		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Queuing and Blocking Report

PM Build

12/13/2022

Intersection: 10: Cumberland Ave & Myrtle St.

Movement	NW	NE
Directions Served	LTR	LT
Maximum Queue (ft)	133	78
Average Queue (ft)	47	4
95th Queue (ft)	103	56
Link Distance (ft)	233	288
Upstream Blk Time (%)	0	0
Queuing Penalty (veh)	1	0
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 13: Site/Old Port Parking & Pearl St.

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	129	124	27	72
Average Queue (ft)	12	25	11	43
95th Queue (ft)	67	90	31	71
Link Distance (ft)	77	175	10	42
Upstream Blk Time (%)	2	1	6	12
Queuing Penalty (veh)	2	3	1	12
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 17: Pearl St.

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	59	109	44
Average Queue (ft)	9	67	18
95th Queue (ft)	39	115	44
Link Distance (ft)	52	77	12
Upstream Blk Time (%)	4	12	17
Queuing Penalty (veh)	6	44	5
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 18: Myrtle St. & Site

Movement	NW	SW
Directions Served	TR	R
Maximum Queue (ft)	14	43
Average Queue (ft)	1	22
95th Queue (ft)	15	47
Link Distance (ft)	139	11
Upstream Blk Time (%)	0	3
Queuing Penalty (veh)	0	1
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 20: Congress St. & Site

Movement	NE
Directions Served	LT
Maximum Queue (ft)	65
Average Queue (ft)	7
95th Queue (ft)	38
Link Distance (ft)	82
Upstream Blk Time (%)	1
Queuing Penalty (veh)	2
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Zone Summary

Zone wide Queuing Penalty: 212



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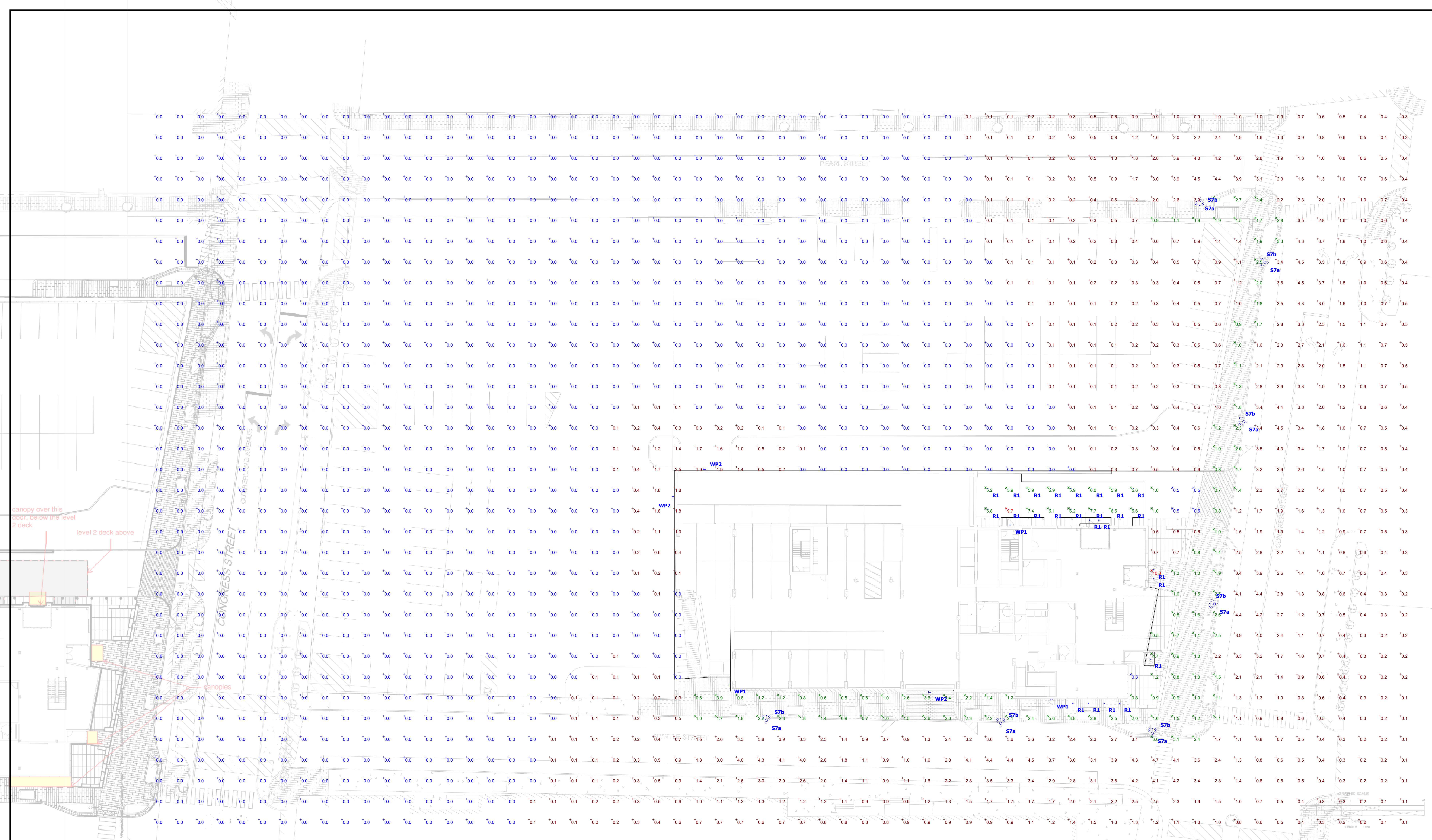
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DATE	12/22/2022
DESIGNED	DJR
DRAWN	DJR
CHECKED	DJR
DATE	12/22/2022
SCALE	1" = 20'
PROJECT	1927-01

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WWW.SEBAGOTECHNICAL.COM
15 JAMES STREET, SUITE 200
PORTLAND, ME 04101
TEL: 207.253.0000

OVERALL SITE PLAN - STREET LEVEL
OF
385 CONGRESS STREET - PHASE 1 HOTEL
PORTLAND, MAINE
THE FATHOM COMPANIES
15 JAMES STREET, SUITE 200
PORTLAND, ME 04101

DESIGNED	DJR
DRAWN	DJR
CHECKED	DJR
DATE	12/22/2022
SCALE	1" = 20'
PROJECT	1927-01

SHEET - OF 23



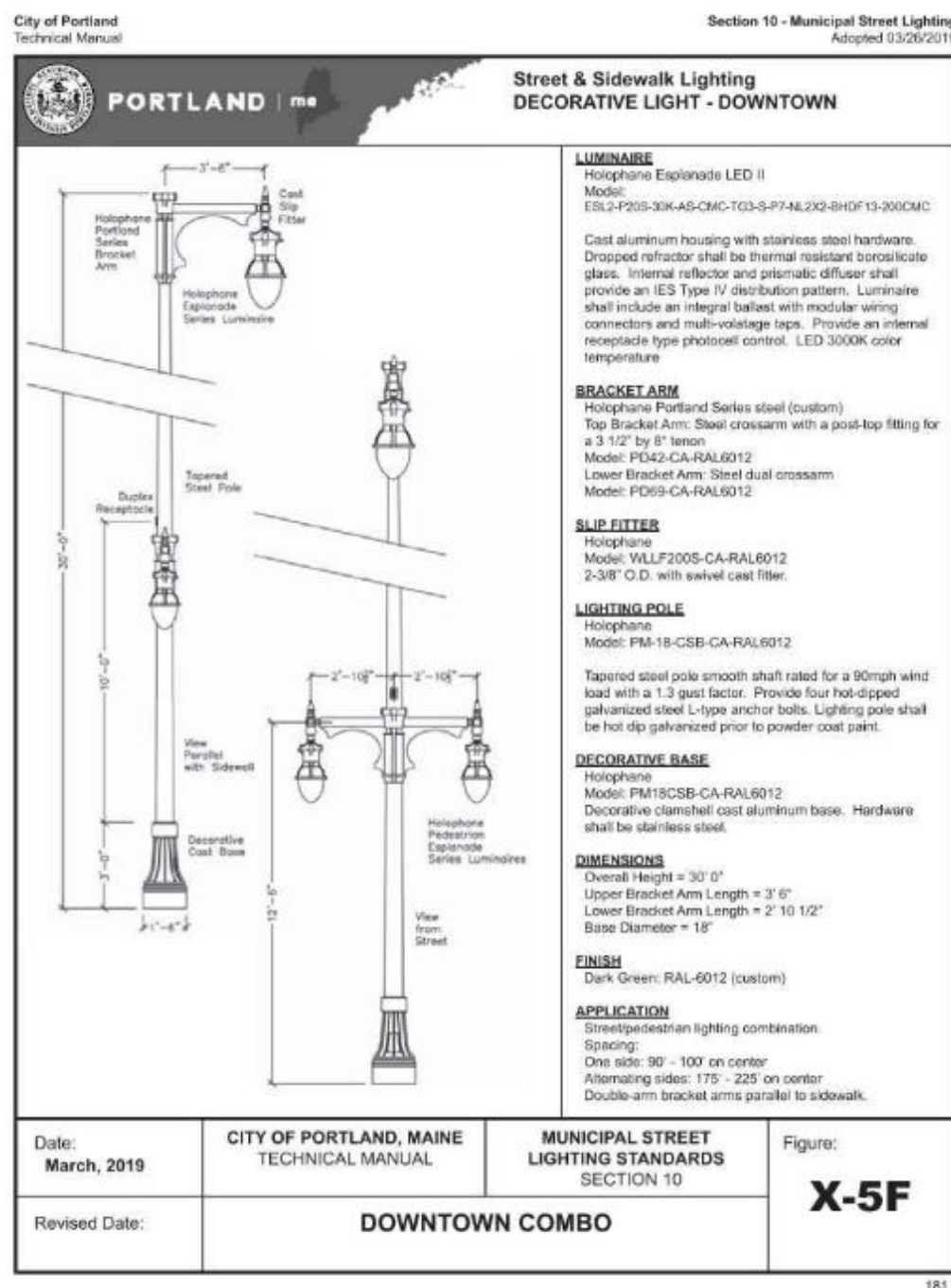
Symbol	Label	Quantity	Manufacturer	Catalog Number	Lumens Per Lamp	Description	Light Loss Factor	Wattage	Plot
	R1	25	usai	B45DF 24C3 30KS M G3 WH NC UNV D6E	1108	Recessed 4.5" square downlight with dropped frosted glass trim	0.9	24	
	S7a	7	Holophane	ESL3 P20S 30K MVOLT TG4 BK	10474	Post Mounted Type IV Teardrop mounted at 30'	0.9	72	
	S7b	7	Holophane	(2) ESPL2 P20 30K XX TG4	4516	(2) Post Mounted Type IV Teardrops mounted at 10'	0.9	76	
	WP1	3	Lithonia	WDGE2 LED P1 30K 80CRI VW	1229	Wall Mounted 19in x 8in high Wedge with wide distribution	0.9	10	
	WP2	3	Lithonia	WDGE2 LED P2 30K 80CRI T2M	1963	Wall Mounted 12in x 9in high Wedge with wide distribution	0.9	19	

Plan View

- NOTES:
- Fixture Mounting Height: as shown
 - Task Height: 0'-0" AFF
 - Calculation Point Spacing: 10' x 10' oc



Type S7b



Type R1



Type W1



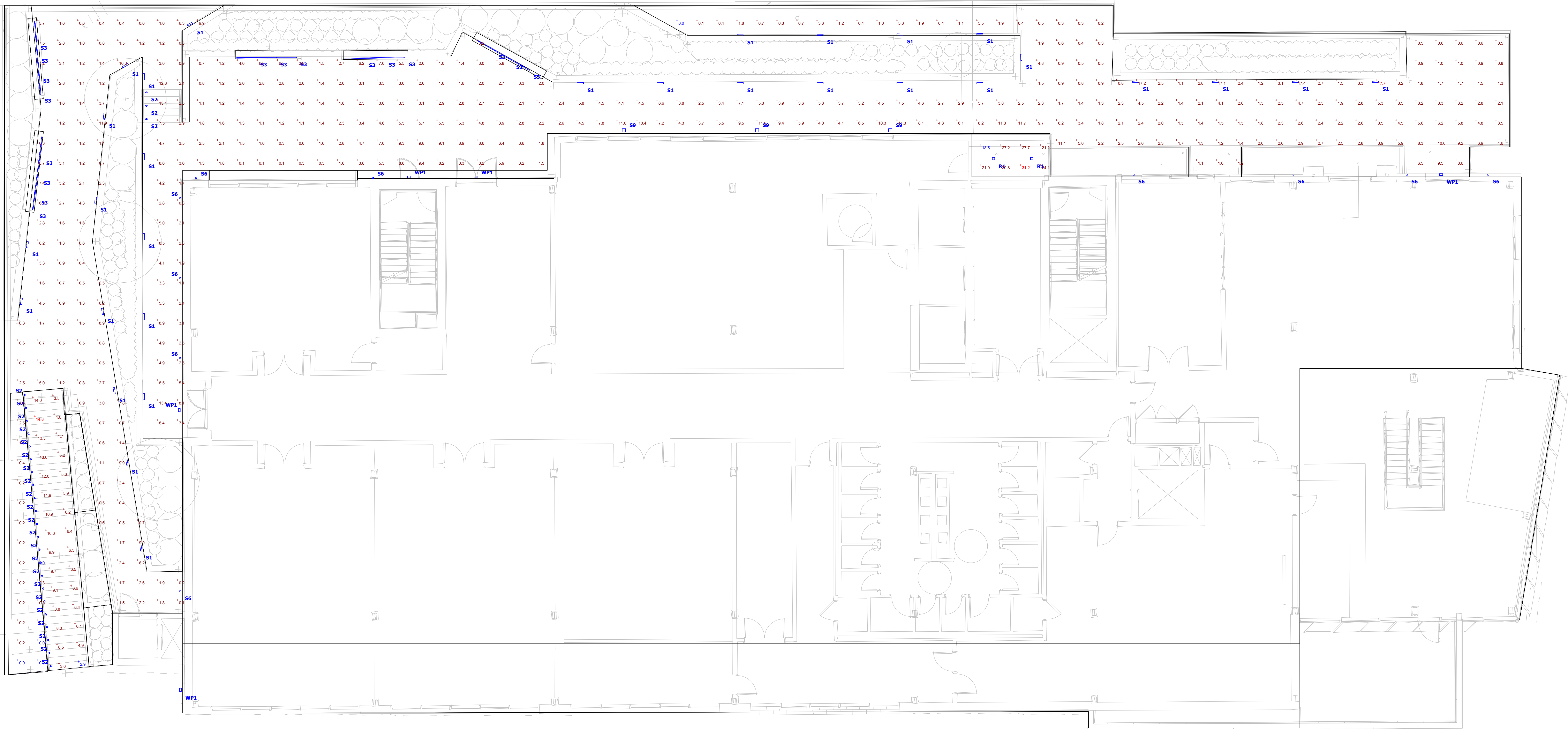
Type W2

- Mounting Heights
- Type R1: Egress Canopies - 9'0"
 - Hotel Dropoff - 12'0"
 - Type S7a: 30'0"
 - Type S7b: 10'0"
 - Type W1: 8'0"
 - Type W2: 11'0"

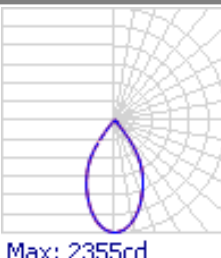
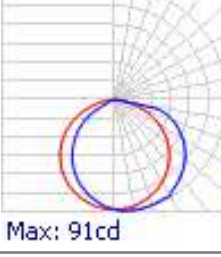
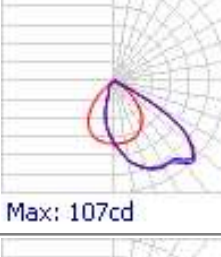
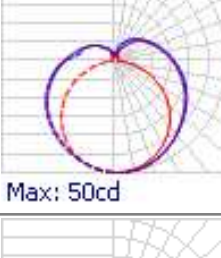
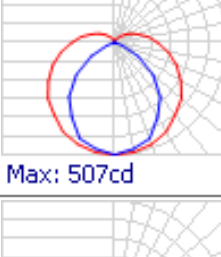
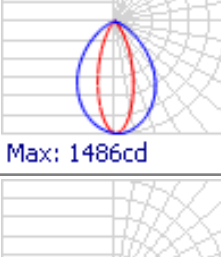
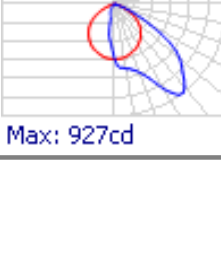
DESCRIPTION	SYMBOL	AVG.	MAX	MIN.	MAX/MIN	AVG/MIN
Hotel Dropoff	X	4.8 fc	9.7 fc	0.5 fc	19.4:1	9.6:1
West & South Sidewalk	X	1.8 fc	10.0 fc	0.3 fc	33.3:1	6.0:1



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MANUFACTURERS.



Plan View

Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lumens Per Lamp	Light Loss Factor	Wattage	Plot
	R1	2	USAI	B45DF-24G1-30K/5-50 S-WH NC UNW GZE	Recessed 4" square downlight	2233	0.9	24	
	S1	30	Sistemalux	SGHO-L10-830	Ghost L240 LED Nichia 3030 Warm White	266	0.9	4	
	S2	25	KLIK Systems	LPDD 40 30K	Recessed handrail round pod	208	0.9	2	
	S3	17	LLI Architectural	NF-11D-3FT-01-2W-E-30K-120J	Surface Mounted 3" under bench linear wet location LED	250	0.9	6	
	S6	10	Eureka	3545-36-WHE-LED-REG-30-80-DV-WH	Surface to Wall Mounted 3" linear vertical wall sconce	41	0.9	13.7	
	S9	3	Luminis	SQ600-L1115-R30-LSL	Wall Mounted square shaped downlight cylinder	1468	0.9	15.3	
	WP1	5	Lithonia	WDGE1-LED-P1-30K-80CRI-VW	Wall Mounted 12in x 9in Wedge with wide distribution	1229	0.9	10.0002	



Type R1 -
mounted at 9'
under canopy



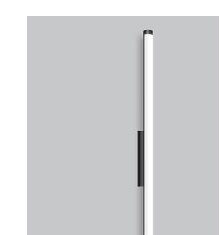
Type S1 -
mounted at 18"
above grade



Type S2 -
mounted at 36"
in handrail



Type S3 -
mounted at 24"
below bench



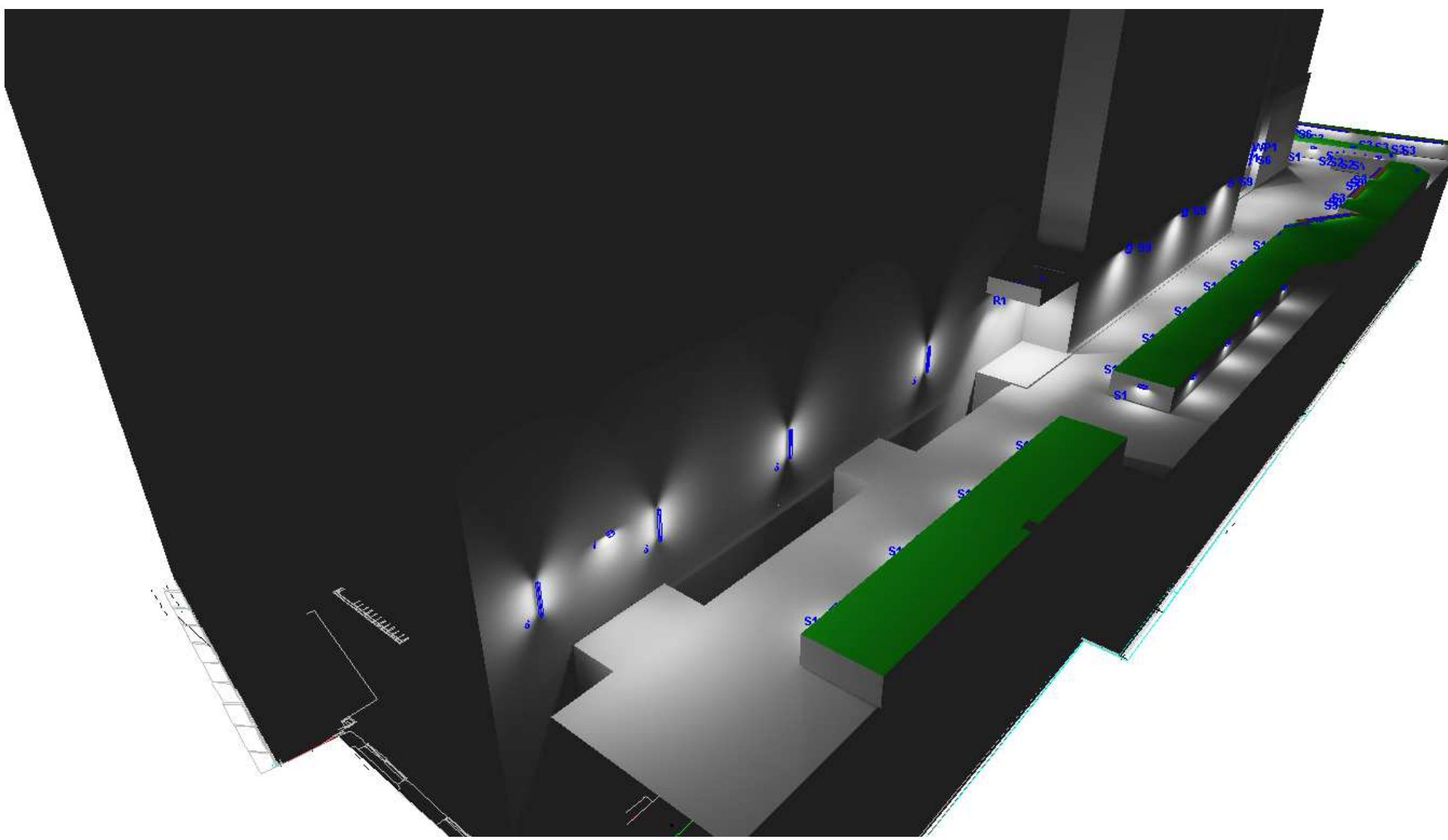
Type S6 - wall
mounted at 6'
vertically



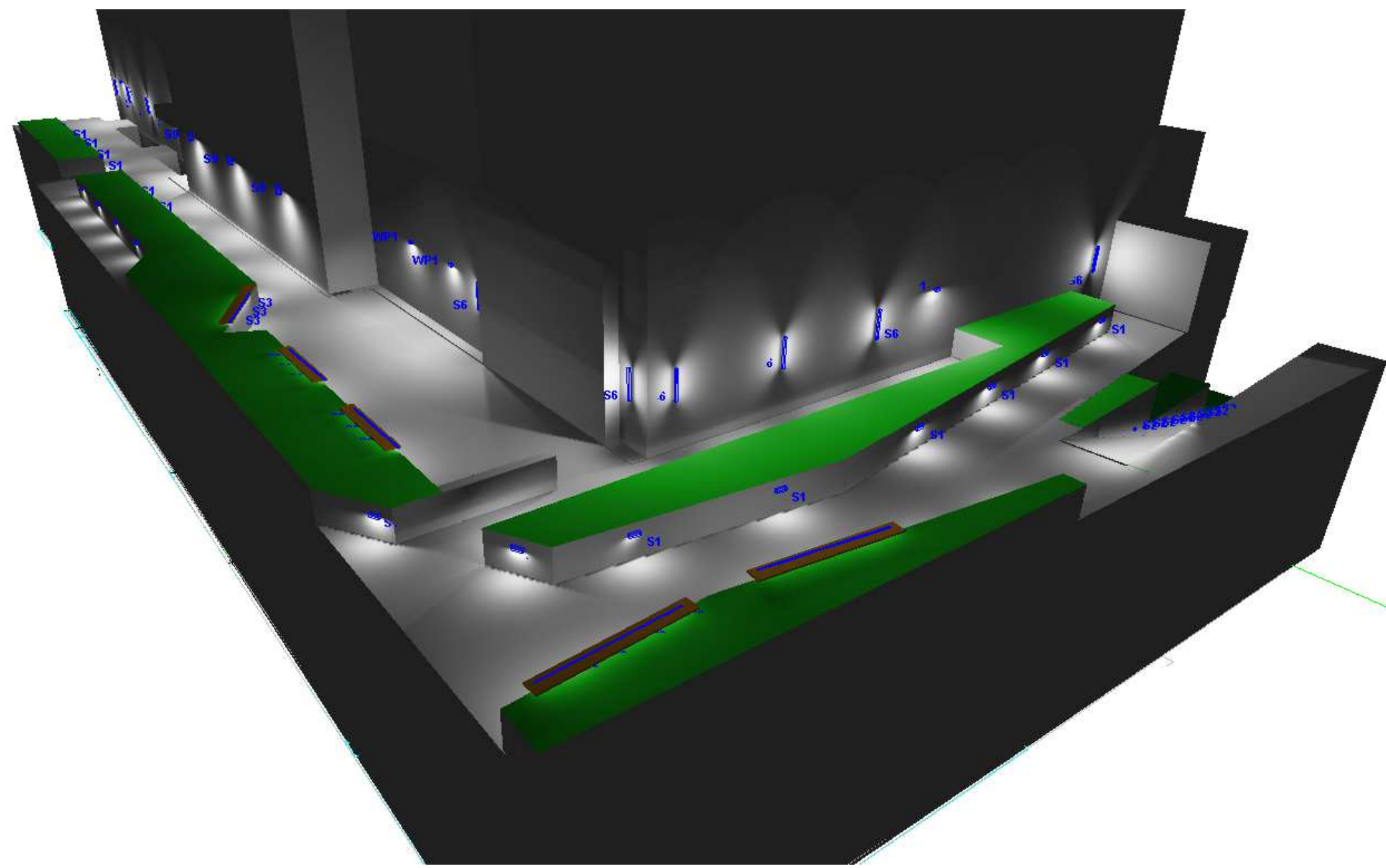
Type S9 - wall
mounted at 9'



Type WP1 -
wall mounted
at 8' above
doors



View #5



View #4

Statistics						
Description	Symbol	Avg	Max	Min	Avg/Min	Max/Min
Level 2 Courtyard	+	3.3 fc	17.7 fc	0.0 fc	N/A	N/A
Stairs	+	7.9 fc	14.8 fc	2.9 fc	2.7:1	5.1:1

- Maintained horizontal footcandles shown at 0'-0" AFF

- CALCULATION POINT SPACING: 5' x 5' oc

385 Congress Street
Portland, ME
Level 2 Lighting Calculation

Designer
Date
12/16/2022
Scale
Not to Scale
Drawing No.
Summary

Transportation Demand Management Plan (TDM)
385 Congress Street, Portland, Maine
Lot 1 Hotel

Transportation Narrative

The proposed project is to consist of hotel, with associated retail and food service uses and residential condominiums. The site is located at the corner of Myrtle Street and Congress Street adjacent to Portland City Hall.

The proposed development includes a 156-room full-service hotel with associated food service and retail space and nine (9) residential condominiums on the upper floors. The building includes structured parking for 72 vehicles on two garage levels. All parking is valet operated. There is no self-parking for hotel guests or the public.

The building includes an enter-only driveway on Congress Street where the valet service will be located for all hotel guests and visitors. A two-way entrance on Myrtle Street to the upper level of the garage and a two-way entrance on Cumberland Avenue or Pearl Street (pending phasing of other developments) for the lower level of the garage will be used by valets to manage parking in the building.

The location of the hotel on Congress Street allows vehicular traffic to access to a number of major routes in and out of Portland. The majority of site generated traffic is expected to travel to and from the north via Franklin Street. Other traffic will access the site via Congress Street, Cumberland Avenue, and Pearl Street.

The hotel's location on the east side of the Downtown District and north of the Old Port District will promote walking and biking as a predominant mode of transportation for guests. The proximity to shops, restaurants, and other attractions will lessen the need for guests to use a vehicle after arrival at the Hotel.

The subject block and immediate area are well-served by public transit. Approximately two blocks to the southwest is the METRO PULSE at Elm Street (Downtown Transportation Center), the hub for METRO where bus routes, #2, #4, #5, #7, and the Husky Line begin and end their routes. METRO bus routes #1, #7, #8, #9A, #9B and the Biddeford Saco Old Orchard Beach (BSOOB) Transit 60 Green line can be accessed along Congress Street within one block of the site. The BSOOB Turnpike Zoom Express bus can also be accessed at Monument Square, approximately 1,000 feet from the site. South Portland Bus routes 21, 24A, and 24B can be accessed along Congress Street roughly two blocks southwest of the site. METRO bus route 8 is located along Cumberland Avenue less than one block from the site.

TDM Coordinator

The hotel will designate a full-time employee as their TDM Coordinator. This employee will actively promote and educate on alternative forms of transportation for both guests and employees. The coordinator will be responsible for monitoring and updating the TDM Plan.

Employee and Customer Survey

The hotel's TDM Plan will include a transportation survey prior to implementation and on an annual basis. The survey will consist of questions to gain an understanding of employee/guest commuting means and effectiveness of the TDM strategies. The survey will include questions such as:

- Mode of transportation (car, bus, walking, taxi/rideshare, bicycle, etc.) to travel to and from the hotel
- Reason for selected transportation mode
- Ease of use of selected transportation mode
- Concerns with using other transportation modes
- Use of personal vehicle during stay (hotel guests only)

This survey will be conducted annually for employees and hotel guests and will be electronically tabulated. This information will be used to develop specific strategies and adjust the TDM plan as needed.

Parking and Trip Reduction Target

As part of the Applicant's traffic study for this development, trip generation was estimated using the ITE Trip Generation Manual 11th Edition. The tables below show the estimated trip generation.

Table 1 – Trip Generation
Land Use Code 310 – Hotel – Dense Multi-Use Urban
156 Rooms

Time Period	Trip Rate per Room	Total Trips	Entering %	Exiting %	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	0.31	47	39%	61%	18	29
PM Peak Hour of Adjacent Street	0.21	32	44%	56%	14	18
AM Peak Hour of Generator	0.33	50	51%	49%	25	25
PM Peak Hour of Generator	0.34	52	30%	70%	16	36

Table 2 – Trip Generation
Land Use Code 222 – Multifamily Housing (High-Rise) – Dense Multi-Use Urban
9 Dwelling Units

Time Period	Trip Rate per DU	Total Trips	Entering %	Exiting %	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	0.24	2	41%	59%	1	1
PM Peak Hour of Adjacent Street	0.20	2	50%	50%	1	1
AM Peak Hour of Generator	0.26	2	10%	90%	0	2
PM Peak Hour of Generator	0.15	1	66%	34%	1	0

Table 3 – Trip Generation Summary

Time Period	Total Trips	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	49	19	30
PM Peak Hour of Adjacent Street	34	15	19
AM Peak Hour of Generator	52	25	27
PM Peak Hour of Generator	53	17	36

The hotel is expected to generate 52 trips during the AM Peak Hour and 53 trips during the PM Peak Hour. The hotel includes a total of 70 parking spaces. Based on this allotment, it is proposed to have 0.46 parking spaces per hotel room. The ITE Parking Generation Study, 4th Edition suggests an average of 0.64 spaces per a hotel room in an urban environment. Thus, this project proposes a decrease of 27 parking spaces as compared to the national average for hotels in an urban environment.

In order to set an appropriate reduction target, it is necessary to first complete the initial survey period and observe the patterns of travel to and from the hotel and the amount of parking usage. In the absence of this information, it is believed a 10% reduction in trips, or approximately 5 trips in the peak hour, can be achieved through the implementation of a thorough TDM Plan. This trip reduction goal would also directly relate to the parking demand of the project as a reduction in vehicular traffic generated by the development would result in reduced parking demand.

Customize Parking and Trip Reduction Strategies

The strategy to reduce parking and trip demand will be aimed at both hotel employees and guests.

Employee strategies will seek to reduce employee vehicle trips to the site and surrounding area, especially during normal peak traffic hours. Ridesharing will be coordinated and promoted amongst employees. Information regarding the METRO and the South Portland Bus Service and discounted passes will be made available to employees. The level of transit subsidy will be coordinated prior to occupancy once a hotel operator is formalized and will be included in an updated TDM at that time. Bicycle parking will also be

provided inside of the parking garage to encourage bicycle commuting to the hotel. No on-site parking is to be provided for employee use, therefore employees who do choose to drive will be required to obtain separate off-site parking.

For guests, strategies will focus on both initially travelling to the hotel without a vehicle and limiting the use of vehicles once guests are on site. The hotel will market ways to reach the hotel including intercity bus and train via the Portland Transportation Center. Hotel shuttles will be available to guests for transportation to transit locations such as the PTC and Portland Jetport. Once on site, information will be readily available regarding desirable walking routes to transit and nearby attractions.

Valet parking will be made available to guests for a fee. At this time this fee is not determined as it will be dependent on when occupancy of the hotel occurs. No self-parking will be provided on site for guests. Guests who arrive by personal vehicle and chose not to use valet parking will need to seek off-site parking unaffiliated with the hotel.

Education

Transit Maps and Schedules:

The METRO has bus stops on the adjacent block at City Hall. South Portland Bus lines have a stop a third of a mile from the hotel at the intersection of Congress Street and Elm Street. Information on routes, schedules, and payment methods for buses will be available for guests via a kiosk in the hotel lobby and with front desk staff. Information will also be posted on the services available at the Portland Transportation Center which include the Amtrak Downeaster and Concord Coach Bus Lines for intercity service. Information on transportation options and alternatives will also be posted on the Hotel's website for the benefit of guests. Details of such information will be determined prior to occupancy of the hotel by the future hotel operator and included in an updated TDM Plan.

Suggestions for the most convenient pedestrian routes to relevant local bus stops will be made available. The nearest sheltered public transit facility is located on Elm Street between Congress Street and Cumberland Avenue approximately three (3) blocks from the site. This shelter serves the METRO routes along Congress Street. To reach this shelter from the hotel, users would walk along Congress Street which has wide sidewalks in good condition. All intersection crossings along the route have crosswalks and include pedestrian signals at signalized intersections.

Employee orientation will include information related to discounted METRO and South Portland Bus Service passes which will be made available to employees.

Ridesharing:

The TDM Coordinator will actively promote and coordinate ridesharing among employees. This can be done through employee area bulletin boards and employee email lists. Employees who actively rideshare/carpool will be recognized for their efforts on newsletter announcements and/or bulletin board postings in the employee areas. The hotel operator will inform and encourage employees to utilize the GOMAINE program and its full complement of benefits.

Monitoring

The TDM Plan will be monitored over time to determine its ongoing effectiveness. The TDM Coordinator will be responsible for this monitoring and making changes as necessary to better meet the TDM goals.

After an initial startup period, the Applicant, through the TDM Coordinator, will submit a status report to the City of Portland containing the following information:

- Measured parking usage for hotel guests as a ratio to guest-nights
- Transportation mode used by employees (Mode share) obtained from TDM Surveys
- Summary and analysis of completed TDM Surveys
- Comparison to previous surveys (after initial survey)
- Proposed changes to TDM Plan

Because hotel demand is expected to be seasonal, this will be completed after the first full summer season of operation. The TDM Coordinator will thereafter prepare an annual report and submit to the City of Portland annually by May 15th in line with the current City reporting standards.

Project Specific Standards

Infrastructure

The following onsite infrastructure improvements are currently proposed:

- Bicycle parking racks will be located within the garage level. Number of spaces will meet minimum according to Article 14 of the Land Use Code.
- A TDM kiosk will be provided in the main lobby area of the hotel. A separate bulletin board will also be provided within an employee area. The employee and public information areas will contain the relevant information to each. The TDM Coordinator will be responsible for keeping material current and available.
- Reconstruction of brick sidewalks per the City Technical Standards, as well as adding street lighting on surrounding streets will be completed.
- Congress Street sidewalks are to be widened into the street and onto the site to create a linear public plaza allowing pedestrian space away from a generally busy street. This space also provides access to stairs and elevators to the public amenity deck on the hotel's second level and on future adjacent residential developments as part of a proposed Master Plan of Development for the site's block.

Incentives

The following incentives will be provided to employees and guests to encourage the active participation in the TDM plan:

- Discounted transit passes will be provided to employees to encourage the use of public transportation. This subsidy will be determined prior to occupancy and established by the hotel operator. TDM documentation will be updated to include the actual values once determined.
- As an incentive for participating in the annual TDM survey, hotel guests would receive a gift certificate to a local restaurant or retail establishment.

Attachment 2

Stormfilter Outflow Hydrograph Plots

StormFilter Design Calculation Downstream of Detention

CONTECH Stormwater Solutions Inc. Engineer:
Date

DRA
7/13/2022

Site Information

Project Name	385 Congress Street
Project State	ME
Project Location	Portland
Site Designation	SF-1
Drainage Area, Ad	0.53 ac
Impervious Area, Ai	0.53 ac
Pervious Area, Ap	0.00
% Impervious	100 %
Runoff Coefficient, Rc	0.95

Upstream Detention System

Detention pretreatment credit (from removal efficiency calcs)	50%
--	------------

Mass loading calculations

Mean Annual Rainfall, P	49 in
Agency required % removal	80%
Percent Runoff Capture	90%
Mean Annual Runoff, V_t	80,313 ft ³
Event Mean Concentration of Pollutant, EMC	75 mg/l
Annual Mass Load, M_{total}	376 lbs

Water Quality Volume

90% Rainfall Depth	0.95 in	
Volume to be treated	0.040 ac-ft	
Volume to be treated by filters	1,734 ft ³	
Filter drain down period	24 hrs	48 hrs
Detention restricted outflow rate	0.020 cfs	0.010 cfs

Filter System

Filtration brand	StormFilter
Specific Flow Rate	0.27 gpm/ft ²
Cartridge height	27 in

Number of cartridges - mass loading

Mass removed by pretreatment system, M_{pre}	188 lbs
Mass load to filters after pretreatment, M_{pass1}	188 lbs
Mass to be captured by filters, M_{filter}	150 lbs
Allowable Cartridge Flow rate, Q_{cart}	3.00 gpm
Mass load per cartridge, M_{cart} (lbs)	54 lbs
Number of Cartridges required, N_{mass}	3 ea
Treatment Capacity	0.020 cfs

Determine Critical Sizing Value

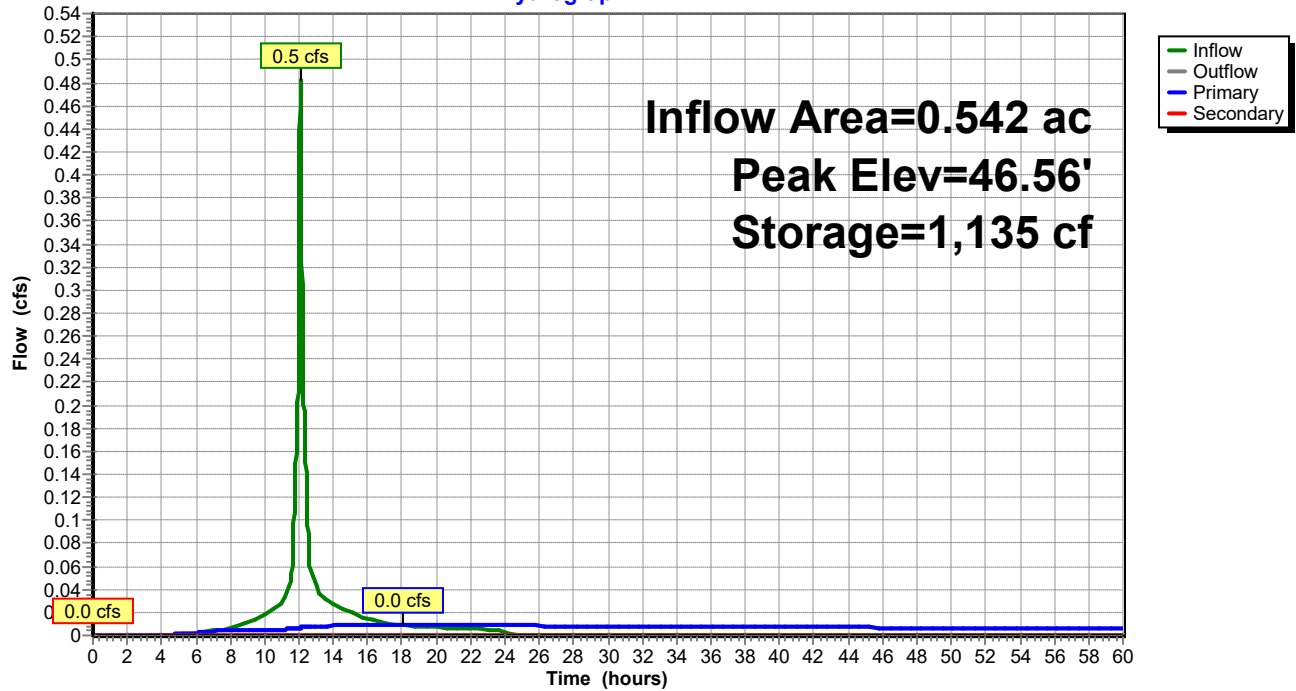
Method to Use:	MASS-LOADING
----------------	---------------------

SUMMARY

Treatment Flow Rate, cfs	0.020
Cartridge Flow Rate, gpm	3.0
Number of Cartridges	3

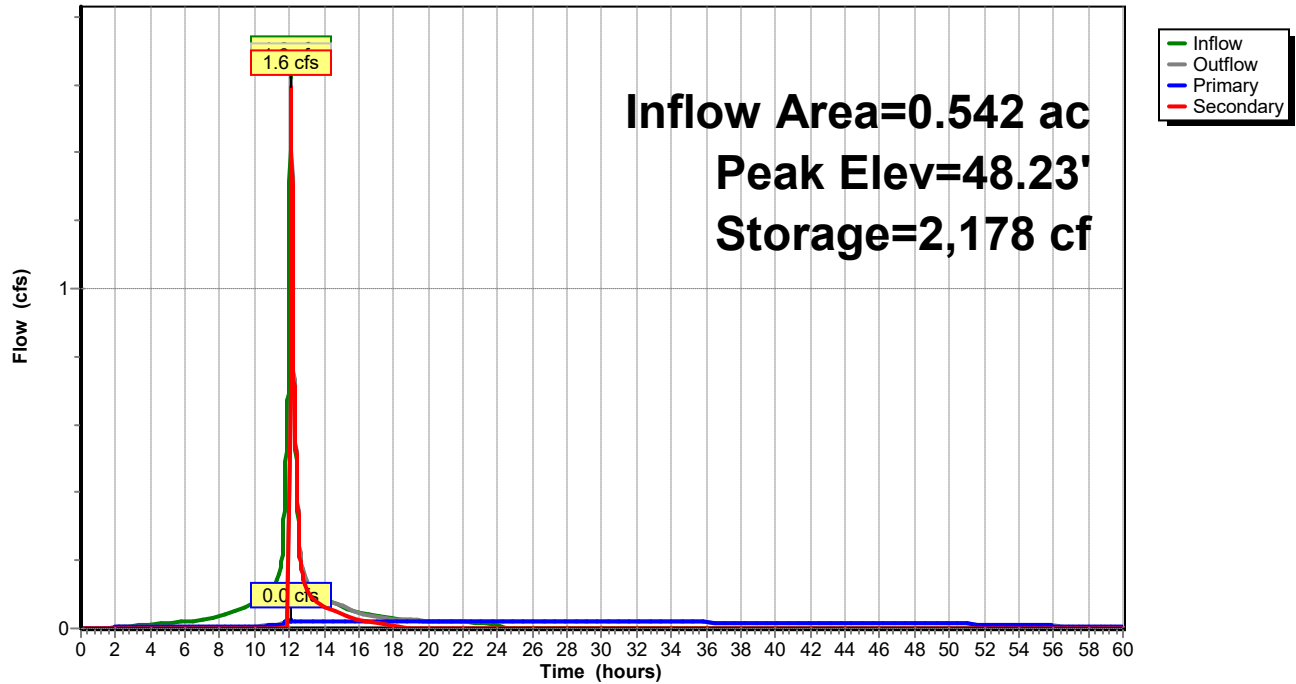
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



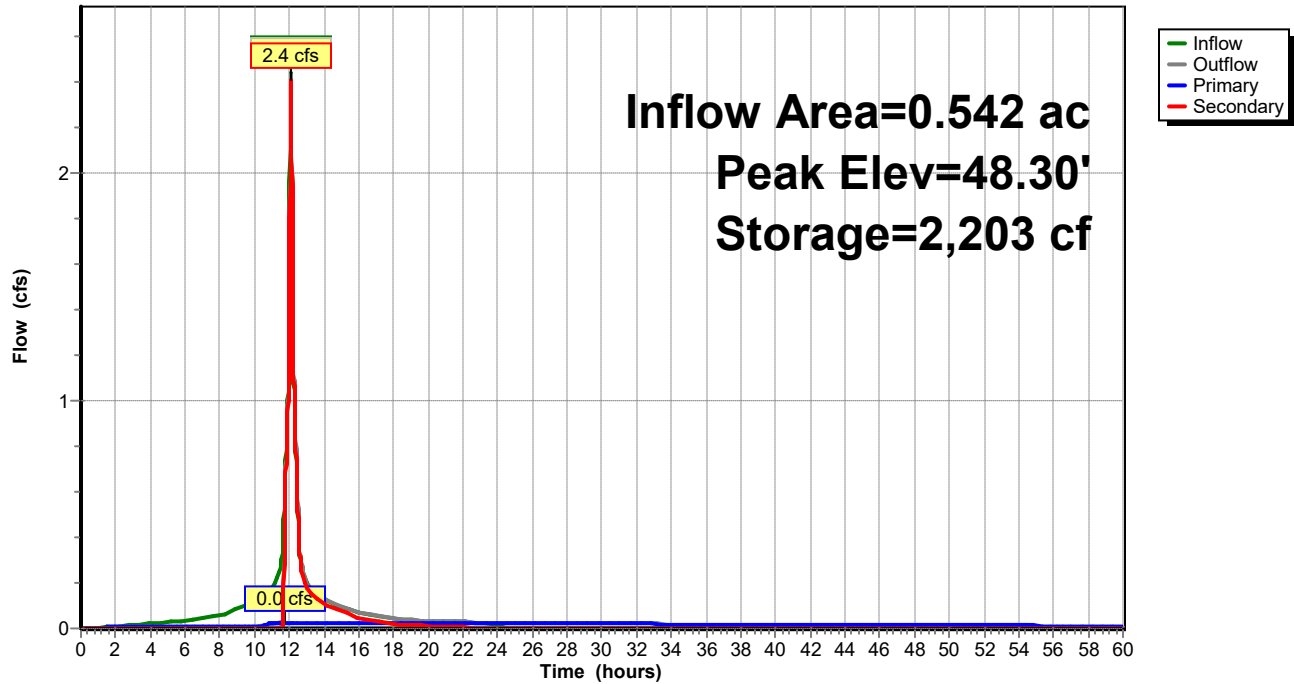
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



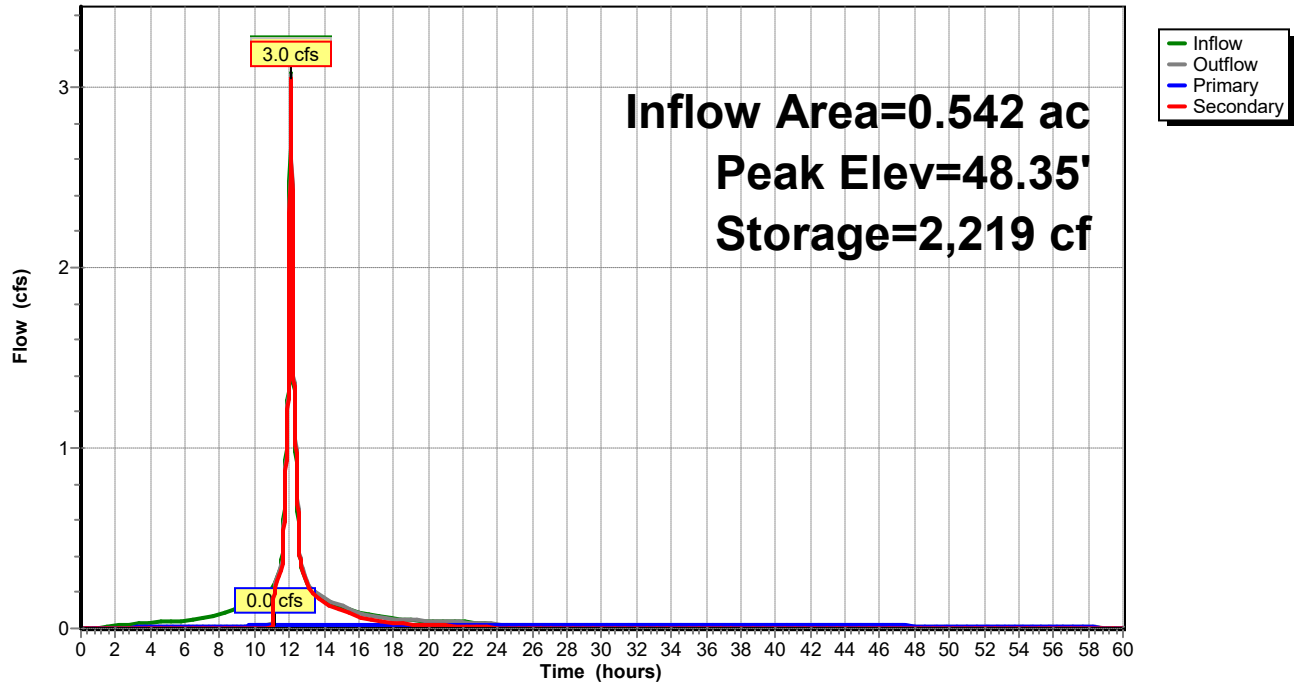
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



385 Congress Street – Phase 1 Hotel

Parking Demand Analysis

Project Description: Phase 1 of the 385 Congress Street development proposes to construct a 12-level building consisting of a 179-room hotel with restaurant space and 9 residential condominium units.

A total of 75 on-site parking spaces will be constructed on Levels 0 and 1 of the development in underground garage space.

Parking Standards: Table 1 below summarizes the parking requirements of the project per the City of Portland Zoning Ordinance:

Table 1: Parking Summary

Use	Units	Required Parking per Unit	Required Parking
Hotel	179 Rooms	0.25 per room	45
Residential	9 Units	1 per unit	9
<i>Total Parking Required per Ordinance</i>			<i>54</i>
<i>Total Parking Proposed</i>			<i>75</i>
<i>Net</i>			<i>+21</i>

As shown the project is required to provide 54 parking spaces per the zoning ordinance. The project will construct and own 75 parking spaces with 9 spaces allotted for the residential units and the remaining 66 spaces available for hotel related use.

Parking Demand:

Parking demand for the project has been calculated based on the *Institute of Transportation Engineers Parking Generation Manual 5th Edition*.

Table 2 below shows the results of the parking demand calculation considering Land Use Code 310 – Hotel on the basis of 179 rooms.

Table 2: Parking Demand Calculation
LUC 310 – Hotel
179 Rooms

Peak Parking Demand Equation	Calculated Peak Parking Demand (Spaces)
$\ln(P) = 0.90 \ln(X) + 0.26$	138

Parking demand for residential uses is assumed to be 1 per dwelling unit, for a total of 9 spaces. Therefore, the total calculated peak parking demand for the proposed 179 room hotel and 9 residential units would be 147 parking spaces. If this demand were to be realized, then an additional 72 off-site parking spaces would need to be secured for the hotel use in addition to the 75 spaces to be provided on site.

Similar to the applicant's other hospitality and hotel sites, a contracted Valet Service Vendor will be utilized to operate and manage all parking operations for the 385 Congress Street project. If demand exceeds the proposed 66 on-site parking spaces allotted to the hotel, then this vendor will utilize space in their existing owned or leased nearby parking facilities. This additional off-site parking secured by the contracted Valet Service Vendor would provide any required additional parking capacity that may be needed based on demand of the realized Phase 1 buildout.

All parking for the project will be managed by this vendor. No self-parking will be available to Hotel customers. The vendor will manage and staff the service appropriately to ensure valet operations remain consistent to match operational demands of the completed project.

Conditions outlined the Traffic Demand Management (TDM) plan for the Hotel will require annual reporting of statistics regarding vehicular traffic generated by the project and the subsequent parking demand.



BUILDING STRONGER,
TOGETHER

131 Presumpscot Street
Portland, ME 04103
207.874.2323
pccconstruction.com

Construction Management Plan

January 12, 2023

Project:

385 Congress Street Hotel Project – Fathom Congress, LLC

Team:

Fathom Congress, LLC.

PC Construction

Sebago Technics

JNS Architecture and Interior Design

Construction Management Principles:

All aspects of this Construction Management Plan are designed and intended to mitigate or minimize construction related impacts to public ways (including Congress Street and Myrtle Street), surrounding neighborhood(s), and ongoing operations of Merrill Auditorium, City Hall and other abutters. PC Construction (PC) will work collaboratively with Fathom Congress, LLC., project consultants, subcontractors, and The City of Portland to ensure the most efficient and least disruptive construction project possible. This goal will be attained through detailed and consistent planning, coordination, execution and seamless communication with all parties and stakeholders.

Development and Review of Construction Management Plan:

PC Construction will refine and update the Construction Management Plan throughout the course of the project as conditions change and in order to optimize the logistical and safety related measures being employed in the interest of public safety. The overriding goal is to eliminate or minimize adverse impacts to the construction site, surrounding areas and public ways by protecting the public, local residents, construction personnel and property, while simultaneously ensuring pedestrian and other abutter activities are able to continue unabated and in a safe manner. Please refer to the attached proposed Construction Management Site Logistics Plan.

Performance Guarantees, Inspection Fees, Preconstruction Meeting, & Permits:

Prior to scheduling a preconstruction meeting and the issuance of city required permits, Fathom Congress, LLC and PC Construction shall meet all requirements contained in Section 14-530 Development Review Fees and Post Approval Requirements and 14-532 General Requirements and Enforcement of Portland's Land Use Code.

Other permits, as applicable for utility connections and road opening include storm drain and electrical connections in Pearl Street. Gas, water, sewer and electrical connections shall be made in Myrtle Street. Water connection and abandonment will be in Congress Street

Street Opening & Street Occupancy Permit: Construction activity in a public right-of-way is controlled by Chapter 25

and sewer and stormwater system connections are controlled by Chapter 24 and 32 of the Land Use Code. All required permits shall be obtained through the Department of Public Works and the requests shall conform with the approved construction management plan. The only new to existing utility connections for the project will be on Myrtle Street, Congress Street and Pearl Street. Temporary lane closures are anticipated during utility tie in work. Myrtle Street will require a closure for the Water Main installation for a period of 2-3 weeks. Strategies can be employed to minimize impacts to Merrill Auditorium by taking part of the road and providing access from Cumberland Avenue while we work on Congress Street end. This work will be coordinated with Merrill Auditorium schedule. All temporary directional signage and traffic control to be utilized during this work.

Blasting: Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual. Based on Geotech findings, rock is not expected.

It is anticipated that Urban Fill will be encountered on site. This material will be reused on site or removed to a DEP licensed land fill or beneficial use site.

Pile Driving/Shoring/Sheeting: The project may include deep foundations such as pile driving, sheeting or shoring. These activities could result in ground vibration in and around the immediate vicinity. To pro-actively mitigate the effects of this work, PC will provide a preconstruction survey and documentation of existing conditions on the 385 block and any abutting properties as necessary. Appropriate plans will be developed in conjunction with the City as necessary to mitigate any potential impacts to surrounding properties, buildings or structures and all findings will be shared in advance of the commencement of work.

Building Code: The project will employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2015 International Building Code.

Construction Administration and Communication:

Fathom Congress, LLC. and PC Construction will implement a continuous communication strategy and program through preconstruction and the construction phases of the project. The communication strategy is intended to ensure that all construction operations are performed in accordance with all agreements, ordinances and special permits applicable to this project. PC will work closely with the Fathom Congress, LLC., adjacent abutters, businesses, nearby construction sites, and will keep all parties regularly informed, as far in advance as possible, of scheduled work, particularly work anticipated to cause significant noise, vibrations, or dust. PC will also prominently display appropriate signage indicating construction entrances and exits, pedestrian access around the site, and signage directing visitors to construction field office. Site signage to also include PC 24hr/7days/wk. contact information. All temporary signage to be modified appropriately as conditions may change and will be removed at the conclusion of the project.

Construction Schedule:

Construction is anticipated to commence Spring 2023 and be substantially complete by Spring 2025. The schedule will be refined as the design evolves.

Work hours to follow City of Portland Sections 17-18, Construction Activities for Building Permit, and Section 25-129, Noise, dust, and debris. Work hours will generally be restricted to 7:00am – 5:00pm, Monday thru Friday. In the event of Saturday work, hours to be limited to 8:00am – 4:00pm. Any further off hour work will be coordinated directly with the City.

Material deliveries will comply with normal work hours. This project is anticipated to utilize LEAN “just in time” delivery techniques with the intent that materials delivered to the site are promptly installed/put in place. Temporary storage location for materials is identified on PC’s Site Logistics Plan document. All construction related deliveries will travel from 295 to Franklin Arterial to Cumberland Avenue.

Security & Public Safety:

As depicted in the Site Logistics Plan, the entire project site will be enclosed by temporary chain link construction fencing. Primary construction site access to be swinging gate entrance from Cumberland Avenue with secondary/emergency gated access points at the east and west ends of the site. Gates will be secured during non-working hours and equipped with “Knox” boxes/padlocks as required by the City of Portland Fire Department.

Project work activities will be conducted in accordance with PC and OSHA regulations and will further comply with all City of Portland and/or State of Maine safety related regulations. A comprehensive Fire Safety/Fire Dept Access and Fire Safety Plan will be developed, reviewed with the City of Portland prior to implementation as well as a project incident response process to be followed in the event of emergencies.

In the interest of public safety and City of Portland requirements, appropriate informational and directional signage with other precautions as required will be provided directing pedestrians around the immediate areas of the enclosed construction site.

Construction Permitting and Traffic Control Plans:

Construction Activity in Public Streets: In order to minimize impacts, disruption, and provide safe and efficient passage, PC will implement best practices traffic control in compliance with all City of Portland requirements during the duration of the project. This includes signage, measures to mitigate idling construction related delivery traffic, construction service vehicles, traffic flaggers, temporary traffic flow modifications, signage & barriers at temporary partial street closings, and any other measures required to control work taking place in public ways. In instances where utility connection excavations may need to be left open overnight, measures including barriers, traffic/pedestrian signage, trench plate covers, and other mandated requirements will be implemented.

Stormwater: Stormwater water system connections (in addition to water and electrical connection) will be required. Tie in connections to existing services are designed to occur on Pearl Street.

Traffic Control Plans: Construction activities that impacts the existing public street system will be controlled to protect the safety of the construction workers, pedestrians, and the travelling public. In addition to utility connections, temporary lane and sidewalk closures on Pearl Street, Myrtle Street and Congress Street are anticipated during period of construction. Traffic control measures are described above and will be further articulated and elaborated upon for specific relevant activities and as part of street opening or street

occupancy/sidewalk occupancy permitting. See attached PC Site Logistic plan.

Utility work in Pearl Street, Myrtle Street and Congress Street is anticipated to be completed by fall 2023. Detailed schedules will be provided when the site contractor is contracted.

Site Management and Controls:

PC will implement and manage continuous program of containing soils onsite, public street cleaning and onsite dust control. Program to comply with City of Portland requirements and will include tracking pads at construction exits, water trucks to control dust, street sweeping equipment and other measures are required.

Trash dumpsters will be utilized onsite for regular removal of all construction related trash & debris. The site and building areas under construction will be kept orderly and as clean as possible throughout the construction period.

Noise and vibration will be maintained at minimal levels and will follow all City of Portland requirements as defined in Sections 17-18 of the City Code as well as Section 25-129 on Noise, Dust and Debris.

Snow plowing and surface treatment of the project site within the limits of construction will be the responsibility of PC Construction.

Rodent Control will be provided, if applicable, by a professional exterminator consistent with Chapter 22 of the City Code

Erosion Control and Preservation of Trees:

Prior to commencement of construction activities, erosion and sedimentation controls as contained in the approved erosion and sedimentation control plan shall be installed. These controls shall be inspected regularly and maintained on a consistent basis.

All tree and other landscaping preservation measures shall be as depicted in the landscaping design documents. Any onsite material storage will be away from any existing to remain landscaping plantings.

Construction Staging Area:

Refer to Site Logistics Plan for anticipated locations of temporary site office and/or storage trailers and material staging and storage areas. Dumpster locations to be dependent on optimal locations based on activities. Truck wheel washing stations to be located at entry/exit points to the site.

Deliveries: Material deliveries will be carefully planned to not encumber the site or adjacent public way with material delivery vehicles. All efforts will be made to avoid queueing of delivery vehicles on public ways. During times of consistent deliveries of large quantities construction product, offsite remote marshalling area will be utilized for trucking. Truck deliveries will enter the site at the Cumberland Avenue construction gate.

Truck Routes: It is anticipated truck deliveries will arrive to the Cumberland Avenue gate from Franklin Arterial and interstate 295.

Contractor Parking:

We will provide some contractor parking on site. Depending on timing of the hotel project with the other phases of the master plan we may be able to use the existing lot east of the hotel bordering Pearl Street for contractor parking. If this is not available, we will secure offsite parking or have contractors park in public pay for parking lots.

Dewatering Plan:

The site contractor will be in charge of site dewatering plan and once contracted will provide a detailed plan. We anticipate minimal ground water based on the geotechnical report. We will treat rain water by pumping to a filter pit that will contain layers of filter fabric 4'-6' deep of $\frac{3}{4}$ " crushed stone. The stone will be maintained and replaced as needed.

DESIGNED	
DRAWN	
CHECKED	
DATE	
SCALE	1" = 20'
PROJECT	

SHEET OF

385 Congress Street – Lot 1 Hotel

Hotel Valet Queueing Analysis

January 12, 2023

Introduction

A queueing analysis for the proposed Hotel driveway and valet operations was performed based on the methodology outlined in the *Institute of Transportation Engineers (ITE) Transportation and Land Development*. This analysis determines the number of valet operators that would be required to not allow the queue of vehicles to exceed the proposed driveway storage area.

Site Driveway

The proposed Hotel entrance drive on Congress Street is proposed to be 22' wide and will function as a one-way entry only drive during normal operations. The length of available queue storage is approximately 100' or 4 vehicles. Since the driveway is to serve the hotel only, during peak periods it would be possible to utilize both sides of the drive for queue storage and therefore accommodate a total of eight vehicles. Vehicles will enter the driveway for valet parking only, no self-parking for hotel guests will be provided on-site.

In the scenario that Myrtle Street is closed due to events at Merrill Auditorium, the valet area off of Congress Street is designed so that it can operate as a two-way entrance in the case of Myrtle Street closures. In these events, the valets will bring the vehicles back into the entrance on Congress Street, turn the vehicle in the garage, and deliver the vehicle to the guests in the valet area who will then leave the property onto Congress Street. In this case available storage within the driveway would be limited to four vehicles.

Additionally, in both cases valet operators would have the ability to temporarily station vehicles further in the parking garage if needed to alleviate any unforeseen backups that would occur in the driveway to not allow queues to reach into the adjacent sidewalk or Congress Street.

Queueing Analysis

The purpose of this analysis is to demonstrate the number of valet service operators that would be necessary during the projected peak demand period of hotel arrivals. This peak arrival period is determined using the trip generation presented in the previously submitted Traffic Movement Permit documentation using the *Institute of Transportation Engineers Trip Generation Manual 11th Edition*. This trip generation calculation was completed using Land Use Code 310 – Hotel (Dense-Multi Use Urban Setting). This calculation resulted in a peak hour volume of 26 entering trips. It is noted that exiting trips are not explicitly accounted for in this queueing analysis. Exiting trips would be a function of a hotel guest requesting their vehicle in which a valet operator would retrieve the vehicle and bring to the loading area. The guest would then load into the vehicle and immediately depart. The valet operation would staffed

accordingly so that service time for arriving vehicles would not be extended due to valets retrieving vehicles for departing guests. Additionally, the peak time periods for arriving and departing guests would not be expected to occur at the same time.

As outlined in the *ITE Transportation and Land Development guide*, the following equation was used to calculate the probability of a queue of a given length being exceeded a selected percentage of time.

$$M = [(\ln P(x > M) - \ln Q_m) / \ln p] - 1$$

Where:

M = queue length (vehicles)

N = number of service channels (valet operators)

Q = service rate per channel (vehicles per hour)

p = demand rate/service rate = q/NQ = utilization factor

q = demand rate of system (vehicles per hour)

$P(x > M)$ = Probability of queue (M) exceeding calculated value

Q_m = Tabled values of the relationship between queue length, number of channels, and utilization factor (See Table 8-11 of ITE Guide and copied below)

TABLE 8-11
Table of Q_m Values

	$N = 1$	2	3	4	6	8	10
0.0	0.0000	0.0000	0.0000	0.0000			
0.1	.1000	.0182	.0037	.0008	.0000	0.0000	0.0000
.2	.2000	.0666	.0247	.0096	.0015	.0002	.0000
.3	.3000	.1385	.0700	.0370	.0111	.0036	.0011
.4	.4000	.2286	.1411	.0907	.0400	.0185	.0088
.5	.5000	.3333	.2368	.1739	.0991	.0591	.0360
.6	.6000	.4501	.3548	.2870	.1965	.1395	.1013
.7	.7000	.5766	.4923	.4286	.3359	.2706	.2218
.8	.8000	.7111	.6472	.5964	.5178	.4576	.4093
.9	.9000	.8526	.8172	.7878	.7401	.7014	.6687
1.0	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

$p = \frac{q}{NQ}$ = $\frac{\text{arrival rate, total}}{\text{(number of channels) (service rate per channel)}}$
 N = number of channels (service positions)

Figure 1: Table 8-11 of ITE Transportation and Land Development

This analysis was conducted iteratively assuming a fixed Q service rate and fixed q demand rate in order to evaluate what increasing values of N service channels (valet operators) would result in probable queues not exceeding 4 vehicles.

The assumed values for this calculation are as follows:

Q – Service Rate – Assumed to be 4 minutes per vehicle or **15 vehicles per hour**. This is the assumed time it would take for a vehicle to arrive, unload any personal items and for a valet to begin drive the vehicle to the parking destination and remove it from the queue storage area. Again, this value is independent of the number of valet operators, but rather assigns a value of time that an individual valet operator would be dedicated to serving a vehicle.

q- Demand Rate of System – Assumed to be **26 Vehicles per hour**. As previously stated, this arrival rate is based upon the calculated trip generation presented in the TMP Traffic Study. This value represents the peak entering vehicle volume.

P(x>M) - Probability of queue (M) exceeding calculated value – Set at 1% to yield a 99% confidence that the queue will not exceed the calculated value. (note equation does not function if value is set to 0).

The following table summarizes the results of this calculation. The Q_m values were determined by interpolating the values shown in Figure 1 for the corresponding p utilization factor and N number of service channels:

Table 1: Queueing Calculation Summary

Input Values			
Q	15	veh/hr	
q	26	veh/hr	
P(x>M)	0.01		
Results			
N	p	Q_m	M (veh)
1	1.73	N/A	N/A
2	0.87	0.8102	29.7
3	0.58	0.3312	5.4
4	0.43	0.1157	1.9

As shown above the calculation yields a result of 4 valet operators being necessary during the peak arrival period to not have the queue exceed the minimum available storage length of 4 vehicles assuming a 99% confidence interval and the other stated assumptions. It will be dependent on the Valet Service Operator to ensure the overall operations ensure that this level is staffing is available and adjust accordingly if peak demand is found to be different, higher or lower, than the above stated parameters.

Attachment:

ITE Transportation and Land Development Excerpt

**INSTITUTE
OF
TRANSPORTATION ENGINEERS**

Transportation and Land Development

Vergil G. Stover

Texas A & M University

Frank J. Koepke

The Traffic Institute, Northwestern University



Prentice Hall, Englewood Cliffs, New Jersey 07632

APPLICATIONS OF QUEUEING ANALYSIS

Providing an adequate and well-defined storage area for drive-thru traffic is particularly critical, especially at fast-food restaurants and drive-thru bank facilities where queues can, and do, become quite long. Waiting vehicles should be stored on private property clear of driveways so that traffic back-up does not interfere with movement on the arterial street. At fast-food restaurants, the menu board should be installed upstream of the service window to permit drive-thru customers to place their orders prior to their arrival at the service window. Preparation of their order can then begin before they reach the service window, thus minimizing their time at the service window. A well-defined storage area for the waiting traffic should be located so that the waiting vehicles do not block or impede the movement of driveway traffic.

Where a single service position is involved, the situation is referred to as a *single-channel problem*. *Multiple-channel problems* arise when two or more service positions are available. Such problems commonly arise with bank tellers (indoor as well as drive-in windows), entrances and exits at large parking lots and garages, at passenger pick-up areas at transit stations and taxi stands, truck terminals or loading/unloading areas, supermarket checkout counters, telephone calls, building entrances, and transit-station turnstiles. The assumptions of Poisson arrivals and negative exponential service time are commonly acceptable and used for both single- and multiple-channel problems. Thurgood [11] found these assumptions to be representative of drive-in facilities.

Customers arriving randomly at a drive-in facility may enter into service immediately or may have to enter the queue until they can be served. Waiting lines occur whenever the immediate demand for service exceeds the current capacity of the facility providing that service.

Basic Notation and Terminology

The following notation is employed throughout this section:

- n = number of customers in the drive-in system
- M = number of customers in the queue waiting to be served (number of customers in the system minus the number being served)
- $P(n)$ = steady-state probability that exactly n customers are in the queueing system
- $P(0)$ = probability that zero vehicles are in the queueing system
- N = number of parallel service positions
- q = mean average arrival rate of vehicles into the system (vehicles/hour)
- Q = mean average service rate per service position (vehicles/hour/position)
- $\text{Avg } (t) = 60/Q$ = mean service time expressed in minutes per vehicle
- $\rho = q/Q$ = coefficient of utilization
- $E(m)$ = expected (average) number of customers in the system
- $E(n)$ = expected (average) number of customers waiting in the queue
- $E(t)$ = expected (average) waiting time in system (includes service time)
- $E(w)$ = expected (average) waiting time in queue (excludes service time)

The equations employed in the analysis of queueing problems are given in Table 8-10.

Jones, Woods, and Thurgood [4] have developed a graph (Figure 8-6) for determining the probability that there will be no customers in the system—values for $P(0)$. They also developed graphs for determining the average number of waiting customers (Figure 8-7), the average waiting time (Figure 8-8), and average queue length (Figure 8-9). These figures avoid the necessity to perform the time-consuming, although simple, queueing-analysis calculations. See pp. 228–30.

TABLE 8-10
Queueing System Equations

Equation Number	Variable	Equation
(8-1)	Coefficient of utilization	$\rho = \frac{q}{NQ}$
(8-2)	Probability of no customers in the system	$P(0) = \left[\sum_{n=0}^{N-1} \frac{\left(\frac{q}{Q}\right)^n}{n!} + \frac{\left(\frac{q}{Q}\right)^N}{N!(1-\rho)} \right]^{-1}$
(8-3)	Mean number in the queue	$E(m) = \left[\frac{\rho \left(\frac{q}{Q}\right)^N}{N!(1-\rho)^2} \right] P(0)$
(8-4)	Mean number in the system	$E(n) = E(m) + \frac{q}{Q}$
(8-5)	Mean wait time in queue (hours)	$E(w) = \frac{E(m)}{q}$
(8-6)	Mean time in the system (hours)	$E(t) = E(w) + \frac{1}{Q}$ $= E(w) + \text{Avg } (t)$
(8-7)	Proportion of customers who wait	$P[E(w) > 0] = \left[\frac{\left(\frac{q}{Q}\right)^N}{N!(1-\rho)} \right] P(0)$
(8-8)	Probability of a queue exceeding a length M	$P(x > M) = (\rho^{N+1})P[E(w) > 0]$
(8-9a)	Queue storage required	$M = \left[\frac{\ln P(x > M) - \ln E(w) > 0}{\ln \rho} \right] - 1$
(8-9b)*	Queue storage required	$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho} \right] - 1$

* Q_M is a statistic which is a function of the utilization rate and the number of service channels (service positions); see Table 8-11. The table of Q_M values and use of Equation (8-9b) greatly simplifies the calculations compared to those using Equations (8-9a).

Use of the equations and the graphs may be illustrated by the following example of a drive-in bank.

Conditions:

Number of drive-in windows, $N = 3$

Demand on the system, $q = 70$

Service capacity per channel, $Q = 28.6$ for an average service time, $\text{Avg } (t) = 2.1$ minutes

Solution Using Graphs:

- Coefficient of utilization $= 70/(3)(28.6) = 0.816$
- Probability that there are customers waiting in the system, Figure 8-6:
 $P(0) = 0.05$
- Expected average number of customers waiting in the queue, Figure 8-7:
 $E(m)/N = 1.0$; and the average number $E(m) = (3)(1.0) = 3$

location, a 5% probability of back-up onto the adjacent street is judged to be acceptable. Demand on the system for design is expected to be 110 vehicles in a 45-minute period. Average service time was expected to be 2.2 minutes. Is the queue storage adequate?

Such problems can be quickly solved using Equation (8-9b) given in Table 8-10 and repeated below for convenience.

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho} \right] - 1$$

where:

M = queue length which is exceeded p percent of the time

N = number of service channels (drive-in positions)

Q = service rate per channel (vehicles per hour)

$\rho = \frac{\text{demand rate}}{\text{service rate}} = \frac{q}{NQ}$ = utilization factor

q = demand rate on the system (vehicles per hour)

Q_M = tabled values of the relationship between queue length, number of channels, and utilization factor (see Table 8.11)

TABLE 8-11
Table of Q_M Values

	$N = 1$	2	3	4	6	8	10
0.0	0.0000	0.0000	0.0000	0.0000			
0.1	.1000	.0182	.0037	.0008	.0000	0.0000	0.0000
.2	.2000	.0666	.0247	.0096	.0015	.0002	.0000
.3	.3000	.1385	.0700	.0370	.0111	.0036	.0011
.4	.4000	.2286	.1411	.0907	.0400	.0185	.0088
.5	.5000	.3333	.2368	.1739	.0991	.0591	.0360
.6	.6000	.4501	.3548	.2870	.1965	.1395	.1013
.7	.7000	.5766	.4923	.4286	.3359	.2706	.2218
.8	.8000	.7111	.6472	.5964	.5178	.4576	.4093
.9	.9000	.8526	.8172	.7878	.7401	.7014	.6687
1.0	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

$$\rho = \frac{q}{NQ} = \frac{\text{arrival rate, total}}{(\text{number of channels})(\text{service rate per channel})}$$

N = number of channels (service positions)

Solution

Step 1: $Q = \frac{60 \text{ min/hr}}{2.2 \text{ min/service}} = 27.3 \text{ services per hour}$

Step 2: $q = (110 \text{ veh/45 min}) \times (60 \text{ min/hr}) = 146.7 \text{ vehicles per hour}$

Step 3: $\rho = \frac{q}{NQ} = \frac{146.7}{(6)(27.3)} = 0.8956$

Step 4: $Q_M = 0.7303$ by interpolation between 0.8 and 0.9 for $N = 6$ from the table of Q_M values (see Table 8-11).

Step 5: The acceptable probability of the queue, M , being longer than the storage, 18 spaces in this example, was stated to be 5%. $P(x > M) = 0.05$, and:

$$M = \left[\frac{\ln 0.05 - \ln 0.7303}{\ln 0.8956} \right] - 1 = \left[\frac{-2.996 - (-0.314)}{-0.110} \right] - 1$$

$$= 24.38 - 1 = 23.38, \text{ say } 23 \text{ vehicles.}$$

Then,

$$\ln P(x > 3) = (4)(-0.2231) - 0.5168 = -1.4092$$

and

$$P(x > 3) = e^{-1.4092} = 0.244 \text{ or } 24\%$$

Thus, the calculated probability that the queue could back up onto the arterial is 24% (given the stated conditions), which is considerably greater than the acceptable probability of less than 1%, and the application was denied. The Planning and Zoning Commission suggested various compromises of redesign of the site and issuance of a conditional use permit for a school (under the ordinance, a school can be located in any zoning district by condition) with the condition that the maximum enrollment would not exceed 24 students, which is the number necessary to achieve a value of $P(x > 3) < 0.01$. All such proposals were rejected by the applicant. The site was subsequently rezoned to the Administrative and Professional District (a restricted office district) and is now being used as a dentist's office.

REFERENCES

1. Barton-Aschman Associates, Inc., *McDonald's Site Traffic Analysis Manual*, 1980.
2. Fairfax County, Virginia, *Stacking Space Standards for Drive-In Windows At Fast Food Restaurants*, 1980.
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4. Jones, Robert L., Woods, Donald, L., and Thurgood, Glen S., "Drive-In Banking: Managing for Maximum Service," *ITE Journal*, publication pending.
5. Lalani, Nazir, "Factoring 'Passer-By' Trips Into Traffic Impact Analyses," *Public Works*, May 1984.
6. Lopata, Roy H. and Jaffe, Stuart J., "Fast Food Restaurant Trip Generation: Another Look," *ITE Journal*, 1980.
7. Petersen, David O., "Bank-Savings and Loan Traffic and Parking Analysis," unpublished internal memorandum, Barton-Aschman Associates Inc., February 1974.
8. Scifres, Peter N., "Traffic Planning for Drive-In Financial Institutions," *Traffic Engineering*, September 1975.
9. The Traffic Institute, Northwestern University, *Selected Studies of Burger King Restaurants*.
10. The Traffic Institute, Northwestern University, short course notes.
11. Thurgood, Glen S., "The Application of Stochastic Queueing Theory in the Development of Suggested Traffic Design Guidelines for Drive-In Service Facilities," doctoral dissertation, Texas A&M University, December 1975.

February 6, 2023

19371-01

Zachary Powell
City of Portland Office of Planning and Urban Development
Congress Street
Portland, ME 04101

385 Congress Street Lot 1 Request for Modification of Traffic Impact Fees

Dear Zach,

On behalf of the Fathom Congress, LLC and 385 Congress LLC we are writing to request a Planning Board review and finding related to the modification of the project(s) transportation impact fees under Section 16.5.1A.2 of the Land Use Ordinance.

This request is specifically related to the cost of traffic signal upgrades and associated street and sidewalk improvements, requested under the project's Traffic Movement Permit (TMP) that are not *"on-site or immediately adjacent improvements providing direct service to the site."*

As a condition of the TMP, the applicants(s) will be required to replace/upgrade the traffic signal equipment and associated street, ramp, and sidewalk conditions at the intersections of Congress Street at Pearl Street and Cumberland Avenue at Pearl Street to meet current City standards. These improvements will result in new and relocated signal cabinets and controllers, vehicular detection, vehicular and pedestrian signal heads, APS pushbuttons, mast arm structures, and associated street and sidewalk improvements.

The applicant(s) request the following modification of the transportation impact fees:

- 25% of the cost of the associated sidewalk and street improvements directly related to the traffic signal upgrades, work that occurs on the corners directly adjacent to the project, be borne by the developer directly and the remaining 75% of the cost improvements at the corners across from the site be applied as a credit against the Transportation Impact Fee assessment
- 100% of the cost associated with traffic signal improvements, be applied as a credit against the Transportation Impact Fee assessment.

The request is based on the Land Use Code §16.5.A.2 which states that the Planning Board may modify the impact fees if the board finds that:

2. The developer or property owner is required, as part of a development approval by the City or a state or federal agency, to make or to pay for infrastructure improvements for which the impact fee would be collected or an equivalent improvement.

It is our understanding that the impact fees were established based on an Impact Fee Study dated October 19, 2018 by TischlerBise to provide funds to the City of Portland for required infrastructure improvements in the City right of way. Reference Figure 17 below of the impact fee study identifying signal improvements city-wide as a basis for establishing the fees as follows.

2018 Impact Fee Study
City of Portland, Maine

Need for Signal Improvements and Facilities

Listed in Figure 17, there are two signal projects in the City's Capital Improvement Plan that have some element of growth-related costs. In the last two columns of the figure, future growth's percentage share and dollar amount of each project is shown. In total, new growth's share of signal capital improvements equals \$8,031,250.

Found at the bottom of Figure 17, growth's cost is divided by the 10-year increase in person trips. This results in a capital cost per person trip of \$168, rounded.

Figure 17. Growth-Related Signal Projects

Project	Readiness	Total Cost	Growth's Share	Growth's Cost
Modernize Signal Systems	High	\$9,375,000	75%	\$7,031,250
Arterial Street Crossings	High	\$2,000,000	50%	\$1,000,000
TOTAL		\$11,375,000		\$8,031,250

Growth's Cost of Transportation Projects	\$8,031,250
10-Year Increase in Average Daily Person Trips	47,721
Capital Cost per Trip	\$168

The construction for the proposed developments at the 385 Congress site does not require the removal of the existing traffic signal equipment. The need to replace the existing signal equipment specifically at these two intersections has previously been identified in the City's Capital Improvement Plans and was confirmed by City Staff during Site Plan Application review meetings that the improvements at these locations would need to occur regardless of the TMP for the potential development at the 385 Congress site as they are not currently compliant with City Standards. It was also confirmed that if the 385 Congress-proposed developments do not move forward that Transportation Impact Fee funds would likely be used to complete the improvements in these locations when required by the City of Portland Capital Improvement Plan.

We recognize that the project improvements as proposed will impact the crosswalks, streets, and sidewalks on the corners adjacent to the project. Under §16.5.1.B these improvements that are immediately adjacent to the site are not eligible for a credit and will be borne by the developer.

The results of the traffic study for the project found that the project-generated traffic will not have an adverse impact on the operation of the existing signalized intersections abutting the site. The traffic signals can remain fully operational during construction. The need for full signal upgrades and replacements is a City policy and is work that the City would otherwise undertake as part of its signal modernization efforts and is not "on or immediately adjacent to" the site.

On this basis, the applicant(s) request that the Board find that all traffic signal upgrades and 75% of the associated sidewalk and street improvements (improvements at the other three corners of the intersection(s)) be considered an "infrastructure improvement for which the impact fee would be collected" and therefore qualify for a credit against the impact fees.

Mr. Powell
19371-01

February 6, 2023

We understand that the impact fees are assessed prior to building permits being issued and are based on the fee schedule at that time of the assessment. Because the dollar value of the fees and construction costs are not determined until that future date, the applicant(s) are requesting a condition of approval from the Board based on the outlined percentages for the cost of the work be eligible as a credit against the transportation impact fees as determined at the time the fees are assessed.

Thank you for your time and attention to this project. We will be happy to schedule a call to review this request at your earliest convenience.

Sincerely,
SEBAGO TECHNICS, INC.



Daniel L. Riley, PE
Vice President, Engineering

DLR/RLG
Enc.

Preservation of Significant Natural Features 14-14.6.2(A)

The proposed project area is a previously developed, urban parcel. The project area comprises a portion of a city block that is bounded by Cumberland Avenue on the northwest, Myrtle Street on the southwest, Congress Street on the southeast, and Pearl Street on the northeast. There are two buildings on-site, as well as paved parking areas and concrete sidewalks. Vegetation is limited to small amounts of landscaping. There are no natural waterways or wetlands on or within proximity of the project site.

Please see the plan set for the existing conditions plan.

Landscape Preservation 14-14.6.2 (B)

1. The proposed project site is a previously developed, urban parcel currently used for surface parking there are no significant trees or landscaped areas on the site and no trees or landscaping is proposed for preservation. The proposed project has a comprehensive landscaping plan including a program of new street trees within the right of way along the lot's frontages on Congress Street and Myrtle Street; plantings in fixed and movable planters, on the project site at street level along Congress Street and planting and landscaping on the Hotel's second level including hotel program spaces and the public amenity deck.

Proposed removals are identified on the site demolition drawings and new plantings are presented on the landscape plans.

Where applicable, measures outlined in the standards of the City Technical Manual will be utilized to protect vegetation to be preserved from construction impacts.

2. There are no trees 10 inches DBH or greater within the project setbacks requiring preservation. This provision of the Ordinance is not applicable to the site.

Please see the plan set for the proposed landscaping plans.

Site Landscaping and Buffers 14-14.6.2(C)

The proposed project has been designed to be in compliance with the applicable landscape and buffering requirements of the City Ordinance. The project is located in the B-3 zone where there is no required setback.

1. Landscaping. This provision of the ordinance does not apply at this site.

A landscape plan has been provided within the plan set identifying proposed plantings at street level including street trees in curbed tree wells; and curbed planters for landscaping at the curb extensions proposed at Myrtle and Congress Street and Peal Street at Congress Street. Landscaping has been provided as outlined in the City of Portland zoning requirements.

The site plan includes the use of raised planters on site along the hotel frontage to enhance seating opportunities for outdoor dining and seating for the hotel development.

The plans include landscaping along the proposed amenity deck stairs on Myrtle Street and Congress Street and the second level hotel deck and amenity deck

Please see the Landscape plans.

2. Buffers.

- a. Loading and service areas, including trash service areas, are internal to the building behind doors. No site screening for these features is required or proposed.

There are no ground mounted utility structures proposed. The building's mechanical systems are roof mounted and screened. Please refer to the building plans and elevations.

- b. The project does not abut a residential zone. This provision of the ordinance is not applicable.

The project is a hotel with upper story condominium units in a no-setback zone. Screening the residential units from existing surrounding development is not required or proposed.

3. Parking and vehicle display lot landscaping.

- a. The proposed hotel project does not include surface lot parking. Parking for the hotel site will be in a parking garage to be constructed as part of the development.
- b. The project is subject to a Master Plan of Development approval which allows the remaining land on Lot 2, an existing surface parking lot, to remain in its current condition for up to two years. In the event that a follow-on phase of construction does not submit a Site Plan application within a two-year grace period, the parking

area will be improved with revised striping, curbed and landscaped islands meeting the City's standard. A plan of this potential interim parking condition is included in the plan set. The interim parking plan for the remaining land on Lot 2 that addresses this provision of the Ordinance.

4. Street Trees. The residential component of the project includes nine (9) units requiring nine (9) Street trees. The proposed project proposes planting 14 street trees along Congress and Myrtle Street. The trees are generally spaced at 30'-45' except where driveways, pedestrian access, street lighting and underground utilities require addition spacing. Please see the Landscape plan for additional information.

Water Quality, Stormwater Management, and Erosion Control 14-14.6.2(D)

1. The subject site is a fully developed city block. The proposed redevelopment plan has been designed to meet the applicable City standards for stormwater management to minimize to the extent practicable the total area of impervious surface on site, as well as the volume and rate of runoff from the lot.

Based on consultation with City staff the drainage plan includes directing the proposed site's runoff to the existing combined sewer in Pearl Street in anticipation of a future City project to separate the combined sewer in this street. This reduces runoff entering the City's combined sewer in Myrtle Street. The proposed design does not increase runoff in the City's combined sewer in Pearl Street system in the 1-inch 24-hour rainfall event associated with the City's CSO control plans. There are minimal increases in runoff in the Pearl Street combined sewer during the 2-, 10- and 25-year storm events. The increases do not exceed the capacity of the system at the study point. Please see the stormwater management plan.

2. The proposed project has been designed to be in compliance with the stormwater management standards of the City Technical Manual. Please see the stormwater management plan.
3. The proposed development does not propose any stormwater infiltration or other practices that would be expected to pose a risk of groundwater contamination either during or post-construction. Please see the plan set and the stormwater management plan.



STORMWATER MANAGEMENT REPORT

For

**385 CONGRESS STREET, LOT 1
PORTLAND, MAINE**

Prepared for

Fathom Companies
80 Exchange Street, Suite 400
Portland, Maine 04101

January 13, 2023

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**STORMWATER MANAGEMENT REPORT
385 CONGRESS STREET, LOT 1
PORTLAND, MAINE**

1. Introduction

This Stormwater Management Plan and Report presents analyses performed to address stormwater management associated with the proposed development of Lot 1 385 Congress Street. The stormwater management controls that are outlined in this report have been designed to suit the proposed development and to comply with applicable state and local regulatory requirements.

The project is comprised of a proposed Lot 1 occupying 0.63 acres located at the corner of Myrtle Street and Congress Street in Portland. The proposed lot is a portion of a larger 2.26-acre parcel bounded by Congress Street, Myrtle Street, Cumberland Avenue and Pearl Street. The project is the first phase of a Master Plan of Development for this larger site. The proposed master plan envisions the construction of a hotel with below grade parking on Lot 1 and future condominium buildings to be constructed in phases on the remaining land; identified as Lot 2 on the attached plans.

Development of the site is subject to the City of Portland's post construction stormwater management standards, which adopt the MDEP Chapter 500 Basic, General, and Flooding standards, including the redevelopment standards, as incorporated into the City of Portland Land Use Ordinance and Site Plan review regulations.

The site is located in an area served by a combined sewer system where the City of Portland seeks to mitigate and reduce combined sewer overflow (CSO) events. The design storm event for CSO evaluation is a 1" rainfall, 24-hour design storm (CSO Storm).

Based on discussions with the City staff, the stormwater analysis and the proposed detention/treatment system has been designed to reduce the rate of runoff from the project site to the greatest extent practicable during this 1" CSO Storm event.

The project site and the remaining land is fully developed with two buildings and surface parking. The site generally slopes from east (Congress Street) toward Cumberland Avenue with an approximately 12' change in grade along Myrtle Street and Pearl Street. The existing site includes a system of catch basins that connect into the City's combined sewer in the surrounding streets, ultimately discharge to the west along Myrtle Street and Pearl Street toward Marginal Way.

The City is undertaking a study for the future construction of storm drainage and sanitary sewer separation along Pearl Street from Marginal Way to Congress Street. In anticipation of future offsite improvements, Staff have requested that the projects associated with the Master Plan of Development for the property:

- Separate their sanitary sewer and storm drainage on site prior to connection into the City system;
- Direct as much of the storm drainage from the project site (and remaining land, Lot 2) to the combined sewer in Pearl Street, with a connection near Cumberland Avenue to facilitate future separation, and;
- Detain and reduce the peak rate of runoff from the redeveloped areas of the site to the extent practicable during a 1-inch, 24-hour rainfall event to reduce flows during the City's CSO storm event

The proposed erosion controls, inspection and maintenance criteria, and the proposed stormwater management systems have been designed to meet MDEP and City of Portland requirements.

The proposed design includes a StormFilter treatment system with subsurface detention; a Best Management Practice (BMP) which has been designed to meet the system sizing and treatment requirements for the new building's redevelopment project standard.

The proposed design meets the applicable standards for treatment volume and reduces the peak rate of runoff from the Lot 1 site and decreases the peak rate of runoff in the Myrtle Street System during all storm events. However, to meet the City's request, runoff from the site is re-directed to Pearl Street, reducing the drainage area tributary to the Myrtle Street combined sewer and shifting (increasing) the area tributary to the Pearl Street combined sewer. The hotel project will construct a new storm drain outfall across Lot 2. Existing catch basins on the undeveloped areas of Lot 2, upgradient of the outfall in the areas of the future condominium development envisioned in the Master Plan will be connected to the outfall, existing catch basins down gradient of the outfall will maintain their existing connections to the street, until the future condominium phases are constructed.

As a result, the project on Lot 1 will meet all of the treatment and flooding standards required.

- Peak rates of runoff in the Myrtle Street combined sewer are reduced in all storm events.
- Peak rates of runoff in a 1-Inch storm are maintained in Pearl Street;
- Due to the requested redirection of tributary areas from Myrtle Street to Pearl Street, minor increases in peak rates occur at the Pearl Street/Cumberland Avenue point of analysis.
 - The increased runoff does not exceed the capacity of the combined sewer in the 2-, 10- or 25-year storm events.
 - The further redevelopment of Lot 2 as envisioned in the master plan will include a second treatment and detention system. This system has been sized and analyzed to demonstrate that upon construction, peak rates in all storm events will be reduced in Pearl Street.

2. Existing Conditions

The City's off site drainage system trains via a combined sewer to an overflow location at the Back Cove which outlets into Casco Bay base flow in the system is conveyed to the Portland wastewater treatment plant. This site is not tributary to any urban impaired streams or significant pond or lake watersheds per Chapter 502 of the Maine Department of Environmental Protection (MDEP) regulations.

The proposed development area of the site is not located in an identified flood zone per the FEMA Flood Insurance Rate Map for the City of Portland, Community Panel 2300510013B dated July 17, 1986. A copy of the Flood Insurance Rate Map is attached in appendix 5.

3. Soils

Soil information for the site was obtained from the USGS United States Department of Agriculture and Natural Resource Conservation Service's Web Soil Survey site. Boring logs from the site's geotechnical exploration reports indicate a groundwater depth of approximately 15 feet. The Hydrologic Groups (HSG) of the soils on site as classified by the Soil Conservation Service is as follows:

Soil Map Symbol	Soil Name	Slope (%)	HSG
HIB	Hinckley loamy sand	3-8	A

Hydrologic Soil Group boundaries are delineated on the Watershed Map. A copy of the Medium Intensity Soil Survey is included as Appendix 4.

4. Proposed Site Improvements

The proposed development will consist of a subdivision to create Lot 1 which will be redeveloped as a Hotel with residential condominiums on its upper floor(s). Lot 2 constitutes remaining land retained by the owner for future development consisting of residential condominiums in three phases. A common structured parking garage will be constructed at the Cumberland Avenue and Congress Street levels of the Hotel on Lot 1 and the future condominiums on Lot 2.

5. Hydrologic Modeling

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

The peak runoff rates were calculated using a 24-hour duration storm event with a Type III rainfall distribution. The rainfall amounts for Cumberland County have recently been updated and the following 24-hour duration rainfall amounts were used for this report:

Storm Frequency	24-hr Duration Rainfall (in.)
CSO Storm	1.0
2-yr	3.1
10-yr	4.6
25-yr	5.8

6. Existing Conditions Model

The pre-development watershed plan consists of four subcatchments labeled 1.1S through 2.2S in the HydroCAD model. Two locations are identified as Points of Analysis (POA) for comparing peak runoff rates. These two POAs represent flows in the existing combined sewers in Pearl Street at Cumberland Avenue (POA-1) and Myrtle Street at Cumberland Avenue (POA-2).

POA-1 is located at the northerly (plan northwest) corner of the larger project site where runoff from the site is tributary to the 18" diameter combined sewer in Pearl Street at Cumberland Avenue. Subcatchments 1.1S represents on-site areas tributary to POA-1 and Subcatchment 1.2S represents offsite areas to the northeast contributing runoff to this point of analysis. The total modeled drainage area tributary to POA-1 in the pre-development condition is approximately 4.04 acres.

POA-2 is located at the westerly (plan southwest) corner of the larger project site where runoff from the site is tributary to the combined sewer in Myrtle Street at Cumberland Avenue. Subcatchments 2.1S and 2.2S represent on-site and offsite areas tributary to POA-2 contributing runoff to this point of analysis. The total modeled drainage area tributary to POA-2 in the pre-development condition is approximately 1.54 acres.

7. Proposed Conditions Model

The post-development watershed presents a consistent overall drainage area tributary to the points of analysis; subdividing the area into its anticipated post development subcatchments that will result from the proposed redevelopment of the site.

POA-1:

In the Post-development model, subcatchment 10.1S represents offsite areas draining to POA-1 and is unaffected by the proposed development.

Subcatchment 10.2S represents the proposed development of Lot 1.

Subcatchments 10.3S and 10.4S represent the remaining land on Lot 2 that is to be developed in the future as part of the Master Plan of Development. As part of the current Site Plan application for Lot, this area will be minimally improved. Draining generally in its existing condition revised with connections to the proposed storm drain serving lot 1.

The proposed development of Lot 1 will include a system comprised of a StormFilter treatment system by Contech Engineered solutions with 27" filter cartridges. Detention to store the required Stormwater Quality (WQv)treatment volume and to provide peak runoff control is provided by a corrugated metal pipe (CMP) detention system. Low flow discharge for the system is provide through the filters with a bypass weir within a separate manhole impounding the water quality volume and providing flooding control. This Best Management Practice has been designed and sized in accordance with MDEP BMP standards contained within Chapter 500 and the BMP Manual. Sizing calculations can be found in Appendix 1.

The overall post development tributary area tributary to POA-1 is 4.45 acres; an increase of 0.41 acres due to the location of the discharge point as requested by the City.

The future development of Lot 2 is expected to include a similar treatment and detention system comprised of a StormFilter unit with subsurface detention. A preliminary design of the full build out condition is included in the analysis. Upon installation of this future system, peak flows at POA-1 are reduced to pre-development levels addressing the shift in tributary area from POA -2 to POA-1 that has been requested by the City.

POA-2:

In the Post-development model subcatchments 20.1S and 20.2S represent on-site and offsite areas draining the to the Myrtle Street combined sewer. The post development area tributary area associated with POA-2 is 1.13 acres, a reduction of 0.41 acres compared to pre-development conditions, reflecting the shift in tributary area requested by the City.

8. Stormwater Management

Municipal Requirements

The City of Portland Technical Manual Chapter 5 section II.D outlines the requirements for redevelopment projects in the City of Portland. The city standards state that a project which require a Site Location of Development review but creates impervious area greater than 5,000 square-feet is required to provide stormwater treatment for no less than 50% of the redeveloped impervious area.

The City of Portland Technical Manual Section II-C states that all Level III site plans are required to meet the Maine DEP Chapter 500 flooding standard.

Since the existing parcel area of this project is 0.63 (and the larger site proposed as part of the Master Plan of Development is 2.26 acres) the project will create less than 3.0 acres of

impervious area, it is not subject to Site Location of Development review. The General Standards are only applicable as modified above.

Basic Standard - Chapter 500, Section 4(B)

Since the project will disturb more than one (1) acre of land area, MDEP Basic Standards apply, requiring that grading or other construction activities on the site do not impede or otherwise alter drainage ways to have an unreasonable adverse impact. We have avoided adverse impacts by providing an Erosion & Sedimentation Control Plan, and an Inspection, Maintenance and Housekeeping Plan (Appendix 3) to be implemented during construction and post-construction stabilization of the site. These construction requirements have been developed following Best Management Practice guidelines.

General Standard - Chapter 500, Section 4(C)

The MDEP General Standards apply, as modified for redevelopment and required by the City of Portland Technical Standards.

Redevelopment Standards -Chapter 500, Section (C)(2)(d)

The project proposes to redevelop approximately 0.63 acres of a larger 2.26 acres site.

Calculations that follow procedures outlined in §4.C(2)(d) of Chapter 500 indicate that the ranked impact change due to redevelopment of Lot 1 is -1.3; indicating improved conditions resulting from the redevelopment of paved impervious parking areas with rooftops. Typically, no treatment would be required; however, the City of Portland Standards supersede the Chapter 500 rules and require 50% of the redeveloped area to be treated. The proposed stormwater management system provides treatment for all of Lot 1's redeveloped area, See Table 1 of Appendix 1 for additional information.

Stormwater runoff from the building, its valet area on congress will be routed to a proposed StormFilter treatment unit located below the parking garage floor slab. The Water Quality Volume (WQv) and any bypass flow will drain in a new storm drain, within an easement on Lot 2 to the City's system in Pearl Street.

The Stormfilter is comprised of a precast vault that houses rechargeable, media-filled cartridges. The number of cartridges required is based upon water quality/channel protection volume which is equal to 1.0-inch times the subcatchment's impervious area and 0.4-inch times the subcatchment's tributary landscaped areas. The system is designed to drain completely within 24 to 72 hours after the storm.

BMP sizing and treatment calculations are provided as Appendix 1.

Flooding Standard - Chapter 500, Section 4(F)

The City of Portland Technical Manual Section II-C states that all Level III site plans are required to meet the Maine DEP Chapter 500 flooding standard.

The Flooding Standard requires a project's stormwater management system detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2, 10, and 25-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project. Minor increases that do not exceed the capacity of existing systems may be approved on a case-by-case basis.

To address this standard, a runoff evaluation was performed using the methodology outlined in the USDA Soil Conservation Service's "Urban Hydrology for Small Watersheds - Technical Release #55 (TR-55)". HydroCAD computer software was utilized to perform the calculations.

Since this project will be developed in multiple phases, it is anticipated that Lot 1 will be developed first and will include a Stormfilter Treatment unit designated in the model as "Stormfilter 1" Unit with a 48" diameter CMP detention system to meet the treatment standards as a standalone project.

The remaining land will be developed at a later date with a second treatment and detention system. This system has been preliminarily designed to include "Stormfilter 2" and a 60" diameter CMP detention system.

Runoff curve numbers were determined for each of the watersheds by measuring the area of each hydrologic soil group within each type of land cover. Pre development land cover was determined based on survey data, field reconnaissance and aerial photography. Post development land cover is passed on the proposed construction.

Times of concentration were determined from site topographic maps in accordance with SCS procedures, with a minimum of 6 minutes (0.1 hour).

The 24-hour rainfall values utilized in the hydrologic model were obtained from Appendix H of MDEP's Chapter 500: Stormwater Management (effective date August 2015). Rainfall values for Cumberland County (Southeast) are listed in the table below.

Storm Frequency Precipitation (in./24 hr) Cumberland County (Southeast)	
2-year	3.1
10-year	4.6
25-year	5.8

The following table presents the results of the peak runoff calculations at the analysis points for the existing and proposed conditions upon completion of the Lot 1 development. These results assume that the remaining land on Lot 2 drains in its pre-development condition.

Peak Runoff Rate Summary Table			
Analysis Point	Storm Event	Existing Conditions (cfs)	Proposed Conditions (cfs)
POA-1	1-Inch	3.3	3.4
	2-year	11.9	13.1
	10-year	18.0	19.8
	25-year	22.8	25.1
POA-2	1-Inch	1.3	1.0
	2-year	4.6	3.4
	10-year	6.9	5.1
	25-year	8.7	6.4

The results of the analysis indicate minor increases in the peak rate of runoff at, POA-1 in the proposed conditions when compared to pre-development rates during the CSO, 2, 10, and 25-year events when the proposed development of Lot 1 is considered in isolation, prior to future development on Lot 2.

This increase is due to the location of the proposed outfall at Pearl Street, requested by the City to facilitate its CSO program goals. The redirection of on-site runoff from Lot 1 and Lot 2 from POA-2 at Myrtle Street to POA-1 at Pearl Street results in minor increases in flow at POA-1 and a corresponding decrease in runoff at POA-2. This increase is minor (approximately 10% of pre-development flow) and does not exceed the capacity of the 18" sewer at POA-1.

Lot 1 when considered in isolation meets the applicable standards; and if its outfall were to follow the pre-development patterns and be connected to the Myrtle Street at POA-2, there is no increase in post development runoff rates as a result of the Lot 1 development.

The increase in peak rates at POA-1 are expected to be mitigated in the future with the construction of a second detention system on Lot 2 as envision in the Master Development Plan for the larger site.

The following table presents the results of the peak runoff calculations at the analysis points for the existing and proposed conditions upon the construction of the future Lot 2 development and its drainage system.

Peak Runoff Rate Summary Table			
Analysis Point	Storm Event	Existing Conditions (cfs)	Proposed Conditions (cfs)
POA-1	1-Inch	3.3	2.7
	2-year	11.9	10.9
	10-year	18.0	17.1
	25-year	22.8	21.8
POA-2	1-Inch	1.3	1.0
	2-year	4.6	3.4
	10-year	6.9	5.1
	25-year	8.7	6.4

The HydroCAD calculations for this analysis are appended to this report (Appendix 2) along with the Stormwater Management Plans (Appendix 6).

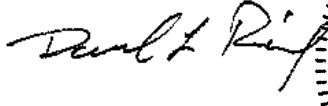
9. Summary

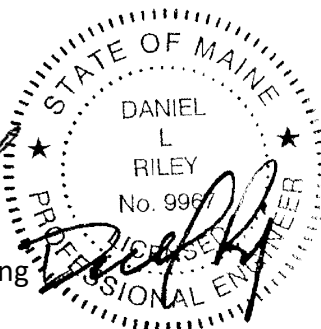
The proposed development has been designed to manage stormwater runoff through Best Management Practices approved by MDEP and meeting the applicable City of Portland Stormwater Management Standards. Stormwater BMP's provide treatment to 100% (50% required) of impervious areas on Lot 1, and 94% (50% required) of the total developed area. Peak rates in all storm events are reduced below pre-development conditions for the 2, 10, and 25-year storm events at Point of Analysis 2.

Minor increases in the peak rate of runoff occur at Point of Analysis POA-1 due to changes in drainage patterns and tributary areas. Runoff has been redirected from POA-2 to POA-1 to facilitate the City's future CSO separation goals. Erosion and sedimentation controls along with associated maintenance and housekeeping procedures have been outlined to prevent unreasonable impacts on the site and to the surrounding environment.

Prepared by:

SEBAGO TECHNICS, INC.


 Dan L. Riley, P.E.
 Vice President, Engineering



01/13/2023



Dylan J. Stuart
 Civil Engineer

Appendix 1

Stormwater Quality Calculations

Table 1: MDEP GENERAL STANDARD CALCULATIONS

Job # 19371-01

AREA ID	WATERSHED SIZE (S.F.)	EXISTING IMPERVIOUS AREA TO REMAIN (S.F.)	NEW IMPERVIOUS AREA (S.F.)	EXISTING LANDSCAPED AREA TO REMAIN (S.F.)	NEW LANDSCAPED AREA (S.F.)	NET NEW DEVELOPED AREA (S.F.)	NET EXISTING DEVELOPED AREAS (S.F.)	TREATMENT PROVIDED?	IMPERVIOUS AREA TREATED (S.F.)	LANDSCAPED AREA TREATED (S.F.)	DEVELOPED AREA TREATED (S.F.)	TREATMENT BMP
10.1S	101,068	100,438	0	112	518	518	100,550	NO	0	0	0	None
10.2S	23,617	0	23,617	0	0	23,617	0	YES	23,617	0	23,617	SF-1
10.3S	32,101	32,101	0	0	0	0	32,101	NO	0	0	0	None
10.4S	36,870	36,079	0	0	791	791	36,079	NO	0	0	0	None
20.1S	1,685	1,685	0	0	0	0	1,685	NO	0	0	0	None
20.2S	47,451	47,200	0	0	251	251	47,200	NO	0	0	0	None
TOTAL (S.F.)	242,792	217,503	23,617	112	1,560	25,177	217,615		23,617	0	23,617	

TOTAL NEW IMPERVIOUS AREA (S.F.)	23,617	TOTAL DEVELOPED AREA (S.F.)	25,177
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT (S.F.)	23,617	TOTAL AREA RECEIVING TREATMENT (S.F.)	23,617
% OF IMPERVIOUS AREA RECEIVING TREATMENT	100.00%	% OF AREA RECEIVING TREATMENT	93.80%

SEBAGO TECHNICS, INC.

75 John Roberts Road Suite 4A

South Portland, Maine 04106

Tel. (207) 200-2100

JOB

19371-01

SHEET NO.

1

OF

1

CALCULATED BY

DJS

DATE

11/15/2022

FILE NAME

19371_WQC LOT 1.xlsx

PRINT DATE

11/15/2022

CONTECH STORMFILTER AND 48" CMP DETENTION SYSTEM

Task: Calculate water quality volume per MDEP chapter 500 regulations

References 1. Maine DEP Chapter 500, Section 4.C.(3)(b)

"must detain a runoff volume equal to 1.0 inch times

the subcatchment's impervious area plus 0.4 inch times the subcatchment's landscaped area"

Tributary to Subsurface Sand Filter

SF-1

Landscaped Area

0.00

SF

Impervious Area

23,617.00

SF

Treatment Volume

Required

(0.4" X Landscaped + 1.0" X Impervious)

Landscaped Area

0.00

SF

Volume

0.0

Impervious Area

23,617.00

SF

Volume

1,968.1

Treatment Volume Required

1,968.1

CF

0.045

AF

Provided Treatment Volume and Elevation

1,974.0

CF

48.01

FT

MDEP Redevelopment Land Use

Job #19371-01

Land Use (Pollutant Ranking)	Existing Conditions (SF)	Existing Condition Pollutant Ranking	Existing Condition Weighted Average	Proposed Conditions (SF)	Proposed Condition Pollutant Ranking	Proposed Condition Weighted Average
High use parking lots	0.00	5	0.00	0.00	5	0.00
Medium use parking lots	0.22	4	0.88	0.00	4	0.00
Flat asphalt roof, roof on industrial facility, other parking lots	0.39	3	1.18	0.00	3	0.00
Other rooftops, landscape areas, walkways	0.02	2	0.03	0.63	2	1.26
Non-grassed landscape areas	0.00	1	0.00	0.00	1	0.00
Woods	0.00	0	0.00	0.00	0	0.00
Total (SF)	0.63			0.63		
			Total Existing Impact Rating		Total Proposed Impact Rating	
			2.09		1.26	

Existing Impact Rating /Total Redevelopment Acres	3.322
Proposed Impact Rating /Total Redevelopment Acres	2.000
Ranked Impact Change due to Redevelopment	-1.322

Treatment Levels for Redevelopment Projects	
Ranked Impact Change Due to Redevelopment (Item E)	Percentage of Developed Area that Must be Treated
0.0 or less	0% (Stormwater projects)
	50% (Site projects, Stormwater projects per City Requirements)
≤ 0.0 to ≥ 1.0	60%
> 1.0 to ≥ 2.0	70%
> 2.0 to ≥ 3.0	80%
> 3.0	Same treatment level as for new development

StormFilter Design Calculation Downstream of Detention

CONTECH Stormwater Solutions Inc. Engineer:
Date

DRA
7/13/2022

Site Information

Project Name **385 Congress Street**
Project State **ME**
Project Location **Portland**
Site Designation **SF-1**
Drainage Area, Ad **0.53** ac
Impervious Area, Ai **0.53** ac
Pervious Area, Ap **0.00**
% Impervious **100** %
Runoff Coefficient, Rc **0.95**

Upstream Detention System

Detention pretreatment credit **50%**
(from removal efficiency calcs)

Mass loading calculations

Mean Annual Rainfall, P **49** in
Agency required % removal **80%**
Percent Runoff Capture **90%**
Mean Annual Runoff, V_t **80,313** ft³
Event Mean Concentration of Pollutant, EMC **75** mg/l
Annual Mass Load, M_{total} **376** lbs

Water Quality Volume

90% Rainfall Depth **0.95** in
Volume to be treated **0.040** ac-ft
Volume to be treated by filters **1,734** ft³
Filter drain down period **24** hrs 48 hrs
Detention restricted outflow rate **0.020** cfs **0.010** cfs

Filter System

Filtration brand **StormFilter**
Specific Flow Rate **0.27** gpm/ft²
Cartridge height **27** in

Number of cartridges - mass loading

Mass removed by pretreatment system, M_{pre} **188** lbs
Mass load to filters after pretreatment, M_{pass1} **188** lbs
Mass to be captured by filters, M_{filter} **150** lbs
Allowable Cartridge Flow rate, Q_{cart} **3.00** gpm
Mass load per cartridge, M_{cart} (lbs) **54** lbs
Number of Cartridges required, N_{mass} **3** ea
Treatment Capacity **0.020** cfs

Determine Critical Sizing Value

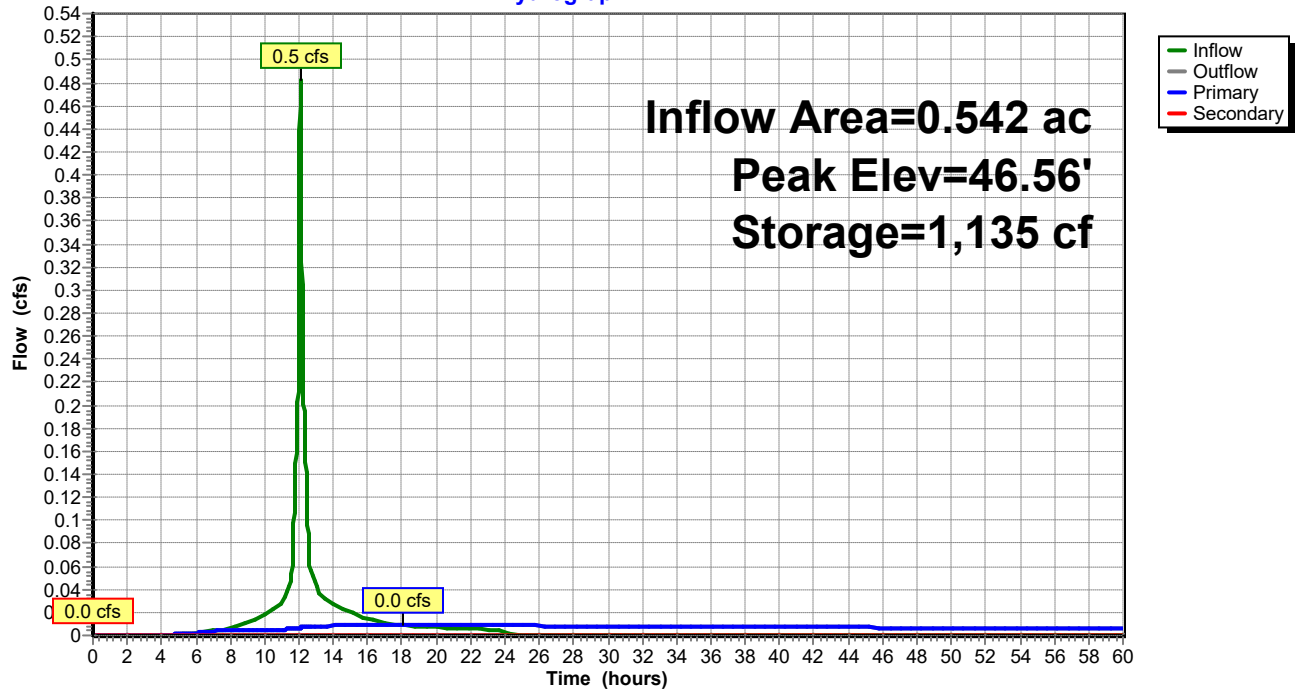
Method to Use: **MASS-LOADING**

SUMMARY

Treatment Flow Rate, cfs	0.020
Cartridge Flow Rate, gpm	3.0
Number of Cartridges	3

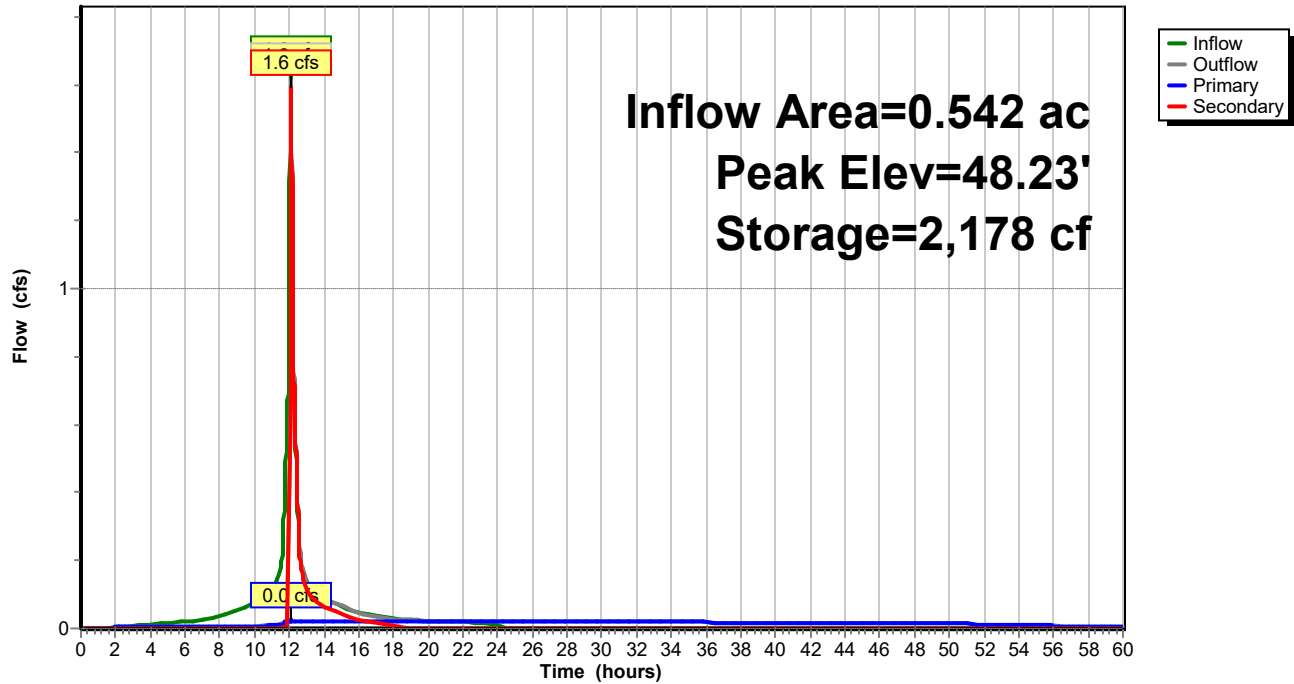
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



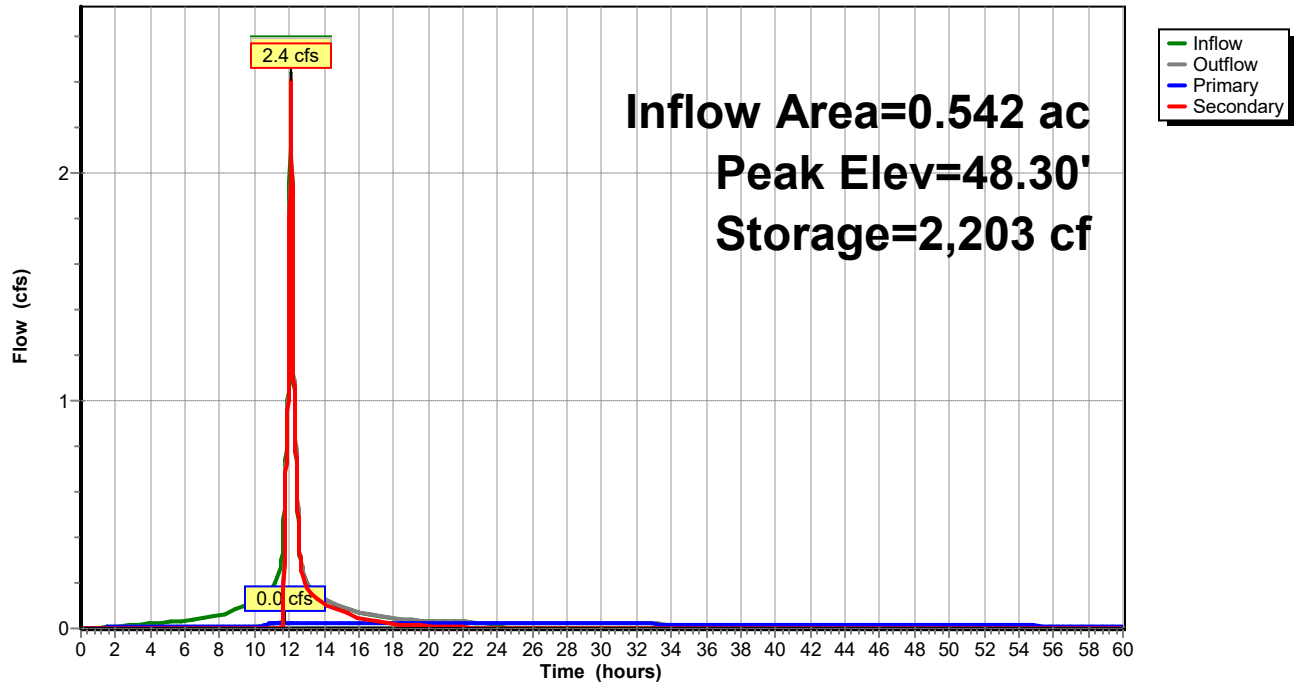
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



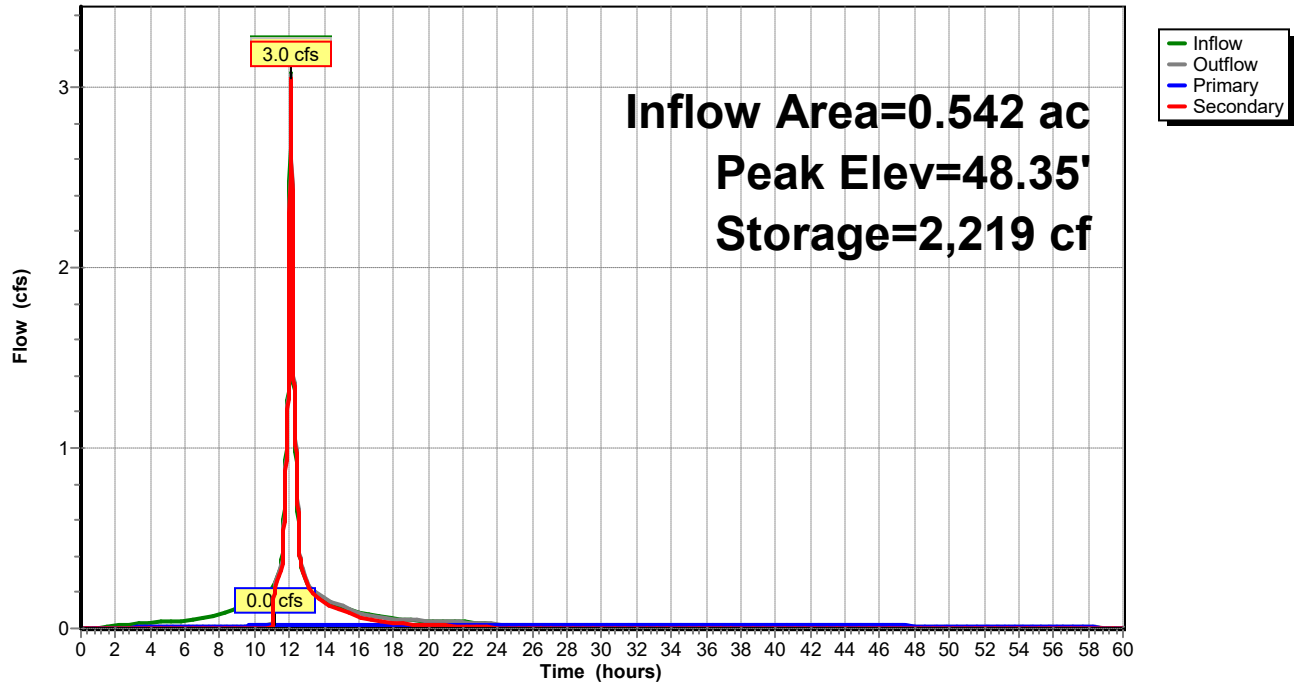
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



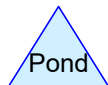
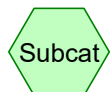
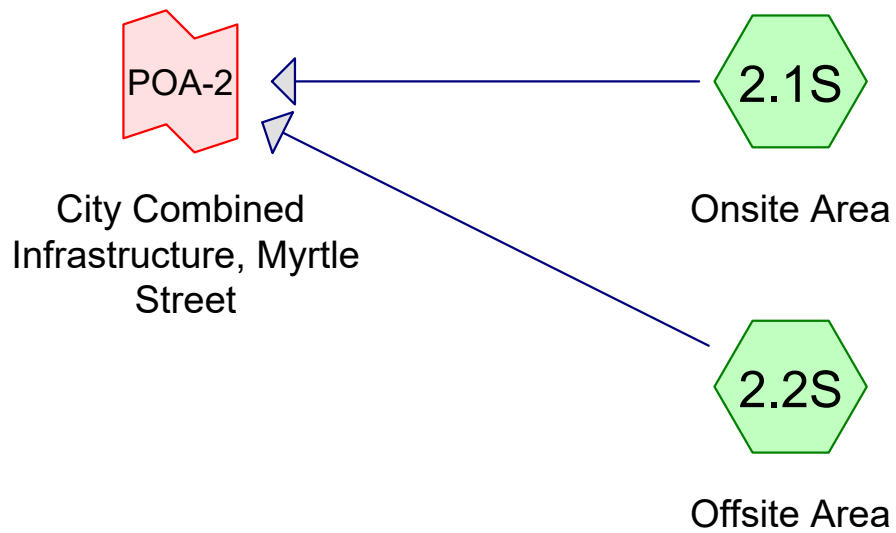
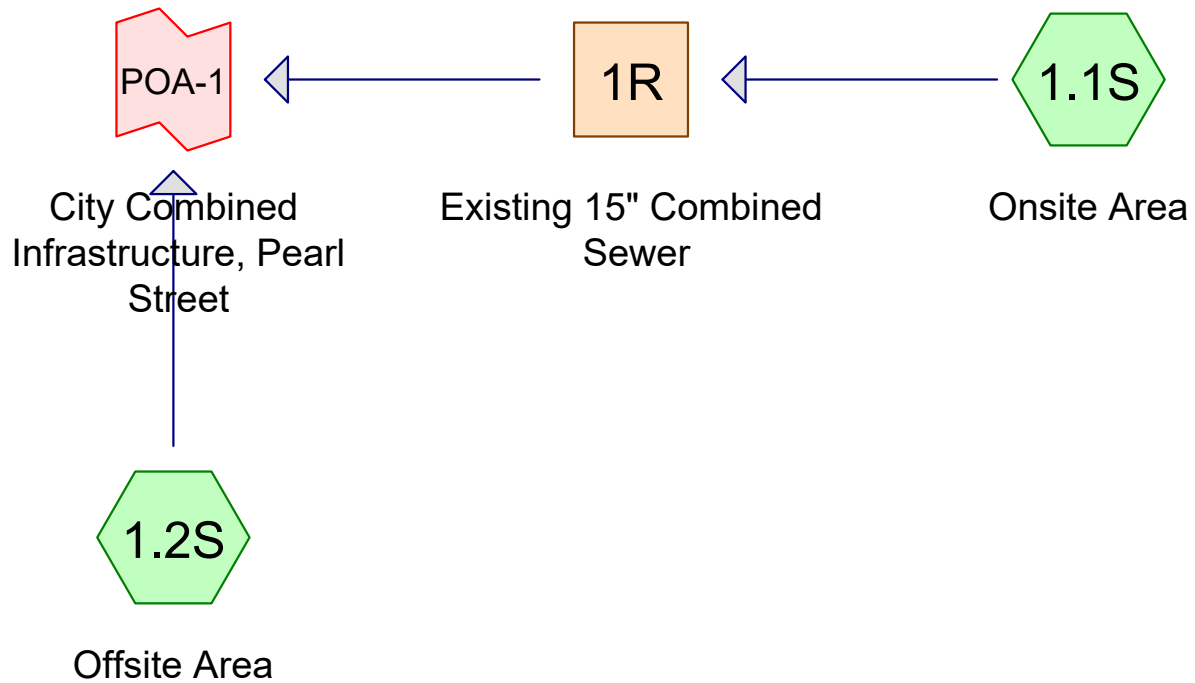
Pond 1P: Storage & SF 1 - 27" cartridges

Hydrograph



Appendix 2A

Hydrologic Modeling - Existing Conditions (HydroCAD) Summary



Routing Diagram for 19371 PRE
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19371 PRE

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Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.063	39	>75% Grass cover, Good, HSG A (1.1S, 1.2S, 2.1S)
5.511	98	Paved parking & Roofs (1.1S, 1.2S, 2.1S, 2.2S)
5.574	97	TOTAL AREA

19371 PRE*Type III 24-hr 1-Inch Rainfall=1.00"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1.1S: Onsite Area Runoff Area=77,085 sf 97.07% Impervious Runoff Depth=0.63"
Tc=6.0 min CN=96 Runoff=1.3 cfs 0.093 af

Subcatchment1.2S: Offsite Area Runoff Area=98,796 sf 99.77% Impervious Runoff Depth=0.79"
Tc=6.0 min CN=98 Runoff=2.0 cfs 0.149 af

Subcatchment2.1S: Onsite Area Runoff Area=21,392 sf 98.85% Impervious Runoff Depth=0.71"
Tc=6.0 min CN=97 Runoff=0.4 cfs 0.029 af

Subcatchment2.2S: Offsite Area Runoff Area=45,519 sf 100.00% Impervious Runoff Depth=0.79"
Tc=6.0 min CN=98 Runoff=0.9 cfs 0.069 af

Reach 1R: Existing 15" Combined Sewer Avg. Flow Depth=0.30' Max Vel=5.79 fps Inflow=1.3 cfs 0.093 af
15.0" Round Pipe n=0.013 L=83.0' S=0.0260 ' S Capacity=10.4 cfs Outflow=1.3 cfs 0.093 af

Link POA-1: City Combined Infrastructure, Pearl Street Inflow=3.3 cfs 0.242 af
Primary=3.3 cfs 0.242 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=1.3 cfs 0.098 af
Primary=1.3 cfs 0.098 af

Total Runoff Area = 5.574 ac Runoff Volume = 0.340 af Average Runoff Depth = 0.73"
1.13% Pervious = 0.063 ac 98.87% Impervious = 5.511 ac

19371 PRE*Type III 24-hr 2-YEAR Rainfall=3.10"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1.1S: Onsite Area Runoff Area=77,085 sf 97.07% Impervious Runoff Depth=2.65"
Tc=6.0 min CN=96 Runoff=5.1 cfs 0.391 af

Subcatchment1.2S: Offsite Area Runoff Area=98,796 sf 99.77% Impervious Runoff Depth=2.87"
Tc=6.0 min CN=98 Runoff=6.8 cfs 0.542 af

Subcatchment2.1S: Onsite Area Runoff Area=21,392 sf 98.85% Impervious Runoff Depth=2.76"
Tc=6.0 min CN=97 Runoff=1.5 cfs 0.113 af

Subcatchment2.2S: Offsite Area Runoff Area=45,519 sf 100.00% Impervious Runoff Depth=2.87"
Tc=6.0 min CN=98 Runoff=3.1 cfs 0.250 af

Reach 1R: Existing 15" Combined Sewer Avg. Flow Depth=0.62' Max Vel=8.46 fps Inflow=5.1 cfs 0.391 af
15.0" Round Pipe n=0.013 L=83.0' S=0.0260 ' / ' Capacity=10.4 cfs Outflow=5.1 cfs 0.391 af

Link POA-1: City Combined Infrastructure, Pearl Street Inflow=11.9 cfs 0.933 af
Primary=11.9 cfs 0.933 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=4.6 cfs 0.363 af
Primary=4.6 cfs 0.363 af

Total Runoff Area = 5.574 ac Runoff Volume = 1.295 af Average Runoff Depth = 2.79"
1.13% Pervious = 0.063 ac 98.87% Impervious = 5.511 ac

19371 PRE*Type III 24-hr 10-YEAR Rainfall=4.60"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1.1S: Onsite Area Runoff Area=77,085 sf 97.07% Impervious Runoff Depth=4.14"
Tc=6.0 min CN=96 Runoff=7.8 cfs 0.610 af

Subcatchment1.2S: Offsite Area Runoff Area=98,796 sf 99.77% Impervious Runoff Depth=4.36"
Tc=6.0 min CN=98 Runoff=10.2 cfs 0.825 af

Subcatchment2.1S: Onsite Area Runoff Area=21,392 sf 98.85% Impervious Runoff Depth=4.25"
Tc=6.0 min CN=97 Runoff=2.2 cfs 0.174 af

Subcatchment2.2S: Offsite Area Runoff Area=45,519 sf 100.00% Impervious Runoff Depth=4.36"
Tc=6.0 min CN=98 Runoff=4.7 cfs 0.380 af

Reach 1R: Existing 15" Combined Sewer Avg. Flow Depth=0.81' Max Vel=9.31 fps Inflow=7.8 cfs 0.610 af
15.0" Round Pipe n=0.013 L=83.0' S=0.0260 ' / ' Capacity=10.4 cfs Outflow=7.8 cfs 0.610 af

Link POA-1: City Combined Infrastructure, Pearl Street Inflow=18.0 cfs 1.435 af
Primary=18.0 cfs 1.435 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=6.9 cfs 0.554 af
Primary=6.9 cfs 0.554 af

Total Runoff Area = 5.574 ac Runoff Volume = 1.988 af Average Runoff Depth = 4.28"
1.13% Pervious = 0.063 ac 98.87% Impervious = 5.511 ac

Summary for Subcatchment 1.1S: Onsite Area

Runoff = 9.9 cfs @ 12.08 hrs, Volume= 0.786 af, Depth= 5.33"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	74,829	98	Paved parking & Roofs
	2,256	39	>75% Grass cover, Good, HSG A
	77,085	96	Weighted Average
	2,256		2.93% Pervious Area
	74,829		97.07% Impervious Area

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

Summary for Subcatchment 1.2S: Offsite Area

Runoff = 12.9 cfs @ 12.08 hrs, Volume= 1.051 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	98,565	98	Paved parking & Roofs
	231	39	>75% Grass cover, Good, HSG A
	98,796	98	Weighted Average
	231		0.23% Pervious Area
	98,565		99.77% Impervious Area

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

Summary for Subcatchment 2.1S: Onsite Area

Runoff = 2.8 cfs @ 12.08 hrs, Volume= 0.223 af, Depth= 5.44"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	21,146	98	Paved parking & Roofs
	246	39	>75% Grass cover, Good, HSG A
	21,392	97	Weighted Average
	246		1.15% Pervious Area
	21,146		98.85% Impervious Area

19371 PRE

Type III 24-hr 25-YEAR Rainfall=5.80"

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

Summary for Subcatchment 2.2S: Offsite Area

Runoff = 5.9 cfs @ 12.08 hrs, Volume= 0.484 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

Area (sf)	CN	Description
* 45,519	98	Paved parking & Roofs
45,519		100.00% Impervious Area

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

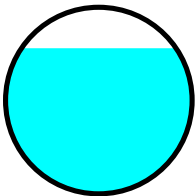
Summary for Reach 1R: Existing 15" Combined Sewer

Inflow Area = 1.770 ac, 97.07% Impervious, Inflow Depth = 5.33" for 25-YEAR event
Inflow = 9.9 cfs @ 12.08 hrs, Volume= 0.786 af
Outflow = 9.9 cfs @ 12.09 hrs, Volume= 0.786 af, Atten= 0%, Lag= 0.1 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Max. Velocity= 9.66 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 3.44 fps, Avg. Travel Time= 0.4 min

Peak Storage= 85 cf @ 12.09 hrs
Average Depth at Peak Storage= 0.98'
Bank-Full Depth= 1.25' Flow Area= 1.2 sf, Capacity= 10.4 cfs

15.0" Round Pipe
n= 0.013
Length= 83.0' Slope= 0.0260 '
Inlet Invert= 39.62', Outlet Invert= 37.46'



Summary for Link POA-1: City Combined Infrastructure, Pearl Street

Inflow Area = 4.038 ac, 98.59% Impervious, Inflow Depth = 5.46" for 25-YEAR event
Inflow = 22.8 cfs @ 12.08 hrs, Volume= 1.837 af
Primary = 22.8 cfs @ 12.08 hrs, Volume= 1.837 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs

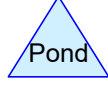
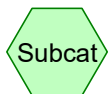
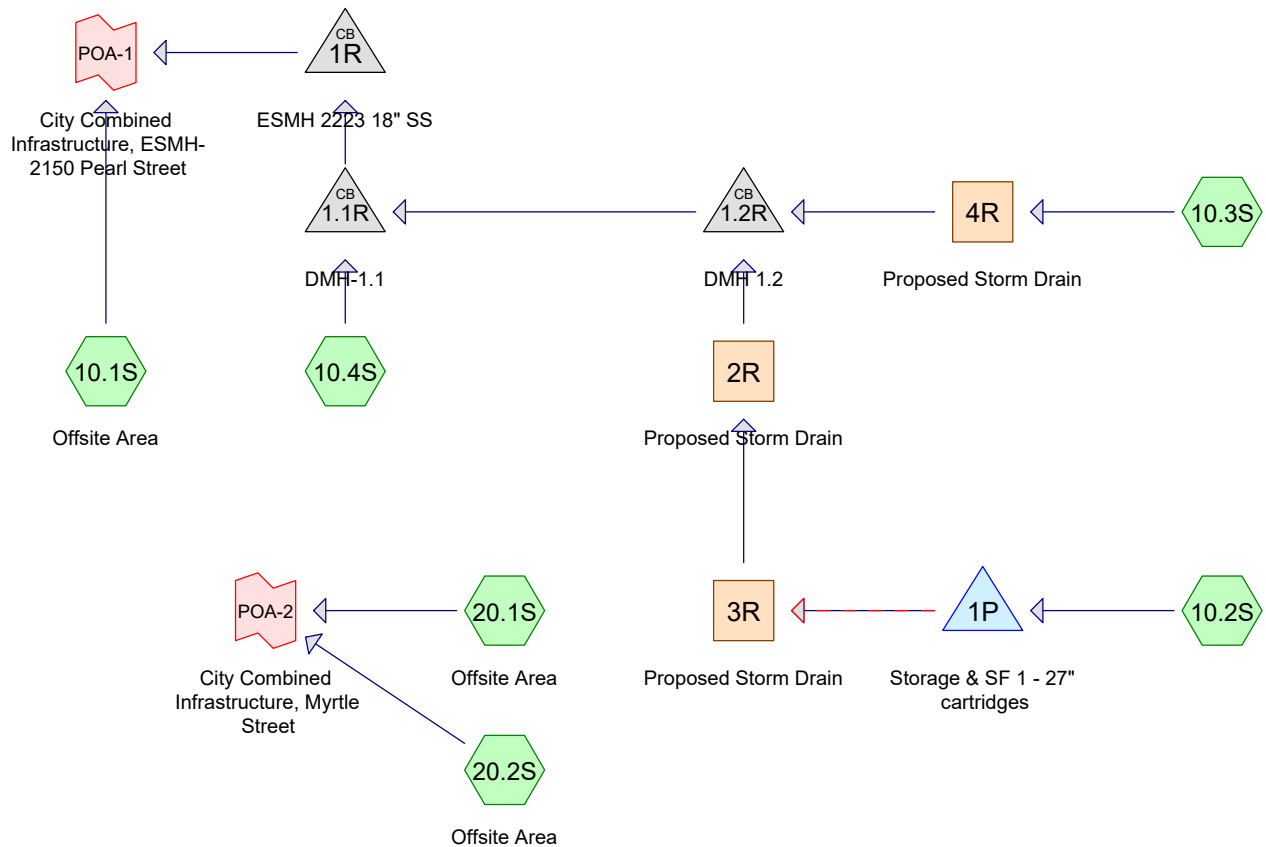
Summary for Link POA-2: City Combined Infrastructure, Myrtle Street

Inflow Area = 1.536 ac, 99.63% Impervious, Inflow Depth = 5.52" for 25-YEAR event
Inflow = 8.7 cfs @ 12.08 hrs, Volume= 0.707 af
Primary = 8.7 cfs @ 12.08 hrs, Volume= 0.707 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs

Appendix 2B

Hydrologic Modeling - Proposed Conditions (HydroCAD) Summary



Routing Diagram for 19371-01 POST LOT 1
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19371-01 POST LOT 1

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Area Listing (selected nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.038	39	>75% Grass cover, Good, HSG A (10.1S, 10.4S, 20.2S)
5.535	98	Paved parking & Roofs (10.1S, 10.2S, 10.3S, 10.4S, 20.1S, 20.2S)
5.574	98	TOTAL AREA

19371-01 POST LOT 1*Type III 24-hr 1-Inch Rainfall=1.00"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=0.79"
 Tc=6.0 min CN=98 Runoff=2.5 cfs 0.183 af

Subcatchment10.2S: Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=0.79"
 Tc=6.0 min CN=98 Runoff=0.5 cfs 0.036 af

Subcatchment10.3S: Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=0.79"
 Tc=6.0 min CN=98 Runoff=0.7 cfs 0.049 af

Subcatchment10.4S: Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=0.56"
 Tc=6.0 min CN=95 Runoff=0.3 cfs 0.018 af

Subcatchment20.1S: Offsite Area Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=0.79"
 Tc=6.0 min CN=98 Runoff=0.0 cfs 0.003 af

Subcatchment20.2S: Offsite Area Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=0.79"
 Tc=6.0 min CN=98 Runoff=1.0 cfs 0.072 af

Reach 2R: Proposed Storm Drain Avg. Flow Depth=0.04' Max Vel=0.74 fps Inflow=0.0 cfs 0.032 af
 18.0" Round Pipe n=0.013 L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=0.0 cfs 0.032 af

Reach 3R: Proposed Storm Drain Avg. Flow Depth=0.04' Max Vel=0.81 fps Inflow=0.0 cfs 0.032 af
 15.0" Round Pipe n=0.013 L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=0.0 cfs 0.032 af

Reach 4R: Proposed Storm Drain Avg. Flow Depth=0.31' Max Vel=2.82 fps Inflow=0.7 cfs 0.049 af
 15.0" Round Pipe n=0.013 L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=0.7 cfs 0.049 af

Pond 1.1R: DMH-1.1 Peak Elev=42.16' Inflow=0.9 cfs 0.098 af
 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=0.9 cfs 0.098 af

Pond 1.2R: DMH 1.2 Peak Elev=42.89' Inflow=0.7 cfs 0.080 af
 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=0.7 cfs 0.080 af

Pond 1P: Storage & SF 1 - 27" cartridges Peak Elev=46.56' Storage=1,135 cf Inflow=0.5 cfs 0.036 af
 Primary=0.0 cfs 0.032 af Secondary=0.0 cfs 0.000 af Outflow=0.0 cfs 0.032 af

Pond 1R: ESMH 2223 18" SS Peak Elev=40.12' Inflow=0.9 cfs 0.098 af
 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=0.9 cfs 0.098 af

Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street Inflow=3.4 cfs 0.282 af
 Primary=3.4 cfs 0.282 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=1.0 cfs 0.074 af
 Primary=1.0 cfs 0.074 af

Total Runoff Area = 5.574 ac Runoff Volume = 0.360 af Average Runoff Depth = 0.78"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

19371-01 POST LOT 1*Type III 24-hr 2-YEAR Rainfall=3.10"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=2.87"
 Tc=6.0 min CN=98 Runoff=8.4 cfs 0.665 af

Subcatchment10.2S: Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=2.87"
 Tc=6.0 min CN=98 Runoff=1.6 cfs 0.130 af

Subcatchment10.3S: Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=2.87"
 Tc=6.0 min CN=98 Runoff=2.2 cfs 0.176 af

Subcatchment10.4S: Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=2.55"
 Tc=6.0 min CN=95 Runoff=1.1 cfs 0.082 af

Subcatchment20.1S: Offsite Area Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=2.87"
 Tc=6.0 min CN=98 Runoff=0.1 cfs 0.009 af

Subcatchment20.2S: Offsite Area Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=2.87"
 Tc=6.0 min CN=98 Runoff=3.3 cfs 0.260 af

Reach 2R: Proposed Storm Drain Avg. Flow Depth=0.46' Max Vel=3.47 fps Inflow=1.6 cfs 0.129 af
 18.0" Round Pipe n=0.013 L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=1.6 cfs 0.129 af

Reach 3R: Proposed Storm Drain Avg. Flow Depth=0.46' Max Vel=3.84 fps Inflow=1.6 cfs 0.129 af
 15.0" Round Pipe n=0.013 L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=1.6 cfs 0.129 af

Reach 4R: Proposed Storm Drain Avg. Flow Depth=0.58' Max Vel=3.95 fps Inflow=2.2 cfs 0.176 af
 15.0" Round Pipe n=0.013 L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=2.2 cfs 0.176 af

Pond 1.1R: DMH-1.1 Peak Elev=42.85' Inflow=4.8 cfs 0.386 af
 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=4.8 cfs 0.386 af

Pond 1.2R: DMH 1.2 Peak Elev=43.53' Inflow=3.7 cfs 0.305 af
 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=3.7 cfs 0.305 af

Pond 1P: Storage & SF 1 - 27" cartridges Peak Elev=48.23' Storage=2,178 cf Inflow=1.6 cfs 0.130 af
 Primary=0.0 cfs 0.073 af Secondary=1.6 cfs 0.055 af Outflow=1.6 cfs 0.129 af

Pond 1R: ESMH 2223 18" SS Peak Elev=40.96' Inflow=4.8 cfs 0.386 af
 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=4.8 cfs 0.386 af

Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street Inflow=13.1 cfs 1.051 af
 Primary=13.1 cfs 1.051 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=3.4 cfs 0.270 af
 Primary=3.4 cfs 0.270 af

Total Runoff Area = 5.574 ac Runoff Volume = 1.322 af Average Runoff Depth = 2.85"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

19371-01 POST LOT 1*Type III 24-hr 10-YEAR Rainfall=4.60"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=4.36"
 Tc=6.0 min CN=98 Runoff=12.5 cfs 1.012 af

Subcatchment10.2S: Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=4.36"
 Tc=6.0 min CN=98 Runoff=2.4 cfs 0.197 af

Subcatchment10.3S: Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=4.36"
 Tc=6.0 min CN=98 Runoff=3.3 cfs 0.268 af

Subcatchment10.4S: Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=4.02"
 Tc=6.0 min CN=95 Runoff=1.7 cfs 0.129 af

Subcatchment20.1S: Offsite Area Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=4.36"
 Tc=6.0 min CN=98 Runoff=0.2 cfs 0.014 af

Subcatchment20.2S: Offsite Area Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=4.36"
 Tc=6.0 min CN=98 Runoff=4.9 cfs 0.396 af

Reach 2R: Proposed Storm Drain Avg. Flow Depth=0.57' Max Vel=3.89 fps Inflow=2.4 cfs 0.196 af
 18.0" Round Pipe n=0.013 L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=2.4 cfs 0.196 af

Reach 3R: Proposed Storm Drain Avg. Flow Depth=0.58' Max Vel=4.30 fps Inflow=2.4 cfs 0.196 af
 15.0" Round Pipe n=0.013 L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=2.4 cfs 0.196 af

Reach 4R: Proposed Storm Drain Avg. Flow Depth=0.74' Max Vel=4.36 fps Inflow=3.3 cfs 0.268 af
 15.0" Round Pipe n=0.013 L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=3.3 cfs 0.268 af

Pond 1.1R: DMH-1.1 Peak Elev=43.18' Inflow=7.4 cfs 0.593 af
 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=7.4 cfs 0.593 af

Pond 1.2R: DMH 1.2 Peak Elev=43.84' Inflow=5.7 cfs 0.464 af
 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=5.7 cfs 0.464 af

Pond 1P: Storage & SF 1 - 27" cartridges Peak Elev=48.30' Storage=2,203 cf Inflow=2.4 cfs 0.197 af
 Primary=0.0 cfs 0.077 af Secondary=2.4 cfs 0.119 af Outflow=2.4 cfs 0.196 af

Pond 1R: ESMH 2223 18" SS Peak Elev=41.84' Inflow=7.4 cfs 0.593 af
 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=7.4 cfs 0.593 af

Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street Inflow=19.8 cfs 1.605 af
 Primary=19.8 cfs 1.605 af

Link POA-2: City Combined Infrastructure, Myrtle Street Inflow=5.1 cfs 0.410 af
 Primary=5.1 cfs 0.410 af

Total Runoff Area = 5.574 ac Runoff Volume = 2.016 af Average Runoff Depth = 4.34"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Summary for Subcatchment 10.1S: Offsite Area

Runoff = 15.8 cfs @ 12.08 hrs, Volume= 1.290 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	120,567	98	Paved parking & Roofs
	630	39	>75% Grass cover, Good, HSG A
	121,197	98	Weighted Average
	630		0.52% Pervious Area
	120,567		99.48% Impervious Area

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

Summary for Subcatchment 10.2S:

Runoff = 3.1 cfs @ 12.08 hrs, Volume= 0.251 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	23,617	98	Paved parking & Roofs
	23,617		100.00% Impervious Area

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

Summary for Subcatchment 10.3S:

Runoff = 4.2 cfs @ 12.08 hrs, Volume= 0.342 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	32,101	98	Paved parking & Roofs
	32,101		100.00% Impervious Area

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

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Summary for Subcatchment 10.4S:

Runoff = 2.1 cfs @ 12.08 hrs, Volume= 0.167 af, Depth= 5.21"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	15,950	98	Paved parking & Roofs
	791	39	>75% Grass cover, Good, HSG A
	16,741	95	Weighted Average
	791		4.72% Pervious Area
	15,950		95.28% Impervious Area

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

Summary for Subcatchment 20.1S: Offsite Area

Runoff = 0.2 cfs @ 12.08 hrs, Volume= 0.018 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	1,685	98	Paved parking & Roofs
	1,685		100.00% Impervious Area

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

Summary for Subcatchment 20.2S: Offsite Area

Runoff = 6.2 cfs @ 12.08 hrs, Volume= 0.505 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	47,200	98	Paved parking & Roofs
	251	39	>75% Grass cover, Good, HSG A
	47,451	98	Weighted Average
	251		0.53% Pervious Area
	47,200		99.47% Impervious Area

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Type III 24-hr 25-YEAR Rainfall=5.80"

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

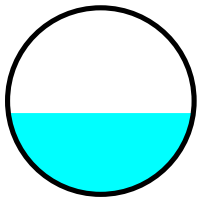
Summary for Reach 2R: Proposed Storm Drain

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth > 5.54" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af
 Outflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af, Atten= 0%, Lag= 0.1 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.15 fps, Min. Travel Time= 0.2 min
 Avg. Velocity= 0.98 fps, Avg. Travel Time= 0.8 min

Peak Storage= 35 cf @ 12.10 hrs
 Average Depth at Peak Storage= 0.65'
 Bank-Full Depth= 1.50' Flow Area= 1.8 sf, Capacity= 7.8 cfs

18.0" Round Pipe
 n= 0.013
 Length= 47.0' Slope= 0.0055 '/
 Inlet Invert= 42.36', Outlet Invert= 42.10'

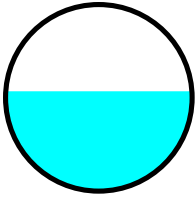
**Summary for Reach 3R: Proposed Storm Drain**

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth > 5.54" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.09 hrs, Volume= 0.250 af
 Outflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af, Atten= 1%, Lag= 0.5 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.56 fps, Min. Travel Time= 0.7 min
 Avg. Velocity= 1.10 fps, Avg. Travel Time= 2.7 min

Peak Storage= 119 cf @ 12.10 hrs
 Average Depth at Peak Storage= 0.67'
 Bank-Full Depth= 1.25' Flow Area= 1.2 sf, Capacity= 5.4 cfs

15.0" Round Pipe
 n= 0.013
 Length= 178.0' Slope= 0.0071 '/
 Inlet Invert= 43.87', Outlet Invert= 42.61'



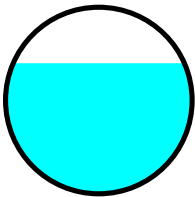
Summary for Reach 4R: Proposed Storm Drain

Inflow Area = 0.737 ac, 100.00% Impervious, Inflow Depth = 5.56" for 25-YEAR event
 Inflow = 4.2 cfs @ 12.08 hrs, Volume= 0.342 af
 Outflow = 4.2 cfs @ 12.08 hrs, Volume= 0.342 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.56 fps, Min. Travel Time= 0.0 min
 Avg. Velocity = 1.61 fps, Avg. Travel Time= 0.1 min

Peak Storage= 9 cf @ 12.08 hrs
 Average Depth at Peak Storage= 0.87'
 Bank-Full Depth= 1.25' Flow Area= 1.2 sf, Capacity= 5.0 cfs

15.0" Round Pipe
 n= 0.013
 Length= 10.0' Slope= 0.0060 '/
 Inlet Invert= 42.67', Outlet Invert= 42.61'



Summary for Pond 1.1R: DMH-1.1

Inflow Area = 1.663 ac, 98.91% Impervious, Inflow Depth > 5.47" for 25-YEAR event
 Inflow = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af
 Outflow = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af, Atten= 0%, Lag= 0.0 min
 Primary = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Peak Elev= 43.41' @ 12.09 hrs
 Flood Elev= 48.60'

Device	Routing	Invert	Outlet Devices
#1	Primary	41.69'	24.0" Round Culvert L= 7.7' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 41.65' / 41.69' S= -0.0052 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 3.14 sf

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Primary OutFlow Max=9.3 cfs @ 12.09 hrs HW=43.41' TW=42.79' (Dynamic Tailwater)↑**1=Culvert** (Barrel Controls 9.3 cfs @ 4.25 fps)**Summary for Pond 1.2R: DMH 1.2**

Inflow Area = 1.279 ac, 100.00% Impervious, Inflow Depth > 5.55" for 25-YEAR event
 Inflow = 7.2 cfs @ 12.09 hrs, Volume= 0.592 af
 Outflow = 7.2 cfs @ 12.09 hrs, Volume= 0.592 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.2 cfs @ 12.09 hrs, Volume= 0.592 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 44.07' @ 12.09 hrs

Flood Elev= 52.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	42.51'	24.0" Round Culvert L= 140.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 42.51' / 41.79' S= 0.0051 ' / Cc= 0.900 n= 0.013, Flow Area= 3.14 sf

Primary OutFlow Max=7.2 cfs @ 12.09 hrs HW=44.07' TW=43.41' (Dynamic Tailwater)↑**1=Culvert** (Outlet Controls 7.2 cfs @ 3.76 fps)**Summary for Pond 1P: Storage & SF 1 - 27" cartridges**

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth = 5.56" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.08 hrs, Volume= 0.251 af
 Outflow = 3.1 cfs @ 12.09 hrs, Volume= 0.250 af, Atten= 0%, Lag= 0.4 min
 Primary = 0.0 cfs @ 11.19 hrs, Volume= 0.078 af
 Secondary = 3.0 cfs @ 12.09 hrs, Volume= 0.172 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 48.35' @ 12.09 hrs Surf.Area= 314 sf Storage= 2,219 cf

Plug-Flow detention time= 351.2 min calculated for 0.250 af (100% of inflow)

Center-of-Mass det. time= 348.2 min (1,093.8 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	44.55'	2,262 cf	48.0" Round Pipe Storage x 2 L= 90.0'

Device	Routing	Invert	Outlet Devices (Turned on 2 times)
#1	Primary	44.05'	Tube/Siphon/Float Valve X 3.00 0.380" Diameter, C= 0.600, 0.263" Trickle Diameter Starts@46.80' Breaks@44.92'
#2	Secondary	44.55'	12.0" Round Culvert L= 4.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 44.55' / 44.43' S= 0.0300 ' / Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#3	Device 2	48.02'	5.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Primary OutFlow Max=0.0 cfs @ 11.19 hrs HW=48.08' TW=44.05' (Dynamic Tailwater)↑**1=Tube/Siphon/Float Valve** (Orifice Controls 0.0 cfs @ 9.66 fps)**Secondary OutFlow** Max=3.0 cfs @ 12.09 hrs HW=48.35' TW=44.54' (Dynamic Tailwater)↑**2=Culvert** (Passes 3.0 cfs of 6.9 cfs potential flow)↑**3=Sharp-Crested Rectangular Weir** (Weir Controls 3.0 cfs @ 1.88 fps)**Summary for Pond 1R: ESMH 2223 18" SS**

Inflow Area = 1.663 ac, 98.91% Impervious, Inflow Depth > 5.47" for 25-YEAR event
Inflow = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af
Outflow = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af, Atten= 0%, Lag= 0.0 min
Primary = 9.3 cfs @ 12.09 hrs, Volume= 0.759 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 42.79' @ 12.09 hrs

Flood Elev= 48.67'

Device	Routing	Invert	Outlet Devices
#1	Primary	39.67'	15.0" Round Culvert L= 54.5' Ke= 0.500 Inlet / Outlet Invert= 39.67' / 37.46' S= 0.0406 '/' Cc= 0.900 n= 0.013 Clay tile, Flow Area= 1.23 sf

Primary OutFlow Max=9.3 cfs @ 12.09 hrs HW=42.79' TW=0.00' (Dynamic Tailwater)↑**1=Culvert** (Inlet Controls 9.3 cfs @ 7.60 fps)**Summary for Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street**

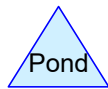
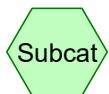
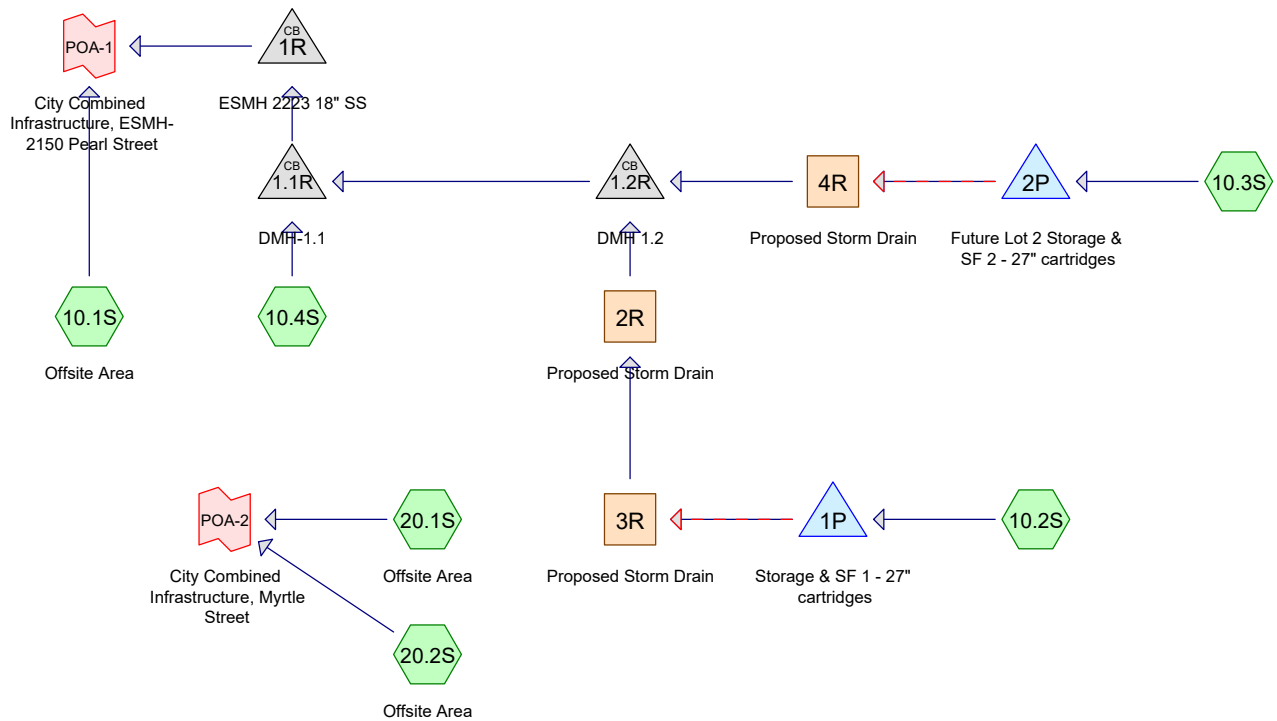
Inflow Area = 4.446 ac, 99.27% Impervious, Inflow Depth > 5.53" for 25-YEAR event
Inflow = 25.1 cfs @ 12.09 hrs, Volume= 2.048 af
Primary = 25.1 cfs @ 12.09 hrs, Volume= 2.048 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs

Summary for Link POA-2: City Combined Infrastructure, Myrtle Street

Inflow Area = 1.128 ac, 99.49% Impervious, Inflow Depth = 5.56" for 25-YEAR event
Inflow = 6.4 cfs @ 12.08 hrs, Volume= 0.523 af
Primary = 6.4 cfs @ 12.08 hrs, Volume= 0.523 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs



Routing Diagram for 19371-01 POST LOT 1
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Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.038	39	>75% Grass cover, Good, HSG A (10.1S, 10.4S, 20.2S)
5.535	98	Paved parking & Roofs (10.1S, 10.2S, 10.3S, 10.4S, 20.1S, 20.2S)
5.574	98	TOTAL AREA

19371-01 POST LOT 1

Type III 24-hr 1-Inch Rainfall=1.00"

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area	Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=0.79" Tc=6.0 min CN=98 Runoff=2.5 cfs 0.183 af
Subcatchment10.2S:	Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=0.79" Tc=6.0 min CN=98 Runoff=0.5 cfs 0.036 af
Subcatchment10.3S:	Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=0.79" Tc=6.0 min CN=98 Runoff=0.7 cfs 0.049 af
Subcatchment10.4S:	Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=0.56" Tc=6.0 min CN=95 Runoff=0.3 cfs 0.018 af
Subcatchment20.1S: Offsite Area	Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=0.79" Tc=6.0 min CN=98 Runoff=0.0 cfs 0.003 af
Subcatchment20.2S: Offsite Area	Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=0.79" Tc=6.0 min CN=98 Runoff=1.0 cfs 0.072 af
Reach 2R: Proposed Storm Drain 18.0" Round Pipe n=0.013	Avg. Flow Depth=0.04' Max Vel=0.74 fps Inflow=0.0 cfs 0.032 af L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=0.0 cfs 0.032 af
Reach 3R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.04' Max Vel=0.81 fps Inflow=0.0 cfs 0.032 af L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=0.0 cfs 0.032 af
Reach 4R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.04' Max Vel=0.80 fps Inflow=0.0 cfs 0.036 af L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=0.0 cfs 0.036 af
Pond 1.1R: DMH-1.1	Peak Elev=41.93' Inflow=0.3 cfs 0.086 af 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=0.3 cfs 0.086 af
Pond 1.2R: DMH 1.2	Peak Elev=42.58' Inflow=0.0 cfs 0.068 af 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=0.0 cfs 0.068 af
Pond 1P: Storage & SF 1 - 27" cartridges	Peak Elev=46.56' Storage=1,135 cf Inflow=0.5 cfs 0.036 af Primary=0.0 cfs 0.032 af Secondary=0.0 cfs 0.000 af Outflow=0.0 cfs 0.032 af
Pond 1R: ESMH 2223 18" SS	Peak Elev=39.91' Inflow=0.3 cfs 0.086 af 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=0.3 cfs 0.086 af
Pond 2P: Future Lot 2 Storage & SF 2 - 27"	Peak Elev=44.44' Storage=1,624 cf Inflow=0.7 cfs 0.049 af Primary=0.0 cfs 0.036 af Secondary=0.0 cfs 0.000 af Outflow=0.0 cfs 0.036 af
Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street	Inflow=2.7 cfs 0.270 af Primary=2.7 cfs 0.270 af
Link POA-2: City Combined Infrastructure, Myrtle Street	Inflow=1.0 cfs 0.074 af Primary=1.0 cfs 0.074 af

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Type III 24-hr 1-Inch Rainfall=1.00"

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Total Runoff Area = 5.574 ac Runoff Volume = 0.360 af Average Runoff Depth = 0.78"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

19371-01 POST LOT 1*Type III 24-hr 2-YEAR Rainfall=3.10"*

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area	Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=2.87" Tc=6.0 min CN=98 Runoff=8.4 cfs 0.665 af
Subcatchment10.2S:	Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=2.87" Tc=6.0 min CN=98 Runoff=1.6 cfs 0.130 af
Subcatchment10.3S:	Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=2.87" Tc=6.0 min CN=98 Runoff=2.2 cfs 0.176 af
Subcatchment10.4S:	Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=2.55" Tc=6.0 min CN=95 Runoff=1.1 cfs 0.082 af
Subcatchment20.1S: Offsite Area	Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=2.87" Tc=6.0 min CN=98 Runoff=0.1 cfs 0.009 af
Subcatchment20.2S: Offsite Area	Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=2.87" Tc=6.0 min CN=98 Runoff=3.3 cfs 0.260 af
Reach 2R: Proposed Storm Drain 18.0" Round Pipe n=0.013	Avg. Flow Depth=0.46' Max Vel=3.47 fps Inflow=1.6 cfs 0.129 af L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=1.6 cfs 0.129 af
Reach 3R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.46' Max Vel=3.84 fps Inflow=1.6 cfs 0.129 af L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=1.6 cfs 0.129 af
Reach 4R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.25' Max Vel=2.53 fps Inflow=0.4 cfs 0.162 af L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=0.4 cfs 0.162 af
Pond 1.1R: DMH-1.1	Peak Elev=42.53' Inflow=2.7 cfs 0.372 af 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=2.7 cfs 0.372 af
Pond 1.2R: DMH 1.2	Peak Elev=43.16' Inflow=1.6 cfs 0.291 af 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=1.6 cfs 0.291 af
Pond 1P: Storage & SF 1 - 27" cartridges	Peak Elev=48.23' Storage=2,178 cf Inflow=1.6 cfs 0.130 af Primary=0.0 cfs 0.073 af Secondary=1.6 cfs 0.055 af Outflow=1.6 cfs 0.129 af
Pond 1R: ESMH 2223 18" SS	Peak Elev=40.50' Inflow=2.7 cfs 0.372 af 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=2.7 cfs 0.372 af
Pond 2P: Future Lot 2 Storage & SF 2 - 27"	Peak Elev=46.12' Storage=4,358 cf Inflow=2.2 cfs 0.176 af Primary=0.0 cfs 0.095 af Secondary=0.4 cfs 0.067 af Outflow=0.4 cfs 0.162 af
Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street	Inflow=10.9 cfs 1.037 af Primary=10.9 cfs 1.037 af
Link POA-2: City Combined Infrastructure, Myrtle Street	Inflow=3.4 cfs 0.270 af Primary=3.4 cfs 0.270 af

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Type III 24-hr 2-YEAR Rainfall=3.10"

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Total Runoff Area = 5.574 ac Runoff Volume = 1.322 af Average Runoff Depth = 2.85"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

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Type III 24-hr 10-YEAR Rainfall=4.60"

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Time span=0.00-60.00 hrs, dt=0.01 hrs, 6001 points x 2
 Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment10.1S: Offsite Area	Runoff Area=121,197 sf 99.48% Impervious Runoff Depth=4.36" Tc=6.0 min CN=98 Runoff=12.5 cfs 1.012 af
Subcatchment10.2S:	Runoff Area=23,617 sf 100.00% Impervious Runoff Depth=4.36" Tc=6.0 min CN=98 Runoff=2.4 cfs 0.197 af
Subcatchment10.3S:	Runoff Area=32,101 sf 100.00% Impervious Runoff Depth=4.36" Tc=6.0 min CN=98 Runoff=3.3 cfs 0.268 af
Subcatchment10.4S:	Runoff Area=16,741 sf 95.28% Impervious Runoff Depth=4.02" Tc=6.0 min CN=95 Runoff=1.7 cfs 0.129 af
Subcatchment20.1S: Offsite Area	Runoff Area=1,685 sf 100.00% Impervious Runoff Depth=4.36" Tc=6.0 min CN=98 Runoff=0.2 cfs 0.014 af
Subcatchment20.2S: Offsite Area	Runoff Area=47,451 sf 99.47% Impervious Runoff Depth=4.36" Tc=6.0 min CN=98 Runoff=4.9 cfs 0.396 af
Reach 2R: Proposed Storm Drain 18.0" Round Pipe n=0.013	Avg. Flow Depth=0.57' Max Vel=3.89 fps Inflow=2.4 cfs 0.196 af L=47.0' S=0.0055 '/' Capacity=7.8 cfs Outflow=2.4 cfs 0.196 af
Reach 3R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.58' Max Vel=4.30 fps Inflow=2.4 cfs 0.196 af L=178.0' S=0.0071 '/' Capacity=5.4 cfs Outflow=2.4 cfs 0.196 af
Reach 4R: Proposed Storm Drain 15.0" Round Pipe n=0.013	Avg. Flow Depth=0.35' Max Vel=3.06 fps Inflow=0.9 cfs 0.253 af L=10.0' S=0.0060 '/' Capacity=5.0 cfs Outflow=0.9 cfs 0.253 af
Pond 1.1R: DMH-1.1	Peak Elev=42.84' Inflow=4.7 cfs 0.578 af 24.0" Round Culvert n=0.012 L=7.7' S=-0.0052 '/' Outflow=4.7 cfs 0.578 af
Pond 1.2R: DMH 1.2	Peak Elev=43.44' Inflow=3.1 cfs 0.449 af 24.0" Round Culvert n=0.013 L=140.0' S=0.0051 '/' Outflow=3.1 cfs 0.449 af
Pond 1P: Storage & SF 1 - 27" cartridges	Peak Elev=48.30' Storage=2,203 cf Inflow=2.4 cfs 0.197 af Primary=0.0 cfs 0.077 af Secondary=2.4 cfs 0.119 af Outflow=2.4 cfs 0.196 af
Pond 1R: ESMH 2223 18" SS	Peak Elev=40.93' Inflow=4.7 cfs 0.578 af 15.0" Round Culvert n=0.013 L=54.5' S=0.0406 '/' Outflow=4.7 cfs 0.578 af
Pond 2P: Future Lot 2 Storage & SF 2 - 27"	Peak Elev=47.35' Storage=6,072 cf Inflow=3.3 cfs 0.268 af Primary=0.0 cfs 0.097 af Secondary=0.8 cfs 0.155 af Outflow=0.9 cfs 0.253 af
Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street	Inflow=17.1 cfs 1.590 af Primary=17.1 cfs 1.590 af
Link POA-2: City Combined Infrastructure, Myrtle Street	Inflow=5.1 cfs 0.410 af Primary=5.1 cfs 0.410 af

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Type III 24-hr 10-YEAR Rainfall=4.60"

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Total Runoff Area = 5.574 ac Runoff Volume = 2.016 af Average Runoff Depth = 4.34"
0.69% Pervious = 0.038 ac 99.31% Impervious = 5.535 ac

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Summary for Subcatchment 10.1S: Offsite Area

Runoff = 15.8 cfs @ 12.08 hrs, Volume= 1.290 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	120,567	98	Paved parking & Roofs
	630	39	>75% Grass cover, Good, HSG A
	121,197	98	Weighted Average
	630		0.52% Pervious Area
	120,567		99.48% Impervious Area

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

Summary for Subcatchment 10.2S:

Runoff = 3.1 cfs @ 12.08 hrs, Volume= 0.251 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	23,617	98	Paved parking & Roofs
	23,617		100.00% Impervious Area

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

Summary for Subcatchment 10.3S:

Runoff = 4.2 cfs @ 12.08 hrs, Volume= 0.342 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	32,101	98	Paved parking & Roofs
	32,101		100.00% Impervious Area

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

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Summary for Subcatchment 10.4S:

Runoff = 2.1 cfs @ 12.08 hrs, Volume= 0.167 af, Depth= 5.21"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	15,950	98	Paved parking & Roofs
	791	39	>75% Grass cover, Good, HSG A
	16,741	95	Weighted Average
	791		4.72% Pervious Area
	15,950		95.28% Impervious Area

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

Summary for Subcatchment 20.1S: Offsite Area

Runoff = 0.2 cfs @ 12.08 hrs, Volume= 0.018 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	1,685	98	Paved parking & Roofs
	1,685		100.00% Impervious Area

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

Summary for Subcatchment 20.2S: Offsite Area

Runoff = 6.2 cfs @ 12.08 hrs, Volume= 0.505 af, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-YEAR Rainfall=5.80"

	Area (sf)	CN	Description
*	47,200	98	Paved parking & Roofs
	251	39	>75% Grass cover, Good, HSG A
	47,451	98	Weighted Average
	251		0.53% Pervious Area
	47,200		99.47% Impervious Area

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Type III 24-hr 25-YEAR Rainfall=5.80"

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

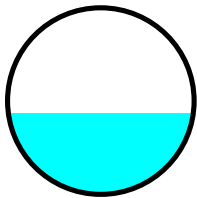
Summary for Reach 2R: Proposed Storm Drain

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth > 5.54" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af
 Outflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af, Atten= 0%, Lag= 0.1 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.15 fps, Min. Travel Time= 0.2 min
 Avg. Velocity= 0.98 fps, Avg. Travel Time= 0.8 min

Peak Storage= 35 cf @ 12.10 hrs
 Average Depth at Peak Storage= 0.65'
 Bank-Full Depth= 1.50' Flow Area= 1.8 sf, Capacity= 7.8 cfs

18.0" Round Pipe
 n= 0.013
 Length= 47.0' Slope= 0.0055 '/
 Inlet Invert= 42.36', Outlet Invert= 42.10'

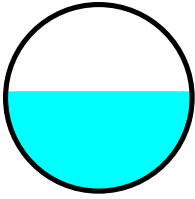
**Summary for Reach 3R: Proposed Storm Drain**

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth > 5.54" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.09 hrs, Volume= 0.250 af
 Outflow = 3.1 cfs @ 12.10 hrs, Volume= 0.250 af, Atten= 1%, Lag= 0.5 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.56 fps, Min. Travel Time= 0.7 min
 Avg. Velocity= 1.10 fps, Avg. Travel Time= 2.7 min

Peak Storage= 119 cf @ 12.10 hrs
 Average Depth at Peak Storage= 0.67'
 Bank-Full Depth= 1.25' Flow Area= 1.2 sf, Capacity= 5.4 cfs

15.0" Round Pipe
 n= 0.013
 Length= 178.0' Slope= 0.0071 '/
 Inlet Invert= 43.87', Outlet Invert= 42.61'



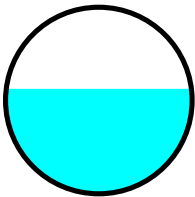
Summary for Reach 4R: Proposed Storm Drain

Inflow Area = 0.737 ac, 100.00% Impervious, Inflow Depth > 5.31" for 25-YEAR event
 Inflow = 3.0 cfs @ 12.16 hrs, Volume= 0.326 af
 Outflow = 3.0 cfs @ 12.16 hrs, Volume= 0.326 af, Atten= 0%, Lag= 0.1 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Max. Velocity= 4.28 fps, Min. Travel Time= 0.0 min
 Avg. Velocity = 1.14 fps, Avg. Travel Time= 0.1 min

Peak Storage= 7 cf @ 12.16 hrs
 Average Depth at Peak Storage= 0.70'
 Bank-Full Depth= 1.25' Flow Area= 1.2 sf, Capacity= 5.0 cfs

15.0" Round Pipe
 n= 0.013
 Length= 10.0' Slope= 0.0060 '/
 Inlet Invert= 42.67', Outlet Invert= 42.61'



Summary for Pond 1.1R: DMH-1.1

Inflow Area = 1.663 ac, 98.91% Impervious, Inflow Depth > 5.36" for 25-YEAR event
 Inflow = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af
 Outflow = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2
 Peak Elev= 43.16' @ 12.15 hrs
 Flood Elev= 48.60'

Device	Routing	Invert	Outlet Devices
#1	Primary	41.69'	24.0" Round Culvert L= 7.7' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 41.65' / 41.69' S= -0.0052 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 3.14 sf

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Type III 24-hr 25-YEAR Rainfall=5.80"

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Primary OutFlow Max=7.2 cfs @ 12.15 hrs HW=43.16' TW=41.78' (Dynamic Tailwater)↑**1=Culvert** (Barrel Controls 7.2 cfs @ 3.93 fps)**Summary for Pond 1.2R: DMH 1.2**

Inflow Area = 1.279 ac, 100.00% Impervious, Inflow Depth > 5.41" for 25-YEAR event
 Inflow = 5.6 cfs @ 12.15 hrs, Volume= 0.576 af
 Outflow = 5.6 cfs @ 12.15 hrs, Volume= 0.576 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.6 cfs @ 12.15 hrs, Volume= 0.576 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 43.82' @ 12.15 hrs

Flood Elev= 52.50'

Device	Routing	Invert	Outlet Devices
#1	Primary	42.51'	24.0" Round Culvert L= 140.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 42.51' / 41.79' S= 0.0051 ' S= 0.0051 ' Cc= 0.900 n= 0.013, Flow Area= 3.14 sf

Primary OutFlow Max=5.6 cfs @ 12.15 hrs HW=43.82' TW=43.15' (Dynamic Tailwater)↑**1=Culvert** (Outlet Controls 5.6 cfs @ 3.62 fps)**Summary for Pond 1P: Storage & SF 1 - 27" cartridges**

Inflow Area = 0.542 ac, 100.00% Impervious, Inflow Depth = 5.56" for 25-YEAR event
 Inflow = 3.1 cfs @ 12.08 hrs, Volume= 0.251 af
 Outflow = 3.1 cfs @ 12.09 hrs, Volume= 0.250 af, Atten= 0%, Lag= 0.4 min
 Primary = 0.0 cfs @ 11.19 hrs, Volume= 0.078 af
 Secondary = 3.0 cfs @ 12.09 hrs, Volume= 0.172 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 48.35' @ 12.09 hrs Surf.Area= 314 sf Storage= 2,219 cf

Plug-Flow detention time= 351.2 min calculated for 0.250 af (100% of inflow)

Center-of-Mass det. time= 348.2 min (1,093.8 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	44.55'	2,262 cf	48.0" Round Pipe Storage x 2 L= 90.0'

Device	Routing	Invert	Outlet Devices (Turned on 2 times)
#1	Primary	44.05'	Tube/Siphon/Float Valve X 3.00 0.380" Diameter, C= 0.600, 0.263" Trickle Diameter Starts@46.80' Breaks@44.92'
#2	Secondary	44.55'	12.0" Round Culvert L= 4.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 44.55' / 44.43' S= 0.0300 ' S= 0.0300 ' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#3	Device 2	48.02'	5.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)

19371-01 POST LOT 1

Type III 24-hr 25-YEAR Rainfall=5.80"

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Primary OutFlow Max=0.0 cfs @ 11.19 hrs HW=48.08' TW=44.05' (Dynamic Tailwater)↑**1=Tube/Siphon/Float Valve** (Orifice Controls 0.0 cfs @ 9.66 fps)**Secondary OutFlow** Max=3.0 cfs @ 12.09 hrs HW=48.35' TW=44.54' (Dynamic Tailwater)↑**2=Culvert** (Passes 3.0 cfs of 6.9 cfs potential flow)↑**3=Sharp-Crested Rectangular Weir** (Weir Controls 3.0 cfs @ 1.88 fps)**Summary for Pond 1R: ESMH 2223 18" SS**

Inflow Area = 1.663 ac, 98.91% Impervious, Inflow Depth > 5.36" for 25-YEAR event
 Inflow = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af
 Outflow = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.2 cfs @ 12.15 hrs, Volume= 0.743 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 41.78' @ 12.15 hrs

Flood Elev= 48.67'

Device	Routing	Invert	Outlet Devices
#1	Primary	39.67'	15.0" Round Culvert L= 54.5' Ke= 0.500 Inlet / Outlet Invert= 39.67' / 37.46' S= 0.0406 '/' Cc= 0.900 n= 0.013 Clay tile, Flow Area= 1.23 sf

Primary OutFlow Max=7.2 cfs @ 12.15 hrs HW=41.78' TW=0.00' (Dynamic Tailwater)↑**1=Culvert** (Inlet Controls 7.2 cfs @ 5.86 fps)**Summary for Pond 2P: Future Lot 2 Storage & SF 2 - 27" cartridges**

Inflow Area = 0.737 ac, 100.00% Impervious, Inflow Depth = 5.56" for 25-YEAR event
 Inflow = 4.2 cfs @ 12.08 hrs, Volume= 0.342 af
 Outflow = 3.0 cfs @ 12.16 hrs, Volume= 0.326 af, Atten= 27%, Lag= 4.5 min
 Primary = 0.0 cfs @ 12.12 hrs, Volume= 0.099 af
 Secondary = 3.0 cfs @ 12.16 hrs, Volume= 0.227 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs / 2

Peak Elev= 47.80' @ 12.16 hrs Surf.Area= 565 sf Storage= 6,462 cf

Plug-Flow detention time= 437.5 min calculated for 0.326 af (95% of inflow)

Center-of-Mass det. time= 410.8 min (1,156.5 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	42.95'	6,519 cf	60.0" Round Pipe Storage x 2 L= 166.0'

Device	Routing	Invert	Outlet Devices (Turned on 1 times)
#1	Secondary	42.95'	12.0" Round Culvert L= 4.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 42.95' / 42.93' S= 0.0050 '/' Cc= 0.900 n= 0.012 Corrugated PP, smooth interior, Flow Area= 0.79 sf
#2	Primary	42.45'	Tube/Siphon/Float Valve X 4.00

19371-01 POST LOT 1

Type III 24-hr 25-YEAR Rainfall=5.80"

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0.387" Diameter, C= 0.600, 0.263" Trickle Diameter
Starts@45.20' Breaks@43.32'
#3 Device 1 45.50' **5.0" Vert. Orifice WQV** C= 0.600
#4 Device 1 47.55' **5.0' long Sharp-Crested Vee/Trap Weir** Cv= 2.62 (C= 3.28)

Primary OutFlow Max=0.0 cfs @ 12.12 hrs HW=47.62' TW=43.10' (Dynamic Tailwater)↑ **2=Tube/Siphon/Float Valve** (Orifice Controls 0.0 cfs @ 10.24 fps)**Secondary OutFlow** Max=3.0 cfs @ 12.16 hrs HW=47.80' TW=43.37' (Dynamic Tailwater)↑ **1=Culvert** (Passes 3.0 cfs of 7.9 cfs potential flow)↑ **3=Orifice WQV** (Orifice Controls 0.9 cfs @ 6.96 fps)↑ **4=Sharp-Crested Vee/Trap Weir** (Weir Controls 2.0 cfs @ 1.64 fps)**Summary for Link POA-1: City Combined Infrastructure, ESMH- 2150 Pearl Street**

Inflow Area = 4.446 ac, 99.27% Impervious, Inflow Depth > 5.49" for 25-YEAR event
Inflow = 21.8 cfs @ 12.09 hrs, Volume= 2.033 af
Primary = 21.8 cfs @ 12.09 hrs, Volume= 2.033 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs

Summary for Link POA-2: City Combined Infrastructure, Myrtle Street

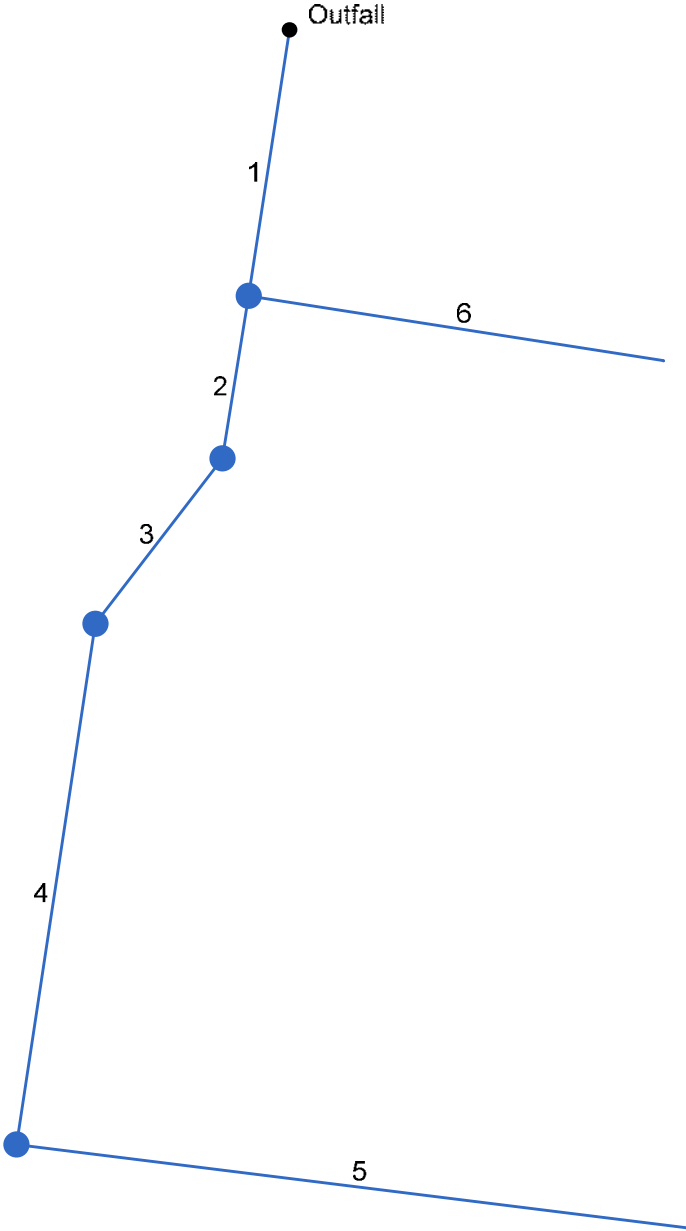
Inflow Area = 1.128 ac, 99.49% Impervious, Inflow Depth = 5.56" for 25-YEAR event
Inflow = 6.4 cfs @ 12.08 hrs, Volume= 0.523 af
Primary = 6.4 cfs @ 12.08 hrs, Volume= 0.523 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-60.00 hrs, dt= 0.01 hrs

Appendix 2C

Hydrologic Modeling - Pipe Sizing Calculations And Model Summary

Hydraflow Storm Sewers Extension for Autodesk® AutoCAD® Civil 3D® Plan



Storm Sewer Inventory Report

Line No.	Alignment				Flow Data				Physical Data								Line ID
	Dnstr Line No.	Line Length (ft)	Defl angle (deg)	Junc Type	Known Q (cfs)	Drng Area (ac)	Runoff Coeff (C)	Inlet Time (min)	Invert El Dn (ft)	Line Slope (%)	Invert El Up (ft)	Line Size (in)	Line Shape	N Value (n)	J-Loss Coeff (K)	Inlet/ Rim El (ft)	
1	End	51.308	97.874	MH	4.00	0.00	0.00	0.0	41.35	0.58	41.65	18	Cir	0.012	1.00	50.00	SD-1
2	1	31.419	0.527	MH	0.00	0.00	0.00	0.0	42.00	0.60	42.19	15	Cir	0.012	0.50	50.00	SD-1.1
3	2	38.311	26.089	MH	0.00	0.00	0.00	0.0	42.29	0.55	42.50	15	Cir	0.012	0.51	50.00	SD-2
4	3	100.458	-26.722	MH	0.00	0.00	0.00	0.0	42.60	0.48	43.08	15	Cir	0.012	1.00	50.00	SD-3
5	4	116.027	-89.871	None	0.90	0.00	0.00	0.0	43.18	0.58	43.85	15	Cir	0.012	1.00	0.00	SD-4
6	1	72.173	-87.999	None	2.50	0.00	0.00	0.0	42.00	0.62	42.45	15	Cir	0.012	1.00	0.00	SD-5
Project File: 19371 SSA.stm												Number of lines: 6				Date: 7/21/2022	

Structure Report

Struct No.	Structure ID	Junction Type	Rim Elev (ft)	Structure			Line Out			Line In		
				Shape	Length (ft)	Width (ft)	Size (in)	Shape	Invert (ft)	Size (in)	Shape	Invert (ft)
1	DMH-1	Manhole	50.00	Cir	4.00	4.00	18	Cir	41.65	15 15	Cir Cir	42.00 42.00
2	DMH-1B	Manhole	50.00	Cir	4.00	4.00	15	Cir	42.19	15	Cir	42.29
3	DMH-2	Manhole	50.00	Cir	4.00	4.00	15	Cir	42.50	15	Cir	42.60
4	DMH-3	Manhole	50.00	Cir	4.00	4.00	15	Cir	43.08	15	Cir	43.18
5	Null Structure	None	0.00	n/a	n/a	n/a	15	Cir	43.85			
6	Null Structure	None	0.00	n/a	n/a	n/a	15	Cir	42.45			
Project File: 19371 SSA.stm							Number of Structures: 6			Run Date: 7/21/2022		

Storm Sewer Summary Report

Line No.	Line ID	Flow rate (cfs)	Line Size (in)	Line shape	Line length (ft)	Invert EL Dn (ft)	Invert EL Up (ft)	Line Slope (%)	HGL Down (ft)	HGL Up (ft)	Minor loss (ft)	HGL Junct (ft)	Dns Line No.	Junction Type
1	SD-1	7.40	18	Cir	51.308	41.35	41.65	0.585	42.40	42.72	0.47	43.19	End	Manhole
2	SD-1.1	0.90	15	Cir	31.419	42.00	42.19	0.605	43.19	42.56	n/a	42.56	1	Manhole
3	SD-2	0.90	15	Cir	38.311	42.29	42.50	0.548	42.64	42.87	n/a	42.87	2	Manhole
4	SD-3	0.90	15	Cir	100.458	42.60	43.08	0.478	42.97	43.45	n/a	43.45	3	Manhole
5	SD-4	0.90	15	Cir	116.027	43.18	43.85	0.577	43.53	44.22	n/a	44.22	4	None
6	SD-5	2.50	15	Cir	72.173	42.00	42.45	0.624	43.19	43.08	n/a	43.08	1	None
Project File: 19371 SSA.stm									Number of lines: 6			Run Date: 7/21/2022		
NOTES: Return period = 10 Yrs.														

Inlet Report

Line No	Inlet ID	Q = CIA (cfs)	Q carry (cfs)	Q capt (cfs)	Q Byp (cfs)	Junc Type	Curb Inlet		Grate Inlet			Gutter							Inlet			Byp Line No
							Ht (in)	L (ft)	Area (sqft)	L (ft)	W (ft)	So (ft/ft)	W (ft)	Sw (ft/ft)	Sx (ft/ft)	n	Depth (ft)	Spread (ft)	Depth (ft)	Spread (ft)	Depr (in)	
1	DMH-1	4.00*	0.00	0.00	4.00	MH	0.0	2.00	0.00	2.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
2	DMH-1B	0.00	0.00	0.00	0.00	MH	0.0	2.00	0.00	2.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
3	DMH-2	0.00	0.00	0.00	0.00	MH	0.0	2.00	0.00	2.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
4	DMH-3	0.00	0.00	0.00	0.00	MH	0.0	2.00	0.00	2.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
5	Null Structure	0.90*	0.00	0.00	0.90	None	0.0	0.00	0.00	0.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off
6	Null Structure	2.50*	0.00	0.00	2.50	None	0.0	0.00	0.00	0.00	0.00	0.000	0.00	0.000	0.000	0.000	0.00	0.00	0.00	0.00	0.0	Off

Project File: 19371 SSA.stm

Number of lines: 6

Run Date: 7/21/2022

NOTES: Inlet N-Values = 0.016; Intensity = 32.56 / (Inlet time + 8.60) ^ 0.70; Return period = 10 Yrs. ; * Indicates Known Q added. All curb inlets are throat.

Hydraulic Grade Line Computations

Line	Size (in)	Q (cfs)	Downstream								Len (ft)	Upstream								Check		JL coeff (K)	Minor loss (ft)
			Invert elev (ft)	HGL elev (ft)	Depth (ft)	Area (sqft)	Vel (ft/s)	Vel head (ft)	EGL elev (ft)	Sf (%)		Invert elev (ft)	HGL elev (ft)	Depth (ft)	Area (sqft)	Vel (ft/s)	Vel head (ft)	EGL elev (ft)	Sf (%)	Ave Sf (%)	Enrgy loss (ft)		
1	18	7.40	41.35	42.40	1.05	1.33	5.58	0.48	42.89	0.599	51.308	41.65	42.72	1.07	1.35	5.47	0.47	43.19	0.570	0.585	0.300	1.00	0.47
2	15	0.90	42.00	43.19	1.19	0.31	0.75	0.13	43.32	0.000	31.419	42.19	42.56	0.37**	0.31	2.94	0.13	42.70	0.000	0.000	n/a	0.50	n/a
3	15	0.90	42.29	42.64	0.35*	0.28	3.17	0.13	42.78	0.000	38.311	42.50	42.87	0.37**	0.31	2.94	0.13	43.01	0.000	0.000	n/a	0.51	n/a
4	15	0.90	42.60	42.97	0.37*	0.30	3.01	0.13	43.10	0.000	100.458	43.08	43.45	0.37**	0.31	2.94	0.13	43.59	0.000	0.000	n/a	1.00	n/a
5	15	0.90	43.18	43.53	0.35*	0.28	3.22	0.13	43.66	0.000	116.027	43.85	44.22	0.37**	0.31	2.94	0.13	44.36	0.000	0.000	n/a	1.00	n/a
6	15	2.50	42.00	43.19	1.19	0.62	2.08	0.25	43.44	0.000	72.173	42.45	43.08	0.63**	0.62	4.01	0.25	43.33	0.000	0.000	n/a	1.00	n/a
Project File: 19371 SSA.stm														Number of lines: 6					Run Date: 7/21/2022				
Notes: * depth assumed; ** Critical depth. ; c = cir e = ellip b = box																							

Appendix 3

Inspection, Maintenance and Housekeeping Plan



INSPECTION, MAINTENANCE, AND HOUSEKEEPING PLAN

For:

Lot 1 385 Congress Street
Portland, Maine

By:

Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine

Introduction

The following plan outlines the anticipated inspection and maintenance procedures for the erosion and sedimentation control measures and stormwater management facilities for the project. This plan outlines housekeeping requirements that shall be followed during and after construction. These procedures shall be followed in order to ensure the intended function of the designed measures and to prevent unreasonably adverse impacts to the surrounding environment.

The procedures outlined in this Inspection, Maintenance and Housekeeping Plan are provided as an overview of the anticipated practices to be used on this site. In some instances, additional measures may be required due to unexpected conditions. For additional detail on any of the erosion and sedimentation control measures or stormwater management devices to be utilized on this project, refer to the most recently revised edition of the "Maine Erosion and Sedimentation Control BMP" manual and/or the "Stormwater Management for Maine: Best Management Practices" manual as published by the Maine Department of Environmental Protection (MDEP).

During Construction

1. **Inspection:** During construction, it is the Contractor's responsibility to comply with the inspection and maintenance procedures outlined in this section. These responsibilities include inspecting disturbed and impervious areas, erosion control measures, materials storage areas that are exposed to precipitation, and locations where vehicles enter or exit the site. These areas shall be inspected at least once a week as well as before and after a storm event (0.5" of rainfall), and prior to completing permanent stabilization measures. A person with knowledge of erosion and stormwater control, including the standards and conditions in any applicable permits, shall conduct the inspections.
2. **Maintenance:** All measures shall be maintained in an effective operating condition until areas are permanently stabilized. If Best Management Practices (BMPs) need to be maintained or modified, additional BMPs are necessary, or other corrective action is needed, implementation must be completed within 7 calendar days and prior to any storm event (0.5" of rainfall).
3. **Documentation:** A log summarizing the inspections and any corrective action taken must be maintained on-site. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of erosion and sedimentation controls, material storage areas, and vehicle access points to the site. Major observations must include BMPs that need maintenance, BMPs that failed

to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. The permittee shall retain a copy of the log for a period of at least three years from the completion of permanent stabilization.

4. **Specific Inspection and Maintenance Tasks:** The following is a list of erosion control and stormwater management measures and the specific inspection and maintenance tasks to be performed during construction.

A. Sediment Barriers:

- Hay bale barriers, silt fences, and filter berms shall be inspected immediately after each rainfall and at least daily during prolonged rainfall.
- If the fabric on a silt fence or filter barrier should decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, it shall be replaced.
- Sediment deposits should be removed after each storm event (0.5" of rainfall). They must be removed before deposits reach approximately one-half the height of the barrier.
- Filter berms shall 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.

B. Erosion Control Blankets:

- Inspect these reinforced areas semi-annually and after significant rainfall events for slumping, sliding, seepage, and scour. Pay close attention to unreinforced areas adjacent to the erosion control blankets, which may experience accelerated erosion.
- Review all applicable inspection and maintenance procedures recommended by the specific blanket manufacturer. These tasks shall be included in addition to the requirements of this plan.

C. Stabilized Construction Entrances/Exits:

- 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. The entrance should then be reconstructed.
- Areas that have received mud-tracking or sediment deposits shall be swept or washed. Washing shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device (not into storm drains, ditches, or waterways).

D. Temporary Seed and Mulch:

- Mulched areas should be inspected after rain events to check for rill erosion.
- If less than 90% of the soil surface is covered by mulch, additional mulch shall be applied in bare areas.
- In applications where seeding and mulch have been applied in conjunction with erosion control blankets, the blankets must be inspected after rain events for dislocation or undercutting.
- Mulch shall continue to be reapplied until 95% of the soil surface has established temporary vegetative cover.

E. Stabilized Temporary Drainage Swales:

- Sediment accumulation in the swale shall be removed once the cross section of the swale is reduced by 25%.
- The swales shall be inspected after rainfall events. Any evidence of sloughing of the side slopes or channel erosion shall be repaired and corrective action should be taken to prevent reoccurrence of the problem.
- In addition to the stabilized lining of the channel (i.e., erosion control blankets), stone check dams may be needed to further reduce channel velocity.

F. Catch basins:

- Inspect and, if required, clean-out basins at least once a year, preferably in early spring.
- Cleaning of catch basins will be required when sediment of at least 6 inches accumulates in the sump.
- Clean out must include the removal and legal disposal of accumulated sediments and debris at the bottom of the basin, at any inlet grates, at any inflow channels to the basin, and at any pipes between basins.

G. Stormfilter:

- Refer to Contech – Stormfilter operation manual for guidance on required maintenance and inspection.

5. **Housekeeping:** The following general performance standards apply to the proposed project.

- A. Spill prevention: Controls must be used to prevent pollutants from being discharged from materials on-site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
- B. Groundwater protection: During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors, accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to

isolate portions of the site for the purposes of storage and handling of these materials.

- C. Fugitive sediment and dust: Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control.
- D. Debris and other materials: Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
- E. Trench or foundation dewatering: Trench dewatering is the removal of water from trenches, foundations, cofferdams, ponds, and other areas within the construction area that retain water after excavation. In most cases, the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved.

Post-Construction

- 1. **Inspection**: After construction, it is the responsibility of the owner or assigned heirs to comply with the inspection and maintenance procedures outlined in this section. All measures must be maintained in effective operating condition. The owner shall inspect and maintain the BMPs, including but not limited to any parking areas, catch basins, drainage swales, treatment and detention systems, pipes and related structures, in accordance with municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
- 2. **Specific Inspection and Maintenance Tasks**: The following is a list of permanent erosion control and stormwater management measures and the inspection and maintenance tasks to be performed after construction. If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the local municipality in the annual report.
 - A. Vegetated Areas:
 - Inspect vegetated areas, particularly slopes and embankments, early in the growing season or after heavy rains (>0.5") to identify active or potential erosion problems.
 - Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows.

B. Removal of Winter Sand:

- Clear accumulations of winter sand in parking lots.
- Accumulations on pavement may be removed by pavement sweeping.

3. Documentation:

- A. The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, as required by the local municipality, provide a completed and signed certification on a form provided by the local municipality, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they required maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- B. A log summarizing the inspections and any corrective action taken must be maintained. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of controls. Major observations must include BMPs that need maintenance, BMPs that failed to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. A sample "Stormwater Inspection and Maintenance Form" has been included as Attachment 1 of this Inspection, Maintenance, and Housekeeping Plan.

- 4. Duration of Maintenance:** Perform maintenance as described and required for any associated permits unless and until the system is formally accepted by a municipality or quasi-municipal district, or is placed under the jurisdiction of a legally created association that will be responsible for the maintenance of the system. Upon such assumption of responsibility, the association becomes a co-permittee for this purpose only and must comply with all terms and conditions of the permit.

ATTACHMENT 1 – STORMWATER INSPECTION AND MAINTENANCE LOG

Lot 1 385 Congress Street Portland, Maine

This log is intended to accompany the Inspection, Maintenance, and Housekeeping Plan for the development at 385 Congress Street in Portland, Maine. The following items shall be checked, cleaned, and maintained on a regular basis as specified in the Maintenance Plan and as described in the sections below. This log shall be kept on file for a minimum of five (5) years and shall be available for review by the City of Portland. Qualified personnel familiar with the drainage systems shall perform the inspections. A copy of the construction and post-construction maintenance logs are provided.

General Site

INSPECTION MAINTENANCE AND HOUSEKEEPING FORM			
General Information			
Project Name:		Inspection Date:	
Project Location:		Current Weather:	
		Date / Amount Last Precip:	
BMP Owner:		Company conducting inspection:	
Owner Mailing Address:		Company Mailing Address	
Owner Phone #:		Company Phone #:	
Owner Email:		Inspector Name:	
		Inspector Email:	
Site Element	Suggested Maintenance (recm'd frequency)	Observations	Inspection Notes/Recommended Action
Vegetated Areas	Inspect Slopes/Embankments for erosion (annually)		
	Replant bare areas or areas of sparse growth (annually)		
Paved Surfaces	Clear accumulated winter sand (annually)		
	Remove sediment along edges of parking and within low spots/pockets (annually)		
Ditches/Swales	Remove obstructions/debris/sediment (monthly)		
	Inspect for erosion/repair as needed (annually)		
	Remove woody vegetation (annually)		
	Mow vegetated ditches (annually)		
Catch Basins	Remove sediment/debris from sump (annually)		
Culverts	Remove sediment/debris from inlet/outlet aprons (annually)		
	Inspect inlet/outlet aprons for erosion, repair as needed (annually)		
	Inspect, repair as needed, riprap aprons for dislodged/sparse coverage (annually)		
Pipe Outlets	Remove sediment/debris from outlet aprons (annually)		
	Inspect outlet aprons for erosion, repair as needed (annually)		
	Inspect, repair as needed, riprap aprons for dislodged/sparse coverage (annually)		
Additional Notes/Observations:			

Contech Stormfilter

INSPECTION MAINTENANCE AND HOUSEKEEPING FORM			
General Information			
Project Name:		Inspection Date:	
Project Location:		Current Weather:	
		Date / Amount Last Precip:	
BMP Owner:		Company conducting inspection:	
Owner Mailing Address:		Company Mailing Address	
Owner Phone #:		Company Phone #:	
Owner Email:		Inspector Name:	
		Inspector Email:	
BMP Element	Suggested Maintenance	Observations	Inspection Notes/Recommended Action
Pretreatment			
	Sediment Depth/Removal (Annually)		
Outlet Control Structure			
	Sediment Depth (Annually)		
	Floatables/Debris (Annually)		
Discharge Pipe			
	Ground Stabilized (>1" rain, Annually)		
Stormfilter Cartridges			
	Sediment Removal (Annually)		
	Cartridge Replacement (1-5 Years)		
Additional Notes/Observations:			

StormFilter Inspection and Maintenance Procedures



Maintenance Guidelines

The primary purpose of the Stormwater Management StormFilter® is to filter and prevent pollutants from entering our waterways. Like any effective filtration system, periodically these pollutants must be removed to restore the StormFilter to its full efficiency and effectiveness.

Maintenance requirements and frequency are dependent on the pollutant load characteristics of each site. Maintenance activities may be required in the event of a chemical spill or due to excessive sediment loading from site erosion or extreme storms. It is a good practice to inspect the system after major storm events.

Maintenance Procedures

Although there are many effective maintenance options, we believe the following procedure to be efficient, using common equipment and existing maintenance protocols. The following two-step procedure is recommended::

1. Inspection

- Inspection of the vault interior to determine the need for maintenance.

2. Maintenance

- Cartridge replacement
- Sediment removal

Inspection and Maintenance Timing

At least one scheduled inspection should take place per year with maintenance following as warranted.

First, an inspection should be done before the winter season. During the inspection the need for maintenance should be determined and, if disposal during maintenance will be required, samples of the accumulated sediments and media should be obtained.

Second, if warranted, a maintenance (replacement of the filter cartridges and removal of accumulated sediments) should be performed during periods of dry weather.

In addition to these two activities, it is important to check the condition of the StormFilter unit after major storms for potential damage caused by high flows and for high sediment accumulation that may be caused by localized erosion in the drainage area. It may be necessary to adjust the inspection/maintenance schedule depending on the actual operating conditions encountered by the system. In general, inspection activities can be conducted at any time, and maintenance should occur, if warranted, during dryer months in late summer to early fall.

Maintenance Frequency

The primary factor for determining frequency of maintenance for the StormFilter is sediment loading.

A properly functioning system will remove solids from water by trapping particulates in the porous structure of the filter media inside the cartridges. The flow through the system will naturally decrease as more and more particulates are trapped. Eventually the flow through the cartridges will be low enough to require replacement. It may be possible to extend the usable span of the cartridges by removing sediment from upstream trapping devices on a routine as-needed basis, in order to prevent material from being re-suspended and discharged to the StormFilter treatment system.

The average maintenance lifecycle is approximately 1-5 years. Site conditions greatly influence maintenance requirements. StormFilter units located in areas with erosion or active construction may need to be inspected and maintained more often than those with fully stabilized surface conditions.

Regulatory requirements or a chemical spill can shift maintenance timing as well. The maintenance frequency may be adjusted as additional monitoring information becomes available during the inspection program. Areas that develop known problems should be inspected more frequently than areas that demonstrate no problems, particularly after major storms. Ultimately, inspection and maintenance activities should be scheduled based on the historic records and characteristics of an individual StormFilter system or site. It is recommended that the site owner develop a database to properly manage StormFilter inspection and maintenance programs..





Inspection Procedures

The primary goal of an inspection is to assess the condition of the cartridges relative to the level of visual sediment loading as it relates to decreased treatment capacity. It may be desirable to conduct this inspection during a storm to observe the relative flow through the filter cartridges. If the submerged cartridges are severely plugged, then typically large amounts of sediments will be present and very little flow will be discharged from the drainage pipes. If this is the case, then maintenance is warranted and the cartridges need to be replaced.

Warning: In the case of a spill, the worker should abort inspection activities until the proper guidance is obtained. Notify the local hazard control agency and Contech Engineered Solutions immediately.

To conduct an inspection:

Important: Inspection should be performed by a person who is familiar with the operation and configuration of the StormFilter treatment unit and the unit's role, relative to detention or retention facilities onsite.

1. If applicable, set up safety equipment to protect and notify surrounding vehicle and pedestrian traffic.
2. Visually inspect the external condition of the unit and take notes concerning defects/problems.
3. Open the access portals to the vault and allow the system vent.
4. Without entering the vault, visually inspect the inside of the unit, and note accumulations of liquids and solids.
5. Be sure to record the level of sediment build-up on the floor of the vault, in the forebay, and on top of the cartridges. If flow is occurring, note the flow of water per drainage pipe. Record all observations. Digital pictures are valuable for historical documentation.
6. Close and fasten the access portals.
7. Remove safety equipment.
8. If appropriate, make notes about the local drainage area relative to ongoing construction, erosion problems, or high loading of other materials to the system.
9. Discuss conditions that suggest maintenance and make decision as to whether or not maintenance is needed.

Maintenance Decision Tree

The need for maintenance is typically based on results of the inspection. The following Maintenance Decision Tree should be used as a general guide. (Other factors, such as Regulatory Requirements, may need to be considered).

Please note Stormwater Management StormFilter devices installed downstream of, or integrated within, a stormwater storage facility typically have different operational parameters (i.e. draindown time). In these cases, the inspector must understand the relationship between the retention/detention facility and the treatment system by evaluating site specific civil engineering plans, or contacting the engineer of record, and make adjustments to the below guidance as necessary. Sediment deposition depths and patterns within the StormFilter are likely to be quite different compared to systems without upstream storage and therefore shouldn't be used exclusively to evaluate a need for maintenance.

1. Sediment loading on the vault floor.
 - a. If $>4"$ of accumulated sediment, maintenance is required.
2. Sediment loading on top of the cartridge.
 - a. If $>1/4"$ of accumulation, maintenance is required.
3. Submerged cartridges.
 - a. If $>4"$ of static water above cartridge bottom for more than 24 hours after end of rain event, maintenance is required. (Catch basins have standing water in the cartridge bay.)
4. Plugged media.
 - a. While not required in all cases, inspection of the media within the cartridge may provide valuable additional information.
 - b. If pore space between media granules is absent, maintenance is required.
5. Bypass condition.
 - a. If inspection is conducted during an average rain fall event and StormFilter remains in bypass condition (water over the internal outlet baffle wall or submerged cartridges), maintenance is required.
6. Hazardous material release.
 - a. If hazardous material release (automotive fluids or other) is reported, maintenance is required.
7. Pronounced scum line.
 - a. If pronounced scum line (say $\geq 1/4"$ thick) is present above top cap, maintenance is required.

Maintenance

Depending on the configuration of the particular system, maintenance personnel will be required to enter the vault to perform the maintenance.

Important: If vault entry is required, OSHA rules for confined space entry must be followed.

Filter cartridge replacement should occur during dry weather. It may be necessary to plug the filter inlet pipe if base flows is occurring.

Replacement cartridges can be delivered to the site or customers facility. Information concerning how to obtain the replacement cartridges is available from Contech Engineered Solutions.

Warning: In the case of a spill, the maintenance personnel should abort maintenance activities until the proper guidance is obtained. Notify the local hazard control agency and Contech Engineered Solutions immediately.

To conduct cartridge replacement and sediment removal maintenance:

1. If applicable, set up safety equipment to protect maintenance personnel and pedestrians from site hazards.
2. Visually inspect the external condition of the unit and take notes concerning defects/problems.
3. Open the doors (access portals) to the vault and allow the system to vent.
4. Without entering the vault, give the inside of the unit, including components, a general condition inspection.
5. Make notes about the external and internal condition of the vault. Give particular attention to recording the level of sediment build-up on the floor of the vault, in the forebay, and on top of the internal components.
6. Using appropriate equipment offload the replacement cartridges (up to 150 lbs. each) and set aside.
7. Remove used cartridges from the vault using one of the following methods:

Method 1:

- A. This activity will require that maintenance personnel enter the vault to remove the cartridges from the under drain manifold and place them under the vault opening for lifting (removal). Disconnect each filter cartridge from the underdrain connector by rotating counterclockwise 1/4 of a turn. Roll the loose cartridge, on edge, to a convenient spot beneath the vault access.

Using appropriate hoisting equipment, attach a cable from the boom, crane, or tripod to the loose cartridge. Contact Contech Engineered Solutions for suggested attachment devices.

- B. Remove the used cartridges (up to 250 lbs. each) from the vault.



Important: Care must be used to avoid damaging the cartridges during removal and installation. The cost of repairing components damaged during maintenance will be the responsibility of the owner.

- C. Set the used cartridge aside or load onto the hauling truck.
- D. Continue steps a through c until all cartridges have been removed.

Method 2:

- A. This activity will require that maintenance personnel enter the vault to remove the cartridges from the under drain manifold and place them under the vault opening for lifting (removal). Disconnect each filter cartridge from the underdrain connector by rotating counterclockwise 1/4 of a turn. Roll the loose cartridge, on edge, to a convenient spot beneath the vault access.
- B. Unscrew the cartridge cap.
- C. Remove the cartridge hood and float.
- D. At location under structure access, tip the cartridge on its side.
- E. Empty the cartridge onto the vault floor. Reassemble the empty cartridge.
- F. Set the empty, used cartridge aside or load onto the hauling truck.
- G. Continue steps a through e until all cartridges have been removed.

8. Remove accumulated sediment from the floor of the vault and from the forebay. This can most effectively be accomplished by use of a vacuum truck.
9. Once the sediments are removed, assess the condition of the vault and the condition of the connectors.
10. Using the vacuum truck boom, crane, or tripod, lower and install the new cartridges. Once again, take care not to damage connections.
11. Close and fasten the door.
12. Remove safety equipment.
13. Finally, dispose of the accumulated materials in accordance with applicable regulations. Make arrangements to return the used **empty** cartridges to Contech Engineered Solutions.

Related Maintenance Activities - Performed on an as-needed basis

StormFilter units are often just one of many structures in a more comprehensive stormwater drainage and treatment system.

In order for maintenance of the StormFilter to be successful, it is imperative that all other components be properly maintained. The maintenance/repair of upstream facilities should be carried out prior to StormFilter maintenance activities.

In addition to considering upstream facilities, it is also important to correct any problems identified in the drainage area. Drainage area concerns may include: erosion problems, heavy oil loading, and discharges of inappropriate materials.

Material Disposal

The accumulated sediment found in stormwater treatment and conveyance systems must be handled and disposed of in accordance with regulatory protocols. It is possible for sediments to contain measurable concentrations of heavy metals and organic chemicals (such as pesticides and petroleum products). Areas with the greatest potential for high pollutant loading include industrial areas and heavily traveled roads.

Sediments and water must be disposed of in accordance with all applicable waste disposal regulations. When scheduling maintenance, consideration must be made for the disposal of solid and liquid wastes. This typically requires coordination with a local landfill for solid waste disposal. For liquid waste disposal a number of options are available including a municipal vacuum truck decant facility, local waste water treatment plant or on-site treatment and discharge.



Inspection Report

Date: _____ Personnel: _____

Location: _____ System Size: _____ Months in Service: _____

System Type: Vault ☐ Cast-In-Place ☐ Linear Catch Basin ☐ Manhole ☐ Other: _____

Sediment Thickness in Forebay: _____ Date: _____

Sediment Depth on Vault Floor: _____

Sediment Depth on Cartridge Top(s): _____

Structural Damage: _____

Estimated Flow from Drainage Pipes (if available): _____

Cartridges Submerged: Yes ☐ No ☐ Depth of Standing Water: _____

StormFilter Maintenance Activities (check off if done and give description)

☐ Trash and Debris Removal: _____

☐ Minor Structural Repairs: _____

☐ Drainage Area Report _____

Excessive Oil Loading: Yes ☐ No ☐ Source: _____

Sediment Accumulation on Pavement: Yes ☐ No ☐ Source: _____

Erosion of Landscaped Areas: Yes ☐ No ☐ Source: _____

Items Needing Further Work: _____

Owners should contact the local public works department and inquire about how the department disposes of their street waste residuals.

Other Comments:

Review the condition reports from the previous inspection visits.

StormFilter Maintenance Report

Date: _____ Personnel: _____

Location: _____ System Size: _____

System Type: Vault ☐ Cast-In-Place ☐ Linear Catch Basin ☐ Manhole ☐ Other: _____

List Safety Procedures and Equipment Used: _____

System Observations

Months in Service: _____

Oil in Forebay (if present): Yes ☐ No ☐

Sediment Depth in Forebay (if present): _____

Sediment Depth on Vault Floor: _____

Sediment Depth on Cartridge Top(s): _____

Structural Damage: _____

Drainage Area Report

Excessive Oil Loading: Yes ☐ No ☐ Source: _____

Sediment Accumulation on Pavement: Yes ☐ No ☐ Source: _____

Erosion of Landscaped Areas: Yes ☐ No ☐ Source: _____

StormFilter Cartridge Replacement Maintenance Activities

Remove Trash and Debris: Yes ☐ No ☐ Details: _____

Replace Cartridges: Yes ☐ No ☐ Details: _____

Sediment Removed: Yes ☐ No ☐ Details: _____

Quantity of Sediment Removed (estimate?): _____

Minor Structural Repairs: Yes ☐ No ☐ Details: _____

Residuals (debris, sediment) Disposal Methods: _____

Notes:



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Contech Engineered Solutions LLC provides site solutions for the civil engineering industry. Contech's portfolio includes bridges, drainage, sanitary sewer, stormwater and earth stabilization products. For information on other Contech division offerings, visit www.ContechES.com or call 800.338.1122.

Support

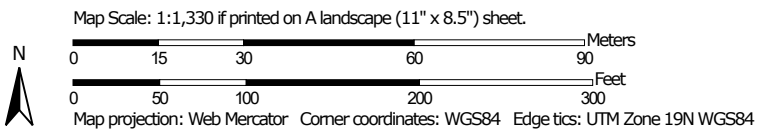
- Drawings and specifications are available at www.conteches.com.
- Site-specific design support is available from our engineers.

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Appendix 4

Subsurface Investigations

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



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey
Page 880

5/26/2022
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils



Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine

Survey Area Data: Version 18, Aug 31, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 22, 2021—Oct 7, 2021

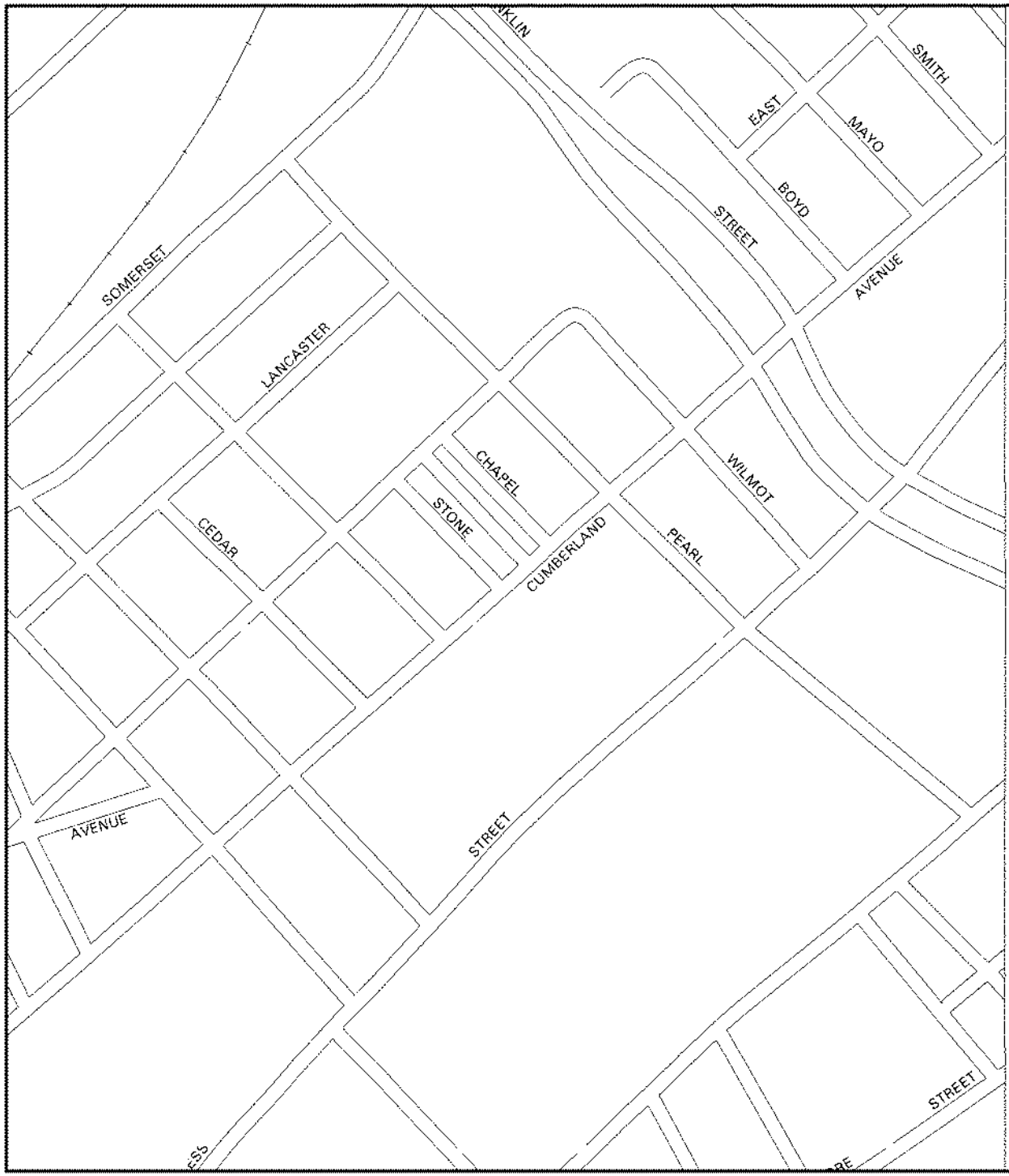
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

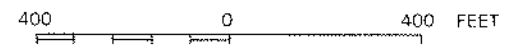
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	3.0	100.0%
Totals for Area of Interest		3.0	100.0%

Appendix 5

Flood Insurance Rate Map



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND, MAINE
CUMBERLAND COUNTY

PANEL 13 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0013 B

EFFECTIVE DATE:
JULY 17, 1986

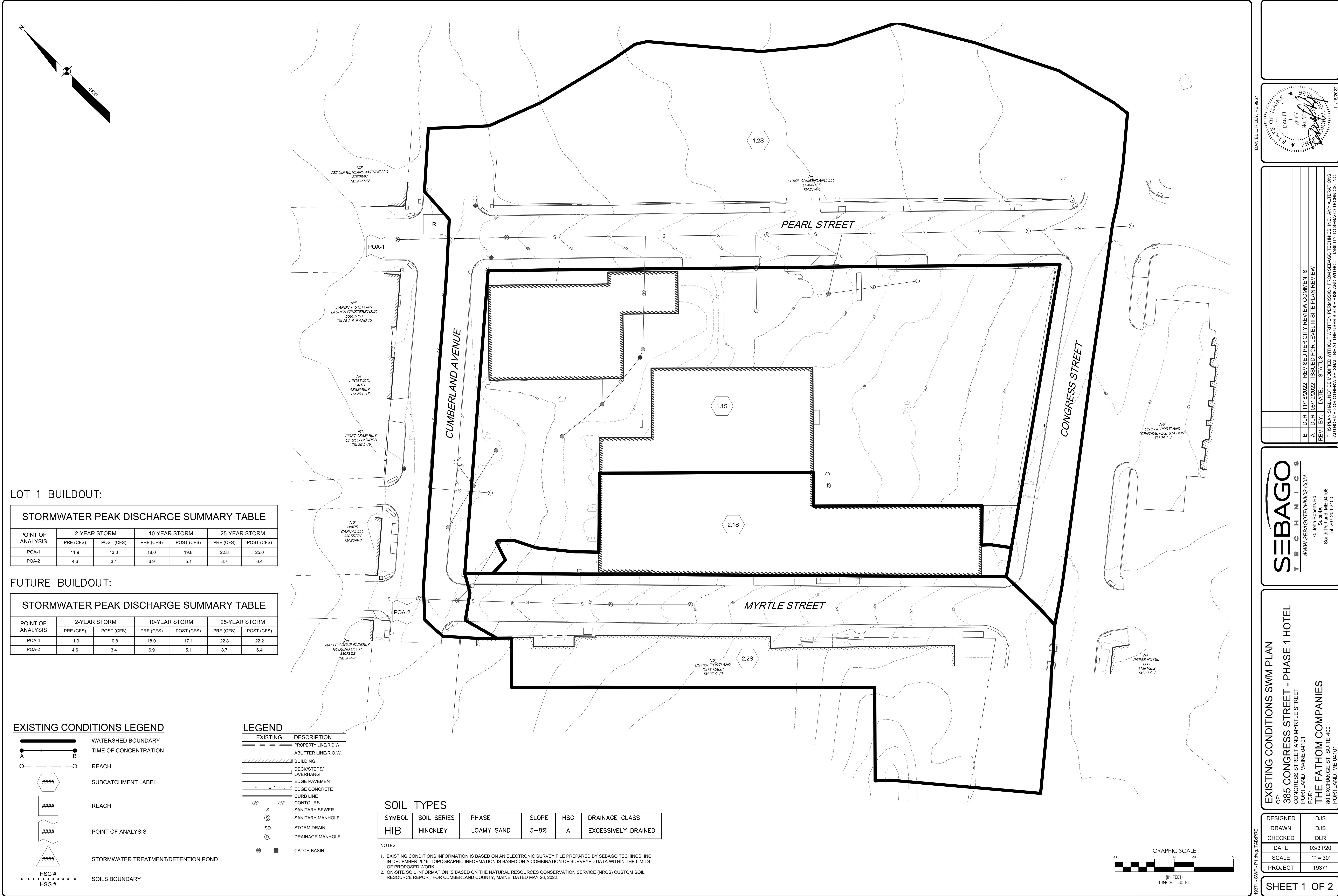


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Appendix 6

Stormwater Management Plans



LOT 1 BUILDOUT:

STORMWATER PEAK DISCHARGE SUMMARY TABLE						
POINT OF ANALYSIS	2-YEAR STORM		10-YEAR STORM		25-YEAR STORM	
	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)
POA-1	11.9	13.0	18.0	19.8	22.8	25.0
POA-2	4.6	3.4	6.9	5.1	8.7	6.4

FUTURE BUILDOUT:

STORMWATER PEAK DISCHARGE SUMMARY TABLE						
POINT OF ANALYSIS	2-YEAR STORM		10-YEAR STORM		25-YEAR STORM	
	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)
POA-1	11.9	10.8	18.0	17.1	22.8	22.2
POA-2	4.6	3.4	6.9	5.1	8.7	6.4

EXISTING CONDITIONS LEGEND

- WATERSHED BOUNDARY
- TIME OF CONCENTRATION
- REACH
- SUBCATCHMENT LABEL
- REACH
- POINT OF ANALYSIS
- STORMWATER TREATMENT/DETENTION POND
- HSG #
- SOILS BOUNDARY

LEGEND

- EXISTING
- DESCRIPTION
- PROPERTY LINE/R.O.W.
- ABUTTER LINE/R.O.W.
- BUILDING
- DECK/STEPS/ OVERHANG
- EDGE PAVEMENT
- EDGE CONCRETE
- CURB LINE
- CONTOURS
- SANITARY SEWER
- SANITARY MANHOLE
- STORM DRAIN
- DRAINAGE MANHOLE
- CATCH BASIN

SOIL TYPES

SYMBOL	SOIL SERIES	PHASE	SLOPE	HSG	DRAINAGE CLASS
HIB	HINCKLEY	LOAMY SAND	3-8%	A	EXCESSIVELY DRAINED

- NOTES:
- EXISTING CONDITIONS INFORMATION IS BASED ON AN ELECTRONIC SURVEY FILE PREPARED BY SEBAGO TECHINCS, INC. IN DECEMBER 2019. TOPOGRAPHIC INFORMATION IS BASED ON A COMBINATION OF SURVEYED DATA WITHIN THE LIMITS OF PROPOSED WORK.
 - ON-SITE SOIL INFORMATION IS BASED ON THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) CUSTOM SOIL RESOURCE REPORT FOR CUMBERLAND COUNTY, MAINE, DATED MAY 26, 2022.

DESIGNED: DJS

DRAWN: DJS

CHECKED: DLR

DATE: 03/31/20

SCALE: 1" = 30'

PROJECT: 19371

19371 - SWP - P1.dwg, TAB:PRE

SHEET 1 OF 2

EXISTING CONDITIONS SWM PLAN

OF: 385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET

PORTLAND, MAINE 04101

FOR: THE FATHOM COMPANIES

80 EXCHANGE ST. SUITE 400

PORTLAND, ME 04101

SEBAGO TECHINCS

WWW.SEBAGOTECHINCS.COM

75 John Roberts Rd.

Suite 4A

South Portland, ME 04106

Tel: 207-200-2100

REVISIONS

REV.	BY	DATE	STATUS
B	DLR	11/18/2022	REVISED PER CITY REVIEW COMMENTS
A	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW

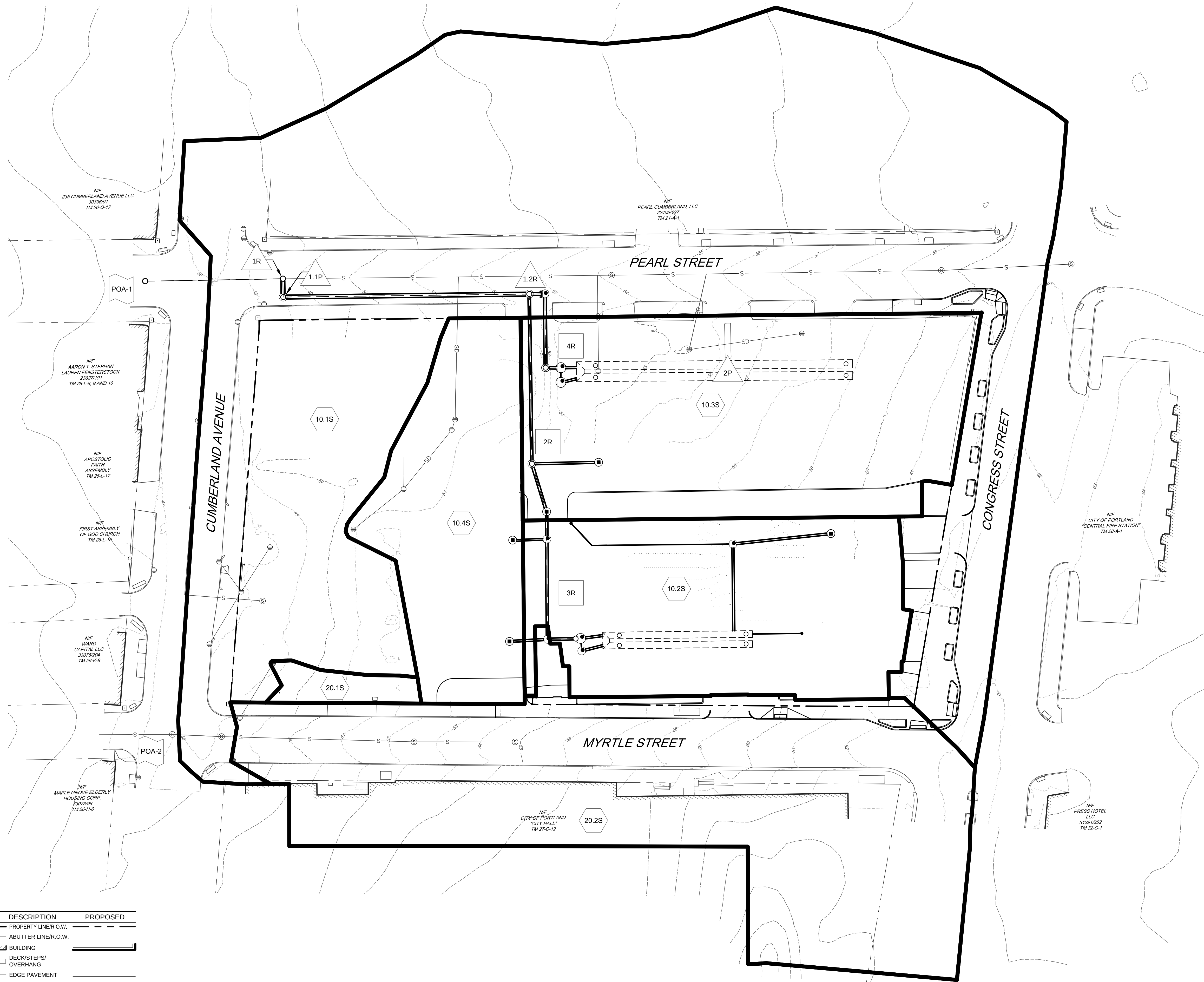
DANIEL RILEY PE 9967

STATE OF MAINE

DANIEL RILEY

No. 967

11/18/2022



STORMWATER PEAK DISCHARGE SUMMARY TABLE						
POINT OF ANALYSIS	2-YEAR STORM		10-YEAR STORM		25-YEAR STORM	
	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)
POA-1	11.9	13.1	18.0	19.8	22.8	25.1
POA-2	4.6	3.4	6.9	5.1	8.7	6.4

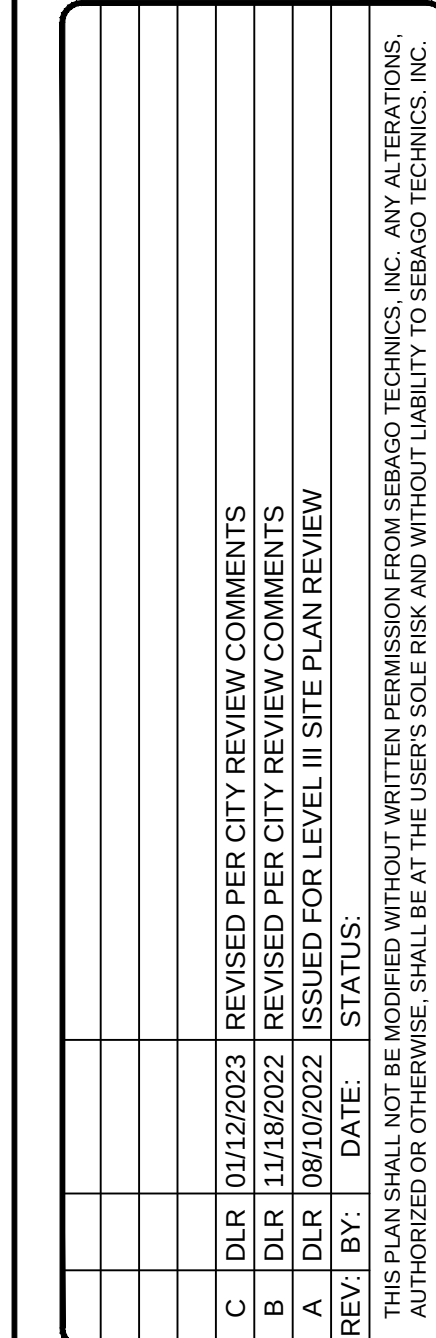
STORMWATER PEAK DISCHARGE SUMMARY TABLE						
POINT OF ANALYSIS	2-YEAR STORM		10-YEAR STORM		25-YEAR STORM	
	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)	PRE (CFS)	POST (CFS)
POA-1	11.9	10.9	18.0	17.1	22.8	21.8
POA-2	4.6	3.4	6.9	5.1	8.7	6.4

	WATERSHED BOUNDARY
	TIME OF CONCENTRATION
	REACH
	SUBCATCHMENT LABEL
	REACH
	POINT OF ANALYSIS
	STORMWATER TREATMENT/DETENTION POND
	SOILS BOUNDARY

EXISTING	DESCRIPTION	PROPOSED
	PROPERTY LINE/R.O.W.	
	ABUTTER LINE/R.O.W.	
	BUILDING	
	DECK/STEPS/ OVERHANG	
	EDGE PAVEMENT	
	EDGE CONCRETE	
	CURB LINE	
	CONTOURS	
	SD	
	STORM DRAIN	
	DRAINAGE MANHOLE	
	CATCH BASIN	

SYMBOL	SOIL SERIES	PHASE	SLOPE	HSG	DRAINAGE CLASS
H1B	HINCKLEY	LOAMY SAND	3-8%	A	EXCESSIVELY DRAINED

1. EXISTING CONDITIONS INFORMATION IS BASED ON AN ELECTRONIC SURVEY FILE PREPARED BY SEBAGO TECHINCS, INC. IN DECEMBER 2019. TOPOGRAPHIC INFORMATION IS BASED ON A COMBINATION OF SURVEYED DATA WITHIN THE LIMITS OF PROPOSED WORK.
2. ON-SITE SOIL INFORMATION IS BASED ON THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) CUSTOM SOIL RESOURCE REPORT FOR CUMBERLAND COUNTY, MAINE, DATED MAY 26, 2022.



STATE OF MAINE
DANIEL L. RILEY
No. 9965
PROFESSIONAL
01/12/2023

SEBAGO
TECHNICS

WWW.SEAGOTECHNICS.COM

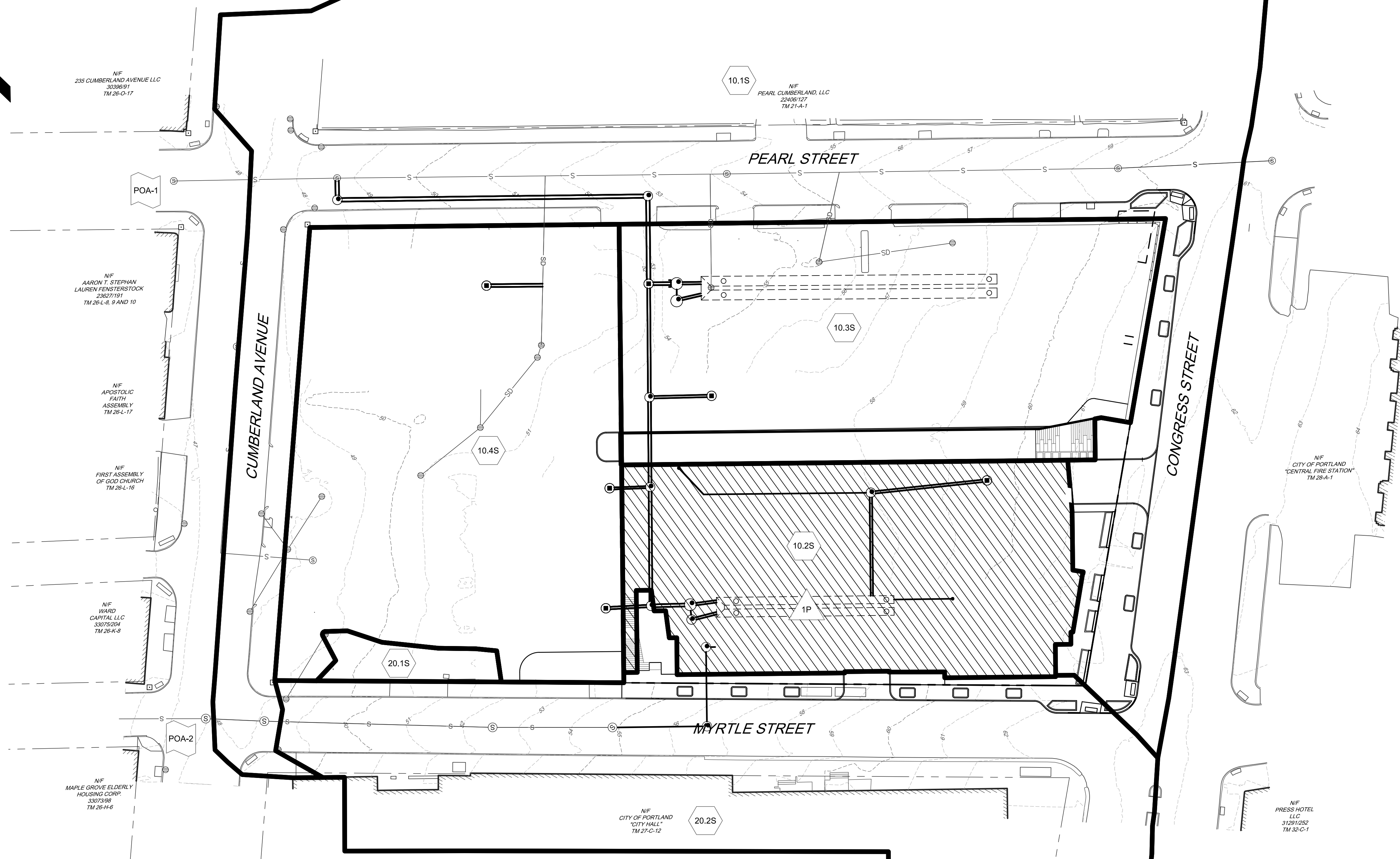
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

PROPOSED CONDITIONS SWM PLAN
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE 04101

FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DJS
CHECKED	DLR
DATE	03/31/20
SCALE	1" = 30'
PROJECT	19371

SHEET 2 OF 2

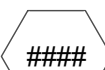


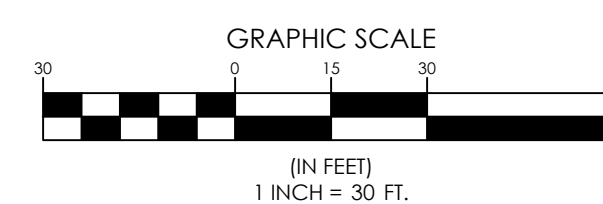
Job # 19371-01

AREA ID	WATERSHED SIZE (S.F.)	EXISTING IMPERVIOUS AREA TO REMAIN (S.F.)	NEW IMPERVIOUS AREA (S.F.)	EXISTING LANDSCAPED AREA TO REMAIN (S.F.)	NEW LANDSCAPED AREA (S.F.)	NET NEW DEVELOPED AREA (S.F.)	NET EXISTING DEVELOPED AREAS (S.F.)	TREATMENT PROVIDED?	IMPERVIOUS AREA TREATED (S.F.)	LANDSCAPED AREA TREATED (S.F.)	DEVELOPED AREA TREATED (S.F.)	TREATMENT BMP
10.1S	101,068	100,438	0	112	518	518	100,550	NO	0	0	0	None
10.2S	23,617	0	23,617	0	0	23,617	0	YES	23,617	0	23,617	SF-1
10.3S	32,101	32,101	0	0	0	0	32,101	NO	0	0	0	None
10.4S	36,870	36,079	0	0	791	791	36,079	NO	0	0	0	None
20.1S	1,685	1,685	0	0	0	0	1,685	NO	0	0	0	None
20.2S	47,451	47,200	0	0	251	251	47,200	NO	0	0	0	None
TOTAL (S.F.)	242,792	217,503	23,617	112	1,560	25,177	217,615		23,617	0	23,617	

TOTAL NEW IMPERVIOUS AREA (S.F.)	23,617	TOTAL DEVELOPED AREA (S.F.)	25,177
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT (S.F.)	23,617	TOTAL AREA RECEIVING TREATMENT (S.F.)	23,617
% OF IMPERVIOUS AREA RECEIVING TREATMENT	100.00%	% OF AREA RECEIVING TREATMENT	93.80%

PROPOSED CONDITIONS LEGEND

-  STORMFILTER #1
-  WATERSHED BOUNDARY
-  SUBCATCHMENT LABEL
-  POINT OF ANALYSIS
-  STORMWATER TREATMENT/DETENTION POND

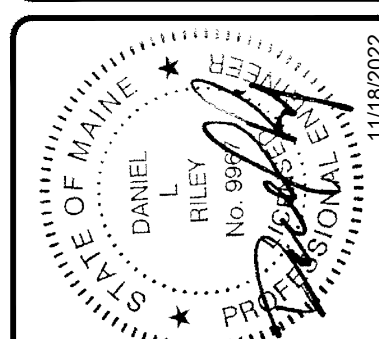


9371 - SWP - P1.dwg, TAB:TREATMENT

DESIGNED	DJS
DRAWN	DJS
CHECKED	DLR
DATE	03/31/20
SCALE	1" = 30'
PROJECT	19371

SHEET 1 OF 1

DANIEL L. RILEY, PE 9967

[illegible]

REV: BY: DATE: STATUS:	THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS,
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SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM

75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel 207.200-2100

TREATMENT PLAN
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND WYKILE STREET
PORTLAND, MAINE 04101
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400

Consistency with City Master Plans 14-14.6.3 (A)

1. The proposed project has been designed to be consistent with the City Master Plans. The proposed development has been reviewed as part of the Larger 385 Congress Street Master Plan of Devolvment (MDP) approved by the Planning Board on August 9, 2022. In its review the City found that the MDP, including the Hotel development on lot 1 is consistent with the Council approved masterplans by:
 - Improving transportation access to arts and cultural venues throughout the City by enhancing the connection to Merrill Auditorium via the proposed amenity deck and street level staircases (Arts District Plan, 1996); and
 - Proposing the construction of dense housing in Downtown and pedestrian enhancements such as curb extensions and expanded sidewalks to promote walkability and traffic calming (Peninsula Transit Plan, 2009);
 - Providing infill development within a transit-oriented location with pedestrian-oriented streets to make walking more inviting, and connection to bus routes, bike networks, and other mobility options easier to access to other parts of the city. Providing residential density as well as employment and job density that can support and drive transit ridership as well as walk to work opportunities (One Climate Future, 2021).

The Comprehensive Plan, Portland's Plan 2030 goals and policies (state and local) relevant to the proposed plan were reviewed in the MDP. The plan aligns with these vision statements and goals by infilling an underdeveloped site primarily used for automobile parking located at the heart of Portland's walkable downtown, proximate to some of the tallest structures in the city, with residential units, commercial uses, and publicly accessible open spaces and pedestrian connections that better reflect the downtown location.

The scale of the proposed building facilitates an increase in dwelling units within a walking and transit-oriented site. Along with increasing the viability of downtown, the proposed infill project potentially reduces the need for new construction in green field or outlying areas and dependency on single occupancy vehicles, which promotes more sustainable development practices.

In addition, the expanded sidewalk area along Congress Street serves as a positive connection between adjacent open space sites (City Hall and Lincoln Park), the proposed amenity deck and retail space wrapping the corner of the site provides site permeability to enhance pedestrian connections, and overall, there is an increase in the number of recreational opportunities within close proximity to the Bayside and Downtown neighborhoods.

The hotel has been designed to allow for safe and efficient circulation of vehicles; to provide improved pedestrian conditions; and to be aesthetically pleasing addition to the area.

2. There is no existing off premises public infrastructure that requires easements across the property. The proposed subdivision plan provides for easement on the site to allow public sidewalks to extend to the building line.

Please see the plan set and the Master Plan for additional information regarding compliance the City Master Plans.

Public Safety and Fire Prevention 14-14.6.3 (B)

1. The proposed project has been designed following public safety principles for Crime Prevention through Environmental Design:

- a. The proposed building design provides natural surveillance that promotes visibility of public spaces and areas. The public entrances to the hotel are located at the center of the site in a well-lit and visible area along Congress Street, a minor arterial. The Hotel is staffed 24 hours per day including a 24-hour valet service at the site entrance.

The proposed stairs accessing the public amenity deck are similarly lit and visible. The facility has been designed with plantings that will complement the site but will not provide concealment for illegal activities.

The public areas of the amenity deck abut active hotel program space and are overlooked by the hotel guest rooms, condominiums and the future condominium development envisioned in the Master Development plan for the site.

- b. The proposed development has been designed with security access control measures to prevent unauthorized access to the site. The Hotel entrances are staffed 24 hours per day with full time valet service from the hotel lobby. The parking structure garage doors on both Congress and Myrtle Street will be equipped with security systems to control access.

The proposed amenity deck will have established hours of operation and include security gating to prevent unauthorized access when not in operation.

- c. The site has been designed with the appropriate territorial reinforcements to promote a sense of ownership and responsibility. The site design includes varying materials on the public streets to provide visual identification of the fully public right of way and sidewalks and the semi-public outdoor plaza areas and spaces.

On the amenity deck level, changes in materials elevations and landscaping will similarly delineate the public amenity spaces and the semi-public hotel outdoor program spaces. The public areas of the deck abuts areas of active hotel programming. In the future the public amenity space will abut private open areas associated with future condominiums on Lot 2 as well. The amenity deck will be owned and maintained by the hotel and residential condominium associations who will be responsible for the maintenance of the space.

2. The proposed project has been designed to provide adequate emergency vehicle access to the site as outlined in the Technical Manual.

Please see the plan set for the site plans, building plans and landscape plans detailing the site features related to his subject.

Availability and Adequacy of Public Utilities 14-14.6.3 (C)

1. The development will not overburden sanitary sewers and storm drains, water lines, or other public infrastructure and utilities.

The proposed project is part of a larger project with an approved Master Plan of Development (MDP). A Sewer capacity application for the entire development, including the Lot 1 hotel site, was included in that review.

The Portland Water District has been consulted related to service to the Hotel site. A formal request for capacity confirmation has been submitted to the District and will be provided when it is received. The site is located on a block with access to existing water mains in Myrtle Street, Cumberland Avenue and Congress Street, including a 16" main in Congress Street. In its initial review the District has indicated that upgrades to replace the main in Myrtle Street are required due to the age and condition of this main; and that the District will participate in the cost of making those improvements. The proposed work is included in the project plan set and is being reviewed by the water district.

Included in the application is a Stormwater Management Plan detailing the proposed site drainage improvements and stormwater treatment proposed.

2. Electrical service is to be provided underground, taken from a Central Main Power manhole installed in Pearl Street and Congress Street in 2020.
3. All proposed sanitary sewers, storm drains, water lines or other utilities are designed and are to be constructed in accordance with the applicable provisions of the City Technical manual. Please see the utility plan and details.
4. The proposed development will be connected to the exiting public sanitary system per City requirements. Please see the utility plan.
5. The proposed project has been designed to provide temporary storage for trash and recyclables within the building with contracted curbside disposal. There is no outdoor storage of trash or recyclables proposed. Please refer to the building plans.

Please see the site and building plans for additional information.



February 1, 2023

Daniel L. Riley, PE, CFM
Sebago Technics, Inc.
75 John Roberts Rd., Suite 4A
South Portland, ME 04106

Re: 385 Congress Street, PO
Ability to Serve with PWD Water

Dear Mr. Riley:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on January 21, 2020. Based on the information provided per plans dated February 1, 2023, 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 constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- The existing 8-inch cast iron water main in Myrtle Street will be renewed by the developer, from the intersections of Cumberland and Congress streets, a distance of approximately 500-feet with 12-inch ductile iron water main.
- New 8-inch fire service and 4-inch domestic water service, with 3-inch meter, shall be installed for the Phase 1 Hotel as part of the water main renewal. The services shall enter the property's frontage no closer than 10-feet to any side property line.
- New 8-inch fire service and 4-inch domestic water service shall be installed for a future phase of development as part of the water main renewal. The services shall enter the property's frontage no closer than 10-feet to any side property line.
- An approved backflow prevention device (testable double check valve assembly) must be installed on each service line directly after the meter and before the sprinkler riser prior to service activation. Please refer to the PWD website for more information on cross-connection control policies.
- The Portland Water District does not have record of any other existing infrastructure in public roads and recommends a survey and test pitting be performed by the development team prior to construction. Any conflicts that arise during construction are at the risk of the developer and may result in job shutdown until new plans are submitted by the developer and reviewed and approved by PWD.



Prior to construction, the owner will need to complete a Main Extension Initiation form and pay all necessary fees for each proposed service.

Existing Site Service

According to District records, the project site does currently have existing water service. The existing services shall be retired with the renewal of the water main in Myrtle Street.

Water System Characteristics

As part of the planned water main renewal project, a 12-inch diameter ductile iron water main will be installed in Myrtle Street. The nearest public fire hydrant is located adjacent to the site. The anticipated static pressure of the hydrant is 95 psi.

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 City of 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 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



Robert A. Bartels, P.E.
Senior Project Engineer

Massing, Ventilations and Wind Impact 14-14.6.4 (A)

1. The bulk, location, or height of the proposed building shall not result in health or safety problems from a reduction in ventilation to abutting structures or changes to the existing wind climate that would result in unsafe wind conditions for users of the site and/or adjacent public spaces.
2. The bulk, location, or height of the proposed building will not result in any substantial diminution in the value or utility of neighboring structures.
3. The proposed development will locate all HVAC venting mechanisms to direct exhaust away from public spaces and residential properties adjacent to the site.

The building massing is consistent with the approved Master Plan of Development for 385 Congress Street. The building height, setbacks and lot coverage conforms with the Zoning standards or has received setback waivers consistent with the Land Use Ordinance criteria and will not result in health or safety problems from reductions in ventilation to abutting structures or create unsafe wind conditions.

The building is located on a site that is currently used for surface and indoor parking. The developments are not expected to diminish the value of nearby structures.

HVAC equipment is proposed on the building rooftop or within the structure and is design in accordance with applicable Land Use Ordinance requirements and applicable building codes.

385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET PORTLAND, MAINE

APPLICANT:
THE FATHOM
COMPANIES

80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

ENGINEER/SURVEYOR/
LANDSCAPE ARCHITECT:

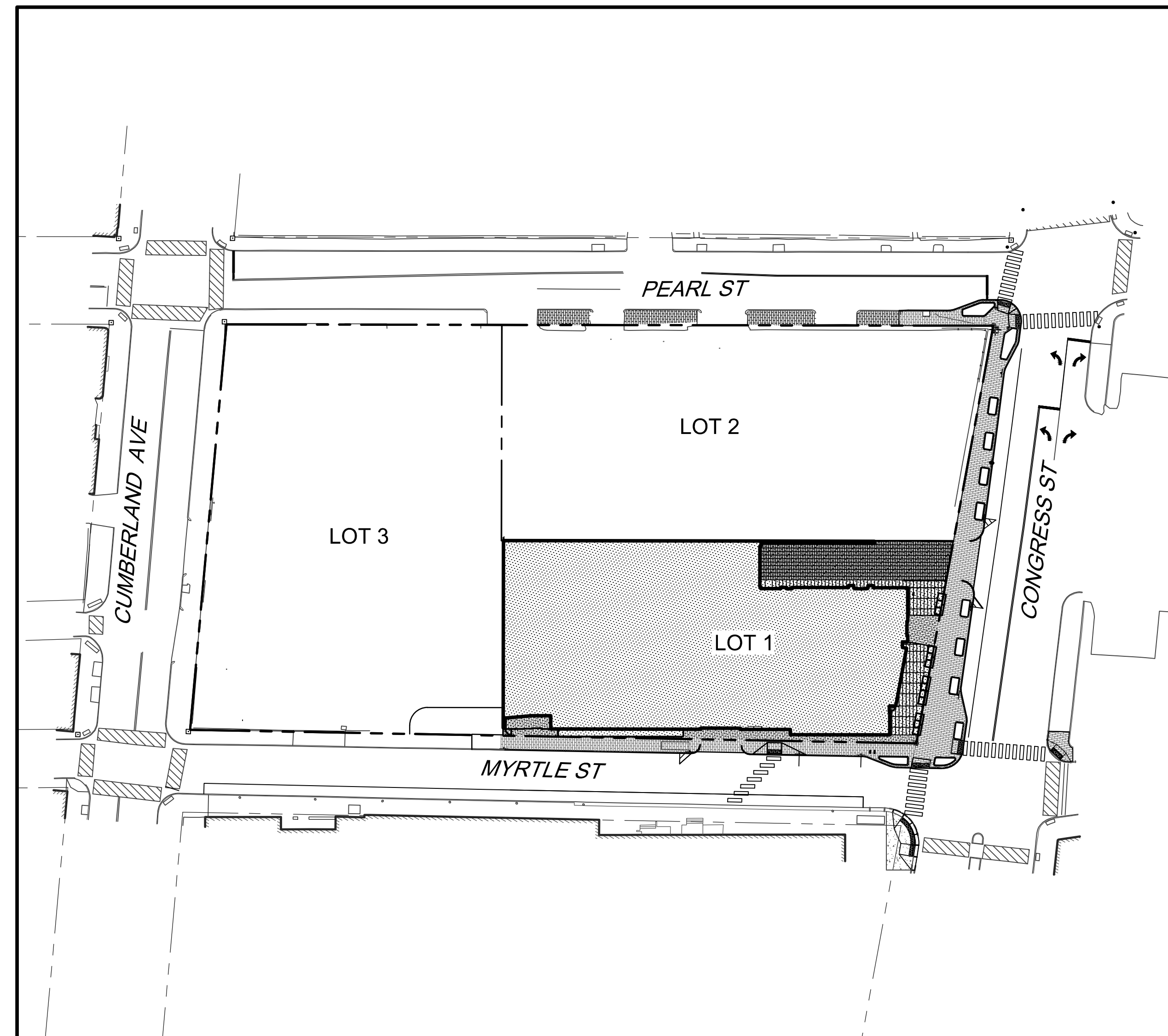
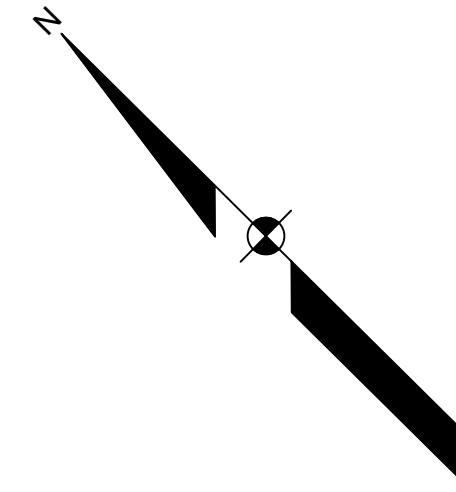


WWW.SEBAGOTECHNICS.COM

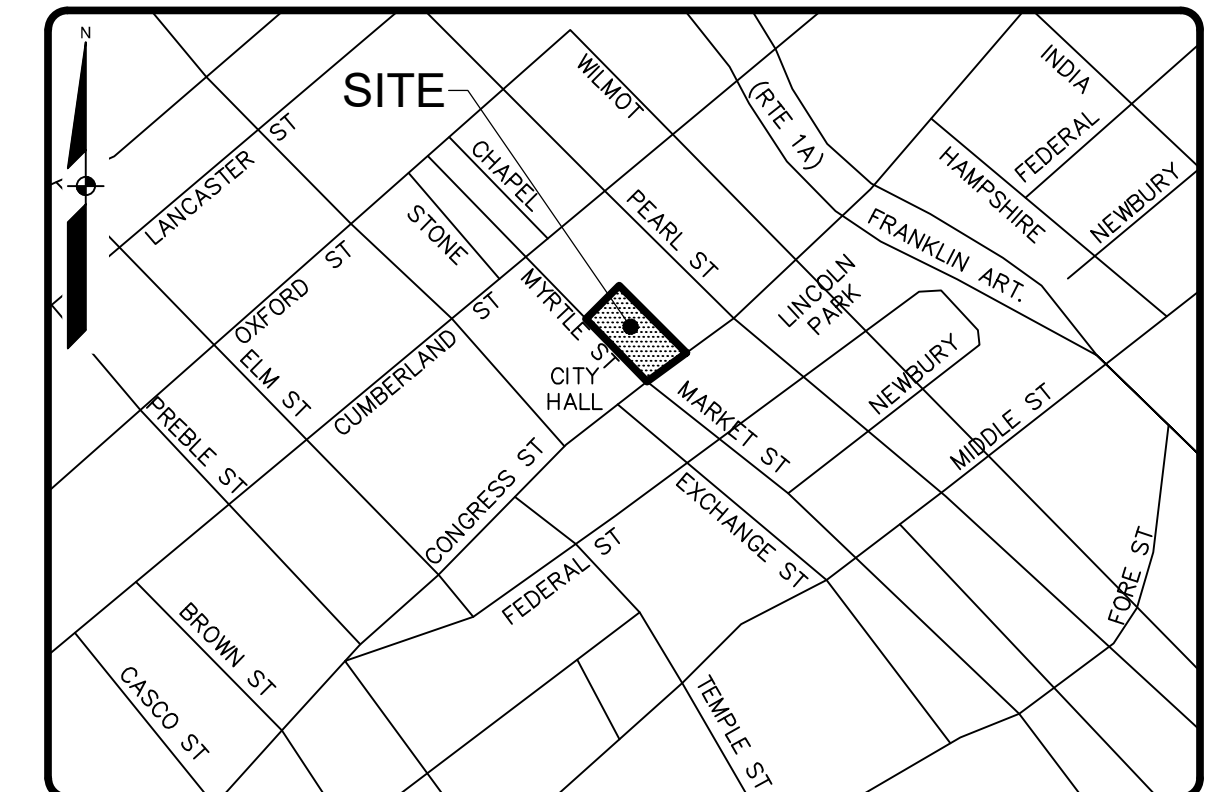
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

PROJECT ARCHITECT:
JNS ARCHITECTURE
AND INTERIOR DESIGN

1600 WYNKOOP STREET
DENVER, CO 80202



SCALE: 1" = 50'



LOCATION MAP

Sheet List Table

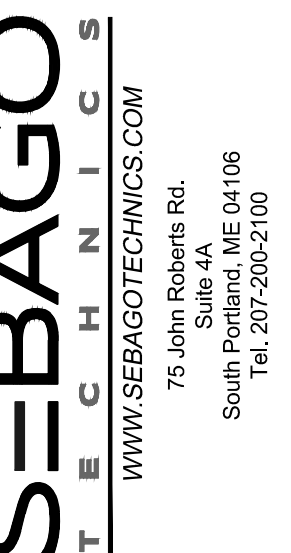
Sheet Number	Sheet Title
1	COVER SHEET
2	GENERAL NOTES AND LEGEND
3	EASEMENT PLAN- LOT 1
4	DEMOLITION PLAN
5	OVERALL SITE PLAN - STREET LEVEL
5A	SITE PLAN - STREET LEVEL
6	SITE PLAN - LEVEL 2
7	GRADING AND DRAINAGE PLAN
7A	GRADING PLAN - DETAILS 1
7B	GRADING PLAN - DETAILS 2
8	UTILITY PLAN
9	SCHEDULES
10	MYRTLE STREET PLAN AND PROFILE
11	OVERALL LANDSCAPE PLAN - STREET LEVEL
12	LANDSCAPE PLAN - STREET LEVEL
13	LANDSCAPE PLAN - LEVEL 2
17	EROSION CONTROL NOTES AND DETAILS
18	DETAILS
19	DETAILS
20	DETAILS
21	DETAILS
22	DETAILS
22A	DETAILS
23	TRAFFIC PLAN
24	TRAFFIC PLAN PEARL AND CUMBERLAND
1 OF 2	EXISTING CONDITIONS
2 OF 2	EXISTING CONDITIONS - TABLES
1 OF 1	SUBDIVISION PLAN
14	NOT USED
15	NOT USED
16	NOT USED

NOT FOR
CONSTRUCTION



D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
A	DLR	08/10/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
REV:	BY:	DATE:	STATUS:

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



385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/01/2023
SCALE	AS NOTED
PROJECT	19371-01

MEET 1 OF 25

LEGEND

EXISTING	PROPOSED
PROPERTY LINE/R.O.W.	
ABUTTER LINE/R.O.W.	
DEED LINE/R.O.W.	
TIE LINE	
SETBACK	
EASEMENT	
BUFFER	
FLOODPLAIN	
FLOODWAY	
CENTERLINE	
MONUMENT	
IRON PIPE/ROD	
DRILL HOLE	
C1/L1	
C1/L1	
CURVE/LINE NO.	
SOILS	
ZONE LINE	
ZONE LINE ON PL	
BENCHMARK DESCRIPTION WITH ELEVATION	
SURVEY CONTROL	
TP-1	
MW-1	
B-1	
BORING	
BUILDING	
DECK/STEPS/OVERHANG	
EDGE WETLAND	
WETLANDS	
UPLANDS	
STREAM	
LEDGE	
EDGE PAVEMENT	
PAVEMENT SAWCUT	
EDGE CONCRETE	
PAVEMENT PAINT	
EDGE GRAVEL	
CURB LINE	
EDGE OF WATER	
TREELINE	
CONTOURS	
SPOT GRADE	
CHAIN LINK FENCE	
BARB WIRE FENCE	
STOCKADE FENCE	
GUARD RAIL	
STONE WALL	
RETAINING WALL	
DECIDUOUS TREE	
CONIFEROUS TREE	
BOLLARD	
SIGN	
RAILROAD	
GAS	
GAS GATE VALVE	
GAS METER	
GAS MANHOLE	
WATER	
WATER GATE VALVE	
WATER SHUT OFF	
HYDRANT	
WATER MANHOLE	
WELL	
SANITARY SEWER	
FORCE MAIN	
SANITARY MANHOLE	
STORM DRAIN	
UNDER DRAIN	
DRAINAGE MANHOLE	
CATCH BASIN	
OVERHEAD UTILITY	
UNDERGROUND UTILITY	
TRANSFORMER PAD	
ELECTRICAL MANHOLE	
ELECTRIC METER	
HVAC UNIT	
TELEPHONE MANHOLE	
LIGHT POLE	
UTILITY POLE	
GUY WIRE	
DRAINAGE DITCH	
EROSION CONTROL BLANKET	
FILTER BARRIER	
RIPRAP	
CHECK DAM	
INLET PROTECTION	
BOULDER	
STREAM	

LANDSCAPE LEGEND

LARGE SHADE TREES	
STREET TREES	
ORNAMENTAL TREES	
LANDSCAPE PLANTING BEDS	
CITY SIDEWALK BRICK	
DRIVEWAY BRICK	
BENCHES	

STRIPING LEGEND

SINGLE WHITE LANE LINE	
DOUBLE YELLOW CENTERLINE	
WHITE CROSSWALK STRIPING	
WHITE STOP BAR STRIPING	
WHITE NO PARKING STRIPING	

GENERAL NOTES

- THE RECORD OWNER OF THE PARCEL IS 385 CONGRESS LLC BY DEED DATED OCTOBER 20, 2017 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN BOOK 34401, PAGE 214.
- THE PROPERTY IS SHOWN AS LOT 1 ON THE CITY OF PORTLAND TAX MAP 27 AND IS LOCATED IN THE B3 DOWNTOWN BUSINESS DISTRICT.
- SPACE AND BULK CRITERIA FOR THE B3 DISTRICT ARE AS FOLLOWS:
 - MINIMUM LOT SIZE: N/A
 - MINIMUM STREET FRONTAGE: 15 FEET
 - MINIMUM FRONT YARD: N/A
 - MINIMUM SIDE YARD: N/A
 - MINIMUM REAR YARD: N/A
 - MAXIMUM BUILDING HEIGHT: 150 FEET
 - MAXIMUM LOT COVERAGE: 100%* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.
- TOTAL AREA OF PARCEL IS APPROXIMATELY 2.26 ACRES.
- THE BOUNDARY IS BASED ON PLAN REFERENCE #F. TOPOGRAPHIC INFORMATION SHOWN HEREON. SEBAGO TECHINCS INC. UPDATED RECORDS RESEARCH FROM 2009 TO DATE REGARDING THE BOUNDARY INFORMATION.
- IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. OCTOBER, 2019.
- PLAN REFERENCES:
 - PLAN OF CITY BUILDING LOT, PORTLAND, ME, DATED AUGUST 1908 BY THE CITY OF PORTLAND ENGINEER, AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.
 - PORTLAND DEPARTMENT OF PUBLIC WORKS STREET WORKSHEETS AND BLUESHEETS FOR STREETS BOUNDING THE LOCUS PARCEL AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.
 - PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, DATED JULY 1964 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 6632.
 - NEW MECHANICAL BUILDING, GUY GANNETT PUBLISHING COMPANY, PORTLAND, ME, TUNNEL PLAN AND SECTIONS BY LOCKWOOD, GREENE ENGINEERS, INC. REVISED THROUGH MAY 12, 1965 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 2032.
 - PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, REVISED THROUGH FEBRUARY 6, 1973 AND ON FILE WITH OWEN HASKELL INC.
 - ALTA/ACSM LAND TITLE SURVEY OF CONGRESS STREET SITE, 385 CONGRESS STREET, PORTLAND, ME DATED JULY 1, 2009 BY SEBAGO TECHINCS INC. PROJECT NUMBER 09235.
 - F. ALTANSPS LAND TITLE SURVEY OF CONGRESS/PEARL BLOCK CONGRESS STREET AND PEARL STREET, PORTLAND, ME DATED FEBRUARY 11, 2022 BY SEBAGO TECHINCS, INC. FOR FATHOM COMPANIES PROJECT NUMBER 19371-02
- PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83. ELEVATIONS DEPICTED HEREON ARE NGVD29 PER CITY STANDARDS AS VERIFIED BY A UNITED STATES COAST & GEODETIC SURVEY BRASS DISK LOCATED IN A GRANITE BLOCK OF THE CITY HALL BUILDING HAVING A PUBLISHED ELEVATION OF 69.66' (NAVDE88 69.95')
- THE CITY OF PORTLAND DISCONTINUED THAT PORTION OF CHAPEL STREET "RUNNING FROM CONGRESS STREET TO CUMBERLAND STREET" BY ORDER OF CITY COUNCIL ON FEBRUARY 5, 1973 AND RECORDED AT THE CITY OF PORTLAND RECORDS IN VOLUME 89, PAGE 61. PUBLIC AND PRIVATE RIGHTS MAY EXIST FOR PUBLIC HIGHWAY AND UTILITIES THAT STILL LIE WITHIN THE LIMITS OF CHAPEL STREET. SEBAGO TECHINCS, INC. SUGGEST LEGAL COUNSEL BE SOUGHT TO CLARIFY THE INTEREST OF OTHERS IN THESE RIGHTS.
- PURSUANT TO A CONVERSATION BETWEEN SEBAGO TECHINCS, INC. AND THE PORTLAND WATER DISTRICT, THE WATER LINE SHOWN AS BEING LOCATED IN THE DISCONTINUED PORTION OF CHAPEL STREET HAS BEEN REMOVED AND NO LONGER EXISTS.
- UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D PER AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) STANDARD CHASCE 38-02. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
- THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBER 230051 0013 B, HAVING AN EFFECTIVE DATE OF JULY 17 1986. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREAS OF AREAS OF MINIMAL FLOODING.
- BENCHMARK: BM-EASTERLY BOLT AT BASE OF UTILITY POLE ELEVATION: 61.55 (NGVD29)
- PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY PHASE OF THE SUBDIVISION A PERFORMANCE GUARANTEE MUST BE SUBMITTED TO AND APPROVED BY THE CITY OF PORTLAND.
- ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.
- CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
- CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.
- PROVIDE ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.
- CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.
- CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.
- SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENT CONTROL BMP'S" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION. LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
- THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (811) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.
- CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE DIG. WHEN NOTIFIED, DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.
- CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRSa 3360-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.
- ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS.
- ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
- NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.
- IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.
- THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
- ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
- WHERE THE TERMS "APPROVED EQUAL," "OTHER APPROVED," "EQUAL TO," "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGEMENT OF SEBAGO TECHINCS, INC.
- THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.

- THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
- THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
- DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.
- BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION, CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.
- ALL GRAVITY CONDUIT PIPES SHALL BE INSTALLED USING A PIPE LASER AND TARGET SYSTEM THROUGH THE PIPE. ON PIPE RUNS 50 FEET OR LESS, THE CONTRACTOR SHALL REQUEST ENGINEER'S APPROVAL TO USE A GROUND LASER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING FLOW THROUGH THE EXISTING CLOSED STORM DRAINAGE SYSTEM DURING CONSTRUCTION AND SHALL SUBMIT A WORK PLAN FOR APPROVAL BY THE DESIGN ENGINEER.

UTILITY DEMOLITION NOTES

- PROTECT EXISTING BOUNDARY LINE MONUMENTATION, IF DISTURBED. EXISTING MONUMENTATION TO BE RESET BY A PROFESSIONAL LAND SURVEYOR.
- DEMOLITION OF UTILITIES REQUIRING TREE REMOVAL SHALL BE COORDINATED WITH THE OWNER AND IN ACCORDANCE WITH PROJECT PLANS.
- UTILITY DEMOLITION SHALL BE COMPLETED IN COORDINATION WITH NEW INFRASTRUCTURE. CONTRACTOR SHALL ENSURE EXISTING SURFACE DRAINAGE IS MAINTAINED DURING CONSTRUCTION.
- EXISTING SEWER AND STORM DRAINAGE INFRASTRUCTURE TO REMAIN ACTIVE DURING CONSTRUCTION AND UPON COMPLETION OF PROJECT. DEMOLITION/CONSTRUCTION ACTIVITIES SHALL NOT INTERFERE OR IMPEDE EXISTING FLOWS. CONTRACTOR SHALL PROVIDE BYPASS PUMPING AS REQUIRED DURING SEWER AND STORM DEMOLITION AND NEW CONSTRUCTION. DAMAGE TO EXISTING SEWER INFRASTRUCTURE SHALL BE REPAIRED BY CONTRACTOR AT THEIR EXPENSE.
- PROTECT EXISTING UTILITIES NOT CALLED OUT TO BE REMOVED DURING CONSTRUCTION.
- DEMOLITION SHOWN IS FOR MAJOR SITE ELEMENTS TO BE DEMOLISHED. OTHER MINOR DEMOLITION MAY BE REQUIRED AS PART OF CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE COST OF CONSTRUCTION. COORDINATE ALL DEMOLITION WORK WITH SITE AND BUILDING DRAWINGS.
- PRIOR TO ANY DEMOLITION, THE CONTRACTOR SHALL SUBMIT A SEQUENCE OF DEMOLITION PLANS TO THE OWNER. THIS PLAN SHALL DEPICT LOCATIONS OF PROPOSED TERMINATIONS AND ANY TEMPORARY SERVICES THAT WILL BE NEEDED.
- CONTRACTOR REQUIRED TO CONFIRM/MAINTAIN BENCHMARKS, IF IMPACTED CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION/RELOCATION AND COORDINATION WITH PROJECT TEAM.

GRADING & EROSION NOTES

- SIDESLOPES SHALL NOT BE STEEPER THAN 3:1 (H:V) EXCEPT AS OTHERWISE IDENTIFIED ON THIS PLAN. ALL SIDESLOPES STEEPER THAN 3:1 (H:V) SHALL BE LINED WITH EROSION CONTROL BLANKET, OR ADDITIONAL MEASURES AS INDICATED.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENT CONTROL BMP'S" MANUAL PUBLISHED BY BUREAU OF LAND AND WATER QUALITY MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
- ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT RESTORED WITH IMPERVIOUS SURFACES (BUILDINGS, PAVEMENTS, WALKS, ETC.) SHALL RECEIVE LOAM AND SEED PER DETAIL.
- SEE UTILITY DRAWINGS FOR PIPE AND STRUCTURE DATA TABLES.

CONSTRUCTION PLAN

- PROVIDE EROSION CONTROL MEASURES PRIOR TO SITE DISTURBANCE.
- GRADING AND CLEARING LIMITS SHALL NOT ENCROACH ON ADJACENT PROPERTIES UNLESS NOTED OTHERWISE ON THE PLANS.
- OPEN AREAS SHALL BE LIMITED TO AREAS BEING WORKED IN. THE AREA STRIPPED OF EXISTING VEGETATION AT ANY GIVEN TIME SHALL BE MINIMIZED AND BE PHASED WHERE PRACTICAL SO THAT AREAS ARE REVEGETATED AND PERMANENTLY STABILIZED BEFORE ADDITIONAL AREAS ARE STRIPPED OF EXISTING VEGETATION. STABILIZE CONSTRUCTION AREAS BY USE OF RIPRAP, SEED, MULCH, OR OTHER GROUND COVER WITHIN ONE WEEK FROM THE TIME IT WAS ACTIVELY WORKED. SURFACES SHALL BE STABILIZED PRIOR TO DIRECTING STORMWATER RUNOFF TOWARD STORMWATER BMP'S. PLEASE REFER TO DRAINAGE PLANS FOR WATERSHED AREAS.

LANDSCAPE NOTES

- PLANT QUANTITIES SHOWN ON PLANT LISTS ARE FOR CONVENIENCE TO THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR ALL PLANT MATERIAL INSTALLATION AS SHOWN ON PLANS.
- SIZE AND GRADING STANDARDS OF PLANT MATERIALS SHALL CONFORM TO THE LATEST EDITION OF "U.S.A. STANDARD FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- ALL PLANT MATERIAL SHALL BE FREE FROM INSECTS AND DISEASE.
- ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES. THIS IS TO INCLUDE PROPER PLANTING MIX, PLANT BED AND TREE PIT PREPARATION, PRUNING, STAKING OR GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING AND ADEQUATE MAINTENANCE UNTIL ACCEPTANCE BY THE OWNER.
- PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BY THE CONTRACTOR AND A PERIOD OF TWO YEARS THEREAFTER BY THE OWNER FROM DATE OF INSTALLATION. DURING THE ONE YEAR GUARANTEE PERIOD, DEAD PLANT MATERIAL SHALL BE REPLACED AT NO COST TO THE OWNER. AT THE END OF THE ONE YEAR PERIOD, THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER.
- ALL GRASS, OTHER VEGETATION AND DEBRIS SHALL BE REMOVED FROM ALL PLANTING AREAS PRIOR TO PLANTING.
- EXISTING TREES TO BE PRESERVED WILL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- THE LANDSCAPE CONTRACTOR IS ADVISED OF THE PRESENCE OF THE UNDERGROUND UTILITIES AND SHALL VERIFY THE EXISTENCE AND LOCATION OF SAME BEFORE COMMENCING AND DIGGING OPERATIONS. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR UTILITIES, PAVING, WALKS, CURBING, ETC. DAMAGED IN PERFORMANCE OF THIS JOB AT NO ADDITIONAL COST TO THE OWNER.
- ALL SHRUB BEDS SHALL BE MULCHED WITH 3" CLEAN SHREDDDED DARK BROWN BARK MULCH.
- THE CONTRACTOR SHALL PROVIDE 4" LOAM FOR ALL AREAS TO BE SODDED OR SEEDED. PLANTING AREAS SHALL RECEIVE 1" ROLLED THICKNESS OF LOAM. THE LANDSCAPE CONTRACTOR SHALL COORDINATE SUBGRADE PREPARATION WITH THE GENERAL CONTRACTOR PRIOR TO PLACING LOAM.
- ANY DEVIATION FROM THE LANDSCAPE PLAN, INCLUDING PLANT LOCATION, SELECTION, SIZE, QUANTITY OR CONDITION SHALL BE REVIEWED AND APPROVED BY THE OWNER AND LANDSCAPE ARCHITECT (AND MUNICIPAL AUTHORITY, IF APPLICABLE) PRIOR TO INSTALLATION ON SITE.
- WHERE INDICATED ON PLAN, PLANTING SOIL MIXTURE FOR PERENNIAL AND ANNUAL FLOWER BED AREAS SHALL CONSIST OF FOUR PARTS TOPSOIL, TWO PARTS SPHAGNUM PEAT MOSS, AND ONE PART HORTICULTURAL PERLITE BY VOLUME. PEAT MOSS MAY BE SUBSTITUTED WITH WELL-ROTTED OR DEHYDRATED MANURE OR COMPOST. ROTOTILL BEDS TO A DEPTH OF 8 INCHES.
- DURING CLEANING OF SITE AND PRIOR TO TREE AND SHRUB INSTALLATION, CONTRACTOR SHALL REMOVE INVASIVE PLANTS. AREAS WHERE INVASIVE PLANTS ARE REMOVED AND NO OTHER PLANTING IS PROPOSED, AREA SHALL BE LOAM AND SEEDED.

UTILITY NOTES

- UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION. PROTECT EXISTING ONSITE SEWER PIPE AND ADJUST MANHOLE RIMS TO GRADE WHERE APPLICABLE.
- ALL GRAVITY CONDUIT PIPES SHALL BE INSTALLED USING A PIPE LASER AND TARGET SYSTEM THROUGH THE PIPE. ON PIPE RUNS 50 FEET OR LESS, THE CONTRACTOR SHALL REQUEST ENGINEER'S APPROVAL TO USE OR NOT USE A GROUND LASER.
- MAINTAIN MINIMUM 5'-6" OF COVER ABOVE TOP OF WATER SERVICE PIPE.
- MAINTAIN MINIMUM 10 FEET HORIZONTAL SEPARATION BETWEEN WATER SERVICES AND OTHER UTILITIES. MAINTAIN MINIMUM 18 INCHES VERTICAL SEPARATION BETWEEN WATER SERVICES AND OTHER UTILITIES.
- LOWER OR RAISE WATER SERVICES AS REQUIRED TO MAINTAIN MINIMUM 12 INCH VERTICAL SEPARATION FROM OTHER UTILITIES. WATER SERVICES CROSSING SEWERS SHALL MAINTAIN 12 INCH MINIMUM SEPARATION BETWEEN THE BOTTOM OF WATER LINE AND TOP OF SEWER UNLESS NOTED OTHERWISE ON THE PLANS.
- PIPE:
 - SEWER PIPE SHALL BE SDR 35 PVC OR APPROVED EQUAL.
 - FORCEMAIN PIPE SHALL BE DR-11 HDPE OR APPROVED EQUAL.
 - STORMDRAIN SHALL BE ADS N-12 DUAL WALL HDPE PIPE WITH SMOOTH-WALLED INTERIOR OR APPROVED EQUAL UNLESS NOTED OTHERWISE ON THE UTILITY PLANS.
 - WATER PIPE AND FITTINGS SHALL CONFORM TO PORTLAND WATER DISTRICT WATER PIPING SPECIFICATIONS. MAIN WATER SERVICE PIPE SHALL BE DUCTILE IRON, CLASS 52 PUSH-ON PIPE MEETING THE REQUIREMENTS OF AWWA/ANSI C-111/A21.11 (LATEST REVISION). PIPE SHALL BE CEMENT-LINED AWWA/ANSI C104/A21.4 WITH LINING TWICE THE THICKNESS SPECIFIED, AND COATED TWICE WITH A BITUMINOUS SEAL COATING. PROVIDE THRUST BLOCKS AT ALL WATER SERVICE BENDS.
- COORDINATE FOUNDATION UNDERDRAIN LOCATIONS WITH ARCHITECTURAL AND STRUCTURAL DRAWINGS.
- COORDINATE GREASE INTERCEPTOR LOCATIONS WITH ARCHITECTURAL & PLUMBING DRAWINGS.
- COORDINATE UTILITY INVERTS AT BUILDING WITH ARCHITECTURAL, STRUCTURAL AND PLUMBING DRAWINGS.
- COORDINATE LOCATION OF SEWER, WATER, GAS, FOUNDATION DRAINS AND ROOF DRAIN INVERTS AT THE BUILDING WITH ARCHITECTURAL DRAWINGS.
- WATER SERVICE ENTRANCE DESIGNS TO INCLUDE METERS AND BACKFLOW PREVENTERS TO MEET ALL STANDARDS AND REQUIREMENTS OF THE PORTLAND WATER DISTRICT.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY GRADE CHANGES THAT WILL IMPACT STORM DRAINAGE INFRASTRUCTURE OR OTHER UTILITIES.
- UTILITIES WITHIN 5 FEET FROM FACE OF BUILDING ARE COORDINATED ON RELEVANT M.E.P. DRAWINGS. CONTRACTOR SHALL COORDINATE INVERTS, CONNECTIONS AND MATERIALS WITH ALL DRAWINGS.
- CONTRACTOR SHALL FURNISH AND INSTALL TRENCHING, MATERIALS AND BACKFILL FOR ALL UTILITIES. ELECTRICAL AND TELECOM DATA PROVIDERS WILL PULL PRIMARY SERVICE TO TRANSFORMER AND PANEL. CONTRACTOR RESPONSIBLE FOR TIMING AND COORDINATION WITH UTILITIES AND DRAWINGS. COORDINATE WITH ELECTRICAL DRAWINGS FOR CONDUIT SCHEDULE, TYPE AND SIZES.
- COORDINATE ALL WATER RELATED WORK WITH PORTLAND WATER DISTRICT.
- UTILITY CONTACTS:

ELECTRIC:

CENTRAL MAINE POWER (CMP)
JAMIE COUGH, ENGINEER'S ADVISOR
(207) 629-1489
ACCOUNT # 10300876197

WATER:

PORTLAND WATER DISTRICT
ROBERT BARTELS, ENGINEER
(207) 774-5961

TELECOMMUNICATIONS

FAIRPOINT
PATRICK MORRISON
(207) 535-4271

NATURAL GAS

UNITL
TBD

TYPICAL ABBREVIATIONS

AC	ACRE
AFG	ABOVE FINISH GRADE
APPROX.	APPROXIMATELY
BC	BOTTOM OF CURB
BCC	BITUMINOUS CONCRETE CURB
BIT	BITUMINOUS
BLDG	BUILDING
BW	BOTTOM OF WALL
CB	CATCH BASIN
CONC	CONCRETE
CONC	CONTINUOUS
DI	DUCTILE IRON
DIA	DIAMETER
DMH	DRAIN MANHOLE
E.W.	EACH WAY
ELEV	ELEVATION
FFE	FINISH FLOOR ELEVATION
FIN. GR.	FINISH GRADE
FTG	FOOTING
HQPE	HIGH DENSITY POLYETHYLENE
HST	HEIGHT
HMA	HOT MIX ASPHALT
INV	INVERT
R	LINEAR FEET
LF	ON CENTER
OC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
RADIUS	RADIUS
R.O.W.	RIGHT OF WAY
S.F.	SQUARE FEET
SCH	SCHEDULE
SSC	SLURFORM CONCRETE SLOPED CURB
SCVC	SLURFORM CONCRETE VERTICAL CURB
SD	STORM DRAIN
SGC	SLOPED GRANITE CURB
SMH	SEWER MANHOLE SPECS SPECIFICATIONS
SS	SANITARY SEWER
SSSC	SALVAGED SLOPED GRANITE CURB
SVGC	SALVAGED VERTICAL GRANITE CURB
TC	TOP OF CURB
TOP	TOP OF WALL
TYP	TYPICAL
VGC	VERTICAL GRANITE CURB
VIF	VERIFY IN FIELD

PARKING SUMMARY

LOT 1 REQUIRED PARKING		
CONDOMINIUM	Units	9
PARKING REQUIRED (ZONING)	1 per Unit	9
BIKE PARKING REQUIRED (ZONING)	2 per 5 Units	4
HOTEL	Rooms	179
PARKING REQUIRED (ZONING)	25 per key	45
BIKE PARKING REQUIRED (ZONING)	2 per 10 cars	9
PROPOSED PARKING GARAGE		
	LEVEL 1	36
	LEVEL P1	39
		75
TOTAL PARKING LOT 1		
TOTAL PARKING PROPOSED:	75	DELTA
PARKING REQUIRED (ZONING)	54	+21
BIKE PARKING REQUIRED	13	

GENERAL NOTES AND LEGEND

OR:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE

FOR:
THE FATHOM COMPANIES

80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/08/2023
SCALE	N.T.S.
PROJECT	19371-01

SHEET 2 OF 25



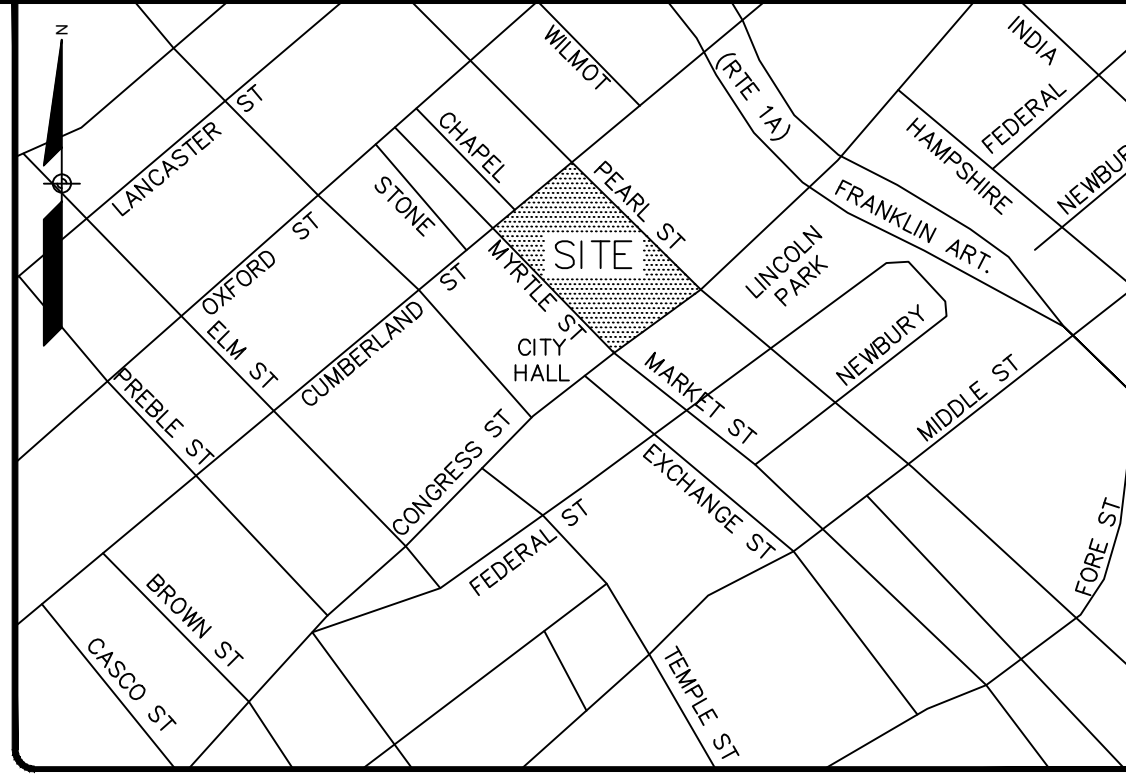
	E	DLR	02/08/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
	D	DLR	01/27/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
	C	DLR	01/13/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
	B	DLR	12/02/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
	A	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
REV.	BY:	DATE:	STATUS:	
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHINCS, INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHINCS, INC.				



1. THE RECORD OWNER OF THE PARCEL IS 385 CONGRESS LLC BY DEED DATED OCTOBER 20, 2017 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN BOOK 34401, PAGE 214.
2. THE PROPERTY IS SHOWN AS LOT 1 ON THE CITY OF PORTLAND TAX MAP 27 AND IS LOCATED IN THE DOWNTOWN BUSINESS DISTRICT.
3. SPACE AND BULK CRITERIA FOR THE B3 DISTRICT ARE AS FOLLOWS:

MINIMUM LOT SIZE:	N/A
MINIMUM STREET FRONTAGE:	15 FEET
MINIMUM FRONT YARD:	N/A
MINIMUM SIDE YARD:	N/A
MINIMUM REAR YARD:	N/A
MAXIMUM BUILDING HEIGHT:	150 FEET
MAXIMUM LOT COVERAGE:	100%
- * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.
4. TOTAL AREA OF PARCEL IS APPROXIMATELY 2.26 ACRES.
5. THE BOUNDARY IS BASED ON PLAN REFERENCE 7F. SEBAGO TECHINCS INC. UPDATED RECORDS RESEARCH FROM 2009 TO DATE REGARDING THE BOUNDARY INFORMATION.
6. TOPOGRAPHIC INFORMATION SHOWN HEREON, IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. OCTOBER, 2019.

- A. PLAN REFERENCES:
- A. PLAN OF CITY BUILDING LOT, PORTLAND, ME, DATED AUGUST 1908 BY THE CITY OF PORTLAND ENGINEER, AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.
- B. PORTLAND DEPARTMENT OF PUBLIC WORKS STREET WORKSHEETS AND BLUESHEETS FOR STREETS BOUNDING THE LOCUS PARCEL AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.
- C. PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, DATED JULY 1964 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 6632.
- D. NEW MECHANICAL BUILDING, GUY GANNETT PUBLISHING COMPANY, PORTLAND, ME, TUNNEL PLAN AND SECTIONS BY LOCKWOOD, GREENE ENGINEERS, INC, REVISED THROUGH MAY 12, 1965 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 2032.
- E. PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, REVISED THROUGH FEBRUARY 6, 1973 AND ON FILE WITH OWEN HASKELL INC.
- F. ALTA/ACSM LAND TITLE SURVEY OF CONGRESS STREET SITE, 385 CONGRESS STREET, PORTLAND, ME DATED JULY 1, 2009 BY SEBAGO TECHNICS INC, PROJECT NUMBER 09235.
8. PLAN ORIENTATION IS GRID NORTH. MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83. ELEVATIONS DEPICTED HEREON ARE NGVD29 PER CITY STANDARDS AS VERIFIED BY A UNITED STATES COAST & GEODETIC SURVEY BRASS DISK LOCATED IN A GRANITE BLOCK OF THE CITY HALL BUILDING HAVING A PUBLISHED ELEVATION OF 69.66' (NAD83 68.95')
9. THE CITY OF PORTLAND DISCONTINUED THAT PORTION OF CHAPPEL STREET INCLUDING ALL UTILITY RIGHTS THEREIN* RUNNING FROM CONGRESS STREET TO CUMBERLAND STREET* BY ORDER OF CITY COUNCIL ON FEBRUARY 5, 1973 AND RECORDED AT THE CITY OF PORTLAND RECORDS IN VOLUME 89, PAGE 61.
10. PURSUANT TO A CONVERSATION BETWEEN SEBAGO TECHNICS, INC. AND THE PORTLAND WATER DISTRICT, THE WATER LINE SHOWN AS BEING LOCATED IN THE DISCONTINUED PORTION OF CHAPPEL STREET HAS BEEN REMOVED AND NO LONGER EXISTS.
11. UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D PER AMERICAN SOCIETY OF CIVIL ENGINEERS (ASSE) STANDARD CHASE 38-42. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
12. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY PANEL NUMBER 230951 001 B, HAVING AN EFFECTIVE DATE OF JULY 17 1998. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREAS OF AREAS OF MINIMAL FLOODING.
13. BENCHMARK:
BM-1 EASTERLY BOLT AT BASE OF UTILITY POLE ELEVATION: 61.55 (NGVD29)
14. SITE FEATURES SHOWN HEREON ARE PROPOSED. SEE FULL PLAN SET OF 385 CONGRESS STREET FOR DESIGN ELEMENTS.



LEGEND	
EXISTING	PROPOSED
	PROPERTY LINE/R.O.W.
	ABUTTER LINE/R.O.W.
	NOW OR FORMERLY
	BUILDING
	DECK/STEPS/ OVERHANG
	EDGE PAVEMENT
	EDGE CONCRETE
	PAVEMENT PAINT
	CURB LINE
BM-1	BENCHMARK
	GRANITE MONUMENT
	IRON PIPE/ROD
	DRILL HOLE
	DECIDUOUS TREE

EASEMENT LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 45°24'06" E	4.45'
L2	S 44°35'54" E	1.06'
L3	N 45°24'06" E	5.55'
L4	S 49°35'54" E	15.12'
L5	S 44°35'54" E	10.83'
L6	S 55°24'06" W	7.50'
L7	S 44°35'54" E	84.96'
L8	N 45°40'12" E	0.64'
L9	S 44°38'05" E	22.33'
L10	S 45°40'16" W	0.65'
L11	S 44°35'54" E	28.29'
L12	S 45°24'35" W	2.98'
L13	S 44°35'25" E	56.25'
L14	S 55°45'03" W	4.85'

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) AND PART 2 (TECHNICAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.


JACOB I. BARTLETT, PLS 2513 01/09/2022

ATTEST: _____

REGISTE

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	01/13/2023
SCALE	1" = 25'
PROJECT	19371-01

SHEET 3 OF 24

DANIEL I RILEY PE 9967 IACOB I BARTI ETT PI S 2513

C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
A	DLR	08/10/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
REV. BY:	DATE:	STATUS:	

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SEBAGO
TECHNICS

WWW.SEBOGOTECHNICS.COM

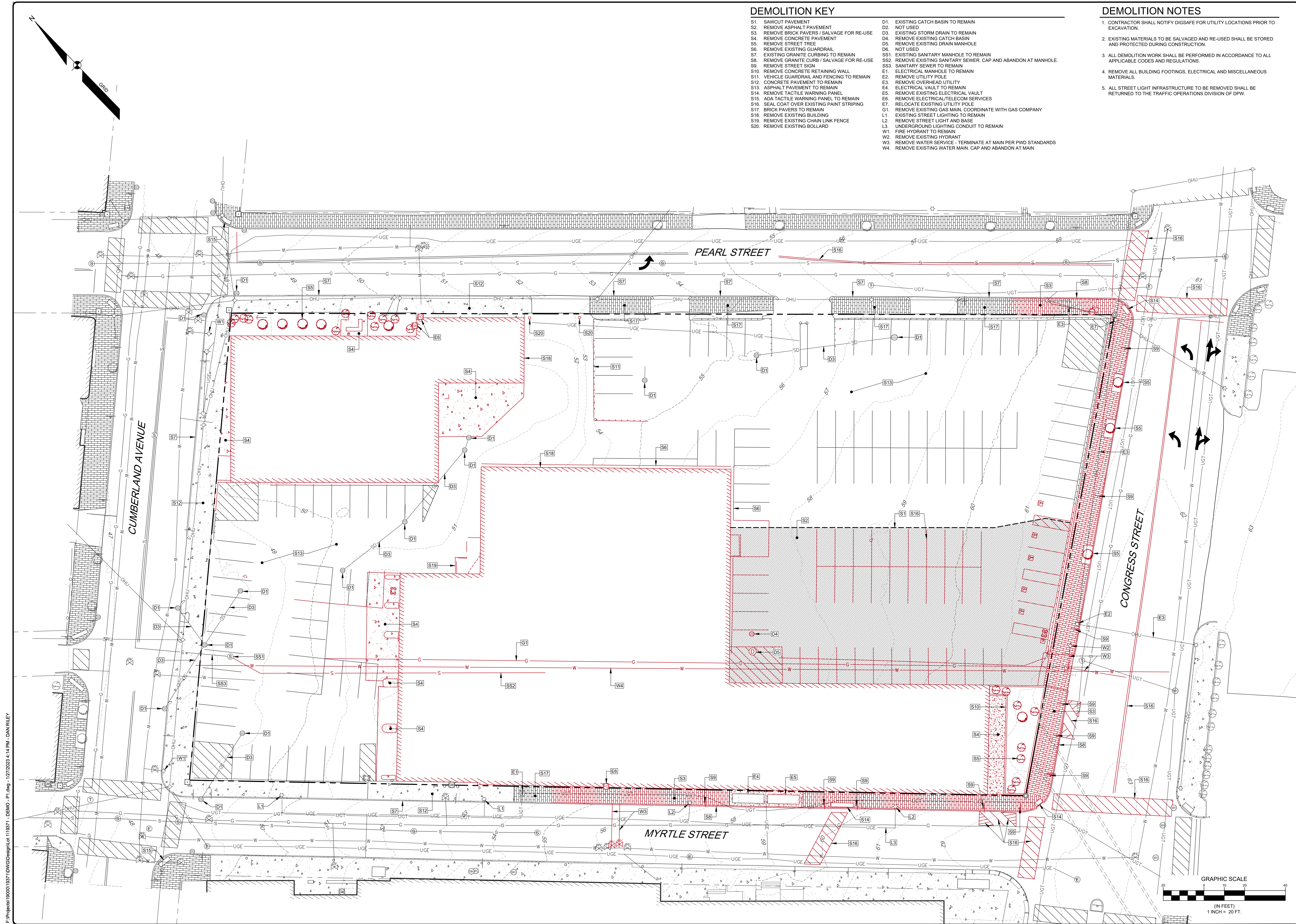
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

RECORD OWNER:
385 CONGRESS LLC
2730 TRANSIT ROAD
WEST SENeca, NY 14224

EASEMENT PLAN- LOT 1
OF:
385 CONGRESS STREET
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

19371 - SR - P1.dwg TAB:3 EASEMENT PJ AN-1 QT 1

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DEMOLITION KEY

- S1. SAWCUT PAVEMENT

S2. REMOVE ASPHALT PAVEMENT

S3. REMOVE BRICK PAVERS / SALVAGE FOR RE-USE

S4. REMOVE CONCRETE PAVEMENT

S5. REMOVE STREET TREE

S6. REMOVE EXISTING GUARDRAIL

S7. EXISTING GRANITE CURBING TO REMAIN

S8. REMOVE GRANITE CURB / SALVAGE FOR RE-USE

S9. REMOVE STREET SIGN

S10. REMOVE CONCRETE RETAINING WALL

S11. VEHICLE GUARDRAIL AND FENCING TO REMAIN

S12. CONCRETE PAVEMENT TO REMAIN

S13. ASPHALT PAVEMENT TO REMAIN

S14. REMOVE TACTILE WARNING PANEL

S15. ADA TACTILE WARNING PANEL TO REMAIN

S16. SEAL COAT OVER EXISTING PAINT STRIPING

S17. BRICK PAVERS TO REMAIN

S18. REMOVE EXISTING BUILDING

S19. REMOVE EXISTING CHAIN LINK FENCE

S20. REMOVE EXISTING BOLLARD
- D1. EXISTING CATCH BASIN TO REMAIN

D2. NOT USED

D3. EXISTING STORM DRAIN TO REMAIN

D4. REMOVE EXISTING CATCH BASIN

D5. REMOVE EXISTING DRAIN MANHOLE

D6. NOT USED

SS1. EXISTING SANITARY MANHOLE TO REMAIN

SS2. REMOVE EXISTING SANITARY SEWER. CAP AND ABANDON AT MANHOLE.

SS3. SANITARY SEWER TO REMAIN

E1. ELECTRICAL MANHOLE TO REMAIN

E2. REMOVE UTILITY POLE

E3. REMOVE OVERHEAD UTILITY

E4. ELECTRICAL VAULT TO REMAIN

E5. REMOVE EXISTING ELECTRICAL VAULT

E6. REMOVE ELECTRICAL/TELECOM SERVICES

E7. RELOCATE EXISTING UTILITY POLE

G1. REMOVE EXISTING GAS MAIN, COORDINATE WITH GAS COMPANY

L1. EXISTING STREET LIGHTING TO REMAIN

L2. REMOVE STREET LIGHT AND BASE

L3. UNDERGROUND LIGHTING CONDUIT TO REMAIN

W1. FIRE HYDRANT TO REMAIN

W2. REMOVE EXISTING HYDRANT

W3. REMOVE WATER SERVICE - TERMINATE AT MAIN PER PWD STANDARDS

W4. REMOVE EXISTING WATER MAIN. CAP AND ABANDON AT MAIN

DEMOLITION NOTES

1. CONTRACTOR SHALL NOTIFY DIGSAFE FOR UTILITY LOCATIONS PRIOR TO EXCAVATION.
2. EXISTING MATERIALS TO BE SALVAGED AND RE-USED SHALL BE STORED AND PROTECTED DURING CONSTRUCTION.
3. ALL DEMOLITION WORK SHALL BE PERFORMED IN ACCORDANCE TO ALL APPLICABLE CODES AND REGULATIONS.
4. REMOVE ALL BUILDING FOOTINGS, ELECTRICAL AND MISCELLANEOUS MATERIALS.
5. ALL STREET LIGHT INFRASTRUCTURE TO BE REMOVED SHALL BE RETURNED TO THE TRAFFIC OPERATIONS DIVISION OF DPW.

NOT FOR
CONSTRUCTION

D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
A	DLR	08/10/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
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Tel. 207-200-2100

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DEMOLITION PLAN

OF:

385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET

PORTLAND, MAINE

FOR:

THE FATHOM COMPANIES

80 EXCHANGE ST. SUITE 400

PORTLAND, ME 04101

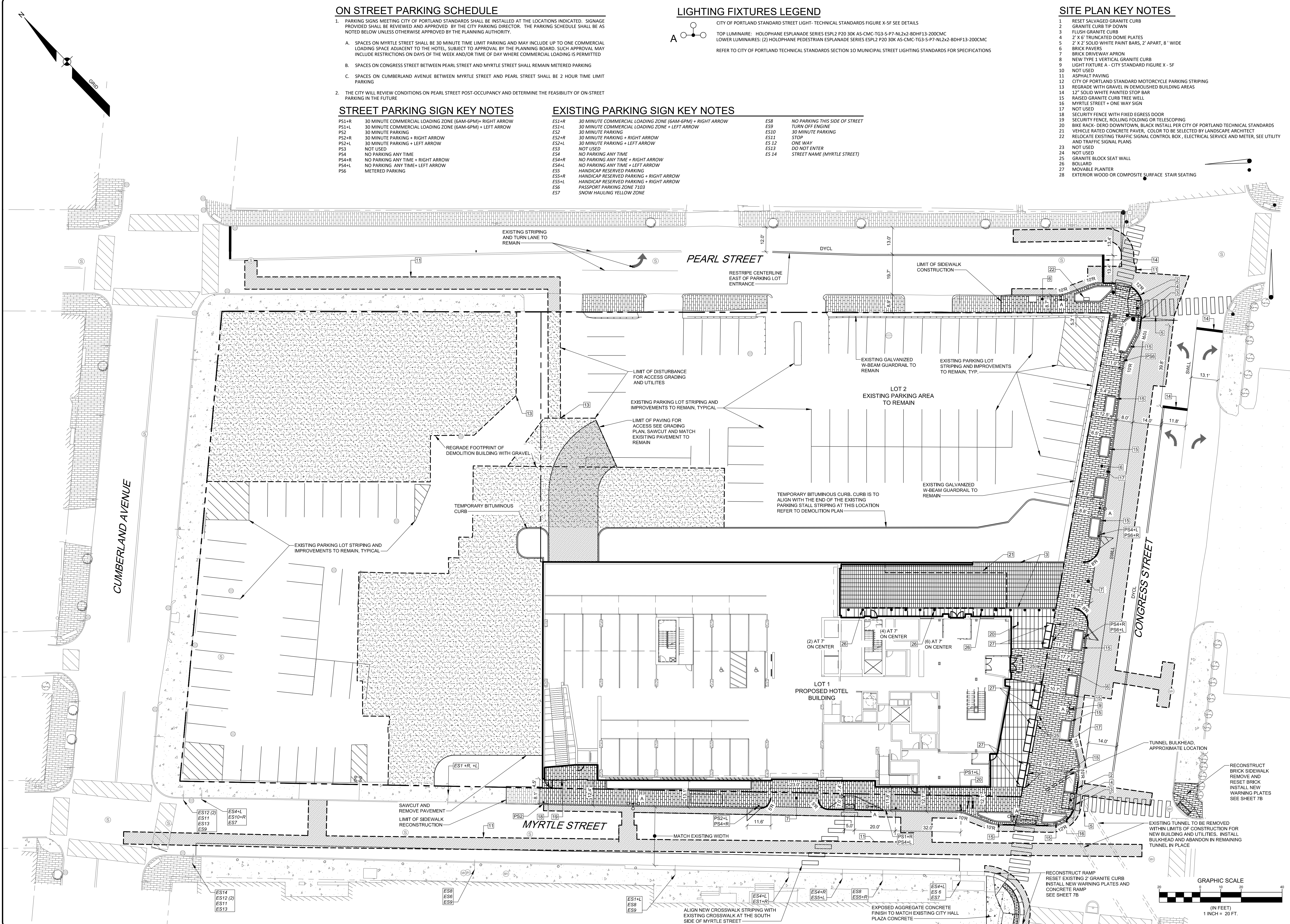
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CHECKED	DLR
DATE	01/13/2023
SCALE	1" = 20'
PROJECT	19371-01

SHEET 4 OF 24

DANIEL RILEY, PE 9967

19371 - DEMO - P1.dwg, TAB 4 DEMOLITION PLAN

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ON STREET PARKING SCHEDULE

- 1. PARKING SIGNS MEETING CITY OF PORTLAND STANDARDS SHALL BE INSTALLED AT THE LOCATIONS INDICATED. SIGNAGE PROVIDED SHALL BE REVIEWED AND APPROVED BY THE CITY PARKING DIRECTOR. THE PARKING SCHEDULE SHALL BE AS NOTED BELOW UNLESS OTHERWISE APPROVED BY THE PLANNING AUTHORITY.
- A. SPACES ON MYRTLE STREET SHALL BE 30 MINUTE TIME LIMIT PARKING AND MAY INCLUDE UP TO ONE COMMERCIAL LOADING SPACE ADJACENT TO THE HOTEL, SUBJECT TO APPROVAL BY THE PLANNING BOARD. SUCH APPROVAL MAY INCLUDE RESTRICTIONS ON DAYS OF THE WEEK AND/OR TIME OF DAY WHERE COMMERCIAL LOADING IS PERMITTED
- B. SPACES ON CONGRESS STREET BETWEEN PEARL STREET AND MYRTLE STREET SHALL REMAIN METERED PARKING
- C. SPACES ON CUMBERLAND AVENUE BETWEEN MYRTLE STREET AND PEARL STREET SHALL BE 2 HOUR TIME LIMIT PARKING
- 2. THE CITY WILL REVIEW CONDITIONS ON PEARL STREET POST-OCCUPANCY AND DETERMINE THE FEASIBILITY OF ON-STREET PARKING IN THE FUTURE

STREET PARKING SIGN KEY NOTES

- PS1+R 30 MINUTE COMMERCIAL LOADING ZONE (6AM-6PM)+ RIGHT ARROW
- PS1+L 30 MINUTE COMMERCIAL LOADING ZONE (6AM-6PM) + LEFT ARROW
- PS2 30 MINUTE PARKING
- PS2+R 30 MINUTE PARKING + RIGHT ARROW
- PS2+L 30 MINUTE PARKING + LEFT ARROW
- PS3 NOT USED
- PS4 NO PARKING ANY TIME
- PS4+R NO PARKING ANY TIME + RIGHT ARROW
- PS4+L NO PARKING ANY TIME + LEFT ARROW
- PS6 METERED PARKING

EXISTING PARKING SIGN KEY NOTES

- ES1+R 30 MINUTE COMMERCIAL LOADING ZONE (6AM-6PM) + RIGHT ARROW
- ES1+L 30 MINUTE COMMERCIAL LOADING ZONE + LEFT ARROW
- ES2 30 MINUTE PARKING
- ES2+R 30 MINUTE PARKING + RIGHT ARROW
- ES2+L 30 MINUTE PARKING + LEFT ARROW
- ES3 NOT USED
- ES4 NO PARKING ANY TIME
- ES4+R NO PARKING ANY TIME + RIGHT ARROW
- ES4+L NO PARKING ANY TIME + LEFT ARROW
- ES5 HANDICAP RESERVED PARKING
- ES5+R HANDICAP RESERVED PARKING + RIGHT ARROW
- ES5+L HANDICAP RESERVED PARKING + RIGHT ARROW
- ES6 PASSPORT PARKING ZONE 7103
- ES7 SNOW HAULING YELLOW ZONE

LIGHTING FIXTURES LEGEND

CITY OF PORTLAND STANDARD STREET LIGHT- TECHNICAL STANDARDS FIGURE X-5F SEE DETAILS
TOP LUMINAIRE: HOLOPHANE ESPLANADE SERIES ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2x2-BDHF13-200CMC
LOWER LUMINAIRES: (2) HOLOPHANE PEDESTRIAN ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2x2-BDHF13-200CMC
REFER TO CITY OF PORTLAND TECHNICAL STANDARDS SECTION 10 MUNICIPAL STREET LIGHTING STANDARDS FOR SPECIFICATIONS

SITE PLAN KEY NOTES

- 1 RESET SALVAGED GRANITE CURB
- 2 GRANITE CURB TIP DOWN
- 3 FLUSH GRANITE CURB
- 4 2' X 6' TRUNCATED DOME PLATES
- 5 2' X 2' SOLID WHITE PAINT BARS, 2' APART, 8' 1" WIDE
- 6 BRICK PAVERS
- 7 BRICK DRIVEWAY APRON
- 8 NEW TYPE 1 VERTICAL GRANITE CURB
- 9 LIGHT FIXTURE A - CITY STANDARD FIGURE X - 5F
- 10 NOT USED
- 11 ASPHALT PAVING
- 12 CITY OF PORTLAND STANDARD MOTORCYCLE PARKING STRIPING
- 13 REGRADE WITH GRAVEL IN DEMOLISHED BUILDING AREAS
- 14 12" SOLID WHITE PAINTED STOP BAR
- 15 RAISED GRANITE CURB TREE WELL
- 16 MYRTLE STREET + ONE WAY SIGN
- 17 NOT USED
- 18 SECURITY FENCE WITH FIXED EGRESS DOOR
- 19 SECURITY FENCE, ROLLING FOLDING OR TELESCOPING
- 20 BIKE RACK- DERO DOWNTOWN, BLACK INSTALL PER CITY OF PORTLAND TECHNICAL STANDARDS
- 21 VEHICLE RATED CONCRETE PAVES, COLOR TO BE SELECTED BY LANDSCAPE ARCHITECT
- 22 RELOCATE EXISTING TRAFFIC SIGNAL CONTROL BOX, ELECTRICAL SERVICE AND METER, SEE UTILITY AND TRAFFIC SIGNAL PLANS
- 23 NOT USED
- 24 NOT USED
- 25 GRANITE BLOCK SEAT WALL
- 26 BOLLARD
- 27 MOVABLE PLANTER
- 28 EXTERIOR WOOD OR COMPOSITE SURFACE STAIR SEATING

NOT FOR CONSTRUCTION

DANIEL RILEY, PE 9667

02/08/2023

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Tel: 207-200-2100

OVERALL SITE PLAN - STREET LEVEL

OR:
385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE

FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/08/2023
SCALE	1" = 20'
PROJECT	19371-01

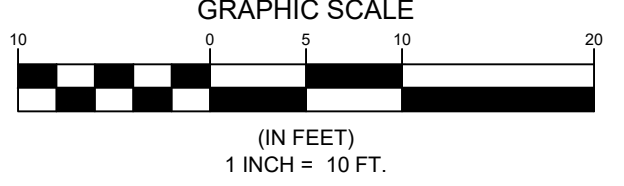
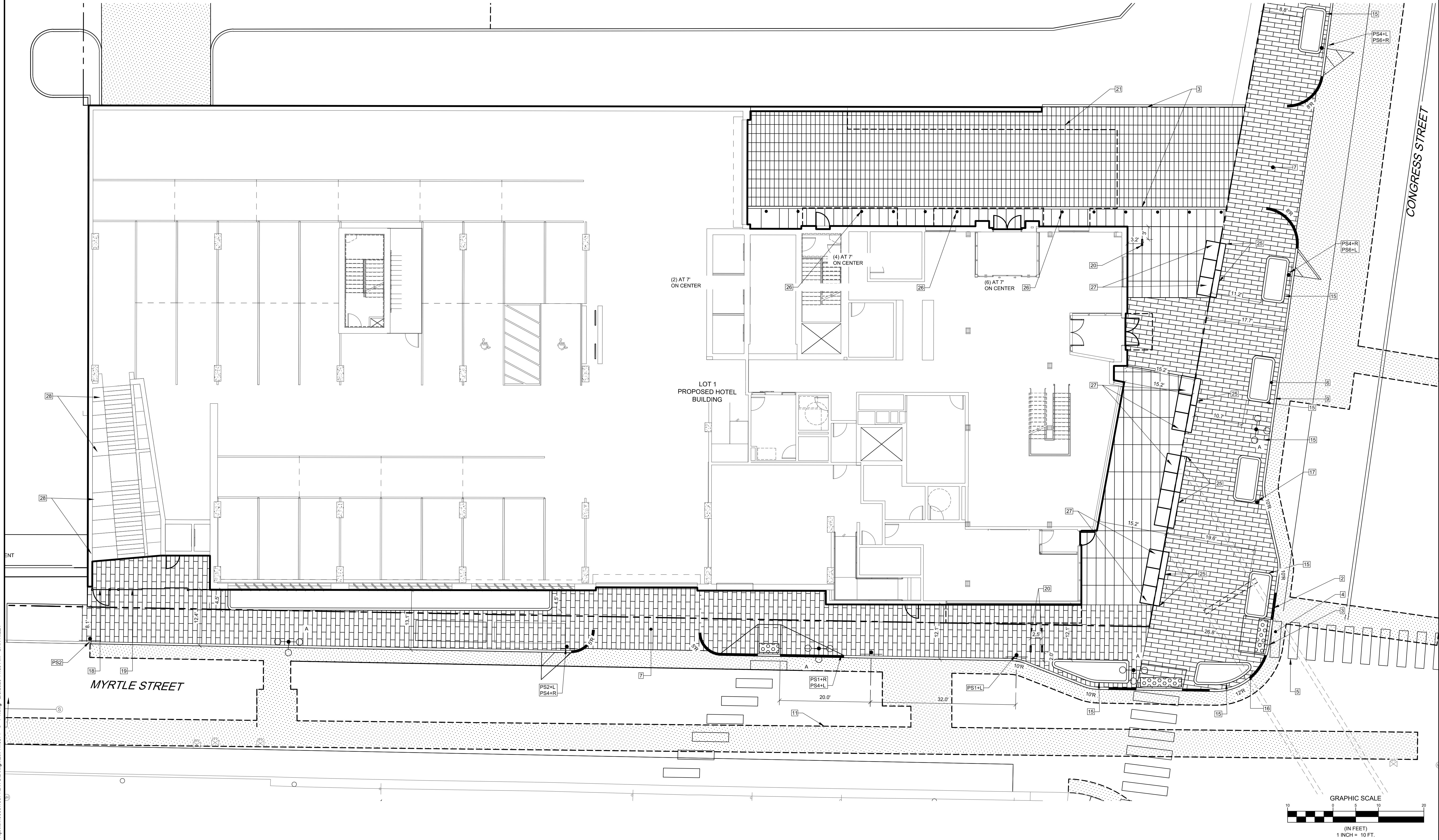
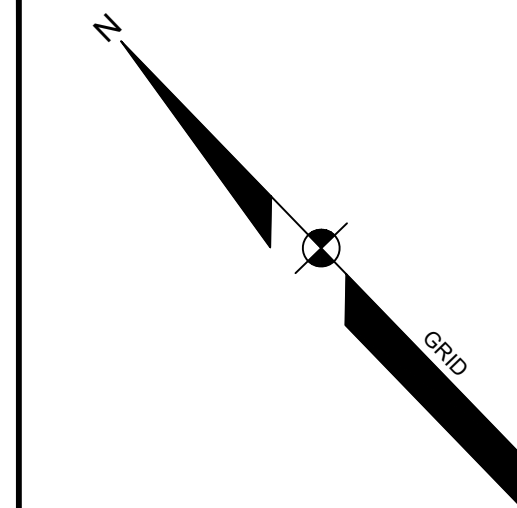
SHEET 5 OF 25

LIGHTING FIXTURES LEGEND

CITY OF PORTLAND STANDARD STREET LIGHT- TECHNICAL STANDARDS FIGURE X-5F SEE DETAILS
TOP LUMINAIRE: HOLOPHANE ESPLANADE SERIES ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2X2-BDHF13-200CMC
LOWER LUMINAIRES: (2) HOLOPHANE PEDESTRIAN ESPLANADE SERIES ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2X2-BDHF13-200CMC
REFER TO CITY OF PORTLAND TECHNICAL STANDARDS SECTION 10 MUNICIPAL STREET LIGHTING STANDARDS FOR SPECIFICATIONS

SITE PLAN KEY NOTES

- 1 RESET SALVAGED GRANITE CURB
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- 22 RELOCATE EXISTING TRAFFIC SIGNAL CONTROL BOX,
- 23 ELECTRICAL SERVICE AND METER, SEE UTILITY AND TRAFFIC SIGNAL PLANS
- 24 NOT USED
- 25 NOT USED
- 26 GRANITE BLOCK SEAT WALL
- 27 BOLLARD
- 28 MOVABLE PLANTER
- 29 EXTERIOR WOOD OR COMPOSITE SURFACE STAIR SEATING



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SITE PLAN - STREET LEVEL

OR:
385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE

FOR:
THE FATHOM COMPANIES

80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/08/2023
SCALE	1" = 10'
PROJECT	19371-01

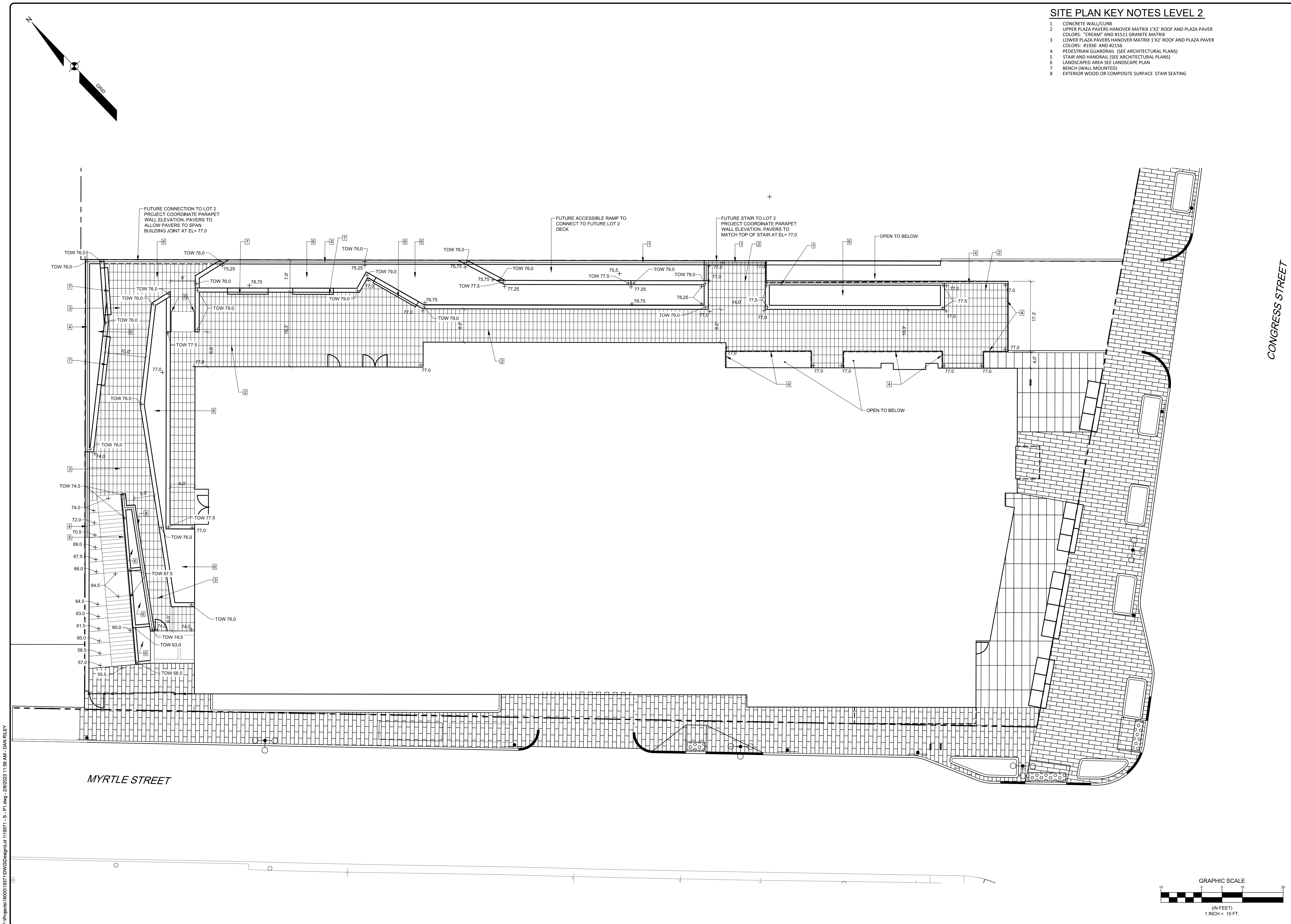
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DANIEL RILEY, PE 9967

SALE OF MAINE
DANIEL RILEY
No. 9967
Professional Engineer
02/08/2023

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SITE PLAN KEY NOTES LEVEL 2

- 1 CONCRETE WALL/CURB
- 2 UPPER PLAZA PAVERS HANOVER MATRIX 1'X2' ROOF AND PLAZA PAVER
COLORS: "CREAM" AND #1511 GRANITE MATRIX
- 3 LOWER PLAZA PAVERS HANOVER MATRIX 1'X2' ROOF AND PLAZA PAVER
COLORS: #1930 AND #2156
- 4 PEDESTRIAN GUARDRAIL (SEE ARCHITECTURAL PLANS)
- 5 STAIR AND HANDRAIL (SEE ARCHITECTURAL PLANS)
- 6 LANDSCAPED AREA SEE LANDSCAPE PLAN
- 7 BENCH (WALL MOUNTED)
- 8 EXTERIOR WOOD OR COMPOSITE SURFACE STAIR SEATING

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CONSTRUCTION

DANIEL L. RILEY, P.E. 9967
SALE
DANIEL L. RILEY
No. 9967
Professional Engineer
02/08/2023

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E	DLR	02/08/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
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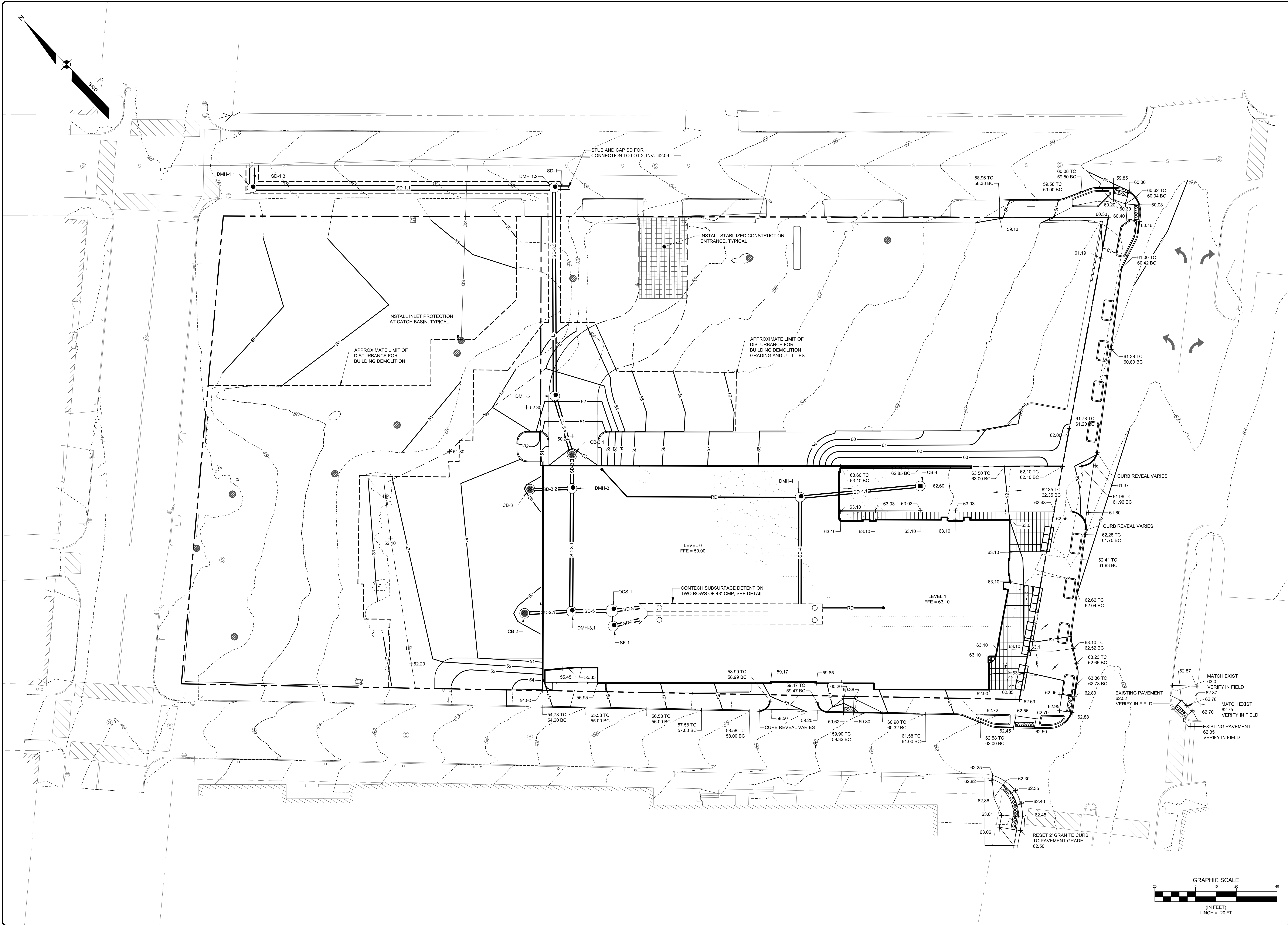
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SITE PLAN - LEVEL 2
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

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DATE	02/08/2023
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PROJECT	19371-01

SHEET 6 OF 25

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19371 - G - P1.dwg TAB7 GRADING AND DRAINAGE PLAN

GRADING AND DRAINAGE PLAN
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

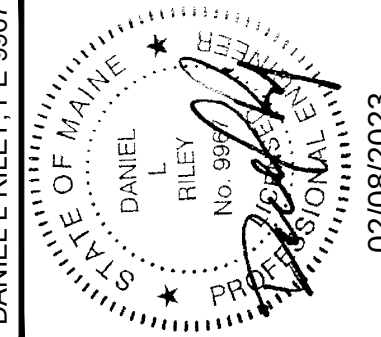
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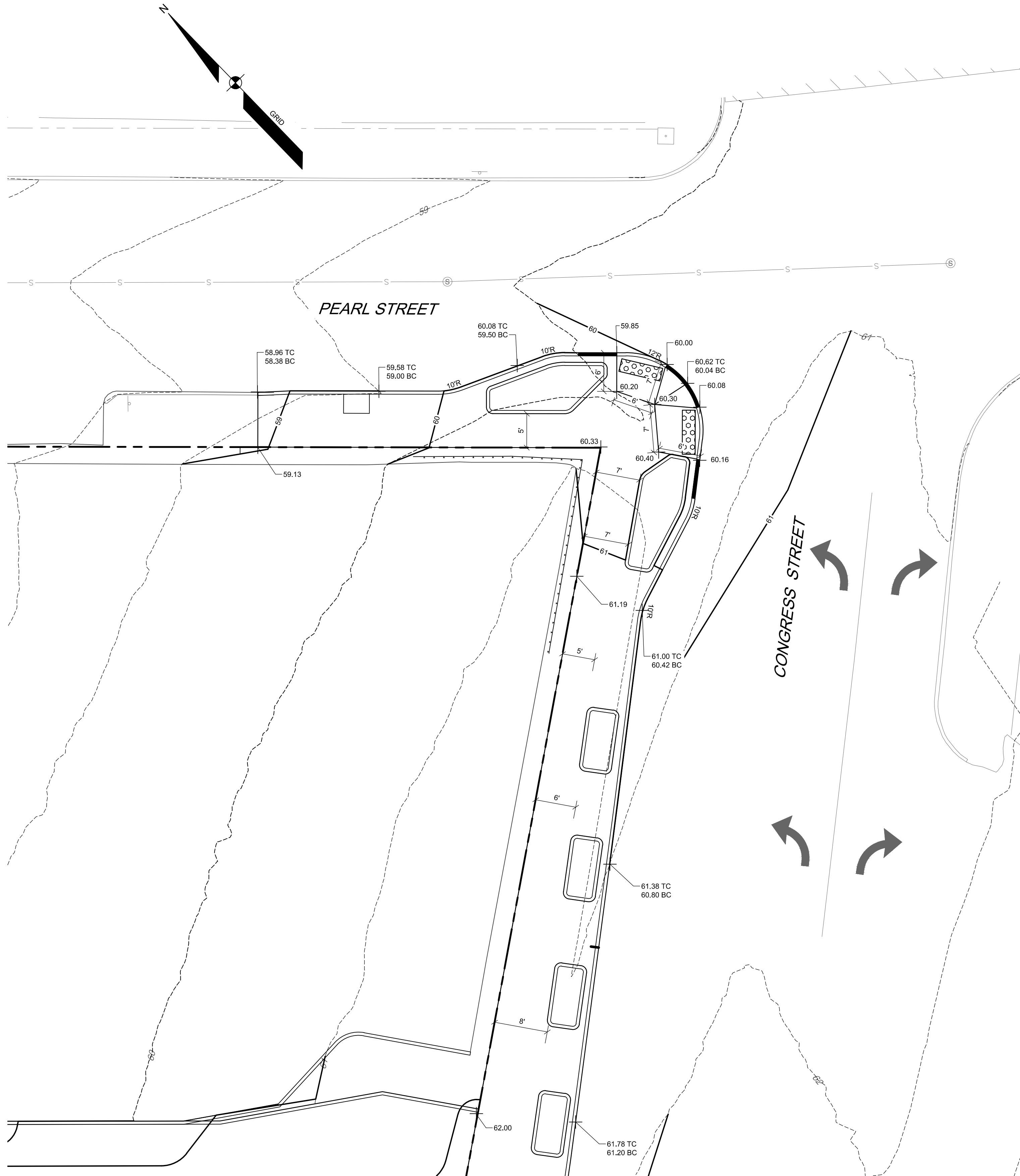
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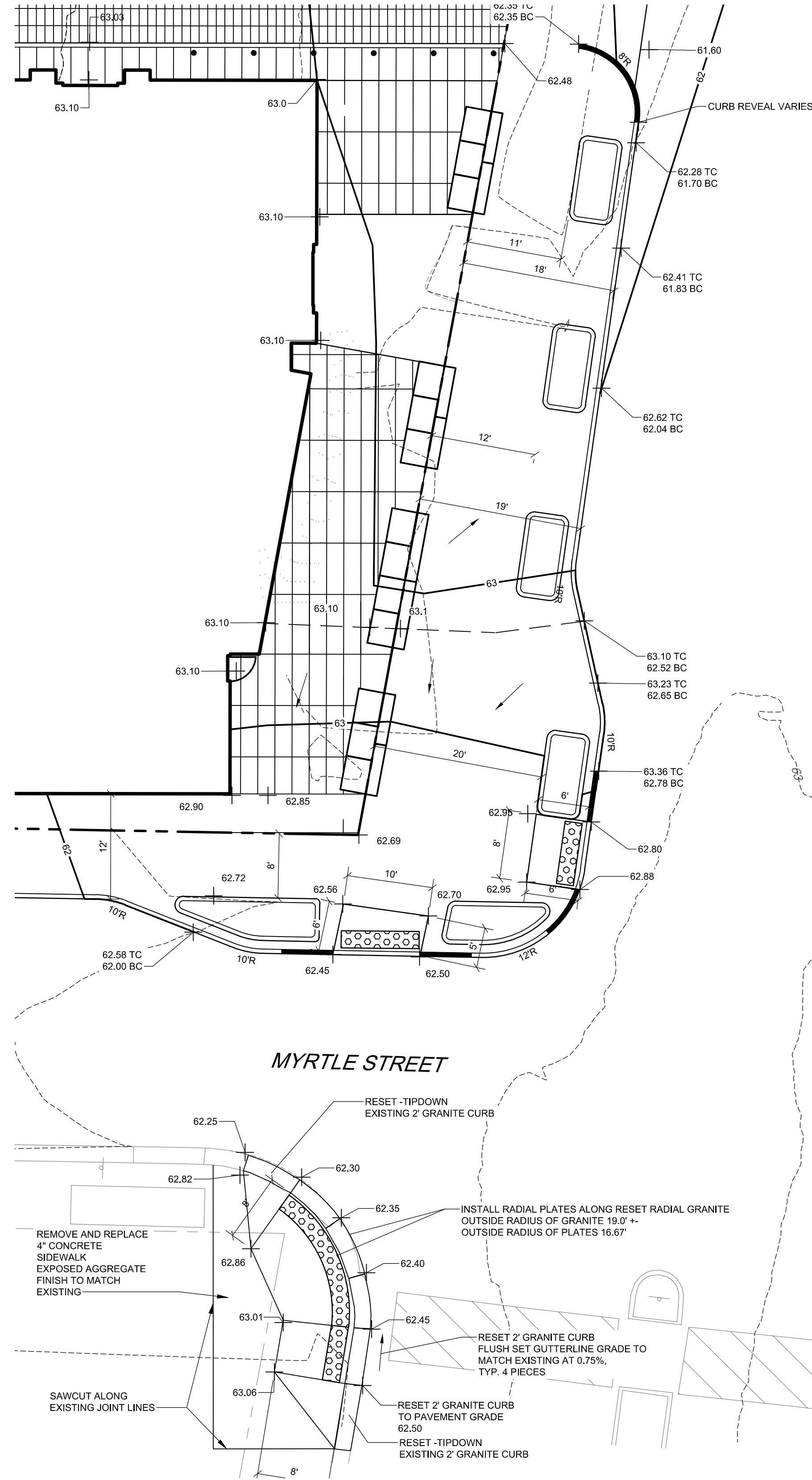
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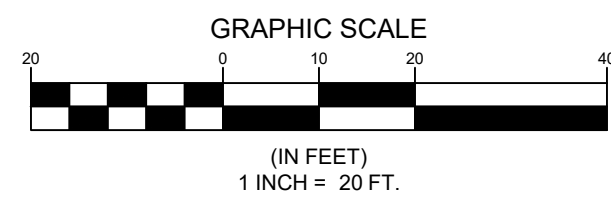
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INSET - 1
SCALE: 1" = 10'



INSET - 2
SCALE: 1" = 10'



GRADING PLAN - DETAILS 2
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

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SALE OF MAINE
DANIEL L. RILEY
No. 9967
Professional Engineer
02/08/2023

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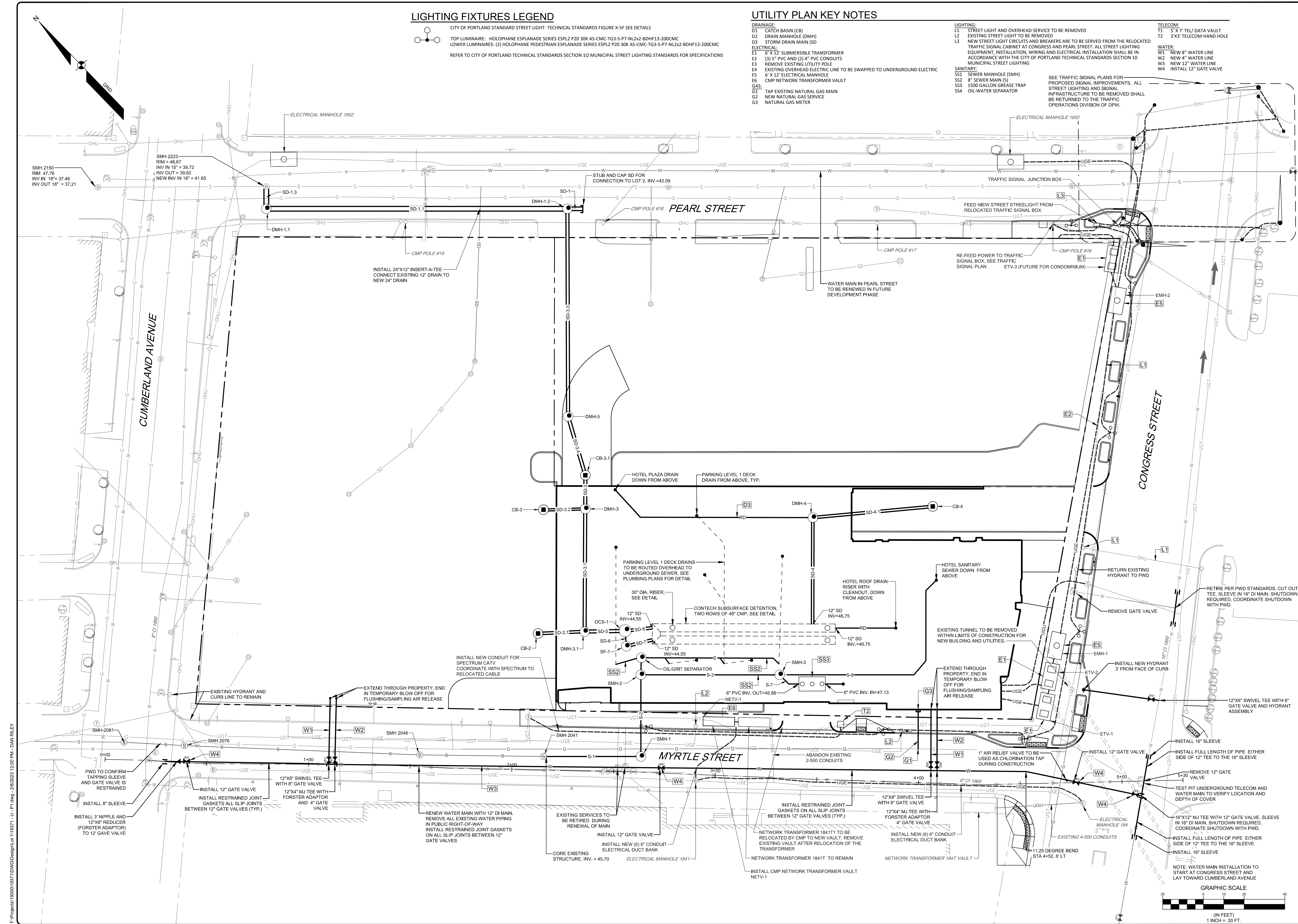
LIGHTING FIXTURES LEGEND

CITY OF PORTLAND STANDARD STREET LIGHT- TECHNICAL STANDARDS FIGURE X-5F SEE DETAILS
TOP LUMINAIRE: HOLOPHANE ESPLANADE SERIES ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2x2-BDHF13-200CMC
LOWER LUMINAIRES: (2) HOLOPHANE PEDESTRIAN ESPLANADE SERIES ESPL2 P20 30K AS-CMC-TG3-S-P7-NL2x2-BDHF13-200CMC
REFER TO CITY OF PORTLAND TECHNICAL STANDARDS SECTION 10 MUNICIPAL STREET LIGHTING STANDARDS FOR SPECIFICATIONS

UTILITY PLAN KEY NOTES

DRAINAGE:
D1 CATCH BASIN (CB)
D2 DRAIN MANHOLE (DMH)
D3 STORM DRAIN MAIN (SD)
ELECTRICAL:
E1 6" X 12" SUBMERSIBLE TRANSFORMER
E2 (3) 5" PVC AND (2) 4" PVC CONDUITS
E3 REMOVE EXISTING UTILITY POLE
E4 EXISTING OVERHEAD ELECTRIC LINE TO BE SWAPPED TO UNDERGROUND ELECTRIC
E5 6" X 12" ELECTRICAL MANHOLE
E6 CMP NETWORK TRANSFORMER VAULT
GAS:
G1 TAP EXISTING NATURAL GAS MAIN
G2 NEW NATURAL GAS SERVICE
G3 NATURAL GAS METER
LIGHTING:
L1 STREET LIGHT AND OVERHEAD SERVICE TO BE REMOVED
L2 EXISTING STREET LIGHT TO BE REMOVED
L3 NEW STREET LIGHT CIRCUITS AND BREAKERS ARE TO BE SERVED FROM THE RELOCATED TRAFFIC SIGNAL CABINET AT CONGRESS AND PEARL STREET. ALL STREET LIGHTING EQUIPMENT, INSTALLATION, WIRING AND ELECTRICAL INSTALLATION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND TECHNICAL STANDARDS SECTION 10 MUNICIPAL STREET LIGHTING
SANITARY:
SS1 SEWER MANHOLE (SMH)
SS2 8" SEWER MAIN (S)
SS3 1500 GALLON GREASE TRAP
SS4 OIL-WATER SEPARATOR
TELECOM:
T1 5' X 7' TEL/ DATA VAULT
T2 3'X3' TELECOM HAND HOLE
WATER:
W1 NEW 8" WATER LINE
W2 NEW 4" WATER LINE
W3 NEW 12" WATER LINE
W4 INSTALL 12" GATE VALVE

SEE TRAFFIC SIGNAL PLANS FOR PROPOSED SIGNAL IMPROVEMENTS. ALL STREET LIGHTING AND SIGNAL INFRASTRUCTURE TO BE REMOVED SHALL BE RETURNED TO THE TRAFFIC OPERATIONS DIVISION OF DPW.



NOT FOR CONSTRUCTION

DANIEL RILEY, PE 9667
02/08/2023

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B	DLR	12/02/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
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D	DLR	01/27/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
E	DLR	02/08/2023	REVISIT PER PWD. RESUBMIT PLAN REVIEW

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SEBAGO
TECHNICS
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel: 207-200-2100
WWW.SEAGOTECHNICS.COM

UTILITY PLAN
OF
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/08/2023
SCALE	1" = 20'
PROJECT	19371-01

SHEET 8 OF 25

STRUCTURE TABLE								
POINT #	STRUCTURE TYPE	RIM EL.	INV.	INV. EL.	SIZE	TYPE	LOCATION (N=12)	COMMENTS
2041	SMH	54.78	IN	49.43	12	VIT CLAY	3	
			IN	49.49	4	VIT CLAY	6	
			IN	46.39	10	VIT CLAY	4	
			IN	45.55	UNK	UNK	5	FULL OF SEDIMENT
			OUT	45.34	UNK	UNK	11	FULL OF SEDIMENT
			SHELF	45.81				
2048	SMH	52.54	IN	42.99	18	VIT CLAY	4	
			IN	35.70	UNK	UNK	4	
			IN	36.23	8	VIT CLAY	3	
			IN	26.54	UNK	UNK	7	TOP OF PIPE
			IN	25.79	UNK	UNK	4	
			OUT	25.69	UNK	UNK	4	
2061	CBR	48.09	OUT	44.12	8	PVC	7	HOOD
			SUMP	42.12				
2065	CBR	48.25	IN	44.81	8	VIT CLAY	8	
			OUT	44.71	8	UNK	2	
			SUMP	40.71				
2076	SMH	48.19	IN	41.34	12	VIT CLAY	3	
			IN	25.03	UNK	UNK	4	
			OUT	24.99	UNK	UNK	10	
2081	SMH	47.90	IN	36.77	18	VIT CLAY	4	
			IN	24.67	18	VIT CLAY	4	
			OUT	24.67	18	VIT CLAY	10	
			SHELF	25.77				
2106	CBR	47.27	OUT	43.46	UNK	UNK	10	HOOD
			SUMP	40.26				
2124	CBR	47.00	IN	44.75	12	VIT CLAY	6	
			OUT	47.05	0	NONE	NONE	NO OUT VISIBLE
			SUMP	40.05				
2126	SMH	47.80	IN	39.41	12	VIT CLAY	8	
			OUT	39.32	12	VIT CLAY	2	
			SHELF	40.03				
2143	CBR	47.40	OUT	45.27	10	VIT CLAY	3	
			SUMP	45.17				
2145	CBR	47.95	IN	44.48	8	VIT CLAY	9	
			OUT	43.78	12	VIT CLAY	12	
			SUMP	42.98				
2150	MH	47.77	IN	37.46	18	VIT CLAY	4	
			OUT	37.21	18	VIT CLAY	10	
			SHELF	38.11				
2161	CBR	47.77	OUT	43.36	12	UNK	8	
			SUMP	40.76				
2164	CBR	47.54	IN	44.26	8	VIT CLAY	4	
			IN	44.19	8	VIT CLAY	2	
			OUT	43.49	12	UNK	9	
			SUMP	40.09				
2166	CBR	47.59	OUT	44.42	8	VIT CLAY	8	
			SUMP	44.02				
2223	SMH	48.67	IN	39.72	15	VIT CLAY	4	
			OUT	39.62	15	VIT CLAY	10	
			SHELF	40.77				
2386	SMH	54.12	IN	44.67	15	VIT CLAY	4	
			OUT	44.62	15	VIT CLAY	10	
			SHELF	45.69				

STRUCTURE	RIM	INV. IN	INV. OUT:	DIAM.
CB-1	53.90		49.00 (SD-1.2)	48"
CB-2	49.70		45.70 (SD-2.1)	48"
CB-3	49.80		45.80 (SD-3.2)	48"
CB-3.1	49.80	43.28 (SD-3)	43.23 (SD-3.4)	48"
CB-4	62.60		47.55 (SD-4.1)	48"
DMH-1.1	48.60	41.79 (SD-1.1)	41.69 (SD-1.3)	48"
DMH-1.2	52.50	42.61 (SD-1) 42.56 (SD-3.3)	42.51 (SD-1.1)	48"
DMH-3	50.00	43.40 (SD-3.1) 45.60 (SD-3.2)	43.35 (SD-3)	48"
DMH-3.1	50.00	43.78 (SD-3) 45.50 (SD-2.1)	43.68 (SD-3.1)	48"
DMH-4	50.70	47.20 (SD-4.1) 47.43 (RD)	47.10 (SD-4)	48"
DMH-5	50.14	43.10 (SD-3.4) 48.20 (SD-1.2)	43.05 (SD-3.3)	48"
OCS-1	50.25	43.97 (SD-6) 44.43 (SD-6)	43.87 (SD-5)	60"
SF-1	50.25	44.49 (SD-7)	43.99 (SD-6)	48"

NAME	SIZE	LENGTH	SLOPE
RD	8"	2'	0.00%
SD-1	18"	5'	0.93%
SD-1.1	24"	144'	0.50%
SD-1.2	12"	36'	2.21%
SD-1.3	24"	6'	0.50%
SD-2.1	12"	19'	1.06%
SD-3	15"	13'	0.58%
SD-3.1	15"	56'	0.50%
SD-3.2	12"	17'	1.21%
SD-3.3	15"	98'	0.50%
SD-3.4	15"	26'	0.50%
SD-4	12"	50'	0.70%
SD-4.1	12"	55'	0.63%
SD-5	15"	5'	0.58%
SD-6	8"	3'	0.65%
SD-7	12"	11'	0.54%
SD-8	12"	11'	1.10%

SANITARY SEWER STRUCTURE DATA				
STRUCTURE	RIM	INV. IN	INV. OUT:	DIAM.
OIL/GRIT SEPARATOR	50.25	47.00 (S-6) 47.00 (S-5)	46.43 (S-4)	48"
SMH-1	56.70	46.04 (S-2)	45.94 (S-1)	48"
SMH-2	50.25	46.33 (S-3) 46.37 (S-4)	46.23 (S-2)	48"
SMH-3	50.30	46.78 (S-7) 46.78 (S-8)	46.68 (S-3)	48"

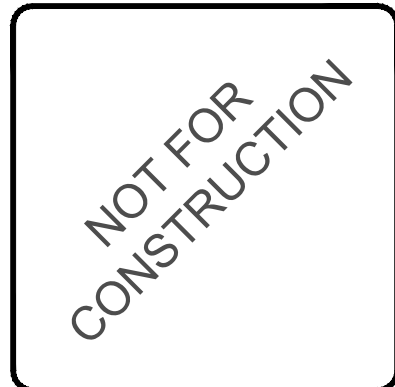
SANITARY SEWER PIPE DATA			
NAME	SIZE	LENGTH	SLOPE
S-1	8"	45'	0.55%
S-2	8"	36'	0.54%
S-3	8"	64'	0.55%

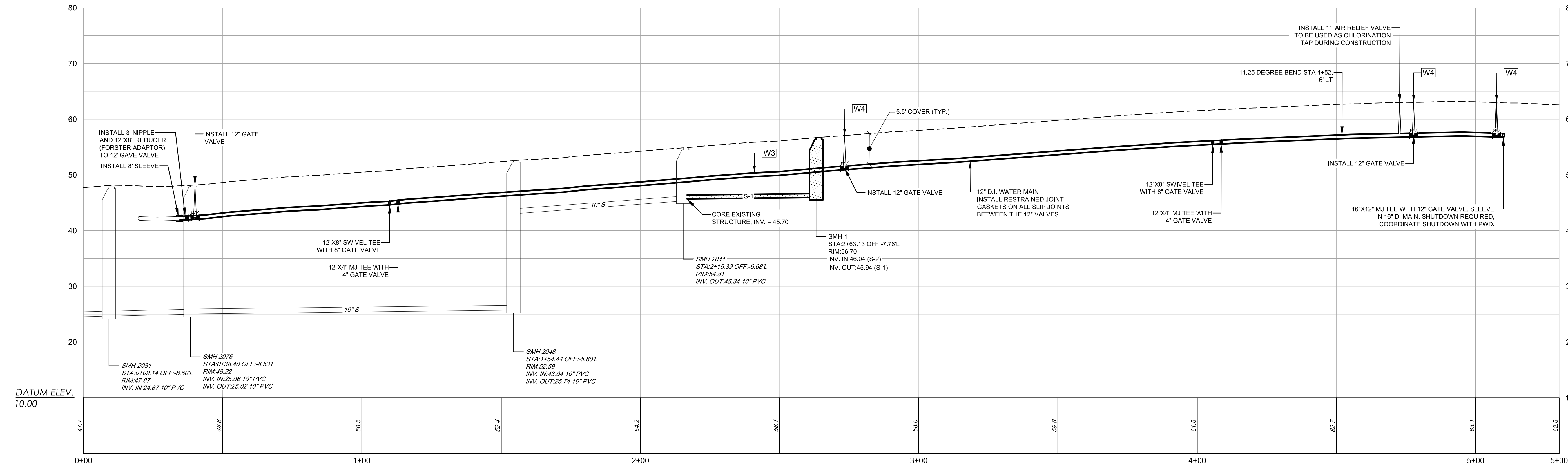
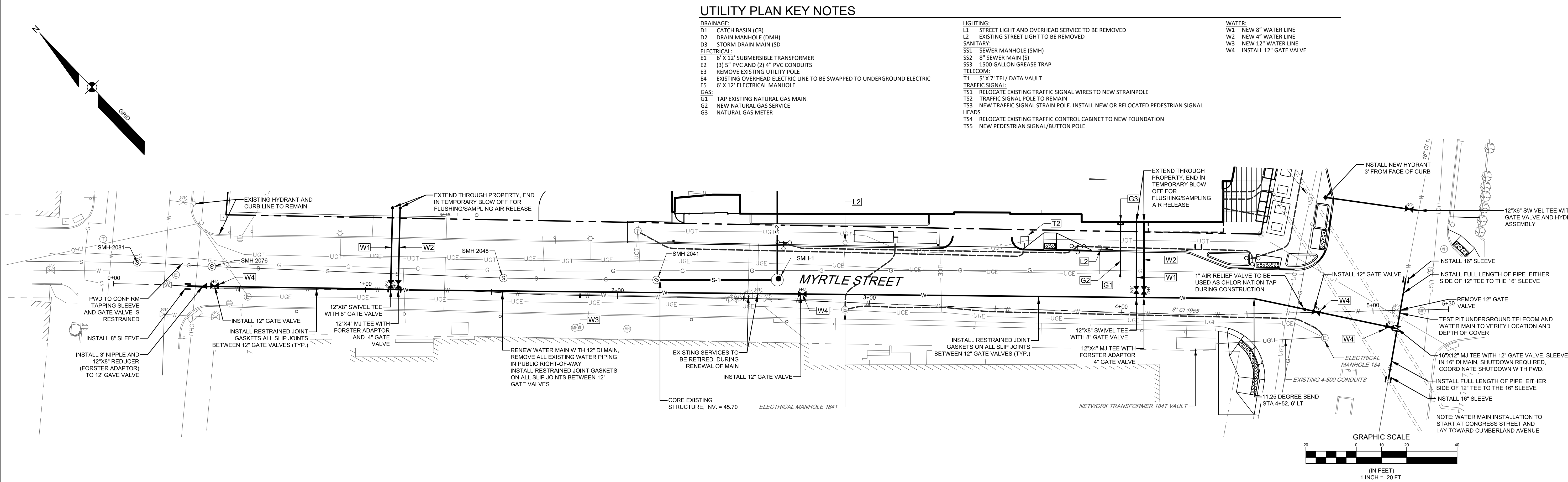
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
A	DLR	08/10/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
REV:	BY:	DATE:	STATUS:
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SCHEDULES
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	01/13/2023
SCALE	N.T.S.
PROJECT	19371-01





MYRTLE STREET WATERLINE

SCALE:
1" = 20' H
1" = 10' V

NOTES:

1. DEPTH OF EXISTING ELECTRICAL, COMMUNICATION, AND GAS UTILITIES ARE UNKNOWN. CONTRACTOR SHALL VERIFY DEPTHS PRIOR TO CONSTRUCTION. ANY CONFLICTS SHALL BE COMMUNICATED TO ENGINEER.
2. WATER MAIN INSTALLATION TO START AT CONGRESS STREET AND LAY TOWARD CUMBERLAND AVENUE.

MYRTLE STREET PLAN AND PROFILE
OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

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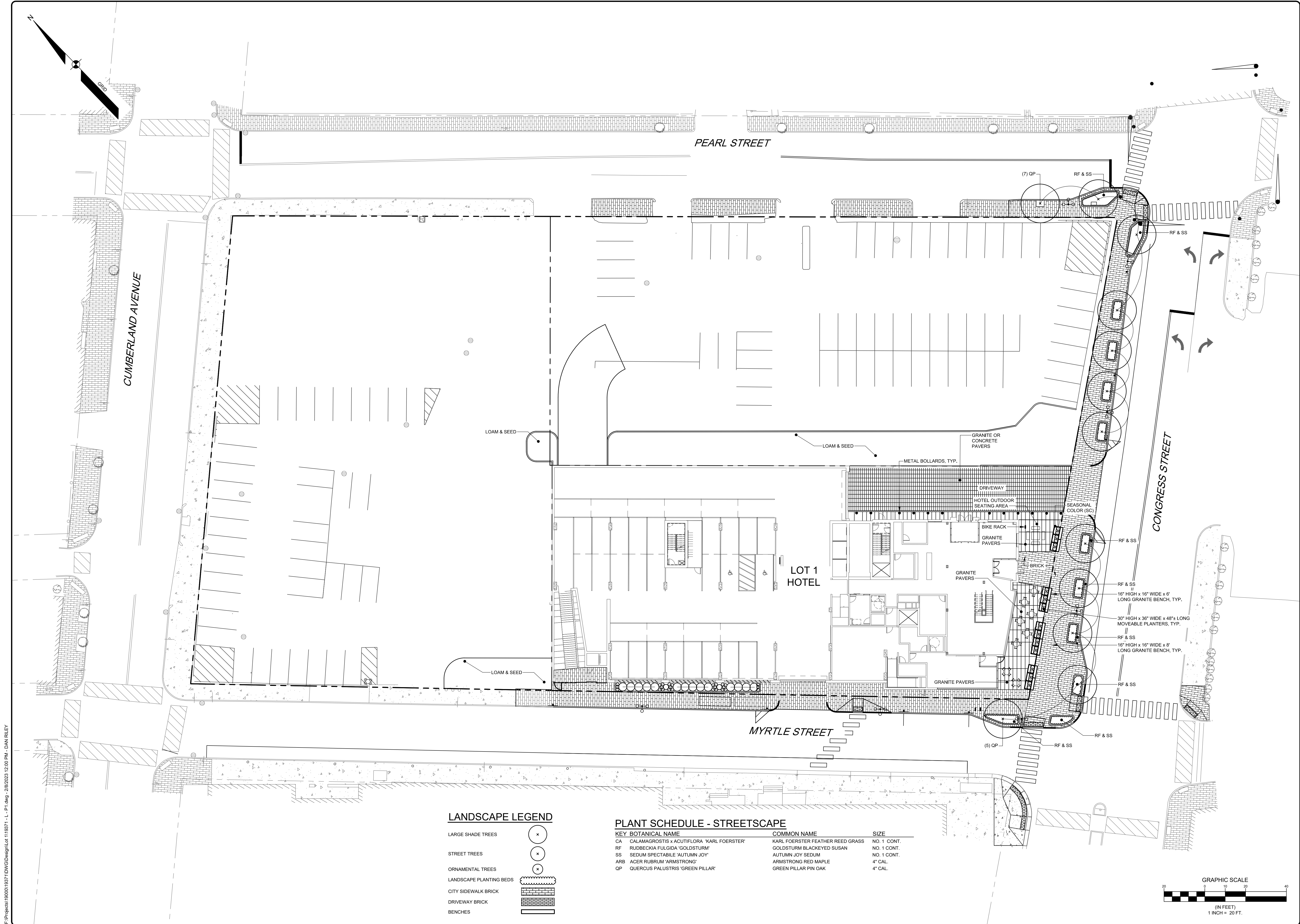
SHEET10 OF25

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E	DLR	02/08/2023	REVISIT FOR LEVEL III SITE PLAN REVIEW
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
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DANIEL L RILEY, PE 9967
SALE OF MAINE
L
RILEY
No. 9967
Professional Engineer
02/08/2023

NOT FOR
CONSTRUCTION



LANDSCAPE LEGEND

LARGE SHADE TREES	(X)
STREET TREES	(X)
ORNAMENTAL TREES	(X)
LANDSCAPE PLANTING BEDS	[Pattern]
CITY SIDEWALK BRICK	[Pattern]
DRIVEWAY BRICK	[Pattern]
BENCHES	[Symbol]

PLANT SCHEDULE - STREETSCAPE

KEY	BOTANICAL NAME	COMMON NAME	SIZE
CA	CALAMAGROSTIS x ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	NO. 1 CONT.
RF	RUBRICKIA FULGIDA 'GOLDSTURM'	GOLDSTURM BLACKKEYED SUSAN	NO. 1 CONT.
SS	SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY SEDUM	NO. 1 CONT.
ARB	ACER RUBRUM 'ARMSTRONG'	ARMSTRONG RED MAPLE	4" CAL.
QP	QUERCUS PALUSTRIS 'GREEN PILLAR'	GREEN PILLAR PIN OAK	4" CAL.

OVERALL LANDSCAPE PLAN - STREET LEVEL

OR:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE

FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
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AMY BELL SEGAL, RLA 2265

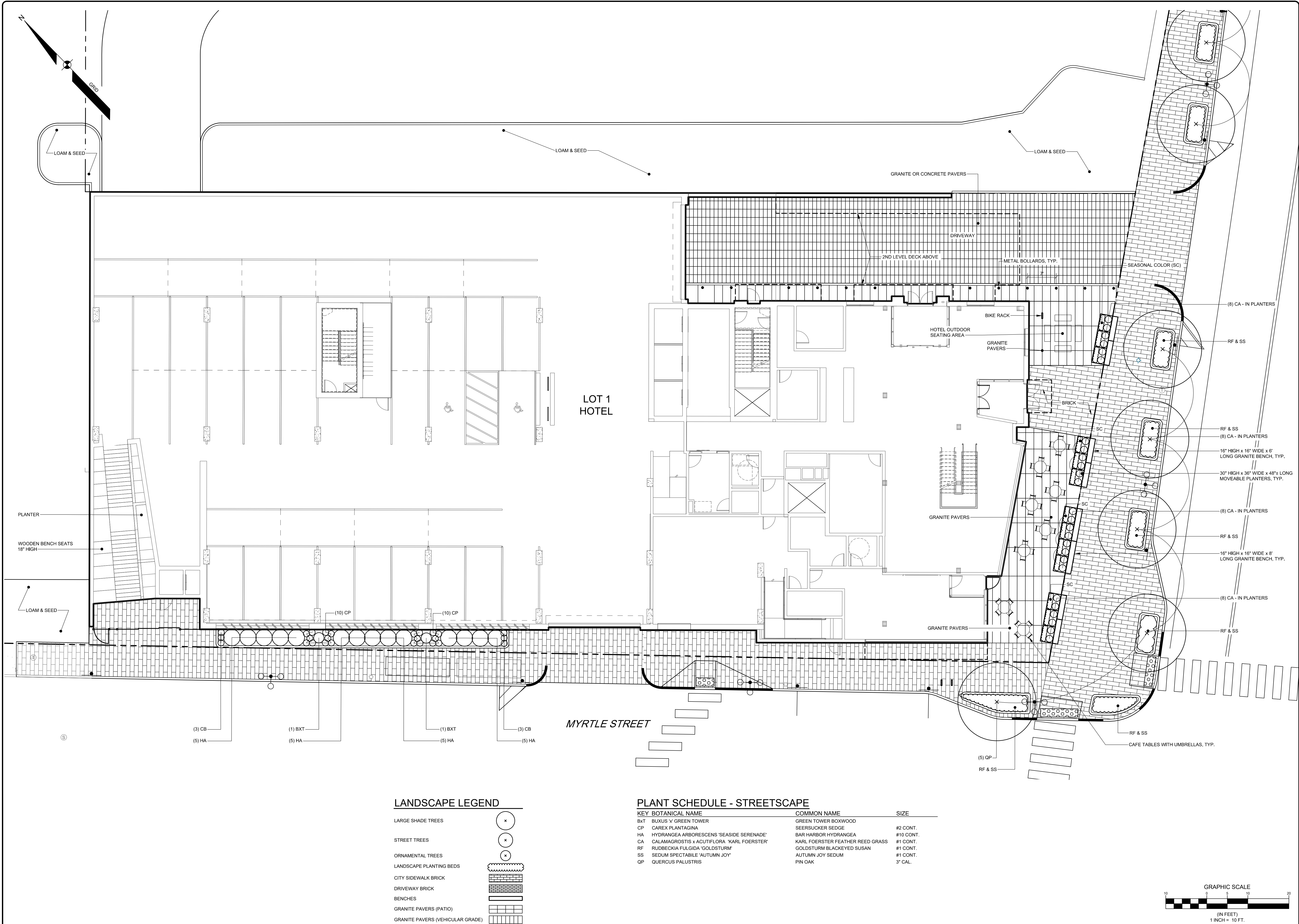
AMY BELL SEGAL
No. 2265
STATE OF MAINE

E	DLR	02/08/2023	ISSUED FOR LEVEL II SITE PLAN REVIEW
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL II SITE PLAN REVIEW
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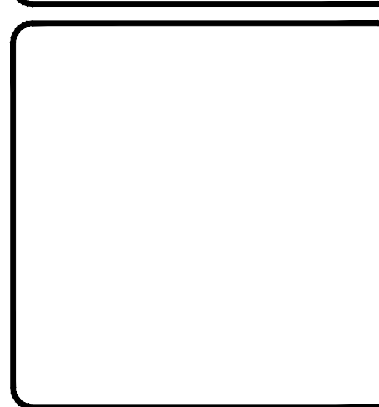
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South Portland, ME 04106
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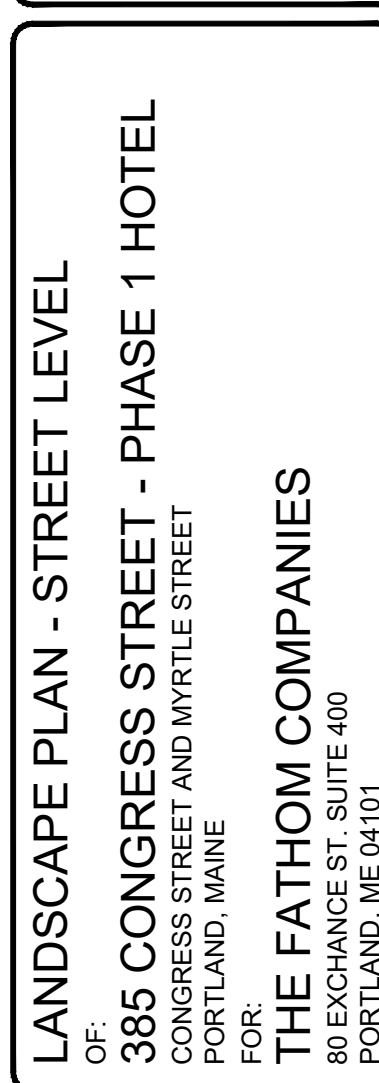
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19371-L-1.dwg, TAB12 LANDSCAPE PLAN - STREET LEVEL



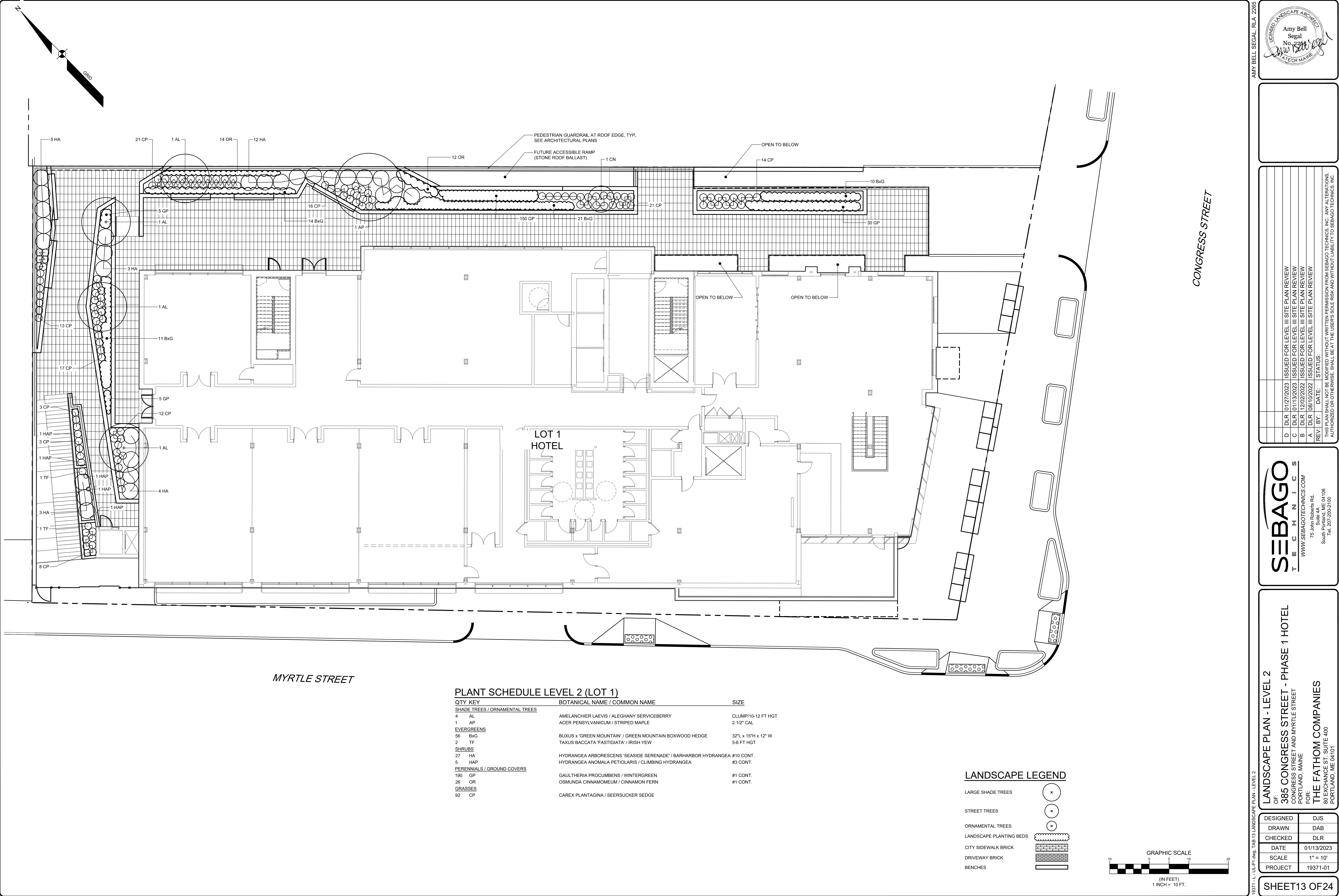
E	DLR	02/08/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
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DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	02/08/2023
SCALE	1" = 10'
PROJECT	19371-01

SHEET12 OF 25

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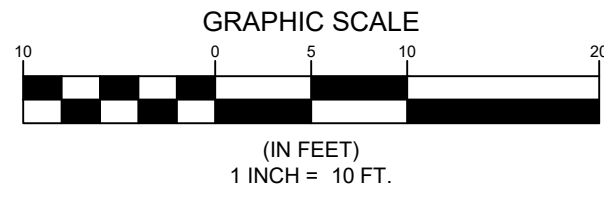


PLANT SCHEDULE LEVEL 2 (LOT 1)

QTY KEY	BOTANICAL NAME / COMMON NAME	SIZE
SHADE TREES / ORNAMENTAL TREES		
4 AL	AMELANCHIER LAEVIS / ALEGHANY SERVICEBERRY	CLUMPY/10-12 FT HGT
1 AP	ACER PENSYLVANICUM / STRIPED MAPLE	2 1/2" CAL
EVERGREENS		
56 BxG	BUXUS x 'GREEN MOUNTAIN' / GREEN MOUNTAIN BOXWOOD HEDGE	32"L x 15"H x 12" W
2 TF	TAXUS BACCATA 'FASTIGIATA' / IRISH YEW	5-6 FT HGT
SHRUBS		
27 HA	HYDRANGEA ARBORESCENS 'SEASIDE SERENADE' / BARHARBOR HYDRANGEA	#10 CONT.
5 HAP	HYDRANGEA ANOMALA PETIOLARIS / CLIMBING HYDRANGEA	#3 CONT.
PERENNIALS / GROUND COVERS		
190 GP	GAULTHERIA PROCUMBENS / WINTERGREEN	#1 CONT.
26 OR	OSMUNDA CINNAMOMEUM / CINNAMON FERN	#1 CONT.
GRASSES		
92 CP	CAREX PLANTAGINA / SEERSUCKER SEDGE	

LANDSCAPE LEGEND

- LARGE SHADE TREES
- STREET TREES
- ORNAMENTAL TREES
- LANDSCAPE PLANTING BEDS
- CITY SIDEWALK BRICK
- DRIVEWAY BRICK
- BENCHES



AMY BELL SEGAL, RLA 2265

LICENSED LANDSCAPE ARCHITECT

Amy Bell Segal
No. 2265
STATE OF MAINE

ISSUED FOR LEVEL III SITE PLAN REVIEW

ISSUED FOR LEVEL III SITE PLAN REVIEW

ISSUED FOR LEVEL III SITE PLAN REVIEW

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LANDSCAPE PLAN - LEVEL 2

OF:

385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET

PORTLAND, MAINE

FOR:

THE FATHOM COMPANIES

80 EXCHANGE ST. SUITE 400

PORTLAND, ME 04101

DESIGNED

DRAWN

CHECKED

DATE

SCALE

PROJECT

DJS

DAB

DLR

01/13/2023

1" = 10'

19371-01

SHEET13 OF24

EROSION CONTROL MEASURES

PRE-CONSTRUCTION PHASE

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

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

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

CONSTRUCTION AND POST-CONSTRUCTION PHASE

AREAS UNDERGOING ACTUAL CONSTRUCTION SHALL ONLY EXPOSE THAT AMOUNT OF MINERAL SOIL NECESSARY FOR PROGRESSIVE AND EFFICIENT CONSTRUCTION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD, SUCH AS ACTIVE EXCAVATION AND ACTIVE GRADING. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS ACTIVELY OCCURRING OR CAN BE MULCHED IN THE SAME DAY. OPEN AREAS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL AS SHOWN ON THE DESIGN PLANS AND AS DESCRIBED WITHIN THIS EROSION CONTROL PLAN WITHIN SEVEN (7) DAYS OF DISTURBANCE. AREAS LOCATED WITHIN 100 FEET OF STREAMS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL WITHIN SEVEN (7) DAYS. REFER TO WINTER EROSION CONTROL NOTES FOR THE TREATMENT OF OPEN AREAS AFTER OCTOBER 1ST OF THE CONSTRUCTION YEAR.

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

EROSION CONTROL APPLICATIONS & MEASURES

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

1. TEMPORARY MULCHING:

ALL DISTURBED AREAS SHALL BE MULCHED WITH MATERIALS SPECIFIED BELOW PRIOR TO ANY STORM EVENT. ALL DISTURBED AREAS NOT FINAL GRADED WITHIN 14 DAYS SHALL BE MULCHED. DISTURBED AREAS ADJACENT TO NATURAL RESOURCES THAT ARE NOT GRADED WITHIN SEVEN (7) DAYS SHALL BE MULCHED. ALSO, AREAS, WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEEDED, SHALL BE MULCHED IMMEDIATELY FOLLOWING SEEDING. FOLLOWING SEEDING, EROSION CONTROL BLANKETS ARE RECOMMENDED TO BE USED AT THE BASE OF GRASSED WATERWAYS AND ON SLOPES GREATER THAN 33%. MULCH ANCHORING SHOULD BE USED ON SLOPES GREATER THAN 5% AFTER SEPTEMBER 15TH OF THE CONSTRUCTION YEAR (SEE WINTER EROSION CONTROL NOTES).

TYPES OF MULCH:

HAY OR STRAW: SHALL BE APPLIED AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE).

EROSION CONTROL MIX: SHALL BE PLACED EVENLY AND MUST PROVIDE 100% SOIL COVERAGE. EROSION CONTROL MIX SHALL BE APPLIED SUCH THAT THE THICKNESS ON SLOPES 3:1 OR LESS IS 12 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THE THICKNESS ON SLOPES BETWEEN 3:1 AND 2:1 SHALL BE 4 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THIS SHALL NOT BE USED ON SLOPES GREATER THAN 2:1.

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

2. SOIL STOCKPILES:

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED WITH HAY OR STRAW AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED WITHIN 100 FEET OF ANY NATURAL RESOURCES. SEDIMENT BARRIERS SHALL BE INSTALLED DOWNGRADIENT OF STOCKPILES, AND STORMWATER SHALL BE PREVENTED FROM RUNNING ONTO THE STOCKPILE.

3. NATURAL RESOURCES PROTECTION:

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES SHALL BE MULCHED USING TEMPORARY MULCHING (AS DESCRIBED IN PART 1 OF THIS SECTION) WITHIN 7 DAYS OF EXPOSURE OR PRIOR TO ANY STORM EVENT. SEDIMENT BARRIERS (AS DESCRIBED IN PART 4 OF THIS SECTION) SHALL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE.

4. SEDIMENT BARRIERS:

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

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

HAY BALES: SHALL NOT BE INSTALLED ADJACENT TO WETLAND. INSTALL PER THE DETAIL ON THE PLANS. BALES SHALL BE WIRE-BOUND OR STRING-TIED AND THESE BINDINGS MUST REMAIN PARALLEL WITH THE GROUND SURFACE DURING INSTALLATION TO PREVENT DETERIORATION OF THE BINDINGS. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY BUTTING ONE ANOTHER.

EROSION CONTROL MIX: SHALL NOT BE USED ADJACENT TO WETLANDS. INSTALL PER THE DETAIL ON THE PLANS. THE MIX SHALL CONSIST PRIMARILY OF ORGANIC MATERIAL AND CONTAIN A WIRE-GRADED MIXTURE OF ROCKS LESS THAN 6 INCHES IN DIAMETER. THE MIX COMPOSITION SHALL MEET THE STANDARDS DESCRIBED WITHIN THE MDEP BEST MANAGEMENT PRACTICES. NO TRENCHING IS REQUIRED FOR INSTALLATION OF THIS BARRIER. EROSION CONTROL MIX BERMS SHALL NOT BE USED AT THE BOTTOM OF STEEP SLOPES (>8%) OR SLOPES WITH FLOWING WATER.

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

5. TEMPORARY CHECK DAMS:

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

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

HAY BALE CHECK DAMS: BALES SHALL BE WIRE-BOUND OR STRING-TIED. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY BUTTING ONE ANOTHER. HAY BALES SHALL BE PLACED SUCH THAT COMPLETE COVERAGE OF THE SWALE IS OBTAINED AND THAT THE CENTER OF THE DAM IS 6 INCHES LOWER THAN THE OUTER EDGES.

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

6. STORMDRAIN INLET PROTECTION:

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

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

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

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

7. STABILIZED CONSTRUCTION ENTRANCE/EXIT:

PRIOR TO CLEARING AND/OR GRUBBING THE SITE A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED WHEREVER TRAFFIC WILL EXIT THE CONSTRUCTION SITE ONTO A PAVED ROADWAY IN ORDER TO MINIMIZE THE TRACKING OF SEDIMENT AND DEBRIS FROM THE CONSTRUCTION SITE ONTO PUBLIC ROADWAYS. THE ENTRANCES AND ADJACENT ROADWAY AREAS SHALL BE PERIODICALLY SWEEPED TO FURTHER MINIMIZE THE TRACKING OF MUD, DUST OR DEBRIS FROM THE CONSTRUCTION AREA. THE TERM "SWEEP" IS UNDERSTOOD TO MEAN REMOVAL AND RECOVERY OF TRACKED SEDIMENT WITH A STREET SWEEPER, NOT BRUSHING THE MATERIAL INTO SWALES OR STRUCTURES WITH A MECHANICAL BROOM. STABILIZED CONSTRUCTION EXITS SHALL BE CONSTRUCTED IN AREAS SPECIFIED ON THE PLANS AND AS DETAILED ON THE PLANS. THE CONTRACTOR SHALL MAINTAIN THE STABILIZED CONSTRUCTION ENTRANCE UNTIL ALL DISTURBED AREAS ARE STABILIZED.

DUST CONTROL:

DUST CONTROL DURING CONSTRUCTION SHALL BE ACHIEVED BY THE USE OF A WATERING TRUCK TO PERIODICALLY SPRINKLE THE EXPOSED ROADWAY AREAS AS NECESSARY TO REDUCE DUST DURING THE DRY MONTHS. APPLYING OTHER DUST CONTROL PRODUCTS SUCH AS CALCIUM CHLORIDE OR OTHER MANUFACTURED PRODUCTS ARE ALLOWED IF AUTHORIZED BY THE PROPER LOCAL, STATE AND/OR FEDERAL REGULATING AGENCIES. HOWEVER, IT IS THE CONTRACTOR'S ULTIMATE RESPONSIBILITY TO MITIGATE DUST AND SOIL LOSS FROM THE SITE. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NOT LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS.

TEMPORARY VEGETATION:

TEMPORARY VEGETATION SHALL BE APPLIED TO DISTURBED AREAS THAT WILL NOT RECEIVE FINAL GRADING FOR PERIODS UP TO 12 MONTHS. THIS PROCEDURE SHOULD BE USED EXTENSIVELY IN AREAS ADJACENT TO NATURAL RESOURCES. SEEDING PREPARATION AND APPLICATION OF SEED SHALL BE CONDUCTED AS INDICATED IN THE PERMANENT VEGETATION SECTION OF THIS NARRATIVE. SPECIFIC SEEDS (FAST GROWING AND SHORT LIVING) SHALL BE SELECTED FROM THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUALS FOR CONTRACTORS AND ENGINEERS, 2016 OR LATEST REVISION. ALTERNATIVE EROSION CONTROL MEASURES SHOULD BE USED IF SEEDING CAN NOT BE DONE BEFORE SEPTEMBER 15TH OF THE CONSTRUCTION YEAR.

PERMANENT VEGETATION:

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

SEEDBED PREPARATION:

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

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

ITEM	APPLICATION RATE
10-20-20 FERTILIZER (N-P205-K20 OR EQUAL)	18.4 LBS./1,000 S.F.
GROUND LIMESTONE (50% CALCIUM & MAGNESIUM OXIDE)	138 LBS./1,000 S.F.

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

APPLICATION OF SEED:

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

SEED TYPE	APPLICATION RATE
FESQUE, FAWN	0.34 LBS/1,000 S.F. (15 LBS/ACRE)
BIRD'S FOOT TREFLOI, VARIETY NOT STATED	0.28 LBS/1,000 S.F. (12 LBS/ACRE)
ANNUAL RYEGRASS	0.18 LBS/1,000 S.F. (8 LBS/ACRE)
TIMOTHY, CLIMAX	0.18 LBS/1,000 S.F. (8 LBS/ACRE)
ALSKA CLOVER	0.11 LBS/1,000 S.F. (5 LBS/ACRE)
REDTOP	0.05 LBS/1,000 S.F. (2 LBS/ACRE)
TOTAL	1.14 LBS/1,000 S.F. (50 LBS/ACRE)

NOTE: A SPECIFIC SEED MIXTURE SHOULD BE CHOSEN TO MATCH THE SOILS CONDITION OF THE SITE. VARIOUS AGENCIES CAN RECOMMEND SEED MIXTURES. MDEP RECOMMENDED SEED MIXTURES ARE IN THE EROSION AND SEDIMENT CONTROL BMP MANUAL, DATED 2016 OR LATEST REVISION.

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

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

SODDING:

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

STANDARDS FOR TIMELY STABILIZATION:

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES -- THE CONTRACTOR WILL CONSTRUCT AND STABILIZE STONE-COVERED SLOPES BY NOVEMBER 15. THE CONTRACTOR WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15. THE MDEP WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 15% (10H:1V) TO BE A SLOPE. IF THE CONTRACTOR FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER.

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET AND APPLY EROSION CONTROL MATS OVER THE MULCHED SLOPE. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SLOPE BY NOVEMBER 1, THEN THE APPLICANT WILL COVER THE SLOPE WITH A LAYER OF WOOD WASTE COMPOST AS DESCRIBED IN ITEM 2(C) OF THIS STANDARD OR WITH STONE RIPRAP AS DESCRIBED IN ITEM 2(D) OF THIS STANDARD.
- STABILIZE THE SLOPE WITH SOD -- THE CONTRACTOR WILL STABILIZE THE DISTURBED SLOPE WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE APPLICANT WILL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 33% (3H:1V).
- STABILIZE THE SLOPE WITH WOOD WASTE COMPOST -- THE CONTRACTOR WILL PLACE A SIX-INCH LAYER OF WOOD WASTE COMPOST ON THE SLOPE BY NOVEMBER 15. PRIOR TO PLACING THE WOOD WASTE COMPOST, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED SLOPE. THE APPLICANT WILL NOT USE WOOD WASTE COMPOST TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SLOPE WITH STONE RIPRAP -- THE CONTRACTOR WILL PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15. THE APPLICANT WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES -- BY SEPTEMBER 15 THE CONTRACTOR WILL SEED AND MULCH ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15%. IF THE CONTRACTOR FAILS TO STABILIZE THESE SOILS BY THIS DATE, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SOIL FOR LATE FALL AND WINTER.

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET, LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 POUNDS PER 1,000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM 3(C) OF THIS STANDARD.
- STABILIZE THE SOIL WITH SOD -- THE APPLICANT WILL STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
- STABILIZE THE SOIL WITH MULCH -- BY NOVEMBER 15 THE APPLICANT WILL MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 POUNDS PER 1,000 SQUARE FEET ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. PRIOR TO APPLYING THE MULCH, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED AREA. IMMEDIATELY AFTER APPLYING THE MULCH, THE APPLICANT WILL ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

- MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, AND AT LEAST EVERY SEVEN (7) DAYS, THE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PERFORM REPAIRS NO LATER THAN THE END OF THE NEXT WORKDAY, TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURE. THE CONTRACTOR SHALL PROVIDE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN WITHIN SEVEN (7) DAYS.
- FOLLOWING THE TEMPORARY AND/OR FINAL SEEDINGS, THE CONTRACTOR SHALL INSPECT THE WORK AREA SEMIMONTHLY UNTIL THE SEEDINGS HAVE BEEN ESTABLISHED. ESTABLISHED MEANS A MINIMUM OF 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH. RESEEDING SHALL BE CARRIED OUT BY THE CONTRACTOR WITH FOLLOW-UP INSPECTIONS IN THE EVENT OF ANY FAILURES UNTIL VEGETATION IS ADEQUATELY ESTABLISHED.

HOUSEKEEPING:

- SPILL PREVENTION: CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON SITE TO ENTER STORMWATER, WHICH INCLUDES STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORMWATER. THE SITE CONTRACTOR OR OPERATOR MUST DEVELOP, AND IMPLEMENT AS NECESSARY, APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING MEASURES.
- GROUNDWATER PROTECTION: DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN "INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL, DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER. SUCH CONTAINMENT SHALL BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS. ANY PROJECT PROPOSING INFILTRATION OF STORMWATER MUST PROVIDE ADEQUATE PRE-TREATMENT OF STORMWATER PRIOR TO DISCHARGE OF STORMWATER TO THE INFILTRATION AREA, OR PROVIDE FOR TREATMENT WITHIN THE INFILTRATION AREA, IN ORDER TO PREVENT THE ACCUMULATION OF FINES, REDUCTION IN INFILTRATION RATE, AND CONSEQUENT FLOODING AND DESTABILIZATION.
- FUGITIVE SEDIMENT AND DUST: ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL, BUT OTHER WATER ADDITIVES MAY BE CONSIDERED AS NEEDED. A STABILIZED CONSTRUCTION ENTRANCE (SEE) SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NO LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS. OPERATIONS DURING DRY MONTHS, THAT EXPERIENCE FUGITIVE DUST PROBLEMS, SHOULD WET DOWN UNPAVED ACCESS ROADS ONCE A WEEK OR MORE FREQUENTLY AS NEEDED WITH A WATER ADDITIVE TO SUPPRESS FUGITIVE SEDIMENT AND DUST.
- DEBRIS AND OTHER MATERIALS: MINIMIZE THE EXPOSURE OF CONSTRUCTION DEBRIS, BUILDING AND LANDSCAPING MATERIALS, TRASH, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE AND OTHER MATERIALS TO PRECIPITATION AND STORMWATER RUNOFF. THESE MATERIALS MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
- EXCAVATION DE-WATERING: EXCAVATION DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SiltED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFERDAM SEDIMENTATION BASIN, AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE DEPARTMENT.
- AUTHORIZED NON-STORMWATER DISCHARGES: IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES, WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
 - DISCHARGES FROM FIREFIGHTING ACTIVITY;
 - FIRE HYDRANT FLUSHINGS;
 - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
 - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS;
 - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
 - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
 - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
 - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
 - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
 - UNCONTAMINATED EXCAVATION DEWATERING;
 - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
 - LANDSCAPE IRRIGATION.
- UNAUTHORIZED NON-STORMWATER DISCHARGES: THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
 - WASTEWATER FROM THE WASHOUT OR CLEAN OUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
 - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
 - DUST OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

WINTER EROSION CONTROL MEASURES

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 1 THEN THE SITE NEEDS TO BE PROTECTED WITH OVER-WINTER STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. ALL AREAS SHALL BE LOAMED WITH GRAVEL OR STONE. SEDIMENT BARRIERS SHALL BE INSTALLED IN ROADWAY AREAS OF FUTURE LOAM AREAS. AREAS THAT HAVE BEEN LOAMED, SEEDED AND MULCHED, HAY AND STRAW MULCH RATE SHALL BE A MINIMUM OF 150 LBS./1,000 S.F. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

1. SOIL STOCKPILES

STOCKPILES OF SOIL OR SUBSOIL WILL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR AT 150 LBS/1,000 S.F. (3 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

2. NATURAL RESOURCES PROTECTION

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 75% MATURE VEGETATION CATCH, SHALL BE MULCHED BY DECEMBER 1 AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS. DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (I.E. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA.

PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

3. SEDIMENT BARRIERS

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

4. MULCHING

ALL AREA SHALL BE CONSIDERED TO BE DENUDE UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 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. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE-INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED WITH STRAW OR HAY AT A RATE OF 150 LB. PER 1,000 SQUARE FEET (3 TONS/ACRE) AND ADEQUATELY ANCHORED THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH.

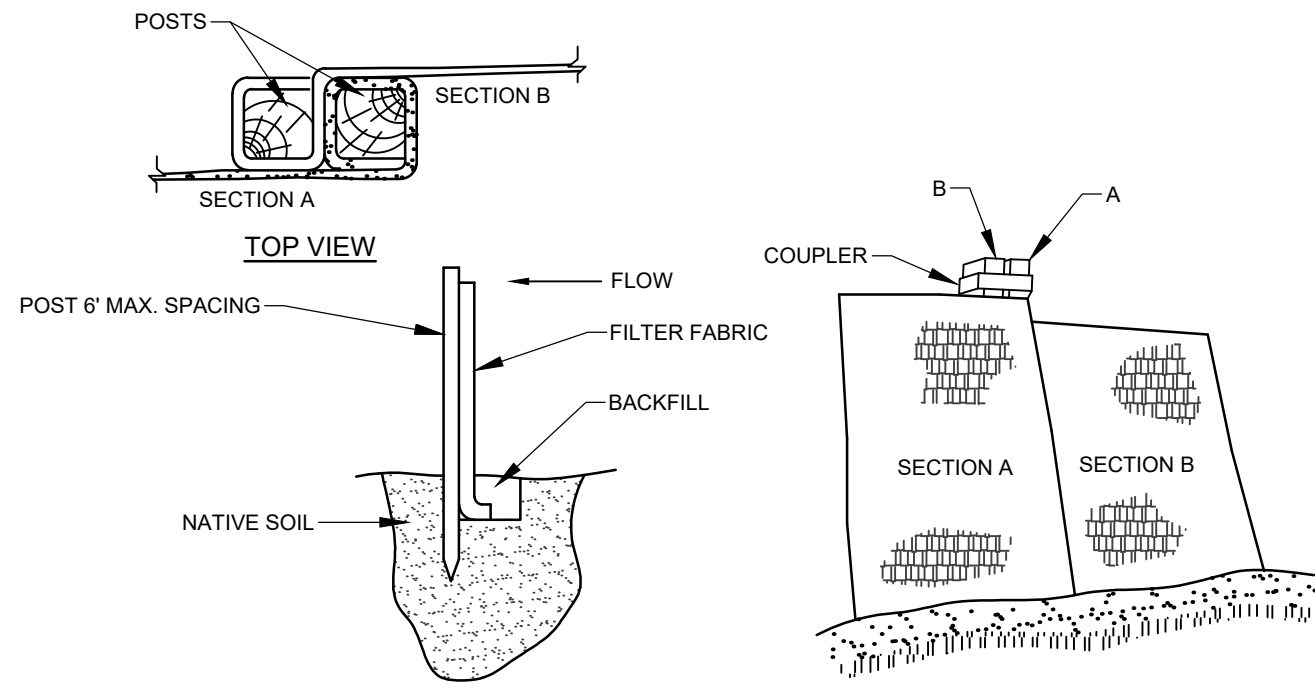
BETWEEN THE DATES OF SEPTEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER PEG LINE, MULCH NETTING, ASPHALT EMULSION CHEMICAL, TRACK OR WOOD CELLULOSE FIBER. WHEN GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH THEN COVER IS GRADING. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL BARE SOIL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

5. MULCHING ON SLOPES AND DITCHES

SLOPES SHALL NOT BE LEFT EXPOSED FOR ANY EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY MULCHED AND ANCHORED WITH PEG AND NETTING OR WITH EROSION CONTROL BLANKETS. MULCHING SHALL BE APPLIED AT A RATE OF 230 LBS/1,000 S.F. ON ALL SLOPES GREATER THAN 8%. MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 5%. EROSION CONTROL BLANKETS SHALL BE USED IN ALL DRAINAGE WAYS WITH SLOPES 8%. EROSION CONTROL MIX CAN BE USED TO SUBSTITUTE EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1ST, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. PLACING MULCH AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS BEEN LOAMED, FINAL GRADING MUST BE COMPLETED PRIOR TO NOVEMBER 15. IF THE AREA IS NOT SEEDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED, DORMANT SEEDING MAY BE SELECTED TO BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5 LBS/1,000 S.F. ALL AREAS SEEDED DURING THE WINTER WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS SUFFICIENTLY 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. SEED TYPE SHALL BE WINTER RYE.

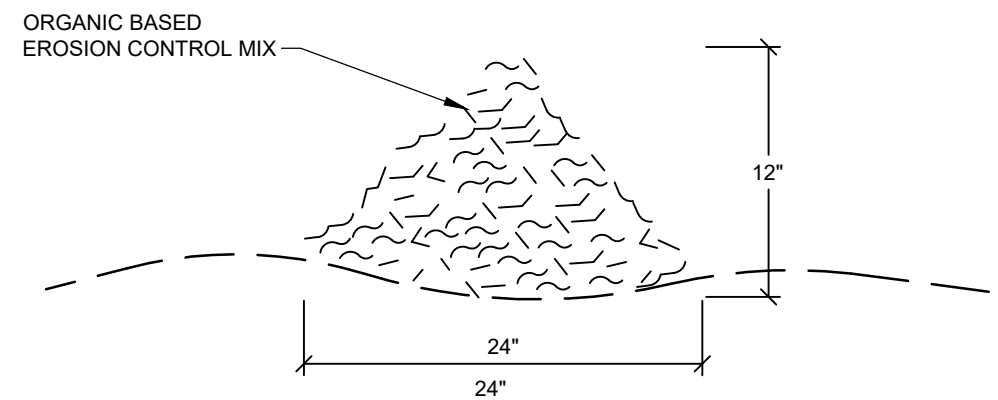
MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION SEASON. AT A MINIMUM, AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, THE SITE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES AND PERFORM REPAIRS AS NEEDED TO INSURE THEIR CONTINUOUS FUNCTION. FOLLOWING THE TEMPORARY AND OR FINAL SEEDING AND MULCHING, THE CONTRACTOR SHALL IN THE SPRING INSPECT AND REPAIR ANY DAMAGES AND OR



INSTALLATION:

1. EXCAVATE A 6"x 6" TRENCH ALONG THE LINE OF PLACEMENT FOR THE FILTER BARRIER.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH.
3. DRIVE POSTS INTO THE GROUND UNTIL APPROXIMATELY 2" OF FABRIC IS LYING ON THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH, BACKFILL THE TRENCH AND TAMP THE SOIL. TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNDISTURBED GROUND AND PILING AND TAMPING FILL AT THE BASE, BUT MUST BE ACCOMPANIED BY AN INTERCEPTION DITCH.
5. JOIN SECTION AS SHOWN ABOVE.
6. BARRIER SHALL BE MIRAFI SILT FENCE OR EQUAL.

FILTER BARRIER NOT TO SCALE



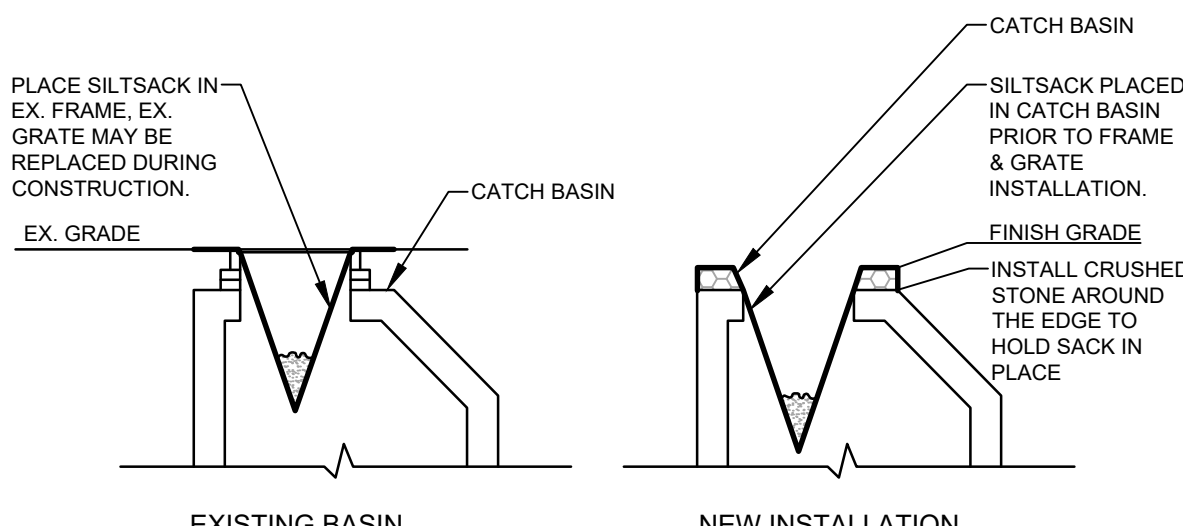
COMPOSITION:

EROSION CONTROL MIX SHALL BE MANUFACTURED ON OR OFF THE PROJECT SITE SUCH THAT ITS COMPOSITION IS IN ACCORDANCE WITH THE MDEP MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL, LAST REVISED 3/2003 OR LATER. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL, SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR ACCEPTABLE MANUFACTURED PRODUCTS. WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS OR REPROCESSED WOOD PRODUCTS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.

INSTALLATION:

1. THE BARRIER MUST BE PLACED ACROSS THE SLOPE, ALONG THE CONTOUR.
2. EXISTING GROUND SHALL BE PREPARED SUCH THAT THE BARRIER MAY LIE NEARLY FLAT ALONG THE GROUND TO AVOID THE CREATION OF VOIDS AND BRIDGES IN ORDER TO MINIMIZE THE POTENTIAL OF WASH OUTS UNDER THE BARRIER
3. THE BARRIER SHALL BE A MINIMUM OF 1 FOOT HIGH (AS MEASURED ON THE UPHILL SIDE) AND 2 FEET WIDE FOR SLOPES LESS THAN 5% IN GRADE AND SHALL BE WIDER TO ACCOMMODATE THE ADDITIONAL RUNOFF.
4. EROSION CONTROL MIX CAN BE INSTALLED WHERE SILT FENCE IS ILLUSTRATED ON THE DESIGN PLANS IN AREAS EXCEPT IN, BUT NOT LIMITED TO, THE FOLLOWING AREAS: WETLAND AREAS, AT POINTS OF CONCENTRATED FLOW, BELOW CULVERT OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS AND AT THE BOTTOM OF STEEP SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM.

EROSION CONTROL MIX BERM NOT TO SCALE



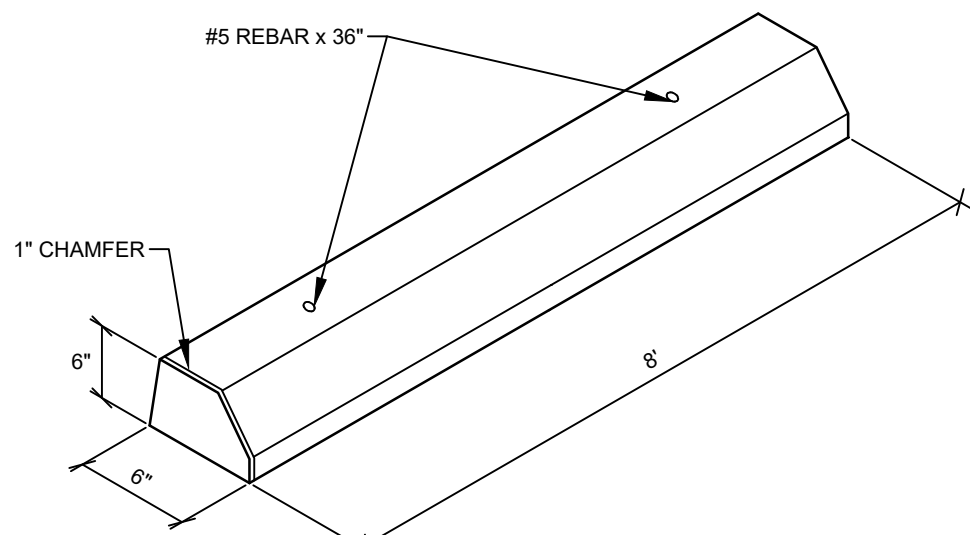
SILT SACK PROTECTION

NOTES:

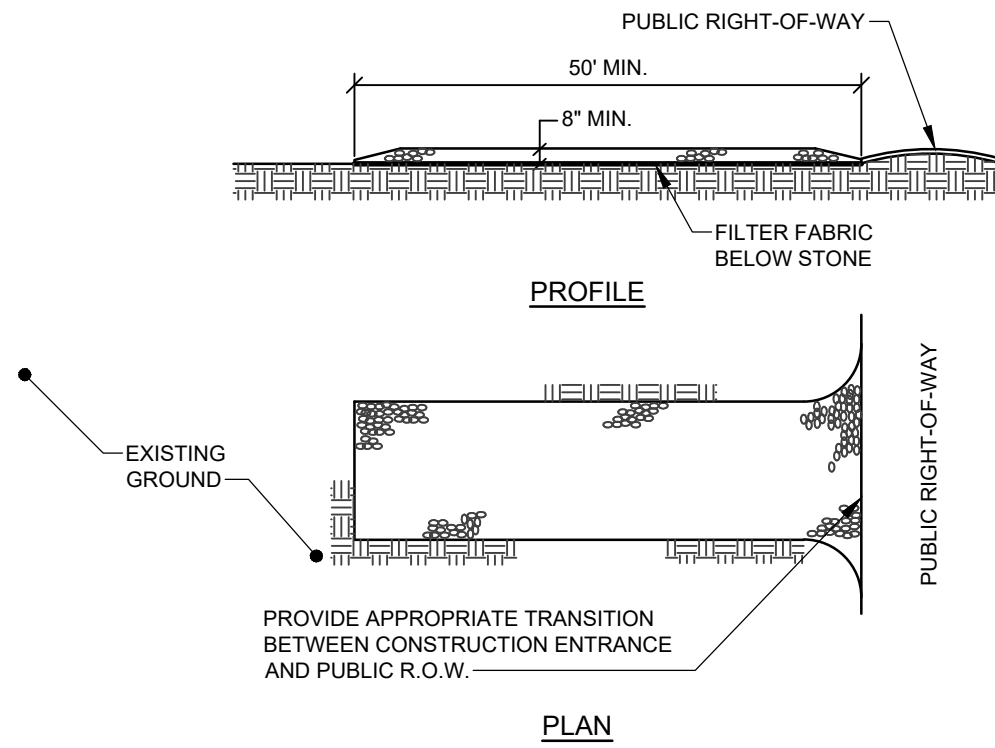
PRIOR TO FINAL GRADING AND PAVING OPERATIONS BEGIN A CATCH BASIN INSERT (SUCH AS A SILT SACK OR A DANDY BAG I) MUST BE INSTALLED IN EACH BASIN PER MANUFACTURERS INSTRUCTIONS. HAY BALES SHOULD BE REMOVED ONCE INSERTS ARE INSTALLED.

CATCH BASIN PROTECTION DETAIL (FOR PAVED AREAS)

NOT TO SCALE



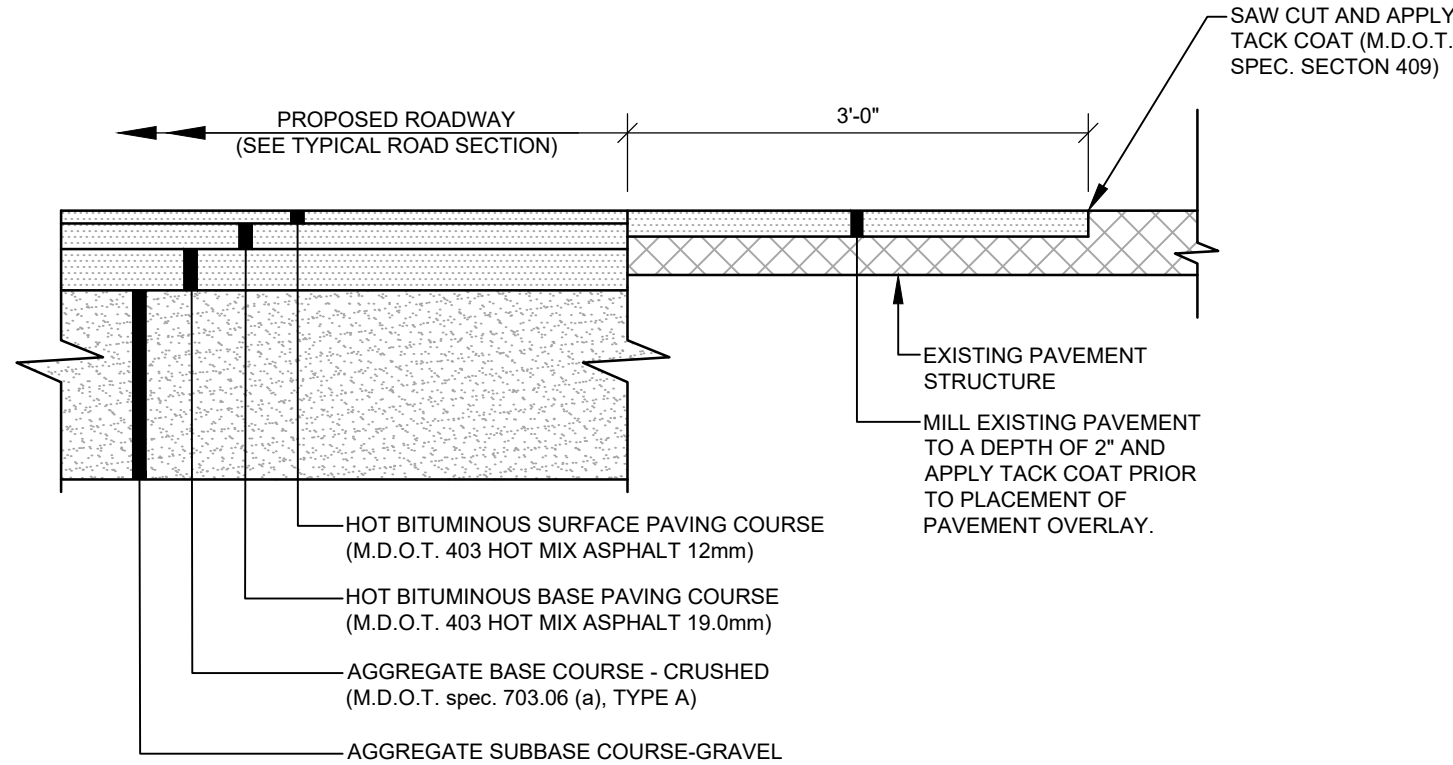
CONCRETE WHEEL STOP NOT TO SCALE



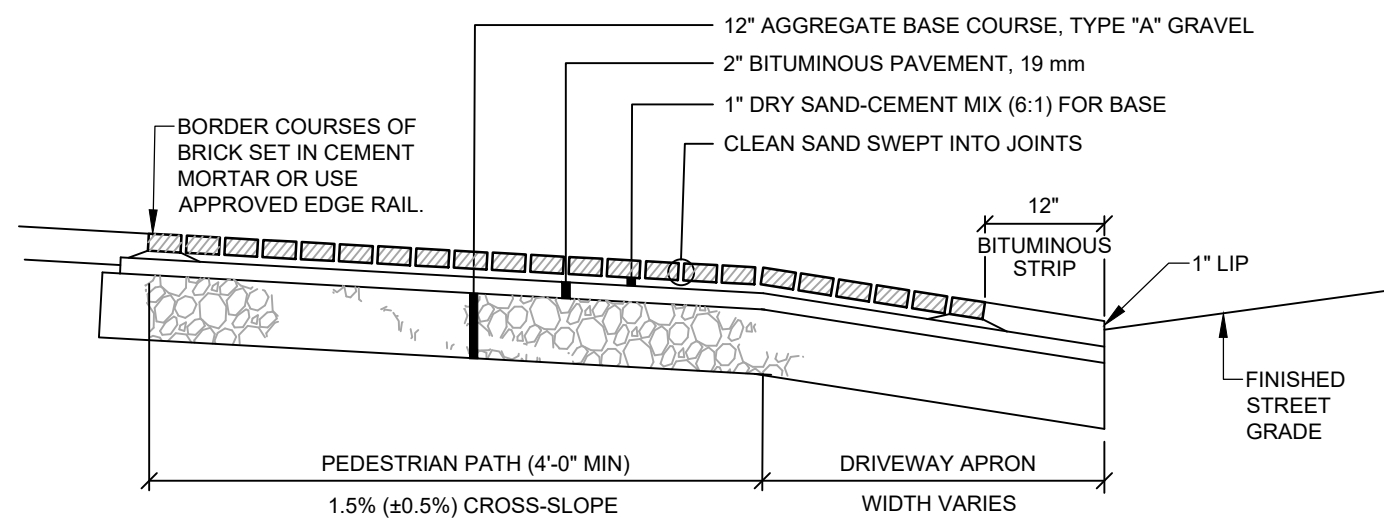
NOTES:

1. STONE SIZE- AASHTO DESIGNATION M43, SIZE NO. 2 (2 1/2" TO 1 1/2"). USE CRUSHED STONE.
2. LENGTH- AS SHOWN ON PLANS, MIN. 50 FEET.
3. THICKNESS- NOT LESS THAN EIGHT (8) INCHES.
4. WIDTH- NOT LESS THAN FULL WIDTH OF ALL POINT OF INGRESS OR EGRESS.
5. MAINTENANCE- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.

STABILIZED CONSTRUCTION ENTRANCE NOT TO SCALE



PAVEMENT JOINT NOT TO SCALE

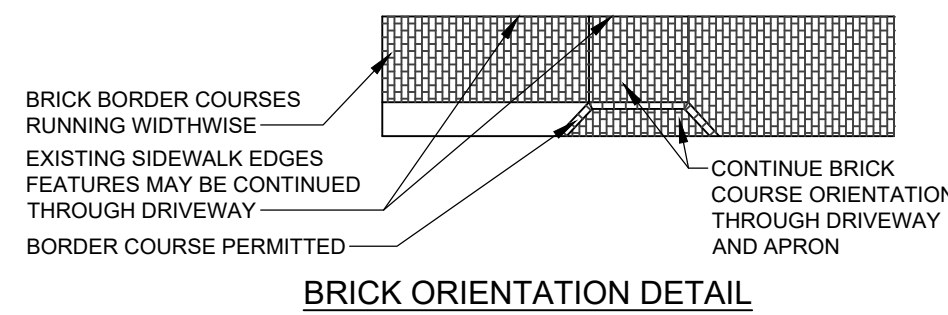


BRICKS TO BE USED:

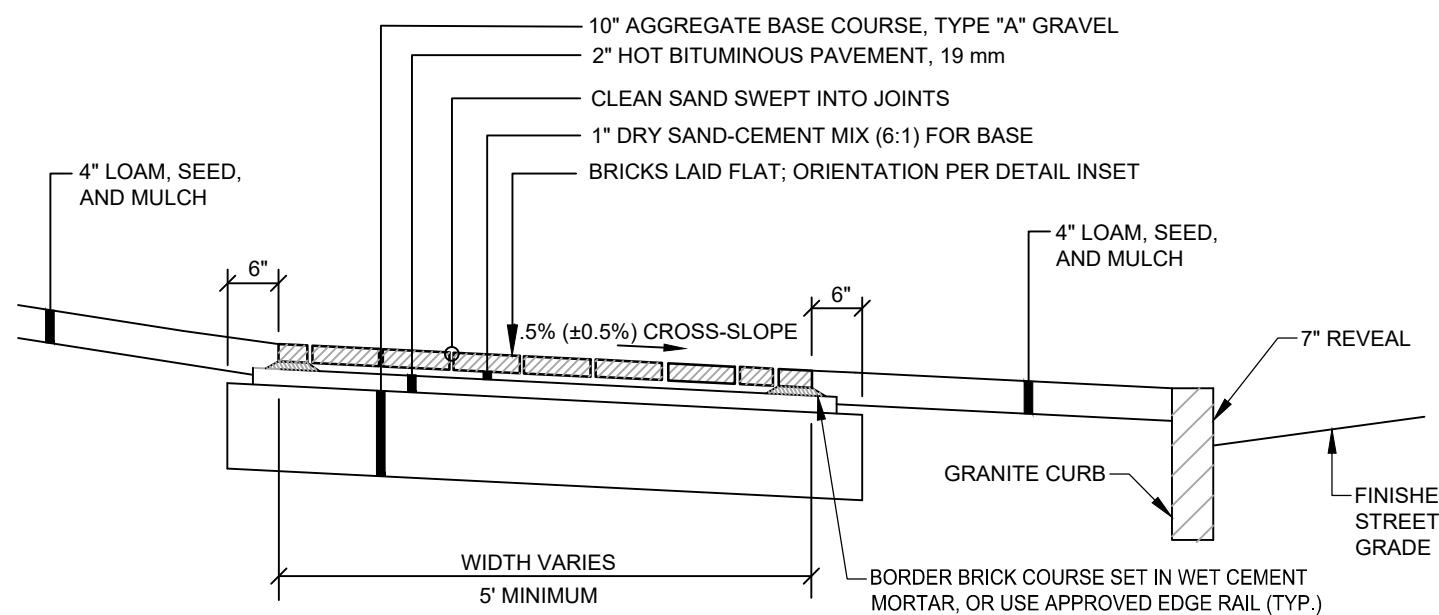
NEW CONSTRUCTION:
4"x8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM # 193623, PINE HALL PATHWAY PAVER BRICK.

REPAIR /MAINTENANCE TO EXISTING BRICK SIDEWALKS:
VERMONT PAVER; SUPPLIED BY GAGNE AND SONS. SPECIFICATION NUMBER: "VERMONT BACKER BRICK", ITEM NUMBER # VBBB

BRICK DRIVEWAY APRON WITH BITUMINOUS BASE NOT TO SCALE



BRICK ORIENTATION DETAIL

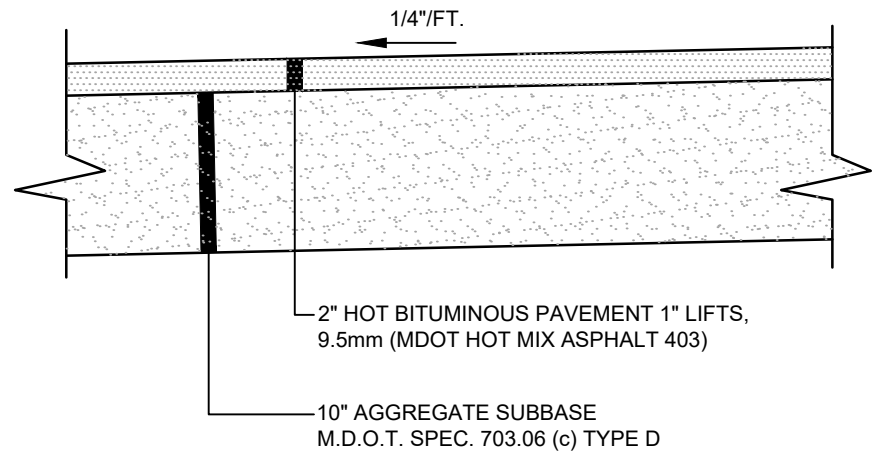


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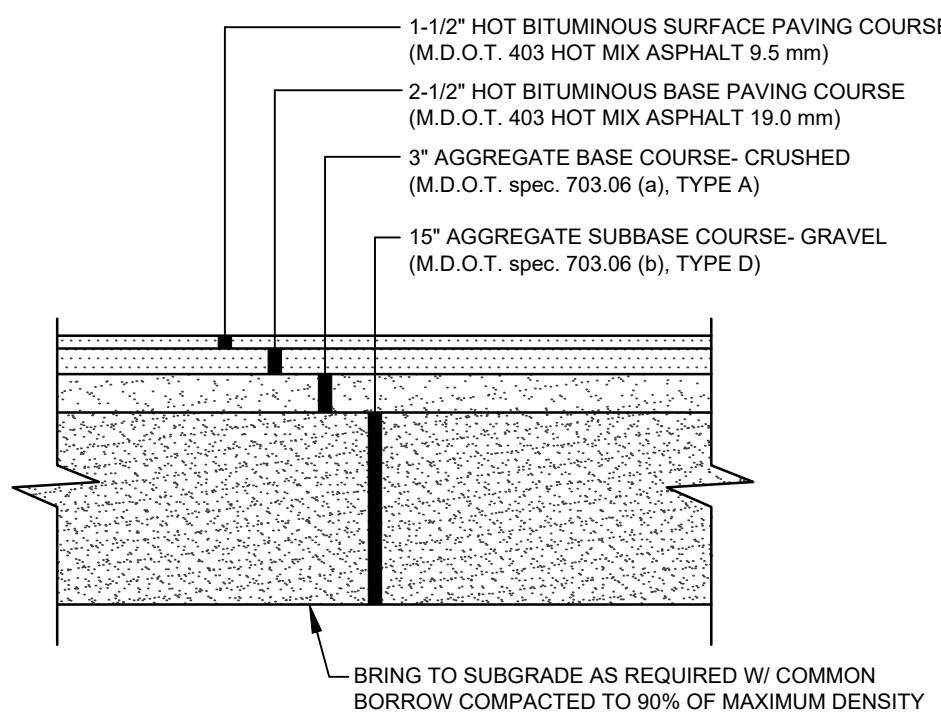
NEW CONSTRUCTION:
4"x8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA, OR APPROVED EQUAL. LACHANCE ITEM # 193623, PINE HALL PATHWAY PAVER BRICK, OR APPROVED EQUAL...

REPAIR /MAINTENANCE TO EXISTING BRICK SIDEWALKS:
VERMONT PAVER; SUPPLIED BY GAGNE AND SONS. SPECIFICATION NUMBER: "VERMONT BACKER BRICK", ITEM NUMBER # VBBB, OR APPROVED EQUAL

BRICK SIDEWALK WITH BITUMINOUS BASE NOT TO SCALE



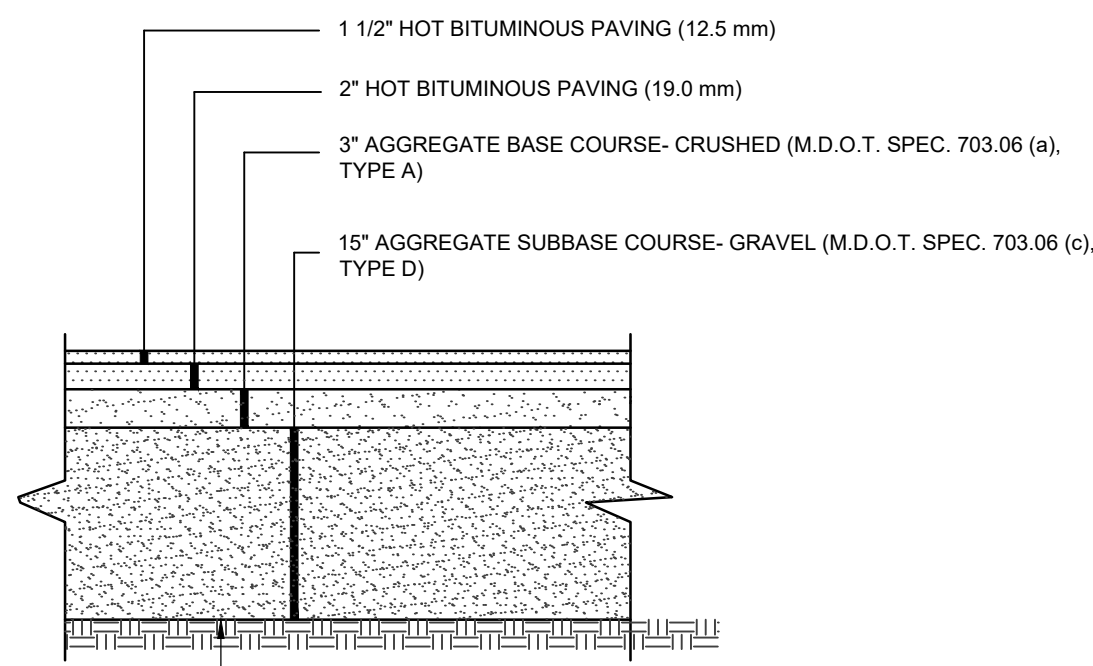
BITUMINOUS SIDEWALK NOT TO SCALE



NOTES:

1. COMPACT GRAVEL SUBBASE, BASE COURSE TO 92% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.
3. CONTRACTOR MAY REPLACE BITUMINOUS PAVING SECTION WITH TWO (2) 1-1/2" LIFTS OF 12.5mm SUPERPAVE MIX. SUBMIT PAVEMENT MIX DESIGN PRIOR TO CONSTRUCTION.

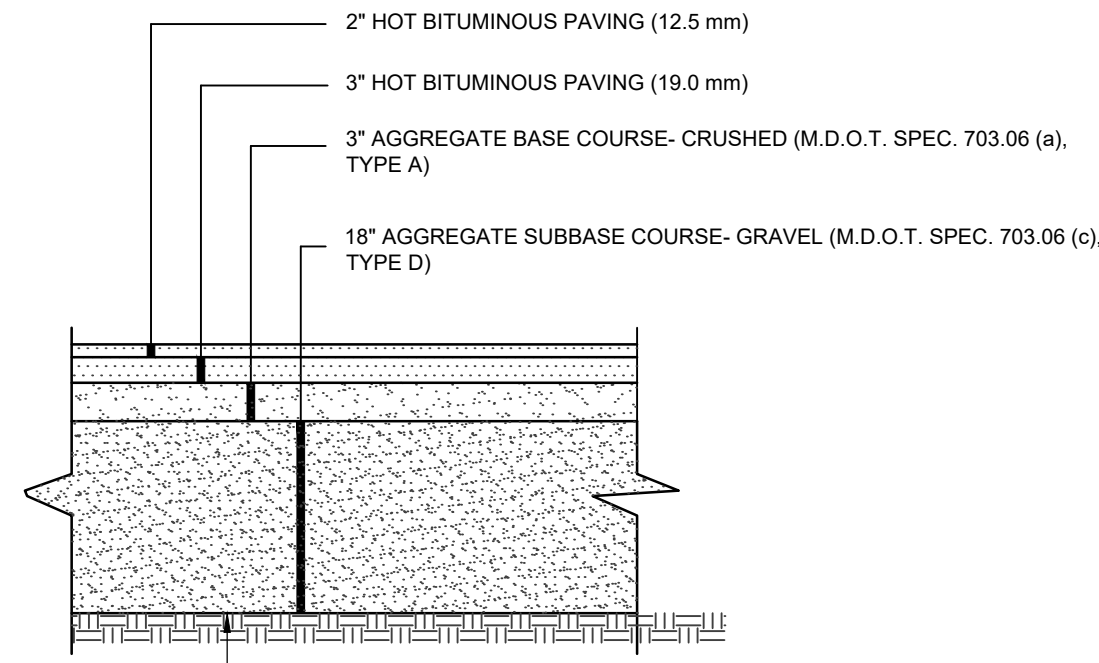
TYP. PAVED PARKING LOT SECTION NOT TO SCALE



NOTES:

1. COMPACT GRAVEL SUBBASE, BASE COURSE TO 95% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.

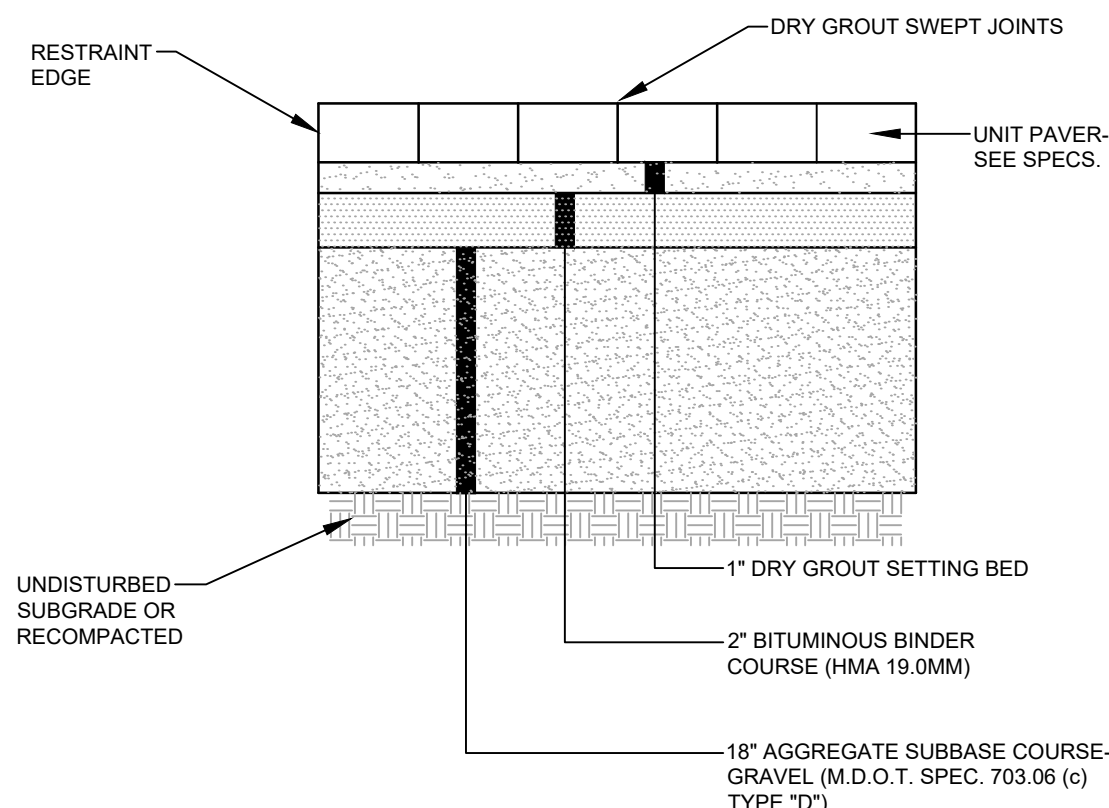
TYPICAL ROADWAY SECTION - MYRTLE & PEARL STREET NOT TO SCALE



NOTES:

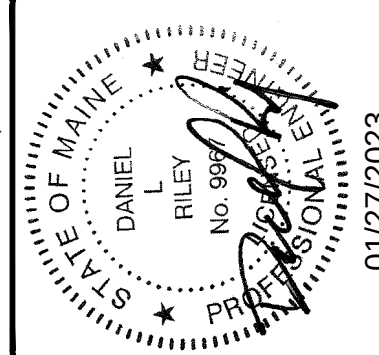
1. COMPACT GRAVEL SUBBASE, BASE COURSE TO 95% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.

TYPICAL ROADWAY SECTION - CONGRESS STREET & CUMBERLAND AVENUE NOT TO SCALE



UNIT PAVER NOT TO SCALE

NOT FOR
CONSTRUCTION



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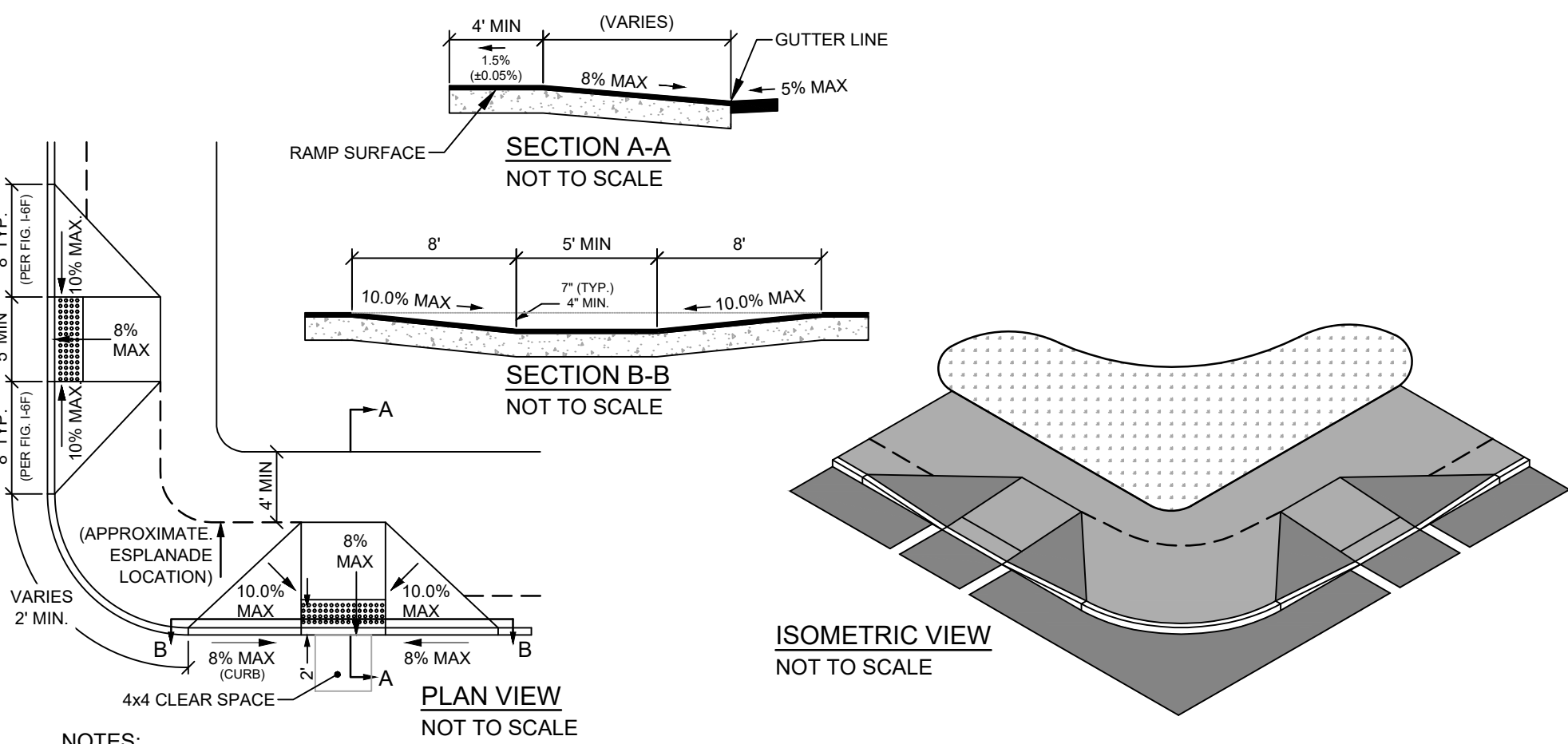
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHINCS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHINCS, INC.



DETAILS	OR	385 CONGRESS STREET - PHASE 1 HOTEL
		CONGRESS STREET AND MYRTLE STREET
		PORTLAND, MAINE
FOR:		THE FATHOM COMPANIES
		80 EXCHANGE ST. SUITE 400
		PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	01/13/2023
SCALE	N.T.S.
PROJECT	19371-01

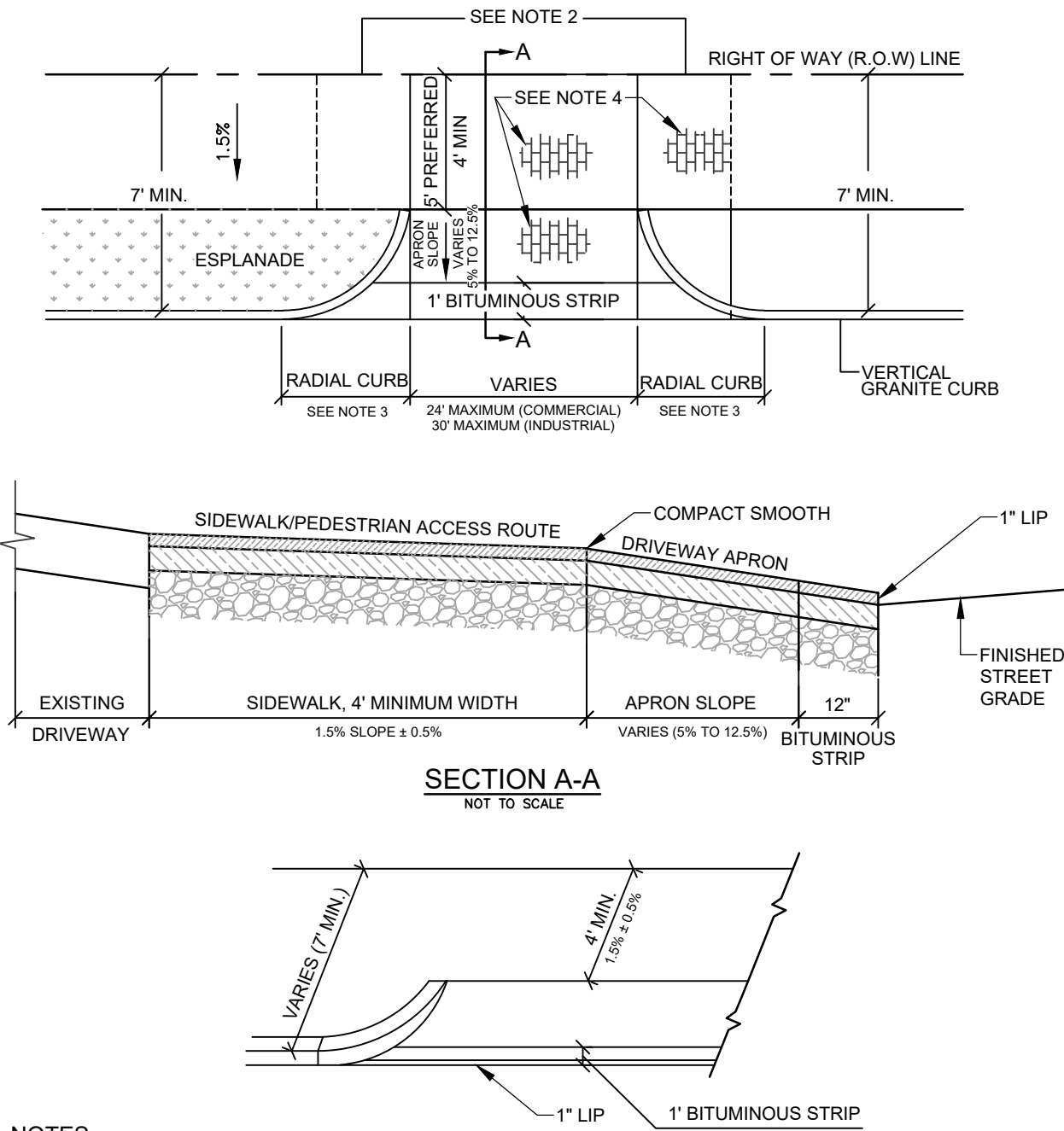
SHEET18 OF24



- NOTES:
1. THIS DESIGN IS THE PREFERRED OPTION WHEN THE SIDEWALK WIDTH IS GREATER THAN 6.5'.
 2. A MINIMUM CURB REVEAL OF 4" IS REQUIRED AT THE APEX OF THE CURB RADIUS.
 3. MINIMUM TERMINAL CURB LENGTH SHALL BE 4 FEET.
 4. SIDEWALK MATERIAL PER CITY SIDEWALK MATERIAL POLICY.

PERPENDICULAR ADA RAMP - SIDEWALK WIDTH GREATER THAN 6.5' WIDE WITH OR WITHOUT ESPLANADE

NOT TO SCALE

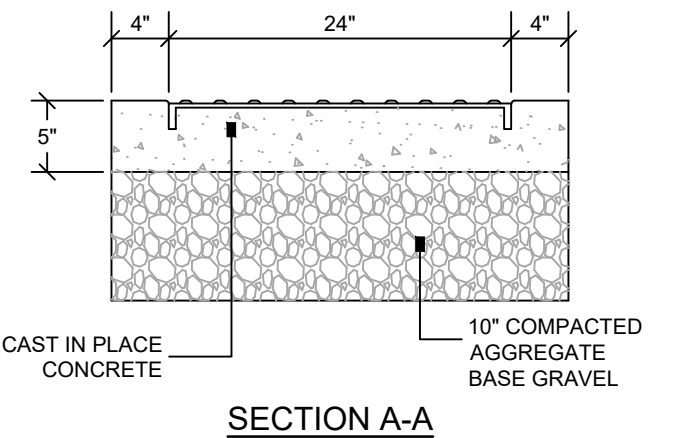


- NOTES:
1. MATCH EXISTING GRADE AT R.O.W. LINE, WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
 2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
 3. DRIVEWAY CURB RADIUS SHALL NOT BE LARGER THAN REQUIRED BY THE SITE'S DESIGN VEHICLE.
 4. ALL MATERIALS IN ROW TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK.

STANDARD COMMERCIAL DRIVEWAY APRON LAYOUT

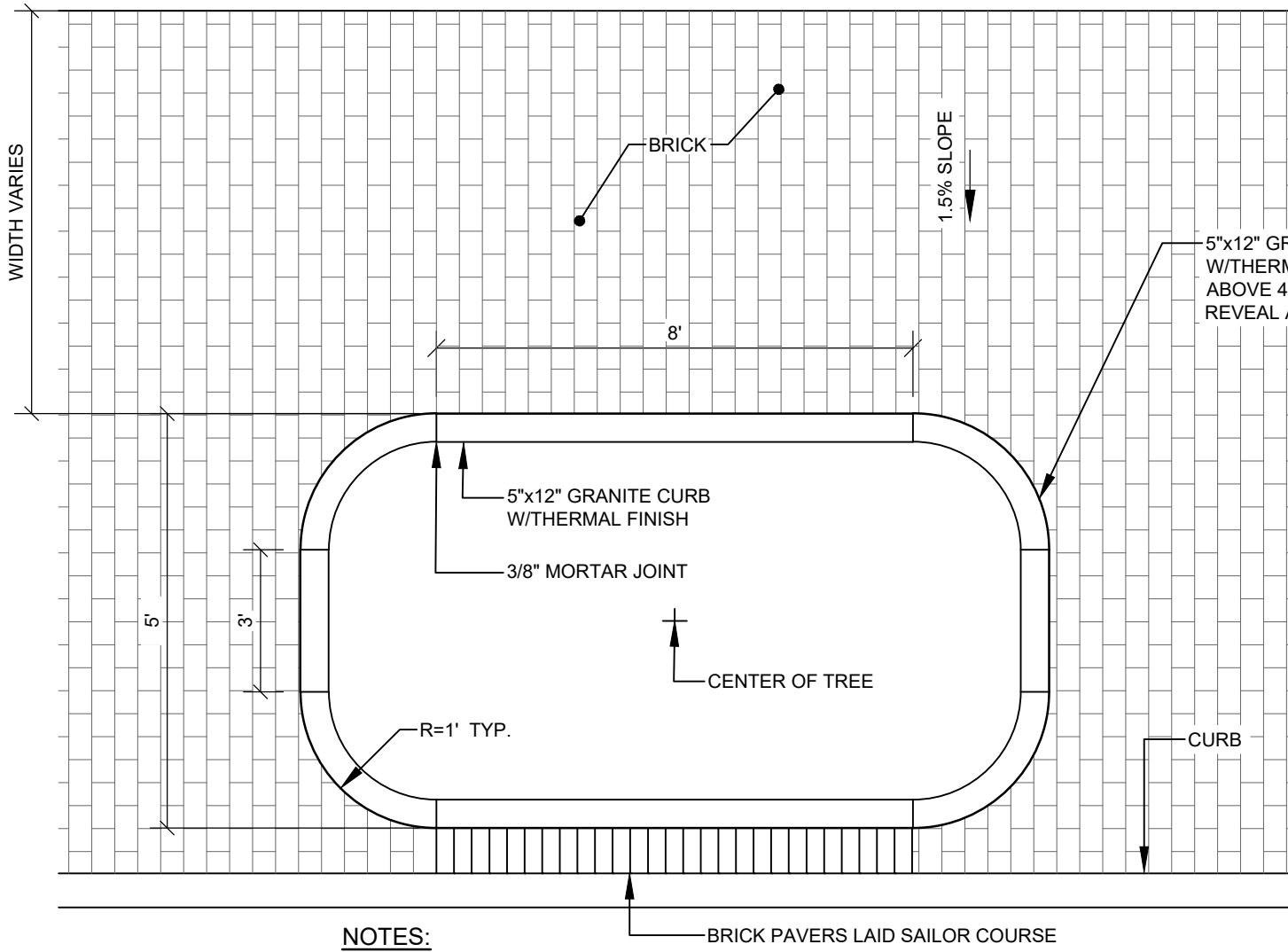
NOT TO SCALE

- NOTE:
1. ALL DETECTABLE WARNING PLATES SHALL BE UNCOATED CAST IRON. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR INSTALLATION.
 2. CAST IN PLACE CONCRETE SHALL MEET SPECIFICATIONS FOR MDOT CLASS A STRUCTURAL CONCRETE, MINIMUM COMPRESSIVE STRENGTH 4,000 PSI. THE EXPOSED CONCRETE BORDER SHALL RECEIVE A UNIFORM BROOM FINISH PERPENDICULAR TO THE FLOW OF PEDESTRIAN TRAFFIC.
 3. TRUNCATED DOMES SHALL BE ALIGNED IN ROWS, PARALLEL AND PERPENDICULAR TO THE PREDOMINANT DIRECTION OF TRAVEL. TRUNCATED DOME BRICKS AND GRANITE PAVERS ARE NOT ALLOWED.
 4. SIZE: THE DETECTABLE WARNING PLATES SHALL EXTEND 24 INCHES MINIMUM IN THE DIRECTION OF TRAVEL AND THE FULL WIDTH OF THE CURB RAMP, LANDING, OR BLENDED TRANSITION TO THE STREET.
 5. ORIENTATION: THE DETECTABLE WARNING PANEL SHALL BE LOCATED SO THAT THE EDGE NEAREST THE CURB LINE IS 6 INCHES MINIMUM AND 8 INCHES MAXIMUM FROM THE CURB LINE. THE PANEL SHALL BE ORIENTED TO THE DIRECTION OF TRAVEL AS IDENTIFIED BY THE POINT OF EGRESS.



SIDEWALK RAMP DETECTABLE WARNING PANEL

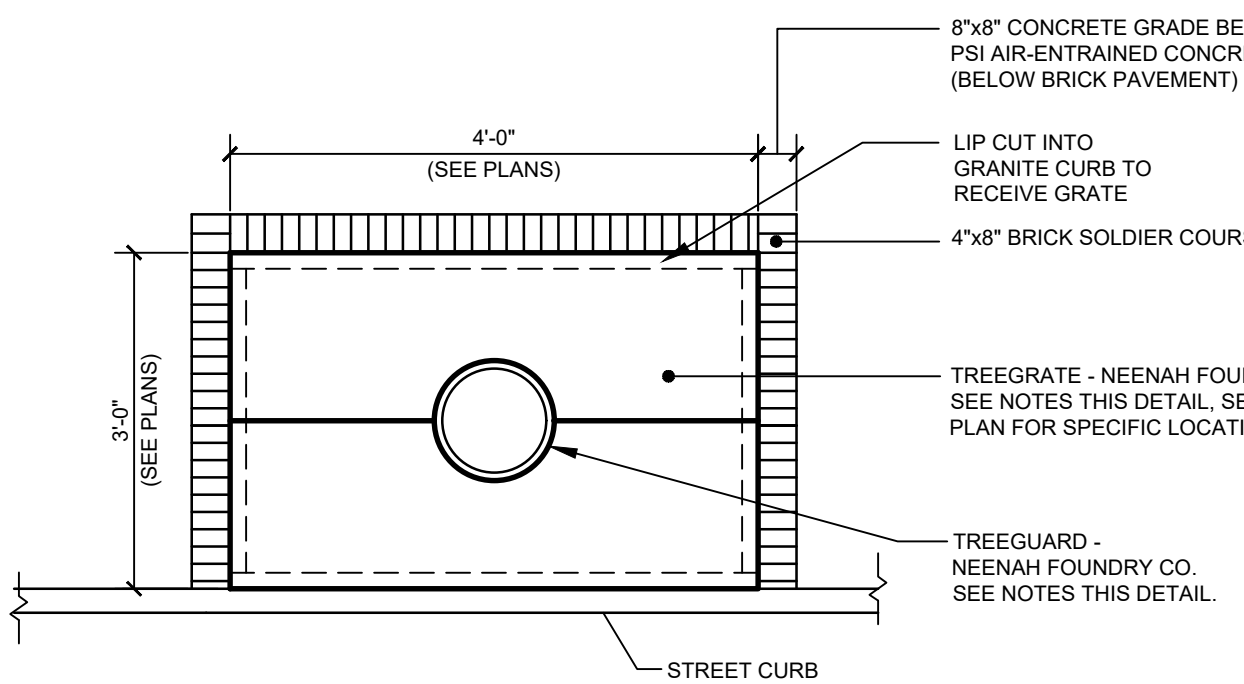
NOT TO SCALE



- NOTES:
1. ALL TREE WELLS SHALL COMPLY WITH CITY TECHNICAL STANDARDS AND MUST BE APPROVED BY THE CITY ARBORIST. JEFF TARLING (207) 808-5400.
 2. SIDEWALK MATERIAL PER CITY SIDEWALK MATERIAL POLICY.
 3. NEW CONSTRUCTION: 4"x8" PINE HALL PATHWAY PAYER BRICK, MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623, PINE HALL PATHWAY PAYER BRICK.

TREEWELL IN BRICK SIDEWALK

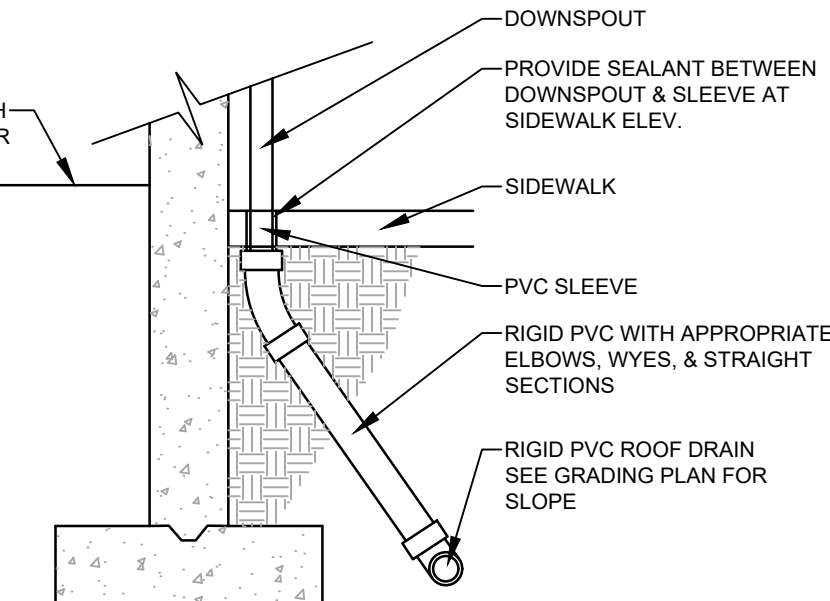
NOT TO SCALE



- NOTES:
1. USE R-8808 W/ 1/2" EXPANDABLE OPENING FOR TREE GRATE #1.
 2. USE R-8802-4 W/ 18" EXPANDABLE OPENING FOR TREE GRATE #2.

TREE GRATE DETAIL

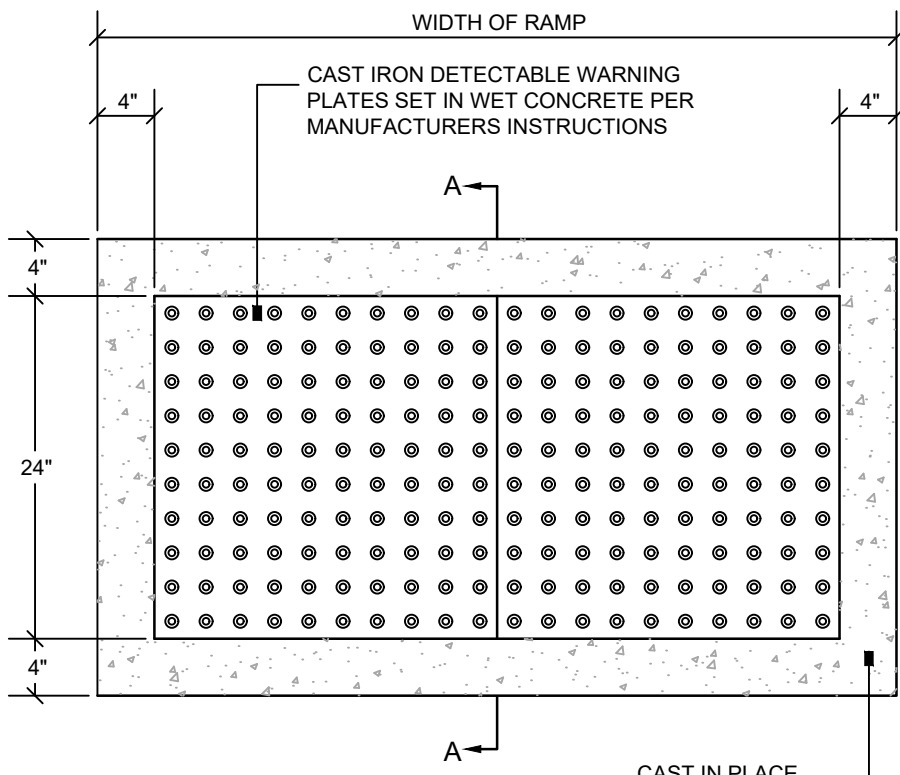
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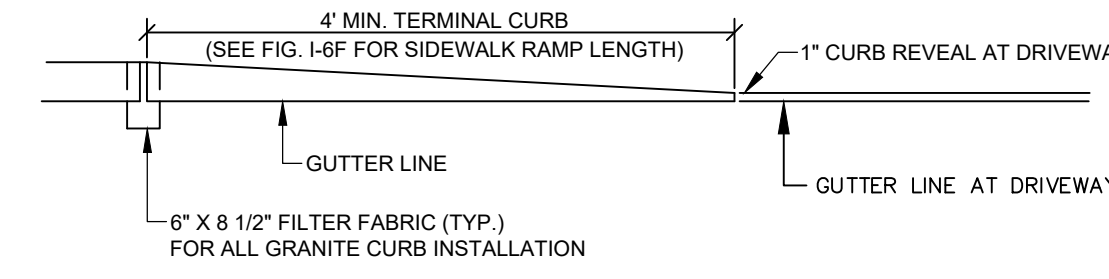
- NOTE:
1. SEE PLANS FOR DOWNSPOUT AND ROOF DRAIN LEADER SIZES.

ROOF DRAIN CONNECTOR

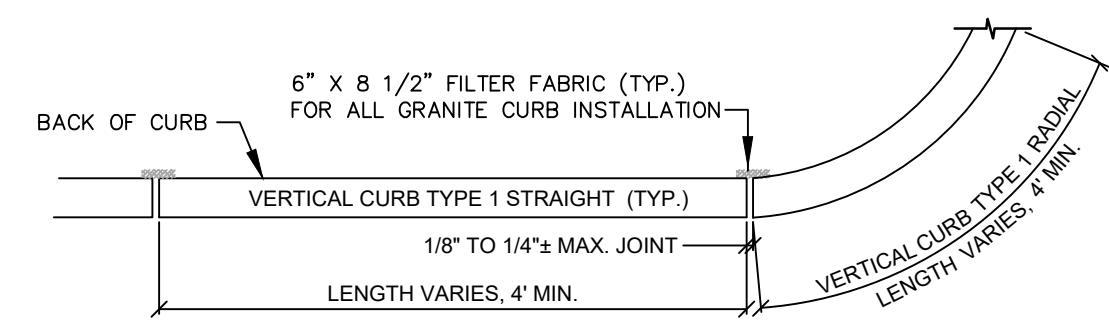
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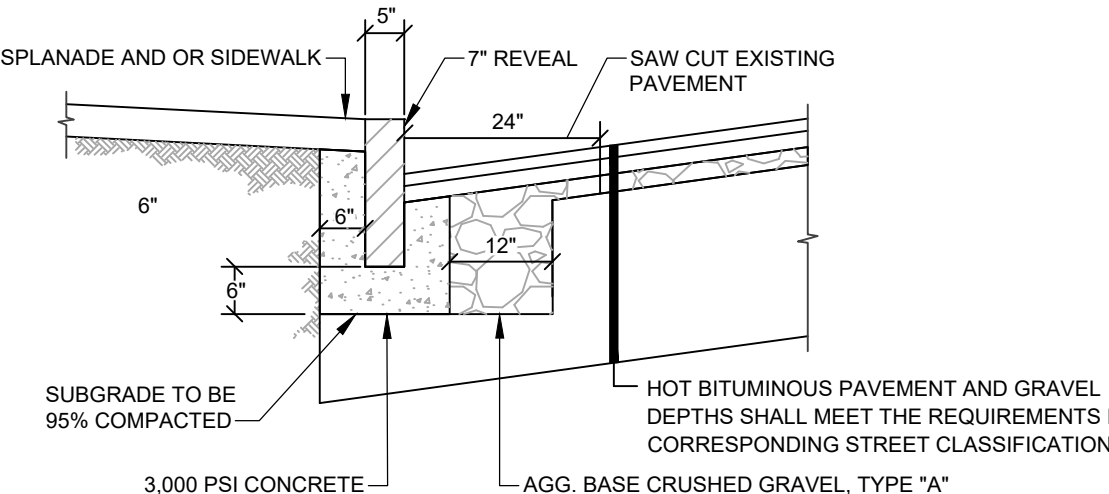
PLAN VIEW



TERMINAL CURB PROFILE



VERTICAL GRANITE CURB PLAN VIEW

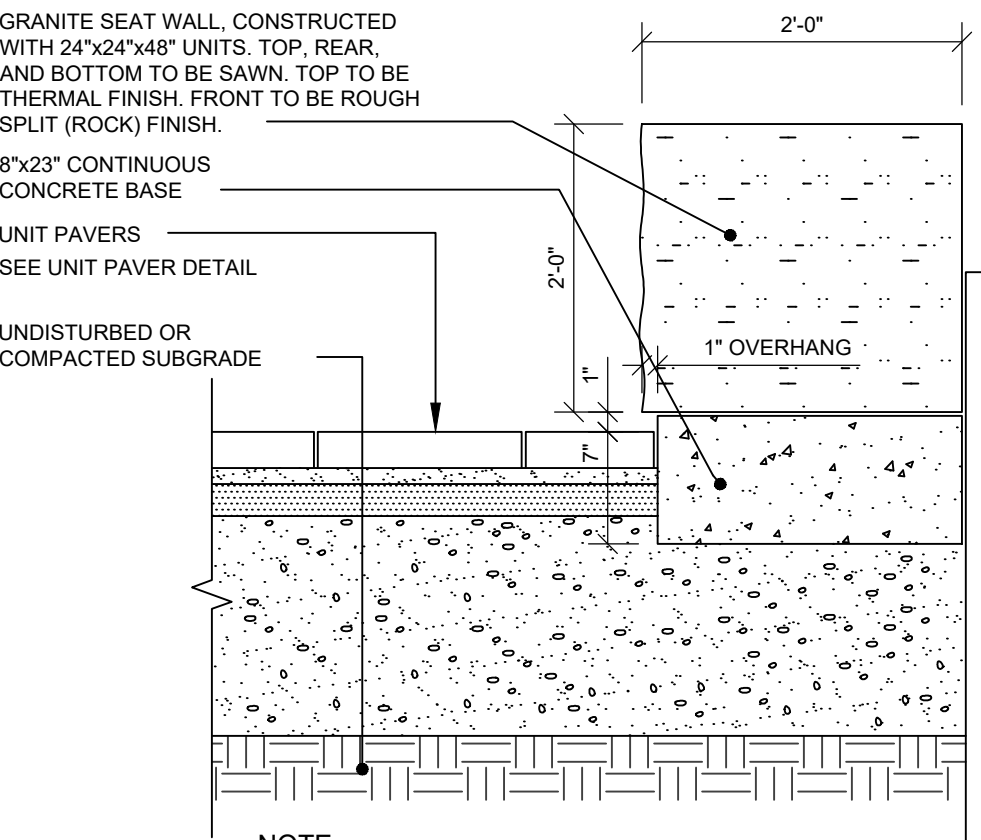


VERTICAL GRANITE CURB CROSS SECTION

- NOTES:
1. INDIVIDUAL PIECES OF CURB SHORTER THAN 4 L.F. ARE NOT ALLOWED, WITH THE EXCEPTION OF RADIAL CURB.
 2. THE MINIMUM HEIGHT OF THE CONCRETE BACKING SHALL BE 10-INCHES OR TO THE BOTTOM OF THE HOT MIX ASPHALT PAVEMENT, WHICHEVER IS GREATER, MEASURED FROM THE BOTTOM OF CURB.
 3. CURBING SHALL BE SET IN A 6-INCH BED OF POURED IN PLACE 3,000 PSI CONCRETE MIX.
 4. WOODEN SHIMS MAY BE USED TO SET CURB.

VERTICAL GRANITE CURB

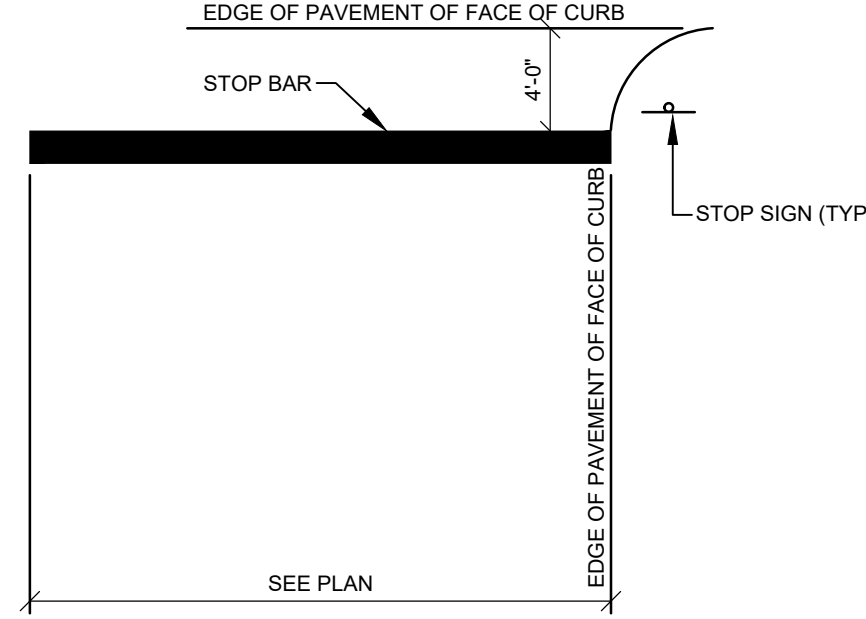
NOT TO SCALE



- NOTE:
1. PLACE GRANITE UNITS WITH BUTT JOINTS (1/4" MAX. SEPARATION).

GRANITE SEAT WALL

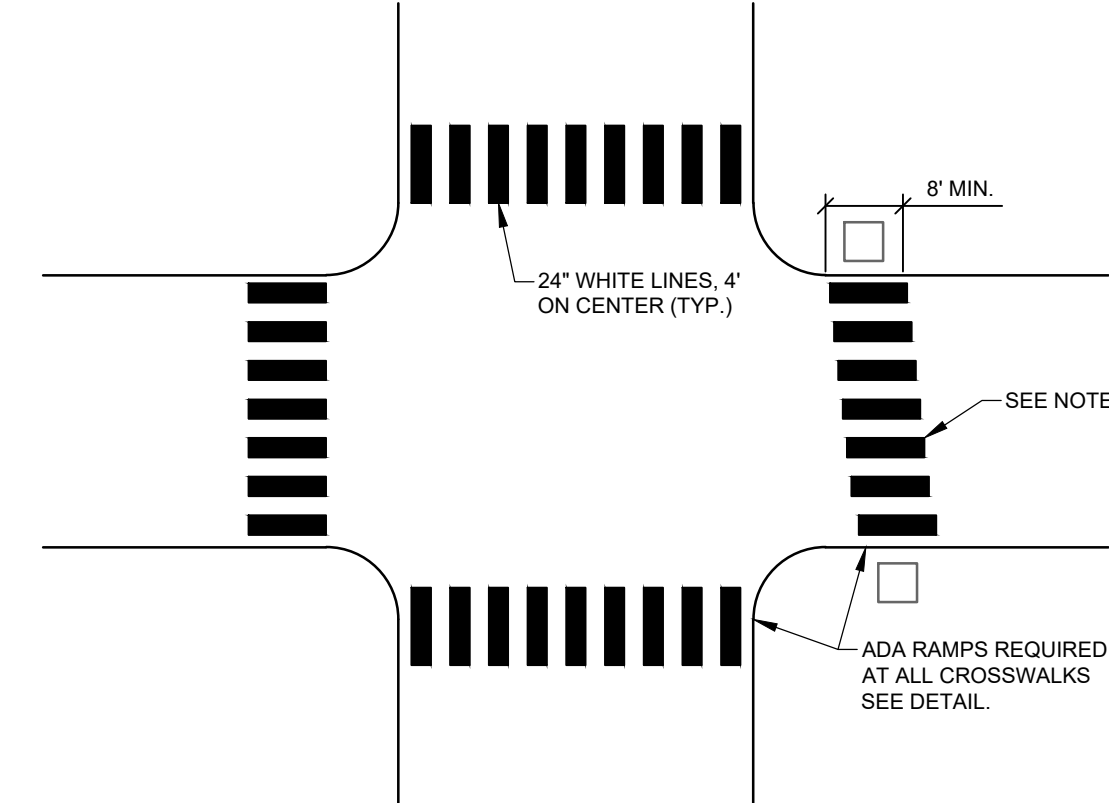
NOT TO SCALE



- NOTE:
1. WORDS AND ARROWS FOR DRIVEWAYS SHALL BE APPLIED ACCORDING TO REQUIREMENTS AS OUTLINED IN SECTION 3B OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.
 2. THESE WORDS AND BAR ARE TO BE PAINTED REFLECTIVE WHITE.

STOP BAR

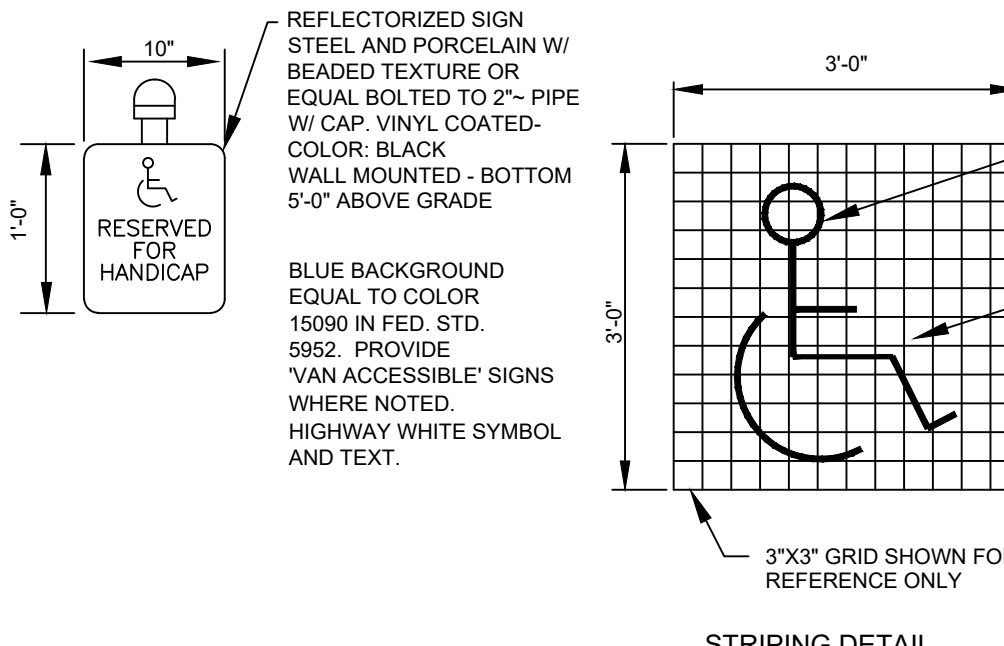
NOT TO SCALE



- NOTES:
1. CROSSWALK BLOCKS SHALL BE STAGGERED AND REMAIN PARALLEL TO THE ROADWAY CENTERLINE AT SKEWED CROSSING LOCATIONS.
 2. CROSSWALK MARKINGS LOCATED ON ARTERIAL STREETS SHALL BE APPLIED WITH A THERMOPLASTIC MATERIAL (OR APPROVED EQUAL) MEETING ALL MANUFACTURER AND MUTCD REQUIREMENTS.
 3. THE ESTABLISHMENT PERIOD FOR CROSSWALK MARKINGS SHALL BE BASED ON MANUFACTURER'S SPECIFICATIONS AND SHALL AT A MINIMUM MEET MAINE DOT STANDARD SPECIFICATION 627.07 ESTABLISHMENT PERIOD REQUIREMENTS.

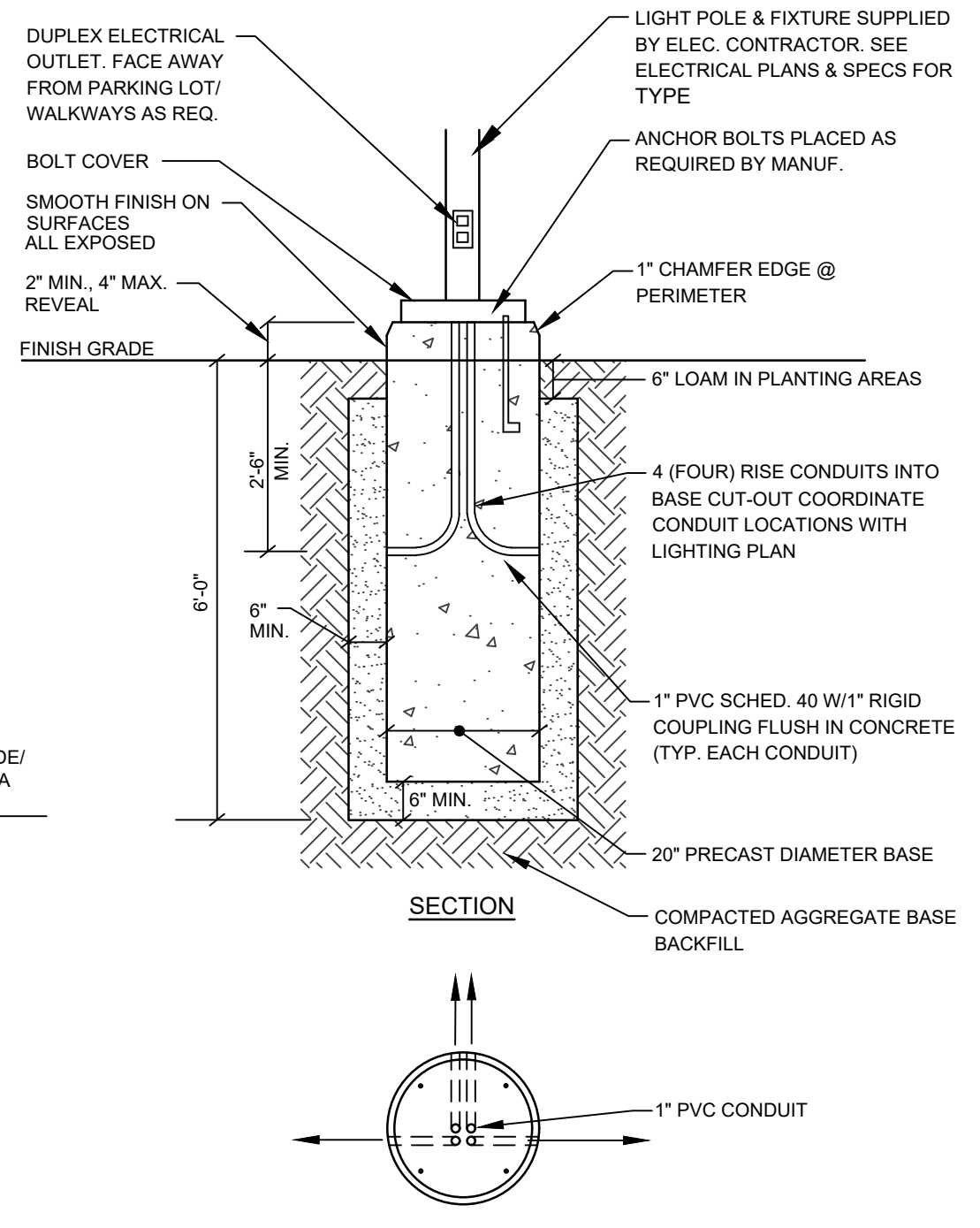
CROSSWALK MARKINGS

NOT TO SCALE



HANDICAP SIGNS AND STRIPING

NOT TO SCALE

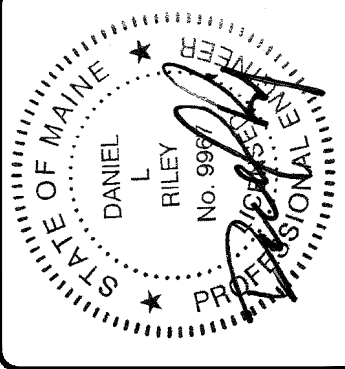


- NOTES:
1. CONCRETE Fc=5000 psi. @ 28 DAYS WITH STEEL REINFORCEMENT.
 2. CONDUIT AND ANCHOR BOLTS PLACED AS REQUIRED PROVIDED BY ELECTRICAL CONTRACTOR.
 3. PROVIDE 2 COATS BITUMINOUS DAMPROOFING FOR ALL CONCRETE BELOW GRADE.

STANDARD LIGHT POLE BASE

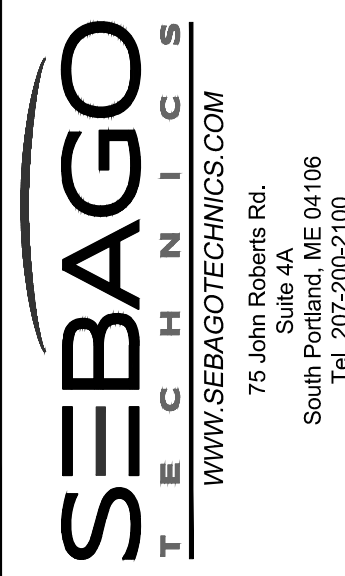
NOT TO SCALE

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A	DLR	08/10/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW

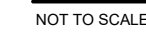
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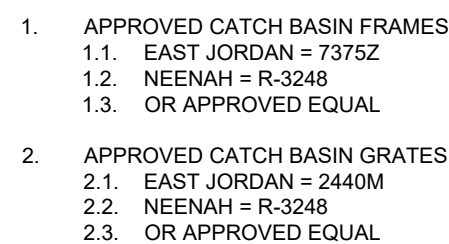
DETAILS OF:
385 CONGRESS STREET - PHASE 1 HOTEL
CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE
FOR:
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	01/13/2023
SCALE	N.T.S.
PROJECT	19371-01

SHEET19 OF 24

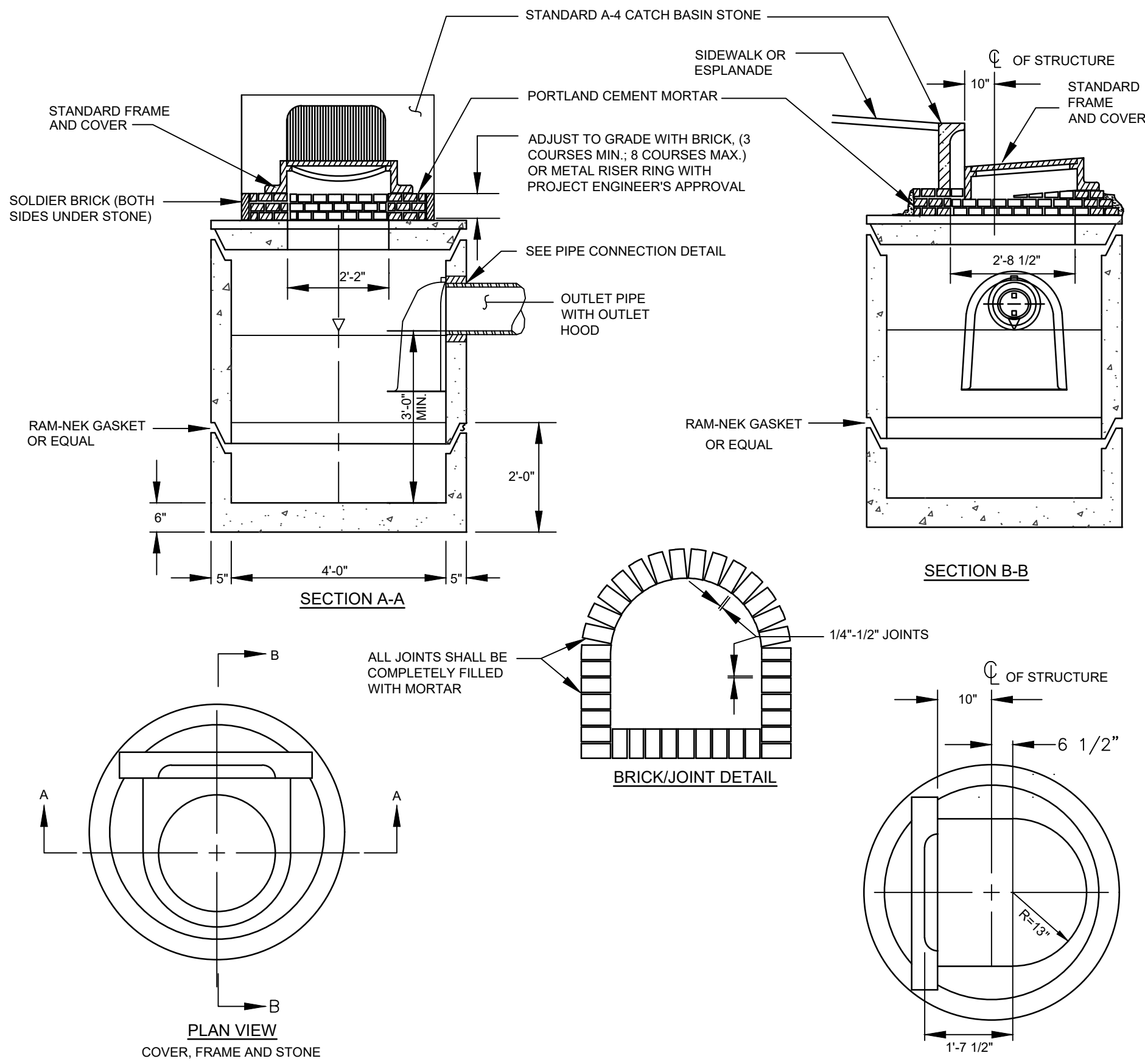


NOT TO SCALE

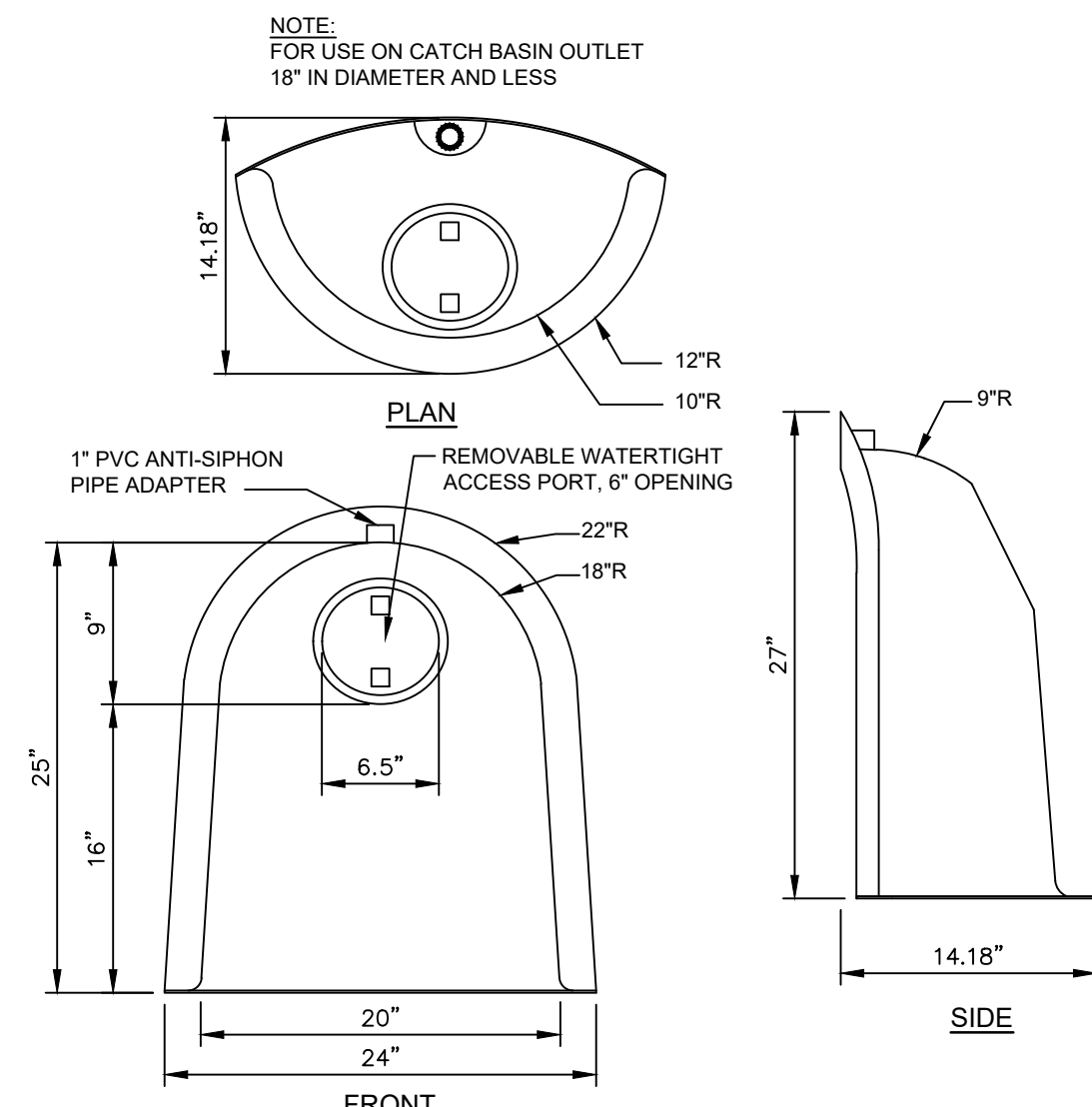


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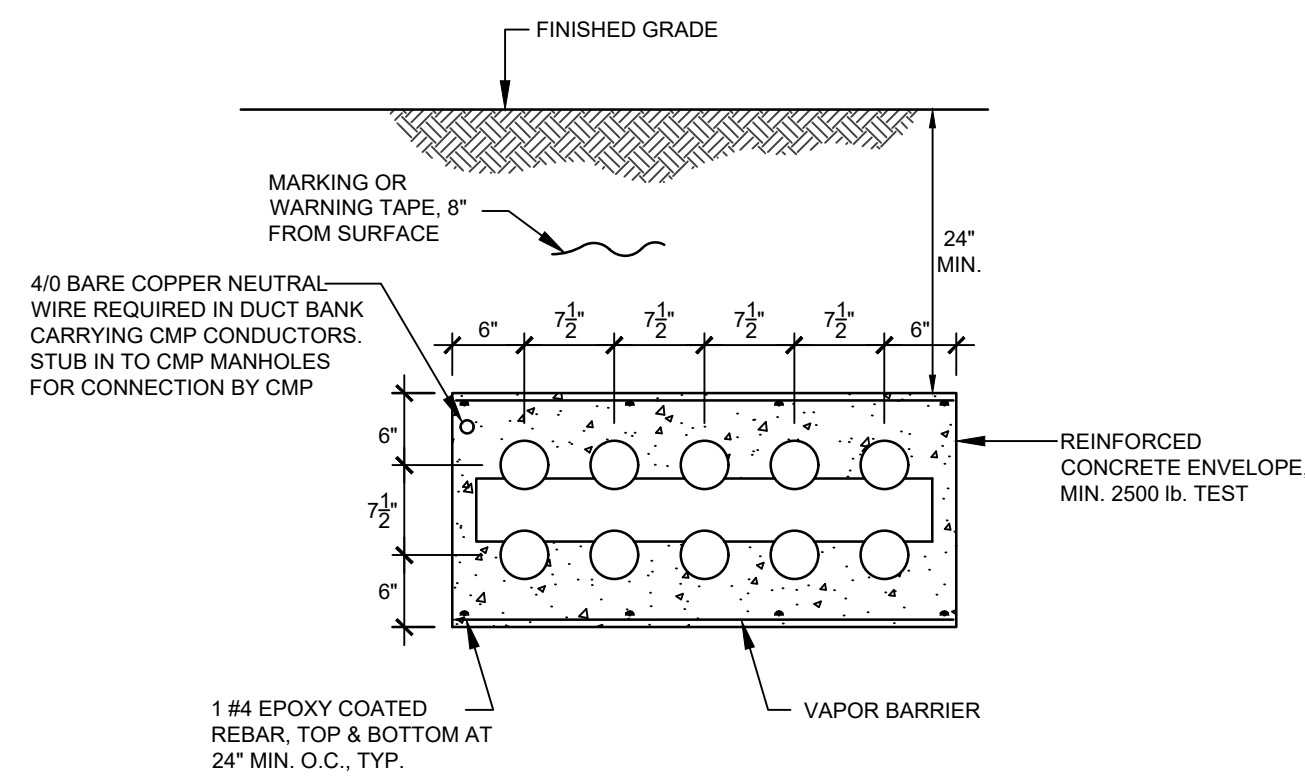




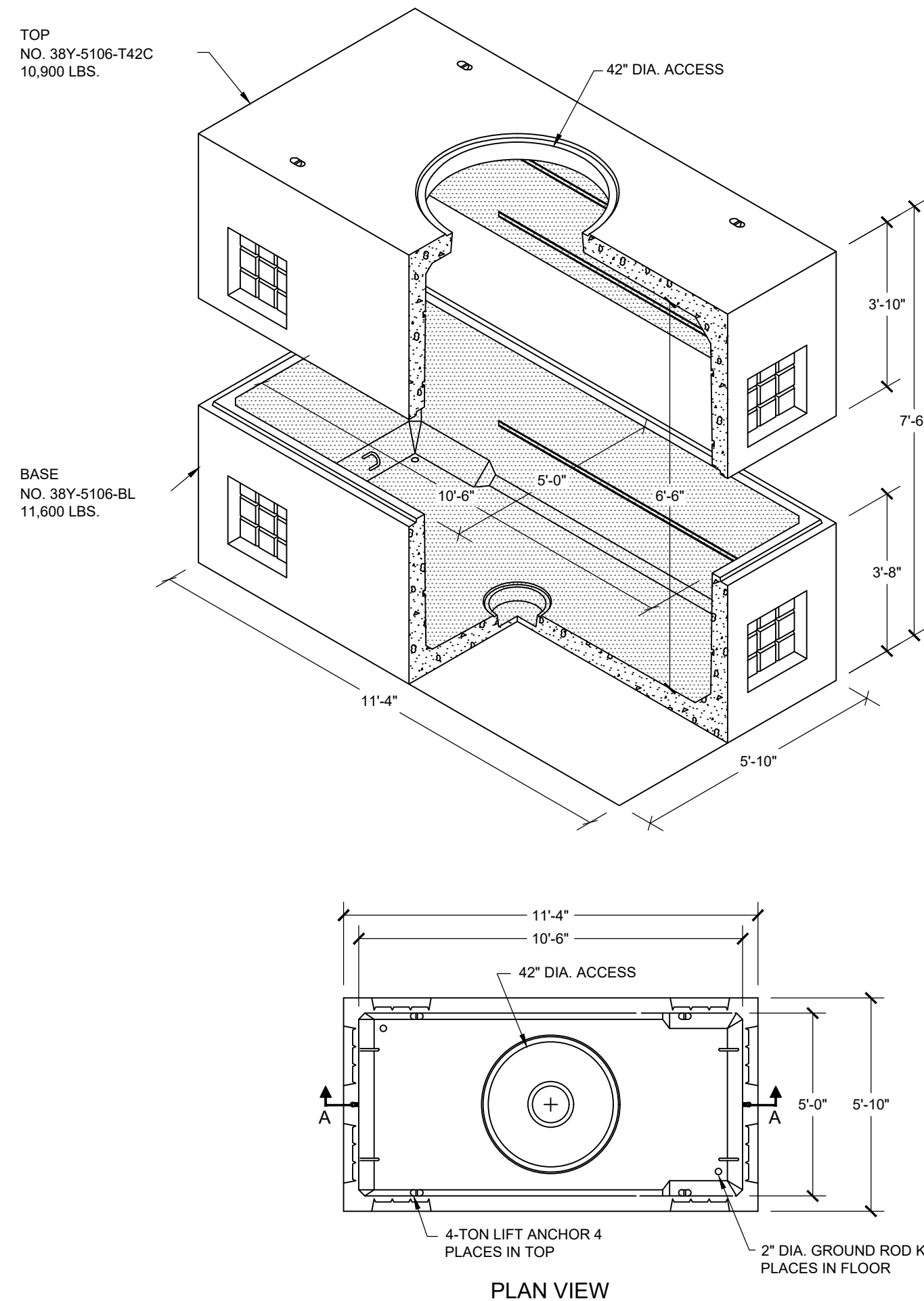
PRECAST CONCRETE CATCH BASIN - TYPE "E"
NOT TO SCALE



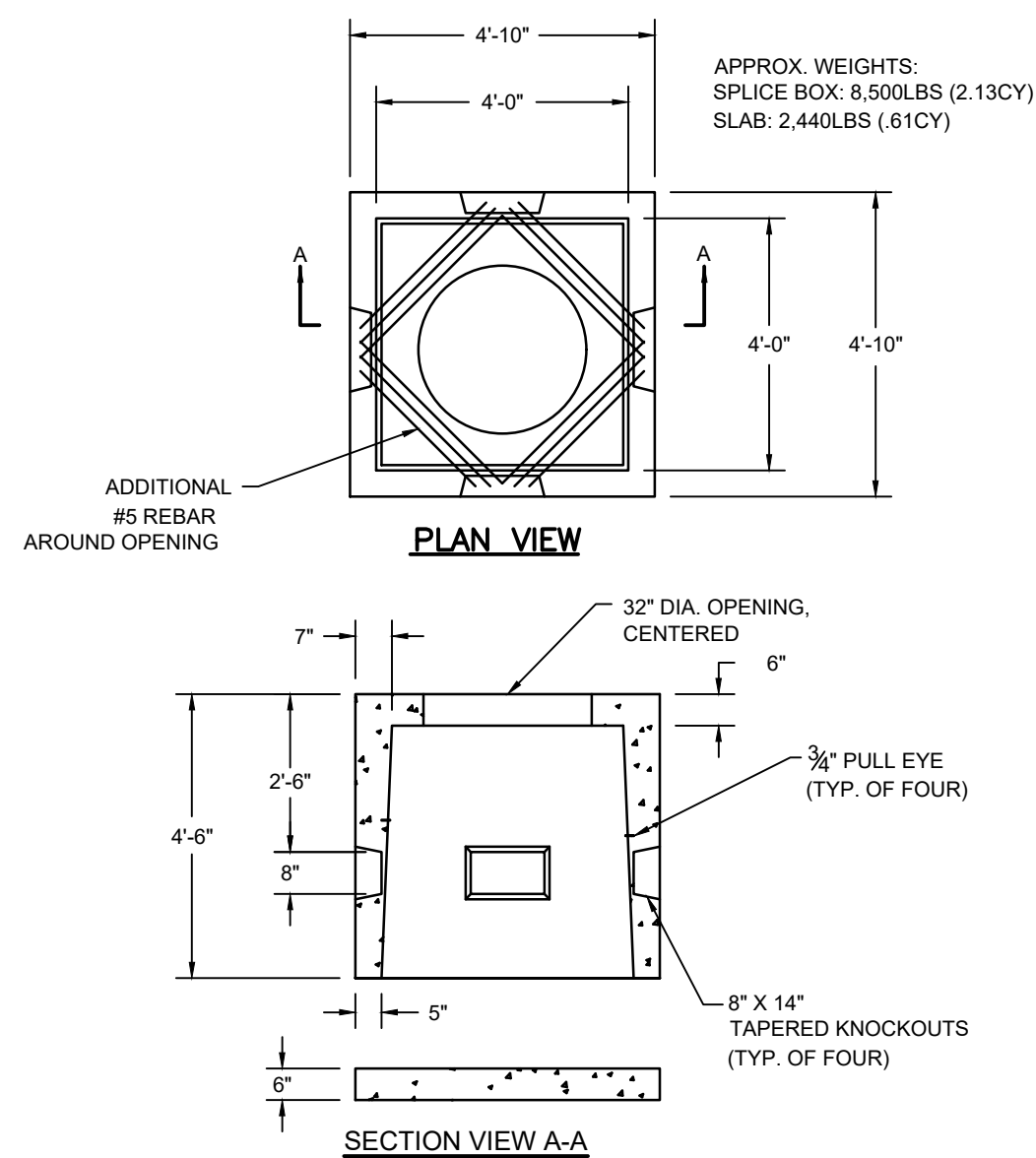
CATCH BASIN HOOD
NOT TO SCALE



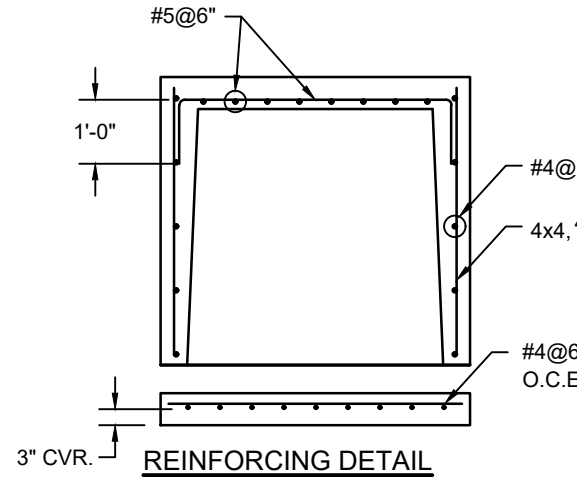
TYPICAL DUCT BANK CROSS-SECTION
NOT TO SCALE



PLAN VIEW

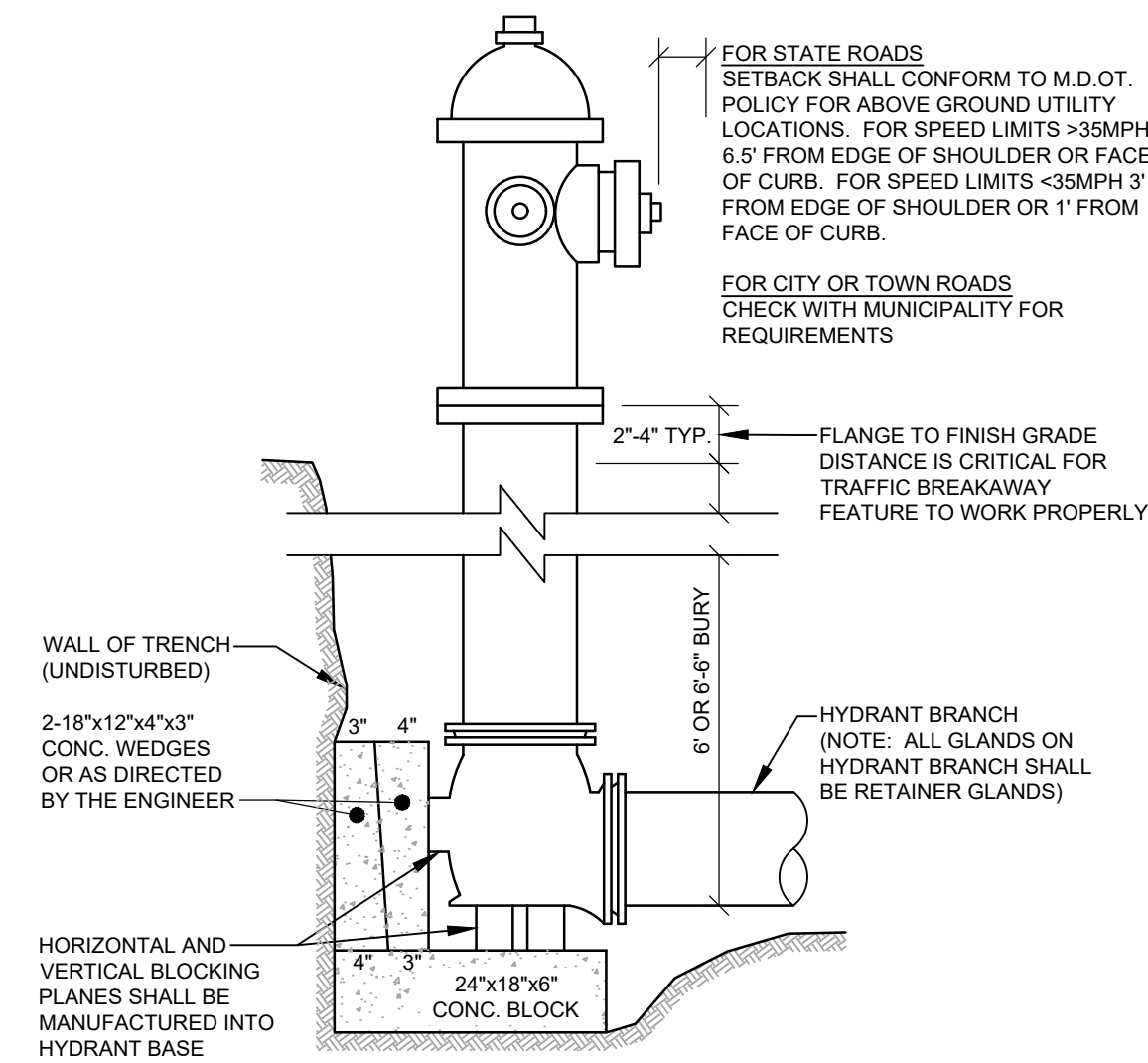


SECTION VIEW A-A

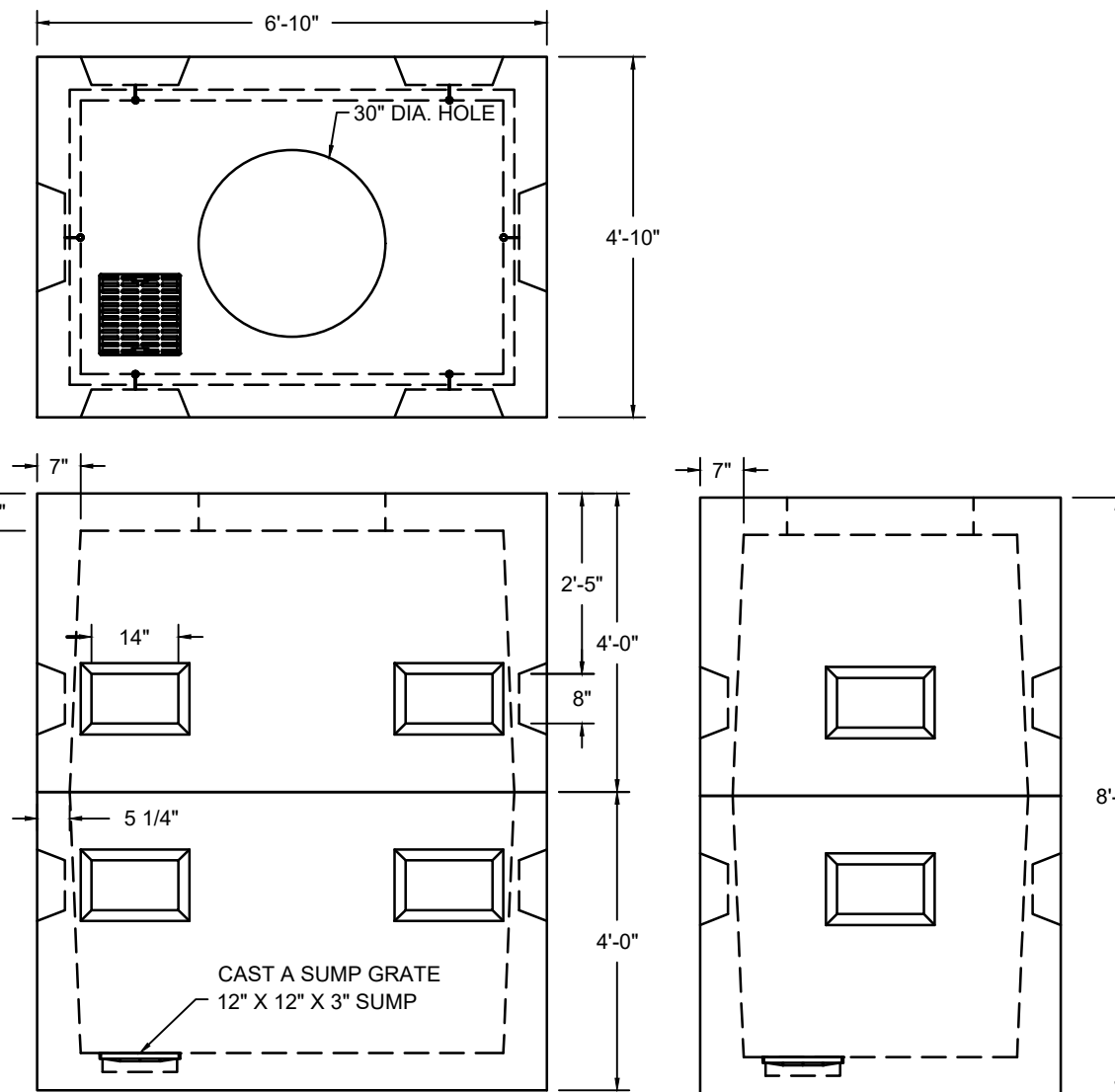


4x4 UTILITY SPLICE BOX
NOT TO SCALE

- NOTES:**
1. FURNISH AND INSTALL 32" DIA X 6" H-20 RATED FRAME AND MANHOLE COVER LETTERED "COMMUNICATIONS".
 2. FURNISH AND INSTALL RISER RINGS AND MASONRY TO ACHIEVE REQUIRED DEPTH AND ALLOW FOR FUTURE ADJUSTMENT TO GRADE.
 3. BASIS OF DESIGN IS 30Y MANHOLE BY OLD CASTLE PRECAST MANHOLES SHALL MEET UTILITY OWNERS SPECIFICATIONS.
 4. INSTALL GROUNDING RODS OR GROUNDING GRID, SEE ELECTRICAL PLANS & SPECIFICATIONS FOR GROUNDING REQUIREMENTS.
 5. VAULT TO BE RATED FOR H-20 LOADING.

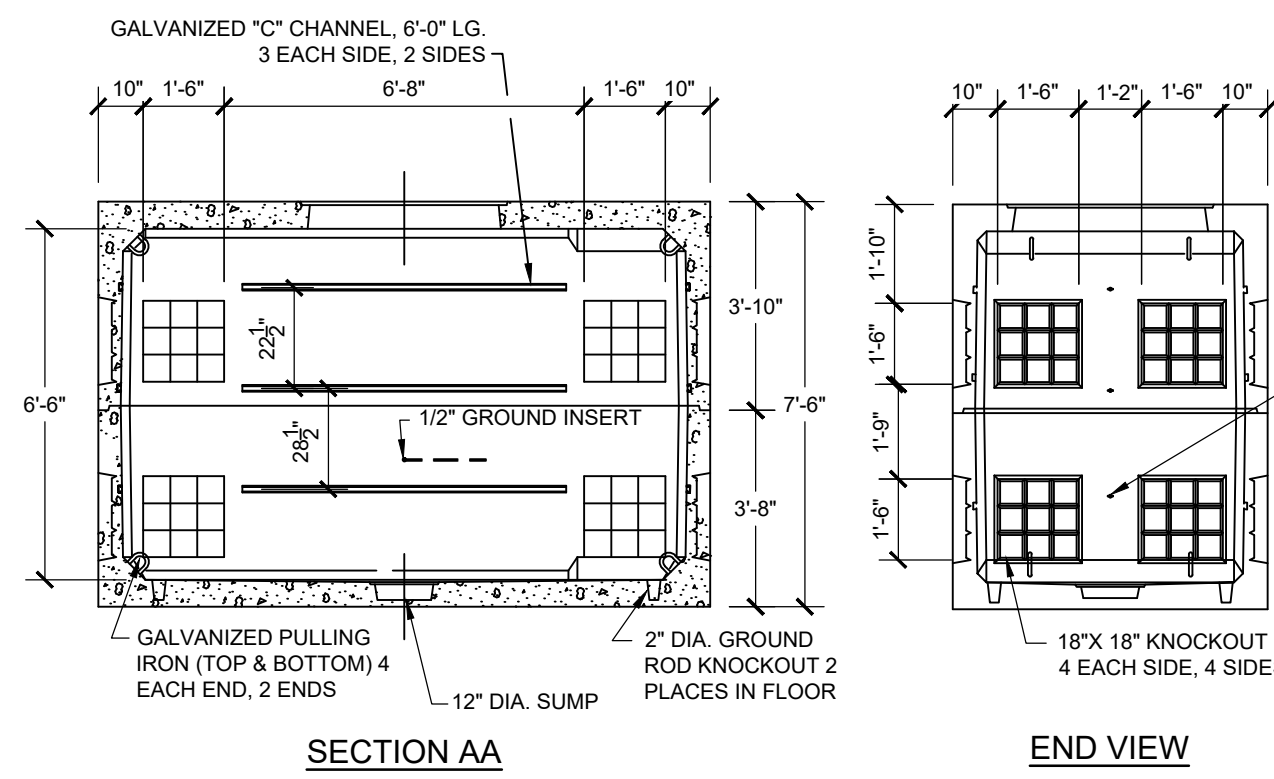


HYDRANT INSTALLATION
NOT TO SCALE

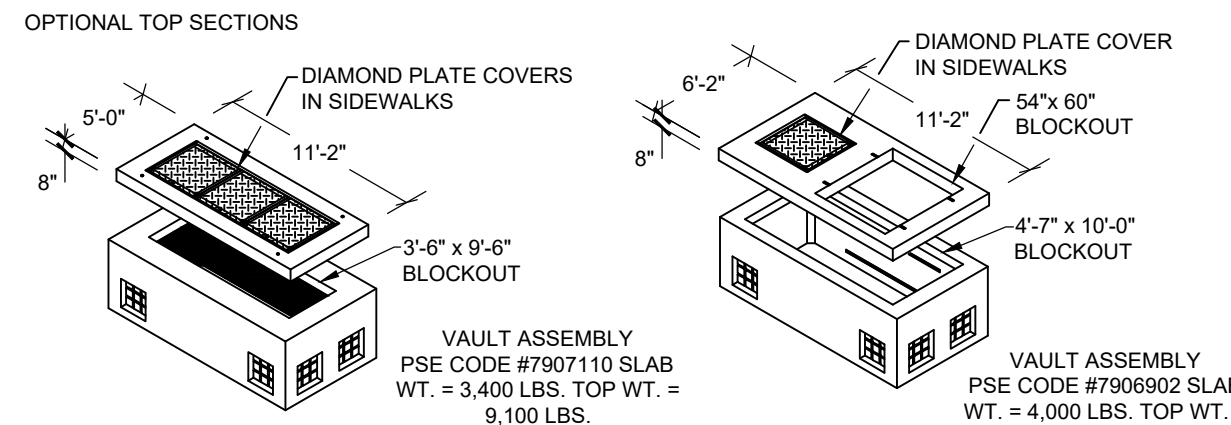


- NOTES:**
1. FURNISH AND INSTALL 32" DIA X 6" H-20 RATED FRAME AND MANHOLE COVER LETTERED "COMMUNICATIONS".
 2. FURNISH AND INSTALL RISER RINGS AND MASONRY TO ACHIEVE REQUIRED DEPTH AND ALLOW FOR FUTURE ADJUSTMENT TO GRADE.
 3. CONCRETE TO BE 5,000 PSI AT 28 DAYS.
 4. VAULT TO BE RATED FOR H-20 LOADING.

TELECOMMUNICATION MANHOLE
NOT TO SCALE

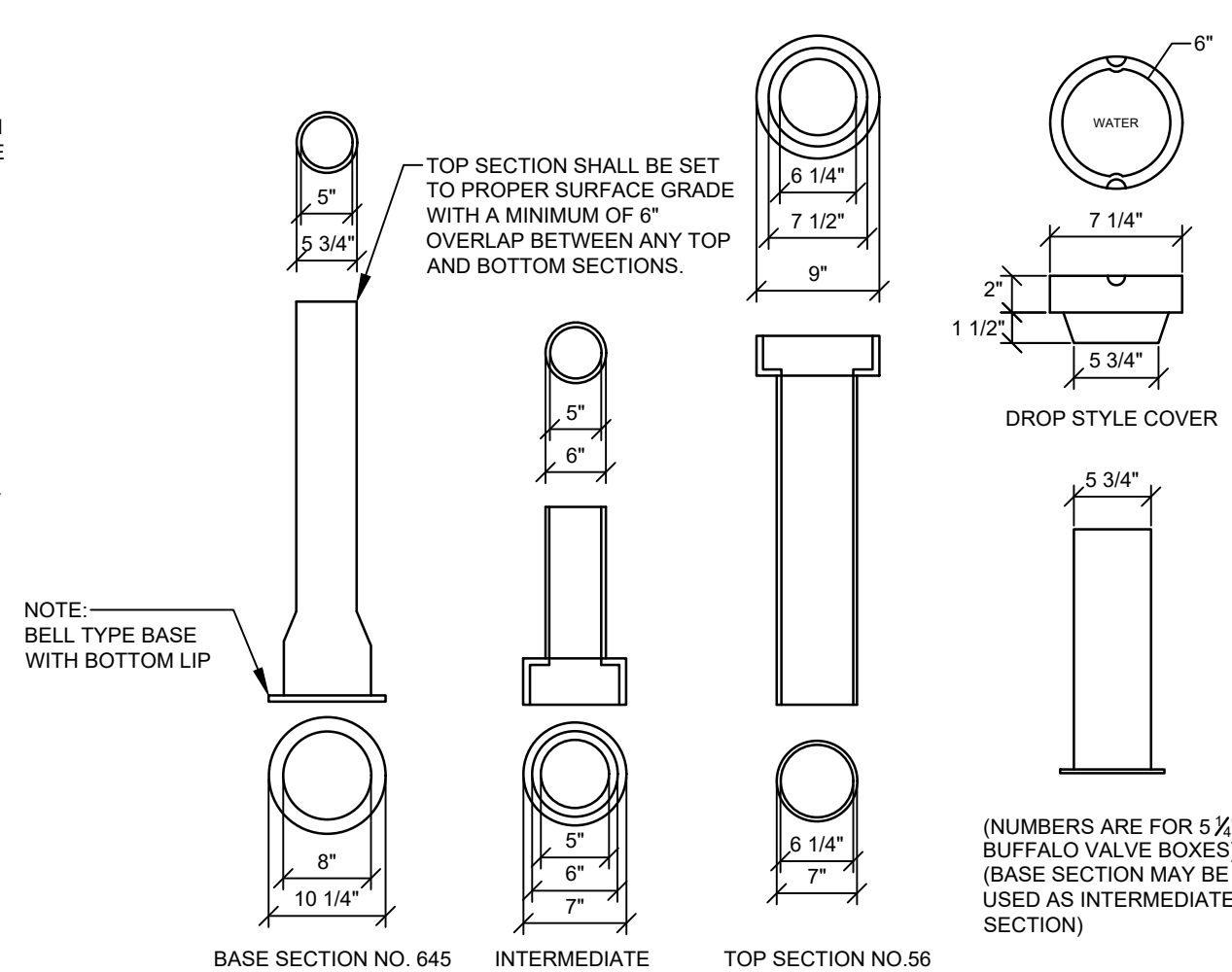


SECTION AA

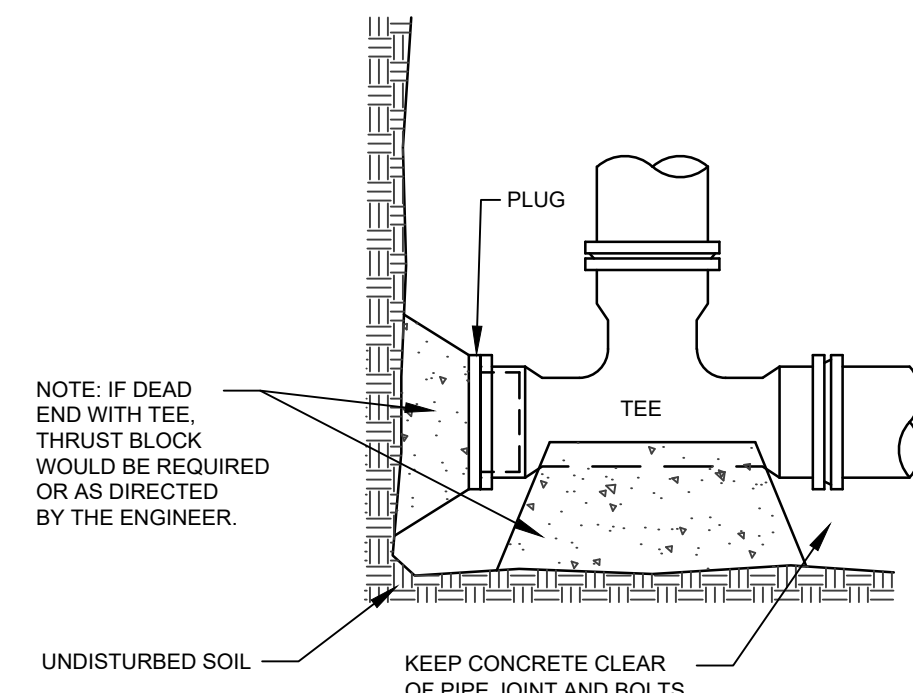


- NOTES:**
1. FURNISH AND INSTALL 42" FRAME, MANHOLE COVER PER CMP STANDARDS.
 2. FURNISH AND INSTALL RISER RINGS AND MASONRY TO ACHIEVE REQUIRED DEPTH AND ALLOW FOR FUTURE ADJUSTMENT TO GRADE.
 3. BASIS OF DESIGN IS 30Y MANHOLE BY OLD CASTLE PRECAST MANHOLES SHALL MEET UTILITY OWNERS SPECIFICATIONS.
 4. INSTALL GROUNDING RODS OR GROUNDING GRID, SEE ELECTRICAL PLANS & SPECIFICATIONS FOR GROUNDING REQUIREMENTS.
 5. VAULT TO BE RATED FOR H-20 LOADING.

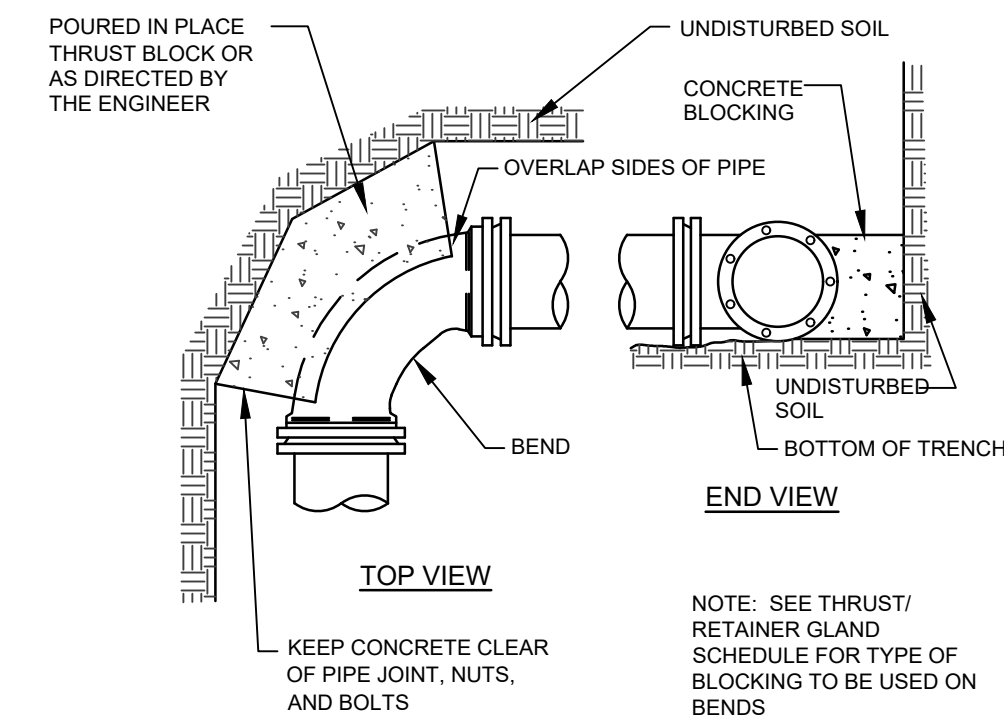
ELECTRICAL MANHOLE
NOT TO SCALE



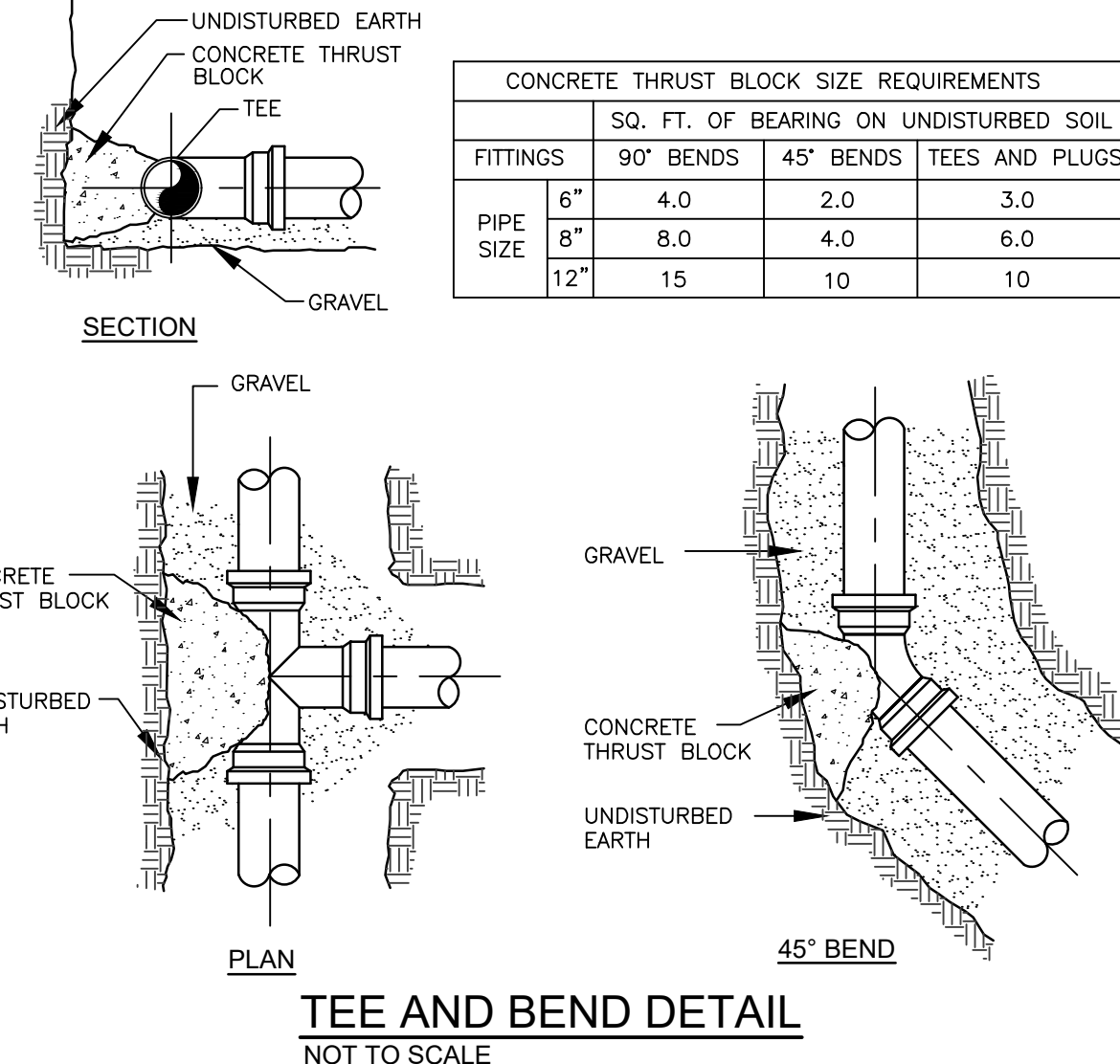
VALVE BOX & COVER
NOT TO SCALE



STANDARD TEE BLOCKING
NOT TO SCALE

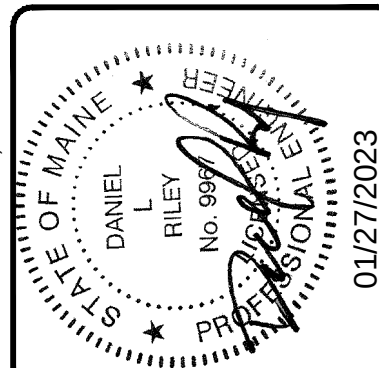


STANDARD BEND BLOCKING
NOT TO SCALE



TEE AND BEND DETAIL
NOT TO SCALE

NOT FOR CONSTRUCTION



REV	BY	DATE	STATUS
D	DLR	01/27/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
C	DLR	01/13/2023	ISSUED FOR LEVEL III SITE PLAN REVIEW
B	DLR	12/02/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW
A	DLR	08/10/2022	ISSUED FOR LEVEL III SITE PLAN REVIEW

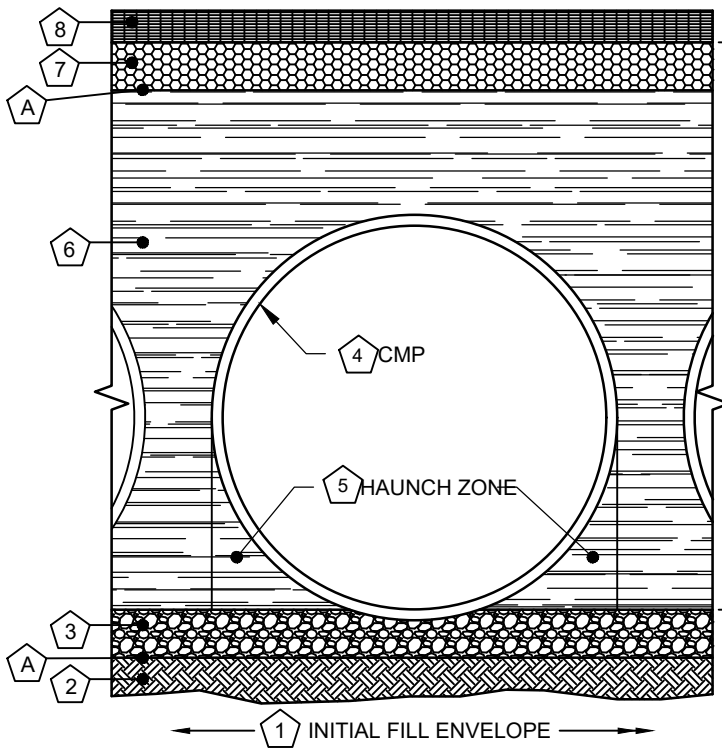
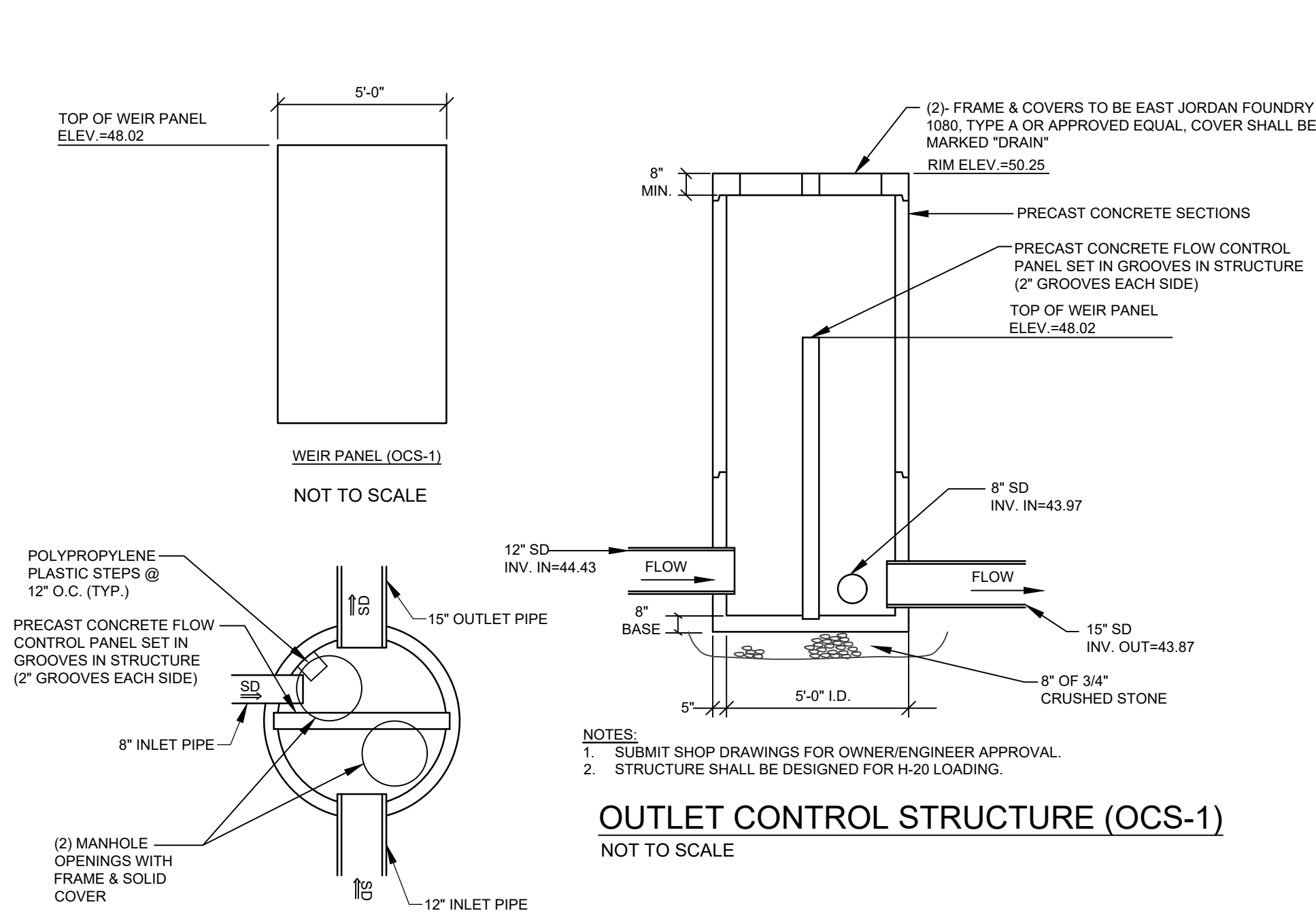
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SCALE	N.T.S.
PROJECT	19371-01

SHEET21 OF 24



- MINIMUM WIDTH DEPENDS ON SITE CONDITIONS AND ENGINEERING JUDGEMENT
- FOUNDATION/BEDDING PREPARATION
- PRIOR TO PLACING THE BEDDING, THE FOUNDATION MUST BE CONSTRUCTED TO A UNIFORM AND STABLE GRADE. IN THE EVENT THAT UNSUITABLE FOUNDATION MATERIALS ARE ENCOUNTERED DURING EXCAVATION, THEY SHALL BE REMOVED AND BROUGHT BACK TO THE GRADE WITH A FILL MATERIAL AS APPROVED BY THE ENGINEER.
- HAUNCH ZONE MATERIAL SHALL BE PLACED AND UNIFORMLY COMPACTED WITHOUT SOFT SPOTS.

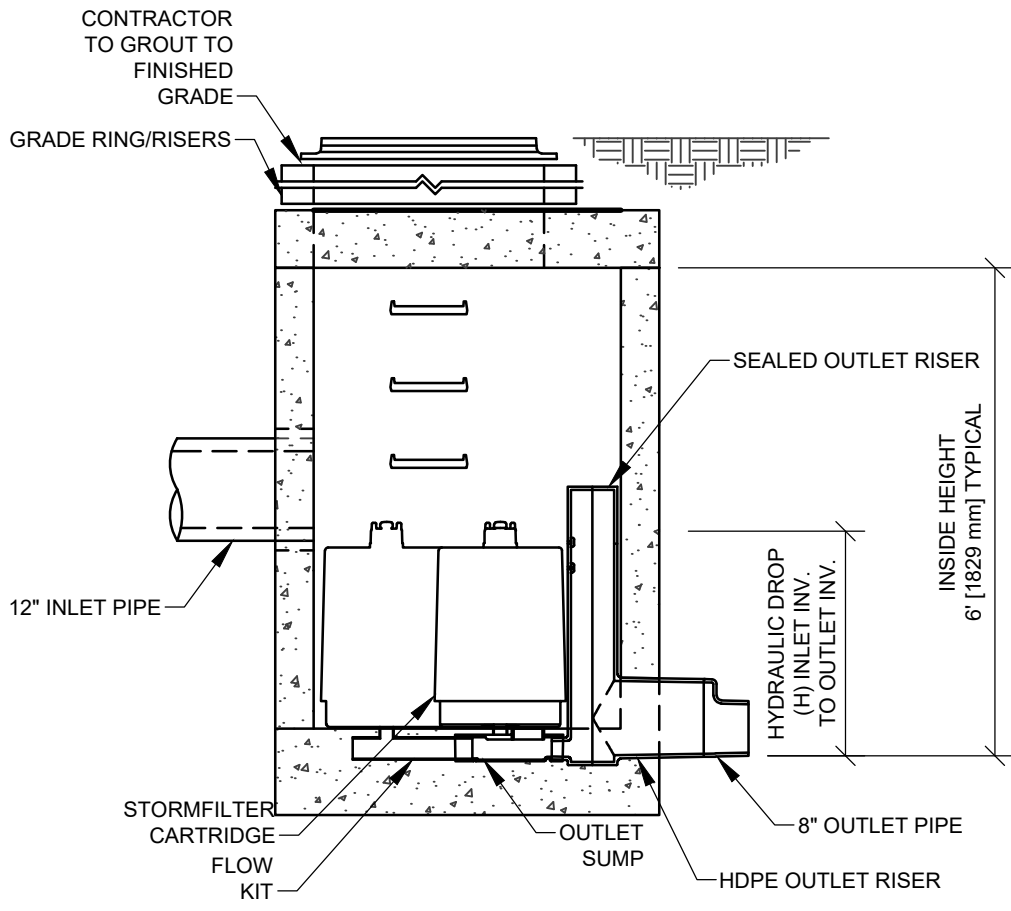
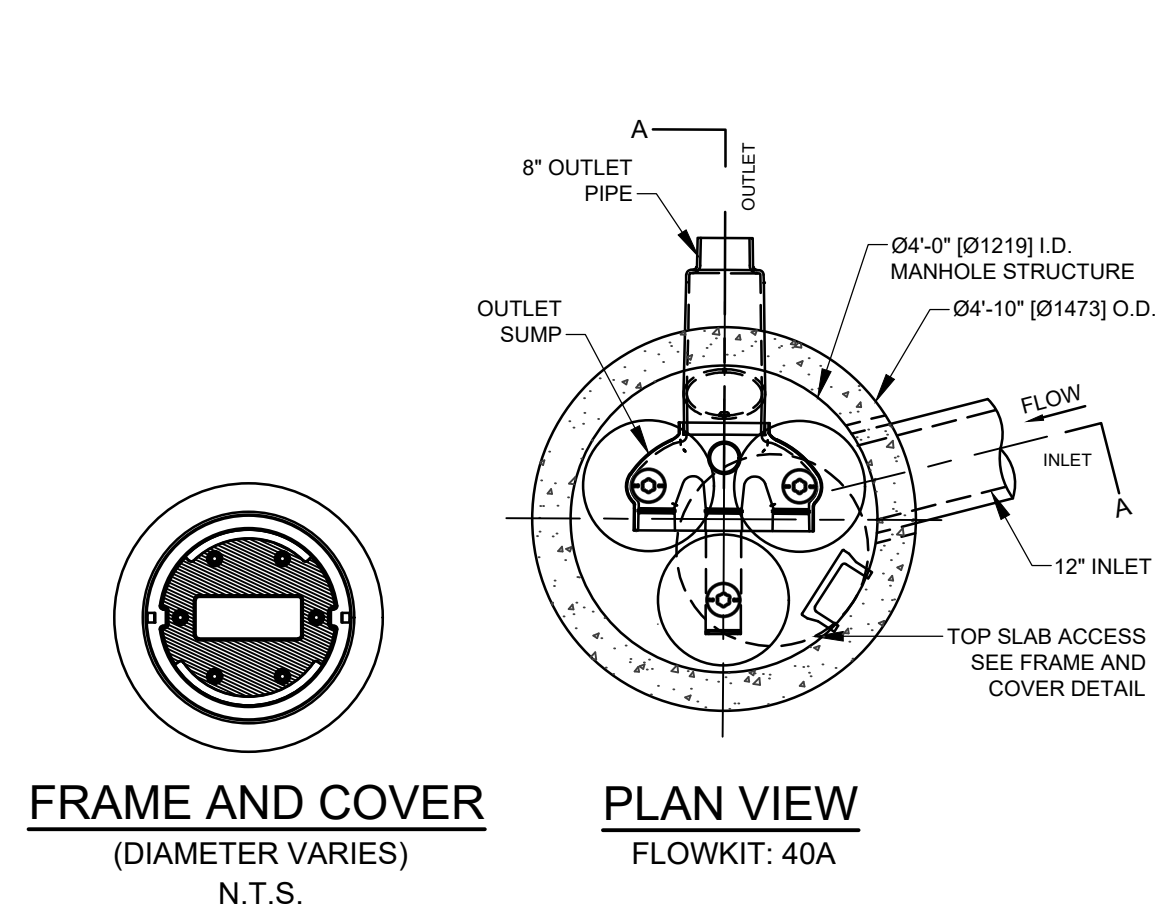
BACKFILL

WHEN PLACING THE FIRST LIFTS OF BACKFILL IT IS IMPORTANT TO MAKE SURE THAT THE BACKFILL IS PROPERLY COMPACTED UNDER AND AROUND THE PIPE HAUNCHES. BACKFILL SHALL BE PLACED SUCH THAT THERE IS NO MORE THAN A TWO LIFT (16") DIFFERENTIAL BETWEEN ANY OF THE PIPES AT ANY TIME DURING THE BACKFILL PROCESS. THE BACKFILL SHALL BE ADVANCED ALONG THE LENGTH OF THE DETENTION SYSTEM AT THE SAME RATE TO AVOID DIFFERENTIAL LOADING ON THE PIPE.

OTHER ALTERNATE BACKFILL MATERIAL MAY BE ALLOWED DEPENDING ON SITE SPECIFIC CONDITIONS, AS APPROVED BY SITE ENGINEER.

TYPICAL SECTION VIEW - 48" CMP DETENTION SYSTEM

NOT TO SCALE



INSTALLATION:

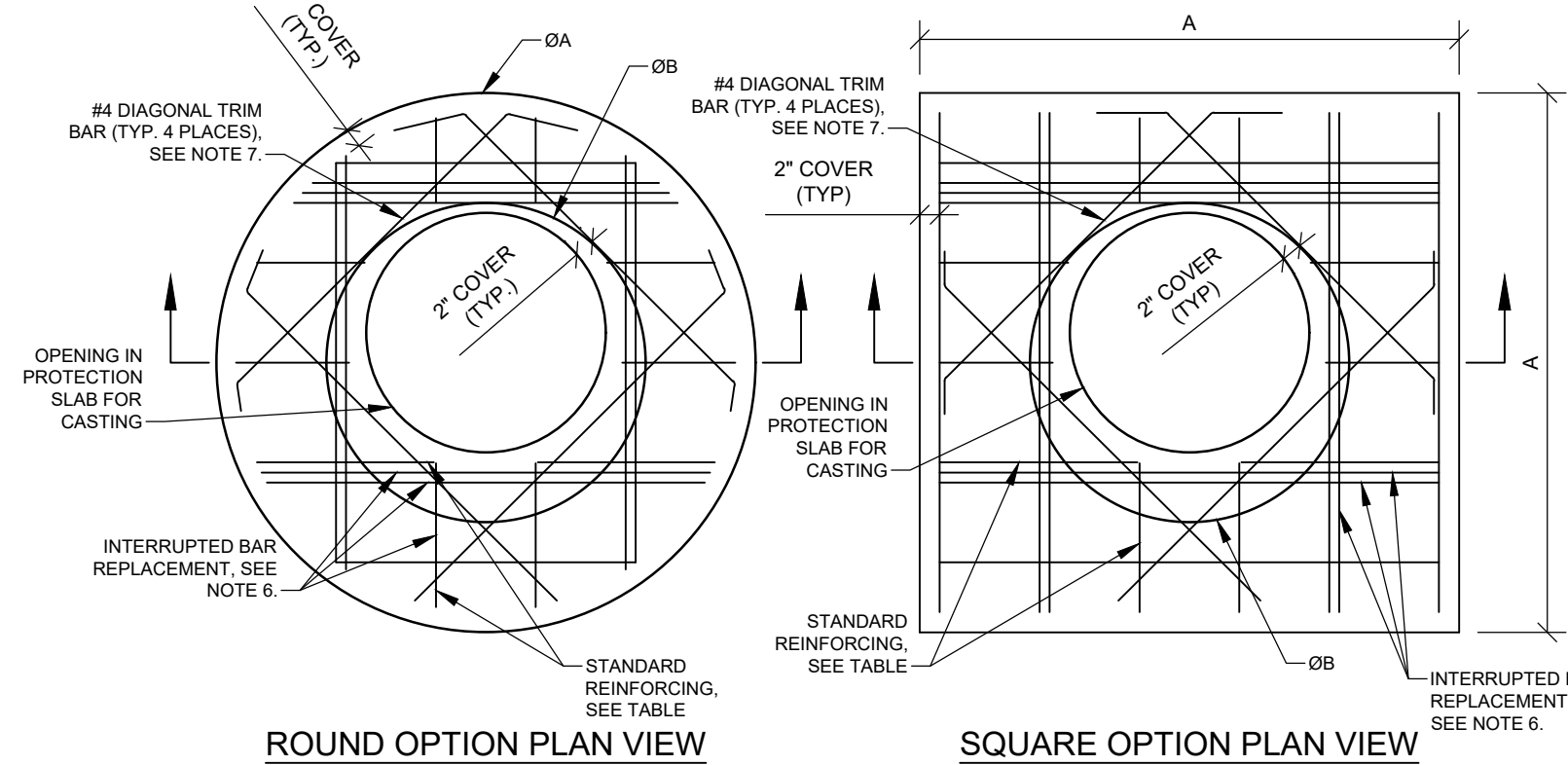
- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMFILTER STRUCTURE.
- CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
- CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET PIPE(S).
- CONTRACTOR TO PROVIDE AND INSTALL CONNECTOR TO THE OUTLET RISER STUB. STORMFILTER EQUIPPED WITH A DUAL DIAMETER HDPE OUTLET STUB AND SAND COLLAR. IF OUTLET PIPE IS LARGER THAN 8 INCHES (200 MM), CONTRACTOR TO REMOVE THE 8 INCH (200 MM) OUTLET STUB AT MOLDED-IN CUT LINE. COUPLING BY FERNCO OR EQUAL AND PROVIDED BY CONTRACTOR.
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.

CONTECH STORM FILTER-1

NOT TO SCALE

REINFORCING TABLE					
Ø CMP RISER	A	Ø B	REINFORCING	**BEARING PRESSURE (PSF)	
24"	Ø 4' 4' X 4'	26"	#5 @ 12" OCEW #5 @ 12" OCEW	2,410 1,780	
30"	Ø 4'-6" 4'-6" X 4'-6"	32"	#5 @ 12" OCEW #5 @ 12" OCEW	2,120 1,530	
36"	Ø 5' 5' X 5'	38"	#5 @ 10" OCEW #5 @ 10" OCEW	1,880 1,350	
42"	Ø 5'-6" 5'-6" X 5'-6"	44"	#5 @ 10" OCEW #5 @ 9" OCEW	1,720 1,210	
48"	Ø 6' 6' X 6'	50"	#5 @ 9" OCEW #5 @ 8" OCEW	1,600 1,100	

** ASSUMED SOIL BEARING CAPACITY

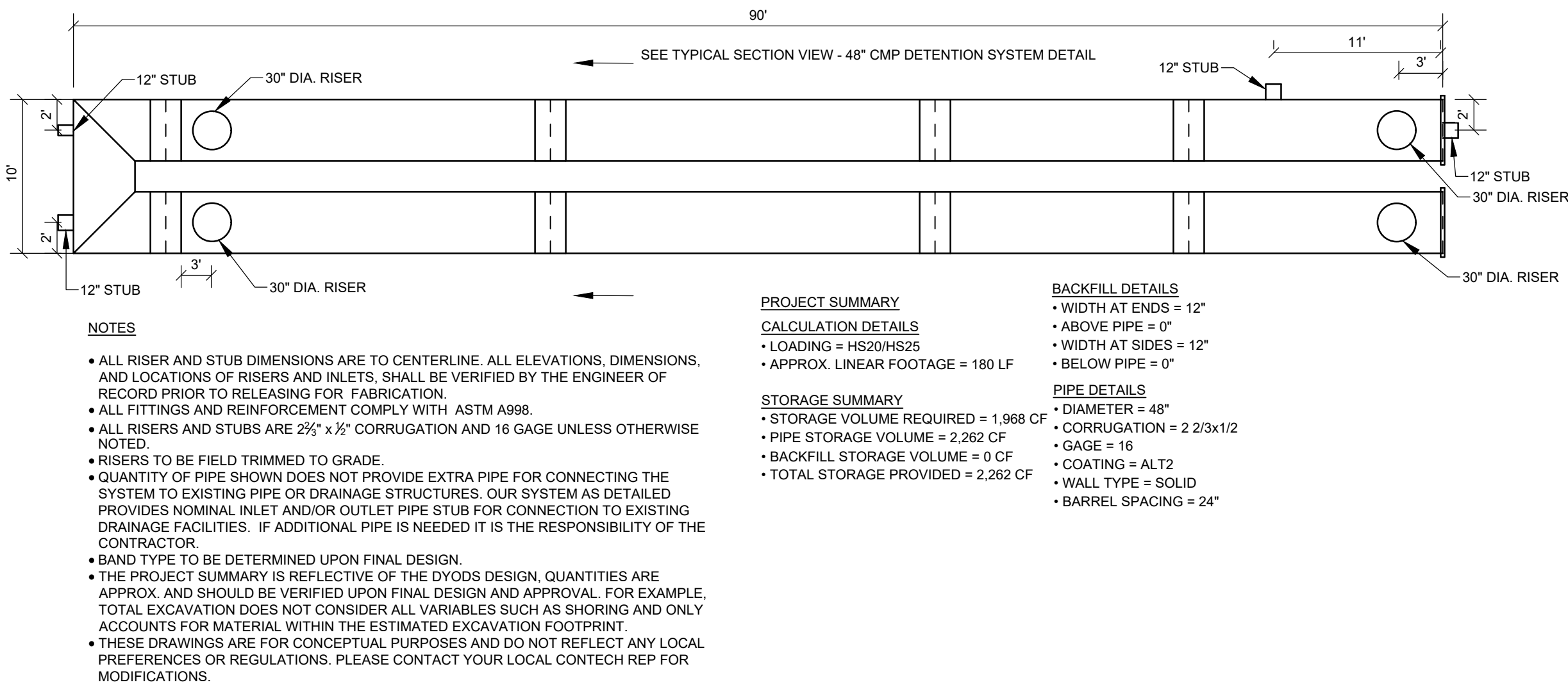


NOTES:

- DESIGN IN ACCORDANCE WITH AASHTO, 17th EDITION.
- DESIGN LOAD HS25.
- EARTH COVER = 1' MAX.
- CONCRETE STRENGTH = 3,500 psi
- REINFORCING STEEL = ASTM A615, GRADE 60.
- PROVIDE ADDITIONAL REINFORCING AROUND OPENINGS EQUAL TO THE BARS INTERRUPTED, HALF EACH SIDE. ADDITIONAL BARS TO BE IN THE SAME PLANE.
- TRIM OPENING WITH DIAGONAL #4 BARS, EXTEND BARS A MINIMUM OF 12" BEYOND OPENING, BEND BARS AS REQUIRED TO MAINTAIN BAR COVER.
- PROTECTION SLAB AND ALL MATERIALS TO BE PROVIDED AND INSTALLED BY CONTRACTOR.
- DETAIL DESIGN BY DELTA ENGINEERING, BINGHAMTON, NY.

MANHOLE CAP DETAIL

NOT TO SCALE

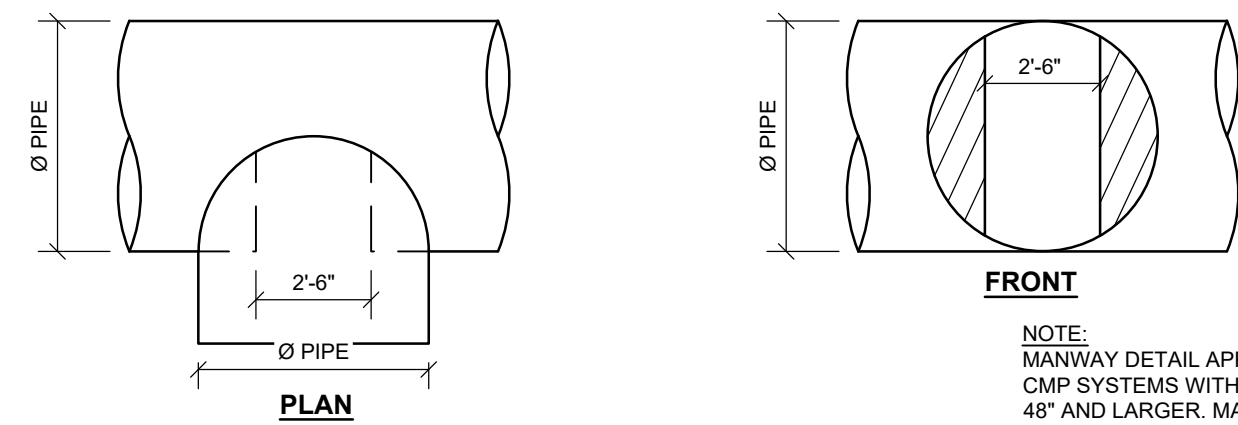


NOTES

- ALL RISER AND STUB DIMENSIONS ARE TO CENTERLINE. ALL ELEVATIONS, DIMENSIONS, AND LOCATIONS OF RISERS AND INLETS, SHALL BE VERIFIED BY THE ENGINEER OF RECORD PRIOR TO RELEASING FOR FABRICATION.
- ALL FITTINGS AND REINFORCEMENT COMPLY WITH ASTM A998.
- ALL RISERS AND STUBS ARE 2 1/2" X 1/2" CORRUGATION AND 16 GAGE UNLESS OTHERWISE NOTED.
- RISERS TO BE FIELD TRIMMED TO GRADE.
- QUANTITY OF PIPE SHOWN DOES NOT PROVIDE EXTRA PIPE FOR CONNECTING THE SYSTEM TO EXISTING PIPE OR DRAINAGE STRUCTURES. OUR SYSTEM AS DETAILED PROVIDES NOMINAL INLET AND/OR OUTLET PIPE STUB FOR CONNECTION TO EXISTING DRAINAGE FACILITIES. IF ADDITIONAL PIPE IS NEEDED IT IS THE RESPONSIBILITY OF THE CONTRACTOR.
- BAND TYPE TO BE DETERMINED UPON FINAL DESIGN.
- THE PROJECT SUMMARY IS REFLECTIVE OF THE DYOOS DESIGN. QUANTITIES ARE APPROX. AND SHOULD BE VERIFIED UPON FINAL DESIGN AND APPROVAL. FOR EXAMPLE, TOTAL EXCAVATION DOES NOT CONSIDER ALL VARIABLES SUCH AS SHORING AND ONLY ACCOUNTS FOR MATERIAL WITHIN THE ESTIMATED EXCAVATION FOOTPRINT.
- THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

CONTECH 48" CMP DETENTION SYSTEM

NOT TO SCALE



PLAN

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PROJECT SUMMARY

CALCULATION DETAILS

- LOADING = HS20/HS25
- APPROX. LINEAR FOOTAGE = 180 LF

STORAGE SUMMARY

- STORAGE VOLUME REQUIRED = 1,968 CF
- PIPE STORAGE VOLUME = 2,262 CF
- BACKFILL STORAGE VOLUME = 0 CF
- TOTAL STORAGE PROVIDED = 2,262 CF

PIPE DETAILS

- DIAMETER = 48"
- CORRUPTION = 2 2/3x1/2
- GAGE = 16
- COATING = ALT2
- WALL TYPE = SOLID
- BARREL SPACING = 24"

BACKFILL DETAILS

- WIDTH AT ENDS = 12"
- ABOVE PIPE = 0"
- WIDTH AT SIDES = 12"
- BELOW PIPE = 0"

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- COATING = ALT2
- W

 PORTLAND me	Street & Sidewalk Lighting DECORATIVE LIGHT - DOWNTOWN	LUMINAIRE Holophane Esplanade LED II Model: ESLLP20S-30K-AS-CMC-TG3-S-P7-NL2X-BHDF13-200CMC Cast aluminum housing with stainless steel hardware. Dropped reflector shall be thermal resistant borosilicate glass. Internal reflector and prismatic diffuser shall provide an IES Type IV distribution pattern. Luminaire shall include an integral ballast with modular wiring connectors and multi-voltage taps. Provide an internal receptacle type photocell control. LED 3000K color temperature BRACKET ARM Holophane Portland Series steel (custom) Top Bracket Arm: Steel crossarm with a post-top fitting for a 3 1/2" by 8" tenon Model: PD42-CA-RAL6012 Lower Bracket Arm: Steel dual crossarm Model: PD69-CA-RAL6012 SLIP FITTER Holophane Model: WLF200S-CA-RAL6012 2-3/8" O.D. with swivel cast fitter. LIGHTING POLE Holophane Model: PM-18-CSB-CA-RAL6012 Tapered steel pole smooth shaft rated for a 90mph wind load with a 1.3 gust factor. Provide four hot-dipped galvanized steel L-type anchor bolts. Lighting pole shall be hot dip galvanized prior to powder coat paint. DECORATIVE BASE Holophane Model: PM18CSB-CA-RAL6012 Decorative clamshell cast aluminum base. Hardware shall be stainless steel. DIMENSIONS Overall Height = 30' 0" Upper Bracket Arm Length = 3' 6" Lower Bracket Arm Length = 2' 10 1/2" Base Diameter = 18" FINISH Dark Green: RAL-6012 (custom) APPLICATION Street/pedestrian lighting combination. Spacing: One side: 90' - 100' on center Alternating sides: 175' - 225' on center Double-arm bracket arms parallel to sidewalk.	
Date: March, 2019 Revised Date:	CITY OF PORTLAND, MAINE TECHNICAL MANUAL	MUNICIPAL STREET LIGHTING STANDARDS SECTION 10 DOWNTOWN COMBO	Figure: X-5F

DETAILS

OF:

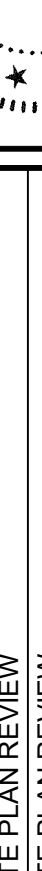
385 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET
PORTLAND, MAINE

FOR:

THE FATHOM COMPANIES

80 EXCHANGE ST, SUITE 400
PORTLAND, ME 04101



SEBAGO
T E C H N I C S
WWW.SEBAGOTECHNICS.COM

75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 202-206-2100

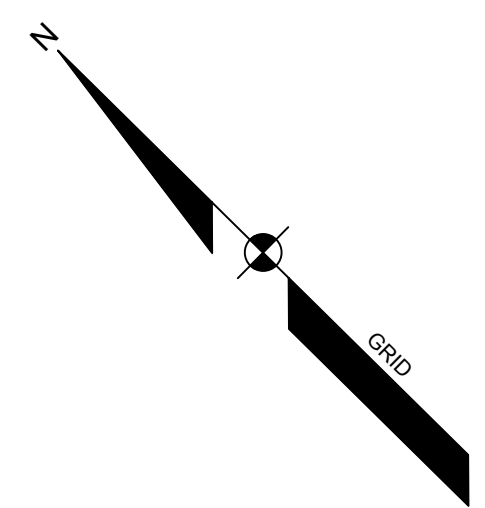
DESIGNED	DJS
DRAWN	DAB
CHECKED	DLR
DATE	01/13/2023
SCALE	N.T.S.
PROJECT	19371-01

19371 - D - P1.dwg TAB-22A DETAILS

SHEET 22A OF 24

1. ALL WORK TO BE GOVERNED BY THE "STATE OF MAINE, DEPARTMENT OF TRANSPORTATION, STANDARD SPECIFICATIONS, REVISION 2020" AND "STANDARD DETAILS REVISION OF 2020" INCLUDING THE LATEST UPDATES.
2. ALL WORK, INCLUDING MAINTENANCE OF TRAFFIC, SHALL BE PER THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION.
3. STRAIN POLE SHALL BE GALVANIZED STEEL PAINTED BLACK.
4. NEW FOUNDATION DESIGN FOR STRAIN POLE TO BE PROVIDED WITH FINAL PLAN FOR CONSTRUCTION.
5. PEDESTAL POLES SHALL BE SINGLE PIECE CONSTRUCTED PAINTED BLACK.
6. FOUNDATIONS FOR PEDESTAL POLES SHALL BE 20" DIAMETER.
7. ALL PULL BOX COVERS SHALL BE LABELED "TRAFFIC".
8. PEDESTRIAN SIGNAL HEADS SHALL BE ONE-WAY ONE SECTION 16"x18" LED HAND/MAN WITH COUNTDOWN MODULE.
9. PEDESTRIAN SIGNAL HEADS SHALL BE CONSTRUCTED OF POLYCARBONATE MATERIAL WITH BLACK FACES.
10. VEHICULAR SIGNAL SHALL BE POLYCARBONATE ONE-WAY 12" LED MODULES W/ 5" LOUVERED BACKPLATES AND 3" RETROREFLECTIVE YELLOW BORDERS.
11. INSTALL ACCESSIBLE PEDESTRIAN SIGNAL (APS) PUSH BUTTONS WITH R10-3e PUSH BUTTON SIGNS. SIGNS SHALL BE POSTED AT EACH PROPOSED APS PUSHBUTTON.
12. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH MAINEDOT STANDARD DETAIL 628(05).
13. ALL CONDUIT, WITH EXCEPTION OF POWER SERVICE, SHALL BE 3" SCH. 80 PVC.
14. CONDUIT FOR POWER SERVICE SHALL BE 2" METALLIC.
15. REPLACE ALL EXISTING VEHICULAR SIGNAL HEADS WITH NEW 3-SECTION 12" LED SIGNAL HEADS W/ 5" LOUVERED BACKPLATES AND 3" RETROREFLECTIVE BORDERS.
16. INSTALL NEW NON-INVASIVE STOP BAR VEHICULAR DETECTION IN ACCORDANCE WITH MAINEDOT AND CITY OF PORTLAND TRAFFIC SIGNAL EQUIPMENT STANDARDS.
17. EXISTING SIGNAL TIMINGS/PHASING TO BE MAINTAINED.
18. FULL MATERIAL LIST TO BE PROVIDED ON FINAL CONSTRUCTION PLAN FOR REVIEW BY THE CITY OF PORTLAND. SPECIFIED MATERIALS WILL BE IN ACCORDANCE WITH THE CITY OF PORTLAND TRAFFIC SIGNAL POLICY AND GUIDANCE MANUAL.

— — —	CONDUIT
	TRAFFIC SIGNAL CABINET
	PULL BOX
	PEDESTAL POLE W/ PEDESTRIAN SIGNAL AND APS PUSHBUTTON
	PEDESTRIAN SIGNAL AND APS PUSHBUTTON
	VEHICULAR SIGNAL HEAD W/ RETROREFLECTIVE BACKPLATE
	VEHICULAR STOP-BAR DETECTION UNIT
	STRAIN POLE



DANIEL L RILEY, PE 9967

STATE OF MAINE
DANIEL L RILEY
No. 9967
PROFESSIONAL ENGINEER

12/02/2022

[illegible]

SEBAGO
TECHNICS
75 John Roberts Rd.
Suite 400
South Plainfield, NJ 04106
Tel. 207-200-2100

PRELIMINARY TRAFFIC SIGNAL PLAN

F: 85 CONGRESS STREET - PHASE 1 HOTEL

CONGRESS STREET AND MYRTLE STREET

PORTLAND, MAINE

OR

THE FATHOM COMPANIES

3 EXCHANGE ST. SUITE 400

PORTLAND, ME 04101

DESIGNED	DHC
DRAWN	DAB
CHECKED	DLR
DATE	12/2/22
SCALE	1" = 10'

0155T00 0500

NOTES:

2. IMPLEMENT PROPOSED PEDESTRIAN PHASING AND TIMINGS INCLUDE ALL NECESSARY ANCILLARY EQUIPMENT, MATERIALS, AND WIRING

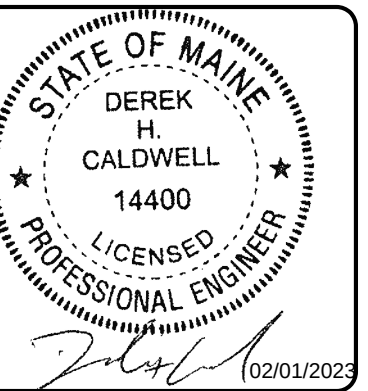
PHASE 2 - CONCURRENT W/ PEARL STREET =
7 SEC. WALK & 8 SEC. FLASHING DW
PED RECALL ON

A scale bar labeled "Scale of Feet" with markings at 25, 0, 25, and 50. The bar is divided into alternating black and white segments.

THE LISTED QUANTITIES ARE APPROXIMATE
AND ARE PROVIDED FOR INFORMATION ONLY

1250

NOT FOR
CONSTRUCTION



1	DHC 01-31-23	PRELIMINARY PLAN FOR SITE PLAN APPROVAL
REV: BY:	DATE:	STATUS:
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, ADDITIONS OR DELETIONS TO THIS PLAN SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.		



PRELIMINARY TRAFFIC SIGNAL PLAN
OF: CUMBERLAND AVENUE AT PEARL STREET
PORTLAND, MAINE
FOR: 385 CONGRESS STREET - PHASE 1 HOTEL
THE FATHOM COMPANIES
80 EXCHANGE ST. SUITE 400
PORTLAND, ME 04101

DESIGNED	DHC
DRAWN	DHC
CHECKED	DLR
DATE	02/01/2023
SCALE	1" = 25'
PROJECT	19371-01

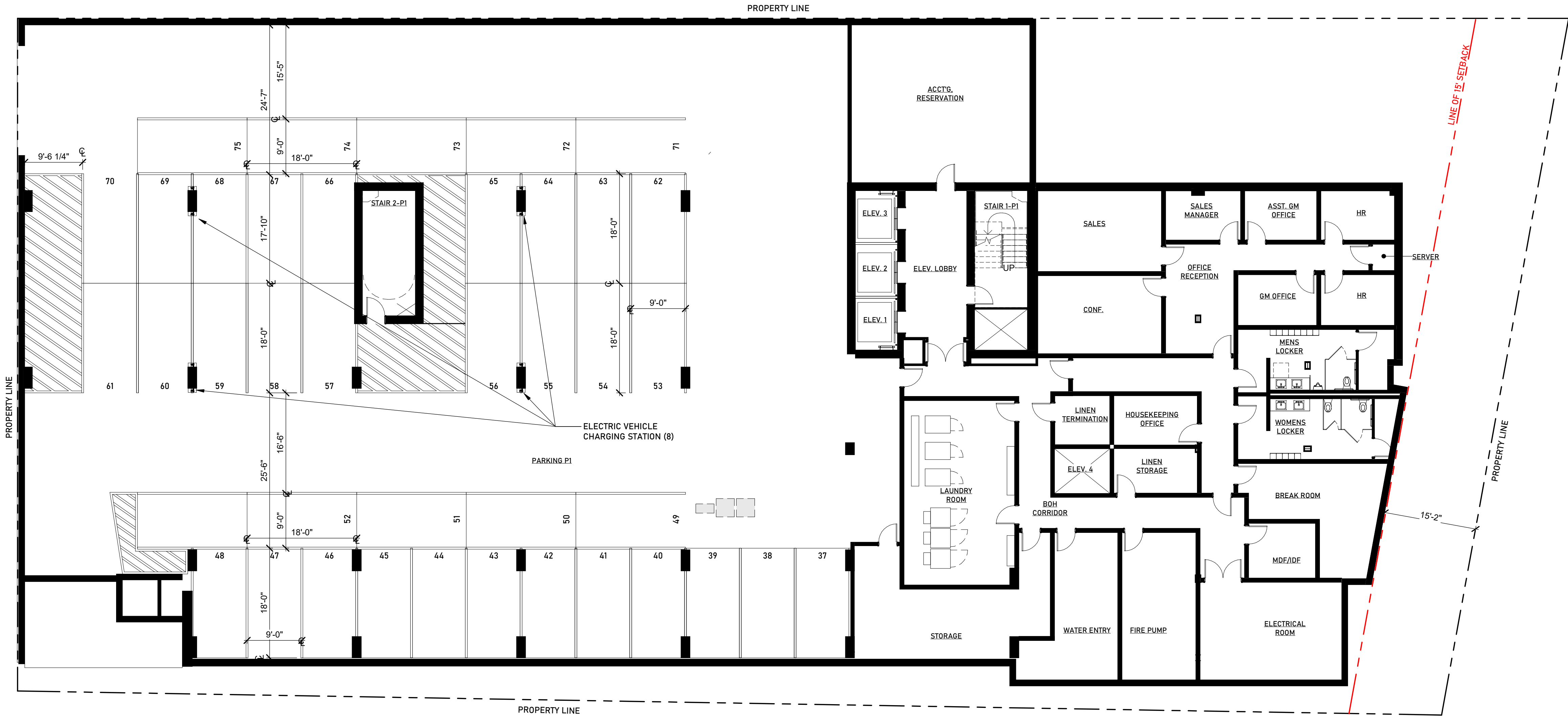
SHEET 24 OF 25





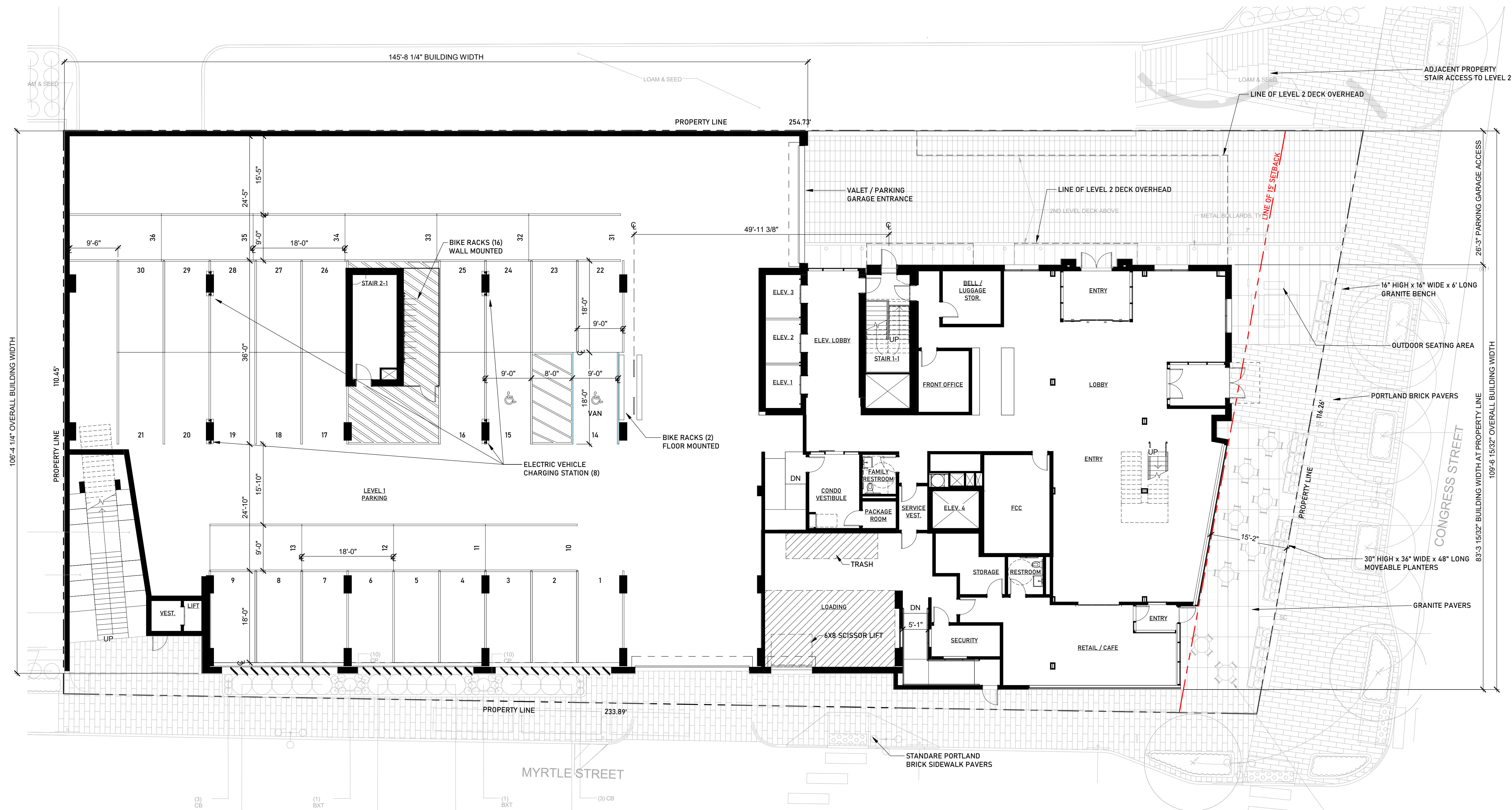
SITE PLAN

1" = 20'-0"

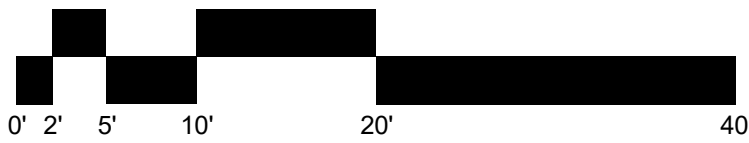


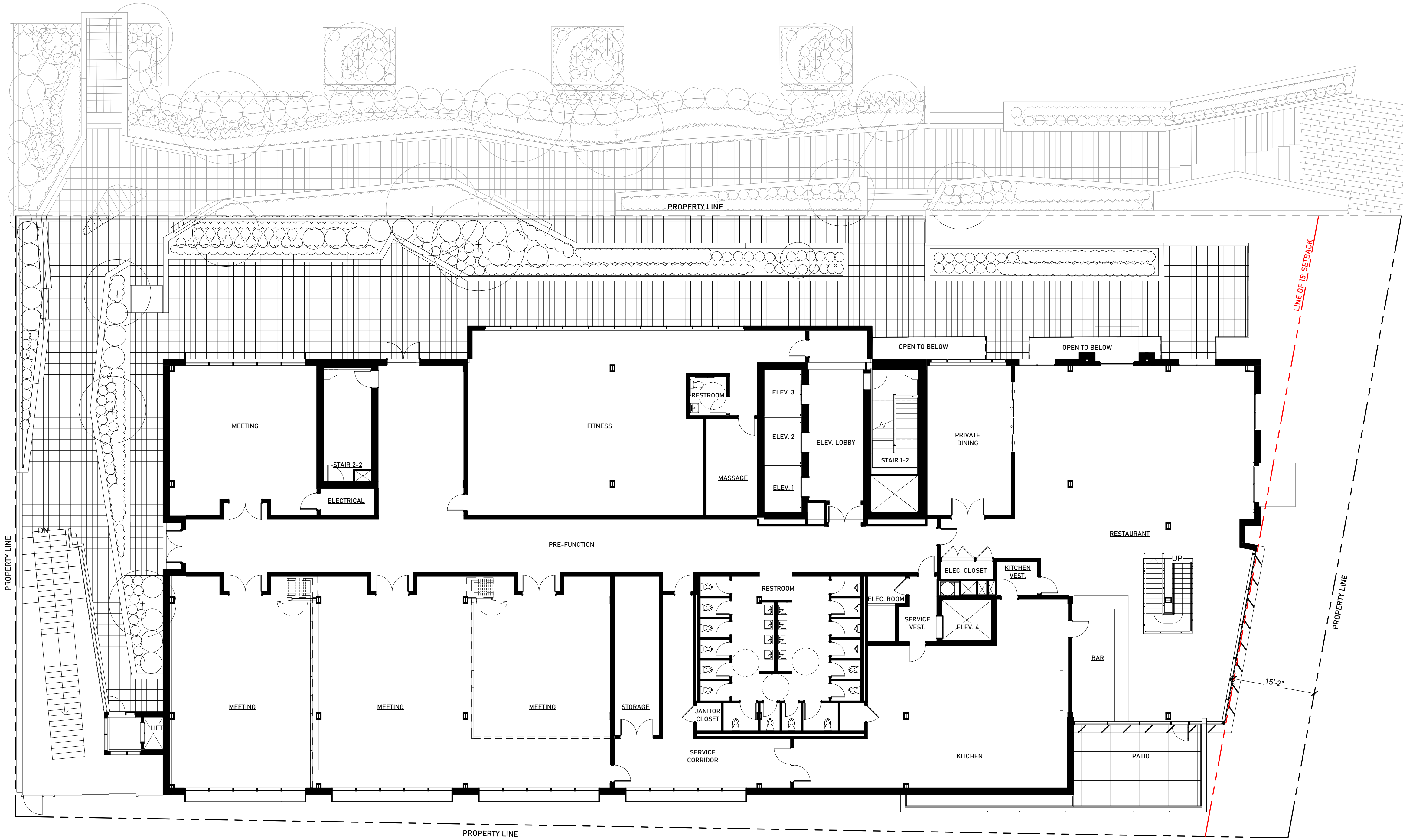
LEVEL P1
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 1
3/32" = 1'-0"
TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED





LEVEL 2
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 4
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 3
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 6
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 5
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 8
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 7
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



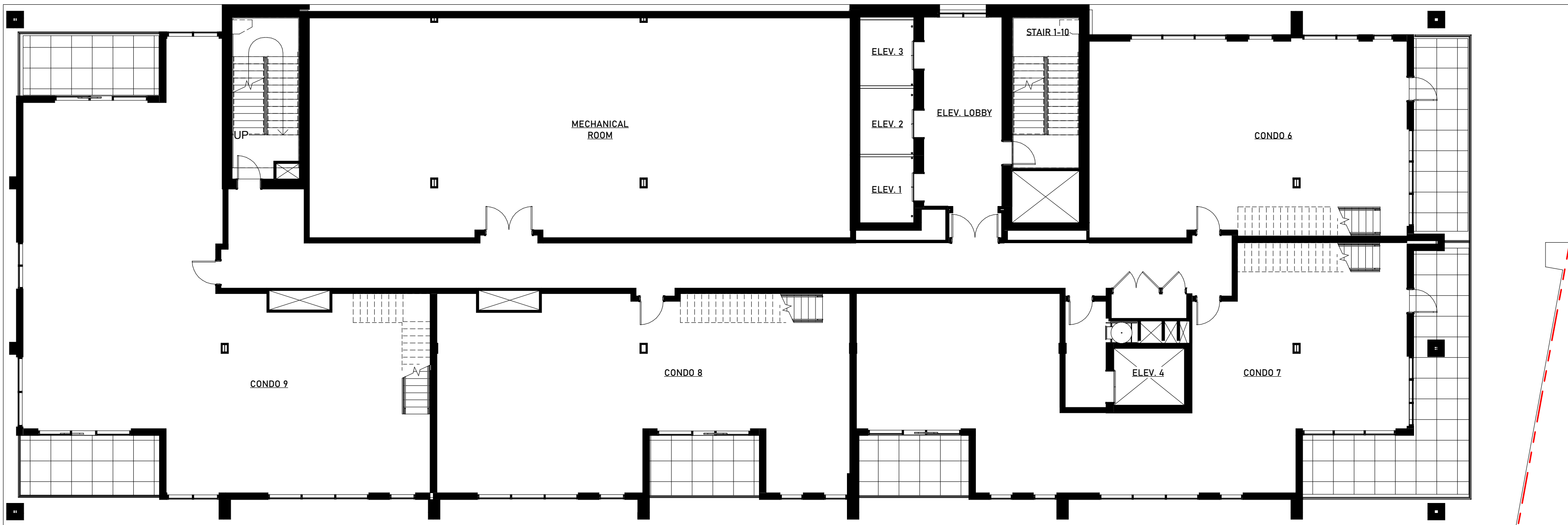
LEVEL 10
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 9
3/32" = 1'-0"

TYPICAL FOR ALL FLOORS BELOW 125' ABOVE GRADE PLANE
SQUARE FOOTAGE ALLOWED IS UNLIMITED



LEVEL 12
3/32" = 1'-0"

REFER TO ELEVATIONS, LEVEL 12 IS ABOVE 125' ABOVE GRADE.
MAX ALLOWABLE SQUARE FOOTAGE IS 10,500 SF, ACTUAL IS 10,500 SF



LEVEL 11
3/32" = 1'-0"

REFER TO ELEVATIONS, LEVEL 11 IS ABOVE 125' ABOVE GRADE.
MAX ALLOWABLE SQUARE FOOTAGE IS 10,500 SF, ACTUAL IS 10,500 SF



ROOF PLAN
3/32" = 1'-0"



MASONRY DETAIL



MTL-02 METAL PANEL



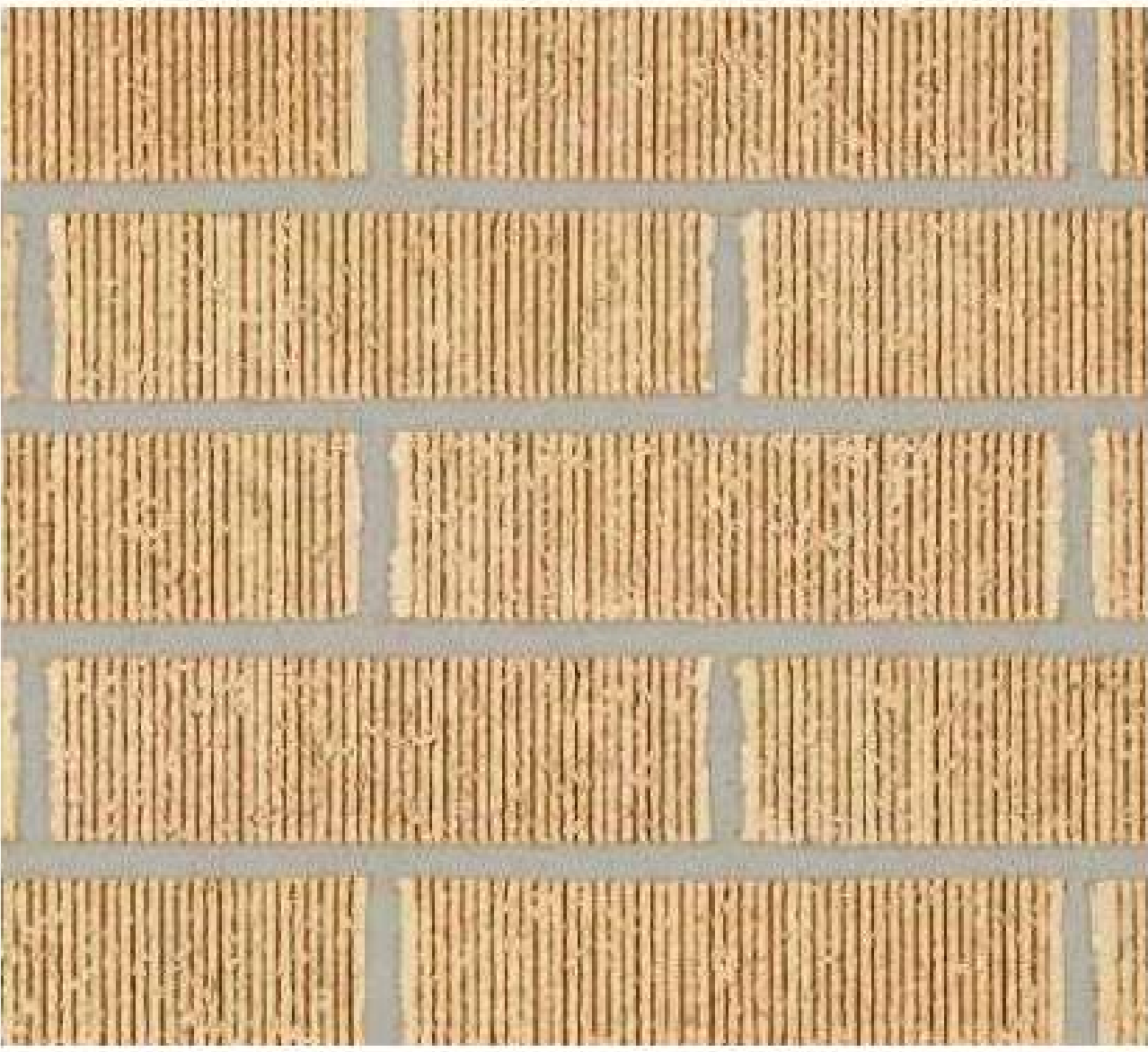
MTL-03 PERFORATED METAL FINs



CURTAIN WALL



ST-01 LIMESTONE BASE



BR-02 VERTICAL SCORE BRICK



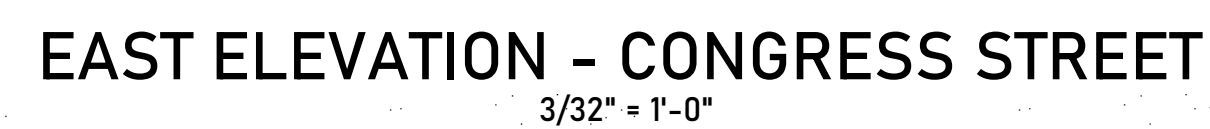
BR-01 MODULAR BRICK



BR-03 IRONSPOT BRICK

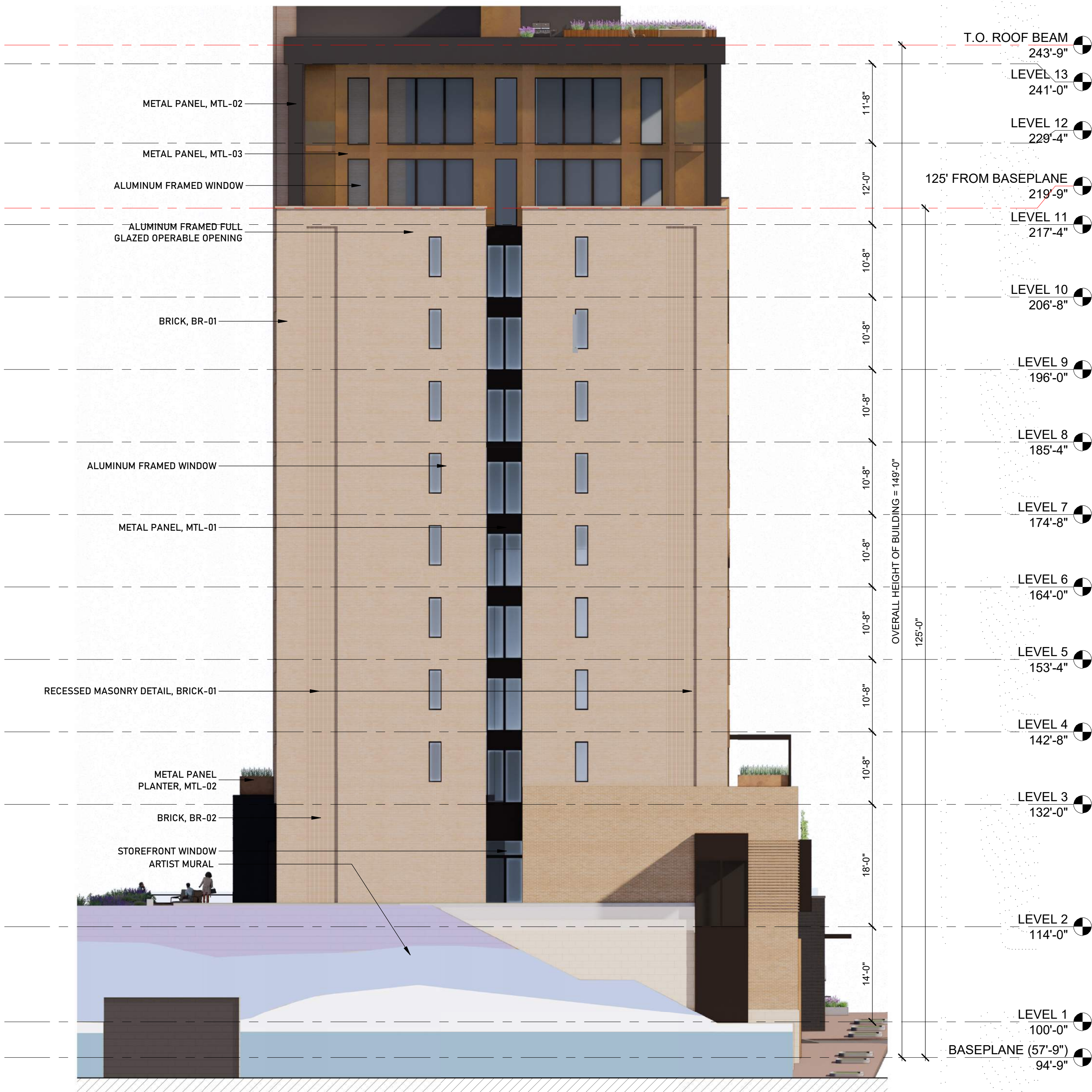


MTL-01 METAL PANEL





SOUTH ELEVATION - MYRTLE STREET
3/32" = 1'-0"



WEST ELEVATION - SITE INTERIOR
3/32" = 1'-0"



NORTH ELEVATION - SITE INTERIOR
3/32" = 1'-0"



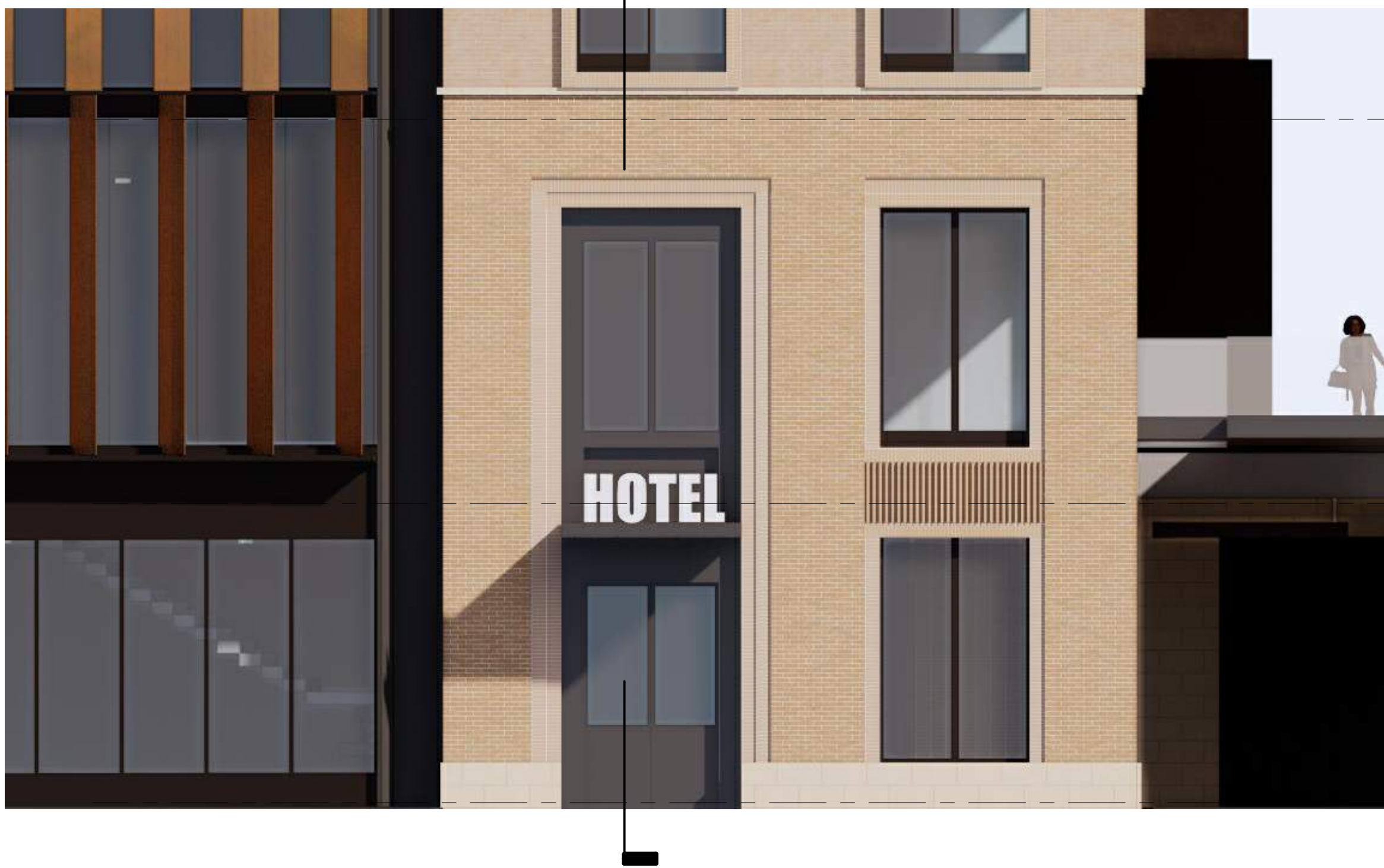
AERIAL OF HOTEL ENTRANCE OFF CONGRESS AVENUE



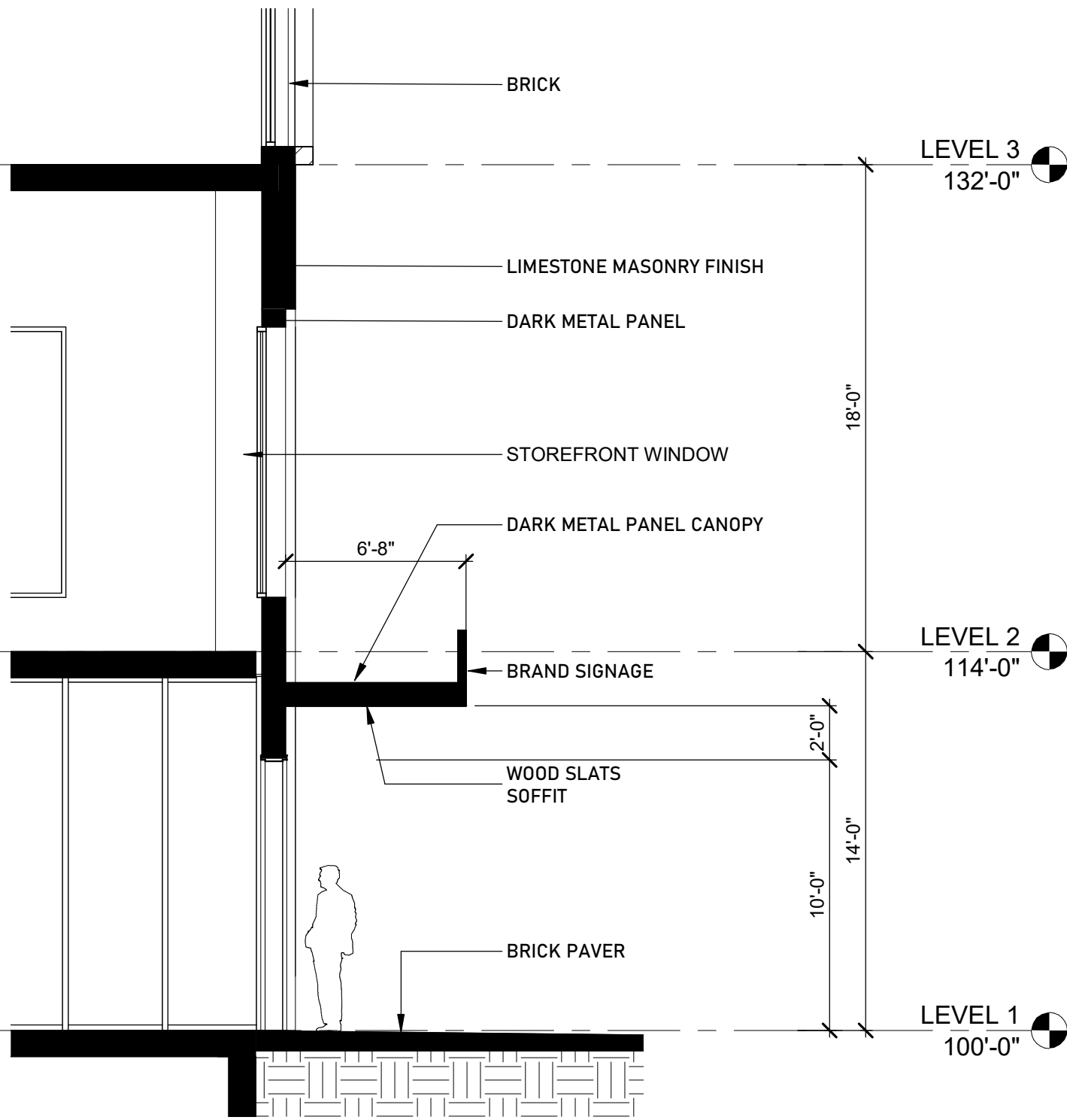
STREETVIEW FROM CONGRESS AVE



HOTEL ENTRANCE



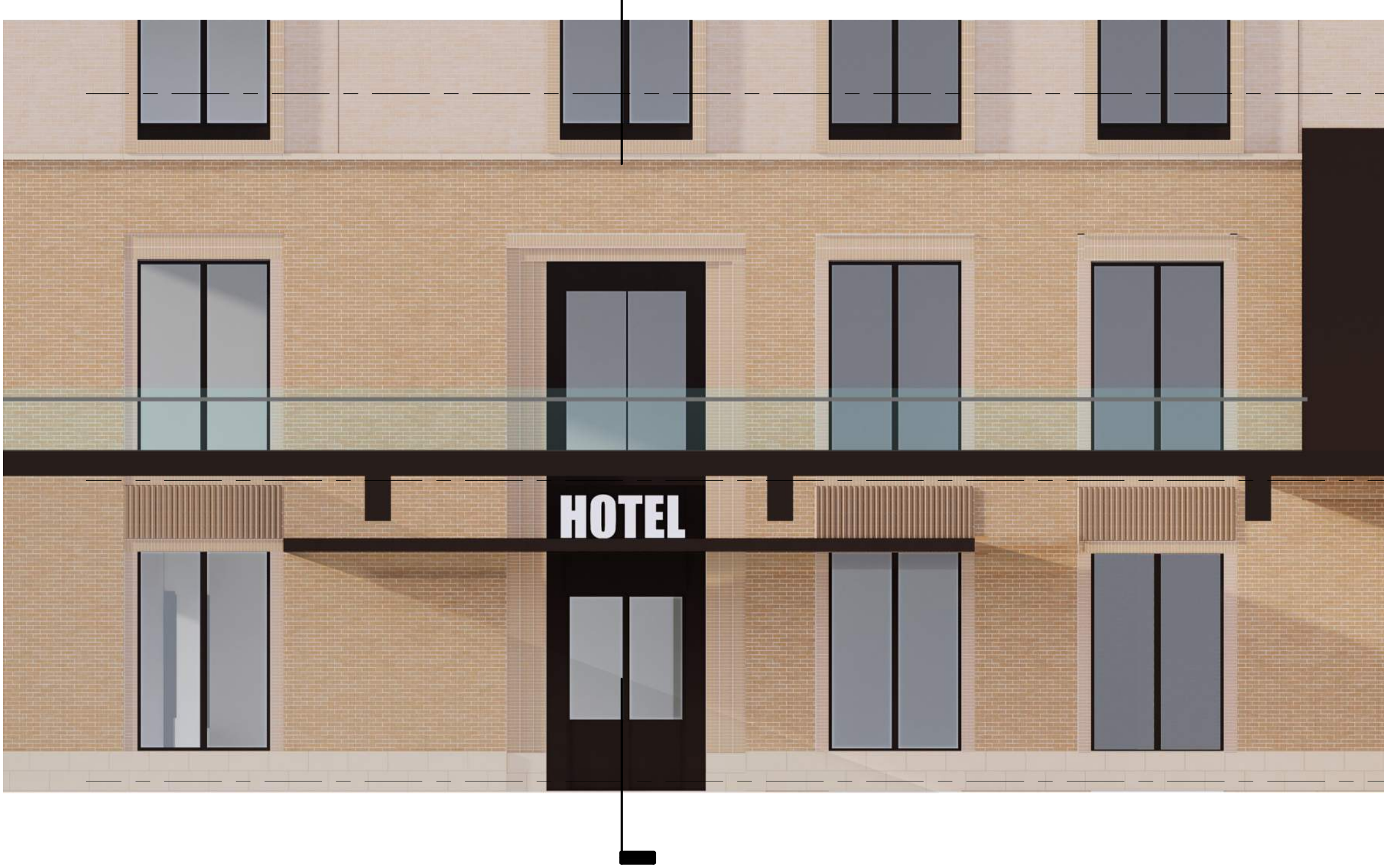
HOTEL ENTRANCE FROM CONGRESS
3/16" = 1'-0"



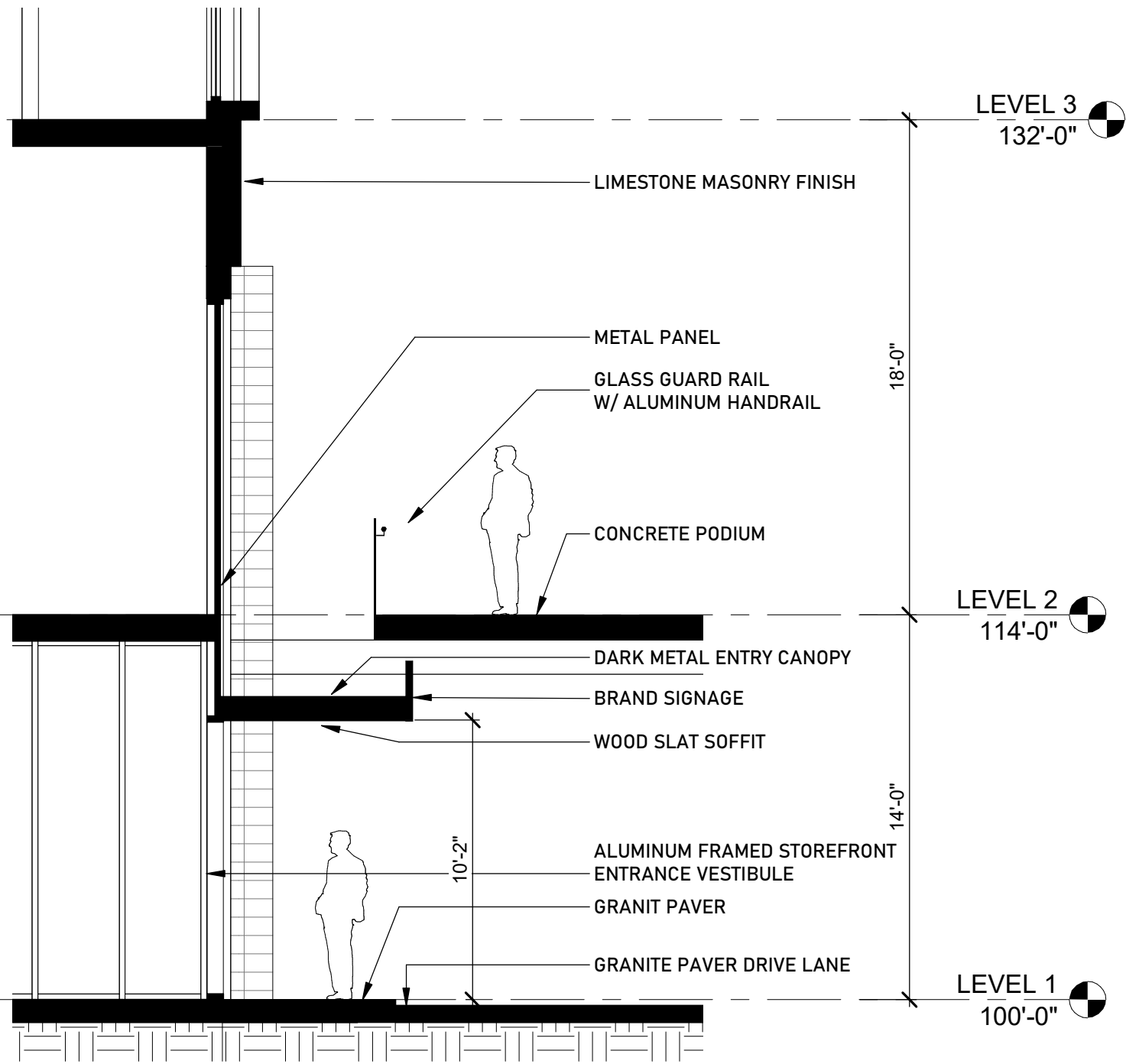
HOTEL ENTRANCE SECTION



VALET ENTRANCE



HOTEL ENTRANCE FROM VALET PARKING
3/16" = 1'-0"



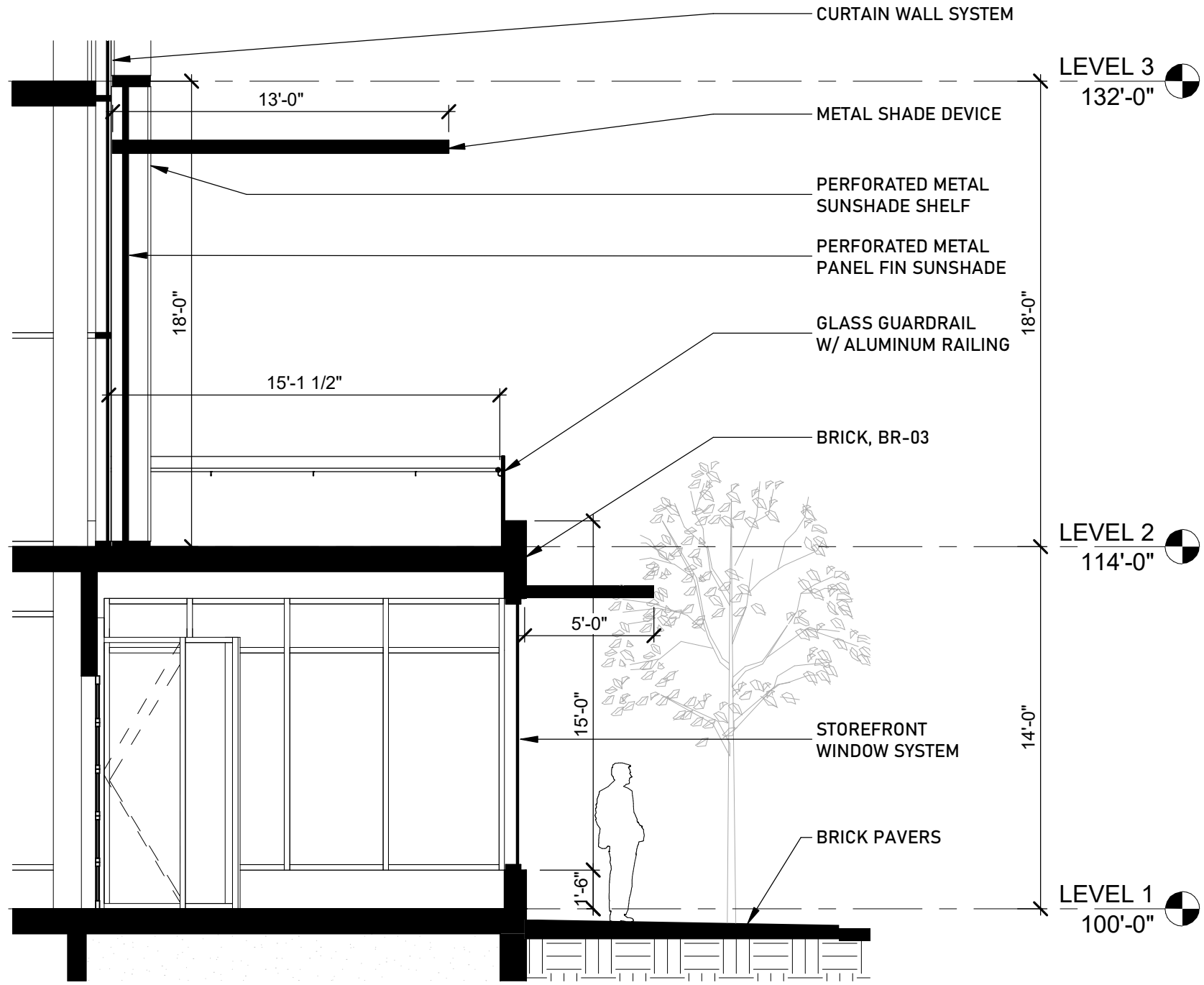
HOTEL VALET SECTION



MYRTLE STREET RETAIL



MYRTLE STREET RETAIL
3/16" = 1'-0"



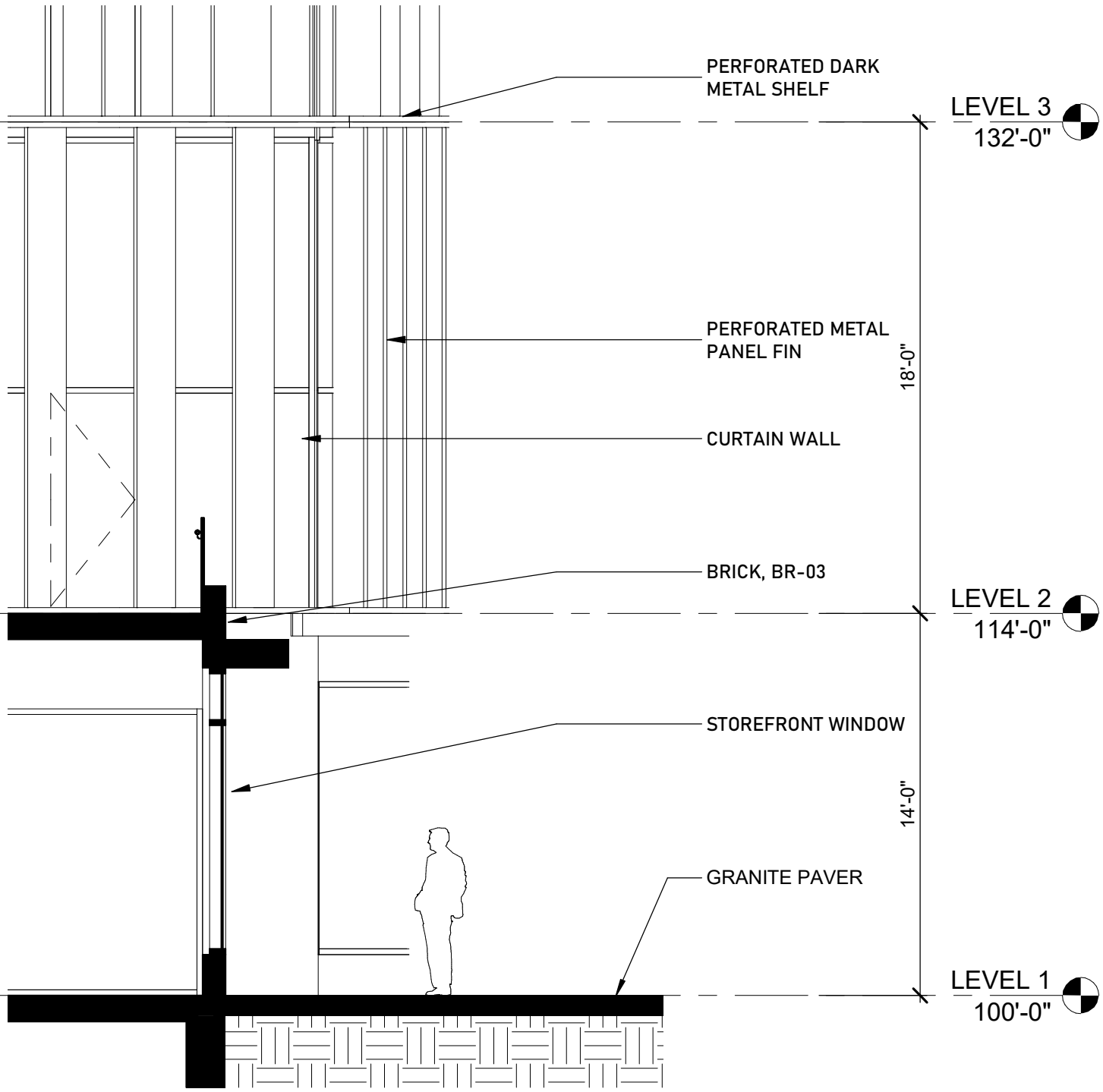
MYRTLE STREET RETAIL SECTION



CONGRESS STREET RETAIL ENTRANCE



RETAIL ENTRANCE - CONGRESS STREET
3/16" = 1'-0"



RETAIL ENTRANCE SECTION

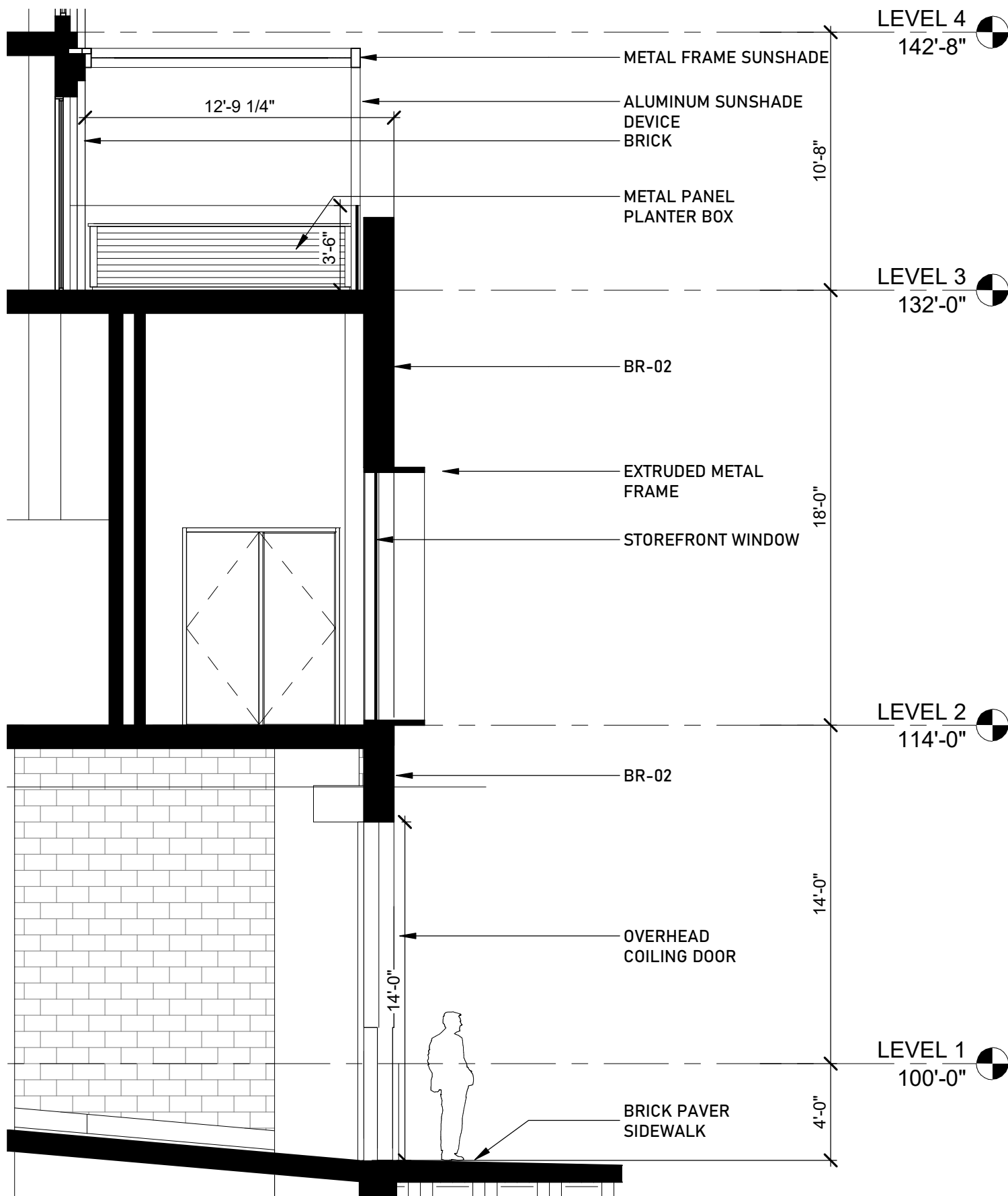


PARKING GARAGE STREET VIEW



PARKING GARAGE ENTRANCE FROM MYRTLE

3/16" = 1'-0"



PARKING GARAGE ENTRANCE SECTION

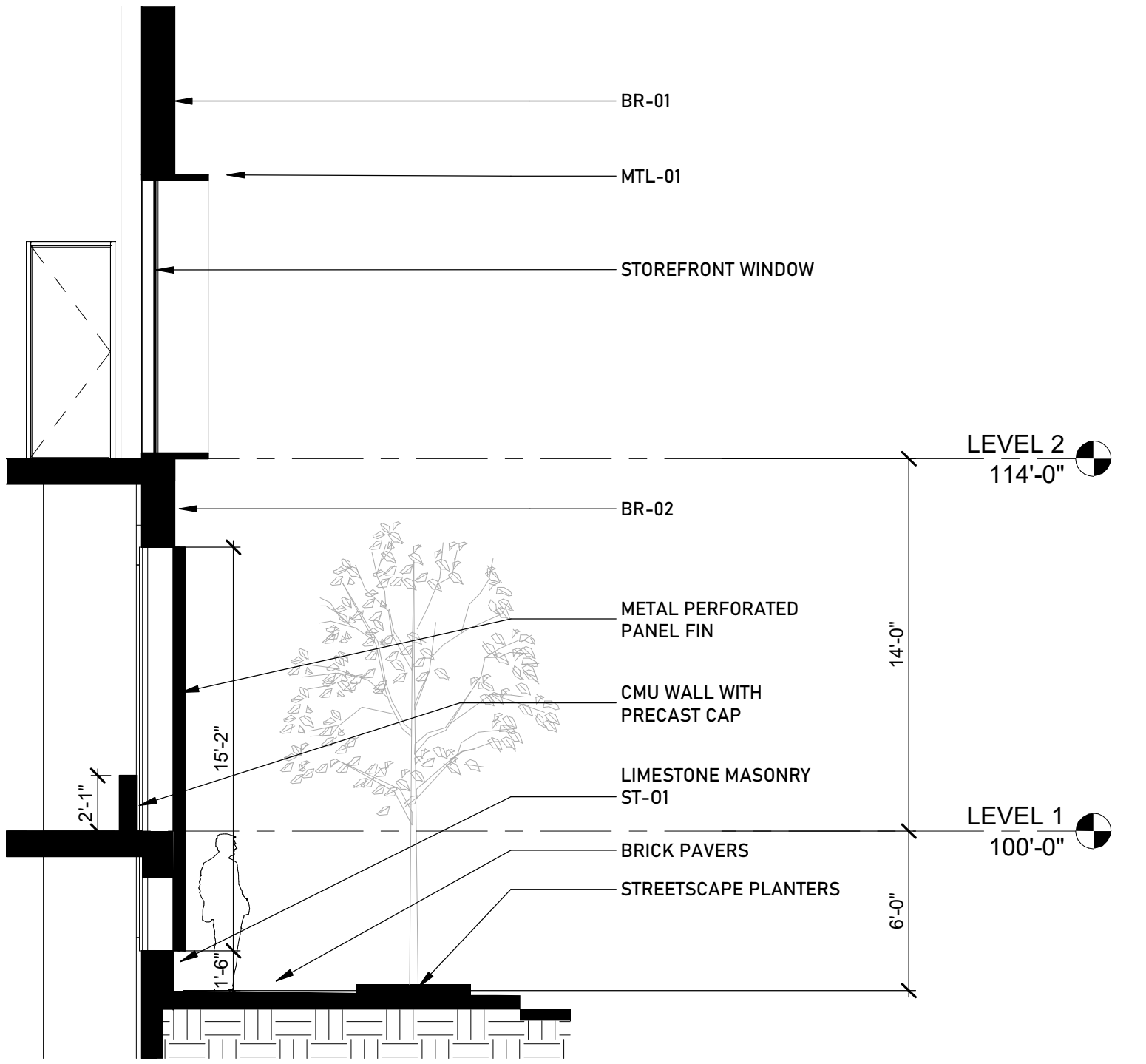


MYRTLE STREET VIEW



PARKING GARAGE FROM MYRTLE

3/16" = 1'-0"



PARKING GARAGE SECTION

385 CONGRESS HOTEL | STREET VIEW FROM CONGRESS & MYRTLE



THANK YOU!



AERIAL VIEW OF AMENITY DECK FROM CONGRESS



AERIAL VIEW OF AMENITY DECK PHASE 1



UPPER AMENITY DECK LOOKING EAST



LOWER AMENITY DECK LOOKING WEST



CONDO PATIO'S LOOKING OVER CONGRESS

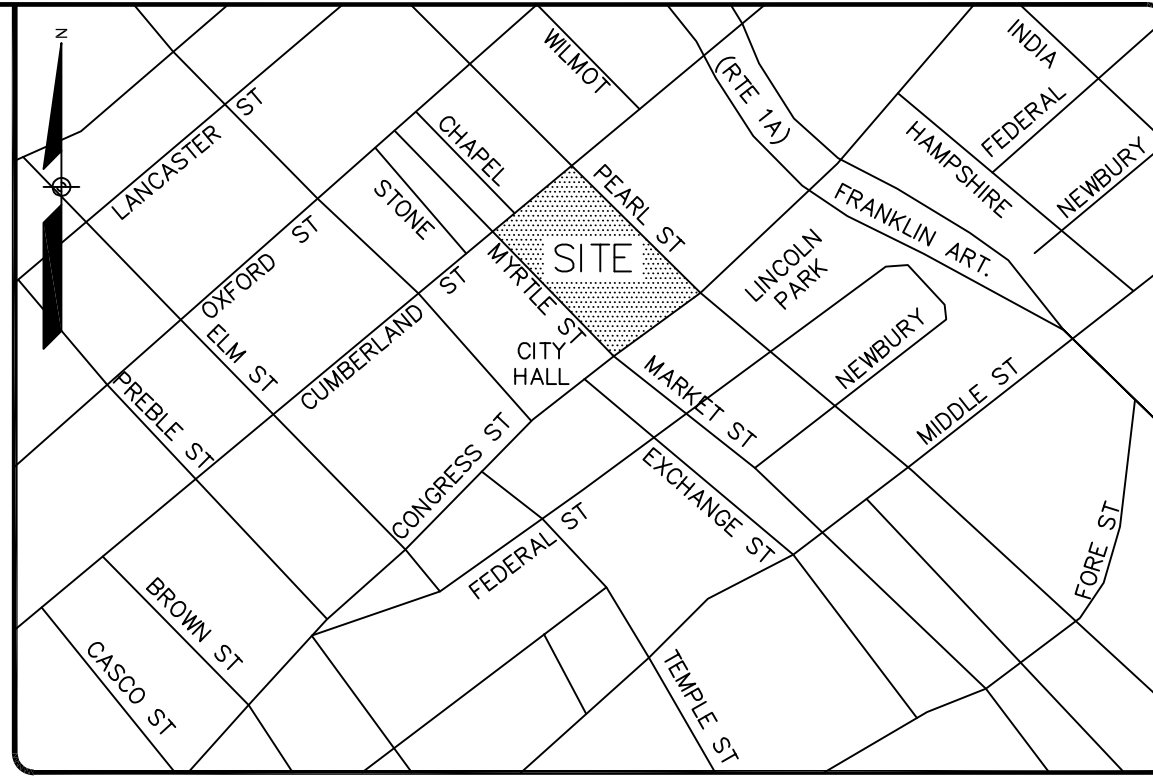


CONDO PATIO'S LOOKING OVER MYRTLE

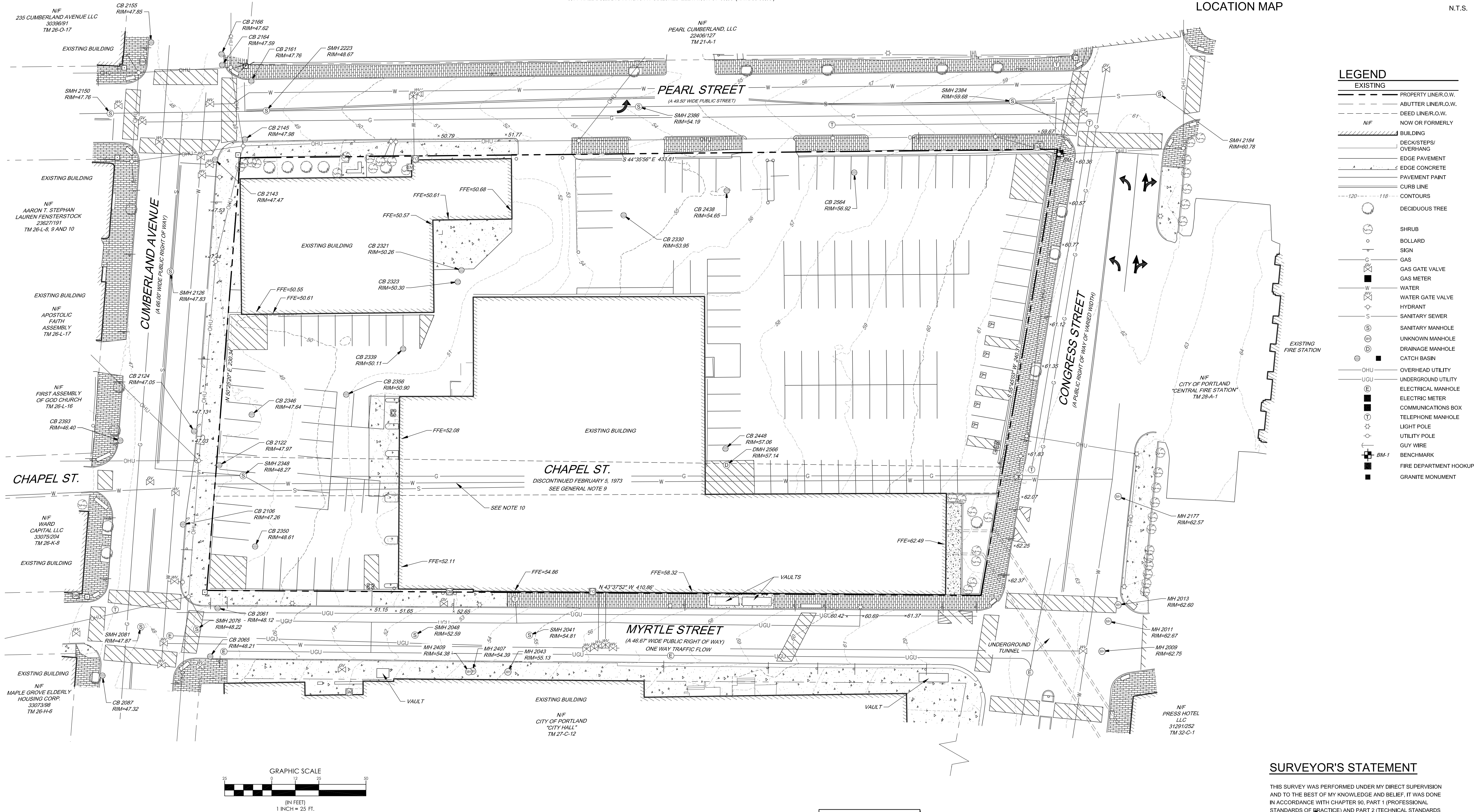
1. THE RECORD OWNER OF THE PARCEL IS 385 CONGRESS LLC BY DEED DATED OCTOBER 20, 2017 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN BOOK 34401, PAGE 214.
2. THE PROPERTY IS SHOWN AS LOT 1 ON THE CITY OF PORTLAND TAX MAP 27 AND IS LOCATED IN THE B3 DOWNTOWN BUSINESS DISTRICT.
3. SPACE AND BULK CRITERIA FOR THE B3 DISTRICT ARE AS FOLLOWS:

MINIMUM LOT SIZE:	N/A
MINIMUM STREET FRONTAGE:	15 FEET
MINIMUM FRONT YARD:	N/A
MINIMUM SIDE YARD:	N/A
MINIMUM REAR YARD:	N/A
MAXIMUM BUILDING HEIGHT:	150 FEET
MAXIMUM LOT COVERAGE:	100%
* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.	
4. TOTAL AREA OF PARCEL IS APPROXIMATELY 2.26 ACRES.
5. THE BOUNDARY IS BASED ON PLAN REFERENCE 6F. TOPOGRAPHIC INFORMATION SHOWN HEREON. SEBAGO TECHNIKS INC. UPDATED RECORDS RESEARCH FROM 2009 TO DATE REGARDING THE BOUNDARY INFORMATION.
6. IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHNIKS, INC. OCTOBER, 2019.

- PLAN REFERENCES:
- | | |
|---|---|
| <p>A. PLAN OF CITY BUILDING LOT, PORTLAND, ME, DATED AUGUST 1908 BY THE CITY OF PORTLAND ENGINEER, AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.</p> <p>B. PORTLAND DEPARTMENT OF PUBLIC WORKS STREET WORKSHEETS AND BLUESHEETS FOR STREETS BOUNDING THE LOCUS PARCEL AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.</p> <p>C. PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, DATED JULY 1964 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 6632.</p> <p>D. NEW MECHANICAL BUILDING, GUY GANNETT PUBLISHING COMPANY, PORTLAND, ME, TUNNEL PLAN AND SECTIONS BY LOCKWOOD, GREENE ENGINEERS, INC, REVISED THROUGH MAY 12, 1965 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 2032.</p> <p>E. PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING COMPANY, BY H.I. & E.C. JORDAN - SURVEYORS, REVISED THROUGH FEBRUARY 6, 1973 AND ON FILE WITH OWEN HASKELL INC.</p> <p>F. ALTA/ACSM LAND TITLE SURVEY OF CONGRESS STREET SITE, 385 CONGRESS STREET, PORTLAND, ME DATED JULY 1, 2009 BY SEBAGO TECHNICS INC, PROJECT NUMBER 09235.</p> | <p>9. THE CITY OF PORTLAND DISCONTINUED THAT PORTION OF CHAPEL STREET "RUNNING FROM CONGRESS STREET TO CUMBERLAND STREET" BY ORDER OF CITY COUNCIL ON FEBRUARY 5, 1973 AND RECORDED AT THE CITY OF PORTLAND RECORDS IN VOLUME 88, PAGE 61. PUBLIC AND PRIVATE RIGHTS MAY EXIST FOR PUBLIC HIGHWAY AND UTILITIES THAT STILL LIE WITHIN THE LIMITS OF CHAPEL STREET. SEBAGO TECHNICS, INC, SUGGEST LEGAL COUNSEL BE SOUGHT TO CLARIFY THE INTEREST OF OTHERS IN THESE RIGHTS.</p> <p>10. PURSUANT TO A CONVERSATION BETWEEN SEBAGO TECHNICS, INC, AND THE PORTLAND WATER DISTRICT, THE WATER LINE SHOWN AS BEING LOCATED IN THE DISCONTINUED PORTION OF CHAPEL STREET HAS BEEN REMOVED AND NO LONGER EXISTS.</p> <p>11. UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D PER AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) STANDARD Q136-02. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES, CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.</p> <p>12. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBER 230051 0013 B, HAVING AN EFFECTIVE DATE OF JULY 17 1986. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREAS OF AREAS OF MINIMAL FLOODING.</p> <p>13. BENCHMARK:
BM-1 EASTERLY BOLT AT BASE OF UTILITY POLE ELEVATION: 61.55 (NGVD29)</p> |
|---|---|



N.T.S



THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) AND PART 2 (TECHNICAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

JOSHUA R. EON, PLS 2558

12/16/2019

DESIGNED	-
DRAWN	RHS/TSL
CHECKED	JRE/CDM
DATE	12/16/19
SCALE	1" = 25'
PROJECT	19371

SHEET 1 OF 2

EXISTING CONDITIONS PLAN
OF:
CONGRESS / PEARL BLOCK
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE 04101
FOR RECORD OWNER:
385 CONGRESS STREET, LLC.
2730 TRANSIT ROAD, PORTLAND, ME 04106

SEBAGO
TECHNICS

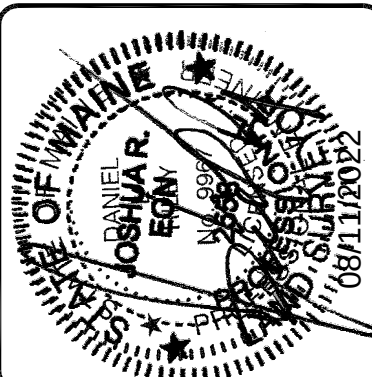
WWW.SEAGOTECHNICS.COM

75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

F	JRE	2/20/2020	ADDED STRUCTURE INFO AND MINOR DRAFTING REVISIONS
E	JRE	2/17/2020	ADDED NOTE 10
D	JRE	2/17/2020	MINOR DRAFTING REVISIONS PER PM REQUEST; ADDED NOTE
C	JRE	1/20/2020	MINOR DRAFTING REVISIONS PER PM REQUEST
B	JRE	1/08/2020	CORRECTED SPACE AND BULK CRITERIA PER PM REQUEST
A	JRE	12/16/2019	ISSUED TO CLIENT FOR REVIEW
REV:	JRE	DATE:	STATUS:

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SERAGO TECHNIKS, INC. A. AUTHORIZED OR OTHERWISE. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SERAGO.

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



9371EC.dwg, TAB:EC1



Zachary Powell <zpowell@portlandmaine.gov>

Fwd: Public Comment - 385 Congress Street: Some Outstanding Questions

Kevin Kraft <kkraft@portlandmaine.gov>

Mon, Feb 13, 2023 at 11:49 AM

To: Zachary Powell <zpowell@portlandmaine.gov>

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

From: **George Rheault** <george.rheault@gmail.com>

Date: Mon, Feb 13, 2023 at 11:40 AM

Subject: Public Comment - [385 Congress Street](#): Some Outstanding QuestionsTo: Planning Board <planningboard@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, jmy <jmy@portlandmaine.gov>, Abigail Reed <areed@portlandmaine.gov>

Once again, the citizens of Portland see what our planning department is capable of doing when it is highly motivated (unfortunately usually just to facilitate development pre-approved by the local powers-that-be who may even be investors in said development).

Unlike a complex project like the recently approved 31 Forest Street infill, the modest, uncomplicated structure proposed for [385 Congress Street](#) has been fast-tracked for a public hearing with the staff's consent and cooperation.

A host of issues remain outstanding however and would have benefited from a workshop including the following:

1.) VALET Operations

Considering how the planning authority (Board/staff) recently threw the proposed Time & Temperature Hotel project into disarray by denying them a straight-forward and practical valet operation (coincidence that a direct beneficiary of that project's hindered prospects is the Fathom Companies?), it is critical that the Planning Board and planning staff show that it is not playing favorites in terms of scrutinizing the 385 Congress St proposal with respect to public safety services and traffic tie-ups.

- How EXACTLY does the existing Press Hotel use the adjacent parking lots located on the new hotel site TODAY, particularly for ITS valet operations and what is the CUMULATIVE post-construction impact of the joint usage?
One would think that there would be a LOT of vehicle ballet occurring at the Myrtle/Congress intersection, including Press Hotel customers being diverted (intentionally or otherwise) to the parking garage across the street which may create additional traffic congestion that is not accounted for to date in the traffic analysis.
- During events at Merrill, especially with bigger productions, there are often production vehicles (sleeper buses, semi-trailers, etc.) taking up big portions of the streetscape on the Cumberland Avenue end of Myrtle Street. Have scenarios anticipating a particularly congested Merrill event been gamed out that also take into account seasonal highpoints at the new hotel, Press Hotel and their impacts on the Central Fire Station?
- What would a worst case scenario look like with respect to Central Fire Station operations during a big queue of cars idling on Congress Street awaiting valet access along with ordinary heavy traffic on Congress proceeding in both directions (perhaps due to public events in Monument Square or the Old Port that impeded regular traffic flow)? Are these types of things part of the things that would be studied in the valet operation reports required of the applicant post-occupancy?

2.) SIDEWALK improvements?

- Does anyone know when the public sidewalks on Congress and Myrtle Streets were last improved (including with street lamps and street tree wells)? I vaguely recall the Congress Street section was very recently done (not sure if that was using CIP or CDBG funding). It is amazing that a particularly large public expense is about to be completely disturbed. Is there any kind of moratorium penalty applied to recent sidewalk improvements? It is very unfortunate that the City seems to be investing a lot of money in streetscapes that are then completely dug up with a few years - resulting in either big subsidies to the adjacent developments (who may have much less to do since the City already did the work) or just completely wasted resources when an "almost brand new" sidewalk is wrecked and then laboriously rebuilt (though presumably at private expense). Our planning efforts cannot not always guess when and where new development will

happen, but we seem to be doing it BACKWARDS - upgrading public infrastructure FIRST and then having private development come SECOND requiring the public infrastructure to be done all over again.

3. BLANK PARKING GARAGE WALL EXPANSE - requiring public art opportunity

I strongly urge the applicant to be required to dress up the ugly parking garage frontage on Myrtle Street with some creative visual treatments. The destruction of vital urbanism in this corridor between the 1950s and the 1980s (see here for what we lost: [9a-11 Myrtle Street, Portland, 1924 - Maine Memory Network](#)) has meant that Portland has waited a VERY long time for this stretch of downtown to be restored to something other than a glorified wind tunnel.

A generic "player to be named later" coffee shop and some lame landscaping pits are not in any way adequate enough to balance the enormous economic benefit the applicant is receiving for not being required to bury its parking underground sufficiently to allow for a truly active streetscape here.

NB:

Please ensure my public comments are appropriately uploaded to the meeting packet. With some regularity my comments are often misfiled or left out despite no such problems occurring to other members of the public who weigh in. For instance, my written comments from September 2022 for the 31 Forest Street application were left OUT of the packet materials for that matter's public hearing at the January 27, 2023 public hearing. This GHOSTING of public input (particularly when critical of planning staff) is a really bad look and undermines public confidence in the work done by the Board and staff.

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